United States
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Congressional Record

PROCEEDINGS AND DEBATES OF THE 114th CONGRESS, FIRST SESSION

HOUSE OF REPRESENTATIVES—*Tuesday, July 21, 2015*

The House met at noon and was called to order by the Speaker pro tempore (Mr. CURBELO of Florida).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
July 21, 2015.

I hereby appoint the Honorable CARLOS CURBELO to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 6, 2015, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 1:50 p.m.

GEORGE W. BUSH SPEAKER'S FEE

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. JONES) for 5 minutes.

Mr. JONES. Mr. Speaker, on Thursday, July 9, I saw a report on ABC News that former President George W. Bush charged $100,000 to speak at a charity fundraiser for military veterans wounded in Iraq and Afghanistan. I was disappointed to learn that a President who sent thousands of Americans to die in an unnecessary war justified by manipulated intelligence would charge a fee to speak at a fundraiser for wounded veterans.

ABC also reported that, in addition to charging $100,000 to speak at the charity: ''The former President was also provided with a private jet to travel to Houston at a cost of $20,000.''

Further, ABC News reported: ''One of the wounded vets who served on the charity board told ABC News he was outraged that his former commander in chief would charge any fee to speak on behalf of men and women he ordered into harm's way.

'' 'For him to be paid to raise money for veterans that were wounded in combat under his orders, I don't think that's right,' said former Marine Eddie Wright.''

Eddie Wright, Mr. Speaker, lost both hands in a rocket attack in Fallujah in Iraq in the year 2004.

This is so disappointing and outrageous. These veterans have been severely wounded, and the President that led us into an unjustified war charges $100,000 to be in their presence. That is wrong, Mr. Speaker. That is really, really wrong.

Many of these wounded veterans from Iraq and Afghanistan live in the Third District in North Carolina, which I have the privilege to represent. For years, I have felt deep regret over my vote to go into Iraq; and to atone for that, I have publicly and privately apologized and signed over 11,000 letters to families who lost loved ones in Afghanistan and Iraq because of my mistake. President Bush and Vice President Cheney have never publicly apologized to the families for the unnecessary war they began.

Mr. Speaker, I think my friend Colonel Lawrence Wilkerson, who was chief of staff to former Secretary of State Colin Powell, was right about the Iraq war. On MSNBC a couple of months ago, Colonel Wilkerson stated: ''The intelligence was fixed, and everyone should know that by now. It was a failure of the intelligence agencies, but it was also a failure of the political people who manipulated the intelligence failure to their own benefit.''

He further stated: ''It destroyed the balance of power in the Gulf and produced what we have today, the chaos we have today: al Qaeda in Iraq—never there until we invaded; ISIS—never there until we invaded; the mess we have in Yemen. Everything that's happening in the Middle East today can be attributed to our having destroyed the balance of power that we had carefully maintained for a half a century with the invasion in 2003. It was a disaster.''

I have a lot of respect for Colonel Wilkerson because he is telling the truth when he made this statement to MSNBC.

Let me repeat the words of Marine Eddie Wright, who lost both hands in Iraq: ''For him,'' President Bush, ''to be paid to raise money for veterans that were wounded . . . under his orders, I don't think that's right.''

Mr. Speaker, it is not right; and I will add my own thoughts and use the word ''shameful,'' that the former President and his administration, who created an unnecessary war and sent our troops over there to die and also to be wounded, should not charge one dime to go help them out now.

So with that, Mr. Speaker, I will ask God to bless America.

THE CHATTANOOGA 5

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. POE) for 5 minutes.

Mr. POE of Texas. Mr. Speaker, a gunman with a heart fatally bent on mischief and with malice aforethought unleashed hell in Chattanooga last Thursday. The killer shot up an Armed Forces recruiting center and then drove to a Navy Reserve center and continued his shooting spree. Five warriors were caught in the gunman's furious rampage and were killed. The killer, who once followed an al Qaeda cleric online, wounded three others.

To kill the very people who devote their lives to keeping our country safe is ironically and tragically sad. They were fathers, boyfriends, sons, brothers, and friends whose lives were robbed.

The fallen were:

Gunnery Sergeant Thomas J. Sullivan, United States Marine Corps. He was from Massachusetts. Tommy, as

his buddies and family called him, was deployed twice during the Iraq war and received two Purple Hearts. He had been enlisted for almost 18 years. The Sullivan family owns a local bar and restaurant in Springfield, Massachusetts, and pictures of red, white, and blue ribbons memorialize the veteran on the restaurants's Facebook page. He was an avid Boston sports fan who loved Boston-based bands and musicians. A friend said: ''He was a short guy, but his personality was a lot bigger than his height. You couldn't just not like Tom.'' He was 41.

Lance Corporal Squire ''Skip'' Wells, United States Marine Corps. He was from Cobb County, Georgia, and the service was in his blood. He was a student attending Georgia Southern University when he decided to follow in the footsteps of his family and enlist. God and country flowed deep in his veins. On Thursday, Skip had been texting with his girlfriend of 2½ years about her upcoming visit to Chattanooga. The last text he sent her was two words in capitalized letters that read, ''active shooter.'' She tried desperately to reach him, but she did not learn about the murders until the next day. He was in his early twenties.

Sergeant Carson A. Holmquist, United States Marine Corps. A patriotic outdoorsman from a small town in Grantsburg, Wisconsin, he joined the Marines right out of high school and was taken to the battlefields in a foreign land. He was deployed to Afghanistan twice as part of Operation Enduring Freedom. It was reported that he was so proud of being a marine that, when he finished boot camp, he went right back to the small town of Grantsburg to visit his high school, dressed in his Marine uniform. He and his wife had a young son and were expecting another. He was 25.

Staff Sergeant David A. Wyatt, United States Marine Corps. He was a native of Russellville, Arkansas. He was a husband and a father. He served one tour of duty in Iraq and one in Afghanistan. He was described as a leader, a mentor, quick to help, and was easy to approach. Wyatt was a father who was overjoyed about the upcoming birth of his second child. He also planned to serve at least 20 years in the military. He was 35.

Petty Officer Second Class Randall Smith, United States Navy. He was a former high school baseball star from Paulding, Ohio, joined the Navy in 2010. He was a pitcher for the Paulding High School Panthers, and he accepted a scholarship to play baseball at Defiance College in Ohio. After a shoulder injury, Smith decided to forego sports and serve his Nation. He was a father and a husband. He had three little girls. According to his Facebook page, he was a passionate sports fan. He was passionate about the United States Women's Soccer team and their World Cup win. He had even a love for the Houston Astros. He was 26.

Good men, good warriors, good Americans—all died before their time. This was a senseless and callous act of hate.

Even though these military facilities in Chattanooga are riddled with bullet holes, they are still a steadfast symbol of the patriotism of our military.

There are not enough tears or words to convey the sorrow that has engulfed this Nation. These volunteers that serve our country are the best that this Nation has, and we continue to mourn their loss and pray for their families and friends.

Ronald Reagan said it best: ''We will always remember. We will always be proud. We will always be prepared, so we may always be free.''

The Chattanooga 5.

And that is just the way it is.

CARING FOR OUR VETERANS HERE AT HOME

The SPEAKER pro tempore. The Chair recognizes the gentleman from Minnesota (Mr. EMMER) for 5 minutes.

Mr. EMMER of Minnesota. Mr. Speaker, today I would like to recognize John Enstrom of Elk River and the Disabled Veterans of America organization for all the incredible work they have done and continue to do for our Nation's veterans.

On August 5, John is hosting a charity fishing event in Ramsey, Minnesota. He is hosting the event for disabled American veterans. Along with friends and volunteers, John plans to bring 150 wounded veterans to a private lake for a great day of fishing, games, and simply enjoying the great Minnesota outdoors.

Our veterans have stood for our country's freedom and individual liberty, all the while putting their lives on the line. Disabled veterans have sacrificed in order to protect and serve our great Nation.

It is an extraordinary kind of person who cares for others so deeply. I would like to thank John and the Disabled Veterans of America not only for all the work they have done for this event, but for also recognizing that veterans need and deserve to be cared for once they return home.

SMALL COMMUNITY BANKS HARMED BY DODD-FRANK

Mr. EMMER of Minnesota. Mr. Speaker, I rise today on the fifth anniversary of Dodd-Frank to share a story from a small community bank that has three locations in my district. This bank is struggling due to the additional regulation that Dodd-Frank has imposed on them.

They were forced to hire a full-time compliance director in addition to retaining two outside compliance firms. This has cost the bank nearly $100,000 more a year. In addition, numerous other staff members now have to take time away from revenue-generating activities to satisfy the compliance regulations of Dodd-Frank.

They told me: ''Compliance has always been a cost that is just a part of our business. However, since Dodd-Frank, this cost has expanded greatly. Unfortunately, since there is no offsetting revenue for the expanding cost, we are forced to consider passing on costs to our customers with additional fees.''

Mr. Speaker, I wish I could say this is an isolated occurrence, but a recent study shows that Dodd-Frank has added 61 million hours of paperwork and more than $24 billion in final rule costs for the financial industry in this country. Nationwide, we have lost approximately 1500 community banks already.

The 5 years since Dodd-Frank was signed into law have been marked with 5 years of failure.

UNDEFEATED SEASON ENDS WITH STATE CHAMPIONSHIP TITLE

Mr. EMMER of Minnesota. Mr. Speaker, I rise today to acknowledge and congratulate the Anoka-Hennepin Mustangs for being named the 2015 Minnesota State champions in physically impaired adapted softball.

Comprised of students from Andover, Anoka, Blaine, Champlin Park, and Coon Rapids, these players were a force to be reckoned with at this year's State championship tournament. Having earned the number one seed, the Mustangs went into the tournament boasting 11 wins, with more than 167 runs scored during this season.

With the momentum of an undefeated season, the Mustangs cruised to victory at the recent State championship. After scoring nearly a dozen runs and completing a few notable double plays, the Mustangs won the championship game with an 11–8 victory over the Rochester Raiders. Even more impressive, the Mustang championship win ended a 6-year winning streak for the previous defending champions.

I ask that this body join me in congratulating these tremendous athletes.

Well done.

SIDING WITH AMERICAN FARMERS

Mr. EMMER of Minnesota. Mr. Speaker, I rise today to speak in support of the House Agriculture and the Energy and Commerce Committees' actions on the Safe and Accurate Food Labeling Act of 2015, of which I am a cosponsor.

Biotechnology is nothing new. Norman Borlaug, a researcher and legend in my home State, was the ''father of the Green Revolution'' while at the University of Minnesota due to his groundbreaking work on high-yield crops that have fed billions of people around the globe.

American farmers already deal with heavy compliance regulations to ensure that our food is safe to eat. Families must know that Borlaug's incredible accomplishment and the hard work of the American farmer is not in vain.

It is no surprise that I am not a fan of the Federal bureaucracy, but on this issue we must stand with American farmers on the health and safety of our food. We should move in the right direction, and the House should pass this bipartisan legislation that will create a voluntary label that supports farmers and American families.

□ 1215

41ST ANNIVERSARY OF TURKEY'S INVASION OF CYPRUS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Florida (Mr. BILIRAKIS) for 5 minutes.

Mr. BILIRAKIS. Mr. Speaker, I rise today to mark an anniversary that has pained the Cypriot and Hellenic communities for 41 years.

On July 20, 1974, 41 years ago yesterday, in blatant violation of international law, Turkey invaded Cyprus and captured much of the northern part of the island.

Since the invasion, Turkey has occupied nearly 40 percent of Cyprus. They inhabit homes previously owned by Greek Cypriots, forcibly relocating 160,000 Greek Cypriots and infusing the island with hundreds of thousands of Turkish settlers. Another 1,500 Cypriots remain missing since the 1974 invasion, including four Americans whose remains have not been located.

Religious artifacts and cultural relics have been destroyed in the wake of the Turkish Army's invasion and, after 41 years of displacement, are now lost to time. Hundreds of churches and monasteries have been shamefully desecrated, losing all sense of their historic and religious significance.

Cyprus has been a steadfast ally, and Cypriots deserve an end to this senseless division.

With negotiations underway again for reunification, let's hope this time next year we will be celebrating the end of this illegal occupation. As it builds, Turkey cannot be allowed to stonewall this democratic process any longer.

Today the United States stands in a unique role as a friend of both Cyprus and Turkey. As an honest broker to both sides, we can help them to see that a unified future for Cyprus is far more promising than the present.

The United States' relationship with all its allies—Turkey included—must be based on shared values and mutual respect. At the core, the rule of law must be respected above all else.

Forty-one years of illegal occupation is 41 years too long. Cyprus has long been a strong and faithful ally of the United States, and we owe our support for both peace and the end of this illegal occupation.

I encourage the Cypriot leaders to keep up the hard work of unifying a people divided for over a generation. Many hard issues remain, but, hopefully, this will be the last year we acknowledge this illegal occupation.

ELDRIDGE WILLIAMS, TUSKEGEE AIRMAN

The SPEAKER pro tempore (Mr. EMMER of Minnesota). The Chair recognizes the gentleman from Florida (Mr. CURBELO) for 5 minutes.

Mr. CURBELO of Florida. Mr. Speaker, I rise today in honor of one of my constituents, Lieutenant Colonel Eldridge Williams, a Tuskegee Airman who passed away this month at the age of 97.

Born in Texas in 1917, Lieutenant Colonel Williams graduated from Xavier University in 1942 and immediately applied for the Army flight program. He was commissioned as a second lieutenant in Miami Beach in 1942.

Lieutenant Colonel Williams trained Tuskegee Airmen who flew overseas to escort bomber planes across Europe. Though he didn't make it overseas, he flew at the Tuskegee Institute and trained other pilots until the end of World War II. He continued to serve during the 1948 Berlin Airlift and the Korean war.

In 1949, Mr. Williams moved to Richmond Heights, a community in South Miami-Dade established for Black servicemen returning from the war. Mr. Williams taught physical education at Richmond Heights Middle School and was soon after promoted to administrator, serving as director of desegregation for Miami-Dade County Public Schools. He retired from the school system in 1985, but remained committed to overseeing programs aimed at assisting kids that had dropped out of school.

President George W. Bush presented Mr. Williams and the other living Tuskegee Airmen with a Congressional Gold Medal in 2007. This was an honor long overdue to these trailblazing heroes.

On behalf of a grateful Nation, I send my deepest condolences to Mr. Williams' loved ones and the many lives touched by his positive influence. May they take solemn pride in a life well lived.

FIU VETERANS AND SMALL FARMERS OUTREACH

Mr. CURBELO of Florida. Mr. Speaker, I rise today to recognize Florida International University and their outreach to those in our agriculture community.

I recently learned of a new program created by FIU to give veterans, along with minority and women farmers, the opportunity to expand their knowledge of the agriculture business.

The Veterans and Small Farmers Outreach program will provide direct benefits to not only our brave men and women returning from harm's way, but also to the countless small farms in Homestead, an agriculture-focused community in south Florida.

The students currently enrolled in the Veterans and Small Farmers Outreach program at FIU have the opportunity to learn more about tending crops and raising livestock through apprenticeships throughout Miami-Dade and Broward Counties.

I am confident these students will soon enter our workforce and be productive members of the agriculture community. We will all truly benefit from the fruits of their labor.

I thank FIU for their continued innovation in bettering the south Florida community and wish only the best of luck to the hard-working students of this newly created program.

IRAN

Mr. CURBELO of Florida. Mr. Speaker, I rise today to express my serious concerns over the Iran deal that was recently announced.

So far, it appears that this agreement is bad for the United States and bad for our allies in the region. As I have said before, a weak deal that gives Iran any possibility of achieving a nuclear weapon is unacceptable.

Key components of the nuclear program are still in place. Iran will still be allowed to have centrifuges and continue research and development on them. The Natanz and Fordow facilities will remain in place to purportedly continue their nuclear activities for peaceful purposes.

In addition to these troubling facts, the Iranian regime is going to receive an exorbitant amount of money that they will undoubtedly use, at least in part, to fund Hamas and Hezbollah.

Mr. Speaker, from what I can tell, this deal does not prevent Iran from having the parts needed to reach the nuclear threshold capability down the road and it will boost the regime's ability to support terror in the region.

I strongly urge my colleagues to continue to carefully monitor this situation and consider the security interests of the United States and our allies as we continue analyzing this deal.

EAGLE SCOUT RANK CONGRATULATIONS

Mr. CURBELO of Florida. Mr. Speaker, I rise today to congratulate two students from my district, Daniel Auster and Sebastian Torra, who have both achieved the rank of Eagle Scout with Troop 69 of Homestead, Florida. This prestigious accomplishment has only been achieved by 4 percent of Boy Scouts nationwide.

Daniel was the first scout in Troop 69 to attain an Eagle Palm pin in the last 15 years. His fellow troop member, Sebastian, completed 173 volunteer hours at Jack D. Gordon Elementary School for his Eagle Scout project, both impressive accomplishments.

Daniel and Sebastian are exemplary of the Boy Scout slogan ''Do a good turn daily.'' I applaud their hard work and dedication to achieve this honor. They truly embody the Boy Scouts' commitment to our community. I am

always pleased to see young people with such dedication to giving back and making our neighborhoods better.

Once again, congratulations to Daniel and Sebastian.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 24 minutes p.m.), the House stood in recess.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HOLDING) at 2 p.m.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Loving God, we give You thanks for giving us another day.

Stir our spirits, O Lord, that we may praise You with full attention and be whole-hearted in all the tasks You set before us this day.

We can see Your deeds unfolding in our history and in every act of justice and kindness. Bless those who have blessed us, and be close to those most in need of Your compassion and love.

Fear of You, O Lord, is the beginning of wisdom. Bless the Members of this people's House with such wisdom. As they resume the work of this assembly, guide them to grow in understanding in attaining solutions to our Nation's needs that are imbued with truth and justice.

May all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Ohio (Mr. CHABOT) come forward and lead the House in the Pledge of Allegiance.

Mr. CHABOT led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

CONGRATULATING YADKIN VALLEY MOTOR COMPANY ON 100 YEARS

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, today I rise to recognize Yadkin Valley Motor Company in North Wilkesboro, North Carolina, which recently celebrated its 100th anniversary.

It is the oldest Ford dealership in the Carolinas and 20th oldest out of about 3,100 Ford dealerships nationwide.

A.F. Kilby was the first of four generations of Kilbys to sell Fords at Yadkin Valley. His son, Andrew ''Bud'' Kilby, and grandson, John Kilby, Sr., now own the dealership.

At 89 years old, Bud still works at the dealership 6 days a week. John serves as general manager. And his son, John Kilby, Jr., is a salesman and Internet manager.

In May, more than 1,500 people turned out for a special car show marking the 100th anniversary. Several hundred vehicles, including a number of antique Fords, participated.

Congratulations to the Kilby family and everyone at Yadkin Valley Motor Company on this significant milestone.

REAUTHORIZE THE EXPORT-IMPORT BANK

(Mr. KILDEE asked and was given permission to address the House for 1 minute.)

Mr. KILDEE. Mr. Speaker, yesterday I met with business owners and the Chamber of Commerce back home in Michigan to discuss what actions we can take here in Congress to create jobs and to boost our economy.

One action that came up is that Congress could immediately act to bring up legislation to reauthorize the Export-Import Bank.

It was clear to these businessowners Michigan jobs are at risk if Ex-Im is permanently shuttered. This bank, the Ex-Im Bank, supports over a million U.S. jobs, thousands of small businesses, across the country.

Sadly, the reauthorization of the Export-Import Bank, which has been supported for over 80 years by Democrats and Republicans in this House and in the White House, has become a victim of Washington's partisan gridlock, and it is Michigan's businesses and workers and workers all across this country that are paying the price for Congress' unwillingness to take this up.

Nearly every developed country, including China, has an export credit agency of some type. Ex-Im cannot be allowed to expire. American jobs are at risk.

Let's reauthorize the Export-Import Bank.

IRANIAN NUCLEAR DEAL

(Mr. POE of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POE of Texas. Mr. Speaker, the Iranian nuclear deal has been approved by the U.N. Security Council by a vote of 15–0.

But wait. Isn't Congress supposed to vote on approval or disapproval to make it binding on America? Yes. But the administration, ignoring Congress' future vote, went to get the U.N. approval anyway. But this deal is bad for the world and the United States.

The United States foreign policy used to be that Iran would never have nuclear weapons. That has changed.

This deal legitimizes nuclear weapon development in 10 years. It allows the lifting of conventional arms embargo in 5 years. It allows Iran to develop ICBM capacity in 8 years. It immediately gives Iran billions of dollars, money that I believe will be used to give to terrorist groups, since Iran is the number one state sponsor of terrorism in the world.

Mr. Speaker, the United Nations doesn't control my vote. The people of Texas do. The people I represent think this is a bad deal and don't want the United States to be a part of this Iranian nuclear weapon development fiasco. And that is the way I will vote, whether the U.N. or the administration likes it or not.

And that is just the way it is.

OLDER AMERICANS MONTH

(Mrs. DINGELL asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. DINGELL. Mr. Speaker, this month is an opportunity to celebrate some critical programs. The Older Americans Act celebrated its 50th anniversary this past Tuesday. Medicare and Medicaid turn 50 later this month. And Social Security turns 80 in August.

But it is also a time to reframe how we look at aging in this country. With Americans living longer and healthier lives, we need to create a new paradigm that ensures older Americans are living longer with the highest quality of life for the longest time possible.

Doing this means we help our aging population feel part of the community, provide opportunities for them to stay physically and socially active, and maintain a serious purpose of life and a zest for life.

I came to Congress to protect Medicare and Social Security. They are bedrock programs that seniors depend on for a safe, healthy, and secure retirement.

As we celebrate the anniversaries this year, we need to improve and strengthen these programs to better meet the needs of our seniors. We can start by expanding Medicare to cover things like hearing aids.

FLYING TIGERS

(Mr. CHABOT asked and was given permission to address the House for 1 minute.)

Mr. CHABOT. Mr. Speaker, as we look back some 70 years in commemoration of the end of World War II, it is a good time to reflect upon one group of unsung heroes who went above and beyond their service to preserve the freedoms we enjoy today.

The Flying Tigers aircraft was easily recognizable because it had the face of a shark painted on the nose of the plane and its menacing teeth served as a warning to their enemies wherever they flew.

During World War II, when Taiwan was brutally attacked by the Japanese, its leader called upon the world community for help. A group of American volunteers answered the call and joined up with Taiwan's Air Force to become one of the most important elements in the ultimate defeat of the Japanese invaders.

It is fitting that we recognize the role of the Flying Tigers and Taiwan's Air Force in holding off the onslaught that U.S. military forces eventually rolled back.

Mr. Speaker, the Flying Tigers held the fort until our Nation was able to gather our strength. For this, we are eternally grateful.

We remember. We are grateful. We salute you.

COLOMBIAN INDEPENDENCE DAY

(Mr. GALLEGO asked and was given permission to address the House for 1 minute.)

Mr. GALLEGO. Mr. Speaker, yesterday I joined the people of Colombia and my fellow Colombian Americans in celebrating the nation's 215 years of independence.

I am extremely proud of Colombia's rich history and vibrant culture. I am even prouder of the close friendship between our two countries, a partnership which has never been more important.

On issues from narcotrafficking to the promotion of democracy, the United States and Colombia are working arm in arm together to make our hemisphere a more peaceful and prosperous place.

Mr. Speaker, the Colombian people are celebrating their independence at a critical juncture in Colombian history.

After decades of bloody conflict and instability, Colombia is engaged in intense negotiations with the FARC guerillas, talks that could produce a landmark peace agreement.

This inspiring effort not only demonstrates the Colombian Government's commitment to peace, but also the Colombian people's capacity for healing and forgiveness.

I commend Colombian President Santos and his administration for the progress to date and encourage both parties to press ahead, despite the obstacles that remain.

Mr. Speaker, my sincere hope is that 1 year from today the Colombian people will be able to celebrate not just their innocence, but their freedom from fear and violence.

WOOD COUNTY'S BRANT FREELAND

(Mr. MCKINLEY asked and was given permission to address the House for 1 minute.)

Mr. MCKINLEY. Mr. Speaker, it is the most trying times that bring out the best in people. West Virginia has faced high water and floods over the past few weeks. Recently there was an act of heroism in Wood County that deserves recognition on the House floor.

On their way home on Sunday, 15-year-old Brant Freeland and his mother pulled over to wait out high water blocking the road. Brant noticed a car caught in the rising water ahead of him. Not thinking twice, Brant bolted from his car to see if someone was inside.

There he found 69-year-old Connie Boggs trapped inside with the water rising. He wrenched open the door and got her to safety.

Connie said, ''If it wasn't for Brant, I would more than likely have drowned.''

For his part, Brant said the last thing on his mind when he entered the water was being a hero. ''I was just worried about saving that lady's life. That is all.''

Brant did more than that. He showed us the kind of courage that is too often missing these days.

CHATTANOOGA 5

(Mr. ZINKE asked and was given permission to address the House for 1 minute.)

Mr. ZINKE. Mr. Speaker, today I rise to pay tribute to Marine Sergeant Carson Homquist, Marine Gunnery Sergeant and Purple Heart recipient Thomas Sullivan, Marine Lance Corporal Skip Wells, Marine Sergeant David Wyatt, and Navy Petty Officer Second Class Randall Smith.

I also rise to assure their loved ones and the American people that Congress will act to prevent this tragic loss from occurring again.

This week I am joining Congressman and former Marine Corps Major DUNCAN HUNTER in introducing legislation to enhance security at our Armed Forces centers by allowing our military members to defend themselves from attacks.

Congress and I send a clear message that this cowardly attack will not be ignored and our heroes shall not die in vain.

I urge all Members to join me in flying the Marine Corps flag and the Navy Anchor flag outside their D.C. office this week.

God bless America and the men and women who defend her. Semper fi and anchors aweigh.

AMERICANS SUPPORT BORDER SECURITY, NOT LEGALIZATION

(Mr. SMITH of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Texas. Mr. Speaker, Americans do not agree with the President's executive order giving amnesty to 5 million immigrants who are in the U.S. illegally, and they especially do not agree with Hillary Clinton's plan to legalize even more.

A recent Rasmussen poll found that a majority of Americans, 63 percent, now think gaining control of our border is more important than legalizing those already in the United States.

Earlier this month Rasmussen reported that a majority of Americans believe illegal immigration increases the level of serious crime in America.

Tragically, the death of Kate Steinle in San Francisco serves as a reminder of how the administration's failed policies have endangered the lives of innocent Americans.

Instead of putting the safety of Americans first, the administration has often given a free pass to violent criminals who cross our border illegally.

The administration should listen to the American people. Securing our borders should be its first priority, not giving amnesty to those who are here illegally.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 4:30 p.m. today.

Accordingly (at 2 o'clock and 14 minutes p.m.), the House stood in recess.

□ 1631

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. FARENTHOLD) at 4 o'clock and 31 minutes p.m.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Brian Pate, one of his secretaries.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 21, 2015.

Hon. JOHN A. BOEHNER,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on July 21, 2015 at 3:15 p.m.

That the Senate passed S. 1177.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

VETERANS INFORMATION MODERNIZATION ACT

Mr. BENISHEK. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2256) to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to submit an annual report on the Veterans Health Administration and the furnishing of hospital care, medical services, and nursing home care by the Department of Veterans Affairs, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2256

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited a the ''Veterans Information Modernization Act''.

SEC. 2. ANNUAL REPORT ON VETERANS HEALTH ADMINISTRATION AND FURNISHING OF HOSPITAL CARE, MEDICAL SERVICES, AND NURSING HOME CARE.

(a) IN GENERAL.—Subchapter II of chapter 73 of title 38, United States Code, is amended by adding at the end the following new section:

''§ 7330B. Annual report on Veterans Health Administration and furnishing of hospital care, medical services, and nursing home care

''(a) REPORT REQUIRED.—Not later than March 1 during each of years 2016 through 2020, the Secretary shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives a report on the furnishing of hospital care, medical services, and nursing home care under the laws administered by the Secretary and on the administration of the provision of such care and services by the Veterans Health Administration during the calendar year preceding the calendar year during which the report is submitted.

''(b) CONTENTS OF REPORT.—Each report required by subsection (a) shall include each of the following for the year covered by the report:

''(1) An evaluation of the effectiveness of the Veterans Health Administration program in increasing the access of veterans eligible for hospital care, medical services, and nursing home care furnished by the Secretary to such care.

''(2) An evaluation of the effectiveness of the Veterans Health Administration in improving the quality of health care provided to such veterans, without increasing the costs incurred by the Government or such veterans, which includes the relevant information for each medical center and Veterans Integrated Service Network of the Department set forth separately.

''(3) An assessment of—

''(A) the workload of physicians and other employees of the Veterans Health Administration;

''(B) patient demographics and utilization rates;

''(C) physician compensation;

''(D) the productivity of physicians and other employees of the Veterans Health Administration;

''(E) the percentage of hospital care, medical services, and nursing home care provided to such veterans in Department facilities and in non-Department facilities and any changes in such percentages compared to the year preceding the year covered by the report;

''(F) pharmaceutical prices; and

''(G) third party health billings owed to the Department, including the total amount of such billings and the total amounts collected, set forth separately for claims greater than $1000 and for claims equal to or less than $1000.

''(c) DEFINITIONS.—In this section, the terms 'hospital care', 'medical services', 'nursing home care', and 'non-Department facilities' have the meanings given such terms in section 1701 of this title.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 7330A the following new item:

''7330B. Annual report on Veterans Health Administration and furnishing of hospital care, medical services, and nursing home care.''.

SEC. 3. EXPANSION OF DEFINITION OF HOMELESS VETERAN FOR PURPOSES OF BENEFITS UNDER THE LAWS ADMINISTERED BY THE SECRETARY OF VETERANS AFFAIRS.

Section 2002(1) of title 38, United States Code, is amended by inserting ''or (b)'' after ''section 103(a)''.

SEC. 4. IDENTIFICATION AND TRACKING OF BIOLOGICAL IMPLANTS USED IN DEPARTMENT OF VETERANS AFFAIRS MEDICAL FACILITIES.

(a) IN GENERAL.—Subchapter II of chapter 73 of title 38, United States Code, as amended by section 2, is further amended by adding at the end the following new section:

''§ 7330C. Identification and tracking of biological implants

''(a) STANDARD IDENTIFICATION SYSTEM FOR BIOLOGICAL IMPLANTS.—(1) The Secretary shall adopt the unique device identification system developed for medical devices by the Food and Drug Administration pursuant to section 519(f) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360i(f)), or implement a comparable standard identification system, for use in identifying biological implants intended for use in medical procedures conducted in medical facilities of the Department.

''(2) In adopting or implementing a standard identification system for biological implants under paragraph (1), the Secretary shall permit a vendor to use any of the accredited entities identified by the Food and Drug Administration as an issuing agency pursuant to section 830.100 of title 21, Code of Federal Regulations, or any successor regulation.

''(b) BIOLOGICAL IMPLANT TRACKING SYSTEM.—(1) The Secretary shall implement a system for tracking the biological implants referred to in subsection (a) from human donor or animal source to implantation.

''(2) The tracking system implemented under paragraph (1) shall be compatible with the identification system adopted or implemented under subsection (a).

''(3) The Secretary shall implement inventory controls compatible with the tracking system implemented under paragraph (1) so that all patients who have received, in a medical facility of the Department, a biological implant subject to a recall can be notified of the recall, if based on the evaluation of appropriate medical personnel of the Department of the risks and benefits, the Secretary determines such notification is appropriate.

''(c) CONSISTENCY WITH FOOD AND DRUG ADMINISTRATION REGULATIONS.—To the extent that a conflict arises between this section and a provision of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.) or sections 351 or 361 of the Public Health Service Act (42 U.S.C. 262) (including any regulations issued under such Acts), the provision the Federal Food, Drug, and Cosmetic Act or Public Health Service Act (including any regulations issued under such Acts) shall apply.

''(d) DEFINITION OF BIOLOGICAL IMPLANT.—In this section, the term 'biological implant' means any animal or human cell, tissue, or cellular or tissue-based product—

''(1) under the meaning given the term human cells, tissues, or cellular or tissue-based products in section 1271.3 of title 21, Code of Federal Regulations, or any successor regulation; or

''(2) that is regulated as a device under section 201(h) of the Federal Food, Drug, and Cosmetic Act.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter, as amended by section 2, is further amended by inserting after the item relating to section 7330B, as added by section 2, the following new item:

''7330C. Identification and tracking of biological implants.''.

(c) IMPLEMENTATION DEADLINES.—

(1) STANDARD IDENTIFICATION SYSTEM.—

(A) IN GENERAL.—With respect to biological implants described in paragraph (1) of subsection (d) of section 7330C of title 38, United States Code, as added by subsection (a), the Secretary of Veterans Affairs shall adopt or implement a standard identification system for biological implants, as required by subsection (a) of such section, by not later than the date that is 180 days after the date of the enactment of this Act.

(B) IMPLANTS REGULATED AS DEVICES.—With respect to biological implants described in paragraph (2) of subsection (d) of such section, the Secretary of Veterans Affairs shall adopt or implement such standard identification system in compliance with the compliance dates established by the Food and Drug Administration pursuant to section 519(f) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360i(f)).

(2) TRACKING SYSTEM.—The Secretary of Veterans Affairs shall implement the biological implant tracking system required by

section 7330C(b), as added by subsection (a), by not later than the date that is 180 days after the date of the enactment of this Act.

(d) REPORTING REQUIREMENT.—

(1) IN GENERAL.—If the biological implant tracking system required by section 7330C(b) of title 38, United States Code, as added by subsection (a), is not operational by the date that is 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives a written explanation for why the system is not operational for each month until such time as the system is operational.

(2) ELEMENTS.—Each explanation submitted under paragraph (1) shall include a description of the following:

(A) Each impediment to the implementation of the system described in such paragraph.

(B) Steps being taken to remediate each such impediment.

(C) Target dates for a solution to each such impediment.

SEC. 5. PROCUREMENT OF BIOLOGICAL IMPLANTS USED IN DEPARTMENT OF VETERANS AFFAIRS MEDICAL FACILITIES.

(a) PROCUREMENT.—

(1) IN GENERAL.—Subchapter II of chapter 81 of such title is amended by adding at the end the following new section:

"§ 8129. Procurement of biological implants

''(a) IN GENERAL.—(1) The Secretary may procure biological implants of human origin only from vendors that meet the following conditions:

''(A) The vendor uses the standard identification system adopted or implemented by the Secretary under section 7330C(a) of this title and has safeguards to ensure that a distinct identity code has been in place at each step of distribution of each biological implant from its donor.

''(B) The vendor is registered as required by the Food and Drug Administration under subpart B of part 1271 of title 21, Code of Federal Regulations, or any successor regulation, and in the case of a vendor that uses a tissue distribution intermediary or a tissue processor, the vendor provides assurances that the tissue distribution intermediary or tissue processor is registered as required by the Food and Drug Administration.

''(C) The vendor ensures that donor eligibility determinations and such other records as the Secretary may require accompany each biological implant at all times, regardless of the country of origin of the donor of the biological material.

''(D) The vendor agrees to cooperate with all biological implant recalls conducted on the vendor's own initiative, on the initiative of the original product manufacturer used by the vendor, by the request of the Food and Drug Administration, or by a statutory order of the Food and Drug Administration.

''(E) The vendor agrees to notify the Secretary of any adverse event or reaction report it provides to the Food and Drug Administration, as required by section 1271.350 of title 21, Code of Federal Regulations, or any successor regulation, or any successor regulation, or of any warning letter from the Food and Drug Administration issued to the vendor or a tissue processor or tissue distribution intermediary it uses by not later than 60 days after the vendor receives such report or warning letter.

''(F) The vendor agrees to retain all records associated with the procurement of a biological implant by the Department for at least 10 years after the date of the procurement of the biological implant.

''(G) The vendor provides assurances that the biological implants provided by the vendor are acquired only from tissue processors that maintain active accreditation with the American Association of Tissue Banks or a similar national accreditation specific to biological implants.

''(2) The Secretary may procure biological implants of non-human origin only from vendors that meet the following conditions:

''(A) The vendor uses the standard identification system adopted or implemented by the Secretary under section 7330C(a) of this title.

''(B) The vendor is a registered establishment as required by the Food and Drug Administration under sections 807.20 and 807.40 of title 21, Code of Federal Regulations, or any successor regulation, (or is not required to register pursuant to section 807.65(a) of such title) and in the case of a vendor that is not the original product manufacturer of such implants the vendor provides assurances that the original product manufacturer is registered as required by the Food and Drug Administration.

''(C) The vendor agrees to cooperate with all biological implant recalls conducted on the vendor's own initiative, on the initiative of the original product manufacturer used by the vendor, by the request of the Food and Drug Administration, or by a statutory order of the Food and Drug Administration.

''(D) The vendor agrees to notify the Secretary of any adverse event report it provides to the Food and Drug Administration as required in part 803 of title 21, Code of Federal Regulations, or any warning letter from the Food and Drug Administration issued to the vendor or the original product manufacturer it uses by not later than 60 days after the vendor receives such report or warning letter.

''(E) The vendor agrees to retain all records associated with the procurement of a biological implant by the Department for at least 10 years after the date of the procurement of the biological implant.

''(3)(A) The Secretary shall procure biological implants under the Federal Supply Schedules of the General Services Administration unless such implants are not available under such Schedules.

''(B) With respect to biological implants listed on the Federal Supply Schedules, the Secretary shall accommodate reasonable vendor requests to undertake outreach efforts to educate medical professionals of the Department about the use and efficacy of such biological implants.

''(C) In the case of biological implants that are unavailable for procurement under the Federal Supply Schedules, the Secretary shall procure such implants using competitive procedures in accordance with applicable law and the Federal Acquisition Regulation.

''(4) Section 8123 of this title shall not apply to the procurement of biological implants.

''(b) PENALTIES.—In addition to any applicable penalty under any other provision of law, any procurement employee of the Department who is found responsible for a biological implant procurement transaction with intent to avoid or with reckless disregard of the requirements of this section shall be ineligible to hold a certificate of appointment as a contracting officer or to serve as the representative of an ordering officer, contracting officer, or purchase card holder.

''(c) DEFINITIONS.—In this section:

''(1) The term 'biological implant' shall have the meaning given such term in section 7330C(d) of this title.

''(2) The term 'distinct identity code' means a code that—

''(A) relates a biological implant to the human donor of the implant and to all records pertaining to the implant;

''(B) includes information designed to facilitate effective tracking, using such code, from the donor to the recipient and from the recipient to the donor; and

''(C) satisfies the requirements of section 1271.290 of title 21, Code of Federal Regulations, or any successor regulation.

''(3) The term 'tissue distribution intermediary' means an agency that acquires and stores human tissue for further distribution and performs no other tissue banking functions.

''(4) The term 'tissue processor' means an entity processing human tissue for use in biological implants including activities performed on tissue other than donor screening, donor testing, tissue recovery and collection functions, storage, or distribution.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end of the items relating to such subchapter the following new item:

''8129. Procurement of biological implants.''.

(b) EFFECTIVE DATE.—Section 8129 of title 38, United States Code, as added by subsection (a), shall take effect on the date that is 180 days after the date on which the tracking system required under subsection (b) of section 7330C of such title, as added by section 4(a) is implemented.

(c) SPECIAL RULE FOR CRYOPRESERVED PRODUCTS.—During the three-year period beginning on the effective date of section 8129 of title 38, United States Code, as added by subsection (a), biological implants produced and labeled before that date may be procured by the Department of Veterans Affairs without relabeling under the standard identification system adopted or implemented under section 7330C of such title, as added by section 4(a).

SEC. 6. EXTENSION OF ROUNDING DOWN OF PERCENTAGE INCREASES OF RATES OF CERTAIN EDUCATIONAL ASSISTANCE.

(a) MONTGOMERY GI BILL.—Section 3015(h)(2) of title 38, United States Code, is amended—

(1) by striking ''fiscal year 2014'' and inserting ''fiscal year 2020''; and

(2) by striking ''fiscal year 2013'' and inserting ''fiscal year 2019''.

(b) SURVIVORS AND DEPENDENTS EDUCATIONAL ASSISTANCE.—Section 3564(b) of such title is amended—

(1) by striking ''fiscal year 2014'' and inserting ''fiscal year 2020''; and

(2) by striking ''fiscal year 2013'' and inserting ''fiscal year 2019''.

SEC. 7. VETERANS EXPEDITED RECOVERY COMMISSION.

(a) ESTABLISHMENT.—There is established the Veterans Expedited Recovery Commission (in this section referred to as the ''Commission'').

(b) DUTIES.—The Commission shall perform the following duties:

(1) Examine the efficacy of the evidence-based therapy model used by the Secretary of Veterans Affairs for treating mental health illnesses of veterans and identify areas to improve wellness-based outcomes.

(2) Conduct a patient-centered survey within each of the Veterans Integrated Service Networks to examine—

(A) the experience of veterans with the Department of Veterans Affairs when seeking medical assistance for mental health issues through the health care system of the Department;

(B) the experience of veterans with non-Department medical facilities and health professionals for treating mental health issues;

(C) the preferences of veterans regarding available treatments for mental health issues and which methods the veterans believe to be most effective;

(D) the experience, if any, of veterans with respect to the complementary alternative treatment therapies described in subparagraphs (A) through (I) in paragraph (3);

(E) the prevalence of prescribing prescription medication among veterans seeking treatment through the health care system of the Department as remedies for addressing mental health issues; and

(F) the outreach efforts of the Secretary regarding the availability of benefits and treatments for veterans for addressing mental health issues, including by identifying ways to reduce barriers to and gaps in such benefits and treatments.

(3) Examine available research on complementary alternative treatment therapies for mental health issues and identify what benefits could be made with the inclusion of such treatments for veterans, including with respect to—

(A) music therapy;

(B) equine therapy;

(C) training and caring for service dogs;

(D) yoga therapy;

(E) acupuncture therapy;

(F) meditation therapy;

(G) outdoor sports therapy;

(H) hyperbaric oxygen therapy;

(I) accelerated resolution therapy; and

(J) other therapies the Commission determines appropriate.

(4) Study the potential increase of claims relating to mental health issues submitted to the Secretary by veterans who served in Operation Enduring Freedom, Operation Iraqi Freedom, or Operation New Dawn, including an assessment of the resources available within the Department to ensure that quality health care demands relating to such claims can be delivered in a timely manner.

(c) MEMBERSHIP.—

(1) NUMBER AND APPOINTMENT.—

(A) IN GENERAL.—The Commission shall be composed of 10 members, appointed as follows:

(i) Two members appointed by the Speaker of the House of Representatives, at least one of whom shall be a veteran.

(ii) Two members appointed by the Minority Leader of the House of Representatives, at least one of whom shall be a veteran.

(iii) Two members appointed by the Majority Leader of the Senate, at least one of whom shall be a veteran.

(iv) Two members appointed by the Minority Leader of the Senate, at least one of whom shall be a veteran.

(v) Two members appointed by the President, at least one of whom shall be a veteran.

(B) QUALIFICATIONS.—Members of the Commission shall be—

(i) individuals who are of recognized standing and distinction within the medical community with a background in treating mental health;

(ii) individuals with experience working with the military and veteran population; and

(iii) individuals who do not have a financial interest in any of the complementary alternative treatments reviewed by the Commission.

(2) CHAIRMAN.—The President shall designate a member of the Commission to be the chairman.

(3) PERIOD OF APPOINTMENT.—Members of the Commission shall be appointed for the life of the Commission.

(4) VACANCY.—A vacancy in the Commission shall be filled in the manner in which the original appointment was made.

(5) APPOINTMENT DEADLINE.—The appointment of members of the Commission in this section shall be made not later than 90 days after the date of the enactment of this Act.

(d) POWERS OF COMMISSION.—

(1) MEETING.—

(A) INITIAL MEETING.—The Commission shall hold its first meeting not later than 30 days after a majority of members are appointed to the Commission.

(B) MEETING.—The Commission shall regularly meet at the call of the Chairman. Such meetings may be carried out through the use of telephonic or other appropriate telecommunication technology if the Commission determines that such technology will allow the members to communicate simultaneously.

(2) HEARING.—The Commission may hold such hearings, sit and act at such times and places, take such testimony, and receive evidence as the Commission considers advisable to carry out the responsibilities of the Commission.

(3) INFORMATION FROM FEDERAL AGENCIES.—The Commission may secure directly from any department or agency of the Federal Government such information as the Commission considers necessary to carry out the duties of the Commission.

(4) INFORMATION FROM NONGOVERNMENTAL ORGANIZATIONS.—In carrying out subsection (b), the Commission may seek guidance through consultation with foundations, veterans service organizations, nonprofit groups, faith-based organizations, private and public institutions of higher education, and other organizations as the Commission determines appropriate.

(5) COMMISSION RECORDS.—The Commission shall keep an accurate and complete record of the actions and meetings of the Commission. Such record shall be made available for public inspection and the Comptroller General of the United States may audit and examine such record.

(6) PERSONNEL MATTERS.—Upon request of the chairman of the Commission, the head of any department or agency of the Federal Government may detail, on a reimbursable basis, any personnel of that department or agency to assist the Commission in carrying out the duties of the Commission.

(7) COMPENSATION OF MEMBERS; TRAVEL EXPENSES.—Each member shall serve without pay, except that each member shall receive travel expenses to perform the duties of the Commission under subsection (b), including per diem in lieu of subsistence, at rates authorized under subchapter I of chapter 57 of title 5, United States Code.

(8) STAFF.—The Chairman, in accordance with rules agreed upon by the Commission, may appoint and fix the compensation of a staff director and such other personnel as may be necessary to enable the Commission to carry out its functions, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, without regard to the provision of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, except that no rate of pay fixed under this subsection may exceed the equivalent of that payable for a position at a level IV of the Executive Schedule under section 5316 of title 5, United States Code.

(9) PERSONNEL AS FEDERAL EMPLOYEES.—

(A) IN GENERAL.—The executive director and any personnel of the Commission are employees under section 2105 of title 5, United States Code, for purpose of chapters 63, 81, 83, 84, 85, 87, 89, and 90 of such title.

(B) MEMBERS OF THE COMMISSION.—Subparagraph (A) shall not be construed to apply to members of the Commission.

(10) CONTRACTING.—The Commission may, to such extent and in such amounts as are provided in appropriations Acts, enter into contracts to enable the Commission to discharge the duties of the Commission under this section.

(11) EXPERT AND CONSULTANT SERVICE.—The Commission may procure the services of experts and consultants in accordance with section 3109 of title 5, United States Code, at rates not to exceed the daily rate paid to a person occupying a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code.

(12) POSTAL SERVICE.—The Commission may use the United States mails in the same manner and under the same conditions as departments and agencies of the United States.

(13) PHYSICAL FACILITIES AND EQUIPMENT.—Upon the request of the Commission, the Administrator of General Services shall provide to the Commission, on a reimbursable basis, the administrative support services necessary for the Commission to carry out its responsibilities under this section. These administrative services may include human resource management, budget, leasing, accounting, and payroll services.

(e) REPORT.—

(1) INTERIM REPORTS.—

(A) IN GENERAL.—Not later than 60 days after the date on which the Commission first meets, and each 30-day period thereafter ending on the date on which the Commission submits the final report under paragraph (2), the Commission shall submit to the Committees on Veterans' Affairs of the House of Representatives and the Senate and the President a report detailing the level of cooperation the Secretary of Veterans Affairs (and the heads of other departments or agencies of the Federal Government) has provided to the Commission.

(B) OTHER REPORTS.—In carrying out the duties pursuant to subsection (b), at times that the Commission determines appropriate, the Commission shall submit to the Committees on Veterans' Affairs of the House of Representatives and the Senate and any other appropriate entities an interim report with respect to the findings identified by the Commission.

(2) FINAL REPORT.—Not later than 18 months after the first meeting of the Commission, the Commission shall submit to the Committees on Veterans' Affairs of the House of Representatives and the Senate, the President, and the Secretary of Veterans Affairs a final report on the findings of the Commission. Such report shall include the following:

(A) Recommendations to implement in a feasible, timely, and cost-effective manner the solutions and remedies identified within the findings of the Commission pursuant to subsection (b).

(B) An analysis of the evidence-based therapy model used by the Secretary of Veterans Affairs for treating veterans with mental health care issues, and an examination of the

prevalence and efficacy of prescription drugs as a means for treatment.

(C) The findings of the patient-centered survey conducted within each of the Veterans Integrated Service Networks pursuant to subsection (b)(2).

(D) An examination of complementary alternative treatments described in subsection (b)(3) and the potential benefits of incorporating such treatments in the therapy model used by the Secretary for treating veterans with mental health issues.

(3) PLAN.—Not later than 90 days after the date on which the Commission submits the final report under subsection (b), the Secretary of Veterans Affairs shall submit to the Committees on Veterans' Affairs of the House of Representatives and the Senate a report on the following:

(A) An action plan for implementing the recommendations established by the Commission on such solutions and remedies for improving wellness-based outcomes for veterans with mental health care issues.

(B) A feasible timeframe on when complementary alternative treatments described in subsection (b)(3) can be implemented Department-wide.

(C) With respect to each recommendation established by the Commission, including regarding any complementary alternative treatment, that the Secretary determines is not appropriate or feasible to implement, a justification for each such determination and an alternative solution to improve the efficacy of the therapy model used by the Secretary for treating veterans with mental health issues.

(f) TERMINATION OF COMMISSION.—The Commission shall terminate 30 days after the Commission submits the final report under subsection (e)(2).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. BENISHEK) and the gentlewoman from Florida (Ms. BROWN) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. BENISHEK. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and to add extraneous material on H.R. 2256, as amended.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. BENISHEK. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 2256, as amended, the Veterans Information Modernization Act.

I developed and introduced this legislation following an oversight hearing in January where the subcommittee attempted to determine the cost and value of the care that the Department of Veterans Affairs provides to our Nation's veterans.

Through the course of that hearing, it became painfully obvious that VA leaders were unable to provide basic information about, for example, how much the VA spends on a single patient encounter in a VA primary care clinic.

As a doctor who served veterans at the Oscar G. Johnson VA Medical Center in my hometown of Iron Mountain, Michigan, for 20 years, it is unbelievable to me that the VA either does not have or is unwilling to share key information about the care that it provides.

The Congressional Budget Office testified in January that the VA ''. . . provided limited data to Congress and the public about its costs and operational performance.''

The CBO went on to state, ''. . . if this data was provided on a regular and systemic basis, it could help inform policymakers about the efficiency and cost-effectiveness of VA's services.''

Similar sentiments about the need for the VA to be more forthcoming were echoed at that hearing by witnesses from the American Legion and the Independent Budget.

We are all too well aware of the many—seemingly endless—scandals that have plagued the Department over the last year and a half. A lack of transparency is at the heart of all of these scandals, and one of the keys to overcoming them is requiring the Department to regularly provide specific information about the care that the VA provides.

H.R. 2256, as amended, would accomplish that goal by requiring the VA to submit an annual report to Congress regarding the provision of hospital care, medical services, and nursing home care by the VA health care system.

The report would encompass critical information about the operations of the Veterans Health Administration, including data regarding access, quality, workload, patient demographics and utilization, physician compensation and productivity, purchase care, and pharmaceutical prices.

The VA would also be required to detail third-party billings and collections, including information on both small and large claims. This would ensure that the growing disparity between the amounts that the VA bills for and the amount that the VA collects is accounted for and that the VA receives every available dollar that it is owed and uses it to improve the services that the VA provides. Many of the data points included in this report are already provided by the Department of Defense for TRICARE.

The regular receipt of this information would allow Congress, veterans, and the American taxpayers to make better informed decisions about the services that the Department is offering and to assist in creating the VA healthcare system that our veterans truly deserve.

Other provisions included in the Veterans Information Modernization Act would broaden the VA's definition of a ''homeless veteran'' to include veterans and their families who are fleeing violent homes, improve the VA's processes for tracking and procuring biological implants, and establish a commission to examine the VA's mental health treatment model and the benefits of incorporating complementary and alternative treatments.

I would like to offer my sincere gratitude and appreciation to my friends and colleagues—Congressman GUS BILIRAKIS, Congressman PHIL ROE, and Congresswoman JANICE HAHN—who have sponsored provisions of this bill.

I would also like to thank Chairman MILLER; Ranking Member BROWN; Congresswoman JULIA BROWNLEY, the ranking member of the Subcommittee on Health; and all of the members of the Subcommittee on Health on both sides of the aisle for their hard work and leadership on this bill.

I am proud to say that this bill, which was reported favorably out of the full committee earlier this summer and is fully offset, is supported by many veteran service organizations, including the American Legion, the Veterans of Foreign Wars, the Concerned Veterans for America, the Vietnam Veterans of America, and the Paralyzed Veterans of America.

Mr. Speaker, I urge all of my colleagues to join me in supporting the Veterans Information Modernization Act.

I reserve the balance of my time.

Ms. BROWN of Florida. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 2256, the Veterans Information Modernization Act, as amended.

This bill does a number of things to improve access and quality of services to our Nation's veterans. This bill requires the Secretary to submit an annual report on the Department's furnishing of hospital care, medical services, and nursing home care to veterans.

One of our priorities on the committee is to ensure that safe, quality health care is provided to veterans and their families. This report will assist us in our oversight duties of the Department.

This bill expands the definition of a ''homeless veteran'' to include veterans fleeing from domestic violence. As you know, veterans who experience domestic violence are considered at high risk for homelessness. This is a very vulnerable population, and anytime we find a barrier to care, we should remove it.

Further, one of my biggest priorities as ranking member is to ensure that we provide safe, quality housing for homeless women veterans.

Women veterans are an underserved population, and there is a serious lack of housing options for those who become homeless.

There is an even greater crisis in attempting to find housing for women veterans who have children. This is largely due to the fact that many facilities do not allow women and children to be in the same facilities as

men. This must be corrected immediately.

I have encountered several women—those who have been forced to live on the streets—in weekly motels and in other housing places that are not fit to live in due to domestic violence.

This is completely unacceptable. We should be working closely with the VA and HUD to ensure that there is transitional and emergency housing available for women veterans during their greatest time of need.

This bill addresses gaps in the identification, tracking, and the procurement of biological implants at the Department of Veterans Affairs.

Finally, this bill would establish a commission to examine the effectiveness of the evidence-based therapy model for treating veterans' mental health illnesses.

I would like to thank my colleagues on both sides of the aisle for their interest and support of veterans' issues.

I reserve the balance of my time.

Mr. BENISHEK. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida (Mr. BILIRAKIS), my colleague and friend and the vice chairman of the committee.

Mr. BILIRAKIS. I thank the chairman.

Mr. Speaker, I rise today in support of H.R. 2256, the Veterans Information Modernization Act.

This bill makes positive, bipartisan reforms to the VA, which has become the hallmark of the Veterans' Affairs Committee.

We have such a good committee, Mr. Speaker. I am particularly pleased about the inclusion of my bill, H.R. 271, the Creating Options for Veterans Expedited Recovery Act, better known as the COVER Act.

Last year the Veterans' Affairs Committee held a hearing regarding veterans' access to the VA's mental health services. At the hearing, we heard from the mothers and fathers of deceased veterans.

I remember vividly how hearing their testimony moved me. I can't remember another instance when the Veterans' Affairs Committee room was so quiet and solemn as on that day.

Statistics show that one in five veterans who serves in Iraq and Afghanistan has been diagnosed with posttraumatic stress. Now we must responsibly ask ourselves: Are we doing enough when it comes to addressing mental health in our veteran population?

Recent data has shown that every day in this country approximately 18 to 22 veterans take their own lives. This statistic answers the question I posed earlier. It is obvious more needs to be done.

Far too often we have heard of situations in which our veterans are being overprescribed opioids and antipsychotics. While traditional forms of therapies may work for some, tailoring therapies to the veterans and finding the balance between traditional and complementary, alternative treatments could be the difference in saving lives.

Late last year I met with a veteran who was able to tell me just how much alternative treatments have improved his life. His treatment plan to address his PTS and physical injuries consisted of over 30 different pills every day. He told me how much this affected him. He said he felt hopeless and wasn't quite himself anymore.

He then decided to take control of his life again and looked for an alternative. He found an alternative treatment in training and in caring for a service dog.

□ 1645

Now, his treatment includes one multivitamin, one other medication, and a four-legged companion that never leaves his side.

The COVER Act is the next piece in a working formula to heal our veterans, mentally and physically. It will pave the way toward the inclusion of these complementary alternative therapies at the VA.

These therapies include, but certainly are not limited to, service animal therapy, yoga therapy, acupuncture, equine therapy, and accelerated resolution therapy. Mr. Speaker, I have heard the stories from these veterans, and these therapies really work. They need access to these therapies. At a recent town hall, I even heard about the benefits of martial arts. The martial arts were treating PTS.

Mr. Speaker, when treating mental health issues, one size does not fit all. Please support this good bill.

Ms. BROWN of Florida. Mr. Speaker, I reserve the balance of my time.

Mr. BENISHEK. Mr. Speaker, I yield such time as he may consume to the gentleman from Tennessee (Mr. ROE), my colleague and a fellow physician on the Veterans' Affairs Committee.

Mr. ROE of Tennessee. Mr. Speaker, I rise in strong support of H.R. 2256, as amended, which includes a bill I introduced, H.R. 1016, the Biological Implant Tracking and Veteran Safety Act.

A frightening January 2014 GAO report found that the VA does not use a standardized process for tracking biological tissue from a cadaver to a living donor veteran patient. In the event of a recall, it would be virtually impossible to track down which patient had received contaminated tissue. GAO also found that the Veterans Health Administration does not always ensure it is purchasing tissue from biological implant vendors that have registered with the FDA and does not maintain an inventory system to prevent expired tissue from remaining in storage alongside unexpired tissues.

The GAO and Veterans' Affairs Committee staff have discovered that VA often uses a loophole that allows it to purchase biological implants on the open, unregulated market, which it does in 57 percent of its biological implant purchases. This bill would require the procurement of biological implants from vendors on the Federal supply schedules which have been appropriately vetted. For biological implants not on the Federal supply schedule but requested by clinicians, my bill requires justification and approval of open market purchases under the Federal acquisition regulation on a case-by-case basis rather than simply granting a blanket waiver.

This bill would also direct the Secretary of Veterans Affairs to adopt FDA's unique device identification system for labeling of all biological implant tissue and implement an automated inventory system to track the tissue from donor to implant recipient. This legislation would also require all biological implant tissue to be procured through vendors that are registered with the FDA, accredited by the American Association of Tissue Banks, and use FDA's unique device identification system.

The 6 million veterans served annually by VHA deserve the highest standard of patient care in the Nation. Implementation of H.R. 2256 would help establish the VA as an industry leader in biologic implant safety and accountability.

I want to thank the Oversight and Investigations Subcommittee staff for their help in developing this legislation which truly puts veterans first.

Ms. BROWN of Florida. Mr. Speaker, I ask my colleagues to join me in supporting this legislation.

I yield back the balance of my time.

Mr. BENISHEK. Mr. Speaker, I appreciate the gentlewoman's support, and I again encourage all Members to support H.R. 2256, as amended.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. BENISHEK) that the House suspend the rules and pass the bill, H.R. 2256, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. BENISHEK. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

PERMISSION TO FILE SUPPLEMENTAL REPORT ON H.R. 1599, SAFE AND ACCURATE FOOD LABELING ACT OF 2015

Mr. CONAWAY. Mr. Speaker, I ask unanimous consent that the Committee on Agriculture be authorized to file a supplemental report on the bill H.R. 1599.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

FTO PASSPORT REVOCATION ACT OF 2015

Mr. ROYCE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 237) to authorize the revocation or denial of passports and passport cards to individuals affiliated with foreign terrorist organizations, and for other purposes, as amended.

The Clerk read the title of the bill.

GENERAL LEAVE

Mr. ROYCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 days to revise and extend their remarks and to include any extraneous material on this measure for the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROYCE. Mr. Speaker, I ask unanimous consent at this time to withdraw the motion to suspend the rules.

The SPEAKER pro tempore. The motion is withdrawn.

FEDERAL EMPLOYEE ANTIDISCRIMINATION ACT OF 2015

Mr. CHAFFETZ. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1557) to amend the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 to strengthen Federal antidiscrimination laws enforced by the Equal Employment Opportunity Commission and expand accountability within the Federal government, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1557

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Federal Employee Antidiscrimination Act of 2015''.

SEC. 2. SENSE OF CONGRESS.

Section 102 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (5 U.S.C. 2301 note) is amended—

(1) in paragraph (4), to read as follows:

''(4) accountability in the enforcement of Federal employee rights is furthered when Federal agencies take appropriate disciplinary action against Federal employees who have been found to have committed discriminatory or retaliatory acts;''; and

(2) in paragraph (5)(A)—

(A) by striking ''nor is accountability'' and inserting ''but accountability is not''; and

(B) by inserting ''for what by law the agency is responsible'' after ''under this Act''.

SEC. 3. NOTIFICATION OF VIOLATION.

Section 202 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (5 U.S.C. 2301 note) is amended by adding at the end the following:

''(d) NOTIFICATION OF FINAL AGENCY ACTION.—

''(1) Not later than 30 days after a Federal agency takes final action or the Equal Employment Opportunity Commission issues an appellate decision involving a finding of discrimination or retaliation prohibited by a provision of law covered by paragraphs (1) or (2) of section 201(a), as applicable, the head of the agency subject to the finding shall provide notice for at least 1 year on the agency's Internet Web site in a clear and prominent location linked directly from the agency's Internet home page stating that a finding of discrimination or retaliation has been made.

''(2) The notification shall identify the date the finding was made, the date or dates on which the discriminatory or retaliatory act or acts occurred, and the law or laws violated by the discriminatory or retaliatory act or acts. The notification shall also advise Federal employees of the rights and protections available under the respective provisions of law covered by paragraphs (1) or (2) of section 201(a).''.

SEC. 4. REPORTING REQUIREMENTS.

(a) ELECTRONIC FORMAT REQUIREMENT.—

(1) IN GENERAL.—Section 203(a) of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (5 U.S.C. 2301 note) is amended by inserting ''(in an electronic format prescribed by the Office of Personnel Management)'' after ''an annual report''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on the date that is 1 year after the date of enactment of this Act.

(3) TRANSITION PERIOD.—Notwithstanding the requirements of section 203(a) of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (5 U.S.C. 2301 note), the report required under such section may be submitted in an electronic format, as prescribed by the Office of Personnel Management, during the period beginning on the date of enactment of this Act and ending on the effective date in paragraph (2).

(b) REPORTING REQUIREMENT FOR DISCIPLINARY ACTION.—Section 203 of such Act is amended by adding at the end the following:

''(c) DISCIPLINARY ACTION REPORT.—Not later than 60 days after the date on which a Federal agency takes final action or an agency receives an appellate decision issued by the Equal Employment Opportunity Commission involving a finding of discrimination or retaliation in violation of a provision of law covered by paragraphs (1) or (2) of section 201(a), as applicable, the employing Federal agency shall submit to the Commission a report stating whether disciplinary action has been initiated against a Federal employee as a result of the violation.''.

SEC. 5. DATA TO BE POSTED BY EMPLOYING FEDERAL AGENCIES.

Section 301(b) of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (5 U.S.C. 2301 note) is amended—

(1) in paragraph (9)—

(A) in subparagraph (A), by striking ''and'' at the end;

(B) in subparagraph (B)(ii), by striking the period at the end and inserting '', and''; and

(C) by adding at the end the following:

''(C) for each such finding counted under subparagraph (A), the agency shall specify—

''(i) the date of the finding,

''(ii) the affected agency,

''(iii) the law violated, and

''(iv) whether a decision has been made regarding necessary disciplinary action as a result of the finding.''; and

(2) by adding at the end the following:

''(11) Data regarding each class action complaint filed against the agency alleging discrimination or retaliation, including—

''(A) information regarding the date on which each complaint was filed,

''(B) a general summary of the allegations alleged in the complaint,

''(C) an estimate of the total number of plaintiffs joined in the complaint if known,

''(D) the current status of the complaint, including whether the class has been certified, and

''(E) the case numbers for the civil actions in which discrimination or retaliation has been found.''.

SEC. 6. DATA TO BE POSTED BY THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION.

Section 302(b) of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (5 U.S.C. 2301 note) is amended by striking ''(10)'' and inserting ''(11)''.

SEC. 7. NOTIFICATION AND FEDERAL EMPLOYEE ANTIDISCRIMINATION AND RETALIATION ACT AMENDMENTS.

(a) NOTIFICATION REQUIREMENTS.—The Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (5 U.S.C. 2301 note) is amended by adding after section 206 the following:

''SEC. 207. COMPLAINT TRACKING.

''Not later than 1 year after the date of enactment of the Federal Employee Antidiscrimination Act of 2015, each Federal agency shall establish a system to track each complaint of discrimination arising under section 2302(b)(1) of title 5, United States Code, and adjudicated through the Equal Employment Opportunity process from inception to resolution of the complaint, including whether a decision has been made regarding necessary disciplinary action as the result of a finding of discrimination.

''SEC. 208. NOTATION IN PERSONNEL RECORD.

''If an agency takes an adverse action covered under section 7512 of title 5, United States Code, against an employee for an act of discrimination or retaliation prohibited by a provision of law covered by paragraphs (1) or (2) of section 201(a), the agency shall, after all appeals relating to such action have been exhausted, include a notation of the adverse action and the reason for the action in the employee's personnel record.''.

(b) PROCESSING AND REFERRAL.—The Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (5 U.S.C. 2301 note) is amended by adding at the end the following:

''TITLE IV—PROCESSING AND REFERRAL

''SEC. 401. PROCESSING AND RESOLUTION OF COMPLAINTS.

''Each Federal agency is responsible for the fair, impartial, processing and resolution of complaints of employment discrimination and retaliation arising in the Federal administrative process and shall establish a model Equal Employment Opportunity Program that—

''(1) is not under the control, either structurally or practically, of a Human Capital or General Counsel office;

''(2) is devoid of internal conflicts of interest and ensures fairness and inclusiveness within the organization; and

''(3) ensures the efficient and fair resolution of complaints alleging discrimination or retaliation.

''SEC. 402. NO LIMITATION ON HUMAN CAPITAL OR GENERAL COUNSEL ADVICE.

''Nothing in this title shall prevent a Federal agency's Human Capital or General Counsel office from providing advice or counsel to agency personnel on the processing and resolution of a complaint, including providing legal representation to an agency in any proceeding.

''SEC. 403. HEAD OF PROGRAM REPORTS TO HEAD OF AGENCY.

''The head of each Federal agency's Equal Employment Opportunity Program shall report directly to the head of the agency.

''SEC. 404. REFERRALS OF FINDINGS OF DISCRIMINATION.

''(a) EEOC FINDINGS OF DISCRIMINATION.—Not later than 30 days after the Equal Employment Opportunity Commission issues an appellate decision involving a finding of discrimination or retaliation within a Federal agency the Commission shall refer the matter to the Office of Special Counsel.

''(b) REFERRALS TO SPECIAL COUNSEL.—The Office of Special Counsel shall accept and review a referral from the Commission under subsection (a) for purposes of seeking disciplinary action under its authority against an Federal employee who commits an act of discrimination or retaliation.

''(c) NOTIFICATION.—The Office of Special Counsel shall notify the Commission in a case in which the Office of Special Counsel initiates disciplinary action.

''(d) SPECIAL COUNSEL APPROVAL.—An agency may not take disciplinary action against a Federal employee for an alleged act of discrimination or retaliation referred by the Commission under this section except in accordance with the requirements of section 1214(f) of title 5, United States Code.''.

(c) CONFORMING AMENDMENTS.—The table of contents in section 1(b) of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (5 U.S.C. 2301 note) is amended—

(1) by inserting after the item relating to section 206 the following:

''Sec. 207. Complaint tracking.
''Sec. 208. Notation in personnel record.''; and

(2) by adding at the end the following:

''TITLE IV—PROCESSING AND REFERRAL
''Sec. 401. Processing and resolution of complaints.
''Sec. 402. No limitation on Human Capital or General Counsel advice.
''Sec. 403. Head of Program reports to head of agency.
''Sec. 404. Referrals of findings of discrimination.''.

SEC. 8. NON-DISCLOSURE AGREEMENT LIMITATION.

Section 2302(b) of title 5, United States Code is amended—

(1) in paragraph (13)—

(A) by inserting ''or the Office of Special Counsel'' after ''Inspector General'';

(B) by striking ''implement'' and inserting ''(A) implement''; and

(C) by striking the period that follows the quoted material and inserting ''; or''; and

(2) by adding after subparagraph (A), as added by paragraph (1)(B), and preceding the flush left matter that follows paragraph (13), the following:

''(B) implement or enforce any nondisclosure policy, form, or agreement, if such policy, form, or agreement prohibits or restricts an employee from disclosing to Congress, the Office of Special Counsel, or an Office of the Inspector General any information that relates to any violation of any law, rule, or regulation, or mismanagement, a gross waste of funds, an abuse of authority, or a substantial, and specific danger to public health or safety, or any other whistleblower protection.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. CHAFFETZ) and the gentleman from Maryland (Mr. CUMMINGS) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. CHAFFETZ. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. CHAFFETZ. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of H.R. 1557, introduced by my friend and ranking member of the Oversight and Government Reform Committee, Mr. CUMMINGS of Maryland. He has done yeoman's work on this content. I was proud to join him as a cosponsor of this important piece of legislation that will help many of our Federal workers as they go through their work in knowing they have even more protections.

The Federal Employee Antidiscrimination Act of 2015 strengthens accountability within our Federal workforce. The bill does so by improving agencies' processes for reporting instances of workplace discrimination and retaliation. It also requires agencies to create a system to track complaints of discrimination and retaliation from beginning to end.

The bill ensures that agencies report to the Equal Employment Opportunity Commission whether disciplinary action has been taken against an employee for discrimination or retaliation. It requires agencies to provide electronic notification to employees when such an action occurs.

The bill requires agencies to post additional information about discriminatory practices on their Web site. It also requires that adverse actions taken against any employee for discrimination or retaliation be included in that individual's personnel file.

Combined, these provisions bring additional transparency and accountability to the Federal civil service and will help diminish instances of discrimination and retaliation within our government. Obviously, those things can't stand.

The bill also makes agency Equal Employment offices a direct report to the agency head. This is an important step and a good portion of the bill that is being brought forth today. This change will help ensure that employees feel safe and comfortable when reporting discriminatory or retaliatory actions.

Finally, H.R. 1557 makes clear that employees can report waste, fraud, and abuse within their agency to Congress, the Office of Special Counsel, or the inspectors general.

Federal employees are essential in exposing wrongdoing within the government. An agency should never have the ability to tell a government employee that he or she cannot report waste, fraud, or abuse to Congress, the Office of Special Counsel, or the inspectors general. The bill reinforces that obstructing an employee's communication with Congress and other watchdogs is against the law.

We should be encouraging open communication between Federal employees and Congress, the Office of Special Counsel, and the inspectors general to protect the integrity of our government and the taxpayers.

I want to again thank Mr. CUMMINGS for his leadership and work on this bill, and I urge my colleagues to support H.R. 1557.

Mr. Speaker, I reserve the balance of my time.

Mr. CUMMINGS. Mr. Speaker, I yield myself such time as I may consume.

As the author of the Federal Employee Antidiscrimination Act, I would like to thank Chairman CHAFFETZ and his staff for working with me in drafting this bipartisan legislation. I also appreciate the chairman's support for this bill during the committee's consideration this past March.

I thank Congresswoman ELEANOR HOLMES NORTON for cosponsoring the bill. As a former Commissioner of the Equal Employment Opportunity Commission, her expertise in employment law is unparalleled in Congress.

I also appreciate the support of Representatives JAMES SENSENBRENNER and SHEILA JACKSON LEE, who cosponsored the bill.

I especially want to thank Tanya Ward Jordan, Paulette Taylor, and all the members of the Coalition 4 Change, also known as C4C, for their invaluable assistance on this legislation.

I am also grateful that this bill has strong support of the Make It Safe Coalition.

Both C4C and the Make It Safe Coalition are dedicated to ending discrimination and retaliation against whistleblowers in the Federal workplace, and I applaud their leadership and their hard work.

The Federal EEO programs are critical to ensuring that Federal workplaces are free from discrimination and that any barriers impeding fairness in

personnel decisions are identified and eliminated. These programs exist to ensure that our Federal workplaces uphold the guarantee of equal opportunity. That is the right of every citizen in this great country.

If discrimination occurs, these programs must be able to investigate and adjudicate employee complaints impartially and in a timely manner.

□ 1700

In fiscal year 2012, Federal employees and job applicants filed nearly 16,000 complaints alleging that they had been victims of discrimination. Although the vast majority of Federal workplaces are in compliance with current EEO requirements, some Federal agencies have failed to meet the standards of a model EEO program.

For example, in 2014, the EEOC issued a report on the Social Security Administration that made 12 findings regarding Social Security's failure to maintain a model EEOC program, ensure efficient management of the various stages of the complaint process, provide uniform training to ensure equal opportunities, and implement effective and efficient antiharassment policies and procedures. The EEOC made more than 60 recommendations for reform of that one program alone.

My bill would require that EEO programs operate independently of an agency's human resources or general counsel offices and that the head of the program report directly to the head of an agency. This would ensure that effective implementation of the EEO program is prioritized at the highest level of an agency and that program's sole purpose is ensuring equal opportunity for all employees.

H.R. 1557 would also strengthen the accountability mechanisms that are central to the effectiveness of the EEO process. This legislation would expand the notifications that agencies are required to provide when discrimination is found to have occurred and would require agencies to track and report whether such findings have resulted in any disciplinary action.

Finally, the act would prohibit the use of nondisclosure agreements that restrict an employee from disclosing to Congress, the office of special counsel, or an inspector general any information that relates to any violation of law, rule, or regulation or instance of waste, fraud, or abuse.

According to the 2014 Federal employee viewpoint survey, only 60 percent of Federal employees agreed that they could ''disclose a suspected violation of any law, rule, or regulation without fear of reprisal.''

As I often say, we are better than that. Employees need to have confidence that they can report an act of discrimination without suffering retaliation, and they need to know that such reports will be thoroughly, fairly, and timely investigated and adjudicated.

The Federal Employee Antidiscrimination Act of 2015 will strengthen existing requirements to ensure that Federal EEO programs meet these standards and that agency management of the EEO process follows the best practices available.

Again, I take a moment, Mr. Speaker, to thank Chairman CHAFFETZ. This was truly a bipartisan effort. We saw a problem, and we put our heads together and tried to address it. I would urge all Members of the House to vote for it.

I reserve the balance of my time.

Mr. CHAFFETZ. Mr. Speaker, I have no additional speakers, and I reserve the balance of my time.

Mr. CUMMINGS. Mr. Speaker, I yield 5 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Speaker, let me rise today to thank both the chairman and the ranking member of this committee, Mr. CHAFFETZ and Mr. CUMMINGS, for their leadership on a very important issue, which I rise to be part of and with a little history on this issue with the earlier passage of the No FEAR Act so many years ago.

I support this legislation which ensures agencies effectively implement their Equal Employment Opportunity, or EEO, programs and that Federal employees are never prevented from disclosing discriminatory or wasteful actions to Congress, the office of special counsel, or inspectors general.

How important is that? We have a history of addressing workplace equality, and that is why I sponsored similar legislation with the No FEAR Act, which was first introduced in Congress in 2002. This was previous legislation that had a sense of Congress provision, whereas this particular legislation further strengthens the responsibilities and rights of employees.

The No FEAR Act set the precedent for imposing additional duties upon Federal agency employers, intended to reinvigorate their longstanding obligation to provide a work environment free of discrimination and retaliation.

On October 2, 2000, the House Science Committee held a hearing dealing with actions at one of our agencies. Dr. Marsha Coleman-Adebayo had been in my office repeatedly. I mention her name because of her continued vigilance in speaking about issues dealing with whistleblowers. In actuality, this one involved a $600,000 jury decision against the EPA for race and sex discrimination under title VII of the Civil Rights Act of 1964.

As we all listened in this hearing, it was clear that what we wanted to do was prevent retaliation, which we see in this legislation here today. I am grateful that we now have a roadmap for dealing with individuals who want only the best for our government.

I can give some of the names as an example: Mark Felt, the FBI agent known as Deep Throat during the Watergate scandal of the 1970s; Frank Serpico, a New York police officer who confronted his department for the rampant corruption the leadership let take place; Jeffrey Wigand, a tobacco executive who admitted that tobacco companies knew they were putting addictive chemicals into their cigarettes; and, of course, Sherron Watkins, an executive of the Enron Corporation.

Of course, these individuals come from different walks of life, but the whole idea is to make sure that we, as Members of Congress, recognize that whistleblower activities or actions are clearly a part of good government.

According to the 2014 Federal employee viewpoint survey, only 60 percent of Federal employees agreed that they could ''disclose a suspected violation of any law, rule, or regulation without fear of reprisal.''

I know that your committee, Mr. CHAFFETZ and Mr. CUMMINGS, is really the front line of providing this forum; and I am glad to be able to join you as a member of the Homeland Security Committee and Judiciary Committee to, again, emphasize the importance of safe and discrimination-free workplaces.

I am grateful, again, to have had the opportunity firsthand to listen to at least one of our whistleblowers who only wanted to be able to help establish a workplace that was free of discrimination and fear.

Again, I want to make mention of Marsha Coleman-Adebayo, a dedicated Federal employee who worked so very hard.

[From NPR.org, Sept. 6, 2011]

HIGH PRICE OF BLOWING THE WHISTLE ON EPA

Marsha Coleman-Adebayo earned a doctoral degree from the Massachusetts Institute of Technology, and worked with the United Nations before joining the Environmental Protection Agency in 1990. During her time at the U.N., she also developed an expertise in African developmental issues.

During her tenure at the EPA, Coleman-Adebayo says she requested that the agency devote attention to environmental problems in South Africa that were allegedly caused by an American company. She says that the agency reneged on promises to investigate the matter, and the harder she pushed for change, the more she faced a backlash from her superiors.

Ms. JACKSON LEE. Mr. Speaker, I make mention that we passed the No FEAR Act with a number of Members.

As we have noted a number of whistleblowers who were actually Persons of the Year on Time Magazine, I join my colleagues in supporting the present underlying legislation and ask all Members to support this legislation.

Mr. Speaker, I rise today as an original cosponsor and strong support of H.R. 1557, the ''Federal Employee Antidiscrimination Act of 2015.''

I support this legislation because it ensures agencies effectively implement their Equal Employment Opportunity (EEO) programs and

that federal employees are never prevented from disclosing discriminatory or wasteful actions to Congress, the Office of Special Counsel, or Inspectors General.

Let me express my thanks to Ranking Member CUMMINGS for introducing this critical legislation that is essential to ensuring that our federal workplaces are free from discrimination, and that any barriers impeding fairness in personnel decisions are identified and eliminated.

We have a history of addressing workplace equality and that is why I sponsored similar legislation when the No Fear Act was first introduced to Congress in 2002.

The No Fear Act set the precedent for imposing additional duties upon Federal agency employers intended to reinvigorate their longstanding obligation to provide a work environment free of discrimination and retaliation.

If you would allow me I would like to put a face on this problem.

On October 2, 2000, the House Science Committee held a hearing entitled ''Intolerance at EPA—Harming People, Harming Science?''

Dr. Marsha Coleman-Adebayo, an EPA whistleblower, won a $600,000 jury decision against EPA for race and sex discrimination under title VII of the Civil Rights Act of 1964.

During that hearing, then-chairman of the Science Committee Congressman SENSENBRENNER illuminated the dangerous precedent set by the EPA, stating, ''While EPA has a clear policy on dealing with employees that discriminate, harass and retaliate against other EPA employees, no one apparently involved in the Coleman-Adebayo or Nolan cases have yet to be disciplined by EPA.''

Mr. Speaker, no employee should fear voicing their concerns in reference to a safer, more work conducive environment.

We often look at individuals or groups who step forward as whistleblowers.

This term has been used with a negative connotation to describe insubordinate employees, but history has shown us that whistleblowers are often heroes that have shed light on employers' illegal practices and as a result made the workplace better for future employees.

Mark Felt, the FBI agent known as deep throat during the Watergate Scandal of the 1970s.

Frank Serpico, New York police officer who confronted his department for the rampant corruption the leadership let take place.

Jeffrey Wigand, a tobacco executive who admitted that tobacco companies knew they were putting addictive chemicals into their cigarettes.

And Sherron Watkins, an executive of the Enron corporation who was vital in exposing the financial lies and frauds of the company.

All these individuals stood up against well-established corporations and agencies even when others doubted their claims.

We must protect these types of acts in Federal offices and successfully implement the Equal Employment Opportunity Programs (EEO).

Mr. Speaker, in a sense every Member of Congress is a whistleblower for the people in that uncovering and correcting problems in the agencies that administer the laws is an essential part of our oversight responsibilities.

According to the 2014 Federal Employee Viewpoint Survey, only 60 percent of federal employees agreed that they could quote, ''disclose a suspected violation of any law, rule or regulation without fear of reprisal.''

We must do better and ensure employees have confidence that they can report an act of discrimination without suffering retaliation.

Employees need to know that EEO reports will be thoroughly, fairly, and timely investigated and adjudicated.

H.R. 1557 would require that EEO programs operate independently of an agency's human resources or general counsel offices.

This bill requires the head of the program report directly to the head of an agency and the act would prohibit the use of non-disclosure agreements that restrict an employee from disclosing to Congress, the Office of Special Counsel, or instance of waste, fraud or abuse.

As a senior member of the Committees on Homeland Security and the Judiciary, and as Ranking Member of the Judiciary Subcommittee on Crime, Terrorism, Homeland Security, and Investigations, I understand the importance of safe and discrimination free workplaces.

In conclusion, let me express my appreciation again to Ranking Member CUMMINGS for introducing this legislation and Chairman CHAFFETZ for shepherding this bill to the floor.

By strengthening existing requirements to ensure federal EEO programs meet high standards, we are implementing the best practices available to combat workplace discrimination.

Mr. CUMMINGS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, again, we urge the House to vote in favor of this very important legislation. It is bipartisan and does address issues that are of concern to all of us.

I yield back the balance of my time.

Mr. CHAFFETZ. Mr. Speaker, in closing, I simply want to thank those Members who have worked hard on this bill. One that is of special note is Congressman SEAN DUFFY of Wisconsin. He has done great work on this, particularly trying to hold people accountable at Consumer Financial Protection Bureau for the EEOC issues there.

This bill would not be a reality without Mr. CUMMINGS. We thank him for his leadership on this. I am proud to support it. I think all the Members in this body should support it. It does further the protections for employees. It makes government better and more responsible.

Mr. Speaker, I urge passage of H.R. 1557, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. CHAFFETZ) that the House suspend the rules and pass the bill, H.R. 1557.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. CHAFFETZ. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO TRANSNATIONAL CRIMINAL ORGANIZATIONS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 114–49)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to transnational criminal organizations declared in Executive Order 13581 of July 24, 2011, is to continue in effect beyond July 24, 2015.

The activities of significant transnational criminal organizations have reached such scope and gravity that they threaten the stability of international political and economic systems. Such organizations are becoming increasingly sophisticated and dangerous to the United States; they are increasingly entrenched in the operations of foreign governments and the international financial system, thereby weakening democratic institutions, degrading the rule of law, and undermining economic markets. These organizations facilitate and aggravate violent civil conflicts and increasingly facilitate the activities of other dangerous persons.

The activities of significant transnational criminal organizations continue to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. Therefore, I have determined that it is necessary to continue the national emergency declared in Executive Order 13581 with respect to transnational criminal organizations.

BARACK OBAMA.

THE WHITE HOUSE, *July 21, 2015.*

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the chair.

Accordingly (at 5 o'clock and 12 minutes p.m.), the House stood in recess.

□ 1742

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. FARENTHOLD) at 5 o'clock and 42 minutes p.m.

FTO PASSPORT REVOCATION ACT OF 2015

Mr. ROYCE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 237) to authorize the revocation or denial of passports and passport cards to individuals affiliated with foreign terrorist organizations, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 237

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''FTO Passport Revocation Act of 2015''.

SEC. 2. REVOCATION OR DENIAL OF PASSPORTS TO INDIVIDUALS AFFILIATED WITH FOREIGN TERRORIST ORGANIZATIONS.

The Act entitled ''An Act to regulate the issue and validity of passports, and for other purposes'', approved July 3, 1926 (22 U.S.C. 211a et seq.), commonly known as the ''Passport Act of 1926'', is amended by adding at the end the following:

''SEC. 4. AUTHORITY TO DENY OR REVOKE PASSPORT.

''(a) INELIGIBILITY.—

''(1) ISSUANCE.—Except as provided under subsection (b), the Secretary of State may refuse to issue a passport to any individual whom the Secretary has determined has aided, assisted, abetted, or otherwise helped an organization the Secretary has designated as a foreign terrorist organization pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

''(2) REVOCATION.—The Secretary of State may revoke a passport previously issued to any individual described in paragraph (1).

''(b) REPORT.—

''(1) IN GENERAL.—If the Secretary of State refuses to issue or revokes a passport pursuant to subsection (a), the Secretary shall, not later than 30 days after such refusal or revocation, submit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate a report on such refusal or revocation, as the case may be.

''(2) FORM.—The report submitted under paragraph (1) may be submitted in classified or unclassified form.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ROYCE) and the gentleman from Pennsylvania (Mr. BRENDAN F. BOYLE) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ROYCE. Mr. Speaker, I ask unanimous consent that all Members have 5 days to revise and extend and to include extraneous materials on this measure.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROYCE. Mr. Speaker, I yield myself such time as I may consume.

International travel by terrorist recruits poses a deadly and growing threat. It is estimated that ISIS alone has drawn 20,000 foreign fighters into Syria and Iraq.

Extremist groups in Libya, Yemen, and elsewhere also draw foreigners into their deadly campaigns. These include thousands of westerners, primarily from Europe, but also a couple of hundred people from the United States so far.

The threats are as real as today's headlines: British officials today arrested a man for plotting attacks on U.S. military personnel there in Britain and for planning to travel to Syria to join ISIS, along with his uncle.

If they are successful in traveling, these foreign fighters receive terrorist training and they hone their skills there on the battlefield. Some have even appeared as executioners in ISIS' gruesome propaganda videos. If they return home, hardened fighters come back more hateful, certainly more deadly.

□ 1745

The killing of four U.S. marines and one sailor in Chattanooga, Tennessee, last Thursday; the attempted attack in Garland, Texas, in May; and the 2013 Boston Marathon bombing all demonstrate that the United States is not immune from lone wolf and small-scale attacks of the type that ISIS and al Qaeda in the Arabian Peninsula continue to call for.

Surprisingly, the statutory authority to prohibit such travel in support of designated terrorist groups hasn't kept pace with the threat. I want to thank the chairman of the Foreign Affairs Subcommittee on Terrorism, Nonproliferation, and Trade, Judge TED POE of Texas, for his work in introducing H.R. 237, the Foreign Terrorist Organization Passport Revocation Act, as a critical countermeasure.

This bipartisan and commonsense bill grants the Secretary of State the authority to refuse or revoke a passport to any individual whom the Secretary determines has helped a designated foreign terrorist organization in realizing its jihadist ambitions.

Such authority is not currently spelled out in statute, but depends on interpretation of Federal regulations, and this legislation will write it into permanent law.

Mr. Speaker, I would just note that the text before us today grants permissive authority to the Secretary and, thus, the discretion to avoid interfering with law enforcement or intelligence activities that might be compromised if such a revocation were mandatory.

While we, of course, expect that the Secretary of State will exercise this authority within the bounds of constitutional due process, the bill also requires a report to Congress whenever such authority is used to help ensure oversight and to provide transparency.

Individuals who actively support designated terrorist organizations must be stopped from traveling abroad to learn how to kill Americans and our allies. Spelling this out clearly in permanent law will help prevent misguided individuals from getting further radicalized abroad, which leads to terrorist attacks on the homeland.

Again, Mr. Speaker, I want to thank the gentleman from Texas (Mr. POE) and his 10 bipartisan cosponsors for their work in bringing the bill forward, and this measure obviously deserves our support.

Mr. Speaker, I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, July 20, 2015.

Hon. ED ROYCE,
Chairman, Committee on Foreign Affairs, Washington, DC.

DEAR CHAIRMAN ROYCE: I am writing with respect to H.R. 237, the ''FTO Passport Revocation Act of 2015,'' which was referred to the Committee on Foreign Affairs.

As you know, H.R. 237 contains provisions that fall within the Rule X jurisdiction of the Committee on the Judiciary. As a result of your having consulted with the Committee and in order to expedite the House's consideration of H.R. 237, the Committee on the Judiciary will not assert is jurisdictional claim over this bill by seeking a sequential referral. However, this is conditional on our mutual understanding and agreement that doing so will in no way diminish or alter the jurisdiction of the Committee on the Judiciary with respect to the appointment of conferees or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation.

I would appreciate a response to this letter confirming this understanding with respect to H.R. 237, and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during Floor consideration of H.R. 237.

Sincerely,

BOB GOODLATTE,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, July 20, 2015.

Hon. BOB GOODLATTE,
Chairman, Committee on the Judiciary, Washington, DC.

DEAR CHAIRMAN GOODLATTE: Thank you for consulting with the Committee on Foreign Affairs on H.R. 237, the FTO Passport Revocation Act of 2015, and, on the basis of agreed edits in the suspension text of the bill, for agreeing to forgo a sequential referral request so that it may proceed expeditiously to the Floor.

I agree that your forgoing further action on this measure does not in any way diminish or alter the jurisdiction of the Committee on the Judiciary, or prejudice its jurisdictional prerogatives on this bill or similar legislation in the future.

I will seek to place our letters on H.R. 237 into our Committee Report and into the Congressional Record during floor consideration of the bill. I appreciate your cooperation regarding this legislation and look forward to continuing to work with the Committee on the Judiciary as this measure moves through the legislative process.

Sincerely,

EDWARD R. ROYCE,
Chairman.

Mr. BRENDAN F. BOYLE of Pennsylvania. Mr. Speaker, I rise in strong support of H.R. 237, as amended, and I yield myself such time as I may consume.

Mr. Speaker, this legislation authorizes the Secretary of State to deny the issuance of or revoke the passport of an individual who is affiliated with or providing assistance to a designated foreign terrorist organization.

I would like to thank the author of this legislation, the gentleman from Texas (Mr. POE), for his leadership on this issue and for working with us in a bipartisan manner.

Mr. Speaker, as Chairman ROYCE said a few moments ago, this is a commonsense bill. It is a reasonable step our government can take to address the rise of the so-called Islamic State, or ISIS, while acting within our authority to deny or revoke passports for those who are affiliated with or are aiding, assisting, or abetting an organization that the Secretary has designated as a foreign terrorist organization.

Whether you call them ISIS or ISIL or Daesh or their latest preferred term, the Islamic State, one thing is quite clear: this organization has captured large swaths of territory in Iraq and Syria with lethal efficiency.

This brutal terrorist group has engaged in mass executions, targeted religious minorities, raped and enslaved women, destroyed priceless historical treasures, and effectively redrawn the borders of the Middle East.

With its extensive propaganda efforts, including the sophisticated use of social media, ISIS has recruited tens of thousands of foreign fighters—reportedly more than 1,000 a month—including a significant number from Europe as well as some, remarkably, from the United States.

Mr. Speaker, this flow of foreign fighters is a serious threat, especially with U.S. passport holders among them. The Foreign Affairs Committee has held hearings looking at the impact of ISIS and its use of foreign fighters. Our colleagues and constituents alike are very concerned about what might happen when these fighters return home, radicalized by ISIS ideology and armed with the knowledge of battlefield tactics.

H.R. 237, the FTO Passport Revocation Act, would address this problem by authorizing the Secretary of State to deny passports to known members or supporters of ISIS and other terrorist groups. It would allow the Secretary to revoke the passports of those who have already left the United States so they are unable to return and sow terror here at home.

Mr. Speaker, the United States has a strong national security interest in defeating ISIS. I support the various lines of effort to counter the terrorist group, cracking down on ISIS' finances, countering their propaganda efforts, and stopping the flow of foreign fighters. To be clear, this legislation will not solve the problem of foreign fighters in Iraq and Syria, but it is a sensible and important step in the right direction.

Many of our coalition partners, including France, Britain, and Australia, have already taken steps to restrict or revoke passports for ISIS supporters. We must use all the tools at our disposal for protection of our homeland.

Mr. Speaker, I urge my colleagues to support this legislation, and I reserve the balance of my time.

Mr. ROYCE. Mr. Speaker, I yield 5 minutes to the gentleman from Texas (Mr. POE), the chairman of the Foreign Affairs Subcommittee on Terrorism, Nonproliferation, and Trade and author of this important legislation.

Mr. POE of Texas. Mr. Speaker, I want to thank Chairman ROYCE and Ranking Member ENGEL. Also, I want to thank the cosponsors of this legislation—as mentioned earlier, it is an equal number of Republicans and Democrats—but especially BRAD SHERMAN and WILLIAM KEATING on the minority side.

Mr. Speaker, in 2015, the Director of National Intelligence, James Clapper, said that 180 Americans have tried to go fight in Syria, either for ISIS, Al Nusra, or some other Islamic extremist group. There may be more; we don't know.

Americans citizens fighting for ISIS in Syria and Iraq are real, dangerous threats to the United States. These individuals are receiving training that makes them capable of sophisticated terrorist attacks, and they put themselves under the command and control of leaders in foreign places and leaders who want to attack the United States.

This is not unique to the United States. As the chairman has mentioned earlier, the West—European countries—have this as a tremendous problem where their citizens go and fight in Syria; they are trained, and they come back and cause havoc in these countries in the West.

It is not a hypothetical threat in the U.S., either. Moner Mohammad Abusalha was the first American to carry out a suicide bomb attack in Syria. Before he did so, he returned home to Florida as a fully trained terrorist. Our government had absolutely no idea. He was also a card-carrying member of al Qaeda, aligned to the Al Nusra front. Fortunately, he did not carry out an attack on the United States, but he could have.

Last September, ISIS announced a shift in strategy. Instead of using Americans to win in Syria, it called upon Americans to attack the United States after being trained in Syria. In an audiotape, one of their leaders was heard saying: ''Rig the roads with explosives for them. Attack their bases. Raid their homes. Cut off their heads.''

He is talking about Americans killing Americans who have been radicalized by ISIS.

Earlier this year, Mr. Speaker, a 23-year-old Somali American man from Columbus was indicted on charges of supporting terrorists. He was trained in Syria and told by a cleric to go back to the United States and carry out an attack. That is the first time we have caught someone who was specifically told to go back home and attack the United States.

These traitors who have turned against America and joined the ranks of foreign radical terrorist armies should not be allowed to come back in to the United States, unless it is in handcuffs.

Mr. Speaker, H.R. 237, the Foreign Terrorist Organization Passport Revocation Act, is a critical bill at a critical time. This bipartisan bill grants the Secretary of State the authority to revoke or deny U.S. passports of individuals who support designated foreign terrorist organizations.

Mr. Speaker, the Supreme Court has ruled in Haig v. Agee that the Secretary of State has the authority to revoke a passport when the national security of the United States is threatened. We are not talking about citizenship; we are talking about revocation of a passport. This bill does not deal with the issue of citizenship.

Finally, Mr. Speaker, there is a due process available for those who wish to challenge the Secretary of State's decision. Under existing regulations, a person is entitled to a hearing within 60 days of receiving notice that that passport is being revoked.

Foreign fighters are flowing into Iraq and Syria by the thousands. Some of them are Americans. We must stop these outlaws from coming back to the United States and committing crimes against us.

And that is just the way it is.

Mr. BRENDAN F. BOYLE of Pennsylvania. Mr. Speaker, I yield myself such time as I may consume.

ISIS is absolutely a barbaric regime that cannot be negotiated with and must be defeated. They literally want to return civilization back centuries and centuries.

It is hard for me and I think it is hard for almost any American to imagine what could possibly be going

through the mind of a U.S. citizen who would be attracted to go over there and make common cause with ISIS.

Mr. Speaker, as the son of an immigrant who knows the sacrifices his father and grandparents made to come to this country, the fact that someone would actually jeopardize the most valuable thing they have, their American citizenship and their U.S. passport, to join ISIS is completely unfathomable.

We absolutely have to give our Secretary of State this authority. ISIS sadly presents a real threat both abroad and at home. This is a commonsense measure that we can take, and we must absolutely take it.

Mr. Speaker, I yield back the balance of my time.

Mr. ROYCE. Mr. Speaker, I yield myself such time as I may consume.

I will just quote the Bureau of Counterterrorism, Mr. Speaker. They say that the rate of foreign terrorist fighter travel to Syria exceeded the rate of foreign terrorist fighters that travel to Afghanistan, Pakistan, Iraq, Yemen, or Somalia at any point in the last 20 years.

Individuals drawn to the conflict were diverse in their socioeconomic and geographic backgrounds, highlighting the need for comprehensive countermessaging and early engagement to dissuade vulnerable individuals from traveling to join the conflict.

The bill before us today, Mr. Speaker, H.R. 237, is a necessary addition to our national defense. It creates an important deterrent, and it reduces the ability of terrorists to travel.

I, again, thank the subcommittee chairman, Mr. POE, and the ranking member, Mr. KEATING of Massachusetts, and the bipartisan cosponsors of the bill before us today.

Mr. Speaker, I ask for support of the measure, and I yield back balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and pass the bill, H.R. 237, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 5 o'clock and 57 minutes p.m.), the House stood in recess.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HOLDING) at 6 o'clock and 30 minutes p.m.

REPORT ON H.R. 3128, DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2016

Mr. FRELINGHUYSEN from the Committee on Appropriations, submitted a privileged report (Rept. No. 114–215) on the bill (H.R. 3128) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2016, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore. Pursuant to clause 1, rule XXI, all points of order are reserved on the bill.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 1557, by the yeas and nays;

H.R. 2256, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. The second electronic vote will be conducted as a 5-minute vote.

FEDERAL EMPLOYEE ANTIDISCRIMINATION ACT OF 2015

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 1557) to amend the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 to strengthen Federal antidiscrimination laws enforced by the Equal Employment Opportunity Commission and expand accountability within the Federal government, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. CHAFFETZ) that the House suspend the rules and pass the bill.

The vote was taken by electronic device, and there were—yeas 403, nays 0, not voting 30, as follows:

[Roll No. 448]

YEAS—403

Abraham
Adams
Aderholt
Aguilar
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Beatty
Becerra
Benishek
Bera
Beyer
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buck
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Cook
Cooper
Costa
Costello (PA)
Courtney
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guinta
Guthrie
Hahn
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins
Hill
Himes
Hinojosa
Holding
Honda
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kaptur
Katko
Keating
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Kuster
Labrador
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lee
Levin
Lewis
Lieu, Ted
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marino
Massie
Matsui
McCarthy
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Olson
Pallone
Palmer
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pittenger
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price (NC)
Quigley
Rangel
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Ruppersberger

Rush	Smith (TX)	Walden
Russell	Speier	Walker
Ryan (OH)	Stefanik	Walorski
Ryan (WI)	Stewart	Walters, Mimi
Salmon	Stivers	Walz
Sánchez, Linda T.	Swalwell (CA)	Wasserman Schultz
Sanchez, Loretta	Takai	Waters, Maxine
Sanford	Takano	Watson Coleman
Sarbanes	Thompson (CA)	Weber (TX)
Scalise	Thompson (PA)	Webster (FL)
Schakowsky	Thornberry	Welch
Schiff	Tiberi	Wenstrup
Schweikert	Tipton	Westerman
Scott (VA)	Titus	Westmoreland
Scott, Austin	Tonko	Whitfield
Scott, David	Torres	Williams
Sensenbrenner	Trott	Wilson (SC)
Serrano	Tsongas	Wittman
Sessions	Turner	Womack
Sewell (AL)	Upton	Woodall
Shimkus	Valadao	Yarmuth
Shuster	Van Hollen	Yoder
Simpson	Vargas	Yoho
Sinema	Veasey	Young (AK)
Sires	Vela	Young (IA)
Slaughter	Velázquez	Young (IN)
Smith (MO)	Visclosky	Zeldin
Smith (NE)	Wagner	Zinke
	Walberg	

NOT VOTING—30

Bass	Gutiérrez	Price, Tom
Bishop (GA)	Hanna	Richmond
Brady (PA)	Jackson Lee	Rohrabacher
Buchanan	Kelly (IL)	Schrader
Carter (TX)	Kirkpatrick	Sherman
Clawson (FL)	Lawrence	Smith (NJ)
Conyers	Lipinski	Smith (WA)
Cramer	Marchant	Stutzman
Engel	Meeks	Thompson (MS)
Graves (MO)	Palazzo	Wilson (FL)

□ 1856

Messrs. DUNCAN of South Carolina and HUDSON changed their vote from ''nay'' to ''yea.''

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MOMENT OF SILENCE FOR SERVICEMEMBERS KILLED IN CHATTANOOGA, TENNESSEE

(Mr. FLEISCHMANN asked and was given permission to address the House for 1 minute.)

Mr. FLEISCHMANN. Mr. Speaker, last Thursday was a very difficult day in my beautiful hometown of Chattanooga, Tennessee. It was a day of horror; it was a day of terror, and it was a day like no other I have lived in my life.

Today, I am joined in this great House by my colleagues from the Tennessee delegation. Chattanooga is my hometown. A lone gunman—a terrorist, an evil man—killed five wonderful United States servicemembers, four marines and one sailor. At two locations in Chattanooga, he opened fire. There was devastation; there was death, and there was horror, and I am so deeply saddened.

Before I ask Members for a moment of silence, I am going to ask this great House—the people's House—for something special because, through all the carnage in the face of evil, I saw Chattanoogans come together with good. In the face of despair, I saw Chattanoogans come together with hope.

I saw something in my darkest hour; I saw the greatness in America. Catholics, Protestants, Jews, Whites, Blacks, and Latinos came together. We prayed together. We hoped for better days together. We honored the men and women who serve us in all of our branches together. I feel for our great marines. I feel for our Navy in these difficult times.

Let me tell you this: the Chattanooga Police Department selflessly showed up and fought this terrorist and killed him. Hamilton County police were there. While a brave sailor tried to cling to life, I saw throngs of doctors and nurses at Erlanger hospital giving their best skills to try to save this man. Sadly, they were unsuccessful.

This is a day I never want to see again. I ask you that we resolve to keep all American servicemen and -women safe here on American soil. We must do that. We owe that to those five wonderful lives that we lost, all precious.

I am going to ask for all of us to be Chattanooga strong. I am going to ask all of us to please come together as Americans.

I will read the name of those five outstanding folks: United States Marine Gunnery Sergeant Thomas J. Sullivan; United States Marine Staff Sergeant David Allen Wyatt; United States Marine Sergeant Carson Allen Louis Holmquist; United States Marine Lance Corporal Squire Kimpton Paul Wells; and United States Navy Petty Officer Second Class Randall Smith.

Mr. Speaker, I ask for a moment of silence in honor of these great Americans.

The SPEAKER. The House will observe a moment of silence.

VETERANS INFORMATION MODERNIZATION ACT

The SPEAKER. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 2256) to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to submit an annual report on the Veterans Health Administration and the furnishing of hospital care, medical services, and nursing home care by the Department of Veterans Affairs, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER. The question is on the motion offered by the gentleman from Michigan (Mr. BENISHEK) that the House suspend the rules and pass the bill, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 408, nays 0, not voting 25, as follows:

[Roll No. 449]

YEAS—408

Abraham	Delaney	Israel
Adams	DeLauro	Issa
Aderholt	DelBene	Jackson Lee
Aguilar	Denham	Jeffries
Allen	Dent	Jenkins (KS)
Amash	DeSantis	Jenkins (WV)
Amodei	DeSaulnier	Johnson (GA)
Ashford	DesJarlais	Johnson (OH)
Babin	Deutch	Johnson, E. B.
Barletta	Diaz-Balart	Johnson, Sam
Barr	Dingell	Jolly
Barton	Doggett	Jones
Bass	Dold	Jordan
Beatty	Donovan	Joyce
Becerra	Doyle, Michael F.	Kaptur
Benishek	Duckworth	Katko
Bera	Duffy	Keating
Beyer	Duncan (SC)	Kelly (MS)
Bilirakis	Duncan (TN)	Kelly (PA)
Bishop (MI)	Edwards	Kennedy
Bishop (UT)	Ellison	Kildee
Black	Ellmers (NC)	Kilmer
Blackburn	Emmer (MN)	Kind
Blum	Eshoo	King (IA)
Blumenauer	Esty	King (NY)
Bonamici	Farenthold	Kinzinger (IL)
Bost	Farr	Kline
Boustany	Fattah	Knight
Boyle, Brendan F.	Fincher	Kuster
Brady (TX)	Fitzpatrick	Labrador
Brat	Fleischmann	LaMalfa
Bridenstine	Fleming	Lamborn
Brooks (AL)	Flores	Lance
Brooks (IN)	Forbes	Langevin
Brown (FL)	Fortenberry	Larsen (WA)
Brownley (CA)	Foster	Larson (CT)
Buck	Foxx	Latta
Bucshon	Frankel (FL)	Lee
Burgess	Franks (AZ)	Levin
Bustos	Frelinghuysen	Lewis
Butterfield	Fudge	Lieu, Ted
Byrne	Gabbard	LoBiondo
Calvert	Gallego	Loebsack
Capps	Garamendi	Lofgren
Capuano	Garrett	Long
Cárdenas	Gibbs	Loudermilk
Carney	Gibson	Love
Carson (IN)	Gohmert	Lowenthal
Carter (GA)	Goodlatte	Lucas
Cartwright	Gowdy	Luetkemeyer
Castor (FL)	Graham	Lujan Grisham (NM)
Castro (TX)	Granger	Luján, Ben Ray (NM)
Chabot	Graves (GA)	Lummis
Chaffetz	Graves (LA)	Lynch
Chu, Judy	Grayson	MacArthur
Cicilline	Green, Gene	Maloney, Carolyn
Clark (MA)	Griffith	Maloney, Sean
Clarke (NY)	Grijalva	Marino
Clay	Grothman	Massie
Cleaver	Guinta	Matsui
Clyburn	Guthrie	McCarthy
Coffman	Hahn	McCaul
Cohen	Hardy	McClintock
Cole	Harper	McCollum
Collins (GA)	Harris	McDermott
Collins (NY)	Hartzler	McGovern
Comstock	Hastings	McHenry
Conaway	Heck (NV)	McKinley
Connolly	Heck (WA)	McMorris Rodgers
Cook	Hensarling	McNerney
Cooper	Herrera Beutler	McSally
Costa	Hice, Jody B.	Meadows
Costello (PA)	Higgins	Meehan
Courtney	Hill	Meeks
Cramer	Himes	Meng
Crawford	Hinojosa	Messer
Crenshaw	Holding	Mica
Crowley	Honda	Miller (FL)
Cuellar	Hoyer	Miller (MI)
Culberson	Hudson	Moolenaar
Cummings	Huelskamp	Mooney (WV)
Curbelo (FL)	Huffman	Moore
Davis (CA)	Huizenga (MI)	Moulton
Davis, Danny	Hultgren	Mullin
Davis, Rodney	Hunter	
DeFazio	Hurd (TX)	
DeGette	Hurt (VA)	

Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Pallone
Palmer
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pittenger
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price (NC)
Quigley
Rangel
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Ryan (WI)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Speier
Stefanik
Stewart
Stivers
Stutzman
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—25

Bishop (GA)
Brady (PA)
Buchanan
Carter (TX)
Clawson (FL)
Conyers
Engel
Gosar
Graves (MO)
Green, Al
Gutiérrez
Hanna
Kelly (IL)
Kirkpatrick
Lawrence
Lipinski
Lowey
Marchant
Price, Tom
Richmond
Rohrabacher
Schrader
Smith (WA)
Thompson (MS)
Vargas

□ 1910

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read: ''A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to submit an annual report on the Veterans Health Administration, to provide for the identification and tracking of biological implants used in Department of Veterans Affairs facilities, and for other purposes.''.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mrs. LAWRENCE. Mr. Speaker, I was unable to vote, due to the necessity of my attending to representational duties and participation in Michigan. Had I been in attendance, I would have voted "yes" on: H.R. 2256—The Veterans Information Modernization Act and H.R. 1557—The Federal Employee Antidiscrimination Act of 2015.

PERSONAL EXPLANATION

Mr. GUTIÉRREZ. Mr. Speaker, I was unavoidably absent in the House chamber for votes on July 21, 2015. Had I been present, I would have voted "yea" on rollcall votes 448 and 449.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1599, SAFE AND ACCURATE FOOD LABELING ACT OF 2015, AND PROVIDING FOR CONSIDERATION OF H.R. 1734, IMPROVING COAL COMBUSTION RESIDUALS REGULATION ACT OF 2015

Mr. BYRNE, from the Committee on Rules, submitted a privileged report (Rept. No. 114–216) on the resolution (H. Res. 369) providing for consideration of the bill (H.R. 1599) to amend the Federal Food, Drug, and Cosmetic Act with respect to food produced from, containing, or consisting of a bioengineered organism, the labeling of natural foods, and for other purposes, and providing for consideration of the bill (H.R. 1734) to amend subtitle D of the Solid Waste Disposal Act to encourage recovery and beneficial use of coal combustion residuals and establish requirements for the proper management and disposal of coal combustion residuals that are protective of human health and the environment, which was referred to the House Calendar and ordered to be printed.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 3107

Mrs. ROBY. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 3107.

The SPEAKER pro tempore (Mr. ALLEN). Is there objection to the request of the gentlewoman from Alabama?

There was no objection.

EDEN PRAIRIE RELAY FOR LIFE

(Mr. PAULSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAULSEN. Mr. Speaker, I rise today to speak about an event this weekend in Eden Prairie, Minnesota, that will raise critical funds for cancer research.

The Relay for Life brings together individuals from all walks of life that have been affected by cancer as they team up to find a cure. This year's event, which combines previous relays that have taken place in Bloomington, Eden Prairie, Richfield, Hopkins, and Minnetonka, is aiming to raise over $90,000 for cancer research.

Mr. Speaker, every year 14 million people learn the devastating news that they have cancer, and the Relay for Life helps provide important funding that helps develop the cures and treatments that will also help millions of people.

A big thank you to the organizers of this event. Helping find a cure for cancer will not happen without the dedicated effort and events like the Relay for Life.

□ 1915

SUPPORTING PLANNED PARENTHOOD

(Mrs. WATSON COLEMAN asked and was given permission to address the House for 1 minute.)

Mrs. WATSON COLEMAN. Mr. Speaker, I am here this evening to correct the record on women's health. As the only woman in a tristate delegation that includes New Jersey, Pennsylvania, and Delaware, I speak for millions of women whose right to abortion was codified by the Supreme Court decades ago.

I also speak for the millions more women who don't come from States like New Jersey where clinics that provide a full range of women's health services are accessible, States like Texas, Louisiana, and Mississippi where legislatures full of men would love to see those clinics closed for good.

Last week another antiabortion group, under the guise of legitimate news, released a doctored video to attack Planned Parenthood. This attack isn't about the trumped-up claims in the video.

It is about the same tired efforts to make it harder for women from every walk of life and every corner of the country to make the health choices that work for them.

It is sad that my colleagues on the other side of the aisle are so quick to hop on that bandwagon.

Enough, Mr. Speaker. This is enough already.

IRAN NUCLEAR DEAL

(Mr. DESANTIS asked and was given permission to address the House for 1 minute.)

Mr. DESANTIS. Mr. Speaker, I hope that every Member of this body reads the joint comprehensive plan of action that the Obama administration has agreed to with Iran. Because, if they do, I think you will see overwhelming majority vote to repudiate it.

You have heard about some of the massive influx of cash for Iran. You have heard about their ability to keep their nuclear infrastructure, all these hugely problematic provisions.

Interestingly, we talk about if Iran violates the deal, we can snap back economic sanctions. In fact, Iran can snap back in a nuclear direction.

Here is what the agreement says: Iran has stated that, if sanctions are reinstated, in whole or in part, Iran will treat that as grounds to cease performing its commitment under this JCPOA, in whole or in part.

That means, if Iran cheats and we go to penalize them, Iran is reserving the right to simply go back to producing nuclear weapons.

We have been told that no deal is better than a bad deal. Mr. Speaker, this is a bad deal.

FORMER CONGRESSMAN LOUIS STOKES

(Ms. KAPTUR asked and was given permission to address the House for 1 minute.)

Ms. KAPTUR. Mr. Speaker, tonight I rise, as dean of the Ohio delegation, to bring to my colleagues' attention and those who are listening that one of our great Members of Congress from Ohio, Congressman Lou Stokes, who served so ably, with such dignity, with such acumen, and with such heart has been diagnosed with a very serious type of cancer. His days with us are numbered.

I know that many Members hold memories of Lou, and there will be many tributes paid to Congressman Louis Stokes of Ohio. Without question, his service was legendary, along with his brother, who became the first African American mayor in our country, the city of Cleveland.

If we look coast to coast, the people of Ohio are walking in prayer with the Stokes family now. If Congressman Stokes is listening, I hope he knows that the love of this House, the place to which he dedicated the best years of his life, are with him.

Thank you, Congressman Louis Stokes of Ohio, for what you have done for America, for the people of Ohio, and for the people of Cleveland. History will record the greatness of your service to others. We love you. We pray with you. We walk with you.

REMEMBERING MIKE ''TUNA'' McELROY

(Mr. RODNEY DAVIS of Illinois asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I rise tonight with deep sadness at the loss of my friend, Mike McElroy, the mayor of Decatur, Illinois, just last week.

Mike was not just my friend. He was a friend to so many, and he led the City of Decatur through some very difficult times to where Decatur, my former hometown, as a student at Millikin University, has been able to see the progress that many envisioned 26 years ago when Mike and his wife, Lynn, made Decatur their hometown.

Mike is going to be remembered not only as a friend of mine, but a friend to the entire community, be it the YMCA that he served on the board of directors, St. Teresa school that he was so active in, or the many other community efforts that he was a part of.

''Tuna,'' as he was known, is going to be missed by all, but especially missed by me. Mike was an early supporter of mine and a friend when I didn't have as many friends in that town as I started my journey that ended right here on this House floor when I was sworn in a few short years ago.

Tuna, you left this Earth way too early. My heartfelt condolences go out to the entire Decatur community, who will miss you, and, most importantly, to your wife, Lynn, and your son, Matt. Rest in peace, my friend.

DODD-FRANK ACT

(Mr. FOSTER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FOSTER. Mr. Speaker, I rise today to recognize the fifth anniversary of the enactment of the Dodd-Frank Wall Street Reform and Consumer Protection Act.

Mr. Speaker, the financial crisis of 2007 was not an accident and not an unavoidable by-product of free markets. It was a mistake, a mistake driven by ideologically driven deregulation.

Countries which maintained adequate capital requirements did not suffer a financial crisis. Countries which maintained an adequately regulated primary and secondary mortgage market did not suffer through a housing bubble.

In response to the crisis, taxpayers stepped in and saved the global financial system by stabilizing the marketplace and staving off a second Great Depression through economic stimulus.

To ensure that taxpayers would not be on the hook for the irresponsible actions by some on Wall Street, the Dodd-Frank Act required that financial institutions hold adequate capital against the risks they take and take responsibility for the risks that they sell into the market. The Dodd-Frank Act has unquestionably made our markets safer and more stable.

PIONEER DAY

(Mr. STEWART asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STEWART. Mr. Speaker, I am proud to join my home State of Utah in celebrating Pioneer Day. In a world that seems to be filled with strife and confusion, I am proud to take a moment to celebrate something positive.

On July 24, 1847, Brigham Young led a determined group of pioneers, wagons, and handcarts into the Salt Lake Valley where he uttered those now famous words, ''This is the place.''

Over 40,000 pioneers traveled west to Utah. In doing so, they suffered incredibly, hunger, cold, disease, exhaustion, the death of loved ones. My own ancestors were among the many who did suffer.

Once they arrived in the Salt Lake Valley, they worked tirelessly to take the desert and to make it bloom into the thriving communities we have today. My, how things have changed.

Utah is considered the best managed State. They are considered some of the finest and highest quality-of-life communities. They are one of the best States to do business. We have the greatest snow on Earth, and our National Parks are truly magnificent.

We celebrate Pioneer Day to honor those who demonstrate their courage during their journey west and for all those who continue to enrich our great State of Utah.

KEYSTONE PIPELINE

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, in 2010, the southern segment of the Keystone pipeline system began operating, carrying crude oil from Oklahoma to Illinois and Texas. According to multiple news outlets, this existing southern segment of the Keystone system just pumped its one billionth barrel of oil.

The Federal approval process only took 2 years to complete, and there have been no incidents as a result of this infrastructure. Yet, here we are 5 years later and the Keystone XL pipeline, which would connect Canada and the United States, still remains unapproved after 7 long years of repetitive reviews.

Approval of the Keystone XL pipeline will provide American families with new job opportunities and a reliable source of North American energy in the safest, most efficient way possible.

As a member of the Natural Resources Committee, I rise today to once again urge the President to approve the Keystone XL.

This southern portion of the Keystone pipeline has proven to be a safe and effective way to transport oil, and the northern segment into Canada will provide the same benefits.

CONGRATULATIONS ZACH JOHNSON

(Mr. BLUM asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BLUM. Mr. Speaker, I rise today to congratulate Zach Johnson, a native of Cedar Rapids, Iowa, and the First District I represent, on his win in yesterday's British Open, held at St. Andrews in Scotland, the birthplace of golf.

Zach is well known in Iowa for his incredible work ethic and perseverance. Zach was not the best player on his Cedar Rapids Regis High School golf team, and he wasn't the number one golfer on the Drake University golf team.

Few gave him a chance of someday being a professional golfer, but he refused to give up on his dream of making the PGA tour, and his hard work over the years has definitely paid off.

Zach has 12 PGA wins, including the 2007 Masters and now the British Open, and has represented the United States in the Ryder Cup four times.

Zach has lived the American Dream through hard work and perseverance. Yet, he describes himself as ''just a guy from Iowa who has been given some talent.'' Zach's humility, as well as his talent and work ethic, are examples to all of us.

Today we tip our hat to Zach Johnson and his entire family. The entire First District of Iowa is incredibly proud of his success.

HONORING GRANITE STATE HERO JEREMY GRACZYK

(Mr. GUINTA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GUINTA. Mr. Speaker, I rise today to celebrate the life of New Hampshire's own Major Jeremy Graczyk, a decorated Marine, combat veteran, and American hero.

A native of Atkinson, New Hampshire, Major Graczyk graduated as valedictorian from Timberlane Regional High School, attended college at the U.S. Naval Academy, and went on to be commissioned in the United States Marine Corps, where he served as part of Operation Iraqi Freedom and was deployed over seven times to Afghanistan and Africa.

Due to his bravery and dedication to our Nation, he has been awarded over 20 decorations. To say Major Graczyk embodied the meaning of our State's motto ''Live free or die'' is an understatement.

As we honor the anniversary of his death, we continue to remember and celebrate his life. It is because of soldiers like him that our Nation remains the land of the free and the home of the brave. And for that, we are forever grateful.

IN MEMORY OF LAVERNE GRELL

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Madam Speaker, I rise tonight to note the passing of a true gem, a jewel to northern California, LaVerne Grell of Yuba City.

Now, my family has the unique experience of having my grandmother, Marjorie, and LaVerne born on the same day in the very same small town amidst the rice fields of northern California.

My grandmother, Marjorie, and LaVerne spent many years together celebrating birthdays, music, life, and friends. We were blessed with my grandmother for 77 years. But LaVerne, in northern California, we were blessed with for 100 years.

So LaVerne's loss indeed makes a big ripple. She made a big ripple in her life with all the people she touched and her love of music.

Indeed, she was a talented musician and freely gave her time and her talent for decades through teaching music at Yuba College, participating in Handel's Messiah for almost 75 years and playing the organ at Marysville's First Presbyterian Church for 20 years.

Indeed, when we lose somebody, we have what we call a celebration of life. Her celebration of life was last November when she reached her 100th birthday, and she had the best party I have ever seen with an orchestra, cellos, and everything. She got on the keyboard herself and showed us what 100 years of life and vigor in northern California looks like.

We will miss her, but we will always smile when we think of LaVerne Grell.

□ 1930

PLANNED PARENTHOOD PRACTICES

(Mr. ALLEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ALLEN. Madam Speaker, like my colleagues, I was deeply disturbed by the video that surfaced last week and the allegations regarding Planned Parenthood's selling the body parts of unborn children. Just today, another video was released showing a senior Planned Parenthood official make flippant comments about receiving money for the organs of aborted babies.

The practices brought to light in these videos and reports are shocking and sickening. When such reports come forward, it is our moral responsibility to act. We must take action on behalf of the most vulnerable and precious lives among us.

Madam Speaker, I commend the House Energy and Commerce and House Judiciary Committees that have begun efforts to investigate these heinous practices, and I am committed to working with my colleagues to ensure we get to the bottom of these allegations.

Planned Parenthood and all those involved must be held accountable. I stand with all who are dedicated to fight to protect innocent life.

CONDEMNING PLANNED PARENTHOOD TRAFFICKING SCANDAL

(Mr. FORTENBERRY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FORTENBERRY. Madam Speaker, in just a few moments, we will hear from a number of colleagues who are all here gathered in great sadness and with heavy hearts to denounce, once again, another revelation of another gruesome practice by the organization—the taxpayer-funded organization—called Planned Parenthood.

Madam Speaker, it is important to note that Planned Parenthood was founded in racism. It profits from the pain of abortion, and now it traffics in baby parts.

How much more do we have to know to awaken us, awaken our conscience as a nation, to the gruesome realities again of this taxpayer-funded organization?

So I am pleased that my colleagues have gathered tonight to talk more in depth about this, but also to highlight the fact that we are all interested in ongoing congressional investigations to determine what efforts, what laws, or what new steps need to be taken to ban the unethical and dehumanizing practice undertaken by Planned Parenthood.

We must challenge this assault on human dignity, especially to protect the most vulnerable members of our society. I find it very interesting, Madam Speaker, that the early feminist movement was dedicated to protecting women from abortion.

ALL LIVES MATTER

The SPEAKER pro tempore (Mr. ALLEN). Under the Speaker's announced policy of January 6, 2015, the gentleman from Wisconsin (Mr. DUFFY) is recognized for 60 minutes as the designee of the majority leader.

GENERAL LEAVE

Mr. DUFFY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on the topic of this Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. DUFFY. Mr. Speaker, for 30 years, Planned Parenthood has worked to dehumanize the babies that they have aborted, claiming that these little babies were just clumps of cells, just clumps of tissue; but through the recent videos that have come out, they have, in essence, admitted what we have known all along—that these are actually little humans. These are little babies, and their organs are being harvested for profit: little baby heads and

little baby livers, little baby hearts and little baby lungs—little baby lungs that will never have an opportunity to cry, little baby lungs that will never be used to learn how to speak, and little baby lungs that will never learn to sing because they have been killed in the womb.

These are little babies that are so well developed that they can survive outside the womb. These little babies feel pain in the abortion. These are little ones who, again, don't have lobbyists in this town that work for them. They are voiceless, they are defenseless, and so often they are powerless.

But this House is coming together tonight in extraordinary form to make sure that these little ones are not forgotten, because we are standing up for them to make sure that their lives matter because in America we believe that all lives matter, whether you are born or unborn. So I am proud to be part of this Special Order tonight. I am proud that we have so many Members who want to come down and speak on this important topic.

Mr. Speaker, I yield to the gentleman from New Jersey (Mr. SMITH), who has been such a leader in the pro-life movement.

Mr. SMITH of New Jersey. Thank you, Mr. DUFFY. Thank you for yielding to me and for your leadership on this extremely important human rights issue.

Mr. Speaker, in 2011, an undercover videotape sting operation by Live Action exposed several Planned Parenthood affiliates who are eager, ready, and willing to facilitate secret abortions for child sex trafficking victims—some as young or younger than 14—to get them on the streets again.

As the prime author of the Trafficking Victims Protection Act of 2000, the landmark law that seeks to protect victims, mostly women and children, I found the on-the-record willingness of Planned Parenthood personnel to exploit young girls and partner with sex traffickers to be absolutely appalling. Watch the video yourself on liveaction.org.

In 2012, Live Action released another sting operation video, part of a series called ''Gendercide: Sex Selection in America,'' showing Planned Parenthood staff advising undercover female investigators how to procure sex selection abortions. Caught on tape, Planned Parenthood tells the investigator to wait until the baby is 5 months along to get an ultrasound that will reveal the sex of the child, then, if it is a girl, kill it.

Planned Parenthood is okay with terminating the girl child in its huge network of clinics simply because she is a girl. What a dangerous place for little girls.

Now we have learned that Planned Parenthood is trafficking in baby body parts and intact organs like livers and hearts, charging up to $100 or more per body part. Not only has Planned Parenthood killed over 7 million innocent babies in their chain of abortion mills, about 330,000 children per year, but now shocking new undercover videos by the Center for Medical Progress show high-ranking Planned Parenthood officials explaining how they market and profit from the sale of the organs of their victims and how doctors maneuver deadly abortion tools to ensure—they call them graspers—intact organs.

In one clip, Dr. Deborah Nucatola, senior director of Planned Parenthood Federation of America's medical services and a late-term abortionist herself, explained:

> We have been very good at getting heart, lung, liver, because we know that, so I am not going to crush that part. I am going to basically crush below, I am going to crush above, and I am going to see if I can get it all intact.

Dr. Nucatola says on camera:

> I would say a lot of people want liver; and for that reason, most providers will do this case under ultrasound guidance, so they will know where they are putting their forceps.

In other words, crush the baby to death, but do it in a way that preserves certain organs and body parts for sale.

Dr. Nucatola even suggests and is caught on tape talking about creating a menu.

Today, another new devastating video by the same organization shows a Planned Parenthood Federation top doctor, Dr. Mary Gatter, offering to use a ''less crunchy technique'' to get more intact organs and baby body parts.

Less crunchy? Like Dr. Nucatola, Dr. Gatter is nonchalantly talking about crunching—that is, crushing—babies to death in ways that are more likely to preserve body parts and intact organs. This is unconscionable, it is inhumane, and it must stop. I am glad that the House Republican leadership has called for full investigations into this dehumanizing practice.

Mr. DUFFY. Mr. Speaker, I yield to the gentleman from Texas (Mr. HENSARLING), the chairman of the Financial Services Committee.

Mr. HENSARLING. Mr. Speaker, I thank the gentleman for his leadership tonight especially, of all times.

Mr. Speaker, it is our highest ideal as Americans that every human life is endowed with dignity and has value. As Americans, we have a shared responsibility to protect the innocent and defend the rights of those who are unable to defend themselves. But rather than protecting and defending this dignity, Planned Parenthood is seemingly attempting to cash in on it.

Recently, shocking and appalling videos have come to light exposing senior employees at Planned Parenthood casually discussing both the harvesting and selling of organs of aborted children. These videos portray a chilling transactional approach to ending human life.

Mr. Speaker, as a matter of morality, history, science, reason, and, most importantly, my personal faith, I can come to no other conclusion but that every human life begins at conception and every human life is worthy of protection.

Psalm 139:13 says:

> For You created my inmost being; You knit me together in my mother's womb.

What God has knit together, apparently Planned Parenthood wishes to crush. But that is not my word, Mr. Speaker; that is their word. You have heard it spoken on this House floor as Senior Director of Medical Services at Planned Parenthood said:

> We have been very good at getting heart, lung, liver, because we know that, so I am not going to crush that part.

I am not sure I have ever repeated such vile and cruel words on this House floor before, Mr. Speaker; and whether one considers themselves pro-life or pro-choice, I would hope that every American believes that harvesting and trafficking baby organs violates the sanctity to which every child created in the very image of God is entitled to.

So, Mr. Speaker, I add my voice thanking our leadership of this Congress for calling on investigations of these horrific acts, and I call on the Obama administration to denounce them and find a way to stop these gruesome practices.

Almost every day, Mr. Speaker, we hear somebody utter words on the House floor, ''We must do something for the least of these.'' Truly unborn life is the least of these. So let's start tonight and hold life precious.

Mr. DUFFY. Thank you, Mr. Chairman.

Mr. Speaker, I yield to the gentleman from Ohio (Mr. JOHNSON).

Mr. JOHNSON of Ohio. Mr. Speaker, many of us have seen it, a recently surfaced, horrifying video that provides evidence that Planned Parenthood employees participate in the harvesting of fetal body parts.

Mr. Speaker, I rise today in absolute disgust. Not only is Planned Parenthood profiting from abortions, but this video shows a top Planned Parenthood executive discussing how best to procure and sell specific organs from these defenseless, aborted babies' bodies.

As a father and a grandfather, I find these acts unconscionable and barbaric. We have a moral responsibility to ensure that these acts are fully investigated and that Planned Parenthood is held accountable for their actions.

Mr. Speaker, I want to thank Chairman FRED UPTON of the Energy and Commerce Committee and Chairman BOB GOODLATTE of the Judiciary Committee for taking immediate action and announcing their respective investigations into this horrific practice.

Mr. Speaker, I cannot fathom why taxpayers' hard-earned dollars are provided to organizations that actively allow such gruesome practices to occur.

In 2013, abortions made up 94 percent of Planned Parenthood's so-called pregnancy services—94 percent. Prenatal care and adoptive referrals accounted for only 5 percent and half, or 0.5 percent, respectively. Yet taxpayer funding accounts for 41 percent of Planned Parenthood's overall revenue.

We must act now to prevent even a single dime from going to organizations such as Planned Parenthood that flaunt such blatant disregard for human life, and we need colleagues on both sides of the aisle to step up and join us in this effort.

Mr. DUFFY. Mr. Speaker, I now yield to one of the leaders on this issue, the gentlewoman from Missouri (Mrs. WAGNER).

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Mrs. WAGNER. Mr. Speaker, I thank the gentleman, my friend, Congressman DUFFY, for leading this effort and leading this Special Order today.

Mr. Speaker, I rise today to express my continued outrage at, now, two abhorrent videos that have been released in the last week in which two Planned Parenthood senior doctors describe the process by which they and their coworkers kill unborn children and harvest their organs for sale.

Like many Americans, I was shocked not only by what I learned about Planned Parenthood's standard practices, but by the cold, callous indifference in which its medical leadership detailed the barbaric murder of society's most vulnerable children.

In the United States, we provide protections for the least among us in numerous ways from medical research, to welfare programs, to healthcare assistance; yet here, we stand on the floor of the United States House of Representatives to discuss whether the sale of human body parts harvested from aborted children violates basic human dignity and perhaps even the law.

Mr. Speaker, the question that strikes me today is not whether this practice is immoral or illegal—for surely no Member of Congress or of humanity can, in good conscience, claim that we support these heinous activities—instead, I am left considering what could we have done or perhaps what should we have done to protect women and innocent children from this outrageous practice. I am left to think what kind of Nation allows these heinous acts to continue.

We are the United States of America, a country founded on the belief that each individual holds dignity and worth in the eyes of our creator. If Planned Parenthood is discovered to have been altering abortion procedures so as to sell human baby hearts, livers, lungs, brains, and other organs, then they have violated their own guidelines as well as Federal laws from partial-birth abortion to the sale of human organs. It will be up to Congress to intervene on behalf of the thousands of unborn children.

Mr. Speaker, it is clear to me that there is a prevailing attitude inside Planned Parenthood that is so disgusting, so horrifying, and so disturbing that it warrants a congressional investigation and action.

I thank House leadership and our chairman for opening up this investigation and for following our request into this unconscionable activity now.

I want to thank the Members of the Missouri State legislature, my own home State of Missouri, who have committed to investigating Planned Parenthood in the State of Missouri, assuring Missourians that our laws prohibit these unthinkable acts, and hold Planned Parenthood accountable for any wrongdoing.

Mr. Speaker, we have a duty as elected Representatives to the United States to stand up for the most vulnerable among us, to lend a voice to the voiceless, and stand up for injustice. I will continue to fight for the day when abortions and the atrocities associated with it are not only illegal, but unthinkable.

Mr. DUFFY. Mr. Speaker, I appreciate the gentlewoman's powerful comments. She is right, we do need an investigation: Federal, State, FBI, and DOJ.

Mr. Speaker, I now yield to the gentlewoman from Tennessee (Mrs. BLACK).

Mrs. BLACK. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, Planned Parenthood has blood on its hands. Over the last week, we have seen multiple videos showing its employees brazenly discussing the harvesting of aborted babies' tissues and organs, but the truth is Planned Parenthood's culture of depravity runs much deeper than these couple of videos.

In my home State of Tennessee, Planned Parenthood, the supposed champion of safe abortions, sued to overturn our State's informed consent and mandatory licensing laws, measures that were put in place to protect women's health and safety.

When I authored an amendment to our State constitution allowing legislators to reinstate these protections, Planned Parenthood ran an ill-fated smear campaign attempting to confuse the facts and turn Tennesseans against the measure.

You see, Planned Parenthood doesn't empower women; it deceives them at their most difficult and vulnerable moments. It values convenience over truth and profit over life. As a nurse, I have seen the big abortion industry's shameful tactics with my own eyes. That is why, for 2 years now, I have sponsored the Title X Abortion Provider Prohibition Act to address one of Planned Parenthood's largest government revenue streams. I continue to urge passage of this legislation, but in light of these videos, we must take the fight a step further.

For these reasons, I have just introduced the Defund Planned Parenthood Act of 2015, legislation that would enact an immediate moratorium on all Federal funding for Planned Parenthood while Congress carries out a full investigation.

I eagerly await the findings of this forthcoming investigation, but do you know what, Mr. Speaker, no matter what it reveals, here is the truth: Planned Parenthood has made a business out of destroying that which God has created. It performs over 327,000 abortions a year, all while receiving roughly $500 million in annual funding from the taxpayer dollar.

The one-sided relationship between Planned Parenthood's ever-growing bank account and American taxpayers must be severed.

Mr. DUFFY. Mr. Speaker, I appreciate the gentlewoman's comments and leadership.

Mr. Speaker, I now yield to the gentlewoman from North Carolina (Ms. FOXX), one of our House leadership team Members.

Ms. FOXX. Mr. Speaker, I thank my colleague from Wisconsin for yielding time and leading this Special Order.

I rise today to join my colleagues in bringing attention to allegations of serious misconduct by the country's largest abortion provider, Planned Parenthood.

There are no words to properly convey my grief and deep disgust at the cavalier way in which Dr. Deborah Nucatola details how she strategically crushes the tiny bodies of innocent, unborn children in order to harvest and sell their organs.

Perhaps most disturbing is what Dr. Nucatola doesn't say. While she arbitrarily assigns monetary values to the hearts, lungs, and livers of these children, she recognizes no value in the lives of those being aborted.

Mr. Speaker, I recently received a letter from a nurse who has assisted with abortions and witnessed firsthand the horrific nature of what that procedure entails. She told me that most women have no idea that they are subjecting their unborn children to such ghastly methods.

Many of our colleagues in this House find it uncomfortable to talk about the issue of abortion, and I agree that it is difficult to consider and discuss these horrific practices, but the heinous nature of the methods used by Planned Parenthood is precisely why we, as a Nation and as a Congress, must confront it.

These revelations merit a serious look at the practices of Planned Parenthood, and I support fully the robust

oversight and investigations being pursued by the House Judiciary and Energy and Commerce Committees. It is my hope that their investigations will shed much-needed light on the organization's gruesome methods and will lead to important reforms that end these practices and stop the flow of taxpayer resources that support them.

Few things demean the sanctity of human life more than elective abortion. One day, I hope that a culture of life will take hold in the United States and that all children will be protected under the law. However, until that day comes, it remains my solemn duty to stand up for life. Regardless of the length of this journey, I will continue to speak for those who cannot.

Mr. DUFFY. We appreciate your voice being lent to the unborn.

Mr. Speaker, I now yield to the gentlewoman from Washington (Ms. HERRERA BEUTLER).

Ms. HERRERA BEUTLER. Mr. Speaker, I thank the gentleman.

It is with a very heavy heart that I take to the floor today to speak out against what really I think anybody who saw it or witnessed the video or read the transcripts felt, which is outrage. For those of you who were able to stomach watching these videos, you were left with many shocking questions about an organization that appears to callously commodify human baby body parts.

The first video showed a senior Planned Parenthood official describing how to place medical forceps on a baby during an abortion in order to best harvest specific organs. She bartered over prices for these little human parts. She did it over a casual lunch.

Sadly, there are voices that defend Planned Parenthood and its practices. They minimize this as an isolated innocent by one individual and sought to move on as quickly as possible; but then came, today, a second video, and we can only guess that there are more to come.

The likelihood that these are two isolated incidents with two individuals that don't represent Planned Parenthood's values, but approach the business of selling body parts seemingly without feeling in the exact same way, I am not buying it.

I believe this body has a duty to investigate, regardless of where you stand on pro-life or pro-choice. Given the history of Federal funding to Planned Parenthood, we have to ask these questions: Is Planned Parenthood profiting from the sale of human baby body parts? Are the clinics' patients being asked if they are willing to donate? Do they know that the doctor who is performing their abortion could be profiting? Do they know whether or not this increases pain for their unborn baby during an abortion? Are these facilities abiding by State laws with regard to late-term and partial-birth abortions?

Gosh, I ask this because it sure seems like they want babies in the later second and third trimesters because anybody who has been a mom or has followed this journey knows that that is when organ development really strengthens and grows.

If you are just trying to profit, you want the organ that is best going to function, whether it is for research or whatever. I think we need to find out what they are even using this for. I want to know who is buying these baby parts. That is the other piece that this body needs to investigate and find out.

Planned Parenthood has always purported to provide a necessary service for women's health; but I ask: Is this even safe? How long does this prolong a procedure? Is it really the motivation for their practices? Not if you follow the money—one of the doctors who was describing this, basically a harvesting doctor, joked she wants a Lamborghini.

Like a lot of things, following the money does lead to answers, and this body is going to find out. Clearly, Planned Parenthood doctors are receiving and filling requests for hearts, lungs, lower extremities, and livers, a request that is unfortunately and apparently common.

I have never taken to the floor of this House to express outrage over this issue, but today, I do, and it is time for answers.

Mr. DUFFY. Mr. Speaker, I think America, with these videos, feels that very same outrage.

Mr. Speaker, I now yield to the gentlewoman from Alabama (Mrs. ROBY).

Mrs. ROBY. Mr. Speaker, I thank my colleague and I thank all of our colleagues that are here to talk on this extraordinary issue that has stunned us all.

Last week, in the wake of the first video, Planned Parenthood responded by forcefully and categorically denying that the organization sells body parts of aborted babies for profit. The tone of Dr. Deborah Nucatola describing the way in which babies' organs are harvested and sold was unfortunate, they said, but there is nothing to see here.

Well, just this afternoon, as I was sitting on the plane to come back to Washington, I watched the second video that has been released, showing a different senior official at Planned Parenthood discussing the same thing.

Dr. Mary Gatter, president of Planned Parenthood's Federation of Medical Directors' Council is shown negotiating prices for the tissue and even joking about her poor negotiation abilities, but that she wanted to settle on the prices soon because she wants a Lamborghini.

Once again, the candid words of top Planned Parenthood officials believe the public spin on their PR teams—they felt like this was necessary to get what they wanted in order to make a profit. What we haven't heard from Planned Parenthood is a response to perhaps the biggest revelation, that its providers alter abortion procedures in order to gain access, as my colleagues have already discussed in great detail.

What I found really stunning about Dr. Mary Gatter's comments that she made today is she discusses deliberately breaking the rules in order to obtain intact organs. She considers out loud on this video how to alter the abortion process to get intact baby organs. She said, We need a less crunchy option—this is sick to hear those words come from my mouth, that we need a less crunchy option when we are talking about a baby; this violates their rules—she says, as long as we do it in a way that doesn't cause more pain.

These doctors sure sound like they know that there is a competitive black market at play and are willing to engage in illegal activity to tap into it. This is sickening, and it will not go unaddressed.

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I said last week to my colleague—and I will say it again—that I do not care how much weight Planned Parenthood throws around this town. They are not above the law.

If Planned Parenthood really has nothing to hide, then these officials will have no problem with a complete investigation. It is our responsibility to protect those who cannot defend themselves and to stop illegal activity when we see it.

That certainly seems to be what is happening here, and I thank all of my colleagues for standing up for the unborn.

Mr. DUFFY. I appreciate the gentlewoman.

Mr. Speaker, I think it is a good point to make that there should be a set cost for these body parts. There should be costs of storing and transporting, but there should be no extra cost, and there should be no negotiation.

Yet, if there is a black market and if markets are demanding certain prices because they are making a profit off of it, you are going to maybe have $30 for one and $100 for another based on the black market.

I yield to the gentleman from North Carolina (Mr. WALKER).

Mr. WALKER. I thank Representative DUFFY for his leadership on this matter.

Mr. Speaker, tonight I join my colleagues in speaking out against the barbaric and heinous actions we all witnessed in an undercover video in which Planned Parenthood was caught selling the body parts of aborted children.

In 2013, Planned Parenthood performed 327,653 abortions and received over a half billion dollars—$500 million—in taxpayer funding.

Ironically, it was in 2013 that President Obama became the only sitting

President to ever address this organization. May I remind you that it was at this address that the President made the decision to invoke God's blessings on these hideous activities.

The mask is now coming off an organization that barters the very parts of a baby in a manner that most Americans find appalling.

So many of us here are parents. We have watched in awe at the ultrasound images of our children. We have seen their little hearts beat and have marveled at God's creation in how fearfully and wonderfully they are made.

How can we stand idly and not speak out for these lives, the very least of these? That is why I have taken immediate action by joining in a letter with several of my colleagues, speaking out against Planned Parenthood's evil and depraved actions, and fully support a congressional investigation into this organization.

I am proud to be an original cosponsor of Congresswoman BLACK's bill, the Title X Abortion Provider Act. We must stop now these organizations from receiving a single taxpayer dollar through the Title X program.

I urge the Senate to act quickly to pass the House's legislation that ensures no taxpayer dollars are used for abortions, H.R. 7, the No Taxpayer Funding for Abortion and Abortion Insurance Full Disclosure Act of 2015.

May God give us continued courage to seek justice, to love mercy, and to speak out for those who cannot speak for themselves.

Mr. DUFFY. Mr. Speaker, I yield to the gentlewoman from Tennessee (Mrs. BLACKBURN), one of the most powerful voices in the House, specifically on the life issue.

Mrs. BLACKBURN. I thank the gentleman. And I thank the gentleman for his leadership in organizing this hour.

Mr. Speaker, we come to the floor tonight as mothers and grandmothers and dads and granddads, and we come with such heavy hearts and with such a burden for what we have found out, for what we have seen, and for what has been made public about Planned Parenthood.

I will tell you, Mr. Speaker, that I thought it was very interesting that the head of Planned Parenthood came out this week and said, ''Oh, we think there are more videos to come.''

That is because they know they have been caught, and they know they are guilty, and they know what they have done; but no amount of trying to go out and push it to the side is going to push this to the side.

That is why our committee, the House Energy and Commerce Committee, is taking up an investigation. We are already working on this.

We are pushing forward to get the witnesses before us and to exercise the appropriate oversight that is there for us to do.

Planned Parenthood does get Federal taxpayer dollars. The problem is money is fungible. And when you see what has been carried out in these videos—in their own words what they describe—you know how destructive that process is.

As Mr. WALKER just said, Planned Parenthood conducts over 300,000 abortions a year. They are the Nation's largest abortion provider. Their focus is no longer family planning or women's health. It is abortion.

What we have found out is that, through this sector of their business that is focused on abortion, they have now moved even further away, and they are into selling body parts—harvesting and selling body parts.

We have heard the Members speak so eloquently to this, and I know, Mr. Speaker, people can hear the emotion in our voices and in our hearts, because this is a subject you don't think about discussing on the House floor, but it is one that has been left for us to oversee.

They talk about procuring these body parts. In their own words, they talk about setting the price, negotiating, dealing with the tissue brokers. These are the most abhorrent and inhumane statements and words and conduct.

The conduct and the demeanor of these individuals on those videotapes cannot be denied and the casual nature with which they discussed this, as if it is routine. It is an expected part of their business. That is why we are moving forward to investigate them. That is why we feel funding should be restricted.

Over 65 percent of the American people, Mr. Speaker, are against the use of taxpayer funds for abortion, and it is time for us to deal with, to hold accountable, to restrict, and to put some barriers around what has been happening with Planned Parenthood. It is an investigation we will pursue until we know the truth and have every element of truth.

Mr. DUFFY. I appreciate the gentlewoman's wonderful comments.

When you talk about the casual nature, you talk about doing procedures that are less crunchy. What are we talking about, less crunchy? We are crunching human bones. That is what they are actually saying in that videotape.

Mrs. BLACKBURN. We are talking about setting the price for this.

Mr. DUFFY. For crunching bones.

Mrs. BLACKBURN. It is just their routine nature. This was not the first time they had done this. In listening to them, that is made very apparent.

Mr. DUFFY. I appreciate the gentlewoman.

Mr. Speaker, I am now proud to yield to the gentlewoman from North Carolina (Mrs. ELLMERS), one of my good friends.

Mrs. ELLMERS of North Carolina. I thank the gentleman from Wisconsin for holding this very important Special Order.

I want to thank my colleagues who are here today talking about this very important issue.

It is not the first time that we have come together to talk about the importance of protecting life, the lives of those who are yet to be born.

I can't even begin to tell you how disgusted I am, how nauseous I am right now, that we are having this discussion about the sale of baby body parts and that Planned Parenthood so values the organs of the unborn and, yet, so devalues the life of the unborn.

Mr. Speaker, I rise today with a heavy heart in sharing these concerns with my fellow colleagues. We now know about the two videos that have been released, the first video showing the senior director of the medical services at Planned Parenthood, who was bragging in gruesome detail of how this group harvests and sells fetal organs.

She described how they take particular care of the baby's organs. If only this group were just as devout in showing so much care, time, and attention to the life of the baby.

In the second video are details of how the health of the mother is purposefully put in jeopardy to yield pristine, viable organs.

Mr. Speaker, this is sickening. This is all for a price, a price which is being negotiated. Regardless of whether you are a pro-life individual or a pro-choice individual, you have to be absolutely appalled at this.

As a nurse, a mother, and one who believes that the life of the yet to be born should be protected, I can't begin to understand how someone can recount these appalling details in such a nonchalant manner unless this has become routine.

As Representatives, it is our job to protect the rights of women. It is our job to protect the rights of the unborn. This horrific revelation warrants a response from Congress, and I am proud to be on the Energy and Commerce Committee to begin this investigation.

Mr. DUFFY. I appreciate the gentlewoman's comments, and I look forward to an aggressive investigation by the Energy and Commerce Committee.

Mr. Speaker, I yield to the gentleman from Ohio (Mr. GIBBS).

Mr. GIBBS. I thank the gentleman for holding this Special Order tonight.

Mr. Speaker, last week millions of Americans saw the horrific video in which a top Planned Parenthood doctor detailed the gruesome nature of abortion procedures. Dr. Deborah Nucatola's casual conversation about crushing the body of an unborn child is nothing short of barbaric. What is worse is the negotiation of the price of the remains of the unborn child.

In a second video, which was released today, Dr. Mary Gatter negotiates the price of fetal remains, discusses a ''less

crunchy'' procedure to preserve body parts, and jokes about needing to purchase a Lamborghini from the profits of those organ sales.

But this is not a joke. Profiting from the sale of human organs is illegal and so is changing a procedure specifically for organ harvesting.

This is a terrible reminder of what an abortion really is, ending the life of a child. If harvested organs are so valuable, how valuable is the child? Is the value of a child's life not greater than the sum of his or her parts? How long will we, as a Nation, continue to allow such heinous, despicable acts?

May these revelations on video serve as an opportunity for all Americans to reflect on the precious nature of life and how we treat the unborn, who are truly the most vulnerable and innocent among us.

I thank Speaker BOEHNER and the Judiciary and Energy and Commerce Committees for opening investigations to determine what, if any, Federal laws were broken as a result of these awful practices.

The House must not provide any Federal funds to Planned Parenthood when they condone and profit from these actions.

I call on the President to denounce these practices, and I urge my colleagues in the House to support the elimination of Federal funding for Planned Parenthood.

Mr. DUFFY. I couldn't agree more with the gentleman from Ohio in regard to taxpayer funding being used for abortion.

I think so many Americans are outraged by Planned Parenthood and the abortions, but, now, specifically by these videos that have come to light. I thank the gentleman for his comments.

Mr. Speaker, I yield to the gentleman from Colorado (Mr. LAMBORN).

Mr. LAMBORN. I thank the gentleman for yielding and for his continued leadership on this critical matter of life.

Mr. Speaker, I rise today sickened and angered by yet another report showing what Planned Parenthood's limitless disregard for the unborn child is.

Watching senior Planned Parenthood executives discuss the sale of aborted babies' body parts while they casually dine is beyond revolting. This callous barbarism should have no place in civilized society.

I am also troubled to have discovered that some of these abhorrent transactions may have taken place in my home State of Colorado.

Reports surfaced last week revealing that Colorado State University appears to have violated State law by purchasing aborted baby body parts from a California affiliate of Planned Parenthood.

If true, these actions would appear to violate a law that was created by a bill that I introduced and that became law during my time in the Colorado State Senate, a bill prohibiting the purchase of fetal tissue from an abortion.

I have sent a letter to the university and have demanded an explanation. Further, I have provided a copy of the letter to Colorado Attorney General Cynthia Coffman, and I have urged her office to launch a full investigation.

These troubling revelations exposing the monetization of fetal organs further demonstrate the need to fully defund Planned Parenthood.

It is unacceptable that we continue to force taxpayers to subsidize this corrupt organization that disregards the dignity of human life while seeking to extract monetary gain from its destruction.

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Mr. DUFFY. I yield to the gentleman from Michigan (Mr. HUIZENGA), one of my colleagues on Financial Services, one of our chairmen who has been doing fantastic work and a champion for life.

Mr. HUIZENGA of Michigan. I, too, thank my friend and colleague from Wisconsin for his leadership on this and so many others.

Mr. Speaker, I just wish the American people could be here on this floor right now and feel the passion, the frustration—honestly, the anger. I especially want to address my female colleagues who have been here and have had the courage to come and take a stand. That isn't always done.

I think it was especially hard a little earlier as we were doing 1-minutes seeing a colleague, watching a 1-minute address from an apologist of Planned Parenthood calling these horrors trumped up—trumped up—disgusting, frankly. It is just amazing. This is one of the reasons why I voted, along with a number of my other colleagues, the vast majority of my colleagues on the Republican side, to defund Planned Parenthood. Forty-one percent of their total revenue is taxpayer dollars, $1.5 billion in 2011 to 2012.

We must never forget that we are not just talking about numbers on a spreadsheet. We are talking about unborn children, not lab specimens. We are talking about human lives. We must continue to fight for every unborn child here just because of their intrinsic worth, not because of a spreadsheet or some sort of price list that Planned Parenthood or any other organization has put together.

We must continue that fight, and especially when there are so many other options, that adoption option that is out there. When you see the work being done by crisis pregnancy centers like in my area, the Lakeshore Pregnancy Center, or the right-to-life organizations or any of those others that are out there in the trenches praying for, working for not just those children but, frankly, the parents that may be making a bad decision.

We must continue to fight for the unborn here in Congress. I know I pledge to do that; I know so many of my other colleagues do, too. We must promote that culture of life and strong families in west Michigan, in this Nation, and around the world.

I would just like to again thank my colleagues for calling attention to this horrific, horrific act that has been going on.

Mr. DUFFY. I appreciate the gentleman's comments. This debate has been going on for some time. Not long ago there was a debate between Rick Santorum and now Senator BOXER, and during that debate Senator BOXER was talking about life beginning when you take your baby home from the hospital. I mean, some of the viewpoints on the other side are absolutely outrageous. It just shows there is a lot of work to do.

I yield to the gentlewoman from Missouri (Mrs. HARTZLER) to talk about this important issue.

Mrs. HARTZLER. I thank my colleague from Wisconsin for his leadership and hosting this Special Order tonight.

Mr. Speaker, it is vital that we have this extremely important conversation concerning the unborn. While this topic is very difficult to discuss, it is something we must talk about and recognize in order to stop the unspeakable horrors currently taking place.

Last week and this morning, new videos were released detailing how Planned Parenthood harvests and sells the body parts of aborted children. For decades, Planned Parenthood employees have tried to diminish the humanity of the unborn by belittling them to blobs of tissue. However, this video is evidence that Planned Parenthood knows that these are not simply blobs of tissue, but actual human beings that have tiny lungs, livers, and beating hearts.

We need to get our priorities straight. In the video the Planned Parenthood doctor callously describes altering abortion procedures by crushing a baby's body in order to preserve certain organs for harvesting. She says: I am going to basically crush below; I am going to crush above.

This is human life we are talking about. We cannot stand by while aborted baby parts are being sold for profit. This morning's video shows another Planned Parenthood doctor shamelessly haggling over the price of aborted baby body parts. She discusses how the price could change based on the volume and developmental stage of the aborted babies.

While I am pleased that there are Federal and State investigations underway, I believe more needs to be done. Planned Parenthood has received over $200 million in Federal funds since

2012. It is clear that Planned Parenthood places profit—not women's health and safety—ahead of all else, and they must be stopped.

I urge support for Congresswoman BLACK's legislation that prohibits all Federal funds to Planned Parenthood. Federal dollars cannot continue to flow to any entity that has such a blatant and heartless disregard for human life.

Mr. DUFFY. I appreciate the gentlewoman's powerful words.

I yield to the gentleman from Texas (Mr. WEBER).

Mr. WEBER of Texas. I thank the gentleman.

Mr. Speaker, before I begin my prepared remarks, I want to say something to my mom, Jeanne Weber, in Pearland, Texas.

Mom, thanks for being pro-life. Thanks for cradling even the very thought of me in your heart and mind before I was conceived; and, Mom, thanks for cradling me in your womb and then later in your bosom and then in your lap, and all my young years. I love you, Mom. Thank you.

Mr. Speaker, I cannot tell you how deeply disturbed I am by these videos that have been unearthed showing employees of Planned Parenthood selling body parts of aborted babies.

It has long been my mission to fight against any organization that will not protect the unborn. As a member of the Texas statehouse, I voted alongside other Texas House conservatives to defund the Planned Parenthood in Texas to ensure that taxpayer money would not be used on these ghastly abortion procedures.

Now, as a Member of Congress, Mr. Speaker, I have fought alongside my colleagues to protect the unborn and the sanctity of life. On May 13, the House voted in strong support of my good friend Representative TRENT FRANKS of Arizona's legislation, H.R. 36, the Pain-Capable Unborn Child Protection Act, a crucial piece of pro-life legislation that bans the murder of babies who are at least 5 months old in the womb and can, indeed, feel the excruciating pain of dismemberment and a ghastly death that Planned Parenthood would perpetrate on them.

In 2013, we saw the horror of Dr. Gosnell, and now we see the real disturbing practices of Planned Parenthood and their black market sale of body parts of aborted babies.

Mr. Speaker, I only ask this: How can organizations put a price on tissues, limbs, and livers, and then not acknowledge that there is life at the time of conception? No price can be placed upon the worth of seeing a child born and take its first breath.

And, Dad, before I go, thank you for standing alongside Mom and being pro-life. I love you both.

Mr. DUFFY. The gentleman's remarks were well said. Aren't we all grateful that our parents were pro-life? It gives us a chance to be on this floor and express our views.

I yield to the gentlewoman from Washington (Mrs. MCMORRIS RODGERS), the chair of our Conference but, more importantly, a mother.

Mrs. MCMORRIS RODGERS. Mr. Speaker, I want to join in expressing appreciation to Congressman DUFFY, the gentleman from Wisconsin, for bringing us all together tonight on this very important issue and what has recently been uncovered through the videos featuring senior level Planned Parenthood officials admitting to unethical, potentially illegal procedures.

It is really unthinkable to most of us. It is unthinkable not just because of their cold, nonchalant attitude toward ''crunchy procedures,'' but because these videos highlight that we have allowed the debate on women's health to get horribly skewed. Anyone watching these videos can say the American people must have answers.

This isn't women's health. This is an agenda. It is an agenda that is driven by monetary gain, not the best interests of women. Abortion providers should not get to hide behind the foil of health care to get away with unspeakable acts.

The practices described in these videos are despicable, and Planned Parenthood must be held accountable. If a hospital were even allegedly involved in any kind of illegal activity, we wouldn't hesitate for a second to haul them before a committee. Abortion providers should be no different.

Policymakers who are serious about protecting women and families should be invested in getting to the bottom of these statements made by Planned Parenthood. I applaud our committees for launching inquiries into Planned Parenthood practices and procedures. The American people must have answers.

Mr. DUFFY. Absolutely. I appreciate the gentlewoman's comments.

I yield to the gentleman from Georgia (Mr. JODY B. HICE).

Mr. JODY B. HICE of Georgia. I thank the gentleman and appreciate his leadership in this Special Order.

Mr. Speaker, I am honored to stand with my colleagues here tonight in mutual condemnation of Planned Parenthood and their horrific practices. Like so many others, I likewise have just been horrified, deeply disturbed by the flippant comments made by an executive at Planned Parenthood.

It is bad enough knowing that this organization performs over 300,000 abortions every year, but it is another whole matter to come to the realization that they are also engaged in trafficking human baby parts. It is absolutely unconscionable.

I believe that all life is sacred and needs to be protected. I commend my colleagues for stepping up and calling for a congressional investigation against Planned Parenthood. I also say a huge thank you to Governor Deal from my own State for, likewise, calling for an investigation of Georgia to see that infant organs are not for sale in that State.

Mr. Speaker, enough is enough. It is time that Planned Parenthood be held accountable for these despicable acts.

I again just say thank you, and I am honored to stand with my colleagues here this evening as we stand for life; and at the same time that we try to prevent these abysmal practices from marring our collective consciences, I plan to continue to champion life. It is just abhorrent that there would be any organization trying to make a profit, an industry for profit out of the sale and trafficking of baby human parts.

Mr. DUFFY. I yield to the gentleman from Texas, Dr. BABIN.

Mr. BABIN. I thank the gentleman from Wisconsin.

Mr. Speaker, I rise to express my outrage over the recent disclosures of Planned Parenthood's deliberate efforts to harvest tissue from aborted babies. The practices described by Planned Parenthood officials on these videos are simply despicable, unspeakable, and barbaric. The lighthearted tone of Dr. Deborah Nucatola, the Senior Director of Medical Services for Planned Parenthood, as she talked about how much fetal tissue parts were worth while eating salad and drinking wine only adds words of insult to this atrocity.

A video released just today shows Dr. Mary Gatter, another high-ranking Planned Parenthood official, again discussing fetal tissue payments. Gatter describes using a less crunchy technique to yield as much and many body parts as possible for more money to buy herself a Lamborghini. This is inhumane. As a health provider myself, I condemn it in the strongest terms. I hope the relevant medical licensing boards in their States disqualify her and Dr. Nucatola from ever practicing medicine again.

It is a national disgrace that taxpayer dollars account for 41 percent of Planned Parenthood's revenue and that over the past 3 years the organization has received $1.2 billion in funding from Medicaid. All of this for an organization that performs more than 300,000 abortions a year. American families should not be forced to pay the operating costs and salaries for abortion businesses, much less one that engages in fetal tissue trafficking.

□ 2030

As an original cosponsor of Representative BLACK's Defund Planned Parenthood Act, we are working to prohibit Federal funds from going to Planned Parenthood or any entity that performs abortions. I call upon the House and the Senate leaders to allow for its immediate consideration and attach it to any must-pass bill.

I would like to thank the gentleman from Wisconsin and all of my colleagues who are here tonight to speak on this important issue—and the millions of Americans who are leading this effort in all 50 States. May God bless all of you.

Mr. DUFFY. I yield to the gentleman from Texas (Mr. FARENTHOLD) for a few comments on this important issue of life.

Mr. FARENTHOLD. Mr. Speaker, I rise today to insist Congress stop the immoral and monstrous action being taken by Planned Parenthood in any way possible, and that includes making sure no more Federal dollars go to this organization.

Today, we learned about a second video from yet another Planned Parenthood senior official who was recorded haggling over the price of body parts from murdered children and bumping up the price while joking she needed a new Lamborghini. It is disgusting.

The first video, leaked on July 14, showed Planned Parenthood's practice of aborting babies and selling their organs. This behavior violates every moral and ethical code that I can think of.

I was disgusted by the video showing a senior official enjoy lunch while discussing how easy it is to kill a child by crushing their heads in order to harvest the fetal organs.

We must do more to create a culture that embraces life. If you are pregnant and seeking family planning services from Planned Parenthood, you are 42 times more likely to receive an abortion than prenatal care or an adoption referral.

This isn't about women's health. It is about feeding an abortion mill. To me, it is unbelievable that taxpayer dollars continue to support this evil organization. Planned Parenthood's entire business model is centered around providing abortions, not giving quality medical care to women who need it.

According to the Susan B. Anthony List, Planned Parenthood Clinic Director Abby Johnson has written that she was given an ''abortion quota'' and was even told by her superiors to double the number of abortions to bring in more revenue.

It is not just abortions that are offensive about this organization. Planned Parenthood has also fought against mandatory reporting when they discover children are being sexually abused. Employees have acknowledged aiding and abetting human sex trafficking of young girls under the age of 14.

It is time we give those who need it better access to real women's health care. We must defund Planned Parenthood now and use that funding to assist women who need real health care.

Mr. Speaker, we have been talking about this too long. It is time to stop supporting a group who callously murders innocent and helpless children and sells their organs and calls it reproductive health care.

Mr. DUFFY. As we are about to close this hour, we have had a chance to hear from so many members of the House Conference who have spoken out on behalf of the unborn, those little babies that don't have a voice to speak for themselves, and I know in the next half hour we are going to have Mr. FRANKS from Arizona continue this conversation with so many more of our members who want to be heard on this important topic.

I just want to close with this. The Democrats talk so often about what big hearts they have. They talk about how compassionate they are for their brothers and sisters and their neighborhoods. The bottom line is, when you watch these videos and you see the harvesting of organs, the pain of little babies, I call on my friends across the aisle to show that compassion for the unborn and those voiceless little ones who need a voice to stand up for them and defend them at this very important time.

There has been a time in our past, Mr. Speaker, where powerful people determined that there was a class that was less than human, and it is a black spot on our history.

Today, there is a group in this House that has advocated that there is a class in this country that is less than human. Yes, they may not have a voice, but that does not make them less than human. And I am so proud of our team for standing up today to make sure that we fight for those people because they are not less than human. They deserve the right to life, and they deserve to have a defense.

Mr. Speaker, I yield back the balance of my time.

CONDEMNING THE ACTIONS OF PLANNED PARENTHOOD

The SPEAKER pro tempore (Mr. RATCLIFFE). Under the Speaker's announced policy of January 6, 2015, the Chair recognizes the gentleman from Arizona (Mr. FRANKS) for 30 minutes.

GENERAL LEAVE

Mr. FRANKS of Arizona. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous material on the topic of my Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. FRANKS of Arizona. Mr. Speaker, I would first count it a privilege to yield to the gentlewoman from South Dakota (Mrs. NOEM).

Mrs. NOEM. I thank the gentleman for yielding.

Mr. Speaker, today I rise to speak on an issue that has weighed very heavy on my heart; in fact, it has kept me awake at night for many nights.

Two videos have recently come out showing senior Planned Parenthood executives and doctors callously discussing abortion procedures and the costs of that fetal tissue from aborted babies.

It has turned my stomach to hear these people at Planned Parenthood. They claim to act in the best interest of women, but instead they talk about compensation for tiny organs from aborted babies.

I find myself asking: How did we get here? How did this great country that was founded on Biblical principles get to a place where we have federally funded organizations like Planned Parenthood who claim to care for women and provide health care for them instead deceive people and use those dollars to end lives—end lives of our future women that could potentially lead this country—and then turn around and sell their body parts to put even more dollars in their pocket?

It reminds me of the Edmund Burke quote that says: ''The only thing that is necessary for the triumph of evil is for good men to do nothing.''

And today, we have seen many good men and women come to this House floor and say that we will not ''do nothing.'' We have pushed on this issue before, but we are going to push even harder. We are going to talk even more. We are going to talk to people and have uncomfortable conversations about what is going on at Planned Parenthood.

We are going to fight until we end the Federal dollars that flow into their bank accounts. We are going to fight until we make sure that our babies and our children are protected, whether they are born or unborn, and that every life is sacred; that we honor those Biblical principles that this country was founded on.

Not only is what Planned Parenthood has been doing disgusting, but it raises questions about potential illegal behavior. Profiting from fetal tissue donation is illegal under Federal law, and so is altering procedures based on fetal tissue donation.

So I have joined many of my colleagues here in the House, and we have asked our leadership team for an immediate investigation into Planned Parenthood and all of their practices. They need to be punished for what they have been doing.

All lives matter, including the unborn. We need to do all we can to protect the most vulnerable among us.

The world can be a very dangerous place, and it is dangerous because of the evil that is going on, but I believe it is much more dangerous when you have people who look on and do absolutely nothing to protect those among us.

The duplicity of this organization needs to stop; and as long as Federal

dollars flow to this organization, we all need to feel responsible and do all that we can to end it.

Mr. FRANKS of Arizona. I thank the gentlewoman.

Mr. Speaker, as profoundly tragic as it is, no one should have been surprised by the recent revelations that Planned Parenthood is harvesting and selling the body parts of little babies. They have so repeatedly proven themselves blind to the dignity of humanity. They have always been at the forefront of the greatest human genocide in human history, and Planned Parenthood is the number one advocate of killing more than 3,000 little unborn American babies every day. These recent revelations are just one more heartbreaking reminder that the Nation's largest abortion provider has always had a legendary disregard for the sanctity of innocent human life.

It beggars incredulity that this Congress continues to give hundreds of millions of dollars of taxpayer money—against the taxpayers' wishes, Mr. Speaker—to a heartless organization like Planned Parenthood that goes to such grotesque lengths to promote the killing of innocent unborn babies through abortion on demand at any time throughout the 9 months of pregnancy for any reason or for no reason.

This body recently passed the Pain-Capable Unborn Child Protection Act that would, except in rare circumstances, protect both mothers and their little pain-capable unborn babies entering their sixth month, Mr. Speaker, of gestation from the unspeakable cruelty of Planned Parenthood and evil monsters like Kermit Gosnell.

If the Pain-Capable Unborn Child Protection Act had already been law, it would have saved the lives of thousands of late-term, pain-capable babies every year, and it would have made it much harder for Planned Parenthood to harvest and sell the organs and body parts of unborn children since they simply would not have had as many of the more mature organs and body parts of the older babies to choose from.

Mr. Speaker, there is no question whatsoever that Planned Parenthood brazenly and repeatedly violated the law in the selling of these little body parts. It is an unspeakable disgrace that the Obama Justice Department will likely never launch a criminal investigation to look into these unconscionable acts, but if this Congress and the American people now also look the other way and ignore this kind of insidious evil, we do so at our moral peril.

If the conscience of this Nation is to survive, it is now vital for the Pain-Capable Unborn Child Protection Act to become law. The House has already passed this critically important and timely legislation. It is now time for the Senate to do the same. We must not let the continuous and repeated manifestations of this unspeakable evil of killing late-term, pain-capable babies and selling their body parts go unanswered.

Mr. Speaker, supporters of abortion on demand have tried for decades to deny that unborn babies ever feel pain—even those, they say, at the beginning of the sixth month of pregnancy—as if somehow the ability to feel pain magically develops the very second the child is born.

Mr. Speaker, almost every other civilized nation on this Earth protects pain-capable babies at this stage and at this age, and every credible poll of the American people shows that they are overwhelmingly in favor of protecting these children. Yet we have given these little babies less legal protection from unnecessary pain and cruelty than the protection we have given farm animals under the Federal Humane Slaughter Act. It is a tragedy that beggars expression.

The voices who have long hailed the merciless killing of these little ones as freedom of choice, especially the ones who profit from it, Mr. Speaker, will be very shrill and loud. But when we hear those voices, we should all remember the words of President Abraham Lincoln, when he said: ''Those who deny freedom to others deserve not for themselves; and, under a just God, can not long retain it.''

Mr. Speaker, for the sake of all of those who founded and built this Nation and dreamed of what America could someday be, and for the sake of all those who since then have died in darkness so Americans can walk in the light of freedom, it is so very important that those of us who are privileged to be Members of this Congress pause from time to time and remind ourselves of why we are really all here.

Mr. Speaker, do we still hold these truths to be self-evident? Mr. Lincoln called upon all of us, Mr. Speaker, to remember that magnificent Declaration of Independence by America's Founding Fathers and ''their enlightened belief that nothing stamped with the Divine image and likeness was sent into the world to be trodden on, and degraded, and imbruted by its fellows.''

He reminded those he called posterity—that is us, Mr. Speaker—that when in some distant future some man, some factions, some interest, should set up the doctrine that some were not entitled to life, liberty, and the pursuit of happiness, that ''their posterity''—that is us, Mr. Speaker, ''might look up again to the Declaration of Independence and take courage to renew the battle which their fathers began.''

□ 2045

Thomas Jefferson, whose words marked the beginning of this Nation said:

> The care of human life and its happiness and not its destruction is the chief and only object of good government.

The phrase in the Fifth Amendment capsulizes our entire Constitution, Mr. Speaker. It says:

> No person shall be deprived of life, liberty, or property without due process of law.

The 14th Amendment says:

> No State shall deny any person within its jurisdiction the equal protection of the laws.

Mr. Speaker, protecting the lives of all Americans and their constitutional rights, especially those who cannot protect themselves, is why we are really all here.

Mr. Speaker, not long ago, I heard Barack Obama speak very noble and poignant words that, whether he realizes it or not, apply so profoundly to this subject. Let me quote excerpted portions of his comments.

He said: ''This is our first task, caring for our children. It is our first job. If we don't get that right, we don't get anything right. That is how, as a society, we will be judged.''

President Obama asked: ''Are we really prepared to say that we are powerless in the face of such carnage, that the politics are too hard? Are we prepared to say that such violence, visited on our children year after year after year, is somehow the price of freedom?''

The President also said, ''Our journey is not complete until all our children are cared for and cherished and always safe from harm. That is our generation's task,'' he said, ''to make these words, these rights, these values of life, liberty, and the pursuit of happiness real for every American.''

Mr. Speaker, never have I so deeply agreed with any words ever spoken by President Barack Obama as those I have just quoted.

How I wish Mr. Obama and the rest of us could somehow open our hearts and our ears to his incontrovertible words and ask ourselves, in the core of our souls, why these words that should apply to all children cannot include the most helpless and vulnerable of all children. Are there any children more vulnerable than little pain-capable babies before they are even born?

Mr. Speaker, it seems that, somehow, we are never quite so eloquent as when we decry the crimes of past generations; but, oh, how we often become so staggeringly blind when it comes to facing and rejecting the worst of atrocities in our own time.

As Americans, in the land of the free and the home of brave, we now live in a day when monsters like Kermit Gosnell snip the spinal cords of born babies and Planned Parenthood that, for financial gain, uses partial-birth abortions to deliberately harvest intact body parts of innocent babies whom they have deprived of the chance to even be born.

Mr. Speaker, what we are doing to these little children, the least of these, our little brothers and sisters, is real. The President knows that, and all of us here know that in our hearts.

Medical science, regarding the development of unborn babies, beginning at the sixth month of pregnancy, now demonstrates irrefutably that they do, in fact, experience pain. Many of them cry and scream as they are killed, but because it is amniotic fluid going over the vocal cords instead of air, we can't hear them.

It is the greatest human rights atrocity in the United States today, and for us to now stand by and allow it all to continue unabated while Planned Parenthood sells the body parts of these little murdered children is to desecrate everything that America was meant to be and for those noble Americans who died to make it come to be.

Abraham Lincoln gave his contemporaries such wise counsel, Mr. Speaker, and it so desperately applies to all of us in this moment.

He said:

> Fellow citizens, we cannot escape history. We of this Congress and this administration will be remembered in spite of ourselves. No personal significance, or insignificance, can spare one or another of us. The fiery trial through which we pass will light us down, in honor or dishonor, to the last generation.

Mr. Speaker, these are, indeed, days that will be considered in the annals of history and, I believe, in the councils of eternity itself. This bloody shadow has loomed over America for too long.

It is time for the Senate to pass the Pain-Capable Unborn Child Protection Act because, in spite of all the political noise, protecting little pain-capable unborn children and their mothers is not a Republican issue; it is not a Democrat issue; it is a test of our basic humanity and who we are as a human family.

It is time to open our eyes and allow our consciences to catch up with our technology. It is time for Members of the United States Congress to open our eyes and our souls and remember that protecting those who cannot protect themselves is why we are really all here.

It is time for all Americans, Mr. Speaker, to open our eyes and our hearts to the humanity of these little unborn children of God and the inhumanity of what Planned Parenthood is doing to them.

Mr. Speaker, I yield to the gentleman from California (Mr. LAMALFA).

Mr. LAMALFA. Mr. Speaker, I thank my colleague from Arizona (Mr. FRANKS) for yielding me time, but also your longtime steadfast, earnest, and passionate leadership on this issue. It is much needed, especially in light of what we have seen this past week.

We hear the euphemisms, the terms that are used talking about the unborn humans, the unborn babies. We hear terms like cell masses, cell clumps, specimens, calvaria when referring to a baby's head. A calvarium, is this even a term anybody in real life uses, especially when applied to an unborn baby's head? Is this a word that would apply to what ISIS does in beheading humans around the world?

We don't use euphemisms like that. Why would we apply this to the unborn? These euphemisms disappear when there is a value assigned to the parts that can be harvested from the unborn. We hear descriptions of the techniques in this harvesting actually on the video that we have been hearing about and seeing, less crunchy techniques. The callousness of a terminology like that, less crunchy techniques, in order to preserve more parts for harvest.

Are we talking about cheese puffs here? No; yet that is how callous this is. We talk about the price of parts in these videos. They have a value in this market they are talking about. Are we talking about cuts at a butchers' convention in pricing these parts? This is what it is like.

It is unconscionable, Mr. Speaker, how callous, how base these terms are when we are talking about the unborn. We hear about how, for this process to happen, that consent is required. Well, who is being consented on this? The unborn donor, do they have a say in this? Obviously not.

Mr. Speaker, and for all Americans, this issue is now right out in front of everyone in bright, vivid, bold, blood red colors for all to see what the attitude is, what the modus operandi for Planned Parenthood is and has been and will continue to be unless this body does something about it.

We are right to call for investigations to get to the bottom if there is criminal activity here of what we have seen and is alleged with these videos. We are right to move forward with Mrs. BLACK's bill, should these come true. Even beyond that, for years, the millions of dollars that have been given to this organization, Planned Parenthood, to do what they do, it is time to defund them. .

It also is time to move on my colleague from Arizona Mr. FRANKS' carefully crafted and obviously correct bill on the Pain-Capable Unborn Child Protection Act because what kind of a country are we, what kind of a society are we to continue to allow these things to happen and not take action?

I call on the Senate to take that bill up and pass it and put it on the President's desk, and he can explain to the American public his position on this issue.

As we review, again, the grisly tactics of Planned Parenthood and others that would do as they do and the recent criminal prosecution of Kermit Gosnell—who isn't that much different than what we are talking about right here—if we don't take action, then we should be ashamed because, for all of us, the Lord is watching what we do.

I thank my colleague.

Mr. FRANKS of Arizona. Mr. Speaker, I yield to the gentleman from Michigan (Mr. WALBERG), a grandfather, a father, and a lover of children.

Mr. WALBERG. I thank the gentleman for the opportunity tonight to talk to this issue.

I, too, stand in full support of passage of the Pain-Capable Unborn Child Protection Act and ask the Senate to reach down deep into their consciences, their hearts, their emotions.

So often, we don't talk about that on the floor of this august body, the House of Representatives, but that is where it ought to flow because, indeed, we here, both in the House—the people's House—and the Senate, were sent to represent people, people of a great nation, people of a blessed nation, a nation that has honored the worth, the purpose, and the value of life itself since its inception.

We were formed of people with great ideals; great value; great courage; and, indeed, formed with their blood given for the rights and freedoms of all individuals. For us to concern ourselves with protecting the most innocent among us, even those that are among us in the womb, I think of my new granddaughter in the womb right now, in my daughter's body, waiting for, in just a month and a half, the opportunity to breathe air itself and become a functioning human being cared for, growing and ultimately becoming all that God intended for her. I would say the same for any human being, born or unborn, that we must protect.

Mr. Speaker, I certainly thank the gentleman from Arizona for his courage to push for this, with unwillingness to bend and bow under those that would say: Oh, get over it; stop defending something that is indefensible.

I would say thank God for defending something that is totally defensible.

As was mentioned earlier, we were founded on principles, principles that were firm and correct. The Founders and Framers long understood the power of truths versus human wisdom, truths and wisdom that said:

> We hold these truths to be self-evident that all men are created equal and endowed by their Creator, by their Creator with certain unalienable rights, among them the right to life, liberty and the pursuit of happiness.

□ 2100

John Adams said, ''Our Constitution was made only for a moral and religious people. It is wholly inadequate to the government of any other.''

And, indeed, what we have seen in videos in recent days, has evidenced that, when you step out of that moral principle, you go into things unthinkable and grotesque.

It has been said that righteousness exalts a Nation, but sin is a reproach to any land. How could we not feel reproached in looking at videos of a licensed doctor who is willing to take and sell body parts and to countenance pain as something that is just part of

the process and to be totally unconsidered?

Mr. Speaker, I spent a good deal of my early adult life in the pulpit, ministering to people from an authority far greater than this government or even this Constitution, the greatest document on the face of this Earth, manmade.

But the psalmists said, ''Behold, children are a gift of the Lord. The fruit of the womb is a reward.'' That is true. Certain commentators will denigrate me for bringing up these truths, and so be it. But they are truths.

Jeremiah, the prophet, speaking of God, said, ''Before I formed you in the womb, I knew you. Before you were born, I set you apart.''

The psalmist David, who became King David, said, ''For you formed my inward parts; You wove me in my mother's womb.''

Does that sound like what that doctor was doing in the womb, weaving, carefully forming? No. She was destroying. We must fight back against that evil.

He went on to say, ''I will give thanks to You, for I am fearfully and wonderfully made. Wonderful are Your works, and my soul knows it very well. My frame was not hidden from You when I was made in secret and skillfully wrought in the depths of the Earth. Your eyes have seen my unformed substance. And in Your book were all written the days that were ordained for me when, as yet, there was not one of them.''

I thank the gentleman from Arizona. I thank him for his courage and standing for life itself and acknowledging the fact that the Creator has formed something of greatness.

And we must not stand in the way, but do everything possible to reject the pain, to reject the defeat, to reject the conquering of the human spirit beginning right in the womb.

May God help us in this country to repent, to seek his healing, to do right, and to spare the innocent among us.

Mr. FRANKS of Arizona. I thank the gentleman from Michigan.

Mr. Speaker, my time is nearly gone. And I suppose I take great heart from what I have heard here tonight because it seems to mirror history itself.

When people of goodwill finally saw the victims in tragedies and recognized them as fellow human beings, their hearts and minds began to change.

Mr. Speaker, I feel like the winds of change are beginning to blow here. I feel like people are starting to ask the real questions.

And I know that, when we talk about abortion, it seems like all of the rules change. Sometimes you wonder if the furniture is going to start floating in the room when you hear some of the arguments.

But the real question is: Does abortion take the life of an innocent child? If it doesn't, Mr. Speaker, I am willing to stop talking about it.

But if it really does take the life of a child, then those of us in this Chamber standing in the seat of freedom of the greatest Nation in the history of the world also stand in the midst of the greatest human genocide in the history of the world.

Mr. Speaker, I feel like America is finally beginning to see through some of the facade of the abortion industry and Planned Parenthood's obfuscation.

But I have another fear, and that is that sometimes we have seen such horrors lately—the Kermit Gosnell clinic that snipped little babies' spines, the killing of children that are late-term, pain-capable—that recognition is beginning to seep through the conscience of America.

But I paraphrase an old saint quote that said vice is an evil which is so frightening and mean that to be hated means only to be seen, but seen too often with its familiar face, first we endure and then we pity and then we embrace.

One of the great weaknesses of mankind is that sometimes, when we see evil often enough, we become desensitized to it. Planned Parenthood and the abortion industry has shown us so much evil in recent decades that I wonder if we are becoming a little calloused to it.

Do you ever wonder, Mr. Speaker, or ask yourself: Are we really killing more than 3,000 unborn children every day? Are we really staining the very foundations of this Nation with the blood of our own children? Is that really happening in America?

Mr. Speaker, I would just suggest that it is past the time for great introspection on the part of this country because we are either the last best hope of the Earth or we will simply be another empire that lost its way.

I am of the opinion that America, as they led the way to stop slavery, will someday recognize the humanity of these little babies and see all of humanity then begin to understand that protecting them is really part of who we all are.

Mr. Speaker, I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CLAWSON of Florida (at the request of Mr. MCCARTHY) for today on account of a family emergency.

Mr. BISHOP of Georgia (at the request of Ms. PELOSI) for today.

Mrs. LAWRENCE (at the request of Ms. PELOSI) for today on account of official duties in district.

SENATE ENROLLED BILLS SIGNED

The Speaker announced his signature to enrolled bills of the Senate of the following titles:

S. 971. An act to amend title XVIII of the Social Security Act to provide for an increase in the limit on the length of an agreement under the Medicare independence at home medical practice demonstration program.

S. 984. An act to amend title XVIII of the Social Security Act to provide Medicare beneficiary access to eye tracking accessories for speech generating devices and to remove the rental cap for durable medical equipment under the Medicare Program with respect to speech generating devices.

ADJOURNMENT

Mr. FRANKS of Arizona. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 7 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, July 22, 2015, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

2244. A letter from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting the Administration's final rule — Organization and Functions; Field Office Locations (RIN: 3052-AD07) received July 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Agriculture.

2245. A letter from the Chair, Board of Governors of the Federal Reserve System, transmitting the Board's semiannual Monetary Policy Report to the Congress, pursuant to Pub. L. 106-569; to the Committee on Financial Services.

2246. A letter from the Assistant Director for Legislative Affairs, Consumer Financial Protection Bureau, transmitting pursuant to Sec. 1028(a) of the Dodd-Frank Wall Street Reform and Consumer Protection Act, a study on the use of pre-dispute arbitration clauses in consumer financial markets; to the Committee on Financial Services.

2247. A letter from the Assistant Director for Legislative Affairs, Consumer Financial Protection Bureau, transmitting pursuant to Sec. 1028(a) of the Dodd-Frank Wall Street Reform and Consumer Protection Act, a study on the use of pre-dispute arbitration clauses in consumer financial markets; to the Committee on Financial Services.

2248. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule — Canned Pacific Salmon; Technical Amendment [Docket No.: FDA-2015-N-0011] received July 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2249. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule — Regulatory Hearing Before the Food and Drug Administration; Technical Amendment [Docket No.: FDA-2015-N-0011] received July 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2250. A letter from the Assistant Division Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting the Commission's final rule — Numbering Policies for Modern Communications; IP-Enabled Services; Telephone Number Requirements for IP-Enabled Services Providers; Telephone Number Portability; Developing a Unified Intercarrier Compensation Regime; Connect America Fund; Numbering Resource Optimization [WC Docket No.: 13-97] [WC Docket No.: 04-36] [WC Docket No.: 07-243] [CC Docket No.: 95-116] [CC Docket No.: 01-92] [WC Docket No.: 10-90] [CC Docket No.: 99-200] received July 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2251. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's final rule — EnergyGuide Labels on Televisions (RIN: 3084-AB03) received July 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2252. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the 2014 annual report on Voting Practices in the United Nations, pursuant Pub. L. 101-246, Sec. 406, as amended by Pub. L. 108-447; to the Committee on Foreign Affairs.

2253. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, pursuant to Sec. 36(c) of the Arms Export Control Act, Transmittal No.: DDTC 14-135; to the Committee on Foreign Affairs.

2254. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification of proposed issuance of an export license, pursuant to Secs. 36(c) and 36(d) of the Arms Export Control Act, Transmittal No.: DDTC 14-133; to the Committee on Foreign Affairs.

2255. A letter from the General Counsel, Department of Housing and Urban Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998, Pub. L. 105-277; to the Committee on Oversight and Government Reform.

2256. A letter from the District of Columbia Auditor, Office of the District of Columbia Auditor, transmitting a report ''The District's School Modernization Program Has Failed to Comply with D.C. Code and Lacks Accountability, Transparency and Basic Financial Management'', pursuant to D.C. Code Section 38-2973.05 and an additional report, ''Audits of Public School Construction Programs: A Literature Review''; to the Committee on Oversight and Government Reform.

2257. A letter from the Associate General Counsel for General Law, Office of the General Counsel, Department of Homeland Security, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998, Pub. L. 105-277; to the Committee on Oversight and Government Reform.

2258. A letter from the Rules Administrator, Office of General Counsel, Federal Bureau of Prisons, transmitting the Bureau's final rule — Commutation of Sentence: Technical Change [BOP-1154-F] (RIN: 1120-AB54) received July 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on the Judiciary.

2259. A letter from the Secretary, Department of Transportation, transmitting pursuant to 49 U.S.C. 1135(e)(1), the ''2015 Annual Report: The U.S. Department of Transportation's (DOT) Status of Actions Addressing the Safety Issue Areas on the National Transportation Safety Board's (NTSB) Most Wanted List''; to the Committee on Transportation and Infrastructure.

2260. A letter from the Secretary, Department of Transportation, transmitting the Department's Annual Report for 2014 on Disability-Related Air Travel Complaints, pursuant to Sec. 707 of the Wendell H. Ford Aviation Investment and Reform Act for the 21st Century, Pub. L. 106-181; to the Committee on Transportation and Infrastructure.

2261. A letter from the Secretary, Department of Veterans Affairs, transmitting pursuant to Sec. 202 of Pub. L. 113-146, the Veterans Access, Choice, and Accountability Act of 2014, an update on the status of the Commissioner nominations, the current timeline for convening the Commission on Care, and a copy of the Commission on Care charter; to the Committee on Veterans' Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CONAWAY: Committee on Agriculture. Supplemental report on H.R. 1599. A bill to amend the Federal Food, Drug, and Cosmetic Act with respect to food produced from, containing, or consisting of a bioengineered organism, the labeling of natural foods, and for other purposes (Rept. 114–208, Pt. 2).

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 1289. A bill to authorize the Secretary of the Interior to acquire approximately 44 acres of land in Martinez, California, and for other purposes; with an amendment (Rept. 114–213). Referred to the Committee of the Whole House on the state of the Union.

Mr. GOODLATTE: Committee on the Judiciary. H.R. 427. A bill to amend chapter 8 of title 5, United States Code, to provide that major rules of the executive branch shall have no force or effect unless a joint resolution of approval is enacted into law; with an amendment (Rept. 114–214, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. CARTER of Texas: Committee on Appropriations. H.R. 3128. A bill making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2016, and for other purposes (Rept. 114–215). Referred to the Committee of the Whole House on the state of the Union.

Mr. BYRNE: Committee on Rules. House Resolution 369. Resolution providing for consideration of the bill (H.R. 1599) to amend the Federal Food, Drug, and Cosmetic Act with respect to food produced from, containing, or consisting of a bioengineered organism, the labeling of natural foods, and for other purposes, and providing for consideration of the bill (H.R. 1734) to amend subtitle D of the Solid Waste Disposal Act to encourage recovery and beneficial use of coal combustion residuals and establish requirements for the proper management and disposal of coal combustion residuals that are protective of human health and the environment (Rept. 114–216). Referred to the House Calendar.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, Committees on Rules and the Budget discharged from further consideration. H.R. 427 referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. ENGEL (for himself, Mr. REED, and Mr. CLEAVER):

H.R. 3119. A bill to amend the Public Health Service Act to increase the number of permanent faculty in palliative care at accredited allopathic and osteopathic medical schools, nursing schools, social work schools, and other programs, including physician assistant education programs, to promote education and research in palliative care and hospice, and to support the development of faculty careers in academic palliative medicine; to the Committee on Energy and Commerce.

By Mrs. MILLER of Michigan (for herself and Mr. WALBERG):

H.R. 3120. A bill to amend the Food Security Act of 1985 to require the Secretary of Agriculture to establish a Great Lakes basin initiative for agricultural nonpoint source pollution prevention; to the Committee on Agriculture.

By Mr. KIND (for himself, Mr. CRAMER, Mr. PRICE of North Carolina, Mr. AMODEI, and Mr. GRAYSON):

H.R. 3121. A bill to improve Federal land management, resource conservation, environmental protection, and use of Federal real property, by requiring the Secretary of the Interior to develop a multipurpose cadastre of Federal real property and identifying inaccurate, duplicate, and out-of-date Federal land inventories, and for other purposes; to the Committee on Natural Resources.

By Mr. HURT of Virginia (for himself, Mr. WALZ, and Mr. ROE of Tennessee):

H.R. 3122. A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to enter into a contract with a non-government entity for the conduct of biannual audits of Department of Veterans Affairs health care functions, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. COLLINS of Georgia (for himself, Mr. FARENTHOLD, and Mr. CARTER of Georgia):

H.R. 3123. A bill to amend the Internal Revenue Code of 1986 to prohibit aliens in an unlawful immigration status from claiming the earned income tax credit; to the Committee on Ways and Means.

By Mr. BLUMENAUER:

H.R. 3124. A bill to permit the expungement of records of certain marijuana-related offenses; to the Committee on the Judiciary.

By Ms. JACKSON LEE (for herself, Mr. JOHNSON of Georgia, Mr. COHEN, Mr. HONDA, Ms. KELLY of Illinois, and Mr. CUMMINGS):

H.R. 3125. A bill to require the Director of the Federal Bureau of Investigation to report to the Congress semiannually on the number of firearms transfers resulting from the failure to complete a background check within 3 business days, and the procedures followed after it is discovered that a firearm transfer has been made to a transferee who is ineligible to receive a firearm; to the Committee on the Judiciary.

By Mr. ABRAHAM (for himself, Mr. BENISHEK, and Mr. JONES):

H.R. 3126. A bill to prohibit the Commissioner of Social Security from furnishing the name of any individual in a report to the National Instant Criminal Background Check System unless a Federal court has determined the individual to be mentally defective; to the Committee on Ways and Means.

By Mr. ABRAHAM (for himself, Mr. SCALISE, Mr. FLEMING, Mr. GRAVES of Louisiana, Mr. BOUSTANY, and Mr. RICHMOND):

H.R. 3127. A bill to provide for the conveyance of certain National Forest System land within Kisatchie National Forest in the State of Louisiana; to the Committee on Agriculture.

By Mr. CRAWFORD (for himself, Mr. HENSARLING, Mr. CRAMER, Mr. POMPEO, Mr. DUNCAN of South Carolina, Mr. DESJARLAIS, Mr. MULLIN, Mr. ABRAHAM, Mr. HUELSKAMP, Mr. JONES, Mr. KLINE, and Mr. LATTA):

H.R. 3129. A bill to direct the Administrator of the Environmental Protection Agency to change the Spill Prevention, Control, and Countermeasure rule with respect to certain farms; to the Committee on Transportation and Infrastructure.

By Mrs. DINGELL (for herself and Mr. DOLD):

H.R. 3130. A bill to protect victims of stalking from gun violence; to the Committee on the Judiciary.

By Mr. FITZPATRICK:

H.R. 3131. A bill to require the Bureau of Consumer Financial Protection, when issuing a research paper, to include all studies, data, and other analyses on which the paper was based; to the Committee on Financial Services.

By Ms. VELÁZQUEZ (for herself, Mr. SERRANO, Ms. JUDY CHU of California, Ms. HAHN, Mrs. LAWRENCE, Ms. CLARKE of New York, Mr. MOULTON, Mr. TAKAI, Ms. MENG, Ms. ADAMS, and Mr. PAYNE):

H.R. 3132. A bill to increase the amount of funding available for fiscal year 2015 for certain general business loans authorized under the Small Business Act; to the Committee on Small Business.

By Mr. BENISHEK:

H.R. 3133. A bill relating to certain Indian land-related takings claims of the Grand Traverse Band of Ottawa and Chippewa Indians of Michigan and its individual members; to the Committee on Natural Resources.

By Mrs. BLACK (for herself, Mr. SMITH of New Jersey, Mr. KELLY of Pennsylvania, Mr. MESSER, Mr. FRANKS of Arizona, Mr. GRAVES of Missouri, Mr. FLEISCHMANN, Mr. DUNCAN of South Carolina, Mrs. WAGNER, Mr. OLSON, Mr. BRIDENSTINE, Mr. HENSARLING, Mr. ROSKAM, Mr. DESJARLAIS, Mr. HARRIS, Mr. JONES, Mr. MCKINLEY, Mr. BISHOP of Utah, Mr. ROTHFUS, Mr. WILLIAMS, Mr. ROE of Tennessee, Mr. MOONEY of West Virginia, Mr. HILL, Mr. MOOLENAAR, Mr. MILLER of Florida, Mr. SESSIONS, Mr. LABRADOR, Mr. BOUSTANY, Mr. CRAMER, Mr. SCHWEIKERT, Mr. BROOKS of Alabama, Ms. JENKINS of Kansas, Mr. ABRAHAM, Mr. SMITH of Missouri, Mr. PITTS, Mr. PALAZZO, Mr. WENSTRUP, Mrs. WALORSKI, Mr. RENACCI, Mr. MICA, Mr. ADERHOLT, Mr. CHABOT, Mrs. LUMMIS, Mr. AUSTIN SCOTT of Georgia, Mr. WITTMAN, Mr. CONAWAY, Mr. BABIN, Mr. HUIZENGA of Michigan, Mr. CARTER of Georgia, Mrs. BLACKBURN, Mr. CRAWFORD, Mr. GIBBS, Mrs. HARTZLER, Mr. WESTMORELAND, Mr. KLINE, Mr. BENISHEK, Mr. BRAT, Mr. GUTHRIE, Mr. MEADOWS, Mr. BLUM, Mr. BUCSHON, Mr. FLEMING, Mr. SMITH of Nebraska, Mr. LIPINSKI, Mr. JORDAN, Mr. KELLY of Mississippi, Mr. RATCLIFFE, Mr. GOODLATTE, Mr. YOHO, Mr. ROGERS of Alabama, Mr. YODER, Mr. LONG, Mr. FARENTHOLD, Mr. LAMBORN, Mr. SAM JOHNSON of Texas, Mr. BOST, Mr. HARPER, Mr. JOHNSON of Ohio, Mrs. ROBY, Mr. DUFFY, and Mr. FLORES):

H.R. 3134. A bill to provide for a moratorium on Federal funding to Planned Parenthood Federation of America, Inc; to the Committee on Energy and Commerce.

By Mrs. BLACK (for herself and Mr. YARMUTH):

H.R. 3135. A bill to amend section 413 of the Energy Independence and Security Act of 2007 with respect to energy efficiency standards for manufactured housing; to the Committee on Energy and Commerce, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BLUM (for himself, Mr. CRAMER, and Mr. BENISHEK):

H.R. 3136. A bill to require the Secretary of Agriculture to issue guidelines relating to civil fines imposed for violations of the Animal Welfare Act, and for other purposes; to the Committee on Agriculture.

By Mr. COLE (for himself, Ms. MCCOLLUM, Ms. WASSERMAN SCHULTZ, Mr. SESSIONS, Mr. BYRNE, Mr. BEN RAY LUJÁN of New Mexico, Mr. CÁRDENAS, Mr. GALLEGO, Mr. MURPHY of Florida, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. GRIJALVA, Ms. MOORE, Mr. RUIZ, Mr. TAKAI, Mr. BENISHEK, Mr. MULLIN, Mr. KILMER, and Mr. SIMPSON):

H.R. 3137. A bill to reaffirm the trust status of land taken into trust by the United States pursuant to the Act of June 18, 1934, for the benefit of an Indian tribe that was federally recognized on the date that the land was taken into trust, and for other purposes; to the Committee on Natural Resources.

By Mr. JODY B. HICE of Georgia:

H.R. 3138. A bill to recognize the right of members of the Armed Forces assigned to duty at Armed Forces recruitment offices to carry a personal or service-issue firearm at the office; to the Committee on Armed Services.

By Mr. HUNTER (for himself, Mr. PERRY, Mr. YODER, Mr. KNIGHT, Mr. JOYCE, Mr. ROUZER, Ms. JENKINS of Kansas, Mr. CRAMER, Mr. ZINKE, Mr. VALADAO, Mr. HILL, Mrs. MILLER of Michigan, Mr. SANFORD, Mrs. WALORSKI, Mr. SHIMKUS, Mr. JONES, Mr. HUELSKAMP, Mr. WESTERMAN, Mr. AUSTIN SCOTT of Georgia, Mr. HUDSON, Mr. HECK of Nevada, and Mr. KINZINGER of Illinois):

H.R. 3139. A bill to improve security at Armed Forces recruitment centers; to the Committee on Armed Services.

By Mr. LIPINSKI:

H.R. 3140. A bill to require Federal oil and gas leases to report and pay royalties on oil and gas production based on the actual volume of oil and gas withdrawn under a lease, and for other purposes; to the Committee on Natural Resources.

By Mrs. CAROLYN B. MALONEY of New York (for herself, Ms. ADAMS, Ms. BONAMICI, Ms. SPEIER, Ms. LEE, Mrs. DAVIS of California, and Mr. MURPHY of Florida):

H.R. 3141. A bill to support the provision of safe relationship behavior education and training; to the Committee on Education and the Workforce.

By Ms. MATSUI (for herself, Mr. POE of Texas, and Mr. HIMES):

H.R. 3142. A bill to improve passenger vessel security and safety, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. MCNERNEY (for himself and Mr. KINZINGER of Illinois):

H.R. 3143. A bill to provide for a smart water resource management pilot program; to the Committee on Science, Space, and Technology, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PAYNE:

H.R. 3144. A bill to require consultation with the Aviation Security Advisory Committee regarding modifications to the prohibited item list, require a report on the Transportation Security Oversight Board, and for other purposes; to the Committee on Homeland Security.

By Mr. PERRY:

H.R. 3145. A bill to amend the Fair Housing Act to clarify congressional intent that the prohibitions of that Act do not extend to conduct that results in a disparate impact on a protected class unless the person engaging in that conduct intends that impact; to the Committee on the Judiciary.

By Mr. PERRY:

H.R. 3146. A bill to safeguard military and civilian personnel on military bases by repealing bans on military personnel carrying firearms, and for other purposes; to the Committee on Armed Services, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PETERS:

H.R. 3147. A bill to amend the House of Representatives Administrative Reform Technical Corrections Act to require that certain types of services be provided at no cost to constituents, and for other purposes; to the Committee on House Administration.

By Mr. SHIMKUS (for himself, Mr. WALDEN, Mr. LONG, Mrs. ELLMERS of North Carolina, Mr. SCHRADER, Mr. RUPPERSBERGER, and Mr. TONKO):

H.R. 3148. A bill to exempt application of JSA attribution rule in case of existing agreements; to the Committee on Energy and Commerce.

By Mr. PERLMUTTER (for himself, Ms. MOORE, Mr. LANGEVIN, Mr. COSTA, Mr. POCAN, Ms. BORDALLO, Mr. MCDERMOTT, and Ms. MCCOLLUM):

H.J. Res. 60. A joint resolution expressing support for designation of a ''National Lao-Hmong Recognition Day''; to the Committee on Oversight and Government Reform.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

97. The SPEAKER presented a memorial of the Senate of the State of California, relative to Senate Joint Resolution No. 7, urging the Congress and the President of the United States to renew funding for the

Health Resources and Services Administration's Teaching Health Center and Primary Care Residency Expansion Graduate Medical Education Programs, and to lift the freeze on residency positions funded by Medicare to expand physician supply and improve access to health care; to the Committee on Energy and Commerce.

98. Also, a memorial of the Senate of the State of California, relative to Senate Joint Resolution No. 1, requesting the President and the Congress of the United States to pass legislation repealing the Government Pension Offset and the Windfall Elimination Provision from the Social Security Act; to the Committee on Ways and Means.

99. Also, a memorial of the Senate of the State of California, relative to Senate Joint Resolution No. 5, urging Congress and the President of the United States to expand the Humanitarian Resettlement Program to allow disabled veteran officers of the South Vietnamese Army currently living in the Socialist Republic of Vietnam to enter the United States; jointly to the Committees on Foreign Affairs and the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. ENGEL:

H.R. 3119.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 1 of the Constitution.

By Mrs. MILLER of Michigan:

H.R. 3120.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the U.S. Constitution.

By Mr. KIND:

H.R. 3121.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8.

By Mr. HURT of Virginia:

H.R. 3122.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3; Article 1, Section 8, Clause 18

By Mr. COLLINS of Georgia:

H.R. 3123.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 and Clause 3 of the United States Constitution

By Mr. BLUMENAUER:

H.R. 3124.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution

By Ms. JACKSON LEE:

H.R. 3125.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clauses 3 and 18 of the United States Constitution.

By Mr. ABRAHAM:

H.R. 3126.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 of the U.S. Constitution

By Mr. ABRAHAM:

H.R. 3127.

Congress has the power to enact this legislation pursuant to the following:

Article I clause 8, section 18 of the Constitution of the United States.

By Mr. CARTER of Texas:

H.R. 3128.

Congress has the power to enact this legislation pursuant to the following:

The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states: ''No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law . . . .'' In addition, clause 1 of section 8 of article I of the Constitution (the spending power) provides: ''The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States . . . .'' Together, these specific constitutional provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.

By Mr. CRAWFORD:

H.R. 3129.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to the enumerated powers listed in Article I, Section 8, which include the power to ''regulate commerce . . . among the several States . . .''

By Mrs. DINGELL:

H.R. 3130.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the U.S. Constitution.

By Mr. FITZPATRICK:

H.R. 3131.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Ms. VELÁZQUEZ:

H.R. 3132.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power *** To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. BENISHEK:

H.R. 3133.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Article I, Section 8 which allows Congress to regulate trade amongst the Indian Tribes. This bill is enacted pursuant to treaties lawfully entered into and ratified pursuant to the power granted to Congress under Article II, Section 2, Clause 2. This bill is enacted pursuant to Article III Section 2 which grants Congress power to regulate jurisdiction in courts inferior to the United States Supreme Court.

By Mrs. BLACK:

H.R. 3134.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 1 and Article I, Section 9, Clause 7 of the United States Constitution.

By Mrs. BLACK:

H.R. 3135.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3:

The Congress shall have Power . . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

By Mr. BLUM:

H.R. 3136.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. COLE:

H.R. 3137.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Article I, Section 8 which grants Congress the power to regulate Commerce with the Indian Tribes.

This bill is enacted pursuant to Article II, Section 2, Clause 2 in order the enforce treaties made between the United States and several Indian Tribes.

By Mr. JODY B. HICE of Georgia:

H.R. 3138.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 12 of the United States Constitution which states that Congress shall have the power ''To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years.''

Article I, Section 8, Clause 13 of the United States Constitution which states that Congress shall have the power ''To provide and maintain a Navy.''

The Second Amendment to the United States Constitution which states that ''A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.''

By Mr. HUNTER:

H.R. 3139.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United Sates, or in any Department or Officer thereof.

By Mr. LIPINSKI:

Hit. 3140.

Congress has the power to enact this legislation pursuant to the following:

clause 3 of section of article I of the Constitution

By Mrs. CAROLYN B. MALONEY of New York:

H.R. 3141.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution

By Ms. MATSUI:

H.R. 3142.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to the following: Article 1, Section 8, Clause 3

By Mr. McNERNEY:

H.R. 3143.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States grants Congress the authority to enact this bill.

By Mr. PAYNE:

H.R. 3144.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 Clause 14 states Congress shall have the power to make Rules for the Government and Regulation of the land and naval Forces.

By Mr. PERRY:

H.R. 3145.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution

By Mr. PERRY:

H.R. 3146.

Congress has the power to enact this legislation pursuant to the following:

The Second Amendment: A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

By Mr. PETERS:

H.R. 3147.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. SHIMKUS:

H.R. 3148.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3: To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. PERLMUTTER:

H.J. Res. 60.

Congress has the power to enact this legislation pursuant to the following:

To make all Lawes which shall be necessary and proper ffor carrying into Execution the foregoing Powers, and all other Powers vested by this Consitution in the Government of the United States, or in any Deparment or Officer thereof.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 63: Mr. RUSH, Ms. NORTON, and Mr. HONDA.

H.R. 86: Mr. GRIFFITH.

H.R. 94: Ms. NORTON.

H.R. 114: Mr. ISRAEL and Mr. GROTHMAN.

H.R. 167: Ms. MCSALLY and Mr. SERRANO.

H.R. 169: Mr. HASTINGS, Mrs. WALORSKI, Mr. HECK of Nevada, and Ms. DELBENE.

H.R. 213: Mr. HINOJOSA.

H.R. 217: Mr. STEWART, Mr. MEADOWS, Mr. STUTZMAN, Mr. CARTER of Georgia, and Mr. RICE of South Carolina.

H.R. 238: Mr. TED LIEU of California, Ms. NORTON, and Mr. HECK of Washington.

H.R. 276: Mr. FLORES.

H.R. 291: Mr. AGUILAR.

H.R. 333: Mr. COLE, Mr. NORCROSS, Mr. LARSEN of Washington, and Mr. SCHIFF.

H.R. 346: Mr. TED LIEU of California.

H.R. 353: Mr. MCKINLEY.

H.R. 427: Mr. NEWHOUSE.

H.R. 430: Mrs. BEATTY.

H.R. 436: Mr. GROTHMAN.

H.R. 463: Mr. KELLY of Mississippi.

H.R. 494: Mr. HARRIS.

H.R. 506: Mr. CROWLEY.

H.R. 540: Mr. HENSARLING.

H.R. 546: Mr. HIGGINS and Ms. JUDY CHU of California.

H.R. 556: Mr. CARTWRIGHT, Mr. ZINKE, and Mrs. MILLER of Michigan.

H.R. 611: Mr. MOONEY of West Virginia.

H.R. 612: Mr. BILIRAKIS and Mr. SMITH of Texas.

H.R. 653: Mr. YOHO and Mr. RIBBLE.

H.R. 662: Mr. SHIMKUS.

H.R. 700: Mr. BLUMENAUER.

H.R. 702: Mr. GOHMERT, Mr. BUCK, Mr. CHAFFETZ, and Mrs. WALORSKI.

H.R. 721: Mr. LARSON of Connecticut, Mr. NORCROSS, and Mr. SIMPSON.

H.R. 746: Mr. SARBANES.

H.R. 748: Ms. BORDALLO.

H.R. 757: Mr. HECK of Nevada and Mr. MACARTHUR.

H.R. 775: Ms. MENG, Mr. MARINO, and Mr. TIPTON.

H.R. 803: Mr. SHIMKUS.

H.R. 835: Ms. PINGREE.

H.R. 842: Mr. NEAL, Mrs. LAWRENCE, and Mr. BABIN.

H.R. 865: Mr. FARENTHOLD.

H.R. 868: Mr. MACARTHUR.

H.R. 879: Mr. RUSSELL, Mr. KATKO, Mr. ZELDIN, Mrs. ELLMERS of North Carolina, Mr. WILSON of South Carolina, and Mr. BENISHEK.

H.R. 885: Ms. MOORE.

H.R. 918: Mr. GROTHMAN.

H.R. 969: Mr. CONYERS, Ms. GRAHAM, Ms. JACKSON LEE, Mr. STEWART, Ms. HAHN, Mr. CROWLEY, and Mr. POE of Texas.

H.R. 981: Mr. CARTER of Georgia.

H.R. 990: Ms. ESTY.

H.R. 994: Mr. RANGEL and Mr. CÁRDENAS.

H.R. 997: Mr. BURGESS.

H.R. 1076: Mrs. CAROLYN B. MALONEY of New York.

H.R. 1086: Mr. ISSA.

H.R. 1100: Ms. VELÁZQUEZ, Mr. YOUNG of Alaska, Mr. NORCROSS, Mr. WELCH, and Ms. JENKINS of Kansas.

H.R. 1130: Mr. COSTELLO of Pennsylvania, Mr. BUTTERFIELD, and Mr. NOLAN.

H.R. 1141: Mrs. BROOKS of Indiana.

H.R. 1151: Mr. YODER, Mrs. ELLMERS of North Carolina, and Mr. ROGERS of Alabama.

H.R. 1171: Mr. ISRAEL and Mr. KIND.

H.R. 1174: Mr. ABRAHAM, Mr. RICHMOND, Mr. CARTER of Texas, Ms. SLAUGHTER, and Mr. ROKITA.

H.R. 1178: Mrs. WATSON COLEMAN and Mr. TAKAI.

H.R. 1202: Mr. GRIJALVA.

H.R. 1222: Mr. GUTIÉRREZ.

H.R. 1247: Mr. REED and Mrs. RADEWAGEN.

H.R. 1258: Mr. MICHAEL F. DOYLE of Pennsylvania.

H.R. 1301: Ms. SLAUGHTER and Mr. MCGOVERN.

H.R. 1338: Mrs. WALORSKI.

H.R. 1342: Mr. GRIJALVA, Mr. CONNOLLY, and Mrs. WALORSKI.

H.R. 1356: Mrs. LOWEY, Mr. AUSTIN SCOTT of Georgia, and Mr. WELCH.

H.R. 1377: Mr. POLIQUIN and Mr. CARTWRIGHT.

H.R. 1384: Mr. GIBSON, Mr. YOUNG of Alaska, Ms. FRANKEL of Florida, Mr. MICA, Mr. BARR, and Mr. BRIDENSTINE.

H.R. 1401: Mr. ROSS, Mr. RIGELL, and Mr. SCHWEIKERT.

H.R. 1413: Mr. ROTHFUS.

H.R. 1424: Mr. BROOKS of Alabama.

H.R. 1427: Mr. HIGGINS, Mr. GUINTA, Mr. VAN HOLLEN, Mr. SMITH of Texas, and Mr. AMODEI.

H.R. 1434: Ms. ROYBAL-ALLARD and Mr. AL GREEN of Texas.

H.R. 1439: Mr. POCAN.

H.R. 1453: Ms. JENKINS of Kansas.

H.R. 1462: Mrs. NAPOLITANO.

H.R. 1468: Mr. MCGOVERN.

H.R. 1475: Mrs. LOWEY, Mr. GENE GREEN of Texas, Mr. ROTHFUS, and Ms. GABBARD.

H.R. 1478: Mr. BARR.

H.R. 1500: Mr. ROTHFUS.

H.R. 1516: Mr. LONG, Mr. CURBELO of Florida, and Mr. ISRAEL.

H.R. 1559: Mr. REED, Mr. CHABOT, Mr. YOHO, and Mr. BOUSTANY.

H.R. 1566: Mr. JOHNSON of Georgia.

H.R. 1567: Ms. FUDGE, Mr. ASHFORD, and Ms. PLASKETT.

H.R. 1571: Mr. PETERS, Mr. WELCH, and Mr. BISHOP of Georgia.

H.R. 1594: Mr. YOUNG of Alaska, Mr. NORCROSS, and Mr. ROTHFUS.

H.R. 1602: Mrs. LAWRENCE.

H.R. 1610: Mr. O'ROURKE and Mr. HARPER.

H.R. 1613: Mrs. WALORSKI.

H.R. 1624: Mr. POLIQUIN, Mr. HARDY, Mr. CARTER of Texas, Mr. HOLDING, and Mr. MURPHY of Pennsylvania.

H.R. 1635: Mr. BLUM.

H.R. 1671: Mr. CRAMER.

H.R. 1677: Mr. FORTENBERRY.

H.R. 1688: Ms. SCHAKOWSKY.

H.R. 1720: Mr. ASHFORD.

H.R. 1728: Ms. BONAMICI, Mr. FITZPATRICK, Mr. VAN HOLLEN, and Mr. WELCH.

H.R. 1737: Mr. QUIGLEY, Mr. TROTT, Mr. TED LIEU of California, and Mr. HURT of Virginia.

H.R. 1752: Mr. SMITH of Missouri.

H.R. 1763: Ms. TSONGAS.

H.R. 1769: Mrs. DINGELL.

H.R. 1779: Ms. LOFGREN.

H.R. 1797: Mr. AL GREEN of Texas.

H.R. 1814: Mr. TAKANO.

H.R. 1836: Mr. RICE of South Carolina.

H.R. 1854: Mrs. BEATTY and Mr. BRENDAN F. BOYLE of Pennsylvania.

H.R. 1856: Ms. JUDY CHU of California.

H.R. 1859: Mr. THOMPSON of Pennsylvania.

H.R. 1861: Mrs. WALORSKI.

H.R. 1904: Mr. NORCROSS.

H.R. 1905: Mr. NORCROSS.

H.R. 1947: Mr. HIMES.

H.R. 1953: Mr. YOHO.

H.R. 1974: Mr. SCHIFF.

H.R. 1994: Mr. PALAZZO, Mr. FRELINGHUYSEN, Mr. FLORES, Ms. GRANGER, and Mr. POE of Texas.

H.R. 2050: Mr. KATKO, Ms. EDDIE BERNICE JOHNSON of Texas, and Ms. MENG.

H.R. 2061: Mr. NEUGEBAUER and Mr. WELCH.

H.R. 2063: Mr. JOHNSON of Georgia.

H.R. 2072: Mr. HUFFMAN.

H.R. 2076: Mr. POCAN and Mr. TAKAI.

H.R. 2079: Mr. CARTWRIGHT.

H.R. 2124: Mr. HUFFMAN, Mr. VEASEY, Ms. TSONGAS, Mr. JEFFRIES, Mr. O'ROURKE, Mr. AL GREEN of Texas, Mr. LOBIONDO, Mr. WEBSTER of Florida, Mr. PASCRELL, Mr. NORCROSS, and Mr. DONOVAN.

H.R. 2156: Mr. BARLETTA.

H.R. 2167: Mr. TAKAI.

H.R. 2168: Mr. HUFFMAN.

H.R. 2191: Mr. HIMES.

H.R. 2209: Mr. VEASEY.

H.R. 2255: Mr. LUETKEMEYER.

H.R. 2259: Mr. ADERHOLT.

H.R. 2293: Mr. TED LIEU of California, Mr. COSTELLO of Pennsylvania, Mr. WALBERG, and Mr. JONES.

H.R. 2296: Mr. WELCH.

H.R. 2303: Mr. SHERMAN.

H.R. 2315: Mr. RICE of South Carolina, Mr. O'ROURKE, Mr. ROE of Tennessee, and Mr. GUTHRIE.

H.R. 2330: Ms. JACKSON LEE.

H.R. 2334: Mr. SESSIONS.

H.R. 2369: Mr. ALLEN, Mr. AUSTIN SCOTT of Georgia, and Mr. THOMPSON of Pennsylvania.

H.R. 2400: Mr. NEUGEBAUER and Mr. YOHO.

H.R. 2403: Mr. BROOKS of Alabama.

H.R. 2410: Ms. JUDY CHU of California.

H.R. 2464: Mrs. ELLMERS of North Carolina and Mr. COFFMAN.

H.R. 2466: Mr. WEBSTER of Florida.

H.R. 2494: Mr. FITZPATRICK, Mr. DONOVAN, Ms. ESTY, Mr. SALMON, and Mr. CICILLINE.

H.R. 2500: Mr. POLIS and Mr. RODNEY DAVIS of Illinois.

H.R. 2515: Mr. LANCE, Mr. YOUNG of Iowa, Mr. PRICE of North Carolina, Mr. HASTINGS,

Ms. FRANKEL of Florida, and Mr. CARTWRIGHT.
H.R. 2521: Mr. TAKANO and Mr. CUMMINGS.
H.R. 2522: Mrs. LOWEY.
H.R. 2558: Mr. KILMER.
H.R. 2568: Mr. AUSTIN SCOTT of Georgia.
H.R. 2573: Mr. MACARTHUR.
H.R. 2588: Mr. YOHO.
H.R. 2595: Mr. BLUMENAUER.
H.R. 2602: Ms. CLARKE of New York.
H.R. 2613: Mr. GUTIÉRREZ.
H.R. 2622: Ms. BROWNLEY of California.
H.R. 2643: Mr. TIPTON and Mr. MCHENRY.
H.R. 2646: Mr. DESANTIS, Mr. JOHNSON of Ohio, Mrs. BEATTY, Ms. LOFGREN, Mr. FRANKS of Arizona, Ms. JUDY CHU of California, and Mrs. LAWRENCE.
H.R. 2660: Ms. BONAMICI.
H.R. 2662: Mr. WALZ.
H.R. 2663: Mr. YOUNG of Alaska, Mrs. MCMORRIS RODGERS, and Mr. STEWART.
H.R. 2680: Ms. MATSUI.
H.R. 2689: Mr. LOWENTHAL.
H.R. 2694: Ms. FUDGE.
H.R. 2698: Mr. KATKO, Mr. JONES, Mr. FARENTHOLD, Mr. NEUGEBAUER, and Mr. BRIDENSTINE.
H.R. 2713: Mr. LEWIS, Mr. BLUMENAUER, Mr. TAKAI, Ms. SLAUGHTER, Mr. COURTNEY, and Mr. KEATING.
H.R. 2716: Mr. HUIZENGA of Michigan.
H.R. 2721: Ms. JUDY CHU of California.
H.R. 2726: Mr. ROSS.
H.R. 2734: Mr. LAMALFA.
H.R. 2742: Mr. BISHOP of Michigan.
H.R. 2744: Mr. JOLLY, Ms. BORDALLO, Mr. TAKAI, and Mr. HUFFMAN.
H.R. 2769: Mr. ROSS.
H.R. 2775: Mr. GRIJALVA.
H.R. 2799: Mrs. ELLMERS of North Carolina and Mr. WELCH.
H.R. 2800: Mrs. BROOKS of Indiana.
H.R. 2802: Mr. WOODALL, Mr. BENISHEK, Mr. ROSS, and Mr. THORNBERRY.
H.R. 2811: Mr. GRAYSON, Ms. SLAUGHTER, Mr. CUMMINGS, Mr. CONYERS, Mr. LOWENTHAL, Ms. NORTON, and Mrs. NAPOLITANO.
H.R. 2820: Mr. NOLAN, Mr. NEWHOUSE, Mr. ROSS, and Mr. LANCE.
H.R. 2847: Mr. CLAY, Mr. CRENSHAW, Mr. REICHERT, Ms. LEE, and Mr. EMMER of Minnesota.
H.R. 2849: Mr. PRICE of North Carolina and Mr. CONNOLLY.
H.R. 2850: Mr. ZELDIN.
H.R. 2858: Mr. JONES and Mr. ENGEL.
H.R. 2868: Mr. HENSARLING.
H.R. 2871: Mr. RANGEL.
H.R. 2903: Mr. HANNA, Mr. COFFMAN, Mr. LAMBORN, Mr. ASHFORD, Mr. QUIGLEY, and Mr. SEAN PATRICK MALONEY of New York.
H.R. 2904: Mrs. WALORSKI.
H.R. 2905: Mr. HUIZENGA of Michigan.
H.R. 2911: Mr. LARSON of Connecticut and Mr. TIBERI.
H.R. 2915: Mr. CONYERS and Ms. FRANKEL of Florida.
H.R. 2916: Mr. SARBANES and Mr. RANGEL.
H.R. 2920: Mr. SEAN PATRICK MALONEY of New York.
H.R. 2922: Mr. LUETKEMEYER.
H.R. 2923: Mr. FORBES.
H.R. 2937: Mr. YOHO and Mrs. WALORSKI.
H.R. 2942: Mr. BRIDENSTINE and Mr. WESTMORELAND.
H.R. 2944: Mr. CURBELO of Florida and Mrs. WATSON COLEMAN.
H.R. 2964: Mr. ALLEN, Mr. JENKINS of West Virginia, Mr. PITTENGER, Mr. SAM JOHNSON of Texas, and Mr. HANNA.
H.R. 2972: Ms. LOFGREN, Mr. SMITH of Washington, and Mr. PERLMUTTER.
H.R. 2973: Mr. SESSIONS.
H.R. 2978: Mr. BRENDAN F. BOYLE of Pennsylvania and Ms. ADAMS.
H.R. 2989: Mr. MCGOVERN and Ms. MAXINE WATERS of California.
H.R. 2998: Ms. DUCKWORTH.
H.R. 2999: Ms. MCCOLLUM and Mr. HONDA.
H.R. 3002: Mr. NEUGEBAUER, Mr. MICA, Mr. SANFORD, Mr. SESSIONS, Mr. CRAMER, Mr. SCHWEIKERT, and Mr. FLEMING.
H.R. 3006: Mr. WALBERG, Mr. LAMALFA, and Mr. SANFORD.
H.R. 3009: Mrs. MILLER of Michigan, Mrs. ELLMERS of North Carolina, Mr. RICE of South Carolina, Mr. WESTERMAN, Mr. GUINTA, Mr. SCHWEIKERT, and Mr. ABRAHAM.
H.R. 3013: Mr. HENSARLING.
H.R. 3024: Mr. BRADY of Texas.
H.R. 3029: Mr. JONES, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. CARTWRIGHT, and Mr. LYNCH.
H.R. 3034: Mrs. LAWRENCE.
H.R. 3035: Mr. HIMES.
H.R. 3036: Mr. MCCAUL, Mr. PALLONE, and Mr. ENGEL.
H.R. 3037: Mr. CUMMINGS and Mr. BARR.
H.R. 3048: Mr. HILL, Mr. MARCHANT, Mr. COLE, and Mr. BARR.
H.R. 3051: Mr. VAN HOLLEN, Mr. GRIJALVA, Ms. JACKSON LEE, Ms. NORTON, Mrs. WATSON COLEMAN, Mr. LARSON of Connecticut, Mr. MEEKS, Ms. EDWARDS, Mr. LANGEVIN, and Ms. SLAUGHTER.
H.R. 3052: Mr. FLEISCHMANN, Mr. BROOKS of Alabama, and Mr. HENSARLING.
H.R. 3063: Ms. MCCOLLUM.
H.R. 3069: Mr. JEFFRIES, Mr. DOGGETT, Mr. TAKANO, Ms. FUDGE, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. VELA.
H.R. 3095: Ms. JENKINS of Kansas and Mr. HARPER.
H.R. 3112: Mr. ROE of Tennessee.
H.R. 3115: Mr. CARTER of Georgia, Mrs. MILLER of Michigan, Mr. ABRAHAM, Mr. GUINTA, Mr. MILLER of Florida, Mr. ROGERS of Alabama, and Mr. AUSTIN SCOTT of Georgia.
H.R. 3118: Mr. GOWDY and Mr. BRAT.
H.J. Res. 51: Mr. BUTTERFIELD.
H.J. Res. 59: Mr. GOHMERT, Mrs. WAGNER, Mr. ABRAHAM, and Mr. HENSARLING.
H. Con. Res. 19: Mr. ELLISON and Mr. LEVIN.
H. Con. Res. 30: Mrs. NOEM.
H. Con. Res. 60: Mr. TED LIEU of California.
H. Res. 12: Mr. DENHAM.
H. Res. 56: Mrs. RADEWAGEN.
H. Res. 210: Mr. MCDERMOTT.
H. Res. 289: Mr. RANGEL.
H. Res. 294: Mr. REED.
H. Res. 318: Mr. GROTHMAN.
H. Res. 322: Ms. FUDGE.
H. Res. 329: Mr. GRIJALVA.
H. Res. 354: Mr. GRAYSON, Mr. BILIRAKIS, and Mr. SIRES.
H. Res. 361: Mr. CRAMER.
H. Res. 365: Mr. GRIJALVA, Ms. JACKSON LEE, Mrs. WATSON COLEMAN, and Ms. SEWELL of Alabama.
H. Res. 367: Mr. CRAWFORD.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

The amendment to be offered by Representative SHIMKUS, or a designee, to H.R. 1734, the Improving Coal Combustion Residuals Regulation Act of 2015, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions, as follows:

H.R. 3107: Mrs. ROBY.

SENATE—*Tuesday, July 21, 2015*

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Lord of the harvest, we continue to seek You, for we desire to do Your will. You, O God, are our light and salvation, so we refuse to be afraid.

As our lawmakers strive to walk uprightly, provide them with a harvest of truth, justice, and integrity. May they cultivate such ethical congruence that their rhetoric will be undergirded by right actions. Lord, keep them aware of Your continuous presence, as they find fullness of joy in doing Your will. Show them the path to life, as Your truth brings them to a safe harbor.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER (Mr. SASSE). The minority leader is recognized.

Mr. REID. Mr. President, the Republican leader will be here shortly. I have gotten word he is not going to be here right now, so I am going to proceed.

IMMIGRATION

Mr. REID. This past weekend, Republican Presidential hopeful Donald Trump did what he did best: He said something dishonest and really distasteful. In speaking about the senior Senator from Arizona, he mocked Senator JOHN MCCAIN, mocked his service in the Vietnam conflict. He went so far as to say JOHN MCCAIN was not a war hero.

JOHN MCCAIN and I came to the House of Representatives the very same day, both new Members of the House. He was representing a district in Arizona and I my district in Nevada. We are neighbors. We served together in the House. We came here to the Senate at the same time. He is one notch ahead of me in seniority in this body because the State of Arizona has more people than Nevada. That is how seniority is determined, among other ways.

JOHN MCCAIN was a naval pilot and comes from a family who served our country admirably in the military for decades—his grandfather and his father. On one of his first missions to Vietnam, JOHN MCCAIN was shot down and badly injured—broken back and arms. He was very badly hurt. He was placed in a Vietnamese concentration camp, where he spent almost 6 years. About half of that time was in solitary confinement, and many days and weeks of that were spent being punished, tortured, and rebreaking parts of his body that had been broken.

JOHN MCCAIN, to me, is a hero. He is a person who has represented this country admirably in the Congress. He was a Republican nominee for President. America knows JOHN MCCAIN. I personally have some disagreements on policy on an occasion or two with JOHN MCCAIN, but we have never disagreed about our relationship. My relationship with Senator MCCAIN is one where I have great admiration for him, for his strength of character, and for his moral courage in Vietnam.

In the aftermath of these remarks about JOHN MCCAIN, Republicans have been falling all over themselves to criticize Donald Trump. But it makes me wonder: Where were all these same Republicans when Mr. Trump slandered millions? It was only a month ago that Trump said:

When Mexico sends its people, they're not sending their best. They're sending people that have lots of problems, and they're bringing those problems with us. They're bringing drugs. They're bringing crime. They're rapists.

That is his quote.

When Trump insulted the Senator from Arizona, a Member of his own party, Republicans could not denounce him fast enough, but when Trump called immigrants ''rapists,'' there was nothing but silence—nothing but silence. There is an ugly truth behind that silence, and it is this: When it comes to immigration policy—and, frankly, most other policy—there is no meaningful difference between the Republican Party and Donald Trump. Consider the facts on just this one issue. Trump rejects a pathway to citizenship for the undocumented. Instead, he favors a system of merit that creates a road to legal status. He has never ever said two sentences defining that.

We have heard before the same kind of talk from Republicans, those running for President—I think we have 16 of them now.

Jeb Bush rejects the pathway to citizenship. He claims to support a pathway to legal status but ''not necessarily citizenship.''

Scott Walker rejects a pathway to citizenship. He said, ''If somebody wants to be a citizen, they need to go back to their country of origin.''

The junior Senator from Texas also rejects a pathway to citizenship. He said, ''I think that it is likely that there could be some bipartisan solution to those who are here illegally if a path to citizenship were taken off the table.''

Governor Chris Christie rejects a pathway to citizenship, too. He said it is ''an extreme way to go.''

Trump wants to terminate President Obama's Executive actions on immigration, tearing apart millions of families and deporting about 800,000 DREAMers. We have heard that before, too.

Jeb Bush also wants to repeal President Obama's Executive actions. On FOX News, on the ''Hannity'' show, he said he would ''repeal Obama's executive amnesty.'' That is a quote.

The junior Senator from Texas also wants to terminate the President's Executive actions. Here is what he said: ''If I am elected president, the very first thing I intend to do on the first day is rescind every single unconstitutional or illegal executive action from President Obama.''

Governor Chris Christie is actively opposing the President's Executive actions. In fact, his State joined a lawsuit challenging President Obama's actions.

The junior Senator from Florida also rejects President Obama's Executive actions that keep families together. Senator RUBIO's spokesperson told one news outlet that ''immigration executive orders won't be permanent policy under [a Rubio] administration.''

These are the facts. When it comes to immigration policy—and, as I mentioned, sadly, most other policy issues—there is no daylight between Donald Trump and the rest of the Republican field.

While the rest of the Republican Presidential hopefuls may not engage in the same repugnant rhetoric, make no mistake—they are all on the same page as Donald Trump.

If I ask each Republican running for President ''Name one difference between your immigration policy and Trump's immigration policy,'' given recent history, there will be a deafening silence.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

When Trump insulted MCCAIN, Republicans couldn't denounce him fast enough, but when Mr. Trump called millions of hard-working immigrants rapists and murderers, there was nothing but silence. Maybe this is because none of the Republicans running for President can name a single way in which they disagree with Trump's policies on immigration.

In the meantime, Democrats will continue to fight to pass comprehensive immigration reform, just as we did more than 2 years ago. We will continue to fight Republican piecemeal legislation that criminalizes immigrant communities—whole communities—and we will continue to fight for families who are constantly being scapegoated by today's Republican Party.

MEASURE DISCHARGED AND PLACED ON THE CALENDAR—S.J. RES. 19

The PRESIDING OFFICER. Pursuant to 42 U.S.C. 2159(i) and section 601(b)(4) of Public Law 94–329, S.J. Res. 19 is discharged and placed on the calendar, 45 days of the review period having elapsed, not including time spent in adjournment pursuant to S. Con. Res. 19.

Mr. REID. Mr. President, what are we doing the rest of the day?

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each until 12:30 p.m., with the time equally divided in the usual form.

Mr. REID. I suggest the absence of a quorum, and I ask unanimous consent that the time be divided equally.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mrs. MURRAY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

OVERTIME PAY

Mrs. MURRAY. Mr. President, I believe that real, long-term economic growth is built from the middle out, not from the top down. Our government, our economy, and our workplaces should work for all of our families, not just the wealthiest few. But across the country today, millions of workers are working harder than ever without basic overtime protection.

That is why I am so proud to come to the floor today to express my strong support for the Obama administration's new proposal to restore overtime protections for millions of workers and families. Not only is this the right thing to do, but it is good for our economy.

I wish to share a story of a man named Paul who lives in Massachusetts. As reported in the Boston Globe, Paul worked very hard at a discount retail store to provide for his family. Each week he was working 72 hours, on average. On one particular stretch, he worked for 40 days in a row without a single day off, but his employer didn't pay him one extra dime for the work he did beyond 40 hours a week.

That is fundamentally unfair. And Paul, believe me, is not alone. There are so many workers like him in States across the country, and these workers feel as though they have been left behind in this economic recovery. They need government policies on overtime protections to catch up.

In 1938, Congress recognized the need to set a standard for the 40-hour workweek. By law, when workers put in more than 40 hours a week, their employers had to compensate them fairly with time-and-a-half pay. But those protections have eroded over the past several years. In today's economy, many Americans feel as though they are working more and more for less and less pay, and in many cases, they are. A salaried worker can be asked to work 50 or 60 or 70 hours a week and never see a dime of overtime pay. One of the main reasons is because overtime rules are severely out of date.

Right now, if a worker earns just a little more than $23,000 a year, he or she does not qualify for time-and-a-half pay. That salary threshold is much too low today. In fact, the current salary level is less than the poverty threshold for a family of four. Workers should not have to earn poverty wages to get guaranteed overtime protection. That salary threshold has only been updated once since 1975.

Back in the mid-1970s, 62 percent of the American workforce was covered by overtime rules. Today, just 8 percent of our salaried workers have overtime protection, and big corporations have used these outdated overtime rules to their advantage. They force their employees to work overtime without paying them fair time-and-a-half pay. That, of course, is good for a big corporation's profit margin. But as the Union-Bulletin in Walla Walla, WA, editorialized a few weeks back, these workers are ''working, paying taxes, raising families, and often suffering due to the long hours.''

But unlike so many of the challenges we face here, there is a solution to this, and it doesn't require congressional action. Last week, the Department of Labor proposed to raise the salary threshold from about $23,000, which is what it is today, to just over $50,000 a year. That will restore overtime protections for millions of Americans.

This, by the way, is especially important for parents. Think about what this would mean for a working mom who right now works overtime without getting paid for it. By restoring this basic worker protection, she can finally work a 40-hour workweek and spend more time with her kids. Or, if her employer asks her to work more than 40 hours a week, she would have more money in her pocket to boost her family's economic security. That is so important for strengthening our middle class today.

Now, I do want to keep working to improve the proposed rule. I believe the Department of Labor should also update what is known as the duties test. For workers who make more than the salary threshold but still do what is called blue collar work, the duties test is designed to ensure that they get overtime protections. But today that duties test is out of date.

Under the current law, big corporations can exploit the duties test to avoid paying their workers time-and-a-half, and I believe that needs to change. When workers put in more than 40 hours a week on the job, they should be paid fairly for it. That is just the bottom line.

I have heard from some of my Republican colleagues that they do not want to update overtime rules. But if the Republicans want to take away this basic worker protection—basic worker protection—they are going to have to answer to millions of hard-working Americans who are putting in overtime without receiving a dime in extra pay. They can try, but I know I and many others are going to be right here fighting back for the workers and families we represent.

Boosting wages and expanding economic stability and security is good for families, and it is good for our economy. And, by the way, that is exactly what we should be focused on here in Congress—to help grow our economy from the middle out, not just the top down.

This isn't the only action we need to take to raise wages and expand economic stability for our families today. In the coming weeks and months, I am going to be working closely with Senate Democrats to continue our efforts to raise the minimum wage, to expand access to paid sick leave and fair and predictable work schedules, and to ensure women get equal pay for equal work.

But restoring overtime protections is a critical part of our work to make sure more families get much needed economic stability. Enacting these

policies would be strong steps in the right direction to bring back the American dream of economic security and a stable middle-class life for millions of families.

For workers such as Paul, who just want fair pay for a fair day's work, for the parents who have sacrificed family time for overtime and not seen a dime in extra pay, and for families who are looking for some much needed economic security, I urge all of my colleagues to support restoring overtime protections.

Thank you, Mr. President.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

MEASURE PLACED ON THE CALENDAR—H.R. 3038

Mr. MCCONNELL. Mr. President, I understand there is a bill at the desk that is due for a second reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the second time.

The senior assistant legislative clerk read as follows:

A bill (H.R. 3038) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, and for other purposes.

Mr. MCCONNELL. Mr. President, in order to place the bill on the calendar under the provisions of rule XIV, I object to further proceedings.

The PRESIDING OFFICER. Objection having been heard, the bill will be placed on the calendar.

SCHEDULE

Mr. MCCONNELL. Mr. President, let me indicate to all Members that discussions continue on a way forward on a multiyear highway bill, and we will have more to say about that later in the day.

HONORING THE SERVICEMEMBERS WHO WERE KILLED IN THE CHATTANOOGA TRAGEDY

Mr. MCCONNELL. Mr. President, at dawn, with Congress returning to session, we lowered the flag at the U.S. Capitol to half-staff in honor of the servicemembers who were killed in Chattanooga. What we saw there was a tragedy for our country. It was a terrible blow to everyone who loved these brave Americans. We will never forget their sacrifice, and we will continue to keep their families and their memories in our thoughts today.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. INHOFE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. ROUNDS). Without objection, it is so ordered.

DRIVE ACT

Mr. INHOFE. Mr. President, we are going to be moving to the highway bill. In fact, we are going to have the motion to proceed today at 2:15 p.m., and I think it is important that people realize the significance of this.

We do a lot of work around here that is not really critical. There are some issues that are. If you would like to read the Constitution sometime when you have nothing else to do, it will tell you that what we are supposed to be doing are two things: defending America and roads and bridges. That is what it says in Article I, Section 8 of the Constitution. So anytime you are sitting around with nothing to do, you ought to read it, and you will realize that what we are going to do at 2:15 today is very significant.

Passing a long-term transportation reauthorization bill has been my top priority since I resumed the office of the chairmanship of the Environment and Public Works Committee. It is probably the second most important thing we do, second only to the Defense authorization bill.

In the first hearing we had in January, we had Secretary Foxx, the Secretary of Transportation, who is an outstanding Secretary. He is just as concerned about this as we are. Senator BOXER and I brought in Secretary Foxx as well as local government leaders to share the importance of ongoing Federal and State partnerships in maintaining the modern surface infrastructure system. Since that time, my committee has put forward a bipartisan bill called the DRIVE Act. It is significant, and it is not partisan. There is no such thing as a Democratic bridge or a Republican bridge or a Democratic road or a Republican road.

Historically, Republicans have been recognized as leading in this area, from way back in the days when President Lincoln spearheaded the Transcontinental Railroad; Teddy Roosevelt and the Panama Canal; and, of course, the Interstate Highway System, created by President Eisenhower.

President Eisenhower recognized that weakened defense and interstate commerce made our Nation vulnerable to the world. In 1952, when he proposed the Interstate Highway System, he commented that this was every bit as much about defending America as it was about the economy and being able to transport commerce around the States. In laying out the full interstate system, he envisioned it to be the physical backbone of the economy, fueling the growth of our GDP, our cities, and the competitiveness of our exports. This vision and certainty maximized the economic and mobility benefits of the system. Businesses and individuals knew that they could locate somewhere on the future interstate system and be connected to not just the rest of the country but the rest of the world.

This legacy system, which was built over 50 years ago, had a design life of 50 years, and it has actually been over 60 years—close to 70 years since it was built. We are beyond our warranty period, and we are in serious danger of eroding half a century of investments without proper maintenance, modernization, and reconstruction. We are on borrowed time with a system that is in full need of restoration. Our national interstate system currently has a maintenance backlog of $185 billion on about 47,000 miles of interstate, and that is just to bring it back to the design it was in 1956.

Maintaining Eisenhower's vision of economic opportunity and strength in defense requires a continued partnership between the Federal Government and the States, which is the hallmark of the DRIVE Act. Yet, due to 33 short-term patches since 2005—I have to say this because this is significant. We should be operating on a transportation reauthorization system all the time. The last one we did was in 2005. I was the author of it, in fact. That was a 5-year bill. Since that time, we have gone through some 30 different short-term extensions. A short-term extension doesn't do any good. A transportation reauthorization bill is needed in order to accomplish all the reforms that are necessary and to have time to handle the major, large problems we have to deal with.

Passing a long-term bill is crucial to many aspects of day-to-day life in America. More than 250 million vehicles and 18 billion tons—valued at $17 trillion—in goods traverse across the country every year. Yet every day 20,000 miles of our highways slow below the posted speed limits or experience stop-and-go conditions. The National Highway System is only 5.5 percent of the Nation's total roads, but it carries 55 percent of all vehicle traffic and 97 percent of the truck-borne freight. We are talking about 97 percent of the freight on only 5 percent of the highways.

Congress just passed a 2-month extension. Now we have a responsibility to pass a long-term bill.

The highway trust fund currently needs $15 billion a year to maintain the current spending. When we started out with the highway trust fund, that was a percentage every year. When someone would drive up and pay a tax when buying gas, that was supposed to be for taking care of the highways—and it did.

I can remember when I was serving in the House. The biggest problem we had at that time was we had too much money in the highway trust fund. We had more than we needed. I remember when President Clinton came in. He wanted to rob the highway trust fund for all of his programs. He got by with it for a while. That is not the problem anymore. The problem now is there is not enough money.

The situation has changed. People are not using as much fuel. So we have fallen short by $15 billion a year of having the amount of money necessary to continue today's spending level. That is $15 billion a year. This is a 6-year bill. That means about $90 billion is needed in excess of the amount of money, revenue, that is derived from the highway trust fund.

The DRIVE Act—that is what we call this—will put America back on the map as the best place to do business. The DRIVE Act has several key components that position America's transportation system to support our growing economy. It prioritizes funding for core transportation formula programs to provide States and local governments with a strong Federal partner. It prioritizes the Interstate Highway System, that national highway system, and the bridges at risk for funding shortfalls.

It creates a new multibillion-dollar-per-year freight program to help States deliver projects and promotes the safe and efficient transportation of goods. It targets funds for major projects in the community, such as shown right here. This is a picture of the Brent Spence Bridge I have in the Chamber. This goes from Kentucky to Ohio and actually takes transportation also to Indiana. This is a very old bridge. You can see it is going to have to be replaced.

These are the huge things you cannot do with short-term extensions. You are going to have to have a major bill, such as the one we are having right now.

Lastly, the DRIVE Act provides greater efficiency in the project delivery process, reforms that put DOT in the driver's seat during the NEPA process by requiring agencies to bring all the issues to the table, keeping them under a deadline, and eliminating duplication.

One of the problems we have with the environmental requirements is they end up delaying projects. So this bill gives exceptions. Let me say that I was very proud of Senator BOXER. Senator BOXER is a very proud liberal. I am a very proud conservative. One of the few things we agree on is the highway bill. It does require some changes that allow them to go ahead and keep working in spite of some of the NEPA requirements or the environmental requirements. This gives bridge projects special consideration, with new exemptions from section 4(f), the historic property reviews for concrete and steel bridges—a new exemption from the Migratory Bird Treaty Act for bridges in serious condition.

Now, this sounds kind of off the wall, but one of the problems is the swallows. The swallows go in there and they block—they nest in there. So we are supposed to be repairing bridges. The swallow is not an endangered species. It is not listed, but the Migratory Bird Treaty Act does give them protection, and this waives that in the case of bridge construction. It also enforces greater transparency for Federal funds to show the taxpayers where the money is being spent.

This is just a brief overview of the bill. As the DRIVE Act progresses on the floor, I intend to address the significance of each program in more detail. The most important point I must address about the DRIVE Act is that our bill sets funding levels for the next 6 years.

There is, at the very least, what the Federal Government should provide, so States, local officials, and the construction industry can gear up for the large $500 million to $2 billion major highway projects and bridge projects so we can get them off the ground. They have to get ready for it. That is what this bill does. Thousands of projects across the Nation are currently in jeopardy, and construction will come to a halt unless legislation becomes a reality.

Future projects like—let's go back. You saw already the Brent Spence Bridge in Kentucky. There is also the $2.6 billion Mobile River Bridge in Alabama. This is a projection of what it will look like. This is as it is today. This would be impossible without something like a 6-year bill. In DC, the Memorial Bridge is literally crumbling into the Potomac. People do not understand what happens to these bridges. You can see—in our case in Oklahoma, we had a bridge over I–35. In the year 2005, as a part of that bill, that legislation, we were able to repair it. In 2004, right before that took place, one of the chunks came off—just like you are seeing here on the bridge—and actually killed a young lady who was driving under it with her three children. That is how serious this is. This is the Arlington Memorial Bridge. It was built in 1932. Something has to be done with that. We will be able to do projects like this.

More than just a small part of the economic success enjoyed by the United States over the past 50 years has been the Interstate System. Today, we literally sit at the crossroads of its future. The solution is urgent. This is why Senator BOXER and I are bringing the DRIVE Act to the Senate floor as a solution. It will ensure that States have the tools and the certainty to make the necessary new investments to rebuild Eisenhower's vision, to fight growing congestion, to maintain the mobility of goods and services necessary to keep the economy going. By passing the DRIVE Act, Congress will be able to take pave the way for the next 50 years of American excellence in infrastructure.

I have to say this. The importance of this is that the only alternative is to have short-term extensions. I am talking about 1- and 2-month extensions, of which you cannot organize your labor. The cost of that—and by the way, I say this to my conservative friends—they will be friends, and I can say this, since I have been ranked as the most conservative Member of this body many times—that the conservative position is not to oppose this massive highway bill that we are going to have but to oppose the short-term extensions. It costs about 30 percent more for a short-term extension than it does for a highway reauthorization bill. That is why this is so important.

Later on, I am going to go over many of the other bridges and structures around that are going to have to be addressed. In the meantime, this is something we are supposed to do. I kind of will end up where we started off; that is, there is an old document that nobody reads anymore called the Constitution. You go back and read that, you will find out what we in this body are supposed to be doing. It is defending America and it is providing bridges and roads.

So as we progress on this, there will not be time to go into any more detail now because we have Members wanting to come down and use both the Republican and Democratic time between now and the noon hour, but at 2:15 we are going to have a motion we will be voting on to move to the consideration of this bill. It doesn't say you have to be for it or against it or you want to change it.

If you want to have amendments, you have to get to the bill before you can have amendments. So a motion-to-proceed vote will take place at 2:15. Now, I want to tell all of the Members who are out there that if you have amendments—we are going to try to knock this thing out in 2 weeks. We are going to be down here talking about it for 2 weeks. But if you have amendments, if you want a chance to offer your amendments, you can offer them, but bring them down, file your amendments. If you do not do that, we will

pass a deadline and you will not be able to do that. So I encourage our Members to do that. I look forward to the next 2 weeks of discussing and passing the second most significant bill we will consider this year.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. VITTER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

WASHINGTON EXEMPTION FROM OBAMACARE

Mr. VITTER. Mr. President, I come to the floor today to again bring up a very important issue. It is important because it impacts a major part of our lives, a major law that Congress passed several years ago. It is important because it goes to a fundamental principle—what should be a fundamental principle of American democracy—that what Washington passes for the rest of the country it should live with itself. I am talking about the Washington exemption from ObamaCare and my effort, with others, to end that double standard.

As the Presiding Officer remembers, during the ObamaCare debate several years ago, this issue came up. It came up in the context of a floor amendment. It was an important floor amendment, one of the very few that conservatives in the Senate passed on the Senate floor.

That amendment to the ObamaCare bill said that all Members of Congress and our staff would get our health care through the so-called ObamaCare exchange, just as millions of other Americans would under this plan—no special rules, no special treatment, no special exemption or special subsidy. That was important to say that Congress would live under whatever law passed for the rest of America, and that amendment was passed on the Senate floor. It became part of the broader bill, and it was eventually passed into law. Obviously, as you know, I opposed—strongly opposed—and continue to oppose the ObamaCare bill and the law, but that amendment was made a part of it.

Well, after it was passed into law, it was sort of one of those cases of which NANCY PELOSI said that we have to pass the law to figure out what is in it. After the fact, lots of folks on Capitol Hill in Washington started reading the law more carefully, read that provision, and said: Oh, you know what. How are we going to deal with this? Surely, surely we aren't going to be subjected to the ObamaCare exchanges the same as millions upon millions of other Americans—even though that is exactly what the statute said.

Well, at that point a very determined lobbying campaign got under way—a lobbying campaign of many Members on Capitol Hill—of the President. And the campaign was simple. People rushed to the administration, rushed to President Obama and said: Oh, you need to change this. We can't live with the statute and the significant section of the statute that says all Members of Congress need to go to the exchange for their health insurance, just as millions of other Americans do.

Sure enough, after months of that very determined and, sadly, bipartisan lobbying campaign, President Obama issued one of his countless Executive orders and edicts to essentially change, with the stroke of his pen, contrary to statute, a significant part of the ObamaCare statute.

He has done that dozens—if not hundreds—of times, and this is one significant example of that. He changed what the statute said and took a lot of the sting out of that provision of the law for Members of Congress.

Through an OPM rule, he said two things. First, Members of Congress, when you go to the exchange, which is mandated, don't worry; you are going to have a big taxpayer-funded subsidy follow you to the exchange—unavailable to every other American at our income level and completely unique to Members of Congress. No other American going to the ObamaCare exchanges enjoys this. But out of thin air, we are going to give you a big, taxpayer-funded subsidy that is nowhere in the statute.

Then the second significant thing President Obama did through that OPM rule was to say this: Members of Congress, this doesn't have to apply to your staff even though it says it does. You can designate whomever you want on your staff as ''nonofficial'' and they don't have to go to the ObamaCare exchange at all.

Well, virtually all of my Republican colleagues regularly come to the floor and rightly complain about President Obama changing statutory law with the stroke of his pen, acting beyond his authority. This is a crystal-clear example of that. If we complain about it in other context, I think we should speak up and complain about it even when it benefits us. So that is what I am doing.

We should not stand for this Washington exemption from ObamaCare. We should not stand for this complete, complete double standard. We should insist that we live by that clear language of the ObamaCare statute so that every Member of Congress gets his or her health care on the so-called ObamaCare exchange, just as millions of other Americans do—no exemption, no special subsidy, and no special treatment in any way, shape or form.

I have been fighting since that OPM rule to make sure we do exactly that. There will be a floor amendment this week to pursue that end, and I urge my colleagues to do the right thing, to support that important floor amendment. It is important to do that for two reasons—one, focused on principle and one focused on real practicality.

First, as to the principle, I think it is a basic fundamental principle of American democracy—it certainly should be—that what Washington passes on the rest of the country it lives with itself. That should be a fundamental principle of American democracy.

So my legislation, the No Exemption for Washington from Obamacare Act, the floor amendment which embodies exactly that legislation, would say that every Member of Congress, the President, the Vice President, and their political appointees get their health care from the ObamaCare exchanges just like millions of other Americans—no special exemption, no special subsidy, no special treatment, no special insider deal.

The second reason we should support that is a lot more practical, and that is that when you make the cook eat his own cooking, it often improves dramatically. When you force the chef to have every meal out of his own kitchen, the product often improves dramatically.

So that is what I want to do in a simple, straightforward way, abiding by the clear language of the ObamaCare statute itself. All of official Washington—every Member of Congress, the President, the Vice President, and all of their political appointees—should have to go to the exchanges for their health care, just like millions of other Americans who have to as their fallback option. And we should do it in the same way—no special exemption, no special subsidy, no special treatment, and no special insider deal.

It is important we say this, and it is important we do it. We have an opportunity do it on the floor as we debate the bill before us.

I urge my colleagues to support this important floor amendment and to lend support to the free-standing bill that I have introduced.

As I travel to Louisiana, I have regular townhall meetings, and I have regular telephone townhalls when I am stuck here in Washington and voting. Probably, the biggest single complaint I hear that really and rightly gets under the skin of my fellow Louisiana citizens goes to the heart of this discussion.

Why the heck does everybody in Washington think they are above us? Why do they pass laws and never have to live under them themselves?

Well, this is a crystal-clear example of that. What is worse is that the statute itself sets out that we would live under ObamaCare, getting our health care from the ObamaCare exchange just like millions of other Americans.

If you don't believe that is what the statute mandates, look exactly at the

particulars of how Congress and the President are currently getting around that through the special OPM rule that President Obama issued. This rule says that Congress can get its health care from a special small business exchange in the District of Columbia and can have a huge taxpayer-funded subsidy applied, even though it is unavailable to every other American at our income level.

Now, what is wrong with that? Well, under the ObamaCare statute itself, that small business exchange is specifically set up and regulated and limited to small businesses of 50 employees or less.

How did Congress define itself as a small business with 50 employees or less? It is interesting, if you pull the paperwork that the leadership of the House and Senate sent over to allow Members to participate in this exchange. The folks who submitted that paperwork on behalf of the House and the Senate, who signed off on it saying that everything contained therein was true and accurate, said: How many employees does the Senate have? Forty-five. How many employees does the House have? Forty-five.

Really? That is interesting. This is a flatout lie. It is a flatout lie submitted in writing by the House and Senate on behalf of all of us to shoehorn Congress in to this small business exchange to get extra added benefits, to get this taxpayer-funded subsidy unavailable to every other American at our income level. And that proves how outrageous this end run around the statutory language is.

So again, I urge all our colleagues to come together in support of this fix and to say: Yes, it should be the first rule of American democracy that what we pass for the rest of America we live by ourselves. That is important, and we are going to do it in this case and in every case.

I urge my colleagues to support our freestanding bill—the No Exemption for Washington from ObamaCare Act. I urge our colleagues to support the floor amendment, which is the same as that freestanding bill, and to pass it as a floor amendment—to pass it into law through that mechanism.

Before yielding the floor, Mr. President, I ask unanimous consent that the time during the quorum call be equally divided.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. VITTER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DONNELLY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. FLAKE). Without objection, it is so ordered.

TRIBUTE TO ADMIRAL JAMES WINNEFELD, JR.

Mr. DONNELLY. Mr. President, I rise today to pay tribute to ADM James Winnefeld, Jr., who is retiring at the end of this month after serving with distinction for more than 37 years, culminating his career as the Vice Chairman of the Joint Chiefs of Staff.

Throughout his service as a senior military leader, Admiral Winnefeld has provided this body, and in particular the Senate Committee on Armed Services, with valuable testimony and candid military advice. Over the last 4 years, Admiral Winnefeld has served as the ninth Vice Chairman of the Joint Chiefs of Staff. His vast experience, knowledge, outstanding leadership, and professionalism, combined with his deep respect and consideration for our service men and women, will be greatly missed.

During his tenure as Vice Chairman, Admiral Winnefeld provided military advice to not only the legislative branch but also to the President of the United States, the Secretary of Defense, the National Security Council, and the Chairman of the Joint Chiefs of Staff on a wide range of complex military and national security issues during an extremely challenging period in our country's history.

In a challenging fiscal and security environment, Admiral Winnefeld helped to lead our military through global events and threats, to include the Department of Defense's rebalance to the Pacific, Iraq troop withdrawal, Afghanistan transition, the global threat of ISIL, instability in Syria, and Russia's provocative actions in Eastern Europe. In addition, the Vice Chair played key roles in advising our Nation's leaders on various counterterrorism efforts.

As Vice Chairman, he led the development and implementation of the 2014 Quadrennial Defense Review, an effort that involved thousands of senior leadership man hours. Pivotal to his role as the Vice Chairman, he also chaired the Joint Requirements Oversight Council, where he worked tirelessly to transform the requirement processes to become more agile, transparent, and inclusive. Admiral Winnefeld focused his efforts on the immediate capability needs of the combatant commanders and the most pressing military issues of the joint warfighter.

As cochair of the Defense Acquisitions Board, Admiral Winnefeld worked to link the requirements, resource, and acquisition communities in developing programs to deliver appropriate capabilities to the joint warfighter at the right time and for the right price.

Admiral Winnefeld's work as a cochair of the Nuclear Weapons Council ensured our military's nuclear enterprise and No. 1 priority remained viable and relevant as a strategic deterrent to our Nation's adversaries.

Admiral Winnefeld graduated from the Georgia Institute of Technology—also known as Georgia Tech—and received his commission from the Navy ROTC Program there. He subsequently served with three fighter squadrons flying the F–14 Tomcat and as an instructor at the Navy Fighter Weapons School. Admiral Winnefeld's unit commands at sea include Fighter Squadron 211, the USS *Cleveland*, and the USS *Enterprise*.

He led the ''Big E'' through her 18th deployment, which included combat operations in Afghanistan in support of Operation Enduring Freedom immediately after the terrorist acts of September 11, 2001.

As the commander of Carrier Strike Group TWO, he led Task Forces 50, 152, and 58 in support of Operation Iraqi Freedom and maritime interception operations in the Arabian Gulf. He also served as the commander of the U.S. 6th Fleet, the commander of NATO Allied Joint Command Lisbon, and the commander of Striking and Support Forces NATO.

His shore tours include service in the Joint Staff Operations Directorate, as senior aide to the Chairman of the Joint Chiefs, and as executive assistant to the Vice Chief of Naval Operations.

As a flag officer, Admiral Winnefeld served ashore as the director of Warfare Programs and Transformational Concepts at U.S. Fleet Forces Command, as the director of Joint Innovation and Experimentation at U.S. Joint Forces Command, and as the director for Strategic Plans and Policy on the joint staff.

Prior to becoming the vice chairman, Admiral Winnefeld served as the commander of North American Aerospace Defense Command and the U.S. Northern Command.

As the commander of NORAD and NORTHCOM, Admiral Winnefeld led historic advances in the working relationship between NORTHCOM, Homeland Security, FEMA, the Drug Enforcement Administration, Customs and Border Protection, and the National Guard, specifically with the dual status commander concept. In addition, he led the U.S.-Mexican military-to-military relationship to a historic level of collaboration and brought tangible results to our Nation's important struggle against the fast-growing transnational criminal organizations.

Through his distinctive accomplishments, Admiral Winnefeld culminated a long and distinguished career in the service of our Nation. His tenure leaves a lasting, positive legacy on our armed services. I appreciate his extraordinary service which reflected great credit upon himself, the U.S. Navy, and the Department of Defense.

For nearly 40 years, Admiral Winnefeld has performed his duty professionally, honestly, and with great dedication. Our Nation will miss his

leadership and expertise. We wish him and his family all the best as he moves to the next phase of his life. Personally, I want to thank Admiral Winnefeld and say job well done, God bless, and Godspeed.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MARKEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

''NEW HORIZONS'' PLUTO MISSION

Mr. MARKEY. Mr. President, 46 years ago yesterday, Neil Armstrong and Buzz Aldrin became the first people to walk on the Moon.

September will bring the 53rd anniversary of President Kennedy's speech that launched America on the quest to land them on the Moon. He set that goal for the country not because it was easy but because it was hard. I am here to congratulate the men and women of the *New Horizons* mission for making the hard work of sending a spacecraft to Pluto look easy.

One week ago today, what had once been a fuzzy picture of Pluto came into sharp focus. Dramatic transformations inspire everyone. As you can see, NASA delivered an amazing before-and-after story. Until the *New Horizons* flyby, the best picture we had of Pluto offered little detail of our neighbor at the edge of the solar system, but now we can see distinct features on its surface, including something that looks like a heart. Who couldn't love that. Thank you for this great picture.

It took the *New Horizons* spacecraft 9½ years to cross the 3 billion miles between Pluto and Earth, but it was a mission much longer in the making.

In the late 1980s, a group of scientists came together to advocate for sending a spacecraft to the edge of the solar system. Such a mission would tell us more about Pluto and once again push back the edge of the known frontier. Many of those scientists are still involved with the *New Horizons* mission, including the Massachusetts Institute of Technology's own Richard Binzel.

While these scientists pushed to get the green light for the mission, it was only achieved by the partnership between NASA, some of our best U.S. universities and the aerospace industry, and the hard work and innovation of their scientists, engineers, and staff.

From just the initial information returned this week, scientists have to rethink what they thought they knew about Pluto, its Moons, and its space environment. Images came back of mountains of frozen water as high as the Rocky Mountains on Pluto. On its Moon Charon, we can now see deep canyons and a row of cliffs and troughs stretching 600 miles, as far as from Washington, DC, to Atlanta.

Instruments on the *New Horizons* probe confirm that the Pluto system contains a large amount of frozen water. That is an essential building block of life. One thing scientists didn't see—many of the meteorite impact craters—suggests that Pluto was geologically active relatively recently.

The voyage of discovery from the flyby will continue for years to come. Not only will scientists learn more, but they will also train the next generation of planetary scientists. I am proud the youngest member of the *New Horizons* team is Alissa Earle, a graduate student at MIT.

The *New Horizons* team is following in the great American exploration tradition. They are pushing back the boundaries of geography, knowledge, and technology. In doing so, they are inspiring the world. No matter what you think of the classification of Pluto as a dwarf planet, we can all agree that the *New Horizons* mission is already a massive achievement.

I look forward to the further revelations it will bring as its data streams back to Earth and it travels to the far edges of our solar system.

Finally, I would like to note that in the same week of taking us to Pluto, NASA also commenced the continuous monitoring of the Sun and the Earth—the only home humans have known thus far. I hope the events of this past week confirm the importance of using all of NASA's tools to further the exploration of our solar system and universe and better understand our own planet as well.

I yield back the remainder of my time.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CORKER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

HONORING THE LIVES OF FIVE AMERICAN HEROES

Mr. CORKER. Mr. President, I am here with our senior Senator LAMAR ALEXANDER to speak on something very tragic that occurred in our State and in my hometown.

I rise to honor the lives of five American heroes—the five American heroes we honor today with the lowering of the flags here at the U.S. Capitol. Our community is heartbroken, as has been said many times, our State is heartbroken, and I believe our Nation is heartbroken that these outstanding young men died in the way they did, but we honor their lives. We mourn their loss. We think of the greatness they embodied: Thomas Sullivan, David Wyatt, Carson Holmquist, Skip Wells, and Randall Smith.

I think as the Nation has learned about these individuals carrying out what many would consider to be mundane activities in support of our U.S. military, those who protect us, they understand the greatness they symbolized, most of them having served in Afghanistan and Iraq and some of them younger, beginning their careers, but all having excellent backgrounds and exemplifying the very best America has to offer.

Our Nation mourns, our community mourns, and we have lost five of our greatest. Also, hospitalized in Chattanooga today is a young man named Dennis Pedigo, whose mother and father both served on the Chattanooga Police Department, and he has followed in their footsteps.

I think people have heard all around our country the tremendous heroism that was exemplified by the Chattanooga Police Department, which rushed at the assailant and brought him to his end—by the way, trained to do so, trained to go at them. This was not a SWAT team, but these were patrol squads that were trained to deal with this kind of situation and no doubt saved the lives of other people in doing so. So we honor them. We honor all of them. We celebrate them. As a community we have been harmed, and our community has prayed.

We had a vigil on Friday night that was extraordinary. Senator ALEXANDER was there with our Governor, our mayor, county officials, and others. It was an extraordinary time of our community coming together around what has happened.

I do believe that what people all over the country and the world have heard about ''Chattanooga strong'' is true, and I think our community will be even stronger because of what has happened, and our Nation must understand where we are in the world and that these types of activities will possibly continue.

I had a very good conversation on Friday with the Pentagon to talk about what they are doing. I know threat activity has been rising for some time, and they are looking at what needs to be done to ensure this doesn't happen again.

I had a very good conversation this morning with Senator MCCAIN, who I know is leading efforts with House Members to figure out if there is a way to add something to the NDAA, a piece of legislation that we can deal with very quickly here so we can make sure we have policies to protect lives.

Our community is praying for these individuals. It is my hope that we will put policies in place to ensure we appropriately protect these individuals.

In addition to that, there are tangible things we can do. I know that

when something like this happens, there are certain types of Federal benefits. Our offices are working together with outside groups to coordinate that.

Thankfully, our community has come together to make sure these families have the financial support they need beyond that. There is an effort under way in Chattanooga now—and I hope people around the world will participate—to make sure that the financial support that is necessary to sustain these families in light of what happened occurs.

My friend and a great Tennessean—or at least we claim him as that because he lives in Chattanooga for part of the year—Peyton Manning, has lent his name to this effort. My sense is that we will see a generous outpouring to ensure that, at a base level, some of the financial needs of these families, if not all, will be dealt with in an appropriate way.

I will close by saying this. Our community has been shocked, as has the world. We have lost five outstanding people, and it has shaken their families.

I had the opportunity to meet briefly with the family of the fallen sailor, the last person who passed. He was riddled with bullets, and the Erlanger trauma squad worked with him for hours and hours and hours trying to save his life. Finally, after a tremendous fight, he lost his life—again, in the line of duty.

The needs of these families are great. While our community is praying, they will try to meet their needs in other ways.

How do we respond to this? LAMAR and I have both mentioned what comes out of this, and the fact is that I feel that our community is like none I have witnessed from the standpoint of its compassion to others. My sense is that the way our community is going to respond to this is much like what I would refer to in Genesis 12, where God said to the Jewish people that they were blessed to be a blessing. I think most people in our community, our State, and our Nation believe we have been incredibly blessed, and my sense is that in addition to responding to the specific needs that need to be dealt with both here in Washington and back home and certainly at the State level, our community is going to rise up and ensure that, because we have been blessed, we continue to be a blessing to others. That is my hope, and that is what I am seeing happen. I have never seen such an outpouring of compassion anyplace else in my life.

I am proud to represent Tennessee. I am proud that my hometown has responded in the way that it has, in spite of a deep mourning and grief that we have for these outstanding men who lost their lives in the line of duty.

Senator ALEXANDER and I will submit a resolution later today, and my sense is that the entire Senate will want to be a part of it.

With that, I will turn to my distinguished friend, a great colleague, and one of the greatest Senators our State has ever had, LAMAR ALEXANDER.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I thank Senator CORKER for his eloquent and obviously heartfelt comments. He mentioned the word that we have heard most often since last Thursday, when he and I first got word of this tragedy, and the word is ''heartbroken.'' We are heartbroken for the lives that were lost, heartbroken for the families that remain, and heartbroken for the community of Chattanooga.

We can see the deep emotion that Senator CORKER has expressed. As a resident and former mayor of Chattanooga, that community is very special to him.

On Friday at 5:30 p.m., in Mount Olivet Baptist Church, there was a memorial service that nearly 1,000 people attended. Senator CORKER, our Governor, the police chief, and others spoke.

I know most people in the country know about what happened that day. Most of them would have liked to have been there to do what they could in a time such as this. You never know quite what to say. Sometimes all you can do is just be there.

This is especially hard because these were young men—young men in the service of our country, young men whose lives were filled with happiness, young men who had the expectation of a long life for themselves, young men who were filled with duty and service.

They were living in a strong community. Faith and the sense of helping one another is strong Chattanooga faith. Chattanooga is a place of good neighbors. Chattanooga was recently named the best midsize city in America. Everything in Chattanooga seemed to be going in the right direction, and then this happened. So it is especially heartbreaking in the community of Chattanooga.

On Friday, I thought—while trying to think about what words I could add to the words that were being said—about the time in 1985 when 289 members of the 101st Airborne Division lost their lives in a plane crash in Newfoundland, and President Reagan came to Fort Campbell to meet with the families to talk about it.

I was Governor then, and I drove up to hear what he had to say. He spoke of those men and women—as these five were—as peacekeepers. They were there to protect lives, protect the peace, and to act as a force for stability and trust for our country.

President Reagan said of those 289 men and women, which can be equally said of these five men, that their work was the perfect expression of the best of the Judeo-Christian tradition. They were the ones of whom Christ spoke when he said: ''Blessed are the peacemakers for they shall be called the children of God.''

President Reagan said of the 289 who lost their lives 30 years ago what could be said of these five this week and what a poet said of soldiers in another war:

> They will never grow old; they will always be young. And we know one thing with every bit of our thinking: They are now in the arms of God.

Chattanoogans said last Friday the words ''Chattanooga strong,'' and they were repeated by Senator CORKER, the Governor, and most of the members of the community. People were standing up and supporting each other and the families who had been heartbroken by the loss of their loved ones.

I am enormously impressed with the people of Chattanooga and their current leaders: the mayor, the Governor, and their Senator, who is also their former mayor. I believe Chattanooga will be strong.

I think it is important, as we reflect and grieve here in the Senate with Chattanooga—not just with the families and the people who knew the five who passed—that we not only honor the five, but that we also honor the city and its response to this terrible tragedy.

I pledge to continue to work with Senator CORKER to do all that I can to help those five families and help create an environment that can keep Chattanooga strong.

I thank the Presiding Officer, and yield the floor.

The PRESIDING OFFICER. The majority leader.

THE HIGHWAY BILL

Mr. MCCONNELL. Mr. President, after literally months of discussion and a lot of cooperation from chairmen and ranking members and staffs and Members from both sides of the aisle, I am happy to announce that Senator BOXER and I have an agreement for a multiyear, bipartisan highway bill. We hope to be able to discuss this agreement at our conferences shortly. This is a 6-year highway authorization that will allow planning for important long-term projects around the country. The bill also provides 3 years—3 years—of guaranteed funding for the highway trust fund.

Senators from both parties know that a long-term highway bill is in the best interest of our country, so we will continue working together to get a good one passed. Thanks to the dedication of both Republican and Democratic Senators and their staffs, I am hopeful that we will.

I wish to thank some other people who have been involved in getting us to where we are. In particular, I thank Chairman JIM INHOFE, Chairman ORRIN HATCH, Chairman JOHN THUNE, and Chairman RICHARD SHELBY for their efforts to reach a bipartisan accomplishment.

The PRESIDING OFFICER. The Democratic leader.

Mr. REID. Mr. President, if we have an agreement—and I am sure we do because I have great respect for Senator MCCONNELL, Senator BOXER, and, of course, Senator INHOFE. We have this issue, though: We haven't seen the bill. There can be an agreement, but until we put an agreement in writing, things are a lot different.

We have a number of committees that need to look this over in addition to the EPW Committee on which Senator BOXER is the lead Democrat. We have the Commerce Committee that we have to deal with. We have the Finance Committee that we have to deal with. We have the Banking Committee that we have to deal with.

I want a highway bill. I have had the good fortune of being chairman of the EPW Committee twice. I worked on a number of long-term highway bills back in the good old days when we did that, and I hope we can have a long-term bill again. But we can't move forward on a bill until we have read it and seen it and studied it. That doesn't mean study it for several days, but we need to look at this document. I need to have a caucus after we have this document so we can look at it.

So I hope my friend the Republican leader will be patient and wait until we get something we can study, and I will have a caucus with my caucus and we will sit down and decide how we should move forward on this matter.

I repeat, I admire all of the hard work that has been done by everybody up to this point, but we have to make sure we move forward with this in the right direction. I understand all the issues probably more than most about all the time involved in a bill such as this. There are all kinds of potential ways to stall this, but we are not going to do that on our side. We are going to be as expeditious as we can once we have something that we can read and understand and, as I said, study so we can understand it.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, before my leader leaves the floor, I wish to thank him because he and Senator DURBIN, Senator SCHUMER, and the rest of the leadership team have been pushing hard for a bill. As my leader knows, I have been negotiating in good faith with the Republican team, headed by Leader MCCONNELL, for a long-term, robust bill.

I agree with Leader MCCONNELL that we have an agreement in principle. I also agree with my leader that we have to look at the details. So my work now turns to getting those agreements up on the Internet so people can read for themselves the various titles. It is my understanding that we will start to see that language momentarily. I know we are working hard with my Chairman INHOFE to make a couple of changes to EPW. But I have to say we have reached an agreement in principle on a 6-year bill with 3 years of funding, and the text will be printed shortly. I believe it is a breakthrough. The highway trust fund goes bust in 10 days.

This is what is happening across the country. It is unreal that in my State we would have this bridge collapse, I say to my friends, and now commerce can't move between California and Arizona because we have had this collapse on Interstate 10. How strange this would be if this—thank God no one lost their life in this accident. But this bridge was rated structurally obsolete, so we knew it couldn't bear all the traffic. It is a huge amount of traffic. So this is my poster child for why I am working so hard on this.

I thank my Republican friends because they have really worked hard. Of course, I am looking at Bettina and Neil. I was talking to them at 11:30 last night, and in the leader's office we resolved the last couple of pressing issues, with his help. But we have to see the text. My friends on the other side want to see the text of the Iran agreement. This isn't exactly the same, but we do need to see the text. So I am urging everybody to get the text up as fast as possible so we can vote as soon as possible. This is a breakthrough, but we need to see the details.

I thank Leader MCCONNELL because this has been a difficult negotiation but I think one that is going to bear fruit in terms of millions of jobs and thousands of businesses in much better shape.

Thank you very much.

The PRESIDING OFFICER. The majority leader.

ORDER OF BUSINESS

Mr. MCCONNELL. Mr. President, the cloture vote we were originally going to have at 2:15 p.m. will be pushed back several hours to 4 p.m.

I will just add—in addition to the comments of the Senator from California—I wish to thank Senator INHOFE, who I think was in the Chamber.

Mr. INHOFE. Right here.

Mr. MCCONNELL. Nobody has been a stronger advocate for a multiyear highway bill than the Senator from Oklahoma. In spite of the rather dramatic philosophical differences which exist between the Senator from California and the Senator from Oklahoma, when it comes to a transportation bill, they have been a remarkable team over the years. So I thank my chairman as well for an extraordinary contribution to all of this.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I appreciate that very much. I wish to say that working in concert with Senator BOXER has been a pleasure. A lot of times philosophically in this room here we disagree with each other, but then when it gets down to what we are supposed to be doing here—I have to remind people quite often that if you read the Constitution about what we are supposed to be doing here—I am talking about Members of the U.S. Senate—we are supposed to be defending America and roads and bridges. That is it. So this is by far the most important matter before us right now, now that we have the Defense bill behind us, and I look forward to making this a reality.

The idea of a 6-year bill is very significant because without that we can't do the big projects. This morning on the floor with charts I showed all the different big, large structures, such as the Spence Bridge between Kentucky and Ohio. These are bridges and projects that have to be done, and there has to be a long-term bill in order to do that. I also shared this morning an experience that I had on the I–35 bridge that we put in through—the last major bill we had was in 2005. We put those repairs in there. That was in Oklahoma City. We actually had the death of a lady who was driving her three children under a bridge with concrete falling off. So we have to repair America, and this is the first step toward that repair.

It is very important that we proceed to the bill. I would suggest to people that if you don't like it and if you plan to vote against it, that is fine, but bring it out here so we can discuss the merits, the demerits, and we can also start working on amendments. I would encourage any Member who is listening right now to bring amendments to the floor because when we proceed to the bill, I am going to be down here on the floor as long as we are in session, and I will be wanting to get to these amendments. It doesn't do any good to wait until the last minute and then show up and say ''I have an amendment'' on the day of passage of the bill. We will have deadlines. In order to get germane and nongermane amendments up for consideration, we have to have them down here, and if Members miss a deadline, then Members won't have that opportunity. So it is really up to the Members now to make sure that happens, but before we can get to that, the one thing that has to happen is we have to proceed to the bill. That has to be passed at 4 o'clock today.

I yield the floor.

ORDER FOR RECESS

Mr. INHOFE. Mr. President, I ask unanimous consent that the Senate stand in recess as under the previous order.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:28 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

Mrs. ERNST. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. LANKFORD). Without objection, it is so ordered.

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the mandatory quorum call be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 19, H.R. 22, an act to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

Mitch McConnell, Roger F. Wicker, Shelley Moore Capito, Rob Portman, John Cornyn, James M. Inhofe, Daniel Coats, John Boozman, Johnny Isakson, Pat Roberts, John Barrasso, Mike Rounds, Mike Crapo, Roy Blunt, Thom Tillis, Deb Fischer, Richard Burr.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to H.R. 22, Hire More Heroes Act of 2015, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from South Carolina (Mr. GRAHAM) and the Senator from Florida (Mr. RUBIO).

Mr. DURBIN. I announce that the Senator from Florida (Mr. NELSON) is necessarily absent.

The PRESIDING OFFICER (Mrs. ERNST). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 41, nays 56, as follows:

[Rollcall Vote No. 250 Leg.]

YEAS—41

Alexander	Daines	Lankford
Ayotte	Enzi	McCain
Barrasso	Ernst	Moran
Blunt	Fischer	Portman
Boozman	Flake	Risch
Burr	Gardner	Roberts
Capito	Grassley	Rounds
Cassidy	Hatch	Sasse
Coats	Heller	Sullivan
Cochran	Hoeven	Thune
Collins	Inhofe	Tillis
Cornyn	Isakson	Vitter
Cotton	Johnson	Wicker
Crapo	Kirk	

NAYS—56

Baldwin	Heitkamp	Peters
Bennet	Hirono	Reed
Blumenthal	Kaine	Reid
Booker	King	Sanders
Boxer	Klobuchar	Schatz
Brown	Leahy	Schumer
Cantwell	Lee	Scott
Cardin	Manchin	Sessions
Carper	Markey	Shaheen
Casey	McCaskill	Shelby
Coons	McConnell	Stabenow
Corker	Menendez	Tester
Cruz	Merkley	Toomey
Donnelly	Mikulski	Udall
Durbin	Murkowski	Warner
Feinstein	Murphy	Warren
Franken	Murray	Whitehouse
Gillibrand	Paul	Wyden
Heinrich	Perdue	

NOT VOTING—3

Graham	Nelson	Rubio

The PRESIDING OFFICER. On this vote, the yeas are 41, the nays are 56.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The majority leader.

Mr. MCCONNELL. Madam President, I enter a motion to reconsider the vote.

The PRESIDING OFFICER. The motion is entered.

Mr. MCCONNELL. Madam President, it is my understanding that many of our colleagues on the other side have voted against cloture at this particular point. They wanted to have further time to read the bill. I want everybody to understand that the text is filed, it is at the desk. There are detailed summaries available online on the EPW Committee Web site.

As everyone knows, Senator BOXER, I, and others have been discussing this in great detail.

I am hopeful that by tomorrow we will have cloture on the bill and an opportunity to go forward.

Let me just say to everybody that I know I haven't threatened a Saturday session all year, but there will be a Saturday session and probably Sunday as well. Let me tell you why. We have a chance to achieve a multiyear, bipartisan highway bill. Senator INHOFE and Senator BOXER reported out a 6-year bill. This is a 6-year bill. We have paid for the first 3 years. I believe our colleagues on the other side will find these pay-fors credible. They may not love every single one of them, but there is not a phony one in there.

If we can get this bill over to the House, it is my belief they will take it up. Give the House of Representatives an opportunity to express itself on this bill. Imagine the scenario if we actually were able to produce a multiyear highway bill and get it to the President's desk for signature before the August recess. It is something we could all feel proud of. In my view, there has been outstanding bipartisan work on this, and so we need to keep at it, and that will require us, most definitely, to be here this weekend.

MORNING BUSINESS

Mr. MCCONNELL. Madam President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Democratic leader.

THE HIGHWAY BILL

Mr. REID. Madam President, first, we all appreciate the work done by Senator MCCONNELL and Senator BOXER. Senator BOXER has been tireless on this, as she is on everything. But we have an issue that I think we need to address. We received this bill, which is more than 1,000 pages, about an hour ago.

I am going to have a caucus tomorrow, and I hope we will have an opportunity at that time to have reports from committees of jurisdiction. Committees of jurisdiction is more than just the Environment and Public Works Committee; finance is involved, commerce, banking, and other committees, of course, are interested.

So we need the opportunity to look at this bill. This is a big bill with a lot of different sections in it dealing with a lot of different issues. We are not asking for anything unusual; we just want to be able to study the bill and talk about it in a private meeting tomorrow at 12 o'clock.

Now, if we were doing something that was—''What are you talking about? You mean you want to read this?'' Please. I mean, we have pages of quotes from my friends.

Senator ENZI said:

That is what created this enormous outrage across America of: Did you read the bill? How can you read the bill if you have not seen anything in it, if it has not been given to you? I do not think it is intended to be given to us until we have to shuffle this thing through at the end [and not know what is in it].

LAMAR ALEXANDER, one of the most thoughtful people I have served with in government, said a couple of years ago:

We want to make sure the American people have a chance to read it and they have a

chance to know exactly what it costs and they have a chance to know exactly how it affects them. That is not an unreasonable request, we don't think. That is the way the Senate works. That is our job. When it came to the Defense authorization bill, we spent a couple of weeks doing that. When it came to No Child Left Behind, the Education bill, we spent 7 weeks going through it. . . . The Homeland Security bill took 7 weeks. The Energy bill in 2002 took 8 weeks. A farm bill last year took 4 weeks. So we have a little reading to do, a little work to do.

JOHN MCCAIN said:

But could I also add, if we haven't seen it, don't you think we should have time to at least examine it? I mean, I don't think it would be outrageous to ask for a bill to be read that we haven't seen.

I—as have a number of people in this body—have worked on highway bills in the past. We have worked on these bills, and they have taken weeks to get done. We are being presented with something here that basically says: You take this or leave it. That isn't the way it should work around here.

I am going to do everything I can to move forward on a long-term highway bill. I want to get it done. But we are going to have to look at this and find out what my different committees think, what different Senators think, what people at home think. You know, I have a lot of people at home who are interested in what is in this bill. There is the banking provision. There are the pay-fors. I looked at them last week, but that has been a moving target also.

The ranking member of our Finance Committee at this stage—unless he has learned something in the last half hour—doesn't know what the pay-fors are either.

So, in short, we want to be as cooperative as we can, but we are not going to lurch into this legislation without having had a chance to read in detail this 1,030-page bill and, after having read it, to have a discussion within the caucus on this bill.

We would be in a very difficult position if—as the Republican leader said, we are going to work over the weekend, which is fine. I have no problem with that. I have tried that myself a few times; it didn't work so well. But I am willing to be part of the deal here if we need to work this weekend to get it done.

I don't know what the House plans to do, but we are assuming a lot, that the House is going to take up this bill. If they did, that would be wonderful, but I have to say that based on my conversation with the Democrats in the House, in conversations they have had with the Republican leadership over there, I don't think there is a chance in the world they are going to take up this bill. They have sent us a bill—a bill that is for 5 months, with conversations between the White House—not our WHITEHOUSE but the President's White House—to come up with a long-term highway bill. Part of that is some consideration of the Export-Import Bank. I realize how important that is. I have been on this floor talking about how important that is. We have about 45 different countries that have, as we speak, ex-im banks that are working, that are taking away all of our business, so it is important that we get that done also. But we cannot let one get in the way of the other. It is not our fault—Democrats' fault—that we don't have an Ex-Im Bank bill. We didn't create the problems with Ex-Im having gone out of business.

So I want to get a highway bill done and I want to get Ex-Im Bank done, but the Ex-Im Bank problem should not stand in the way of us getting a good, strong, robust highway bill.

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Madam President, my good friend the Democratic leader was saying as recently as a couple of weeks ago that we need to do a long-term highway bill. Well, Senator BOXER and I took him seriously. We have worked hard to come up with a bipartisan, multiyear, paid-for highway bill. The fact that it hasn't been online very long is a good argument, and our friends will have an opportunity to read every bit of it. I hope at that point they will find it attractive to move forward. As I have said for over I guess now something like 2 months, this bill is an opportunity for those who support the Ex-Im Bank to offer an amendment on that subject.

So it is further complicated in terms of timing by the fact that the House of Representatives is leaving a week earlier than we are. I can't say with certainty that the House of Representatives will take up and pass a multiyear highway bill that doesn't raise the gas tax and is credibly paid for, but it is a lot more attractive, it strikes me, than a 6-month extension that we have to revisit again in December.

I am hopeful that the House will take a look at what we have done on the Senate side on a bipartisan basis and find it very appealing. So we would like to work our way through this and we intend to work our way through it—including the weekend—to get what we believe is an important accomplishment for the country over to the House of Representatives so they can take a look at it, and maybe they will find it appealing as well.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Madam President, if I could say to both leaders, whom I respect tremendously—and I agree with Leader REID 99.9 percent of the time—this is the situation: We have a highway trust fund expiring, going bust, going broke, and, yes, we have to spend some time. You know, we have a lot of staff; we can divide this up—250 pages, 4 people. We have a summary. We have a summary of the bill out there for everybody, and we can just say we need 4 weeks or 6 weeks to look at it.

The EPW piece, as my friend Senator INHOFE knows, has been out there for 3 months—not that long; at least 2 months. We haven't changed much in that. It has been out there, so that has been reviewed.

All I want to say is this: If we could just keep our eye on the prize—and I understand that the way we proceed over here is important. That is why I voted no, not to go to a bill I wrote with Senator MCCONNELL, because I agree with my leader completely. We need a chance to look at it. But I would submit that this isn't the first time we have ever done a highway bill. This is a little different from a health care bill in the sense that it is a highway bill. Most of it is very similar. I would say EPW builds off the old bill we had before, and most of the bills track older bills.

I don't think it is going to be that hard for us to detail our staff to read it because—here is the problem—if we don't, we have 800,000 construction workers who are still not back to work, and we have 7 States that have stopped doing anything. So if we could just keep our eye on the prize, which is businesses being able to do what they want to do: build—I had a bridge collapse 2 days ago. You can't get from California to Arizona.

So I hope that tomorrow we will be able to join with our friends and vote to proceed. If we don't like the bill, we will have three more opportunities to vote no. But I would love to get on this bill, get moving on it, and see if we can keep this economy moving in the right direction and not take a chance, as many economists said we will, if we don't do a long-term bill.

I yield the floor.

Mr. MCCONNELL. Will the Senator from California yield for a question?

Mrs. BOXER. Yes, I will.

Mr. MCCONNELL. My understanding is that the Senator and Chairman INHOFE have been discussing with people around the country who would benefit from this bill. Does the Senator have a sense of their enthusiasm for the product we have come up with?

Mrs. BOXER. I do. As I shared with Leader REID today, we have 68 organizations, from labor, to business, to general contractors. I have the list. They are asking us, begging us to move forward—the National Governors Association. It is really a broad-based number of organizations that don't agree all the time. I mean that the building trade doesn't often agree with the Chamber of Commerce, but they agree on this. So I think there is enthusiasm.

Mr. MCCONNELL. Would I be correct in saying they are less than enthusiastic about another short-term extension?

Mrs. BOXER. They agree with those of us who have said that is a death by

a thousand cuts. We just can't keep on doing these short-term extensions.

I would say this to the Republican leader. If you or I went to the bank to get a mortgage and the banker smiled and said that you get that mortgage, but it is only for 6 months or 5 months, you wouldn't buy the house.

No one is going to build a new project or fix a bridge that has multiyear costs if they know the money could run out in 5 months or in the short term.

Mr. MCCONNELL. Would it also be correct, I ask the Senator from California, if we are fortunate enough to send a multiyear paid-for highway bill over to the House, that the same constituent groups that have had an interest in this and have indicated their enthusiasm to you would likely descend on the House and suggest that this might be something they ought to take a look at?

Mrs. BOXER. I think there will be huge momentum if we are able to pass this in a bipartisan way; yes, I do.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Madam President, I have been listening carefully to what concerns people have, and I have to remind everyone that it was June 24—June 24—that we passed this bill out of committee. We had been working on this bill for months before that.

All of us realize that between the last bill we had, which was a multiyear bill in 2005—that we then had a 5-year bill, and since that expired at the end of 2009, we have had nothing but extensions. Those extensions cost 30 percent off the top just because short-term extensions don't work. But we went ahead, and we passed a bill.

The reason I am optimistic that if we can get this to the House they will sign it is because that wasn't a problem at all when it went to the House the last time. We showed them that the cost of the bill is far less—the conservative position. That was with 33 Members of the House on the transportation and infrastructure committee. So all of the Republicans and all of the Democrats on their committee voted for it. Those same Democrats and Republicans over there would support this.

I think the reason they came out originally for a shorter term bill was to pack it in with some other things they wanted to get passed. But I have yet to talk to the first Member of the House who doesn't say: If you bring us a multiyear bill, we will sign it.

So I think that is a moot statement. I think that will happen, and we are willing to stay here until it does happen.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Madam President, I appreciate the chairman and the ranking member of the Environment and Public Works Committee pointing out that the actual underlying authorization language in this legislation has been public information since June 24—June 24. The only thing that is a little different about this underlying bill—it is not as if this were air-dropped out of heaven, and it showed up on people's desks—is that Senator HATCH, the chairman of the Committee on Finance, and other committee chairmen on the commerce committee, EPW, the Homeland Security and Governmental Affairs Committee have come up with a group of pay-fors to figure a way to pay for 3 years now of this underlying 6-year bill.

So I think it is absolutely accurate to say that the good work being done by the Environment and Public Works Committee to pass a 6-year bill will be done when this bill is passed, but we have only been able to agree on 3 years of pay-fors. I wish we could have gone longer, but that is not bad considering our recent record with these temporary patches, which I agree is a terrible way to do business.

So I congratulate the Senator from California and those who have worked to make this bill as good as it is, but I want to make another point. There are others who are arguing: Well, we shouldn't be doing this. We ought to be passing a temporary patch, and then we should be doing international tax reform and trying to come up with some additional revenue out of that process that will pay for a 6-year bill. Well, the fact of the matter is that nothing we will do with this bill precludes that good work from going forward.

As a matter of fact, after 3 years of paying for this bill, at some point we are going to have to find a way to recharge the bill in order to complete the work that was first started in the underlying 6-year bill. So I don't want anybody to be under a misconception, because I think you might if you didn't know the context of thinking that all of a sudden this 1,000-page bill appeared on people's desks, and they do not know where it came from, and they do not know anything about its provenance or what it will actually do. The truth is very, very different.

It is important, and I respect the fact, as the Senator from California has made the point, that people do need to get comfortable with the paperwork. But what we have tried to do is to come up with credible ways to pay for the bill that actually represents a consensus to pay for 3 years rather than this idea of a 6-month patch and hoping that somehow we will come up with the money in December for a 6-year bill.

So while I regret this failed cloture vote, this bill does represent a significant step forward, and I am encouraged by what I have seen in terms of the bipartisan cooperation that allowed us to make progress on a number of contentious matters so far this year, and I thank the minority whip for his good work on this as well.

We passed an education bill. We passed trade promotion authority. It was not universally popular on both sides, but this was a priority for the President and I think something that represents a step forward for our economy, opening markets for the things we raise and grow and the things we make in this country.

We have done a number of important things that I hope begin to regain the public's trust and confidence that we are actually able to function and that even though we have very different ideas about how to get to a conclusion, we can actually find common ground and make some progress.

In my State in particular—Texas being a large State—the Texas A&M Transportation Institute estimates that by the year 2020, 8.4 billion hours will be spent waiting in traffic—8.4 billion hours. Of course, that also means that 4 billion gallons of gas will be wasted in the process. Imagine the pollution, not to mention the heartburn associated with congestion on our highways and roadways.

We are, thank goodness, a fast-growing State relative to the rest of the country. We are a big State. We need the transportation infrastructure to keep our economy moving and to create jobs and economic growth.

So I am confident we can work in a bipartisan manner to address what I hope is just a temporary obstacle and avoid these patches that kick the can down the road and provide no predictability or planning ability so these long-term projects can be initiated and completed.

I would just point out the fact that Texas has not waited on the Federal Government in order to deal with its transportation needs. Last November, by an overwhelming 4-to-1 margin, Texans approved a ballot initiative that provided an additional $1.7 billion to upgrade and maintain our transportation network. So I congratulate our leaders at the State level who have taken the initiative to begin to make that downpayment on upgrading and maintaining our transportation network, but estimates are we need as much as $5 billion in order to do that. So this represents just a downpayment. We need to pass the Federal highway bill in order to complete our work.

As I pointed out, our State has currently about 27 million people. By 2040, it is estimated to reach as many as 45 million people. So we need this infrastructure, but we are not alone. We are not unique in that sense. Every State needs transportation infrastructure to keep people and goods moving in order to continue to grow our economy because a growing economy creates jobs and opportunity, and the one thing we need in this country is a growing economy.

Last year, in 2014, the Texas economy grew at 5.2 percent. The U.S. economy grew at 2.2 percent. That is why, because of that 3-point differential, we have created more jobs in Texas—or seen jobs created by the private sector, I should say—than anywhere else in the country. If we fail to pass a multiyear transportation bill, if we somehow decide to shoot ourselves in the foot and fail in this important effort, we will have only ourselves to blame, and we will be contributing to the problem rather than contributing to the solution.

The resources provided for in this legislation will help relieve urban congestion, upgrade rural routes, and improve the overall safety and efficiency of our highways. It is something our friends across the aisle just a few short weeks ago said they wanted. They said they were worried about this impending deadline coming up where we needed to do something, and they were predicting that perhaps we would just have another patch. They called for a longer term highway bill. So I would urge our colleagues to take yes for an answer.

Thanks to the good work done by Chairman HATCH of the Committee on Finance and a lot of work on a bipartisan basis across the aisle, we have actually come up with enough money—enough legitimate pay-fors—to pass a 3-year transportation bill with the prospect, if we can come up with some additional funds through international tax reform, to backfill the final 3 years. So nothing here actually precludes that effort. Nothing cuts that off. This is, I think, part of doing our basic job as Members of the Congress. It is not particularly attractive or sexy or interesting, but it is about competence, it is about doing our job, and it is about putting the American people's interests first.

So I hope by tomorrow our colleagues will have had a chance to satisfy themselves and understand the pay-fors in this bill, recognizing that most of this information has been out there in the public domain for a long, long time. I am not asking them to like it, I am not asking them to fall in love with the pay-fors, but I am asking them to let us go forward and to let the Senate be the Senate. Let people offer their ideas, hopefully get votes on constructive suggestions, eventually pass this legislation, and send it over to the House, where I predict, if it comes out of the Senate with a good strong vote, our friends in the House will take it up and pass it and send it to the President, and we will have fulfilled our responsibility.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Madam President, let me add my voice to this bipartisan chorus. It is embarrassing to the United States of America that we are now in the midst of our 33rd short-term extension of the highway trust fund.

This 60-day extension ends in 10 days. It is true and the Senator from Texas is correct that many of us have come to the floor and said this is beneath the dignity of a great nation—that we cannot invest in our own economy, in our own business growth. Building the highways and bridges and the mass transit that sustains a great nation takes a determined long-term effort.

Now, there are those—not on our side of the aisle, but there are those—who question whether the Federal Government should be involved in this at all. The so-called devolution movement argues, I understand, that this really should be a State and local matter: Get the Federal Government out of the business of planning the transportation grid for America.

I have three words for those people who believe that: Dwight David Eisenhower, a Republican President who, in the 1950s, had the vision and determination, once he had seen the autobahn in Germany, to say that the United States of America needs an interstate highway system for its national defense. That is how he sold it. He sold it to a bipartisan Congress, and we have lived with that benefit ever since.

Our generation and even those before us have inherited the vision of that President and Members of Congress who said: Let us invest in the long-term development of America.

Think about your own home State and what interstate highways mean to your economy. In my State, if you are a town lucky enough to live next to an interstate, you are bound to have a good economy. And if you are blessed with the intersection of two interstates, hold on tight, because the opportunities are limitless.

So that generation 60 years ago had a vision. The question is, Do we have a vision? We certainly don't with 60-day extensions with the highway trust fund. That is why when Senator MCCONNELL on the Republican side offered a long-term approach, 3 years—I wish it were 6—but 3 years actually paid for, I believe we should take it seriously.

One Senator among us, Senator BOXER of California, did. As chairman of the Environment and Public Works Committee, BARBARA BOXER rolled up her sleeves and started negotiating, crafting an agreement.

How about this for an assignment. We said to Senator BOXER: Come up with a long-term highway trust fund bill, get it through four different committees to the satisfaction of at least the majority of the 45 other Democratic Senators, work out your differences, and report to us in 10 days. She did. I have to give credit to her, as big as this bill may be—and by Senate standards it is one of the larger ones—it was an undertaking she took seriously and we should take seriously too. Now that we have the bill, there is no excuse. There is plenty of time to read this. Don't believe that every word on every page is valuable, but let's go through it carefully and make sure we understand completely what we are doing before we vote. That was the cloture vote we had earlier today.

When I went home over this weekend and called leaders in my State—I called the CEOs of two major corporations, I called the labor unions, I called the U.S. Chamber of Commerce, and they were over the moon and happy with the notion that we are finally going to come up with at least a 3-year highway trust fund bill.

I will be reading this carefully. In the course of reading it, I hope I can come to the conclusion that this is the right answer to move us forward to build our infrastructure for the next generation.

NUCLEAR AGREEMENT WITH IRAN

Mr. DURBIN. Madam President, when President Obama came to office, he looked out at the threats across America, and there were four hard-target threats: Russia, China, North Korea, and Iran. The situation in Iran was particularly worrisome because there was a recurrent belief that Iran was developing nuclear weapons. I have heard critics ask: Well, what difference would it make? How foolish would it be for Iran to launch a nuclear weapon against anyone? Every nuclear weapon that is launched has a return address, and that country will pay dearly for a reckless decision such as that. But the fear the President had and we shared was that if Iran developed a nuclear weapon in the Middle East, it would trigger an arms race, and many other countries in that volatile region of the world would then seek to develop their own nuclear weapons and the potential conflagration was incredible.

There was also a concern that one of the first targets of Iran would be our close ally and friend, the nation of Israel. It is easy to reach that conclusion when you read and hear the rhetoric of the rightwing in Iran, which will not even recognize Israel's right to exist. President Obama set out to do something about it.

It was clear from our experience in Iraq and Afghanistan that sending in American troops was something that had to be thought about long and hard. We have the best military in the world, but let's face it, what we faced in Iraq with roadside bombs maimed and killed so many American soldiers that we realized this new world of asymmetric military confrontation didn't guarantee that the best military in the world would have an easy time of it.

We ended up with almost 5,000 casualties in Iraq and nearly 3,000 now in Afghanistan, and Afghanistan turned out

to be the longest war in U.S. history. This President and the American people were reluctant to face another military confrontation.

This President made a decision. I have talked to him about it. He decided every leader from every country who came in to see him would be asked to join in an effort to impose sanctions on Iran to bring them to the negotiating table over the issue of their nuclear capability.

The President put together an incredible coalition because we learned long ago unilateral sanctions are not worth much, but if you can bring many nations around the world into a common purpose of putting the pressure on a country, it can have a positive impact.

The coalition the President put together was amazing; witness the negotiations themselves where China and Russia were sitting at the same side of the table as the United States and the European Union—England and France—and many other countries joined us in imposing these economic sanctions when they had little to gain and a lot to lose when it came to the oil resources of Iran. The President's determination to put the sanctions on Iran was for the purpose of bringing them to the negotiating table. That diplomatic gathering would literally have been the first meeting in 35 years between Iran and the United States, representing that period of time when our relationship with Iran had reached its lowest possible point. At this point, the goal of the negotiation was very clear: stop Iran from developing a nuclear weapon.

How real was the threat that they were developing such a weapon? If you go back in time and read the quotes from the Prime Minister of Israel Benjamin Netanyahu, for years—more than 10 years—he has been warning that the Iranians were close to developing a nuclear weapon. It was a matter of weeks, months, a year at the most by most of his estimates. Of course, Israel, more concerned than most about the nuclear threat, warned the world of what would happen if Iran developed a nuclear weapon.

Last week, after lengthy negotiations, the President announced with Iran and the others who sat at the table—P5+1, as they are known in shorthand—that they had reached an agreement with Iran.

It was interesting to watch the reaction of Members of Congress. There were some Members of Congress who condemned that agreement before it was even released to the public. You see, 47 Members of the other side in the Senate had sent a letter to the Ayatollah in Iran during the course of negotiations, before any agreement was reached, warning him and his nation not to negotiate with this President of the United States.

That was unprecedented. That had never happened before in American history—when a political party reached out to a sworn enemy of the United States and gave them advice not to speak to our leader. That letter went on to say that even though you think you reached an agreement between Iran and the United States, don't be misled; ultimately, Congress would have the last word on that agreement.

It was no surprise in that environment that so many Senators and Congressmen from the other side of the aisle instantaneously condemned this agreement. Some of us decided to take a little time and perhaps reflect on it, read it, and reach out to people who were involved in it.

I took last week to read the 100-plus pages of this agreement and to talk further to our Nation's top experts, including the Secretary of Energy Ernest Moniz, Secretary of State John Kerry, and others, about this agreement, hoping I could come to understand exactly what was being offered by way of stopping Iran from developing a nuclear weapon.

I am under no illusions about the Iranian regime. Its support for terrorist groups such as Hezbollah and Hamas is well documented, its abysmal human rights record is well known, and its brutal suppression of its own people during the 2009 election in Iran is well documented.

Iran also continues to hold a number of Americans on outrageous charges, including Amir Hekmati, Saeed Abedini, and the Washington Post reporter Jason Rezaian.

I joined a few years ago, in 2007, with Republican Senator Gordon Smith in introducing the Iran Counter-Proliferation Act—key components of which became the basis for a strict petroleum sanctions regime that helped bring Iran to the negotiating table.

I voted for all the key sanctions bills against Iran, and I have tried to be a consistent voice for increasing military assistance to Israel. When I chaired the Defense Appropriations Subcommittee, I was proud to double the Iron Dome funding request of Israel for their own defense of their nation.

The agreement before us is a comprehensive solution to the nuclear weapons issue with Iran. Without a nuclear weapon to embolden Iran, the agreement allows the United States and its allies to better deter Iran's destabilizing actions.

Let's take a reflective moment and look at the history—recent history—in the United States. Strong leaders and nations such as the United States meet and talk to their enemies and negotiate when it is in their national interest.

It was John Kennedy who said: ''We should never negotiate out of fear, but we should never fear to negotiate.''

These kinds of negotiations aren't an example of weakness but in most cases are an example of strength, and sometimes the benefits aren't obvious immediately; they are realized over time. It is simply common sense. It has been the practice of this Nation, America, for generations, regardless of who is President, to meet and try to negotiate for a more peaceful world. Throughout our history, American leaders have successfully and aggressively used diplomacy, Presidents of both political parties.

In 1962, the Cuban Missile Crisis. We faced the prospect of a nuclear war, a standoff with the nation, where we knew and they knew they had the capacity to detonate a nuclear weapon in the United States. Few realize how close we came to a nuclear confrontation.

There were many hawks in Washington during President John Kennedy's administration who said let's take them on. Some even suggested a full invasion of Cuba, but John Kennedy wisely pursued a careful balance of strength and diplomacy, using a blockade and negotiations to bring us back from the brink.

Few people knew the Kennedy administration was secretly negotiating with the Soviets while the Cuban Missile Crisis was unfolding, and ultimately President Kennedy agreed to remove American nuclear-armed Jupiter missiles from Turkey and Italy as part of an agreement that Soviet Premier Khrushchev remove Soviet nuclear missiles from Cuba.

Are we going to say now in reflection that John Kennedy should never have negotiated during this crisis because the Soviets were out to destabilize the world and to spread communism?

Let's not forget when John Kennedy entered into this negotiation, the Soviet Union had not only placed nuclear missiles in Cuba—they were in the process of placing them—but it was occupying Eastern Europe and trying to spread communism around the world. The bloody Korean war, where my two brothers served in the U.S. Navy, was a war in which the Soviets helped the North Koreans against the United States. Yet we sat down and negotiated with the Soviet Union.

Fast forward a few years. In 1972, then-President Nixon traveled to Communist Red China to begin establishing normalized relations. China wasn't a friend of the United States. It was a key supporter of the North Vietnamese, who were ruthlessly fighting and killing U.S. forces in Vietnam at that same time.

In fact, during Nixon's visit with then-Chinese Premier Zhou Enlai, China was sending more weapons to the North Vietnamese. This was happening even while Nixon was asking China to end its support for the North Vietnamese.

China's regime was also fomenting Communist revolutionary movements

in Asia, including Indonesia, Malaysia, and Thailand—all against the U.S. interests.

Domestically, in China, Chinese leader Mao Zedong had persecuted millions of his own people as part of the brutal Cultural Revolution. I recognize, as President Nixon did then, that it is hard to enter into negotiations with a regime as nefarious as China, and just as with Iran today, many conservatives denounced Republican President Nixon for doing so. However, as China's sphere of influence grew and relations between the United States and the Soviet Union deteriorated, many in both parties—including President Nixon—recognized it was time to change.

Nelson Rockefeller, President Nixon's rival for the Republican nomination in 1968, called for more contact and communication. It was former Vice President Hubert Humphrey, a Democrat, who proposed the building of bridges to the people of mainland China. Then-Senator Ted Kennedy recognized President Nixon's diplomatic efforts toward China as a ''magnificent gesture.'' Other Members of the Democratic-controlled Congress agreed.

There was a time when foreign policy was bipartisan. There was a time when Democrats would speak up defending a Republican President, even when the most conservative Members of his own party were condemning him.

Over time, President Nixon's decision paid dividends in America's interest. China moderated its foreign policy and established better relations with our country.

These relations aren't perfect, but we know we made progress and we are in negotiations. China sat with us on the same side of the table trying to stop Iran from developing a nuclear weapon.

More recently in the late 1980s, President Ronald Reagan began discussions with Soviet leader Mikhail Gorbachev on the possibility of nuclear arms reductions. It was inconceivable when those talks started in October of 1986 that they could really negotiate. Who would imagine that these two countries, the United States and the Soviet Union, with thousands of nuclear warheads pointed at one another, could actually sit down and reach an agreement limiting the use of nuclear weapons? The Cold War was far from over at that time.

In 1979 Soviet forces invaded Afghanistan and continued to attempt to spread communism. That led President Carter to halt efforts to negotiate the SALT II Strategic Arms Limitations Treaty. The list of Soviet aggression at that moment in time was lengthy. Yet it was President Ronald Reagan who said he would sit down and negotiate with the Soviet Union.

I have an excerpt here from the January 17, 1988, New York Times about the opposition Ronald Reagan faced in negotiating an arms agreement with the Soviet Union. It may sound familiar to what we are hearing today about President Obama's efforts in Iran.

> Already, right-wing groups . . . have mounted a strong campaign against the INF treaty. They have mailed out close to 300,000 letters opposing it. They have circulated 5,000 cassette recordings of Gen. Bernard Rogers, former Supreme Commander of the North Atlantic Treaty Organization, attacking it. And finally, they are preparing to run newspaper ads this month savaging Reagan as a new Neville Chamberlain, signing an accord with Hitler and gullibly predicting ''peace for our time.''

These were conservative Republican critics of President Ronald Reagan, who was negotiating with the Soviet Union to try to limit the spread of nuclear weapons and was being likened to Neville Chamberlain. Does that sound familiar?

In May of 1987, the conservative National Review magazine had a cover with the title ''Reagan's Suicide Pact.''

President Reagan eventually agreed with then-Secretary of State Schultz that arms control could and would improve U.S. national security.

In December of 1987, Reagan and Gorbachev signed the Intermediate-Range Nuclear Forces Treaty, committing the two superpowers to eliminate all of their nuclear and conventional ground-launched ballistic and cruise missiles with ranges of 500 to 5,500 kilometers. This treaty, the Reagan-Gorbachev Soviet Union arms control treaty, was one of the first to rely on extensive onsite negotiations for verification.

Do you remember who coined the phrase ''trust but verify''? It was Ronald Reagan in his negotiations with the Soviet Union. It took 5 months after Ronald Reagan reached this agreement for this Chamber to vote 93 to 5 in favor of that treaty at a time when the Democrats had a majority. I could go through the long list of Democratic Senators who supported President Ronald Reagan in his efforts to try to create a more peaceful world.

Ultimately, because of that agreement, more than 2,000 short-, medium-, and intermediate-range missiles were destroyed. Our relationship with the Soviet Union didn't improve overnight, and we certainly still have our problems with them today. But going back to what I said earlier, the Russians sat on the same side of the table as the United States in this negotiation for this agreement to end the threat, or at least delay the threat, of nuclear power and nuclear weapons in Iran.

Imagine if 47 Senators, during the course of Ronald Reagan's negotiation with Gorbachev, had written in the middle of those negotiations to Mr. Gorbachev and said: Ignore President Ronald Reagan; don't negotiate with him because we are not going to accept it here in Congress. If that had happened, there would have been cries of treason for sending that kind of letter. It didn't happen. Those were the days when there was a bipartisan approach to foreign policy in the United States.

Today we have a chance and an opportunity with Iran that hasn't presented itself for more than 30 years—the opportunity to prevent Iran from developing nuclear weapons. It is not going to solve all the problems with Iran overnight, but it does solve, I believe, one critical problem. The agreement retains U.S. freedom of action to counter Iran in any part of the world.

After all, if Ronald Reagan didn't stop trying to counter Soviet actions after negotiating an arms treaty with Gorbachev, President Obama will not and should not stop working to diminish Iran's influence after this agreement.

I am under no illusions that for some period Iran did pursue a nuclear bomb. If that had happened, it would have been disastrous. And I am under no illusions that Iran lied in the past about these efforts. I know they did. But the agreement reached last week provides unprecedented safeguards and inspections to prevent Iran from building nuclear weapons now or in the future.

The United States and its allies are strong enough to enter into this agreement, not because Iran is suddenly trustworthy or an open democracy but because it serves our national security interests to do it.

Secretary of State John Kerry, Secretary of Energy Ernest Moniz, and Under Secretary of State Wendy Sherman negotiated this agreement with a single focus: Prevent Iran from getting any closer to obtaining a nuclear weapon. They achieved that goal, and that is why I am supporting this effort by the President to bring a more stable and peaceful situation to the Middle East.

To appreciate the magnitude of their challenge, let's step back and take stock of Iran's nuclear weapons program as it is today before this agreement goes in place. Iran currently has enough nuclear material to make 10 nuclear weapons. It has more than 19,000 centrifuges, many of which are more advanced and powerful. Immediately prior to the interim agreement with the P5+1, Iran was enriching its uranium to 20 percent. The breakout time—the time it would take for Iran to develop a nuclear weapon—was estimated to be 3 months. It was an incredibly large and dangerous nuclear capability, growing at a significant rate, and virtually unconstrained. That is what this President inherited from the previous administration.

But thanks to this effort, this agreement cuts off every single one of Iran's potential pathways to a bomb. It shrinks major portions of their nuclear infrastructure. It eliminates many parts of it. It extends the breakout time to at least 1 year. Should Iran renege on this and decide they are going

forward with a nuclear weapon, we believe that under this agreement it will take them at least a year to achieve it—a year in which we can put pressure and more, if necessary.

The agreement reduces Iran's uranium stockpile by 98 percent, cuts its number of centrifuges by more than two-thirds, and for the next 15 years, caps its enrichment at 3.67 percent. It prevents Iran's underground facility at Fordow from being used for uranium enrichment.

Iran is required to change its heavy water reactor at Arak so that it can no longer produce weapons-grade plutonium. How will we know? Because we are helping to design and to monitor the fuel in and out of this facility and verifying it every step of the way.

All of us have deep suspicions about Iran's nuclear ambitions, and we should. What if they try to build a secret facility? Well, our negotiating team, led by an extraordinary man, Secretary of Energy Moniz, designed a verification plan with no exits. Our team thought long and hard over the last 2 years about how we might be able to stop cheating. For every potential technique, they embedded a countermeasure in the text of the agreement.

This weekend Secretary Moniz explained that it would be ''virtually impossible'' to hide nuclear activities under this agreement. It is the strongest nuclear verification system ever imposed on a peaceful nation. Its end result is that Iran will not be able to do anything of significance without being caught. And going back to Ronald Reagan, our inspectors will be on the ground.

The PRESIDING OFFICER (Mr. GARDNER). The Senator's time has expired.

Mr. DURBIN. Mr. President, I ask unanimous consent for 5 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. This agreement requires the IAEA to have 24/7 access to all of Iran's declared nuclear facilities. This means in-person inspectors, remote cameras, tamperproof seals—all of the world's most sophisticated detection technologies. As one nuclear expert commented last week, ''If a rat enters a nuclear facility [in Iran], we will know it.''

Critically, this intrusive monitoring goes all the way into the nuclear supply chain, from uranium mines to centrifuge production. We cover it all in this agreement.

It will allow IAEA inspectors to follow every ounce of uranium from the ground to its final destination, and every piece of nuclear infrastructure from its creation to its use. If Iran tries to divert anything to a covert facility, we will know.

This agreement also sets up a dedicated procurement channel. Any dual-use item Iran wants to purchase from the international community must go through this channel.

The U.S. and its allies have a veto over such purchases. It makes it almost impossible for Iran to import anything of benefit to a nuclear weapons program.

Lastly, Iran must also abide by the Additional Protocol forever. This allows the IAEA to have access to non-nuclear sites in a timely fashion, in as little as 2 hours. The agreement also requires any disputes over access to these non-nuclear sites to be resolved in short order. If not, Iran would be in violation of its commitments and sanctions could quickly snap back.

Critics have complained about the time period our nuclear experts negotiated. But as Secretary Moniz and many others with Ph.D.'s have pointed out, uranium has a half-life of 4.5 billion years. It doesn't disappear like invisible ink. It cannot be cleaned up in a matter of weeks. If Iran cheats, we will know.

President Reagan was correct to negotiate with the Soviets when there were strategic openings and President Obama is doing the same thing with the Iranians. The potential benefits of this deal are too significant, and the costs of not doing so too high, to just walk away.

If we walked away, the international sanctions regime would crumble and Iran would have few if any restrictions on its program. Imposing more sanctions or simply bombing Iran today would create an even greater security risk to the region.

In fact, if we bombed Iran today, it would almost certainly withdraw from the Nuclear Nonproliferation Treaty and kick out inspectors. As soon as that happens, Iran's nationalistic backlash would almost assure that the regime would build a nuclear bomb. Over the longer term, if Iran were to fail or cheat despite its international commitment, we retain the right to use military force and we would be in a much better position internationally to do so. And accepting this deal does nothing to stop the U.S. and allied efforts from countering Iran's behavior elsewhere in the world. Key sanctions on Iran's support for terrorist groups will remain in place. Our support for regional allies will remain strong, if not stronger. And, critically, an Iran determined to destabilize parts of the Middle East with a nuclear weapon in its arsenal, will no longer be an option.

No doubt this is why some 60 of the most respected names in foreign policy, Democrats and Republicans alike, recently wrote in support of this agreement. Those signing included Secretary of State Madeleine Albright; Secretary of Defense William Perry; Secretary of the Treasury Paul O'Neill; National Security Advisors Zbigniew Brzezinski and Brent Scowcroft; Under Secretaries of State Nicholas Burns and Thomas Pickering; U.S. Ambassadors Ryan Crocker and Stuart Eizenstat; U.S. Senators Tom Daschle, Carl Levin, George Mitchell, Nancy Landon Kassebaum, and many others. We should do the same and support this agreement in the Senate.

I see the Senator from South Dakota is here, and I will wrap up.

Let me conclude. When I sat down to read this agreement—and I don't know how many of my colleagues have—I was struck on the third page with this statement in the agreement with Iran: Iran reaffirms that under no circumstances will Iran ever seek, develop or acquire any nuclear weapon. That is quite a statement. It was our goal at this negotiation. Do I believe it? Some, but I have my doubts. That is why we had to have an inspections regime from the Iranian mines right through the production facilities. That is why we had to dramatically cut back on their capacity to build weapons-grade fuel, and that is why this agreement is now—most of the countries believe—moving us in the right direction in Iran.

There are critics. We heard a lot of them here in the Senate. There isn't a single critic who has stepped up with a better idea. They said: Well, let's go back to the sanctions regime. The countries that joined us in that sanctions regime did it to bring Iran to the negotiating table, and it worked. They now have an agreement they believe in and we should believe in too. To think that we are going to renew sanctions or place unilateral sanctions—that to me is not likely to occur if Iran lives up to the terms of this agreement.

I will add the other alternative. We know the cost of war. We know it in human lives, we know it in the casualties that return, and we know it in the cost to the American people. Given a choice between the invasion of Iran or working in a diplomatic fashion toward a negotiation so we can lessen this threat in the world, I think President Obama made the right choice.

I support this administration's decision to go forward with this agreement. I will be adding my vote to the many in the Senate in the hopes that we can see a new day dawning and in the hopes too that like President Nixon and President Reagan and even like other Presidents before us who have sat down to negotiate with our enemies, at the end of the day we will be a safer and stronger nation because of it.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

THE HIGHWAY BILL

Mr. THUNE. Mr. President, I will speak about the Iran nuclear agreement in just a moment. But before I do that, I will briefly talk about the legislation before us on the floor, and that

is the reauthorization of the highway bill, which is something we have to do on a fairly regular basis around here. Every so many years the authority to spend out of the highway trust fund expires, and we can't fund the infrastructure needs that our country has in terms of roads, bridges, construction, maintenance, and all of those things that are so important to our competitive economy.

This week we have an opportunity to do something that hasn't been done around here in a long time, and that is to fund a multiyear highway bill. The reason that is important is because people who rely upon highway funding that comes through the highway trust fund need to be able to make plans. State departments of transportation, those who are involved in the construction, such as contractors, and all the people who are involved and the jobs that are associated with this process need the certainty that comes with a long-term bill.

Today I was told that there have been 33 short-term extensions over the last few years since the last long-term highway bill was passed, I believe, somewhere around the 2005 timeframe. I was part of that. I was a member of the Environment and Public Works Committee at the time. I worked on highway bills as far back as my days in the House of Representatives, when I served on the Transportation and Infrastructure Committee. This is something that we have to do here on a regular basis if we are going to ensure that we have a competitive infrastructure in this country suitable to moving people and goods in a way that keeps our economy moving forward and growing. That is why, in my view, when we have an opportunity to get a multiyear bill, we shouldn't pass on it.

If we continue to pass 6-month and 1-year extensions, all we are simply doing is kicking the can down the road. I would say that 33 short-term extensions is not a very good way to run a railroad and certainly not a very good way to run a highway program.

I know there are going to be differences. The committee that I chair, the commerce committee, was involved with marking up portions of the highway bill that pertained to highway safety and some railroad provisions and other items that would be included in this bill. We worked on that through the weekend, and I think we addressed many of the concerns that Members on both sides had, and I feel very good about where that part of the bill is. I worked as a member of the Finance Committee and tried to find ways to pay for this.

If we can get a multiyear bill in place that provides the certainty, the predictability, and the reliability that we need in our highway funding process in this country, it would be a very good thing. As we all know, it is incredibly important to economic growth and to jobs. The certainty that comes with a long-term bill is something that we all ought to strive for.

So I hope, notwithstanding the differences that exist in the vote we had earlier, that tomorrow when we take up this legislation again we will get the votes that are necessary to proceed to the bill and begin to move forward with the process in the hopes that we might get something to the House that they might be able to act on and then we can get it to the President's desk. Then, at least for the foreseeable future, we can get this issue dealt with so we don't have to come back and do this every 6 months or every 3 months or whatever those 33 extensions have consisted of over the past few years.

NUCLEAR AGREEMENT WITH IRAN

Mr. THUNE. Mr. President, former President Jimmy Carter was recently asked about President Obama's successes on the world stage. He said in response:

> I think they've been minimal. . . . [O]n the world stage, just to be as objective about it as I can, I can't think of many nations in the world where we have a better relationship now than we did when he took over.

He went on to say:

> If you look at Russia, if you look at England, if you look at China, if you look at Egypt and so forth—I'm not saying it's his fault—but we have not improved our relationship with individual countries and I would say that the United States influence and prestige and respect in the world is probably lower now than it was six or seven years ago.

That is former President Jimmy Carter describing current President Obama's foreign policies. Unfortunately, that is an accurate assessment of President Obama's rocky history on foreign policy.

Last week's deal with Iran does not look likely to improve the President's record of minimal success on the world stage. Last week the administration announced that the United States—along with five other nations—had reached an agreement with Iran that the administration claims will prevent Iran from acquiring a nuclear weapon. The contents of the agreement, however, were met with skepticism and concern from a number of quarters.

Former Senator and Democratic Presidential candidate Jim Webb said that the deal sends a signal that ''we, the United States, are accepting the eventuality that they will acquire a nuclear weapon.''

The senior Senator from New Jersey said, ''The bottom line is: The deal doesn't end Iran's nuclear program—it preserves it.''

The Washington Post noted that Tehran ''fought for, and won, some troubling compromises'' on inspections, especially considering Iran's record of violations. The Post also pointed out what many Republicans have noted—that ''Mr. Obama settled for terms far short of those he originally aimed for.''

Israel, the only functioning democracy in the Middle East, called this deal a ''historic mistake,'' and neighboring countries like Saudi Arabia expressed concern that this agreement may actually increase the threat Iran poses to their security.

Then, of course, there was Iran's reaction. Iran's President hailed the agreement, while Iranian Supreme Leader Ayatollah Ali Khamenei praised negotiators.

Lest anyone think this marked a softening of Iran's attitude toward the United States, however, Khamenei emphasized that ''our policy toward the arrogant U.S. government won't change at all.'' Echoing the chants coming from the people, he stated, ''You heard 'Death to Israel,' 'Death to the U.S.' . . . we ask Almighty God to accept these prayers by the people of Iran.''

These are not the words of a reliable partner. These are the words of the world's leading state sponsor of terrorism.

There is good reason to be concerned about this agreement. This deal not only fails to provide reassurance that Iran will not acquire a nuclear weapon, it may actually enhance Iran's chances of acquiring a bomb.

For starters, this deal fails to include any adequate method of verifying that Iran is complying with the agreement. Time and time again, Iran has made it clear that it cannot be trusted to comply with any deal. Iran has a history of building nuclear facilities in secret. The enrichment facility at Fordow, which will remain in place as part of this agreement, is just one example of an enrichment facility that was originally hidden from the outside world. The fact that Iran cannot be relied on to follow the outlines of an agreement means that verification—specifically, ''anytime, anywhere'' inspections of suspicious sites—is an essential part of any credible deal. But the final deal that emerged doesn't come close to ensuring anytime, anywhere inspections. It does provide for 24/7 inspections of Iran's currently known nuclear sites, but it forces inspectors to request access to any other site they deem suspicious. Iran can refuse requests, and appealing those refusals could take close to a month, leaving the Iranians plenty of time to hide evidence of suspicious activity.

Forcing Iran to dismantle its nuclear infrastructure and halt uranium enrichment would have provided some assurance that Iran's quest for a bomb had been halted. But the nuclear agreement the administration helped reach doesn't require Iran to dismantle any of its nuclear infrastructure. The agreement does require Iran to take

some of its centrifuges offline, but they do not have to be removed or dismantled—simply put into storage.

The agreement also explicitly allows Iran to continue enriching uranium. While it prohibits Iran from enriching uranium to the level required for a nuclear weapon, the restriction is of limited value considering that Iran retains the equipment and production capacity it would need to build a bomb.

I haven't even mentioned other areas of concern with this agreement.

In exchange for Iran's agreeing to—supposedly—stop its effort to acquire a nuclear weapon, billions of dollars in Iranian assets will be unfrozen and the sanctions that have crippled the Iranian economy will be lifted. Right now, despite its struggling economy, Iran manages to provide funding and other support to Syria's oppressive government, to Hezbollah in Lebanon, Hamas in the Gaza Strip, to Houthi rebels in Yemen, and to militias in Iraq. It is not hard to imagine what it will do with the billions of dollars it will gain access to under this agreement.

The deal negotiators reached with Iran will also expand Iranian access to conventional weapons and intercontinental ballistic missiles, which are generally used as a vehicle for the delivery of nuclear weapons. While the deal does temporarily extend restrictions on the import of these weapons, it does so for just 5 years in the case of conventional weapons and for just 8 years in the case of ballistic missiles. That means that in as few as 8 years, Iran will be able to purchase a ballistic missile capable of delivering a nuclear warhead.

Obviously, there is a lot to be concerned about when it comes to this deal, and after the agreement was released last week, both Democrats and Republicans expressed the desire to examine those provisions and hear from members of the administration. So what did the President do? He declared that the agreement was a triumph of diplomacy and took immediate action to send the bill to the United Nations for a vote. That is right. The President didn't wait to hear from Members of Congress or the American people; he just went ahead and asked the United Nations for its approval. In other words, the President unilaterally committed the United States to supporting the deal without knowing whether the United States Congress or the American people are in favor of the agreement. This is especially disappointing considering that just 2½ months ago, Democrats and Republicans in the Senate voted overwhelmingly to require that the President submit full details of any nuclear agreement to Congress before it could be agreed to. The President signed this legislation—the Iran Nuclear Agreement Review Act—into law on May 22, but apparently he feels free to ignore the spirit, if not the letter, of the act.

When word emerged that the President was going to send a resolution directly to the U.N. without waiting for the American people or Congress to weigh in, both Democrats and Republicans asked the President to hold off. Democrats who requested that the President wait to submit the agreement included the leading Democrat on the Senate Foreign Relations Committee, who characterized the White House's decision as ''somewhat presumptuous,'' and the Democratic whip in the House of Representatives, who said, ''I believe that waiting to go to the United Nations until such time as Congress has acted would be consistent with the intent and substance of the Nuclear Agreement Review Act.''

Circumventing elected Members of Congress to gain the U.N.'s approval before Congress has had a chance to review the agreement suggests that the President has a higher regard for the United Nation's opinion than for the opinion of the American people.

President Obama is apparently betting on the chance that in 10 years' time, Iran's views toward the rest of the world will have changed and will no longer be seeking death to Israel and America or furthering terrorism in the Middle East. It is a nice notion, but nothing in Iran's history of terrorism, violence, and deceit suggests it is a scenario that is likely to come to pass. And if it doesn't happen, as a result of this agreement, Iran will be in a much better position to develop a nuclear weapon than it is today, as even the supporters of this deal acknowledge, not to mention that Iran will be in a position to purchase the missiles necessary to deliver nuclear weapons to locations in the Middle East and beyond.

During negotiations on this deal, it became obvious that the President was determined to make reaching an agreement with Iran his legacy. It is possible that he will get his wish, but it may not be the legacy he wanted.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WHITEHOUSE. I ask unanimous consent to speak in morning business for 20 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, as the Presiding Officer knows, as he has suffered through a considerable number of them, this is the 107th time I have come to the floor to urge my colleagues to wake up to the threat of climate change. All over the United States, State by State by State, we are already seeing the real effects of carbon pollution. We see it in our atmosphere, we see it in our oceans, and we see it in our weather, in habitats, and in species.

The American people see it. Two-thirds of Americans, including half of Republicans, favor government action to reduce global warming, and two-thirds, including half of Republicans, would be more likely to vote for a candidate who campaigns on fighting climate change.

Polling from the Florida Atlantic University shows that more than 73 percent of U.S. Hispanics—a pretty key voting block—think global warming is a serious problem. Sixty-two percent of Republican Hispanics are concerned about this. And I have said this before: If you ask Republican voters under the age of 35, they will tell us that climate denial is ''out of touch,'' ''ignorant,'' or ''crazy.'' Those are the words they selected in the poll—not my words.

So we might expect Presidential hopefuls to incorporate climate action into their campaign platforms. We might expect the Republican candidates to address this problem in an honest and straightforward manner. But we would be wrong. What have we seen from the Presidential hopefuls? These candidates avoid any serious talk of climate change even as their own home States face climate and ocean disruptions.

So in the weeks ahead, I will take a look at the Presidential candidates on climate change and what is up in their home States. Today I will look at Florida, home to 20 million Americans, including two of the top Republican Presidential candidates.

A swing State with 29 electoral votes, Florida is a major political prize. Florida is also ground zero for climate change. With over 1,200 miles of coastline, Florida is uniquely vulnerable, for instance, to sea level rise. So what do Florida's two Presidential candidates have to say about climate change? Well, it seems they are not sure.

''I don't think the science is clear of what percentage is man-made and what percentage is natural. It's convoluted,'' says former Florida Governor Jeb Bush.

''[T]here's never been a moment where the climate is not changing,'' says Florida's junior Senator. ''The question is: what percentage of that . . . is due to human activity?''

Scientists tell us that warming is ''unequivocal''—that is a strong word for scientists to use, unequivocal—and that human activity is the dominant cause of the changes we have seen—indeed, the only plausibly valid explanation.

Both Presidential hopefuls from Florida have invoked the now classic denial line ''I am not a scientist.'' Well, good

thing, then, that we are not elected to be scientists. We are elected to listen to them. And if these two Floridians were listening to their own best scientists, they would learn a lot.

In fact, 42 scientists from Florida colleges and universities wrote an open letter to Florida State officials. ''It is crucial for policymakers to understand,'' they wrote, ''that human activity is affecting the composition of the atmosphere which will lead to adverse effects on human economies, health and well being''—not so convoluted after all.

The letter continued:

> The problem of climate change is not a hypothetical. Thousands of scientists have studied the issue from a variety of angles and disciplines over many decades. Those of us signing this statement have spent hundreds of years combined studying this problem, not from any partisan political perspective, but as scientists—seekers of evidence and explanations. As a result, we feel uniquely qualified to assist policymakers in finding solutions to adapt and mitigate so we can protect the people of this state and their enterprises and property.

So it is OK if we are not scientists. The scientists are there to help. They have offered to, and they understand this.

While my Senate colleague from Florida is unsure about his own home State climate science, he seems quite certain about the economics of policies to curb carbon pollution, such as cap and trade. ''I can tell you with certainty,'' he has said, ''it would have a devastating impact on our economy.''

I would suggest that the Senator from Florida take a closer look at the facts because his position on these two issues boils down to wrong and wronger. I know this because my home State is one of nine Northeastern States that require utilities to buy carbon emissions allowances. We are actually doing it. The proceeds are directed back into the regional economy through things such as energy efficiency investments and renewable energy projects. And we have the results. The results are in. Just from 2012 to 2014, the program generated $1.3 billion in economic benefits for New England, and it saved consumers over $400 million in energy costs. This climate solution was a boost to the economy, and it cut carbon dioxide emissions in the region by a quarter.

The Republican candidates from Florida are running against the facts and they are running against the opinions of experts and local leaders in their own home State. In a June 19 editorial, the Sun Sentinel praised Pope Francis's recent encyclical on climate change and its call to swift action, because of the threat climate change poses to South Florida. The editors wrote that ''the Pope's declaration puts pressure on [the candidates] . . . because they are Floridians . . . and because they aspire to be national leaders.'' The editors continue: ''Candidates who aspire to be inclusive, effective leaders cannot see . . . science through a political lens.'' That is the Sun Sentinel.

Archbishop Thomas Wenski of the Roman Catholic Archdiocese of Miami explained Pope Francis's message to the Miami Herald. ''What the Pope is saying is, 'Let's talk about this,' '' the archbishop said. ''And that requires—whether you're a Democrat or Republican or left or right—it requires that you transcend your particular interest or ideological lens and look at the issue from the common good.''

For Florida, that common good is imperiled by climate change. South Florida has seen almost 1 foot of sea level rise in the last 100 years. The Southeast Florida Regional Climate Compact is a bipartisan coalition—Republicans and Democrats—of four South Florida counties. Those four South Florida counties predict that the waters around southeast Florida could surge up to another 2 feet in less than 50 years. Our children will live to see that.

I visited Florida on my climate tour last year. I heard firsthand about the threats climate change poses to the Sunshine State from Glenn Landers, senior engineer at the U.S. Army Corps of Engineers, Everglades Division. Engineer Landers has worked on water resources and restoration projects in Florida for nearly 20 years. This is the map he used to show me what just 2 feet of sea level rise means for South Florida. What it means for South Florida is there is a lot less of South Florida above water.

Florida is home to some of the country's top universities and research institutions. The Florida Climate Institute is a network of scientists and research programs from eight universities, including the University of Florida, Florida State, and the University of Miami. The Florida Climate Institute is dedicated to ''climate research in service of society.'' These are some of Florida's brightest minds.

Recognizing businesses' and communities' need for useful data and solutions that are based on Florida's unique characteristics, the Florida Climate Institute publishes research to help improve understanding of the increasing climate variability in Florida. If Florida's leaders respond responsibly to the changing climate, writes the group, ''Florida is well positioned to become a center of excellence for climate change research and education and a test bed for innovations in climate adaptation.''

Well, responsible officials in Florida are already taking action. My friend the senior Senator from Florida took the Senate commerce committee to Miami Beach town hall to examine the dangers posed by rising seas. The Miami Herald said this about Senator NELSON's efforts to raise awareness about the threat to his State:

> South Florida owes [Senator] Nelson its thanks for shining a bright light on this issue. Everyone from local residents to elected officials should follow his lead, turning awareness of this major environmental issue into action. It is critical to saving our region.

In Fort Lauderdale, Mayor Jack Seiler is working with NOAA and State and Broward County officials and the South Florida Regional Planning Council to protect his city from flooding and climate change. Yet on climate change, Florida's own Presidential candidates have got nothing. Zero. No plan.

Miami Beach Mayor Philip Levine showed me the huge pumps his city has installed to pump out the floodwaters that come in on high tides from the rising seas and with storms. Each pump can move 14,000 gallons of water per minute. Imagine that. But Florida's Presidential candidates have no plan.

The mayor of Monroe County, Sylvia Murphy, a Republican, has put climate and energy policy at the heart of her 20-year growth plan for the county. Why? Her county covers all of the Florida Keys and some of the Everglades. She is going to lose a lot of it if we don't get ahead of this, and she also sees what is happening to her reefs offshore.

Yet, despite the overwhelming consensus of scientists in their own State, Florida's Republican Presidential candidates have got nothing. The junior Senator from Florida even suggested that we should wait for China to take action before we address this problem.

The junior Senator from Florida, on foreign policy, has spoken often about the need for American leadership on issues of global importance, saying, for instance, that America must ''continue to hold this torch'' of peace and liberty. Earlier this year, Jeb Bush echoed that sentiment, saying, ''American leadership projected consistently and grounded in principle has been a benefit to the world.'' Well, fine words, but where is their leadership on climate change? They got nothing.

It is our responsibility as a great nation to set an example for others to follow, not to sit back and wait for others to act. Failing to act on climate change would both dim our own national torch and give other nations an excuse for delay. Failure, with the stakes this high, becomes an argument for our enemies against our very model of government. As Pope Francis said, ''The world will not forget this failure of conscience and responsibility.'' We will own that.

The question is why Republican Presidential candidates refuse to engage on climate change. They ignore their own home State universities. They ignore their own home State mayors, local officials. They ignore their own home

State engineers. Why? Why, when the evidence is so plain? Why the pretense that climate solutions are bad for the economy when actual experience proves that is not true? Why the pretense? Why can't they credibly speak about America's responsibility to lead? Why would they have us ignore one of the most pressing national and global issues of our time?

All I can hope, for their sake and for ours, is that they soon wake up.

I yield the floor.

Mr. PERDUE. Mr. President, I ask to speak for up to 5 minutes in morning business.

The PRESIDING OFFICER. The Senator is recognized.

CONSUMER FINANCIAL PROTECTION BUREAU

Mr. PERDUE. Mr. President, 5 years ago today, President Obama signed into law the Dodd-Frank Act. Following the 2008 financial crisis, Washington passed this 2,300-page bill, creating more burdensome regulations that did not solve the crisis, and, in many ways, made it worse. You are going to hear a lot about the failures of the Dodd-Frank Act over the next few years.

From what was intended to rein in five major banks who led us into trouble in the 2008 crisis, has created unintended consequences today that are affecting thousands of small town regional banks across our country. I rise today to speak about one agency created by the Dodd-Frank law, the Consumer Financial Protection Bureau, or the CFPB. While many Americans may not have heard of the CFPB before, they will in the future. This agency touches every aspect of people's lives, from credit card records, mortgage applications, student loans, and car sales to much more.

The CFPB seemingly knows more about American consumers than we know about the very agency that is supposed to be protecting them. According to a report by the Government Accountability Office, every month the CFPB scrubs data on credit card transactions, debit card transactions, consumer mortgage loans, car loans, and hundreds of thousands of other personal financial information. This leads to several questions. Why are they collecting this information in the first place? How does collecting credit card statements help protect consumers? How secure is all of this data?

Unfortunately, we know very little about what the CFPB is doing with all of this sensitive information, except looking for additional opportunities to regulate. Remember, before 2009 we already had six prudential regulators mandated, among other things, to protect the consumer. Yet as a result of 2008, instead of streamlining and consolidating, we actually added a seventh prudential regulator charged with consumer protection, the CFPB.

Today, the CFPB operates on top of the existing regulators, in addition to—not in replacement of—these agencies, and duplicating efforts among these other agencies. By design, Dodd-Frank ensured that the CFPB does not have the same oversight control as other agencies. Currently, Congress does not even have control over how the Bureau spends its funds or is even appropriated.

The CFPB operates outside the regular appropriations process of Congress, which other independent agencies, such as the Securities and Exchange Commission, the Federal Trade Commission, the Consumer Product Safety Commission, and others, are all subject to. Why would any government agency with access to that much consumer data be unaccountable to Congress? Recently, I introduced legislation to help shed more light on this agency and bring the CFPB under the appropriations process of the Congress. The sheer volume of consumer data being collected by the CFPB is concerning and ripe for abuse.

In fact, the GAO and the Federal Reserve inspector general both have warned about the need for increased security. Without full congressional oversight, how can we be sure this consumer data is secure? What kind of records does the CFPB keep? How would we know if it has been compromised? We have already seen the devastating effect of data breaches all over our Federal Government, and the damage it is doing to the American people across all sectors of our government, including the most recent OPM data breach, impacting millions of Americans and some of our intelligence assets abroad.

We have seen the potential exposure of extremely sensitive national security information. Also, we recently had a debate about privacy regarding the NSA metadata program. Many of my colleagues expressed outrage for the scope of the NSA program, even when the mission was protecting national security. We are now talking about an agency collecting massive amounts of personal consumer data, many times more data than the NSA program.

The CFPB's goal claims to be consumer protection. For all we know, this information they are collecting is even more susceptible to security threats and security breaches. If there is one thing we can agree upon, we need to make sure all Americans' personal information is safe and secure—especially from Washington. If some were upset about privacy in the NSA debate, we should certainly be paying attention to what the CFPB is doing with this personal information today.

Getting the CFPB under congressional oversight should not be a partisan issue. In order to protect consumers, we need to know what is going on in the very government agency tasked with protecting them. That is why we need to put in place more transparency—not less—more control, and more oversight. We can start by bringing the CFPB under congressional oversight immediately so we can actually protect consumers and stop the potential for abuse, fraud or identity theft.

While this agency was originally designed to protect consumers, one can only wonder how Washington's collecting so much personal information will actually protect us. I will be speaking much more on this topic as the weeks go by. Let it be said tonight, though, that on the fifth anniversary of Dodd-Frank, we are beginning to look at the unintended consequences of this rogue agency, the CFPB.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

DODD-FRANK ACT

Mr. ENZI. Mr. President, first, I would like to thank the Senator from Georgia for his outstanding comments. He is truly a great addition to this body and to the Budget Committee, where I have watched him go through numbers. I once mentioned that he knew how to balance the budget because he had been in business before, at which point he corrected me and said: In business, you don't get to just balance the budget. He is very correct on that.

We are at a point where we cannot afford to just balance the budget. We have to start paying down some of the debt if we expect our kids to ever be able to afford the interest. So I thank him for his comments. I am going to pile on with some more comments about some of those same things. I want to talk about what I have talked about several times over the past 5 years; that is the Dodd-Frank Act, which passed this body 5 years ago today, July 21, 2010.

This mammoth bill, which totaled 2,300 pages, has, 5 years later, led to many thousands of pages of rules and regulations. It is estimated that only 238 of the 390 rulemakings required by the law have been completed—millions of pages, and we still only have 238 of 390 rulemakings that the 2,300-page bill required. Theoretically, then, tens of thousands of pages of more regulations can be expected in the coming years—regulations that do not fix too big to fail, regulations that unduly burden our community banks and our credit unions, regulations that cover a host of industries that did not contribute to the financial crisis. And it does compromise the privacy of Americans.

I would like to take this opportunity to expand on these ideas. First of all, I would like to point out that I actually

read the whole bill. I read it. I highlighted it. I put in colored tabs in different sections so I could refer to them easily. Then I talked to my colleagues, and I spoke on the floor to raise concerns about the bill roping in industries that did not cause the financial crisis, about the fact that it did not fix too big to fail. I raised a real ruckus about the creation of the Consumer Financial Protection Bureau, known as the CFPB, when they were trying to just kind of gloss over it and its ability to collect the financial information of American citizens without their consent.

I filed a simple amendment that would have required this Consumer Financial Protection Bureau to obtain written permission from consumers before collecting their information. Of course, my amendment was not allowed a vote and now the CFPB is collecting massive amounts of personal financial data. So here we are 5 years later, and hindsight has proven that many of the concerns I raised during the consideration of this bill were valid.

I have often said that knee-jerk reactions to legislative form have a very real danger of overcorrecting and causing a myriad of problems. In fact, some people say that if it is worth reacting to, it is worth overreacting to. That is exactly what happened here.

We did it through a comprehensive bill—2,300 pages. I do not like comprehensive bills. The purpose of comprehensive bills is so that they are incomprehensible, so that people cannot understand them. The best way to legislate is to take things in logical pieces and solve that problem in a way that all of America can come along with and understand.

Those problems are unintended consequences when they are in comprehensive bills. In correspondence and conversation with folks from Wyoming over the years, I have said that I treat all legislation the same. I read it and I consider both intended and what might be unintended consequences of the legislation. What I am here to talk about today are some of the consequences of the Dodd-Frank Act after 5 years.

First, there is the too-big-to-fail question. The Dodd-Frank Act was supposed to make it so American taxpayers would, according to President Obama, ''never again be asked to foot the bill for Wall Street's mistakes. . . . there will be no more tax-funded bailouts—period.''

Dodd-Frank increased capital requirements, it increased liquidity requirements, and it has been adding rules and new regulations steadily for the last 5 years. Folks who support the law would say all of those things are good things and make for a more secure financial sector. However, one of the contributors to too big to fail was the consolidation of banks and the financial industry, a byproduct of which was the reduction of the number of smaller community banks that serve small business owners, families, farmers, and ranchers, the people who actually know their customers. But thanks to the massive amount of rules and regulations, the Dodd-Frank has resulted in the compliance costs for community banks and credit unions going up significantly, and it increased the likelihood of consolidation. That fails the consumer.

Smaller community banks struggled to keep up with the flow of regulations and compliance costs. For example, since the passage of Dodd-Frank, the average compliance cost for larger institutions is about 12 percent of operating costs. For community banks, the cost to comply with the same regulations, a one-size-fits-all approach is 2½ times greater, or 30 percent of the operating costs. That is a big bite.

I was visiting some of those community banks and listened to them talk about the different regulations they now had to comply with. One of them had made this magnificent chart so that all of their loan officers could both follow along and make sure they got all of the parts of the procedure that this law had in regulation at that time. Now, they had to hire a compliance officer as well.

They had been able to handle that part themselves before. But after they explained all of this to me, I said: Now, let's see. My wife would kind of like to expand the kitchen in our house. We have added onto it once before. If I wanted to get a loan from you, how long would it take me to get the loan? I said: I have a house in Gillette, and I have a house in DC, and I have both of them paid for. So we really do not have any outstanding debt. How long would that take?

They said: A minimum of 77 days. Then, of course, there would have to be an extra week so that if you decided it was not a good deal, you could undo the loan.

I wanted the loan. I wanted it 77 days before. I had to wait that long, and then there is a week for it. But here is another kicker that is in the bill. The Consumer Financial Protection Bureau has up to 150 days to tell me that I made a bad loan and cancel it. Hopefully, the construction would already be started by that time.

Well, I remember when I wanted to do that addition on the house. I went to my banker, and I explained to him what I wanted to do. It took me a whole day to get that loan—a whole day. Now, it is going to take 77 days, plus 1 week, and then I guess we have to wait 150 days to see if the Consumer Financial Protection Bureau is going to decide that they know better than I know.

My State of Wyoming is one of the most rural in the country. We had mostly community banks in Wyoming. I can attest that every visit I have had with banks in Wyoming since this law passed has had one main subject that remains constant: We are being crushed under the weight of these regulations. We are having to make tough choices about the services we provide.

Some of these banks are starting to consolidate with larger banks and become branches. Credit unions are not faring any better. According to the National Association of Federal Credit Unions, more than 1,250 credit unions have disappeared since the passage of Dodd-Frank. Of that number, over 90 percent had fewer than $100 million in assets, and the No. 1 reason they give for having to merge out of the business was the inability to keep up with the regulatory burden they face.

This is one unacceptable consequence of the Dodd-Frank law and one folks on both sides of the aisle should be appalled by. Now, equally appalling—maybe more appalling—is the importance the Dodd-Frank Act afforded to the agency it created, which the Senator from Georgia just talked about, the Consumer Financial Protection Bureau or the CFPB.

Now, this is an agency that really doesn't come under our jurisdiction; it actually works under the Federal Reserve and gets, I think it is up to 12 percent of the revenues of the Federal Reserve now, plus inflation. They will get up to 15 percent, plus inflation. We have no say over that. They don't report to us in any way, shape or form.

This agency has grown to over 1,450 employees. It has a facility whose offices' renovation budget has spiraled to over $216 million and faces almost no accountability to Congress. I don't have enough time allotted to talk about all the activities of the CFPB, but make no mistake, this agency's reach has increased exponentially over the past 5 years to the point where it is now taking enforcement actions covering telecommunications companies and has broadened its authority over the auto industry, which was specifically exempted from the CFPB in the Dodd-Frank bill.

Let me tell you how that happened. I did a bunch of speeches on the floor. I was interested in that third section. The first section was about the banks, the second was about hedge funds, and the third was about the new Consumer Financial Protection Bureau that wasn't going to have any control by anybody.

I found that little paragraph in there that said they have the ability to cancel a loan up to 150 days after the bank and the person—or whomever they are borrowing the money from—and the person receiving the money agreed to the loan. They can cancel it. I pointed that out in speeches.

One group of people listened to me. It was the automobile dealers. The automobile dealers flooded Washington

with lobbyists, and they got an exclusion in the bill for automobile loans. That is the only exclusion in there. Of course, they are being retaliated against now for that, and I will talk about that in just a minute too. The CFPB issued a final rule on June 10 that would allow it to supervise nonbank companies qualified as larger participants of a market for automobile financing, along with a separate rule defining certain auto leases as a financial product or service.

What does this mean? It means the CFPB has expanded its oversight powers by saying: Oh, yes, auto leases are a financial product. They don't like what they did to us. It is a service, and we are allowed to regulate those. So we will just increase our level of oversight over this industry.

In fact, they have even taken a look at some of the loans that have been resold by automobile dealers and said those were discriminatory because they weren't the same. Well, when you go to the bank to sell a loan, you don't get the same deal every day, so that is really not discrimination, but according to this group that doesn't have any oversight over it, it is.

On the same day, the CFPB released its auto finance examination procedures for CFPB examiners to examine both banks and nonbanks. Keep in mind this is one example of hundreds of rules, enforcement actions, and other activities this agency is involved in across industries. Beyond increasing its incredible oversight reach, the CFPB has also engaged in massive data collection dating back to 2011. I spoke about this data collection, and the Senator from Georgia spoke about this data collection. I spoke about the data collection before the confirmation of Richard Cordray to be the Director of the CFPB on July 16, 2013. I was the only Senator to speak before this vote, and I repeated something I said during the debate of the Dodd-Frank Act that I think bears repeating again. On May 20, 2010, I said:

> This bill was supposed to be about regulating Wall Street; instead it's creating a Google Earth of your every financial transaction. That's right—the government will be able to see every detail of your finances. They can look at your transactions from the 50,000 foot perspective or they can look right down to the tiny details of the time and place where you pulled cash out of an ATM.

I talked about some of the data we had at that time. I am, unfortunately, going to expand on those comments because the CFPB continues to collect massive amounts of data without consent of the consumers.

The Government Accountability Office, GAO, is a nonpartisan, independent agency that investigates how the Federal Government spends taxpayer dollars. They released an extensive report on September 2014 detailing the data collection of the CFPB. Here is what they found.

Of the 12 large-scale collections they reviewed, three included information that identified individual consumers. The CFPB said those three collections weren't subject to the Dodd-Frank prohibition on collecting personally identifiable information.

What? The CFPB is collecting information on 700,000 auto sales per month, 10.7 million consumer credit reports per month, 25 million to 75 million individual credit card accounts, 29 million active mortgage loans, and 173 million total loans, as well as one-time collections of 5.5 million private student loans and 15 million to 40 million payday loans. This isn't the whole list, this is a sample rundown. Let's see, they are into the automobile sales, everything with your automobile sales, your consumer credit reports, your credit cards, your mortgage loans, your total loans, your student loans—and, if you do it, payday loans. Again, that is just a sample rundown.

Let's take a minute to let these numbers sink in. The CFPB collects information on 25 million to 75 million credit card accounts on a monthly basis. They want to be able to monitor 95 percent of all credit card transactions by 2016. I don't know about you, but this is highly disturbing, especially in light of the fact that the GAO report found that CFPB did not employ sufficient security and privacy protections to make sure this data remains safe.

In summary, the CFPB is collecting sensitive financial information on individuals by name, on millions of Americans, some of which has personally identifiable information that is supposed to be removed or not used, and they don't have the appropriate safeguard to protect this information.

Considering the increase in cyber attacks faced across different sectors in our country, including the Federal Government, this information is not just troubling, it is terrifying, especially because there is no way for a single American to opt out of this collection or require notification that their information is being collected and stored.

Let me assure you, it is, and not only that, there is no way for Congress to have a say to exert oversight to take a closer look at what the CFPB is up to. One thing that is clear to me, every American deserves better than this, and after 5 years, I think it is safe to say we can do much better than this—and we better do much better than this—or we will have what the book ''1984'' suggested is going to happen.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. DAINES). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. DAINES. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. PERDUE). Without objection, it is so ordered.

CYBER SECURITY

Mr. DAINES. Mr. President, the headlines in the past few months have been enough to paint a startling picture of how our Nation is handling technology and security these days.

Before I came to Congress, I spent 12 years working in the technology sector, but it doesn't take an extensive background in these fields to see that in the ever-changing realm of technology and online communication, America's constitutional freedoms and civil liberties are at risk and our security as a nation is under attack.

When it comes to protecting American citizens' privacy and personal information, we as a nation need to respond to the new threats our enemies are posing and the new tactics they are using and demand equal vigilance from those in our government who claim they have American safety at heart.

The modern battlefield is changing. We see it changing before our very eyes, and America needs to adapt. With the incredible advantages that modern technology offers, also with that come greater risks as well as greater responsibility. Our enemies, America's enemies, are utilizing social media in particular to recruit others to their side to plot against our rights, our freedoms, our American way of life.

As Michael Steinbach, the Assistant Director at the FBI's Counterterrorism Division, said to the House Homeland Security Committee just last month: ''The foreign terrorist now has direct access into the United States like never before.''

We know for a fact that ISIS aggressively uses social media to spread its propaganda, to target individuals in our own country, and to urge them to attack us on our own soil.

In March of this year, the New York Times reported that ISIS's use of social media, including Twitter and high-quality online recruiting videos, has been ''astonishingly successful,'' and the speed at which modern social media moves means America must move faster.

In fact, we read about the recently foiled terrorist attack in Boston, where Islamic extremists planned to behead law enforcement officials. It shows us the importance of engaging these online terrorists, their propaganda machines, interpreting their encrypted communications, and cracking down on the spread of online terrorist networks—but how can we fight back against these cyber threats from abroad when our own government officials show themselves to be woefully incompetent?

We in this country spent months debating the National Security Agency's

bulk collection of Americans' metadata, and in the meantime, while we are having this debate, Chinese hackers stole millions of Americans' personal information. In fact, it is estimated now those Chinese hackers broke into the Office of Personnel Management—basically the HR system of the Federal Government—and stole over 20 million records of employees of the Federal Government.

This recent breach of Federal employees' information may possibly be rooted in a phishing email. In fact, in a recent article in Ars Technica on June 8, they said:

It may be some time before the extent of the breach is known with any level of certainty. What is known is that a malware package—likely delivered via an e-mail ''phishing'' attack against OPM or Interior employees—managed to install itself within the OPM's IT systems and establish a backdoor for further attacks. The attackers then escalated their privileges on OPM's systems to the point where they had access to a wide swath of the agency's systems.

These hackers broke into the computers at the Federal Government's Office of Personnel Management. They were downloading the very forms Federal employees use to gain national security clearances.

In fact, earlier this month USA TODAY said:

The hackers took millions of the forms used by people to disclose intimate details of their lives for national security clearances. The information could be used to unmask covert agents or try to blackmail Americans into spying for an enemy.

In fact, I was one of those millions of Americans—as were other Members of Congress—whose personal information was compromised in this breach, and I demanded accountability from the Director and others at the OPM, but we also need to address the systemic problems with cyber security in this country directly.

The outdated security systems at the OPM and other agencies of the Federal Government recently hacked show that America is not up to speed with the kinds and the levels of cyber threats our country is facing. Let me give an example. In the publication Ars Technica of June 8, 2015, it says:

The OPM hack is just the latest in a series of Federal network intrusions and data breaches, including recent incidents at the Internal Revenue Service, the State Department, and even the White House. These attacks have occurred despite the $4.5 billion National Cybersecurity and Protection System program and its centerpiece capability, Einstein. Falling under the Department of Homeland Security's watch, that system sits astride the government's trusted Internet gateways. Einstein was originally based on deep packet inspection technology first deployed over a decade ago, and the system's latest $218 million upgrade was supposed to make it capable of more active attack prevention. But the track flow analysis and signature detection capabilities of Einstein, drawn from both DHS traffic analysis and data shared by the National Security Agency, appears to be incapable of catching the sort of tactics that have become the modern baseline for state-sponsored network espionage and criminal attacks. Once such attacks are executed, they tend to look like normal network traffic.

Put simply, as new capabilities for Einstein are being rolled out, they're not keeping pace with the types of threats now facing federal agencies. And with the data from OPM and other breaches, foreign intelligence services have a goldmine of information about federal employees at every level of the government.

And this just at a time when the threats to our Nation are at very high levels.

The article continues:

It's a worrisome cache that could be easily leveraged for additional, highly-targeted cyber-attacks and other espionage. In a nation with a growing reputation for state of the art surveillance initiatives and cyber warfare techniques, how did we become the ones playing catch up?

But this isn't just about being sloppy or being slow; this is a matter of national security. America needs to get smart on cyber security and tech issues and to hold officials accountable for their behavior because there is just too much at stake if we fail. The American people will pay the price for a failure to adapt to this rapidly changing world of technology, this rapidly changing world of media, this rapidly changing world of information gathering, and for sheer carelessness on the part of those in authority.

Private sector innovation and progress can help America compete. As a member of the committee on commerce and having spent 28 years in the private sector—the last 12 years with a cloud computing startup which we took public and which became a great cloud computing company, with offices all over the world but based in my home State of Montana—I admit I had to smile when I saw that so many Congressmen want to regulate the private sector to protect the private sector from private threats. Well, again, in 28 years of serving in the private sector, I never once had my information breached. I never once had a letter from my HR department saying my information had been comprised. It wasn't until I became a Federal employee, elected to Congress a few years ago, that my information was compromised. The private sector runs a whole lot faster than the public sector.

I think the government needs to look within to make sure we can be at the forefront of cyber technology and security, but these efforts will be thoroughly wasted if the Federal Government does not take the necessary precautions and procedures to protect the American people.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

STRATEGIC PETROLEUM RESERVE

Ms. MURKOWSKI. Mr. President, I have come to the floor this evening to speak about our Nation's Strategic Petroleum Reserve, sometimes referred to as the SPR. It is a national security asset that has come into the news of late for a host of different reasons.

I am here this evening because of the concerns I have that others are potentially looking to our Strategic Petroleum Reserve—our strategic energy asset—as nothing more than a piggybank to fund some of the needs we have here in this Congress. I believe it is extremely shortsighted to raid our Nation's oil stockpile as an offset for the extension of the highway trust fund, and that is what we have had some conversation about today.

We had a vote earlier about whether to move forward on the highway trust fund. But as we have looked to find pathways forward for a multiyear highway trust fund reauthorization, which is something I support, it is important to know that not all pots of money are equal, that perhaps some are truly national security assets for which perhaps we need to show more considered respect.

I had an opportunity a few days ago—on Friday—to tour our Strategic Petroleum Reserve. I went to the Choctaw Bayou site near Baton Rouge, LA. It was an opportunity for me to get a firsthand look at some of the challenges that currently face our four Strategic Petroleum Reserves that we have down in the Louisiana, Texas area and to have a better understanding as to their operational readiness. Quite honestly, it is a trip I wish more of our Members were willing to take because I think it would become clear to many the potential mistake we would be making in forcing the sale of billions of dollars of our emergency oil solely to pay for unrelated legislation. It is akin to selling the insurance on your house in order to pave your driveway. It just doesn't make sense.

For some, the Strategic Petroleum Reserve may be a very unknown national security asset. They do not really know what it is. But the SPR is our Nation's insurance policy against global energy supply disruptions. The Strategic Petroleum Reserve was established by law back in 1975 under the Energy Policy and Conservation Act, and its mission is twofold: to ensure U.S. energy security by reducing the impacts of potential disruptions in U.S. petroleum supplies and secondly to carry out U.S. obligations under the international energy program.

We have about 700 million barrels of oil that are tucked away in underground salt caverns down in Louisiana and in Texas. We have a couple refined product reserves in other parts of the country, but our Strategic Petroleum Reserves are there in Louisiana and Texas. So if we have a major hurricane

that takes out production in the Gulf of Mexico, as we saw with Hurricane Katrina back in 2005, we can turn to the SPR to help fill the gap. We did that in 2005. That is exactly the type of reason you would have the strategic asset.

But there are other times we have turned to the SPR. If there is a terrorist attack or a broader war disruption that alters the ability of other nations to send us oil, we can again turn to the reserve for help. We did this in 1991 with the Iraq war and then again in 2011 with the Libya supply disruption. So, again, when there was an emergency and we needed to ensure U.S. security, we had a ready reserve fund to turn to.

In the absence of policies that will allow our Nation to produce all of the oil it consumes every day, the Strategic Petroleum Reserve is really our best answer to the sudden absence of the energy we need, whether it is driving to work, whether it is powering our ships or our airplanes, moving our goods, or whatever that reason may be.

With the discussion we had today in terms of how we pay for this multiyear transportation bill, we are being asked to dramatically diminish the size of the Strategic Petroleum Reserve based again on the need to pay for the extension of the highway trust fund. It is totally unrelated—totally unrelated.

Those who would argue in favor of taking from the SPR, their argument is pretty simple. In fact, it is way too simple. They suggest that our international obligations require us to store enough petroleum to match 90 days of net imports. That is true. And they will say that given the growth we have seen in domestic oil production, we have enough now that we have a surplus within the Strategic Petroleum Reserve. Some have even suggested that an SPR is not even necessary anymore.

Well, I would be the first among us to suggest that changes need to be made to the Strategic Petroleum Reserve. Again, this was established back in 1975, and I think it is very fair to say the world has changed. It has changed dramatically since the 1970s. The global environment in which we are operating has changed dramatically. And the Department of Energy has said that today the impacts of an overall supply disruption of global oil markets would have the same effect on domestic petroleum product prices regardless of how U.S. oil import levels—or whether U.S. refineries import crude from disrupted countries.

So there is a recognition that we have to get to modernizing the SPR. We have to ensure that we have right-sized it, that we are in alignment when it comes to moving oil from the Strategic Petroleum Reserve at those times we have determined are appropriate.

So I think it is important to know we are not just sitting still on this. The Department of Energy has begun work on a comprehensive, long-term strategic review of the SPR. We had good discussion about this when I was down in Louisiana on Friday with the Deputy Secretary of Energy, Chris Smith, talking about what this review will entail. It is looking at future SPR requirements regarding the size; regarding the composition of it; the geographic location—it has been suggested that perhaps there might be regional approaches; determining where we have chokepoints within the system in terms of distribution; how we move it; determining the impacts of what we see globally and what is happening with our own domestic production; and again being smart in how we are making sure we have right-sized the SPR and, in fairness, modernized the Strategic Petroleum Reserve.

We have a committee, as you know, Mr. President, that likes to roll up our sleeves and get into the weeds on making sure our policies are current and are relevant.

We need a deliberative process that will provide us with the proper understanding of the stakes and our options when it comes to how we handle our Strategic Petroleum Reserve. What we do not need—what we do not need—is an arbitrary process that picks a number. Right now, for purposes of the offset of what they are coming to the energy committee for, they are picking a number of—let's sell 101 million barrels of oil to fund a portion of the highway trust fund. Again, where is the connection between ensuring that we don't erode our national energy security assets?

I have said many times that the Strategic Petroleum Reserve is not an ATM. It is certainly not the petty cash drawer for Congress. We have a responsibility. A decision to sell substantial volumes of oil will increase our vulnerability to future supply disruptions at a time when we are still importing oil. We are importing about 5 million barrels a day.

Think about this. Think about the timing of this. It simply could not be worse. When you talk about volatility in the world, think about the news you read about today, what is happening in Iran, Iraq, and Syria. Now is the time for us to say that our national energy security assets are not that important; it is OK to nibble around the edges or worse and take significant amounts to put out on the market?

Let's consider a few facts to put things into perspective. First of all, you talk about the market. It is a buyer's market out there. The International Energy Agency warns of a massively oversupplied balance sheet. The Energy Information Administration shares that assessment in its latest monthly outlook, noting that production continues to exceed consumption across the globe. Of course, now as we are seeing the outcome from the negotiations with Iran, they are going to be in a position soon to put their oil out onto the world market.

Oil prices are sitting right now around $50 a barrel. Think about it. Not all of the oil that is in the Strategic Petroleum Reserve was perhaps bought high, but think about it. Selling it now is the very definition of selling low.

We are at $50 a barrel right now. The sales that are envisioned in this highway bill would shortchange taxpayers in terms of emergency protection because you are eroding the fund, but think about the proper stewardship of taxpayer dollars. Effectively, we bought high and we are going to sell low.

Second, drawing down barrels from the SPR would put the Federal Government in a position of direct competition with domestic producers. That may be temporarily defensible during a severe interruption, but let's remember where we are right now. The midcontinent is already awash in crude. Our outdated ban on oil exports, which should be fully repealed and fully repealed soon in my view, has not been repealed yet. It is sitting there in place, and what it is doing is keeping oil that is trapped in the United States, threatening productions and jobs at the same time.

What you are talking about with this proposal to sell off the oil from SPR is you are going to sell it first very low and then you are going to put it into a market that is already oversupplied.

I was in the Gulf of Mexico this weekend at a place called Port Fourchon, where truly you think about the part of the country that is supporting an oil and gas industry, robust, ready to go to work, but what we saw there were supply vessels that were sidelined and drill ships that were waiting. You tell those hard-working men and women there who aren't working as hard as they would like that perhaps somehow it is a good idea that they should be taking money from our savings account—taking the oil from our savings account and dumping that into the market.

Third, our Nation's energy security cannot depend on commercial stocks alone. They rise and fall based on market expectations, not on the strategic environment, and are not tethered to our Nation's energy security. Since the passage of the Energy Policy and Conservation Act in 1975, there was a bipartisan consensus that maintained that it is the Federal Government, not private industry, that will ensure that our obligations are met. Clearly, not much has changed in that calculation, certainly in my mind.

Fourth, threats to global security continue to abound and they seem to worsen. As Iran, ISIS, and other threats destabilize the Middle East,

some 17 million barrels per day still flow through the Strait of Hormuz. The Suez Canal and its accompanying pipeline carry just under 5 million barrels per day, despite a budding insurgency that fired a rocket at an Egyptian Navy vessel earlier this month. Instability in Venezuela, which produces about 2½ million barrels per day, would also directly impact the major American refining center in the Gulf of Mexico.

You have all of this volatility and instability, and this is the time again that we are going to take our insurance policy and we are going to erode it? We are going to make us less energy secure? It makes no sense.

By way of comparison, the drawdown rate of the Strategic Petroleum Reserve is about 4.4 million barrels a day, probably a little bit less. But, seriously, any number of disruptions could arise and make those barrels very precious. Secretary Moniz gave a speech about a month ago, and he stated that the distribution rate is probably much lower than our drawdown capacity of 4.4. The distribution rate is compromised because of some of the issues we talked about earlier, which are changes in midstream, infrastructure, and congestions in the system. When you talk about our ability to respond, we are limited.

If Congress is going to sell any oil from the SPR—and I am not suggesting this is a good idea—one of the things we must do is we should agree that any proceeds would first be used to pay for upgrading the reserve itself, pay for the modernization, help to ensure it has the ability to do that which we have tasked it to do.

It needs significant modifications to preserve its long-term viability and to ensure that it can truly move the oil in the event of an emergency, whether it is a natural disaster or whether it is a terrorist threat or war. But it would be a travesty if we were to dramatically reduce the size of the Strategic Petroleum Reserve while we continue to ignore its maintenance and its operational needs.

The Strategic Petroleum Reserve must be modernized for the 21st century. Its size, its geographic disposition, the quality of the oil it stores—right now it is about one-third to two-thirds distribution between sweet and sour crude—the desirability and understanding is we need to move more into a refined product storage or holding instead of the crude. These are all issues that merit further attention, but we need to have a deliberative process. We need the review that the Department of Energy is conducting. We need the review that committees such as ours will advance and consider. What we do not need is a spur-of-the-moment deal that would sacrifice our energy security and perhaps much more.

I know this conversation will continue about how we move a highway bill forward. Count me as one who wants to ensure that we are doing right by our highway systems. Our infrastructure is key, but we also have key energy infrastructure. Part of that key infrastructure lies with the security asset, the Strategic Petroleum Reserve that we have. Let's focus on that word ''strategic'' before we move too quickly and in a manner that is shortsighted and will jeopardize our security and our inability to respond.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. DAINES). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO MARTA ADAMS

Mr. REID. Mr. President, I rise today to recognize Marta Adams, who is retiring from her position as chief deputy attorney general for Nevada. For more than 27 years, Marta has been serving Nevada; and though many Nevadans may not know Marta, she has been working diligently to keep them safe.

Soon after Marta graduated from the University of Wyoming College of Law in 1977, she began practicing law in the Silver State. She quickly gained experience in environmental law, and her knowledge about the West and its natural resources have contributed greatly to her successful legal career.

Marta's persistence and commitment while representing the Nevada Agency for Nuclear Projects in opposing the Yucca Mountain project was instrumental in our State's legal fight against efforts to force nuclear waste on Nevada. Since 2008, Marta has worked as chief deputy attorney general and maintained a strong voice for Nevada on all issues pertaining to Yucca Mountain.

On behalf of Nevada, I thank Marta for her decades of dedicated public service and wish her the best in her well-earned retirement.

CAMERON AND DELEVAN, ILLINOIS, TORNADOES

Mr. DURBIN. Mr. President, for the third time this year, Illinois communities are assessing damage and cleaning up after tornadoes. One twister struck the town of Cameron, in Warren County, on Thursday evening. Moments later, another struck the town of Delevan, in Tazewell County. The tornadoes were accompanied by storms with heavy rain and flooding.

The National Weather Service says both tornadoes were category EF–2. That means that the winds blew up to 130 miles per hour. Homes in both small towns suffered severe damage. Several homes had roofs torn off, while others were completely flattened. The tornado that hit Delevan touched down without warning because tornado sirens lost power a few seconds after they began to sound.

Debris from homes and farms was scattered across the community. Many roads in the community were impassible due to down trees and power lines. Emergency responders wasted no time going house to house in both communities. I spoke with Warren County sheriff Martin Edwards on Friday afternoon. Thankfully, there were no fatalities or serious injuries reported.

The communities are busy cleaning up today and utility companies are working to get gas and electricity back on. Over the weekend, Sparky's Smokeshack set up a smoker on the edge of Cameron. The popular rib joint served up free meals to anyone who needed them. American Red Cross volunteers also are providing food and water. As is so often the case when a disaster like this strikes, first responders and friends and family members are helping people whose homes and businesses were damaged. I thank the first responders and all of the members of these communities for their work.

The Illinois delegation and I stand ready to help in any way we can, particularly if the Governor requests Federal assistance. I have no doubt that the people in Cameron and Delevan will rebuild. Our thoughts are with the many people today who lost homes and other property.

GUATEMALA

Mr. LEAHY. Mr. President, with the Congress focused on the U.S.-Iran nuclear agreement, it is not surprising that recent developments in Guatemala have not received the attention they deserve, either here or in the international press. I want to speak briefly about this as it should interest all Senators, particularly at a time when the governments of Guatemala, El Salvador, and Honduras are seeking significant U.S. funding to support the Plan of the Alliance for Prosperity in the Northern Triangle of Central America.

The Cold War history of U.S. involvement in Guatemala is not one we can be overly proud of. The role of the United Fruit Company, the CIA, Guatemala's landholding elite, and others in orchestrating the removal of democratically elected President Jacobo Arbenz Guzman in 1954, the training and equipping of the Guatemalan military that carried out a scorched earth campaign against a rebel insurgency and the rural indigenous population in the 1970s, 1980s, and 1990s, and policies favoring the financial and political elite who perpetuated the racism, social and economic inequities, corruption, violence, and impunity that persist to this

day, are all part of that collective experience.

One of the vestiges of that period is the continuing harassment, vilification, death threats, and even malicious prosecutions of human rights defenders and other social activists. It is regrettable that Guatemala's authorities have failed to condemn or take effective steps to stop this pattern and practice of threats and abuse of the justice system.

Yet while the 1996 Peace Accords that finally ended 36 years of armed conflict were, for the most part, not implemented, since then the United States has sought to help address the causes of poverty, inequality, and injustice in Guatemala. We have funded child nutrition and public health programs, bilingual education for indigenous children, efforts to reform and professionalize the police, prevent violence against women, strengthen the institutional capacity of the Public Ministry, locate and identify the remains of thousands of people who disappeared during the war and ended up in mass graves, support reparations for victims of the Chixoy massacres, protect biodiversity and preserve pre-Columbian archeological sites in Peten. The results of these efforts have been mixed, but they do signify a positive trend in our relations with Guatemala in recent years for which the Department of State, the U.S. Agency for International Development, the Inter-American Foundation, the Inter-American Development Bank, and others deserve credit.

President Perez Molina also deserves credit for supporting the agreement to finance the Chixoy reparations plan, which some in his own government opposed. It is now essential that the agreement is implemented so the communities who suffered losses are compensated.

The United States has also been a strong supporter of the International Commission Against Impunity in Guatemala, otherwise known as CICIG, which, in collaboration with the Office of the Attorney General, has played an indispensable role in investigations and prosecutions of cases of corruption, organized crime, and clandestine groups, as well as crimes against humanity and other human rights atrocities dating to the civil war. I commend the way CICIG Commissioner Ivan Velasquez and Attorney General Thelma Aldana are working together to address these issues.

Each year since CICIG's inception in 2007, as either chairman or ranking member of the appropriations subcommittee that funds U.S. foreign aid programs and as a former prosecutor and chairman or ranking member of the Judiciary Committee, I have included a U.S. contribution to CICIG. I have also twice supported the extension of CICIG when it was nearing the end of its mandate. Most recently, when President Otto Perez Molina indicated that he did not intend to renew CICIG's mandate, I argued that the weakness of Guatemala's justice system and the continuing high levels of corruption and impunity were compelling reasons to extend CICIG. I was gratified that earlier this year its mandate was extended until 2017.

While Guatemala's justice system remains fragile, the partnership between CICIG and the Public Ministry has played a critical role in advancing the cause of justice in Guatemala. But Guatemala's problems are not unique. Honduras and El Salvador suffer from many of the same conditions—weak justice systems that lack credibility, rampant corruption, threats and assassinations of human rights defenders, journalists, and even prosecutors, and a history of impunity. I hope those governments look to CICIG as a model for how they could benefit from the technical expertise and independence of the international community to help address these deeply rooted problems.

Simultaneous with President Perez Molina's decision to extend CICIG's mandate, the need for CICIG became even more apparent. As a result of its investigations, high-ranking officials in the Perez Molina government, including Vice President Roxana Baldetti and one of her top aides, as well as the President's chief of staff and other senior officials, have either resigned or been arrested due to allegations of bribery and other corruption related to customs and social security. In addition, a leading Vice Presidential candidate of the Lider Party has been implicated. This may only be the tip of the iceberg, as it is common knowledge that corruption is widespread in Guatemala.

Such scandals involving powerful public figures are by no means unprecedented, as other Guatemalan officials—including a former President and Minister of Interior—have been implicated in such crimes and became fugitives from justice. But unlike in the past, these latest scandals have galvanized a diverse spectrum of civil society to join in peaceful public demonstrations over a period of several months calling for an end to corruption and impunity and for the resignation of the President who would be replaced by a transition government in accordance with Guatemala's Constitution.

The timing of these protests is significant, as Presidential elections are scheduled for September 6 and speculation is rife as to whether or not President Perez Molina will serve out his term.

The United States has a strong interest in democracy and justice in Guatemala, as well as a better life for the millions of Guatemala's citizens, particularly indigenous and other historically marginalized groups, who live in poverty. Many, with only a few years of formal education and no reliable source of income, including victims of ethnic discrimination, gangs and violent crime, have risked life and limb in search of opportunities in the United States. It is our hope that the Plan of the Alliance for Prosperity, with complementary and balanced investments in governance, prosperity, and security, will begin to provide the economic opportunities and address these difficult social and law enforcement challenges in a sustainable way. I look forward to discussing these issues with our friends in the House of Representatives later this year.

More immediately, it is important that the United States carefully calibrates its response to the popular demands for reform. What is happening in Guatemala today is both unique and encouraging in the way it has inspired and united, for the first time in Guatemala's history, indigenous and non-indigenous, both rural and urban groups, poor and middle class who previously did not share a common agenda. This has enhanced the prospects for real change in a country that has been plagued for two decades by the divisive, tragic legacies of the war and by powerful forces in government and the private sector resistant to change for generations.

In this context, civil society requires support and protection, taking into account Guatemala's past history of repression and violence. I urge U.S. officials to make clear that the United States unequivocally supports the aspirations of Guatemalan civil society that is now struggling for the right of all the Guatemalan people to have transparent and accountable government, including honest and professional police and an independent judiciary.

Guatemala is a country with an extraordinarily rich culture, natural resources, and human potential. But without respect for human rights and the rule of law and real change that provides for equitable economic opportunities and political representation, that potential will remain unfulfilled. It is long past time for an end to impunity, including for public officials who misuse their office to enrich themselves, their families, and their friends, and for a new era of effective governance, prosperity, and freedom from fear for all Guatemalans.

TRIBUTE TO BRENDAN J. WHITTAKER

Mr. LEAHY. Mr. President, I wish to take a moment to recognize Brendan J. ''Bren'' Whittaker, a distinguished public servant and recognized leader in conservation efforts in the New England Northern Forest region. In addition to his conservation work, Bren

spent more than 45 years in the Episcopal ministry, leading a full-time parish.

I know Bren first not as a priest, but as a dedicated public servant for more than 40 years. Bren has held many titles at every level of government, including town meeting moderator, town selectman, county forester, chairman of district 1 environmental commission, director of Vermont State Energy Office, Vermont Secretary of Natural Resources, U.S. Department of Agriculture FSA State Committee member and more.

In addition to his schooling in theology, Bren studied forestry, and he holds degrees in both disciplines. In the early 1990s, I worked with New Hampshire Senator Warren Rudman to establish the Northern Forest Lands Council, and Bren agreed to be part of that select group. He later joined the Vermont Natural Resources Council as Northern Forest project manager, and continues to work as a board member for conservation organizations in Vermont and New Hampshire. Bren served each post with distinction and has been deeply involved for nearly 40 years in the vast changes taking place across the Northern Forest.

I have been pleased to continue working with Bren since his appointment to the USDA's Farm Service Agency State Committee in Vermont. Bren continues to serve as a selectman in Brunswick, VT, and operates a vegetable farm, roadside stand and seasonal restaurant supply business with his wife, Dorothy.

I have touched on Bren's State and Federal public service, but his even greater contributions to his community may be through his ministry, as so eloquently enumerated in the article entitled Thanks to a Mentor and North Country Champion, written by Rebecca Brown, a member of the New Hampshire legislature and a student and friend of Bren. It was published in 2014 in the Littleton Courier. I ask unanimous consent that Ms. Brown's article be printed in the RECORD as a tribute to Brendan J. Whittaker's decades-long and continuing service to his neighbors, community, the States of Vermont and New Hampshire, and to the Nation.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[Littleton New Hampshire Courier, Dec. 2014]

THANKS TO A MENTOR AND NORTH COUNTRY CHAMPION

(By Rebecca A. Brown)

This season of giving thanks and celebration, I want to mark the final retirement of Brendan Whittaker from his Episcopal ministry. ''Final'' because he retired from full-time parish work many years ago, but has been serving in various priestly roles until the Sunday before Thanksgiving.

I write because Brendan's effect on people and the communities of the North Country have been (and I am confident will continue to be) enormous, yet he has gone about his work over the last couple of decades with little fanfare or notoriety, but with his genuine and affecting warmth. In this way he follows in the footsteps of one of his mentors, Carleton Schaller, also an Episcopal priest who we all lost earlier this year.

For much of his earlier career, Brendan was very much in the public eye, especially when he was Secretary of the Agency of Natural Resources for Vermont. Walk through Montpelier or attend a conservation gathering anywhere in VT with Brendan today, and you'll encounter many people who still hold him in the highest regard. I do think he's one of the best-loved people in Vermont. Years ago, he was named the ''person from away'' (he was born and raised in Massachusetts) who most deserved to be a genuine Vermonter.

Brendan and his wife Dorothy have farmed and managed their woodlot in Brunswick, in northern VT along the Connecticut River, for over 50 years. They arrived in the late 1950s, he as a newly minted (UMass) forester working for Essex County. But an additional call pulled at him, and he took a degree from the Episcopal Divinity School in Boston. His first parish work was in Brandon, VT starting in 1963. He later was full-time rector at St. Paul's in Lancaster. He was also rector at St. Mark's in Groveton, in Island Pond, Vt., and the Church of the Epiphany in Lisbon, where he served his last day.

Brendan's divinity school thesis was one of the earliest church ''insider'' calls to link Christian faith and the environmental movement. His writing foreshadowed his long career as a professional forester and a working priest, and helped move the Episcopal Church to embrace stewardship of the earth as a moral obligation.

I first encountered Brendan from afar through his role in the Northern Forest Lands Council, the pivotal group created by Congress to address the alarming forestland changes in northern New England and New York. Brendan represented Vermont. As a young journalist new in the North Country and exploring forestry, land use, and community issues, I studied the Council's 1994 report ''Finding Common Ground'' very closely and followed those involved with creating it. Around that time, I noted the formation of the Forest Guild as a progressive alternative to the Society of American Foresters, with Brendan among the founders. I also encountered various essays he'd written, and found him to be among the most articulate writers and thinkers about our region, someone I hoped to cross paths with someday.

We finally did cross paths in 2005 when I joined the staff of the Connecticut River Joint Commissions, the VT–NH group advising the two states on issues affecting the river and watershed. Brendan was a VT commissioner. At that time Brendan was filling in occasionally at the Lisbon church (Tod Hall was the regular vicar), and from time to time would leave me phone messages that he'd be preaching and inviting me to attend. As someone who'd never gone to church save for weddings and funerals, I did not jump at the opportunity. But eventually I decided it would be the polite thing to do, and with some trepidation agreed. The night before, he called to explain what to expect, including taking communion, which made me even more nervous. I knew that ritual only through extended family occasions in the Catholic Church where infidels like me could not and did not participate.

He assured me that taking communion could be considered a symbolic breaking of bread together as a community, and did not demand belief in the literal ''blood of Christ.'' This was the first of many alternative insights to the Christian traditions and liturgy to which he introduced me. As someone whose understanding of Christian thought was arrested at the kindergarten level of God as a bearded man in the sky, this was an important awakening, and introduced me to a wide world of spiritual thought.

With his guidance and lending of books from his library, I read many of the now classic and radical theological texts of the mid 20th century. I found an exciting, intellectually and spiritually stimulating pantheon including Tillich, Bonhoeffer, John Robinson, and more contemporarily, Alan Watts and John Spong. At the same time, I found a wonderfully accepting and warm band of people at the Lisbon church.

I enjoyed with Brendan post-church conversations (and many while working in the woods or at the farm) about Christian—and increasingly on my part, Buddhist—thought, and returning again and again to our shared love of the environment and what all this meant for activists and stewards. Eventually I left the Joint Commissions and started working for the Ammonoosuc Conservation Trust, a group I'd started. I asked Brendan if he'd consider becoming an advisor to ACT—expecting him to say no, for given his high level career (in addition to his government work he'd been on the board of just about every major New England environmental organization) why bother with a little start up like ACT? But he graciously agreed. Now, Brendan chairs the ACT Lands Committee, and regularly works with us on forestry issues and with landowners who are considering conservation.

Brendan is like one of his beloved stiff asters, the unusual plant that grows near the liquor store in Groveton, able to find nourishment in dry gravel, and subject of one of his most memorable sermons. His calling was to work with the underserved, and he found his parish in the great unruly life of the North Country, independent and fiercely neighborly. He also found his parish with the people working in conservation, including the game wardens he directed as ANR secretary and continues to have special regard for. He's done great service for our land and people, and I am tremendously grateful to have him as a friend, colleague, and mentor.

Former Courier Editor Rebecca Brown is director of ACT, and serves as a NH State Representative.

TRIBUTE TO MIKE DONOGHUE

Mr. LEAHY. Mr. President, I would like to call the Senate's attention to the continued First Amendment advocacy of a Vermont journalist, Mike Donoghue of the Burlington Free Press. The Vermont Press Association has presented Mike with the prestigious Matthew Lyon Award, for his staunch advocacy of First Amendment rights.

Mike is a talented and seasoned reporter, and in more than 40 years as a staff writer at the Free Press he has covered local, State and national news, as well as sporting events—all, with integrity and vigor. He has shown a steadfast commitment to truth-telling, to getting the facts, and getting them right, for the people of Vermont.

While Mike has achieved noteworthy accomplishments and awards during his tenure at the Free Press, it is, especially, his work as an advocate and teacher of First Amendment protections that have drawn the distinction of the Matthew Lyon Award. He served two terms as president of the Vermont Press Association, where he worked to expand the use of cameras in Vermont courtrooms. As a founder of the Vermont Coalition for Open Government, he has provided testimony in front of the Vermont Legislature on a regular basis and on a variety of topics related to First Amendment rights. Mike not only is a veteran reporter and volunteer advocate but a dedicated educator as well. He is an adjunct professor of journalism at Saint Michael's College in Colchester—my alma mater—and he has trained young journalists throughout Vermont and New England as well as through the auspices of the New England Press Association, the New England Society of Newspaper Editors, and Investigative Reporters and Editors. His commitment to teaching and defending the tenets of the First Amendment led him to participate as a trainer in Ireland after the country passed its Freedom of Information Act in 1997.

The Vermont Press Association each year offers the Matthew Lyon Award to an individual who has demonstrated an exceptional commitment to the First Amendment and to ''the public's right to know the truth in Vermont.'' It is named for Congressman Matthew Lyon, one of the foremost defenders of the Bill of Rights. He served in the U.S. House of Representatives on behalf of Vermont, as well as Kentucky, beginning in the 5th Congress. Congressman Lyon is known for his time in jail—and subsequent reelection during his sentence—on charges of sedition in 1798 for his sharp criticism of President John Adams.

Throughout his career, Mike Donoghue has worked tirelessly to promote accountability of public officials, and transparency in government agencies. As an earlier recipient of this same award, I will always feel a special kinship in these efforts with champions like Mike Donoghue.

I ask unanimous consent that this announcement from the Vermont Press Association about Mike Donoghue's selection for this award be printed into the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

BFP'S DONOGHUE WINS VT PRESS 1ST AMENDMENT AWARD

(By The Vermont Press Association, July 6, 2015)

MONTPELIER.—Longtime journalist and educator Mike Donoghue of South Burlington has been selected to receive the Matthew Lyon Award for his lifetime commitment to the First Amendment and the public's right to know the truth in Vermont.

The Vermont Press Association, which represents the interests of 11 daily and about four dozen non-daily newspapers circulating in Vermont, will honor Donoghue at its annual meeting and awards banquet at noon Thursday, July 16 at the Capitol Plaza in Montpelier.

Donoghue, an award-winning veteran news and sports writer for the Burlington Free Press, is being recognized for efforts in his spare time working as an adjunct professor of journalism at St. Michael's College, as a longtime officer with the Vermont Press Association and his volunteer efforts with various groups including New England First Amendment Coalition (NEFAC), New England Newspaper and Press Association (NENPA) and the Society for Professional Journalists (SPJ).

VPA President John Flowers said Donoghue has been on the front lines in seeking greater public accountability through a range of efforts, including that government officials and courts ensure records are easily available to the public, and that government meetings and court hearings are open to Vermonters.

''Mike's efforts in accountability journalism at the Burlington Free Press are well documented over several decades. But the Lyon award is focusing on his efforts in educating students, the public, government officials, and journalists—both for print and electronic media outlets. Mike is called upon frequently to speak in classrooms, in the community and at professional conferences from Vermont to Ireland.''

His work has helped improve both the open meeting law and public records law in Vermont, Flowers said. He noted it was while serving as VPA President in the mid-1980s that Donoghue helped lead the media efforts in successfully obtaining approval for cameras in Vermont Courts.

St. Michael's College recruited Donoghue in 1985 to teach as an adjunct professor in the journalism department, where he still helps. He also served as an officer for the Vermont Press Association for 35 years until he resigned as its executive director earlier this year. Donoghue was instrumental in getting the VPA headquarters anchored at St. Michael's College.

Donoghue serves on the executive board of NEFAC, a six-state effort promoting the First Amendment. He was on the New England Press Association Board of Directors and various committees 1995–2001. The Society of Professional Journalists appointed Donoghue in 1990 to serve as the Vermont chairman for Project Sunshine, a nationwide First Amendment effort—a volunteer hat he still wears.

The VPA solicits nominations from Vermonters each year for the Lyon award, which honors people who have an unwavering devotion to the five freedoms within the First Amendment and to the principle that the public's right to know the truth is essential in a self-governed democracy, Flowers said.

Donoghue has been named to five halls of fame. They include induction as one of 35 charter members selected by the New England Press Association for its Community Journalism Hall of Fame in 2000. Three years later he was named one of three charter members selected nationwide by the Society of Professional Journalists and The National Freedom of Information Coalition for their National Hall of Fame for Local Heroes.

Other honors include the Yankee Quill Award in 2007 for a lifetime commitment to outstanding journalism in New England and beyond; selected the New England Journalist of the Year for print or electronic media in 2013; and voted by Gannett employees nationwide to receive ''Greater Good Award'' from the company in 2013.

The Lyon Award is named for a former Vermont congressman who was jailed in 1798 under the Alien and Sedition Act for sending a letter to the editor, criticizing President John Adams. While Lyon was serving his federal sentence in a Vergennes jail, Vermonters re-elected him to the U.S. House of Representatives. Lyon is credited with ousting Adams when he cast the deciding vote in favor of Thomas Jefferson when the 1800 presidential race went to Congress for a final determination.

Previous Matthew Lyon winners include Patrick J. Leahy for his work as a state prosecutor and U.S. senator; Edward J. Cashman for his efforts as Chittenden Superior Court clerk, a state prosecutor and state judge; Robert Hemley, for his many successful fights as a lawyer to keep courtrooms open and court files available to the public; Gregory Sanford, state archivist, for his work in maintaining, restoring and saving government records for public access; H. Allen Gilbert, executive director of ACLU in Vermont for fighting for greater public access to government records and for public disclosure about police misconduct; and Ken Squier and WDEV-radio for efforts to inform Vermonters about state and local issues.

VOTE EXPLANATION

● Mr. NELSON. Mr. President, I was necessarily absent for votes on S. 1177, the Every Child Achieves Act from Monday, July 13, 2015, through Thursday, July 16, 2015. Had I been present I would have voted in favor of invoking cloture on the substitute amendment No. 2089, cloture on the amended underlying bill, and final passage of S. 1177. I also would have voted in favor of amendments Nos. 2169, 2194, 2093, 2176, 2171, 2161, 2241, 2177, 2243, 2247, 2100, and 2242. I would have opposed amendments Nos. 2132, 2162, and 2180.●

EVERY CHILD ACHIEVES ACT

Ms. STABENOW. Mr. President, it is clear to me that No Child Left Behind was broken and that it was not serving the best interest of children in Michigan or the rest of the country. That is why I voted to support the passage of the Every Child Achieves Act, which moves away from high stakes testing and puts decisions on education back in the hands of our States, school districts, parents, and the teachers, who are in the best position to make those decisions.

However, I continue to have reservations about the Every Child Achieves Act, particularly the changes to formulas that govern how resources are allocated. The bill as drafted will reduce the support that Michigan schools have for recruiting teachers and school leaders at the same time as it reduces support for their professional development. It also cuts the future resources dedicated to the education of the most

vulnerable low-income children in Michigan, sending that money to other States, using a formula that effectively rewards States for investing less in education. It is wrong to take resources away from one set of children and give them to another, and then call it equity.

While I appreciate the efforts of the Senator from North Carolina to change his original amendment, the modified version would still have a negative impact on the children of Michigan. This is the reason I voted no on this amendment.

As this bill continues to conference committee, I intend to continue to fight to ensure that every child in Michigan has the best possible access to quality public education and that Michigan is treated fairly in the funding formulas.

OLDER AMERICANS ACT

Mr. SANDERS. Mr. President, I am very pleased to see that the Older Americans Act reauthorization passed the Senate last week. This law, which turns 50 years old this month, provides critical services like home-delivered meals, transportation, and elder abuse protections.

I would like to thank Chairman ALEXANDER and Ranking Member MURRAY for their efforts to pass this bill. I would also like to acknowledge the many organizations representing tens of millions of Americans who worked with me and my staff to get this bill passed, including the National Council on Aging, Meals on Wheels America, AARP, the National Association of Area Agencies on Aging, and many others.

While this bill is a good step forward, I would have preferred that it go much further.

Older adults are the fastest growing segment of the U.S. population. Shockingly, 1 in 5 seniors is living on an average income of $8,300 per year. We learned from the Government Accountability Office last month that nearly 4 million seniors experience food insecurity and do not know where their next meal will come from. Fewer than 10 percent of low-income seniors who need a meal delivered to their homes receive one. There are seniors across the country who may not have enough money to eat dinner tonight.

For the generation that fought to defend democracy and built our great Nation, we must do everything we can to make sure that seniors do not go hungry. Older Americans should not have to choose between buying medicine or keeping a roof over their heads or having food on the table.

Providing home-delivered meals—Meals on Wheels—for seniors is not only the right thing to do, it makes good economic sense. Why is that? If frail seniors do not get the nutrition they need, they are more likely to fall and break a hip and wind up in the hospital emergency room or in a nursing home. At the end of the day, investing in nutrition which keeps seniors healthy actually saves us money by keeping them out of the hospital.

Since 2006 when the Older Americans Act was last reauthorized, the U.S. population over 60 has grown by about 30 percent. Has funding gone up by 30 percent? No. In fact, funding has been basically flat, and when you account for inflation, funding has actually decreased by about 12 percent. I strongly believe we should significantly expand funding for Older Americans Act programs.

The truth is that the priorities we hold—treating seniors with respect, making sure seniors have the food they need—have the overwhelming support of the American people. These principles are among the foundations of a just and fair society where people look forward to growing old. I thank my Senate colleagues for their support of this important reauthorization bill. I hope that my colleagues in the House of Representatives take up and pass this bill swiftly so that it can become law without any further delay.

INNOVATION SCHOOLS DEMONSTRATION AUTHORITY

Mr. WHITEHOUSE. Mr. President, I am joined by the chair and ranking member of the Health, Education, Labor and Pensions Committee to discuss one of my amendments, Whitehouse No. 2185, to the Every Child Achieves Act, which would establish an Innovation Schools Demonstration Authority. I thank them for their leadership on this important legislation and join them today to discuss the purpose of the amendment.

Teachers and school leaders possess a unique understanding of the students and communities they serve. My amendment is intended to help schools address these unique needs through increased autonomy from local, State, and Federal regulations. In Rhode Island I have heard from school leaders who would like to extend the school day for struggling students, take ownership over school budgeting and financing or manage their school's human resources but are unable to do so because existing rules and regulations get in the way. The prospects of moving bureaucratic approaches at all three levels of government can be daunting, but this measure is designed to clear a path.

Several States are already experimenting with increased school autonomy. In Massachusetts, where State law allows for innovation status, schools are already benefiting from regulatory flexibility. In Revere, MA, the Paul Revere Elementary School uses regulatory flexibility around staffing, budgeting, scheduling, and curriculum to operate a school model that emphasizes staff collaboration and differentiated instruction. In Falmouth, MA, the Lawrence School is using regulatory flexibility to improve its governance and decisionmaking structure in a way that emphasizes faculty input and satisfaction. In addition to Massachusetts, States as diverse as Colorado, Kentucky, Minnesota, and West Virginia have established State laws that promote innovation through autonomy.

The Innovation Schools Demonstration Authority builds on these efforts by establishing a fast-track process to give public schools relief from the local, State, and Federal regulations that can be barriers to school-based innovation. The program is designed to serve existing public schools, specifically those where teachers, parents, administrators, and members of the community are working together to implement new, evidence-based models of teaching, learning, and school administration. When these existing schools are selected for innovation school designation, they will be able to obtain expedited relief from regulations that would otherwise prevent them from implementing their school vision.

A key element of this program is that the whole school community wants to participate. Innovation schools must demonstrate support from administrators, parents, and at least two-thirds of the current teaching staff. They are encouraged to form advisory boards to bring community expertise from businesses, higher education, and community groups, among others, into school planning, operations, and oversight. And, importantly, innovation schools will remain part of their local education authority, serving as laboratories for experimentation, the benefits of which can serve as a model for other schools in the district.

Mrs. MURRAY. I thank Senator WHITEHOUSE. As ranking member of the Health, Education, Labor and Pensions Committee, I support this amendment, which establishes a process for educators in traditional public schools to pursue innovative, community-inspired strategies to improve education. My home State of Washington has benefited from educator-initiated innovation through the Washington Innovative Schools Program. I am proud to say that we now have almost thirty designated innovative schools that are pursuing creative and innovative educational ideas with a high level of parent and community involvement. And while providing room for innovation is important, it is also essential that we maintain important Federal safeguards. This is why under this amendment, innovation schools must still

comply with part B of the Individuals with Disabilities Education Act, title VI of the Civil Rights Act of 1964, and section 504 of the Rehabilitation Act of 1973. This program will ensure that we balance the need for flexibility while maintaining strong accountability.

Mr. ALEXANDER. I thank Senator WHITEHOUSE for his work on this amendment. The thinking behind the Innovation Schools Demonstration Authority is consistent with the approach we have taken throughout the Every Child Achieves Act: returning more decisionmaking authority back to our 100,000 public schools and promoting greater flexibility in achieving high standards. This pilot program would allow for the creation of autonomous schools that would operate under the same accountability standards as other schools in the school district; however, these innovation schools would be granted flexibility to increase student achievement in innovative ways to best serve the needs of their students. Through increased autonomy and flexibility, innovation schools may see some of the same demonstrated successes as charter schools.

Mr. WHITEHOUSE. I thank Ranking Member MURRAY and Chairman ALEXANDER for their support. I hope this measure will meet all of our expectations and create great examples of innovative, student-centered public schools.

RECOGNIZING ST. MARY OF THE ASSUMPTION CATHOLIC CHURCH UPON ITS 150TH ANNIVERSARY

Mr. PORTMAN. Mr. President, today I wish to honor St. Mary of the Assumption Catholic Church in the German Village neighborhood of Columbus, OH, as it celebrates its 150th anniversary. In 1865, St. Mary initially operated under the leadership of Rev. Francis S. Specht in a building that featured a one-room church, one-room school and second-story rectory. In 1866, the parishioners began construction on a German-gothic inspired church. In 1893, the parishioners built the iconic steeple, which rises to 197 feet and still stands tall today.

The parish is home to more than 500 families, with parishioners from 5 different counties in Ohio. St. Mary also hosts more than 50 weddings each year and has approximately 230 students enrolled in prekindergarten through the eighth grade.

The parish mission is ''to be of one mind and heart with the Church by loving God with all our heart, all our mind, all our strength, all our soul; and by loving our neighbor as ourselves.'' St. Mary fulfills its mission by supporting the needs of its congregation, hosting community activities, and educating its students. Nearly 95 percent of the students at St. Mary have been fortunate enough to receive tuition assistance.

I am here today to honor St. Mary of the Assumption and its congregation. I congratulate all who were involved in making its first 150 years a success.

ADDITIONAL STATEMENTS

RECOGNIZING THE BOBBY FAMILY OF ROSCOE, SOUTH DAKOTA

● Mr. ROUNDS. Mr. President, today I wish to recognize the Bobby family from Roscoe, SD, for their work in railroad service. Roger, Duane, Albert, Bill, and Dale—led by their late father LaVern Bobby—have served a combined total of 232 years with the railroad industry. The six men have worked with Chicago, Milwaukee, St. Paul, and Pacific Railroads, all serving in the Maintenance of Way department throughout their careers.

Following LaVern, who joined railroad service in 1955 after serving on a U.S. Navy destroyer in World War II, the Bobby boys have dedicated their lives to the railroad. Their railroad service has spanned across a variety of Midwestern States, including South Dakota, Minnesota, and Illinois. They have made many sacrifices, frequently traveling, moving, and leaving their families at home to fulfill their duties with the railroad.

The entire Bobby family deserves recognition for their hard work ethic, patriotism, and service to the railroad system. I extend my sincere gratitude and appreciation to the Bobby family for their dedication to an industry that is vital to our economy by connecting our country and transporting goods. I hope that the Bobby legacy will continue to thrive with the generations to come.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

PRESIDENTIAL MESSAGE

REPORT RELATIVE TO THE CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO SIGNIFICANT TRANSNATIONAL CRIMINAL ORGANIZATIONS THAT WAS ESTABLISHED IN EXECUTIVE ORDER 13581 ON JULY 24, 2011—PM21

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to transnational criminal organizations declared in Executive Order 13581 of July 24, 2011, is to continue in effect beyond July 24, 2015.

The activities of significant transnational criminal organizations have reached such scope and gravity that they threaten the stability of international political and economic systems. Such organizations are becoming increasingly sophisticated and dangerous to the United States; they are increasingly entrenched in the operations of foreign governments and the international financial system, thereby weakening democratic institutions, degrading the rule of law, and undermining economic markets. These organizations facilitate and aggravate violent civil conflicts and increasingly facilitate the activities of other dangerous persons.

The activities of significant transnational criminal organizations continue to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. Therefore, I have determined that it is necessary to continue the national emergency declared in Executive Order 13581 with respect to transnational criminal organizations.

BARACK OBAMA.

THE WHITE HOUSE, *July 21, 2015.*

MESSAGES FROM THE HOUSE

At 10:03 a.m., a message from the House of Representatives, delivered by Novotny, one of its reading clerks, announced that the House has passed the

following bill, in which it requests the concurrence of the Senate:

H.R. 2898. An act to provide drought relief in the State of California, and for other purposes.

The message also announced that pursuant to section 1238(b)(3) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (22 U.S.C. 7002), as amended, and the order of the House of January 6, 2015, the Speaker appoints the following individuals on the part of the House of Representatives to the United States-China Economic and Security Review Commission, for a term expiring on December 31, 2016: Mr. Larry Wortzel of Williamsburg, Virginia, and Mr. Peter Brookes of Springfield, Virginia.

ENROLLED BILLS SIGNED

At 4:42 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker signed the following enrolled bill:

S. 971. An act to amend title XVIII of the Social Security Act to provide for an increase in the limit on the length of an agreement under the Medicare independence at home medical practice demonstration program.

At 5:03 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker signed the following enrolled bill:

S. 984. An act to amend title XVIII of the Social Security Act to provide Medicare beneficiary access to eye tracking accessories for speech generating devices and to remove the rental cap for durable medical equipment under the Medicare Program with respect to speech generating devices.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 2898. An act to provide drought relief in the State of California, and for other purposes; to the Committee on Energy and Natural Resources.

MEASURES DISCHARGED

The following joint resolution was discharged pursuant to 42 U.S.C. 2159(i) and Section 601(b)(4) of Public Law 94–329, and placed on the calendar:

S.J. Res. 19. Joint resolution to express the disfavor of Congress regarding the proposed agreement for cooperation between the United States and the People's Republic of China transmitted to the Congress by the President on April 21, 2015, pursuant to the Atomic Energy Act of 1954.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

H.R. 3038. An act to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–2313. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Thiabendazole; Pesticide Tolerances for Emergency Exemptions'' (FRL No. 9929–95) received in the Office of the President of the Senate on July 15, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2314. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Novaluron; Pesticide Tolerances'' (FRL No. 9929–57) received in the Office of the President of the Senate on July 15, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2315. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Distillates, (Fischer-Tropsch), heavy, C18-C50, branched, cyclic and linear; Exemption from the Requirement of a Tolerance'' (FRL No. 9929–27) received in the Office of the President of the Senate on July 15, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2316. A communication from the Chairman, Farm Credit System Insurance Corporation, transmitting, pursuant to law, the Corporation's annual report for calendar year 2014; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2317. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General Noel T. Jones, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–2318. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Clarifications and Corrections to the Export Administration Regulations (EAR): Control of Spacecraft Systems and Related Items the President Determines No Longer Warrant Control Under the United States Munitions List (USML)'' (RIN0694–AG59) received in the Office of the President of the Senate on July 14, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC–2319. A communication from the Assistant General Counsel, General Law, Ethics, and Regulation, Department of the Treasury, transmitting, pursuant to law, a report relative to a vacancy in the position of Deputy Under Secretary (Legislative Affairs), received in the Office of the President of the Senate on July 14, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC–2320. A communication from the Chair of the Board of Governors, Federal Reserve System, transmitting, pursuant to law, the Board's semiannual Monetary Policy Report to Congress; to the Committee on Banking, Housing, and Urban Affairs.

EC–2321. A communication from the Assistant Director for Legislative Affairs, Consumer Financial Protection Bureau, transmitting, pursuant to law, a report relative to pre-dispute arbitration clauses in consumer financial markets; to the Committee on Banking, Housing, and Urban Affairs.

EC–2322. A communication from the District of Columbia Auditor, transmitting, pursuant to law, reports entitled ''The District's School Modernization Program Has Failed to Comply with D.C. Code and Lacks Accountability, Transparency and Basic Financial Management'' and ''Audits of Public School Construction Programs: A Literature Review''; to the Committee on Homeland Security and Governmental Affairs.

EC–2323. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Connecticut; Prevention of Significant Deterioration and Nonattainment New Source Review'' (FRL No. 9927–32–Region 1) received in the Office of the President of the Senate on July 15, 2015; to the Committee on Environment and Public Works.

EC–2324. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Illinois; Midwest Generation Variances'' (FRL No. 9929–71–Region 5) received in the Office of the President of the Senate on July 15, 2015; to the Committee on Environment and Public Works.

EC–2325. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Redesignation Request and Associated Maintenance Plan for the Lancaster Nonattainment Area for the 1997 Annual and 2006 24-Hour Fine Particulate Matter Standard'' (FRL No. 9930–56–Region 3) received in the Office of the President of the Senate on July 15, 2015; to the Committee on Environment and Public Works.

EC–2326. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Virginia; Revision to the Definition of Volatile Organic Compounds'' (FRL No. 9930–63–Region 3) received in the Office of the President of the Senate on July 15, 2015; to the Committee on Environment and Public Works.

EC–2327. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; North Carolina; Nitrogen Dioxide and Sulfur Dioxide National Ambient Air Quality Standards Changes'' (FRL No. 9930–76–Region 4) received in the Office of the President of the Senate on July 15, 2015; to the Committee on Environment and Public Works.

EC–2328. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Texas; Low Reid Vapor Pressure Regulations'' (FRL No. 9930–79–Region 6) received in the Office of the President

of the Senate on July 15, 2015; to the Committee on Environment and Public Works.

EC–2329. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Washington; Interstate Transport Requirements for the 2008 Lead and 2010 Nitrogen Dioxide National Ambient Air Quality Standards'' (FRL No. 9930–69–Region 10) received in the Office of the President of the Senate on July 15, 2015; to the Committee on Environment and Public Works.

EC–2330. A communication from the Director of Congressional Affairs, Nuclear Regulatory Research, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''OPEN PHASE CONDITIONS IN ELECTRIC POWER SYSTEM'' (BTP 8–9) received in the Office of the President of the Senate on July 14, 2015; to the Committee on Environment and Public Works.

EC–2331. A communication from the Director of Congressional Affairs, Nuclear Regulatory Research, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''PHYSICAL SECURITY—REVIEW OF PHYSICAL SECURITY SYSTEM DESIGNS—STANDARD DESIGN CERTIFICATION AND OPERATING REACTOR LICENSING APPLICATIONS'' (SRP 13.6.2) received in the Office of the President of the Senate on July 14, 2015; to the Committee on Environment and Public Works.

EC–2332. A communication from the Director of Congressional Affairs, Nuclear Regulatory Research, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Strategies and Guidance to Address Loss of Large Areas of the Plant Due to Explosions and Fires'' (NUREG–0800, SRP Section 19.4) received in the Office of the President of the Senate on July 14, 2015; to the Committee on Environment and Public Works.

EC–2333. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Revision of Fee Schedules; Fee Recovery for Fiscal Year 2015'' ((RIN3150–AJ44) (NRC–2014–0200)) received in the Office of the President of the Senate on July 14, 2015; to the Committee on Environment and Public Works.

EC–2334. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Transaction of Interest Notice for Basket Contacts'' (Notice 2015–48) received in the Office of the President of the Senate on July 14, 2015; to the Committee on Finance.

EC–2335. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Listing Notice for Basket Option Contacts'' (Notice 2015–47) received in the Office of the President of the Senate on July 14, 2015; to the Committee on Finance.

EC–2336. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to sections 36(c) and 36(d) of the Arms Export Control Act (DDTC 14–133); to the Committee on Foreign Relations.

EC–2337. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, the 2014 annual report on voting practices in the United Nations; to the Committee on Foreign Relations.

EC–2338. A communication from the Deputy Director, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Coverage of Certain Preventive Services Under the Affordable Care Act'' ((RIN0938–AS50) (CMS–9940-F)) received in the Office of the President of the Senate on July 15, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC–2339. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Veterinary Feed Directive; Correction'' ((RIN0910–AG95) (Docket No. FDA–2011–N–0155)) received in the Office of the President of the Senate on July 14, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC–2340. A communication from the Rules Administrator, Federal Bureau of Prisons, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Transfer of Offenders to Foreign Countries'' (RIN1120–AB65) received in the Office of the President of the Senate on July 14, 2015; to the Committee on the Judiciary.

EC–2341. A communication from the Rules Administrator, Federal Bureau of Prisons, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Commutation of Sentence: Technical Change'' (RIN1120–AB54) received in the Office of the President of the Senate on July 14, 2015; to the Committee on the Judiciary.

EC–2342. A communication from the Acting Director of Regulation Policy and Management, Veterans Benefits Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards; Updating References'' (RIN2900–AP22) received in the Office of the President of the Senate on July 14, 2015; to the Committee on Veterans' Affairs.

EC–2343. A communication from the Acting Director of Regulation Policy and Management, Veterans Benefits Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''Agency Interpretation of Prosthetic Replacement of a Joint'' (RIN2900–AP38) received in the Office of the President of the Senate on July 14, 2015; to the Committee on Veterans' Affairs.

EC–2344. A communication from the Secretary of the Commission, Bureau of Consumer Protection, Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled ''16 CFR PART 305—ENERGY AND WATER USE FOR LABELING FOR CONSUMER PRODUCTS UNDER THE ENERGY POLICY AND CONSERVATION ACT ('ENERGY LABELING RULE')'' (RIN3084–AA74) received in the Office of the President of the Senate on July 14, 2015; to the Committee on Commerce, Science, and Transportation.

EC–2345. A communication from the Associate General Counsel for General Law, Department of Homeland Security, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary/Administrator, Transportation Security Administration, Department of Homeland Security, received in the Office of the President of the Senate on July 14, 2015; to the Committee on Commerce, Science, and Transportation.

EC–2346. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone—Oil Exploration Staging Area in Goodhope Bay; Kotzebue Sound, AK'' ((RIN1625–AA00) (Docket No. USCG–2015–0267)) received in the Office of the President of the Senate on July 14, 2015; to the Committee on Commerce, Science, and Transportation.

EC–2347. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Regulated Navigation Area; 4th of July, Biscayne Bay, Miami, FL'' ((RIN1625–AA11) (Docket No. USCG–2015–0450)) received in the Office of the President of the Senate on July 14, 2015; to the Committee on Commerce, Science, and Transportation.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–50. A concurrent resolution adopted by the Legislature of the State of Louisiana memorializing the United States Congress to eliminate the current ban on crude oil exports; to the Committee on Banking, Housing, and Urban Affairs.

SENATE CONCURRENT RESOLUTION NO. 94

Whereas, the efficient exploration, production, and transportation of oil in Louisiana prevents waste of the state's natural resources; contributes to the health, welfare, and safety of the general public; and promotes the prosperity of the state; and

Whereas, the tax revenues and economic prosperity deriving from this Louisiana energy renaissance have greatly benefitted Louisiana public schools, higher education, critical infrastructure development, and public health and safety programs; and

Whereas, improved technologies and abundant resources have made the United States of America the world's leading oil and natural gas producer, overtaking Saudi Arabia and Russia; and

Whereas, the 1970s-era federal law prohibiting crude oil exports is a relic from an era of scarcity and flawed price control policies; and

Whereas, allowing American crude oil exports will strengthen U.S. geopolitical influence by giving our trading partners a more secure source of supply, and allowing the export of American crude oil will make our allies less dependent on crude oil from Russia and the Middle East; and

Whereas, the world's other major developed nations allow crude oil exports, making the U.S. the only nation that does not take full advantage of trading a valuable resource in what is an otherwise global free market; and

Whereas, crude oil exports will benefit the U.S.'s national security interests by decreasing the likelihood that global oil supply can be used internationally as a strategic weapon; and

Whereas, numerous studies have found that allowing American crude oil into the world's free market will benefit U.S. trade and American consumers while creating more high-paying jobs for Louisianians; and

Whereas, the U.S. is the largest exporter of refined petroleum products and would benefit even more substantially from the export

of both crude oil and refined petroleum products; and

Whereas, at least seven independent studies have confirmed that repealing the ban on American crude oil exports will lower U.S. gas prices, benefitting Louisiana consumers and businesses; and

Whereas, many small and large Louisiana businesses that support oil and gas development will benefit from ongoing production; and

Whereas, manufacturers will benefit from less volatility in energy costs; and

Whereas, encouraging a global marketplace that is more free from artificial barriers will economically benefit Louisiana, the rest of the U.S., and our friends around the world: Now, therefore, be it

Resolved, That the Legislature of Louisiana memorializes the Congress of the United States to recognize that crude oil exports and free trade are in the national interest and take all necessary steps to eliminate the current ban on crude oil exports; and be it further

Resolved, That a copy of this Resolution shall be transmitted to the secretary of the United States Senate and the clerk of the United States House of Representatives and to each member of the Louisiana delegation to the United States Congress.

POM–51. A petition by a citizen from the state of Texas relative to United States paper currency; to the Committee on Banking, Housing, and Urban Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, without amendment:

S. 546. A bill to establish the Railroad Emergency Services Preparedness, Operational Needs, and Safety Evaluation (RESPONSE) Subcommittee under the Federal Emergency Management Agency's National Advisory Council to provide recommendations on emergency responder training and resources relating to hazardous materials incidents involving railroads, and for other purposes (Rept. No. 114–85).

S. 614. A bill to provide access to and use of information by Federal agencies in order to reduce improper payments, and for other purposes (Rept. No. 114–86).

By Mr. ENZI, from the Committee on the Budget, without amendment:

S. 1495. A bill to curtail the use of changes in mandatory programs affecting the Crime Victims Fund to inflate spending (Rept. No. 114–87).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. CRUZ:

S. 1804. A bill to eliminate the Bureau of Consumer Financial Protection by repealing title X of the Dodd-Frank Wall Street Reform and Consumer Protection Act, commonly known as the Consumer Financial Protection Act of 2010; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. INHOFE (for himself and Mr. KING):

S. 1805. A bill to amend the Richard B. Russell National School Lunch Act to provide flexibility to school food authorities in establishing a price for paid school lunches; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. MARKEY (for himself and Mr. BLUMENTHAL):

S. 1806. A bill to protect consumers from security and privacy threats to their motor vehicles, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. DAINES (for himself, Mr. BLUNT, and Mr. GARDNER):

S. 1807. A bill to require agencies to publish the categorization of certain proposed and final rules, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Ms. HEITKAMP (for herself, Ms. AYOTTE, Mr. PETERS, and Mr. JOHNSON):

S. 1808. A bill to require the Secretary of Homeland Security to conduct a Northern Border threat analysis, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Ms. AYOTTE (for herself, Mr. KING, and Mr. BLUNT):

S. 1809. A bill to amend the Internal Revenue Code of 1986 to simplify the treatment of seasonal positions for purposes of the employer shared responsibility requirement; to the Committee on Finance.

By Mr. VITTER (for himself and Mr. CRUZ):

S. 1810. A bill to apply the provisions of the Patient Protection and Affordable Care Act to Congressional members and members of the executive branch; to the Committee on Homeland Security and Governmental Affairs.

By Mr. MENENDEZ (for himself, Mr. SCHUMER, Mrs. GILLIBRAND, and Mr. BOOKER):

S. 1811. A bill to require the Administrator of the Small Business Administration to establish a program to make loans to certain businesses, homeowners, and renters affected by Superstorm Sandy; to the Committee on Small Business and Entrepreneurship.

By Mr. GRASSLEY (for himself, Mr. BARRASSO, and Mr. CORNYN):

S. 1812. A bill to protect public safety by incentivizing State and local law enforcement to cooperate with Federal immigration law enforcement to prevent the release of criminal aliens into communities; to the Committee on the Judiciary.

By Mr. MORAN (for himself and Mr. DONNELLY):

S. 1813. A bill to establish a bus state of good repair program; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. VITTER (for himself, Mr. FLAKE, and Mr. MCCAIN):

S. 1814. A bill to withhold certain Federal funding from sanctuary cities; to the Committee on the Judiciary.

By Mr. HELLER:

S. 1815. A bill to require a process by which members of the Armed Forces may carry a concealed personal firearm on a military installation; to the Committee on Armed Services.

By Mr. ROUNDS (for himself and Mr. BLUNT):

S. 1816. A bill to provide relief to community banks, to promote access to capital for community banks, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. HEITKAMP (for herself and Mr. LANKFORD):

S. 1817. A bill to improve the effectiveness of major rules in accomplishing their regulatory objectives by promoting retrospective review, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. LANKFORD:

S. 1818. A bill to amend title 5, United States Code, to reform the rule making process of agencies; to the Committee on Homeland Security and Governmental Affairs.

By Mr. DAINES:

S. 1819. A bill to improve security at Armed Forces recruitment centers; to the Committee on Armed Services.

By Mr. LANKFORD:

S. 1820. A bill to require agencies to publish an advance notice of proposed rule making for major rules; to the Committee on Homeland Security and Governmental Affairs.

By Mr. JOHNSON:

S. 1821. A bill to permit service members to carry firearms on military installations, including reserve centers and recruitment offices; to the Committee on Armed Services.

By Mrs. BOXER:

S. 1822. A bill to take certain Federal land located in Tuolumne County, California, into trust for the benefit of the Tuolumne Band of Me-Wuk Indians, and for other purposes; to the Committee on Indian Affairs.

By Mr. MORAN:

S. 1823. A bill to safeguard military personnel on Armed Forces military installations by repealing bans on military personnel carrying firearms, and for other purposes; to the Committee on Armed Services.

By Mrs. GILLIBRAND:

S. 1824. A bill to authorize the Secretary of the Interior to conduct a study to assess the suitability and feasibility of designating certain land as the Finger Lakes National Heritage Area, and for other purposes; to the Committee on Energy and Natural Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. CRUZ (for himself and Mr. TOOMEY):

S. Res. 224. A resolution expressing the sense of the Senate that the area between the intersections of International Drive, Northwest and Van Ness Street, Northwest and International Drive, Northwest and International Place, Northwest in Washington, District of Columbia, should be designated as ''Liu Xiaobo Plaza''; to the Committee on Homeland Security and Governmental Affairs.

By Mr. VITTER (for himself, Mrs. SHAHEEN, Mr. RISCH, Mr. COONS, Ms. AYOTTE, Ms. HIRONO, Mrs. FISCHER, Mr. CARDIN, Mr. RUBIO, Mr. PETERS, Mr. GARDNER, Mr. MARKEY, Mrs. ERNST, and Mr. ENZI):

S. Res. 225. A resolution honoring the National Association of Women Business Owners on its 40th anniversary; to the Committee on the Judiciary.

By Mr. CRUZ:

S. Res. 226. A resolution expressing the sense of the Senate that the street between the intersections of 16th Street, Northwest and Fuller Street, Northwest and 16th Street, Northwest and Euclid Street, Northwest in Washington, District of Columbia, should be designated as ''Oswaldo Paya

Way''; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CORKER (for himself, Mr. ALEXANDER, Mr. MCCONNELL, Mr. REID, Ms. AYOTTE, Ms. BALDWIN, Mr. BARRASSO, Mr. BENNET, Mr. BLUMENTHAL, Mr. BLUNT, Mr. BOOKER, Mr. BOOZMAN, Mrs. BOXER, Mr. BROWN, Mr. BURR, Ms. CANTWELL, Mrs. CAPITO, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CASSIDY, Mr. COATS, Mr. COCHRAN, Ms. COLLINS, Mr. COONS, Mr. CORNYN, Mr. COTTON, Mr. CRAPO, Mr. CRUZ, Mr. DAINES, Mr. DONNELLY, Mr. DURBIN, Mr. ENZI, Mrs. ERNST, Mrs. FEINSTEIN, Mrs. FISCHER, Mr. FLAKE, Mr. FRANKEN, Mr. GARDNER, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mr. HATCH, Mr. HEINRICH, Ms. HEITKAMP, Mr. HELLER, Ms. HIRONO, Mr. HOEVEN, Mr. INHOFE, Mr. ISAKSON, Mr. JOHNSON, Mr. KAINE, Mr. KING, Mr. KIRK, Ms. KLOBUCHAR, Mr. LANKFORD, Mr. LEAHY, Mr. LEE, Mr. MANCHIN, Mr. MARKEY, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Mr. MORAN, Ms. MURKOWSKI, Mr. MURPHY, Mrs. MURRAY, Mr. NELSON, Mr. PAUL, Mr. PERDUE, Mr. PETERS, Mr. PORTMAN, Mr. REED, Mr. RISCH, Mr. ROBERTS, Mr. ROUNDS, Mr. RUBIO, Mr. SANDERS, Mr. SASSE, Mr. SCHATZ, Mr. SCHUMER, Mr. SCOTT, Mr. SESSIONS, Mrs. SHAHEEN, Mr. SHELBY, Ms. STABENOW, Mr. SULLIVAN, Mr. TESTER, Mr. THUNE, Mr. TILLIS, Mr. TOOMEY, Mr. UDALL, Mr. VITTER, Mr. WARNER, Ms. WARREN, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN):

S. Res. 227. A resolution condemning the attacks of July 16, 2015, in Chattanooga, Tennessee, honoring the members of the Armed Forces who lost their lives, and expressing support and prayers for all those affected; considered and agreed to.

ADDITIONAL COSPONSORS

S. 51

At the request of Mr. VITTER, the names of the Senator from Utah (Mr. LEE), the Senator from Texas (Mr. CRUZ) and the Senator from Kentucky (Mr. PAUL) were added as cosponsors of S. 51, a bill to amend title X of the Public Health Service Act to prohibit family planning grants from being awarded to any entity that performs abortions, and for other purposes.

S. 185

At the request of Mr. HATCH, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 185, a bill to create a limited population pathway for approval of certain antibacterial drugs.

S. 238

At the request of Mr. TOOMEY, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor of S. 238, a bill to amend title 18, United States Code, to authorize the Director of the Bureau of Prisons to issue oleoresin capsicum spray to officers and employees of the Bureau of Prisons.

S. 313

At the request of Mr. GRASSLEY, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 313, a bill to amend title XVIII of the Social Security Act to add physical therapists to the list of providers allowed to utilize locum tenens arrangements under Medicare.

S. 314

At the request of Mr. GRASSLEY, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 314, a bill to amend title XVIII of the Social Security Act to provide for coverage under the Medicare program of pharmacist services.

S. 330

At the request of Mr. HELLER, the names of the Senator from New York (Mr. SCHUMER) and the Senator from Alaska (Ms. MURKOWSKI) were added as cosponsors of S. 330, a bill to amend the Internal Revenue Code of 1986 to make permanent the special rule for contributions of qualified conservation contributions, and for other purposes.

S. 368

At the request of Mr. TOOMEY, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor of S. 368, a bill to amend title 18, United States Code, to require that the Director of the Bureau of Prisons ensure that each chief executive officer of a Federal penal or correctional institution provides a secure storage area located outside of the secure perimeter of the Federal penal or correctional institution for firearms carried by certain employees of the Bureau of Prisons, and for other purposes.

S. 431

At the request of Mr. THUNE, the name of the Senator from Iowa (Mrs. ERNST) was added as a cosponsor of S. 431, a bill to permanently extend the Internet Tax Freedom Act.

S. 540

At the request of Ms. COLLINS, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 540, a bill to amend the Richard B. Russell National School Lunch Act to require the Secretary of Agriculture to make loan guarantees and grants to finance certain improvements to school lunch facilities, to train school food service personnel, and for other purposes.

S. 571

At the request of Mr. INHOFE, the names of the Senator from Colorado (Mr. GARDNER), the Senator from North Dakota (Mr. HOEVEN), the Senator from South Carolina (Mr. SCOTT), the Senator from Texas (Mr. CORNYN), the Senator from Utah (Mr. LEE), the Senator from Georgia (Mr. PERDUE), the Senator from Arizona (Mr. FLAKE), the Senator from Louisiana (Mr. VITTER) and the Senator from Wisconsin (Ms. BALDWIN) were added as cosponsors of S. 571, a bill to amend the Pilot's Bill of Rights to facilitate appeals and to apply to other certificates issued by the Federal Aviation Administration, to require the revision of the third class medical certification regulations issued by the Federal Aviation Administration, and for other purposes.

S. 586

At the request of Mrs. SHAHEEN, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 586, a bill to amend the Public Health Service Act to foster more effective implementation and coordination of clinical care for people with pre-diabetes, diabetes, and the chronic diseases and conditions that result from diabetes.

S. 626

At the request of Mr. GRASSLEY, the name of the Senator from Iowa (Mrs. ERNST) was added as a cosponsor of S. 626, a bill to amend title XIX of the Social Security Act to cover physician services delivered by podiatric physicians to ensure access by Medicaid beneficiaries to appropriate quality foot and ankle care, to amend title XVIII of such Act to modify the requirements for diabetic shoes to be included under Medicare, and for other purposes.

S. 637

At the request of Mr. CRAPO, the names of the Senator from Washington (Mrs. MURRAY) and the Senator from Nebraska (Mrs. FISCHER) were added as cosponsors of S. 637, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 681

At the request of Mrs. GILLIBRAND, the names of the Senator from Mississippi (Mr. COCHRAN) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. 681, a bill to amend title 38, United States Code, to clarify presumptions relating to the exposure of certain veterans who served in the vicinity of the Republic of Vietnam, and for other purposes.

S. 683

At the request of Mr. BOOKER, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 683, a bill to extend the principle of federalism to State drug policy, provide access to medical marijuana, and enable research into the medicinal properties of marijuana.

S. 713

At the request of Mrs. BOXER, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 713, a bill to prevent international violence against women, and for other purposes.

S. 746

At the request of Mr. GRASSLEY, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 746, a bill to provide for the establishment of a Commission to Accelerate the End of Breast Cancer.

S. 799

At the request of Mr. MCCONNELL, the names of the Senator from Maine

(Mr. KING) and the Senator from Delaware (Mr. CARPER) were added as cosponsors of S. 799, a bill to combat the rise of prenatal opioid abuse and neonatal abstinence syndrome.

S. 804

At the request of Mrs. SHAHEEN, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 804, a bill to amend title XVIII of the Social Security Act to specify coverage of continuous glucose monitoring devices, and for other purposes.

At the request of Ms. COLLINS, the names of the Senator from Iowa (Mr. GRASSLEY) and the Senator from New Hampshire (Ms. AYOTTE) were added as cosponsors of S. 804, supra.

S. 849

At the request of Mr. ISAKSON, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 849, a bill to amend the Public Health Service Act to provide for systematic data collection and analysis and epidemiological research regarding Multiple Sclerosis (MS), Parkinson's disease, and other neurological diseases.

S. 928

At the request of Mrs. GILLIBRAND, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 928, a bill to reauthorize the World Trade Center Health Program and the September 11th Victim Compensation Fund of 2001, and for other purposes.

S. 1056

At the request of Mr. CARDIN, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 1056, a bill to eliminate racial profiling by law enforcement, and for other purposes.

S. 1081

At the request of Mr. BOOKER, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 1081, a bill to end the use of body-gripping traps in the National Wildlife Refuge System.

S. 1140

At the request of Mr. BARRASSO, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 1140, a bill to require the Secretary of the Army and the Administrator of the Environmental Protection Agency to propose a regulation revising the definition of the term ''waters of the United States'', and for other purposes.

S. 1169

At the request of Mr. GRASSLEY, the names of the Senator from Utah (Mr. HATCH) and the Senator from Florida (Mr. RUBIO) were added as cosponsors of S. 1169, a bill to reauthorize and improve the Juvenile Justice and Delinquency Prevention Act of 1974, and for other purposes.

S. 1170

At the request of Mrs. FEINSTEIN, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 1170, a bill to amend title 39, United States Code, to extend the authority of the United States Postal Service to issue a semipostal to raise funds for breast cancer research, and for other purposes.

S. 1214

At the request of Mr. MENENDEZ, the names of the Senator from New York (Mrs. GILLIBRAND) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of S. 1214, a bill to prevent human health threats posed by the consumption of equines raised in the United States.

S. 1380

At the request of Mrs. MURRAY, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 1380, a bill to support early learning.

S. 1390

At the request of Mr. GARDNER, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 1390, a bill to help provide relief to State education budgets during a recovering economy, to help fulfill the Federal mandate to provide higher educational opportunities for Native American Indians, and for other purposes.

S. 1445

At the request of Mrs. FISCHER, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 1445, a bill to improve the Microloan Program of the Small Business Administration.

S. 1458

At the request of Mr. COATS, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of S. 1458, a bill to amend the Surface Mining Control and Reclamation Act of 1977 to ensure scientific transparency in the development of environmental regulations and for other purposes.

S. 1495

At the request of Mr. TOOMEY, the names of the Senator from Arizona (Mr. FLAKE) and the Senator from Florida (Mr. RUBIO) were added as cosponsors of S. 1495, a bill to curtail the use of changes in mandatory programs affecting the Crime Victims Fund to inflate spending.

S. 1538

At the request of Mr. DURBIN, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 1538, a bill to reform the financing of Senate elections, and for other purposes.

S. 1603

At the request of Mr. FLAKE, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor of S. 1603, a bill to actively recruit members of the Armed Forces who are separating from military service to serve as Customs and Border Protection Officers.

S. 1640

At the request of Mr. SESSIONS, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S. 1640, a bill to amend the Immigration and Nationality Act to improve immigration law enforcement within the interior of the United States, and for other purposes.

S. 1679

At the request of Mr. HELLER, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 1679, a bill to amend the Flood Disaster Protection Act of 1973 to require that certain buildings and personal property be covered by flood insurance, and for other purposes.

S. 1774

At the request of Mr. BLUMENTHAL, the names of the Senator from Virginia (Mr. WARNER) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. 1774, a bill to amend title 11 of the United States Code to treat Puerto Rico as a State for purposes of chapter 9 of such title relating to the adjustment of debts of municipalities.

S. 1779

At the request of Ms. BALDWIN, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 1779, a bill to prevent conflicts of interest that stem from executive Government employees receiving bonuses or other compensation arrangements from nongovernment sources, from the revolving door that raises concerns about the independence of financial services regulators, and from the revolving door that casts aspersions over the awarding of Government contracts and other financial benefits.

S. RES. 222

At the request of Mr. LEAHY, the names of the Senator from Rhode Island (Mr. REED) and the Senator from Minnesota (Mr. FRANKEN) were added as cosponsors of S. Res. 222, a resolution expressing the sense of the Senate that the Federation Internationale de Football Association should immediately eliminate gender pay inequity and treat all athletes with the same respect and dignity.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DAINES (for himself, Mr. BLUNT, and Mr. GARDNER):

S. 1807. A bill to require agencies to publish the categorization of certain proposed and final rules, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Mr. DAINES. Mr. President, I rise today to introduce the Regulatory Impact Scale on the Economy Small Business Act, also known as the RISE Act. One of Congress's most fundamental responsibilities is to provide oversight to

its vast regulatory structure, particularly as it pertains to small businesses. However, Congress lacks the proper framework to effectively monitor the impact of regulatory activity on small businesses. Today, there is no transparent, standardized means to realize the economic scale of regulatory rules, either proposed or finalized, to frame their economic significance on a comparative basis. Likewise, the American public also has no means to effectively gauge and monitor the significance of regulatory rules. With the current lack of scale, there is no means to categorically delineate between a ''big regulation'' and a ''really big regulation,'' resulting in less effective oversight.

In addition, agencies wield tremendous discretionary power in determining whether required small business analysis applies. Today, regulatory flexibility analysis is triggered when a proposed rule is determined by the issuing agency to have a ''significant economic impact'' on a substantial number of small entities. However, Congress has provided no bright-line standard to determine what constitutes significant economic impact, allowing agencies to exercise an unnecessary amount of leniency to bypass regulatory flexibility analysis, which is meant to give special consideration to small businesses.

To improve both Congress and public's ability to provide regulatory oversight, I recommend that Congress should require agencies to categorize each proposed and final rule based on the following categories of economic impact: category 1 between $100 million and $500 million; category 2 between $500 million and $1 billion; category 3 between $1 billion and $5 billion; category 4 between $5 billion and $10 billion; and category 5 at $10 billion and over. To disallow agencies from abusing broad discretionary power, Congress should establish a bright-line standard for ''significant economic impact'' of $100 million. Providing such guidance will provide accountability and consistency across the vast regulatory structure and provide efficiencies for Congress. I believe this important piece of legislation will provide clarity and direction for our regulatory efforts, and I urge my colleagues to cosponsor this bill.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1807

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Regulatory Impact Scale on the Economy Small Business Act of 2015'' or the ''RISE Small Business Act of 2015''.

SEC. 2. CATEGORIZATION OF RULES.

Section 553 of title 5, United States Code, is amended by adding at the end the following:

''(f) CATEGORIZATION OF RULES.—

''(1) IN GENERAL.—Before an agency promulgates a proposed or final rule that the agency determines is likely to have an annual effect on the economy of not less than $100,000,000, the agency shall—

''(A) assign the rule to the applicable category described in paragraph (2) based on the highest possible annual effect that the agency determines the proposed or final rule is likely to have on the economy; and

''(B) publish in the Federal Register the assigned category for the rule.

''(2) CATEGORIES.—A proposed or final rule is a—

''(A) category 1 rule, if the agency determines that the rule is likely to result in an annual effect on the economy of not less than $100,000,000 and not more than $499,999,999;

''(B) category 2 rule, if the agency determines that the rule is likely to result in an annual effect on the economy of not less than $500,000,000 and not more than $999,999,999;

''(C) category 3 rule, if the agency determines that the rule is likely to result in an annual effect on the economy of not less than $1,000,000,000 and not more than $4,999,999,999;

''(D) category 4 rule, if the agency determines that the rule is likely to result in an annual effect on the economy of not less than $5,000,000,000 and not more than $9,999,999,999; and

''(E) category 5 rule, if the agency determines that the rule is likely to result in an annual effect on the economy of not less than $10,000,000,000.

''(3) SUBMISSION TO OIRA.—Each agency shall, on an annual basis, submit to the Administrator of the Office of Information and Regulatory Affairs a list of the rules, by category, that the agency published in the Federal Register under paragraph (1) during the preceding year.

''(4) PUBLICATION ON OIRA WEBSITE.—Not later than 60 days after the date on which the Administrator of the Office of Information and Regulatory Affairs receives a list of rules from an agency under paragraph (3), the Administrator shall publish on www.reginfo.gov—

''(A) the list of rules received from the agency under paragraph (3); and

''(B) an estimate of the costs and benefits of each rule included on the list.''.

SEC. 3. DEFINING SIGNIFICANT ECONOMIC IMPACT FOR INITIAL AND FINAL REGULATORY FLEXIBILITY ANALYSES.

Section 601 of title 5, United States Code, is amended—

(1) in paragraph 6, by striking ''and'' at the end;

(2) in paragraph 7, by striking the period at the end and inserting a semicolon;

(3) in paragraph 8—

(A) by striking ''RECORDKEEPING'' and all that follows through ''The'' and inserting ''the''; and

(B) by striking the period at the end and inserting ''; and''; and

(4) by adding at the end the following:

''(9) the term 'significant economic impact' means an annual economic effect of not less than $100,000,000.''.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 224—EXPRESSING THE SENSE OF THE SENATE THAT THE AREA BETWEEN THE INTERSECTIONS OF INTERNATIONAL DRIVE, NORTHWEST AND VAN NESS STREET, NORTHWEST AND INTERNATIONAL DRIVE, NORTHWEST AND INTERNATIONAL PLACE, NORTHWEST IN WASHINGTON, DISTRICT OF COLUMBIA, SHOULD BE DESIGNATED AS ''LIU XIAOBO PLAZA''

Mr. CRUZ (for himself and Mr. TOOMEY) submitted the following resolution; which was referred to the Committee on Homeland Security and Governmental Affairs:

S. RES. 224

Whereas June 4, 2015, marked the 26th anniversary of the brutal crackdown on protestors at Tiananmen Square in Beijing;

Whereas Dr. Liu Xiaobo is a Chinese human rights activist and Nobel Laureate who is currently serving an 11-year prison sentence for inciting subversion against the Government of the People's Republic of China;

Whereas in recognition of Dr. Liu Xiaobo's long and non-violent struggle for fundamental human rights in the People's Republic of China, he was awarded the Nobel Peace Prize in October 2010; and

Whereas renaming a portion of the street in front of the Embassy of the People's Republic of China in the District of Columbia after Dr. Liu Xiaobo serves as an expression of solidarity between the people of the United States and the people of the People's Republic of China who are, like Dr. Liu Xiaobo, engaged in a long and non-violent struggle for fundamental human rights: Now, therefore, be it

Resolved, that it is the sense of the Senate that—

(1) the area between the intersections of International Drive, Northwest and Van Ness Street, Northwest and International Drive, Northwest and International Place, Northwest in Washington, District of Columbia, should be known and designated as ''Liu Xiaobo Plaza'', and any reference in a law, map, regulation, document, paper, or other record to that area should be deemed to be a reference to Liu Xiaobo Plaza;

(2) the address of 3505 International Place, Northwest, Washington, District of Columbia, should be redesignated as 1 Liu Xiaobo Plaza, and any reference in a law, map, regulation, document, paper, or other record of the United States to that address should be deemed to be a reference to 1 Liu Xiaobo Plaza; and

(3) the Administrator of General Services should construct street signs that—

(A) contain the phrase ''Liu Xiaobo Plaza'';

(B) are similar in design to the signs used by Washington, District of Columbia, to designate the location of Metro stations; and

(C) should be placed on—

(i) the parcel of Federal property that is closest to 1 Liu Xiaobo Plaza (as described in paragraph (2)); and

(ii) the street corners of International Drive, Northwest and Van Ness Street, Northwest and International Drive, Northwest and International Place, Northwest, Washington, District of Columbia.

SENATE RESOLUTION 225—HONORING THE NATIONAL ASSOCIATION OF WOMEN BUSINESS OWNERS ON ITS 40TH ANNIVERSARY

Mr. VITTER (for himself, Mrs. SHAHEEN, Mr. RISCH, Mr. COONS, Ms. AYOTTE, Ms. HIRONO, Mrs. FISCHER, Mr. CARDIN, Mr. RUBIO, Mr. PETERS, Mr. GARDNER, Mr. MARKEY, Mrs. ERNST, and Mr. ENZI) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 225

Whereas women-owned businesses are one of the fastest-growing segments of the United States economy;

Whereas 13,600,000 firms are 50 percent or more owned by women, and these businesses employ nearly 15,900,000 people and generate $2,700,000,000,000 in revenue as of 2013;

Whereas empowering more women entrepreneurs and business owners is important to the economic future of the United States;

Whereas the National Association of Women Business Owners (NAWBO) was established in 1975 by a group of like-minded businesswomen to serve as the collective voice of women business owners across the country and advocate on behalf of their entrepreneurial interests;

Whereas NAWBO's roots are in public policy, and NAWBO played an integral role in the passage of the Women's Business Ownership Act of 1988 (Public Law 100–533; 102 Stat. 2689);

Whereas NAWBO remains focused on collaborating to create a business-friendly environment at the Federal, State, and local levels to enable women to start and grow their businesses and create jobs; and

Whereas NAWBO represents a diverse universe of women business owners across an array of sectors in the United States: Now, therefore, be it

Resolved, That the Senate commends the National Association of Women Business Owners for its tireless efforts and decades of support of women entrepreneurs and business owners and congratulates the National Association of Women Business Owners on its 40th anniversary.

SENATE RESOLUTION 226—EXPRESSING THE SENSE OF THE SENATE THAT THE STREET BETWEEN THE INTERSECTIONS OF 16TH STREET, NORTHWEST AND FULLER STREET, NORTHWEST AND 16TH STREET, NORTHWEST AND EUCLID STREET, NORTHWEST IN WASHINGTON, DISTRICT OF COLUMBIA, SHOULD BE DESIGNATED AS ''OSWALDO PAYA WAY''

Mr. CRUZ submitted the following resolution; which was referred to the Committee on Homeland Security and Governmental Affairs:

S. RES. 226

Whereas Fidel Castro and Raul Castro have been the autocratic rulers of the Republic of Cuba for 56 years;

Whereas Fidel Castro and Raul Castro have relentlessly and consistently oppressed any efforts to bring democratic freedoms and human rights to the people of the Republic of Cuba for this 56-year period;

Whereas Oswaldo Payá was a Cuban political dissident dedicated to promoting democratic freedoms and human rights in the Republic of Cuba;

Whereas the Communist Party of Cuba has always viewed such commitment to freedom as a threat to its existence;

Whereas on July 22, 2012, a violent car crash, widely believed to have been carried out by the Castro regime, took the lives of Payá and Harold Cepero, another dissident;

Whereas the official investigation into the crash has been demonstrated to be compromised and the Castro regime has offered no plausible evidence of its innocence, leaving the circumstances of the death of Payá unknown;

Whereas opposition by Payá to the Communist Party of Cuba began at a young age, when he refused to become a member of the Young Communist League as a primary school student, and continued through high school when he publically criticized the invasion of Czechoslovakia by the Soviet Union;

Whereas the Communist Party of Cuba responded to the opposition by Payá to the invasion of Czechoslovakia by the Soviet Union by sending Payá to a labor camp for 3 years;

Whereas Payá forewent a chance to escape the Republic of Cuba in the 1980 Mariel boatlift, deciding instead to continue the fight for democracy in the Republic of Cuba, saying, ''This is what I am supposed to be, this is what I have to do.'';

Whereas by creating the Varela Project in 1998, Payá demonstrated his staunch commitment to peacefully advocating for freedom of speech and freedom of assembly for his fellow Cubans;

Whereas in recognition of his determination for political reforms through peaceful protests, Payá was awarded the Sakharov Prize for Freedom of Thought by the European Parliament in 2002, the W. Averell Harriman Democracy Award from the National Democratic Institute for International Affairs in 2003, and was nominated for the Nobel Peace Prize by former Czech President Václav Havel in 2005; and

Whereas renaming the street in front of the Embassy of the Republic of Cuba in the District of Columbia after Payá serves as an expression of solidarity between the people of the United States and the people of the Republic of Cuba who are engaged in a long, non-violent struggle for fundamental human rights: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) the street between the intersections of 16th Street, Northwest and Fuller Street, Northwest and 16th Street, Northwest and Euclid Street, Northwest in Washington, District of Columbia, should be designated as ''Oswaldo Payá Way'', and any reference in a law, map, regulation, document, paper, or other record to that area should be deemed to be a reference to ''Oswaldo Payá Way'';

(2) the address of 2630 16th Street, Northwest, Washington, District of Columbia, should be redesignated as 2630 Oswaldo Payá Way, and any reference in a law, map, regulation, document, paper, or other record of the United States to that address should be deemed to be a reference to 2630 Oswaldo Payá Way; and

(3) the Administrator of General Services should construct street signs that—

(A) contain the phrase ''Oswaldo Payá Way'';

(B) are similar in design to the signs used by Washington, District of Columbia, to designate the location of Metro stations; and

(C) should be placed on—

(i) the parcel of Federal property that is closest to Oswaldo Payá Way (as described in paragraph (2)); and

(ii) the street corners of 16th Street, Northwest and Fuller Street, Northwest and 16th Street, Northwest and Euclid Street, Northwest in Washington, District of Columbia.

SENATE RESOLUTION 227—CONDEMNING THE ATTACKS OF JULY 16, 2015, IN CHATTANOOGA, TENNESSEE, HONORING THE MEMBERS OF THE ARMED FORCES WHO LOST THEIR LIVES, AND EXPRESSING SUPPORT AND PRAYERS FOR ALL THOSE AFFECTED

Mr. CORKER (for himself, Mr. ALEXANDER, Mr. MCCONNELL, Mr. REID, Ms. AYOTTE, Ms. BALDWIN, Mr. BARRASSO, Mr. BENNET, Mr. BLUMENTHAL, Mr. BLUNT, Mr. BOOKER, Mr. BOOZMAN, Mrs. BOXER, Mr. BROWN, Mr. BURR, Ms. CANTWELL, Mrs. CAPITO, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CASSIDY, Mr. COATS, Mr. COCHRAN, Ms. COLLINS, Mr. COONS, Mr. CORNYN, Mr. COTTON, Mr. CRAPO, Mr. CRUZ, Mr. DAINES, Mr. DONNELLY, Mr. DURBIN, Mr. ENZI, Mrs. ERNST, Mrs. FEINSTEIN, Mrs. FISCHER, Mr. FLAKE, Mr. FRANKEN, Mr. GARDNER, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mr. HATCH, Mr. HEINRICH, Ms. HEITKAMP, Mr. HELLER, Ms. HIRONO, Mr. HOEVEN, Mr. INHOFE, Mr. ISAKSON, Mr. JOHNSON, Mr. KAINE, Mr. KING, Mr. KIRK, Ms. KLOBUCHAR, Mr. LANKFORD, Mr. LEAHY, Mr. LEE, Mr. MANCHIN, Mr. MARKEY, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Mr. MORAN, Ms. MURKOWSKI, Mr. MURPHY, Mrs. MURRAY, Mr. NELSON, Mr. PAUL, Mr. PERDUE, Mr. PETERS, Mr. PORTMAN, Mr. REED, Mr. RISCH, Mr. ROBERTS, Mr. ROUNDS, Mr. RUBIO, Mr. SANDERS, Mr. SASSE, Mr. SCHATZ, Mr. SCHUMER, Mr. SCOTT, Mr. SESSIONS, Mrs. SHAHEEN, Mr. SHELBY, Ms. STABENOW, Mr. SULLIVAN, Mr. TESTER, Mr. THUNE, Mr. TILLIS, Mr. TOOMEY, Mr. UDALL, Mr. VITTER, Mr. WARNER, Ms. WARREN, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN) submitted the following resolution; which was considered and agreed to:

S. RES. 227

Whereas on July 16, 2015, an Armed Forces Recruitment Center and the Navy Operational Support Center in Chattanooga, Tennessee, were attacked, killing 5 members of the Armed Forces;

Whereas Gunnery Sergeant Thomas Sullivan, of Massachusetts, served his country with honor and distinction, including during 2 deployments to Iraq, and was twice awarded the Purple Heart;

Whereas Staff Sergeant David Wyatt, of North Carolina, served his country with honor and distinction, including during 2 deployments to Iraq;

Whereas Sergeant Carson Holmquist, of Wisconsin, served his country with honor and distinction, including during 2 deployments to Afghanistan;

Whereas Lance Corporal Squire K. Wells, of Georgia, served his country with honor and distinction, having recently completed basic training;

Whereas Petty Officer Second Class Randall Smith, of Ohio, served his country with honor and distinction, had recently re-enlisted in the Navy, and survived for almost 2 days before succumbing to catastrophic injuries;

Whereas Chattanooga police officer Sergeant Dennis Pedigo, Jr. was seriously wounded in the course of his duties;

Whereas the swift and courageous response by law enforcement officers and first responders prevented additional loss of life; and

Whereas the people of the United States stand united around the community of Chattanooga and the families of the victims to support all those affected and pray for healing and peace: Now, therefore, be it

Resolved, That the Senate—

(1) condemns the attacks of July 16, 2015, in Chattanooga, Tennessee;

(2) honors the sacrifice and memory of the 5 members of the Armed Forces who lost their lives;

(3) recognizes the skill and heroism of the law enforcement officers, members of the Armed Forces, and first responders who came to the aid of others;

(4) commends the efforts of those who are working to care for the injured and investigate this horrific incident;

(5) extends its heartfelt condolences and prayers to the families of the fallen, and to all those affected in the community of Chattanooga and in the United States; and

(6) pledges to continue to work together to prevent future attacks.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2258. Mr. MCCAIN (for himself and Mr. FLAKE) submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table.

SA 2259. Mr. CRUZ (for himself and Mr. VITTER) submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2260. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2261. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2262. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2263. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2264. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2265. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2266. Mr. MCCONNELL submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2267. Mr. MANCHIN submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2258. Mr. MCCAIN (for himself and Mr. FLAKE) submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. SONORAN CORRIDOR INTERSTATE DEVELOPMENT.

(a) FINDINGS.—Congress finds that the designation of the Sonoran Corridor Interstate connecting Interstate 19 to Interstate 10 south of the Tucson International Airport as a future part of the Interstate System would—

(1) enhance direct linkage between major trading routes connecting growing ports, agricultural regions, infrastructure and manufacturing centers, and existing high priority corridors of the National Highway System; and

(2) significantly improve connectivity on the future Interstate 11 and the CANAMEX Corridor, a route directly linking the United States with Mexico and Canada.

(b) HIGH PRIORITY CORRIDORS ON NATIONAL HIGHWAY SYSTEM.—Section 1105(c) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2032; 119 Stat. 1210) is amended by adding at the end the following:

''(81) State Route 410, the Sonoran Corridor connecting Interstate 19 to Interstate 10 south of the Tucson International Airport.''.

(c) FUTURE PARTS OF INTERSTATE SYSTEM.—Section 1105(e)(5)(A) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2033; 119 Stat. 1213) is amended in the first sentence by striking ''and subsection (c)(57)'' and inserting ''subsection (c)(57), and subsection (c)(81)''.

SA 2259. Mr. CRUZ (for himself and Mr. VITTER) submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. HEALTH INSURANCE COVERAGE FOR CERTAIN CONGRESSIONAL MEMBERS AND MEMBERS OF THE EXECUTIVE BRANCH.

(a) IN GENERAL.—Notwithstanding section 1312(d)(3)(D) of the Patient Protection and Affordable Care Act (42 U.S.C. 18032(d)(3)(D)), Members of Congress, the President, Vice President, and all other political appointees shall purchase health insurance coverage through a health exchange established under such Act and shall receive no Federal subsidy or contribution to the costs of such coverage that is not also otherwise available to individuals at a similar income level.

(b) DEFINITIONS.—In this section:

(1) MEMBER OF CONGRESS.—The term ''Member of Congress'' shall have the meaning given such term in section 1312(d)(3)(D)(ii)(I) of the Patient Protection and Affordable Care Act (42 U.S.C. 18032(d)(3)(D)(ii)(I)).

(2) POLITICAL APPOINTEE.—The term ''political appointee'' means any individual who—

(A) is employed in a position described under sections 5312 through 5316 of title 5, United States Code, (relating to the Executive Schedule);

(B) is a limited term appointee, limited emergency appointee, or noncareer appointee in the Senior Executive Service, as defined under paragraphs (5), (6), and (7), respectively, of section 3132(a) of title 5, United States Code;

(C) is employed in a position in the executive branch of the Government of a confidential or policy-determining character under schedule C of subpart C of part 213 of title 5 of the Code of Federal Regulations; or

(D) is employed in or under the Executive Office of the President in a position that is excluded from the competitive service by reason of its confidential, policy-determining, policy-making, or policy-advocating character.

SA 2260. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. PROHIBITION ON SANCTIONS RELIEF FOR IRAN.

Notwithstanding any other provision of law, the President may not waive, suspend, reduce, provide relief from, or otherwise limit the application of statutory sanctions with respect to Iran under any provision of law or refrain from applying any such sanctions pursuant to an agreement with Iran relating to Iran's nuclear program until—

(1) the Government of Iran has recognized Israel's right to exist; and

(2) the Government of Iran has released all American prisoners of conscience who are being unjustly held in Iranian jails, including Saeed Abedini, Amir Hekmati, and Jason Rezaian, and located and returned Robert Levinson.

SA 2261. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the

employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. RECIPROCITY FOR THE CARRYING OF CERTAIN CONCEALED FIREARMS.

(a) IN GENERAL.—Chapter 44 of title 18, United States Code, is amended by inserting after section 926C the following:

''§ 926D. Reciprocity for the carrying of certain concealed firearms

''(a) IN GENERAL.—Notwithstanding any provision of the law of any State or political subdivision thereof to the contrary—

''(1) an individual who is not prohibited by Federal law from possessing, transporting, shipping, or receiving a firearm, and who is carrying a government-issued photographic identification document and a valid license or permit which is issued pursuant to the law of a State and which permits the individual to carry a concealed firearm, may possess or carry a concealed handgun (other than a machinegun or destructive device) that has been shipped or transported in interstate or foreign commerce in any State other than the State of residence of the individual that—

''(A) has a statute that allows residents of the State to obtain licenses or permits to carry concealed firearms; or

''(B) does not prohibit the carrying of concealed firearms by residents of the State for lawful purposes; and

''(2) an individual who is not prohibited by Federal law from possessing, transporting, shipping, or receiving a firearm, and who is carrying a government-issued photographic identification document and is entitled and not prohibited from carrying a concealed firearm in the State in which the individual resides otherwise than as described in paragraph (1), may possess or carry a concealed handgun (other than a machinegun or destructive device) that has been shipped or transported in interstate or foreign commerce in any State other than the State of residence of the individual that—

''(A) has a statute that allows residents of the State to obtain licenses or permits to carry concealed firearms; or

''(B) does not prohibit the carrying of concealed firearms by residents of the State for lawful purposes.

''(b) CONDITIONS AND LIMITATIONS.—The possession or carrying of a concealed handgun in a State under this section shall be subject to the same conditions and limitations, except as to eligibility to possess or carry, imposed by or under Federal or State law or the law of a political subdivision of a State, that apply to the possession or carrying of a concealed handgun by residents of the State or political subdivision who are licensed by the State or political subdivision to do so, or not prohibited by the State from doing so.

''(c) UNRESTRICTED LICENSE OR PERMIT.—In a State that allows the issuing authority for licenses or permits to carry concealed firearms to impose restrictions on the carrying of firearms by individual holders of such licenses or permits, an individual carrying a concealed handgun under this section shall be permitted to carry a concealed handgun according to the same terms authorized by an unrestricted license of or permit issued to a resident of the State.

''(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to preempt any provision of State law with respect to the issuance of licenses or permits to carry concealed firearms.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 44 of title 18, United States Code, is amended by inserting after the item relating to section 926C the following:

''926D. Reciprocity for the carrying of certain concealed firearms.''.

(c) SEVERABILITY.—Notwithstanding any other provision of this Act, if any provision of this Act, or any amendment made by this Act, or the application of such provision or amendment to any person or circumstance is held to be unconstitutional, this Act and amendments made by this Act and the application of such provision or amendment to other persons or circumstances shall not be affected thereby.

(d) EFFECTIVE DATE.—The amendments made by this Act shall take effect 90 days after the date of enactment of this Act.

SA 2262. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. INTERNET TAX FREEDOM FOREVER ACT.

(a) SHORT TITLE.—This section may be cited as the ''Internet Tax Freedom Forever Act''.

(b) FINDINGS.—Congress makes the following findings:

(1) The Internet has continued to drive economic growth, productivity and innovation since the Internet Tax Freedom Act was first enacted in 1998.

(2) The Internet promotes a nationwide economic environment that facilitates innovation, promotes efficiency, and empowers people to broadly share their ideas.

(3) According to the National Broadband Plan, cost remains the biggest barrier to consumer broadband adoption. Keeping Internet access affordable promotes consumer access to this critical gateway to jobs, education, healthcare, and entrepreneurial opportunities, regardless of race, income, or neighborhood.

(4) Small business owners rely heavily on affordable Internet access, providing them with access to new markets, additional consumers, and an opportunity to compete in the global economy.

(5) Economists have recognized that excessive taxation of innovative communications technologies reduces economic welfare more than taxes on other sectors of the economy.

(6) The provision of affordable access to the Internet is fundamental to the American economy and access to it must be protected from multiple and discriminatory taxes at the State and local level.

(7) As a massive global network that spans political boundaries, the Internet is inherently a matter of interstate and foreign commerce within the jurisdiction of the United States Congress under article I, section 8, clause 3 of the Constitution of the United States.

(c) PERMANENT MORATORIUM ON INTERNET ACCESS TAXES AND MULTIPLE AND DISCRIMINATORY TAXES ON ELECTRONIC COMMERCE.—

(1) IN GENERAL.—Section 1101(a) of the Internet Tax Freedom Act (47 U.S.C. 151 note), as amended by section 624 of the Consolidated and Further Continuing Appropriations Act, 2015 (Public Law 113–235), is amended by striking ''during the period beginning November 1, 2003, and ending October 1, 2015''.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to taxes imposed after the date of the enactment of this Act.

SA 2263. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. CONDITION ON RECEIPT OF FEDERAL FUNDS.

Notwithstanding any other provision of law, no Federal funds shall be made available to any entity unless the entity certifies that, during the period beginning on the date of receipt of such funds and ending on the date such funds are exhausted, the entity will not perform, and will not provide any funds to any other entity that performs, an abortion unless in reasonable medical judgment, the abortion is necessary to save the life of a pregnant woman whose life is endangered by a physical disorder, physical illness, or physical injury, including a life-endangering physical condition caused by or arising from the pregnancy itself, but not including psychological or emotional conditions.

SA 2264. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. REPEAL OF THE PATIENT PROTECTION AND AFFORDABLE CARE ACT AND THE HEALTH CARE AND EDUCATION RECONCILIATION ACT OF 2010.

(a) IN GENERAL.—

(1) PATIENT PROTECTION AND AFFORDABLE CARE ACT.—Effective on the date that is 180 days after the date of enactment of this Act, the Patient Protection and Affordable Care Act (Public Law 111–148) is repealed and the provisions of law amended or repealed by such Act are restored or revived as if such Act had not been enacted.

(2) HEALTH CARE AND EDUCATION RECONCILIATION ACT OF 2010.—Effective on the date that

is 180 days after the date of enactment of this Act, the Health Care and Education Reconciliation Act of 2010 (Public Law 111–152) is repealed and the provisions of law amended or repealed by such Act are restored or revived as if such Act had not been enacted.

(b) BUDGETARY EFFECTS OF THIS SECTION.—The budgetary effects of this section, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this section, submitted for printing in the Congressional Record by the Chairman of the Committee on the Budget of the House of Representatives, as long as such statement has been submitted prior to the vote on passage of this section.

SA 2265. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. DENIAL OF HIGHWAY FUNDING FOR IMPLEMENTATION OF UNAUTHORIZED IMMIGRATION ACTIONS.

(a) FEDERAL HIGHWAY FUND SUSPENSION PENDING IMMIGRATION STATUTE COMPLIANCE.—Notwithstanding any other provision of law, no amounts made available to the Department of Transportation or to any other Federal agency, or otherwise deposited into any Federal, State, or local account that provides funding for interstate or intrastate highway construction or repair in any State, may be used until the United States Government ceases to apply or otherwise enforce the policies set forth in the all of the following memoranda and any documents related to such memoranda:

(1) The memorandum issued by the Director of U.S. Immigration and Customs Enforcement on March 2, 2011, and entitled ''Civil Immigration Enforcement: Priorities for the Apprehension, Detention, and Removal of Aliens''.

(2) The memorandum issued by the Director of U.S. Immigration and Customs Enforcement on June 17, 2011, and entitled ''Exercising Prosecutorial Discretion Consistent with the Civil Immigration Enforcement Priorities of the Agency for the Apprehension, Detention, and Removal of Aliens''.

(3) The memorandum issued by the Director of U.S. Immigration and Customs Enforcement on June 17, 2011, and entitled ''Prosecutorial Discretion: Certain Victims, Witnesses, and Plaintiffs''.

(4) The U.S. Citizenship and Immigration Services policy memorandum issued on November 17, 2011, and entitled ''Revised Guidance for the Referral of Cases and Issuance of Notices to Appear (NTAs) in Cases Involving Inadmissible and Removable Aliens''.

(5) The memorandum issued by the Principal Legal Advisor of U.S. Immigration and Customs Enforcement on November 17, 2011, and entitled ''Case-by-Case Review of Incoming and Certain Pending Cases''.

(6) The recommendations included in the report issued by the Director of U.S. Immigration and Customs Enforcement on April 27, 2012, and entitled ''ICE Response to the Task Force on Secure Communities Findings and Recommendations''.

(7) The memorandum issued by the Secretary of Homeland Security on June 15, 2012, and entitled ''Exercising Prosecutorial Discretion with Respect to Individuals Who Came to the United States as Children''.

(8) The memorandum issued by the Director of U.S. Immigration and Customs Enforcement on December 21, 2012, and entitled ''Civil Immigration Enforcement: Guidance on the Use of Detainers in the Federal, State, Local, and Tribal Criminal Justice Systems''.

(9) The U.S. Citizenship and Immigration Services policy memorandum issued on November 14, 2013, and entitled ''Adjudication of Adjustment of Status Applications for Individuals Admitted to the United States Under the Visa Waiver Program''.

(10) The memorandum issued by the Secretary of Homeland Security on November 20, 2014, and entitled ''Southern Border and Approaches Campaign''.

(11) The memorandum issued by the Secretary of Homeland Security on November 20, 2014, and entitled ''Policies for the Apprehension, Detention and Removal of Undocumented Immigrants''.

(12) The memorandum issued by the Secretary of Homeland Security on November 20, 2014, and entitled ''Secure Communities''.

(13) The memorandum issued by the Secretary of Homeland Security on November 20, 2014, and entitled ''Exercising Prosecutorial Discretion with Respect to Individuals Who Came to the United States as Children and with Respect to Certain Individuals Who Are the Parents of U.S. Citizens or Permanent Residents''.

(14) The memorandum issued by the Secretary of Homeland Security on November 20, 2014, and entitled ''Expansion of the Provisional Waiver Program''.

(15) The memorandum issued by the Secretary of Homeland Security on November 20, 2014, and entitled ''Policies Supporting U.S. High-Skilled Businesses and Workers''.

(16) The memorandum issued by the Secretary of Homeland Security on November 20, 2014, and entitled ''Families of U.S. Armed Forces Members and Enlistees''.

(17) The memorandum issued by the Secretary of Homeland Security on November 20, 2014, and entitled ''Directive to Provide Consistency Regarding Advance Parole''.

(18) The memorandum issued by the Secretary of Homeland Security on November 20, 2014, and entitled ''Policies to Promote and Increase Access to U.S. Citizenship''.

(19) The memorandum issued by the President on November 21, 2014, and entitled ''Modernizing and Streamlining the U.S. Immigrant Visa System for the 21st Century''.

(20) The memorandum issued by the President on November 21, 2014, and entitled ''Creating Welcoming Communities and Fully Integrating Immigrants and Refugees''.

(b) EXECUTIVE BRANCH DEMONSTRATION OF IMMIGRATION STATUTE COMPLIANCE.—The amounts described in subsection (a) will not be available for the uses described in such subsection until after the President, in conjunction with, and with the approval of the Secretary of Homeland Security and the Attorney General, submits a letter to Congress certifying that—

(1) the memoranda listed in subsection (a) have been formally withdrawn;

(2) no other memoranda or documentation with similar content have been issued; and

(3) the United States Government intends to comply with all immigration enforcement requirements established by any Federal statute, including the Immigration and Nationality Act (8 U.S.C. 1101 et seq.) and the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (Public Law 104–208).

(c) FEDERAL HIGHWAY FUNDS UNAVAILABLE FOR ILLEGAL WORKERS.—Notwithstanding any other provision of law, no amounts made available to the Department of Transportation or to any other Federal agency, or otherwise deposited into any Federal, State, or local account that provides funding for interstate or intrastate highway construction or repair in any State, may be used to pay the salary, wages, benefits, or any other compensation of any person who has been directly or indirectly authorized to work in the United States pursuant to any of the memoranda listed in subsection (a) or any other documentation with similar content.

SA 2266. Mr. MCCONNELL submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of the bill, insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Developing a Reliable and Innovative Vision for the Economy Act'' or the ''DRIVE Act''.

SEC. 2. ORGANIZATION OF ACT INTO DIVISIONS; TABLE OF CONTENTS.

(a) DIVISIONS.—This Act is organized into 8 divisions as follows:

(1) Division A–Federal-aid Highways and Highway Safety Construction Programs.

(2) Division B–Public Transportation.

(3) Division C–Comprehensive Transportation and Consumer Protection Act of 2015.

(4) Division D–Freight and Major Projects.

(5) Division E–Finance.

(6) Division F–Miscellaneous.

(7) Division G–Surface Transportation Extension.

(8) Division H–Budgetary Effects.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Organization of Act into divisions; table of contents.
Sec. 3. Definitions.
Sec. 4. Effective date.

DIVISION A—FEDERAL-AID HIGHWAYS AND HIGHWAY SAFETY CONSTRUCTION PROGRAMS

TITLE I—FEDERAL-AID HIGHWAYS

Subtitle A—Authorizations and Programs

Sec. 11001. Authorization of appropriations.
Sec. 11002. Obligation ceiling.
Sec. 11003. Apportionment.
Sec. 11004. Surface transportation program.
Sec. 11005. Metropolitan transportation planning.
Sec. 11006. Statewide and nonmetropolitan transportation planning.
Sec. 11007. Highway use tax evasion projects.
Sec. 11008. Bundling of bridge projects.
Sec. 11009. Flexibility for certain rural road and bridge projects.
Sec. 11010. Construction of ferry boats and ferry terminal facilities.

Sec. 11011. Highway safety improvement program.
Sec. 11012. Data collection on unpaved public roads.
Sec. 11013. Congestion mitigation and air quality improvement program.
Sec. 11014. Transportation alternatives.
Sec. 11015. Consolidation of programs.
Sec. 11016. State flexibility for National Highway System modifications.
Sec. 11017. Toll roads, bridges, tunnels, and ferries.
Sec. 11018. HOV facilities.
Sec. 11019. Interstate system reconstruction and rehabilitation pilot program.
Sec. 11020. Emergency relief for federally owned roads.
Sec. 11021. Bridges requiring closure or load restrictions.
Sec. 11022. National electric vehicle charging and natural gas fueling corridors.
Sec. 11023. Asset management.
Sec. 11024. Tribal transportation program amendment.
Sec. 11025. Nationally significant Federal lands and Tribal projects program.
Sec. 11026. Federal lands programmatic activities.
Sec. 11027. Federal lands transportation program.
Sec. 11028. Innovative project delivery.
Sec. 11029. Obligation and release of funds.

Subtitle B—Acceleration of Project Delivery

Sec. 11101. Categorical exclusion for projects of limited Federal assistance.
Sec. 11102. Programmatic agreement template.
Sec. 11103. Agency coordination.
Sec. 11104. Initiation of environmental review process.
Sec. 11105. Improving collaboration for accelerated decision making.
Sec. 11106. Accelerated decisionmaking in environmental reviews.
Sec. 11107. Improving transparency in environmental reviews.
Sec. 11108. Integration of planning and environmental review.
Sec. 11109. Use of programmatic mitigation plans.
Sec. 11110. Adoption of Departmental environmental documents.
Sec. 11111. Technical assistance for States.
Sec. 11112. Surface transportation project delivery program.
Sec. 11113. Categorical exclusions for multimodal projects.
Sec. 11114. Modernization of the environmental review process.
Sec. 11115. Service club, charitable association, or religious service signs.
Sec. 11116. Satisfaction of requirements for certain historic sites.
Sec. 11117. Bridge exemption from consideration under certain provisions.
Sec. 11118. Elimination of barriers to improve at-risk bridges.
Sec. 11119. At-risk project preagreement authority.

Subtitle C—Miscellaneous

Sec. 11201. Credits for untaxed transportation fuels.
Sec. 11202. Justification reports for access points on the Interstate System.
Sec. 11203. Exemptions.
Sec. 11204. High priority corridors on the National Highway System.
Sec. 11205. Repeat intoxicated driver law.
Sec. 11206. Vehicle-to-infrastructure equipment.
Sec. 11207. Relinquishment.
Sec. 11208. Transfer and sale of toll credits.
Sec. 11209. Regional infrastructure accelerator demonstration program.

TITLE II—TRANSPORTATION INNOVATION

Subtitle A—Research

Sec. 12001. Research, technology, and education.
Sec. 12002. Intelligent transportation systems.
Sec. 12003. Future interstate study.
Sec. 12004. Researching surface transportation system funding alternatives.

Subtitle B—Data

Sec. 12101. Tribal data collection.
Sec. 12102. Performance management data support program.

Subtitle C—Transparency and Best Practices

Sec. 12201. Every Day Counts initiative.
Sec. 12202. Department of Transportation performance measures.
Sec. 12203. Grant program for achievement in transportation for performance and innovation.
Sec. 12204. Highway trust fund transparency and accountability.
Sec. 12205. Report on highway trust fund administrative expenditures.
Sec. 12206. Availability of reports.
Sec. 12207. Performance period adjustment.
Sec. 12208. Design standards.

TITLE III—TRANSPORTATION INFRASTRUCTURE FINANCE AND INNOVATION ACT OF 1998 AMENDMENTS

Sec. 13001. Transportation Infrastructure Finance and Innovation Act of 1998 amendments.

TITLE IV—TECHNICAL CORRECTIONS

Sec. 14001. Technical corrections.

TITLE V—MISCELLANEOUS

Sec. 15001. Appalachian development highway system.
Sec. 15002. Appalachian regional development program.
Sec. 15003. Water infrastructure finance and innovation.
Sec. 15004. Administrative provisions to encourage pollinator habitat and forage on transportation rights-of-way.
Sec. 15005. Study on performance of bridges.
Sec. 15006. Sport fish restoration and recreational boating safety.

DIVISION B—PUBLIC TRANSPORTATION

TITLE XXI—FEDERAL PUBLIC TRANSPORTATION ACT

Sec. 21001. Short title.
Sec. 21002. Definitions.
Sec. 21003. Metropolitan transportation planning.
Sec. 21004. Statewide and nonmetropolitan transportation planning.
Sec. 21005. Urbanized area formula grants.
Sec. 21006. Fixed guideway capital investment grants.
Sec. 21007. Mobility of seniors and individuals with disabilities.
Sec. 21008. Formula grants for rural areas.
Sec. 21009. Research, development, demonstration, and deployment program.
Sec. 21010. Private sector participation.
Sec. 21011. Innovative procurement.
Sec. 21012. Human resources and training.
Sec. 21013. General provisions.
Sec. 21014. Project management oversight.
Sec. 21015. Public transportation safety program.
Sec. 21016. State of good repair grants.
Sec. 21017. Authorizations.
Sec. 21018. Grants for bus and bus facilities.
Sec. 21019. Salary of Federal Transit Administrator.
Sec. 21020. Technical and conforming amendments.

DIVISION C—COMPREHENSIVE TRANSPORTATION AND CONSUMER PROTECTION ACT OF 2015

Sec. 31001. Short title.
Sec. 31002. References to title 49, United States Code.
Sec. 31003. Effective date.

TITLE XXXI—OFFICE OF THE SECRETARY

Subtitle A—Accelerating Project Delivery

Sec. 31101. Delegation of authority.
Sec. 31102. Infrastructure Permitting Improvement Center.
Sec. 31103. Accelerated decision-making in environmental reviews.
Sec. 31104. Environmental review alignment and reform.
Sec. 31105. Multimodal categorical exclusions.
Sec. 31106. Improving transparency in environmental reviews.
Sec. 31107. Local transportation infrastructure program.

Subtitle B—Research

Sec. 31201. Findings.
Sec. 31202. Modal research plans.
Sec. 31203. Consolidated research prospectus and strategic plan.
Sec. 31204. Research Ombudsman.
Sec. 31205. Smart cities transportation planning study.
Sec. 31206. Bureau of Transportation Statistics independence.
Sec. 31207. Conforming amendments.
Sec. 31208. Repeal of obsolete office.

Subtitle C—Port Performance Act

Sec. 31301. Short title.
Sec. 31302. Findings.
Sec. 31303. Port performance freight statistics program.

TITLE XXXII—COMMERCIAL MOTOR VEHICLE AND DRIVER PROGRAMS

Subtitle A—Compliance, Safety, and Accountability Reform

Sec. 32001. Correlation study.
Sec. 32002. Safety improvement metrics.
Sec. 32003. Data certification.
Sec. 32004. Data improvement.
Sec. 32005. Accident report information.
Sec. 32006. Post-accident report review.
Sec. 32007. Recognizing excellence in safety.
Sec. 32008. High risk carrier reviews.

Subtitle B—Transparency and Accountability

Sec. 32201. Rulemaking requirements.
Sec. 32202. Petitions for regulatory relief.
Sec. 32203. Inspector standards.
Sec. 32204. Technology improvements.

Subtitle C—Trucking Rules Updated by Comprehensive and Key Safety Reform

Sec. 32301. Update on statutory requirements.
Sec. 32302. Statutory rulemaking.
Sec. 32303. Guidance reform.
Sec. 32304. Petitions.
Sec. 32305. Regulatory reform.

Subtitle D—State Authorities

Sec. 32401. Emergency route working group.
Sec. 32402. Additional State authority.
Sec. 32403. Commercial driver access.

Subtitle E—Motor Carrier Safety Grant Consolidation

Sec. 32501. Definitions.

Sec. 32502. Grants to States.
Sec. 32503. New entrant safety review program study.
Sec. 32504. Performance and registration information systems management.
Sec. 32505. Authorization of appropriations.
Sec. 32506. Commercial driver's license program implementation.
Sec. 32507. Extension of Federal motor carrier safety programs for fiscal year 2016.
Sec. 32508. Motor carrier safety assistance program allocation.
Sec. 32509. Maintenance of effort calculation.

Subtitle F—Miscellaneous Provisions

Sec. 32601. Windshield technology.
Sec. 32602. Electronic logging devices requirements.
Sec. 32603. Lapse of required financial security; suspension of registration.
Sec. 32604. Access to National Driver Register.
Sec. 32605. Study on commercial motor vehicle driver commuting.
Sec. 32606. Household goods consumer protection working group.
Sec. 32607. Interstate van operations.
Sec. 32608. Report on design and implementation of wireless roadside inspection systems.
Sec. 32609. Motorcoach hours of service study.
Sec. 32610. GAO Review of school bus safety.
Sec. 32611. Use of hair testing for preemployment and random controlled substances tests.

TITLE XXXIII—HAZARDOUS MATERIALS

Sec. 33101. Endorsements.
Sec. 33102. Enhanced reporting.
Sec. 33103. Hazardous material information.
Sec. 33104. National emergency and disaster response.
Sec. 33105. Authorization of appropriations.

TITLE XXXIV—HIGHWAY AND MOTOR VEHICLE SAFETY

Subtitle A—Highway Traffic Safety

PART I—Highway Safety

Sec. 34101. Authorization of appropriations.
Sec. 34102. Highway safety programs.
Sec. 34103. Grants for alcohol-ignition interlock laws and 24–7 sobriety programs.
Sec. 34104. Repeat offender criteria.
Sec. 34105. Study on the national roadside survey of alcohol and drug use by drivers.
Sec. 34106. Increasing public awareness of the dangers of drug-impaired driving.
Sec. 34107. Improvement of data collection on child occupants in vehicle crashes.

PART II—Stop Motorcycle Checkpoint Funding Act

Sec. 34121. Short title.
Sec. 34122. Grant restriction.

PART III—Improving Driver Safety Act of 2015

Sec. 34131. Short title.
Sec. 34132. Distracted driving incentive grants.
Sec. 34133. Barriers to data collection report.
Sec. 34134. Minimum requirements for State graduated driver licensing incentive grant program.

PART IV—Technical and Conforming Amendments

Sec. 34141. Technical corrections to the Motor Vehicle and Highway Safety Improvement Act of 2012.

Subtitle B—Vehicle Safety

Sec. 34201. Authorization of appropriations.
Sec. 34202. Inspector General recommendations.
Sec. 34203. Improvements in availability of recall information.
Sec. 34204. Recall process.
Sec. 34205. Pilot grant program for State notification to consumers of motor vehicle recall status.
Sec. 34206. Recall obligations under bankruptcy.
Sec. 34207. Dealer requirement to check for open recall.
Sec. 34208. Extension of time period for remedy of tire defects.
Sec. 34209. Rental car safety.
Sec. 34210. Increase in civil penalties for violations of motor vehicle safety.
Sec. 34211. Electronic odometer disclosures.
Sec. 34212. Corporate responsibility for NHTSA reports.
Sec. 34213. Direct vehicle notification of recalls.
Sec. 34214. Unattended children warning.
Sec. 34215. Tire pressure monitoring system.

Subtitle C—Research and Development and Vehicle Electronics

Sec. 34301. Report on operations of the Council for Vehicle Electronics, Vehicle Software, and Emerging Technologies.
Sec. 34302. Cooperation with foreign governments.

Subtitle D—Miscellaneous Provisions

PART I—Driver Privacy Act of 2015

Sec. 34401. Short title.
Sec. 34402. Limitations on data retrieval from vehicle event data recorders.
Sec. 34403. Vehicle event data recorder study.

PART II—Safety Through Informed Consumers Act of 2015

Sec. 34421. Short title.
Sec. 34422. Passenger motor vehicle information.

PART III—Tire Efficiency, Safety, and Registration Act of 2015

Sec. 34431. Short title.
Sec. 34432. Tire fuel efficiency minimum performance standards.
Sec. 34433. Tire registration by independent sellers.
Sec. 34434. Tire recall database.

TITLE XXXV—RAILROAD REFORM, ENHANCEMENT, AND EFFICIENCY

Sec. 35001. Short title.
Sec. 35002. Passenger transportation; definitions.

Subtitle A—Authorization of Appropriations

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SEC. 3. DEFINITIONS.

In this Act:

(1) DEPARTMENT.—The term ''Department'' means the Department of Transportation.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of Transportation.

SEC. 4. EFFECTIVE DATE.

Except as otherwise provided, divisions A, B, C, and D, including the amendments made by those divisions, take effect on October 1, 2015.

DIVISION A—FEDERAL-AID HIGHWAYS AND HIGHWAY SAFETY CONSTRUCTION PROGRAMS

TITLE I—FEDERAL-AID HIGHWAYS

Subtitle A—Authorizations and Programs

SEC. 11001. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—The following sums are authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account):

(1) FEDERAL-AID HIGHWAY PROGRAM.—For the national highway performance program under section 119 of title 23, United States Code, the surface transportation program under section 133 of that title, the highway safety improvement program under section 148 of that title, the congestion mitigation and air quality improvement program under section 149 of that title, the national freight program under section 167 of that title, the transportation alternatives program under section 213 of that title, and to carry out section 134 of that title—

(A) $40,579,500,000 for fiscal year 2016;
(B) $41,421,300,000 for fiscal year 2017;
(C) $42,327,100,000 for fiscal year 2018;
(D) $43,300,400,000 for fiscal year 2019;
(E) $44,394,700,000 for fiscal year 2020; and
(F) $45,515,900,000 for fiscal year 2021.

(2) TRANSPORTATION INFRASTRUCTURE FINANCE AND INNOVATION PROGRAM.—For credit assistance under the transportation infrastructure finance and innovation program under chapter 6 of title 23, United States Code, $500,000,000 for each of fiscal years 2016 through 2021.

(3) FEDERAL LANDS AND TRIBAL TRANSPORTATION PROGRAMS.—

(A) TRIBAL TRANSPORTATION PROGRAM.—For the tribal transportation program under section 202 of title 23, United States Code—

(i) $460,000,000 for fiscal year 2016;
(ii) $470,000,000 for fiscal year 2017;
(iii) $480,000,000 for fiscal year 2018;
(iv) $490,000,000 for fiscal year 2019;
(v) $500,000,000 for fiscal year 2020; and
(vi) $510,000,000 for fiscal year 2021.

(B) FEDERAL LANDS TRANSPORTATION PROGRAM.—

(i) AUTHORIZATION.—For the Federal lands transportation program under section 203 of title 23, United States Code—

(I) $305,000,000 for fiscal year 2016;
(II) $310,000,000 for fiscal year 2017;
(III) $315,000,000 for fiscal year 2018;
(IV) $320,000,000 for fiscal year 2019;
(V) $325,000,000 for fiscal year 2020; and
(VI) $330,000,000 for fiscal year 2021.

(ii) SPECIAL RULE.—

(I) $240,000,000 of the amount made available for each fiscal year shall be the amount for the National Park Service; and

(II) $30,000,000 of the amount made available for each fiscal year shall be the amount for the United States Fish and Wildlife Service.

(C) FEDERAL LANDS ACCESS PROGRAM.—For the Federal lands access program under section 204 of title 23, United States Code—

(i) $255,000,000 for fiscal year 2016;

(ii) $260,000,000 for fiscal year 2017;

(iii) $265,000,000 for fiscal year 2018;

(iv) $270,000,000 for fiscal year 2019;

(v) $275,000,000 for fiscal year 2020; and

(vi) $280,000,000 for fiscal year 2021.

(4) TERRITORIAL AND PUERTO RICO HIGHWAY PROGRAM.—For the territorial and Puerto Rico highway program under section 165 of title 23, United States Code, $190,000,000 for each of fiscal years 2016 through 2021.

(5) ASSISTANCE FOR MAJOR PROJECTS PROGRAM.—For the assistance for major projects program under section 171 of title 23, United States Code—

(A) $300,000,000 for fiscal year 2016;

(B) $350,000,000 for fiscal year 2017;

(C) $400,000,000 for fiscal year 2018;

(D) $450,000,000 for fiscal year 2019;

(E) $450,000,000 for fiscal year 2020; and

(F) $450,000,000 for fiscal year 2021.

(b) RESEARCH, TECHNOLOGY, AND EDUCATION AUTHORIZATIONS.—

(1) IN GENERAL.—The following sums are authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account):

(A) HIGHWAY RESEARCH AND DEVELOPMENT PROGRAM.—To carry out the highway research and development program under section 503(b) of title 23, United States Code, $130,000,000 for each of fiscal years 2016 through 2021.

(B) TECHNOLOGY AND INNOVATION DEPLOYMENT PROGRAM.—To carry out the technology and innovation deployment program under section 503(c) of title 23, United States Code, $62,500,000 for each of fiscal years 2016 through 2021.

(C) TRAINING AND EDUCATION.—To carry out training and education under section 504 of title 23, United States Code, $24,000,000 for each of fiscal years 2016 through 2021.

(D) INTELLIGENT TRANSPORTATION SYSTEMS PROGRAM.—To carry out the intelligent transportation systems program under sections 512 through 518 of title 23, United States Code, $100,000,000 for each of fiscal years 2016 through 2021.

(E) UNIVERSITY TRANSPORTATION CENTERS PROGRAM.—To carry out the university transportation centers program under section 5505 of title 49, United States Code, $72,500,000 for each of fiscal years 2016 through 2021.

(F) BUREAU OF TRANSPORTATION STATISTICS.—To carry out chapter 63 of title 49, United States Code, $26,000,000 for each of fiscal years 2016 through 2021.

(2) ADMINISTRATION.—The Federal Highway Administration shall administer the programs described in subparagraphs (D) through (F) of paragraph (1).

(3) APPLICABILITY OF TITLE 23, UNITED STATES CODE.—Funds authorized to be appropriated by paragraph (1) shall—

(A) be available for obligation in the same manner as if those funds were apportioned under chapter 1 of title 23, United States Code;

(B) remain available until expended; and

(C) not be transferable.

(c) DISADVANTAGED BUSINESS ENTERPRISES.—

(1) FINDINGS.—Congress finds that—

(A) while significant progress has occurred due to the establishment of the disadvantaged business enterprise program, discrimination and related barriers continue to pose significant obstacles for minority- and women-owned businesses seeking to do business in federally assisted surface transportation markets across the United States;

(B) the continuing barriers described in subparagraph (A) merit the continuation of the disadvantaged business enterprise program;

(C) Congress has received and reviewed testimony and documentation of race and gender discrimination from numerous sources, including congressional hearings and roundtables, scientific reports, reports issued by public and private agencies, news stories, reports of discrimination by organizations and individuals, and discrimination lawsuits, which show that race- and gender-neutral efforts alone are insufficient to address the problem;

(D) the testimony and documentation described in subparagraph (C) demonstrate that discrimination across the United States poses a barrier to full and fair participation in surface transportation-related businesses of women business owners and minority business owners and has impacted firm development and many aspects of surface transportation-related business in the public and private markets; and

(E) the testimony and documentation described in subparagraph (C) provide a strong basis that there is a compelling need for the continuation of the disadvantaged business enterprise program to address race and gender discrimination in surface transportation-related business.

(2) DEFINITIONS.—In this subsection, the following definitions apply:

(A) SMALL BUSINESS CONCERN.—

(i) IN GENERAL.—The term ''small business concern'' means a small business concern (as the term is used in section 3 of the Small Business Act (15 U.S.C. 632)).

(ii) EXCLUSIONS.—The term ''small business concern'' does not include any concern or group of concerns controlled by the same socially and economically disadvantaged individual or individuals that have average annual gross receipts during the preceding 3 fiscal years in excess of $22,410,000, as adjusted annually by the Secretary for inflation.

(B) SOCIALLY AND ECONOMICALLY DISADVANTAGED INDIVIDUALS.—The term ''socially and economically disadvantaged individuals'' has the meaning given the term in section 8(d) of the Small Business Act (15 U.S.C. 637(d)) and relevant subcontracting regulations issued pursuant to that Act, except that women shall be presumed to be socially and economically disadvantaged individuals for purposes of this subsection.

(3) AMOUNTS FOR SMALL BUSINESS CONCERNS.—Except to the extent that the Secretary determines otherwise, not less than 10 percent of the amounts made available for any program under title I of this Act and section 403 of title 23, United States Code, shall be expended through small business concerns owned and controlled by socially and economically disadvantaged individuals.

(4) ANNUAL LISTING OF DISADVANTAGED BUSINESS ENTERPRISES.—Each State shall annually—

(A) survey and compile a list of the small business concerns referred to in paragraph (2) in the State, including the location of the small business concerns in the State; and

(B) notify the Secretary, in writing, of the percentage of the small business concerns that are controlled by—

(i) women;

(ii) socially and economically disadvantaged individuals (other than women); and

(iii) individuals who are women and are otherwise socially and economically disadvantaged individuals.

(5) UNIFORM CERTIFICATION.—

(A) IN GENERAL.—The Secretary shall establish minimum uniform criteria for use by State governments in certifying whether a concern qualifies as a small business concern for the purpose of this subsection.

(B) INCLUSIONS.—The minimum uniform criteria established under subparagraph (A) shall include, with respect to a potential small business concern—

(i) on-site visits;

(ii) personal interviews with personnel;

(iii) issuance or inspection of licenses;

(iv) analyses of stock ownership;

(v) listings of equipment;

(vi) analyses of bonding capacity;

(vii) listings of work completed;

(viii) examination of the resumes of principal owners;

(ix) analyses of financial capacity; and

(x) analyses of the type of work preferred.

(6) REPORTING.—The Secretary shall establish minimum requirements for use by State governments in reporting to the Secretary—

(A) information concerning disadvantaged business enterprise awards, commitments, and achievements; and

(B) such other information as the Secretary determines to be appropriate for the proper monitoring of the disadvantaged business enterprise program.

(7) COMPLIANCE WITH COURT ORDERS.—Nothing in this subsection limits the eligibility of an individual or entity to receive funds made available under title I of this Act and section 403 of title 23, United States Code, if the individual or entity is prevented, in whole or in part, from complying with paragraph (2) because a Federal court issues a final order in which the court finds that a requirement or the implementation of paragraph (2) is unconstitutional.

(d) CONFORMING AMENDMENT.—Section 1101(b) of MAP–21 (Public Law 112–141; 126 Stat. 414) is repealed.

SEC. 11002. OBLIGATION CEILING.

(a) GENERAL LIMITATION.—Subject to subsection (e), and notwithstanding any other provision of law, the obligations for Federal-aid highway and highway safety construction programs shall not exceed—

(1) $42,401,500,000 for fiscal year 2016;

(2) $43,472,300,000 for fiscal year 2017;

(3) $44,607,100,000 for fiscal year 2018;

(4) $45,859,400,000 for fiscal year 2019;

(5) $46,982,700,000 for fiscal year 2020; and

(6) $48,132,900,000 for fiscal year 2021.

(b) EXCEPTIONS.—The limitations under subsection (a) shall not apply to obligations under or for—

(1) section 125 of title 23, United States Code;

(2) section 147 of the Surface Transportation Assistance Act of 1978 (23 U.S.C. 144 note; 92 Stat. 2714);

(3) section 9 of the Federal-Aid Highway Act of 1981 (95 Stat. 1701);

(4) subsections (b) and (j) of section 131 of the Surface Transportation Assistance Act of 1982 (96 Stat. 2119);

(5) subsections (b) and (c) of section 149 of the Surface Transportation and Uniform Relocation Assistance Act of 1987 (101 Stat. 198);

(6) sections 1103 through 1108 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2027);

(7) section 157 of title 23, United States Code (as in effect on June 8, 1998);

(8) section 105 of title 23, United States Code (as in effect for fiscal years 1998 through 2004, but only in an amount equal to $639,000,000 for each of those fiscal years);

(9) section 105 of title 23, United States Code (as in effect for fiscal years 2005

through 2012, but only in an amount equal to $639,000,000 for each of those fiscal years);

(10) Federal-aid highway programs for which obligation authority was made available under the Transportation Equity Act for the 21st Century (112 Stat. 107) or subsequent Acts for multiple years or to remain available until expended, but only to the extent that the obligation authority has not lapsed or been used;

(11) section 1603 of SAFETEA–LU (23 U.S.C. 118 note; 119 Stat. 1248), to the extent that funds obligated in accordance with that section were not subject to a limitation on obligations at the time at which the funds were initially made available for obligation;

(12) section 119 of title 23, United States Code (as in effect for fiscal years 2013 through 2015, but only in an amount equal to $639,000,000 for each of those fiscal years); and

(13) section 119 of title 23, United States Code (but, for each of fiscal years 2016 through 2021, only in an amount equal to $639,000,000 for each of those fiscal years).

(c) DISTRIBUTION OF OBLIGATION AUTHORITY.—For each of fiscal years 2016 through 2021, the Secretary shall—

(1) not distribute obligation authority provided by subsection (a) for the fiscal year for—

(A) amounts authorized for administrative expenses and programs by section 104(a) of title 23, United States Code; and

(B) amounts authorized for the Bureau of Transportation Statistics;

(2) not distribute an amount of obligation authority provided by subsection (a) that is equal to the unobligated balance of amounts—

(A) made available from the Highway Trust Fund (other than the Mass Transit Account) for Federal-aid highway and highway safety construction programs for previous fiscal years the funds for which are allocated by the Secretary (or apportioned by the Secretary under section 202 or 204 of title 23, United States Code); and

(B) for which obligation authority was provided in a previous fiscal year;

(3) determine the proportion that—

(A) an amount equal to the difference between—

(i) the obligation authority provided by subsection (a) for the fiscal year; and

(ii) the aggregate amount not distributed under paragraphs (1) and (2); bears to

(B) an amount equal to the difference between—

(i) the total of the sums authorized to be appropriated for the Federal-aid highway and highway safety construction programs (other than sums authorized to be appropriated for provisions of law described in paragraphs (1) through (12) of subsection (b) and sums authorized to be appropriated for section 119 of title 23, United States Code, equal to the amount referred to in subsection (b)(13) for the fiscal year); and

(ii) the aggregate amount not distributed under paragraphs (1) and (2);

(4) distribute the obligation authority provided by subsection (a), less the aggregate amount not distributed under paragraphs (1) and (2), for each of the programs (other than programs to which paragraph (1) applies) that are allocated by the Secretary under this Act and title 23, United States Code, or apportioned by the Secretary under section 202 or 204 of that title, by multiplying—

(A) the proportion determined under paragraph (3); by

(B) the amounts authorized to be appropriated for each such program for the fiscal year; and

(5) distribute the obligation authority provided by subsection (a), less the aggregate amount not distributed under paragraphs (1) and (2) and the amounts distributed under paragraph (4), for Federal-aid highway and highway safety construction programs that are apportioned by the Secretary under title 23, United States Code, (other than the amounts apportioned for the national highway performance program under section 119 of title 23, United States Code, that are exempt from the limitation under subsection (b)(13) and the amounts apportioned under sections 202 and 204 of that title) in the proportion that—

(A) amounts authorized to be appropriated for the programs that are apportioned under title 23, United States Code, to each State for the fiscal year; bears to

(B) the total of the amounts authorized to be appropriated for the programs that are apportioned under title 23, United States Code, to all States for the fiscal year.

(d) REDISTRIBUTION OF UNUSED OBLIGATION AUTHORITY.—Notwithstanding subsection (c), the Secretary shall, after August 1 of each of fiscal years 2016 through 2021—

(1) revise a distribution of the obligation authority made available under subsection (c) if an amount distributed cannot be obligated during that fiscal year; and

(2) redistribute sufficient amounts to those States able to obligate amounts in addition to those previously distributed during that fiscal year, giving priority to those States having large unobligated balances of funds apportioned under sections 144 (as in effect on the day before the date of enactment of MAP–21 (126 Stat. 405)) and 104 of title 23, United States Code.

(e) APPLICABILITY OF OBLIGATION LIMITATIONS TO TRANSPORTATION RESEARCH PROGRAMS.—

(1) IN GENERAL.—Except as provided in paragraph (2), obligation limitations imposed by subsection (a) shall apply to contract authority for transportation research programs carried out under chapter 5 of title 23, United States Code.

(2) EXCEPTION.—Obligation authority made available under paragraph (1) shall—

(A) remain available for a period of 4 fiscal years; and

(B) be in addition to the amount of any limitation imposed on obligations for Federal-aid highway and highway safety construction programs for future fiscal years.

(f) REDISTRIBUTION OF CERTAIN AUTHORIZED FUNDS.—

(1) IN GENERAL.—Not later than 30 days after the date of distribution of obligation authority under subsection (c) for each of fiscal years 2016 through 2021, the Secretary shall distribute to the States any funds (excluding funds authorized for the program under section 202 of title 23, United States Code) that—

(A) are authorized to be appropriated for the fiscal year for Federal-aid highway programs; and

(B) the Secretary determines will not be allocated to the States (or will not be apportioned to the States under section 204 of title 23, United States Code), and will not be available for obligation, for the fiscal year because of the imposition of any obligation limitation for the fiscal year.

(2) RATIO.—Funds shall be distributed under paragraph (1) in the same proportion as the distribution of obligation authority under subsection (c)(5).

(3) AVAILABILITY.—Funds distributed to each State under paragraph (1) shall be available for any purpose described in section 133(b) of title 23, United States Code.

SEC. 11003. APPORTIONMENT.

(a) IN GENERAL.—Section 104 of title 23, United States Code, is amended—

(1) in subsection (a)(1) by striking subparagraphs (A) and (B) and inserting the following:

''(A) $456,000,000 for fiscal year 2016;

''(B) $465,000,000 for fiscal year 2017;

''(C) $474,000,000 for fiscal year 2018;

''(D) $483,000,000 for fiscal year 2019;

''(E) $492,000,000 for fiscal year 2020; and

''(F) $501,000,000 for fiscal year 2021.'';

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking ''and the congestion mitigation and air quality improvement program'' and inserting ''the congestion mitigation and air quality improvement program, the national freight program'';

(B) in each of paragraphs (1), (2), and (3) by striking ''paragraphs (4) and (5)'' each place it appears and inserting ''paragraphs (4), (5), and (6), and section 213(a)'';

(C) in paragraph (1), by striking ''63.7 percent'' and inserting ''65 percent'';

(D) in paragraph (2), by striking ''29.3 percent'' and inserting ''29 percent'';

(E) in paragraph (3), by striking ''7 percent'' and inserting ''6 percent'';

(F) in paragraph (4), in the matter preceding subparagraph (A), by striking ''determined for the State under subsection (c)'' and inserting ''remaining under subsection (c) after making the set-asides in accordance with paragraph (5) and section 213(a)'';

(G) by redesignating paragraph (5) as paragraph (6);

(H) by inserting after paragraph (4) the following:

''(5) NATIONAL FREIGHT PROGRAM.—

''(A) IN GENERAL.—For the national freight program under section 167, the Secretary shall set aside from the amount determined for a State under subsection (c) an amount determined for the State under subparagraphs (B) and (C).

''(B) TOTAL AMOUNT.—The total amount set aside for the national freight program for all States shall be—

''(i) $1,500,000,000 for fiscal year 2016;

''(ii) $1,750,000,000 for fiscal year 2017;

''(iii) $2,000,000,000 for fiscal year 2018;

''(iv) $2,300,000,000 for fiscal year 2019;

''(v) $2,400,000,000 for fiscal year 2020; and

''(vi) $2,500,000,000 for fiscal year 2021.

''(C) STATE SHARE.—The Secretary shall distribute among the States the total set-aside amount for the national freight program under subparagraph (B) so that each State receives an amount equal to the proportion that—

''(i) the total apportionment determined under subsection (c) for a State; bears to

''(ii) the total apportionments for all States.

''(D) METROPOLITAN PLANNING.—Of the amount set aside under this paragraph for a State, the Secretary shall use to carry out section 134 an amount determined by multiplying the set-aside amount by the proportion that—

''(i) the amount apportioned to the State to carry out section 134 for fiscal year 2009; bears to

''(ii) the total amount of funds apportioned to the State for that fiscal year for the programs referred to in section 105(a)(2), except for the high priority projects program referred to in section 105(a)(2)(H) (as in effect on the day before the date of enactment of MAP–21 (Public Law 112–141; 126 Stat. 405).''; and

(I) in paragraph (6) (as redesignated by subparagraph (G)), in the matter preceding subparagraph (A), by striking ''determined for

the State under subsection (c)'' and inserting ''remaining under subsection (c) after making the set-asides in accordance with paragraph (5) and section 213(a)''; and

(3) in subsection (c) by adding at the end the following:

''(3) FOR FISCAL YEARS 2016 THROUGH 2021.—

''(A) STATE SHARE.—For each of fiscal years 2016 through 2021, the amount for each State of combined apportionments for the national highway performance program under section 119, the surface transportation program under section 133, the highway safety improvement program under section 148, the congestion mitigation and air quality improvement program under section 149, the national freight program under section 167, the transportation alternatives program under section 213, and to carry out section 134, shall be determined as follows:

''(i) INITIAL AMOUNT.—The initial amount for each State shall be determined by multiplying the total amount available for apportionment by the share for each State, which shall be equal to the proportion that—

''(I) the amount of apportionments that the State received for fiscal year 2014; bears to

''(II) the amount of those apportionments received by all States for that fiscal year.

''(ii) ADJUSTMENTS TO AMOUNTS.—The initial amounts resulting from the calculation under clause (i) shall be adjusted to ensure that, for each State, the amount of combined apportionments for the programs shall not be less than 95 percent of the estimated tax payments attributable to highway users in the State paid into the Highway Trust Fund (other than the Mass Transit Account) in the most recent fiscal year for which data are available.

''(B) STATE APPORTIONMENT.—For each of fiscal years 2016 through 2021, on October 1, the Secretary shall apportion the sum authorized to be appropriated for expenditure on the national highway performance program under section 119, the surface transportation program under section 133, the highway safety improvement program under section 148, the congestion mitigation and air quality improvement program under section 149, the national freight program under section 167, the transportation alternatives program under section 213, and to carry out section 134 in accordance with subparagraph (A).''.

(b) CONFORMING AMENDMENTS.—

(1) Section 104(d)(1)(A) of title 23, United States Code, is amended by striking ''subsection (b)(5)'' each place it appears and inserting ''paragraphs (5)(D) and (6) of subsection (b)''.

(2) Section 120(c)(3) of title 23, United States Code, is amended—

(A) in subparagraph (A), in the matter preceding clause (i), by striking ''or (5)'' and inserting ''(5)(D), or (6)''; and

(B) in subparagraph (C)(i), by striking ''and (5)'' and inserting ''(5)(D), and (6)''.

(3) Section 135(i) of title 23, United States Code, is amended by striking ''section 104(b)(5)'' and inserting ''paragraphs (5)(D) and (6) of section 104(b)''.

(4) Section 136(b) of title 23, United States Code, is amended in the first sentence by striking ''paragraphs (1) through (5) of section 104(b)'' and inserting ''paragraphs (1) through (6) of section 104(b)''.

(5) Section 141(b)(2) of title 23, United States Code, is amended by striking ''paragraphs (1) through (5) of section 104(b)'' and inserting ''paragraphs (1) through (6) of section 104(b)''.

(6) Section 505(a) of title 23, United States Code, is amended in the matter preceding paragraph (1) by striking ''through (4)'' and inserting ''through (5)''.

SEC. 11004. SURFACE TRANSPORTATION PROGRAM.

Section 133 of title 23, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (10), by inserting '', including emergency evacuation plans'' after ''programs''; and

(B) in paragraph (13), by adding a period at the end;

(2) in subsection (c)—

(A) in paragraph (1), by striking the semicolon at the end and inserting ''or for projects described in paragraphs (2), (4), (6), (7), (11), (20), (25), and (26) of subsection (b); and'';

(B) by striking paragraph (2); and

(C) by redesignating paragraph (3) as paragraph (2);

(3) in subsection (d)—

(A) in paragraph (1)—

(i) in subparagraph (A)—

(I) in the matter preceding clause (i), by striking ''50 percent'' and inserting ''55 percent''; and

(II) in clause (ii), by striking ''greater than 5,000'' and inserting ''of 5,000 or more''; and

(ii) in subparagraph (B), by striking ''50 percent'' and inserting ''45 percent''; and

(B) in paragraph (3)—

(i) by striking ''paragraph (1)(A)(ii)'' and inserting ''paragraph (1)(A)(iii)''; and

(ii) by striking ''greater than 5,000 and less than 200,000'' and inserting ''of 5,000 to 200,000'';

(4) in subsection (f)(1)—

(A) by striking ''104(b)(3)'' and inserting ''104(b)(2)''; and

(B) by striking ''the period of fiscal years 2011 through 2014'' and inserting ''each fiscal year'';

(5) by redesignating subsection (h) as subsection (i);

(6) in subsection (g)—

(A) by striking the subsection designation and heading and all that follows through paragraph (1) and inserting the following:

''(g) BRIDGES OFF THE NATIONAL HIGHWAY SYSTEM.—

''(1) DEFINITION OF OFF-NHS BRIDGE.—In this subsection, the term 'off-NHS bridge' means a highway bridge located on a public road, other than a bridge on the National Highway System.''; and

(B) in paragraph (2)—

(i) by striking subparagraph (A) and inserting the following:

''(A) SET-ASIDE.—Each State shall obligate for replacement (including replacement with fill material), rehabilitation, preservation, and protection (including scour countermeasures, seismic retrofits, impact protection measures, security countermeasures, and protection against extreme events) for off-NHS bridges an amount equal to the greater of—

''(i) 15 percent of the amount apportioned to the State under section 104(b)(2); and

''(ii) an amount equal to at least 110 percent of the amount of funds set aside for bridges not on Federal-aid highways in the State for fiscal year 2014.''; and

(ii) in subparagraph (B), by striking ''off-system'' and inserting ''off-NHS''; and

(C) by redesignating paragraph (3) as subsection (h);

(7) in subsection (h) (as so redesignated)—

(A) by striking the heading and inserting ''CREDIT FOR BRIDGES NOT ON THE NATIONAL HIGHWAY SYSTEM.—'';

(B) by redesignating subparagraphs (A) and (B) as paragraphs (1) and (2), respectively, and indenting appropriately; and

(C) in the matter preceding paragraph (1) (as so redesignated)—

(i) by striking ''the replacement of a bridge or rehabilitation of''; and

(ii) by striking '', and is determined by the Secretary upon completion to be no longer a deficient bridge'';

(8) in subsection (i)(1) (as redesignated by paragraph (5)), by striking ''under subsection (d)(1)(A)(iii) for each of fiscal years 2013 through 2014'' and inserting ''under subsection (d)(1)(A)(ii) for each fiscal year''; and

(9) by adding at the end the following:

''(j) BORDER STATES.—

''(1) IN GENERAL.—After consultation with relevant transportation planning organizations, the Governor of a State that shares a land border with Canada or Mexico may designate for each fiscal year not more than 5 percent of funds made available to the State under subsection (d)(1)(B) for border infrastructure projects eligible under section 1303 of SAFETEA–LU (23 U.S.C. 101 note; Public Law 109–59).

''(2) USE OF FUNDS.—Funds designated under this subsection shall be available under the requirements of section 1303 of SAFETEA–LU (23 U.S.C. 101 note; Public Law 109–59).

''(3) CERTIFICATION.—Before making a designation under paragraph (1), the Governor shall certify that the designation is consistent with transportation planning requirements under this title.

''(4) NOTIFICATION.—Not later than 30 days after making a designation under paragraph (1), the Governor shall submit to the relevant transportation planning organizations within the border region a written notification of any suballocated or distributed amount of funds available for obligation by jurisdiction.

''(5) LIMITATION.—This subsection applies only to funds apportioned to a State after the date of enactment of the DRIVE Act.

''(6) DEADLINE FOR DESIGNATION.—A designation under paragraph (1) shall—

''(A) be submitted to the Secretary not later than 30 days before the beginning of the fiscal year for which the designation is being made; and

''(B) remain in effect for the funds designated under paragraph (1) for a fiscal year until the Governor of the State notifies the Secretary of the termination of the designation.

''(7) UNOBLIGATED FUNDS AFTER TERMINATION.—On the date of a termination under paragraph (6)(B), all remaining unobligated funds that were designated under paragraph (1) for the fiscal year for which the designation is being terminated shall be made available to the State for the purposes described in subsection (d)(1)(B).''.

SEC. 11005. METROPOLITAN TRANSPORTATION PLANNING.

Section 134 of title 23, United States Code, is amended—

(1) in subsection (a)(1), by inserting ''resilient'' before ''surface transportation systems'';

(2) in subsection (c)(2), by striking ''and bicycle transportation facilities'' and inserting '', bicycle transportation facilities, intermodal facilities that support intercity transportation, including intercity buses and intercity bus facilities, and commuter vanpool providers'';

(3) in subsection (d)—

(A) by redesignating paragraphs (3) through (6) as paragraphs (4) through (7), respectively;

(B) by inserting after paragraph (2) the following:

''(3) REPRESENTATION.—

''(A) IN GENERAL.—Designation or selection of officials or representatives under paragraph (2) shall be determined by the metropolitan planning organization according to the bylaws or enabling statute of the organization.

''(B) PUBLIC TRANSPORTATION REPRESENTATIVE.—Subject to the bylaws or enabling statute of the metropolitan planning organization, a representative of a provider of public transportation may also serve as a representative of a local municipality.

''(C) POWERS OF CERTAIN OFFICIALS.—An official described in paragraph (2)(B) shall have responsibilities, actions, duties, voting rights, and any other authority commensurate with other officials described in paragraph (2)(B).''; and

(C) in paragraph (5) (as redesignated by subparagraph (A)), by striking ''paragraph (5)'' and inserting ''paragraph (6)'';

(4) in subsection (e)(4)(B), by striking ''subsection (d)(5)'' and inserting ''subsection (d)(6)'';

(5) in subsection (g)(3)(A), by inserting ''natural disaster risk reduction,'' after ''environmental protection,'';

(6) in subsection (h)—

(A) in paragraph (1)—

(i) in subparagraph (G), by striking ''and'' at the end;

(ii) in subparagraph (H), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(I) improve the resilience and reliability of the transportation system.''; and

(B) in paragraph (2)(A), by striking ''and in section 5301(c) of title 49'' and inserting ''and the general purposes described in section 5301 of title 49'';

(7) in subsection (i)—

(A) in paragraph (2)—

(i) in subparagraph (A)(i), by striking ''transit'' and inserting ''public transportation facilities, intercity bus facilities'';

(ii) in subparagraph (G)—

(I) by striking ''and provide'' and inserting '', provide''; and

(II) by inserting '', and reduce vulnerability due to natural disasters of the existing transportation infrastructure'' before the period at the end; and

(iii) in subparagraph (H), by inserting '', including consideration of the role that intercity buses may play in reducing congestion, pollution, and energy consumption in a cost-effective manner and strategies and investments that preserve and enhance intercity bus systems, including systems that are privately owned and operated'' before the period at the end;

(B) in paragraph (6)(A)—

(i) by inserting ''public ports,'' before ''freight shippers,''; and

(ii) by inserting ''(including intercity bus operators and commuter vanpool providers)'' after ''private providers of transportation''; and

(C) in paragraph (8), by striking ''(2)(C)'' each place it appears and inserting ''(2)(E)'';

(8) in subsection (j)(5)(A), by striking ''subsection (k)(4)'' and inserting ''subsection (k)(3)'';

(9) in subsection (k)—

(A) by striking paragraph (3); and

(B) by redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively;

(10) in subsection (*l*)—

(A) in paragraph (1), by adding a period at the end; and

(B) in paragraph (2)(D), by striking ''of less than 200,000'' and inserting ''with a population of 200,000 or less'';

(11) by striking subsection (n);

(12) by redesignating subsections (o) through (q) as subsections (n) through (p), respectively;

(13) in subsection (o) (as so redesignated), by striking ''set aside under section 104(f)'' and inserting ''apportioned under paragraphs (5)(D) and (6) of section 104(b)'' ; and

(14) by adding at the end the following:

''(q) TREATMENT OF LAKE TAHOE REGION.—

''(1) DEFINITION OF LAKE TAHOE REGION.—In this subsection, the term 'Lake Tahoe Region' has the meaning given the term 'region' in subsection (a) of Article II of the Lake Tahoe Regional Planning Compact (Public Law 96–551; 94 Stat. 3234).

''(2) TREATMENT.—For the purpose of this title, the Lake Tahoe Region shall be treated as—

''(A) a metropolitan planning organization;

''(B) a transportation management area under subsection (k); and

''(C) an urbanized area, which is comprised of a population of 145,000 in the State of California and a population of 65,000 in the State of Nevada.

''(3) SUBALLOCATED FUNDING.—

''(A) SECTION 133.—When determining the amount under subparagraph (A) of section 133(d)(1) that shall be obligated for a fiscal year in the States of California and Nevada under clauses (i), (ii), and (iii) of that subparagraph, the Secretary shall, for each of those States—

''(i) calculate the population under each of those clauses;

''(ii) decrease the amount under section 133(d)(1)(A)(iii) by the population specified in paragraph (2) of this subsection for the Lake Tahoe Region in that State; and

''(iii) increase the amount under section 133(d)(1)(A)(i) by the population specified in paragraph (2) of this subsection for the Lake Tahoe Region in that State.

''(B) SECTION 213.—When determining the amount under paragraph (1) of section 213(c) that shall be obligated for a fiscal year in the States of California and Nevada under subparagraphs (A), (B), and (C) of that paragraph, the Secretary shall, for each of those States—

''(i) calculate the population under each of those subparagraphs;

''(ii) decrease the amount under section 213(c)(1)(C) by the population specified in paragraph (2) of this subsection for the Lake Tahoe Region in that State; and

''(iii) increase the amount under section 213(c)(1)(A) by the population specified in paragraph (2) of this subsection for the Lake Tahoe Region in that State.''.

SEC. 11006. STATEWIDE AND NONMETROPOLITAN TRANSPORTATION PLANNING.

(a) IN GENERAL.—Section 135 of title 23, United States Code, is amended—

(1) in subsection (a)(2), by striking ''and bicycle transportation facilities'' and inserting '', bicycle transportation facilities, intermodal facilities that support intercity transportation, including intercity buses and intercity bus facilities, and commuter vanpool providers'';

(2) in subsection (d)—

(A) in paragraph (1)—

(i) in subparagraph (G), by striking ''and'' at the end;

(ii) in subparagraph (H), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(I) improve the resilience and reliability of the transportation system.''; and

(B) in paragraph (2)(A), by striking ''and in section 5301(c) of title 49'' and inserting ''and the general purposes described in section 5301 of title 49'';

(3) in subsection (e)(1), by striking ''subsection (m)'' and inserting ''subsection (l)'';

(4) in subsection (f)—

(A) in paragraph (2)(B)(i), by striking ''subsection (m)'' and inserting ''subsection (l)'';

(B) in paragraph (3)(A)—

(i) in clause (i), by striking ''subsection (m)'' and inserting ''subsection (l)''; and

(ii) in clause (ii), by inserting ''(including intercity bus operators and commuter vanpool providers)'' after ''private providers of transportation'';

(C) in paragraph (7), in the matter preceding subparagraph (A), by striking ''should'' and inserting ''shall''; and

(D) in paragraph (8), by inserting '', including consideration of the role that intercity buses may play in reducing congestion, pollution, and energy consumption in a cost-effective manner and strategies and investments that preserve and enhance intercity bus systems, including systems that are privately owned and operated'' before the period at the end;

(5) in subsection (g)—

(A) in paragraph (2)(B)(i), by striking ''subsection (m)'' and inserting ''subsection (l)'';

(B) in paragraph (3)—

(i) by inserting ''public ports,'' before ''freight shippers''; and

(ii) by inserting ''(including intercity bus operators),'' after ''private providers of transportation''; and

(C) in paragraph (6)(A), by striking ''subsection (m)'' and inserting ''subsection (l)'';

(6) by striking subsection (j); and

(7) by redesignating subsections (k) through (m) as subsections (j) through (l), respectively.

(b) CONFORMING AMENDMENTS.—Section 134(b)(5) of title 23, United States Code, is amended by striking ''section 135(m)'' and inserting ''section 135(l)''.

SEC. 11007. HIGHWAY USE TAX EVASION PROJECTS.

Section 143(b) of title 23, United States Code, is amended by striking paragraph (2)(A) and inserting the following:

''(A) IN GENERAL.—From administrative funds made available under section 104(a), the Secretary shall deduct such sums as are necessary, not to exceed $4,000,000 for each fiscal year, to carry out this section.''.

SEC. 11008. BUNDLING OF BRIDGE PROJECTS.

Section 144 of title 23, United States Code, is amended—

(1) in subsection (c)(2)(A), by striking ''the natural condition of the bridge'' and inserting ''the natural condition of the water'';

(2) by redesignating subsection (j) as subsection (k);

(3) by inserting after subsection (i) the following:

''(j) BUNDLING OF BRIDGE PROJECTS.—

''(1) PURPOSE.—The purpose of this subsection is to save costs and time by encouraging States to bundle multiple bridge projects as 1 project.

''(2) DEFINITION OF ELIGIBLE ENTITY.—In this subsection, the term 'eligible entity' means an entity eligible to carry out a bridge project under section 119 or 133.

''(3) BUNDLING OF BRIDGE PROJECTS.—An eligible entity may bundle 2 or more similar bridge projects that are—

''(A) eligible projects under section 119 or 133;

''(B) included as a bundled project in a transportation improvement program under section 134(j) or a statewide transportation improvement program under section 135, as applicable; and

''(C) awarded to a single contractor or consultant pursuant to a contract for engineering and design or construction between the contractor and an eligible entity.

''(4) ITEMIZATION.—Notwithstanding any other provision of law (including regulations), an eligible bridge project included in a bundle under this subsection may be listed as—

''(A) 1 project for purposes of sections 134 and 135; and

''(B) a single project within the applicable bundle.

''(5) FINANCIAL CHARACTERISTICS.—Projects bundled under this subsection shall have the same financial characteristics, including—

''(A) the same funding category or subcategory; and

''(B) the same Federal share.''; and

(4) in subsection (k)(2) (as redesignated by paragraph (2)), by striking ''104(b)(3)'' and inserting ''104(b)(2)''.

SEC. 11009. FLEXIBILITY FOR CERTAIN RURAL ROAD AND BRIDGE PROJECTS.

(a) AUTHORITY.—With respect to rural road and rural bridge projects eligible for funding under title 23, United States Code, subject to the provisions of this section and on request by a State, the Secretary may—

(1) exercise all existing flexibilities under and exceptions to—

(A) the requirements of title 23, United States Code; and

(B) other requirements administered by the Secretary, in whole or part; and

(2) otherwise provide additional flexibility or expedited processing with respect to the requirements described in paragraph (1).

(b) TYPES OF PROJECTS.—A rural road or rural bridge project under this section shall—

(1) be located in a county that, based on the most recent decennial census—

(A) has a population density of 80 or fewer persons per square mile of land area; or

(B) is the county that has the lowest population density of all counties in the State;

(2) be located within the operational right-of-way (as defined in section 1316(b) of MAP–21 (23 U.S.C. 109 note; 126 Stat. 549)) of an existing road or bridge; and

(3)(A) receive less than $5,000,000 of Federal funds; or

(B) have a total estimated cost of not more than $30,000,000 and Federal funds comprising less than 15 percent of the total estimated project cost.

(c) PROCESS TO ASSIST RURAL PROJECTS.—

(1) ASSISTANCE WITH FEDERAL REQUIREMENTS.—

(A) IN GENERAL.—For projects under this section, the Secretary shall seek to provide, to the maximum extent practicable, regulatory relief and flexibility consistent with this section.

(B) EXCEPTIONS, EXEMPTIONS, AND ADDITIONAL FLEXIBILITY.—Exceptions, exemptions, and additional flexibility from regulatory requirements may be granted if, in the opinion of the Secretary—

(i) the project is not expected to have a significant adverse impact on the environment;

(ii) the project is not expected to have an adverse impact on safety; and

(iii) the assistance would be in the public interest for 1 or more reasons, including—

(I) reduced project costs;

(II) expedited construction, particularly in an area where the construction season is relatively short and not granting the waiver or additional flexibility could delay the project to a later construction season; or

(III) improved safety.

(2) MAINTAINING PROTECTIONS.—Nothing in this subsection—

(A) waives the requirements of section 113 or 138 of title 23, United States Code;

(B) supersedes, amends, or modifies—

(i) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) or any other Federal environmental law; or

(ii) any requirement of title 23, United States Code; or

(C) affects the responsibility of any Federal officer to comply with or enforce any law or requirement described in this paragraph.

SEC. 11010. CONSTRUCTION OF FERRY BOATS AND FERRY TERMINAL FACILITIES.

(a) CONSTRUCTION OF FERRY BOATS AND FERRY TERMINAL FACILITIES.—Section 147 of title 23, United States Code, is amended—

(1) in subsection (a), by striking ''IN GENERAL'' and inserting ''PROGRAM'';

(2) by striking subsections (d) through (g) and inserting the following:

''(d) FORMULA.—Of the amounts allocated under subsection (c)—

''(1) 35 percent shall be allocated among eligible entities in the proportion that—

''(A) the number of ferry passengers, including passengers in vehicles, carried by each ferry system in the most recent calendar year for which data is available; bears to

''(B) the number of ferry passengers, including passengers in vehicles, carried by all ferry systems in the most recent calendar year for which data is available;

''(2) 35 percent shall be allocated among eligible entities in the proportion that—

''(A) the number of vehicles carried by each ferry system in the most recent calendar year for which data is available; bears to

''(B) the number of vehicles carried by all ferry systems in the most recent calendar year for which data is available; and

''(3) 30 percent shall be allocated among eligible entities in the proportion that—

''(A) the total route nautical miles serviced by each ferry system in the most recent calendar year for which data is available; bears to

''(B) the total route nautical miles serviced by all ferry systems in the most recent calendar year for which data is available.

''(e) REDISTRIBUTION OF UNOBLIGATED AMOUNTS.—The Secretary shall—

''(1) withdraw amounts allocated to an eligible entity under subsection (c) that remain unobligated by the end of the third fiscal year following the fiscal year for which the amounts were allocated; and

''(2) in the subsequent fiscal year, redistribute the funds referred to in paragraph (1) in accordance with the formula under subsection (d) among eligible entities for which no amounts were withdrawn under paragraph (1).

''(f) MINIMUM AMOUNT.—Notwithstanding subsection (c), a State with an eligible entity that meets the requirements of this section shall receive not less than $100,000 under this section for a fiscal year.

''(g) IMPLEMENTATION.—

''(1) DATA COLLECTION.—

''(A) NATIONAL FERRY DATABASE.—Amounts made available for a fiscal year under this section shall be allocated using the most recent data available, as collected and imputed in accordance with the national ferry database established under section 1801(e) of SAFETEA–LU (23 U.S.C. 129 note; 119 Stat. 1456).

''(B) ELIGIBILITY FOR FUNDING.—To be eligible to receive funds under subsection (c), data shall have been submitted in the most recent collection of data for the national ferry database under section 1801(e) of SAFETEA–LU (23 U.S.C. 129 note; 119 Stat. 1456) for at least 1 ferry service within the State.

''(2) ADJUSTMENTS.—On review of the data submitted under paragraph (1)(B), the Secretary may make adjustments to the data as the Secretary determines necessary to correct misreported or inconsistent data.

''(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) to carry out this section $80,000,000 for each of fiscal years 2016 through 2021.

''(i) PERIOD OF AVAILABILITY.—Notwithstanding section 118(b), funds made available to carry out this section shall remain available until expended.

''(j) APPLICABILITY.—All provisions of this chapter that are applicable to the National Highway System, other than provisions relating to apportionment formula and Federal share, shall apply to funds made available to carry out this section, except as determined by the Secretary to be inconsistent with this section.''.

(b) NATIONAL FERRY DATABASE.—Section 1801(e)(4) of SAFETEA–LU (23 U.S.C. 129 note; 119 Stat. 1456) is amended by striking subparagraph (D) and inserting the following:

''(D) make available, from the amounts made available for each fiscal year to carry out chapter 63 of title 49, not more than $500,000 to maintain the database.''.

(c) CONFORMING AMENDMENTS.—Section 129(c) of title 23, United States Code, is amended—

(1) in paragraph (2), in the first sentence, by inserting '', or on a public transit ferry eligible under chapter 53 of title 49'' after ''Interstate System'';

(2) in paragraph (3)—

(A) by striking ''(3) Such ferry'' and inserting ''(3)(A) The ferry''; and

(B) by adding at the end the following:

''(B) Any Federal participation shall not involve the construction or purchase, for private ownership, of a ferry boat, ferry terminal facility, or other eligible project under this section.'';

(3) in paragraph (4), by striking ''and repair,'' and inserting ''repair,''; and

(4) by striking paragraph (6) and inserting the following:

''(6) The ferry service shall be maintained in accordance with section 116.

''(7)(A) No ferry boat or ferry terminal with Federal participation under this title may be sold, leased, or otherwise disposed of, except in accordance with part 18 of title 49, Code of Federal Regulations (as in effect on December 18, 2014).

''(B) The Federal share of any proceeds from a disposition referred to in subparagraph (A) shall be used for eligible purposes under this title.''.

SEC. 11011. HIGHWAY SAFETY IMPROVEMENT PROGRAM.

Section 148 of title 23, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (4)(B)—

(i) in the matter preceding clause (i), by striking ''includes, but is not limited to,'' and inserting ''only includes''; and

(ii) by adding at the end the following:

''(xxv) Installation of vehicle-to-infrastructure communication equipment.

''(xxvi) Pedestrian hybrid beacons.

''(xxvii) Roadway improvements that provide separation between pedestrians and motor vehicles, including medians and pedestrian crossing islands.

''(xxviii) An infrastructure safety project not described in clauses (i) through (xxvii).''; and

(B) by striking paragraph (10) and redesignating paragraphs (11) through (13) as paragraphs (10) through (12), respectively;

(2) in subsection (c)(1)(A), by striking ''subsection (a)(12)'' and inserting ''subsection (a)(11)'';

(3) in subsection (d)(2)(B)(i), by striking ''subsection (a)(12)'' and inserting ''subsection (a)(11)''; and

(4) in subsection (g)(1)—

(A) by striking ''increases'' and inserting ''does not decrease''; and

(B) by inserting ''and exceeds the national fatality rate on rural roads,'' after ''available,''.

SEC. 11012. DATA COLLECTION ON UNPAVED PUBLIC ROADS.

Section 148 of title 23, United States Code, is amended by adding at the end the following:

''(k) DATA COLLECTION ON UNPAVED PUBLIC ROADS.—

''(1) IN GENERAL.—A State may elect not to collect fundamental data elements for the model inventory of roadway elements on public roads that are gravel roads or otherwise unpaved if—

''(A)(i) more than 45 percent of the public roads in the State are gravel roads or otherwise unpaved; and

''(ii) less than 10 percent of fatalities in the State occur on those unpaved public roads; or

''(B)(i) more than 70 percent of the public roads in the State are gravel roads or otherwise unpaved; and

''(ii) less than 25 percent of fatalities in the State occur on those unpaved public roads.

''(2) CALCULATION.—The percentages described in paragraph (1) shall be based on the average for the 5 most recent years for which relevant data is available.

''(3) USE OF FUNDS.—If a State elects not to collect data on a road described in paragraph (1), the State shall not use funds provided to carry out this section for a project on that road until the State completes a collection of the required model inventory of roadway elements for the road.''.

SEC. 11013. CONGESTION MITIGATION AND AIR QUALITY IMPROVEMENT PROGRAM.

Section 149 of title 23, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (1)(A)(i)(I), by inserting ''in the designated nonattainment area'' after ''air quality standard'';

(B) in paragraph (3), by inserting ''or maintenance'' after ''likely to contribute to the attainment'';

(C) in paragraph (4), by striking ''attainment of'' and inserting ''attainment or maintenance of the area of''; and

(D) in paragraph (8)(A)(ii)—

(i) in the matter preceding subclause (I), by inserting ''or port-related freight operations'' after ''construction projects''; and

(ii) in subclause (II), by inserting ''or chapter 53 of title 49'' after ''this title'';

(2) in subsection (c)(2), by inserting ''(giving priority to corridors designated under section 151)'' after ''at any location in the State'';

(3) in subsection (d)—

(A) in paragraph (2)—

(i) in subparagraph (A)—

(I) in the matter preceding clause (i), by inserting ''would otherwise be eligible under subsection (b) if the project were carried out in a nonattainment or maintenance area or'' after ''may use for any project that''; and

(II) in clause (i), by striking ''(excluding the amount of funds reserved under paragraph (1))''; and

(ii) in subparagraph (B)(i), by striking ''MAP–21t'' and inserting ''MAP–21''; and

(B) in paragraph (3), by inserting '', in a manner consistent with the approach that was in effect on the day before the date of enactment of MAP–21,'' after ''the Secretary shall modify'';

(4) in subsection (g)—

(A) in paragraph (2)(B), by striking ''not later that'' and inserting ''not later than'';

(B) in paragraph (3)—

(i) by striking ''States and metropolitan'' and inserting the following:

''(A) IN GENERAL.—States and metropolitan'';

(ii) by striking ''are proven to reduce'' and inserting ''reduce directly emitted''; and

(iii) by adding at the end the following:

''(B) USE OF PRIORITY FUNDING.—To the maximum extent practicable, PM2.5 priority funding shall be used on the most cost-effective projects and programs that are proven to reduce directly emitted fine particulate matter.'';

(5) in subsection (k)—

(A) in paragraph (1)—

(i) by striking ''that has a nonattainment or maintenance area'' and inserting ''that has 1 or more nonattainment or maintenance areas'';

(ii) by striking ''a nonattainment or maintenance area that are'' and inserting ''the nonattainment or maintenance areas that are'';

(iii) by striking ''such area'' both places it appears and inserting ''such areas''; and

(iv) by striking ''such fine particulate'' and inserting ''directly-emitted fine particulate'';

(B) in paragraph (2), by striking ''highway construction'' and inserting ''transportation construction''; and

(C) by adding at the end the following:

''(3) PM2.5 NONATTAINMENT AND MAINTENANCE IN LOW POPULATION DENSITY STATES.—

''(A) EXCEPTION.—In any State with a population density of 80 or fewer persons per square mile of land area, based on the most recent decennial census, the requirements under subsection (g)(3) and paragraphs (1) and (2) of this subsection shall not apply to a nonattainment or maintenance area in the State if—

''(i) the nonattainment or maintenance area does not have projects that are part of the emissions analysis of a metropolitan transportation plan or transportation improvement program; and

''(ii) regional motor vehicle emissions are an insignificant contributor to the air quality problem for PM2.5 in the nonattainment or maintenance area.

''(B) CALCULATION.—If subparagraph (A) applies to a nonattainment or maintenance area in a State, the percentage of the PM2.5 set-aside under paragraph (1) shall be reduced for that State proportionately based on the weighted population of the area in fine particulate matter nonattainment.

''(4) PORT-RELATED EQUIPMENT AND VEHICLES.—To meet the requirements under paragraph (1), a State or metropolitan planning organization may elect to obligate funds to the most cost-effective projects to reduce emissions from port-related landside nonroad or on-road equipment that is operated within the boundaries of a PM2.5 nonattainment or maintenance area.'';

(6) in subsection (*l*)(1)(B), by inserting ''air quality and traffic congestion'' before ''performance targets''; and

(7) in subsection (m), by striking ''section 104(b)(2)'' and inserting ''section 104(b)(4)''.

SEC. 11014. TRANSPORTATION ALTERNATIVES.

(a) IN GENERAL.—Section 213 of title 23, United States Code, is amended—

(1) by striking subsection (a) and inserting the following:

''(a) RESERVATION OF FUNDS.—

''(1) IN GENERAL.—On October 1 of each fiscal year, the Secretary shall set aside from the amount determined for a State under section 104(c) an amount determined for the State under paragraphs (2) and (3).

''(2) TOTAL AMOUNT.—The total amount set aside for the program under this section shall be $850,000,000 for each fiscal year.

''(3) STATE SHARE.—The Secretary shall distribute among the States the total set-aside amount under paragraph (2) so that each State receives an amount equal to the proportion that—

''(A) the amount apportioned to the State for the transportation enhancements program for fiscal year 2009 under section 133(d)(2), as in effect on the day before the date of enactment of MAP–21 (Public Law 112–141; 126 Stat. 405); bears to

''(B) the total amount of funds apportioned to all States for that fiscal year for the transportation enhancements program for fiscal year 2009.'';

(2) in subsection (c)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking ''Of the funds'' and all that follows through ''shall be obligated under this section'' in subparagraph (A) and inserting ''Funds reserved in a State under this section shall be obligated'';

(ii) by striking subparagraph (B);

(iii) by redesignating clauses (i) through (iii) as subparagraphs (A) through (C), respectively;

(iv) in subparagraph (B) (as so redesignated), by striking ''greater than 5,000'' and inserting ''of 5,000 or more''; and

(v) in subparagraph (C) (as so redesignated), by striking ''; and'' and inserting a period;

(B) in paragraph (2), by striking ''paragraph (1)(A)(i)'' and inserting ''paragraph (1)(A)'';

(C) in paragraph (3)(A)—

(i) by striking ''Except as provided in paragraph (1)(B), the'' and inserting ''The''; and

(ii) by striking ''paragraph (1)(A)(i)'' both places it appears and inserting ''paragraph (1)(A)'';

(D) in paragraph (4)(B)—

(i) in clause (vi), by striking ''and'' at the end;

(ii) by redesignating clause (vii) as clause (viii); and

(iii) by inserting after clause (vi) the following:

''(vii) a nonprofit entity responsible for the administration of local transportation safety programs; and''; and

(E) in paragraph (5)—

(i) by striking ''For funds reserved'' and inserting the following:

''(A) IN GENERAL.—For funds reserved'';

(ii) by striking ''paragraph (1)(A)(i)'' and inserting ''paragraph (1)(A)''; and

(iii) by adding at the end the following:

''(B) NO RESTRICTION ON SUBALLOCATION.—Nothing in this section prevents a metropolitan planning organization from further suballocating funds within the boundaries of the metropolitan planning area if a competitive process is implemented for the award of the suballocated funds.''; and

(3) by adding at the end the following:

''(h) ANNUAL REPORTS.—

''(1) IN GENERAL.—Each State or metropolitan planning organization responsible for carrying out the requirements of this section shall submit to the Secretary an annual report that describes—

''(A) the number of project applications received for each fiscal year, including—

''(i) the aggregate cost of the projects for which applications are received; and

''(ii) the types of project to be carried out (as described in subsection (b)), expressed as percentages of the total apportionment of the State under subsection (a); and

''(B) the number of projects selected for funding for each fiscal year, including the aggregate cost and location of projects selected.

''(2) PUBLIC AVAILABILITY.—The Secretary shall make available to the public, in a user-friendly format on the website of the Department, a copy of each annual report submitted under paragraph (1).

''(i) EXPEDITING INFRASTRUCTURE PROJECTS.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of this subsection, the Secretary shall develop regulations or guidance relating to the implementation of this section that encourages the use of the programmatic approaches to environmental reviews, expedited procurement techniques, and other best practices to facilitate productive and timely expenditure for projects that are small, low-impact, and constructed within an existing built environment.

''(2) STATE PROCESSES.—The Secretary shall work with State departments of transportation to ensure that any regulation or guidance developed under paragraph (1) is consistently implemented by States and the Federal Highway Administration to avoid unnecessary delays in implementing projects and to ensure the effective use of Federal dollars.''.

(b) CONFORMING AMENDMENT.—Section 126(b) of title 23, United States Code, is amended—

(1) by striking ''SET-ASIDES.—'' and all that follows through ''Funds that'' in paragraph (1) and inserting ''SET-ASIDES.—Funds that'';

(2) by striking ''sections 104(d) and 133(d)'' and inserting ''sections 104(d), 133(d), and 213(c)''; and

(3) by striking paragraph (2).

SEC. 11015. CONSOLIDATION OF PROGRAMS.

Section 1519(a) of MAP–21 (Public Law 112–141; 126 Stat. 574) is amended in the matter preceding paragraph (1) by striking ''fiscal years 2013 and 2014'' and inserting ''fiscal years 2013 through 2021''.

SEC. 11016. STATE FLEXIBILITY FOR NATIONAL HIGHWAY SYSTEM MODIFICATIONS.

(a) NATIONAL HIGHWAY SYSTEM FLEXIBILITY.—Not later than 90 days after the date of enactment of this Act, the Secretary shall issue guidance relating to working with State departments of transportation that request assistance from the division offices of the Federal Highway Administration—

(1) to review roads classified as principal arterials in the State that were added to the National Highway System as of October 1, 2012, so as to comply with section 103 of title 23, United States Code; and

(2) to identify any necessary functional classification changes to rural and urban principal arterials.

(b) ADMINISTRATIVE ACTIONS.—The Secretary shall direct the division offices of the Federal Highway Administration to work with the applicable State department of transportation that requests assistance under this section—

(1) to assist in the review of roads in accordance with guidance issued under subsection (a);

(2) to expeditiously review and facilitate requests from States to reclassify roads classified as principal arterials; and

(3) in the case of a State that requests the withdrawal of reclassified roads from the National Highway System under section 103(b)(3) of title 23, United States Code, to carry out that withdrawal if the inclusion of the reclassified road in the National Highway System is not consistent with the needs and priorities of the community or region in which the reclassified road is located.

(c) NATIONAL HIGHWAY SYSTEM MODIFICATION REGULATIONS.—The Secretary shall—

(1) review the National Highway System modification process described in appendix D of part 470 of title 23, Code of Federal Regulations (or successor regulations); and

(2) take any action necessary to ensure that a State may submit to the Secretary a request to modify the National Highway System by withdrawing a road from the National Highway System.

(d) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that includes a description of—

(1) each request for reclassification of National Highway System roads;

(2) the status of each request; and

(3) if applicable, the justification for the denial by the Secretary of a request.

(e) MODIFICATIONS TO THE NATIONAL HIGHWAY SYSTEM.—Section 103(b)(3)(A) of title 23, United States Code, is amended—

(1) in the matter preceding clause (i)—

(A) by striking '', including any modification consisting of a connector to a major intermodal terminal,''; and

(B) by inserting '', including any modification consisting of a connector to a major intermodal terminal or the withdrawal of a road from that system,'' after ''the National Highway System''; and

(2) in clause (ii)—

(A) by striking ''(ii) enhances'' and inserting ''(ii)(I) enhances'';

(B) by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following:

''(II) in the case of the withdrawal of a road, is reasonable and appropriate.''.

SEC. 11017. TOLL ROADS, BRIDGES, TUNNELS, AND FERRIES.

Section 129(a) of title 23, United States Code, is amended—

(1) in paragraph (1)—

(A) in subparagraph (B)—

(i) by striking ''(other than a highway on the Interstate System)''; and

(ii) by inserting ''non-HOV'' after ''toll-free'' each place it appears;

(B) by striking subparagraph (C); and

(C) by redesignating subparagraphs (D) through (I) as subparagraphs (C) through (H), respectively;

(2) by striking paragraph (4) and paragraph (6);

(3) by redesignating paragraphs (5), (7), (8), (9), and (10) as paragraphs (4), (5), (6), (7), and (9), respectively;

(4) in paragraph (4)(B) (as so redesignated), by striking ''the Federal-aid system'' and inserting ''Federal-aid highways''; and

(5) by inserting after paragraph (7) (as so redesignated) the following:

''(8) EQUAL ACCESS FOR MOTORCOACHES.—A private motorcoach that serves the public shall be provided access to a toll facility under the same rates, terms, and conditions as public transportation buses in the State.''.

SEC. 11018. HOV FACILITIES.

Section 166 of title 23, United States Code, is amended—

(1) in subsection (b)—

(A) by striking paragraph (4) and inserting the following:

''(4) HIGH OCCUPANCY TOLL VEHICLES.—

''(A) IN GENERAL.—The State agency may allow vehicles not otherwise exempt under this subsection to use the HOV facility if the operators of the vehicles pay a toll charged by the agency for use of the facility and the agency—

''(i) establishes a program that addresses how motorists can enroll and participate in the toll program;

''(ii) in the case of a high occupancy vehicle facility that affects a metropolitan area, submits to the Secretary a written statement that the metropolitan planning organization designated under section 134 for the area has been consulted concerning the placement and amount of tolls on the converted facility;

''(iii) develops, manages, and maintains a system that will automatically collect the toll; and

''(iv) establishes policies and procedures—

''(I) to manage the demand to use the facility by varying the toll amount that is charged;

''(II) to enforce violations of the use of the facility; and

''(III) to ensure that private motorcoaches that serve the public are provided access to the facility under the same rates, terms, and conditions, as public transportation buses in the State.

''(B) EXEMPTION FROM TOLLS.—In levying a toll on a facility under subparagraph (A), a State agency may—

''(i) designate classes of vehicles that are exempt from the toll; and

''(ii) charge different toll rates for different classes of vehicles.'';

(B) in paragraph (5), by striking subparagraph (A) and inserting the following:

''(A) INHERENTLY LOW EMISSION VEHICLE.—If a State agency establishes procedures for enforcing the restrictions on the use of a HOV facility by vehicles described in clauses (i) and (ii), the State agency may allow the use of the HOV facility by—

''(i) alternative fuel vehicles; and

''(ii) any motor vehicle described in section 30D(d)(1) of the Internal Revenue Code of 1986.'';

(2) in subsection (c)—

(A) in paragraph (1)—

(i) by striking ''Tolls'' and inserting ''Notwithstanding section 301, tolls''; and

(ii) by striking ''notwithstanding section 301 and, except as provided in paragraphs (2) and (3)'';

(B) by striking paragraph (2); and

(C) by redesignating paragraph (3) as paragraph (2);

(3) in subsection (d)(1), by striking subparagraphs (D) and (E) and inserting the following:

''(D) MAINTENANCE OF OPERATING PERFORMANCE.—

''(i) SUBMISSION OF PLAN.—Not later than 180 days after the date on which a facility is degraded under paragraph (2), the State agency with jurisdiction over the facility shall submit to the Secretary for approval a plan that details the actions the State agency will take to bring the facility into compliance with the minimum average operating

speed performance standard through changes to operation of the facility, including—

''(I) increasing the occupancy requirement for HOV lanes;

''(II) varying the toll charged to vehicles allowed under subsection (b) to reduce demand;

''(III) discontinuing allowing non-HOV vehicles to use HOV lanes under subsection (b); or

''(IV) increasing the available capacity of the HOV facility.

''(ii) NOTICE OF APPROVAL OR DISAPPROVAL.—Not later than 60 days after the date of receipt of a plan under clause (i), the Secretary shall provide to the State agency a written notice indicating whether the Secretary has approved or disapproved the plan based on a determination of whether the implementation of the plan will bring the HOV facility into compliance.

''(iii) BIANNUAL PROGRESS UPDATES.—Until the date on which the Secretary determines that the State agency has brought the HOV facility into compliance with this subsection, the State agency shall submit biannual updates that describe—

''(I) the actions taken to bring the HOV facility into compliance; and

''(II) the progress made by those actions.

''(E) COMPLIANCE.—The Secretary shall subject the State to appropriate program sanctions under section 1.36 of title 23, Code of Federal Regulations (or successor regulations), until the performance is no longer degraded, if—

''(i) the State agency fails to submit an approved action plan under subparagraph (D) to bring a degraded facility into compliance; or

''(ii) after the State submits and the Secretary approves an action plan under subparagraph (D), the Secretary determines that, on a date that is not earlier than 1 year after the approval of the action plan, the State agency is not making significant progress toward bringing the HOV facility into compliance with the minimum average operating speed performance standard.''; and

(4) in subsection (f)(1), in the matter preceding subparagraph (A), by inserting ''solely'' before ''operating''.

SEC. 11019. INTERSTATE SYSTEM RECONSTRUCTION AND REHABILITATION PILOT PROGRAM.

Section 1216(b) of the Transportation Equity Act for the 21st Century (Public Law 105–178; 112 Stat. 212) is amended—

(1) in paragraph (3)—

(A) in subparagraph (A), by striking ''the age, condition, and intensity of use of the facility'' and inserting ''an analysis demonstrating that the facility has a significant age, condition, or intensity of use to require expedited reconstruction or rehabilitation'';

(B) in subparagraph (D)(iii), by inserting '', and that demonstrates the capability of that agency to perform or oversee the building, operation, and maintenance of a toll expressway system meeting criteria for the Interstate System'' before the semicolon at the end; and

(C) by adding at the end the following:

''(E) An analysis showing how the State plan for implementing tolls on the facility takes into account the interests and use of local, regional, and interstate travelers.

''(F) An explanation of how the State will collect tolls using electronic toll collection, including at highway speeds, if practicable.

''(G) A plan describing the proposed location for the collection of tolls on the facility, including any locations in proximity to a State border.

''(H) Approved documentation that the project—

''(i) has received a categorical exclusion, a finding of no significant impact, or a record of decision under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

''(ii) complies with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601 et seq.).'';

(2) by striking paragraphs (4) and (6);

(3) by redesignating paragraph (5) as paragraph (4);

(4) in paragraph (4)(as so redesignated)—

(A) in the matter preceding subparagraph (A), by striking ''Before the Secretary may permit'' and inserting ''As a condition of permitting'';

(B) in subparagraph (A)—

(i) in the matter preceding clause (i), by striking ''for—'' and inserting ''for permissible uses described in section 129(a)(3) of title 23, United States Code; and''; and

(ii) by striking clauses (i) through (iii);

(5) by inserting after paragraph (4) (as so redesignated) the following:

''(5) APPLICATION PROCESSING PROCEDURE.—

''(A) IN GENERAL.—Not later than 60 days after receipt of an application under this subsection, the Secretary shall provide to the applicant a written notice informing the applicant whether—

''(i) the application is complete and meets all requirements under this subsection; or

''(ii) additional information or materials are needed—

''(I) to complete the application; or

''(II) to meet the eligibility requirements under paragraph (3).

''(B) ADDITIONAL INFORMATION OR MATERIALS.—

''(i) IN GENERAL.—Not later than 60 days after receipt of an application, the Secretary shall—

''(I) identify any additional information or materials that are needed under subparagraph (A)(ii); and

''(II) provide to the applicant written notice specifying the details of the additional required information or materials.

''(ii) AMENDED APPLICATION.—Not later than 60 days after receipt of the additional information under clause (i), the Secretary shall determine if the amended application is complete and meets all requirements under this subsection.

''(C) TECHNICAL ASSISTANCE.—On the request of a State, the Secretary shall provide technical assistance to facilitate the development of a complete application under this paragraph that is likely to satisfy the eligibility criteria under paragraph (3).

''(D) APPROVAL OF APPLICATION.—On written notice by the Secretary that the application is complete and meets all requirements of this subsection, the project is considered approved and shall be permitted to participate in the program under this subsection.

''(E) LIMITATION ON APPROVED APPLICATION.—

''(i) IN GENERAL.—For an application received under this subsection on or after the date of enactment of the DRIVE Act for the reconstruction or rehabilitation of a facility, a State shall—

''(I) not later than 1 year after the date on which the application is approved, issue a solicitation for a contract to provide for the reconstruction or rehabilitation of the facility; and

''(II) not later than 2 years after the date on which the application is approved, execute a contract for the reconstruction or rehabilitation of the facility.

''(ii) PRIOR APPLICATIONS.—For an application that received a conditional provisional approval under this subsection before the date of enactment of the DRIVE Act, for the reconstruction or rehabilitation of a facility, a State shall—

''(I) not later than 1 year after the date of enactment of the DRIVE Act, issue a solicitation for a contract to provide for the reconstruction or rehabilitation of the facility; and

''(II) not later than 2 years after the date of enactment of the DRIVE Act, execute a contract for the reconstruction or rehabilitation of the facility.

''(iii) CANCELLATION OR EXTENSION.—If an applicable deadline under clause (i) or (ii) is not met, the Secretary shall—

''(I) cancel the application approval; or

''(II) grant an extension of not more than 1 year for the applicable deadline, on the condition that—

''(aa) there has been demonstrable progress toward meeting the applicable requirements; and

''(bb) the requirements are likely to be met within 1 year.

''(6) LIMITATION ON THE USE OF NATIONAL HIGHWAY PERFORMANCE PROGRAM FUNDS.—During the term of the pilot program, funds apportioned for the national highway performance program under section 104(b)(1) of title 23, United States Code, may not be used for a facility for which tolls are being collected under the pilot program unless the funds are used for a maintenance purpose, as defined in section 101(a) of title 23, United States Code.'';

(6) by redesignating paragraphs (7) and (8) as paragraphs (8) and (9), respectively;

(7) by inserting after paragraph (6) the following:

''(7) WITHDRAWAL.—A State may elect to withdraw participation of the State in the pilot program at any time.''; and

(8) in paragraph (8) (as redesignated by paragraph (6)), by inserting ''after the date of enactment of the DRIVE Act'' after ''10 years''.

SEC. 11020. EMERGENCY RELIEF FOR FEDERALLY OWNED ROADS.

(a) ELIGIBILITY.—Section 125(d)(3) of title 23, United States Code, is amended—

(1) in subparagraph (A), by striking ''or'' at the end;

(2) in subparagraph (B), by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(C) projects eligible for assistance under this section located on tribal transportation facilities, Federal lands transportation facilities, or other federally owned roads that are open to public travel (as defined in subsection (e)(1)).''.

(b) DEFINITION.—Section 125(e) of title 23, United States Code, is amended by striking paragraph (1) and inserting the following:

''(1) DEFINITIONS.—In this subsection:

''(A) OPEN TO PUBLIC TRAVEL.—The term 'open to public travel' means, with respect to a road, that, except during scheduled periods, extreme weather conditions, or emergencies, the road—

''(i) is maintained;

''(ii) is open to the general public; and

''(iii) can accommodate travel by a standard passenger vehicle, without restrictive gates or prohibitive signs or regulations, other than for general traffic control or restrictions based on size, weight, or class of registration.

''(B) STANDARD PASSENGER VEHICLE.—The term 'standard passenger vehicle' means a vehicle with 6 inches of clearance from the

lowest point of the frame, body, suspension, or differential to the ground.''.

SEC. 11021. BRIDGES REQUIRING CLOSURE OR LOAD RESTRICTIONS.

Section 144(h) of title 23, United States Code, is amended—

(1) by redesignating paragraphs (6) and (7) as paragraphs (7) and (8), respectively;

(2) by inserting after paragraph (5) the following:

''(6) BRIDGES REQUIRING CLOSURE OR LOAD RESTRICTIONS.—

''(A) BRIDGES OWNED BY FEDERAL AGENCIES OR TRIBAL GOVERNMENTS.—If a Federal agency or tribal government fails to ensure that any highway bridge that is open to public travel and located in the jurisdiction of the Federal agency or tribal government is properly closed or restricted to loads that the bridge can carry safely, the Secretary—

''(i) shall, on learning of the need to close or restrict loads on the bridge, require the Federal agency or tribal government to take action necessary—

''(I) to close the bridge within 48 hours; or

''(II) within 30 days, to restrict public travel on the bridge to loads that the bridge can carry safely; and

''(ii) may, if the Federal agency or tribal government fails to take action required under clause (i), withhold all funding authorized under this title for the Federal agency or tribal government.''.

''(B) OTHER BRIDGES.—If a State fails to ensure that any highway bridge, other than a bridge described in subparagraph (A), that is open to public travel and is located within the boundaries of the State is properly closed or restricted to loads the bridge can carry safely, the Secretary—

''(i) shall, on learning of the need to close or restrict loads on the bridge, require the State to take action necessary—

''(I) to close the bridge within 48 hours; or

''(II) within 30 days, to restrict public travel on the bridge to loads that the bridge can carry safely; and

''(ii) may, if the State fails to take action required under clause (i), withhold approval for Federal-aid projects in that State.''; and

(3) in paragraph (8) (as redesignated by paragraph (1)), by striking ''(6)'' and inserting ''(7)''.

SEC. 11022. NATIONAL ELECTRIC VEHICLE CHARGING AND NATURAL GAS FUELING CORRIDORS.

(a) IN GENERAL.—Chapter 1 of title 23, United States Code, is amended by inserting after section 150 the following:

''§ 151. National electric vehicle charging and natural gas fueling corridors

''(a) IN GENERAL.—Not later than 1 year after the date of enactment of the DRIVE Act, the Secretary shall designate national electric vehicle charging and natural gas fueling corridors that identify the near- and long-term need for, and location of, electric vehicle charging infrastructure and natural gas fueling infrastructure at strategic locations along major national highways to improve the mobility of passenger and commercial vehicles that employ electric and natural gas fueling technologies across the United States.

''(b) DESIGNATION OF CORRIDORS.—In designating the corridors under subsection (a), the Secretary shall—

''(1) solicit nominations from State and local officials for facilities to be included in the corridors;

''(2) incorporate existing electric vehicle charging and natural gas fueling corridors designated by a State or group of States; and

''(3) consider the demand for, and location of, existing electric vehicle charging and natural gas fueling infrastructure.

''(c) STAKEHOLDERS.—In designating corridors under subsection (a), the Secretary shall involve, on a voluntary basis, stakeholders that include—

''(1) the heads of other Federal agencies;

''(2) State and local officials;

''(3) representatives of—

''(A) energy utilities;

''(B) the electric and natural gas vehicle industries;

''(C) the freight and shipping industry;

''(D) clean technology firms;

''(E) the hospitality industry;

''(F) the restaurant industry; and

''(G) highway rest stop vendors; and

''(4) such other stakeholders as the Secretary determines to be necessary.

''(d) REDESIGNATION.—Not later than 5 years after the date of establishment of the corridors under subsection (a), and every 5 years thereafter, the Secretary shall update and redesignate the corridors.

''(e) REPORT.—During designation and redesignation of the corridors under this section, the Secretary shall issue a report that—

''(1) identifies electric vehicle charging and natural gas fueling infrastructure and standardization needs for electricity providers, natural gas providers, infrastructure providers, vehicle manufacturers, electricity purchasers, and natural gas purchasers; and

''(2) establishes an aspirational goal of achieving strategic deployment of electric vehicle charging and natural gas fueling infrastructure in those corridors by the end of fiscal year 2021.''.

(b) CONFORMING AMENDMENT.—The analysis of chapter 1 of title 23, United States Code, is amended by striking the item relating to section 151 and inserting the following:

''151. National Electric Vehicle Charging and Natural Gas Fueling Corridors.''.

SEC. 11023. ASSET MANAGEMENT.

(a) Section 119 of title 23, United States Code, is amended—

(1) in subsection (f)(2)—

(A) in subparagraph (A), by striking ''structurally deficient'' and inserting ''being in poor condition''; and

(B) in subparagraph (B), by striking ''structurally deficient'' and inserting ''being in poor condition''; and

(2) by adding at the end the following:

''(h) CRITICAL INFRASTRUCTURE.—

''(1) DEFINITION OF CRITICAL INFRASTRUCTURE.—In this subsection, the term 'critical infrastructure' means those facilities the incapacity or failure of which would have a debilitating impact on national or regional economic security, national or regional energy security, national or regional public health or safety, or any combination of those matters.

''(2) DESIGNATION.—The asset management plan of a State developed pursuant to subsection (e) may include a designation of a critical infrastructure network of facilities from among those facilities in the State that are eligible under subsection (c).

''(3) RISK REDUCTION.—A State may use funds apportioned under this section for projects intended to reduce the risk of failure of facilities designated as being on the critical infrastructure network of the State.''.

(b) Section 144 of title 23, United States Code, is amended—

(1) in subsection (a)(1)(B), by striking ''deficient''; and

(2) in subsection (b)(5), by striking ''each structurally deficient bridge'' and inserting ''each bridge in poor condition''.

(c) Section 202(d) of title 23, United States Code, is amended—

(1) in paragraph (1), by striking ''deficient'';

(2) in paragraph (2)(B), by striking ''deficient''; and

(3) in paragraph (3)—

(A) in subparagraph (A), by striking the semicolon at the end and inserting ''; and'';

(B) in subparagraph (B), by striking ''; and'' at the end and inserting a period; and

(C) by striking subparagraph (C).

SEC. 11024. TRIBAL TRANSPORTATION PROGRAM AMENDMENT.

Section 202 of title 23, United States Code, is amended—

(1) in subsection (a)(6), by striking ''6 percent'' and inserting ''5 percent''; and

(2) in subsection (d)(2), in the matter preceding subparagraph (A) by striking ''2 percent'' and inserting ''3 percent''.

SEC. 11025. NATIONALLY SIGNIFICANT FEDERAL LANDS AND TRIBAL PROJECTS PROGRAM.

(a) PURPOSE.—The Secretary shall establish a nationally significant Federal lands and tribal projects program (referred to in this section as the ''program'') to provide funding to construct, reconstruct, or rehabilitate nationally significant Federal lands and tribal transportation projects.

(b) ELIGIBLE APPLICANTS.—

(1) IN GENERAL.—Except as provided in paragraph (2), entities eligible to receive funds under sections 201, 202, 203, and 204 of title 23, United States Code, may apply for funding under the program.

(2) SPECIAL RULE.—A State, county, or unit of local government may only apply for funding under the program if sponsored by an eligible Federal land management agency or Indian tribe.

(c) ELIGIBLE PROJECTS.—An eligible project under the program shall be a single continuous project—

(1) on a Federal lands transportation facility, a Federal lands access transportation facility, or a Tribal transportation facility (as those terms are defined in section 101 of title 23, United States Code), except that such facility is not required to be included on an inventory described in sections 202 or 203 of title 23, United States Code;

(2) for which completion of activities required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) has been demonstrated through—

(A) a record of decision with respect to the project;

(B) a finding that the project has no significant impact; or

(C) a determination that the project is categorically excluded; and

(3) having an estimated cost, based on the results of preliminary engineering, equal to or exceeding $25,000,0000, with priority consideration given to projects with an estimated cost equal to or exceeding $50,000,000.

(d) ELIGIBLE ACTIVITIES.—

(1) IN GENERAL.—Subject to paragraph (2), an eligible applicant receiving funds under the program may only use the funds for construction, reconstruction, and rehabilitation activities.

(2) INELIGIBLE ACTIVITIES.—An eligible applicant may not use funds received under the program for activities relating to project design.

(e) APPLICATIONS.—Eligible applicants shall submit to the Secretary an application at such time, in such form, and containing

such information as the Secretary may require.

(f) SELECTION CRITERIA.—In selecting a project to receive funds under the program, the Secretary shall consider the extent to which the project—

(1) furthers the goals of the Department, including state of good repair, environmental sustainability, economic competitiveness, quality of life, and safety;

(2) improves the condition of critical multimodal transportation facilities;

(3) needs construction, reconstruction, or rehabilitation;

(4) is included in or eligible for inclusion in the National Register of Historic Places;

(5) enhances environmental ecosystems;

(6) uses new technologies and innovations that enhance the efficiency of the project;

(7) is supported by funds, other than the funds received under the program, to construct, maintain, and operate the facility;

(8) spans 2 or more States; and

(9) serves land owned by multiple Federal agencies or Indian tribes.

(g) FEDERAL SHARE.—The Federal share of the cost of a project shall be 95 percent.

(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $150,000,000 for each of fiscal years 2016 through 2021, to remain available for a period of 3 fiscal years following the fiscal year for which the amounts were appropriated.

SEC. 11026. FEDERAL LANDS PROGRAMMATIC ACTIVITIES.

Section 201(c) of title 23, United States Code, is amended—

(1) in paragraph (6)(A)—

(A) by redesignating clauses (i) and (ii) as subclauses (I) and (II), respectively;

(B) in the matter preceding subclause (I) (as so redesignated), by striking ''The Secretaries'' and inserting the following:

''(i) IN GENERAL.—The Secretaries'';

(C) by inserting a period after ''tribal transportation program''; and

(D) by striking ''in accordance with'' and all that follows through ''including—'' and inserting the following:

''(ii) REQUIREMENT.—Data collected to implement the tribal transportation program shall be in accordance with the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.).

''(iii) INCLUSIONS.—Data collected under this paragraph includes—''; and

(2) by striking paragraph (7) and inserting the following—

''(7) COOPERATIVE RESEARCH AND TECHNOLOGY DEPLOYMENT.—The Secretary may conduct cooperative research and technology deployment in coordination with Federal land management agencies, as determined appropriate by the Secretary.

''(8) FUNDING.—

''(A) IN GENERAL.—To carry out the activities described in this subsection for Federal lands transportation facilities, Federal lands access transportation facilities, and other federally owned roads open to public travel (as that term is defined in section 125(e)), the Secretary shall combine and use not greater than 5 percent for each fiscal year of the funds authorized for programs under sections 203 and 204.

''(B) OTHER ACTIVITIES.—In addition to the activities described in subparagraph (A), funds described under that subparagraph may be used for—

''(i) bridge inspections on any federally owned bridge even if that bridge is not included on the inventory described under section 203; and

''(ii) transportation planning activities carried out by Federal land management agencies eligible for funding under this chapter.''.

SEC. 11027. FEDERAL LANDS TRANSPORTATION PROGRAM.

Section 203 of title 23, United States Code, is amended—

(1) in subsection (a)(1)—

(A) in subparagraph (B), by striking ''operation'' and inserting ''capital, operations,''; and

(B) in subparagraph (D), by striking ''subparagraph (A)(iv)'' and inserting ''subparagraph (A)(iv)(I)'';

(2) in subsection (b)—

(A) in paragraph (1)(B)—

(i) in clause (iv), by striking ''and'' at the end;

(ii) in clause (v), by striking the period at the end and inserting a semicolon; and

(iii) by adding at the end the following:

''(vi) the Bureau of Reclamation; and

''(vii) independent Federal agencies with natural resource and land management responsibilities.''; and

(B) in paragraph (2)(B), in the matter preceding clause (i), by inserting ''performance management, including'' after ''support''; and

(3) in subsection (c)(2)(B), by adding at the end the following:

''(vi) The Bureau of Reclamation.''.

SEC. 11028. INNOVATIVE PROJECT DELIVERY.

Section 120(c)(3) of title 23, United States Code, is amended—

(1) in subparagraph (A)(ii)—

(A) by inserting ''engineering or design approaches,'' after ''technologies,''; and

(B) by striking ''or contracting'' and inserting ''or contracting or project delivery''; and

(2) in subparagraph (B)(III), by inserting ''and alternative bidding'' before the semicolon at the end.

SEC. 11029. OBLIGATION AND RELEASE OF FUNDS.

Section 118(c)(2) of title 23, United States Code, is amended—

(1) in the matter preceding subparagraph (A), by striking ''Any funds'' and inserting the following:

''(A) IN GENERAL.—Any funds'';

(2) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and indenting appropriately; and

(3) by adding at the end the following:

(B) SAME CLASS OF FUNDS NO LONGER AUTHORIZED.—If the same class of funds described in subparagraph (A)(i) is no longer authorized in the most recent authorizing law, the funds may be credited to a similar class of funds, as determined by the Secretary.''.

Subtitle B—Acceleration of Project Delivery

SEC. 11101. CATEGORICAL EXCLUSION FOR PROJECTS OF LIMITED FEDERAL ASSISTANCE.

Section 1317 of MAP-21 (23 U.S.C. 109 note; Public Law 112–141) is amended—

(1) in the matter preceding paragraph (1), by striking ''Not later than'' and inserting the following:

''(a) IN GENERAL.—Not later than''; and

(2) by adding at the end the following:

''(b) INFLATIONARY ADJUSTMENT.—The dollar amounts described in subsection (a) shall be adjusted for inflation—

''(1) effective October 1, 2015, to reflect changes since July 1, 2012, in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor; and

''(2) effective October 1, 2016, and each succeeding October 1, to reflect changes for the preceding 12-month period in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor.''.

SEC. 11102. PROGRAMMATIC AGREEMENT TEMPLATE.

(a) IN GENERAL.—Section 1318 of MAP–21 (23 U.S.C. 109 note; Public Law 112–141) is amended by adding at the end the following:

''(e) PROGRAMMATIC AGREEMENT TEMPLATE.—

''(1) IN GENERAL.—The Secretary shall develop a template programmatic agreement described in subsection (d) that provides for efficient and adequate procedures for evaluating Federal actions described in section 771.117(c) of title 23, Code of Federal Regulations (as in effect on the date of enactment of this subsection).

''(2) USE OF TEMPLATE.—The Secretary—

''(A) on receipt of a request from a State, shall use the template programmatic agreement developed under paragraph (1) in carrying out this section; and

''(B) on consent of the applicable State, may modify the template as necessary to address the unique needs and characteristics of the State.

''(3) OUTCOME MEASUREMENTS.—The Secretary shall establish a method to verify that actions described in section 771.117(c) of title 23, Code of Federal Regulations (as in effect on the date of enactment of this subsection), are evaluated and documented in a consistent manner by the State that uses the template programmatic agreement under this subsection.''.

(b) CATEGORICAL EXCLUSION DETERMINATIONS.—Not later than 30 days after the date of enactment of this Act, the Secretary shall revise section 771.117(g) of title 23, Code of Federal Regulations, to allow a programmatic agreement under this section to include responsibility for making categorical exclusion determinations—

(1) for actions described in subsections (c) and (d) of section 771.117 of title 23, Code of Federal Regulations; and

(2) that meet the criteria for a categorical exclusion under section 1508.4 of title 40, Code of Federal Regulations (as in effect on the date of enactment of this Act), and are identified in the programmatic agreement.

SEC. 11103. AGENCY COORDINATION.

(a) ROLES AND RESPONSIBILITY OF LEAD AGENCY.—Section 139(c)(6) of title 23, United States Code, is amended—

(1) in subparagraph (A), by striking ''and'' at the end;

(2) in subparagraph (B), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(C) to consider and respond to comments received from participating agencies on matters within the special expertise or jurisdiction of the participating agencies.''.

(b) PARTICIPATING AGENCY RESPONSIBILITIES.—Section 139(d) of title 23, United States Code, is amended by adding at the end the following:

''(8) PARTICIPATING AGENCY RESPONSIBILITIES.—An agency participating in the collaborative environmental review process under this section shall—

''(A) provide comments, responses, studies, or methodologies on those areas within the special expertise or jurisdiction of the Federal participating or cooperating agency; and

''(B) use the process to address any environmental issues of concern to the participating or cooperating agency.''.

SEC. 11104. INITIATION OF ENVIRONMENTAL REVIEW PROCESS.

Section 139 of title 23, United States Code, is amended—

(1) in subsection (a), by striking paragraph (6) and inserting the following:

''(6) PROJECT.—

''(A) IN GENERAL.—The term 'project' means any highway project, public transportation capital project, or multimodal project that, if implemented as proposed by the project sponsor, would require approval by any operating administration or secretarial office within the Department.

''(B) CONSIDERATIONS.—For purposes of this paragraph, the Secretary shall take into account, if known, any sources of Federal funding or financing identified by the project sponsor, including discretionary grant, loan, and loan guarantee programs administered by the Department.'';

(2) in subsection (e)—

(A) in paragraph (1), by inserting ''(including any additional information that the project sponsor considers to be important to initiate the process for the proposed project)'' after ''location of the proposed project''; and

(B) by adding at the end the following:

''(3) REVIEW OF APPLICATION.—Not later than 45 days after the date on which an application is received by the Secretary under this subsection, the Secretary shall provide to the project sponsor a written response that, as applicable—

''(A) describes the determination of the Secretary—

''(i) to initiate the environmental review process, including a timeline and an expected date for the publication in the Federal Register of the relevant notice of intent; or

''(ii) to decline the application, including an explanation of the reasons for that decision; or

''(B) requests additional information, and provides to the project sponsor an accounting, regarding what is necessary to initiate the environmental review process.

''(4) REQUEST TO DESIGNATE A LEAD AGENCY.—

''(A) IN GENERAL.—Any project sponsor may submit a request to the Secretary to designate a specific operating administration or secretarial office within the Department of Transportation to serve as the Federal lead agency for a project.

''(B) PROPOSED SCHEDULE.—A request under subparagraph (A) may include a proposed schedule for completing the environmental review process.

''(C) SECRETARIAL ACTION.—

''(i) IN GENERAL.—If a request under subparagraph (A) is received, the Secretary shall respond to the request not later than 45 days after the date of receipt.

''(ii) REQUIREMENTS.—The response shall—

''(I) approve the request;

''(II) deny the request, with an explanation of the reasons; or

''(III) require the submission of additional information.

''(iii) ADDITIONAL INFORMATION.—If additional information is submitted in accordance with clause (ii)(III), the Secretary shall respond to that submission not later than 45 days after the date of receipt.''; and

(3) in subsection (f)(4), by adding at the end the following:

''(E) REDUCTION OF DUPLICATION.—

''(i) IN GENERAL.—In carrying out this paragraph, the lead agency shall reduce duplication, to the maximum extent practicable, between—

''(I) the evaluation of alternatives under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

''(II) the evaluation of alternatives in the metropolitan transportation planning process under section 134 of title 23, United States Code, or an environmental review process carried out under State law (referred to in this subparagraph as a 'State environmental review process').

''(ii) CONSIDERATION OF ALTERNATIVES.—The lead agency may eliminate from detailed consideration an alternative proposed in an environmental impact statement regarding a project if, as determined by the lead agency—

''(I) the alternative was considered in a metropolitan planning process or a State environmental review process by a metropolitan planning organization or a State or local transportation agency, as applicable;

''(II) the lead agency provided guidance to the metropolitan planning organization or State or local transportation agency, as applicable, regarding analysis of alternatives in the metropolitan planning process or State environmental review process, including guidance on the requirements under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and any other requirements of Federal law necessary for approval of the project;

''(III) the applicable metropolitan planning process or State environmental review process included an opportunity for public review and comment;

''(IV) the applicable metropolitan planning organization or State or local transportation agency rejected the alternative after considering public comments;

''(V) the Federal lead agency independently reviewed the alternative evaluation approved by the applicable metropolitan planning organization or State or local transportation agency; and

''(VI) the Federal lead agency has determined—

''(aa) in consultation with Federal participating or cooperating agencies, that the alternative to be eliminated from consideration is not necessary for compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); or

''(bb) with the concurrence of Federal agencies with jurisdiction over a permit or approval required for a project, that the alternative to be eliminated from consideration is not necessary for any permit or approval under any other Federal law.''.

SEC. 11105. IMPROVING COLLABORATION FOR ACCELERATED DECISION MAKING.

(a) COORDINATION AND SCHEDULING.—Section 139(g)(1)(B)(i) of title 23, United States Code, is amended—

(1) by striking ''The lead agency'' and inserting ''For a project requiring an environmental impact statement or environmental assessment, the lead agency''; and

(2) by striking ''may'' and inserting ''shall''.

(b) ISSUE IDENTIFICATION AND RESOLUTION.—Section 139(h) of title 23, United States Code, is amended—

(1) in paragraph (4)(C), by striking ''paragraph (5) and'' and inserting ''paragraph (5)'';

(2) in paragraph (5)(A)(ii)(I), by inserting '', including modifications to the project schedule'' after ''review process''; and

(3) in paragraph (6)(B), by striking clause (ii) and inserting the following:

''(ii) DESCRIPTION OF DATE.—The date referred to in clause (i) is 1 of the following:

''(I) The date that is 30 days after the date for rendering a decision as described in the project schedule established pursuant to subsection (g)(1)(B).

''(II) If no schedule exists, the later of—

''(aa) the date that is 180 days after the date on which an application for the permit, license or approval is complete; or

''(bb) the date that is 180 days after the date on which the Federal lead agency issues a decision on the project under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

''(III) A modified date consistent with subsection (g)(1)(D).''.

SEC. 11106. ACCELERATED DECISIONMAKING IN ENVIRONMENTAL REVIEWS.

(a) IN GENERAL.—Section 139 of title 23, United States Code, is amended by adding at the end the following:

''(n) ACCELERATED DECISIONMAKING IN ENVIRONMENTAL REVIEWS.—

''(1) IN GENERAL.—In preparing a final environmental impact statement under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), if the lead agency modifies the statement in response to comments that are minor and are confined to factual corrections or explanations regarding why the comments do not warrant additional agency response, the lead agency may write on errata sheets attached to the statement instead of rewriting the draft statement, subject to the condition that the errata sheets shall—

''(A) cite the sources, authorities, or reasons that support the position of the lead agency; and

''(B) if appropriate, indicate the circumstances that would trigger agency reappraisal or further response.

''(2) INCORPORATION.—To the maximum extent practicable, the lead agency shall expeditiously develop a single document that consists of a final environmental impact statement and a record of decision, unless—

''(A) the final environmental impact statement makes substantial changes to the proposed action that are relevant to environmental or safety concerns; or

''(B) there are significant new circumstances or information that—

''(i) are relevant to environmental concerns; and

''(ii) bear on the proposed action or the impacts of the proposed action.''.

(b) REPEAL.—Section 1319 of MAP–21 (42 U.S.C. 4332a) is repealed.

SEC. 11107. IMPROVING TRANSPARENCY IN ENVIRONMENTAL REVIEWS.

Section 139 of title 23, United States Code (as amended by section 11106(a)), is amended by adding at the end the following:

''(o) REVIEWS, APPROVALS, AND PERMITTING PLATFORM.—

''(1) IN GENERAL.—Not later than 2 years after the date of enactment of this subsection, the Secretary shall establish an online platform and, in coordination with agencies described in paragraph (2), issue reporting standards to make publicly available the status of reviews, approvals, and permits required for compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) or other applicable Federal laws for projects and activities requiring an environmental assessment or an environmental impact statement.

''(2) FEDERAL AGENCY PARTICIPATION.—A Federal agency of jurisdiction over a review, approval, or permit described in paragraph (1) shall provide status information in accordance with the standards established by the Secretary under paragraph (1).

''(3) STATE RESPONSIBILITIES.—A State that is assigned and assumes responsibilities under section 326 or 327 shall provide applicable status information in accordance with standards established by the Secretary under paragraph (1).''.

SEC. 11108. INTEGRATION OF PLANNING AND ENVIRONMENTAL REVIEW.

Section 168 of title 23, United States Code, is amended to read as follows:

''§ 168. Integration of planning and environmental review

''(a) DEFINITIONS.—In this section, the following definitions apply:

''(1) ENVIRONMENTAL REVIEW PROCESS.—The term 'environmental review process' means the process for preparing for a project an environmental impact statement, environmental assessment, categorical exclusion, or other document prepared under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

''(2) LEAD AGENCY.—The term 'lead agency' has the meaning given the term in section 139(a).

''(3) PLANNING PRODUCT.—The term 'planning product' means a decision, analysis, study, or other documented information that is the result of an evaluation or decisionmaking process carried out by a metropolitan planning organization or a State, as appropriate, during metropolitan or statewide transportation planning under section 134 or 135, respectively.

''(4) PROJECT.—The term 'project' has the meaning given the term in section 139(a).

''(b) ADOPTION OF PLANNING PRODUCTS FOR USE IN NEPA PROCEEDINGS.—

''(1) IN GENERAL.—Subject to subsection (d), the Federal lead agency for a project may adopt and use a planning product in proceedings relating to any class of action in the environmental review process of the project.

''(2) IDENTIFICATION.—If the Federal lead agency makes a determination to adopt and use a planning product, the Federal lead agency shall identify the agencies that participated in the development of the planning products.

''(3) PARTIAL ADOPTION OF PLANNING PRODUCTS.—The Federal lead agency may—

''(A) adopt an entire planning product under paragraph (1); or

''(B) select portions of a planning project under paragraph (1) for adoption.

''(4) TIMING.—A determination under paragraph (1) with respect to the adoption of a planning product may—

''(A) be made at the time the lead agencies decide the appropriate scope of environmental review for the project; or

''(B) occur later in the environmental review process, as appropriate.

''(c) APPLICABILITY.—

''(1) PLANNING DECISIONS.—The lead agency in the environmental review process may adopt decisions from a planning product, including—

''(A) whether tolling, private financial assistance, or other special financial measures are necessary to implement the project;

''(B) a decision with respect to general travel corridor or modal choice, including a decision to implement corridor or subarea study recommendations to advance different modal solutions as separate projects with independent utility;

''(C) the purpose and the need for the proposed action;

''(D) preliminary screening of alternatives and elimination of unreasonable alternatives;

''(E) a basic description of the environmental setting;

''(F) a decision with respect to methodologies for analysis; and

''(G) an identification of programmatic level mitigation for potential impacts of transportation projects, including—

''(i) measures to avoid, minimize, and mitigate impacts at a regional or national scale;

''(ii) investments in regional ecosystem and water resources; and

''(iii) a programmatic mitigation plan developed in accordance with section 169.

''(2) PLANNING ANALYSES.—The lead agency in the environmental review process may adopt analyses from a planning product, including—

''(A) travel demands;

''(B) regional development and growth;

''(C) local land use, growth management, and development;

''(D) population and employment;

''(E) natural and built environmental conditions;

''(F) environmental resources and environmentally sensitive areas;

''(G) potential environmental effects, including the identification of resources of concern and potential indirect and cumulative effects on those resources; and

''(H) mitigation needs for a proposed action, or for programmatic level mitigation, for potential effects that the Federal lead agency determines are most effectively addressed at a regional or national program level.

''(d) CONDITIONS.—The lead agency in the environmental review process may adopt and use a planning product under this section if the lead agency determines, with the concurrence of other participating agencies with relevant expertise and project sponsors, as appropriate, that the following conditions have been met:

''(1) The planning product was developed through a planning process conducted pursuant to applicable Federal law.

''(2) The planning product was developed in consultation with appropriate Federal and State resource agencies and Indian tribes.

''(3) The planning process included broad multidisciplinary consideration of systems-level or corridor-wide transportation needs and potential effects, including effects on the human and natural environment.

''(4) The planning process included public notice that the planning products produced in the planning process may be adopted during a subsequent environmental review process in accordance with this section.

''(5) During the environmental review process, the lead agency has—

''(A) made the planning documents available for public review and comment;

''(B) provided notice of the intention of the lead agency to adopt the planning product; and

''(C) considered any resulting comments.

''(6) There is no significant new information or new circumstance that has a reasonable likelihood of affecting the continued validity or appropriateness of the planning product.

''(7) The planning product has a rational basis and is based on reliable and reasonably current data and reasonable and scientifically acceptable methodologies.

''(8) The planning product is documented in sufficient detail to support the decision or the results of the analysis and to meet requirements for use of the information in the environmental review process.

''(9) The planning product is appropriate for adoption and use in the environmental review process for the project and is incorporated in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and section 1502.21 of title 40, Code of Federal Regulations (as in effect on the date of enactment of the DRIVE Act).

''(e) EFFECT OF ADOPTION.—Any planning product adopted by the Federal lead agency in accordance with this section may be—

''(1) incorporated directly into an environmental review process document or other environmental document; and

''(2) relied on and used by other Federal agencies in carrying out reviews of the project.

''(f) RULES OF CONSTRUCTION.—

''(1) IN GENERAL.—This section does not make the environmental review process applicable to the transportation planning process conducted under this title and chapter 53 of title 49.

''(2) TRANSPORTATION PLANNING ACTIVITIES.—Initiation of the environmental review process as a part of, or concurrently with, transportation planning activities does not subject transportation plans and programs to the environmental review process.

''(3) PLANNING PRODUCTS.—This section does not affect the use of planning products in the environmental review process pursuant to other authorities under any other provision of law or restrict the initiation of the environmental review process during planning.''.

SEC. 11109. USE OF PROGRAMMATIC MITIGATION PLANS.

Section 169(f) of title 23, United States Code, is amended—

(1) by striking ''may use'' and inserting ''shall consider''; and

(2) by inserting ''or other Federal environmental law'' before the period at the end.

SEC. 11110. ADOPTION OF DEPARTMENTAL ENVIRONMENTAL DOCUMENTS.

(a) IN GENERAL.—Title 49, United States Code, is amended by inserting after section 306 the following:

''§ 307. Adoption of Departmental environmental documents

''(a) IN GENERAL.—An operating administration or secretarial office within the Department may adopt any draft environmental impact statement, final environmental impact statement, environmental assessment, or any other document issued under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) by another operating administration or secretarial office within the Department—

''(1) without recirculating the document (except that a final environmental impact statement shall be recirculated prior to adoption); and

''(2) if the operating administration or secretarial office adopting the document certifies that the project is substantially the same as the project reviewed under the document to be adopted.

''(b) COOPERATING AGENCY.—An adopting operating administration or secretarial office that was a cooperating agency and certifies that the project is substantially the same as the project reviewed under the document to be adopted and that its comments and suggestions have been addressed may adopt a document described in subsection (a) without recirculating the document.''.

(b) CONFORMING AMENDMENT.—The analysis for chapter 3 of title 49, United States Code, is amended by striking the item relating to section 307 and inserting the following:

''Sec. 307. Adoption of Departmental environmental documents.''.

SEC. 11111. TECHNICAL ASSISTANCE FOR STATES.

Section 326 of title 23, United States Code, is amended—

(1) in subsection (c)—

(A) by redesignating paragraphs (2) through (4) as paragraphs (3) through (5), respectively; and

(B) by inserting after paragraph (1) the following:

''(2) ASSISTANCE TO STATES.—On request of a Governor of a State, the Secretary shall provide to the State technical assistance, training, or other support relating to—

''(A) assuming responsibility under subsection (a);

''(B) developing a memorandum of understanding under this subsection; or

''(C) addressing a responsibility in need of corrective action under subsection (d)(1)(B).''; and

(2) in subsection (d), by striking paragraph (1) and inserting the following:

''(1) TERMINATION BY SECRETARY.—The Secretary may terminate the participation of any State in the program, if—

''(A) the Secretary determines that the State is not adequately carrying out the responsibilities assigned to the State;

''(B) the Secretary provides to the State—

''(i) a notification of the determination of noncompliance;

''(ii) a period of not less than 120 days to take such corrective action as the Secretary determines to be necessary to comply with the applicable agreement; and

''(iii) on request of the Governor of the State, a detailed description of each responsibility in need of corrective action regarding an inadequacy identified under subparagraph (A); and

''(C) the State, after the notification and period described in clauses (i) and (ii) of subparagraph (B), fails to take satisfactory corrective action, as determined by the Secretary.''.

SEC. 11112. SURFACE TRANSPORTATION PROJECT DELIVERY PROGRAM.

Section 327(j) of title 23, United States Code, is amended by striking paragraph (1) and inserting the following:

''(1) TERMINATION BY SECRETARY.—The Secretary may terminate the participation of any State in the program if—

''(A) the Secretary determines that the State is not adequately carrying out the responsibilities assigned to the State;

''(B) the Secretary provides to the State—

''(i) a notification of the determination of noncompliance;

''(ii) a period of not less than 120 days to take such corrective action as the Secretary determines to be necessary to comply with the applicable agreement; and

''(iii) on request of the Governor of the State, a detailed description of each responsibility in need of corrective action regarding an inadequacy identified under subparagraph (A); and

''(C) the State, after the notification and period provided under subparagraph (B), fails to take satisfactory corrective action, as determined by the Secretary.''.

SEC. 11113. CATEGORICAL EXCLUSIONS FOR MULTIMODAL PROJECTS.

(a) MULTIMODAL PROJECT DEFINED.—Section 139(a) of title 23, United States Code, is amended by striking paragraph (5) and inserting the following:

''(5) MULTIMODAL PROJECT.—The term 'multimodal project' means a project that requires approval by more than 1 Department of Transportation operating administration or secretarial office.''.

(b) APPLICATION OF CATEGORICAL EXCLUSIONS FOR MULTIMODAL PROJECTS.—Section 304 of title 49, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking ''operating authority that is not the lead authority with respect to a project'' and inserting ''operating administration or secretarial office that has expertise but is not the lead authority with respect to a proposed multimodal project''; and

(B) by striking paragraph (2) and inserting the following:

''(2) LEAD AUTHORITY.—The term 'lead authority' means a Department of Transportation operating administration or secretarial office that has the lead responsibility for compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for a proposed multimodal project.'';

(2) in subsection (b), by striking ''under this title'' and inserting ''by the Secretary of Transportation'';

(3) in subsection (c)—

(A) in the matter preceding paragraph (1)—

(i) by striking ''a categorical exclusion designated under the implementing regulations or'' and inserting ''a categorical exclusion designated under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) implementing regulations or''; and

(ii) by striking ''other components of the'' and inserting ''a proposed multimodal''; and

(B) by striking paragraphs (1) through (5) and inserting the following:

''(1) the lead authority makes a determination, in consultation with the cooperating authority, on the applicability of a categorical exclusion to a proposed multimodal project;

''(2) the cooperating authority does not object to the determination of the lead authority of the applicability of a categorical exclusion;

''(3) the lead authority determines that the component of the proposed multimodal project to be covered by the categorical exclusion of the cooperating authority has independent utility; and

''(4) the lead authority determines that—

''(A) the proposed multimodal project does not individually or cumulatively have a significant impact on the environment; and

''(B) extraordinary circumstances do not exist that merit additional analysis and documentation in an environmental impact statement or environmental assessment required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).''; and

(4) by striking subsection (d) and inserting the following:

''(d) COOPERATIVE AUTHORITY EXPERTISE.—A cooperating authority shall provide expertise to the lead authority on aspects of the multimodal project in which the cooperating authority has expertise.''.

SEC. 11114. MODERNIZATION OF THE ENVIRONMENTAL REVIEW PROCESS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall examine ways to modernize, simplify, and improve the implementation of the National Environmental Policy Act of 1969 (42 U.S.C. 4231 et seq.) by the Department.

(b) INCLUSIONS.—In carrying out subsection (a), the Secretary shall consider—

(1) the use of technology in the process, such as—

(A) searchable databases;

(B) geographic information system mapping tools;

(C) integration of those tools with fiscal management systems to provide more detailed data; and

(D) other innovative technologies;

(2) ways to prioritize use of programmatic environmental impact statements;

(3) methods to encourage cooperating agencies to present analyses in a concise format; and

(4) any other improvements that can be made to modernize process implementation.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report describing the results of the review carried out under subsection (a).

SEC. 11115. SERVICE CLUB, CHARITABLE ASSOCIATION, OR RELIGIOUS SERVICE SIGNS.

Notwithstanding section 131 of title 23, United States Code, and part 750 of title 23, Code of Federal Regulations (or successor regulations), a State may allow the maintenance of a sign of a service club, charitable association, or religious service that was erected as of the date of enactment of this Act, the area of which is less than or equal to 32 square feet, if the State notifies the Federal Highway Administration.

SEC. 11116. SATISFACTION OF REQUIREMENTS FOR CERTAIN HISTORIC SITES.

(a) HIGHWAYS.—Section 138 of title 23, United States Code, is amended by adding at the end the following:

''(c) SATISFACTION OF REQUIREMENTS FOR CERTAIN HISTORIC SITES.—

''(1) IN GENERAL.—The Secretary shall—

''(A) align, to the maximum extent practicable, with the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4231 et seq.) and section 306108 of title 54, including implementing regulations; and

''(B) not later than 90 days after the date of enactment of this subsection, coordinate with the Secretary of the Interior and the Executive Director of the Advisory Council on Historic Preservation (referred to in this subsection as the 'Council') to establish procedures to satisfy the requirements described in subparagraph (A) (including regulations).

''(2) AVOIDANCE ALTERNATIVE ANALYSIS.—

''(A) IN GENERAL.—If, in an analysis required under the National Environmental Policy Act of 1969 (42 U.S.C. 4231 et seq.), the Secretary determines that there is no feasible or prudent alternative to avoid use of an historic site, the Secretary may—

''(i) include the determination of the Secretary in the analysis required under that Act;

''(ii) provide a notice of the determination to—

''(I) each applicable State historic preservation officer and tribal historic preservation officer;

''(II) the Council, if the Council is participating in the consultation process under section 306108 of title 54; and

''(III) the Secretary of the Interior; and

''(iii) request from the applicable preservation officer, the Council, and the Secretary of the Interior a concurrence that the determination is sufficient to satisfy the requirement of subsection (a)(1).

''(B) CONCURRENCE.—If the applicable preservation officer, the Council, and the Secretary of the Interior each provide a concurrence requested under subparagraph (A)(iii), no further analysis under subsection (a)(1) shall be required.

''(C) PUBLICATION.—A notice of a determination, together with each relevant concurrence to that determination, under subparagraph (A) shall be—

''(i) included in the record of decision or finding of no significant impact of the Secretary; and

''(ii) posted on an appropriate Federal website by not later than 3 days after the

date of receipt by the Secretary of all concurrences requested under subparagraph (A)(iii).

''(3) ALIGNING HISTORICAL REVIEWS.—

''(A) IN GENERAL.—If the Secretary, the applicable preservation officer, the Council, and the Secretary of the Interior concur that no feasible and prudent alternative exists as described in paragraph (2), the Secretary may provide to the applicable preservation officer, the Council, and the Secretary of the Interior notice of the intent of the Secretary to satisfy the requirements of subsection (a)(2) through the consultation requirements of section 306108 of title 54.

''(B) SATISFACTION OF CONDITIONS.—To satisfy the requirements of subsection (a)(2), each individual described in paragraph (2)(A)(ii) shall concur in the treatment of the applicable historic site described in the memorandum of agreement or programmatic agreement developed under section 306108 of title 54.''.

(b) PUBLIC TRANSPORTATION.—Section 303 of title 49, United States Code, is amended—

(1) in subsection (c), in the matter preceding paragraph (1), by striking ''subsection (d)'' and inserting ''subsections (d) and (e)''; and

(2) by adding at the end the following:

''(e) SATISFACTION OF REQUIREMENTS FOR CERTAIN HISTORIC SITES.—

''(1) IN GENERAL.—The Secretary shall—

''(A) align, to the maximum extent practicable, the requirements of this section with the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4231 et seq.) and section 306108 of title 54, including implementing regulations; and

''(B) not later than 90 days after the date of enactment of this subsection, coordinate with the Secretary of the Interior and the Executive Director of the Advisory Council on Historic Preservation (referred to in this subsection as the 'Council') to establish procedures to satisfy the requirements described in subparagraph (A) (including regulations).

''(2) AVOIDANCE ALTERNATIVE ANALYSIS.—

''(A) IN GENERAL.—If, in an analysis required under the National Environmental Policy Act of 1969 (42 U.S.C. 4231 et seq.), the Secretary determines that there is no feasible or prudent alternative to avoid use of an historic site, the Secretary may—

''(i) include the determination of the Secretary in the analysis required under that Act;

''(ii) provide a notice of the determination to—

''(I) each applicable State historic preservation officer and tribal historic preservation officer;

''(II) the Council, if the Council is participating in the consultation process under section 306108 of title 54; and

''(III) the Secretary of the Interior; and

''(iii) request from the applicable preservation officer, the Council, and the Secretary of the Interior a concurrence that the determination is sufficient to satisfy the requirement of subsection (c)(1).

''(B) CONCURRENCE.—If the applicable preservation officer, the Council, and the Secretary of the Interior each provide a concurrence requested under subparagraph (A)(iii), no further analysis under subsection (a)(1) shall be required.

''(C) PUBLICATION.—A notice of a determination, together with each relevant concurrence to that determination, under subparagraph (A) shall be—

''(i) included in the record of decision or finding of no significant impact of the Secretary; and

''(ii) posted on an appropriate Federal website by not later than 3 days after the date of receipt by the Secretary of all concurrences requested under subparagraph (A)(iii).

''(3) ALIGNING HISTORICAL REVIEWS.—

''(A) IN GENERAL.—If the Secretary, the applicable preservation officer, the Council, and the Secretary of the Interior concur that no feasible and prudent alternative exists as described in paragraph (2), the Secretary may provide to the applicable preservation officer, the Council, and the Secretary of the Interior notice of the intent of the Secretary to satisfy the requirements of subsection (c)(2) through the consultation requirements of section 306108 of title 54.

''(B) SATISFACTION OF CONDITIONS.—To satisfy the requirements of subsection (c)(2), the applicable preservation officer, the Council, and the Secretary of the Interior shall concur in the treatment of the applicable historic site described in the memorandum of agreement or programmatic agreement developed under section 306108 of title 54.''.

SEC. 11117. BRIDGE EXEMPTION FROM CONSIDERATION UNDER CERTAIN PROVISIONS.

(a) PRESERVATION OF PARKLANDS.—Section 138 of title 23, United States Code, as amended by section 11116, is amended by adding at the end the following:

''(d) BRIDGE EXEMPTION FROM CONSIDERATION.—A common post-1945 concrete or steel bridge or culvert (as described in 77 Fed. Reg. 68790) that is exempt from individual review under section 306108 of title 54, United States Code, shall be exempt from consideration under this section.''.

(b) POLICY ON LANDS, WILDLIFE AND WATERFOWL REFUGES, AND HISTORIC SITES.—Section 303 of title 49, United States Code, as amended by section 11116, is amended by adding at the end the following:

''(f) BRIDGE EXEMPTION FROM CONSIDERATION.—A common post-1945 concrete or steel bridge or culvert (as described in 77 Fed. Reg. 68790) that is exempt from individual review under section 306108 of title 54, United States Code, shall be exempt from consideration under this section.''.

SEC. 11118. ELIMINATION OF BARRIERS TO IMPROVE AT-RISK BRIDGES.

(a) TEMPORARY AUTHORIZATION.—

(1) IN GENERAL.—Until the Secretary of the Interior takes the action described in subsection (b), the take of nesting swallows to facilitate a construction project on a bridge eligible for funding under title 23, United States Code, with any component condition rating of 3 or less (as defined by the National Bridge Inventory General Condition Guidance issued by the Federal Highway Administration) is authorized under the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.) between April 1 and August 31.

(2) MEASURES TO MINIMIZE IMPACTS.—

(A) NOTIFICATION BEFORE TAKING.—Prior to the taking of nesting swallows authorized under paragraph (1), any person taking that action shall submit to the Secretary of the Interior a document that contains—

(i) the name of the person acting under the authority of paragraph (1) to take nesting swallows;

(ii) a list of practicable measures that will be undertaken to minimize or mitigate significant adverse impacts on the population of that species;

(iii) the time period during which activities will be carried out that will result in the taking of that species; and

(iv) an estimate of the number of birds, by species, to be taken in the proposed action.

(B) NOTIFICATION AFTER TAKING.—Not later than 60 days after the taking of nesting swallows authorized under paragraph (1), any person taking that action shall submit to the Secretary of the Interior a document that contains the number of birds, by species, taken in the action.

(b) AUTHORIZATION OF TAKE.—

(1) IN GENERAL.—The Secretary of the Interior, in consultation with the Secretary, shall promulgate a regulation under the authority of section 3 of the Migratory Bird Treaty Act (16 U.S.C. 704) authorizing the take of nesting swallows to facilitate bridge repair, maintenance, or construction—

(A) without individual permit requirements; and

(B) under terms and conditions determined to be consistent with treaties relating to migratory birds that protect swallow species occurring in the United States.

(2) TERMINATION.—On the effective date of a final rule under this subsection by the Secretary of the Interior, subsection (a) shall have no force or effect.

(c) SUSPENSION OR WITHDRAWAL OF TAKE AUTHORIZATION.—If the Secretary of the Interior, in consultation with the Secretary, determines that taking of nesting swallows carried out under the authority provided in subsection (a)(1) is having a significant adverse impact on swallow populations, the Secretary of the Interior may suspend that authority through publication in the Federal Register.

SEC. 11119. AT-RISK PROJECT PREAGREEMENT AUTHORITY.

(a) DEFINITION OF PRELIMINARY ENGINEERING.—In this section, the term ''preliminary engineering'' means allowable preconstruction project development and engineering costs.

(b) AT-RISK PROJECT PREAGREEMENT AUTHORITY.—A recipient or subrecipient of Federal-aid funds under title 23, United States Code, may—

(1) incur preliminary engineering costs for an eligible project under title 23, United States Code, before receiving project authorization from the State, in the case of a subrecipient, and the Secretary to proceed with the project; and

(2) request reimbursement of applicable Federal funds after the project authorization is received.

(c) ELIGIBILITY.—The Secretary may reimburse preliminary engineering costs incurred by a recipient or subrecipient under subsection (b)—

(1) if the costs meet all applicable requirements under title 23, United States Code, at the time the costs are incurred and the Secretary concurs that the requirements have been met;

(2) in the case of a project located within a designated nonattainment or maintenance area for air quality, if the conformity requirements of the Clean Air Act (42 U.S.C. 7401 et seq.) have been met; and

(3) if the costs would have been allowable if incurred after the date of the project authorization by the Department.

(d) AT-RISK.—A recipient or subrecipient that elects to use the authority provided under this section shall—

(1) assume all risk for preliminary engineering costs incurred prior to project authorization; and

(2) be responsible for ensuring and demonstrating to the Secretary that all applicable cost eligibility conditions are met after the authorization is received.

(e) RESTRICTIONS.—Nothing in this section—

(1) allows a recipient or subrecipient to use the authority under this section to advance a project beyond preliminary engineering prior to the completion of the environmental review process;

(2) waives the applicability of Federal requirements to a project other than the reimbursement of preliminary engineering costs incurred prior to an authorization to proceed in accordance with this section; or

(3) guarantees Federal funding of the project or the eligibility of the project for future Federal-aid highway funding.

Subtitle C—Miscellaneous

SEC. 11201. CREDITS FOR UNTAXED TRANSPORTATION FUELS.

(a) DEFINITION OF QUALIFIED REVENUES.—In this section, the term ''qualified revenues'' means any amounts—

(1) collected by a State—

(A) for the registration of a vehicle that operates solely on a fuel that is not subject to a Federal tax; and

(B) not sooner than the second registration period following the purchase of the vehicle; and

(2) that do not exceed, for a vehicle described in paragraph (1), an annual amount determined by the Secretary to be equal to the annual amount paid for Federal motor fuels taxes on the fuel used by an average passenger car fueled solely by gasoline.

(b) CREDIT.—

(1) IN GENERAL.—Subject to paragraph (2), if a State contributes qualified revenues to cover not less than 5 percent of the total cost of a project eligible for assistance under this title, the Federal share payable for the project under this section may be increased by an amount that is—

(A) equal to the percent of the total cost of the project from contributed qualified revenues; but

(B) not more than 5 percent of the total cost of the project.

(2) EXPIRATION.—The authorization of an increased Federal share for a project pursuant to paragraph (1) expires on September 30, 2023.

(c) STUDY.—

(1) IN GENERAL.—Before the expiration date of the credit under subsection (b)(2), the Secretary, in coordination with other appropriate Federal agencies, shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that describes the most efficient and equitable means of taxing motor vehicle fuels not subject to a Federal tax as of the date of submission of the report.

(2) REQUIREMENT.—The means described in the report under paragraph (1) shall parallel, as closely as practicable, the structure of other Federal taxes on motor fuels.

SEC. 11202. JUSTIFICATION REPORTS FOR ACCESS POINTS ON THE INTERSTATE SYSTEM.

Section 111(e) of title 23, United States Code, is amended by inserting ''(including new or modified freeway-to-crossroad interchanges inside a transportation management area)'' after ''the Interstate System''.

SEC. 11203. EXEMPTIONS.

Section 127 of title 23, United States Code, is amended by adding at the end the following:

''(m) NATURAL GAS VEHICLES.—A vehicle, if operated by an engine fueled primarily by natural gas, may exceed any vehicle weight limit (up to a maximum gross vehicle weight of 82,000 pounds) under this section by an amount that is equal to the difference between—

''(1) the weight of the vehicle attributable to the natural gas tank and fueling system carried by that vehicle; and

''(2) the weight of a comparable diesel tank and fueling system.

''(n) EMERGENCY VEHICLES.—

''(1) DEFINITION OF EMERGENCY VEHICLE.—In this subsection, the term 'emergency vehicle' means a vehicle designed to be used under emergency conditions—

''(A) to transport personnel and equipment; and

''(B) to support the suppression of fires and mitigation of other hazardous situations.

''(2) EMERGENCY VEHICLE WEIGHT LIMIT.—Notwithstanding subsection (a), a State shall not enforce against an emergency vehicle a vehicle weight limit (up to a maximum gross vehicle weight of 86,000 pounds) of less than—

''(A) 24,000 pounds on a single steering axle;

''(B) 33,500 pounds on a single drive axle;

''(C) 62,000 pounds on a tandem axle; or

''(D) 52,000 pounds on a tandem rear drive steer axle.

''(o) OPERATION OF CERTAIN SPECIALIZED VEHICLES ON CERTAIN HIGHWAYS IN THE STATE OF ARKANSAS.—If any segment of United States Route 63 between the exits for highways 14 and 75 in the State of Arkansas is designated as part of the Interstate System—

''(1) a vehicle that could legally operate on the segment before the date of the designation at the posted speed limit may continue to operate on that segment; and

''(2) a vehicle that can only travel below the posted speed limit on the segment that could otherwise legally operate on the segment before the date of the designation may continue to operate on that segment during daylight hours.''.

SEC. 11204. HIGH PRIORITY CORRIDORS ON THE NATIONAL HIGHWAY SYSTEM.

Section 1105 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2031) is amended—

(1) in subsection (c) (105 Stat. 2032; 119 Stat. 1213)—

(A) by striking paragraph (13) and inserting the following:

''(13) Raleigh-Norfolk Corridor from Raleigh, North Carolina, through Rocky Mount, Williamston and Elizabeth City, North Carolina, to Norfolk, Virginia.'';

(B) by striking paragraph (68) and inserting the following:

''(68) The Washoe County Corridor and the Intermountain West Corridor shall generally follow:

''(A) in the case of the Washoe County Corridor, along Interstate Route 580/United States Route 95/United States Route 95A, from Reno, Nevada, to Las Vegas, Nevada; and

''(B) in the case of the Intermountain West Corridor, from the vicinity of Las Vegas extending north along United States Route 95, terminating at Interstate Route 80.''; and

(C) by adding at the end the following:

''(81) United States Route 117/Interstate Route 795 from United States Route 70 in Goldsboro, Wayne County, North Carolina, to Interstate Route 40 west of Faison, Sampson County, North Carolina.

''(82) United States Route 70 from its intersection with Interstate Route 40 in Garner, Wake County, North Carolina, to the Port at Morehead City, Carteret County, North Carolina.'';

(2) in subsection (e)(5)—

(A) in subparagraph (A) (109 Stat. 597; 118 Stat. 293; 119 Stat. 1213), in the first sentence—

(i) by inserting ''subsection (c)(13),'' after ''subsection (c)(9),'';

(ii) by striking ''subsections (c)(18)'' and all that follows through ''(c)(36)'' and inserting ''subsection (c)(18), subsection (c)(20), subparagraphs (A) and (B)(i) of subsection (c)(26), subsection (c)(36)'' ; and

(iii) by striking ''and subsection (c)(57)'' and inserting ''subsection (c)(57), subsection (c)(68)(B), subsection (c)(81), and subsection (c)(82)''; and

(B) in subparagraph (C)(i) (109 Stat. 598; 126 Stat. 427), by striking the last sentence and inserting ''The routes referred to in subparagraphs (A) and (B)(i) of subsection (c)(26) and in subsection (c)(68)(B) are designated as Interstate Route I–11.''.

SEC. 11205. REPEAT INTOXICATED DRIVER LAW.

Section 164(a)(4) of title 23, United States Code, is amended in the matter preceding subparagraph (A) by inserting ''or combination of laws'' after ''means a State law''.

SEC. 11206. VEHICLE-TO-INFRASTRUCTURE EQUIPMENT.

(a) NATIONAL HIGHWAY PERFORMANCE PROGRAM.—Section 119(d)(2)(L) of title 23, United States Code, is amended by inserting '', including the installation of interoperable vehicle-to-infrastructure communication equipment'' after ''capital improvements''.

(b) SURFACE TRANSPORTATION PROGRAM.—Section 133(b)(16) of title 23, United States Code, by inserting '', including the installation of interoperable vehicle-to-infrastructure communication equipment'' after ''capital improvements''.

SEC. 11207. RELINQUISHMENT.

A State transportation agency may relinquish park-and-ride lot facilities or portions of park-and-ride lot facilities to a local government agency for highway purposes if authorized to do so under State law.

SEC. 11208. TRANSFER AND SALE OF TOLL CREDITS.

(a) DEFINITIONS.—In this section, the following definitions apply:

(1) ELIGIBLE STATE.—The term ''eligible State'' means a State that—

(A) is eligible to use a credit under section 120(i) of title 23, United States Code; and

(B) has been selected by the Secretary under subsection (d)(2).

(2) RECIPIENT STATE.—The term ''recipient State'' means a State that receives a credit by transfer or by sale under this section from an eligible State.

(b) ESTABLISHMENT OF PILOT PROGRAM.—Not later than 1 year after the date of the establishment of a nationwide toll credit monitoring and tracking system under subsection (g), the Secretary shall establish and implement a toll credit marketplace pilot program in accordance with this section.

(c) PURPOSES.—The purposes of the pilot program established under subsection (b) are—

(1) to identify whether a monetary value can be assigned to toll credits;

(2) to identify the discounted rate of toll credits for cash;

(3) to determine if the purchase of toll credits by States provides the purchasing State budget flexibility to deal with funding issues, including off-system needs, transit systems with high operating costs, or cash flow issues; and

(4) to test the feasibility of expanding the toll credit market to allow all States to participate on a permanent basis.

(d) SELECTION OF ELIGIBLE STATES.—

(1) APPLICATION TO SECRETARY.—In order to participate in the pilot program established under subsection (b), a State shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

(2) SELECTION.—Of the States that submit an application under paragraph (1), the Secretary may select not more than 10 States to be designated as an eligible State.

(e) TRANSFER OR SALE OF CREDITS.—

(1) IN GENERAL.—In carrying out the pilot program established under subsection (b), the Secretary shall provide that an eligible State may transfer or sell to a recipient State a credit not used by the eligible State under section 120(i) of title 23, United States Code.

(2) USE OF CREDITS BY TRANSFEREE OR PURCHASER.—A recipient State may use a credit received under paragraph (1) toward the non-Federal share requirement for any funds made available to carry out title 23 or chapter 53 of title 49, United States Code.

(3) CONDITION ON TRANSFER OR SALE OF CREDITS.—To receive a credit under paragraph (1), a recipient State shall enter into an agreement with the Secretary described in section 120(i) of title 23, United States Code.

(f) USE OF PROCEEDS FROM SALE OF CREDITS.—An eligible State shall use the proceeds from the sale of a credit under subsection (e)(1) for any project in the eligible State that is eligible under the surface transportation program established under section 133 of title 23, United States Code.

(g) TOLL CREDIT MONITORING AND TRACKING.—Not later than 180 days after the enactment of this section, the Secretary shall establish a nationwide toll credit monitoring and tracking system that functions as a real-time database on the inventory and use of toll credits among all States (as defined in section 101(a) of title 23, United States Code).

(h) NOTIFICATION.—Not later than 30 days after the date on which a credit is transferred or sold under subsection (e)(1), the eligible State shall submit to the Secretary in writing a notification of the transfer or sale.

(i) REPORTING REQUIREMENTS.—

(1) INITIAL REPORT.—Not later than 180 days after the date of establishment of the pilot program under subsection (b), the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the progress of the pilot program.

(2) STATE REPORT.—

(A) REPORT BY ELIGIBLE STATE.—Not later than 30 days after a purchase or sale under subsection (e)(1), an eligible State shall submit to the Secretary a report that describes—

(i) information on the transaction;

(ii) the amount of cash received and the value of toll credits sold;

(iii) the intended use of the cash; and

(iv) an update on the remaining toll credit balance of the State.

(B) REPORT BY RECIPIENT STATE.—Not later than 30 days after a purchase or sale under subsection (e)(1), a recipient State shall submit to the Secretary a report that describes—

(i) the value of toll credits purchased;

(ii) the anticipated use of the toll credits; and

(iii) plans for maintaining maintenance of effort for spending on Federal-aid highways projects.

(3) ANNUAL REPORT.—Not later than 1 year after the date on which the pilot program under subsection (b) is established and each year thereafter that the pilot program is in effect, the Secretary shall—

(A) submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that—

(i) determines whether a toll credit marketplace is viable;

(ii) describes the buying and selling activities of the pilot program;

(iii) describes the monetary value of toll credits;

(iv) determines whether the pilot program could be expanded to more States or all States; and

(v) provides updated information on the toll credit balance accumulated by each State; and

(B) make the report described in subparagraph (A) publicly available on the website of the Department.

(j) TERMINATION.—The Secretary may terminate the program established under this section or the participation of any State in the program if the Secretary determines that the program is not serving a public benefit.

SEC. 11209. REGIONAL INFRASTRUCTURE ACCELERATOR DEMONSTRATION PROGRAM.

(a) IN GENERAL.—The Secretary shall establish a regional infrastructure demonstration program (referred to in this section as the ''program'') to assist entities in developing improved infrastructure priorities and financing strategies for the accelerated development of a project that is eligible for funding under the TIFIA program under chapter 6 of title 23, United States Code.

(b) DESIGNATION OF REGIONAL INFRASTRUCTURE ACCELERATORS.—In carrying out the program, the Secretary may designate regional infrastructure accelerators that will—

(1) serve a defined geographic area; and

(2) act as a resource in the geographic area to qualified entities in accordance with this section.

(c) APPLICATION.—To be eligible for a designation under subsection (b), a proposed regional infrastructure accelerator shall submit to the Secretary a proposal at such time, in such manner, and containing such information as the Secretary may require.

(d) CRITERIA.—In evaluating a proposal submitted under subsection (c), the Secretary shall consider—

(1) the need for geographic diversity among regional infrastructure accelerators; and

(2) the ability of the proposal to promote investment in covered infrastructure projects, which shall include a plan—

(A) to evaluate and promote innovative financing methods for local projects, including the use of the TIFIA program under chapter 6 of title 23, United States Code;

(B) to build capacity of State, local, and tribal governments to evaluate and structure projects involving the investment of private capital;

(C) to provide technical assistance and information on best practices with respect to financing the projects;

(D) to increase transparency with respect to infrastructure project analysis and using innovative financing for public infrastructure projects;

(E) to deploy predevelopment capital programs designed to facilitate the creation of a pipeline of infrastructure projects available for investment;

(F) to bundle smaller-scale and rural projects into larger proposals that may be more attractive for investment; and

(G) to reduce transaction costs for public project sponsors.

(e) ANNUAL REPORT.—Not less frequently than once each year, the Secretary shall submit to Congress a report that describes the findings and effectiveness of the program.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out the program $12,000,000, of which the Secretary shall use—

(1) $11,750,000 for initial grants to regional infrastructure accelerators under subsection (b); and

(2) $250,000 for administrative costs of carrying out the program.

TITLE II—TRANSPORTATION INNOVATION

Subtitle A—Research

SEC. 12001. RESEARCH, TECHNOLOGY, AND EDUCATION.

(a) HIGHWAY RESEARCH AND DEVELOPMENT PROGRAM.—Section 503(b)(3) of title 23, United States Code, is amended—

(1) in subparagraph (C)—

(A) in clause (xviii), by striking ''and'' at the end;

(B) in clause (xix), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

''(xx) accelerated mobile, highway-speed, bridge inspection methods that provide quantitative data-driven decisionmaking capabilities without requiring lane closures; and

''(xxi) innovative segmental wall technology for soil bank stabilization and roadway sound attenuation, and articulated technology for hydraulic sheer-resistant erosion control.''; and

(2) in subparagraph (D)(i), by inserting ''and section 119(e)'' after ''this subparagraph''.

(b) TECHNOLOGY AND INNOVATION DEPLOYMENT PROGRAM.—Section 503(c) of title 23, United States Code, is amended—

(1) in paragraph (1), in the matter preceding subparagraph (A), by striking ''carry out'' and inserting ''establish and implement'';

(2) in paragraph (2)—

(A) in subparagraph (B), by striking clause (i) and inserting the following:

''(i) use not less than 50 percent of the funds authorized to carry out this subsection to make grants to, and enter into cooperative agreements and contracts with, States, other Federal agencies, local governments, metropolitan planning organizations, institutions of higher education, private sector entities, and nonprofit organizations to carry out demonstration programs that will accelerate the deployment and adoption of transportation research activities;'';

(B) by redesignating subparagraph (C) as subparagraph (D); and

(C) by inserting after subparagraph (B) the following:

''(C) INNOVATION GRANTS.—

''(i) IN GENERAL.—In carrying out the program established under subparagraph (B)(i), the Secretary shall establish a transparent competitive process in which entities described in subparagraph (B)(i) may submit an application to receive a grant under this subsection.

''(ii) PUBLICATION OF APPLICATION PROCESS.—A description of the application process established by the Secretary shall—

''(I) be posted on a public website;

''(II) identify the information required to be included in the application; and

''(III) identify the criteria by which the Secretary shall select grant recipients.

''(iii) SUBMISSION OF APPLICATION.—To receive a grant under this paragraph, an entity described in subparagraph (B)(i) shall submit an application to the Secretary.

''(iv) SELECTION AND APPROVAL.—The Secretary shall select and approve an application submitted under clause (iii) based on whether the project described in the application meets the goals of the program described in paragraph (1).''; and

(3) in paragraph (3)(C), by striking ''each of fiscal years 2013 through 2014'' and inserting ''each fiscal year''.

(c) CONFORMING AMENDMENT.—Section 505(c)(1) of title 23, United States Code, is amended by striking ''section 503(c)(2)(C)'' and inserting ''section 503 (c)(2)(D)''.

SEC. 12002. INTELLIGENT TRANSPORTATION SYSTEMS.

(a) INTELLIGENT TRANSPORTATION SYSTEMS DEPLOYMENT.—Section 513 of title 23, United States Code, is amended by adding at the end the following:

''(d) SYSTEM OPERATIONS AND ITS DEPLOYMENT GRANT PROGRAM.—

''(1) ESTABLISHMENT.—The Secretary shall establish a competitive grant program to accelerate the deployment, operation, systems management, intermodal integration, and interoperability of the ITS program and ITS-enabled operational strategies—

''(A) to measure and improve the performance of the surface transportation system;

''(B) to reduce traffic congestion and the economic and environmental impacts of traffic congestion;

''(C) to minimize fatalities and injuries;

''(D) to enhance mobility of people and goods;

''(E) to improve traveler information and services; and

''(F) to optimize existing roadway capacity.

''(2) APPLICATION.—To be eligible for a grant under this subsection, an eligible entity shall submit an application to the Secretary that includes—

''(A) a plan to deploy and provide for the long-term operation and maintenance of intelligent transportation systems to improve safety, efficiency, system performance, and return on investment, such as—

''(i) autonomous vehicle communication technologies;

''(ii) vehicle-to-vehicle or vehicle-to-infrastructure communication technologies;

''(iii) real-time integrated traffic, transit, and multimodal transportation information;

''(iv) advanced traffic, freight, parking, and incident management systems;

''(v) advanced technologies to improve transit and commercial vehicle operations;

''(vi) synchronized, adaptive, and transit preferential traffic signals;

''(vii) advanced infrastructure condition assessment technologies; and

''(viii) other technologies to improve system operations, including ITS applications necessary for multimodal systems integration and for achieving performance goals;

''(B) quantifiable system performance improvements, including—

''(i) reductions in traffic-related crashes, congestion, and costs;

''(ii) optimization of system efficiency; and

''(iii) improvement of access to transportation services;

''(C) quantifiable safety, mobility, and environmental benefit projections, including data-driven estimates of the manner in which the project will improve the efficiency of the transportation system and reduce traffic congestion in the region;

''(D) a plan for partnering with the private sector, including telecommunications industries and public service utilities, public agencies (including multimodal and multijurisdictional entities), research institutions, organizations representing transportation and technology leaders, and other transportation stakeholders;

''(E) a plan to leverage and optimize existing local and regional ITS investments; and

''(F) a plan to ensure interoperability of deployed technologies with other tolling, traffic management, and intelligent transportation systems.

''(3) SELECTION.—

''(A) IN GENERAL.—Effective beginning not later than 1 year after the date of enactment of the DRIVE Act, the Secretary may provide grants to eligible entities under this subsection.

''(B) GEOGRAPHIC DIVERSITY.—In awarding a grant under this subsection, the Secretary shall ensure, to the maximum extent practicable, that grant recipients represent diverse geographical areas of the United States, including urban, suburban, and rural areas.

''(C) NON-FEDERAL SHARE.—In awarding a grant under the subsection, the Secretary shall give priority to grant recipients that demonstrate an ability to contribute a significant non-Federal share to the cost of carrying out the project for which the grant is received.

''(4) ELIGIBLE USES.—Projects for which grants awarded under this subsection may be used include—

''(A) the deployment of autonomous vehicle communication technologies;

''(B) the deployment of vehicle-to-vehicle or vehicle-to-infrastructure communication technologies;

''(C) the establishment and implementation of ITS and ITS-enabled operations strategies that improve performance in the areas of—

''(i) traffic operations;

''(ii) emergency response to surface transportation incidents;

''(iii) incident management;

''(iv) transit and commercial vehicle operations improvements;

''(v) weather event response management by State and local authorities;

''(vi) surface transportation network and facility management;

''(vii) construction and work zone management;

''(viii) traffic flow information;

''(ix) freight management; and

''(x) congestion management;

''(D) carrying out activities that support the creation of networks that link metropolitan and rural surface transportation systems into an integrated data network, capable of collecting, sharing, and archiving transportation system traffic condition and performance information;

''(E) the implementation of intelligent transportation systems and technologies that improve highway safety through information and communications systems linking vehicles, infrastructure, mobile devices, transportation users, and emergency responders;

''(F) the provision of services necessary to ensure the efficient operation and management of ITS infrastructure, including costs associated with communications, utilities, rent, hardware, software, labor, administrative costs, training, and technical services;

''(G) the provision of support for the establishment and maintenance of institutional relationships between transportation agencies, police, emergency medical services, private emergency operators, freight operators, shippers, public service utilities, and telecommunications providers;

''(H) carrying out multimodal and cross-jurisdictional planning and deployment of regional transportation systems operations and management approaches; and

''(I) performing project evaluations to determine the costs, benefits, lessons learned, and future deployment strategies associated with the deployment of intelligent transportation systems.

''(5) REPORT TO SECRETARY.—For each fiscal year that an eligible entity receives a grant under this subsection, not later than 1 year after receiving the grant, each recipient shall submit to the Secretary a report that describes how the project has met the expectations projected in the deployment plan submitted with the application, including information on—

''(A) how the program has helped reduce traffic crashes, congestion, costs, and other benefits of the deployed systems;

''(B) the effect of measuring and improving transportation system performance through the deployment of advanced technologies;

''(C) the effectiveness of providing real-time integrated traffic, transit, and multimodal transportation information to the public that allows the public to make informed travel decisions; and

''(D) lessons learned and recommendations for future deployment strategies to optimize transportation efficiency and multimodal system performance.

''(6) REPORT TO CONGRESS.—Not later than 2 years after the date on which the first grant is awarded under this subsection and annually thereafter for each fiscal year for which grants are awarded under this subsection, the Secretary shall submit to Congress a report that describes the effectiveness of the grant recipients in meeting the projected deployment plan goals, including data on how the grant program has—

''(A) reduced traffic-related fatalities and injuries;

''(B) reduced traffic congestion and improved travel-time reliability;

''(C) reduced transportation-related emissions;

''(D) optimized multimodal system performance;

''(E) improved access to transportation alternatives;

''(F) provided the public with access to real-time integrated traffic, transit, and multimodal transportation information to make informed travel decisions;

''(G) provided cost savings to transportation agencies, businesses, and the traveling public; and

''(H) provided other benefits to transportation users and the general public.

''(7) ADDITIONAL GRANTS.—If the Secretary determines, based on a report submitted under paragraph (5), that a grant recipient is not complying with the established grant criteria, the Secretary may—

''(A) cease payment to the recipient of any remaining grant amounts; and

''(B) redistribute any remaining amounts to other eligible entities under this section.

''(8) NON-FEDERAL SHARE.—The Federal share of the cost of a project for which a grant is provided under this subsection shall not exceed 50 percent of the cost of the project.

''(9) FUNDING.—Of the funds made available each fiscal year to carry out the intelligent transportation system program under sections 512 through 518, not less than $30,000,000 shall be used to carry out this subsection.''.

(b) INTELLIGENT TRANSPORTATION SYSTEMS GOALS AND PURPOSES.—Section 514(a) of title 23, United States Code, is amended—

(1) in paragraph (4), by striking ''and'' at the end; and

(2) by striking paragraph (5) and inserting the following:

''(5) improvement of the ability of the United States to respond to security-related or other manmade emergencies and natural disasters; and

''(6) enhancement of the freight system of the United States and support to freight policy goals by conducting heavy duty vehicle demonstration activities and accelerating adoption of ITS applications in freight operations.''.

(c) ITS ADVISORY COMMITTEE REPORT.—Section 515(h)(4) of title 23, United States Code, is amended in the matter preceding subparagraph (A) by striking ''February 1 of each year after the date of enactment of the Transportation Research and Innovative Technology Act of 2012'' and inserting ''May 1 of each year''.

SEC. 12003. FUTURE INTERSTATE STUDY.

(a) FINDINGS.—Congress finds that—

(1) a well-developed system of transportation infrastructure is critical to the economic well-being, health, and welfare of the people of the United States;

(2) the 47,000-mile national Interstate System is the backbone to that transportation infrastructure system; and

(3) as of the date of enactment of this Act—

(A) many segments of the approximately 60- year-old Interstate System are well beyond the 50-year design life of the System and yet these aging facilities are central to the transportation infrastructure system, carrying 25 percent of the vehicle traffic of the United States on just 1 percent of the total public roadway mileage;

(B) the need for ongoing maintenance, preservation, and reconstruction of the Interstate System has grown due to increasing and changing travel demands; and

(C) simple maintenance of the current condition and configuration of the Interstate System is insufficient for the System to fully serve the transportation needs of the United States for the next 50 years.

(b) FUTURE INTERSTATE SYSTEM STUDY.—Not later than 180 days after the date of enactment of this Act, the Secretary shall enter into an agreement with the Transportation Research Board of the National Academies to conduct a study on the actions needed to upgrade and restore the Dwight D. Eisenhower National System of Interstate and Defense Highways to its role as a premier system network that meets the growing and shifting demands of the 21st century and for the next 50 years (referred to in this section as the ''study'').

(c) METHODOLOGIES.—In conducting the study, the Transportation Research Board shall build on the methodologies examined and recommended in the report prepared for the American Association of State Highway and Transportation Officials entitled ''National Cooperative Highway Research Program Project 20–24(79): Specifications for a National Study of the Future 3R, 4R, and Capacity Needs of the Interstate System'' and dated December 2013.

(d) RECOMMENDATIONS.—The study—

(1) shall include specific recommendations regarding the features, standards, capacity needs, application of technologies, and intergovernmental roles to upgrade the Interstate System, including any revisions to law (including regulations) that the Transportation Research Board determines appropriate to achieve the goals; and

(2) is encouraged to build on the robust institutional knowledge in the highway industry in applying the techniques involved in implementing the study.

(e) CONSIDERATIONS.—In carrying out the study, the Transportation Research Board shall determine the need for reconstruction and improvement of the Interstate System by considering—

(1) future demands on transportation infrastructure determined for national planning purposes, including commercial and private traffic flows to serve future economic activity and growth;

(2) the expected condition of the current Interstate System over the next 50 years, including long-term deterioration and reconstruction needs;

(3) those National Highway System routes that should be added to the existing Interstate System to more efficiently serve national traffic flows;

(4) features that would take advantage of technological capabilities to address modern standards of construction, maintenance, and operations, for purposes of safety, and system management, taking into further consideration system performance and cost; and

(5) the resources necessary to maintain and improve the Interstate System, including the resources required to upgrade those National Highway System routes identified in paragraph (3) to Interstate standards.

(f) CONSULTATION.—In carrying out the study, the Transportation Research Board—

(1) shall convene and consult with a panel of national experts including current and future owners, operators, and users of the Interstate System and private sector stakeholders; and

(2) is encouraged to consult with—

(A) the Federal Highway Administration;

(B) States;

(C) planning agencies at the metropolitan, State, and regional levels;

(D) the motor carrier industry;

(E) freight shippers;

(F) highway safety groups; and

(G) other appropriate entities.

(g) REPORT.—Not later than 3 years after the date of enactment of this Act, the Transportation Research Board shall submit to the Secretary, the Committee on Environment and Public Works of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives a report on the results of the study conducted under this section.

(h) FUNDING.—From amounts authorized to carry out the Highway Research and Development Program, the Secretary shall use up to $5,000,000 for fiscal year 2016 to carry out this section.

SEC. 12004. RESEARCHING SURFACE TRANSPORTATION SYSTEM FUNDING ALTERNATIVES.

(a) IN GENERAL.—The Secretary shall promote the research of user-based alternative revenue mechanisms that preserve a user fee structure to maintain the long-term solvency of the Highway Trust Fund.

(b) OBJECTIVES.—The objectives of the research described in subsection (a) shall be—

(1) to study uncertainties relating to the design, acceptance, and implementation of 2 or more future user-based alternative revenue mechanisms;

(2) to define the functionality of those user-based alternative revenue mechanisms;

(3) to conduct or promote research activities to demonstrate and test those user-based alternative revenue mechanisms, including by conducting field trials, by partnering with individual States, groups of States, or other appropriate entities to conduct the research activities;

(4) to conduct outreach to increase public awareness regarding the need for alternative funding sources for surface transportation programs and provide information on possible approaches;

(5) to provide recommendations regarding adoption and implementation of those user-based alternative revenue mechanisms; and

(6) to minimize the administrative cost of any potential user-based alternative revenue mechanisms.

(c) GRANTS.—The Secretary shall provide grants to individual States, groups of States, or other appropriate entities to conduct research that addresses—

(1) the implementation, interoperability, public acceptance, and other potential hurdles to the adoption of a user-based alternative revenue mechanism;

(2) the protection of personal privacy;

(3) the use of independent and private third-party vendors to collect fees and operate the user-based alternative revenue mechanism;

(4) equity concerns, including the impacts of the user-based alternative revenue mechanism on differing income groups, various geographic areas, and the relative burdens on rural and urban drivers;

(5) ease of compliance for different users of the transportation system;

(6) the reliability and security of technology used to implement the user-based alternative revenue mechanism;

(7) the flexibility and choices of user-based alternative revenue mechanisms, including the ability of users to select from various technology and payment options;

(8) the cost of administering the user-based alternative revenue mechanism; and

(9) the ability of the administering entity to audit and enforce user compliance.

(d) ADVISORY COUNCIL.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary, in consultation with the Secretary of the Treasury, shall establish and lead a Surface Transportation Revenue Alternatives Advisory Council (referred to in this subsection as the ''Council'') to inform the selection and evaluation of user-based alternative revenue mechanisms.

(2) MEMBERSHIP.—

(A) IN GENERAL.—The members of the Council shall—

(i) be appointed by the Secretary; and

(ii) include, at a minimum—

(I) representatives with experience in user-based alternative revenue mechanisms, of which—

(aa) not fewer than 1 shall be from the Department;

(bb) not fewer than 1 shall be from the Department of the Treasury; and

(cc) not fewer than 2 shall be from State departments of transportation;

(II) representatives from applicable users of the surface transportation system; and

(III) appropriate technology and public privacy experts.

(B) GEOGRAPHIC CONSIDERATIONS.—The Secretary shall consider geographic diversity when selecting members under this paragraph.

(3) FUNCTIONS.—Not later than 1 year after the date on which the Council is established, the Council shall, at a minimum—

(A) define the functionality of 2 or more user-based alternative revenue mechanisms;

(B) identify technological, administrative, institutional, privacy, and other issues that—

(i) are associated with the user-based alternative revenue mechanisms; and

(ii) may be researched through research activities;

(C) conduct public outreach to identify and assess questions and concerns about the user-based alternative revenue mechanisms for future evaluation through research activities; and

(D) provide recommendations to the Secretary on the process and criteria used for selecting research activities under subsection (c).

(4) EVALUATIONS.—The Council shall conduct periodic evaluations of the research activities that have received assistance from the Secretary under this section.

(5) APPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.—The Council shall not be subject to the Federal Advisory Committee Act (5 U.S.C. App.).

(e) BIENNIAL REPORTS.—Not later than 2 years after the date of enactment of this Act, and every 2 years thereafter until the completion of the research activities under this section, the Secretary shall submit to the Secretary of the Treasury, the Committee on Finance and the Committee on Environment and Public Works of the Senate, and the Committee on Ways and Means and the Committee on Transportation and Infrastructure of the House of Representatives a report describing the progress of the research activities.

(f) FINAL REPORT.—On the completion of the research activities under this section, the Secretary and the Secretary of the Treasury, acting jointly, shall submit to the Committee on Finance and the Committee on Environment and Public Works of the Senate and the Committee on Ways and Means and the Committee on Transportation and Infrastructure of the House of Representatives a report describing the results of the research activities and any recommendations.

(g) FUNDING.—Of the funds authorized to carry out section 503(b) of title 23, United States Code—

(1) $15,000,000 shall be used to carry out this section in fiscal year 2016; and

(2) $20,000,000 shall be used to carry out this section in each of fiscal years 2017 through 2021.

Subtitle B—Data

SEC. 12101. TRIBAL DATA COLLECTION.

Section 201(c)(6) of title 23, United States Code, is amended by adding at the end the following:

''(C) TRIBAL DATA COLLECTION.—In addition to the data to be collected under subparagraph (A), not later than 90 days after the end of each fiscal year, any entity carrying out a project under the tribal transportation program under section 202 shall submit to the Secretary and the Secretary of Interior, based on obligations and expenditures under the tribal transportation program during the preceding fiscal year, the following data:

''(i) The names of projects or activities carried out by the entity under the tribal transportation program during the preceding fiscal year.

''(ii) A description of the projects or activities identified under clause (i).

''(iii) The current status of the projects or activities identified under clause (i).

''(iv) An estimate of the number of jobs created and the number of jobs retained by the projects or activities identified under clause (i).''.

SEC. 12102. PERFORMANCE MANAGEMENT DATA SUPPORT PROGRAM.

(a) PERFORMANCE MANAGEMENT DATA SUPPORT.—The Administrator of the Federal Highway Administration shall develop, use, and maintain data sets and data analysis tools to assist metropolitan planning organizations, States, and the Federal Highway Administration in carrying out performance management analyses (including the performance management requirements under section 150 of title 23, United States Code).

(b) INCLUSIONS.—The data analysis activities authorized under subsection (a) may include—

(1) collecting and distributing vehicle probe data describing traffic on Federal-aid highways;

(2) collecting household travel behavior data to assess local and cross-jurisdictional travel, including to accommodate external and through travel;

(3) enhancing existing data collection and analysis tools to accommodate performance measures, targets, and related data, so as to better understand trip origin and destination, trip time, and mode;

(4) enhancing existing data analysis tools to improve performance predictions and travel models in reports described in section 150(e) of title 23, United States Code; and

(5) developing tools—

(A) to improve performance analysis; and

(B) to evaluate the effects of project investments on performance.

(c) FUNDING.—From amounts authorized to carry out the Highway Research and Development Program, the Administrator may use up to $10,000,000 for each of fiscal years 2016 through 2021 to carry out this section.

Subtitle C—Transparency and Best Practices

SEC. 12201. EVERY DAY COUNTS INITIATIVE.

(a) IN GENERAL.—It is in the national interest for the Department, State departments of transportation, and all other recipients of Federal transportation funds—

(1) to identify, accelerate, and deploy innovation aimed at shortening project delivery, enhancing the safety of the roadways of the United States, and protecting the environment;

(2) to ensure that the planning, design, engineering, construction, and financing of transportation projects is done in an efficient and effective manner;

(3) to promote the rapid deployment of proven solutions that provide greater accountability for public investments and encourage greater private sector involvement; and

(4) to create a culture of innovation within the highway community.

(b) EVERY DAY COUNTS INITIATIVE.—To advance the policy described in subsection (a), the Administrator of the Federal Highway Administration (referred to in this section as the ''Administrator'') shall continue the Every Day Counts initiative to work with States, local transportation agencies, and industry stakeholders to identify and deploy proven innovative practices and products that—

(1) accelerate innovation deployment;

(2) shorten the project delivery process;

(3) improve environmental sustainability;

(4) enhance roadway safety; and

(5) reduce congestion.

(c) INNOVATION DEPLOYMENT.—

(1) IN GENERAL.—At least every 2 years, the Administrator shall work collaboratively with stakeholders to identify a new collection of innovations, best practices, and data to be deployed to highway stakeholders through case studies, webinars, and demonstration projects.

(2) REQUIREMENTS.—In identifying a collection described in paragraph (1), the Secretary shall take into account market readiness, impacts, benefits, and ease of adoption of the innovation or practice.

(d) PUBLICATION.—Each collection identified under subsection (c) shall be published by the Administrator on a publicly available website.

SEC. 12202. DEPARTMENT OF TRANSPORTATION PERFORMANCE MEASURES.

(a) PERFORMANCE MEASURES.—Not later than 1 year after the date of enactment of this Act, the Secretary, in coordination with the heads of other Federal agencies with responsibility for the review and approval of projects funded under title 23, United States Code, shall measure and report on—

(1) the progress made toward aligning Federal reviews of projects funded under title 23, United States Code, and the improvement of project delivery associated with those projects; and

(2) as applicable, the effectiveness of the Department in achieving the goals described in section 150(b) of title 23, United States Code, through discretionary programs.

(b) REPORT.—Not later than 2 years after the date of enactment of this Act and biennially thereafter, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report describing the results of the evaluation conducted under subsection (a).

(c) INSPECTOR GENERAL REPORT.—Not later than 3 years after the date of enactment of this Act, the Inspector General of the Department shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report describing the results of the evaluation conducted under subsection (a).

SEC. 12203. GRANT PROGRAM FOR ACHIEVEMENT IN TRANSPORTATION FOR PERFORMANCE AND INNOVATION.

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE ENTITY.—The term ''eligible entity'' includes—

(A) a State;

(B) a unit of local government;

(C) a tribal organization (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b)); and

(D) a metropolitan planning organization.

(2) STATE.—The term ''State'' means—

(A) a State;

(B) the District of Columbia;

(C) the Commonwealth of Puerto Rico; and

(D) any other territory (as defined in section 165(c)(1) of title 23, United States Code).

(b) ESTABLISHMENT OF PROGRAM.—The Secretary shall establish a competitive grant program to reward—

(1) achievement in transportation performance management; and

(2) the implementation of strategies that achieve innovation and efficiency in surface transportation.

(c) PURPOSE.—The purpose of the program under this section shall be to reward entities for the implementation of policies and procedures that—

(1) support performance-based management of the surface transportation system and improve transportation outcomes; or

(2) use innovative technologies and practices that improve the efficiency and performance of the surface transportation system.

(d) APPLICATION.—

(1) IN GENERAL.—An eligible entity may submit to the Secretary an application for a grant under this section.

(2) CONTENTS.—An application under paragraph (1) shall indicate the means by which the eligible entity has met the requirements and purpose of the program under this section, including by—

(A) establishing, and making progress toward achieving, performance targets that exceed the requirements of title 23, United States Code;

(B) using innovative techniques and practices that enhance the effective movement of people, goods, and services, such as technologies that reduce construction time, improve operational efficiencies, and extend the service life of highways and bridges; and

(C) employing transportation planning tools and procedures that improve transparency and the development of transportation investment strategies within the jurisdiction of the eligible entity.

(e) EVALUATION CRITERIA.—In awarding a grant under this section, the Secretary shall take into consideration the extent to which the application of the applicable eligible entity under subsection (d)—

(1) demonstrates performance in meeting the requirements of subsection (c); and

(2) promotes the national goals described in section 150(b) of title 23, United States Code.

(f) ELIGIBLE ACTIVITIES.—Amounts made available to carry out this section shall be used for projects eligible for funding under—

(1) title 23, United States Code; or

(2) chapter 53 of title 49, United States Code.

(g) LIMITATION.—The amount of a grant under this section shall be not more than $15,000,000.

(h) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated out of the general fund of the Treasury to carry out this section $150,000,000 for each of fiscal years 2016 through 2021, to remain available until expended.

(2) ADMINISTRATIVE COSTS.—The Secretary shall withhold a reasonable amount of funds made available under paragraph (1) for administration of the program under this section, not to exceed 3 percent of the amount appropriated for each applicable fiscal year.

(i) APPLICABILITY OF REQUIREMENTS.—Amounts made available under this section shall be administered as if the funds were apportioned under chapter 1 of title 23, United States Code.

SEC. 12204. HIGHWAY TRUST FUND TRANSPARENCY AND ACCOUNTABILITY.

(a) IN GENERAL.—Section 104 of title 23, United States Code, is amended by striking subsection (g) and inserting the following:

''(g) HIGHWAY TRUST FUND TRANSPARENCY AND ACCOUNTABILITY REPORT.—

''(1) PUBLICLY AVAILABLE REPORT.—Not later than 180 days after the date of enactment of the DRIVE Act and quarterly thereafter, the Secretary shall compile data in accordance with this subsection on the use of Federal-aid highway program funds made available under this title.

''(2) REQUIREMENTS.—The Secretary shall ensure that the reports required under this subsection are made available in a user-friendly manner on the public website of the Department of Transportation and can be searched and downloaded by users of the website.

''(3) CONTENTS OF REPORT.—

''(A) APPORTIONED AND ALLOCATED PROGRAMS.—For each fiscal year, the report shall include comprehensive data for each program, organized by State, that includes—

''(i) the total amount of funds available for obligation, identifying the unobligated balance of funds available at the end of the preceding fiscal year and new funding available for the current fiscal year;

''(ii) the total amount of funding obligated during the current fiscal year;

''(iii) the remaining amount of funds available for obligation;

''(iv) changes in the obligated, unexpended balance during the current fiscal year, including the obligated, unexpended balance at the end of the preceding fiscal year and current fiscal year expenditures; and

''(v) the percentage of the total amount of obligations for the current fiscal year used for construction and the total amount obligated during the current fiscal year for rehabilitation.

''(B) PROJECT DATA.—To the maximum extent practicable, the report shall include project-specific data, including data describing—

''(i) the specific location of a project;

''(ii) whether the project is located in an area of the State with a population of—

''(I) less than 5,000 individuals;

''(II) 5,000 or more individuals but less than 50,000 individuals; or

''(III) 50,000 or more individuals;

''(iii) the total cost of the project;

''(iv) the amount of Federal funding being used on the project;

''(v) the 1 or more programs from which Federal funds are obligated on the project;

''(vi) the type of improvement being made, such as categorizing the project as—

''(I) a road reconstruction project;

''(II) a new road construction project;

''(III) a new bridge construction project;

''(IV) a bridge rehabilitation project; or

''(V) a bridge replacement project; and

''(vii) the ownership of the highway or bridge.

''(C) TRANSFERS BETWEEN PROGRAMS.—The report shall include a description of the amount of funds transferred between programs by each State under section 126.''.

(b) CONFORMING AMENDMENT.—Section 1503 of MAP–21 (23 U.S.C. 104 note; Public Law 112–141) is amended by striking subsection (c).

SEC. 12205. REPORT ON HIGHWAY TRUST FUND ADMINISTRATIVE EXPENDITURES.

(a) INITIAL REPORT.—Not later than 150 days after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report describing the administrative expenses of the Federal Highway Administration funded from the Highway Trust Fund during the 3 most recent fiscal years.

(b) UPDATES.—Not later than 5 years after the date on which the report is submitted under subsection (a) and every 5 years thereafter, the Comptroller General shall submit to Congress a report that updates the information provided in the report under that subsection for the preceding 5-year period.

(c) INCLUSIONS.—Each report submitted under subsection (a) or (b) shall include a description of the—

(1) types of administrative expenses of programs and offices funded by the Highway Trust Fund;

(2) tracking and monitoring of administrative expenses;

(3) controls in place to ensure that funding for administrative expenses is used as efficiently as practicable; and

(4) flexibility of the Department to reallocate amounts from the Highway Trust Fund between full-time equivalent employees and other functions.

SEC. 12206. AVAILABILITY OF REPORTS.

(a) IN GENERAL.—The Secretary shall make available to the public on the website of the Department any report required to be submitted by the Secretary to Congress after the date of enactment of this Act.

(b) DEADLINE.—Each report described in subsection (a) shall be made available on the website not later than 30 days after the report is submitted to Congress.

SEC. 12207. PERFORMANCE PERIOD ADJUSTMENT.

(a) NATIONAL HIGHWAY PERFORMANCE PROGRAM.—Section 119 of title 23, United States Code, is amended—

(1) in subsection (e)(7), by striking ''for 2 consecutive reports submitted under this paragraph shall include in the next report submitted'' and inserting ''shall include as part of the performance target report under section 150(e)''; and

(2) in subsection (f)(1)(A), by striking ''If, during 2 consecutive reporting periods, the condition of the Interstate System, excluding bridges on the Interstate System, in a State falls'' and inserting ''If a State reports that the condition of the Interstate System, excluding bridges on the Interstate System, has fallen''.

(b) HIGHWAY SAFETY IMPROVEMENT PROGRAM.—Section 148(i) of title 23, United States Code, is amended—

(1) in the matter preceding paragraph (1), by striking ''performance targets of the State established under section 150(d) by the date that is 2 years after the date of the establishment of the performance targets'' and inserting ''safety performance targets of the State established under section 150(d)''; and

(2) in paragraphs (1) and (2), by inserting ''safety'' before ''performance targets'' each place it appears.

SEC. 12208. DESIGN STANDARDS.

(a) IN GENERAL.—Section 109 of title 23, United States Code, is amended—

(1) in subsection (c)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking ''may take into account'' and inserting ''shall consider''; and

(ii) in subparagraph (C), by striking ''access for'' and inserting ''access and safety for''; and

(B) in paragraph (2)—

(i) in subparagraph (C), by striking ''and'' at the end;

(ii) by redesignating subparagraph (D) as subparagraph (F); and

(iii) by inserting after subparagraph (C) the following:

''(D) the publication entitled 'Highway Safety Manual' of the American Association of State Highway and Transportation Officials;

''(E) the publication entitled 'Urban Street Design Guide' of the National Association of City Transportation Officials; and''; and

(2) in subsection (f), by inserting ''pedestrian walkways,'' after ''bikeways,''.

(b) DESIGN STANDARD FLEXIBILITY.—Notwithstanding section 109(o) of title 23, United States Code, a local jurisdiction may use a roadway design guide that is different from the roadway design guide used by the State in which the local jurisdiction is located for the design of projects on all roadways under the ownership of the local jurisdiction (other than a highway on the Interstate System) if—

(1) the local jurisdiction is the project sponsor;

(2) the roadway design guide—

(A) is recognized by the Federal Highway Administration; and

(B) is adopted by the local jurisdiction; and

(3) the design complies with all other applicable Federal laws.

TITLE III—TRANSPORTATION INFRASTRUCTURE FINANCE AND INNOVATION ACT OF 1998 AMENDMENTS

SEC. 13001. TRANSPORTATION INFRASTRUCTURE FINANCE AND INNOVATION ACT OF 1998 AMENDMENTS.

(a) DEFINITIONS.—Section 601(a) of title 23, United States Code, is amended—

(1) in the matter preceding paragraph (1)—

(A) by striking ''In this chapter, the'' and inserting ''The''; and

(B) by inserting ''to sections 601 through 609'' after ''apply'';

(2) in paragraph (2)—

(A) in subparagraph (B), by striking ''and'' at the end;

(B) in subparagraph (C), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(D) capitalizing a rural projects fund using the proceeds of a secured loan made to a State infrastructure bank in accordance with sections 602 and 603, for the purpose of making loans to sponsors of rural infrastructure projects in accordance with section 610.'';

(3) in paragraph (3), by striking ''this chapter'' and inserting ''the TIFIA program'';

(4) in paragraph (10)—

(A) in the matter preceding subparagraph (A)—

(i) by inserting ''related'' before ''projects''; and

(ii) by striking ''(which shall receive an investment grade rating from a rating agency)'';

(B) in subparagraph (A), by striking ''subject to the availability of future funds being made available to carry out this chapter;'' and inserting ''subject to—

''(i) the availability of future funds being made available to carry out the TIFIA program; and

''(ii) the satisfaction of all of the conditions for the provision of credit assistance under the TIFIA program, including section 603(b)(1);''; and

(C) in subparagraph (D)—

(i) by redesignating clauses (ii) and (iii) as clauses (iii) and (iv), respectively;

(ii) by inserting after clause (i) the following:

''(ii) receiving an investment grade rating from a rating agency;'';

(iii) in clause (iii) (as so redesignated), by striking ''section 602(c)'' and inserting ''including sections 602(c) and 603(b)(1)''; and

(iv) in clause (iv) (as so redesignated), by striking ''this chapter'' and inserting ''the TIFIA program'';

(5) in paragraph (12)—

(A) in subparagraph (D)(iv), by striking the period at the end and inserting ''; and''; and

(B) by adding at the end the following:

''(E) a project to improve or construct public infrastructure that is located within walking distance of, and accessible to, a fixed guideway transit facility, passenger rail station, intercity bus station, or intermodal facility, including a transportation, public utility, and capital project described in section 5302(3)(G)(v) of title 49, and related infrastructure;

''(F) a project for the acquisition of plant and wildlife habitat pursuant to a conservation plan that—

''(i) has been approved by the Secretary of the Interior pursuant to section 10 of the Endangered Species Act of 1973 (16 U.S.C. 1539); and

''(ii) as determined by the Secretary of the Interior, would mitigate the environmental impacts of transportation infrastructure projects otherwise eligible for assistance under the TIFIA program; and

''(G) the capitalization of a rural projects fund by a State infrastructure bank with the proceeds of a secured loan made in accordance with sections 602 and 603, for the purpose of making loans to sponsors of rural infrastructure projects in accordance with section 610.'';

(6) in paragraph (15), by striking ''means'' and all that follows through the period at the end and inserting ''means a surface transportation infrastructure project located in an area that is outside of an urbanized area with a population greater than 150,000 individuals, as determined by the Bureau of the Census.'';

(7) by redesignating paragraphs (16), (17), (18), (19), and (20) as paragraphs (17), (18), (20), (21), and (22), respectively;

(8) by inserting after paragraph (15) the following:

''(16) RURAL PROJECTS FUND.—The term 'rural projects fund' means a fund—

''(A) established by a State infrastructure bank in accordance with section 610(d)(4);

''(B) capitalized with the proceeds of a secured loan made to the bank in accordance with sections 602 and 603; and

''(C) for the purpose of making loans to sponsors of rural infrastructure projects in accordance with section 610.'';

(9) by inserting after paragraph (18) (as redesignated) the following:

''(19) STATE INFRASTRUCTURE BANK.—The term 'State infrastructure bank' means an infrastructure bank established under section 610.''; and

(10) in paragraph (22) (as redesignated), by inserting ''established under sections 602 through 609'' after ''Department''.

(b) DETERMINATION OF ELIGIBILITY AND PROJECT SELECTION.—Section 602 of title 23, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1), in the matter preceding subparagraph (A), by striking ''this chapter'' and inserting ''the TIFIA program'';

(B) in paragraph (2)(A), by striking ''this chapter'' and inserting ''the TIFIA program'';

(C) in paragraph (3), by striking ''this chapter'' and inserting ''the TIFIA program'';

(D) in paragraph (5)—

(i) by striking the heading and inserting ''ELIGIBLE PROJECT COST PARAMETERS.—'';

(ii) in subparagraph (A)—

(I) in the matter preceding clause (i), by striking ''subparagraph (B), to be eligible for assistance under this chapter, a project'' and inserting ''subparagraphs (B) and (C), a project under the TIFIA program'';

(II) by striking clause (i) and inserting the following:

''(i) $50,000,000; and''; and

(III) in clause (ii), by striking ''assistance''; and

(iii) in subparagraph (B)—

(I) by striking the subparagraph designation and heading and all that follows through ''In the case'' and inserting the following:

''(B) EXCEPTIONS.—

''(i) INTELLIGENT TRANSPORTATION SYSTEMS.—In the case''; and

(II) by adding at the end the following:

''(ii) TRANSIT-ORIENTED DEVELOPMENT PROJECTS.—In the case of a project described in section 601(a)(12)(E), eligible project costs shall be reasonably anticipated to equal or exceed $10,000,000.

''(iii) RURAL PROJECTS.—In the case of a rural infrastructure project or a project capitalizing a rural projects fund, eligible project costs shall be reasonably anticipated to equal or exceed $10,000,000, but not to exceed $100,000,000.

''(iv) LOCAL INFRASTRUCTURE PROJECTS.—Eligible project costs shall be reasonably anticipated to equal or exceed $10,000,000 in the case of projects or programs of projects—

''(I) in which the applicant is a local government, public authority, or instrumentality of local government;

''(II) located on a facility owned by a local government; or

''(III) for which the Secretary determines that a local government is substantially involved in the development of the project.'';

(E) in paragraph (9), in the matter preceding subparagraph (A), by striking ''this chapter'' and inserting ''the TIFIA program''; and

(F) in paragraph (10)—

(i) by striking ''To be eligible'' and inserting the following:

''(A) IN GENERAL.—Except as provided in subparagraph (B), to be eligible'';

(ii) by striking ''this chapter'' each place it appears and inserting ''the TIFIA program'';

(iii) by striking ''not later than'' and inserting ''no later than''; and

(iv) by adding at the end the following:

''(B) RURAL PROJECTS FUND.—In the case of a project capitalizing a rural projects fund, the State infrastructure bank shall demonstrate, not later than 2 years after the date on which a secured loan is obligated for the project under the TIFIA program, that the bank has executed a loan agreement with a borrower for a rural infrastructure project in accordance with section 610. After the demonstration is made, the bank may draw upon the secured loan. At the end of the 2-year period, to the extent the bank has not used the loan commitment, the Secretary may extend the term of the loan or withdraw the loan commitment.'';

(2) in subsection (b), by striking paragraph (2) and inserting the following:

''(2) MASTER CREDIT AGREEMENTS.—

''(A) PROGRAM OF RELATED PROJECTS.—The Secretary may enter into a master credit agreement for a program of related projects secured by a common security pledge on terms acceptable to the Secretary.

''(B) ADEQUATE FUNDING NOT AVAILABLE.—If the Secretary fully obligates funding to eligible projects for a fiscal year and adequate funding is not available to fund a credit instrument, a project sponsor of an eligible project may elect to enter into a master credit agreement and wait to execute a credit instrument until the fiscal year for which additional funds are available to receive credit assistance.'';

(3) in subsection (c)(1), in the matter preceding subparagraph (A), by striking ''this chapter'' and inserting ''the TIFIA program''; and

(4) in subsection (e), by striking ''this chapter'' and inserting ''the TIFIA program''.

(c) SECURED LOAN TERMS AND LIMITATIONS.—Section 603(b) of title 23, United States Code, is amended—

(1) in paragraph (2)—

(A) by striking ''The amount of'' and inserting the following:

''(A) IN GENERAL.—Except as provided in subparagraph (B), the amount of''; and

(B) by adding at the end the following:

''(B) RURAL PROJECTS FUND.—In the case of a project capitalizing a rural projects fund, the maximum amount of a secured loan made to a State infrastructure bank shall be determined in accordance with section 602(a)(5)(B)(iii).'';

(2) in paragraph (3)(A)(i)—

(A) in subclause (III), by striking ''or'' at the end;

(B) in subclause (IV), by striking ''and'' at the end and inserting ''or''; and

(C) by adding at the end the following:

''(V) in the case of a secured loan for a project capitalizing a rural projects fund, any other dedicated revenue sources available to a State infrastructure bank, including repayments from loans made by the bank for rural infrastructure projects; and'';

(3) in paragraph (4)(B)—

(A) in clause (i), by striking ''under this chapter'' and inserting ''or a rural projects fund under the TIFIA program''; and

(B) in clause (ii), by inserting ''and rural project funds'' after ''rural infrastructure projects'';

(4) in paragraph (5)—

(A) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and indenting appropriately;

(B) in the matter preceding subparagraph (A), by striking ''The final'' and inserting the following:

''(A) IN GENERAL.—Except as provided in subparagraph (B), the final''; and

(C) by adding at the end the following:

''(B) RURAL PROJECTS FUND.—In the case of a project capitalizing a rural projects fund, the final maturity date of the secured loan shall not exceed 35 years after the date on which the secured loan is obligated.'';

(5) in paragraph (8), by striking ''this chapter'' and inserting ''the TIFIA program''; and

(6) in paragraph (9)—

(A) by striking ''The total Federal assistance provided on a project receiving a loan under this chapter'' and inserting the following:

''(A) IN GENERAL.—The total Federal assistance provided for a project receiving a loan under the TIFIA program''; and

(B) by adding at the end the following:

''(B) RURAL PROJECTS FUND.—A project capitalizing a rural projects fund shall satisfy clause (i) through compliance with the Federal share requirement described in section 610(e)(3)(B).''.

(d) PROGRAM ADMINISTRATION.—Section 605 of title 23, United States Code, is amended—

(1) by striking ''this chapter'' each place it appears and inserting ''the TIFIA program''; and

(2) by adding at the end the following:

''(f) ASSISTANCE TO SMALL PROJECTS.—

''(1) RESERVATION OF FUNDS.—Of the funds made available to carry out the TIFIA program for each fiscal year, and after the setaside under section 608(a)(6), not less than $2,000,000 shall be made available for the Secretary to use in lieu of fees collected under subsection (b) for projects under the TIFIA program having eligible project costs that are reasonably anticipated not to equal or exceed $75,000,000.

''(2) RELEASE OF FUNDS.—Any funds not used under paragraph (1) shall be made available on October 1 of the following fiscal year to provide credit assistance to any project under the TIFIA program.''.

(e) STATE AND LOCAL PERMITS.—Section 606 of title 23, United States Code, is amended in the matter preceding paragraph (1) by striking ''this chapter'' and inserting ''the TIFIA program''.

(f) REGULATIONS.—Section 607 of title 23, United States Code, is amended by striking ''this chapter'' and inserting ''the TIFIA program''.

(g) FUNDING.—Section 608 of title 23, United States Code, is amended—

(1) by striking ''this chapter'' each place it appears and inserting ''the TIFIA program''; and

(2) in subsection (a)—

(A) in paragraph (2), by inserting ''of'' after ''504(f)'';

(B) in paragraph (3)—

(i) in subparagraph (A), by inserting ''or rural projects funds'' after ''rural infrastructure projects''; and

(ii) in subparagraph (B), by inserting ''or rural projects funds'' after ''rural infrastructure projects''; and

(C) in paragraph (6), by striking ''0.50 percent'' and inserting ''0.75 percent''.

(h) REPORTS TO CONGRESS.—Section 609 of title 23, United States Code, is amended by striking ''this chapter (other than section 610)'' each place it appears and inserting ''the TIFIA program''.

(i) STATE INFRASTRUCTURE BANK PROGRAM.—Section 610 of title 23, United States Code, is amended—

(1) in subsection (a), by adding at the end the following:

''(11) RURAL INFRASTRUCTURE PROJECT.—The term 'rural infrastructure project' has the meaning given the term in section 601.

''(12) RURAL PROJECTS FUND.—The term 'rural projects fund' has the meaning given the term in section 601.'';

(2) in subsection (d)—

(A) in paragraph (1)(A), by striking ''each of fiscal years'' and all that follows through the end of subparagraph (A) and inserting ''each fiscal year under each of paragraphs (1), (2), and (5) of section 104(b); and'';

(B) in paragraph (2), by striking ''in each of fiscal years 2005 through 2009'' and inserting ''in each fiscal year'';

(C) in paragraph (3), by striking ''in each of fiscal years 2005 through 2009'' and inserting ''in each fiscal year'';

(D) by redesignating paragraphs (4) through (6) as paragraphs (5) through (7), respectively;

(E) by inserting after paragraph (3) the following:

''(4) RURAL PROJECTS FUND.—Subject to subsection (j), the Secretary may permit a State entering into a cooperative agreement under this section to establish a State infrastructure bank to deposit into the rural projects fund of the bank the proceeds of a secured loan made to the bank in accordance with section 602 and 603.''; and

(F) in paragraph (6) (as redesignated), by striking ''section 133(d)(3)'' and inserting ''section 133(d)(1)(A)(i)'';

(3) by striking subsection (e) and inserting the following:

''(e) FORMS OF ASSISTANCE FROM STATE INFRASTRUCTURE BANKS.—

''(1) IN GENERAL.—A State infrastructure bank established under this section may—

''(A) with funds deposited into the highway account, transit account, or rail account of the bank, make loans or provide other forms of credit assistance to a public or private entity to carry out a project eligible for assistance under this section; and

''(B) with funds deposited into the rural projects fund, make loans to a public or private entity to carry out a rural infrastructure project.

''(2) SUBORDINATION OF LOAN.—The amount of a loan or other form of credit assistance provided for a project described in paragraph (1) may be subordinated to any other debt financing for the project.

''(3) MAXIMUM AMOUNT OF ASSISTANCE.—A State infrastructure bank established under this section may—

''(A) with funds deposited into the highway account, transit account, or rail account, make loans or provide other forms of credit assistance to a public or private entity in an amount up to 100 percent of the cost of carrying out a project eligible for assistance under this section; and

''(B) with funds deposited into the rural projects fund, make loans to a public or private entity in an amount not to exceed 80 percent of the cost of carrying out a rural infrastructure project.

''(4) INITIAL ASSISTANCE.—Initial assistance provided with respect to a project from Federal funds deposited into a State infrastructure bank under this section may not be made in the form of a grant.'';

(4) in subsection (g)—

(A) in paragraph (1), by striking ''each account'' and inserting ''the highway account, the transit account, and the rail account''; and

(B) in paragraph (4), by inserting '', except that any loan funded from the rural projects fund of the bank shall bear interest at or below the interest rate charged for the TIFIA loan provided to the bank under section 603'' after ''feasible''; and

(5) in subsection (k), by striking ''For each of fiscal years 2005 through 2009'' and inserting ''For each fiscal year''.

TITLE IV—TECHNICAL CORRECTIONS

SEC. 14001. TECHNICAL CORRECTIONS.

(a) Section 101(a)(29) of title 23, United States Code, is amended—

(1) in subparagraph (B), by inserting a comma after ''disabilities''; and

(2) in subparagraph (F)(i), by striking ''133(b)(11)'' and inserting ''133(b)(14)''.

(b) Section 119(d)(1)(A) of title 23, United States Code, is amended by striking ''mobility,'' and inserting ''congestion reduction, system reliability,''.

(c) Section 126(b) of title 23, United States Code (as amended by section 11014(b)), is amended by striking ''133(d)'' and inserting ''133(d)(1)(A)''.

(d) Section 127(a)(3) of title 23, United States Code, is amended by striking ''118(b)(2) of this title'' and inserting ''118(b)''.

(e) Section 150(c)(3)(B) of title 23, United States Code, is amended by striking the semicolon at the end and inserting a period.

(f) Section 153(h)(2) of title 23, United States Code, is amended by striking ''paragraphs (1) through (3)'' and inserting ''paragraphs (1), (2), and (4)''.

(g) Section 163(f)(2) of title 23, United States Code, is amended by striking ''118(b)(2)'' and inserting ''118(b)''.

(h) Section 165(c)(7) of title 23, United States Code, is amended by striking ''paragraphs (2), (4), (7), (8), (14), and (19)'' and inserting ''paragraphs (2), (4), (6), (7), and (14)''.

(i) Section 202(b)(3) of title 23, United States Code, is amended—

(1) in subparagraph (A)(i), in the matter preceding subclause (I), by inserting ''(a)(6),'' after ''subsections''; and

(2) in subparagraph (C)(ii)(IV), by striking ''(III).]'' and inserting ''(III).''.

(j) Section 217(a) of title 23, United States Code, is amended by striking ''104(b)(3)'' and inserting ''104(b)(4)''.

(k) Section 327(a)(2)(B)(iii) of title 23, United States Code, is amended by striking ''(42 U.S.C. 13 4321 et seq.)'' and inserting ''(42 U.S.C. 4321 et seq.)''.

(l) Section 504(a)(4) of title 23, United States Code, is amended by striking ''104(b)(3)'' and inserting ''104(b)(2)''.

(m) Section 515 of title 23, United States Code, is amended by striking ''this chapter'' each place it appears and inserting ''sections 512 through 518''.

(n) Section 518(a) of title 23, United States Code, is amended by inserting ''a report'' after ''House of Representatives''.

(o) Section 6302(b)(3)(B)(vi)(III) of title 49, United States Code, is amended by striking ''6310'' and inserting ''6309''.

(p) Section 1301(*l*)(3) of SAFETEA–LU (23 U.S.C. 101 note; Public Law 109–59) is amended—

(1) in subparagraph (A)(i), by striking ''complied'' and inserting ''compiled''; and

(2) in subparagraph (B), by striking ''paragraph (1)'' and inserting ''subparagraph (A)''.

(q) Section 4407 of SAFETEA–LU (Public Law 109–59; 119 Stat. 1777), is amended by striking ''hereby enacted into law'' and inserting ''granted''.

(r) Section 51001(a)(1) of the Transportation Research and Innovative Technology Act of 2012 (126 Stat. 864) is amended by striking ''sections 503(b), 503(d), and 509'' and inserting ''section 503(b)''.

TITLE V—MISCELLANEOUS

SEC. 15001. APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM.

Section 1528 of MAP–21 (40 U.S.C. 14501 note; Public Law 112–141) is amended—

(1) by striking ''2021'' each place it appears and inserting ''2050''; and

(2) by striking ''shall be 100 percent'' each place it appears and inserting ''shall be up to 100 percent, as determined by the State''.

SEC. 15002. APPALACHIAN REGIONAL DEVELOPMENT PROGRAM.

(a) HIGH-SPEED BROADBAND DEVELOPMENT INITIATIVE.—

(1) IN GENERAL.—Subchapter I of chapter 145 of subtitle IV of title 40, United States Code, is amended by adding at the end the following:

''§ 14509. High-speed broadband deployment initiative

''(a) IN GENERAL.—The Appalachian Regional Commission may provide technical assistance, make grants, enter into contracts, or otherwise provide amounts to individuals or entities in the Appalachian region for projects and activities—

''(1) to increase affordable access to broadband networks throughout the Appalachian region;

''(2) to conduct research, analysis, and training to increase broadband adoption efforts in the Appalachian region;

''(3) to provide technology assets, including computers, smartboards, and video projectors to educational systems throughout the Appalachian region;

''(4) to increase distance learning opportunities throughout the Appalachian region;

''(5) to increase the use of telehealth technologies in the Appalachian region; and

''(6) to promote e-commerce applications in the Appalachian region.

''(b) LIMITATION ON AVAILABLE AMOUNTS.—Of the cost of any activity eligible for a grant under this section—

''(1) not more than 50 percent may be provided from amounts appropriated to carry out this section; and

''(2) notwithstanding paragraph (1)—

''(A) in the case of a project to be carried out in a county for which a distressed county designation is in effect under section 14526, not more than 80 percent may be provided from amounts appropriated to carry out this section; and

''(B) in the case of a project to be carried out in a county for which an at-risk designation is in effect under section 14526, not more than 70 percent may be provided from amounts appropriated to carry out this section.

''(c) SOURCES OF ASSISTANCE.—Subject to subsection (b), a grant provided under this section may be provided from amounts made available to carry out this section in combination with amounts made available—

''(1) under any other Federal program; or

''(2) from any other source.

''(d) FEDERAL SHARE.—Notwithstanding any provision of law limiting the Federal share under any other Federal program, amounts made available to carry out this section may be used to increase that Federal share, as the Appalachian Regional Commission determines to be appropriate.''.

(2) CONFORMING AMENDMENT.—The analysis for chapter 145 of title 40, United States Code, is amended by inserting after the item relating to section 14508 the following:

''14509. High-speed broadband deployment initiative.''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 14703 of title 40, United States Code, is amended—

(1) in subsection (a)(5), by striking ''fiscal year 2012'' and inserting ''each of fiscal years 2012 through 2021'';

(2) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

(3) by inserting after subsection (b) the following:

''(c) HIGH-SPEED BROADBAND DEPLOYMENT INITIATIVE.—Of the amounts made available under subsection (a), $10,000,000 shall be used to carry out section 14509 for each of fiscal years 2016 through 2021.''.

(c) TERMINATION.—Section 14704 of title 40, United States Code, is amended by striking ''2012'' and inserting ''2021''.

(d) EFFECTIVE DATE.—This section and the amendments made by this section take effect on October 1, 2015.

SEC. 15003. WATER INFRASTRUCTURE FINANCE AND INNOVATION.

Section 3907(a) of title 33, United States Code, is amended—

(1) by striking paragraph (5); and

(2) by redesignating paragraphs (6) and (7) as paragraphs (5) and (6), respectively.

SEC. 15004. ADMINISTRATIVE PROVISIONS TO ENCOURAGE POLLINATOR HABITAT AND FORAGE ON TRANSPORTATION RIGHTS-OF-WAY.

(a) IN GENERAL.—Section 319 of title 23, United States Code, is amended—

(1) in subsection (a), by inserting ''(including the enhancement of habitat and forage for pollinators)'' before ''adjacent''; and

(2) by adding at the end the following:

''(c) ENCOURAGEMENT OF POLLINATOR HABITAT AND FORAGE DEVELOPMENT AND PROTECTION ON TRANSPORTATION RIGHTS-OF-WAY.—In carrying out any program administered by the Secretary under this title, the Secretary shall, in conjunction with willing States, as appropriate—

''(1) encourage integrated vegetation management practices on roadsides and other transportation rights-of-way, including reduced mowing; and

''(2) encourage the development of habitat and forage for Monarch butterflies, other native pollinators, and honey bees through plantings of native forbs and grasses, including noninvasive, native milkweed species that can serve as migratory way stations for butterflies and facilitate migrations of other pollinators.''.

(b) PROVISION OF HABITAT, FORAGE, AND MIGRATORY WAY STATIONS FOR MONARCH BUTTERFLIES, OTHER NATIVE POLLINATORS, AND HONEY BEES.—Section 329(a)(1) of title 23, United States Code, is amended by inserting ''provision of habitat, forage, and migratory way stations for Monarch butterflies, other native pollinators, and honey bees,'' before ''and aesthetic enhancement''.

SEC. 15005. STUDY ON PERFORMANCE OF BRIDGES.

(a) IN GENERAL.—Subject to subsection (c), the Administrator of the Federal Highway Administration (referred to in this section as the ''Administrator'') shall commission the Transportation Research Board of the National Academy of Sciences to conduct a study on the performance of bridges that received funding under the innovative bridge research and construction program (referred to in this section as the ''program'') under section 503(b) of title 23, United States Code (as in effect on the day before the date of enactment of SAFETEA–LU (Public Law 109–59; 119 Stat. 1144)) in meeting the goals of that program, which included—

(1) the development of new, cost-effective innovative material highway bridge applications;

(2) the reduction of maintenance costs and lifecycle costs of bridges, including the costs of new construction, replacement, or rehabilitation of deficient bridges;

(3) the development of construction techniques to increase safety and reduce construction time and traffic congestion;

(4) the development of engineering design criteria for innovative products and materials for use in highway bridges and structures;

(5) the development of cost-effective and innovative techniques to separate vehicle and pedestrian traffic from railroad traffic;

(6) the development of highway bridges and structures that will withstand natural disasters, including alternative processes for the seismic retrofit of bridges; and

(7) the development of new nondestructive bridge evaluation technologies and techniques.

(b) CONTENTS.—The study commissioned under subsection (a) shall include—

(1) an analysis of the performance of bridges that received funding under the program in meeting the goals described in paragraphs (1) through (7) of subsection (a);

(2) an analysis of the utility, compared to conventional materials and technologies, of each of the innovative materials and technologies used in projects for bridges under the program in meeting the needs of the United States in 2015 and in the future for a sustainable and low lifecycle cost transportation system;

(3) recommendations to Congress on how the installed and lifecycle costs of bridges could be reduced through the use of innovative materials and technologies, including, as appropriate, any changes in the design and construction of bridges needed to maximize the cost reductions; and

(4) a summary of any additional research that may be needed to further evaluate innovative approaches to reducing the installed and lifecycle costs of highway bridges.

(c) PUBLIC COMMENT.—Before commissioning the study under subsection (a), the Administrator shall provide an opportunity for public comment on the study proposal.

(d) DATA FROM STATES.—Each State that received funds under the program shall provide to the Transportation Research Board any relevant data needed to carry out the study commissioned under subsection (a).

(e) DEADLINE.—The Administrator shall submit to Congress the study commissioned under subsection (a) not later than 3 years after the date of enactment of this Act.

SEC. 15006. SPORT FISH RESTORATION AND RECREATIONAL BOATING SAFETY.

Section 4 of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777c), as amended by section 73103, is amended—

(1) in subsection (a), in the matter preceding paragraph (1) by striking ''2015'' and inserting ''2021''; and

(2) in subsection (b)(1)(A) by striking ''2015'' and inserting ''2021''.

DIVISION B—PUBLIC TRANSPORTATION

TITLE XXI—FEDERAL PUBLIC TRANSPORTATION ACT

SEC. 21001. SHORT TITLE.

This title may be cited as the ''Federal Public Transportation Act of 2015''.

SEC. 21002. DEFINITIONS.

Section 5302 of title 49, United States Code, is amended—

(1) in paragraph (1)(E), by striking ''bicycle storage facilities and installing equipment'' and inserting ''bicycle storage shelters and parking facilities and the installation of equipment'';

(2) in paragraph (3)—

(A) by striking subparagraph (F) and inserting the following:

''(F) leasing equipment or a facility for use in public transportation;'';

(B) in subparagraph (G)—

(i) in clause (iv), by adding ''and'' at the end;

(ii) in clause (v), by striking ''and'' at the end; and

(iii) by striking clause (vi);

(C) in subparagraph (K), by striking ''or'' at the end;

(D) in subparagraph (L), by striking the period at the end and inserting a semicolon; and

(E) by adding at the end the following:

''(M) associated transit improvements; or

''(N) technological changes or innovations to modify low or no emission vehicles (as defined in section 5339(c)) or facilities.''; and

(3) by adding at the end the following:

''(24) VALUE CAPTURE.—The term 'value capture' means recovering the increased value to property located near public transportation resulting from investments in public transportation.''.

SEC. 21003. METROPOLITAN TRANSPORTATION PLANNING.

Section 5303 of title 49, United States Code, is amended—

(1) in subsection (a)(1), by inserting ''resilient'' after ''development of'';

(2) in subsection (c)(2), by striking ''and bicycle transportation facilities'' and inserting '', bicycle transportation facilities, intermodal facilities that support intercity transportation, including intercity buses and intercity bus facilities, and commuter vanpool providers'';

(3) in subsection (d)—

(A) by redesignating paragraphs (3) through (6) as paragraphs (4) through (7), respectively;

(B) by inserting after paragraph (2) the following:

''(3) REPRESENTATION.—

''(A) IN GENERAL.—Designation or selection of officials or representatives under paragraph (2) shall be determined by the metropolitan planning organization according to the bylaws or enabling statute of the organization.

''(B) PUBLIC TRANSPORTATION REPRESENTATIVE.—Subject to the bylaws or enabling statute of the metropolitan planning organization, a representative of a provider of public transportation may also serve as a representative of a local municipality.

''(C) POWERS OF CERTAIN OFFICIALS.—An official described in paragraph (2)(B) shall have responsibilities, actions, duties, voting rights, and any other authority commensurate with other officials described in paragraph (2)(B).''; and

(C) in paragraph (5), as so redesignated, by striking ''paragraph (5)'' and inserting ''paragraph (6)'';

(4) in subsection (e)(4)(B), by striking ''subsection (d)(5)'' and inserting ''subsection (d)(6)'';

(5) in subsection (g)(3)(A), by inserting ''natural disaster risk reduction,'' after ''environmental protection,'';

(6) in subsection (h)(1)—

(A) in subparagraph (G), by striking ''and'' at the end;

(B) in subparagraph (H), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(I) improve the resilience and reliability of the transportation system.'';

(7) in subsection (i)—

(A) in paragraph (2)—

(i) in subparagraph (A)(i), by striking ''transit'' and inserting ''public transportation facilities, intercity bus facilities'';

(ii) in subparagraph (G)—

(I) by striking ''and provide'' and inserting '', provide''; and

(II) by inserting before the period at the end the following: '', and reduce vulnerability due to natural disasters of the existing transportation infrastructure''; and

(iii) in subparagraph (H), by inserting before the period at the end the following: '', including consideration of the role that intercity buses may play in reducing congestion, pollution, and energy consumption in a cost-effective manner and strategies and investments that preserve and enhance intercity bus systems, including systems that are privately owned and operated'';

(B) in paragraph (6)(A)—

(i) by inserting ''public ports,'' before ''freight shippers''; and

(ii) by inserting ''(including intercity bus operators and commuter vanpool providers)'' after ''private providers of transportation''; and

(C) in paragraph (8), by striking ''paragraph (2)(C)'' each place that term appears and inserting ''paragraph (2)(E)'';

(8) in subsection (j)(5)(A), by striking ''subsection (k)(4)'' and inserting ''subsection (k)(3)'';

(9) in subsection (k)—

(A) by striking paragraph (3); and

(B) by redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively;

(10) in subsection (l)—

(A) in paragraph (1), by adding a period at the end; and

(B) in paragraph (2)(D), by striking ''of less than 200,000'' and inserting ''with a population of 200,000 or less'';

(11) by striking subsection (n);

(12) by redsignating subsections (o), (p), and (q) as subsections (n), (o), and (p), respectively;

(13) in subsection (o), as so redesignated, by striking ''set aside under section 104(f) of title 23'' and inserting ''apportioned under paragraphs (5)(D) and (6) of section 104(b) of title 23''; and

(14) by adding at the end the following:

''(q) TREATMENT OF LAKE TAHOE REGION.—

''(1) DEFINITION OF LAKE TAHOE REGION.—In this subsection, the term 'Lake Tahoe Region' has the meaning given the term 'region' in subsection (a) of Article II of the Lake Tahoe Regional Planning Compact (Public Law 96–551; 94 Stat. 3234).

''(2) TREATMENT.—For purposes of this title, the Lake Tahoe Region shall be treated as—

''(A) a metropolitan planning organization;

''(B) a transportation management area under subsection (k); and

''(C) an urbanized area, which is comprised of—

''(i) a population of 145,000 and 25 square miles of land area in the State of California; and

''(ii) a population of 65,000 and 12 square miles of land area in the State of Nevada.''.

SEC. 21004. STATEWIDE AND NONMETROPOLITAN TRANSPORTATION PLANNING.

(a) IN GENERAL.—Section 5304 of title 49, United States Code, is amended—

(1) in subsection (a)(2), by striking ''and bicycle transportation facilities'' and inserting '', bicycle transportation facilities, intermodal facilities that support intercity transportation, including intercity buses and intercity bus facilities, and commuter vanpool providers'';

(2) in subsection (d)—

(A) in paragraph (1)—

(i) in subparagraph (G), by striking ''and'' at the end;

(ii) in subparagraph (H), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(I) improve the resilience and reliability of the transportation system.''; and

(B) in paragraph (2)—

(i) in subparagraph (B)(ii), by striking ''urbanized areas with a population of fewer than 200,000 individuals, as calculated according to the most recent decennial census, and'' and inserting ''areas''; and

(ii) in subparagraph (C)—

(I) by striking ''title 23'' and inserting ''this chapter''; and

(II) by striking ''urbanized areas with a population of fewer than 200,000 individuals, as calculated according to the most recent decennial census, and'' and inserting ''areas'';

(3) in subsection (e)(1)—

(A) by striking '''In'' and inserting ''In''; and

(B) by striking ''subsection (l)'' and inserting ''subsection (k)'';

(4) in subsection (f)—

(A) in paragraph (2)(B)(i), by striking ''subsection (l)'' and inserting ''subsection (k)'';

(B) in paragraph (3)(A)—

(i) in clause (i), by striking ''subsection (l)'' and inserting ''subsection (k)''; and

(ii) in clause (ii), by inserting ''(including intercity bus operators and commuter vanpool providers)'' after ''private providers of transportation'';

(C) in paragraph (7), in the matter preceding subparagraph (A), by striking ''should'' and inserting ''shall''; and

(D) in paragraph (8), by inserting '', including consideration of the role that intercity buses may play in reducing congestion, pollution, and energy consumption in a cost-effective manner and strategies and investments that preserve and enhance intercity bus systems, including systems that are privately owned and operated'' before the period at the end;

(5) in subsection (g)—

(A) in paragraph (2)(B)(i), by striking ''subsection (l)'' and inserting ''subsection (k)'';

(B) in paragraph (3)—

(i) by inserting ''public ports,'' before ''freight shippers''; and

(ii) by inserting ''(including intercity bus operators)'' after ''private providers of transportation''; and

(C) in paragraph (6)(A), by striking ''subsection (l)'' and inserting ''subsection (k)'';

(6) by striking subsection (i); and

(7) by redesignating subsections (j), (k), and (l) as subsections (i), (j), and (k), respectively.

(b) CONFORMING AMENDMENT.—Section 5303(b)(5) of title 49, United States Code, is amended by striking ''section 5304(l)'' and inserting ''section 5304(k)''.

SEC. 21005. URBANIZED AREA FORMULA GRANTS.

Section 5307 of title 49, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (2), by inserting ''or general public demand response service'' before ''during'' each place that term appears; and

(B) by adding at the end the following:

''(3) EXCEPTION TO SPECIAL RULE.—Notwithstanding paragraph (2), if a public transportation system described in that paragraph executes a written agreement with 1 or more other public transportation systems within the urbanized area to allocate funds for the purposes described in that paragraph by a method other than by measuring vehicle revenue hours, each public transportation system that is a party to the written agreement may follow the terms of the written agreement without regard to measured vehicle revenue hours referred to in that paragraph.

''(4) TEMPORARY AND TARGETED ASSISTANCE.—

''(A) ELIGIBILITY.—The Secretary may make a grant under this section to finance the operating cost of equipment and facilities to a recipient for use in public transportation in an area that the Secretary determines has—

''(i) a population of not fewer than 200,000 individuals, as determined by the Bureau of the Census; and

''(ii) a 3-month unemployment rate, as reported by the Bureau of Labor Statistics, that is—

''(I) greater than 7 percent; and

''(II) at least 2 percentage points greater than the lowest 3-month unemployment rate for the area during the 5-year period preceding the date of the determination.

''(B) AWARD OF GRANT.—

''(i) IN GENERAL.—Except as otherwise provided in this subparagraph, the Secretary may make a grant under this paragraph for not more than 2 consecutive fiscal years.

''(ii) ADDITIONAL YEAR.—If, at the end of the second fiscal year following the date on which the Secretary makes a determination under subparagraph (A) with respect to an area, the Secretary determines that the 3-month unemployment rate for the area is at least 2 percentage points greater than the unemployment rate for the area at the time the Secretary made the determination under subparagraph (A), the Secretary may make a grant to a recipient in the area for 1 additional consecutive fiscal year.

''(iii) EXCLUSION PERIOD.—Beginning on the last day of the last consecutive fiscal year for which a recipient receives a grant under this paragraph, the Secretary may not make a subsequent grant under this paragraph to the recipient for a number of fiscal years equal to the number of consecutive fiscal years in which the recipient received a grant under this paragraph.

''(C) LIMITATION.—

''(i) FIRST FISCAL YEAR.—For the first fiscal year following the date on which the Secretary makes a determination under subparagraph (A) with respect to an area, not more than 25 percent of the amount apportioned to a designated recipient under section 5336 for the fiscal year shall be available for operating assistance for the area.

''(ii) SECOND AND THIRD FISCAL YEARS.—For the second and third fiscal years following the date on which the Secretary makes a determination under subparagraph (A) with respect to an area, not more than 20 percent of the amount apportioned to a designated recipient under section 5336 for the fiscal year shall be available for operating assistance for the area.

''(D) PERIOD OF AVAILABILITY FOR OPERATING ASSISTANCE.—Operating assistance awarded under this paragraph shall be available for expenditure to a recipient in an area until the end of the second fiscal year following the date on which the Secretary makes a determination under subparagraph (A) with respect to the area, after which time any unexpended funds shall be available to the recipient for other eligible activities under this section.

''(E) CERTIFICATION.—The Secretary may make a grant for operating assistance under this paragraph for a fiscal year only if the recipient certifies that—

''(i) the recipient will maintain public transportation service levels at or above the current service level, which shall be demonstrated by providing an equal or greater number of vehicle hours of service in the fiscal year than the number of vehicle hours of service provided in the preceding fiscal year;

''(ii) any non-Federal entity that provides funding to the recipient, including a State or local governmental entity, will maintain the tax rate or rate of allocations dedicated to public transportation at or above the rate for the preceding fiscal year;

''(iii) the recipient has allocated the maximum amount of funding under this section for preventive maintenance costs eligible as a capital expense necessary to maintain the level and quality of service provided in the preceding fiscal year; and

''(iv) the recipient will not use funding under this section for new capital assets except as necessary for the existing system to maintain or achieve a state of good repair, assure safety, or replace obsolete technology.''; and

(2) in subsection (c)(1)—

(A) in subparagraph (C), by inserting ''in a state of good repair'' after ''equipment and facilities'';

(B) in subparagraph (J), by adding ''and'' at the end;

(C) by striking subparagraph (K); and

(D) by redesignating subparagraph (L) as subparagraph (K).

SEC. 21006. FIXED GUIDEWAY CAPITAL INVESTMENT GRANTS.

(a) IN GENERAL.—Section 5309 of title 49, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (3), by striking ''and weekend days'';

(B) in paragraph (6)—

(i) in subparagraph (A), by inserting '', small start projects,'' after ''new fixed guideway capital projects''; and

(ii) by striking subparagraph (B) and inserting the following:

''(B) 2 or more projects that are any combination of new fixed guideway capital projects, small start projects, and core capacity improvement projects.''; and

(C) in paragraph (7)—

(i) in subparagraph (A), by striking ''$75,000,000'' and inserting ''$100,000,000''; and

(ii) in subparagraph (B), by striking ''$250,000,000'' and inserting ''$300,000,000'';

(2) in subsection (d)—

(A) in paragraph (1)(B), by striking '', policies and land use patterns that promote public transportation,''; and

(B) in paragraph (2)(A)—

(i) in clause (iii), by adding ''and'' at the end;

(ii) by striking clause (iv); and

(iii) by redesignating clause (v) as clause (iv);

(3) in subsection (g)(2)(A)(i), by striking '', the policies and land use patterns that support public transportation,'';

(4) in subsection (i)—

(A) in paragraph (1), by striking ''subsection (d) or (e)'' and inserting ''subsection (d), (e), or (h)'';

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by inserting ''new fixed guideway capital project or core capacity improvement'' after ''federally funded'';

(ii) by striking subparagraph (D) and inserting the following:

''(D) the program of interrelated projects, when evaluated as a whole—

''(i) meets the requirements of subsection (d)(2), subsection (e)(2), or paragraphs (3) and (4) of subsection (h), as applicable, if the program is comprised entirely of—

''(I) new fixed guideway capital projects;

''(II) core capacity improvement projects; or

''(III) small start projects; or

''(ii) meets the requirements of subsection (d)(2) if the program is comprised of any combination of new fixed guideway projects, small start projects, and core capacity improvement projects;''; and

(iii) in subparagraph (F), by inserting ''or (h)(5), as applicable'' after ''subsection (f)''; and

(C) in paragraph (3), by striking subparagraph (A) and inserting the following:

''(A) PROJECT ADVANCEMENT.—A project receiving a grant under this section that is part of a program of interrelated projects may not advance—

''(i) in the case of a small start project, from the project development phase to the construction phase unless the Secretary determines that the program of interrelated projects meets the applicable requirements of this section and there is a reasonable likelihood that the program will continue to meet such requirements; or

''(ii) in the case of a new fixed guideway capital project or a core capacity improvement project, from the project development phase to the engineering phase, or from the engineering phase to the construction phase, unless the Secretary determines that the program of interrelated projects meets the applicable requirements of this section and there is a reasonable likelihood that the program will continue to meet such requirements.''; and

(5) by adding at the end the following:

''(p) JOINT PUBLIC TRANSPORTATION AND INTERCITY PASSENGER RAIL PROJECTS.—

''(1) IN GENERAL.—The Secretary may make grants for new fixed guideway capital projects and core capacity improvement projects that provide both public transportation and intercity passenger rail service.

''(2) ELIGIBLE COSTS.—Eligible costs for a project under this subsection shall be limited to the net capital costs of the public transportation costs attributable to the project based on projected use of the new segment or expanded capacity of the project corridor, not including project elements designed to achieve or maintain a state of good repair, as determined by the Secretary under paragraph (4).

''(3) PROJECT JUSTIFICATION AND LOCAL FINANCIAL COMMITMENT.—A project under this subsection shall be evaluated for project justification and local financial commitment under subsections (d), (e), (f), and (h), as applicable to the project, based on—

''(A) the net capital costs of the public transportation costs attributable to the project as determined under paragraph (4); and

''(B) the share of funds dedicated to the project from sources other than this section included in the unified finance plan for the project.

''(4) CALCULATION OF NET CAPITAL PROJECT COST.—The Secretary shall estimate the net capital costs of a project under this subsection based on—

''(A) engineering studies;

''(B) studies of economic feasibility;

''(C) the expected use of equipment or facilities; and

''(D) the public transportation costs attributable to the project.

''(5) GOVERNMENT SHARE OF NET CAPITAL PROJECT COST.—

''(A) GOVERNMENT SHARE.—The Government share shall not exceed 80 percent of the net capital cost attributable to the public transportation costs of a project under this subsection as determined under paragraph (4).

''(B) NON-GOVERNMENT SHARE.—The remainder of the net capital cost attributable to the public transportation costs of a project under this subsection shall be provided from an undistributed cash surplus, a replacement or depreciation cash fund or reserve, or new capital.''.

(b) EXPEDITED PROJECT DELIVERY FOR CAPITAL INVESTMENT GRANTS PILOT PROGRAM.—

(1) DEFINITIONS.—In this subsection, the following definitions shall apply:

(A) APPLICANT.—The term ''applicant'' means a State or local governmental authority that applies for a grant under this subsection.

(B) CAPITAL PROJECT; FIXED GUIDEWAY; LOCAL GOVERNMENTAL AUTHORITY; PUBLIC TRANSPORTATION; STATE; STATE OF GOOD REPAIR.—The terms ''capital project'', ''fixed guideway'', ''local governmental authority'', ''public transportation'', ''State'', and ''state of good repair'' have the meanings given those terms in section 5302 of title 49, United States Code.

(C) CORE CAPACITY IMPROVEMENT PROJECT.—The term ''core capacity improvement project''—

(i) means a substantial corridor-based capital investment in an existing fixed guideway system that increases the capacity of a corridor by not less than 10 percent; and

(ii) may include project elements designed to aid the existing fixed guideway system in making substantial progress towards achieving a state of good repair.

(D) CORRIDOR-BASED BUS RAPID TRANSIT PROJECT.—The term ''corridor-based bus rapid transit project'' means a small start project utilizing buses in which the project represents a substantial investment in a defined corridor as demonstrated by features that emulate the services provided by rail fixed guideway public transportation systems—

(i) including—

(I) defined stations;

(II) traffic signal priority for public transportation vehicles;

(III) short headway bidirectional services for a substantial part of weekdays; and

(IV) any other features the Secretary may determine support a long-term corridor investment; and

(ii) the majority of which does not operate in a separated right-of-way dedicated for public transportation use during peak periods.

(E) ELIGIBLE PROJECT.—The term ''eligible project'' means a new fixed guideway capital project, a small start project, or a core capacity improvement project that has not entered into a full funding grant agreement with the Federal Transit Administration before the date of enactment of this Act.

(F) FIXED GUIDEWAY BUS RAPID TRANSIT PROJECT.—The term ''fixed guideway bus rapid transit project'' means a bus capital project—

(i) in which the majority of the project operates in a separated right-of-way dedicated for public transportation use during peak periods;

(ii) that represents a substantial investment in a single route in a defined corridor or subarea; and

(iii) that includes features that emulate the services provided by rail fixed guideway public transportation systems, including—

(I) defined stations;

(II) traffic signal priority for public transportation vehicles;

(III) short headway bidirectional services for a substantial part of weekdays and weekend days; and

(IV) any other features the Secretary may determine are necessary to produce high-quality public transportation services that emulate the services provided by rail fixed guideway public transportation systems.

(G) NEW FIXED GUIDEWAY CAPITAL PROJECT.—The term ''new fixed guideway capital project'' means—

(i) a fixed guideway project that is a minimum operable segment or extension to an existing fixed guideway system; or

(ii) a fixed guideway bus rapid transit project that is a minimum operable segment or an extension to an existing bus rapid transit system.

(H) RECIPIENT.—The term ''recipient'' means a recipient of funding under chapter 53 of title 49, United States Code.

(I) SMALL START PROJECT.—The term ''small start project'' means a new fixed guideway capital project, a fixed guideway bus rapid transit project, or a corridor-based bus rapid transit project for which—

(i) the Federal assistance provided or to be provided under this subsection is less than $75,000,000; and

(ii) the total estimated net capital cost is less than $300,000,000.

(2) GENERAL AUTHORITY.—The Secretary may make grants under this subsection to States and local governmental authorities to assist in financing—

(A) new fixed guideway capital projects or small start projects, including the acquisition of real property, the initial acquisition of rolling stock for the system, the acquisition of rights-of-way, and relocation, for projects in the advanced stages of planning and design; and

(B) core capacity improvement projects, including the acquisition of real property, the acquisition of rights-of-way, double tracking, signalization improvements, electrification, expanding system platforms, acquisition of rolling stock associated with corridor improvements increasing capacity, construction of infill stations, and such other capacity improvement projects as the Secretary determines are appropriate to increase the capacity of an existing fixed guideway system corridor by not less than 10 percent. Core capacity improvement projects do not include elements to improve general station facilities or parking, or acquisition of rolling stock alone.

(3) GRANT REQUIREMENTS.—

(A) IN GENERAL.—The Secretary may make not more than 10 grants under this subsection for an eligible project if the Secretary determines that—

(i) the eligible project is part of an approved transportation plan required under sections 5303 and 5304 of title 49, United States Code;

(ii) the applicant has, or will have—

(I) the legal, financial, and technical capacity to carry out the eligible project, including the safety and security aspects of the eligible project;

(II) satisfactory continuing control over the use of the equipment or facilities;

(III) the technical and financial capacity to maintain new and existing equipment and facilities; and

(IV) advisors providing guidance to the applicant on the terms and structure of the project that are independent from investors in the project;

(iii) the eligible project is supported, or will be supported, in part, through a public-private partnership, provided such support is determined by local policies, criteria, and decisionmaking under section 5306(a) of title 49, United States Code;

(iv) the eligible project is justified based on findings presented by the project sponsor to the Secretary, including—

(I) mobility improvements attributable to the project;

(II) environmental benefits associated with the project;

(III) congestion relief associated with the project;

(IV) economic development effects derived as a result of the project; and

(V) estimated ridership projections; and

(v) the eligible project is supported by an acceptable degree of local financial commitment (including evidence of stable and dependable financing sources).

(B) CERTIFICATION.—An applicant that has submitted the certifications required under subparagraphs (A), (B), (C), and (H) of section 5307(c)(1) of title 49, United States Code, shall be deemed to have provided sufficient information upon which the Secretary may make the determinations required under this paragraph.

(C) TECHNICAL CAPACITY.—The Secretary shall use an expedited technical capacity review process for applicants that have recently and successfully completed not less than 1 new fixed guideway capital project, small start project, or core capacity improvement project, if—

(i) the applicant achieved budget, cost, and ridership outcomes for the project that are consistent with or better than projections; and

(ii) the applicant demonstrates that the applicant continues to have the staff expertise and other resources necessary to implement a new project.

(D) FINANCIAL COMMITMENT.—

(i) REQUIREMENTS.—In determining whether an eligible project is supported by an acceptable degree of local financial commitment and shows evidence of stable and dependable financing sources for purposes of subparagraph (A)(v), the Secretary shall require that—

(I) each proposed source of capital and operating financing is stable, reliable, and available within the proposed eligible project timetable; and

(II) resources are available to recapitalize, maintain, and operate the overall existing and proposed public transportation system, including essential feeder bus and other services necessary, without degradation to the existing level of public transportation services.

(ii) CONSIDERATIONS.—In assessing the stability, reliability, and availability of proposed sources of financing under clause (i), the Secretary shall consider—

(I) the reliability of the forecasting methods used to estimate costs and revenues made by the applicant and the contractors to the applicant;

(II) existing grant commitments;

(III) the degree to which financing sources are dedicated to the proposed eligible project;

(IV) any debt obligation that exists or is proposed by the applicant, for the proposed eligible project or other public transportation purpose; and

(V) private contributions to the eligible project, including cost-effective project delivery, management or transfer of project risks, expedited project schedule, financial partnering, and other public-private partnership strategies.

(E) LABOR STANDARDS.—The requirements under section 5333 of title 49, United States Code, shall apply to each recipient of a grant under this subsection.

(4) PROJECT ADVANCEMENT.—An applicant that desires a grant under this subsection and meets the requirements of paragraph (3) shall submit to the Secretary, and the Secretary shall approve for advancement, a grant request that contains—

(A) identification of an eligible project;

(B) a schedule and finance plan for the construction and operation of the eligible project;

(C) an analysis of the efficiencies of the proposed eligible project development and delivery methods and innovative financing arrangement for the eligible project, including any documents related to the—

(i) public-private partnership required under paragraph (3)(A)(iii); and

(ii) project justification required under paragraph (3)(A)(iv); and

(D) a certification that the existing public transportation system of the applicant or, in the event that the applicant does not operate a public transportation system, the public transportation system to which the proposed project will be attached, is in a state of good repair.

(5) WRITTEN NOTICE FROM THE SECRETARY.—

(A) IN GENERAL.—Not later than 120 days after the date on which the Secretary receives a grant request of an applicant under paragraph (4), the Secretary shall provide written notice to the applicant—

(i) of approval of the grant request; or

(ii) if the grant request does not meet the requirements under paragraph (4), of disapproval of the grant request, including a detailed explanation of the reasons for the disapproval.

(B) CONCURRENT NOTICE.—The Secretary shall provide concurrent notice of an approval or disapproval of a grant request under subparagraph (A) to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

(6) WAIVER.—The Secretary may grant a waiver to an applicant that does not comply with paragraph (4)(D) if—

(A) the eligible project meets the definition of a core capacity improvement project; and

(B) the Secretary certifies that the eligible project will allow the applicant to make substantial progress in achieving a state of good repair.

(7) SELECTION CRITERIA.—The Secretary may enter into a full funding grant agreement with an applicant under this subsection for an eligible project for which an application has been submitted and approved for advancement by the Secretary under paragraph (4), only if the applicant has completed the planning and activities required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(8) LETTERS OF INTENT AND FULL FUNDING GRANT AGREEMENTS.—

(A) LETTERS OF INTENT.—

(i) AMOUNTS INTENDED TO BE OBLIGATED.—The Secretary may issue a letter of intent to an applicant announcing an intention to obligate, for an eligible project under this subsection, an amount from future available budget authority specified in law that is not more than the amount stipulated as the financial participation of the Secretary in the eligible project. When a letter is issued for an eligible project under this subsection, the amount shall be sufficient to complete at least an operable segment.

(ii) TREATMENT.—The issuance of a letter under clause (i) is deemed not to be an obligation under section 1108(c), 1501, or 1502(a) of title 31, United States Code, or an administrative commitment.

(B) FULL FUNDING GRANT AGREEMENTS.—

(i) IN GENERAL.—Except as provided in clause (v), an eligible project shall be carried out under this subsection through a full funding grant agreement.

(ii) CRITERIA.—The Secretary shall enter into a full funding grant agreement, based the requirements of this subparagraph, with each applicant receiving assistance for an eligible project that has received a written notice of approval under paragraph (5)(A)(i).

(iii) TERMS.—A full funding grant agreement shall—

(I) establish the terms of participation by the Federal Government in the eligible project;

(II) establish the maximum amount of Federal financial assistance for the eligible project;

(III) include the period of time for completing construction of the eligible project, consistent with the terms of the public-private partnership agreement, even if that period extends beyond the period of an authorization; and

(IV) make timely and efficient management of the eligible project easier according to the law of the United States.

(iv) SPECIAL FINANCIAL RULES.—

(I) IN GENERAL.—A full funding grant agreement under this subparagraph obligates an amount of available budget authority specified in law and may include a commitment, contingent on amounts to be specified in law in advance for commitments under this subparagraph, to obligate an additional amount from future available budget authority specified in law.

(II) STATEMENT OF CONTINGENT COMMITMENT.—A full funding grant agreement shall state that the contingent commitment is not an obligation of the Federal Government.

(III) INTEREST AND OTHER FINANCING COSTS.—Interest and other financing costs of efficiently carrying out a part of the eligible project within a reasonable time are a cost of carrying out the eligible project under a full funding grant agreement, except that eligible costs may not be more than the cost of the most favorable financing terms reasonably available for the eligible project at the time of borrowing. The applicant shall certify, in a way satisfactory to the Secretary, that the applicant has shown reasonable diligence in seeking the most favorable financing terms.

(IV) COMPLETION OF OPERABLE SEGMENT.—The amount stipulated in an agreement under this subparagraph for a new fixed guideway capital project, core capacity improvement project, or small start project shall be sufficient to complete at least an operable segment.

(v) EXCEPTION.—

(I) IN GENERAL.—The Secretary, to the maximum extent practicable, shall provide Federal assistance under this subsection for a small start project in a single grant. If the Secretary cannot provide such a single grant, the Secretary may execute an expedited grant agreement in order to include a commitment on the part of the Secretary to provide funding for the project in future fiscal years.

(II) TERMS OF EXPEDITED GRANT AGREEMENTS.—In executing an expedited grant agreement under this clause, the Secretary may include in the agreement terms similar to those established under clause (iii).

(C) LIMITATION ON AMOUNTS.—

(i) IN GENERAL.—The Secretary may enter into full funding grant agreements under this paragraph for eligible projects that contain contingent commitments to incur obligations in such amounts as the Secretary determines are appropriate.

(ii) APPROPRIATION REQUIRED.—An obligation may be made under this paragraph only when amounts are appropriated for obligation.

(D) NOTIFICATION TO CONGRESS.—

(i) IN GENERAL.—Not later than 30 days before the date on which the Secretary issues a letter of intent or enters into a full funding grant agreement for an eligible project under this paragraph, the Secretary shall notify, in writing, the Committee on Banking, Housing, and Urban Affairs and the Committee on Appropriations of the Senate and the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives of the proposed letter of intent or full funding grant agreement.

(ii) CONTENTS.—The written notification under clause (i) shall include a copy of the proposed letter of intent or full funding grant agreement for the eligible project.

(9) GOVERNMENT SHARE OF NET CAPITAL PROJECT COST.—

(A) IN GENERAL.—A grant for an eligible project shall not exceed 25 percent of the net capital project cost.

(B) REMAINDER OF NET CAPITAL PROJECT COST.—The remainder of the net capital project cost shall be provided from an undistributed cash surplus, a replacement or depreciation cash fund or reserve, or new capital.

(C) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in this subsection shall be construed as authorizing the Secretary to require a non-Federal financial commitment for a project that is more than 75 percent of the net capital project cost.

(D) SPECIAL RULE FOR ROLLING STOCK COSTS.—In addition to amounts allowed pursuant to subparagraph (A), a planned extension to a fixed guideway system may include the cost of rolling stock previously purchased if the applicant satisfies the Secretary that only amounts other than amounts provided by the Federal Government were used and that the purchase was made for use on the extension. A refund or reduction of the remainder may be made only if a refund of a proportional amount of the grant of the Federal Government is made at the same time.

(E) FAILURE TO CARRY OUT PROJECT.—If an applicant does not carry out an eligible

project for reasons within the control of the applicant, the applicant shall repay all Federal funds awarded for the eligible project from all Federal funding sources, for all eligible project activities, facilities, and equipment, plus reasonable interest and penalty charges allowable by law.

(F) CREDITING OF FUNDS RECEIVED.—Any funds received by the Federal Government under this paragraph, other than interest and penalty charges, shall be credited to the appropriation account from which the funds were originally derived.

(10) AVAILABILITY OF AMOUNTS.—

(A) IN GENERAL.—An amount made available for an eligible project shall remain available to that eligible project for 5 fiscal years, including the fiscal year in which the amount is made available. Any amounts that are unobligated to the eligible project at the end of the 5-fiscal-year period may be used by the Secretary for any purpose under this subsection.

(B) USE OF DEOBLIGATED AMOUNTS.—An amount available under this subsection that is deobligated may be used for any purpose under this subsection.

(11) ANNUAL REPORT ON EXPEDITED PROJECT DELIVERY FOR CAPITAL INVESTMENT GRANTS.—Not later than the first Monday in February of each year, the Secretary shall submit to the Committee on Banking, Housing, and Urban Affairs and the Committee on Appropriations of the Senate and the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives a report that includes a proposed amount to be available to finance grants for anticipated projects under this subsection.

(12) BEFORE AND AFTER STUDY AND REPORT.—

(A) STUDY REQUIRED.—Each recipient shall conduct a study that—

(i) describes and analyzes the impacts of the eligible project on public transportation services and public transportation ridership;

(ii) describes and analyzes the consistency of predicted and actual benefits and costs of the innovative project development and delivery methods or innovative financing for the eligible project; and

(iii) identifies reasons for any differences between predicted and actual outcomes for the eligible project.

(B) SUBMISSION OF REPORT.—Not later than 2 years after an eligible project that is selected under this subsection begins revenue operations, the recipient shall submit to the Secretary a report on the results of the study conducted under subparagraph (A).

(13) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to—

(A) require the privatization of the operation or maintenance of any project for which an applicant seeks funding under this subsection;

(B) revise the determinations by local policies, criteria, and decisionmaking under section 5306(a) of title 49, United States Code;

(C) alter the requirements for locally developed, coordinated, and implemented transportation plans under sections 5303 and 5304 of title 49, United States Code; or

(D) alter the eligibilities or priorities for assistance under this subsection or section 5309 of title 49, United States Code.

SEC. 21007. MOBILITY OF SENIORS AND INDIVIDUALS WITH DISABILITIES.

(a) COORDINATION OF PUBLIC TRANSPORTATION SERVICES WITH OTHER FEDERALLY ASSISTED LOCAL TRANSPORTATION SERVICES.—

(1) DEFINITIONS.—In this subsection—

(A) the term ''allocated cost model'' means a method of determining the cost of trips by allocating the cost to each trip purpose served by a transportation provider in a manner that is proportional to the level of transportation service that the transportation provider delivers for each trip purpose, to the extent permitted by applicable Federal requirements; and

(B) the term ''Council'' means the Interagency Transportation Coordinating Council on Access and Mobility established under Executive Order 13330 (49 U.S.C. 101 note).

(2) COORDINATING COUNCIL ON ACCESS AND MOBILITY STRATEGIC PLAN.—Not later than 2 years after the date of enactment of this Act, the Council shall publish a strategic plan for the Council that—

(A) outlines the role and responsibilities of each Federal agency with respect to local transportation coordination, including non-emergency medical transportation;

(B) identifies a strategy to strengthen interagency collaboration;

(C) addresses any outstanding recommendations made by the Council in the 2005 Report to the President relating to the implementation of Executive Order 13330, including—

(i) a cost-sharing policy endorsed by the Council; and

(ii) recommendations to increase participation by recipients of Federal grants in locally developed, coordinated planning processes; and

(D) to the extent feasible, addresses recommendations by the Comptroller General of the United States concerning local coordination of transportation services.

(3) DEVELOPMENT OF COST-SHARING POLICY IN COMPLIANCE WITH APPLICABLE FEDERAL REQUIREMENTS.—In establishing the cost-sharing policy required under paragraph (2), the Council may consider, to the extent practicable—

(A) the development of recommended strategies for grantees of programs funded by members of the Council, including strategies for grantees of programs that fund non-emergency medical transportation, to use the cost-sharing policy in a manner that does not violate applicable Federal requirements; and

(B) optional incorporation of an allocated cost model to facilitate local coordination efforts that comply with applicable requirements of programs funded by members of the Council, such as—

(i) eligibility requirements;

(ii) service delivery requirements; and

(iii) reimbursement requirements.

(b) PILOT PROGRAM FOR INNOVATIVE COORDINATED ACCESS AND MOBILITY.—

(1) DEFINITIONS.—In this subsection—

(A) the term ''eligible project'' has the meaning given the term ''capital project'' in section 5302 of title 49, United States Code; and

(B) the term ''eligible recipient'' means a recipient or subrecipient, as those terms are defined in section 5310 of title 49, United States Code.

(2) GENERAL AUTHORITY.—The Secretary may make grants under this subsection to eligible recipients to assist in financing innovative projects for the transportation disadvantaged that improve the coordination of transportation services and non-emergency medical transportation services, including—

(A) the deployment of coordination technology;

(B) projects that create or increase access to community One-Call/One-Click Centers; and

(C) such other projects as determined by the Secretary.

(3) APPLICATION.—An eligible recipient shall submit to the Secretary an application that, at a minimum, contains—

(A) a detailed description of the eligible project;

(B) an identification of all eligible project partners and their specific role in the eligible project, including—

(i) private entities engaged in the coordination of non-emergency medical transportation services for the transportation disadvantaged; or

(ii) nonprofit entities engaged in the coordination of non-emergency medical transportation services for the transportation disadvantaged;

(C) a description of how the eligible project would—

(i) improve local coordination or access to coordinated transportation services;

(ii) reduce duplication of service, if applicable; and

(iii) provide innovative solutions in the State or community; and

(D) specific performance measures the eligible project will use to quantify actual outcomes against expected outcomes.

(4) GOVERNMENT SHARE OF COSTS.—

(A) IN GENERAL.—The Government share of the cost of an eligible project carried out under this subsection shall not exceed 80 percent.

(B) NON-GOVERNMENT SHARE.—The non-Government share of the cost of an eligible project carried out under this subsection may be derived from in-kind contributions.

(5) RULE OF CONSTRUCTION.—For purposes of this subsection, non-emergency medical transportation services shall be limited to services eligible under Federal programs other than programs authorized under chapter 53 of title 49, United States Code.

(c) TECHNICAL CORRECTION.—Section 5310(a) of title 49, United States Code, is amended by striking paragraph (1) and inserting the following:

''(1) RECIPIENT.—The term 'recipient' means—

''(A) a designated recipient or a State that receives a grant under this section directly; or

''(B) a State or local governmental entity that operates a public transportation service.''.

SEC. 21008. FORMULA GRANTS FOR RURAL AREAS.

Section 5311 of title 49, United States Code, is amended—

(1) in subsection (c)(1), as amended by division G, by striking subparagraphs (A) and (B) and inserting the following:

''(A) $5,000,000 for each fiscal year shall be distributed on a competitive basis by the Secretary.

''(B) $30,000,000 for each fiscal year shall be apportioned as formula grants, as provided in subsection (j).''; and

(2) in subsection (j)(1)—

(A) in subparagraph (A)(iii), by striking ''(as defined by the Bureau of the Census)'' and inserting ''(American Indian Areas, Alaska Native Areas, and Hawaiian Home Lands, as defined by the Bureau of the Census)''; and

(B) by adding at the end the following:

''(E) ALLOCATION BETWEEN MULTIPLE INDIAN TRIBES.—If more than 1 Indian tribe provides public transportation service on tribal lands in a single Tribal Statistical Area, and the Indian tribes do not determine how to allocate the funds apportioned under clause (iii) of subparagraph (A) between the Indian tribes, the Secretary shall allocate the funds such that each Indian tribe shall receive an

amount equal to the total amount apportioned under such clause (iii) multiplied by the ratio of the number of annual unlinked passenger trips provided by each Indian tribe, as reported to the National Transit Database, to the total unlinked passenger trips provided by all the Indian tribes in the Tribal Statistical Area.''.

SEC. 21009. RESEARCH, DEVELOPMENT, DEMONSTRATION, AND DEPLOYMENT PROGRAM.

(a) IN GENERAL.—Section 5312 of title 49, United States Code, is amended—

(1) in the section heading, by striking ''**projects**'' and inserting ''**program**'';

(2) in subsection (a), in the subsection heading, by striking ''PROJECTS'' and inserting ''PROGRAM'';

(3) in subsection (d)—

(A) in paragraph (3)—

(i) in the matter preceding subparagraph (A), by inserting ''demonstration, deployment, or evaluation'' before ''project that'';

(ii) in subparagraph (A), by striking ''and'' at the end;

(iii) in subparagraph (B), by striking the period at the end and inserting ''; or''; and

(iv) by adding at the end the following:

''(C) the deployment of low or no emission vehicles, zero emission vehicles, or associated advanced technology.''; and

(B) by striking paragraph (5) and inserting the following:

''(5) PROHIBITION.—The Secretary may not make grants under this subsection for the demonstration, deployment, or evaluation of a vehicle that is in revenue service unless the Secretary determines that the project makes significant technological advancements in the vehicle.

''(6) DEFINITIONS.—In this subsection—

''(A) the term 'direct carbon emissions' means the quantity of direct greenhouse gas emissions from a vehicle, as determined by the Administrator of the Environmental Protection Agency;

''(B) the term 'low or no emission vehicle' means—

''(i) a passenger vehicle used to provide public transportation that the Secretary determines sufficiently reduces energy consumption or harmful emissions, including direct carbon emissions, when compared to a comparable standard vehicle; or

''(ii) a zero emission vehicle used to provide public transportation; and

''(C) the term 'zero emission vehicle' means a low or no emission vehicle that produces no carbon or particulate matter.'';

(4) by redesignating subsections (e) and (f) as subsections (f) and (g), respectively;

(5) by inserting after subsection (d) the following:

''(e) LOW OR NO EMISSION VEHICLE COMPONENT ASSESSMENT.—

''(1) DEFINITIONS.—In this subsection—

''(A) the term 'covered institution of higher education' means an institution of higher education with which the Secretary enters into a contract or cooperative agreement, or to which the Secretary makes a grant, under paragraph (2)(B) to operate a facility designated under paragraph (2)(A);

''(B) the terms 'direct carbon emissions' and 'low or no emission vehicle' have the meanings given those terms in subsection (d)(6);

''(C) the term 'institution of higher education' has the meaning given the term in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002); and

''(D) the term 'low or no emission vehicle component' means an item that is separately installed in and removable from a low or no emission vehicle.

''(2) ASSESSING LOW OR NO EMISSION VEHICLE COMPONENTS.—

''(A) IN GENERAL.—The Secretary shall designate not more than 2 facilities to conduct testing, evaluation, and analysis of low or no emission vehicle components intended for use in low or no emission vehicles.

''(B) OPERATION AND MAINTENANCE.—

''(i) IN GENERAL.—The Secretary shall enter into a contract or cooperative agreement with, or make a grant to, not more than 2 institutions of higher education to each operate and maintain a facility designated under subparagraph (A).

''(ii) REQUIREMENTS.—An institution of higher education described in clause (i) shall have—

''(I) previous experience with transportation-related advanced component and vehicle evaluation;

''(II) laboratories capable of testing and evaluation;

''(III) direct access to or a partnership with a testing facility capable of emulating real-world circumstances in order to test low or no emission vehicle components installed on the intended vehicle;

''(IV) extensive knowledge of public-private partnerships in the transportation sector, with emphasis on development and evaluation of materials, products, and components;

''(V) the ability to reduce costs to partners by leveraging existing programs to provide complementary research, development, testing, and evaluation; and

''(VI) the means to conduct performance assessments on low or no emission vehicle components based on industry standards.

''(C) FEES.—A covered institution of higher education shall establish and collect fees, which shall be approved by the Secretary, for the assessment of low or no emission components at the applicable facility designated under subparagraph (A).

''(D) AVAILABILITY OF AMOUNTS TO PAY FOR ASSESSMENT.—The Secretary shall enter into a contract or cooperative agreement with, or make a grant to, each covered institution of higher education under which—

''(i) the Secretary shall pay 50 percent of the cost of assessing a low or no emission vehicle component at the applicable facility designated under subparagraph (A) from amounts made available to carry out this section; and

''(ii) the remaining 50 percent of such cost shall be paid from amounts recovered through the fees established and collected pursuant to subparagraph (C).

''(E) VOLUNTARY TESTING.—A manufacturer of a low or no emission vehicle component is not required to assess the low or no emission vehicle component at a facility designated under subparagraph (A).

''(F) COMPLIANCE WITH SECTION 5318.—Notwithstanding whether a low or no emission vehicle component is assessed at a facility designated under subparagraph (A), each new bus model shall comply with the requirements under section 5318.

''(G) SEPARATE FACILITY.—Each facility designated under subparagraph (A) shall be separate and distinct from the facility operated and maintained under section 5318.

''(3) LOW OR NO EMISSION VEHICLE COMPONENT PERFORMANCE REPORTS.—Not later than 2 years after the date of enactment of the Federal Public Transportation Act of 2015, and annually thereafter, the Secretary shall issue a report on low or no emission vehicle component assessments conducted at each facility designated under paragraph (2)(A), which shall include information related to the maintainability, reliability, performance, structural integrity, efficiency, and noise of those low or no emission vehicle components.

''(4) PUBLIC AVAILABILITY OF ASSESSMENTS.—Each assessment conducted at a facility designated under paragraph (2)(A) shall be made publically available, including to affected industries.

''(5) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to require—

''(A) a low or no emission vehicle component to be tested at a facility designated under paragraph (2)(A); or

''(B) the development or disclosure of a privately funded component assessment.'';

(6) in subsection (f), as so redesignated—

(A) in paragraph (2), by striking ''and'' at the end;

(B) by redesignating paragraph (3) as paragraph (4);

(C) by inserting after paragraph (2) the following:

''(3) a list of any projects that returned negative results in the preceding fiscal year and an analysis of such results; and''; and

(D) in paragraph (4), as so redesignated, by inserting before the period at the end the following: ''based on projects in the pipeline, ongoing projects, and anticipated research efforts necessary to advance certain projects to a subsequent research phase''; and

(7) by adding at the end the following:

''(h) COOPERATIVE RESEARCH PROGRAM.—

''(1) IN GENERAL.—The Secretary shall establish—

''(A) a public transportation cooperative research program under this subsection; and

''(B) an independent governing board for the program, which shall recommend public transportation research, development, and technology transfer activities the Secretary considers appropriate.

''(2) FEDERAL ASSISTANCE.—The Secretary may make grants to, and cooperative agreements with, the National Academy of Sciences to carry out activities under this subsection that the Secretary determines appropriate.

''(3) GOVERNMENT SHARE.—If there would be a clear and direct financial benefit to an entity under a grant or contract financed under this section, the Secretary shall establish a Government share consistent with that benefit.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) TITLE 49.—Chapter 53 of title 49, United States Code, is amended by striking section 5313.

(2) TABLE OF SECTIONS AMENDMENT.—The table of sections for chapter 53 of title 49, United States Code, is amended by striking the items relating to sections 5312 and 5313 and inserting the following:

''5312. Research, development, demonstration, and deployment program.
''[5313. Repealed.]''.

SEC. 21010. PRIVATE SECTOR PARTICIPATION.

(a) IN GENERAL.—Section 5315 of title 49, United States Code, is amended by adding at the end the following:

''(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to alter—

''(1) the eligibilities, requirements, or priority for assistance provided under this chapter; or

''(2) the requirements of section 5306(a).''.

(b) MAP-21 TECHNICAL CORRECTION.—Section 20013(d) of the Moving Ahead for Progress in the 21st Century Act (Public Law 112–141; 126 Stat. 694) is amended by striking ''5307(c)'' and inserting ''5307(b)''.

SEC. 21011. INNOVATIVE PROCUREMENT.

(a) IN GENERAL.—Chapter 53 of title 49, United States Code, is amended by inserting after section 5315 the following:

''§ 5316. Innovative procurement

''(a) DEFINITION.—In this section, the term 'grantee' means a recipient or subrecipient of assistance under this chapter.

''(b) COOPERATIVE PROCUREMENT.—

''(1) DEFINITIONS; GENERAL RULES.—

''(A) DEFINITIONS.—In this subsection—

''(i) the term 'cooperative procurement contract' means a contract—

''(I) entered into between a State government or eligible nonprofit and 1 or more vendors; and

''(II) under which the vendors agree to provide an option to purchase rolling stock and related equipment to multiple participants;

''(ii) the term 'eligible nonprofit entity' means—

''(I) a nonprofit entity that is not a grantee; or

''(II) a consortium of entities described in subclause (I);

''(iii) the terms 'lead nonprofit entity' and 'lead procurement agency' mean an eligible nonprofit entity or a State government, respectively, that acts in an administrative capacity on behalf of each participant in a cooperative procurement contract;

''(iv) the term 'participant' means a grantee that participates in a cooperative procurement contract; and

''(v) the term 'participate' means to purchase rolling stock and related equipment under a cooperative procurement contract using assistance provided under this chapter.

''(B) GENERAL RULES.—

''(i) PROCUREMENT NOT LIMITED TO INTRASTATE PARTICIPANTS.—A grantee may participate in a cooperative procurement contract without regard to whether the grantee is located in the same State as the parties to the contract.

''(ii) VOLUNTARY PARTICIPATION.—Participation by grantees in a cooperative procurement contract shall be voluntary.

''(iii) CONTRACT TERMS.—The lead procurement agency or lead nonprofit entity for a cooperative procurement contract shall develop the terms of the contract.

''(iv) DURATION.—A cooperative procurement contract—

''(I) subject to subclauses (II) and (III), may be for an initial term of not more than 2 years;

''(II) may include not more than 3 optional extensions for terms of not more than 1 year each; and

''(III) may be in effect for a total period of not more than 5 years, including each extension authorized under subclause (II).

''(v) ADMINISTRATIVE EXPENSES.—A lead procurement agency or lead nonprofit entity, as applicable, that enters into a cooperative procurement contract—

''(I) may charge the participants in the contract for the cost of administering, planning, and providing technical assistance for the contract in an amount that is not more than 1 percent of the total value of the contract; and

''(II) with respect to the cost described in subclause (I), may incorporate the cost into the price of the contract or directly charge the participants for the cost, but not both.

''(2) STATE COOPERATIVE PROCUREMENT SCHEDULES.—

''(A) AUTHORITY.—A State government may enter into a cooperative procurement contract with 1 or more vendors if—

''(i) the vendors agree to provide an option to purchase rolling stock and related equipment to the State government and any other participant; and

''(ii) the State government acts throughout the term of the contract as the lead procurement agency.

''(B) APPLICABILITY OF POLICIES AND PROCEDURES.—In procuring rolling stock and related equipment under a cooperative procurement contract under this subsection, a State government shall comply with the policies and procedures that apply to procurement by the State government when using non-Federal funds, to the extent that the policies and procedures are in conformance with applicable Federal law.

''(3) PILOT PROGRAM FOR NONPROFIT COOPERATIVE PROCUREMENTS.—

''(A) ESTABLISHMENT.—The Secretary shall establish and carry out a pilot program to demonstrate the effectiveness of cooperative procurement contracts administered by nonprofit entities.

''(B) DESIGNATION.—In carrying out the program under this paragraph, the Secretary shall designate not less than 1 eligible nonprofit entity to enter into a cooperative procurement contract under which the nonprofit entity acts throughout the term of the contract as the lead nonprofit entity.

''(C) NUMBER OF ENTITIES.—The Secretary may designate not more than 3 geographically diverse eligible nonprofit entities under subparagraph (B).

''(D) NOTICE OF INTENT TO PARTICIPATE.—At a time determined appropriate by the lead nonprofit entity, each participant in a cooperative procurement contract under this paragraph shall submit to the lead nonprofit entity a nonbinding notice of intent to participate.

''(c) LEASING ARRANGEMENTS.—

''(1) CAPITAL LEASE DEFINED.—

''(A) IN GENERAL.—In this subsection, the term 'capital lease' means any agreement under which a grantee acquires the right to use rolling stock or related equipment for a specified period of time, in exchange for a periodic payment.

''(B) MAINTENANCE.—A capital lease may require that the lessor provide maintenance of the rolling stock or related equipment covered by the lease.

''(2) PROGRAM TO SUPPORT INNOVATIVE LEASING ARRANGEMENTS.—

''(A) AUTHORITY.—A grantee may use assistance provided under this chapter to enter into a capital lease if—

''(i) the rolling stock or related equipment covered under the lease is eligible for capital assistance under this chapter; and

''(ii) there is or will be no Federal interest in the rolling stock or related equipment covered under the lease as of the date on which the lease takes effect.

''(B) GRANTEE REQUIREMENTS.—A grantee that enters into a capital lease shall—

''(i) maintain an inventory of the rolling stock or related equipment acquired under the lease; and

''(ii) maintain on the accounting records of the grantee the liability of the grantee under the lease.

''(C) ELIGIBLE LEASE COSTS.—The costs for which a grantee may use assistance under this chapter, with respect to a capital lease, include—

''(i) the cost of the rolling stock or related equipment;

''(ii) associated financing costs, including interest, legal fees, and financial advisor fees;

''(iii) ancillary costs such as delivery and installation charges; and

''(iv) maintenance costs.

''(D) TERMS.—A grantee shall negotiate the terms of any lease agreement that the grantee enters into.

''(E) APPLICABILITY OF PROCUREMENT REQUIREMENTS.—

''(i) LEASE REQUIREMENTS.—Part 639 of title 49, Code of Federal Regulations, or any successor regulation, and implementing guidance applicable to leasing shall not apply to a capital lease.

''(ii) BUY AMERICA.—The requirements under section 5323(j) shall apply to a capital lease.

''(3) INCENTIVE PROGRAM FOR CAPITAL LEASING OF ROLLING STOCK.—

''(A) AUTHORITY.—The Secretary shall carry out an incentive program for capital leasing of rolling stock (referred to in this paragraph as the 'program').

''(B) SELECTION OF PARTICIPANTS.—

''(i) IN GENERAL.—The Secretary shall select not less than 6 grantees to participate in the program, which shall be—

''(I) geographically diverse; and

''(II) evenly distributed among grantees in accordance with clause (ii).

''(ii) POPULATION SIZE.—In selecting an even distribution of grantees under clause (i)(II), the Secretary shall select not less than—

''(I) 2 grantees that serve rural areas;

''(II) 2 grantees that serve urbanized areas with a population of fewer than 200,000 individuals, as determined by the Bureau of the Census; and

''(III) 2 grantees that serve urbanized areas with a population of 200,000 or more individuals, as determined by the Bureau of the Census.

''(iii) WAIVER.—The Secretary may waive a requirement under clause (ii) if an insufficient number of eligible grantees of a particular population size apply to participate in the program.

''(C) PARTICIPANT REQUIREMENTS.—

''(i) IN GENERAL.—A grantee that participates in the program shall—

''(I) enter into a capital lease for a period of not less than 5 years; and

''(II) replace not less than ¼ of the grantee's fleet through the capital lease.

''(ii) VEHICLE REQUIREMENTS.—The vehicles replaced under clause (i)(II), with respect to the fleet as constituted on the day before the date on which the capital lease is entered into, shall—

''(I) be the oldest vehicles in the fleet; or

''(II) produce the highest quantity of direct greenhouse gas emissions relative to the other vehicles in the fleet, as determined by the Administrator of the Environmental Protection Agency.

''(iii) WAIVER OF FEDERAL INTEREST REQUIREMENTS.—If a grantee participating in the program seeks to replace vehicles that have a remaining Federal interest, the Secretary shall—

''(I) evaluate the economic and environmental benefits of waiving the Federal interest, as demonstrated by the grantee;

''(II) if the grantee demonstrates a net economic or environmental benefit, grant an early disposition of the vehicles; and

''(III) publish each evaluation and final determination of the Secretary under this clause in a conspicuous location on the website of the Federal Transit Administration.

''(D) PARTICIPANT BENEFIT.—During the period during which a capital lease described in subparagraph (C)(i)(I), entered into by a grantee participating in the program, is in effect, the limit on the Government share of operating expenses under subsection (d)(2) of

section 5307, subsection (d)(2) of section 5310, or subsection (g)(2) of section 5311 shall not apply with respect to any grant awarded to the grantee under the applicable section.

''(E) REPORTING REQUIREMENT.—Not later than 3 years after the date on which a grantee enters into a capital lease under the program, the grantee shall submit to the Secretary a report that contains—

''(i) an evaluation of the overall costs and benefits of leasing rolling stock;

''(ii) a cost comparison of leasing versus buying rolling stock;

''(iii) a comparison of the expected short-term and long-term maintenance costs of leasing versus buying rolling stock; and

''(iv) a projected budget showing the changes in overall operating and capital expenses due to the capital lease that the grantee entered into under the program.

''(4) INCENTIVE PROGRAM FOR CAPITAL LEASING OF CERTAIN ZERO EMISSION VEHICLE COMPONENTS.—

''(A) DEFINITIONS.—In this paragraph—

''(i) the term 'removable power source'—

''(I) means a power source that is separately installed in, and removable from, a zero emission vehicle; and

''(II) may include a battery, a fuel cell, an ultra-capacitor, or other advanced power source used in a zero emission vehicle; and

''(ii) the term 'zero emission vehicle' has the meaning given the term in section 5339(c).

''(B) LEASED POWER SOURCES.—Notwithstanding any other provision of law, for purposes of this subsection, the cost of a removable power source that is necessary for the operation of a zero emission vehicle shall not be treated as part of the cost of the vehicle if the removable power source is acquired using a capital lease.

''(C) ELIGIBLE CAPITAL LEASE.—A grantee may acquire a removable power source by itself through a capital lease.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) TABLE OF SECTIONS.—The table of sections for chapter 53 of title 49, United States Code, is amended by inserting after the item relating to section 5315 the following:

''5316. Innovative procurement.''.

(2) CONFORMING AMENDMENT.—Section 5325(e)(2) of title 49, United States Code, is amended by inserting after ''this subsection'' the following: '', section 5316,''.

SEC. 21012. HUMAN RESOURCES AND TRAINING.

Section 5322 of title 49, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (1), in the paragraph heading, by striking ''PROGRAM ESTABLISHED'' and inserting ''IN GENERAL'';

(B) by redesignating paragraph (2) as paragraph (3);

(C) by inserting after paragraph (1) the following:

''(2) PROGRAMS.—A program eligible for assistance under subsection (a) shall—

''(A) provide skills training, on-the-job training, and work-based learning;

''(B) offer career pathways that support the movement from initial or short-term employment opportunities to sustainable careers;

''(C) address current or projected workforce shortages;

''(D) replicate successful workforce development models; or

''(E) respond to such other workforce needs as the Secretary determines appropriate.'';

(D) in paragraph (3), as so redesignated—

(i) in subparagraph (G), by striking ''and'' at the end;

(ii) in subparagraph (H), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(I) give priority to minorities, women, individuals with disabilities, veterans, low-income populations, and other underserved populations.''; and

(E) by adding at the end the following:

''(4) COORDINATION.—A recipient of assistance under this subsection shall—

''(A) identify the workforce needs and commensurate training needs at the local level in coordination with entities such as local employers, local public transportation operators, labor union organizations, workforce development boards, State workforce agencies, State apprenticeship agencies (where applicable), university transportation centers, community colleges, and community-based organizations representing minorities, women, disabled individuals, veterans, and low-income populations; and

''(B) to the extent practicable, conduct local training programs in coordination with existing local training programs supported by the Secretary, the Department of Labor (including registered apprenticeship programs), and the Department of Education.

''(5) PROGRAM OUTCOMES.—A recipient of assistance under this subsection shall demonstrate outcomes for any program that includes skills training, on-the-job training, and work-based learning, including—

''(A) the impact on reducing public transportation workforce shortages in the area served;

''(B) the diversity of training participants;

''(C) the number of participants obtaining certifications or credentials required for specific types of employment;

''(D) employment outcomes, including job placement, job retention, and wages, using performance metrics established in consultation with the Secretary and the Secretary of Labor and consistent with metrics used by programs under the Workforce Innovation and Opportunity Act (29 U.S.C. 3101 et seq.); and

''(E) to the extent practical, evidence that the program did not preclude workers who are participating in skills training, on-the-job training, and work-based learning from being referred to, or hired on, projects funded under this chapter without regard to the length of time of their participation in the program.''; and

(2) in subsection (d), by striking paragraph (4) and inserting the following:

''(4) USE FOR TECHNICAL ASSISTANCE.—The Secretary may use not more than 1 percent of the amounts made available to carry out this section to provide technical assistance for activities and programs developed, conducted, and overseen under this subsection.

''(5) AVAILABILITY OF AMOUNTS.—

''(A) IN GENERAL.—Not more than 0.5 percent of the amounts made available to a recipient under sections 5307, 5337, and 5339 is available for expenditure by the recipient, with the approval of the Secretary, to pay not more than 80 percent of the cost of eligible activities under this subsection.

''(B) EXISTING PROGRAMS.—A recipient may use amounts made available under paragraph (A) to carry out existing local education and training programs for public transportation employees supported by the Secretary, the Department of Labor, or the Department of Education.''.

SEC. 21013. GENERAL PROVISIONS.

Section 5323 of title 49, United States Code, is amended—

(1) in subsection (j)—

(A) in paragraph (2), by striking subparagraph (C) and inserting the following:

''(C) when procuring rolling stock (including train control, communication, and traction power equipment, and rolling stock prototypes) under this chapter—

''(i) the cost of components and subcomponents produced in the United States—

''(I) for fiscal years 2016 and 2017, is more than 60 percent of the cost of all components of the rolling stock;

''(II) for fiscal years 2018 and 2019, is more than 65 percent of the cost of all components of the rolling stock; and

''(III) for fiscal year 2020 and each fiscal year thereafter, is more than 70 percent of the cost of all components of the rolling stock; and

''(ii) final assembly of the rolling stock has occurred in the United States; or'';

(B) by resdesignating paragraphs (5) through (9) as paragraphs (7) through (11), respectively;

(C) by inserting after paragraph (4) the following:

''(5) ROLLING STOCK FRAMES OR CAR SHELLS.—In carrying out paragraph (2)(C) in the case of a rolling stock procurement receiving assistance under this chapter in which the average cost of a rolling stock vehicle in the procurement is more than $300,000, if rolling stock frames or car shells are not produced in the United States, the Secretary shall include in the calculation of the domestic content of the rolling stock the cost of steel or iron used in the rolling stock frames or car shells if—

''(A) all manufacturing processes for the steel or iron occur in the United States; and

''(B) the amount of steel or iron used in the rolling stock frames or car shells is significant.

''(6) CERTIFICATION OF DOMESTIC SUPPLY AND DISCLOSURE.—

''(A) CERTIFICATION OF DOMESTIC SUPPLY.—If the Secretary denies an application for a waiver under paragraph (2), the Secretary shall provide to the applicant a written certification that—

''(i) the steel, iron, or manufactured goods, as applicable, (referred to in this subparagraph as the 'item') is produced in the United States in a sufficient and reasonably available amount;

''(ii) the item produced in the United States is of a satisfactory quality; and

''(iii) includes a list of known manufacturers in the United States from which the item can be obtained.

''(B) DISCLOSURE.—The Secretary shall disclose the waiver denial and the written certification to the public in an easily identifiable location on the website of the Department of Transportation.'';

(D) in paragraph (8), as so redesignated, by striking ''Federal Public Transportation Act of 2012'' and inserting ''Federal Public Transportation Act of 2015''; and

(E) by inserting after paragraph (11), as so redesignated, the following:

''(12) PRODUCTION IN UNITED STATES.—For purposes of this subsection, steel and iron may be considered produced in the United States if all the manufacturing processes, except metallurgical processes involving refinement of steel additives, took place in the United States.

''(13) DEFINITION OF SMALL PURCHASE.—For purposes of determining whether a purchase qualifies for a general public interest waiver under paragraph (2)(A) of this subsection, including under any regulation promulgated under that paragraph, the term 'small purchase' means a purchase of not more than $150,000.'';

(2) in subsection (q)(1), by striking the second sentence; and

(3) by adding at the end the following:

''(s) VALUE CAPTURE REVENUE ELIGIBLE FOR LOCAL SHARE.—Notwithstanding any other provision of law, a recipient of assistance under this chapter may use the revenue generated from value capture financing mechanisms as local matching funds for capital projects and operating costs eligible under this chapter.

''(t) VALUE ENGINEERING.—Nothing in this chapter shall be construed to authorize the Secretary to mandate the use of value engineering in projects funded under this chapter.''.

SEC. 21014. PROJECT MANAGEMENT OVERSIGHT.

Section 5327 of title 49, United States Code, is amended—

(1) in subsection (c), by striking ''section 5338(i)'' and inserting ''section 5338(h)''; and

(2) in subsection (d)—

(A) in paragraph (1)—

(i) by striking ''section 5338(i)'' and inserting ''section 5338(h)''; and

(ii) by striking ''and'' at the end; and

(B) by striking paragraph (2) and inserting the following:

''(2) a requirement that oversight—

''(A) begin during the project development phase of a project, unless the Secretary finds it more appropriate to begin the oversight during another phase of the project, to maximize the transportation benefits and cost savings associated with project management oversight; and

''(B) be limited to quarterly reviews of compliance by the recipient with the project management plan approved under subsection (b) unless the Secretary finds that the recipient requires more frequent oversight because the recipient has, for 2 consecutive quarterly reviews, failed to meet the requirements of such plan and the project is at risk of going over budget or becoming behind schedule; and

''(3) a process for recipients that the Secretary has found require more frequent oversight to return to quarterly reviews for purposes of paragraph (2)(B).''.

SEC. 21015. PUBLIC TRANSPORTATION SAFETY PROGRAM.

(a) IN GENERAL.—Section 5329 of title 49, United States Code, is amended—

(1) in subsection (b)(2)—

(A) in subparagraph (C), by striking ''and'' at the end;

(B) by redesignating subparagraph (D) as subparagraph (E); and

(C) by inserting after subparagraph (C) the following:

''(D) minimum safety standards to ensure the safe operation of public transportation systems that—

''(i) are not related to performance standards for public transportation vehicles developed under subparagraph (C); and

''(ii) to the extent practicable, take into consideration—

''(I) relevant recommendations of the National Transportation Safety Board;

''(II) best practices standards developed by the public transportation industry;

''(III) any minimum safety standards or performance criteria being implemented across the public transportation industry; and

''(IV) any additional information that the Secretary determines necessary and appropriate; and'';

(2) in subsection (f)(2), by inserting after ''public transportation system of a recipient'' the following: ''or the public transportation industry generally'';

(3) in subsection (g)(1), in the matter preceding subparagraph (A), by striking ''an eligible State, as defined in subsection (e),'' and inserting ''a recipient''; and

(4) by adding at the end the following:

''(l) FOIA EXEMPTION.—

''(1) DEFINITION.—In this subsection, the term 'covered record'—

''(A) means any record that the Secretary obtains under a provision of, or regulation or order under, this section that relates to the establishment, implementation, or modification of a public transportation agency safety plan; and

''(B) includes a public transportation agency's analysis of its safety risks and its statement of the mitigation measures with which it will address those risks.

''(2) EXEMPTION.—Except as necessary for the Secretary or another Federal agency to enforce or carry out any provision of Federal law, any part of any covered record is exempt from the requirements of section 552 of title 5 if the covered record is—

''(A) supplied to the Secretary pursuant to the review or audit of a public transportation agency safety plan; or

''(B) made available for inspection and copying by an officer, employee, or agent of the Secretary pursuant to a public transportation agency safety plan.

''(3) EXCEPTION.—Notwithstanding paragraph (2), the Secretary may disclose any part of a covered record comprised of facts otherwise available to the public if, in the Secretary's sole discretion, the Secretary determines that disclosure would be consistent with the confidentiality needed for a public transportation agency safety plan.

''(4) DISCRETIONARY PROHIBITION OF DISCLOSURE.—The Secretary may prohibit the public disclosure of risk analyses or risk mitigation analyses that the Secretary has obtained under other provisions of, or regulations or orders under, this chapter if the Secretary determines that the prohibition of public disclosure is necessary to promote public transportation safety.''.

(b) REVIEW OF PUBLIC TRANSPORTATION SAFETY STANDARDS.—

(1) REVIEW REQUIRED.—

(A) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary shall commence a review of the safety standards and protocols used in rail fixed guideway public transportation systems in the United States that examines the efficacy of existing standards and protocols.

(B) CONTENTS OF REVIEW.—In conducting the review under this paragraph, the Secretary shall review—

(i) minimum safety performance standards developed by the public transportation industry;

(ii) safety performance standards, practices, or protocols in use by rail fixed guideway public transportation systems, including—

(I) written emergency plans and procedures for passenger evacuations;

(II) training programs to ensure public transportation personnel compliance and readiness in emergency situations;

(III) coordination plans with local emergency responders having jurisdiction over a rail fixed guideway public transportation system, including—

(aa) emergency preparedness training, drills, and familiarization programs for those first responders; and

(bb) the scheduling of regular field exercises to ensure appropriate response and effective radio and public safety communications;

(IV) maintenance, testing, and inspection programs to ensure the proper functioning of—

(aa) tunnel, station, and vehicle ventilation systems;

(bb) signal and train control systems, track, mechanical systems, and other infrastructure; and

(cc) other systems as necessary;

(V) certification requirements for train and bus operators and control center employees;

(VI) consensus-based standards, practices, or protocols available to the public transportation industry; and

(VII) any other standards, practices, or protocols the Secretary determines appropriate; and

(iii) vehicle safety standards, practices, or protocols in use by public transportation systems, concerning—

(I) bus design and the workstation of bus operators, as it relates to—

(aa) the reduction of blindspots that contribute to accidents involving pedestrians; and

(bb) protecting bus operators from the risk of assault; and

(II) scheduling fixed route bus service with adequate time and access for operators to use restroom facilities.

(2) EVALUATION.—After conducting the review under paragraph (1), the Secretary shall, in consultation with representatives of the public transportation industry, evaluate the need to establish Federal minimum public transportation safety standards, including—

(A) standards governing worker safety;

(B) standards for the operation of signals, track, on-track equipment, mechanical systems, and control systems; and

(C) any other areas the Secretary, in consultation with the public transportation industry, determines require further evaluation.

(3) REPORT.—Upon completing the review and evaluation required under paragraphs (1) and (2), respectively, and not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Transportation and Infrastructure of the of House of Representatives a report that includes—

(A) findings based on the review conducted under paragraph (1);

(B) the outcome of the evaluation conducted under paragraph (2);

(C) a comprehensive set of recommendations to improve the safety of the public transportation industry, including recommendations for legislative changes where applicable; and

(D) actions that the Secretary will take to address the recommendations provided under subparagraph (C), including, if necessary, the establishment of Federal minimum public transportation safety standards.

SEC. 21016. STATE OF GOOD REPAIR GRANTS.

Section 5337 of title 49, United States Code, is amended—

(1) in subsection (c)—

(A) in paragraph (1), by striking ''section 5338(a)(2)(I)'' and inserting ''section 5338(a)(2)(L)''; and

(B) in paragraph (2)(B), by inserting ''the provisions of'' before ''section 5336(b)(1)'';

(2) in subsection (d)—

(A) in paragraph (2), by striking ''section 5338(a)(2)(I)'' and inserting ''section 5338(a)(2)(L)''; and

(B) by adding at the end the following:

''(5) USE OF FUNDS.—Amounts apportioned under this subsection may be used for any project that is an eligible project under subsection (b)(1).''; and

(3) by adding at the end the following:

''(e) GOVERNMENT SHARE OF COSTS.—

''(1) CAPITAL PROJECTS.—A grant for a capital project under this section shall be for 80 percent of the net project cost of the project. The recipient may provide additional local matching amounts.

''(2) REMAINING COSTS.—The remainder of the net project costs shall be provided from an undistributed cash surplus, a replacement or depreciation cash fund or reserve, or new capital.''.

SEC. 21017. AUTHORIZATIONS.

Section 5338 of title 49, United States Code, as amended by division G, is amended to read as follows:

''§ 5338. Authorizations

''(a) GRANTS.—

''(1) IN GENERAL.—There shall be available from the Mass Transit Account of the Highway Trust Fund to carry out sections 5305, 5307, 5310, 5311, 5312, 5314, 5318, 5322(b), 5322(d), 5335, 5337, 5339, and 5340, section 20005(b) of the Federal Public Transportation Act of 2012, and section 21007(b) of the Federal Public Transportation Act of 2015—

''(A) $9,346,415,125 for fiscal year 2016;

''(B) $9,551,368,589 for fiscal year 2017;

''(C) $9,767,251,724 for fiscal year 2018;

''(D) $10,001,051,238 for fiscal year 2019;

''(E) $10,251,763,806 for fiscal year 2020; and

''(F) $10,509,442,553 for fiscal year 2021.

''(2) ALLOCATION OF FUNDS.—Of the amounts made available under paragraph (1)—

''(A) $132,020,000 for fiscal year 2016, $134,934,342 for fiscal year 2017, $138,004,098 for fiscal year 2018, $141,328,616 for fiscal year 2019, $144,893,631 for fiscal year 2020, and $148,557,701 for fiscal year 2021 shall be available to carry out section 5305;

''(B) $10,000,000 for each of fiscal years 2016 through 2021 shall be available to carry out section 20005(b) of the Federal Public Transportation Act of 2012;

''(C) $4,648,142,625 for fiscal year 2016, $4,750,750,373 for fiscal year 2017, $4,858,829,944 for fiscal year 2018, $4,975,879,158 for fiscal year 2019, $5,101,395,710 for fiscal year 2020, and $5,230,399,804 for fiscal year 2021 shall be allocated in accordance with section 5336 to provide financial assistance for urbanized areas under section 5307;

''(D) $269,277,750 for fiscal year 2016, $275,222,056 for fiscal year 2017, $281,483,358 for fiscal year 2018, $288,264,292 for fiscal year 2019, $295,535,759 for fiscal year 2020, and $303,009,267 for fiscal year 2021 shall be available to provide financial assistance for services for the enhanced mobility of seniors and individuals with disabilities under section 5310;

''(E) $2,000,000 for each of fiscal years 2016 through 2021 shall be available for the pilot program for innovative coordinated access and mobility under section 21007(b) of the Federal Public Transportation Act of 2015;

''(F) $633,631,500 for fiscal year 2016, $647,618,915 for fiscal year 2017, $662,352,246 for fiscal year 2018, $678,308,311 for fiscal year 2019, $695,418,638 for fiscal year 2020, and $713,004,385 for fiscal year 2021 shall be available to provide financial assistance for rural areas under section 5311, of which not less than—

''(i) $35,000,000 for each of fiscal years 2016 through 2021 shall be available to carry out section 5311(c)(1); and

''(ii) $20,000,000 for each of fiscal years 2016 through 2021 shall be available to carry out section 5311(c)(2);

''(G) $30,000,000 for each of fiscal years 2016 through 2021 shall be available to carry out section 5312, of which—

''(i) $5,000,000 for each of fiscal years 2016 through 2021 shall be available to carry out section 5312(e); and

''(ii) $5,000,000 for each of fiscal years 2016 through 2021 shall be available to carry out section 5312(h);

''(H) $4,000,000 for each of fiscal years 2016 through 2021 shall be available to carry out section 5314;

''(I) $3,000,000 for each of fiscal years 2016 through 2021 shall be available for bus testing under section 5318;

''(J) $5,000,000 for each of fiscal years 2016 through 2021 shall be available for the national transit institute under section 5322(d);

''(K) $4,000,000 for each of fiscal years 2016 through 2021 shall be available to carry out section 5335;

''(L) $2,328,342,500 for fiscal year 2016, $2,379,740,661 for fiscal year 2017, $2,433,879,761 for fiscal year 2018, $2,492,511,924 for fiscal year 2019, $2,555,385,537 for fiscal year 2020, and $2,620,006,127 for fiscal year 2021 shall be available to carry out section 5337;

''(M) $534,750,000 for fiscal year 2016, $550,748,856 for fiscal year 2017, $567,600,893 for fiscal year 2018, $585,851,498 for fiscal year 2019, $605,422,352 for fiscal year 2020, and $625,536,993 for fiscal year 2021 shall be available for the bus and bus facilities program under section 5339(a);

''(N) $190,000,000 for each of fiscal years 2016 through 2021 shall be available for bus and bus facilities competitive grants under section 5339(b) and no or low emission grants under section 5339(c), of which $55,000,000 for each of fiscal years 2016 through 2021 shall be available to carry out section 5339(c);

''(O) $548,250,750 for fiscal year 2016, $560,353,385 for fiscal year 2017, $573,101,425 for fiscal year 2018, $586,907,438 for fiscal year 2019, $601,712,178 for fiscal year 2020, and $616,928,276 for fiscal year 2021 shall be allocated in accordance with section 5340 to provide financial assistance for urbanized areas under section 5307 and rural areas under section 5311; and

''(P) $4,000,000 for each of fiscal years 2016 through 2021 shall be available to carry out section 5322(b).

''(b) RESEARCH, DEVELOPMENT, DEMONSTRATION, AND DEPLOYMENT PROGRAM.—There are authorized to be appropriated to carry out section 5312, other than subsections (e) and (h) of that section, $20,000,000 for each of fiscal years 2016 through 2021.

''(c) TECHNICAL ASSISTANCE AND STANDARDS DEVELOPMENT.—There are authorized to be appropriated to carry out section 5314, $7,000,000 for each of fiscal years 2016 through 2021.

''(d) HUMAN RESOURCES AND TRAINING.—There are authorized to be appropriated to carry out subsections (a), (b), (c), and (e) of section 5322, $5,000,000 for each of fiscal years 2016 through 2021.

''(e) EMERGENCY RELIEF PROGRAM.—There are authorized to be appropriated such sums as are necessary to carry out section 5324.

''(f) CAPITAL INVESTMENT GRANTS.—There are authorized to be appropriated to carry out section 5309 of this title and section 21006(b) of the Federal Public Transportation Act of 2015, $2,301,785,760 for fiscal year 2016, $2,352,597,681 for fiscal year 2017, $2,406,119,278 for fiscal year 2018, $2,464,082,691 for fiscal year 2019, $2,526,239,177 for fiscal year 2020, and $2,590,122,713 for fiscal year 2021, of which $276,214,291 for fiscal year 2016, $282,311,722 for fiscal year 2017, $288,734,313 for fiscal year 2018, $295,689,923 for fiscal year 2019, $303,148,701 for fiscal year 2020, and $310,814,726 for fiscal year 2021 shall be available to carry out section 21006(b) of the Federal Public Transportation Act of 2015.

''(g) ADMINISTRATION.—

''(1) IN GENERAL.—There are authorized to be appropriated to carry out section 5334, $115,016,543 for fiscal year 2016, $117,555,533 for fiscal year 2017, $120,229,921 for fiscal year 2018, $123,126,260 for fiscal year 2019, $126,232,120 for fiscal year 2020, and $129,424,278 for fiscal year 2021.

''(2) SECTION 5329.—Of the amounts authorized to be appropriated under paragraph (1), not less than $8,000,000 for each of fiscal years 2016 through 2021 shall be available to carry out section 5329.

''(3) SECTION 5326.—Of the amounts made available under paragraph (2), not less than $2,000,000 for each of fiscal years 2016 through 2021 shall be available to carry out section 5326.

''(h) OVERSIGHT.—

''(1) IN GENERAL.—Of the amounts made available to carry out this chapter for a fiscal year, the Secretary may use not more than the following amounts for the activities described in paragraph (2):

''(A) 0.5 percent of amounts made available to carry out section 5305.

''(B) 0.75 percent of amounts made available to carry out section 5307.

''(C) 1 percent of amounts made available to carry out section 5309.

''(D) 1 percent of amounts made available to carry out section 601 of the Passenger Rail Investment and Improvement Act of 2008 (Public Law 110-432; 126 Stat. 4968).

''(E) 0.5 percent of amounts made available to carry out section 5310.

''(F) 0.5 percent of amounts made available to carry out section 5311.

''(G) 1 percent of amounts made available to carry out section 5337, of which not less than 0.25 percent shall be available to carry out section 5329.

''(H) 0.75 percent of amounts made available to carry out section 5339.

''(2) ACTIVITIES.—The activities described in this paragraph are as follows:

''(A) Activities to oversee the construction of a major capital project.

''(B) Activities to review and audit the safety and security, procurement, management, and financial compliance of a recipient or subrecipient of funds under this chapter.

''(C) Activities to provide technical assistance generally, and to provide technical assistance to correct deficiencies identified in compliance reviews and audits carried out under this section.

''(3) GOVERNMENT SHARE OF COSTS.—The Government shall pay the entire cost of carrying out a contract under this subsection.

''(4) AVAILABILITY OF CERTAIN FUNDS.—Funds made available under paragraph (1)(C) shall be made available to the Secretary before allocating the funds appropriated to carry out any project under a full funding grant agreement.

''(i) GRANTS AS CONTRACTUAL OBLIGATIONS.—

''(1) GRANTS FINANCED FROM HIGHWAY TRUST FUND.—A grant or contract that is approved by the Secretary and financed with amounts made available from the Mass Transit Account of the Highway Trust Fund pursuant to this section is a contractual obligation of the Government to pay the Government share of the cost of the project.

''(2) GRANTS FINANCED FROM GENERAL FUND.—A grant or contract that is approved by the Secretary and financed with amounts appropriated in advance from the General Fund of the Treasury pursuant to this section is a contractual obligation of the Government to pay the Government share of the cost of the project only to the extent that amounts are appropriated for such purpose by an Act of Congress.

''(j) AVAILABILITY OF AMOUNTS.—Amounts made available by or appropriated under this section shall remain available until expended.''.

SEC. 21018. GRANTS FOR BUS AND BUS FACILITIES.

(a) IN GENERAL.—Chapter 53 of title 49, United States Code, as amended by division G, is amended by striking section 5339 and inserting the following:

''§ 5339. Grants for bus and bus facilities

''(a) FORMULA GRANTS.—

''(1) DEFINITIONS.—In this subsection—

''(A) the term 'low or no emission vehicle' has the meaning given that term in subsection (c)(1);

''(B) the term 'State' means a State of the United States; and

''(C) the term 'territory' means the District of Columbia, Puerto Rico, the Northern Mariana Islands, Guam, American Samoa, and the United States Virgin Islands.

''(2) GENERAL AUTHORITY.—The Secretary may make grants under this subsection to assist eligible recipients described in paragraph (4)(A) in financing capital projects—

''(A) to replace, rehabilitate, and purchase buses and related equipment, including technological changes or innovations to modify low or no emissions vehicles or facilities; and

''(B) to construct bus-related facilities.

''(3) GRANT REQUIREMENTS.—The requirements of—

''(A) section 5307 shall apply to recipients of grants made in urbanized areas under this subsection; and

''(B) section 5311 shall apply to recipients of grants made in rural areas under this subsection.

''(4) ELIGIBLE RECIPIENTS AND SUBRECIPIENTS.—

''(A) RECIPIENTS.—Eligible recipients under this subsection are—

''(i) designated recipients that allocate funds to fixed route bus operators; or

''(ii) State or local governmental entities that operate fixed route bus service.

''(B) SUBRECIPIENTS.—A recipient that receives a grant under this subsection may allocate amounts of the grant to subrecipients that are public agencies or private nonprofit organizations engaged in public transportation.

''(5) DISTRIBUTION OF GRANT FUNDS.—Funds allocated under section 5338(a)(2)(M) shall be distributed as follows:

''(A) NATIONAL DISTRIBUTION.—$102,500,000 for each of fiscal years 2016 through 2021 shall be allocated to all States and territories, with each State receiving $2,000,000 for each such fiscal year and each territory receiving $500,000 for each such fiscal year.

''(B) DISTRIBUTION USING POPULATION AND SERVICE FACTORS.—The remainder of the funds not otherwise distributed under subparagraph (A) shall be allocated pursuant to the formula set forth in section 5336 other than subsection (b).

''(6) TRANSFERS OF APPORTIONMENTS.—

''(A) TRANSFER FLEXIBILITY FOR NATIONAL DISTRIBUTION FUNDS.—The Governor of a State may transfer any part of the State's apportionment under paragraph (5)(A) to supplement amounts apportioned to the State under section 5311(c) of this title or amounts apportioned to urbanized areas under subsections (a) and (c) of section 5336 of this title.

''(B) TRANSFER FLEXIBILITY FOR POPULATION AND SERVICE FACTORS FUNDS.—The Governor of a State may expend in an urbanized area with a population of less than 200,000 any amounts apportioned under paragraph (5)(B) that are not allocated to designated recipients in urbanized areas with a population of 200,000 or more.

''(7) GOVERNMENT SHARE OF COSTS.—

''(A) CAPITAL PROJECTS.—A grant for a capital project under this subsection shall be for 80 percent of the net capital costs of the project. A recipient of a grant under this subsection may provide additional local matching amounts.

''(B) REMAINING COSTS.—The remainder of the net project cost shall be provided—

''(i) in cash from non-Government sources other than revenues from providing public transportation services;

''(ii) from revenues derived from the sale of advertising and concessions;

''(iii) from an undistributed cash surplus, a replacement or depreciation cash fund or reserve, or new capital;

''(iv) from amounts received under a service agreement with a State or local social service agency or private social service organization; or

''(v) from revenues generated from value capture financing mechanisms.

''(8) PERIOD OF AVAILABILITY TO RECIPIENTS.—Amounts made available under this subsection may be obligated by a recipient for 3 fiscal years after the fiscal year in which the amount is apportioned. Not later than 30 days after the end of the 3-fiscal-year period described in the preceding sentence, any amount that is not obligated on the last day of that period shall be added to the amount that may be apportioned under this subsection in the next fiscal year.

''(b) BUS AND BUS FACILITIES COMPETITIVE GRANTS.—

''(1) IN GENERAL.—The Secretary may make grants under this subsection to designated recipients to assist in the financing of bus and bus facilities capital projects, including—

''(A) replacing, rehabilitating, purchasing, or leasing buses or related equipment; and

''(B) rehabilitating, purchasing, constructing, or leasing bus-related facilities.

''(2) GRANT CONSIDERATIONS.—In making grants under this subsection, the Secretary shall consider the age and condition of buses, bus fleets, related equipment, and bus-related facilities.

''(3) STATEWIDE APPLICATIONS.—A State may submit a statewide application on behalf of a public agency or private nonprofit organization engaged in public transportation in rural areas or other areas for which the State allocates funds. The submission of a statewide application shall not preclude the submission and consideration of any application under this subsection from other eligible recipients in an urbanized area in a State.

''(4) REQUIREMENTS FOR THE SECRETARY.—The Secretary shall—

''(A) disclose all metrics and evaluation procedures to be used in considering grant applications under this subsection upon issuance of the notice of funding availability in the Federal Register; and

''(B) publish a summary of final scores for selected projects, metrics, and other evaluations used in awarding grants under this subsection in the Federal Register.

''(5) RURAL PROJECTS.—Not less 10 percent of the amounts made available under this subsection in a fiscal year shall be distributed to projects in rural areas.

''(6) GRANT REQUIREMENTS.—

''(A) IN GENERAL.—A grant under this subsection shall be subject to the requirements of—

''(i) section 5307 for recipients of grants made in urbanized areas; and

''(ii) section 5311 for recipients of grants made in rural areas.

''(B) GOVERNMENT SHARE OF COSTS.—The Government share of the cost of an eligible project carried out under this subsection shall not exceed 80 percent.

''(7) AVAILABILITY OF FUNDS.—Any amounts made available to carry out this subsection—

''(A) shall remain available for 2 fiscal years after the fiscal year for which the amount is made available; and

''(B) that remain unobligated at the end of the period described in subparagraph (A) shall be added to the amount made available to an eligible project in the following fiscal year.

''(8) LIMITATION.—Of the amounts made available under this subsection, not more than 15 percent may be awarded to a single grantee.

''(c) LOW OR NO EMISSION GRANTS.—

''(1) DEFINITIONS.—In this subsection—

''(A) the term 'direct carbon emissions' means the quantity of direct greenhouse gas emissions from a vehicle, as determined by the Administrator of the Environmental Protection Agency;

''(B) the term 'eligible project' means a project or program of projects in an eligible area for—

''(i) acquiring low or no emission vehicles;

''(ii) leasing low or no emission vehicles;

''(iii) acquiring low or no emission vehicles with a leased power source;

''(iv) constructing facilities and related equipment for low or no emission vehicles;

''(v) leasing facilities and related equipment for low or no emission vehicles;

''(vi) constructing new public transportation facilities to accommodate low or no emission vehicles; or

''(vii) rehabilitating or improving existing public transportation facilities to accommodate low or no emission vehicles;

''(C) the term 'leased power source' means a removable power source, as defined in paragraph (4)(A) of section 5316(c), that is made available through a capital lease under that section;

''(D) the term 'low or no emission bus' means a bus that is a low or no emission vehicle;

''(E) the term 'low or no emission vehicle' means—

''(i) a passenger vehicle used to provide public transportation that the Secretary determines sufficiently reduces energy consumption or harmful emissions, including direct carbon emissions, when compared to a comparable standard vehicle; or

''(ii) a zero emission vehicle used to provide public transportation;

''(F) the term 'recipient' means a designated recipient, a local governmental authority, or a State that receives a grant under this subsection for an eligible project; and

''(G) the term 'zero emission vehicle' means a low or no emission vehicle that produces no carbon or particulate matter.

''(2) GENERAL AUTHORITY.—The Secretary may make grants to recipients to finance eligible projects under this subsection.

''(3) GRANT REQUIREMENTS.—

''(A) IN GENERAL.—A grant under this subsection shall be subject to the requirements of section 5307.

''(B) GOVERNMENT SHARE OF COSTS FOR CERTAIN PROJECTS.—Section 5323(i) applies to eligible projects carried out under this subsection, unless the recipient requests a lower grant percentage.

''(C) COMBINATION OF FUNDING SOURCES.—

''(i) COMBINATION PERMITTED.—An eligible project carried out under this subsection may receive funding under section 5307 or any other provision of law.

''(ii) GOVERNMENT SHARE.—Nothing in this subparagraph shall be construed to alter the Government share required under paragraph (7), section 5307, or any other provision of law.

''(4) COMPETITIVE PROCESS.—The Secretary shall—

''(A) not later than 30 days after the date on which amounts are made available for obligation under this subsection for a full fiscal year, solicit grant applications for eligible projects on a competitive basis; and

''(B) award a grant under this subsection based on the solicitation under subparagraph (A) not later than the earlier of—

''(i) 75 days after the date on which the solicitation expires; or

''(ii) the end of the fiscal year in which the Secretary solicited the grant applications.

''(5) CONSIDERATION.—In awarding grants under this subsection, the Secretary shall only consider eligible projects relating to the acquisition or leasing of low or no emission buses that—

''(A) make greater reductions in energy consumption and harmful emissions, including direct carbon emissions, than comparable standard buses or other low or no emission buses; and

''(B) are part of a long-term integrated fleet management plan for the recipient.

''(6) AVAILABILITY OF FUNDS.—Any amounts made available to carry out this subsection—

''(A) shall remain available to an eligible project for 2 fiscal years after the fiscal year for which the amount is made available; and

''(B) that remain unobligated at the end of the period described in subparagraph (A) shall be added to the amount made available to an eligible project in the following fiscal year.

''(7) GOVERNMENT SHARE OF COSTS.—

''(A) IN GENERAL.—The Federal share of the cost of an eligible project carried out under this subsection shall not exceed 80 percent.

''(B) NON-FEDERAL SHARE.—The non-Federal share of the cost of an eligible project carried out under this subsection may be derived from in-kind contributions.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 53 of title 49, United States Code, is amended by striking the item relating to section 5339 and inserting the following:

''5339. Grants for bus and bus facilities.''.

SEC. 21019. SALARY OF FEDERAL TRANSIT ADMINISTRATOR.

(a) IN GENERAL.—Section 5313 of title 5, United States Code, is amended by adding at the end the following:

''Federal Transit Administrator.''.

(b) CONFORMING AMENDMENT.—Section 5314 of title 5, United States Code, is amended by striking ''Federal Transit Administrator.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the first day of the first pay period beginning on or after the first day of the first fiscal year beginning after the date of enactment of this Act.

SEC. 21020. TECHNICAL AND CONFORMING AMENDMENTS.

(a) CHAPTER 53 OF TITLE 49, UNITED STATES CODE.—

(1) IN GENERAL.—Chapter 53 of title 49, United States Code, is amended—

(A) by striking section 5319;

(B) in section 5325—

(i) in subsection (e)(2), by striking ''at least two''; and

(ii) in subsection (h), by striking ''Federal Public Transportation Act of 2012'' and inserting ''Federal Public Transportation Act of 2015'';

(C) in section 5336—

(i) in subsection (a), by striking ''subsection (h)(4)'' and inserting ''subsection (h)(5)''; and

(ii) in subsection (h), as amended by division G—

(I) by striking paragraph (1) and inserting the following:

''(1) $30,000,000 for each fiscal year shall be set aside to carry out section 5307(h);''; and

(II) in paragraph (3), by striking ''1.5 percent'' and inserting ''2 percent''; and

(D) in section 5340(b), by striking ''section 5338(b)(2)(M)'' and inserting ''section 5338(a)(2)(O)''.

(2) TABLE OF SECTIONS.—The table of sections for chapter 53 of title 49, United States Code, is amended by striking the item relating to section 5319 and inserting the following:

''[5319. Repealed.]''.

(b) CHAPTER 105 OF TITLE 49, UNITED STATES CODE.—Section 10501(c) of title 49, United States Code, is amended—

(1) in paragraph (1)—

(A) in subparagraph (A)(i), by striking ''section 5302(a)'' and inserting ''section 5302''; and

(B) in subparagraph (B)—

(i) by striking ''mass transportation'' and inserting ''public transportation''; and

(ii) by striking ''section 5302(a)'' and inserting ''section 5302''; and

(2) in paragraph (2)(A), by striking ''mass transportation'' and inserting ''public transportation''.

DIVISION C—COMPREHENSIVE TRANSPORTATION AND CONSUMER PROTECTION ACT OF 2015

SEC. 31001. SHORT TITLE.

This division may be cited as the ''Comprehensive Transportation and Consumer Protection Act of 2015.''

SEC. 31002. REFERENCES TO TITLE 49, UNITED STATES CODE.

Except as otherwise expressly provided, wherever in this division an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 49, United States Code.

SEC. 31003. EFFECTIVE DATE.

Subtitle A of title XXXII, sections 33103, 34101(g), 34105, 34106, 34107, 34133, 34141, 34202, 34203, 34204, 34205, 34206, 34207, 34208, 34211, 34212, 34213, 34214, 34215, subtitles C and D of title XXXIV, and title XXXV take effect on the date of enactment of this Act.

TITLE XXXI—OFFICE OF THE SECRETARY

Subtitle A—Accelerating Project Delivery

SEC. 31101. DELEGATION OF AUTHORITY.

(a) IN GENERAL.—Chapter is amended by adding at the end the following:

''§ 116. Administrations; acting officers

''No person designated to serve as the acting head of an administration in the department of transportation under section 3345 of title may continue to perform the functions and duties of the office if the time limitations in section 3346 of that title would prevent the person from continuing to serve in a formal acting capacity.''.

(b) CONFORMING AMENDMENT.—The table of contents for chapter 1 is amended by inserting after the item relating to section 115 the following:

''116. Administrations; acting officers.''.

(c) APPLICATION.—The amendment under subsection (a) shall apply to any applicable office with a position designated for a Senate confirmed official.

SEC. 31102. INFRASTRUCTURE PERMITTING IMPROVEMENT CENTER.

(a) IN GENERAL.—Subchapter I of chapter 3, as amended by sections 31104 and 31106 of this Act, is further amended by adding after section 311 the following:

''§ 312. Interagency Infrastructure Permitting Improvement Center

(a) IN GENERAL.—There is established in the Office of the Secretary an Interagency Infrastructure Permitting Improvement Center (referred to in this section as the 'Center').

(b) ROLES AND RESPONSIBILITIES.—

''(1) GOVERNANCE.—The Center shall report to the chair of the Steering Committee described in paragraph (2) to ensure that the perspectives of all member agencies are represented.

''(2) INFRASTRUCTURE PERMITTING STEERING COMMITTEE.—An Infrastructure Permitting Steering Committee (referred to in this section as the 'Steering Committee') is established to oversee the work of the Center. The Steering Committee shall be chaired by the Federal Chief Performance Officer in consultation with the Chair of the Council on Environmental Quality and shall be comprised of Deputy-level representatives from the following departments and agencies:

''(A) The Department of Defense.

''(B) The Department of the Interior.

''(C) The Department of Agriculture.

''(D) The Department of Commerce.

''(E) The Department of Transportation.

''(F) The Department of Energy.

''(G) The Department of Homeland Security.

''(H) The Environmental Protection Agency.

''(I) The Advisory Council on Historic Preservation.

''(J) The Department of the Army.

''(K) The Department of Housing and Urban Development.

''(L) Other agencies the Chair of the Steering Committee invites to participate.

''(3) ACTIVITIES.—The Center shall support the Chair of the Steering Committee and undertake the following:

''(A) Coordinate and support implementation of priority reform actions for Federal agency permitting and reviews for areas as defined and identified by the Steering Committee.

''(B) Support modernization efforts at Federal agencies and interagency pilots for innovative approaches to the permitting and review of infrastructure projects.

''(C) Provide technical assistance and training to field and headquarters staff of Federal agencies on policy changes, innovative approaches to project delivery, and other topics as appropriate.

''(D) Identify, develop, and track metrics for timeliness of permit reviews, permit decisions, and project outcomes.

''(E) Administer and expand the use of online transparency tools providing for—

''(i) tracking and reporting of metrics;

''(ii) development and posting of schedules for permit reviews and permit decisions; and

''(iii) sharing of best practices related to efficient project permitting and reviews.

''(F) Provide reporting to the President on progress toward achieving greater efficiency in permitting decisions and review of infrastructure projects and progress toward achieving better outcomes for communities and the environment.

''(G) Meet not less frequently than annually with groups or individuals representing State, Tribal, and local governments that are engaged in the infrastructure permitting process.

''(4) INFRASTRUCTURE SECTORS COVERED.—The Center shall support process improvements in the permitting and review of infrastructure projects in the following sectors:

''(A) Surface transportation.

''(B) Aviation.

''(C) Ports and waterways.

''(D) Water resource projects.

''(E) Renewable energy generation.

''(F) Electricity transmission.

''(G) Broadband.

''(H) Pipelines.

''(I) Other sectors, as determined by the Steering Committee.

''(c) PERFORMANCE MEASURES.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of the Comprehensive Transportation and Consumer Protection Act of 2015, the Secretary, in coordination with the heads of other Federal agencies on the Steering Committee with responsibility for the review and approval of infrastructure projects sectors described in subsection (b)(4), shall evaluate and report on—

''(A) the progress made toward aligning Federal reviews of such projects and the improvement of project delivery associated with those projects; and

''(B) the effectiveness of the Center in achieving reduction of permitting time and project delivery time.

''(2) PERFORMANCE TARGETS.—Not later than 180 days after the date on which the Secretary of Transportation establishes performance measures in accordance with paragraph (1), the Secretary shall establish performance targets relating to each of the measures and standards described in subparagraphs (A) and (B) of paragraph (1).

''(3) REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of the Comprehensive Transportation and Consumer Protection Act of 2015 and biennially thereafter, the Secretary shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that describes—

''(A) the results of the evaluation conducted under paragraph (1); and

''(B) the progress towards achieving the targets established under paragraph (2).

''(4) INSPECTOR GENERAL REPORT.—Not later than 3 years after the date of enactment of the Comprehensive Transportation and Consumer Protection Act of 2015, the Inspector General of the Department of Transportation shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that describes—

''(A) the results of the evaluation conducted under paragraph (1); and

''(B) the progress towards achieving the targets established under paragraph (2).''.

(b) CONFORMING AMENDMENT.—The table of contents of chapter 3, as amended by sections 31104 and 31106 of this Act, is further amended by inserting after the item relating to section 311 the following:

''312. Interagency Infrastructure Permitting Improvement Center.''.

SEC. 31103. ACCELERATED DECISION-MAKING IN ENVIRONMENTAL REVIEWS.

(a) IN GENERAL.—Subchapter I of chapter 3 is amended by inserting after section 304 the following:

''§ 304a. Accelerated decision-making in environmental reviews

''(a) IN GENERAL.—In preparing a final environmental impact statement under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), if the Department of Transportation, when acting as lead agency, modifies the statement in response to comments that are minor and are confined to factual corrections or explanations of why the comments do not warrant additional Departmental response, the Department may write on errata sheets attached to the statement instead of rewriting the draft statement, subject to the condition that the errata sheets—

''(1) cite the sources, authorities, or reasons that support the position of the Department; and

''(2) if appropriate, indicate the circumstances that would trigger Departmental reappraisal or further response.

''(b) INCORPORATION.—To the maximum extent practicable, the Department shall expeditiously develop a single document that consists of a final environmental impact statement and a record of decision, unless—

''(1) the final environmental impact statement makes substantial changes to the proposed action that are relevant to environmental or safety concerns; or

''(2) there are significant new circumstances or information relevant to environmental concerns and that bear on the proposed action or the impacts of the proposed action.''.

(b) CONFORMING AMENDMENT.—The table of contents of chapter 3 is amended by inserting after the item relating to section 304 the following:

''304a. Accelerated decision-making in environmental reviews.''.

SEC. 31104. ENVIRONMENTAL REVIEW ALIGNMENT AND REFORM.

(a) IN GENERAL.—Subchapter I of chapter 3 is amended by inserting after section 309 the following:

''§ 310. Aligning Federal environmental reviews

''(a) COORDINATED AND CONCURRENT ENVIRONMENTAL REVIEWS.—Not later than 1 year after the date of enactment of the Comprehensive Transportation and Consumer Protection Act of 2015, the Department of Transportation, in coordination with the Steering Committee described in section 312 of this title, shall develop a coordinated and concurrent environmental review and permitting process for transportation projects when initiating an environmental impact statement under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) (referred to in this section as 'NEPA'). The coordinated and concurrent environmental review and permitting process shall—

''(1) ensure that the Department of Transportation and Federal agencies of jurisdiction possess sufficient information early in the review process to determine a statement of a transportation project's purpose and need and range of alternatives for analysis that the lead agency and agencies of jurisdiction will rely upon for concurrent environmental reviews and permitting decisions required for the proposed project;

''(2) achieve early concurrence or issue resolution during the NEPA scoping process on the Department of Transportation's statement of a project's purpose and need and during development of the environmental impact statement on the range of alternatives for analysis that the lead agency and agencies of jurisdiction will rely upon for concurrent environmental reviews and permitting decisions required for the proposed project absent circumstances that require reconsideration in order to meet an agency of jurisdiction's legal obligations; and

''(3) achieve concurrence or issue resolution in an expedited manner if circumstances arise that require a reconsideration of the purpose and need or range of alternatives considered during any Federal agency's environmental or permitting review in order to meet an agency of jurisdiction's legal obligations.

''(b) ENVIRONMENTAL CHECKLIST.—The Secretary of Transportation and Federal agencies of jurisdiction likely to have substantive review or approval responsibilities on transportation projects, not later than 90 days after the date of enactment of the Comprehensive Transportation and Consumer Protection Act of 2015, shall jointly develop a checklist to help project sponsors identify potential natural, cultural, and historic resources in the area of a proposed project. The purpose of the checklist is—

''(1) to identify agencies of jurisdiction and cooperating agencies,

''(2) to develop the information needed for the purpose and need and alternatives for analysis; and

''(3) to improve interagency collaboration to help expedite the permitting process for the lead agency and Federal agencies of jurisdiction.

''(c) INTERAGENCY COLLABORATION.—Consistent with Federal environmental statutes and the priority reform actions for Federal agency permitting and reviews defined and identified by the Steering Committee established under section 312, the Secretary shall facilitate annual interagency collaboration sessions at the appropriate jurisdictional level to coordinate business plans and facilitate coordination of workload planning and workforce management. This engagement shall ensure agency staff is fully engaged and utilizing the flexibility of existing regulations, policies, and guidance and identifying additional actions to facilitate high quality, efficient, and targeted environmental reviews and permitting decisions. The sessions and the interagency collaborations they generate shall focus on how to work with State and local transportation entities to improve project planning, siting, and application quality and how to consult and coordinate with relevant stakeholders and Federal, tribal, State, and local representatives early in permitting processes.

''(d) PERFORMANCE MEASUREMENT.—Not later than 1 year after the date of enactment of the Comprehensive Transportation and Consumer Protection Act of 2015, the Secretary of Transportation, in coordination with the Steering Committee established under section 312 of this title, shall establish a program to measure and report on progress towards aligning Federal reviews as outlined in this section.''.

(b) CONFORMING AMENDMENT.—The table of contents of subchapter I of chapter 3 is amended by inserting after the item relating to section 309 the following:

''310. Aligning Federal environmental reviews.''.

SEC. 31105. MULTIMODAL CATEGORICAL EXCLUSIONS.

Section 304 is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking ''operating authority'' and inserting ''operating administration or secretarial office'';

(ii) by inserting ''has expertise but'' before ''is not the lead''; and

(iii) by inserting ''proposed multimodal'' before ''project'';

(B) by amending paragraph (2) to read as follows:

''(2) LEAD AUTHORITY.—The term 'lead authority' means a Department of Transportation operating administration or secretarial office that has the lead responsibility for a proposed multimodal project.''; and

(C) in paragraph (3), by striking ''has the meaning given the term in section 139(a) of title 23'' and inserting ''means an action by the Department of Transportation that involves expertise of 1 or more Department of Transportation operating administrations or secretarial offices'';

(2) in subsection (b), by striking ''under this title'' and inserting ''by the Secretary of Transportation'';

(3) in subsection (c)—

(A) in the matter preceding paragraph (1)—

(i) by striking ''a categorical exclusion designated under the implementing regulations or'' and inserting ''categorical exclusions designated under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) implementing''; and

(ii) by striking ''other components of the'' and inserting ''a proposed multimodal'';

(B) by amending paragraphs (1) and (2) to read as follows:

''(1) the lead authority makes a preliminary determination on the applicability of a categorical exclusion to a proposed multimodal project and notifies the cooperating authority of its intent to apply the cooperating authority categorical exclusion;

''(2) the cooperating authority does not object to the lead authority's preliminary determination of its applicability;'';

(C) in paragraph (3)—

(i) by inserting ''the lead authority determines that'' before ''the component of''; and

(ii) by inserting ''proposed multimodal'' before ''project to be covered''; and

(D) by amending paragraph (4) to read as follows:

''(4) the lead authority, with the concurrence of the cooperating authority—

''(A) follows implementing regulations or procedures under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

''(B) determines that the proposed multimodal project does not individually or cumulatively have a significant impact on the environment; and

''(C) determines that extraordinary circumstances do not exist that merit additional analysis and documentation in an environmental impact statement or environmental assessment required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).''; and

(4) by amending subsection (d) to read as follows:

''(d) COOPERATING AUTHORITY EXPERTISE.—A cooperating authority shall provide expertise to the lead authority on aspects of the multimodal project in which the cooperating authority has expertise.''.

SEC. 31106. IMPROVING TRANSPARENCY IN ENVIRONMENTAL REVIEWS.

(a) IN GENERAL.—Subchapter I of chapter 3, as amended by section 31104 of this Act, is further amended by inserting after section 310 the following:

''§ 311. Improving transparency in environmental reviews

''(a) IN GENERAL.—Not later than years after the date of enactment of the Comprehensive Transportation and Consumer Protection Act of 2015, the Secretary of Transportation shall establish an online platform and, in coordination with Federal agencies described in subsection (b), issue reporting standards to make publicly available the status and progress with respect to compliance with applicable requirements under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and any other Federal approval required under applicable laws for projects and activities requiring an environmental assessment or an environmental impact statement.

''(b) FEDERAL AGENCY PARTICIPATION.—A Federal agency of jurisdiction over an approval required for a project under applicable laws shall provide information regarding the status and progress of the approval to the online platform, consistent with the standards established under subsection (a).

''(c) ASSIGNMENT OF RESPONSIBILITIES.—An entity with assigned authority for responsibilities under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), under section 326 or section 327 of title shall be responsible for supplying project development and compliance status for all applicable projects.''.

(b) CONFORMING AMENDMENT.—The table of contents of subchapter I of chapter 3, as amended by section 31104 of this Act, is further amended by inserting after the item relating to section 310, the following:

''311. Improving transparency in environmental reviews.''.

SEC. 31107. LOCAL TRANSPORTATION INFRASTRUCTURE PROGRAM.

Section 610 of title 23, United States Code, is amended—

(1) in subsection (d)—

(A) in paragraph (1), by striking subparagraph (A) and inserting the following:

''(A) 10 percent of the funds apportioned to the State for each of fiscal years 2016 through 2021 under each of sections 104(b)(1), 104(b)(2), and 144; and'';

(B) in paragraph (2), by striking ''2005 through 2009'' and inserting ''2016 through 2021'';

(C) in paragraph (3), by striking ''2005 through 2009'' and inserting ''2016 through 2021''; and

(D) in paragraph (5), by striking ''section 133(d)(3)'' and inserting ''section 133(d)(4)''; and

(2) in subsection (k), by striking ''2005 through 2009'' and inserting ''2016 through 2021''.

Subtitle B—Research

SEC. 31201. FINDINGS.

Congress makes the followings findings:

(1) Federal transportation research planning and coordination—

(A) should occur within the Office of the Secretary; and

(B) should be, to the extent practicable, multi-modal and not occur solely within the subagencies of the Department of Transportation.

(2) Managing a multi-modal research portfolio within the Office of the Secretary will—

(A) help identify opportunities where research could be applied across modes; and

(B) prevent duplication of efforts and waste of limited Federal resources.

(3) An ombudsman for research at the Department of Transportation will—

(A) give stakeholders a formal opportunity to address concerns;

(B) ensure unbiased research; and

(C) improve the overall research products of the Department.

(4) Increasing transparency of transportation research efforts will—

(A) build stakeholder confidence in the final product; and

(B) lead to the improved implementation of research findings.

SEC. 31202. MODAL RESEARCH PLANS.

(a) IN GENERAL.—Not later than June 15 of the year preceding the research fiscal year, the head of each modal administration and joint program office of the Department of Transportation shall submit a comprehensive annual modal research plan to the Assistant Secretary for Research and Technology of the Department of Transportation (referred to in this subtitle as the ''Assistant Secretary'').

(b) REVIEW.—

(1) IN GENERAL.—Not later than October 1 of each year, the Assistant Secretary, for each plan submitted pursuant to subsection (a), shall—

(A) review the scope of the research; and

(B)(i) approve the plan; or

(ii) request that the plan be revised.

(2) PUBLICATIONS.—Not later than January 30 of each year, the Secretary shall publish each plan that has been approved under paragraph (1)(B)(i) on a public website.

(3) REJECTION OF DUPLICATIVE RESEARCH EFFORTS.—The Assistant Secretary may not approve any plan submitted by the head of a modal administration or joint program office pursuant to subsection (a) if such plan duplicates the research efforts of any other modal administration.

(c) FUNDING LIMITATIONS.—No funds may be expended by the Department of Transportation on research that has not previously been approved as part of a modal research plan approved by the Assistant Secretary unless—

(1) such research is required by an Act of Congress;

(2) such research was part of a contract that was funded before the date of enactment of this Act; or

(3) the Secretary of Transportation certifies to Congress that such research is necessary before the approval of a modal research plan.

(d) DUPLICATIVE RESEARCH.—

(1) IN GENERAL.—Except as provided in paragraph (2), no funds may be expended by the Department of Transportation on research projects that the Secretary identifies as duplicative under subsection(b)(3).

(2) EXCEPTIONS.—Paragraph (1) shall not apply to—

(A) updates to previously commissioned research;

(B) research commissioned to carry out an Act of Congress; or

(C) research commissioned before the date of enactment of this Act.

(e) CERTIFICATION.—

(1) IN GENERAL.—The Secretary shall annually certify to Congress that—

(A) each modal research plan has been reviewed; and

(B) there is no duplication of study for research directed, commissioned, or conducted by the Department of Transportation.

(2) CORRECTIVE ACTION PLAN.—If the Secretary, after submitting a certification under paragraph (1), identifies duplication of research within the Department of Transportation, the Secretary shall—

(A) notify Congress of the duplicative research; and

(B) submit a corrective action plan to Congress that will eliminate such duplicative research.

SEC. 31203. CONSOLIDATED RESEARCH PROSPECTUS AND STRATEGIC PLAN.

(a) PROSPECTUS.—

(1) IN GENERAL.—The Secretary shall annually publish, on a public website, a comprehensive prospectus on all research projects conducted by the Department of Transportation, including, to the extent practicable, research funded through University Transportation Centers.

(2) CONTENTS.—The prospectus published under paragraph (1) shall—

(A) include the consolidated modal research plans approved under section 1302;

(B) describe the research objectives, progress, and allocated funds for each research project;

(C) identify research projects with multimodal applications;

(D) specify how relevant modal administrations have assisted, will contribute to, or plan to use the findings from the research projects identified under paragraph (1);

(E) identify areas in which multiple modal administrations are conducting research projects on similar subjects or subjects which have bearing on multiple modes;

(F) describe the interagency and cross modal communication and coordination that has occurred to prevent duplication of research efforts within the Department of Transportation;

(G) indicate how research is being disseminated to improve the efficiency and safety of transportation systems;

(H) describe how agencies developed their research plans; and

(I) describe the opportunities for public and stakeholder input.

(b) FUNDING REPORT.—In conjunction with each of the President's annual budget requests under section 1105 of title 31, United States Code, the Secretary shall submit a report to appropriate committees of Congress that describes—

(1) the amount spent in the last completed fiscal year on transportation research and development; and

(2) the amount proposed in the current budget for transportation research and development.

(c) PERFORMANCE PLANS AND REPORTS.—In the plans and reports submitted under sections 1115 and 1116 of title 31, United States Code, the Secretary shall include—

(1) a summary of the Federal transportation research and development activities for the previous fiscal year in each topic area;

(2) the amount spent in each topic area;

(3) a description of the extent to which the research and development is meeting the expectations set forth in subsection (d)(3)(A); and

(4) any amendments to the strategic plan developed under subsection (d).

(d) TRANSPORTATION RESEARCH AND DEVELOPMENT STRATEGIC PLAN.—

(1) IN GENERAL.—The Secretary shall develop a 5-year transportation research and development strategic plan to guide future Federal transportation research and development activities.

(2) CONSISTENCY.—The strategic plan developed under paragraph (1) shall be consistent with—

(A) section 306 of title 5, United States Code;

(B) sections 1115 and 1116 of title 31, United States Code; and

(C) any other research and development plan within the Department of Transportation.

(3) CONTENTS.—The strategic plan developed under paragraph (1) shall—

(A) describe the primary purposes of the transportation research and development program, which shall include—

(i) promoting safety;

(ii) reducing congestion;

(iii) improving mobility;

(iv) preserving the existing transportation system;

(v) improving the durability and extending the life of transportation infrastructure; and

(vi) improving goods movement;

(B) for each of the purposes referred to in subparagraph (A), list the primary research and development topics that the Department of Transportation intends to pursue to accomplish that purpose, which may include—

(i) fundamental research in the physical and natural sciences;

(ii) applied research;

(iii) technology research; and

(iv) social science research intended for each topic; and

(C) for each research and development topic—

(i) identify the anticipated annual funding levels for the period covered by the strategic plan; and

(ii) include any additional information the Department of Transportation expects to discover at the end of the period covered by the strategic plan as a result of the research and development in that topic area.

(4) CONSIDERATIONS.—The Secretary shall ensure that the strategic plan developed under this section—

(A) reflects input from a wide range of stakeholders;

(B) includes and integrates the research and development programs of all the Department of Transportation's modal administrations, including aviation, transit, rail, and maritime; and

(C) takes into account how research and development by other Federal, State, private sector, and nonprofit institutions—

(i) contributes to the achievement of the purposes identified under paragraph (3)(A); and

(ii) avoids unnecessary duplication of such efforts.

(e) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) CHAPTER 5 OF TITLE 23.—Chapter 5 of title 23, United States Code, is amended—

(A) by striking section 508;

(B) in the table of contents, by striking the item relating to section 508;

(C) in section 502—

(i) in subsection (a)(9), by striking ''transportation research and technology development strategic plan developed under section 508'' and inserting ''transportation research and development strategic plan under section 31203 of the Comprehensive Transportation and Consumer Protection Act of 2015''; and

(ii) in subsection (b)(4), by striking ''transportation research and development strategic plan of the Secretary developed under section 508'' and inserting ''transportation research and development strategic plan under section 31203 of the Comprehensive Transportation and Consumer Protection Act of 2015''; and

(D) in section 512(b), by striking ''as part of the transportation research and development strategic plan developed under section 508''.

(2) INTELLIGENT TRANSPORTATION SYSTEMS.—Section 5205 of the Intelligent Transportation Systems Act of 1998 (23 U.S.C. 502 note) is amended—

(A) in subsection (b), by striking ''as part of the Surface Transportation Research and Development Strategic Plan developed under section 508 of title 23, United States Code'' and inserting ''as part of the transportation research and development strategic plan under section 31203 of the Comprehensive Transportation and Consumer Protection Act of 2015''; and

(B) in subsection (e)(2)(A), by striking ''or the Surface Transportation Research and Development Strategic Plan developed under section 508 of title 23, United States Code'' and inserting ''or the transportation research and development strategic plan under section 31203 of the Comprehensive Transportation and Consumer Protection Act of 2015''.

(3) INTELLIGENT TRANSPORTATION SYSTEM RESEARCH.—Subtitle C of title V of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (23 U.S.C. 512 note) is amended—

(A) in section 5305(h)(3)(A), by striking ''the strategic plan under section 508 of title 23, United States Code'' and inserting ''the 5-year transportation research and development strategic plan under section 31203 of the Comprehensive Transportation and Consumer Protection Act of 2015''; and

(B) in section 5307(c)(2)(A), by striking ''or the surface transportation research and development strategic plan developed under section 508 of title 23, United States Code'' and inserting ''or the 5-year transportation research and development strategic plan under section 31203 of the Comprehensive Transportation and Consumer Protection Act of 2015''.

SEC. 31204. RESEARCH OMBUDSMAN.

(a) IN GENERAL.—Subtitle III is amended by inserting after chapter 63 the following:

''CHAPTER 65—RESEARCH OMBUDSMAN

''Sec.

''6501. Research ombudsman.

''§ 6501. Research ombudsman

''(a) ESTABLISHMENT.—The Assistant Secretary for Research and Technology shall appoint a career Federal employee to serve as Research Ombudsman. This appointment shall not diminish the authority of peer review of research.

''(b) QUALIFICATIONS.—The Research Ombudsman appointed under subsection (a), to the extent practicable—

''(1) shall have a background in academic research and a strong understanding of sound study design;

''(2) shall develop a working knowledge of the stakeholder communities and research needs of the transportation field; and

''(3) shall not have served as a political appointee of the Department.

''(c) RESPONSIBILITIES.—

''(1) ADDRESSING COMPLAINTS AND QUESTIONS.—The Research Ombudsman shall—

''(A) receive complaints and questions about—

''(i) significant alleged omissions, improprieties, and systemic problems; and

''(ii) excessive delays of, or within, a specific research project; and

''(B) evaluate and address the complaints and questions described in subparagraph (A).

''(2) PETITIONS.—

''(A) REVIEW.—The Research Ombudsman shall review petitions relating to—

''(i) conflicts of interest;

''(ii) the study design and methodology;

''(iii) assumptions and potential bias;

''(iv) the length of the study; and

''(v) the composition of any data sampled.

''(B) RESPONSE TO PETITIONS.—The Research Ombudsman shall—

''(i) respond to relevant petitions within a reasonable period;

''(ii) identify deficiencies in the petition's study design; and

''(iii) propose a remedy for such deficiencies to the administrator of the modal administration responsible for completing the research project.

''(C) RESPONSE TO PROPOSED REMEDY.—The administrator of the modal administration charged with completing the research project shall respond to the proposed research remedy.

''(3) REQUIRED REVIEWS.—The Research Ombudsman shall evaluate the study plan for all statutorily required studies and reports before the commencement of such studies to ensure that the research plan has an appropriate sample size and composition to address the stated purpose of the study.

''(d) REPORTS.—

''(1) IN GENERAL.—Upon the completion of each review under subsection (c), the Research Ombudsman shall—

''(A) submit a report containing the results of such review to—

''(i) the Secretary;

''(ii) the head of the relevant modal administration; and

''(iii) the study or research leader; and

''(B) publish such results on a public website, with the modal administration response required under subsection (c)(2)(C).

''(2) INDEPENDENCE.—Each report required under this section shall be provided directly to the individuals described in paragraph (1) without any comment or amendment from the Secretary, the Deputy Secretary of Transportation, the head of any modal administration of the Department, or any other officer or employee of the Department or the Office of Management and Budget.

''(e) REPORT TO INSPECTOR GENERAL.—The Research Ombudsman shall submit any evidence of misfeasance, malfeasance, waste, fraud, or abuse uncovered during a review under this section to the Inspector General for further review.

''(f) REMOVAL.—The Research Ombudsman shall be subject to adverse employment action for misconduct or good cause in accordance with the procedures and grounds set forth in chapter 75 of title 5.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.— The table of chapters for subtitle III is amended by inserting after the item relating to chapter 63 the following:

''6501. Research ombudsman

SEC. 31205. SMART CITIES TRANSPORTATION PLANNING STUDY.

(a) IN GENERAL.—The Secretary shall conduct a study of digital technologies and information technologies, including shared mobility, data, transportation network companies, and on-demand transportation services—

(1) to understand the degree to which cities are adopting these technologies;

(2) to assess future planning, infrastructure and investment needs; and

(3) to provide best practices to plan for smart cities in which information and technology are used—

(A) to improve city operations;

(B) to grow the local economy;

(C) to improve response in times of emergencies and natural disasters; and

(D) to improve the lives of city residents.

(b) COMPONENTS.—The study conducted under subsection (a) shall—

(1) identify broad issues that influence the ability of the United States to plan for and invest in smart cities, including barriers to collaboration and access to scientific information; and

(2) review how the expanded use of digital technologies, mobile devices, and information may—

(A) enhance the efficiency and effectiveness of existing transportation networks;

(B) optimize demand management services;

(C) impact low-income and other disadvantaged communities;

(D) assess opportunities to share, collect, and use data;

(E) change current planning and investment strategies; and

(F) provide opportunities for enhanced coordination and planning.

(c) REPORTING.—Not later than 18 months after the date of enactment of this Act, the Secretary shall publish the report containing the results of the study required under subsection (a) to a public website.

SEC. 31206. BUREAU OF TRANSPORTATION STATISTICS INDEPENDENCE.

Section 6302 is amended by adding at the end the following:

''(d) INDEPENDENCE OF BUREAU.—

''(1) IN GENERAL.—The Director shall not be required—

''(A) to obtain the approval of any other officer or employee of the Department with respect to the collection or analysis of any information; or

''(B) prior to publication, to obtain the approval of any other officer or employee of the United States Government with respect to the substance of any statistical technical reports or press releases lawfully prepared by the Director.

''(2) BUDGET AUTHORITY.—The Director shall have final authority for the disposition and allocation of the Bureau's authorized budget, including—

''(A) all hiring, grants, cooperative agreements, and contracts awarded by the Bureau to carry out this section; and

''(B) the disposition and allocation of amounts paid to the Bureau for cost-reimbursable projects.

''(3) EXCEPTIONS.—The Secretary shall direct external support functions, such as the coordination of activities involving multiple modal administrations.

''(4) INFORMATION TECHNOLOGY.—In consultation with the Chief Information Officer, the Director shall have the final authority in decisions regarding information technology in order to protect the confidentiality of information provided solely for statistical purposes, in accordance with the Confidential Information Protection and Statistical Efficiency Act of 2002 (44 U.S.C. 3501 note).''.

SEC. 31207. CONFORMING AMENDMENTS.

(a) TITLE 49 AMENDMENTS.—

(1) ASSISTANT SECRETARIES; GENERAL COUNSEL.—Section 102(e) is amended—

(A) in paragraph (1), by striking ''5'' and inserting ''6''; and

(B) in paragraph (1)(A), by inserting ''an Assistant Secretary for Research and Technology,'' before ''and an Assistant Secretary''.

(2) OFFICE OF THE ASSISTANT SECRETARY FOR RESEARCH AND TECHNOLOGY OF THE DEPARTMENT OF TRANSPORTATION .—Section 112 is repealed.

(3) TABLE OF CONTENTS.—The table of contents of chapter 1 is amended by striking the item relating to section 112.

(4) RESEARCH CONTRACTS.—Section 330 is amended—

(A) in the section heading, by striking ''**contracts**'' and inserting ''**activities**'';

(B) in subsection (a), by inserting ''IN GENERAL.—'' before ''The Secretary'';

(C) in subsection (b), by inserting ''RESPONSIBILITIES.—'' before ''In carrying out'';

(D) in subsection (c), by inserting ''PUBLICATIONS.—'' before ''The Secretary''; and

''(d) DUTIES.—The Secretary shall provide for the following:

''(1) Coordination, facilitation, and review of the Department's research and development programs and activities.

''(2) Advancement, and research and development, of innovative technologies, including intelligent transportation systems.

''(3) Comprehensive transportation statistics research, analysis, and reporting.

''(4) Education and training in transportation and transportation-related fields.

''(5) Activities of the Volpe National Transportation Systems Center.

''(e) ADDITIONAL AUTHORITIES.—The Secretary may—

''(1) enter into grants and cooperative agreements with Federal agencies, State and local government agencies, other public entities, private organizations, and other persons—

''(A) to conduct research into transportation service and infrastructure assurance; and

''(B) to carry out other research activities

''(2) carry out, on a cost-shared basis, collaborative research and development to encourage innovative solutions to multimodal transportation problems and stimulate the deployment of new technology with—

''(A) non-Federal entities, including State and local governments, foreign governments, institutions of higher education, corporations, institutions, partnerships, sole proprietorships, and trade associations that are incorporated or established under the laws of any State;

''(B) Federal laboratories; and

''(C) other Federal agencies; and

''(3) directly initiate contracts, grants, cooperative research and development agreements (as defined in section of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a)), and other agreements to fund, and accept funds from, the Transportation Research Board of the National Research Council of the National Academy of Sciences, State departments of transportation, cities, counties, institutions of higher education, associations, and the agents of those entities to carry out joint transportation research and technology efforts.

''(f) FEDERAL SHARE.—

''(1) IN GENERAL.—Subject to paragraph (2), the Federal share of the cost of an activity carried out under subsection (e)(3) shall not exceed 50 percent.

''(2) EXCEPTION.—If the Secretary determines that the activity is of substantial public interest or benefit, the Secretary may approve a greater Federal share.

''(3) NON-FEDERAL SHARE.—All costs directly incurred by the non-Federal partners, including personnel, travel, facility, and hardware development costs, shall be credited toward the non-Federal share of the cost of an activity described in paragraph (1).

''(g) PROGRAM EVALUATION AND OVERSIGHT.—For fiscal years 2016 through 2021, the Secretary is authorized to expend not more than and a half percent of the amounts authorized to be appropriated for necessary expenses for administration and operations of the Office of the Assistant Secretary for Research and Technology for the coordination, evaluation, and oversight of the programs administered under this section.

''(h) USE OF TECHNOLOGY.—The research, development, or use of a technology under a contract, grant, cooperative research and development agreement, or other agreement entered into under this section, including the terms under which the technology may be licensed and the resulting royalties may be distributed, shall be subject to the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3701 et seq.).

''(i) WAIVER OF ADVERTISING REQUIREMENTS.— Section 6101 of title 41 shall not apply to a contract, grant, or other agreement entered into under this section.''.

(5) TABLE OF CONTENTS.—The item relating to section 330 in the table of contents of chapter is amended by striking ''Contracts'' and inserting ''Activities''.

(6) BUREAU OF TRANSPORTATION STATISTICS.—Section 6302(a) is amended to read as follows:

''(a) IN GENERAL.—There shall be within the Department the Bureau of Transportation Statistics.''.

(b) TITLE AMENDMENTS.—

(1) POSITIONS AT LEVEL II.—Section 5313 of title 5, United States Code, is amended by striking ''Under Secretary of Transportation for Security.''.

(2) POSITIONS AT LEVEL III.—Section 5314 of title 5, United States Code, is amended by striking ''Administrator, Research and Innovative Technology Administration.''.

(3) POSITIONS AT LEVEL IV.—Section 5315 of title 5, United States Code, is amended by striking

''(4)'' in the undesignated item relating to Assistant Secretaries of Transportation and inserting ''(5)''

(4) POSITIONS AT LEVEL V.—Section 5316 is amended by striking ''Associate Deputy Secretary, Department of Transportation.''.

SEC. 31208. REPEAL OF OBSOLETE OFFICE.

(a) IN GENERAL.—Section 5503 is repealed.

(b) TABLE OF CONTENTS.—The table of contents of chapter 55 is amended by striking the item relating to section 5503.

Subtitle C—Port Performance Act

SEC. 31301. SHORT TITLE.

This subtitle may be cited as the ''Port Performance Act''.

SEC. 31302. FINDINGS.

Congress finds the following:

(1) America's ports play a critical role in the Nation's transportation supply chain network.

(2) Reliable and efficient movement of goods through the Nation's ports ensures that American goods are available to customers throughout the world.

(3) Breakdowns in the transportation supply chain network, particularly at the Nation's ports, can result in tremendous economic losses for agriculture, businesses, and retailers that rely on timely shipments.

(4) A clear understanding of terminal and port productivity and throughput should help—

(A) to identify freight bottlenecks;

(B) to indicate performance and trends over time; and

(C) to inform investment decisions.

SEC. 31303. PORT PERFORMANCE FREIGHT STATISTICS PROGRAM.

(a) IN GENERAL.—Chapter 63 is amended by adding at the end the following:

''§ 6314. Port performance freight statistics program

(a) IN GENERAL.—The Director shall establish, on ''behalf of the Secretary, a port performance statistics program to provide nationally consistent measures of performance of, at a minimum—

''(1) the Nation's top ports by tonnage;

''(2) the Nation's top ports by 20-foot equivalent unit; and

''(3) the Nation's top ports by dry bulk.

''(b) ANNUAL REPORTS.—

''(1) PORT CAPACITY AND THROUGHPUT.—Not ''later than January of each year, the Director shall submit an annual report to Congress that includes statistics on capacity and throughput at the ports described in subsection (a).

''(2) PORT PERFORMANCE MEASURES.—The Director shall collect monthly port performance measures for each of the United States ports referred to in subsection (a) that receives Federal assistance or is subject to Federal regulation to submit an annual report to the Bureau of Transportation Statistics that includes monthly statistics on capacity and throughput as applicable to the specific configuration of the port.

''(A) MONTHLY MEASURES.—The Director ''shall collect monthly measures, including—

''(i) the average number of lifts per hour of containers by crane;

''(ii) the average vessel turn time by vessel type;

''(iii) the average cargo or container dwell time;

''(iv) the average truck time at ports;

''(v) the average rail time at ports; and

''(vi) any additional metrics, as determined by the Director after receiving recommendations from the working group established under subsection (c).

''(B) MODIFICATIONS.—The Director may consider a modification to a metric under subparagraph (A) if the modification meets the intent of the section.

''(c) RECOMMENDATIONS.—

''(1) IN GENERAL.—The Director shall obtain recommendations for—

''(A) specifications and data measurements for the port performance measures listed in subsection (b)(2);

''(B) additionally needed data elements for measuring port performance; and

''(C) a process for the Department of Transportation to collect timely and consistent data, including identifying safeguards to protect proprietary information described in subsection (b)(2).

''(2) WORKING GROUP.—Not later than 60 days after the date of the enactment of the Port Performance Act, the Director shall commission a working group composed of—

''(A) operating administrations of the Department of Transportation;

''(B) the Coast Guard;

''(C) the Federal Maritime Commission;

''(D) U.S. Customs and Border Protection;

''(E) the Marine Transportation System National Advisory Council;

''(F) the Army Corps of Engineers;

''(G) the Saint Lawrence Seaway Development Corporation;

''(H) the Advisory Committee on Supply Chain Competitiveness;

''(I) representative from the rail industry;

''(J) representative from the trucking industry;

''(K) representative from the maritime shipping industry;

''(L) representative from a labor organization for each industry described in subparagraphs (I) through (K);

''(M) representative from a port authority;

''(N) representative from a terminal operator;

''(O) representatives of the National Freight Advisory Committee of the Department; and

''(P) representatives of the Transportation Research Board of the National Academies.

''(3) RECOMMENDATIONS.—Not later than year after the date of the enactment of the Port Performance Act, the working group commissioned under this subsection shall submit its recommendations to the Director.

''(d) ACCESS TO DATA.—The Director shall ensure that the statistics compiled under this section are readily accessible to the public, consistent with applicable security constraints and confidentiality interests.''.

(b) PROHIBITION ON CERTAIN DISCLOSURES.—Section 6307(b)(1) is amended by inserting ''or section 6314(b)'' after ''section 6302(b)(3)(B)'' each place it appears.

(c) COPIES OF REPORTS.—Section 6307(b)(2)(A) is amended by inserting ''or section 6314(b)'' after ''section 206302(b)(3)(B)''.

(d) TECHNICAL AND CONFORMING AMENDMENT.—

The table of contents for chapter 63 is amended by adding at the end the following: ''6314. Port performance freight statistics program.''.

TITLE XXXII—COMMERCIAL MOTOR VEHICLE AND DRIVER PROGRAMS

Subtitle A—Compliance, Safety, and Accountability Reform

SEC. 32001. CORRELATION STUDY.

(a) IN GENERAL.—The Administrator of the Federal Motor Carrier Safety Administration (referred to in this subtitle as the ''Administrator'') shall commission the National Research Council of the National Academies to conduct a study of—

(1) the Safety Measurement System (referred to in this subtitle as ''SMS''); and

(2) the Compliance, Safety, Accountability program (referred to in this subtitle as the ''CSA program'').

(b) SCOPE OF STUDY.—In carrying out the study commissioned pursuant to subsection (a), the National Research Council—

(1) shall analyze—

(A) the accuracy with which the Behavior Analysis and Safety Improvement Categories (referred to in this subtitle as ''BASIC'') safety measures used by SMS—

(i) identify high risk drivers and carriers; and

(ii) predict or be correlated with future crash risk, crash severity, or other safety indicators for individual drivers, motor carriers, and the highest risk carriers;

(B) the methodology used to calculate BASIC percentiles and identify carriers for enforcement, including the weights assigned to particular violations, and the tie between crash risk and specific regulatory violations, in order to accurately identify and predict future crash risk for motor carriers;

(C) the relative value of inspection information and roadside enforcement data;

(D) any data collection gaps or data sufficiency problems that may exist and the impact of those data gaps and insufficiencies on the efficacy of the CSA program; and

(E) the accuracy of data processing; and

(2) should consider—

(A) whether the current SMS provides comparable precision and confidence for SMS alerts and percentiles for the relative crash risk of individual large and small motor carriers;

(B) whether alternative systems would identify high risk carriers or identify high risk drivers and motor carriers more accurately; and

(C) the recommendations and findings of the Comptroller General of the United States and the Inspector General, and independent review team reports issued before the date of the enactment of this Act.

(c) REPORT.—Not later than 18 months after the date of enactment of this Act, the Administrator shall submit a report containing the results of the completed study to—

(1) the Committee on Commerce, Science, and Transportation of the Senate;

(2) the Committee on Transportation and Infrastructure of the House of Representatives;

(3) the Inspector General of the Department of Transportation; and

(4) the Comptroller General of the United States.

(d) CORRECTIVE ACTION PLAN.—

(1) IN GENERAL.—Not later than 120 days after the Administrator submits a report under subsection (c) that identifies a deficiency or opportunity for improvement in the CSA program or in any element of SMS, the Administrator shall submit a corrective action plan to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that—

(A) responds to the concerns highlighted by the report;

(B) identifies how the Federal Motor Carrier Safety Administration will address such concerns; and

(C) provides an estimate of the cost, including changes in staffing, enforcement, and data collection necessary to implement the recommendations.

(2) PROGRAM REFORMS.—The corrective action plan submitted under paragraph (1) shall include an implementation plan that—

(A) includes benchmarks;

(B) includes programmatic reforms, revisions to regulations, or proposals for legislation; and

(C) shall be considered in any rulemaking by the Department of Transportation that relates to the CSA program, including the SMS data sets or analysis.

(e) INSPECTOR GENERAL REVIEW.—Not later than 120 days after the Administrator issues a corrective action plan under subsection (d), the Inspector General of the Department of Transportation shall—

(1) review the extent to which such plan implements—

(A) recommendations contained in the report submitted under subsection (c); and

(B) recommendations issued by the Comptroller General or the Inspector General before the date of enactment of this Act; and

(2) submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on the responsiveness of the corrective action plan to the recommendations described in paragraph (1).

(f) FISCAL LIMITATION.—The Administrator shall carry out the study required under this section using amounts appropriated to the Federal Motor Carrier Safety Administration and available for obligation and expenditure as of the date of the enactment of this Act.

SEC. 32002. SAFETY IMPROVEMENT METRICS.

(a) IN GENERAL.—The Administrator shall incorporate a methodology into the CSA program or establish a third-party process to allow recognition, including credit, improved score, or by establishing a safety BASIC in SMS for safety technology, tools, programs, and systems approved by the Administrator through the qualification process developed under subsection (b) that exceed regulatory requirements or are used to enhance safety performance, including—

(1) the installation of qualifying advanced safety equipment, such as—

(A) collision mitigation systems;

(B) lane departure warnings;

(C) speed limiters;

(D) electronic logging devices;

(E) electronic stability control;

(F) critical event recorders; and

(G) strengthening rear guards and sideguards for underride protection;

(2) the use of enhanced driver fitness measures that exceed current regulatory requirements, such as—

(A) additional new driver training;

(B) enhanced and ongoing driver training; and

(C) remedial driver training to address specific deficiencies as identified in roadside inspection or enforcement reports;

(3) the adoption of qualifying administrative fleet safety management tools technologies, driver performance and behavior management technologies, and programs; and

(4) technologies and measures identified through the process described in subsection (c).

(b) QUALIFICATION.—The Administrator, through a notice and comment process, shall develop technical or other performance standards for technology, advanced safety equipment, enhanced driver fitness measures, tools, programs, or systems used by motor carriers that will qualify for credit under this section.

(c) ADDITIONAL REQUIREMENTS.—In modifying the CSA program under subsection (a), the Administrator, through notice and comment, shall develop a process for identifying and reviewing other technology, advanced safety equipment, enhanced driver fitness measures, tools, programs, or systems used by motor carriers to improve safety performance that—

(1) provides for a petition for reviewing technology, advanced safety equipment, enhanced driver fitness measures, tools, programs, or systems;

(2) seeks input and participation from industry stakeholders, including drivers, technology manufacturers, vehicle manufacturers, motor carriers, enforcement communities, and safety advocates, and the Motor Carrier Safety Advisory Committee; and

(3) includes technology, advanced safety equipment, enhanced driver fitness measures, tools, programs, or systems with a date certain for future statutory or regulatory implementation.

(d) SAFETY IMPROVEMENT METRICS USE AND VERIFICATION.—The Administrator, through notice and comment process, shall develop a process for—

(1) providing recognition or credit within a motor carrier's SMS score for the installation and use of measures in paragraphs (1) through (4) of subsection (a);

(2) ensuring that the safety improvement metrics developed under this section are presented with other SMS data;

(3) verifying the installation or use of such technology, advanced safety equipment, enhanced driver fitness measures, tools, programs, or systems;

(4) modifying or removing recognition or credit upon verification of noncompliance with this section;

(5) ensuring that the credits or recognition referred to in paragraph (1) reflect the safety improvement anticipated as a result of the installation or use of the specific technology, advanced safety equipment, enhanced driver fitness measure, tool, program, or system;

(6) verifying the deployment and use of qualifying equipment or management systems by a motor carrier through a certification from the vehicle manufacturer, the system or service provider, the insurance carrier, or through documents submitted by the motor carrier to the Department of Transportation;

(7) annually reviewing the list of qualifying safety technology, advanced safety equipment, enhanced driver fitness measures, tools, programs, or systems; and

(8) removing systems mandated by law or regulation, or if such systems demonstrate a lack of efficacy, from the list of qualifying technologies, advanced safety equipment, enhanced driver fitness measures, tools, programs, or systems eligible for credit under the CSA program.

(e) DISSEMINATION OF INFORMATION.—The Administrator shall maintain a public website that contains information regarding—

(1) the technology, advanced safety equipment, enhanced driver fitness measures, tools, programs, or systems eligible for credit and improved scores;

(2) any petitions for study of the technology, advanced safety equipment, enhanced driver fitness measures, tools, programs, or systems; and

(3) statistics and information relating to the use of such technology, advanced safety equipment, enhanced driver fitness measures, tools, programs, or systems.

(f) PUBLIC REPORT.—Not later than 1 year after the establishment of the Safety Improvement Metrics System (referred to in this section as ''SIMS'') under this section, and annually thereafter, the Administrator shall publish, on a public website, a report that identifies—

(1) the types of technology, advanced safety equipment, enhanced driver fitness measures, tools, programs, or systems that are eligible for credit;

(2) the number of instances in which each technology, advanced safety equipment, enhanced driver fitness measure, tool, program, or system is used;

(3) the number of motor carriers, and a description of the carrier's fleet size, that received recognition or credit under the modified CSA program; and

(4) the pre- and post-adoption safety performance of the motor carriers described in paragraph (3).

(g) IMPLEMENTATION AND OVERSIGHT RESPONSIBILITY.—The Administrator shall ensure that the activities described in subsections (a) through (f) of this section are not required under section 31102 of title 49, United States Code, as amended by this Act.

(h) EVALUATION.—

(1) IN GENERAL.—Not later than 2 years after the implementation of SIMS under this section, the Administrator shall conduct an evaluation of the effectiveness of SIMS by reviewing the impacts of SIMS on—

(A) law enforcement, commercial drivers and motor carriers, and motor carrier safety; and

(B) safety and adoption of new technologies.

(2) REPORT.—Not later than 30 months after the implementation of the program, the Administrator shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that describes—

(A) the results of the evaluation conducted under paragraph (1); and

(B) the actions the Federal Motor Carrier Safety Administration plans to take to modify the demonstration program based on such results.

(i) USE OF ESTIMATES OF SAFETY EFFECTS.—In conducting regulatory impact analyses for rulemakings relating to the technology, advanced safety equipment, enhanced driver fitness measures, tools, programs, or systems selected for credit under the CSA program, the Administrator, to the extent practicable, shall use the data gathered under this section and appropriate statistical methodology, including sufficient

sample sizes, composition, and appropriate comparison groups, including representative motor carriers of all sizes, to estimate the effects on safety performance and reduction in the number and severity of accidents with qualifying technology, advanced safety equipment, tools, programs, and systems.

(j) SAVINGS PROVISION.—Nothing in this section may be construed to provide the Administrator with additional authority to change the requirements for the operation of a commercial motor vehicle.

SEC. 32003. DATA CERTIFICATION.

(a) LIMITATION.—Beginning not later than 1 day after the date of enactment of this Act, none of the analysis of violation information, enforcement prioritization, not-at-fault crashes, alerts, or the relative percentile for each Behavioral Analysis and Safety Improvement Category developed through the CSA program may be made available to the general public (including through requests under section 552 of title 5, United States Code), but violation and inspection information submitted by the States may be presented, until the Inspector General of the Department of Transportation certifies that—

(1) any deficiencies identified in the correlation study required under section 32001 have been addressed;

(2) the corrective action plan has been implemented and the concerns raised by the correlation study under section 32001 have been addressed;

(3) the Administrator has fully implemented or satisfactorily addressed the issues raised in the February 2014 GAO report entitled ''Modifying the Compliance, Safety, Accountability Program Would Improve the Ability to Identify High Risk Carriers'' (GAO–14–114), which called into question the accuracy and completeness of safety performance calculations;

(4) the study required under section 32001 has been published on a public website; and

(5) the CSA program has been modified in accordance with section 32002.

(b) LIMITATION ON USE OF CSA ANALYSIS.—The analysis of violation information, enforcement prioritization, alerts, or the relative percentile for each Behavioral Analysis and Safety Improvement Category developed through the CSA program within the SMS system may not be used for safety fitness determinations until the requirements under subsection (a) have been satisfied.

(c) CONTINUED PUBLIC AVAILABILITY OF DATA.—Inspection and violation information submitted to the Federal Motor Carrier Safety Administration by commercial motor vehicle inspectors and qualified law enforcement officials shall remain available for public viewing.

(d) EXCEPTIONS.—

(1) IN GENERAL.—Notwithstanding the limitations set forth in subsections (a) and (b)—

(A) the Federal Motor Carrier Safety Administration and State and local commercial motor vehicle enforcement agencies may only use the information referred to in subsection (a) for purposes of investigation and enforcement prioritization;

(B) motor carriers and commercial motor vehicle drivers may access information referred to in subsection (a) that relates directly to the motor carrier or driver, respectively; and

(C) the data analysis of motorcoach operators may be provided online, with a notation indicating that the ratings or alerts listed are not intended to imply any Federal safety rating of the carrier.

(2) NOTATION.—The notation described under paragraph (1)(C) shall include: ''Readers should not draw conclusions about a carrier's overall safety condition simply based on the data displayed in this system. Unless a motor carrier has received an UNSATISFACTORY safety rating under part 385 of title 49, Code of Federal Regulations, or has otherwise been ordered to discontinue operations by the Federal Motor Carrier Safety Administration, it is authorized to operate on the Nation's roadways.''.

(3) LIMITATION.—Nothing in subparagraphs (A) and (B) of paragraph (1) may be construed to restrict the official use by State enforcement agencies of the data collected by State enforcement personnel.

(e) CERTIFICATION.—The certification process described in subsection (a) shall occur concurrently with the implementation of SIMS under section 32002.

(f) COMPLETION.—The Secretary shall modify the CSA program in accordance with section 32002 not later than year after the date of completion of the report described in section 32001(c).

SEC. 32004. DATA IMPROVEMENT.

(a) FUNCTIONAL SPECIFICATIONS.—Not later than 180 days after the date of enactment of this Act, the Administrator shall develop functional specifications to ensure the consistent and accurate input of data into systems and databases relating to the CSA program.

(b) FUNCTIONALITY.—The specifications developed pursuant to subsection (a)—

(1) shall provide for the hardcoding and smart logic functionality for roadside inspection data collection systems and databases; and

(2) shall be made available to public and private sector developers.

(c) EFFECTIVE DATA MANAGEMENT.—The Administrator shall ensure that internal systems and databases accept and effectively manage data using uniform standards.

(d) CONSULTATION WITH THE STATES.—Before implementing the functional specifications described in subsection (a) or the standards described in subsection (c), the Administrator shall seek input from the State agencies responsible for enforcing section 31102 of title 49, United States Code.

SEC. 32005. ACCIDENT REPORT INFORMATION.

(a) REVIEW.—The Administrator shall initiate a demonstration program that allows motor carriers and drivers to request a review of crashes, and the removal of crash data for use in the Federal Motor Carrier Safety Administration's safety measurement system of crashes, and removal from any weighting, or carrier safety analysis, if the commercial motor vehicle was operated legally and another motorist in connection with the crash is found—

(1) to have been driving under the influence;

(2) to have been driving the wrong direction on a roadway;

(3) to have struck the commercial motor vehicle in the rear;

(4) to have struck the commercial motor vehicle which was legally stopped;

(5) by the investigating officer or agency to have been responsible for the crash; or

(6) to have committed other violations determined by the Administrator.

(b) DOCUMENTS.—As part of a request for review under subsection (a), the motor carrier or driver shall submit a copy of available police reports, crash investigations, judicial actions, insurance claim information, and any related court actions submitted by each party involved in the accident.

(c) SOLICITATION OF OTHER INFORMATION.—Following a notice and comment period, the Administrator may solicit other types of information to be collected under subsection (b) to facilitate appropriate reviews under this section.

(d) EVALUATION.—The Federal Motor Carrier Safety Administration shall review the information submitted under subsections (b) and (c).

(e) RESULTS.—Subject to subsection (h)(2), the results of the review under subsection (a)—

(1) shall be used to recalculate the motor carrier's crash BASIC percentile; and

(2) if the carrier is determined not to be responsible for the crash incident, such information, shall be reflected on the website of the Federal Motor Carrier Safety Administration.

(f) FEE SYSTEM.—

(1) ESTABLISHMENT.—The Administrator may establish a fee system, in accordance with section 9701 of title 31, United States Code, in which a motor carrier is charged a fee for each review of a crash requested by such motor carrier under this section.

(2) DISPOSITION OF FEES.—Fees collected under this section—

(A) may be credited to the Department of Transportation appropriations account for purpose of carrying out this section; and

(B) shall be used to fully fund the operation of the review program authorized under this section.

(g) REVIEW AND REPORT.—Not earlier than 2 years after the establishment of the demonstration program under this section, the Administrator shall—

(1) conduct a review of the internal crash review program to determine if other crash types should be included; and

(2) submit a report to Congress that describes—

(A) the number of crashes reviewed;

(B) the number of crashes for which the commercial motor vehicle operator was determined not to be at fault; and

(C) relevant information relating to the program, including the cost to operate the program and the fee structure established.

(h) IMPLEMENTATION AND OVERSIGHT RESPONSIBILITY.—

(1) IN GENERAL.—The Administrator shall ensure that the activities described in subsections (a) through (d) of this section are not required under section 31102 of title 49, United States Code, as amended by this Act.

(2) REVIEWS INVOLVING FATALITIES.—If a review under subsection (a) involves a fatality, the Inspector General of the Department of Transportation shall audit and certify the review prior to making any changes under subsection (e).

SEC. 32006. POST-ACCIDENT REPORT REVIEW.

(a) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Secretary shall convene a working group—

(1) to review the data elements of post-accident reports, for tow-away accidents involving commercial motor vehicles, that are reported to the Federal Government; and

(2) to report to the Secretary its findings and any recommendations, including best practices for State post-accident reports to achieve the data elements described in subsection (c).

(b) COMPOSITION.—Not less than 51 percent of the working group should be composed of individuals representing the States or State law enforcement officials. The remaining members of the working group shall represent industry, labor, safety advocates, and other interested parties.

(c) CONSIDERATIONS.—The working group shall consider requiring additional data elements, including—

(1) the primary cause of the accident, if the primary cause can be determined;

(2) the physical characteristics of the commercial motor vehicle and any other vehicle involved in the accident, including—

(A) the vehicle configuration;

(B) the gross vehicle weight if the weight can be readily determined;

(C) the number of axles; and

(D) the distance between axles, if the distance can be readily determined; and

(3) any data elements that could contribute to the appropriate consideration of requests under section 32005.

(d) REPORT.—Not later than year after the date of enactment of this Act, the Secretary shall—

(1) review the findings of the working group;

(2) identify the best practices for State post-accident reports that are reported to the Federal Government, including identifying the data elements that should be collected following a tow-away commercial motor vehicle accident; and

(3) recommend to the States the adoption of new data elements to be collected following reportable commercial motor vehicle accidents.

SEC. 32007. RECOGNIZING EXCELLENCE IN SAFETY.

(a) IN GENERAL.—The Administrator shall establish a program to publicly recognize motor carriers and drivers whose safety records and programs exceed compliance with the Federal Motor Carrier Safety Administration's safety regulations and demonstrate clear and outstanding safety practices.

(b) RESTRICTION.—The program established under subsection (a) may not be deemed to be an endorsement of, or a preference for, motor carriers or drivers recognized under the program.

SEC. 32008. HIGH RISK CARRIER REVIEWS.

(a) IN GENERAL.—After the completion of the certification under section 32003 of this Act, and the establishment of the Safety Fitness Determination program, the Secretary shall ensure that a review is completed on each motor carrier that demonstrates through performance data that it poses the highest safety risk. At a minimum, a review shall be conducted whenever a motor carrier is among the highest risk carriers for consecutive months.

(b) REPORT.—Not later than 180 days after the completion of the certification under section 32003 of this Act and the establishment of the Safety Fitness Determination program, the Secretary shall post on a public website a report on the actions the Secretary has taken to comply with this section, including the number of high risk carriers identified and the high risk carriers reviewed.

(c) CONFORMING AMENDMENT.—Section 4138 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (49 U.S.C. 31144 note) is repealed.

Subtitle B—Transparency and Accountability

SEC. 32201. RULEMAKING REQUIREMENTS.

(a) IN GENERAL.—Not later than years after the date of enactment of this Act, if the Secretary determines that a significant number of crashes are not covered by the current minimum insurance requirements, the Secretary shall commence a rulemaking to determine whether to increase the minimum levels of financial responsibility required under section 31139 of title 49, United States Code, for a motor carrier to transport property.

(b) CONSIDERATIONS.—In considering a notice of proposed rulemaking or final rule to increase the minimum levels of financial responsibility under subsection (a), the Secretary shall identify and consider—

(1) current State insurance requirements;

(2) the differences between the State insurance requirements identified under paragraph (1) and Federal requirements;

(3) the amount of an insurance claim at the current minimum levels of financial responsibility that is applied toward—

(A) medical care;

(B) compensation; or

(C) other identifiable costs of a claim; and

(4) the frequency in which an insurance claim exceeds the current minimum levels of financial responsibility, including, to the extent practicable, unsealed verdicts and settlements.

(c) RULEMAKING.—If the Secretary commences a rulemaking under subsection (a), the Secretary shall include in the rulemaking—

(1) an estimate of the regulation's impact on—

(A) the safety of motor vehicle transportation;

(B) the economic condition of the motor carrier industry, including small and minority motor carriers and independent owner-operators;

(C) the ability of the insurance industry to provide the required amount of insurance; and

(D) the ability of the minimum insurance level to cover the full cost of injuries, compensatory damages, and fatalities; and

(2) an estimate of the effects an increase in the minimum levels of financial responsibility would have on—

(A) small motor carriers;

(B) insurance premiums for motor carriers, including small and minority motor carriers and independent owner-operators; and

(C) the availability of insurance to meet the minimum levels of financial responsibility.

SEC. 32202. PETITIONS FOR REGULATORY RELIEF.

(a) APPLICATIONS FOR REGULATORY RELIEF.—Notwithstanding subpart C of part 381 of title 49, Code of Federal Regulations, the Secretary shall allow an applicant representing a class or group of motor carriers to apply for a specific exemption from any provision of the regulations under part 395 of title 49, Code of Federal Regulations, for commercial motor vehicle drivers.

(b) REVIEW PROCESS.—

(1) IN GENERAL.—The Secretary shall establish the procedures for the application for and the review of an exemption under subsection (a).

(2) PUBLICATION.—Not later than 30 days after the date of receipt of an application for an exemption, the Secretary shall publish the application in the Federal Register and provide the public with an opportunity to comment.

(3) PUBLIC COMMENT.—

(A) IN GENERAL.—Each application shall be available for public comment for a 30-day period, but the Secretary may extend the opportunity for public comment for up to 60 days if it is a significant or complex request.

(B) REVIEW.—Beginning on the date that the public comment period under subparagraph (A) ends, the Secretary shall have 60 days to review all of the comments received.

(4) DETERMINATION.—At the end of the 60-day period under paragraph (3)(B), the Secretary shall publish a determination in the Federal Register, including—

(A) the reason for granting or denying the application; and

(B) if the application is granted—

(i) the specific class of persons eligible for the exemption;

(ii) each provision of the regulations to which the exemption applies; and

(iii) any conditions or limitations applied to the exemption.

(5) CONSIDERATIONS.—In making a determination whether to grant or deny an application for an exemption, the Secretary shall consider the safety impacts of the request and may provide appropriate conditions or limitations on the use of the exemption.

(c) OPPORTUNITY FOR RESUBMISSION.—If an application is denied and the applicant can reasonably address the reason for the denial, the Secretary may allow the applicant to resubmit the application.

(d) PERIOD OF APPLICABILITY.—

(1) IN GENERAL.—Except as provided in paragraph (2) of this subsection and subsection (f), each exemption granted under this section shall be valid for a period of 5 years unless the Secretary identifies a compelling reason for a shorter exemption period.

(2) RENEWAL.—At the end of the 5-year period under paragraph (1)—

(A) the Secretary, at the Secretary's discretion, may renew the exemption for an additional 5-year period; or

(B) an applicant may apply under subsection (a) for a permanent exemption from each applicable provision of the regulations.

(e) LIMITATION.—No exemption under this section may be granted to or used by any motor carrier that has an unsatisfactory or conditional safety fitness determination.

(f) PERMANENT EXEMPTIONS.—

(1) IN GENERAL.—The Secretary shall make permanent the following limited exceptions:

(A) Department of Defense Military Surface Deployment and Distribution Command transport of weapons, munitions, and sensitive classified cargo as published in the Federal Register Volume 80 on April 16, 2015 (80 Fed. Reg. 20556).

(B) Department of Energy transport of security-sensitive radioactive materials as published in the Federal Register Volume 80 on June 22, 2015 (80 Fed. Reg. 35703).

(C) Motor carriers that transport hazardous materials shipments requiring security plans under regulations of the Pipeline and Hazardous Materials Safety Administration as published in the Federal Register Volume 80 on May 1, 2015 (80 Fed. Reg. 25004).

(D) Perishable construction products as published in the Federal Register Volume 80 on April 2, 2015 (80 Fed. Reg. 17819).

(E) Passenger vehicle record of duty status change as published in the Federal Register Volume 80 on June 4, 2015 (80 Fed. Reg. 31961).

(F) Transport of commercial bee hives as published in the Federal Register Volume 80 on June 19, 2018. (80 Fed. Reg. 35425).

(G) Specialized carriers and drivers responsible for transporting loads requiring special permits as published in the Federal Register Volume 80 on June 18, 2015 (80 Fed. Reg. 34957).

(H) Safe transport of livestock as published in the Federal Register Volume 80 on June 12, 2015 (80 Fed. Reg. 33584).

(2) ADDITIONAL EXEMPTIONS.—The Secretary may make any temporary exemption from any provision of the regulations under part 395 of title 49, Code of Federal Regulations, for commercial motor vehicle drivers that is in effect on the date of enactment of this Act permanent if the Secretary determines that the permanent exemption will

not degrade safety. The Secretary shall provide public notice and comment on a list of the additional temporary exemptions to be made permanent under this paragraph.

(3) REVOCATION OF EXEMPTIONS.—The Secretary may revoke an exemption issued under this section if the Secretary can demonstrate that the exemption has had a negative impact on safety.

SEC. 32203. INSPECTOR STANDARDS.

Not later than 90 days after the date of enactment of this Act, the Administrator of the Federal Motor Carrier Safety Administration shall revise the regulations under part 385 of title 49, Code of Federal Regulations, as necessary, to incorporate by reference the certification standards for roadside inspectors issued by the Commercial Vehicle Safety Alliance.

SEC. 32204. TECHNOLOGY IMPROVEMENTS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Government Accountability Office shall conduct a comprehensive analysis on the Federal Motor Carrier Safety Administration's information technology and data collection and management systems.

(b) REQUIREMENTS.—The study conducted under subsection (a) shall—

(1) evaluate the efficacy of the existing information technology, data collection, processing systems, and data management systems and programs, including their interaction with each other and their efficacy in meeting user needs;

(2) identify any redundancies among the systems and programs described in paragraph (1);

(3) explore the feasibility of consolidating data collection and processing systems;

(4) evaluate the ability of the systems and programs described in paragraph (1) to meet the needs of—

(A) the Federal Motor Carrier Safety Administration, at both the headquarters and State level;

(B) the State agencies that implement the Motor Carrier Safety Assistance Program under section 31102 of title 49, United States Code; and

(C) other users;

(5) evaluate the adaptability of the systems and programs described in paragraph (1), in order to make necessary future changes to ensure user needs are met in an easier, timely, and more cost efficient manner;

(6) investigate and make recommendations regarding—

(A) deficiencies in existing data sets impacting program effectiveness; and

(B) methods to improve any and all user interfaces; and

(7) evaluate the appropriate role the Federal Motor Carrier Safety Administration should take with respect to software and information systems design, development, and maintenance for the purpose of improving the efficacy of the systems and programs described in paragraph (1).

Subtitle C—Trucking Rules Updated by Comprehensive and Key Safety Reform

SEC. 32301. UPDATE ON STATUTORY REQUIREMENTS.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, and every 90 days thereafter until a final rule has been issued for each of the requirements described under paragraphs (1) through (5), the Administrator of the Federal Motor Carrier Safety Administration shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the status of a final rule for—

(1) the minimum entry-level training requirements for an individual operating a commercial motor vehicle under section 31305(c) of title 49, United States Code;

(2) motor carrier safety fitness determinations;

(3) visibility of agricultural equipment under section 31601 of division C of the Moving Ahead for Progress in the 21st Century Act (49 U.S.C. 30111 note);

(4) regulations to require commercial motor vehicles in interstate commerce and operated by a driver subject to the hours of service and record of duty status requirements under part 395 of title 49, Code of Federal Regulations, be equipped with an electronic control module capable of limiting the maximum speed of the vehicle; and

(5) any outstanding commercial motor vehicle safety regulation required by law and incomplete for more than 2 years.

(b) CONTENTS.—Each report under subsection (a) shall include a description of the work plan, an updated rulemaking timeline, current staff allocations, any resource constraints, and any other details associated with the development of the rulemaking.

SEC. 32302. STATUTORY RULEMAKING.

The Administrator of the Federal Motor Carrier Safety Administration shall prioritize the use of Federal Motor Carrier Safety Administration resources for the completion of each outstanding statutory requirement for a rulemaking before beginning any new rulemaking unless the Secretary certifies to Congress that there is an imminent and significant safety need to move forward with a new rulemaking.

SEC. 32303. GUIDANCE REFORM.

(a) GUIDANCE.—

(1) POINT OF CONTACT.—Each guidance document, other than a regulatory action, issued by the Federal Motor Carrier Safety Administration shall have a date of publication or a date of revision, as applicable, and the name and contact information of a point of contact at the Federal Motor Carrier Safety Administration who can respond to questions regarding the general applicability of the guidance.

(2) PUBLIC ACCESSIBILITY.—

(A) IN GENERAL.—Each guidance document and interpretation issued by the Federal Motor Carrier Safety Administration shall be published on the Department of Transportation's public website on the date of issuance.

(B) REDACTION.—The Administrator of the Federal Motor Carrier Safety Administration may redact from a guidance document or interpretation under subparagraph (A) any information that would reveal investigative techniques that would compromise Federal Motor Carrier Safety Administration enforcement efforts.

(3) RULEMAKING.—Not later than 5 years after the date that a guidance document is published under paragraph (2) or during the comprehensive review under subsection (c), whichever is earlier, the Secretary, in consultation with the Administrator, shall revise the applicable regulations to incorporate the guidance document to the extent practicable.

(4) REISSUANCE.—If a guidance document is not incorporated into the applicable regulations under paragraph (3), the Secretary shall—

(A) reissue an updated guidance document; and

(B) review and reissue an updated guidance document every 5 years during the comprehensive review process under subsection (c) until the date that the guidance document is removed or incorporated into the applicable regulations under paragraph (3) of this subsection.

(b) UPDATE.—Not later than 1 year after the date of enactment of this Act, the Secretary shall review regulations, guidance, and enforcement policies published on the Department of Transportation's public website to ensure the regulations, guidance, and enforcement policies are current, readily accessible to the public, and meet the standards under subsection (c)(1).

(c) REVIEW.—

(1) IN GENERAL.—Subject to paragraph (2), not less than once every 5 years, the Administrator of the Federal Motor Carrier Safety Administration shall conduct a comprehensive review of its guidance and enforcement policies to determine whether—

(A) the guidance and enforcement policies are consistent and clear;

(B) the guidance is uniformly and consistently enforceable; and

(C) the guidance is still necessary.

(2) NOTICE AND COMMENT.—Prior to beginning the review, the Administrator shall publish in the Federal Register a notice and request for comment soliciting input from stakeholders on which regulations should be updated or eliminated.

(3) PRIORITIZATION OF OUTSTANDING PETITIONS.—As part of the review under paragraph (1), the Administrator shall prioritize consideration of each outstanding petition (as defined in section 32304(b) of this Act) submitted by a stakeholder for rulemaking.

(4) REPORT.—

(A) IN GENERAL.—Not later than 60 days after the date that a review under paragraph (1) is complete, the Administrator shall publish on the Department of Transportation's public website a report detailing the review and a full inventory of guidance and enforcement policies.

(B) INCLUSIONS.—The report under subparagraph (A) of this paragraph shall include a summary of the response of the Federal Motor Carrier Safety Administration to each comment received under paragraph (2) indicating each request the Federal Motor Carrier Safety Administration is granting.

SEC. 32304. PETITIONS.

(a) IN GENERAL.—The Administrator of the Federal Motor Carrier Safety Administration shall—

(1) publish on the Department of Transportation's public website all petitions for regulatory action submitted;

(2) prioritize stakeholder petitions based on the likelihood of providing safety improvements;

(3) formally respond to each petition by indicating whether the Administrator will accept, deny, or further review, the petition not later than 180 days after the date the petition is published under paragraph (1);

(4) prioritize resulting actions consistent with an action's potential to reduce crashes, improve enforcement, and reduce unnecessary burdens; and

(5) not later than 60 days after the date of receipt, publish, and update as necessary, on the Department of Transportation's public website an inventory of the petitions described in paragraph (1), including any applicable disposition information for that petition.

(b) DEFINITION OF PETITION.—In this section, the term ''petition'' means a request for new regulations, regulatory interpretations or clarifications, or retrospective review of regulations to eliminate or modify

obsolete, ineffective, or overly-burdensome rules.

SEC. 32305. REGULATORY REFORM.

(a) REGULATORY IMPACT ANALYSIS.—

(1) IN GENERAL.—Within each regulatory impact analysis of a proposed or final rule issued by the Federal Motor Carrier Safety Administration, the Secretary shall whenever practicable—

(A) consider effects of the proposed or final rule on a carrier with differing characteristics; and

(B) formulate estimates and findings on the best available science.

(2) SCOPE.—To the extent feasible and appropriate, and consistent with law, the analysis described in paragraph (1) shall—

(A) use data generated from a representative sample of commercial vehicle operators, motor carriers, or both, that will be covered under the proposed or final rule; and

(B) consider effects on commercial truck and bus carriers of various sizes and types.

(b) PUBLIC PARTICIPATION.—

(1) IN GENERAL.—Before promulgating a proposed rule under part B of subtitle VI of title 49, United States Code, if the proposed rule is likely to lead to the promulgation of a major rule the Secretary shall—

(A) issue an advance notice of proposed rulemaking; or

(B) determine to proceed with a negotiated rulemaking.

(2) REQUIREMENTS.—Each advance notice of proposed rulemaking issued under paragraph (1) shall—

(A) identify the compelling public concern for a potential regulatory action, such as failures of private markets to protect or improve the safety of the public, the environment, or the well-being of the American people;

(B) identify and request public comment on the best available science or technical information on the need for regulatory action and on the potential regulatory alternatives;

(C) request public comment on the benefits and costs of potential regulatory alternatives reasonably likely to be included or analyzed as part of the notice of proposed rulemaking; and

(D) request public comment on the available alternatives to direct regulation, including providing economic incentives to encourage the desired behavior.

(3) WAIVER.—This subsection shall not apply when the Secretary, for good cause, finds (and incorporates the finding and a brief statement of reasons for such finding in the proposed or final rule) an advance notice of proposed rulemaking impracticable, unnecessary, or contrary to the public interest.

(c) SAVINGS CLAUSE.—Nothing in this section may be construed to limit the contents of any Advance Notice of Proposed Rulemaking.

Subtitle D—State Authorities

SEC. 32401. EMERGENCY ROUTE WORKING GROUP.

(a) IN GENERAL.—

(1) ESTABLISHMENT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall establish a working group to determine best practices for expeditious State approval of special permits for vehicles involved in emergency response and recovery.

(2) MEMBERS.—The working group shall include representatives from—

(A) State highway transportation departments or agencies;

(B) relevant modal agencies within the Department of Transportation;

(C) emergency response or recovery experts;

(D) relevant safety groups; and

(E) persons affected by special permit restrictions during emergency response and recovery efforts.

(b) CONSIDERATIONS.—In determining best practices under subsection (a), the working group shall consider whether—

(1) hurdles currently exist that prevent the expeditious State approval for special permits for vehicles involved in emergency response and recovery;

(2) it is possible to pre-identify and establish emergency routes between States through which infrastructure repair materials could be delivered following a natural disaster or an emergency;

(3) a State could pre-designate an emergency route identified under paragraph (1) as a certified emergency route if a motor vehicle that exceeds the otherwise applicable Federal and State truck length or width limits may safely operate along such route during period of emergency recovery; and

(4) an online map could be created to identify each pre-designated emergency route under paragraph (2), including information on specific limitations, obligations, and notification requirements along that route.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the working group shall submit to the Secretary a report of its findings under this section and any recommendations for the implementation of the best practices for expeditious State approval of special permits for vehicles involved in emergency recovery. Upon receipt, the Secretary shall publish the report on a public website.

(d) FEDERAL ADVISORY COMMITTEE ACT EXEMPTION.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the working group established under this section.

SEC. 32402. ADDITIONAL STATE AUTHORITY.

Notwithstanding any other provision of law, not later than 180 days after the date of enactment of this Act, any State impacted by section 4006 of the Intermodal Surface Transportation Efficiency Act of 1991 (Public Law 102–240; 105 Stat. 2148) shall be provided the option to update the routes listed in the final list as long as the update shifts routes to divided highways or does not increase centerline miles by more than 5 percent and the change is expected to increase safety performance.

SEC. 32403. COMMERCIAL DRIVER ACCESS.

(a) INTERSTATE COMPACT PILOT PROGRAM.—

(1) IN GENERAL.—The Administrator of the Federal Motor Carrier Safety Administration may establish a 6-year pilot program to study the feasibility, benefits, and safety impacts of allowing a licensed driver between the ages of 18 and 21 to operate a commercial motor vehicle in interstate commerce.

(2) INTERSTATE COMPACTS.—The Secretary shall allow States, including the District of Columbia, to enter into an interstate compact with contiguous States to allow a licensed driver between the ages of 18 and 21 to operate a motor vehicle across the applicable State lines. The Secretary shall approve as many as 3 interstate compacts, with no more than 4 States per compact participating in each interstate compact.

(3) MUTUAL RECOGNITION OF LICENSES.—A valid intrastate commercial driver's licenses issued by a State participating in an interstate compact under paragraph (2) shall be recognized as valid not more than 100 air miles from the border of the driver's State of licensure in each State that is participating in that interstate compact.

(4) STANDARDS.—In developing an interstate compact under this subsection, participating States shall provide for minimum licensure standards acceptable for interstate travel under this section, which may include, for a licensed driver between the ages of 18 and 21 participating in the pilot program—

(A) age restrictions;

(B) distance from origin (measured in air miles);

(C) reporting requirements; or

(D) additional hours of service restrictions.

(5) LIMITATIONS.—An interstate compact under paragraph (2) may not permit special configuration or hazardous cargo operations to be transported by a licensed driver under the age of 21.

(6) ADDITIONAL REQUIREMENTS.—The Secretary may—

(A) prescribe such additional requirements, including training, for a licensed driver between the ages of 18 and 21 participating in the pilot program as the Secretary considers necessary; and

(B) provide risk mitigation restrictions and limitations.

(b) APPROVAL.—An interstate compact under subsection (a)(2) may not go into effect until it has been approved by the governor of each State (or the Mayor of the District of Columbia, if applicable) that is a party to the interstate compact, after consultation with the Secretary of Transportation and the Administrator of the Federal Motor Carrier Safety Administration.

(c) DATA COLLECTION.—The Secretary shall collect and analyze data relating to accidents (as defined in section 390.5 of title 49, Code of Federal Regulations) in which a driver under the age 21 of participating in the pilot program is involved.

(d) REPORT.—Beginning 3 years after the date the first compact is established and approved, the Secretary shall submit to Congress a report containing the data collection and findings of the pilot program, a determination of whether a licensed driver between the ages of 18 and 21 can operate a commercial motor vehicle in interstate commerce with an equivalent level of safety, and the reasons for that determination. The Secretary may extend the air mileage requirements under subsection (a)(3) to expand operation areas and gather additional data for analysis.

(e) TERMINATION.—The Secretary may terminate the pilot program if the data collected under subsection (c) indicates that drivers under the age of 21 do not operate in interstate commerce with an equivalent level of safety of those drivers age 21 and over.

Subtitle E—Motor Carrier Safety Grant Consolidation

SEC. 32501. DEFINITIONS.

(a) IN GENERAL.—Section 31101 is amended—

(1) by redesignating paragraph (4) as paragraph (5); and

(2) by inserting after paragraph (3) the following:

(4) ''‘Secretary' means the Secretary of Transportation.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Section 31101, as amended by subsection (a), is amended—

(1) in paragraph (1)(B), by inserting a comma after ''passengers''; and

(2) in paragraph (1)(C), by striking ''of Transportation''.

SEC. 32502. GRANTS TO STATES.

(a) MOTOR CARRIER SAFETY ASSISTANCE PROGRAM.—Section 31102 is amended to read as follows:

"§ 31102. Motor Carrier Safety Assistance Program

''(a) IN GENERAL.—The Secretary shall administer a motor carrier safety assistance program funded under section 31104.

''(b) GOAL.—The goal of the program is to ensure that the Secretary, States, local governments, other political jurisdictions, federally-recognized Indian tribes, and other persons work in partnership to establish programs to improve motor carrier, commercial motor vehicle, and driver safety to support a safe and efficient surface transportation system—

''(1) by making targeted investments to promote safe commercial motor vehicle transportation, including the transportation of passengers and hazardous materials;

''(2) by investing in activities likely to generate maximum reductions in the number and severity of commercial motor vehicle crashes and fatalities resulting from such crashes;

''(3) by adopting and enforcing effective motor carrier, commercial motor vehicle, and driver safety regulations and practices consistent with Federal requirements; and

''(4) by assessing and improving statewide performance by setting program goals and meeting performance standards, measures, and benchmarks.

''(c) STATE PLANS.—

''(1) IN GENERAL.—The Secretary shall prescribe procedures for a State to submit a multiple-year plan, and annual updates thereto, under which the State agrees to assume responsibility for improving motor carrier safety, adopting and enforcing compatible regulations, standards, and orders of the Federal Government on commercial motor vehicle safety and hazardous materials transportation safety.

''(2) CONTENTS.—The Secretary shall approve a plan if the Secretary determines that the plan is adequate to comply with the requirements of this section, and the plan—

''(A) implements performance-based activities, including deployment and maintenance of technology to enhance the efficiency and effectiveness of commercial motor vehicle safety programs;

''(B) designates a lead State commercial motor vehicle safety agency responsible for administering the plan throughout the State;

''(C) contains satisfactory assurances that the lead State commercial motor vehicle safety agency has or will have the legal authority, resources, and qualified personnel necessary to enforce the regulations, standards, and orders;

''(D) contains satisfactory assurances that the State will devote adequate resources to the administration of the plan and enforcement of the regulations, standards, and orders;

''(E) provides a right of entry and inspection to carry out the plan;

''(F) provides that all reports required under this section be available to the Secretary on request;

''(G) provides that the lead State commercial motor vehicle safety agency will adopt the reporting requirements and use the forms for recordkeeping, inspections, and investigations that the Secretary prescribes;

''(H) requires all registrants of commercial motor vehicles to demonstrate knowledge of applicable safety regulations, standards, and orders of the Federal Government and the State;

''(I) provides that the State will grant maximum reciprocity for inspections conducted under the North American Inspection Standards through the use of a nationally-accepted system that allows ready identification of previously inspected commercial motor vehicles;

''(J) ensures that activities described in subsection (h), if financed through grants to the State made under this section, will not diminish the effectiveness of the development and implementation of the programs to improve motor carrier, commercial motor vehicle, and driver safety as described in subsection (b);

''(K) ensures that the lead State commercial motor vehicle safety agency will coordinate the plan, data collection, and information systems with the State highway safety improvement program required under section 148(c) of title 23;

''(L) ensures participation in appropriate Federal Motor Carrier Safety Administration information technology and data systems and other information systems by all appropriate jurisdictions receiving Motor Carrier Safety Assistance Program funding;

''(M) ensures that information is exchanged among the States in a timely manner;

''(N) provides satisfactory assurances that the State will undertake efforts that will emphasize and improve enforcement of State and local traffic safety laws and regulations related to commercial motor vehicle safety;

''(O) provides satisfactory assurances in the plan that the State will address national priorities and performance goals, including—

''(i) activities aimed at removing impaired commercial motor vehicle drivers from the highways of the United States through adequate enforcement of regulations on the use of alcohol and controlled substances and by ensuring ready roadside access to alcohol detection and measuring equipment;

''(ii) activities aimed at providing an appropriate level of training to State motor carrier safety assistance program officers and employees on recognizing drivers impaired by alcohol or controlled substances; and

''(iii) when conducted with an appropriate commercial motor vehicle inspection, criminal interdiction activities, and appropriate strategies for carrying out those interdiction activities, including interdiction activities that affect the transportation of controlled substances (as defined under section 102 of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 802) and listed in part 1308 of title 21, Code of Federal Regulations, as updated and republished from time to time) by any occupant of a commercial motor vehicle;

''(P) provides that the State has established and dedicated sufficient resources to a program to ensure that—

''(i) the State collects and reports to the Secretary accurate, complete, and timely motor carrier safety data; and

''(ii) the State participates in a national motor carrier safety data correction system prescribed by the Secretary;

''(Q) ensures that the State will cooperate in the enforcement of financial responsibility requirements under sections 13906, 31138, and 31139 of this title, and regulations issued under these sections;

''(R) ensures consistent, effective, and reasonable sanctions;

''(S) ensures that roadside inspections will be conducted at locations that are adequate to protect the safety of drivers and enforcement personnel;

''(T) provides that the State will include in the training manuals for the licensing examination to drive both noncommercial motor vehicles and commercial motor vehicles information on best practices for driving safely in the vicinity of noncommercial and commercial motor vehicles;

''(U) provides that the State will enforce the registration requirements of sections 13902 and 31134 of this title by prohibiting the operation of any vehicle discovered to be operated by a motor carrier without a registration issued under those sections or to be operated beyond the scope of the motor carrier's registration;

''(V) provides that the State will conduct comprehensive and highly visible traffic enforcement and commercial motor vehicle safety inspection programs in high-risk locations and corridors;

''(W) except in the case of an imminent hazard or obvious safety hazard, ensures that an inspection of a vehicle transporting passengers for a motor carrier of passengers is conducted at a station, terminal, border crossing, maintenance facility, destination, or other location where adequate food, shelter, and sanitation facilities are available for passengers, and reasonable accommodations are available for passengers with disabilities;

''(X) ensures that the State will transmit to its roadside inspectors the notice of each Federal exemption granted under section 31315(b) of this title and sections 390.23 and 390.25 of title 49 of the Code of Federal Regulations and provided to the State by the Secretary, including the name of the person granted the exemption and any terms and conditions that apply to the exemption;

''(Y) except as provided in subsection (d), provides that the State—

''(i) will conduct safety audits of interstate and, at the State's discretion, intrastate new entrant motor carriers under section 31144(g) of this title; and

''(ii) if the State authorizes a third party to conduct safety audits under section 31144(g) on its behalf, the State verifies the quality of the work conducted and remains solely responsible for the management and oversight of the activities;

''(Z) provides that the State agrees to fully participate in the performance and registration information system management under section 31106(b) not later than October 1, 2020, by complying with the conditions for participation under paragraph (3) of that section;

''(AA) provides that a State that shares a land border with another country—

''(i) will conduct a border commercial motor vehicle safety program focusing on international commerce that includes enforcement and related projects; or

''(ii) will forfeit all funds calculated by the Secretary based on border-related activities if the State declines to conduct the program described in clause (i) in its plan; and

''(BB) provides that a State that meets the other requirements of this section and agrees to comply with the requirements established in subsection (l)(3) may fund operation and maintenance costs associated with innovative technology deployment under subsection (l)(3) with Motor Carrier Safety Assistance Program funds authorized under section 31104(a)(1).

''(3) PUBLICATION.—

''(A) IN GENERAL.—Subject to subparagraph (B), the Secretary shall publish each approved State multiple-year plan, and each annual update thereto, on the Department of Transportation's public website not later than 30 days after the date the Secretary approves the plan or update.

''(B) LIMITATION.—Before posting an approved State multiple-year plan or annual

update under subparagraph (A), the Secretary shall redact any information identified by the State that, if disclosed—

''(i) would reasonably be expected to interfere with enforcement proceedings; or

''(ii) would reveal enforcement techniques or procedures that would reasonably be expected to risk circumvention of the law.

''(d) EXCLUSION OF U.S. TERRITORIES.—The requirement that a State conduct safety audits of new entrant motor carriers under subsection (c)(2)(Y) does not apply to a territory of the United States unless required by the Secretary.

''(e) INTRASTATE COMPATIBILITY.—The Secretary shall prescribe regulations specifying tolerance guidelines and standards for ensuring compatibility of intrastate commercial motor vehicle safety laws, including regulations, with Federal motor carrier safety regulations to be enforced under subsections (b) and (c). To the extent practicable, the guidelines and standards shall allow for maximum flexibility while ensuring a degree of uniformity that will not diminish motor vehicle safety.

''(f) MAINTENANCE OF EFFORT.—

''(1) BASELINE.—Except as provided under paragraphs (2) and (3) and in accordance with section 32508 of the Comprehensive Transportation and Consumer Protection Act of 2015, a State plan under subsection (c) shall provide that the total expenditure of amounts of the lead State commercial motor vehicle safety agency responsible for administering the plan will be maintained at a level each fiscal year at least equal to—

''(A) the average level of that expenditure for fiscal years 2004 and 2005; or

''(B) the level of that expenditure for the year in which the Secretary implements a new allocation formula under section 32508 of the Comprehensive Transportation and Consumer Protection Act of 2015.

''(2) ADJUSTED BASELINE AFTER FISCAL YEAR 2017.—At the request of a State, the Secretary may evaluate additional documentation related to the maintenance of effort and may make reasonable adjustments to the maintenance of effort baseline after the year in which the Secretary implements a new allocation formula under section 32508 of the Comprehensive Transportation and Consumer Protection Act of 2015, and this adjusted baseline will replace the maintenance of effort requirement under paragraph (1).

''(3) WAIVERS.—At the request of a State, the Secretary may waive or modify the requirements of this subsection for fiscal year if the Secretary determines that a waiver or modification is reasonable, based on circumstances described by the State, to ensure the continuation of commercial motor vehicle enforcement activities in the State.

''(4) LEVEL OF STATE EXPENDITURES.—In estimating the average level of State expenditure under paragraph (1), the Secretary—

''(A) may allow the State to exclude State expenditures for Federally-sponsored demonstration and pilot programs and strike forces;

''(B) may allow the State to exclude expenditures for activities related to border enforcement and new entrant safety audits; and

''(C) shall require the State to exclude State matching amounts used to receive Federal financing under section 31104.

''(g) USE OF UNIFIED CARRIER REGISTRATION FEES AGREEMENT.—Amounts generated under section 14504a of this title and received by a State and used for motor carrier safety purposes may be included as part of the State's match required under section 31104 of this title or maintenance of effort required by subsection (f) of this section.

''(h) USE OF GRANTS TO ENFORCE OTHER LAWS.—When approved in the States' plan under subsection (c), a State may use Motor Carrier Safety Assistance Program funds received under this section—

''(1) if the activities are carried out in conjunction with an appropriate inspection of a commercial motor vehicle to enforce Federal or State commercial motor vehicle safety regulations, for—

''(A) enforcement of commercial motor vehicle size and weight limitations at locations, excluding fixed weight facilities, such as near steep grades or mountainous terrains, where the weight of a commercial motor vehicle can significantly affect the safe operation of the vehicle, or at ports where intermodal shipping containers enter and leave the United States; and

''(B) detection of and enforcement actions taken as a result of criminal activity, including the trafficking of human beings, in a commercial motor vehicle or by any occupant, including the operator, of the commercial motor vehicle;

''(2) for documented enforcement of State traffic laws and regulations designed to promote the safe operation of commercial motor vehicles, including documented enforcement of such laws and regulations relating to noncommercial motor vehicles when necessary to promote the safe operation of commercial motor vehicles, if—

''(A) the number of motor carrier safety activities, including roadside safety inspections, conducted in the State is maintained at a level at least equal to the average level of such activities conducted in the State in fiscal years 2004 and 2005; and

''(B) the State does not use more than 10 percent of the basic amount the State receives under a grant awarded under section 31104(a)(1) for enforcement activities relating to noncommercial motor vehicles necessary to promote the safe operation of commercial motor vehicles unless the Secretary determines that a higher percentage will result in significant increases in commercial motor vehicle safety; and

''(3) for the enforcement of household goods regulations on intrastate and interstate carriers if the State has adopted laws or regulations compatible with the Federal household goods regulations.

''(i) EVALUATION OF PLANS AND AWARD OF GRANTS.—

''(1) AWARDS.—The Secretary shall establish criteria for the application, evaluation, and approval of State plans under this section. Subject to subsection (j), the Secretary may allocate the amounts made available under section 31104(a)(1) among the States.

''(2) OPPORTUNITY TO CURE.—If the Secretary disapproves a plan under this section, the Secretary shall give the State a written explanation of the reasons for disapproval and allow the State to modify and resubmit the plan for approval.

''(j) ALLOCATION OF FUNDS.—

''(1) IN GENERAL.—The Secretary, by regulation, shall prescribe allocation criteria for funds made available under section 31104(a)(1).

''(2) ANNUAL ALLOCATIONS.—On October 1 of each fiscal year, or as soon as practicable thereafter, and after making a deduction under section 31104(c), the Secretary shall allocate amounts made available in section 31104(a)(1) to carry out this section for the fiscal year among the States with plans approved under this section in accordance with the criteria under paragraph (1).

''(3) ELECTIVE ADJUSTMENTS.—Subject to the availability of funding and notwithstanding fluctuations in the data elements used by the Secretary to calculate the annual allocation amounts, after the creation of a new allocation formula under section 32508 of the Comprehensive Transportation and Consumer Protection Act of 2015 the Secretary may not make elective adjustments to the allocation formula that decrease a State's Federal funding levels by more than 3 percent in a fiscal year. The 3 percent limit shall not apply to the withholding provisions of subsection (k).

''(k) PLAN MONITORING.—

''(1) IN GENERAL.—On the basis of reports submitted by the lead State agency responsible for administering an approved State plan and an investigation by the Secretary, the Secretary shall periodically evaluate State implementation of and compliance with the State plan.

''(2) WITHHOLDING OF FUNDS.—

''(A) DISAPPROVAL.—If, after notice and an opportunity to be heard, the Secretary finds that the State plan previously approved is not being followed or has become inadequate to ensure enforcement of the regulations, standards, or orders, or the State is otherwise not in compliance with the requirements of this section, the Secretary may withdraw approval of the plan and notify the State. The plan is no longer in effect once the State receives notice, and the Secretary shall withhold all funding under this section.

''(B) NONCOMPLIANCE WITHHOLDING.—In lieu of withdrawing approval of the plan, the Secretary may, after providing notice and an opportunity to be heard, withhold funding from the State to which the State would otherwise be entitled under this section for the period of the State's noncompliance. In exercising this option, the Secretary may withhold—

''(i) up to 5 percent of funds during the fiscal year that the Secretary notifies the State of its noncompliance;

''(ii) up to 10 percent of funds for the first full fiscal year of noncompliance;

''(iii) up to 25 percent of funds for the second full fiscal year of noncompliance; and

''(iv) not more than 50 percent of funds for the third and any subsequent full fiscal year of noncompliance.

''(3) JUDICIAL REVIEW.—A State adversely affected by a determination under paragraph (2) may seek judicial review under chapter 7 of title 5. Notwithstanding the disapproval of a State plan under paragraph (2)(A) or the withholding under paragraph (2)(B), the State may retain jurisdiction in an administrative or a judicial proceeding that commenced before the notice of disapproval or withholding if the issues involved are not related directly to the reasons for the disapproval or withholding.

''(l) HIGH PRIORITY FINANCIAL ASSISTANCE PROGRAM.—

''(1) IN GENERAL.—The Secretary shall administer a high priority financial assistance program funded under section 31104 for the purposes described in paragraphs (2) and (3).

''(2) ACTIVITIES RELATED TO MOTOR CARRIER SAFETY.—The purpose of this paragraph is to make discretionary grants to and cooperative agreements with States, local governments, federally-recognized Indian tribes, other political jurisdictions as necessary, and any person to carry out high priority activities and projects that augment motor carrier safety activities and projects planned in accordance with subsections (b) and (c), including activities and projects that—

''(A) increase public awareness and education on commercial motor vehicle safety;

''(B) target unsafe driving of commercial motor vehicles and non-commercial motor vehicles in areas identified as high risk crash corridors;

''(C) support the enforcement of State household goods regulations on intrastate and interstate carriers if the State has adopted laws or regulations compatible with the Federal household good laws;

''(D) improve the safe and secure movement of hazardous materials;

''(E) improve safe transportation of goods and persons in foreign commerce;

''(F) demonstrate new technologies to improve commercial motor vehicle safety;

''(G) support participation in performance and registration information systems management under section 31106(b)—

''(i) for entities not responsible for submitting the plan under subsection (c); or

''(ii) for entities responsible for submitting the plan under subsection (c)—

''(I) before October 1, 2020, to achieve compliance with the requirements of participation; and

''(II) beginning on October 1, 2020, or once compliance is achieved, whichever is sooner, for special initiatives or projects that exceed routine operations required for participation;

''(H) conduct safety data improvement projects—

''(i) that complete or exceed the requirements under subsection (c)(2)(P) for entities not responsible for submitting the plan under subsection (c); or

''(ii) that exceed the requirements under subsection (c)(2)(P) for entities responsible for submitting the plan under subsection (c); and

''(I) otherwise improve commercial motor vehicle safety and compliance with commercial motor vehicle safety regulations.

''(3) INNOVATIVE TECHNOLOGY DEPLOYMENT GRANT PROGRAM.—

''(A) IN GENERAL.—The Secretary shall establish an innovative technology deployment grant program to make discretionary grants funded under section 31104(a)(2) to eligible States for the innovative technology deployment of commercial motor vehicle information systems and networks.

''(B) PURPOSES.—The purposes of the program shall be—

''(i) to advance the technological capability and promote the deployment of intelligent transportation system applications for commercial motor vehicle operations, including commercial motor vehicle, commercial driver, and carrier-specific information systems and networks; and

''(ii) to support and maintain commercial motor vehicle information systems and networks—

''(I) to link Federal motor carrier safety information systems with State commercial motor vehicle systems;

''(II) to improve the safety and productivity of commercial motor vehicles and drivers; and

''(III) to reduce costs associated with commercial motor vehicle operations and Federal and State commercial vehicle regulatory requirements.

''(C) ELIGIBILITY.—To be eligible for a grant under this paragraph, a State shall—

''(i) have a commercial motor vehicle information systems and networks program plan approved by the Secretary that describes the various systems and networks at the State level that need to be refined, revised, upgraded, or built to accomplish deployment of commercial motor vehicle information systems and networks capabilities;

''(ii) certify to the Secretary that its commercial motor vehicle information systems and networks deployment activities, including hardware procurement, software and system development, and infrastructure modifications—

''(I) are consistent with the national intelligent transportation systems and commercial motor vehicle information systems and networks architectures and available standards; and

''(II) promote interoperability and efficiency to the extent practicable; and

''(iii) agree to execute interoperability tests developed by the Federal Motor Carrier Safety Administration to verify that its systems conform with the national intelligent transportation systems architecture, applicable standards, and protocols for commercial motor vehicle information systems and networks.

''(D) USE OF FUNDS.—Grant funds may be used—

''(i) for deployment activities and activities to develop new and innovative advanced technology solutions that support commercial motor vehicle information systems and networks;

''(ii) for planning activities, including the development or updating of program or top level design plans in order to become eligible or maintain eligibility under subparagraph (C); and

''(iii) for the operation and maintenance costs associated with innovative technology.

''(E) SECRETARY AUTHORIZATION.—The Secretary is authorized to award a State funding for the operation, and maintenance costs associated with innovative technology deployment with funds made available under both sections 31104(a)(1) and 31104(a)(2) of this title.''.

(b) COMMERCIAL MOTOR VEHICLE OPERATORS GRANT PROGRAM.—Section 31103 is amended to read as follows:

''§ 31103. Commercial Motor Vehicle Operators Grant Program

''(a) IN GENERAL.—The Secretary shall administer a commercial motor vehicle operators grant program funded under section 31104.

''(b) PURPOSE.—The purpose of the grant program is to train individuals in the safe operation of commercial motor vehicles (as defined in section 31301).''.

(c) AUTHORIZATION OF APPROPRIATIONS.—Section 31104 is amended to read as follows:

''§ 31104. Authorization of appropriations

''(a) FINANCIAL ASSISTANCE PROGRAMS.—The following sums are authorized to be appropriated from the Highway Trust Fund for the following Federal Motor Carrier Safety Administration Financial Assistance Programs:

''(1) MOTOR CARRIER SAFETY ASSISTANCE PROGRAM.—Subject to paragraph (2) of this subsection and subsection (c) of this section, to carry out section 31102—

''(A) $295,636,000 for fiscal year 2017;

''(B) $301,845,000 for fiscal year 2018;

''(C) $308,183,000 for fiscal year 2019;

''(D) $314,655,000 for fiscal year 2020; and

''(E) $321,263,000 for fiscal year 2021.

''(2) HIGH PRIORITY ACTIVITIES FINANCIAL ASSISTANCE PROGRAM.—Subject to subsection (c), to make grants and cooperative agreements under section 31102(l) of this title, the Secretary may set aside from amounts made available under paragraph (1) of this subsection up to—

''(A) $42,323,000 for fiscal year 2017;

''(B) $43,212,000 for fiscal year 2018;

''(C) $44,119,000 for fiscal year 2019;

''(D) $45,046,000 for fiscal year 2020; and

''(E) $45,992,000 for fiscal year 2021.

''(3) COMMERCIAL MOTOR VEHICLE OPERATORS GRANT PROGRAM.—To carry out section 31103—

''(A) $1,000,000 for fiscal year 2017;

''(B) $1,000,000 for fiscal year 2018;

''(C) $1,000,000 for fiscal year 2019;

''(D) $1,000,000 for fiscal year 2020; and

''(E) $1,000,000 for fiscal year 2021.

''(4) COMMERCIAL DRIVER'S LICENSE PROGRAM IMPLEMENTATION FINANCIAL ASSISTANCE PROGRAM.—Subject to subsection (c), to carry out section 31313—

''(A) $31,273,000 for fiscal year 2017;

''(B) $31,930,000 for fiscal year 2018;

''(C) $32,600,000 for fiscal year 2019;

''(D) $33,285,000 for fiscal year 2020; and

''(E) $33,984,000 for fiscal year 2021.

''(b) REIMBURSEMENT AND PAYMENT TO RECIPIENTS FOR GOVERNMENT SHARE OF COSTS.—

''(1) IN GENERAL.—Amounts made available under subsection (a) shall be used to reimburse financial assistance recipients proportionally for the Federal Government's share of the costs incurred.

''(2) Reimbursement amounts.—The Secretary shall reimburse a recipient, in accordance with a financial assistance agreement made under section 31102, 31103, or 31313, an amount that is at least 85 percent of the costs incurred by the recipient in a fiscal year in developing and implementing programs under these sections. The Secretary shall pay the recipient an amount not more than the Federal Government share of the total costs approved by the Federal Government in the financial assistance agreement. The Secretary shall include a recipient's in-kind contributions in determining the reimbursement.

''(3) VOUCHERS.—Each recipient shall submit vouchers at least quarterly for costs the recipient incurs in developing and implementing programs under section 31102, 31103, or 31313.

''(c) DEDUCTIONS FOR PARTNER TRAINING AND PROGRAM SUPPORT.—On October 1 of each fiscal year, or as soon after that date as practicable, the Secretary may deduct from amounts made available under paragraphs (1), (2), and (4) of subsection (a) for that fiscal year not more than 1.50 percent of those amounts for partner training and program support in that fiscal year. The Secretary shall use at least 75 percent of those deducted amounts to train non-Federal Government employees and to develop related training materials in carrying out these programs.

''(d) GRANTS AND COOPERATIVE AGREEMENTS AS CONTRACTUAL OBLIGATIONS.—The approval of a financial assistance agreement by the Secretary under section 31102, 31103, or 31313 is a contractual obligation of the Federal Government for payment of the Federal Government's share of costs in carrying out the provisions of the grant or cooperative agreement.

''(e) ELIGIBLE ACTIVITIES.—The Secretary shall establish criteria for eligible activities to be funded with financial assistance agreements under this section and publish those criteria in a notice of funding availability before the financial assistance program application period.

''(f) PERIOD OF AVAILABILITY OF FINANCIAL ASSISTANCE AGREEMENT FUNDS FOR RECIPIENT EXPENDITURES.—

''(1) IN GENERAL.—The period of availability for a recipient to expend a grant or cooperative agreement authorized under subsection (a) is as follows:

''(A) For grants made for carrying out section 31102, other than section 31102(l), for the

fiscal year in which it is obligated and for the next fiscal year.

''(B) For grants or cooperative agreements made for carrying out section 31102(l)(2), for the fiscal year in which it is obligated and for the next 2 fiscal years.

''(C) For grants made for carrying out section 31102(l)(3), for the fiscal year in which it is obligated and for the next 4 fiscal years.

''(D) For grants made for carrying out section 31103, for the fiscal year in which it is obligated and for the next fiscal year.

''(E) For grants or cooperative agreements made for carrying out 31313, for the fiscal year in which it is obligated and for the next 4 fiscal years.

''(2) REOBLIGATION.—Amounts not expended by a recipient during the period of availability shall be released back to the Secretary for reobligation for any purpose under sections 31102, 31103, 31104, and 31313 in accordance with subsection (i) of this section.

''(g) CONTRACT AUTHORITY; INITIAL DATE OF AVAILABILITY.—Amounts authorized from the Highway Trust Fund by this section shall be available for obligation on the date of their apportionment or allocation or on October 1 of the fiscal year for which they are authorized, whichever occurs first.

''(h) AVAILABILITY OF FUNDING.—Amounts made available under this section shall remain available until expended.

''(i) TRANSFER OF OBLIGATION AUTHORITY.—

''(1) IN GENERAL.—Of the contract authority authorized for motor carrier safety grants, the Secretary shall have authority to transfer available unobligated contract authority and associated liquidating cash within or between Federal financial assistance programs authorized under this section and make new Federal financial assistance awards under this section.

''(2) COST ESTIMATES.—Of the funds transferred, the contract authority and associated liquidating cash or obligations and expenditures stemming from Federal financial assistance awards made with this contract authority shall not be scored as new obligations by the Congressional Budget Office or by the Secretary.

''(3) NO LIMITATION ON TOTAL OF OBLIGATIONS.—Notwithstanding any other provision of law, no limitation on the total of obligations for Federal financial assistance programs carried out by the Federal Motor Carrier Safety Administration under this section shall apply to unobligated funds transferred under this subsection.''.

(d) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) SAFETY FITNESS OF OWNERS AND OPERATOR; SAFETY REVIEWS OF NEW OPERATORS.—Section 31144(g) is amended by striking paragraph (5).

(2) INFORMATION SYSTEMS; PERFORMANCE AND REGISTRATION INFORMATION PROGRAM.—Section 31106(b) is amended by striking paragraph (4).

(3) BORDER ENFORCEMENT GRANTS.—Section 31107 is repealed.

(4) PERFORMANCE AND REGISTRATION INFORMATION SYSTEM MANAGEMENT.—Section 31109 is repealed.

(5) TABLE OF CONTENTS.—The table of contents of chapter 311 is amended—

(A) by striking the items relating to 31107 and 31109; and

(B) by striking the items relating to sections 31102, 31103, and 31104 and inserting the following:

''31102. Motor Carrier Safety Assistance Program.
''31103. Commercial Motor Vehicle Operators Grant Program.
''31104. Authorization of appropriations.''.

(6) GRANTS FOR COMMERCIAL DRIVER'S LICENSE PROGRAM IMPLEMENTATION.—Section 31313(a), as amended by section 32506 of this Act, is further amended by striking ''The Secretary of Transportation shall administer a financial assistance program for commercial driver's license program implementation for the purposes described in paragraphs (1) and (2)'' and inserting ''The Secretary of Transportation shall administer a financial assistance program for commercial driver's license program implementation funded under section 31104 of this title for the purposes described in paragraphs (1) and (2)''.

(7) COMMERCIAL VEHICLE INFORMATION SYSTEMS AND NETWORKS DEPLOYMENT.—Section 4126 of SAFETEA-LU (49 U.S.C. 31106 note) is repealed.

(8) SAFETY DATA IMPROVEMENT PROGRAM.—Section 4128 of SAFETEA-LU (49 U.S.C. 31100 note) is repealed.

(9) GRANT PROGRAM FOR COMMERCIAL MOTOR VEHICLE OPERATORS.—Section 4134 of SAFETEA-LU (49 U.S.C. 31301 note) is repealed.

(10) WINTER HOME HEATING OIL DELIVERY STATE FLEXIBILITY PROGRAM.—Section 346 of National Highway System Designation Act of 1995 (49 U.S.C. 31166 note) is repealed.

(11) MAINTENANCE OF EFFORT AS CONDITION ON GRANTS TO STATES.—Section 103(c) of the Motor Carrier Safety Improvement Act of 1999 (49 U.S.C. 31102 note) is repealed.

(12) STATE COMPLIANCE WITH CDL REQUIREMENTS.—Section 103(e) of the Motor Carrier Safety Improvement Act of 1999 (49 U.S.C. 31102 note) is repealed.

(13) BORDER STAFFING STANDARDS.—Section 218(d) of the Motor Carrier Safety Improvement Act of 1999 (49 U.S.C. 31133 note) is amended—

(A) in paragraph (1), by striking ''under 1 section 31104(f)(2)(B) of title 49, United States Code'' and inserting ''section 31104(a)(1) of title 49, United States Code''; and

(B) by striking paragraph (3).

(e) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2016.

(f) TRANSITION.—Notwithstanding the amendments made by this section, the Secretary shall carry out sections 31102, 31103, 31104 of title 49, United States Code, and any sections repealed under subsection (d) of this section, as necessary, as those sections were in effect on the day before October 1, 2016, with respect to applications for grants, cooperative agreements, or contracts under those sections submitted before October 1, 2016.

SEC. 32503. NEW ENTRANT SAFETY REVIEW PROGRAM STUDY.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Office of Inspector General of the Department of Transportation shall report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure in the House of Representatives on its assessment of the new operator safety review program, required under section 31144(g) of title 49, United States Code, including the program's effectiveness in reducing commercial motor vehicles involved in crashes, fatalities, and injuries, and in improving commercial motor vehicle safety.

(b) REPORT.—Not later than 90 days after completion of the report under subsection (a), the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure in the House of Representatives a report on the actions the Secretary will take to address any recommendations included in the study under subsection (a).

(c) PAPERWORK REDUCTION ACT OF 1995; EXCEPTION.—The study and the Office of the Inspector General assessment shall not be subject to section 3506 or section 3507 of title 44, United States Code.

SEC. 32504. PERFORMANCE AND REGISTRATION INFORMATION SYSTEMS MANAGEMENT.

Section 31106(b) is amended in the heading by striking ''PROGRAM'' and inserting ''Systems Management''.

SEC. 32505. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—Subchapter I of chapter 311 is amended by adding at the end the following:

''§ 31110. Authorization of appropriations

''(a) ADMINISTRATIVE EXPENSES.—There are authorized to be appropriated from the Highway Trust Fund (other than the Mass Transit Account) for the Secretary of Transportation to pay administrative expenses of the Federal Motor Carrier Safety Administration—

''(1) $264,439,000 for fiscal year 2016;
''(2) $269,992,000 for fiscal year 2017;
''(3) $275,662,000 for fiscal year 2018;
''(4) $281,451,000 for fiscal year 2019;
''(5) $287,361,000 for fiscal year 2020; and
''(6) $293,396,000 for fiscal year 2021.

''(b) USE OF FUNDS.—The funds authorized by this section shall be used—

''(1) for personnel costs;
''(2) for administrative infrastructure;
''(3) for rent;
''(4) for information technology;
''(5) for programs for research and technology, information management, regulatory development, the administration of the performance and registration information systems management;
''(6) for programs for outreach and education under subsection (d);
''(7) to fund the motor carrier safety facility working capital fund established under subsection (c);
''(8) for other operating expenses;
''(9) to conduct safety reviews of new operators; and
''(10) for such other expenses as may from time to time become necessary to implement statutory mandates of the Federal Motor Carrier Safety Administration not funded from other sources.

''(c) MOTOR CARRIER SAFETY FACILITY WORKING CAPITAL FUND.—

''(1) IN GENERAL.—The Secretary may establish a motor carrier safety facility working capital fund.

''(2) PURPOSE.—Amounts in the fund shall be available for modernization, construction, leases, and expenses related to vacating, occupying, maintaining, and expanding motor carrier safety facilities, and associated activities.

''(3) AVAILABILITY.—Amounts in the fund shall be available without regard to fiscal year limitation.

''(4) FUNDING.—Amounts may be appropriated to the fund from the amounts made available in subsection (a).

''(5) FUND TRANSFERS.—The Secretary may transfer funds to the working capital fund from the amounts made available in subsection (a) or from other funds as identified by the Secretary.

''(d) OUTREACH AND EDUCATION PROGRAM.—

''(1) IN GENERAL.—The Secretary may conduct, through any combination of grants, contracts, cooperative agreements, or other activities, an internal and external outreach and education program to be administered

by the Administrator of the Federal Motor Carrier Safety Administration.

''(2) FEDERAL SHARE.—The Federal share of an outreach and education program for which a grant, contract, or cooperative agreement is made under this subsection may be up to 100 percent of the cost of the grant, contract, or cooperative agreement.

''(3) FUNDING.—From amounts made available in subsection (a), the Secretary shall make available such sums as are necessary to carry out this subsection each fiscal year.

''(e) CONTRACT AUTHORITY; INITIAL DATE OF AVAILABILITY.—Amounts authorized from the Highway Trust Fund by this section shall be available for obligation on the date of their apportionment or allocation or on October 1 of the fiscal year for which they are authorized, whichever occurs first.

''(f) FUNDING AVAILABILITY.—Amounts made available under this section shall remain available until expended.

''(g) CONTRACTUAL OBLIGATION.—The approval of funds by the Secretary under this section is a contractual obligation of the Federal Government for payment of the Federal Government's share of costs.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) ADMINISTRATIVE EXPENSES; AUTHORIZATION OF APPROPRIATIONS.—Section 31104 is amended—

(A) by striking subsection (i); and (B) by redesignating subsections (j) and (k) and subsections (i) and (j), respectively.

(2) USE OF AMOUNTS MADE AVAILABLE UNDER SUBSECTION (I).—Section 4116(d) of SAFETEA–LU (49 U.S.C. 31104 note) is amended by striking ''section 31104(i)'' and inserting ''section 31110''.

(3) INTERNAL COOPERATION.—Section 31161 is amended by striking ''31104(i)'' and inserting ''31110''.

(4) SAFETEA–LU; OUTREACH AND EDUCATION.—Section 4127 of SAFETEA–LU (119 Stat. 1741; Public Law 109–59) is repealed.

(5) TABLE OF CONTENTS.—The table of contents of subchapter I of chapter 311 is amended by adding at the end the following:

''31110. Authorization of appropriations.''.

SEC. 32506. COMMERCIAL DRIVER'S LICENSE PROGRAM IMPLEMENTATION.

(a) IN GENERAL.—Section 31313 is amended to read as follows:

''§ 31313. Commercial driver's license program implementation financial assistance program

''(a) IN GENERAL.—The Secretary of Transportation shall administer a financial assistance program for commercial driver's license program implementation for the purposes described in paragraphs (1) and (2).

''(1) STATE COMMERCIAL DRIVER'S LICENSE PROGRAM IMPLEMENTATION GRANTS.—The Secretary of Transportation may make a grant to a State agency in a fiscal year—

''(A) to comply with the requirements of section 31311;

''(B) in the case of a State that is making a good faith effort toward substantial compliance with the requirements of section 31311, to improve its implementation of its commercial driver's license program, including expenses—

''(i) for computer hardware and software;

''(ii) for publications, testing, personnel, training, and quality control;

''(iii) for commercial driver's license program coordinators; and

''(iv) to implement or maintain a system to notify an employer of an operator of a commercial motor vehicle of the suspension or revocation of the operator's commercial driver's license consistent with the standards developed under section 32303(b) of the Commercial Motor Vehicle Safety Enhancement Act of 2012 (49 U.S.C. 31304 note).

''(2) PRIORITY ACTIVITIES.—The Secretary may make a grant or cooperative agreement in a fiscal year to a State agency, local government, or any person for research, development or testing, demonstration projects, public education, or other special activities and projects relating to commercial driver's licensing and motor vehicle safety that—

''(A) benefit all jurisdictions of the United States;

''(B) address national safety concerns and circumstances;

''(C) address emerging issues relating to commercial driver's license improvements;

''(D) support innovative ideas and solutions to commercial driver's license program issues; or

''(E) address other commercial driver's license issues, as determined by the Secretary.

''(b) PROHIBITIONS.—A recipient may not use financial assistance funds awarded under this section to rent, lease, or buy land or buildings.

''(c) REPORT.—The Secretary shall issue an annual report on the activities carried out under this section.

''(d) APPORTIONMENT.—All amounts made available to carry out this section for a fiscal year shall be apportioned to a State or recipient described in subsection (a)(2) according to criteria prescribed by the Secretary.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—The table of contents of chapter 313 is amended by striking the item relating to section 31313 and inserting the following:

''31313. Commercial driver's license program implementation financial assistance program.''.

SEC. 32507. EXTENSION OF FEDERAL MOTOR CARRIER SAFETY PROGRAMS FOR FISCAL YEAR 2016.

(a) MOTOR CARRIER SAFETY ASSISTANCE PROGRAM GRANT EXTENSION.—Section 31104(a) is amended—

(1) in the matter preceding paragraph (1), by inserting ''and, for fiscal year 2016, sections 31102, 31107, and 31109 of this title and section 4128 of SAFETEA–LU (49 U.S.C. 31100 note)'' after ''31102'';

(2) in paragraph (9), by striking ''and'' at the end; and

(3) by striking paragraph (10) and inserting the following:

''(10) $218,000,000 for fiscal year 2015; and

''(11) $259,000,000 for fiscal year 2016.''.

(b) EXTENSION OF GRANT PROGRAMS.—Section 4101(c) SAFETEA–LU (119 Stat. 1715; Public Law 109–59), is amended to read as follows:

''(c) GRANT PROGRAMS FUNDING.—There are authorized to be appropriated from the Highway Trust Fund the following sums for the following Federal Motor Carrier Safety Administration programs:

''(1) COMMERCIAL DRIVER'S LICENSE PROGRAM IMPROVEMENT GRANTS.—For carrying out the commercial driver's license program improvement grants program under section 31313 of title 49, United States Code, $30,000,000 for fiscal year 2016.

''(2) BORDER ENFORCEMENT GRANTS.—From amounts made available under section 31104(a) of title 49, United States Code, for border enforcement grants under section 31107 of that title, $32,000,000 for fiscal year 2016.

''(3) PERFORMANCE AND REGISTRATION INFORMATION SYSTEMS MANAGEMENT GRANT PROGRAMS.—From amounts made available under section 31104(a) of title 49, United States Code, for the performance and registration information systems management grant program under section 31109 of that title, $5,000,000 for fiscal year 2016.

''(4) COMMERCIAL VEHICLE INFORMATION SYSTEMS AND NETWORKS DEPLOYMENT.—For carrying out the commercial vehicle information systems and networks deployment program under section 4126 of this Act (the innovative technology deployment program), $25,000,000, for fiscal year 2016.

''(5) SAFETY DATA IMPROVEMENT GRANTS.—From amounts made available under section 31104(a) of title 49, United States Code, for safety data improvement grants under section 4128 of this Act, $3,000,000 for fiscal year 2016.''.

(c) HIGH-PRIORITY ACTIVITIES.—Section 31104(j)(2), as redesignated by section 32505 of this Act is amended by striking ''2014 and up to $12,493,151 for the period beginning on October 1, 2014, and ending on July 31, 2015,,'' and inserting ''2016''.

(d) NEW ENTRANT AUDITS.—Section 31144(g)(5)(B) is amended to read as follows:

''(B) SET ASIDE.—The Secretary shall set aside from amounts made available by section 31104(a) up to $32,000,000 for fiscal year 2016 for audits of new entrant motor carriers conducted under this paragraph.''.

(e) GRANT PROGRAM FOR COMMERCIAL MOTOR VEHICLE OPERATORS.—Section 4134(c) of SAFETEA–LU(49 U.S.C. 31301 note) is amended to read as follows:

''(c) FUNDING.—From amounts made available under section 31110 of title 49, United States Code, the Secretary shall make available, $1,000,000 for fiscal year 2016 to carry out the commercial motor vehicle operators grant program.''.

(f) COMMERCIAL VEHICLE INFORMATION SYSTEMS AND NETWORKS DEPLOYMENT.—

(1) IN GENERAL.—Section 4126 of SAFETEA–LU (49 U.S.C. 31106 note; 119 Stat. 1738; Public Law 109–59) is amended—

(A) in subsection (c)—

(i) in paragraph (2), by adding at the end the following: ''Funds deobligated by the Secretary from previous year grants shall not be counted towards the $2,500,000 maximum aggregate amount for core deployment.''; and

(ii) in paragraph (3), by adding at the end the following: ''Funds may also be used for planning activities, including the development or updating of program or top level design plans.''; and

(B) in subsection (d)(4), by adding at the end the following: ''Funds may also be used for planning activities, including the development or updating of program or top level design plans.''.

(2) INNOVATIVE TECHNOLOGY DEPLOYMENT PROGRAM.—For fiscal year 2016, the commercial vehicle information systems and networks deployment program under section 4126 of SAFETEA–LU (119 Stat. 1738; Public Law 109–59) may also be referred to as the innovative technology deployment program.

SEC. 32508. MOTOR CARRIER SAFETY ASSISTANCE PROGRAM ALLOCATION.

(a) WORKING GROUP.—

(1) ESTABLISHMENT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish a motor carrier safety assistance program formula working group (referred to in this section as the ''working group''.

(2) MEMBERSHIP.—

(A) IN GENERAL.—Subject to subparagraph (B), the working group shall consist of representatives of the following:

(i) The Federal Motor Carrier Safety Administration.

(ii) The lead State commercial motor vehicle safety agencies responsible for administering the plan required by section 31102 of title 49, United States Code.

(iii) An organization representing State agencies responsible for enforcing a program for inspection of commercial motor vehicles.

(iv) Such other persons as the Secretary considers necessary.

(B) COMPOSITION.—Representatives of State commercial motor vehicle safety agencies shall comprise at least 51 percent of the membership.

(3) NEW ALLOCATION FORMULA.—The working group shall analyze requirements and factors for a new motor carrier safety assistance program allocation formula.

(4) RECOMMENDATION.—Not later than 1 year after the date the working group is established under paragraph (1), the working group shall make a recommendation to the Secretary regarding a new Motor Carrier Safety Assistance Program allocation formula.

(5) FACA EXEMPTION.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the working group established under this subsection.

(6) PUBLICATION.—The Administrator of the Federal Motor Carrier Safety Administration shall publish on a public website summaries of its meetings, and the final recommendation provided to the Secretary.

(b) NOTICE OF PROPOSED RULEMAKING.—After receiving the recommendation under subsection (a)(4), the Secretary shall publish in the Federal Register a notice seeking public comment on a new allocation formula for the motor carrier safety assistance program under section 31102 of title 49, United States Code.

(c) BASIS FOR FORMULA.—The Secretary shall ensure that the new allocation formula is based on factors that reflect, at a minimum—

(1) the relative needs of the States to comply with section 31102 of title 49, United States Code;

(2) the relative administrative capacities of and challenges faced by States in complying with section 31102 of title 49, United States Code;

(3) the average of each State's new entrant motor carrier inventory for the 3-year period prior to the date of enactment of this Act;

(4) the number of international border inspection facilities and border crossings by commercial vehicles in each State; and

(5) any other factors the Secretary considers appropriate.

(d) FUNDING AMOUNTS PRIOR TO DEVELOPMENT OF A NEW ALLOCATION FORMULA.—

(1) INTERIM FORMULA.—Prior to the development of the new allocation formula, the Secretary may calculate the interim funding amounts for the motor carrier safety assistance program in fiscal year 2017 (and later fiscal years, as necessary) under section 31104(a)(1) of title 49, United States Code, as amended by section 32502 of this Act, by the following methodology:

(A) The Secretary shall calculate the funding amount using the allocation formula the Secretary used to award motor carrier safety assistance program funding in fiscal year 2016 under section 2507 of this Act.

(B) The Secretary shall average the funding awarded or other equitable amounts to a State in fiscal years 2013, 2014, and 2015 for border enforcement grants awarded under section 32603(c) of MAP–21 (126 Stat. 807; Public Law 112–141) and new entrant audit grants awarded under that section, or other equitable amounts.

(C) The Secretary shall add the amounts calculated in subparagraphs (A) and (B).

(2) ADJUSTMENTS.—Subject to the availability of funding and notwithstanding fluctuations in the data elements used by the Secretary, the initial amounts resulting from the calculation described in paragraph (1) shall be adjusted to ensure that, for each State, the amount shall not be less than 97 percent of the average amount of funding received or other equitable amounts in fiscal years 2013, 2014, and 2015 for—

(A) motor carrier safety assistance program funds awarded under section 32603(a) of MAP–21 (126 Stat. 807; Public Law 112–141);

(B) border enforcement grants awarded under section 32603(a) of MAP–21 (126 Stat. 807; Public Law 112–141); and

(C) new entrant audit grants awarded under section 32603(a) of MAP–21 (126 Stat. 807; Public Law 112–141).

(3) IMMEDIATE RELIEF.—In developing the new allocation formula, the Secretary shall provide immediate relief for at least fiscal years to all States currently subject to the withholding provisions of Motor Carrier Safety Assistance Program funds for matters of noncompliance.

(4) FUTURE WITHHOLDINGS.—Beginning on the date that the new allocation formula is implemented, the Secretary shall impose all future withholdings in accordance with section 31102(k) of title 49, United States Code, as amended by section 32502 of this Act.

(e) TERMINATION OF EFFECTIVENESS.—This section expires upon the implementation of a new Motor Carrier Safety Assistance Program Allocation Formula.

SEC. 32509. MAINTENANCE OF EFFORT CALCULATION.

(a) BEFORE NEW ALLOCATION FORMULA.—

(1) FISCAL YEAR 2017.—If a new allocation formula has not been established for fiscal year 2017, then, for fiscal year 2017, the Secretary of Transportation shall calculate the maintenance of effort required under section 31102(f) of title 49, United States Code, as amended by section 32502 of this Act, by averaging the expenditures for fiscal years 2004 and 2005 required by section 32601(a)(5) of MAP–21 (Public Law 112–141), as that section was in effect on the day before the date of enactment of this Act.

(2) SUBSEQUENT FISCAL YEARS.—The Secretary may use the methodology for calculating the maintenance of effort for fiscal year 2017 and each fiscal year thereafter if a new allocation formula has not been established.

(b) BEGINNING WITH NEW ALLOCATION FORMATION.—

(1) IN GENERAL.—Subject to paragraphs (2) and (3)(B), beginning on the date that a new allocation formula is established under section 2508, upon the request of a State, the Secretary may modify the baseline maintenance of effort required by section 31102(e) of title 49, United States Code, as amended by section 32502 of this Act, for the purpose of establishing a new baseline maintenance of effort if the Secretary determines that a waiver or modification—

(A) is equitable due to reasonable circumstances;

(B) will ensure the continuation of commercial motor vehicle enforcement activities in the State; and

(C) is necessary to ensure that the total amount of State maintenance of effort and matching expenditures required under sections 31102 and 31104 of title 49, United States Code, as amended by section 32502 of this Act, does not exceed a sum greater than the average of the total amount of State maintenance of effort and matching expenditures for the 3 fiscal years prior to the date of enactment of this Act.

(2) ADJUSTMENT METHODOLOGY.—If requested by a State, the Secretary may modify the maintenance of effort baseline according to the following methodology:

(A) The Secretary shall establish the maintenance of effort using the average of fiscal years 2004 and 2005, as required by section 32601(a)(5) of MAP–21 (Public Law 112–141).

(B) The Secretary shall calculate the average required match by a lead State commercial motor vehicle safety agency for fiscal years 2013, 2014, and 2015 for motor carrier safety assistance grants established at 20 percent by section 31103 of title 49, United States Code, as that section was in effect on the day before the date of enactment of this Act.

(C) The Secretary shall calculate the estimated match required under section 31104(b) of title 49, United States Code, as amended by section 32502 of this Act.

(D) The Secretary will subtract the amount in subparagraph (B) from the amount in subparagraph (C) and—

(i) if the number is greater than 0, then the Secretary shall subtract the number from the amount in subparagraph (A); or

(ii) if the number is not greater than 0, then the Secretary shall calculate the maintenance of effort using the methodology in subparagraph (A).

(3) MAINTENANCE OF EFFORT AMOUNT.—

(A) IN GENERAL.—The Secretary shall use the amount calculated in paragraph (2) as the baseline maintenance of effort required in section 31102(f) of title 49, United States Code, as amended by section 32502 of this Act.

(B) DEADLINE.—If a State does not request a waiver or modification under this subsection before September 30 during the first fiscal year that the Secretary implements the new allocation formula under section 32508, the Secretary shall calculate the maintenance of effort using the methodology in paragraph (2)(A) of this subsection.

(4) MAINTENANCE OF EFFORT DESCRIBED.—The maintenance of effort calculated under this section is the amount required under section 31102(f) of title 49, United States Code, as amended by section 32502 of this Act.

(c) TERMINATION OF EFFECTIVENESS.—The authority under this section terminates effective on the date that the new maintenance of effort is calculated based on the new allocation formula implemented under section 32508.

Subtitle F—Miscellaneous Provisions

SEC. 32601. WINDSHIELD TECHNOLOGY.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall revise the regulations in section 393.60(e) of title 49, Code of Federal Regulations (relating to the prohibition on obstructions to the driver's field of view) to exempt from that section the voluntary mounting on a windshield of vehicle safety technology likely to achieve a level of safety that is equivalent to or greater than the level of safety that would be achieved absent the exemption.

(b) DEFINITION OF VEHICLE SAFETY TECHNOLOGY.—In this section, ''vehicle safety technology'' includes fleet-related incident management system, performance or behavior management system, speed management system, lane departure warning system, forward collision warning or mitigation system, active cruise control system, and any other technology that the Secretary considers applicable.

(c) RULE OF CONSTRUCTION.—For purposes of this section, any windshield mounted technology with a short term exemption under part 381 of title 49, Code of Federal Regulations, on the day before the date of enactment of this Act, shall be considered likely to achieve a level of safety that is equivalent to or greater than the level of safety that would be achieved absent an exemption under subsection (a).

SEC. 32602. ELECTRONIC LOGGING DEVICES REQUIREMENTS.

Section 31137(b) is amended—

(1) in paragraph (1)(C), by striking ''apply to'' and inserting ''except as provided in paragraph (3), apply to''; and

(2) by adding at the end the following:

''(3) EXCEPTION.—A motor carrier, when transporting a motor home or recreation vehicle trailer within the definition of 'driveaway-towaway operation' (as defined in section 390.5 of title 49, Code of Federal Regulations) may comply with the hours of service requirements by requiring each driver to use—

''(A) a paper record of duty status form; or

''(B) an electronic logging device.''.

SEC. 32603. LAPSE OF REQUIRED FINANCIAL SECURITY; SUSPENSION OF REGISTRATION.

Section 13906(e) is amended by inserting ''or suspend'' after ''revoke''.

SEC. 32604. ACCESS TO NATIONAL DRIVER REGISTER.

Section 30305(b) is amended by adding at the end the following:

''(13) The Administrator of the Federal Motor Carrier Safety Administration may request the chief driver licensing official of a State to provide information under subsection (a) of this section about an individual in connection with a safety investigation under the Administrator's jurisdiction.''.

SEC. 32605. STUDY ON COMMERCIAL MOTOR VEHICLE DRIVER COMMUTING.

(a) EFFECTS OF COMMUTING.—The Administrator of the Federal Motor Carrier Safety Administration shall conduct a study of the effects of motor carrier operator commutes exceeding 150 minutes commuting time on safety and commercial motor vehicle driver fatigue.

(b) STUDY.—In conducting the study, the Administrator shall consider—

(1) the prevalence of driver commuting in the commercial motor vehicle industry, including the number and percentage of drivers who commute;

(2) the distances traveled, time zones crossed, time spent commuting, and methods of transportation used;

(3) research on the impact of excessive commuting on safety and commercial motor vehicle driver fatigue;

(4) the commuting practices of commercial motor vehicle drivers and policies of motor carriers;

(5) the Federal Motor Carrier Safety Administration regulations, policies, and guidance regarding driver commuting; and

(6) any other matters the Administrator considers appropriate.

(c) REPORT.—Not later than 18 months after the date of enactment of this Act, the Administrator shall submit to Congress a report containing the findings under the study and any recommendations for legislative action concerning driver commuting.

SEC. 32606. HOUSEHOLD GOODS CONSUMER PROTECTION WORKING GROUP.

(a) WORKING GROUP.—The Secretary shall establish a working group for the purpose of developing recommendations on how to best convey to inexperienced consumers the information such consumers need to know with respect to the Federal laws concerning the interstate transportation of household goods by motor carrier.

(b) MEMBERSHIP.—The Secretary shall ensure that the working group is comprised of individuals with expertise in consumer affairs, educators with expertise in how people learn most effectively, and representatives of the household goods moving industry.

(c) RECOMMENDATIONS.—

(1) CONTENTS.—The recommendations developed by the working group shall include, at a minimum, recommendations on—

(A) condensing publication ESA 03005 of the Federal Motor Carrier Safety Administration into a format that is more easily used by consumers;

(B) using state-of-the-art education techniques and technologies, including optimizing the use of the Internet as an educational tool; and

(C) reducing and simplifying the paperwork required of motor carriers and shippers in interstate transportation.

(2) DEADLINE.—Not later than one year after the date of enactment of this Act, the working group shall make the recommendations described in paragraph (1) which the Secretary shall publish on a public website.

(d) REPORT.—Not later than year after the date on which the working group makes its recommendations, the Secretary shall issue a report to Congress on the implementation of such recommendations.

(e) FEDERAL ADVISORY COMMITTEE ACT EXEMPTION.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the working group established under this section.

(f) TERMINATION.—The working group shall terminate 2 years after the date of enactment of this Act.

SEC. 32607. INTERSTATE VAN OPERATIONS.

Section 4136 of SAFETEA-LU (Public Law 109–59; 119 Stat. 1745; 49 U.S.C. 3116 note) is amended by inserting ''with the exception of commuter vanpool operations, which shall remain exempt'' before the period at the end.

SEC. 32608. REPORT ON DESIGN AND IMPLEMENTATION OF WIRELESS ROADSIDE INSPECTION SYSTEMS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report regarding the design, development, testing, and implementation of wireless roadside inspection systems.

(b) ELEMENTS.—The report required under subsection (a) shall include a determination as to whether wireless roadside inspection systems—

(1) conflict with existing non-Federal electronic screening systems, or create capabilities already available;

(2) require additional statutory authority to incorporate generated inspection data into the safety measurement system or the safety fitness determinations program; and

(3) provide appropriate restrictions to specifically address privacy concerns of affected motor carriers and operators.

SEC. 32609. MOTORCOACH HOURS OF SERVICE STUDY.

(a) REQUIREMENT BEFORE IMPLEMENTING NEW RULES.—

(1) IN GENERAL.—The Secretary may not amend, adjust, or revise the driver hours of service regulations for motor carriers of passengers, by rulemaking or any other means, until the Secretary conducts a formal study that properly accounts for operational differences and variances in crash data for drivers in intercity motorcoach service and interstate property carrier operations and between segments of the intercity motorcoach industry.

(2) CONTENTS.—The study required under paragraph (1) shall include—

(A) the impact of the current hours of service regulations for motor carriers of passengers on fostering safe operation of intercity motorcoaches;

(B) the separation of the failures of the current passenger carrier hours-of-service regulations and the lack of enforcement of the current regulations by Federal and State agencies;

(C) the correlation of noncompliance with current passenger carrier hours of service rule to passenger carrier accidents using data from 2000 through 2013; and

(D) how passenger carrier crashes could have been mitigated by any changes to passenger carrier hours of service rules.

(b) EMERGENCY REGULATIONS.—Nothing in this section may be construed to affect the Secretary's existing authority to provide relief from the hours of service regulations in the event of an emergency under section 390.232 of title 49, Code of Federal Regulations.

SEC. 32610. GAO REVIEW OF SCHOOL BUS SAFETY.

Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit, to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives, a review of the following:

(1) Existing Federal and State rules and guidance, as of the date of the review, concerning school bus transportation of elementary school and secondary school students engaging in home-to-school transport or other transport determined by the Comptroller General to be a routine part of kindergarten through grade 12 education, including regulations and guidance regarding driver training programs, capacity requirements, programs for special needs students, inspection standards, vehicle age requirements, best practices, and public access to inspection results and crash records.

(2) Any correlation between public or private school bus fleet operators whose vehicles are involved in an accident as defined by section 390.5 of title, Code of Federal Regulations, and each of the following:

(A) A failure by those same operators of State or local safety inspections.

(B) The average age or odometer readings of the school buses in the fleets of such operators.

(C) Violations of Federal laws administered by the Department of Transportation, or of State law equivalents of such laws.

(D) Violations of State or local law relating to illegal passing of a school bus.

(3) A regulatory framework comparison of public and private school bus operations.

(4) Expert recommendations on best practices for safe and reliable school bus transportation, including driver training programs, inspection standards, school bus age and odometer reading maximums for retirement, the percentage of buses in a local bus fleet needed as spare buses, and capacity levels per school bus for different age groups.

SEC. 32611. USE OF HAIR TESTING FOR PRE-EMPLOYMENT AND RANDOM CONTROLLED SUBSTANCES TESTS.

(a) SHORT TITLE.—This section may be cited as the ''Drug Free Commercial Driver Act of 2015''.

(b) AUTHORIZATION OF HAIR TESTING AS AN ACCEPTABLE PROCEDURE FOR PREEMPLOYMENT AND RANDOM CONTROLLED SUBSTANCE TESTS.—Section 31306 is amended—

(1) in subsection (b)(1)—

(A) by redesignating subparagraph (B) as subparagraph (C); and

(B) in subparagraph (A), by striking ''The regulations shall permit such motor carriers to conduct preemployment testing of such employees for the use of alcohol.'' and inserting the following:

''(B) The regulations prescribed under subparagraph (A) shall permit motor carriers—

''(i) to conduct preemployment testing of commercial motor vehicle operators for the use of alcohol; and

''(ii) to use hair testing as an acceptable alternative to urinalysis—

''(I) in conducting preemployment screening for the use of a controlled substance; and

''(II) in conducting random screening for the use of a controlled substance by individuals who were subject to preemployment screening.''; and

(2) in subsection (c)(2)—

(A) in subparagraph (B), by striking ''and'' at the end;

(B) in subparagraph (C), by inserting ''and'' after the semicolon; and

(C) by adding at the end the following:

''(D) laboratory protocols and cut-off levels for hair testing to detect the use of a controlled substance;''.

(c) EXEMPTION FROM MANDATORY URINALYSIS.—

(1) IN GENERAL.—Any motor carrier that demonstrates, to the satisfaction of the Administrator of the Federal Motor Carrier Safety Administration, in consultation with the Department of Health and Human Services, that it can carry out an applicable hair testing program, consistent with generally accepted industry standards, to detect the use of a controlled substance by commercial motor vehicle operators, may apply to the Administrator for an exemption from the mandatory urinalysis testing requirements set forth in subpart C of part 382 of title 49, Code of Federal Regulations until a final rule is issued implementing the amendments made by subsection (b).

(2) EVALUATION OF APPLICATIONS.—

(A) IN GENERAL.—In evaluating applications for an exemption under paragraph (1), the Administrator, in consultation with the Department of Health and Human Services, shall determine if the applicant's testing program employs procedures and protections similar to fleets that have carried out hair testing programs for at least 1 year.

(B) REQUIREMENTS.—A testing program may not receive an exemption under paragraph (1) unless the applicable testing laboratories—

(i) have obtained laboratory accreditation specific to hair testing from an accrediting body, compliant with international or other Federal standards, as appropriate, such as the College of American Pathologists; and

(ii) utilize hair testing assays that have been cleared by the Food and Drug Administration under section 510(k) of the Federal Food, Drug and Cosmetic Act (21 U.S.C. 360(k)).

(3) DEADLINE FOR DECISIONS.—Not later than 90 days after receiving an application from a motor carrier under this subsection, the Administrator, in consultation with the Secretary of Health and Human Services, shall determine whether the motor carrier is exempt from the testing requirements described in paragraph (1).

(4) REPORTING REQUIREMENT.—Any motor carrier that is granted an exemption under paragraph (1) shall submit records to the national clearinghouse established under section 31306a of title 49, United States Code, relating to all positive test results and test refusals from the hair testing program described in that paragraph.

(d) GUIDELINES FOR HAIR TESTING.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Health and Human Services shall issue scientific and technical guidelines for hair testing as a method of detecting the use of a controlled substance for purposes of section 31306 of title 49, United States Code, as amended by subsection (b). When issuing the scientific and technical guidelines, the Secretary of Health and Human Services may consider differentiating between exposure to, and usage of, various controlled substances.

(e) ANNUAL REPORT TO CONGRESS.—The Secretary shall submit an annual report to Congress that—

(1) summarizes the results of preemployment and random drug testing using both hair testing and urinalysis;

(2) evaluates the efficacy of each method; and

(3) determines which method provides the most accurate means of detecting the use of controlled substances over time.

TITLE XXXIII—HAZARDOUS MATERIALS

SEC. 33101. ENDORSEMENTS.

(a) EXCLUSIONS.—Section 5117(d)(1) is amended—

(1) in subparagraph (B), by striking ''and'' at the end;

(2) in subparagraph (C), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(D) a service vehicle (as defined in section 33101 of the Comprehensive Transportation and Consumer Protection Act of 2015) carrying diesel fuel in quantities of 3,785 liters (1,000 gallons) or less that is—

''(i) driven by a class A commercial driver's license holder who is a custom harvester, an agricultural retailer, an agricultural business employee, an agricultural cooperative employee, or an agricultural producer; and

''(ii) clearly marked with a placard reading ''Diesel Fuel'.''.

(b) HAZARDOUS MATERIALS ENDORSEMENT EXEMPTION.—The Secretary shall exempt all class A commercial driver's license holders who are custom harvesters, agricultural retailers, agricultural business employees, agricultural cooperative employees, or agricultural producers from the requirement to obtain a hazardous materials endorsement under part 383 of title 49, Code of Federal Regulations, while operating a service vehicle carrying diesel fuel in quantities of 3,785 liters (1,000 gallons) or less if the tank containing such fuel is clearly marked with a placard reading ''Diesel Fuel''.

(c) DEFINITION OF SERVICE VEHICLE.—In this section, the term ''service vehicle'' means a vehicle carrying diesel fuel that will be deductible as a profit-seeking activity—

(1) under section 162 of the Internal Revenue Code of 1986 as a business expense; or

(2) under section 212 of the Internal Revenue Code of 1986 as a production of income expense.

SEC. 33102. ENHANCED REPORTING.

Section 5121(h) is amended by striking ''transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate'' and inserting ''post on the Department of Transportation public website''.

SEC. 33103. HAZARDOUS MATERIAL INFORMATION.

(a) DERAILMENT DATA.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall revise the form for reporting a rail equipment accident or incident under section 225.21 of title 49, Code of Federal Regulations (Form FRA F 6180.54, Rail Equipment Accident/Incident Report), including to its instructions, to require additional data concerning rail cars carrying crude oil or ethanol that are involved in a reportable rail equipment accident or incident under part 225 of that title.

(2) CONTENTS.—The data under subsection (a) shall include—

(A) the number of rail cars carrying crude oil or ethanol;

(B) the number of rail cars carrying crude oil or ethanol damaged or derailed; and

(C) the number of rail cars releasing crude oil or ethanol.

(3) DIFFERENTIATION.—The data described in paragraph (2) shall be reported separately for crude oil and for ethanol.

(b) DATABASE CONNECTIVITY.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall implement information management practices to ensure that the Pipeline and Hazardous Materials Safety Administration Hazardous Materials Incident Reports Database (referred to in this section as ''Incident Reports Database'') and the Federal Railroad Administration Railroad Safety Information System contain accurate and consistent data on a reportable rail equipment accident or incident under part 225 of title 49, Code of Federal Regulations, involving the release of hazardous materials.

(2) IDENTIFIERS.—The Secretary shall ensure that the Incident Reports Database uses a searchable Federal Railroad Administration report number, or other applicable unique identifier that is linked to the Federal Railroad Safety Information System, for each reportable rail equipment accident or incident under part 225 of title 49, Code of Federal Regulations, involving the release of hazardous materials.

(c) EVALUATION.—

(1) IN GENERAL.—The Department of Transportation Inspector General shall—

(A) evaluate the accuracy of information in the Incident Reports Database, including determining whether any inaccuracies exist in—

(i) the type of hazardous materials released;

(ii) the quantity of hazardous materials released;

(iii) the location of hazardous materials released;

(iv) the damages or effects of hazardous materials released; and

(v) any other data contained in the database; and

(B) considering the requirements in subsection (b), evaluate the consistency and accuracy of data involving accidents or incidents reportable to both the Pipeline and Hazardous Materials Safety Administration and the Federal Railroad Administration, including whether the Incident Reports Database uses a searchable identifier described in subsection (b)(2).

(2) REPORT.—Not later than 18 months after the date of enactment of this Act, the Department of Transportation Inspector General shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report of the findings under subparagraphs (A) and (B) of paragraph (1) and recommendations for resolving any inconsistencies or inaccuracies.

(d) SAVINGS CLAUSE.—Nothing in this section may be construed to prohibit the Secretary from requiring other commodity-specific information for any reportable rail equipment accident or incident under part 225 of title 49, Code of Federal Regulations.

SEC. 33104. NATIONAL EMERGENCY AND DISASTER RESPONSE.

(a) PURPOSE.—Section 5101 is amended by inserting and ''and to facilitate the safe movement of hazardous materials during national emergencies'' after ''commerce''.

(b) GENERAL REGULATORY AUTHORITY.—Section 5103 is amended—

(1) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

(2) by inserting after subsection (b) the following:

''(c) FEDERALLY DECLARED DISASTER AND EMERGENCY AREAS.—The Secretary, in consultation with the Secretary of Homeland Security, may prescribe standards to facilitate the safe movement of hazardous materials into, from, and within a federally declared disaster area or a national emergency area.''.

SEC. 33105. AUTHORIZATION OF APPROPRIATIONS.

Section 5128 is amended to read as follows:

''§ 5128. Authorization of appropriations

''(a) IN GENERAL.—There are authorized to be appropriated to the Secretary to carry out this chapter (except sections 5107(e), 5108(g)(2), 5113, 5115, 5116, and 5119)—

''(1) $43,660,000 for fiscal year 2016;

''(2) $44,577,000 for fiscal year 2017;

''(3) $45,513,000 for fiscal year 2018;

''(4) $46,469,000 for fiscal year 2019;

''(5) $47,445,000 for fiscal year 2020; and

''(6) $48,441,000 for fiscal year 2021.

''(b) HAZARDOUS MATERIALS EMERGENCY PREPAREDNESS FUND.—From the Hazardous Materials Emergency Preparedness Fund established under section 5116(i), the Secretary may expend, during each of fiscal years 2016 through 2021—

''(1) $188,000 to carry out section 5115;

''(2) $21,800,000 to carry out subsections (a) and (b) of section 5116, of which not less than $13,650,000 shall be available to carry out section 5116(b);

''(3) $150,000 to carry out section 5116(f);

''(4) $625,000 to publish and distribute the Emergency Response Guidebook under section 5116(i)(3); and

''(5) $1,000,000 to carry out section 5116(j).

''(c) HAZARDOUS MATERIALS TRAINING GRANTS.—From the Hazardous Materials Emergency Preparedness Fund established pursuant to section 5116(i), the Secretary may expend $4,000,000 for each of the fiscal years 2016 through 2021 to carry out section 5107(e).

''(d) CREDITS TO APPROPRIATIONS.—

''(1) EXPENSES.—In addition to amounts otherwise made available to carry out this chapter, the Secretary may credit amounts received from a State, Indian tribe, or other public authority or private entity for expenses the Secretary incurs in providing training to the State, authority, or entity.

''(2) AVAILABILITY OF AMOUNTS.—Amounts made available under this section shall remain available until expended.''.

TITLE XXXIV—HIGHWAY AND MOTOR VEHICLE SAFETY

Subtitle A—Highway Traffic Safety

PART I—HIGHWAY SAFETY

SEC. 34101. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—The following sums are authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account):

(1) HIGHWAY SAFETY PROGRAMS.—For carrying out section 402 of title 23, United States Code—

(A) $243,526,500 for fiscal year 2016;

(B) $252,267,972 for fiscal year 2017;

(C) $261,229,288 for fiscal year 2018;

(D) $270,415,429 for fiscal year 2019;

(E) $279,831,482 for fiscal year 2020; and

(F) $289,482,646 for fiscal year 2021.

(2) HIGHWAY SAFETY RESEARCH AND DEVELOPMENT.—For carrying out section 403 of title 23, United States Code—

(A) $137,835,000 for fiscal year 2016;

(B) $140,729,535 for fiscal year 2017;

(C) $143,684,855 for fiscal year 2018;

(D) $146,702,237 for fiscal year 2019;

(E) $149,782,984 for fiscal year 2020; and

(F) $152,928,427 for fiscal year 2021.

(3) NATIONAL PRIORITY SAFETY PROGRAMS.—For carrying out section 405 of title 23, United States Code—

(A) $274,720,000 for fiscal year 2016;

(B) $277,467,200 for fiscal year 2017;

(C) $280,241,872 for fiscal year 2018;

(D) $283,044,291 for fiscal year 2019;

(E) $285,874,734 for fiscal year 2020; and

(F) $288,733,481 for fiscal year 2021.

(4) NATIONAL DRIVER REGISTER.—For the National Highway Traffic Safety Administration to carry out chapter 303 of title 49, United States Code—

(A) $5,105,000 for fiscal year 2016;

(B) $5,212,205 for fiscal year 2017;

(C) $5,321,661 for fiscal year 2018;

(D) $5,433,416 for fiscal year 2019;

(E) $5,547,518 for fiscal year 2020; and

(F) $5,664,016 for fiscal year 2021.

(5) HIGH VISIBILITY ENFORCEMENT PROGRAM.—For carrying out section 2009 of SAFETEA–LU (23 U.S.C. 402 note)—

(A) $29,290,000 for fiscal year 2016;

(B) $29,582,900 for fiscal year 2017;

(C) $29,878,729 for fiscal year 2018;

(D) $30,177,516 for fiscal year 2019;

(E) $30,479,291 for fiscal year 2020; and

(F) $30,784,084 for fiscal year 2021.

(6) ADMINISTRATIVE EXPENSES.—For administrative and related operating expenses of the National Highway Traffic Safety Administration in carrying out chapter of title 23, United States Code, and this subtitle—

(A) $25,755,000 for fiscal year 2016;

(B) $26,012,550 for fiscal year 2017;

(C) $26,272,676 for fiscal year 2018;

(D) $26,535,402 for fiscal year 2019;

(E) $26,800,756 for fiscal year 2020; and

(F) $27,068,764 for fiscal year 2021.

(b) PROHIBITION ON OTHER USES.—Except as otherwise provided in chapter 4 of title 23, United States Code, in this subtitle, and in the amendments made by this subtitle, the amounts made available from the Highway Trust Fund (other than the Mass Transit Account) for a program under such chapter—

(1) shall only be used to carry out such program; and

(2) may not be used by States or local governments for construction purposes.

(c) APPLICABILITY OF TITLE 23.—Except as otherwise provided in chapter 4 of title 23, United States Code, and in this subtitle, amounts made available under subsection (a) for fiscal years 2016 through 2021 shall be available for obligation in the same manner as if such funds were apportioned under chapter 1 of title 23, United States Code.

(d) REGULATORY AUTHORITY.—Grants awarded under this subtitle shall be in accordance with regulations issued by the Secretary.

(e) STATE MATCHING REQUIREMENTS.—If a grant awarded under this subtitle requires a State to share in the cost, the aggregate of all expenditures for highway safety activities made during any fiscal year by the State and its political subdivisions (exclusive of Federal funds) for carrying out the grant (other than planning and administration) shall be available for the purpose of crediting the State during such fiscal year for the non-Federal share of the cost of any project under this subtitle (other than planning or administration) without regard to whether such expenditures were actually made in connection with such project.

(f) GRANT APPLICATION AND DEADLINE.—To receive a grant under this subtitle, a State shall submit an application, and the Secretary shall establish a single deadline for such applications to enable the award of grants early in the next fiscal year.

(g) TRANSFERS.—Section 405(a)(1)(G) of title 23, United States Code, is amended to read as follows:

''(G) TRANSFERS.—Notwithstanding subparagraphs (A) through (F), the Secretary shall reallocate, before the last day of any fiscal year, any amounts remaining available of the amounts allocated to carry out any of the activities described in subsections (b) through (g) to increase the amount made available to carry out section 402, in order to ensure, to the maximum extent possible, that all such amounts are obligated during such fiscal year.''.

SEC. 34102. HIGHWAY SAFETY PROGRAMS.

(a) RESTRICTION.—Section 402(g) of title 23, United States Code, is amended to read as follows:

(g) RESTRICTION.—Nothing in this section may be construed to authorize the appropriation or expenditure of funds for highway construction, maintenance, or design (other than design of safety features of highways to be incorporated into guidelines).''.

(b) USE OF FUNDS.—

(1) HIGHWAY SAFETY PROGRAMS.—Section 402(c)(2) of title 23, United States Code, is amended by inserting ''A State may provide the funds apportioned under this section to a political subdivision of a State, including Indian tribal governments.'' after ''neighboring States.''.

(2) NATIONAL PRIORITY SAFETY PROGRAMS.—Section 405(a)(1) is amended by adding at the end the following:

''(I) POLITICAL SUBDIVISIONS.—A State may provide the funds awarded under this section to a political subdivision of a State, including Indian tribal governments.''.

(c) TRACKING PROCESS.—Section 412 of title 23, United States Code, is amended by adding at the end the following:

''(f) TRACKING PROCESS.—The Secretary shall develop a process to identify and mitigate possible systemic issues across States and regional offices by reviewing oversight findings and recommended actions identified in triennial State management reviews.''.

(d) HIGHWAY SAFETY PLANS.—Section 402(k)(5)(A) of title 23, United States Code, is amended by striking ''60'' and inserting ''30''.

(e) MAINTENANCE OF EFFORT.—Section 405(a)(1)(H) of title 23, United States Code, is amended to read as follows:

''(H) MAINTENANCE OF EFFORT CERTIFICATION.—As part of the grant application required in section 402(k)(3)(F), a State receiving a grant in any fiscal year under subsection (b), subsection (c), or subsection (d) of this section shall provide certification that the lead State agency responsible for programs described in any of those sections is maintaining aggregate expenditures at or above the average level of such expenditures in the 2 fiscal years prior to the date of enactment of the Comprehensive Transportation and Consumer Protection Act of 2015.''.

SEC. 34103. GRANTS FOR ALCOHOL-IGNITION INTERLOCK LAWS AND 24–7 SOBRIETY PROGRAMS.

Section 405(d) of title 23, United States Code, is amended—

(1) in paragraph (6)—

(A) by amending the heading to read as follows: ''ADDITIONAL GRANTS.—'';

(B) in subparagraph (A), by amending the heading to read as follows: ''GRANTS TO STATES WITH ALCOHOL-IGNITION INTERLOCK LAWS.—'';

(C) by redesignating subparagraphs (B) through (D) as subparagraphs (C) through (E), respectively;

(D) by inserting after subparagraph (A), the following:

''(B) GRANTS TO STATES WITH 24–7 SOBRIETY PROGRAMS.—The Secretary shall make a separate grant under this subsection to each State that—

''(i) adopts and is enforcing a law that requires all individuals convicted of driving under the influence of alcohol or of driving while intoxicated to receive a restriction on driving privileges; and

''(ii) provides a 24–7 sobriety program.'';

(E) in subparagraph (C), as redesignated, by inserting ''and subparagraph (B)'' after ''subparagraph (A)'';

(F) in subparagraph (D), as redesignated, by inserting ''and subparagraph (B)'' after ''subparagraph (A)'';

(G) by amending subparagraph (E), as redesignated, to read as follows:

''(E) FUNDING.—

''(i) FUNDING FOR GRANTS TO STATES WITH ALCOHOL-IGNITION INTERLOCK LAWS.—Not more than 12 percent of the amounts made available to carry out this subsection in a fiscal year shall be made available by the Secretary for making grants under subparagraph (A).

''(ii) FUNDING FOR GRANTS TO STATES WITH 24–7 SOBRIETY PROGRAMS.—Not more than 3 percent of the amounts made available to carry out this subsection in a fiscal year shall be made available by the Secretary for making grants under subparagraph (B).''; and

(H) by adding at the end the following:

''(F) EXCEPTIONS.—A State alcohol-ignition interlock law under subparagraph (A) may include exceptions for the following circumstances:

''(i) The individual is required to operate an employer's motor vehicle in the course and scope of employment and the business entity that owns the vehicle is not owned or controlled by the individual.

''(ii) The individual is certified by a medical doctor as being unable to provide a deep lung breath sample for analysis by an ignition interlock device.''; and

(2) in paragraph (7)(A)—

(A) in the matter preceding clause (i)—

(i) by striking ''or a State agency'' and inserting ''or an agency with jurisdiction''; and

(ii) by inserting ''bond,'' before ''sentence'';

(B) in clause (i), by striking ''who plead guilty or'' and inserting ''who was arrested, plead guilty, or''; and

(C) in clause (ii), by inserting ''at an in-person testing location'' after ''per day''.

SEC. 34104. REPEAT OFFENDER CRITERIA.

Section 164(a) of title 23, United States Code, is amended—

(1) by redesignating paragraphs (1) through (4) as paragraphs (2) through (5), respectively;

(2) by inserting before paragraph (2), as redesignated, the following:

''(1) 24–7 SOBRIETY PROGRAM.—The term '24–7 sobriety program' has the meaning given the term in section 405(d)(7)(A).'';

(3) in paragraph (5), as redesignated—

(A) in the matter preceding subparagraph (A), by inserting ''or combination of laws or programs'' after ''State law''; and

(B) by amending subparagraph (A) to read as follows:

''(A) receive, for a period of not less than 1 year—

''(i) a suspension of all driving privileges;

''(ii) a restriction on driving privileges that limits the individual to operating only motor vehicles with an ignition interlock device installed, unless a special exception applies;

''(iii) a restriction on driving privileges that limits the individual to operating motor vehicles only if participating in, and complying with, a 24–7 sobriety program; or

''(iv) any combination of clauses (i) through (iii);'';

(C) by striking subparagraph (B);

(D) by redesignating subparagraphs (C) and (D) as subparagraphs (B) and (C), respectively; and

(E) in subparagraph (C), as redesignated—

(i) in clause (i)—

(I) in subclause (I), by striking ''; or'' and inserting a semicolon;

(II) in subclause (II), by striking ''; and''; and inserting ''; or''; and

(III) by adding at the end the following:

''(III) the State certifies that the general practice is that such an individual will be incarcerated; and''; and (ii) in clause (ii)—

(I) in subclause (I), by striking ''; or'' and inserting a semicolon;

(II) in subclause (II), by striking ''; and''; and inserting ''; or''; and

(III) by adding at the end the following:

''(III) the State certifies that the general practice is that such an individual will receive approximately 10 days of incarceration.''; and

(4) by adding at the end—

''(6) SPECIAL EXCEPTION.—The term 'special exception' means an exception under a State alcohol-ignition interlock law for the following circumstances:

''(A) The individual is required to operate an employer's motor vehicle in the course and scope of employment and the business entity that owns the vehicle is not owned or controlled by the individual.

''(B) The individual is certified by a medical doctor as being unable to provide a deep lung breath sample for analysis by an ignition interlock device.''.

SEC. 34105. STUDY ON THE NATIONAL ROADSIDE SURVEY OF ALCOHOL AND DRUG USE BY DRIVERS.

Not later than 180 days after the date that the Comptroller General reviews and reports on the overall value of the National Roadside Survey to researchers and other public safety stakeholders, the differences between a National Roadside Survey site and typical law enforcement checkpoints, and the effectiveness of the National Roadside Survey methodology at protecting the privacy of the driving public, as requested by the Committee on Appropriations of the Senate on June 5, 2014 (Senate Report 113–182), the Secretary shall report to Congress on the National Highway Traffic Safety Administration's progress toward reviewing that report and implementing any recommendations made in that report.

SEC. 34106. INCREASING PUBLIC AWARENESS OF THE DANGERS OF DRUG-IMPAIRED DRIVING.

(a) ADDITIONAL ACTIONS.—The Administrator of the National Highway Traffic Safety Administration, in consultation with the White House Office of National Drug Control Policy, the Secretary of Health and Human Services, State highway safety offices, and other interested parties, as determined by the Administrator, shall identify and carry out additional actions that should be undertaken by the Administration to assist States in their efforts to increase public awareness of the dangers of drug-impaired driving, including the dangers of driving while under the influence of heroin or prescription opioids.

(b) REPORT.—Not later than 60 days after the date of enactment of this Act, the Administrator shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that describes the additional actions undertaken by the Administration pursuant to subsection (a).

SEC. 34107. IMPROVEMENT OF DATA COLLECTION ON CHILD OCCUPANTS IN VEHICLE CRASHES.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall revise the crash investigation data collection system of the National Highway Traffic Safety Administration to include the collection of the following data in connection with vehicle crashes whenever a child restraint system was in use in a vehicle involved in a crash:

(1) The type or types of child restraint systems in use during the crash in any vehicle involved in the crash, including whether a five-point harness or belt-positioning booster.

(2) If a five-point harness child restraint system was in use during the crash, whether the child restraint system was forward-facing or rear-facing in the vehicle concerned.

(b) CONSULTATION.—In implementing subsection (a), the Secretary shall work with law enforcement officials, safety advocates, the medical community, and research organizations to improve the recordation of data described in subsection (a) in police and other applicable incident reports.

(c) REPORT.—Not later than 3 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on child occupant crash data collection in the crash investigation data collection system of the National Highway Traffic Safety Administration pursuant to the revision required by subsection (a).

PART II—STOP MOTORCYCLE CHECKPOINT FUNDING ACT

SEC. 34121. SHORT TITLE.

This part may be cited as the ''Stop Motorcycle Checkpoint Funding Act''.

SEC. 34122. GRANT RESTRICTION.

Notwithstanding section 153 of title 23, United States Code, the Secretary may not provide a grant or any funds to a State, county, town, township, Indian tribe, municipality, or other local government that may be used for any program—

(1) to check helmet usage; or

(2) to create checkpoints that specifically target motorcycle operators or motorcycle passengers.

PART III—IMPROVING DRIVER SAFETY ACT OF 2015

SEC. 34131. SHORT TITLE.

This part may be cited as the ''Improving Driver Safety Act of 2015''.

SEC. 34132. DISTRACTED DRIVING INCENTIVE GRANTS.

Section 405(e) of title 23, United States Code, is amended—

(1) in paragraph (1), by inserting ''includes distracted driving issues as part of the State's driver's license examination and'' after ''any State that'';

(2) in paragraph (2)—

(A) in subparagraph (B), by striking ''and'' at the end;

(B) by amending subparagraph (C) to read as follows:

''(C) establishes a minimum fine for a violation of the statute; and''; and

(C) by adding at the end the following:

''(D) does not provide for an exception that specifically allows a driver to use a personal wireless communications device for texting while stopped in traffic.'';

(3) in paragraph (3)—

(A) by amending subparagraph (A) to read as follows:

''(A) prohibits the use of a personal wireless communications device while driving for drivers—

''(i) younger than 18 years of age; or

''(ii) in the learner's permit and intermediate license stages;''; and

(B) by striking subparagraphs (C) and (D) and inserting the following:

''(C) establishes a minimum fine for a violation of the statute; and

''(D) does not provide for an exception that specifically allows a driver to text through a personal wireless communications device while stopped in traffic.''; and (4) in paragraph (4)—

(A) in subparagraph (B)(ii), by striking ''and'' at the end;

(B) in subparagraph (C)—

(i) by striking ''section 31152'' and inserting ''section 31136''; and

(ii) by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(D) any additional exceptions determined by the Secretary through the rulemaking process.'';

(5) by amending paragraph (6) to read as follows:

''(6) ADDITIONAL DISTRACTED DRIVING GRANTS.—

''(A) IN GENERAL.—Notwithstanding paragraph (1), the Secretary shall use up to 50 percent of the amounts available for grants under this subsection to award grants to any State that—

''(i) in fiscal year 2017—

''(I) certifies that it has enacted a basic text messaging statute that—

''(aa) is applicable to drivers of all ages; and

''(bb) makes violation of the basic text messaging statute a primary offense or secondary enforcement action as allowed by State statute; and

''(II) is otherwise ineligible for a grant under this subsection; and

''(ii) in fiscal year 2018—

''(I) meets the requirements under clause (i);

''(II) imposes fines for violations; and

''(III) has a statute that prohibits drivers who are younger than 18 years of age from using a personal wireless communications device while driving.

''(B) USE OF GRANT FUNDS.—

''(i) IN GENERAL.—Notwithstanding paragraph (5) and subject to clauses (ii) and (iii) of this subparagraph, amounts received by a State under subparagraph (A) may be used for activities related to the enforcement of distracted driving laws, including for public information and awareness purposes.

''(ii) FISCAL YEAR 2017.—In fiscal year 2017, up to 15 percent of the amounts received by a State under subparagraph (A) may be used for any eligible project or activity under section 402.

''(iii) FISCAL YEAR 2018.—In fiscal year 2018, up to 25 percent of the amounts received by a State under subparagraph (A) may be used for any eligible project or activity under section 402.''; and

(6) in paragraph (9)(A)(i), by striking '', including operation while temporarily stationary because of traffic, a traffic light or stop sign, or otherwise''.

SEC. 34133. BARRIERS TO DATA COLLECTION REPORT.

Not later than 180 days after the date of the enactment of this Act, the Administrator of the National Highway Traffic Safety Administration shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Energy and Commerce of the House of Representatives, and the Committee on Transportation and Infrastructure of the House of Representatives that—

(1) identifies any legal and technical barriers to capturing adequate data on the prevalence of the use of wireless communications devices while driving; and

(2) provides recommendations on how to address such barriers.

SEC. 34134. MINIMUM REQUIREMENTS FOR STATE GRADUATED DRIVER LICENSING INCENTIVE GRANT PROGRAM.

Section 405(g)(2) of title 23, United States Code, is amended—

(1) in subparagraph (A), by striking ''21'' and inserting ''18''; and

(2) by amending subparagraph (B) to read as follows:

''(B) LICENSING PROCESS.—A State is in compliance with the 2-stage licensing process described in this subparagraph if the State's driver's license laws include—

''(i) a learner's permit stage that—

''(I) is at least 6 months in duration;

''(II) contains a prohibition on the driver using a personal wireless communications device (as defined in subsection (e)) while driving except under an exception permitted under paragraph (4) of that subsection, and makes a violation of the prohibition a primary offense;

''(III) requires applicants to successfully pass a vision and knowledge assessment prior to receiving a learner's permit;

''(IV) requires that the driver be accompanied and supervised at all times while the driver is operating a motor vehicle by a licensed driver who is at least 21 years of age or is a State-certified driving instructor;

''(V) has a requirement that the driver—

''(aa) complete a State-certified driver education or training course; or

''(bb) obtain at least 50 hours of behind-the-wheel training, with at least 10 hours at night, with a licensed driver;

''(VI) remains in effect until the driver—

''(aa) reaches 16 years of age and enters the intermediate stage; or

''(bb) reaches 18 years of age;

''(ii) an intermediate stage that—

''(I) commences immediately after the expiration of the learner's permit stage and successful completion of a driving skills assessment;

''(II) is at least 6 months in duration;

''(III) prohibits the driver from using a personal wireless communications device (as defined in subsection (e)) while driving except under an exception permitted under paragraph (4) of that subsection, and makes a violation of the prohibition a primary offense;

''(IV) for the first 6 months of the intermediate stage, restricts driving at night between the hours of 10:00 p.m. and 5:00 a.m. when not supervised by a licensed driver 21 years of age or older, excluding transportation to work, school, religious activities, or emergencies;

''(V) prohibits the driver from operating a motor vehicle with more than 1 nonfamilial passenger younger than 21 years of age unless a licensed driver who is at least 21 years of age is in the motor vehicle; and

''(VI) remains in effect until the driver reaches 17 years of age; and

''(iii) a learner's permit and intermediate stage that require, in addition to any other penalties imposed by State law, the granting of an unrestricted driver's license be automatically delayed for any individual who, during the learner's permit or intermediate stage, is convicted of a driving-related offense during the first 6 months, including—

''(I) driving while intoxicated;

''(II) misrepresentation of the individual's age;

''(III) reckless driving;

''(IV) driving without wearing a seat belt;

''(V) speeding; or

''(VI) any other driving-related offense, as determined by the Secretary.''.

PART IV—TECHNICAL AND CONFORMING AMENDMENTS

SEC. 34141. TECHNICAL CORRECTIONS TO THE MOTOR VEHICLE AND HIGHWAY SAFETY IMPROVEMENT ACT OF 2012.

(a) HIGHWAY SAFETY PROGRAMS.—Section 402 of title 23, United States Code is amended—

(1) in subsection (b)(1)(C), by striking ''except as provided in paragraph (3),'';

(2) in subsection (b)(1)(E)—

(A) by striking ''in which a State'' and inserting ''for which a State''; and

(B) by striking ''subsection (f)'' and inserting ''subsection (k)''; and

(3) in subsection (k)(4), by striking ''paragraph (2)(A)'' and inserting ''paragraph (3)(A)''.

(b) HIGHWAY SAFETY RESEARCH AND DEVELOPMENT.—Section 403(e) of title 23, United States Code is amended by inserting ''of title 49'' after ''chapter 301''.

(c) NATIONAL PRIORITY SAFETY PROGRAMS.—Section 405 of title 23, United States Code is amended—

(1) in subsection (d)(5), by striking ''section 402(c)'' and inserting ''section 402''; and

(2) in subsection (f)(4)(A)(iv), by striking ''developed under subsection (g)''.

Subtitle B—Vehicle Safety

SEC. 34201. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—Subject to subsection (b), there is authorized to be appropriated to the Secretary to carry out chapter 301 of title 49, and part C of subtitle VI of title 49, United States Code, amounts as follows:

(1) $132,730,000 for fiscal year 2016.

(2) $135,517,330 for fiscal year 2017.

(3) $138,363,194 for fiscal year 2018.

(4) $141,268,821 for fiscal year 2019.

(5) $144,235,466 for fiscal year 2020.

(6) $147,264,411 for fiscal year 2021.

(b) ADDITIONAL AUTHORIZATION OF APPROPRIATIONS IF A CERTIFICATION IS MADE.—

(1) IN GENERAL.—In addition to the amounts authorized to be appropriated under subsection (a) to carry out chapter 301 of title 49, and part C of subtitle VI of title 49, United States Code, if the certification described in paragraph (2) is made during a fiscal year there is authorized to be appropriated to the Secretary for that purpose for that fiscal year and subsequent fiscal years an additional amount as follows:

(A) $46,270,000 for fiscal year 2016.

(B) $51,537,670 for fiscal year 2017.
(C) $57,296,336 for fiscal year 2018.
(D) $62,999,728 for fiscal year 2019.
(E) $69,837,974 for fiscal year 2020.
(F) $76,656,407 for fiscal year 2021.

(2) CERTIFICATION DESCRIBED.—The certification described in this paragraph is a certification made by the Secretary and submitted to Congress that the National Highway Traffic Safety Administration has implemented all of the recommendations in the Office of Inspector General Audit Report issued June 18, 2015 (ST–2015–063). As part of the certification, the Secretary shall review the actions the National Highway Traffic Safety Administration has taken to implement the recommendations and issue a report to Congress detailing how the recommendations were implemented. The Secretary shall not delegate or assign the responsibility under this paragraph.

SEC. 34202. INSPECTOR GENERAL RECOMMENDATIONS.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, and periodically thereafter until the completion date, the Department of Transportation Inspector General shall report to the appropriate committees of Congress on whether and what progress has been made to implement the recommendations in the Office of Inspector General Audit Report issued June 18, 2015 (ST–2015–063).

(b) IMPLEMENTATION PROGRESS.—The Administrator of the National Highway Traffic Safety Administration shall—

(1) not later than 90 days after the date of enactment of this Act, and periodically thereafter until the completion date, provide a briefing to the appropriate committees of Congress on the actions the Administrator has taken to implement the recommendations in the audit report described in subsection (a), including a plan for implementing any remaining recommendations; and

(2) not later than 1 year after the date of enactment of this Act, issue a final report to the appropriate committees of Congress on the implementation of all of the recommendations in the audit report described in subsection (a).

(c) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives.

(2) COMPLETION DATE.—The term ''completion date'' means the date that the National Highway Traffic Safety Administration has implemented all of the recommendations in the Office of Inspector General Audit Report issued June 18, 2015 (ST–2015–063).

SEC. 34203. IMPROVEMENTS IN AVAILABILITY OF RECALL INFORMATION.

(a) VEHICLE RECALL INFORMATION.—Not later than 2 years after the date of enactment of this Act, the Secretary shall implement current information technology, web design trends, and best practices that will help ensure that motor vehicle safety recall information available to the public on the Federal website is readily accessible and easy to use, including—

(1) by improving the organization, availability, readability, and functionality of the website;

(2) by accommodating high-traffic volume; and

(3) by establishing best practices for scheduling routine website maintenance.

(b) GOVERNMENT ACCOUNTABILITY OFFICE PUBLIC AWARENESS REPORT.—

(1) IN GENERAL.—The Comptroller General shall study the current use by consumers, dealers, and manufacturers of the safety recall information made available to the public, including the usability and content of the Federal and manufacturers' websites and the National Highway Traffic Safety Administration's efforts to publicize and educate consumers about safety recall information.

(2) REPORT.—Not later than 2 years after the date of enactment of this Act, the Comptroller General shall issue a report with the findings of the study under paragraph (1), including recommending any actions the Secretary can take to improve public awareness and use of the websites for safety recall information.

(c) PROMOTION OF PUBLIC AWARENESS.—Section 31301(c) of the Moving Ahead for Progress in the 21st Century Act (49 U.S.C. 30166 note) is amended to read as follows:

''(c) PROMOTION OF PUBLIC AWARENESS.—The Secretary shall improve public awareness of safety recall information made publicly available by periodically updating the method of conveying that information to consumers, dealers, and manufacturers, such as through public service announcements.''.

(d) CONSUMER GUIDANCE.—Not later than 1 year after the date of enactment of this Act, the Secretary shall make available to the public on the Internet detailed guidance for consumers submitting safety complaints, including—

(1) a detailed explanation of what information a consumer should include in a complaint; and

(2) a detailed explanation of the possible actions the National Highway Traffic Safety Administration can take to address a complaint and respond to the consumer, including information on—

(A) the consumer records, such as photographs and police reports, that could assist with an investigation; and

(B) the length of time a consumer should retain the records described in subparagraph (A).

(e) VIN SEARCH.—

(1) IN GENERAL.—The Secretary, in coordination with industry, including manufacturers and dealers, shall study—

(A) the feasibility of searching multiple vehicle identification numbers at a time to retrieve motor vehicle safety recall information; and

(B) the feasibility of making the search mechanism described under subparagraph (A) publicly available.

(2) CONSIDERATIONS.—In conducting the study under paragraph (1), the Secretary shall consider the potential costs, and potential risks to privacy and security in implementing such a search mechanism.

SEC. 34204. RECALL PROCESS.

(a) NOTIFICATION IMPROVEMENT.—

(1) IN GENERAL.—Not later than 270 days after the date of enactment of this Act, the Secretary shall prescribe a final rule revising the regulations under section 577.7 of title 49, Code of Federal Regulations, to include notification by electronic means in addition to notification by first class mail.

(2) DEFINITION OF ELECTRONIC MEANS.—In this subsection, the term ''electronic means'' includes electronic mail and may include such other means of electronic notification, such as social media or targeted online campaigns, as determined by the Secretary.

(b) NOTIFICATION BY MANUFACTURER.—Section 30118(c) is amended by inserting ''or electronic mail'' after ''certified mail''.

(c) RECALL COMPLETION RATES REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and biennially thereafter for 4 years, the Secretary shall—

(A) conduct an analysis of vehicle safety recall completion rates to assess potential actions by the National Highway Traffic Safety Administration to improve vehicle safety recall completion rates; and

(B) submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on the results of the analysis.

(2) CONTENTS.—Each report shall include—

(A) the annual recall completion rate by manufacturer, model year, component (such as brakes, fuel systems, and air bags), and vehicle type (passenger car, sport utility vehicle, passenger van, and pick-up truck) for each of the 5 years before the year the report is submitted;

(B) the methods by which the Secretary has conducted analyses of these recall completion rates to determine trends and identify risk factors associated with lower recall rates; and

(C) the actions the Secretary has planned to improve recall completion rates based on the results of this data analysis.

(d) INSPECTOR GENERAL AUDIT OF VEHICLE RECALLS.—

(1) IN GENERAL.—The Department of Transportation Inspector General shall conduct an audit of the National Highway Traffic Safety Administration's management of vehicle safety recalls.

(2) CONTENTS.—The audit shall include a determination of whether the National Highway Traffic Safety Administration—

(A) appropriately monitors recalls to ensure the appropriateness of scope and adequacy of recall completion rates and remedies;

(B) ensures manufacturers provide safe remedies, at no cost to consumers;

(C) is capable of coordinating recall remedies and processes; and

(D) can improve its policy on consumer notice to combat effects of recall fatigue.

SEC. 34205. PILOT GRANT PROGRAM FOR STATE NOTIFICATION TO CONSUMERS OF MOTOR VEHICLE RECALL STATUS.

(a) IN GENERAL.—Not later than October 1, 2016, the Secretary shall implement a 2-year pilot program to evaluate the feasibility and effectiveness of a State process for informing consumers of open motor vehicle recalls at the time of motor vehicle registration in the State.

(b) GRANTS.—To carry out this program, the Secretary may make a grant to each eligible State, but not more than 6 eligible States in total, that agrees to comply with the requirements under subsection (c). Funds made available to a State under this section shall be used by the State for the pilot program described in subsection (a).

(c) ELIGIBILITY.—To be eligible for a grant, a State shall—

(1) submit an application in such form and manner as the Secretary prescribes;

(2) agree to notify, at the time of registration, each owner or lessee of a motor vehicle presented for registration in the State of any open recall on that vehicle;

(3) provide the open motor vehicle recall information at no cost to each owner or lessee of a motor vehicle presented for registration in the State; and

(4) provide such other information as the Secretary may require.

(d) AWARDS.—In selecting an applicant for an award under this section, the Secretary shall consider the State's methodology for determining open recalls on a motor vehicle,

for informing consumers of the open recalls, and for determining performance.

(e) PERFORMANCE PERIOD.—Each grant awarded under this section shall require a 2-year performance period.

(f) REPORT.—Not later than 90 days after the completion of the performance period under subsection (e), a grantee shall provide to the Secretary a report of performance containing such information as the Secretary considers necessary to evaluate the extent to which open recalls have been remedied.

(g) EVALUATION.—Not later than 180 days after the completion of the pilot program, the Secretary shall evaluate the extent to which open recalls identified have been remedied.

(h) DEFINITIONS.—In this section:

(1) CONSUMER.—The term ''consumer'' includes owner and lessee.

(2) MOTOR VEHICLE.—The term ''motor vehicle'' has the meaning given the term under section 30102(a) of title 49, United States Code.

(3) OPEN RECALL.—The term ''open recall'' means a recall for which a notification by a manufacturer has been provided under section 30119 of title 49, United States Code, and that has not been remedied under section 30120 of that title.

(4) REGISTRATION.—The term ''registration'' means the process for registering motor vehicles in the State.

(5) STATE.—The term ''State'' has the meaning given the term under section 101(a) of title 23, United States Code.

SEC. 34206. RECALL OBLIGATIONS UNDER BANKRUPTCY.

Section 30120A is amended by striking ''chapter 11 of title 11,'' and inserting ''chapter 7 or chapter 11 of title 11''.

SEC. 34207. DEALER REQUIREMENT TO CHECK FOR OPEN RECALL.

Section 30120(f) is amended—

(1) by inserting ''(1) IN GENERAL.—'' before ''A manufacturer'' and indenting appropriately;

(2) in paragraph (1), as redesignated, by striking the period at the end and inserting the following: ''if—

''(A) at the time of providing service for each of the manufacturer's motor vehicles it services, the dealer notifies the owner or the individual requesting the service of any open recall; and

''(B) the notification requirement under subparagraph (A) is specified in a franchise, operating, or other agreement between the dealer and the manufacturer.''; and

(3) by adding at the end the following:

''(2) DEFINITION OF OPEN RECALL.—In this subsection, the term 'open recall' means a recall for which a notification by a manufacturer has been provided under section 30119 and that has not been remedied under this section.''.

SEC. 34208. EXTENSION OF TIME PERIOD FOR REMEDY OF TIRE DEFECTS.

Section 30120(b) of title 49, United States Code, is amended—

(1) in paragraph (1), by striking ''60 days'' and inserting ''180 days''; and

(2) in paragraph (2), by striking ''60-day'' each place it appears and inserting ''180-day''.

SEC. 34209. RENTAL CAR SAFETY.

(a) SHORT TITLE.—This section may be cited as the ''Raechel and Jacqueline Houck Safe Rental Car Act of 2015''.

(b) DEFINITIONS.—Section 30102(a) is amended—

(1) by redesignating paragraphs (10) and (11) as paragraphs (12) and (13), respectively;

(2) by redesignating paragraphs (1) through (9) as paragraphs (2) through (10), respectively;

(3) by inserting before paragraph (2), as redesignated, the following:

''(1) 'covered rental vehicle' means a motor vehicle that—

''(A) has a gross vehicle weight rating of 10,000 pounds or less;

''(B) is rented without a driver for an initial term of less than 4 months; and

''(C) is part of a motor vehicle fleet of or more motor vehicles that are used for rental purposes by a rental company.''; and

(4) by inserting after paragraph (10), as redesignated, the following:

''(11) 'rental company' means a person who—

''(A) is engaged in the business of renting covered rental vehicles; and

''(B) uses for rental purposes a motor vehicle fleet of or more covered rental vehicles.''.

(c) REMEDIES FOR DEFECTS AND NONCOMPLIANCE.—Section 30120(i) is amended—

(1) in the subsection heading, by adding '', OR RENTAL'' at the end;

(2) in paragraph (1)—

(A) by striking ''(1) If notification'' and inserting the following:

''(1) IN GENERAL.—If notification'';

(B) by indenting subparagraphs (A) and (B) four ems from the left margin;

(C) by inserting ''or the manufacturer has provided to a rental company notification about a covered rental vehicle in the company's possession at the time of notification'' after ''time of notification'';

(D) by striking ''the dealer may sell or lease,'' and inserting ''the dealer or rental company may sell, lease, or rent''; and

(E) in subparagraph (A), by striking ''sale or lease'' and inserting ''sale, lease, or rental agreement'';

(3) by amending paragraph (2) to read as follows:

''(2) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed to prohibit a dealer or rental company from offering the vehicle or equipment for sale, lease, or rent.''; and

(4) by adding at the end the following:

''(3) SPECIFIC RULES FOR RENTAL COMPANIES.—

''(A) IN GENERAL.—Except as otherwise provided under this paragraph, a rental company shall comply with the limitations on sale, lease, or rental set forth in subparagraph (C) and paragraph (1) as soon as practicable, but not later than 24 hours after the earliest receipt of the notice to owner under subsection (b) or (c) of section 30118 (including the vehicle identification number for the covered vehicle) by the rental company, whether by electronic means or first class mail.

''(B) SPECIAL RULE FOR LARGE VEHICLE FLEETS.—Notwithstanding subparagraph (A), if a rental company receives a notice to owner covering more than 5,000 motor vehicles in its fleet, the rental company shall comply with the limitations on sale, lease, or rental set forth in subparagraph (C) and paragraph (1) as soon as practicable, but not later than 48 hours after the earliest receipt of the notice to owner under subsection (b) or (c) of section 30118 (including the vehicle identification number for the covered vehicle) by the rental company, whether by electronic means or first class mail.

''(C) SPECIAL RULE FOR WHEN REMEDIES NOT IMMEDIATELY AVAILABLE.—If a notification required under subsection (b) or (c) of section 30118 indicates that the remedy for the defect or noncompliance is not immediately available and specifies actions to temporarily alter the vehicle that eliminate the safety risk posed by the defect or noncompliance, the rental company, after causing the specified actions to be performed, may rent (but may not sell or lease) the motor vehicle. Once the remedy for the rental vehicle becomes available to the rental company, the rental company may not rent the vehicle until the vehicle has been remedied, as provided in subsection (a).

''(D) INAPPLICABILITY TO JUNK AUTOMOBILES.—Notwithstanding paragraph (1), this subsection does not prohibit a rental company from selling a covered rental vehicle if such vehicle—

''(i) meets the definition of a junk automobile under section 201 of the Anti-Car Theft Act of 1992 (49 U.S.C. 30501);

''(ii) is retitled as a junk automobile pursuant to applicable State law; and

''(iii) is reported to the National Motor Vehicle Information System, if required under section 204 of such Act (49 U.S.C. 30504).''.

(d) MAKING SAFETY DEVICES AND ELEMENTS INOPERATIVE.—Section 30122(b) is amended by inserting ''rental company,'' after ''dealer,'' each place such term appears.

(e) INSPECTIONS, INVESTIGATIONS, AND RECORDS.—Section 30166 is amended—

(1) in subsection (c)(2), by striking ''or dealer'' each place such term appears and inserting ''dealer, or rental company'';

(2) in subsection (e), by striking ''or dealer'' each place such term appears and inserting ''dealer, or rental company''; and

(3) in subsection (f), by striking ''or to owners'' and inserting '', rental companies, or other owners''.

(f) RESEARCH AUTHORITY.—The Secretary of Transportation may conduct a study of—

(1) the effectiveness of the amendments made by this section; and

(2) other activities of rental companies (as defined in section 30102(a)(11) of title 49, United States Code) related to their use and disposition of motor vehicles that are the subject of a notification required under section 30118 of title 49, United States Code.

(g) STUDY.—

(1) ADDITIONAL REQUIREMENT.—Section 32206(b)(2) of the Moving Ahead for Progress in the 21st Century Act (Public Law 112–141; 126 Stat. 785) is amended—

(A) in subparagraph (E), by striking ''and'' at the end;

(B) by redesignating subparagraph (F) as subparagraph (G); and

(C) by inserting after subparagraph (E) the following:

''(F) evaluate the completion of safety recall remedies on rental trucks; and''.

(2) REPORT.—Section 32206(c) of such Act is amended—

(A) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively;

(B) by striking ''REPORT.—Not later'' and inserting the following:

''(c) REPORTS.—

''(1) INITIAL REPORT.—Not later'';

(C) in paragraph (1), by striking ''subsection (b)'' and inserting ''subparagraphs (A) through (E) and (G) of subsection (b)(2)''; and

(D) by adding at the end the following:

''(2) SAFETY RECALL REMEDY REPORT.—Not later than year after the date of the enactment of the 'Raechel and Jacqueline Houck Safe Rental Car Act of 2015', the Secretary shall submit a report to the congressional committees set forth in paragraph (1) that contains—

''(A) the findings of the study conducted pursuant to subsection (b)(2)(F); and

''(B) any recommendations for legislation that the Secretary determines to be appropriate.''.

(h) PUBLIC COMMENTS.—The Secretary shall solicit comments regarding the implementation of this section from members of the public, including rental companies, consumer organizations, automobile manufacturers, and automobile dealers.

(i) RULE OF CONSTRUCTION.—Nothing in this section or the amendments made by this section—

(1) may be construed to create or increase any liability, including for loss of use, for a manufacturer as a result of having manufactured or imported a motor vehicle subject to a notification of defect or noncompliance under subsection (b) or (c) of section 30118 of title 49, United States Code; or

(2) shall supersede or otherwise affect the contractual obligations, if any, between such a manufacturer and a rental company (as defined in section 30102(a) of title 49, United States Code).

(j) RULEMAKING.—The Secretary may promulgate rules, as appropriate, to implement this section and the amendments made by this section.

(k) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date that is 180 days after the date of enactment of this Act.

SEC. 34210. INCREASE IN CIVIL PENALTIES FOR VIOLATIONS OF MOTOR VEHICLE SAFETY.

(a) INCREASE IN CIVIL PENALTIES.—Section 30165(a) is amended—

(1) in paragraph (1)—

(A) by striking ''$5,000'' and inserting ''$14,000''; and

(B) by striking ''$35,000,000'' and inserting ''$70,000,000''; and

(2) in paragraph (3)—

(A) by striking ''$5,000'' and inserting ''$14,000''; and

(B) by striking ''$35,000,000'' and inserting ''$70,000,000''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) of this section take effect on the date that the Secretary certifies to Congress that the National Highway Traffic Safety Administration has issued the final rule required by section 31203(b) of the Moving Ahead for Progress In the 21st Century Act (Public Law 112-141; 126 Stat. 758; 49 U.S.C. 30165 note).

(c) PUBLICATION OF EFFECTIVE DATE.—The Secretary shall publish notice of the effective date under subsection (b) of this section in the Federal Register.

SEC. 34211. ELECTRONIC ODOMETER DISCLOSURES.

Section 32705(g) is amended—

(1) by inserting ''(1)'' before ''Not later than'' and indenting appropriately; and

(2) by adding at the end the following:

''(2) Notwithstanding paragraph (1) and subject to paragraph (3), a State, without approval from the Secretary under subsection (d), may allow for written disclosures or notices and related matters to be provided electronically if—

''(A) in compliance with—

''(i) the requirements of subchapter 1 of chapter 96 of title 15; or

''(ii) the requirements of a State law under section 7002(a) of title 15; and

''(B) the disclosures or notices otherwise meet the requirements under this section, including appropriate authentication and security measures.

''(3) Paragraph (2) ceases to be effective on the date the regulations under paragraph (1) become effective.''.

SEC. 34212. CORPORATE RESPONSIBILITY FOR NHTSA REPORTS.

Section 30166(o) is amended—

(1) in paragraph (1), by striking ''may'' and inserting ''shall''; and

(2) by adding at the end the following:

''(3) DEADLINE.—Not later than 1 year after the date of enactment of the Comprehensive Transportation and Consumer Protection Act of 2015, the Secretary shall issue a final rule under paragraph (1).''.

SEC. 34213. DIRECT VEHICLE NOTIFICATION OF RECALLS.

(a) RECALL NOTIFICATION REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall issue a report on the feasibility of a technical system that would operate in each new motor vehicle to indicate when the vehicle is subject to an open recall.

(b) DEFINITION OF OPEN RECALL.—In this section the term ''open recall'' means a recall for which a notification by a manufacturer has been provided under section 30119 of title 49, United States Code, and that has not been remedied under section 30120 of that title.

SEC. 34214. UNATTENDED CHILDREN WARNING.

Section 31504(a) of the Moving Ahead for Progress in the 21st Century Act (49 U.S.C. 30111 note) is amended by striking ''may'' and inserting ''shall''.

SEC. 34215. TIRE PRESSURE MONITORING SYSTEM.

(a) PROPOSED RULE.—Not later than 1 year after the date of enactment of this Act, the Secretary shall publish a proposed rule that updates the standards pertaining to tire pressure monitoring systems to ensure that a tire pressure monitoring system cannot be overridden, reset, or recalibrated to an unsafe pressure level.

(b) FINAL RULE.—Not later than 2 years after the date of enactment of this Act, after providing the public with sufficient opportunity for notice and comment on the proposed rule published under subsection (a), the Secretary shall issue a final rule on the subject described in subsection (a).

Subtitle C—Research and Development and Vehicle Electronics

SEC. 34301. REPORT ON OPERATIONS OF THE COUNCIL FOR VEHICLE ELECTRONICS, VEHICLE SOFTWARE, AND EMERGING TECHNOLOGIES.

Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives a report regarding the operations of the Council for Vehicle Electronics, Vehicle Software, and Emerging Technologies established under section 31401 of the Moving Ahead for Progress in the 21st Century Act (49 U.S.C. 105 note). The report shall include information about the accomplishments of the Council, the role of the Council in integrating and aggregating electronic and emerging technologies expertise across the National Highway Traffic Safety Administration, the role of the Council in coordinating with other Federal agencies, and the priorities of the Council over the next 5 years.

SEC. 34302. COOPERATION WITH FOREIGN GOVERNMENTS.

(a) TITLE 49 AMENDMENT.—Section 30182(b) is amended—

(1) in paragraph (4), by striking ''; and'' and inserting a semicolon;

(2) in paragraph (5), by striking the period at the end and inserting ''; and''; and

(3) by inserting after paragraph (5) the following:

''(6) in coordination with Department of State, enter into cooperative agreements and collaborative research and development agreements with foreign governments.''.

(b) TITLE 23 AMENDMENT.—Section 403 of title 23, United States Code, is amended—

(1) in subsection (b)(2)(C), by inserting ''foreign government (in coordination with the Department of State)'' after ''institution,''; and

(2) in subsection (c)(1)(A), by inserting ''foreign governments,'' after ''local governments,''.

(c) AUDIT.—The Department of Transportation Inspector General shall conduct an audit of the Secretary of Transportation's management and oversight of cooperative agreements and collaborative research and development agreements, including any cooperative agreements between the Secretary of Transportation and foreign governments under section 30182(b)(6) of title 49, United States Code, and subsections (b)(2)(C) and (c)(1)(A) of title 23, United States Code.

Subtitle D—Miscellaneous Provisions

PART I—DRIVER PRIVACY ACT OF 2015

SEC. 34401. SHORT TITLE.

This part may be cited as the ''Driver Privacy Act of 2015''.

SEC. 34402. LIMITATIONS ON DATA RETRIEVAL FROM VEHICLE EVENT DATA RECORDERS.

(a) OWNERSHIP OF DATA.—Any data retained by an event data recorder (as defined in section 563.5 of title 49, Code of Federal Regulations), regardless of when the motor vehicle in which it is installed was manufactured, is the property of the owner, or, in the case of a leased vehicle, the lessee of the motor vehicle in which the event data recorder is installed.

(b) PRIVACY.—Data recorded or transmitted by an event data recorder described in subsection (a) may not be accessed by a person other than an owner or a lessee of the motor vehicle in which the event data recorder is installed unless—

(1) a court or other judicial or administrative authority having jurisdiction—

(A) authorizes the retrieval of the data; and

(B) to the extent that there is retrieved data, the data is subject to the standards for admission into evidence required by that court or other administrative authority;

(2) an owner or a lessee of the motor vehicle provides written, electronic, or recorded audio consent to the retrieval of the data for any purpose, including the purpose of diagnosing, servicing, or repairing the motor vehicle, or by agreeing to a subscription that describes how data will be retrieved and used;

(3) the data is retrieved pursuant to an investigation or inspection authorized under section 1131(a) or 30166 of title 49, United States Code, and the personally identifiable information of an owner or a lessee of the vehicle and the vehicle identification number is not disclosed in connection with the retrieved data, except that the vehicle identification number may be disclosed to the certifying manufacturer;

(4) the data is retrieved for the purpose of determining the need for, or facilitating, emergency medical response in response to a motor vehicle crash; or

(5) the data is retrieved for traffic safety research, and the personally identifiable information of an owner or a lessee of the vehicle and the vehicle identification number is not disclosed in connection with the retrieved data.

SEC. 34403. VEHICLE EVENT DATA RECORDER STUDY.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator of the National Highway Traffic Safety Administration shall submit to Congress a report that contains the results of a study conducted by the Administrator to determine the amount of time event data recorders installed in passenger motor vehicles should capture and record for retrieval vehicle-related data in conjunction with an event in order to provide sufficient information to investigate the cause of motor vehicle crashes.

(b) RULEMAKING.—Not later than 2 years after submitting the report required under subsection (a), the Administrator of the National Highway Traffic Safety Administration shall promulgate regulations to establish the appropriate period during which event data recorders installed in passenger motor vehicles may capture and record for retrieval vehicle-related data to the time necessary to provide accident investigators with vehicle-related information pertinent to crashes involving such motor vehicles.

PART II—SAFETY THROUGH INFORMED CONSUMERS ACT OF 2015

SEC. 34421. SHORT TITLE.

This part may be cited as the ''Safety Through Informed Consumers Act of 2015''.

SEC. 34422. PASSENGER MOTOR VEHICLE INFORMATION.

Section 32302 is amended by inserting after subsection (b) the following:

''(c) CRASH AVOIDANCE.—Not later than 1 year after the date of enactment of the Safety Through Informed Consumers Act of 2015, the Secretary shall promulgate a rule to ensure that crash avoidance information is indicated next to crashworthiness information on stickers placed on motor vehicles by their manufacturers.''.

PART III—TIRE EFFICIENCY, SAFETY, AND REGISTRATION ACT OF 2015

SEC. 34431. SHORT TITLE.

This part may be cited as the ''Tire Efficiency, Safety, and Registration Act of 2015'' or the ''TESR Act''.

SEC. 34432. TIRE FUEL EFFICIENCY MINIMUM PERFORMANCE STANDARDS.

Section 32304A is amended—

(1) in the section heading, by inserting ''**AND STANDARDS**'' after ''**CONSUMER TIRE INFORMATION**'';

(2) in subsection (a)—

(A) in the heading, by striking ''RULEMAKING'' and inserting ''CONSUMER TIRE INFORMATION''; and

(B) in paragraph (1), by inserting ''(referred to in this section as the 'Secretary')'' after ''Secretary of Transportation'';

(3) by redesignating subsections (b) through (e) as subsections (e) through (h), respectively; and

(4) by inserting after subsection (a) the following:

''(b) PROMULGATION OF REGULATIONS FOR TIRE FUEL EFFICIENCY MINIMUM PERFORMANCE STANDARDS.—

''(1) IN GENERAL.—The Secretary, after consultation with the Secretary of Energy and the Administrator of the Environmental Protection Agency, shall promulgate regulations for tire fuel efficiency minimum performance standards for—

''(A) passenger car tires with a maximum speed capability equal to or less than 149 miles per hour or 240 kilometers per hour; and

''(B) passenger car tires with a maximum speed capability greater than 149 miles per hour or 240 kilometers per hour.

''(2) TIRE FUEL EFFICIENCY MINIMUM PERFORMANCE STANDARDS.—

''(A) STANDARD BASIS AND TEST PROCEDURES.—The minimum performance standards promulgated under paragraph (1) shall be expressed in terms of the rolling resistance coefficient measured using the test procedure specified in section 575.106 of title 49, Code of Federal Regulations (as in effect on the date of enactment of this Act).

''(B) NO DISPARATE EFFECT ON HIGH PERFORMANCE TIRES.—The Secretary shall ensure that the minimum performance standards promulgated under paragraph (1) will not have a disproportionate effect on passenger car high performance tires with a maximum speed capability greater than 149 miles per hour or 240 kilometers per hour.

''(C) APPLICABILITY.—

''(i) IN GENERAL.—This subsection applies to new pneumatic tires for use on passenger cars.

''(ii) EXCEPTIONS.—This subsection does not apply to light truck tires, deep tread tires, winter-type snow tires, spacesaver or temporary use spare tires, or tires with nominal rim diameters of 12 inches or less.

''(c) PROMULGATION OF REGULATIONS FOR TIRE WET TRACTION MINIMUM PERFORMANCE STANDARDS.—

''(1) IN GENERAL.—The Secretary shall promulgate regulations for tire wet traction minimum performance standards to ensure that passenger tire wet traction capability is not reduced to achieve improved tire fuel efficiency.

''(2) TIRE WET TRACTION MINIMUM PERFORMANCE STANDARDS.—

''(A) BASIS OF STANDARD.—The minimum performance standards promulgated under paragraph (1) shall be expressed in terms of peak coefficient of friction.

''(B) TEST PROCEDURES.—Any test procedure promulgated under this subsection shall be consistent with any test procedure promulgated under subsection (a).

''(C) BENCHMARKING.—The Secretary shall conduct testing to benchmark the wet traction performance of tire models available for sale in the United States as of the date of enactment of this Act to ensure that the minimum performance standards promulgated under paragraph (1) are tailored to—

''(i) tires sold in the United States; and

''(ii) the needs of consumers in the United States.

''(D) APPLICABILITY.—

''(i) IN GENERAL.—This subsection applies to new pneumatic tires for use on passenger cars.

''(ii) EXCEPTIONS.—This subsection does not apply to light truck tires, deep tread tires, winter-type snow tires, spacesaver or temporary use spare tires, or tires with nominal rim diameters of 12 inches or less.

''(d) COORDINATION AMONG REGULATIONS.—

''(1) COMPATIBILITY.—The Secretary shall ensure that the test procedures and requirements promulgated under subsections (a), (b), and (c) are compatible and consistent.

''(2) COMBINED EFFECT OF RULES.—The Secretary shall evaluate the regulations promulgated under subsections (b) and (c) to ensure that compliance with the minimum performance standards promulgated under subsection (b) will not diminish wet traction performance of affected tires.

''(3) RULEMAKING DEADLINES.—The Secretary shall promulgate—

''(A) the regulations under subsections (b) and (c) not later than 24 months after the date of enactment of this Act; and

''(B) the regulations under subsection (c) not later than the date of promulgation of the regulations under subsection (b).''.

SEC. 34433. TIRE REGISTRATION BY INDEPENDENT SELLERS.

Section 30117(b) is amended by striking paragraph (3) and inserting the following:

''(3) RULEMAKING.—

''(A) IN GENERAL.—The Secretary shall initiate a rulemaking to require a distributor or dealer of tires that is not owned or controlled by a manufacturer of tires to maintain records of—

''(i) the name and address of tire purchasers and lessors and information identifying the tire that was purchased or leased; and

''(ii) any additional records the Secretary considers appropriate.

''(B) ELECTRONIC TRANSMISSION.—The rulemaking carried out under subparagraph (A) shall require a distributor or dealer of tires that is not owned or controlled by a manufacturer of tires to electronically transmit the records described in clauses (i) and (ii) of subparagraph (A) to the manufacturer of the tires or the designee of the manufacturer by secure means at no cost to tire purchasers or lessors.

''(C) SATISFACTION OF REQUIREMENTS.—A regulation promulgated under subparagraph (A) may be considered to satisfy the requirements of paragraph (2)(B).''.

SEC. 34434. TIRE RECALL DATABASE.

(a) IN GENERAL.—The Secretary shall establish a publicly available and searchable electronic database of tire recall information that is reported to the Administrator of the National Highway Traffic Safety Administration.

(b) TIRE IDENTIFICATION NUMBER.—The database established under subsection (a) shall be searchable by Tire Identification Number (TIN) and any other criteria that assists consumers in determining whether a tire is subject to a recall.

TITLE XXXV—RAILROAD REFORM, ENHANCEMENT, AND EFFICIENCY

SEC. 35001. SHORT TITLE.

''This title may be cited as the ''Railroad Reform, Enhancement, and Efficiency Act''.

SEC. 35002. PASSENGER TRANSPORTATION; DEFINITIONS.

Section 24102 is amended—

(1) by redesignating paragraphs (5) through (9) as paragraphs (6) through (10), respectively;

(2) by inserting after paragraph (4), the following:

''(5) 'long-distance route' means a route described in paragraph (6)(C).'';

(3) by amending paragraph (6)(A), as redesignated, to read as follows:

''(A) the Northeast Corridor main line between Boston, Massachusetts and the Virginia Avenue interlocking in the District of Columbia, and the facilities and services used to operate and maintain that line;'';

(4) in paragraph (7), as redesignated, by striking the period at the end and inserting '', except that the term 'Northeast Corridor' for the purposes of chapter 243 means the main line between Boston, Massachusetts and the Virginia Avenue interlocking in the District of Columbia, and the facilities and services used to operate and maintain that line.''; and

(5) by adding at the end the following:

''(11) 'state-of-good-repair' means a condition in which physical assets, both individually and as a system, are—

''(A) performing at a level at least equal to that called for in their as-built or as-modified design specification during any period when the life cycle cost of maintaining the assets is lower than the cost of replacing them; and

''(B) sustained through regular maintenance and replacement programs.

''(12) 'State-supported route' means a route described in paragraph (6)(B) or paragraph (6)(D), or in section 24702(a).''.

Subtitle A—Authorization of Appropriations

SEC. 35101. AUTHORIZATION OF GRANTS TO AMTRAK.

(a) IN GENERAL.—There are authorized to be appropriated to the Secretary for the use of Amtrak for deposit into the accounts established under section 24319(a) of title 49, United States Code, the following amounts:

(1) For fiscal year 2016, $1,450,000,000.
(2) For fiscal year 2017, $1,550,000,000.
(3) For fiscal year 2018, $1,700,000,000.
(4) For fiscal year 2019, $1,900,000,000.

(b) PROJECT MANAGEMENT OVERSIGHT.—The Secretary may withhold up to one half of 1 percent of the amount appropriated under subsection (a) for the costs of management oversight of Amtrak.

(c) COMPETITION.—In administering grants to Amtrak under section 24318 of title 49, United States Code, the Secretary may withhold, from amounts that would otherwise be made available to Amtrak, such sums as are necessary from the amount appropriated under subsection (a) of this section to cover the operating subsidy described in section 24711(b)(1)(E)(ii) of title 49, United States Code.

(d) STATE-SUPPORTED ROUTE COMMITTEE.—The Secretary may withhold up to $2,000,000 from the amount appropriated in each fiscal year under subsection (a) of this section for the use of the State-Supported Route Committee established under section 24712 of title 49, United States Code.

(e) NORTHEAST CORRIDOR COMMISSION.—The Secretary may withhold up to $5,000,000 from the amount appropriated in each fiscal year under subsection (a) of this section for the use of the Northeast Corridor Commission established under section 24905 of title 49, United States Code.

SEC. 35102. NATIONAL INFRASTRUCTURE AND SAFETY INVESTMENTS.

(a) IN GENERAL.—There are authorized to be appropriated to the Secretary for grants under chapter 244 of title 49, United States Code, the following amounts:

(1) For fiscal year 2016, $350,000,000.
(2) For fiscal year 2017, $430,000,000.
(3) For fiscal year 2018, $600,000,000.
(4) For fiscal year 2019, $900,000,000.

(b) PROJECT MANAGEMENT OVERSIGHT.—The Secretary may withhold up to 1 percent from the amount appropriated under subsection (a) of this section for the costs of project management oversight of grants carried out under chapter 244 of title 49, United States Code.

SEC. 35103. AUTHORIZATION OF APPROPRIATIONS FOR NATIONAL TRANSPORTATION SAFETY BOARD RAIL INVESTIGATIONS.

(a) IN GENERAL.—Notwithstanding any other provision of law, there are authorized to be appropriated to the National Transportation Safety Board to carry out railroad accident investigations under section 1131(a)(1)(C) of title 49, United States Code, the following amounts:

(1) For fiscal year 2016, $6,300,000.
(2) For fiscal year 2017, $6,400,000.
(3) For fiscal year 2018, $6,500,000.
(4) For fiscal year 2019, $6,600,000.

(b) INVESTIGATION PERSONNEL.—Amounts appropriated under subsection (a) of this section shall be available to the National Transportation Safety Board for personnel, in regional offices and in Washington, DC, whose duties involve railroad accident investigations.

SEC. 35104. AUTHORIZATION OF APPROPRIATIONS FOR AMTRAK OFFICE OF INSPECTOR GENERAL.

There are authorized to be appropriated to the Office of Inspector General of Amtrak the following amounts:

(1) For fiscal year 2016, $20,000,000.
(2) For fiscal year 2017, $20,500,000.
(3) For fiscal year 2018, $21,000,000.
(4) For fiscal year 2019, $21,500,000.

SEC. 35105. NATIONAL COOPERATIVE RAIL RESEARCH PROGRAM.

(a) IN GENERAL.—Section 24910 is amended—

(1) in subsection (b)—

(A) in paragraph (12), by striking ''and'';

(B) in paragraph (13), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(14) to improve the overall safety of intercity passenger and freight rail operations.''; and

(2) by amending subsection (e) to read as follows:

''(e) ALLOCATION.—At least $5,000,000 of the amounts appropriated to the Secretary for a fiscal year to carry out railroad research and development programs shall be available to carry out this section.''.

Subtitle B—Amtrak Reform

SEC. 35201. AMTRAK GRANT PROCESS.

(a) REQUIREMENTS AND PROCEDURES.—Chapter 243 is amended by adding at the end the following:

''§ 24317. Costs and revenues

(a) ALLOCATION.—Not later than 180 days after the date of enactment of the Railroad Reform, Enhancement, and Efficiency Act, Amtrak shall establish and maintain internal controls to ensure Amtrak's costs, revenues, and other compensation are appropriately and proportionally allocated to its Northeast Corridor train services or infrastructure, its State-supported routes, its long-distance routes, and its other national network activities.

(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to limit the ability of Amtrak to enter into an agreement with 1 or more States to allocate operating and capital costs under section 209 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note).

''§ 24318. Grant process

''(a) PROCEDURES FOR GRANT REQUESTS.—Not later than 90 days after the date of enactment of the Railroad Reform, Enhancement, and Efficiency Act, the Secretary of Transportation shall establish and transmit to the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate and the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives substantive and procedural requirements, including schedules, for grant requests under this section.

''(b) GRANT REQUESTS.—Amtrak shall transmit grant requests for Federal funds appropriated to the Secretary of Transportation for the use of Amtrak to—

''(1) the Secretary; and

''(2) the Committee on Commerce, Science, and Transportation, the Committee on Appropriations, and the Committee on the Budget of the Senate and the Committee on Transportation and Infrastructure, the Committee on Appropriations, and the Committee on the Budget of the House of Representatives.

''(c) CONTENTS.—A grant request under subsection (b) shall—

''(1) describe projected operating and capital costs for the upcoming fiscal year for Northeast Corridor train services and infrastructure, Amtrak's State-supported routes, and Amtrak's long-distance routes, and Amtrak's other national network activities, as applicable, in comparison to prior fiscal year actual financial performance;

''(2) describe the capital projects to be funded, with cost estimates and an estimated timetable for completion of the projects covered by the request;

''(3) assess Amtrak's financial condition;

''(4) be displayed on Amtrak's Web site within a reasonable timeframe following its transmission under subsection (b); and

''(5) describe how the funding requested in a grant will be allocated to the accounts established under section 24319(a), considering the projected operating losses or capital costs for services and activities associated with such accounts over the time period intended to be covered by the grants.

''(d) REVIEW AND APPROVAL.—

''(1) THIRTY-DAY APPROVAL PROCESS.—

''(A) IN GENERAL.—Not later than 30 days after the date that Amtrak submits a grant request under this section, the Secretary of Transportation shall complete a review of the request and provide notice to Amtrak that—

''(i) the request is approved; or

''(ii) the request is disapproved, including the reason for the disapproval and an explanation of any incomplete or deficient items.

''(B) GRANT AGREEMENT.—If a grant request is approved, the Secretary shall enter into a grant agreement with Amtrak that allocates the grant funding to 1 of the 4 accounts established under section 24319(a).

''(2) FIFTEEN-DAY MODIFICATION PERIOD.—Not later than 15 days after the date of the notice under paragraph (1)(A)(ii), Amtrak shall submit a modified request for the Secretary's review.

''(3) MODIFIED REQUESTS.—Not later than 15 days after the date that Amtrak submits a modified request under paragraph (2), the Secretary shall either approve the modified request, or, if the Secretary finds that the request is still incomplete or deficient, the Secretary shall identify in writing to the Committee on Commerce, Science, and Transportation, the Committee on Appropriations, and the Committee on the Budget of the Senate and the Committee on Transportation and Infrastructure, the Committee on Appropriations, and the Committee on the Budget of the House of Representatives the remaining deficiencies and recommend a process for resolving the outstanding portions of the request.

''(e) PAYMENTS TO AMTRAK.—

''(1) IN GENERAL.—A grant agreement entered into under subsection (d) shall specify the operations, services, and other activities to be funded by the grant. The grant agreement shall include provisions, consistent with the requirements of this chapter, to measure Amtrak's performance and ensure accountability in delivering the operations, services, or activities to be funded by the grant.

''(2) SCHEDULE.—Except as provided in paragraph (3), in each fiscal year for which amounts are appropriated to the Secretary for the use of Amtrak, and for which the Secretary and Amtrak have entered into a grant agreement under subsection (d), the Secretary shall disburse grant funds to Amtrak on the following schedule:

''(A) 50 percent on October 1.
''(B) 25 percent on January 1.
''(C) 25 percent on April 1.

(3) EXCEPTIONS.—The Secretary may make a payment to Amtrak of appropriated funds—

''(A) more frequently than the schedule under paragraph (2) if Amtrak, for good cause, requests more frequent payment before the end of a payment period; or

''(B) with a different frequency or in different percentage allocations in the event of a continuing resolution or in the absence of an appropriations Act for the duration of a fiscal year.

''(f) AVAILABILITY OF AMOUNTS AND EARLY APPROPRIATIONS.—Amounts appropriated to the Secretary for the use of Amtrak shall remain available until expended. Amounts for capital acquisitions and improvements may be appropriated for a fiscal year before the fiscal year in which the amounts will be obligated.

''(g) LIMITATIONS ON USE.—Amounts appropriated to the Secretary for the use of Amtrak may not be used to cross-subsidize operating losses or capital costs of commuter rail passenger or freight rail transportation.

''§ 24319. Accounts

''(a) ESTABLISHMENT OF ACCOUNTS.—Beginning not later than October 1, 2016, Amtrak, in consultation with the Secretary of Transportation, shall define and establish—

''(1) a Northeast Corridor investment account, including subaccounts for Amtrak train services and infrastructure;

''(2) a State-supported account;

''(3) a long-distance account; and

''(4) another national network activities account.

''(b) NORTHEAST CORRIDOR INVESTMENT ACCOUNT.—

''(1) DEPOSITS.—Amtrak shall deposit in the Northeast Corridor investment account established under subsection (a)(1)—

''(A) a portion of the grant funds appropriated under the authorization in section 35101(a) of the Railroad Reform, Enhancement, and Efficiency Act, or any subsequent Act appropriating funds for the use of Amtrak, as specified in a grant agreement entered into under section 24318;

''(B) any compensation received from commuter rail passenger transportation providers for such providers' share of capital costs on the Northeast Corridor provided to Amtrak under section 24905(c);

''(C) any operating surplus of the Northeast Corridor train services or infrastructure, as allocated under section 24317; and

''(D) any other net revenue received in association with the Northeast Corridor, including freight access fees, electric propulsion, and commercial development.

''(2) USE OF NORTHEAST CORRIDOR INVESTMENT ACCOUNT.—Except as provided in subsection (f), amounts deposited in the Northeast Corridor investment account shall be made available for the use of Amtrak for its share of—

''(A) capital projects described in section 24904(a)(2)(E)(i), and developed under the planning process established under that section, to bring Northeast Corridor infrastructure to a state-of-good-repair;

''(B) capital projects described in clauses (ii) and (iv) of section 24904(a)(2)(E) that are developed under the planning process established under that section intended to increase corridor capacity, improve service reliability, and reduce travel time on the Northeast Corridor;

''(C) capital projects to improve safety and security;

''(D) capital projects to improve customer service and amenities;

''(E) acquiring, rehabilitating, manufacturing, remanufacturing, overhauling, or improving equipment and associated facilities used for intercity rail passenger transportation by Northeast Corridor train services;

''(F) retirement of principal and payment of interest on loans for capital projects described in this paragraph or for capital leases for equipment and related to the Northeast Corridor;

''(G) participation in public-private partnerships, joint ventures, and other mechanisms or arrangements that result in the completion of capital projects described in this paragraph; and

''(H) indirect, common, corporate, or other costs directly incurred by or allocated to the Northeast Corridor.

''(c) STATE-SUPPORTED ACCOUNT.—

''(1) DEPOSITS.—Amtrak shall deposit in the State-supported account established under subsection (a)(2)—

''(A) a portion of the grant funds appropriated under the authorization in section 35101(a) of the Railroad Reform, Enhancement, and Efficiency Act, or any subsequent Act appropriating funds for the use of Amtrak, as specified in a grant agreement entered into under section 24318;

''(B) any compensation received from States provided to Amtrak under section 209 of the Passenger Rail Investment and Improvement Act of 2008 (42 U.S.C. 24101 note); and

''(C) any operating surplus from its State-supported routes, as allocated under section 24317.

''(2) USE OF STATE-SUPPORTED ACCOUNT.—Except as provided in subsection (f), amounts deposited in the State-supported account shall be made available for the use of Amtrak for capital expenses and operating costs, including indirect, common, corporate, or other costs directly incurred by or allocated to State-supported routes, of its State-supported routes and retirement of principal and payment of interest on loans or capital leases attributable to its State-supported routes.

''(d) LONG-DISTANCE ACCOUNT.—

''(1) DEPOSITS.—Amtrak shall deposit in the long-distance account established under subsection (a)(3)—

''(A) a portion of the grant funds appropriated under the authorization in section 35101(a) of the Railroad Reform, Enhancement, and Efficiency Act, or any subsequent Act appropriating funds for the use of Amtrak, as specified in a grant agreement entered into under section 24318;

''(B) any compensation received from States provided to Amtrak for costs associated with its long-distance routes; and

''(C) any operating surplus from its long-distance routes, as allocated under section 24317.

''(2) USE OF LONG-DISTANCE ACCOUNT.—Except as provided in subsection (f), amounts deposited in the long-distance account shall be made available for the use of Amtrak for capital expenses and operating costs, including indirect, common, corporate, or other costs directly incurred by or allocated to long-distance routes, of its long-distance routes and retirement of principal and payment of interest on loans or capital leases attributable to the long-distance routes.

''(e) OTHER NATIONAL NETWORK ACTIVITIES ACCOUNT.—

''(1) DEPOSITS.—Amtrak shall deposit in the other national network activities account established under subsection (a)(4)—

''(A) a portion of the grant funds appropriated under the authorization in section 35101(a) of the Railroad Reform, Enhancement, and Efficiency Act, or any subsequent Act appropriating funds for the use of Amtrak, as specified in a grant agreement entered into under section 24318;

''(B) any compensation received from States provided to Amtrak for costs associated with its other national network activities; and

''(C) any operating surplus from its other national network activities.

''(2) USE OF OTHER NATIONAL NETWORK ACTIVITIES ACCOUNT.—Except as provided in subsection (f), amounts deposited into the other national network activities account shall be made available for the use of Amtrak for capital and operating costs not allocated to the Northeast Corridor investment account, State-supported account, or long-distance account, and retirement of principal and payment of interest on loans or capital leases attributable to other national network activities.

''(f) TRANSFER AUTHORITY.—

''(1) AUTHORITY.—Amtrak may transfer any funds appropriated under the authorization in section 35101(a) of the Railroad Reform, Enhancement, and Efficiency Act, or any subsequent Act appropriating funds for the use of Amtrak for deposit into the accounts described in that section, or any surplus generated by operations, between the Northeast Corridor, State-supported, long-distance, and other national network activities accounts—

''(A) upon the expiration of 10 days after the date that Amtrak notifies the Amtrak Board of Directors, including the Secretary, of the planned transfer; and

''(B) with the approval of the Secretary.

''(2) REPORT.—Not later than 5 days after the date that Amtrak notifies the Amtrak Board of Directors of a planned transfer under paragraph (1), Amtrak shall transmit to the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate and the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives a report that includes—

''(A) the amount of the transfer; and

''(B) a detailed explanation of the reason for the transfer, including—

''(i) the effects on Amtrak services funded by the account from which the transfer is drawn, in comparison to a scenario in which no transfer was made; and

''(ii) the effects on Amtrak services funded by the account receiving the transfer, in comparison to a scenario in which no transfer was made.

''(3) NOTIFICATIONS.—

''(A) STATE-SUPPORTED ACCOUNT.—Not later than 5 days after the date that Amtrak notifies the Amtrak Board of Directors of a planned transfer under paragraph (1) of funds to or from the State-supported account, Amtrak shall transmit to each State that sponsors a State-supported route a letter that includes the information described under subparagraphs (A) and (B) of paragraph (2).

''(B) NORTHEAST CORRIDOR ACCOUNT.—Not later than 5 days after the date that Amtrak notifies the Amtrak Board of Directors of a planned transfer under paragraph (1) of funds to or from the Northeast Corridor account, Amtrak shall transmit to the Northeast Corridor Commission a letter that includes the information described under subparagraphs (A) and (B) of paragraph (2).

''(g) ENFORCEMENT.—The Secretary shall enforce the provisions of each grant agreement under section 24318(d), including any deposit into an account under this section.

''(h) LETTERS OF INTENT.—

''(1) REQUIREMENT.—The Secretary may issue a letter of intent to Amtrak announcing an intention to obligate, for a major capital project described in clauses (ii) and (iv)

of section 24904(a)(2)(E), an amount from future available budget authority specified in law that is not more than the amount stipulated as the financial participation of the Secretary in the project.

''(2) NOTICE TO CONGRESS.—At least 30 days before issuing a letter under paragraph (1), the Secretary shall notify in writing the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate and the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives of the proposed letter. The Secretary shall include with the notice a copy of the proposed letter, the criteria used for selecting the project for a grant award, and a description of how the project meets the criteria under this section.

''(3) CONTINGENT NATURE OF OBLIGATION OR COMMITMENT.—An obligation or administrative commitment may be made only when amounts are appropriated. The letter of intent shall state that the contingent commitment is not an obligation of the Federal Government, and is subject to the availability of appropriations under Federal law and to Federal laws in force or enacted after the date of the contingent commitment.''.

(b) CONFORMING AMENDMENTS.—The table of contents for chapter 243 is amended by adding at the end the following:

''24317. Costs and revenues.
''24318. Grant process.
''24319. Accounts.''.

(c) REPEALS.—

(1) ESTABLISHMENT OF GRANT PROCESS.—Section 206 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note) and the item relating to that section in the table of contents of that Act are repealed.

(2) AUTHORIZATION OF APPROPRIATIONS.—Section 24104 and the item relating to that section in the table of contents of chapter 241 are repealed.

SEC. 35202. 5-YEAR BUSINESS LINE AND ASSETS PLANS.

(a) AMTRAK 5-YEAR BUSINESS LINE AND ASSET PLANS.—Chapter 243, as amended by section 35201 of this Act, is further amended by inserting after section 24319 the following:

''§ 24320. Amtrak 5-year business line and asset plans

''(a) IN GENERAL.—

''(1) FINAL PLANS.—Not later than February 15 of each year, Amtrak shall submit to Congress and the Secretary final 5-year business line plans and 5-year asset plans prepared in accordance with this section. These final plans shall form the basis for Amtrak's general and legislative annual report to the President and Congress required by section 24315(b).

''(2) FISCAL CONSTRAINT.—Each plan prepared under this section shall be based on funding levels authorized or otherwise available to Amtrak in a fiscal year. In the absence of an authorization or appropriation of funds for a fiscal year, the plans shall be based on the amount of funding available in the previous fiscal year, plus inflation. Amtrak may include an appendix to the asset plan required in subsection (c) that describes any capital funding requirements in excess of amounts authorized or otherwise available to Amtrak in a fiscal year for capital investment.

''(b) AMTRAK 5-YEAR BUSINESS LINE PLANS.—

''(1) AMTRAK BUSINESS LINES.—Amtrak shall prepare a 5-year business line plan for each of the following business lines and services:

''(A) Northeast Corridor train services.

''(B) State-supported routes operated by Amtrak.

''(C) Long-distance routes operated by Amtrak.

''(D) Ancillary services operated by Amtrak, including commuter operations and other revenue generating activities as determined by the Secretary in consultation with Amtrak.

''(2) CONTENTS OF 5-YEAR BUSINESS LINE PLANS.—The 5-year business line plan for each business line shall include, at a minimum—

''(A) a statement of Amtrak's vision, goals, and service plan for the business line, coordinated with any entities that are contributing capital or operating funding to support passenger rail services within those business lines, and aligned with Amtrak's Strategic Plan and 5-year asset plans under subsection (c);

''(B) all projected revenues and expenditures for the business line, including identification of revenues and expenditures incurred by—

''(i) passenger operations;

''(ii) non-passenger operations that are directly related to the business line; and

''(iii) governmental funding sources, including revenues and other funding received from States;

''(C) projected ridership levels for all passenger operations;

''(D) estimates of long-term and short-term debt and associated principal and interest payments (both current and forecasts);

''(E) annual profit and loss statements and forecasts and balance sheets;

''(F) annual cash flow forecasts;

''(G) a statement describing the methodologies and significant assumptions underlying estimates and forecasts;

''(H) specific performance measures that demonstrate year over year changes in the results of Amtrak's operations;

''(I) financial performance for each route within each business line, including descriptions of the cash operating loss or contribution and labor productivity for each route;

''(J) specific costs and savings estimates resulting from reform initiatives;

''(K) prior fiscal year and projected equipment reliability statistics; and

''(L) an identification and explanation of any major adjustments made from previously approved plans.

''(3) 5-YEAR BUSINESS LINE PLANS PROCESS.—In meeting the requirements of this section, Amtrak shall—

''(A) coordinate the development of the business line plans with the Secretary;

''(B) for the Northeast Corridor business line plan, coordinate with the Northeast Corridor Commission and transmit to the Commission the final plan under subsection (a)(1), and consult with other entities, as appropriate;

''(C) for the State-supported route business line plan, coordinate with the State-Supported Route Committee established under section 24712;

''(D) for the long-distance route business line plan, coordinate with any States or Interstate Compacts that provide funding for such routes, as appropriate;

''(E) ensure that Amtrak's annual budget request to Congress is consistent with the information in the 5-year business line plans; and

''(F) identify the appropriate Amtrak officials that are responsible for each business line.

''(4) STANDARDS TO PROMOTE FINANCIAL STABILITY.—In meeting the requirements under this subsection, Amtrak shall use the categories specified in the financial accounting and reporting system developed under section 203 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note) when preparing its 5-year business line plans.

''(c) AMTRAK 5-YEAR ASSET PLANS.—

''(1) ASSET CATEGORIES.—Amtrak shall prepare a 5-year asset plan for each of the following asset categories:

''(A) Infrastructure, including all Amtrak-controlled Northeast Corridor assets and other Amtrak-owned infrastructure, and the associated facilities that support the operation, maintenance, and improvement of those assets.

''(B) Passenger rail equipment, including all Amtrak-controlled rolling stock, locomotives, and mechanical shop facilities that are used to overhaul equipment.

''(C) Stations, including all Amtrak-controlled passenger rail stations and elements of other stations for which Amtrak has legal responsibility or intends to make capital investments.

''(D) National assets, including national reservations, security, training and training centers, and other assets associated with Amtrak's national passenger rail transportation system.

''(2) CONTENTS OF 5-YEAR ASSET PLANS.—Each asset plan shall include, at a minimum—

''(A) a summary of Amtrak's 5-year strategic plan for each asset category, including goals, objectives, any relevant performance metrics, and statutory or regulatory actions affecting the assets;

''(B) an inventory of existing Amtrak capital assets, to the extent practicable, including information regarding shared use or ownership, if applicable;

''(C) a prioritized list of proposed capital investments that—

''(i) categorizes each capital project as being primarily associated with—

''(I) normalized capital replacement;

''(II) backlog capital replacement;

''(III) improvements to support service enhancements or growth;

''(IV) strategic initiatives that will improve overall operational performance, lower costs, or otherwise improve Amtrak's corporate efficiency; or

''(V) statutory, regulatory, or other legal mandates;

''(ii) identifies each project or program that is associated with more than 1 category described in clause (i); and

''(iii) describes the anticipated business outcome of each project or program identified under this subparagraph, including an assessment of—

''(I) the potential effect on passenger operations, safety, reliability, and resilience;

''(II) the potential effect on Amtrak's ability to meet regulatory requirements if the project or program is not funded; and

''(III) the benefits and costs; and

''(D) annual profit and loss statements and forecasts and balance sheets for each asset category.

''(3) 5-YEAR ASSET PLAN PROCESS.—In meeting the requirements of this subsection, Amtrak shall—

''(A) coordinate with each business line described in subsection (b)(1) in the preparation of each 5-year asset plan and ensure integration of each 5-year asset plan with the 5-year business line plans;

''(B) as applicable, coordinate with the Northeast Corridor Commission, the State-Supported Route Committee, and owners of assets affected by 5-year asset plans; and

''(C) identify the appropriate Amtrak officials that are responsible for each asset category.

''(4) EVALUATION OF NATIONAL ASSETS COSTS.—The Secretary shall—

''(A) evaluate the costs and scope of all national assets; and

''(B) determine the activities and costs that are—

''(i) required in order to ensure the efficient operations of a national passenger rail system;

''(ii) appropriate for allocation to of the other Amtrak business lines; and

''(iii) extraneous to providing an efficient national passenger rail system or are too costly relative to the benefits or performance outcomes they provide.

''(5) DEFINITION OF NATIONAL ASSETS.—In this section, the term 'national assets' means the Nation's core rail assets shared among Amtrak services, including national reservations, security, training and training centers, and other assets associated with Amtrak's national passenger rail transportation system.

''(6) RESTRUCTURING OF NATIONAL ASSETS.—Not later than 1 year after the date of completion of the evaluation under paragraph (4), the Administrator of the Federal Railroad Administration, in consultation with the Amtrak Board of Directors, the governors of each relevant State, and the Mayor of the District of Columbia, or their designees, shall restructure or reallocate, or both, the national assets costs in accordance with the determination under that section, including making appropriate updates to Amtrak's cost accounting methodology and system.''.

(b) EFFECTIVE DATE.—The requirements for Amtrak to submit final 5-year business line plans and 5-year asset plans under section 24320 of title 49, United States Code, shall take effect 1 year after the date of enactment of this Act.

(c) CONFORMING AMENDMENTS.—The table of contents for chapter 243, as amended by section 35201 of this Act, is further amended by adding at the end the following:

''24320. Amtrak 5-year business line and asset plans.''.

(d) REPEAL OF 5-YEAR FINANCIAL PLAN.—Section 204 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note), and the item relating to that section in the table of contents of that Act, are repealed.

(e) IDENTIFICATION OF DUPLICATIVE REPORTING REQUIREMENTS.—Not later than 1 year after the date of enactment of this Act, the Secretary shall—

(1) review existing Amtrak reporting requirements and identify where the existing requirements are duplicative with the business line and capital plans required by section 24320 of title 49, United States Code;

(2) if the duplicative reporting requirements are administrative, the Secretary shall eliminate the duplicative requirements; and

(3) submit to Congress a report with any recommendations for repealing any other duplicative Amtrak reporting requirements.

SEC. 35203. STATE-SUPPORTED ROUTE COMMITTEE.

(a) AMENDMENT.—Chapter 247 is amended by adding at the end the following:

''§ 24712. State-supported routes operated by Amtrak

''(a) STATE-SUPPORTED ROUTE COMMITTEE.—

''(1) ESTABLISHMENT.—Not later than 180 days after the date of enactment of the Railroad Reform, Enhancement, and Efficiency Act, the Secretary of Transportation shall establish the State-Supported Route Committee (referred to in this section as the 'Committee') to promote mutual cooperation and planning pertaining to the rail operations of Amtrak and related activities of trains operated by Amtrak on State-supported routes and to further implement section 209 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note).

''(2) MEMBERSHIP.—

''(A) IN GENERAL.—The Committee shall consist of—

''(i) members representing Amtrak;

''(ii) members representing the Department of Transportation, including the Federal Railroad Administration; and

''(iii) members representing States.

''(B) NON-VOTING MEMBERS.—The Committee may invite and accept other non-voting members to participate in Committee activities, as appropriate.

''(3) DECISIONMAKING.—The Committee shall establish a bloc voting system under which, at a minimum—

''(A) there are separate voting blocs to represent the Committee's voting members, including—

''(i) 1 voting bloc to represent the members described in paragraph (2)(A)(i);

''(ii) 1 voting bloc to represent the members described in paragraph (2)(A)(ii); and

''(iii) 1 voting bloc to represent the members described in paragraph (2)(A)(iii);

''(B) each voting bloc has 1 vote;

''(C) the vote of the voting bloc representing the members described in paragraph (2)(A)(iii) requires the support of at least two thirds of that voting bloc's members; and

''(D) the Committee makes decisions by unanimous consent of the 3 voting blocs.

''(4) MEETINGS; RULES AND PROCEDURES.—The Committee shall convene a meeting and shall define and implement the rules and procedures governing the Committee's proceedings not later than 180 days after the date of establishment of the Committee by the Secretary. The rules and procedures shall—

''(A) incorporate and further describe the decisionmaking procedures to be used in accordance with paragraph (3); and

''(B) be adopted in accordance with such decisionmaking procedures.

''(5) COMMITTEE DECISIONS.—Decisions made by the Committee in accordance with the Committee's rules and procedures, once established, are binding on all Committee members.

''(6) COST ALLOCATION METHODOLOGY.—

''(A) IN GENERAL.—Subject to subparagraph (B), the Committee may amend the cost allocation methodology required and previously approved under section 209 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note).

''(B) PROCEDURES FOR CHANGING METHODOLOGY.—The rules and procedures implemented under paragraph (4) shall include procedures for changing the cost allocation methodology.

''(C) REQUIREMENTS.—The cost allocation methodology shall—

''(i) ensure equal treatment in the provision of like services of all States and groups of States; and

''(ii) allocate to each route the costs incurred only for the benefit of that route and a proportionate share, based upon factors that reasonably reflect relative use, of costs incurred for the common benefit of more than 1 route.

''(b) INVOICES AND REPORTS.—Not later than February 15, 2016, and monthly thereafter, Amtrak shall provide to each State that sponsors a State-supported route a monthly invoice of the cost of operating such route, including fixed costs and third-party costs. The Committee shall determine the frequency and contents of the financial and performance reports that Amtrak shall provide to the States, as well as the planning and demand reports that the States shall provide to Amtrak.

''(c) DISPUTE RESOLUTION.—

''(1) REQUEST FOR DISPUTE RESOLUTION.—If a dispute arises with respect to the rules and procedures implemented under subsection (a)(4), an invoice or a report provided under subsection (b), implementation or compliance with the cost allocation methodology developed under section 209 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note) or amended under subsection (a)(6) of this section, either Amtrak or the State may request that the Surface Transportation Board conduct dispute resolution under this subsection.

''(2) PROCEDURES.—The Surface Transportation Board shall establish procedures for resolution of disputes brought before it under this subsection, which may include provision of professional mediation services.

''(3) BINDING EFFECT.—A decision of the Surface Transportation Board under this subsection shall be binding on the parties to the dispute.

''(4) OBLIGATION.—Nothing in this subsection shall affect the obligation of a State to pay an amount not in dispute.

''(d) ASSISTANCE.—

''(1) IN GENERAL.—The Secretary may provide assistance to the parties in the course of negotiations for a contract for operation of a State-supported route.

''(2) FINANCIAL ASSISTANCE.—From among available funds, the Secretary shall—

''(A) provide financial assistance to Amtrak or 1 or more States to perform requested independent technical analysis of issues before the Committee; and

''(B) reimburse Members for travel expenses, including per diem in lieu of subsistence, in accordance with section 5703 of title 5.

''(e) PERFORMANCE METRICS.—In negotiating a contract for operation of a State-supported route, Amtrak and the State or States that sponsor the route shall consider including provisions that provide penalties and incentives for performance.

''(f) STATEMENT OF GOALS AND OBJECTIVES.—

''(1) IN GENERAL.—The Committee shall develop a statement of goals, objectives, and associated recommendations concerning the future of State supported routes operated by Amtrak. The statement shall identify the roles and responsibilities of Committee members and any other relevant entities, such as host railroads, in meeting the identified goals and objectives, or carrying out the recommendations. The Committee may consult with such relevant entities, as the Committee considers appropriate, when developing the statement.

''(2) TRANSMISSION OF STATEMENT OF GOALS AND OBJECTIVES.—Not later than 2 years after the date of enactment of the Railroad Reform, Enhancement, and Efficiency Act the Committee shall transmit the statement developed under paragraph (1) to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

''(g) RULE OF CONSTRUCTION.—The decisions of the Committee—

''(1) shall pertain to the rail operations of Amtrak and related activities of trains operated by Amtrak on State-sponsored routes; and

''(2) shall not pertain to the rail operations or related activities of services operated by other rail passenger carriers on State-supported routes.

''(h) FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Committee.

''(i) DEFINITION OF STATE.—In this section, the term 'State' means any of the 50 States, the District of Columbia, or a public entity that sponsor the operation of trains by Amtrak on a State-supported route.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—The table of contents for chapter 247 is amended by adding at the end the following:

''24712. State-supported routes operated by Amtrak.''.

SEC. 35204. ROUTE AND SERVICE PLANNING DECISIONS.

Section 208 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note) is amended to read as follows:

''SEC. 208. METHODOLOGIES FOR AMTRAK ROUTE AND SERVICE PLANNING DECISIONS.

''(a) METHODOLOGY DEVELOPMENT.—Not later than 180 days after the date of enactment of the Railroad Reform, Enhancement, and Efficiency Act, as a condition of receiving a grant under section 101 of that Act, Amtrak shall obtain the services of an independent entity to develop and recommend objective methodologies for Amtrak to use in determining what intercity rail passenger transportation routes and services it should provide, including the establishment of new routes, the elimination of existing routes, and the contraction or expansion of services or frequencies over such routes.

''(b) CONSIDERATIONS.—Amtrak shall require the ''independent entity, in developing the methodologies described in subsection (a), to consider—

''(1) the current and expected performance and service quality of intercity rail passenger transportation operations, including cost recovery, on-time performance, ridership, on-board services, stations, facilities, equipment, and other services;

''(2) the connectivity of a route with other routes;

''(3) the transportation needs of communities and populations that are not well served by intercity rail passenger transportation service or by other forms of intercity transportation;

''(4) the methodologies of Amtrak and major intercity rail passenger transportation service providers in other countries for determining intercity passenger rail routes and services;

''(5) the financial and operational effects on the overall network, including the effects on indirect costs;

''(6) the views of States and the recommendations described in State rail plans, rail carriers that own infrastructure over which Amtrak operates, Interstate Compacts established by Congress and States, Amtrak employee representatives, stakeholder organizations, and other interested parties; and

''(7) the funding levels that will be available under authorization levels that have been enacted into law.

''(c) RECOMMENDATIONS.—Not later than 1 year after the date of enactment of the Railroad Reform, Enhancement, and Efficiency Act, Amtrak shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives recommendations developed by the independent entity under subsection (a).

''(d) CONSIDERATION OF RECOMMENDATIONS.—Not later than 90 days after the date the recommendations are transmitted under subsection (c), Amtrak shall consider the adoption of each recommendation and transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report explaining the reasons for adopting or not adopting each recommendation.''.

SEC. 35205. COMPETITION.

(a) ALTERNATE PASSENGER RAIL SERVICE PILOT PROGRAM.—Section 24711 is amended to read as follows:

''§ 24711. Alternate passenger rail service pilot program

''(a) IN GENERAL—Not later than 18 months after the date of enactment of the Railroad Reform, Enhancement, and Efficiency Act, the Secretary of Transportation shall promulgate a rule to implement a pilot program for competitive selection of rail carriers for long-distance routes (as defined in section 24102).

''(b) PILOT PROGRAM REQUIREMENTS.—

''(1) IN GENERAL—The pilot program shall—

''(A) allow a party described in paragraph (2) to petition the Secretary to provide intercity rail passenger transportation over a long-distance route in lieu of Amtrak for an operations period of years from the date of commencement of service by the winning bidder and, at the option of the Secretary, consistent with the rule promulgated under subsection (a), allow the contract to be renewed for an additional operations period of years, but not to exceed a total of 3 operations periods;

''(B) require the Secretary to—

''(i) notify the petitioner and Amtrak of receipt of the petition under subparagraph (A) and to publish in the Federal Register a notice of receipt not later than 30 days after the date of receipt; and

''(ii) establish a deadline, of not more than 120 days after the notice of receipt is published in the Federal Register under clause (i), by which both the petitioner and Amtrak, if Amtrak chooses to do so, would be required to submit a complete bid to provide intercity rail passenger transportation over the applicable route;

''(C) require that each bid—

''(i) describe the capital needs, financial projections, and operational plans, including staffing plans, for the service, and such other factors as the Secretary considers appropriate; and

''(ii) be made available by the winning bidder to the public after the bid award;

''(D) for a route that receives funding from a State or States, require that for each bid received from a party described in paragraph (2), other than a State, the Secretary have the concurrence of the State or States that provide funding for that route;

''(E) for a winning bidder that is not or does not include Amtrak, require the Secretary to execute a contract not later than 270 days after the deadline established under subparagraph (B)(ii) and award to the winning bidder—

''(i) subject to paragraphs (3) and (4), the right and obligation to provide intercity rail passenger transportation over that route subject to such performance standards as the Secretary may require; and

''(ii) an operating subsidy, as determined by the Secretary, for—

''(I) the first year at a level that does not exceed 90 percent of the level in effect for that specific route during the fiscal year preceding the fiscal year in which the petition was received, adjusted for inflation; and

''(II) any subsequent years at the level calculated under subclause (I), adjusted for inflation; and

''(F) for a winning bidder that is or includes Amtrak, award to that bidder an operating subsidy, as determined by the Secretary, over the applicable route that will not change during the fiscal year in which the bid was submitted solely as a result of the winning bid.

''(2) ELIGIBLE PETITIONERS.—The following parties are eligible to submit petitions under paragraph (1):

''(A) A rail carrier or rail carriers that own the infrastructure over which Amtrak operates a long-distance route.

''(B) A rail passenger carrier with a written agreement with the rail carrier or rail carriers that own the infrastructure over which Amtrak operates a long-distance route and that host or would host the intercity rail passenger transportation.

''(C) A State, group of States, or State-supported joint powers authority or other sub-State governance entity responsible for provision of intercity rail passenger transportation with a written agreement with the rail carrier or rail carriers that own the infrastructure over which Amtrak operates a long-distance route and that host or would host the intercity rail passenger transportation.

''(D) A State, group of States, or State-supported joint powers authority or other sub-State governance entity responsible for provision of intercity rail passenger transportation and a rail passenger carrier with a written agreement with the rail carrier or rail carriers that own the infrastructure over which Amtrak operates a long-distance route and that host or would host the intercity rail passenger transportation.

''(3) PERFORMANCE STANDARDS.—If the winning bidder under paragraph (1)(E)(i) is not or does not include Amtrak, the performance standards shall be consistent with the performance required of or achieved by Amtrak on the applicable route during the last fiscal year.

''(4) AGREEMENT GOVERNING ACCESS ISSUES.—Unless the winning bidder already has applicable access agreements in place or includes a rail carrier that owns the infrastructure used in the operation of the route, the winning bidder under paragraph (1)(E)(i) shall enter into a written agreement governing access issues between the winning bidder and the rail carrier or rail carriers that own the infrastructure over which the winning bidder would operate and that host or would host the intercity rail passenger transportation.

''(c) ACCESS TO FACILITIES; EMPLOYEES.—If the Secretary awards the right and obligation to provide rail passenger transportation over a route under this section to an entity in lieu of Amtrak—

''(1) the Secretary shall require Amtrak to provide access to the Amtrak-owned reservation system, stations, and facilities directly related to operations of the awarded routes to the rail passenger carrier awarded a contract under this section, in accordance with subsection (g), as necessary to carry out the purposes of this section;

''(2) an employee of any person, except for a freight railroad or a person employed or contracted by a freight railroad, used by such rail passenger carrier in the operation of a route under this section shall be considered an employee of that rail passenger carrier and subject to the applicable Federal laws and regulations governing similar crafts or classes of employees of Amtrak; and

''(3) the winning bidder shall provide hiring preference to qualified Amtrak employees displaced by the award of the bid, consistent with the staffing plan submitted by the bidder, and shall be subject to the grant conditions under section 24405.

''(d) CESSATION OF SERVICE.—If a rail passenger carrier awarded a route under this section ceases to operate the service or fails to fulfill an obligation under the contract required under subsection (b)(1)(E), the Secretary shall take any necessary action consistent with this title to enforce the contract and ensure the continued provision of service, including—

''(1) the installment of an interim rail passenger carrier;

''(2) providing to the interim rail passenger carrier under paragraph (1) an operating subsidy necessary to provide service; and

''(3) rebidding the contract to operate the rail passenger transportation.

''(e) BUDGET AUTHORITY.—

''(1) IN GENERAL.—The Secretary shall provide to a winning bidder that is not or does not include Amtrak and that is selected under this section any appropriations withheld under section 35101(c) of the Railroad Reform, Enhancement, and Efficiency Act, or any subsequent appropriation for the same purpose, necessary to cover the operating subsidy described in subsection (b)(1)(E)(ii).

''(2) AMTRAK.—If the Secretary selects a winning bidder that is not or does not include Amtrak, the Secretary may provide to Amtrak an appropriate portion of the appropriations under section 35101(a) of the Railroad Reform, Enhancement, and Efficiency Act, or any subsequent appropriation for the same purpose, to cover any cost directly attributable to the termination of Amtrak service on the route and any indirect costs to Amtrak imposed on other Amtrak routes as a result of losing service on the route operated by the winning bidder. Any amount provided by the Secretary to Amtrak under this paragraph shall not be deducted from or have any effect on the operating subsidy described in subsection (b)(1)(E)(ii).

''(f) DEADLINE.—If the Secretary does not promulgate the final rule and implement the program before the deadline under subsection (a), the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a letter, signed by the Secretary and Administrator of the Federal Railroad Administration, each month until the rule is complete, including—

''(1) the reasons why the rule has not been issued;

''(2) an updated staffing plan for completing the rule as soon as feasible;

''(3) the contact information of the official that will be overseeing the execution of the staffing plan; and

''(4) the estimated date of completion of the rule.

''(g) DISPUTES.—If Amtrak and the rail passenger carrier awarded a route under this section cannot agree upon terms to carry out subsection (c)(1), and the Surface Transportation Board finds that access to Amtrak's facilities or equipment, or the provision of services by Amtrak, is necessary under subsection (c)(1) and that the operation of Amtrak's other services will not be impaired thereby, the Surface Transportation Board shall issue an order that the facilities and equipment be made available, and that services be provided, by Amtrak, and shall determine reasonable compensation, liability, and other terms for use of the facilities and equipment and provision of the services.

''(h) LIMITATION.—Not more than long-distance routes may be selected under this section for operation by a winning bidder that is not or does not include Amtrak.

''(i) PRESERVATION OF RIGHT TO COMPETITION ON STATE-SUPPORTED ROUTES.—Nothing in this section shall be construed as prohibiting a State from introducing competition for intercity rail passenger transportation or services on its State-supported route or routes.''.

(b) REPORT.—Not later than 4 years after the date of implementation of the pilot program under section 24711 of title 49, United States Code, and quadrennially thereafter until the pilot program is discontinued, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the results on the pilot program to date and any recommendations for further action.

SEC. 35206. ROLLING STOCK PURCHASES.

(a) IN GENERAL.—Prior to entering into any contract in excess of $100,000,000 for rolling stock and locomotive procurements Amtrak shall submit a business case analysis to the Secretary, the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate and the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives, on the utility of such procurements.

(b) CONTENTS.—The business case analysis shall—

(1) include a cost and benefit comparison that describes the total lifecycle costs and the anticipated benefits related to revenue, operational efficiency, reliability, and other factors;

(2) set forth the total payments by fiscal year;

(3) identify the specific source and amounts of funding for each payment, including Federal funds, State funds, Amtrak profits, Federal, State, or private loans or loan guarantees, and other funding;

(4) include an explanation of whether any payment under the contract will increase Amtrak's grant request, as required under section 24318 of title 49, United States Code, in that particular fiscal year; and

(5) describe how Amtrak will adjust the procurement if future funding is not available.

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as requiring Amtrak to disclose confidential information regarding a potential vendor's proposed pricing or other sensitive business information prior to contract execution.

SEC. 35207. FOOD AND BEVERAGE POLICY.

''(a) IN GENERAL.—Chapter 243, as amended in section 35202 of this Act, is further amended by adding after section 24320 the following:

§ 24321. Food and beverage reform

''(a) PLAN.—Not later than 90 days after the date of enactment of the Railroad Reform, Enhancement, and Efficiency Act, Amtrak shall develop and begin implementing a plan to eliminate, not later than 4 years after the date of enactment of that Act, the operating loss associated with providing food and beverage service on board Amtrak trains.

''(b) CONSIDERATIONS.—In developing and implementing the plan under subsection (a), Amtrak shall consider a combination of cost management and revenue generation initiatives, including—

''(1) scheduling optimization;

''(2) onboard logistics;

''(3) product development and supply chain efficiency;

''(4) training, awards, and accountability;

''(5) technology enhancements and process improvements; and

''(6) ticket revenue allocation.

''(c) SAVINGS CLAUSE.—Amtrak shall ensure that no Amtrak employee holding a position as of the date of enactment of the Railroad Reform, Enhancement, and Efficiency Act is involuntarily separated because of—

''(1) the development and implementation of the plan required under subsection (a); or

''(2) any other action taken by Amtrak to implement this section.

''(d) NO FEDERAL FUNDING FOR OPERATING LOSSES.—Beginning on the date that is 4 years after the date of enactment of the Railroad Reform, Enhancement, and Efficiency Act, no Federal funds may be used to cover any operating loss associated with providing food and beverage service on a route operated by Amtrak or an alternative passenger rail service provider that operates a route in lieu of Amtrak under section 24711.

''(e) REPORT.—Not later than 120 days after the date of enactment of the Railroad Reform, Enhancement, and Efficiency Act, and annually thereafter for a period of 4 years, Amtrak shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the plan developed under subsection (a) and a description of progress in the implementation of the plan.''.

(b) CONFORMING AMENDMENT.—The table of contents for chapter 243, as amended in section 35202 of this Act, is amended by adding at the end the following:

''24321. Food and beverage reform.''.

SEC. 35208. LOCAL PRODUCTS AND PROMOTIONAL EVENTS.

(a) IN GENERAL.—Not later than 6 months after the date of enactment of this Act, Amtrak shall establish a pilot program for a State or States that sponsor a State supported route operated by Amtrak to facilitate—

(1) onboard purchase and sale of local food and beverage products; and

(2) partnerships with local entities to hold promotional events on trains or in stations.

(b) PROGRAM DESIGN.—The pilot program under paragraph (1) shall allow a State or States—

(1) to nominate and select a local food and beverage products supplier or suppliers or local promotional event partner;

(2) to charge a reasonable price or fee for local food and beverage products or promotional events and related activities to help defray the costs of program administration and State-supported routes; and

(3) a mechanism to ensure that State products can effectively be handled and integrated into existing food and beverage services, including compliance with all applicable regulations and standards governing such services.

(c) PROGRAM ADMINISTRATION.—The pilot program shall—

(1) for local food and beverage products, ensure the products are integrated into existing food and beverage services, including compliance with all applicable regulations and standards;

(2) for promotional events, ensure the events are held in compliance with all applicable regulations and standards, including terms to address insurance requirements; and

(3) require an annual report that documents revenues and costs and indicates whether the products or events resulted in a reduction in the financial contribution of a State or States to the applicable State-supported route.

(d) REPORT.—Not later than 4 years after the date of establishment of the pilot programs under this section, Amtrak shall report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on which States have participated in the pilot programs under this section. The report shall summarize the financial and operational outcomes of the pilot programs.

(e) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed as limiting Amtrak's ability to operate special trains in accordance with section 216 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24308 note).

SEC. 35209. RIGHT-OF-WAY LEVERAGING.

(a) REQUEST FOR PROPOSALS.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, Amtrak shall issue a Request for Proposals seeking qualified persons or entities to utilize right-of-way and real estate owned, controlled, or managed by Amtrak for telecommunications systems, energy distribution systems, and other activities considered appropriate by Amtrak.

(2) CONTENTS.—The Request for Proposals shall provide sufficient information on the right-of-way and real estate assets to enable respondents to propose an arrangement that will monetize or generate additional revenue from such assets through revenue sharing or leasing agreements with Amtrak, to the extent possible.

(b) CONSIDERATION OF PROPOSALS.—Not later than 180 days following the deadline for the receipt of proposals under subsection (a), Amtrak shall review and consider each qualified proposal. Amtrak may enter into such agreements as are necessary to implement any qualified proposal.

(c) REPORT.—Not later than 270 days following the deadline for the receipt of proposals under subsection (a), Amtrak shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the Request for Proposals required by this section, including summary information of any proposals submitted to Amtrak and any proposals accepted by Amtrak.

(d) SAVINGS CLAUSE.—Nothing in this section shall be construed to limit Amtrak's ability to utilize right-of-way or real estate assets that it currently owns, controls, or manages or constrain Amtrak's ability to enter into agreements with other parties to utilize such assets.

SEC. 35210. STATION DEVELOPMENT.

(a) REPORT ON DEVELOPMENT OPTIONS.—Not later than 1 year after the date of the enactment of this Act, Amtrak shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that describes—

(1) options to enhance economic development and accessibility of and around Amtrak stations and terminals, for the purposes of—

(A) improving station condition, functionality, capacity, and customer amenities;

(B) generating additional investment capital and development-related revenue streams;

(C) increasing ridership and revenue;

(D) complying with the applicable sections of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.); and

(E) strengthening multimodal connections, including transit, intercity buses, roll-on and roll-off bicycles, and airports, as appropriate; and

(2) options for additional Amtrak stops that would have a positive incremental financial impact to Amtrak, based on Amtrak feasibility studies that demonstrate a financial benefit to Amtrak by generating additional revenue that exceeds any incremental costs.

(b) REQUEST FOR INFORMATION.—Not later than 90 days after the date the report is transmitted under sub-section (a), Amtrak shall issue a Request of Information for 1 or more owners of stations served by Amtrak to formally express an interest in completing the requirements of this section.

(c) PROPOSALS.—

(1) REQUEST FOR PROPOSALS.—Not later than 180 days after the date the Request for Information is issued under subsection (a), Amtrak shall issue a Request for Proposals from qualified persons, including small business concerns owned and controlled by socially and economically disadvantaged individuals and veteran-owned small businesses, to lead, participate, or partner with Amtrak, a station owner that responded under subsection (b), and other entities in enhancing development in and around such stations and terminals using applicable options identified under subsection (a) at facilities selected by Amtrak.

(2) CONSIDERATION OF PROPOSALS.—Not later than 1 year after the date the Request for Proposals are issued under paragraph (1), Amtrak shall review and consider qualified proposals submitted under paragraph (1). Amtrak or a station owner that responded under subsection (b) may enter into such agreements as are necessary to implement any qualified proposal.

(d) REPORT.—Not later than 3 years after the date of enactment of this Act, Amtrak shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the Request for Proposals process required under this section, including summary information of any qualified proposals submitted to Amtrak and any proposals acted upon by Amtrak or a station owner that responded under subsection (b).

(e) DEFINITIONS.—In this section, the terms ''small business concern'', ''socially and economically disadvantaged individual'', and ''veteran-owned small business'' have the meanings given the terms in section 304(c) of this Act.

(f) SAVINGS CLAUSE.—Nothing in this section shall be construed to limit Amtrak's ability to develop its stations, terminals, or other assets, to constrain Amtrak's ability to enter into and carry out agreements with other parties to enhance development at or around Amtrak stations or terminals, or to affect any station development initiatives ongoing as of the date of enactment of this Act.

SEC. 35211. AMTRAK DEBT.

Section 205 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note) is amended—

(1) by striking ''as of the date of enactment of this Act'' each place it appears;

(2) in subsection (a)—

(A) by inserting '', to the extent provided in advance in appropriations Acts'' after ''Amtrak's indebtedness''; and

(B) by striking the second sentence;

(3) in subsection (b), by striking ''The Secretary of the Treasury, in consultation'' and inserting ''To the extent amounts are provided in advance in appropriations Acts, the Secretary of the Treasury, in consultation'';

(4) in subsection (d), by inserting '', to the extent provided in advance in appropriations Acts'' after ''as appropriate'';

(5) in subsection (e)—

(A) in paragraph (1), by striking ''by section 102 of this division''; and

(B) in paragraph (2), by striking ''by section 102'' and inserting ''for Amtrak'';

(6) in subsection (g), by inserting '', unless that debt receives credit assistance, including direct loans and loan guarantees, under chapter 6 of title 23, United States Code or title V of the Railroad Revitalization and Regulatory Act of 1976 (45 U.S.C. 821 et seq.)'' after ''Secretary''; and

(7) by striking subsection (h).

SEC. 35212. AMTRAK PILOT PROGRAM FOR PASSENGERS TRANSPORTING DOMESTICATED CATS AND DOGS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, Amtrak shall develop a pilot program that allows passengers to transport domesticated cats or dogs on certain trains operated by Amtrak.

(b) PET POLICY.—In developing the pilot program required under subsection (a), Amtrak shall—

(1) in the case of a passenger train that is comprised of more than 1 car, designate, where feasible, at least 1 car in which a ticketed passenger may transport a domesticated cat or dog in the same manner as carry-on baggage if—

(A) the cat or dog is contained in a pet kennel;

(B) the pet kennel complies with Amtrak size requirements for carriage of carry-on baggage;

(C) the passenger is traveling on a train operating on a route described in subparagraph (A), (B), or (D) of section 24102(6) of title 49, United States Code; and

(D) the passenger pays a fee described in paragraph (3);

(2) allow a ticketed passenger to transport a domesticated cat or dog on a train in the same manner as cargo if—

(A) the cat or dog is contained in a pet kennel;

(B) the pet kennel is stowed in accordance with Amtrak requirements for cargo stowage;

(C) the passenger is traveling on a train operating on a route described in subparagraph (A), (B), or (D) of section 24102(6) of title 49, United States Code;

(D) the cargo area is temperature controlled in a manner protective of cat and dog safety and health; and

(E) the passenger pays a fee described in paragraph (3); and

(3) collect fees for each cat or dog transported by a ticketed passenger in an amount that, in the aggregate and at a minimum, covers the full costs of the pilot program.

(c) REPORT.—Not later than 1 year after the pilot program required under subsection (a) is first implemented, Amtrak shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report containing an evaluation of the pilot program.

(d) LIMITATION ON STATUTORY CONSTRUCTION.—

(1) SERVICE ANIMALS.—The pilot program under subsection (a) shall be separate from and in addition to the policy governing Amtrak passengers traveling with service animals. Nothing in this section may be interpreted to limit or waive the rights of passengers to transport service animals.

(2) ADDITIONAL TRAIN CARS.—Nothing in this section may be interpreted to require Amtrak to add additional train cars or modify existing train cars.

(3) FEDERAL FUNDS.—No Federal funds may be used to implement the pilot program required under this section.

SEC. 35213. AMTRAK BOARD OF DIRECTORS.

(a) IN GENERAL.—Section 24302(a) is amended to read as follows:

''(a) COMPOSITION AND TERMS.—

''(1) IN GENERAL.—The Amtrak Board of Directors (referred to in this section as the 'Board') is composed of the following 9 directors, each of whom must be a citizen of the United States:

''(A) The Secretary of Transportation.

''(B) The President of Amtrak.

''(C) 7 individuals appointed by the President of the United States, by and with the advice and consent of the Senate, with general business and financial experience, experience or qualifications in transportation, freight and passenger rail transportation, travel, hospitality, or passenger air transportation businesses, or representatives of employees or users of passenger rail transportation or a State government.

''(2) SELECTION.—In selecting individuals described in paragraph (1)(C) for nominations for appointments to the Board, the President shall consult with the Speaker of the House of Representatives, the minority leader of the House of Representatives, the majority leader of the Senate, and the minority leader of the Senate. The individuals appointed to the Board under paragraph (1)(C) shall be composed of the following;

''(A) 2 individuals from the Northeast Corridor.

''(B) 4 individuals from regions of the country outside of the Northeast Corridor and geographically distributed with—

''(i) 2 individuals from States with long-distance routes operated by Amtrak; and

''(ii) 2 individuals from States with State-supported routes operated by Amtrak.

''(C) 1 individual from the Northeast Corridor or a State with long-distance or State-supported routes.

''(3) TERM.—An individual appointed under paragraph (1)(C) shall be appointed for a term of 5 years. The term may be extended until the individual's successor is appointed and qualified. Not more than 4 individuals appointed under paragraph (1)(C) may be members of the same political party.

''(4) CHAIRPERSON AND VICE CHAIRPERSON.—The Board shall elect a chairperson and vice chairperson, other than the President of Amtrak, from among its membership. The vice chairperson shall serve as chairperson in the absence of the chairperson.

''(5) SECRETARY'S DESIGNEE.—The Secretary may be represented at Board meetings by the Secretary's designee.''.

(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as affecting the term of any director serving on the Amtrak Board of Directors under section 24302(a)(1)(C) of title 49, United States Code, on the day preceding the date of enactment of this Act.

SEC. 35214. AMTRAK BOARDING PROCEDURES.

(a) REPORT.—Not later than 6 months after the date of enactment of this Act, the Amtrak Office of Inspector General shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that—

(1) evaluates Amtrak's boarding procedures for passengers, including passengers using or transporting nonmotorized transportation, such as wheelchairs and bicycles, at its 15 stations through which the most people pass;

(2) compares Amtrak's boarding procedures to—

(A) commuter railroad boarding procedures at stations shared with Amtrak;

(B) international intercity passenger rail boarding procedures; and

(C) fixed guideway transit boarding procedures; and

(3) makes recommendations, as appropriate, in consultation with the Transportation Security Administration, to improve Amtrak's boarding procedures, including recommendations regarding the queuing of passengers and free-flow of all station users and facility improvements needed to achieve the recommendations.

(b) CONSIDERATION OF RECOMMENDATIONS.—Not later than 6 months after the report is submitted under subsection (a), Amtrak shall consider each recommendation provided under subsection (a)(3) for implementation at appropriate locations across the Amtrak system.

Subtitle C—Intercity Passenger Rail Policy

SEC. 35301. COMPETITIVE OPERATING GRANTS.

(a) IN GENERAL.—Chapter 244 is amended—

(1) by striking section 24406; and

(2) by inserting after section 24405 the following:

''§ 24406. Competitive operating grants

''(a) APPLICANT DEFINED.—In this section, the term 'applicant' means—

''(1) a State;

''(2) a group of States;

''(3) an Interstate Compact;

''(4) a public agency or publicly chartered authority established by 1 or more States and having responsibility for providing intercity rail passenger transportation or commuter rail passenger transportation;

''(5) a political subdivision of a State;

''(6) Amtrak or another rail passenger carrier that provides intercity rail passenger transportation;

''(7) Any rail carrier in partnership with at least 1 of the entities described in paragraphs (1) through (5); and

''(8) any combination of the entities described in paragraphs (1) through (7).

''(b) GRANTS AUTHORIZED.—The Secretary of Transportation shall develop and implement a program for issuing 3-year operating assistance grants to applicants, on a competitive basis, for the purpose of initiating, restoring, or enhancing intercity rail passenger service.

''(c) APPLICATION.—An applicant for a grant under this section shall submit to the Secretary—

''(1) a capital and mobilization plan that—

''(A) describes any capital investments, service planning actions (such as environmental reviews), and mobilization actions (such as qualification of train crews) required for initiation of service; and

''(B) includes the timeline for undertaking and completing each of the investments and actions referred to in subparagraph (A);

''(2) an operating plan that describes the planned operation of the service, including—

''(A) the identity and qualifications of the train operator;

''(B) the identity and qualifications of any other service providers;

''(C) service frequency;

''(D) the planned routes and schedules;

''(E) the station facilities that will be utilized;

''(F) projected ridership, revenues, and costs;

''(G) descriptions of how the projections under subparagraph (F) were developed;

''(H) the equipment that will be utilized, how such equipment will be acquired or refurbished, and where such equipment will be maintained; and

''(I) a plan for ensuring safe operations and compliance with applicable safety regulations;

''(3) a funding plan that—

''(A) describes the funding of initial capital costs and operating costs for the first 3 years of operation;

''(B) includes a commitment by the applicant to provide the funds described in subparagraph (A) to the extent not covered by Federal grants and revenues; and

''(C) describes the funding of operating costs and capital costs, to the extent necessary, after the first 3 years of operation; and

''(4) a description of the status of negotiations and agreements with—

''(A) each of the railroads or regional transportation authorities whose tracks or facilities would be utilized by the service;

''(B) the anticipated rail passenger carrier, if such entity is not part of the applicant group; and

''(C) any other service providers or entities expected to provide services or facilities that will be used by the service, including any required access to Amtrak systems, stations, and facilities if Amtrak is not part of the applicant group.

''(d) PRIORITIES.—In awarding grants under this section, the Secretary shall give priority to applications—

''(1) for which planning, design, any environmental reviews, negotiation of agreements, acquisition of equipment, construction, and other actions necessary for initiation of service have been completed or nearly completed;

''(2) that would restore service over routes formerly operated by Amtrak, including routes with international connections;

''(3) that would provide daily or daytime service over routes where such service did not previously exist;

''(4) that include private funding (including funding from railroads), and funding or other significant participation by State, local, and regional governmental and private entities;

''(5) that include a funding plan that demonstrates the intercity rail passenger service will be financially sustainable beyond the 3-year grant period;

''(6) that would provide service to regions and communities that are underserved or not

served by other intercity public transportation;

''(7) that would foster economic development, particularly in rural communities and for disadvantaged populations;

''(8) that would provide other non-transportation benefits; and

''(9) that would enhance connectivity and geographic coverage of the existing national network of intercity passenger rail service.

''(e) LIMITATIONS.—

''(1) DURATION.—Federal operating assistance grants authorized under this section for any individual intercity rail passenger transportation route may not provide funding for more than 3 years and may not be renewed.

''(2) LIMITATION.—Not more than 6 of the operating assistance grants awarded pursuant to subsection (b) may be simultaneously active.

''(3) MAXIMUM FUNDING.—Grants described in paragraph (1) may not exceed—

''(A) 80 percent of the projected net operating costs for the first year of service;

''(B) 60 percent of the projected net operating costs for the second year of service; and

''(C) 40 percent of the projected net operating costs for the third year of service.

''(f) USE WITH CAPITAL GRANTS AND OTHER FEDERAL FUNDING.—A recipient of an operating assistance grant under subsection (b) may use that grant in combination with other grants awarded under this chapter or any other Federal funding that would benefit the applicable service.

''(g) AVAILABILITY.—Amounts appropriated for carrying out this section shall remain available until expended.

''(h) COORDINATION WITH AMTRAK.—If the Secretary awards a grant under this section to a rail passenger carrier other than Amtrak, Amtrak may be required under section 24711(c)(1) of this title to provide access to its reservation system, stations, and facilities that are directly related to operations to such carrier, to the extent necessary to carry out the purposes of this section. The Secretary may award an appropriate portion of the grant to Amtrak as compensation for this access.

''(i) CONDITIONS.—

''(1) GRANT AGREEMENT.—The Secretary shall require grant recipients under this section to enter into a grant agreement that requires them to provide similar information regarding the route performance, financial, and ridership projections, and capital and business plans that Amtrak is required to provide, and such other data and information as the Secretary deems necessary.

''(2) INSTALLMENTS; TERMINATION.—The Secretary may—

''(A) award grants under this section in installments, as the Secretary considers appropriate; and

''(B) terminate any grant agreement upon—

''(i) the cessation of service; or

''(ii) the violation of any other term of the grant agreement.

''(3) GRANT CONDITIONS.—Except as specifically provided in this section, the use of any amounts appropriated for grants under this section shall be subject to the requirements under this chapter.

''(j) REPORT.—Not later than 4 years after the date of enactment of the Railroad Reform, Enhancement, and Efficiency Act, the Secretary, after consultation with grant recipients under this section, shall submit a report to Congress that describes—

''(1) the implementation of this section;

''(2) the status of the investments and operations funded by such grants;

''(3) the performance of the routes funded by such grants;

''(4) the plans of grant recipients for continued operation and funding of such routes; and

''(5) any legislative recommendations.''.

(b) CONFORMING AMENDMENTS.—Chapter 244 is amended—

''(1) in the table of contents, by inserting after the item relating to section 24405 the following:

''24406. Competitive operating grants.'';

''(2) in the chapter title, by striking **''INTERCITY PASSENGER RAIL SERVICE CORRIDOR CAPITAL''** and inserting **''RAIL CAPITAL AND OPERATING''**;

(3) in section 24401, by striking paragraph (1);

(4) in section 24402, by striking subsection (j) and inserting the following:

''(j) APPLICANT DEFINED.—In this section, the term ''applicant'' means a State (including the District of Columbia), a group of States, an Interstate Compact, a public agency or publicly chartered authority established by 1 or more States and having responsibility for providing ''intercity rail passenger transportation, or a political subdivision of a State.''; and

(5) in section 24405—

(A) in subsection (b)—

(i) by inserting '', or for which an operating grant is issued under section 24406,'' after ''chapter''; and

(ii) in paragraph (2), by striking ''(43'' and inserting ''(45'';

(B) in subsection (d)(1), in the matter preceding subparagraph (A), by inserting ''or unless Amtrak ceased providing intercity passenger railroad transportation over the affected route more than years before the commencement of new service'' after ''unless such service was provided solely by Amtrak to another entity'';

(C) in subsection (f), by striking ''under this chapter for commuter rail passenger transportation, as defined in section 24012(4) of this title.'' and inserting ''under this chapter for commuter rail passenger transportation (as de fined in section 24102(3)).''; and

(D) by adding at the end the following:

''(g) SPECIAL TRANSPORTATION CIRCUMSTANCES.—

''In carrying out this chapter, the Secretary shall allocate an appropriate portion of the amounts available under this chapter to provide grants to States—

''(1) in which there is no intercity passenger rail service, for the purpose of funding freight rail capital projects that are on a State rail plan developed under chapter 227 that provide public benefits (as defined in chapter 227), as determined by the Secretary; or

''(2) in which the rail transportation system is not physically connected to rail systems in the continental United States or may not otherwise qualify for a grant under this section due to the unique characteristics of the geography of that State or other relevant considerations, for the purpose of funding transportation-related capital projects.''.

SEC. 35302. FEDERAL-STATE PARTNERSHIP FOR STATE OF GOOD REPAIR.

(a) AMENDMENT.—Chapter 244 is amended by inserting after section 24406, as added by section 5301 of this Act, the following:

''§ 24407. Federal-State partnership for state of good repair

''(a) DEFINITIONS.—In this section:

''(1) APPLICANT.—The term 'applicant' means—

''(A) a State (including the District of Columbia);

''(B) a group of States;

''(C) an Interstate Compact;

''(D) a public agency or publicly chartered authority established by 1 or more States that has responsibility for providing intercity rail passenger transportation or commuter rail passenger transportation;

''(E) a political subdivision of a State;

''(F) Amtrak, acting on its own behalf or under a cooperative agreement with 1 or more States; or

''(G) any combination of the entities described in subparagraphs (A) through (F).

''(2) CAPITAL PROJECT.—The term 'capital project' means—

''(A) a project primarily intended to replace, rehabilitate, or repair major infrastructure assets utilized for providing intercity passenger rail service, including tunnels, bridges, stations, and other assets, as determined by the Secretary; or

''(B) a project primarily intended to improve intercity passenger rail performance, including reduced trip times, increased train frequencies, higher operating speeds, and other improvements, as determined by the Secretary.

''(3) NORTHEAST CORRIDOR.—The term 'Northeast Corridor' means—

''(A) the main rail line between Boston, Massachusetts and the Virginia Avenue inter-locking in the District of Columbia; and

''(B) the branch rail lines connecting to Harrisburg, Pennsylvania, Springfield, Massachusetts, and Spuyten Duyvil, New York.

''(4) QUALIFIED RAILROAD ASSET.—The term 'qualified railroad asset' means infrastructure, equipment, or a facility that—

''(A) is owned or controlled by an eligible applicant; and

''(B) was not in a state of good repair on the date of enactment of the Railroad Reform, Enhancement, and Efficiency Act.

''(b) GRANT PROGRAM AUTHORIZED.—The Secretary of Transportation shall develop and implement a program for issuing grants to applicants, on a competitive basis, to fund capital projects that reduce the state of good repair backlog on qualified railroad assets.

''(c) ELIGIBLE PROJECTS.—Projects eligible for grants under this section include capital projects to replace or rehabilitate qualified railroad assets, including—

''(1) capital projects to replace existing assets in-kind;

''(2) capital projects to replace existing assets with assets that increase capacity or provide a higher level of service; and

''(3) capital projects to ensure that service can be maintained while existing assets are brought to a state of good repair.

''(d) PROJECT SELECTION CRITERIA.—In selecting an applicant for a grant under this section, the Secretary shall—

''(1) give preference to eligible projects—

''(A) that are consistent with the goals, objectives, and policies defined in any regional rail planning document that is applicable to a project proposal; and

''(B) for which the proposed Federal share of total project costs does not exceed 50 percent; and

''(2) take into account—

''(A) the cost-benefit analysis of the proposed project, including anticipated private and public benefits relative to the costs of the proposed project, including—

''(i) effects on system and service performance;

''(ii) effects on safety, competitiveness, reliability, trip or transit time, and resilience;

''(iii) efficiencies from improved integration with other modes; and

''(iv) ability to meet existing or anticipated demand;

''(B) the degree to which the proposed project's business plan considers potential private sector participation in the financing, construction, or operation of the proposed project;

''(C) the applicant's past performance in developing and delivering similar projects, and previous financial contributions;

''(D) whether the applicant has, or will have—

''(i) the legal, financial, and technical capacity to carry out the project;

''(ii) satisfactory continuing control over the use of the equipment or facilities; and

''(iii) the capability and willingness to maintain the equipment or facilities;

''(E) if applicable, the consistency of the project with planning guidance and documents set forth by the Secretary or required by law; and

''(F) any other relevant factors, as determined by the Secretary.

''(e) PLANNING REQUIREMENTS.—A project is not eligible for a grant under this section unless the project is specifically identified—

''(1) on a State rail plan prepared in accordance with chapter 227; or

''(2) if the project is located on the Northeast Corridor, on the Northeast Corridor Capital Investment Plan developed pursuant to section 24904(a).

''(f) NORTHEAST CORRIDOR PROJECTS.—

''(1) COMPLIANCE WITH USAGE AGREEMENTS.—Grant funds may not be provided under this section to an eligible recipient for an eligible project located on the Northeast Corridor unless Amtrak and the public authorities providing commuter rail passenger transportation on the Northeast Corridor are in compliance with section 24905(c)(2).

''(2) CAPITAL INVESTMENT PLAN.—When selecting projects located on the Northeast Corridor, the Secretary shall consider the appropriate sequence and phasing of projects as contained in the Northeast Corridor Capital Investment Plan developed pursuant to section 24904(a).

''(g) FEDERAL SHARE OF TOTAL PROJECT COSTS.—

''(1) TOTAL PROJECT COST.—The Secretary shall estimate the total cost of a project under this section based on the best available information, including engineering studies, studies of economic feasibility, environmental analyses, and information on the expected use of equipment or facilities.

''(2) FEDERAL SHARE.—The Federal share of total costs for a project under this subsection shall not exceed 80 percent.

''(3) TREATMENT OF AMTRAK REVENUE.—If Amtrak or another rail passenger carrier is an applicant under this section, Amtrak or the other rail passenger carrier, as applicable, may use ticket and other revenues generated from its operations and other sources to satisfy the non-Federal share requirements.

''(h) LETTERS OF INTENT.—

''(1) IN GENERAL.—The Secretary may issue a letter of intent to a grantee under this section that—

''(A) announces an intention to obligate, for a major capital project under this section, an amount from future available budget authority specified in law that is not more than the amount stipulated as the financial participation of the Secretary in the project; and

''(B) states that the contingent commitment—

''(i) is not an obligation of the Federal Government; and

''(ii) is subject to the availability of appropriations under Federal law and to Federal laws in force or enacted after the date of the contingent commitment.

''(2) CONGRESSIONAL NOTIFICATION.—

''(A) IN GENERAL.—Not later than 30 days before issuing a letter under paragraph (1), the Secretary shall submit written notification to—

''(i) the Committee on Commerce, Science, and Transportation of the Senate;

''(ii) the Committee on Appropriations of the Senate;

''(iii) the Committee on Transportation and Infrastructure of the House of Representatives; and

''(iv) the Committee on Appropriations of the House of Representatives.

''(B) CONTENTS.—The notification submitted pursuant to subparagraph (A) shall include—

''(i) a copy of the proposed letter or agreement;

''(ii) the criteria used under subsection (d) for selecting the project for a grant award; and

''(iii) a description of how the project meets such criteria.

''(3) APPROPRIATIONS REQUIRED.—An obligation or administrative commitment may be made under this section only when amounts are appropriated for such purpose.

''(i) AVAILABILITY.—Amounts appropriated for carrying out this section shall remain available until expended.

''(j) GRANT CONDITIONS.—Except as specifically provided in this section, the use of any amounts appropriated for grants under this section shall be subject to the requirements under this chapter.''.

(b) CONFORMING AMENDMENT.—The table of contents for chapter 244 is amended by inserting after the item relating to section 24406 the following:

''24407. Federal-State partnership for state of good repair.''.

SEC. 35303. LARGE CAPITAL PROJECT REQUIREMENTS.

Section 24402 is amended by adding at the end the following:

''(m) LARGE CAPITAL PROJECT REQUIREMENTS.—

''(1) IN GENERAL.—For a grant awarded under this chapter for an amount in excess of $1,000,000,000, the following conditions shall apply:

''(A) The Secretary of Transportation may not obligate any funding unless the applicant demonstrates, to the satisfaction of the Secretary, that the applicant has committed, and will be able to fulfill, the non-Federal share required for the grant within the applicant's proposed project completion timetable.

''(B) The Secretary may not obligate any funding for work activities that occur after the completion of final design unless—

''(i) the applicant submits a financial plan to the Secretary that generally identifies the sources of the non-Federal funding required for any subsequent segments or phases of the corridor service development program covering the project for which the grant is awarded;

''(ii) the grant will result in a useable segment, a transportation facility, or equipment, that has operational independence or is financially sustainable; and

''(iii) the intercity passenger rail benefits anticipated to result from the grant, such as increased speed, improved on-time performance, reduced trip time, increased frequencies, new service, safety improvements, improved accessibility, or other significant enhancements, are detailed by the grantee and approved by the Secretary.

''(C)(i) The Secretary shall ensure that the project is maintained to the level of utility that is necessary to support the benefits approved under subparagraph (B)(iii) for a period of years from the date on which the useable segment, transportation facility, or equipment described in subparagraph (B)(ii) is placed in service.

''(ii) If the project property is not maintained as required under clause (i) for a 12 month period, the grant recipient shall refund a pro-rata share of the Federal contribution, based upon the percentage remaining of the 20-year period that commenced when the project property was placed in service.

''(2) EARLY WORK.—The Secretary may allow a grantee subject to this subsection to engage in at-risk work activities subsequent to the conclusion of final design if the Secretary determines that such work activities are reasonable and necessary.''.

SEC. 35304. SMALL BUSINESS PARTICIPATION STUDY.

(a) STUDY.—The Secretary shall conduct a nationwide disparity and availability study on the availability and use of small business concerns owned and controlled by socially and economically disadvantaged individuals and veteran-owned small businesses in publicly funded inter-city passenger rail service projects.

(b) REPORT.—Not later than 4 years after the date of enactment of this Act, the Secretary shall submit a report containing the results of the study conducted under subsection (a) to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

(c) DEFINITIONS.—In this section:

(1) SMALL BUSINESS CONCERN.—The term ''small business concern'' has the meaning given such term in section 3 of the Small Business Act (15 U.S.C. 632), except that the term does not include any concern or group of concerns controlled by the same socially and economically disadvantaged individual or individuals that have average annual gross receipts during the preceding 3 fiscal years in excess of $22,410,000, as adjusted annually by the Secretary for inflation.

(2) SOCIALLY AND ECONOMICALLY DISADVANTAGED INDIVIDUAL.—The term ''socially and economically disadvantaged individual'' has the meaning given such term in section 8(d) of the Small Business Act (15 U.S.C. 637(d)) and relevant subcontracting regulations issued pursuant to such Act, except that women shall be presumed to be socially and economically disadvantaged individuals for purposes of this section.

(3) VETERAN-OWNED SMALL BUSINESS.—The term ''veteran-owned small business'' has the meaning given the term ''small business concern owned and controlled by veterans'' in section 3(q)(3) of the Small Business Act (15 U.S.C. 632(q)(3)), except that the term does not include any concern or group of concerns controlled by the same veterans that have average annual gross receipts during the preceding 3 fiscal years in excess of $22,410,000, as adjusted annually by the Secretary for inflation.

SEC. 35305. GULF COAST RAIL SERVICE WORKING GROUP.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary shall convene a working group to

evaluate the restoration of intercity rail passenger service in the Gulf Coast region between New Orleans, Louisiana, and Orlando, Florida.

(b) MEMBERSHIP.—The working group convened pursuant to subsection (a) shall consist of representatives of—

(1) the Federal Railroad Administration, which shall serve as chair of the working group;

(2) Amtrak;

(3) the States along the proposed route or routes;

(4) regional transportation planning organizations and metropolitan planning organizations, municipalities, and communities along the proposed route or routes, which shall be selected by the Administrator;

(5) the Southern Rail Commission;

(6) freight railroad carriers whose tracks may be used for such service; and

(7) other entities determined appropriate by the Secretary, which may include independent passenger rail operators that express an interest in Gulf Coast service.

(c) RESPONSIBILITIES.—The working group shall—

(1) evaluate all options for restoring intercity rail passenger service in the Gulf Coast region, including options outlined in the report transmitted to Congress pursuant to section 226 of the Passenger Rail Investment and Improvement Act of 2008 (division B of Public Law 110–432);

(2) select a preferred option for restoring such service;

(3) develop a prioritized inventory of capital projects and other actions required to restore such service and cost estimates for such projects or actions; and

(4) identify Federal and non-Federal funding sources required to restore such service, including options for entering into public-private partnerships to restore such service.

(d) REPORT.—Not later than 9 months after the date of enactment of this Act, the working group shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that includes—

(1) the preferred option selected under sub section (c)(2) and the reasons for selecting such option;

(2) the information described in subsection (c)(3);

(3) the funding sources identified under sub section (c)(4);

(4) the costs and benefits of restoring intercity rail passenger transportation in the region; and

(5) any other information the working group determines appropriate.

SEC. 35306. INTEGRATED PASSENGER RAIL WORKING GROUP.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall convene a working group to review issues relating to—

(1) the potential operation of State-supported routes by rail passenger carriers other than Amtrak; and

(2) their role in establishing an integrated intercity passenger rail network in the United States.

(b) MEMBERSHIP.—The working group shall consist of a balanced representation of—

(1) the Federal Railroad Administration, who shall chair the Working Group;

(2) States that fund State-sponsored routes;

(3) independent passenger rail operators, including those that carry at least 5,000,000 passengers annually in United States or international rail service;

(4) Amtrak;

(5) railroads that host intercity State-supported routes;

(6) employee representatives from railroad unions and building trade unions with substantial engagement in railroad rights of way construction and maintenance; and

(7) other entities determined appropriate by the Secretary.

(c) RESPONSIBILITIES.—The working group shall evaluate options for improving State-supported routes and may make recommendations, as appropriate, regarding—

(1) best practices for State or State authority governance of State-supported routes;

(2) future sources of Federal and non-Federal funding sources for State-supported routes;

(3) best practices in obtaining passenger rail operations and services on a competitive basis with the objective of creating the highest quality service at the lowest cost to the taxpayer;

(4) ensuring potential interoperability of State supported routes as a part of a national network with multiple providers providing integrated services including ticketing, scheduling, and route planning; and

(5) the interface between State-supported routes and connecting commuter rail operations, including maximized intra-modal and intermodal connections and common sources of funding for capital projects.

(d) MEETINGS.—Not later than 60 days after the establishment of the working group by the Secretary under subsection (a), the working group shall convene an organizational meeting outside of the District of Columbia and shall define the rules and procedures governing the proceedings of the working group. The working group shall hold at least meetings per year in States that fund State-supported routes.

(e) REPORTS.—

(1) PRELIMINARY REPORT.—Not later than 1 year after the date the working group is established, the working group shall submit a preliminary report to the Secretary, the Governors of States funding State-supported routes, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives that includes—

(A) administrative recommendations that can be implemented by a State and State authority or by the Secretary; and

(B) preliminary legislative recommendations.

(2) FINAL LEGISLATIVE RECOMMENDATIONS.—Not later than 2 years after the date the working group is established, the working group shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that includes final legislative recommendations.

SEC. 35307. SHARED-USE STUDY.

(a) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Secretary, in consultation with Amtrak, commuter rail authorities, and other passenger rail operators, railroad carriers that own rail infrastructure over which both passenger and freight trains operate, States, the Surface Transportation Board, the Northeast Corridor Commission established under section 24905, the State-Supported Route Committee established under section 24712, and groups representing rail passengers and customers, as appropriate, shall complete a study that evaluates—

(1) the shared use of right-of-way by passenger and freight rail systems; and

(2) the operational, institutional, and legal structures that would best support improvements to the systems referred to in paragraph (1).

(b) AREAS OF STUDY.—In conducting the study under subsection (a), the Secretary shall evaluate—

(1) the access and use of railroad right-of-way by a rail carrier that does not own the right-of-way, such as passenger rail services that operate over privately-owned right-of-way, including an analysis of—

(A) access agreements;

(B) costs of access; and

(C) the resolution of disputes relating to such access or costs;

(2) the effectiveness of existing contractual, statutory, and regulatory mechanisms for establishing, measuring, and enforcing train performance standards, including—

(A) the manner in which passenger train delays are recorded;

(B) the assignment of responsibility for such delays; and

(C) the use of incentives and penalties for performance;

(3) strengths and weaknesses in the existing mechanisms described in paragraph (2) and possible approaches to address the weaknesses;

(4) mechanisms for measuring and maintaining public benefits resulting from publicly funded freight or passenger rail improvements, including improvements directed towards shared-use right-of-way by passenger and freight rail;

(5) approaches to operations, capacity, and cost estimation modeling that—

(A) allows for transparent decisionmaking; and

(B) protects the proprietary interests of all parties;

(6) liability requirements and arrangements, including—

(A) whether to expand statutory liability limits to additional parties;

(B) whether to revise the current statutory liability limits;

(C) whether current insurance levels of passenger rail operators are adequate and whether to establish minimum insurance requirements for such passenger rail operators; and

(D) whether to establish a liability regime modeled after section 170 of the Atomic Energy Act of 1954 (42 U.S.C. 2210);

''(7) the effect on rail passenger services, operations, liability limits and insurance levels of the assertion of sovereign immunity by a State; and

(8) other issues identified by the Secretary.

(c) REPORT.—Not later than 60 days after the study under subsection (a) is complete, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that includes—

(1) the results of the study; and

(2) any recommendations for further action, including any legislative proposals consistent with such recommendations.

(d) IMPLEMENTATION.—The Secretary shall integrate the recommendations submitted under subsection (c) into its financial assistance programs under subtitle V of title 49, United States Code, and section 502 of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 822), as appropriate.

SEC. 35308. NORTHEAST CORRIDOR COMMISSION.

(a) COMPOSITION.—Section 24905(a) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by inserting '', infrastructure investments,'' after ''rail operations'';

(B) by amending subparagraph (B) to read as follows:

''(B) members representing the Department of Transportation, including the Office of the Secretary, the Federal Railroad Administration, and the Federal Transit Administration;''; and

(C) in subparagraph (D) by inserting ''and commuter'' after ''freight''; and

(2) by amending paragraph (6) to read as follows:

''(6) The members of the Commission shall elect co-chairs consisting of 1 member described in paragraph (1)(B) and 1 member described in paragraph (1)(C).''.

(b) STATEMENT OF GOALS AND RECOMMENDATIONS.—Section 24905(b) is amended—

(1) in paragraph (1), by inserting ''and periodically update'' after ''develop'';

(2) in paragraph (2)(A), by striking ''beyond those specified in the state of good repair plan under section 211 of the Passenger Rail Investment and Improvement Act of 2008''; and

''(3) by adding at the end the following:

''(3) SUBMISSION OF STATEMENT OF GOALS, RECOMMENDATIONS, AND PERFORMANCE REPORTS.—The Commission shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives—

''(A) any updates made to the statement of goals developed under paragraph (1) not later than 60 days after such updates are made; and

''(B) annual performance reports and recommendations for improvements, as appropriate, issued not later than March 31 of each year, for the prior fiscal year, which summarize—

''(i) the operations and performance of commuter, intercity, and freight rail transportation along the Northeast Corridor; and

''(ii) the delivery of the capital plan described in section 24904.''.

(c) COST ALLOCATION POLICY.—Section 24905(c) is amended—

(1) in the subsection heading, by striking ''ACCESS COSTS'' and inserting ''ALLOCATION OF COSTS'';

(2) in paragraph (1)—

(A) in the paragraph heading, by striking ''FORMULA'' and inserting ''POLICY'';

(B) in the matter preceding subparagraph (A), by striking ''Within 2 years after the date of enactment of the Passenger Rail Investment and Improvement Act of 2008, the Commission'' and inserting ''The Commission'';

(C) in subparagraph (A), by striking ''formula'' and inserting ''policy''; and

(D) by striking subparagraph (B) through (D) and inserting the following:

''(B) develop a proposed timetable for implementing the policy;

''(C) submit the policy and timetable developed under subparagraph (B) to the Surface Transportation Board, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives;

''(D) not later than October 1, 2015, adopt and implement the policy in accordance with the timetable; and

''(E) with the consent of a majority of its members, the Commission may petition the Surface Transportation Board to appoint a mediator to assist the Commission members through nonbinding mediation to reach an agreement under this section.'';

(3) in paragraph (2)—

(A) by striking ''formula proposed in'' and inserting ''policy developed under''; and

(B) in the second sentence—

(i) by striking ''the timetable, the Commission shall petition the Surface Transportation Board to'' and inserting paragraph (1)(D) or fail to comply with the policy thereafter, the Surface Transportation Board shall''; and

(ii) by striking ''amounts for such services in accordance with section 24904(c) of this title'' and inserting ''for such usage in accordance with the procedures and procedural schedule applicable ''to a proceeding under section 24903(c), after taking into consideration the policy developed under paragraph (1)(A), as applicable'';

(4) in paragraph (3), by striking ''formula'' and inserting ''policy''; and

(5) by adding at the end the following:

''(4) REQUEST FOR DISPUTE RESOLUTION.—If a dispute arises with the implementation of, or compliance with, the policy developed under paragraph (1), the Commission, Amtrak, or public authorities providing commuter rail passenger transportation on the Northeast Corridor may request that the Surface Transportation Board conduct dispute resolution. The Surface Transportation Board shall establish procedures for resolution of disputes brought before it under this paragraph, which may include the provision of professional mediation services.''.

(d) CONFORMING AMENDMENTS.—Section 24905 is amended—

(1) by striking subsection (d);

(2) by redesignating subsections (e) and (f) as subsections (d) and (e), respectively;

(3) in subsection (d), as redesignated, by striking ''to the Commission such sums as may be necessary for the period encompassing fiscal years 2009 through 2013 to carry out this section'' and inserting ''to the Secretary for the use of the Commission and the Northeast Corridor Safety Committee such sums as may be necessary to carry out this section during fiscal year 2016 through 2019, in addition to amounts withheld under section 35101(e) of the Railroad Reform, Enhancement, and Efficiency Act''; and

(4) in subsection (e)(2), as redesignated, by striking ''on the main line.'' and inserting ''on the main line and meet annually with the Commission on the topic of Northeast Corridor safety and security.''.

(e) NORTHEAST CORRIDOR PLANNING.—

(1) AMENDMENT.—Chapter 249 is amended—

(A) by redesignating section 24904 as section 24903; and

(B) by inserting after section 24903, as redesignated, the following:

''§ 24904. Northeast Corridor planning

(a) NORTHEAST CORRIDOR CAPITAL INVESTMENT PLAN.—

''(1) REQUIREMENT.—Not later than May 1 of each year, the Northeast Corridor Commission established under section 24905 (referred to in this section as the ''Commission') shall—

''(A) develop a capital investment plan for the Northeast Corridor main line between Boston, Massachusetts, and the Virginia Avenue interlocking in the District of Columbia, and the Northeast Corridor branch lines connecting to Harrisburg, Pennsylvania, Springfield, Massachusetts, and Spuyten Duyvil, New York, including the facilities and services used to operate and maintain those lines; and

''(B) submit the capital investment plan to the Secretary of Transportation and the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

''(2) CONTENTS.—The capital investment plan shall—

''(A) reflect coordination and network optimization across the entire Northeast Corridor;

''(B) integrate the individual capital and service plans developed by each operator using the methods described in the cost allocation policy developed under section 24905(c);

''(C) cover a period of 5 fiscal years, beginning with the first fiscal year after the date on which the plan is completed;

''(D) notwithstanding section 24902(b), identify, prioritize, and phase the implementation of projects and programs to achieve the service outcomes identified in the Northeast Corridor service development plan and the asset condition needs identified in the Northeast Corridor asset management plans, once available, and consider—

''(i) the benefits and costs of capital investments in the plan;

''(ii) project and program readiness;

''(iii) the operational impacts; and

''(iv) funding availability;

''(E) categorize capital projects and programs as primarily associated with;

''(i) normalized capital replacement and basic infrastructure renewals;

''(ii) replacement or rehabilitation of major Northeast Corridor infrastructure assets, including tunnels, bridges, stations, and other assets;

''(iii) statutory, regulatory, or other legal mandates;

''(iv) improvements to support service enhancements or growth; or

''(v) strategic initiatives that will improve overall operational performance or lower costs;

''(F) identify capital projects and programs that are associated with more than 1 category described in subparagraph (E);

''(G) describe the anticipated outcomes of each project or program, including an assessment of—

''(i) the potential effect on passenger accessibility, operations, safety, reliability, and resiliency;

''(ii) the ability of infrastructure owners and operators to meet regulatory requirements if the project or program is not funded; and

''(iii) the benefits and costs; and

''(H) include a financial plan.

''(3) FINANCIAL PLAN.—The financial plan under paragraph (2)(H) shall—

''(A) identify funding sources and financing methods;

''(B) identify the expected allocated shares of costs pursuant to the cost allocation policy developed under section 24905(c);

''(C) identify the projects and programs that the Commission expects will receive Federal financial assistance; and

''(D) identify the eligible entity or entities that the Commission expects will receive the Federal financial assistance described under subparagraph (C).

''(b) FAILURE TO DEVELOP A CAPITAL INVESTMENT PLAN.—If a capital investment plan has not been developed by the Commission for a given fiscal year, then the funds assigned to the account established under section 24319(b) for that fiscal year may be spent only on—

''(1) capital projects described in clause (i) or (iii) of subsection (a)(2)(E) of this section; or

''(2) capital projects described in subsection (a)(2)(E)(iv) of this section that are for the sole benefit of Amtrak.

''(c) NORTHEAST CORRIDOR ASSET MANAGEMENT.—

''(1) CONTENTS.—With regard to its infrastructure, Amtrak and each State and public transportation entity that owns infrastructure that supports or provides for intercity rail passenger transportation on the Northeast Corridor shall develop an asset management system and develop and update, as necessary, a Northeast Corridor asset management plan for each service territory described in subsection (a) that—

''(A) are consistent with the Federal Transit Administration process, as authorized under section 5326, when implemented; and

''(B) include, at a minimum—

''(i) an inventory of all capital assets owned by the developer of the asset management plan;

''(ii) an assessment of asset condition;

''(iii) a description of the resources and processes necessary to bring or maintain those assets in a state of good repair, including decision-support tools and investment prioritization methods; and

''(iv) a description of changes in asset condition since the previous version of the plan.

''(2) TRANSMITTAL.—Each entity described in paragraph (1) shall transmit to the Commission—

''(A) not later than 2 years after the date of enactment of the Railroad Reform, Enhancement, and Efficiency Act, its Northeast Corridor asset management plan developed under paragraph (1); and

''(B) at least biennial thereafter, an update to its Northeast Corridor asset management plan.

''(d) NORTHEAST CORRIDOR SERVICE DEVELOPMENT PLAN UPDATES.—Not less frequently than once every 10 years, the Commission shall update the Northeast Corridor service development plan.''.

(2) CONFORMING AMENDMENTS.—

(A) NOTE AND MORTGAGE.—Section 24907(a) is amended by striking ''section 24904 of this title'' and inserting ''section 24903''.

(B) TABLE OF CONTENTS AMENDMENT.—

The table of contents for chapter 249 is amended—

(i) by redesignating the item relating to section 24904 as relating to section 24903; and

(ii) by inserting after the item relating to section 24903, as redesignated, the following:

''24904. Northeast Corridor planning.''.

(3) REPEAL.—Section 211 of the Passenger Rail Investment and Improvement Act of 2008 (division B of Public Law 110–432; 49 U.S.C. 24902 note) is repealed.

SEC. 35309. NORTHEAST CORRIDOR THROUGH-TICKETING AND PROCUREMENT EFFICIENCIES.

(a) THROUGH-TICKETING STUDY.—

(1) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Northeast Corridor Commission established under section ''24905(a) of title 49, United States Code (referred to in this section as the ''Commission''), in consultation with Amtrak and the commuter rail passenger transportation providers along the Northeast Corridor shall complete a study on the feasibility of and options for permitting through-ticketing between Amtrak service and commuter rail services on the Northeast Corridor.

(2) CONTENTS.—In completing the study under paragraph (1), the Northeast Corridor Commission shall—

(A) examine the current state of intercity and commuter rail ticketing technologies, policies, and other relevant aspects on the Northeast Corridor;

(B) consider and recommend technology, process, policy, or other options that would permit through-ticketing to allow intercity and commuter rail passengers to purchase, in a single transaction, travel that utilizes Amtrak and connecting commuter rail services;

(C) consider options to expand through ticketing to include local transit services;

(D) summarize costs, benefits, opportunities, and impediments to developing such through-ticketing options; and

(E) develop a proposed methodology, including cost and schedule estimates, for carrying out a pilot program on through-ticketing on the Northeast Corridor.

(3) REPORT.—Not later than 60 days after the date the study under paragraph (1) is complete, the Commission shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that includes—

(A) the results of the study; and

(B) any recommendations for further action.

(b) JOINT PROCUREMENT STUDY.—

(1) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Secretary, in cooperation with the Commission, Amtrak, and commuter rail transportation authorities on the Northeast Corridor shall complete a study of the potential benefits resulting from Amtrak and such authorities undertaking select joint procurements for common materials, assets, and equipment when expending Federal funds for such purchases.

(2) CONTENTS.—In completing the study under paragraph (1), the Secretary shall consider—

(A) the types of materials, assets, and equipment that are regularly purchased by Amtrak and such authorities that are similar and could be jointly procured;

(B) the potential benefits of such joint procurements, including lower procurement costs, better pricing, greater market relevancy, and other efficiencies;

(C) the potential costs of such joint procurements;

(D) any significant impediments to undertaking joint procurements, including any necessary harmonization and reconciliation of Federal and State procurement or safety regulations or standards and other requirements; and

(E) whether to create Federal incentives or requirements relating to considering or carrying out joint procurements when expending Federal funds.

(3) TRANSMISSION.—Not later than 60 days after completing the study required under this subsection, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that includes—

(A) the results of the study; and

(B) any recommendations for further action.

(c) NORTHEAST CORRIDOR.—In this section, the term ''Northeast Corridor'' means the Northeast Corridor main line between Boston, Massachusetts, and the Virginia Avenue interlocking in the District of Columbia, and the Northeast Corridor branch lines connecting to Harrisburg, Pennsylvania, Springfield, Massachusetts, and Spuyten Duyvil, New York, including the facilities and services used to operate and maintain those lines.

SEC. 35310. DATA AND ANALYSIS.

(a) DATA.—Not later than 3 years after the date of enactment of this Act, the Secretary, in consultation with the Surface Transportation Board, Amtrak, freight railroads, State and local governments, and regional business, tourism and economic development agencies shall conduct a data needs assessment—

(1) to support the development of an efficient and effective intercity passenger rail network;

(2) to identify the data needed to conduct cost-effective modeling and analysis for intercity passenger rail development programs;

(3) to determine limitations to the data used for inputs;

(4) to develop a strategy to address such limitations;

(5) to identify barriers to accessing existing data;

(6) to develop recommendations regarding whether the authorization of additional data collection for intercity passenger rail travel is warranted; and

(7) to determine which entities will be responsible for generating or collecting needed data.

(b) BENEFIT-COST ANALYSIS.—Not later than 180 days after the date of enactment of this Act, the Secretary shall enhance the usefulness of assessments of benefits and costs, for intercity passenger rail and freight rail projects—

(1) by providing ongoing guidance and training on developing benefit and cost information for rail projects;

(2) by providing more direct and consistent requirements for assessing benefits and costs across transportation funding programs, including the appropriate use of discount rates;

(3) by requiring applicants to clearly communicate the methodology used to calculate the project benefits and costs, including nonproprietary information on—

(A) assumptions underlying calculations;

(B) strengths and limitations of data used; and

(C) the level of uncertainty in estimates of project benefits and costs; and

(4) by ensuring that applicants receive clear and consistent guidance on values to apply for key assumptions used to estimate potential project benefits and costs.

(c) CONFIDENTIAL DATA.—The Secretary shall protect sensitive or confidential to the greatest extent permitted by law. Nothing in this section shall require any entity to provide information to the Secretary in the absence of a voluntary agreement.

SEC. 35311. PERFORMANCE-BASED PROPOSALS.

(a) SOLICITATION OF PROPOSALS.—

(1) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Secretary shall issue a request for proposals for projects for the financing, design, construction, operation, and maintenance of an intercity passenger rail system, including—

(A) the Northeast Corridor;

(B) the California Corridor;

(C) the Empire Corridor;

(D) the Pacific Northwest Corridor;

(E) the South Central Corridor;

(F) the Gulf Coast Corridor;

(G) the Chicago Hub Network;

(H) the Florida Corridor;

(I) the Keystone Corridor;

(J) the Northern New England Corridor; and

(K) the Southeast Corridor.

(2) SUBMISSION.—Proposals shall be submitted to the Secretary not later than 180 days after the publication of such request for proposals under paragraph graph (1).

(3) PERFORMANCE STANDARD.—Proposals submitted under paragraph (2) shall meet any standards established by the Secretary. For corridors with existing intercity passenger rail service, proposals shall also be designed to achieve a reduction of existing minimum intercity rail service trip times between the main corridor city pairs by a minimum of 25 percent. In the case of a proposal submitted with respect to paragraph (1)(A), the proposal shall be designed to achieve a 2-hour or less express service between Washington, District of Columbia, and New York City, New York.

(4) CONTENTS.—A proposal submitted under this subsection shall include—

(A) the names and qualifications of the persons submitting the proposal and the entities proposed to finance, design, construct, operate, and maintain the railroad, railroad equipment, and related facilities, stations, and infrastructure;

(B) a detailed description of the proposed rail service, including possible routes, required infrastructure investments and improvements, equipment needs and type, train frequencies, peak and average operating speeds, and trip times;

(C) a description of how the project would comply with all applicable Federal rail safety and security laws, orders, and regulations;

(D) the locations of proposed stations, which maximize the usage of existing infrastructure to the extent possible, and the populations such stations are intended to serve;

(E) the type of equipment to be used, including any technologies, to achieve trip time goals;

(F) a description of any proposed legislation needed to facilitate all aspects of the project;

(G) a financing plan identifying—

(i) projected revenue, and sources thereof;

(ii) the amount of any requested public contribution toward the project, and proposed sources;

(iii) projected annual ridership projections for the first 10 years of operations;

(iv) annual operations and capital costs;

(v) the projected levels of capital investments required both initially and in subsequent years to maintain a state-of-good-repair necessary to provide the initially proposed level of service or higher levels of service;

(vi) projected levels of private investment and sources thereof, including the identity of any person or entity that has made or is expected to make a commitment to provide or secure funding and the amount of such commitment; and

(vii) projected funding for the full fair market compensation for any asset, property right or interest, or service acquired from, owned, or held by a private person or Federal entity that would be acquired, impaired, or diminished in value as a result of a project, except as otherwise agreed to by the private person or entity;

(H) a description of how the project would contribute to the development of the intercity passenger rail system and an intermodal plan describing how the system will facilitate convenient travel connections with other transportation services;

(I) a description of how the project will ensure compliance with Federal laws governing the rights and status of employees associated with the route and service, including those specified in section 24405 of title 49, United States Code;

(J) a description of how the design, construction, implementation, and operation of the project will accommodate and allow for future growth of existing and projected intercity, commuter, and freight rail service;

(K) a description of how the project would comply with Federal and State environmental laws and regulations, of what environmental impacts would result from the project, and of how any adverse impacts would be mitigated; and

(L) a description of the project's impacts on highway and aviation congestion, energy consumption, land use, and economic development in the service area.

(b) DETERMINATION AND ESTABLISHMENT OF COMMISSIONS.—Not later than 90 days after receipt of the proposals under subsection (a), the Secretary shall—

(1) make a determination as to whether any such proposals—

(A) contain the information required under paragraphs (3) and (4) of subsection (a);

(B) are sufficiently credible to warrant further consideration;

(C) are likely to result in a positive impact on the Nation's transportation system; and

(D) are cost-effective and in the public interest;

(2) establish a commission under subsection (c) for each corridor with 1 or more proposals that the Secretary determines satisfy the requirements of paragraph (1); and

(3) forward to each commission established under paragraph (2) the applicable proposals for review and consideration.

(c) COMMISSIONS.—

(1) MEMBERS.—Each commission established under subsection (b)(2) shall include—

(A) the governors of the affected States, or their respective designees;

(B) mayors of appropriate municipalities with stops along the proposed corridor, or their respective designees;

(C) a representative from each freight railroad carrier using the relevant corridor, if applicable;

(D) a representative from each transit authority using the relevant corridor, if applicable;

(E) representatives of nonprofit employee labor organizations representing affected railroad employees; and

(F) the President of Amtrak or his or her designee.

(2) APPOINTMENT AND SELECTION.—The Secretary shall appoint the members under paragraph (1). In selecting each commission's members to fulfill the requirements under subparagraphs (B) and (E) of paragraph (1), the Secretary shall consult with the Chairperson and Ranking Member of the Committee on Commerce, Science, and Transportation of the Senate and of the Committee on Transportation and Infrastructure of the House of Representatives.

(3) CHAIRPERSON AND VICE-CHAIRPERSON SELECTION.—The Chairperson and Vice-Chairperson shall be elected from among members of each commission.

(4) QUORUM AND VACANCY.—

(A) QUORUM.—A majority of the members of each commission shall constitute a quorum.

(B) VACANCY.—Any vacancy in each commission shall not affect its powers and shall be filled in the same manner in which the original appointment was made.

(5) Application of Law.—Except where otherwise provided by this section, the Federal Advisory Committee Act (5 U.S.C. App.) shall apply to each commission created under this section.

(d) COMMISSION CONSIDERATION.—

(1) IN GENERAL.—Each commission established under subsection (b)(2) shall be responsible for reviewing the proposal or proposals forwarded to it under that subsection and not later than 90 days after the establishment of the commission, shall transmit to the Secretary a report, including—

(A) a summary of each proposal received;

(B) services to be provided under each proposal, including projected ridership, revenues, and costs;

(C) proposed public and private contributions for each proposal;

(D) the advantages offered by the proposal over existing intercity passenger rail services;

(E) public operating subsidies or assets needed for the proposed project;

(F) possible risks to the public associated with the proposal, including risks associated with project financing, implementation, completion, safety, and security;

(G) a ranked list of the proposals recommended for further consideration under subsection (e) in accordance with each proposal's projected positive impact on the Nation's transportation system;

(H) an identification of any proposed Federal legislation that would facilitate implementation of the projects and Federal legislation that would be required to implement the projects; and

(I) any other recommendations by the commission concerning the proposed projects.

(2) VERBAL PRESENTATION.—Proposers shall be given an opportunity to make a verbal presentation to the commission to explain their proposals.

(3) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary for the use of each commission established under subsection (b)(2) such sums as are necessary to carry out this section.

(e) SELECTION BY SECRETARY.—

(1) IN GENERAL.—Not later than 60 days after receiving the recommended proposals of the commissions established under subsection (b)(2), the Secretary shall—

(A) review such proposals and select any proposal that provides substantial benefits to the public and the national transportation system, is cost-effective, offers significant advantages over existing services, and meets other relevant factors determined appropriate by the Secretary; and

(B) submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report containing any proposal with respect to subsection (a)(1)(A) that is selected by the Secretary under subparagraph (A) of this paragraph, all the information regarding the proposal provided to the Secretary under subsection (d), and any other information the Secretary considers relevant.

(2) SUBSEQUENT REPORT.—Following the submission of the report under paragraph (1)(B), the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report containing any proposal with respect to subparagraphs (B) through (K) of subsection (a)(1) that are selected by the Secretary under paragraph (1) of this subsection, all the information regarding the proposal provided to the Secretary under subsection (d), and any other information the Secretary considers relevant.

(3) LIMITATION ON REPORT SUBMISSION.—The report required under paragraph (2) shall not

be submitted by the Secretary until the report submitted under paragraph (1)(B) has been considered through a hearing by the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on the report submitted under paragraph (1)(B).

(f) NO ACTIONS WITHOUT ADDITIONAL AUTHORITY.—No Federal agency may take any action to implement, establish, facilitate, or otherwise act upon any proposal submitted under this section, other than those actions specifically authorized by this section, without explicit statutory authority enacted after the date of enactment of this Act.

(g) DEFINITIONS.—In this section:

(1) INTERCITY PASSENGER RAIL.—The term ''intercity passenger rail'' means intercity rail passenger transportation as defined in section 24102 of title 49, United States Code.

(2) STATE.—The term ''State'' means any of the 50 States or the District of Columbia.

SEC. 35312. AMTRAK INSPECTOR GENERAL.

(a) AUTHORITY.—

(1) IN GENERAL.—The Inspector General of Amtrak shall have the authority available to other Inspectors General, as necessary in carrying out the duties specified in the Inspector General Act of 1978 (5 U.S.C. App.), to investigate any alleged violation of sections 286, 287, 371, 641, 1001, 1002 and 1516 of title 18, United States Code.

(2) AGENCY.—For purposes of sections 286, 287, 371, 641, 1001, 1002, and 1516 of title 18, United States Code, Amtrak and the Amtrak Office of Inspector General, shall be considered a corporation in which the United States has a proprietary interest as set forth in section 6 of that title.

(b) ASSESSMENT.—The Inspector General of Amtrak shall—

(1) not later than 60 days after the date of enactment of this Act, initiate an assessment to determine whether current expenditures or procurements involving Amtrak's fulfillment of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) utilize competitive, market-driven provisions that are applicable throughout the entire term of such related expenditures or procurements; and

(2) not later than 6 months after the date of enactment of this Act, transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives the assessment under paragraph (1).

(c) LIMITATION.—The authority provided by subsections (a) and (b) shall be effective only with respect to a fiscal year for which Amtrak receives a Federal subsidy.

SEC. 35313. MISCELLANEOUS PROVISIONS.

(a) TITLE 49 AMENDMENTS.—

(1) CONTINGENT INTEREST RECOVERIES.—Section 22106(b) is amended by striking ''interest thereof'' and inserting ''interest thereon''.

(2) AUTHORITY.—Section 22702(b)(4) is amended by striking ''5 years for reapproval by the Secretary'' and inserting ''4 years for acceptance by the Secretary''.

(3) CONTENTS OF STATE RAIL PLANS.—Section 22705(a) is amended by striking paragraph (12).

(4) Mission.—Section 24101(b) is amended by striking ''of subsection (d)'' and inserting ''set forth in subsection (c)''.

(5) TABLE OF CONTENTS AMENDMENT.—The table of contents for chapter 243 is amended by striking the item relating to section 24316 and inserting the following:

''24316. Plans to address the needs of families of passengers involved in rail passenger accidents.''.

(6) UPDATE.—Section 24305(f)(3) is amended by striking ''$1,000,000'' and inserting ''$5,000,000''.

(7) AMTRAK.—Chapter 247 is amended—

(A) in section 24702(a), by striking ''not included in the national rail passenger transportation system'';

(B) in section 24706—

(i) in subsection (a)—

(I) in paragraph (1), by striking ''a discontinuance under section 24704 or or''; and

(II) in paragraph (2), by striking ''section 24704 or''; and

(ii) in subsection (b), by striking ''section 24704 or''; and

(C) in section 24709, by striking ''The Secretary of the Treasury and the Attorney General,'' and inserting ''The Secretary of Homeland Security,''.

(b) PASSENGER RAIL INVESTMENT AND IMPROVEMENT ACT AMENDMENTS.—Section 305(a) of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note) is amended by inserting ''nonprofit organizations representing employees who perform overhaul and maintenance of passenger railroad equipment,'' after ''equipment manufacturers,''.

Subtitle D—Rail Safety

PART I—SAFETY IMPROVEMENT

SEC. 35401. HIGHWAY-RAIL GRADE CROSSING SAFETY.

(a) MODEL STATE HIGHWAY-RAIL GRADE CROSSING ACTION PLAN.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall develop a model of a State-specific highway-rail grade crossing action plan and distribute the model plan to each State.

(2) CONTENTS.—The plan developed under paragraph (1) shall include—

(A) methodologies, tools, and data sources for identifying and evaluating highway-rail grade crossing safety risks, including the public safety risks posed by blocked highway-rail grade crossings due to idling trains;

(B) best practices to reduce the risk of highway-rail grade crossing accidents or incidents and to alleviate the blockage of highway rail grade crossings due to idling trains, including strategies for—

(i) education, including model stakeholder engagement plans or tools;

(ii) engineering, including the benefits and costs of different designs and technologies used to mitigate highway-rail grade crossing safety risks; and

(iii) enforcement, including the strengths and weaknesses associated with different enforcement methods;

(C) for each State, a customized list and data set of the highway-rail grade crossing accidents or incidents in that State over the past 3 years, including the location, number of deaths, and number of injuries for each accident or incident; and

(D) contact information of a Department of Transportation safety official available to assist the State in adapting the model plan to satisfy the requirements under subsection (b).

(b) STATE HIGHWAY-RAIL GRADE CROSSING ACTION PLANS.—

(1) REQUIREMENTS.—Not later than 18 months after the Secretary develops and distributes the model plan under subsection (a), the Secretary shall promulgate a rule that requires—

(A) each State, except the 10 States identified under section 202 of the Rail Safety Improvement Act of 2008 (49 U.S.C. 22501 note), to develop and implement a State highway-rail grade crossing action plan; and

(B) each State that was identified under section 202 of the Rail Safety Improvement Act of 2008 (49 U.S.C. 22501 note), to update its State action plan under that section and submit to the Secretary the updated State action plan and a report describing what the State did to implement its previous State action plan under that section and how it will continue to reduce highway-rail grade crossing safety risks.

(2) CONTENTS.—Each State plan required under this subsection shall—

(A) identify highway-rail grade crossings that have experienced recent highway-rail grade crossing accidents or incidents, or are at high risk for accidents or incidents;

(B) identify specific strategies for improving safety at highway-rail grade crossings, including highway-rail grade crossing closures or grade separations; and

(C) designate a State official responsible for managing implementation of the State plan under subparagraph (A) or (B) of paragraph (1), as applicable.

(3) Assistance.—The Secretary shall provide assistance to each State in developing and carrying out, as appropriate, the State plan under this subsection.

(4) PUBLIC AVAILABILITY.—Each State shall submit its final State plan under this subsection to the Secretary for publication. The Secretary shall make each approved State plan publicly available on an official Internet Web site.

(5) CONDITIONS.—The Secretary may condition the awarding of a grant to a State under chapter 244 of title 49, United States Code, on that State submitting an acceptable State plan under this subsection.

(6) REVIEW OF ACTION PLANS.—Not later than 60 days after the date of receipt of a State plan under this subsection, the Secretary shall—

(A) if the State plan is approved, notify the State and publish the State plan under paragraph (4); and

(B) if the State plan is incomplete or deficient, notify the State of the specific areas in which the plan is deficient and allow the State to complete the plan or correct the deficiencies and resubmit the plan under paragraph (1).

(7) DEADLINE.—Not later than 60 days after the date of a notice under paragraph (6)(B), a State shall complete the plan or correct the deficiencies and resubmit the plan.

(8) FAILURE TO COMPLETE OR CORRECT PLAN.—If a State fails to meet the deadline under paragraph (7), the Secretary shall post on the Web site under paragraph (4) a notice that the State has an incomplete or deficient highway-rail grade crossing action plan.

(c) RAILWAY-HIGHWAY CROSSINGS FUNDS.—The Secretary may use funds made available to carry out section 130 of title 23, United States Code, to provide States with funds to develop a State highway-rail grade crossing action plan under subsection (b)(1)(A) of this section or to update a State action plan under subsection (b)(1)(B) of this section.

(d) Definitions.—In this section:

(1) HIGHWAY-RAIL GRADE CROSSING.—The term ''highway-rail grade crossing'' means a location within a State, other than a location where 1 or more railroad tracks cross 1 or more railroad tracks at grade, where—

(A) a public highway, road, or street, or a private roadway, including associated sidewalks and pathways, crosses 1 or more railroad tracks either at grade or grade-separated; or

(B) a pathway explicitly authorized by a public authority or a railroad carrier that is dedicated for the use of non-vehicular traffic, including pedestrians, bicyclists, and others, that is not associated with a public

highway, road, or street, or a private roadway, crosses or more railroad tracks either at grade or grade-separated.

(2) STATE.—The term ''State'' means a State of the United States or the District of Columbia.

SEC. 35402. SPEED LIMIT ACTION PLANS.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, each railroad carrier providing intercity rail passenger transportation or commuter rail passenger transportation, in consultation with any applicable host railroad carrier, shall survey its entire system and identify each main track location where there is a reduction of more than 20 miles per hour from the approach speed to a curve or bridge and the maximum authorized operating speed for passenger trains at that curve or bridge.

(b) ACTION PLANS.—Not later than 120 days after the date that the survey under subsection

(a) is complete, a rail passenger carrier shall submit to the Secretary an action plan that—

(1) identifies each main track location where there is a reduction of more than miles per hour from the approach speed to a curve or bridge and the maximum authorized operating speed for passenger trains at that curve or bridge;

(2) describes appropriate actions, including modification to automatic train control systems, if applicable, other signal systems, increased crew size, improved signage, or other practices, including increased crew communication, to enable warning and enforcement of the maximum authorized speed for passenger trains at each location identified under paragraph (1);

(3) contains milestones and target dates for implementing each appropriate action described under paragraph (2); and

(4) ensures compliance with the maximum authorized speed at each location identified under paragraph (1).

(c) APPROVAL.—Not later than 90 days after the date an action plan is submitted under subsection (a), the Secretary shall approve, approve with conditions, or disapprove the action plan.

(d) ALTERNATIVE SAFETY MEASURES.—The Secretary may exempt from the requirements of this section each segment of track for which operations are governed by a positive train control system certified under section 20157 of title 49, United States Code, or any other safety technology or practice that would achieve an equivalent or greater level of safety in reducing derailment risk.

(e) REPORT.—Not later than 6 months after the date of the enactment of this Act, the Secretary shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that describes—

(1) the actions the railroad carriers have taken in response to Safety Advisory 2013–08, entitled ''Operational Tests and Inspections for Compliance With Maximum Authorized Train Speeds and Other Speed Restrictions'';

(2) the actions the railroad carriers have taken in response to Safety Advisory 2015–03, entitled ''Operational and Signal Modifications for Compliance with Maximum Authorized Passenger Train Speeds and Other Speed Restrictions''; and

(3) the actions the Federal Railroad Administration has taken to evaluate or incorporate the information and findings arising from the safety advisories referred to in paragraphs (1) and (2) into the development of regulatory action and oversight activities.

(f) SAVINGS CLAUSE.—Nothing in this section shall prohibit the Secretary from applying the requirements of this section to other segments of track at high risk of over speed derailment.

SEC. 35403. SIGNAGE.

(a) IN GENERAL.—The Secretary shall promulgate such regulations as the Secretary considers necessary to require each railroad carrier providing intercity rail passenger transportation or commuter rail passenger transportation, in consultation with any applicable host railroad carrier, to install signs to warn train crews before the train approaches a location that the Secretary identifies as having high risk of overspeed derailment.

(b) ALTERNATIVE SAFETY MEASURES.—The Secretary may exempt from the requirements of this section each segment of track for which operations are governed by a positive train control system certified under section 20157 of title 49, United States Code, or any other safety technology or practice that would achieve an equivalent or greater level of safety in reducing derailment risk.

SEC. 35404. ALERTERS.

(a) IN GENERAL.—The Secretary shall promulgate a rule to require a working alerter in the controlling locomotive of each passenger train in intercity rail passenger transportation (as defined in section 24102 of title 49, United States Code) or commuter rail passenger transportation (as defined in section 24102 of title 49, United States Code).

(b) RULEMAKING.—

(1) IN GENERAL.—The Secretary may promulgate a rule to specify the essential functionalities of a working alerter, including the manner in which the alerter can be reset.

(2) ALTERNATE PRACTICE OR TECHNOLOGY.—The Secretary may require or allow a technology or practice in lieu of a working alerter if the Secretary determines that the technology or practice would achieve an equivalent or greater level of safety in enhancing or ensuring appropriate locomotive control.

SEC. 35405. SIGNAL PROTECTION.

(a) IN GENERAL.—The Secretary shall promulgate regulations to require, not later than 18 months after the date of the enactment of this Act, that on-track safety regulations, whenever practicable and consistent with other safety requirements and operational considerations, include requiring implementation of redundant signal protection, such as shunting or other practices and technologies that achieve an equivalent or greater level of safety, for maintenance-of-way work crews who depend on a train dispatcher to provide signal protection.

(b) ALTERNATIVE SAFETY MEASURES.—The Secretary may exempt from the requirements of this section each segment of track for which operations are governed by a positive train control system certified under section 20157 of title 49, United States Code, or any other safety technology or practice that would achieve an equivalent or greater level of safety in providing additional signal protection.

SEC. 35406. TECHNOLOGY IMPLEMENTATION PLANS.

Section 20156(e) is amended—

(1) in paragraph (4)—

(A) in subparagraph (A), by striking ''and'' at the end; and

(B) in subparagraph (B), by striking the period at the end and inserting ''; and''; and

(2) by adding at the end the following:

''(C) each railroad carrier required to submit such a plan, until the implementation of a positive train control system by the railroad carrier, shall analyze and, as appropriate, prioritize technologies and practices to mitigate the risk of overspeed derailments.''.

SEC. 35407. COMMUTER RAIL TRACK INSPECTIONS.

(a) IN GENERAL.—The Secretary shall evaluate track inspection regulations to determine if a railroad carrier providing commuter rail passenger transportation on high density commuter railroad lines should be required to in spect the lines in the same manner as currently required for other commuter railroad lines.

(b) RULEMAKING.—Considering safety, including railroad carrier employee and contractor safety, and system capacity, the Secretary may promulgate a rule for high density commuter railroad lines. If, after the evaluation under subsection (a), the Secretary determines that it is necessary to promulgate a rule, the Secretary shall specifically consider the following regulatory requirements for high density commuter railroad lines:

(1) At least once every 2 weeks—

(A) traverse each main line by vehicle; or

(B) inspect each main line on foot.

(2) At least once each month, traverse and inspect each siding by vehicle or by foot.

(c) REPORT.—If, after the evaluation under subsection (a), the Secretary determines it is not necessary to revise the regulations under this section, the Secretary, not later than 18 months after the date of enactment of this Act, shall transmit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives explaining the reasons for not revising the regulations.

(d) CONSTRUCTION.—Nothing in this section may be construed to limit the authority of the Secretary to promulgate regulations or issue orders under any other law.

SEC. 35408. EMERGENCY RESPONSE.

(a) IN GENERAL.—The Secretary, in consultation with railroad carriers, shall conduct a study to determine whether limitations or weaknesses exist in the emergency response information carried by train crews transporting hazardous materials.

(b) CONTENTS.—In conducting the study under subsection (a), the Secretary shall evaluate the differences between the emergency response information carried by train crews transporting hazardous materials and the emergency response guidance provided in the Emergency Response Guidebook issued by the Department of Transportation.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report of the findings of the study under subsection (a) and any recommendations for legislative action.

SEC. 35409. PRIVATE HIGHWAY-RAIL GRADE CROSSINGS.

(a) IN GENERAL.—The Secretary, in consultation with railroad carriers, shall conduct a study—

(1) to determine whether limitations or weaknesses exist regarding the availability and usefulness for safety purposes of data on private highway-rail grade crossings; and

(2) to evaluate existing engineering practices on private highway-rail grade crossings.

(b) CONTENTS.—In conducting the study under subsection (a), the Secretary shall

make recommendations as necessary to improve—

(1) the utility of the data on private highway rail grade crossings; and

(2) the implementation of private highway-rail crossing safety measures, including signage and warning systems.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report of the findings of the study and any recommendations for further action.

SEC. 35410. REPAIR AND REPLACEMENT OF DAMAGED TRACK INSPECTION EQUIPMENT.

(a) IN GENERAL.—Subchapter I of chapter 201 is amended by inserting after section 20120 the following:

20121. Repair and replacement of damaged track inspection equipment

The Secretary of Transportation may receive and expend cash, or receive and utilize spare parts and similar items, from non-United States Government sources to repair damages to or replace United States Government owned automated track inspection cars and equipment as a result of third-party liability for such damages, and any amounts collected under this section shall be credited directly to the Railroad Safety and Operations account of the Federal Railroad Administration, and shall remain available until expended for the repair, operation, and maintenance of automated track inspection cars and equipment in connection with the automated track inspection program.''.

(b) CONFORMING AMENDMENT.—The table of contents for subchapter I of chapter 201 is amended by adding after section 21020 the following:

''20121. Repair and replacement of damaged track inspection equipment.''.

SEC. 35411. RAIL POLICE OFFICERS.

(a) IN GENERAL.—Section 28101 is amended—

(1) by striking ''employed by'' each place it appears and inserting ''directly employed by or contracted by'';

(2) in subsection (b), by inserting ''or agent, as applicable,'' after ''an employee''; and

(3) by adding at the end the following:

(c) TRANSFERS.—

''(1) IN GENERAL.—If a railroad police officer directly employed by or contracted by a rail carrier and certified or commissioned as a police officer under the laws of a State transfers primary employment or residence from the certifying or commissioning State to another State or jurisdiction, the railroad police officer, not later than 1 year after the date of transfer, shall apply to be certified or commissioned as a police office under the laws of the State of new primary employment or residence.

''(2) INTERIM PERIOD.—During the period beginning on the date of transfer and ending 1 year after the date of transfer, a railroad police officer directly employed by or contracted by a rail carrier and certified or commissioned as a police officer under the laws of a State may enforce the laws of the new jurisdiction in which the railroad police officer resides, to the same extent as provided in subsection (a).

''(d) TRAINING.—

''(1) IN GENERAL.—A State shall recognize as meeting that State's basic police officer certification or commissioning requirements for qualification as a rail police officer under this section any individual who successfully completes a program at a State-recognized police training academy in another State or at a Federal law enforcement training center and who is certified or commissioned as a police officer by that other State.

''(2) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed as superseding or affecting any unique State training requirements related to criminal law, criminal procedure, motor vehicle code, or State-mandated comparative or annual in-service training academy or Federal law enforcement training center.''.

(b) REGULATIONS.—Not later than 1 year after the date of enactment of this Act, the Secretary shall revise the regulations in part 207 of title 49, Code of Federal Regulations (relating to railroad police officers), to permit a railroad to designate an individual, who is commissioned in the individual's State of legal residence or State of primary employment and directly employed by or contracted by a railroad to enforce State laws for the protection of railroad property, personnel, passengers, and cargo, to serve in the States in which the railroad owns property.

(c) CONFORMING AMENDMENTS.—

(1) AMTRAK RAIL POLICE.—Section 24305(e) is amended—

(A) by striking ''may employ'' and inserting ''may directly employ or contract with'';

(B) by striking ''employed by'' and inserting ''directly employed by or contracted by''; and

(C) by striking ''employed without'' and inserting ''directly employed or contracted without''.

(2) SECURE GUN STORAGE OR SAFETY DEVICE; EXCEPTIONS.—Section 922(z)(2)(B) of title 18 is amended by striking ''employed by'' and inserting ''directly employed by or contracted by''.

SEC. 35412. OPERATION DEEP DIVE; REPORT.

(a) PROGRESS REPORTS.—Not later than 60 days after the date of the enactment of this Act, and quarterly thereafter until the completion date, the Administrator of the Federal Railroad Administration shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that describes the progress of Metro-North Commuter Railroad in implementing the directives and recommendations issued by the Federal Railroad Administration in its March 2014 report to Congress titled ''Operation Deep Dive Metro-North Commuter Railroad Safety Assessment''.

(b) FINAL REPORT.—Not later than 30 days after the completion date, the Administrator of the Federal Railroad Administration shall submit a final report on the directives and recommendations to Congress.

(c) DEFINED TERM.—In this section, the term ''completion date'' means the date on which Metro-North Commuter Railroad has completed all of the directives and recommendations referred to in subsection (a).

SEC. 35413. POST-ACCIDENT ASSESSMENT.

(a) IN GENERAL.—The Secretary of Transportation, in cooperation with the National Transportation Safety Board and the National Railroad Passenger Corporation (referred to in this section as ''Amtrak''), shall conduct a post-accident assessment of the Amtrak Northeast Regional Train #188 crash on May 12, 2015.

(b) ELEMENTS.—The assessment conducted pursuant to subsection (a) shall include—

(1) a review of Amtrak's compliance with the plan for addressing the needs of the families of passengers involved in any rail passenger accident, which was submitted pursuant to section 24316 of title 49, United States Code;

(2) a review of Amtrak's compliance with the emergency preparedness plan required under section 239.101(a) of title 49, Code of Federal Regulations;

(3) a determination of any additional action items that should be included in the plans referred to in paragraphs (1) and (2) to meet the needs of the passengers involved in the crash and their families, including—

(A) notification of emergency contacts;

(B) dedicated and trained staff to manage family assistance;

(C) the establishment of a family assistance center at the accident locale or other appropriate location;

(D) a system for identifying and recovering items belonging to passengers that were lost in the crash; and

(E) the establishment of a single customer service entity within Amtrak to coordinate the response to the needs of the passengers involved in the crash and their families;

(4) recommendations for any additional training needed by Amtrak staff to better implement the plans referred to in paragraphs (1) and (2), including the establishment of a regular schedule for training drills and exercises.

(c) REPORT TO CONGRESS.—Not later than 1 year after the date of the enactment of this Act, Amtrak shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that describes—

(1) its plan to achieve the recommendations referred to in subsection (b)(4); and

(2) steps that have been taken to address any deficiencies identified through the assessment.

SEC. 35414. TECHNICAL AND CONFORMING AMENDMENTS.

(a) ASSISTANCE TO FAMILIES OF PASSENGERS INVOLVED IN RAIL PASSENGER ACCIDENTS.—Section 1139 is amended—

(1) in subsection (a)(1), by striking ''phone number'' and inserting ''telephone number'';

(2) in subsection (a)(2), by striking ''post trauma communication with families'' and inserting ''post-trauma communication with families''; and

(3) in subsection (j), by striking ''railroad passenger accident'' each place it appears and inserting ''rail passenger accident''.

(b) SOLID WASTE RAIL TRANSFER FACILITY LAND USE EXEMPTION.—Section 10909 is amended—

(1) in subsection (b), in the matter preceding paragraph (1), by striking ''Clean Railroad Act of 2008'' and inserting ''Clean Railroads Act of 2008''; and

(2) in subsection (e), by striking ''Upon the granting of petition from the State'' and inserting ''Upon the granting of a petition from the State''.

(c) RULEMAKING PROCESS.—Section 20116 is amended—

(1) by inserting ''(2)'' before ''the code, rule, standard, requirement, or practice has been subject to notice and comment under a rule or order issued under this part.'' and indenting accordingly;

(2) by inserting ''(1)'' before ''unless'' and indenting accordingly;

(3) in paragraph (1), as redesignated, by striking ''order, or'' and inserting ''order; or''; and

(4) in the matter preceding paragraph (1), as redesignated, by striking ''unless'' and inserting ''unless—''.

(d) ENFORCEMENT REPORT.—Section 20120(a) is amended—

(1) in the matter preceding paragraph (1), by striking ''website'' and inserting ''Web site'';

(2) in paragraph (1), by striking ''accident and incidence reporting'' and inserting ''accident and incident reporting'';

(3) in paragraph (2)(G), by inserting ''and'' at the end; and

(4) in paragraph (5)(B), by striking ''Administrative Hearing Officer or Administrative Law Judge'' and inserting ''administrative hearing officer or administrative law judge''.

(e) RAILROAD SAFETY RISK REDUCTION PROGRAM.—Section 20156 is amended—

(1) in subsection (c), by inserting a comma after ''In developing its railroad safety risk reduction program''; and

(2) in subsection (g)(1)—

(A) by inserting a comma after ''good faith''; and

(B) by striking ''non-profit'' and inserting ''nonprofit''.

(f) ROADWAY USER SIGHT DISTANCE AT HIGHWAY RAIL GRADE CROSSINGS.—Section 20159 is amended by striking ''the Secretary'' and inserting ''the Secretary of Transportation''.

(g) NATIONAL CROSSING INVENTORY.—Section 20160 is amended—

(1) in subsection (a)(1), by striking ''concerning each previously unreported crossing through which it operates or with respect to the trackage over which it operates'' and inserting ''concerning each previously unreported crossing through which it operates with respect to the trackage over which it operates''; and

(2) in subsection (b)(1)(A), by striking ''concerning each crossing through which it operates or with respect to the trackage over which it operates'' and inserting ''concerning each crossing through which it operates with respect to the trackage over which it operates''.

(h) MINIMUM TRAINING STANDARDS AND PLANS.—Section 20162(a)(3) is amended by striking ''railroad compliance with Federal standards'' and inserting ''railroad carrier compliance with Federal standards''.

(i) DEVELOPMENT AND USE OF RAIL SAFETY TECHNOLOGY.—Section 20164(a) is amended by striking ''after enactment of the Railroad Safety Enhancement Act of 2008'' and inserting ''after the date of enactment of the Rail Safety Improvement Act of 2008''.

(j) RAIL SAFETY IMPROVEMENT ACT OF 2008.—

(1) TABLE OF CONTENTS.—Section 1(b) of division A of the Rail Safety Improvement Act of 2008 (Public Law 110–432; 122 Stat. 4848) is amended—

(A) in the item relating to section 307, by striking ''website'' and inserting ''Web site'';

(B) in the item relating to title VI, by striking ''solid waste facilities'' and inserting ''solid waste rail transfer facilities''; and

(C) in the item relating to section 602, by striking ''solid waste transfer facilities'' and inserting ''solid waste rail transfer facilities''.

(2) DEFINITIONS.—Section 2(a)(1) of division A of the Rail Safety Improvement Act of 2008 (Public Law 110–432; 122 Stat. 4849) is amended in the ''matter preceding subparagraph (A), by inserting a comma after ''at grade''.

(3) RAILROAD SAFETY STRATEGY.—Section 102(a)(6) of title I of division A of the Rail Safety Improvement Act of 2008 (49 U.S.C. 20101 note) is amended by striking ''Improving the safety of railroad bridges, tunnels, and related infrastructure to prevent accidents, incidents, injuries, and fatalities caused by catastrophic failures and other bridge and tunnel failures.'' and inserting ''Improving the safety of railroad bridges, tunnels, and related infrastructure to prevent accidents, incidents, injuries, and fatalities caused by catastrophic and other failures of such infrastructure.''.

(4) OPERATION LIFESAVER.—Section 206(a) of title II of division A of the Rail Safety Improvement Act of 2008 (49 U.S.C. 22501 note) is amended by striking ''Public Service Announcements'' and inserting ''public service announcements''.

(5) UPDATE OF FEDERAL RAILROAD ADMINISTRATION'S WEB SITE.—Section 307 of title III of division A of the Rail Safety Improvement Act of 2008 (49 U.S.C. 103 note) is amended—

(A) in the heading by striking ''**FEDERAL RAILROAD ADMINISTRATION'S WEBSITE**'' and inserting ''Federal Railroad Administration Web site'';

(B) by striking ''website'' each place it appears and inserting ''Web site''; and

(C) by striking ''website's'' and inserting ''Web site's''.

(6) ALCOHOL AND CONTROLLED SUBSTANCE TESTING FOR MAINTENANCE-OF-WAY EMPLOYEES.—Section 412 of title IV of division A of the Rail Safety Improvement Act of 2008 (49 U.S.C. 20140 note) is amended by striking ''Secretary of Transportation'' and inserting ''Secretary''.

(7) TUNNEL INFORMATION.—Section 414 of title IV of division A of the Rail Safety Improvement Act of 2008 (49 U.S.C. 20103 note) is amended—

(A) by striking ''parts 171.8, 173.115'' and inserting ''sections 171.8, 173.115''; and

(B) by striking ''part 1520.5'' and inserting ''section 1520.5''.

(8) SAFETY INSPECTIONS IN MEXICO.—Section 416 of title IV of division A of the Rail Safety Improvement Act of 2008 (49 U.S.C. 20107 note) is amended—

(A) in the matter preceding paragraph (1), by striking ''Secretary of Transportation'' and inserting ''Secretary''; and

(B) in paragraph (4), by striking ''subsection'' and inserting ''section''.

(9) HEADING OF TITLE VI.—The heading of title VI of division A of the Rail Safety Improvement Act of 2008 (122 Stat. 4900) is amended by striking ''**SOLID WASTE FACILITIES**'' and inserting ''**SOLID WASTE RAIL TRANSFER FACILITIES**''.

(10) HEADING OF SECTION 602.—Section 602 of title VI of division A of the Rail Safety Improvement Act of 2008 (122 Stat. 4900) is amended by striking ''**SOLID WASTE TRANSFER FACILITIES**'' and inserting ''**SOLID WASTE RAIL TRANSFER FACILITIES**''.

SEC. 35415. GAO STUDY ON USE OF LOCOMOTIVE HORNS AT HIGHWAY-RAIL GRADE CROSSINGS.

The Comptroller General of the United States shall submit a report to Congress containing the results of a study evaluating the effectiveness of the Federal Railroad Administration's final rule on the use of locomotive horns at highway-rail grade crossings, which was published in the Federal Register on August 17, 2006 (71 Fed. Reg. 47614).

PART II—CONSOLIDATED RAIL INFRASTRUCTURE AND SAFETY IMPROVEMENTS

SEC. 35421. CONSOLIDATED RAIL INFRASTRUCTURE AND SAFETY IMPROVEMENTS.

(a) IN GENERAL.—Chapter 244, as amended by section 35302 of this Act, is further amended by adding at the end the following:

''§ 24408. Consolidated rail infrastructure and safety improvements

''(a) GENERAL AUTHORITY.—The Secretary may make grants under this section to an eligible recipient to assist in financing the cost of improving passenger and freight rail transportation systems in terms of safety, efficiency, or reliability.

''(b) ELIGIBLE RECIPIENTS.—The following entities are eligible to receive a grant under this section:

''(1) A State.

''(2) A group of States.

''(3) An Interstate Compact.

''(4) A public agency or publicly chartered authority established by 1 or more States and having responsibility for providing intercity rail passenger, commuter rail passenger, or freight rail transportation service.

''(5) A political subdivision of a State.

''(6) Amtrak or another rail passenger carrier that provides intercity rail passenger transportation (as defined in section 24102) or commuter rail passenger transportation (as defined in section 24102).

''(7) A Class II railroad or Class III railroad (as those terms are defined in section 20102).

''(8) Any rail carrier or rail equipment manufacturer in partnership with at least 1 of the entities described in paragraphs (1) through (5).

''(9) Any entity established to procure, manage, or maintain passenger rail equipment under section 305 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note).

''(10) An organization that is actively involved in the development of operational and safety-related standards for rail equipment and operations or the implementation of safety-related programs.

''(11) The Transportation Research Board and any entity with which it contracts in the development of rail-related research, including cooperative research programs.

''(12) A University transportation center actively engaged in rail-related research.

''(13) A non-profit labor organization representing a class or craft of employees of railroad carriers or railroad carrier contractors.

''(c) ELIGIBLE PROJECTS.—The following projects are eligible to receive grants under this section:

''(1) Deployment of railroad safety technology, including positive train control and rail integrity inspection systems.

''(2) A capital project as defined in section 24401, except that a project shall not be required to be in a State rail plan developed under chapter 227.

''(3) A capital project identified by the Secretary as being necessary to address congestion challenges affecting rail service.

(4) A highway-rail grade crossing improvement, including grade separations, private highway-rail grade crossing improvements, and safety engineering improvements to reduce risk in quiet zones or potential quiet zones.

''(5) A rail line relocation project.

(6) A capital project to improve short-line or regional railroad infrastructure.

''(7) Development of public education, awareness, and targeted law enforcement activities to reduce violations of traffic laws at highway-rail grade crossings and to help prevent and reduce injuries and fatalities along railroad rights-of-way.

''(8) The preparation of regional rail and corridor service development plans and corresponding environmental analyses.

''(9) Any project that the Secretary considers necessary to enhance multimodal connections or facilitate service integration between rail service and other modes, including between intercity rail passenger transportation and intercity bus service.

''(10) The development of rail-related capital, operations, and safety standards.

''(11) The implementation and operation of a safety program or institute designed to improve rail safety culture and rail safety performance.

''(12) Any research that the Secretary considers necessary to advance any particular aspect of rail-related capital, operations, or safety improvements.

''(13) Workforce development activities, coordinated to the extent practicable with the existing local training programs supported by the Department of Transportation, Department of Labor, and Department of Education.

''(d) APPLICATION PROCESS.—The Secretary shall prescribe the form and manner of filing an application under this section.

''(e) PROJECT SELECTION CRITERIA.—

''(1) IN GENERAL.—In selecting a recipient of a grant for an eligible project, the Secretary shall—

''(A) give preference to a proposed project for which the proposed Federal share of total project costs does not exceed 50 percent; and

''(B) after factoring in preference to projects under subparagraph (A), select projects that will maximize the net benefits of the funds appropriated for use under this section, considering the cost-benefit analysis of the proposed project, including anticipated private and public benefits relative to the costs of the proposed project and factoring in the other considerations described in paragraph (2).

''(2) OTHER CONSIDERATIONS.—The Secretary shall also consider the following:

''(A) The degree to which the proposed project's business plan considers potential private sector participation in the financing, construction, or operation of the project;

''(B) The recipient's past performance in developing and delivering similar projects, and previous financial contributions;

''(C) Whether the recipient has or will have the legal, financial, and technical capacity to carry out the proposed project, satisfactory continuing control over the use of the equipment or facilities, and the capability and willingness to maintain the equipment or facilities;

''(D) If applicable, the consistency of the proposed project with planning guidance and documents set forth by the Secretary or required by law or State rail plans developed under chapter 227;

''(E) If applicable, any technical evaluation ratings that proposed project received under previous competitive grant programs administered by the Secretary; and

''(F) Such other factors as the Secretary considers relevant to the successful delivery of the project.

''(3) BENEFITS.—The benefits described in paragraph (1)(B) may include the effects on system and service performance, including measures such as improved safety, competitiveness, reliability, trip or transit time, resilience, efficiencies from improved integration with other modes, and ability to meet existing or anticipated demand.

''(f) PERFORMANCE MEASURES.—The Secretary shall establish performance measures for each grant recipient to assess progress in achieving strategic goals and objectives. The Secretary may require a grant recipient to periodically report information related to such performance measures.

''(g) RURAL AREAS.—

''(1) IN GENERAL.—Of the amounts appropriated under this section, at least 25 percent shall be available for projects in rural areas. The Secretary shall consider a project to be in a rural area if all or the majority of the project (determined by the geographic location or locations where the majority of the project funds will be spent) is located in a rural area.

''(2) DEFINITION OF RURAL AREA.—In this subsection, the term 'rural area' means any area not in an urbanized area, as defined by the Census Bureau.

''(h) FEDERAL SHARE OF TOTAL PROJECT COSTS.—

''(1) TOTAL PROJECT COSTS.—The Secretary shall estimate the total costs of a project under this subsection based on the best available information, including engineering studies, studies of economic feasibility, environmental analyses, and information on the expected use of equipment or facilities.

''(2) FEDERAL SHARE.—The Federal share of total project costs under this subsection shall not exceed 80 percent.

''(3) TREATMENT OF PASSENGER RAIL REVENUE.—If Amtrak or another rail passenger carrier is an applicant under this section, Amtrak or the other rail passenger carrier, as applicable, may use ticket and other revenues generated from its operations and other sources to satisfy the non-Federal share requirements.

''(i) APPLICABILITY.—Except as specifically provided in this section, the use of any amounts appropriated for grants under this section shall be subject to the requirements of this chapter.

''(j) AVAILABILITY.—Amounts appropriated for carrying out this section shall remain available until expended.''.

(b) CONFORMING AMENDMENT.—The table of contents of chapter 244, as amended by section 35302 of this Act, is amended by adding after the item relating to section 24407 the following:

''24408. Consolidated rail infrastructure and safety improvements.''.

PART III—HAZARDOUS MATERIALS BYRAIL SAFETY AND OTHER SAFETY ENHANCEMENTS

SEC. 35431. REAL-TIME EMERGENCY RESPONSE INFORMATION.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary, in consultation with the Secretary of Homeland Security, shall promulgate regulations—

(1) to require a Class I railroad transporting hazardous materials—

(A) to generate accurate, real-time, and electronic train consist information, including—

(i) the identity, quantity, and location of hazardous materials on a train;

(ii) the point of origin and destination of the train;

(iii) any emergency response information or resources required by the Secretary; and

(iv) an emergency response point of contact designated by the Class I railroad; and

(B) to enter into a memorandum of understanding with each applicable fusion center to provide that fusion center with secure and confidential access to the electronic train consist information described in subparagraph (A) for each train transporting hazardous materials in that fusion center's jurisdiction;

(2) to require each applicable fusion center to provide the electronic train consist information described in paragraph (1)(A) to first responders, emergency response officials, and law enforcement personnel that are involved in the response to or investigation of an incident, accident, or public health or safety emergency involving the rail transportation of hazardous materials and that request such electronic train consist information;

(3) to prohibit any railroad, employee, or agent from withholding, or causing to be withheld the train consist information from first responders, emergency response officials, and law enforcement personnel described in paragraph (2) in the event of an incident, accident, or public health or safety emergency involving the rail transportation of hazardous materials;

(4) to establish security and confidentiality protections to prevent the release of the electronic train consist information to unauthorized persons; and

(5) to allow each Class I railroad to enter into a memorandum of understanding with any Class II or Class III railroad that operates trains over the Class I railroad's line to incorporate the Class II or Class III railroad's train consist information within the existing framework described in paragraph (1).

(b) DEFINITIONS.—In this section:

(1) APPLICABLE FUSION CENTER.—The term ''applicable fusion center'' means a fusion center with responsibility for a geographic area in which a Class I railroad operates.

(2) CLASS I RAILROAD.—The term ''Class I railroad'' has the meaning given the term in section 20102 of title 49, United States Code.

(3) FUSION CENTER.—The term ''fusion center'' has the meaning given the term in section 124h(j) of title 6, United States Code.

(4) HAZARDOUS MATERIALS.—The term ''hazardous materials'' means material designated as hazardous by the Secretary of Transportation under chapter 51 of the United States Code.

(5) TRAIN CONSIST.—The term ''train consist'' includes, with regard to a specific train, the number of rail cars and the commodity transported by each rail car.

(c) SAVINGS CLAUSE.—

(1) Nothing in this section may be construed to prohibit a Class I railroad from voluntarily entering into a memorandum of understanding, as described in subsection (a)(1)(B), with a State emergency response commission or an entity representing or including first responders, emergency response officials, and law enforcement personnel.

(2) Nothing in this section may be construed to amend any requirement for a railroad to provide a State Emergency Response Commission, for each State in which it operates trains transporting 1,000,000 gallons or more of Bakken crude oil, notification regarding the expected movement of such trains through the counties in the State.

SEC. 35432. THERMAL BLANKETS.

(a) REQUIREMENTS.—Not later than 180 days after the date of enactment of this Act, the Secretary shall promulgate such regulations as are necessary to require each tank car built to meet the DOT–117 specification and each non-jacketed tank car modified to meet the DOT–117R specification to be equipped with a thermal blanket.

(b) DEFINITION OF THERMAL BLANKET.—In this section, the term ''thermal blanket'' means an insulating blanket that is applied between the outer surface of a tank car tank and the inner surface of a tank car jacket and that has thermal conductivity no greater than 2.65 Btu per inch, per hour, per square foot, and per degree Fahrenheit at a temperature of 2000 degrees Fahrenheit, plus or minus 100 degrees Fahrenheit.

(c) SAVINGS CLAUSE.—

(1) PRESSURE RELIEF DEVICES.—Nothing in this section may be construed to affect or prohibit any requirement to equip with appropriately sized pressure relief devices a

tank car built to meet the DOT–117 specification or a non-jacketed tank car modified to meet the DOT–117R specification.

(2) HARMONIZATION.—Nothing in this section may be construed to require or allow the Secretary to prescribe an implementation deadline or authorization end date for the requirement under subsection (a) that is earlier than the applicable implementation deadline or authorization end date for other tank car modifications necessary to meet the DOT–117R specification.

SEC. 35433. COMPREHENSIVE OIL SPILL RESPONSE PLANS.

(a) REQUIREMENTS.—Not later than 120 days after the date of enactment of this Act, the Secretary shall issue a notice of proposed rulemaking to require each railroad carrier transporting a Class 3 flammable liquid to maintain a comprehensive oil spill response plan.

(b) CONTENTS.—The regulations under subsection (a) shall require each rail carrier described in that subsection—

(1) to include in the comprehensive oil spill response plan procedures and resources for responding, to the maximum extent practicable, to a worst case discharge;

(2) to ensure the comprehensive oil spill response plan is consistent with the National Contingency Plan and each applicable Area Contingency Plan;

(3) to include in the comprehensive oil spill response plan appropriate notification and training procedures;

(4) to review and update its comprehensive oil spill response plan as appropriate; and

(5) to provide the comprehensive oil spill response plan for acceptance by the Secretary.

(c) SAVINGS CLAUSE.—Nothing in the section may be construed as prohibiting the Secretary from promulgating different comprehensive oil response plan standards for Class I, Class II, and Class III railroads.

(d) DEFINITIONS.—In this section:

(1) AREA CONTINGENCY PLAN.—The term ''Area Contingency Plan'' has the meaning given the term in section 311(a) of the Federal Water Pollution Control Act (33 U.S.C. 1321(a)).

(2) CLASS 3 FLAMMABLE LIQUID.—The term ''Class 3 flammable liquid'' has the meaning given the term in section 173.120(a) of title 49, Code of Federal Regulations.

(3) CLASS I RAILROAD, CLASS II RAILROAD, AND CLASS III RAILROAD.—The terms ''Class I railroad'', ''Class II railroad'' and ''Class III railroad'' have the meanings given the terms in section 20102 of title 49, United States Code.

(4) NATIONAL CONTINGENCY PLAN.—The term ''National Contingency Plan'' has the meaning given the term in section 1001 of the Oil Pollution Act of 1990 (33 U.S.C. 2701).

(5) RAILROAD CARRIER.—The term ''railroad carrier'' has the meaning given the term in section 20102 of title 49, United States Code.

(6) WORST-CASE DISCHARGE.—The term ''worst-case discharge'' means a railroad carrier's calculation of its largest foreseeable discharge in the event of an accident or incident.

SEC. 35434. HAZARDOUS MATERIALS BY RAIL LIABILITY STUDY.

(a) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Secretary shall initiate a study on the levels and structure of insurance for a railroad carrier transporting hazardous materials.

(b) CONTENTS.—In conducting the study under subsection (a), the Secretary shall evaluate—

(1) the level and structure of insurance, including self-insurance, available in the private market against the full liability potential for damages arising from an accident or incident involving a train transporting hazardous materials;

(2) the level and structure of insurance that would be necessary and appropriate—

(A) to efficiently allocate risk and financial responsibility for claims; and

(B) to ensure that a railroad carrier transporting hazardous materials can continue to operate despite the risk of an accident or incident;

(3) the potential applicability to trains transporting hazardous materials of—

(A) a liability regime modeled after section 170 of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2210); and

(B) a liability regime modeled after subtitle of title XXI of the Public Health Service Act (42 U.S.C. 300aa–10 et seq.).

(c) REPORT.—Not later than 1 year after the date the study under subsection (a) is initiated, the Secretary shall submit a report containing the results of the study and recommendations for addressing liability issues with rail transportation of hazardous materials to—

(1) the Committee on Commerce, Science, and Transportation of the Senate; and

(2) the Committee on Transportation and Infrastructure of the House of Representatives.

(d) DEFINITIONS.—In this section:

(1) HAZARDOUS MATERIAL.—The term ''hazardous material'' means a substance or material the Secretary designates under section 5103(a) of title 49, United States Code.

(2) RAILROAD CARRIER.—The term ''railroad carrier'' has the meaning given the term in section 20102 of title 49, United States Code.

SEC. 35435. STUDY AND TESTING OF ELECTRONICALLY-CONTROLLED PNEUMATIC BRAKES.

(a) GOVERNMENT ACCOUNTABILITY OFFICE STUDY.—

(1) IN GENERAL.—The Government Account ability Office shall complete an independent evaluation of ECP brake systems pilot program data and the Department of Transportation's research and analysis on the effects of ECP brake systems.

(2) STUDY ELEMENTS.—In completing the independent evaluation under paragraph (1), the Government Accountability Office shall examine the following issues related to ECP brake systems:

(A) Data and modeling results on safety benefits relative to conventional brakes and to other braking technologies or systems, such as distributed power and 2-way end-of-train devices.

(B) Data and modeling results on business benefits, including the effects of dynamic braking.

(C) Data on costs, including up-front capital costs and on-going maintenance costs.

(D) Analysis of potential operational challenges, including the effects of potential locomotive and car segregation, technical reliability issues, and network disruptions.

(E) Analysis of potential implementation challenges, including installation time, positive train control integration complexities, component availability issues, and tank car shop capabilities.

(F) Analysis of international experiences with the use of advanced braking technologies.

(3) DEADLINE.—Not later than 18 months after the date of enactment of this Act, the Government Accountability Office shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the results of the independent evaluation under paragraph (1).

(b) EMERGENCY BRAKING APPLICATION TESTING.—

(1) IN GENERAL.—The Secretary of Transportation shall enter into an agreement with the NCRRP Board—

(A) to complete testing of ECP brake systems during emergency braking application, including more than scenario involving the uncoupling of a train with 70 or more DOT 117 specification or DOT 117R-specification tank cars; and

(B) to transmit, not later than 18 months after the date of enactment of this Act, to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the results of the testing.

(2) INDEPENDENT EXPERTS.—In completing the testing under paragraph (1), the NCRRP Board may contract with 1 or more engineering or rail experts, as appropriate, with relevant experience in conducting railroad safety technology tests or similar crash tests.

(3) TESTING FRAMEWORK.—In completing the testing under paragraph (1), the NCRRP Board and each contractor described in paragraph (2) shall ensure that the testing objectively, accurately, and reliably measures the performance of ECP brake systems relative to other braking technologies or systems, such as distributed power and 2-way end-of-train devices, including differences in—

(A) the number of cars derailed;

(B) the number of cars punctured;

(C) the measures of in-train forces; and

(D) the stopping distance.

(4) FUNDING.—The Secretary shall require, as part of the agreement under paragraph (1), that the NCRRP Board fund the testing required under this section—

(A) using such sums made available under section 24910 of title 49, United States Code; and

(B) to the extent funding under subparagraph (A) is insufficient or unavailable to fund the testing required under this section, using such sums as are necessary from the amounts appropriated to the Office of the Secretary.

(5) EQUIPMENT.—The NCRRP Board and each contractor described in paragraph (2) may receive or use rolling stock, track, and other equipment or infrastructure from a private entity for the purposes of conducting the testing required under this section.

(c) EVIDENCE-BASED APPROACH.—

(1) ANALYSIS.—The Secretary shall—

(A) not later than 90 days after the report date, fully incorporate and reflect the findings from both reports into a draft updated regulatory impact analysis of the effects of the applicable ECP brake system requirements;

(B) as soon as practicable after completion of the draft updated analysis under subparagraph (A), solicit public comment on the analysis for a period of not more than 30 days; and

(C) not later than 60 days after the end of the public comment period, post the final updated regulatory impact analysis on the Department of Transportation Web site.

(2) DETERMINATION.—Not later than 180 days after the report date, the Secretary shall—

(A) determine, based on whether the final regulatory impact analysis described in paragraph (1)(C) demonstrates that the benefits, including safety benefits, of the applicable ECP brake system requirements exceed

their costs, whether the applicable ECP brake system requirements are justified; and

(B)(i) if the applicable ECP brake system requirements are justified, publish in the Federal Register the determination with the reasons for it; or

(ii) if the Secretary does not publish the determination under clause (i), repeal the applicable ECP brake system requirements.

(d) DEFINITIONS.—In this section:

(1) APPLICABLE ECP BRAKE SYSTEM REQUIREMENTS.—The term ''applicable brake system requirements'' means sections 174.310(a)(3)(ii), 174.310(a)(3)(iii), 174.310(a)(5)(v), 179.102–10, 179.202–12(g), and 179.202–13(i) of title 49, Code of Federal Regulations, and any other regulation in effect on the date of enactment of this Act requiring the installation of ECP brakes or operation in ECP brake mode.

(2) CLASS 3 FLAMMABLE LIQUID.—The term ''Class flammable liquid'' has the meaning given the term in section 173.120(a) of title 49, Code of Federal Regulations.

(3) ECP.—The term ''ECP'' means electronically-controlled pneumatic when applied to a brake or brakes.

(4) ECP BRAKE MODE.—The term ''ECP brake mode'' includes any operation of a rail car or an entire train using an ECP brake system.

(5) ECP BRAKE SYSTEM.—

(A) IN GENERAL.—The term ''ECP brake system'' means a train power braking system actuated by compressed air and controlled by electronic signals from the locomotive or an ECP-EOT to the cars in the consist for service and emergency applications in which the brake pipe is used to provide a constant supply of compressed air to the reservoirs on each car but does not convey braking signals to the car.

(B) INCLUSIONS.—The term ''ECP brake system'' includes dual mode and stand-alone ECP brake systems.

(6) HIGH-HAZARD FLAMMABLE UNIT TRAIN.—The term ''high-hazard flammable unit train'' means a single train transporting 70 or more loaded tank cars containing Class 3 flammable liquid.

(7) NCRRP BOARD.—The term ''NCRRP Board'' means the independent governing board of the National Cooperative Rail Research Program.

(8) RAILROAD CARRIER.—The term ''railroad carrier'' has the meaning given the term in section 20102 of title 49, United States Code.

(9) REPORT DATE.—The term ''report date'' means the date that both the report under subsection (a)(3) and the report under subsection (b)(1)(B) have been transmitted under those subsections.

SEC. 35436. RECORDING DEVICES.

(a) IN GENERAL.—Subchapter II of chapter 201 is amended by adding after section 20167 the following:

§ 20168. Installation of audio and image recording devices

''(a) IN GENERAL.—Not later than 2 years after the date of enactment of the Railroad Reform, Enhancement, and Efficiency Act, the Secretary of Transportation shall promulgate regulations to require each rail carrier that provides regularly scheduled intercity rail passenger or commuter rail passenger transportation to the public to install inward- and outward-facing image recording devices in all controlling locomotive cabs and cab car operating compartments in such passenger trains.

''(b) DEVICE STANDARDS.—Each inward- and outward-facing image recording device shall—

''(1) have a minimum 12-hour continuous recording capability;

''(2) have crash and fire protections for any in-cab image recordings that are stored only within a controlling locomotive cab or cab car operating compartment; and

''(3) have recordings accessible for review during an accident investigation.

''(c) REVIEW.—The Secretary shall establish a process to review and approve or disapprove an inward- or outward-facing recording device for compliance with the standards described in subsection (b).

''(d) USES.—A rail carrier that has installed an inward- or outward-facing image recording device approved under subsection (c) may use recordings from that inward- or outward-facing image recording device for the following purposes:

''(1) Verifying that train crew actions are in accordance with applicable safety laws and the rail carrier's operating rules and procedures.

''(2) Assisting in an investigation into the causation of a reportable accident or incident.

''(3) Carrying out efficiency testing and systemwide performance monitoring programs.

''(4) Documenting a criminal act or monitoring unauthorized occupancy of the controlling locomotive cab or car operating compartment.

''(5) Other purposes that the Secretary considers appropriate.

''(e) VOLUNTARY IMPLEMENTATION.—

''(1) IN GENERAL.—Each rail carrier operating freight rail service may implement any inward- or outward-facing image recording devices approved under subsection (c).

''(2) AUTHORIZED USES.—Notwithstanding any other provision of law, each rail carrier may use recordings from an inward- or outward-facing image recording device approved under subsection (c) for any of the purposes described in subsection (d).

''(f) DISCRETION.—

''(1) IN GENERAL.—The Secretary may—

''(A) require in-cab audio recording devices for the purposes described in subsection (d); and

''(B) define in appropriate technical detail the essential features of the devices required under subparagraph (A).

''(2) EXEMPTIONS.—The Secretary may exempt any rail passenger carrier or any part of a rail passenger carrier's operations from the requirements under subsection (a) if the Secretary determines that the rail passenger carrier has implemented an alternative technology or practice that provides an equivalent or greater safety benefit or is better suited to the risks of the operation.

''(g) TAMPERING.—A rail carrier may take appropriate enforcement or administrative action against any employee that tampers with or disables an audio or inward- or outward-facing image recording device installed by the rail carrier.

''(h) PRESERVATION OF DATA.—Each rail passenger carrier subject to the requirements of subsection (a) shall preserve recording device data for 1 year after the date of a reportable accident or incident.

''(i) INFORMATION PROTECTIONS.—An in-cab audio or image recording, and any part thereof, that the Secretary obtains as part of an accident or incident investigated by the Department of Transportation shall be exempt from disclosure under section 552(b)(3) of title 5.

''(j) PROHIBITED USE.—An in-cab audio or image recording obtained by a rail carrier under this section may not be used to retaliate against an employee.

''(k) SAVINGS CLAUSE.—Nothing in this section may be construed as requiring a rail carrier to cease or restrict operations upon a technical failure of an inward- or outward-facing image recording device. Such rail carrier shall repair or replace the failed inward- or outward-facing image recording device as soon as practicable.''.

(b) CONFORMING AMENDMENT.—The table of contents for subchapter II of chapter 201 is amended by adding at the end the following:

20168. Installation of audio and image recording devices.''.

SEC. 35437. RAIL PASSENGER TRANSPORTATION LIABILITY.

(a) LIMITATIONS.—Section 28103(a) is amended—

(1) in paragraph (2), by striking ''$200,000,000'' and inserting ''$295,000,000, except as provided in paragraph (3).''; and

(2) by adding at the end the following:

''(3) The liability cap under paragraph (2) shall be adjusted every years by the Secretary of Transportation to reflect changes in the Consumer Price Index-All Urban Consumers.

''(4) The Federal Government shall have no financial responsibility for any claims described in paragraph (2).''.

(b) DEFINITION OF RAIL PASSENGER TRANSPORTATION.—Section 28103(e) is amended—

(1) in the heading, by striking ''DEFINITION.—'' and inserting ''DEFINITIONS.—'';

(2) in paragraph (2), by striking ''; and'' and inserting a semicolon;

(3) in paragraph (3), by striking the period at the end and inserting ''; and''; and

(4) by adding at the end the following:

''(4) the term 'rail passenger transportation' includes commuter rail passenger transportation (as defined in section 24102).''.

(c) PROHIBITION.—No Federal funds may be appropriated for the purpose of paying for the portion of an insurance premium attributable to the increase in allowable awards under the amendments made by subsection (a).

(d) EFFECTIVE DATE.—The amendments made by subsection (a) shall be effective for any passenger rail accident or incident occurring on or after May 12, 2015.

SEC. 35438. MODIFICATION REPORTING.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall implement a reporting requirement to monitor industry-wide progress toward modifying tank cars used in high-hazard flammable train service by the applicable deadlines or authorization end dates set in regulation.

(b) TANK CAR DATA.—The Secretary shall collect data from shippers and tank car owners on—

(1) the total number of tank cars modified to meet the DOT–117R specification, or equivalent, specifying—

(A) the type or specification of each tank car before it was modified, including non-jacketed DOT–111, jacketed DOT–111, non-jacketed DOT–111 meeting the CPC–1232 standard, or jacketed DOT–111 meeting the CPC–1232 standard; and

(B) the identification number of each Class 3 flammable liquid carried by each tank car in the past year;

(2) the total number of tank cars built to meet the DOT–117 specification, or equivalent; and

(3) the total number of tank cars used or likely to be used in high-hazard flammable train service that have not been modified, specifying—

(A) the type or specification of each tank car not modified, including the non-jacketed DOT–111, jacketed DOT–111, non-jacketed DOT–111 meeting the CPC–1232 standard, or

jacketed DOT–111 meeting the CPC–1232 standard; and

(B) the identification number of each Class 3 flammable liquid carried by each tank car in the past year.

(c) TANK CAR SHOP DATA.—The Secretary shall conduct a survey of tank car facilities modifying tank cars to the DOT–117R specification, or equivalent, or building new tank cars to the DOT–117 specification, or equivalent, to generate statistically-valid estimates of the expected number of tank cars those facilities expect to modify to DOT–117R specification, or equivalent, or build to the DOT–117 specification, or equivalent.

(d) FREQUENCY.—The Secretary shall collect the data under subsection (b) and conduct the survey under subsection (c) annually until May 1, 2025.

(e) INFORMATION PROTECTIONS.—

(1) IN GENERAL.—The Secretary shall only report data in industry-wide totals and shall treat company-specific information as confidential business information.

(2) LEVEL OF CONFIDENTIALITY.—The Secretary shall ensure the data collected under subsection (b) and the survey data under subsection (c) have the same level of confidentiality as contained in the Confidential Information Protection and Statistical Efficiency Act of 2002 (44 U.S.C. 3501 note), as administered by the Bureau of Transportation Statistics.

(3) SECTION 552(B)(3) OF TITLE 5.—Any information that the Secretary obtains under subsection (b) or subsection (c) by the Department of Transportation shall be exempt from disclosure under section 552(b)(3) of title 5.

(4) DESIGNEE.—The Secretary may designate the Director of the Bureau of Transportation Statistics to collect data under subsection (b) and the survey data under subsection (c) and direct the Director to ensure the confidentially of company-specific information to the maximum extent permitted by law.

''(f) REPORT.—Each year, not later than 60 days after the date that both the collection of the data under subsection (b) and the survey under subsection (c) are complete, the Secretary shall report on the aggregate results, without company-specific information, to—

(1) the Committee on Commerce, Science, and Transportation of the Senate; and

(2) the Committee on Transportation and Infrastructure of the House of Representatives.

(g) DEFINITIONS.—In this section:

(1) CLASS 3 FLAMMABLE LIQUID.—The term ''Class 3 flammable liquid'' has the meaning given the term in section 173.120(a) of title 49, Code of Federal Regulations.

(2) HIGH-HAZARD FLAMMABLE TRAIN.—The term ''high-hazard flammable train'' means a single train transporting 20 or more tank cars loaded with a Class 3 flammable liquid in a continuous block or a single train transporting 35 or more tank cars loaded with a Class 3 flammable liquid throughout the train consist.

SEC. 35439. REPORT ON CRUDE OIL CHARACTERISTICS RESEARCH STUDY.

Not later than 180 days after the research completion of the comprehensive Crude Oil Characteristics Research Sampling, Analysis, and Experiment (SAE) Plan study at Sandia National Laboratories, the Secretary of Energy, in cooperation with the Secretary of Transportation, shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Energy and Natural Resources of the Senate, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Energy and Commerce of the House of Representatives that contains—

(1) the results of the comprehensive Crude Oil Characteristics Research Sampling, Analysis, and Experiment (SAE) Plan study; and

(2) recommendations, based on the findings of the study, for—

(A) regulations that should be prescribed by the Secretary of Transportation or the Secretary of Energy to improve the safe transport of crude oil; and

(B) statutes that should be enacted by Congress to improve the safe transport of crude oil.

PART IV—POSITIVE TRAIN CONTROL

SEC. 35441. COORDINATION OF SPECTRUM.

(a) ASSESSMENT.—The Secretary, in coordination with the Chairman of the Federal Communications Commission, shall assess spectrum needs and availability for implementing positive train control systems (as defined in section 20157(i)(3) of title 49, United States Code). The Secretary and the Chairman may consult with external stakeholders in carrying out this section.

(b) REPORT.—Not later than 120 days after the date of enactment of this Act, the Secretary shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that contains the results of the assessment conducted under subsection (a).

SEC. 35442. UPDATED PLANS.

(a) IMPLEMENTATION.—Section 20157(a) is amended to read as follows:

''(a) IMPLEMENTATION.—

''(1) PLAN REQUIRED.—Each Class I railroad carrier and each entity providing regularly scheduled intercity or commuter rail passenger transportation shall develop and submit to the Secretary of Transportation a plan for implementing a positive train control system by December 31, 2015, governing operations on—

''(A) its main line over which intercity rail passenger transportation or commuter rail passenger transportation (as defined in section 24102) is regularly provided;

''(B) its main line over which poison- or toxic-by-inhalation hazardous materials (as defined in sections 171.8, 173.115, and 173.132 of title 49, Code of Federal Regulations) are transported; and

''(C) such other tracks as the Secretary may prescribe by regulation or order.

''(2) INTEROPERABILITY AND PRIORITIZATION.—The plan shall describe how the railroad carrier or other entity subject to paragraph (1) will provide for interoperability of the positive train control systems with movements of trains of other railroad carriers over its lines and shall, to the extent practical, implement the positive train control systems in a manner that addresses areas of greater risk before areas of lesser risk.

''(3) SECRETARIAL REVIEW OF UPDATED PLANS.—

''(A) SUBMISSION OF UPDATED PLANS.—Notwithstanding the deadline set forth in paragraph (1), not later than 90 days after the date of enactment of the Railroad Reform, Enhancement, and Efficiency Act, each Class I railroad carrier or other entity subject to paragraph (1) may submit to the Secretary an updated plan that amends the plan submitted under paragraph (1) with an updated implementation schedule (as described in paragraph (4)(B)) and milestones or metrics (as described in paragraph (4)(A)) that demonstrate that the railroad carrier or other entity will implement a positive train control system as soon as practicable, if implementing in accordance with the updated plan will not introduce operational challenges or risks to full, successful, and safe implementation.

''(B) REVIEW OF UPDATED PLANS.—Not later than 150 days after receiving an updated plan under subparagraph (A), the Secretary shall review the updated plan and approve or disapprove it. In determining whether to approve or disapprove the updated plan, the Secretary shall consider whether the railroad carrier or other entity submitting the plan—

''(i)(I) has encountered technical or programmatic challenges identified by the Secretary in the 2012 report transmitted to Congress pursuant to subsection (d); and

''(II) the challenges referred to in subclause (I) have negatively affected the successful implementation of positive train control systems;

''(ii) has demonstrated due diligence in its effort to implement a positive train control system;

''(iii) has included in its plan milestones or metrics that demonstrate the railroad carrier or other entity will implement a positive train control system as soon as practicable, if implementing in accordance with the milestones or metrics will not introduce operational challenges or risks to full, successful, and safe implementation; and

''(iv) has set an implementation schedule in its plan that shows the railroad will comply with paragraph (7), if implementing in accordance with the implementation schedule will not introduce operational challenges or risks to full, successful, and safe implementation.

''(C) MODIFICATION OF UPDATED PLANS.—(i) If the Secretary has not approved an updated plan under subparagraph (B) within 60 days of receiving the updated plan under subparagraph (A), the Secretary shall immediately—

''(I) provide a written response to the railroad carrier or other entity that identifies the reason for not approving the updated plan and explains any incomplete or deficient items;

''(II) allow the railroad carrier or other entity to submit, within 30 days of receiving the written response under subclause (I), a modified version of the updated plan for the Secretary's review; and

''(III) approve or issue final disapproval for a modified version of the updated plan submitted under subclause (II) not later than 60 days after receipt.

''(ii) During the 60-day period described in clause (i)(III), the railroad or other entity that has submitted a modified version of the updated plan under clause (i)(II) may make additional modifications, if requested by the Secretary, for the purposes of correcting incomplete or deficient items to receive approval.

''(D) PUBLIC AVAILABILITY.—Not later than 30 days after approving an updated plan under this paragraph, the Secretary shall make the updated plan available on the website of the Federal Railroad Administration.

''(E) PENDING REVIEWS.—For an applicant that submits an updated plan under subparagraph (A), the Secretary shall extend the deadline for implementing a positive train control system at least until the date the Secretary approves or issues final disapproval for the updated plan with an updated implementation schedule (as described in paragraph (4)(B)).

''(F) DISAPPROVAL.—A railroad carrier or other entity that has its modified version of its updated plan disapproved by the Secretary under subparagraph (C)(i)(III), and that has not implemented a positive train control system by the deadline in subsection (a)(1), is subject to enforcement action authorized under subsection (e).

''(4) CONTENTS OF UPDATED PLAN.—

''(A) MILESTONES OR METRICS.—Each updated plan submitted under paragraph (3) shall describe the following milestones or metrics:

''(i) The total number of components that will be installed with positive train control by the end of each calendar year until positive train control is fully implemented, with totals separated by each component category.

''(ii) The number of employees that will receive the training, as required under the applicable positive train control system regulations, by the end of each calendar year until positive train control is fully implemented.

''(iii) The calendar year or years in which spectrum will be acquired and will be available for use in all areas that it is needed for positive train control implementation, if such spectrum is not already acquired and ready for use.

''(B) IMPLEMENTATION SCHEDULE.—Each updated plan submitted under paragraph (3) shall include an implementation schedule that identifies the dates by which the railroad carrier or other entity will—

''(i) fully implement a positive train control system;

''(ii) complete all component installation, consistent with the milestones or metrics described in subparagraph (A)(i);

''(iii) complete all employee training required under the applicable positive train control system regulations, consistent with the milestones or metrics described in subparagraph (A)(ii);

''(iv) acquire all necessary spectrum, consistent with the milestones or metrics in subparagraph (A)(iii); and

''(v) activate its positive train control system.

''(C) ADDITIONAL INFORMATION.—Each updated plan submitted under paragraph (3) shall include—

''(i) the total number of positive train control components required for implementation, with totals separated by each major component category;

''(ii) the total number of employees requiring training under the applicable positive train control system regulations;

''(iii) a summary of the remaining challenges to positive train control system implementation, including—

''(I) testing issues;

''(II) interoperability challenges;

''(III) permitting issues; and

''(IV) certification challenges.

''(D) DEFINED TERM.—In this paragraph, the term ''component'' means a locomotive apparatus, a wayside interface unit (including any associated legacy signal system replacements), back office system hardware, a base station radio, a wayside radio, or a locomotive radio.

''(5) PLAN IMPLEMENTATION.—The Class I railroad carrier or other entity subject to paragraph (1) shall implement a positive train control system in accordance with its plan, including any amendments made to the plan by its updated plan approved by the Secretary under paragraph (3), and subject to section 35443 of the Railroad Reform, Enhancement, and Efficiency Act.

''(6) PROGRESS REPORT.—Each Class I railroad carrier or other entity with an approved updated plan shall submit an annual report to the Secretary that describes the progress made on positive train control implementation, including—

''(A) the extent to which the railroad carrier or other entity met or exceeded the metrics or milestones described in paragraph (4)(A);

''(B) the extent to which the railroad carrier or other entity complied with its implementation schedule under paragraph (4)(B); and

''(C) any update to the information provided under paragraph (4)(C).

''(7) CONSTRAINT.—Each updated plan shall reflect that the railroad carrier or other entity subject to paragraph (1) will, not later than December 31, 2018—

''(A) complete component installation and spectrum acquisition; and

''(B) activate its positive train control system without undue delay.''.

(b) ENFORCEMENT.—Section 20157(e) is amended to read as follows:

''(e) ENFORCEMENT.—The Secretary is authorized to assess civil penalties pursuant to chapter 213 for the failure to submit or comply with a plan for implementing positive train control under subsection (a), including any amendments to the plan made by an updated plan (including milestones or metrics and an updated implementation schedule) approved by the Secretary under paragraph (3) of such subsection, subject to section 35443 of the Railroad Reform, Enhancement, and Efficiency Act.''.

(c) DEFINITIONS.—Section 20157(i) is amended—

(1) by redesignating paragraphs (1) through (3) as paragraphs (2) through (4), respectively; and

(2) by inserting before paragraph (2), as redesignated, the following:

''(1) ACTIVATE.—The term 'activate' means to initiate the use of a positive train control system in every subdivision or district where the railroad carrier or other entity is prepared to do so safely, reliably, and successfully, and proceed with revenue service demonstration as necessary for system testing and certification, prior to full implementation.''.

(d) CONFORMING AMENDMENT.—Section 20157(g) is amended—

(1) by striking ''The Secretary'' and inserting the following:

''(1) IN GENERAL.—The Secretary''; and (2) by adding at the end the following:

''(2) CONFORMING REGULATORY AMENDMENTS.—Immediately after the date of the enactment of the Railroad Reform, Enhancement, and Efficiency Act, the Secretary—

''(A) shall remove or revise any references to specified dates in the regulations or orders implementing this section to the extent necessary to conform with the amendments made by such Act; and

''(B) may not enforce any such date-specific deadlines or requirements that are inconsistent with the amendments made by such Act.''.

(e) SAVINGS PROVISIONS.—

(1) RESUBMISSION OF INFORMATION.—Nothing in the amendments made by this section may be construed to require a Class I railroad carrier or other entity subject to section 20157(a) of title 49, United States Code, to resubmit in its updated plan information from its initial implementation plan that is not changed or affected by the updated plan. The Secretary shall consider an updated plan submitted pursuant to paragraph (3) of that section to be an addendum that makes amendments to the initial implementation plan.

(2) SUBMISSION OF NEW PLAN.—Nothing in the amendments made by this section may be construed to require a Class I railroad carrier or other ''entity subject to section 20157(a) of title 49, United States Code, to submit a new implementation plan pursuant to the deadline set forth in that section.

(3) APPROVAL.—A railroad carrier or other entity subject to section 20157(a) of title 49, United States Code, that has its updated plan, including a modified version of the updated plan, approved by the Secretary under subparagraph (B) or subparagraph (C) of paragraph (3) of that section shall not be required to implement a positive train control system by the deadline under paragraph (1) of that section.

SEC. 35443. EARLY ADOPTION AND INTEROPERABILITY.

(a) EARLY ADOPTION.—During the 1-year period beginning on the date on which the last railroad carrier's or other entity's positive train control system, subject to section 20157(a) of title 49, United States Code, is certified by the Secretary under subsection (h) of such section and implemented on all of that railroad carrier's or other entity's lines required to have operations governed by a positive train control system, any railroad carrier or other entity shall not be subject to the operational restrictions set forth in subpart I of part 236 of title 49, Code of Federal Regulations, that would otherwise apply in the event of a positive train control system component failure.

(b) INTEROPERABILITY PROCEDURE.—If multiple railroad carriers operate on a single railroad line through a trackage or haulage agreement, each railroad carrier operating on the railroad line shall not be subject to the operating restrictions set forth in subpart I of part 236 of title 49, Code of Federal Regulations, with respect to the railroad line, until the Secretary certifies that—

(1) each Class I railroad carrier and each entity providing regularly scheduled intercity or commuter rail passenger transportation that operates on the railroad line is in compliance with its positive train control requirements under section 20157(a) of title 49, United States Code;

(2) each Class II or Class III railroad that operates on the railroad line is in compliance with the applicable regulatory requirements to equip locomotives operating in positive train control territory; and

(3) the implementation of any and all positive train control systems are interoperable and operational on the railroad line in conformance with each approved implementation plan so that each freight and passenger railroad can operate on the line with that freight or passenger railroad's positive train control equipment.

(c) SMALL RAILROADS.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall amend section 236.1006(b)(4)(iii)(B) of title 49, Code of Federal Regulations (relating to equipping locomotives for applicable Class II and Class III railroads operating in positive train control territory) to extend each deadline by 3 years.

(d) ENFORCEMENT.—

''(1) IN GENERAL.—Subject to paragraph (2), nothing in subsection (a) may be construed to prohibit the Secretary from enforcing the metrics and milestones under section 20157(a)(4)(A) of title 49, United States Code, as amended by section 35442 of this Act.

(2) ACTIVATION.—Beginning on the date in which a railroad carrier or other entity subject to section 20157(a) of title 49, United

States Code, as amended by section 35442 of this Act, has activated its positive train control system, the railroad carrier or other entity shall not be in violation of its plan, including its updated plan, approved under this Act if implementing such plan introduces operational challenges or risks to full, successful, and safe implementation.

SEC. 35444. POSITIVE TRAIN CONTROL AT GRADE CROSSINGS EFFECTIVENESS STUDY.

(a) STUDY.—After the Secretary certifies that each Class I railroad carrier and each entity providing regularly scheduled intercity or commuter rail passenger transportation is in compliance with the positive train control requirements under section 20157(a) of title 49, United States Code, the Secretary shall enter into an agreement with the National Cooperative Rail Research Program Board—

(1) to conduct a study of the possible effectiveness of positive train control and related technologies on reducing collisions at highway-rail grade crossings; and

(2) to submit a report containing the results of the study conducted under paragraph (1) to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

(b) FUNDING.—The Secretary may require, as part of the agreement under subsection (a), that the National Cooperative Rail Research Program Board fund the study required under this section using such sums as may be necessary out of the amounts made available under section 24910 of title 49, United States Code.

Subtitle E—Project Delivery

SEC. 35501. SHORT TITLE.

This subtitle may be cited as the ''Track, Railroad, and Infrastructure Network Act''.

SEC. 35502. PRESERVATION OF PUBLIC LANDS.

(a) HIGHWAYS.—Section 138 of title 23, United States Code, is amended—

(1) in subsection (b)(2)(A)(i), by inserting '', taking into consideration any avoidance, minimization, and mitigation or enhancement measures incorporated into the program or project'' after ''historic site''; and

(2) by adding at the end the following:

''(c) RAIL AND TRANSIT.—Improvements to, or the maintenance, rehabilitation, or operation of, railroad or rail transit lines or elements of such lines, with the exception of stations, that are in use or were historically used for the transportation of goods or passengers, shall not be considered a use of an historic site under subsection (a), regardless of whether the railroad or rail transit line or element of such line is listed on, or eligible for listing on, the National Register of Historic Places.''.

(b) TRANSPORTATION PROJECTS.—Section 303 is amended—

(1) in subsection (c), by striking ''subsection (d)'' and inserting ''subsections (d) and (e)'';

(2) in subsection (d)(2)(A)(i), by inserting '', taking into consideration any avoidance, minimization, and mitigation or enhancement measures incorporated into the program or project'' after ''historic site''; and

(3) by adding at the end the following:

''(e) RAIL AND TRANSIT.—Improvements to, or the maintenance, rehabilitation, or operation of, railroad or rail transit lines or elements of such lines, with the exception of stations, that are in use or were historically used for the transportation of goods or passengers, shall not be considered a use of an historic site under subsection (c), regardless of whether the railroad or rail transit line or element of such line is listed on, or eligible for listing on, the National Register of Historic Places.''.

SEC. 35503. EFFICIENT ENVIRONMENTAL REVIEWS.

(a) IN GENERAL.—Section 304 is amended—

(1) in the heading, by striking **''for multimodal projects''** and inserting **''and increasing the efficiency of environmental reviews''**; and

(2) by adding at the end the following:

''(e) EFFICIENT ENVIRONMENTAL REVIEWS.—

''(1) IN GENERAL.—The Secretary of Transportation shall apply the project development procedures, to the greatest extent feasible, described in section 139 of title 23, United States Code, to any rail project that requires the approval of the Secretary of Transportation under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

''(2) REGULATIONS AND PROCEDURES.—The Secretary of Transportation shall incorporate such project development procedures into the agency regulations and procedures pertaining to rail projects.

''(f) APPLICABILITY OF NEPA DECISIONS.—

''(1) IN GENERAL.—A Department of Transportation operating administration may apply a categorical exclusion designated by another Department of Transportation operating administration under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

''(2) FINDINGS.—A Department of Transportation operating administration may adopt, in whole or in part, another Department of Transportation operating administration's Record of Decision, Finding of No Significant Impact, and any associated evaluations, determinations, or findings demonstrating compliance with any law related to environmental review or historic preservation.''.

SEC. 35504. ADVANCE ACQUISITION.

(a) IN GENERAL.—Chapter 241 is amended by inserting after section 24105 the following—

''§ 24106. Advance acquisition

''(a) RAIL CORRIDOR PRESERVATION.—The Secretary may assist a recipient of funding in acquiring right of-way and adjacent real property interests before or during the completion of the environmental reviews for any project receiving funding under subtitle V of title 49, United States Code, that may use such property interests if the acquisition is otherwise permitted under Federal law, and the recipient requesting Federal funding for the acquisition certifies, with the concurrence of the Secretary, that—

''(1) the recipient has authority to acquire the right-of-way or adjacent real property interest; and

''(2) the acquisition of the right-of-way or adjacent real property interest—

''(A) is for a transportation or transportation-related purpose;

''(B) will not cause significant adverse environmental impact;

''(C) will not limit the choice of reasonable alternatives for the proposed project or otherwise influence the decision of the Secretary on any approval required for the proposed project;

''(D) does not prevent the lead agency for the review process from making an impartial decision as to whether to accept an alternative that is being considered;

''(E) complies with other applicable Federal law, including regulations;

''(F) will be acquired through negotiation and without the threat of condemnation; and

''(G) will not result in the elimination or reduction of benefits or assistance to a displaced person under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601 et seq.) and title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.).

''(b) ENVIRONMENTAL REVIEWS.—

''(1) COMPLETION OF NEPA REVIEW.—Before authorizing any Federal funding for the acquisition of a real property interest that is the subject of a grant or other funding under this subtitle, the Secretary shall complete, if required, the review process under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) with respect to the acquisition.

''(2) COMPLETION OF SECTION 106.—An acquisition of a real property interest involving an historic site shall not occur unless the section 106 process, if required, under the National Historic Preservation Act (54 U.S.C. 306108) is complete.

''(3) TIMING OF ACQUISITIONS.—A real property interest acquired under subsection (a) may not be developed in anticipation of the proposed project until all required environmental reviews for the project have been completed.''.

(b) CONFORMING AMENDMENT.—The table of contents of chapter 241 is amended by inserting after the item relating to section 24105 the following:

''§ 24106. Advance acquisition.''.

SEC. 35505. RAILROAD RIGHTS-OF-WAY.

''Section 306108 of title 54, United States Code, is amended—

(1) by inserting ''(b) OPPORTUNITY TO COMMENT.—'' before ''The head of the Federal agency shall afford'' and indenting accordingly;

(2) in the matter before subsection (b), by inserting ''(a) IN GENERAL.—'' before ''The head of any Federal agency having direct'' and indenting accordingly; and

(3) by adding at the end the following:

''(c) EXEMPTION FOR RAILROAD RIGHTS-OF-WAY.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of the Track, Railroad, and Infrastructure Network Act, the Secretary of Transportation shall submit a proposed exemption of railroad rights-of-way from the review under this chapter to the Council for its consideration, consistent with the exemption for interstate highways approved on March 10, 2005 (70 Fed. Reg. 11,928).

''(2) FINAL EXEMPTION.—Not later than 180 days after the date that the Secretary submits the proposed exemption under paragraph (1) to the Council, the Council shall issue a final exemption of railroad rights-of-way from review under this chapter, consistent with the exemption for interstate highways approved on March 10, 2005 (70 Fed. Reg. 11,928).''.

SEC. 35506. SAVINGS CLAUSE.

Nothing in this title, or any amendment made by this title, shall be construed as superceding, amending, or modifying the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) or affect the responsibility of any Federal officer to comply with or enforce any such statute.

SEC. 35507. TRANSITION.

Nothing in this title, or any amendment made by this title, shall affect any existing environmental review process, program, agreement, or funding arrangement approved by the Secretary under title 49, United States Code, as that title was in effect on the day preceding the date of enactment of this subtitle.

Subtitle F—Financing

SEC. 35601. SHORT TITLE; REFERENCES.

(a) SHORT TITLE.—This subtitle may be cited as the ''Railroad Infrastructure Financing Improvement Act''.

(b) REFERENCES TO THE RAILROAD REVITALIZATION AND REGULATORY REFORM ACT OF 1976.—Except as otherwise expressly provided, wherever in this subtitle an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Railroad Revitalization and Regulatory Reform Act of 1976, as amended (45 U.S.C. 801 et seq.).

SEC. 35602. DEFINITIONS.

Section 501 (45 U.S.C. 821) is amended—

(1) by redesignating paragraph (8) as paragraph (10);

(2) by redesignating paragraphs (6) and (7) as paragraphs (7) and (8), respectively;

(3) by inserting after paragraph (5) the following:

''(6) The term 'investment-grade rating' means a rating of BBB minus, Baa 3, bbb minus, BBB(low), or higher assigned by a rating agency.'';

(4) by inserting after paragraph (8), as redesignated, the following:

''(9) The term ''master credit agreement'' means an agreement to make 1 or more direct loans or loan guarantees at future dates for a program of related projects on terms acceptable to the Secretary.''; and

(5) by adding at the end the following:

''(11) The term 'project obligation' means a note, bond, debenture, or other debt obligation issued by a borrower in connection with the financing of a project, other than a direct loan or loan guarantee under this title.

''(12) The term 'railroad' has the meaning given the term 'railroad carrier' in section 20102 of title 49, United States Code.

''(13) The term 'rating agency' means a credit rating agency registered with the Securities and Exchange Commission as a nationally recognized statistical rating organization (as defined in section 3(a) of the Securities Exchange Act of 1934 (15 U.S.C. 78c(a))).

''(14) The term 'substantial completion' means—

''(A) the opening of a project to passenger or freight traffic; or

''(B) a comparable event, as determined by the Secretary and specified in the direct loan.''.

SEC. 35603. ELIGIBLE APPLICANTS.

Section 502(a) (45 U.S.C. 822(a)) is amended—

''(1) in paragraph (5), by striking ''one railroad; and'' and inserting ''1 of the entities described in ''paragraph (1), (2), (3), (4), or (6);''; and

(2) by amending paragraph (6) to read as follows:

''(6) solely for the purpose of constructing a rail connection between a plant or facility and a rail carrier, limited option freight shippers that own or operate a plant or other facility; and''.

SEC. 35604. ELIGIBLE PURPOSES.

Section 502(b)(1) (45 U.S.C. 822(b)(1)) is amended—

(1) in subparagraph (A), by inserting '', and costs related to these activities, including pre-construction costs'' after ''shops'';

(2) in subparagraph (B), by striking ''subparagraph (A); or'' and inserting ''subparagraph (A) or (C);'';

(3) in subparagraph (C), by striking the period at the end and inserting a semicolon; and

(4) by adding at the end the following:

''(D) reimburse planning and design expenses relating to projects described in subparagraph (A) or (C).''.

SEC. 35605. PROGRAM ADMINISTRATION.

(a) APPLICATION PROCESSING PROCEDURES.—Section 502(i) (45 U.S.C. 822(i)) is amended to read as follows:

''(i) APPLICATION PROCESSING PROCEDURES.—

''(1) APPLICATION STATUS NOTICES.—Not later than 30 days after the date that the Secretary receives an application under this section, the Secretary shall provide the applicant written notice as to whether the application is complete or incomplete.

''(2) INCOMPLETE APPLICATIONS.—If the Secretary determines that an application is incomplete, the Secretary shall—

''(A) provide the applicant with a description of all of the specific information or material that is needed to complete the application; and

''(B) allow the applicant to resubmit the information and material described under subparagraph (A) to complete the application.

''(3) APPLICATION APPROVALS AND DISAPPROVALS.—

''(A) IN GENERAL.—Not later than 60 days after the date the Secretary notifies an applicant that an application is complete under paragraph (1), the Secretary shall provide the applicant written notice as to whether the Secretary has approved or disapproved the application.

''(B) ACTIONS BY THE OFFICE OF MANAGEMENT AND BUDGET.—In order to enable compliance with the time limit under subparagraph (A), the Office of Management and Budget shall take any action required with respect to the application within that 60–day period.

''(4) EXPEDITED PROCESSING.—The Secretary shall implement procedures and measures to economize the time and cost involved in obtaining an approval or a disapproval of credit assistance under this title.

''(5) DASHBOARD.—The Secretary shall post on the Department of Transportation's public Web site a monthly report that includes for each application—

''(A) the name of the applicant or applicants;

''(B) the location of the project;

''(C) a brief description of the project, including its purpose;

''(D) the requested direct loan or loan guarantee amount;

''(E) the date on which the Secretary provided application status notice under paragraph (1); and

''(F) the date that the Secretary provided notice of approval or disapproval under paragraph (3).''.

(b) ADMINISTRATION OF DIRECT LOANS AND LOAN GUARANTEES.—Section 503 (45 U.S.C. 823) is amended—

(1) in subsection (a), by striking the period at the end and inserting '', including a program guide and standard term sheet and specific timetables.'';

(2) by redesignating subsections (c) through (l) as subsections (d) through (m), respectively;

(3) by striking ''(b) ASSIGNMENT OF LOAN GUARANTEES.—'' and inserting ''(c) ASSIGNMENT OF LOAN GUARANTEES.—'';

(4) in subsection (d), as redesignated—

(A) in paragraph (1), by striking ''; and'' and inserting a semicolon;

(B) in paragraph (2), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(3) the modification cost has been covered under section 502(f).''; and

(5) by amending subsection (l), as redesignated, to read as follows:

''(l) CHARGES AND LOAN SERVICING.—

''(1) PURPOSES.—The Secretary may collect and spend from each applicant, obligor, or loan party a reasonable charge for—

''(A) the cost of evaluating the application, amendments, modifications, and waivers, including for evaluating project viability, applicant creditworthiness, and the appraisal of the value of the equipment or facilities for which the direct loan or loan guarantee is sought, and for making necessary determinations and findings;

''(B) the cost of award management and project management oversight;

''(C) the cost of services from expert firms, including counsel, and independent financial advisors to assist in the underwriting, auditing, servicing, and exercise of rights with respect to direct loans and loan guarantees; and

''(D) the cost of all other expenses incurred as a result of a breach of any term or condition or any event of default on a direct loan or loan guarantee.

''(2) STANDARDS.—The Secretary may charge different amounts under this subsection based on the different costs incurred under paragraph (1).

''(3) SERVICER.—

''(A) IN GENERAL.—The Secretary may appoint a financial entity to assist the Secretary in servicing a direct loan or loan guarantee under this section.

''(B) DUTIES.—A servicer appointed under subparagraph (A) shall act as the agent of the Secretary in serving a direct loan or loan guarantee under this section.

''(C) FEES.—A servicer appointed under subparagraph (A) shall receive a servicing fee from the obligor or other loan party, subject to approval by the Secretary.

''(4) SAFETY AND OPERATIONS ACCOUNT.—Amounts collected under this subsection shall—

''(A) be credited directly to the Safety and Operations account of the Federal Railroad Administration; and

''(B) remain available until expended to pay for the costs described in this subsection.''.

SEC. 35606. LOAN TERMS AND REPAYMENT.

(a) PREREQUISITES FOR ASSISTANCE.—Section 502(g)(1) (45 U.S.C. 822(g)(1)) is amended by striking ''35 years from the date of its execution'' and inserting ''the lesser of 35 years after the date of substantial completion of the project or the estimated useful life of the rail equipment or facilities to be acquired, rehabilitated, improved, developed, or established''.

(b) REPAYMENT SCHEDULES.—Section 502(j) (45 U.S.C. 822(j)) is amended—

(1) in paragraph (1), by striking ''the sixth anniversary date of the original loan disbursement'' and inserting ''5 years after the date of substantial completion''; and

(2) by adding at the end the following:

''(3) DEFERRED PAYMENTS.—

''(A) IN GENERAL.—If at any time after the date of substantial completion the project is unable to generate sufficient revenues to pay the scheduled loan repayments of principal and interest on the direct loan, the Secretary, subject to subparagraph (B), may allow, for a maximum aggregate time of 1 year over the duration of the direct loan, the obligor to add unpaid principal and interest to the outstanding balance of the direct loan.

''(B) INTEREST.—A payment deferred under subparagraph (A) shall—

''(i) continue to accrue interest under paragraph (2) until the loan is fully repaid; and

''(ii) be scheduled to be amortized over the remaining term of the loan.

''(4) PREPAYMENTS.—

''(A) USE OF EXCESS REVENUES.—Any excess revenues that remain after satisfying scheduled debt service requirements on the project obligations and direct loan and all deposit requirements under the terms of any trust agreement, bond resolution, or similar agreement securing project obligations may be applied annually to prepay the direct loan without penalty.

''(B) USE OF PROCEEDS OF REFINANCING.—The direct loan may be prepaid at any time without penalty from the proceeds of refinancing from non-Federal funding sources.''.

(c) SALE OF DIRECT LOANS.—Section 502 (45 U.S.C. 822) is amended by adding at the end the following:

''(k) SALE OF DIRECT LOANS.—

''(1) IN GENERAL.—Subject to paragraph (2) and as soon as practicable after substantial completion of a project, the Secretary, after notifying the obligor, may sell to another entity or reoffer into the capital markets a direct loan for the project if the Secretary determines that the sale or reoffering has a high probability of being made on favorable terms.

''(2) CONSENT OF OBLIGOR.—In making a sale or reoffering under paragraph (1), the Secretary may not change the original terms and conditions of the secured loan without the prior written consent of the obligor''.

(d) NONSUBORDINATION.—Section 502 (45 U.S.C. 822), as amended in subsection (c), is further amended by adding at the end the following:

''(l) NONSUBORDINATION.—

''(1) IN GENERAL.—Except as provided in paragraph (2)(B), a direct loan shall not be subordinated to the claims of any holder of project obligations in the event of bankruptcy, insolvency, or liquidation of the obligor.

''(2) PREEXISTING INDENTURES.—

''(A) IN GENERAL.—The Secretary may waive the requirement under paragraph (1) for a public agency borrower that is financing ongoing capital programs and has outstanding senior bonds under a preexisting indenture if—

''(i) the direct loan is rated in the A category or higher;

''(ii) the direct loan is secured and payable from pledged revenues not affected by project performance, such as a taxbased revenue pledge or a system-backed pledge of project revenues; and

''(iii) the program share, under this title, of eligible project costs is 50 percent or less.

''(B) LIMITATION.—The Secretary may impose limitations for the waiver of the nonsubordination requirement under this paragraph if the Secretary determines that such limitations would be in the financial interest of the Federal Government.''.

SEC. 35607. CREDIT RISK PREMIUMS.

Section 502(f) (45 U.S.C. 822(f)) is amended—

(1) in paragraph (1), by amending the first sentence to read as follows: ''In lieu of or in combination with appropriations of budget authority to cover the costs of direct loans and loan guarantees as required under section 504(b)(1) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661c(b)(1)), including the cost of a modification thereof, the Secretary may accept on behalf of an applicant for assistance under this section a commitment from a non-Federal source, including a State or local government or agency or public benefit corporation or public authority thereof, to fund in whole or in part credit risk premiums and modification costs with respect to the loan that is the subject of the application or modification.'';

(2) in paragraph (2)—

(A) in subparagraph (D), by adding ''and'' after the semicolon;

(B) by striking subparagraph (E); and

(C) by redesignating subparagraph (F) as subparagraph (E);

(3) by striking paragraph (4);

(4) by redesignating paragraph (3) as paragraph (4);

(5) by inserting after paragraph (2) the following:

''(3) CREDITWORTHINESS.—An applicant may propose and the Secretary may accept as a basis for determining the amount of the credit risk premium under paragraph (2) any of the following in addition to the value of any tangible asset:

''(A) The net present value of a future stream of State or local subsidy income or other dedicated revenues to secure the direct loan or loan guarantee.

''(B) Adequate coverage requirements to ensure repayment, on a non-recourse basis, from cash flows generated by the project or any other dedicated revenue source, including—

''(i) tolls;

''(ii) user fees; or

''(iii) payments owing to the obligor under a public-private partnership.

''(C) An investment-grade rating on the direct loan or loan guarantee, as applicable, except that if the total amount of the direct loan or loan guarantee is greater than $75,000,000, the applicant shall have an investment-grade rating from at least 2 rating agencies on the direct loan or loan guarantee.''; and

(6) in paragraph (4), as redesignated, by striking ''amounts'' and inserting ''amounts (and in the case of a modification, before the modification is executed), to the extent appropriations are not available to the Secretary to meet the costs of direct loans and loan guarantees, including costs of modifications thereof''.

SEC. 35608. MASTER CREDIT AGREEMENTS.

Section 502 (45 U.S.C. 822), as amended by subsections (c) and (d) of section 35606 of this Act, is further amended by adding at the end the following:

''(m) MASTER CREDIT AGREEMENTS.—

''(1) IN GENERAL.—Subject to section 502(d) and paragraph (2) of this subsection, the Secretary may enter into a master credit agreement that is contingent on all of the conditions for the provision ''of a direct loan or loan guarantee, as applicable, under this title and other applicable requirements being satisfied prior to the issuance of the direct loan or loan guarantee.

''(2) CONDITIONS.—Each master credit agreement shall—

''(A) establish the maximum amount and general terms and conditions of each applicable direct loan or loan guarantee;

''(B) identify 1 or more dedicated non-Federal revenue sources that will secure the repayment of each applicable direct loan or loan guarantee;

''(C) provide for the obligation of funds for the direct loans or loan guarantees contingent on and after all requirements have been met for the projects subject to the master credit agreement; and

''(D) provide 1 or more dates, as determined by the Secretary, before which the master credit agreement results in each of the direct loans or loan guarantees or in the release of the master credit agreement.''.

SEC. 35609. PRIORITIES AND CONDITIONS.

(a) PRIORITY PROJECTS.—Section 502(c) (45 U.S.C. 822(c)) is amended—

(1) in paragraph (1), by inserting '', including projects for the installation of a positive train control system (as defined in section 20157(i) of title 49, United States Code)'' after ''public safety'';

(2) by redesignating paragraphs (2) and (3) as paragraphs (3) and (2), respectively;

(3) in paragraph (5), by inserting ''or chapter 227 of title 49'' after ''section 135 of title 23'';

(4) by redesignating paragraphs (6) through (8) as paragraphs (7) through (9), respectively; and (5) by inserting after paragraph (5) the following:

''(6) improve railroad stations and passenger facilities and increase transit-oriented development;''.

(b) CONDITIONS OF ASSISTANCE.—Section 502(h) (45 U.S.C. 822(h)) is amended—

(1) in paragraph (2), by inserting '', if applicable'' after ''project''; and

(2) by adding at the end the following:

''(4) For a project described in subsection (b)(1)(E), the Secretary shall require the applicant, obligor, or other loan party, in addition to the interest required under subsection (e), to provide the sponsor of the intercity passenger rail service or its designee, a fee or payment in an amount determined appropriate by the Secretary to provide an equitable share of project revenue to support the capital or operating costs of the routes serving the passenger rail station or multimodal station where the development is located.''.

SEC. 35610. SAVINGS PROVISION.

(a) IN GENERAL.—Except as provided in subsection (b), this subtitle, and the amendments made by this subtitle, shall not affect any direct loan (or direct loan obligation) or an outstanding loan guarantee (or loan guarantee commitment) that was in effect prior to the date of enactment of this Act. Any such transaction entered into before the date of enactment of this Act shall be administered until completion under its term as if this Act were not enacted.

(b) MODIFICATION COSTS.—At the discretion of the Secretary, the authority to accept modification costs on behalf of an applicant under section 502(f) of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 822(f)), as amended by section 35607 of this Act, may apply with respect to any direct loan (or direct loan obligation) or an outstanding loan guarantee (or loan guarantee commitment) that was in effect prior to the date of enactment of this Act.

DIVISION D—FREIGHT AND MAJOR PROJECTS

TITLE XLI—FREIGHT POLICY

SEC. 41001. ESTABLISHMENT OF FREIGHT CHAPTER.

(a) FREIGHT.—Subtitle III of title 49, United States Code, is amended by inserting after chapter 53 the following:

''CHAPTER 54—FREIGHT

''5401. Definitions.
''5402. National multimodal freight policy.
''5403. National multimodal freight network.
''5404. National freight strategic plan.
''5405. State freight advisory committees.
''5406. State freight plans.
''5407. Transportation investment planning and data tools.
''5408. Assistance for freight projects.

''§ 5401. Definitions

''In this chapter:

''(1) ECONOMIC COMPETITIVENESS.—The term 'economic competitiveness' means the ability of the economy to efficiently move

freight and people, produce goods, and deliver services, including—

''(A) reductions in the travel time of freight;

''(B) reductions in the congestion caused by the movement of freight;

''(C) improvements to freight travel time reliability; and

''(D) reductions in freight transportation costs due to congestion and insufficient infrastructure.

''(2) FREIGHT.—The term 'freight' means the commercial transportation of cargo, including agricultural, manufactured, retail, or other goods by vessel, vehicle, pipeline, or rail.

''(3) FREIGHT TRANSPORTATION MODES.—The term 'freight transportation modes' means—

''(A) the infrastructure supporting any mode of transportation that moves freight, including highways, ports, waterways, rail facilities, and pipelines; and

''(B) any vehicles or equipment transporting goods on such infrastructure.

''(4) NATIONAL HIGHWAY FREIGHT NETWORK.—The term 'national highway freight network' means the network established under section 167 of title 23.

''(5) NATIONAL MULTIMODAL FREIGHT NETWORK.—The term 'national multimodal freight network' means the network established under section 5403.

''(6) NATIONAL MULTIMODAL FREIGHT STRATEGIC PLAN.—The term 'national multimodal freight strategic plan' means the strategic plan developed under section 5404.

''(7) SECRETARY.—The term 'Secretary' means the Secretary of Transportation.

''(8) STATE.—The term 'State' means a State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, Guam, American Samoa, and the United States Virgin Islands.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of chapters for subtitle III of title 49, United States Code, is amended by inserting after the item relating to chapter 53 the following:

''54. Freight ..... 5401''.

SEC. 41002. NATIONAL MULTIMODAL FREIGHT POLICY.

Chapter 54 of subtitle III of title 49, United States Code, as added by section 41001, is amended by adding after section 5401 the following:

'§ 5402. National multimodal freight policy

''(a) POLICY.—It is the policy of the United States—

''(1) to support investment to maintain and improve the condition and performance of the national multimodal freight network;

''(2) to ensure that the United States maximizes its competitiveness in the global economy by increasing the overall productivity and connectivity of the national freight system; and

''(3) to pursue the goals described in subsection (b).

''(b) GOALS.—The national multimodal freight policy has the following goals:

''(1) To enhance the economic competitiveness of the United States by investing in infrastructure improvements and implementing operational improvements on the freight network of the United States that achieve 1 or more of the following:

''(A) Strengthen the contribution of the national freight network to the economic competitiveness of the United States.

''(B) Reduce congestion and relieve bottlenecks in the freight transportation system.

''(C) Reduce the cost of freight transportation.

''(D) Improve the reliability of freight transportation.

''(E) Increase productivity, particularly for domestic industries and businesses that create jobs.

''(2) To improve the safety, security, efficiency, and resiliency of freight transportation in rural and urban areas.

''(3) To improve the condition of the national freight network.

''(4) To use advanced technology to improve the safety and efficiency of the national freight network.

''(5) To incorporate concepts of performance, innovation, competition, and accountability into the operation and maintenance of the national freight network.

''(6) To improve the efficiency and productivity of the national freight network.

''(7) To pursue these goals in a manner that is not burdensome to State and local governments.

''(c) STRATEGIES.—The United States may achieve the goals described in subsection (b) by—

''(1) providing funding to maintain and improve freight infrastructure facilities;

''(2) implementing appropriate safety, environmental, energy and other transportation policies;

''(3) utilizing advanced technology and innovation;

''(4) promoting workforce development; and

''(5) using performance management activities.

''(d) IMPLEMENTATION.—The Under Secretary for Policy, who shall be responsible for the oversight and implementation of the national multimodal freight policy, shall—

''(1) assist with the coordination of modal freight planning;

''(2) ensure consistent, expedited review of multimodal freight projects;

''(3) review the project planning and approval processes at each modal administration to identify modeling and metric inconsistencies, approvals, and terminology differences that could hamper multimodal project approval;

''(4) identify interagency data sharing opportunities to promote freight planning and coordination;

''(5) identify multimodal efforts and connections;

''(6) designate the lead agency for multimodal freight projects;

''(7) develop recommendations for State incentives for multimodal planning efforts, which may include—

''(A) reducing the State cost share; or

''(B) expediting the review of agreements for multimodal or freight specific projects;

''(8) explore opportunities within existing legal authorities to reduce project delays by issuing categorical exclusions or allowing self-certifications of right-of-way acquisitions for freight projects; and

''(9) submit a report to the Committee on Commerce, Science, and Transportation and the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that identifies required reports, statutory requirements, and other limitations on efficient freight project delivery that could be streamlined or consolidated.''.

SEC. 41003. NATIONAL MULTIMODAL FREIGHT NETWORK.

Chapter 54 of subtitle III of title 49, United States Code, as amended by section 41002, is amended by adding after section 5402 the following:

''§ 5403. National multimodal freight network

''(a) IN GENERAL.—The Secretary shall establish a national freight network, in accordance with this section—

''(1) to assist States in strategically directing resources toward improved system performance for the efficient movement of freight on transportation networks;

''(2) to inform freight transportation planning;

''(3) to assist in the prioritization of Federal investment; and

''(4) to assess and support Federal investments to achieve the national multimodal freight policy goals described in section 5402(b) of this title and in section 150(b) of title 23.

''(b) NETWORK COMPONENTS.—The national multimodal freight network established under this section shall consist of all connectors, corridors, and facilities in all freight transportation modes that are the most critical to the current and future movement of freight, including the national highway freight network, to achieve the national multimodal freight policy goals described in section 5402(b) of this title and in section 150(b) of title 23.

''(c) INITIAL DESIGNATION OF PRIMARY FREIGHT SYSTEM.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of the DRIVE Act, the Secretary, after soliciting input from stakeholders, including multimodal freight system users, transport providers, metropolitan planning organizations, local governments, ports, airports, railroads, and States, through a public process to identify critical freight facilities and corridors that are vital to achieve the national multimodal freight policy goals described in section 5402(b) of this title and in section 150(b) of title 23, and after providing notice and opportunity for comment on a draft system, shall designate a primary freight system with the goal of—

''(A) improving network and intermodal connectivity; and

''(B) using measurable data as part of the assessment of the significance of freight movement, including the consideration of points of origin, destination, and linking components of domestic and international supply chains.

''(2) FACTORS.—In designating or redesignating a primary freight system, the Secretary shall consider—

''(A) origins and destinations of freight movement within, to, and from the United States;

''(B) volume, value, tonnage, and the strategic importance of freight;

''(C) access to border crossings, airports, seaports, and pipelines;

''(D) economic factors, including balance of trade;

''(E) access to major areas for manufacturing, agriculture, or natural resources;

''(F) access to energy exploration, development, installation, and production areas;

''(G) intermodal links and intersections that promote connectivity;

''(H) freight choke points and other impediments contributing to significant measurable congestion, delay in freight movement, or inefficient modal connections;

''(I) impacts on all freight transportation modes and modes that share significant freight infrastructure;

''(J) elements and transportation corridors identified by a multi-State coalition, a State, a State advisory committee, or a metropolitan planning organization, using national or local data, as having critical freight importance to the region;

''(K) intermodal connectors, major distribution centers, inland intermodal facilities, and first- and last-mile facilities;

''(L) the annual average daily truck traffic on principal arterials; and

''(M) the significance of goods movement, including consideration of global and domestic supply chains.

''(3) REQUIREMENTS FOR DESIGNATION.—A designation may be made under this subsection if the freight transportation facility or infrastructure being considered—

''(A) is in an urbanized area, regardless of population;

''(B) has been designated under subsection (d) as a critical rural freight corridor;

''(C) connects an intermodal facility to—

''(i) the primary freight network; or

''(ii) an intermodal freight facility;

''(D)(i) is located within a corridor of a route on the primary freight network; and

''(ii) provides an alternative option important to goods movement;

''(E) serves a major freight generator, logistic center, agricultural region, or manufacturing, warehouse, or industrial land; or

''(F) is important to the movement of freight within a State or metropolitan region, as determined by the State or the metropolitan planning organization.

''(4) CONSIDERATIONS.—In designating or redesignating the primary freight system under subsection (e), the Secretary shall—

''(A) use, to the extent practicable, measurable data to assess the significance of goods movement, including the consideration of points of origin, destination, and linking components of the United States global and domestic supply chains;

''(B) consider—

''(i) the factors described in subsection (c)(2); and

''(ii) any changes in the economy or freight transportation network demand; and

''(C) provide the States with an opportunity to submit proposed designations in accordance with paragraph (5).

''(5) STATE INPUT.—

''(A) IN GENERAL.—Each State that proposes increased designations on the primary freight system shall—

''(i) consider nominations for additional designations from metropolitan planning organizations and State freight advisory committees within the State;

''(ii) consider nominations for the additional designations from owners and operators of port, rail, pipeline, and airport facilities; and

''(iii) ensure that additional designations are consistent with the State Transportation Improvement Program or freight plan.

''(B) REVISIONS.—States may revise routes certified under section 4006 of the Intermodal Surface Transportation Efficiency Act of 1991 (Public Law 102–240; 105 Stat. 2148) to conform with the designated freight system under this section.

''(C) SUBMISSION AND CERTIFICATION.—Each State shall submit to the Secretary—

''(i) a list of the additional designations added under this subsection; and

''(ii) certification that—

''(I) the State has satisfied the requirements under subparagraph (A); and

''(II) the designations referred to in clause (i) address the factors for redesignation described in subsection (c)(3).

''(d) CRITICAL RURAL FREIGHT CORRIDORS.—A State may designate freight transportation infrastructure or facilities within the borders of the State as a critical rural freight corridor if the public road or facility—

''(1) is a rural principal arterial roadway or facility;

''(2) provides access or service to energy exploration, development, installation, or production areas;

''(3) provides access or service to—

''(A) a grain elevator;

''(B) an agricultural facility;

''(C) a mining facility;

''(D) a forestry facility; or

''(E) an intermodal facility;

''(4) connects to an international port of entry;

''(5) provides access to significant air, rail, water, or other freight facilities in the State; or

''(6) has been determined by the State to be vital to improving the efficient movement of freight of importance to the economy of the State.

''(e) REDESIGNATION OF PRIMARY FREIGHT SYSTEM.—Beginning on the date that is 5 years after the initial designation under subsection (c), and every 5 years thereafter, the Secretary, using the designation factors described in subsection (c)(3), shall redesignate the primary freight system.''.

TITLE XLII—PLANNING

SEC. 42001. NATIONAL FREIGHT STRATEGIC PLAN.

Chapter 54 of subtitle III of title 49, United States Code (as amended by title XLI), is amended by adding at the end the following:

''§ 5404. National freight strategic plan

''(a) INITIAL DEVELOPMENT OF NATIONAL FREIGHT STRATEGIC PLAN.—Not later than 3 years after the date of enactment of the DRIVE Act, the Secretary, in consultation with State departments of transportation, metropolitan planning organizations, and other appropriate public and private transportation stakeholders, shall develop, after providing opportunity for notice and comment on a draft national freight strategic plan, and post on the public website of the Department of Transportation a national freight strategic plan that includes—

''(1) an assessment of the condition and performance of the national multimodal freight network;

''(2) an identification of bottlenecks on the national multimodal freight network that create significant freight congestion based on a quantitative methodology developed by the Secretary, which shall, at a minimum, include—

''(A) information from the Freight Analysis Framework of the Federal Highway Administration; and

''(B) to the maximum extent practicable, an estimate of the cost of addressing each bottleneck and any operational improvements that could be implemented;

''(3) a forecast of freight volumes, based on the most recent data available, for—

''(A) the 5-year period beginning in the year during which the plan is issued; and

''(B) if practicable, for the 10- and 20-year period beginning in the year during which the plan is issued;

''(4) an identification of major trade gateways and national freight corridors that connect major economic corridors, population centers, trade gateways, and other major freight generators for current and forecasted traffic and freight volumes, the identification of which shall be revised, as appropriate, in subsequent plans;

''(5) an assessment of statutory, regulatory, technological, institutional, financial, and other barriers to improved freight transportation performance (including opportunities for overcoming the barriers);

''(6) an identification of routes providing access to energy exploration, development, installation, or production areas;

''(7) routes for providing access to major areas for manufacturing, agriculture, or natural resources;

''(8) best practices for improving the performance of the national freight network;

''(9) best practices to mitigate the impacts of freight movement on communities;

''(10) a process for addressing multistate projects and encouraging jurisdictions to collaborate on multistate projects;

''(11) identification of locations or areas with congestion involving freight traffic, and strategies to address those issues;

''(12) strategies to improve freight intermodal connectivity; and

''(13) best practices for improving the performance of the national multimodal freight network and rural and urban access to critical freight corridors.

''(b) UPDATES TO NATIONAL FREIGHT STRATEGIC PLAN.—Not later than 5 years after the date of completion of the first national multimodal freight strategic plan under subsection (a) and every 5 years thereafter, the Secretary shall update and repost on the public website of the Department of Transportation a revised national freight strategic plan.''.

SEC. 42002. STATE FREIGHT ADVISORY COMMITTEES.

Chapter 54 of subtitle III of title 49, United States Code (as amended by section 42001), is amended by adding at the end the following:

''§ 5405. State freight advisory committees

''(a) IN GENERAL.—Each State shall establish a freight advisory committee consisting of a representative cross-section of public and private sector freight stakeholders, including representatives of ports, third party logistics providers, shippers, carriers, freight-related associations, the freight industry workforce, the transportation department of the State, and local governments.

''(b) ROLE OF COMMITTEE.—A freight advisory committee of a State described in subsection (a) shall—

''(1) advise the State on freight-related priorities, issues, projects, and funding needs;

''(2) serve as a forum for discussion for State transportation decisions affecting freight mobility;

''(3) communicate and coordinate regional priorities with other organizations;

''(4) promote the sharing of information between the private and public sectors on freight issues; and

''(5) participate in the development of the freight plan of the State described in section 5406.''.

SEC. 42003. STATE FREIGHT PLANS.

Chapter 54 of subtitle III of title 49, United States Code (as amended by section 42002), is amended by adding at the end the following:

''§ 5406. State freight plans

''(a) IN GENERAL.—Each State shall develop a freight plan that provides a comprehensive plan for the immediate and long-range planning activities and investments of the State with respect to freight.

''(b) PLAN CONTENTS.—A freight plan described in subsection (a) shall include, at a minimum—

''(1) an identification of significant freight system trends, needs, and issues with respect to the State;

''(2) a description of the freight policies, strategies, and performance measures that will guide the freight-related transportation investment decisions of the State;

''(3) when applicable, a listing of critical rural and urban freight corridors designated

within the State under section 5403 of this title or section 167 of title 23;

''(4) a description of how the plan will improve the ability of the State to meet the national freight goals established under section 5402(b) of this title and section 150(b) of title 23;

''(5) a description of how innovative technologies and operational strategies, including freight intelligent transportation systems, that improve the safety and efficiency of freight movement, were considered;

''(6) in the case of roadways on which travel by heavy vehicles (including mining, agricultural, energy cargo or equipment, and timber vehicles) is projected to substantially deteriorate the condition of roadways, a description of improvements that may be required to reduce or impede the deterioration;

''(7) an inventory of facilities with freight mobility issues, such as bottlenecks, within the State, and where the facilities are State owned or operated, a description of the strategies the State is employing to address those freight mobility issues;

''(8) consideration of any significant congestion or delay caused by freight movements and any strategies to mitigate that congestion or delay; and

''(9) a freight investment plan that, subject to subsection (c)(2), includes a list of priority projects and describes how funds made available to carry out section 167 of title 23 would be invested and matched.

''(c) RELATIONSHIP TO LONG-RANGE PLAN.—

''(1) INCORPORATION.—A State freight plan described in subsection (a) may be developed separately from or incorporated into the statewide strategic long-range transportation plan required by section 135 of title 23.

''(2) FISCAL CONSTRAINT.—The freight investment plan component of a freight plan shall include a project, or an identified phase of a project, only if funding for completion of the project can reasonably be anticipated to be available for the project within the time period identified in the freight investment plan.

''(d) PLANNING PERIOD.—The freight plan shall address a 5-year forecast period.

''(e) UPDATES.—

''(1) IN GENERAL.—A State shall update the freight plan not less frequently than once every 5 years.

''(2) FREIGHT INVESTMENT PLAN.—A State may update the freight investment plan more frequently than is required under paragraph (1).''.

SEC. 42004. FREIGHT DATA AND TOOLS.

Chapter 54 of subtitle III of title 49, United States Code (as amended by section 42003), is amended by adding at the end the following:

''SEC. 5407. TRANSPORTATION INVESTMENT DATA AND PLANNING TOOLS.

''(a) IN GENERAL.—Not later than 1 year after the date of enactment of the DRIVE Act, the Secretary shall—

''(1) begin development of new tools and improvement of existing tools to support an outcome-oriented, performance-based approach to evaluate proposed freight-related and other transportation projects, including—

''(A) methodologies for systematic analysis of benefits and costs on a national or regional basis;

''(B) tools for ensuring that the evaluation of freight-related and other transportation projects could consider safety, economic competitiveness, urban and rural access, environmental sustainability, and system condition in the project selection process;

''(C) improved methods for data collection and trend analysis;

''(D) encouragement of public-private partnerships to carry out data sharing activities while maintaining the confidentiality of all proprietary data; and

''(E) other tools to assist in effective transportation planning;

''(2) identify transportation-related model data elements to support a broad range of evaluation methods and techniques to assist in making transportation investment decisions; and

''(3) at a minimum, in consultation with other relevant Federal agencies, consider any improvements to existing freight flow data collection efforts that could reduce identified freight data gaps and deficiencies and help improve forecasts of freight transportation demand.

''(b) CONSULTATION.—The Secretary shall consult with Federal, State, and other stakeholders to develop, improve, and implement the tools and collect the data described in subsection (a).''.

TITLE XLIII—FORMULA FREIGHT PROGRAM

SEC. 43001. NATIONAL HIGHWAY FREIGHT PROGRAM.

(a) IN GENERAL.—Section 167 of title 23, United States Code, is amended to read as follows:

''§ 167. National highway freight program

''(a) ESTABLISHMENT.—

''(1) IN GENERAL.—It is the policy of the United States to improve the condition and performance of the national highway freight network to ensure that the national freight network provides the foundation for the United States to compete in the global economy and achieve each goal described in subsection (b).

''(2) ESTABLISHMENT.—In support of the goals described in subsection (b), the Federal Highway Administrator (referred to in this section as the 'Administrator') shall establish a national highway freight program in accordance with this section to improve the efficient movement of freight on the national highway freight network.

''(b) GOALS.—The goals of the national highway freight program are—

''(1) to invest in infrastructure improvements and to implement operational improvements on the highways of the United States that—

''(A) strengthen the contribution of the national highway freight network to the economic competitiveness of the United States;

''(B) reduce congestion and relieve bottlenecks in the freight transportation system;

''(C) reduce the cost of freight transportation;

''(D) improve the reliability of freight transportation; and

''(E) increase productivity, particularly for domestic industries and businesses that create high-value jobs;

''(2) to improve the safety, security, efficiency, and resiliency of freight transportation in rural and urban areas;

''(3) to improve the state of good repair of the national highway freight network;

''(4) to use advanced technology to improve the safety and efficiency of the national highway freight network;

''(5) to incorporate concepts of performance, innovation, competition, and accountability into the operation and maintenance of the national highway freight network;

''(6) to improve the efficiency and productivity of the national highway freight network; and

''(7) to reduce the environmental impacts of freight movement.

''(c) ESTABLISHMENT OF A NATIONAL HIGHWAY FREIGHT NETWORK.—

''(1) IN GENERAL.—The Administrator shall establish a national highway freight network in accordance with this section to assist States in strategically directing resources toward improved system performance for efficient movement of freight on highways.

''(2) NETWORK COMPONENTS.—The national highway freight network shall consist of—

''(A) the primary highway freight system, as designated under subsection (d);

''(B) critical rural freight corridors established under subsection (e);

''(C) critical urban freight corridors established under subsection (f); and

''(D) the portions of the Interstate System not designated as part of the primary highway freight system, including designated future Interstate System routes as of the date of enactment of the DRIVE Act.

''(d) DESIGNATION AND REDESIGNATION OF THE PRIMARY HIGHWAY FREIGHT SYSTEM.—

''(1) INITIAL DESIGNATION OF PRIMARY HIGHWAY FREIGHT SYSTEM.—The initial designation of the primary highway freight system shall be—

''(A) the network designated by the Secretary under section 167(d) of title 23, United States Code, as in effect on the day before the date of enactment of the DRIVE Act; and

''(B) all National Highway System freight intermodal connectors.

''(2) REDESIGNATION OF PRIMARY HIGHWAY FREIGHT SYSTEM.—

''(A) IN GENERAL.—Beginning on the date that is 1 year after the date of enactment of the DRIVE Act and every 5 years thereafter, using the designation factors described in subparagraph (E), the Administrator shall redesignate the primary highway freight system (including any additional mileage added to the primary highway freight system under this paragraph as of the date on which the redesignation process is effective).

''(B) MILEAGE.—

''(i) FIRST REDESIGNATION.—In redesignating the primary highway freight system on the date that is 1 year after the date of enactment of the DRIVE Act, the Administrator shall limit the system to 30,000 centerline miles, without regard to the connectivity of the primary highway freight system.

''(ii) SUBSEQUENT REDESIGNATIONS.—Each redesignation after the redesignation described in clause (i), the Administrator may increase the primary highway freight system by up to 5 percent of the total mileage of the system, without regard to the connectivity of the primary highway freight system.

''(C) CONSIDERATIONS.—

''(i) IN GENERAL.—In redesignating the primary highway freight system, to the maximum extent practicable, the Administrator shall use measurable data to assess the significance of goods movement, including consideration of points of origin, destination, and linking components of the United States global and domestic supply chains.

''(ii) INTERMODAL CONNECTORS.—In redesignating the primary highway freight system, the Administrator shall include all National Highway System freight intermodal connectors.

''(D) INPUT.—In addition to the process provided to State freight advisory committees under paragraph (3), in redesignating the primary highway freight system, the Administrator shall provide an opportunity for State freight advisory committees to submit additional miles for consideration.

''(E) FACTORS FOR REDESIGNATION.—In redesignating the primary highway freight system, the Administrator shall consider—

''(i) the origins and destinations of freight movement in, to, and from the United States;

''(ii) land and water ports of entry;

''(iii) access to energy exploration, development, installation, or production areas;

''(iv) proximity of access to other freight intermodal facilities, including rail, air, water, and pipelines;

''(v) the total freight tonnage and value moved via highways;

''(vi) significant freight bottlenecks, as identified by the Administrator;

''(vii) the annual average daily truck traffic on principal arterials; and

''(viii) the significance of goods movement on principal arterials, including consideration of global and domestic supply chains.

''(3) STATE FLEXIBILITY FOR ADDITIONAL MILES ON PRIMARY HIGHWAY FREIGHT SYSTEM.—

''(A) IN GENERAL.—Not later than 1 year after each redesignation conducted by the Administrator under paragraph (2), each State, under the advisement of the State freight advisory committee, as developed and carried out in accordance with subsection (l), may increase the number of miles designated as part of the primary highway freight system in that State by not more than 10 percent of the miles designated in that State under this subsection if the additional miles—

''(i) close gaps between primary highway freight system segments;

''(ii) establish connections of the primary highway freight system critical to the efficient movement of goods, including ports, international border crossings, airports, intermodal facilities, logistics centers, warehouses, and agricultural facilities; or

''(iii) designate critical emerging freight routes.

''(B) CONSIDERATIONS.—Each State, under the advisement of the State freight advisory committee that increases the number of miles on the primary highway freight system under subparagraph (A) shall—

''(i) consider nominations for the additional miles from metropolitan planning organizations within the State;

''(ii) ensure that the additional miles are consistent with the freight plan of the State; and

''(iii) review the primary highway freight system of the State designated under paragraph (1) and redesignate miles in a manner that is consistent with paragraph (2).

''(C) SUBMISSION.—Each State, under the advisement of the State freight advisory committee shall—

''(i) submit to the Administrator a list of the additional miles added under this subsection; and

''(ii) certify that—

''(I) the additional miles meet the requirements of subparagraph (A); and

''(II) the State, under the advisement of the State freight advisory committee, has satisfied the requirements of subparagraph (B).

''(e) CRITICAL RURAL FREIGHT CORRIDORS.—A State may designate a public road within the borders of the State as a critical rural freight corridor if the public road—

''(1) is a rural principal arterial roadway and has a minimum of 25 percent of the annual average daily traffic of the road measured in passenger vehicle equivalent units from trucks (Federal Highway Administration vehicle class 8 to 13);

''(2) provides access to energy exploration, development, installation, or production areas;

''(3) connects the primary highway freight system, a roadway described in paragraph (1) or (2), or the Interstate System to facilities that handle more than—

''(A) 50,000 20-foot equivalent units per year; or

''(B) 500,000 tons per year of bulk commodities;

''(4) provides access to—

''(A) a grain elevator;

''(B) an agricultural facility;

''(C) a mining facility;

''(D) a forestry facility; or

''(E) an intermodal facility;

''(5) connects to an international port of entry;

''(6) provides access to significant air, rail, water, or other freight facilities in the State; or

''(7) is, in the determination of the State, vital to improving the efficient movement of freight of importance to the economy of the State.

''(f) CRITICAL URBAN FREIGHT CORRIDORS.—

''(1) URBANIZED AREA WITH POPULATION OF 500,000 OR MORE.—In an urbanized area with a population of 500,000 or more individuals, the representative metropolitan planning organization, in consultation with the State, may designate a public road within the borders of that area of the State as a critical urban freight corridor.

''(2) URBANIZED AREA WITH A POPULATION LESS THAN 500,000.—In an urbanized area with a population of less than 500,000 individuals, the State, in consultation with the representative metropolitan planning organization, may designate a public road within the borders of that area of the State as a critical urban freight corridor.

''(3) REQUIREMENTS FOR DESIGNATION.—A designation may be made under paragraphs (1) or (2) if the public road—

''(A) is in an urbanized area, regardless of population; and

''(B)(i) connects an intermodal facility to—

''(I) the primary highway freight network;

''(II) the Interstate System; or

''(III) an intermodal freight facility;

''(ii) is located within a corridor of a route on the primary highway freight network and provides an alternative highway option important to goods movement;

''(iii) serves a major freight generator, logistic center, or manufacturing and warehouse industrial land; or

''(iv) is important to the movement of freight within the region, as determined by the metropolitan planning organization or the State.

''(g) DESIGNATION AND CERTIFICATION.—

''(1) DESIGNATION.—States and metropolitan planning organizations may designate corridors under subsections (e) and (f) and submit the designated corridors to the Administrator on a rolling basis.

''(2) CERTIFICATION.—Each State or metropolitan planning organization that designates a corridor under subsection (e) or (f) shall certify to the Administrator that the designated corridor meets the requirements of the applicable subsection.

''(h) HIGHWAY FREIGHT TRANSPORTATION CONDITIONS AND PERFORMANCE REPORTS.—Not later than 2 years after the date of enactment of the DRIVE Act and biennially thereafter, the Administrator shall prepare and submit to Congress a report that describes the conditions and performance of the national highway freight network in the United States.

''(i) USE OF APPORTIONED FUNDS.—

''(1) IN GENERAL.—A State shall obligate funds apportioned to the State under section 104(b)(5) to improve the movement of freight on the national highway freight network.

''(2) FORMULA.—The Administrator shall calculate for each State the proportion that—

''(A) the total mileage in the State designated as part of the primary highway freight system; bears to

''(B) the total mileage of the primary highway freight system in all States.

''(3) USE OF FUNDS.—

''(A) STATES WITH HIGH PRIMARY HIGHWAY FREIGHT SYSTEM MILEAGE.—If the proportion of a State under paragraph (2) is greater than or equal to 3 percent, the State may obligate funds apportioned to the State under section 104(b)(5) for projects on—

''(i) the primary highway freight system;

''(ii) critical rural freight corridors; and

''(iii) critical urban freight corridors.

''(B) STATES WITH LOW PRIMARY HIGHWAY FREIGHT SYSTEM MILEAGE.—If the proportion of a State under paragraph (2) is less than 3 percent, the State may obligate funds apportioned to the State under section 104(b)(5) for projects on any component of the national highway freight network.

''(4) FREIGHT PLANNING.—Notwithstanding any other provision of law, effective beginning 2 years after the date of enactment of the DRIVE Act, a State may not obligate funds apportioned to the State under section 104(b)(5) unless the State has—

''(A) established a freight advisory committee in accordance with section 5405 of title 49; and

''(B) developed a freight plan in accordance with section 5406 of title 49, except that the multimodal component of the plan may be incomplete before an obligation may be made under this section.

''(5) ELIGIBILITY.—

''(A) IN GENERAL.—Except as provided in this subsection, for a project to be eligible for funding under this section the project shall—

''(i) contribute to the efficient movement of freight on the national highway freight network; and

''(ii) be consistent with a freight investment plan included in a freight plan of the State that is in effect.

''(B) OTHER PROJECTS.—A State may obligate not more than 10 percent of the total apportionment of the State under section 104(b)(5) for projects—

''(i) within the boundaries of public and private freight rail, water facilities (including ports), and intermodal facilities; and

''(ii) that provide surface transportation infrastructure necessary to facilitate direct intermodal interchange, transfer, and access into and out of the facility.

''(C) ELIGIBLE PROJECTS.—Funds apportioned to the State under section 104(b)(5) for the national highway freight program may be obligated to carry out 1 or more of the following:

''(i) Development phase activities, including planning, feasibility analysis, revenue forecasting, environmental review, preliminary engineering and design work, and other preconstruction activities.

''(ii) Construction, reconstruction, rehabilitation, acquisition of real property (including land relating to the project and improvements to land), construction contingencies, acquisition of equipment, and operational improvements directly relating to improving system performance.

''(iii) Intelligent transportation systems and other technology to improve the flow of freight, including intelligent freight transportation systems.

''(iv) Efforts to reduce the environmental impacts of freight movement.

''(v) Environmental and community mitigation of freight movement.

''(vi) Railway-highway grade separation.

''(vii) Geometric improvements to interchanges and ramps.

''(viii) Truck-only lanes.

''(ix) Climbing and runaway truck lanes.

''(x) Adding or widening of shoulders.

''(xi) Truck parking facilities eligible for funding under section 1401 of MAP–21 (23 U.S.C. 137 note; Public Law 112–141).

''(xii) Real-time traffic, truck parking, roadway condition, and multimodal transportation information systems.

''(xiii) Electronic screening and credentialing systems for vehicles, including weigh-in-motion truck inspection technologies.

''(xiv) Traffic signal optimization, including synchronized and adaptive signals.

''(xv) Work zone management and information systems.

''(xvi) Highway ramp metering.

''(xvii) Electronic cargo and border security technologies that improve truck freight movement.

''(xviii) Intelligent transportation systems that would increase truck freight efficiencies inside the boundaries of intermodal facilities.

''(xix) Additional road capacity to address highway freight bottlenecks.

''(xx) A highway project, other than a project described in clauses (i) through (xix), to improve the flow of freight on the national highway freight network.

''(xxi) Any other surface transportation project to improve the flow of freight into and out of a facility described in subparagraph (B).

''(6) OTHER ELIGIBLE COSTS.—In addition to the eligible projects identified in paragraph (5), a State may use funds apportioned under section 104(b)(5) for—

''(A) carrying out diesel retrofit or alternative fuel projects under section 149 for class 8 vehicles; and

''(B) the necessary costs of—

''(i) conducting analyses and data collection related to the national highway freight program;

''(ii) developing and updating performance targets to carry out this section; and

''(iii) reporting to the Administrator to comply with section 150.

''(7) APPLICABILITY OF PLANNING REQUIREMENTS.—Programming and expenditure of funds for projects under this section shall be consistent with the requirements of sections 134 and 135.

''(j) STATE PERFORMANCE TARGETS.—If the Administrator determines that a State has not met or made significant progress toward meeting the performance targets related to freight movement of the State established under section 150(d) by the date that is 2 years after the date of the establishment of the performance targets, until the date on which the Administrator determines that the State has met or has made significant progress towards meeting the performance targets, the State shall submit to the Administrator, on a biennial basis, a freight performance improvement plan that includes—

''(1) an identification of significant freight system trends, needs, and issues within the State;

''(2) a description of the freight policies and strategies that will guide the freight-related transportation investments of the State;

''(3) an inventory of freight bottlenecks within the State and a description of the ways in which the State is allocating the national highway freight program funds to improve those bottlenecks; and

''(4) a description of the actions the State will undertake to meet the performance targets of the State.

''(k) STUDY OF MULTIMODAL PROJECTS.—Not later than 2 years after the date of enactment of the DRIVE Act, the Administrator shall submit to Congress a report that contains—

''(1) a study of freight projects identified in State freight plans under section 5406 of title 49; and

''(2) an evaluation of multimodal freight projects included in the State freight plans, or otherwise identified by States, that are subject to the limitation of funding for such projects under this section.

''(l) STATE FREIGHT ADVISORY COMMITTEES.—A State freight advisory committee shall be carried out as described in section 5405 of title 49.

''(m) STATE FREIGHT PLANS.—A State freight plan shall be carried out as described in section 5406 of title 49.

''(n) INTELLIGENT FREIGHT TRANSPORTATION SYSTEM.—

''(1) DEFINITION OF INTELLIGENT FREIGHT TRANSPORTATION SYSTEM.—In this section, the term 'intelligent freight transportation system' means—

''(A) an innovative or intelligent technological transportation system, infrastructure, or facilities, including electronic roads, driverless trucks, elevated freight transportation facilities, and other intelligent freight transportation systems; and

''(B) a communications or information processing system used singly or in combination for dedicated intelligent freight lanes and conveyances that improve the efficiency, security, or safety of freight on the Federal-aid highway system or that operate to convey freight or improve existing freight movements.

''(2) LOCATION.—An intelligent freight transportation system shall be located—

''(A)(i) along existing Federal-aid highways; or

''(ii) in a manner that connects ports-of-entry to existing Federal-aid highways; and

''(B) in proximity to, or within, an existing right-of-way on a Federal-aid highway.

''(3) OPERATING STANDARDS.—The Administrator of the Federal Highway Administration shall determine the need for establishing operating standards for intelligent freight transportation systems.

''(o) TREATMENT OF FREIGHT PROJECTS.—Notwithstanding any other provision of law, a freight project carried out under this section shall be treated as if the project were on a Federal-aid highway.''.

(b) CONFORMING AMENDMENTS.—

(1) The analysis for chapter 1 of title 23, United States Code, is amended by adding at the end the following:

''167. National highway freight program.''

(2) Sections 1116, 1117, and 1118 of MAP–21 (23 U.S.C. 167 note; Public Law 112–141) are repealed.

SEC. 43002. SAVINGS PROVISION.

Nothing in this division or the amendments made by this division provides additional authority to regulate or direct private activity on freight networks designated by the amendments made by this division.

TITLE XLIV—GRANTS

SEC. 44001. PURPOSE; DEFINITIONS; ADMINISTRATION.

(a) IN GENERAL.—The purpose of the grants described in the amendments made by section 44002 is to assist in funding critical high-cost transportation infrastructure projects that—

(1) are difficult to complete with existing Federal, State, local, and private funds; and

(2) will achieve 1 or more of—

(A) generation of national or regional economic benefits and an increase in the global economic competitiveness of the United States;

(B) reduction of congestion and the impacts of congestion;

(C) improvement of facilities vital to agriculture, manufacturing, or national energy security;

(D) improvement of the efficiency, reliability, and affordability of the movement of freight;

(E) improvement of transportation safety;

(F) improvement of existing and designated future Interstate System routes; or

(G) improvement of the movement of people through improving rural connectivity and metropolitan accessibility.

(b) DEFINITIONS.—In this section and for purposes of the grant programs established under the amendments made by section 44002:

(1) ELIGIBLE APPLICANT.—The term ''eligible applicant'' means—

(A) a State (or a group of States);

(B) a local government (or a group of local governments);

(C) a tribal government (or a consortium of tribal governments);

(D) a transit agency (or a group of transit agencies);

(E) a special purpose district or a public authority with a transportation function;

(F) a port authority (or a group of port authorities);

(G) a political subdivision of a State or local government;

(H) a Federal land management agency, jointly with the applicable State; or

(I) a multistate or multijurisdictional group of entities described in subparagraphs (A) through (H).

(2) RURAL AREA.—The term ''rural area'' means an area that is outside of an urbanized area with a population greater than 150,000 individuals, as determined by the Bureau of the Census.

(3) RURAL STATE.—The term ''rural State'' means a State that has a population density of 80 or fewer persons per square mile, based on the most recent decennial census.

(c) APPLICATIONS.—

(1) IN GENERAL.—An eligible applicant shall submit to the Secretary or the Federal Highway Administrator (referred to in this section as the ''Administrator''), as appropriate, an application in such form and containing such information as the Secretary or Administrator, as appropriate, determines necessary, including the total amount of the grant requested.

(2) CONTENTS.—Each application submitted under this paragraph shall include data on the most recent system performance, to the extent practicable, and estimated system improvements that will result from completion of the eligible project, including projections for improvements 5 and 10 years after completion of the project.

(3) RESUBMISSION OF APPLICATIONS.—An eligible applicant whose project is not selected may resubmit an application in a subsequent solicitation with an addendum indicating changes to the project application.

(d) ACCOUNTABILITY MEASURES.—The Secretary and the Administrator shall establish accountability measures for the management of the grants described in this section—

(1) to establish clear procedures for addressing late-arriving applications;

(2) to publicly communicate decisions to accept or reject applications; and

(3) to document major decisions in the application evaluation and project selection process through a decision memorandum or similar mechanism that provides a clear rationale for decisions.

(e) GEOGRAPHIC DISTRIBUTION.—In awarding grants, the Secretary or Administrator, as appropriate, shall take measures to ensure, to the maximum extent practicable—

(1) an equitable geographic distribution of amounts; and

(2) an appropriate balance in addressing the needs of rural and urban communities.

(f) REPORTS.—

(1) IN GENERAL.—The Secretary or the Administrator, as appropriate, shall make available on the website of the Department at the end of each fiscal year an annual report that lists each project for which a grant has been provided under this section during that fiscal year.

(2) COMPTROLLER GENERAL.—

(A) ASSESSMENT.—The Comptroller General of the United States shall conduct an assessment of the administrative establishment, solicitation, selection, and justification process with respect to the funding of grants described in this title.

(B) REPORT.—Not later than 1 year after the initial awarding of grants described in this section, the Comptroller General of the United States shall submit to the Committee on Environment and Public Works of the Senate, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives a report that describes—

(i) the adequacy and fairness of the process by which each project was selected, if applicable;

(ii) the justification and criteria used for the selection of each project, if applicable.

SEC. 44002. GRANTS.

(a) IN GENERAL.—Chapter 1 of title 23, United States Code, is amended by adding at the end the following:

"§ 171. Assistance for major projects program

''(a) PURPOSE OF PROGRAM.—The purpose of the assistance for major projects program shall be the purpose described in section 44001 of the DRIVE Act.

''(b) DEFINITIONS.—In this section—

''(1) the terms defined in section 44001 of the DRIVE Act shall apply; and

''(2) the following definitions shall apply:

''(A) ADMINISTRATOR.—The term 'Administrator' means the Administrator of the Federal Highway Administration.

''(B) ELIGIBLE PROJECT.—

''(i) IN GENERAL.—The term 'eligible project' means a surface transportation project, or a program of integrated surface transportation projects closely related in the function the projects perform, that—

''(I) is a capital project that is eligible for Federal financial assistance under—

''(aa) this title; or

''(bb) chapter 53 of title 49; and

''(II) except as provided in clause (ii), has eligible project costs that are reasonably anticipated to equal or exceed the lesser of—

''(aa) $350,000,000; and

''(bb)(AA) for a project located in a single State, 25 percent of the amount of Federal-aid highway funds apportioned to the State for the most recently completed fiscal year;

''(BB) for a project located in a single rural State with a population density of 80 or fewer persons per square mile based on the most recent decennial census, 10 percent of the amount of Federal-aid highway funds apportioned to the State for the most recently completed fiscal year; or

''(CC) for a project located in more than 1 State, 75 percent of the amount of Federal-aid highway funds apportioned to the participating State that has the largest apportionment for the most recently completed fiscal year.

''(ii) FEDERAL LAND TRANSPORTATION FACILITY.—In the case of a Federal land transportation facility, the term 'eligible project' means a Federal land transportation facility that has eligible project costs that are reasonably anticipated to equal or exceed $150,000,000.

''(C) ELIGIBLE PROJECT COSTS.—The term 'eligible project costs' means the costs of—

''(i) development phase activities, including planning, feasibility analysis, revenue forecasting, environmental review, preliminary engineering and design work, and other preconstruction activities; and

''(ii) construction, reconstruction, rehabilitation, and acquisition of real property (including land related to the project and improvements to land), environmental mitigation, construction contingencies, acquisition of equipment directly related to improving system performance, and operational improvements.

''(c) ESTABLISHMENT OF PROGRAM.—The Administrator shall establish a program in accordance with this section to provide grants for projects that will have a significant impact on a region or the Nation.

''(d) SOLICITATIONS AND APPLICATIONS.—

''(1) GRANT SOLICITATIONS.—The Administrator shall conduct a transparent and competitive national solicitation process to review eligible projects for funding under this section.

''(2) APPLICATIONS.—An eligible applicant shall submit an application to the Administrator in such form as described in and in accordance with section 44001 of the DRIVE Act.

''(e) CRITERIA FOR PROJECT EVALUATION AND SELECTION.—

''(1) IN GENERAL.—The Administrator may select a project for funding under this section only if the Administrator determines that the project—

''(A) is consistent with the national goals described in section 150(b);

''(B) will significantly improve the performance of the national surface transportation network, nationally or regionally;

''(C) is based on the results of preliminary engineering;

''(D) is consistent with the long-range statewide transportation plan;

''(E) cannot be readily and efficiently completed without Federal financial assistance;

''(F) is justified based on the ability of the project to achieve 1 or more of—

''(i) generation of national economic benefits that reasonably exceed the costs of the project;

''(ii) reduction of long-term congestion, including impacts on a national, regional, and statewide basis;

''(iii) an increase in the speed, reliability, and accessibility of the movement of people or freight; or

''(iv) improvement of transportation safety, including reducing transportation accident and serious injuries and fatalities; and

''(G) is supported by a sufficient amount of non-Federal funding, including evidence of stable and dependable financing to construct, maintain, and operate the infrastructure facility.

''(2) ADDITIONAL CONSIDERATIONS.—In evaluating a project under this section, in addition to the criteria described in paragraph (1), the Administrator shall consider the extent to which the project—

''(A) leverages Federal investment by encouraging non-Federal contributions to the project, including contributions from public-private partnerships;

''(B) is able to begin construction by the date that is not later than 18 months after the date on which the project is selected;

''(C) incorporates innovative project delivery and financing to the maximum extent practicable;

''(D) helps maintain or protect the environment;

''(E) improves roadways vital to national energy security;

''(F) improves or upgrades designated future Interstate System routes;

''(G) uses innovative technologies, including intelligent transportation systems, that enhance the efficiency of the project;

''(H) helps to improve mobility and accessibility; and

''(I) address the impact of population growth on the movement of people and freight.

''(f) GEOGRAPHIC DISTRIBUTION.—In awarding grants under this section, the Administrator shall take measures as described in section 44001 of the DRIVE Act.

''(g) FUNDING REQUIREMENTS.—

''(1) IN GENERAL.—Except in the case of projects described in paragraph (2), the amount of a grant under this section shall be at least $50,000,000.

''(2) RURAL PROJECTS.—The amounts made available for a fiscal year under this section for eligible projects located in rural areas or in rural States shall not be—

''(A) less than 20 percent of the amount made available for the fiscal year under this section; and

''(B) subject to paragraph (1).

''(3) LIMITATION OF FUNDS.—Not more than 20 percent of the funds made available for a fiscal year to carry out this section shall be allocated for projects eligible under section 167(i)(5)(B) or chapter 53 of title 49.

''(4) STATE CAP.—

''(A) IN GENERAL.—Not more than 20 percent of the funds made available for a fiscal year to carry out this section may be awarded to projects in a single State.

''(B) EXCEPTION FOR MULTISTATE PROJECTS.—For purposes of the limitation described in subparagraph (A), funds awarded for a multistate project shall be considered to be distributed evenly to each State.

''(5) TIFIA PROGRAM.—On the request of an eligible applicant under this section, the Administrator may use amounts awarded to the entity to pay subsidy and administrative costs necessary to provide the entity Federal credit assistance under chapter 6 with respect to the project for which the grant was awarded.

''(h) GRANT REQUIREMENTS.—

''(1) APPLICABILITY OF PLANNING REQUIREMENTS.—The programming and expenditure of funds for projects under this section shall be consistent with the requirements of sections 134 and 135.

''(2) DETERMINATION OF APPLICABLE MODAL REQUIREMENTS.—If an eligible project that receives a grant under this section has a crossmodal component, the Administrator—

''(A) shall determine the predominant modal component of the project; and

''(B) may apply the applicable requirements of that predominant modal component to the project.

''(i) REPORT TO THE ADMINISTRATOR.—For each project funded under this section, the project sponsor shall evaluate system performance and submit to the Administrator a report not later than 5, 10, and 20 years after completion of the project to assess whether the project outcomes have met preconstruction projections.

''(j) ADMINISTRATIVE SELECTION.—The Administrator shall award grants to eligible projects in a fiscal year based on the criteria described in subsection (e).

''(k) REPORTS.—

''(1) IN GENERAL.—The Administrator shall provide an annual report as described in section 44001 of the DRIVE Act.

''(2) COMPTROLLER GENERAL.—The Comptroller General of the United States shall conduct an assessment as described in section 44001 of the DRIVE Act.''.

(b) ASSISTANCE FOR FREIGHT PROJECTS.—Chapter 54 of subtitle III of title 49, United States Code, as amended by section 42004, is amended by adding after section 5407 the following:

''§ 5408. Assistance for freight projects

''(a) ESTABLISHMENT.—The Secretary shall establish and implement an assistance for freight projects grant program for capital investments in major freight transportation infrastructure projects to improve the movement of goods through the transportation network of the United States.

''(b) CRITERIA FOR PROJECT EVALUATION AND SELECTION.—

''(1) IN GENERAL.—The Secretary may select a project for funding under this section only if the Secretary determines that the project—

''(A) is consistent with the goals described in section 5402(b);

''(B) will significantly improve the national or regional performance of the freight transportation network;

''(C) is based on the results of preliminary engineering;

''(D) is consistent with the long-range statewide transportation plan;

''(E) cannot be readily and efficiently completed without Federal financial assistance;

''(F) is justified based on the ability of the project—

''(i) to generate national economic benefits that reasonably exceed the costs of the project;

''(ii) to reduce long-term congestion, including impacts on a regional and statewide basis; or

''(iii) to increase the speed, reliability, and accessibility of the movement of freight; and

''(G) is supported by a sufficient amount of non-Federal funding, including evidence of stable and dependable financing to construct, maintain, and operate the infrastructure facility.

''(2) ADDITIONAL CONSIDERATIONS.—In evaluating a project under this section, in addition to the criteria described in paragraph (1), the Secretary shall consider the extent to which the project—

''(A) leverages Federal investment by encouraging non-Federal contributions to the project, including contributions from public-private partnerships;

''(B) is able to begin construction by the date that is not later than 1 year after the date on which the project is selected;

''(C) incorporates innovative project delivery and financing to the maximum extent practicable;

''(D) improves freight facilities vital to agricultural or national energy security;

''(E) improves or upgrades current or designated future Interstate System routes;

''(F) uses innovative technologies, including intelligent transportation systems, that enhance the efficiency of the project;

''(G) helps to improve mobility and accessibility; and

''(H) improves transportation safety, including reducing transportation accident and serious injuries and fatalities.

''(c) ELIGIBLE PROJECTS.—

''(1) IN GENERAL.—A project is eligible for a grant under this section if the project—

''(A) is difficult to complete with existing Federal, State, local, and private funds;

''(B)(i) enhances the economic competitiveness of the United States; or

''(ii) improves the flow of freight or reduces bottlenecks in the freight infrastructure of the United States; and

''(C) will advance 1 or more of the following objectives:

''(i) Generate regional or national economic benefits and an increase in the global economic competitiveness of the United States.

''(ii) Improve transportation resources vital to agriculture or national energy security.

''(iii) Improve the efficiency, reliability, and affordability of the movement of freight.

''(iv) Improve existing freight infrastructure projects.

''(v) Improve the movement of people by improving rural and metropolitan freight routes.

''(2) EXAMPLES.—Eligible projects for grant funding under this section shall include—

''(A) a freight intermodal facility, including—

''(i) an intermodal facility serving a seaport;

''(ii) an intermodal or cargo access facility serving an airport;

''(iii) an intermodal facility serving a port on the inland waterways;

''(iv) a bulk intermodal/transload facility; or

''(v) a highway/rail intermodal facility;

''(B) a highway or bridge project eligible under title 23;

''(C) a public transportation project that reduces congestion on freight corridors and is eligible under chapter 53;

''(D) a freight rail transportation project (including rail-grade separations); and

''(E) a port infrastructure investment (including inland port infrastructure).

''(d) REQUIREMENTS.—

''(1) CONSIDERATIONS.—In selecting projects to receive grant funding under this section, the Secretary shall—

''(A) consider—

''(i) projected freight volumes; and

''(ii) how projects will enhance economic efficiency, productivity, and competitiveness;

''(iii) population growth and the impact on freight demand; and

''(B) give priority to projects dedicated to—

''(i) improving freight infrastructure facilities;

''(ii) reducing travel time for freight projects;

''(iii) reducing freight transportation costs; and

''(iv) reducing congestion caused by rapid population growth on freight corridors.

''(2) MULTIMODAL DISTRIBUTION OF FUNDS.—In distributing funding for grants under this section, the Secretary shall take such measures as the Secretary determines necessary to ensure the investment in a variety of transportation modes.

''(3) AMOUNT.—

''(A) IN GENERAL.—Except as provided in subparagraph (B)(i), a grant under this section shall be in an amount that is not less than $10,000,000 and not greater than $100,000,000.

''(B) PROJECTS IN RURAL AREAS.—If a grant awarded under this section is for a project located in a rural area—

''(i) the amount of the grant shall be at least $1,000,000; and

''(ii) the Secretary may increase the Federal share of costs to greater than 80 percent.

''(4) FEDERAL SHARE.—Except as provided under paragraph (3)(B)(ii), the Federal share of the costs for a project receiving a grant under this section shall be up to 80 percent.

''(5) PRIORITY.—The Secretary shall give priority to projects that require a contribution of Federal funds in order to complete an overall financing package.

''(6) RURAL AREAS.—Not less than 25 percent of the funding provided under this section shall be used to make grants for projects located in rural areas.

''(7) NEW COMPETITION.—The Secretary shall conduct a new competition each fiscal year to select the grants and credit assistance awarded under this section.

''(e) CONSULTATION.—The Secretary shall consult with the Secretary of Energy when considering projects that facilitate the movement of energy resources.

''(f) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—There is authorized to be appropriated from the general fund of the Treasury, $200,000,000 for each of fiscal years 2016 through 2021 to carry out this section.

''(2) ADMINISTRATIVE AND OVERSIGHT COSTS.—The Secretary may retain up to 0.5 percent of the amounts appropriated pursuant to paragraph (1)—

''(A) to administer the assistance for freight projects grant program; and

''(B) to oversee eligible projects funded under this section.

''(3) ADMINISTRATION OF FUNDS.—Amounts appropriated pursuant to this subsection shall be available for obligation until expended.

''(g) CONGRESSIONAL NOTIFICATION.—Not later than 72 hours before public notification of a grant awarded under this section, the Secretary shall notify the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Environment and Public Works of the Senate, the Committee on Banking, Housing, and Urban Affairs of the Senate, the Committee on Appropriations of the Senate, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Appropriations of the House of Representatives of such award.

''(h) ACCOUNTABILITY MEASURES.—The Secretary shall provide to Congress documentation of major decisions in the application evaluation and project selection process, which shall include a clear rationale for decisions—

''(1) to advance for senior review applications other than those rated as highly recommended;

''(2) to not advance applications rated as highly recommended; and

''(3) to change the technical evaluation rating of an application.''

(c) CONFORMING AMENDMENT.—The analysis for chapter 1 of title 23, United States Code, is amended by adding at the end the following:

''171. Assistance for major projects program.''.

DIVISION E—FINANCE

SEC. 50001. SHORT TITLE.

This division may be cited as the ''Transportation Funding Act of 2015''.

TITLE LI—HIGHWAY TRUST FUND AND RELATED TAXES

Subtitle A—Extension of Trust Fund Expenditure Authority and Related Taxes

SEC. 51101. EXTENSION OF TRUST FUND EXPENDITURE AUTHORITY.

(a) HIGHWAY TRUST FUND.—Section 9503 of the Internal Revenue Code of 1986, as amended by division G, is amended—

(1) by striking ''October 1, 2015'' in subsections (b)(6)(B), (c)(1), and (e)(3) and inserting ''October 1, 2021'', and

(2) by striking ''Surface Transportation Extension Act of 2015'' in subsections (c)(1) and (e)(3) and inserting ''DRIVE Act''.

(b) SPORT FISH RESTORATION AND BOATING TRUST FUND.—Section 9504 of the Internal Revenue Code of 1986, as amended by division G is amended—

(1) by striking ''Surface Transportation Extension Act of 2015'' each place it appears in subsection (b)(2) and inserting ''DRIVE Act'', and

(2) by striking ''October 1, 2015'' in subsection (d)(2) and inserting ''October 1, 2021''.

(c) LEAKING UNDERGROUND STORAGE TANK TRUST FUND.—Paragraph (2) of section 9508(e) of the Internal Revenue Code of 1986, as amended by division G, is amended by striking ''October 1, 2015'' and inserting ''October 1, 2021''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on August 1, 2015.

SEC. 51102. EXTENSION OF HIGHWAY-RELATED TAXES.

(a) IN GENERAL.—

(1) Each of the following provisions of the Internal Revenue Code of 1986 is amended by striking ''September 30, 2016'' and inserting ''September 30, 2023'':

(A) Section 4041(a)(1)(C)(iii)(I).

(B) Section 4041(m)(1)(B).

(C) Section 4081(d)(1).

(2) Each of the following provisions of such Code is amended by striking ''October 1, 2016'' and inserting ''October 1, 2023'':

(A) Section 4041(m)(1)(A).

(B) Section 4051(c).

(C) Section 4071(d).

(D) Section 4081(d)(3).

(b) EXTENSION OF TAX, ETC., ON USE OF CERTAIN HEAVY VEHICLES.—Each of the following provisions of the Internal Revenue Code of 1986 is amended by striking ''2017'' each place it appears and inserting ''2024'':

(1) Section 4481(f).

(2) Subsections (c)(4) and (d) of section 4482.

(c) FLOOR STOCKS REFUNDS.—Section 6412(a)(1) of the Internal Revenue Code of 1986 is amended—

(1) by striking ''October 1, 2016'' each place it appears and inserting ''October 1, 2023'',

(2) by striking ''March 31, 2017'' each place it appears and inserting ''March 31, 2024'', and

(3) by striking ''January 1, 2017'' and inserting ''January 1, 2024''.

(d) EXTENSION OF CERTAIN EXEMPTIONS.—

(1) Section 4221(a) of the Internal Revenue Code of 1986 is amended by striking ''October 1, 2016'' and inserting ''October 1, 2023''.

(2) Section 4483(i) of such Code is amended by striking ''October 1, 2017'' and inserting ''October 1, 2024''.

(e) EXTENSION OF TRANSFERS OF CERTAIN TAXES.—

(1) IN GENERAL.—Section 9503 of the Internal Revenue Code of 1986 is amended—

(A) in subsection (b)—

(i) by striking ''October 1, 2016'' each place it appears in paragraphs (1) and (2) and inserting ''October 1, 2023'',

(ii) by striking ''OCTOBER 1, 2016'' in the heading of paragraph (2) and inserting ''OCTOBER 1, 2023'',

(iii) by striking ''September 30, 2016'' in paragraph (2) and inserting ''September 30, 2023'', and

(iv) by striking ''July 1, 2017'' in paragraph (2) and inserting ''July 1, 2024'', and

(B) in subsection (c)(2), by striking ''July 1, 2017'' and inserting ''July 1, 2024''.

(2) MOTORBOAT AND SMALL-ENGINE FUEL TAX TRANSFERS.—

(A) IN GENERAL.—Paragraphs (3)(A)(i) and (4)(A) of section 9503(c) of such Code are each amended by striking ''October 1, 2016'' and inserting ''October 1, 2023''.

(B) CONFORMING AMENDMENTS TO LAND AND WATER CONSERVATION FUND.—Section 200310 of title 54, United States Code, is amended—

(i) by striking ''October 1, 2017'' each place it appears and inserting ''October 1, 2024'', and

(ii) by striking ''October 1, 2016'' and inserting ''October 1, 2023''.

(f) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2016.

Subtitle B—Additional Transfers to Highway Trust Fund

SEC. 51201. FURTHER ADDITIONAL TRANSFERS TO TRUST FUND.

Subsection (f) of Section 9503 of the Internal Revenue Code of 1986 is amended by redesignating paragraph (7) as paragraph (8) and by inserting after paragraph (6) the following new paragraph:

''(7) FURTHER TRANSFERS TO TRUST FUND.—Out of money in the Treasury not otherwise appropriated, there is hereby appropriated—

''(A) $36,541,000,000 to the Highway Account (as defined in subsection (e)(5)(B)) in the Highway Trust Fund; and

''(B) $10,679,470,000 to the Mass Transit Account in the Highway Trust Fund.''.

SEC. 51202. TRANSFER TO HIGHWAY TRUST FUND OF CERTAIN MOTOR VEHICLE SAFETY PENALTIES.

(a) IN GENERAL.—Paragraph (5) of section 9503(b) of the Internal Revenue Code of 1986 is amended—

(1) by striking ''There are hereby'' and inserting the following:

''(A) IN GENERAL.—There are hereby'', and

(2) by adding at the end the following new paragraph:

''(B) PENALTIES RELATED TO MOTOR VEHICLE SAFETY.—

''(i) IN GENERAL.—There are hereby appropriated to the Highway Trust Fund amounts equivalent to covered motor vehicle safety penalty collections.

''(ii) COVERED MOTOR VEHICLE SAFETY PENALTY COLLECTIONS.—For purposes of this subparagraph, the term 'covered motor vehicle safety penalty collections' means any amount collected in connection with a civil penalty under section 30165 of title 49, United States Code, reduced by any award authorized by the Secretary of Transportation to be paid to any person in connection with information provided by such person related to a violation of chapter 301 of such title which is a predicate to such civil penalty.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to amounts collected after the date of the enactment of this Act.

TITLE LII—OFFSETS

Subtitle A—Tax Provisions

SEC. 52101. CONSISTENT BASIS REPORTING BETWEEN ESTATE AND PERSON ACQUIRING PROPERTY FROM DECEDENT.

(a) PROPERTY ACQUIRED FROM A DECEDENT.—Section 1014 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

''(f) BASIS MUST BE CONSISTENT WITH ESTATE TAX.—

''(1) IN GENERAL.—The basis under subsection (a) of any applicable property shall not exceed—

''(A) in the case of applicable property the final value of which has been determined for purposes of the tax imposed by chapter 11 on the estate of such decedent, such value, and

''(B) in the case of applicable property not described in subparagraph (A) and with respect to which a statement has been furnished under section 6035(a) identifying the value of such property, such value.

''(2) APPLICABLE PROPERTY.—For purposes of paragraph (1), the term 'applicable property' means any property the inclusion of which in the decedent's estate increased the liability for the tax imposed by chapter 11 on such estate. Such term shall not include any property of an estate if the liability for such tax does not exceed the credits allowable against such tax.

''(3) DETERMINATION.—For purposes of paragraph (1), the basis of property has been determined for purposes of the tax imposed by chapter 11 if—

''(A) the value of such property is shown on a return under section 6018 and such value is not contested by the Secretary before the expiration of the time for assessing a tax under chapter 11,

''(B) in a case not described in subparagraph (A), the value is specified by the Secretary and such value is not timely contested by the executor of the estate, or

''(C) the value is determined by a court or pursuant to a settlement agreement with the Secretary.

''(4) REGULATIONS.—The Secretary may by regulations provide exceptions to the application of this subsection.''.

(b) INFORMATION REPORTING.—

(1) IN GENERAL.—Subpart A of part III of subchapter A of chapter 61 of the Internal Revenue Code of 1986 is amended by inserting after section 6034A the following new section:

''SEC. 6035. BASIS INFORMATION TO PERSONS ACQUIRING PROPERTY FROM DECEDENT.

''(a) INFORMATION WITH RESPECT TO PROPERTY ACQUIRED FROM DECEDENTS.—

''(1) IN GENERAL.—The executor of any estate required to file a return under section 6018(a) shall furnish to the Secretary and to each person acquiring any interest in property included in the decedent's gross estate for Federal estate tax purposes a statement identifying the value of each interest in such property as reported on such return and such other information with respect to such interest as the Secretary may prescribe.

''(2) STATEMENTS BY BENEFICIARIES.—Each person required to file a return under section 6018(b) shall furnish to the Secretary and to each other person who holds a legal or beneficial interest in the property to which such return relates a statement identifying the information described in paragraph (1).

''(3) TIME FOR FURNISHING STATEMENT.—

''(A) IN GENERAL.—Each statement required to be furnished under paragraph (1) or (2) shall be furnished at such time as the

Secretary may prescribe, but in no case at a time later than the earlier of—

''(i) the date which is 30 days after the date on which the return under section 6018 was required to be filed (including extensions, if any), or

''(ii) the date which is 30 days after the date such return is filed.

''(B) ADJUSTMENTS.—In any case in which there is an adjustment to the information required to be included on a statement filed under paragraph (1) or (2) after such statement has been filed, a supplemental statement under such paragraph shall be filed not later than the date which is 30 days after such adjustment is made.

''(b) REGULATIONS.—The Secretary shall prescribe such regulations as necessary to carry out this section, including regulations relating to—

''(1) the application of this section to property with regard to which no estate tax return is required to be filed, and

''(2) situations in which the surviving joint tenant or other recipient may have better information than the executor regarding the basis or fair market value of the property.''.

(2) PENALTY FOR FAILURE TO FILE.—

(A) RETURN.—Section 6724(d)(1) of such Code is amended by striking ''and'' at the end of subparagraph (B), by striking the period at the end of subparagraph (C) and inserting '', and'', and by adding at the end the following new subparagraph:

''(D) any statement required to be filed with the Secretary under section 6035.''.

(B) STATEMENT.—Section 6724(d)(2) of such Code is amended by striking ''or'' at the end of subparagraph (GG), by striking the period at the end of subparagraph (HH) and inserting '', or'', and by adding at the end the following new subparagraph:

''(II) section 6035 (other than a statement described in paragraph (1)(D)).''.

(3) CLERICAL AMENDMENT.—The table of sections for subpart A of part III of subchapter A of chapter 61 of such Code is amended by inserting after the item relating to section 6034A the following new item:

''SEC. 6035. BASIS INFORMATION TO PERSONS ACQUIRING PROPERTY FROM DECEDENT.''.

(c) PENALTY FOR INCONSISTENT REPORTING.—

(1) IN GENERAL.—Subsection (b) of section 6662 of the Internal Revenue Code of 1986 is amended by inserting after paragraph (7) the following new paragraph:

''(8) Any inconsistent estate basis.''.

(2) INCONSISTENT BASIS REPORTING.—Section 6662 of such Code is amended by adding at the end the following new subsection:

''(k) INCONSISTENT ESTATE BASIS REPORTING.—For purposes of this section, there is an 'inconsistent estate basis' if the basis of property claimed on a return exceeds the basis as determined under section 1014(f).''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to property with respect to which an estate tax return is filed after the date of the enactment of this Act.

SEC. 52102. REVOCATION OR DENIAL OF PASSPORT IN CASE OF CERTAIN UNPAID TAXES.

(a) IN GENERAL.—Subchapter D of chapter 75 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

''SEC. 7345. REVOCATION OR DENIAL OF PASSPORT IN CASE OF CERTAIN TAX DELINQUENCIES.

''(a) IN GENERAL.—If the Secretary receives certification by the Commissioner of Internal Revenue that any individual has a seriously delinquent tax debt in an amount in excess of $50,000, the Secretary shall transmit such certification to the Secretary of State for action with respect to denial, revocation, or limitation of a passport pursuant to section 52102(d) of the Transportation Funding Act of 2015.

''(b) SERIOUSLY DELINQUENT TAX DEBT.—For purposes of this section, the term 'seriously delinquent tax debt' means an outstanding debt under this title for which a notice of lien has been filed in public records pursuant to section 6323 or a notice of levy has been filed pursuant to section 6331, except that such term does not include—

''(1) a debt that is being paid in a timely manner pursuant to an agreement under section 6159 or 7122, and

''(2) a debt with respect to which collection is suspended because a collection due process hearing under section 6330, or relief under subsection (b), (c), or (f) of section 6015, is requested or pending.

''(c) ADJUSTMENT FOR INFLATION.—In the case of a calendar year beginning after 2016, the dollar amount in subsection (a) shall be increased by an amount equal to—

''(1) such dollar amount, multiplied by

''(2) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year, determined by substituting 'calendar year 2015' for 'calendar year 1992' in subparagraph (B) thereof.

If any amount as adjusted under the preceding sentence is not a multiple of $1,000, such amount shall be rounded to the next highest multiple of $1,000.''.

(b) CLERICAL AMENDMENT.—The table of sections for subchapter D of chapter 75 of the Internal Revenue Code of 1986 is amended by adding at the end the following new item:

''Sec. 7345. Revocation or denial of passport in case of certain tax delinquencies.''.

(c) AUTHORITY FOR INFORMATION SHARING.—

(1) IN GENERAL.—Subsection (l) of section 6103 of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(23) DISCLOSURE OF RETURN INFORMATION TO DEPARTMENT OF STATE FOR PURPOSES OF PASSPORT REVOCATION UNDER SECTION 7345.—

''(A) IN GENERAL.—The Secretary shall, upon receiving a certification described in section 7345, disclose to the Secretary of State return information with respect to a taxpayer who has a seriously delinquent tax debt described in such section. Such return information shall be limited to—

''(i) the taxpayer identity information with respect to such taxpayer, and

''(ii) the amount of such seriously delinquent tax debt.

''(B) RESTRICTION ON DISCLOSURE.—Return information disclosed under subparagraph (A) may be used by officers and employees of the Department of State for the purposes of, and to the extent necessary in, carrying out the requirements of section 52102(d) of the Transportation Funding Act of 2015.''.

(2) CONFORMING AMENDMENT.—Paragraph (4) of section 6103(p) of such Code is amended by striking ''or (22)'' each place it appears in subparagraph (F)(ii) and in the matter preceding subparagraph (A) and inserting ''(22), or (23)''.

(d) AUTHORITY TO DENY OR REVOKE PASSPORT.—

(1) DENIAL.—

(A) IN GENERAL.—Except as provided under subparagraph (B), upon receiving a certification described in section 7345 of the Internal Revenue Code of 1986 from the Secretary of the Treasury, the Secretary of State shall not issue a passport to any individual who has a seriously delinquent tax debt described in such section.

(B) EMERGENCY AND HUMANITARIAN SITUATIONS.—Notwithstanding subparagraph (A), the Secretary of State may issue a passport, in emergency circumstances or for humanitarian reasons, to an individual described in such subparagraph.

(2) REVOCATION.—

(A) IN GENERAL.—The Secretary of State may revoke a passport previously issued to any individual described in paragraph (1)(A).

(B) LIMITATION FOR RETURN TO UNITED STATES.—If the Secretary of State decides to revoke a passport under subparagraph (A), the Secretary of State, before revocation, may—

(i) limit a previously issued passport only for return travel to the United States; or

(ii) issue a limited passport that only permits return travel to the United States.

(3) HOLD HARMLESS.—The Secretary of the Treasury and the Secretary of State shall not be liable to an individual for any action with respect to a certification by the Commissioner of Internal Revenue under section 7345 of the Internal Revenue Code of 1986.

(e) REVOCATION OR DENIAL OF PASSPORT IN CASE OF INDIVIDUAL WITHOUT SOCIAL SECURITY ACCOUNT NUMBER.—

(1) DENIAL.—

(A) IN GENERAL.—Except as provided under subparagraph (B), upon receiving an application for a passport from an individual that either—

(i) does not include the social security account number issued to that individual, or

(ii) includes an incorrect or invalid social security number willfully, intentionally, negligently, or recklessly provided by such individual,

the Secretary of State is authorized to deny such application and is authorized to not issue a passport to the individual.

(B) EMERGENCY AND HUMANITARIAN SITUATIONS.—Notwithstanding subparagraph (A), the Secretary of State may issue a passport, in emergency circumstances or for humanitarian reasons, to an individual described in subparagraph (A).

(2) REVOCATION.—

(A) IN GENERAL.—The Secretary of State may revoke a passport previously issued to any individual described in paragraph (1)(A).

(B) LIMITATION FOR RETURN TO UNITED STATES.—If the Secretary of State decides to revoke a passport under subparagraph (A), the Secretary of State, before revocation, may—

(i) limit a previously issued passport only for return travel to the United States; or

(ii) issue a limited passport that only permits return travel to the United States.

(f) EFFECTIVE DATE.—The provisions of, and amendments made by, this section shall take effect on January 1, 2016.

SEC. 52103. CLARIFICATION OF 6-YEAR STATUTE OF LIMITATIONS IN CASE OF OVERSTATEMENT OF BASIS.

(a) IN GENERAL.—Subparagraph (B) of section 6501(e)(1) of the Internal Revenue Code of 1986 is amended—

(1) by striking ''and'' at the end of clause (i), by redesignating clause (ii) as clause (iii), and by inserting after clause (i) the following new clause:

''(ii) An understatement of gross income by reason of an overstatement of unrecovered cost or other basis is an omission from gross income; and'',

(2) by inserting ''(other than in the case of an overstatement of unrecovered cost or

other basis)'' in clause (iii) (as so redesignated) after ''In determining the amount omitted from gross income'', and

(3) by inserting ''AMOUNT OMITTED FROM'' after ''DETERMINATION OF'' in the heading thereof.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to—

(1) returns filed after the date of the enactment of this Act, and

(2) returns filed on or before such date if the period specified in section 6501 of the Internal Revenue Code of 1986 (determined without regard to such amendments) for assessment of the taxes with respect to which such return relates has not expired as of such date.

SEC. 52104. ADDITIONAL INFORMATION ON RETURNS RELATING TO MORTGAGE INTEREST.

(a) IN GENERAL.—Paragraph (2) of section 6050H(b) of the Internal Revenue Code of 1986 is amended by striking ''and'' at the end of subparagraph (C), by redesignating subparagraph (D) as subparagraph (G), and by inserting after subparagraph (C) the following new subparagraphs:

''(D) the unpaid balance with respect to such mortgage at the close of the calendar year,

''(E) the address of the property securing such mortgage,

''(F) the date of the origination of such mortgage, and''.

(b) PAYEE STATEMENTS.—Subsection (d) of section 6050H of the Internal Revenue Code of 1986 is amended by striking ''and'' at the end of paragraph (1), by striking the period at the end of paragraph (2) and inserting '', and'', and by inserting after paragraph (2) the following new paragraph:

''(3) the information required to be included on the return under subparagraphs (D), (E), and (F) of subsection (b)(2).''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to returns and statements the due date for which (determined without regard to extensions) is after December 31, 2016.

SEC. 52105. RETURN DUE DATE MODIFICATIONS.

(a) NEW DUE DATE FOR PARTNERSHIP FORM 1065, S CORPORATION FORM 1120S, AND C CORPORATION FORM 1120.—

(1) PARTNERSHIPS.—

(A) IN GENERAL.—Section 6072 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

''(f) RETURNS OF PARTNERSHIPS.—Returns of partnerships under section 6031 made on the basis of the calendar year shall be filed on or before the 15th day of March following the close of the calendar year, and such returns made on the basis of a fiscal year shall be filed on or before the 15th day of the third month following the close of the fiscal year.''.

(B) CONFORMING AMENDMENT.—Section 6072(a) of such Code is amended by striking ''6017, or 6031'' and inserting ''or 6017''.

(2) S CORPORATIONS.—

(A) IN GENERAL.—So much of subsection (b) of section 6072 of the Internal Revenue Code of 1986 as precedes the second sentence thereof is amended to read as follows:

''(b) RETURNS OF CERTAIN CORPORATIONS.—Returns of S corporations under sections 6012 and 6037 made on the basis of the calendar year shall be filed on or before the 31st day of March following the close of the calendar year, and such returns made on the basis of a fiscal year shall be filed on or before the last day of the third month following the close of the fiscal year.''.

(B) CONFORMING AMENDMENTS.—

(i) Section 1362(b) of such Code is amended—

(I) by striking ''15th'' each place it appears and inserting ''last'',

(II) by striking ''2½'' each place it appears in the headings and the text and inserting ''3'', and

(III) by striking ''2 months and 15 days'' in paragraph (4) and inserting ''3 months''.

(ii) Section 1362(d)(1)(C)(i) of such Code is amended by striking ''15th'' and inserting ''last''.

(iii) Section 1362(d)(1)(C)(ii) of such Code is amended by striking ''such 15th day'' and inserting ''the last day of the 3d month thereof''.

(3) CONFORMING AMENDMENTS RELATING TO C CORPORATIONS.—

(A) Section 170(a)(2)(B) of such Code is amended by striking ''third month'' and inserting ''4th month''.

(B) Section 563 of such Code is amended by striking ''third month'' each place it appears and inserting ''4th month''.

(C) Section 1354(d)(1)(B)(i) of such Code is amended by striking ''3d month'' and inserting ''4th month''.

(D) Subsection (a) and (c) of section 6167 of such Code are each amended by striking ''third month'' and inserting ''4th month''.

(E) Section 6425(a)(1) of such Code is amended by striking ''third month'' and inserting ''4th month''.

(F) Section 6655 of such Code is amended—

(i) by striking ''3rd month'' each place it appears in subsections (b)(2)(A), (g)(3), and (h)(1) and inserting ''4th month'', and

(ii) in subsection (g)(4), by redesignating subparagraph (E) as subparagraph (F) and by inserting after subparagraph (D) the following new subparagraph:

''(E) Subsection (b)(2)(A) shall be applied by substituting 'the last day of the 3rd month' for 'the 15th day of the 4th month'.''.

(4) EFFECTIVE DATES.—

(A) IN GENERAL.—Except as otherwise provided in this paragraph, the amendments made by this subsection shall apply to returns for taxable years beginning after December 31, 2015.

(B) CONFORMING AMENDMENTS RELATING TO S CORPORATIONS.—The amendments made by paragraph (2)(B) shall apply with respect to elections for taxable years beginning after December 31, 2015.

(C) CONFORMING AMENDMENTS RELATING TO C CORPORATIONS.—The amendments made by paragraph (3) shall apply to taxable years beginning after December 31, 2015.

(5) SPECIAL RULE FOR CERTAIN C CORPORATION IN 2025.—In the case of a taxable year of a C Corporation ending on June 30, 2025, section 6072(a) of the Internal Revenue Code of 1986 shall be applied by substituting ''third month'' for ''fourth month''.

(b) MODIFICATION OF DUE DATES BY REGULATION.—In the case of returns for any taxable period beginning after December 31, 2015, the Secretary of the Treasury or the Secretary's delegate shall modify appropriate regulations to provide as follows:

(1) The maximum extension for the returns of partnerships filing Form 1065 shall be a 6-month period beginning on the due date for filing the return (without regard to any extensions).

(2) The maximum extension for the returns of trusts and estates filing Form 1041 shall be a 5½-month period beginning on the due date for filing the return (without regard to any extensions).

(3) The maximum extension for the returns of employee benefit plans filing Form 5500 shall be an automatic 3½-month period beginning on the due date for filing the return (without regard to any extensions).

(4) The maximum extension for the Forms 990 (series) returns of organizations exempt from income tax shall be an automatic 6-month period beginning on the due date for filing the return (without regard to any extensions).

(5) The maximum extension for the returns of organizations exempt from income tax that are required to file Form 4720 returns of excise taxes shall be an automatic 6-month period beginning on the due date for filing the return (without regard to any extensions).

(6) The maximum extension for the returns of trusts required to file Form 5227 shall be an automatic 6-month period beginning on the due date for filing the return (without regard to any extensions).

(7) The maximum extension for filing Form 6069, Return of Excise Tax on Excess Contributions to Black Lung Benefit Trust Under Section 4953 and Computation of Section 192 Deduction, shall be an automatic 6-month period beginning on the due date for filing the return (without regard to any extensions).

(8) The maximum extension for a taxpayer required to file Form 8870 shall be an automatic 6-month period beginning on the due date for filing the return (without regard to any extensions).

(9) The due date of Form 3520–A, Annual Information Return of a Foreign Trust with a United States Owner, shall be the 15th day of the 4th month after the close of the trust's taxable year, and the maximum extension shall be a 6-month period beginning on such day.

(10) The due date of FinCEN Form 114 (relating to Report of Foreign Bank and Financial Accounts) shall be April 15 with a maximum extension for a 6-month period ending on October 15, and with provision for an extension under rules similar to the rules of 26 C.F.R. 1.6081–5. For any taxpayer required to file such form for the first time, the Secretary of the Treasury may waive any penalty for failure to timely request or file an extension.

(11) Taxpayers filing Form 3520, Annual Return to Report Transactions with Foreign Trusts and Receipt of Certain Foreign Gifts, shall be allowed to extend the time for filing such form separately from the income tax return of the taxpayer, for an automatic 6-month period beginning on the due date for filing the return (without regard to any extensions).

(c) CORPORATIONS PERMITTED STATUTORY AUTOMATIC 6-MONTH EXTENSION OF INCOME TAX RETURNS.—

(1) IN GENERAL.—Section 6081(b) of the Internal Revenue Code of 1986 is amended by striking ''3 months'' and inserting ''6 months''.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall apply to returns for taxable years beginning after December 31, 2015.

(3) SPECIAL RULE FOR CERTAIN C CORPORATIONS IN 2024.—In the case of any taxable year of a C corporation ending on December 31, 2024, subsections (a) and (b) of section 6081 of the Internal Revenue Code of 1986 shall each be applied to returns of income taxes under subtitle A by substituting ''5 months'' for ''6 months''.

SEC. 52106. REFORM OF RULES RELATING TO QUALIFIED TAX COLLECTION CONTRACTS.

(a) REQUIREMENT TO COLLECT CERTAIN INACTIVE TAX RECEIVABLES UNDER QUALIFIED TAX

COLLECTION CONTRACTS.—Section 6306 of the Internal Revenue Code of 1986 is amended by redesignating subsections (c) through (f) as subsections (d) through (g), respectively, and by inserting after subsection (b) the following new subsection:

''(c) COLLECTION OF INACTIVE TAX RECEIVABLES.—

''(1) IN GENERAL.—Notwithstanding any other provision of law, the Secretary shall enter into one or more qualified tax collection contracts for the collection of all outstanding inactive tax receivables.

''(2) INACTIVE TAX RECEIVABLES.—For purposes of this section—

''(A) IN GENERAL.—The term 'inactive tax receivable' means any tax receivable if—

''(i) at any time after assessment, the Internal Revenue Service removes such receivable from the active inventory for lack of resources or inability to locate the taxpayer,

''(ii) more than ⅓ of the period of the applicable statute of limitation has lapsed and such receivable has not been assigned for collection to any employee of the Internal Revenue Service, or

''(iii) in the case of a receivable which has been assigned for collection, more than 365 days have passed without interaction with the taxpayer or a third party for purposes of furthering the collection of such receivable.

''(B) TAX RECEIVABLE.—The term 'tax receivable' means any outstanding assessment which the Internal Revenue Service includes in potentially collectible inventory.''.

(b) CERTAIN TAX RECEIVABLES NOT ELIGIBLE FOR COLLECTION UNDER QUALIFIED TAX COLLECTION CONTRACTS.—Section 6306 of the Internal Revenue Code of 1986, as amended by subsection (a), is amended by redesignating subsections (d) through (g) as subsections (e) through (h), respectively, and by inserting after subsection (c) the following new subsection:

''(d) CERTAIN TAX RECEIVABLES NOT ELIGIBLE FOR COLLECTION UNDER QUALIFIED TAX COLLECTIONS CONTRACTS.—A tax receivable shall not be eligible for collection pursuant to a qualified tax collection contract if such receivable—

''(1) is subject to a pending or active offer-in-compromise or installment agreement,

''(2) is classified as an innocent spouse case,

''(3) involves a taxpayer identified by the Secretary as being—

''(A) deceased,

''(B) under the age of 18,

''(C) in a designated combat zone, or

''(D) a victim of tax-related identity theft,

''(4) is currently under examination, litigation, criminal investigation, or levy, or

''(5) is currently subject to a proper exercise of a right of appeal under this title.''.

(c) CONTRACTING PRIORITY.—Section 6306 of the Internal Revenue Code of 1986, as amended by the preceding provisions of this section, is amended by redesignating subsection (h) as subsection (i) and by inserting after subsection (g) the following new subsection:

''(h) CONTRACTING PRIORITY.—In contracting for the services of any person under this section, the Secretary shall utilize private collection contractors and debt collection centers on the schedule required under section 3711(g) of title 31, United States Code, including the technology and communications infrastructure established therein, to the extent such private collection contractors and debt collection centers are appropriate to carry out the purposes of this section.''.

(d) DISCLOSURE OF RETURN INFORMATION.—Section 6103(k) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(11) QUALIFIED TAX COLLECTION CONTRACTORS.—Persons providing services pursuant to a qualified tax collection contract under section 6306 may, if speaking to a person who has identified himself or herself as having the name of the taxpayer to which a tax receivable (within the meaning of such section) relates, identify themselves as contractors of the Internal Revenue Service and disclose the business name of the contractor, and the nature, subject, and reason for the contact. Disclosures under this paragraph shall be made only in such situations and under such conditions as have been approved by the Secretary.''.

(e) TAXPAYERS AFFECTED BY FEDERALLY DECLARED DISASTERS.—Section 6306 of the Internal Revenue Code of 1986, as amended by the preceding provisions of this section, is amended by redesignating subsection (i) as subsection (j) and by inserting after subsection (h) the following new subsection:

''(i) TAXPAYERS IN PRESIDENTIALLY DECLARED DISASTER AREAS.—The Secretary may prescribe procedures under which a taxpayer determined to be affected by a Federally declared disaster (as defined by section 165(i)(5)) may request—

''(1) relief from immediate collection measures by contractors under this section, and

''(2) a return of the inactive tax receivable to the inventory of the Internal Revenue Service to be collected by an employee thereof.''.

(f) REPORT TO CONGRESS.—

(1) IN GENERAL.—Section 6306 of the Internal Revenue Code of 1986, as amended by the preceding provisions of this section, is amended by redesignating subsection (j) as subsection (k) and by inserting after subsection (i) the following new subsection:

''(j) REPORT TO CONGRESS.—Not later than 90 days after the last day of each fiscal year (beginning with the first such fiscal year ending after the date of the enactment of this subsection), the Secretary shall submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate a report with respect to qualified tax collection contracts under this section which shall include—

''(1) annually, with respect to such fiscal year—

''(A) the total number and amount of tax receivables provided to each contractor for collection under this section,

''(B) the total amounts collected (and amounts of installment agreements entered into under subsection (b)(1)(B)) with respect to each contractor and the collection costs incurred (directly and indirectly) by the Internal Revenue Service with respect to such amounts,

''(C) the impact of such contracts on the total number and amount of unpaid assessments, and on the number and amount of assessments collected by Internal Revenue Service personnel after initial contact by a contractor,

''(D) the amount of fees retained by the Secretary under subsection (e) and a description of the use of such funds, and

''(E) a disclosure safeguard report in a form similar to that required under section 6103(p)(5), and

''(2) biannually (beginning with the second report submitted under this subsection)—

''(A) an independent evaluation of contractor performance, and

''(B) a measurement plan that includes a comparison of the best practices used by the private collectors to the collection techniques used by the Internal Revenue Service and mechanisms to identify and capture information on successful collection techniques used by the contractors that could be adopted by the Internal Revenue Service.''.

(2) REPEAL OF EXISTING REPORTING REQUIREMENTS WITH RESPECT TO QUALIFIED TAX COLLECTION CONTRACTS.—Section 881 of the American Jobs Creation Act of 2004 is amended by striking subsection (e).

(g) EFFECTIVE DATES.—

(1) IN GENERAL.—The amendments made by subsections (a) and (b) shall apply to tax receivables identified by the Secretary after the date of the enactment of this Act.

(2) CONTRACTING PRIORITY.—The Secretary shall begin entering into contracts and agreements as described in the amendment made by subsection (c) within 3 months after the date of the enactment of this Act.

(3) DISCLOSURES.—The amendment made by subsection (d) shall apply to disclosures made after the date of the enactment of this Act.

(4) PROCEDURES; REPORT TO CONGRESS.—The amendments made by subsections (e) and (f) shall take effect on the date of the enactment of this Act.

SEC. 52107. SPECIAL COMPLIANCE PERSONNEL PROGRAM.

(a) IN GENERAL.—Subsection (e) of section 6306 of the Internal Revenue Code of 1986, as redesignated by section 52106, is amended by striking ''for collection enforcement activities of the Internal Revenue Service'' in paragraph (2) and inserting ''to fund the special compliance personnel program account under section 6307''.

(b) SPECIAL COMPLIANCE PERSONNEL PROGRAM ACCOUNT.—Subchapter A of chapter 64 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

''SEC. 6307. SPECIAL COMPLIANCE PERSONNEL PROGRAM ACCOUNT.

''(a) ESTABLISHMENT OF A SPECIAL COMPLIANCE PERSONNEL PROGRAM ACCOUNT.—The Secretary shall establish an account within the Department for carrying out a program consisting of the hiring, training, and employment of special compliance personnel, and shall transfer to such account from time to time amounts retained by the Secretary under section 6306(e)(2).

''(b) RESTRICTIONS.—The program described in subsection (a) shall be subject to the following restrictions:

''(1) No funds shall be transferred to such account except as described in subsection (a).

''(2) No other funds from any other source shall be expended for special compliance personnel employed under such program, and no funds from such account shall be expended for the hiring of any personnel other than special compliance personnel.

''(3) Notwithstanding any other authority, the Secretary is prohibited from spending funds out of such account for any purpose other than for costs under such program associated with the employment of special compliance personnel and the retraining and reassignment of current noncollections personnel as special compliance personnel, and to reimburse the Internal Revenue Service or other government agencies for the cost of administering qualified tax collection contracts under section 6306.

''(c) REPORTING.—Not later than March of each year, the Commissioner of Internal Revenue shall submit a report to the Committees on Finance and Appropriations of the Senate and the Committees on Ways and Means and Appropriations of the House of Representatives consisting of the following:

''(1) For the preceding fiscal year, all funds received in the account established under subsection (a), administrative and program costs for the program described in such subsection, the number of special compliance personnel hired and employed under the program, and the amount of revenue actually collected by such personnel.

''(2) For the current fiscal year, all actual and estimated funds received or to be received in the account, all actual and estimated administrative and program costs, the number of all actual and estimated special compliance personnel hired and employed under the program, and the actual and estimated revenue actually collected or to be collected by such personnel.

''(3) For the following fiscal year, an estimate of all funds to be received in the account, all estimated administrative and program costs, the estimated number of special compliance personnel hired and employed under the program, and the estimated revenue to be collected by such personnel.

''(d) DEFINITIONS.—For purposes of this section—

''(1) SPECIAL COMPLIANCE PERSONNEL.—The term 'special compliance personnel' means individuals employed by the Internal Revenue Service as field function collection officers or in a similar position, or employed to collect taxes using the automated collection system or an equivalent replacement system.

''(2) PROGRAM COSTS.—The term 'program costs' means—

''(A) total salaries (including locality pay and bonuses), benefits, and employment taxes for special compliance personnel employed or trained under the program described in subsection (a), and

''(B) direct overhead costs, salaries, benefits, and employment taxes relating to support staff, rental payments, office equipment and furniture, travel, data processing services, vehicle costs, utilities, telecommunications, postage, printing and reproduction, supplies and materials, lands and structures, insurance claims, and indemnities for special compliance personnel hired and employed under this section.

For purposes of subparagraph (B), the cost of management and supervision of special compliance personnel shall be taken into account as direct overhead costs to the extent such costs, when included in total program costs under this paragraph, do not represent more than 10 percent of such total costs.''.

(c) CLERICAL AMENDMENT.—The table of sections for subchapter A of chapter 64 of the Internal Revenue Code of 1986 is amended by inserting after the item relating to section 6306 the following new item:

''Sec. 6307. Special compliance personnel program account.''.

(d) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to amounts collected and retained by the Secretary after the date of the enactment of this Act.

SEC. 52108. TRANSFERS OF EXCESS PENSION ASSETS TO RETIREE HEALTH ACCOUNTS.

(a) IN GENERAL.—Section 420(b)(4) of the Internal Revenue Code of 1986 is amended by striking ''December 31, 2021'' and inserting ''December 31, 2025''.

(b) CONFORMING ERISA AMENDMENTS.—

(1) Sections 101(e)(3), 403(c)(1), and 408(b)(13) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1021(e)(3), 1103(c)(1), 1108(b)(13)) are each amended by striking ''MAP-21'' and inserting ''DRIVE Act''.

(2) Section 408(b)(13) of such Act (29 U.S.C. 1108(b)(13)) is amended by striking ''January 1, 2022'' and inserting ''January 1, 2026''.

Subtitle B—Fees and Receipts

SEC. 52201. EXTENSION OF DEPOSITS OF SECURITY SERVICE FEES IN THE GENERAL FUND.

Section 44940(i)(4) of title 49, United States Code, is amended by adding at the end the following:

''(K) $1,750,000,000 for each of fiscal years 2024 and 2025.''.

SEC. 52202. ADJUSTMENT FOR INFLATION OF FEES FOR CERTAIN CUSTOMS SERVICES.

(a) IN GENERAL.—Section 13031 of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c) is amended by adding at the end the following:

''(l) ADJUSTMENT OF FEES FOR INFLATION.—

''(1) IN GENERAL.—The Secretary of the Treasury shall adjust the fees established under subsection (a), and the limitations on such fees under paragraphs (2), (3), (5), (6), (8), and (9) of subsection (b), on October 1, 2015, and annually thereafter, to reflect the percentage (if any) of the increase in the average of the Consumer Price Index for the preceding 12-month period compared to the Consumer Price Index for fiscal year 2014.

''(2) SPECIAL RULES FOR CALCULATION OF ADJUSTMENT.—In adjusting under paragraph (1) the amount of the fees established under subsection (a), and the limitations on such fees under paragraphs (2), (3), (5), (6), (8), and (9) of subsection (b), the Secretary—

''(A) shall round the amount of any increase in the Consumer Price Index to the nearest dollar; and

''(B) may ignore any such increase of less than 1 percent.

''(3) CONSUMER PRICE INDEX DEFINED.—For purposes of this subsection, the term 'Consumer Price Index' means the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor.''.

(b) DEPOSITS INTO CUSTOMS USER FEE ACCOUNT.—Section 13031(f) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(f)) is amended—

(1) in paragraph (1), in the matter preceding subparagraph (A), by striking ''all fees collected under subsection (a)'' and inserting ''the amount of fees collected under subsection (a) (determined without regard to any adjustment made under subsection (l))''; and

(2) in paragraph (3)(A), in the matter preceding clause (i)—

(A) by striking ''fees collected'' and inserting ''amount of fees collected''; and

(B) by striking ''), each appropriation'' and inserting '', and determined without regard to any adjustment made under subsection (l)), each appropriation''.

(c) CONFORMING AMENDMENTS.—Section 13031 of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c), as amended by subsections (a) and (b), is further amended—

(1) in subsection (a), in the matter preceding paragraph (1), by inserting ''(subject to adjustment under subsection (l))'' after ''following fees''; and

(2) in subsection (b)—

(A) in paragraph (2), by inserting ''(subject to adjustment under subsection (l))'' after ''in fees'';

(B) in paragraph (3), by inserting ''(subject to adjustment under subsection (l))'' after ''in fees'';

(C) in paragraph (5)(A), by inserting ''(subject to adjustment under subsection (l))'' after ''in fees'';

(D) in paragraph (6), by inserting ''(subject to adjustment under subsection (l))'' after ''in fees'';

(E) in paragraph (8)(A)—

(i) in clause (i), by inserting ''or (l)'' after ''subsection (a)(9)(B)''; and

(ii) in clause (ii), by inserting ''(subject to adjustment under subsection (l))'' after ''$3''; and

(F) in paragraph (9)—

(i) in subparagraph (A)—

(I) in the matter preceding clause (i), by inserting ''and subject to adjustment under subsection (l)'' after ''Tariff Act of 1930''; and

(II) in clause (ii)(I), by inserting ''(subject to adjustment under subsection (l))'' after ''bill of lading''; and

(ii) in subparagraph (B)(i), by inserting ''(subject to adjustment under subsection (l))'' after ''bill of lading''.

SEC. 52203. DIVIDENDS AND SURPLUS FUNDS OF RESERVE BANKS.

Section 7(a)(1)(A) of the Federal Reserve Act (12 U.S.C. 289(a)(1)(A)) is amended by striking ''6 percent'' and inserting ''6 percent (1.5 percent in the case of a stockholder having total consolidated assets of more than $1,000,000,000 (determined as of September 30 of the preceding fiscal year))''.

SEC. 52204. STRATEGIC PETROLEUM RESERVE DRAWDOWN AND SALE.

(a) DRAWDOWN AND SALE.—

(1) IN GENERAL.—Notwithstanding section 161 of the Energy Policy and Conservation Act (42 U.S.C. 6241), except as provided in subsection (b), the Secretary of Energy shall drawdown and sell from the Strategic Petroleum Reserve—

(A) 4,000,000 barrels of crude oil during fiscal year 2018;

(B) 5,000,000 barrels of crude oil during fiscal year 2019;

(C) 8,000,000 barrels of crude oil during fiscal year 2020;

(D) 8,000,000 barrels of crude oil during fiscal year 2021;

(E) 10,000,000 barrels of crude oil during fiscal year 2022;

(F) 16,000,000 barrels of crude oil during fiscal year 2023;

(G) 25,000,000 barrels of crude oil during fiscal year 2024; and

(H) 25,000,000 barrels of crude oil during fiscal year 2025.

(2) DEPOSIT OF AMOUNTS RECEIVED FROM SALE.—Amounts received from a sale under paragraph (1) shall be deposited in the general fund of the Treasury during the fiscal year in which the sale occurs.

(b) EMERGENCY PROTECTION.—In any 1 fiscal year described in subsection (a)(1), the Secretary of Energy shall not drawdown and sell crude oil under this section in quantities that would result in a Strategic Petroleum Reserve that contains an inventory of petroleum products representing fewer than 90 days of emergency reserves, based on the average daily level of net imports of crude oil and petroleum products in the calendar year preceding that fiscal year.

SEC. 52205. EXTENSION OF ENTERPRISE GUARANTEE FEE.

Section 1327(f) of the Housing and Community Development Act of 1992 (12 U.S.C. 4547(f)) is amended by striking ''October 1, 2021'' and inserting ''October 1, 2025''.

Subtitle C—Outlays

SEC. 52301. RECISION OF FUNDS FROM HARDEST HIT FUND PROGRAM.

Effective on the date of enactment of this Act, all unobligated amounts made available under the Hardest Hit Fund program of the Secretary of the Treasury under title I of the Emergency Economic Stabilization Act of 2008 (12 U.S.C. 5211 et seq.) are rescinded.

SEC. 52302. INTEREST ON OVERPAYMENT.

Section 111 of the Federal Oil and Gas Royalty Management Act of 1982 (30 U.S.C. 1721) is amended—

(1) by striking subsections (h) and (i);

(2) by redesignating subsections (j) through (l) as subsections (h) through (j), respectively; and

(3) in subsection (h) (as so redesignated), by striking the fourth sentence.

SEC. 52303. REVISIONS TO PROVISIONS LIMITING PAYMENT OF BENEFITS TO FUGITIVE FELONS UNDER TITLES II, VIII, AND XVI OF THE SOCIAL SECURITY ACT.

(a) TITLE II AMENDMENTS.—

(1) FUGITIVE FELON WARRANT REQUIREMENT.—Section 202(x)(1)(A)(iv) of the Social Security Act (42 U.S.C. 402(x)(1)(A)(iv)) is amended—

(A) by striking ''fleeing to avoid'' and inserting ''the subject of an arrest warrant for the purpose of'';

(B) by striking ''the place from which the person flees'' the first place it appears and inserting ''the jurisdiction issuing the warrant'';

(C) by striking ''the place from which the person flees'' the second place it appears and inserting ''the jurisdiction''; and

(D) by inserting '', and a Federal, State, or local law enforcement agency has notified the Commissioner that such agency intends to pursue the arrest, extradition, or prosecution of the individual'' after '' the actual sentence imposed''.

(2) PROBATION AND PAROLE VIOLATOR WARRANT REQUIREMENT.—Section 202(x)(1)(A)(v) of the Social Security Act (42 U.S.C. 402(x)(1)(A)(v)) is amended to read as follows:

''(v) is the subject of an arrest warrant for violating a condition of probation or parole imposed under Federal or State law, and a Federal, State, or local law enforcement agency has notified the Commissioner that such agency intends to pursue the arrest or extradition of the individual or the revocation of the individual's probation or parole.''.

(b) TITLE VIII AMENDMENTS.—

(1) FUGITIVE FELON WARRANT REQUIREMENT.—Section 804(a)(2) of such Act (42 U.S.C. 1004(a)(2)) is amended—

(A) by striking ''fleeing to avoid'' and inserting ''the subject of an arrest warrant for the purpose of'';

(B) by striking ''the jurisdiction within the United States from which the person has fled'' and inserting ''any jurisdiction within the United States'';

(C) by striking ''place from which the person has fled'' and inserting ''jurisdiction issuing the warrant''; and

(D) by inserting '', and a Federal, State, or local law enforcement agency has notified the Commissioner that such agency intends to pursue the arrest, extradition, or prosecution of the individual'' after '' the actual sentence imposed''.

(2) PROBATION AND PAROLE WARRANT REQUIREMENT.—Section 804(a)(3) of the Social Security Act (42 U.S.C. 1004(a)(3)) is amended to read as follows:

''(3) during any part of which the individual is the subject of an arrest warrant for violating a condition of probation or parole imposed under Federal or State law, and a Federal, State, or local law enforcement agency has notified the Commissioner that such agency intends to pursue the arrest or extradition of the individual or the revocation of the individual's probation or parole; or''.

(3) DISCLOSURE.—Section 804 of such Act (42 U.S.C. 1004) is amended by adding at the end the following:

''(c) Notwithstanding the provisions of section 552a of title 5, United States Code, or any other provision of Federal or State law (other than section 6103 of the Internal Revenue Code of 1986 and section 1106(c) of this Act), the Commissioner shall furnish any Federal, State, or local law enforcement officer, upon written request of the officer, with the current address, Social Security number, and photograph (if applicable) of any individual who is a recipient of (or would be such a recipient but for the application of paragraph (2) or (3) of subsection (a)) benefits under this title, if the officer furnishes the Commissioner with the name of the individual and other identifying information as reasonably required by the Commissioner to establish the unique identity of the individual, and notifies the Commissioner that—

''(1) the individual is described in paragraph (2) or (3) of subsection (a); and

''(2) the location or apprehension of such individual is within the officer's official duties.''.

(c) TITLE XVI AMENDMENTS.—

(1) FUGITIVE FELON WARRANT REQUIREMENT.—Section 1611(e)(4)(A)(i) of such Act (42 U.S.C. 1382(e)(4)(A)(i)) is amended—

(A) by striking ''fleeing to avoid'' and inserting ''the subject of an arrest warrant for the purpose of'';

(B) by striking ''the place from which the person flees'' the first place it appears and inserting ''the jurisdiction issuing the warrant'';

(C) by striking ''the place from which the person flees'' the second place it appears and inserting ''the jurisdiction''; and

(D) by inserting '', and a Federal, State, or local law enforcement agency has notified the Commissioner that such agency intends to pursue the arrest, extradition, or prosecution of the person'' after '' the actual sentence imposed''.

(2) PROBATION AND PAROLE WARRANT REQUIREMENT.—Section 1611(e)(4)(A)(ii) of the Social Security Act (42 U.S.C. 1382(e)(4)(A)(ii)) is amended to read as follows:

''(ii) the subject of an arrest warrant for violating a condition of probation or parole imposed under Federal or State law, and a Federal, State, or local law enforcement agency has notified the Commissioner that such agency intends to pursue the arrest or extradition of the person or the revocation of the person's probation or parole.''.

(3) DISCLOSURE.—Section 1611(e)(5) of such Act (42 U.S.C. 1382(e)(5)) is amended—

(A) by striking ''any recipient of'' and inserting ''any individual who is a recipient of (or would be such a recipient but for the application of paragraph (4)(A)''; and

(B) by striking ''the recipient'' each place it appears and inserting ''the individual''.

(d) EFFECTIVE DATE.—The amendments made by this section shall be effective with respect to benefits payable under the Social Security Act for months that begin after 270 days following the date of the enactment of this section.

DIVISION F—MISCELLANEOUS

TITLE LXI—FEDERAL PERMITTING IMPROVEMENT

SEC. 61001. DEFINITIONS.

In this title:

(1) AGENCY.—The term ''agency'' has the meaning given the term in section 551 of title 5, United States Code.

(2) AGENCY CERPO.—The term ''agency CERPO'' means the chief environmental review and permitting officer of an agency, as designated by the head of the agency under section 61002(b)(2)(A)(iii)(I).

(3) AUTHORIZATION.—The term ''authorization'' means any license, permit, approval, finding, determination, or other administrative decision issued by an agency that is required or authorized under Federal law in order to site, construct, reconstruct, or commence operations of a covered project, whether administered by a Federal or State agency.

(4) COOPERATING AGENCY.—The term ''cooperating agency'' means any agency with—

(A) jurisdiction under Federal law; or

(B) special expertise as described in section 1501.6 of title 40, Code of Federal Regulations (as in effect on the date of enactment of this Act).

(5) COUNCIL.—The term ''Council'' means the Federal Infrastructure Permitting Improvement Steering Council established under section 61002(a).

(6) COVERED PROJECT.—

(A) IN GENERAL.—The term ''covered project'' means any activity in the United States that requires authorization or environmental review by a Federal agency involving construction of infrastructure for renewable or conventional energy production, electricity transmission, surface transportation, aviation, ports and waterways, water resource projects, broadband, pipelines, manufacturing, or any other sector as determined by a majority vote of the Council that—

(i)(I) is subject to NEPA;

(II) is likely to require a total investment of more than $200,000,000; and

(III) does not qualify for abbreviated authorization or environmental review processes under any applicable law; or

(ii) is subject to NEPA and the size and complexity of which, in the opinion of the Council, make the project likely to benefit from enhanced oversight and coordination, including a project likely to require—

(I) authorization from or environmental review involving more than 2 Federal agencies; or

(II) the preparation of an environmental impact statement under NEPA.

(B) EXCLUSION.—The term ''covered project'' does not include—

(i) any project subject to section 139 of title 23, United States Code; or

(ii) any project subject to section 2045 of the Water Resources Development Act of 2007 (33 U.S.C. 2348).

(7) DASHBOARD.—The term ''Dashboard'' means the Permitting Dashboard required under section 61003(b).

(8) ENVIRONMENTAL ASSESSMENT.—The term ''environmental assessment'' means a concise public document for which a Federal agency is responsible under section 1508.9 of title 40, Code of Federal Regulations (or successor regulations).

(9) ENVIRONMENTAL DOCUMENT.—

(A) IN GENERAL.—The term ''environmental document'' means an environmental assessment, finding of no significant impact, notice of intent, environmental impact statement, or record of decision.

(B) INCLUSIONS.—The term ''environmental document'' includes—

(i) any document that is a supplement to a document described in subparagraph (A); and

(ii) a document prepared pursuant to a court order.

(10) ENVIRONMENTAL IMPACT STATEMENT.—The term ''environmental impact statement'' means the detailed written statement required under section 102(2)(C) of NEPA.

(11) ENVIRONMENTAL REVIEW.—The term ''environmental review'' means the agency

procedures and processes for applying a categorical exclusion or for preparing an environmental assessment, an environmental impact statement, or other document required under NEPA.

(12) EXECUTIVE DIRECTOR.—The term ''Executive Director'' means the Executive Director appointed by the President under section 61002(b)(1)(A).

(13) FACILITATING AGENCY.—The term ''facilitating agency'' means the agency that receives the initial notification from the project sponsor required under section 61003(a).

(14) INVENTORY.—The term ''inventory'' means the inventory of covered projects established by the Executive Director under section 61002(c)(1)(A).

(15) LEAD AGENCY.—The term ''lead agency'' means the agency with principal responsibility for an environmental review of a covered project under NEPA and parts 1500 through 1508 of title 40, Code of Federal Regulations (or successor regulations).

(16) NEPA.—The term ''NEPA'' means the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(17) PARTICIPATING AGENCY.—The term ''participating agency'' means an agency participating in an environmental review or authorization for a covered project in accordance with section 61003.

(18) PROJECT SPONSOR.—The term ''project sponsor'' means an entity, including any private, public, or public-private entity, seeking an authorization for a covered project.

SEC. 61002. FEDERAL PERMITTING IMPROVEMENT COUNCIL.

(a) ESTABLISHMENT.—There is established the Federal Permitting Improvement Steering Council.

(b) COMPOSITION.—

(1) CHAIR.—The Executive Director shall—

(A) be appointed by the President; and

(B) serve as Chair of the Council.

(2) COUNCIL MEMBERS.—

(A) IN GENERAL.—

(i) DESIGNATION BY HEAD OF AGENCY.—Each individual listed in subparagraph (B) shall designate a member of the agency in which the individual serves to serve on the Council.

(ii) QUALIFICATIONS.—A councilmember described in clause (i) shall hold a position in the agency of deputy secretary (or the equivalent) or higher.

(iii) SUPPORT.—

(I) IN GENERAL.—Consistent with guidance provided by the Director of the Office of Management and Budget, each individual listed in subparagraph (B) shall designate 1 or more appropriate members of the agency in which the individual serves to serve as an agency CERPO.

(II) REPORTING.—In carrying out the duties of the agency CERPO under this title, an agency CERPO shall report directly to a deputy secretary (or the equivalent) or higher.

(B) HEADS OF AGENCIES.—The individuals that shall each designate a councilmember under this subparagraph are as follows:

(i) The Secretary of Agriculture.

(ii) The Secretary of the Army.

(iii) The Secretary of Commerce.

(iv) The Secretary of the Interior.

(v) The Secretary of Energy.

(vi) The Secretary of Transportation.

(vii) The Secretary of Defense.

(viii) The Administrator of the Environmental Protection Agency.

(ix) The Chairman of the Federal Energy Regulatory Commission.

(x) The Chairman of the Nuclear Regulatory Commission.

(xi) The Secretary of Homeland Security.

(xii) The Secretary of Housing and Urban Development.

(xiii) The Chairman of the Advisory Council on Historic Preservation.

(xiv) Any other head of a Federal agency that the Executive Director may invite to participate as a member of the Council.

(3) ADDITIONAL MEMBERS.—In addition to the members listed in paragraphs (1) and (2), the Chairman of the Council on Environmental Quality and the Director of the Office of Management and Budget shall also be members of the Council.

(c) DUTIES.—

(1) EXECUTIVE DIRECTOR.—

(A) INVENTORY DEVELOPMENT.—The Executive Director, in consultation with the Council, shall—

(i) not later than 180 days after the date of enactment of this Act, establish an inventory of covered projects that are pending the environmental review or authorization of the head of any Federal agency;

(ii)(I) categorize the projects in the inventory as appropriate, based on sector and project type; and

(II) for each category, identify the types of environmental reviews and authorizations most commonly involved; and

(iii) add a covered project to the inventory after receiving a notice described in section 61003(a)(1).

(B) FACILITATING AGENCY DESIGNATION.—The Executive Director, in consultation with the Council, shall—

(i) designate a facilitating agency for each category of covered projects described in subparagraph (A)(ii); and

(ii) publish the list of designated facilitating agencies for each category of projects in the inventory on the Dashboard in an easily accessible format.

(C) PERFORMANCE SCHEDULES.—

(i) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Executive Director, in consultation with the Council, shall develop recommended performance schedules, including intermediate and final completion dates, for environmental reviews and authorizations most commonly required for each category of covered projects described in subparagraph (A)(ii).

(ii) REQUIREMENTS.—

(I) IN GENERAL.—The performance schedules shall reflect employment of the use of the most efficient applicable processes.

(II) LIMIT.—

(aa) IN GENERAL.—The final completion dates in any performance schedule for the completion of an environmental review or authorization under clause (i) shall not exceed the average time to complete an environmental review or authorization for a project within that category.

(bb) CALCULATION OF AVERAGE TIME.—The average time referred to in item (aa) shall be calculated on the basis of data from the preceding 2 calendar years and shall run from the period beginning on the date on which the Executive Director must make a specific entry for the project on the Dashboard under section 61003(b)(2) (except that, for projects initiated before that duty takes effect, the period beginning on the date of filing of a completed application), and ending on the date of the issuance of a record of decision or other final agency action on the review or authorization.

(cc) COMPLETION DATE.—Each performance schedule shall specify that any decision by an agency on an environmental review or authorization must be issued not later than 180 days after the date on which all information needed to complete the review or authorization (including any hearing that an agency holds on the matter) is in the possession of the agency.

(iii) REVIEW AND REVISION.—Not later than 2 years after the date on which the performance schedules are established under this subparagraph, and not less frequently than once every 2 years thereafter, the Executive Director, in consultation with the Council, shall review and revise the performance schedules.

(D) GUIDANCE.—The Executive Director, in consultation with the Council, may recommend to the Director of the Office of Management and Budget or to the Council on Environmental Quality, as appropriate, that guidance be issued as necessary for agencies—

(i) to carry out responsibilities under this title; and

(ii) to effectuate the adoption by agencies of the best practices and recommendations of the Council described in paragraph (2).

(2) COUNCIL.—

(A) RECOMMENDATIONS.—

(i) IN GENERAL.—The Council shall make recommendations to the Executive Director with respect to the designations under paragraph (1)(B) and the performance schedules under paragraph (1)(C).

(ii) UPDATE.—The Council may update the recommendations described in clause (i).

(B) BEST PRACTICES.—Not later than 1 year after the date of enactment of this Act, and not less frequently than annually thereafter, the Council shall issue recommendations on the best practices for—

(i) enhancing early stakeholder engagement, including fully considering and, as appropriate, incorporating recommendations provided in public comments on any proposed covered project;

(ii) ensuring timely decisions regarding environmental reviews and authorizations, including through the development of performance metrics;

(iii) improving coordination between Federal and non-Federal governmental entities, including through the development of common data standards and terminology across agencies;

(iv) increasing transparency;

(v) reducing information collection requirements and other administrative burdens on agencies, project sponsors, and other interested parties;

(vi) developing and making available to applicants appropriate geographic information systems and other tools;

(vii) creating and distributing training materials useful to Federal, State, tribal, and local permitting officials; and

(viii) addressing other aspects of infrastructure permitting, as determined by the Council.

(3) AGENCY CERPOS.—An agency CERPO shall—

(A) advise the respective agency councilmember on matters related to environmental reviews and authorizations;

(B) provide technical support, when requested to facilitate efficient and timely processes for environmental reviews and authorizations for covered projects under the jurisdictional responsibility of the agency, including supporting timely identification and resolution of potential disputes within the agency or between the agency and other Federal agencies;

(C) analyze agency environmental review and authorization processes, policies, and authorities and make recommendations to the respective agency councilmember for ways

to standardize, simplify, and improve the efficiency of the processes, policies, and authorities, including by implementing guidance issued under paragraph (1)(D) and other best practices, including the use of information technology and geographic information system tools within the agency and across agencies, to the extent consistent with existing law; and

(D) review and develop training programs for agency staff that support and conduct environmental reviews or authorizations.

(d) ADMINISTRATIVE SUPPORT.—The Director of the Office of Management and Budget shall designate a Federal agency, other than an agency that carries out or provides support for projects that are not covered projects, to provide administrative support for the Executive Director, and the designated agency shall, as reasonably necessary, provide support and staff to enable the Executive Director to fulfill the duties of the Executive Director under this title.

SEC. 61003. PERMITTING PROCESS IMPROVEMENT.

(a) PROJECT INITIATION AND DESIGNATION OF PARTICIPATING AGENCIES.—

(1) NOTICE.—

(A) IN GENERAL.—A project sponsor of a covered project shall submit to the Executive Director and the facilitating agency notice of the initiation of a proposed covered project.

(B) DEFAULT DESIGNATION.—If, at the time of submission of the notice under subparagraph (A), the Executive Director has not designated a facilitating agency under section 61002(c)(1)(B) for the categories of projects noticed, the agency that receives the notice under subparagraph (A) shall be designated as the facilitating agency.

(C) CONTENTS.—Each notice described in subparagraph (A) shall include—

(i) a statement of the purposes and objectives of the proposed project;

(ii) a concise description, including the general location of the proposed project and a summary of geospatial information, if available, illustrating the project area and the locations, if any, of environmental, cultural, and historic resources;

(iii) a statement regarding the technical and financial ability of the project sponsor to construct the proposed project;

(iv) a statement of any Federal financing, environmental reviews, and authorizations anticipated to be required to complete the proposed project; and

(v) an assessment that the proposed project meets the definition of a covered project under section 61001 and a statement of reasons supporting the assessment.

(2) INVITATION.—

(A) IN GENERAL.—Not later than 45 days after the date on which the Executive Director must make a specific entry for the project on the Dashboard under subsection (b)(2)(A), the facilitating agency or lead agency, as applicable, shall—

(i) identify all Federal and non-Federal agencies and governmental entities likely to have financing, environmental review, authorization, or other responsibilities with respect to the proposed project; and

(ii) invite all Federal agencies identified under clause (i) to become a participating agency or a cooperating agency, as appropriate, in the environmental review and authorization management process described in section 61005.

(B) DEADLINES.—Each invitation made under subparagraph (A) shall include a deadline for a response to be submitted to the facilitating or lead agency, as applicable.

(3) PARTICIPATING AND COOPERATING AGENCIES.—

(A) IN GENERAL.—An agency invited under paragraph (2) shall be designated as a participating or cooperating agency for a covered project, unless the agency informs the facilitating or lead agency, as applicable, in writing before the deadline under paragraph (2)(B) that the agency—

(i) has no jurisdiction or authority with respect to the proposed project; or

(ii) does not intend to exercise authority related to, or submit comments on, the proposed project.

(B) CHANGED CIRCUMSTANCES.—On request and a showing of changed circumstances, the Executive Director may designate an agency that has opted out under subparagraph (A)(ii) to be a participating or cooperating agency, as appropriate.

(4) EFFECT OF DESIGNATION.—The designation described in paragraph (3) shall not—

(A) give the participating agency authority or jurisdiction over the covered project; or

(B) expand any jurisdiction or authority a cooperating agency may have over the proposed project.

(5) LEAD AGENCY DESIGNATION.—

(A) IN GENERAL.—On establishment of the lead agency, the lead agency shall assume the responsibilities of the facilitating agency under this title.

(B) REDESIGNATION OF FACILITATING AGENCY.—If the lead agency assumes the responsibilities of the facilitating agency under subparagraph (A), the facilitating agency may be designated as a cooperative or participating agency.

(6) CHANGE OF FACILITATING OR LEAD AGENCY.—

(A) IN GENERAL.—On the request of a participating agency or project sponsor, the Executive Director may designate a different agency as the facilitating or lead agency, as applicable, for a covered project, if the facilitating or lead agency or the Executive Director receives new information regarding the scope or nature of a covered project that indicates that the project should be placed in a different category under section 61002(c)(1)(B).

(B) RESOLUTION OF DISPUTE.—The Executive Director shall resolve any dispute over designation of a facilitating or lead agency for a particular covered project.

(b) PERMITTING DASHBOARD.—

(1) REQUIREMENT TO MAINTAIN.—

(A) IN GENERAL.—The Executive Director, in coordination with the Administrator of General Services, shall maintain an online database to be known as the ''Permitting Dashboard'' to track the status of Federal environmental reviews and authorizations for any covered project in the inventory described in section 61002(c)(1)(A).

(B) SPECIFIC AND SEARCHABLE ENTRY.—The Dashboard shall include a specific and searchable entry for each covered project.

(2) ADDITIONS.—

(A) IN GENERAL.—

(i) EXISTING PROJECTS.—Not later than 14 days after the date on which the Executive Director adds a project to the inventory under section 61002(c)(1)(A), the Executive Director shall create a specific entry on the Dashboard for the covered project.

(ii) NEW PROJECTS.—Not later than 14 days after the date on which the Executive Director receives a notice under subsection (a)(1), the Executive Director shall create a specific entry on the Dashboard for the covered project, unless the Executive Director, facilitating agency, or lead agency, as applicable, determines that the project is not a covered project.

(B) EXPLANATION.—If the facilitating agency or lead agency, as applicable, determines that the project is not a covered project, the project sponsor may submit a further explanation as to why the project is a covered project not later than 14 days after the date of the determination under subparagraph (A).

(C) FINAL DETERMINATION.—Not later than 14 days after receiving an explanation described in subparagraph (B), the Executive Director shall—

(i) make a final and conclusive determination as to whether the project is a covered project; and

(ii) if the Executive Director determines that the project is a covered project, create a specific entry on the Dashboard for the covered project.

(3) POSTINGS BY AGENCIES.—

(A) IN GENERAL.—For each covered project added to the Dashboard under paragraph (2), the facilitating or lead agency, as applicable, and each cooperating and participating agency shall post to the Dashboard—

(i) a hyperlink that directs to a website that contains, to the extent consistent with applicable law—

(I) the notification submitted under subsection (a)(1);

(II)(aa) where practicable, the application and supporting documents, if applicable, that have been submitted by a project sponsor for any required environmental review or authorization; or

(bb) a notice explaining how the public may obtain access to such documents;

(III) a description of any Federal agency action taken or decision made that materially affects the status of a covered project;

(IV) any significant document that supports the action or decision described in subclause (III); and

(V) a description of the status of any litigation to which the agency is a party that is directly related to the project, including, if practicable, any judicial document made available on an electronic docket maintained by a Federal, State, or local court; and

(ii) any document described in clause (i) that is not available by hyperlink on another website.

(B) DEADLINE.—The information described in subparagraph (A) shall be posted to the website made available by hyperlink on the Dashboard not later than 5 business days after the date on which the Federal agency receives the information.

(4) POSTINGS BY THE EXECUTIVE DIRECTOR.—The Executive Director shall publish to the Dashboard—

(A) the permitting timetable established under subparagraph (A) or (C) of subsection (c)(2);

(B) the status of the compliance of each agency with the permitting timetable;

(C) any modifications of the permitting timetable;

(D) an explanation of each modification described in subparagraph (C); and

(E) any memorandum of understanding established under subsection (c)(3)(B).

(c) COORDINATION AND TIMETABLES.—

(1) COORDINATED PROJECT PLAN.—

(A) IN GENERAL.—Not later than 60 days after the date on which the Executive Director must make a specific entry for the project on the Dashboard under subsection (b)(2)(A), the facilitating or lead agency, as applicable, in consultation with each coordinating and participating agency, shall establish a concise plan for coordinating public and agency participation in, and completion of, any required Federal environmental review and authorization for the project.

(B) REQUIRED INFORMATION.—The Coordinated Project Plan shall include the following information and be updated by the facilitating or lead agency, as applicable, at least once per quarter:

(i) A list of, and roles and responsibilities for, all entities with environmental review or authorization responsibility for the project.

(ii) A permitting timetable, as described in paragraph (2), setting forth a comprehensive schedule of dates by which all environmental reviews and authorizations, and to the maximum extent practicable, State permits, reviews and approvals must be made.

(iii) A discussion of potential avoidance, minimization, and mitigation strategies, if required by applicable law and known.

(iv) Plans and a schedule for public and tribal outreach and coordination, to the extent required by applicable law.

(C) MEMORANDUM OF UNDERSTANDING.—The coordinated project plan described in subparagraph (A) may be incorporated into a memorandum of understanding.

(2) PERMITTING TIMETABLE.—

(A) ESTABLISHMENT.—

(i) IN GENERAL.—As part of the coordination project plan under paragraph (1), the facilitating or lead agency, as applicable, in consultation with each cooperating and participating agency, the project sponsor, and any State in which the project is located, shall establish a permitting timetable that includes intermediate and final completion dates for action by each participating agency on any Federal environmental review or authorization required for the project.

(ii) CONSENSUS.—In establishing a permitting timetable under clause (i), each agency shall, to the maximum extent practicable, make efforts to reach a consensus.

(B) FACTORS FOR CONSIDERATION.—In establishing the permitting timetable under subparagraph (A), the facilitating or lead agency shall follow the performance schedules established under section 61002(c)(1)(C), but may vary the timetable based on relevant factors, including—

(i) the size and complexity of the covered project;

(ii) the resources available to each participating agency;

(iii) the regional or national economic significance of the project;

(iv) the sensitivity of the natural or historic resources that may be affected by the project;

(v) the financing plan for the project; and

(vi) the extent to which similar projects in geographic proximity to the project were recently subject to environmental review or similar procedures under State law.

(C) DISPUTE RESOLUTION.—

(i) IN GENERAL.—The Executive Director, in consultation with appropriate agency CERPOs and the project sponsor, shall, as necessary, mediate any disputes regarding the permitting timetable established under subparagraph (A).

(ii) DISPUTES.—If a dispute remains unresolved 30 days after the date on which the dispute was submitted to the Executive Director, the Director of the Office of Management and Budget, in consultation with the Chairman of the Council on Environmental Quality, shall facilitate a resolution of the dispute and direct the agencies party to the dispute to resolve the dispute by the end of the 60-day period beginning on the date of submission of the dispute to the Executive Director.

(iii) FINAL RESOLUTION.—Any action taken by the Director of the Office of Management and Budget in the resolution of a dispute under clause (ii) shall—

(I) be final and conclusive; and

(II) not be subject to judicial review.

(D) MODIFICATION AFTER APPROVAL.—

(i) IN GENERAL.—The facilitating or lead agency, as applicable, may modify a permitting timetable established under subparagraph (A) only if—

(I) the facilitating or lead agency, as applicable, and the affected cooperating agencies, after consultation with the participating agencies, agree to a different completion date; and

(II) the facilitating agency or lead agency, as applicable, or the affected cooperating agency provides a written justification for the modification.

(ii) COMPLETION DATE.—A completion date in the permitting timetable may not be modified within 30 days of the completion date.

(E) CONSISTENCY WITH OTHER TIME PERIODS.—A permitting timetable established under subparagraph (A) shall be consistent with any other relevant time periods established under Federal law and shall not prevent any cooperating or participating agency from discharging any obligation under Federal law in connection with the project.

(F) CONFORMING TO PERMITTING TIMETABLES.—

(i) IN GENERAL.—Each Federal agency shall conform to the completion dates set forth in the permitting timetable established under subparagraph (A), or with any completion date modified under subparagraph (D).

(ii) FAILURE TO CONFORM.—If a Federal agency fails to conform with a completion date for agency action on a covered project or is at significant risk of failing to conform with such a completion date, the agency shall—

(I) promptly submit to the Executive Director for publication on the Dashboard an explanation of the specific reasons for failing or significantly risking failing to conform to the completion date and a proposal for an alternative completion date;

(II) in consultation with the facilitating or lead agency, as applicable, establish an alternative completion date; and

(III) each month thereafter until the agency has taken final action on the delayed authorization or review, submit to the Executive Director for posting on the Dashboard a status report describing any agency activity related to the project.

(G) ABANDONMENT OF COVERED PROJECT.—

(i) IN GENERAL.—If the facilitating or lead agency, as applicable, has a reasonable basis to doubt the continuing technical or financial ability of the project sponsor to construct the covered project, the facilitating or lead agency may request the project sponsor provide an updated statement regarding the ability of the project sponsor to complete the project.

(ii) FAILURE TO RESPOND.—If the project sponsor fails to respond to a request described in clause (i) by the date that is 30 days after receiving the request, the lead or facilitating agency, as applicable, shall notify the Executive Director, who shall publish an appropriate notice on the Dashboard.

(iii) PUBLICATION TO DASHBOARD.—On publication of a notice under clause (ii), the completion dates in the permitting timetable shall be tolled and agencies shall be relieved of the obligation to comply with subparagraph (F) until such time as the project sponsor submits to the facilitating or lead agency, as applicable, an updated statement regarding the technical and financial ability of the project sponsor to construct the project.

(3) COOPERATING STATE, LOCAL, OR TRIBAL GOVERNMENTS.—

(A) STATE AUTHORITY.—If the Federal environmental review is being implemented within the boundaries of a State, the State, consistent with State law, may choose to participate in the environmental review and authorization process under this subsection and to make subject to the process all State agencies that—

(i) have jurisdiction over the covered project;

(ii) are required to conduct or issue a review, analysis, opinion, or statement for the covered project; or

(iii) are required to make a determination on issuing a permit, license, or other approval or decision for the covered project.

(B) COORDINATION.—To the maximum extent practicable under applicable law, the facilitating or lead agency, as applicable, shall coordinate the Federal environmental review and authorization processes under this subsection with any State, local, or tribal agency responsible for conducting any separate review or authorization of the covered project to ensure timely and efficient completion of environmental reviews and authorizations.

(C) MEMORANDUM OF UNDERSTANDING.—

(i) IN GENERAL.—Any coordination plan between the facilitating or lead agency, as applicable, and any State, local, or tribal agency shall, to the maximum extent practicable, be included in a memorandum of understanding.

(ii) SUBMISSION TO EXECUTIVE DIRECTOR.—The facilitating or lead agency, as applicable, shall submit to the Executive Director each memorandum of understanding described in clause (i).

(d) EARLY CONSULTATION.—The facilitating or lead agency, as applicable, shall provide an expeditious process for project sponsors to confer with each cooperating and participating agency involved and, not later than 60 days after the date on which the project sponsor submits a request under this subsection, to have each such agency provide to the project sponsor information concerning—

(1) the availability of information and tools, including pre-application toolkits, to facilitate early planning efforts;

(2) key issues of concern to each agency and to the public; and

(3) issues that must be addressed before an environmental review or authorization can be completed.

(e) COOPERATING AGENCY.—

(1) IN GENERAL.—A lead agency may designate a participating agency as a cooperating agency in accordance with part 1501 of title 40, Code of Federal Regulations (or successor regulations).

(2) EFFECT ON OTHER DESIGNATION.—The designation described in paragraph (1) shall not affect any designation under subsection (a)(3).

(3) LIMITATION ON DESIGNATION.—Any agency not designated as a participating agency under subsection (a)(3) shall not be designated as a cooperating agency under paragraph (1).

(f) REPORTING STATUS OF OTHER PROJECTS ON DASHBOARD.—

(1) IN GENERAL.—On request of the Executive Director, the Secretary and the Secretary of the Army shall use best efforts to provide information for inclusion on the Dashboard on projects subject to section 139 of title 23, United States Code, and section 2045 of the Water Resources Development Act of 2007 (33 U.S.C. 2348) likely to require—

(A) a total investment of more than $200,000,000; and

(B) an environmental impact statement under NEPA.

(2) EFFECT OF INCLUSION ON DASHBOARD.—Inclusion on the Dashboard of information regarding projects subject to section 139 of title 23, United States Code, or section 2045 of the Water Resources Development Act of 2007 (33 U.S.C. 2348) shall not subject those projects to any requirements of this title.

SEC. 61004. INTERSTATE COMPACTS.

(a) IN GENERAL.—The consent of Congress is given for 3 or more contiguous States to enter into an interstate compact establishing regional infrastructure development agencies to facilitate authorization and review of covered projects, under State law or in the exercise of delegated permitting authority described under section 61006, that will advance infrastructure development, production, and generation within the States that are parties to the compact.

(b) REGIONAL INFRASTRUCTURE.—For the purpose of this title, a regional infrastructure development agency referred to in subsection (a) shall have the same authorities and responsibilities of a State agency.

SEC. 61005. COORDINATION OF REQUIRED REVIEWS.

(a) CONCURRENT REVIEWS.—To integrate environmental reviews and authorizations, each agency shall, to the maximum extent practicable—

(1) carry out the obligations of the agency with respect to a covered project under any other applicable law concurrently, and in conjunction with, other environmental reviews and authorizations being conducted by other cooperating or participating agencies, including environmental reviews and authorizations required under NEPA, unless the agency determines that doing so would impair the ability of the agency to carry out the statutory obligations of the agency; and

(2) formulate and implement administrative, policy, and procedural mechanisms to enable the agency to ensure completion of the environmental review process in a timely, coordinated, and environmentally responsible manner.

(b) ADOPTION, INCORPORATION BY REFERENCE, AND USE OF DOCUMENTS.—

(1) STATE ENVIRONMENTAL DOCUMENTS; SUPPLEMENTAL DOCUMENTS.—

(A) USE OF EXISTING DOCUMENTS.—

(i) IN GENERAL.—On the request of a project sponsor, a lead agency shall consider and, as appropriate, adopt or incorporate by reference, the analysis and documentation that has been prepared for a covered project under State laws and procedures as the documentation, or part of the documentation, required to complete an environmental review for the covered project, if the analysis and documentation were, as determined by the lead agency in consultation with the Council on Environmental Quality, prepared under circumstances that allowed for opportunities for public participation and consideration of alternatives and environmental consequences that are substantially equivalent to what would have been available had the documents and analysis been prepared by a Federal agency pursuant to NEPA.

(ii) GUIDANCE BY CEQ.—The Council on Environmental Quality may issue guidance to carry out this subsection.

(B) NEPA OBLIGATIONS.—An environmental document adopted under subparagraph (A) or a document that includes documentation incorporated under subparagraph (A) may serve as the documentation required for an environmental review or a supplemental environmental review required to be prepared by a lead agency under NEPA.

(C) SUPPLEMENTATION OF STATE DOCUMENTS.—If the lead agency adopts or incorporates analysis and documentation described in subparagraph (A), the lead agency shall prepare and publish a supplemental document if the lead agency determines that during the period after preparation of the analysis and documentation and before the adoption or incorporation—

(i) a significant change has been made to the covered project that is relevant for purposes of environmental review of the project; or

(ii) there has been a significant circumstance or new information has emerged that is relevant to the environmental review for the covered project.

(D) COMMENTS.—If a lead agency prepares and publishes a supplemental document under subparagraph (C), the lead agency shall solicit comments from other agencies and the public on the supplemental document for a period of not more than 45 days, beginning on the date on which the supplemental document is published, unless—

(i) the lead agency, the project sponsor, and any cooperating agency agree to a longer deadline; or

(ii) the lead agency extends the deadline for good cause.

(E) NOTICE OF OUTCOME OF ENVIRONMENTAL REVIEW.—A lead agency shall issue a record of decision or finding of no significant impact, as appropriate, based on the document adopted under subparagraph (A) and any supplemental document prepared under subparagraph (C).

(c) ALTERNATIVES ANALYSIS.—

(1) PARTICIPATION.—As early as practicable during the environmental review, but not later than the commencement of scoping for a project requiring the preparation of an environmental impact statement, the lead agency, in consultation with each cooperating agency, shall determine the range of reasonable alternatives to be considered for a covered project.

(2) RANGE OF ALTERNATIVES.—

(A) IN GENERAL.—Following participation under paragraph (1) and subject to subparagraph (B), the lead agency shall determine the range of reasonable alternatives for consideration in any document that the lead agency is responsible for preparing for the covered project.

(B) ALTERNATIVES REQUIRED BY LAW.—In determining the range of alternatives under subparagraph (A), the lead agency shall include all alternatives required to be considered by law.

(3) METHODOLOGIES.—

(A) IN GENERAL.—The lead agency shall determine, in collaboration with each cooperating agency at appropriate times during the environmental review, the methodologies to be used and the level of detail required in the analysis of each alternative for a covered project.

(B) ENVIRONMENTAL REVIEW.—A cooperating agency shall use the methodologies referred to in subparagraph (A) when conducting any required environmental review, to the extent consistent with existing law.

(4) PREFERRED ALTERNATIVE.—With the concurrence of the cooperating agencies with jurisdiction under Federal law and at the discretion of the lead agency, the preferred alternative for a project, after being identified, may be developed to a higher level of detail than other alternatives to facilitate the development of mitigation measures or concurrent compliance with other applicable laws if the lead agency determines that the development of the higher level of detail will not prevent—

(A) the lead agency from making an impartial decision as to whether to accept another alternative that is being considered in the environmental review; and

(B) the public from commenting on the preferred and other alternatives.

(d) ENVIRONMENTAL REVIEW COMMENTS.—

(1) COMMENTS ON DRAFT ENVIRONMENTAL IMPACT STATEMENT.—For comments by an agency or the public on a draft environmental impact statement, the lead agency shall establish a comment period of not less than 45 days and not more than 60 days after the date on which a notice announcing availability of the environmental impact statement is published in the Federal Register, unless—

(A) the lead agency, the project sponsor, and any cooperating agency agree to a longer deadline; or

(B) the lead agency, in consultation with each cooperating agency, extends the deadline for good cause.

(2) OTHER REVIEW AND COMMENT PERIODS.—For all other review or comment periods in the environmental review process described in parts 1500 through 1508 of title 40, Code of Federal Regulations (or successor regulations), the lead agency shall establish a comment period of not more than 45 days after the date on which the materials on which comment is requested are made available, unless—

(A) the lead agency, the project sponsor, and any cooperating agency agree to a longer deadline; or

(B) the lead agency extends the deadline for good cause.

(e) ISSUE IDENTIFICATION AND RESOLUTION.—

(1) COOPERATION.—The lead agency and each cooperating and participating agency shall work cooperatively in accordance with this section to identify and resolve issues that could delay completion of an environmental review or an authorization required for the project under applicable law or result in the denial of any approval under applicable law.

(2) LEAD AGENCY RESPONSIBILITIES.—

(A) IN GENERAL.—The lead agency shall make information available to each cooperating and participating agency and project sponsor as early as practicable in the environmental review regarding the environmental, historic, and socioeconomic resources located within the project area and the general locations of the alternatives under consideration.

(B) SOURCES OF INFORMATION.—The information described in subparagraph (A) may be based on existing data sources, including geographic information systems mapping.

(3) COOPERATING AND PARTICIPATING AGENCY RESPONSIBILITIES.—Each cooperating and participating agency shall—

(A) identify, as early as practicable, any issues of concern regarding any potential environmental impacts of the covered project, including any issues that could substantially delay or prevent an agency from completing any environmental review or authorization required for the project; and

(B) communicate any issues described in subparagraph (A) to the project sponsor.

(f) CATEGORIES OF PROJECTS.—The authorities granted under this section may be exercised for an individual covered project or a category of covered projects.

SEC. 61006. DELEGATED STATE PERMITTING PROGRAMS.

(a) IN GENERAL.—If a Federal statute permits a Federal agency to delegate to or otherwise authorize a State to issue or otherwise administer a permit program in lieu of the Federal agency, the Federal agency with authority to carry out the statute shall—

(1) on publication by the Council of best practices under section 61002(c)(2)(B), initiate a national process, with public participation, to determine whether and the extent to which any of the best practices are generally applicable on a delegation- or authorization-wide basis to permitting under the statute; and

(2) not later than 2 years after the date of enactment of this Act, make model recommendations for State modifications of the applicable permit program to reflect the best practices described in section 61002(c)(2)(B), as appropriate.

(b) BEST PRACTICES.—Lead and cooperating agencies may share with State, tribal, and local authorities best practices involved in review of covered projects and invite input from State, tribal, and local authorities regarding best practices.

SEC. 61007. LITIGATION, JUDICIAL REVIEW, AND SAVINGS PROVISION.

(a) LIMITATIONS ON CLAIMS.—

(1) IN GENERAL.—Notwithstanding any other provision of law, a claim arising under Federal law seeking judicial review of any authorization issued by a Federal agency for a covered project shall be barred unless—

(A) the action is filed not later than 2 years after the date of publication in the Federal Register of the final record of decision or approval or denial of a permit, unless a shorter time is specified in the Federal law under which judicial review is allowed; and

(B) in the case of an action pertaining to an environmental review conducted under NEPA—

(i) the action is filed by a party that submitted a comment during the environmental review or a party that lacked a reasonable opportunity to submit a comment; and

(ii) a party filed a sufficiently detailed comment so as to put the lead agency on notice of the issue on which the party seeks judicial review.

(2) NEW INFORMATION.—

(A) IN GENERAL.—The head of a lead agency or participating agency shall consider new information received after the close of a comment period if the information satisfies the requirements under regulations implementing NEPA.

(B) SEPARATE ACTION.—If Federal law requires the preparation of a supplemental environmental impact statement or other supplemental environmental document, the preparation of such document shall be considered a separate final agency action and the deadline for filing a claim for judicial review of the agency action shall be 2 years after the date on which a notice announcing the final agency action is published in the Federal Register, unless a shorter time is specified in the Federal law under which judicial review is allowed.

(3) RULE OF CONSTRUCTION.—Nothing in this subsection creates a right to judicial review or places any limit on filing a claim that a person has violated the terms of an authorization.

(b) PRELIMINARY INJUNCTIVE RELIEF.—In addition to considering any other applicable equitable factors, in any action seeking a temporary restraining order or preliminary injunction against an agency or a project sponsor in connection with review or authorization of a covered project, the court shall—

(1) consider the effects on public health, safety, and the environment, the potential for significant job losses, and other economic harm resulting from an order or injunction; and

(2) not presume that the harms described in paragraph (1) are reparable.

(c) JUDICIAL REVIEW.—Except as provided in subsection (a), nothing in this title affects the reviewability of any final Federal agency action in a court of competent jurisdiction.

(d) SAVINGS CLAUSE.—Nothing in this title—

(1) supersedes, amends, or modifies any Federal statute or affects the responsibility of any Federal officer to comply with or enforce any statute; or

(2) creates a presumption that a covered project will be approved or favorably reviewed by any agency.

(e) LIMITATIONS.—Nothing in this section preempts, limits, or interferes with—

(1) any practice of seeking, considering, or responding to public comment; or

(2) any power, jurisdiction, responsibility, or authority that a Federal, State, or local governmental agency, metropolitan planning organization, Indian tribe, or project sponsor has with respect to carrying out a project or any other provisions of law applicable to any project, plan, or program.

SEC. 61008. REPORT TO CONGRESS.

(a) IN GENERAL.—Not later than April 15 of each year for 10 years beginning on the date of enactment of this Act, the Executive Director shall submit to Congress a report detailing the progress accomplished under this title during the previous fiscal year.

(b) CONTENTS.—The report described in subsection (a) shall assess the performance of each participating agency and lead agency based on the best practices described in section 61002(c)(2)(B).

(c) OPPORTUNITY TO INCLUDE COMMENTS.—Each councilmember, with input from the respective agency CERPO, shall have the opportunity to include comments concerning the performance of the agency in the report described in subsection (a).

SEC. 61009. FUNDING FOR GOVERNANCE, OVERSIGHT, AND PROCESSING OF ENVIRONMENTAL REVIEWS AND PERMITS.

(a) IN GENERAL.—The heads of agencies listed in section 61002(b)(2)(B), with the guidance of the Director of the Office of Management and Budget and in consultation with the Executive Director, may, after public notice and opportunity for comment, issue regulations establishing a fee structure for project proponents to reimburse the United States for reasonable costs incurred in conducting environmental reviews and authorizations for covered projects.

(b) REASONABLE COSTS.—As used in this section, the term ''reasonable costs'' shall include costs to implement the requirements and authorities required under sections 61002 and 61003, including the costs to agencies and the costs of operating the Council.

(c) FEE STRUCTURE.—The fee structure established under subsection (a) shall—

(1) be developed in consultation with affected project proponents, industries, and other stakeholders;

(2) exclude parties for which the fee would impose an undue financial burden or is otherwise determined to be inappropriate; and

(3) be established in a manner that ensures that the aggregate amount of fees collected for a fiscal year is estimated not to exceed 20 percent of the total estimated costs for the fiscal year for the resources allocated for the conduct of the environmental reviews and authorizations covered by this title, as determined by the Director of the Office of Management and Budget.

(d) ENVIRONMENTAL REVIEW AND PERMITTING IMPROVEMENT FUND.—

(1) IN GENERAL.—All amounts collected pursuant to this section shall be deposited into a separate fund in the Treasury of the United States to be known as the ''Environmental Review Improvement Fund'' (referred to in this section as the ''Fund'').

(2) AVAILABILITY.—Amounts in the Fund shall be available to the Executive Director, without appropriation or fiscal year limitation, solely for the purposes of administering, implementing, and enforcing this title, including the expenses of the Council.

(3) TRANSFER.—The Executive Director, with the approval of the Director of the Office of Management and Budget, may transfer amounts in the Fund to other agencies to facilitate timely and efficient environmental reviews and authorizations for proposed covered projects.

(e) EFFECT ON PERMITTING.—The regulations adopted pursuant to subsection (a) shall ensure that the use of funds accepted under subsection (d) will not impact impartial decision-making with respect to environmental reviews or authorizations, either substantively or procedurally.

(f) TRANSFER OF APPROPRIATED FUNDS.—

(1) IN GENERAL.—The heads of agencies listed in section 61002(b)(2)(B) shall have the authority to transfer, in accordance with section 1535 of title 31, United States Code, funds appropriated to those agencies and not otherwise obligated to other affected Federal agencies for the purpose of implementing the provisions of this title.

(2) LIMITATION.—Appropriations under title 23, United States Code and appropriations for the civil works program of the Army Corps of Engineers shall not be available for transfer under paragraph (1).

SEC. 61010. APPLICATION.

This title applies to any covered project for which—

(1) a notice is filed under section 61003(a)(1); or

(2) an application or other request for a Federal authorization is pending before a Federal agency 90 days after the date of enactment of this Act.

SEC. 61011. GAO REPORT.

Not later than 3 years after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report that includes an analysis of whether the provisions of this title could be adapted to streamline the Federal permitting process for smaller projects that are not covered projects.

DIVISION G—SURFACE TRANSPORTATION EXTENSION

SEC. 70001. SHORT TITLE.

This division may cited as the ''Surface Transportation Extension Act of 2015''.

TITLE LXXI—EXTENSION OF FEDERAL-AID HIGHWAY PROGRAMS

SEC. 71001. EXTENSION OF FEDERAL-AID HIGHWAY PROGRAMS.

(a) IN GENERAL.—Section 1001 of the Highway and Transportation Funding Act of 2014 (Public Law 113–159; 128 Stat. 1840; 129 Stat. 219) is amended—

(1) in subsection (a), by striking ''July 31, 2015'' and inserting ''September 30, 2015'';

(2) in subsection (b)(1)—

(A) by striking ''July 31, 2015'' and inserting ''September 30, 2015''; and

(B) by striking ''$^{304}/_{365}$'' and inserting ''$^{365}/_{365}$''; and

(3) in subsection (c)—

(A) in paragraph (1)—

(i) by striking ''July 31, 2015'' and inserting ''September 30, 2015''; and

(ii) by striking ''304/365'' and inserting ''365/365''; and

(B) in paragraph (2)(B), by striking ''by this subsection''.

(b) OBLIGATION CEILING.—Section 1102 of MAP–21 (23 U.S.C. 104 note; Public Law 112–141) is amended—

(1) in subsection (a)(3)—

(A) by striking ''$33,528,284,932'' and inserting ''$40,256,000,000''; and

(B) by striking ''July 31, 2015'' and inserting ''September 30, 2015'';

(2) in subsection (b)(12)—

(A) by striking ''July 31, 2015'' and inserting ''September 30, 2015''; and

(B) by striking ''304/365'' and inserting ''365/365'';

(3) in subsection (c)—

(A) in the matter preceding paragraph (1), by striking ''July 31, 2015'' and inserting ''September 30, 2015''; and

(B) in paragraph (2)—

(i) by striking ''July 31, 2015'' and inserting ''September 30, 2015''; and

(ii) by striking ''304/365'' and inserting ''365/365''; and

(4) in subsection (f)(1), in the matter preceding subparagraph (A), by striking ''July 31, 2015'' and inserting ''September 30, 2015''.

(c) TRIBAL HIGH PRIORITY PROJECTS PROGRAM.—Section 1123(h)(1) of MAP-21 (23 U.S.C. 202 note; Public Law 112–141) is amended—

(1) by striking ''$24,986,301'' and inserting ''$30,000,000''; and

(2) by striking ''July 31, 2015'' and inserting ''September 30, 2015''.

SEC. 71002. ADMINISTRATIVE EXPENSES.

(a) AUTHORIZATION OF CONTRACT AUTHORITY.—Section 1002(a) of the Highway and Transportation Funding Act of 2014 (Public Law 113–159; 128 Stat. 1842; 129 Stat. 220) is amended—

(1) by striking ''$366,465,753'' and inserting ''$440,000,000''; and

(2) by striking ''July 31, 2015'' and inserting ''September 30, 2015''.

(b) CONTRACT AUTHORITY.—Section 1002(b)(2) of the Highway and Transportation Funding Act of 2014 (Public Law 113–159; 128 Stat. 1842; 129 Stat. 220) is amended by striking ''July 31, 2015'' and inserting ''September 30, 2015''.

TITLE LXXII—TEMPORARY EXTENSION OF PUBLIC TRANSPORTATION PROGRAMS

SEC. 72001. FORMULA GRANTS FOR RURAL AREAS.

Section 5311(c)(1) of title 49, United States Code, is amended—

(1) in subparagraph (A), by striking ''ending before'' and all that follows through ''July 31, 2015,''; and

(2) in subparagraph (B), by striking ''ending before'' and all that follows through ''July 31, 2015,''.

SEC. 72002. APPORTIONMENT OF APPROPRIATIONS FOR FORMULA GRANTS.

Section 5336(h)(1) of title 49, United States Code, is amended by striking ''before October 1, 2014'' and all that follows through ''July 31, 2015,'' and inserting ''before October 1, 2015''.

SEC. 72003. AUTHORIZATIONS FOR PUBLIC TRANSPORTATION.

(a) FORMULA GRANTS.—Section 5338(a) of title 49, United States Code, is amended—

(1) in paragraph (1), by striking ''for fiscal year 2014'' and all that follows and inserting ''for fiscal year 2014, and $8,595,000,000 for fiscal year 2015.'';

(2) in paragraph (2)—

(A) in subparagraph (A), by striking ''$107,274,521 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''$128,800,000 for fiscal year 2015'';

(B) in subparagraph (B), by striking ''2013 and 2014 and $8,328,767 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''2013, 2014, and 2015'';

(C) in subparagraph (C), by striking ''$3,713,505,753 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''$4,458,650,000 for fiscal year 2015'';

(D) in subparagraph (D), by striking ''$215,132,055 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''$258,300,000 for fiscal year 2015'';

(E) in subparagraph (E)—

(i) by striking ''$506,222,466 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''$607,800,000 for fiscal year 2015'';

(ii) by striking ''$24,986,301 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''$30,000,000 for fiscal year 2015''; and

(iii) by striking ''$16,657,534 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''$20,000,000 for fiscal year 2015'';

(F) in subparagraph (F), by striking ''2013 and 2014 and $2,498,630 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''2013, 2014, and 2015'';

(G) in subparagraph (G), by striking ''2013 and 2014 and $4,164,384 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''2013, 2014, and 2015'';

(H) in subparagraph (H), by striking ''2013 and 2014 and $3,206,575 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''2013, 2014, and 2015'';

(I) in subparagraph (I), by striking ''$1,803,927,671 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''$2,165,900,000 for fiscal year 2015'';

(J) in subparagraph (J), by striking ''$356,304,658 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''$427,800,000 for fiscal year 2015''; and

(K) in subparagraph (K), by striking ''$438,009,863 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''$525,900,000 for fiscal year 2015''.

(b) RESEARCH, DEVELOPMENT DEMONSTRATION AND DEPLOYMENT PROJECTS.—Section 5338(b) of title 49, United States Code, is amended by striking ''$58,301,370 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''$70,000,000 for fiscal year 2015''.

(c) TRANSIT COOPERATIVE RESEARCH PROGRAM.—Section 5338(c) of title 49, United States Code, is amended by striking ''$5,830,137 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''$7,000,000 for fiscal year 2015''.

(d) TECHNICAL ASSISTANCE AND STANDARDS DEVELOPMENT.—Section 5338(d) of title 49, United States Code, is amended by striking ''$5,830,137 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''$7,000,000 for fiscal year 2015''.

(e) HUMAN RESOURCES AND TRAINING.—Section 5338(e) of title 49, United States Code, is amended by striking ''$4,164,384 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''$5,000,000 for fiscal year 2015''.

(f) CAPITAL INVESTMENT GRANTS.—Section 5338(g) of title 49, United States Code, is amended by striking ''$1,558,295,890 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''$1,907,000,000 for fiscal year 2015''.

(g) ADMINISTRATION.—Section 5338(h) of title 49, United States Code, is amended—

(1) in paragraph (1), by striking ''$86,619,178 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''$104,000,000 for fiscal year 2015'';

(2) in paragraph (2), by striking ''2013 and 2014 and not less than $4,164,384 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''2013, 2014, and 2015''; and

(3) in paragraph (3), by striking ''2013 and 2014 and not less than $832,877 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''2013, 2014, and 2015''.

SEC. 72004. BUS AND BUS FACILITIES FORMULA GRANTS.

Section 5339(d)(1) of title 49, United States Code, is amended—

(1) by striking ''2013 and 2014 and $54,553,425 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''2013, 2014, and 2015'';

(2) by striking ''and $1,041,096 for such period''; and

(3) by striking ''and $416,438 for such period''.

TITLE LXXIII—EXTENSION OF HIGHWAY SAFETY PROGRAMS

Subtitle A—Extension of Highway Safety Programs

SEC. 73101. EXTENSION OF NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION HIGHWAY SAFETY PROGRAMS.

(a) EXTENSION OF PROGRAMS.—

(1) HIGHWAY SAFETY PROGRAMS.—Section 31101(a)(1)(C) of MAP–21 (126 Stat. 733) is amended to read as follows:

''(C) $235,000,000 for fiscal year 2015.''.

(2) HIGHWAY SAFETY RESEARCH AND DEVELOPMENT.—Section 31101(a)(2)(C) of MAP–21 (126 Stat. 733) is amended to read as follows:

''(C) $113,500,000 for fiscal year 2015.''.

(3) NATIONAL PRIORITY SAFETY PROGRAMS.—Section 31101(a)(3)(C) of MAP–21 (126 Stat. 733) is amended to read as follows:

''(C) $272,000,000 for fiscal year 2015.''.

(4) NATIONAL DRIVER REGISTER.—Section 31101(a)(4)(C) of MAP–21 (126 Stat. 733) is amended to read as follows:

''(C) $5,000,000 for fiscal year 2015.''.

(5) HIGH VISIBILITY ENFORCEMENT PROGRAM.—

(A) AUTHORIZATION OF APPROPRIATIONS.—Section 31101(a)(5)(C) of MAP–21 (126 Stat. 733) is amended to read as follows:

''(C) $29,000,000 for fiscal year 2015.''.

(B) LAW ENFORCEMENT CAMPAIGNS.—Section 2009(a) of SAFETEA–LU (23 U.S.C. 402 note) is amended—

(i) in the first sentence, by striking ''and 2014 and in the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''through 2015''; and

(ii) in the second sentence, by striking ''and 2014 and in the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''through 2015''.

(6) ADMINISTRATIVE EXPENSES.—Section 31101(a)(6)(C) of MAP–21 (126 Stat. 733) is amended to read as follows:

''(C) $25,500,000 for fiscal year 2015.''.

(b) COOPERATIVE RESEARCH AND EVALUATION.—Section 403(f)(1) of title 23, United States Code, is amended by striking ''under subsection 402(c) in each fiscal year ending before October 1, 2014, and $2,082,192 of the

total amount available for apportionment to the States for highway safety programs under section 402(c) in the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''under section 402(c) in each fiscal year ending before October 1, 2015,''.

(c) APPLICABILITY OF TITLE 23.—Section 31101(c) of MAP–21 (126 Stat. 733) is amended by striking ''fiscal years 2013 and 2014 and for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''each of fiscal years 2013 through 2015''.

SEC. 73102. EXTENSION OF FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION PROGRAMS.

(a) MOTOR CARRIER SAFETY GRANTS.—Section 31104(a)(10) of title 49, United States Code, is amended to read as follows:

''(10) $218,000,000 for fiscal year 2015.''.

(b) ADMINISTRATIVE EXPENSES.—Section 31104(i)(1)(J) of title 49, United States Code, is amended to read as follows:

''(J) $259,000,000 for fiscal year 2015.''.

(c) GRANT PROGRAMS.—

(1) COMMERCIAL DRIVER'S LICENSE PROGRAM IMPROVEMENT GRANTS.—Section 4101(c)(1) of SAFETEA–LU (119 Stat. 1715) is amended by striking ''each of fiscal years 2013 and 2014 and $24,986,301 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''each of fiscal years 2013 through 2015''.

(2) BORDER ENFORCEMENT GRANTS.—Section 4101(c)(2) of SAFETEA–LU (119 Stat. 1715) is amended by striking ''each of fiscal years 2013 and 2014 and $26,652,055 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''each of fiscal years 2013 through 2015''.

(3) PERFORMANCE AND REGISTRATION INFORMATION SYSTEM MANAGEMENT GRANT PROGRAM.—Section 4101(c)(3) of SAFETEA–LU (119 Stat. 1715) is amended by striking ''each of fiscal years 2013 and 2014 and $4,164,384 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''each of fiscal years 2013 through 2015''.

(4) COMMERCIAL VEHICLE INFORMATION SYSTEMS AND NETWORKS DEPLOYMENT PROGRAM.—Section 4101(c)(4) of SAFETEA–LU (119 Stat. 1715) is amended by striking ''each of fiscal years 2013 and 2014 and $20,821,918 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''each of fiscal years 2013 through 2015''.

(5) SAFETY DATA IMPROVEMENT GRANTS.—Section 4101(c)(5) of SAFETEA–LU (119 Stat. 1715) is amended by striking ''each of fiscal years 2013 and 2014 and $2,498,630 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''each of fiscal years 2013 through 2015''.

(d) HIGH-PRIORITY ACTIVITIES.—Section 31104(k)(2) of title 49, United States Code, is amended by striking ''each of fiscal years 2006 through 2014 and up to $12,493,151 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''each of fiscal years 2006 through 2015''.

(e) NEW ENTRANT AUDITS.—Section 31144(g)(5)(B) of title 49, United States Code, is amended by striking ''per fiscal year and up to $26,652,055 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''per fiscal year''.

(f) OUTREACH AND EDUCATION.—Section 4127(e) of SAFETEA–LU (119 Stat. 1741) is amended by striking ''each of fiscal years 2013 and 2014 and $3,331,507 to the Federal Motor Carrier Safety Administration for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''each of fiscal years 2013 through 2015''.

(g) GRANT PROGRAM FOR COMMERCIAL MOTOR VEHICLE OPERATORS.—Section 4134(c) of SAFETEA–LU (49 U.S.C. 31301 note) is amended by striking ''each of fiscal years 2005 through 2014 and $832,877 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''each of fiscal years 2005 through 2015''.

SEC. 73103. DINGELL-JOHNSON SPORT FISH RESTORATION ACT.

Section 4 of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777c) is amended—

(1) in subsection (a), in the matter preceding paragraph (1) by striking ''each fiscal year through 2014 and for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''each fiscal year through 2015''; and

(2) in subsection (b)(1)(A) by striking ''for each fiscal year ending before October 1, 2014, and for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''for each fiscal year ending before October 1, 2015''.

Subtitle B—Hazardous Materials

SEC. 73201. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—Section 5128(a)(3) of title 49, United States Code, is amended to read as follows:

''(3) $42,762,000 for fiscal year 2015.''.

(b) HAZARDOUS MATERIALS EMERGENCY PREPAREDNESS FUND.—Section 5128(b)(2) of title 49, United States Code, is amended to read as follows:

''(2) FISCAL YEAR 2015.—From the Hazardous Materials Emergency Preparedness Fund established under section 5116(i), the Secretary may expend during fiscal year 2015—

''(A) $188,000 to carry out section 5115;

''(B) $21,800,000 to carry out subsections (a) and (b) of section 5116, of which not less than $13,650,000 shall be available to carry out section 5116(b);

''(C) $150,000 to carry out section 5116(f);

''(D) $625,000 to publish and distribute the Emergency Response Guidebook under section 5116(i)(3); and

''(E) $1,000,000 to carry out section 5116(j).''.

(c) HAZARDOUS MATERIALS TRAINING GRANTS.—Section 5128(c) of title 49, United States Code, is amended by striking ''each of fiscal years 2013 and 2014 and $3,331,507 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''each of fiscal years 2013 through 2015''.

TITLE LXXIV—REVENUE PROVISIONS

SEC. 74001. EXTENSION OF TRUST FUND EXPENDITURE AUTHORITY.

(a) HIGHWAY TRUST FUND.—Section 9503 of the Internal Revenue Code of 1986 is amended—

(1) by striking ''August 1, 2015'' in subsections (b)(6)(B), (c)(1), and (e)(3) and inserting ''October 1, 2015'', and

(2) by striking ''Highway and Transportation Funding Act of 2015'' in subsections (c)(1) and (e)(3) and inserting ''Surface Transportation Extension Act of 2015''.

(b) SPORT FISH RESTORATION AND BOATING TRUST FUND.—Section 9504 of the Internal Revenue Code of 1986 is amended—

(1) by striking ''Highway and Transportation Funding Act of 2015'' each place it appears in subsection (b)(2) and inserting ''Surface Transportation Extension Act of 2015'', and

(2) by striking ''August 1, 2015'' in subsection (d)(2) and inserting ''October 1, 2015''.

(c) LEAKING UNDERGROUND STORAGE TANK TRUST FUND.—Paragraph (2) of section 9508(e) of the Internal Revenue Code of 1986 is amended by striking ''August 1, 2015'' and inserting ''October 1, 2015''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on August 1, 2015.

(c) LEAKING UNDERGROUND STORAGE TANK TRUST FUND.—Paragraph (2) of section 9508(e) of the Internal Revenue Code of 1986 is amended by striking ''August 1, 2015'' and inserting ''October 1, 2015''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on August 1, 2015.

DIVISION H—BUDGETARY EFFECTS

SEC. 80001. BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go-Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

SEC. 80002. MAINTENANCE OF HIGHWAY TRUST FUND CASH BALANCE.

(a) DEFINITIONS.—In this section:

(1) HIGHWAY ACCOUNT.—The term ''Highway Account'' has the meaning given the term in section 9503(e)(5)(B) of the Internal Revenue Code of 1986.

(2) HIGHWAY TRUST FUND.—The term ''Highway Trust Fund'' means the Highway Trust Fund established by section 9503(a) of the Internal Revenue Code of 1986.

(3) MASS TRANSIT ACCOUNT.—The term ''Mass Transit Account'' means the Mass Transit Account established by section 9503(e)(1) of the Internal Revenue Code of 1986.

(b) RESTRICTION ON OBLIGATIONS.—If the Secretary, in consultation with the Secretary of the Treasury, determines under the test or reevaluation described under subsection (c) or (d) that the projected cash balances of either the Highway Account or the Mass Transit Account of the Highway Trust Fund will fall below the levels described in subparagraph (A) or (B) of subsection (c)(2) at any time during the fiscal year for which that determination applies, the Secretary shall not approve any obligation of funds authorized out of the Highway Account or the Mass Transit Account of the Highway Trust Fund during that fiscal year.

(c) CASH BALANCE TEST.—On July 15 prior to the beginning of each of fiscal years 2019 through 2021, the Secretary, in consultation with the Secretary of the Treasury, shall—

(1) based on data available for the midsession review described under section 1106 of title 31, United States Code, estimate the projected cash balances of the Highway Account and the Mass Transit Account of the Highway Trust Fund for the upcoming fiscal year; and

(2) determine if those cash balances—

(A) are projected to fall below the amount of $4,000,000,000 at any time during that upcoming fiscal year in the Highway Account of the Highway Trust Fund; or

(B) are projected to fall below the amount of $1,000,000,000 at any time during that upcoming fiscal year in the Mass Transit Account of the Highway Trust Fund.

(d) REEVALUATION.—The Secretary shall conduct the test described under subsection (c) again during a respective fiscal year—

(1) if a law is enacted that provides additional revenues, deposits, or transfers to the Highway Trust Fund; or

(2) when the President submits to Congress under section 1105(a) of title 31, United

States Code, updated outlay estimates or revenue projections related to the Highway Trust Fund.

(e) NOTIFICATION.—Not later than 15 days after a determination is made under subsection (c) or (d), the Secretary shall provide notification of the determination to—

(1) the Committee on Environment and Public Works of the Senate;

(2) the Committee on Transportation and Infrastructure of the House of Representatives;

(3) the Committee on Banking, Housing, and Urban Affairs of the Senate;

(4) the Committee on Commerce, Science, and Transportation of the Senate; and

(5) State transportation departments and designated recipients.

(f) EXCEPTIONS.—Notwithstanding subsection (b), the Secretary shall approve obligations in every fiscal year for—

(1) administrative expenses of the Federal Highway Administration, including any administrative expenses funded under—

(A) section 104(a) of title 23, United States Code;

(B) the tribal transportation program under section 202(a)(6), of title 23, United States Code;

(C) the Federal lands transportation program under section 203 of title 23, United States Code; and

(D) chapter 6 of title 23, United States Code;

(2) funds for the national highway performance program under section 119 of title 23, United States Code, that are exempt from the limitation on obligations;

(3) the emergency relief program under section 125 of title 23, United States Code;

(4) the administrative expenses of the National Highway Traffic Safety Administration in carrying out chapter 4 of title 23, United States Code;

(5) the highway safety programs under section 402 of title 23, United States Code, and national priority safety programs under section 405 of title 23, United States Code;

(6) the high visibility enforcement program under section 2009 of SAFETEA-LU (23 U.S.C. 402 note; Public Law 109–59);

(7) the highway safety research and development program under section 403 of title 23, United States Code;

(8) the national driver register under chapter 303 of title 49, United States Code;

(9) the motor carrier safety assistance program under section 31102 of title 49, United States Code;

(10) the administrative expenses of the Federal Motor Carrier Safety Administration under section 31110 of title 49, United States Code; and

(11) the administrative expenses of the Federal Transit Administration funded under section 5338(h) of title 49, United States Code, to carry out section 5329 of title 49, United States Code.

SEC. 80003. PROHIBITION ON RESCISSIONS OF CERTAIN CONTRACT AUTHORITY.

For purposes of the enforcement of a point of order established under the Congressional Budget Act of 1974 (2 U.S.C. 621 et seq.), the determination of levels under the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 et seq.) or the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 931 et seq.), and the enforcement of a point of order established under or the determination of levels under a concurrent resolution on the budget, the rescission of contract authority that is provided under this Act or an amendment made by this Act for fiscal year 2019, 2020, or 2021 shall not be counted.

SA 2267. Mr. MANCHIN submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE ____—PILOT'S BILL OF RIGHTS 2

SEC. ___01. SHORT TITLE.

This title may be cited as the ''Pilot's Bill of Rights 2''.

SEC. ___02. MEDICAL CERTIFICATION OF CERTAIN SMALL AIRCRAFT PILOTS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Administrator of the Federal Aviation Administration shall issue or revise medical certificate regulations to ensure that an individual may operate as pilot in command or required crewmember of a covered aircraft without regard to any medical certification or proof of health requirement otherwise applicable under Federal law if—

(1) the individual possesses a valid driver's license issued by a State, territory, or possession of the United States and complies with all medical requirements or restrictions associated with that license;

(2) the individual holds a medical certificate issued by the Federal Aviation Administration on the date of enactment of this Act, held such a certificate at any point during the 10-year period preceding such date of enactment, or obtains such a certificate after such date of enactment;

(3) the most recent medical certificate issued by the Federal Aviation Administration to the individual—

(A) indicates whether the certificate is first, second, or third class;

(B) includes authorization for special issuance;

(C) may be expired;

(D) cannot have been revoked or suspended; and

(E) cannot have been withdrawn;

(4) the aircraft is carrying not more than 5 passengers;

(5) the individual is operating the aircraft under visual flight rules or instrument flight rules;

(6) the flight, including each portion of that flight, is not carried out—

(A) for compensation or hire, including that no passenger or property on the flight is being carried for compensation or hire;

(B) at an altitude that is not more than 18,000 feet above mean sea level;

(C) outside the United States, unless authorized by the country in which the flight is conducted; or

(D) at an indicated air speed exceeding 250 knots;

(7)(A) the individual has completed a medical education course described in subsection (b) during the 24 calendar months before acting as pilot in command or required crewmember in a covered aircraft and demonstrates proof of completion of the course; or

(B) the individual exercises sport pilot privileges or acts as pilot in command of a glider or balloon; and

(8) the individual, when serving as a pilot in command or required crewmember, is under the care and treatment of a private physician if the individual has been diagnosed with any medical condition that may impact the ability of the individual to fly.

(b) MEDICAL EDUCATION COURSE REQUIREMENTS.—The medical education course described in subsection (a)(7) shall—

(1) be available on the Internet free of charge,

(2) be developed and periodically updated in coordination with representatives of relevant nonprofit and not-for-profit general aviation stakeholder groups;

(3) educate pilots on conducting medical self-assessments;

(4) advise pilots on identifying warning signs of potential serious medical conditions;

(5) identify risk mitigation strategies for medical conditions;

(6) increase awareness and impacts of potentially impairing over-the-counter and prescription drug medications;

(7) encourage regular medical exams and consultations with primary care physicians;

(8) inform pilots of the regulations pertaining to the prohibition on operations during medical deficiency; and

(9) provide to an individual a signature page, which shall be transmitted to the Administrator, for the individual to certify that the individual has—

(A) completed the course;

(B) received a routine physical exam from an appropriately qualified physician during the 60 months before acting as pilot in command or required crewmember in a covered aircraft;

(C) received the care and treatment from a private physician in accordance with subsection (a)(8), if applicable; and

(D) declared an understanding of the existing prohibition on operations during medical deficiency by stating: ''I understand that I cannot act as pilot in command, or in any other capacity as a required flight crewmember, if I know or have reason to know of any medical condition that would make me unable to operate the aircraft in a safe manner.''.

(c) SPECIAL ISSUANCE PROCESS.—

(1) IN GENERAL.—An individual who has qualified for the third-class medical certificate exemption under subsection (a) and is seeking to serve as a pilot in command or required crew member of a covered aircraft shall be required to have completed the process for obtaining an Authorization for Special Issuance of a Medical Certificate one time if the individual is diagnosed with any of the following medical conditions:

(A) A mental health disorder, limited to clinically diagnosed conditions of—

(i) personality disorder that is severe enough to have repeatedly manifested itself by overt acts;

(ii) psychosis, defined as a case in which an individual—

(I) has manifested delusions, hallucinations, grossly bizarre or disorganized behavior, or other commonly accepted symptoms of psychosis; or

(II) may reasonably be expected to manifest delusions, hallucinations, grossly bizarre or disorganized behavior, or other commonly accepted symptoms of psychosis;

(iii) severe bipolar disorder; and

(iv) substance dependence within the previous 2 years, as defined in section 67.307(4) of title 14, Code of Federal Regulations.

(B) A neurological disorder, limited to an established medical history and clinical diagnosis of the following:

(i) Epilepsy.

(ii) Disturbance of consciousness without satisfactory medical explanation of the cause.

(iii) A transient loss of control of nervous system functions without satisfactory medical explanation of the cause.

(C) A cardiovascular condition, limited to the following:

(i) Myocardial infraction.

(ii) Coronary heart disease that has been treated by open heart surgery.

(iii) Cardiac valve replacement.

(iv) Heart replacement.

(2) SPECIAL RULE FOR CARDIOVASCULAR CONDITIONS.—In the case of an individual with a cardiovascular condition, the process for obtaining an Authorization for Special Issuance of a Medical Certificate shall be satisfied with the successful completion of an appropriate clinical evaluation without a mandatory wait period.

(d) REPORT REQUIRED.—Not later than 5 years after the date of the enactment of this Act, the Administrator, in coordination with the National Transportation Safety Board, shall submit to Congress a report that describes the effect of the regulations issued or revised under subsection (a) and includes statistics with respect to changes in small aircraft activity and safety incidents.

(e) PROHIBITION ON ENFORCEMENT ACTIONS.—On and after the date that is 180 days after the date of the enactment of this Act, the Administrator may not take an enforcement action for not holding a valid third-class medical certificate against a pilot of a covered aircraft for a flight if the pilot and the flight meet the applicable requirements under subsection (a) unless the Administrator has published final regulations in the Federal Register under that subsection.

(f) COVERED AIRCRAFT DEFINED.—In this section, the term ''covered aircraft'' means an aircraft that—

(1) is not authorized under Federal law to carry more than 6 occupants; and

(2) has a maximum certificated takeoff weight of not more than 6,000 pounds.

SEC. ___03. EXPANSION OF PILOT'S BILL OF RIGHTS.

(a) APPEALS NOT SUBJECT TO EXHAUSTION OF ADMINISTRATIVE REMEDIES.—

(1) IN GENERAL.—Section 2(d)(1) of the Pilot's Bill of Rights (Public Law 112–153; 126 Stat. 1159; 49 U.S.C. 44703 note) is amended to read as follows:

''(1) IN GENERAL.—Upon an order by the Administrator denying an application for the issuance or renewal of a covered certificate under section 44703 of title 49, United States Code, to amend, modify, suspend, or revoke a covered certificate under section 44709 or 44710 of such title, or to impose a civil penalty under section 46301 of such title, an individual substantially affected by the order may, at the individual's election, file an appeal with the National Transportation Safety Board or, without further administrative review, in the United States district court in which the individual resides or in which the action in question occurred, or in the United States District Court for the District of Columbia.''.

(2) CONFORMING AMENDMENT.—Section 2(d) of such Act is amended—

(A) in paragraph (2), by striking ''Federal district court'' and inserting ''United States district court'';

(B) by redesignating paragraph (2) as paragraph (3); and

(C) by inserting after paragraph (1) the following:

''(2) EXCEPTION FOR REVIEW OF THE ADMINISTRATOR'S DETERMINATION OF EMERGENCY.—An individual affected by any order issued by the Administrator under section 44709 or 44710 of title 49, United States Code, as an emergency order, as an order not designated as an emergency order but later amended to be an emergency order, or any order designated as effective immediately, may petition for a review by the Board, under procedures promulgated by the Board, of the Administrator's determination that an emergency exists.''.

(b) DE NOVO REVIEW BY DISTRICT COURT; BURDEN OF PROOF.—Section 2(e) of such Act is amended—

(1) by amending paragraph (1) to read as follows:

''(1) IN GENERAL.—In an appeal filed under subsection (d) in a United States district court with respect to a denial, suspension, or revocation of a covered certificate or the imposition of a punitive civil action by the Administrator—

''(A) the district court shall review the denial, suspension, revocation, or the imposition of a punitive civil action de novo, including by—

''(i) conducting a full independent review of the complete administrative record of the denial, suspension, or revocation;

''(ii) permitting additional discovery and the taking of additional evidence; and

''(iii) making the findings of fact and conclusions of law required by Rule 52 of the Federal Rules of Civil Procedure without being bound to any facts found by the Administrator or the National Transportation Safety Board.'';

(2) by redesignating paragraph (2) as paragraph (3); and

(3) by inserting after paragraph (1) the following:

''(2) BURDEN OF PROOF.—In an appeal filed under subsection (d) in a United States district court, the burden of proof shall be as follows:

''(A) In an appeal of an order issued by the Administrator pursuant to section 44703 of title 49, United States Code, the burden of proof shall be upon the applicant denied a covered certificate by the Administrator.

''(B) In an appeal of an order issued by the Administrator pursuant to section 44709, 44710, or 46301 of such title, the burden of proof shall be upon the Administrator.''; and

(4) by adding at the end the following:

''(4) APPLICABILITY OF ADMINISTRATIVE PROCEDURE ACT.—Notwithstanding paragraph (1)(A) or subsection (a)(1) of section 554 of title 5, United States Code, that section applies to adjudications of the Administrator and the National Transportation Safety Board to the same extent as that section applied to such adjudications before the date of the enactment of the Pilot's Bill of Rights 2.''.

(c) EXPANSION TO OTHER CERTIFICATES ISSUED BY FEDERAL AVIATION ADMINISTRATION.—

(1) IN GENERAL.—Section 2 of such Act is amended—

(A) in subsection (a)—

(i) by striking ''subpart C, D, or F of''; and

(ii) by striking ''an airman certificate'' and inserting ''a covered certificate''; and

(B) in subsection (b)(1), by striking ''an airman certificate under chapter 447 of title 49, United States Code'' and inserting ''a covered certificate''.

(2) COVERED CERTIFICATE DEFINED.—Section 2 of such Act is amended by adding at the end the following:

''(j) COVERED CERTIFICATE DEFINED.—In this section, the term 'covered certificate' means a certificate or any other authorization issued by the Administrator and held by an individual under chapter 447 of title 49, United States Code.''.

(d) NOTIFICATION OF INVESTIGATION.—Section 2 of such Act is further amended—

(1) by striking subsection (c);

(2) by redesignating paragraph (5) of subsection (b) as subsection (c), and by moving such subsection, as so redesignated, two ems to the left;

(3) in subsection (b)—

(A) in paragraph (2)(A), by inserting ''and the specific activity on which the investigation is based'' after ''nature of the investigation'';

(B) in paragraph (3), by striking ''timely'';

(C) by redesignating paragraph (4) as paragraph (5); and

(D) by inserting after paragraph (3) the following:

''(4) FAILURE TO PROVIDE INFORMATION.—If the Administrator does not provide an individual with the notification required by paragraph (1) with respect to an investigation relating to the amendment, modification, suspension, or revocation of a covered certificate, including all of the information required under paragraph (2), the Administrator may not—

''(A) retain any record of the investigation without expunging all information that establishes or may reasonably assist in establishing the identity of the individual that was the subject of the investigation;

''(B) suspend, or revoke the covered certificate;

''(C) seek a civil penalty or other punitive action against the individual; or

''(D) in any way take action, including issuance of a warning letter or letter of correction or any other administrative action, with regard to the matter that was the subject of the investigation.''; and

(4) in subsection (c), as redesignated by paragraph (2), by striking ''section 44709(c)(2)'' and inserting ''section 44709(e)(2)''.

(e) RELEASE OF INVESTIGATIVE REPORTS.—Section 2 of such Act is amended by inserting after subsection (e) the following:

''(f) RELEASE OF INVESTIGATIVE REPORTS.—

''(1) IN GENERAL.—

''(A) EMERGENCY ORDERS.—In any proceeding conducted under part 821 of title 49, Code of Federal Regulations, relating to the amendment, modification, suspension, or revocation of a covered certificate, in which the Administrator issues an emergency order under subsections (d) and (e) of section 44709, section 44710, or section 46105(c) of title 49, United States Code, or another order that takes effect immediately, the Administrator shall provide to the individual holding the covered certificate the releasable portion of the investigative report at the time the Administrator issues the order.

''(B) OTHER ORDERS.—In any non-emergency proceeding conducted under part 821 of title 49, Code of Federal Regulations, relating to the amendment, modification, suspension, or revocation of a covered certificate, or the imposition of a civil penalty, in which the Administrator notifies the covered certificate holder of a proposed certificate action under subsections (b) and (c) of section 44709 or section 44710 of title 49, United States Code, the Administrator shall, upon the written request of the covered certificate holder and at any time after that notification, provide to the covered certificate holder the releasable portion of the investigative report.

''(2) MOTION FOR DISMISSAL.—If the Administrator does not provide the releasable portions of the investigative report to the individual holding the covered certificate subject to the proceeding referred to in paragraph (1) by the time required by that paragraph, the individual may move to dismiss the complaint of the Administrator or for other relief and, unless the Administrator establishes good cause for the failure to provide the investigative report, the administrative law judge shall order such relief as the judge considers appropriate.

''(3) RELEASABLE PORTION OF INVESTIGATIVE REPORT.—For purposes of paragraph (1), the releasable portion of an investigative report is all information in the report, except for the following:

''(A) Information that is privileged.

''(B) Information that constitutes work product or reflects internal deliberative process.

''(C) Information that would disclose the identity of a confidential source.

''(D) Information the disclosure of which is prohibited by any other provision of law.

''(E) Information that is not relevant to the subject matter of the proceeding.

''(F) Information the Administrator can demonstrate is withheld for good cause.

''(G) Sensitive security information, as defined in section 15.5 of title 49, Code of Federal Regulations (or any corresponding similar ruling or regulation).

''(4) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to prevent the Administrator from releasing to an individual subject to an investigation described in subsection (b)(1)—

''(A) information in addition to the information included in the releasable portion of the investigative report; or

''(B) a copy of the investigative report before the Administrator issues a complaint.''.

(f) LIMITATION ON DOCUMENT REQUESTS.—Section 2 of such Act, as amended by subsection (e), is further amended by inserting after subsection (f) the following:

''(g) LIMITATION ON DOCUMENT REQUESTS.—In any case in which the Administrator initiates an investigation described in subsection (b)(1) with respect to an individual, the Administrator and the investigating officials may request documents from the individual only if the request is limited and narrowly tailored to issues in the investigation.''.

(g) LIMITATION ON RETENTION OF RECORDS.—Section 2 of such Act, as amended by subsections (e) and (f), is further amended by inserting after subsection (g) the following:

''(h) LIMITATION ON RETENTION OF RECORDS.—The Administrator shall not retain any information that establishes or may reasonably assist in establishing the identity of an individual that was the subject of any investigation described in subsection (b)(1) with respect to a covered certificate—

''(1) that does not result in an enforcement action after the date that is 90 days after the Administrator determines not to take enforcement action; or

''(2) in a case in which the Administrator does take enforcement action and that case is subsequently dismissed, after the date that is 90 days after the dismissal of the case.

''(i) PROHIBITION ON PUBLICIZING PENDING INVESTIGATIONS OR ENFORCEMENT ACTIONS.—The Administrator may not indicate in the publicly accessible records of an individual holding a covered certificate who is the subject of an investigation described in subsection (b)(1) any information that is different from information in such records of an individual who is not the subject of such an investigation.''.

SEC. ___04. LIMITATIONS ON REEXAMINATION OF CERTIFICATE HOLDERS.

(a) IN GENERAL.—Section 44709 of title 49, United States Code, is amended—

(1) in subsection (a)—

(A) in the subsection heading, by striking ''AND REEXAMINATION'';

(B) by striking ''The Administrator'' and inserting the following:

''(1) IN GENERAL.—The Administrator'';

(C) by striking '', or reexamine an airman holding a certificate issued under section 44703 of this title''; and

(D) by adding at the end the following:

''(2) REEXAMINATION OF AIRMEN CERTIFICATES.—

''(A) IN GENERAL.—The Administrator may not reexamine an airman holding a certificate issued under section 44703 of this title if the reexamination is ordered as a result of an event involving the fault of the Federal Aviation Administration or its designee, unless the Administrator has reasonable grounds—

''(i) to establish that an airman may not be qualified to exercise the privileges of a particular certificate or rating, based upon an act or omission committed by the airman while exercising those privileges, after the certificate or rating was issued by the Federal Aviation Administration or its designee; or

''(ii) to demonstrate that the airman obtained the certificate or the rating through fraudulent means or through an examination that was substantially and demonstrably inadequate to establish the airman's qualifications.

''(B) NOTIFICATION REQUIREMENTS.—Before taking any action to reexamine an airman holding a certificate issued under section 44703 of this title, the Administrator shall provide to the airman—

''(i) a reasonable basis, described in detail, for requesting the reexamination; and

''(ii) any releasable information gathered by the Federal Aviation Administration, such as the scope and nature of the requested reexamination, that formed the basis for that justification.''.

(b) AMENDMENT, MODIFICATION, SUSPENSION, OR REVOCATION OF AIRMEN CERTIFICATES AFTER REEXAMINATION.—Section 44709(b) of such title is amended—

(1) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), and by moving such clauses, as so redesignated, two ems to the right;

(2) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), and by moving such subparagraphs, as so redesignated, two ems to the right;

(3) by striking ''The Administrator'' and inserting the following:

''(1) IN GENERAL.—The Administrator''; and

(4) by adding at the end the following:

''(2) AMENDMENT, MODIFICATION, SUSPENSION, OR REVOCATION OF AIRMEN CERTIFICATES AFTER REEXAMINATION.—

''(A) IN GENERAL.—The Administrator may not amend, modify, suspend, or revoke an airman certificate issued under section 44703 of this title after a reexamination of the airman holding the certificate unless the Administrator finds that the airman—

''(i) lacks the technical skills and competency, or care, judgment, and responsibility, necessary to hold and safely exercise the privileges of the certificate; or

''(ii) materially contributed to the issuance of the certificate by fraudulent means.

''(B) STANDARD OF REVIEW.—Any finding of the Administrator under this paragraph shall be subject to the standard of review provided for under the Pilot's Bill of Rights (49 U.S.C. 44703 note).''.

(c) CONFORMING AMENDMENTS.—Section 44709(d)(1) of such title is amended—

(1) in subparagraph (A), by striking ''subsection (b)(1)(A)'' and inserting ''subsection (b)(1)(A)(i)''; and

(2) in subparagraph (B), by striking ''subsection (b)(1)(B)'' and inserting ''subsection (b)(1)(A)(ii)''.

SEC. ___05. EXPEDITING UPDATES TO NOTAM PROGRAM.

(a) IN GENERAL.—The Administrator of the Federal Aviation Administration may not take any enforcement action, on or after the date that is 180 days after the date of the enactment of this Act, against any individual for a violation of a NOTAM (as defined in section 3 of the Pilot's Bill of Rights (49 U.S.C. 44701 note)) until the Administrator certifies that the Administrator has complied with the requirements of section 3 of the Pilot's Bill of Rights, as amended by this section, to—

(1) the Committee on Appropriations and the Committee on Commerce, Science, and Transportation of the Senate; and

(2) the Committee on Appropriations and the Committee on Transportation and Infrastructure of the House of Representatives.

(b) AMENDMENTS.—Section 3 of the Pilot's Bill of Rights (Public Law 112–153; 126 Stat. 1162; 49 U.S.C. 44701 note) is amended—

(1) in subsection (a)(2)—

(A) in the matter preceding subparagraph (A)—

(i) by striking ''this Act'' and inserting ''the Pilot's Bill of Rights 2''; and

(ii) by striking ''begin'' and inserting ''complete the implementation of'';

(B) by amending subparagraph (B) to read as follows:

''(B) to continue developing and modernizing the NOTAM repository, in a public central location, to maintain and archive all NOTAMs, including the original content and form of the notices, the original date of publication, and any amendments to such notices with the date of each amendment, in a manner that is Internet-accessible, machine-readable, and searchable;'';

(C) in subparagraph (C), by striking the period at the end and inserting a semicolon; and

(D) by adding at the end the following:

''(D) to specify the times during which temporary flight restrictions are in effect and the duration of a designation of special use airspace in a specific area.''; and

(2) by amending subsection (d) to read as follows:

''(d) DESIGNATION OF REPOSITORY AS SOLE SOURCE FOR NOTAMS.—

''(1) IN GENERAL.—The Administrator—

''(A) shall consider the repository for NOTAMs established under subsection (a)(2)(B) to be the sole location for airmen to check for NOTAMs; and

''(B) may not consider a NOTAM to be announced and published until the NOTAM is included in the repository.

''(2) PROHIBITION ON TAKING ACTION FOR VIOLATIONS OF NOTAMS NOT IN REPOSITORY.—

''(A) IN GENERAL.—Except as provided in subparagraph (A), on and after the date on which the repository established under subsection (a)(2)(B) is final and published, the Administrator may not take any enforcement action against an airman for a violation of a NOTAM during a flight if that NOTAM is not available through the repository before the commencement of the flight

and reasonably accessible and identifiable to the airman.

''(B) EXCEPTION FOR NATIONAL SECURITY.—Subparagraph (A) shall not apply in the case of an enforcement action for a violation of a NOTAM that directly relates to national security.''.

SEC. ___06. ACCESSIBILITY OF CERTAIN FLIGHT DATA.

(a) IN GENERAL.—Subchapter I of chapter 471 of title 49, United States Code, is amended by inserting after section 47124 the following:

''§ 47124a. Accessibility of certain flight data

''(a) DEFINITIONS.—In this section:

''(1) CONTRACT TOWER.—The term 'contract tower' means an air traffic control tower providing air traffic control services pursuant to a contract with the Federal Aviation Administration under the Contract Tower Program under section 47124(b)(3).

''(2) COVERED FLIGHT RECORD.—The term 'covered flight record' means any flight data, including air traffic data (as defined in section 2(b)(4)(B) of the Pilot's Bill of Rights (49 U.S.C. 44703 note)), created, maintained, or controlled by any program of the Federal Aviation Administration, whether carried out by employees or contractors of the Federal Aviation Administration, including contract towers, flight service stations, and controller training programs.

''(b) PROVISION OF COVERED FLIGHT DATA TO FEDERAL AVIATION ADMINISTRATION.—

''(1) REQUEST FROM FEDERAL AVIATION ADMINISTRATION.—When the Federal Aviation Administration receives a request for a covered flight record from an individual who is the subject of an investigation initiated by the Administrator related to the flight record and that is not in the possession of the Federal Aviation Administration, the Administrator of the Federal Aviation Administration shall request the record from the contract tower or other contractor of the Federal Aviation Administration that possesses the record. If the Administrator has issued, or subsequently issues, a Notice of Proposed Certificate Action relying on evidence contained in the covered flight record and the individual who is the subject of an investigation had not previously requested the record, the Administrator shall promptly produce the record and extend the time the individual has to respond to the Notice of Proposed Certificate Action until the covered flight record is provided.

''(2) PROVISION OF RECORDS TO FEDERAL AVIATION ADMINISTRATION.—Any covered flight record created, maintained, or controlled by a contract tower or another contractor of the Federal Aviation Administration that maintains covered flight records shall be provided to the Federal Aviation Administration if the Federal Aviation Administration requests the record pursuant to paragraph (1).

''(c) FORMAT OF RECORDS.—Each contract tower or other contractor of the Federal Aviation Administration that maintains covered flight records shall maintain records relating to covered flight records in formats that are readily reproducible and reasonably searchable by the Federal Aviation Administration.

''(d) REGULATIONS.—

''(1) IN GENERAL.—Not later than 180 days after the date of the enactment of the Pilot's Bill of Rights 2, the Administrator shall promulgate regulations or guidance to ensure compliance with this section by the Federal Aviation Administration, contract towers, and other contractors of the Federal Aviation Administration that maintain covered flight records.

''(2) COMPLIANCE BY APPLICABLE ENTITIES.—

''(A) IN GENERAL.—Compliance with this section by a contract tower or other contractor of the Federal Aviation Administration that maintains covered flight records shall be included as a material term in any contract between the Federal Aviation Administration and the contract tower or contractor entered into or renewed on or after the date of the enactment of the Pilot's Bill of Rights 2.

''(B) MODIFICATION OF CONTRACT OR AGREEMENT.—Not later than one year after the date of the enactment of the Pilot's Bill of Rights 2, the Administrator shall secure a modification to include compliance with this section by each contract tower and other contractor of the Federal Aviation Administration that maintains covered flight records as a material term in any contract between the Federal Aviation Administration and the contract tower or contractor that will not otherwise be renegotiated, renewed, or modified before the date that is one year after such date of enactment.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 471 of title 49, United States Code, is amended by inserting after the item relating to section 47124 the following:

''47124a. Accessibility of certain flight data.''.

SEC. ___07. LIMITATION OF LIABILITY FOR CERTAIN INDIVIDUALS DESIGNATED AS REPRESENTATIVES OF THE FEDERAL AVIATION ADMINISTRATION.

(a) IN GENERAL.—Any individual designated by the Administrator of the Federal Aviation Administration under subpart C of part 183 of title 14, Code of Federal Regulations, to act as a representative of the Administrator, including an aviation medical examiner, pilot examiner, or designated airworthiness representative, shall, when carrying out duties pursuant to that designation and without regard to the individual's employer—

(1) be considered to be performing an activity necessary to safeguard a uniquely Federal interest; and

(2) not be liable in a civil action for actions performed with reasonable care in connection with those duties.

(b) FRAUDULENT MISCONDUCT.—This section does not relieve an individual described in subsection (a) that causes harm to any person through intentional or fraudulent misconduct while carrying out duties pursuant to that subsection from any penalty applicable under any provision of law for that misconduct.

SEC. ___08. AUTHORITY FOR LEGAL COUNSEL TO ISSUE CERTAIN NOTICES.

Not later than 180 days after the date of the enactment of this Act, the Administrator of the Federal Aviation Administration shall revise section 13.11 of title 14, Code of Federal Regulations, to authorize legal counsel to close enforcement actions covered by that section with a warning notice, letter of correction, or other administrative action.

SEC. ___09. LIABILITY PROTECTION FOR VOLUNTEER PILOTS THAT FLY FOR THE PUBLIC BENEFIT.

(a) FINDINGS AND PURPOSE.—

(1) FINDINGS.—Congress finds the following:

(A) Many volunteer pilot nonprofit organizations fly for public benefit and provide valuable services to communities and individuals.

(B) In each calendar year, volunteer pilot nonprofit organizations provide long-distance, no-cost transportation for tens of thousands of people during times of special need.

(C) Such nonprofit organizations are no longer able to purchase liability insurance for aircraft they do not own to provide liability protection at a reasonable price, and therefore face a highly detrimental liability risk.

(D) Such nonprofit organizations have supported the homeland security of the United States by providing volunteer pilot services during times of national emergency.

(2) PURPOSE.—The purpose of this section is to promote the activities of volunteer pilot nonprofit organizations that fly for public benefit and to sustain the availability of the services that such nonprofit organizations provide, including the following:

(A) Transportation at no cost to financially needy medical patients for medical treatment, evaluation, and diagnosis.

(B) Flights for humanitarian and charitable purposes.

(C) Other flights of compassion.

(b) LIABILITY PROTECTION FOR VOLUNTEER PILOT NONPROFIT ORGANIZATIONS THAT FLY FOR PUBLIC BENEFIT AND TO PILOTS AND STAFF OF SUCH NONPROFIT ORGANIZATIONS.—Section 4 of the Volunteer Protection Act of 1997 (42 U.S.C. 14503) is amended—

(1) in subsection (a)(4)—

(A) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively;

(B) by striking ''the harm'' and inserting ''(A) except in the case of subparagraph (B), the harm'';

(C) in subparagraph (A)(ii), as redesignated by this paragraph, by striking the period at the end and inserting ''; and''; and

(D) by adding at the end the following:

''(B) the volunteer—

''(i) was operating an aircraft in furtherance of the purpose of a volunteer pilot nonprofit organization that flies for public benefit; and

''(ii) was properly licensed and insured for the operation of such aircraft.''; and

(2) in subsection (c)—

(A) by striking ''Nothing in this section'' and inserting the following:

''(1) IN GENERAL.—Except as provided in paragraph (2), nothing in this section''; and

(B) by adding at the end the following:

''(2) EXCEPTION.—A volunteer pilot nonprofit organization that flies for public benefit, the staff, mission coordinators, officers, and directors (whether volunteer or otherwise) of that nonprofit organization, and a referring agency of that nonprofit organization shall not be liable for harm caused to any person by a volunteer of the nonprofit organization while the volunteer—

''(A) is operating an aircraft in furtherance of the purpose of the nonprofit organization;

''(B) is properly licensed for the operation of the aircraft; and

''(C) has certified to the nonprofit organization that the volunteer has insurance covering the volunteer's operation of the aircraft.''.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on July 21, 2015, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on July 21, 2015, at 11:15 a.m., in room SD–215 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate on July 21, 2015, at 2:30 p.m., in room SD–430 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Restricting Advice and Education: DOL's Unworkable Investment Proposal for American Families and Retirees.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on July 21, 2015, at 10 a.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Oversight of the Administration's Misdirected Immigration Enforcement Policies: Examining the Impact on Public Safety and Honoring the Victims.''

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on July 21, 2015, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. INHOFE. Mr. President, I ask unanimous consent that Chaya Koffman, who is a detailee in the Environment and Public Works Committee from the U.S. Department of Transportation, have floor privileges for the duration of the consideration of H.R. 22, the underlying vehicle for the highway bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

EVERY CHILD ACHIEVES ACT OF 2015

On Thursday, July 16, 2015, the Senate passed S. 1177, as amended, as follows:

S. 1177

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Every Child Achieves Act of 2015''.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.
Sec. 3. References.
Sec. 4. Statement of purpose.
Sec. 5. Table of contents of the Elementary and Secondary Education Act of 1965.

TITLE I—IMPROVING BASIC PROGRAMS OPERATED BY STATE AND LOCAL EDUCATIONAL AGENCIES

Sec. 1001. Statement of purpose.
Sec. 1002. Authorization of appropriations.
Sec. 1003. School intervention and support and State administration.
Sec. 1004. Basic program requirements.
Sec. 1005. Parent and family engagement.
Sec. 1006. Participation of children enrolled in private schools.
Sec. 1007. Supplement, not supplant.
Sec. 1008. Coordination requirements.
Sec. 1009. Grants for the outlying areas and the Secretary of the Interior.
Sec. 1010. Allocations to States.
Sec. 1011. Equity grants.
Sec. 1011A. Adequacy of funding rule.
Sec. 1011B. Education finance incentive grant program.
Sec. 1011C. Special allocation procedures.
Sec. 1012. Academic assessments.
Sec. 1013. Education of migratory children.
Sec. 1014. Prevention and intervention programs for children and youth who are neglected, delinquent, or at-risk.
Sec. 1015. General provisions.
Sec. 1016. Report on subgroup sample size.
Sec. 1017. Report on implementation of educational stability of children in foster care.
Sec. 1018. Student privacy policy committee.
Sec. 1019. Report on student home access to digital learning resources.

TITLE II—HIGH-QUALITY TEACHERS, PRINCIPALS, AND OTHER SCHOOL LEADERS

Sec. 2001. Transfer of certain provisions.
Sec. 2002. Preparing, training, and recruiting high-quality teachers, principals, and other school leaders.
Sec. 2003. American history and civics education.
Sec. 2004. Literacy education.
Sec. 2005. Improving science, technology, engineering, and mathematics instruction and student achievement.
Sec. 2006. General provisions.

TITLE III—LANGUAGE INSTRUCTION FOR ENGLISH LEARNERS AND IMMIGRANT STUDENTS

Sec. 3001. General provisions.
Sec. 3002. Authorization of appropriations.
Sec. 3003. English language acquisition, language enhancement, and academic achievement.
Sec. 3004. Other provisions.
Sec. 3005. American community survey research.

TITLE IV—SAFE AND HEALTHY STUDENTS

Sec. 4001. General provisions.
Sec. 4002. Grants to States and local educational agencies.
Sec. 4003. 21st century community learning centers.
Sec. 4004. Elementary school and secondary school counseling programs.
Sec. 4005. Physical education program.
Sec. 4006. Family Engagement in Education Programs.

TITLE V—EMPOWERING PARENTS AND EXPANDING OPPORTUNITY THROUGH INNOVATION

Sec. 5001. General provisions.
Sec. 5002. Public charter schools.
Sec. 5003. Magnet schools assistance.
Sec. 5004. Supporting high-ability learners and learning.
Sec. 5005. Education innovation and research.
Sec. 5006. Accelerated learning.
Sec. 5007. Ready-to-Learn Television.
Sec. 5008. Innovative technology expands children's horizons (I–TECH).
Sec. 5009. Literacy and arts education.
Sec. 5010. Early learning alignment and improvement grants.
Sec. 5011. Full-service community schools.
Sec. 5012. Promise neighborhoods.

TITLE VI—INNOVATION AND FLEXIBILITY

Sec. 6001. Purposes.
Sec. 6002. Improving academic achievement.
Sec. 6003. Rural education initiative.
Sec. 6004. General provisions.
Sec. 6005. Review relating to rural local educational agencies.

TITLE VII—INDIAN, NATIVE HAWAIIAN, AND ALASKA NATIVE EDUCATION

Sec. 7001. Indian education.
Sec. 7002. Native Hawaiian education.
Sec. 7003. Alaska Native education.
Sec. 7004. Native American language immersion schools and programs.
Sec. 7005. Improving Indian student data collection, reporting, and analysis.
Sec. 7006. Report on elementary and secondary education in rural or poverty areas of Indian country.
Sec. 7007. Report on responses to Indian student suicides.

TITLE VIII—IMPACT AID

Sec. 8001. Purpose.
Sec. 8002. Amendment to Impact Aid Improvement Act of 2012.
Sec. 8003. Payments relating to Federal acquisition of real property.
Sec. 8004. Payments for eligible federally connected children.
Sec. 8005. Policies and procedures relating to children residing on Indian lands.
Sec. 8006. Application for payments under sections 8002 and 8003.
Sec. 8007. Construction.
Sec. 8008. Facilities.
Sec. 8009. State consideration of payments in providing State aid.
Sec. 8010. Definitions.
Sec. 8011. Authorization of appropriations.

TITLE IX—GENERAL PROVISIONS

Sec. 9101. Definitions.
Sec. 9102. Applicability to Bureau of Indian Education operated schools.
Sec. 9102A. Consolidation of State administrative funds for elementary and secondary education programs.
Sec. 9102B. Consolidation of funds for local administration.
Sec. 9103. Consolidation of funds for local administration.
Sec. 9104. Rural consolidated plan.
Sec. 9105. Waivers of statutory and regulatory requirements.
Sec. 9106. Plan approval process.
Sec. 9107. Participation by private school children and teachers.

Sec. 9108. Maintenance of effort.
Sec. 9109. School prayer.
Sec. 9110. Prohibitions on Federal Government and use of Federal funds.
Sec. 9111. Armed forces recruiter access to students and student recruiting information.
Sec. 9112. Prohibition on federally sponsored testing.
Sec. 9113. Limitations on national testing or certification for teachers.
Sec. 9114. Consultation with Indian tribes and tribal organizations.
Sec. 9114A. Application for competitive grants from the Bureau of Indian Education.
Sec. 9115. Outreach and technical assistance for rural local educational agencies.
Sec. 9115A. Consultation with the Governor.
Sec. 9115B. Local governance.
Sec. 9115C. Rule of construction regarding travel to and from school.
Sec. 9116. Evaluations.
Sec. 9117. Prohibition on aiding and abetting sexual abuse.

TITLE X—EDUCATION FOR HOMELESS CHILDREN AND YOUTHS; OTHER LAWS; MISCELLANEOUS

PART A—EDUCATION FOR HOMELESS CHILDREN AND YOUTH

Sec. 10101. Statement of policy.
Sec. 10102. Grants for State and local activities.
Sec. 10103. Local educational agency subgrants.
Sec. 10104. Secretarial responsibilities.
Sec. 10105. Definitions.
Sec. 10106. Authorization of appropriations.

PART B—OTHER LAWS; MISCELLANEOUS

Sec. 10201. Use of term ''highly qualified'' in other laws.
Sec. 10202. Department staff.
Sec. 10203. Report on Department actions to address Office of the Inspector General charter school reports.
Sec. 10204. Comptroller General study on increasing effectiveness of existing services and programs intended to benefit children.
Sec. 10205. Posthumous pardon.
Sec. 10206. Education Flexibility Partnership Act of 1999 reauthorization.

PART C—AMERICAN DREAM ACCOUNTS

Sec. 10301. Short title.
Sec. 10302. Definitions.
Sec. 10303. Grant program.
Sec. 10304. Applications; priority.
Sec. 10305. Authorized activities.
Sec. 10306. Reports and evaluations.
Sec. 10307. Eligibility to receive Federal student financial aid.
Sec. 10308. Authorization of appropriations.
Sec. 10309. Report on the reduction of the number and percentage of students who drop out of school.
Sec. 10310. Report on Native American language medium education.

SEC. 3. REFERENCES.

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.).

SEC. 4. STATEMENT OF PURPOSE.

The purpose of this Act is to enable States and local communities to improve and support our Nation's public schools and ensure that every child has an opportunity to achieve.

SEC. 5. TABLE OF CONTENTS OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965.

Section 2 is amended to read as follows:

''SEC. 2. TABLE OF CONTENTS.

''The table of contents for this Act is as follows:

''Sec. 1. Short title.
''Sec. 2. Table of contents.
''Sec. 4. Education flexibility program.

''TITLE I—IMPROVING THE ACADEMIC ACHIEVEMENT OF THE DISADVANTAGED

''Sec. 1001. Statement of purpose.
''Sec. 1002. Authorization of appropriations.
''Sec. 1003. State administration.

''PART A—IMPROVING BASIC PROGRAMS OPERATED BY LOCAL EDUCATIONAL AGENCIES

''SUBPART 1—BASIC PROGRAM REQUIREMENTS

''Sec. 1111. State plans.
''Sec. 1112. Local educational agency plans.
''Sec. 1113. Eligible school attendance areas; schoolwide programs; targeted assistance programs.
''Sec. 1114. School identification, interventions, and supports.
''Sec. 1115. Parent and family engagement.
''Sec. 1116. Participation of children enrolled in private schools.
''Sec. 1117. Fiscal requirements.
''Sec. 1118. Coordination requirements.

''SUBPART 2—ALLOCATIONS

''Sec. 1121. Grants for the outlying areas and the Secretary of the Interior.
''Sec. 1122. Allocations to States.
''Sec. 1123. Equity grants.
''Sec. 1124. Basic grants to local educational agencies.
''Sec. 1124A. Concentration grants to local educational agencies.
''Sec. 1125. Targeted grants to local educational agencies.
''Sec. 1125AA. Adequacy of funding of targeted grants to local educational agencies in fiscal years after fiscal year 2001.
''Sec. 1125A. Education finance incentive grant program.
''Sec. 1126. Special allocation procedures.
''Sec. 1127. Carryover and waiver.

''PART B—ACADEMIC ASSESSMENTS

''Sec. 1201. Grants for State assessments and related activities.
''Sec. 1202. Grants for enhanced assessment instruments.
''Sec. 1203. Audits of assessment systems.
''Sec. 1204. Funding.
''Sec. 1205. Innovative assessment and accountability demonstration authority.

''PART C—EDUCATION OF MIGRATORY CHILDREN

''Sec. 1301. Program purpose.
''Sec. 1302. Program authorized.
''Sec. 1303. State allocations.
''Sec. 1304. State applications; services.
''Sec. 1305. Secretarial approval; peer review.
''Sec. 1306. Comprehensive needs assessment and service-delivery plan; authorized activities.
''Sec. 1307. Bypass.
''Sec. 1308. Coordination of migrant education activities.
''Sec. 1309. Definitions.

''PART D—PREVENTION AND INTERVENTION PROGRAMS FOR CHILDREN AND YOUTH WHO ARE NEGLECTED, DELINQUENT, OR AT-RISK

''Sec. 1401. Purpose and program authorization.
''Sec. 1402. Payments for programs under this part.

''SUBPART 1—STATE AGENCY PROGRAMS

''Sec. 1411. Eligibility.
''Sec. 1412. Allocation of funds.
''Sec. 1413. State reallocation of funds.
''Sec. 1414. State plan and State agency applications.
''Sec. 1415. Use of funds.
''Sec. 1416. Institution-wide projects.
''Sec. 1417. Three-year programs or projects.
''Sec. 1418. Transition services.
''Sec. 1419. Evaluation; technical assistance; annual model program.

''SUBPART 2—LOCAL AGENCY PROGRAMS

''Sec. 1421. Purpose.
''Sec. 1422. Programs operated by local educational agencies.
''Sec. 1423. Local educational agency applications.
''Sec. 1424. Uses of funds.
''Sec. 1425. Program requirements for correctional facilities receiving funds under this section.
''Sec. 1426. Accountability.

''SUBPART 3—GENERAL PROVISIONS

''Sec. 1431. Program evaluations.
''Sec. 1432. Definitions.

''PART E—GENERAL PROVISIONS

''Sec. 1501. Federal regulations.
''Sec. 1502. Agreements and records.
''Sec. 1503. State administration.
''Sec. 1504. Prohibition against Federal mandates, direction, or control.
''Sec. 1505. Rule of construction on equalized spending.

''TITLE II—PREPARING, TRAINING, AND RECRUITING HIGH-QUALITY TEACHERS, PRINCIPALS, AND OTHER SCHOOL LEADERS

''Sec. 2001. Purpose.
''Sec. 2002. Definitions.
''Sec. 2003. Authorization of appropriations.

''PART A—FUND FOR THE IMPROVEMENT OF TEACHING AND LEARNING

''Sec. 2101. Formula grants to States.
''Sec. 2102. Subgrants to local educational agencies.
''Sec. 2103. Local use of funds.
''Sec. 2104. Reporting.
''Sec. 2105. National activities of demonstrated effectiveness.
''Sec. 2106. Supplement, not supplant.

''PART B—TEACHER AND SCHOOL LEADER INCENTIVE PROGRAM

''Sec. 2201. Purposes; definitions.
''Sec. 2202. Teacher and school leader incentive fund grants.
''Sec. 2203. Reports.

''PART C—AMERICAN HISTORY AND CIVICS EDUCATION

''Sec. 2301. Program authorized.
''Sec. 2302. Teaching of traditional American history.
''Sec. 2303. Presidential and congressional academies for American history and civics.
''Sec. 2304. National activities.
''Sec. 2305. Authorization of appropriations.

''PART D—LITERACY EDUCATION FOR ALL, RESULTS FOR THE NATION

''Sec. 2401. Purposes; definitions.
''Sec. 2402. Comprehensive literacy State development grants.
''Sec. 2403. Subgrants to eligible entities in support of birth through kindergarten entry literacy.
''Sec. 2404. Subgrants to eligible entities in support of kindergarten through grade 12 literacy.

''Sec. 2405. National evaluation and information dissemination.
''Sec. 2406. Supplement, not supplant.
''PART E—IMPROVING SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS INSTRUCTION AND STUDENT ACHIEVEMENT.
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''Sec. 2507. Supplement, not supplant.
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''Sec. 2601. Rules of construction.
''TITLE III—LANGUAGE INSTRUCTION FOR ENGLISH LEARNERS AND IMMIGRANT STUDENTS
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''PART A—ENGLISH LANGUAGE ACQUISITION, LANGUAGE ENHANCEMENT, AND ACADEMIC ACHIEVEMENT ACT
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''Sec. 3123. Coordination with related programs.
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''Sec. 3126. Civil rights.
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''Sec. 3131. National professional development project.
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''Sec. 4102. Definitions.
''Sec. 4103. Formula grants to States.
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''Sec. 9538. Consultation with Indian tribes and tribal organizations.
''Sec. 9539. Prohibition on aiding and abetting sexual abuse.
''Sec. 9539A. Application for competitive grants from the Bureau of Indian Education.
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TITLE I—IMPROVING BASIC PROGRAMS OPERATED BY STATE AND LOCAL EDUCATIONAL AGENCIES

SEC. 1001. STATEMENT OF PURPOSE.

Section 1001 (20 U.S.C. 6301) is amended to read as follows:

''SEC. 1001. STATEMENT OF PURPOSE.

''The purpose of this title is to ensure that all children have a fair, equitable, and significant opportunity to receive a high-quality education that prepares them for postsecondary education or the workforce, without the need for postsecondary remediation, and to close educational achievement gaps.''.

SEC. 1002. AUTHORIZATION OF APPROPRIATIONS.

Section 1002 (20 U.S.C. 6302) is amended to read as follows:

''SEC. 1002. AUTHORIZATION OF APPROPRIATIONS.

''(a) LOCAL EDUCATIONAL AGENCY GRANTS.—For the purpose of carrying out part A, there are authorized to be appropriated such sums as may be necessary for each of fiscal years 2016 through 2021.

''(b) STATE ASSESSMENTS.—For the purpose of carrying out part B, there are authorized to be appropriated such sums as may be necessary for each of fiscal years 2016 through 2021.

''(c) EDUCATION OF MIGRATORY CHILDREN.—For the purpose of carrying out part C, there

are authorized to be appropriated such sums as may be necessary for each of fiscal years 2016 through 2021.

''(d) PREVENTION AND INTERVENTION PROGRAMS FOR CHILDREN AND YOUTH WHO ARE NEGLECTED, DELINQUENT, OR AT-RISK.—For the purpose of carrying out part D, there are authorized to be appropriated such sums as may be necessary for each of fiscal years 2016 through 2021.

''(e) FEDERAL ACTIVITIES.—For the purpose of carrying out evaluation activities related to title I under section 9601, there are authorized to be appropriated such sums as may be necessary for each of fiscal years 2016 through 2021.

''(f) SCHOOL INTERVENTION AND SUPPORT.—For the purpose of carrying out section 1114, there are authorized to be appropriated such sums as may be necessary for each of fiscal years 2016 through 2021.''.

SEC. 1003. SCHOOL INTERVENTION AND SUPPORT AND STATE ADMINISTRATION.

The Act (20 U.S.C. 6301 et seq.) is amended—

(1) by striking section 1003;

(2) by redesignating section 1004 as section 1003; and

(3) in section 1003, as redesignated by paragraph (2), by adding at the end the following:

''(c) TECHNICAL ASSISTANCE AND SUPPORT.—

''(1) IN GENERAL.—Each State may reserve not more than 4 percent of the amount the State receives under subpart 2 of part A for a fiscal year to carry out paragraph (2) and to carry out the State educational agency's responsibilities under section 1114(a), including carrying out the State educational agency's statewide system of technical assistance and support for local educational agencies.

''(2) USES.—Of the amount reserved under paragraph (1) for any fiscal year, the State educational agency—

''(A) shall use not less than 95 percent of such amount by allocating such sums directly to local educational agencies for activities required under section 1114; or

''(B) may, with the approval of the local educational agency, directly provide for such activities or arrange for their provision through other entities such as school support teams, educational service agencies, or other nonprofit or for-profit organizations that use evidence-based strategies to improve student achievement, teaching, and schools.

''(3) PRIORITY.—The State educational agency, in allocating funds to local educational agencies under this subsection, shall give priority to local educational agencies that—

''(A) serve the lowest-performing elementary schools and secondary schools, as identified by the State under section 1114;

''(B) demonstrate the greatest need for such funds, as determined by the State; and

''(C) demonstrate the strongest commitment to using evidence-based interventions to enable the lowest-performing schools to improve student achievement and student outcomes.

''(4) UNUSED FUNDS.—If, after consultation with local educational agencies in the State, the State educational agency determines that the amount of funds reserved to carry out this subsection for a fiscal year is greater than the amount needed to provide the assistance described in this subsection, the State educational agency shall allocate the excess amount to local educational agencies in accordance with—

''(A) the relative allocations the State educational agency made to those agencies for that fiscal year under subpart 2 of part A; or

''(B) section 1126(c).

''(5) SPECIAL RULE.—Notwithstanding any other provision of this subsection, the amount of funds reserved by the State educational agency under this subsection for any fiscal year shall not decrease the amount of funds each local educational agency receives under subpart 2 of part A below the amount received by such local educational agency under such subpart for the preceding fiscal year.

''(6) REPORTING.—Each State educational agency shall make publicly available a list of those schools that have received funds or services pursuant to this subsection and the percentage of students from each such school from families with incomes below the poverty line.''.

SEC. 1004. BASIC PROGRAM REQUIREMENTS.

Subpart 1 of part A of title I (20 U.S.C. 6311 et seq.) is amended—

(1) by striking sections 1111 through 1117 and inserting the following:

''SEC. 1111. STATE PLANS.

''(a) PLANS REQUIRED.—

''(1) IN GENERAL.—For any State desiring to receive a grant under this part, the State educational agency shall submit to the Secretary a plan, developed by the State educational agency with timely and meaningful consultation with the Governor, representatives of the State legislature and State board of education (if the State has a State board of education), local educational agencies (including those located in rural areas), representatives of Indian tribes located in the State, teachers, principals, other school leaders, public charter school representatives (if applicable), specialized instructional support personnel, paraprofessionals (including organizations representing such individuals), administrators, other staff, and parents, that—

''(A) is coordinated with other programs under this Act, the Individuals with Disabilities Education Act, the Rehabilitation Act of 1973, the Carl D. Perkins Career and Technical Education Act of 2006, the Workforce Innovation and Opportunity Act, the Head Start Act, the Child Care and Development Block Grant Act of 1990, the Education Sciences Reform Act of 2002, the Education Technical Assistance Act, the National Assessment of Educational Progress Authorization Act, the McKinney-Vento Homeless Assistance Act, and the Adult Education and Family Literacy Act; and

''(B) describes how the State will implement evidence-based strategies for improving student achievement under this title and disseminate that information to local educational agencies.

''(2) CONSOLIDATED PLAN.—A State plan submitted under paragraph (1) may be submitted as part of a consolidated plan under section 9302.

''(3) PEER REVIEW AND SECRETARIAL APPROVAL.—

''(A) IN GENERAL.—The Secretary shall—

''(i) establish a peer-review process to assist in the review of State plans;

''(ii) establish multidisciplinary peer-review teams and appoint members of such teams that—

''(I) are representative of teachers, principals, other school leaders, specialized instructional support personnel, State educational agencies, local educational agencies, and individuals and researchers with practical experience in implementing academic standards, assessments, or accountability systems, and meeting the needs of disadvantaged students, children with disabilities, students who are English learners, the needs of low-performing schools, and other educational needs of students;

''(II) include a balanced representation of individuals who have practical experience in the classroom, school administration, or State or local government, such as direct employees of a school, local educational agency, or State educational agency within the preceding 5 years; and

''(III) represent a regionally diverse cross-section of States;

''(iii) make available to the public, including by such means as posting to the Department's website, the list of peer reviewers who will review State plans under this section;

''(iv) ensure that the peer-review teams are comprised of varied individuals so that the same peer reviewers are not reviewing all of the State plans; and

''(v) deem a State plan as approved within 90 days of its submission unless the Secretary presents substantial evidence that clearly demonstrates that such State plan does not meet the requirements of this section.

''(B) PURPOSE OF PEER REVIEW.—The peer-review process shall be designed to—

''(i) maximize collaboration with each State;

''(ii) promote effective implementation of the challenging State academic standards through State and local innovation; and

''(iii) provide publicly available, timely, and objective feedback to States designed to strengthen the technical and overall quality of the State plans.

''(C) STANDARD AND NATURE OF REVIEW.—Peer reviewers shall conduct an objective review of State plans in their totality and out of respect for State and local judgments, with the goal of supporting State- and local-led innovation and providing objective feedback on the technical and overall quality of a State plan.

''(D) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed as prohibiting the Secretary from appointing an individual to serve as a peer reviewer on more than one peer-review team under subparagraph (A) or to review more than one State plan.

''(4) STATE PLAN DETERMINATION, DEMONSTRATION, AND REVISION.—If the Secretary determines that a State plan does not meet the requirements of this subsection or subsection (b) or (c), the Secretary shall, prior to declining to approve the State plan—

''(A) immediately notify the State of such determination;

''(B) provide a detailed description of the specific requirements of this subsection or subsection (b) or (c) of the State plan that the Secretary determines fails to meet such requirements;

''(C) provide all peer-review comments, suggestions, recommendations, or concerns in writing to the State;

''(D) offer the State an opportunity to revise and resubmit its plan within 60 days of such determination, including the chance for the State to present substantial evidence to clearly demonstrate that the State plan meets the requirements of this part;

''(E) provide technical assistance, upon request of the State, in order to assist the State to meet the requirements of this subsection or subsection (b) or (c); and

''(F) conduct a public hearing within 30 days of such resubmission, with public notice provided not less than 15 days before such hearing, unless the State declines the opportunity for such public hearing.

''(5) STATE PLAN DISAPPROVAL.—The Secretary shall have the authority to disapprove

a State plan if the State has been notified and offered an opportunity to revise and submit with technical assistance under paragraph (4), and—

''(A) the State does not revise and resubmit its plan; or

''(B) the State revises and resubmits a plan that the Secretary determines does not meet the requirements of this part after a hearing conducted under paragraph (4)(F), if applicable.

''(6) LIMITATIONS.—

''(A) IN GENERAL.—The Secretary shall not have the authority to require a State, as a condition of approval of the State plan or revisions or amendments to the State plan, to—

''(i) include in, or delete from, such plan 1 or more specific elements of the challenging State academic standards;

''(ii) use specific academic assessment instruments or items;

''(iii) set specific State-designed goals or specific timelines for such goals for all students or each of the categories of students, as defined in subsection (b)(3)(A);

''(iv) assign any specific weight or specific significance to any measures or indicators of student academic achievement or growth within State-designed accountability systems;

''(v) include in, or delete from, such a plan any criterion that specifies, defines, or prescribes—

''(I) the standards or measures that States or local educational agencies use to establish, implement, or improve challenging State academic standards, including the content of, or achievement levels within, such standards;

''(II) the specific types of academic assessments or assessment items that States and local educational agencies use to meet the requirements of this part;

''(III) any requirement that States shall measure student growth, the specific metrics used to measure student academic growth if a State chooses to measure student growth, or the specific indicators or methods to measure student readiness to enter postsecondary education or the workforce;

''(IV) any specific benchmarks, targets, goals, or metrics to measure nonacademic measures or indicators;

''(V) the specific weight or specific significance of any measure or indicator of student academic achievement within State-designed accountability systems;

''(VI) the specific goals States establish for student academic achievement or high school graduation rates, as described in subclauses (I) and (II) of subsection (b)(3)(B)(i);

''(VII) any aspect or parameter of a teacher, principal, or other school leader evaluation system within a State or local educational agency; or

''(VIII) indicators or specific measures of teacher, principal, or other school leader effectiveness or quality; or

''(vi) require data collection beyond data derived from existing Federal, State, and local reporting requirements and data sources.

''(B) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed as authorizing, requiring, or allowing any additional reporting requirements, data elements, or information to be reported to the Secretary not otherwise explicitly authorized under Federal law.

''(7) PUBLIC REVIEW.—All written communications, feedback, and notifications under this subsection shall be conducted in a manner that is transparent and immediately made available to the public through the website of the Department, including—

''(A) plans submitted or resubmitted by a State;

''(B) peer-review comments;

''(C) State plan determinations by the Secretary, including approvals or disapprovals; and

''(D) notices and transcripts of public hearings under this section.

''(8) DURATION OF THE PLAN.—

''(A) IN GENERAL.—Each State plan shall—

''(i) remain in effect for the duration of the State's participation under this part or 7 years, whichever is shorter; and

''(ii) be periodically reviewed and revised as necessary by the State educational agency to reflect changes in the State's strategies and programs under this part.

''(B) ADDITIONAL INFORMATION.—

''(i) IN GENERAL.—If a State makes significant changes to its plan at any time, such as the adoption of new challenging State academic standards, new academic assessments, or changes to its accountability system under subsection (b)(3), such information shall be submitted to the Secretary in the form of revisions or amendments to the State plan.

''(ii) REVIEW OF REVISED PLANS.—The Secretary shall review the information submitted under clause (i) and approve or disapprove changes to the State plan within 90 days in accordance with paragraphs (4) through (6) without undertaking the peer-review process under paragraph (3).

''(iii) SPECIAL RULE FOR STANDARDS.—If a State makes changes to its challenging State academic standards, the requirements of subsection (b)(1), including the requirement that such standards need not be submitted to the Secretary pursuant to subsection (b)(1)(A), shall still apply.

''(C) RENEWAL.—A State educational agency shall submit a revised plan every 7 years subject to the peer-review process under paragraph (3).

''(D) LIMITATION.—The Secretary shall not have the authority to place any new conditions, requirements, or criteria for approval of a plan submitted for renewal under subparagraph (C) that are not otherwise authorized under this part.

''(9) FAILURE TO MEET REQUIREMENTS.—If a State fails to meet any of the requirements of this section, then the Secretary may withhold funds for State administration under this part until the Secretary determines that the State has fulfilled those requirements.

''(10) PUBLIC COMMENT.—Each State shall make the State plan publicly available for public comment for a period of not less than 30 days, by electronic means and in a computer friendly and easily accessible format, prior to submission to the Secretary for approval under this subsection. The State shall provide an assurance that public comments were taken into account in the development of the State plan.

''(b) CHALLENGING STATE ACADEMIC STANDARDS, ACADEMIC ASSESSMENTS, AND ACCOUNTABILITY SYSTEMS.—

''(1) CHALLENGING STATE ACADEMIC STANDARDS.—

''(A) IN GENERAL.—Each State shall provide an assurance that the State has adopted challenging academic content standards and aligned academic achievement standards (referred to in this Act as 'challenging State academic standards'), which achievement standards shall include not less than 3 levels of achievement, that will be used by the State, its local educational agencies, and its schools to carry out this part. A State shall not be required to submit such challenging State academic standards to the Secretary.

''(B) SAME STANDARDS.—Except as provided in subparagraph (E), the standards required by subparagraph (A) shall be the same standards that the State applies to all public schools and public school students in the State.

''(C) SUBJECTS.—The State shall have such standards in mathematics, reading or language arts, and science, and any other subjects as determined by the State, which shall include the same knowledge, skills, and levels of achievement expected of all public school students in the State.

''(D) ALIGNMENT.—Each State shall demonstrate that the challenging State academic standards are aligned with—

''(i) entrance requirements, without the need for academic remediation, for the system of public higher education in the State;

''(ii) relevant State career and technical education standards; and

''(iii) relevant State early learning guidelines, as required under section 658E(c)(2)(T) of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858c(c)(2)(T)).

''(E) ALTERNATE ACADEMIC ACHIEVEMENT STANDARDS FOR STUDENTS WITH THE MOST SIGNIFICANT COGNITIVE DISABILITIES.—

''(i) IN GENERAL.—The State may, through a documented and validated standards-setting process, adopt alternate academic achievement standards for students with the most significant cognitive disabilities, provided those standards—

''(I) are aligned with the challenging State academic content standards under subparagraph (A);

''(II) promote access to the general curriculum, consistent with the purposes of the Individuals with Disabilities Education Act, as stated in section 601(d) of such Act;

''(III) reflect professional judgment of the highest achievement standards attainable by those students;

''(IV) are designated in the individualized education program developed under section 614(d)(3) of the Individuals with Disabilities Education Act for each such student as the academic achievement standards that will be used for the student; and

''(V) are aligned to ensure that a student who meets the alternate academic achievement standards is on track for further education or employment.

''(ii) PROHIBITION ON ANY OTHER ALTERNATE OR MODIFIED ACADEMIC ACHIEVEMENT STANDARDS.—A State shall not develop, or implement for use under this part, any alternate academic achievement standards for children with disabilities that are not alternate academic achievement standards that meet the requirements of clause (i).

''(F) ENGLISH LANGUAGE PROFICIENCY STANDARDS.—Each State plan shall demonstrate that the State has adopted English language proficiency standards that are aligned with the challenging State academic standards under subparagraph (A). Such standards shall—

''(i) ensure proficiency in each of the domains of speaking, listening, reading, and writing;

''(ii) address the different proficiency levels of children who are English learners; and

''(iii) be aligned with the challenging State academic standards in reading or language arts, so that achieving proficiency in the State's English language proficiency standards indicates a sufficient knowledge of English to measure validly and reliably the student's achievement on the State's reading or language arts standards.

''(G) PROHIBITIONS.—

''(i) STANDARDS REVIEW OR APPROVAL.—A State shall not be required to submit any standards developed under this subsection to the Secretary for review or approval.

''(ii) FEDERAL CONTROL.—The Secretary shall not have the authority to mandate, direct, control, coerce, or exercise any direction or supervision over any of the challenging State academic standards adopted or implemented by a State.

''(H) EXISTING STANDARDS.—Nothing in this part shall prohibit a State from revising, consistent with this section, any standard adopted under this part before or after the date of enactment of the Every Child Achieves Act of 2015.

''(2) ACADEMIC ASSESSMENTS.—

''(A) IN GENERAL.—Each State plan shall demonstrate that the State educational agency, in consultation with local educational agencies, has implemented a set of high-quality statewide academic assessments that—

''(i) includes, at a minimum, academic statewide assessments in mathematics, reading or language arts, and science; and

''(ii) meets the requirements of subparagraph (B).

''(B) REQUIREMENTS.—The assessments under subparagraph (A) shall—

''(i) except as provided in subparagraph (D), be—

''(I) the same academic assessments used to measure the achievement of all public elementary school and secondary school students in the State; and

''(II) administered to all public elementary school and secondary school students in the State;

''(ii) be aligned with the challenging State academic standards, and provide coherent and timely information about student attainment of such standards and whether the student is performing at the student's grade level;

''(iii) be used for purposes for which such assessments are valid and reliable, consistent with relevant, nationally recognized professional and technical testing standards, objectively measure academic achievement, knowledge, and skills, and be tests that do not evaluate or assess personal or family beliefs and attitudes, or publicly disclose personally identifiable information;

''(iv) be of adequate technical quality for each purpose required under this Act and consistent with the requirements of this section, the evidence of which is made public, including on the website of the State educational agency;

''(v)(I) measure the annual academic achievement of all students against the challenging State academic standards in, at a minimum, mathematics and reading or language arts, and be administered—

''(aa) in each of grades 3 through 8; and

''(bb) at least once in grades 9 through 12; and

''(II) measure the academic achievement of all students against the challenging State academic standards in science, and be administered not less than one time, during—

''(aa) grades 3 through 5;

''(bb) grades 6 through 9; and

''(cc) grades 10 through 12;

''(vi) involve multiple up-to-date measures of student academic achievement, including measures that assess higher-order thinking skills and understanding, which may include measures of student academic growth and may be partially delivered in the form of portfolios, projects, or extended performance tasks;

''(vii) provide for—

''(I) the participation in such assessments of all students;

''(II) the appropriate accommodations, such as interoperability with and ability to use assistive technology, for children with disabilities, as defined in section 602(3) of the Individuals with Disabilities Education Act, and students with a disability who are provided accommodations under an Act other than the Individuals with Disabilities Education Act, necessary to measure the academic achievement of such children relative to the challenging State academic standards; and

''(III) the inclusion of English learners, who shall be assessed in a valid and reliable manner and provided appropriate accommodations on assessments administered to such students under this paragraph, including, to the extent practicable, assessments in the language and form most likely to yield accurate data on what such students know and can do in academic content areas, until such students have achieved English language proficiency, as determined under paragraph (1)(F);

''(viii) at the State's choosing—

''(I) be administered through a single summative assessment; or

''(II) be administered through multiple statewide assessments during the course of the year if the State can demonstrate that the results of these multiple assessments, taken in their totality, provide a summative score that provides valid and reliable information on individual student achievement or growth;

''(ix) notwithstanding clause (vii)(III), provide for assessments (using tests in English) of reading or language arts of any student who has attended school in the United States (not including the Commonwealth of Puerto Rico) for 3 or more consecutive school years, except that if the local educational agency determines, on a case-by-case individual basis, that academic assessments in another language or form would likely yield more accurate and reliable information on what such student knows and can do, the local educational agency may make a determination to assess such student in the appropriate language other than English for a period that does not exceed 2 additional consecutive years, provided that such student has not yet reached a level of English language proficiency sufficient to yield valid and reliable information on what such student knows and can do on tests (written in English) of reading or language arts;

''(x) produce individual student interpretive, descriptive, and diagnostic reports, consistent with clause (iii), that allow parents, teachers, principals, and other school leaders to understand and address the specific academic needs of students, and include information regarding achievement on academic assessments aligned with challenging State academic achievement standards, and that are provided to parents, teachers, principals, and other school leaders as soon as is practicable after the assessment is given, in an understandable and uniform format, and, to the extent practicable, in a language that the parents can understand;

''(xi) enable results to be disaggregated within each State, local educational agency, and school, by—

''(I) each major racial and ethnic group;

''(II) economically disadvantaged students as compared to students who are not economically disadvantaged;

''(III) children with disabilities as compared to children without disabilities;

''(IV) English proficiency status;

''(V) gender; and

''(VI) migrant status;

''(xii) enable itemized score analyses to be produced and reported, consistent with clause (iii), to local educational agencies and schools, so that parents, teachers, principals, other school leaders, and administrators can interpret and address the specific academic needs of students as indicated by the students' achievement on assessment items; and

''(xiii) be developed, to the extent practicable, using the principles of universal design for learning.

''(C) EXCEPTION TO DISAGGREGATION.—Notwithstanding subparagraph (B)(xi), the disaggregated results of assessments shall not be required in the case of a local educational agency or school if—

''(i) the number of students in a category described under subparagraph (B)(xi) is insufficient to yield statistically reliable information; or

''(ii) the results would reveal personally identifiable information about an individual student.

''(D) ALTERNATE ASSESSMENTS FOR STUDENTS WITH THE MOST SIGNIFICANT COGNITIVE DISABILITIES.—

''(i) ALTERNATE ASSESSMENTS ALIGNED WITH ALTERNATE ACADEMIC ACHIEVEMENT STANDARDS.—A State may provide for alternate assessments aligned with the challenging State academic content standards and alternate academic achievement standards described in paragraph (1)(E) for students with the most significant cognitive disabilities, if the State—

''(I) ensures that for each subject, the total number of students assessed in such subject using the alternate assessments does not exceed 1 percent of the total number of all students in the State who are assessed in such subject;

''(II) establishes and monitors implementation of clear and appropriate guidelines for individualized education program teams (as defined in section 614(d)(1)(B) of the Individuals with Disabilities Education Act) to apply in determining, individually for each subject, when a child's significant cognitive disability justifies assessment based on alternate academic achievement standards;

''(III) ensures that, consistent with the requirements of the Individuals with Disabilities Education Act, parents are involved in the decision to use the alternate assessment for their child;

''(IV) ensures that, consistent with the requirements of the Individuals with Disabilities Education Act, students with the most significant cognitive disabilities are involved in and make progress in the general education curriculum;

''(V) describes in the State plan the appropriate accommodations provided to ensure access to the alternate assessment;

''(VI) describes in the State plan the steps the State has taken to incorporate universal design for learning, to the extent feasible, in alternate assessments;

''(VII) ensures that general and special education teachers and other appropriate staff know how to administer assessments, including making appropriate use of accommodations, to children with disabilities;

''(VIII) develops, disseminates information on, and promotes the use of appropriate accommodations to increase the number of students with significant cognitive disabilities participating in academic instruction and assessments and increase the number of students with significant cognitive disabilities who are tested against challenging State academic achievement standards; and

''(IX) ensures that students who take alternate assessments based on alternate academic achievement standards are not precluded from attempting to complete the requirements for a regular high school diploma.

''(ii) STUDENTS WITH THE MOST SIGNIFICANT COGNITIVE DISABILITIES.—In determining the achievement of students in the State accountability system, a State educational agency shall include, for all schools in the State, the performance of the State's students with the most significant cognitive disabilities on alternate assessments as described in this subparagraph in the subjects included in the State's accountability system, consistent with the 1 percent limitation of clause (i)(I).

''(E) STATE AUTHORITY.—If a State educational agency provides evidence, which is satisfactory to the Secretary, that neither the State educational agency nor any other State government official, agency, or entity has sufficient authority, under State law, to adopt challenging State academic standards, and academic assessments aligned with such standards, which will be applicable to all students enrolled in the State's public elementary schools and secondary schools, then the State educational agency may meet the requirements of this subsection by—

''(i) adopting academic standards and academic assessments that meet the requirements of this subsection, on a statewide basis, and limiting their applicability to students served under this part; or

''(ii) adopting and implementing policies that ensure that each local educational agency in the State that receives grants under this part will adopt academic content and student academic achievement standards, and academic assessments aligned with such standards, which—

''(I) meet all of the criteria in this subsection and any regulations regarding such standards and assessments that the Secretary may publish; and

''(II) are applicable to all students served by each such local educational agency.

''(F) LANGUAGE ASSESSMENTS.—Each State plan shall identify the languages other than English that are present to a significant extent in the participating student population of the State and indicate the languages for which annual student academic assessments are not available and are needed, and such State shall make every effort to develop such assessments as necessary.

''(G) ASSESSMENTS OF ENGLISH LANGUAGE PROFICIENCY.—Each State plan shall demonstrate that local educational agencies in the State will provide for an annual assessment of English proficiency, which is valid, reliable, and consistent with relevant nationally recognized professional and technical testing standards measuring students' speaking, listening, reading, and writing skills in English, of all children who are English learners in the schools served by the State educational agency.

''(H) DEFERRAL.—A State may defer the commencement, or suspend the administration, but not cease the development, of the assessments described in this paragraph, for 1 year for each year for which the amount appropriated for grants under part B is less than $369,100,000.

''(I) RULE OF CONSTRUCTION REGARDING USE OF ASSESSMENTS FOR STUDENT PROMOTION OR GRADUATION.—Nothing in this paragraph shall be construed to prescribe or prohibit the use of the academic assessments described in this part for student promotion or graduation purposes.

''(J) RULE OF CONSTRUCTION REGARDING ASSESSMENTS.—

''(i) IN GENERAL.—Except as provided in clause (ii), nothing in this paragraph shall be construed to prohibit a State from developing and administering computer adaptive assessments as the assessments described in this paragraph, as long as the computer adaptive assessments—

''(I) meet the requirements of this paragraph; and

''(II) assess the student's academic achievement in order to measure, in the subject being assessed, whether the student is performing above or below the student's grade level.

''(ii) APPLICABILITY TO ALTERNATE ASSESSMENTS FOR STUDENTS WITH THE MOST SIGNIFICANT COGNITIVE DISABILITIES.—In developing and administering computer adaptive assessments as the assessments allowed under subparagraph (D), a State shall ensure that such computer adaptive assessments—

''(I) meet the requirements of this paragraph, including subparagraph (D), except such assessments shall not be required to meet the requirements of clause (i)(II); and

''(II) assess the student's academic achievement in order to measure, in the subject being assessed, whether the student is performing at the student's grade level.

''(K) RULE OF CONSTRUCTION ON PARENT AND GUARDIAN RIGHTS.—Nothing in this part shall be construed as preempting a State or local law regarding the decision of a parent or guardian to not have the parent or guardian's child participate in the statewide academic assessments under this paragraph.

''(L) LIMITATION ON ASSESSMENT TIME.—

''(i) IN GENERAL.—As a condition of receiving an allocation under this part for any fiscal year, each State shall—

''(I) set a limit on the aggregate amount of time devoted to the administration of assessments (including assessments adopted pursuant to this subsection, other assessments required by the State, and assessments required districtwide by the local educational agency) for each grade, expressed as a percentage of annual instructional hours; and

''(II) ensure that each local educational agency in the State will notify the parents of each student attending any school in the local educational agency, on an annual basis, whenever the limitation described in subclause (I) is exceeded.

''(ii) CHILDREN WITH DISABILITIES AND ENGLISH LEARNERS.—Nothing in clause (i) shall be construed to supersede the requirements of Federal law relating to assessments that apply specifically to children with disabilities or English learners.

''(3) STATE ACCOUNTABILITY SYSTEM.—

''(A) CATEGORY OF STUDENTS.—In this paragraph, the term 'category of students' means—

''(i) economically disadvantaged students;

''(ii) students from major racial and ethnic groups;

''(iii) children with disabilities; and

''(iv) English learner students.

''(B) DESCRIPTION OF SYSTEM.—Each State plan shall describe a single, statewide State accountability system that will be based on the challenging State academic standards adopted by the State in mathematics and reading or language arts under paragraph (1)(C) to ensure that all students graduate from high school prepared for postsecondary education or the workforce without the need for postsecondary remediation and at a minimum complies with the following:

''(i) Establishes measurable State-designed goals for all students and each of the categories of students in the State that take into account the progress necessary for all students and each of the categories of students to graduate from high school prepared for postsecondary education or the workforce without the need for postsecondary remediation, for, at a minimum each of the following:

''(I) Academic achievement, which may include student growth, on the State assessments under paragraph (2)(B)(v)(I).

''(II) High school graduation rates, including—

''(aa) the 4-year adjusted cohort graduation rate; and

''(bb) at the State's discretion, the extended-year adjusted cohort graduation rate.

''(ii) Annually measures and reports on the following indicators:

''(I) The academic achievement of all public school students in all public schools and local educational agencies in the State towards meeting the goals described in clause (i) and the challenging State academic standards for all students and for each of the categories of students using student performance on State assessments required under paragraph (2)(B)(v)(I), which may include measures of student academic growth to such standards.

''(II) The academic success of all public school students in all public schools and local educational agencies in the State, that is, with respect to—

''(aa) elementary schools and secondary schools that are not high schools, an academic indicator, as determined by the State, that is the same statewide for all public elementary school students and all students at such secondary schools, and each category of students; and

''(bb) high schools, the high school graduation rates of all public high school students in all public high schools in the State toward meeting the goals described in clause (i), for all students and for each of the categories of students, including the 4-year adjusted cohort graduation rate and at the State's discretion, the extended-year adjusted cohort graduation rate.

''(III) English language proficiency of all English learners in all public schools and local educational agencies, which may include measures of student growth.

''(IV) Not less than one other valid and reliable indicator of school quality, student success, or student supports, as determined appropriate by the State, that will be applied to all local educational agencies and schools consistently throughout the State for all students and for each of the categories of students, which may include measures of—

''(aa) student readiness to enter postsecondary education or the workforce without the need for postsecondary remediation, which may include—

''(AA) measures that integrate preparation for postsecondary education and the workforce, including performance in coursework sequences that integrate rigorous academics, work-based learning, and career and technical education;

''(BB) measures of a high-quality and accelerated academic program as determined appropriate by the State, which may include the percentage of students who participate in a State-approved career and technical program of study as described in section 122(c)(1)(A) of the Carl D. Perkins Career and Technical Education Act of 2006 and measures of technical skill attainment and placement described in section 113(b) of such Act and reported by the State in a manner consistent with section 113(c) of such Act, or other substantially similar measures;

''(CC) student performance on assessments aligned with the expectations for first-year postsecondary education success;

''(DD) student performance on admissions tests for postsecondary education;

''(EE) student performance on assessments of career readiness and acquisition of industry-recognized credentials that meet the quality criteria established by the State under section 123(a) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102);

''(FF) student enrollment rates in postsecondary education;

''(GG) measures of student remediation in postsecondary education; and

''(HH) measures of student credit accumulation in postsecondary education;

''(bb) student engagement, such as attendance rates and chronic absenteeism (including both excused and unexcused absences);

''(cc) educator engagement, such as educator satisfaction (including working conditions within the school), teacher quality and effectiveness, and teacher absenteeism;

''(dd) results from student, parent, and educator surveys;

''(ee) school climate and safety, such as incidents of school violence, bullying, and harassment, and disciplinary rates, including rates of suspension, expulsion, referrals to law enforcement, school-related arrests, disciplinary transfers (including placements in alternative schools), and student detentions;

''(ff) student access to or success in advanced coursework or educational programs or opportunities, which may include participation and performance in Advanced Placement, International Baccalaureate, dual enrollment, and early college high school programs; and

''(gg) any other State-determined measure of school quality or student success.

''(iii) Establishes a system of annually identifying and meaningfully differentiating among all public schools in the State, which shall—

''(I) be based on all indicators in the State's accountability system under clause (ii) for all students and for each of the categories of students; and

''(II) use the indicators described in subclauses (I) and (II) of clause (ii) as substantial factors in the annual identification of schools, and the weight of such factors shall be determined by the State.

''(iv) For public schools receiving assistance under this part, meets the requirements of section 1114.

''(v) Provides a clear and understandable explanation of the method of identifying and meaningfully differentiating schools under clause (iii).

''(vi) Measures the annual progress of not less than 95 percent of all students, and students in each of the categories of students, who are enrolled in the school and are required to take the assessments under paragraph (2) and provides a clear and understandable explanation of how the State will factor this requirement into the State-designed accountability system determinations.

''(4) EXCEPTION FOR ENGLISH LEARNERS.—A State may choose to—

''(A) exclude a recently arrived English learner who has attended school in one of the 50 States in the United States or in the District of Columbia for less than 12 months from one administration of the reading or language arts assessment required under paragraph (2);

''(B) exclude the results of a recently arrived English learner who has attended school in one of the 50 States in the United States or in the District of Columbia for less than 12 months on the assessments under paragraph (2)(B)(v)(I), except for the results on the English language proficiency assessments required under paragraph (2)(G), for the first year of the English learner's enrollment in a school in the United States for the purposes of the State-determined accountability system under this subsection; and

''(C) include the results on the assessments under paragraph (2)(B)(v)(I), except for results on the English language proficiency assessments required under paragraph (2)(G), of former English learners for not more than 4 years after the student is no longer identified as an English learner within the English learner category of the categories of students, as defined in paragraph (3)(A), for the purposes of the State-determined accountability system.

''(5) ACCOUNTABILITY FOR CHARTER SCHOOLS.—The accountability provisions under this title shall be overseen for charter schools in accordance with State charter school law.

''(6) PROHIBITION ON FEDERAL INTERFERENCE WITH STATE AND LOCAL DECISIONS.—Nothing in this subsection shall be construed to permit the Secretary to establish any criterion that specifies, defines, or prescribes—

''(A) the standards or measures that States or local educational agencies use to establish, implement, or improve challenging State academic standards, including the content of, or achievement levels within, such standards;

''(B) the specific types of academic assessments or assessment items that States or local educational agencies use to meet the requirements of paragraph (2)(B) or otherwise use to measure student academic achievement or student growth;

''(C) the specific goals that States establish within State-designed accountability systems for all students and for each of the categories of students, as defined in paragraph (3)(A), for student academic achievement or high school graduation rates, as described in subclauses (I) and (II) of paragraph (3)(B)(i);

''(D) any requirement that States shall measure student growth or the specific metrics used to measure student academic growth if a State chooses to measure student growth;

''(E) the specific indicator under paragraph (3)(B)(ii)(II)(aa), or any indicator under paragraph (3)(B)(ii)(IV), that a State must use within the State-designed accountability system;

''(F) setting specific benchmarks, targets, or goals, for any other measures or indicators established by a State under subclauses (III) and (IV) of paragraph (3)(B)(ii), including progress or growth on such measures or indicators;

''(G) the specific weight or specific significance of any measures or indicators used to measure, identify, or differentiate schools in the State-determined accountability system, as described in clauses (ii) and (iii) of paragraph (3)(B);

''(H) the terms 'meaningfully' or 'substantially' as used in this part;

''(I) the specific methods used by States and local educational agencies to identify and meaningfully differentiate among public schools;

''(J) any aspect or parameter of a teacher, principal, or other school leader evaluation system within a State or local educational agency; or

''(K) indicators or measures of teacher, principal, or other school leader effectiveness or quality.

''(c) OTHER PLAN PROVISIONS.—

''(1) DESCRIPTIONS.—Each State plan shall describe—

''(A) with respect to any accountability provisions under this part that require disaggregation of information by each of the categories of students, as defined in subsection (b)(3)(A)—

''(i) the minimum number of students that the State determines are necessary to be included in each such category of students to carry out such requirements and how that number is statistically sound;

''(ii) how such minimum number of students was determined by the State, including how the State collaborated with teachers, principals, other school leaders, parents, and other stakeholders when setting the minimum number; and

''(iii) how the State ensures that such minimum number does not reveal personally identifiable information about students;

''(B) the State educational agency's system to monitor and evaluate the intervention and support strategies implemented by local educational agencies in schools identified as in need of intervention and support under section 1114, including the lowest-performing schools and schools identified for other reasons, including schools with categories of students, as defined in subsection (b)(3)(A), not meeting the goals described in subsection (b)(3)(B)(i), and the steps the State will take to further assist local educational agencies, if such strategies are not effective;

''(C) in the case of a State that proposes to use funds under this part to offer early childhood education programs, how the State provides assistance and support to local educational agencies and individual elementary schools that are creating, expanding, or improving such programs, such as through plans for engaging and supporting principals and other school leaders responsible for improving early childhood alignment with their elementary school, supporting teachers in understanding the transition between early learning to kindergarten, and increasing parent and community engagement;

''(D) in the case of a State that proposes to use funds under this part to support a multitiered system of supports, positive behavioral interventions and supports, or early intervening services, how the State educational agency will assist local educational agencies in the development, implementation, and coordination of such activities and services with similar activities and services carried out under the Individuals with Disabilities Education Act in schools served by the local educational agency, including by providing technical assistance, training, and evaluation of the activities and services;

''(E) how the State educational agency will provide support to local educational agencies for the education of homeless children and youths, and how the State will comply with the requirements of subtitle B of title VII of the McKinney-Vento Homeless Assistance Act;

''(F) how low-income and minority children enrolled in schools assisted under this part are not served at disproportionate rates by ineffective, out-of-field, and inexperienced teachers, principals, or other school leaders, and the measures the State educational agency will use to evaluate and publicly report the progress of the State educational agency with respect to such description;

''(G) how the State will make public the methods or criteria the State or its local educational agencies are using to measure teacher, principal, and other school leader

effectiveness for the purpose of meeting the requirements described in subparagraph (F); however, nothing in this subparagraph shall be construed as requiring a State to develop or implement a teacher, principal, or other school leader evaluation system;

''(H) how the State educational agency will protect each student from physical or mental abuse, aversive behavioral interventions that compromise student health and safety, or any physical restraint or seclusion imposed solely for purposes of discipline or convenience, which may include how such agency will identify and support, including through professional development, training, and technical assistance, local educational agencies and schools that have high levels of seclusion and restraint or disproportionality in rates of seclusion and restraint;

''(I) how the State educational agency will address school discipline issues, which may include how such agency will identify and support, including through professional development, training, and technical assistance, local educational agencies and schools that have high levels of exclusionary discipline or disproportionality in rates of exclusionary discipline;

''(J) how the State educational agency will address school climate issues, which may include providing technical assistance on effective strategies to reduce the incidence of school violence, bullying, harassment, drug and alcohol use and abuse, and rates of chronic absenteeism (including both excused and unexcused absences);

''(K) how the State determines, with timely and meaningful consultation with local educational agencies representing the geographic diversity of the State, the timelines and annual goals for progress necessary to move English learners from the lowest levels of English proficiency to the State-defined proficient level in a State-determined number of years, including an assurance that such goals will be based on students' initial language proficiency when first identified as an English learner and may take into account the amount of time that an individual child has been enrolled in a language program and grade level;

''(L) the steps a State educational agency will take to ensure collaboration with the State agency responsible for administering the State plans under parts B and E of title IV of the Social Security Act (42 U.S.C. 621 et seq. and 670 et seq.) to ensure the educational stability of children in foster care, including assurances that—

''(i) any such child enrolls or remains in such child's school of origin, unless a determination is made that it is not in such child's best interest to attend the school of origin, which decision shall be based on all factors relating to the child's best interest, including consideration of the appropriateness of the current educational setting and the proximity to the school in which the child is enrolled at the time of placement;

''(ii) when a determination is made that it is not in such child's best interest to remain in the school of origin, the child is immediately enrolled in a new school, even if the child is unable to produce records normally required for enrollment;

''(iii) the enrolling school shall immediately contact the school last attended by any such child to obtain relevant academic and other records; and

''(iv) the State educational agency will designate an employee to serve as a point of contact for child welfare agencies and to oversee implementation of the State agency responsibilities required under this subparagraph, and such point of contact shall not be the State's Coordinator for Education of Homeless Children and Youths under section 722(d)(3) of the McKinney-Vento Homeless Assistance Act;

''(M) how the State will ensure the unique needs of students at all levels of schooling are met, particularly students in the middle grades and high school, including how the State will work with local educational agencies to—

''(i) assist in the identification of middle grades and high school students who are at-risk of dropping out, such as through the continuous use of student data related to measures such as attendance, student suspensions, course performance, and, postsecondary credit accumulation that results in actionable steps to inform and differentiate instruction and support;

''(ii) ensure effective student transitions from elementary school to middle grades and middle grades to high school, such as by aligning curriculum and supports or implementing personal academic plans to enable such students to stay on the path to graduation;

''(iii) ensure effective student transitions from high school to postsecondary education, such as through the establishment of partnerships between local educational agencies and institutions of higher education and providing students with choices for pathways to postsecondary education, which may include the integration of rigorous academics, career and technical education, and work-based learning;

''(iv) provide professional development to teachers, principals, other school leaders, and other school personnel in addressing the academic and developmental needs of such students; and

''(v) implement any other evidence-based strategies or activities that the State determines appropriate for addressing the unique needs of such students;

''(N) how the State educational agency will provide support to local educational agencies for the education of expectant and parenting students;

''(O) how the State educational agency will demonstrate a coordinated plan to seamlessly transition students from secondary school into postsecondary education or careers without remediation, including a description of the specific transition activities that the State educational agency will carry out, such as providing students with access to early college high school or dual or concurrent enrollment opportunities;

''(P) if applicable, whether the State conducts periodic assessments of the condition of elementary school and secondary school facilities in the State, which may include an assessment of the age of the facility and the state of repair of the facility;

''(Q) if applicable, how the State educational agency will provide support to local educational agencies for the education of children facing substance abuse in the home, which may include how such agency will provide professional development, training, and technical assistance to local educational agencies, elementary schools, and secondary schools in communities with high rates of substance abuse; and

''(R) any other information on how the State proposes to use funds under this part to meet the purposes of this part, and that the State determines appropriate to provide, which may include how the State educational agency will—

''(i) assist local educational agencies in identifying and serving gifted and talented students;

''(ii) assist local educational agencies in developing effective school library programs to provide students an opportunity to develop digital literacy skills and to help ensure that all students graduate from high school prepared for postsecondary education or the workforce without the need for remediation;

''(iii) encourage the offering of a variety of well-rounded education experiences to students; and

''(iv) use funds under this part to support efforts to expand and replicate successful practices from high-performing charter schools, magnet schools, and traditional public schools.

''(2) ASSURANCES.—Each State plan shall provide an assurance that—

''(A) the State educational agency will notify local educational agencies, Indian tribes and tribal organizations, schools, teachers, parents, and the public of the challenging State academic standards, academic assessments, and State accountability system, developed under this section;

''(B) the State educational agency will assist each local educational agency and school affected by the State plan to meet the requirements of this part;

''(C) the State will participate in the biennial State academic assessments in reading and mathematics in grades 4 and 8 of the National Assessment of Educational Progress carried out under section 303(b)(3) of the National Assessment of Educational Progress Authorization Act if the Secretary pays the costs of administering such assessments;

''(D) the State educational agency will modify or eliminate State fiscal and accounting barriers so that schools can easily consolidate funds from other Federal, State, and local sources in order to improve educational opportunities and reduce unnecessary fiscal and accounting requirements;

''(E) the State educational agency will support the collection and dissemination to local educational agencies and schools of effective parent and family engagement strategies, including those included in the parent and family engagement policy under section 1115;

''(F) the State educational agency will provide the least restrictive and burdensome regulations for local educational agencies and individual schools participating in a program assisted under this part;

''(G) the State educational agency will ensure that local educational agencies, in developing and implementing programs under this part, will, to the extent feasible, work in consultation with outside intermediary organizations, such as educational service agencies, or individuals, that have practical expertise in the development or use of evidence-based strategies and programs to improve teaching, learning, and schools;

''(H) the State educational agency has appropriate procedures and safeguards in place to ensure the validity of the assessment process;

''(I) the State educational agency will ensure that all teachers and paraprofessionals working in a program supported with funds under this part meet applicable State certification and licensure requirements, including alternative certification requirements;

''(J) the State educational agency will coordinate activities funded under this part with other Federal activities as appropriate;

''(K) the State educational agency has involved the committee of practitioners established under section 1503(b) in developing the plan and monitoring its implementation;

''(L) the State has professional standards for paraprofessionals working in a program

supported with funds under this part, including qualifications that were in place on the day before the date of enactment of the Every Child Achieves Act of 2015;

''(M) the State educational agency will assess the system for collecting data from local educational agencies, and the technical assistance provided to local educational agencies on data collection, and will evaluate the need to upgrade or change the system and to provide additional support to help minimize the burden on local educational agencies related to reporting data required for the annual State report card described in subsection (d)(1) and annual local educational agency report cards described in subsection (d)(2); and

''(N) the State educational agency will provide the information described in clauses (ii), (iii), and (iv) of subsection (d)(1)(C) to the public in an easily accessible and user-friendly manner that can be cross-tabulated by, at a minimum, each major racial and ethnic group, gender, English proficiency, and students with or without disabilities, which—

''(i) may be accomplished by including such information on the annual State report card described subsection (d)(1)(C)); and

''(ii) shall be presented in a manner that—

''(I) is first anonymized and does not reveal personally identifiable information about an individual student;

''(II) does not include a number of students in any category of students that is insufficient to yield statistically reliable information or that would reveal personally identifiable information about an individual student; and

''(III) is consistent with the requirements of section 444 of the General Education Provisions Act (20 U.S.C. 1232g, commonly known as the 'Family Educational Rights and Privacy Act of 1974').

''(3) RULES OF CONSTRUCTION.—Nothing in paragraph (2)(N) shall be construed to—

''(A) require groups of students obtained by any entity that cross-tabulates the information provided under such paragraph to be considered categories of students under subsection (b)(3)(A) for the purposes of the State accountability system under subsection (b)(3); or

''(B) to prohibit States from publicly reporting data in a cross-tabulated manner, in order to meet the requirements of paragraph (2)(N).

''(4) TECHNICAL ASSISTANCE.—Upon request by a State educational agency, the Secretary shall provide technical assistance to such agency in order to meet the requirements of paragraph (2)(N).

''(d) REPORTS.—

''(1) ANNUAL STATE REPORT CARD.—

''(A) IN GENERAL.—A State that receives assistance under this part shall prepare and disseminate widely to the public an annual State report card for the State as a whole that meets the requirements of this paragraph.

''(B) IMPLEMENTATION.—

''(i) IN GENERAL.—The State report card required under this paragraph shall be—

''(I) concise;

''(II) presented in an understandable and uniform format and, to the extent practicable, in a language that parents can understand; and

''(III) widely accessible to the public, which shall include making the State report card, along with all local educational agency and school report cards required under paragraph (2), and the annual report to the Secretary under paragraph (5), available on a single webpage of the State educational agency's website.

''(ii) ENSURING PRIVACY.—No State report card required under this paragraph shall include any personally identifiable information about any student. Each such report card shall be consistent with the privacy protections under section 444 of the General Education Provisions Act (20 U.S.C. 1232g, commonly known as the 'Family Educational Rights and Privacy Act of 1974').

''(C) MINIMUM REQUIREMENTS.—Each State report card required under this subsection shall include the following information:

''(i) A clear and concise description of the State's accountability system under subsection (b)(3), including the goals for all students and for each of the categories of students, as defined in subsection (b)(3)(A), the indicators used in the accountability system to evaluate school performance described in subsection (b)(3)(B), and the weights of the indicators used in the accountability system to evaluate school performance.

''(ii) For all students and disaggregated by each category of students described in subsection (b)(2)(B)(xi), homeless status, and status as a child in foster care, except that such disaggregation shall not be required in a case in which the number of students in a category is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual student, information on student achievement on the academic assessments described in subsection (b)(2) at each level of achievement, as determined by the State under subsection (b)(1).

''(iii) For all students and disaggregated by each category of students described in subsection (b)(2)(B)(xi), the percentage of students assessed and not assessed.

''(iv) For all students and disaggregated by each of the categories of students, as defined in subsection (b)(3)(A), and for purposes of subclause (II), homeless status and status as a child in foster care, except that such disaggregation shall not be required in a case in which the number of students in a category is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual student—

''(I) information on the performance on the other academic indicator under subsection (b)(3)(B)(ii)(II)(aa) used by the State in the State accountability system; and

''(II) high school graduation rates, including 4-year adjusted cohort graduation rates and, at the State's discretion, extended-year adjusted cohort graduation rates.

''(v) Information on indicators or measures of school quality, climate and safety, and discipline, including the rates of in-school suspensions, out-of-school suspensions, expulsions, school-related arrests, referrals to law enforcement, chronic absenteeism (including both excused and unexcused absences), and incidences of violence, including bullying and harassment, that the State educational agency and each local educational agency in the State reported to the Civil Rights Data Collection biennial survey required by the Office for Civil Rights of the Department that is the most recent to the date of the determination in the same manner that such information is presented on such survey.

''(vi) The minimum number of students that the State determines are necessary to be included in each of the categories of students, as defined in subsection (b)(3)(A), for use in the accountability system under subsection (b)(3).

''(vii) The professional qualifications of teachers, principals, and other school leaders in the State, including information (that shall be presented in the aggregate and disaggregated by high-poverty compared to low-poverty schools which, for the purpose of this clause, means schools in each quartile based on school poverty level, and high–minority and low–minority schools in the State) on the number, percentage, and distribution of—

''(I) inexperienced teachers, principals, and other school leaders;

''(II) teachers teaching with emergency or provisional credentials;

''(III) teachers who are not teaching in the subject or field for which the teacher is certified or licensed;

''(IV) teachers, principals, and other school leaders who are ineffective, as determined by the State, using the methods or criteria under subsection (c)(1)(G); and

''(V) the annual retention rates of effective and ineffective teachers, principals, and other school leaders, as determined by the State, using the methods or criteria under subsection (c)(1)(G).

''(viii) Information on the performance of local educational agencies and schools in the State, including the number and names of each school identified for intervention and support under section 1114.

''(ix) For a State that implements a teacher, principal, and other school leader evaluation system consistent with title II, the evaluation results of teachers, principals, and other school leaders, except that such information shall not provide personally identifiable information on individual teachers, principals, or other school leaders.

''(x) The per-pupil expenditures of Federal, State, and local funds, including actual personnel expenditures and actual nonpersonnel expenditures of Federal, State, and local funds, disaggregated by source of funds, for each local educational agency and each school in the State for the preceding fiscal year.

''(xi) The number and percentages of students with the most significant cognitive disabilities that take an alternate assessment under subsection (b)(2)(D), by grade and subject.

''(xii) Information on the acquisition of English language proficiency by students who are English learners.

''(xiii) Information on, including information that the State educational agency and each local educational agency in the State reported to the Civil Rights Data Collection biennial survey required by the Office for Civil Rights of the Department that is the most recent to the date of the determination in the same manner that such information is presented on such survey on—

''(I) the number and percentage of—

''(aa) students enrolled in gifted and talented programs;

''(bb) students enrolled in rigorous coursework to earn postsecondary credit while still in high school, such as Advanced Placement and International Baccalaureate courses and examinations, and dual or concurrent enrollment and early college high schools; and

''(cc) children enrolled in preschool programs;

''(II) the average class size, by grade; and

''(III) any other indicators determined by the State.

''(xiv) The number and percentage of students attaining career and technical proficiencies, as defined by section 113(b) of the Carl D. Perkins Career and Technical Education Act of 2006 and reported by States

only in a manner consistent with section 113(c) of that Act.

''(xv) Results on the National Assessment of Educational Progress in reading and mathematics in grades 4 and 8 for the State, compared to the national average.

''(xvi) Information on the percentage of students, including for each of the categories of students, as defined in subsection (b)(3)(A), who did not meet the State goals established under subsection (b)(3)(B).

''(xvii) Information regarding the number of military-connected students (which, for purposes of this clause, shall mean students with parents who serve in the uniformed services, including the National Guard and Reserves), and information regarding the academic achievement of such students, except that such information shall not be used for school or local educational agency accountability purposes under sections 1111(b)(3) and 1114.

''(xviii) In the case of each coeducational school in the State that receives assistance under this part—

''(I) a listing of the school's interscholastic sports teams that participated in athletic competition;

''(II) for each such team—

''(aa) the total number of male and female participants, disaggregated by gender and race;

''(bb) the season in which the team competed, whether the team participated in postseason competition, and the total number of competitive events scheduled;

''(cc) the total expenditures from all sources, including expenditures for travel, uniforms, facilities, and publicity for competitions; and

''(dd) the total number of coaches, trainers, and medical personnel, and for each such individual an identification of such individual's employment status, and duties other than providing coaching, training, or medical services; and

''(III) the average annual salary of the head coaches of boys' interscholastic sports teams, across all offered sports, and the average annual salary of the head coaches of girls' interscholastic sports teams, across all offered sports.

''(xix) for each high school in the State, and beginning with the report card released in 2017, the cohort rate (in the aggregate, and disaggregated for each category of students defined in subsection (b)(3)(A), except that such disaggregation shall not be required in a case in which the number of students is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual student) at which students who graduate from the high school enroll, for the first academic year that begins after the students' graduation—

''(I) in programs of public postsecondary education in the State; and

''(II) if data are available and to the extent practicable, in programs of private postsecondary education in the State or programs of postsecondary education outside the State;

''(xx) if available and to the extent practicable, for each high school in the State and beginning with the report card released in 2018, the remediation rate (in the aggregate, and disaggregated for each category of students defined in subsection (b)(3)(A), except that such disaggregation shall not be required in a case in which the number of students is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual student) for students who graduate from the high school at—

''(I) programs of postsecondary education in the State; and

''(II) programs of postsecondary education outside the State;

''(xxi) Any additional information that the State believes will best provide parents, students, and other members of the public with information regarding the progress of each of the State's public elementary schools and secondary schools.

''(D) RULE OF CONSTRUCTION.—

''(i) IN GENERAL.—Nothing in clause (v) or (xiii) of subparagraph (C) shall be construed as requiring a State to report any data that are not otherwise required or voluntarily submitted to the Civil Rights Data Collection biennial survey required by the Office for Civil Rights of the Department.

''(ii) CONTINUATION OF SUBMISSION TO DEPARTMENT OF INFORMATION.—If, at any time after the date of enactment of the Every Child Achieves Act of 2015, the Civil Rights Data Collection biennial survey is no longer conducted by the Office for Civil Rights of the Department, a State educational agency shall still include the information under clauses (v) and (xiii) of subparagraph (C) in the State report card under this paragraph in the same manner that such information is presented on such survey.

''(2) ANNUAL LOCAL EDUCATIONAL AGENCY REPORT CARDS.—

''(A) IN GENERAL.—

''(i) PREPARATION AND DISSEMINATION.—A local educational agency that receives assistance under this part shall prepare and disseminate an annual local educational agency report card that includes—

''(I) information on such agency as a whole; and

''(II) for each school served by the agency, a school report card that meets the requirements of this paragraph.

''(ii) NO PERSONALLY IDENTIFIABLE INFORMATION.—No local educational agency report card required under this paragraph shall include any personally identifiable information about any student.

''(iii) CONSISTENT WITH FERPA.—Each local educational agency report card shall be consistent with the privacy protections under section 444 of the General Education Provisions Act (20 U.S.C. 1232g, commonly known as the 'Family Educational Rights and Privacy Act of 1974').

''(B) IMPLEMENTATION.—Each local educational agency report card shall be—

''(i) concise;

''(ii) presented in an understandable and uniform format, and to the extent practicable, in a language that parents can understand; and

''(iii) accessible to the public, which shall include—

''(I) placing such report card on the website of the local educational agency and on the website of each school served by the agency; and

''(II) in any case in which a local educational agency or school does not operate a website, providing the information to the public in another manner determined by the local educational agency.

''(C) MINIMUM REQUIREMENTS.—Each local educational agency report card required under this paragraph shall include—

''(i) the information described in paragraph (1)(C), disaggregated in the same manner as under paragraph (1)(C), except for clause (xv) of such paragraph, as applied to the local educational agency, and each school served by the local educational agency, including—

''(I) in the case of a local educational agency, information that shows how students served by the local educational agency achieved on the academic assessments described in subsection (b)(2) compared to students in the State as a whole; and

''(II) in the case of a school, information that shows how the school's students' achievement on the academic assessments described in subsection (b)(2) compared to students served by the local educational agency and the State as a whole;

''(ii) any information required by the State under paragraph (1)(C)(xviii); and

''(iii) any other information that the local educational agency determines is appropriate and will best provide parents, students, and other members of the public with information regarding the progress of each public school served by the local educational agency, whether or not such information is included in the annual State report card.

''(D) PUBLIC DISSEMINATION.—

''(i) IN GENERAL.—Except as provided in clause (ii), a local educational agency shall—

''(I) publicly disseminate the information described in this paragraph to all schools in the school district served by the local educational agency and to all parents of students attending such schools; and

''(II) make the information widely available through public means, including through electronic means, including posting in an easily accessible manner on the local educational agency's website, except in the case in which an agency does not operate a website, such agency shall determine how to make the information available, such as through distribution to the media, and distribution through public agencies.

''(ii) EXCEPTION.—If a local educational agency issues a report card for all students, the local educational agency may include the information described in this paragraph as part of such report.

''(3) PREEXISTING REPORT CARDS.—A State educational agency or local educational agency that was providing public report cards on the performance of students, schools, local educational agencies, or the State prior to the date of enactment of the Every Child Achieves Act of 2015, may use such report cards for the purpose of disseminating information under this subsection if the report card is modified, as may be needed, to contain the information required by this subsection.

''(4) COST REDUCTION.—Each State educational agency and local educational agency receiving assistance under this part shall, wherever possible, take steps to reduce data collection costs and duplication of effort by obtaining the information required under this subsection through existing data collection efforts.

''(5) ANNUAL STATE REPORT TO THE SECRETARY.—Each State educational agency receiving assistance under this part shall report annually to the Secretary, and make widely available within the State—

''(A) information on student achievement on the academic assessments described in subsection (b)(2) for all students and disaggregated by each of the categories of students, as defined in subsection (b)(3)(A), including—

''(i) the percentage of students who achieved at each level of achievement the State has set in subsection (b)(1);

''(ii) the percentage of students who did not meet the State goals set in subsection (b)(3)(B); and

''(iii) if applicable, the percentage of students making at least one year of academic growth over the school year, as determined by the State;

''(B) the percentage of students assessed and not assessed on the academic assessments described in subsection (b)(2) for all students and disaggregated by each category of students described in subsection (b)(2)(B)(xi);

''(C) for all students and disaggregated by each of the categories of students, as defined in subsection (b)(3)(A)—

''(i) information on the performance on the other academic indicator under subsection (b)(3)(B)(ii)(II)(aa) used by the State in the State accountability system;

''(ii) high school graduation rates, including 4-year adjusted cohort graduation rates and, at the State's discretion, extended-year adjusted cohort graduation rates; and

''(iii) information on each State-determined indicator of school quality, success, or student support under subsection (b)(3)(B)(ii)(IV) selected by the State in the State accountability system;

''(D) information on the acquisition of English language proficiency by students who are English learners;

''(E) the per-pupil expenditures of Federal, State, and local funds, including actual staff personnel expenditures and actual nonpersonnel expenditures, disaggregated by source of funds for each school served by the agency for the preceding fiscal year;

''(F) the number and percentage of students with the most significant cognitive disabilities that take an alternate assessment under subsection (b)(2)(D), by grade and subject;

''(G) the number and names of the schools identified as in need of intervention and support under section 1114, and the school intervention and support strategies developed and implemented by the local educational agency under section 1114(b) to address the needs of students in each school;

''(H) the number of students and schools that participated in public school choice under section 1114(b)(4);

''(I) information on the quality and effectiveness of teachers for each quartile of schools based on the school's poverty level and high–minority and low–minority schools in the local educational agencies in the State, including the number, percentage, and distribution of—

''(i) inexperienced teachers;

''(ii) teachers who are not teaching in the subject or field for which the teacher is certified or licensed; and

''(iii) teachers who are not effective, as determined by the State if the State has a statewide teacher, principal, or other school leader evaluation system; and

''(J) if the State has a statewide teacher, principal, or other school leader evaluation system, information on the results of such teacher, principal, or other school leader evaluation systems that does not reveal personally identifiable information.

''(6) PRESENTATION OF DATA.—

''(A) IN GENERAL.—A State educational agency or local educational agency shall only include in its annual report card described under paragraphs (1) and (2) data that are sufficient to yield statistically reliable information, and that do not reveal personally identifiable information about an individual student, teacher, principal, or other school leader.

''(B) STUDENT PRIVACY.—In carrying out this subsection, student education records shall not be released without written consent consistent with section 444 of the General Education Provisions Act (20 U.S.C. 1232g, commonly known as the 'Family Educational Rights and Privacy Act of 1974').

''(7) REPORT TO CONGRESS.—The Secretary shall transmit annually to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives a report that provides national- and State-level data on the information collected under paragraph (5). Such report shall be submitted through electronic means only.

''(8) SECRETARY'S REPORT CARD.—

''(A) IN GENERAL.—Not later than July 1, 2017, and annually thereafter, the Secretary, acting through the Director of the Institute of Education Sciences, shall transmit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives a national report card on the status of elementary and secondary education in the United States. Such report shall—

''(i) analyze existing data from State reports required under this Act, the Individuals with Disabilities Education Act, and the Carl D. Perkins Career and Technical Education Act of 2006, and summarize major findings from such reports;

''(ii) analyze data from the National Assessment of Educational Progress and comparable international assessments;

''(iii) identify trends in student achievement and high school graduation rates (including 4-year adjusted cohort graduation rates and extended-year adjusted cohort graduation rates), by analyzing and reporting on the status and performance of students, disaggregated by achievement level and by each of the categories of students, as defined in subsection (b)(3)(A), and by students in rural schools;

''(iv) analyze data on Federal, State, and local expenditures on education, including per-pupil spending, teacher salaries, school-level spending, and other financial data publicly available, and report on current trends and major findings; and

''(v) analyze information on the teaching, principal, and other school leader professions, including education and training, retention and mobility, and effectiveness in improving student achievement.

''(B) SPECIAL RULE.—The information used to prepare the report described in subparagraph (A) shall be derived from existing State and local reporting requirements and data sources. Nothing in this paragraph shall be construed as authorizing, requiring, or allowing any additional reporting requirements, data elements, or information to be reported to the Secretary not otherwise explicitly authorized by any other Federal law.

''(C) PUBLIC RECOGNITION.—The Secretary may identify and publicly recognize States, local educational agencies, schools, programs, and individuals for exemplary performance.

''(e) VOLUNTARY PARTNERSHIPS.—

''(1) IN GENERAL.—Nothing in this section shall be construed to prohibit a State from entering into a voluntary partnership with another State to develop and implement the academic assessments, challenging State academic standards, and accountability systems required under this section.

''(2) PROHIBITION.—The Secretary shall be prohibited from requiring or coercing a State to enter into a voluntary partnership described in paragraph (1), including—

''(A) as a condition of approval of a State plan under this section;

''(B) as a condition of an award of Federal funds under any grant, contract, or cooperative agreement;

''(C) as a condition of approval of a waiver under section 9401; or

''(D) by providing any priority, preference, or special consideration during the application process under any grant, contract, or cooperative agreement.

''(f) SPECIAL RULE WITH RESPECT TO BUREAU-FUNDED SCHOOLS.—In determining the assessments to be used by each school operated or funded by the Bureau of Indian Education of the Department of the Interior that receives funds under this part, the following shall apply:

''(1) Each such school that is accredited by the State in which it is operating shall use the assessments the State has developed and implemented to meet the requirements of this section, or such other appropriate assessment as approved by the Secretary of the Interior.

''(2) Each such school that is accredited by a regional accrediting organization shall adopt an appropriate assessment in consultation with, and with the approval of, the Secretary of the Interior and consistent with assessments adopted by other schools in the same State or region, that meets the requirements of this section.

''(3) Each such school that is accredited by a tribal accrediting agency or tribal division of education shall use an assessment developed by such agency or division, except that the Secretary of the Interior shall ensure that such assessment meets the requirements of this section.

''SEC. 1112. LOCAL EDUCATIONAL AGENCY PLANS.

''(a) PLANS REQUIRED.—

''(1) SUBGRANTS.—A local educational agency may receive a subgrant under this part for any fiscal year only if such agency has on file with the State educational agency a plan, approved by the State educational agency, that—

''(A) is developed with timely and meaningful consultation with teachers, principals, other school leaders, public charter school representatives (if applicable), specialized instructional support personnel, paraprofessionals (including organizations representing such individuals), administrators (including administrators of programs described in other parts of this title), and other appropriate school personnel, and with parents of children in schools served under this part;

''(B) satisfies the requirements of this section; and

''(C) as appropriate, is coordinated with other programs under this Act, the Individuals with Disabilities Education Act, the Rehabilitation Act of 1973, the Carl D. Perkins Career and Technical Education Act of 2006, the Workforce Innovation and Opportunity Act, the Head Start Act, the Child Care and Development Block Grant Act of 1990, the Education Sciences Reform Act of 2002, the Education Technical Assistance Act, the National Assessment of Educational Progress Authorization Act, the McKinney-Vento Homeless Assistance Act, and the Adult Education and Family Literacy Act.

''(2) CONSOLIDATED APPLICATION.—The plan may be submitted as part of a consolidated application under section 9305.

''(3) STATE REVIEW AND APPROVAL.—

''(A) IN GENERAL.—Each local educational agency plan shall be filed according to a schedule established by the State educational agency.

''(B) APPROVAL.—The State educational agency shall approve a local educational agency's plan only if the State educational agency determines that the local educational agency's plan meets the requirements of this part and enables children served under this part to meet the challenging State academic standards described in section 1111(b)(1).

''(4) DURATION.—Each local educational agency plan shall be submitted for the first year for which this part is in effect following the date of enactment of the Every Child Achieves Act of 2015 and shall remain in effect for the duration of the agency's participation under this part.

''(5) REVIEW.—Each local educational agency shall periodically review and, as necessary, revise its plan to reflect changes in the local educational agency's strategies and programs under this part.

''(6) RENEWAL.—A local educational agency that desires to continue participating in a program under this part shall submit a renewed plan on a periodic basis, as determined by the State.

''(b) PLAN PROVISIONS.—To ensure that all children receive a high-quality education that prepares them for postsecondary education or the workforce without the need for postsecondary remediation, and to close the achievement gap between children meeting the challenging State academic standards and those who are not, each local educational agency plan shall describe—

''(1) how the local educational agency will work with each of the schools served by the agency so that students meet the challenging State academic standards by—

''(A) developing and implementing a comprehensive program of instruction to meet the academic needs of all students;

''(B) identifying quickly and effectively students who may be at risk for academic failure;

''(C) providing additional educational assistance to individual students determined as needing help in meeting the challenging State academic standards;

''(D) identifying significant gaps in student academic achievement and graduation rates between each of the categories of students, as defined in section 1111(b)(3)(A), and developing strategies to reduce such gaps in achievement and graduation rates; and

''(E) identifying and implementing evidence-based methods and instructional strategies intended to strengthen the academic program of the school and improve school climate;

''(2) how the local educational agency will monitor and evaluate the effectiveness of school programs in improving student academic achievement and academic growth, if applicable, especially for students not meeting the challenging State academic standards;

''(3) how the local educational agency will—

''(A) ensure that all teachers and paraprofessionals working in a program supported with funds under this part meet applicable State certification and licensure requirements, including alternative certification requirements; and

''(B) identify and address, as required under State plans as described in section 1111(c)(1)(F), any disparities that result in low-income students and minority students being taught at higher rates than other students by ineffective, inexperienced, and out-of-field teachers;

''(4) the actions the local educational agency will take to assist schools identified as in need of intervention and support under section 1114, including the lowest-performing schools in the local educational agency, and schools identified for other reasons, including schools with categories of students, as defined in section 1111(b)(3)(A), not meeting the goals described in section 1111(b)(3)(B), to improve student academic achievement, the funds used to conduct such actions, and how such agency will monitor such actions;

''(5) the poverty criteria that will be used to select school attendance areas under section 1113;

''(6) the programs to be conducted by such agency's schools under section 1113 and, where appropriate, educational services outside such schools for children living in local institutions for neglected or delinquent children, and for neglected and delinquent children in community day school programs;

''(7) the services the local educational agency will provide homeless children, including services provided with funds reserved under section 1113(a)(4)(A)(i);

''(8) the strategy the local educational agency will use to implement effective parent and family engagement under section 1115;

''(9) if applicable, how the local educational agency will coordinate and integrate services provided under this part with preschool educational services at the local educational agency or individual school level, such as Head Start programs, the literacy program under part D of title II, State-funded preschool programs, and other community-based early childhood education programs, including plans for the transition of participants in such programs to local elementary school programs;

''(10) how the local educational agency will coordinate programs and integrate services under this part with other Federal, State, tribal, and local services and programs, including programs supported under this Act, the Carl D. Perkins Career and Technical Education Act of 2006, the Individuals with Disabilities Education Act, the Rehabilitation Act of 1973, the Head Start Act, the Child Care and Development Block Grant Act of 1990, the Workforce Innovation and Opportunity Act, the McKinney-Vento Homeless Assistance Act, and the Education Sciences Reform Act of 2002, violence prevention programs, nutrition programs, and housing programs;

''(11) how teachers and school leaders, in consultation with parents, administrators, paraprofessionals, and specialized instructional support personnel, in schools operating a targeted assistance school program under section 1113, will identify the eligible children most in need of services under this part;

''(12) in the case of a local educational agency that proposes to use funds under this part to support a multi-tiered system of supports, positive behavioral interventions and supports, or early intervening services, how the local educational agency will provide such activities and services and coordinate them with similar activities and services carried out under the Individuals with Disabilities Education Act in schools served by the local educational agency, including by providing technical assistance, training, and evaluation of the activities and services;

''(13) how the local educational agency will provide opportunities for the enrollment, attendance, and success of homeless children and youths consistent with the requirements of the McKinney-Vento Homeless Assistance Act and the services the local educational agency will provide homeless children and youths;

''(14) how the local educational agency will implement strategies to facilitate effective transitions for students from middle school to high school and from high school to postsecondary education, including—

''(A) if applicable, through coordination with institutions of higher education, employers, and other local partners to seamlessly transition students from high school into postsecondary education or careers without remediation; and

''(B) a description of the specific transition activities the local educational agency will take, such as providing students with access to early college high school or dual or concurrent enrollment opportunities that enable students during high school to earn postsecondary credit or an industry-recognized credential that meets any quality standards required by the State or utilizing comprehensive career counseling to identify student interests and skills;

''(15) how the local educational agency will address school discipline issues, which may include identifying and supporting schools with significant discipline disparities, or high rates of discipline, disaggregated by each of the categories of students, as defined in section 1111(b)(3)(A), including by providing technical assistance on effective strategies to reduce such disparities and high rates;

''(16) how the local educational agency will address school climate issues, which may include identifying and improving performance on school climate indicators related to student achievement and providing technical assistance to schools;

''(17) how the local educational agency will provide opportunities for the enrollment, attendance, and success of expectant and parenting students and the services the local educational agency will provide expectant and parenting students;

''(18) if determined appropriate by the local educational agency, how such agency will support programs that promote integrated academic and career and technical education content through coordinated instructional strategies, that may incorporate experiential learning opportunities; and

''(19) any other information on how the local educational agency proposes to use funds to meet the purposes of this part, and that the local educational agency determines appropriate to provide, which may include how the local educational agency will—

''(A) assist schools in identifying and serving gifted and talented students;

''(B) assist schools in developing effective school library programs to provide students an opportunity to develop digital literacy skills and to help ensure that all students graduate from high school prepared for postsecondary education or the workforce without the need for remediation; and

''(C) encourage the offering of a variety of well-rounded education experiences to students.

''(c) ASSURANCES.—Each local educational agency plan shall provide assurances that the local educational agency will—

''(1) ensure that migratory children and formerly migratory children who are eligible to receive services under this part are selected to receive such services on the same basis as other children who are selected to receive services under this part;

''(2) provide services to eligible children attending private elementary schools and secondary schools in accordance with section 1116, and timely and meaningful consultation with private school officials regarding such services;

''(3) participate, if selected, in the National Assessment of Educational Progress in reading and mathematics in grades 4 and 8 carried out under section 303(b)(3) of the National Assessment of Educational Progress Authorization Act;

''(4) coordinate and integrate services provided under this part with other educational

services at the local educational agency or individual school level, such as services for English learners, children with disabilities, migratory children, American Indian, Alaska Native, and Native Hawaiian children, and homeless children, in order to increase program effectiveness, eliminate duplication, and reduce fragmentation of the instructional program;

''(5) collaborate with the State or local child welfare agency and, by not later than 1 year after the date of enactment of the Every Child Achieves Act of 2015, develop and implement clear written procedures governing how transportation to maintain children in foster care in their school of origin when in their best interest will be provided, arranged, and funded for the duration of the time in foster care, which procedures shall—

''(A) ensure that children in foster care needing transportation to the school of origin will promptly receive transportation in a cost-effective manner and in accordance with section 475(4)(A) of the Social Security Act (42 U.S.C. 675(4)(A)); and

''(B) ensure that, if there are additional costs incurred in providing transportation to maintain children in foster care in their schools of origin, the local educational agency will provide transportation to the school of origin if—

''(i) the local child welfare agency agrees to reimburse the local educational agency for the cost of such transportation;

''(ii) the local educational agency agrees to pay for the cost of such transportation; or

''(iii) the local educational agency and the local child welfare agency agree to share the cost of such transportation; and

''(6) designate a point of contact if the corresponding child welfare agency notifies the local educational agency, in writing, that the agency has designated an employee to serve as a point of contact for the local educational agency.

''(d) PARENTS RIGHT-TO-KNOW.—

''(1) INFORMATION FOR PARENTS .—

''(A) IN GENERAL.—At the beginning of each school year, a local educational agency that receives funds under this part shall notify the parents of each student attending any school receiving funds under this part that the parents may request, and the agency will provide the parents on request (and in a timely manner), information regarding any State or local educational agency policy, procedure, or parental right regarding student participation in any mandated assessments for that school year, in addition to information regarding the professional qualifications of the student's classroom teachers, including at a minimum, the following:

''(i) Whether the teacher has met State qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction.

''(ii) Whether the teacher is teaching under emergency or other provisional status through which State qualification or licensing criteria have been waived.

''(iii) The field of discipline of the certification of the teacher.

''(iv) Whether the child is provided services by paraprofessionals and, if so, their qualifications.

''(B) ADDITIONAL INFORMATION.—In addition to the information that parents may request under subparagraph (A), a school that receives funds under this part shall provide to each individual parent of a child who is a student in such school, with respect to such student—

''(i) information on the level of achievement and academic growth of the student, if applicable and available, on each of the State academic assessments required under this part; and

''(ii) timely notice that the student has been assigned, or has been taught for 4 or more consecutive weeks by, a teacher who does not meet applicable State certification or licensure requirements at the grade level and subject area in which the teacher has been assigned.

''(2) TESTING TRANSPARENCY.—

''(A) IN GENERAL.—Subject to subparagraph (B), each local educational agency that receives funds under this part shall make widely available through public means (including by posting in a clear and easily accessible manner on the local educational agency's website and, where practicable, on the website of each school served by the local educational agency) for each grade served by the local educational agency, information on each assessment required by the State to comply with section 1111, other assessments required by the State, and where such information is available and feasible to report, assessments required districtwide by the local educational agency, including—

''(i) the subject matter assessed;

''(ii) the purpose for which the assessment is designed and used;

''(iii) the source of the requirement for the assessment; and

''(iv) where such information is available—

''(I) the amount of time students will spend taking the assessment, and the schedule and calendar for the assessment; and

''(II) the time and format for disseminating results.

''(B) LOCAL EDUCATIONAL AGENCY THAT DOES NOT OPERATE A WEBSITE.—In the case of a local educational agency that does not operate a website, such local educational agency shall determine how to make the information described in subparagraph (A) widely available, such as through distribution of that information to the media, through public agencies, or directly to parents.

''(3) LANGUAGE INSTRUCTION.—

''(A) NOTICE.—Each local educational agency using funds under this part or title III to provide a language instruction educational program as determined under title III shall, not later than 30 days after the beginning of the school year, inform a parent or parents of a child who is an English learner identified for participation or participating in such a program, of—

''(i) the reasons for the identification of their child as an English learner and in need of placement in a language instruction educational program;

''(ii) the child's level of English proficiency, how such level was assessed, and the status of the child's academic achievement;

''(iii) the methods of instruction used in the program in which their child is, or will be, participating and the methods of instruction used in other available programs, including how such programs differ in content, instructional goals, and the use of English and a native language in instruction;

''(iv) how the program in which their child is, or will be, participating will meet the educational strengths and needs of their child;

''(v) how such program will specifically help their child learn English and meet age-appropriate academic achievement standards for grade promotion and graduation;

''(vi) the specific exit requirements for the program, including the expected rate of transition from such program into classrooms that are not tailored for children who are English learners, and the expected rate of graduation from high school (including 4-year adjusted cohort graduation rates and extended-year adjusted cohort graduation rates for such program) if funds under this part are used for children in high schools;

''(vii) in the case of a child with a disability, how such program meets the objectives of the individualized education program of the child, as described in section 614(d) of the Individuals with Disabilities Education Act; and

''(viii) information pertaining to parental rights that includes written guidance—

''(I) detailing the right that parents have to have their child immediately removed from such program upon their request;

''(II) detailing the options that parents have to decline to enroll their child in such program or to choose another program or method of instruction, if available; and

''(III) assisting parents in selecting among various programs and methods of instruction, if more than 1 program or method is offered by the eligible entity.

''(B) SPECIAL RULE APPLICABLE DURING THE SCHOOL YEAR.—For those children who have not been identified as English learners prior to the beginning of the school year but are identified as English learners during such school year, the local educational agency shall notify the children's parents during the first 2 weeks of the child being placed in a language instruction educational program consistent with subparagraph (A).

''(C) PARENTAL PARTICIPATION.—Each local educational agency receiving funds under this part and title III shall implement an effective means of outreach to parents of children who are English learners to inform the parents how the parents can be involved in the education of their children, and be active participants in assisting their children to attain English proficiency, achieve at high levels in core academic subjects, and meet the challenging State academic standards expected of all students, including holding, and sending notice of opportunities for, regular meetings for the purpose of formulating and responding to recommendations from parents of students assisted under this part and title III.

''(D) BASIS FOR ADMISSION OR EXCLUSION.—A student shall not be admitted to, or excluded from, any federally assisted education program on the basis of a surname or language-minority status.

''(3) NOTICE AND FORMAT.—The notice and information provided to parents under this subsection shall be in an understandable and uniform format and, to the extent practicable, provided in a language that the parents can understand.

''SEC. 1113. ELIGIBLE SCHOOL ATTENDANCE AREAS; SCHOOLWIDE PROGRAMS; TARGETED ASSISTANCE PROGRAMS.

''(a) ELIGIBLE SCHOOL ATTENDANCE AREAS.—

''(1) DETERMINATION.—

''(A) IN GENERAL.—A local educational agency shall use funds received under this part only in eligible school attendance areas.

''(B) ELIGIBLE SCHOOL ATTENDANCE AREAS.—In this part—

''(i) the term 'school attendance area' means, in relation to a particular school, the geographical area in which the children who are normally served by that school reside; and

''(ii) the term 'eligible school attendance area' means a school attendance area in which the percentage of children from low-income families is at least as high as the percentage of children from low-income families

served by the local educational agency as a whole.

''(C) RANKING ORDER.—

''(i) IN GENERAL.—Except as provided in clause (ii), if funds allocated in accordance with paragraph (3) are insufficient to serve all eligible school attendance areas, a local educational agency shall—

''(I) annually rank, without regard to grade spans, such agency's eligible school attendance areas in which the concentration of children from low-income families exceeds 75 percent, or exceeds 50 percent in the case of the high schools served by such agency, from highest to lowest according to the percentage of children from low-income families; and

''(II) serve such eligible school attendance areas in rank order.

''(ii) RULE OF CONSTRUCTION.—Nothing in this subparagraph shall be construed as requiring a local educational agency to reduce, in order to comply with clause (i), the amount of funding provided under this part to elementary schools and middle schools from the amount of funding provided under this part to such schools for the fiscal year preceding the date of enactment of the Every Child Achieves Act of 2015 in order to provide funding under this part to high schools pursuant to clause (i).

''(D) REMAINING FUNDS.—If funds remain after serving all eligible school attendance areas under subparagraph (C), a local educational agency shall—

''(i) annually rank such agency's remaining eligible school attendance areas from highest to lowest either by grade span or for the entire local educational agency according to the percentage of children from low-income families; and

''(ii) serve such eligible school attendance areas in rank order either within each grade-span grouping or within the local educational agency as a whole.

''(E) MEASURES.—

''(i) IN GENERAL.—Except as provided in clause (ii), a local educational agency shall use the same measure of poverty, which measure shall be the number of children aged 5 through 17 in poverty counted in the most recent census data approved by the Secretary, the number of children eligible for a free or reduced price lunch under the Richard B. Russell National School Lunch Act, the number of children in families receiving assistance under the State program funded under part A of title IV of the Social Security Act, or the number of children eligible to receive medical assistance under the Medicaid program established under title XIX of the Social Security Act, or a composite of such indicators, with respect to all school attendance areas in the local educational agency—

''(I) to identify eligible school attendance areas;

''(II) to determine the ranking of each area; and

''(III) to determine allocations under paragraph (3).

''(ii) SECONDARY SCHOOLS.—For measuring the number of students in low-income families in secondary schools, the local educational agency shall use the same measure of poverty, which shall be—

''(I) the calculation described under clause (i); or

''(II) an accurate estimate of the number of students in low-income families in a secondary school that is calculated by applying the average percentage of students in low-income families of the elementary school attendance areas as calculated under clause (i) that feed into the secondary school to the number of students enrolled in such school.

''(F) EXCEPTION.—This subsection shall not apply to a local educational agency with a total enrollment of less than 1,000 children.

''(G) WAIVER FOR DESEGREGATION PLANS.—The Secretary may approve a local educational agency's written request for a waiver of the requirements of this paragraph and paragraph (3) and permit such agency to treat as eligible, and serve, any school that children attend with a State-ordered, court-ordered school desegregation plan or a plan that continues to be implemented in accordance with a State-ordered or court-ordered desegregation plan, if—

''(i) the number of economically disadvantaged children enrolled in the school is at least 25 percent of the school's total enrollment; and

''(ii) the Secretary determines, on the basis of a written request from such agency and in accordance with such criteria as the Secretary establishes, that approval of that request would further the purposes of this part.

''(2) LOCAL EDUCATIONAL AGENCY DISCRETION.—

''(A) IN GENERAL.—Notwithstanding paragraph (1)(B), a local educational agency may—

''(i) designate as eligible any school attendance area or school in which at least 35 percent of the children are from low-income families;

''(ii) use funds received under this part in a school that is not in an eligible school attendance area, if the percentage of children from low-income families enrolled in the school is equal to or greater than the percentage of such children in a participating school attendance area of such agency;

''(iii) designate and serve a school attendance area or school that is not eligible under this section, but that was eligible and that was served in the preceding fiscal year, but only for 1 additional fiscal year; and

''(iv) elect not to serve an eligible school attendance area or eligible school that has a higher percentage of children from low-income families if—

''(I) the school meets the comparability requirements of section 1117(c);

''(II) the school is receiving supplemental funds from other State or local sources that are spent according to the requirements of this section; and

''(III) the funds expended from such other sources equal or exceed the amount that would be provided under this part.

''(B) SPECIAL RULE.—Notwithstanding subparagraph (A)(iv), the number of children attending private elementary schools and secondary schools who are to receive services, and the assistance such children are to receive under this part, shall be determined without regard to whether the public school attendance area in which such children reside is assisted under subparagraph (A).

''(3) ALLOCATIONS.—

''(A) IN GENERAL.—A local educational agency shall allocate funds received under this part to eligible school attendance areas or eligible schools, identified under paragraphs (1) and (2) in rank order, on the basis of the total number of children from low-income families in each area or school.

''(B) SPECIAL RULE.—

''(i) IN GENERAL.—Except as provided in clause (ii), the per-pupil amount of funds allocated to each school attendance area or school under subparagraph (A) shall be at least 125 percent of the per-pupil amount of funds a local educational agency received for that year under the poverty criteria described by the local educational agency in the plan submitted under section 1112, except that this clause shall not apply to a local educational agency that only serves schools in which the percentage of such children is 35 percent or greater.

''(ii) EXCEPTION.—A local educational agency may reduce the amount of funds allocated under clause (i) for a school attendance area or school by the amount of any supplemental State and local funds expended in that school attendance area or school for programs that meet the requirements of this section.

''(4) RESERVATION OF FUNDS.—

''(A) IN GENERAL.—A local educational agency shall reserve such funds as are necessary under this part to provide services comparable to those provided to children in schools funded under this part to serve—

''(i) homeless children, including providing educationally related support services to children in shelters and other locations where children may live;

''(ii) children in local institutions for neglected children; and

''(iii) if appropriate, children in local institutions for delinquent children, and neglected or delinquent children in community day programs.

''(B) HOMELESS CHILDREN AND YOUTH.—Funds reserved under subparagraph (A)(i) may be—

''(i) determined based on a needs assessment of homeless children and youths in the local educational agency, as conducted under section 723(b)(1) of the McKinney-Vento Homeless Assistance Act; and

''(ii) used to provide homeless children and youths with services not ordinarily provided to other students under this part, including providing—

''(I) funding for the liaison designated pursuant to section 722(g)(1)(J)(ii) of such Act; and

''(II) transportation pursuant to section 722(g)(1)(J)(iii) of such Act.

''(5) EARLY CHILDHOOD EDUCATION.—A local educational agency may reserve funds made available to carry out this section to provide early childhood education programs for eligible children.

''(b) SCHOOLWIDE PROGRAMS AND TARGETED ASSISTANCE SCHOOLS.—

''(1) IN GENERAL.—For each school that will receive funds under this part, the local educational agency shall determine whether the school shall operate a schoolwide program consistent with subsection (c) or a targeted assistance school program consistent with subsection (d).

''(2) NEEDS ASSESSMENT.—The determination under paragraph (1) shall be—

''(A) based on a comprehensive needs assessment of the entire school that takes into account information on the academic achievement of children in relation to the challenging State academic standards under section 1111(b)(1), particularly the needs of those children who are failing, or are at-risk of failing, to meet the challenging State academic standards and any other factors as determined by the local educational agency; and

''(B) conducted with the participation of individuals who would carry out the schoolwide plan, including those individuals under subsection (c)(2)(B).

''(3) COORDINATION.—The needs assessment under paragraph (2) may be undertaken as part of other related needs assessments under this Act.

''(c) SCHOOLWIDE PROGRAMS.—

''(1) IN GENERAL.—

''(A) ELIGIBILITY.—A local educational agency may consolidate and use funds under this part, together with other Federal, State, and local funds, in order to upgrade the entire educational program of a school that serves an eligible school attendance area in which not less than 40 percent of the children are from low-income families, or not less than 40 percent of the children enrolled in the school are from such families.

''(B) EXCEPTION.—A school that serves an eligible school attendance area in which less than 40 percent of the children are from low-income families, or a school for which less than 40 percent of the children enrolled in the school are from such families, may operate a schoolwide program under this section if—

''(i) the local educational agency in which the school is located allows such school to do so; and

''(ii) the results of the comprehensive needs assessment conducted under subsection (b)(2) determine a schoolwide program will best serve the needs of the students in the school served under this part in improving academic achievement and other factors.

''(2) SCHOOLWIDE PROGRAM PLAN.—An eligible school operating a schoolwide program shall develop a comprehensive plan, in consultation with the local educational agency, tribes and tribal organizations present in the community, and other individuals as determined by the school, that—

''(A) is developed during a 1-year period, unless—

''(i) the local educational agency determines in consultation with the school that less time is needed to develop and implement the schoolwide program; or

''(ii) the school is operating a schoolwide program on the day before the date of enactment of the Every Child Achieves Act of 2015, in which case such school may continue to operate such program, but shall develop amendments to its existing plan during the first year of assistance after that date to reflect the provisions of this section;

''(B) is developed with the involvement of parents and other members of the community to be served and individuals who will carry out such plan, including teachers, principals, other school leaders, paraprofessionals present in the school, and administrators (including administrators of programs described in other parts of this title), and, if appropriate, specialized instructional support personnel, technical assistance providers, school staff, and students;

''(C) remains in effect for the duration of the school's participation under this part, except that the plan and the implementation of, and results achieved by, the schoolwide program shall be regularly monitored and revised as necessary to ensure that students are meeting the challenging State academic standards;

''(D) is available to the local educational agency, parents, and the public, and the information contained in such plan shall be in an understandable and uniform format and, to the extent practicable, provided in a language that the parents can understand;

''(E) if appropriate and applicable, developed in coordination and integration with other Federal, State, and local services, resources, and programs, such as programs supported under this Act, violence prevention programs, nutrition programs, housing programs, Head Start programs, adult education programs, career and technical education programs, and interventions and supports for schools identified as in need of intervention and support under section 1114; and

''(F) includes a description of—

''(i) the results of the comprehensive needs assessments of the entire school required under subsection (b)(2);

''(ii) the strategies that the school will be implementing to address school needs, including a description of how such strategies will—

''(I) provide opportunities for all children, including each of the categories of students, as defined in section 1111(b)(3)(A), to meet the challenging State academic standards under section 1111(b)(1);

''(II) use evidence-based methods and instructional strategies that strengthen the academic program in the school, increase the amount and quality of learning time, and help provide an enriched and accelerated curriculum;

''(III) address the needs of all children in the school, but particularly the needs of those at risk of not meeting the challenging State academic standards, which may include—

''(aa) counseling, school-based mental health programs, specialized instructional support services, and mentoring services;

''(bb) preparation for and awareness of opportunities for postsecondary education and the workforce, including career and technical education programs, which may include broadening secondary school students' access to coursework to earn postsecondary credit while still in high school, such as Advanced Placement and International Baccalaureate courses and examinations, and dual or concurrent enrollment and early college high schools;

''(cc) implementation of a schoolwide multi-tiered system of supports, including positive behavioral interventions and supports and early intervening services, including through coordination with such activities and services carried out under the Individuals with Disabilities Education Act;

''(dd) implementation of supports for teachers and other school personnel, which may include professional development and other activities to improve instruction, activities to recruit and retain effective teachers, particularly in high-need schools, and using data from academic assessments under section 1111(b)(2) and other formative and summative assessments to improve instruction;

''(ee) programs, activities, and courses in the core academic subjects to assist children in meeting the challenging State academic standards; and

''(ff) other strategies to improve student's academic and nonacademic skills essential for success; and

''(IV) be monitored and improved over time based on student needs, including increased supports for those students who are lowest-achieving;

''(iii) if programs are consolidated, the specific State educational agency and local educational agency programs and other Federal programs that will be consolidated in the schoolwide program; and

''(iv) if appropriate, how funds will be used to establish or enhance early childhood education programs for children who are aged 5 or younger, including how programs will help transition such children to local elementary school programs.

''(3) IDENTIFICATION OF STUDENTS NOT REQUIRED.—

''(A) IN GENERAL.—No school participating in a schoolwide program shall be required to identify—

''(i) particular children under this part as eligible to participate in a schoolwide program; or

''(ii) individual services as supplementary.

''(B) SUPPLEMENTAL FUNDS.—In accordance with the method of determination described in section 1117, a school participating in a schoolwide program shall use funds available to carry out this paragraph only to supplement the amount of funds that would, in the absence of funds under this part, be made available from non-Federal sources for the school, including funds needed to provide services that are required by law for children with disabilities and children who are English learners.

''(4) EXEMPTION FROM STATUTORY AND REGULATORY REQUIREMENTS.—

''(A) EXEMPTION.—The Secretary may, through publication of a notice in the Federal Register, exempt schoolwide programs under this section from statutory or regulatory provisions of any other noncompetitive formula grant program administered by the Secretary (other than formula or discretionary grant programs under the Individuals with Disabilities Education Act, except as provided in section 613(a)(2)(D) of such Act), or any discretionary grant program administered by the Secretary, to support schoolwide programs if the intent and purposes of such other programs are met.

''(B) REQUIREMENTS.—A school that chooses to use funds from such other programs shall not be relieved of the requirements relating to health, safety, civil rights, student and parental participation and involvement, services to private school children, comparability of services, maintenance of effort, uses of Federal funds to supplement, not supplant non-Federal funds (in accordance with the method of determination described in section 1117), or the distribution of funds to State educational agencies or local educational agencies that apply to the receipt of funds from such programs.

''(C) RECORDS.—A school that chooses to consolidate and use funds from different Federal programs under this paragraph shall not be required to maintain separate fiscal accounting records, by program, that identify the specific activities supported by those particular funds as long as the school maintains records that demonstrate that the schoolwide program, considered as a whole, addresses the intent and purposes of each of the Federal programs that were consolidated to support the schoolwide program.

''(5) PRESCHOOL PROGRAMS.—A school that operates a schoolwide program under this subsection may use funds made available under this part to establish, expand, or enhance preschool programs for children aged 5 or younger.

''(d) TARGETED ASSISTANCE SCHOOL PROGRAMS.—

''(1) IN GENERAL.—Each school selected to receive funds under subsection (a)(3) for which the local educational agency serving such school, based on the results of the comprehensive needs assessment conducted under subsection (b)(2), determines that the school will operate a targeted assistance school program, may use funds received under this part only for programs that provide services to eligible children under paragraph (3)(A)(ii) who are identified as having the greatest need for special assistance.

''(2) TARGETED ASSISTANCE SCHOOL PROGRAM.—Each school operating a targeted assistance school program shall develop a plan, in consultation with the local educational agency and other individuals as determined by the school, that includes—

''(A) a description of the results of the comprehensive needs assessments of the entire school required under subsection (b)(2);

''(B) a description of the process for determining which students will be served and the students to be served;

''(C) a description of how the activities supported under this part will be coordinated with and incorporated into the regular education program of the school;

''(D) a description of how the program will serve participating students identified under paragraph (3)(A)(ii), including by—

''(i) using resources under this part, such as support for programs, activities, and courses in core academic subjects to help participating children meet the challenging State academic standards;

''(ii) using methods and instructional strategies that are evidence-based to strengthen the core academic program of the school and that may include—

''(I) expanded learning time, before- and after-school programs, and summer programs and opportunities; or

''(II) a multi-tiered system of supports, positive behavioral interventions and supports, and early intervening services;

''(iii) coordinating with and supporting the regular education program, which may include services to assist preschool children in the transition from early childhood education programs such as Head Start, the literacy program under part D of title II, or State-run preschool programs to elementary school programs;

''(iv) supporting effective teachers, principals, other school leaders, paraprofessionals, and, if appropriate, specialized instructional support personnel, and other school personnel who work with participating children in programs under this subsection or in the regular education program with resources provided under this part, and, to the extent practicable, from other sources, through professional development;

''(v) implementing strategies to increase parental involvement of parents of participating children in accordance with section 1115; and

''(vi) if applicable, coordinating and integrating Federal, State, and local services and programs, such as programs supported under this Act, violence prevention programs, nutrition programs, housing programs, Head Start programs, adult education programs, career and technical education, and intervention and supports in schools identified as in need of intervention and support under section 1114; and

''(E) assurances that the school will—

''(i) help provide an accelerated, high-quality curriculum;

''(ii) minimize removing children from the regular classroom during regular school hours for instruction provided under this part; and

''(iii) on an ongoing basis, review the progress of participating children and revise the plan under this section, if necessary, to provide additional assistance to enable such children to meet the challenging State academic standards.

''(3) ELIGIBLE CHILDREN.—

''(A) ELIGIBLE POPULATION.—

''(i) IN GENERAL.—The eligible population for services under this subsection shall be—

''(I) children not older than age 21 who are entitled to a free public education through grade 12; and

''(II) children who are not yet at a grade level at which the local educational agency provides a free public education.

''(ii) ELIGIBLE CHILDREN FROM ELIGIBLE POPULATION.—From the population described in clause (i), eligible children are children identified by the school as failing, or most at risk of failing, to meet the challenging State academic standards on the basis of multiple, educationally related, objective criteria established by the local educational agency and supplemented by the school, except that children from preschool through grade 2 shall be selected solely on the basis of criteria, including objective criteria, established by the local educational agency and supplemented by the school.

''(B) CHILDREN INCLUDED.—

''(i) IN GENERAL.—Children who are economically disadvantaged, children with disabilities, migrant children, or children who are English learners, are eligible for services under this subsection on the same basis as other children selected to receive services under this subsection.

''(ii) HEAD START AND PRESCHOOL CHILDREN.—A child who, at any time in the 2 years preceding the year for which the determination is made, participated in a Head Start program, the literacy program under part D of title II, or in preschool services under this title, is eligible for services under this subsection.

''(iii) MIGRANT CHILDREN.—A child who, at any time in the 2 years preceding the year for which the determination is made, received services under part C is eligible for services under this subsection.

''(iv) NEGLECTED OR DELINQUENT CHILDREN.—A child in a local institution for neglected or delinquent children and youth or attending a community day program for such children is eligible for services under this subsection.

''(v) HOMELESS CHILDREN.—A child who is homeless and attending any school served by the local educational agency is eligible for services under this subsection.

''(C) SPECIAL RULE.—Funds received under this subsection may not be used to provide services that are otherwise required by law to be made available to children described in subparagraph (B) but may be used to coordinate or supplement such services.

''(4) INTEGRATION OF PROFESSIONAL DEVELOPMENT.—To promote the integration of staff supported with funds under this subsection into the regular school program and overall school planning and improvement efforts, public school personnel who are paid with funds received under this subsection may—

''(A) participate in general professional development and school planning activities; and

''(B) assume limited duties that are assigned to similar personnel who are not so paid, including duties beyond classroom instruction or that do not benefit participating children, so long as the amount of time spent on such duties is the same proportion of total work time as prevails with respect to similar personnel at the same school.

''(5) SPECIAL RULES.—

''(A) SIMULTANEOUS SERVICE.—Nothing in this subsection shall be construed to prohibit a school from serving students under this subsection simultaneously with students with similar educational needs, in the same educational settings where appropriate.

''(B) COMPREHENSIVE SERVICES.—If health, nutrition, and other social services are not otherwise available to eligible children in a school operating a targeted assistance school program and such school, if appropriate, has established a collaborative partnership with local service providers and funds are not reasonably available from other public or private sources to provide such services, then a portion of the funds provided under this subsection may be used to provide such services, including through—

''(i) the provision of basic medical equipment and services, such as eyeglasses and hearing aids;

''(ii) compensation of a coordinator;

''(iii) family support and engagement services;

''(iv) health care services and integrated student supports to address the physical, mental, and emotional well-being of children; and

''(v) professional development necessary to assist teachers, specialized instructional support personnel, other staff, and parents in identifying and meeting the comprehensive needs of eligible children.

''(e) USE FOR DUAL OR CONCURRENT ENROLLMENT PROGRAMS.—

''(1) IN GENERAL.—A local educational agency carrying out a schoolwide program or a targeted assistance school program under subsection (c) or (d) in a high school may use funds received under this part—

''(A) to carry out—

''(i) dual or concurrent enrollment programs for high school students, through which the students are enrolled in the high school and in postsecondary courses at an institution of higher education; or

''(ii) programs that allow a student to continue in a dual or concurrent enrollment program at a high school for the school year following the student's completion of grade 12; or

''(B) to provide training for teachers, and joint professional development for teachers in collaboration with career and technical educators and educators from institutions of higher education where appropriate, for the purpose of integrating rigorous academics in dual or concurrent enrollment programs.

''(2) FLEXIBILITY OF FUNDS.—A local educational agency using funds received under this part for a dual or concurrent program described in clause (i) or (ii) of paragraph (1)(A) may use such funds for any of the costs associated with such program, including the costs of—

''(A) tuition and fees, books, and required instructional materials for such program; and

''(B) transportation to and from such program.

''(3) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to impose on any State any requirement or rule regarding dual or concurrent enrollment programs that is inconsistent with State law.

''(f) PROHIBITION.—Nothing in this section shall be construed to authorize the Secretary or any other officer or employee of the Federal Government to require a local educational agency or school to submit the results of a comprehensive needs assessment under subsection (b)(2) or a plan under subsection (c) or (d) for review or approval by the Secretary.

''SEC. 1114. SCHOOL IDENTIFICATION, INTERVENTIONS, AND SUPPORTS.

''(a) STATE REVIEW AND RESPONSIBILITIES.—

''(1) IN GENERAL.—Each State educational agency receiving funds under this part shall use the system designed by the State under section 1111(b)(3) to annually—

''(A) identify the public schools that receive funds under this part and are in need of intervention and support using the method established by the State in section 1111(b)(3)(B)(iii);

''(B) require for inclusion—

''(i) on each local educational agency report card required under section 1111(d), the names of schools served by the agency identified under subparagraph (A); and

''(ii) on each school report card required under section 1111(d), whether the school was identified under subparagraph (A);

''(C) ensure that all public schools that receive funds under this part and are identified as in need of intervention and support under subparagraph (A), implement an evidence-based intervention or support strategy designed by the State or local educational agency described in subparagraph (A) or (B) of subsection (b)(3);

''(D) prioritize intervention and supports in the identified schools most in need of intervention and support, as determined by the State, using the results of the accountability system under 1111(b)(3)(B)(iii); and

''(E) monitor and evaluate the implementation of school intervention and support strategies by local educational agencies, including in the lowest-performing elementary schools and secondary schools in the State, and use the results of the evaluation to take appropriate steps to change or improve interventions or support strategies as necessary.

''(2) STATE EDUCATIONAL AGENCY DISCRETION.—Notwithstanding paragraph (1)(A), a State educational agency may—

''(A) identify any middle school or high school as in need of intervention and support if at least 40 percent of the children served by such school are from low-income families (as measured under section 1113(a)(1)(E)(ii)); and

''(B) use funds provided under subsection (c) to assist such school consistent with such subsection.

''(3) STATE EDUCATIONAL AGENCY RESPONSIBILITIES.—The State educational agency shall—

''(A) make technical assistance available to local educational agencies that serve schools identified as in need of intervention and support under paragraph (1)(A);

''(B) if the State educational agency determines that a local educational agency failed to carry out its responsibilities under this section, take such actions as the State educational agency determines to be appropriate and in compliance with State law to assist the local educational agency and ensure that such local educational agency is carrying out its responsibilities;

''(C) inform local educational agencies of schools identified as in need of intervention and support under paragraph (1)(A) in a timely and easily accessible manner that is before the beginning of the school year; and

''(D) publicize and disseminate to the public, including teachers, principals and other school leaders, and parents, the results of the State review under paragraph (1).

''(b) LOCAL EDUCATIONAL AGENCY REVIEW AND RESPONSIBILITIES.—

''(1) IN GENERAL.—Each local educational agency with a school identified as in need of intervention and support under subsection (a)(1)(A) shall, in consultation with teachers, principals and other school leaders, school personnel, parents, and community members—

''(A) conduct a review of such school, including by examining the indicators and measures included in the State-determined accountability system described in section 1111(b)(3)(B) to determine the factors that led to such identification;

''(B) conduct a review of the agency's policies, procedures, personnel decisions, and budgetary decisions, including the measures on the local educational agency and school report cards under section 1111(d) that impact the school and could have contributed to the identification of the school;

''(C) develop and implement appropriate intervention and support strategies, as described in paragraph (3), that are proportional to the identified needs of the school, for assisting the identified school;

''(D) develop a rigorous comprehensive plan that will be publicly available and provided to parents, for ensuring the successful implementation of the intervention and support strategies described in paragraph (3) in identified schools, which may include—

''(i) technical assistance that will be provided to the school;

''(ii) improved delivery of services to be provided by the local educational agency;

''(iii) increased support for stronger curriculum, program of instruction, wraparound services, or other resources provided to students in the school;

''(iv) any changes to personnel necessary to improve educational opportunities for children in the school;

''(v) redesigning how time for student learning or teacher collaboration is used within the school;

''(vi) using data to inform instruction for continuous improvement;

''(vii) providing increased coaching or support for principals and other school leaders to have the knowledge and skills to lead and implement efforts to improve schools and to support teachers to improve instruction;

''(viii) improving school climate and safety;

''(ix) providing ongoing mechanisms for family and community engagement to improve student learning; and

''(x) establishing partnerships with entities, including private entities with a demonstrated record of improving student achievement, that will assist the local educational agency in fulfilling its responsibilities under this section; and

''(E) collect and use data on an ongoing basis to monitor the results of the intervention and support strategies and adjust such strategies as necessary during implementation in order to improve student academic achievement.

''(2) NOTICE TO PARENTS.—A local educational agency shall promptly provide to a parent or parents of each student enrolled in a school identified as in need of intervention and support under subsection (a)(1)(A) in an easily accessible and understandable form and, to the extent practicable, in a language that parents can understand—

''(A) an explanation of what the identification means, and how the school compares in terms of academic achievement and other measures in the State accountability system under section 1111(b)(3)(B) to other schools served by the local educational agency and the State educational agency involved;

''(B) the reasons for the identification;

''(C) an explanation of what the local educational agency or State educational agency is doing to help the school address student academic achievement and other measures, including a description of the intervention and support strategies developed under paragraph (1)(C) that will be implemented in the school;

''(D) an explanation of how the parents can become involved in addressing academic achievement and other measures that caused the school to be identified; and

''(E) an explanation of the parents' option to transfer their child to another public school under paragraph (4), if applicable.

''(3) SCHOOL INTERVENTION AND SUPPORT STRATEGIES.—

''(A) IN GENERAL.—Consistent with subsection (a)(1) and paragraph (1), a local educational agency shall develop and implement evidence-based intervention and support strategies for an identified school that the local educational agency determines appropriate to address the needs of students in such identified school, which shall—

''(i) be designed to address the specific reasons for identification, as described in subparagraphs (A) and (B) of paragraph (1);

''(ii) be implemented, at a minimum, in a manner that is proportional to the specific reasons for identification, as described in subparagraphs (A) and (B) of paragraph (1); and

''(iii) distinguish between the lowest-performing schools and other schools identified as in need of intervention and support for other reasons, including schools with categories of students, as defined in section 1111(b)(3)(A), not meeting the goals described in section 1111(b)(3)(B)(i), as determined by the review in subparagraphs (A) and (B) of paragraph (1).

''(B) STATE DETERMINED STRATEGIES.—Consistent with State law, a State educational agency may establish alternative evidence-based State determined strategies that can be used by local educational agencies to assist a school identified as in need of intervention and support under subsection (a)(1)(A), in addition to the assistance strategies developed by a local educational agency under subparagraph (A).

''(4) PUBLIC SCHOOL CHOICE.—

''(A) IN GENERAL.—A local educational agency may provide all students enrolled in a school identified as in need of intervention and support under subsection (a)(1)(A) with the option to transfer to another public school served by the local educational agency, unless such an option is prohibited by State law.

''(B) PRIORITY.—In providing students the option to transfer to another public school, the local educational agency shall give priority to the lowest-achieving children from low-income families, as determined by the local educational agency for the purposes of allocating funds to schools under section 1113(a)(3).

''(C) TREATMENT.—Students who use the option to transfer to another public school shall be enrolled in classes and other activities in the public school to which the students transfer in the same manner as all other children at the public school.

''(D) SPECIAL RULE.—A local educational agency shall permit a child who transfers to another public school under this paragraph to remain in that school until the child has completed the highest grade in that school.

''(E) FUNDING FOR TRANSPORTATION.—A local educational agency may spend an amount equal to not more than 5 percent of its allocation under subpart 2 to pay for the provision of transportation for students who transfer under this paragraph to the public schools to which the students transfer.

''(5) PROHIBITIONS ON FEDERAL INTERFERENCE WITH STATE AND LOCAL DECISIONS.—Nothing in this section shall be construed to authorize or permit the Secretary to establish any criterion that specifies, defines, or prescribes—

''(A) any school intervention or support strategy that States or local educational agencies shall use to assist schools identified as in need of intervention and support under this section; or

''(B) the weight of any indicator or measure that a State shall use to identify schools under subsection (a).

''(c) FUNDS FOR LOCAL SCHOOL INTERVENTIONS AND SUPPORTS.—

''(1) IN GENERAL.—

''(A) GRANTS AUTHORIZED.—From the total amount appropriated under section 1002(f) for a fiscal year, the Secretary shall award grants to States and the Bureau of Indian Education of the Department of the Interior, through an allotment as determined under subparagraph (B), to carry out the activities described in this subsection.

''(B) ALLOTMENTS.—From the total amount appropriated under section 1002(f) for a fiscal year, the Secretary shall allot to each State, the Bureau of Indian Education of the Department of the Interior, and each outlying area for such fiscal year with an approved application, an amount that bears the same relationship to such total amount as the amount such State, the Bureau of Indian Education of the Department of the Interior, or such outlying area received under parts A, C, and D of this title for the most recent preceding fiscal year for which the data are available bears to the amount received by all such States, the Bureau of Indian Education of the Department of the Interior, and all such outlying areas under parts A, C, and D of this title for such most recent preceding fiscal year.

''(2) STATE APPLICATION.—A State (including, for the purpose of this paragraph, the Bureau of Indian Education) that desires to receive school intervention and support funds under this subsection shall submit an application to the Secretary at such time and in such manner as the Secretary may require, which shall include a description of—

''(A) the process and the criteria that the State will use to award subgrants under paragraph (4)(A), including how the subgrants will serve schools identified by the State as the lowest-performing schools under subsection (a)(1);

''(B) the process and the criteria the State will use to determine whether the local educational agency's proposal for serving each identified school meets the requirements of paragraph (6) and other provisions of this section;

''(C) how the State will ensure that local educational agencies conduct a comprehensive review of each identified school as required under subsection (b) to identify evidence-based school intervention and support strategies that are likely to be successful in each particular school;

''(D) how the State will ensure geographic diversity in making subgrants;

''(E) how the State will set priorities in awarding subgrants to local educational agencies, including how the State will prioritize local educational agencies serving elementary schools and secondary schools identified as the lowest-performing schools under subsection (a)(1) that will use subgrants to serve such schools;

''(F) how the State will monitor and evaluate the implementation of evidence-based school intervention and support strategies supported by funds under this subsection; and

''(G) how the State will reduce barriers for schools in the implementation of school intervention and support strategies, including by providing operational flexibility that would enable complete implementation of the selected school intervention and support strategy.

''(3) STATE ADMINISTRATION; TECHNICAL ASSISTANCE; EXCEPTION.—

''(A) IN GENERAL.—A State that receives an allotment under this subsection may reserve not more than a total of 5 percent of such allotment for the administration of this subsection to carry out its responsibilities under subsection (a)(3) to support school and local educational agency interventions and supports, which may include activities aimed at building State capacity to support and monitor the local educational agency and school intervention and supports.

''(B) EXCEPTION.—Notwithstanding subparagraph (A), a State educational agency may reserve from the amount allotted under this subsection additional funds to meet its responsibilities under subsection (a)(3)(B) if a local educational agency fails to carry out its responsibilities under subsection (b), but shall not reserve more than necessary to meet such State responsibilities.

''(4) SUBGRANTS TO LOCAL EDUCATIONAL AGENCIES.—

''(A) IN GENERAL.—From the amounts awarded to a State under this subsection, the State educational agency shall allocate not less than 95 percent to make subgrants to local educational agencies, on a competitive basis, to serve schools identified as in need of intervention and support under subsection (a)(1)(A).

''(B) DURATION.—The State educational agency shall award subgrants under this paragraph for a period of not more than 5 years, which period may include a planning year.

''(C) CRITERIA.—Subgrants awarded under this section shall be of sufficient size to enable a local educational agency to effectively implement the selected intervention and support strategy.

''(D) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed as prohibiting a State from allocating subgrants under this subsection to a statewide school district, consortium of local educational agencies, or an educational service agency that serves schools identified as in need of intervention and support under this section, if such entities are legally constituted or recognized as local educational agencies in the State.

''(5) APPLICATION.—In order to receive a subgrant under this subsection, a local educational agency shall submit an application to the State educational agency at such time, in such form, and including such information as the State educational agency may require. Each application shall include, at a minimum—

''(A) a description of the process the local educational agency has used for selecting an appropriate evidence-based school intervention and support strategy for each school to be served, including how the local educational agency has analyzed the needs of each such school in accordance with subsection (b)(1) and meaningfully consulted with teachers, principals, and other school leaders in selecting such intervention and support strategy;

''(B) the specific evidence-based school interventions and supports to be used in each school to be served, how these interventions and supports will address the needs identified in the review under subsection (b)(1), and the timeline for implementing such school interventions and supports in each school to be served;

''(C) a detailed budget covering the grant period, including planned expenditures at the school level for activities supporting full and effective implementation of the selected school intervention and support strategy;

''(D) a description of how the local educational agency will—

''(i) design and implement the selected school intervention and support strategy, in accordance with the requirements of subsection (b)(1)(C), including the use of appropriate measures to monitor the effectiveness of implementation;

''(ii) use a rigorous review process to recruit, screen, select, and evaluate any external partners with whom the local educational agency will partner;

''(iii) align other Federal, State, and local resources with the intervention and support strategy to reduce duplication, increase efficiency, and assist identified schools in complying with reporting requirements of Federal and State programs;

''(iv) modify practices and policies, if necessary, to provide operational flexibility that enables full and effective implementation of the selected school intervention and support strategy;

''(v) collect and use data on an ongoing basis to adjust the intervention and support strategy during implementation, and, if necessary, modify or implement a different strategy if implementation is not effective, in order to improve student academic achievement;

''(vi) ensure that the implementation of the intervention and support strategy meets the needs of each of the categories of students, as defined in section 1111(b)(3)(A);

''(vii) provide information to parents, guardians, teachers, and other stakeholders about the effectiveness of implementation, to the extent practicable, in a language that the parents can understand; and

''(viii) sustain successful reforms and practices after the funding period ends;

''(E) a description of the technical assistance and other support that the local educational agency will provide to ensure effective implementation of school intervention and support strategies in identified schools, in accordance with subsection (b)(1)(D), such as ensuring that identified schools have access to resources like facilities, professional development, and technology and adopting human resource policies that prioritize recruitment, retention, and placement of effective staff in identified schools; and

''(F) an assurance that each school the local educational agency proposes to serve will receive all of the State and local funds it would have received in the absence of funds received under this subsection.

''(6) LOCAL ACTIVITIES.—A local educational agency that receives a subgrant under this subsection—

''(A) shall use the subgrant funds to implement evidence-based school intervention and support strategies consistent with subsection (a)(1)(A); and

''(B) may use the subgrant funds to carry out, at the local educational agency level, activities that directly support the implementation of the intervention and support strategies such as—

''(i) assistance in data collection and analysis;

''(ii) recruiting and retaining staff;

''(iii) high-quality, evidence-based professional development;

''(iv) coordination of services to address students' non-academic needs; and

''(v) progress monitoring.

''(7) REPORTING.—A State that receives funds under this subsection shall report to the Secretary a list of all the local educational agencies that received a subgrant under this subsection and for each local educational agency that received a subgrant, a list of all the schools that were served, the amount of funds each school received, and the intervention and support strategies implemented in each school.

''(8) SUPPLEMENT NOT SUPPLANT.—A local educational agency or State shall use Federal funds received under this subsection

only to supplement the funds that would, in the absence of such Federal funds, be made available from non-Federal sources for the education of students participating in programs funded under this subsection.

''(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to alter or otherwise affect the rights, remedies, and procedures afforded school or school district employees under Federal, State, or local laws (including applicable regulations or court orders) or under the terms of collective bargaining agreements, memoranda of understanding, or other agreements between such employees and their employers.'';

(2) by striking section 1119; and

(3) by redesignating sections 1118, 1120, 1120A, and 1120B as sections 1115, 1116, 1117, and 1118, respectively.

SEC. 1005. PARENT AND FAMILY ENGAGEMENT.

Section 1115, as redesignated by section 1004(3), is amended—

(1) in the section heading, by striking ''**PARENTAL INVOLVEMENT**'' and inserting ''**PARENT AND FAMILY ENGAGEMENT**'';

(2) in subsection (a)—

(A) in paragraph (1)—

(i) by inserting ''conducts outreach to all parents and family members and'' after ''only if such agency''; and

(ii) by inserting ''and family members'' after ''and procedures for the involvement of parents'';

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A)—

(I) by inserting ''and family members'' after '', and distribute to, parents'';

(II) by striking ''written parent involvement policy'' and inserting ''written parent and family engagement policy''; and

(III) by striking ''expectations for parent involvement'' and inserting ''expectations and objectives for meaningful parent and family involvement''; and

(ii) by striking subparagraphs (A) through (F) and inserting the following:

''(A) involve parents and family members in jointly developing the local educational agency plan under section 1112 and the process of school review and intervention and support under section 1114;

''(B) provide the coordination, technical assistance, and other support necessary to assist and build the capacity of all participating schools within the local educational agency in planning and implementing effective parent and family involvement activities to improve student academic achievement and school performance, which may include meaningful consultation with employers, business leaders, and philanthropic organizations, or individuals with expertise in effectively engaging parents and family members in education;

''(C) coordinate and integrate parent and family engagement strategies under this part with parent and family engagement strategies, to the extent feasible and appropriate, with other relevant Federal, State, and local laws and programs;

''(D) conduct, with the meaningful involvement of parents and family members, an annual evaluation of the content and effectiveness of the parent and family engagement policy in improving the academic quality of all schools served under this part, including identifying—

''(i) barriers to greater participation by parents in activities authorized by this section (with particular attention to parents who are economically disadvantaged, are disabled, are English learners, have limited literacy, or are of any racial or ethnic minority background);

''(ii) the needs of parents and family members to assist with the learning of their children, including engaging with school personnel and teachers; and

''(iii) strategies to support successful school and family interactions;

''(E) use the findings of such evaluation in subparagraph (D) to design evidence-based strategies for more effective parental involvement, and to revise, if necessary, the parent and family engagement policies described in this section; and

''(F) involve parents in the activities of the schools served under this part, which may include establishing a parent advisory board comprised of a sufficient number and representative group of parents or family members served by the local educational agency to adequately represent the needs of the population served by such agency for the purposes of developing, revising, and reviewing the parent and family engagement policy.''; and

(C) in paragraph (3)—

''(A) IN GENERAL.—Each local educational agency shall reserve at least 1 percent of its allocation under subpart 2 to assist schools to carry out the activities described in this section, except that this subparagraph shall not apply if 1 percent of such agency's allocation under subpart 2 for the fiscal year for which the determination is made is $5,000 or less. Nothing in this subparagraph shall be construed to limit local educational agencies from reserving more than the 1 percent of its allocation under subpart 2 to assist schools to carry out activities described in this section.'';

(i) in subparagraph (B), by striking ''(B) PARENTAL INPUT.—Parents of children'' and inserting ''(B) PARENT AND FAMILY MEMBER INPUT.—Parents and family members of children'';

(ii) in subparagraph (C)—

(I) by striking ''95 percent'' and inserting ''85 percent''; and

(II) by inserting '', with priority given to high-need schools'' after ''schools served under this part''; and

(iii) by adding at the end the following:

''(D) USE OF FUNDS.—Funds reserved under subparagraph (A) by a local educational agency shall be used to carry out activities and strategies consistent with the local educational agency's parent and family engagement policy, including not less than 1 of the following:

''(i) Supporting schools and nonprofit organizations in providing professional development for local educational agency and school personnel regarding parent and family engagement strategies, which may be provided jointly to teachers, school leaders, specialized instructional support personnel, paraprofessionals, early childhood educators, and parents and family members.

''(ii) Supporting home visitation programs.

''(iii) Disseminating information on best practices focused on parent and family engagement, especially best practices for increasing the engagement of economically disadvantaged parents and family members.

''(iv) Collaborating or providing subgrants to schools to enable such schools to collaborate with community-based or other organizations or employers with a demonstrated record of success in improving and increasing parent and family engagement.

''(v) Engaging in any other activities and strategies that the local educational agency determines are appropriate and consistent with such agency's parent and family engagement policy, which may include financial literacy activities and adult education and literacy activities, as defined in section 203 of the Adult Education and Family Literacy Act.'';

(3) in subsection (b)—

(A) in the subsection heading, by striking ''PARENTAL INVOLVEMENT POLICY'' and inserting ''PARENTAL AND FAMILY ENGAGEMENT POLICY'';

(B) in paragraph (1)—

(i) by inserting ''and family members'' after ''distribute to, parents''; and

(ii) by striking ''written parental involvement policy'' and inserting ''written parent and family engagement policy'';

(C) in paragraph (2)—

(i) by striking ''parental involvement policy'' and inserting ''parent and family engagement policy''; and

(ii) by inserting ''and family members'' after ''that applies to all parents''; and

(D) in paragraph (3)—

(i) by striking ''school district-level parental involvement policy'' and inserting ''district-level parent and family engagement policy''; and

(ii) by inserting ''and family members in all schools served by the local educational agency'' after ''policy that applies to all parents'';

(4) in subsection (c)—

(A) in paragraph (3), by striking ''parental involvement policy'' and inserting ''parent and family engagement policy'';

(B) in paragraph (4)(B), by striking ''the proficiency levels students are expected to meet'' and inserting ''the achievement levels of the challenging State academic standards''; and

(C) in paragraph (5), by striking ''section 1114(b)(2)'' and inserting ''section 1113(c)(2)'';

(5) in subsection (d)—

(A) in the matter preceding paragraph (1), by striking ''parental involvement policy'' and inserting ''parent and family engagement policy'';

(B) in paragraph (1)—

(i) by striking ''the State's student academic achievement standards'' and inserting ''the challenging State academic standards''; and

(ii) by striking '', such as monitoring attendance, homework completion, and television watching''; and

(C) in paragraph (2)—

(i) in subparagraph (B), by striking ''and'' after the semicolon;

(ii) in subparagraph (C), by striking the period and inserting ''; and''; and

(iii) by adding at the end the following:

''(D) ensuring regular two-way, meaningful communication between family members and school staff, to the extent practicable, in a language that family members can understand and access.'';

(6) in subsection (e)—

(A) in paragraph (1), by striking ''the State's academic content standards and State student academic achievement standards'' and inserting ''the challenging State academic standards'';

(B) in paragraph (2), by striking ''technology'' and inserting ''technology (including education about the harms of copyright piracy)'';

(C) in paragraph (3), by striking ''pupil services personnel, principals'' and inserting ''specialized instructional support personnel, principals, and other school leaders''; and

(D) in paragraph (4), by striking ''Head Start, Reading First, Early Reading First, Even Start, the Home Instruction Programs for Preschool Youngsters, the Parents as Teachers Program,'' and inserting ''other relevant Federal, State, and local laws,'';

(7) by striking subsection (f) and inserting the following:

''(f) ACCESSIBILITY.—In carrying out the parent and family engagement requirements of this part, local educational agencies and schools, to the extent practicable, shall provide opportunities for the full and informed participation of parents and family members (including parents and family members who are English learners, parents and family members with disabilities, and parents and family members of migratory children), including providing information and school reports required under section 1111 in a format and, to the extent practicable, in a language such parents understand.''; and

(8) in subsection (h), by striking ''parental involvement policies'' and inserting ''parent and family engagement policies''.

SEC. 1006. PARTICIPATION OF CHILDREN ENROLLED IN PRIVATE SCHOOLS.

Section 1116, as redesignated by section 1004(3), is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking ''section 1115(b)'' and inserting ''section 1113(d)(3)''; and

(ii) by striking ''sections 1118 and 1119'' and inserting ''section 1115''; and

(B) by striking paragraph (4) and inserting the following:

''(4) EXPENDITURES.—

''(A) IN GENERAL.—Expenditures for educational services and other benefits to eligible private school children shall be equal to the proportion of funds allocated to participating school attendance areas based on the number of children from low-income families who attend private schools.

''(B) TERM OF DETERMINATION.—The local educational agency may determine the equitable share each year or every 2 years.

''(C) METHOD OF DETERMINATION.—The proportional share of funds shall be determined—

''(i) based on the total allocation received by the local educational agency; and

''(ii) prior to any allowable expenditures or transfers by the local educational agency.''; and

(2) in subsection (b)—

(A) in paragraph (1)—

(i) in subparagraph (E)—

(I) by striking ''and'' before ''the proportion of funds''; and

(II) by inserting '', and how that proportion of funds is determined'' after ''such services'';

(ii) in subparagraph (F), by striking ''section 1113(c)(1)'' and inserting ''section 1113(a)(3)'';

(iii) in subparagraph (G), by striking ''and'' after the semicolon;

(iv) in subparagraph (H), by striking the period at the end and inserting ''; and''; and

(v) by adding at the end the following:

''(I) whether the agency shall provide services directly or assign responsibility for the provision of services to a separate government agency, consortium, or entity, or to a third-party contractor.''; and

(B) in paragraph (5)(A)—

(i) by striking ''or'' before ''did not give due consideration''; and

(ii) by inserting '', or did not make a decision that treats the private school students equitably as required by this section'' before the period at the end.

SEC. 1007. SUPPLEMENT, NOT SUPPLANT.

Section 1117, as redesignated by section 1004(3), is amended by striking subsection (b) and inserting the following:

''(b) FEDERAL FUNDS TO SUPPLEMENT, NOT SUPPLANT, NON-FEDERAL FUNDS.—

''(1) IN GENERAL.—A State educational agency or local educational agency shall use Federal funds received under this part only to supplement the funds that would, in the absence of such Federal funds, be made available from non-Federal sources for the education of students participating in programs assisted under this part, and not to supplant such funds.

''(2) COMPLIANCE.—To demonstrate compliance with paragraph (1), a local educational agency shall demonstrate that the methodology used to allocate State and local funds to each school receiving assistance under this part ensures that such school receives all of the State and local funds it would otherwise receive if it were not receiving assistance under this part.

''(3) SPECIAL RULE.—No local educational agency shall be required to—

''(A) identify that an individual cost or service supported under this part is supplemental; and

''(B) provide services under this part through a particular instructional method or in a particular instructional setting in order to demonstrate such agency's compliance with paragraph (1).

''(4) PROHIBITION.—Nothing in this section shall be construed to authorize or permit the Secretary to establish any criterion that specifies, defines, or prescribes the specific methodology a local educational agency uses to allocate State and local funds to each school receiving assistance under this part.

''(5) TIMELINE.—A local educational agency—

''(A) shall meet the compliance requirement under paragraph (2) not later than 2 years after the date of enactment of the Every Child Achieves Act of 2015; and

''(B) may demonstrate compliance with the requirement under paragraph (1) before the end of such 2-year period using the method such local educational agency used on the day before the date of enactment of the Every Child Achieves Act of 2015.''.

SEC. 1008. COORDINATION REQUIREMENTS.

Section 1118, as redesignated by section 1004(3), is amended—

(1) in subsection (a), by striking ''early childhood development programs such as the Early Reading First program'' and inserting '', early childhood education programs, including by developing agreements with such Head Start agencies and other entities to carry out such activities''; and

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking ''early childhood development programs, such as the Early Reading First program,'' and inserting ''early childhood education programs'';

(B) in paragraph (1), by striking ''early childhood development program such as the Early Reading First program'' and inserting ''early childhood education program'';

(C) in paragraph (2), by striking ''early childhood development programs such as the Early Reading First program'' and inserting ''early childhood education programs'';

(D) in paragraph (3), by striking ''early childhood development programs such as the Early Reading First program'' and inserting ''early childhood education programs'';

(E) in paragraph (4)—

(i) by striking ''Early Reading First program staff,''; and

(ii) by striking ''early childhood development program'' and inserting ''early childhood education program'';

(F) in paragraph (5), by striking ''and entities carrying out Early Reading First programs''.

SEC. 1009. GRANTS FOR THE OUTLYING AREAS AND THE SECRETARY OF THE INTERIOR.

Section 1121 (20 U.S.C. 6331) is amended—

(1) in subsection (a), in the matter preceding paragraph (1), by striking ''and 1125A(f)''; and

(2) in subsection (b)(3)(C)(ii), by striking ''challenging State academic content standards'' and inserting ''challenging State academic standards''.

SEC. 1010. ALLOCATIONS TO STATES.

Section 1122 (20 U.S.C. 6332) is amended—

(1) by striking subsection (a) and inserting the following:

''(a) ALLOCATION FORMULA.—

''(1) INITIAL ALLOCATION.—For each of fiscal years 2016 through 2021 (referred to in this subsection as the 'current fiscal year'), the Secretary shall allocate $17,000,000,000 of the amount appropriated under section 1002(a) to carry out this part (or, if the total amount appropriated for this part is equal to or less than $17,000,000,000, all of such amount) in accordance with the following:

''(A) An amount equal to the amount made available to carry out section 1124 for fiscal year 2015 shall be allocated in accordance with section 1124.

''(B) An amount equal to the amount made available to carry out section 1124A for fiscal year 2015 shall be allocated in accordance with section 1124A.

''(C) An amount equal to 100 percent of the amount, if any, by which the amount made available under this paragraph for the current fiscal year for which the determination is made exceeds the amount available to carry out sections 1124 and 1124A for fiscal year 2001 shall be allocated in accordance with section 1125 and 1125A.

''(2) ALLOCATIONS IN EXCESS OF $17,000,000,000.—For each of the current fiscal years for which the amounts appropriated under section 1002(a) to carry out this part exceed $17,000,000,000, an amount equal to such excess amount shall be allocated in accordance with section 1123.'';

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by striking ''under this subpart'' and inserting ''under subsection (a)(1) for sections 1124, 1124A, 1125, and 1125A''; and

(ii) by striking ''and 1125'' and inserting ''1125, and 1125A''; and

(B) in paragraph (2)—

(i) by inserting ''under subsection (a)(1)'' after ''become available''; and

(ii) by striking ''and 1125'' and inserting ''1125, and 1125A'';

(3) in subsection (c)(1), by inserting ''and to the extent amounts under subsection (a)(1) are available'' after ''For each fiscal year''; and

(4) in subsection (d)(1), by striking ''under this subpart'' and inserting ''under subsection (a)(1) for sections 1124, 1124A, 1125, and 1125A''.

SEC. 1011. EQUITY GRANTS.

Subpart 2 of part A of title I (20 U.S.C. 6331 et seq.) is amended by inserting after section 1122 the following:

''SEC. 1123. EQUITY GRANTS.

''(a) AUTHORIZATION.—From funds appropriated under section 1002(a) for a fiscal year and available for allocation pursuant to section 1122(a)(2), the Secretary is authorized to make grants to States, from allotments under subsection (b), to carry out the programs and activities of this part.

''(b) DISTRIBUTION BASED UPON CONCENTRATIONS OF POVERTY.—

''(1) IN GENERAL.—

''(A) IN GENERAL.—Except as provided in subparagraphs (B) and (C), funds appropriated pursuant to subsection (a) for a fiscal year shall be allotted to each State based upon the number of children counted under section 1124(c) in such State multiplied by the product of—

''(i) 40 percent of the average per-pupil expenditure in the United States (other than the Commonwealth of Puerto Rico); multiplied by

''(ii) 1.30 minus such State's equity factor described in paragraph (2).

''(B) PUERTO RICO.—For each fiscal year, the Secretary shall allot to the Commonwealth of Puerto Rico an amount of the funds appropriated under subsection (a) that bears the same relation to the total amount of funds appropriated under such subsection as the amount that the Commonwealth of Puerto Rico received under this subpart for fiscal year 2015 bears to the total amount received by all States for such fiscal year.

''(C) STATE MINIMUM.—Notwithstanding any other provision of this section, except for subparagraph (B), from the total amount available for any fiscal year to carry out this section, each State shall be allotted at least the lesser of—

''(i) 0.35 percent of the total amount available to carry out this section for such fiscal year; or

''(ii) the average of—

''(I) 0.35 percent of such total amount for such fiscal year; and

''(II) 150 percent of the national average grant under this section per child described in section 1124(c), without application of a weighting factor, multiplied by the State's total number of children described in section 1124(c), without application of a weighting factor.

''(2) EQUITY FACTOR.—

''(A) DETERMINATION.—

''(i) IN GENERAL.—Except as provided in subparagraph (B), the Secretary shall determine the equity factor under this section for each State in accordance with clause (ii).

''(ii) COMPUTATION.—

''(I) IN GENERAL.—For each State, the Secretary shall compute a weighted coefficient of variation for the per-pupil expenditures of local educational agencies in accordance with subclauses (II), (III), and (IV).

''(II) VARIATION.—In computing coefficients of variation, the Secretary shall weigh the variation between per-pupil expenditures in each local educational agency and the average per-pupil expenditures in the State according to the number of pupils served by the local educational agency.

''(III) NUMBER OF PUPILS.—In determining the number of pupils under this paragraph served by each local educational agency and in each State, the Secretary shall multiply the number of children counted under section 1124(c) by a factor of 1.4.

''(IV) ENROLLMENT REQUIREMENT.—In computing coefficients of variation, the Secretary shall include only those local educational agencies with an enrollment of more than 200 students.

''(B) SPECIAL RULE.—The equity factor for a State that meets the disparity standard described in section 222.162 of title 34, Code of Federal Regulations (as such section was in effect on the day preceding the date of enactment of the No Child Left Behind Act of 2001) or a State with only one local educational agency shall be not greater than 0.10.

''(c) USE OF FUNDS; ELIGIBILITY OF LOCAL EDUCATIONAL AGENCIES.—All funds awarded to each State under this section shall be allocated to local educational agencies under the following provisions:

''(1) DISTRIBUTION WITHIN LOCAL EDUCATIONAL AGENCIES.—Within local educational agencies, funds allocated under this section shall be distributed to schools on a basis consistent with section 1113, and may only be used to carry out activities under this part.

''(2) ELIGIBILITY FOR GRANT.—A local educational agency in a State is eligible to receive a grant under this section for any fiscal year if—

''(A) the number of children in the local educational agency counted under section 1124(c), before application of the weighted child count described in subsection (d), is at least 10; and

''(B) if the number of children counted for grants under section 1124(c), before application of the weighted child count described in subsection (d), is at least 5 percent of the total number of children aged 5 to 17 years, inclusive, in the school district of the local educational agency.

''(d) ALLOCATION OF FUNDS TO ELIGIBLE LOCAL EDUCATIONAL AGENCIES.—

''(1) IN GENERAL.—Funds received by States under this section for a fiscal year shall be allocated within States to eligible local educational agencies on the basis of weighted child counts calculated in accordance with paragraph (2), (3), or (4), as appropriate for each State.

''(2) STATES WITH AN EQUITY FACTOR LESS THAN .10.—

''(A) IN GENERAL.—In States with an equity factor less than .10, the weighted child counts referred to in paragraph (1) for a fiscal year shall be the larger of the 2 amounts determined under subparagraphs (B) and (C).

''(B) BY PERCENTAGE OF CHILDREN.—The amount referred to in subparagraph (A) is determined by adding—

''(i) the number of children determined under section 1124(c) for that local educational agency who constitute not more than 17.27 percent, inclusive, of the agency's total population aged 5 to 17, inclusive, multiplied by 1.0;

''(ii) the number of such children who constitute more than 17.27 percent, but not more than 23.48 percent, of such population, multiplied by 1.75;

''(iii) the number of such children who constitute more than 23.48 percent, but not more than 29.11 percent, of such population, multiplied by 2.5;

''(iv) the number of such children who constitute more than 29.11 percent, but not more than 36.10 percent, of such population, multiplied by 3.25; and

''(v) the number of such children who constitute more than 36.10 percent of such population, multiplied by 4.0.

''(C) BY NUMBER OF CHILDREN.—The amount referred to in subparagraph (A) is determined by adding—

''(i) the number of children determined under section 1124(c) who constitute not more than 834, inclusive, of the agency's total population aged 5 to 17, inclusive, multiplied by 1.0;

''(ii) the number of such children between 835 and 2,629, inclusive, in such population, multiplied by 1.5;

''(iii) the number of such children between 2,630 and 7,668, inclusive, in such population, multiplied by 2.0; and

''(iv)(I) in the case of an agency that is not a high poverty percentage local educational agency, the number of such children in excess of 7,668 in such population, multiplied by 2.0; or

''(II) in the case of a high poverty percentage local educational agency—

''(aa) the number of such children between 7,669 and 26,412, inclusive, in such population, multiplied by 2.5; and

''(bb) the number of such children in excess of 26,412 in such population, multiplied by 3.0.

''(3) STATES WITH AN EQUITY FACTOR GREATER THAN OR EQUAL TO .10 AND LESS THAN .20.—

''(A) IN GENERAL.—In States with an equity factor greater than or equal to .10 and less than .20, the weighted child counts referred to in paragraph (1) for a fiscal year shall be the larger of the 2 amounts determined under subparagraphs (B) and (C).

''(B) BY PERCENTAGE OF CHILDREN.—The amount referred to in subparagraph (A) is determined by adding—

''(i) the number of children determined under section 1124(c) for that local educational agency who constitute not more than 17.27 percent, inclusive, of the agency's total population aged 5 to 17, inclusive, multiplied by 1.0;

''(ii) the number of such children who constitute more than 17.27 percent, but not more than 23.48 percent, of such population, multiplied by 1.5;

''(iii) the number of such children who constitute more than 23.48 percent, but not more than 29.11 percent, of such population, multiplied by 3.0;

''(iv) the number of such children who constitute more than 29.11 percent, but not more than 36.10 percent, of such population, multiplied by 4.5; and

''(v) the number of such children who constitute more than 36.10 percent of such population, multiplied by 6.0.

''(C) BY NUMBER OF CHILDREN.—The amount referred to in subparagraph (A) is determined by adding—

''(i) the number of children determined under section 1124(c) who constitute not more than 834, inclusive, of the agency's total population aged 5 to 17, inclusive, multiplied by 1.0;

''(ii) the number of such children between 835 and 2,629, inclusive, in such population, multiplied by 1.5;

''(iii) the number of such children between 2,630 and 7,668, inclusive, in such population, multiplied by 2.25; and

''(iv)(I) in the case of an agency that is not a high poverty percentage local educational agency, the number of such children in excess of 7,668 in such population, multiplied by 2.25; or

''(II) in the case of a high poverty percentage local educational agency—

''(aa) the number of such children between 7,669 and 26,412, inclusive, in such population, multiplied by 3.375; and

''(bb) the number of such children in excess of 26,412 in such population, multiplied by 4.5.

''(4) STATES WITH AN EQUITY FACTOR GREATER THAN OR EQUAL TO .20.—

''(A) IN GENERAL.—In States with an equity factor greater than or equal to .20, the weighted child counts referred to in paragraph (1) for a fiscal year shall be the larger of the 2 amounts determined under subparagraphs (B) and (C).

''(B) BY PERCENTAGE OF CHILDREN.—The amount referred to in subparagraph (A) is determined by adding—

''(i) the number of children determined under section 1124(c) for that local educational agency who constitute not more than 17.27 percent, inclusive, of the agency's total population aged 5 to 17, inclusive, multiplied by 1.0;

''(ii) the number of such children who constitute more than 17.27 percent, but not more

than 23.48 percent, of such population, multiplied by 2.0;

''(iii) the number of such children who constitute more than 23.48 percent, but not more than 29.11 percent, of such population, multiplied by 4.0;

''(iv) the number of such children who constitute more than 29.11 percent, but not more than 36.10 percent, of such population, multiplied by 6.0; and

''(v) the number of such children who constitute more than 36.10 percent of such population, multiplied by 8.0.

''(C) BY NUMBER OF CHILDREN.—The amount referred to in subparagraph (A) is determined by adding—

''(i) the number of children determined under section 1124(c) who constitute not more than 834, inclusive, of the agency's total population aged 5 to 17, inclusive, multiplied by 1.0;

''(ii) the number of such children between 835 and 2,629, inclusive, in such population, multiplied by 2.0;

''(iii) the number of such children between 2,630 and 7,668, inclusive, in such population, multiplied by 3.0; and

''(iv)(I) in the case of an agency that is not a high poverty percentage local educational agency, the number of such children in excess of 7,668 in such population, multiplied by 3.0; or

''(II) in the case of a high poverty percentage local educational agency—

''(aa) the number of such children between 7,669 and 26,412, inclusive, in such population, multiplied by 4.5; and

''(bb) the number of such children in excess of 26,412 in such population, multiplied by 6.0.

''(e) MAINTENANCE OF EFFORT.—

''(1) IN GENERAL.—A State is entitled to receive its full allotment of funds under this section for any fiscal year if the Secretary finds that the State's fiscal effort per student or the aggregate expenditures of the State with respect to the provision of free public education by the State for the preceding fiscal year was not less than 90 percent of the fiscal effort or aggregate expenditures for the second preceding fiscal year, subject to the requirements of paragraph (2).

''(2) REDUCTION IN CASE OF FAILURE TO MEET.—

''(A) IN GENERAL.—The Secretary shall reduce the amount of the allotment of funds under this section in any fiscal year in the exact proportion by which a State fails to meet the requirement of paragraph (1) by falling below 90 percent of both the fiscal effort per student and aggregate expenditures (using the measure most favorable to the State), if such State has also failed to meet such requirement (as determined using the measure most favorable to the State) for 1 or more of the 5 immediately preceding fiscal years.

''(B) SPECIAL RULE.—No such lesser amount shall be used for computing the effort required under paragraph (1) for subsequent years.

''(3) WAIVER.—The Secretary may waive the requirements of this subsection if the Secretary determines that a waiver would be equitable due to—

''(A) exceptional or uncontrollable circumstances, such as a natural disaster or a change in the organizational structure of the State; or

''(B) a precipitous decline in the financial resources of the State.

''(f) ADJUSTMENTS WHERE NECESSITATED BY APPROPRIATIONS.—

''(1) IN GENERAL.—If the sums available under this section for any fiscal year are insufficient to pay the full amounts that all local educational agencies in States are eligible to receive under this section for such year, the Secretary shall ratably reduce the allocations to such local educational agencies, subject to paragraphs (2) and (3).

''(2) ADDITIONAL FUNDS.—If additional funds become available for making payments under this section for such fiscal year, allocations that were reduced under paragraph (1) shall be increased on the same basis as they were reduced.

''(3) HOLD HARMLESS AMOUNTS.—Beginning with the second fiscal year for which amounts are appropriated to carry out this section, and if sufficient funds are available, the amount made available to each local educational agency under this section for a fiscal year shall be—

''(A) not less than 95 percent of the amount made available for the preceding fiscal year if the number of children counted under section 1124(c) is equal to or more than 30 percent of the total number of children aged 5 to 17 years, inclusive, in the local educational agency;

''(B) not less than 90 percent of the amount made available for the preceding fiscal year if the percentage described in subparagraph (A) is less than 30 percent and equal to or more than 15 percent; and

''(C) not less than 85 percent of the amount made available for the preceding fiscal year if the percentage described in subparagraph (A) is less than 15 percent.

''(4) APPLICABILITY.—Notwithstanding any other provision of law, the Secretary shall not take into consideration the hold-harmless provisions of this subsection for any fiscal year for purposes of calculating State or local allocations for the fiscal year under any program administered by the Secretary other than a program authorized under this part.

''(g) DEFINITIONS.—In this section:

''(1) HIGH POVERTY PERCENTAGE LOCAL EDUCATIONAL AGENCY.—The term 'high poverty percentage local educational agency' means a local educational agency for which the number of children determined under subsection (b) for a fiscal year is 20 percent or more of the total population aged 5 to 17, inclusive, of the local educational agency for such fiscal year.

''(2) STATE.—The term 'State' means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.''.

SEC. 1011A. ADEQUACY OF FUNDING RULE.

Section 1125AA(b) (20 U.S.C. 6336(b)) is amended by striking ''section 1122(a)'' and inserting ''section 1122(a)(1)''.

SEC. 1011B. EDUCATION FINANCE INCENTIVE GRANT PROGRAM.

In section 1125A (20 U.S.C. 6337)—

(1) in subsection (a), by striking ''under subsection (f)'' and inserting ''under section 1002(a) and made available under section 1122(a)(1)'';

(2) in subsection (b), by striking ''pursuant to subsection (f)'' and inserting ''made available for this section under section 1122(a)(1)'';

(3) in subsection (c), by redesignating subparagraphs (A) and (B) as paragraphs (1) and (2), respectively;

(4) in subsection (d)(1)(A)(ii), by striking ''clause ''(i)'' and inserting ''clause (i)'';

(5) by striking subsection (e) and inserting the following:

''(e) MAINTENANCE OF EFFORT.—

''(1) IN GENERAL.—A State is entitled to receive its full allotment of funds under this section for any fiscal year if the Secretary finds that the State's fiscal effort per student or the aggregate expenditures of the State with respect to the provision of free public education by the State for the preceding fiscal year was not less than 90 percent of the fiscal effort or aggregate expenditures for the second preceding fiscal year, subject to the requirements of paragraph (2).

''(2) REDUCTION IN CASE OF FAILURE TO MEET.—

''(A) IN GENERAL.—The Secretary shall reduce the amount of the allotment of funds under this section for any fiscal year in the exact proportion by which a State fails to meet the requirement of paragraph (1) by falling below 90 percent of both the fiscal effort per student and aggregate expenditures (using the measure most favorable to the State), if such State has also failed to meet such requirement (as determined using the measure most favorable to the State) for 1 or more of the 5 immediately preceding fiscal years.

''(B) SPECIAL RULE.—No such lesser amount shall be used for computing the effort required under paragraph (1) for subsequent years.

''(3) WAIVER.—The Secretary may waive the requirements of this subsection if the Secretary determines that a waiver would be equitable due to—

''(A) exceptional or uncontrollable circumstances, such as a natural disaster or a change in the organizational structure of the State; or

''(B) a precipitous decline in the financial resources of the State.'';

(6) by striking subsection (f);

(7) by redesignating subsection (g) as subsection (f); and

(8) in subsection (f), as redesignated by paragraph (7)—

(A) in paragraph (1), by striking ''under this section'' and inserting ''to carry out this section''; and

(B) in subsection (f)(3), in the matter preceding subparagraph (A), by striking ''shall be'' and inserting ''shall be—''.

SEC. 1011C. SPECIAL ALLOCATION PROCEDURES.

Section 1126 (20 U.S.C. 6338) is amended by striking ''sections 1124, 1124A, 1125, and 1125A'' each place the term appears and inserting ''sections 1123, 1124, 1124A, 1125, and 1125A''.

SEC. 1012. ACADEMIC ASSESSMENTS.

Part B of title I (20 U.S.C. 6361 et seq.) is amended to read as follows:

''PART B—ACADEMIC ASSESSMENTS

''SEC. 1201. GRANTS FOR STATE ASSESSMENTS AND RELATED ACTIVITIES.

''From amounts made available in accordance with section 1204, the Secretary shall make grants to States to enable the States to carry out 1 or more of the following:

''(1) To pay the costs of the development of the State assessments and standards adopted under section 1111(b), which may include the costs of working in voluntary partnerships with other States, at the sole discretion of each such State.

''(2) If a State has developed the assessments adopted under section 1111(b), to administer those assessments or to carry out other assessment activities described in this part, such as the following:

''(A) Expanding the range of appropriate accommodations available to children who are English learners and children with disabilities to improve the rates of inclusion in regular assessments of such children, including professional development activities to improve the implementation of such accommodations in instructional practice.

''(B) Developing challenging State academic standards and aligned assessments in

academic subjects for which standards and assessments are not required under section 1111(b).

''(C) Developing or improving assessments of English language proficiency necessary to comply with section 1111(b)(2)(G).

''(D) Ensuring the continued validity and reliability of State assessments.

''(E) Refining State assessments to ensure their continued alignment with the challenging State academic standards and to improve the alignment of curricula and instructional materials.

''(F) Developing or improving the quality, validity, and reliability of assessments for children who are English learners, including alternative assessments aligned with the challenging State academic standards, testing accommodations for children who are English learners, and assessments of English language proficiency.

''(G) Developing or improving balanced assessment systems that include summative, interim, and formative assessments, including supporting local educational agencies in developing or improving such assessments.

''(H) At the discretion of the State, refining science assessments required under section 1111(b)(2) in order to integrate engineering design skills and practices into such assessments.

''(I) Developing or improving models to measure and assess student growth on State assessments under section 1111(b)(2) and other assessments not required under section 1111(b)(2).

''SEC. 1202. GRANTS FOR ENHANCED ASSESSMENT INSTRUMENTS.

''(a) GRANT PROGRAM AUTHORIZED.—From amounts made available in accordance with section 1204, the Secretary shall award, on a competitive basis, grants to State educational agencies that have submitted applications at such time, in such manner, and containing such information as the Secretary may reasonably require, which demonstrate, to the satisfaction of the Secretary, that the requirements of this section will be met, for one of more of the following:

''(1) Allowing for collaboration with institutions of higher education, other research institutions, or other organizations to improve the quality, validity, and reliability of State academic assessments beyond the requirements for such assessments described in section 1111(b)(2).

''(2) Developing or improving assessments for students who are children with disabilities, including using the principles of universal design for learning, which may include developing assessments aligned to alternate academic achievement standards for students with the most significant cognitive disabilities described in section 1111(b)(2)(D).

''(3) Measuring student progress or academic growth over time, including by using multiple measures, or developing or improving models to measure and assess growth on State assessments under section 1111(b)(2).

''(4) Evaluating student academic achievement through the development of comprehensive academic assessment instruments, such as performance and technology-based academic assessments that emphasize the mastery of standards and aligned competencies in a competency-based education model, technology-based academic assessments, computer adaptive assessments, and portfolios, projects, or extended performance task assessments.

''(5) Designing the report cards and reports under section 1111(d) in an easily accessible, user-friendly manner that cross-tabulates student information by any category the State determines appropriate, as long as such cross-tabulation—

''(A) does not reveal personally identifiable information about an individual student; and

''(B) is derived from existing State and local reporting requirements and data sources.

''(b) RULE OF CONSTRUCTION.—Nothing in paragraph (5) shall be construed as authorizing, requiring, or allowing any additional reporting requirements, data elements, or information to be reported to the Secretary not otherwise explicitly authorized under this Act.

''(c) ANNUAL REPORT.—Each State educational agency receiving a grant under this section shall submit an annual report to the Secretary describing its activities under the grant and the result of such activities.

''(d) PROHIBITION.—No funds provided under this section to the Secretary shall be used to mandate, direct, control, incentivize, or make financial awards conditioned upon a State (or a consortium of States) developing any assessment common to a number of States, including testing activities prohibited under section 9529.

''SEC. 1203. AUDITS OF ASSESSMENT SYSTEMS.

''(a) IN GENERAL.—From the amount reserved under section 1204(b)(1)(C) for a fiscal year, the Secretary shall make grants to States to enable the States to—

''(1) in the case of a grant awarded under this section to a State for the first time—

''(A) carry out audits of State assessment systems and ensure that local educational agencies carry out audits of local assessments under subsection (e)(1);

''(B) prepare and carry out the State plan under subsection (e)(6); and

''(C) award subgrants under subsection (f); and

''(2) in the case of a grant awarded under this section to a State that has previously received a grant under this section—

''(A) carry out the State plan under subsection (e)(6); and

''(B) award subgrants under subsection (f).

''(b) MINIMUM AMOUNT.—Each State with an approved application shall receive a grant amount of not less than $1,500,000 per fiscal year.

''(c) REALLOCATION.—If a State chooses not to apply to receive a grant under this subsection, or if such State's application under subsection (d) is disapproved by the Secretary, the Secretary shall reallocate such grant amount to other States with approved applications.

''(d) APPLICATION.—A State desiring to receive a grant under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

''(e) AUDITS OF STATE ASSESSMENT SYSTEMS AND LOCAL ASSESSMENTS.—

''(1) AUDIT REQUIREMENTS.—Not later than 1 year after a State receives a grant under this section for the first time, the State shall—

''(A) conduct an audit of the State assessment system;

''(B) ensure that each local educational agency under the State's jurisdiction and receiving funds under this Act—

''(i) conducts an audit of each local assessment administered by the local educational agency; and

''(ii) submits the results of such audit to the State; and

''(C) report the results of each State and local educational agency audit conducted under subparagraphs (A) and (B), in a format that is—

''(i) publicly available, such as a widely accessible online platform; and

''(ii) with appropriate accessibility provisions for individuals with disabilities and English learners.

''(2) RESOURCES FOR LOCAL EDUCATIONAL AGENCIES.—In carrying out paragraph (1)(B), each State shall develop and provide local educational agencies with resources, such as guidelines and protocols, to assist the agencies in conducting and reporting the results of the audit required under such paragraph.

''(3) STATE ASSESSMENT SYSTEM DESCRIPTION.—An audit of a State assessment system conducted under paragraph (1) shall include a description of each State assessment carried out in the State, including—

''(A) the grade and subject matter assessed;

''(B) whether the assessment is required under section 1111(b)(2) or allowed under section 1111(b)(2)(D);

''(C) the annual cost to the State educational agency involved in developing, purchasing, administering, and scoring the assessment;

''(D) the purpose for which the assessment was designed and the purpose for which the assessment is used, including assessments designed to contribute to systems of improvement of teaching and learning;

''(E) the time for disseminating assessment results;

''(F) a description of how the assessment is aligned with the challenging State academic standards under section 1111(b)(1);

''(G) a description of any State law or regulation that established the requirement for the assessment;

''(H) the schedule and calendar for all State assessments given; and

''(I) a description of the State's policies for inclusion of English learners and children with disabilities participating in assessments, including developing and promoting the use of appropriate accommodations.

''(4) LOCAL ASSESSMENT DESCRIPTION.—An audit of a local assessment conducted under paragraph (1) shall include a description of the local assessment carried out by the local educational agency, including—

''(A) the descriptions listed in subparagraphs (A), (D), and (E) of paragraph (3);

''(B) the annual cost to the local educational agency of developing, purchasing, administering, and scoring the assessment;

''(C) the extent to which the assessment is aligned to the challenging State academic standards under section 1111(b)(1);

''(D) a description of any State or local law or regulation that establishes the requirement for the assessment; and

''(E) in the case of a summative assessment that is used for accountability purposes, whether the assessment is valid and reliable and consistent with nationally recognized professional and technical standards.

''(5) STAKEHOLDER FEEDBACK.—Each audit of a State assessment system or local assessment system conducted under subparagraph (A) or (B) of paragraph (1) shall include feedback on such system from education stakeholders, which shall cover information such as—

''(A) how educators, school leaders, and administrators use assessment data to improve and differentiate instruction;

''(B) the timing of release of assessment data;

''(C) the extent to which assessment data is presented in an accessible and understandable format for educators, school leaders, parents, students (if appropriate), and the community;

''(D) the opportunities, resources, and training educators and administrators are

given to review assessment results and make effective use of assessment data;

''(E) the distribution of technological resources and personnel necessary to administer assessments;

''(F) the amount of time educators spend on assessment preparation;

''(G) the assessments that administrators, educators, parents, and students, if appropriate, do and do not find useful;

''(H) the amount of time students spend taking the assessments; and

''(I) other information as appropriate.

''(6) STATE PLAN ON AUDIT FINDINGS.—

''(A) PREPARING THE STATE PLAN.—Not later than 6 months after a State conducts an audit under paragraph (1) and based on the results of such audit, the State shall, in coordination with the local educational agencies under the jurisdiction of the State, prepare and submit to the Secretary a plan to improve and streamline State assessment systems and local assessment systems, including through activities such as—

''(i) developing and maintaining lists of State and local assessments that—

''(I) align to the State's content standards under section 1111(b)(1);

''(II) are valid, reliable, and remain consistent with nationally recognized professional and technical standards; and

''(III) contribute to systems of continuous improvement for teaching and learning;

''(ii) eliminating any assessments that are not required under section 1111(b)(2) (such as buying out the remainder of procurement contracts with assessment developers) that do not meet the contributing factors of high-quality assessments listed under subclauses (I) through (III) of clause (i);

''(iii) supporting the dissemination of best practices from local educational agencies or other States that have successfully improved assessment quality and efficiency to improve teaching and learning;

''(iv) supporting local educational agencies or consortia of local educational agencies to carry out efforts to streamline local assessment systems and implementing a regular process of review and evaluation of assessment use in local educational agencies;

''(v) disseminating the assessment data in an accessible and understandable format for educators, parents, and families; and

''(vi) decreasing time between administering such State assessments and releasing assessment data.

''(B) CARRY OUT THE STATE PLAN.—A State shall carry out a State plan as soon as practicable after the State prepares such State plan under subparagraph (A) and during each grant period of a grant described in subsection (a)(2) that is awarded to the State.

''(f) SUBGRANTS TO LOCAL EDUCATIONAL AGENCIES.—

''(1) IN GENERAL.—From the amount awarded to a State under this section, the State shall reserve not less than 20 percent of funds to make subgrants to local educational agencies in the State, or consortia of such local educational agencies, based on demonstrated need in the agency's or consortium's application to improve assessment quality, use, and alignment with the challenging State academic standards under section 1111(b)(1).

''(2) LOCAL EDUCATIONAL AGENCY APPLICATION.—Each local educational agency, or consortium of local educational agencies, seeking a subgrant under this subsection shall submit an application to the State at such time, in such manner, and containing such other information as determined by the State. The application shall include a description of the agency's or consortium's needs to improve assessment quality, use, and alignment (as described in paragraph (1)).

''(3) USE OF FUNDS.—A subgrant awarded under this subsection to a local educational agency or consortium of such agencies may be used to—

''(A) conduct an audit of local assessments under subsection (e)(1)(B);

''(B) eliminate any assessments identified for elimination by such audit, such as by buying out the remainder of procurement contracts with assessment developers;

''(C) disseminate the best practices described in subsection (e)(6)(A)(ii);

''(D) improve the capacity of school leaders and educators to disseminate assessment data in an accessible and understandable format for parents and families, including for children with disabilities or English learners;

''(E) improve assessment delivery systems and schedules, including by increasing access to technology and exam proctors, where appropriate;

''(F) hire instructional coaches, or promote educators who may receive increased compensation to serve as instructional coaches, to support educators to develop classroom-based assessments, interpret assessment data, and design instruction; and

''(G) provide for appropriate accommodations to maximize inclusion of children with disabilities and English learners participating in assessments.

''(g) DEFINITIONS.—In this section:

''(1) LOCAL ASSESSMENT.—The term 'local assessment' means an academic assessment selected and carried out by a local educational agency that is separate from an assessment required by section 1111(b)(2).

''(2) STATE.—The term 'State' means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

''SEC. 1204. FUNDING.

''(a) NATIONAL ASSESSMENT OF EDUCATIONAL PROGRESS.—For the purpose of administering the State assessments under the National Assessment of Educational Progress, there are authorized to be appropriated such sums as may be necessary for fiscal years 2016 through 2021.

''(b) ALLOTMENT OF APPROPRIATED FUNDS.—

''(1) IN GENERAL.—From amounts made available for each fiscal year under subsection 1002(b) that are equal to or less than the amount described in section 1111(b)(2)(H), the Secretary shall—

''(A) reserve ½ of 1 percent for the Bureau of Indian Education;

''(B) reserve ½ of 1 percent for the outlying areas;

''(C) reserve not more than 20 percent to carry out section 1203; and

''(D) from the remainder, allocate to each State for section 1201 an amount equal to—

''(i) $3,000,000; and

''(ii) with respect to any amounts remaining after the allocation is made under clause (i), an amount that bears the same relationship to such total remaining amounts as the number of students aged 5 through 17 in the State (as determined by the Secretary on the basis of the most recent satisfactory data) bears to the total number of such students in all States.

''(2) AMOUNTS ABOVE TRIGGER AMOUNT.—Any amounts made available for a fiscal year under subsection 1002(b) that are more than the amount described in section 1111(b)(2)(H) shall be made available as follows:

''(A)(i) To award funds under section 1202 to States selected for such grants, according to the quality, needs, and scope of the State application under that section.

''(ii) In determining the grant amount under clause (i), the Secretary shall ensure that a State's grant includes an amount that bears the same relationship to the total funds available under this paragraph for the fiscal year as the number of students ages 5 through 17 in the State (as determined by the Secretary on the basis of the most recent satisfactory data) bears to the total number of such students in all States.

''(B) Any amounts remaining after the Secretary awards funds under subparagraph (A) shall be allocated to each State that did not receive a grant under such subparagraph, in an amount that bears the same relationship to the total funds available under this subparagraph as the number of students ages 5 through 17 in the State (as determined by the Secretary on the basis of the most recent satisfactory data) bears to the total number of such students in all States.

''(c) STATE DEFINED.—In this section, the term 'State' means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

''SEC. 1205. INNOVATIVE ASSESSMENT AND ACCOUNTABILITY DEMONSTRATION AUTHORITY.

''(a) INNOVATIVE ASSESSMENT SYSTEM DEFINED.—The term 'innovative assessment system' means a system of assessments that may include—

''(1) competency-based assessments, instructionally embedded assessments, interim assessments, cumulative year-end assessments, or performance-based assessments that combine into an annual summative determination for a student, which may be administered through computer adaptive assessments; and

''(2) assessments that validate when students are ready to demonstrate mastery or proficiency and allow for differentiated student support based on individual learning needs.

''(b) DEMONSTRATION AUTHORITY.—

''(1) IN GENERAL.—The Secretary may provide a State educational agency, or a consortium of State educational agencies, in accordance with paragraph (3), with the authority to establish an innovative assessment system.

''(2) DEMONSTRATION PERIOD.—In accordance with the requirements described in subsection (c), each State educational agency, or consortium of State educational agencies, that submits an application under this section shall propose in its application the period of time over which it desires to exercise the demonstration authority, except that such period shall not exceed 5 years.

''(3) INITIAL DEMONSTRATION AUTHORITY; PROGRESS REPORT; EXPANSION.—

''(A) INITIAL PERIOD.—During the first 3 years of the demonstration authority under this section, the Secretary shall provide State educational agencies, or consortia of State educational agencies, subject to meeting the application requirements in subsection (c), with the authority described in paragraph (1).

''(B) LIMITATION.—During the first 3 years of the demonstration authority under this section, the total number of participating State educational agencies, including those participating in consortia, may not exceed 7, and not more than 4 State educational agencies may participate in a single consortium.

''(C) PROGRESS REPORT.—

''(i) IN GENERAL.—Not later than 90 days after the end of the first 3 years of the initial demonstration period described in subparagraph (A), the Director of the Institute of

Education Sciences, in consultation with the Secretary, shall publish a report detailing the initial progress of the approved innovative assessment systems prior to providing additional State educational agencies with the demonstration authority described in paragraph (1).

''(ii) CRITERIA.—The progress report under clause (i) shall draw upon the annual information submitted by participating States described in subsection (c)(2)(I) and examine the extent to which—

''(I) the innovative assessment systems have demonstrated progress for all students, including at-risk students, in relation to such measures as—

''(aa) student achievement and academic outcomes;

''(bb) graduation rates for high schools;

''(cc) retention rates of students in school; and

''(dd) rates of remediation for students;

''(II) the innovative assessment systems have facilitated progress in relation to at least one other valid and reliable indicator of quality, success, or student support, such as those reported annually by the State in accordance with section 1111(b)(3)(B)(ii)(IV);

''(III) the State educational agencies have solicited feedback from teachers, principals, other school leaders, and parents about their satisfaction with the innovative assessment system;

''(IV) teachers, principals, and other school leaders have demonstrated a commitment and capacity to implement or continue to implement the innovative assessment systems;

''(V) the innovative assessment systems have been developed in accordance with the requirements of subsection (c), including substantial evidence that such systems meet such requirements; and

''(VI) each State participating in the demonstration authority has demonstrated that the same system of assessments was used to measure the achievement of all students that participated in the demonstration authority, and at least 95 percent of such students overall and in each of the categories of students, as defined in section 1111(b)(3)(A), were assessed under the innovative assessment system.

''(iii) USE OF REPORT.—Upon completion of the progress report, the Secretary shall provide a response to the findings of the progress report, including a description of how the findings of the report will be used—

''(I) to support participating State educational agencies through technical assistance; and

''(II) to inform the peer review process described in subsection (d) for advising the Secretary on the awarding of the demonstration authority to the additional State educational agencies described in subparagraph (D).

''(iv) PUBLICLY AVAILABLE.—The Secretary shall make the progress report under this subparagraph and the response described in clause (iii) publicly available on the website of the Department.

''(v) PROHIBITION.—Nothing in this subparagraph shall be construed to authorize the Secretary to require participating States to submit any additional information for the purposes of the progress report beyond what the State has already provided in the annual report described in subsection (c)(2)(I).

''(D) EXPANSION OF THE DEMONSTRATION AUTHORITY.—Upon completion and publication of the report described in subparagraph (C)(iv), additional State educational agencies or consortia of State educational agencies may apply for the demonstration authority described in this section without regard to the limitations described in subparagraph (B). Such State educational agencies or consortia of State educational agencies shall be subject to all of the same requirements of this section.

''(c) APPLICATION.—Consistent with the process described in subsection (d), a State educational agency, or consortium of State educational agencies, that desires to participate in the program of demonstration authority under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require. Such application shall include a description of the innovative assessment system, what experience the applicant has in implementing any components of the innovative assessment system, and the timeline over which the State proposes to exercise this authority. In addition, the application shall include the following:

''(1) A demonstration that the innovative assessment system will—

''(A) meet all the requirements of section 1111(b)(2)(B), except the requirements of clauses (i) and (v) of such section;

''(B) be aligned to the standards under section 1111(b)(1) and address the depth and breadth of the challenging State academic standards under such section;

''(C) express student results or student competencies in terms consistent with the State aligned academic achievement standards;

''(D) be able to generate comparable, valid, and reliable results for all students and for each category of students described in section 1111(b)(2)(B)(xi), compared to the results for such students on the State assessments under section 1111(b)(2);

''(E) be developed in collaboration with stakeholders representing the interests of children with disabilities, English learners, and other vulnerable children, educators, including teachers, principals, and other school leaders, local educational agencies, parents, and civil rights organizations in the State;

''(F) be accessible to all students, such as by incorporating the principles of universal design for learning;

''(G) provide educators, students, and parents with timely data, disaggregated by each category of students described in section 1111(b)(2)(B)(xi), to inform and improve instructional practice and student supports;

''(H) be able to identify which students are not making progress toward the State's academic achievement standards so that educators can provide instructional support and targeted intervention to all students to ensure every student is making progress;

''(I) measure the annual progress of not less than 95 percent of all students and students in each of the categories of students, as defined in section 1111(b)(3)(A), who are enrolled in each school that is participating in the innovative assessment system and are required to take assessments;

''(J) generate an annual, summative achievement determination based on annual data for each individual student based on the challenging State academic standards under section 1111(b)(1) and be able to validly and reliably aggregate data from the innovative assessment system for purposes of accountability, consistent with the requirements of section 1111(b)(3), and reporting, consistent with the requirements of section 1111(d); and

''(K) continue use of the high-quality statewide academic assessments required under section 1111(b)(2) if such assessments will be used for accountability purposes for the duration of the demonstration.

''(2) A description of how the State educational agency will—

''(A) identify the distinct purposes for each assessment that is part of the innovative assessment system;

''(B) provide support and training to local educational agency and school staff to implement the innovative assessment system described in this subsection;

''(C) inform parents of students in participating local educational agencies about the innovative assessment system at the beginning of each school year during which the innovative assessment system will be implemented;

''(D) engage and support teachers in developing and scoring assessments that are part of the innovative assessment system, including through the use of high-quality professional development, standardized and calibrated scoring rubrics, and other strategies, consistent with relevant nationally recognized professional and technical standards, to ensure inter-rater reliability and comparability;

''(E) acclimate students to the innovative assessment system;

''(F) ensure that students with the most significant cognitive disabilities may be assessed with alternate assessments consistent with section 1111(b)(2)(D);

''(G) if the State is proposing to administer the innovative assessment system initially in a subset of local educational agencies, scale up the innovative assessment system to administer such system statewide or with additional local educational agencies in the State's proposed period of demonstration authority and 2-year extension period, if applicable, including the timeline that explains the process for scaling to statewide implementation by either the end of the State's proposed period of demonstration authority or the 2-year extension period;

''(H) gather data, solicit regular feedback from educators and parents, and assess the results of each year of the program of demonstration authority under this section, and respond by making needed changes to the innovative assessment system; and

''(I) report data from the innovative assessment system annually to the Secretary, including—

''(i) demographics of participating local educational agencies, if such system is not statewide, and additional local educational agencies if added to the system during the course of the State's demonstration or 2-year extension period, including a description of how—

''(I) the inclusion of additional local educational agencies contributes to progress toward achieving high-quality and consistent implementation across demographically diverse local educational agencies throughout the demonstration period; and

''(II) by the end of the demonstration authority, the participating local educational agencies, as a group, will be demographically similar to the State as a whole;

''(ii) performance of all participating students and for each category of students, as defined in section 1111(b)(3)(A), on the innovative assessment, consistent with the requirements in section 1111(d);

''(iii) performance of all participating students in relation to at least one other valid and reliable indicator of quality, success, or student supports, such as those reported annually by the State in accordance with section 1111(b)(3)(B)(ii)(IV);

''(iv) feedback from teachers, principals, other school leaders, and parents about their satisfaction with the innovative assessment system; and

''(v) if such system is not statewide, a description of the State's progress in scaling up the innovative assessment system to additional local educational agencies during the State's period of demonstration authority, as described in subparagraph (G).

''(3) A description of the State educational agency's plan to—

''(A) ensure that all students and each of the categories of students, as defined in section 1111(b)(3)(A)—

''(i) are held to the same high standard as other students in the State; and

''(ii) receive the instructional support needed to meet challenging State academic standards;

''(B) ensure that each local educational agency has the technological infrastructure to implement the innovative assessment system; and

''(C) hold all participating schools in the local educational agencies participating in the program of demonstration authority accountable for meeting the State's expectations for student achievement.

''(4) If the innovative assessment system will initially be administered in a subset of local educational agencies—

''(A) a description of the local educational agencies within the State educational agency that will participate, including what criteria the State has for approving any additional local educational agencies to participate during the demonstration period;

''(B) assurances from such local educational agencies that such agencies will comply with the requirements of this subsection; and

''(C) a description of how the State will—

''(i) ensure that the inclusion of additional local educational agencies contributes to progress toward achieving high-quality and consistent implementation across demographically diverse local educational agencies throughout the demonstration authority; and

''(ii) ensure that the participating local educational agencies, as a group, will be demographically similar to the State as a whole by the end of the State's period of demonstration authority.

''(d) PEER REVIEW.—The Secretary shall—

''(1) implement a peer review process to inform—

''(A) the awarding of the demonstration authority under this section and the approval to operate the system for the purposes of paragraphs (2) and (3) of section 1111(b), as described in subsection (h) of this section; and

''(B) determinations about whether the innovative assessment system—

''(i) is comparable to the State assessments under section 1111(b)(2)(B)(v)(I), valid, reliable, of high technical quality, and consistent with relevant, nationally recognized professional and technical standards; and

''(ii) provides an unbiased, rational, and consistent determination of progress toward the goals described under section 1111(b)(3)(B)(i) for all students;

''(2) ensure that the peer review team is comprised of practitioners and experts who are knowledgeable about the innovative assessment being proposed for all students, including—

''(A) individuals with past experience developing systems of assessment innovation that support all students, including English learners, children with disabilities, and disadvantaged students; and

''(B) individuals with experience implementing innovative State assessment and accountability systems;

''(3) make publicly available the applications submitted under subsection (c) and the peer review comments and recommendations regarding such applications;

''(4) make a determination and inform the State regarding approval or disapproval of the application not later than 90 days after receipt of the complete application;

''(5) offer a State the opportunity to revise and resubmit its application within 60 days of a disapproval determination under paragraph (4) to allow the State to submit additional evidence that the State's application meets the requirements of subjection (c); and

''(6) make a determination regarding application approval or disapproval of a resubmitted application under paragraph (5) not later than 45 days after receipt of the resubmitted application.

''(e) EXTENSION.—The Secretary may extend an authorization of demonstration authority under this section for an additional 2 years if the State educational agency demonstrates with evidence that the State educational agency's innovative assessment system is continuing to meet the requirements of subsection (c), including—

''(1) demonstrating capacity to transition to statewide use by the end of a 2-year extension period; and

''(2) demonstrating that the participating local educational agencies, as a group, will be demographically similar to the State as a whole by the end of a 2-year extension period.

''(f) USE OF INNOVATIVE ASSESSMENT SYSTEM.—A State may, during its approved demonstration period or 2-year extension period, include results from the innovative assessment systems developed under this section in accountability determinations for each student in the participating local educational agencies instead of, or in addition to, those from the assessment system under section 1111(b)(2) if the State demonstrates that the State has met the requirements in subsection (c). The State shall continue to meet all other requirements of section 1111(b)(3).

''(g) AUTHORITY WITHDRAWN.—The Secretary shall withdraw the authorization for demonstration authority provided to a State educational agency under this section and any participating local educational agency or the State as a whole shall return to the statewide assessment system under section 1111(b)(2) if, at any point during a State's approved period of demonstration or 2-year extension period, the State educational agency cannot present to the Secretary a body of substantial evidence that the innovative assessment system developed under this section—

''(1) meets requirements of subsection (c);

''(2) includes all students attending schools participating in the demonstration authority, including each of the categories of students, as defined in section 1111(b)(3)(A), in the innovative assessment system demonstration;

''(3) provides an unbiased, rational, and consistent determination of progress toward the goals described under section 1111(b)(3)(B)(i) for all students, which are comparable to determinations under section 1111(b)(3)(B)(iii) across the State in which the local educational agencies are located;

''(4) presents a high-quality plan to transition to full statewide use of the innovative assessment system by the end of the State's approved demonstration period and 2-year extension, if the innovative assessment system will initially be administered in a subset of local educational agencies; and

''(5) is comparable to the statewide assessments under section 1111(b)(2) in content coverage, difficulty, and quality.

''(h) TRANSITION.—

''(1) IN GENERAL.—If, after a State's approved demonstration and extension period, the State educational agency has met all the requirements of this section, including having scaled the system up to statewide use, and demonstrated that such system is of high quality, the State shall be permitted to operate the innovative assessment system approved under the program of demonstration authority under this section for the purposes of paragraphs (2) and (3) of section 1111(b). Such system shall be deemed of high quality if the Secretary, through the peer review process described in subsection (d), determines that the system has—

''(A) met all of the requirements of this section;

''(B) demonstrated progress for all students, including each of the categories of students defined in section 1111(b)(3)(A), in relation to such measures as—

''(i) increasing student achievement and academic outcomes;

''(ii) increasing the 4-year adjusted cohort graduation rate or the extended-year adjusted cohort graduation rate for high schools;

''(iii) increasing retention rates of students in school; and

''(iv) increasing rates of remediation at institutions of higher education for participating students;

''(C) demonstrated progress in relation to at least one other valid and reliable indicator of quality, success, or student supports, such as those reported annually by the State in accordance with section 1111(b)(3)(B)(ii)(IV);

''(D) provided coherent and timely information about student attainment of the State's challenging academic standards, including objective measurement of academic achievement, knowledge, and skills that are valid, reliable, and consistent with relevant, nationally-recognized professional and technical standards;

''(E) solicited feedback from teachers, principals, other school leaders, and parents about their satisfaction with the innovative assessment system; and

''(F) demonstrated that the same system of assessments was used to measure the achievement of all students, and at least 95 percent of such students overall and in each of the categories of students, as defined in section 1111(b)(3)(A), were assessed under the innovative assessment system.

''(2) BASELINE.—For the purposes of the evaluation described in paragraph (1), the baseline year shall be considered the first year of implementation of the innovative assessment system for each local educational agency.

''(3) WAIVER AUTHORITY.—If, at the conclusion of the State's approved demonstration and extension period, the State has met all of the requirements of this section, except transition to full statewide use for States that will initially administer an innovative assessment system in a subset of local educational agencies, and continues to comply with the other requirements of this section, and demonstrates a high-quality plan for transition to statewide use in a reasonable period of time, the State may request, and the Secretary shall review such request, a delay of the withdrawal of authority under

subsection (g) for the purpose of providing the State time necessary to implement the innovative assessment system statewide.

''(i) AVAILABLE FUNDS.—A State may use funds available under section 1201 to carry out this section.

''(j) RULE OF CONSTRUCTION.—A consortium of States may apply to participate in the program of demonstration authority under this section and the Secretary may provide each State member of such consortium with such authority if each such State member meets all of the requirements of this section. Such consortium shall be subject to the limitation described in subsection (b)(3)(B) during the initial 3 years of the demonstration authority.

''(k) DISSEMINATION OF BEST PRACTICES.—

''(1) IN GENERAL.—Following the publication of the progress report described in subsection (b)(3)(C), the Director of the Institute of Education Sciences, in consultation with the Secretary, shall collect and disseminate the best practices on the development and implementation of innovative assessment systems that meet the requirements of this section, including—

''(A) the development of summative assessments that meet the requirements of section 1111(b)(2)(B), are comparable with statewide assessments, and include assessment tasks that determine proficiency or mastery of State-approved competencies aligned to challenging academic standards;

''(B) the development of effective supports for local educational agencies and school staff to implement innovative assessment systems;

''(C) the development of effective engagement and support of teachers in developing and scoring assessments and the use of high-quality professional development;

''(D) the development of effective supports for all students, particularly each of the categories of students, as defined in section 1111(b)(3)(A), participating in the innovative assessment systems; and

''(E) the development of standardized and calibrated scoring rubrics, and other strategies, to ensure inter-rater reliability and comparability of determinations of mastery or proficiency across local educational agencies and the State.

''(2) PUBLICATION.—The Secretary shall make the information described in paragraph (1) available to the public on the website of the Department and shall publish an update to the information not less often than once every 3 years.''.

SEC. 1013. EDUCATION OF MIGRATORY CHILDREN.

Part C of title I (20 U.S.C. 6391 et seq.) is amended—

(1) in section 1301—

(A) in paragraph (2), by striking ''State academic content and student academic achievement standards'' and inserting ''challenging State academic standards'';

(B) in paragraph (4), by striking ''State academic content and student academic achievement standards'' and inserting ''State academic standards''; and

(C) in paragraph (5), by inserting ''without the need for postsecondary remediation'' after ''employment'';

(2) in section 1303—

(A) by striking subsection (a) and inserting the following:

''(a) STATE ALLOCATIONS.—

''(1) BASE AMOUNT.—

''(A) IN GENERAL.—Except as provided in subsection (b) and subparagraph (B), each State (other than the Commonwealth of Puerto Rico) is entitled to receive under this part, for fiscal year 2016 and succeeding fiscal years, an amount equal to—

''(i) the amount that such State received under this part for fiscal year 2002; plus

''(ii) the amount allocated to the State under paragraph (2).

''(B) NONPARTICIPATING STATES.—In the case of a State (other than the Commonwealth of Puerto Rico) that did not receive any funds for fiscal year 2002 under this part, the State shall receive, for fiscal year 2016 and succeeding fiscal years, an amount equal to—

''(i) the amount that such State would have received under this part for fiscal year 2002 if its application under section 1304 for the year had been approved; plus

''(ii) the amount allocated to the State under paragraph (2).

''(2) ALLOCATION OF ADDITIONAL AMOUNT.—For fiscal year 2016 and succeeding fiscal years, the amount (if any) by which the funds appropriated to carry out this part for the year exceed such funds for fiscal year 2002 shall be allocated to a State (other than the Commonwealth of Puerto Rico) so that the State receives an amount equal to—

''(A) the sum of—

''(i) the number of identified eligible migratory children, aged 3 through 21, residing in the State during the previous year; and

''(ii) the number of identified eligible migratory children, aged 3 through 21, who received services under this part in summer or intersession programs provided by the State during such year; multiplied by

''(B) 40 percent of the average per-pupil expenditure in the State, except that the amount determined under this subparagraph may not be less than 32 percent, or more than 48 percent, of the average per-pupil expenditure in the United States.'';

(B) in subsection (b), by striking paragraph (2) and inserting the following:

''(2) MINIMUM PERCENTAGE.—The percentage in paragraph (1)(A) shall not be less than 85.0 percent.'';

(C) in subsection (c)—

(i) in paragraph (1)—

(I) by striking ''(A) If, after'' and inserting the following:

''(A) IN GENERAL.—If, after''; and

(II) in subparagraph (B)—

(aa) by striking ''If additional'' and inserting ''REALLOCATION.—If additional''; and

(bb) by moving the margins of such subparagraph 2 ems to the right; and

(ii) in paragraph (2)—

(I) by striking ''(A) The Secretary'' and inserting the following:

''(A) FURTHER REDUCTIONS.—The Secretary''; and

(II) in subparagraph (B)—

(aa) by striking ''The Secretary'' and inserting ''REALLOCATION.—The Secretary''; and

(bb) by moving the margins of such subparagraph 2 ems to the right; and

(D) in subsection (d)(3)(B), by striking ''welfare or educational attainment'' and inserting ''academic achievement''; and

(E) in subsection (e)—

(i) in the matter preceding paragraph (1), by striking ''estimated'' and inserting ''identified''; and

(ii) by striking ''the Secretary shall'' and all that follows through the period at the end and inserting ''the Secretary shall use such information as the Secretary finds most accurately reflects the actual number of migratory children.'';

(3) in section 1304—

(A) in subsection (b)—

(i) in paragraph (1)—

(I) in the matter preceding subparagraph (A)—

(aa) by striking ''special educational needs'' and inserting ''unique educational needs''; and

(bb) by inserting ''and out-of-school migratory children'' after ''including preschool migratory children'';

(II) in subparagraph (B), by striking ''part A or B of title III'' and inserting ''part A of title III''; and

(III) by striking subparagraph (D) and inserting the following:

''(D) measurable program objectives and outcomes;'';

(ii) in paragraph (2), by striking ''challenging State academic content standards and challenging State student academic achievement standards'' and inserting ''challenging State academic standards'';

(iii) in paragraph (3), by striking '', consistent with procedures the Secretary may require,'';

(iv) in paragraph (5), by inserting ''and'' after the semicolon;

(v) by striking paragraph (6); and

(vi) by redesignating paragraph (7) as paragraph (6);

(B) in subsection (c)—

(i) in the matter preceding paragraph (1), by striking '', satisfactory to the Secretary,'';

(ii) in paragraph (2), by striking ''in a manner consistent with the objectives of section 1114, subsections (b) and (d) of section 1115, subsections (b) and (c) of section 1120A, and part I'' and inserting ''in a manner consistent with the objectives of section 1113(c), paragraphs (3) and (4) of section 1113(d), subsections (b) and (c) of section 1117, and part E'';

(iii) in paragraph (3)—

(I) in the matter before subparagraph (A), by striking ''parent advisory councils'' and inserting ''parents of migratory children, including parent advisory councils''; and

(II) by striking ''section 1118'' and inserting ''section 1115'';

(iv) in paragraph (4), by inserting ''and out-of-school migratory children'' after ''addressing the unmet educational needs of preschool migratory children'';

(v) in paragraph (6)—

(I) by striking ''to the extent feasible,'';

(II) by striking subparagraph (C) and inserting the following:

''(C) evidence-based family literacy programs;''; and

(III) in subparagraph (E), by inserting '', without the need for postsecondary remediation'' after ''employment''; and

(vi) in paragraph (7), by striking ''paragraphs (1)(A) and (2)(B)(i) of section 1303(a), through such procedures as the Secretary may require'' and inserting ''section 1303(a)(2)(A)'';

(C) by striking subsection (d) and inserting the following:

''(d) PRIORITY FOR SERVICES.—In providing services with funds received under this part, each recipient of such funds shall give priority to migratory children who have made a qualifying move within the previous 1-year period and who—

''(1) are failing, or most at risk of failing, to meet the challenging State academic standards; or

''(2) have dropped out of school.''; and

(D) in subsection (e)(3), by striking ''secondary school students'' and inserting ''students'';

(4) in section 1305(b), by inserting '', to the extent practicable,'' after ''may'';

(5) in section 1306—

(A) in subsection (a)(1)—

(i) by striking ''special'' both places the term appears and inserting ''unique'';

(ii) in subparagraph (C), by striking ''challenging State academic content standards and challenging State student academic achievement standards'' and inserting ''challenging State academic standards''; and

(iii) in subparagraph (F), by striking ''or B''; and

(B) in subsection (b)(4)—

(i) by striking ''special'' and inserting ''unique''; and

(ii) by striking ''section 1114'' each place the term appears and inserting ''section 1113(c)'';

(6) in section 1307—

(A) in the matter preceding paragraph (1), by striking ''nonprofit''; and

(B) in paragraph (3), by striking ''welfare or educational attainment'' and inserting ''educational achievement'';

(7) in section 1308—

(A) in subsection (a)(1), by inserting ''through'' after ''including''; and

(B) in subsection (b)—

(i) in paragraph (1), by striking ''developing effective methods for'';

(ii) in paragraph (2)—

(I) in subparagraph (A)—

(aa) in the matter preceding clause (i), in the first sentence—

(AA) by striking ''ensure the linkage of migrant student'' and inserting ''maintain'';

(BB) by striking ''systems'' and inserting ''system'';

(CC) by inserting ''within and'' before ''among the States''; and

(DD) by striking ''all migratory students'' and inserting ''all migratory children eligible under this part'';

(bb) in the matter preceding clause (i), by striking ''The Secretary shall ensure'' and all that follows through ''maintain.'';

(cc) in the matter preceding clause (i), by striking ''Such elements'' and inserting ''Such information''; and

(dd) in clause (ii), by striking ''required'';

(II) by redesignating subparagraph (B) as subparagraph (C);

(III) by inserting after subparagraph (A) the following:

''(B) CONSULTATION.—The Secretary shall maintain ongoing consultation with the States, local educational agencies, and other migratory student service providers on—

''(i) the effectiveness of the system described in subparagraph (A); and

''(ii) the ongoing improvement of such system.''; and

(IV) in subparagraph (C), as redesignated by subclause (II)—

(aa) by striking ''the proposed data elements'' and inserting ''any new proposed data elements''; and

(bb) by striking ''Such publication shall occur not later than 120 days after the date of enactment of the No Child Left Behind Act of 2001.''; and

(iii) by striking paragraph (4); and

(8) in section 1309—

(A) in paragraph (1)(B), by striking ''nonprofit''; and

(B) by striking paragraph (2) and inserting the following:

''(2) MIGRATORY AGRICULTURAL WORKER.—The term 'migratory agricultural worker' means an individual who made a qualifying move in the preceding 36 months and, after doing so, engaged in new temporary or seasonal employment or personal subsistence in agriculture, which may be dairy work or the initial processing of raw agricultural products. If an individual did not engage in such new employment soon after a qualifying move, such individual may be considered a migratory agricultural worker if the individual actively sought new employment and has a recent history of moves for agricultural employment.

''(3) MIGRATORY CHILD.—The term 'migratory child' means a child or youth who made a qualifying move in the preceding 36 months—

''(A) as a migratory agricultural worker or a migratory fisher; or

''(B) with, or to join, a parent or spouse who is a migratory agricultural worker or a migratory fisher.

''(4) MIGRATORY FISHER.—The term 'migratory fisher' means an individual who made a qualifying move in the preceding 36 months and, after doing so, engaged in new temporary or seasonal employment or personal subsistence in fishing. If the individual did not engage in such new employment soon after the move, the individual may be considered a migratory fisher if the individual actively sought new employment and has a recent history of moves for fishing work.

''(5) QUALIFYING MOVE.—The term 'qualifying move' means a move due to economic necessity—

''(A) from one residence to another residence; and

''(B) from one school district to another school district, except—

''(i) in the case of a State that is comprised of a single school district, wherein a qualifying move is from one administrative area to another within such district;

''(ii) in the case of a school district of more than 15,000 square miles, wherein a qualifying move is a distance of 20 miles or more to a temporary residence to engage in a fishing activity; or

''(iii) in a case in which another exception applies, as defined by the Secretary.''.

SEC. 1014. PREVENTION AND INTERVENTION PROGRAMS FOR CHILDREN AND YOUTH WHO ARE NEGLECTED, DELINQUENT, OR AT-RISK.

Part D of title I (20 U.S.C. 6421 et seq.) is amended—

(1) in section 1401(a)—

(A) in paragraph (1)—

(i) by inserting '', tribal,'' after ''youth in local''; and

(ii) by striking ''challenging State academic content standards and challenging State student academic achievement standards'' and inserting ''challenging State academic standards''; and

(B) in paragraph (3), by inserting ''and the involvement of their families and communities'' after ''to ensure their continued education'';

(2) in section 1412(b), by striking paragraph (2) and inserting the following:

''(2) MINIMUM PERCENTAGE.—The percentage in paragraph (1)(A) shall not be less than 85 percent.'';

(3) in section 1414—

(A) in subsection (a)—

(i) in paragraph (1)(B), by striking ''from correctional facilities to locally operated programs'' and inserting ''between correctional facilities and locally operated programs''; and

(ii) in paragraph (2)—

(I) in subparagraph (A)—

(aa) by striking ''the program goals, objectives, and performance measures established by the State'' and inserting ''the program objectives and outcomes established by the State''; and

(bb) by striking ''vocational'' and inserting ''career'';

(II) in subparagraph (B), by striking ''and'' after the semicolon;

(III) in subparagraph (C)—

(aa) in clause (i), by inserting ''and'' after the semicolon;

(bb) by striking clause (ii) and redesignating clause (iii) as clause (ii); and

(cc) by striking clause (iv); and

(IV) by adding at the end the following:

''(D) provide assurances that the State educational agency has established—

''(i) procedures to ensure the prompt re-enrollment of each student who has been placed in the juvenile justice system in secondary school or in a re-entry program that best meets the needs of the student, including the transfer of credits that such student earns during placement; and

''(ii) opportunities for such students to participate in higher education or career pathways.''; and

(B) in subsection (c)—

(i) in paragraph (1)—

(I) by inserting ''and respond to'' after ''to assess''; and

(II) by inserting ''and, to the extent practicable, provide for an assessment upon entry into a correctional facility'' after ''to be served under this subpart'';

(ii) in paragraph (6)—

(I) by striking ''carry out the evaluation requirements of section 9601 and how'' and inserting ''use'';

(II) by inserting ''under section 9601'' after ''recent evaluation''; and

(III) by striking ''will be used'';

(iii) in paragraph (8)—

(I) by striking ''vocational'' and inserting ''career''; and

(II) by striking ''Public Law 105–220'' and inserting ''the Workforce Innovation and Opportunity Act'';

(iv) in paragraph (9)—

(I) by inserting ''and following'' after ''youth prior to''; and

(II) by inserting ''and, to the extent practicable, to ensure that transition plans are in place'' after ''the local educational agency or alternative education program'';

(v) in paragraph (11), by striking ''transition of children and youth from such facility or institution to'' and inserting ''transition of such children and youth between such facility or institution and'';

(vi) in paragraph (16), by inserting ''and obtain a high school diploma'' after ''to encourage the children and youth to reenter school'';

(vii) in paragraph (17), by inserting ''certified or licensed'' after ''provides an assurance that'';

(viii) in paragraph (18), by striking ''and'' after the semicolon;

(ix) in paragraph (19), by striking the period at the end and inserting ''; and''; and

(x) by adding at the end the following:

''(20) describes how the State agency will, to the extent feasible, identify youth who have come in contact with both the child welfare system and juvenile justice system and improve practices and expand the evidence-based intervention services to reduce school suspensions, expulsions, and referrals to law enforcement.'';

(4) in section 1415—

(A) in subsection (a)—

(i) in paragraph (1)(B)—

(I) by inserting '', without the need for remediation,'' after ''transition''; and

(II) by striking ''vocational or technical training'' and inserting ''career and technical education''; and

(ii) in paragraph (2)—

(I) by striking subparagraph (A), and inserting the following:

''(A) may include—

''(i) the acquisition of equipment;

''(ii) pay-for-success initiatives that produce a measurable, clearly defined outcome that results in social benefit and direct cost savings to the local, State, or Federal Government; and

''(iii) providing targeted, evidence-based services for youth who have come in contact with both the child welfare system and juvenile justice system;'';

(II) in subparagraph (B)—

(aa) in clause (i), by striking ''content standards and student academic achievement''; and

(bb) in clause (iii)—

(AA) by striking ''challenging State academic achievement standards'' and inserting ''challenging State academic standards''; and

(BB) by inserting ''and'' after the semicolon;

(III) in subparagraph (C)—

(aa) by striking ''section 1120A'' and inserting ''section 1117''; and

(bb) by striking ''; and'' and inserting a period; and

(IV) by striking subparagraph (D); and

(B) in subsection (b), by striking ''section 1120A'' and inserting ''section 1117'';

(5) in section 1416—

(A) in paragraph (3)—

(i) by striking ''challenging State academic content standards and student academic achievement standards'' and inserting ''challenging State academic standards''; and

(ii) by striking ''complete secondary school, attain a secondary diploma'' and inserting ''attain a high school diploma'';

(B) in paragraph (4)—

(i) by striking ''pupil'' and inserting ''specialized instructional support''; and

(ii) by inserting ''and, to the extent practicable, the development and implementation of transition plans'' after ''children and youth described in paragraph (1)''; and

(C) in paragraph (6), by striking ''student progress'' and inserting ''and improve student achievement'';

(6) in section 1418(a)—

(A) by striking paragraph (1) and inserting the following:

''(1) projects that facilitate the transition of children and youth between State-operated institutions, or institutions in the State operated by the Secretary of the Interior, and schools served by local educational agencies or schools operated or funded by the Bureau of Indian Education; or''; and

(B) in paragraph (2)—

(i) by striking ''vocational'' each place the term appears and inserting ''career''; and

(ii) in the matter preceding subparagraph (A)—

(I) by striking ''secondary'' and inserting ''high''; and

(II) by inserting '', without the need for remediation,'' after ''reentry'';

(7) in section 1419, by striking ''for a fiscal year'' and all that follows through ''to provide'' and inserting ''for a fiscal year to provide'';

(8) in section 1421—

(A) in paragraph (1), by inserting '', without the need for remediation,'' after ''youth''; and

(B) in paragraph (3), by inserting '', including schools operated or funded by the Bureau of Indian Education,'' after ''local schools'';

(9) in section 1422(d)—

(A) by inserting '', which may include the nonacademic needs,'' after ''to meet the transitional and academic needs''; and

(B) by striking ''impact on meeting the transitional'' and inserting ''impact on meeting such transitional'';

(10) in section 1423—

(A) in paragraph (2)(B), by inserting '', including such facilities operated by the Secretary of the Interior and Indian tribes'' after ''the juvenile justice system'';

(B) by striking paragraph (4) and inserting the following:

''(4) a description of the activities that the local educational agency will carry out to facilitate the successful transition of children and youth in locally operated institutions for neglected and delinquent children and other correctional institutions into schools served by the local educational agency or, as appropriate, into career and technical education and postsecondary education programs;'';

(C) in paragraph (8), by inserting ''and family members'' after ''will involve parents'';

(D) in paragraph (9)—

(i) by striking ''vocational'' and inserting ''career''; and

(ii) by striking ''Public Law 105–220'' and inserting ''the Workforce Innovation and Opportunity Act'';

(E) by striking paragraph (11) and inserting the following:

''(11) as appropriate, a description of how the local educational agency and schools will address the educational needs of children and youth who return from institutions for neglected and delinquent children and youth or from correctional institutions and attend regular or alternative schools;''; and

(F) in paragraph (12), by striking ''participating schools'' and inserting ''the local educational agency'';

(11) in section 1424—

(A) in paragraph (2), by striking '', including'' and all that follows through ''gang members'';

(B) in paragraph (4)—

(i) by striking ''vocational'' and inserting ''career''; and

(ii) by striking ''and'' after the semicolon; and

(C) in paragraph (5), by striking the period at the end and inserting a semicolon; and

(D) by inserting the following after paragraph (5):

''(6) programs for at-risk Indian children and youth, including such children and youth in correctional facilities in the area served by the local educational agency that are operated by the Secretary of the Interior or Indian tribes; and

''(7) pay-for-success initiatives that produce a measurable, clearly defined outcome that results in social benefit and direct cost savings to the local, State, or Federal government.'';

(12) in section 1425—

(A) in paragraph (4)—

(i) by inserting ''and obtain a high school diploma'' after ''reenter school''; and

(ii) by striking ''or seek a secondary school diploma or its recognized equivalent'';

(B) in paragraph (6), by striking ''high academic achievement standards'' and inserting ''the challenging State academic standards'';

(C) in paragraph (9)—

(i) by striking ''vocational'' and inserting ''career''; and

(ii) by striking ''Public Law 105–220'' and inserting ''the Workforce Innovation and Opportunity Act'';

(D) in paragraph (10), by striking ''and'' after the semicolon;

(E) in paragraph (11), by striking the period at the end and inserting a semicolon; and

(F) by adding at the end the following:

''(12) to the extent practicable, develop an initial educational services and transition plan for each child or youth served under this subpart upon entry into the correctional facility, in partnership with the child's or youth's family members and the local educational agency that most recently provided services to the child or youth (if applicable), consistent with section 1414(a)(1); and

''(13) consult with the local educational agency for a period jointly determined necessary by the correctional facility and local educational agency upon discharge from that facility, to coordinate educational services so as to minimize disruption to the child's or youth's achievement.'';

(13) in section 1426(2), by striking ''secondary'' and inserting ''high'';

(14) in section 1431(a)—

(A) by striking ''secondary'' each place the term appears and inserting ''high'';

(B) in paragraph (1), by inserting ''and to graduate from high school in the standard number of years'' after ''educational achievement''; and

(C) in paragraph (3), by inserting ''or school operated or funded by the Bureau of Indian Education'' after ''local educational agency''; and

(15) in section 1432(2)—

(A) by striking ''has limited English proficiency'' and inserting ''is an English learner''; and

(B) by striking ''or has a high absenteeism rate at school.'' and inserting ''has a high absenteeism rate at school, or has other life conditions that make the individual at high risk for dependency or delinquency adjudication.''.

SEC. 1015. GENERAL PROVISIONS.

Title I (20 U.S.C. 6301 et seq.) is amended—

(1) by striking parts E, F, G, and H;

(2) by redesignating part I as part E;

(3) by striking sections 1907 and 1908;

(4) by redesignating sections 1901, 1902, 1903, 1905, and 1906 as sections 1501, 1502, 1503, 1504, and 1505, respectively;

(5) in section 1501, as redesignated by paragraph (4)—

(A) in subsection (a), by inserting '', in accordance with subsections (b) through (d),'' after ''may issue'';

(B) in subsection (b)—

(i) in paragraph (1), by inserting ''principals, other school leaders (including charter school leaders),'' after ''teachers,'';

(ii) in paragraph (2), by adding at the end the following: ''All information from such regional meetings and electronic exchanges shall be made public in an easily accessible manner to interested parties.'';

(iii) in paragraph (3)(A), by striking ''standards and assessments'' and inserting ''standards, assessments, the State accountability system under section 1111(b)(3), school intervention and support under section 1114, and the requirement that funds be supplemented and not supplanted under section 1117;'';

(iv) by striking paragraph (4) and inserting the following:

''(4) PROCESS.—Such process shall not be subject to the Federal Advisory Committee Act, but shall, unless otherwise provided as described in subsection (c), follow the provisions of the Negotiated Rulemaking Act of 1990 (5 U.S.C. 561 et seq.).''; and

(v) by striking paragraph (5) and inserting the following:

''(5) EMERGENCY SITUATION.—In an emergency situation in which regulations to carry out this title must be issued within a very limited time to assist State educational

agencies and local educational agencies with the operation of a program under this title, the Secretary may issue a proposed regulation without following such process but shall—

''(A) designate the proposed regulation as an emergency with an explanation of the emergency in a notice provided to Congress;

''(B) publish the duration of the comment and review period in such notice and in the Federal Register; and

''(C) conduct regional meetings to review such proposed regulation before issuing any final regulation.'';

(C) by redesignating subsection (c) as subsection (d);

(D) by inserting after subsection (b) the following:

''(c) ALTERNATIVE PROCESS IF FAILURE TO REACH CONSENSUS.—If consensus, as defined in section 562 of title 5, United States Code, on any proposed regulation is not reached by the individuals selected under paragraph (3)(B) for the negotiated rulemaking process, or if the Secretary determines that a negotiated rulemaking process is unnecessary, the Secretary may propose a regulation in the following manner:

''(1) NOTICE TO CONGRESS.—Not less than 30 days prior to issuing a notice of proposed rulemaking in the Federal Register, the Secretary shall provide to the Committee on Health, Education, Labor, and Pensions of the Senate, the Committee on Education and the Workforce of the House of Representatives, and other relevant congressional committees, notice of the Secretary's intent to issue a notice of proposed rulemaking that shall include—

''(A) a copy of the regulation to be proposed;

''(B) a justification of the need to issue a regulation;

''(C) the anticipated burden, including the time, cost, and paperwork burden, the regulations will impose on State educational agencies, local educational agencies, schools, and other entities that may be impacted by the regulation;

''(D) the anticipated benefits to State educational agencies, local educational agencies, schools, and other entities that may be impacted by the regulation;

''(E) any regulations that will be repealed when the new regulations are issued; and

''(F) an opportunity to comment on the information in subparagraphs (A) through (E).

''(2) COMMENT PERIOD FOR CONGRESS.—The Secretary shall provide Congress with a 15-day period, beginning after the date on which the Secretary provided the notice of any proposed rulemaking to Congress under paragraph (1), to make comments on the proposed rule. After addressing all comments received from Congress during such period, the Secretary may proceed with the rulemaking process under section 553 of title 5, United States Code, as modified by this section.

''(3) PUBLIC COMMENT AND REVIEW PERIOD.—The public comment and review period for any proposed regulation shall be not less than 90 days unless an emergency requires a shorter period, in which case the Secretary shall comply with the process outlined in subsection (b)(5).

''(4) ASSESSMENT.—No regulation shall be made final after the comment and review period described in paragraph (3) until the Secretary has published in the Federal Register—

''(A) an assessment of the proposed regulation that—

''(i) includes a representative sampling of local educational agencies based on enrollment, geographic diversity (including suburban, urban, and rural local educational agencies), and other factors impacted by the proposed regulation;

''(ii) addresses the burden, including the time, cost, and paperwork burden, that the regulation will impose on State educational agencies, local educational agencies, schools, and other entities that may be impacted by the regulation;

''(iii) addresses the benefits to State educational agencies, local educational agencies, schools, and other entities that may be impacted by the regulation; and

''(iv) thoroughly addresses, based on the comments received during the comment and review period under paragraph (3), whether the rule is financially and operationally viable at the local level; and

''(B) an explanation of how the entities described in subparagraph (A)(ii) may cover the cost of the burden assessed under such subparagraph.''; and

(E) by inserting after subsection (d), as redesignated by subparagraph (C), the following:

''(e) RULE OF CONSTRUCTION.—Nothing in this section affects the applicability of subchapter II of chapter 5, and chapter 7, of title 5, United States Code (commonly known as the 'Administrative Procedure Act') or chapter 8 of title 5, United States Code (commonly known as the 'Congressional Review Act').'';

(6) in section 1502(a), as redesignated by paragraph (4)—

(A) by striking ''section 1901'' and inserting ''section 1501''; and

(B) by striking ''or provides a written'' and all that follows through the period at the end and inserting ''or, where negotiated rulemaking is not pursued, shall conform to section 1501(c).''; and

(7) in section 1503, as redesignated by paragraph (4)—

(A) in subsection (a)(2), by striking ''student academic achievement'' and inserting ''academic''; and

(B) in subsection (b)(2)—

(i) in subparagraph (C), by striking '', including vocational educators'';

(ii) in subparagraph (F), by striking ''and'' after the semicolon; and

(iii) by striking subparagraph (G) and inserting the following:

''(G) specialized instructional support personnel;

''(H) representatives of charter schools, as appropriate; and

''(I) paraprofessionals.''.

SEC. 1016. REPORT ON SUBGROUP SAMPLE SIZE.

(a) REPORT.—Not later than 90 days after the date of enactment of this Act, the Director of the Institute of Education Sciences shall publish a report on best practices for determining valid, reliable, and statistically significant minimum numbers of students for each of the categories of students, as defined in section 1111(b)(3)(A) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(3)(A)) (as amended by this Act), for the purposes of inclusion as categories of students in an accountability system described in section 1111(b)(3) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(3)) (as amended by this Act) and how such minimum number that is determined will not reveal personally identifiable information about students.

(b) PUBLIC DISSEMINATION.—The Director of the Institute of Education Sciences shall work with the Department of Education's existing technical assistance providers and dissemination networks to ensure that the report described under subsection (a) is widely disseminated—

(1) to the public, State educational agencies, local educational agencies, and schools; and

(2) through electronic transfer and other means, such as posting the report on the website of the Institute of Education Sciences or in another relevant place.

SEC. 1017. REPORT ON IMPLEMENTATION OF EDUCATIONAL STABILITY OF CHILDREN IN FOSTER CARE.

Not later than 2 years after the date of enactment of this Act, the Secretary of Education and the Secretary of Health and Human Services shall submit to the appropriate committees of Congress a report on the implementation of section 1111(c)(1)(L) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(c)(1)(L)), including the progress made and the remaining barriers relating to such implementation.

SEC. 1018. STUDENT PRIVACY POLICY COMMITTEE.

(a) ESTABLISHMENT OF A COMMITTEE ON STUDENT PRIVACY POLICY.—Not later than 60 days after the date of enactment of this Act, there is established a committee to be known as the ''Student Privacy Policy Committee'' (referred to in this section as the ''Committee'').

(b) MEMBERSHIP.—

(1) COMPOSITION.—The Committee shall be composed of—

(A) 3 individuals appointed by the Secretary of Education;

(B) not less than 8 and not more than 13 individuals appointed by the Comptroller General of the United States, representing—

(i) experts in education data and student privacy;

(ii) educators and parents;

(iii) State and local government officials responsible for managing student information;

(iv) education technology leaders in the State or a local educational agency;

(v) experts with practical experience dealing with data privacy management at the State or local level;

(vi) experts with a background in academia or research in data privacy and education data; and

(vii) education technology providers and education data storage providers; and

(C) 4 members appointed by—

(i) the majority leader of the Senate;

(ii) the minority leader of the Senate;

(iii) the Speaker of the House of Representatives; and

(iv) the minority leader of the House of Representatives.

(D) CHAIRPERSON.—The Committee shall select a Chairperson from among its members.

(E) VACANCIES.—Any vacancy in the Committee shall not affect the powers of the Committee and shall be filled in the same manner as an initial appointment described in subparagraphs (A) through (C).

(c) MEETINGS.—The Committee shall hold, at the call of the Chairperson, not less than 5 meetings before completing the study required under subsection (e) and the report required under subsection (f).

(d) PERSONNEL MATTERS.—

(1) COMPENSATION OF MEMBERS.—Each member of the Committee shall serve without compensation in addition to any such compensation received for the member's service as an officer or employee of the United States, if applicable.

(2) TRAVEL EXPENSES.—The members of the Committee shall be allowed travel expenses,

including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter 1 of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Committee.

(e) DUTIES OF THE COMMITTEE.—

(1) STUDY.—The Committee shall conduct a study on the effectiveness of Federal laws and enforcement mechanisms of—

(A) student privacy; and

(B) parental rights to student information.

(2) RECOMMENDATIONS.—Based on the findings of the study under paragraph (1), the Committee shall develop recommendations addressing issues of student privacy and parental rights and how to improve and enforce Federal laws regarding student privacy and parental rights, including recommendations that—

(A) provide or update standard definitions, if needed, for relevant terms related to student privacy, including—

(i) education record;

(ii) personally identifiable information;

(iii) aggregated, de-identified, or anonymized data;

(iv) third-party; and

(v) educational purpose;

(B) identify—

(i) which Federal laws should be updated; and

(ii) the appropriate Federal enforcement authority to execute the laws identified in clause (i);

(C) address the sharing of data in an increasingly technological world, including—

(i) evaluations of protections in place for student data when it is used for research purposes;

(ii) establishing best practices for any entity that is charged with handling, or that comes into contact with, student education records;

(iii) ensuring that identifiable data cannot be used to target students for advertising or marketing purposes; and

(iv) establishing best practices for data deletion and minimization;

(D) discuss transparency and parental access to personal student information by establishing best practices for—

(i) ensuring parental knowledge of any entity that stores or accesses their student's information;

(ii) parents to amend, delete, or modify their student's information; and

(iii) a central designee in a State or a political subdivision of a State who can oversee transparency and serve as a point of contact for interested parties;

(E) establish best practices for the local entities who handle student privacy, which may include professional development for those who come into contact with identifiable data; and

(F) discuss how to improve coordination between Federal and State laws.

(f) REPORT.—Not later than 270 days after the date of enactment of this Act, the Committee shall prepare and submit a report to the Secretary of Education and to Congress containing the findings of the study under subsection (e)(1) and the recommendations developed under subsection (e)(2).

SEC. 1019. REPORT ON STUDENT HOME ACCESS TO DIGITAL LEARNING RESOURCES.

(a) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Director of the Institute of Education Sciences, in consultation with relevant Federal agencies, shall complete a national study on the educational trends and behaviors associated with access to digital learning resources outside of the classroom, which shall include analysis of extant data and new surveys about students and teachers that provide—

(1) a description of the various locations from which students access the Internet and digital learning resources outside of the classroom, including through an after-school or summer program, a library, and at home;

(2) a description of the various devices and technology through which students access the Internet and digital learning resources outside of the classroom, including through a computer or mobile device;

(3) data associated with the number of students who lack home Internet access, disaggregated by—

(A) each of the categories of students, as defined in section 1111(b)(3)(A) of the Elementary and Secondary Education Act of 1965;

(B) homeless students and children or youth in foster care; and

(C) students in geographically diverse areas, including urban, suburban, and rural areas;

(4) data associated with the barriers to students acquiring home Internet access;

(5) data associated with the proportion of educators who assign homework or implement innovative learning models that require or are substantially augmented by a student having home Internet access and the frequency of the need for such access;

(6) a description of the learning behaviors associated with students who lack home Internet access, including—

(A) student participation in the classroom, including the ability to complete homework and participate in innovative learning models;

(B) student engagement, through such measures as attendance rates and chronic absenteeism; and

(C) a student's ability to apply for employment, postsecondary education, and financial aid programs;

(7) an analysis of the how a student's lack of home Internet access impacts the instructional practice of educators, including—

(A) the extent to which educators alter instructional methods, resources, homework assignments, and curriculum in order to accommodate differing levels of home Internet access; and

(B) strategies employed by educators, school leaders, and administrators to address the differing levels of home Internet access among students; and

(8) a description of the ways in which State educational agencies, local educational agencies, schools, and other entities, including through partnerships, have developed effective means to provide students with Internet access outside of the school day.

(b) PUBLIC DISSEMINATION.—The Director of the Institute of Education Sciences shall widely disseminate the findings of the study under this section—

(1) in a timely fashion;

(2) in a form that is understandable, easily accessible, and publicly available and usable, or adaptable for use in, the improvement of educational practice;

(3) through electronic transfer and other means, such as posting, as available, to the website of the Institute of Education Sciences, or the Department of Education; and

(4) to all State educational agencies and other recipients of funds under part D of title IV of the Elementary and Secondary Education Act of 1965.

(c) DEFINITION OF DIGITAL LEARNING.—In this section, the term ''digital learning''—

(1) has the meaning given the term in section 5702 of the Elementary and Secondary Education Act of 1965; and

(2) includes an educational practice that effectively uses technology to strengthen a student's learning experience within and outside of the classroom and at home, which may include the use of digital learning content, video, software, and other resources that may be developed, as the Secretary of Education may determine.

TITLE II—HIGH-QUALITY TEACHERS, PRINCIPALS, AND OTHER SCHOOL LEADERS

SEC. 2001. TRANSFER OF CERTAIN PROVISIONS.

The Act (20 U.S.C. 6301 et seq.) is amended—

(1) by redesignating subpart 5 of part C of title II (20 U.S.C. 6731 et seq.) as subpart 3 of part F of title IX, as redesignated by section 9106(1), and moving that subpart to the end of part F of title IX;

(2) by redesignating sections 2361 through 2368 as sections 9541 through 9548, respectively;

(3) in section 9546(b), as redesignated by paragraph (2), by striking the matter following paragraph (2) and inserting the following:

''(3) A State law that makes a limitation of liability inapplicable if the civil action was brought by an officer of a State or local government pursuant to State or local law.'';

(4) by redesignating subpart 4 of part D of title II as subpart 4 of part F of title IX, as redesignated by section 9106(1), and moving that subpart to follow subpart 3 of part F of title IX, as redesignated and moved by paragraph (1);

(5) by redesignating section 2441 as section 9551; and

(6) by striking the subpart heading of subpart 4 of part F of title IX, as redesignated by paragraph (4), and inserting the following:

''Subpart 4—Internet Safety''.

SEC. 2002. PREPARING, TRAINING, AND RECRUITING HIGH-QUALITY TEACHERS, PRINCIPALS, AND OTHER SCHOOL LEADERS.

The Act (20 U.S.C. 6301 et seq.) is amended by striking title II (as amended by section 2001) and inserting the following:

''TITLE II—PREPARING, TRAINING, AND RECRUITING HIGH-QUALITY TEACHERS, PRINCIPALS, AND OTHER SCHOOL LEADERS

''SEC. 2001. PURPOSE.

''The purpose of this title is to improve student academic achievement by—

''(1) increasing the ability of local educational agencies, schools, teachers, principals, and other school leaders to provide a well-rounded and complete education for all students;

''(2) improving the quality and effectiveness of teachers, principals, and other school leaders;

''(3) increasing the number of teachers, principals, and other school leaders who are effective in improving student academic achievement in schools; and

''(4) ensuring that low-income and minority students are served by effective teachers, principals, and other school leaders and have access to a high-quality instructional program.

''SEC. 2002. DEFINITIONS.

''In this title:

''(1) SCHOOL LEADER RESIDENCY PROGRAM.—The term 'school leader residency program' means a school-based principal, school leader, or principal and school leader preparation program in which a prospective principal or school leader—

''(A) for 1 academic year, engages in sustained and rigorous clinical learning with substantial leadership responsibilities and an opportunity to practice and be evaluated in an authentic school setting; and

''(B) during that academic year—

''(i) participates in evidence-based coursework that is integrated with the clinical residency experience; and

''(ii) receives ongoing support from a mentor principal or school leader who is effective.

''(2) STATE.—The term 'State' means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

''(3) TEACHER RESIDENCY PROGRAM.—The term 'teacher residency program' means a school-based teacher preparation program in which a prospective teacher—

''(A) for not less than 1 academic year, teaches alongside an effective teacher, as determined by a teacher evaluation system implemented under part A (if applicable), who is the teacher of record for the classroom;

''(B) receives concurrent instruction during the year described in subparagraph (A)—

''(i) through courses that may be taught by local educational agency personnel or by faculty of the teacher preparation program; and

''(ii) in the teaching of the content area in which the teacher will become certified or licensed; and

''(C) acquires effective teaching skills, as demonstrated through completion of a residency program, or other measure determined by the State, which may include a teacher performance assessment.

''SEC. 2003. AUTHORIZATION OF APPROPRIATIONS.

''(a) GRANTS TO STATES AND LOCAL EDUCATIONAL AGENCIES.—For the purposes of carrying out part A (other than section 2105), there are authorized to be appropriated such sums as may be necessary for each of fiscal years 2016 through 2021.

''(b) NATIONAL ACTIVITIES.—For the purposes of carrying out activities authorized under section 2105, there are authorized to be appropriated such sums as may be necessary for each of fiscal years 2016 through 2021.

''(c) TEACHER AND SCHOOL LEADER INCENTIVE PROGRAM.—For the purposes of carrying out part B, there are authorized to be appropriated such sums as may be necessary for each of fiscal years 2016 through 2021.

''(d) AMERICAN HISTORY AND CIVICS EDUCATION.—For the purposes of carrying out part C, there are authorized to be appropriated such sums as may be necessary for each of fiscal years 2016 through 2021.

''(e) LITERACY EDUCATION FOR ALL, RESULTS FOR THE NATION.—For the purposes of carrying out part D, there are authorized to be appropriated such sums as may be necessary for each of fiscal years 2016 through 2021.

''(f) STEM INSTRUCTION AND STUDENT ACHIEVEMENT.—For the purposes of carrying out part E, there are authorized to be appropriated such sums as may be necessary for each of fiscal years 2016 through 2021.

''PART A—FUND FOR THE IMPROVEMENT OF TEACHING AND LEARNING

''SEC. 2101. FORMULA GRANTS TO STATES.

''(a) RESERVATION OF FUNDS.—From the total amount appropriated under section 2003(a) for a fiscal year, the Secretary shall reserve—

''(1) one-half of 1 percent for allotments for the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands, to be distributed among those outlying areas on the basis of their relative need, as determined by the Secretary, in accordance with the purpose of this title; and

''(2) one-half of 1 percent for the Secretary of the Interior for programs under this part in schools operated or funded by the Bureau of Indian Education.

''(b) STATE ALLOTMENTS.—

''(1) HOLD HARMLESS.—

''(A) FISCAL YEARS 2016 THROUGH 2021.—For each of fiscal years 2016 through 2021, subject to paragraph (2) and subparagraph (C), from the funds appropriated under section 2003(a) for a fiscal year that remain after the Secretary makes the reservations under subsection (a), the Secretary shall allot to each State an amount equal to the total amount that such State received for fiscal year 2001 under—

''(i) section 2202(b) of this Act (as in effect on the day before the date of enactment of the No Child Left Behind Act of 2001); and

''(ii) section 306 of the Department of Education Appropriations Act, 2001 (as enacted into law by section 1(a)(1) of Public Law 106–554).

''(B) RATABLE REDUCTION.—If the funds described in subparagraph (A) are insufficient to pay the full amounts that all States are eligible to receive under subparagraph (A) for any fiscal year, the Secretary shall ratably reduce those amounts for the fiscal year.

''(C) PERCENTAGE REDUCTION.—For each of fiscal years 2016 through 2021, the amount in subparagraph (A) shall be reduced by a percentage equal to the product of 14.29 percent and the number of years between the fiscal year for which the determination is being made and fiscal year 2015.

''(2) ALLOTMENT OF ADDITIONAL FUNDS.—

''(A) IN GENERAL.—Subject to subparagraph (B), for any fiscal year for which the funds appropriated under section 2003(a) and not reserved under subsection (a) exceed the total amount required to make allotments under paragraph (1), the Secretary shall allot to each State the sum of—

''(i) an amount that bears the same relationship to 20 percent of the excess amount as the number of individuals age 5 through 17 in the State, as determined by the Secretary on the basis of the most recent satisfactory data, bears to the number of those individuals in all such States, as so determined; and

''(ii) an amount that bears the same relationship to 80 percent of the excess amount as the number of individuals age 5 through 17 from families with incomes below the poverty line in the State, as determined by the Secretary on the basis of the most recent satisfactory data, bears to the number of those individuals in all such States, as so determined.

''(B) EXCEPTION.—No State receiving an allotment under subparagraph (A) may receive less than one-half of 1 percent of the total excess amount allotted under such subparagraph for a fiscal year.

''(3) FISCAL YEAR 2022 AND SUCCEEDING FISCAL YEARS.—For fiscal year 2022 and each of the succeeding fiscal years, the Secretary shall allot funds appropriated under section 2003(a) and not reserved under subsection (a) to each State in accordance with paragraph (2).

''(4) REALLOTMENT.—If any State does not apply for an allotment under this subsection for any fiscal year, the Secretary shall reallot the amount of the allotment to the remaining States in accordance with this subsection.

''(c) STATE USE OF FUNDS.—

''(1) IN GENERAL.—Except as provided for under paragraph (3), each State that receives an allotment under subsection (b) for a fiscal year shall reserve not less than 95 percent of such allotment to make subgrants to local educational agencies for such fiscal year, as described in section 2102.

''(2) STATE ADMINISTRATION.—A State educational agency may use not more than 1 percent of the amount allotted to such State under subsection (b) for the administrative costs of carrying out such State educational agency's responsibilities under this part.

''(3) PRINCIPALS AND OTHER SCHOOL LEADERS.—Notwithstanding paragraph (1) and in addition to funds otherwise available for activities under paragraph (4), a State educational agency may reserve not more than 3 percent of the amount reserved for subgrants to local educational agencies under paragraph (1) for activities for principals and other school leaders described in paragraph (4), if such reservation would not result in a lower allocation to local educational agencies under section 2102, as compared to such allocation for the preceding fiscal year.

''(4) STATE ACTIVITIES.—

''(A) IN GENERAL.—The State educational agency for a State that receives an allotment under subsection (b) may use funds not reserved under paragraph (1) to carry out 1 or more of the activities described in subparagraph (B), which may be implemented in conjunction with a State agency of higher education (if such agencies are separate) and carried out through a grant or contract with a for-profit or nonprofit entity, including an institution of higher education.

''(B) TYPES OF STATE ACTIVITIES.—The activities described in this subparagraph are the following:

''(i) Reforming teacher, principal, and other school leader certification, recertification, licensing, or tenure systems or preparation program standards and approval processes to ensure that—

''(I) teachers have the necessary subject-matter knowledge and teaching skills, as demonstrated through measures determined by the State, which may include teacher performance assessments, in the academic subjects that the teachers teach to help students meet challenging State academic standards described in section 1111(b)(1);

''(II) principals and other school leaders have the instructional leadership skills to help teachers teach and to help students meet such challenging State academic standards; and

''(III) teacher certification or licensing requirements are aligned with such challenging State academic standards.

''(ii) Developing, improving, or providing assistance to local educational agencies to support the design and implementation of teacher, principal, and other school leader evaluation and support systems that are based in part on evidence of student academic achievement, which may include student growth, and shall include multiple measures of educator performance and provide clear, timely, and useful feedback to teachers, principals, and other schools leaders, such as by—

''(I) developing and disseminating high-quality evaluation tools, such as classroom observation rubrics, and methods, including training and auditing, for ensuring inter-rater reliability of evaluation results;

''(II) developing and providing training to principals, other school leaders, coaches, mentors, and evaluators on how to accurately differentiate performance, provide useful and timely feedback, and use evaluation results to inform decisionmaking about professional development, improvement strategies, and personnel decisions; and

''(III) developing a system for auditing the quality of evaluation and support systems.

''(iii) Improving equitable access to effective teachers, principals, and other school leaders.

''(iv) Carrying out programs that establish, expand, or improve alternative routes for State certification of teachers (especially for teachers of children with disabilities, English learners, science, technology, engineering, mathematics, or other areas where the State demonstrates a shortage of educators), principals, and other school leaders, for—

''(I) individuals with a baccalaureate or master's degree, or other advanced degree;

''(II) mid-career professionals from other occupations;

''(III) paraprofessionals;

''(IV) former military personnel; and

''(V) recent graduates of institutions of higher education with records of academic distinction who demonstrate the potential to become highly effective teachers, principals, or other school leaders.

''(v) Developing, improving, and implementing mechanisms to assist local educational agencies and schools in effectively recruiting and retaining teachers, principals, and other school leaders who are effective in improving student academic achievement, including highly effective teachers from underrepresented minority groups and teachers with disabilities, such as through—

''(I) opportunities for a cadre of effective teachers to lead evidence-based professional development for their peers;

''(II) career opportunities for teachers to grow as leaders, including hybrid roles that allow teachers to voluntarily serve as mentors or academic coaches while remaining in the classroom; and

''(III) providing training and support for teacher leaders and school leaders who are recruited as part of instructional leadership teams.

''(vi) Fulfilling the State educational agency's responsibilities concerning proper and efficient administration and monitoring of the programs carried out under this part, including provision of technical assistance to local educational agencies.

''(vii) Developing, or assisting local educational agencies in developing—

''(I) teacher advancement initiatives that promote professional growth and emphasize multiple career paths, such as school leadership, mentoring, involvement with school intervention and support, and instructional coaching;

''(II) strategies that provide differential pay, or other incentives, to recruit and retain teachers in high-need academic subjects and teachers, principals, or other school leaders, in low-income schools and school districts, which may include performance-based pay systems; and

''(III) new teacher, principal, and other school leader induction and mentoring programs that are evidence-based and designed to—

''(aa) improve classroom instruction and student learning and achievement;

''(bb) increase the retention of effective teachers, principals, and other school leaders;

''(cc) improve school leadership to improve classroom instruction and student learning and achievement; and

''(dd) provide opportunities for teachers, principals, and other school leaders who are experienced, are effective, and have demonstrated an ability to work with adult learners to be mentors.

''(viii) Providing assistance to local educational agencies for—

''(I) the development and implementation of high-quality professional development programs for principals that enable the principals to be effective and prepare all students to meet the challenging State academic standards described in section 1111(b)(1); and

''(II) the development and support of other school leadership programs to develop educational leaders.

''(ix) Supporting efforts to train teachers, principals, and other school leaders to effectively integrate technology into curricula and instruction, which may include blended learning projects that include an element of online learning, combined with supervised learning time and student-led learning, in which the elements are connected to provide an integrated learning experience.

''(x) Providing training, technical assistance, and capacity-building to local educational agencies that receive a subgrant under this part.

''(xi) Supporting teacher, principal, and other school leader residency programs.

''(xii) Reforming or improving teacher, principal, and other school leader preparation programs.

''(xiii) Supporting the instructional services provided by effective school library programs.

''(xiv) Supporting the instructional services provided by athletic administrators, such as through professional development or relevant State certification or licensure for such administrators.

''(xv) Developing, or assisting local educational agencies in developing, strategies that provide teachers, principals, and other school leaders with the skills, credentials, or certifications needed to educate all students in postsecondary education coursework through early college high school or dual or concurrent enrollment courses or programs.

''(xvi) Providing training for all school personnel, including teachers, principals, other school leaders, specialized instructional support personnel, and paraprofessionals, regarding how to prevent and recognize child sexual abuse.

''(xvii) Supporting principals, other school leaders, teachers, teacher leaders, paraprofessionals, early childhood education program directors, and other early childhood education program providers to participate in efforts to align and promote quality early learning experiences from prekindergarten through grade 3.

''(xviii) Developing and providing professional development and instructional materials for science, technology, engineering, and mathematics subjects, including computer science.

''(xix) Supporting the efforts and professional development of teachers, principals, and other school leaders to integrate academic and career and technical education content into instructional practices, which may include—

''(I) integrating career and technical education with advanced coursework, such as by allowing the acquisition of postsecondary credits, recognized postsecondary credentials, and industry-based credentials, by students while in high school; or

''(II) coordinating activities with employers and entities carrying out initiatives under other workforce development programs to identify State and regional workforce needs, such as through the development of State and local plans under title I of the Workforce Innovation and Opportunity Act (29 U.S.C. 3111 et seq);

''(xx) Supporting other activities identified by the State that are evidence-based and that meet the purpose of this title.

''(xxi) Enabling States, as a consortium, to voluntarily develop a process that allows teachers who are licensed or certified in a participating State to teach in other participating States without completing additional licensure or certification requirements, except that nothing in this clause shall be construed to allow the Secretary to exercise any direction, supervision, or control over State teacher licensing or certification requirements.

''(d) STATE PLAN.—

''(1) IN GENERAL.—In order to receive an allotment under this section for any fiscal year, a State shall submit a plan to the Secretary, at such time, in such manner, and containing such information as the Secretary may reasonably require.

''(2) CONTENTS.—Each plan described under paragraph (1) shall include the following:

''(A) A description of how the State educational agency will use funds received under this title for State-level activities described in subsection (c).

''(B) A description of the State's system of certification, licensing, and professional growth and improvement, such as clinical experience for prospective educators, support for new educators, professional development, professional growth and leadership opportunities, and compensation systems for teachers, principals, and other educators.

''(C) A description of how activities under this part are aligned with challenging State academic standards and State assessments under section 1111, which may include, as appropriate, relevant State early learning and developmental guidelines, as required under section 658E(c)(2)(T) of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858c(c)(2)(T)).

''(D) A description of how the activities using funds under this part are expected to improve student achievement.

''(E) If a State educational agency plans to use funds under this part to improve equitable access to effective teachers, principals, and other school leaders, a description of how such funds will be used to meet the State's commitment described in section 1111(c)(1)(F) to ensure equitable access to effective teachers, principals, and school leaders.

''(F) An assurance that the State educational agency will monitor the implementation of activities under this part and provide technical assistance to local educational agencies in carrying out such activities.

''(G) An assurance that the State educational agency will work in consultation with the entity responsible for teacher and principal professional standards, certification, and licensing for the State, and encourage collaboration between educator preparation programs, the State, and local educational agencies to promote the readiness of new educators entering the profession.

''(H) A description of how the State educational agency will improve the skills of teachers, principals, and other school leaders in order to enable them to identify students with specific learning needs, particularly students with disabilities, English learners, students who are gifted and talented, and students with low literacy levels, and provide instruction based on the needs of such students.

''(I) A description of how the State will use data and ongoing consultation with and

input from teachers and teacher organizations, principals, other school leaders, specialized instructional support personnel, parents, community partners, and (where applicable) institutions of higher education, to continually update and improve the activities supported under this part.

''(J) A description of actions the State may take to improve preparation programs and strengthen support for principals and other school leaders based on the needs of the State, as identified by the State educational agency.

''(3) CONSULTATION.—In developing the State plan under this subsection, a State shall—

''(A) involve teachers, teacher organizations, principals, other school leaders, specialized instructional support personnel, parents, community partners, and other organizations or partners with relevant and demonstrated expertise in programs and activities designed to meet the purpose of this title;

''(B) seek advice from the individuals, organizations, or partners described in subparagraph (A) regarding how best to improve the State's activities to meet the purpose of this title; and

''(C) coordinate the State's activities under this part with other related strategies, programs, and activities being conducted in the State.

''(e) PROHIBITION.—Nothing in this section shall be construed to authorize the Secretary or any other officer or employee of the Federal Government to mandate, direct, or control any of the following:

''(1) The development, improvement, or implementation of elements of any teacher, principal, or school leader evaluation systems.

''(2) Any State or local educational agency's definition of teacher, principal, or other school leader effectiveness.

''(3) Any teacher, principal, or other school leader professional standards, certification, or licensing.

''SEC. 2102. SUBGRANTS TO LOCAL EDUCATIONAL AGENCIES.

''(a) ALLOCATION OF FUNDS TO LOCAL EDUCATIONAL AGENCIES.—

''(1) IN GENERAL.—From funds reserved by a State under section 2101(c)(1) for a fiscal year, the State, acting through the State educational agency, shall award subgrants to eligible local educational agencies from allocations described in paragraph (2).

''(2) ALLOCATION FORMULA.—From the funds described in paragraph (1), the State educational agency shall allocate to each of the eligible local educational agencies in the State for a fiscal year the sum of—

''(A) an amount that bears the same relationship to 20 percent of such funds for such fiscal year as the number of individuals aged 5 through 17 in the geographic area served by the agency, as determined by the Secretary on the basis of the most recent satisfactory data, bears to the number of those individuals in the geographic areas served by all eligible local educational agencies in the State, as so determined; and

''(B) an amount that bears the same relationship to 80 percent of the funds for such fiscal year as the number of individuals aged 5 through 17 from families with incomes below the poverty line in the geographic area served by the agency, as determined by the Secretary on the basis of the most recent satisfactory data, bears to the number of those individuals in the geographic areas served by all the eligible local educational agencies in the State, as so determined.

''(3) ADMINISTRATIVE COSTS.—Of the amounts allocated to a local educational agency under paragraph (2), the local educational agency may use not more than 2 percent for the direct administrative costs of carrying out its responsibilities under this part.

''(4) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to prohibit a consortium of local educational agencies that are designated with a school locale code of 41, 42, or 43, or such local educational agencies designated with a school locale code of 41, 42, or 43 that work in cooperation with an educational service agency, from voluntarily combining allocations received under this part for the collective use of funding by the consortium for activities under this section.

''(b) LOCAL APPLICATIONS.—

''(1) IN GENERAL.—To be eligible to receive a subgrant under this section, a local educational agency shall conduct a needs assessment described in paragraph (2) and submit an application to the State educational agency at such time, in such manner, and containing such information as the State educational agency may reasonably require.

''(2) NEEDS ASSESSMENT.—

''(A) IN GENERAL.—To be eligible to receive a subgrant under this section, a local educational agency shall periodically conduct a comprehensive needs assessment of the local educational agency and of all schools served by the local educational agency.

''(B) REQUIREMENTS.—The needs assessment under subparagraph (A) shall be designed to determine the schools with the most acute staffing needs related to—

''(i) increasing the number of teachers, principals, and other school leaders who are effective in improving student academic achievement;

''(ii) ensuring that low-income and minority students are not disproportionately served by ineffective teachers, principals, and other school leaders;

''(iii) ensuring that low-income and minority students have access to—

''(I) a high-quality instructional program (such as opportunities for high-quality postsecondary education coursework through an early college high school or a dual or concurrent enrollment program); and

''(II) class sizes that are appropriate and evidence-based;

''(iv) hiring, retention, and advancement and leadership opportunities for effective teachers, principals, and other school leaders;

''(v) supporting and developing all educators, including preschool, kindergarten, elementary, middle, or high school teachers (including special education and career and technical education teachers), principals, other school leaders, early childhood directors, specialized instructional support personnel, paraprofessionals, or other staff members who provide or directly support instruction;

''(vi) understanding and using data and assessments to improve student learning and classroom practice;

''(vii) improving student behavior, including the response of teachers, principals, and other school leaders to student behavior, in the classroom and school, including the identification of early and appropriate interventions, which may include positive behavioral interventions and supports;

''(viii) teaching students who are English learners, children who are in early childhood education programs, children with disabilities, American Indian children, Alaskan Native children, and gifted and talented students;

''(ix) ensuring that funds are used to support schools served by the local educational agency that are identified under section 1114(a)(1)(A) and schools with high percentages or numbers of children counted under section 1124(c);

''(x) improving the academic and non-academic skills of all students that are essential for learning readiness and academic success; and

''(xi) any other evidence-based factors that the local educational agency determines are appropriate to meet the needs of schools within the jurisdiction of the local educational agency and meet the purpose of this title.

''(3) CONSULTATION.—

''(A) IN GENERAL.—In conducting a needs assessment described in paragraph (2), a local educational agency shall—

''(i) involve teachers, teacher organizations, principals, and other school leaders, specialized instructional support personnel, parents, community partners, and others with relevant and demonstrated expertise in programs and activities designed to meet the purpose of this title; and

''(ii) take into account the activities that need to be conducted in order to give teachers, principals, and other school leaders the skills to provide students with the opportunity to meet challenging State academic standards described in section 1111(b)(1).

''(B) CONTINUED CONSULTATION.—A local educational agency receiving a subgrant under this section shall consult with such individuals and organizations described in subparagraph (A) on an ongoing basis in order to—

''(i) seek advice regarding how best to improve the local educational agency's activities to meet the purpose of this title; and

''(ii) coordinate the local educational agency's activities under this part with other related strategies, programs, and activities being conducted in the community.

''(4) CONTENTS OF APPLICATION.—Each application submitted under paragraph (1) shall be based on the results of the needs assessment required under paragraph (2) and shall include the following:

''(A) A description of the results of the comprehensive needs assessment carried out under paragraph (2).

''(B) A description of the activities to be carried out by the local educational agency under this section and how these activities will be aligned with the challenging State academic standards described in section 1111(b)(1).

''(C) A description of how such activities will comply with the principles of effectiveness described in section 2103(c).

''(D) A description of the activities, including professional development, that will be made available to meet needs identified by the needs assessment described in paragraph (2).

''(E) A description of the local educational agency's systems of hiring and professional growth and improvement, such as induction for teachers, principals, and other school leaders.

''(F) A description of how the local educational agency will support efforts to train teachers, principals, and other school leaders to effectively integrate technology into curricula and instruction.

''(G) A description of how the local educational agency will prioritize funds to schools served by the agency that are identified under section 1114(a)(1)(A) and have the

highest percentage or number of children counted under section 1124(c).

''(H) Where a local educational agency has a significant number of schools identified under section 1114(a)(1)(A), as determined by the State, a description of how the local educational agency will seek the input of the State educational agency in planning and implementing activities under this part.

''(I) A description of how the local educational agency will increase and improve opportunities for meaningful teacher leadership and for building the capacity of teachers.

''(J) An assurance that the local educational agency will comply with section 9501 (regarding participation by private school children and teachers).

''(K) An assurance that the local educational agency will coordinate professional development activities authorized under this part with professional development activities provided through other Federal, State, and local programs.

''SEC. 2103. LOCAL USE OF FUNDS.

''(a) IN GENERAL.—A local educational agency that receives a subgrant under section 2102 shall use the funds made available through the subgrant to develop, implement, and evaluate comprehensive, evidence-based programs and activities described in subsection (b), which may be carried out through a grant or contract with a for-profit or nonprofit entity, in partnership with an institution of higher education, or in partnership with an Indian tribe or tribal organization (as defined under section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b)).

''(b) TYPES OF ACTIVITIES.—The activities described in this subsection—

''(1) shall meet the needs identified in the needs assessment described in section 2102(b)(2);

''(2) shall be in accordance with the purpose of this title, evidence-based, and consistent with the principles of effectiveness described in subsection (c);

''(3) shall address the learning needs of all students, including children with disabilities, English learners, and gifted and talented students; and

''(4) may include, among other programs and activities—

''(A) developing or improving a rigorous, transparent, and fair evaluation and support system for teachers, principals, and other school leaders that is based in part on evidence of student achievement, which may include student growth, and shall include multiple measures of educator performance and provide clear, timely, and useful feedback to teachers, principals, and other schools leaders;

''(B) developing and implementing initiatives to assist in recruiting, hiring, and retaining highly effective teachers, principals, and other school leaders, particularly in low-income schools with high percentages of ineffective teachers and high percentages of students who do not meet the challenging State academic standards described in section 1111(b)(1), to improve within-district equity in the distribution of teachers, principals, and school leaders consistent with the requirements of section 1111(c)(1)(F), such as initiatives that provide—

''(i) expert help in screening candidates and enabling early hiring;

''(ii) differential and incentive pay for teachers, principals, and other school leaders in high-need academic subject areas and specialty areas, which may include performance-based pay systems;

''(iii) teacher, paraprofessional, principal, and other school leader advancement and professional growth, and an emphasis on leadership opportunities, multiple career paths and pay differentiation;

''(iv) new teacher, principal, and other school leader induction and mentoring programs that are designed to—

''(I) improve classroom instruction and student learning and achievement;

''(II) increase the retention of effective teachers, principals, and other school leaders;

''(III) improve school leadership to improve classroom instruction and student learning and achievement; and

''(IV) provide opportunities for mentor teachers, principals, and other educators who are experienced, are effective, and have demonstrated an ability to work with adult learners;

''(v) the development and provision of training for school leaders, coaches, mentors and evaluators on how to accurately differentiate performance, provide useful feedback, and use evaluation results to inform decisionmaking about professional development, improvement strategies, and personnel decisions; and

''(vi) a system for auditing the quality of evaluation and support systems;

''(C) recruiting qualified individuals from other fields to become teachers, principals, or other school leaders including mid-career professionals from other occupations, former military personnel, and recent graduates of institutions of higher education with a record of academic distinction who demonstrate potential to become effective teachers, principals, or other school leaders;

''(D) reducing class size to an evidence-based level to improve student achievement through the recruiting and hiring of additional effective teachers;

''(E) providing high-quality, personalized professional development for teachers, instructional leadership teams, principals, and other school leaders, focused on improving teaching and student learning and achievement, including supporting efforts to train teachers, principals, and other school leaders to—

''(i) effectively integrate technology into curricula and instruction (including education about the harms of copyright piracy);

''(ii) use data from such technology to improve student achievement;

''(iii) effectively engage parents, families and community partners, and coordinate services between school and community;

''(iv) help all students develop the academic and nonacademic skills essential for learning readiness and academic success; and

''(v) develop policy with school, local educational agency, community, or State leaders;

''(F) developing programs and activities that increase the ability of teachers to effectively teach children with disabilities, including children with significant cognitive disabilities, which may include the use of multi-tier systems of support and positive behavioral intervention and supports, and students who are English learners, so that such children with disabilities and students who are English learners can meet the challenging State academic standards described in section 1111(b)(1);

''(G) providing programs and activities to increase—

''(i) the knowledge base of teachers, principals, and other school leaders on instruction in the early grades and on strategies to measure whether young children are progressing; and

''(ii) the ability of principals and other school leaders to support teachers, teacher leaders, early childhood educators, and other professionals to meet the needs of students through age 8, which may include providing joint professional learning and planning activities for school staff and educators in preschool programs that address the transition to elementary school;

''(H) providing training, technical assistance, and capacity-building in local educational agencies to assist teachers and school leaders with selecting and implementing formative assessments, designing classroom-based assessments, and using data from such assessments to improve instruction and student academic achievement, which may include providing additional time for teachers to review student data and respond, as appropriate;

''(I) supporting teacher, principal, and school leader residency programs;

''(J) reforming or improving teacher, principal, and other school leader preparation programs;

''(K) carrying out in-service training for school personnel in—

''(i) the techniques and supports needed for early identification of children with trauma histories, and children with, or at risk of, mental illness;

''(ii) the use of referral mechanisms that effectively link such children to appropriate treatment and intervention services in the school and in the community, where appropriate; and

''(iii) forming partnerships between school-based mental health programs and public or private mental health organizations;

''(L) providing training to support the identification of students who are gifted and talented, including high-ability students who have not been formally identified for gifted education services, and implementing instructional practices that support the education of such students, such as—

''(i) early entrance to kindergarten;

''(ii) enrichment, acceleration, and curriculum compacting activities; and

''(iii) dual or concurrent enrollment in secondary school and postsecondary education;

''(M) supporting the instructional services provided by effective school library programs;

''(N) providing general liability insurance coverage for teachers related to actions performed in the scope of their duties;

''(O) providing training for all school personnel, including teachers, principals, other school leaders, specialized instructional support personnel, and paraprofessionals, regarding how to prevent and recognize child sexual abuse;

''(P) developing and providing professional development and instructional materials for science, technology, engineering, and mathematics subjects, including computer science;

''(Q) providing training for teachers, principals, and other school leaders to address school climate issues such as school violence, bullying, harassment, drug and alcohol use and abuse, and rates of chronic absenteeism (including both excused and unexcused absences);

''(R) increasing time for common planning, within and across content areas and grade levels;

''(S) increasing opportunities for teacher-designed and implemented professional development activities, which may include opportunities for experiential learning through observation;

''(T) developing feedback mechanisms to improve school working conditions;

''(U) providing high-quality professional development for teachers, principals, and other school leaders on effective strategies to integrate rigorous academic content, career and technical education, and work-based learning, if appropriate, which may include providing common planning time, to help prepare students for postsecondary education and the workforce without the need for remediation;

''(V) providing educator training to increase students' entrepreneurship skills; and

''(W) regularly conducting, and publicly reporting the results of, an assessment and a plan to address such results, of educator support and working conditions that—

''(i) evaluates supports for teachers, leaders, and other school personnel, such as—

''(I) teacher and principal perceptions of availability of high-quality professional development and instructional materials;

''(II) timely availability of data on student academic achievement and growth;

''(III) the presence of high-quality instructional leadership; and

''(IV) opportunities for professional growth, such as career ladders and mentoring and induction programs;

''(ii) evaluates working conditions for teachers, leaders and other school personnel, such as—

''(I) school safety and climate;

''(II) availability and use of common planning time and opportunities to collaborate; and

''(III) community engagement; and

''(iii) is developed with teachers, leaders, other school personnel, parents, students, and the community; and

''(X) carrying out other evidence-based activities identified by the local educational agency that meet the purpose of this title.

''(c) PRINCIPLES OF EFFECTIVENESS.—

''(1) IN GENERAL.—For a program or activity supported with funds provided under this part to meet principles of effectiveness, such program or activity shall—

''(A) be based on an assessment of objective data regarding the need for programs and activities in the schools to be served to—

''(i) increase the number of teachers, principals, and other school leaders who are effective in improving student academic achievement;

''(ii) ensure that low-income and minority students are served by effective teachers, principals, and other school leaders; and

''(iii) ensure that low-income and minority students have access to a high-quality instructional program;

''(B) be based on established and evidence-based criteria—

''(i) aimed at ensuring that all students receive a high-quality education taught by effective teachers and attend schools led by effective principals and other school leaders; and

''(ii) that result in improved student academic achievement in the school served by the program or activity; and

''(C) include meaningful and ongoing consultation with and input from teachers, teacher organizations, principals, other school leaders, specialized instructional support personnel, parents, community partners, and (where applicable) institutions of higher education, in the development of the application and administration of the program or activity.

''(2) PERIODIC EVALUATION.—

''(A) IN GENERAL.—A program or activity carried out under this section shall undergo a periodic evaluation to assess its progress toward achieving the goal of providing students with a high-quality education, taught by effective teachers, in schools led by effective principals and school leaders that results in improved student academic achievement.

''(B) USE OF RESULTS.—The results of an evaluation described in subparagraph (A) shall be—

''(i) used to refine, improve, and strengthen the program or activity, and to refine the criteria described in paragraph (1)(B); and

''(ii) made available to the public upon request, with public notice of such availability provided.

''(3) PROHIBITION.—Nothing in this subsection shall be construed to authorize the Secretary or any other officer or employee of the Federal Government to mandate, direct, or control the principles of effectiveness developed by local educational agencies under paragraph (1) or the specific programs or activities that will be implemented by a local educational agency.

''SEC. 2104. REPORTING.

''(a) STATE REPORT.—Each State educational agency receiving funds under this part shall annually submit to the Secretary a report that provides—

''(1) the number and percentage of teachers, principals, and other school leaders in the State and each local educational agency in the State who are licensed or certified, provided such information does not reveal personally identifiable information;

''(2) the first-time passing rate of teachers and principals in the State and each local educational agency in the State on teacher and principal licensure examinations, provided such information does not reveal personally identifiable information;

''(3) a description of how chosen professional development activities improved teacher and principal performance; and

''(4) if funds are used under this part to improve equitable access to teachers, principals, and other school leaders for low-income and minority students, a description of how funds have been used to improve such access.

''(b) LOCAL EDUCATIONAL AGENCY REPORT.—Each local educational agency receiving funds under this part shall submit to the State educational agency such information as the State requires, which shall include the information described in subsection (a) for the local educational agency.

''(c) AVAILABILITY.—The reports and information provided under subsections (a) and (b) shall be made readily available to the public.

''(d) LIMITATION.—The reports and information provided under subsections (a) and (b) shall not reveal personally identifiable information about any individual.

''SEC. 2105. NATIONAL ACTIVITIES OF DEMONSTRATED EFFECTIVENESS.

''(a) IN GENERAL.—From the funds appropriated under section 2003(b) to carry out this section, the Secretary—

''(1) shall reserve such funds as are necessary to carry out activities under subsection (b);

''(2) shall reserve not less than 40 percent of the funds appropriated under such section to carry out activities under subsection (c); and

''(3) shall reserve not less than 40 percent of such funds to carry out activities under subsection (d).

''(b) TECHNICAL ASSISTANCE AND NATIONAL EVALUATION.—From the funds reserved by the Secretary under subsection (a)(1), the Secretary—

''(1) shall establish, in a manner consistent with section 203 of the Educational Technical Assistance Act of 2002, a comprehensive center on students at risk of not attaining full literacy skills due to a disability, which shall—

''(A) identify or develop free or low-cost evidence-based assessment tools for identifying students at risk of not attaining full literacy skills due to a disability, including dyslexia impacting reading and writing, or developmental delay impacting reading, writing, language processing, comprehension, or executive functioning;

''(B) identify evidence-based literacy instruction, strategies, and accommodations, including assistive technology, designed to meet the specific needs of such students;

''(C) provide families of such students with information to assist such students;

''(D) identify or develop evidence-based professional development for teachers, paraprofessionals, principals, other school leaders, and specialized instructional support personnel to—

''(i) understand early indicators of students at risk of not attaining full literacy skills due to a disability, including dyslexia impacting reading and writing, or developmental delay impacting reading, writing, language processing, comprehension, or executive functioning;

''(ii) use evidence-based screening assessments for early identification of such students beginning not later than kindergarten; and

''(iii) implement evidence-based instruction designed to meet the specific needs of such students; and

''(E) disseminate the products of the comprehensive center to regionally diverse State educational agencies, local educational agencies, regional educational agencies, and schools, including, as appropriate, through partnerships with other comprehensive centers established under section 203 of the Educational Technical Assistance Act of 2002 and regional educational laboratories established under section 174 of the Education Sciences Reform Act of 2002; and

''(2) may—

''(A) provide technical assistance, which may be carried out directly or through grants or contracts, to States and local educational agencies carrying out activities under this part; and

''(B) carry out evaluations of activities by States and local educational agencies under this part, which shall be conducted by a third party or by the Institute of Education Sciences.

''(c) PROGRAMS OF NATIONAL SIGNIFICANCE.—

''(1) IN GENERAL.—From the funds reserved by the Secretary under subsection (a)(2), the Secretary shall award grants, on a competitive basis, to eligible entities for the purposes of—

''(A) providing teachers, principals, and other school leaders from nontraditional preparation and certification routes or pathways to serve in traditionally underserved local educational agencies;

''(B) providing evidence-based professional development activities that addresses literacy, numeracy, remedial, or other needs of local educational agencies and the students the agencies serve;

''(C) providing teachers, principals, and other school leaders with professional development activities that enhance or enable the provision of postsecondary coursework through dual or concurrent enrollment and early college high school settings across a local educational agency.

''(D) making freely available services and learning opportunities to local educational

agencies, through partnerships and cooperative agreements or by making the services or opportunities publicly accessible through electronic means; or

''(E) providing teachers, principals, and other school leaders with evidence-based professional enhancement activities, which may include activities that lead to an advanced credential.

''(2) PROGRAM PERIODS AND DIVERSITY OF PROJECTS.—

''(A) IN GENERAL.—A grant awarded by the Secretary to an eligible entity under this subsection shall be for a period of not more than 3 years.

''(B) RENEWAL.—The Secretary may renew a grant awarded under this subsection for 1 additional 2-year period.

''(C) DIVERSITY OF PROJECTS.—In awarding grants under this subsection, the Secretary shall ensure that, to the extent practicable, grants are distributed among eligible entities that will serve geographically diverse areas, including urban, suburban, and rural areas.

''(D) LIMITATION.—The Secretary shall not award more than 1 grant under this subsection to an eligible entity during a grant competition.

''(3) COST-SHARING.—

''(A) IN GENERAL.—An eligible entity that receives a grant under this subsection shall provide, from non-Federal sources, not less than 25 percent of the funds for the total cost for each year of activities carried out under this subsection.

''(B) ACCEPTABLE CONTRIBUTIONS.—An eligible entity that receives a grant under this subsection may meet the requirement of subparagraph (A) by providing contributions in cash or in kind, fairly evaluated, including plant, equipment, and services.

''(C) WAIVERS.—The Secretary may waive or modify the requirement of subparagraph (A) in cases of demonstrated financial hardship.

''(4) APPLICATIONS.—In order to receive a grant under this subsection, an eligible entity shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require. Such application shall include, at a minimum, a certification that the services provided by an eligible entity under the grant to a local educational agency or to a school served by the local educational agency will not result in direct fees for participating students or parents.

''(5) DEFINITION OF ELIGIBLE ENTITY.—In this subsection, the term 'eligible entity' means—

''(A) an institution of higher education that provides course materials or resources that are evidence-based in increasing academic achievement, graduation rates, or rates of postsecondary education matriculation;

''(B) a national nonprofit entity with a demonstrated record of raising student academic achievement, graduation rates, and rates of higher education attendance, matriculation, or completion, or of effectiveness in providing preparation and professional development activities and programs for teachers, principals, and other school leaders; or

''(C) a partnership consisting of—

''(i) 1 or more entities described in subparagraph (A) or (B); and

''(ii) a for-profit entity.

''(d) SCHOOL LEADER RECRUITMENT AND SUPPORT PROGRAMS.—

''(1) IN GENERAL.—From the funds reserved by the Secretary under subsection (a)(3), the Secretary shall award grants, on a competitive basis, to eligible entities to enable such entities to improve the recruitment, preparation, placement, support, and retention of effective principals and other school leaders in high-need schools, which may include—

''(A) developing or implementing leadership training programs designed to prepare and support principals and other school leaders in high-need schools, including through new or alternative pathways and school leader residency programs;

''(B) developing or implementing programs or activities for recruiting, selecting, and developing aspiring or current principals and other school leaders to serve in high-need schools;

''(C) developing or implementing programs for recruiting, developing, and placing school leaders to improve schools identified for intervention and support under section 1114(a)(1)(A), including through cohort-based activities that build effective instructional and school leadership teams and develop a school culture, design, instructional program, and professional development program focused on improving student learning;

''(D) providing continuous professional development for principals and other school leaders in high-need schools;

''(E) developing and disseminating information on best practices and strategies for effective school leadership in high-need schools, such as training and supporting principals to identify, develop, and maintain school leadership teams using various leadership models; and

''(F) other evidence-based programs or activities described in section 2101(c)(3) or section 2103(b)(4) focused on principals and other school leaders in high-need schools.

''(2) PROGRAM PERIODS AND DIVERSITY OF PROJECTS.—

''(A) IN GENERAL.—A grant awarded by the Secretary to an eligible entity under this subsection shall be for a period of not more than 5 years.

''(B) RENEWAL.—The Secretary may renew a grant awarded under this subsection for 1 additional 2-year period.

''(C) DIVERSITY OF PROJECTS.—In awarding grants under this subsection, the Secretary shall ensure that, to the extent practicable, grants are distributed among eligible entities that will serve geographically diverse areas, including urban, suburban, and rural areas.

''(D) LIMITATION.—The Secretary shall not award more than 1 grant under this subsection to an eligible entity during a grant competition.

''(3) COST-SHARING.—

''(A) IN GENERAL.—An eligible entity that receives a grant under this subsection shall provide, from non-Federal sources, not less than 25 percent of the funds for the total cost for each year of activities carried out under this subsection.

''(B) ACCEPTABLE CONTRIBUTIONS.—An eligible entity that receives a grant under this subsection may meet the requirement of subparagraph (A) by providing contributions in cash or in-kind, fairly evaluated, including plant, equipment, and services.

''(C) WAIVERS.—The Secretary may waive or modify the requirement of subparagraph (A) in cases of demonstrated financial hardship.

''(4) APPLICATIONS.—An eligible entity that desires a grant under this subsection shall submit to the Secretary an application at such time, in such manner, and accompanied by such information as the Secretary may require.

''(5) PRIORITY.—In awarding grants under this subsection, the Secretary shall give priority to an eligible entity with a record of preparing or developing principals who—

''(A) have improved school-level student outcomes;

''(B) have become principals in high-need schools; and

''(C) remain principals in high-need schools for multiple years.

''(6) DEFINITIONS.—In this subsection—

''(A) the term 'eligible entity' means—

''(i) a local educational agency, including an educational service agency, that serves a high-need school or a consortium of such agencies;

''(ii) a State educational agency or a consortium of such agencies;

''(iii) a State educational agency in partnership with 1 or more local educational agencies or educational service agencies that serve a high-need school; or

''(iv) an entity described in clause (i), (ii), or (iii) in partnership with 1 or more nonprofit organizations or institutions of higher education; and

''(B) the term 'high-need school' means—

''(i) an elementary school in which not less than 50 percent of the enrolled students are from families with incomes below the poverty line; or

''(ii) a high school in which not less than 40 percent of the enrolled students are from families with incomes below the poverty line.

''SEC. 2106. SUPPLEMENT, NOT SUPPLANT.

''Funds made available under this part shall be used to supplement, and not supplant, non-Federal funds that would otherwise be used for activities authorized under this part.

''PART B—TEACHER AND SCHOOL LEADER INCENTIVE PROGRAM

''SEC. 2201. PURPOSES; DEFINITIONS.

''(a) PURPOSES.—The purposes of this part are—

''(1) to assist States, local educational agencies, and nonprofit organizations to develop, implement, improve, or expand comprehensive performance-based compensation systems or human capital management systems for teachers, principals, and other school leaders (especially for teachers, principals, and other school leaders in high-need schools) who raise student academic achievement and close the achievement gap between high- and low-performing students; and

''(2) to study and review performance-based compensation systems or human capital management systems for teachers, principals, and other school leaders to evaluate the effectiveness, fairness, quality, consistency, and reliability of the systems.

''(b) DEFINITIONS.—In this part:

''(1) ELIGIBLE ENTITY.—The term 'eligible entity' means—

''(A) a local educational agency, including a charter school that is a local educational agency, or a consortium of local educational agencies;

''(B) a State educational agency or other State agency designated by the chief executive of a State to participate under this part; or

''(C) a partnership consisting of—

''(i) 1 or more agencies described in subparagraph (A) or (B); and

''(ii) at least 1 nonprofit or for-profit entity.

''(2) HIGH-NEED SCHOOL.—The term 'high-need school' means a public elementary school or secondary school that is located in an area in which the percentage of students

from families with incomes below the poverty line is 30 percent or more.

''(3) HUMAN CAPITAL MANAGEMENT SYSTEM.—The term 'human capital management system' means a system—

''(A) by which a local educational agency makes and implements human capital decisions, such as decisions on preparation, recruitment, hiring, placement, retention, dismissal, compensation, professional development, tenure, and promotion; and

''(B) that includes a performance-based compensation system.

''(4) PERFORMANCE-BASED COMPENSATION SYSTEM.—The term 'performance-based compensation system' means a system of compensation for teachers, principals, and other school leaders that—

''(A) differentiates levels of compensation based in part on measurable increases in student academic achievement; and

''(B) may include—

''(i) differentiated levels of compensation, which may include bonus pay, on the basis of the employment responsibilities and success of effective teachers, principals, and other school leaders in hard-to-staff schools or high-need subject areas; and

''(ii) recognition of the skills and knowledge of teachers, principals, and other school leaders as demonstrated through—

''(I) successful fulfillment of additional responsibilities or job functions, such as teacher leadership roles; and

''(II) evidence of professional achievement and mastery of content knowledge and superior teaching and leadership skills.

''SEC. 2202. TEACHER AND SCHOOL LEADER INCENTIVE FUND GRANTS.

''(a) GRANTS AUTHORIZED.—From the amounts appropriated to carry out this part, the Secretary shall award grants, on a competitive basis, to eligible entities to enable the eligible entities to develop, implement, improve, or expand performance-based compensation systems or human capital management systems, in schools served by the eligible entity.

''(b) DURATION OF GRANTS.—

''(1) IN GENERAL.—A grant awarded under this part shall be for a period of not more than 3 years.

''(2) RENEWAL.—The Secretary may renew a grant awarded under this part for a period of up to 2 years if the grantee demonstrates to the Secretary that the grantee is effectively utilizing funds. Such renewal may include allowing the grantee to scale up or replicate the successful program.

''(3) LIMITATION.—A local educational agency may receive (whether individually or as part of a consortium or partnership) a grant under this part only twice, as of the date of enactment of the Every Child Achieves Act of 2015.

''(c) APPLICATIONS.—An eligible entity desiring a grant under this part shall submit an application to the Secretary, at such time, in such manner, and containing such information as the Secretary may reasonably require. The application shall include—

''(1) a description of the performance-based compensation system or human capital management system that the eligible entity proposes to develop, implement, improve, or expand through the grant;

''(2) a description of the most pressing gaps or insufficiencies in student access to effective teachers and school leaders in high-need schools, including gaps or inequities in how effective teachers and school leaders are distributed across the local educational agency, as identified using factors such as data on school resources, staffing patterns, school environment, educator support systems, and other school-level factors;

''(3) a description and evidence of the support and commitment from teachers, principals, and other school leaders, which may include charter school leaders, in the school (including organizations representing teachers, principals, and other school leaders), the community, and the local educational agency to the activities proposed under the grant;

''(4) a description of how the eligible entity will develop and implement a fair, rigorous, valid, reliable, and objective process to evaluate teacher, principal, school leader, and student performance under the system that is based in part on measures of student academic achievement, including the baseline performance against which evaluations of improved performance will be made;

''(5) a description of the local educational agencies or schools to be served under the grant, including such student academic achievement, demographic, and socioeconomic information as the Secretary may request;

''(6) a description of the quality of teachers, principals, and other school leaders in the local educational agency and the schools to be served under the grant and the extent to which the system will increase the quality of teachers, principals, and other school leaders in a high-need school;

''(7) a description of how the eligible entity will use grant funds under this part in each year of the grant, including a timeline for implementation of such activities;

''(8) a description of how the eligible entity will continue the activities assisted under the grant after the grant period ends;

''(9) a description of the State, local, or other public or private funds that will be used to supplement the grant, including funds under part A, and sustain the activities assisted under the grant at the end of the grant period;

''(10) a description of—

''(A) the rationale for the project;

''(B) how the proposed activities are evidence-based; and

''(C) if applicable, the prior experience of the eligible entity in developing and implementing such activities; and

''(11) a description of how activities funded under this part will be evaluated, monitored, and publically reported.

''(d) AWARD BASIS.—

''(1) PRIORITY.—In awarding a grant under this part, the Secretary shall give priority to an eligible entity that concentrates the activities proposed to be assisted under the grant on teachers, principals, and other school leaders serving in high-need schools.

''(2) EQUITABLE DISTRIBUTION.—To the extent practicable, the Secretary shall ensure an equitable geographic distribution of grants under this part, including the distribution of such grants between rural and urban areas.

''(e) USE OF FUNDS.—

''(1) IN GENERAL.—An eligible entity that receives a grant under this part shall use the grant funds to develop, implement, improve, or expand, in collaboration with teachers, principals, other school leaders, and members of the public, a performance-based compensation system or human capital management system consistent with this part.

''(2) AUTHORIZED ACTIVITIES.—Grant funds under this part may be used for the following:

''(A) Developing or improving an evaluation and support system, including as part of a human capital management system as applicable, that—

''(i) reflects clear and fair measures of teacher, principal, and other school leader performance, based in part on demonstrated improvement in student academic achievement; and

''(ii) provides teachers, principals, and other school leaders with ongoing, differentiated, targeted, and personalized support and feedback for improvement, including professional development opportunities designed to increase effectiveness.

''(B) Conducting outreach within a local educational agency or a State to gain input on how to construct an evaluation system described in subparagraph (A) and to develop support for the evaluation system, including by training appropriate personnel in how to observe and evaluate teachers, principals, and other school leaders.

''(C) Providing principals and other school leaders with—

''(i) balanced autonomy to make budgeting, scheduling, and other school-level decisions in a manner that meets the needs of the school without compromising the intent or essential components of the policies of the local educational agency or State; and

''(ii) authority to make staffing decisions that meet the needs of the school, such as building an instructional leadership team that includes teacher leaders or offering opportunities for teams or pairs of effective teachers or candidates to teach or start teaching in high-need schools together.

''(D) Implementing, as part of a comprehensive performance-based compensation system, a differentiated salary structure, which may include bonuses and stipends, to—

''(i) teachers who—

''(I)(aa) teach in high-need schools; or

''(bb) teach in high-need subjects;

''(II) raise student academic achievement; or

''(III) take on additional leadership responsibilities; or

''(ii) principals and other school leaders who serve in high-need schools and raise student academic achievement in the schools.

''(E) Improving the local educational agency's system and process for the recruitment, selection, placement, and retention of effective teachers and school leaders in high-need schools, such as by improving local educational agency policies and procedures to ensure that high-need schools are competitive and timely in—

''(i) attracting, hiring, and retaining effective educators;

''(ii) offering bonuses or higher salaries to effective teachers; or

''(iii) establishing or strengthening residency programs.

''(F) Instituting career advancement opportunities characterized by increased responsibility and pay that reward and recognize effective teachers and school leaders in high-need schools and enable them to expand their leadership and results, such as through teacher-led professional development, mentoring, coaching, hybrid roles, administrative duties, and career ladders.

''(f) MATCHING REQUIREMENT.—Each eligible entity that receives a grant under this part shall provide, from non-Federal sources, an amount equal to 50 percent of the amount of the grant (which may be provided in cash or in-kind) to carry out the activities supported by the grant.

''(g) SUPPLEMENT, NOT SUPPLANT.—Grant funds provided under this part shall be used to supplement, not supplant, other Federal or State funds available to carry out activities described in this part.

''SEC. 2203. REPORTS.

''(a) ACTIVITIES SUMMARY.—Each eligible entity receiving a grant under this part shall provide to the Secretary a summary of the activities assisted under the grant.

''(b) REPORT.—The Secretary shall provide to Congress an annual report on the implementation of the program carried out under this part, including—

''(1) information on eligible entities that received grant funds under this part, including—

''(A) information provided by eligible entities to the Secretary in the applications submitted under section 2202(c);

''(B) the summaries received under subsection (a); and

''(C) grant award amounts; and

''(2) student academic achievement and, as applicable, growth data from the schools participating in the programs supported under the grant.

''(c) EVALUATION AND TECHNICAL ASSISTANCE.—

''(1) RESERVATION OF FUNDS.—Of the total amount reserved under section 2003(c) for this part for a fiscal year, the Secretary may reserve for such fiscal year not more than 1 percent for the cost of the evaluation under paragraph (2) and for technical assistance in carrying out this part.

''(2) EVALUATION.—From amounts reserved under paragraph (1), the Secretary, acting through the Director of the Institute of Education Sciences, shall carry out an independent evaluation to measure the effectiveness of the program assisted under this part.

''(3) CONTENTS.—The evaluation under paragraph (2) shall measure—

''(A) the effectiveness of the program in improving student academic achievement;

''(B) the satisfaction of the participating teachers, principals, and other school leaders; and

''(C) the extent to which the program assisted the eligible entities in recruiting and retaining high-quality teachers, principals, and other school leaders, especially in high-need subject areas.''.

SEC. 2003. AMERICAN HISTORY AND CIVICS EDUCATION.

Title II (20 U.S.C. 6601 et seq.), as amended by section 2002, is further amended by adding at the end the following:

''PART C—AMERICAN HISTORY AND CIVICS EDUCATION

''SEC. 2301. PROGRAM AUTHORIZED.

''(a) IN GENERAL.—From amounts appropriated to carry out this part, the Secretary is authorized to carry out an American history and civics education program to improve—

''(1) the quality of American history, civics, and government education by educating students about the history and principles of the Constitution of the United States, including the Bill of Rights; and

''(2) the quality of the teaching of American history, civics, and government in elementary schools and secondary schools, including the teaching of traditional American history.

''(b) FUNDING ALLOTMENT.—From amounts made available under section 2305 for a fiscal year, the Secretary shall—

''(1) use not less than 85 percent for activities under section 2302;

''(2) use not less than 10 percent for activities under section 2303; and

''(3) use not more than 5 percent for activities under section 2304.

''SEC. 2302. TEACHING OF TRADITIONAL AMERICAN HISTORY.

''(a) IN GENERAL.—From the amounts reserved by the Secretary under section 2301(b)(1), the Secretary shall award grants, on a competitive basis, to local educational agencies—

''(1) to carry out activities to promote the teaching of traditional American history in elementary schools and secondary schools as a separate academic subject (not as a component of social studies); and

''(2) for the development, implementation, and strengthening of programs to teach traditional American history as a separate academic subject (not as a component of social studies) within elementary school and secondary school curricula, including the implementation of activities—

''(A) to improve the quality of instruction; and

''(B) to provide professional development and teacher education activities with respect to American history.

''(b) REQUIRED PARTNERSHIP.—A local educational agency that receives a grant under subsection (a) shall carry out activities under the grant in partnership with 1 or more of the following:

''(1) An institution of higher education.

''(2) A nonprofit history or humanities organization.

''(3) A library or museum.

''(c) APPLICATION.—To be eligible to receive a grant under this section, a local educational agency shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require.

''(d) GRANT TERMS.—Grants awarded under subsection (a) shall be for a term of not more than 5 years.

''SEC. 2303. PRESIDENTIAL AND CONGRESSIONAL ACADEMIES FOR AMERICAN HISTORY AND CIVICS.

''(a) IN GENERAL.—From the amounts reserved under section 2301(b)(2), the Secretary shall award not more than 12 grants, on a competitive basis, to—

''(1) eligible entities to establish Presidential Academies for the Teaching of American History and Civics (in this section referred to as the 'Presidential Academies') in accordance with subsection (e); and

''(2) eligible entities to establish Congressional Academies for Students of American History and Civics (in this section referred to as the 'Congressional Academies') in accordance with subsection (f).

''(b) APPLICATION.—An eligible entity that desires to receive a grant under subsection (a) shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require.

''(c) ELIGIBLE ENTITY.—The term 'eligible entity' under this section means—

''(1) an institution of higher education or nonprofit educational organization, museum, library, or research center with demonstrated expertise in historical methodology or the teaching of American history and civics; or

''(2) a consortium of entities described in paragraph (1).

''(d) GRANT TERMS.—Grants awarded to eligible entities under subsection (a) shall be for a term of not more than 5 years.

''(e) PRESIDENTIAL ACADEMIES.—

''(1) USE OF FUNDS.—Each eligible entity that receives a grant under subsection (a)(1) shall use the grant funds to establish a Presidential Academy that offers a seminar or institute for teachers of American history and civics, which—

''(A) provides intensive professional development opportunities for teachers of American history and civics to strengthen such teachers' knowledge of the subjects of American history and civics;

''(B) is led by a team of primary scholars and core teachers who are accomplished in the field of American history and civics;

''(C) is conducted during the summer or other appropriate time; and

''(D) is of not less than 2 weeks and not more than 6 weeks in duration.

''(2) SELECTION OF TEACHERS.—Each year, each Presidential Academy shall select between 50 and 300 teachers of American history and civics from public or private elementary schools and secondary schools to attend the seminar or institute under paragraph (1).

''(3) TEACHER STIPENDS.—Each teacher selected to participate in a seminar or institute under this subsection shall be awarded a fixed stipend based on the length of the seminar or institute to ensure that such teacher does not incur personal costs associated with the teacher's participation in the seminar or institute.

''(4) PRIORITY.—In awarding grants under this subsection, the Secretary shall give priority to eligible entities that coordinate or align their activities with the National Park Service National Centennial Parks initiative to develop innovative and comprehensive programs using the resources of the National Parks.

''(f) CONGRESSIONAL ACADEMIES.—

''(1) USE OF FUNDS.—Each eligible entity that receives a grant under subsection (a)(2) shall use the grant funds to establish a Congressional Academy that offers a seminar or institute for outstanding students of American history and civics, which—

''(A) broadens and deepens such students' understanding of American history and civics;

''(B) is led by a team of primary scholars and core teachers who are accomplished in the field of American history and civics;

''(C) is conducted during the summer or other appropriate time; and

''(D) is of not less than 2 weeks and not more than 6 weeks in duration.

''(2) SELECTION OF STUDENTS.—

''(A) IN GENERAL.—Each year, each Congressional Academy shall select between 100 and 300 eligible students to attend the seminar or institute under paragraph (1).

''(B) ELIGIBLE STUDENTS.—A student shall be eligible to attend a seminar or institute offered by a Congressional Academy under this subsection if the student—

''(i) is recommended by the student's secondary school principal or other school leader to attend the seminar or institute; and

''(ii) will be a junior or senior in the academic year following attendance at the seminar or institute.

''(3) STUDENT STIPENDS.—Each student selected to participate in a seminar or institute under this subsection shall be awarded a fixed stipend based on the length of the seminar or institute to ensure that such student does not incur personal costs associated with the student's participation in the seminar or institute.

''(g) MATCHING FUNDS.—

''(1) IN GENERAL.—An eligible entity that receives funds under subsection (a) shall provide, toward the cost of the activities assisted under the grant, from non-Federal sources, an amount equal to 100 percent of the amount of the grant.

''(2) WAIVER.—The Secretary may waive all or part of the matching requirement described in paragraph (1) for any fiscal year for an eligible entity if the Secretary determines that applying the matching requirement would result in serious hardship or an

inability to carry out the activities described in subsection (e) or (f).

''SEC. 2304. NATIONAL ACTIVITIES.

''(a) PURPOSE.—The purpose of this section is to promote new and existing evidence-based strategies to encourage innovative American history, civics and government, and geography instruction, learning strategies, and professional development activities and programs for teachers, principals, and other school leaders, particularly such instruction, strategies, activities, and programs that benefit low-income students and underserved populations.

''(b) IN GENERAL.—From the funds reserved by the Secretary under section 2301(b)(3), the Secretary shall award grants, on a competitive basis, to eligible entities for the purposes of—

''(1) expanding, developing, implementing, evaluating, and disseminating for voluntary use, innovative, evidenced-based approaches or professional development programs in American history, civics and government, and geography, which may include—

''(A) hands-on civic engagement activities for teachers and low-income students; and

''(B) programs that educate students about the history and principles of the Constitution of the United States, including the Bill of Rights and that demonstrate scalability, accountability, and a focus on underserved populations; and

''(2) developing other innovative approaches that—

''(A) improve the quality of student achievement in, and teaching of, American history, civics and government, and geography, in elementary schools and secondary schools; and

''(B) demonstrate innovation, scalability, accountability, and a focus on underserved populations.

''(c) PROGRAM PERIODS AND DIVERSITY OF PROJECTS.—

''(1) IN GENERAL.—A grant awarded by the Secretary to an eligible entity under this section shall be for a period of not more than 3 years.

''(2) RENEWAL.—The Secretary may renew a grant awarded under this section for 1 additional 2-year period.

''(3) DIVERSITY OF PROJECTS.—In awarding grants under this section, the Secretary shall ensure that, to the extent practicable, grants are distributed among eligible entities that will serve geographically diverse areas, including urban, suburban, and rural areas.

''(d) APPLICATIONS.—In order to receive a grant under this section, an eligible entity shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require.

''(e) ELIGIBLE ENTITY.—In this section, the term 'eligible entity' means an institution of higher education or other nonprofit or for-profit organization with demonstrated expertise in the development of evidence-based approaches for improving the quality of American history, geography, and civics learning and teaching.

''SEC. 2305. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated to carry out this part such sums as may be necessary for fiscal years 2016 through 2021.''.

SEC. 2004. LITERACY EDUCATION.

Title II (20 U.S.C. 6601 et seq.), as amended by sections 2001 through 2003, is further amended by adding at the end the following:

''PART D—LITERACY EDUCATION FOR ALL, RESULTS FOR THE NATION

''SEC. 2401. PURPOSES; DEFINITIONS.

''(a) PURPOSES.—The purposes of this part are—

''(1) to improve student academic achievement in reading and writing by providing Federal support to States to develop, revise, or update comprehensive literacy instruction plans that, when implemented, ensure high-quality instruction and effective strategies in reading and writing from early education through grade 12; and

''(2) for States to provide targeted subgrants to State-designated early childhood education programs and local educational agencies and their public or private partners to implement evidenced-based programs that ensure high-quality comprehensive literacy instruction for students most in need.

''(b) DEFINITIONS.—In this part:

''(1) COMPREHENSIVE LITERACY INSTRUCTION.—The term 'comprehensive literacy instruction' means instruction that—

''(A) includes developmentally appropriate, contextually explicit, and systematic instruction, and frequent practice, in reading and writing across content areas;

''(B) includes age-appropriate, explicit, systematic, and intentional instruction in phonological awareness, phonic decoding, vocabulary, language structure, reading fluency, and reading comprehension;

''(C) includes age-appropriate, explicit instruction in writing, including opportunities for children to write with clear purposes, with critical reasoning appropriate to the topic and purpose, and with specific instruction and feedback from instructional staff;

''(D) makes available and uses diverse, high-quality print materials that reflect the reading and development levels, and interests, of children;

''(E) uses differentiated instructional approaches, including individual and small group instruction and discussion;

''(F) provides opportunities for children to use language with peers and adults in order to develop language skills, including developing vocabulary;

''(G) includes frequent practice of reading and writing strategies;

''(H) uses age-appropriate, valid, and reliable screening assessments, diagnostic assessments, formative assessment processes, and summative assessments to identify a child's learning needs, to inform instruction, and to monitor the child's progress and the effects of instruction;

''(I) uses strategies to enhance children's motivation to read and write and children's engagement in self-directed learning;

''(J) incorporates the principles of universal design for learning;

''(K) depends on teachers' collaboration in planning, instruction, and assessing a child's progress and on continuous professional learning; and

''(L) links literacy instruction to the challenging State academic standards under section 1111(b)(1), including the ability to navigate, understand, and write about, complex print and digital subject matter.

''(2) ELIGIBLE ENTITY.—The term 'eligible entity' means an entity that serves a high percentage of high-need schools and consists of—

''(A) one or more local educational agencies that—

''(i) have the highest number or proportion of children who are counted under section 1124(c), in comparison to other local educational agencies in the State;

''(ii) are among the local educational agencies in the State with the highest number or percentages of children reading or writing below grade level, based on the most currently available State academic assessment data under section 1111(b)(2); or

''(iii) serve a significant number or percentage of schools that are identified under section 1114(a)(1)(A);

''(B) one or more State-designated early childhood education programs, which may include home-based literacy programs for preschool aged children, that have a demonstrated record of providing comprehensive literacy instruction for the age group such program proposes to serve; or

''(C) a local educational agency, described in subparagraph (A), or consortium of such local educational agencies, or a State-designated early childhood education program, which may include home-based literacy programs for preschool aged children, acting in partnership with 1 or more public or private nonprofit organizations or agencies (which may include State-designated early childhood education programs) that have a demonstrated record of effectiveness in—

''(i) improving literacy achievement of children, consistent with the purposes of their participation, from birth through grade 12; and

''(ii) providing professional development in comprehensive literacy instruction.

''(3) HIGH-NEED SCHOOL.—

''(A) IN GENERAL.—The term 'high-need school' means—

''(i) an elementary school or middle school in which not less than 50 percent of the enrolled students are children from low-income families; or

''(ii) a high school in which not less than 40 percent of the enrolled students are children from low-income families, which may be calculated using comparable data from the schools that feed into the high school.

''(B) LOW-INCOME FAMILY.—For purposes of subparagraph (A), the term 'low-income family' means a family—

''(i) in which the children are eligible for a free or reduced price lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.);

''(ii) receiving assistance under the program of block grants to States for temporary assistance for needy families established under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.); or

''(iii) in which the children are eligible to receive medical assistance under the Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.).

''SEC. 2402. COMPREHENSIVE LITERACY STATE DEVELOPMENT GRANTS.

''(a) GRANTS AUTHORIZED.—From the amounts appropriated to carry out this part and not reserved under subsection (b), the Secretary shall award grants, on a competitive basis, to State educational agencies to enable the State educational agencies to—

''(1) provide subgrants to eligible entities serving a diversity of geographic areas, giving priority to entities serving greater numbers or percentages of disadvantaged children; and

''(2) develop or enhance comprehensive literacy instruction plans that ensure high-quality instruction and effective strategies in reading and writing for children from early childhood education through grade 12, including English learners and children with disabilities.

''(b) RESERVATION.—From the amounts appropriated to carry out this part for a fiscal year, the Secretary shall reserve—

''(1) not more than a total of 5 percent for national activities including a national evaluation, technical assistance and training, data collection, and reporting;

''(2) one-half of 1 percent for the Secretary of the Interior to carry out a program described in this part at schools operated or funded by the Bureau of Indian Education; and

''(3) one-half of 1 percent for the outlying areas to carry out a program under this part.

''(c) DURATION OF GRANTS.—A grant awarded under this part shall be for a period of not more than 5 years. Such grant may be renewed for an additional 2-year period upon the termination of the initial period of the grant if the grant recipient demonstrates to the satisfaction of the Secretary that—

''(1) the State has made adequate progress; and

''(2) renewing the grant for an additional 2-year period is necessary to carry out the objectives of the grant described in subsection (d).

''(d) STATE APPLICATIONS.—

''(1) IN GENERAL.—A State educational agency desiring a grant under this part shall submit an application to the Secretary, at such time and in such manner as the Secretary may require. The State educational agency shall collaborate with the State agency responsible for administering early childhood education programs and the State agency responsible for administering child care programs in the State in writing and implementing the early childhood education portion of the grant application under this subsection.

''(2) CONTENTS.—An application described in paragraph (1) shall include, at a minimum, the following:

''(A) A needs assessment that analyzes literacy needs across the State and in high-need schools and local educational agencies that serve high-need schools, including identifying the most pressing gaps in literacy proficiency and inequities in student access to effective teachers of literacy, considering each of the categories of students, as defined in section 1111(b)(3)(A).

''(B) A description of how the State educational agency, in collaboration with the State literacy team, if applicable, will develop a State comprehensive literacy instruction plan or will revise and update an already existing State comprehensive literacy instruction plan.

''(C) An implementation plan that includes a description of how the State educational agency will carry out the State activities described in subsection (e).

''(D) An assurance that the State educational agency will use implementation grant funds described in subsection (e)(1) for comprehensive literacy instruction programs as follows:

''(i) Not less than 15 percent of such grant funds shall be used for State and local programs and activities pertaining to children from birth through kindergarten entry.

''(ii) Not less than 40 percent of such grant funds shall be used for State and local programs and activities, allocated equitably among the grades of kindergarten through grade 5.

''(iii) Not less than 40 percent of such grant funds shall be used for State and local programs and activities, allocated equitably among grades 6 through 12.

''(E) An assurance that the State educational agency will give priority in awarding a subgrant under section 2403 to an eligible entity that—

''(i) serves children from birth through age 5 who are from families with income levels at or below 200 percent of the Federal poverty line; or

''(ii) is a local educational agency serving a high number or percentage of high-need schools.

''(e) STATE ACTIVITIES.—

''(1) IN GENERAL.—A State educational agency receiving a grant under this section shall use not less than 95 percent of such grant funds to award subgrants to eligible entities, based on their needs assessment and a competitive application process.

''(2) RESERVATION.—A State educational agency receiving a grant under this section may reserve not more than 5 percent for activities identified through the needs assessment and comprehensive literacy plan described in subparagraphs (A) and (B) of subsection (d)(2), including the following activities:

''(A) Providing technical assistance, or engaging qualified providers to provide technical assistance, to eligible entities to enable the eligible entities to design and implement literacy programs.

''(B) Coordinating with institutions of higher education in the State to provide recommendations to strengthen and enhance pre-service courses for students preparing to teach children from birth through grade 12 in explicit, systematic, and intensive instruction in evidence-based literacy methods.

''(C) Reviewing and updating, in collaboration with teachers, statewide educational and professional organizations representing teachers, and statewide educational and professional organizations representing institutions of higher education, State licensure or certification standards in the area of literacy instruction in early education through grade 12.

''(D) Making publicly available, including on the State educational agency's website, information on promising instructional practices to improve child literacy achievement.

''(E) Administering and monitoring the implementation of subgrants by eligible entities.

''(3) ADDITIONAL USES.—After carrying out the activities described in paragraphs (1) and (2), a State educational agency may use any remaining amount to carry out 1 or more of the following activities:

''(A) Developing literacy coach training programs and training literacy coaches.

''(B) Administration and evaluation of activities carried out under this part.

''SEC. 2403. SUBGRANTS TO ELIGIBLE ENTITIES IN SUPPORT OF BIRTH THROUGH KINDERGARTEN ENTRY LITERACY.

''(a) SUBGRANTS.—

''(1) IN GENERAL.—A State educational agency receiving a grant under this part shall, in consultation with the State agencies responsible for administering early childhood education programs and services, including the State agency responsible for administering child care programs, and, if applicable, the State Advisory Council on Early Childhood Education and Care designated or established pursuant to section 642B(b)(1)(A)(i) of the Head Start Act (42 U.S.C. 9837b(b)(1)(A)(i))), use a portion of the grant funds, in accordance with section 2402(d)(2)(D)(i), to award subgrants, on a competitive basis, to eligible entities to enable the eligible entities to support high-quality early literacy initiatives for children from birth through kindergarten entry.

''(2) DURATION.—The term of a subgrant under this section shall be determined by the State educational agency awarding the subgrant and shall in no case exceed 5 years.

''(3) SUFFICIENT SIZE AND SCOPE.—Each subgrant awarded under this section shall be of sufficient size and scope to allow the eligible entity to carry out high-quality early literacy initiatives for children from birth through kindergarten entry.

''(b) LOCAL APPLICATIONS.—An eligible entity desiring to receive a subgrant under this section shall submit an application to the State educational agency, at such time, in such manner, and containing such information as the State educational agency may require. Such application shall include a description of—

''(1) how the subgrant funds will be used to enhance the language and literacy development and school readiness of children, from birth through kindergarten entry, in early childhood education programs, which shall include an analysis of data that support the proposed use of subgrant funds;

''(2) how the subgrant funds will be used to prepare and provide ongoing assistance to staff in the programs, through high-quality professional development;

''(3) how the activities assisted under the subgrant will be coordinated with comprehensive literacy instruction at the kindergarten through grade 12 levels;

''(4) how the subgrant funds will be used to evaluate the success of the activities assisted under the subgrant in enhancing the early language and literacy development of children from birth through kindergarten entry; and

''(5) such other information as the State educational agency may require.

''(c) LOCAL USES OF FUNDS.—An eligible entity that receives a subgrant under this section shall use the subgrant funds, consistent with the entity's approved application under subsection (b), to—

''(1) carry out high-quality professional development opportunities for early childhood educators, teachers, principals, other school leaders, paraprofessionals, specialized instructional support personnel, and instructional leaders;

''(2) train providers and personnel to develop and administer high-quality early childhood education literacy initiatives; and

''(3) coordinate the involvement of families, early childhood education program staff, principals, other school leaders, specialized instructional support personnel (as appropriate), and teachers in literacy development of children served under the subgrant.

''SEC. 2404. SUBGRANTS TO ELIGIBLE ENTITIES IN SUPPORT OF KINDERGARTEN THROUGH GRADE 12 LITERACY.

''(a) SUBGRANTS TO ELIGIBLE ENTITIES.—

''(1) SUBGRANTS.—A State educational agency receiving a grant under this part shall use a portion of the grant funds, in accordance with clauses (ii) and (iii) of section 2402(d)(2)(D), to award subgrants, on a competitive basis, to eligible entities to enable the eligible entities to carry out the authorized activities described in subsections (b) and (c).

''(2) DURATION.—The term of a subgrant under this section shall be determined by the State educational agency awarding the subgrant and shall in no case exceed 5 years.

''(3) SUFFICIENT SIZE AND SCOPE.—A State educational agency shall award subgrants under this section of sufficient size and scope to allow the eligible entities to carry out high-quality comprehensive literacy instruction in each grade level for which the subgrant funds are provided.

''(4) LOCAL APPLICATIONS.—An eligible entity desiring to receive a subgrant under this section shall submit an application to the State educational agency at such time, in

such manner, and containing such information as the State educational agency may require. Such application shall include, for each school that the eligible entity identifies as participating in a subgrant program under this section, the following information:

''(A) A description of the eligible entity's needs assessment conducted to identify how subgrant funds will be used to inform and improve comprehensive literacy instruction at the school.

''(B) How the school, the local educational agency, or a provider of high-quality professional development will provide ongoing high-quality professional development to all teachers, principals, other school leaders, specialized instructional support personnel (as appropriate), and other instructional leaders served by the school.

''(C) How the school will identify children in need of literacy interventions or other support services.

''(D) An explanation of how the school will integrate comprehensive literacy instruction into core academic subjects.

''(E) A description of how the school will coordinate comprehensive literacy instruction with early childhood education and after-school programs and activities in the area served by the local educational agency.

''(b) LOCAL USES OF FUNDS FOR KINDERGARTEN THROUGH GRADE 5.—An eligible entity that receives a subgrant under this section shall use the subgrant funds to carry out the following activities pertaining to children in kindergarten through grade 5:

''(1) Developing and implementing a comprehensive literacy instruction plan across content areas for such children that—

''(A) serves the needs of all children, including children with disabilities and English learners, especially children who are reading or writing below grade level;

''(B) provides intensive, supplemental, accelerated, and explicit intervention and support in reading and writing for children whose literacy skills are below grade level; and

''(C) supports activities that are provided primarily during the regular school day but which may be augmented by after-school and out-of-school time instruction.

''(2) Providing high-quality professional development opportunities for teachers, literacy coaches, literacy specialists, English as a second language specialists (as appropriate), principals, other school leaders, specialized instructional support personnel, school librarians, paraprofessionals, and other program staff.

''(3) Training principals, specialized instructional support personnel, and other school district personnel to support, develop, administer, and evaluate high-quality kindergarten through grade 5 literacy initiatives.

''(4) Coordinating the involvement of early childhood education program staff, principals, other instructional leaders, teachers, teacher literacy teams, English as a second language specialists (as appropriate), special educators, school personnel, and specialized instructional support personnel (as appropriate) in the literacy development of children served under this subsection.

''(5) Engaging families and encouraging family literacy experiences and practices to support literacy development.

''(c) LOCAL USES OF FUNDS FOR GRADES 6 THROUGH 12.—An eligible entity that receives a subgrant under this section shall use subgrant funds to carry out the following activities pertaining to children in grades 6 through 12:

''(1) Developing and implementing a comprehensive literacy instruction plan described in subsection (b)(1) for children in grades 6 through 12.

''(2) Training principals, specialized instruction support personnel, school librarians, and other school district personnel to support, develop, administer, and evaluate high-quality comprehensive literacy instruction initiatives for grades 6 through 12.

''(3) Assessing the quality of adolescent comprehensive literacy instruction in core academic subjects, and career and technical education subjects where such career and technical education subjects provide for the integration of core academic subjects.

''(4) Providing time for teachers to meet to plan evidence-based adolescent comprehensive literacy instruction in core academic subjects, and career and technical education subjects where such career and technical education subjects provide for the integration of core academic subjects.

''(5) Coordinating the involvement of principals, other instructional leaders, teachers, teacher literacy teams, English as a second language specialists (as appropriate), paraprofessionals, special educators, specialized instructional support personnel (as appropriate), and school personnel in the literacy development of children served under this subsection.

''(d) ALLOWABLE USES.—An eligible entity that receives a subgrant under this section may, in addition to carrying out the activities described in subsection (b) or (c), use subgrant funds to carry out the following activities pertaining to children in kindergarten through grade 12:

''(1) Recruiting, placing, training, and compensating literacy coaches.

''(2) Connecting out-of-school learning opportunities to in-school learning in order to improve the literacy achievement of the children.

''(3) Training families and caregivers to support the improvement of adolescent literacy.

''(4) Providing for a multitier system of support.

''(5) Forming a school literacy leadership team to help implement, assess, and identify necessary changes to the literacy initiatives in 1 or more schools to ensure success.

''(6) Providing time for teachers (and other literacy staff, as appropriate, such as school librarians or specialized instructional support personnel) to meet to plan comprehensive literacy instruction.

''SEC. 2405. NATIONAL EVALUATION AND INFORMATION DISSEMINATION.

''(a) NATIONAL EVALUATION.—From funds reserved under section 2402(b)(1), the Director of the Institute of Education Sciences shall conduct a national evaluation of the grant and subgrant programs assisted under this part. Such evaluation shall include evidence-based research that applies rigorous and systematic procedures to obtain valid knowledge relevant to the implementation and effect of the programs and shall directly coordinate with individual State evaluations of the programs' implementation and impact.

''(b) PROGRAM IMPROVEMENT.—The Secretary shall—

''(1) provide the findings of the evaluation conducted under this section to State educational agencies and subgrant recipients for use in program improvement;

''(2) make such findings publicly available, including on the websites of the Department and the Institute of Education Sciences; and

''(3) submit such findings to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives.

''SEC. 2406. SUPPLEMENT, NOT SUPPLANT.

''Grant funds provided under this part shall be used to supplement, and not supplant, other Federal or State funds available to carry out activities described in this part.''.

SEC. 2005. IMPROVING SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS INSTRUCTION AND STUDENT ACHIEVEMENT.

Title II (20 U.S.C. 6601 et seq.), as amended by sections 2001 through 2004, is further amended by adding at the end the following:

''PART E—IMPROVING SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS INSTRUCTION AND STUDENT ACHIEVEMENT

''SEC. 2501. PURPOSE.

''The purpose of this part is to improve student academic achievement in science, technology, engineering, and mathematics, including computer science, by—

''(1) improving instruction in such subjects through grade 12;

''(2) improving student engagement in, and increasing student access to, such subjects, including for students from groups underrepresented in such subjects, such as female students, minority students, English learners, children with disabilities, and economically disadvantaged students;

''(3) improving the quality and effectiveness of classroom instruction by recruiting, training, and supporting highly rated teachers and providing robust tools and supports for students and teachers in such subjects;

''(4) increasing student access to high-quality informal and after-school programs that target the identified subjects and improving the coordination of such programs with classroom instruction in the identified subjects; and

''(5) closing student achievement gaps, and preparing more students to be college and career ready, in such subjects.

''SEC. 2502. DEFINITIONS.

''In this part:

''(1) ELIGIBLE SUBGRANTEE.—The term 'eligible subgrantee' means—

''(A) a high-need local educational agency;

''(B) an educational service agency serving more than 1 high-need local educational agency;

''(C) a consortium of high-need local educational agencies; or

''(D) an entity described in subparagraph (A) or (C) of paragraph (2) that has signed a memorandum of agreement with an entity described in subparagraph (A), (B), or (C) of this paragraph to implement the requirements of this part in partnership with such entity.

''(2) OUTSIDE PARTNER.—The term 'outside partner' means an entity that has expertise and a demonstrated record of success in improving student learning and engagement in the identified subjects described in section 2504(b)(2), including any of the following:

''(A) A nonprofit or community-based organization, which may include a cultural organization, such as a museum or learning center.

''(B) A business.

''(C) An institution of higher education.

''(D) An educational service agency.

''(3) STEM-FOCUSED SPECIALTY SCHOOL.—The term 'STEM-focused specialty school'

means a school, or a dedicated program within a school, that engages students in rigorous, relevant, and integrated learning experiences focused on science, technology, engineering, and mathematics, which include authentic school-wide research.

''(4) STEM MASTER TEACHER CORPS.—The term 'STEM master teacher corps' means a State-led effort to elevate the status of the science, technology, engineering, and mathematics teaching profession by recognizing, rewarding, attracting, and retaining outstanding science, technology, engineering, and mathematics teachers, particularly in high-need and rural schools, by—

''(A) selecting candidates to be master teachers in the corps on the basis of—

''(i) content knowledge based on a screening examination; and

''(ii) pedagogical knowledge of and success in teaching;

''(B) offering such teachers opportunities to—

''(i) work with one another in scholarly communities;

''(ii) participate in and lead high-quality professional development; and

''(C) providing such teachers with additional appropriate and substantial compensation for the work described in subparagraph (B) and in the master teacher community.

''SEC. 2503. GRANTS; ALLOTMENTS.

''(a) IN GENERAL.—From amounts made available to carry out this part for a fiscal year, the Secretary shall award grants to State educational agencies, through allotments described in subsection (b), to enable State educational agencies to carry out the activities described in section 2505.

''(b) DISTRIBUTION OF FUNDS.—

''(1) IN GENERAL.—Subject to paragraph (2), for each fiscal year, the Secretary shall allot to each State—

''(A) an amount that bears the same relationship to 35 percent of the amount available to carry out this part for such year, as the number of individuals ages 5 through 17 in the State, as determined by the Secretary on the basis of the most recent satisfactory data, bears to the number of those individuals in all such States, as so determined; and

''(B) an amount that bears the same relationship to 65 percent of the amount available to carry out this part for such year as the number of individuals ages 5 through 17 from families with incomes below the poverty line in the State, as determined by the Secretary on the basis of the most recent satisfactory data, bears to the number of those individuals in all such States, as so determined.

''(2) FUNDING MINIMUM.—No State receiving an allotment under this subsection may receive less than one-half of 1 percent of the total amount allotted under paragraph (1) for a fiscal year.

''(c) REALLOTMENT OF UNUSED FUNDS.—If a State does not successfully apply for an allotment under this part, the Secretary shall reallot the amount of the State's allotment to the remaining States in accordance with this section.

''SEC. 2504. APPLICATIONS.

''(a) IN GENERAL.—Each State desiring an allotment under section 2503(b) shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may require.

''(b) CONTENTS.—At a minimum, an application submitted under subsection (a) shall include the following:

''(1) A description of the needs, including assets, identified by the State educational agency based on a State analysis, which shall include—

''(A) an analysis of science, technology, engineering, and mathematics education quality and outcomes in the State, which may include results from a pre-existing analysis;

''(B) labor market information regarding the industry and business workforce needs within the State;

''(C) information on student exposure to and retention in science, technology, engineering, and mathematics fields, including among low-income and underrepresented groups, which may include results from a pre-existing analysis; and

''(D) an analysis of the quality of pre-service preparation at all public institutions of higher education (including alternative pathways to teacher licensure or certification) for individuals preparing to teach science, technology, engineering, and mathematics subjects in the State.

''(2) An identification of the specific subjects that the State educational agency will address through the activities described in section 2505, consistent with the needs identified under paragraph (1) (referred to in this part as 'identified subjects').

''(3) A description, in a manner that addresses any needs identified under paragraph (1), of—

''(A) how grant funds will be used by the State educational agency to improve instruction in the identified subjects;

''(B) the process that the State educational agency will use for awarding subgrants, including how relevant stakeholders will be involved;

''(C) how the State's proposed project will ensure increased access for students who are members of groups underrepresented in science, technology, engineering, and mathematics subject fields (which may include female students, minority students, English learners, children with disabilities, and economically disadvantaged students) to high-quality courses in 1 or more of the identified subjects; and

''(D) how the State educational agency will continue to involve stakeholders in education reform efforts related to science, technology, engineering, and mathematics instruction.

''SEC. 2505. AUTHORIZED ACTIVITIES.

''(a) REQUIRED ACTIVITIES.—Each State educational agency that receives an allotment under this part shall use the grant funds reserved under subsection (d)(2) to carry out each of the following activities:

''(1) Increasing access for students through grade 12 who are members of groups underrepresented in science, technology, engineering, and mathematics subject fields, such as female students, minority students, English learners, children with disabilities, and economically disadvantaged students, to high-quality courses in the identified subjects.

''(2) Implementing evidence-based programs of instruction based on high-quality standards and assessments in the identified subjects.

''(3) Providing professional development and other comprehensive systems of support for teachers and school leaders to promote high-quality instruction and instructional leadership in the identified subjects.

''(b) PERMISSIBLE ACTIVITIES.—Each State educational agency that receives an allotment under this part may use the grant funds reserved under subsection (d)(2) to carry out 1 or more of the following activities:

''(1) Recruiting qualified teachers and instructional leaders who are trained in identified subjects, including teachers who have transitioned into the teaching profession from a careers in the science, technology, engineering, and mathematics fields.

''(2) Providing induction and mentoring services to new teachers in identified subjects.

''(3) Developing instructional supports for identified subjects, such as curricula and assessments, which shall be evidence-based and aligned with challenging State academic standards under section 1111(b)(1).

''(4) Supporting the development of a State-wide STEM master teacher corps.

''(c) SUBGRANTS.—

''(1) IN GENERAL.—Each State educational agency that receives a grant under this part shall use the amounts not reserved under subsection (d) to award subgrants, on a competitive basis, to eligible subgrantees to enable the eligible subgrantees to carry out the activities described in paragraph (4).

''(2) MINIMUM SUBGRANT.—A State educational agency shall award subgrants under this subsection that are of sufficient size and scope to support high-quality, evidence-based, effective programs that are consistent with the purpose of this part.

''(3) SUBGRANTEE APPLICATION.—

''(A) IN GENERAL.—Each eligible subgrantee desiring a subgrant under this subsection shall submit an application to the State educational agency at such time, in such manner, and accompanied by such information as the State educational agency may require.

''(B) CONTENTS OF SUBGRANTEE APPLICATION.—At a minimum, the application described in subparagraph (A) shall include the following:

''(i) A description of the activities that the eligible subgrantee will carry out, and how such activities will improve teaching and student academic achievement in the State's identified subjects.

''(ii) A description of how the eligible subgrantee will use funds provided under this subsection to serve students and teachers in high-need schools.

''(iii) A description of how the eligible subgrantee will use funds provided under this subsection for services and activities to increase access for students who are members of groups underrepresented in science, technology, engineering, and mathematics subject fields, which may include female students, minority students, English learners, children with disabilities, and economically disadvantaged students, to high-quality courses in 1 or more of the State's identified subjects. Such activities and services may include after-school activities or other informal learning opportunities designed to encourage interest and develop skills in 1 or more of such subjects.

''(iv) A description of how funds provided under this subsection will be coordinated with other Federal, State, and local programs and activities, including career and technical education programs authorized under the Carl D. Perkins Career and Technical Education Act of 2006.

''(v) If the eligible subgrantee is working with outside partners, a description of how such outside partners will be involved in improving instruction and increasing access to high-quality learning experiences in the State's identified subjects.

''(4) SUBGRANTEE USE OF FUNDS.—

''(A) REQUIRED USE OF FUNDS.—Each subgrantee under this subsection shall use the subgrant funds to carry out activities for students through grade 12, as described in the subgrantee's application, which shall include—

''(i) high-quality teacher and instructional leader recruitment, support, and evaluation in the State's identified subjects;

''(ii) professional development, which may include development and support for instructional coaches, to enable teachers and instructional leaders to increase student achievement in identified subjects;

''(iii) activities to—

''(I) improve the content knowledge of teachers in the State's identified subjects;

''(II) facilitate professional collaboration, which may include providing time for such collaborations with school personnel, afterschool program personnel, and personnel of informal programs that target the identified subjects; and

''(III) improve the integration of informal and after-school programs that target the identified subjects with classroom instruction, such as through the use of strategic partnerships with science, technology, engineering, and mathematics researchers, and other professionals from relevant fields who may be able to assist in activities focused in science, technology, engineering, and mathematics; and

''(iv) the development, adoption, and improvement of high-quality curricula and instructional supports that—

''(I) are aligned with the challenging State academic standards under section 1111(b)(1); and

''(II) the eligible subgrantee will use to improve student academic achievement in the identified subjects.

''(B) ALLOWABLE USE OF FUNDS.—In addition to the required activities described in subparagraph (A), each eligible subgrantee that receives a subgrant under this subsection may also use the subgrant funds to—

''(i) support the participation of low-income students in nonprofit competitions related to science, technology, engineering, and mathematics subjects (such as robotics, science research, invention, mathematics, computer science, and technology competitions);

''(ii) broaden secondary school students' access to, and interest in, careers that require academic preparation in 1 or more identified subjects;

''(iii) broaden the access of secondary school students to early college high school or dual or concurrent enrollment courses in science, technology, engineering, or mathematics subjects, including providing professional development to teachers and leaders related to this work;

''(iv) broaden student access to mentorship, tutoring, and after-school activities or other informal learning opportunities designed to encourage interest and develop skills in 1 or more of the State's identified subjects;

''(v) partner with established after-school and science, technology, engineering, and mathematics networks to provide technical assistance to after-school programs to improve their practice, such as through developing quality standards and appropriate learning outcomes for science, technology, engineering, and mathematics programming in after-school programs;

''(vi) provide hands-on learning and exposure to science, technology, engineering, and mathematics research facilities and businesses through in-person or virtual distance-learning experiences;

''(vii) partner with current or recently retired science, technology, engineering, and mathematics professionals to engage students and teachers in instruction in such subjects;

''(viii) tailor and integrate educational resources developed by Federal agencies, as appropriate, to improve student achievement in science, technology, engineering, and mathematics;

''(ix) support the use of field-based or service learning that enables students to use the local environment and community as a learning resource and to enhance the students' understanding of the identified subjects through environmental science education; and

''(x) address science, technology, engineering, and mathematics needs identified in the State plan under section 102 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3112), or by a local workforce development board under section 107(d), or in the local plan submitted under section 108, of such Act (29 U.S.C. 3122(d), 3123), for the State, local area (as defined in section 3 of such Act (29 U.S.C. 3102)), or region (as so defined) that the eligible subgrantee is serving; and

''(xi) support the creation and enhancement of STEM-focused specialty schools that improve student academic achievement in science, technology, engineering, and mathematics, including computer science, and prepare more students to be ready for postsecondary education and careers in such subjects.

''(C) MATCHING FUNDS.—A State may require an eligible subgrantee receiving a subgrant under this subsection to demonstrate that such subgrantee has obtained a commitment from 1 or more outside partners to match, using non-Federal funds, a portion of the amount of subgrant funds, in an amount determined by the State.

''(d) STATE ACTIVITIES.—

''(1) IN GENERAL.—Each State educational agency that receives an allotment under this part may use not more than 5 percent of grant funds for—

''(A) administrative costs;

''(B) monitoring the implementation of subgrants;

''(C) providing technical assistance to eligible subgrantees; and

''(D) evaluating subgrants in coordination with the evaluation described in section 2506(c).

''(2) RESERVATION.—Each State educational agency that receives an allotment under this part shall reserve not less than 15 and not more than 20 percent of grant funds, inclusive of the amount described in paragraph (1), for additional State activities, consistent with subsections (a) and (b).

''SEC. 2506. PERFORMANCE METRICS; REPORT; EVALUATION.

''(a) ESTABLISHMENT OF PERFORMANCE METRICS.—The Secretary, acting through the Director of the Institute of Education Sciences, shall establish performance metrics to evaluate the effectiveness of the activities carried out under this part.

''(b) ANNUAL REPORT.—Each State educational agency that receives an allotment under this part shall prepare and submit an annual report to the Secretary, which shall include information relevant to the performance metrics described in subsection (a).

''(c) EVALUATION AND MANAGEMENT.—The Secretary shall—

''(1) acting through the Director of the Institute of Education Sciences, and in consultation with the Director of the National Science Foundation—

''(A) evaluate the implementation and impact of the activities supported under this part, including progress measured by the metrics established under subsection (a); and

''(B) identify best practices to improve instruction in science, technology, engineering, and mathematics subjects;

''(2) disseminate, in consultation with the National Science Foundation, research on best practices to improve instruction in science, technology, engineering, and mathematics subjects;

''(3) ensure that the Department is taking appropriate action to—

''(A) identify all activities being supported under this part; and

''(B) avoid unnecessary duplication of efforts between the activities being supported under this part and other programmatic activities supported by the Department or by other Federal agencies; and

''(4) develop a rigorous system to—

''(A) identify the science, technology, engineering, and mathematics education-specific needs of States and stakeholders receiving funds through subgrants under this part;

''(B) make public and widely disseminate programmatic activities relating to science, technology, engineering, and mathematics that are supported by the Department or by other Federal agencies; and

''(C) develop plans for aligning the programmatic activities supported by the Department and other Federal agencies with the State and stakeholder needs.

''SEC. 2507. SUPPLEMENT NOT SUPPLANT.

''Funds received under this part shall be used to supplement, and not supplant, funds that would otherwise be used for activities authorized under this part.

''SEC. 2508. REPORT ON CYBERSECURITY EDUCATION.

''Not later than June 1, 2016, the Secretary, acting through the Director of the Institute of Education Sciences, shall submit to the Committee on Armed Services and the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Armed Services and the Committee on Education and the Workforce of the House of Representatives, a report describing whether secondary and postsecondary education programs are meeting the need of public and private sectors for cyberdefense. Such report shall include—

''(1) an assessment of the shortfalls in current secondary and postsecondary education needed to develop cybersecurity professionals, and recommendations to address such shortfalls;

''(2) an assessment of successful secondary and postsecondary programs that produce competent cybersecurity professionals; and

''(3) recommendations of subjects to be covered by elementary schools and secondary schools to better prepare students for postsecondary cybersecurity education.''.

SEC. 2006. GENERAL PROVISIONS.

Title II (20 U.S.C. 6601 et seq.), as amended by sections 2001 through 2005, is further amended by adding at the end the following:

''PART F—GENERAL PROVISIONS

''SEC. 2601. RULES OF CONSTRUCTION.

''(a) PROHIBITION AGAINST FEDERAL MANDATES, DIRECTION, OR CONTROL.—Nothing in this title shall be construed to authorize the Secretary or any other officer or employee of the Federal Government to mandate, direct, or control a State, local educational agency, or school's—

''(1) instructional content or materials, curriculum, program of instruction, academic standards, or academic assessments;

''(2) teacher, principal, or other school leader evaluation system;

''(3) specific definition of teacher, principal, or other school leader effectiveness; or

''(4) teacher, principal, or other school leader professional standards, certification, or licensing.

''(b) SCHOOL OR DISTRICT EMPLOYEES.—Nothing in this title shall be construed to alter or otherwise affect the rights, remedies, and procedures afforded school or school district employees under Federal, State, or local laws (including applicable regulations or court orders) or under the terms of collective bargaining agreements, memoranda of understanding, or other agreements between such employees and their employers.''.

TITLE III—LANGUAGE INSTRUCTION FOR ENGLISH LEARNERS AND IMMIGRANT STUDENTS

SEC. 3001. GENERAL PROVISIONS.

Title III (20 U.S.C. 6801 et seq.) is amended—

(1) in the title heading, by striking ''**LIMITED ENGLISH PROFICIENT**'' and inserting ''**ENGLISH LEARNERS**'';

(2) in part A—

(A) by striking section 3122;

(B) redesignating sections 3123, 3124, 3125, 3126, 3127, 3128, and 3129 as sections 3122, 3123, 3124, 3125, 3126, 3127, and 3128, respectively; and

(C) by striking subpart 4;

(3) by striking part B;

(4) by redesignating part C as part B; and

(5) in part B, as redesignated by paragraph (4)—

(A) by redesignating section 3301 as section 3201;

(B) by striking section 3302; and

(C) by redesignating sections 3303 and 3304 as sections 3202 and 3203, respectively.

SEC. 3002. AUTHORIZATION OF APPROPRIATIONS.

Section 3001 (20 U.S.C. 6801) is amended to read as follows:

''SEC. 3001. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated to carry out this title such sums as may be necessary for each of fiscal years 2016 through 2021.''.

SEC. 3003. ENGLISH LANGUAGE ACQUISITION, LANGUAGE ENHANCEMENT, AND ACADEMIC ACHIEVEMENT.

Part A of title III (20 U.S.C. 6811 et seq.) is amended—

(1) in section 3102, by striking paragraphs (1) through (9) and inserting the following:

''(1) to help ensure that English learners, including immigrant children and youth, attain English proficiency, and develop high levels of academic achievement in English;

''(2) to assist all English learners, including immigrant children and youth, to achieve at high levels in academic subjects so that children who are English learners can meet the same challenging State academic standards that all children are expected to meet, consistent with section 1111(b)(1);

''(3) to assist early childhood educators, teachers, principals and other school leaders, State educational agencies, and local educational agencies in establishing, implementing, and sustaining effective language instruction educational programs designed to assist in teaching English learners, including immigrant children and youth;

''(4) to assist early childhood educators, teachers, principals and other school leaders, State educational agencies, and local educational agencies to develop and enhance their capacity to provide effective instruction programs designed to prepare English learners, including immigrant children and youth, to enter all-English instruction settings;

''(5) to promote parental, family, and community participation in language instruction educational programs for the parents, families, and communities of English learners; and

''(6) to provide incentives to grantees to implement policies and practices that will lead to significant improvements in the instruction and achievement of English learners.'';

(2) in section 3111—

(A) in subsection (b)—

(i) in paragraph (2), by striking subparagraphs (A) through (D) and inserting the following:

''(A) Establishing and implementing, with timely and meaningful consultation with local educational agencies representing the geographic diversity of the State, standardized statewide entrance and exit procedures, including a requirement that all students who may be English learners are assessed for such status within 30 days of enrollment in a school in the State.

''(B) Providing effective teacher and principal preparation, professional development activities, and other evidence-based activities related to the education of English learners, which may include assisting teachers, principals, and other educators in—

''(i) meeting State and local certification and licensing requirements for teaching English learners; and

''(ii) improving teaching skills in meeting the diverse needs of English learners, including how to implement effective programs and curricula on teaching English learners.

''(C) Planning, evaluation, administration, and interagency coordination related to the subgrants referred to in paragraph (1).

''(D) Providing technical assistance and other forms of assistance to eligible entities that are receiving subgrants from a State educational agency under this subpart, including assistance in—

''(i) identifying and implementing effective language instruction educational programs and curricula for teaching English learners, including those in early childhood settings;

''(ii) helping English learners meet the same State academic standards that all children are expected to meet;

''(iii) identifying or developing, and implementing, measures of English proficiency; and

''(iv) strengthening and increasing parent, family, and community engagement in programs that serve English learners.

''(E) Providing recognition, which may include providing financial awards, to recipients of subgrants under section 3115 that have significantly improved the achievement and progress of English learners in meeting—

''(i) annual timelines and goals for progress established under section 1111(c)(1)(K) based on the State's English language proficiency assessment under section 1111(b)(2)(G); and

''(ii) the challenging State academic standards described in section 1111(b)(1).''; and

(ii) in paragraph (3)—

(I) in the heading, by inserting ''DIRECT'' before ''ADMINISTRATIVE''; and

(II) by inserting ''direct'' before ''administrative costs''; and

(B) in subsection (c)—

(i) in paragraph (1)—

(I) in the matter preceding subparagraph (A), by striking ''section 3001(a)'' and inserting ''section 3001'';

(II) in subparagraph (B), by inserting ''and'' after the semicolon;

(III) in subparagraph (C)—

(aa) by striking ''3303'' both places it appears and inserting ''3202'';

(bb) by striking ''not more than 0.5 percent of such amount shall be reserved for evaluation activities conducted by the Secretary and''; and

(cc) by striking ''; and'' and inserting a period; and

(IV) by striking subparagraph (D);

(ii) by striking paragraphs (2) and (4);

(iii) by redesignating paragraph (3) as paragraph (2);

(iv) in paragraph (2)(A), as redesignated by clause (iii)—

(I) in the matter preceding clause (i), by striking ''section 3001(a)'' and inserting ''section 3001''; and

(II) in clause (i), by striking ''limited English proficient'' and all that follows through ''States;'' and inserting ''English learners in the State bears to the number of English learners in all States, as determined by the Secretary under paragraph (3);''; and

(v) by adding at the end the following:

''(3) USE OF DATA FOR DETERMINATIONS.—In making State allotments under paragraph (2)(A) for each fiscal year, the Secretary shall—

''(A) determine the number of English learners in a State and in all States, using the most accurate, up-to-date data, which shall be—

''(i) data available from the American Community Survey conducted by the Department of Commerce, which may be multiyear estimates;

''(ii) the number of students being assessed for English language proficiency, based on the State's English language proficiency assessment under section 1111(b)(2)(G), which may be multiyear estimates; or

''(iii) a combination of data available under clauses (i) and (ii); and

''(B) determine the number of immigrant children and youth in the State and in all States based only on data available from the American Community Survey conducted by the Department of Commerce, which may be multiyear estimates.'';

(3) in section 3113—

(A) in subsection (a), by inserting ''reasonably'' before ''require'';

(B) in subsection (b)—

(i) in paragraph (1), by striking ''making'' and inserting ''awarding''; and

(ii) by striking paragraphs (2) through (6) and inserting the following:

''(2) describe how the agency will establish and implement, with timely and meaningful consultation with local educational agencies representing the geographic diversity of the State, standardized, statewide entrance and exit procedures, including an assurance that all students who may be English learners are assessed for such status within 30 days of enrollment in a school in the State;

''(3) provide an assurance that—

''(A) the agency will ensure that eligible entities receiving a subgrant under this subpart comply with the requirement in section 1111(b)(2)(B)(ix) to annually assess in English all English learners who have been in the United States for 3 or more years;

''(B) the agency will ensure that eligible entities receiving a subgrant under this subpart annually assess the English proficiency of all English learners participating in a program funded under this subpart, consistent with section 1111(b)(2)(G);

''(C) in awarding subgrants under section 3114, the agency will address the needs of school systems of all sizes and in all geographic areas, including school systems with rural and urban schools;

''(D) subgrants to eligible entities under section 3114(d)(1) will be of sufficient size and

scope to allow such entities to carry out effective language instruction educational programs for English learners;

''(E) the agency will require an eligible entity receiving a subgrant under this subpart to use the subgrant in ways that will build such recipient's capacity to continue to offer effective language instruction educational programs that assist English learners in meeting challenging State academic standards described in section 1111(b)(1);

''(F) the agency will monitor each eligible entity receiving a subgrant under this subpart for compliance with applicable Federal fiscal requirements; and

''(G) the plan has been developed in consultation with local educational agencies, teachers, administrators of programs implemented under this subpart, parents of English learners, and other relevant stakeholders;

''(4) describe how the agency will coordinate its programs and activities under this subpart with other programs and activities under this Act and other Acts, as appropriate;

''(5) describe how each eligible entity will be given the flexibility to teach English learners—

''(A) using a high-quality, effective language instruction curriculum for teaching English learners; and

''(B) in the manner the eligible entities determine to be the most effective;

''(6) describe how the agency will assist eligible entities in meeting—

''(A) annual timelines and goals for progress established under section 1111(c)(1)(K) based on the State's English language proficiency assessment under section 1111(b)(2)(G); and

''(B) the challenging State academic standards described in section 1111(b)(1);

''(7) describe how the agency will assist eligible entities in decreasing the number of English learners who have not yet acquired English proficiency within 5 years of their initial classification as an English learner;

''(8) describe how the agency will ensure that the unique needs of the State's population of English learners and immigrant children and youth are being addressed; and

''(9) describe how the agency will monitor and evaluate the progress of each eligible entity receiving funds under this subpart toward meeting the timelines and goals for English proficiency required under section 1111(c)(1)(K) and the steps the State will take to further assist eligible entities if such strategies funded under this part are not effective in making such progress and meeting academic goals established under section 1111(b)(3)(B)(i) for English learners, such as providing technical assistance and modifying such strategies.'';

(C) in subsection (d)(2)(B), by striking ''part'' and inserting ''subpart''; and

(D) in subsection (f), by striking '', objectives,'';

(4) in section 3114—

(A) in subsection (a)—

(i) by striking ''section 3111(c)(3)'' and inserting ''section 3111(c)(2)''; and

(ii) by striking ''limited English proficient children'' both places the term appears and inserting ''English learners''; and

(B) in subsection (d)(1)—

(i) by striking ''section 3111(c)(3)'' and inserting ''section 3111(c)(2)''; and

(ii) by striking ''preceding the fiscal year'';

(5) by striking section 3115 and inserting the following:

''SEC. 3115. SUBGRANTS TO ELIGIBLE ENTITIES.

''(a) PURPOSES OF SUBGRANTS.—A State educational agency may make a subgrant to an eligible entity from funds received by the agency under this subpart only if the entity agrees to expend the funds to improve the education of English learners by assisting the children to learn English and meet the challenging State academic standards described in section 1111(b)(1). In carrying out activities with such funds, the eligible entity shall use effective approaches and methodologies for teaching English learners and immigrant children and youth for the following purposes:

''(1) Developing and implementing new language instruction educational programs and academic content instruction programs for English learners and immigrant children and youth, including early childhood education programs, elementary school programs, and secondary school programs.

''(2) Carrying out highly focused, innovative, locally designed activities to expand or enhance existing language instruction educational programs and academic content instruction programs for English learners and immigrant children and youth.

''(3) Implementing, within an individual school, schoolwide programs for restructuring, reforming, and upgrading all relevant programs, activities, and operations relating to language instruction educational programs and academic content instruction for English learners and immigrant children and youth.

''(4) Implementing, within the entire jurisdiction of a local educational agency, agency-wide programs for restructuring, reforming, and upgrading all relevant programs, activities, and operations relating to language instruction educational programs and academic content instruction for English learners and immigrant children and youth.

''(b) DIRECT ADMINISTRATIVE EXPENSES.—Each eligible entity receiving funds under section 3114(a) for a fiscal year may use not more than 2 percent of such funds for the cost of administering this subpart.

''(c) REQUIRED SUBGRANTEE ACTIVITIES.—An eligible entity receiving funds under section 3114(a) shall use the funds—

''(1) to increase the English language proficiency of English learners by providing effective language instruction educational programs that meet the needs of English learners and are based on high-quality research demonstrating success in increasing—

''(A) English language proficiency; and

''(B) student academic achievement;

''(2) to provide effective professional development to classroom teachers (including teachers in classroom settings that are not the settings of language instruction educational programs), principals, other school leaders, administrators, and other school or community-based organizational personnel, that is—

''(A) designed to improve the instruction and assessment of English learners;

''(B) designed to enhance the ability of such teachers, principals, and other school leaders to understand and implement appropriate curricula, assessment practices, and instruction strategies for English learners;

''(C) effective in increasing children's English language proficiency or substantially increasing the subject matter knowledge, teaching knowledge, and teaching skills of such teachers; and

''(D) of sufficient intensity and duration (which shall not include activities such as 1-day or short-term workshops and conferences) to have a positive and lasting impact on the teachers' performance in the classroom, except that this subparagraph shall not apply to an activity that is one component of a long-term, comprehensive professional development plan established by a teacher and the teacher's supervisor based on an assessment of the needs of the teacher, the supervisor, the students of the teacher, and any local educational agency employing the teacher, as appropriate; and

''(3) to provide and implement effective parent, family, and community engagement activities in order to enhance or supplement language instruction educational programs for English Learners.

''(d) AUTHORIZED SUBGRANTEE ACTIVITIES.—Subject to subsection (c), an eligible entity receiving funds under section 3114(a) may use the funds to achieve 1 of the purposes described in subsection (a) by undertaking 1 or more of the following activities:

''(1) Upgrading program objectives and effective instructional strategies.

''(2) Improving the instructional program for English learners by identifying, acquiring, and upgrading curricula, instruction materials, educational software, and assessment procedures.

''(3) Providing to English learners—

''(A) tutorials and academic or career and technical education;

''(B) intensified instruction, which may include linguistically responsive materials; and

''(C) bilingual paraprofessionals, which may include interpreters and translators.

''(4) Developing and implementing effective preschool, elementary school, or secondary school language instruction educational programs that are coordinated with other relevant programs and services.

''(5) Improving the English language proficiency and academic achievement of English learners.

''(6) Providing community participation programs, family literacy services, and parent and family outreach and training activities to English learners and their families—

''(A) to improve the English language skills of English learners; and

''(B) to assist parents and families in helping their children to improve their academic achievement and becoming active participants in the education of their children.

''(7) Improving the instruction of English learners, including English learners with a disability, by providing for—

''(A) the acquisition or development of educational technology or instructional materials;

''(B) access to, and participation in, electronic networks for materials, training, and communication; and

''(C) incorporation of the resources described in subparagraphs (A) and (B) into curricula and programs, such as those funded under this subpart.

''(8) Carrying out other activities that are consistent with the purposes of this section.

''(e) ACTIVITIES BY AGENCIES EXPERIENCING SUBSTANTIAL INCREASES IN IMMIGRANT CHILDREN AND YOUTH.—

''(1) IN GENERAL.—An eligible entity receiving funds under section 3114(d)(1) shall use the funds to pay for activities that provide enhanced instructional opportunities for immigrant children and youth, which may include—

''(A) family literacy, parent and family outreach, and training activities designed to assist parents and families to become active participants in the education of their children;

''(B) recruitment of, and support for personnel, including early childhood educators,

teachers, paraprofessionals who have been specifically trained, or are being trained, to provide services to immigrant children and youth;

''(C) provision of tutorials, mentoring, and academic or career counseling for immigrant children and youth;

''(D) identification and acquisition of curricular materials, educational software, and technologies to be used in the program carried out with funds;

''(E) basic instruction services that are directly attributable to the presence of immigrant children and youth in the local educational agency involved, including the payment of costs of providing additional classroom supplies, costs of transportation, or such other costs as are directly attributable to such additional basic instructional services;

''(F) other instructional services that are designed to assist immigrant children and youth to achieve in elementary schools and secondary schools in the United States, such as programs of introduction to the educational system and civics education; and

''(G) activities, coordinated with community-based organizations, institutions of higher education, private sector entities, or other entities with expertise in working with immigrants, to assist parents and families of immigrant children and youth by offering comprehensive community services.

''(2) DURATION OF SUBGRANTS.—The duration of a subgrant made by a State educational agency under section 3114(d)(1) shall be determined by the agency in its discretion.

''(f) SELECTION OF METHOD OF INSTRUCTION.—

''(1) IN GENERAL.—To receive a subgrant from a State educational agency under this subpart, an eligible entity shall select one or more methods or forms of effective instruction to be used in the programs and activities undertaken by the entity to assist English learners to attain English language proficiency and meet challenging State academic standards described in section 1111(b)(1).

''(2) CONSISTENCY.—Such selection shall be consistent with sections 3124 through 3126.

''(g) SUPPLEMENT, NOT SUPPLANT.—Federal funds made available under this subpart shall be used so as to supplement the level of Federal, State, and local public funds that, in the absence of such availability, would have been expended for programs for English learners and immigrant children and youth and in no case to supplant such Federal, State, and local public funds.'';

(6) in section 3116—

(A) in subsection (b), by striking paragraphs (1) through (6) and inserting the following:

''(1) describe the high-quality programs and activities proposed to be developed, implemented, and administered under the subgrant and how these activities will help English learners increase their English language proficiency and meet the challenging State academic standards described in section 1111(b)(1);

''(2) describe how the eligible entity will ensure that elementary schools and secondary schools receiving funds under this subpart assist English learners in meeting—

''(A) annual timelines and goals for progress established under 1111(c)(1)(K) based on the State's English language proficiency assessment under section 1111(b)(2)(G); and

''(B) the challenging State academic standards described in section 1111(b)(1);

''(3) describe how the eligible entity will promote parent, family, and community engagement in the education of English learners;

''(4) describe how language instruction educational programs carried out under the subgrant will ensure that English learners being served by the programs develop English proficiency and demonstrate such proficiency through academic content mastery;

''(5) contain assurances that—

''(A) each local educational agency that is included in the eligible entity is complying with section 1112(d)(2) prior to, and throughout, each school year as of the date of application, and will continue to comply with such section throughout each school year for which the grant is received;

''(B) the eligible entity complies with any State law, including State constitutional law, regarding the education of English learners, consistent with sections 3125 and 3126;

''(C) the eligible entity has based its proposed plan on high-quality research on teaching English learners;

''(D) the eligible entity consulted with teachers, researchers, school administrators, parents and family members, community members, public or private entities, and institutions of higher education, in developing and implementing such plan; and

''(E) the eligible entity will, if applicable, coordinate activities and share relevant data under the plan with local Head Start and Early Head Start agencies, including migrant and seasonal Head Start agencies, and other early childhood education providers.'';

(B) in subsection (c), by striking ''limited English proficient children'' and inserting ''English learners''; and

(C) by striking subsection (d);

(7) by striking section 3121 and inserting the following:

''SEC. 3121. REPORTING.

''(a) IN GENERAL.—Each eligible entity that receives a subgrant from a State educational agency under subpart 1 shall provide such agency, at the conclusion of every second fiscal year during which the subgrant is received, with a report, in a form prescribed by the agency, on the activities conducted and children served under such subpart that includes—

''(1) a description of the programs and activities conducted by the entity with funds received under subpart 1 during the 2 immediately preceding fiscal years;

''(2) the number and percentage of English learners in the programs and activities who meet the annual State-determined goals for progress established under section 1111(c)(1)(K), including disaggregated, at a minimum, by—

''(A) long-term English learners; and

''(B) English learners with a disability;

''(3) the number and percentage of English learners in the programs and activities attaining English language proficiency based on State English language proficiency standards established under section 1111(b)(1)(F) by the end of each school year, as determined by the State's English language proficiency assessment under section 1111(b)(2)(G);

''(4) the number and percentage of English learners who exit the language instruction educational programs based on their attainment of English language proficiency;

''(5) the number and percentage of English learners meeting challenging State academic standards described in section 1111(b)(1) for each of the 4 years after such children are no longer receiving services under this part, including disaggregated, at a minimum, by—

''(A) long-term English learners; and

''(B) English learners with a disability;

''(6) the number and percentage of English learners who have not attained English language proficiency within 5 years of initial classification as an English learner; and

''(7) any other information as the State educational agency may require.

''(b) REPORT.—A report provided by an eligible entity under subsection (a) shall be used by the entity and the State educational agency for improvement or programs and activities under this part.

''(c) SPECIAL RULE FOR SPECIALLY QUALIFIED AGENCIES.—Each specially qualified agency receiving a grant under this part shall provide the reports described in subsection (a) to the Secretary subject to the same requirements as apply to eligible entities providing such evaluations to State educational agencies under such subsection.'';

(8) in section 3122, as redesignated by section 3001(2)—

(A) in subsection (a)—

(i) by striking ''evaluations'' and inserting ''reports''; and

(ii) by striking ''children who are limited English proficient'' and inserting ''English learners''; and

(B) in subsection (b)—

(i) in paragraph (1)—

(I) by striking ''limited English proficient children'' and inserting ''English learners''; and

(II) by striking ''children who are limited English proficient'' and inserting ''English learners'';

(ii) in paragraph (4), by striking ''section 3111(b)(2)(C)'' and inserting ''section 3111(b)(2)(D)'';

(iii) in paragraph (6), by striking ''major findings of scientifically based research carried out under this part'' and inserting ''findings of the evaluation related to English learners carried out under section 9601'';

(iv) in paragraph (8)—

(I) by striking ''of limited English proficient children'' and inserting ''of English learners''; and

(II) by striking ''into classrooms where instruction is not tailored for limited English proficient children''; and

(v) in paragraph (9), by striking ''title'' and inserting ''part'';

(9) in section 3123, as redesignated by section 3001(2)—

(A) by striking ''children of limited English proficiency'' and inserting ''English learners''; and

(B) by striking ''limited English proficient children'' and inserting ''English learners'';

(10) in section 3124, as redesignated by section 3001(2)—

(A) in paragraph (1), by striking ''limited English proficient children'' and inserting ''English learners''; and

(B) in paragraph (2), by striking ''limited English proficient children'' and inserting ''English learners'';

(11) in section 3128, as redesignated by section 3001(2), by striking ''limited English proficient children'' and inserting ''English learners''; and

(12) by striking section 3131 and inserting the following:

''SEC. 3131. NATIONAL PROFESSIONAL DEVELOPMENT PROJECT.

''The Secretary shall use funds made available under section 3111(c)(1)(C) to award grants on a competitive basis, for a period of not more than 5 years, to institutions of higher education or public or private entities with relevant experience and capacity (in consortia with State educational agencies or

local educational agencies) to provide for professional development, capacity building, or evidence-based activities that will improve classroom instruction for English learners and assist educational personnel working with such children to meet high professional standards, including standards for certification and licensure as teachers who work in language instruction educational programs or serve English learners. Grants awarded under this section may be used—

''(1) for preservice or inservice effective professional development programs that will assist local schools and may assist institutions of higher education to upgrade the qualifications and skills of educational personnel who are not certified or licensed, especially educational paraprofessionals, and for other activities to increase teacher and school leader effectiveness;

''(2) for the development of curricula or other instructional strategies appropriate to the needs of the consortia participants involved;

''(3) to support strategies that strengthen and increase parent, family, and community member engagement in the education of English learners;

''(4) to develop, share, and disseminate effective practices in the instruction of English learners and in increasing the student academic achievement of English learners, such as through the use of technology-based programs;

''(5) in conjunction with other Federal need-based student financial assistance programs, for financial assistance, and costs related to tuition, fees, and books for enrolling in courses required to complete the degree involved, to meet certification or licensing requirements for teachers who work in language instruction educational programs or serve English learners; and

''(6) as appropriate, to support strategies that promote school readiness of English learners and their transition from early childhood education programs, such as Head Start or State-run preschool programs to elementary school programs.''.

SEC. 3004. OTHER PROVISIONS.

Part B of title III, as redesignated by section 3001(4), is amended—

(1) in section 3201, as redesignated by section 3001(5)—

(A) by striking paragraphs (3), (4), and (5);

(B) by inserting after paragraph (2) the following:

''(3) ELIGIBLE ENTITY.—The term 'eligible entity' means—

''(A) one or more local educational agencies; or

''(B) one or more local educational agencies, in collaboration with an institution of higher education, educational service agency, community-based organization, or State educational agency.

''(4) ENGLISH LEARNER WITH A DISABILITY.—The term 'English learner with a disability' means an English learner who is also a child with a disability, as that term is defined in section 602 of the Individuals with Disabilities Education Act.'';

(C) by redesignating paragraphs (6) through (8) as paragraphs (5) through (7), respectively;

(D) in paragraph (7)(A), as redesignated by subparagraph (C), by striking ''a limited English proficient child'' and inserting ''an English learner'';

(E) by inserting after paragraph (7) the following:

''(8) LONG-TERM ENGLISH LEARNER.—The term 'long-term English learner' means an English learner who has attended schools in the United States for not less than 5 years and who has not yet exited from English learner status by the culmination of the fifth year of services.''; and

(F) in paragraph (13), by striking '', as defined in section 3141,''; and

(2) in section 3202, as redesignated by section 3001(5)—

(A) in the matter preceding paragraph (1), by striking ''limited English proficient children'' and inserting ''English learners''; and

(B) in paragraph (4)—

(i) in subparagraph (A), by striking ''limited English proficient children'' and inserting ''English learners, including English learners with a disability (as defined in section 3141), that includes information on best practices on instructing and serving English learners''; and

(ii) in subparagraph (B), by striking ''limited English proficient children'' and inserting ''English learners''; and

(3) in section 3203, as redesignated by section 3001(5)—

(A) by striking ''limited English proficient individuals'' and inserting ''English learners''; and

(B) by striking ''limited English proficient children'' and inserting ''English learners''.

SEC. 3005. AMERICAN COMMUNITY SURVEY RESEARCH.

(a) STUDY.—The Director of the Institute of Education Sciences and the Secretary of Education, in consultation with the Director of the Bureau of the Census, shall conduct research on the accuracy of the American Community Survey language items for assessing population prevalence of English learner children and youth, including—

(1) the strength of such survey's association with more comprehensive English language proficiency measures;

(2) the effects on responses of situational, cultural, demographic, and socioeconomic factors;

(3) placement of the item in the questionnaire; and

(4) the ability of adult responders to make English language proficiency distinctions.

(b) IMPLEMENTATION.—The Director of the Bureau of the Census shall use the results of the study described in subsection (a) to improve the accuracy of the American Community Survey language items for assessing population prevalence of English learner students.

TITLE IV—SAFE AND HEALTHY STUDENTS

SEC. 4001. GENERAL PROVISIONS.

Title IV (20 U.S.C. 7101 et seq.) is amended—

(1) by redesignating subpart 3 of part A as subpart 5 of part F of title IX, as redesignated by section 9106(1), and moving that subpart to follow subpart 4 of part F of title IX, as redesignated by sections 2001 and 9106(1);

(2) by redesignating section 4141 as section 9561;

(3) by redesignating section 4155 as section 9537 and moving that section so as to follow section 9536;

(4) by redesignating part C as subpart 6 of part F of title IX, as redesignated by section 9106(1), and moving that subpart to follow subpart 5 of part F of title IX, as redesignated by section 9106(1) and paragraph (1);

(5) by redesignating sections 4301, 4302, 4303, and 4304, as sections 9571, 9572, 9573, and 9574, respectively; and

(6) by striking the title heading and inserting the following:

''TITLE IV—SAFE AND HEALTHY STUDENTS''.

SEC. 4002. GRANTS TO STATES AND LOCAL EDUCATIONAL AGENCIES.

Part A of title IV (20 U.S.C. 7101 et seq.) is amended to read as follows:

''PART A—GRANTS TO STATES AND LOCAL EDUCATIONAL AGENCIES

''SEC. 4101. PURPOSE.

''The purpose of this part is to improve students' safety, health, well-being, and academic achievement during and after the school day by—

''(1) increasing the capacity of local educational agencies, schools, and local communities to improve conditions for learning through the creation of safe, healthy, supportive, and drug-free environments;

''(2) carrying out programs designed to improve school safety and promote students' physical and mental health and well-being;

''(3) preventing and reducing substance use and abuse, school violence, harassment, and bullying; and

''(4) strengthening parent and community engagement to ensure a healthy, safe, and supportive school environment.

''SEC. 4102. DEFINITIONS.

''In this part:

''(1) CONTROLLED SUBSTANCE.—The term 'controlled substance' means a drug or other substance identified under Schedule I, II, III, IV, or V in section 202(c) of the Controlled Substances Act (21 U.S.C. 812(c)).

''(2) DRUG.—The term 'drug' includes controlled substances, the illegal use of alcohol or tobacco (including smokeless tobacco products and electronic cigarettes), and the harmful, abusive, or addictive use of substances, including inhalants and anabolic steroids.

''(3) DRUG AND VIOLENCE PREVENTION.—The term 'drug and violence prevention' means—

''(A) with respect to drugs, prevention, early intervention, rehabilitation referral, recovery support services, or education related to the illegal use of drugs, such as raising awareness about the evidence-based consequences of drug use; and

''(B) with respect to violence, the promotion of school safety, such that students and school personnel are free from violent and disruptive acts, including sexual harassment and abuse, and victimization associated with prejudice and intolerance, on school premises, going to and from school, and at school-sponsored activities, through the creation and maintenance of a school environment that is free of weapons and fosters individual responsibility and respect for the rights of others.

''(4) SCHOOL-BASED MENTAL HEALTH SERVICES PROVIDER.—The term 'school-based mental health services provider' includes a State licensed or State certified school counselor, school psychologist, school social worker, or other State licensed or certified mental health professional qualified under State law to provide such mental health services to children and adolescents, including children in early childhood education programs.

''(5) STATE.—The term 'State' means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

''SEC. 4103. FORMULA GRANTS TO STATES.

''(a) RESERVATIONS.—From the total amount appropriated under section 4108 for a fiscal year, the Secretary shall reserve—

''(1) not more than 5 percent for national activities, which the Secretary may carry out directly or through grants, contracts, or agreements with public or private entities or individuals, or other Federal agencies, such

as providing technical assistance to States and local educational agencies carrying out activities under this part or conducting a national evaluation;

''(2) one-half of 1 percent for allotments for the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands, to be distributed among those outlying areas on the basis of their relative need, as determined by the Secretary, in accordance with the purpose of this part;

''(3) one-half of 1 percent for the Secretary of the Interior for programs under this part in schools operated or funded by the Bureau of Indian Education; and

''(4) such funds as may be necessary for the Project School Emergency Response to Violence program (referred to as 'Project SERV'), which is authorized to provide education-related services to local educational agencies and institutions of higher education in which the learning environment has been disrupted due to a violent or traumatic crisis, and which funds shall remain available for obligation until expended.

''(b) STATE ALLOTMENTS.—

''(1) ALLOTMENT.—

''(A) IN GENERAL.—In accordance with subparagraph (B), the Secretary shall allot among each of the States the total amount made available to carry out this part for any fiscal year and not reserved under subsection (a).

''(B) DETERMINATION OF STATE ALLOTMENT AMOUNTS.—Subject to paragraph (2), the Secretary shall allot the amount made available under subparagraph (A) for a fiscal year among the States in proportion to the number of individuals, aged 5 to 17, who reside within the State and are from families with incomes below the poverty line for the most recent fiscal year for which satisfactory data are available, compared to the number of such individuals who reside in all such States for that fiscal year.

''(2) SMALL STATE MINIMUM.—No State receiving an allotment under paragraph (1) shall receive less than one-half of 1 percent of the total amount allotted under such paragraph.

''(3) PUERTO RICO.—The amount allotted under subparagraph (A) to the Commonwealth of Puerto Rico for a fiscal year may not exceed one-half of 1 percent of the total amount allotted under such subparagraph.

''(4) REALLOTMENT.—If a State does not receive an allotment under this part for a fiscal year, the Secretary shall reallot the amount of the State's allotment to the remaining States in accordance with this section.

''(c) STATE USE OF FUNDS.—

''(1) IN GENERAL.—Each State that receives an allotment under this section shall reserve not less than 95 percent of the amount allotted to such State under subsection (b), for each fiscal year, for subgrants to local educational agencies, which may include consortia of such agencies, under section 4104.

''(2) STATE ADMINISTRATION.—A State educational agency shall use not more than 1 percent of the amount made available to the State under subsection (b) for the administrative costs of carrying out its responsibilities under this part.

''(3) STATE ACTIVITIES.—A State educational agency shall use the amount made available to the State under subsection (b) and not reserved under paragraph (1) for activities and programs designed to meet the purposes of this part, which—

''(A) shall include—

''(i) providing training, technical assistance, and capacity building to local educational agencies that are recipients of a subgrant under section 4104, which may include identifying and disseminating best practices for professional development and capacity building for teachers, administrators, and specialized instructional support personnel in schools that are served by local educational agencies under this part; and

''(ii) publicly reporting on how funds made available under this part are being expended by local educational agencies under section 4104; and

''(B) may include—

''(i) identifying and eliminating State barriers to the coordination and integration of programs, initiatives, and funding streams that meet the purposes of this part, so that local educational agencies can better coordinate with other agencies, schools and community-based services and programs;

''(ii) assisting local educational agencies to expand access to or coordination of resources for school-based counseling and mental health programs, such as through school-based mental health services partnership programs described in section 4105(a)(4)(C);

''(iii) supporting programs and activities that offer a variety of well-rounded educational experiences to students;

''(iv) supporting activities that promote physical and mental health and well-being for students and staff;

''(v) designing and implementing a grant process for local entities that wish to use funds to reduce exclusionary discipline practices in elementary schools and secondary schools, in a manner consistent with State or federally identified best practices on the subject;

''(vi) assisting in the creation of a continuum of evidence-based or promising practices in the reduction of juvenile delinquency;

''(vii) promoting gender equity in education by supporting local educational agencies in meeting the requirements of title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.);

''(viii) providing local educational agencies with evidence-based resources—

''(I) addressing—

''(aa) student athletic safety, such as developing a plan for concussion safety and recovery practices (which may include policies that prohibit student athletes suspected of having a concussion from returning to play the same day);

''(bb) cardiac conditions such as cardiomyopathy; and

''(cc) exposure to excessive heat and humidity; and

''(II) relating to the development of recommended guidelines for an emergency action plan for youth athletics;

''(ix) designing and implementing evidence-based mental health awareness training programs for the purposes of—

''(I) recognizing the signs and symptoms of mental illness;

''(II) providing education to school personnel regarding resources available in the community for students with mental illnesses and other relevant resources relating to mental health; or

''(III) providing education to school personal regarding the safe de-escalation of crisis situations involving a student with a mental illness; and

''(x) other activities identified by the State that meet the purposes of this part.

''(d) STATE PLAN.—

''(1) IN GENERAL.—In order to receive an allotment under this section for any fiscal year, a State shall submit a plan to the Secretary, at such time and in such manner as the Secretary may reasonably require.

''(2) CONTENTS.—Each plan submitted by a State under this section shall include the following:

''(A) A description of how the State educational agency will use funds received under this part for State-level activities.

''(B) A description of program objectives and outcomes for activities under this part.

''(C) An assurance that the State educational agency will review existing resources and programs across the State and will coordinate any new plans and resources under this part with such existing programs and resources.

''(D) An assurance that the State educational agency will monitor the implementation of activities under this part and provide technical assistance to local educational agencies in carrying out such activities.

''(3) ANNUAL REPORT.—Each State receiving a grant under this part shall annually prepare and submit a report to the Secretary, which shall include—

''(A) how the State and local educational agencies used funds provided under this part; and

''(B) the degree to which the State and local educational agencies have made progress toward meeting the objectives and outcomes described in the plan submitted by the State under paragraph (2)(B).

''(e) PROJECT SERV.—

''(1) ADDITIONAL USE OF FUNDS.—Funds available under subsection (a)(4) for extended services grants under the Project School Emergency Response to Violence program (referred to in this subsection as the 'Project SERV program') may be used by a local educational agency or institution of higher education receiving such grant to initiate or strengthen violence prevention activities, as part of the activities designed to restore the learning environment that was disrupted by the violent or traumatic crisis in response to which the grant was awarded, and as provided in this subsection.

''(2) APPLICATION PROCESS.—

''(A) IN GENERAL.—A local educational agency or institution of higher education desiring to use a portion of extended services grant funds under the Project SERV program to initiate or strengthen a violence prevention activity shall—

''(i) submit, in an application that meets all requirements of the Secretary for the Project SERV program, the information described in subparagraph (B); or

''(ii) in the case of a local educational agency or institution of higher education that has already received an extended services grant under the Project SERV program, submit an addition to the original application that includes the information described in subparagraph (B).

''(B) APPLICATION REQUIREMENTS.—The information required under this subparagraph is the following:

''(i) A demonstration that there is a continued disruption or a substantial risk of disruption to the learning environment that would be addressed by such activity.

''(ii) An explanation of the proposed activity designed to restore and preserve the learning environment.

''(iii) A budget and budget narrative for the proposed activity.

''(3) AWARD BASIS.—Any award of funds under the Project SERV program for violence prevention activities under this subsection shall be subject to the discretion of the Secretary and the availability of funds.

''(4) PROHIBITED USE.—No funds provided to a local educational agency or institution of higher education under the Project SERV program for violence prevention activities may be used for construction, renovation, or repair of a facility or for the permanent infrastructure of the local educational agency or institution.

"SEC. 4104. SUBGRANTS TO LOCAL EDUCATIONAL AGENCIES.

''(a) ALLOCATIONS TO LOCAL EDUCATIONAL AGENCIES.—

''(1) IN GENERAL.—A State that receives an allotment under this part for a fiscal year shall provide the amount made available under section 4103(c)(1) for subgrants to local educational agencies, which may include consortia of such agencies, in accordance with this section.

''(2) FUNDS TO LOCAL EDUCATIONAL AGENCIES.—From the funds reserved by a State under section 4103(c)(1), the State shall allocate to each local educational agency or consortium of such agencies in the State an amount that bears the same relationship to such funds as the number of individuals aged 5 to 17 from families with incomes below the poverty line in the geographic area served by the agency, as determined by the Secretary on the basis of the most recent satisfactory data, bears to the number of such individuals in the geographic areas served by all the local educational agencies in the State, as so determined.

''(3) ADMINISTRATIVE COSTS.—Of the amount received under paragraph (2), a local educational agency or consortium of such agencies may use not more than 2 percent for the direct administrative costs of carrying out its responsibilities under this part.

''(b) LOCAL APPLICATIONS.—

''(1) IN GENERAL.—To be eligible to receive a subgrant under this section, a local educational agency or consortium of such agencies shall submit an application to the State educational agency at such time, in such manner, and containing such information as the State educational agency may reasonably require.

''(2) CONSULTATION.—

''(A) IN GENERAL.—A local educational agency or consortium of such agencies shall conduct a needs assessment described in paragraph (3), and develop its application, through consultation with parents, teachers, principals, school leaders, specialized instructional support personnel, early childhood educators, students, community-based organizations, local government representatives (which may include a local law enforcement agency, local juvenile court, local child welfare agency, or local public housing agency), Indian tribes or tribal organizations (if applicable) that may be located in the region served by the local educational agency, and others with relevant and demonstrated expertise in programs and activities designed to meet the purpose of this part.

''(B) CONTINUED CONSULTATION.—On an ongoing basis, the local educational agency or consortium of such agencies shall consult with the individuals and organizations described in subparagraph (A) in order to seek advice regarding how best—

''(i) to improve the local activities in order to meet the purpose of this part; and

''(ii) to coordinate such activities under this part with other related strategies, programs, and activities being conducted in the community.

''(3) NEEDS ASSESSMENT.—

''(A) IN GENERAL.—To be eligible to receive a subgrant under this section, a local educational agency or consortium of such agencies shall conduct a comprehensive needs assessment of the local educational agency or agencies proposed to be served and of all schools within the jurisdiction of the local educational agency or agencies proposed to be served.

''(B) REQUIREMENTS.—In conducting the needs assessment required under subparagraph (A), the local educational agency or consortium of such agencies shall—

''(i) take into account applicable and available school-level data on indicators or measures of school quality, climate and safety, and discipline, including those described in section 1111(d)(1)(C)(v); and

''(ii) take into account risk factors in the community, school, family, or peer-individual domains that—

''(I) are known through prospective, longitudinal research efforts to be predictive of drug use, violent behavior, harassment, disciplinary issues, and to have an effect on the physical and mental health and well-being of youth in the school and community; and

''(II) may include using available State and local data on incidence, prevalence, and perception of such risk factors.

''(4) CONTENTS.—Each application submitted under this subsection shall be based on the needs assessment described in paragraph (3) and shall include the following:

''(A) The results of the needs assessment described in paragraph (3) and an identification of each school that will be served by a subgrant under this section.

''(B) A description of the activities that the local educational agency or consortium of such agencies will carry out under this part and how these activities are aligned with the results of the needs assessment conducted under paragraph (3).

''(C) A description of the performance indicators that the local educational agency or consortium of such agencies will use to evaluate the effectiveness of the activities carried out under this section.

''(D) a description of the programs or activities that the local educational agency or consortium of such agencies will carry out under this part to assist schools in facilitating safe relationship behavior between and among students, as determined necessary by the local educational agency to meet the purposes of this part and which may include—

''(i) providing age-appropriate education and training, and

''(ii) improving instructional practices on developing effective communication skills, and on how to recognize and prevent coercion, violence, or abuse, including teen and dating violence, stalking, domestic abuse, and sexual violence and harassment.

''(E) An assurance that such activities will comply with the principles of effectiveness described in section 4105(b), and foster a healthy, safe, and supportive school environment that improves students' safety, health, and well-being during and after the school day.

''(F) An assurance that the local educational agency or consortium of such agencies will prioritize the distribution of funds to schools served by the local educational agency or consortium of such agencies that—

''(i) are among the schools with the greatest needs as identified through the needs assessment conducted under paragraph (3);

''(ii) have the highest percentages or numbers of children counted under section 1124(c);

''(iii) are identified under section 1114(a)(1)(A); or

''(iv) are identified as a persistently dangerous public elementary school or secondary school under section 9532.

''(G) An assurance that the local educational agency or consortium of such agencies will comply with section 9501 (regarding equitable participation by private school children and teachers).

"SEC. 4105. LOCAL EDUCATIONAL AGENCY AUTHORIZED ACTIVITIES.

''(a) LOCAL EDUCATIONAL AGENCY ACTIVITIES.—A local educational agency or consortium of such agencies that receives a subgrant under section 4104 shall use the subgrant funds to develop, implement, and evaluate comprehensive programs and activities, which are coordinated with other schools and community-based services and programs and may be conducted in partnership with nonprofit organizations with a demonstrated record of success in implementing activities, that are in accordance with the purpose of this part and—

''(1) foster safe, healthy, supportive, and drug-free environments that support student academic achievement;

''(2) are consistent with the principles of effectiveness described in subsection (b);

''(3) promote the involvement of parents in the activity or program, as appropriate; and

''(4) may include, among other programs and activities—

''(A) drug and violence prevention activities and programs (including programs to educate students against the use of alcohol, tobacco, marijuana, smokeless tobacco products, and electronic cigarettes), including professional development and training for school and specialized instructional support personnel and interested community members in prevention, education, early identification, and intervention mentoring, recovery support services, and, where appropriate, rehabilitation referral, as related to drug and violence prevention;

''(B) programs that support extended learning opportunities, including before- and after-school programs and activities, programs during summer recess periods, and expanded learning time;

''(C) in accordance with subsections (c) and (d), school-based mental health services, including early identification of mental-health symptoms, drug use and violence, and appropriate referrals to direct individual or group counseling services provided by qualified school or community-based mental health services providers;

''(D) in accordance with subsections (c) and (d), school-based mental health services partnership programs that—

''(i) are conducted in partnership with a public or private mental-health entity or health care entity, which may also include a child welfare agency, family-based mental health entity, trauma network, or other community-based entity; and

''(ii) provide comprehensive school-based mental health services and supports and staff development for school and community personnel working in the school that are based on trauma-informed and evidence practices, are coordinated (where appropriate) with early intervening services carried out under the Individuals with Disabilities Education Act, are provided by qualified mental and behavioral health professionals who are certified or licensed by the State involved and practicing within their area of expertise, and may include—

''(I) the early identification of social, emotional, or behavioral problems, or substance use disorders, and the provision of early intervening services;

''(II) notwithstanding section 4107, the treatment or referral for treatment of students with social, emotional, or behavioral health problems, or substance use disorders;

''(III) the development and implementation of programs to assist children in dealing with trauma and violence; and

''(IV) the development of mechanisms, based on best practices, for children to report incidents of violence or plans by other children or adults to commit violence;

''(E) emergency planning and intervention services following traumatic crisis events;

''(F) programs that train school personnel to identify warning signs of youth drug abuse and suicide;

''(G) mentoring programs and activities for children who—

''(i) are at risk of academic failure, dropping out of school, or involvement in criminal or delinquent activities, drug use and abuse; or

''(ii) lack strong positive role models;

''(H) early childhood, elementary school, and secondary school counseling programs, including college and career guidance programs, such as—

''(i) postsecondary education and career awareness and exploration activities;

''(ii) efforts to enhance the use of information about local workforce needs in postsecondary education and career guidance programs, which may include training counselors to effectively utilize labor market information in assisting students with postsecondary education and career planning;

''(iii) the development of personalized learning plans for students; and

''(iv) financial literacy and Federal financial aid awareness activities;

''(I) programs or activities that support a healthy, active lifestyle, including nutritional education and regular, structured physical education programs for early childhood, elementary school, and secondary school students;

''(J) implementation of schoolwide positive behavioral interventions and supports, including through coordination with similar activities carried out under the Individuals with Disabilities Education Act, in order to improve academic outcomes for students and reduce the need for suspensions, expulsions, and other actions that remove students from instruction;

''(K) programs and activities that offer a variety of well-rounded educational experience for students, such as those that—

''(i) use music and the arts as tools to promote constructive student engagement, problem solving, and conflict resolution;

''(ii) further students' understanding and knowledge of computer science from elementary school through secondary school; or

''(iii) promote volunteerism and community service;

''(L) systems of high-capacity, integrated student supports;

''(M) strategies that establish learning environments to further students' academic and nonacademic skills essential for school readiness and academic success, such as by providing integrated systems of student and family supports and building teacher, principal, and other school leader capacity;

''(N) bullying and harassment prevention programs or activities, including professional development and training for school and specialized instructional support personnel in the prevention, early identification, and early intervention, as related to bullying and harassment;

''(O) programs or activities designed to increase school safety and improve school climate, which may include training for school personnel related to conflict prevention and resolution practices and raising awareness of issues such as—

''(i) suicide prevention;

''(ii) effective and trauma-informed practices in classroom management;

''(iii) crisis management techniques;

''(iv) conflict resolution practices;

''(v) human trafficking (defined, for purposes of this subparagraph, as an act or practice described in paragraph (9) or (10) of section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102)); and

''(vi) school-based violence prevention strategies;

''(P) programs or activities that integrate health and safety practices into school or athletic programs, such as developing a plan for concussion safety and recovery or cardiac safety or implementing an excessive heat action plan to be used during school-sponsored athletic activities;

''(Q) pay-for-success initiatives that produce a measurable, clearly defined outcome that results in social benefit and direct cost savings to the local, State, or Federal Government;

''(R) programs or activities to connect youth who are involved in, or are at risk of involvement in, juvenile delinquency or street gang activity to evidence-based and promising prevention and intervention practices related to juvenile delinquency and criminal street gang activity;

''(S) child sexual abuse awareness and prevention programs or activities, such as programs or activities designed to provide—

''(i) age-appropriate and developmentally-appropriate instruction for early childhood education program, elementary school, and secondary school students in child sexual abuse awareness and prevention, including how to recognize child sexual abuse and how to safely report child sexual abuse; and

''(ii) information to parents and guardians of early childhood education program, elementary school, and secondary school students about child sexual abuse awareness and prevention, including how to recognize child sexual abuse and how to discuss child sexual abuse with a child;

''(T) the development and implementation of a school asthma management plan;

''(U) assisting schools in educating children facing substance abuse in the home, which may include providing professional development, training, and technical assistance to elementary schools and secondary schools that serve communities with high rates of substance abuse;

''(V) instructional and support activities and programs, such as activities and programs addressing chronic disease management, led by school nurses, nurse practitioners, social workers, and other appropriate specialists or professionals to help maintain the well-being of students;

''(W) programs and activities that facilitate safe relationship behavior between and among students;

''(X) designating a site resource coordinator at a school or local educational agency to provide a variety of services, such as—

''(i) establishing partnerships within the community to provide resources and support for schools;

''(ii) ensuring all service and community partners are aligned with the academic expectations of a community school in order to improve student success; and

''(iii) strengthening relationships between schools and communities; and

''(Y) other activities and programs identified as necessary by the local educational agency through the needs assessment conducted under section 4104(b)(3) that will increase student achievement and otherwise meet the purpose of this part.

''(b) PRINCIPLES OF EFFECTIVENESS.—

''(1) IN GENERAL.—For a program or activity developed or carried out under this part to meet principles of effectiveness, such program or activity shall—

''(A) be based upon an assessment of objective data regarding the need for programs and activities in the early childhood, elementary school, secondary school, or community to be served to—

''(i) improve school safety and promote students' physical and mental health and well-being, healthy eating and nutrition, and physical fitness; and

''(ii) strengthen parent and community engagement to ensure a healthy, safe, and supportive school environment;

''(B) be based upon established State requirements and evidence-based criteria aimed at ensuring a healthy, safe, and supportive school environment for students in the early childhood, elementary school, secondary school, or community that will be served by the program; and

''(C) include meaningful and ongoing consultation with and input from teachers, principals, school leaders, and parents in the development of the application and administration of the program or activity.

''(2) PERIODIC EVALUATION.—

''(A) IN GENERAL.—The program or activity shall undergo a periodic independent, third-party evaluation to assess the extent to which the program or activity has helped the local educational agency or school provide students with a healthy, safe, and supportive school environment that promotes school safety and students' physical and mental health and well-being.

''(B) USE OF RESULTS.—The local educational agency or consortium of such agencies shall ensure that the results of the periodic evaluations described under subparagraph (A) are—

''(i) used to refine, improve, and strengthen the program or activity, and to refine locally determined criteria described under paragraph (1)(B); and

''(ii) made available to the public and the State.

''(3) PROHIBITION.—Nothing in this subsection shall be construed to authorize the Secretary or any other officer or employee of the Federal Government to mandate, direct, or control, the principles of effectiveness developed or utilized by a local educational agency under this subsection.

''(c) PARENTAL CONSENT.—

''(1) IN GENERAL.—Each local educational agency receiving a subgrant under this part shall obtain prior written, informed consent from the parent of each child who is under 18 years of age to participate in any mental-health assessment service or treatment that is funded under this part and conducted in connection with an elementary school or secondary school under this part.

''(2) EXCEPTION.—Notwithstanding paragraph (1), the written, informed consent described in such paragraph shall not be required in—

''(A) an emergency, where it is necessary to protect the immediate health and safety of the student, other students, or school personnel; or

''(B) other instances where parental consent cannot be reasonably obtained, as defined by the Secretary.

''(d) PRIVACY.—Each local educational agency receiving a subgrant under this part

shall ensure that student mental health records are accorded the privacy protections provided under section 444 of the General Education Provisions Act (20 U.S.C. 1232g) (commonly referred to as the 'Family Educational Rights and Privacy Act of 1974').

"SEC. 4106. SUPPLEMENT, NOT SUPPLANT.

''Funds made available under this part shall be used to supplement, and not supplant, non-Federal funds that would otherwise be used for activities authorized under this part.

"SEC. 4107. PROHIBITIONS.

''(a) PROHIBITED USE OF FUNDS.—No funds under this part may be used for—

''(1) construction; or

''(2) medical services or drug treatment or rehabilitation, except for integrated student supports or referral to treatment for impacted students, which may include students who are victims of, or witnesses to, crime or who illegally use drugs.

''(b) PROHIBITION ON MANDATORY MEDICATION.—No child shall be required to obtain a prescription for a substance covered by the Controlled Substances Act (21 U.S.C. 801 et seq.) as a condition of receiving an evaluation, services, or attending a school receiving assistance under this part.

"SEC. 4108. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated to carry out this part such sums as may be necessary for each of fiscal years 2016 through 2021.''.

SEC. 4003. 21ST CENTURY COMMUNITY LEARNING CENTERS.

(a) PROGRAM AUTHORIZED.—Part B of title IV (20 U.S.C. 7171 et seq.) is amended to read as follows:

"PART B—21ST CENTURY COMMUNITY LEARNING CENTERS

"SEC. 4201. PURPOSE; DEFINITIONS.

''(a) PURPOSE.—The purpose of this part is to provide opportunities for communities to establish or expand activities in community learning centers that—

''(1) provide opportunities for academic enrichment, including providing tutorial services to help students, particularly students who attend low-performing schools, to meet challenging State academic standards described in section 1111(b)(1);

''(2) offer students a broad array of additional services, programs, and activities, such as youth development activities, service learning, nutrition and health education, drug and violence prevention programs, counseling programs, art, music, physical fitness and wellness programs, technology education programs, financial literacy programs, environmental literacy programs, mathematics, science, career and technical programs, internship or apprenticeship programs, and other ties to an in-demand industry sector or occupation for high school students that are designed to reinforce and complement the regular academic program of participating students; and

''(3) offer families of students served by community learning centers opportunities for active and meaningful engagement in their children's education, including opportunities for literacy and related educational development.

''(b) DEFINITIONS.—In this part:

''(1) COMMUNITY LEARNING CENTER.—The term 'community learning center' means an entity that—

''(A) assists students to meet challenging State academic standards described in section 1111(b)(1) by providing the students with academic enrichment activities and a broad array of other activities (such as programs and activities described in subsection (a)(2)) during nonschool hours or periods when school is not in session (such as before and after school or during summer recess) that—

''(i) reinforce and complement the regular academic programs of the schools attended by the students served; and

''(ii) are targeted to the students' academic needs and aligned with the instruction students receive during the school day; and

''(B) offers families of students served by such center opportunities for literacy, and related educational development and opportunities for active and meaningful engagement in their children's education.

''(2) COVERED PROGRAM.—The term 'covered program' means a program for which —

''(A) the Secretary made a grant under part B of title IV (as such part was in effect on the day before the date of enactment of the Every Child Achieves Act of 2015); and

''(B) the grant period had not ended on that date of enactment.

''(3) ELIGIBLE ENTITY.—The term 'eligible entity' means a local educational agency, community-based organization, Indian tribe or tribal organization (as such terms are defined in section 4 of the Indian Self-Determination and Education Act (25 U.S.C. 450b)), another public or private entity, or a consortium of 2 or more such agencies, organizations, or entities.

''(4) EXTERNAL ORGANIZATION.—The term 'external organization' means—

''(A) a nonprofit organization with a record of success in running or working with after school programs; or

''(B) in the case of a community where there is no such organization, a nonprofit organization in the community that enters into a formal agreement or partnership with an organization described in subparagraph (A) to receive mentoring and guidance.

''(5) RIGOROUS PEER-REVIEW PROCESS.—The term 'rigorous peer-review process' means a process by which—

''(A) employees of a State educational agency who are familiar with the 21st century community learning center program under this part review all applications that the State receives for awards under this part for completeness and applicant eligibility;

''(B) the State educational agency selects peer reviewers for such applications, who shall—

''(i) be selected for their expertise in providing effective academic, enrichment, youth development, and related services to children; and

''(ii) not include any applicant, or representative of an applicant, that has submitted an application under this part for the current application period; and

''(C) the peer reviewers described in subparagraph (B) review and rate the applications to determine the extent to which the applications meet the requirements under sections 4204(b) and 4205.

''(6) STATE.—The term 'State' means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

"SEC. 4202. ALLOTMENTS TO STATES.

''(a) RESERVATION.—From the funds appropriated under section 4206 for any fiscal year, the Secretary shall reserve—

''(1) such amounts as may be necessary to make continuation awards to grant recipients under covered programs (under the terms of those grants);

''(2) not more than 1 percent for national activities, which the Secretary may carry out directly or through grants and contracts, such as providing technical assistance to eligible entities carrying out programs under this part or conducting a national evaluation; and

''(3) not more than 1 percent for payments to the outlying areas and the Bureau of Indian Affairs, to be allotted in accordance with their respective needs for assistance under this part, as determined by the Secretary, to enable the outlying areas and the Bureau to carry out the purpose of this part.

''(b) STATE ALLOTMENTS.—

''(1) DETERMINATION.—From the funds appropriated under section 4206 for any fiscal year and remaining after the Secretary makes reservations under subsection (a), the Secretary shall allot to each State for the fiscal year an amount that bears the same relationship to the remainder as the amount the State received under subpart 2 of part A of title I for the preceding fiscal year bears to the amount all States received under that subpart for the preceding fiscal year, except that no State shall receive less than an amount equal to one-half of 1 percent of the total amount made available to all States under this subsection.

''(2) REALLOTMENT OF UNUSED FUNDS.—If a State does not receive an allotment under this part for a fiscal year, the Secretary shall reallot the amount of the State's allotment to the remaining States in accordance with this part.

''(c) STATE USE OF FUNDS.—

''(1) IN GENERAL.—Each State that receives an allotment under this part shall reserve not less than 93 percent of the amount allotted to such State under subsection (b), for each fiscal year for awards to eligible entities under section 4204.

''(2) STATE ADMINISTRATION.—A State educational agency may use not more than 2 percent of the amount made available to the State under subsection (b) for—

''(A) the administrative costs of carrying out its responsibilities under this part;

''(B) establishing and implementing a rigorous peer-review process for subgrant applications described in section 4204(b) (including consultation with the Governor and other State agencies responsible for administering youth development programs and adult learning activities); and

''(C) awarding of funds to eligible entities (in consultation with the Governor and other State agencies responsible for administering youth development programs and adult learning activities).

''(3) STATE ACTIVITIES.—A State educational agency may use not more than 5 percent of the amount made available to the State under subsection (b) for the following activities:

''(A) Monitoring and evaluation of programs and activities assisted under this part.

''(B) Providing capacity building, training, and technical assistance under this part.

''(C) Comprehensive evaluation (directly, or through a grant or contract) of the effectiveness of programs and activities assisted under this part.

''(D) Providing training and technical assistance to eligible entities that are applicants for or recipients of awards under this part.

''(E) Ensuring that any eligible entity that receives an award under this part from the State aligns the activities provided by the program with State academic standards.

''(F) Ensuring that any such eligible entity identifies and partners with external organizations, if available, in the community.

''(G) Working with teachers, principals, parents, the local workforce, the local community, and other stakeholders to review

and improve State policies and practices to support the implementation of effective programs under this part.

''(H) Coordinating funds received under this part with other Federal and State funds to implement high-quality programs.

''(I) Providing a list of prescreened external organizations, as described in section 4203(a)(11).

''SEC. 4203. STATE APPLICATION.

''(a) IN GENERAL.—In order to receive an allotment under section 4202 for any fiscal year, a State shall submit to the Secretary, at such time as the Secretary may require, an application that—

''(1) designates the State educational agency as the agency responsible for the administration and supervision of programs assisted under this part;

''(2) describes how the State educational agency will use funds received under this part, including funds reserved for State-level activities;

''(3) contains an assurance that the State educational agency—

''(A) will make awards under this part to eligible entities that serve students who primarily attend schools that have been identified under section 1114(a)(1)(A) and other schools determined by the local educational agency to be in need of intervention and support and the families of such students; and

''(B) will further give priority to eligible entities that propose in the application to serve students described in subclauses (I) and (II) of section 4204(i)(1)(A)(i);

''(4) describes the procedures and criteria the State educational agency will use for reviewing applications and awarding funds to eligible entities on a competitive basis, which shall include procedures and criteria that take into consideration the likelihood that a proposed community learning center will help participating students meet State and local content and student academic achievement standards;

''(5) describes how the State educational agency will ensure that awards made under this part are—

''(A) of sufficient size and scope to support high-quality, effective programs that are consistent with the purpose of this part; and

''(B) in amounts that are consistent with section 4204(h);

''(6) describes the steps the State educational agency will take to ensure that programs implement effective strategies, including providing ongoing technical assistance and training, evaluation, dissemination of promising practices, and coordination of professional development for staff in specific content areas as well as youth development;

''(7) describes how programs under this part will be coordinated with programs under this Act, and other programs as appropriate;

''(8) contains an assurance that the State educational agency—

''(A) will make awards for programs for a period of not less than 3 years and not more than 5 years; and

''(B) will require each eligible entity seeking such an award to submit a plan describing how the activities to be funded through the award will continue after funding under this part ends;

''(9) contains an assurance that funds appropriated to carry out this part will be used to supplement, and not supplant, other Federal, State, and local public funds expended to provide programs and activities authorized under this part and other similar programs;

''(10) contains an assurance that the State educational agency will require eligible entities to describe in their applications under section 4204(b) how the transportation needs of participating students will be addressed;

''(11) describes how the State will prescreen external organizations that could provide assistance in carrying out the activities under this part, and develop and make available to eligible entities a list of external organizations that successfully completed the prescreening process;

''(12) provides—

''(A) an assurance that the application was developed in consultation and coordination with appropriate State officials, including the chief State school officer, and other State agencies administering before- and after-school (or summer school) programs, the heads of the State health and mental health agencies or their designees, statewide after-school networks (where applicable) and representatives of teachers, local educational agencies, and community-based organizations; and

''(B) a description of any other representatives of teachers, parents, students, or the business community that the State has selected to assist in the development of the application, if applicable;

''(13) describes the results of the State's needs and resources assessment for before- and after-school activities, which shall be based on the results of on-going State evaluation activities;

''(14) describes how the State educational agency will evaluate the effectiveness of programs and activities carried out under this part, which shall include, at a minimum—

''(A) a description of the performance indicators and performance measures that will be used to evaluate programs and activities with emphasis on alignment with the regular academic program of the school and the academic needs of participating students, including performance indicators and measures that—

''(i) are able to track student success and improvement over time;

''(ii) include State assessment results and other indicators of student success and improvement, such as improved attendance during the school day, better classroom grades, regular (or consistent) program attendance, and on-time advancement to the next grade level; and

''(iii) for high school students, may include indicators such as career competencies, successful completion of internships or apprenticeships, or work-based learning opportunities;

''(B) a description of how data collected for the purposes of subparagraph (A) will be collected; and

''(C) public dissemination of the evaluations of programs and activities carried out under this part; and

''(15) provides for timely public notice of intent to file an application and an assurance that the application will be available for public review after submission.

''(b) DEEMED APPROVAL.—An application submitted by a State educational agency pursuant to subsection (a) shall be deemed to be approved by the Secretary unless the Secretary makes a written determination, prior to the expiration of the 120-day period beginning on the date on which the Secretary received the application, that the application is not in compliance with this part.

''(c) DISAPPROVAL.—The Secretary shall not finally disapprove the application, except after giving the State educational agency notice and an opportunity for a hearing.

''(d) NOTIFICATION.—If the Secretary finds that the application is not in compliance, in whole or in part, with this part, the Secretary shall—

''(1) give the State educational agency notice and an opportunity for a hearing; and

''(2) notify the State educational agency of the finding of noncompliance and, in such notification—

''(A) cite the specific provisions in the application that are not in compliance; and

''(B) request additional information, only as to the noncompliant provisions, needed to make the application compliant.

''(e) RESPONSE.—If the State educational agency responds to the Secretary's notification described in subsection (d)(2) during the 45-day period beginning on the date on which the agency received the notification, and resubmits the application with the requested information described in subsection (d)(2)(B), the Secretary shall approve or disapprove such application prior to the later of—

''(1) the expiration of the 45-day period beginning on the date on which the application is resubmitted; or

''(2) the expiration of the 120-day period described in subsection (b).

''(f) FAILURE TO RESPOND.—If the State educational agency does not respond to the Secretary's notification described in subsection (d)(2) during the 45-day period beginning on the date on which the agency received the notification, such application shall be deemed to be disapproved.

''(g) LIMITATION.—The Secretary may not impose a priority or preference for States or eligible entities that seek to use funds made available under this part to extend the regular school day.

''SEC. 4204. LOCAL COMPETITIVE SUBGRANT PROGRAM.

''(a) IN GENERAL.—

''(1) COMMUNITY LEARNING CENTERS.—A State that receives funds under this part for a fiscal year shall provide the amount made available under section 4202(c)(1) to award subgrants to eligible entities for community learning centers in accordance with this part.

''(2) EXPANDED LEARNING PROGRAM ACTIVITIES.—A State that receives funds under this part for a fiscal year may also use funds under section 4202(c)(1) to support those enrichment and engaging academic activities described in section 4205(a) that—

''(A) are included as part of an expanded learning program that provide students at least 300 additional program hours before, during, or after the traditional school day;

''(B) supplement but do not supplant school day requirements; and

''(C) are awarded to entities that meet the requirements of subsection (i).

''(b) APPLICATION.—

''(1) IN GENERAL.—To be eligible to receive a subgrant under this part, an eligible entity shall submit an application to the State educational agency at such time, in such manner, and including such information as the State educational agency may reasonably require.

''(2) CONTENTS.—Each application submitted under paragraph (1) shall include—

''(A) a description of the activities to be funded, including—

''(i) an assurance that the program will take place in a safe and easily accessible facility;

''(ii) a description of how students participating in the program carried out by the community learning center will travel safely to and from the center and home, if applicable; and

''(iii) a description of how the eligible entity will disseminate information about the

community learning center (including its location) to the community in a manner that is understandable and accessible;

''(B) a description of how such activities are expected to improve student academic achievement as well as overall student success;

''(C) a demonstration of how the proposed program will coordinate Federal, State, and local programs and make the most effective use of public resources;

''(D) an assurance that the proposed program was developed and will be carried out—

''(i) in active collaboration with the schools the students attend (including through the sharing of relevant student data among the schools), all participants in the eligible entity, and any partnership entities described in subparagraph (H), while complying with applicable laws relating to privacy and confidentiality; and

''(ii) in alignment with State and local content and student academic achievement standards;

''(E) a description of how the activities will meet the measures of effectiveness described in section 4205(b);

''(F) an assurance that the program will target students who primarily attend schools eligible for schoolwide programs under section 1113(b) and the families of such students;

''(G) an assurance that subgrant funds under this part will be used to increase the level of State, local, and other non-Federal funds that would, in the absence of funds under this part, be made available for programs and activities authorized under this part, and in no case supplant Federal, State, local, or non-Federal funds;

''(H) a description of the partnership between a local educational agency, a community-based organization, and another public entity or private entity, if appropriate;

''(I) an evaluation of the community needs and available resources for the community learning center and a description of how the program proposed to be carried out in the center will address those needs (including the needs of working families);

''(J) a demonstration that the eligible entity will use best practices, including research or evidence-based practices, to provide educational and related activities that will complement and enhance academic performance, achievement, postsecondary and workforce preparation, and positive youth development of the students;

''(K) a description of a preliminary plan for how the community learning center will continue after funding under this part ends;

''(L) an assurance that the community will be given notice of an intent to submit an application and that the application and any waiver request will be available for public review after submission of the application;

''(M) if the eligible entity plans to use volunteers in activities carried out through the community learning center, a description of how the eligible entity will encourage and use appropriately qualified persons to serve as the volunteers; and

''(N) such other information and assurances as the State educational agency may reasonably require.

''(c) APPROVAL OF CERTAIN APPLICATIONS.—The State educational agency may approve an application under this part for a program to be located in a facility other than an elementary school or secondary school only if the program will be at least as available and accessible to the students to be served as if the program were located in an elementary school or secondary school.

''(d) PERMISSIVE LOCAL MATCH.—

''(1) IN GENERAL.—A State educational agency may require an eligible entity to match subgrant funds awarded under this part, except that such match may not exceed the amount of the subgrant and may not be derived from other Federal or State funds.

''(2) SLIDING SCALE.—The amount of a match under paragraph (1) shall be established based on a sliding scale that takes into account—

''(A) the relative poverty of the population to be targeted by the eligible entity; and

''(B) the ability of the eligible entity to obtain such matching funds.

''(3) IN-KIND CONTRIBUTIONS.—Each State educational agency that requires an eligible entity to match funds under this subsection shall permit the eligible entity to provide all or any portion of such match in the form of in-kind contributions.

''(4) CONSIDERATION.—Notwithstanding this subsection, a State educational agency shall not consider an eligible entity's ability to match funds when determining which eligible entities will receive subgrants under this part.

''(e) PEER REVIEW.—In reviewing local applications under this part, a State educational agency shall use a rigorous peer-review process or other methods of ensuring the quality of such applications.

''(f) GEOGRAPHIC DIVERSITY.—To the extent practicable, a State educational agency shall distribute subgrant funds under this part equitably among geographic areas within the State, including urban and rural communities.

''(g) DURATION OF AWARDS.—Subgrants under this part shall be awarded for a period of not less than 3 years and not more than 5 years.

''(h) AMOUNT OF AWARDS.—A subgrant awarded under this part may not be made in an amount that is less than $50,000.

''(i) PRIORITY.—

''(1) IN GENERAL.—In awarding subgrants under this part, a State educational agency shall give priority to applications—

''(A) proposing to target services to—

''(i) students who primarily attend schools that—

''(I) have been identified under section 1114(a) and other schools determined by the local educational agency to be in need of intervention and support to improve student academic achievement and other outcomes; and

''(II) enroll students who may be at risk for academic failure, dropping out of school, involvement in criminal or delinquent activities, or who lack strong positive role models; and

''(ii) the families of students described in clause (i);

''(B) submitted jointly by eligible entities consisting of not less than 1—

''(i) local educational agency receiving funds under part A of title I; and

''(ii) another eligible entity; and

''(C) demonstrating that the activities proposed in the application—

''(i) are, as of the date of the submission of the application, not accessible to students who would be served; or

''(ii) would expand accessibility to high-quality services that may be available in the community.

''(2) SPECIAL RULE.—The State educational agency shall provide the same priority under paragraph (1) to an application submitted by a local educational agency if the local educational agency demonstrates that it is unable to partner with a community-based organization in reasonable geographic proximity and of sufficient quality to meet the requirements of this part.

''(3) LIMITATION.—A State educational agency may not impose a priority or preference for eligible entities that seek to use funds made available under this part to extend the regular school day.

''(j) RENEWABILITY OF AWARDS.—A State educational agency may renew a subgrant provided under this part to an eligible entity, based on the eligible entity's performance during the original subgrant period.

''SEC. 4205. LOCAL ACTIVITIES.

''(a) AUTHORIZED ACTIVITIES.—Each eligible entity that receives an award under section 4204 may use the award funds to carry out a broad array of activities that advance student academic achievement and support student success, including—

''(1) academic enrichment learning programs, mentoring programs, remedial education activities, and tutoring services, that are aligned with—

''(A) State and local content and student academic achievement standards; and

''(B) local curricula that are designed to improve student academic achievement;

''(2) core academic subject education activities, including such activities that enable students to be eligible for credit recovery or attainment;

''(3) literacy education programs, including financial literacy programs and environmental literacy programs;

''(4) programs that support a healthy, active lifestyle, including nutritional education and regular, structured physical activity programs;

''(5) services for individuals with disabilities;

''(6) programs that provide after-school activities for students who are English learners that emphasize language skills and academic achievement;

''(7) cultural programs;

''(8) telecommunications and technology education programs;

''(9) expanded library service hours;

''(10) parenting skills programs that promote parental involvement and family literacy;

''(11) programs that provide assistance to students who have been truant, suspended, or expelled to allow the students to improve their academic achievement;

''(12) drug and violence prevention programs and counseling programs;

''(13) programs that build skills in science, technology, engineering, and mathematics (referred to in this paragraph as 'STEM') and that foster innovation in learning by supporting nontraditional STEM education teaching methods; and

''(14) programs that partner with in-demand fields of the local workforce or build career competencies and career readiness and ensure that local workforce and career readiness skills are aligned with the Carl D. Perkins Career and Technical Education Act of 2006 and the Workforce Innovation and Opportunity Act.

''(b) MEASURES OF EFFECTIVENESS.—

''(1) IN GENERAL.—For a program or activity developed pursuant to this part to meet the measures of effectiveness, monitored by the State educational agency as described in section 4203(a)(14), such program or activity shall—

''(A) be based upon an assessment of objective data regarding the need for before- and after-school programs (including during summer recess periods) and activities in the schools and communities;

''(B) be based upon an established set of performance measures aimed at ensuring the availability of high-quality academic enrichment opportunities;

''(C) if appropriate, be based upon evidence-based research that the program or activity will help students meet the State and local student academic achievement standards;

''(D) ensure that measures of student success align with the regular academic program of the school and the academic needs of participating students and include performance indicators and measures described in section 4203(a)(14)(A); and

''(E) collect the data necessary for the measures of student success described in subparagraph (D).

''(2) PERIODIC EVALUATION.—

''(A) IN GENERAL.—The program or activity shall undergo a periodic evaluation in conjunction with the State educational agency's overall evaluation plan as described in section 4203(a)(14), to assess the program's progress toward achieving the goal of providing high-quality opportunities for academic enrichment and overall student success.

''(B) USE OF RESULTS.—The results of evaluations under subparagraph (A) shall be—

''(i) used to refine, improve, and strengthen the program or activity, and to refine the performance measures;

''(ii) made available to the public upon request, with public notice of such availability provided; and

''(iii) used by the State to determine whether a subgrant is eligible to be renewed under section 4204(j).

''SEC. 4206. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated to carry out this part such sums as may be necessary for each of fiscal years 2016 through 2021.''.

(b) TRANSITION.—The recipient of a multiyear grant award under part B of title IV of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7171 et seq.), as such Act was in effect on the day before the date of enactment of this Act, shall continue to receive funds in accordance with the terms and conditions of such award.

SEC. 4004. ELEMENTARY SCHOOL AND SECONDARY SCHOOL COUNSELING PROGRAMS.

Title IV (20 U.S.C. 7101 et seq.), as amended by section 4001, is further amended by inserting after part B the following:

''PART C—ELEMENTARY SCHOOL AND SECONDARY SCHOOL COUNSELING PROGRAMS

''SEC. 4301. ELEMENTARY SCHOOL AND SECONDARY SCHOOL COUNSELING PROGRAMS.

''(a) GRANTS AUTHORIZED.—

''(1) IN GENERAL.—The Secretary is authorized to award grants to eligible entities to enable such agencies to establish or expand elementary school and secondary school counseling programs that comply with the requirements of subsection (c).

''(2) SPECIAL CONSIDERATION.—In awarding grants under this section, the Secretary shall—

''(A) give special consideration to applications describing programs that—

''(i) demonstrate the greatest need for new or additional counseling services among children in the schools served by the eligible entity, in part by providing information on current ratios, as of the date of application for a grant under this section, of students to school counselors, students to school social workers, and students to school psychologists;

''(ii) propose promising and innovative approaches for initiating or expanding school counseling; and

''(iii) show strong potential for replication and dissemination; and

''(B) give priority to—

''(i) schools that serve students in rural and remote areas;

''(ii) schools in need of intervention and support and schools that are the persistently lowest-achieving schools; or

''(iii) schools with a high percentage of students aged 5 through 17 who—

''(I) are in poverty, as counted in the most recent census data approved by the Secretary;

''(II) are eligible for a free or reduced price lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.);

''(III) are in families receiving assistance under the State program funded under part A of title IV of the Social Security Act; or

''(IV) are eligible to receive medical assistance under the Medicaid program.

''(3) EQUITABLE DISTRIBUTION.—In awarding grants under this section, the Secretary shall ensure an equitable geographic distribution among the regions of the United States and among eligible entities located in urban, rural, and suburban areas.

''(4) DURATION.—A grant under this section shall be awarded for a period not to exceed 3 years.

''(5) MAXIMUM GRANT.—A grant awarded under this section shall not exceed $400,000 for any fiscal year.

''(b) APPLICATIONS.—

''(1) IN GENERAL.—Each eligible entity desiring a grant under this section shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may reasonably require.

''(2) CONTENTS.—Each application for a grant under this section shall—

''(A) describe the school population to be targeted by the program, the particular counseling needs of such population, and the current school counseling resources available for meeting such needs;

''(B) include the information described in subparagraphs (B) through (D) of section 4104(b)(4), with respect to the grant under this part;

''(C) document that the eligible entity has personnel qualified to develop, implement, and administer the program; and

''(D) document how the eligible entity will engage in meaningful consultation with parents and families in the development of such program.

''(c) USE OF FUNDS.—Each eligible entity receiving a grant under this part shall use grant funds to develop, implement, and evaluate comprehensive, evidence-based, school counseling programs through activities that incorporate evidence-based practices, such as—

''(1) the implementation of a comprehensive school counseling program to meet the counseling and educational needs of all students;

''(2) increasing the range, availability, quantity, and quality of counseling services, provided by qualified school counselors, school psychologists, school social workers, and other qualified school-based mental health services providers, in the elementary schools and secondary schools of the eligible entity;

''(3) the implementation of innovative approaches to increase children's understanding of peer and family relationships, peer and family interaction, work and self, decisionmaking, or academic and career planning;

''(4) the implementation of academic, postsecondary education and career planning programs;

''(5) the initiation of partnerships with community groups, social service agencies, or other public or private non-profit entities in collaborative efforts to enhance the program and promote school-linked integration of services, as long as the eligible entity documents how such partnership supplements, not supplants, existing school-employed school-based mental health services providers and services, in accordance with subsection (f);

''(6) the implementation of a team approach to school counseling in the schools served by the eligible entity by working toward ratios of school counselors, school social workers, and school psychologists to students recommended to enable such personnel to effectively address the needs of students; and

''(7) any other activity determined necessary by the eligible entity that meets the purpose of this part.

''(d) LIMITATION ON ADMINISTRATIVE COSTS.—Not more than 4 percent of the amounts made available under this section for any fiscal year may be used for administrative costs to carry out this section.

''(e) REPORT.—Not later than 2 years after assistance is made available to eligible entities under subsection (a), the Secretary shall make publicly available a report—

''(1) evaluating the programs assisted pursuant to each grant under this section; and

''(2) outlining the information from eligible entities regarding the ratios of students to—

''(A) school counselors;

''(B) school social workers; and

''(C) school psychologists.

''(f) SUPPLEMENT, NOT SUPPLANT.—Funds made available under this section shall be used to supplement, and not supplant, other Federal, State, or local funds used for providing school-based counseling and mental health services to students.

''(g) DEFINITIONS.—In this section:

''(1) ELIGIBLE ENTITY.—The term 'eligible entity' means—

''(A) a local educational agency;

''(B) an educational service agency serving more than 1 local educational agency; or

''(C) a consortium of local educational agencies.

''(2) SCHOOL-BASED MENTAL HEALTH SERVICES PROVIDER.—The term 'school-based mental health services provider' has the meaning given the term in section 4102.

''(3) SCHOOL COUNSELOR.—The term 'school counselor' means an individual who meets the criteria for licensure or certification as a school counselor in the State where the individual is employed.

''(4) SCHOOL PSYCHOLOGIST.—The term 'school psychologist' means an individual who is licensed or certified in school psychology by the State in which the individual is employed.

''(5) SCHOOL SOCIAL WORKER.—The term 'school social worker' means an individual who is licensed or certified as a school social worker for the State in which the individual is employed.

''(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for each of fiscal years 2016 through 2021.''.

SEC. 4005. PHYSICAL EDUCATION PROGRAM.

Title IV (20 U.S.C. 7101 et seq.), as amended by sections 4001 and 4004, is further amended by adding at the end the following:

"PART D—PHYSICAL EDUCATION PROGRAM

"SEC. 4401. PURPOSE.

''The purpose of this part is to award grants and contracts to initiate, expand, and improve physical education programs for all students in kindergarten through grade 12.

"SEC. 4402. PROGRAM AUTHORIZED.

''(a) AUTHORIZATION.—From amounts made available to carry out this part, the Secretary is authorized to award grants or contracts to local educational agencies and community-based organizations to pay the Federal share of the costs of initiating, expanding, and improving physical education programs (including after-school programs) for students in kindergarten through grade 12, by—

''(1) providing materials and support to enable students to participate actively in physical education activities; and

''(2) providing funds for staff and teacher training and education relating to physical education.

''(b) PROGRAM ELEMENTS.—A physical education program that receives assistance under this part may provide for 1 or more of the following:

''(1) Fitness education and assessment to help students understand, improve, or maintain their physical well-being.

''(2) Instruction in a variety of motor skills and physical activities designed to enhance the physical, mental, and social or emotional development of every student.

''(3) Development of, and instruction in, cognitive concepts about motor skill and physical fitness that support a lifelong healthy lifestyle.

''(4) Opportunities to develop positive social and cooperative skills through physical activity participation.

''(5) Instruction in healthy eating habits and good nutrition.

''(6) Opportunities for professional development for teachers of physical education to stay abreast of the latest research, issues, and trends in the field of physical education.

''(c) SPECIAL RULE.—For purposes of this part, extracurricular activities, such as team sports and Reserve Officers' Training Corps program activities, shall not be considered as part of the curriculum of a physical education program assisted under this part.

"SEC. 4403. APPLICATIONS.

''(a) SUBMISSION.—Each local educational agency or community-based organization desiring a grant or contract under this part shall submit to the Secretary an application that contains a plan to initiate, expand, or improve physical education programs in order to make progress toward meeting State standards for physical education.

''(b) PRIVATE SCHOOL AND HOME-SCHOOLED STUDENTS.—An application for a grant or contract under this part may provide for the participation, in the activities funded under this part, of—

''(1) students enrolled in private nonprofit elementary schools or secondary schools, and their parents and teachers; or

''(2) home-schooled students, and their parents and teachers.

"SEC. 4404. REQUIREMENTS.

''(a) ANNUAL REPORT TO THE SECRETARY.—In order to continue receiving funding after the first year of a multiyear grant or contract under this part, the administrator of the grant or contract for the local educational agency or community-based organization shall submit to the Secretary an annual report that—

''(1) describes the activities conducted during the preceding year; and

''(2) demonstrates that progress has been made toward meeting State standards for physical education.

''(b) ADMINISTRATIVE EXPENSES.—Not more than 5 percent of the funds made available under this part to a local educational agency or community-based organization for any fiscal year may be used for administrative expenses.

"SEC. 4405. ADMINISTRATIVE PROVISIONS.

''(a) FEDERAL SHARE.—The Federal share under this part may not exceed—

''(1) 90 percent of the total cost of a program for the first year for which the program receives assistance under this part; and

''(2) 75 percent of such cost for the second and each subsequent such year.

''(b) PROPORTIONALITY.—To the extent practicable, the Secretary shall ensure that grants awarded under this part are equitably distributed among local educational agencies, and community-based organizations, serving urban and rural areas.

''(c) REPORT TO CONGRESS.—Not later than June 1, 2017, the Secretary shall submit a report to Congress that—

''(1) describes the programs assisted under this part;

''(2) documents the success of such programs in improving physical fitness; and

''(3) makes such recommendations as the Secretary determines appropriate for the continuation and improvement of the programs assisted under this part.

''(d) AVAILABILITY OF FUNDS.—Amounts made available to the Secretary to carry out this part shall remain available until expended.

"SEC. 4406. SUPPLEMENT, NOT SUPPLANT.

''Funds made available under this part shall be used to supplement, and not supplant, any other Federal, State, or local funds available for physical education activities.

"SEC. 4407. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated to carry out this part such sums as may be necessary for each of fiscal years 2016 through 2021.''.

SEC. 4006. FAMILY ENGAGEMENT IN EDUCATION PROGRAMS.

Title IV (20 U.S.C. 7101 et seq.), as amended by sections 4001, 4004, and 4005, is further amended by adding at the end the following:

"PART E—FAMILY ENGAGEMENT IN EDUCATION PROGRAMS

"SEC. 4501. PURPOSES.

''The purposes of this part are the following:

''(1) To provide financial support to organizations to provide technical assistance and training to State and local educational agencies in the implementation and enhancement of systemic and effective family engagement policies, programs, and activities that lead to improvements in student development and academic achievement.

''(2) To assist State educational agencies, local educational agencies, community-based organizations, schools, and educators in strengthening partnerships among parents, teachers, school leaders, administrators, and other school personnel in meeting the educational needs of children and fostering greater parental engagement.

''(3) To support State educational agencies, local educational agencies, schools, educators, and parents in developing and strengthening the relationship between parents and their children's school in order to further the developmental progress of children.

''(4) To coordinate activities funded under this subpart with parent involvement initiatives funded under section 1115 and other provisions of this Act.

''(5) To assist the Secretary, State educational agencies, and local educational agencies in the coordination and integration of Federal, State, and local services and programs to engage families in education.

"SEC. 4502. GRANTS AUTHORIZED.

''(a) STATEWIDE FAMILY ENGAGEMENT CENTERS.—From the amount appropriated under section 4506, the Secretary is authorized to award grants for each fiscal year to statewide organizations (or consortia of such organizations), to establish Statewide Family Engagement Centers that provide comprehensive training and technical assistance to State educational agencies, local educational agencies, schools identified by State educational agencies and local educational agencies, organizations that support family-school partnerships, and other organizations that carry out, or carry out directly, parent education and family engagement in education programs.

''(b) MINIMUM AWARD.—In awarding grants under this section, the Secretary shall, to the extent practicable, ensure that a grant is awarded for a Statewide Family Engagement Center in an amount not less than $500,000.

"SEC. 4503. APPLICATIONS.

''(a) SUBMISSIONS.—Each statewide organization, or a consortium of such organizations, that desires a grant under this subpart shall submit an application to the Secretary at such time, in such manner, and including the information described in subsection (b).

''(b) CONTENTS.—Each application submitted under subsection (a) shall include, at a minimum, the following:

''(1) A description of the applicant's approach to family engagement in education.

''(2) A description of the support that the Statewide Family Engagement Center that will be operated by the applicant will have from the State educational agency and any partner organization outlining the commitment to work with the center.

''(3) A description of the applicant's plan for building a statewide infrastructure for family engagement in education, that includes—

''(A) management and governance;

''(B) statewide leadership; or

''(C) systemic services for family engagement in education.

''(4) A description of the applicant's demonstrated experience in providing training, information, and support to State educational agencies, local educational agencies, schools, educators, parents, and organizations on family engagement in education policies and practices that are effective for parents (including low-income parents) and families, English learners, minorities, parents of students with disabilities, parents of homeless students, foster parents and students, and parents of migratory students, including evaluation results, reporting, or other data exhibiting such demonstrated experience.

''(5) A description of the steps the applicant will take to target services to low-income students and parents.

''(6) An assurance that the applicant will—

''(A) establish a special advisory committee, the membership of which includes—

''(i) parents, who shall constitute a majority of the members of the special advisory committee;

''(ii) representatives of education professionals with expertise in improving services for disadvantaged children;

''(iii) representatives of local elementary schools and secondary schools, including students;

''(iv) representatives of the business community; and

''(v) representatives of State educational agencies and local educational agencies;

''(B) use not less than 65 percent of the funds received under this part in each fiscal year to serve local educational agencies, schools, and community-based organizations that serve high concentrations of disadvantaged students, including English learners, minorities, parents of students with disabilities, parents of homeless students, foster parents and students, and parents of migratory students;

''(C) operate a Statewide Family Engagement Center of sufficient size, scope, and quality to ensure that the Center is adequate to serve the State educational agency, local educational agencies, and community-based organizations;

''(D) ensure that the Statewide Family Engagement Center will retain staff with the requisite training and experience to serve parents in the State;

''(E) serve urban, suburban, and rural local educational agencies and schools;

''(F) work with—

''(i) other Statewide Family Engagement Centers assisted under this subpart; and

''(ii) parent training and information centers and community parent resource centers assisted under sections 671 and 672 of the Individuals with Disabilities Education Act;

''(G) use not less than 30 percent of the funds received under this part for each fiscal year to establish or expand technical assistance for evidence-based parent education programs;

''(H) provide assistance to State educational agencies and local educational agencies and community-based organizations that support family members in supporting student academic achievement;

''(I) work with State educational agencies, local educational agencies, schools, educators, and parents to determine parental needs and the best means for delivery of services to address such needs;

''(J) conduct sufficient outreach to assist parents, including parents who the applicant may have a difficult time engaging with a school or local educational agency; and

''(K) conduct outreach to low-income students and parents, including low-income students and parents who are not proficient in English.

''SEC. 4504. USES OF FUNDS.

''(a) IN GENERAL.—Grantees shall use grant funds received under this part, based on the needs determined under section 4503, to provide training and technical assistance to State educational agencies, local educational agencies, and organizations that support family-school partnerships, and activities, services, and training for local educational agencies, school leaders, educators, and parents—

''(1) to assist parents in participating effectively in their children's education and to help their children meet State standards, such as assisting parents—

''(A) to engage in activities that will improve student academic achievement, including understanding how they can support learning in the classroom with activities at home and in afterschool and extracurricular programs;

''(B) to communicate effectively with their children, teachers, school leaders, counselors, administrators, and other school personnel;

''(C) to become active participants in the development, implementation, and review of school-parent compacts, family engagement in education policies, and school planning and improvement;

''(D) to participate in the design and provision of assistance to students who are not making academic progress;

''(E) to participate in State and local decisionmaking;

''(F) to train other parents; and

''(G) to help the parents learn and use technology applied in their children's education;

''(2) to develop and implement, in partnership with the State educational agency, statewide family engagement in education policy and systemic initiatives that will provide for a continuum of services to remove barriers for family engagement in education and support school reform efforts; and

''(3) to develop and implement parental involvement policies under this Act.

''(b) MATCHING FUNDS FOR GRANT RENEWAL.—For each fiscal year after the first fiscal year for which an organization or consortium receives assistance under this section, the organization or consortium shall demonstrate in the application that a portion of the services provided by the organization or consortium is supported through non-Federal contributions, which may be in cash or in-kind.

''(c) TECHNICAL ASSISTANCE.—The Secretary shall reserve not more than 2 percent of the funds appropriated under section 4506 to carry out this part to provide technical assistance, by competitive grant or contract, for the establishment, development, and coordination of Statewide Family Engagement Centers.

''(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to prohibit a Statewide Family Engagement Center from—

''(1) having its employees or agents meet with a parent at a site that is not on school grounds; or

''(2) working with another agency that serves children.

''(e) PARENTAL RIGHTS.—Notwithstanding any other provision of this section—

''(1) no person (including a parent who educates a child at home, a public school parent, or a private school parent) shall be required to participate in any program of parent education or developmental screening under this section; and

''(2) no program or center assisted under this section shall take any action that infringes in any manner on the right of parents to direct the education of their children.

''SEC. 4505. FAMILY ENGAGEMENT IN INDIAN SCHOOLS.

''The Secretary of the Interior, in consultation with the Secretary of Education, shall establish, or enter into contracts and cooperative agreements with local tribes, tribal organizations, or Indian nonprofit parent organizations to establish and operate Family Engagement Centers.

''SEC. 4506. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated to carry out this part such sums as may be necessary for fiscal years 2016 through 2021.''.''

TITLE V—EMPOWERING PARENTS AND EXPANDING OPPORTUNITY THROUGH INNOVATION

SEC. 5001. GENERAL PROVISIONS.

Title V (20 U.S.C. 7201 et seq.) is amended—

(1) by striking the title heading and inserting ''**EMPOWERING PARENTS AND EXPANDING OPPORTUNITY THROUGH INNOVATION**'';

(2) by striking part A;

(3) by striking subparts 2 and 3 of part B;

(4) by striking part D;

(5) by redesignating parts B and C as parts A and B, respectively;

(6) in part A, as redesignated by paragraph (5), by striking ''**Subpart 1—Charter School Programs**'';

(7) by redesignating sections 5201 through 5211 as sections 5101 through 5111, respectively;

(8) by redesignating sections 5301 through 5307 as sections 5201 through 5207, respectively;

(9) by striking sections 5308 and 5310; and

(10) by redesignating sections 5309 and 5311 as sections 5208 and 5209, respectively.

SEC. 5002. PUBLIC CHARTER SCHOOLS.

Part A of title V (20 U.S.C. 7221 et seq.), as redesignated by section 5001(5), is amended—

(1) by striking sections 5101 through 5105, as redesignated by section 5001(7), and inserting the following:

''SEC. 5101. PURPOSE.

''It is the purpose of this part to—

''(1) provide financial assistance for the planning, program design, and initial implementation of charter schools;

''(2) increase the number of high-quality charter schools available to students across the United States;

''(3) evaluate the impact of such schools on student achievement, families, and communities, and share best practices among charter schools and other public schools;

''(4) encourage States to provide support to charter schools for facilities financing in an amount more nearly commensurate to the amount the States have typically provided for traditional public schools;

''(5) expand opportunities for children with disabilities, students who are English learners, and other traditionally underserved students to attend charter schools and meet the challenging State academic standards under section 1111(b)(1); and

''(6) support efforts to strengthen the charter school authorizing process to improve performance management, including transparency, monitoring, including financial audits, and evaluation of such schools.

''SEC. 5102. PROGRAM AUTHORIZED.

''(a) IN GENERAL.—The Secretary is authorized to carry out a charter school program that supports charter schools that serve early childhood, elementary school, and secondary school students by—

''(1) supporting the startup of charter schools, the replication of high-quality charter schools, and the expansion of high-quality charter schools;

''(2) assisting charter schools in accessing credit to acquire and renovate facilities for school use; and

''(3) carrying out national activities to support—

''(A) the startup of charter schools, the replication of high-quality charter schools, and the expansion of high-quality charter schools;

''(B) the dissemination of best practices of charter schools for all schools;

''(C) the evaluation of the impact of the charter school program under this part on schools participating in such program; and

''(D) stronger charter school authorizing.

''(b) FUNDING ALLOTMENT.—From the amount made available under section 5111 for a fiscal year, the Secretary shall—

''(1) reserve 12.5 percent to support charter school facilities assistance under section 5104;

''(2) reserve not less than 25 percent to carry out national activities under section 5105; and

''(3) use the remaining amount after the reservations under paragraphs (1) and (2) to carry out section 5103.

''(c) PRIOR GRANTS AND SUBGRANTS.—The recipient of a grant or subgrant under this part (as such part was in effect on the day before the date of enactment of the Every Child Achieves Act of 2015) shall continue to receive funds in accordance with the terms and conditions of such grant or subgrant.

''SEC. 5103. GRANTS TO SUPPORT HIGH-QUALITY CHARTER SCHOOLS.

''(a) STATE ENTITY DEFINED.—For purposes of this section, the term 'State entity' means—

''(1) a State educational agency;

''(2) a State charter school board;

''(3) a Governor of a State; or

''(4) a charter school support organization.

''(b) PROGRAM AUTHORIZED.—From the amount available under section 5102(b)(3), the Secretary shall award, on a competitive basis, grants to State entities having applications approved under subsection (f) to enable such entities to—

''(1) award subgrants to eligible applicants to enable such eligible applicants to—

''(A) open new charter schools;

''(B) replicate high-quality charter school models; or

''(C) expand high-quality charter schools; and

''(2) provide technical assistance to eligible applicants and authorized public chartering agencies in carrying out the activities described in paragraph (1), and work with authorized public chartering agencies in the State to improve authorizing quality, including developing capacity for, and conducting, fiscal oversight and auditing of charter schools.

''(c) STATE ENTITY USES OF FUNDS.—

''(1) IN GENERAL.—A State entity receiving a grant under this section shall—

''(A) use not less than 90 percent of the grant funds to award subgrants to eligible applicants, in accordance with the quality charter school program described in the State entity's application pursuant to subsection (f), for the purposes described in subparagraphs (A) through (C) of subsection (b)(1);

''(B) reserve not less than 7 percent of such funds to carry out the activities described in subsection (b)(2); and

''(C) reserve not more than 3 percent of such funds for administrative costs, which may include the administrative costs of providing technical assistance.

''(2) CONTRACTS AND GRANTS.—A State entity may use a grant received under this section to carry out the activities described in paragraph (1)(B) directly or through grants, contracts, or cooperative agreements.

''(3) RULES OF CONSTRUCTION.—

''(A) USE OF LOTTERY MECHANISMS.—Nothing in this Act shall prohibit the Secretary from awarding grants to State entities, or State entities from awarding subgrants to eligible applicants, that use a weighted lottery, or an equivalent lottery mechanism, to give better chances for school admission to all or a subset of educationally disadvantaged students if—

''(i) the use of a weighted lottery in favor of such students is not prohibited by State law, and such State law is consistent with the laws described in section 5110(2)(G); and

''(ii) such weighted lottery is not used for the purpose of creating schools exclusively to serve a particular subset of students.

''(B) STUDENTS WITH SPECIAL NEEDS.—Nothing in this paragraph shall be construed to prohibit schools from specializing in providing specific services for students with a demonstrated need for such services, such as students who need specialized instruction in reading, spelling, or writing.

''(d) PROGRAM PERIODS; PEER REVIEW; DISTRIBUTION OF SUBGRANTS; WAIVERS.—

''(1) PROGRAM PERIODS.—

''(A) GRANTS.—A grant awarded by the Secretary to a State entity under this section shall be for a period of not more than 3 years, and may be renewed by the Secretary for one additional 2-year period.

''(B) SUBGRANTS.—A subgrant awarded by a State entity under this section—

''(i) shall be for a period of not more than 3 years, of which an eligible applicant may use not more than 18 months for planning and program design; and

''(ii) may be renewed by the State entity for one additional 2-year period.

''(2) PEER REVIEW.—The Secretary, and each State entity awarding subgrants under this section, shall use a peer-review process to review applications for assistance under this section.

''(3) DISTRIBUTION OF SUBGRANTS.—Each State entity awarding subgrants under this section shall award subgrants in a manner that, to the extent practicable and applicable, ensures that such subgrants—

''(A) prioritize eligible applicants that plan to serve a significant number of students from low-income families;

''(B) are distributed throughout different areas, including urban, suburban, and rural areas; and

''(C) will assist charter schools representing a variety of educational approaches.

''(4) WAIVERS.—The Secretary may waive any statutory or regulatory requirement over which the Secretary exercises administrative authority under this Act with respect to charter schools supported under this part, except any such requirement relating to the elements of a charter school described in section 5110(2), if—

''(A) the waiver is requested in an approved application under this section; and

''(B) the Secretary determines that granting such waiver will promote the purpose of this part.

''(e) LIMITATIONS.—

''(1) GRANTS.—A State entity may not receive more than 1 grant under this section at a time.

''(2) SUBGRANTS.—An eligible applicant may not receive more than 1 subgrant under this section for each individual charter school for each grant period or renewal period, unless the eligible applicant demonstrates to the State entity that such individual charter school has demonstrated a strong track record of positive results over the course of the grant period regarding the elements described in subparagraphs (A) and (D) of section 5110(8).

''(f) APPLICATIONS.—A State entity desiring to receive a grant under this section shall submit an application to the Secretary at such time and in such manner as the Secretary may require. The application shall include the following:

''(1) DESCRIPTION OF PROGRAM.—A description of the State entity's objectives in running a quality charter school program under this section and how the objectives of the program will be carried out, including—

''(A) a description of how the State entity will—

''(i) support the opening of new charter schools and, if applicable, the replication of high-quality charter schools and the expansion of high-quality charter schools, including the proposed number of charter schools to be opened, replicated, or expanded under the State entity's program;

''(ii) inform eligible charter schools, developers, and authorized public chartering agencies of the availability of funds under the program;

''(iii) work with eligible applicants to ensure that the eligible applicants access all Federal funds that such applicants are eligible to receive, and help the charter schools supported by the applicants and the students attending those charter schools—

''(I) participate in the Federal programs in which the schools and students are eligible to participate; and

''(II) receive the commensurate share of Federal funds the schools and students are eligible to receive under such programs;

''(iv) in the case of a State entity that is not a State educational agency—

''(I) work with the State educational agency and the charter schools in the State to maximize charter school participation in Federal and State programs for charter schools; and

''(II) work with the State educational agency to operate the State entity's program under this section, if applicable;

''(v) ensure that each eligible applicant that receives a subgrant under the State entity's program—

''(I) is opening or expanding schools that meet the definition of a charter school under section 5110; and

''(II) is prepared to continue to operate such charter schools once the subgrant funds under this section are no longer available;

''(vi) support charter schools in local educational agencies with schools that have been identified by the State under section 1114(a)(1)(A);

''(vii) work with charter schools to promote inclusion of all students and support all students upon enrollment in order to promote retention of students in the school;

''(viii) work with charter schools on recruitment practices, including efforts to engage groups that may otherwise have limited opportunities to attend charter schools;

''(ix) share best and promising practices among charter schools and other public schools;

''(x) ensure that charter schools receiving funds under the State entity's program meet the educational needs of their students, including children with disabilities and students who are English learners; and

''(xi) support efforts to increase charter school quality initiatives, including meeting the quality authorizing elements described in paragraph (2)(D);

''(B) a description of how the State will monitor and hold authorized public chartering agencies accountable to ensure high-quality authorizing activity, such as by establishing authorizing standards and by approving, reapproving, and revoking the authority of an authorized public chartering agency based on the performance of the charter schools authorized by such agency in the areas of student achievement, student safety, financial and operational management, and compliance with all applicable statutes, except that nothing in this subparagraph

shall be construed to require a State to alter State law, policies, or procedures regarding State practices for holding accountable authorized public chartering agencies;

''(C) a description of the extent to which the State entity—

''(i) is able to meet and carry out the priorities described in subsection (g)(2);

''(ii) is working to develop or strengthen a cohesive statewide system to support the opening of new charter schools and, if applicable, the replication of high-quality charter schools, and the expansion of high-quality charter schools; and

''(iii) will solicit and consider input from parents and other members of the community on the implementation and operation of each charter school receiving funds under the State entity's charter school program under this section;

''(D) a description of how the State entity will award subgrants, on a competitive basis, including—

''(i) a description of the application each eligible applicant desiring to receive a subgrant will be required to submit, which application shall include—

''(I) a description of the roles and responsibilities of eligible applicants, and of any charter management organizations or other organizations with which the eligible applicant will partner to open charter schools, including the administrative and contractual roles and responsibilities of such partners;

''(II) a description of the quality controls agreed to between the eligible applicant and the authorized public chartering agency involved, such as a contract or performance agreement, financial audits to ensure adequate fiscal oversight, how a school's performance on the State's accountability system and impact on student achievement (which may include student academic growth) will be one of the most important factors for renewal or revocation of the school's charter, and procedures to be followed in the case of the closure or dissolution of a charter school;

''(III) a description of how the autonomy and flexibility granted to a charter school is consistent with the definition of a charter school in section 5110;

''(IV) a description of the eligible applicant's planned activities and expenditures of subgrant funds for purposes of opening a new charter school, replicating a high-quality charter school, or expanding a high-quality charter school, and how the eligible applicant will maintain fiscal sustainability after the end of the subgrant period; and

''(V) a description of how the eligible applicant will ensure that each charter school the eligible applicant operates will engage parents as partners in the education of their children; and

''(ii) a description of how the State entity will review applications from eligible applicants;

''(E) in the case of a State entity that partners with an outside organization to carry out the entity's quality charter school program, in whole or in part, a description of the roles and responsibilities of the partner;

''(F) a description of how the State entity will help the charter schools receiving funds under the State entity's program address the transportation needs of the schools' students; and

''(G) a description of how the State in which the State entity is located addresses charter schools in the State's open meetings and open records laws.

''(2) ASSURANCES.—Assurances that—

''(A) each charter school receiving funds through the State entity's program will have a high degree of autonomy over budget and operations, including autonomy over personnel decisions;

''(B) the State entity will support charter schools in meeting the educational needs of their students, as described in paragraph (1)(A)(x);

''(C) the State entity will ensure that the authorized public chartering agency of any charter school that receives funds under the entity's program—

''(i) ensures that the charter school under the authority of such agency is meeting the requirements of this Act, part B of the Individuals with Disabilities Education Act, title VI of the Civil Rights Act of 1964, and section 504 of the Rehabilitation Act of 1973; and

''(ii) adequately monitors and provides adequate technical assistance to each charter school under the authority of such agency in recruiting, enrolling, retaining, and meeting the needs of all students, including children with disabilities and students who are English learners;

''(D) the State entity will promote quality authorizing, consistent with State law, such as through providing technical assistance to support each authorized public chartering agency in the State to improve such agency's ability to monitor the charter schools authorized by the agency, including by—

''(i) using annual performance data, which may include graduation rates and student academic growth data, as appropriate, to measure a school's progress toward becoming a high-quality charter school;

''(ii) reviewing the schools' independent, annual audits of financial statements conducted in accordance with generally accepted accounting principles, and ensuring that any such audits are publically reported; and

''(iii) holding charter schools accountable to the academic, financial, and operational quality controls agreed to between the charter school and the authorized public chartering agency involved, such as through renewal, non-renewal, or revocation of the school's charter; and

''(E) the State entity will ensure that each charter school in the State makes publicly available, consistent with the dissemination requirements of the annual State report card, including on the website of the school, information to help parents make informed decisions about the education options available to their children, including information on the educational program, student support services, parent contract requirements (as applicable), including any financial obligations or fees, enrollment criteria (as applicable), and annual performance and enrollment data for each of the categories of students, as defined in section 1111(b)(3)(A).

''(3) REQUESTS FOR WAIVERS.—

''(A) FEDERAL STATUTE AND REGULATION.—A request and justification for waivers of any Federal statutory or regulatory provisions that the State entity believes are necessary for the successful operation of the charter schools that will receive funds under the entity's program under this section.

''(B) STATE AND LOCAL RULES.—A description of any State or local rules, generally applicable to public schools, that will be waived, or otherwise not apply, to such schools or, in the case of a State entity defined in subsection (a)(4), a description of how the State entity will work with the State to request necessary waivers, if applicable.

''(g) SELECTION CRITERIA; PRIORITY.—

''(1) SELECTION CRITERIA.—The Secretary shall award grants to State entities under this section on the basis of the quality of the applications submitted under subsection (f), after taking into consideration—

''(A) the degree of flexibility afforded by the State's public charter school law and how the State entity will work to maximize the flexibility provided to charter schools under such law;

''(B) the proposed number of new charter schools to be opened, and, if applicable, the number of high-quality charter schools to be replicated or expanded under the program, and the number of new students to be served by such schools;

''(C) the likelihood that the schools opened, replicated, or expanded by eligible applicants receiving subgrant funds will increase the academic achievement of the school's students and progress toward becoming high-quality charter schools;

''(D) the quality of the State entity's plan to—

''(i) monitor the eligible applicants receiving subgrants under the State entity's program; and

''(ii) provide technical assistance and support for—

''(I) the eligible applicants receiving subgrants under the State entity's program; and

''(II) quality authorizing efforts in the State; and

''(E) the State entity's plan to solicit and consider input from parents and other members of the community on the implementation and operation of the charter schools in the State.

''(2) PRIORITY.—In awarding grants under this section, the Secretary shall give priority to a State entity to the extent that the entity meets the following criteria:

''(A) The State entity is located in a State that—

''(i) allows at least one entity that is not the local educational agency to be an authorized public chartering agency for each developer seeking to open a charter school in the State; or

''(ii) in the case of a State in which local educational agencies are the only authorized public chartering agencies, the State has an appeals process for the denial of an application for a charter school.

''(B) The State entity is located in a State that ensures that charter schools receive equitable financing, as compared to traditional public schools, in a prompt manner.

''(C) The State entity is located in a State that provides charter schools one or more of the following:

''(i) Funding for facilities.

''(ii) Assistance with facilities acquisition.

''(iii) Access to public facilities.

''(iv) The ability to share in bonds or mill levies.

''(v) The right of first refusal to purchase public school buildings.

''(vi) Low- or no-cost leasing privileges.

''(D) The State entity is located in a State that uses best practices from charter schools to help improve struggling schools and local educational agencies.

''(E) The State entity supports charter schools that support at-risk students through activities such as dropout prevention or dropout recovery.

''(F) The State entity ensures that each charter school has a high degree of autonomy over the charter school's budget and operations, including autonomy over personnel decisions.

''(G) The State entity has taken steps to ensure that all authorizing public chartering agencies implement best practices for charter school authorizing.

''(h) LOCAL USES OF FUNDS.—An eligible applicant receiving a subgrant under this

section shall use such funds to carry out activities related to opening a new charter school, replicating a high-quality charter school, or expanding a high-quality charter school, which may include—

''(1) supporting the acquisition, expansion, or preparation of a charter school building to meet increasing enrollment needs, including financing the development of a new building and ensuring that a school building complies with applicable statutes and regulations;

''(2) paying costs associated with hiring additional teachers to serve additional students;

''(3) providing transportation to students to and from the charter school;

''(4) providing instructional materials, implementing teacher and principal or other school leader professional development programs, and hiring additional nonteaching staff;

''(5) supporting any necessary activities that assist the charter school in carrying out this section, such as preparing individuals to serve as members of the charter school's board; and

''(6) providing early childhood education programs for children, including direct support to, and coordination with, school- or community-based early childhood education programs.

''(i) REPORTING REQUIREMENTS.—Each State entity receiving a grant under this section shall submit to the Secretary, at the end of the third year of the grant period and at the end of any renewal period, a report that includes the following:

''(1) The number of students served by each subgrant awarded under this section and, if applicable, the number of new students served during each year of the grant period.

''(2) The number and amount of subgrants awarded under this section to carry out each of the following:

''(A) The opening of new charter schools.

''(B) The replication of high-quality charter schools.

''(C) The expansion of high-quality charter schools.

''(3) The progress the State entity made toward meeting the priorities described in subparagraphs (E) through (G) of subsection (g)(2).

''(4) A description of—

''(A) how the State entity complied with, and ensured that eligible applicants complied with, the assurances described in the State entity's application;

''(B) how the State entity worked with authorized public chartering agencies, and how the agencies worked with the management company or leadership of the schools that receive subgrant funds, if applicable; and

''(C) how each recipient of a subgrant under this section uses the subgrant funds on early childhood education programs described in subsection (h)(6), if such recipient chooses to use such funds on such programs.

''SEC. 5104. FACILITIES FINANCING ASSISTANCE.

''(a) GRANTS TO ELIGIBLE ENTITIES.—

''(1) IN GENERAL.—From the amount reserved under section 5102(b)(1), the Secretary shall use not less than 50 percent to award not less than 3 grants, on a competitive basis, to eligible entities that have the highest-quality applications approved under subsection (d) to demonstrate innovative methods of helping charter schools to address the cost of acquiring, constructing, and renovating facilities by enhancing the availability of loans or bond financing.

''(2) ELIGIBLE ENTITY DEFINED.—For the purposes of this section, the term 'eligible entity' means—

''(A) a public entity, such as a State or local governmental entity;

''(B) a private nonprofit entity; or

''(C) a consortium of entities described in subparagraphs (A) and (B).

''(b) GRANTEE SELECTION.—The Secretary shall evaluate each application submitted under subsection (d), and shall determine whether the application is sufficient to merit approval.

''(c) GRANT CHARACTERISTICS.—Grants under subsection (a) shall be of sufficient size, scope, and quality so as to ensure an effective demonstration of an innovative means of enhancing credit for the financing of charter school acquisition, construction, or renovation.

''(d) APPLICATIONS.—

''(1) IN GENERAL.—An eligible entity desiring to receive a grant under this section shall submit an application to the Secretary in such form as the Secretary may reasonably require.

''(2) CONTENTS.—An application submitted under paragraph (1) shall contain—

''(A) a statement identifying the activities that the eligible entity proposes to carry out with funds received under subsection (a), including how the eligible entity will determine which charter schools will receive assistance, and how much and what types of assistance charter schools will receive;

''(B) a description of the involvement of charter schools in the application's development and the design of the proposed activities;

''(C) a description of the eligible entity's expertise in capital market financing;

''(D) a description of how the proposed activities will leverage the maximum amount of private-sector financing capital relative to the amount of government funding used and otherwise enhance credit available to charter schools, including how the entity will offer a combination of rates and terms more favorable than the rates and terms that a charter school could receive without assistance from the entity under this section;

''(E) a description of how the eligible entity possesses sufficient expertise in education to evaluate the likelihood of success of a charter school program for which facilities financing is sought; and

''(F) in the case of an application submitted by a State governmental entity, a description of the actions that the entity has taken, or will take, to ensure that charter schools within the State receive the funding that charter schools need to have adequate facilities.

''(e) CHARTER SCHOOL OBJECTIVES.—An eligible entity receiving a grant under this section shall use the funds deposited in the reserve account established under subsection (f) to assist one or more charter schools to access private-sector capital to accomplish one or more of the following objectives:

''(1) The acquisition (by purchase, lease, donation, or otherwise) of an interest (including an interest held by a third party for the benefit of a charter school) in improved or unimproved real property that is necessary to commence or continue the operation of a charter school.

''(2) The construction of new facilities, including predevelopment costs, or the renovation, repair, or alteration of existing facilities, necessary to commence or continue the operation of a charter school.

''(3) The predevelopment costs that are required to assess sites for purposes of paragraph (1) or (2) and that are necessary to commence or continue the operation of a charter school.

''(f) RESERVE ACCOUNT.—

''(1) USE OF FUNDS.—To assist charter schools in accomplishing the objectives described in subsection (e), an eligible entity receiving a grant under subsection (a) shall, in accordance with State and local law, directly or indirectly, alone or in collaboration with others, deposit the funds received under subsection (a) (other than funds used for administrative costs in accordance with subsection (g)) in a reserve account established and maintained by the eligible entity for this purpose. Amounts deposited in such account shall be used by the eligible entity for one or more of the following purposes:

''(A) Guaranteeing, insuring, and reinsuring bonds, notes, evidences of debt, loans, and interests therein, the proceeds of which are used for an objective described in subsection (e).

''(B) Guaranteeing and insuring leases of personal and real property for an objective described in such subsection.

''(C) Facilitating financing by identifying potential lending sources, encouraging private lending, and other similar activities that directly promote lending to, or for the benefit of, charter schools.

''(D) Facilitating the issuance of bonds by charter schools, or by other public entities for the benefit of charter schools, by providing technical, administrative, and other appropriate assistance (including the recruitment of bond counsel, underwriters, and potential investors and the consolidation of multiple charter school projects within a single bond issue).

''(2) INVESTMENT.—Funds received under this section and deposited in the reserve account established under paragraph (1) shall be invested in obligations issued or guaranteed by the United States or a State, or in other similarly low-risk securities.

''(3) REINVESTMENT OF EARNINGS.—Any earnings on funds received under subsection (a) shall be deposited in the reserve account established under paragraph (1) and used in accordance with this subsection.

''(g) LIMITATION ON ADMINISTRATIVE COSTS.—An eligible entity may use not more than 2.5 percent of the funds received under subsection (a) for the administrative costs of carrying out its responsibilities under this section (excluding subsection (k)).

''(h) AUDITS AND REPORTS.—

''(1) FINANCIAL RECORD MAINTENANCE AND AUDIT.—The financial records of each eligible entity receiving a grant under subsection (a) shall be maintained in accordance with generally accepted accounting principles and shall be subject to an annual audit by an independent public accountant.

''(2) REPORTS.—

''(A) GRANTEE ANNUAL REPORTS.—Each eligible entity receiving a grant under subsection (a) annually shall submit to the Secretary a report of the entity's operations and activities under this section.

''(B) CONTENTS.—Each annual report submitted under subparagraph (A) shall include—

''(i) a copy of the most recent financial statements, and any accompanying opinion on such statements, prepared by the independent public accountant reviewing the financial records of the eligible entity;

''(ii) a copy of any report made on an audit of the financial records of the eligible entity that was conducted under paragraph (1) during the reporting period;

''(iii) an evaluation by the eligible entity of the effectiveness of its use of the Federal funds provided under subsection (a) in leveraging private funds;

''(iv) a listing and description of the charter schools served during the reporting period, including the amount of funds used by each school, the type of project facilitated by the grant, and the type of assistance provided to the charter schools;

''(v) a description of the activities carried out by the eligible entity to assist charter schools in meeting the objectives set forth in subsection (e); and

''(vi) a description of the characteristics of lenders and other financial institutions participating in the activities carried out by the eligible entity under this section (excluding subsection (k)) during the reporting period.

''(C) SECRETARIAL REPORT.—The Secretary shall review the reports submitted under subparagraph (A) and shall provide a comprehensive annual report to Congress on the activities conducted under this section (excluding subsection (k)).

''(i) NO FULL FAITH AND CREDIT FOR GRANTEE OBLIGATION.—No financial obligation of an eligible entity entered into pursuant to this section (such as an obligation under a guarantee, bond, note, evidence of debt, or loan) shall be an obligation of, or guaranteed in any respect by, the United States. The full faith and credit of the United States is not pledged to the payment of funds that may be required to be paid under any obligation made by an eligible entity pursuant to any provision of this section.

''(j) RECOVERY OF FUNDS.—

''(1) IN GENERAL.—The Secretary, in accordance with chapter 37 of title 31, United States Code, shall collect—

''(A) all of the funds in a reserve account established by an eligible entity under subsection (f)(1) if the Secretary determines, not earlier than 2 years after the date on which the eligible entity first received funds under this section (excluding subsection (k)), that the eligible entity has failed to make substantial progress in carrying out the purposes described in subsection (f)(1); or

''(B) all or a portion of the funds in a reserve account established by an eligible entity under subsection (f)(1) if the Secretary determines that the eligible entity has permanently ceased to use all or a portion of the funds in such account to accomplish any purpose described in such subsection.

''(2) EXERCISE OF AUTHORITY.—The Secretary shall not exercise the authority provided in paragraph (1) to collect from any eligible entity any funds that are being properly used to achieve one or more of the purposes described in subsection (f)(1).

''(3) CONSTRUCTION.—This subsection shall not be construed to impair or affect the authority of the Secretary to recover funds under part D of the General Education Provisions Act.

''(k) PER-PUPIL FACILITIES AID PROGRAM.—

''(1) DEFINITION OF PER-PUPIL FACILITIES AID PROGRAM.—In this subsection, the term 'per-pupil facilities aid program' means a program in which a State makes payments, on a per-pupil basis, to charter schools to provide the schools with financing—

''(A) that is dedicated solely to funding charter school facilities; or

''(B) a portion of which is dedicated for funding charter school facilities.

''(2) GRANTS.—

''(A) IN GENERAL.—From the amount reserved under section 5102(b)(1) and remaining after the Secretary makes grants under subsection (a), the Secretary shall make grants, on a competitive basis, to States to pay for the Federal share of the cost of establishing or enhancing, and administering, per-pupil facilities aid programs.

''(B) PERIOD.—The Secretary shall award grants under this subsection for periods of not more than 5 years.

''(C) FEDERAL SHARE.—The Federal share of the cost described in subparagraph (A) for a per-pupil facilities aid program shall be not more than—

''(i) 90 percent of the cost, for the first fiscal year for which the program receives assistance under this subsection;

''(ii) 80 percent for the second such year;

''(iii) 60 percent for the third such year;

''(iv) 40 percent for the fourth such year; and

''(v) 20 percent for the fifth such year.

''(D) STATE SHARE.—A State receiving a grant under this subsection may partner with 1 or more organizations, and such organizations may provide not more than 50 percent of the State share of the cost of establishing or enhancing, and administering, the per-pupil facilities aid program.

''(E) MULTIPLE GRANTS.—A State may receive more than 1 grant under this subsection, so long as the amount of such grant funds provided to charter schools increases with each successive grant.

''(3) USE OF FUNDS.—

''(A) IN GENERAL.—A State that receives a grant under this subsection shall use the funds made available through the grant to establish or enhance, and administer, a per-pupil facilities aid program for charter schools in the State of the applicant.

''(B) EVALUATIONS; TECHNICAL ASSISTANCE; DISSEMINATION.—From the amount made available to a State through a grant under this subsection for a fiscal year, the State may reserve not more than 5 percent to carry out evaluations, to provide technical assistance, and to disseminate information.

''(C) SUPPLEMENT, NOT SUPPLANT.—In accordance with the method of determination described in section 1117, funds made available under this subsection shall be used to supplement, and not supplant, State and local public funds expended to provide per-pupil facilities aid programs, operations financing programs, or other programs, for charter schools.

''(4) REQUIREMENTS.—

''(A) VOLUNTARY PARTICIPATION.—No State may be required to participate in a program carried out under this subsection.

''(B) STATE LAW.—

''(i) IN GENERAL.—To be eligible to receive a grant under this subsection, a State shall establish or enhance, and administer, a per-pupil facilities aid program for charter schools in the State, that—

''(I) is specified in State law; and

''(II) provides annual financing, on a per-pupil basis, for charter school facilities.

''(ii) SPECIAL RULE.—A State that is required under State law to provide its charter schools with access to adequate facility space may be eligible to receive a grant under this subsection if the State agrees to use the funds to develop a per-pupil facilities aid program consistent with the requirements of this subsection.

''(5) APPLICATIONS.—To be eligible to receive a grant under this subsection, a State shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

''SEC. 5105. NATIONAL ACTIVITIES.

''(a) IN GENERAL.—From the amount reserved under section 5102(b)(2), the Secretary shall—

''(1) use not less than 80 percent of such funds to award grants in accordance with subsection (b); and

''(2) use the remainder of such funds to—

''(A) disseminate technical assistance to State entities in awarding subgrants under section 5103(b)(1)(A);

''(B) disseminate best practices regarding public charter schools;

''(C) evaluate the impact of the charter school program carried out under this part, including the impact on student achievement; and

''(D) award grants, on a competitive basis, for the purpose of carrying out the activities described in section 5103(h), to eligible applicants that desire to open a charter school, replicate a high-quality charter school, or expand a high-quality charter school in—

''(i) a State that did not apply for a grant under section 5103; or

''(ii) a State that did not receive a grant under section 5103.

''(b) GRANTS FOR THE REPLICATION AND EXPANSION OF HIGH-QUALITY CHARTER SCHOOLS.—The Secretary shall make grants, on a competitive basis, to eligible entities having applications approved under paragraph (2) to enable such entities to replicate a high-quality charter school or expand a high-quality charter school.

''(1) DEFINITION OF ELIGIBLE ENTITY.—For purposes of this subsection, the term 'eligible entity' means—

''(A) a charter management organization that, at the time of the application, operates or manages one or more high-quality charter schools; or

''(B) a nonprofit organization that oversees and coordinates the activities of a group of such charter management organizations.

''(2) APPLICATION REQUIREMENTS.—An eligible entity desiring to receive a grant under this subsection shall submit an application to the Secretary at such time and in such manner as the Secretary may require. The application shall include the following:

''(A) A description of the eligible entity's objectives for implementing a high-quality charter school program with funding under this subsection, including a description of the proposed number of high-quality charter schools to be replicated or expanded with funding under this subsection.

''(B) A description of the educational program that the eligible entity will implement in the charter schools that the eligible entity proposes to replicate or expand, including information on how the program will enable all students to meet the challenging State academic standards under section 1111(b)(1), the grade levels or ages of students who will be served, and the instructional practices that will be used.

''(C) A multi-year financial and operating model for the eligible entity, including a description of how the operation of the charter schools to be replicated or expanded will be sustained after the grant under this subsection has ended.

''(D) A description of how the eligible entity will inform all students in the community, including children with disabilities, students who are English learners, and other educationally disadvantaged students, about the charter schools to be replicated or expanded with funding under this subsection.

''(E) For each charter school currently operated or managed by the eligible entity—

''(i) student assessment results for all students and for each category of students described in section 1111(b)(2)(B)(xi); and

''(ii) attendance and student retention rates for the most recently completed school year and, if applicable, the most recent available 4-year adjusted cohort graduation rates and extended-year adjusted cohort

graduation rates (as such rates were calculated on the day before enactment of the Every Child Achieves Act of 2015).

''(F) Information on any significant compliance issues encountered, within the last 3 years, by any school operated or managed by the eligible entity, including in the areas of student safety and financial management.

''(G) A request and justification for any waivers of Federal statutory or regulatory requirements that the eligible entity believes are necessary for the successful operation of the charter schools to be replicated or expanded with funding under this subsection.

''(3) SELECTION CRITERIA.—The Secretary shall select eligible entities to receive grants under this subsection, on the basis of the quality of the applications submitted under paragraph (2), after taking into consideration such factors as—

''(A) the degree to which the eligible entity has demonstrated success in increasing academic achievement and attainment for all students attending the charter schools the eligible entity operates or manages;

''(B) the degree to which the eligible entity has demonstrated success in increasing academic achievement and attainment for each of the categories of students, as defined in section 1111(b)(3)(A);

''(C) the quality of the eligible entity's financial and operating model as described under paragraph (2)(C), including the quality of the eligible entity's plan for sustaining the operation of the charter schools to be replicated or expanded after the grant under this subsection has ended;

''(D) a determination that the eligible entity has not operated or managed a significant proportion of charter schools that—

''(i) have been closed;

''(ii) have had a school charter revoked due to problems with statutory or regulatory compliance; or

''(iii) have had the school's affiliation with the eligible entity revoked; and

''(E) a determination that the eligible entity has not experienced significant problems with statutory or regulatory compliance that could lead to the revocation of a school's charter.

''(4) PRIORITY.—In awarding grants under this section, the Secretary shall give priority to eligible entities that operate or manage charter schools that, in the aggregate, serve students at least 60 percent of whom are eligible for a free or reduced price lunch under the Richard B. Russell National School Lunch Act.

''(5) TERMS AND CONDITIONS.—Except as otherwise provided in this subsection, grants awarded under subsection (a)(2)(D) and this subsection shall have the same terms and conditions as grants awarded to State entities under section 5103.'';

(2) in section 5106 (20 U.S.C. 7221e), as redesignated by section 5001(7), by adding at the end the following:

''(c) NEW OR SIGNIFICANTLY EXPANDING CHARTER SCHOOLS.—For purposes of implementing the hold harmless protections in sections 1122(c) and 1125A(g)(3) for a newly opened or significantly expanded charter school under subsection (a), a State educational agency shall calculate a hold-harmless base for the prior year that, as applicable, reflects the new or significantly expanded enrollment of the charter school.'';

(3) in section 5108 (20 U.S.C. 7221g), as redesignated by section 5001(7), by inserting ''as quickly as possible and'' before ''to the extent practicable'';

(4) in section 5110 (20 U.S.C. 7221i), as redesignated by section 5001(7)—

(A) by redesignating paragraphs (1), (2), and (3) as paragraphs (2), (5), and (6), respectively;

(B) by redesignating paragraph (4) as paragraph (1), and moving such paragraph so as to precede paragraph (2), as redesignated by subparagraph (A);

(C) in paragraph (2), as redesignated by subparagraph (A)—

(i) in subparagraph (G), by striking '', and part B'' and inserting '', the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), section 444 of the General Education Provisions Act (20 U.S.C. 1232g) (commonly referred to as the 'Family Educational Rights and Privacy Act of 1974'), and part B'';

(ii) by striking subparagraph (H) and inserting the following:

''(H) is a school to which parents choose to send their children, and that—

''(i) admits students on the basis of a lottery, if more students apply for admission than can be accommodated; or

''(ii) in the case of a school that has an affiliated charter school (such as a school that is part of the same network of schools), automatically enrolls students who are enrolled in the immediate prior grade level of the affiliated charter school and, for any additional student openings or student openings created through regular attrition in student enrollment in the affiliated charter school and the enrolling school, admits students on the basis of a lottery as described in clause (i);'';

(iii) by striking subparagraph (I) and inserting the following:

''(I) agrees to comply with the same Federal and State audit requirements as do other elementary schools and secondary schools in the State, unless such State audit requirements are waived by the State;'';

(iv) in subparagraph (K), by striking ''and'' at the end;

(v) in subparagraph (L), by striking the period at the end and inserting ''; and''; and

(vi) by adding at the end the following:

''(M) may serve students in early childhood education programs or postsecondary students.'';

(D) by inserting after paragraph (2), as redesignated by subparagraph (A), the following:

''(3) CHARTER MANAGEMENT ORGANIZATION.—The term 'charter management organization' means a nonprofit organization that operates or manages multiple charter schools by centralizing or sharing certain functions or resources.

''(4) CHARTER SCHOOL SUPPORT ORGANIZATION.—The term 'charter school support organization' means a nonprofit, nongovernmental entity that is not an authorized public chartering agency and provides, on a statewide basis—

''(A) assistance to developers during the planning, program design, and initial implementation of a charter school; and

''(B) technical assistance to operating charter schools.'';

(E) in paragraph (6)(B), as redesignated by subparagraph (A), by striking ''under section 5203(d)(3)''; and

(F) by adding at the end the following:

''(7) EXPANSION OF A HIGH-QUALITY CHARTER SCHOOL.—The term 'expansion of a high-quality charter school' means increasing the enrollment at a high-quality charter school by not less than 50 percent or adding 2 or more grades to a high-quality charter school.

''(8) HIGH-QUALITY CHARTER SCHOOL.—The term 'high-quality charter school' means a charter school that—

''(A) shows evidence of strong academic results, which may include strong student academic growth, as determined by a State;

''(B) has no significant issues in the areas of student safety, financial and operational management, or statutory or regulatory compliance;

''(C) has demonstrated success in significantly increasing student academic achievement, including graduation rates where applicable, for all students served by the charter school; and

''(D) has demonstrated success in increasing student academic achievement, including graduation rates where applicable, for each of the categories of students, as defined in section 1111(b)(3)(A), except that such demonstration is not required in a case in which the number of students in a group is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual student.

''(9) REPLICATION OF A HIGH-QUALITY CHARTER SCHOOL.—The term 'replication of a high-quality charter school' means the opening of a charter school—

''(A) under an existing charter or an additional charter, if permitted by State law;

''(B) based on the model of a high-quality charter school; and

''(C) that will be operated or managed by the same nonprofit organization that operates or manages such high-quality charter school under an existing charter.''; and

(5) by striking section 5111 (20 U.S.C. 7221j), as redesignated by section 5001(7), and inserting the following:

''SEC. 5111. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated to carry out this part such sums as may be necessary for each of fiscal years 2016 through 2021.''.

SEC. 5003. MAGNET SCHOOLS ASSISTANCE.

Part B of title V (20 U.S.C. 7231 et seq.), as redesignated by section 5001(5), is amended—

(1) in section 5201(b), as redesignated by section 5001(8)—

(A) in paragraph (1)—

(i) by inserting ''and the increase of socioeconomic integration'' before ''in elementary schools and secondary schools''; and

(ii) by inserting ''low-income and'' before ''minority students'';

(B) in paragraph (2)—

(i) by striking ''and implementation'' and inserting '', implementation, and expansion''; and

(ii) by striking ''content standards and student academic achievement standards'' and inserting ''standards under section 1111(b)(1)'';

(C) in paragraph (3), by striking ''and design'' and inserting '', design, and expansion'';

(D) in paragraph (4), by striking ''vocational'' and inserting ''career''; and

(E) in paragraph (6), by striking ''productive employment'' and inserting ''to enter into the workforce without the need for postsecondary education'';

(2) in section 5202, as redesignated by section 5001(8), by striking ''backgrounds'' and inserting '', ethnic, and socioeconomic backgrounds'';

(3) in section 5205(b), as redesignated by section 5001(8)—

(A) in paragraph (1)—

(i) in subparagraph (A), by inserting ''any available evidence on'' before ''how the proposed magnet school programs'';

(ii) in subparagraph (B), by inserting '', including any evidence available to support such description'' before the semicolon;

(iii) by redesignating subparagraphs (D) and (E) as subparagraphs (E) and (F), respectively; and

(iv) by inserting after subparagraph (C) the following:

''(D) how the applicant will assess, monitor, and evaluate the impact of the activities funded under this part on student achievement and integration;''; and

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking ''will'';

(ii) in subparagraph (A)—

(I) by inserting ''will'' before ''use grant funds''; and

(II) by striking ''section 5301(b)'' and inserting ''section 5201(b)'';

(iii) in subparagraph (B), by striking ''employ highly qualified'' and inserting ''will employ effective'';

(iv) in subparagraph (C), by striking ''not engage in'' and inserting ''is not currently engaging in and will not engage in'';

(v) in subparagraph (D), by inserting ''will'' before carry out; and

(vi) in subparagraph (E), by inserting ''will'' before ''give students'';

(4) in section 5206, as redesignated by section 5001(8), by striking paragraph (2) and inserting the following:

''(2) propose to—

''(A) carry out a new, evidence-based magnet school program;

''(B) significantly revise an existing magnet school program, using evidence-based methods and practices, as available; or

''(C) expand an existing magnet school program that has a demonstrated record of success in increasing student academic achievement, reducing isolation of minority groups, and increasing socioeconomic integration; and'';

(5) in section 5207, as redesignated by section 5001(8)—

(A) in subsection (a)—

(i) in paragraph (3), by striking ''who are highly qualified'';

(ii) in paragraph (6), by striking ''and'' at the end;

(iii) in paragraph (7), by striking the period and inserting ''; and''; and

(iv) by adding at the end the following:

''(8) to enable the local educational agency, or consortium of such agencies, or other organizations partnered with such agency or consortium, to establish, expand, or strengthen inter-district and regional magnet programs.''; and

(B) in subsection (b), by striking ''the State's challenging academic content'' and all that follows through the period and inserting ''the challenging State academic standards under section 1111(b)(1) or are directly related to improving student academic, career, or technological skills and professional skills.'';

(6) in section 5208, as redesignated by section 5001(10)—

(A) in subsection (a), by striking ''for a period'' and all that follows through the period and inserting ''for an initial period of not more than 3 fiscal years, and may be renewed for not more than an additional 2 years if the Secretary finds that the recipient of a grant under this part is achieving the intended outcomes of the grant and shows improvement in increasing student academic achievement, reducing minority group isolation, and increasing socioeconomic integration, or other indicators of success established by the Secretary.''; and

(B) in subsection (d), by striking ''July'' and inserting ''June''; and

(7) in section 5209, as redesignated by section 5001(10)—

(A) in subsection (a), by striking ''$125,000,000'' and all that follows through the period and inserting ''such sums as may be necessary for each of fiscal years 2016 through 2021.'';

(B) by redesignating subsection (b) as subsection (c); and

(C) by inserting after subsection (a) the following:

''(b) RESERVATION FOR TECHNICAL ASSISTANCE.—The Secretary may reserve not more than 1 percent of the funds appropriated under subsection (a) for any fiscal year to provide technical assistance and carry out dissemination projects with respect to magnet school programs assisted under this part.''.

SEC. 5004. SUPPORTING HIGH-ABILITY LEARNERS AND LEARNING.

Title V (20 U.S.C. 7201 et seq.), as amended by section 5001, is further amended by inserting after part B the following:

''PART C—SUPPORTING HIGH-ABILITY LEARNERS AND LEARNING

''SEC. 5301. SHORT TITLE.

''This part may be cited as the 'Jacob K. Javits Gifted and Talented Students Education Act of 2015'.

''SEC. 5302. PURPOSE.

''The purpose of this part is to initiate a coordinated program of evidence-based research, demonstration projects, innovative strategies, and similar activities designed to build and enhance the ability of elementary schools and secondary schools nationwide to meet the special educational needs of gifted and talented students.

''SEC. 5303. RULE OF CONSTRUCTION.

''Nothing in this part shall be construed to prohibit a recipient of funds under this part from serving gifted and talented students simultaneously with students with similar educational needs, in the same educational settings, where appropriate.

''SEC. 5304. AUTHORIZED PROGRAMS.

''(a) ESTABLISHMENT OF PROGRAM.—

''(1) IN GENERAL.—The Secretary (after consultation with experts in the field of the education of gifted and talented students) is authorized to make grants to, or enter into contracts with, State educational agencies, local educational agencies, institutions of higher education, other public agencies, and other private agencies and organizations to assist such agencies, institutions, and organizations in carrying out programs or projects authorized by this part that are designed to meet the educational needs of gifted and talented students, including the training of personnel in the education of gifted and talented students and in the use, where appropriate, of gifted and talented services, materials, and methods for all students.

''(2) APPLICATION.—Each entity seeking assistance under this part shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require. Each such application shall describe how—

''(A) the proposed gifted and talented services, materials, and methods can be adapted, if appropriate, for use by all students; and

''(B) the proposed programs can be evaluated.

''(b) USE OF FUNDS.—Programs and projects assisted under this section may include each of the following:

''(1) Conducting evidence-based research on methods and techniques for identifying and teaching gifted and talented students and for using gifted and talented programs and methods to serve all students.

''(2) Establishing and operating model projects and exemplary programs for serving gifted and talented students, including innovative methods for identifying and educating students who may not be served by traditional gifted and talented programs (such as summer programs, mentoring programs, service learning programs, and cooperative programs involving business, industry, and education).

''(3) Implementing innovative strategies, such as cooperative learning, peer tutoring, and service learning.

''(4) Carrying out programs of technical assistance and information dissemination, including assistance and information with respect to how gifted and talented programs and methods, where appropriate, may be adapted for use by all students.

''(c) SPECIAL RULE.—To the extent that the amount of funds appropriated to carry out this part for a fiscal year beginning with fiscal year 2016 exceed the amount of $7,500,000, the Secretary shall use such excess funds to award grants, on a competitive basis, to State educational agencies, local educational agencies, or both, to implement activities described in subsection (b).

''(d) CENTER FOR RESEARCH AND DEVELOPMENT.—

''(1) IN GENERAL.—The Secretary (after consultation with experts in the field of the education of gifted and talented students) shall establish a National Research Center for the Education of Gifted and Talented Children and Youth through grants to, or contracts with, one or more institutions of higher education or State educational agencies, or a combination or consortium of such institutions and agencies and other public or private agencies and organizations, for the purpose of carrying out activities described in subsection (b).

''(2) DIRECTOR.—The National Center shall be headed by a Director. The Secretary may authorize the Director to carry out such functions of the National Center as may be agreed upon through arrangements with institutions of higher education, State educational agencies, local educational agencies, or other public or private agencies and organizations.

''(3) FUNDING.—For each fiscal year, the Secretary may use not more than $2,250,000 to carry out this subsection.

''(e) COORDINATION.—Evidence-based activities supported under this part—

''(1) shall be carried out in consultation with the Institute of Education Sciences to ensure that such activities are coordinated with and enhance the research and development activities supported by the Institute; and

''(2) may include collaborative evidence-based activities which are jointly funded and carried out with such Institute.

''SEC. 5305. PROGRAM PRIORITIES.

''(a) GENERAL PRIORITY.—In carrying out this part, the Secretary shall give highest priority to programs and projects designed to develop new information that—

''(1) improves the capability of schools to plan, conduct, and improve programs to identify and serve gifted and talented students; and

''(2) assists schools in the identification of, and provision of services to, gifted and talented students (including economically disadvantaged individuals, individuals who are English learners, and children with disabilities) who may not be identified and served through traditional assessment methods.

''(b) SERVICE PRIORITY.—The Secretary shall ensure that not less than 50 percent of

the applications approved under section 5304(a)(2) in a fiscal year address the priority described in subsection (a)(2).

''SEC. 5306. GENERAL PROVISIONS.

''(a) PARTICIPATION OF PRIVATE SCHOOL CHILDREN AND TEACHERS.—In making grants and entering into contracts under this part, the Secretary shall ensure, where appropriate, that provision is made for the equitable participation of students and teachers in private nonprofit elementary schools and secondary schools, including the participation of teachers and other personnel in professional development programs serving such students.

''(b) REVIEW, DISSEMINATION, AND EVALUATION.—The Secretary shall—

''(1) use a peer-review process in reviewing applications under this part;

''(2) ensure that information on the activities and results of programs and projects funded under this part is disseminated to appropriate State educational agencies, local educational agencies, and other appropriate organizations, including nonprofit private organizations; and

''(3) evaluate the effectiveness of programs under this part in accordance with section 9601, in terms of the impact on students traditionally served in separate gifted and talented programs and on other students, and submit the results of such evaluation to Congress not later than 2 years after the date of enactment of the Every Child Achieves Act of 2015.

''(c) PROGRAM OPERATIONS.—The Secretary shall ensure that the programs under this part are administered within the Department by a person who has recognized professional qualifications and experience in the field of the education of gifted and talented students and who shall—

''(1) administer and coordinate the programs authorized under this part;

''(2) serve as a focal point of national leadership and information on the educational needs of gifted and talented students and the availability of educational services and programs designed to meet such needs;

''(3) assist the Director of the Institute of Education Sciences in identifying research priorities that reflect the needs of gifted and talented students; and

''(4) disseminate, and consult on, the information developed under this part with other offices within the Department.

''SEC. 5307. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated to carry out this part such sums as may be necessary for each of fiscal years 2016 through 2021.''.

SEC. 5005. EDUCATION INNOVATION AND RESEARCH.

Title V (20 U.S.C. 7201 et seq.), as amended by section 5001, is further amended by inserting after part C, as added by section 5004, the following:

''PART D—EDUCATION INNOVATION AND RESEARCH

''SEC. 5401. GRANTS FOR EDUCATION INNOVATION AND RESEARCH.

''(a) PROGRAM AUTHORIZED.—From funds appropriated under subsection (e), the Secretary shall make grants to eligible entities for the development, implementation, replication, or scaling and rigorous testing of entrepreneurial, evidence-based, field-initiated innovations to improve student achievement and attainment for high-need students, including—

''(1) early-phase grants to fund the development, implementation, and feasibility testing of a program that prior research suggests has promise, for the purpose of determining whether the program can successfully improve student achievement or attainment for high-need students;

''(2) mid-phase grants to fund implementation and a rigorous evaluation of a program that has been successfully implemented under an early-phase grant or other effort meeting similar criteria, for the purpose of measuring the program's impact and cost effectiveness, if possible using existing administrative data; or

''(3) expansion grants to fund implementation and a rigorous replication evaluation of a program that has been found to produce sizable, important impacts under a mid-phase grant or other effort meeting similar criteria, for the purpose of determining whether such impacts can be successfully reproduced and sustained over time, and identifying the conditions in which the program is most effective.

''(b) ELIGIBLE ENTITY.—In this section, the term 'eligible entity' means any of the following:

''(1) A local educational agency.

''(2) A State educational agency.

''(3) A consortium of State educational agencies or local educational agencies.

''(4) A State educational agency or a local educational agency, in partnership with—

''(A) a nonprofit organization;

''(B) a small business;

''(C) a charter management organization;

''(D) an educational service agency; or

''(E) an institution of higher education.

''(c) RURAL AREAS.—In awarding grants under subsection (a), the Secretary shall ensure that not less than 25 percent of the funds for any fiscal year are awarded for projects that meet both of the following requirements:

''(1) The grantee is—

''(A) a local educational agency with an urban-centric district locale code of 32, 33, 41, 42, or 43, as determined by the Secretary;

''(B) a consortium of such local educational agencies; or

''(C) an educational service agency or a nonprofit organization in partnership with such a local educational agency.

''(2) A majority of the schools to be served by the project are designated with a school locale code of 32, 33, 41, 42, or 43, or a combination of such codes, as determined by the Secretary.

''(d) MATCHING FUNDS.—In order to receive a grant under subsection (a), an eligible entity shall demonstrate that the eligible entity will provide matching funds in an amount equal to 10 percent of the funds provided under a grant under this part, except that the Secretary may waive the matching funds requirement, on a case-by-case basis, upon a showing of exceptional circumstances, such as—

''(1) the difficulty of raising matching funds for a project to serve a rural area;

''(2) the difficulty of raising matching funds in areas with a concentration of local educational agencies or schools with a high percentage of students aged 5 through 17—

''(A) who are in poverty, as counted in the most recent census data approved by the Secretary;

''(B) who are eligible for a free or reduced priced lunch under the Richard B. Russell National School Lunch Act;

''(C) whose families receive assistance under the State program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.); or

''(D) who are eligible to receive medical assistance under the Medicaid program; and

''(3) the difficulty of raising funds in designated tribal areas.

''(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for each of fiscal years 2016 through 2021.''.

SEC. 5006. ACCELERATED LEARNING.

Title V (20 U.S.C. 7201 et seq.), as amended by section 5001, is further amended by inserting after part D, as added by section 5005, the following:

''PART E—ACCELERATED LEARNING

''SEC. 5501. SHORT TITLE.

''This part may be cited as the 'Accelerated Learning Act of 2015'.

''SEC. 5502. PURPOSES.

''The purposes of this part are—

''(1) to raise student academic achievement through accelerated learning programs, including Advanced Placement and International Baccalaureate programs, dual or concurrent enrollment programs, and early college high schools that provide postsecondary-level instruction, examinations, or sequences of courses that are widely accepted for credit at institutions of higher education;

''(2) to increase the number of students attending high-need schools who enroll and succeed in accelerated learning courses, accelerated learning examinations, dual or concurrent enrollment programs, and early college high school courses;

''(3) to support efforts by States and local educational agencies to increase the availability of, and enrollment in, accelerated learning courses, pre-accelerated learning courses, dual or concurrent enrollment programs, and early college high school courses in high-need schools; and

''(4) to provide high-quality professional development for teachers of accelerated learning courses, pre-accelerated learning courses, dual or concurrent enrollment programs, and early college high school courses in high-need schools.

''SEC. 5503. FUNDING DISTRIBUTION RULE.

''From amounts appropriated under section 5508 for a fiscal year, the Secretary shall give priority to funding activities under section 5504 and shall distribute any remaining funds under section 5505.

''SEC. 5504. ACCELERATED LEARNING EXAMINATION FEE PROGRAM.

''(a) GRANTS AUTHORIZED.—From amounts made available under section 5503 for a fiscal year, the Secretary shall award grants to State educational agencies having applications approved under this section to enable the State educational agencies to reimburse low-income students to cover part or all of the costs of accelerated learning examination fees, if the low-income students—

''(1) are enrolled in accelerated learning courses; and

''(2) plan to take accelerated learning examinations.

''(b) AWARD BASIS.—In determining the amount of the grant awarded to a State educational agency under this section for a fiscal year, the Secretary shall consider the number of children eligible to be counted under section 1124(c) in the State in relation to the number of such children so counted in all States.

''(c) INFORMATION DISSEMINATION.—A State educational agency that is awarded a grant under this section shall make publicly available information regarding the availability of accelerated learning examination fee payments under this section, and shall disseminate such information to eligible high school

students and parents, including through high school teachers and counselors.

''(d) APPLICATIONS.—Each State educational agency desiring to receive a grant under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require. At a minimum, each State educational agency application shall—

''(1) describe the accelerated learning examination fees the State educational agency will pay on behalf of low-income students in the State from grant funds awarded under this section;

''(2) provide an assurance that any grant funds awarded under this section will be used only to pay for accelerated learning examination fees; and

''(3) contain such information as the Secretary may require to demonstrate that the State educational agency will ensure that a student is eligible for payments authorized under this section, including ensuring that the student is a low-income student.

''(e) REGULATIONS.—The Secretary shall prescribe such regulations as are necessary to carry out this section.

''(f) REPORT.—

''(1) IN GENERAL.—Each State educational agency awarded a grant under this section shall, with respect to each accelerated learning course subject, annually report to the Secretary the following data for the preceding year:

''(A) The number of students in the State who are taking an accelerated learning course in such subject.

''(B) The number of accelerated learning examinations taken by students in the State who have taken an accelerated learning course in such subject.

''(C) The number of students in the State scoring at each level on accelerated learning examinations in such subject, disaggregated by race, ethnicity, sex, English proficiency status, and socioeconomic status.

''(D) Demographic information regarding students in the State taking accelerated learning courses and accelerated learning examinations in such subject, disaggregated by race, ethnicity, sex, English proficiency status, and socioeconomic status.

''(2) REPORT TO CONGRESS.—The Secretary shall annually compile the information received from each State educational agency under paragraph (1) and report to the authorizing committees of Congress regarding the information.

''(g) BUREAU OF INDIAN EDUCATION AS STATE EDUCATIONAL AGENCY.—For purposes of this section, the Bureau of Indian Education shall be treated as a State educational agency.

''SEC. 5505. ACCELERATED LEARNING INCENTIVE PROGRAM GRANTS.

''(a) GRANTS AUTHORIZED.—

''(1) IN GENERAL.—From amounts made available under section 5503 for a fiscal year, the Secretary shall award grants, on a competitive basis, to eligible entities to enable such entities to carry out the authorized activities described in subsection (e).

''(2) DURATION, RENEWAL, AND PAYMENTS.—

''(A) DURATION.—The Secretary shall award a grant under this section for a period of not more than 3 years.

''(B) RENEWAL.—The Secretary may renew a grant awarded under this section for an additional period of not more than 2 years, if an eligible entity—

''(i) is achieving the objectives of the grant; and

''(ii) has shown improvement against baseline data on the performance measures described in subparagraphs (A) through (E) of subsection (g)(1).

''(b) DEFINITION OF ELIGIBLE ENTITY.—In this section, the term 'eligible entity' means—

''(1) a State educational agency;

''(2) a local educational agency; or

''(3) a partnership consisting of—

''(A) a national, regional, or statewide nonprofit organization, with expertise and experience in providing accelerated learning course services, dual or concurrent enrollment programs, and early college high school courses; and

''(B) a State educational agency or local educational agency.

''(c) APPLICATION.—

''(1) IN GENERAL.—Each eligible entity desiring a grant under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

''(2) CONTENTS.—The application shall, at a minimum, include a description of—

''(A) the goals and objectives for the project supported by the grant under this section, including—

''(i) increasing the number of teachers serving high-need schools who are qualified to teach accelerated learning courses, dual or concurrent enrollment programs, and early college high school courses;

''(ii) increasing the number of accelerated learning courses, dual or concurrent enrollment programs, and early college high school courses that are offered at high-need schools; and

''(iii) increasing the number of students attending a high-need school, particularly low-income students, who enroll and succeed in—

''(I) accelerated learning courses;

''(II) if offered by the school, pre-accelerated learning courses;

''(III) dual or concurrent enrollment programs; and

''(IV) early college high school courses;

''(B) how the eligible entity will ensure that students have access to courses that will prepare them to enroll and succeed in accelerated learning courses, pre-accelerated learning courses, dual or concurrent enrollment programs, and early college high school courses;

''(C) how the eligible entity will provide professional development for teachers that will further the goals and objectives of the grant project;

''(D) how the eligible entity will ensure that teachers serving high-need schools are qualified to teach accelerated learning courses, dual or concurrent enrollment programs, and early college high school courses;

''(E) how the eligible entity will provide for the involvement of business and community organizations and other entities, including institutions of higher education, in carrying out the activities described in subsection (e);

''(F) how the eligible entity will use funds received under this section; and

''(G) how the eligible entity will evaluate the success of the grant project.

''(d) PRIORITY.—In awarding grants under this section, the Secretary shall give priority to applications from eligible entities that propose to carry out activities in a local educational agency that is eligible under the small rural school achievement program or the rural and low-income school program authorized under subpart 1 or 2 of part B of title VI.

''(e) AUTHORIZED ACTIVITIES.—Each eligible entity that receives a grant under this section may use grant funds for—

''(1) high-quality teacher professional development, in order to expand the pool of teachers in the participating State, local educational agency, or high-need school who are qualified to teach accelerated learning courses, dual or concurrent enrollment programs, and early college high school courses, including through innovative models such as online academies and training institutes;

''(2) high-quality teacher and counselor professional development to prepare students for success in accelerated learning courses, dual or concurrent enrollment programs, and early college high school courses;

''(3) coordination and articulation between grade levels to prepare students to enroll and succeed in accelerated learning courses, dual or concurrent enrollment programs, and early college high school courses;

''(4) the purchase of instructional materials for accelerated learning courses, dual or concurrent enrollment programs, and early college high school courses;

''(5) activities to increase the availability of, and participation in, online accelerated learning courses, dual or concurrent enrollment programs, and early college high school courses;

''(6) carrying out the requirements of subsection (g); or

''(7) in the case of an eligible entity described in subsection (b)(1), awarding subgrants to local educational agencies to enable the local educational agencies to carry out authorized activities described in paragraphs (1) through (6).

''(f) CONTRACTS.—An eligible entity that is awarded a grant to provide online courses under this section may enter into a contract with an organization to provide accelerated learning courses, dual or concurrent enrollment programs, and early college high school courses, including contracting for necessary support services.

''(g) COLLECTING AND REPORTING REQUIREMENTS.—

''(1) REPORT.—Each eligible entity receiving a grant under this section shall collect and report to the Secretary annually such data regarding the results of the grant as the Secretary may reasonably require, including—

''(A) the number of students served by the eligible entity enrolling in accelerated learning courses, pre-accelerated learning courses, dual or concurrent enrollment programs, and early college high school courses, disaggregated by grade level of the student, and the grades received by such students in the courses;

''(B) the number of students taking an accelerated learning examination and the distribution of scores on those examinations, disaggregated by the grade level of the student at the time of examination;

''(C) the number of teachers who, as of the date of the report, are receiving training to teach accelerated learning courses, dual or concurrent enrollment programs, and early college high school courses, and will teach such courses in the next school year;

''(D) the number of teachers becoming qualified to teach accelerated learning courses, dual or concurrent enrollment programs, and early college high school courses; and

''(E) the number of qualified teachers who are teaching accelerated learning courses, dual or concurrent enrollment programs, and early college high school courses in high-need schools served by the eligible entity.

''(2) REPORTING OF DATA.—Each eligible entity receiving a grant under this section shall report the data required under paragraph (1)—

''(A) disaggregated by subject area;

''(B) in the case of student data, disaggregated in the same manner as information is disaggregated under section 1111(b)(2)(B)(xi); and

''(C) in a manner that allows for an assessment of the effectiveness of the grant program.

''(h) EVALUATION.—The Secretary, acting through the Director of the Institute of Education Sciences, shall, in consultation with the relevant program office at the Department, evaluate the implementation and impact of the activities supported under this section, including progress as measured by the performance measures established under subparagraphs (A) through (E) of subsection (g)(1).

''(i) MATCHING REQUIREMENT.—

''(1) IN GENERAL.—Each eligible entity that receives a grant under this section shall provide toward the cost of the activities assisted under the grant, from non-Federal sources, an amount equal to 100 percent of the amount of the grant, except that an eligible entity that is a high-need local educational agency, as determined by the Secretary, shall provide an amount equal to not more than 50 percent of the amount of the grant.

''(2) MATCHING FUNDS.—The eligible entity may provide the matching funds described in paragraph (1) in cash or in kind, fairly evaluated, but may not provide more than 50 percent of the matching funds in kind. The eligible entity may provide the matching funds from State, local, or private sources.

''(3) WAIVER.—The Secretary may waive all or part of the matching requirement described in paragraph (1) for any fiscal year for an eligible entity if the Secretary determines that applying the matching requirement to such eligible entity would result in serious hardship or an inability to carry out the authorized activities described in subsection (e).

''SEC. 5506. SUPPLEMENT, NOT SUPPLANT.

''Grant funds provided under this part shall supplement, and not supplant, other non-Federal funds that are available to assist low-income students to pay for the cost of accelerated learning fees or to expand access to accelerated learning and pre-accelerated learning courses.

''SEC. 5507. DEFINITIONS.

''In this part:

''(1) ACCELERATED LEARNING COURSE.—The term 'accelerated learning course' means—

''(A) a course of postsecondary-level instruction provided to middle or high school students, terminating in an Advanced Placement or International Baccalaureate examination; or

''(B) another highly rigorous, evidence-based, postsecondary preparatory program terminating in—

''(i) an examination or sequence of courses that are widely accepted for credit at institutions of higher education; or

''(ii) another examination or sequence of courses approved by the Secretary.

''(2) ACCELERATED LEARNING EXAMINATION.—The term 'accelerated learning examination' means an Advanced Placement examination administered by the College Board, an International Baccalaureate examination administered by the International Baccalaureate, an examination that is widely accepted for college credit, or another such examination approved by the Secretary.

''(3) HIGH-NEED SCHOOL.—The term 'high-need school' means a high school—

''(A) with a demonstrated need for Advanced Placement or International Baccalaureate courses, dual or concurrent enrollment programs, or early college high school courses; and

''(B) that—

''(i) has a high concentration of low-income students; or

''(ii) is a local educational agency that is eligible, as determined by the Secretary, under the small, rural school achievement program, or the rural and low-income school program, authorized under subpart 1 or 2 of part B of title VI.

''(4) LOW-INCOME STUDENT.—The term 'low-income student' means a student who is eligible for a free or reduced price lunch under the school lunch program established under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.).

''SEC. 5508. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated to carry out this part such sums as may be necessary for each of fiscal years 2016 through 2021.''.

SEC. 5007. READY-TO-LEARN TELEVISION.

Title V (20 U.S.C. 7201 et seq.), as amended by section 5001, is further amended by inserting after part E, as added by section 5006, the following:

''PART F—READY-TO-LEARN TELEVISION

''SEC. 5601. READY-TO-LEARN.

''(a) PROGRAM AUTHORIZED; READY-TO-LEARN.—

''(1) IN GENERAL.—The Secretary is authorized to award grants to, or enter into contracts or cooperative agreements with, eligible entities described in paragraph (3) to enable such entities—

''(A) to develop, produce, and distribute educational and instructional video programming for preschool and elementary school children and their parents in order to facilitate student academic achievement;

''(B) to facilitate the development, directly or through contracts with producers of children's and family educational television programming, of educational programming for preschool and elementary school children, and the accompanying support materials and services that promote the effective use of such programming;

''(C) to facilitate the development of programming and digital content containing Ready-to-Learn-based children's programming and resources for parents and caregivers that is specially designed for nationwide distribution over public television stations' digital broadcasting channels and the Internet;

''(D) to contract with entities (such as public telecommunications entities) so that programs developed under this section are disseminated and distributed to the widest possible audience appropriate to be served by the programming, and through the use of the most appropriate distribution technologies; and

''(E) to develop and disseminate education and training materials, including interactive programs and programs adaptable to distance learning technologies, that are designed—

''(i) to promote school readiness; and

''(ii) to promote the effective use of materials developed under subparagraphs (B) and (C) among parents, teachers, Head Start providers, providers of family literacy services, child care providers, early childhood development personnel, elementary school teachers, public libraries, and after-school program personnel caring for preschool and elementary school children.

''(2) AVAILABILITY.—In awarding or entering into grants, contracts, or cooperative agreements under this section, the Secretary shall ensure that eligible entities make programming widely available, with support materials as appropriate, to young children, parents, child care workers, Head Start providers, and providers of family literacy services to increase the effective use of such programming.

''(3) ELIGIBLE ENTITIES.—To be eligible to receive a grant, contract, or cooperative agreement under this section, an entity shall be a public telecommunications entity that is able to demonstrate each of the following:

''(A) A capacity for the development and national distribution of educational and instructional television programming of high quality that is accessible by a large majority of disadvantaged preschool and elementary school children.

''(B) A capacity to contract with the producers of children's television programming for the purpose of developing educational television programming of high quality.

''(C) A capacity, consistent with the entity's mission and nonprofit nature, to negotiate such contracts in a manner that returns to the entity an appropriate share of any ancillary income from sales of any program-related products.

''(D) A capacity to localize programming and materials to meet specific State and local needs and to provide educational outreach at the local level.

''(4) COORDINATION OF ACTIVITIES.—An entity receiving a grant, contract, or cooperative agreement under this section shall consult with the Secretary and the Secretary of Health and Human Services—

''(A) to maximize the utilization of quality educational programming by preschool and elementary school children, and make such programming widely available to federally funded programs serving such populations; and

''(B) to coordinate activities with Federal programs that have major training components for early childhood development, including programs under the Head Start Act (42 U.S.C. 9831 et seq.) and State training activities funded under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.), regarding the availability and utilization of materials developed under paragraph (1)(E) to enhance parent and child care provider skills in early childhood development and education.

''(b) APPLICATIONS.—To be eligible to receive a grant, contract, or cooperative agreement under subsection (a), an entity shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may reasonably require.

''(c) REPORTS AND EVALUATIONS.—

''(1) ANNUAL REPORT TO THE SECRETARY.—An entity receiving a grant, contract, or cooperative agreement under this section shall prepare and submit to the Secretary an annual report that contains such information as the Secretary may require. At a minimum, the report shall describe the program activities undertaken with funds received under the grant, contract, or cooperative agreement, including each of the following:

''(A) The programming that has been developed, directly or indirectly, by the eligible entity, and the target population of the programs developed.

''(B) The support and training materials that have been developed to accompany the programming, and the method by which the materials are distributed to consumers and users of the programming.

''(C) The means by which programming developed under this section has been distributed, including the distance learning technologies that have been utilized to make programming available, and the geographic distribution achieved through such technologies.

''(D) The initiatives undertaken by the entity to develop public-private partnerships to secure non-Federal support for the development, distribution, and broadcast of educational and instructional programming.

''(2) REPORT TO CONGRESS.—The Secretary shall prepare and submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives a biannual report that includes the following:

''(A) A summary of the activities assisted under subsection (a).

''(B) A description of the education and training materials made available under subsection (a)(1)(E), the manner in which outreach has been conducted to inform parents and child care providers of the availability of such materials, and the manner in which such materials have been distributed in accordance with such subsection.

''(d) ADMINISTRATIVE COSTS.—An entity that receives a grant, contract, or cooperative agreement under this section may use up to 5 percent of the amount received under the grant, contract, or agreement for the normal and customary expenses of administering the grant, contract, or agreement.

''(e) FUNDING RULE.—Not less than 60 percent of the amount appropriated under subsection (f) for each fiscal year shall be used to carry out activities under subparagraphs (B) through (D) of subsection (a)(1).

''(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this part such sums as may be necessary for each of fiscal years 2016 through 2021.''.

SEC. 5008. INNOVATIVE TECHNOLOGY EXPANDS CHILDREN'S HORIZONS (I–TECH).

Title V (20 U.S.C. 7201 et seq.), as amended by section 5001, is further amended by inserting after part F, as added by section 5007, the following:

''PART G—INNOVATIVE TECHNOLOGY EXPANDS CHILDREN'S HORIZONS (I–TECH)

''SEC. 5701. PURPOSES.

''The purposes of this part are—

''(1) to improve the achievement, academic growth, and college and career readiness of all students;

''(2) to ensure that all students have access to personalized, rigorous learning experiences that are supported through technology;

''(3) to ensure that educators have the knowledge and skills to use technology, including computer-based assessments and blended learning strategies, to personalize learning;

''(4) to ensure that local educational agency and school leaders have the skills required to implement, and support school- and district-wide approaches for using technology to inform instruction, support teacher collaboration, and personalize learning;

''(5) to ensure that students in rural, remote, and underserved areas have the resources to take advantage of high-quality digital learning experiences, digital resources, and access to online courses taught by effective educators;

''(6) to ensure that students have increased access to online dual or concurrent enrollment opportunities, career and technical courses, and programs leading to a recognized postsecondary credential (as defined in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102)), and courses taught by educators, including advanced coursework; and

''(7) to ensure that State educational agencies, local educational agencies, elementary schools, and secondary schools have the technological capacity, infrastructure, and technical support necessary to meet purposes described in paragraphs (1) through (6).

''SEC. 5702. DEFINITIONS.

''In this part:

''(1) DIGITAL LEARNING.—The term 'digital learning' means any instructional practice that effectively uses technology to strengthen a student's learning experience and encompasses a wide spectrum of tools and practices, including—

''(A) interactive learning resources that engage students in academic content;

''(B) access to online databases and other primary source documents;

''(C) the use of data, data analytics, and information to personalize learning and provide targeted supplementary instruction;

''(D) student collaboration with content experts and peers;

''(E) online and computer-based assessments;

''(F) digital learning content, software, or simulations;

''(G) access to online courses;

''(H) mobile devices for learning in school and at home;

''(I) learning environments that allow for rich collaboration and communication;

''(J) hybrid or blended learning, which occurs under direct instructor supervision at a school or other location away from home and, at least in part, through online delivery of instruction with some element of student control over time, place, path, or pace;

''(K) access to online course opportunities for students in rural or remote areas; and

''(L) discovery, modification, and sharing of openly licensed digital learning materials.

''(2) ELIGIBLE TECHNOLOGY.—The term 'eligible technology' means modern computer, and communication technology software, services, or tools, including computer or mobile devices, whether for use in school or at home, software applications, systems and platforms, digital learning content, and related services, supports, and strategies, which may include strategies to assist eligible children without adequate Internet access at home to complete homework.

''(3) TECHNOLOGY READINESS SURVEY.—The term 'technology readiness survey' means a survey completed by a local educational agency that provides standardized information on the quantity and types of technology infrastructure and access available to the students and in the community served by the local educational agency, including computer devices, access to school libraries, Internet connectivity (including Internet access outside of the school day), operating systems, related network infrastructure, data systems, educator professional learning needs and priorities, and data security.

''(4) UNIVERSAL DESIGN FOR LEARNING.—The term 'universal design for learning' has the meaning given the term in section 103 of the Higher Education Act of 1965 (20 U.S.C. 1003).

''SEC. 5702A. RESTRICTION.

''Funds awarded under this part shall not be used to address the networking needs of an entity that is eligible to receive support under the E-rate program.

''SEC. 5703. TECHNOLOGY GRANTS PROGRAM AUTHORIZED.

''(a) IN GENERAL.—From the amounts appropriated under section 5708, the Secretary may reserve not more than 1.5 percent for national activities to support grantees and shall award the remainder to State educational agencies to strengthen State and local technological infrastructure and professional learning that supports digital learning through State activities under section 5705(c) and local activities under section 5706(c).

''(b) GRANTS TO STATE EDUCATIONAL AGENCIES.—

''(1) RESERVATIONS.—From the amounts appropriated under section 5708 for any fiscal year, the Secretary shall reserve—

''(A) three-fourths of 1 percent for the Secretary of the Interior to provide assistance under this part for schools operated or funded by the Bureau of Indian Education; and

''(B) 1 percent to provide assistance under this part to the outlying areas.

''(2) GRANT ALLOTMENTS.—From the amounts appropriated under section 5708 for any fiscal year and remaining after the Secretary makes reservations under paragraph (1), the Secretary shall make a grant for the fiscal year to each State educational agency with an approved application under section 5704 in an amount that bears the same relationship to such remainder as the amount the State educational agency received under part A of title I for such year bears to the amount all State educational agencies with an approved application under section 5704 received under such part for such year.

''(c) MINIMUM.—The amount of a grant to a State educational agency under subsection (b)(2) for a fiscal year shall not be less than one-half of 1 percent of the total amount made available for grants to all State educational agencies under such subsection for such year.

''(d) REALLOTMENT OF UNUSED FUNDS.—If any State educational agency does not apply for a grant under section 5704 for a fiscal year, or does not use the State educational agency's entire grant allotment under subsection (b)(2) for such year, the Secretary shall reallot the amount of the State educational agency's grant, or the unused portion of the grant allotment, to the remaining State educational agencies that use their entire grant amounts under subsection (b)(2) for such year.

''(e) MATCHING FUNDS.—

''(1) IN GENERAL.—A State educational agency that receives a grant under subsection (b)(2) shall provide matching funds, from non-Federal sources, in an amount equal to 10 percent of the amount of grant funds provided to the State educational agency to carry out the activities supported by the grant. Such matching funds may be provided in cash or in kind, except that any such in kind contributions shall be provided for the purpose of supporting the State educational agency's activities under section 5705(c).

''(2) WAIVER.—The Secretary may waive the matching requirement under paragraph (1) for a State educational agency that demonstrates that such requirement imposes an undue financial hardship on the State educational agency.

''SEC. 5704. STATE APPLICATIONS.

''(a) APPLICATION.—To receive a grant under section 5703(b)(2), a State educational agency shall submit to the Secretary an application at such time and in such manner as the Secretary may require and containing the information described in subsection (b).

''(b) CONTENTS.—Each application submitted under subsection (a) shall include the following:

''(1) A description of how the State educational agency will meet the following goals:

''(A) Use technology to ensure that all students achieve college and career readiness and digital literacy, including by providing high-quality education opportunities to economically or geographically isolated student populations.

''(B) Provide educators, school leaders, and administrators with the professional learning tools, devices, content, and resources to—

''(i) personalize learning to improve student academic achievement; and

''(ii) discover, adapt, and share relevant high-quality open educational resources.

''(C) Enable local educational agencies to build technological capacity and infrastructure.

''(2) An assurance that each local educational awarded a subgrant under this part has conducted a technology readiness survey and will take steps to address the identified readiness gaps not later than 3 years after the completion of the survey by the local educational agency.

''(3) An assurance that the State educational agency will ensure that the State educational agency's technology systems and school-based technology systems are interoperable.

''(4) An assurance that the State educational agency will consider making content widely available through open educational resources when making purchasing decisions with funds received under this part.

''(5) A description of how the State educational agency will award subgrants to local educational agencies under section 5706.

''(6) A description of the process, activities, and performance measures that the State educational agency will use to evaluate the impact and effectiveness of the grant and subgrant funds awarded under this part across the State and in each local educational agency.

''(7) An assurance that the State educational agency consulted with local educational agencies in the development of the State educational agency's application under this subsection.

''(8) An assurance that the State educational agency will provide matching funds as required under section 5703(e).

''(9) An assurance that the State educational agency will protect the privacy and safety of students and teachers, consistent with requirements of section 444 of the General Education Provisions Act (20 U.S.C. 1232g) (commonly known as the 'Family Educational Rights and Privacy Act of 1974') and section 445 of the General Education Provisions Act (20 U.S.C. 1232h).

''(10) An assurance that funds made available under this part shall be used to supplement, and not supplant, any other Federal, State, or local funds that would otherwise be available to carry out the activities assisted under this part.

''SEC. 5705. STATE USE OF GRANT FUNDS.

''(a) RESERVATION FOR SUBGRANTS TO SUPPORT TECHNOLOGY INFRASTRUCTURE.—Each State educational agency that receives a grant under section 5703(b)(2) shall expend not less than 90 percent of the grant amount for each fiscal year to award subgrants to local educational agencies in accordance with section 5706.

''(b) RESERVATION FOR STATE ACTIVITIES.—

''(1) IN GENERAL.—A State educational agency shall reserve not more than 10 percent of the grant received under section 5703(b)(2) for the State activities described in subsection (c).

''(2) GRANT ADMINISTRATION.—

''(A) IN GENERAL.—Subject to subparagraph (B), of the amount reserved by a State educational agency under paragraph (1), the State educational agency may reserve for the administration of the grant under this part not more than—

''(i) 1 percent in the case of a State educational agency awarding subgrants under section 5706(a)(1); or

''(ii) 3 percent in the case of a State educational agency awarding subgrants under section 5706(a)(2).

''(B) SPECIAL RULE.—Notwithstanding subparagraph (A), a State educational agency that forms a State purchasing consortium under subsection (d)—

''(i) may reserve an additional 1 percent to carry out the activities described in subsection (d)(1); and

''(ii) may reserve amounts in addition to the percentage described in clause (i) if the State purchasing consortium receives direct approval from the local educational agencies receiving subgrants under section 5706(a) from the State educational agency prior to reserving more than the additional percentage authorized under clause (i).

''(c) STATE ACTIVITIES.—A State educational agency may use funds described in subsection (b) to carry out each of the following:

''(1) Except for the awarding of subgrants in accordance with section 5706, activities described in the State educational agency's application under section 5704(b).

''(2) Providing technical assistance to local educational agencies to—

''(A) identify and address technology readiness needs, as determined by the technology readiness surveys;

''(B) use technology, consistent with the principles of universal design for learning, to support the learning needs of all students, including children with disabilities and English learners;

''(C) build capacity for principals and local educational agency administrators to support teachers in using data and technology to improve teaching and personalize learning;

''(D) ensure that contractual requirements for third parties that have access to student data, its storage, or provide analytics on student data provide privacy protections consistent with the requirements of section 444 of the General Education Provisions Act (20 U.S.C. 1232g) (commonly known as the 'Family Educational Rights and Privacy Act of 1974'); and

''(E) provide tools and processes to support the creation, modification, and distribution of open educational resources.

''(3) Developing or utilizing evidence-based or innovative strategies for the delivery of specialized or rigorous academic courses and curricula through the use of technology, including digital learning technologies and assistive technology.

''(4) Integrating and coordinating activities under this part with other educational resources and programs across the State.

''(5) Disseminating information, including making publicly available on the website of the State educational agency, promising practices to improve technology instruction, best practices for data security, and acquiring and implementing technology tools and applications.

''(6) Ensuring that teachers, paraprofessionals, school librarians and media personnel, specialized instructional support personnel, and administrators possess the knowledge and skills to use technology to meet the goals described in section 5704(b)(1).

''(7) Coordinating with teacher, principal, and other school leader preparation programs to ensure that preservice teachers, principals, and other school leaders have the skills to implement digital learning programs effectively.

''(8) Supporting schools in rural and remote areas to expand access to high-quality digital learning opportunities.

''(d) PURCHASING CONSORTIA.—

''(1) IN GENERAL.—A State educational agency receiving a grant under section 5703(b)(2) may—

''(A) form a State purchasing consortium with 1 or more State educational agencies receiving such a grant to carry out the State activities described in subsection (c), including purchasing eligible technology;

''(B) encourage local educational agencies to form a local purchasing consortium under section 5706(c)(4); and

''(C) promote pricing opportunities to local educational agencies for the purchase of eligible technology that are—

''(i) negotiated by the State educational agency or the State purchasing consortium of the State educational agency; and

''(ii) available to such local educational agencies.

''(2) RESTRICTIONS.—A State educational agency receiving a grant under section 5703(b)(2) shall not—

''(A) except for promoting the pricing opportunities described in paragraph (1)(C), make recommendations to local educational agencies for, or require, use of any specific commercial products and services by local educational agencies;

''(B) require local educational agencies to participate in a State purchasing consortia or local purchasing consortia; or

''(C) use more than the amount reserved under subsection (b) to carry out the activities described in paragraph (1), unless the State educational agency receives approval in accordance with subsection (b)(2)(B).

''SEC. 5706. LOCAL SUBGRANTS.

''(a) SUBGRANTS.—

''(1) GRANTS TO LOCAL EDUCATIONAL AGENCIES.—From the grant funds provided under section 5703(b)(2) to a State educational agency that are remaining after the State educational agency makes reservations under section 5705(b) for any fiscal year and subject to paragraph (2), the State educational agency shall award subgrants for the fiscal year to local educational agencies served by the State educational agency and with an approved application under subsection (b) by allotting to each such local educational agency an amount that bears the same relationship to the remainder as the amount received by the local educational agency under part A of title I for such year bears to the amount received by all such local educational agencies under such part for such year, except that no local educational agency may receive less than $20,000 for a year.

''(2) COMPETITIVE GRANTS TO LOCAL EDUCATIONAL AGENCIES.—If the amount of funds appropriated under section 5708 is less than $300,000,000 for any fiscal year, a State educational agency—

''(A) shall not award subgrants under paragraph (1); and

''(B) shall—

''(i) award subgrants, on a competitive basis, to local educational agencies based on the quality of applications submitted under subsection (b), including—

''(I) the level of technology readiness, as determined by the technology readiness surveys completed by local educational agencies submitting such applications; and

''(II) the technology plans described in subsection (b)(3) and how the local educational agencies with such plans will carry out the alignment and coordination described in such subsection;

''(ii) give priority to local educational agencies that have demonstrated substantial need for assistance in acquiring and using technology, based on the agency's technology readiness survey; and

''(iii) give priority to schools that serve students in rural and remote areas, schools identified under section 1114 as in need of intervention and support and the persistently lowest-achieving schools, or schools with a high percentage of students aged 5 through 17 who are in poverty, as counted in the most recent census data approved by the Secretary, who are eligible for a free or reduced priced lunch under the Richard B. Russell National School Lunch Act, in families receiving assistance under the State program funded under part A of title IV of the Social Security Act, or eligible to receive medical assistance under the Medicaid program.

''(3) DEFINITION OF LOCAL EDUCATIONAL AGENCY FOR CERTAIN FISCAL YEARS.—For purposes of awarding subgrants under paragraph (2), the term 'local educational agency' means—

''(A) a local educational agency;

''(B) an educational service agency; or

''(C) a local educational agency and an educational service agency.

''(b) APPLICATION.—A local educational agency that desires to receive a subgrant under subsection (a) shall submit an application to the State at such time, in such manner, and accompanied by such information as the State educational agency may require, such as—

''(1) a description of how the local educational agency will carry out the goals described in subparagraphs (A) through (C) of section 5704(b)(1);

''(2) a description of the results of the technology readiness survey completed by the local educational agency and a description of the plan for the local educational agency to meet the goals described in paragraph (1) within 3 years of completing the survey;

''(3) a description of the local educational agency's technology plan to carry out paragraphs (1) and (2) and how the agency will align and coordinate the activities under this section with other activities across the local educational agency;

''(4) a description of the team of educators who will coordinate and carry out the activities under this section, including individuals with responsibility and expertise in instructional technology, teachers who specialize in supporting students who are children with disabilities and English learners, other school leaders, school librarians and media personnel, technology officers, and staff responsible for assessments and data;

''(5) a description of how the local educational agency will build capacity for principals, other school leaders, and local educational agency administrators to support teachers in developing data literacy skills and in implementing digital tools to support teaching and learning;

''(6) a description of how the local educational agency will procure content and ensure content quality; and

''(7) an assurance that the local educational agency will protect the privacy and safety of students and teachers, consistent with requirements section 444 of the General Education Provisions Act (20 U.S.C. 1232g) (commonly known as the 'Family Educational Rights and Privacy Act of 1974').

''(c) USE OF FUNDS.—

''(1) PROFESSIONAL DEVELOPMENT IN DIGITAL LEARNING.—Subject to paragraph (3), a local educational agency receiving a subgrant under subsection (a) shall use not less than 50 percent of such funds to carry out professional development in digital learning for teachers, principals, other school leaders, paraprofessionals, school librarians and media personnel, specialized instructional support personnel, technology coordinators, and administrators in the use of technology to support student learning.

''(2) TECHNOLOGY INFRASTRUCTURE.—Subject to paragraph (3), a local educational agency receiving a subgrant under subsection (a) shall use not less than 25 percent of such funds to support activities for the acquisition of eligible technology needed to—

''(A) except for the activities described in paragraph (1), carry out activities described in the application submitted under subsection (b), including purchasing devices, equipment, and software applications; and

''(B) address readiness shortfalls identified under the technology readiness survey completed by the local educational agency.

''(3) MODIFICATION OF FUNDING ALLOCATIONS.—A State educational agency may authorize a local educational agency to modify the percentage of the local educational agency's subgrant funds required to carry out the activities described in paragraph (1) or (2) if the local educational agency demonstrates that such modification will assist the local educational agency in more effectively carrying out such activities.

''(4) PURCHASING CONSORTIUM.—Local educational agencies receiving subgrants under subsection (a) may—

''(A) form a local purchasing consortium with other such local educational agencies to carry out the activities described in this subsection, including purchasing eligible technology; and

''(B) use such funds for purchasing eligible technology through a State purchasing consortium under section 5705(d).

''(5) BLENDED LEARNING PROJECTS.—

''(A) IN GENERAL.—A local educational agency receiving a subgrant under subsection (a) may use such funds to carry out a blended learning project, which shall include at least 1 of the following activities:

''(i) Planning activities, which may include development of new instructional models (including blended learning technology software and platforms), the purchase of digital instructional resources, initial professional development activities, and one-time information technology purchases, except that such expenditures may not include expenditures related to significant construction or renovation of facilities.

''(ii) Ongoing professional development for teachers, principals, other school leaders, or other personnel involved in the project that is designed to support the implementation and academic success of the project.

''(B) NON-FEDERAL MATCH.—A local educational agency that carries out a blended learning project under this paragraph shall provide non-Federal matching funds equal to not less than 10 percent of the amount of funds used to carry out such project.

''(C) DEFINITION OF BLENDED LEARNING.—In this paragraph, the term 'blended learning' means a formal education program that leverages both technology-based and face-to-face instructional approaches that—

''(i) include an element of online or digital learning, combined with supervised learning time, and student-led learning, in which the elements are connected to provide an integrated learning experience; and

''(ii) where students are provided some control over time, path, or pace.

''SEC. 5707. REPORTING.

''(a) LOCAL EDUCATIONAL AGENCIES.—Each local educational agency receiving a subgrant under section 5706 shall submit to the State educational agency that awarded such subgrant an annual report the meets the requirements of subsection (c).

''(b) STATE EDUCATIONAL AGENCIES.—Each State educational agency receiving a grant under section 5703(b)(2) shall submit to the Secretary an annual report that meets the requirements of subsection (c).

''(c) REPORT REQUIREMENTS.—A report submitted under subsection (a) or (b) shall include, at a minimum, a description of—

''(1) the status of the State educational agency's plan described in section 5704(b) or the local education agency's technology plan under section 5706(b)(3), as applicable;

''(2) the categories of eligible technology acquired with funds under this part and how such technology is being used;

''(3) the professional learning activities funded under this part, including types of activities and entities involved in providing such professional learning to classroom teachers and other staff, such as school librarians; and

''(4) the types of programs funded under this part.

''SEC. 5708. AUTHORIZATION.

''There are authorized to be appropriated such sums as may be necessary to carry out this part.''.

SEC. 5009. LITERACY AND ARTS EDUCATION.

Title V (20 U.S.C. 7201 et seq.), as amended by section 5001, is further amended by inserting after part G, as added by section 5008, the following:

''PART H—LITERACY AND ARTS EDUCATION

''SEC. 5801. LITERACY AND ARTS EDUCATION.

''(a) IN GENERAL.—From funds made available under subsection (c), the Secretary may award grants, contracts, or cooperative agreements, on a competitive basis, to eligible entities for the purposes of promoting—

''(1) arts education for disadvantaged students and students who are children with disabilities, through activities such as—

''(A) professional development for arts educators, teachers, and principals;

''(B) development and dissemination of instructional materials and arts-based educational programming, including online resources, in multiple arts disciplines; and

''(C) community and national outreach activities that strengthen and expand partnerships among schools, local educational agencies, communities, or national centers for the arts; and

''(2) literacy programs that support the development of literacy skills in low-income communities, including—

''(A) developing and enhancing effective school library programs, which may include providing professional development for school librarians, books, and up-to-date materials to low-income schools;

''(B) early literacy services, including pediatric literacy programs through which, during well-child visits, medical providers trained in research-based methods of early language and literacy promotion provide developmentally appropriate books and recommendations to parents to encourage them

to read aloud to their children starting in infancy; and

''(C) programs that provide high-quality books on a regular basis to children and adolescents from disadvantaged communities to increase reading motivation, performance, and frequency.

''(b) DEFINITIONS.—In this section:

''(1) ELIGIBLE ENTITY.—The term 'eligible entity' means—

''(A) a local educational agency in which 20 percent or more of the students served by the local educational agency are from families with an income below the poverty line;

''(B) a consortium of such local educational agencies; or

''(C) an eligible national nonprofit organization.

''(2) ELIGIBLE NATIONAL NONPROFIT ORGANIZATION.—The term 'eligible national nonprofit organization' means an organization of national scope that—

''(A) is supported by staff, which may include volunteers, or affiliates at the State and local levels; and

''(B) demonstrates effectiveness or high-quality plans for addressing childhood literacy activities for the population targeted by the grant.

''(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for each of fiscal years 2016 through 2021.''.

SEC. 5010. EARLY LEARNING ALIGNMENT AND IMPROVEMENT GRANTS.

Title V (20 U.S.C. 7201 et seq.), as amended by section 5001, is further amended by inserting after part H, as added by section 5009, the following:

''PART I—EARLY LEARNING ALIGNMENT AND IMPROVEMENT GRANTS

''SEC. 5901. PURPOSES; DEFINITIONS.

''(a) PURPOSES.—The purposes of this part are to assist States with—

''(1) more efficiently using existing Federal resources to improve, strengthen, and expand existing high-quality early childhood education, as determined by the State;

''(2) coordinating existing funding streams and delivery models to promote—

''(A) program quality, while maintaining services;

''(B) parental choice among high-quality early childhood education program providers; and

''(C) early care and learning access for children from birth to kindergarten entry; and

''(3) improving access for children from low-income families to high-quality early childhood education programs in order to enhance school readiness.

''(b) DEFINITIONS.—In this part:

''(1) CENTER OF EXCELLENCE.—The term 'Center of Excellence' means a local public or private nonprofit agency, including a community-based or faith-based organization, or a for-profit agency, within a community, that provides early learning and care services in the State, including the use of best practices for—

''(A) achieving school readiness, including the development of early literacy and mathematics skills;

''(B) acquisition of English language skills; and

''(C) providing high-quality comprehensive services for eligible children and their families.

''(2) ELIGIBLE CHILD.—The term 'eligible child' means an individual—

''(A) who is less than 6 years of age; and

''(B) whose family income does not exceed—

''(i) 200 percent of the poverty line;

''(ii) 85 percent of the State median income for a family of the same size, and whose family assets do not exceed $1,000,000 (as certified by a member of such family); or

''(iii) a State-determined threshold for eligibility that does not exceed the thresholds in clauses (i) and (ii).

''(3) ELIGIBLE PARTNERSHIP.—The term 'eligible partnership' means a partnership that, at a minimum, includes, as applicable and appropriate, the State Advisory Council on Early Childhood Education and Care established under section 642B(b) of the Head Start Act, and all of the following partners, which may be represented on the Council:

''(A) One or more public and private (including nonprofit or for-profit) providers of early childhood education that serve eligible children residing in the State and meet applicable standards of licensing and quality as determined by the State.

''(B) One or more Head Start agencies, which may include Early Head Start, migrant and seasonal Head Start, and Indian Head Start agencies that serve eligible children residing in the State.

''(C) The State educational agency.

''(D) Other relevant State agencies with oversight of preschool, early education, and child care in the State.

''(E) One or more local educational agencies in the State.

''(F) One or more institutions of higher education in the State.

''(G) One or more representatives of business in the State.

''(4) INSTITUTION OF HIGHER EDUCATION.—The term 'institution of higher education' has the meanings given the term in section 101 and subparagraphs (A) and (B) of section 102(a)(1) of the Higher Education Act of 1965.

''SEC. 5902. EARLY LEARNING ALIGNMENT AND IMPROVEMENT GRANTS.

''(a) GRANTS AUTHORIZED.—

''(1) IN GENERAL.—From amounts made available under section 5903, the Secretary, in consultation with the Secretary of Health and Human Services, shall award grants, on a competitive basis, to States to enable the States to carry out the activities described in subsection (d).

''(2) RESERVATION FOR STATES SERVING RURAL AREAS.—From the amounts appropriated under section 5903 for a fiscal year, the Secretary shall reserve not less than 30 percent for grants to States that propose to carry out the activities described in subsection (d) for eligible children living in rural areas. The Secretary shall reduce the amount described in the preceding sentence if the Secretary does not receive a sufficient number of applications that are deserving of a grant under this part for such purpose.

''(3) RESERVATION FOR EVALUATION.—From the amounts appropriated under section 5903 for a fiscal year, the Secretary shall reserve one-half of 1 percent to conduct, in consultation with the Secretary of Health and Human Services, an evaluation to determine whether grants under this part are—

''(A) improving efficiency in the use of Federal funds for early childhood education programs;

''(B) improving coordination across Federal early childhood education programs; and

''(C) increasing the availability of, and access to, high-quality early childhood education programs for eligible children.

''(3) PRIORITY.—In awarding grants under this section, the Secretary shall give priority to a State that will use funds under this grant to focus on eligible children—

''(A) who are 3 and 4 years of age; and

''(B) whose family income does not exceed 130 percent of the poverty line.

''(4) DURATION OF GRANTS.—A grant awarded under this section shall be for a period of not more than 3 years and may not be renewed by the Secretary.

''(5) LIMITATION.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), a State may receive a grant under this section once.

''(B) EXCEPTION.—Notwithstanding subparagraph (A), a State may receive more than 1 grant under this section only—

''(i) if the State is proposing, for such additional grants, to carry out activities for eligible children living in rural areas; or

''(ii) after all States, which meet the requirements and have submitted an application under this section, have received a grant, to the extent that funds for a grant are still available.

''(6) EQUITABLE DISTRIBUTION.—To the extent practicable, the Secretary shall ensure an equitable geographic distribution of grants under this section.

''(b) STATE REQUIREMENTS.—

''(1) LEAD AGENCY.—

''(A) DESIGNATION.—A State desiring a grant under this section shall designate an agency (which may be an appropriate collaborative agency) or establish a joint interagency office, that complies with the requirements of subparagraph (B), to serve as a lead agency for the State under this section.

''(B) DUTIES.—The lead agency designated under subparagraph (A) shall—

''(i) administer, directly or through other governmental or nongovernmental agencies, the Federal assistance received under this section by the State;

''(ii) develop the application submitted to the Secretary under subsection (c); and

''(iii) coordinate the provision of activities under this section with existing Federal, State, and local early childhood education programs.

''(2) PARTNERS.—In order to be eligible for a grant under this section, a State shall partner with an eligible partnership.

''(3) MATCHING REQUIREMENT.—Each State that receives a grant under this part shall provide from Federal or non-Federal sources (which may be provided in cash or in kind) to carry out the activities supported by the grant, an amount equal to—

''(A) 30 percent of the amount of the grant in the first year of such grant; and

''(B) not less than 30 percent of the amount of the grant in each of the second and third years of such grant, respectively.

''(c) APPLICATIONS.—A State desiring a grant under this section shall submit an application at such time, in such manner, and containing such information as the Secretary may reasonably require. The application shall include—

''(1) an identification of the lead agency that the Governor of the State has appointed to be responsible for the grant under this section;

''(2) a description of the eligible partnership required under subsection (b)(2), which will assist the State in developing the plan and implementing the activities under this part;

''(3) to the extent practicable, the unduplicated counts of the number of eligible children served using existing Federal, State, and local resources and programs that the State will coordinate to meet the purposes of this part, including—

''(A) programs carried out under the Head Start Act, including the Early Head Start programs carried out under such Act;

''(B) programs carried out under section 619 and parts B and C of the Individuals with Disabilities Education Act;

''(C) child care programs carried out under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.) or section 418 of the Social Security Act (42 U.S.C. 618);

''(D) other Federal, State, local, and Indian tribe or tribal organization programs of early learning, childhood education, child care, and development in the State; and

''(E) as applicable—

''(i) programs carried out under other provisions of this Act;

''(ii) programs carried out under subtitle A of title XX of the Social Security Act (42 U.S.C. 1397 et seq.);

''(iii) programs carried out under the Community Services Block Grant Act (42 U.S.C. 9901 et seq.);

''(iv) programs serving homeless children and services of local educational agency liaisons for homeless children and youths designated under section 722(g)(1)(J)(ii) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11432(g)(1)(J)(ii));

''(v) State agencies and programs serving children in foster care and the foster families of such children; and

''(vi) child care programs funded through State veterans affairs offices;

''(4) a description of how the State proposes to coordinate such resources and programs identified under paragraph (3) in order to meet the purposes of this part;

''(5) a description of how the State will identify early childhood education program providers that demonstrate a high level of quality;

''(6) a description of how the State will define eligible children, in accordance with section 5901(b)(2);

''(7) a description of how the State will expand access to existing high-quality early learning and care for eligible children in the State or, if no high-quality early learning and care is accessible for eligible children, expand access to high-quality early learning and care for such children;

''(8) in the case of a State that has elected to use funds under this section to designate Centers of Excellence—

''(A) an assurance that the State will designate an entity, such as an agency, an institution of higher education, a consortium of local educational agencies or Head Start centers, or another entity, to designate early childhood education programs as Centers of Excellence;

''(B) an assurance that the designee will meet the definition of a Center of Excellence;

''(C) a description of the process by which an entity that carries out an early childhood education program would be designated as a Center of Excellence, including evidence that the early childhood education program involved has demonstrated excellence in program delivery in a manner designed to improve the school readiness of children who have participated in the program; and

''(D) a description of how the State will assist Centers of Excellence in the dissemination of best practices;

''(9) a description of the measurable outcomes and anticipated levels of performance for such outcomes, as determined by the State, in the areas of program coordination, program quality improvement, and increased access to high-quality programs, that the State will use to evaluate the coordinated statewide or locally implemented system of voluntary early care and learning supported by the grant;

''(10) an assurance that the State will provide technical assistance to partners on methods by which Federal and State early learning and care funding can be coordinated and lead to cost-saving and efficiencies strategies, such as through entities administering shared services, and other methods that will enhance the quality of the early childhood education programs in the State;

''(11) a description of how the State will sustain early learning and care activities coordinated under this section, including for rural areas in the State, if applicable, once grant funding is no longer available under this section;

''(12) a description of the process that the State proposes to use to collect and disseminate, to parents and the general public, consumer information that will promote informed early learning and care choices in the State;

''(13) a description of how the State will serve eligible children residing in rural areas, if applicable;

''(14) a description of how the State will support, through the use of professional development, early childhood education programs that maintain disciplinary policies that do not include expulsion or suspension of participating children, except as a last resort in extraordinary circumstances where—

''(A) there is a determination of a serious safety threat; and

''(B) policies are in place to provide appropriate alternative early educational services to expelled or suspended children while they are out of school; and

''(15) an assurance that funds made available under this part shall be used to supplement, and not supplant, any other Federal, State, or local funds that would otherwise be available to carry out the activities assisted under this part.

''(d) USE OF FUNDS.—

''(1) IN GENERAL.—A State that receives a grant under this part shall use the grant funds to develop, implement, or improve a coordinated statewide or locally implemented system of voluntary early care and learning, which includes a plan—

''(A) for coordinating funding available through existing Federal, State, and local sources; and

''(B) that is designed in collaboration with an eligible partnership.

''(2) AUTHORIZED ACTIVITIES.—Grant funds under this section may be used for the following:

''(A) Aligning existing Federal, State, and local funding and resources with a statewide or locally designed system for delivering high-quality early learning and care for eligible children in the State, including developing evidence-based practices to improve staff quality, instructional programming, and time in program which may include the use of shared services models.

''(B) Analyzing needs for expanded access to existing high-quality early childhood education programs in the State, including child care, preschool, and Early Head Start, Head Start, and special education for all children, particularly low-income children.

''(C) Developing or expanding eligible partnerships to—

''(i) expand access for eligible children to existing high-quality providers or programs or, if no high-quality early learning and care is accessible for eligible children, expand access to high-quality early learning and care for eligible children;

''(ii) share best practices; and

''(iii) ensure that parents have maximum choices in selecting the providers that meet their individual needs, consistent with State and local laws.

''(D) Developing or expanding Centers of Excellence for the purposes of—

''(i) disseminating best practices for achieving early academic success in the State, including best practices for—

''(I) achieving school readiness, including developing early literacy and mathematics skills;

''(II) the acquisition of the English language for English learners; or

''(III) providing high-quality comprehensive services to low-income and at-risk children and their families;

''(ii) coordinating early education, child care, and other social services available in the State and local communities for low-income and at-risk children and families; or

''(iii) providing effective transitions between preschool programs and elementary schools, including by facilitating ongoing communication between early education and elementary school teachers and by improving the ability of teachers to work effectively with low-income and at-risk children and their families.

''(E) Expanding existing high-quality early education and care for infants and toddlers or, if no high-quality early education and care is accessible for infants and toddlers, expand access to high-quality education and care.

''(F) Developing, implementing, or coordinating programs or strategies determined by the State to increase the involvement of the parents and family of an eligible child in the education of the child, such as programs or strategies that—

''(i) encourage effective ongoing communication between such children and the parents and families of such children, early childhood education providers, early learning administrators, and other early childhood education personnel; and

''(ii) promote active participation of parents, families, and communities as partners in the education of such children.

''(G) Carrying out other strategies determined by the State to improve access to, and expand the overall quality of, a coordinated State or locally designed system of voluntary early learning and care services in the State, such as pay for success initiatives that promote coordination among existing programs and meet the purposes of this part.

''(3) PRIORITY.—The activities implemented by a State under this subsection shall prioritize parental choice of providers and evidence-based practices for improving early learning program quality and access, to the extent permitted under State and local law.

''(e) REPORTING.—A State that receives a grant under this part shall submit to the Secretary, at such time and in such manner as the Secretary may reasonably require, an annual report that includes—

''(1) the number and percentage of children who are served in high-quality early childhood education programs, as identified by the State, during each year of the grant duration using funds from—

''(A) only this part, as applicable;

''(B) the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.) or section 418 of the Social Security Act (42 U.S.C. 618);

''(C) the Head Start Act; and

''(D) other public and private providers, as applicable;

''(2) the quality improvements undertaken at the State level;

''(3) the extent to which funds are being blended with other public and private funding;

''(4) the progress made regarding the measurable outcomes and the anticipated levels of performance selected by the State under subsection (c)(9); and

''(5) any other ways in which funds are used to meet the purposes of this part.

''(f) REPORT TO CONGRESS.—The Secretary, in consultation with the Secretary of Health and Human Services, shall prepare and submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives a biennial report containing the information described in subsection (e) for all States receiving funds under this part.

''(g) LIMITATIONS ON FEDERAL INTERFERENCE.—Nothing in this part shall be construed to authorize the Secretary to establish any criterion that specifies, defines, or prescribes—

''(1) early learning and development guidelines, standards, or specific assessments, including the standards or measures that States use to develop, implement, or improve such guidelines, standards, or assessments;

''(2) specific measures or indicators of quality early learning and care, including—

''(A) the systems that States use to assess the quality of early childhood education programs and providers, school readiness, and achievement; and

''(B) the term 'high-quality' early learning or care;

''(3) early learning or preschool curriculum, program of instruction, or instructional content;

''(4) teacher and staff qualifications and salaries;

''(5) class sizes and child-to-instructional staff ratios; and

''(6) any aspect or parameter of a teacher, principal, other school leader, or staff evaluation system within a State or local educational agency.

''SEC. 5903. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated to carry out this part such sums as may be necessary for each of fiscal years 2016 through 2021.''

''PART J—INNOVATION SCHOOLS DEMONSTRATION AUTHORITY

''SEC. 5910. INNOVATION SCHOOLS.

''(a) PURPOSE.—The purpose of the flexibility authority under this part is to provide local educational agencies with the flexibility to create locally-designed innovation schools in order to achieve increased autonomy and support for innovation schools.

''(b) DEFINITIONS.—In this part:

''(1) ELIGIBLE ENTITY.—The term 'eligible entity' means a local educational agency that receives a local flexibility agreement under this part.

''(2) ELIGIBLE STATE EDUCATIONAL AGENCY.—The term 'eligible State educational agency' means a State educational agency that has adopted policies or procedures that allow the development, consideration, and approval of innovation school plans, consistent with the provisions of this part.

''(3) INNOVATION SCHOOL.—The term 'innovation school' means a public school that—

''(A) is established for the purpose of generating enhanced opportunities for students to learn and achieve through increased educator and school-level professional autonomy and flexibility;

''(B) is a collaborative initiative enjoying strong buy-in, pursuant to subparagraphs (F) and (G) of subsection (f)(1), from key stakeholders, including parents, education employees, and representatives of such employees, where applicable;

''(C) ensures equitable access for all student populations;

''(D) operates with the same degree of transparency and is held to the same accountability standards applicable to other schools in the school district served by the local educational agency that serves the innovation school; and

''(E) is not a magnet school.

''(c) AUTHORITY.—

''(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary is authorized to allow eligible State educational agencies to receive flexibility authority to provide local educational agencies with flexibility agreements if such eligible State educational agencies—

''(A) demonstrate that flexibility agreements are necessary for the successful operation of innovation schools; and

''(B) provide a description of any State or local rules, generally applicable to public schools, that will be waived, or otherwise not apply, to innovation schools.

''(2) EXCEPTION.—Flexibility authority and flexibility agreements shall not be granted under paragraph (1) with respect to any provision under part B of the Individuals with Disabilities Education Act, title VI of the Civil Rights Act of 1964, or section 504 of the Rehabilitation Act of 1973.

''(d) SELECTION OF LOCAL EDUCATIONAL AGENCIES.—Each eligible State educational agency receiving flexibility authority under subsection (c) shall, to the extent practicable and applicable, ensure that local flexibility agreements made with eligible entities—

''(1) prioritize local educational agencies that—

''(A) serve the largest numbers or percentages of students from low-income families; or

''(B) will use the provided flexibility for innovative strategies in schools identified as in need of intervention and support under section 1114; and

''(2) are geographically diverse, including provided to local educational agencies serving urban, suburban, or rural areas.

''(e) STATE APPLICATIONS AND REQUIREMENTS.—

''(1) IN GENERAL.—An eligible State educational agency desiring to receive flexibility authority under this part shall submit an application to the Secretary at such time and in such manner as the Secretary may require. The application shall include the following:

''(A) DESCRIPTION OF PROGRAM.—A description of the eligible State educational agency's objectives in supporting innovation schools, and how the objectives of the program will be carried out, including—

''(i) a description of how the State educational agency will—

''(I) support the success of innovation schools;

''(II) inform local educational agencies, communities, and schools of the opportunity for local flexibility agreements under this part;

''(III) work with eligible entities to ensure that innovation schools access all Federal, State, and local funds such schools are eligible to receive;

''(IV) work with eligible entities to ensure that innovation schools receive waivers to all Federal, State, and local laws necessary to implement innovation schools' innovation plans;

''(V) ensure each eligible entity works with innovation schools to ensure inclusion of all students and promote retention of students in the school; and

''(VI) share best and promising practices among innovation schools and other schools;

''(ii) a description of how the State educational agency will actively monitor each eligible entity in a local flexibility agreement to hold innovation schools accountable to ensure a high-quality education, including by approving, re-approving, and revoking the innovation plan and its attendant flexibility based on the performance of the innovation school, in the areas of student achievement, student safety, financial management, and compliance with all applicable statutes; and

''(iii) a description of how the State educational agency will approve local flexibility agreements, including—

''(I) a description of the application each local educational agency desiring to enter into such a flexibility agreement will submit, which application shall include—

''(aa) the school innovation plan;

''(bb) a description of the roles and responsibilities of local educational agencies and of any other organizations with which the local educational agency will partner to open innovation schools, including administrative and contractual roles and responsibilities;

''(cc) a description of the quality controls that will be used by the local educational agency, such as a contract or performance agreement that includes a school's performance in the State's academic accountability system and impact on student achievement;

''(dd) a description of the planned activities to be carried out under the flexibility agreement; and

''(ee) a description of waivers and other flexibility needed to implement the school innovation plan; and

''(II) a description of how the State educational agency will review applications from local educational agencies.

''(B) STATE ASSURANCES.—Assurances from the State educational agency that—

''(i) each eligible entity will ensure that innovation schools have a high degree of autonomy over budget and operations;

''(ii) the State educational agency—

''(I) and each eligible entity entering into a local flexibility agreement under this section will ensure that each innovation school that receives funds under the entity's program is meeting the requirements of this Act, part B of the Individuals with Disabilities Education Act, title VI of the Civil Rights Act of 1964, and section 504 of the Rehabilitation Act of 1973; and

''(II) will ensure that each eligible entity adequately monitors and provides adequate technical assistance to each innovation school in recruiting, enrolling, and meeting the needs of all students, including children with disabilities and English learners;

''(iii) the State educational agency will ensure that the eligible entity will monitor innovation schools, including by—

''(I) using annual performance data, including graduation rates and student academic achievement data, as appropriate;

''(II) if applicable, reviewing the schools' independent, annual audits of financial statements conducted in accordance with generally accepted accounting principles, and ensuring any such audits are publically reported; and

''(III) holding innovation schools accountable to the academic, financial, and operational quality controls outlined in the innovation plan, such as through renewal, nonrenewal, or revocation of the school's innovation plan;

''(iv) the State educational agency will ensure that, to the greatest extent possible,

State and local rules, generally applicable to public schools, will be waived, or otherwise not apply, to the extent necessary, to innovation plans at each innovation school;

''(v) eligible entities will ensure that each innovation school makes publicly available information to help parents make informed decisions about the education options available to their children, including information on the educational program, student support services, and annual performance and enrollment data for students in the innovation school; and

''(vi) the State educational agency consulted with local educational agencies, schools, teachers, principals, other school leaders, and parents in developing the State application.

''(2) ADDITIONAL ELEMENTS.—The provisions of peer review, approval, determination, demonstration, revision, disapproval, limitations, public review, and additional information applicable to State plans under paragraphs (3), (4), (5), (6), (7), and (8)(B) of section 1111(a) shall apply in the same manner to State applications submitted under this subsection.

''(f) LOCAL EDUCATIONAL AGENCY APPLICATIONS AND REQUIREMENTS.—A local educational agency that desires to enter into a local flexibility agreement shall submit to the State educational agency such information that the State educational agency shall require, including—

''(1) the plans for all approved innovation schools to be served by the local educational agency, which shall include—

''(A) a statement of the innovations school's mission and why designation as an innovation school would enhance the school's ability to achieve its mission;

''(B) a description of the innovations the public school would implement, which may include, innovations in school staffing, curriculum and assessment, class scheduling and size, use of financial and other resources, and faculty recruitment, employment, evaluation, compensation, and extracurricular activities;

''(C) if the innovation school seeks to establish an advisory board, a description of—

''(i) the membership of the board (which may include representatives of teachers, parents, students, the local educational agency, the State educational agency, the business community, institutions of higher education, or other community representatives);

''(ii) its responsibilities in designing and furthering the mission of the innovation school; and

''(iii) how the board will ensure coordination with the local educational agency and State educational agency;

''(D) a listing of the programs, policies, or operational documents within the public school that would be affected by the public school's identified innovations and the manner in which they would be affected, which shall include—

''(i) the research-based educational program the school would implement;

''(ii) the length of school day and school year at the school;

''(iii) the student engagement policies to be implemented at the school;

''(iv) the school's instruction and assessment plan;

''(v) the school's plan to use data, evaluation, and professional learning to improve student achievement;

''(vi) the proposed budget for the school;

''(vii) the proposed staffing plan or staff compensation model for the school; and

''(viii) the professional development needs of leaders and staff to implement the program and how those needs will be addressed;

''(E) an identification of the improvements in academic performance that the school expects to achieve in implementing the innovations;

''(F) evidence that a majority of the administrators employed at the public school support the request for designation as an innovation school;

''(G) evidence that not less than two-thirds of the regularly employed employees at the school vote by secret ballot to approve the school's innovation school plan;

''(H) evidence that the school has strong parental support, demonstrated in a manner determined appropriate by the State educational agency;

''(I) a description of any regulatory or policy requirements that would need to be waived for the public school to implement its identified innovations; and

''(J) any additional information required by the local educational agency in which the innovation plan would be implemented;

''(2) a description of any rules or regulations that the local educational agency will waive in order to provide autonomy to the innovation schools and why waiving such regulations will benefit students;

''(3) a description of any State regulations that the local educational agency seeks to waive in order to provide autonomy to innovation schools, and why waiving such regulations will benefit students; and

''(4) a description of the process that the local educational agency will use to regularly review the progress of innovation schools, including student performance and performance in the State's accountability system and decide whether to revoke or continue the innovation school's autonomy.

''(g) TEACHER CERTIFICATION REQUIREMENTS.—

''(1) IN GENERAL.—Notwithstanding any other provision of this part, except as provided under paragraph (2), not more than 5 percent of the teachers in an innovation school granted flexibility under this part may be unlicensed or uncertified at any one time. Such unlicensed or uncertified teachers shall become licensed or certified within 3 years of being hired.

''(2) STATE REQUIREMENTS.—Innovation schools located in a State with a more lenient teacher license or certification requirement than the requirement described in paragraph (1) may hire teachers in accordance with State teacher license or certification requirements.

''(h) REPORTING REQUIREMENTS AND ASSESSMENTS.—

''(1) REPORTING.—Each eligible State educational agency receiving the flexibility authority granted by the Secretary under this section shall submit to the Secretary, at the end of the third year of the demonstration period and at the end of any renewal period, a report that includes the following:

''(A) The number of students served by each innovation school under this part and, if applicable, the number of new students served during each year of the demonstration period, expressed as a total number and as a percentage of the students enrolled in the State and relevant local educational agencies.

''(B) The number of innovation schools served under this part.

''(C) An overview of the innovations implemented in the innovation schools and the innovation school zones in the districts of innovation.

''(D) An overview of the academic performance of the students served in innovation schools, including a comparison between the students' academic performance before and since implementation of the innovations.

''(2) EVALUATION.—The Director of the Institute of Education Sciences (or a comparable, independent research organization) shall conduct an evaluation of the program under this part after year 3 and 5 of the program and every 2 years thereafter.

''(i) RULE OF CONSTRUCTION AND PROHIBITIONS.—

''(1) RULE OF CONSTRUCTION REGARDING EMPLOYMENT.—Nothing in this part shall be construed to alter or otherwise affect the rights, remedies, and procedures afforded school or school district employees under Federal, State or local laws (including applicable regulations or court orders) or under the terms of collective bargaining agreements, memoranda of understanding, or other agreements between such employees and their employers.

''(2) PROHIBITION ON FEDERAL INTERFERENCE WITH STATE AND LOCAL DECISIONS.—Nothing in this part shall be construed to permit the Secretary to establish any criterion that specifies, defines, or prescribes the terms governing innovation schools served under this part.

''(j) DURATION OF FLEXIBILITY DEMONSTRATION AUTHORITY AND AGREEMENTS.—

''(1) FLEXIBILITY DEMONSTRATION AUTHORITY.—Flexibility demonstration authority under this part shall be awarded for a period that shall not exceed 5 fiscal years, and may be renewed by the Secretary for 1 additional 2-year period.

''(2) LOCAL FLEXIBILITY AGREEMENTS.—Local flexibility agreements awarded by an eligible State educational agency under this part shall be for a period of not more than 5 years.''.

SEC. 5011. FULL-SERVICE COMMUNITY SCHOOLS.

Title V (20 U.S.C. 7201 et seq.) is amended by adding at the end the following:

''PART K—FULL-SERVICE COMMUNITY SCHOOLS

''SEC. 5911. SHORT TITLE.

''This part may be cited as the 'Full-Service Community Schools Act of 2015'

''SEC. 5912. PURPOSES.

''The purposes of this title are to—

''(1) improve student learning and development by providing supports for students that enable them to graduate college- and career-ready;

''(2) provide support for the planning, implementation, and operation of full-service community schools;

''(3) improve the coordination and integration, accessibility, and effectiveness of services for children and families, particularly for students attending high-poverty schools, including high-poverty rural schools;

''(4) enable educators and school personnel to complement and enrich efforts to improve academic achievement and other results;

''(5) ensure that children have the physical, social, and emotional well-being to come to school ready to engage in the learning process every day;

''(6) promote and enable family and community engagement in the education of children;

''(7) enable more efficient use of Federal, State, local, and private sector resources that serve children and families;

''(8) facilitate the coordination and integration of programs and services operated by community-based organizations, nonprofit organizations, and State, local, and tribal governments;

''(9) engage students as resources to their communities; and

''(10) engage the business community and other community organizations as partners in the development and operation of full-service community schools.

''SEC. 5913. DEFINITION OF FULL-SERVICE COMMUNITY SCHOOL.

''In this part, the term 'full-service community school' means a public elementary school or secondary school that—

''(1) participates in a community-based effort to coordinate and integrate educational, developmental, family, health, and other comprehensive services through community-based organizations and public and private partnerships; and

''(2) provides access to such services to students, families, and the community, such as access during the school year (including before- and after-school hours and weekends), as well as during the summer.

''SEC. 5914. LOCAL PROGRAMS.

''(a) GRANTS.—The Secretary may award grants to eligible entities to assist public elementary schools or secondary schools to function as full-service community schools.

''(b) USE OF FUNDS.—Grants awarded under this section shall be used to—

''(1) coordinate not less than 3 existing qualified services and provide not less than 2 additional qualified services at 2 or more public elementary schools or secondary schools;

''(2) integrate multiple services into a comprehensive, coordinated continuum supported by research-based activities which achieve the performance goals established under subsection (c)(4)(E) to meet the holistic needs of children; and

''(3) if applicable, coordinate and integrate services provided by community-based organizations and government agencies with services provided by specialized instructional support personnel.

''(c) APPLICATION.—To seek a grant under this section, an eligible entity shall submit an application to the Secretary at such time and in such manner as the Secretary may require. The Secretary shall require that each such application include the following:

''(1) A description of the eligible entity.

''(2) A memorandum of understanding among all partner entities that will assist the eligible entity to coordinate and provide qualified services and that describes the roles the partner entities will assume.

''(3) A description of the capacity of the eligible entity to coordinate and provide qualified services at 2 or more full-service community schools.

''(4) A comprehensive plan that includes descriptions of the following:

''(A) The student, family, and school community to be served, including information about demographic characteristics that include major racial and ethnic groups, median family income, percentage of students eligible for free- and reduced-price lunch under the Richard B. Russell National School Lunch Act, and other information.

''(B) A needs assessment that identifies the academic, physical, social, emotional, health, mental health, and other needs of students, families, and community residents.

''(C) A community assets assessment which identifies existing resources, as of the date of the assessment, that could be aligned.

''(D) The most appropriate metric to describe the plan's reach within a community using either—

''(i) the number of families and students to be served, and the frequency of services; or

''(ii) the proportion of families and students to be served, and the frequency of services.

''(E) Yearly measurable performance goals, including an increase in the percentage of families and students targeted for services each year of the program, which are consistent with the following objectives:

''(i) Children are ready for school.

''(ii) Students are engaged and achieving academically.

''(iii) Students are physically, mentally, socially, and emotionally healthy.

''(iv) Schools and neighborhoods are safe and provide a positive climate for learning that is free from bullying or harassment.

''(v) Families are supportive and engaged in their children's education.

''(vi) Students and families are prepared for postsecondary education and 21st century careers.

''(vii) Students are contributing to their communities.

''(F) Performance measures to monitor progress toward attainment of the goals established under subparagraph (E), including a combination of the following, to the extent applicable:

''(i) Multiple objective measures of student achievement, including assessments, classroom grades, and other means of assessing student performance.

''(ii) Attendance (including absences related to illness and truancy) and chronic absenteeism rates.

''(iii) Disciplinary actions against students, including suspensions and expulsions.

''(iv) Access to health care and treatment of illnesses demonstrated to impact academic achievement.

''(v) Performance in making progress toward intervention services goals as established by specialized instructional support personnel.

''(vi) Participation rates by parents and family members in school-sanctioned activities and activities that occur as a result of community and school collaboration, as well as activities intended to support adult education and workforce development.

''(vii) Number and percentage of students and family members provided services under this part.

''(viii) Valid measures of postsecondary education and career readiness.

''(ix) Service-learning and community service participation rates.

''(x) Student satisfaction surveys.

''(G) Qualified services, including existing and additional qualified services, to be coordinated and provided by the eligible entity and its partner entities, including an explanation of—

''(i) why such services have been selected;

''(ii) how such services will improve student academic achievement; and

''(iii) how such services will address performance goals established under subparagraph (E).

''(H) Plans to ensure that each site has full-time coordination of qualified services at each full-service community school, including coordination with the specialized instructional support personnel employed prior to the receipt of the grant.

''(I) Planning, coordination, management, and oversight of qualified services at each school to be served, including the role of the school principal, partner entities, parents, and members of the community.

''(J) Funding sources for qualified services to be coordinated and provided at each school to be served, including whether such funding is derived from a grant under this section or from other Federal, State, local, or private sources.

''(K) Plans for professional development for personnel managing, coordinating, or delivering qualified services at the schools to be served.

''(L) Plans for joint utilization and maintenance of school facilities by the eligible entity and its partner entities.

''(M) How the eligible entity and its partner entities will focus services on schools eligible for a schoolwide program under section 1113(c).

''(N) Plans for periodic evaluation based upon attainment of the performance measures described in subparagraph (F).

''(O) How the qualified services will meet the principles of effectiveness described in subsection (d).

''(5) A plan for sustaining the programs and services outlined in this part.

''(d) PRINCIPLES OF EFFECTIVENESS.—For a program developed pursuant to this section to meet principles of effectiveness, such program shall be based upon—

''(1) an assessment of objective data regarding the need for the establishment of a full-service community school and qualified services at each school to be served and in the community involved;

''(2) an established set of performance measures aimed at ensuring the availability and effectiveness of high-quality services; and

''(3) if appropriate, scientifically based research that provides evidence that the qualified services involved will help students meet State and local student academic achievement standards.

''(e) PRIORITY.—In awarding grants under this section, the Secretary shall give priority to eligible entities that—

''(1)(A) will serve a minimum of 2 or more full-service community schools eligible for a schoolwide program under section 1113(c), as part of a community- or district-wide strategy; or

''(B) include a local educational agency that satisfies the requirements of—

''(i) subparagraph (A) or (B) of section 6211(b)(1); or

''(ii) subparagraphs (A) and (B) of section 6221(b)(1); and

''(2) will be connected to a consortium comprised of a broad representation of stakeholders, or a consortium demonstrating a history of effectiveness.

''(f) GRANT PERIOD.—Each grant awarded under this section shall be for a period of 5 years and may be renewed at the discretion of the Secretary based on the eligible entity's demonstrated effectiveness in meeting the performance goals and measures established under subparagraphs (E) and (F) of subsection (c)(4).

''(g) PLANNING.—The Secretary may authorize an eligible entity to use grant funds under this section for planning purposes in an amount not greater than 10 percent of the total grant amount.

''(h) MINIMUM AMOUNT.—The Secretary may not award a grant to an eligible entity under this section in an amount that is less than $75,000 for each year of the 5-year grant period.

''(i) DEFINITIONS.—In this section:

''(1) ADDITIONAL QUALIFIED SERVICES.—The term 'additional qualified services' means qualified services directly funded under this part.

''(2) ELIGIBLE ENTITY.—The term 'eligible entity' means a consortium of 1 or more local educational agencies and 1 or more community-based organizations, nonprofit

organizations, or other public or private entities.

''(3) EXISTING QUALIFIED SERVICES.—The term 'existing qualified services' means qualified services already being financed, as of the time of the application, by Federal, State, local, or private sources, or volunteer activities being supported as of such time by civic, business, faith-based, social, or other similar organizations.

''(4) QUALIFIED SERVICES.—The term 'qualified services' means any of the following:

''(A) Early childhood education.

''(B) Remedial education activities and enrichment activities, including expanded learning time.

''(C) Summer or after-school enrichment and learning experiences.

''(D) Programs under the Head Start Act, including Early Head Start programs.

''(E) Nurse home visitation services.

''(F) Teacher home visiting.

''(G) Programs that promote parental involvement and family literacy.

''(H) Mentoring and other youth development programs, including peer mentoring and conflict mediation.

''(I) Parent leadership development activities.

''(J) Parenting education activities.

''(K) Child care services.

''(L) Community service and service-learning opportunities.

''(M) Developmentally appropriate physical education.

''(N) Programs that provide assistance to students who have been truant, suspended, or expelled.

''(O) Job training, internship opportunities, and career counseling services.

''(P) Nutrition services.

''(Q) Primary health and dental care.

''(R) Mental health counseling services.

''(S) Adult education, including instruction in English as a second language.

''(T) Juvenile crime prevention and rehabilitation programs.

''(U) Specialized instructional support services.

''(V) Homeless prevention services.

''(W) Other services consistent with this part.

''SEC. 5915. STATE PROGRAMS.

''(a) GRANTS.—The Secretary may award grants to State collaboratives to support the development of full-service community school programs in accordance with this section.

''(b) USE OF FUNDS.—Grants awarded under this section shall be used only for the following:

''(1) Developing a State comprehensive results and indicators framework to implement full-service community schools, consistent with performance goals described in section 5914(c)(4)(E).

''(2) Planning, coordinating, and expanding the development of full-service community schools in the State, particularly such schools in high-poverty local educational agencies, including high-poverty rural local educational agencies.

''(3) Providing technical assistance and training for full-service community schools, including professional development for personnel and creation of data collection and evaluation systems.

''(4) Collecting, evaluating, and reporting data about the progress of full-service community schools.

''(5) Evaluating the impact of Federal and State policies and guidelines on the ability of eligible entities (as defined in section 5914(i)) to integrate Federal and State programs at full-service community schools, and taking action to make necessary changes.

''(c) APPLICATION.—To seek a grant under this section, a State collaborative shall submit an application to the Secretary at such time and in such manner as the Secretary may require. The Secretary shall require that each such application include the following:

''(1) A memorandum of understanding among all governmental agencies and nonprofit organizations that will participate as members of the State collaborative.

''(2) A description of the expertise of each member of the State collaborative—

''(A) in coordinating Federal and State programs across multiple agencies;

''(B) in working with and developing the capacity of full-service community schools; and

''(C) in working with high-poverty schools or rural schools and local educational agencies.

''(3) A comprehensive plan describing how the grant will be used to plan, coordinate, and expand the delivery of services at full-service community schools.

''(4) A comprehensive accountability plan that will be used to demonstrate effectiveness, including the measurable performance goals of the program and performance measures to monitor progress and assess services' impact on students and families and academic achievement.

''(5) An explanation of how the State collaborative will work to ensure State policies and guidelines can support the development of full-service community schools, as well as provide technical assistance and training, including professional development, for full-service community schools.

''(6) An explanation of how the State will collect and evaluate information on full-service community schools.

''(d) GRANT PERIOD.—Each grant awarded under this section shall be for a period of 5 years.

''(e) MINIMUM AMOUNT.—The Secretary may not award a grant to a State collaborative under this section in an amount that is less than $500,000 for each year of the 5-year grant period.

''(f) DEFINITIONS.—For purposes of this section:

''(1) STATE.—The term 'State' includes the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, American Samoa, Guam, the United States Virgin Islands, and any other territory or possession of the United States.

''(2) STATE COLLABORATIVE.—The term 'State collaborative' means a collaborative of a State educational agency and not less than 2 other governmental agencies or nonprofit organizations that provide services to children and families.

''SEC. 5916. ADVISORY COMMITTEE.

''(a) ESTABLISHMENT.—There is hereby established an advisory committee to be known as the 'Full-Service Community Schools Advisory Committee' (in this section referred to as the 'Advisory Committee').

''(b) DUTIES.—Subject to subsection (c), the Advisory Committee shall—

''(1) consult with the Secretary on the development and implementation of programs under this part;

''(2) identify strategies to improve the coordination of Federal programs in support of full-service community schools; and

''(3) issue an annual report to Congress on efforts under this part, including a description of—

''(A) the results of local and national evaluations of such efforts; and

''(B) the scope of services being coordinated under this part.

''(c) CONSULTATION.—In carrying out its duties under this section, the Advisory Committee shall consult annually with eligible entities awarded grants under section 5914, State collaboratives awarded grants under section 5915, and other entities with expertise in operating full-service community schools.

''(d) MEMBERS.—The Advisory Committee shall consist of 5 members as follows:

''(1) The Secretary of Education (or the Secretary's delegate).

''(2) The Attorney General of the United States (or the Attorney General's delegate).

''(3) The Secretary of Agriculture (or the Secretary's delegate).

''(4) The Secretary of Health and Human Services (or the Secretary's delegate).

''(5) The Secretary of Labor (or the Secretary's delegate).

''SEC. 5917. GENERAL PROVISIONS.

''(a) TECHNICAL ASSISTANCE.—The Secretary, directly or through grants, shall provide such technical assistance as may be appropriate to accomplish the purposes of this part.

''(b) EVALUATIONS BY SECRETARY.—The Secretary shall conduct evaluations on the effectiveness of grants under sections 5914 and 5915 in achieving the purposes of this part.

''(c) EVALUATIONS BY GRANTEES.—The Secretary shall require each recipient of a grant under this part—

''(1) to conduct periodic evaluations of the progress achieved with the grant toward achieving the purposes of this part;

''(2) to use such evaluations to refine and improve activities conducted with the grant and the performance measures for such activities; and

''(3) to make the results of such evaluations publicly available, including by providing public notice of such availability.

''(d) CONSTRUCTION CLAUSE.—Nothing in this part shall be construed to alter or otherwise affect the rights, remedies, and procedures afforded school or school district employees under Federal, State, or local laws (including applicable regulations or court orders) or under the terms of collective bargaining agreements, memoranda of understanding, or other agreements between such employees and their employers.

''(e) SUPPLEMENT, NOT SUPPLANT.—Funds made available to a grantee under this part may be used only to supplement, and not supplant, any other Federal, State, or local funds that would otherwise be available to carry out the activities assisted under this part.

''(f) MATCHING FUNDS.—

''(1) IN GENERAL.—The Secretary shall require each recipient of a grant under this part to provide matching funds from non-Federal sources in an amount determined under paragraph (2).

''(2) DETERMINATION OF AMOUNT OF MATCH.—

''(A) SLIDING SCALE.—Subject to subparagraph (B), the Secretary shall determine the amount of matching funds to be required of a grantee under this subsection based on a sliding fee scale that takes into account—

''(i) the relative poverty of the population to be targeted by the grantee; and

''(ii) the ability of the grantee to obtain such matching funds.

''(B) MAXIMUM AMOUNT.—The Secretary may not require any grantee under this part to provide matching funds in an amount that exceeds the amount of the grant award.

''(3) IN-KIND CONTRIBUTIONS.—The Secretary shall permit grantees under this part to match funds in whole or in part with in-kind contributions.

''(4) CONSIDERATION.—Notwithstanding this subsection, the Secretary shall not consider an applicant's ability to match funds when determining which applicants will receive grants under this part.

''(g) SPECIAL RULE.—Entities receiving funds under this part shall comply with all existing Federal statutes that prohibit discrimination.

''SEC. 5918. AUTHORIZATION OF APPROPRIATIONS.

''(a) IN GENERAL.—There are authorized to be appropriated to carry out this part such sums as may be necessary for each of fiscal years 2016 through 2021.

''(b) ALLOCATION.—Of the amounts appropriated to carry out this part for each fiscal year—

''(1) 85 percent shall be for section 5914, and of the funds available for new grants awarded under such section after the date of enactment of the Every Child Achieves Act of 2015, not less than 10 percent of such funds shall be made available for local educational agencies that satisfy the requirements of—

''(A) subparagraph (A) or (B) of section 6211(b)(1); or

''(B) subparagraphs (A) and (B) of section 6221(b)(1);

''(2) 10 percent shall be for section 5915; and

''(3) 5 percent shall be for subsections (a) and (b) of section 5917, of which not less than $500,000 shall be for technical assistance under section 5917(a).''.

SEC. 5012. PROMISE NEIGHBORHOODS.

Title V (20 U.S.C. 7201 et seq.), as amended by section 5001, is further amended by inserting after part I, as added by section 5010, the following:

''PART L—PROMISE NEIGHBORHOODS

''SEC. 5920. SHORT TITLE.

''This part may be cited as the 'Promise Neighborhoods Act of 2015'.

''SEC. 5921. PURPOSE.

''The purpose of this part is to significantly improve the academic and developmental outcomes of children living in our Nation's most distressed communities, including ensuring school readiness, high school graduation, and college and career readiness for such children, and access to a community-based continuum of high-quality services.

''SEC. 5922. PIPELINE SERVICES DEFINED.

''In this part, the term 'pipeline services' means a continuum of supports and services for children from birth through college entry, college success, and career attainment, including, at a minimum, strategies to address through services or programs (including integrated student supports) the following:

''(1) High-quality early learning opportunities.

''(2) High-quality schools and out-of-school-time programs and strategies.

''(3) Support for a child's transition to elementary school, support for a child's transition from elementary school to middle school, from middle school to high school, and from high school into and through college and into the workforce, including any comprehensive readiness assessment as deemed necessary.

''(4) Family and community engagement.

''(5) Family and student supports, which may be provided within the school building.

''(6) Activities that support college and career readiness.

''(7) Community-based support for students who have attended the schools in the pipeline, or students who are members of the community, facilitating their continued connection to the community and success in college and the workforce.

''SEC. 5923. PROGRAM AUTHORIZED.

''(a) IN GENERAL.—

''(1) PROGRAM AUTHORIZED.—From amounts appropriated to carry out this part, the Secretary shall award grants, on a competitive basis, to eligible entities to implement a comprehensive, evidence-based continuum of coordinated services that meet the purpose of this part by carrying out the activities in neighborhoods with high concentrations of low-income individuals and multiple signs of distress, which may include poverty, childhood obesity rates, academic failure, and rates of juvenile delinquency, adjudication, or incarceration, and persistently low-achieving schools or schools with an achievement gap.

''(2) SUFFICIENT SIZE AND SCOPE.—Each grant awarded under this part shall be of sufficient size and scope to allow the eligible entity to carry out the purpose of this part.

''(b) DURATION.—A grant awarded under this part shall be for a period of not more than 5 years, and may be renewed for an additional period of not more than 5 years.

''(c) CONTINUED FUNDING.—Continued funding of a grant under this part, including a grant renewed under subsection (b), after the third year of the grant period shall be contingent on the eligible entity's progress toward meeting the performance metrics described in section 5918(a).

''(d) MATCHING REQUIREMENT.—

''(1) IN GENERAL.—Each eligible entity receiving a grant under this part shall contribute matching funds in an amount equal to not less than 100 percent of the amount of the grant. Such matching funds shall come from Federal, State, local, and private sources.

''(2) PRIVATE SOURCES.—The Secretary shall require that a portion of the matching funds come from private sources, which may include in-kind donations.

''(3) ADJUSTMENT.—The Secretary may adjust the matching funds requirement for applicants that demonstrate high need, including applicants from rural areas or applicant that wish to provide services on tribal lands.

''(e) FINANCIAL HARDSHIP WAIVER.—The Secretary may waive or reduce, on a case-by-case basis, the matching requirement described in subsection (d), including the requirement for funds for private sources for a period of 1 year at a time, if the eligible entity demonstrates significant financial hardship.

''(f) RESERVATION FOR RURAL AREAS.—From the amounts appropriated to carry out this part for a fiscal year, the Secretary shall reserve not less than 20 percent for eligible entities that propose to carry out the activities described in section 5916 in rural areas. The Secretary shall reduce the amount described in the preceding sentence if the Secretary does not receive a sufficient number of applications that are deserving of a grant under this part for such purpose.

''SEC. 5924. ELIGIBLE ENTITIES.

''In this part, the term 'eligible entity' means—

''(1) an institution of higher education, as defined in section 102 of the Higher Education Act of 1965;

''(2) an Indian tribe or tribal organization, as defined under section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b); or

''(3) one or more nonprofit entities working in formal partnership with not less than 1 of the following entities:

''(A) A high-need local educational agency.

''(B) An institution of higher education, as defined in section 102 of the Higher Education Act of 1965.

''(C) The office of a chief elected official of a unit of local government.

''(D) An Indian tribe or tribal organization, as defined under section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

''SEC. 5925. APPLICATION REQUIREMENTS.

''(a) IN GENERAL.—An eligible entity desiring a grant under this part shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

''(b) CONTENTS OF APPLICATION.—At a minimum, an application described in subsection (a) shall include the following:

''(1) A plan to significantly improve the academic outcomes of children living in a neighborhood that is served by the eligible entity, by providing pipeline services that address the needs of children in the neighborhood, as identified by the needs analysis described in paragraph (4), and supported by evidence-based practices.

''(2) A description of the neighborhood that the eligible entity will serve.

''(3) Measurable annual goals for the outcomes of the grant, including performance goals, in accordance with the metrics described in section 5918(a), for each year of the grant.

''(4) An analysis of the needs and assets, including size and scope of population affected of the neighborhood identified in paragraph (1), including—

''(A) a description of the process through which the needs analysis was produced, including a description of how parents, family, and community members were engaged in such analysis;

''(B) an analysis of community assets and collaborative efforts, including programs already provided from Federal and non-Federal sources, within, or accessible to, the neighborhood, including, at a minimum, early learning, family and student supports, local businesses, and institutions of higher education;

''(C) the steps that the eligible entity is taking, at the time of the application, to address the needs identified in the needs analysis; and

''(D) any barriers the eligible entity, public agencies, and other community-based organizations have faced in meeting such needs.

''(5) A description of all data that the entity used to identify the pipeline services to be provided and how the eligible entity will collect data on children served by each pipeline service and increase the percentage of children served over time.

''(6) A description of the process used to develop the application, including the involvement of family and community members.

''(7) A description of how the pipeline services will facilitate the coordination of the following activities:

''(A) Providing high-quality early learning opportunities for children, including by providing opportunities for families and expectant parents to acquire the skills to promote early learning and child development, and ensuring appropriate screening, diagnostic assessments, and referrals for children with

disabilities and developmental delays, consistent with the Individuals with Disabilities Education Act, where applicable.

''(B) Supporting, enhancing, operating, or expanding rigorous and comprehensive evidence-based education reforms, which may include high-quality academic programs, expanded learning time, and programs and activities to prepare students for college admissions and success.

''(C) Supporting partnerships between schools and other community resources with an integrated focus on academics and other social, health, and familial supports.

''(D) Providing social, health, nutrition, and mental health services and supports, including referrals for essential healthcare and preventative screenings, for children, family, and community members, which may include services provided within the school building.

''(E) Supporting evidence-based programs that assist students through school transitions, which may include expanding access to college courses for and college enrollment aide or guidance, and other supports for at-risk youth.

''(8) A description of the strategies that will be used to provide pipeline services (including a description of which programs and services will be provided to children, family members, community members, and children not attending schools or programs operated by the eligible entity or its partner providers) to support the purpose of this part.

''(9) An explanation of the process the eligible entity will use to establish and maintain family and community engagement, including involving representative participation by the members of such neighborhood in the planning and implementation of the activities of each grant awarded under this part, and the provision of strategies and practices to assist family and community members in actively supporting student achievement and child development, providing services for students, families, and communities within the school building, and collaboration with institutions of higher education, workforce development centers, and employers to align expectations and programming with college and career readiness.

''(10) An explanation of how the eligible entity will continuously evaluate and improve the continuum of high-quality pipeline services to provide for continuous program improvement and potential expansion.

''(11) An identification of the fiscal agent, which may be any entity described in section 5914 (not including paragraph (2) of such section).

''(c) MEMORANDUM OF UNDERSTANDING.—An eligible entity, as part of the application described in this section, shall submit a preliminary memorandum of understanding, signed by each partner entity or agency. The preliminary memorandum of understanding shall describe, at a minimum—

''(1) each partner's financial and programmatic commitment with respect to the strategies described in the application, including an identification of the fiscal agent;

''(2) each partner's long-term commitment to providing pipeline services that, at a minimum, accounts for the cost of supporting the continuum of supports and services (including a plan for how to support services and activities after grant funds are no longer available) and potential changes in local government;

''(3) each partner's mission and the plan that will govern the work that the partners do together;

''(4) each partner's long-term commitment to supporting the continuum of supports and services through data collection, monitoring, reporting, and sharing; and

''(5) each partner's commitment to ensure sound fiscal management and controls, including evidence of a system of supports and personnel.

''SEC. 5926. USE OF FUNDS.

''(a) IN GENERAL.—Each eligible entity that receives a grant under this part shall use the grant funds to—

''(1) support planning activities to develop and implement pipeline services;

''(2) implement the pipeline services, as described in the application under section 5915; and

''(3) continuously evaluate the success of the program and improve the program based on data and outcomes.

''(b) SPECIAL RULES.—

''(1) FUNDS FOR PIPELINE SERVICES.—Each eligible entity that receives a grant under this part, for the first and second year of the grant, shall use not less than 50 percent of the grant funds to carry out the activities described in subsection (a)(1).

''(2) OPERATIONAL FLEXIBILITY.—Each eligible entity that operates a school in a neighborhood served by a grant program under this part shall provide such school with the operational flexibility, including autonomy over staff, time, and budget, needed to effectively carry out the activities described in the application under section 5915.

''(3) LIMITATION ON USE OF FUNDS FOR EARLY CHILDHOOD EDUCATION PROGRAMS.—Funds under this part that are used to improve early childhood education programs shall not be used to carry out any of the following activities:

''(A) Assessments that provide rewards or sanctions for individual children or teachers.

''(B) A single assessment that is used as the primary or sole method for assessing program effectiveness.

''(C) Evaluating children, other than for the purposes of improving instruction, classroom environment, professional development, or parent and family engagement, or program improvement.

''SEC. 5927. REPORT AND PUBLICLY AVAILABLE DATA.

''(a) REPORT.—Each eligible entity that receives a grant under this part shall prepare and submit an annual report to the Secretary, which shall include—

''(1) information about the number and percentage of children in the neighborhood who are served by the grant program, including a description of the number and percentage of children accessing each support or service offered as part of the pipeline services; and

''(2) information relating to the performance metrics described in section 5918(a); and

''(b) PUBLICLY AVAILABLE DATA.—Each eligible entity that receives a grant under this part shall make publicly available, including through electronic means, the information described in subsection (a). To the extent practicable, such information shall be provided in a form and language accessible to parents and families in the neighborhood, and such information shall be a part of statewide longitudinal data systems.

''SEC. 5928. PERFORMANCE ACCOUNTABILITY AND EVALUATION.

''(a) PERFORMANCE METRICS.—Each eligible entity that receives a grant under this part shall collect data on performance indicators of pipeline services and family and student supports and report the results to the Secretary, who shall use the results as a consideration in continuing grants after the third year and in awarding grant renewals. The indicators shall address the entity's progress toward meeting the goals of this part to significantly improve the academic and developmental outcomes of children living in our Nation's most distressed communities from birth through college and career entry, including ensuring school readiness, high school graduation, and college and career readiness for such children, through the use of data-driven decision making and access to a community-based continuum of high-quality services, beginning at birth.

''(b) EVALUATION.—The Secretary shall evaluate the implementation and impact of the activities funded under this part, in accordance with section 9601.

''SEC. 5929. NATIONAL ACTIVITIES.

''From the amounts appropriated to carry out this part for a fiscal year, in addition to the amounts that may be reserved in accordance with section 9601, the Secretary may reserve not more than 8 percent for national activities, which may include research, technical assistance, professional development, dissemination of best practices, and other activities consistent with the purposes of this part.

''SEC. 5930. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated to carry out this part such sums as may be necessary for each of fiscal years 2016 through 2021.''.

TITLE VI—INNOVATION AND FLEXIBILITY

SEC. 6001. PURPOSES.

Title VI (20 U.S.C. 7301 et seq.) is amended by inserting before part A of title VI, the following:

''SEC. 6001. PURPOSES.

''The purposes of this title are—

''(1) to support State and local innovation in preparing all students to meet challenging State academic standards under section 1111(b);

''(2) to provide States and local educational agencies with maximum flexibility in using Federal funds provided under this Act; and

''(3) to support education in rural areas.''.

SEC. 6002. IMPROVING ACADEMIC ACHIEVEMENT.

Part A of title VI (20 U.S.C. 7301 et seq.) is amended—

(1) by striking subparts 1 and 4;

(2) by redesignating subpart 2 as subpart 1;

(3) by redesignating sections 6121 through 6123 as sections 6111 through 6113, respectively;

(4) in section 6113, as redesignated by paragraph (3)—

(A) in subsection (a)—

(i) in paragraph (1)—

(I) in the matter preceding subparagraph (A), by striking ''not more than 50 percent of the nonadministrative State funds'' and inserting ''all, or any lesser amount, of State funds''; and

(II) by striking subparagraphs (A) through (D) and inserting the following:

''(A) Part A of title II.

''(B) Part A of title IV.

''(C) Part G of title V.''; and

(ii) in paragraph (2), by striking ''and subject to the 50 percent limitation described in paragraph (1)''; and

(B) in subsection (b)—

(i) in paragraph (1)—

(I) in subparagraph (A), by striking ''(except'' and all that follows through ''subparagraph (C))'' and inserting ''may transfer all, or any lesser amount, of the funds allocated to it'';

(II) by striking subparagraph (B);

(III) by redesignating subparagraph (C) as subparagraph (B); and

(IV) in subparagraph (B), as redesignated by subclause (III), by striking ''and subject to the percentage limitation described in subparagraph (A) or (B), as applicable''; and

(ii) in paragraph (2)—

(I) by striking ''subparagraph (A), (B), or (C)'' and inserting ''subparagraph (A) or (B)''; and

(II) by striking subparagraphs (A) through (D) and inserting the following:

''(A) Part A of title II.

''(B) Part A of title IV.

''(C) Part G of title V.''; and

(5) by striking subpart 3 and inserting the following:

''Subpart 2—Weighted Student Funding Flexibility Pilot Program

''SEC. 6121. WEIGHTED STUDENT FUNDING FLEXIBILITY PILOT PROGRAM.

''(a) PURPOSE.—The purpose of the pilot program under this section is to provide local educational agencies with flexibility to consolidate Federal, State, and local funding in order to create a single school funding system based on weighted per-pupil allocations for low-income and otherwise disadvantaged students.

''(b) AUTHORITY.—The Secretary may, on a competitive basis, enter into local flexibility demonstration agreements—

''(1) for not more than 2 years with local educational agencies that are selected under subsection (c) and submit proposed agreements that meet the requirements of subsection (d); and

''(2) under which such agencies may consolidate and use funds in accordance with subsection (d) in order to develop and implement a school funding system based on weighted per-pupil allocations for low-income and otherwise disadvantaged students.

''(c) SELECTION OF LOCAL EDUCATIONAL AGENCIES.—

''(1) IN GENERAL.—The Secretary may enter into local flexibility demonstration agreements with not more than 25 local educational agencies, reflecting the size and geographic diversity of all such agencies nationwide to the maximum extent feasible.

''(2) SELECTION.—Each local educational agency shall be selected on a competitive basis from among those local educational agencies that—

''(A) submit a proposed local flexibility demonstration agreement under subsection (d) to the Secretary;

''(B) demonstrate to the satisfaction of the Secretary that the agreement meets the requirements of subsection (d); and

''(C) agree to meet the continued demonstration requirements under subsection (e).

''(d) REQUIRED TERMS OF LOCAL FLEXIBILITY DEMONSTRATION AGREEMENT.—

''(1) APPLICATION.—Each local educational agency that desires to participate in the pilot program under this section shall submit, at such time, in such form, and including such information as the Secretary may prescribe, an application to enter into a local flexibility demonstration agreement with the Secretary in order to develop and implement a school funding system based on weighted per-pupil allocations that meets the requirements of this section, including—

''(A) a description of the school funding system based on weighted per-pupil allocations, including how the system will meet the requirements under paragraph (2);

''(B) a list of funding sources, including eligible Federal funds the local educational agency will include in such system;

''(C) a description of the amount and percentage of total local educational agency funding, including State, local, and eligible Federal funds, that will be allocated through such system;

''(D) the per-pupil expenditures (including actual personnel expenditures, including staff salary differentials for years of employment, and actual nonpersonnel expenditures) of State and local funds for each school served by the agency for the preceding fiscal year;

''(E) the per-pupil amount of eligible Federal funds each school served by the agency, disaggregated by program, received in the preceding fiscal year;

''(F) a description of how the system will continue to ensure that any eligible Federal funds allocated through the system will continue to meet the purposes of each Federal funding stream, including serving students from low-income families, English learners, migratory children, and children who are neglected, delinquent, or at risk, as applicable;

''(G) a description of how the local educational agency will develop and employ a weighted student funding system to support public elementary schools and secondary schools in order to improve the academic achievement of students, including low-income students, the lowest-achieving students, English learners, and students with disabilities;

''(H) an assurance that the local educational agency developed and will implement the local flexibility demonstration agreement in consultation with teachers, principals, other school leaders, administrators of Federal programs impacted by the agreement, parents, civil rights leaders, and other relevant stakeholders;

''(I) an assurance that the local educational agency will use fiscal control and sound accountability procedures that ensure proper disbursement of, and accounting for, eligible Federal funds consolidated and used under such system;

''(J) an assurance that the local educational agency will continue to meet the fiscal provisions in section 1117 and the requirements under section 9501; and

''(K) an assurance that the local educational agency will meet the requirements of all applicable Federal civil rights laws in carrying out the agreement and in consolidating and using funds under the agreement.

''(2) REQUIREMENTS OF SYSTEM.—A local educational agency's school funding system based on weighted per-pupil allocations shall meet each of the following requirements:

''(A) The system shall—

''(i) allocate a significant portion of funds, including State, local, and eligible Federal funds, to the school level through a formula that determines per-pupil weighted amounts based on individual student characteristics;

''(ii) use weights or allocation amounts that allocate substantially more funding to students from low-income families and English learners than to other students; and

''(iii) demonstrate to the Secretary that each high-poverty school received at least as much total per-pupil funding, including from Federal, State, and local sources, for low-income students and at least as much total per-pupil funding, including from Federal, State, and local sources, for English learners as the school received in the year prior to carrying out the pilot program.

''(B) The system shall be used to allocate a significant portion, including all school-level personnel expenditures for instructional staff and nonpersonnel expenditures, but not less than 65 percent, of all the local educational agency's local and State funds to schools.

''(C) After allocating funds through the school funding system, the local educational agency shall charge schools for the per-pupil expenditures of Federal, State, and local funds, including actual personnel expenditures for instructional staff and actual nonpersonnel expenditures.

''(D) The system may include weights or allocation amounts according to other characteristics.

''(e) CONTINUED DEMONSTRATION.—Each local educational agency that is selected to participate in the pilot program under this section shall annually—

''(1) demonstrate to the Secretary that no high-poverty school served by the agency received less total per-pupil funding, including from Federal, State, and local sources, for low-income students or less total per-pupil funding, including from Federal, State, and local sources, for English learners than the school received in the previous year;

''(2) make public and report to the Secretary the per-pupil expenditures (including actual personnel expenditures that include staff salary differentials for years of employment, and actual non-personnel expenditures) of State, local, and Federal funds for each school served by the agency, and disaggregated by student poverty quartile and by minority student quartile for the preceding fiscal year; and

''(3) make public the total number of students enrolled in each school served by the agency and the number of students enrolled in each such school disaggregated by each of the categories of students, as defined in section 1111(b)(3)(A).

''(f) ELIGIBLE FEDERAL FUNDS.—In this section, the term 'eligible Federal funds' means funds received by a local educational agency under titles I, II, III, and IV of this Act.

''(g) LIMITATIONS ON ADMINISTRATIVE EXPENDITURES.—Each local educational agency that has entered into a local flexibility demonstration agreement with the Secretary under this section may use, for administrative purposes, from eligible Federal funds not more than the percentage of funds allowed for such purpose under any of titles I, II, III, or IV.

''(h) PEER REVIEW.—The Secretary may establish a peer-review process to assist in the review of a proposed local flexibility demonstration agreement.

''(i) NONCOMPLIANCE.—The Secretary may, after providing notice and an opportunity for a hearing (including the opportunity to provide information as provided for in subsection (j)), terminate a local flexibility demonstration agreement under this section if there is evidence that the local educational agency has failed to comply with the terms of the agreement and the requirements under subsections (d) and (e).

''(j) EVIDENCE.—If a local educational agency believes that the Secretary's determination under subsection (i) is in error for statistical or other substantive reasons, the local educational agency may provide supporting evidence to the Secretary, and the Secretary shall consider that evidence before making a final termination determination.

''(k) PROGRAM EVALUATION.—From the amount reserved for evaluation activities in section 9601, the Secretary, acting through the Director of the Institute of Education Sciences, shall, in consultation with the relevant program office at the Department, evaluate the implementation and impact of the local flexibility demonstration agreements under this section, consistent with section 9601 and specifically on improving the equitable distribution of State and local funding and increasing student achievement.

''(l) RENEWAL OF LOCAL FLEXIBILITY DEMONSTRATION AGREEMENT.—The Secretary may renew for additional 3-year terms a local flexibility demonstration agreement under this section if—

''(1) the local educational agency has met the requirements under subsections (d)(2) and (e) and agrees to and has a high likelihood of continuing to meet such requirements; and

''(2) the Secretary determines that renewing the local flexibility demonstration agreement is in the interest of students served under titles I and III, including students from low-income families, English learners, migratory children, and children who are neglected, delinquent, or at risk.

''(m) DEFINITION OF HIGH-POVERTY SCHOOL.—In this section, the term 'high-poverty school' means a school that is in the highest 2 quartiles of schools served by a local educational agency, based on the percentage of enrolled students from low-income families.''.

SEC. 6003. RURAL EDUCATION INITIATIVE.

Part B of title VI (20 U.S.C. 7341 et seq.) is amended—

(1) in section 6211—

(A) in subsection (a)(1), by striking subparagraphs (A) through (E) and inserting the following:

''(A) Part A of title I.

''(B) Part A of title II.

''(C) Title III.

''(D) Part A or B of title IV.

''(E) Part G of title V.'';

(B) in subsection (b)(1)—

(i) in subparagraph (A)(ii), by striking ''7 or 8, as determined by the Secretary; or'' and inserting ''41, 42, or 43, as determined by the Secretary;'';

(ii) in subparagraph (B), by striking the period at the end and inserting ''; or''; and

(iii) by adding at the end the following:

''(C) the local educational agency is a member of an educational service agency that does not receive funds under this subpart and the local educational agency meets the requirements of this part.''; and

(C) in subsection (c), by striking paragraphs (1) through (3) and inserting the following:

''(1) Part A of title II.

''(2) Part A of title IV.

''(3) Part G of Title V.'';

(2) in section 6212—

(A) in subsection (a), by striking paragraphs (1) through (5) and inserting the following:

''(1) Part A of title I.

''(2) Part A of title II.

''(3) Title III.

''(4) Part A or B of title IV.

''(5) Part G of title V.'';

(B) in subsection (b)—

(i) by striking paragraph (1) and inserting the following:

''(1) ALLOCATION.—

''(A) IN GENERAL.—Except as provided in paragraphs (3) and (4), the Secretary shall award a grant under subsection (a) to a local educational agency eligible under section 6211(b) for a fiscal year in an amount equal to the initial amount determined under paragraph (2) for the fiscal year minus the total amount received by the agency under the provisions of law described in section 6211(c) for the preceding fiscal year.

''(B) SPECIAL DETERMINATION.—For a local educational agency that is eligible under section 6211 and is a member of an educational service agency, the Secretary may determine the award amount by subtracting from the initial amount determined under paragraph (2), an amount that is equal to that local educational agency's per-pupil share of the total amount received by the educational service agency under titles II and IV, as long as a determination under this subparagraph would not disproportionately affect any State.'';

(ii) by striking paragraph (2) and inserting the following:

''(2) DETERMINATION OF INITIAL AMOUNT.—

''(A) IN GENERAL.—The initial amount referred to in paragraph (1) is equal to $100 multiplied by the total number of students in excess of 50 students, in average daily attendance at the schools served by the local educational agency, plus $20,000, except that the initial amount may not exceed $60,000.

''(B) SPECIAL RULE.—For any fiscal year for which the amount made available to carry out this part is $252,000,000 or more, subparagraph (A) shall be applied—

''(i) by substituting '$25,000' for '$20,000'; and

''(ii) by substituting '$80,000' for '$60,000'.''; and

(iii) by adding at the end the following:

''(4) HOLD HARMLESS.—For a local educational agency that is not eligible under this subpart but met the eligibility requirements under section 6211(b) as such section was in effect on the day before the date of enactment of the Every Child Achieves Act of 2015, the agency shall receive—

''(A) for fiscal year 2016, 75 percent of the amount such agency received for fiscal year 2015;

''(B) for fiscal year 2017, 50 percent of the amount such agency received for fiscal year 2015; and

''(C) for fiscal year 2018, 25 percent of the amount such agency received for fiscal year 2015.''; and

(C) by striking subsection (d);

(3) by striking section 6213 and inserting the following:

''SEC. 6213. ACADEMIC ACHIEVEMENT ASSESSMENTS.

''Each local educational agency that uses or receives funds under this subpart for a fiscal year shall administer an assessment that is consistent with section 1111(b)(2).'';

(4) in section 6221—

(A) in subsection (b)(1)(B), by striking ''6, 7, or 8'' and inserting ''32, 33, 41, 42, or 43''; and

(B) in subsection (c)(1), by striking ''Bureau of Indian Affairs'' and inserting ''Bureau of Indian Education'';

(5) in section 6222(a), by striking paragraphs (1) through (7) and inserting the following:

''(1) Activities authorized under part A of title I.

''(2) Activities authorized under part A of title II.

''(3) Activities authorized under title III.

''(4) Activities authorized under part A of title IV.

''(5) Parental involvement activities.

''(6) Activities authorized under part G of title V.'';

(6) in section 6223—

(A) in subsection (a), by striking ''at such time, in such manner, and accompanied by such information'' and inserting ''at such time and in such manner''; and

(B) by striking subsection (b) and inserting the following:

''(b) CONTENTS.—Each application submitted under subsection (a) shall include information on—

''(1) program objectives and outcomes for activities under this subpart, including how the State educational agency or specially qualified agency will use funds to help all students meet the challenging State academic standards under section 1111(b);

''(2) if the State educational agency or specially qualified agency will competitively award grants to eligible local educational agencies, as described in section 6221(b)(2)(A), the application under the section shall include—

''(A) the methods and criteria the State educational agency or specially qualified agency will use for reviewing applications and awarding funds to local educational agencies on a competitive basis; and

''(B) how the State educational agency or specially qualified agency will notify eligible local educational agencies of the grant competition; and

''(3) a description of how the State educational agency or specially qualified agency will provide technical assistance to eligible local educational agencies to help such agencies implement the activities described in section 6222.'';

(7) in section 6224—

(A) in subsection (a)—

(i) in the matter preceding paragraph (1), by inserting ''or specially qualified agency'' after ''Each State educational agency'';

(ii) by striking paragraph (1) and inserting the following:

''(1) if the report is submitted by a State educational agency, the method the State educational agency used to award grants to eligible local educational agencies, and to provide assistance to schools, under this subpart;''; and

(iii) by striking paragraph (3) and inserting the following:

''(3) the degree to which progress has been made toward meeting the objectives and outcomes described in the application submitted under section 6223, including having all students in the State or the area served by the specially qualified agency, as applicable, meet the challenging State academic standards under section 1111(b).'';

(B) by striking subsection (b) and (c) and inserting the following:

''(b) REPORT TO CONGRESS.—The Secretary shall prepare a summary of the reports under subsection (a) and submit a biennial report to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives.'';

(C) by redesignating subsection (d) as subsection (c);

(D) in subsection (c), as redesignated by subparagraph (C), by striking ''assessment that is consistent with section 1111(b)(3)'' and inserting ''assessment that is consistent with section 1111(b)(2)''; and

(E) by striking subsection (e);

(8) by inserting after section 6224 the following:

''SEC. 6225. CHOICE OF PARTICIPATION.

''(a) IN GENERAL.—If a local educational agency is eligible for funding under both subparts 1 and 2 of this part, such local educational agency may receive funds under either subpart 1 or subpart 2 for a fiscal year, but may not receive funds under both subparts for such fiscal year.

''(b) NOTIFICATION.—A local educational agency eligible for funding under both subparts 1 and 2 of this part shall notify the Secretary and the State educational agency under which of such subparts the local educational agency intends to receive funds for a fiscal year by a date that is established by the Secretary for the notification.''; and

(9) in section 6234, by striking ''$300,000,000 for fiscal year 2002 and such sums as may be

necessary for each of the 5 succeeding fiscal years,'' and inserting ''such sums as may be necessary for each of the fiscal years 2016 through 2021,''.

SEC. 6004. GENERAL PROVISIONS.

Part C of title VI (20 U.S.C. 7371) is amended to read as follows:

''PART C—GENERAL PROVISIONS

''SEC. 6301. PROHIBITION AGAINST FEDERAL MANDATES, DIRECTION, OR CONTROL.

''Nothing in this title shall be construed to authorize an officer or employee of the Federal Government to mandate, direct, or control a State, local educational agency, or school's specific instructional content, academic standards and assessments, curriculum, or program of instruction, as a condition of eligibility to receive funds under this Act.

''SEC. 6302. RULE OF CONSTRUCTION ON EQUALIZED SPENDING.

''Nothing in this title shall be construed to mandate equalized spending per pupil for a State, local educational agency, or school.''.

SEC. 6005. REVIEW RELATING TO RURAL LOCAL EDUCATIONAL AGENCIES.

(a) REVIEW AND REPORT.—Not later than 18 months after the date of enactment of this Act, the Secretary of Education shall—

(1) review the organization, structure, and process and procedures of the Department of Education for administering its programs and developing policy and regulations, in order to—

(A) assess the methods and manner through which, and the extent to which, the Department of Education takes into account, considers input from, and addresses the unique needs and characteristics of rural schools and rural local educational agencies; and

(B) determine actions that the Department of Education can take to meaningfully increase the consideration and participation of rural schools and rural local educational agencies in the development and execution of the processes, procedures, policies, and regulations of the Department of Education;

(2) make public a preliminary report containing the information described under paragraph (1) and provide Congress and the public with 60 days to comment on the proposed actions under paragraph (1)(B); and

(3) taking into account comments submitted under paragraph (2), issue a final report to the Committee on Health, Education, Labor, and Pensions of the Senate, which shall describe the final actions developed pursuant to paragraph (1)(B).

(b) IMPLEMENTATION.—Not later than 2 years after the date of enactment of this Act, the Secretary of Education shall—

(1) implement each action described in the report under subsection (a)(3); or

(2) provide a written explanation to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives of why the action was not carried out.

TITLE VII—INDIAN, NATIVE HAWAIIAN, AND ALASKA NATIVE EDUCATION

SEC. 7001. INDIAN EDUCATION.

Part A of title VII (20 U.S.C. 7401 et seq.) is amended—

(1) by striking section 7102 and inserting the following:

''SEC. 7102. PURPOSE.

''It is the purpose of this part to support the efforts of local educational agencies, Indian tribes and organizations, postsecondary institutions, and other entities—

''(1) to ensure the academic achievement of American Indian and Alaska Native students by meeting their unique cultural, language, and educational needs, consistent with section 1111;

''(2) to ensure that American Indian and Alaska Native students gain knowledge and understanding of Native communities, languages, tribal histories, traditions, and cultures; and

''(3) to ensure that teachers, principals, other school leaders, and other staff who serve American Indian and Alaska Native students have the ability to provide effective instruction and supports to such students.'';

(2) by striking section 7111 and inserting the following:

''SEC. 7111. PURPOSE.

''It is the purpose of this subpart to support local educational agencies in developing elementary school and secondary school programs for American Indian and Alaska Native students that are designed to—

''(1) meet the unique cultural, language, and educational needs of such students; and

''(2) ensure that all students meet the challenging State academic standards adopted under section 1111(b).'';

(3) in section 7112—

(A) by striking subsection (a) and inserting the following:

''(a) IN GENERAL.—The Secretary may make grants, from allocations made under section 7113, and in accordance with this section and section 7113, to—

''(1) local educational agencies;

''(2) Indian tribes; and

''(3) consortia of 2 or more local educational agencies, Indian tribes, Indian organizations, or Indian community-based organizations, provided that each local educational agency participating in such a consortium—

''(A) provides an assurance that the eligible Indian children served by such local educational agency receive the services of the programs funded under this subpart; and

''(B) is subject to all the requirements, assurances, and obligations applicable to local educational agencies under this subpart.'';

(B) in subsection (b)—

(i) in paragraph (1), by striking ''A local educational agency shall'' and inserting ''Subject to paragraph (2), a local educational agency shall'';

(ii) by redesignating paragraph (2) as paragraph (3); and

(iii) by inserting after paragraph (1) the following:

''(2) COOPERATIVE AGREEMENTS.—A local educational agency may enter into a cooperative agreement with an Indian tribe under this subpart if such Indian tribe—

''(A) represents not less than 25 percent of the eligible Indian children who are served by such local educational agency; and

''(B) requests that the local educational agency enter into a cooperative agreement under this subpart.''; and

(C) by striking subsection (c) and inserting the following:

''(c) INDIAN TRIBES AND INDIAN ORGANIZATIONS.—

''(1) IN GENERAL.—If a local educational agency that is otherwise eligible for a grant under this subpart does not establish a committee under section 7114(c)(4) for such grant, an Indian tribe, an Indian organization, or a consortium of such entities, that represents more than one-half of the eligible Indian children who are served by such local educational agency may apply for such grant.

''(2) UNAFFILIATED INDIAN TRIBES.—An Indian tribe that operates a public school and that is not affiliated with either a local educational agency or the Bureau of Indian Education shall be eligible to apply for a grant under this subpart.

''(3) SPECIAL RULE.—

''(A) IN GENERAL.—The Secretary shall treat each Indian tribe, Indian organization, or consortium of such entities applying for a grant pursuant to paragraph (1) or (2) as if such tribe, Indian organization, or consortium were a local educational agency for purposes of this subpart.

''(B) EXCEPTIONS.—Notwithstanding subparagraph (A), such Indian tribe, Indian organization, or consortium shall not be subject to the requirements of subsections (b)(7) or (c)(4) of section 7114 or section 7118(c) or 7119.

''(4) ASSURANCE TO SERVE ALL INDIAN CHILDREN.—An Indian tribe, Indian organization, or consortium of such entities that is eligible to apply for a grant under paragraph (1) shall include, in the application required under section 7114, an assurance that the entity will use the grant funds to provide services to all Indian students served by the local educational agency.

''(d) INDIAN COMMUNITY-BASED ORGANIZATION.—

''(1) IN GENERAL.—If no local educational agency pursuant to subsection (b), and no Indian tribe, Indian organization, or consortium pursuant to subsection (c), applies for a grant under this subpart, an Indian community-based organization serving the community of the local educational agency may apply for such grant.

''(2) APPLICABILITY OF SPECIAL RULE.—The Secretary shall apply the special rule in subsection (c)(3) to an Indian community-based organization applying or receiving a grant under paragraph (1) in the same manner as such rule applies to an Indian tribe, Indian organization, or consortium.

''(3) DEFINITION OF INDIAN COMMUNITY-BASED ORGANIZATION.—In this subsection, the term 'Indian community-based organization' means any organization that—

''(A) is composed primarily of Indian parents and community members, tribal government education officials, and tribal members from a specific community;

''(B) assists in the social, cultural, and educational development of Indians in such community;

''(C) meets the unique cultural, language, and academic needs of Indian students; and

''(D) demonstrates organizational capacity to manage the grant.

''(e) CONSORTIA.—

''(1) IN GENERAL.—A local educational agency, Indian tribe, or Indian organization that meets the eligibility requirements under this section may form a consortium with other eligible local educational agencies, Indian tribes, or Indian organizations for the purpose of obtaining grants and operating programs under this subpart.

''(2) REQUIREMENTS.—In any case where 2 or more local educational agencies, Indian tribes, or Indian organizations that are eligible under subsection (b) form or participate in a consortium to obtain a grant, or operate a program, under this subpart, each local educational agency, Indian tribe, and Indian organization participating in such a consortium shall—

''(A) provide, in the application submitted under section 7114, an assurance that the eligible Indian children served by such local educational agency, Indian tribe, and Indian organization will receive the services of the programs funded under this subpart; and

''(B) agree to be subject to all requirements, assurances, and obligations applicable to a local educational agency, Indian tribe, and Indian organization receiving a grant under this subpart.'';

(4) in section 7113—

(A) in subsection (b)(1), by striking ''Bureau of Indian Affairs'' and inserting ''Bureau of Indian Education''; and

(B) in subsection (d)—

(i) in the subsection heading, by striking ''INDIAN AFFAIRS'' and inserting ''INDIAN EDUCATION''; and

(ii) in paragraph (1)(A)(i), by striking ''Bureau of Indian Affairs'' and inserting ''Bureau of Indian Education'';

(5) in section 7114—

(A) in subsection (a), by inserting ''Indian tribe, or consortia as described in section 7113(b)(2)'' after ''Each local educational agency,'';

(B) in subsection (b)—

(i) in paragraph (2)—

(I) in subparagraph (A), by striking ''is consistent with the State and local plans'' and inserting ''supports the State, tribal, and local plans''; and

(II) by striking subparagraph (B) and inserting the following:

''(B) includes program objectives and outcomes for activities under this subpart that are based on the same challenging State academic standards developed by the State under title I for all students;'';

(ii) by striking paragraph (3) and inserting the following:

''(3) explains how the local educational agency, tribe, or consortium will use funds made available under this subpart to supplement other Federal, State, and local programs that meet the needs of such students;'';

(iii) in paragraph (5)(B), by striking ''and'' after the semicolon;

(iv) in paragraph (6)—

(I) in subparagraph (B)—

(aa) in clause (i), by striking ''and'' after the semicolon; and

(bb) by adding at the end the following:

''(iii) the Indian tribes whose children are served by the local educational agency, consistent with section 444 of the General Education Provisions Act (20 U.S.C. 1232g) (commonly referred to as the 'Family Educational Rights and Privacy Act of 1974'); and''; and

(II) in subparagraph (C), by striking the period at the end and inserting ''; and''; and

(v) by adding at the end the following:

''(7) describes the process the local educational agency used to collaborate with Indian tribes located in the community in the development of the comprehensive programs and the actions taken as a result of such collaboration.'';

(C) in subsection (c)—

(i) in paragraph (1), by striking ''the education of Indian children,'' and inserting ''services and activities consistent with those described in this subpart,'';

(ii) in paragraph (2)—

(I) in subparagraph (A), by striking ''and'' after the semicolon;

(II) in subparagraph (B), by striking ''served by such agency;'' and inserting ''served by such agency, and meet program objectives and outcomes for activities under this subpart; and''; and

(III) by adding at the end the following:

''(C) determine the extent to which such activities address the unique cultural, language, and educational needs of Indian students;'';

(iii) in paragraph (3)(C)—

(I) by inserting ''representatives of Indian tribes on Indian lands located within 50 miles of any school that the agency will serve if such tribe has any children in such school,'' after ''parents of Indian children and teachers,''; and

(II) by striking ''and'' after the semicolon;

(iv) in paragraph (4)—

(I) in subparagraph (A)—

(aa) in clause (i), by inserting ''and family members'' after ''parents'';

(bb) by redesignating clauses (ii) and (iii) as clauses (iii) and (iv), respectively; and

(cc) by inserting after clause (i) the following:

''(ii) representatives of Indian tribes on Indian lands located within 50 miles of any school that the agency will serve if such tribe has any children in such school;'';

(II) by striking subparagraph (B) and inserting the following:

''(B) a majority of whose members are parents and family members of Indian children and representatives of Indian tribes described in subparagraph (A)(ii), as applicable;'';

(III) in subparagraph (C), by inserting ''and family members'' after '', parents'';

(IV) in subparagraph (D)(ii), by striking ''and'' after the semicolon;

(V) in subparagraph (E), by striking the period at the end and inserting ''; and''; and

(VI) by adding at the end the following:

''(F) that will determine the extent to which the activities of the local educational agency will address the unique cultural, linguistic, and educational needs of Indian students;''; and

(v) by adding at the end the following:

''(5) the local educational agency will coordinate activities under this title with other Federal programs supporting educational and related services administered by such agency;

''(6) the local educational agency conducted outreach to parents and family members to meet the requirements under this paragraph; and

''(7) the local educational agency will use funds received under this subpart only for activities described and authorized in this subpart.''; and

(D) by adding at the end the following:

''(d) OUTREACH.—The Secretary shall monitor the applications for grants under this subpart to identify eligible local educational agencies and schools operated by the Bureau of Indian Education that have not applied for such grants, and shall undertake appropriate outreach activities to encourage and assist eligible entities to submit applications for such grants.

''(e) TECHNICAL ASSISTANCE.—The Secretary shall, directly or by contract, provide technical assistance to a local educational agency or Bureau of Indian Education school upon request (in addition to any technical assistance available under other provisions of this Act or available through the Institute of Education Sciences) to support the services and activities provided under this subpart, including technical assistance for—

''(1) the development of applications under this subpart;

''(2) improvement in the quality of implementation, content, and evaluation of activities supported under this subpart; and

''(3) integration of activities under this subpart with other educational activities carried out by the local educational agency.'';

(6) in section 7115—

(A) in subsection (a)—

(i) in paragraph (1), by inserting ''solely for the services and activities described in such application'' after ''under section 7114(a)''; and

(ii) in paragraph (2), by inserting ''to be responsive to the unique learning styles of Indian and Alaska Native children'' after ''Indian students'';

(B) by striking subsection (b) and inserting the following:

''(b) PARTICULAR ACTIVITIES.—The services and activities referred to in subsection (a) may include—

''(1) activities that support Native American language programs and Native American language restoration programs, which may be taught by traditional leaders;

''(2) culturally related activities that support the program described in the application submitted by the local educational agency;

''(3) high-quality early childhood and family programs that emphasize school readiness;

''(4) enrichment programs that focus on problem solving and cognitive skills development and directly support the attainment of challenging State academic standards described in 1111(b);

''(5) integrated educational services in combination with other programs that meet the needs of Indian children and their families, including programs that promote parental involvement in school activities and increase student achievement;

''(6) career preparation activities to enable Indian students to participate in programs such as the programs supported by the Carl D. Perkins Career and Technical Education Act of 2006, including programs for tech-prep education, mentoring, and apprenticeship;

''(7) activities to educate individuals so as to prevent violence, suicide, and substance abuse;

''(8) the acquisition of equipment, but only if the acquisition of the equipment is essential to achieve the purpose described in section 7111;

''(9) activities that promote the incorporation of culturally responsive teaching and learning strategies into the educational program of the local educational agency;

''(10) family literacy services;

''(11) activities that recognize and support the unique cultural and educational needs of Indian children, and incorporate appropriately qualified tribal elders and seniors; and

''(12) dropout prevention strategies and strategies to—

''(A) meet the educational needs of at-risk Indian students in correctional facilities; and

''(B) support Indian students who are transitioning from such facilities to schools served by local educational agencies.'';

(C) in subsection (c)—

(i) in paragraph (1), by striking ''and'' after the semicolon;

(ii) in paragraph (2), by striking the period and inserting ''; and''; and

(iii) by adding at the end the following:

''(3) the local educational agency identifies in its application how the use of such funds in a schoolwide program will provide benefits to Indian students.''; and

(D) by adding at the end the following:

''(e) LIMITATION ON USE OF FUNDS.—Funds provided to a grantee under this subpart may not be used for long-distance travel expenses for training activities available locally or regionally.'';

(7) in section 7116—

(A) in subsection (g)—

(i) by striking ''No Child Left Behind Act of 2001'' and inserting ''Every Child Achieves Act of 2015'';

(ii) by inserting ''the Secretary of Health and Human Services,'' after ''the Secretary of the Interior,''; and

(iii) by inserting ''and coordination'' after ''providing for the implementation''; and

(B) in subsection (o)—

(i) in paragraph (1), by striking ''Not later than 2 years after the date of enactment of the No Child Left Behind Act of 2001,'' and inserting ''Not later than 2 years after date of enactment of the Every Child Achieves Act of 2015, and every 5 years thereafter,''; and

(ii) by striking paragraph (2) and inserting the following:

''(2) CONTENTS.—The report required under paragraph (1) shall identify—

''(A) any statutory barriers to the ability of participants to more effectively integrate their education and related services to Indian students in a manner consistent with the objectives of this section; and

''(B) the effective practices for program integration that result in increased student achievement, graduation rates, and other relevant outcomes for Indian students.'';

(8) in section 7117—

(A) in subsection (b)(1)—

(i) in subparagraph (A)(ii), by inserting ''or membership'' after ''the enrollment''; and

(ii) in subparagraph (B), by inserting ''or membership'' after ''the enrollment'';

(B) by striking subsection (e) and inserting the following:

''(e) DOCUMENTATION.—

''(1) IN GENERAL.—For purposes of determining whether a child is eligible to be counted for the purpose of computing the amount of a grant award under section 7113, the membership of the child, or any parent or grandparent of the child, in a tribe or band of Indians (as so defined) may be established by proof other than an enrollment number, notwithstanding the availability of an enrollment number for a member of such tribe or band. Nothing in subsection (b) shall be construed to require the furnishing of an enrollment number.

''(2) NO NEW OR DUPLICATE DETERMINATIONS.—Once a child is determined to be an Indian eligible to be counted for such grant award, the local educational agency shall maintain a record of such determination and shall not require a new or duplicate determination to be made for such child for a subsequent application for a grant under this subpart.

''(3) PREVIOUSLY FILED FORMS.—An Indian student eligibility form that was on file as required by this section on the day before the date of enactment of the Every Child Achieves Act of 2015 and that met the requirements of this section, as this section was in effect on the day before the date of enactment of such Act, shall remain valid for such Indian student.'';

(C) in subsection (g), by striking ''Bureau of Indian Affairs'' and inserting ''Bureau of Indian Education''; and

(D) by adding at the end the following:

''(i) TECHNICAL ASSISTANCE.—The Secretary shall, directly or through contract, provide technical assistance to a local educational agency or Bureau of Indian Education school upon request, in addition to any technical assistance available under section 1114 or available through the Institute of Education Sciences, to support the services and activities described under this section, including for the—

''(1) development of applications under this section;

''(2) improvement in the quality of implementation, content of activities, and evaluation of activities supported under this subpart;

''(3) integration of activities under this title with other educational activities established by the local educational agency; and

''(4) coordination of activities under this title with programs administered by each Federal agency providing grants for the provision of educational and related services and sharing of best practices.'';

(9) in section 7118, by striking subsection (c) and inserting the following:

''(c) REDUCTION OF PAYMENT FOR FAILURE TO MAINTAIN FISCAL EFFORT.—Each local educational agency shall maintain fiscal effort in accordance with section 9521 or be subject to reduced payments under this subpart in accordance with such section 9521.'';

(10) in section 7121—

(A) by striking the section header and inserting the following:

''SEC. 7121. IMPROVEMENT OF EDUCATIONAL OPPORTUNITIES FOR INDIAN CHILDREN AND YOUTH.'';

(B) in subsection (a)—

(i) in paragraph (1), by inserting ''and youth'' after ''Indian children''; and

(ii) in paragraph (2)(B), by inserting ''and youth'' after ''Alaska Native children'';

(C) in subsection (b), by striking ''Indian institution (including an Indian institution of higher education)'' and inserting ''a Tribal College or University (as defined in section 316(b) of the Higher Education Act of 1965)'';

(D) in subsection (c)—

(i) in paragraph (1)—

(I) in subparagraph (A), by inserting ''and youth'' after ''disadvantaged children'';

(II) in subparagraph (B), by inserting ''and youth'' after ''such children'';

(III) in subparagraph (D), by inserting ''and youth'' after ''Indian children'';

(IV) in subparagraph (E), by inserting ''and youth'' after ''Indian children'' both places the term appears;

(V) by striking subparagraph (G) and inserting the following:

''(G) high-quality early childhood education programs that are effective in preparing young children to be making sufficient academic progress by the end of grade 3, including kindergarten and prekindergarten programs, family-based preschool programs that emphasize school readiness, and the provision of services to Indian children with disabilities;''; and

(VI) in subparagraph (L)—

(aa) by striking ''appropriately qualified tribal elders and seniors'' and inserting ''traditional leaders''; and

(bb) by inserting ''and youth'' after ''Indian children'';

(ii) in paragraph (2), by striking ''Professional development'' and inserting ''High-quality professional development'';

(E) in subsection (d)—

(i) in paragraph (1)(C), by striking ''make a grant payment for a grant described in this paragraph to an eligible entity after the initial year of the multiyear grant only if the Secretary determines'' and inserting ''award grants for an initial period of not more than 3 years and may renew such grants for not more than an additional 2 years if the Secretary determines''; and

(ii) in paragraph (3)(B)—

(I) in clause (i), by striking ''parents of Indian children'' and inserting ''parents and family of Indian children''; and

(II) in clause (iii), by striking ''information demonstrating that the proposed program for the activities is a scientifically based research program'' and inserting ''evidence demonstrating that the proposed program is an evidence-based program''; and

(F) by adding at the end the following:

''(f) CONTINUATION.—Notwithstanding any other provision of this section, a grantee that is carrying out activities pursuant to a grant awarded under this section prior to the date of enactment of the Every Child Achieves Act of 2015 may continue to carry out such activities after such date of enactment under such grant in accordance with the terms of such grant award.'';

(11) in section 7122—

(A) in subsection (a)—

(i) in the subsection heading, by striking ''PURPOSES'' and inserting ''PURPOSE'';

(ii) in the matter preceding paragraph (1), by striking ''The purposes of this section are'' and inserting ''The purpose of this section is'';

(iii) in paragraph (1), by striking ''individuals in teaching or other education professions that serve Indian people'' and inserting ''or Alaska Native teachers and administrators serving Indian or Alaska Native students'';

(iv) in paragraph (2)—

(I) by inserting ''and support'' after ''to provide training'';

(II) by inserting ''or Alaska Native'' after ''Indian'';

(III) by striking ''teachers, administrators, teacher aides'' and inserting ''effective teachers, principals, other school leaders, administrators, teacher aides, counselors'';

(IV) by striking ''ancillary educational personnel'' and inserting ''specialized instructional support personnel''; and

(V) by striking ''and'' after the semicolon;

(v) in paragraph (3)—

(I) by inserting ''or Alaska Native'' after ''Indian''; and

(II) by striking the period at the end and inserting ''; and''; and

(vi) by adding at the end the following:

''(4) to develop and implement initiatives to promote retention of effective teachers, principals, and school leaders who have a record of success in helping low-achieving Indian or Alaska Native students improve their academic achievement, outcomes, and preparation for postsecondary education or the workforce without the need for postsecondary remediation.'';

(B) in subsection (b)—

(i) in paragraph (1), by striking ''including an Indian institution of higher education'' and inserting ''including a Tribal College or University, as defined in section 316(b) of the Higher Education Act of 1965''; and

(ii) in paragraph (4), by inserting ''in a consortium with at least one Tribal College or University, as defined in section 316(b) of the Higher Education Act of 1965, where feasible'' before the period at the end;

(C) in subsection (d)—

(i) in paragraph (1)—

(I) in the first sentence—

(aa) by inserting ''or Alaska Native'' after ''Indian''; and

(bb) by striking ''purposes'' and inserting ''purpose''; and

(II) by striking the second sentence and inserting ''Such activities may include—''

''(A) continuing education programs, symposia, workshops, and conferences;

''(B) teacher mentoring programs, professional guidance, and instructional support provided by educators, local tribal elders, or cultural experts, as appropriate for teachers during their first 3 years of employment as teachers;

''(C) direct financial support; and

''(D) programs designed to train tribal elders and cultural experts to assist those personnel referenced in subsection (a)(2), as appropriate, with relevant Native language and

cultural mentoring, guidance, and support.''; and

(ii) in paragraph (2), by adding at the end the following:

''(C) CONTINUATION.—Notwithstanding any other provision of this section, a grantee that is carrying out activities pursuant to a grant awarded under this section prior to the date of enactment of the Every Child Achieves Act of 2015 may continue to carry out such activities under such grant in accordance with the terms of that award.'';

(D) by striking subsection (e) and inserting the following:

''(e) APPLICATION.—Each eligible entity desiring a grant under this section shall submit an application to the Secretary at such time, in such manner, and accompanied by such information, as the Secretary may reasonably require. At a minimum, an application under this section shall describe how the eligible entity will—

''(1) recruit qualified Indian or Alaska Native individuals, such as students who may not be of traditional college age, to become teachers, principals, or school leaders;

''(2) use funds made available under the grant to support the recruitment, preparation, and professional development of Indian or Alaska Native teachers or principals in local educational agencies that serve a high proportion of Indian or Alaska Native students; and

''(3) assist participants in meeting the requirements under subsection (h).'';

(E) in subsection (f)—

(i) by redesignating paragraphs (1) and (2) as paragraphs (2) and (3), respectively;

(ii) by inserting before paragraph (2), as redesignated by clause (i), the following:

''(1) may give priority to tribally chartered and federally chartered institutions of higher education;''; and

(iii) in paragraph (3), as redesignated by clause (i), by striking ''basis of'' and all that follows through the period at the end and inserting ''basis of the length of any period for which the eligible entity has received a grant.'';

(F) by striking subsection (g) and inserting the following:

''(g) GRANT PERIOD.—The Secretary shall award grants under this section for an initial period of not more than 3 years, and may renew such grants for an additional period of not more than 2 years if the Secretary finds that the grantee is achieving the objectives of the grant.''; and

(G) in subsection (h)(1)(A)(ii), by striking ''people'' and inserting ''students in a local educational agency that serves a high proportion of Indian or Alaska Native students'';

(12) by striking section 7135 and inserting the following:

''SEC. 7135. GRANTS TO TRIBES FOR EDUCATION ADMINISTRATIVE PLANNING, DEVELOPMENT, AND COORDINATION.

''(a) IN GENERAL.—The Secretary may award grants under this section to eligible applicants to enable the eligible applicants to—

''(1) promote tribal self-determination in education;

''(2) improve the academic achievement of Indian children and youth; and

''(3) promote the coordination and collaboration of tribal educational agencies with State and local educational agencies to meet the unique educational and culturally related academic needs of Indian students.

''(b) DEFINITIONS.—In this section:

''(1) ELIGIBLE APPLICANT.—In this section, the term 'eligible applicant' means—

''(A) an Indian tribe or tribal organization approved by an Indian tribe; or

''(B) a tribal educational agency.

''(2) INDIAN TRIBE.—The term 'Indian tribe' means a federally recognized tribe or a State-recognized tribe.

''(3) TRIBAL EDUCATIONAL AGENCY.—The term 'tribal educational agency' means the agency, department, or instrumentality of an Indian tribe that is primarily responsible for supporting tribal students' elementary and secondary education.

''(c) GRANT PROGRAM.—The Secretary may award grants to—

''(1) eligible applicants described under subsection (b)(1)(A) to plan and develop a tribal educational agency, if the tribe or organization has no current tribal educational agency, for a period of not more than 1 year; and

''(2) eligible applicants described under subsection (b)(1)(B), for a period of not more than 3 years, in order to—

''(A) directly administer education programs, including formula grant programs under this Act, consistent with State law and under a written agreement between the parties;

''(B) build capacity to administer and coordinate such education programs, and to improve the relationship and coordination between such applicants and the State educational agencies and local educational agencies that educate students from the tribe;

''(C) receive training and support from the State educational agency and local educational agency, in areas such as data collection and analysis, grants management and monitoring, fiscal accountability, and other areas as needed;

''(D) train and support the State educational agency and local educational agency in areas related to tribal history, language, or culture;

''(E) build on existing activities or resources rather than replacing other funds; and

''(F) carry out other activities, subject to the approval of the Secretary.

''(d) GRANT APPLICATION.—

''(1) IN GENERAL.—Each eligible applicant desiring a grant under this section shall submit an application to the Secretary at such time, in such manner, containing such information, and consistent with such criteria, as the Secretary may reasonably prescribe.

''(2) CONTENTS.—Each application described in paragraph (1) shall contain—

''(A) a statement describing the activities to be conducted, and the objectives to be achieved, under the grant;

''(B) a description of the method to be used for evaluating the effectiveness of the activities for which assistance is sought and for determining whether such objectives are achieved; and

''(C) for applications for activities under subsection (c)(2), evidence of—

''(i) a preliminary agreement with the appropriate State educational agency, 1 or more local educational agencies, or both the State educational agency and a local educational agency; and

''(ii) existing capacity as a tribal educational agency.

''(3) APPROVAL.—The Secretary may approve an application submitted by an eligible applicant under this subsection only if the Secretary is satisfied that such application, including any documentation submitted with the application—

''(A) demonstrates that the eligible applicant has consulted with other education entities, if any, within the territorial jurisdiction of the applicant that will be affected by the activities to be conducted under the grant;

''(B) provides for consultation with such other education entities in the operation and evaluation of the activities conducted under the grant; and

''(C) demonstrates that there will be adequate resources provided under this section or from other sources to complete the activities for which assistance is sought.

''(e) RESTRICTIONS.—

''(1) IN GENERAL.—A tribe may not receive funds under this section if such tribe receives funds under section 1140 of the Education Amendments of 1978.

''(2) DIRECT SERVICES.—No funds under this section may be used to provide direct services.

''(f) SUPPLEMENT, NOT SUPPLANT.—Funds under this section shall be used to supplement, and not supplant, other Federal, State, and local programs that meet the needs of tribal students.'';

(13) in section 7141(b)(1), by inserting ''and the Secretary of the Interior'' after ''advise the Secretary'';

(14) in section 7151, by adding at the end the following:

''(4) TRADITIONAL LEADERS.—The term 'traditional leaders' has the meaning given the term in section 103 of the Native American Languages Act (25 U.S.C. 2902).''; and

(15) in section 7152—

(A) in subsection (a), by striking ''$96,400,000 for fiscal year 2002 and such sums as may be necessary for each of the 5 succeeding fiscal years'' and inserting ''such sums as may be necessary for each of fiscal years 2016 through 2021''; and

(B) in subsection (b) by striking ''$24,000,000 for fiscal year 2002 and such sums as may be necessary for each of the 5 succeeding fiscal years'' and inserting ''such sums as may be necessary for each of fiscal years 2016 through 2021''.

SEC. 7002. NATIVE HAWAIIAN EDUCATION.

Part B of title VII (20 U.S.C. 7511 et seq.) is amended—

(1) in section 7202, by striking paragraphs (14) through (21);

(2) by striking section 7204 and inserting the following:

''SEC. 7204. NATIVE HAWAIIAN EDUCATION COUNCIL.

''(a) GRANT AUTHORIZED.—In order to better effectuate the purposes of this part through the coordination of educational and related services and programs available to Native Hawaiians, including those programs that receive funding under this part, the Secretary shall award a grant to the education council described under subsection (b).

''(b) EDUCATION COUNCIL.—

''(1) ELIGIBILITY.—To be eligible to receive the grant under subsection (a), the council shall be an education council (referred to in this section as the 'Education Council') that meets the requirements of this subsection.

''(2) COMPOSITION.—The Education Council shall consist of 15 members, of whom—

''(A) 1 shall be the President of the University of Hawaii (or a designee);

''(B) 1 shall be the Governor of the State of Hawaii (or a designee);

''(C) 1 shall be the Superintendent of the State of Hawaii Department of Education (or a designee);

''(D) 1 shall be the chairperson of the Office of Hawaiian Affairs (or a designee);

''(E) 1 shall be the executive director of Hawaii's Charter School Network (or a designee);

''(F) 1 shall be the chief executive officer of the Kamehameha Schools (or a designee);

''(G) 1 shall be the Chief Executive Officer of the Queen Liliuokalani Trust (or a designee);

''(H) 1 shall be a member, selected by the other members of the Education Council, who represents a private grant-making entity;

''(I) 1 shall be the Mayor of the County of Hawaii (or a designee);

''(J) 1 shall be the Mayor of Maui County (or a designee from the Island of Maui);

''(K) 1 shall be the Mayor of the County of Kauai (or a designee);

''(L) 1 shall be appointed by the Mayor of Maui County from the Island of Molokai or the Island of Lanai;

''(M) 1 shall be the Mayor of the City and County of Honolulu (or a designee);

''(N) 1 shall be the chairperson of the Hawaiian Homes Commission (or a designee); and

''(O) 1 shall be the chairperson of the Hawaii Workforce Development Council (or a designee representing the private sector).

''(3) REQUIREMENTS.—Any designee serving on the Education Council shall demonstrate, as determined by the individual who appointed such designee with input from the Native Hawaiian community, not less than 5 years of experience as a consumer or provider of Native Hawaiian educational or cultural activities, with traditional cultural experience given due consideration.

''(4) LIMITATION.—A member (including a designee), while serving on the Education Council, shall not be a direct recipient or administrator of grant funds that are awarded under this part.

''(5) TERM OF MEMBERS.—A member who is a designee shall serve for a term of not more than 4 years.

''(6) CHAIR; VICE CHAIR.—

''(A) SELECTION.—The Education Council shall select a Chairperson and a Vice-Chairperson from among the members of the Education Council.

''(B) TERM LIMITS.—The Chairperson and Vice-Chairperson shall each serve for a 2-year term.

''(7) ADMINISTRATIVE PROVISIONS RELATING TO EDUCATION COUNCIL.—The Education Council shall meet at the call of the Chairperson of the Council, or upon request by a majority of the members of the Education Council, but in any event not less often than every 120 days.

''(8) NO COMPENSATION.—None of the funds made available through the grant may be used to provide compensation to any member of the Education Council or member of a working group established by the Education Council, for functions described in this section.

''(c) USE OF FUNDS FOR COORDINATION ACTIVITIES.—The Education Council shall use funds made available through a grant under subsection (a) to carry out each of the following activities:

''(1) Providing advice about the coordination of, and serving as a clearinghouse for, the educational and related services and programs available to Native Hawaiians, including the programs assisted under this part.

''(2) Assessing the extent to which such services and programs meet the needs of Native Hawaiians, and collecting data on the status of Native Hawaiian education.

''(3) Providing direction and guidance, through the issuance of reports and recommendations, to appropriate Federal, State, and local agencies in order to focus and improve the use of resources, including resources made available under this part, relating to Native Hawaiian education, and serving, where appropriate, in an advisory capacity.

''(4) Awarding grants, if such grants enable the Education Council to carry out the activities described in paragraphs (1) through (3).

''(5) Hiring an executive director, who shall assist in executing the duties and powers of the Education Council, as described in subsection (d).

''(d) USE OF FUNDS FOR TECHNICAL ASSISTANCE.—The Education Council shall use funds made available through a grant under subsection (a) to—

''(1) provide technical assistance to Native Hawaiian organizations that are grantees or potential grantees under this part;

''(2) obtain from such grantees information and data regarding grants awarded under this part, including information and data about—

''(A) the effectiveness of such grantees in meeting the educational priorities established by the Education Council, as described in paragraph (6)(D), using metrics related to these priorities; and

''(B) the effectiveness of such grantees in carrying out any of the activities described in paragraphs (2) and (3) of section 7205(a) that are related to the specific goals and purposes of each grantee's grant project, using metrics related to these priorities;

''(3) assess and define the educational needs of Native Hawaiians;

''(4) assess the programs and services available to address the educational needs of Native Hawaiians;

''(5) assess and evaluate the individual and aggregate impact achieved by grantees under this part in improving Native Hawaiian educational performance and meeting the goals of this part, using metrics related to these goals; and

''(6) prepare and submit to the Secretary, at the end of each calendar year, an annual report that contains—

''(A) a description of the activities of the Education Council during the calendar year;

''(B) a description of significant barriers to achieving the goals of this part;

''(C) a summary of each community consultation session described in subsection (e); and

''(D) recommendations to establish priorities for funding under this part, based on an assessment of—

''(i) the educational needs of Native Hawaiians;

''(ii) programs and services available to address such needs;

''(iii) the effectiveness of programs in improving the educational performance of Native Hawaiian students to help such students meet challenging State academic standards under section 1111(b)(1); and

''(iv) priorities for funding in specific geographic communities.

''(e) USE OF FUNDS FOR COMMUNITY CONSULTATIONS.—The Education Council shall use funds made available through the grant under subsection (a) to hold not less than 1 community consultation each year on each of the islands of Hawaii, Maui, Molokai, Lanai, Oahu, and Kauai, at which—

''(1) not less than 3 members of the Education Council shall be in attendance;

''(2) the Education Council shall gather community input regarding—

''(A) current grantees under this part, as of the date of the consultation;

''(B) priorities and needs of Native Hawaiians; and

''(C) other Native Hawaiian education issues; and

''(3) the Education Council shall report to the community on the outcomes of the activities supported by grants awarded under this part.

''(f) FUNDING.—For each fiscal year, the Secretary shall use the amount described in section 7205(c)(2), to make a payment under the grant. Funds made available through the grant shall remain available until expended.'';

(3) in section 7205—

(A) in subsection (a)(1)—

(i) in subparagraph (C), by striking ''and'' after the semicolon;

(ii) by redesignating subparagraph (D) as subparagraph (E); and

(iii) by inserting after subparagraph (C) the following:

''(D) charter schools; and''; and

(B) in subsection (c)—

(i) in paragraph (1), by striking ''for fiscal year 2002 and each of the 5 succeeding 5 fiscal years'' and inserting ''for each of fiscal years 2016 through 2021''; and

(ii) in paragraph (2), by striking ''for fiscal year 2002 and each of the 5 succeeding fiscal years'' and inserting ''for each of fiscal years 2016 through 2021''; and

(4) in section 7207—

(A) by redesignating paragraphs (1) through (6) as paragraphs (2) through (7), respectively; and

(B) by inserting before paragraph (2), as redesignated by subparagraph (A), the following:

''(1) COMMUNITY CONSULTATION.—The term 'community consultation' means a public gathering—

''(A) to discuss Native Hawaiian education concerns; and

''(B) about which the public has been given not less than 30 days notice.''.

SEC. 7003. ALASKA NATIVE EDUCATION.

Part C of title VII (20 U.S.C. 7541 et seq.) is amended—

(1) in section 7302, by striking paragraphs (1) through (7) and inserting the following:

''(1) It is the policy of the Federal Government to maximize the leadership of and participation by Alaska Native peoples in the planning and the management of Alaska Native education programs and to support efforts developed by and undertaken within the Alaska Native community to improve educational opportunity for all students.

''(2) Many Alaska Native children enter and exit school with serious educational disadvantages.

''(3) Overcoming the magnitude of the geographic challenges, historical inequities, and other barriers to successfully improving educational outcomes for Alaska Native students in rural, village, and urban settings is challenging. Significant disparities between academic achievement of Alaska Native students and non-Native students continues, including lower graduation rates, increased school dropout rates, and lower achievement scores on standardized tests.

''(4) The preservation of Alaska Native cultures and languages and the integration of Alaska Native cultures and languages into education, positive identity development for Alaska Native students, and local, place-based, and culture-based programming are critical to the attainment of educational success and the long-term well-being of Alaska Native students.

''(5) Improving educational outcomes for Alaska Native students increases access to employment opportunities.

''(6) The programs and activities authorized under this part should be led by Alaska

Native entities as a means of increasing Alaska Native parent and community involvement in the promotion of academic success of Alaska Native students.

''(7) The Federal Government should lend support to efforts developed by and undertaken within the Alaska Native community to improve educational opportunity for Alaska Native students. In 1983, pursuant to Public Law 98–63, Alaska ceased to receive educational funding from the Bureau of Indian Affairs. The Bureau of Indian Education does not operate any schools in Alaska, nor operate or fund Alaska Native education programs. The program under this part supports the Federal trust responsibility of the United States to Alaska Natives.'';

(2) in section 7303—

(A) in paragraph (1), by inserting ''and address'' after ''To recognize'';

(B) by striking paragraph (3);

(C) by redesignating paragraph (2) as paragraph (4) and paragraph (4) as paragraph (5);

(D) by inserting after paragraph (1) the following:

''(2) To recognize the role of Alaska Native languages and cultures in the educational success and long-term well-being of Alaska Native students.

''(3) To integrate Alaska Native cultures and languages into education, develop Alaska Native students' positive identity, and support local place-based and culture-based curriculum and programming.'';

(E) in paragraph (4), as redesignated by subparagraph (C), by striking ''of supplemental educational programs to benefit Alaska Natives.'' and inserting '', management, and expansion of effective educational programs to benefit Alaska Native peoples.''; and

(F) by adding at the end the following:

''(6) To ensure the maximum participation by Alaska Native educators and leaders in the planning, development, implementation, management, and evaluation of programs designed to serve Alaska Native students, and to ensure that Alaska Native tribes and tribal organizations play a meaningful role in providing supplemental educational services to Alaska Native students.'';

(3) by striking section 7304 and inserting the following:

''SEC. 7304. PROGRAM AUTHORIZED.

''(a) GENERAL AUTHORITY.—

''(1) GRANTS AND CONTRACTS.—The Secretary is authorized to make grants to, or enter into contracts with, any of the following to carry out the purposes of this part:

''(A) Alaska Native tribes, Alaska Native tribal organizations, or Alaska Native regional nonprofit corporations with experience operating programs that fulfill the purposes of this part.

''(B) Alaska Native tribes, Alaska Native tribal organizations, or Alaska Native regional nonprofit corporations without such experience that are in partnership with—

''(i) a State educational agency or a local educational agency; or

''(ii) Indian tribes, tribal organizations, or Alaska Native regional nonprofit corporations that operate programs that fulfill the purposes of this part.

''(C) An entity located in Alaska, and predominately governed by Alaska Natives, that does not meet the definition of an Alaska Native tribe, an Alaska Native tribal organization, or an Alaska Native regional nonprofit corporation, under this part, provided that the entity—

''(i) has experience operating programs that fulfill the purposes of this part; and

''(ii) is granted an official charter or sanction, as prescribed in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b), from at least one Alaska Native tribe or Alaska Native tribal organization to carry out programs that meet the purposes of this part.

''(2) MULTI-YEAR AWARDS.—The recipient of a multi-year award under this part, as this part was in effect prior to the date of enactment of the Every Child Achieves Act of 2015, shall be eligible to receive continuation funds in accordance with the terms of that award.

''(3) MANDATORY ACTIVITIES.—Activities provided through the programs carried out under this part shall include the following:

''(A) The development and implementation of plans, methods, strategies and activities to improve the educational outcomes of Alaska Native peoples.

''(B) The collection of data to assist in the evaluation of the programs carried out under this part.

''(4) PERMISSIBLE ACTIVITIES.—Activities provided through programs carried out under this part may include the following:

''(A) The development of curricula and programs that address the educational needs of Alaska Native students, including the following:

''(i) Curriculum materials that reflect the cultural diversity, languages, history, or the contributions of Alaska Native people.

''(ii) Instructional programs that make use of Alaska Native languages and cultures.

''(iii) Networks that develop, test, and disseminate best practices and introduce successful programs, materials, and techniques to meet the educational needs of Alaska Native students in urban and rural schools.

''(iv) Methods to evaluate teachers' inclusion of diverse Alaska Native cultures in their lesson plans.

''(B) Training and professional development activities for educators, including the following:

''(i) Pre-service and in-service training and professional development programs to prepare teachers to develop appreciation for and understanding of Alaska Native history, cultures, values, and ways of knowing and learning in order to effectively address the cultural diversity and unique needs of Alaska Native students and incorporate them into lesson plans and teaching methods.

''(ii) Recruitment and preparation of teachers who are Alaska Native.

''(iii) Programs that will lead to the certification and licensing of Alaska Native teachers, principals, other school leaders, and superintendents.

''(C) Early childhood and parenting education activities designed to improve the school readiness of Alaska Native children, including—

''(i) the development and operation of home visiting programs for Alaska Native preschool children, to ensure the active involvement of parents in their children's education from the earliest ages;

''(ii) training, education, and support, including in-home visitation, for parents and caregivers of Alaska Native children to improve parenting and caregiving skills (including skills relating to discipline and cognitive development, reading readiness, observation, storytelling, and critical thinking);

''(iii) family literacy services;

''(iv) activities carried out under the Head Start Act;

''(v) programs for parents and their infants, from the prenatal period of the infant through age 3;

''(vi) early childhood education programs; and

''(vii) Native language immersion within early childhood, Head Start, or preschool programs.

''(D) The development and operation of student enrichment programs, including those in science, technology, engineering, and mathematics that—

''(i) are designed to prepare Alaska Native students to excel in such subjects;

''(ii) provide appropriate support services to enable such students to benefit from the programs; and

''(iii) include activities that recognize and support the unique cultural and educational needs of Alaska Native children and incorporate appropriately qualified Alaska Native elders and other tradition bearers.

''(E) Research and data collection activities to determine the educational status and needs of Alaska Native children and adults and other such research and evaluation activities related to programs funded under this part.

''(F) Activities designed to increase Alaska Native students' graduation rates and assist Alaska Native students to be prepared for postsecondary education or the workforce without the need for postsecondary remediation, such as—

''(i) remedial and enrichment programs;

''(ii) culturally based education programs such as—

''(I) programs of study and other instruction in Alaska Native history and ways of living to share the rich and diverse cultures of Alaska Native peoples among Alaska Native youth and elders, non-Native students and teachers, and the larger community;

''(II) instructing Alaska Native youth in leadership, communication, and Native culture, arts, and languages;

''(III) inter-generational learning and internship opportunities to Alaska Native youth and young adults;

''(IV) cultural immersion activities;

''(V) culturally informed curricula intended to preserve and promote Alaska Native culture;

''(VI) Native language instruction and immersion activities;

''(VII) school-within-a-school model programs; and

''(VIII) college preparation and career planning; and

''(iii) holistic school or community-based support services to enable such students to benefit from the supplemental programs offered, including those that address family instability, school climate, trauma, safety, and nonacademic learning.

''(G) The establishment or operation of Native language immersion nests or schools.

''(H) Student and teacher exchange programs, cross-cultural immersion programs, and culture camps designed to build mutual respect and understanding among participants.

''(I) Education programs for at-risk urban Alaska Native students that are designed to improve academic proficiency and graduation rates, utilize strategies otherwise permissible under this part, and incorporate a strong data collection and continuous evaluation component.

''(J) Strategies designed to increase parents' involvement in their children's education.

''(K) Programs and strategies that provide technical assistance and support to schools and communities to engage adults in promoting the academic progress and overall well-being of Alaska Native people, such as through—

''(i) strength-based approaches to child and youth development;

''(ii) positive youth-adult relationships; and

''(iii) improved conditions for learning (school climate, student connection to school and community), and increased connections between schools and families.

''(L) Career preparation activities to enable Alaska Native children and adults to prepare for meaningful employment, including programs providing tech-prep, mentoring, training, and apprenticeship activities.

''(M) Provision of operational support and purchasing of equipment, to develop regional vocational schools in rural areas of Alaska, including boarding schools, for Alaska Native students in grades 9 through 12, or at higher levels of education, to provide the students with necessary resources to prepare for skilled employment opportunities.

''(N) Regional leadership academies that demonstrate effectiveness in building respect and understanding, and fostering a sense of Alaska Native identity to promote their pursuit of and success in completing higher education or career training.

''(O) Other activities, consistent with the purposes of this part, to meet the educational needs of Alaska Native children and adults.

''(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for each of fiscal years 2016 through 2021.'';

(4) by striking section 7305 and inserting the following:

''SEC. 7305. FUNDS FOR ADMINISTRATIVE PURPOSES.

''Not more than 5 percent of funds provided to an award recipient under this part for any fiscal year may be used for administrative purposes.''; and

(5) in section 7306—

(A) in paragraph (1), by inserting ''(43 U.S.C. 1602(b)) and includes the descendants of individuals so defined'' after ''Settlement Act'';

(B) by striking paragraph (2); and

(C) by inserting after paragraph (1) the following:

''(2) ALASKA NATIVE TRIBE.—The term 'Alaska Native tribe' has the meaning given the term 'Indian tribe' in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b), except that the term applies only to Indian tribes in Alaska.

''(3) ALASKA NATIVE TRIBAL ORGANIZATION.—The term 'Alaska Native tribal organization' has the meaning given the term 'tribal organization' in section 4 of the Indian Self-Determination and Education Assistance Act, (25 U.S.C. 450b), except that the term applies only to tribal organizations in Alaska.

''(4) ALASKA NATIVE REGIONAL NONPROFIT CORPORATION.—The term 'Alaska Native regional nonprofit corporation' means an organization listed in clauses (i) through (xii) of section 419(4)(B) of the Social Security Act (42 U.S.C. 619(4)(B)(i)-(xii)), or the successor of an entity so listed.''.

SEC. 7004. NATIVE AMERICAN LANGUAGE IMMERSION SCHOOLS AND PROGRAMS.

Title VII (20 U.S.C. 7401) is further amended by adding at the end the following:

''PART D—NATIVE AMERICAN AND ALASKA NATIVE LANGUAGE IMMERSION SCHOOLS AND PROGRAMS

''SEC. 7401. NATIVE AMERICAN AND ALASKA NATIVE LANGUAGE IMMERSION SCHOOLS AND PROGRAMS.

''(a) PURPOSES.—The purposes of this section are—

''(1) to establish a grant program to support schools that use Native American and Alaska Native languages as the primary language of instruction;

''(2) to maintain, protect, and promote the rights and freedom of Native Americans and Alaska Natives to use, practice, maintain, and revitalize their languages, as envisioned in the Native American Languages Act (25 U.S.C. 2901 et seq.); and

''(3) to support the Nation's First Peoples' efforts to maintain and revitalize their languages and cultures, and to improve student outcomes within Native American and Alaska Native communities.

''(b) PROGRAM AUTHORIZED.—

''(1) IN GENERAL.—From the amounts made available to carry out this part, the Secretary may award grants to eligible entities to develop and maintain, or to improve and expand, programs that support schools, including prekindergarten through postsecondary education sites and streams, using Native American and Alaska Native languages as the primary language of instruction.

''(2) ELIGIBLE ENTITIES.—In this section, the term 'eligible entity' means any of the following entities that has a plan to develop and maintain, or to improve and expand, programs that support the entity's use of Native American or Alaska Native languages as the primary language of instruction:

''(A) An Indian tribe.

''(B) A Tribal College or University (as defined in section 316 of the Higher Education Act of 1965).

''(C) A tribal education agency.

''(D) A local educational agency, including a public charter school that is a local educational agency under State law.

''(E) A school operated by the Bureau of Indian Education.

''(F) An Alaska Native Regional Corporation (as defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602)).

''(G) A private, tribal, or Alaska Native nonprofit organization.

''(c) APPLICATION.—

''(1) IN GENERAL.—An eligible entity that desires to receive a grant under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require, including the following:

''(A) The name of the Native American or Alaska Native language to be used for instruction at the school supported by the eligible entity.

''(B) The number of students attending such school.

''(C) The number of present hours of instruction in or through 1 or more Native American or Alaska Native languages being provided to targeted students at such school, if any.

''(D) A description of how the applicant will—

''(i) use the funds provided to meet the purposes of this part;

''(ii) implement the activities described in subsection (f);

''(iii) ensure the implementation of rigorous academic content; and

''(iv) ensure that students progress towards high-level fluency goals.

''(E) Information regarding the school's organizational governance or affiliations, including information about—

''(i) the school governing entity (such as a local educational agency, tribal education agency or department, charter organization, private organization, or other governing entity);

''(ii) the school's accreditation status;

''(iii) any partnerships with institutions of higher education; and

''(iv) any indigenous language schooling and research cooperatives.

''(F) An assurance that—

''(i) the school is engaged in meeting State or tribally designated proficiency levels for students, as may be required by applicable Federal, State, or tribal law;

''(ii) the school provides assessments of students using the Native American or Alaska Native language of instruction, where possible;

''(iii) the qualifications of all instructional and leadership personnel at such school is sufficient to deliver high-quality education through the Native American or Alaska Native language used in the school; and

''(iv) the school will collect and report to the public data relative to student achievement and, if appropriate, rates of high school graduation, career readiness, and enrollment in postsecondary education or job training programs, of students who are enrolled in the school's programs.

''(2) LIMITATION.—The Secretary shall not give a priority in awarding grants under this part based on the information described in paragraph (1)(E).

''(3) SUBMISSION OF CERTIFICATION.—

''(A) IN GENERAL.—An eligible entity that is a public elementary school or secondary school (including a public charter school) or a non-tribal for-profit or nonprofit organization shall submit, along with the application requirements described in paragraph (1), a certification described in subparagraph (B) indicating that the school has the capacity to provide education primarily through a Native American or Alaska Native language and that there are sufficient speakers of the target language at the school or available to be hired by the school.

''(B) CERTIFICATION.—The certification described in subparagraph (A) shall be from one of the following entities, on whose land the school is located, that is an entity served by such school, or that is an entity whose members (as defined by that entity) are served by the school:

''(i) A Tribal College or University (as defined in section 316 of the Higher Education Act of 1965).

''(ii) A federally recognized Indian tribe or tribal organization.

''(iii) An Alaska Native Regional Corporation or an Alaska Native nonprofit organization.

''(iv) A Native Hawaiian organization.

''(d) AWARDING OF GRANTS.—In awarding grants under this section, the Secretary shall—

''(1) determine the amount of each grant and the duration of each grant, which shall not exceed 3 years; and

''(2) ensure, to the maximum extent feasible, that diversity in languages is represented.

''(e) ACTIVITIES AUTHORIZED.—

''(1) REQUIRED ACTIVITIES.—An eligible entity that receives a grant under this section shall use such funds to carry out the following activities:

''(A) Supporting Native American or Alaska Native language education and development.

''(B) Providing professional development for teachers and, as appropriate, staff and administrators to strengthen the overall language and academic goals of the school that will be served by the grant program.

''(C) Carrying out other activities that promote the maintenance and revitalization of

the Native American or Alaska Native language relevant to the grant program.

''(2) ALLOWABLE ACTIVITIES.—An eligible entity that receives a grant under this section may use such funds to carry out the following activities:

''(A) Developing or refining curriculum, including teaching materials and activities, as appropriate.

''(B) Creating or refining assessments written in the Native American or Alaska Native language of instruction that measure student proficiency and that are aligned with State or tribal academic standards.

''(f) REPORT TO SECRETARY.—Each eligible entity that receives a grant under this part shall provide an annual report to the Secretary in such form and manner as the Secretary may require.

''(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for fiscal years 2016 through 2021.''.

SEC. 7005. IMPROVING INDIAN STUDENT DATA COLLECTION, REPORTING, AND ANALYSIS.

(a) IN GENERAL.—The Comptroller General, in consultation with the Secretary of Education, the Secretary of the Interior, and tribal communities, shall carry out a study that examines the following:

(1) The representation, at the time of the study, of Indian students in national, State, local, and tribal educational reporting required by law.

(2) The varying ways that individuals are identified as American Indian and Alaska Native (for example, such as through self-reporting or tribal enrollment records) at the time of the study, by national, State, local, and tribal educational reporting systems, and the impact that such variation has on data analysis or statistical trend comparability across such systems.

(3) How reporting of data within the Indian student population can be improved to facilitate comparisons between—

(A) Indian students living in urban and rural settings;

(B) Indian students living in tribal communities, areas with large Indian populations, and in areas with a low percentage of Indian population; and

(C) any other classifications that the Comptroller General determines are significant.

(4) The timeliness of Indian student record transfer between schools and other entities or individuals who may receive student records in accordance with the requirements of section 444 of the General Education Provisions Act ((20 U.S.C.1232g); commonly referred to as the ''Family Educational Rights and Privacy Act of 1974'').

(5) The effectiveness and usefulness for parental, student, Federal, State, tribal, and local educational stakeholders of the findings and structure of the National Indian Education Study conducted by the National Center for Education Statistics in conjunction with the National Assessment of Educational Progress described under section 303 of the National Assessment of Educational Progress Authorization Act (20 U.S.C. 9622).

(6) Any other areas of Indian student data collection, reporting, and analysis, as determined by the Comptroller General.

(b) REPORTING.—

(1) RECIPIENTS.—The Comptroller General shall prepare and submit reports setting forth the conclusions of the study described in subsection (a), in accordance with subsection (c), to each of the following:

(A) The Committee on Indian Affairs of the Senate.

(B) The Committee on Health, Education, Labor, and Pensions of the Senate.

(C) The Committee on Education and the Workforce of the House of Representatives.

(D) The Subcommittee on Indian, Insular, and Alaska Native Affairs of the House of Representatives.

(2) FUTURE LEGISLATION.—The Comptroller General shall include in the reports described in subsection (b) recommendations to inform future legislation regarding the collection, reporting, and analysis of Indian student data.

(c) TIMEFRAME.—The Comptroller General shall—

(1) submit not less than 1 report addressing 1 or more of the areas identified in paragraphs (1) through (6) of subsection (a) not later than 18 months after the enactment of this section; and

(2) submit any other reports necessary to address the areas identified in paragraphs (1) through (6) of subsection (a) not later than 5 years after the enactment of this section.

SEC. 7006. REPORT ON ELEMENTARY AND SECONDARY EDUCATION IN RURAL OR POVERTY AREAS OF INDIAN COUNTRY.

(a) IN GENERAL.—By not later than 90 days after the date of enactment of this Act, the Secretary of Education, in collaboration with the Secretary of the Interior, shall conduct a study regarding elementary and secondary education in rural or poverty areas of Indian country.

(b) REPORT.—By not later than 270 days after the date of enactment of this Act, the Secretary of Education, in collaboration with the Secretary of the Interior, shall prepare and submit to Congress a report on the study described in subsection (a) that—

(1) includes the findings of the study;

(2) identifies barriers to autonomy that Indian tribes have within elementary schools and secondary schools funded or operated by the Bureau of Indian Education;

(3) identifies recruitment and retention options for highly effective teachers and school administrators for elementary school and secondary schools in rural or poverty areas of Indian country;

(4) identifies the limitations in funding sources and flexibility for such schools; and

(5) provides strategies on how to increase high school graduation rates in such schools, in order to increase the high school graduation rate for students at such schools.

(c) DEFINITIONS.—In this section:

(1) ESEA DEFINITIONS.—The terms ''elementary school'', ''high school'', and ''secondary school'' shall have the meanings given the terms in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(2) INDIAN COUNTRY.—The term ''Indian country'' has the meaning given the term in section 1151 of title 18, United States Code.

(3) INDIAN TRIBE.—The term ''Indian tribe'' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

SEC. 7007. REPORT ON RESPONSES TO INDIAN STUDENT SUICIDES.

(a) PREPARATION.—

(1) IN GENERAL.—The Secretary of Education, in coordination with the Secretary of the Interior and the Secretary of Health and Human Services, shall prepare a report on efforts to address outbreaks of suicides among elementary school and secondary school students (referred to in this section as ''student suicides'') that occurred within 1 year prior to the date of enactment of this Act in Indian country (as defined in section 1151 of title 18, United States Code).

(2) CONTENTS.—The report shall include information on—

(A) the Federal response to the occurrence of high numbers of student suicides in Indian country (as so defined);

(B) a list of Federal resources available to prevent and respond to outbreaks of student suicides, including the availability and use of tele-behavioral health care;

(C) any barriers to timely implementation of programs or interagency collaboration regarding student suicides;

(D) interagency collaboration efforts to streamline access to programs regarding student suicides, including information on how the Department of Education, the Department of the Interior, and the Department of Health and Human Services work together on administration of such programs;

(E) recommendations to improve or consolidate resources or programs described in subparagraph (B) or (D); and

(F) feedback from Indian tribes to the Federal response described in subparagraph (A).

(b) SUBMISSION.—Not later than 90 days after the date of enactment of this Act, the Secretary of Education shall submit the report described in subsection (a) to the appropriate committees of Congress.

TITLE VIII—IMPACT AID

SEC. 8001. PURPOSE.

Section 8001 (20 U.S.C. 7701) is amended in the matter preceding paragraph (1), by striking ''challenging State standards'' and inserting ''the same challenging State academic standards''.

SEC. 8002. AMENDMENT TO IMPACT AID IMPROVEMENT ACT OF 2012.

Section 563(c) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1748; 20 U.S.C. 7702 note) is amended—

(1) by striking paragraphs (1) and (4); and

(2) by redesignating paragraphs (2) and (3) as paragraphs (1) and (2), respectively.

SEC. 8003. PAYMENTS RELATING TO FEDERAL ACQUISITION OF REAL PROPERTY.

Section 8002 (20 U.S.C. 7702) is amended—

(1) in subsection (b)(3), by striking subparagraph (B) and inserting the following:

''(B) SPECIAL RULE.—In the case of Federal property eligible under this section that is within the boundaries of 2 or more local educational agencies that are eligible under this section, any of such agencies may ask the Secretary to calculate (and the Secretary shall calculate) the taxable value of the eligible Federal property that is within its boundaries by—

''(i) first calculating the per-acre value of the eligible Federal property separately for each eligible local educational agency that shared the Federal property, as provided in subparagraph (A)(ii);

''(ii) then averaging the resulting per-acre values of the eligible Federal property from each eligible local educational agency that shares the Federal property; and

''(iii) then applying the average per-acre value to determine the total taxable value of the eligible Federal property under subparagraph (A)(iii) for the requesting local educational agency.'';

(2) in subsection (e)(2), by adding at the end the following: ''For each fiscal year beginning with fiscal year 2015, the Secretary shall treat local educational agencies chartered in 1871 having more than 70 percent of the county in Federal ownership as meeting the eligibility requirements of subparagraphs (A) and (C) of subsection (a)(1). For each fiscal year beginning with fiscal year 2015, the Secretary shall treat local educational agencies that serve a county chartered or formed in 1734 having more than 24

percent of the county in Federal ownership as meeting the eligibility requirements of subparagraphs (A) and (C) of subsection (a)(1).'';

(3) by striking subsection (f) and inserting the following:

''(f) SPECIAL RULE.—Beginning with fiscal year 2015, a local educational agency shall be deemed to meet the requirements of subsection (a)(1)(C) if the agency was eligible under paragraph (1) or (3) of this subsection, as such subsection was in effect on the day before the date of enactment of the Every Child Achieves Act of 2015.'';

(4) in subsection (h)(4), by striking ''For each local educational agency that received a payment under this section for fiscal year 2010 through the fiscal year in which the Impact Aid Improvement Act of 2012 is enacted'' and inserting ''For each local educational agency that received a payment under this section for fiscal year 2010 or any succeeding fiscal year'';

(5) by striking subsection (k); and

(6) by redesignating subsections (l), (m), and (n), as subsections (j), (k), and (l), respectively.

SEC. 8004. PAYMENTS FOR ELIGIBLE FEDERALLY CONNECTED CHILDREN.

Section 8003 (20 U.S.C. 7703) is amended—

(1) in subsection (a)(5)(A), by striking ''to be children'' and all that follows through the period at the end and inserting ''or under lease of off-base property under subchapter IV of chapter 169 of title 10, United States Code, to be children described under paragraph (1)(B), if the property described is—''

''(i) within the fenced security perimeter of the military facility; or

''(ii) attached to, and under any type of force protection agreement with, the military installation upon which such housing is situated.;''.

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by striking subparagraph (E); and

(ii) by redesignating subparagraphs (F) and (G) as subparagraphs (E) and (F), respectively;

(B) in paragraph (2), by striking subparagraphs (B) through (H) and inserting the following:

''(B) ELIGIBILITY FOR HEAVILY IMPACTED LOCAL EDUCATIONAL AGENCIES.—

''(i) IN GENERAL.—A heavily impacted local educational agency is eligible to receive a basic support payment under subparagraph (A) with respect to a number of children determined under subsection (a)(1) if the agency—

''(I) is a local educational agency—

''(aa) whose boundaries are the same as a Federal military installation or an island property designated by the Secretary of the Interior to be property that is held in trust by the Federal Government; and

''(bb) that has no taxing authority;

''(II) is a local educational agency that—

''(aa) has an enrollment of children described in subsection (a)(1) that constitutes a percentage of the total student enrollment of the agency that is not less than 45 percent;

''(bb) has a per-pupil expenditure that is less than—

''(AA) for an agency that has a total student enrollment of 500 or more students, 125 percent of the average per-pupil expenditure of the State in which the agency is located; or

''(BB) for any agency that has a total student enrollment less than 500, 150 percent of the average per-pupil expenditure of the State in which the agency is located or the average per-pupil expenditure of 3 or more comparable local educational agencies in the State in which the agency is located; and

''(cc) is an agency that—

''(AA) has a tax rate for general fund purposes that is not less than 95 percent of the average tax rate for general fund purposes of comparable local educational agencies in the State; or

''(BB) was eligible to receive a payment under this subsection for fiscal year 2013 and is located in a State that by State law has eliminated ad valorem tax as a revenue for local educational agencies;

''(III) is a local educational agency that—

''(aa) has a tax rate for general fund purposes which is not less than 125 percent of the average tax rate for general fund purposes for comparable local educational agencies in the State; and

''(bb)(AA) has an enrollment of children described in subsection (a)(1) that constitutes a percentage of the total student enrollment of the agency that is not less than 30 percent; or

''(BB) has an enrollment of children described in subsection (a)(1) that constitutes a percentage of the total student enrollment of the agency that is not less than 20 percent, and for the 3 fiscal years preceding the fiscal year for which the determination is made, the average enrollment of children who are not described in subsection (a)(1) and who are eligible for a free or reduced price lunch under the Richard B. Russell National School Lunch Act constitutes a percentage of the total student enrollment of the agency that is not less than 65 percent;

''(IV) is a local educational agency that has a total student enrollment of not less than 25,000 students, of which—

''(aa) not less than 50 percent are children described in subsection (a)(1); and

''(bb) not less than 5,000 of such children are children described in subparagraphs (A) and (B) of subsection (a)(1); or

''(V) is a local educational agency that—

''(aa) has an enrollment of children described in subsection (a)(1) including, for purposes of determining eligibility, those children described in subparagraphs (F) and (G) of such subsection, that is not less than 35 percent of the total student enrollment of the agency;

''(bb) has a per-pupil expenditure that is less than the average per-pupil expenditure of the State in which the agency is located or the average per-pupil expenditure of all States (whichever average per-pupil expenditure is greater), except that a local educational agency with a total student enrollment of less than 350 students shall be deemed to have satisfied such per-pupil expenditure requirement, and has a tax rate for general fund purposes which is not less than 95 percent of the average tax rate for general fund purposes of local educational agencies in the State; and

''(cc) was eligible to receive assistance under subparagraph (A) for fiscal year 2001.

''(ii) LOSS OF ELIGIBILITY.—

''(I) IN GENERAL.—Subject to subclause (II), a heavily impacted local educational agency that met the requirements of clause (i) for a fiscal year shall be ineligible to receive a basic support payment under subparagraph (A) if the agency fails to meet the requirements of clause (i) for a subsequent fiscal year, except that such agency shall continue to receive a basic support payment under this paragraph for the fiscal year for which the ineligibility determination is made.

''(II) LOSS OF ELIGIBILITY DUE TO FALLING BELOW 95 PERCENT OF THE AVERAGE TAX RATE FOR GENERAL FUND PURPOSES.—In a case of a heavily impacted local educational agency that is eligible to receive a basic support payment under subparagraph (A), but that has had, for 2 consecutive fiscal years, a tax rate for general fund purposes that falls below 95 percent of the average tax rate for general fund purposes of comparable local educational agencies in the State, such agency shall be determined to be ineligible under clause (i) and ineligible to receive a basic support payment under subparagraph (A) for each fiscal year succeeding such 2 consecutive fiscal years for which the agency has such a tax rate for general fund purposes, and until the fiscal year for which the agency resumes such eligibility in accordance with clause (iii).

''(III) TAKEN OVER BY STATE BOARD OF EDUCATION.—In the case of a heavily impacted local educational agency that is eligible to receive a basic support payment under subparagraph (A), but that has been taken over by a State board of education in 2 previous years, such agency shall be deemed to maintain heavily impacted status for 2 fiscal years following the date of enactment of the Every Child Achieves Act of 2015.

''(iii) RESUMPTION OF ELIGIBILITY.—A heavily impacted local educational agency described in clause (i) that becomes ineligible under such clause for 1 or more fiscal years may resume eligibility for a basic support payment under this paragraph for a subsequent fiscal year only if the agency meets the requirements of clause (i) for that subsequent fiscal year, except that such agency shall not receive a basic support payment under this paragraph until the fiscal year succeeding the fiscal year for which the eligibility determination is made.

''(C) MAXIMUM AMOUNT FOR HEAVILY IMPACTED LOCAL EDUCATIONAL AGENCIES.—

''(i) IN GENERAL.—Except as provided in subparagraph (D), the maximum amount that a heavily impacted local educational agency is eligible to receive under this paragraph for any fiscal year is the sum of the total weighted student units, as computed under subsection (a)(2) and subject to clause (ii), multiplied by the greater of—

''(I) four-fifths of the average per-pupil expenditure of the State in which the local educational agency is located for the third fiscal year preceding the fiscal year for which the determination is made; or

''(II) four-fifths of the average per-pupil expenditure of all of the States for the third fiscal year preceding the fiscal year for which the determination is made.

''(ii) CALCULATION OF WEIGHTED STUDENT UNITS.—

''(I) IN GENERAL.—

''(aa) IN GENERAL.—For a local educational agency in which 35 percent or more of the total student enrollment of the schools of the agency are children described in subparagraph (D) or (E) (or a combination thereof) of subsection (a)(1), and that has an enrollment of children described in subparagraph (A), (B), or (C) of such subsection equal to at least 10 percent of the agency's total enrollment, the Secretary shall calculate the weighted student units of those children described in subparagraph (D) or (E) of such subsection by multiplying the number of such children by a factor of 0.55.

''(bb) EXCEPTION.—Notwithstanding item (aa), a local educational agency that received a payment under this paragraph for fiscal year 2013 shall not be required to have an enrollment of children described in subparagraph (A), (B), or (C) of subsection (a)(1) equal to at least 10 percent of the agency's total enrollment and shall be eligible for the student weight as provided for in item (aa).

''(II) ENROLLMENT OF 100 OR FEWER CHILDREN.—For a local educational agency that has an enrollment of 100 or fewer children described in subsection (a)(1), the Secretary shall calculate the total number of weighted student units for purposes of subsection (a)(2) by multiplying the number of such children by a factor of 1.75.

''(III) ENROLLMENT OF MORE THAN 100 CHILDREN BUT LESS THAN 1000.—For a local educational agency that is not described under subparagraph (B)(i)(I) and has an enrollment of more than 100 but not more than 1,000 children described in subsection (a)(1), the Secretary shall calculate the total number of weighted student units for purposes of subsection (a)(2) by multiplying the number of such children by a factor of 1.25.

''(D) MAXIMUM AMOUNT FOR LARGE HEAVILY IMPACTED LOCAL EDUCATIONAL AGENCIES.—

''(i) IN GENERAL.—

''(I) IN GENERAL.—Subject to clause (ii), the maximum amount that a heavily impacted local educational agency described in subclause (II) is eligible to receive under this paragraph for any fiscal year shall be determined in accordance with the formula described in paragraph (1)(C).

''(II) HEAVILY IMPACTED LOCAL EDUCATIONAL AGENCY.—A heavily impacted local educational agency described in this subclause is a local educational agency that has a total student enrollment of not less than 25,000 students, of which not less than 50 percent are children described in subsection (a)(1) and not less than 5,000 of such children are children described in subparagraphs (A) and (B) of subsection (a)(1).

''(ii) FACTOR.—For purposes of calculating the maximum amount described in clause (i), the factor used in determining the weighted student units under subsection (a)(2) with respect to children described in subparagraphs (A) and (B) of subsection (a)(1) shall be 1.35.

''(E) DATA.—For purposes of providing assistance under this paragraph the Secretary shall use student, revenue, expenditure, and tax data from the third fiscal year preceding the fiscal year for which the local educational agency is applying for assistance under this paragraph.

''(F) DETERMINATION OF AVERAGE TAX RATES FOR GENERAL FUND PURPOSES.—

''(i) IN GENERAL.—Except as provided in clause (ii), for the purpose of determining the average tax rates for general fund purposes for local educational agencies in a State under this paragraph, the Secretary shall use either—

''(I) the average tax rate for general fund purposes for comparable local educational agencies, as determined by the Secretary in regulations; or

''(II) the average tax rate of all the local educational agencies in the State.

''(ii) FISCAL YEARS 2010–2015.—

''(I) IN GENERAL.—For fiscal years 2010 through 2015, any local educational agency that was found ineligible to receive a payment under subparagraph (A) because the Secretary determined that it failed to meet the average tax rate requirement for general fund purposes in subparagraph (B)(i)(II)(cc)(AA), shall be considered to have met that requirement, if its State determined, through an alternate calculation of average tax rates for general fund purposes, that such local educational agency met that requirement.

''(II) SUBSEQUENT FISCAL YEARS AFTER 2015.—For any succeeding fiscal year after 2015, any local educational agency identified in subclause (I) may continue to have its State use that alternate methodology to calculate whether the average tax rate requirement for general fund purposes under subparagraph (B)(i)(II)(cc)(AA) is met.

''(III) AVAILABILITY OF FUNDS.—Notwithstanding any other provision of law limiting the period during which the Secretary may obligate funds appropriated for any fiscal year after 2012, the Secretary shall reserve an amount equal to a total of $14,000,000 from funds that remain unobligated under this section from fiscal years 2013 or 2014 in order to make payments under this clause for fiscal years 2011 through 2014.

''(G) ELIGIBILITY FOR HEAVILY IMPACTED LOCAL EDUCATIONAL AGENCIES AFFECTED BY PRIVATIZATION OF MILITARY HOUSING.—

''(i) ELIGIBILITY.—For any fiscal year, a heavily impacted local educational agency that received a basic support payment under this paragraph for the prior fiscal year, but is ineligible for such payment for the current fiscal year under subparagraph (B), (C), or (D), as the case may be, due to of the conversion of military housing units to private housing described in clause (iii), or as the direct result of base realignment and closure or modularization as determined by the Secretary of Defense and force structure change or force relocation, shall be deemed to meet the eligibility requirements under subparagraph (B) or (C), as the case may be, for the period during which the housing units are undergoing such conversion or during such time as activities associated with base closure and realignment, modularization, force structure change, or force relocation are ongoing.

''(ii) AMOUNT OF PAYMENT.—The amount of a payment to a heavily impacted local educational agency for a fiscal year by reason of the application of clause (i), and calculated in accordance with subparagraph (C) or (D), as the case may be, shall be based on the number of children in average daily attendance in the schools of such agency for the fiscal year and under the same provisions of subparagraph (C) or (D) under which the agency was paid during the prior fiscal year.

''(iii) CONVERSION OF MILITARY HOUSING UNITS TO PRIVATE HOUSING DESCRIBED.—For purposes of clause (i), 'conversion of military housing units to private housing' means the conversion of military housing units to private housing units pursuant to subchapter IV of chapter 169 of title 10, United States Code, or pursuant to any other related provision of law.''; and

(C) in paragraph (3)—

(i) in subparagraph (B), by striking clause (iii) and inserting the following:

''(iii) In the case of a local educational agency providing a free public education to students enrolled in kindergarten through grade 12, that enrolls students described in subparagraphs (A), (B), and (D) of subsection (a)(1) only in grades 9 through 12, and that received a final payment in fiscal year 2009 calculated under this paragraph (as this paragraph was in effect on the day before the date of enactment of the Every Child Achieves Act of 2015) for students in grades 9 through 12, the Secretary shall, in calculating the agency's payment, consider only that portion of such agency's total enrollment of students in grades 9 through 12 when calculating the percentage under clause (i)(I) and only that portion of the total current expenditures attributed to the operation of grades 9 through 12 in such agency when calculating the percentage under clause (i)(II).'';

(ii) in subparagraph (C), by striking ''subparagraph (D) or (E) of paragraph (2),'' and inserting ''subparagraph (C) or (D) of paragraph (2)''; and

(iii) by striking subparagraph (D) and inserting the following:

''(D) RATABLE DISTRIBUTION.—For fiscal years described in subparagraph (A), for which the sums available exceed the amount required to pay each local educational agency 100 percent of its threshold payment, the Secretary shall distribute the excess sums to each eligible local educational agency that has not received its full amount computed under paragraphs (1) or (2) (as the case may be) by multiplying—

''(i) a percentage, the denominator of which is the difference between the full amount computed under paragraph (1) or (2) (as the case may be) for all local educational agencies and the amount of the threshold payment (as calculated under subparagraphs (B) and (C)) of all local educational agencies, and the numerator of which is the aggregate of the excess sums, by

''(ii) the difference between the full amount computed under paragraph (1) or (2) (as the case may be) for the agency and the amount of the threshold payment (as calculated under subparagraphs (B) or (C)) of the agency, except that no local educational agency shall receive more than 100 percent of the maximum payment calculated under subparagraphs (C) or (D) of paragraph (2).

''(E) INSUFFICIENT PAYMENTS.—For each fiscal year described in subparagraph (A) for which the sums appropriated are insufficient to pay each local educational agency all of the local educational agency's threshold payment described in subparagraph (B), the Secretary shall ratably reduce the payment to each local educational agency under this paragraph.

''(F) PROVISION OF TAX RATE AND RESULTING PERCENTAGE.—The Secretary shall provide the local educational agency's tax rate and the resulting percentage to each eligible local educational agency immediately following the payments of funds under paragraph (2).''; and

(D) in paragraph (4)(B), by striking ''subparagraph (D) or (E)'' and inserting ''subparagraph (C) or (D)'';

(3) in subsection (c), by striking paragraph (2) and inserting the following:

''(2) EXCEPTION.—Calculation of payments for a local educational agency shall be based on data from the fiscal year for which the agency is making an application for payment if such agency—

''(A) is newly established by a State, for the first year of operation of such agency only;

''(B) was eligible to receive a payment under this section for the previous fiscal year and has had an overall increase in enrollment (as determined by the Secretary in consultation with the Secretary of Defense, the Secretary of Interior, or the heads of other Federal agencies)—

''(i) of not less than 10 percent, or 100 students, of children described in—

''(I) subparagraph (A), (B), (C), or (D) of subsection (a)(1); or

''(II) subparagraphs (F) and (G) of subsection (a)(1), but only to the extent such children are civilian dependents of employees of the Department of Defense or the Department of Interior; and

''(ii) that is the direct result of closure or realignment of military installations under the base closure process or the relocation of members of the Armed Forces and civilian employees of the Department of Defense as part of the force structure changes or movements of units or personnel between military installations or because of actions initiated by the Secretary of the Interior or the head of another Federal agency; or

''(C) was eligible to receive a payment under this section for the previous fiscal year and has had an increase in enrollment (as determined by the Secretary)—

''(i) of not less than 10 percent of children described in subsection (a)(1) or not less than 100 of such children; and

''(ii) that is the direct result of the closure of a local educational agency that received a payment under subsection (b)(1) or (b)(2) in the previous fiscal year.'';

(4) in subsection (d)—

(A) in the subsection heading, by striking ''CHILDREN'' and inserting ''STUDENTS'';

(B) in paragraph (1), by striking ''children'' both places the term appears and inserting ''students''; and

(C) in paragraph (2), by striking ''children'' and inserting ''students'';

(5) in subsection (e)—

(A) by striking paragraphs (1) and (2) and inserting the following:

''(1) IN GENERAL.—

''(A) IN GENERAL.—In the case of any local educational agency whose payment under subsection (b) for a fiscal year is determined to be reduced by an amount greater than $5,000,000 or by 20 percent, as compared to the amount received for the previous fiscal year, the Secretary shall, subject to subparagraph (B), pay a local educational agency, for each of the 3 years following the reduction under subsection (b), the amount determined under subparagraph (B).

''(B) AMOUNT OF REDUCTION.—Subject to subparagraph (C), a local educational agency described in subparagraph (A) shall receive—

''(i) for the first year for which the reduced payment is determined, an amount that is not less than 90 percent of the total amount that the local educational agency received under paragraph (1) or (2) of subsection (b) for the fiscal year prior to the reduction (referred to in this paragraph as the 'base year');

''(ii) for the second year following such reduction, an amount that is not less than 85 percent of the total amount that the local educational agency received under paragraph (1) or (2) of subsection (b) for the base year; and

''(iii) for the third year following such reduction, an amount that is not less than 80 percent of the total amount that the local educational agency received under paragraph (1) or (2) of subsection (b) for the base year.

''(C) SPECIAL RULE.—For any fiscal year for which a local educational agency would be subject to a reduced payment under clause (ii) or (iii) of subparagraph (B), but the total amount of the payment for which the local educational agency is eligible under subsection (b) for that fiscal year is greater than the amount that initially subjected the local educational agency to the requirements of this subsection, the Secretary shall pay the greater amount to the local educational agency for such year.''; and

(B) by redesignating paragraph (3) as paragraph (2); and

(6) by striking subsection (g).

SEC. 8005. POLICIES AND PROCEDURES RELATING TO CHILDREN RESIDING ON INDIAN LANDS.

Section 8004(e)(9) (20 U.S.C. 7704(e)(9)) is amended by striking ''Affairs'' both places the term appears and inserting ''Education''.

SEC. 8006. APPLICATION FOR PAYMENTS UNDER SECTIONS 8002 AND 8003.

Section 8005 (20 U.S.C. 7705) is amended—

(1) in subsection (b), in the matter preceding paragraph (1), by striking '', and shall contain such information,'';

(2) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively;

(3) by inserting after subsection (b) the following:

''(c) STUDENT COUNT.—In collecting information to determine the eligibility of a local educational agency and the number of federally connected children for the local educational agency, the Secretary shall, in addition to any options provided under section 222.35 of title 34, Code of Federal Regulations, or a successor regulation, allow a local educational agency to count the number of such children served by the agency as of the date by which the agency requires all students to register for the school year of the fiscal year for which the application is filed.''; and

(4) in subsection (d), by striking ''subsection (c)'' and inserting ''subsection (d)'' each place the term appears.

SEC. 8007. CONSTRUCTION.

Section 8007 (20 U.S.C. 7707(b)) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking ''section 8014(e)'' and inserting ''section 8014(d)''; and

(B) in paragraph (3)—

(i) in subparagraph (A)(i)—

(I) by redesignating the first subclause (II) as subclause (I); and

(II) by striking ''section 8014(e)'' and inserting ''section 8014(d)''; and

(ii) in subparagraph (B)(i)(I), by striking ''section 8014(e)'' and inserting ''section 8014(d)''; and

(2) in subsection (b)—

(A) in paragraph (1), in the matter preceding subparagraph (A), by striking ''section 8014(e)'' and inserting ''section 8014(d)'';

(B) in paragraph (3)(C)(i)(I), by adding at the end the following:

''(cc) Not less than 10 percent of the property in the agency is exempt from State and local taxation under Federal law.''; and

(C) in paragraph (6), by striking subparagraph (F).

SEC. 8008. FACILITIES.

Section 8008(a) (20 U.S.C. 7708) is amended by striking ''section 8014(f)'' and inserting ''section 8014(e)''.

SEC. 8009. STATE CONSIDERATION OF PAYMENTS IN PROVIDING STATE AID.

Section 8009(c)(1)(B) (20 U.S.C. 7709(c)(1)(B)) is amended by striking ''and contain the information''.

SEC. 8010. DEFINITIONS.

Section 8013(5)(A) (20 U.S.C. 7713(5)(A)) is amended—

(1) in clause (ii), by striking subclause (III) and inserting the following:

''(III) conveyed at any time under the Alaska Native Claims Settlement Act to a Native individual, Native group, or village or regional corporation (including single family occupancy properties that may have been subsequently sold or leased to a third party), except that property that is conveyed under such Act—

''(aa) that is not taxed is, for the purposes of this paragraph, considered tax-exempt due to Federal law; and

''(bb) is considered Federal property for the purpose of this paragraph if the property is located within a Regional Educational Attendance Area''; and

(2) in clause (iii)—

(A) in subclause (II), by striking ''Stewart B. McKinney Homeless Assistance Act'' and inserting ''McKinney-Vento Homeless Assistance Act (42 U.S.C. 11411)''; and

(B) by striking subclause (III) and inserting the following:

''(III) used for affordable housing assisted under the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.); or''.

SEC. 8011. AUTHORIZATION OF APPROPRIATIONS.

Section 8014 (20 U.S.C. 7714) is amended—

(1) in subsection (a), by striking ''$32,000,000 for fiscal year 2000 and such sums as may be necessary for each of the seven succeeding fiscal years'' and inserting ''such sums as may be necessary for each of fiscal years 2016 through 2021'';

(2) in subsection (b), by striking ''$809,400,000 for fiscal year 2000 and such sums as may be necessary for each of the seven succeeding fiscal years'' and inserting ''such sums as may be necessary for each of fiscal years 2016 through 2021'';

(3) in subsection (c), by striking ''$50,000,000 for fiscal year 2000 and such sums as may be necessary for each of the seven succeeding fiscal years'' and inserting ''such sums as may be necessary for each of fiscal years 2016 through 2021'';

(4) by redesignating subsections (e) and (f) as subsections (d) and (e), respectively;

(5) in subsection (d), as redesignated by paragraph (4), by striking ''$10,052,000 for fiscal year 2000 and such sums as may be necessary for fiscal year 2001, $150,000,000 for fiscal year 2002, and such sums as may be necessary for each of the five succeeding fiscal years'' and inserting ''such sums as may be necessary for each of fiscal years 2016 through 2021''; and

(6) in subsection (e), as redesignated by paragraph (4), by striking ''$5,000,000 for fiscal year 2000 and such sums as may be necessary for each of the seven succeeding fiscal years'' and inserting ''such sums as may be necessary for each of fiscal years 2016 through 2021''.

TITLE IX—GENERAL PROVISIONS

SEC. 9101. DEFINITIONS.

Section 9101 (20 U.S.C. 7801) is amended—

(1) by striking paragraphs (3), (19), (23), (35), (36), (37), and (42);

(2) by redesignating paragraphs (1), (2), (17), (18), (20), (21), (22),(24), (25), (26), (27), (28), (29), (30), (31), (32), (33), (34), (38), (39), (41), and (43) as paragraphs (2), (3), (20), (21), (26), (27), (28), (30), (22), (31), (32), (34), (35), (36), (38), (39), (40), (41), (43), (44), (47) and (48), respectively, and by transferring such paragraph (22), as so redesignated, so as to follow such paragraph (21), as so redesignated;

(3) by inserting before paragraph (2), as redesignated by paragraph (2), the following:

''(1) 4-YEAR ADJUSTED COHORT GRADUATION RATE.—The term '4-year adjusted cohort graduation rate' has the meaning given the term 'four-year adjusted cohort graduation rate' in section 200.19(b)(1) of title 34, Code of Federal Regulations, as such section was in effect on November 28, 2008.'';

(4) by striking paragraph (11) and inserting the following:

''(11) CORE ACADEMIC SUBJECTS.—The term 'core academic subjects' means English, reading or language arts, writing, science, technology, engineering, mathematics, foreign languages, civics and government, economics, arts, history, geography, computer science, music, career and technical education, health, and physical education, and any other subject as determined by the State or local educational agency.'';

(5) in paragraph (13)—

(A) by striking subparagraphs (B), (E), (G), and (K);

(B) by redesignating subparagraphs (C), (D), (F), (H), (I), (J), and (L), as subparagraphs (B), (C), (D), (E), (F), (G), and (I), respectively; and

(C) by inserting after subparagraph (G), as redesignated by subparagraph (B), the following:

''(H) part G of title V; and'';

(6) by inserting after paragraph (16) the following:

''(17) DUAL OR CONCURRENT ENROLLMENT.—The term 'dual or concurrent enrollment' means a course or program provided by an institution of higher education through which a student who has not graduated from high school with a regular high school diploma is able to earn postsecondary credit.

''(18) EARLY CHILDHOOD EDUCATION PROGRAM.—The term 'early childhood education program' has the meaning given the term in section 103 of the Higher Education Act of 1965.

''(19) EARLY COLLEGE HIGH SCHOOL.—The term 'early college high school' means a formal partnership between at least one local educational agency and at least one institution of higher education that allows participants to simultaneously complete requirements toward earning a regular high school diploma and earn not less than 12 transferable credits as part of an organized course of study toward a postsecondary degree or credential at no cost to the participant or participant's family.''.

(7) in paragraph (22), as redesignated and moved by paragraph (2)—

(A) in the paragraph heading, by striking ''LIMITED ENGLISH PROFICIENT'' and inserting ''ENGLISH LEARNER'';

(B) in the matter preceding subparagraph (A), by striking ''limited English proficient'' and inserting ''English learner''; and

(C) in subparagraph (D)(i), by striking ''State's proficient level of achievement on State assessments described in section 1111(b)(3)'' and inserting ''challenging State academic standards described in section 1111(b)(1)'';

(8) by inserting after paragraph (22), as transferred and redesignated by paragraph (2), the following:

''(23) EVIDENCE-BASED.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the term 'evidence-based', when used with respect to an activity, means an activity that—

''(i) demonstrates a statistically significant effect on improving student outcomes or other relevant outcomes based on—

''(I) strong evidence from at least 1 well-designed and well-implemented experimental study;

''(II) moderate evidence from at least 1 well-designed and well-implemented quasi-experimental study; or

''(III) promising evidence from at least 1 well-designed and well-implemented correlational study with statistical controls for selection bias; or

''(ii)(I) demonstrates a rationale that is based on high-quality research findings that such activity is likely to improve student outcomes or other relevant outcomes; and

''(II) includes ongoing efforts to examine the effects of such activity.

''(B) DEFINITION FOR PART A OF TITLE I.—For purposes of part A of title I, the term 'evidence-based', when used with respect to an activity, means an activity that meets the requirements of subclause (I) or (II) of subparagraph (A)(i).

''(24) EXPANDED LEARNING TIME.—The term 'expanded learning time' means using a longer school day, week, or year schedule to significantly increase the total number of school hours, in order to include additional time for—

''(A) instruction and enrichment in core academic subjects, other academic subjects, and other activities that contribute to a well-rounded education; and

''(B) instructional and support staff to collaborate, plan, and engage in professional development (including professional development on family and community engagement) within and across grades and subjects.

''(25) EXTENDED-YEAR ADJUSTED COHORT GRADUATION RATE.—The term 'extended-year adjusted cohort graduation rate' has the meaning given the term in section 200.19(b)(1)(v) of title 34, Code of Federal Regulations, as such section was in effect on November 28, 2008.'';

(9) by inserting after paragraph (28), as redesignated by paragraph (2), the following:

''(29) HIGH SCHOOL.—The term 'high school' means a secondary school that—

''(A) grants a diploma, as defined by the State; and

''(B) includes, at least, grade 12.'';

(10) in paragraph (31), as redesignated by paragraph (2), in subparagraph (C)—

(A) in the subparagraph heading, by striking ''BIA'' and inserting ''BIE''; and

(B) by striking ''Affairs'' both places the term appears and inserting ''Education'';

(11) by inserting after paragraph (32), as redesignated by paragraph (2), the following:

''(33) MULTI-TIER SYSTEM OF SUPPORTS.—The term 'multi-tier system of supports' means a comprehensive continuum of evidence-based, system-wide practices to support a rapid response to academic and behavioral needs, with frequent data-based monitoring for instructional decisionmaking.'';

(12) in paragraph (35), as redesignated by paragraph (2), by striking ''pupil services'' and inserting ''specialized instructional support'';

(13) in paragraph (36), as redesignated by paragraph (2), by striking ''includes the freely associated states'' and all that follows through the period at the end and inserting ''includes the Republic of Palau except during any period for which the Secretary determines that a Compact of Free Association is in effect that contains provisions for education assistance prohibiting the assistance provided under this Act.'';

(14) by inserting after paragraph (36), as redesignated by paragraph (2), the following:

''(37) PARAPROFESSIONAL.—The term 'paraprofessional', also known as a 'paraeducator', includes an education assistant and instructional assistant.''.

(15) in paragraph (39), as redesignated by paragraph (2)—

(A) in subparagraph (C), by inserting ''and'' after the semicolon; and

(B) in subparagraph (D), by striking ''section 1118'' and inserting ''section 1115'';

(16) by striking paragraph (41), as redesignated by paragraph (2), and inserting the following:

''(41) PROFESSIONAL DEVELOPMENT.—The term 'professional development' means activities that—

''(A) are an integral part of school and local educational agency strategies for providing educators (including teachers, principals, other school leaders, specialized instructional support personnel, paraprofessionals, and, as applicable, early childhood educators) with the knowledge and skills necessary to enable students to succeed in the core academic subjects and to meet challenging State academic standards; and

''(B) are sustained (not stand-alone, 1-day, or short term workshops), intensive, collaborative, job-embedded, data-driven, classroom-focused, and may include activities that—

''(i) improve and increase teachers'—

''(I) knowledge of the academic subjects the teachers teach;

''(II) understanding of how students learn; and

''(III) ability to analyze student work and achievement from multiple sources, including how to adjust instructional strategies, assessments, and materials based on such analysis;

''(ii) are an integral part of broad schoolwide and districtwide educational improvement plans;

''(iii) allow personalized plans for each educator to address the educator's specific needs identified in observation or other feedback;

''(iv) improve classroom management skills;

''(v) support the recruiting, hiring, and training of effective teachers, including teachers who became certified through State and local alternative routes to certification;

''(vi) advance teacher understanding of—

''(I) effective instructional strategies that are evidence-based; and

''(II) strategies for improving student academic achievement or substantially increasing the knowledge and teaching skills of teachers;

''(vii) are aligned with, and directly related to academic goals of the school or local educational agency;

''(viii) are developed with extensive participation of teachers, principals, other school leaders, parents, representatives of Indian tribes (as applicable), and administrators of schools to be served under this Act;

''(ix) are designed to give teachers of children who are English learners, and other teachers and instructional staff, the knowledge and skills to provide instruction and appropriate language and academic support services to those children, including the appropriate use of curricula and assessments;

''(x) to the extent appropriate, provide training for teachers, principals, and other school leaders in the use of technology (including education about the harms of copyright piracy), so that technology and technology applications are effectively used in the classroom to improve teaching and learning in the curricula and academic subjects in which the teachers teach;

''(xi) as a whole, are regularly evaluated for their impact on increased teacher effectiveness and improved student academic achievement, with the findings of the evaluations used to improve the quality of professional development;

''(xii) are designed to give teachers of children with disabilities or children with developmental delays, and other teachers and instructional staff, the knowledge and skills to provide instruction and academic support services, to those children, including positive behavioral interventions and supports, multi-tiered systems of supports, and use of accommodations;

''(xiii) include instruction in the use of data and assessments to inform and instruct classroom practice;

''(xiv) include instruction in ways that teachers, principals, other school leaders, specialized instructional support personnel, and school administrators may work more effectively with parents and families;

''(xv) involve the forming of partnerships with institutions of higher education, including, as applicable, Tribal Colleges and Universities as defined in section 316(b) of the Higher Education Act of 1965 (20 U.S.C. 1059c (b)), to establish school-based teacher, principal, and other school leader training programs that provide prospective teachers, novice teachers, principals, and other school leaders with an opportunity to work under the guidance of experienced teachers, principals, other school leaders, and faculty of such institutions;

''(xvi) create programs to enable paraprofessionals (assisting teachers employed by a local educational agency receiving assistance under part A of title I) to obtain the education necessary for those paraprofessionals to become certified and licensed teachers;

''(xvii) provide follow-up training to teachers who have participated in activities described in this paragraph that are designed to ensure that the knowledge and skills learned by the teachers are implemented in the classroom; and

''(xviii) where applicable and practical, provide jointly for school staff and other early childhood education program providers, to address the transition to elementary school, including issues related to school readiness.'';

(17) by inserting after paragraph (41), as redesignated by paragraph (2), the following:

''(42) SCHOOL LEADER.—The term 'school leader' means a principal, assistant principal, or other individual who is—

''(A) an employee or officer of an elementary school or secondary school, local educational agency, or other entity operating an elementary school or secondary school; and

''(B) responsible for the daily instructional leadership and managerial operations in the elementary school or secondary school building.'';

(18) by inserting after paragraph (44), as redesignated by paragraph (2), the following:

''(45) SPECIALIZED INSTRUCTIONAL SUPPORT PERSONNEL; SPECIALIZED INSTRUCTIONAL SUPPORT SERVICES.—

''(A) SPECIALIZED INSTRUCTIONAL SUPPORT PERSONNEL.—The term 'specialized instructional support personnel' means —

''(i) school counselors, school social workers, and school psychologists; and

''(ii) other qualified professional personnel, such as school nurses, speech language pathologists, and school librarians involved in providing assessment, diagnosis, counseling, educational, therapeutic, and other necessary services (including related services as that term is defined in section 602 of the Individuals with Disabilities Education Act) as part of a comprehensive program to meet student needs.

''(B) SPECIALIZED INSTRUCTIONAL SUPPORT SERVICES.—The term 'specialized instructional support services' means the services provided by specialized instructional support personnel.'';

(19) by inserting after paragraph (48), as redesignated by paragraph (2), the following:

''(49) UNIVERSAL DESIGN FOR LEARNING.—The term 'universal design for learning' has the meaning given the term in section 103 of the Higher Education Act of 1965.''; and

(20) by striking the undesignated paragraph between paragraphs (45), as added by paragraph (18), and (47), as redesignated by paragraph (2), and inserting the following:

''(46) STATE.—The term 'State' means each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, and each of the outlying areas.

''(47) MIDDLE GRADES.—The term middle grades means any of grades 5 through 8.''.

SEC. 9102. APPLICABILITY TO BUREAU OF INDIAN EDUCATION OPERATED SCHOOLS.

Section 9103 (20 U.S.C. 7803) is amended—

(1) in the section heading, by striking ''**BUREAU OF INDIAN AFFAIRS**'' and inserting ''**BUREAU OF INDIAN EDUCATION**''; and

(2) by striking ''Bureau of Indian Affairs'' each place the term appears and inserting ''Bureau of Indian Education''.

SEC. 9102A. CONSOLIDATION OF STATE ADMINISTRATIVE FUNDS FOR ELEMENTARY AND SECONDARY EDUCATION PROGRAMS.

Section 9201(b)(2) (20 U.S.C. 7821 (b)(2)) is amended—

(1) in subparagraph (G), by striking ''and'' after the semicolon;

(2) in subparagraph (H), by striking the period and inserting ''; and''; and

(3) by adding at the end the following:

''(I) implementation of fiscal support teams that provide technical fiscal support assistance, which shall include evaluating fiscal, administrative, and staffing functions, and any other key operational function.''.

SEC. 9102B. CONSOLIDATION OF FUNDS FOR LOCAL ADMINISTRATION.

Section 9203(d) (20 U.S.C. 7823(d)) is amended to read as follows:

''(d) USES OF ADMINISTRATIVE FUNDS.—

''(1) IN GENERAL.—A local educational agency that consolidates administrative funds under this section may use the consolidated funds for the administration of the programs and for uses, at the school district and school levels, comparable to those described in section 9201(b)(2).

''(2) FISCAL SUPPORT TEAMS.—A local educational agency that uses funds as described in 9201(b)(2)(I) may contribute State or local funds to expand the reach of such support without violating any supplement, not supplant requirement of any program contributing administrative funds.''.

SEC. 9103. CONSOLIDATION OF FUNDS FOR LOCAL ADMINISTRATION.

Section 9203(b) (20 U.S.C. 7823(b)) is amended by striking ''Within 1 year after the date of enactment of the No Child Left Behind Act of 2001, a State'' and inserting ''A State''.

SEC. 9104. RURAL CONSOLIDATED PLAN.

Section 9305 (20 U.S.C. 7845) is amended by adding at the end the following:

''(e) RURAL CONSOLIDATED PLAN.—

''(1) IN GENERAL.—Two or more eligible local educational agencies, a consortium of eligible local educational service agencies, or an educational service agency on behalf of eligible local educational agencies may submit plans or applications for 1 or more covered programs to the State educational agency on a consolidated basis, if each eligible local educational agency impacted elects to participate in the joint application or elects to allow the educational service agency to apply on its behalf.

''(2) ELIGIBLE LOCAL EDUCATIONAL AGENCY.—For the purposes of this subsection, the term 'eligible local educational agency' means a local educational agency that is an eligible local educational agency under part B of title VI.''.

SEC. 9105. WAIVERS OF STATUTORY AND REGULATORY REQUIREMENTS.

Section 9401 (20 U.S.C. 7861) is amended—

(1) by striking subsection (a) and inserting the following:

''(a) IN GENERAL.—

''(1) REQUEST FOR WAIVER BY STATE OR INDIAN TRIBE.—A State educational agency or Indian tribe that receives funds under a program authorized under this Act may submit a request to the Secretary to waive any statutory or regulatory requirement of this Act.

''(2) LOCAL EDUCATIONAL AGENCY AND SCHOOL REQUESTS SUBMITTED THROUGH THE STATE.—

''(A) REQUEST FOR WAIVER BY LOCAL EDUCATIONAL AGENCY.—A local educational agency that receives funds under a program authorized under this Act and desires a waiver of any statutory or regulatory requirement of this Act shall submit a request containing the information described in subsection (b)(1) to the appropriate State educational agency. The State educational agency may then submit the request to the Secretary if the State educational agency determines the waiver appropriate.

''(B) REQUEST FOR WAIVER BY SCHOOL.—An elementary school or secondary school that desires a waiver of any statutory or regulatory requirement of this Act shall submit a request containing the information described in subsection (b)(1) to the local educational agency serving the school. The local educational agency may then submit the request to the State educational agency in accordance with subparagraph (A) if the local educational agency determines the waiver appropriate.

''(3) RECEIPT OF WAIVER.—Except as provided in subsection (b)(4) or (c), the Secretary may waive any statutory or regulatory requirement of this Act for which a waiver request is submitted to the Secretary pursuant to this subsection.'';

(2) in subsection (b)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A)—

(I) by striking '', local educational agency,'' and inserting '', acting on its own behalf or on behalf of a local educational agency in accordance with subsection (a)(2),''; and

(II) by inserting '', which shall include a plan'' after ''to the Secretary''; and

(ii) by striking subparagraphs (C) and (D) and inserting the following:

''(C) describes the methods the State educational agency, local educational agency, or Indian tribe will use to monitor and regularly evaluate the effectiveness of the implementation of the plan;

''(D) includes only information directly related to the waiver request on how the State educational agency, local educational agency, or Indian tribe will maintain and improve transparency in reporting to parents and the public on student achievement and school performance, including the achievement of students according to each category of students described in section 1111(b)(2)(B)(xi); and'';

(B) in paragraph (2)(B)(i)(II), by striking ''(on behalf of, and based on the requests of, local educational agencies)'' and inserting ''(on behalf of those agencies or on behalf of, and based on the requests of, local educational agencies in the State)'';

(C) in paragraph (3)—

(i) in subparagraph (A)—

(I) in the matter preceding clause (i), by inserting ''or on behalf of local educational agencies in the State under subsection (a)(2),'' after ''acting on its own behalf,''; and

(II) in clause (i)—

(aa) by striking ''all interested local educational agencies'' and inserting ''any interested local educational agency''; and

(bb) by inserting '', to the extent that the request impacts the local educational agency'' before the semicolon at the end; and

(ii) in subparagraph (B)(i), by striking ''reviewed by the State educational agency'' and inserting ''reviewed and approved by the State educational agency in accordance with subsection (a)(2) before being submitted to the Secretary''; and

(D) by adding at the end the following:

''(4) WAIVER DETERMINATION, DEMONSTRATION, AND REVISION.—

''(A) IN GENERAL.—The Secretary shall issue a written determination regarding the approval or disapproval of a waiver request

not more than 90 days after the date on which such request is submitted, unless the Secretary determines and demonstrates that—

''(i) the waiver request does not meet the requirements of this section; or

''(ii) the waiver is not permitted under subsection (c).

''(B) WAIVER DETERMINATION AND REVISION.—If the Secretary determines and demonstrates that the waiver request does not meet the requirements of this section, the Secretary shall—

''(i) immediately—

''(I) notify the State educational agency, local educational agency (through the State educational agency), or Indian tribe, as applicable, of such determination; and

''(II) provide detailed reasons for such determination in writing and in a public manner, such as posting to the Department's website in a clear and easily accessible manner;

''(ii) offer the State educational agency, local educational agency (through the State educational agency), or Indian tribe an opportunity to revise and resubmit the waiver request by a date that is not more than 60 days after the date of such determination; and

''(iii) if the Secretary determines that the resubmission does not meet the requirements of this section, at the request of the State educational agency, local educational agency, or Indian tribe, conduct a public hearing not more than 30 days after the date of such resubmission.

''(C) WAIVER DISAPPROVAL.—The Secretary may disapprove a waiver request if—

''(i) the State educational agency, local educational agency, or Indian tribe has been notified and offered an opportunity to revise and resubmit the waiver request, as described under clauses (i) and (ii) of subparagraph (B); and

''(ii) the State educational agency, local educational agency (through the State educational agency), or Indian tribe—

''(I) does not revise and resubmit the waiver request; or

''(II) revises and resubmits the waiver request, and the Secretary determines that such waiver request does not meet the requirements of this section after a hearing conducted under subparagraph (B)(iii).

''(D) EXTERNAL CONDITIONS.—The Secretary shall not disapprove a waiver request under this section based on conditions outside the scope of the waiver request.'';

(3) in subsection (c)—

(A) in paragraph (8), by striking ''subpart 1 of part B of title V'' and inserting ''part A of title V''; and

(B) in paragraph (10), by striking ''subsections (a) and (b) of section 1113'' and insert ''section 1113(a)'' both places the term appears;

(4) in subsection (d)—

(A) in the subsection heading, by adding ''; LIMITATIONS'' after ''WAIVER''; and

(B) by adding at the end the following:

''(3) SPECIFIC LIMITATIONS.—The Secretary shall not place any requirements on a State educational agency, local educational agency, or Indian tribe as a condition, criterion, or priority for the approval of a waiver request, unless such requirements are—

''(A) otherwise requirements under this Act; and

''(B) directly related to the waiver request.'';

(5) by striking subsection (e) and inserting the following:

''(e) REPORTS.—A State educational agency, local educational agency, or Indian tribe receiving a waiver under this section shall describe, as part of, and pursuant to, the required annual reporting under section 1111(d)—

''(1) the progress of schools covered under the provisions of such waiver toward improving the quality of instruction to students and increasing student academic achievement; and

''(2) how the use of the waiver has contributed to such progress.'';

(6) in subsection (f), by striking ''if the Secretary determines'' and all that follows through the period at the end and inserting the following: ''if, after notice and an opportunity for a hearing, the Secretary—

''(A) presents substantial evidence that clearly demonstrates that the waiver is not contributing to the progress of schools described in subsection (e)(1); or

''(B) determines that the waiver is no longer necessary to achieve its original purposes.''; and

(7) by adding at the end the following:

''(h) EFFECT OF ENACTMENT OF ECAA ON WAIVER REQUIREMENTS AND CONDITIONS.—

''(1) IN GENERAL.—Any requirement or condition of any waiver agreement entered into by a State, local educational agency, or Indian tribe with the Secretary, as authorized under this section, between September 23, 2011, and the day before the effective date of the Every Child Achieves Act of 2015 shall be void and have no force of law if such requirement or condition is not otherwise a requirement or condition under this Act.

''(2) RULE OF CONSTRUCTION.—Nothing in paragraph (1) shall be construed as voiding any waiver granted by the Secretary under this section before the date of enactment of the Every Child Achieves Act of 2015 that is not voided under paragraph (1), which shall remain in effect for the period of time specified under the waiver.''.

SEC. 9106. PLAN APPROVAL PROCESS.

Title IX (20 U.S.C. 7801 et seq.) is amended—

(1) by redesignating parts E and F as parts F and G, respectively;

(2) in section 9573—

(A) in subsection (b)(1), by striking ''early childhood development (Head Start) services'' and inserting ''early childhood education programs'';

(B) in subsection (c)(2)—

(i) in the paragraph heading by striking ''DEVELOPMENT SERVICES'' and inserting ''EDUCATION PROGRAMS''; and

(ii) by striking ''development (Head Start) services'' and inserting ''education programs''; and

(C) in subsection (e), as redesignated by section 4001(5), in paragraph (3), by striking subparagraph (C) and inserting the following:

''(C) such other matters as justice may require.''; and

(3) by inserting after section 9401 the following:

''PART E—APPROVAL AND DISAPPROVAL OF STATE PLANS AND LOCAL APPLICATIONS

''SEC. 9451. APPROVAL AND DISAPPROVAL OF STATE PLANS.

''(a) DEEMED APPROVAL.—A plan submitted by a State pursuant to section 2101(d), 4103(d), or 9302 shall be deemed to be approved by the Secretary unless—

''(1) the Secretary makes a written determination, prior to the expiration of the 90-day period beginning on the date on which the Secretary received the plan, that the plan is not in compliance with section 2101(d) or 4103(d) or part C, respectively; and

''(2) the Secretary presents substantial evidence that clearly demonstrates that such State plan does not meet the requirements of section 2101(d) or 4103(d) or part C, respectively.

''(b) DISAPPROVAL PROCESS.—

''(1) IN GENERAL.—The Secretary shall not finally disapprove a plan submitted under section 2101(d), 4103(d), or 9302, except after giving the State educational agency notice and an opportunity for a hearing.

''(2) NOTIFICATIONS.—If the Secretary finds that the plan is not in compliance, in whole or in part, with section 2101(d) or 4103(d) or part C, as applicable, the Secretary shall—

''(A) immediately notify the State of such determination;

''(B) provide a detailed description of the specific provisions of the plan that the Secretary determines fail to meet the requirements, in whole or in part, of such section or part, as applicable;

''(C) offer the State an opportunity to revise and resubmit its plan within 45 days of such determination, including the chance for the State to present substantial evidence to clearly demonstrate that the State plan meets the requirements of such section or part, as applicable;

''(D) provide technical assistance, upon request of the State, in order to assist the State to meet the requirements of such section or part, as applicable;

''(E) conduct a public hearing within 30 days of the plan's resubmission under subparagraph (C), with public notice provided not less than 15 days before such hearing, unless a State declines the opportunity for such public hearing; and

''(F) request additional information, only as to the noncompliant provisions, needed to make the plan compliant.

''(3) RESPONSE.—If the State educational agency responds to the Secretary's notification described in paragraph (2)(A) during the 45-day period beginning on the date on which the State educational agency received the notification, and resubmits the plan with the requested information described in paragraph (2)(C), the Secretary shall approve or disapprove such plan prior to the later of—

''(A) the expiration of the 45-day period beginning on the date on which the plan is resubmitted; or

''(B) the expiration of the 90-day period described in subsection (a).

''(4) FAILURE TO RESPOND.—If the State educational agency does not respond to the Secretary's notification described in paragraph (2)(A) during the 45-day period beginning on the date on which the State educational agency received the notification, such plan shall be deemed to be disapproved.

''(c) PEER-REVIEW REQUIREMENTS.—Notwithstanding any other requirements of this part, the Secretary shall ensure that any portion of a consolidated State plan that is related to part A of title I is subject to the peer-review process described in section 1111(a)(3).

''SEC. 9452. APPROVAL AND DISAPPROVAL OF LOCAL EDUCATIONAL AGENCY APPLICATIONS.

''(a) DEEMED APPROVAL.—An application submitted by a local educational agency pursuant to section 2102(b), 4104(b), or 9305, shall be deemed to be approved by the State educational agency unless—

''(1) the State educational agency makes a written determination, prior to the expiration of the 90-day period beginning on the date on which the State educational agency received the application, that the application is not in compliance with section 2102(b) or 4104(b), or part C, respectively; and

''(2) the State presents substantial evidence that clearly demonstrates that such application does not meet the requirements of section 2102(b) or 4104(b), or part C, respectively.

''(b) DISAPPROVAL PROCESS.—

''(1) IN GENERAL.—The State educational agency shall not finally disapprove an application submitted under section 2102(b), 4104(b), or 9305 except after giving the local educational agency notice and opportunity for a hearing.

''(2) NOTIFICATIONS.—If the State educational agency finds that the application submitted under section 2102(b), 4104(b), or 9305 is not in compliance, in whole or in part, with section 2102(b) or 4104(b), or part C, respectively, the State educational agency shall—

''(A) immediately notify the local educational agency of such determination;

''(B) provide a detailed description of the specific provisions of the application that the State determines fail to meet the requirements, in whole or in part, of such section or part, as applicable;

''(C) offer the local educational agency an opportunity to revise and resubmit its application within 45 days of such determination, including the chance for the local educational agency to present substantial evidence to clearly demonstrate that the application meets the requirements of such section or part;

''(D) provide technical assistance, upon request of the local educational agency, in order to assist the local educational agency to meet the requirements of such section or part, as applicable;

''(E) conduct a public hearing within 30 days of the application's resubmission under subparagraph (C), with public notice provided not less than 15 days before such hearing, unless a local educational agency declines the opportunity for such public hearing; and

''(F) request additional information, only as to the noncompliant provisions, needed to make the application compliant.

''(3) RESPONSE.—If the local educational agency responds to the State educational agency's notification described in paragraph (2)(A) during the 45-day period beginning on the date on which the local educational agency received the notification, and resubmits the application with the requested information described in paragraph (2)(C), the State educational agency shall approve or disapprove such application prior to the later of—

''(A) the expiration of the 45-day period beginning on the date on which the application is resubmitted; or

''(B) the expiration of the 90-day period described in subsection (a).

''(4) FAILURE TO RESPOND.—If the local educational agency does not respond to the State educational agency's notification described in paragraph (2)(A) during the 45-day period beginning on the date on which the local educational agency received the notification, such application shall be deemed to be disapproved.''.

SEC. 9107. PARTICIPATION BY PRIVATE SCHOOL CHILDREN AND TEACHERS.

Section 9501 (20 U.S.C. 7881) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by striking subparagraphs (A) through (H) and inserting the following:

''(A) part C of title I;

''(B) part A of title II;

''(C) part E of title II;

''(D) part A of title III;

''(E) parts A and B of title IV; and

''(F) part G of title V.''; and

(B) by striking paragraph (3); and

(2) in subsection (c)(1)—

(A) in subparagraph (E)—

(i) by striking ''and the amount'' and inserting '', the amount''; and

(ii) by striking ''services; and'' and inserting ''services, and how that amount is determined;'';

(B) in subparagraph (F), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(G) whether the agency, consortium, or entity shall provide services directly or assign responsibility for the provision of services to a separate government agency, consortium, or entity, or to a third-party contractor.''.

SEC. 9108. MAINTENANCE OF EFFORT.

Section 9521 (20 U.S.C. 7901) is amended—

(1) in subsection (a), by inserting '', subject to the requirements of subsection (b)'' after ''for the second preceding fiscal year'';

(2) in subsection (b)(1), by inserting before the period at the end the following: '', if such local educational agency has also failed to meet such requirement (as determined using the measure most favorable to the local agency) for 1 or more of the 5 immediately preceding fiscal years''; and

(3) in subsection (c)(1), by inserting ''or a change in the organizational structure of the local educational agency'' after '', such as a natural disaster''.

SEC. 9109. SCHOOL PRAYER.

Section 9524(a) (20 U.S.C. 7904(a)) is amended by striking ''on the Internet'' and inserting ''by electronic means, including by posting the guidance on the Department's website in a clear and easily accessible manner''.

SEC. 9110. PROHIBITIONS ON FEDERAL GOVERNMENT AND USE OF FEDERAL FUNDS.

Section 9527 (20 U.S.C. 7907) is amended to read as follows:

''SEC. 9527. PROHIBITIONS ON FEDERAL GOVERNMENT AND USE OF FEDERAL FUNDS.

''(a) GENERAL PROHIBITION.—

''(1) IN GENERAL.—Nothing in this Act shall be construed to authorize an officer or employee of the Federal Government, through grants, contracts, or other cooperative agreements (including as a condition of any waiver provided under section 9401) to—

''(A) mandate, direct, or control a State, local educational agency, or school's curriculum, program of instruction, instructional content, specific academic standards or assessments, or allocation of State or local resources, or mandate a State or any subdivision thereof to spend any funds or incur any costs not paid for under this Act;

''(B) incentivize a State, local educational agency, or school to adopt any specific instructional content, academic standards, academic assessments, curriculum, or program of instruction, including by providing any priority, preference, or special consideration during the application process for any grant, contract, or cooperative agreement that is based on the adoption of any specific instructional content, academic standards, academic assessments, curriculum, or program of instruction; or

''(C) make financial support available in a manner that is conditioned upon a State, local educational agency, or school's adoption of any specific instructional content, academic standards, academic assessments, curriculum, or program of instruction (such as the Common Core State Standards developed under the Common Core State Standards Initiative, any other standards common to a significant number of States, or any specific assessment, instructional content, or curriculum aligned to such standards).

''(b) PROHIBITION ON ENDORSEMENT OF CURRICULUM.—Notwithstanding any other prohibition of Federal law, no funds provided to the Department under this Act may be used by the Department directly or indirectly, including through any grant, contract, cooperative agreement, or waiver provided by the Secretary under section 9401, to endorse, approve, or sanction any curriculum (including the alignment of such curriculum to any specific academic standard) designed to be used in an early childhood education program, elementary school, secondary school, or institution of higher education.

''(c) PROHIBITION ON REQUIRING FEDERAL APPROVAL OR CERTIFICATION OF STANDARDS.—

''(1) IN GENERAL.—Notwithstanding any other provision of Federal law, no State shall be required to have academic content or academic achievement standards approved or certified by the Federal Government, in order to receive assistance under this Act.

''(2) RULES OF CONSTRUCTION.—

''(A) APPLICABILITY.—Nothing in this subsection shall be construed to affect requirements under title I.

''(B) STATE OR LOCAL AUTHORITY.—Nothing in this section shall be construed to prohibit a State, local educational agency, or school from using funds provided under this Act for the development or implementation of any instructional content, academic standards, academic assessments, curriculum, or program of instruction that a State, local educational agency, or school chooses, as permitted under State and local law, as long as the use of such funds is consistent with the terms of the grant, contract, or cooperative agreement providing such funds.

''(3) BUILDING STANDARDS.—Nothing in this Act shall be construed to mandate national school building standards for a State, local educational agency, or school.''.

SEC. 9111. ARMED FORCES RECRUITER ACCESS TO STUDENTS AND STUDENT RECRUITING INFORMATION.

Section 9528 (20 U.S.C. 7908) is amended by striking subsection (d).

SEC. 9112. PROHIBITION ON FEDERALLY SPONSORED TESTING.

Section 9529 (20 U.S.C. 7909) is amended to read as follows:

''SEC. 9529. PROHIBITION ON FEDERALLY SPONSORED TESTING.

''(a) GENERAL PROHIBITION.—Notwithstanding any other provision of Federal law and except as provided in subsection (b), no funds provided under this Act to the Secretary or to the recipient of any award may be used to develop, incentivize, pilot test, field test, implement, administer, or distribute any federally sponsored national test in reading, mathematics, or any other subject, unless specifically and explicitly authorized by law, including any assessment or testing materials aligned to the Common Core State Standards developed under the Common Core State Standards Initiative or any other academic standards common to a significant number of States.

''(b) EXCEPTIONS.—Subsection (a) shall not apply to international comparative assessments developed under the authority of section 153(a)(6) of the Education Sciences Reform Act of 2002 and administered to only a representative sample of pupils in the United States and in foreign nations.

''(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to prohibit a State, local educational agency, or school from using funds provided under this Act for

the development or implementation of any instructional content, academic standards, academic assessments, curriculum, or program of instruction that a State or local educational agency or school chooses, as permitted under State and local law, as long as the use of such funds is consistent with the terms of the grant, contract, or cooperative agreement providing such funds.''.

SEC. 9113. LIMITATIONS ON NATIONAL TESTING OR CERTIFICATION FOR TEACHERS.

Section 9530(a) (20 U.S.C. 7910(a)) is amended—

(1) by inserting '', principals,'' after ''teachers''; and

(2) by inserting '', or incentive regarding,'' after ''administration of''.

SEC. 9114. CONSULTATION WITH INDIAN TRIBES AND TRIBAL ORGANIZATIONS.

Subpart 2 of part F of title IX (20 U.S.C. 7901 et seq.), as amended by section 4001(3), and redesignated by section 9106(1), is further amended by adding at the end the following:

''SEC. 9538. CONSULTATION WITH INDIAN TRIBES AND TRIBAL ORGANIZATIONS.

''(a) IN GENERAL.—To ensure timely and meaningful consultation on issues affecting American Indian and Alaska Native students, an affected local educational agency shall consult with appropriate officials from Indian tribes or tribal organizations approved by the tribes located in the area served by the local educational agency during the design and development of the affected local educational agency's programs under this Act, with the overarching goal of meeting the unique cultural, language, and educational needs of American Indian and Alaska Native students.

''(b) TIMING.—The consultation described in subsection (a) shall include meetings of officials from the affected local educational agency and the tribes or tribal organizations approved by the tribes and shall occur before the affected local educational agency makes any decision regarding how the needs of American Indian and Alaska Native children will be met in covered programs or in services or activities provided under title VII.

''(c) DOCUMENTATION.—Each affected local educational agency shall maintain in the agency's records and provide to the State educational agency a written affirmation signed by officials of the participating tribes or tribal organizations approved by the tribes that the consultation required by this section has occurred. If such officials do not provide such affirmation within a reasonable period of time, the affected local educational agency shall forward documentation that such consultation has taken place to the State educational agency.

''(d) AFFECTED LOCAL EDUCATIONAL AGENCY.—In this section, the term 'affected local educational agency' means a local educational agency—

''(1) with an enrollment of American Indian or Alaska Native students that is not less than 50 percent of the total enrollment of the local educational agency; or

''(2) with an enrollment of not less than 50 American Indian or Alaska Native students.''.

SEC. 9114A. APPLICATION FOR COMPETITIVE GRANTS FROM THE BUREAU OF INDIAN EDUCATION.

Subpart 2 of part F of title IX (20 U.S.C. 7901 et seq.), as amended by sections 4001(3) and 9114 and redesignated by section 9106(1), is further amended by adding at the end the following:

''SEC. 9539A. APPLICATION FOR COMPETITIVE GRANTS FROM THE BUREAU OF INDIAN EDUCATION.

''(a) IN GENERAL.—Notwithstanding any other provision of this Act and subject to subsection (b), the Bureau of Indian Education may apply for, and carry out, any grant program awarded on a competitive basis under this Act, as appropriate, on behalf of the schools and the Indian children that the Bureau serves, and shall not be subject to any provision of the program that requires grant recipients to contribute funds toward the costs of the grant program.

''(b) LIMITATION.—In the case of any competitive grant program described in subsection (a) that also provides a reservation of funds to the Bureau of Indian Education, the Bureau shall not, for any fiscal year, receive both a grant and a reservation under the competitive grant program.''.

SEC. 9115. OUTREACH AND TECHNICAL ASSISTANCE FOR RURAL LOCAL EDUCATIONAL AGENCIES.

Subpart 2 of part F of title IX (20 U.S.C. 7901 et seq.), as amended by sections 4001(3) and 9114, and redesignated by section 9106(1), is further amended by adding at the end the following:

''SEC. 9539B. OUTREACH AND TECHNICAL ASSISTANCE FOR RURAL LOCAL EDUCATIONAL AGENCIES.

''(a) OUTREACH.—The Secretary shall engage in outreach to rural local educational agencies regarding opportunities to apply for competitive grant programs under this Act.

''(b) TECHNICAL ASSISTANCE.—If requested to do so, the Secretary shall provide technical assistance to rural local educational agencies with locale codes 32, 33, 41, 42, or 43, or an educational service agency representing rural local educational agencies with locale codes 32, 33, 41, 42, or 43 on applications or pre-applications for any competitive grant program under this Act. No rural local educational agency or educational service agency shall be required to request technical assistance or include any technical assistance provided by the Secretary in any application.''.

SEC. 9115A. CONSULTATION WITH THE GOVERNOR.

Subpart 2 of part F of title IX (20 U.S.C. 7901 et seq.), as amended by sections 4001(3), 9114, and 9115, and redesignated by section 9106(1), is further amended by adding at the end the following:

''SEC. 9540. CONSULTATION WITH THE GOVERNOR.

''(a) IN GENERAL.—A State educational agency shall consult in a timely and meaningful manner with the Governor, or appropriate officials from the Governor's office, in the development of State plans under titles I and II and section 9302.

''(b) TIMING.—The consultation described in subsection (a) shall include meetings of officials from the State educational agency and the Governor's office and shall occur—

''(1) during the development of such plan; and

''(2) prior to submission of the plan to the Secretary.

''(c) JOINT SIGNATURE AUTHORITY.—A Governor shall have 30 days prior to the State educational agency submitting the State plan under title I or II or section 9302 to the Secretary to sign such plan. If the Governor has not signed the plan within 30 days of delivery by the State educational agency to the Governor, the State educational agency shall submit the plan to the Secretary without such signature.''.

SEC. 9115B. LOCAL GOVERNANCE.

Subpart 2 of part F of title IX (20 U.S.C. 7901 et seq.), as amended by sections 4001(3), 9114, and 9115, and redesignated by section 9106(1), is further amended by adding at the end the following:

''SEC. 9540A. LOCAL GOVERNANCE.

''(a) RULE OF CONSTRUCTION.—Nothing in this Act shall be construed to allow the Secretary to—

''(1) exercise any governance or authority over school administration, including the development and expenditure of school budgets, unless otherwise authorized under this Act;

''(2) issue any regulation without first complying with the rulemaking requirements of section 553 of title 5, United States Code; or

''(3) issue any non-regulatory guidance without first, to the extent feasible, considering input from stakeholders.

''(b) AUTHORITY UNDER OTHER LAW.—Nothing in subsection (a) shall be construed to affect any authority the Secretary has under any other Federal law.''.

SEC. 9115C. RULE OF CONSTRUCTION REGARDING TRAVEL TO AND FROM SCHOOL.

Subpart 2 of part F of title IX (20 U.S.C. 7901 et seq.), as amended by sections, 9114 and 9115, and redesignated by section 9601, is further amended by adding at the end the following:

''SEC. 9539C. RULE OF CONSTRUCTION REGARDING TRAVEL TO AND FROM SCHOOL.

''(a) IN GENERAL.—Subject to subsection (b), nothing in this Act shall authorize the Secretary to, or shall be construed to—

''(1) prohibit a child from traveling to and from school on foot or by car, bus, or bike when the parents of the child have given permission; or

''(2) expose parents to civil or criminal charges for allowing their child to responsibly and safely travel to and from school by a means the parents believe is age appropriate.

''(b) NO PREEMPTION OF STATE OR LOCAL LAWS.—Notwithstanding subsection (a), nothing in this section shall be construed to preempt State or local laws.''.

SEC. 9116. EVALUATIONS.

Section 9601 (20 U.S.C. 7941) is amended to read as follows:

''SEC. 9601. EVALUATIONS.

''(a) RESERVATION OF FUNDS.—Except as provided in subsection (b) and (e), the Secretary, in consultation with the Director of the Institute of Education Sciences, may reserve not more than 0.5 percent of the amount appropriated for each program authorized under this Act to carry out activities under this section. If the Secretary elects to make a reservation under this subsection, the reserved amounts—

''(1) shall first be used by the Secretary, acting through the Director of the Institute of Education Sciences, to—

''(A) conduct comprehensive, high-quality evaluations of the programs that—

''(i) are consistent with the evaluation plan under subsection (d); and

''(ii) primarily include impact evaluations that use experimental or quasi-experimental designs, where practicable and appropriate, and other rigorous methodologies that permit the strongest possible causal inferences;

''(B) conduct studies of the effectiveness of the programs and the administrative impact of the programs on schools and local educational agencies; and

''(C) widely disseminate evaluation findings under this section related to programs authorized under this Act—

''(i) in a timely fashion;

''(ii) in forms that are understandable, easily accessible, and usable, or adaptable for use in, the improvement of educational practice;

''(iii) through electronic transfer and other means, such as posting, as available, to the

websites of State educational agencies, local educational agencies, the Institute of Education Sciences, or the Department, or in another relevant place; and

''(iv) in a manner that promotes the utilization of such findings; and

''(2) may be used by the Secretary, acting through the Director of the Institute of Education Sciences—

''(A) to evaluate the aggregate short- and long-term effects and cost efficiencies across—

''(i) Federal programs assisted or authorized under this Act; and

''(ii) related Federal early childhood education programs, preschool programs, elementary school programs, and secondary school programs, under any other Federal law;

''(B) to increase the usefulness of the evaluations conducted under this section by improving the quality, timeliness, efficiency, and use of information relating to performance to promote continuous improvement of programs assisted or authorized under this Act; and

''(C) to assist recipients of grants under such programs in collecting and analyzing data and other activities related to conducting high-quality evaluations under paragraph (1).

''(b) TITLE I.—The Secretary, acting through the Director of the Institute of Education Sciences, shall use funds authorized under section 1002(e) to carry out evaluation activities under this section related to title I, and shall not reserve any other money from such title for evaluation.

''(c) CONSOLIDATION.—Notwithstanding any other provision of this section or section 1002(e), the Secretary, in consultation with the Director of the Institute of Education Sciences—

''(1) may consolidate the funds reserved under subsections (a) and (b) for purposes of carrying out the activities under subsection (a)(1); and

''(2) shall not be required to evaluate under subsection (a)(1) each program authorized under this Act each year.

''(d) EVALUATION PLAN.—The Director of the Institute of Education Sciences, shall, on a biennial basis, develop, submit to Congress, and make publicly available an evaluation plan, that—

''(1) describes the specific activities that will be carried out under subsection (a) for the 2-year period applicable to the plan, and the timelines of such activities;

''(2) contains the results of the activities carried out under subsection (a) for the most recent 2-year period; and

''(3) describes how programs authorized under this Act will be regularly evaluated.

''(e) EVALUATION ACTIVITIES AUTHORIZED ELSEWHERE.—If, under any other provision of this Act, funds are authorized to be reserved or used for evaluation activities with respect to a program, the Secretary may not reserve additional funds under this section for the evaluation of that program.''.

SEC. 9117. PROHIBITION ON AIDING AND ABETTING SEXUAL ABUSE.

Subpart 2 of part F of title IX (20 U.S.C. 7901 et seq.), as amended by sections 4001(3) and 9114, and redesignated by section 9106(1), is further amended by adding at the end the following:

''SEC. 9539. PROHIBITION ON AIDING AND ABETTING SEXUAL ABUSE.

''(a) IN GENERAL.—A State, State educational agency, or local educational agency in the case of a local educational agency designated under State law, that receives Federal funds under this Act shall have laws, regulations, or policies that prohibit any person who is a school employee, contractor, or agent, or any State educational agency or local educational agency, from assisting a school employee, contractor, or agent in obtaining a new job, apart from the routine transmission of administrative and personnel files, if the person or agency knows, or recklessly disregards credible information indicating, that such school employee, contractor, or agent engaged in sexual misconduct regarding a minor in violation of the law.

''(b) EXCEPTION.—The requirements of subsection (a) shall not apply if the credible information described in such subsection—

''(1)(A) has been properly reported to a law enforcement agency with jurisdiction over the alleged misconduct; and

''(B) has been properly reported to any other authorities as required by Federal, State, or local law, including title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.) and the regulations implementing such title under part 106 of title 34, Code of Federal Regulations, or any succeeding regulations; and

''(2)(A) the case has been officially closed or the prosecutor with jurisdiction over the alleged misconduct has investigated the allegations and notified school officials that there is insufficient information to establish probable cause that the school employee, contractor, or agent engaged in sexual misconduct regarding a minor;

''(B) the school employee, contractor, or agent has been charged with, and exonerated of, the alleged misconduct; or

''(C) the case remains open but there have been no charges filed against, or indictment of, the school employee, contractor, or agent within 4 years of the date on which the information was reported to a law enforcement agency.

''(c) PROHIBITION.—The Secretary shall not have the authority to mandate, direct, or control the specific measures adopted by a State, State educational agency, or local educational agency under this section.

''(d) CONSTRUCTION.—Nothing in this section shall be construed to prevent a State from adopting, or to override a State law, regulation, or policy that provides, greater or additional protections to prohibit any person who is a school employee, contractor, or agent, or any State educational agency or local educational agency, from assisting a school employee who engaged in sexual misconduct regarding a minor in violation of the law in obtaining a new job.''.

TITLE X—EDUCATION FOR HOMELESS CHILDREN AND YOUTHS; OTHER LAWS; MISCELLANEOUS

PART A—EDUCATION FOR HOMELESS CHILDREN AND YOUTH

SEC. 10101. STATEMENT OF POLICY.

Section 721 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431) is amended—

(1) in paragraph (2), by striking ''In any State'' and all that follows through ''will review'' and inserting ''In any State where compulsory residency requirements or other requirements, in laws, regulations, practices, or policies, may act as a barrier to the identification of, or enrollment, attendance, or success in school of homeless children and youths, the State educational agency and local educational agencies in the State will review'';

(2) in paragraph (3), by striking ''alone''; and

(3) in paragraph (4), by striking ''challenging State student academic achievement standards'' and inserting ''challenging State academic standards''.

SEC. 10102. GRANTS FOR STATE AND LOCAL ACTIVITIES.

Section 722 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11432) is amended—

(1) by striking subsection (b) and inserting the following:

''(b) RESERVATIONS.—

''(1) STUDENTS IN TERRITORIES.—The Secretary is authorized to reserve 0.1 percent of the amount appropriated for each fiscal year under section 726, to be allocated by the Secretary among the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands, according to their respective needs for assistance under this subtitle, as determined by the Secretary.

''(2) INDIAN STUDENTS.—

''(A) TRANSFER.—The Secretary shall transfer 1 percent of the amount appropriated for each fiscal year under section 726 to the Department of the Interior. The transferred funds shall be used for programs for Indian students served by schools funded by the Secretary of the Interior, as determined under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.), that are consistent with the purposes of the programs described in this subtitle.

''(B) AGREEMENT.—The Secretary of Education and the Secretary of the Interior shall enter into an agreement, consistent with the requirements of this subtitle, for the distribution and use of the transferred funds under terms that the Secretary of Education determines best meet the purposes of the programs described in this subtitle. Such agreement shall set forth the plans of the Secretary of the Interior for the use of the amounts transferred, including appropriate goals, objectives, and milestones.'';

(2) in subsection (c)—

(A) by redesignating paragraph (3) as paragraph (4); and

(B) by striking the subsection heading and all that follows through paragraph (2) and inserting the following:

''(c) ALLOTMENTS.—

''(1) IN GENERAL.—The Secretary is authorized to allot to each State for a fiscal year an amount that bears the same ratio to the amount appropriated for such year under section 726 that remains after the Secretary reserves funds under subsection (b) and uses funds to carry out subsections (d) and (h) of section 724, as the amount allocated under section 1122 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6332) to the State for that year bears to the total amount allocated under section 1122 of such Act to all States for that year, except as provided in paragraph (2).

''(2) MINIMUM ALLOTMENTS.—Subject to paragraph (3), no State shall receive less under this subsection for a fiscal year than the greatest of—

''(A) $150,000;

''(B) one-fourth of 1 percent of the amount appropriated under section 726 for that year; or

''(C) the amount such State received under this section for fiscal year 2001.

''(3) REDUCTION FOR INSUFFICIENT FUNDS.—If there are insufficient funds in a fiscal year to allot to each State the minimum amount under paragraph (2), the Secretary shall ratably reduce the allotments to all States based on the proportionate share that each State received under this subsection for the preceding fiscal year.'';

(3) in subsection (d)—

(A) in paragraph (2)—

(i) by striking ''To provide'' and all that follows through ''that enable'' and inserting ''To provide services and activities to improve the identification of homeless children and youths (including preschool-aged homeless children) and enable''; and

(ii) by striking ''or, if'' and inserting ''including, if''; and

(B) in paragraph (3), by striking ''designate'' and all that follows and inserting ''designate in the State educational agency an Office of the Coordinator for Education of Homeless Children and Youths that can sufficiently carry out the duties described for the Office in this subtitle.'';

(4) in subsection (e)—

(A) in paragraph (1), by striking ''subsection (c)(1)'' and inserting ''subsection (c)(2)''; and

(B) in paragraph (3)—

(i) in subparagraph (E)(ii)(II), by striking ''subsection (g)(6)(A)(v)'' and inserting ''subsection (g)(6)(A)(vi)''; and

(ii) in subparagraph (F)(iii), by striking ''Not later'' and all that follows through ''the Secretary'' and inserting ''The Secretary'';

(5) by striking subsection (f) and inserting the following:

''(f) FUNCTIONS OF THE OFFICE OF THE COORDINATOR.—The Coordinator for Education of Homeless Children and Youths established in each State shall—

''(1) gather and make publicly available reliable, valid, and comprehensive information on—

''(A) the number of homeless children and youths identified in the State, which shall be posted annually on the State educational agency's website;

''(B) the nature and extent of the problems homeless children and youths have in gaining access to public preschool programs and to public elementary schools and secondary schools;

''(C) the difficulties in identifying the special needs and barriers to the participation and achievement of such children and youths;

''(D) any progress made by the State educational agency and local educational agencies in the State in addressing such problems and difficulties; and

''(E) the success of the programs under this subtitle in identifying homeless children and youths and allowing such children and youths to enroll in, attend, and succeed in, school;

''(2) develop and carry out the State plan described in subsection (g);

''(3) collect data for and transmit to the Secretary, at such time and in such manner as the Secretary may reasonably require, a report containing information necessary to assess the educational needs of homeless children and youths within the State, including data necessary for the Secretary to fulfill the responsibilities under section 724(h);

''(4) in order to improve the provision of comprehensive education and related services to homeless children and youths and their families, coordinate activities and collaborate with—

''(A) educators, including teachers, special education personnel, administrators, and child development and preschool program personnel;

''(B) providers of services to homeless children and youths and their families, including services of public and private child welfare and social services agencies, law enforcement agencies, juvenile and family courts, agencies providing mental health services, domestic violence agencies, child care providers, runaway and homeless youth centers, and providers of services and programs funded under the Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.);

''(C) providers of emergency, transitional, and permanent housing to homeless children and youths, and their families, including public housing agencies, shelter operators, operators of transitional housing facilities, and providers of transitional living programs for homeless youths;

''(D) local educational agency liaisons designated under subsection (g)(1)(J)(ii) for homeless children and youths; and

''(E) community organizations and groups representing homeless children and youths and their families;

''(5) provide technical assistance to and conduct monitoring of local educational agencies in coordination with local educational agency liaisons designated under subsection (g)(1)(J)(ii), to ensure that local educational agencies comply with the requirements of subsection (e)(3) and paragraphs (3) through (7) of subsection (g);

''(6) provide professional development opportunities for local educational agency personnel and the local educational agency liaison designated under subsection (g)(1)(J)(ii) to assist such personnel and liaison in identifying and meeting the needs of homeless children and youths, and provide training on the definitions of terms related to homelessness specified in sections 103, 401, and 725 to the personnel (including personnel of preschool and early childhood education programs provided through the local educational agency) and the liaison; and

''(7) respond to inquiries from parents and guardians of homeless children and youths, including (in the case of unaccompanied youths) such youths, to ensure that each child or youth who is the subject of such an inquiry receives the full protections and services provided by this subtitle.'';

(6) in subsection (g)—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking ''achievement'';

(ii) in subparagraph (B), by striking ''special'';

(iii) in subparagraph (D)—

(I) by striking ''(including'' and all that follows through ''personnel)'' and inserting ''(including liaisons designated under subparagraph (J)(ii), principals and school leaders, attendance officers, teachers, enrollment personnel, and specialized instructional support personnel)''; and

(II) by striking ''of runaway and homeless youths'' and inserting ''of homeless children and youths, including such children and youths who are runaway and homeless youths'';

(iv) in subparagraph (E), by striking ''food'' and inserting ''nutrition'';

(v) in subparagraph (F)—

(I) in clause (i), by striking ''equal'' and all that follows and inserting ''access to the same public preschool programs, administered by the State educational agency or local educational agency, as are provided to other children in the State, including ensuring that access by having the administering agency carry out the policies and practices required under paragraph (3);'';

(II) in clause (ii), by striking ''services; and'' and inserting ''services, including through the implementation of policies and practices to ensure that youths described in this clause are able to receive appropriate credit for full or partial coursework satisfactorily completed while attending a prior school, in accordance with State, local, and school policies;''; and

(III) by striking clause (iii) and inserting the following:

''(iii) homeless children and youths who meet the relevant eligibility criteria have access to magnet school, summer school, career and technical education, dual or concurrent enrollment opportunities, early college high school, advanced placement, online learning, and charter school programs, if such programs are available at the State or local levels; and

''(iv) the State educational agency and local educational agencies will adopt policies and practices to promote school success for homeless children and youth, including providing access to full participation in the academic and extracurricular activities that are made available to students who are not homeless children and youth.'';

(vi) in subparagraph (H)(i), by striking ''medical'' and inserting ''other health'';

(vii) in subparagraph (I)—

(I) by striking ''enrollment'' and inserting ''identification of homeless children and youths, and the enrollment,''; and

(II) by striking ''State.'' and inserting ''State, including barriers related to fees, fines, absences, and credit accrual policies.''; and

(viii) in subparagraph (J)—

(I) in clause (ii), by striking ''to carry out'' and inserting ''and assurances that the liaison will have sufficient training and time to carry out'';

(II) in clause (iii), in the matter preceding subclause (I), by striking ''origin, as determined in paragraph (3)(A),'' and inserting ''origin (within the meaning of paragraph (3)(A)), which may include a preschool,''; and

(III) in subclauses (I) and (II) of clause (iii), by striking ''homeless'' each place it appears;

(B) in paragraph (3)—

(i) in subparagraph (A)(i)(I), by striking ''or'' at the end and inserting ''and'';

(ii) in subparagraph (B)—

(I) by striking ''BEST INTEREST'' and inserting ''SCHOOL STABILITY'';

(II) by redesignating clause (iii) as clause (iv);

(III) by striking clauses (i) and (ii) and inserting the following:

''(i) presume that keeping the child or youth in the school of origin is in the child's or youth's best interest, except when doing so is contrary to the request of the child's or youth's parent or guardian, or (in the case of an unaccompanied youth) the youth;

''(ii) consider factors related to the child's or youth's best interest, including factors related to the impact of mobility on achievement, health, and safety of homeless children and youth, giving priority to the request of the child's or youth's parent or guardian or (in the case of an unaccompanied youth) the youth;

''(iii) if after carrying out clauses (i) and (ii) the local educational agency sends the child or youth to a school other than the school of origin or a school requested as described in clause (ii), provide a written explanation, including a statement regarding the right to appeal under subparagraph (E), to the child's or youth's parent or guardian, or (in the case of an unaccompanied youth) the youth; and''; and

(IV) in that clause (iv), by inserting ''and takes into account'' after ''considers'';

(iii) by striking subparagraph (C) and inserting the following:

''(C) IMMEDIATE ENROLLMENT.—

''(i) IN GENERAL.—The school selected in accordance with this paragraph shall immediately enroll the homeless child or youth, even if the child or youth—

''(I) is unable to produce records normally required for enrollment, such as previous academic records, records of immunization and other required health records, proof of residency, or other documentation; or

''(II) has missed application or enrollment deadlines during any period of homelessness.

''(ii) RELEVANT ACADEMIC RECORDS.—The enrolling school shall immediately contact the school last attended by the child or youth to obtain relevant academic and other records.

''(iii) RELEVANT HEALTH RECORDS.—If the child or youth needs to obtain immunizations or health records, the enrolling school shall immediately refer the parent or guardian of the child or youth or (in the case of an unaccompanied youth) the youth, to the local educational agency liaison designated under paragraph (1)(J)(ii), who shall assist in obtaining necessary immunizations or screenings, or health records, in accordance with subparagraph (D).'';

(iv) in subparagraph (D)—

(I) in the matter preceding clause (i), by striking ''medical records'' and inserting ''health records''; and

(II) in clause (i), by inserting ''involved'' after ''records'';

(v) in subparagraph (E)—

(I) in the matter preceding clause (i), by striking ''If'' and all that follows through ''school—'' and inserting ''If a dispute arises over eligibility for enrollment, school selection, or enrollment in a public school, including a public preschool—'';

(II) in clause (i), by inserting before the semicolon the following: '', including all available appeals''; and

(III) by striking clause (ii) and inserting the following:

''(ii) the parent or guardian of the child or youth or (in the case of an unaccompanied youth) the youth shall be provided with a written explanation of any decisions related to school selection or enrollment made by the school, the local educational agency, or the State educational agency involved, including the rights of the parent, guardian, or unaccompanied youth to appeal such decisions;'';

(vi) by striking subparagraph (G) and inserting the following:

''(G) PRIVACY.—Information about a homeless child's or youth's living situation shall be treated as a student education record, and not as directory information, under section 444 of the General Education Provisions Act (20 U.S.C. 1232g).''; and

(vii) by adding at the end the following:

''(I) SCHOOL OF ORIGIN DEFINED.—In this paragraph:

''(i) IN GENERAL.—The term 'school of origin' means the school that a child or youth attended when permanently housed or the school in which the child or youth was last enrolled.

''(ii) RECEIVING SCHOOL.—In the case of a child or youth who completed the final grade level served by the school of origin, as described in clause (i), the term 'school of origin' shall include the designated receiving school at the next grade level.'';

(C) in paragraph (4)—

(i) in subparagraph (A), by inserting before the period the following '', which may include transportation to a preschool'';

(ii) in subparagraph (B), by striking ''and educational'' and all that follows and inserting ''educational programs for English learners, charter school programs, and magnet school programs.''; and

(iii) in subparagraph (C), by striking ''vocational'' and inserting ''career'';

(D) in paragraph (5)—

(i) in subparagraph (A)—

(I) in clause (i), by striking ''programs providing'' and inserting ''entities providing''; and

(II) in clause (ii), by striking ''such as transportation or'' and inserting ''including transportation and'';

(ii) in subparagraph (C)—

(I) by redesignating clauses (i) and (ii) as clauses (ii) and (iii), respectively;

(II) by inserting before clause (ii), as redesignated by subclause (I), the following:

''(i) ensure that all homeless children and youths are promptly identified;''; and

(III) in clause (ii), as redesignated by subclause (I), by striking ''have access and'' and inserting ''have access to and are in''; and

(iii) by adding at the end the following:

''(D) HOMELESS CHILDREN AND YOUTHS WITH DISABILITIES.—For children and youths who are to be assisted both under this subtitle, and under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), each local educational agency shall coordinate the provision of services under this subtitle with the provision of programs for children with disabilities served by that local educational agency and other involved local educational agencies.'';

(E) in paragraph (6)—

(i) in subparagraph (A)—

(I) by redesignating clauses (iv) through (vii) as clauses (v) through (viii), respectively;

(II) by striking clause (iii) and inserting the following:

''(iii) homeless families and homeless children and youths have access to and receive educational services for which such families, children, and youths are eligible, including services through Head Start programs (including Early Head Start programs) under the Head Start Act (42 U.S.C. 9831 et seq.), early intervention services under part C of the Individuals with Disabilities Education Act (20 U.S.C. 1431 et seq.), and other preschool programs administered by the local educational agency;

''(iv) homeless families and homeless children and youths receive referrals to health care services, dental services, mental health and substance abuse services, housing services, and other appropriate services;'';

(III) by striking clause (vi), as redesignated by subclause (I), and inserting the following:

''(vi) public notice of the educational rights of homeless children and youths is disseminated in locations frequented by parents and guardians of such children and youths, and unaccompanied youths, including schools, shelters, public libraries, and soup kitchens, in a manner and form understandable to the parents and guardians of homeless children and youths, and unaccompanied youths;'';

(IV) in clause (vii), as redesignated by subclause (I), by striking ''and'' at the end;

(V) in clause (viii), as redesignated by subclause (I), by striking the period and inserting a semicolon; and

(VI) by adding at the end the following:

''(ix) school personnel providing services under this subtitle receive professional development and other support; and

''(x) unaccompanied youths—

''(I) are enrolled in school;

''(II) have opportunities to meet the same challenging State academic standards as the State establishes for other children and youth, including through implementation of the procedures under paragraph (1)(F)(ii); and

''(III) are informed of their status as independent students under section 480 of the Higher Education Act of 1965 (20 U.S.C. 1087vv) and may obtain assistance to receive verification of such status for purposes of the Free Application for Federal Student Aid described in section 483 of such Act (20 U.S.C. 1090).'';

(ii) in subparagraph (B), by striking ''and advocates'' and all that follows and inserting ''advocates working with homeless families, parents and guardians of homeless children and youths, and homeless children and youths who are in secondary school, of the duties of the local educational agency liaisons, and publish an annually updated list of the liaisons on the State educational agency's website.'';

(iii) in subparagraph (C), by adding at the end the following: ''Such coordination shall include collecting and providing to the State coordinator the reliable, valid, and comprehensive information and data needed to meet the requirements of paragraphs (1) and (3) of subsection (f).''; and

(iv) by adding at the end the following:

''(D) PROFESSIONAL DEVELOPMENT.—As determined appropriate by the State coordinator, the local educational agency liaisons shall participate in the professional development activities provided, and other technical assistance activities provided pursuant to paragraphs (5) and (6) of subsection (f), by the State coordinator.

''(E) CERTIFYING HOMELESS STATUS.—A local educational agency liaison or member of the personnel of a local educational agency who receives training described in subsection (f)(6) may certify a child or youth who is participating in a program provided by the local educational agency, or a parent or family of such a child or youth, who meets the eligibility requirements of this Act for a program or service authorized under title IV, as eligible for the program or service.''; and

(F) in paragraph (7)—

(i) in subparagraph (A), by striking ''that receives'' and all that follows through ''enrollment'' and inserting ''shall review and revise any policies that may act as barriers to the identification of homeless children and youths or enrollment''; and

(ii) in subparagraph (C), by striking ''enrollment'' and inserting ''identification, enrollment,''; and

(7) by striking subsection (h).

SEC. 10103. LOCAL EDUCATIONAL AGENCY SUBGRANTS.

Section 723 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11433) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by inserting ''identification of homeless children and youths and'' before ''enrollment,''; and

(B) in paragraph (2)(B), in the matter preceding clause (i), by inserting ''the related'' before ''schools'';

(2) in subsection (b), by adding at the end the following:

''(6) An assurance that the local educational agency will collect and promptly provide the information and data requested by the State coordinator pursuant to paragraphs (1) and (3) of section 722(f).

''(7) An assurance that the applicant will meet the requirements of section 722(g)(3).'';

(3) in subsection (c)—

(A) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking ''preschool, elementary, and

secondary schools'' and inserting ''early childhood education and other preschool programs, elementary schools, and secondary schools,'';

(ii) in subparagraph (A), by inserting ''identification,'' before ''enrollment,'';

(iii) in subparagraph (B), by striking ''application—'' and all that follows and inserting ''application reflects coordination with other local and State agencies that serve homeless children and youths.''; and

(iv) in subparagraph (C), by inserting ''(as of the date of submission of the application)'' after ''practice'';

(B) in paragraph (3)—

(i) in subparagraph (C), by inserting ''extent to which the applicant will promote meaningful'' after ''The'';

(ii) in subparagraph (D), by striking ''within'' and inserting ''into'';

(iii) by redesignating subparagraph (G) as subparagraph (I);

(iv) by inserting after subparagraph (F) the following:

''(G) The extent to which the local educational agency will use the subgrant to leverage resources.

''(H) How the local educational agency uses funds to serve homeless children and youths under section 1113(a)(4) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6313(a)(4)).''; and

(v) in subparagraph (I), as redesignated by clause (iii), by striking ''Such'' and inserting ''The extent to which the applicant's program meets such''; and

(4) in subsection (d)—

(A) in paragraph (1), by striking ''the same challenging State academic content standards and challenging State student academic achievement standards'' and inserting ''the same challenging State academic standards as'';

(B) in paragraph (2)—

(i) by striking ''students with limited English proficiency'' and inserting ''English learners''; and

(ii) by striking ''vocational'' and inserting ''career'';

(C) in paragraph (3), by striking ''pupil services'' and inserting ''specialized instructional support services'';

(D) in paragraph (7), by striking ''and unaccompanied youths,'' and inserting ''particularly homeless children and youths who are not enrolled in school,'';

(E) in paragraph (9), by striking ''medical'' and inserting ''other health'';

(F) by striking paragraph (10) and inserting the following:

''(10) The provision of education and training to the parents and guardians of homeless children and youths about the rights of, and resources available to, such children and youths, and the provision of other activities designed to increase the meaningful involvement of parents and guardians of homeless children or youths in the education of the children or youths.'';

(G) in paragraph (12), by striking ''pupil services'' and inserting ''specialized instructional support services'';

(H) in paragraph (13), by inserting before the period the following: ''or parental mental health or substance abuse problems''; and

(I) in paragraph (16), by striking ''to attend school'' and inserting ''to enroll, attend, and succeed in school (including a preschool program)''.

SEC. 10104. SECRETARIAL RESPONSIBILITIES.

Section 724 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434) is amended—

(1) by striking subsection (c) and inserting the following:

''(c) NOTICE.—

''(1) IN GENERAL.—The Secretary shall, before the next school year that begins after the date of enactment of the Every Child Achieves Act of 2015, update and disseminate nationwide the public notice described in this subsection (as in effect prior to such date) of the educational rights of homeless children and youths.

''(2) DISSEMINATION.—The Secretary shall disseminate the notice nationally to all Federal agencies, and grant recipients, serving homeless families or homeless children and youth.'';

(2) by striking subsection (d) and inserting the following:

''(d) EVALUATION, DISSEMINATION, AND TECHNICAL ASSISTANCE.—The Secretary shall conduct evaluation, dissemination, and technical assistance activities for programs designed to meet the educational needs of homeless elementary and secondary school students, and may use funds appropriated under section 726 to conduct such activities.'';

(3) in subsection (f), by adding at the end the following: ''The Secretary shall provide support and technical assistance to State educational agencies, concerning areas in which documented barriers to a free appropriate public education persist.'';

(4) by striking subsection (g) and inserting the following:

''(g) GUIDELINES.—The Secretary shall develop, issue, and publish in the Federal Register, not later than 60 days after the date of enactment of the Every Child Achieves Act of 2015, guidelines concerning ways in which a State—

''(1) may assist local educational agencies to implement the provisions related to homeless children and youth amended by that Act; and

''(2) may review and revise State policies and procedures that may present barriers to the identification of homeless children and youth, and the enrollment, attendance, and success of homeless children and youths in school.'';

(5) in subsection (h)—

(A) in the matter preceding subparagraph (A), by striking ''periodically'' and inserting ''periodically but not less frequently than once every 2 years,'';

(B) in subparagraph (A), by striking ''location'' and all that follows and inserting ''location (in cases in which location can be identified) of homeless children and youth, in all areas served by local educational agencies under this subtitle;'';

(C) in subparagraph (C), by striking ''and'' at the end;

(D) by redesignating subparagraph (D) as subparagraph (E); and

(E) by inserting after subparagraph (C) the following:

''(D) the academic progress being made by homeless children and youth, including the percentage or number of homeless children and youth participating in State assessments under section 1111(b)(2) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)); and''; and

(6) in subsection (i), by striking ''McKinney-Vento Homeless Education Assistance Improvements Act of 2001'' and inserting ''Every Child Achieves Act of 2015''.

SEC. 10105. DEFINITIONS.

(a) AMENDMENTS.—Section 725 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a) is amended—

(1) in paragraph (2)(B)(i), by striking ''or are awaiting foster care placement;''; and

(2) in paragraph (6), by striking ''youth'' and inserting ''homeless child or youth''.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—In the case of a State that is not a covered State, the amendment made by subsection (a)(1) shall take effect on the date that is 1 year after the date of enactment of this Act.

(2) COVERED STATE.—In the case of a covered State, the amendment made by subsection (a)(1) shall take effect on the date that is 2 years after the date of enactment of this Act.

(c) COVERED STATE.—For purposes of this section the term ''covered State'' means a State that has a statutory law that defines or describes the phrase ''awaiting foster care placement'', for purposes of a program under subtitle B of title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.).

SEC. 10106. AUTHORIZATION OF APPROPRIATIONS.

Section 726 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11435) is amended to read as follows:

''SEC. 726. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated to carry out this subtitle such sums as may be necessary for each of fiscal years 2016 through 2021.''.

PART B—OTHER LAWS; MISCELLANEOUS

SEC. 10201. USE OF TERM ''HIGHLY QUALIFIED'' IN OTHER LAWS.

Beginning on the date of the enactment of this Act, any reference in law to the term ''highly qualified'', as defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801), shall be treated as a reference to such term under section 9101 of the Elementary and Secondary Education Act of 1965 as in effect on the day before the date of the enactment of this Act.

SEC. 10202. DEPARTMENT STAFF.

The Secretary of Education shall—

(1) not later than 90 days after the date of the enactment of this Act—

(A) identify the number of Department of Education employees who worked on or administered each education program and project authorized under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.), as such program or project was in effect on the day before such enactment date, and publish such information on the Department of Education's website; and

(B) identify the number of full-time equivalent employees who work on or administer programs or projects that—

(i) were authorized under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.), as in effect on the day before such enactment date; and

(ii) have been eliminated or consolidated since such date; and

(2) not later than 1 year after the date of the enactment of this Act, prepare and submit a report to Congress on—

(A) the number of employees associated with each program or project authorized under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) administered by the Department, disaggregated by employee function with each such program or project;

(B) the number of full-time equivalent employees who were determined to be associated with eliminated or consolidated programs or projects under paragraph (1)(B); and

(C) how the Secretary addressed the findings of paragraph (1)(B) relating to the number of full-time equivalent employees who worked on or administered programs or projects authorized under the Elementary

and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.), as in effect on the day before such enactment date, that have been eliminated or consolidated since such date.

SEC. 10203. REPORT ON DEPARTMENT ACTIONS TO ADDRESS OFFICE OF THE INSPECTOR GENERAL CHARTER SCHOOL REPORTS.

Not later than 6 months after the date of enactment of this Act, the Secretary of Education shall prepare and submit to the Committee on Health, Education, Labor, and Pensions of the Senate, the Committee on Education and the Workforce of the House of Representatives, and the relevant appropriations committees of Congress, and to the public via the Department's website, a report containing an update on the Department of Education's continued implementation of the recommendations—

(1) responding to the March 9, 2010, final management information report of the Office of the Inspector General of the Department of Education, which expressed concern about findings of inadequate oversight by local educational agencies and authorized public chartering agencies to ensure Federal funds are properly used and accounted for;

(2) responding to the September 2012 report of the Office of the Inspector General of the Department of Education entitled ''The Office of Innovation and Improvement's Oversight and Monitoring of the Charter Schools Program's Planning and Implementation Grants Final Audit Report'' finding that none of the 3 States whose charter schools programs that Office investigated adequately monitored the public charter schools that the States funded; and

(3) describing actions the Department of Education has taken to address the concerns described in such memorandum and final audit report.

SEC. 10204. COMPTROLLER GENERAL STUDY ON INCREASING EFFECTIVENESS OF EXISTING SERVICES AND PROGRAMS INTENDED TO BENEFIT CHILDREN.

Not later than 2 years after the date of the enactment of this Act, the Comptroller General shall provide to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives a report that includes—

(1) a description and assessment of the existing federally funded services and programs across all agencies that have a purpose or are intended to benefit or serve children, including—

(A) the purposes, goals, and organizational and administrative structure of such services and programs at the Federal, State, and local level; and

(B) methods of delivery and implementation; and

(2) recommendations to increase the effectiveness, coordination, and integration of such services and programs, across agencies and levels of government, in order to leverage existing resources and better and more comprehensively serve children.

SEC. 10205. POSTHUMOUS PARDON.

(a) FINDINGS.—Congress finds the following:

(1) John Arthur ''Jack'' Johnson was a flamboyant, defiant, and controversial figure in the history of the United States who challenged racial biases.

(2) Jack Johnson was born in Galveston, Texas, in 1878 to parents who were former slaves.

(3) Jack Johnson became a professional boxer and traveled throughout the United States, fighting White and African-American heavyweights.

(4) After being denied (on purely racial grounds) the opportunity to fight 2 White champions, in 1908, Jack Johnson was granted an opportunity by an Australian promoter to fight the reigning White title-holder, Tommy Burns.

(5) Jack Johnson defeated Tommy Burns to become the first African-American to hold the title of Heavyweight Champion of the World.

(6) The victory by Jack Johnson over Tommy Burns prompted a search for a White boxer who could beat Jack Johnson, a recruitment effort that was dubbed the search for the ''great white hope''.

(7) In 1910, a White former champion named Jim Jeffries left retirement to fight Jack Johnson in Reno, Nevada.

(8) Jim Jeffries lost to Jack Johnson in what was deemed the ''Battle of the Century''.

(9) The defeat of Jim Jeffries by Jack Johnson led to rioting, aggression against African-Americans, and the racially-motivated murder of African-Americans throughout the United States.

(10) The relationships of Jack Johnson with White women compounded the resentment felt toward him by many Whites.

(11) Between 1901 and 1910, 754 African-Americans were lynched, some simply for being ''too familiar'' with White women.

(12) In 1910, Congress passed the Act of June 25, 1910 (commonly known as the ''White Slave Traffic Act'' or the ''Mann Act'') (18 U.S.C. 2421 et seq.), which outlawed the transportation of women in interstate or foreign commerce ''for the purpose of prostitution or debauchery, or for any other immoral purpose''.

(13) In October 1912, Jack Johnson became involved with a White woman whose mother disapproved of their relationship and sought action from the Department of Justice, claiming that Jack Johnson had abducted her daughter.

(14) Jack Johnson was arrested by Federal marshals on October 18, 1912, for transporting the woman across State lines for an ''immoral purpose'' in violation of the Mann Act.

(15) The Mann Act charges against Jack Johnson were dropped when the woman refused to cooperate with Federal authorities, and then married Jack Johnson.

(16) Federal authorities persisted and summoned a White woman named Belle Schreiber, who testified that Jack Johnson had transported her across States lines for the purpose of ''prostitution and debauchery''.

(17) In 1913, Jack Johnson was convicted of violating the Mann Act and sentenced to 1 year and 1 day in Federal prison.

(18) Jack Johnson fled the United States to Canada and various European and South American countries.

(19) Jack Johnson lost the Heavyweight Championship title to Jess Willard in Cuba in 1915.

(20) Jack Johnson returned to the United States in July 1920, surrendered to authorities, and served nearly a year in the Federal penitentiary at Leavenworth, Kansas.

(21) Jack Johnson subsequently fought in boxing matches, but never regained the Heavyweight Championship title.

(22) Jack Johnson served the United States during World War II by encouraging citizens to buy war bonds and participating in exhibition boxing matches to promote the war bond cause.

(23) Jack Johnson died in an automobile accident in 1946.

(24) In 1954, Jack Johnson was inducted into the Boxing Hall of Fame.

(25) Senate Concurrent Resolution 29, 111th Congress, agreed to July 29, 2009, expressed the sense of the 111th Congress that Jack Johnson should receive a posthumous pardon for his racially-motivated 1913 conviction.

(b) RECOMMENDATIONS.—It remains the sense of Congress that Jack Johnson should receive a posthumous pardon—

(1) to expunge a racially-motivated abuse of the prosecutorial authority of the Federal Government from the annals of criminal justice in the United States; and

(2) in recognition of the athletic and cultural contributions of Jack Johnson to society.

SEC. 10206. EDUCATION FLEXIBILITY PARTNERSHIP ACT OF 1999 REAUTHORIZATION.

(a) DEFINITIONS.—Section 3 of the Education Flexibility Partnership Act of 1999 (20 U.S.C. 5891a) is amended—

(1) in paragraph (1)—

(A) in the paragraph heading, by striking ''LOCAL'' and inserting ''EDUCATIONAL SERVICE AGENCY; LOCAL''; and

(B) by striking ''The terms'' and inserting ''The terms 'educational service agency',''; and

(2) in paragraph (2), by striking ''section 1113(a)(2)'' and inserting ''section 1113(a)(1)(B)''.

(b) GENERAL PROVISIONS.—Section 4 of the Education Flexibility Partnership Act of 1999 (20 U.S.C. 5891b) is amended to read as follows:

''SEC. 4. EDUCATION FLEXIBILITY PROGRAM.

''(a) EDUCATIONAL FLEXIBILITY PROGRAM.—

''(1) PROGRAM AUTHORIZED.—

''(A) IN GENERAL.—The Secretary may carry out an educational flexibility program under which the Secretary authorizes a State educational agency that serves an eligible State to waive statutory or regulatory requirements applicable to one or more programs described in subsection (b), other than requirements described in subsection (c), for any local educational agency, educational service agency, or school within the State.

''(B) DESIGNATION.—Each eligible State participating in the program described in subparagraph (A) shall be known as an 'Ed-Flex Partnership State'.

''(2) ELIGIBLE STATE.—For the purpose of this section, the term 'eligible State' means a State that—

''(A) has—

''(i) developed and implemented the challenging State academic standards, and aligned assessments, described in paragraphs (1) and (2) of section 1111(b) of the Elementary and Secondary Education Act of 1965, and is producing the report cards required by section 1111(d)(2) of such Act; or

''(ii) if the State has adopted new challenging State academic standards under section 1111(b)(1) of the Elementary and Secondary Education Act of 1965, as a result of the amendments made to such Act by the Every Child Achieves Act of 2015, and has made substantial progress (as determined by the Secretary) toward developing and implementing such standards and toward producing the report cards required under section 1111(d)(2) of such Act;

''(B) will hold local educational agencies, educational service agencies, and schools accountable for meeting the educational goals described in the local applications submitted under paragraph (4) and for engaging in technical assistance and, as applicable and appropriate, intervention and support strategies consistent with section 1114 of the Elementary and Secondary Education Act of

1965, for the schools that are identified as in need of intervention and support as described in section 1111(b)(3) of such Act; and

''(C) waives State statutory or regulatory requirements relating to education while holding local educational agencies, educational service agencies, or schools within the State that are affected by such waivers accountable for the performance of the students who are affected by such waivers.

''(3) STATE APPLICATION.—

''(A) IN GENERAL.—Each State educational agency desiring to participate in the educational flexibility program under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require. Each such application shall demonstrate that the eligible State has adopted an educational flexibility plan for the State that includes—

''(i) a description of the process the State educational agency will use to evaluate applications from local educational agencies, educational service agencies, or schools requesting waivers of—

''(I) Federal statutory or regulatory requirements as described in paragraph (1)(A); and

''(II) State statutory or regulatory requirements relating to education;

''(ii) a detailed description of the State statutory and regulatory requirements relating to education that the State educational agency will waive;

''(iii) a description of clear educational objectives the State intends to meet under the educational flexibility plan, which may include innovative methods to leverage resources to improve program efficiencies that benefit students;

''(iv) a description of how the educational flexibility plan is coordinated with activities described in section 1111(b) of the Elementary and Secondary Education Act of 1965 and section 1114 of such Act;

''(v) a description of how the State educational agency will evaluate (consistent with the requirements of title I of the Elementary and Secondary Education Act of 1965), the performance of students in the schools, educational service agencies, and local educational agencies affected by the waivers; and

''(vi) a description of how the State educational agency will meet the requirements of paragraph (7).

''(B) APPROVAL AND CONSIDERATIONS.—

''(i) IN GENERAL.—By not later than 90 days after the date on which a State has submitted an application described in subparagraph (A), the Secretary shall issue a written decision that explains why such application has been approved or disapproved, and the process for revising and resubmitting the application for reconsideration.

''(ii) APPROVAL.—The Secretary may approve an application described in subparagraph (A) only if the Secretary determines that such application demonstrates substantial promise of assisting the State educational agency and affected local educational agencies, educational service agencies, and schools within the State in carrying out comprehensive educational reform, after considering—

''(I) the eligibility of the State as described in paragraph (2);

''(II) the comprehensiveness and quality of the educational flexibility plan described in subparagraph (A);

''(III) the ability of the educational flexibility plan to ensure accountability for the activities and goals described in such plan;

''(IV) the degree to which the State's objectives described in subparagraph (A)(iii)—

''(aa) are clear and have the ability to be assessed; and

''(bb) take into account the performance of local educational agencies, educational service agencies, or schools, and students, particularly those affected by waivers;

''(V) the significance of the State statutory or regulatory requirements relating to education that will be waived; and

''(VI) the quality of the State educational agency's process for approving applications for waivers of Federal statutory or regulatory requirements as described in paragraph (1)(A) and for monitoring and evaluating the results of such waivers.

''(4) LOCAL APPLICATION.—

''(A) IN GENERAL.—Each local educational agency, educational service agency, or school requesting a waiver of a Federal statutory or regulatory requirement as described in paragraph (1)(A) and any relevant State statutory or regulatory requirement from a State educational agency shall submit an application to the State educational agency at such time, in such manner, and containing such information as the State educational agency may reasonably require. Each such application shall—

''(i) indicate each Federal program affected and each statutory or regulatory requirement that will be waived;

''(ii) describe the purposes and overall expected results of waiving each such requirement, which may include innovative methods to leverage resources to improve program efficiencies that benefit students;

''(iii) describe, for each school year, specific, measurable, educational goals for each local educational agency, educational service agency, or school affected by the proposed waiver, and for the students served by the local educational agency, educational service agency, or school who are affected by the waiver;

''(iv) explain why the waiver will assist the local educational agency, educational service agency, or school in reaching such goals; and

''(v) in the case of an application from a local educational agency or educational service agency, describe how the agency will meet the requirements of paragraph (7).

''(B) EVALUATION OF APPLICATIONS.—A State educational agency shall evaluate an application submitted under subparagraph (A) in accordance with the State's educational flexibility plan described in paragraph (3)(A).

''(C) APPROVAL.—A State educational agency shall not approve an application for a waiver under this paragraph unless—

''(i) the local educational agency, educational service agency, or school requesting such waiver has developed a local reform plan that—

''(I) is applicable to such agency or school, respectively; and

''(II) may include innovative methods to leverage resources to improve program efficiencies that benefit students;

''(ii) the waiver of Federal statutory or regulatory requirements as described in paragraph (1)(A) will assist the local educational agency, educational service agency, or school in reaching its educational goals, particularly goals with respect to school and student performance; and

''(iii) the State educational agency is satisfied that the underlying purposes of the statutory requirements of each program for which a waiver is granted will continue to be met.

''(D) TERMINATION.—The State educational agency shall annually review the performance of any local educational agency, educational service agency, or school granted a waiver of Federal statutory or regulatory requirements as described in paragraph (1)(A) in accordance with the evaluation requirement described in paragraph (3)(A)(v), and shall terminate or temporarily suspend any waiver granted to the local educational agency, educational service agency, or school if the State educational agency determines, after notice and an opportunity for a hearing, that—

''(i) there is compelling evidence of systematic waste, fraud, or abuse;

''(ii) the performance of the local educational agency, educational service agency, or school with respect to meeting the accountability requirement described in paragraph (2)(C) and the goals described in paragraph (4)(A)(iii) has been inadequate to justify continuation of such waiver;

''(iii) student achievement in the local educational agency, educational service agency, or school has decreased; or

''(iv) goals established by the State under section 1111(b)(3) of the Elementary and Secondary Education Act of 1965 have not been met.

''(5) OVERSIGHT AND REPORTING.—

''(A) OVERSIGHT.—Each State educational agency participating in the educational flexibility program under this section shall annually monitor the activities of local educational agencies, educational service agencies, and schools receiving waivers under this section.

''(B) STATE REPORTS.—

''(i) ANNUAL REPORTS.—The State educational agency shall submit to the Secretary an annual report on the results of such oversight and the impact of the waivers on school and student performance.

''(ii) PERFORMANCE DATA.—Not later than 2 years after the date a State is designated an Ed-Flex Partnership State, each such State shall include, as part of the State's annual report submitted under clause (i), data demonstrating the degree to which progress has been made toward meeting the State's educational objectives. The data, when applicable, shall include—

''(I) information on the total number of waivers granted for Federal and State statutory and regulatory requirements under this section, including the number of waivers granted for each type of waiver;

''(II) information describing the effect of the waivers on the implementation of State and local educational reforms pertaining to school and student performance;

''(III) information describing the relationship of the waivers to the performance of schools and students affected by the waivers; and

''(IV) an assurance from State program managers that the data reported under this section are reliable, complete, and accurate, as defined by the State, or a description of a plan for improving the reliability, completeness, and accuracy of such data as defined by the State.

''(C) SECRETARY'S REPORTS.—The Secretary shall annually—

''(i) make each State report submitted under subparagraph (B) available to Congress and the public; and

''(ii) submit to Congress a report that summarizes the State reports and describes the effects that the educational flexibility program under this section had on the implementation of State and local educational reforms and on the performance of students affected by the waivers.

''(6) DURATION OF FEDERAL WAIVERS.—

''(A) IN GENERAL.—

''(i) DURATION.—The Secretary shall approve the application of a State educational agency under paragraph (3) for a period of not more than 5 years.

''(ii) AUTOMATIC EXTENSION DURING REVIEW.—The Secretary shall automatically extend the authority of a State to continue as an Ed-Flex Partnership State until the Secretary has—

''(I) completed the performance review of the State educational agency's education flexibility plan as described in subparagraph (B); and

''(II) issued a final decision of any pending request for renewal that was submitted by the State educational agency.

''(iii) EXTENSION OF APPROVAL.—The Secretary may extend the authority of a State to continue as an Ed-Flex Partnership State if the Secretary determines that the authority of the State educational agency to grant waivers—

''(I) has been effective in enabling such State or affected local educational agencies, educational service agencies, or schools to carry out their State or local reform plans and to continue to meet the accountability requirement described in paragraph (2)(C); and

''(II) has improved student performance.

''(B) PERFORMANCE REVIEW.—

''(i) IN GENERAL.—Following the expiration of an approved educational flexibility program for a State that is designated an Ed-Flex Partnership State, the Secretary shall have not more than 180 days to complete a review of the performance of the State educational agency in granting waivers of Federal statutory or regulatory requirements as described in paragraph (1)(A) to determine if the State educational agency—

''(I) has achieved, or is making substantial progress towards achieving, the objectives described in the application submitted pursuant to paragraph (3)(A)(iii) and the specific goals established in section 1111(b)(3) of the Elementary and Secondary Education Act of 1965; and

''(II) demonstrates that local educational agencies, educational service agencies, or schools affected by the waiver authority or waivers have achieved, or are making progress toward achieving, the desired results described in the application submitted pursuant to paragraph (4)(A)(iii).

''(ii) TERMINATION OF AUTHORITY.—The Secretary shall terminate the authority of a State educational agency to grant waivers of Federal statutory or regulatory requirements as described in paragraph (1)(A) if the Secretary determines, after providing the State educational agency with notice and an opportunity for a hearing, that such agency's performance has been inadequate to justify continuation of such authority based on agency's performance against specific goals in section 1111(b)(3) of the Elementary and Secondary Education Act of 1965.

''(C) RENEWAL.—

''(i) IN GENERAL.—Each State educational agency desiring to renew an approved educational flexibility program under this section shall submit a request for renewal to the Secretary not later than the date of expiration of the approved educational flexibility program.

''(ii) TIMING FOR RENEWAL.—The Secretary shall either approve or deny the request for renewal by not later than 90 days after completing the performance review of the State described in paragraph (6)(B).

''(iii) DETERMINATION.—In deciding whether to extend a request of a State educational agency for the authority to issue waivers under this section, the Secretary shall review the progress of the State educational agency to determine if the State educational agency—

''(I) has made progress toward achieving the objectives described in the State application submitted pursuant to paragraph (3)(A)(iii); and

''(II) demonstrates in the request that local educational agencies, educational service agencies, or schools affected by the waiver authority or waivers have made progress toward achieving the desired results described in the local application submitted pursuant to paragraph (4)(A)(iii).

''(D) TERMINATION.—

''(i) IN GENERAL.—The Secretary shall terminate or temporarily suspend the authority of a State educational agency to grant waivers under this section if the Secretary determines that—

''(I) there is compelling evidence of systematic waste, fraud or abuse; or

''(II) after notice and an opportunity for a hearing, such agency's performance (including performance with respect to meeting the objectives described in paragraph (3)(A)(iii)) has been inadequate to justify continuation of such authority.

''(ii) LIMITED COMPLIANCE PERIOD.—A State whose authority to grant such waivers has been terminated shall have not more than 1 additional fiscal year to come into compliance in order to seek renewal of the authority to grant waivers under this section.

''(7) PUBLIC NOTICE AND COMMENT.—Each State educational agency seeking waiver authority under this section and each local educational agency, educational service agency, or school seeking a waiver under this section—

''(A) shall provide the public with adequate and efficient notice of the proposed waiver authority or waiver, consisting of a description of the agency's application for the proposed waiver authority or waiver on each agency's website, including a description of any improved student performance that is expected to result from the waiver authority or waiver;

''(B) shall provide the opportunity for parents, educators, school administrators, and all other interested members of the community to comment regarding the proposed waiver authority or waiver;

''(C) shall provide the opportunity described in subparagraph (B) in accordance with any applicable State law specifying how the comments may be received, and how the comments may be reviewed by any member of the public; and

''(D) shall submit the comments received with the application of the agency or school to the Secretary or the State educational agency, as appropriate.

''(b) INCLUDED PROGRAMS.—The statutory or regulatory requirements referred to in subsection (a)(1)(A) are any such requirements for programs that are authorized under the following provisions and under which the Secretary provides funds to State educational agencies on the basis of a formula:

''(1) The following provisions of the Elementary and Secondary Education Act of 1965:

''(A) Part A of title I (other than sections 1111 and 1114).

''(B) Part C of title I.

''(C) Part D of title I.

''(D) Part A of title II.

''(E) Part G of title V.

''(2) Title VII of the McKinney-Vento Homeless Assistance Act. (42 U.S.C. 11301 et seq.).

''(3) The Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.).

''(c) WAIVERS NOT AUTHORIZED.—The Secretary and the State educational agency may not waive under subsection (a)(1)(A) any statutory or regulatory requirement—

''(1) relating to—

''(A) maintenance of effort;

''(B) comparability of services;

''(C) equitable participation of students and professional staff in private schools;

''(D) parental participation and involvement;

''(E) distribution of funds to States or to local educational agencies;

''(F) serving eligible school attendance areas in rank order under section 1113(a)(1)(C) of the Elementary and Secondary Education Act of 1965;

''(G) the selection of a school attendance area or school under paragraphs (1) and (2) of section 1113(a) of the Elementary and Secondary Education Act of 1965, except that a State educational agency may grant a waiver to allow a school attendance area or school to participate in activities under part A of title I of such Act if the percentage of children from low-income families in the school attendance area of such school or who attend such school is not less than 10 percentage points below the lowest percentage of such children for any school attendance area or school of the local educational agency that meets the requirements of such paragraphs (1) and (2);

''(H) use of Federal funds to supplement, not supplant, non-Federal funds; and

''(I) applicable civil rights requirements; and

''(2) unless the State educational agency can demonstrate that the underlying purposes of the statutory requirements of the program for which a waiver is granted continue to be met to the satisfaction of the Secretary.

''(d) TREATMENT OF EXISTING ED-FLEX PARTNERSHIP STATES.—

''(1) IN GENERAL.—Any designation of a State as an Ed-Flex Partnership State that was in effect on the date of enactment of this Act shall be immediately extended for a period of not more than 5 years, if the Secretary makes the determination described in paragraph (2).

''(2) DETERMINATION.—The determination referred to in paragraph (1) is a determination that the performance of the State educational agency, in carrying out the programs for which the State has received a waiver under the educational flexibility program, justifies the extension of the designation.

''(e) PUBLICATION.—A notice of the Secretary's decision to authorize State educational agencies to issue waivers under this section, including a description of the rationale the Secretary used to approve applications under subsection (a)(3)(B), shall be published in the Federal Register and the Secretary shall provide for the dissemination of such notice to State educational agencies, interested parties (including educators, parents, students, and advocacy and civil rights organizations), and the public.''.

PART C—AMERICAN DREAM ACCOUNTS

SEC. 10301. SHORT TITLE.

This part may be cited as the ''American Dream Accounts Act''.

SEC. 10302. DEFINITIONS.

In this part:

(1) AMERICAN DREAM ACCOUNT.—The term ''American Dream Account'' means a personal online account for low-income students that monitors higher education readiness and includes a college savings account.

(2) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means the Committee on Health, Education, Labor, and Pensions, the Committee on Appropriations, and the Committee on Finance of the Senate, and the Committee on Education and the Workforce, the Committee on Appropriations, and the Committee on Ways and Means of the House of Representatives, as well as any other Committee of the Senate or House of Representatives that the Secretary determines appropriate.

(3) CHARTER SCHOOL.—The term ''charter school'' has the meaning given such term in section 5110 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7221i).

(4) COLLEGE SAVINGS ACCOUNT.—The term ''college savings account'' means a trust created or organized exclusively for the purpose of paying the qualified expenses of only an individual who, when the trust is created or organized, has not obtained 18 years of age, if the written governing instrument creating the trust contains the following requirements:

(A) The trustee is a Federally insured financial institution, or a State insured financial institution if a Federally insured financial institution is not available.

(B) The assets of the trust will be invested in accordance with the direction of the individual or of a parent or guardian of the individual, after consultation with the entity providing the initial contribution to the trust or, if applicable, a matching or other contribution for the individual.

(C) The assets of the trust will not be commingled with other property except in a common trust fund or common investment fund.

(D) Any amount in the trust that is attributable to an account seed or matched deposit may be paid or distributed from the trust only for the purpose of paying qualified expenses of the individual.

(5) DUAL OR CONCURRENT ENROLLMENT PROGRAM.—The term ''dual or concurrent enrollment program'' means a program of study—

(A) provided by an institution of higher education through which a student who has not graduated from high school with a regular high school diploma (as defined in section 200.19(b)(1)(iv) of title 34, Code of Federal Regulations, as such section was in effect on November 28, 2008) is able to earn postsecondary credit; and

(B) that shall consist of not less than 2 postsecondary credit-bearing courses and support and academic services that help a student persist and complete such courses.

(6) EARLY COLLEGE HIGH SCHOOL PROGRAM.—The term ''early college high school program'' means a formal partnership between at least 1 local educational agency and at least 1 institution of higher education that allows participants, who are primarily low-income students, to simultaneously complete requirements toward earning a regular high school diploma (as defined in section 200.19(b)(1)(iv) of title 34, Code of Federal Regulations, as such section was in effect on November 28, 2008) and earn not less than 12 transferable credits as part of an organized course of study toward a postsecondary degree or credential.

(7) ELIGIBLE ENTITY.—The term ''eligible entity'' means—

(A) a State educational agency;

(B) a local educational agency, including a charter school that operates as its own local educational agency;

(C) a charter management organization or charter school authorizer;

(D) an institution of higher education or a Tribal College or University;

(E) a nonprofit organization;

(F) an entity with demonstrated experience in educational savings or in assisting low-income students to prepare for, and attend, an institution of higher education;

(G) a consortium of 2 or more of the entities described in subparagraphs (A) through (F); or

(H) a consortium of 1 or more of the entities described in subparagraphs (A) through (F) and a public school, a charter school, a school operated by the Bureau of Indian Affairs, or a tribally controlled school.

(8) INSTITUTION OF HIGHER EDUCATION.—The term ''institution of higher education'' has the meaning given such term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

(9) LOCAL EDUCATIONAL AGENCY.—The term ''local educational agency'' has the meaning given such term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(10) LOW-INCOME STUDENT.—The term ''low-income student'' means a student who is eligible to receive a free or reduced price lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.).

(11) PARENT.—The term ''parent'' has the meaning given such term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(12) QUALIFIED EXPENSES.—The term ''qualified expenses'' means, with respect to an individual, expenses that—

(A) are incurred after the individual receives a secondary school diploma or its recognized equivalent; and

(B) are associated with attending an institution of higher education, including—

(i) tuition and fees;

(ii) room and board;

(iii) textbooks;

(iv) supplies and equipment; and

(v) Internet access.

(13) SECRETARY.—The term ''Secretary'' means the Secretary of Education.

(14) STATE EDUCATIONAL AGENCY.—The term ''State educational agency'' has the meaning given such term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(15) TRIBAL COLLEGE OR UNIVERSITY.—The term ''Tribal College or University'' has the meaning given such term in section 316(b) of the Higher Education Act of 1965 (20 U.S.C. 1059c(b)).

(16) TRIBALLY CONTROLLED SCHOOL.—The term ''tribally controlled school'' has the meaning given such term in section 5212 of the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2511).

SEC. 10303. GRANT PROGRAM.

(a) PROGRAM AUTHORIZED.—The Secretary shall establish a pilot program and award 10 grants to eligible entities to enable such eligible entities to establish and administer American Dream Accounts for a group of low-income students.

(b) RESERVATION.—From the amounts appropriated each fiscal year to carry out this part, the Secretary shall reserve not more than 5 percent of such amount to carry out the evaluation activities described in section 10306.

(c) DURATION.—A grant awarded under this part shall be for a period of not more than 3 years. The Secretary may extend such grant for an additional 2-year period if the Secretary determines that the eligible entity has demonstrated significant progress, based on the factors described in section 10304(b)(11).

SEC. 10304. APPLICATIONS; PRIORITY.

(a) IN GENERAL.—Each eligible entity desiring a grant under this part shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

(b) CONTENTS.—At a minimum, the application described in subsection (a) shall include the following:

(1) A description of the characteristics of a group of not less than 30 low-income public school students who—

(A) are, at the time of the application, attending a grade not higher than grade 9; and

(B) will, under the grant, receive an American Dream Account.

(2) A description of how the eligible entity will engage, and provide support (such as tutoring and mentoring for students, and training for teachers and other stakeholders) either online or in person, to—

(A) the students in the group described in paragraph (1);

(B) the family members and teachers of such students; and

(C) other stakeholders such as school administrators and school counselors.

(3) An identification of partners who will assist the eligible entity in establishing and sustaining American Dream Accounts.

(4) A description of what experience the eligible entity or the partners of the eligible entity have in managing college savings accounts, preparing low-income students for postsecondary education, managing online systems, and teaching financial literacy.

(5) A demonstration that the eligible entity has sufficient resources to provide an initial deposit into the college savings account portion of each American Dream Account.

(6) A description of how the eligible entity will help increase the value of the college savings account portion of each American Dream Account, such as by providing matching funds or incentives for academic achievement.

(7) A description of how the eligible entity will notify each participating student in the group described in paragraph (1), on a semi-annual basis, of the current balance and status of the college savings account portion of the American Dream Account of the student.

(8) A plan that describes how the eligible entity will monitor participating students in the group described in paragraph (1) to ensure that the American Dream Account of each student will be maintained if a student in such group changes schools before graduating from secondary school.

(9) A plan that describes how the American Dream Accounts will be managed for not less than 1 year after a majority of the students in the group described in paragraph (1) graduate from secondary school.

(10) A description of how the eligible entity will encourage students in the group described in paragraph (1) who fail to graduate from secondary school to continue their education.

(11) A description of how the eligible entity will evaluate the grant program, including by collecting, as applicable, the following data about the students in the group described in paragraph (1) during the grant period, or until the time of graduation from a secondary school, whichever comes first, and, if sufficient grant funds are available, after the grant period:

(A) Attendance rates.
(B) Progress reports.
(C) Grades and course selections.
(D) The student graduation rate, as defined as the percentage of students who graduate from secondary school with a regular diploma in the standard number of years.
(E) Rates of student completion of the Free Application for Federal Student Aid described in section 483 of the Higher Education Act of 1965 (20 U.S.C. 1090).
(F) Rates of enrollment in an institution of higher education.
(G) Rates of completion at an institution of higher education.
(12) A description of what will happen to the funds in the college savings account portion of the American Dream Accounts that are dedicated to participating students described in paragraph (1) who have not matriculated at an institution of higher education at the time of the conclusion of the period of American Dream Account management described in paragraph (9), including how the eligible entity will give students this information.
(13) A description of how the eligible entity will ensure that participating students described in paragraph (1) will have access to the Internet.
(14) A description of how the eligible entity will take into consideration how funds in the college savings account portion of American Dream Accounts will affect participating families' eligibility for public assistance.
(c) PRIORITY.—In awarding grants under this part, the Secretary shall give priority to applications from eligible entities that—
(1) are described in subparagraph (G) or (H) of section 10302(7);
(2) serve the largest number of low-income students;
(3) in the case of an eligible entity described in subparagraph (A) or (B) of section 10302(7), provide opportunities for participating students described in subsection (b)(1) to participate in a dual or concurrent enrollment program or early college high school program at no cost to the student or the student's family; or
(4) as of the time of application, have been awarded a grant under chapter 2 of subpart 2 of part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070a–21 et seq.) (commonly referred to as the ''GEAR UP program'').

SEC. 10305. AUTHORIZED ACTIVITIES.

(a) IN GENERAL.—An eligible entity that receives a grant under this part shall use such grant funds to establish an American Dream Account for each participating student described in section 10304(b)(1), that will be used to—
(1) open a college savings account for such student;
(2) monitor the progress of such student online, which—
(A) shall include monitoring student data relating to—
(i) grades and course selections;
(ii) progress reports; and
(iii) attendance and disciplinary records; and
(B) may also include monitoring student data relating to a broad range of information, provided by teachers and family members, related to postsecondary education readiness, access, and completion;
(3) provide opportunities for such students, either online or in person, to learn about financial literacy, including by—
(A) assisting such students in financial planning for enrollment in an institution of higher education;
(B) assisting such students in identifying and applying for financial aid (such as loans, grants, and scholarships) for an institution of higher education; and
(C) enhancing student understanding of consumer, economic, and personal finance concepts;
(4) provide opportunities for such students, either online or in person, to learn about preparing for enrollment in an institution of higher education, including by providing instruction to students about—
(A) choosing the appropriate courses to prepare for postsecondary education;
(B) applying to an institution of higher education;
(C) building a student portfolio, which may be used when applying to an institution of higher education;
(D) selecting an institution of higher education;
(E) choosing a major for the student's postsecondary program of education or a career path; and
(F) adapting to life at an institution of higher education; and
(5) provide opportunities for such students, either online or in person, to identify skills or interests, including career interests.
(b) ACCESS TO AMERICAN DREAM ACCOUNT.—
(1) IN GENERAL.—Subject to paragraphs (3) and (4), and in accordance with applicable Federal laws and regulations relating to privacy of information and the privacy of children, an eligible entity that receives a grant under this part shall allow vested stakeholders, as described in paragraph (2), to have secure access, through an Internet website, to an American Dream Account.
(2) VESTED STAKEHOLDERS.—The vested stakeholders that an eligible entity shall permit to access an American Dream Account are individuals (such as the student's teachers, school counselors, school administrators, or other individuals) that are designated, in accordance with section 444 of the General Education Provisions Act (20 U.S.C. 1232g, commonly known as the ''Family Educational Rights and Privacy Act of 1974''), by the parent of a participating student in whose name such American Dream Account is held, as having permission to access the account. A student's parent may withdraw such designation from an individual at any time.
(3) EXCEPTION FOR COLLEGE SAVINGS ACCOUNT.—An eligible entity that receives a grant under this part shall not be required to give vested stakeholders, as described in paragraph (2), access to the college savings account portion of a student's American Dream Account.
(4) ADULT STUDENTS.—Notwithstanding paragraphs (1), (2), and (3), if a participating student is age 18 or older, an eligible entity that receives a grant under this part shall not provide access to such participating student's American Dream Account without the student's consent, in accordance with section 444 of the General Education Provisions Act (20 U.S.C. 1232g, commonly known as the ''Family Educational Rights and Privacy Act of 1974'').
(5) INPUT OF STUDENT INFORMATION.—Student data collected pursuant to subsection (a)(2)(A) shall be entered into an American Dream Account only by a school administrator or the designee of such administrator.
(c) PROHIBITION ON USE OF STUDENT INFORMATION.—An eligible entity that receives a grant under this part shall not use any student-level information or data for the purpose of soliciting, advertising, or marketing any financial or non-financial consumer product or service that is offered by such eligible entity, or on behalf of any other person.
(d) PROHIBITION ON THE USE OF GRANT FUNDS.—An eligible entity shall not use grant funds provided under this part to provide any deposits into a college savings account portion of a student's American Dream Account.

SEC. 10306. REPORTS AND EVALUATIONS.

(a) IN GENERAL.—Not later than 1 year after the Secretary has disbursed grants under this part, and annually thereafter until each grant disbursed under this part has ended, the Secretary shall prepare and submit a report to the appropriate committees of Congress, which shall include an evaluation of the effectiveness of the grant program established under this part.
(b) CONTENTS.—The report described in subsection (a) shall—
(1) list the grants that have been awarded under section 10303(a);
(2) include the number of students who have an American Dream Account established through a grant awarded under section 10303(a);
(3) provide data (including the interest accrued on college savings accounts that are part of an American Dream Account) in the aggregate, regarding students who have an American Dream Account established through a grant awarded under section 10303(a), as compared to similarly situated students who do not have an American Dream Account;
(4) identify best practices developed by the eligible entities receiving grants under this part;
(5) identify any issues related to student privacy and stakeholder accessibility to American Dream Accounts;
(6) provide feedback from participating students and the parents of such students about the grant program, including—
(A) the impact of the program;
(B) aspects of the program that are successful;
(C) aspects of the program that are not successful; and
(D) any other data required by the Secretary; and
(7) provide recommendations for expanding the American Dream Accounts program.

SEC. 10307. ELIGIBILITY TO RECEIVE FEDERAL STUDENT FINANCIAL AID.

Notwithstanding any other provision of law, any funds that are in the college savings account portion of a student's American Dream Account shall not affect such student's eligibility to receive Federal student financial aid, including any Federal student financial aid under the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.), and shall not be considered in determining the amount of any such Federal student aid.

SEC. 10308. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this part such sums as may be necessary for fiscal year 2016 and each of the 4 succeeding fiscal years.

SEC. 10309. REPORT ON THE REDUCTION OF THE NUMBER AND PERCENTAGE OF STUDENTS WHO DROP OUT OF SCHOOL.

Not later than 5 years after the date of enactment of this Act, the Director of the Institute of Education Sciences shall evaluate the impact of section 1111(c)(1)(M) on reducing the number and percentage of students who drop out of school.

SEC. 10310. REPORT ON NATIVE AMERICAN LANGUAGE MEDIUM EDUCATION.

(a) PURPOSE.—The purpose of this section is to authorize a study to evaluate all levels

of education being provided primarily through the medium of Native languages and to require a report of the findings, within the context of the findings, purposes, and provisions of the Native American Languages Act (25 U.S.C. 2901), the findings, purposes, and provisions of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.), and other related laws.

(b) STUDY AND REVIEW.—The Secretary of Education shall award grants to eligible entities to study and review Native language medium schools and programs.

(c) ELIGIBLE ENTITY DEFINED.—In this section, the term ''eligible entity'' means a consortium that—

(1) includes not less than 3 units of an institution of higher education, such as a department, center, or college, that has significant experience—

(A) and expertise in Native American or Alaska Native languages, and Native language medium education; and

(B) in outreach and collaboration with Native communities;

(2) has within its membership at least 10 years of experience—

(A) addressing a range of Native American or Alaska Native languages and indigenous language medium education issues through the lens of Native studies, linguistics, and education; and

(B) working in close association with a variety of schools and programs taught predominantly through the medium of a Native language;

(3) includes for each of American Indians, Alaska Natives, and Native Hawaiians, at least 1 unit of an institution of higher education that focuses on schools that serve such populations; and

(4) includes Native American scholars and staff who are fluent in Native American languages.

(d) APPLICATIONS.—An eligible entity that desires to receive a grant under this section shall submit an application to the Secretary of Education that—

(1) identifies 1 unit in the consortium that is the lead unit of the consortium for the study, reporting, and funding purposes;

(2) includes letters of verification of participation from the top internal administrators of each unit in the consortium;

(3) includes a brief description of how the consortium meets the eligibility qualifications under subsection (c);

(4) describes the work proposed to carry out the purpose of this section; and

(5) provides other information as requested by the Secretary of Education.

(e) SCOPE OF STUDY.—An eligible entity that receives a grant under this section shall use the grant funds to study and review Native American language medium schools and programs and evaluate the components, policies, and practices of successful Native language medium schools and programs and how the students who enroll in them do over the long term, including—

(1) the level of expertise in educational pedagogy, Native language fluency, and experience of the principal, teachers, paraprofessionals, and other educational staff;

(2) how such schools and programs are using Native languages to provide instruction in reading, language arts, mathematics, science, and, as applicable, other core academic subjects;

(3) how such school and programs' curricula incorporates the relevant Native culture of the students;

(4) how such schools and programs assess the academic proficiency of the students, including—

(A) whether the school administers assessments of language arts, mathematics, science, and other academic subjects in the Native language of instruction;

(B) whether the school administers assessments of language arts, mathematics, science, and other academic subjects in English; and

(C) how the standards measured by the assessments in the Native language of instruction and in English compare;

(5) the academic, graduation rate, and other outcomes of students who have completed the highest grade taught primarily through such schools or programs, including, when available, college attendance rates compared with demographically similar students who did not attend a school in which the language of instruction was a Native language; and

(6) other appropriate information consistent with the purpose of this section.

(f) OTHER ENTITIES.—An eligible entity may enter into a contract with another individual, entity, or organization to assist in carrying out research necessary to fulfill the purpose of this section.

(g) RECOMMENDATIONS.—Not later than 18 months after the date of enactment of this Act, an eligible entity that receives a grant under this section shall—

(1) develop a detailed statement of findings and conclusions regarding the study completed under subsection (e), including recommendations for such legislative and administrative actions as the eligible entity considers to be appropriate; and

(2) submit a report setting forth the findings and conclusions, including recommendations, described in paragraph (1) to each of the following:

(A) The Committee on Health, Education, Labor, and Pensions of the Senate.

(B) The Committee on Education and the Workforce of the House of Representatives.

(C) The Committee on Indian Affairs of the Senate.

(D) The Subcommittee on Indian, Insular, and Alaska Native Affairs of the House of Representatives.

(E) The Secretary of Education.

(F) The Secretary of the Interior.

CONDEMNING THE ATTACKS OF JULY 16, 2015, IN CHATTANOOGA, TENNESSEE, AND HONORING THE MEMBERS OF THE ARMED FORCES WHO LOST THEIR LIVES

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 227, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 227) condemning the attacks of July 16, 2015, in Chattanooga, Tennessee, honoring the members of the Armed Forces who lost their lives, and expressing support and prayers for all those affected.

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 227) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

ORDERS FOR WEDNESDAY, JULY 22, 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Wednesday, July 22; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following leader remarks, the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each; lastly, that the majority control the first hour and the Democrats control the second hour.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 7:21 p.m., adjourned until Wednesday, July 22, 2015, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

FEDERAL RESERVE SYSTEM

KATHRYN M. DOMINGUEZ, OF MICHIGAN, TO BE A MEMBER OF THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM FOR THE UNEXPIRED TERM OF FOURTEEN YEARS FROM FEBRUARY 1, 2004, VICE JEREMY C. STEIN, RESIGNED.

THE JUDICIARY

LEONARD TERRY STRAND, OF SOUTH DAKOTA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF IOWA, VICE MARK W. BENNETT, RETIRED.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. THERON G. DAVIS

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. JOHN M. MURRAY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. ANTHONY R. IERARDI

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. GARRETT S. YEE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. PATRICK J. REINERT

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF ADMIRAL IN THE UNITED STATES NAVY WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601, AND TITLE 50, U.S.C., SECTION 2511:

To be admiral

VICE ADM. JAMES F. CALDWELL, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

VICE ADM. JOSEPH P. AUCOIN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. CEDRIC E. PRINGLE

EXTENSIONS OF REMARKS

REMEMBERING THE VICTIMS OF THE S.S. ''EASTLAND'' DISASTER

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 21, 2015

Mr. VISCLOSKY. Mr. Speaker, it is with a heavy heart that I stand before you today to pay tribute to the victims of the S.S. *Eastland* disaster, which occurred in Chicago 100 years ago. On the centennial of this solemn event, the family of one of the victims, Anna Kubiak, will lay down a ceremonial wreath in remembrance of Anna and the other victims of the disaster. The S.S. *Eastland* Memorial dedication ceremony will take place at the Old Lighthouse Museum in Michigan City, Indiana, on July 25, 2015.

The S.S. *Eastland* disaster occurred on the morning of July 24, 1915, near the Clark Street Bridge in Chicago, Illinois. The S.S. *Eastland* was chartered by the Western Electric Company to transport employees, families, and friends across Lake Michigan to Michigan City for a day of celebration that was to include food, a parade, sporting events, and other festivities.

Unfortunately, the S.S. *Eastland* never left the Chicago River that tragic morning. While the S.S. *Eastland* was still docked, it slowly began to roll over into the river with more than 2,500 passengers and crew members on board. Eight hundred and forty-four people lost their lives in the disaster, including twenty-two complete families, and many more were injured. The immense loss sustained that day will be recalled by generations to come, and the tragedy of that fateful morning will be remembered as one of the most catastrophic maritime events in American history.

Mr. Speaker, I ask you and my other distinguished colleagues to join me in commemorating the centennial anniversary of the S.S. *Eastland* disaster. We honor the victims and their families as we remember this devastating day in our nation's history. I would like to commend the efforts of the many people who dedicated their time and efforts to make the S.S. *Eastland* Memorial dedication ceremony possible.

RECOGNIZING THE LIFE AND LEGACY OF NORTHWEST FLORIDA'S MARION CLIFTON ''M.C.'' DAVIS

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 21, 2015

Mr. MILLER of Florida. Mr. Speaker, I rise to recognize the life and legacy of Northwest Florida's Marion Clifton ''M.C.'' Davis, who lost his battle with lung cancer on July 11, 2015. A longtime resident of Walton County, Florida, M.C. had an abiding love for Northwest Florida. He dedicated much of his life to preserving the Gulf Coast's natural beauty for current generations and future generations to come, and the Northwest Florida community mourns his passing.

Born October 18, 1944 in Douglas, Georgia, M.C. graduated with a Political Science degree from the University of North Carolina in 1970 and his J.D. from Samford Law School in 1973. After an immensely successful business career, which saw him pursue many different career paths, M.C. decided to use his success to help restore and preserve the land that he loved. Northwest Florida is blessed with immense biological and ecological diversity, with a high concentration of plants and wildlife alike, and in 2000, M.C. purchased more than 50,000 acres of land in Walton County to create the Nokuse Plantation, the largest privately held nature preserve east of the Mississippi River.

As a result of his dedication to conservation, M.C. has helped lead efforts to restore several native plant and animal species, including longleaf pine, which once blanketed millions of acres in the Southeast, and gopher tortoises, which are listed by the state as a threatened species. In addition, countless plants and animals from diverse parts of nature can be found on Nokuse Plantation, including eagles, ospreys, bobcats, foxes, raccoons and armadillos, among others. Indeed, M.C. has called this project a 300-year effort to help restore the full biological wealth bestowed on Northwest Florida.

Nokuse Plantation also sits in a critical area of Northwest Florida, serving as a link between several important sites, including Eglin Air Force Base Reserve, Blackwater River State Forest and the Conecuh National Forest. By helping to preserve this critical resource, Nokuse Plantation also helps ensure that sufficient base buffering exists to support critical military missions at Eglin Air Force Base.

In addition to his work establishing Nokuse Plantation, M.C. also founded the E.O. Wilson Biophilia Center. Located on the Nokuse Plantation, the E.O. Wilson Biophilia Center provides students in the 4th through 7th grades, as well as their teachers, the opportunity to study in one of the most biodiverse ecosystems in the United States. Each year, more than 5,000 students from across Northwest Florida study at the E.O. Wilson Biophilia Center, which helps integrate into the State of Florida's curriculum, particularly in the important Science, Technology, Engineering, and Math (STEM) fields.

Throughout his life, M.C. touched the lives of many and without question, his generosity and commitment to nature will be felt in Northwest Florida for many generations to come. While many will remember M.C. for his dedication to preserving Northwest Florida's natural beauty, to those who knew him best, M.C. will be remembered as a loving husband, father, and grandfather.

On behalf of the United States Congress, I am privileged to recognize the life of M.C. Davis. My wife Vicki and I extend our heartfelt prayers and condolences to his wife and high school sweetheart, Stella; his children Crystal, Lisa, and Wendy; his granddaughters, Claire, Alex, Julia, Mary-Shelton; and the entire Davis family.

CELEBRATING ELOISE BRONAK'S 100TH BIRTHDAY

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 21, 2015

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating Mrs. Eloise Bronak on her 100th Birthday, which she will be celebrating on July 28, 2015.

Eloise Bronak was born in Decatur, Illinois. She has lived in Texas and Michigan, and eventually settled in St. Clair, MO. For the past seven years, she has lived at Willow Brooke Assisted Living Facility in Union, MO. Eloise served our nation during World War II as a Navy nurse. In 1944, Eloise joined the Navy as a registered nurse, but was unable to serve overseas due to her height. ''They wouldn't let me go overseas because I was too little—I couldn't stretch enough,'' she joked. ''I was to take what was left over.'' During her service of three years in the Navy, Eloise took care of wounded soldiers who returned to the United States. After her time in the service, she continued to serve in the medical field by working in public health, at the medical department at Chrysler in St. Louis, MO, and in health care in St. Louis County. Eloise had the opportunity to see the World War II Memorial in Washington, D.C. with the Franklin County Honor Flight.

Birthdays are a very special time. It's a time to come together and celebrate your life and accomplishments and recognize the impact that you have had on the lives of those around you.

I ask you in joining me in recognizing Eloise Bronak on this momentous occasion.

RECOGNIZING VIETNAM VETERANS ON THE 50TH ANNIVERSARY OF THE START OF THE VIETNAM WAR

HON. DANIEL T. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 21, 2015

Mr. KILDEE. Mr. Speaker, I ask the United States House of Representatives to join me in

recognizing the veterans of the Vietnam War on the 50th anniversary of the start of the conflict.

U.S. ground combat operations began in South Vietnam in 1965, with the last troops being pulled out in May 1975. Over three and a half million Americans served in Vietnam during that period, and more than 58,000 lost their lives. It is my honor to recognize the veterans of Vietnam and their families for their patriotism and sacrifice.

While this anniversary presents a clear opportunity to remember the sacrifices of our veterans, I want to make sure our nation does not forget their contributions in the generations to come. The immense perseverance and bravery of our soldiers both in the face of conflict and in the decades following exemplify the American commitment to service and democracy. We owe these veterans our profoundest gratitude.

I would particularly like to recognize the contributions of Michigan veterans. Over 400,000 men and women of our state served in the Vietnam War, with 2,654 paying the ultimate sacrifice.

On July 18th, we honor our state's veterans at the Great Lakes National Cemetery in Holly, Michigan. It is my honor to represent many of these men and women, and my duty to respectfully preserve their memories with the same dedication with which these veterans defended our freedoms.

Mr. Speaker, I applaud the veterans of Vietnam and extend my deepest appreciation to them for their years of service to our great country.

THE GOLDMAN ACT TO RETURN ABDUCTED AMERICAN CHILDREN: ENSURING ACCURATE NUMBERS AND ADMINISTRATION ACTION

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 21, 2015

Mr. SMITH of New Jersey. Mr. Speaker, I want to thank all of everyone—especially all of the left-behind parents I saw in the audience—for joining me at a hearing I held last week to discuss how the U.S. Department of State's first annual report under the Sean and David Goldman International Child Abduction Prevention and Return Act can better correspond with the mandate set by Congress and achieve the return of abducted American children, which is the ultimate objective of the Goldman Act.

Every year, an estimated 1,000 American children are unlawfully removed from their homes by one of their parents and taken across international borders.

International parental child abduction rips children from their homes and families and whisks them away to a foreign land, alienating them from the love and care of the parent and family left behind.

Child abduction is child abuse, and it continues to plague families across the United States.

For decades, the State Department has used ''quiet diplomacy'' to attempt to bring these children home. But we know that less than half of these children ever come home—even from countries that have signed the Hague Convention on the Civil Aspects of International Child Abduction.

In a hearing I held on this issue back in 2009, former Assistant Secretary of State Bernie Aronson called quiet diplomacy ''a sophisticated form of begging.'' Thousands of American families still ruptured and grieving from years of unresolved abductions confirm that ''quiet diplomacy'' is gravely inadequate.

Last year, Congress unanimously passed the Goldman Act to give teeth to requests for return and access. The actions required by the law escalate in severity, and range from official protests through diplomatic channels, to extradition, to the suspension of development, security, or other foreign assistance.

The Goldman Act is a law calculated to get results, as we did in the return of Sean Goldman from Brazil in late December, 2009.

But the new law is only as good as its implementation.

The State Department's first annual report that we reviewed last week is the first step in moving past ''quiet diplomacy'' to results. The State Department must get this report right in order to trigger the actions above and for the law to be an effective tool.

Countries should be listed as worst offenders if they have high numbers of cases—30 percent or more—that have been pending over a year: or if their judicial or administrative branch, or central authority for abduction fail in their duties under the Hague Convention or other controlling agreement, or; if their law enforcement rarely fails to enforce return orders or access rights.

Once these countries are properly classified, the Secretary of State then determines which of the aforementioned actions the U.S. will apply to the country in order to encourage the timely resolution of abduction and access cases.

While the State Department has choice of which tools to apply, and can waive actions for up to 180 days, the State Department does not have discretion over whether to report accurately to Congress on the country's record, or on whether the country is objectively noncompliant.

As we have seen in the human trafficking context—I authored the Trafficking Victims Protection Act of 2000 as well as the Goldman Act—accurate accounting of a country's record, especially in comparison with other countries, can do wonders to prod much needed reform.

Accurate reporting is also critical to family court judges across the country and parents considering their child's travel to a foreign country where abduction or access problems are a risk.

The stakes are high: misleading or incomplete information could mean the loss of another American child to abduction.

For example, a judge might look at the report table filled with zeros in the unresolved cases category—such as in the case of Japan—and erroneously conclude that a country is not of concern, giving permission to an estranged spouse to travel with the child for a vacation. The estranged spouse then abducts the child and the left-behind parent spends his or her life savings and many years trying to get the child returned to the U.S.

All of which could have been avoided with accurate reporting on the danger.

I am very concerned that the first annual report contains major gaps and even misleading information, especially when it comes to countries with which we have the most intractable abduction cases.

For instance, the report indicates that India, which has consistently been in the top five destinations for abducted American children, had 19 new cases in 2014, 22 resolved cases, and no unresolved cases. However, we know from the National Center for Missing and Exploited Children, or NCMEC, that India has 53 open abduction cases—and that 51 have been pending for more than 1 year.

While the State Department has shown willingness to work constructively on making the report better—for example, meeting last week with staff—our June 11 hearing left many questions unanswered as to why this report failed to hold countries accountable for unresolved cases.

We wrote the law with the belief that the State Department was formally raising these cases by name with the foreign ministries of destination countries, and asked that cases still pending one year after being raised would be counted as ''unresolved.''

But these cases were not included in the report. A few parents who reported their cases to the State Department years ago and who have been consistently begging the Department for help were told by their case officers recently that the cases were formally communicated to India in May of 2015.

May of 2015—delay is denial.

The Goldman Act also requires the State Department to take actions against countries such as India and Japan if they refuse to resolve abduction and access cases.

The Goldman Act also requires the State Department to begin negotiations with countries like India and Japan for a bilateral agreement to secure the resolution of the more than 100 open cases we have pending with those two countries—cases that are not listed as ''unresolved'' in the report.

The Goldman Act requires an end to the status quo—but the first step toward change is telling the truth in the report.

Which is why I am so concerned that Japan was not listed as showing a persistent failure to work with the U.S. on abduction cases. Japan has never issued and enforced a return order for a single one of the hundreds of American children abducted there.

It holds the world record on the abduction of American children never returned.

And yet it got a pass on more than 50 open cases, most of which have been pending for 5 years or more.

Among such cases is that of Sgt. Michael Elias, who has not seen his children, Jade and Michael Jr., since 2008. Michael served as a Marine who saw combat in Iraq. His wife, who worked in the Japanese consulate, used documents fraudulently obtained with the apparent complicity of Japanese consulate personnel to kidnap their children, then aged 4 and 2, in defiance of a court order, telling Michael on a phone call that there was nothing that he could do, as ''my country will protect me.''

Her country, very worried about its designation in the new report, sent a high-level delegation in March to meet with Ambassador Jacobs and explain why Japan should be excused from being listed as ''non-compliant,'' despite the fact that more than one year after signing the Hague Convention on the Civil Aspects of International Child Abduction, Japan has ordered zero returns to the U.S.

Just before the report was released in May—two weeks late—Takashi Okada, Deputy Director General in the Secretariat of the Ministry of Foreign Affairs, told the Japanese Diet that he had been in consultation with the State Department and ''because we strived to make an explanation to the U.S. side, I hope that the report contents will be based on our country's efforts.''

In other words, Japan understood it would get a pass from the State Department and escape the list of countries facing action by the U.S. for their failure to resolve abduction cases based on what Mr. Okada euphemistically refers to as ''efforts,'' not results.

Sgt. Michael Elias's country has utterly failed to protect him. He has seen zero progress in his case over the last year—the 7th year of his heart-wrenching ordeal—and yet the State Department cannot even bring itself to hold Japan accountable by naming Japan a worst offender in the annual report.

The Goldman Act is clear: All requests for return that the State Department submitted to the foreign ministry and that remained unresolved 12 months later are to be counted against Japan—and followed up with action.

The Goldman Act has given the State Department new and powerful tools to bring Japan, and other countries, to the resolution table. The goal is not to disrupt relations but to heal the painful rifts caused by international child abduction.

The question still remains, will the State Department use the Goldman Act as required by law?

RECOGNIZING COLLIN HORAN FOR EXCEPTIONAL COMMUNITY SERVICE ON BEHALF OF THE NORTH POINT VETERANS PROGRAM

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 21, 2015

Mr. SHUSTER. Mr. Speaker, I rise today to recognize Collin Horan, a Greencastle-Antrim Middle School student, for his dedicated service to the North Point Veterans Program.

Mr. Horan chose to work with the North Point Veteran's Home, a housing, employment, independent living, and recovery-oriented service provider for displaced veterans, out of a sense of gratitude for our former service members, and given his family's ties to the military.

After speaking with the home's 23 current residents, Mr. Horan set out with the help and support of his parents, Don and Lauren Horan, to provide the veterans with an impressive donation, which included home living essentials like towels and toiletry items, as well as significant funds for the home to purchase a refrigerator and laptop computer.

Garnering support from the members of St. Paul's Lutheran Church in Funkstown and a number of local businesses, Mr. Horan worked tirelessly and even overcame a health setback to complete the service project in conjunction with his church confirmation.

It is my honor to recognize Mr. Horan, a selfless young man, and congratulate him for his committed service to the North Point Veteran's Home, our country's service members, and his local community.

RECOGNIZING DR. RON KRUSE FOR HIS RETIREMENT

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 21, 2015

Mr. LUETKEMEYER. Mr. Speaker, I rise today to honor a constituent of mine, Dr. Ron Kruse. He retired as Executive Director from the Developmental Services of Franklin County on June 8, 2015. Dr. Kruse has contributed to the county for 28 years.

Dr. Kruse was the first employee and executive director hired in 1987, and under his leadership DSFC expanded to a team of 142 employees. He served 38 years in the field, 28 of those serving the people of Franklin County with developmental disabilities. His work provided case management at the local level by developing the Franklin County Dental Network, Behavioral Services Early Intervention programming, and by partnering with county agencies to meet the residents' transportation needs. This showcases his ability to make a positive impact and leave behind a strong legacy with an organization that provides quality, innovative services.

DSFC enhances employment opportunities, educational and developmental programs, family support programs, and community living options. The organization also promotes public awareness and community collaboration to serve individuals with developmental disabilities, such as Cerebral Palsy, Epilepsy, Autism, or a similar condition diagnosed before the age of 22. Thanks to Dr. Kruse's efforts, Franklin County will continue to move in the right direction for people with development disabilities.

With this retirement, Dr. Ron Kruse can now spend more time with his family which includes: his wife Pamela, daughters Jill and Kate, and grandson Ellis.

I ask you to join me in recognizing Dr. Ron Kruse on his retirement after 28 years of commitment to his community.

HONORING MR. ROY LEE SEAY

HON. KEITH ELLISON

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 21, 2015

Mr. ELLISON. Mr. Speaker, I rise today in recognition of Mr. Roy Lee Seay, who has been honored for his services in the Vietnam War. Through his service in the United States Army, Mr. Seay earned several medals and awards such as the Bronze Star, the Army Commendation Medal with one Bronze Oak Leaf Cluster, the National Defense Service Medal, the Combat Infantryman Badge, the Marksman Badge with Auto Rifle Bar, and the Republic of Vietnam Campaign Medal with ''60'' device. Mr. Seay was also recently surprised to find out he has been recognized with the following awards: the Silver Star, the Vietnam Service Medal with three Bronze Service Stars, the Sharpshooter Badge with Rifle and Machinegun Bars, and the Republic of Vietnam Gallantry Cross Unity Citation with Palm Device.

Mr. Seay was born July 12, 1947, in Mer Rogue, Louisiana to the late Robert Seay and Elizabeth Seay. In October 1970, roughly eight months after returning from the war, Mr. Seay and his wife, Maggie Seay, moved to Minneapolis, Minnesota, where he worked for Food Machinery Corporation/United Defense Industries for twenty-nine years until his retirement in 1999.

Mr. Seay is a dedicated member of his church, New Salem Missionary Baptist Church in Minneapolis, where he also works as a Sunday School Teacher. Mr. Seay's family is of utmost importance to him. He is the proud father of three daughters: Debra Brinkley, Sandra Moore, and Lawanda Moore; and one son: Lonnie LaValias.

I wish to congratulate Mr. Seay and his entire family, on a lifetime of service—to his county, to his family, and to his community. Thank you, Roy, for your service.

DIGNIFIED INTERMENT OF OUR VETERANS ACT

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 21, 2015

Mr. SHUSTER. Mr. Speaker, I rise today to shed light on an issue plaguing our nation's veterans, and to thank two of my constituents from Fayette County, Mr. Lanny Golden, a Vietnam Veteran, and Mr. Ron Metros, a member of Rolling Thunder's Pennsylvania Chapter 5, for working with me on legislation to return dignity and respect to our country's heroes.

There are an estimated 47,000 unclaimed veteran remains that have been left to collect dust on funeral home shelves because the next of kin has not or could not be identified. Existing legislation directs the Veteran Affairs Administration, veteran service organizations, and funeral directors to work together in identifying veteran status for the deceased and making every effort to locate the next of kin. Unfortunately, there are a host of barriers that prevent effective collaboration among these stakeholders. For example, in my state of Pennsylvania, the Missing in America Project found nearly 100 unclaimed veterans within a couple years' time. Some of those veterans were sitting on shelves for more than 20 years awaiting burial.

We can speculate regarding the reason for this disgrace but we cannot know for sure

without giving this issue the attention it deserves. That is why I have introduced H.R. 1338 ''Dignified Interment of Our Veterans Act of 2015.'' My bill requires the Secretary of Veterans Affairs to conduct a study on matters relating to the claiming and interring of unclaimed veteran remains. The intent of the study is to confirm the scope of this problem, uncover any barriers associated with claiming and interring veteran remains, and solicit recommendations from the Department of Veterans Affairs on potential program improvements. This is the first step in returning honor to our country's heroes.

Again, I would like to thank Mr. Metros and Mr. Golden for their dedicated work in service to our country's veterans. When asked why he is so passionate about this issue, Mr. Golden, who served with the First Air Cavalry Division during the Vietnam War, simply replied that these are his Brothers in Arms and they deserve to be buried beside those that have walked the same path.

I fully agree with Mr. Golden and would like to say thank you to all who have served this great nation. I will make every effort to ensure your final resting place be of dignity and honor. We will not forget you.

HONORING JUDGE MICHAEL POLLARD

HON. RAÚL M. GRIJALVA

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 21, 2015

Mr. GRIJALVA. Mr. Speaker, today I wish to recognize the hard work of Judge Michael Pollard and his tremendous impact on the Tucson community.

His selfless work for the American people started when he was drafted into the United States Marine Corps in 1967. He was assigned to the Echo Company 2nd Battalion 4th Marines, proudly serving his country in Vietnam.

Following his time in the military, Judge Pollard graduated from the University of Arizona, College of Law in 1972. He then worked tirelessly in private practice as a prosecutor and public defender for 20 years before being appointed as a Tucson City Court magistrate in 1994.

Since that appointment, Judge Pollard has worked relentlessly to improve his community through his service on various committees, including as chair of the Arizona Supreme Court Committee on the Impact of Domestic Violence in the Courts, as the state judicial representative to the Arizona Full Faith and Credit Team, and as co-chair of the Tucson/Pima County Homeless Plan Implementation Task Force, continuing to direct homeless courts in the region.

Judge Pollard's most recent contribution to Tucson can be found in his honorable and dedicated work with his fellow veterans. In 2009, along with a handful of other judges, he developed the Regional Municipalities Veterans Treatment Court. This organization works to provide veterans an opportunity to avoid jail time and clear any misdemeanor charges they may have on their record. In return, the veteran must complete court-mandated rehabilitation and support courses, many times working with the Southern Arizona VA Health Care System and other local organizations that provide those services. Since its inception, this program has allowed over 600 veterans to work towards a healthy, clean lifestyle without the difficulties of possessing a criminal record.

Thanks to Judge Pollard and his team, countless veterans have been able to move past their misdemeanors and progress to nonviolent, healthy lives. He sees these misdemeanors not as permanent hardships, but as potential turning points for those who accept them. He provides a second chance for those who have fought for our country, and for this I am grateful. Judge Pollard demonstrates an individual who truly works for the betterment of his community, both among Tucsonans and his fellow veterans.

IN TRIBUTE TO UMOS ON THEIR 50TH ANNIVERSARY

HON. GWEN MOORE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 21, 2015

Ms. MOORE. Mr. Speaker, I rise to pay tribute to UMOS, a nationally renowned agency whose corporate headquarters is based in Milwaukee, Wisconsin. In July, 2015, UMOS will celebrate its 50th Anniversary.

UMOS began as a single-focused, single state, migrant and seasonal farm worker serving agency only. Today, UMOS offers various programs and services to diverse populations with a diverse staff. Currently, UMOS employs 300 people and operates 40+ programs with more than $25 million grant and performance-based contracts from federal, state, and local funding sources.

UMOS operates programs throughout the state of Wisconsin, as well as in Minnesota, Missouri, and Texas, along with a housing consortium in an eight-state area. It provides programs and services in three major categories: workforce development, child development, and social services including: farm labor, housing, HIV prevention services, domestic violence, sexual assault and human trafficking supportive services, home energy assistance, food pantry and Head Start. In addition to these programs, UMOS sponsors and organizes a number of cultural and community events in Wisconsin.

Much of the success of UMOS can be attributed to its longtime President and Chief Executive Officer, Lupe Martinez. He has led the agency for over 40 years and spent most of his professional career at UMOS. Mr. Martinez is dedicated to advocating and providing programs and services to improve employment, provide education opportunities as well as health and housing supports for UMOS' clientele whether they are migrant and seasonal farm workers or other underserved populations. Lupe Martinez has always gravitated toward leadership roles even as a child; he was one of 10 siblings in a family of migrant workers and accepted the responsibility of paying bills and managing the family finances. Today he manages the largest Hispanic nonprofit organization in Wisconsin and one of the largest in the nation.

Mr. Speaker, I am proud to say the UMOS hails from the 4th Congressional District, and pleased to give praise to Lupe Martinez, their Board of Directors and staff. I wish them many more years of success.

RECOGNITION OF THE CAREER AND RETIREMENT OF MR. MARTY BEIL

HON. MARK POCAN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 21, 2015

Mr. POCAN. Mr. Speaker, I rise today to honor the exceptional career of Mr. Marty Beil, who will retire this week after having served as Executive Director of the American Federation of State, Municipal and County Employees (AFSCME) Council 24, the Wisconsin State Employees Union since 1985. Over the course of his 30 years at the helm of AFSCME Council 24, Marty has come to be known by many as the face of public employee unions in the State of Wisconsin.

Marty began his career in public service in 1969 working for the state's Division of Corrections as a probation and parole officer. It didn't take long for Marty to become involved with the union, and in 1973 he became president of the local chapter. In 1978 Marty was then elected president of the Wisconsin State Employees Union, a position which he held until 1985 when he was chosen to take over as executive director. Throughout his time as director, Marty was appointed by Wisconsin Governors to many high level committees and commissions on which he served as the spokesman for Council 24 and an outspoken advocate for state employees.

The hallmark of Marty's career was perhaps during the highly divisive 2011 session of the Wisconsin State Legislature when Governor Scott Walker introduced Act 10, the controversial legislation suspending most collective bargaining powers of the state's public unions. The bill was unprecedented in Wisconsin, which was the first state in the country to provide collective bargaining rights to public employees in 1959, and the legislation drew significant public dissent. Marty provided pivotal leadership and was a constant presence throughout the weeks of protests at the State Capitol where crowds of demonstrators numbered over 100,000 at times.

It is a true honor to recognize the career of Marty Beil, a tireless advocate and leader for state employees and working families in my district and across the state. His contributions are an important legacy in the longstanding tradition of fighting for workers' rights and protections in the State of Wisconsin.

HONORING BOB FALLSTROM

HON. RODNEY DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 21, 2015

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I rise today to honor Bob Fallstrom, a friend, veteran, and newsman, who passed away on July 10, 2015 at the age of 88. Mr. Fallstrom served as an integral part of life in central Illinois by delivering the news to countless Central Illinoisans for 66 years. He left a lasting impact on many throughout the entire state of Illinois.

As a young man, Mr. Fallstrom worked at a movie theatre with the dream of a career in the news. Despite never having earned a college degree, he eventually achieved his dream, landing a position with the Herald & Review, a local newspaper in Decatur, Illinois.

Mr. Fallstrom put his professional dreams on hold to serve his country during World War II—a testament to his dedication to service and putting others first in all aspects of his life.

After the war, Mr. Fallstrom returned to central Illinois and once again picked up his reporter's notebook. He worked for decades as a sports editor for the paper and kept regular attendance at sporting events throughout the region. Known as the ''good news editor,'' he was also described as a ''talking encyclopedia'' of central Illinois history.

I am proud to honor Mr. Fallstrom for his service to his country and his community. He was a devoted husband, father, veteran, and newsman that left an indelible memory on the lives of so many. My thoughts and prayers are with Mr. Fallstrom's family as central Illinois has lost a truly bright and impactful leader.

HONORING THE SERVICE OF MR. ALGIN ROBERTS

HON. ANDY BARR

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 21, 2015

Mr. BARR. Mr. Speaker, I rise today to recognize an outstanding individual, Mr. Algin Roberts, of Frankfort, Kentucky. Mr. Roberts celebrates his ninetieth birthday on July 26th, and I want to honor that special occasion by acknowledging his distinguished military service during World War II. Mr. Roberts, a part of the greatest generation, served our nation in the United States Army.

Mr. Roberts joined the Army when he was just fifteen and he turned sixteen while crossing the Atlantic to fight. He was a member of the Army's 1st Infantry Division. They took part in the invasion of North Africa and Sicily. They were later sent to England for R&R and were a part of the D-Day invasion in 1944. Mr. Roberts' unit was among the first to land on Omaha Beach where the fighting was fierce. Mr. Roberts later came down with malaria and spent a long recovery time in England.

After the war, Mr. Roberts returned home and became a Kentucky State Police officer where he had a long and distinguished career.

The bravery of Mr. Roberts and his fellow men and women of the United States Army is heroic. Because of the courage of individuals from Franklin County and from all across our great nation, our freedoms have been saved for our generation and for future generations. He is truly an outstanding American, a patriot, and a hero to us all. On the special occasion of his ninetieth birthday, he and his family can reflect proudly on his contributions to the world through his brave military service.

EXPRESSING CONDOLENCES TO THE VICTIMS OF THE SENSELESS SHOOTING IN CHATTANOOGA, TENNESSEE

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 21, 2015

Ms. JACKSON LEE. Mr. Speaker, it is with a heavy heart that I rise to speak out against the senseless loss of innocent lives resulting from another unthinkable act of violence.

My thoughts and prayers go out to the people of Chattanooga, Tennessee, who were affected by the shootings on Thursday morning, July 16, especially the victims, the families, and our military community affected by this catastrophe.

From current reports, we know that gunshots were fired at a military recruiting center and a Navy Reserve center in different parts of Chattanooga, Tennessee, late Thursday morning, tragically taking the lives of four Marines and wounding several others.

I want to commend the law enforcement and emergency service agencies for their prompt response and management of this morning's tragic shootings and for carrying out the investigation thereafter.

Americans come together at such times of tragedy to support each other.

So at this time, I ask all Americans to keep the victims, their families, and our military members, in their thoughts and prayers.

There is no place in a civilized society for such senseless acts of violence.

Changing a culture of violence will not happen overnight but that is no excuse for failing to try.

We must keeping trying. We must work tirelessly. For the sake of the victims of Chattanooga, Tennessee, we must not give up.

I ask the House to observe a moment of silence in memory of the victims in Tennessee, and victims of gun violence everywhere.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 21, 2015

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was $10,626,877,048,913.08.

Today, it is $18,151,862,792,175.02. We've added $7,524,985,743,261.94 to our debt in 6 years. This is over $7.5 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

TRIBUTE TO JERRY AND JOYCE MEZ

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 21, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize Jerry and Joyce Mez, owners of the Farmall-Land Museum in Avoca, Iowa. Since 2005, Jerry and Joyce have greeted visitors to their museum, home of over 200 International Harvester tractors. Visitors from all 50 states and at least 16 countries, including Australia, Germany, Spain and the Netherlands, have viewed this outstanding collection of tractors.

The Farmall tractors are known as ''reds'' due to their distinctive color. Though the museum opened 10 years ago, it has been Jerry's dream for some 40 years. He started collecting International Harvester tractors in 1970. His museum idea followed shortly thereafter. The oldest Farmall tractor in his collection is a 1914 model and the newest model is dated 1985. Joyce also takes an active role in the museum. She helped develop a lounge so patrons could rest during the museum tour, which covers 26,500 square feet. The lounge is known as the ''Tractor Widows Lounge.'' Jerry and Joyce take great pride in sharing their collection with the hundreds of visitors each year.

I commend Jerry and Joyce for establishing the Farmall-Land Museum in Avoca, Iowa. The museum is a great addition to the City of Avoca and to the State of Iowa. I am proud to represent Jerry and Joyce in the United States Congress. I urge my colleagues in the House to join me in congratulating them for achieving their dream and for sharing their collection with us. I wish them and their family nothing but the best moving forward.

RECOGNIZING EMMA SHIREY'S FULBRIGHT SCHOLAR ACHIEVEMENT

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 21, 2015

Mr. LONG. Mr. Speaker, I rise today to recognize and congratulate Emma Shirey on receiving a renowned Fulbright English Teaching Assistant Grant for the 2014–2015 academic year.

Emma, a native of Nixa, Missouri, was awarded the Fulbright U.S. Student Program grant to teach in Taiwan, where she has gained valuable career experience serving as an English Teaching Assistant. The award has allowed Emma to interact with young Taiwanese students and make valuable contributions to Taiwan's youth after her graduation from Truman State University with a degree in Sociology.

A Fulbright English Teaching Assistantship allows individuals to teach English and serve as a cultural ambassador for the U.S. by being placed in a classroom abroad. In doing so, Emma has successfully played a big role in spreading the value of American ideas and education.

I am extremely proud that talented, hard-working and dedicated individuals, such as Emma, represent the Seventh District of Missouri. I urge my colleagues to join me in congratulating Emma Shirey for her service and for receiving this esteemed award.

IN HONOR OF BECKY MOELLER, PAST PRESIDENT AND SECRETARY-TREASURER FOR THE TEXAS AFL–CIO

HON. MARC A. VEASEY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 21, 2015

Mr. VEASEY. Mr. Speaker, I rise today to honor Ms. Becky K. Moeller for her service to the organized labor movement as Secretary-Treasurer and President of the Texas AFL–CIO. Ms. Moeller's retirement comes after her long tenure within the Texas AFL–CIO, where she worked to advance hands-on political and legislative educational programs and fight for working people against tough odds.

In 2003, Ms. Becky Moeller was elected as Secretary-Treasurer for the Texas AFL–CIO, making her the first woman to hold a statewide elected office in the Texas AFL–CIO. During her four year tenure as Secretary-Treasurer, Ms. Moeller used her budgetary expertise to keep many of the organization's signature programs despite a decline in funds.

In 2007, Ms. Moeller was elected President of the Texas AFL–CIO, effectively overseeing the 235,000-member labor federation's legislative, political education and community service programs.

During her tenure in these two positions, Ms. Moeller helped introduce a revamped and revised education program that enabled organized labor leaders to contact union members more effectively during ''Get Out the Vote'' campaigns. This particular initiative proved successful for labor-supportive Texas Legislature and Congressional candidates.

Ms. Moeller's dedication to organized labor goes beyond her work within the AFL–CIO. Before her leadership in the Texas AFL–CIO, Ms. Moeller served as president of the Communications Workers of America Local 6137, the Corpus Christi local union representing workers at SBC (now AT&T). Ms. Moeller served in several capacities, including job steward, chief steward, Executive Board member, vice president and secretary-treasurer.

Ms. Moeller also served as President of the Coastal Bend Labor Council and as a member of the Texas AFL–CIO Executive Board. For several years, Ms. Moeller chaired the Texas AFL–CIO Scholarship Committee. She also traveled the state of Texas to promote unions and assist in a variety of worker actions.

In addition to her commitment to organized labor, Ms. Moeller served as a member of her local United Way Board of Governors and the Corpus Christi Workforce Development Board and also worked a number of voter registration drives. She was appointed by Governor Ann Richards as Chair of the Texas Department of Licensing Regulation commission.

TRIBUTE TO GREENFIELD MUNICIPAL UTILITIES

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 21, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate a great Iowa institution, Greenfield Municipal Utilities. On June 12, 2015, Greenfield Municipal Utilities celebrated 125 years of business.

A short ten years after Thomas Edison invented the light bulb, a group of Greenfield city councilmen and businessmen began planning a municipal light plant to provide the town with electricity. In the fall of 1890, their idea became a reality when Greenfield was one of the first towns in Iowa to have a plant. Members of the Board of Trustees today include Lynne Don Carlos, Terry Schneider, and Bob Guikema.

I applaud and congratulate the Greenfield Municipal Utilities for their 125 years in Iowa's Third Congressional District. I am proud to represent them in the United States Congress. I know that my colleagues will join me in congratulating and wishing the Board of Trustees and their employees nothing but success in the future.

RECOGNIZING COLIN THOMAS, SAM LAFFEY, AND MOSES WEISBERG

HON. KEN BUCK

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 21, 2015

Mr. BUCK. Mr. Speaker, I rise today to recognize Colin Thomas, Sam Laffey, and Moses Weisberg for their hard work and dedication to the people of Colorado's Fourth District as interns in my Washington, DC office for the Summer 2015 session of Congress.

The work of these young men has been exemplary and I know they all have bright futures. They served as tour guides, interacted with constituents, and learned a great deal about our nation's legislative process. I was glad to be able to offer this educational opportunity to these three and look forward to seeing them build their careers in public service.

Our interns have made plans to continue their work with various organizations in Washington, Colorado, and Kansas. I am certain they will succeed in their new roles and wish them all the best in their future endeavors. Mr. Speaker, it is an honor to recognize Colin Thomas, Sam Laffey, and Moses Weisberg for their service this summer.

CONGRATULATING THE TAYLORVILLE OPTIMIST CLUB ON THEIR 50TH ANNIVERSARY

HON. RODNEY DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 21, 2015

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I rise today to congratulate the Taylorville Optimist Club on their 50th anniversary this year. The Optimists have shown inspiring dedication to their mission of fostering an optimistic way of life in my hometown.

The Optimist Club was chartered in 1965, and there are currently over sixty active members. Since their charter, they have been a force of good in the community. They instigate a meaningful difference in the attitudes of our community's youth at events throughout the year; bringing out the best in kids by providing hope and a positive vision.

Over the past five decades, the Optimist Club has been resilient in pursuit of their mission. The club makes various important contributions to the people of Taylorville throughout the year. Fitting for this time of year, they honor our freedom by providing the fireworks for the Independence Day celebration. In the spring, they host their annual Easter Egg Hunt for children in the community. During the school year, they assist local students who exemplify their mission with scholarships.

The Taylorville Optimist Club has shown that a positive outlook is essential in facing everyday life. Their commitment to service has helped make my hometown community what it is today. As a past member of the Optimist Club, I am proud of this club's reputation. Its legacy can be seen in the lives of all those it has enriched over the past fifty years, and I look forward to another fifty.

CELEBRATING THE LIFE OF MR. THOMAS FRITZ

HON. CATHY McMORRIS RODGERS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 21, 2015

Mrs. MCMORRIS RODGERS. Mr. Speaker, I rise today to mourn the loss of Mr. Tom Fritz, who tragically passed away last week in a devastating fishing accident. A leader who helped to bring countless jobs and collaborative healthcare to Eastern Washington, Tom was a pillar of strength and generosity in our Greater Spokane community and will be greatly missed.

A beacon in our community, Tom tirelessly led Inland Northwest Health Services for the last 16 years before retiring last December. Founded as a joint venture of the area's largest hospitals and their parent companies, under his guidance, INHS grew to over 1,000 employees and brought in more than $200 million in gross revenues, becoming one of the region's largest employers and one of its most active businesses. Having the vision to partner with community entities, Tom led INHS to provide exemplary access to health services not only in Spokane but all across our country. He

drove their efforts through forward-thinking solutions, unique partnerships and innovative technologies. Tom's vision for INHS was to provide a collaborative approach to health care that is unlike any other.

Tom had a heart of gold. He tirelessly advocated for programs and initiatives that benefited the community he loved. A tremendous leader, Tom will be remembered for his years of service to our community in Eastern Washington and for his commitment to INHS's collaborative mission. To those he worked with on a daily basis, he will forever be remembered as a great friend and colleague. Although Tom Fritz' passing has left many heavy hearts in Eastern Washington, the memory of this actively passionate and engaged individual has left a lasting impact on the lives of many back home in the Inland Northwest.

Thank you, Tom, for your years of dedication and service to our community and state. My thoughts and prayers are with your family and friends during this difficult time.

COMMEMORATING THE 50TH ANNIVERSARY OF THE PASSAGE OF THE ''FEDERAL CIGARETTE LABELING ACT'' OF 1965

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 21, 2015

Ms. JACKSON LEE. Mr. Speaker, I rise today to commemorate the 50th anniversary of the ''Federal Cigarette Labeling Act'' of 1965.

Passed by the 89th Congress, the ''Federal Cigarette Labeling Act'' was signed into law by President Lyndon Johnson on July 27, 1965, in response to the mounting scientific evidence that smoking cigarettes causes lung cancer and is a serious public health concern for the nation.

At the time this act was being debated in Congress, cigarette smoking was simply not viewed as a public health concern.

Cigarette smoking was viewed as a norm, with virtually no harmful effects.

Tobacco companies often falsified data to make the claim that some cigarettes were even healthy for you to smoke.

One famous advertisement campaign was for the Lucky Strike cigarettes made by the American Tobacco Company in the 1930s which used advertisements that stated ''20,679 physicians say Luckies are less irritating.''

Another advertisement campaign by the RJ Reynolds Tobacco Company was called the ''More Doctors'' campaign which attempted to reshape the image that cigarettes were safe.

These are just a few of the false advertisements about the implications of smoking on an individual's health by the tobacco industry and which were a contributing factor in the rise of lung cancer mortality rates in the United States.

To assist in educating the American people about the dangers of smoking the ''Federal Cigarette Labeling Act'' required the entire tobacco industry to adapt to new regulations mandating that cigarette packages have a health warning label that stated, ''Caution: Cigarette Smoking May Be Hazardous to Your Health.''

By implementing this simple warning label on cigarette packing, the public was given a notice on every box of the potential harm these tobacco smoking products may cause.

This legislation also required the Federal Trade Commission to report to Congress annually on the effectiveness of cigarette labeling for the public.

Along with labeling, this legislation created a framework of how the current promotional practices were to be employed by the tobacco industry for promoting their products.

This legislation accelerated the American public's knowledge of the true dangers of smoking cigarettes.

In 1986 Congress continued this endeavor to educate the American public on the harms of tobacco use by passing the ''Comprehensive Smokeless Tobacco Health Education Act,'' which extended the health warning labels from just cigarettes to include smokeless tobacco products, along with the advertisements for them.

In my city of Houston, Texas, lung cancer has become the deadliest cancer for my constituents, affecting not just former smokers but also nonsmokers.

Progressive legislation like the ''Federal Cigarette Labeling Act'' has helped inform the American people of the potential danger of using tobacco products.

Mr. Speaker, this is why I am proud to commemorate the 50th anniversary of the ''Federal Cigarette Labeling Act'' of 1965 and to recognize its remarkable contributions to American public's access to information that allows them to make the best informed decision for their personal health.

MARKING 41 YEARS SINCE THE TURKISH INVASION AND OCCUPATION OF NORTHERN CYPRUS

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 21, 2015

Mr. SMITH of New Jersey. Mr. Speaker, I rise today to mark the 41st anniversary of the Turkish government's illegal invasion of Cyprus in 1974. This tragedy of that aggression continues to this day. Northern Cyprus continues to be occupied by Turkish troops. More than 216,000 Cypriots continue to be displaced or their descendants denied their rightful property claims in ancestral homelands—and this includes 5,000 Americans of Cypriot descent.

Sadly, the occupation authorities continue their direct attacks on the religious freedom of Orthodox Christians and the island's rich Orthodox Christian cultural heritage. Cyprus's ancient Christian heritage goes back to the mission of St. Paul and St. Barnabas in 45 A.D.—Barnabas is remembered as the founder and patron saint of the Church in Cyprus. Even in recent years, Turkish security forces have continued to disrupt the religious services of Orthodox believers in northern Cyprus, and, sadly, the desecration and destruction of religious sites continues. Forty-one years after the Turkish government's invasion, Christian believers still cannot freely visit all religious sites on the island, nor use Christian religious sites for their rightful purpose. Sites looted of revered icons remain vacant, and sacred objects of Cypriot Orthodoxy regularly turn up on the international art market or are held in museums against the wishes of the Orthodox community. The services for the faithful that do take place remain tightly restricted by Turkish authorities through special permitting or other challenges to registering congregations. These violations of basic rights are a legacy of intolerance wrought by the 1974 invasion.

Mr. Speaker, I hope my colleagues will join me in urging the administration to vigorously promote meaningful settlement negotiations that affirm the fundamental freedoms and human rights of those Greek Cypriots who are displaced or enduring in northern enclaves.

RECOGNIZING EVAN MCCARTNEY'S FULBRIGHT SCHOLAR ACHIEVEMENT

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 21, 2015

Mr. LONG. Mr. Speaker, I rise today to recognize and congratulate Evan McCartney on receiving a renowned Fulbright Study and Research Award for the 2014–2015 academic year.

Evan, a Nixa, Missouri, native and United States Air Force Academy graduate, was awarded the Fulbright grant to study the field of political science in Ukraine. There, he has learned the country's military aviation history and future through Ukraine's National Aviation University.

Fulbright Study and Research grants allow recipients to design projects and work with advisers and foreign universities to pursue a particular field of study. Given the ongoing conflict in the region, I am certain Evan's bright mind and American military background has shed new light on the ongoing situation there.

I am extremely proud that talented, hard-working and dedicated individuals such as Evan have great opportunities to represent the Seventh District of Missouri. I urge my colleagues to join me in congratulating Evan McCartney for his scholarship and for receiving such an esteemed award.

TRIBUTE TO KID ZONE EARLY LEARNING CENTER

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 21, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize Kid Zone Early Learning Center for the opening of their new facility in Adair, Iowa.

Kid Zone strives to enrich the lives of young children in the Adair community with a faculty of dedicated teachers and caregivers. Their

focus on cultivating a positive learning experience and a nurturing environment will be a great asset to the residents of Adair.

I commend Kid Zone Early Learning Center and their staff for the service they provide to families in Adair and southern Iowa. I urge my colleagues in the House to join me in congratulating Kid Zone for their new location. I wish them and their staff nothing but the best moving forward.

RECOGNIZING PHILIP A. CLEMENS

HON. MICHAEL G. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 21, 2015

Mr. FITZPATRICK. Mr. Speaker, today, I would like to honor Philip A. Clemens, a constituent of mine and community leader who is retiring after serving almost 50 years with the Clemens Family Corporation. Mr. Clemens has spent his entire working life with his family business, The Clemens Family Corporation, headquartered in Hatfield, Pennsylvania.

Over the years, Mr. Clemens has worked in all areas of the business—from the clean-up crew to Chairman and CEO, a position he served in for 15 years. With Mr. Clemens' leadership, the Clemens Family Corporation has grown into one of the largest companies in the industry, employing hundreds of my constituents with good-paying, family-sustaining jobs.

Mr. Clemens has devoted his knowledge and expertise to not only the growth of his own business, but the future of the meat industry as a whole. His lifelong contributions to the industry are unmatched. For his influence, he's received the highest award given in the industry—the North American Meat Institute's Industry Advancement Award, the Knowlton Award for industry innovation, and the Research Institute of America's outstanding management award.

However, Mr. Clemens isn't just known for his business accomplishments, he's also an active volunteer known by many in our area for his dedication to the Indian Valley and North Penn communities. Some of those roles include his work as the Chairman of the Board of Trustees of Lancaster Bible College, his work with the North Penn United Way, and his efforts with the Profit Sharing Council of America. In addition, he is also very active at the Calvary Church of Souderton, where he serves on the Elder Board.

Mr. Clemens is a dedicated family man, a highly successful entrepreneur and a man who generously donates his time to better our community. I am proud and privileged to honor him today and appreciate all he has done for the people of our community. On behalf of the constituents of the 8th District of Pennsylvania, I wish Mr. Clemens a happy, relaxing and pleasant retirement.

HONORING MR. DAVID SCHLEGEL, MR. PEIDONG YANG, MS. CAROLYN BERTOZZI, AND MR. JIZHONG ZHOU

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 21, 2015

Ms. LEE. Mr. Speaker, I rise today to honor the accomplishments of four scientists, affiliated with the Lawrence Berkeley National Laboratory, who have been named by U.S. Energy Secretary Ernest Moniz as recipients of the 2015 Ernest Orlando Lawrence Award, the Department of Energy's highest scientific honor.

The Department of Energy's Ernest Orlando Lawrence Awards were established by President Dwight Eisenhower in 1959, to honor Ernest Lawrence, the Nobel Prize-winning inventor of the cyclotron, the forerunner of today's particle accelerators, and the founder and namesake of the Lawrence Berkeley National Laboratory—located in my very own 13th Congressional District of California.

The four winners associated with the Lawrence Berkeley National Laboratory and their accomplishments are as follows:

David Schlegel, an astrophysicist who serves as the Principal Investigator for the BOSS project on the Sloan Telescope, the Co-Principal Investigator for the DECals sky survey, and the Project Scientist for the Dark Energy Spectroscopic Instrument (DESI). He was recognized for his ''exceptional leadership of major projects making the largest two-dimensional and three-dimensional maps of the universe, which have helped ascertain the nature of Dark Energy, test General Relativity, and positively impact fundamental understanding of matter and energy in the universe.''

Peidong Yang, a faculty chemist who holds joint appointments with Berkeley Lab's Materials Sciences Division, the University of California (UC) Berkeley, where he holds the S.K. and Angela Chan Distinguished Professor of Energy chair, and the Kavli Energy NanoSciences Institute (Kavli-ENSI), for which he is a co-director. He was recognized for his ''seminal research advancing the synthesis and understanding of nanoscale materials, including semiconductor nanowires and metal nanocrystals, and their impact to structures and devices for applications in nanophotonics, nanoelectronics, and energy conversion.''

Carolyn Bertozzi, also a faculty chemist with Berkeley Lab's Materials Sciences Division, a professor of chemistry and of chemical and systems biology at Stanford University, and an Investigator of the Howard Hughes Medical Institute. She was recognized for her ''significant scientific research contributions at the interface of chemistry, biology and nanoscience, including major advances in the chemistry and biology of complex carbohydrates, including the development of nanotechnologies and chemistries for probing biological systems, optimizing bioreactors, and innovating tailored devices and materials.''

Jizhong Zhou, a Presidential Professor in Botany and Microbiology and Director of the Institute for Environmental Genomics at the University of Oklahoma, a guest researcher with Berkeley Lab's Earth Sciences Division, and a principal investigator for ENIGMA (Ecosystems and Networks Integrated with Genes and Molecular Assemblies). He was recognized for his ''outstanding accomplishments in environmental genomics and microbial ecology, including the development of innovative metagenomics technologies for environmental sciences, for groundbreaking discoveries to understand the feedbacks, mechanisms, and fundamental principles of microbial systems in response to environmental change, and for transformative leadership to elucidate microbial ecological networks and to link microbial biodiversity with ecosystem functions.''

On behalf of the residents of California's 13th Congressional District, I salute you all. I thank you for your contributions to the scientific field and congratulate you on your many achievements in research.

TRIBUTE TO EDD LEACH

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 21, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize Mr. Edd Leach of Council Bluffs, Iowa. Edd is the owner of Leach Camper Sales in Council Bluffs.

Leach Camper Sales was opened in 1962 by Edd's father. Edd joined the business in 1969 when his Dad offered him a deal: if Edd would work at the business for five years, he would end up owning half the business. Since then, Edd and his wife, Donna, have built a very successful business together. They offer RVs of all sizes, and a complete parts and repair department to service their customers' needs. The family owned business includes their daughter and grandsons. Leach Camper Sales is home to a number of employees who have spent years helping serve the area.

I commend Edd and his staff for their dedicated service to Council Bluffs and southwest Iowa. I am proud to represent them in the United States Congress. I urge my colleagues in the House to join me in congratulating Leach Camper Sales for their many achievements in the recreational vehicle industry. I wish Edd, his family, and his employees all the best moving forward.

RECOGNIZING THE WORK OF DR. MEI BAI FOR HER ACCOMPLISHMENTS IN THE FIELD OF NUCLEAR PHYSICS

HON. LEE M. ZELDIN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 21, 2015

Mr. ZELDIN. Mr. Speaker, I rise today in recognition of Doctor Mei Bai, whose innovation and leadership at the Department of Energy's Brookhaven National Laboratory on Long Island, New York, in my district, has greatly impacted the field of nuclear physics. This month she receives the E.O. Lawrence Award,

a prestigious award bestowed by the Department of Energy for exceptional scientific achievement.

Dr. Bai joined Brookhaven National Lab in 1999 as a research associate in the Relativistic Heavy Ion Collider (RHIC) Accelerator Physics Group, was promoted to Associate Scientist in 2001, and to Scientist in 2004. In 2000, she was the recipient of the American Physical Society's Outstanding Doctoral Thesis Research in Beam Physics Award. In 2010, the Asian Committee for Future Accelerators and the organizing committee of the 2010 First International Particle Accelerator Conference awarded Bai a prize for her significant and original contributions to the field of accelerator research. Dr. Bai recently joined the Nuclear Physics Institute in Germany, which conducts experimental and theoretical basic research in the areas of nuclear, hadron, and particle physics.

In the 1990s, Dr. Bai and her colleagues devised a way to keep protons circulating in an accelerator polarized, or all spinning in the same directions on their axes. This was a crucial development which was successfully demonstrated at Brookhaven National Laboratory's Alternating Gradient Synchrotron, which is an accelerator that is a key part of the RHIC complex.

This week, Dr. Mei Bai is being honored with an E.O. Lawrence award for her outstanding research, which has allowed for the first direct measurement of the contributions of fundamental particles known as quarks and gluons to the spin of the proton.

Physicists from around the world study polarized protons at RHIC to determine the answer to a fundamental question—how protons get their spin, an intrinsic property of the particle that is not completely understood. Dr. Bai's work enabled RHIC researchers to successfully accelerate individual beams of polarized protons to 255 billion electron volts of energy. The beams were collided at a total mass energy of 510 billion electron volts, making RHIC the world's first and only high energy polarized proton collider.

Today, I thank her for her enthusiasm and the inspiration she provides to other scientists at Brookhaven National Lab and the international community. I congratulate Dr. Bai on her accomplishments and this very significant award.

RECOGNIZING TOM KERR ON BEING NAMED ''PAUL KROEGEL REFUGE MANAGER OF THE YEAR''

HON. SEAN P. DUFFY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 21, 2015

Mr. DUFFY. Mr. Speaker, I rise today to recognize Mr. Tom Kerr for his leadership and attention to our community's and our nation's wetlands.

As the manager of Wisconsin's St. Croix Wetland Management District and Whittlesey Creek National Wildlife Refuge, Mr. Kerr understands that environmental conservation isn't something that can simply be purchased; it requires local engagement. This is why he's organized working programs such as Conservation Day, a collaborative event that educates students about what's involved in sustaining our ecosystems.

I am proud that Mr. Kerr's outstanding years of service and dedication are being recognized with the National Wildlife Refuge Association's ''Paul Kroegel Refuge Manager of the Year'' award—one of the nation's highest honors given to conservation leaders.

While overseeing thousands of acres of marshes, grasslands, and oak savanna throughout Northern and Central Wisconsin, Mr. Kerr finds unique ways to engage his neighbors and to lend a hand to many bird species in the process.

I appreciate this opportunity to honor Mr. Kerr for putting conservation at the forefront in our community. On behalf of Wisconsin and this entire body, we thank him.

RECOGNIZING MS. SOFIA BILSKI

HON. DANIEL WEBSTER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 21, 2015

Mr. WEBSTER of Florida. Mr. Speaker, it is my privilege to recognize one of my constituents, Ms. Sofia Bilski of Windermere, Florida, for her acceptance to the People to People World Leadership Forum in Washington, D.C. Ms. Bilski was selected for her academic excellence, leadership potential and exemplary citizenship.

The mission of People to People Leadership Ambassador Programs is to bridge cultural and political borders through education and exchange. To this end, People to People offers domestic and international educational programs that promote cooperation, cross-cultural understanding and leadership. It is my hope that Ms. Bilski benefitted greatly from her participation in the World Leadership Forum, and I wish her all the best in her future endeavors.

TRIBUTE TO MACKENZIE ELLIS

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 21, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Mackenzie Ellis of Johnston, Iowa. Mackenzie will be representing the United States as an educational ambassador through the Ameson Year in China (AYC) program.

Mackenzie, a recent graduate of Iowa State University, will be traveling to China to spend a year teaching, studying, and working with public schools in an effort to make a difference. She will have the opportunity to learn new languages and immerse herself in the Chinese culture through a number of different programs offered through AYC.

I commend Mackenzie for seizing this opportunity to expand her knowledge of different cultures and explore what the world has to offer. I am proud to represent Iowans like Mackenzie in the U.S. House of Representatives. I know that my colleagues join me in congratulating her and wish her nothing but the best as she embarks on this new adventure.

HONORING MR. ARMAND CHARBONNET

HON. CEDRIC L. RICHMOND

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 21, 2015

Mr. RICHMOND. Mr. Speaker, I rise today to honor Armand Louis Charbonnet, the Vice President of Charbonnet-Labat-Glapion Funeral Homes, who passed away on July 9, 2015, at the age 84.

Mr. Charbonnet was a United States Army veteran, a lifelong Catholic, member of the Vikings Krewe, patriarch of his family, and a leader in the New Orleans community. He directed numerous funerals in New Orleans and surrounding parishes in one of the oldest continuously operating African-American funeral homes in the country. Known for its traditional jazz funerals, horse drawn glass hearses, and the famous saying ''My Soul Goes to Heaven but take my body to Charbonnet,'' Charbonnet-Labat-Glapion Funeral Homes has served Louisiana for more than 132 years.

To honor Mr. Charbonnet, who was affectionately known by family and friends as ''Big Daddy,'' today we recognize the fulfillment of his mission. In commemoration of his life and achievements we strive to put the needs of others first as he did for countless families through the painful process of laying a loved one to rest.

INTRODUCTION OF THE TEACH SAFE RELATIONSHIPS ACT

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 21, 2015

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, today I am proud to introduce the Teach Safe Relationships Act along with my colleagues SUZANNE BONAMICI and ALMA ADAMS.

Too often, young Americans engage in abusive, unhealthy relationships. In fact, young women between 16 and 24 years old are victims of intimate partner violence at three times the national average of all women. These statistics and the stories of sexual abuse and dating violence among teens and college students demand that we examine innovative approaches to curb unhealthy relationship behavior.

The Teach Safe Relationships Act, introduced by Sen. TIM KAINE of Virginia, takes a strong step to address this problem by ensuring that American students discuss safe relationship behavior as part of sex education. Through comprehensive curricula that use effective approaches to prevent teen dating violence, sexual assault, and harassment, we

can ensure that our young people have the tools they need to make safe decisions in relationships and identify unhealthy or abusive behavior.

I am encouraged that key provisions of this legislation have been included in the Every Child Achieves Act in the Senate, and hope that my colleagues in the House will build on that momentum by supporting the Teach Safe Relationships Act.

TRIBUTE TO NICHOLAS HALLMAN

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 21, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Nicholas Hallman of Des Moines, Iowa for receiving a coveted Fulbright award during the 2014–2015 Academic Year. Nicholas is a recent graduate of the University of Iowa with a Bachelor of Arts in International Studies, History, and French. He will travel to Turkey in September 2015 and begin his work in one of the newly-established state universities.

While in Turkey, Nicholas will be teaching English and plans to establish an American film and television club. He hopes to bridge the gap and make comparisons between American and Turkish society. Nicholas would also like to spend time organizing relief efforts for war refugees and volunteer at refugee camps.

Mr. Speaker, it is with great respect and admiration that I recognize Nicholas today. It is the young people like him who are willing to work hard and make sacrifices for the betterment of society that will lead our future generations. I know my colleagues in the U.S. House of Representatives join me in congratulating Nicholas on this outstanding achievement and wish him nothing but continued success moving forward.

INTRODUCTION OF THE CLEAN SLATE FOR MARIJUANA OFFENSES ACT

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 21, 2015

Mr. BLUMENAUER. Mr. Speaker, today, I am introducing legislation that will allow certain federal marijuana offenders the opportunity to clear their record.

In 1973, Oregon became the first state to decriminalize the personal possession of a small amount of marijuana. Since then, an additional 15 states have adopted similar policies. 23 states, the District of Columbia and Guam have passed laws that allow for the use of marijuana for certain medical conditions. In 2012, Washington and Colorado legalized the adult use of marijuana and in 2014, Oregon and Alaska followed suit. Oregon also recently led the nation in passing legislation to reduce penalties for marijuana offenses and qualifying certain marijuana offenses for expungement that could not previously be expunged.

Under the Controlled Substances Act, however, marijuana remains a Schedule I substance, classified as severely as heroin and LSD and defined as having no medical value. As a result, at the federal level, possessing or distributing marijuana, regardless of the amount and regardless of state law, remains illegal.

While the current Administration's policy is not to prosecute those who are operating in compliance with state law so long as they meet certain federal enforcement priorities, this was not always the case and may not always be the case going forward. Until recently, too many people were wrongly caught up in the conflict between federal and state law.

In 2013, after a state-legal marijuana industry began to emerge in Montana, a federal investigation responded with a series of 33 sentences against individuals, many who argued they were abiding by that system. The federal government also pursued drug trafficking charges against a family in Washington claiming to grow marijuana within the bounds of Washington's medical marijuana law. The $10 million trial ultimately resulted in a manufacturing charge that will remain on their record.

In addition, while the federal government generally devotes more resources to large-scale drug trafficking and lets local jurisdictions enforce marijuana possession offenses, federal possession charges occur. Over the past 10 years, at least 1,100 people have been sentenced for marijuana possession at the federal level.

The Clean Slate for Marijuana Offenses Act of 2015 creates a pathway for two groups of federal marijuana offenders to expunge—or clear the criminal record of—their marijuana offense: those who were federally charged for activity that was legal in the state they were in at the time; and those whose offense was the possession of an ounce or less of marijuana.

A federal drug conviction, no matter how small, can follow a person for their entire life, potentially limiting education and employment opportunities. As more and more states legalize different uses of marijuana, no one should be saddled with a record for activities related to marijuana that were legal in their state.

In addition, the possession of a small amount should not ruin a person's chances at significant opportunities later in life. While the number of people charged with federal possession offenses is low, over seven million people have been arrested with marijuana possession when totaling state, federal and local law enforcement statistics over the past 10 years. This legislation sends a strong signal to state and local jurisdictions that allowing a pathway for expungement for certain marijuana offenders should happen at all levels of law enforcement.

TRIBUTE TO WHITEROCK CONSERVANCY

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 21, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Whiterock Conservancy for the opening of their new Whiterock Conservancy Backcountry Trail.

At nearly forty miles, the Whiterock Conservancy Backcountry Trail is one of the largest destination trail systems in Central Iowa. After raising funds for seven years, 20 miles of the trail, two new campgrounds, and many other new visitor experiences are complete. Six miles of new equestrian trails will take riders to new vistas, and the double track trail now loops along both sides of the Raccoon River, providing all users, including the mobility challenged or drivers in low power ATV's, with a wonderful background for enjoying their leisure time. These trail improvements allow hikers, snowshoers, bikers, and nature lovers alike the opportunity to enjoy the beautiful landscape of central Iowa.

I applaud and congratulate Whiterock Conservancy for achieving their goals and opening this wonderful destination for Iowans and all Americans to enjoy. I know that my colleagues join me in congratulating Whiterock Conservancy and their board of directors and wishing them all continued success in the future.

CLASS 6A PLAYER OF THE YEAR

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 21, 2015

Mr. OLSON. Mr. Speaker, I rise today to congratulate Kourtney Coveney of Katy High School for being named Class 6A Player of the Year by the Texas Sports Writers Association.

Kourtney led her team to the first state softball title in district history. Throughout the season she had a 3.32 earned run average as well as 79 strikeouts in 135⅔ innings. Not only is she an excellent pitcher, Kourtney's batting average is .511 with 17 doubles, a home run, and 54 runs batted in. She will continue her softball career at West Texas A&M University. Kourtney has made her parents, coaches, and the town of Katy proud.

On behalf of the Twenty-Second Congressional District of Texas, congratulations to Kourtney Coveney on all of her achievements. We look forward to hearing more about her continued success.

REMEMBERING LOU LENART

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 21, 2015

Mr. ISRAEL. Mr. Speaker, I rise today to remember a true hero of the United States and Israel, Lou Lenart. I would like to recognize his heroic efforts and great sacrifice in keeping both countries safe during World War II and Israel's War of Independence.

Lou began his incredible journey as Layos Lenovitz in a Hungarian village near the Czech border. When he was 10 years old, he moved with his family to the United States in order to escape increasing anti-Semitism. At age seventeen, Lou enlisted in the U.S. Marine Corps where he became a fighter pilot.

He served in the U.S. military valiantly, flying in the Battle of Okinawa and other engagements in the Pacific.

After the war, he learned that fourteen of his relatives who had remained in Hungary had been killed in Auschwitz. This prompted him to join a clandestine effort to smuggle surplus American aircraft into Israel. He also helped recruit other war veterans like himself to fly for the Israeli Air Force (IAF).

After surviving the treacherous journey smuggling aircraft into Israel, Lou led his comrades Ezer Weizman, Eddie Cohen, and Modi Alon in the IAF's first mission. On May 29th, 1948, two weeks after Israel declared its independence, Egyptian soldiers and tanks were advancing to Tel Aviv. With Lou at the helm, the secretly assembled IAF was able to force the Egyptian troops to retreat. This mission gave Lou the most accurate nickname I have ever heard, ''the man who saved Tel Aviv.''

Lou served bravely throughout Israel's War of Independence and later participated in Operation Ezra and Nehemiah, which airlifted Iraqi Jews to Israel. After leaving the military he became a pilot for El Al Airlines and a film producer.

Lou passed away on Monday of this week at age 94, but his life will forever be remembered as one of exceptional service and commitment to both the United States and Israel. His sacrifices and achievements are great, and I hope Lou's heroic efforts will serve as a reminder to us all that one individual can truly make a difference.

LIVING WATER INTERNATIONAL'S 25TH ANNIVERSARY

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 21, 2015

Mr. OLSON. Mr. Speaker, I rise today to commemorate Stafford, Texas's own Living Water International on its upcoming 25th anniversary. Over the last 25 years, Mike Mantel and his team have drilled over 15,000 wells and provided clean water to people in more than 23 countries.

After taking a water well drilling trip to Senegal, Mike was inspired to provide clean water to people around the world. To Mike, getting people water was the foundation for a successful life. A life where agriculture could develop, people would be healthier, and women could spend less time hauling water and more time in school. Living Water International's mission to share the love of God and provide access to clean drinking water to countries around the world is inspiring. As a community, we are humbled and grateful by the work Mike and his team at Living Water International are doing.

On behalf of the Twenty-Second Congressional District of Texas, we thank you for 25 years of dedication to bringing clean water to people around the world.

DODD/FRANK 5-YEAR ANNIVERSARY

HON. TERRI A. SEWELL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 21, 2015

Ms. SEWELL of Alabama. Mr. Speaker, today, I rise in recognition of the five-year anniversary of the Dodd-Frank Wall Street Reform and Consumer Protection Act. This critically important piece of legislation has strengthened oversight of the financial sector, given regulators the tools to end the era of ''too big to fail,'' and has eliminated loopholes that allowed risky and abusive practices to go unnoticed and unregulated.

As we mark this five-year anniversary, we must recognize that the ''Great Recession'' of 2008 did not occur naturally as a part of the regular financial cycle, but as a result of the lack of transparency and accountability in the financial sector.

During the ''Great Recession'' the American economy lost over 4 million jobs, 13 trillion dollars in household wealth and approximately 5 million homeowners lost their homes to foreclosure.

Consequently, Dodd-Frank implemented reforms to prevent the bad actors from continuing to commit the types of deceptive and harmful practices that led to these catastrophic results. Most notably, Dodd-Frank created the Consumer Financial Protection Bureau, which over the past five years has returned over $10.1 billion dollars to over 17 million consumers that were subjected to unfair treatment.

No legislation is perfect, and there is still room for minor tweaks to be made in order to ensure Dodd-Frank achieves its original goal of increased transparency, market efficiency and consumer protection. However, we must continue to defend against Republican attacks to completely dismantle this critically important legislation. The sad reality is that Republican majority has spent countless hours attempting to weaken the financial regulatory system, and to reverse many of the important reforms made by Dodd-Frank.

We must continue to protect our recovering economy, promote stability in our financial markets, and ensure that regulators have the tools to protect the American people.

SENATE—*Wednesday, July 22, 2015*

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Mighty God, hear our prayers, search our hearts, and know our thoughts. Teach us to not transgress with our lips.

Keep the steps of our lawmakers on Your paths, inspiring them to not slip from the way of integrity. Hear and answer their prayers, saving them with Your right hand. Lord, preserve them as the apple of your eye, ordering their steps and bringing them to Your desired destination.

We love You, Lord, for You are our strength.

We pray in Your strong Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. COTTON). The majority leader is recognized.

THE HIGHWAY BILL

Mr. MCCONNELL. Mr. President, I regret that yesterday's procedural vote on the multiyear bipartisan highway bill was not successful. It wasn't a vote to approve the bill; it was just a vote to agree to talk about it. We held that vote when we did because we wanted to give the House more space to work on it. But some Members said they wanted more time to review it before agreeing to talk about it, so we will take that procedural vote again later today. Because we are still determined to get this to the House in a timely manner, we expect to work through Saturday to ensure that we do.

Here are the key components of the legislation:

It is a bipartisan, long-term, multiyear measure that will fund our roads, highways, and bridges for longer than any transportation bill considered by Congress in a decade—and this highway proposal will do so without raising taxes or adding to the deficit.

It will give State and local governments the kind of stability and certainty they need to better plan road and infrastructure projects into the future, while also providing them with more flexibility in pursuing those projects.

It will instill real transparency and accountability into the funding process, so Americans can actually see where infrastructure tax dollars are going and how they are being spent.

It will help break the habit of Washington always looking to hike up the gas tax to fund its spending instead of looking for spending cuts and efficiencies first. Here is what we know about the gas tax: It hits hardest those who struggle just to get by, and too many Americans have been struggling the past few years. It is not fair to hit those Americans again with yet another unfair policy from Washington.

Some people might be a little shocked to see the Senator from California and me working across the aisle to put this bill together. Some might have been shocked to see President Obama and Republicans working together to pass important trade legislation for American workers or a Republican Senator from Tennessee and a Democratic Senator from Washington helping the Senate come to agreement on replacing No Child Left Behind. But my view is that if you can agree on a policy that is good for the American people, you should be willing to look past the ''D'' or ''R'' next to somebody's name in order to get it enacted.

Senators from both parties know that a long-term highway bill, which we have all been talking about for literally years, is in the best interest of our country, so we are working together to get a good one passed. Thanks to the dedication of both Republican and Democratic Senators and their staffs, I am hopeful we will.

NUCLEAR AGREEMENT WITH IRAN

Mr. MCCONNELL. Mr. President, I have said that the Senate intends to thoroughly review the White House's deal with Iran and then take a vote on it under the terms of the Iran Nuclear Agreement Review Act. This is a review process which allows us to determine whether the administration complied with the law and delivered the complete agreement, and it is a review process which continues today.

We will have an all-Senators briefing later this afternoon to get a more detailed analysis of the agreement. It will be a time for Senators to ask questions and get a stronger sense of whether this deal can be verified. I know many are eager to do so. Senators from both sides of the aisle have questions for the Obama administration. Then, tomorrow, Secretaries Kerry, Lew, and Moniz will come to the Senate to testify before the Foreign Relations Committee. I know they are expecting a lot of serious, thoughtful questions, including from Members of their own party—and they should because the onus is on any administration to explain why a deal such as this is a good one for our country.

It is always the administration, not Congress, that carries the burden of proof in a debate of this nature, and it seems the administration today has a long way to go with Democrats and Republicans alike. For instance, many Members in both parties—including Democratic leadership in Congress—warned the administration not to have the U.N. vote on this agreement before the American people and the Congress they elected had a chance to weigh in first. There was no reason to seek U.N. approval first, but the administration ignored Democrats, ignored Republicans, and did so anyway. Why? Why did they do that? They need to explain.

Is this deal really about keeping America, the region, and the world safer, or is it simply a compendium of whatever Iran will allow—an agreement struck to take a difficult strategic threat off the table but one that might actually empower the Iranian regime and make war more likely? They need to explain this, too, because Iranian leaders, including the Foreign Minister, have hailed this deal as a victory over America. The Iranian Foreign Minister says this is a great victory over America. The Supreme Leader even boasted that ''our policies toward the arrogant US government will not change.'' That is the Supreme Leader of Iran—''Our policies toward the arrogant US government will not change''—and he said that to chants of ''Death to America'' from the crowd below. Even Secretary Kerry was taken aback by the response from Iran.

We know this isn't about playing to some electorate in Iran because the Islamic Republic isn't truly a republic, and the unelected Supreme Leader has no electorate to report to. So we need to move beyond the rhetoric—including that the choice here is between a bad deal and war, which no serious person truly believes—and get to real answers instead. Our committees will be holding hearings that will begin to shine a light on this agreement, and they will aim toward getting the American people more of the answers they deserve.

Tomorrow's hearing will be important, but it is not the end of the process, it is just the beginning. We will have more hearings. We will interview more witnesses. We will continue endeavoring to answer the question of whether this deal will enhance or harm our national security. And then we will take a vote on it on behalf of the American people.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

THE HIGHWAY BILL

Mr. REID. Mr. President, I am having a caucus today. We have the bill. We worked through the night. I wasn't up all night, but my staff was. I did spend quite a bit of time on this bill. I think we have a basic understanding of it. I am having a caucus today, and we will have my ranking members from Finance, Commerce, Energy, and Banking report on how they look at this bill.

It is my hope that we can work our way through all the issues dealing with this legislation. I think the main reason we are where we are now is we have focused on the importance of a long-term highway bill. So I hope we can work our way through these issues. There are some significant issues, I have already been alerted by my staff, with the transit title. Some of the pay-fors are somewhat questionable. But before we start drawing lines in the sand here, let's see if we can figure out a way to get this done. So we will know that sometime early this afternoon.

JUDICIAL NOMINATIONS

Mr. REID. Mr. President, Alexander Hamilton said, ''The first duty of society is justice.'' If that is true—and I certainly believe it is—then the Republican Senate is failing miserably on its first duty. By neglecting to live up to their constitutional duty to provide ''advice and consent,'' it is clear the Republican leader and his party are denying justice for the American people.

Federal courts depend on us—the United States Senate—to do our job so justice can be dispensed in courtrooms across the country. But Republicans clearly have no interest in seeing these courtrooms and judicial chambers staffed adequately. So far this Congress, Republicans have confirmed only five judges. By this same point in the last Congress of George W. Bush's Presidency, under my leadership, the Senate had confirmed 25 judges. Five to one seems unfair. There are real repercussions when Republicans refuse to act. We didn't have judicial vacancies then. We did it because it was the right thing to do.

If there aren't enough judges to hear the cases that are piling up, a vacant judgeship is declared an emergency. At the beginning of this year, there were only 12 judicial emergencies that deserved priority attention. Yet, in the mere 7 months of this Republican-controlled Senate, the number has doubled and is on its way to tripling very soon. As of today there are 28 judicial emergencies, including 4 judges currently pending on the floor. But that is really an unfair view because having them pending on the floor takes into consideration that the Judiciary Committee is doing their job—holding hearings on these nominations—and they are not. This is something which was learned years ago when the Judiciary Committee was operated by the present chair of the Finance Committee. How he got around having these judicial nominations stacked up on the calendar was he wouldn't do the hearings. That is what has now been taking place in the Judiciary Committee.

There are real-life consequences to this obstruction. Each judge Republicans block, each nomination they slow-walk results in delay of justice. As the maxim goes, justice delayed is justice denied. And that certainly is true.

A Wall Street Journal article from April quoted U.S. district judge Lawrence O'Neill from the Eastern District of California:

> Over the years I've received several letters from people indicating, ''Even if I win this case now, my business has failed because of the delay. How is this justice?'' And the simple answer, which I cannot give them, is this: ''It is not justice. We know it.''

Judge O'Neill is 1 of 25 judges I worked to confirm in the first 6 months of the 110th Congress with President Bush. He is absolutely right. What is happening now with the judicial emergencies across the country is not justice. This is Republican politics as usual.

We saw it on display last week when the junior Senator from Delaware came to the floor and asked consent to confirm 5 consensus judges to the U.S. Court of Federal Claims, a really important block of judges doing important work for this country. It was not an outlandish request. After all, the Judiciary Committee favorably reported these five nominations twice—last year under Democrats and again this year under Republicans—but the Presiding Officer, a Republican, objected to that request. His reasoning? The Court of Federal Claims doesn't need these judges. Perhaps the junior Senator from Arkansas should ask the chief judge of the Court of Federal Claims if his court does not need those new judges. The chief judge has pleaded for the immediate filling of these five vacancies since they are creating a caseload problem for the court. But the freshman Senator from Arkansas had his mind made up and blocked every attempt to confirm even a single judge to this important court.

One of his home State newspapers, the Arkansas Times, headlined its report: ''Tom Cotton continues his obstructionist ways.''

Yesterday the Washington press took notice that the blocking of these judges coincidentally lined up with the interests of a powerful conservative law firm that is currently representing clients before this court.

A Roll Call headline says: ''Cotton Blocks Judges on Court Familiar to His Former Law Firm.'' I don't mean to necessarily point fingers at anyone. After all, the junior Senator from Arkansas is only following, I assume, the Republican leader's example. There are currently five district court judges awaiting votes on the Senate floor. All five were reported out of the Judiciary Committee unanimously, proving they are consensus, noncontroversial candidates. So why hasn't the Republican leader scheduled their confirmation votes? Three of the district nominations are classified as judicial emergencies—including one judge in the Eastern District of California, and that is the court that Judge O'Neill serves. The Republican leader should bring them to the floor.

Again, the record is clear. Democrats confirmed all of these judges for President Bush, and the Republicans are basically confirming no one for President Obama. Any objective observer would tell you that it is not fair. Not only is 5 to 1 not fair, but it is also the fact that hearings are simply not being held.

Maybe it is time for a new strategy. Maybe it is time for the Republican leader to live up to his constitutional duty, do his job, and start moving all of these backlogged nominations and directing the Judiciary Committee to hold hearings. The American people need these judges, and they need them now, working to ensure that everyone gets the justice he or she deserves. To allow these qualified nominees to linger longer is simply unjust and unfair. The American people expect more from the Republican leadership and Congress and deserve better. We are going to do everything within our power to bring to the American people's attention that the Republican leadership is not doing a very good job on this and other matters before the Senate.

Mr. President, what is the schedule of the Senate today?

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be

in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each, with the majority controlling the first hour and the Democrats controlling the second hour.

The majority whip.

NUCLEAR AGREEMENT WITH IRAN

Mr. CORNYN. Mr. President, ahead of tomorrow's hearing in the Foreign Relations Committee with Secretaries Kerry, Moniz, and Lew on the President's announced nuclear deal with Iran, I wanted to take a few minutes to address just how far the administration has moved its own goalposts in terms of this purported deal.

Over the last few years the administration has made extensive public statements about what would and would not be acceptable in a final deal with Iran, and today it is clear that the final deal falls short not necessarily of other people's expectations but of their own standards and their own stated expectations.

As Senators consider this proposed deal and whether it should be approved or disapproved, I think it is important to have a good understanding of where the President and his team did not meet their own expectations.

From the early stages of the negotiation, the Obama administration made clear that a key part of any ''good deal'' would be dismantling Iran's nuclear infrastructure.

Before the House Foreign Affairs Committee, Secretary Kerry said back in December of 2013 that ''the whole point'' of the sanctions regime was to ''help Iran dismantle its nuclear program.'' However, President Obama, in previewing the deal in April of this year, essentially admitted that it would fall short of this standard by saying that ''Iran is not going to simply dismantle its program because we demand it to do so.'' But weren't our negotiators actually demanding that Iran dismantle its nuclear program? That had been our stated policy as the U.S. Government. Wasn't that—in Secretary Kerry's own words—''the whole point''?

As Prime Minister Netanyahu of Israel pointed out, instead of dismantling the nuclear infrastructure of Iran, the No. 1 state sponsor of international terrorism and threat to the safety and stability of the Middle East, this deal legitimatizes and paves the way for their nuclear program and its enrichment capability. In fact, by the time this deal expires, the rogue regime in Tehran will have an industrial-sized nuclear program.

For the duration of the agreement, Iran will be able to conduct research and development on several types of advanced centrifuges. In year 8, Iran can resume testing its most advanced centrifuges, and in year 9 it can start manufacturing more of them. That is hardly dismantlement. That is the opposite of dismantlement.

I also want to address another important point that has been made concerning inspections because, as we know, Iran will cheat. So inspections take on an especially important role in enforcing any agreement that is made. In particular, I want to address this issue of anytime, anywhere inspections.

In April, President Obama announced that a good deal had been struck between world powers and Iran and noted that the deal would ''prevent it from obtaining a nuclear weapon.'' This is, of course, now known as the ''framework deal''—a precursor to what was announced last week.

A few weeks after this announcement, Secretary Ernest Moniz, the Energy Secretary, who was at the table with Secretary Kerry in negotiating this deal, said: ''We expect to have anywhere, anytime access.'' He said that on April 20, 2015. This is a particularly clear statement from someone intimately familiar with the negotiation process, and, of course, it was well received because this is, at a minimum, what needs to be done in order to keep Iran from cheating. But by the weekend, the administration was singing a different tune.

This is what Secretary Kerry said when he began to backtrack from what was said by Secretary Moniz on April 20. He said that ''anywhere, anytime'' inspections was ''a term that honestly I never heard in the four years that we were negotiating. It was not on the table.'' I don't know whether Secretary Moniz and Secretary Kerry actually talked to each other or not. They spent an awful lot of time together in Vienna and supposedly would be on the same page. But for Secretary Kerry to say this really incredible statement, that he never heard of this idea, and that this was not on the table is simply incredible.

So, of course, my question is: Were anywhere, anytime inspections ever on the table? And if not, why did the administration tell us they were—including the Secretary of Energy. And if they were not on the table, why is this deal actually a good deal? Why can we have any sense of conviction or belief that Iran won't cheat, especially given this Rube Goldberg sort of contraption involving notice and this bureaucratic process that will basically lead up to a 24-day delay between when inspections are requested and before inspections can actually be done? We know from our experience with Saddam Hussein in Iraq that it is easy to move things around and avoid the inspectors of the IAEA.

This deal today provides that inspectors will have ''managed access''—whatever that means—to suspect sites, but, as I said, it allows up to 24 days for Iran to stall inspectors before it actually grants them access, if they ever do. This is another way of saying that Iran will be able to cheat with near impunity.

The administration has also led us astray on a third item, and that is Iran's ballistic missile capability. This is the vehicle by which Iran could launch a nuclear weapon to hit people in the region or even further.

In February of last year, the chief U.S. negotiator, Wendy Sherman, testified before the Senate Foreign Relations Committee that while Iran had ''not shut down all of their production of any ballistic missile,'' the issue was ''indeed, going to be part of something that has to be addressed as part of the comprehensive agreement.''

Ballistic missiles, as we know, can be used to deliver a nuclear weapon, and now under the current deal, the arms embargo in Iran will be completely lifted in just 8 years' time, including on ballistic missiles. I don't think the administration simply changed their minds and decided that this wasn't an important issue. I think they simply caved on yet another important item to our national security and that of our allies.

Earlier this month, for example, the Chairman of the Joint Chiefs of Staff, Martin Dempsey, testified that ''under no circumstances should [the United States] relieve pressure on Iran relative to ballistic missile capabilities and arms trafficking.'' So with this purported deal, the administration has apparently caved once again on something that the Chairman of the Joint Chiefs of Staff, who is the No. 1 military adviser to the President of the United States, said should be off the table. Under this negotiation, apparently, it is on the table and part of the deal that we will have an opportunity to vote on in September.

I have one more example. The President has repeatedly said from the beginning that no deal is better than a bad deal. I agree with that. Yet right now he and the rest of the administration are telling Members of Congress and the American people that there is no other option on the table, and it is either this deal or war.

There is a third choice. There are tougher sanctions that will bring Iran to the table for a better deal and a good deal. It is simply unacceptable for the President to be misrepresenting what the options are to Congress and the American people by saying ''it is either this deal or war.'' As bad as this deal is, obviously no one wants war.

We do know that Iran is an existential threat to our No. 1 ally in the Middle East, the nation of Israel. Iran has been engaged in proxy wars against the United States and its allies since at least the early 1980s—since the early days of the current regime.

Well, the President is supposed to be Commander in Chief of the Armed

Forces and the No. 1 person in the U.S. Government when it comes to national security. He took office with the promise to restore America's relationships with our allies around the world, and clearly his promise has not come true. Instead, what the President has delivered during his time in office has been that our allies increasingly do not trust us and our adversaries no longer fear us, as evidenced by the coercion and intimidation engaged in by Mr. Putin in Eastern Europe.

I ask unanimous consent for 2 more minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CORNYN. Even President Jimmy Carter in a recent interview admitted that ''the United States' influence and prestige and respect in the world is probably lower now than it was 6 or 7 years ago.''

This isn't some Republican criticizing a Democratic President; this is Jimmy Carter, former President of the United States and a member of the Democratic Party, who is saying the U.S. influence, prestige, and respect in the world is probably lower now than it was 6 or 7 years ago.

This is a difficult statement to take in, and President Carter has been wrong about an awful lot of national security issues, but I am afraid he is right on that one.

So now Congress has an important role to play, and I can't think of a single more important national security issue we will have an opportunity to act on than Iran's aspirations for a nuclear weapon. This is a true game-changer in terms of stability and peace in the Middle East and our own safety and security. I know that I and the rest of our colleagues will take full advantage of the opportunity of having 60 days to review this agreement, to put it under a microscope, and we will have no trouble voting it down if we conclude, as many of us are now starting to do, that it jeopardizes America's security and paves the way for a nuclear-armed Iran.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. ISAKSON. Mr. President, I ask to be recognized for up to 5 minutes.

The PRESIDING OFFICER. The Senator from Georgia is recognized.

Mr. ISAKSON. Mr. President, first of all, I wish to commend the majority whip on his outstanding speech addressing the Iran nuclear deal.

I rise in a number of capacities. One is as a member of the Senate Foreign Relations Committee, which will undertake a review of this act, and ultimately a vote, as well as the entire Senate. I rise as one who voted for the New START treaty and went through those negotiations in this administration. I rise as a grandfather of nine children with a commitment that the rest of my life is about seeing to it that they live in a world that is as safe, as free, and as productive as the United States is for us today.

I will go through all the due diligence provided for in the Iran Nuclear Agreement Review Act. I wish to at this point commend Senator CORKER and Senator CARDIN on the outstanding work they did to ensure the American people would have oversight and the Congress would have a vote on this deal, but I want to be sure we have a vote on this deal that is meaningful and not superficial.

The President decided, for reasons that are his own, to not call this a treaty and to originally try to avoid any congressional input at all. I don't know what those reasons were, but they were his and his alone. Yet this is the same President who agreed to a treaty with Russia to limit nuclear weapons and bring a vote to the Senate floor. An agreement, I might add, which has inspection provisions which are robust, has Russian inspectors in America, American inspectors in Russia, and has the type of trust and belief that we can have in any nuclear deal.

I am worried that the deal we are talking about making with the Iranians has neither. I am extremely concerned that the President will say, in answer to people who condemn the treaty: Well, if you don't like it, what would you do differently or it is this treaty or this agreement or war. We need to live up to our responsibility. It is not a choice of this agreement or war; it is a choice of doing this agreement or doing the right thing for the American people.

There are three concerns I want to mention. The first is that as a businessperson, I learned a long time ago that the best deals I ever made were the ones I walked away from before I closed them. The worst deals I ever made were the ones when my arm was behind my back and somebody said: Oh just get it out of the way and do it. Every one of those were bad. Every one of the ones I walked away from and then was asked back to the table were good. They were good for a very simple reason. If you can't play hard to get in a negotiation, you are going to be easy to get.

Teddy Roosevelt once said: ''Walk softly and carry a big stick,'' and he was right. This administration walked loudly and carried no stick at all. In fact, at the last of the negotiations, all of a sudden there appeared new relief of the U.N. Arms Embargo by the Iranian regime at the end of 5 years. This was a nuclear weapons treaty; this was not some agreement about conventional weapons. We don't want to lift the sanctions against the Iranians for proliferating conventional weapons in the Middle East, but yet this agreement contained that. I think that was a concession we made to them to keep them at the table.

We reversed roles. The largest superpower in the world lost its clout and the Ayatollah Ali Khamenei and the Iranian Government gained theirs just because they were willing to walk away from the table.

And then there is the trigger of 8 to 8½ years where, as that time passes, the Iranians will begin to resume fissile nuclear material development. They will do some of their planning for strategic missiles, some of the restrictions of the agreement that will take place in the beginning will go away. Working toward an end where, at the end of 2 years, any agreement that would limit nuclear weapons breakout by the Iranian regime.

This started out as a deal to keep the Iranians from getting a nuclear weapon, stop nuclear proliferation in the Middle East, and not allow the Middle East to become a nuclear arms camp. Unfortunately, I am afraid this will not happen if this agreement is adopted in the form I understand it to be.

So when the President says: What would you do, would you fight a war? I would say: No, I would go back to the table. I would say: The sanctions got you to the table to begin with; let's keep the sanctions to keep you at the table and let's review whether we should have let the conventional arms embargo go away. Let's see if we should allow the reworking of fissionable nuclear material at the end of year 6. Let's see if at the year end, the Fordow facility embedded in a mountain should be reactivated to produce nuclear-grade plutonium.

All of those triggers along the way in the agreement are just steps toward allowing Iran to become what we said we didn't want Iran to be. We didn't want Iran to be a nuclear arms power in the Middle East to go through nuclear proliferation. I am afraid this is just a staged platform from which that is exactly what will happen.

I will listen to every word by the administration. I will go to every briefing. I will do my due diligence as a Senator of the United States and as a representative of the people of Georgia.

When I cast that vote, it is going to be in the best interest of my children and grandchildren and yours. It is going to be making the best deal we can make for the American people, doing everything we can to limit the proliferation of nuclear weapons and doing everything we can to get those who say ''death to America'' before every speech understand that America is the greatest democracy on the face of this Earth.

We will walk softly, but we will carry a big stick, and we will insist on negotiations that are good not just for the other side but for the American people as well.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. Mr. President, on Monday, the United Nations Security Council voted to accept the agreement that was negotiated over Iran's nuclear program.

I think it is very telling that President Obama decided to take his plan to the United Nations before bringing it to the Congress. I think the President is hoping to force Congress—to bully Congress—to go along with his plan without actually giving it serious debate. Well, we are going to have a serious debate. I believe President Obama and his negotiators failed to get the strong deal they promised, and it remains to be seen whether this deal is good enough.

United Nations Ambassador Samantha Power called me after the deal had been agreed to by the President and by Iran and she told me the greatest weakness of the deal was its complexity. So I have to ask: Why is the President in such a rush? The American people have every right in the world to have their voices heard on this important issue.

I was at home in Wyoming over the weekend and I got an earful about why this deal is so bad and about the risk it poses to our own U.S. national security. Congress also has the right and the responsibility to provide oversight on this plan, and there has been bipartisan skepticism and concern on this floor about this specific deal.

So we need to take a very close look at the agreement over the next 2 months. We are going to listen to our constituents, and we will have hearings to make sure all the facts are clear, starting tomorrow in the Foreign Relations Committee.

While the Senate does its part in evaluating the deal, I think we have to keep in mind two key questions. First, do we believe this is a good deal that will protect the American people, protect our allies far into the future and not just for a few years and, second, what evidence is there that the Iranian regime plans to change its illegitimate and dangerous behavior in any way?

This agreement accepts Iran as a nuclear threshold state on the premise that we can build a better relationship with the country's leaders. How realistic is that? Iran is still holding American hostages. Iran continues to support Bashar Assad in Syria. Iran continues to support Palestinian terrorist groups. Even President Obama admits this behavior is likely to continue under the deal he negotiated. Can we afford to allow this Iranian regime to have the nuclear program it will get at the end of this deal? President Obama wants to put off the answer to this question until after he has left office. Congress needs the answer now.

People on both sides of the aisle have raised many appropriate concerns about this deal. One issue is that before the agreement was announced, Iran had more than 19,000 centrifuges to enrich uranium. After the deal is fully implemented, Iran will still have more than 19,000 centrifuges. Not a single one will be dismantled under this agreement. Some of them may go into storage, some of them may be turned off, but eventually that could be brought back again and turned back on. More than 5,000 of them will continue to spin and to enrich uranium.

Iran can continue to conduct research and development on more advanced centrifuges. It says right in the deal that ''Iran will continue testing'' advanced centrifuges—and it can actually manufacture them for specific purposes. Once the restrictions end, Iran can produce as many of these advanced centrifuges as it wants. They will have already done the work and they will know how to build them and how to use them. President Obama had the leverage—he had the leverage—to push for more on this point. Why didn't he use it?

This bill doesn't dismantle a single centrifuge; it does dismantle the sanctions against Iran. That is another very real concern a lot of people have.

While it will not happen overnight, Iran is likely going to gain access to what will eventually amount to more than $100 billion. This massive injection of resources is ultimately a direct deposit into Iran's terrorism accounts. Why was there nothing in this agreement to stop Iran from using this money in ways that could harm America and our allies?

And there is the extremely important issue of whether this agreement allows us to inspect Iran's nuclear facilities anywhere and anytime. President Obama said that is how we would verify that Iran was living up to its promises. It turns out that the reality is very different from what the White House promised. Now the President says that inspectors will have access ''where necessary, when necessary.'' That is a big difference. Who gets to decide what is necessary?

Under the actual agreement, the International Atomic Energy Agency can request—can request—access to a location in Iran if it is worried. That is not anywhere, any time; that is anywhere, anytime Iran chooses.

Iran can refuse to give access to the site, and it gets 2 weeks to negotiate what inspectors can do. If the two sides can't work it out within 14 days, then the issue gets turned over to a commission of eight countries that are part of the agreement. Then the Commissioners have another 17 days to resolve the issue by a majority vote. After that, Iran gets another 3 days to comply. It is as much as 24 days in total. So we went from anywhere, anytime, 24/7, to 24 days.

A former Deputy Administrator at the National Nuclear Security Administration recently wrote an op-ed in the Wall Street Journal about this very subject. He said 24 days is ''ample time for Iran to hide or destroy evidence.'' Twenty-four days, which is what the President agreed to, is ample time for Iran to hide or destroy evidence.

President Obama says we will be able to tell if Iran is violating the agreement. That is an important difference of opinion, and Congress is going to have to resolve that over the next 2 months.

It is very clear President Obama and Secretary of State Kerry were desperate to get a deal with Iran, even if it was a very bad deal. Both the President and the Secretary of State are lameducks, and they are looking to build their legacy. Iran knew that, and Iran took advantage of that fact. At the last minute, to make sure they could actually get a deal signed, the President and the Secretary of State agreed to let Russia sell Iran ballistic missile technology. This technology can be used to attack our allies and even to threaten the United States. Why was this even a part of this agreement over Iran's nuclear program? The week before the deal was announced, the Chairman of the Joint Chiefs of Staff told the Senate Armed Services Committee: ''Under no circumstances should we relieve pressure on Iran relative to ballistic missile capabilities and arms trafficking.'' So why did it end up as part of the deal? Why did the President, yet again, ignore the advice of his military commanders on this vital national security issue?

At the end of the day, this deal does not take away Iran's pathway to a nuclear weapon. It merely gets Iran to promise that for the next few years it will walk down the path very slowly. President Obama may think this deal is good enough to help his legacy. There are still a lot of questions about whether it is good enough to keep the American people safe and the rest of the world as well.

Our goal all along should have been an agreement that was accountable, enforceable, and verifiable. At this point, I have serious doubts about whether this deal is good enough.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. Mr. President, back home this weekend in Indiana I took the time very carefully to read through all 159 pages of the agreement made with Iran, as well as a lot of supporting material written by the foreign policy experts who had an opportunity also to look at this. I read it carefully because words mean a lot. As concerned as I was when we started this process, I became much more concerned after reading through the fine print that is now called the agreement with Iran.

Yesterday we returned to Washington to start the session this week. I

had the opportunity as a member of the Select Intelligence Committee to look over the classified annexes of this. There is still one outstanding, which we will be looking at as soon as we receive it. The more I read, the more concerned I am that we have struck not a good deal, not a passable deal that we have to accept, but a bad deal—a bad deal that is clearly worse than no deal.

Four Presidents—three previous Presidents and this current President—have declared over the years of their service that a nuclear-armed Iran is unacceptable. Each person, each President used that very word ''unacceptable.'' But this deal intends simply to slow down Iran's march to nuclear weapons capability. Even the White House has conceded now that it will not permanently stop Iran's nuclear ambitions. This, in and of itself, should raise major questions and concerns about this agreement.

But perhaps more concerning is what the negotiations conceded in order to reach an agreement with a regime—a regime that calls America its enemy, brazenly violates U.N. resolutions, sponsors terrorism, threatens Israel's existence, is led by individuals who proclaim ''death to America,'' and is responsible for more than 1,000 military deaths since September 11, 2001. This is the regime we are dealing with.

Six of the major powers in the world, led by the United States—or at least we thought they would be led by the United States—having all the leverage of their status in world affairs, were negotiating with a country that violates all that I have just listed, that cannot be trusted, that simply is in a weak position given the sanctions, thankfully, that the Congress has imposed and other Presidents have imposed and is put in a situation where it should have the weak hand. It turns out they had the strong hand against the weakness and the lack of will and resolve of the six nations—France, United Kingdom, Germany, the United States, China, and Russia. That group was on one side of the table with the leverage that group would have against Iran, which has not gained the trust of anyone except its loyal followers—a nation that is staggering because of the sanctions that have been imposed—and which ends up being the strong hand working against the weak. The will and resolve to stand tough to achieve an agreement that was in the benefit of not just the United States but the world for a more secure Middle East and prevention of nuclear weapon possession by Iran has been negotiated away.

Clearly, in the coming weeks we will be talking about various aspects of this agreement. The time is limited today, so I will just go into a couple of issues.

The period covered by the deal is way too short. There was the promise that Iran would not have the capability to develop nuclear weapons, and it is specifically now on a pathway to acquiring them.

President Obama has admitted that in these future circumstances, Iran's breakout time to nuclear weapons will be essentially zero. That is what he said some time ago. But, of course, now the President, the Secretary of State, and the White House are making public statements saying: Well, that is really not what we meant. And they said a number of things to reassure the American people: Trust us; everything is going to be OK.

What particularly grabbed my attention was the inspection regime. Clearly, on any kind of agreement of this type, there has to be as tight a regime of inspections as possible. We know Iran has cheated in the past. We know they are going to try to cheat in the future. They are going to try to interpret every nuance and every word in this agreement as something different than what we will describe. Therefore, verification of their ability to live by the word of the agreement, as bad as it is, has to be verified completely. When you look at the sections necessary to accomplish that, it raises real concerns. I will spend more time on this floor later, given the constraints here, to talk about this inspections regime.

But let me address an issue that has just come to light. I was sitting and plowing through this agreement. When I came to section 78, it started listing the timeframe for how we would proceed if we found that there was information to suspect Iran was cheating on the agreement. You have heard 24 days is the maximum, which, by the way, is longer than just about any agreement we have entered into in an arms agreement. For many of these, it has been 9 hours. Everybody knows that we have given up anywhere, anyplace. We now have to have Iran's approval before we move forward with a convoluted, byzantine process in terms of getting to a point where a resolution is made. We now know, reading through sections 78 to 82, I believe, that it doesn't add up to 24 days. It adds up to 54 days. We are talking nearly 2 months or more.

I was interested to open up the Wall Street Journal this morning: ''Iran Inspections in 24 Days? Not Even Close.''

As I was sitting there, it was being pounded into our heads by the Secretary of State saying: 24 days, that is all it is—24 days. We are on top of this. We can get it resolved. Don't worry; they can't move their stuff somewhere else or cover their tracks or remove evidence of what we suspect is a violation of the agreement. Over and over and over the Secretary of State and the President of the United States said 24 days. First of all, 24 days is not a good deal, as I just mentioned. It ought to be 24 hours or less—anytime, anywhere. What did we do to anytime, anywhere? We stretched it out to 54 days. Despite what the administration has said about this, I cannot believe that the clear reading—read sections 78 to 82, I believe it is, and add it up. It is 54 days of time if all time is used to come to an agreement.

What can you do in 54 days when you have been accused of cheating? You remove the evidence. That is exactly what they will do. This is a huge revelation here that is now in print. The administration keeps insisting that this is not the case: Don't worry, folks; we have it covered on inspections. That simply is false.

So let's say we find out they are cheating. When our negotiators abandoned their position on gradual sanctions relief, they opted instead for this so-called snapback provision that would punish Iran for noncompliance, for cheating. Read the agreement. There is a convoluted, byzantine scheme for such a return to sanctions that would be exceedingly time consuming and is not politically realistic. It is an illusion—and more on this later.

The arms embargo is lifted, and on and on it goes.

I listed just a couple of very deeply concerning issues here that need to be discussed. Unfortunately, we have been put in a box by this administration. They ran straight to the United Nations to get approval for this without America's elected representatives and the American people having an opportunity to have the deal presented to them and for them to make the decision. So five of the six nations involved here—even if the United States comes to the point where we defeat this effort, if it is possible to do so—now have the full green light to go forward. Germany rushed over with contracts in hand with their Commerce Minister and heads of major corporations are signing off deals like you wouldn't believe. Those aren't going to be snapped back.

We now have an opportunity to review this pending deal, and I would urge every Member of the Senate to take the time to sit down and read this agreement through carefully. Look at what the experts—the foreign policy experts—have said about it. Look at where the flaws are, and let's sit down and discuss it. Let's look at those top secret classified annexes—every Member here has the opportunity to do that if they so choose—and bring forward to the American people—that which we are allowed to bring forward that is not classified—the flaws of what has turned out to be an agreement that simply is not in the interest of the future of the American people.

My time has expired. Let me just wrap up by saying that the President has defended this deal by challenging critics who put forward alternatives. How about this? How about exercising American leadership and making it

clear that crippling sanctions will be maintained and strengthened if Iran nuclear activity continues? Congress should reject this bad deal. We then can enact more vigorous sanctions to persuade the Iranian leaders to reconsider their position or persuade the Iranian people to reconsider their leaders.

Mr. President, I apologize for going over my time. I yield the floor to my colleague from North Carolina, and I see my colleague from Maine is waiting to speak.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. TILLIS. Mr. President, I have come to talk about what I think we have reached here—a tipping point in terms of President Obama's legacy.

Recently, Jimmy Carter emphatically charged that President Obama has weakened us and brought us less respect everywhere in the world. When President Carter makes a statement such as that, I don't think President Obama should be spiking the football in the Rose Garden.

Why do you think President Carter made those statements? Maybe he has looked at the legacy over the last 6 years, as many of the American people have. Ukraine is on fire. China is threatening its neighbors. Al Qaeda is stronger than ever. ISIS is massacring Christians and Muslims with genocidal savagery the likes of which we haven't seen since the Second World War. The Jewish people are facing the greatest threat since the Holocaust.

The President got this deal with the ayatollahs, no matter how dangerous and no matter how destabilizing the final accord is. He has claimed a victory, and the media vanguards are right behind him, and he is going to late-night comedy cable shows to build his case.

Ladies and gentlemen, this is no laughing matter. You are going to hear a lot of speeches over the next few weeks—in the 60 days we have to review this deal. There are going to be a lot of technical terms, a lot of things that quite honestly some Members of Congress don't fully understand. But I hope that over the next 60 days we will be able to communicate to the American people in a way that they understand why this is a very dangerous deal.

Here are some questions I hope you will look into and form your own opinion.

One question: Is there truly a dismantlement of Iran's nuclear program? I have looked at the summary of the agreement. I have not read the full text yet. I will be doing that this week. But it is very clear this is not a matter of whether Iran can have a nuclear weapon; it is a matter of when they can have a nuclear weapon. That is not dismantlement; that is scheduling.

There is another one. I think my colleague from Indiana just spoke about it. It has to do with inspections. We use terms like ''snapback'' and everything else, but let's put this in very simple terms. Imagine that the police in your community suspected there was a criminal enterprise in some house. Imagine that instead of being able to get a warrant and then quickly go and knock on the door and identify that criminal activity, the police would send a letter to the criminal saying: In the next 4 or 5 weeks, 3 or 4 weeks, we are going to do a surprise inspection on your house. What is the likelihood that criminal presence or that criminal activity is going to be there? That is the nature of the inspections regime with the nation that still continues to chant ''Death to America.'' They are not a good player. They are not a good actor. Giving them time to prepare for a so-called snap inspection makes no sense to me, but that is what is in this deal, and it is written out in plain English.

Another question is this: Why hasn't the President done something as basic as have the Iranian people—or the Iranian leadership, I should say; this is not about the people, it is about the leadership—show good faith by releasing American prisoners in Iran?

As far as the ballistic missile program, ask the President, ask the people who negotiated this agreement: Will Iran have a ballistic missile program? The answer is yes. They actually have backorders for missiles that could reach Europe. Over time, they will develop a program that will reach the United States. This agreement has no treatment for this.

Ask them if they will dismantle the Iran terror network. The Iran terror network operates throughout the world. The Iran terror network is funded literally through the Government of Iran. Over $300 million has been identified by Canadian intelligence agencies as having been funneled to terrorist organizations such as Hezbollah, Hamas, and a number of others. Are they going to dismantle it? No. As a matter of fact, I believe that with the sanctions being removed, it is going to provide them more money to fund those networks.

Why would the President release $140 billion in sanctions? Why would we do that? Why would we provide money to a nation that says they need money but they can spend money on terror and a number of other things—not education, not fixing roads, not better health care for Iranians, but spreading terror throughout the world? Why on Earth would we give them more money to do that?

The President has given birth to the Middle East nuclear arms race as well. Ask yourself this question: Do you think it is likely that Saudi Arabia, Turkey, Egypt, and other Gulf States are going to stand idly by when a hostile regime is going to have a nuclear capability over some period of time? Of course not. They are going to do what they need to do to feel like they are protecting their citizens. It will give rise to an arms race. We will be taking about this if this deal goes through I think in my tenure as a Senator over the next 5 years.

President Obama has willfully ignored 40 years of hostility from Tehran. The President may not recognize that we are at war, but the Iranians certainly do. They say in public statements that they are going to continue their fight against America. They are a chief sponsor of global terror. They have never stepped back from their desire to obliterate the United States and our great friend and ally Israel.

This is the Obama doctrine. The President sees America as the problem. He views Israel as an obstacle to peace and Iran as another oppressed constituency with legitimate grievances against the West. In fact, so much so, when millions of Iranians took to the streets to protest the mullahs—the leaders of Iran—the President was silent. The old American alliances are collapsing in confusion and fear, and the only answer from the administration seems to be a clear path toward Iran possessing a nuclear weapon.

In his 1987 State of the Union Address, President Ronald Reagan warned:

> Our approach is not to seek agreement for agreement's sake but to settle only for agreements that truly enhance our national security and that of our allies. We will never put our security at risk or that of our allies just to reach an agreement. . . . No agreement is better than a bad agreement.

So there you have it. Our allies—Israel, Saudi Arabia, the Gulf States, Jordan, Egypt—are worried. Tehran is on the march and moving closer to a nuclear weapon. Charles Krauthammer noted, ''The one great hope for Middle East peace, the strategic anchor for 40 years [the United States] is giving the green light to terror.'' Ladies and gentlemen, I don't think that is a legacy anyone should be proud of.

The PRESIDING OFFICER (Mr. SULLIVAN). The Senator from Maine.

(The remarks of Ms. COLLINS pertaining to the introduction of S. 1828 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

The PRESIDING OFFICER. The Senator from Washington.

WOMEN VETERANS AND FAMILIES HEALTH SERVICES ACT OF 2015

Mrs. MURRAY. Mr. President, I am on the floor today to discuss the path forward on my bill, the Women Veterans and Families Health Services Act of 2015. This is legislation which would end VA's decades-old ban on fertility services, and it would take critical steps toward ensuring that we are

doing everything we can to support veterans who have sacrificed so much for our country and have suffered injuries on the battlefield that prevent them from having children on their own.

I introduced this legislation because I believe strongly that our commitment to servicemembers doesn't stop at the end of their tours. I believe that commitment doesn't stop at all, ever. And a critical part of this commitment—of what our country should do to make sure those who sacrificed so much for us can live the lives they hoped for—is helping seriously wounded veterans start families so that those who put their lives on hold and on the line have the opportunity to achieve that important goal.

Caring for our veterans should never be a partisan issue, and helping our wounded warriors start families should rise above the petty political fights we see too often in Washington, DC. So I was very proud to work with Republicans on the Veterans' Affairs Committee on a bipartisan compromise, one that should have allowed my veterans health care act to pass through the committee today with strong bipartisan support, as it has in the past. And until yesterday, that was exactly what I thought was going to happen. My bill was on the agenda. It was going to come up for a vote, and I thought it was going to pass. That is why I am so disappointed and truly angry that Republicans on the Veterans' Affairs Committee decided yesterday to leap at the opportunity to pander to their base, to poison the well with the political cable news battle of the day and turn their backs on these wounded veterans.

Just a few Republicans with just a few poison-pill amendments have turned our bipartisan effort to help wounded veterans into a partisan effort to attack women's health care. I find that shameful. That is why, after it became clear that there was not a path to getting those political amendments withdrawn today, I spoke with Chairman ISAKSON and I asked him to pull the bill from the markup rather than see it become a vehicle for partisan, political attacks.

I know some Republicans are trying to use this latest issue as just one more opportunity to roll back the clock and take away women's health care options. We can have that fight. We have had it many times before. But we should not be putting veterans in the middle of it. Don't take something that should be above politics—our sacred duty to our veterans—and pull it down into the muck of petty politics. It is not fair to these veterans and it is not fair to their families, who have been hoping and praying for the opportunity to have children. It is not fair to the veterans and servicemembers, who don't want to see their health care become just one more political football. And it is certainly not fair to our constituents, who send us to Congress expecting us to stand together and support those who sacrificed so much for all of us.

I am going to keep fighting for them and for this effort. I am not going to let those who put politics ahead of veterans and servicemembers get their way.

I truly do hope Republicans reconsider this absolutely shameful approach today and work with us to get this bill done.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I join my extraordinarily dedicated and distinguished colleague from Washington State in expressing my regret that this bill will not be on our agenda today, and I thank her for championing a cause that matters so vitally to our military men and women, which is the cause of fairness to our veterans and putting our veterans above politics.

The bill she has advocated steadfastly and so eloquently provides services to wounded women warriors who want to have children and cannot do so because of those wounds of war. It makes available to them modern medicine, just as we are trying to do in other areas where the signature wounds of war inflict such damage on our wounded warriors. They deserve the right to treatment that enables them to have families, enables them to overcome those wounds of war that interfere with their ability to have children.

That is important not only to them but to their families, to their husbands. Many of their husbands are themselves veterans. This issue has ramifications way beyond the individuals involved. It is a matter of putting our veterans above politics, which traditionally has been our practice on the Veterans' Affairs Committee.

I am very proud to serve as the ranking member of that committee, to have worked with Senator MURRAY in her tireless efforts on this bill going back years. She has been rightly recognized for those efforts. Today I very much regret the tradition of our committee—putting veterans above politics—has succumbed to this threat; that the bill offered by Senator MURRAY will become mired down in issues that have nothing to do with providing IVF services to our wounded women warriors.

The amendments that have been offered are completely irrelevant and extraneous to the objectives of the bill. Make no mistake, they have nothing to do with protecting women, they have nothing to do with enabling our women veterans to have children and overcome those wounds of war. They are completely irrelevant, indeed contrary to the objectives of that bill. Yet they will now cause this bill to be removed from the agenda.

I just want to say to my colleague and fellow member of that committee that I am absolutely determined to find a path forward for this bill. It will be a priority of mine personally. I know it is a priority of the Senator from Washington, and I will join her in ensuring that our colleagues know we are determined to move forward, to find a path to pass this measure, and to make sure our women veterans are recognized for the heroes they are.

These amendments are a disservice to them. Very simply, they are disrespectful to the women who sacrificed so much, who have suffered the same wounds as our men, and who receive less respect by virtue of this bill being withdrawn. I am hopeful we can work with Senator ISAKSON, chairman of the committee, to find that path forward. He has been very bipartisan in his approach, and I thank him for his efforts in that respect.

I will redouble my efforts to make sure we keep faith with our women veterans, enabling them to overcome those injuries that prevent them from having children and giving up the benefit of their being such great parents and giving our Nation great children, which is our obligation on this committee, in this body, and in this country.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. INHOFE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

DRIVE ACT

Mr. INHOFE. Mr. President, in a moment I am going to be going over and concentrating on some of the things that are in this bill, just concentrating on bridges, something people are not as aware of as they should be. Now what I am talking about is that sometime today we are going to be repeating the vote that we had yesterday, except this time we should be able to get it adopted.

I don't criticize any of the Democrats who voted against the motion to proceed to the highway bill yesterday because they did not get information in a timely fashion. It was our fault that they did not get the information until about 30 minutes before the vote. I understand that. Now they have had 24 hours to look it over. I think they will be pleased to support the long-term highway bill. So I was not one who complained about that.

That vote will take place today. That is to get us to the bill, so we can start

on amendments. I am going to ask as many of our Members to bring down amendments, if they have amendments, so we can get them in the queue to discuss. There are three committees involved. The very largest piece of the bill is the Environment and Public Works Committee, which is the committee that I chair.

When I say the vast majority of that, what I am talking about is 80 percent of the bill. So that has been available for inspection by the public, by the Democrats, the Republicans, by all of the Members ever since June 24. June 24 is when we passed this bill out of the committee by a unanimous vote. Every Democrat, every Republican on the committee voted for it.

Now, there are some people, I suppose, who are going to be playing politics with this bill on this vote. They have to realize this is an issue that needs to be addressed. I would say this, there are two things that were voiced as objections. Some voted no because they did not get everything they wanted in the bill. Some of them thought they would be able to get a better deal.

Let me just address that. The bill is too important to play politics with. If we wait until we have more time, then we are going to be in trouble and miss the construction season. The problem with this is, particularly those Northern States will miss an entire construction season if we do the alternative. What is the alternative? The alternative is to go back; instead of a 6-year-funded reauthorization bill, go back to short-term extensions. Short-term extensions are an ineffective use of highway dollars. Short-term extensions are not the conservative position but they also would miss an entire construction season. I understand that the House is talking about trying to do an extension to the end of the year. If they do that, then States like Pennsylvania—that is where Congressman SHUSTER is from—will miss an entire construction season. So I think that is critical.

If you talk to any Governor, any mayor, and any State department of transportation about the urgency of the timing of this bill, they will tell you that if we miss this opportunity to authorize a 6-year bill, with 3 years of identified funding this summer, we will miss the 2016 construction season. So the strongest supporters of this bill are the officials closer to the people at home—the mayors, the Governors, the State departments of transportation. So that is what we are going to be faced with.

To address the second point and objection, I have been approached by many Members on both sides of the aisle who have said they are planning to vote no today because their program did not get enough funding for Amtrak or bike trails or sidewalks or something else in this bill. We did not go far enough toward their project.

Well, look, I am in the same situation. This will be my sixth highway bill that I have actually authorized. Three of those I was the primary sponsor. I can tell you these bills are about compromise. Not everybody gets exactly what they want. I assure you I did not get everything I wanted in our unanimous EPW markup with Senator BOXER. Now, keep in mind, Senator BOXER is a very proud liberal, I am a very proud conservative. Yet we agreed wholeheartedly on this. We led the fight to come out with a unanimous bill.

The House is watching us very closely. They are even discussing taking our good work, doing it, taking it up in the House. I think that is what would happen. There are a lot of them over there saying, no, they don't want to do that. They want to have a part-time, short-term extension to the end of the year because I think they can get that into some kind of tax reform.

Again, you miss a construction season, and you are wasting valuable time and money. So we do not want to do that, but I want to get into some of these tales, talking about our bridges. There are over 60,000 structurally deficient bridges in this country. The first chart shows—the diagram there—the darker color, that is where the heaviest, the more serious problems are right now.

Look at my State of Oklahoma. For a Western State, we have greater problems than many of the States have. In fact, one out of every four bridges is structurally deficient. The American Society of Civil Engineers gives our bridges a grade of C+.

Now, how did we get here? President Eisenhower's legacy system was built with a 50-year lifespan. In many parts of this country we have exceeded that lifespan. We are out of warranty, I say to the Chair. That is why we need to get it done. MAP–21 was the right step for bringing us into the 21st century, but a long-term solution has been needed to fix the $112 billion in backlog of rehabilitation for our Nation's bridges.

So 430 of the 435 congressional districts have structurally deficient bridges. This means that all but five Members of the House of Representatives have bridges back home in need of major repair in their districts. This is everybody's problem.

In my State of Oklahoma we have two of the top 10 worst districts by number of deficient bridges. One of our districts is ranked second in the Nation. Congressman FRANK LUCAS's district is a rural district that covers about half of the State, but there aren't many people in there. He said there are over 2,000 deficient bridges just in one congressional district. In Congressman MARKWAYNE MULLIN's district, there are 1,205 deficient bridges.

I know firsthand that the Oklahoma Department of Transportation has worked tirelessly to address the needs for bridge safety, but they need longer term certainty in a Federal partnership to make this happen. This is what this bill is all about. In light of the Nation's bridges, we have to do more to prioritize safety and stability. We can't wait around for another collapse to fix the crumbling bridges. A bridge collapse or closure brings significant and sudden economic impacts to the impacted region.

The economic cost of the I–35 West bridge collapse in Minnesota—and we all remember that; that was all over the news in 2007—averaged $400,000 a day of economic loss. The Minnesota Department of Transportation found that the State's economy lost $60 million as a direct result of the collapse.

This is that bridge, as shown in this picture I have in the Chamber. You remember that it had a lot of publicity at the time. Then all of a sudden it is kind of a wake-up call. People realize this is for real. We need to do something about it.

In 2013, the Skagit River Bridge collapse on Interstate 5 in Washington State had similar effects on the local economy, with an estimated impact of $8.3 million during the 26-day closure and repair of this bridge.

The Brent Spence Bridge is a bridge in need of repair. It connects Cincinnati, OH, to Kentucky. This is an old bridge, which you can see just by looking at it. That is one that would have to be replaced.

It would be impossible to do that in anything except a long-term bill. You cannot do that with short-term fixes. Nobody argues that point. That is a fact.

Senator ROB PORTMAN of Ohio and SHERROD BROWN of Ohio are very much concerned about this bridge. They are on one side of this bridge, and in Kentucky we have Senator MITCH MCCONNELL and Senator RAND PAUL. This bridge is functionally obsolete. It was built in 1963. The bridge is more than 50 years old and is designed to carry more than 85,000 cars a day, but by 2025 it is expected to carry 200,000 cars a day.

According to the American Transportation Research Institute, the Brent Spence Bridge is the fourth most congested truck point in the U.S. infrastructure grid. The cost in congestion is staggering when you consider that $420 billion in freight crosses the bridge every year.

Freight haulers bear the brunt in congestion costs and delays associated with just traveling across the bridge, which cost the trucker almost $40 during rush hour. What we are talking about there is that when cars and trucks are going over this bridge, they are stopped. It is a choke point. So they are sitting there, their engines are idling, and there is a tremendous cost. So in the aggregate, the delays on the bridge cost travelers over $750 million each year in wasted time and fuel.

Each year, 1.6 million gallons of fuel are wasted due to congestion on this bridge.

Senators JEFF SESSIONS and RICHARD SHELBY are very concerned about the I–10 Mobile River Bridge in Alabama. Currently, traffic is carried through the George C. Wallace Tunnel, the I–10 crossing under the Mobile River in Alabama.

Constructed in the 1970s, the tunnel was designed with an anticipated daily traffic count—this is the tunnel—of 36,000 vehicles. Currently, the tunnel averages approximately 80,000 vehicles a day and can reach as many as 100,000 vehicles in peak season. The traffic volume causes heavy congestion. This is as it is today. There is a proposed project to relieve the congestion and increase mobility, but it is not going to happen unless we have this bill pass.

Arlington Memorial Bridge connects Virginia to DC. Probably, most people who are here today have been across this bridge. They see what condition it is in. It was built in 1932. The Arlington Memorial Bridge is well beyond its design life.

It is structurally deficient. We know what the traffic is like on that bridge. The bridge serves as a significant part of the National Highway System, a major evacuation route, and carries more than 68,000 vehicles each day, including commuters, residents, dignitaries, and official ceremonies. My staff tells me this bridge is on the news on a regular basis due to progressive deterioration. The government has had to conduct emergency-lane closures and enforce a load limit. Repair work will take 6 months to 9 months.

The I–264 bridge over Lynnhaven Parkway carries traffic to Virginia Beach. It is a popular vacation spot. A lot of people here go there with regularity, and they know what this bridge is about. I have crossed this bridge many times. It is one of the 10 most heavily traveled deficient bridges in the State of Virginia. It carries just under 135,000 cars a day.

The Magnolia Bridge is in Seattle, WA. I always wondered why they called that the Magnolia Bridge. There aren't any magnolia trees in that part of the north that I know of. But nonetheless that is what it is. But it was built in 1929. Just imagine that. It is from 1929, and everyone recognizes the dangers that are involved. The bridge carries 18,000 cars a day and is structurally deficient. While the bridge is in a residential area and on the community's radar, it hasn't received necessary funding to reconstruct the 86-year-old bridge.

Greenfield Bridge in Pittsburgh is in the area of the chairman of the Transportation and Infrastructure Committee of the House of Representatives. Pennsylvania has the most structurally deficient bridges in the country, and this is just one of them. It was built in 1921 and now carries 7,782 cars a day. A 10-inch chunk of concrete went through a car windshield in 2003, injuring the driver. Later that year, the city spent some $652,000 to build a temporary bridge to catch whatever came through the nets. In other words, there is a bridge under this bridge.

This same thing happened in my State of Oklahoma with a bridge in Oklahoma City. It wasn't long ago. By the way, that bridge was taken care of in the 2005 bill. It was the last long-term bill that we have had. I recall vividly a mother with three children driving under it. A chunk of concrete fell off and killed the mother instantly. Of course, that got everyone's attention, and then we passed the last reauthorization bill, which was 2005. Greenfield Bridge deals with the similar hazardous issue. They have to build a bridge under the bridge to catch falling debris.

This is the Pittsburgh Greenfield Bridge. Repairing bridges like these cannot be done with short-term fixes.

There is the Court Avenue Bridge in Des Moines, IA. That happens to be where I was born. It is represented now by Senator CHUCK GRASSLEY and Senator JONI ERNST. Iowa has the second most number of structurally deficient bridges in the country. It was built in 1918, and it now carries 3,920 cars per day. While the State recently increased the State gas tax, it will still require Federal partnership to ensure progress on fixing this bridge. It is not going to be done without long-term certainty.

There is the Brandywine Bridge on I–95 in Wilmington, DE, which is not far from here. Senator COONS and Senator CARPER should be very much concerned about that. That is a 50-year-old bridge. The bridge deck is deteriorating. The viaduct, which carries travelers on I–95, is a major road. If you go from here to New York City, you are talking about I–95, one of the most traveled interstates. It goes through Wilmington and has experienced serious concrete corrosion. In this structure, the substructure has cracks and spalls and is in need of repair. This is another dangerous site. It is not going to be done in the absence of the passage of this bill.

As to the Chef Menteur Pass in New Orleans, I am sure Senator BILL CASSIDY and Senator VITTER are concerned. It was built in 1930. It carries 1,800 cars a day across Highway 90.

Then there is Cesar Chavez Boulevard in San Francisco. That was built in 1951 and carries 234,000 cars per day. It is one of the older bridges on the west coast that needs to be repaired.

In Little Rock, AR, getting very close to my area, Senator TOM COTTON and Senator JOHN BOOZMAN are very much concerned about this. They should be. I am sure they are. It is structurally deficient. It was built in 1961 and carries traffic over railroad tracks—116,000 cars a day. Arkansas is delaying projects because of uncertainty at the Federal level. That is what this bill is all about.

The Storrow Drive Bridge is in Boston, MA, and Senator WARNER and Senator MARKEY will be concerned. It was built in 1951. This structurally deficient bridge carries 57,770 cars per day. The Storrow Drive Bridge earned its structurally deficient rating because of the corroding support beams that support one of the many highly trafficked bridges in the Nation. I have crossed that one several times.

We have the U.S. 1–9 over the Passaic River in Newark, NJ. Senator BOOKER and Senator MENENDEZ are concerned about that. Herbert Hoover was President when the bridge was built in 1932 with an estimated design volume of 5,500 vehicles a day. It is now up to 62,700 vehicles per day.

The Calcasieu River Bridge in Lake Charles, LA, was built in 1952 and is a structurally deficient bridge that now carries 70,100 cars per day. Its steep grades have been cited as a traffic concern, especially given the high volume of trucks that bridge carries along the major east-west corridor.

The Brooklyn Bridge—everyone knows about the Brooklyn Bridge. The pages are too young to remember this, but that was back when Johnny Weissmuller was Tarzan. Did you see any of the old movies? He dove off the Brooklyn Bridge. I remember that from when I was your age. Do you know when that was built? That was built in 1883. This structurally deficient bridge now carries 135,000 cars a day. That is one of the oldest ones around. I remember so well when Johnny Weissmuller was chased by the police and dove down. I always wondered what happened to him.

The San Francisco-Oakland Bay Bridge—San Francisco to Oakland, CA—was built in 1936. This bridge is now functionally obsolete, yet it carries 204,900 cars per day, and there are many fears that the bridge might collapse.

That is what happened in Minnesota. You cannot wait until that happens to avoid the disasters. You can almost imagine if this bridge collapsed. People are concerned about it because that is right in the middle of earthquake country. And if you take something that is already structurally deficient and you give it a little bit of tremor, it could go.

In Missouri, Senator BLUNT and Senator MCCASKILL ought to be concerned. It is one State that would significantly benefit from the DRIVE Act and the long-term certainty it provides. Missouri has the fourth most structurally deficient bridges in the country, with 3,310 of them. Furthermore, Missouri has three districts ranked in the top 20 for worst bridges. The district of House Representative GRAVES has 1,345 deficient bridges, Representative SMITH

has 615 deficient bridges, and Representative HARTZLER has 600 deficient bridges. Dennis Heckman, Missouri's DOT State bridge engineer, agrees that the State needs to seriously address its aging bridges. It is clear when he says that ''they're in bad condition, they're worn out.''

Broadway Bridge in Kansas City is a prime example of a structurally deficient bridge desperately in need of reconstruction. Built in 1955, this bridge is beyond its design life and has to support over 45,000 cars a day.

The Interstate 70 bridge over Havana Street and the Union Pacific Railroad is in Denver. CORY GARDNER is very familiar with this, as is Senator BENNET. This is the most traveled structurally deficient bridge in the State of Colorado. Built in 1964, it has 183,000 daily crossings. Every day 3.7 million Coloradans cross this structurally deficient bridge.

The DRIVE Act will work to make these bridges safer for all travelers.

Getting toward the end here—and there are a lot more—the Russell Street Bridge is in Missoula, MT. I was actually on that when I was up there during STEVE DAINES' election recently. Transportation For America graded the deck of the Russell Street Bridge a 4 in a soundness scale of 1 through 10. The Russell Street Bridge was built in 1957 and carries 22,650 cars per day.

In light of these decaying bridges, the DRIVE Act will provide adequate infrastructure investment for our Nation's bridges. Senator BARBARA BOXER and I made that a top priority in the DRIVE Act, and I think it is something we need to keep in mind.

We have an opportunity to move to this bill this afternoon. The vote hasn't been scheduled yet. It needs to happen today. It will be a motion to proceed to the highway reauthorization bill, and it is one that will get us so that we can start working on amendments. We have a lot of amendments. A lot of people are using this. They know the bill has to pass. This falls into the category of a must-pass bill. Everybody knows, for the reasons I have been talking about for several days, it is going to have to pass. So there are a lot of people who have amendments that have nothing to do with bridges and nothing to do with the roads. That is OK. This is a vehicle they can use to try to get other programs through. In fact, I myself may be guilty of that. But nonetheless we can't do any of that until we get to the bill, so the motion to proceed has to be agreed to.

As soon as the motion to proceed is adopted, I would encourage all Members to come forth with their amendments so they can be heard before any deadlines pass.

With that, I yield the floor.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. TILLIS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENTS TO VA BILL

Mr. TILLIS. Mr. President, we were sworn in—you and I both—in January, and I know we have both gone to our States and traveled across our States to get an idea of the pressing problems our States and our Nation face. One of the areas I have focused most of my attention on is veterans affairs, particularly the hospitals and the services we are providing veterans across the State.

I am concerned that we have a problem with priorities. I am concerned that maybe the focus isn't where it needs to be to make sure we take care of the most pressing problems for our veterans. Whether it is the Choice Act, whether it is just providing ambulatory care, PTSD, mental health, or a number of other things, we have shortages, and we need to get the Veterans' Administration focused on solving the most pressing problems.

I decided we needed to produce some amendments that would have been heard today in the Committee on Veterans' Affairs for a bill that would affect the VA. Why would I want to do that? Because when out of the blue a proposal for some $500 million in unanticipated costs could potentially be considered today, I get worried. And I will talk later about the various things that make me worry about what would be lost if we were to reprioritize half a billion dollars, with all the things we already have on our plate that deal with the VA.

But the amendments some of my colleagues on the other side of the aisle were talking about earlier today were my responsibility. They referred—I guess in deference—to Republicans. The reality is that they were amendments that came out of my office, and I want to talk a little about what these amendments were. They were referred to as political games, but three of them were very focused on good government. One of them was to make sure we do not implement policy that moves a priority or moves something ahead of the line of the other critical priorities we have for our veterans. All it said was that we would not fund this project until we had certification that the most pressing priorities—which I will talk about in a few minutes—had actually been addressed.

Another amendment was just about reporting—how does this project work? All too often we pass policies here and we never measure the results. That is what is wrong with Washington. We don't think through the full consequences of a lot of the policies we implement. So it was simply to provide a reporting mechanism so we could follow up on this policy and see what it costs and the real benefits over time.

The last amendment is something I know the Presiding Officer has problems with because he is a very successful businessman. In business, we would never think about balancing the books for this year and next year based on what the business is going to do 10 years from now, but that is exactly what nearly half of the $500 million that was to be used for this bill would have done. It is reaching all the way out to 2025 to assume that some savings achieved there could be used to pay for something today. That is not the way we need to be budgeting in Washington. We have an $18 trillion deficit—or I should say debt—and a lot of that is this kind of thinking that has been going on in Washington for too long—and I might add, under Democratic and Republican leadership. We have to change.

The other amendments were fairly straightforward too. So three amendments on good government and accountability and responsible budgeting. The other three were things I think most Americans would agree with.

One would simply prevent taxpayer funds from being used—the whole bill, I should have mentioned, has to do with providing in vitro fertilization coverage for veterans. One of the amendments simply said: You cannot use taxpayer funds to do any form of sex selection with respect to determining which embryo may be able to come to life versus the other ones that couldn't. Another amendment has to do with something as simple as not having the VA work with organizations that take the organs of human aborted babies and sell them. Those are the sorts of amendments we were talking about. It wasn't to kill in vitro fertilization. I know of many friends and others who have actually benefited and brought babies into the world through in vitro fertilization. This was about making sure we did it in a responsible manner.

But the heart of my problem goes back to the long list of broken promises that sooner or later this Congress has to fulfill for our veterans. Let's talk a little about those. We are talking about taking half a billion dollars and spending it on some priority that is not even on the books today.

What about these priorities? I worry about the 120,000 claims currently in the VA backlog. These are people who served our country who are looking for medical help and who are in the backlog waiting for treatment. What about that priority?

What about the 22 veterans on average a day committing suicide, most of them related to PTSD? We passed the

Clay Hunt Suicide Prevention Act as a first step toward trying to address this chronic problem. At the time we passed it, we all acknowledged that the funding we gave it wasn't enough, but it was a start.

What about additional funding for men and women who are suffering from various traumas they experience in service to our Nation? That is a priority we need to be absolutely certain is provided for.

I also worry about the unemployment problems. I think 75 percent of the Iran and Afghanistan veterans are dealing with unemployment once they transition from military service into the private sector. What about initiatives to get them back to work, take care of them and their families?

I could go on and on.

At Camp Lejeune in my great State of North Carolina, we have identified something that occurred over many years—exposure to toxic substances which have been linked to cancer. I had a meeting just last week with the Secretary of the VA. Only 13 percent of the requests for coverage are being fulfilled. We think it should be closer to 50 or 60. What about the funding for those folks who contracted cancer as a result of toxic substances at Camp Lejeune? Don't they deserve to be somewhere higher in the priority list?

I could go on and on.

There are the wait times, the critical medical services they need.

Today, the promises we made to veterans should be our top priority. At some point in time, it may make sense to add another half a billion dollars for this medical treatment that has been proposed by my colleagues on the other side of the aisle but not until we are absolutely certain that the promises we have already made are going to be fulfilled. That is all we attempted to do today.

In some respects, I regret that my colleagues on the other side of the aisle considered it political. I don't consider it political. I don't think it is political when you are trying to live within your means or making sure the policies you are implementing actually work the way you intended or when you are actually spending money over the next year or two versus 10 years from now. I think that is responsible government.

The gimmicks and the old rhetoric in this Chamber need to stop. We need to start focusing on fulfilling promises first and foremost to the men and women who have served our country bravely and defended our freedom. That is what my proposed amendments were about, and that is what they will be about if this measure ever comes up again because if I can fulfill no other promise, my promise to the men and women who have served this Nation will be paramount in all the things I do in my service here over the next 5½ years in the U.S. Senate. This was a threat to my being able to fulfill that promise, and I am glad we are going to be able to move on.

I thank the Chair.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. PERDUE). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LANKFORD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SCOTT). Without objection, it is so ordered.

DODD-FRANK REGULATIONS

Mr. LANKFORD. Mr. President, I come to the floor with a happy birthday message today. I come with wishes for a happy birthday for the fifth birthday of the Dodd-Frank regulations.

Where are we as a nation with this wonderful 5-year-old running around our Nation right now, pushing out birthday cake across every bank and financial institution across the country? Exactly how is that going?

Let me share a couple of things. Everyone in this Nation remembers extremely well 2008 and the financial collapse that happened. We remember Lehman Brothers closing down and causing panic. We remember Fannie and Freddie rules finally reaping the consequences of what the Nation assumed would happen at some point from all of these very low rates and from encouraging people to buy who can't afford to pay back a loan. We knew what would occur. The rise of a conversation, something called too big to fail that we had never heard before, suddenly grows up, and we move as a nation in 2009 from trying to regulate financial institutions to actually running financial institutions. The regulations were considered too small, and for institutions that were big, it was determined that Big Business means Big Government needs to run it.

I would have to say there is not a lot about the efficiency of Washington, DC, that we would look across the fruited plain and say this is working so well in Washington, DC, we should run every big company as well. In the days of government shutdowns and $18 trillion of debt and slow decisionmaking, there is a great need for private businesses to be pushed to be able to do things efficiently, to be able to manage our economy effectively. Clearly, there is a need for regulations, but I would also say that, clearly, the U.S. Government should not step into businesses and run them instead of just regulating the boundaries.

This is a free market, but sadly, in 2009, the U.S. Government went to running General Motors. We started running individual banks and insurance companies. We have to be able to shift out of that and we have to be able to find a way in the days ahead for that never to occur again.

I would say multiple things about this. Now, 5 years into Dodd-Frank, 400 new rules in the process of being promulgated, literally 12,500 pages of regulations that have now been spun out—12,500 pages of regulations—just dealing with 271 rulemakings.

So here is what we are up against: 271 rulemaking deadlines have passed. Of those, 192 of them have been met with finalized rules, and rules have been proposed that would meet 46 more. Rules have not yet been proposed to meet 33 passed rulemaking requirements. Of the 390 total rulemaking requirements, 247 of them have been met with finalized rules, and rules have been proposed that would meet 60 more. What am I trying to say with all of that? There is a lot coming out of this, and there is a lot more still to come.

I would challenge any person in this Chamber and any person across America that if you are having to run your business, and if as you started to run your business and a government regulator walked in with 12,500 pages and said, I need someone in your company to know all of these regulations, you would not respond with a smile and wish them a happy birthday. You would respond with great frustration and say: Why are you walking into my company with 12,500 pages of new regulations? Now, there are previous regulations this is stacked on top of. They say here is an additional stack of 12,500 pages that you need to know and follow.

This is the fruit of the Dodd-Frank regulations. I would say there are a lot of things we need to discuss with this bill, but let me just highlight a few of those. First, let's get some common agreement. Can we all agree the community banks, the smallest banks across America—most of them in rural communities—did not cause the financial collapse in 2008? In fact, they didn't even contribute to the financial collapse in 2008. The smallest community banks across the country are vital accesses to capital for farmers, small businesses, Main Street folks, and folks who just do deposits to their savings and checking accounts. These are small community banks. For more than 1,200 U.S. counties, with a combined population of 16 million Americans, without those community banks, they would be severely limited to any kind of access to banking. Big banks tend to focus on the biggest loans and in big towns. Small community and traditional banks focus on smaller communities. In my State of Oklahoma, a person can go to every small town and find a school, a gas station, a church, and a bank, and often that bank is a very small community bank. They know everybody in town and everybody knows them. But the rules changed for them after Dodd-Frank, and it wasn't because that bank caused anything.

Regardless of the law's merit in any area—and we can have a great conversation about a lot of issues with Dodd-Frank—financial reform was to contain the systemic risk in the financial sector of very large companies, which were called the too big to fail, which I refer to often as the ''too big to be free now,'' because the Federal Government is stepping in to try to run all of these companies and say: You can't have a free market in that area; we are going to have to run you instead.

But these small bank failures are not a threat to the economy. They weren't supposed to be a target of Dodd-Frank, but they most certainly are. All of these banks now suffer the consequences. A study by the Federal Reserve Bank of Minneapolis found that for banks that have less than $50 million in assets, hiring two additional personnel reduces their profitability by 45 basis points, resulting in one-third of these banks becoming unprofitable. Why would I raise that? Because there are a whole host of regulators who say just hire one or two additional compliance people, and you can keep up with the 12,500 additional pages that have been rolled out. These small community banks can't keep up with that. The Mercatus Center surveyed 200 banks with less than $10 billion in assets, and 83 percent found that their regulatory compliance costs increased by more than 5 percent, and the median number of compliance staff increased from one to two. They all had to add additional folks—not additional folks to make more loans, not additional folks to greet more customers as they walk in the door, additional folks in the back office simply filling out forms and turning them in.

Government figures indicate that the country is losing, on average, one community bank or credit union a day now. Alternatively, in the last 5 years, regulators have only approved 1 new bank, as opposed to an average of 170 banks per year before 2010. Let me run that past my colleagues again. We have approved one new bank in the last 5 years since Dodd-Frank. People don't want to go into banking. This is having the effect we all said it would have; that is, when Dodd-Frank passed, the focus on too big to fail would really mean that you are too small to succeed; that the smallest banks and communities all across the country now cannot keep up with the compliance costs and they will sell out to larger and larger banks. Do my colleagues know what Dodd-Frank has created? Dodd-Frank has created more megabanks and it is pushing more and more smaller banks to sell out.

Since the end of the first quarter in 2010, Oklahoma—my State—has seen 33 community banks disappear through acquisition or merger—33 of them. Twenty-nine of those thirty-three community banks that disappeared were under $100 million in total assets. When asked, the most frequent reason they were selling, they said it was the increasing cost of compliance. They could not keep up because they had to have so many compliance people.

In Oklahoma, 24 percent of the State's commercial banks no longer offer real estate mortgage loans to their customers because of the litigation and regulatory risks they face under the new ability to repay and qualified mortgage rules. Let me run that past my colleagues again because a lot of people don't realize what is happening. The smallest community banks are selling out. They are disappearing. At the same time, 24 percent of the banks in my State no longer offer home loans. That means in these small towns across America, you can't walk into the bank and get a home loan. People have to drive to some other town or go to some other place to try to get a home loan now. It is not because that bank can't do a home loan—they are a bank, that is what they do—it is because of new Dodd-Frank regulations that make them so scared to function and operate through the 12,500 pages they have just decided they don't have enough staff and enough people. The banker says to himself: I sold my neighbor a home, his dad a home, and maybe his grandfather a home in this community. I can no longer do a mortgage for them. That is absurd.

I hope no one would say that was the purpose of Dodd-Frank, but I will tell you this 5-year-old who is running around, these are the consequences. This is happening all across our Nation. These new rules continue to push out the possibility of just doing normal, traditional banking, including savings accounts, checking accounts, home loans, car loans.

Dodd-Frank, ironically, favors the largest banks over community banks. I find that the ultimate irony, based on the way it was sold, not to mention the fact that as a banker now, if you have a problem with one of the regulators and you want to appeal and say: How are we going to actually get through this problem—do my colleagues know whom they appeal to now? Literally, a person in the next cubicle from the previous person who gave the instructions. There is no place they can go. There is no judicial review. There is no opportunity to say this regulation that you have given me is onerous or the decision you have made based on this regulation is onerous. If you want to disagree, you disagree with the person in the next cubicle, and then that same group of people will come and inspect your bank next year. And what do my colleagues think happens?

I have to say we are in a bad spot. This is not about big city bankers. This is about small towns. This is about small town loans. This is about home loans for individuals in rural areas, and these are real consequences to a lot of families. So how do we solve this now? This is what we have—and we have had for 5 years—and it still continues to grow; it still continues to get worse.

What happens now? Let me just talk about some solutions. No. 1, I would say this. We have to deal with one of the big animals in the middle of the creation of Dodd-Frank; that is, the Consumer Federal Protection Bureau. The CFPB was created to be like a fourth branch of government. It is completely autonomous. Its funding comes from the Federal Reserve. It does not have to report to Congress, none of the staff have to report to Congress or turn anything over. There is no requirement for transparency. They only, in a cursory manner, come by and visit Congress every quarter or so and do a report, but they are not required to turn over everything.

They have access to every piece of every bit of consumer finance. They are reaching in to do car loans, they are reaching into credit cards, they are reaching into home loans. They can reach in, in effect, and create regulations in any area they choose to with no accountability. We have to be able to resolve this—not to mention the fact that CFPB is completely redundant to other agencies that already existed in this oversight, and this adds yet another layer on every bank and on every consumer financial institution. But they are unaccountable.

So let's do a couple basic things. One of the proposals that came out from the Appropriations Committee today is to move from there being one Director to a five-member board. This Senator would say that is pretty reasonable, so that we don't have one person managing all consumer finance for the entire country—one person who is completely unaccountable.

Separating them from their appropriations rather than getting their appropriations from the Federal Reserve, getting their appropriations directly from the normal appropriations process like every other agency, including independent agencies—there is no reason to have them be isolated and separate.

Quite frankly, the CFPB is completely redundant to all other areas. There is no reason for them to have redundant activities and authorities. Those should be cleared as well to make sure that every bank, when it is making a decision, can make a decision based on knowing whom its regulator is, not thinking ''This regulator is going to say one thing, but what is the CFPB going to say when they come in next?'' and not having a regulator come in and say ''Well, this is not our regulation, but the CFPB has put this regulation down, and so we are going to follow their regulations as well.''

That is absurd. Clear lines of authorities and responsibilities should be delineated. We can do that. It shouldn't be hard, and it shouldn't even be controversial.

Secondly, we need to reform Fannie and Freddie. Community banks did not cause the problems in 2008; quite frankly, Fannie and Freddie did. Community banks have had this major pushdown of 12,500 pages of regulations. Guess how much reform has happened at Fannie and Freddie? Zero. So the organizations that actually were the problem have gotten off scot-free because now they are making money again and everyone is looking the other way and saying ''Well, they are doing OK; we will leave them alone,'' while the organizations that didn't cause the problems face tons of regulations. There are major reforms that need to happen with Fannie and Freddie. It is about time this Congress actually engaged and stopped saying: You know what, they are in the black. Let's leave them alone.

Do you realize that the government funds 71 percent of new mortgages now through the GSEs and the Federal Housing Administration compared to 32 percent just 10 years ago? Let me repeat that. Ten years ago, the Federal taxpayer backed 32 percent of the loans, and now it is 71 percent.

Dodd-Frank was supposed to be about trying to get the too-big-to-fail issue out of the way and to get the Federal taxpayer out of having to back up every loan and every business across America. Instead, it is increasing the size of banks and it is increasing the exposure of every mortgage in America to the Federal taxpayer. We have to turn that around.

No. 3, Congress has to provide the authority for Federal banking regulators to differentiate the applicability of rules and regulations to various banks based on the bank's operating model and risk profile. If it is a traditional bank, leave it alone; it is a traditional community bank.

In fact, FDIC Commissioner Tom Hoenig had a great plan and a great set of ideas that I would bring to this body and say we should seriously consider; that is, separate banks not based on their size but on their activity. If it is a traditional bank doing traditional banking, that would mean a couple of things—first, that it has at least 10 percent capitalization, and second would be that it is not involved in complicated derivatives. If it is involved in complicated derivatives, it is going to have very heavy oversight. If it is not, it is a traditional bank and it is well-capitalized. Banking regulations have always been about safety and soundness. If this bank is well-capitalized and not involved in complicated derivatives, why are we there every day trying to manage every aspect of it? Allow it to be a traditional bank. I don't care how big it grows if it is in traditional banking models.

We literally have banks around the country now that are right at about $10 billion in size that are worried they can't get any bigger. We literally have businesses saying: I can't grow because if I grow, I will spring into a whole new set of regulations, and I can't afford more staff to actually do that. This is silly. If it is a traditional bank and it is in good safety and soundness, let it do loans. Let the bank actually engage with its customers in its community and not have to look over its shoulders all the time.

Chairman SHELBY has actually laid out a proposal in the Federal Financial Regulatory Improvement Act. It is a great place to start, with a lot of small aspects and a lot of commonsense ideas and bipartisan ideas that he has been able to stack all together and put into one piece. It is a good idea to provide some regulatory relief in these areas.

I think a fair question to ask is, Are we better off financially as a nation now than we were 5 years ago? Now that this 5-year-old toddler that we call Dodd-Frank is walking around, what has happened? Well, there are some banks that are better capitalized. That is a good thing, but quite frankly we can increase capital requirements without having to go through 12,500 pages of regulations.

We have made it harder to get a loan unless it is a government loan, such as a Small Business Administration loan. We have also literally pushed the loan profile out of private institutions and into Fannie and Freddie, the FHA, and into the Small Business Administration. Now we have record exposure to the Federal taxpayer. We have also made fees to the banks higher, as they have been more challenged as to what to do, and we have half as many banks now offering free checking as we had just 5 years ago. That is a consequence the consumer understands, and it is a consequence of Dodd-Frank. We have fewer banks, we have bigger banks, and we have a lot more complication. In a day when America needs more capital access, we have one bank in 5 years that says: I want to join that market.

Mr. President, I wish I could say ''happy birthday'' to Dodd-Frank, but I am not sure this set of financial regulations is making a lot of Americans happy right now. It is time we come back and revisit this bill.

With that, I yield back.

Mr. MERKLEY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. INHOFE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

DRIVE ACT

Mr. INHOFE. Mr. President, I think at any time—hopefully soon—it appears that we are going to be bringing up the vote to proceed as we did yesterday.

Let me just repeat what I did just a couple of hours ago on the floor. I am not critical at all of the Democrats who voted against the motion to proceed yesterday based on the fact that we dropped the ball over here. We were supposed to give them the necessary information on some of the funding mechanisms and things on the offsets. We didn't give them enough time before the vote took place. You can't go over several hundred pages in a few minutes. Now it has been 24 hours.

Well, even my counterpart on the Democratic side, Senator BOXER, voted against it for the same reason. And they have a right. So, anyway, I feel optimistic that when we have this vote we can proceed to the bill.

Let's keep in mind that this is a bill I perceive as a must-pass bill. The alternative to this would be very, very expensive. It would go back to what we had to suffer through between 2009 and this moment that we are in right now; that is, a list of 33 short-term extensions. Short-term extensions, as we all know, are waste and irresponsible use of highway dollars. Consequently, we need to be spending that money on roads and bridges, not short-term extensions.

So I will look forward to getting that motion to proceed adopted. As soon as that happens, that is when we are going to pull the trigger to get as many people down on the floor with amendments. I keep hearing about all of the amendments that are out there that different Members want to come forth with. The criticism we had with the Democrats when they were in charge was that we were not able to get amendments.

Well, we changed that. Since we have been in control, we have allowed amendments. I know we have a lot of them—some germane and some not germane—but it is going to be an open-amendment process.

We need to get this thing moved forward and pass the next vote or we are not going to be in a position to really go over the amendments, to see which amendments we can agree to—and there will be a lot of them that we can.

This is a 6-year bill. We are authorizing for 6 years with 3 years of identified funding.

Our bill authorizes for 6 years something that we call contract authority, which is a mechanism unique to the highway bill in which the Federal Government makes funding commitments of future funding over multiple years. The use of contract authority was created way back in Eisenhower's 1956 Highway Act for a reason, and it exists still today. It has been the cornerstone

of highway bills ever since then, giving States and cities long-term certainty to plan their investments over multiple years.

The reason that is important—I used to be in that business many years ago as a contractor for several years—is that you can't have short-term ideas without going back and making years of planning so that you can organize your labor supply, you can organize all of your rentals and everything that would go into a project.

As States begin to break the ground on projects, they match this contract authority with actual cash and are reimbursed from the highway trust fund. So it comes from the highway trust fund, converts to cash, and it goes into contract authority. Unfortunately, up until 2009, the end of SAFETEA-LU—that is when it went in, 2005, and it was a 5-year bill; so it is the end of 2009—this contract authority was always guaranteed by the receipts in the highway trust fund, but we now find ourselves in a situation where the highway trust fund can no longer support current levels of spending as a result of more efficient and electric vehicles.

I have included a mechanism in this bill that will allow Congress to authorize a 6-year transportation bill consistent with how States and locals plan and deliver the projects and then find the necessary offsets to pay the bill.

Currently, Senator HATCH has identified at least 3 years of cuts to the general fund to redirect to the highway trust fund and shore up the differences between what the highway trust fund can support and the DRIVE Act levels of investment.

So in the first 3 years, the States would have a guarantee of at least 3 years of funding so that they could be confident they would be reimbursed on their contract authority.

In the fourth fiscal year of the act, the Secretary will conduct a solvency test to determine the ability to make payments out of the highway trust fund for the remaining 3 years. Keep in mind that this is a 6-year bill. So the remaining 3 years of contract authority would be given to the States.

If the Secretary determines that the balance of either account will dip below $4 billion in a fiscal year for highway account or $1 billion for the mass transit account, then no new projects can be funded from the highway trust fund during that year.

Now, if Congress finds funds to supplement the trust fund during that fiscal year—the fourth year—new projects may begin and be funded, as in the DRIVE Act.

However, it is important to point out that even if the Secretary finds that the trust fund is not able to fund new projects in a fiscal year, during that year the Department can continue to reimburse States for projects that were already under way prior to the end of year 3. This will ensure that there is not a huge cliff at the end of 3 years, which the DOT, Governors, mayors, and the rest of them tell us will prevent a chilling effect on their willingness to use the first 3 years of funding to engage in large, multiyear bridge and interstate reconstruction projects.

That is another reason, by the way, we want to do a 6-year bill. It allows us to get into all of these bridges and these very large. This chart behind me shows the deficient bridges in America. I talked about 25 or so of these this morning and gave a lot of details, which I will do again because we need to get the attention of the Members of the Senate. They will be very familiar with the problems they have. As the Presiding Officer would be familiar with the problems in South Carolina, each Member is familiar with the bridges and geography in his or her own district.

So it means Congress has 3 years to identify about $50 billion to $60 billion worth of additional receipts into the trust fund to honor years 4, 5, and 6 of contract authority. Under this mechanism, the trust fund will continue to receive user fee revenues for all 6 years of the act, plus 2 years after the act, which has been historically done in these big highway bills.

The mechanism is nothing new, as it is similar to the Army Corps of Engineers Chief's reports on WRDA bills. WRDA is the Water Resources Development Act, where they authorize 5 to 10 years of project authorizations and then Congress finds the money on an annual basis to match the authority, the same as the highway bill. So if they can't find the money, construction doesn't start.

Allowing for multiyear planning is a conservative position because it allows States to engage in long-term contracts and negotiate bigger projects at significantly lower cost. Buying materials in bulk, contractors charge less and finish earlier.

Now, what I would like to do at some point is talk about the transparency and also the Tribal Transportation Program. This is a big bill. There is a lot to talk about.

In fact, I think I will go to the transparency first because we hear a lot about transparency. We hear a lot about the need to be aware, about the need for people to be aware. You have to keep in mind this and the Defense authorization bill are the two largest and most significant bills that are out there. In fact, if you read that old contract that nobody reads anymore—called the Constitution—it says what we are supposed to be doing. It tickles me sometimes when I see liberals standing here wanting to get government into more and more programs, when the Constitution says we are only supposed to be doing two things here: defending America and funding our roads and bridges. That is in article I, section 8 of the Constitution.

Anyway, I just wanted to mention that increasing the accountability and improving transparency of the Federal-Aid Highway Program is a key component to the DRIVE Act. I am talking about the act we will be moving to proceed on very shortly, hopefully.

The DRIVE Act includes several provisions to include the transparency of how and where transportation projects are selected and funded, to ensure that stakeholders and the public have faith in the integrity of highway programs and the use of Federal tax dollars.

So they are going to know, if they care—and a lot don't, but the ones who do care, the ones who are watching from a fiscal perspective are going to have that information they can share. The media can have it. You will see articles. I often criticize this administration for their lack of transparency, but you are not going to find any lack of transparency in the DRIVE Act.

The DRIVE Act requires the Transportation Secretary to establish an online platform to report project-level status of the reviews, the approvals, the permits required for compliance with the National Environmental Policy Act—that is NEPA—and other Federal laws. This will allow the public to see the status of an ongoing project or to see what is holding up the project.

That is very significant. By the way, it is important to note that on the NEPA requirements there are some waivers. I applaud some of the more liberal members of the committee I chair, including Senator BARBARA BOXER, who didn't want to go along with a lot of the provisions that streamline this bill but was willing to do it. So I applaud her for doing that. But this will let the public also have access to that to make sure we are doing what we should be doing. In the NEPA requirements, we can see if we are deviating from that or from any of the other requirement that makes the DRIVE Act something that is going to be one of the most valuable pieces of legislation passed this year.

The DRIVE Act also increases transparency regarding the way in which the Federal Highway Administration utilizes Federal-aid highway funding for administrative expenses. This is accomplished by requiring the Federal Highway Administration to report elemental project-level data each fiscal year. So each year they can have access to that.

The DRIVE Act requires that the Transportation Secretary publish all reports submitted to Congress by the Department in order to increase transparency and oversight by Congress and by the public.

Now, these improved transparency provisions will provide to the public

better accountability of how the Federal Highway Administration is utilizing its funds. It will also demonstrate how the agency is making progress toward achieving national goals and improving Federal reviews of the highway projects. So we have the transparency built in, but that was one of the requirements we on the conservative side demanded when we put this bill together.

Since we have these charts—and I apologize to those who had to sit through this a couple hours ago, but we have a whole different crowd out there now, and we have our Members, many of them are paying attention to what we are doing since they are going to be called upon to vote in just a matter of a few minutes. On this chart, it shows the dark colors being the ones that have the majority of the structurally deficient bridges. It is on there by county.

I would call attention to my State of Oklahoma because one-quarter of our State is in that high category of deficiencies. If you look at other States—I was talking a few minutes ago to Senator BLUNT from Missouri and he was talking about their deficient bridges. I commented that we actually have more deficient bridges but only by a few. So we are kind of in a comparable situation, but this gives an idea of how widespread this is.

Let's go over some of these bridges. In my home State of Oklahoma, we have 2 of the top 10 worst districts by number of deficient bridges.

FRANK LUCAS is a Congressman from Oklahoma. He just came out from being the chairman of the Agriculture Committee over in the House of Representatives. In his district alone, there are over 2,000 deficient bridges. He has a lot of small bridges because he has the rural areas of Oklahoma, where there aren't many people, but there is a lot of land. So certainly we have a problem. In Congressman MARKWAYNE MULLIN's district there are over 1,000 deficient bridges. Our Oklahoma Department of Transportation is working tirelessly to address bridge safety, but they need the long-term provisions in here to take care of that particular problem.

A bridge collapse or closure brings significant and sudden economic impact. I think we all remember in Minnesota in 2007 the bridge that came down. It was very graphic. It was on all the TV channels, with the ambulances, the people, the injuries, and the deaths. People were rightly concerned about that tragic collapse. That was in Minnesota. It is called the I–35W bridge collapse from 2007. Look at that. You can see that is a death trap, and that is exactly what happened.

The Skagit River Bridge collapse. That is I–5 in Washington State. It had similar effects on the local economy, with an estimated impact of $8.3 million during the 26-day closure.

The Brent Spence Bridge. This is a big one. This is the one that goes between Ohio and Kentucky. It is one that carries a huge amount of traffic. You can see just by looking at how old this bridge is how structurally deficient the bridge is. You can visibly see that.

Our Members in Ohio, SHERROD BROWN and ROB PORTMAN, and in Kentucky, RAND PAUL and MITCH MCCONNELL, are very familiar with this. I think this really brings it home, to show these bridges to the public, because they have to live with them on a daily basis. This bridge is functionally obsolete. Built in 1963, the bridge is more than 50 years old and was designed to carry 85,000 cars a day, but by 2025 it is expected to carry 200,000 cars a day.

According to the American Transportation Research Institute, the Brent Spence Bridge is the fourth most congested truck point on the U.S. infrastructure grid. The cost in congestion is staggering when you consider the $420 billion of freight to cross the bridge every year.

Freight haulers bear the brunt of the congestion costs. Delays associated with just traveling across the bridge costs a trucker almost $40 during a rush hour.

In the aggregate, the delays on the bridge cost travelers over $750 million a year in wasted time and fuel.

Keep in mind, if you have congestion on bridges, cars stop, trucks stop, and they pollute the air. Their exhaust continues to go, their engines are still running, the efficiency of their vehicles goes down, and it is very expensive. Each year, 1.6 million gallons of fuel are wasted due to congestion on this one bridge. There are 3.6 million hours spent in traffic on the bridge each year.

This is just one bridge we are talking about. In 2011, chunks of concrete fell from the upper deck down to the lower deck of the bridge. What is most alarming is that motorists who use this bridge are five times more likely to get into an accident on this segment of the interstate than any other part of the interstate in Kentucky.

You will see some bridges where they have actually built another bridge under the bridge to catch the falling debris, the falling concrete.

This is the Mobile River Bridge in Alabama. Certainly, Senator SESSIONS and Senator SHELBY are very sensitive to this. It is a bridge that has been a problem for quite some time. It was constructed in the 1970s. The tunnel was to offer some relief from the bridge.

Traffic currently is carried through the George C. Wallace Tunnel, the I–10 crossing under this bridge we are looking at in Alabama. That tunnel was designed with an anticipated daily traffic count of 36,000. Currently, the tunnel averages approximately 80,000 vehicles a day. It can reach as much as 100,000 vehicles in peak season. The traffic volume causes heavy congestion and longer travel times for commercial and noncommercial drivers throughout the region and the rest of the Nation. This right here, incidentally, is what it will look like after the improvements are made. This is what it is today.

(Mr. TOOMEY assumed the Chair.)

I was hoping we had the Pennsylvania chart because the new occupier of the chair would certainly be interested in that, I would think.

The Arlington Memorial Bridge. We are all familiar with that. That connects Washington, DC, and Virginia. Senator WARNER and Senator KAINE travel this bridge on probably a daily basis. This was built in 1932. The Arlington Memorial Bridge is well beyond its design life and is structurally deficient. The bridge serves as a significant part of the National Highway System, a major evacuation route, and carries more than 68,000 vehicles each day. It is crowded and congested almost all the time—at least it is every day I go across.

My staff tells me this bridge is on the local news on a regular basis due to the progressive deterioration that has taken place. The government has had to conduct emergency lane closures and enforce a load limit. Repair work would take 6 to 9 months.

Then we have the I–264 bridge over Lynnhaven Parkway that carries traffic to Virginia Beach, which is down south of where we are right now. It is structurally deficient. We see the chart—it is one of the 10 most heavily traveled deficient bridges in the State of Virginia, and it carries just under 134,000 cars a day.

The next one is in the State of Washington. I always comment when I see this. It is called the Magnolia Bridge; it is too far north for magnolia trees. Anyway, it was built in about 1929. The bridge carries over 18,000 cars a day and is structurally deficient. While the bridge is in a residential area and on the community's radar, it hasn't received the necessary funding to reconstruct the 86-year-old bridge.

Greenfield Bridge, Pittsburgh, PA—I imagine the Chair is familiar with this.

Pennsylvania has the most structurally deficient bridges in the country, and this is one of them. Let me repeat that. The State of Pennsylvania has the most structurally deficient bridges in the entire Nation.

This was built in 1921. It now carries 7,700 cars a day. A 10-inch chunk of concrete went through a car windshield in 2003, injuring the driver. Later that year, the city spent $652,000 to build a temporary bridge to catch whatever came through the nets. So they have a bridge under a bridge. They had to build another bridge to catch whatever falls off of this bridge. This structurally deficient bridge has been crumbling for decades. In order to protect

drivers on the busy highway below, nets and platforms were constructed to catch falling debris.

On a similar note, we had a tragic incident in Oklahoma involving falling debris from a bridge. A lady and her children in a car were driving below it, and a chunk of concrete fell off and killed the mother.

Again, I will repeat what I said: Pennsylvania has the most structurally deficient bridges in the entire Nation, and that is just one of them.

The Court Avenue Bridge in Des Moines, where I was born—talk about an old bridge. This was actually built before I was born, in 1918. It now carries 3,900 cars a day.

Iowa has the second most structurally deficient bridges in the country, second only to Pennsylvania. While the State recently increased the gas tax, it will still require Federal partnership to do something about this famous bridge.

I–95. Going from Washington to New York or anyplace up north, you go on I–95. It is a very heavily traveled highway.

This is the Brandywine Bridge in Wilmington. You go right over this bridge on I–95. It is 50 years old. The bridge deck is deteriorating. The viaduct, which carries travelers from I–95 through Wilmington, has experienced serious concrete corrosion. The problem is this bridge was designed for a fraction of the travel that it now has because this is the main artery going up the east coast of the United States. It has cracks and swells. I have actually personally seen this bridge.

The Chef Menteur Pass Bridge in New Orleans, LA, was built in 1930 and carries 1,800 cars a day across Highway 90.

The Cesar Chavez Boulevard Bridge in San Francisco was built in 1951. It carries 234,000 cars a day. It is one of the oldest bridges on the west coast.

The I–30 in Little Rock—getting close to my State of Oklahoma. TOM COTTON and JOHN BOOZMAN are most interested in this bridge. It is structurally deficient. It was built in 1961 to carry traffic over railroad tracks, 116,000 cars a day. And Arkansas is delaying projects because of uncertainty at the Federal level, so they are currently discussing gap financing for the I–30 project.

The Storrow Drive Bridge in Boston—I know Senators WARNER and MARKEY are very concerned about this. Built in 1951, this structurally deficient bridge carries 57,770 cars per day. The Storrow Drive Bridge earned its structurally deficient rating because of the corroding support beams that support one of many highly trafficked bridges in the Nation. Numerous costly interim repairs over the years have kept the artery open, but they are merely stopgaps until a longer term solution can be reached.

New Jersey, U.S. Highway 1 over the Passaic River. Herbert Hoover was President when this bridge was built in 1932, with an estimated design volume of 5,500 vehicles a day.

I am going to skip down to the Brooklyn Bridge. This bridge was actually built in 1883. It is structurally deficient. Of course we know the number of cars that go over that. That was built in 1883. That is one that I dare say arguably everyone here has driven over, and every time you do, you wonder if you are going to get to the other side.

The other comparable bridge is the San Francisco Bay Bridge, which was built in 1936. The bridge is now functionally obsolete. Here is the concern about the bridge. A lot of smart people are saying this bridge, because of all the earthquakes out there, could collapse. Anyone who drives over is thinking: Is this going to be the time it takes place?

I talked to ROY BLUNT a few minutes ago. He was talking about the bridges in Missouri. The next chart I will show is from there. For some reason, Missouri and Oklahoma are two of the worst States in terms of the conditions of bridges, and we are both concerned about that. That is something people have to keep in mind.

I know others want to come down and get some time, but we are going to be talking about these, about the major projects.

What is unique about the bridges is we can't ensure the stability and safety of our bridges on short-term extensions. That is why we have gone since 2009 with 33 short-term extensions and many of these bridges have had no attention. The only way we are going to correct that problem is to do it with this DRIVE Act. Hopefully we will have the vote to advance that bill, and hopefully we will be able to get it through.

I want to repeat what I started off with. I don't criticize the Democrats who voted against the motion to proceed yesterday because they requested information and didn't get the information until 30 minutes before the vote took place. Even my counterpart on the left, BARBARA BOXER, voted against it at that time. I think most of those individuals should be supportive of this, certainly after seeing the bridges and construction that is necessary in their States. I am confident they will.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. HATCH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NUCLEAR AGREEMENT WITH IRAN

Mr. HATCH. Mr. President, throughout the history of the Republic, certain decisive moments have fundamentally altered the national security of the United States. For good or for ill, these moments have defined eras of time and changed the course of history. These landmarks include President Roosevelt's decision to turn the United States into an arsenal of democracy to defeat fascism; President Truman's adoption of a strategy to confront communism and rebuild Europe; President Nixon's initiative to open up relations with China; and President Reagan's policies that led to the fall of the Soviet Union.

Other such moments reflect serious errors in judgment, mistakes that continue to echo today. One recent example is President Obama's decision to remove U.S. forces from Iraq prematurely. This shortsighted move squandered the gains of the surge and plunged Iraq into chaos, leading to the rise of the Islamic State. Another especially instructive example is in the Clinton administration's fumbled attempt to block North Korea's development of nuclear weapons. Back then, I came out strongly against the Agreed Framework with North Korea. Sure enough, that naive diplomatic effort created barely a speed bump, as the fanatical North Korean regime raced ahead in building a nuclear arsenal.

President Obama's nuclear deal was clearly one such landmark moment in American foreign policy, but the question remains: Is it a crowning achievement of American diplomacy or is it a grave mistake that we will all come to regret dearly? I think we have to find out.

Since the President's announcement of the agreement, I have endeavored to examine it carefully and thoroughly, and I look forward to the review process led by the chairman of the Foreign Relations Committee, who has promised a full and fair scrutiny of this particular deal.

Nevertheless, my initial review has raised serious questions about whether this agreement forecloses Iran's path to a nuclear weapon. If left unanswered, these concerns lead me to believe that this agreement could end up being a catastrophic mistake.

Time and again, the Obama administration has promised that this agreement will add stability to the region. However, the details lead me to believe that the deal will, in fact, seriously destabilize the region.

If the deal is implemented, $150 billion in Iranian assets that are currently frozen in the world's financial institutions will be once again made available to the regime, which is a prime benefactor of terrorist groups such as Hamas and Hezbollah. These terrorist groups continually threaten one of our closest allies, and of course that is Israel.

The fact that much of this money will be used to promote international

terrorism is not even disputed by the Obama administration. Just this past weekend, President Obama's National Security Advisor, Susan Rice, stated: ''We should expect that some portion of that money would go to the Iranian military and could be potentially used for the kinds of bad behavior that we've seen in the region up until now.''

While I am troubled that the administration now uses a term such as ''bad behavior'' to describe international terrorism, Ms. Rice is undoubtedly right about where this money will go.

Michael Rubin of the American Enterprise Institute points out what happened when the European Union previously opened trade with Iran as an incentive for Tehran to moderate its behavior. Iran's response was to take ''that hard currency windfall and put it disproportionately into its covert nuclear and ballistic missile program.''

As such, by implementing this agreement, the United States will permit the financing of international terrorism not only against Americans but also against our closest allies, including Israel. But funding terrorism is just for starters. This agreement also removes the conventional arms embargo against Iran after 5 years. Reportedly, the Russians were particularly intent upon this clause. They stand to benefit if the Iranians spend some of their $150 billion windfall to buy Russian arms. In fact, Russia has already committed to sell them its highly sophisticated S–300 surface-to-air missile system. This highly capable weapon system could protect Iran's nuclear sites if the regime violates the agreement. Moreover, this agreement also lifts the ballistic missile embargo against Iran after 8 years. This is an incredibly troubling development.

My examination of the deal also brings into question whether the administration achieved our primary objective: preventing Iran from producing enough fissile material to build a nuclear weapon. For years Iranians have stockpiled advanced centrifuges to produce this material. Yet this deal does not force them to part with this critical equipment. In fact, after 8 years under this agreement, the Iranians will be able to begin building and stockpiling more than 200 advanced centrifuges a year.

Moreover, the means to deploy a nuclear device were not fully addressed by this deal. The agreement mentions that Iran will not pursue activities that could contribute to the design and development of a nuclear explosive device, but it fails to detail most of the specific tools, equipment, materials, and components that are necessary to manufacture and fabricate a nuclear explosive device.

This is not a done deal. Eleven weeks ago, 98 Senators voted for the Iran Nuclear Agreement Review Act. While far from perfect, this bipartisan legislation gave Congress a vital say in whether this Iran deal goes forward. Let us not waste this opportunity. Those who served before us did not shirk their responsibility to weigh in on the serious foreign policy decisions of their day.

I urge all of my colleagues in this great body to stand with me in examining this agreement with great caution about its implications for the security of the United States and our allies in the region.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BROWN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWN. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. The Senate is in morning business.

Mr. BROWN. I thank the Chair. I ask unanimous consent to be joined in a colloquy with Senator MERKLEY of Oregon and Senator COONS of Delaware.

The PRESIDING OFFICER. Without objection, it is so ordered.

DODD-FRANK BILL

Mr. BROWN. Mr. President, during the financial crisis, $13 trillion in household wealth was erased. Nine million jobs were lost, and 5 million Americans, 5 million families and individuals lost their homes. The financial services industry has bounced back, and far too many American families have not.

While many in Washington may have forgotten the financial crisis, millions of Americans haven't forgotten how predatory lending practices contributed to the housing bubble and helped spark this crisis. For them, this was the crisis.

Unscrupulous lenders offered loans that required no documentation, loans with teaser interest rates that later spiked and undermined a borrower's ability to repay, and loans where borrowers never paid down their principal. Borrowers with these higher cost loans were foreclosed upon at almost triple the rate of borrowers with conforming 30-year fixed-rate mortgages.

The crisis revealed a host of other harmful practices, such as steering borrowers to affiliated companies, kickbacks for business referrals, inflated appraisals, and loan officer compensation based on the loan product that they peddled. These practices offered little benefit to the borrower. They were not about helping those families purchase a home they could afford. It is no coincidence that as borrowers' costs increased, so did loan officers' compensation.

These abuses didn't start in 2007 and in 2008. In many communities, predatory lenders began moving in a decade or more before the crisis.

In Ohio, the housing crisis was a slow burn rather than the boom and bust cycle that happened in States such as California and Arizona. From 1995 to 2009—think about this—my State of Ohio had 14 consecutive years where there were more foreclosures than the years before. For 14 years in a row, the number of foreclosures went up and up and up—14 years in a row.

My wife and I live just south of Slavic Village in Cleveland, ZIP Code 44105. I mention that ZIP Code because in 2007, that ZIP Code had the highest foreclosure rate of any ZIP Code in the United States of America. This wasn't because of speculation. This was a declining industrial base, and this was the kind of predatory lending that tended to settle and sink its talons into communities like Slavic Village. Government policies favoring finance over manufacturing caused steel mills across Northeast Ohio and the rest of the country to shut down and force people to look elsewhere for work. Between 2000 and 2010, the population of Slavic Village dropped 27 percent, down to 20,000 people, and then the subprime lending industry moved in. By 2006 more than 900 of Slavic Village's 3,000 properties—900 out of 3,000—were in foreclosure. If the home next door to you is foreclosed on and abandoned, you can bet the value of your home begins to decline 2 percent, 3 percent, 4 percent, and then the one across the street and then one down the street. One can see what happens to this neighborhood. One in three Ohioans in the height of the crisis—one in three Ohioans' mortgages were underwater. One in every seven mortgageholders was 30 days delinquent or in foreclosure.

Behind every foreclosure is a painful conversation. We don't think much about that here. We think of numbers, policies, and statistics. But imagine if you are a mother or father, and you have a 12-year-old or 13-year-old son and daughter. First, the mother loses her job. Things change around the house. You begin to cut back on things. You begin to take money out of the college fund to send your kid to Cuyahoga Community College. Then the husband loses his job. Then you have to have that discussion. There were 5 million discussions like these that went on in these homes where there were foreclosures. You have to explain to your son or daughter: We aren't going to be living here. We can't afford this house. We are leaving the neighborhood. You are probably going to a different school. We don't know where we are moving. We are going to have to find a new place to live. Maybe we are going to have to give away the family pet. There is a shelter in Parma, OH, that

went from 200 to 2,000 dogs and cats that they were housing because so many people gave up their pets because of the foreclosures that so many families endured.

We came together as a result to pass Wall Street reform so families would no longer be forced to upend their lives because a mortgage company preyed upon them. Dodd-Frank established a commonsense rule that requires lenders to ensure that borrowers have the ability to repay their home loans. We created a consumer protection bureau to make sure that never again would consumers be an afterthought.

Much of the CFPB's important work has centered around mortgage regulation. Their rule to streamline forms will help inform consumers to understand what is happening at the closing table.

The ability to pay. A qualified mortgage rule balances the need for mortgage credit with the need of documentation of income and other borrower protections.

We know there is more to be done. We must ensure that small lenders and community institutions can remain competitive. We know how bank concentrations become more and more of a problem. We must provide homeowners with protections from a broken servicing model that has harmed so many of our communities. We must ensure broad access to affordable housing—the right thing to do for families and communities. We must move forward. We know there will be a clear choice.

As we move forward, we know there are two paths to follow. We can accept the false narrative that inaccurately blames low-income borrowers in the Federal programs, FHA, VA, to maintain their underwriting standards during the boom. In other words, we can blame the victim. We can say: Oh, it was the homeowners who caused this. It was the people who got the mortgages. It was all their fault. They weren't smart enough and they were so irresponsible. And we can blame the government because it is always the government's fault or we can recognize there were flawed incentives encouraged by a lack of regulatory oversight at the heart of our Nation's financial system—flawed incentives that made risk-taking more profitable, flawed incentives that increased loan officers' compensation when they made loans they should not have been making.

We can maintain the 30-year fixed mortgage that has made homeownership more affordable and given so many families an asset upon retirement. We can preserve a strong government role in the mortgage market, but instead too many in this body want to undermine the reforms that we put in place 5 years ago. Republicans and their allies in the financial industry fought Wall Street reform every step of the way. They have been attacking these consumer protections since the day they began.

We have to remember what a top financial services lobbyist said. The day the President signed Dodd-Frank, the top lobbyists in the financial industry said: Well, folks, today is half-time. Today is half-time, meaning, OK, we lost in Congress, but we are going to keep pushing these agencies. We are going to keep lobbying Congress. We are going to try to roll back these rules. We are going to stop these rules. We are going to dilute these rules and make them ineffective.

The bill my Republican colleagues today on the Appropriations Committee brought in—Senator COONS will talk about that. The bill the Republicans brought into Senator MERKLEY's and my banking committee isn't a narrower targeted effort at reform for small banks. It is a sweeping overhaul that rolls back Wall Street reform. Once again, they want to undermine consumer protection. They want to use small Main Street institutions as cover, but in the end they want to allow special interests and their allies to undermine reform and leave the American people exposed to the problems that happened less than a decade ago. It is unconscionable that this abuse was ever allowed in the first place.

Senator MERKLEY, a leader on this issue, especially in the Volcker rule, will speak about his efforts and what he has seen in the past and particularly looking forward to the future about what we do about predatory loans and people and banks preying on consumers.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, I appreciate the leadership of my colleague from Ohio, who has brought such a focus on ending predatory activities, helping our financial system work for working Americans. Indeed, that is certainly what all of our effort is about on the fifth anniversary of the Wall Street reform bill, the Dodd-Frank bill. My colleague was talking about the Humble Home mortgage, which was turned into a predatory instrument that instead of building the wealth of the middle class of America was designed to strip that wealth. There was the two-year teaser rates in which interest rates would go from 4 percent to 9 percent, more than doubling. Liar loan underwritings, in which the loan is way too large for a family, were given to a family just to reap the immediate benefits on behalf of the mortgage broker: the immediate commissions, steering payments and kickbacks that were paid to mortgage originators to steer their clients from the prime loan they qualified for into the subprime loan.

Now, thankfully, as the Senator from Ohio outlined, we have ended those predatory practices and we must not let those practices return.

Homeownership has been the foundation for middle-class wealth—homeownership, education, and good-paying jobs. We cannot take away homeownership as a significant part of the American dream, the dream to control your own space, the king or queen of your own castle, and certainly to build the equity that puts your family on a strong financial foundation.

Wall Street added to this particular story because they took these predatory teaser rate loans and put them into securities. One can think about securities as a box full of mortgages. Those mortgages generate a certain cashflow, and you sell the cashflow. That is what a security is. So these securities were only as strong as the mortgages that were in the security box, and those mortgages were deeply flawed. When the interest rate went from 4 percent to 9 percent, a family's payments doubled. They weren't able to make their payments because the underwriting had been inappropriate from the beginning, and they weren't able to get out of the loan because there was a prepayment penalty if they tried to get out of the loan. That was a steel trap that locked families into these inflated interest rates and eventually destroyed their finances. So we ended all that.

Think about what Wall Street did. They took these mortgages and set up a securities waterfall—AAA, AA, and so forth. They got ratings on these securities as if these home loans were the same sound, good home loans of the past, not these new steering payment, prepayment penalty teaser-rate loans that had started to become so common and such a different instrument. Wall Street said we will make a lot of money selling these securities.

Indeed, there were a couple other factors that came into play. Not only did credit agencies give them great ratings despite the underlying flaws, but there was also insurance that could be bought to protect the security in case it would fail. It was called a credit default swap or CDS. For a few cents you could buy insurance to make sure the security was good. Of course, insurance is only as strong as the insurance company behind it, and the purchasers didn't know the details of that because it went through the middlemen in Wall Street. It turned out that AIG, the American Insurance Group, was issuing this insurance in vast quantities, not doing what an insurance group normally does, which is set aside reserves to cover potential losses. Indeed, they were just on a short-term upward—hey, we can sell these insurance policies called CDS or credit default swaps for a ton of money for short-term profits and long-term irresponsibility.

So let's fast-forward from 2003, when the predatory loans came into popularity, and now we are in 2008 and mortgages are starting to fail, the securities are starting to fail, and then of

course the insurance on those securities failed. Meanwhile, you have investment houses. For example, Lehman Brothers in 1998 had $28 billion in proprietary holdings, and by 2006 that had expanded to $313 billion against a capital base of just $18 billion in common equity. Think of that leverage—$313 billion in holdings and a base of $18 billion. That enormous leverage meant that if there was just a slight decline in the value of the products they were holding, then the whole firm was going to come tumbling down. Because these securities started to fail, they didn't have just a slight decline, they had a big decline. Suddenly, you have a major investment house, Lehman Brothers, out of business.

That sent shock waves through our entire financial enterprise because a lot of the financing—short-term financing—was done through 24-hour financial transactions called repurchase agreements or repo agreements. Repurchase agreements—you sell an asset for 24 hours, you get the money, you buy it back 24 hours later, and then you resell it. That means every 24 hours you have to come up with the cash to buy back this repo financing. When the underlying value started to go down, the company couldn't come up with the funds to execute the repurchase agreements, so they had to do a fire sale of their assets. Well, if they do a fire sale of their assets, that means for every other company that has similar products, the value of their products now goes down the tube overnight, and then they have problems. So you have a domino effect—a contagion that spreads through the financial industry.

Let's trace this back in simple circumstances. You had healthy homeowner loans, fully amortizing fair loans replaced by predatory teaser-rate loans leading to securities based on these faulty predatory mortgages. These securities became a major financial instrument. That financial instrument collapsed when the mortgages collapsed. There was a domino effect, a contagion that brought down our entire financial house.

The American worker was on the losing end of this house of cards. American workers lost their jobs. American workers lost their retirement savings. These American workers often lost their homes because after losing their jobs, they couldn't pay for their home or because the teaser-rate mortgage doubled in monthly payments, they couldn't make those monthly payments.

That type of destruction in which Wall Street casinos fared so well and American workers were so destroyed must not happen again. That is what the Wall Street reform bill is all about. On the fifth anniversary, we have ended through the Volcker rule the proprietary trading that was basically large hedge funds embodied within banks being essentially done on the backs of Federal deposit insurance; that is, the government was insuring the banks that were engaging in these highly leveraged hedge fund operations. That is just wrong.

If you want to operate a hedge fund, absolutely, get your investors, place your bets, and if you go down, the investors go down, but the banking system doesn't go down. We must not allow these highly leveraged hedge funds to be operating inside of our core banking system.

The phrase that was often used as we were working on this 5 years ago was ''Let's make banking boring again.'' Take deposits, make loans, and through those loans fuel the success of our families and our businesses. But if you want to be a high-risk investor, do it somewhere else.

That is the core story about shutting down the Wall Street casino. This is the Wall Street casino before the Dodd-Frank Wall Street reform bill: Sorry, we are closed; afterwards: Well, I am not sorry they are closed because we have rebuilt a financial system designed to work for working Americans, and that is a good thing.

I look forward to turning this over to my colleague from Delaware.

The PRESIDING OFFICER (Mr. GARDNER). The Senator from Delaware.

Mr. COONS. Mr. President, I would like to thank my colleagues from Ohio and Oregon, as we come to the floor today to talk about the 5 years since the passage of the Wall Street reform bill—better known as Dodd-Frank—and what it has meant for our States and for our country.

It is no secret that Delaware, my home State, is also home to a very large financial services industry. The whole range of financial institutions—from small community banks and credit unions, to larger regional banks, to literally some of the largest banks in the world—has a home in my State and employs tens of thousands of my constituents.

So I understand it might be surprising to some to see me come to the floor and join my colleagues in defense of the broad and sweeping Wall Street reform bill that was enacted 5 years ago, but as a Democrat representing these workers in a State that benefits from a robust financial services industry, I also know how important strong, stable, secure, predictable capital markets and well-functioning and well-regulated financial services are to a healthy economy from which we can all benefit. If we don't have a bank we can trust, we can't get a loan or buy a home or finance an education—investments that can serve as foundations to a brighter future for our families. If we don't have robust capital markets, companies cannot get money they need to invest in people and products and services, in growth and in jobs.

If you think of a world without functioning or reliable financial services, you can picture money sitting useless, unaccessible under a mattress. Without the roadways—the banks and financial services—to connect it, this money cannot move and an economy cannot grow. Quite literally, everything grinds to a halt.

We don't have to look far to see an example of this sort of seizing up of a modern economy. Greece has recently experienced a devastating financial crisis where money stopped flowing into and out of their economy, banks limited the amount of cash people could take out, and the government prohibited people from sending money abroad. The result was widespread panic, disruption of day-to-day lives, and a deep distrust of banks and banking that will take a long time to heal.

Capital markets and financial services that are well regulated and well run are important to us all. That is why we have to do everything we can to protect them. They make up a critical part of our Nation's economic infrastructure and lay the foundation for economic recovery. But just as streets need traffic lights and sharp turns need speed limits and bridges need guardrails, so, too, financial systems need fair and enforceable regulations. The alternative is what we saw just 5 years ago—the near collapse of our economy.

When the 2008 financial crisis unfolded, I was a local elected official in Delaware, not a Senator. As our mortgage system, our banking system, and our markets collapsed, I saw the real wreckage in my own home community. I saw thousands of folks who lost their jobs, who lost their life savings, who lost their homes, and the painful and lasting impact on them and on our whole community.

The 2008 crisis proved that a poorly regulated market left everyone exposed to risk, from consumers to financial services workers. Worst of all, it sparked a widespread distrust in our economy and our banks both here at home and abroad that we are still working to recover from today. The devastation caused by the great recession proved our financial system needed stronger regulations to protect consumers, families, businesses, and to make sure our capital markets are liquid, trustworthy, and reliable globally to instill faith back into our economy and system.

So I believe it was in our national best interest for there to be adopted fair, predicable rules to make sure we could all drive on the road safely, metaphorically, regardless of what size car we drove or what side of the road we were driving on. That is why, 5 years ago, in the wake of the worst financial crisis since the Great Depression, Congress's groundbreaking Wall Street reforms needed to become law. Those reforms took important steps to

strengthen the rules of the road and prevent another significant crisis for our economy.

Congress created an agency, the CFPB, or Consumer Financial Protection Bureau, with a simple important mission: to protect consumers from abusive financial products. By helping to ensure that consumers have accurate financial information about the risks and benefits of financial products, CFPB works to prevent risky lending practices. An essential feature of CFPB is that it is an independent agency with only one responsibility; that is, protecting consumers.

Second, Wall Street reform limited risky and unsafe investment practices at the highest levels of finance. It set strong capital standards so banks have a sturdy backstop in times of need and ensured that regulators have the tools to scrutinize banking practices that are far more complicated than ever before—in fact, at the very limits of what is capable of regulatory oversight.

Congress required banks to perform risk testing, to improve oversight and make sure they can withstand turbulence in the same way first responders are required to perform regular safety drills to make sure everything works properly in the case of a crisis or a fire. Banks are now required to make sure they have the protocols and the policies and the resources in place to respond effectively to a renewed financial crisis.

Last, the financial crisis made it clear that although there is much we can do to limit risk and protect consumers, banks—particularly big banks—can still fail. When they do, it is critical they are wound down, they are resolved, they are closed in a way that is responsible, does not spread contagion and harm the larger economy, and does not require an expensive taxpayer bailout. That is why Wall Street reform gave the government new abilities to responsibly wind down banks so they do not cause a financial earthquake, much in the way the government has done with smaller banks through the FDIC for more than 80 years.

While I believe these reforms took much needed steps toward making sure our financial system is strong and healthy, I also believe we can build upon these reforms.

One of its key authors, Senator Dodd, said just yesterday—former Senator and Chairman Dodd said just yesterday at a public event: It wasn't the Ten Commandments that was crafted; it was a law, and a law that needs to be improved.

I know it might be difficult to believe Democrats and Republicans can find common ground on Wall Street reform, but there are, in fact, changes we can agree on that will make sure these reforms protect consumers and financial services. For example, we ought to lighten the regulatory burden on community banks so smaller banks can provide lending that their neighborhoods really need to grow and thrive. That is why Senator MERKLEY and I have cosponsored Senator BROWN's important bill, the Community Lender Regulatory Relief and Protection Act, which would help smaller banks by streamlining exams, by helping credit unions develop more diverse sources of capital, and by reducing onerous privacy notification rules.

Many of the proposals in this bill have bipartisan support. I am eager to work with my colleagues to implement those and other improvements. But unfortunately, rather than looking for ways to strengthen and sustain the broad architecture of Wall Street reform, too many of our Republican colleagues have continued to try to roll back the clock. We have seen how Republicans in the House have continued efforts to dismantle these bills, in particular in recent appropriations legislation. They have supported significant, harmful cuts to the regulatory agencies that are charged with rulemaking and with oversight—the most important entities in the financial services realm. They have also tried to undermine and undercut the CFPB's independence.

Just today, Senate Republicans have proposed similarly misguided legislation. I plan to do everything I can to protect those agencies and stop efforts to fundamentally undo important Wall Street reform.

It is time for my colleagues to stop proposing spending bills on a wide range of the subcommittees of the Appropriations Committee that have no chance of passing and that continue to push us closer to an inevitable government shutdown that would devastate our economy and I think cause real harm to our working families. I have heard those very same colleagues argue that by doing so, they are on the side of banks and they are on the side of increasing the forward growth of our economy and that is why they want to dismantle regulations. But what I hear from business leaders and bank leaders in my home State is that the biggest threat they face are more manufactured crises here in Congress that chip away at the confidence in the American economy that serves as a bedrock of our prosperity.

As the leading Democrat on the committee charged with overseeing the financial services funding bills here in the Senate, I think it is critical that we work together to improve Wall Street reforms where we can rather than reverse what progress we have made. Whether you are a Republican or a Democrat, a consumer or a banker, a CEO or a small business owner, a family member or a financial services worker, we can all agree that we do not want another financial crisis. Nobody wants another bailout to banks.

I strongly believe you can be pro-business, pro-financial services, and still believe in smart, strong, sensible regulation to keep everyone in our financial services system healthy and our overall system and economy safe. I believe a well-regulated financial system is critical to sustaining this sector into the future and ensuring that it is a trusted place for businesses and consumers to invest in from at home or abroad. A strong, secure, stable economy has long been the hallmark of America's global leadership, so I think we must work together to make sure it remains that way for decades to come.

Wall Street reform was the result of a lot of hard work and compromise just 5 years ago. I look forward to working with my colleagues to continue strengthening the financial rules of the road as we go further into the future together.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll:

Mr. CORNYN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. CORNYN. Mr. President, I ask unanimous consent that the Senate stand in recess subject to the call of the Chair.

There being no objection, the Senate, at 4:28 p.m., recessed subject to the call of the Chair and reassembled at 6:19 p.m. when called to order by the Presiding Officer (Mr. PERDUE).

Mr. CORNYN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I move to proceed to the motion to reconsider vote No. 250, the vote by which cloture was not invoked on the motion to proceed to H.R. 22.

The PRESIDING OFFICER. The question is on agreeing to the motion to proceed.

The motion was agreed to.

Mr. MCCONNELL. Mr. President, I move to reconsider the vote on the motion to invoke cloture on the motion to proceed to H.R. 22.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 19, H.R. 22, an act to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

Mitch McConnell, Roger F. Wicker, Shelley Moore Capito, Rob Portman, John Cornyn, James M. Inhofe, Daniel Coats, John Boozman, Johnny Isakson, Pat Roberts, John Barrasso, Mike Rounds, Mike Crapo, Roy Blunt, Thom Tillis, Deb Fischer, Richard Burr.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to H.R. 22, Hire More Heroes Act of 2015, shall be brought to a close, upon reconsideration?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Arkansas (Mr. BOOZMAN) and the Senator from Alaska (Ms. MURKOWSKI).

Further, if present and voting, the Senator from Arkansas (Mr. BOOZMAN) would have voted ''yea.''

The PRESIDING OFFICER (Mr. GARDNER). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 62, nays 36, as follows:

[Rollcall Vote No. 251 Leg.]

YEAS—62

Alexander	Fischer	Moran
Ayotte	Flake	Nelson
Barrasso	Gardner	Perdue
Blunt	Graham	Portman
Boxer	Grassley	Risch
Burr	Hatch	Roberts
Capito	Heitkamp	Rounds
Cassidy	Heller	Sanders
Coats	Hoeven	Sasse
Cochran	Inhofe	Schatz
Collins	Isakson	Scott
Corker	Johnson	Sessions
Cornyn	King	Shaheen
Cotton	Kirk	Sullivan
Crapo	Klobuchar	Tester
Daines	Lankford	Thune
Donnelly	Leahy	Tillis
Durbin	Manchin	Vitter
Enzi	McCain	Whitehouse
Ernst	McCaskill	Wicker
Feinstein	McConnell	

NAYS—36

Baldwin	Cardin	Gillibrand
Bennet	Carper	Heinrich
Blumenthal	Casey	Hirono
Booker	Coons	Kaine
Brown	Cruz	Lee
Cantwell	Franken	Markey
Menendez	Peters	Stabenow
Merkley	Reed	Toomey
Mikulski	Reid	Udall
Murphy	Rubio	Warner
Murray	Schumer	Warren
Paul	Shelby	Wyden

NOT VOTING—2

Boozman Murkowski

The PRESIDING OFFICER. On this vote, the yeas are 62, the nays are 36.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, upon reconsideration, the motion is agreed to.

HIRE MORE HEROES ACT OF 2015—MOTION TO PROCEED

The PRESIDING OFFICER. The clerk will report the motion to proceed.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 19, H.R. 22, a bill to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

MORNING BUSINESS

RECOGNIZING THE 50TH ANNIVERSARY OF THE UNIVERSITY OF NEVADA LAS VEGAS SCHOOL OF NURSING

Mr. REID. Mr. President, I rise today to recognize the 50th anniversary of the University of Nevada, Las Vegas, UNLV, School of Nursing.

The UNLV School of Nursing has been an important part of Nevada's health care system since it admitted its first class in 1965. The program was established in part because of a nursing shortage in the State of Nevada in the early 1960s. The nursing shortage, coupled with the State's sudden population growth, threatened to create an untenable situation for all Nevadans. Recognizing this, various stakeholders, including the Nevada Public Health Association, Nevada Nurses Association, and Nevada State Board of Nursing, worked to create the nursing school to fill vacant nursing positions throughout the State and provide quality nursing education to Nevada residents. The first graduating class included 19 students; and to date, more than 4,300 students have graduated from the UNLV School of Nursing.

In fulfilling its mission of providing an exceptional education to nursing students and meeting Nevada's health care needs, the UNLV School of Nursing has established a tradition of progress, innovation, and leadership. For instance, when the school first began, it only offered an associate degree program. Today, the school offers eleven academic programs. Additionally, the school began offering an online master's degree program in 2004. This program ranks among the top ten best online graduate nursing programs in the Nation. I am confident that the UNLV School of Nursing will continue to play a critical role in Nevada's health care system as it begins its next chapter.

I commend the UNLV School of Nursing on their 50th anniversary and applaud their exceptional service to the State of Nevada.

ADDITIONAL STATEMENTS

REAUTHORIZING THE HIGHER EDUCATION ACT

● Mr. ALEXANDER. Mr. President, I ask unanimous consent that a copy of my remarks at the American Enterprise Institute be printed in the RECORD.

There being no objection, the materials was ordered to be printed in the RECORD, as follows:

REAUTHORIZING THE HIGHER EDUCATION ACT

Thank you, Andrew. It's great to be here. It's great to be at AEI, an organization for which I have lots of respect. I also have great respect for our institutions for higher education. As Dr. Kelly said, I was once president of the University of Tennessee. That's harder than it looks. I remember on my first day on campus a faculty member came up to me, I was very enthusiastic that day, and she said, ''You have so much enthusiasm, you're reminding me of Clark Kerr.'' And I said, ''Well, thank you very much,'' because Clark Kerr was a distinguished president of the University of California. And I said, ''How is that?'' She said, ''You know, he arrived and left in the same way—fired with enthusiasm.'' It's a precarious existence, most college presidents will tell you.

I wrote an op-ed for the Wall Street Journal last week in which I urged fellow politicians and some pundits to stop telling students they cannot afford a college education. I noted that two years of community college are free or nearly free for low-income students, given that tuition and fees across the country average $3,300 and that the average Pell grant is about the same. Public 4-year colleges average about $9,000 in tuition and fees. I wrote that at the University of Tennessee, Knoxville, which is closer to $12,000, nearly every in-state freshman has a state Hope Scholarship, a third have Pell grants, and many have access to state aid. About 75 percent of all college students attend those public institutions.

Even many of the private elite colleges have programs to help families figure out what they can afford to borrow and then those institutions such as Georgetown University make up the difference. Many students borrow money for college, but the average 4-year graduate's debt is about $27,000—or roughly the same as the average new car loan. And for that investment, you get a college degree that the College Board still says will earn you $1 million dollars more over your lifetime than if you hadn't earned that degree. The problem, I explained in my op-ed, is that we need to grow the percentage of Americans with college degrees over the next 5 years—otherwise we're on

track to fall short by 5 million workers with degrees. So politicians, in my view, should stop discouraging students from attending college—especially the low-income students who are likely to benefit most from federal aid, and may also be the most easily discouraged.

Well, on Tuesday, the Wall Street Journal ran letters to the editor in response to my op-ed. Here's a sampling from one: ''Lamar Alexander has been a politician so long that he no longer understands that money comes from working people who understand what is expensive, and four years of college plus living expenses is expensive.'' From another, ''The traditional system is unsustainable.'' From another ''Politicians should stop talking about a college 'premium' because the costs, even with all the subsidies, exceed the benefits for many.'' And another: ''It is counterintuitive to many politicians, but the more affordable they try to make higher education, the less affordable it will become.''

In other words—I hit a nerve.

But buried at the bottom of these letters published by the Wall Street Journal was this brief line from a woman in San Diego: ''Years ago'' she said, ''there was a bumper sticker: 'Think education is expensive? Try life without it!' '' Still holds true and always will.

I've always said that it is never easy to pay for college. It's just easier than most people think. And as we approach the reauthorization of the Higher Education Act in the Senate education Committee, I don't pretend that our system is not in need of reforms. But let's begin with the shared recognition that life without education is more expensive—and that the cost to our country will be great if we don't increase the number of Americans with post-secondary education and degrees.

So let's look at measures we can take as a federal government to encourage colleges to control their costs, operate more efficiently, help students graduate more quickly with less debt—and let's be sure that all these measures do nothing to challenge the autonomy and independence that is at the heart of our education system—the autonomy and independence that have driven our colleges and universities to create the best system of higher education in the world.

So I'd like to focus today on four goals for the reauthorization that we're working on: first: ending the overregulation of colleges and universities; second: ending the federal collection and dissemination of useless data; third: improving our accreditation system; and fourth: ensuring that institutions begin sharing in the risk of lending to students.

So let's take the first one—ending the overregulation of colleges. Now I'm here today as a Republican speaking to a generally conservative audience about reducing regulations—not a new idea for most of us. But there's an important distinction in this—we already have bipartisan support in the committee for reducing these regulations. Senator Mikulski, Senator Bennet, Senator Burr and I commissioned a report two years ago on higher education regulation by a task force of educators, and we asked for specific recommendations on how to reduce these regulations. We said, ''We don't want another sermon. Tell us exactly what we could do to reduce the regulatory burden.'' And we got back 59 recommendations, with 10 listed as priorities. A dozen of them are things that the U.S. Secretary of Education himself could do and the rest would require some sort of congressional action. We are currently working on legislation that adopts and implements many of the report's recommendations.

The report told us that the higher education system is entangled in, the report's words, a ''jungle of red tape'' and that every workday, each one of our 6,000 higher education institutions gets a letter or a guidance or a new rule from the U.S. Department of Education, on average. Every workday, every one of our institutions, 6,000 of them, get a letter or a guidance or a new rule from the US Department of Education that presumably changes their procedures.

Here are three examples of how that plays out in our colleges:

First, Vanderbilt University—because the chancellor of Vanderbilt was one of the cochairs of our group making these recommendations and the other was the chancellor of the University of Maryland. So Vanderbilt hired the Boston Consulting Group to tell the university just how much it cost Vanderbilt to comply with Federal rules and regulations in one year, 2014, and the startling answer was $150 million—$11,000 per student. $11,000 is more than the average tuition in fees at public universities in the United States.

Second, here's the FAFSA form that 20 million Americans fill out every year. Some of you have seen it. This is the form 20 million Americans fill out every year in order to get a grant or loan to attend college. Now most people fill it out online, some financial aid officers disparage my doing this because they say it's not that hard to fill out. Maybe not for them, I mean they've been working on it for years. But I've talked to students who have literally burst into tears over the complexity of this thing. The president of a community college in Memphis told me he thinks he loses 1,500 students a semester because this is simply such an intimidating list of questions. We have testimony in our education committee that said those 108 questions could be reduced to two. One would be: what's the size of your family, and two would be: what's the size of your family income. That would answer 95 percent of the questions that the U.S. Department of Education needs to award federal student aid.

Third, the government hands out $24 billion in research dollars to colleges and universities through the National Institutes of Health. The National Academy of Sciences has a study group that's twice done a survey and both times found that 42 percent of a principal investigator's time with federally funded research is spent on administrative tasks. If we could reduce that 42 percent to 40 percent or 35 percent or 30 percent or 25 percent, we could free up hundreds of millions of dollars, maybe billions, for additional research. In other words, we can save time, energy, money, and encourage more college degrees if we reduce higher education regulations.

My second goal is ending the federal collection and dissemination of useless data.

We've had five hearings on higher education this year. Our third hearing was on consumer data. The federal government collects a lot of data from 6,000 institutions. At the hearing, I held up the data survey that each of our almost 1,000 public community colleges must fill out. It's similar to the surveys that the other 5,000 colleges fill out. This one was 426 pages of data requirements and reporting instructions, with 3,300 different necessary responses or inputs.

Then there are the federally mandated college consumer disclosures. Those require a 900-page binder to show what one university with two campuses is required to disclose to consumers. The law and regulations prescribe a dizzying variety of ways the different disclosures must be sent to current students and, upon request, the public items range from the useful and necessary—such as providing the terms and conditions of federal student aid to such things as informing students when Constitution Day is. Not only do I question what is really necessary—but more important, how much of this is useful to students making a college choice? Then, how might consumer information actually become useful for prospective students, and what better information may be needed? What requirements can we eliminate? And on a separate issue—once we've collected the right data, how good are we disseminating the data, at least in a way that you can understand it? The government has created tools—from the College Navigator to the College Scorecard—but the government is really not very good at doing this, and students aren't really actually using those tools very much to choose among colleges.

My third goal is to improve our accreditation system. We held a hearing on accreditation in the committee last month. I learned a lot, but our accreditation system has to improve because there is really no decent alternative. Congress can't monitor 6,000 colleges and universities. The Department of Education sure can't. Accreditation has to work.

Here are a few of the areas that I think could see improvement, and there seems to be some consensus about these:

Getting accreditors back to focusing on quality and not on all the other things Congress has asked accreditors to do over the years, such as reviewing fire codes and looking over an institution's finances.

Changing the geographic nature of today's accreditation system: There seems to be less validity today for having regional accreditation agencies exclusively. When I was president of the University of Tennessee I would look at the University of Illinois or the University of Michigan—the universities outside our region as peers.

Allowing accreditors to use more discretion in their oversight—in other words, using a lighter touch for some institutions. So accreditors can get more of their time and resources to institutions clearly in need of greater oversight and have a lighter touch on those that don't.

My last goal is ensuring that institutions begin sharing in the risk of lending to students. We know that some students today are borrowing more than they should. According to the Department of Education, of the more than 41 million borrowers with outstanding student debt, about 7 million, or 17 percent, are currently in default—meaning they haven't made a payment on their loans in at least 9 months. The total amount of loans currently in default is $108 billion or about 10 percent of the total outstanding balance of federal student loans. Although the Department says it eventually collects most of it.

One way to address over-borrowing is to ensure that colleges have some responsibility to, or vested interest in, encouraging students to borrow wisely, graduate on time, and be able to repay what they've been loaned. If colleges and universities have this incentive, it may not only help students make wiser decisions about how much to borrow, it could help reduce the cost of college—thereby reducing debt. For example, colleges might encourage students to complete their education more quickly.

Today nearly half of college students take longer than 6 years to complete any degree or certificate or never finish one at all. Completion is important—nearly 70 percent of those borrowers who default on their federal student loan never finished their education.

At The University of Tennessee Knoxville they're now saying to students, ''You can take less than 15 hours if you want to, but you're going to pay for 15 hours every semester whether you take it or not.'' That's three more than federal student aid requirements insist on. The chancellor told me not long ago that most students are taking 15 hours since they're paying for it anyway, and the graduation rate is edging up.

I have also encouraged colleges and universities to explore a three year degree. The more rapidly you move through the system, the less expense you have, and the quicker you get into an earning capacity.

I recently spoke at a graduation ceremony at Walters State Community College in Tennessee where one of the graduates was also graduating from high school that week. Getting both degrees, and also entering Purdue University as a second semester sophomore, saving that student an estimated $65,000. At another community college in Tennessee, 30 percent of the students at that community college are also in high school. There's a growing practice of what we call ''dual enrollment,'' and that permits students to spend less time and spend less money on college.

The President of George Washington University once told me, ''You could run two complete colleges here [at his campus] with two complete faculties, in the facilities now used half the year for one. That's without cutting the length of students' vacations, increasing class sizes or requiring faculty to teach more.'' One of the biggest wastes in higher education is the waste in the use of facilities. Dartmouth, for example, saves $10 to $15 million per year, it estimates, by requiring one mandatory summer session for its students. Southern New Hampshire University's College for America just began offering a $10,000 bachelor's degree.

So we are working on a way to give colleges some skin in the game. Senator Reed of Rhode Island has a proposal. He wants to make colleges and universities responsible for a portion of defaulted loans of students. That's a framework worth considering. Others may have different ideas.

For me, what is clear is that as a matter of principle and fairness, all institutions—whether public, private or for-profit—should participate in this. I don't believe any institution should be exempt from those requirements that we may add to discourage overborrowing and reduce college costs. But it might be appropriate to consider establishing multiple models of risk-sharing so that institutions with differing missions and student populations have different ways of complying. And we have to be very careful with risk-sharing. We're talking about lots of money. We're talking about loaning more than $100 billion a year. We're talking about $33 or $34 billion dollars a year to Pell Grants that you don't have to pay back. So if we, on the loaning of $100 billion dollars a year, take some step, it will have a big effect on the thousands institutions and millions of students across the country. We want to be sure that we think about what the unintended consequences might be.

Today, when I'm done, I'm going back to the floor of the Senate, where we are to complete work on our bill to fix No Child Left Behind, which I've worked on with Senator Patty Murray from Washington state, who is the senior Democrat on the committee. That bill expired 7 years ago. Congress has failed to fix it since then. I believe we're going to be successful this year. The House has passed its version. We will either pass our version today or early next week, and then we'll put it together with the House and send it to the president in a form that hopefully he can sign. This year we're going to fix it. Then we're going to turn our attention to a bipartisan Higher Education Act.

I'm going to work on it with Senator Murray the same way we worked on No Child Left Behind, which is that she and I will first write a proposal and submit it to our very diverse committee, which has 22 senators—Bernie Sanders and Elizabeth Warren on one end, Rand Paul and Tim Scott on the other end—so it's an interesting discussion we have every time we get together. Every single one voted to report our No Child Left Behind bill out of committee, which is a huge success.

But we've already got a bipartisan head start on the Higher Education Act in two or three ways. Senator Michael Bennet and I, and several senators of both parties have introduced what we call the FAST Act to make a number of changes to make it easier and simpler to apply for student aid. One of those ''common sense'' ideas in addition to simplifying the number of questions is to allow students to fill the form out in their junior year of high school. This form requires you to tell what your tax returns are before you file your tax returns, so it throws 20 million families into confusion. If you let people fill that out in their junior year of high school, then they can use tax forms from a prior year, and then they can have a full year to look at colleges and universities, knowing in advance how much in grants or loans they're eligible for.

So that FAST Act has been introduced and examined carefully. It has bipartisan support. We're planning to introduce legislation with as many of the recommendations of the Zeppos-Kirwan report on higher education on how to simplify regulations. That would be a bipartisan start.

Senator Burr, Senator Angus King, and a group of bipartisan senators have introduced legislation on simplifying the repayment form of student loans. There are 9 different ways of repaying your student loans. Actually, it's a very generous system. You can pay it off over ten years or by paying no more than 10 percent of your disposable income, and if that doesn't pay it off over twenty years, it's forgiven. But the process is so complicated that most students don't take advantage of it.

So there are three steps already that we've taken. And we have taken maybe the most important step of all, as we've worked together this year in the great bipartisan way on our committee to work on elementary and secondary education. There's no reason we can't continue with higher education.

I hope that Senator Murray and I can present our bill to the full committee in September. As we've done with No Child Left Behind, it will be a suggestion of how the committee can work. And shortly thereafter, I hope that we will report it to the floor. Senator McConnell is very pleased with the debate on the Elementary and Secondary Education Act—the fact that we're working on something so important in a bipartisan way and want to get a result that's good for the country. He told me last night that he's very interested in our Higher Education Act and that he'll work to find floor time for it. So I'm very optimistic about that and look forward to it.

Thank you very much.●

RECOGNIZING PRATT & WHITNEY 90TH ANNIVERSARY

● Mr. BLUMENTHAL. Mr. President, I wish to recognize and congratulate Pratt & Whitney as it celebrates the 90th anniversary of its incorporation.

In 1925 Frederick Rentschler arrived at the old Pope-Hartford auto plant on Capitol Avenue in Hartford, CT with a simple, yet groundbreaking idea: build a new and better aircraft engine. In the beginning, such a lofty goal seemed out of reach. Rentschler had just 24 employees, barely any equipment and a modest amount of money. But Rentschler was able to create a name for Pratt & Whitney by placing a great value on integrity, customer service, and product quality.

From its humble beginnings in that old auto plant in Hartford, Pratt & Whitney has grown to be a world leader in the design and manufacture of military and commercial aircraft engines. For over 90 years, Pratt & Whitney has stayed true to this pioneering spirit and passion for excellence, continually working to revolutionize the aviation industry and build a better engine for tomorrow.

Throughout its storied history, Pratt & Whitney has always answered its country's call. During World War II, the company reduced its prices for the U.S. Navy to contribute to the war effort. Today Pratt is still operating a culture of cost reduction and producing the power for some of the most formidable aircraft in American history with versatile products like the F–135 engine. And now Pratt is answering President Obama's call to combat the threat of climate change and keep future generations safe. With its breakthrough technologies like the Geared Turbofan engine, Pratt is raising the industry standard for emissions efficiency.

Pratt & Whitney has continued to stay true to its roots as a Connecticut company. For generations now, Pratt & Whitney has provided secure career opportunities to workers in my State. Pratt & Whitney's legacy of dependability and leadership in innovation have helped to make Connecticut's defense manufacturing industry second to none. I am proud and thankful for Pratt's investments in the State of Connecticut and its contributions to our country's national security, and I remain committed to supporting the jobs created by Pratt & Whitney. As I continue to serve in the Senate, I will continue to work to protect our national defense programs.

While other aircraft companies have come and gone, Pratt & Whitney has proven that it can stand the test of time.●

TRIBUTE TO STAFF SERGEANT JOSEPH FONTENOT

● Mr. VITTER. Mr. President, today I wish to honor SSG Joseph Fontenot of Larose, LA, who is winner of the 2015 Army Times Soldier of the Year. Fontenot is currently stationed in Fort Campbell, KY, as a field artilleryman assigned to the 3rd Battalion, 320th Field Artillery Regiment, part of the 101st Airborne Division 3rd Brigade Combat Team.

Joseph Fontenot's experience with the military began while he was on tour with his rock band, Jacknife. At 31, following a conversation with a National Guard soldier, Fontenot decided to put away his bass guitar and to begin serving his country as a soldier in the Army. After joining the Army in January 2006, Fontenot made the decision to develop his leadership abilities. Through help from his mentor, he challenged himself to push his limits both mentally and physically.

In 2008, Fontenot deployed to Baghdad, Iraq for a year-long tour. In 2010, he was redeployed to the Arghandab River Valley, and bravely served in one of the most dangerous stations in southern Afghanistan. The experiences there along with the loss of fallen compatriots and friends strengthened Fontenot's commitment to the Army and bolstered his resolve to continue onward. Since 2012, he has served as drill sergeant where his outstanding commitment led him to be chosen to serve at the U.S. Army Drill Sergeant Academy.

Fontenot's accomplishments, however, extend far beyond his military aptitude. Not only is he a frequent volunteer at the local veterans' hospital and homeless children's center, he also participates in Camp Kemo, a program for children battling cancer.

Fontenot's continued dedication and leadership were noticed by his peers, who nominated him for the 15th Annual Army Times Soldier of the Year Award for his exemplary leadership. In February 2015, Fontenot rescued a young man in need whose car had crashed into a canal. Despite the freezing temperatures, Fontenot jumped into the water and pulled the man from his car.

SSG Joseph Fontenot is a man of true courage. I am honored and humbled to share his heroism, and I thank him for his services to our country.●

MESSAGE FROM THE HOUSE

The President pro tempore (Mr. HATCH) reported that on today, July 22, 2015, he had signed the following enrolled bills, which were previously signed by the Speaker of the House:

S. 971. An act to amend title XVIII of the Social Security Act to provide for an increase in the limit on the length of an agreement under the Medicare independence at home medical practice demonstration program.

S. 984. An act to amend title XVIII of the Social Security Act to provide Medicare beneficiary access to eye tracking accessories for speech generating devices and to remove the rental cap for durable medical equipment under the Medicare Program with respect to speech generating devices.

At 12:34 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 237. An act to authorize the revocation or denial of passports and passport cards to individuals affiliated with foreign terrorist organizations, and for other purposes.

H.R. 1557. An act to amend the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 to strengthen Federal antidiscrimination laws enforced by the Equal Employment Opportunity Commission and expand accountability within the Federal government, and for other purposes.

H.R. 2256. An act to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to submit an annual report on the Veterans Health Administration, to provide for the identification and tracking of biological implants used in Department of Veterans Affairs facilities, and for other purposes.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 237. An act to authorize the revocation or denial of passports and passport cards to individuals affiliated with foreign terrorist organizations, and for other purposes; to the Committee on Foreign Relations.

H.R. 1557. An act to amend the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 to strengthen Federal antidiscrimination laws enforced by the Equal Employment Opportunity Commission and expand accountability within the Federal government, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 2256. An act to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to submit an annual report on the Veterans Health Administration, to provide for the identification and tracking of biological implants used in Department of Veterans Affairs facilities, and for other purposes; to the Committee on Veterans' Affairs.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, July 22, 2015, she had presented to the President of the United States the following enrolled bills:

S. 971. An act to amend title XVIII of the Social Security Act to provide for an increase in the limit on the length of an agreement under the Medicare independence at home medical practice demonstration program.

S. 984. An act to amend title XVIII of the Social Security Act to provide Medicare beneficiary access to eye tracking accessories for speech generating devices and to remove the rental cap for durable medical equipment under the Medicare Program with respect to speech generating devices.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–2348. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Use of Lump Sum Payments to Replace Lifetime Income Being Received by Retirees Under Defined Benefit Pension Plans'' (Notice 2015–49) received in the Office of the President of the Senate on July 14, 2015; to the Committee on Finance.

EC–2349. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Coverage of Certain Preventive Services Under the Affordable Care Act'' ((RIN1545–BJ58, RIN1545–BM37, and RIN1545–BM39) (TD 9726)) received in the Office of the President of the Senate on July 14, 2015; to the Committee on Finance.

EC–2350. A communication from the Under Secretary of Defense (Intelligence), transmitting, pursuant to law, a fiscal year 2014 report relative to data mining (OSS–2015–1001); to the Committee on Armed Services.

EC–2351. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification of the proposed sale or export of defense articles and/or defense services to a Middle East country (OSS–2015–0944); to the Committee on Foreign Relations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. THUNE, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 1297. A bill to update the Commercial Space Launch Act by amending title 51, United States Code, to promote competitiveness of the U.S. commercial space sector, and for other purposes (Rept. No. 114–88).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. REID (for himself and Mr. HELLER):

S. 1825. A bill to require the Secretary of Energy to obtain the consent of affected State and local governments before making an expenditure from the Nuclear Waste Fund for a nuclear waste repository; to the Committee on Energy and Natural Resources.

By Mr. JOHNSON (for himself, Ms. BALDWIN, and Mr. CORNYN):

S. 1826. A bill to designate the facility of the United States Postal Service located at 99 West 2nd Street in Fond du Lac, Wisconsin, as the Lieutenant Colonel James

''Maggie'' Megellas Post Office; to the Committee on Homeland Security and Governmental Affairs.

By Mr. VITTER:

S. 1827. A bill to amend the Internal Revenue Code of 1986 to improve the tax treatment of small businesses; to the Committee on Finance.

By Ms. COLLINS (for herself, Mr. WARNER, Ms. MIKULSKI, Mr. COATS, Ms. AYOTTE, and Mrs. MCCASKILL):

S. 1828. A bill to strengthen the ability of the Secretary of Homeland Security to detect and prevent intrusions against, and to use countermeasures to protect, government agency information systems and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. PORTMAN (for himself and Mr. BROWN):

S. 1829. A bill to require a report on requirements and risks in connection with the use of radioisotopic power systems for space exploration beyond low-Earth orbit; to the Committee on Commerce, Science, and Transportation.

By Mr. BARRASSO (for himself and Ms. STABENOW):

S. 1830. A bill to amend title XVIII of the Social Security Act to provide for the coverage of marriage and family therapist services and mental health counselor services under part B of the Medicare program, and for other purposes; to the Committee on Finance.

By Mr. TOOMEY (for himself and Mr. BLUMENTHAL):

S. 1831. A bill to revise section 48 of title 18, United States Code, and for other purposes; to the Committee on the Judiciary.

By Mr. SANDERS (for himself and Mr. MARKEY):

S. 1832. A bill to provide for increases in the Federal minimum wage; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CASEY:

S. 1833. A bill to amend the Richard B. Russell National School Lunch Act to improve the child and adult care food program; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. BLUMENTHAL (for himself, Mr. MURPHY, Mrs. BOXER, Mr. DURBIN, Mr. MARKEY, Ms. WARREN, Mrs. GILLIBRAND, Ms. MIKULSKI, Mr. KAINE, Mrs. MURRAY, Ms. HIRONO, and Ms. BALDWIN):

S. 1834. A bill to amend title 18, United States Code, to protect more victims of domestic violence by preventing their abusers from possessing or receiving firearms, and for other purposes; to the Committee on the Judiciary.

By Ms. BALDWIN:

S. 1835. A bill to enhance military facilities force protection; to the Committee on Armed Services.

By Mr. LANKFORD:

S. 1836. A bill to provide for a moratorium on Federal funding to Planned Parenthood Federation of America, Inc; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. BOXER:

S. 1837. A bill to provide drought assistance and improved water supply reliability to the State of California, other western States, and the Nation; to the Committee on Finance.

By Mr. LEAHY (for himself and Mr. UDALL):

S. 1838. A bill to amend the Federal Election Campaign Act of 1971 to clarify the treatment of coordinated expenditures as contributions to candidates, and for other purposes; to the Committee on Rules and Administration.

By Mr. PAUL:

S. 1839. A bill to amend titles 10 and 18, to permit members of the Armed Forces to possess firearms on military installations in accordance with applicable State law, and for other purposes; to the Committee on Armed Services.

By Mr. CORNYN (for himself, Mr. TOOMEY, Mr. CRAPO, and Mr. LEE):

S. 1840. A bill to amend title 11, United States Code, to provide for the liquidation, reorganization, or recapitalization of a covered financial corporation, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. CORNYN (for himself and Mr. TOOMEY):

S. 1841. A bill to amend title 11, United States Code, to provide for the liquidation, reorganization, or recapitalization of a covered financial corporation, and for other purposes; to the Committee on the Judiciary.

By Mr. SESSIONS (for himself, Mr. JOHNSON, Mr. COTTON, Mr. INHOFE, and Mr. CRUZ):

S. 1842. A bill to ensure State and local compliance with all Federal immigration detainers on aliens in custody and for other purposes; to the Committee on the Judiciary.

By Mr. FLAKE (for himself and Mr. MCCAIN):

S. 1843. A bill to enhance communication between Federal, State, tribal, and local jurisdictions and to ensure the rapid and effective deportation of certain criminal aliens; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 51

At the request of Mr. VITTER, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 51, a bill to amend title X of the Public Health Service Act to prohibit family planning grants from being awarded to any entity that performs abortions, and for other purposes.

S. 271

At the request of Mr. REID, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 271, a bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation, and for other purposes.

S. 299

At the request of Mr. FLAKE, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 299, a bill to allow travel between the United States and Cuba.

S. 330

At the request of Mr. HELLER, the name of the Senator from Louisiana (Mr. CASSIDY) was added as a cosponsor of S. 330, a bill to amend the Internal Revenue Code of 1986 to make permanent the special rule for contributions of qualified conservation contributions, and for other purposes.

S. 571

At the request of Mr. INHOFE, the names of the Senator from North Carolina (Mr. BURR), the Senator from Alabama (Mr. SESSIONS) and the Senator from Mississippi (Mr. COCHRAN) were added as cosponsors of S. 571, a bill to amend the Pilot's Bill of Rights to facilitate appeals and to apply to other certificates issued by the Federal Aviation Administration, to require the revision of the third class medical certification regulations issued by the Federal Aviation Administration, and for other purposes.

S. 586

At the request of Mrs. SHAHEEN, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 586, a bill to amend the Public Health Service Act to foster more effective implementation and coordination of clinical care for people with pre-diabetes, diabetes, and the chronic diseases and conditions that result from diabetes.

S. 779

At the request of Mr. CORNYN, the names of the Senator from Massachusetts (Mr. MARKEY) and the Senator from Hawaii (Mr. SCHATZ) were added as cosponsors of S. 779, a bill to provide for Federal agencies to develop public access policies relating to research conducted by employees of that agency or from funds administered by that agency.

S. 898

At the request of Mr. KIRK, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 898, a bill to amend the Public Health Service Act to provide for the participation of optometrists in the National Health Service Corps scholarship and loan repayment programs, and for other purposes.

S. 946

At the request of Mr. KIRK, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 946, a bill to amend title 49, United States Code, to prohibit the transportation of horses in interstate transportation in a motor vehicle containing 2 or more levels stacked on top of one another.

S. 1020

At the request of Mr. CARDIN, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 1020, a bill to amend title XVIII of the Social Security Act to ensure the continued access of Medicare beneficiaries to diagnostic imaging services, and for other purposes.

S. 1082

At the request of Mr. RUBIO, the names of the Senator from Texas (Mr.

CORNYN), the Senator from Utah (Mr. HATCH), the Senator from Wisconsin (Mr. JOHNSON) and the Senator from Arizona (Mr. MCCAIN) were added as cosponsors of S. 1082, a bill to amend title 38, United States Code, to provide for the removal or demotion of employees of the Department of Veterans Affairs based on performance or misconduct, and for other purposes.

S. 1170

At the request of Mrs. FEINSTEIN, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 1170, a bill to amend title 39, United States Code, to extend the authority of the United States Postal Service to issue a semipostal to raise funds for breast cancer research, and for other purposes.

S. 1466

At the request of Mr. KIRK, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 1466, a bill to amend title XVIII of the Social Security Act to modify payment under the Medicare program for outpatient department procedures that utilize drugs as supplies, and for other purposes.

S. 1532

At the request of Mrs. MURRAY, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 1532, a bill to ensure timely access to affordable birth control for women.

S. 1584

At the request of Mr. CASSIDY, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 1584, a bill to repeal the renewable fuel standard.

S. 1632

At the request of Ms. COLLINS, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 1632, a bill to require a regional strategy to address the threat posed by Boko Haram.

S. 1789

At the request of Mr. RUBIO, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 1789, a bill to improve defense cooperation between the United States and the Hashemite Kingdom of Jordan.

S. 1810

At the request of Mr. VITTER, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 1810, a bill to apply the provisions of the Patient Protection and Affordable Care Act to Congressional members and members of the executive branch.

AMENDMENT NO. 2267

At the request of Mr. MANCHIN, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of amendment No. 2267 intended to be proposed to H.R. 22, a bill to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. REID (for himself and Mr. HELLER):

S. 1825. A bill to require the Secretary of Energy to obtain the consent of affected State and local governments before making an expenditure from the Nuclear Waste Fund for a nuclear waste repository; to the Committee on Energy and Natural Resources.

Mr. REID. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1825

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Nuclear Waste Informed Consent Act''.

SEC. 2. DEFINITIONS.

In this Act, the terms ''affected Indian tribe'', ''affected unit of local government'', ''Commission'', ''high-level radioactive waste'', ''repository'', ''spent nuclear fuel'', and ''unit of general local government'' have the meanings given the terms in section 2 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101).

SEC. 3. CONSENT BASED APPROVAL.

(a) IN GENERAL.—The Secretary may not make an expenditure from the Nuclear Waste Fund for the costs of the activities described in paragraphs (4) and (5) of section 302(d) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10222(d)) unless the Secretary has entered into an agreement to host a repository with—

(1) the Governor of the State in which the repository is proposed to be located;

(2) each affected unit of local government;

(3) any unit of general local government contiguous to the affected unit of local government if spent nuclear fuel or high-level radioactive waste will be transported through that unit of general local government for disposal at the repository; and

(4) each affected Indian tribe.

(b) CONDITIONS ON AGREEMENT.—Any agreement to host a repository under this Act—

(1) shall be in writing and signed by all parties;

(2) shall be binding on the parties; and

(3) shall not be amended or revoked except by mutual agreement of the parties.

By Ms. COLLINS (for herself, Mr. WARNER, Ms. MIKULSKI, Mr. COATS, Ms. AYOTTE, and Mrs. MCCASKILL):

S. 1828. A bill to strengthen the ability of the Secretary of Homeland Security to detect and prevent intrusions against, and to use countermeasures to protect, government agency information systems and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Ms. COLLINS. Mr. President, I rise today to introduce the Federal Information Security Management Act of 2015. I am very pleased that Senator WARNER, Senator MIKULSKI, Senator COATS, Senator AYOTTE, and Senator MCCASKILL are joining me in this bipartisan effort to strengthen cyber security in Federal agencies. I very much appreciate their input into this bill and their support.

The cyber attack that stole sensitive personal data from millions of current, former, and retired Federal employees from the poorly secured databases at the Office of Personnel Management underscores the extraordinary vulnerability of our Federal computer networks, but for the more than 21 million Americans affected and indeed for our country, the threat from this theft continues. Whether it is the risk to the individual of identity theft or the impact on our Nation of the compromise of the identity of those dealing with classified information or the potential for espionage or blackmail, the threat remains extremely serious.

Worst of all, better security of computer networks at OPM might well have prevented this terrible breach. The negligence of OPM officials who ignored repeated warnings over years from the inspector general that its networks were vulnerable is inexcusable. As the FBI Director testified before the Intelligence Committee during an open session earlier this month, this breach is a huge deal and represents a treasure trove of information for potential adversaries.

But this cyber attack also points to a broader problem, and that is the glaring gap in the process for protecting sensitive information in Federal civilian agencies. Thus, we join together today to introduce this bipartisan bill.

Our bill would strengthen the security of the networks of Federal civilian agencies by taking five important steps:

First, our bill would allow the Secretary of Homeland Security to operate intrusion detection and prevention capabilities on all Federal agencies on the dot-gov domain without waiting for a request from every single agency.

Today, if an agency is uncooperative with DHS or simply does not want to make cyber security a priority, there is little that can be done to strengthen that agency's vulnerable network. I have visited the center at DHS that monitors some of the civilian networks. You could see the attempted intrusions in real time. Yet, I was told by some of the officials there that when they call the chief information official of that agency, sometimes the answer is very lackadaisical, almost indifferent. That cannot be allowed to continue.

Second, our bill directs the Secretary of Homeland Security to conduct risk

assessments of any network within the dot-gov domain. This provision would ensure that no Federal agency can be unaware if it is operating an insufficiently secured network and thus jeopardizing sensitive data.

Third, our bill would allow the Secretary of Homeland Security to operate defensive countermeasures on these networks once a cyber threat has been detected. Currently, DHS can deploy technical assistance to agencies to diagnose and mitigate cyber threats only at that agency's discretion, and sometimes there are legal impediments for doing so.

Fourth, our bill would strengthen and streamline the authorities that Congress gave to DHS last year to issue binding operational directives to Federal agencies, especially to respond to substantial cyber security threats or in an emergency where an intrusion is underway.

Finally, while DHS oversees the protection of Federal civilian networks, the Office of Management and Budget has the ultimate responsibility to enforce governmentwide cyber security standards for civilian agencies. Our bill would require OMB to report to Congress annually on the extent to which OMB has exercised its existing authority to enforce governmentwide cyber security standards.

Congress has already given the OMB the authority, for example, to recommend increases or decreases in an agency's funding or to exercise administrative control over information resources if such actions could increase the degree of compliance with cyber security standards. But I regret to say that the evidence that OMB has actually exercised this authority is pretty slim.

The primary problem our bill would solve is that DHS has the mandate to protect the civilian Federal networks, but it has only limited authority to do so. Now, as the Presiding Officer is well aware, this approach stands in stark contrast to how the National Security Agency defends the dot-mil domain.

By the way, our legislation does not affect the dot-mil domain—which covers the Department of Defense and our intelligence agencies—in any way. The Director of the NSA has the responsibility to protect the dot-mil domain, but he also has the authority from the Secretary of Defense to monitor all DOD networks and to deploy countermeasures when necessary. If the Director deems that an agency's network is insecure, he can shut it down. Contrast that to the inspector general at OPM, who last fall issued a report saying that OPM ought to shut down parts of its network because it was so insecure, and nothing happened. OPM didn't take any action and DHS lacked the authority to do so. That stands in sharp contrast to how we protect our defense and intelligence agencies' networks. As a result, our military and intelligence networks are better protected from foreign adversaries than our civilian agencies' networks.

Although the Secretary of Homeland Security is tasked with a similar responsibility to protect Federal civilian networks, he has far less authority to accomplish that task. Yet—think about it—Federal civilian agencies such as OPM, the IRS, the Social Security Administration, Medicare, and the Patent Office are the repositories of vast quantities of sensitive, personal, and economic data belonging to the American people. We have to do a better job of protecting that data as well.

When the Intelligence Committee on which I served asked the current Director of NSA how we might improve the protection of the dot-gov domain, he emphasized the importance of providing the authority commensurate with the responsibility for protecting civilian agency networks.

The Secretary of Homeland Security, Jeh Johnson, similarly said that obtaining clear, congressional authorization for DHS to deploy protective capabilities to secure civilian agencies' networks is one of his priorities.

I heard the same message from his predecessor, Secretary Janet Napolitano, when I was the ranking member of the homeland security committee in 2012.

By the way, that year former Senator Joe Lieberman and I urged our colleagues to pass the Cybersecurity Act of 2012, which we drafted and which included, among other provisions, major reforms to improve the protection of Federal networks. We will never know if the OPM breach that compromised the security clearance background information of more than 21 million people could have been prevented if the Senate had passed our bill at that time. Of course, no bill, no law can protect against every cyber breach, but I believe we would have been far better positioned had we acted then.

What we do know is that once a malware signature is identified, it was DHS's intrusion detection system—known as EINSTEIN—and other DHS-recommended tools that played key roles in identifying the massive compromise of the OPM data. Without these tools, OPM might still be blissfully unaware that it had been subjected to a major hack.

The government's response to the breach demonstrates the urgent need for our legislation. The five agency networks that were monitored by EINSTEIN 3 were protected and capable of blocking the malware the moment the dangerous signatures used in the OPM breach were loaded into their systems. For every other civilian agency, however, that was not the case. DHS had to call the chief information officer responsible for every one of those networks that were not covered yet by the EINSTEIN 3 system. Then the bad indicators had to be passed on to each CIO, and each CIO had to search their agency networks for the harmful malware. Cyber threats move at the speed of light. No organization that takes cyber security seriously would rely upon a game of telephone tag to guard the security of its information.

I also note that at the time the OPM breach actually occurred, the latest version of EINSTEIN had been deployed on less than 25 percent of the dot-gov network. So even if the government had detected the malware immediately, the government's ability to protect all of the networks would have taken that much longer because DHS's best intrusion system was not deployed widely enough. And, inexplicably, to this day, it is still not installed at OPM despite the information it stores as the chief employment office for millions of Federal employees and retirees.

If we fail to give these much needed authorities to DHS, the unacceptable status quo will prevail. Under the status quo, each agency—however competently or incompetently—monitors its own networks and only asks DHS for assistance if it sees fit to do so. Let me describe just how poorly that approach has worked so far.

We know that information security incidents in the Federal Government have increased more than twelvefold—from 5,500 in fiscal year 2006 to more than 67,000 in fiscal year 2014 according to the Government Accountability Office. That undoubtedly understates the real number since these are just the incidents of which we are aware. Nineteen of twenty-four major agencies have declared cyber security as a significant deficiency or material weakness for financial reporting purposes. At the same time, Federal agencies have failed to implement hundreds of recommendations from the GAO and inspectors general that could enhance the security of their networks.

I could go on and on, citing the breach at IRS, at the Postal Service, at FAA, at NOAA, not to mention the OPM breach. It is unacceptable that we are putting important data belonging to the American people as well as our economic edge at risk. We simply have to take action now.

It is incredible that OPM implausibly asserted earlier this month that ''there is no information at this time to suggest any misuse or further dissemination of the information that was stolen from OPM's systems.'' That incredible statement, which implied that the perpetrators of this lengthy and extensive attack have no intention of ever using the stolen data, suggests that OPM still has yet to recognize the gravity of this cyber attack.

But Congress also has the responsibility to make the job for those securing our Federal civilian networks easier to do in light of the extraordinary

threat that foreign adversaries, international criminal gangs, and other hackers pose to government systems and the privacy and safety of our citizens. This bill is the first of many steps to strengthen our Nation's cyber security, and I urge my colleagues to support this bipartisan measure.

Mr. WARNER. Mr. President, I rise today to speak on the Federal Information Security Management Reform Act, FISMA Reform, of 2015, which I introduced today with Senator COLLINS, Senator MIKULSKI, Senator COATS, Senator AYOTTE, and Senator MCCASKILL. This legislation will give the Department of Homeland Security the power to make sure that civilian government agencies—like OPM—have adequate cyber defenses against these kinds of attacks.

Cyberattacks present one of the most critical national and economic threats that this Nation faces. As the FBI Director recently stated, there are two types of companies in the U.S.—those that have been hacked by China, and those that do not yet know they have been hacked.

Estimates by the Center for Strategic and International Studies indicate that cyberattacks and cybercrime account for between $24 and as much as $120 billion in economic and intellectual property loss per year in the U.S. That is the equivalent of .2 to .8 percent of our GDP. The same CSIS study suggests that $100 billion in losses due to cyberattacks is the equivalent of over half a million lost U.S. jobs.

As we have seen with the OPM cyberattack, more than 22 million Federal employees, retirees and applicants had their personal data stolen, including—most troublingly—information on their security clearance background investigations. The scope of this breach was unprecedented. As the FBI Director told the Intelligence Committee recently, this is a ''huge deal'' and represents a treasure trove of information for potential adversaries.

But this is a serious problem that isn't limited to government, as we have already seen with recent breaches involving Anthem, CareFirst, Target, Neiman Marcus, Home Depot, and banks like J.P. Morgan, just to name a few. Both the private and public sector need to be better prepared for an increasing number of these cyberattacks.

To figure out how to protect consumers' financial data, last year I held the first hearing in Congress into data breaches in the aftermath of the Target breach.

One takeaway was how much more serious private sector and government entities need to be in investing in infrastructure and talent to secure their systems from cyberattack and breach. While there is always a risk of breaches, we can significantly mitigate those risks by increasing our ability to detect and respond to attacks.

I also believe we must get serious about passing cybersecurity legislation. This is also why I supported the Cyber Information Sharing Act (CISA) that passed in the Senate Intelligence Committee 14–1 in March.

A couple years ago, Senators Lieberman and COLLINS had a comprehensive cybersecurity bill which was unable to pass in the Senate. Unfortunately, when the bill did not pass, so did many of the good-government provisions such as strengthening the ability of the government to protect the ''Dot-gov'' infrastructure. While some of the language in the Lieberman-Collins bill regarding the DHS's role in cybersecurity did make it into law in December 2014, these changes did not go far enough.

That is why today I have introduced with Senator COLLINS, Senator MIKULSKI, Senator COATS, Senator AYOTTE and Senator MCCASKILL the Federal Information Security Management Reform Act, FISMRA, of 2015. This legislation would give the DHS strengthened authorities to enforce standards, employ cyber threat detection technology and defensive countermeasures, and to conduct threat and vulnerability analyses across all civilian U.S. Government agencies. Our bill would affect federal agencies only, except defense and intelligence agencies, not the private sector.

The basic problem with protecting U.S. Government information systems is that while DHS has the responsibility to protect the ''Dot-gov'' domain, right now it does not have the ''teeth'' to actually enforce security standards or fix vulnerabilities. It is likely that if the DHS had the additional authorities we are proposing this could have helped to discover the OPM breach sooner. In fact, OPM only discovered the breach after implementing a cybersecurity tool that was recommended by the DHS.

Our bill would give the DHS secretary the authority to direct—not request—that agencies undertake needed corrective actions to protect their cyber and information systems. Now, some government agencies systems may already be pretty good—so the DHS may not need to issue them directives. But I also know that we are not where we want to be.

While the breach at OPM was and continues to be devastating to those federal employees who are affected, we need to remember that cybersecurity is not just an issue at OPM. A recent article in the New York Times quoted the President's cyber advisor, Michael Daniels, as saying ''it's safe to say that federal agencies are not where we want them to be across the board,'' that the bureaucracy needed a ''mind-set shift,'' that would put cybersecurity at the top of their list of priorities, and that ''we clearly need to be moving faster.''

Likewise, a recent audit of the Federal Aviation Administration's network in January cited ''significant security control weaknesses . . . placing the safe and uninterrupted operation of the nation's air traffic control system at increased and unnecessary risk.'' The FAA's former chief information security officer told the press that he had been frustrated by the failure to address obvious security holes in its most important networks.

Similarly, at the Department of Energy's network that contains sensitive information on critical infrastructure and nuclear propulsion, investigators found ''numerous holes,'' according to the New York Times.

At the IRS network, auditors found 69 vulnerabilities.

I believe it is not a matter of if, but of when government systems will again be hit by a major cyberattack. And that is why I believe we cannot wait to give one primary entity the authority—especially when it already has the responsibility—to ensure that all ''Dot-gov'' government agencies meet robust cybersecurity standards, and that they are able to deploy tools and technology across the government to detect and prevent cyberattacks like the ones we saw at OPM. The Department of Homeland Security is such an entity.

I know that some of my colleagues have argued that the NSA is the best in government at countering the cyber threat. I think that the NSA's capabilities are impressive. They do an excellent job protecting our defense and intelligence information systems. However, it would be unfeasible to put the NSA in charge of the United States' civilian cybersecurity.

DHS cyber capabilities have been steadily improving. It is deploying innovative tools like EINSTEIN 3A. It has an extremely capable National Cybersecurity and Communications Integration Center, NCCIC, located in Virginia, that already detects threats and promotes information sharing with industries through the so-called ISACs, Information Sharing and Analysis Centers, that cover a range of industries from Aviation, Defense Industries, the Financial and Banking sectors, Electricity, IT, Communications and others.

As DHS Secretary Jeh Johnson recently stated: ''Legally, each agency and department head has the responsibility for their own system—legally, and I stress that to my colleagues. We have the responsibility for the overall protection of the Federal civilian dotgov world [. . .] [W]here we need help in protecting Federal cybersecurity is legal—making express our legal authority to receive information from other departments and governments. [. . .] [W]e want the express legal authority to make it plain that when we utilize things like EINSTEIN, EINSTEIN 3A, those other agencies are authorized to share information with us, to give us access to our network.''

In short, this bill would allow DHS—which already has the responsibility to protect ''Dot-gov'' networks—the authority and the ability to deploy tools and technology across the government to proactively detect and prevent cyberattacks like the ones we saw at OPM. The alternative is continuing the status quo, where each agency—no matter how poorly—monitors its own networks and only asks for outside assistance when it feels like it. That doesn't work. I urge my colleagues to join us in supporting this bipartisan bill.

By Mr. LEAHY (for himself and Mr. UDALL):

S. 1838. A bill to amend the Federal Election Campaign Act of 1971 to clarify the treatment of coordinated expenditures as contributions to candidates, and for other purposes; to the Committee on Rules and Administration.

Mr. LEAHY. Mr. President, although we are still a year and a half from the next presidential election, our perpetual campaign cycle already seems to be in full swing. Among the many troubling trends we are seeing is the rise of ''independent'' super PACs that support candidates. These super PACs are supposed to operate completely independent from the candidates' campaigns, but no one believes this to be true. It is the worst kept secret in America.

A July 6, 2015, article in the Washington Post entitled ''It's bold, but legal: How campaigns and their super PAC backers work together'' documents just how easily these super PACs and campaigns coordinate their messages and skirt the rules. As the author notes:

For the first time, nearly every top presidential hopeful has a personalized super PAC that can raise unlimited sums and is run by close associates or former aides. Many also are being boosted by nonprofits, which do not have to disclose their donors.

The boldness of the candidates has elevated the importance of wealthy donors to even greater heights than in the last White House contest, when super PACs and nonprofits reported spending more than $1 billion on federal races. Although they are not supposed to coordinate directly with their independent allies, candidates are finding creative ways to work in concert with them.

Five years ago, in Citizens United v. FEC, five justices on the Supreme Court departed from principles of judicial restraint and decided to overturn an act of Congress under the broadest grounds possible. In so doing, they overruled a century of practice and decades of doctrine. The Court declared that corporations have a First Amendment right to spend endlessly to finance and influence our elections. This precedent then led to another court decision—SpeechNow.org v. FEC—in the D.C. Circuit that resulted in the creation of the super PAC. Super PACs are supposed to be independent expenditure-only committees, and may raise unlimited sums of money from corporations, unions, associations and individuals, then spend unlimited sums to advocate for or against political candidates. But nobody believes that they truly act independently.

That is why I am introducing the Stop Super PAC-Candidate Coordination Act today. This bill would end the sham practice of presidential candidates boldly and shamelessly exploiting our campaign finance laws by coordinating with allegedly independent super PACs.

First, the bill codifies a definition of what constitutes ''coordination'' based on Supreme Court case law to make it more difficult for coordination to occur. Second, it prohibits outside groups from skirting the coordination provisions by stating that they cannot simply create a ''firewall'' and claim that the there is an independent division that is making independent expenditures. Third, it prevents single-candidate super PACs from acting as an arm of the candidates' campaign. It does this by including factors of when a super PAC should be deemed a ''coordinated spender.'' Once the super PAC falls into this category, the super PACs expenditures are then considered to be ''coordinated expenditures'' and the super PAC is subject to Federal contribution limits and prohibitions. Under existing law, coordinated expenditures are defined as also being in-kind contributions and are subject to the PAC contribution limit of $5,000 per year.

The penalty for any person who knowingly violates the coordination provisions of this act is a civil fine that is three times the amount of the coordinated expenditures involved in excess of the applicable contribution limit. The act also imposes joint and several liability on any director, manager, or officer of an outside spending group for any unpaid penalties by the group violating the coordination rules.

Lastly, the bill prohibits candidates and their agents from raising money for super PACs by prohibiting the raising of funds for any super PAC or political committee that is not subject to Federal contribution limits and reporting requirements. This bill would provide real rules and put into place some regulations that would make it more difficult for these super PACs to coordinate with candidates.

The issue of how our politics are paid for is an issue that is important to the American people, and it is also important to Vermonters. We have always remained steadfast in our belief that our democracy should not be for sale, and that the size of your bank account should not determine whether or not the government responds to your views or needs.

This bill I introduce today is an incremental measure that would help eliminate the sham of single-candidate super PACs and provide some real rules to a process in which the American public is becoming more cynical about every day. I hope that my fellow Senators from both sides of the aisle will support this modest measure.

I understand why Vermonters are outraged by the devastating effects of Citizens United and its progeny. In recent years I have held several hearings to highlight the damage that Citizens United has done to our political process. Last summer, I led the charge in the Senate Judiciary Committee to consider a constitutional amendment to restore the ability of lawmakers at both the Federal and State levels to rein in the influence that billionaires and corporations now have on our elections. The amendment would also have made clear that corporations are not people. Although Senate Democrats were able to vote the constitutional amendment out of the Judiciary Committee, Senate Republicans filibustered the amendment on the floor and refused to allow it an up-or-down vote. I will continue to do all I can to reverse the devastating effects of Citizens United and its subsequent decisions. This bill is one step towards addressing one of the problems that has resulted from those decisions.

Mr. President, I ask unanimous consent that the Washington Post article referenced above be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, July 6, 2015]

IT'S BOLD, BUT LEGAL: HOW CAMPAIGNS AND THEIR SUPER PAC BACKERS WORK TOGETHER

(By Matea Gold)

The 2016 presidential contenders are stretching the latitude they have to work with their independent allies more than candidates in recent elections ever dared, taking advantage of a narrowly drawn rule that separates campaigns from outside groups.

For the first time, nearly every top presidential hopeful has a personalized super PAC that can raise unlimited sums and is run by close associates or former aides. Many also are being boosted by non-profits, which do not have to disclose their donors.

The boldness of the candidates has elevated the importance of wealthy donors to even greater heights than in the last White House contest, when super PACs and nonprofits reported spending more than $1 billion on federal races. Although they are not supposed to coordinate directly with their independent allies, candidates are finding creative ways to work in concert with them.

Before former Florida governor Jeb Bush (R) announced his bid in mid-June, the Right to Rise super PAC filmed footage of him that the group plans to use in ads. Hillary Rodham Clinton's campaign is collaborating directly with Correct the Record, a super PAC providing the Democratic hopeful's team with opposition research.

Top advisers to Wisconsin Gov. Scott Walker (R) have been positioned at two big-money groups as they await his presidential announcement next week. GOP candidate

Carly Fiorina has gone even further, outsourcing core functions such as rapid response and event preparation to her allied super PAC, the aptly named—CARLY for America.

The 2016 contenders and their big-money backers VIEW GRAPHIC. The widespread cooperation—which many campaign finance-experts say stretches the legal boundaries—indicates that candidates and their advisers have little fear that they will face serious scrutiny from law enforcement, despite the Justice Department's successful prosecution this year of a Virginia campaign operative for illegal coordination.

One main reason: Under Federal Election Commission rules, there is no wall dividing candidates and independent groups. In practice, it's more like a one-way mirror—with a telephone on each side for occasional calls.

''The rules of affiliation are just about as porous as they can be, and it amounts to a joke that there's no coordination between these individual super PACs and the candidates,'' said Rep. David E. Price (D–N.C.), who has sponsored legislation that would put stricter limits in place.

A close reading of FEC regulations reveals that campaigns can do more than just publicly signal their needs to independent groups, a practice that flourished in the 2014 midterms.

Operatives on both sides can talk to one another directly, as long as they do not discuss candidate strategy. According to an FEC rule, an independent group also can confer with a campaign until this fall about ''issue ads'' featuring a candidate. Some election-law lawyers think that a super PAC could share its entire paid media plan, as long as the candidate's team does not respond.

But those who defend the current system say that broader rules could infringe on rights to free speech.

Right to Rise, a super PAC run by Mike Murphy, filmed footage with then-undeclared candidate Jeb Bush to be used in later commercials. (NBCU Photo Bank via Getty Images) ''Every discussion you have cannot trigger illegal coordination,'' said Lee E. Goodman, a Republican appointee to the FEC.

''I understand some people look at relationships between candidates and independent spenders and sense that those relationships are too cozy,'' he added. ''Yet the courts have said that you cannot prohibit friendships and knowledge of each other.''

But many experts say that the limited-coordination rules are emblematic of an outdated, incoherent and often contradictory campaign finance framework.

''We're at this transitional point where the way money is raised and spent and the costs of campaigns have changed so dramatically,'' said Bob Bauer, a prominent campaign finance lawyer who served as White House counsel for President Obama. ''The problem isn't that the law isn't being enforced—the problem is that we need to rethink the whole thing from the ground up.''

Political strategists on both sides of the aisle agree, saying that navigating the complex legal thickets is increasingly difficult.

''If you talk to three lawyers, you are likely to get three different answers,'' said Phil Cox, executive director of America Leads, a super PAC supporting Chris Christie, the Republican governor of New Jersey. ''The system makes no sense. It's crying out for reform. We need to put the power back in the hands of the candidates and their campaigns, not the outside groups.''

At the moment, though, an overhaul of campaign finance has little bipartisan support in Congress. And members of the long-polarized FEC appear more divided than ever. A discussion at a recent public meeting about stricter regulations devolved into hostile barbs.

The public is left with the sense that no one is following the rules, said Ellen L. Weintraub, one of the Democrats on the FEC.

''There is this basic notion that super PACs are supposed to be separate from the candidates,'' she said. ''They look at what's going on, and they say: 'This doesn't look separate. Where are the lines?' ''

A sweeping boundary was drawn by the Supreme Court in its seminal 1976 Buckley v. Valeo decision, which said that political activity by outside groups must be done ''totally independently'' of candidates and parties. A similar standard was set in the 2002—McCain-Feingold Act, which said that independent expenditures cannot be made ''in cooperation, consultation, or concert'' with a candidate.

But in practice, defining coordination has not been easy. The FEC wrestled mightily with where to draw the lines, issuing regulations that were challenged repeatedly in the courts.

A set of FEC rules approved in 2010 prohibits a campaign from coordinating with an independent group on a paid communication. The agency laid out specific tests to determine whether a campaign has illegally shared internal strategy used to guide an independent group's advertising.

But the rules do not ban coordination in general—much less conversations between each side.

Bobby Burchfield, a Republican campaign finance lawyer, said that the clarity of current regulation helps avoid the kind of intrusive investigations into groups, such as the Christian Coalition, that the FEC once pursued. ''That had the effect of suppressing and chilling political activity,'' he said.

Now, there's plenty of room to maneuver. Although a campaign cannot share private strategy with a super PAC, it can give a campaign information about its plans, as long the group is not sharing something of value that could be considered a contribution.

The FEC also has given candidates its blessing to appear at super PAC fundraisers, as long as they do not solicit more than $5,000—a decision that came in response to a query from two Democratic super PACs in 2011.

Taken together, critics say, the narrow rules offer far too many opportunities for candidates and their well-funded outside allies to work in agreement.

The FEC ''couldn't imagine how bold people would be,'' said Larry Noble, senior counsel at the Campaign Legal Center, which supports tougher restrictions.

Right to Rise, the super PAC run by longtime Bush adviser Mike Murphy, is set to serve as a massive external ad operation bolstering the former governor's campaign. Murphy told donors in a recent conference call that before Bush announced his candidacy, the super PAC filmed footage of him that the group plans to use in digital and TV spots, according to an account in BuzzFeed.

''One of the new ideas that, you know, the governor had—he's such an innovator—is we're going to be the first super PAC to really be able to do just positive advertising,'' Murphy said.

Paul Lindsay, a spokesman for Right to Rise, said that Murphy was referring to ''Governor Bush's historical preference for positive advertising, which was consistent in his previous elections and is no secret.''

Clinton's campaign is working closely with Correct the Record, a liberal rapid-response group that refashioned itself as a super PAC this year. The group says it can coordinate directly with the campaign under a 2006 FEC rule that made content posted free online off-limits to regulation.

Correct the Record has more than 20 staffers and plans to disseminate much of its research on its Web site and through social media.

Any nonpublic information of value that it shares with the Clinton staff will be purchased, according to a campaign official.

Already, partisan critics have pounced, filing complaints with the FEC alleging that the pro-Bush and pro-Clinton super PACs are engaged in illegal coordination.

But if the agency launches an investigation, it would be a first. Since 2010, the FEC has yet to open an investigation into alleged illegal super PAC coordination, closing 29 such complaints. In 28 of those cases, the agency's general counsel did not recommend pursuing the matters, according to Goodman of the FEC.

''We could capture all of this stuff if we had real rules,'' said Fred Wertheimer, a longtime advocate of reducing the influence of big money on politics. ''For all practical purposes, there are no prohibitions against coordination.''

By Mr. CORNYN (for himself, Mr. TOOMEY, Mr. CRAPO, and Mr. LEE):

S. 1840. A bill to amend title 11, United States Code, to provide for the liquidation, reorganization, or recapitalization of a covered financial corporation, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. CORNYN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1840

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Taxpayer Protection and Responsible Resolution Act''.

SEC. 2. GENERAL PROVISIONS RELATING TO COVERED FINANCIAL CORPORATIONS.

(a) DEFINITION.—Section 101 of title 11, United States Code, is amended by inserting the following after paragraph (9):

''(9A) The term 'covered financial corporation' means any corporation incorporated or organized under any Federal or State law, other than a stockbroker, a commodity broker, or an entity of the kind specified in paragraph (2) or (3) of section 109(b), that is—

''(A) a bank holding company, as defined in section 2(a) of the Bank Holding Company Act of 1956 (12 U.S.C. 1841(a)); or

''(B) a corporation that exists for the primary purpose of owning, controlling, and financing subsidiaries that are predominantly engaged in activities that the Board of Governors of the Federal Reserve System has determined are financial in nature or incidental to such financial activity for purposes of section 4(k) of the Bank Holding Company Act of 1956 (12 U.S.C. 1843(k)).''.

(b) APPLICABILITY OF CHAPTERS.—Section 103 of title 11, United States Code, is amended—

(1) in subsection (a)—

(A) by striking ''section 1161'' and inserting ''sections 1161 and 1401''; and

(B) by striking ''or 13'' and inserting ''13, or 14'';

(2) in subsection (g), by inserting ''subsection (m) and'' before ''section''; and

(3) by adding at the end the following:

''(l) Chapter 14 of this title applies only in a case under such chapter.

''(m) Except as otherwise provided in chapter 14 of this title, chapter 11 of this title applies in a case under chapter 14 of this title.''.

(c) WHO MAY BE A DEBTOR.—Section 109 of title 11, United States Code, is amended—

(1) in subsection (d)—

(A) by striking ''and'';

(B) by striking ''or a'' and inserting ''or''; and

(C) by inserting '', or a covered financial corporation'' after ''Federal Deposit Insurance Corporation Improvement Act of 1991''; and

(2) by adding at the end the following:

''(i) Only a covered financial corporation may be a debtor in a case under chapter 14.''.

(d) DISTRIBUTION OF PROPERTY OF THE ESTATE.—Section 726(a)(1) of title 11, United States Code, is amended by inserting ''in payment of any unpaid fees, costs, and expenses of a special trustee appointed under section 1406, and then'' after ''first,''.

(e) CONFIRMATION OF PLAN.—Section 1129(a) of title 11, United States Code, is amended by adding at the end the following:

''(17) In a case under chapter 14, all payable fees, costs, and expenses of the special trustee have been paid or the plan provides for the payment of all such fees, costs, and expenses, as of the effective date of the plan.

''(18) In a case under chapter 14, confirmation of the plan is not likely to cause serious adverse effects on financial stability in the United States.''.

(f) QUALIFICATION OF TRUSTEE.—Section 322(b)(2) of title 11, United States Code, is amended by striking ''The'' and inserting ''In cases under chapter 14, the United States trustee shall recommend to the court, and in all other cases, the''.

SEC. 3. LIQUIDATION, REORGANIZATION, OR RECAPITALIZATION OF A COVERED FINANCIAL CORPORATION.

(a) IN GENERAL.—Title 11, United States Code, is amended by inserting before chapter 15 the following:

''CHAPTER 14—LIQUIDATION, REORGANIZATION, OR RECAPITALIZATION OF A COVERED FINANCIAL CORPORATION

''Sec.
''1401. Inapplicability of other sections.
''1402. Definitions for this chapter.
''1403. Commencement of a case concerning a covered financial corporation.
''1404. Regulators.
''1405. Special transfer of property of the estate.
''1406. Special trustee.
''1407. Automatic stay; assumed debt.
''1408. Treatment of qualified financial contracts and affiliate contracts.
''1409. Licenses, permits, and registrations.
''1410. Conversion to chapter 7.
''1411. Exemption from securities laws.
''1412. Inapplicability of certain avoiding powers.
''1413. Consideration of financial stability.

''§ 1401. Inapplicability of other sections

''Sections 303 and 321(c) do not apply in a case under this chapter.

''§ 1402. Definitions for this chapter

''In this chapter, the following definitions shall apply:

''(1) The term 'Board' means the Board of Governors of the Federal Reserve System.

''(2) The term 'bridge company' means a newly formed corporation to which property of the estate may be transferred under section 1405(a) and the equity securities of which may be transferred to a special trustee under section 1406(a).

''(3) The term 'capital structure debt' means all unsecured debt of the debtor for borrowed money for which the debtor is the primary obligor, other than a qualified financial contract and other than debt secured by a lien on property of the estate that is to be transferred to a bridge company pursuant to an order of the court under section 1405(a).

''(4) The term 'contractual right' means a contractual right of a kind described in section 555, 556, 559, 560, or 561.

''(5) The term 'qualified financial contract' means any contract of a kind defined in paragraph (25), (38A), (47), or (53B) of section 101, section 741(7), or paragraph (4), (5), (11), or (13) of section 761.

''(6) The term 'special trustee' means a trustee appointed under section 1406(a)(2)(A).

''(7) The term 'trustee' means a person who is—

''(A) appointed or elected under section 1104; and

''(B) qualified under section 322 to serve as trustee in the case or, in the absence of such person, the debtor in possession.

''§ 1403. Commencement of a case concerning a covered financial corporation

''(a) IN GENERAL.—A case under this chapter may be commenced by the filing of a petition with the court by an entity that may be a debtor under section 301 if the entity states to the best of its knowledge, under penalty of perjury, in the petition that the entity is a covered financial corporation.

''(b) ORDER FOR RELIEF.—The commencement of a case under subsection (a) constitutes an order for relief under this chapter.

''(c) LIABILITY.—The members of the board of directors (or body performing similar functions) of a covered financial corporation shall not be liable to shareholders, creditors or other parties in interest for—

''(1) a good faith filing of a case under this chapter; or

''(2) for any reasonable action taken, before or after the date on which a case is commenced under this chapter, in good faith in contemplation of or in connection with such a filing or a transfer under section 1405 or section 1406.

''(d) NOTICE TO COURT.—Counsel to the entity that may be a debtor shall provide, to the greatest extent practicable, sufficient confidential notice to the Director of the Administrative Office of the United States Courts and the chief judge of the court of appeals embracing the district in which the case is pending regarding the potential commencement of a case under this chapter without disclosing the identity of the potential debtor to allow the Director and chief judge to designate and ensure the ready availability of 1 of the bankruptcy judges designated under section 298(b)(1) of title 28 to be available to preside over the case.

''§ 1404. Regulators

''The Board, the Securities Exchange Commission, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation may raise and may appear and be heard on any issue in any case or proceeding under this chapter.

''§ 1405. Special transfer of property of the estate

''(a) IN GENERAL.—

''(1) TRANSFER.—On request of the trustee, and after notice and hearing not less than 24 hours after the order for relief, the court may order a transfer under this section of property of the estate, and the assignment of debt, executory contracts, unexpired leases, qualified financial contracts, and agreements of the debtor, to a bridge company. Except as provided under this section, the provisions of sections 363 and 365 shall apply to a transfer and assignment under this section.

''(2) PROPERTY OF ESTATE.—Upon the entry of an order approving a transfer under this section, any property transferred, and any debt, executory contract, unexpired leases, qualified financial contract, or agreement assigned under such order shall no longer be property of the estate.

''(b) NOTICE.—Unless the court orders otherwise, notice of a request for an order under subsection (a) shall consist of electronic or telephonic notice of not less than 24 hours to—

''(1) the holders of the 20 largest secured claims against the debtor;

''(2) the holders of the 20 largest unsecured claims against the debtor;

''(3) counterparties to any debt, executory contract, unexpired lease, qualified financial contract, or agreement requested to be transferred under this section;

''(4) the Board;

''(5) the Federal Deposit Insurance Corporation;

''(6) the Secretary of the Treasury;

''(7) the Comptroller of the Currency;

''(8) the Securities and Exchange Commission;

''(9) the United States trustee or bankruptcy administrator; and

''(10) each primary financial regulatory agency (as defined in section 2(12) of the Dodd-Frank Wall Street Reform and Consumer Protection Act (12 U.S.C. 5301(12))) with respect to any affiliate the equity securities of which are proposed to be transferred under this section.

''(c) DETERMINATION.—The court may not order a transfer under this section unless the court determines, based upon a preponderance of the evidence, that—

''(1) the transfer under this section is necessary to prevent serious adverse effects on financial stability in the United States;

''(2) the transfer does not provide for the assumption of any capital structure debt by the bridge company;

''(3) the transfer does not provide for the transfer to the bridge company of any property of the estate that is subject to a lien securing a debt, executory contract, unexpired lease, or agreement of the debtor unless—

''(A)(i) the bridge company assumes such debt, executory contract, unexpired lease, or agreement, including any claims arising in respect thereof that would not be allowed secured claims under section 506(a)(1), and after giving effect to such transfer, such property remains subject to the lien securing such debt, executory contract, unexpired lease, or agreement; and

''(ii) the court has determined that assumption of such debt, executory contract, unexpired lease, or agreement by the bridge company is in the best interest of the estate; or

''(B) such property is being transferred to the bridge company in accordance with the provisions of section 363;

''(4) the transfer does not provide for the assumption by the bridge company of any

debt, executory contract, unexpired lease, or agreement of the debtor secured by a lien on property in which the estate has an interest unless the transfer provides for such property to be transferred to the bridge company in accordance with paragraph (3)(A) of this subsection;

''(5) the transfer does not provide for the transfer of the equity of the debtor;

''(6) the debtor has demonstrated that the bridge company is not likely to fail to meet the obligations of any debt, executory contract, qualified financial contract, unexpired lease, or other agreement assumed and assigned to the bridge company;

''(7) the transfer provides for the transfer to a special trustee all of the equity securities in the bridge company and appointment of a special trustee in accordance with section 1406;

''(8) after giving effect to the transfer, adequate provision has been made for the payment of the fees, costs, and expenses of the estate and special trustee; and

''(9) the bridge company will have governing documents, and initial directors and senior officers, that are in the best interest of creditors and the estate.

''(d) REQUIREMENTS BEFORE TRANSFER.—Immediately before a transfer under this section, the bridge company that is the recipient of the transfer shall—

''(1) not have any property, debts, executory contracts, unexpired leases, qualified financial contracts, or agreements, other than any property acquired or debts, executory contracts, unexpired leases, qualified financial contracts, or agreements assumed when acting as a transferee of a transfer under this section; and

''(2) have equity securities that are property of the estate, which may be sold or distributed in accordance with this title.

''§ 1406. Special trustee

''(a) IN GENERAL.—

''(1) TRANSFER TO SPECIAL TRUSTEE.—An order approving a transfer under section 1405 shall require the trustee to transfer to a special trustee all of the equity securities in the bridge company that is the recipient of a transfer under section 1405 to hold in trust for the sole benefit of the estate subject to satisfaction of the special trustee's fees, costs, and expenses. The trust of which the special trustee is the trustee shall be a newly formed trust governed by a trust agreement approved by the court as in the best interests of the estate, and shall exist for the sole purpose of holding and administering, and shall be permitted to dispose of, the equity securities of the bridge company in accordance with the trust agreement.

''(2) APPOINTMENT OF SPECIAL TRUSTEE.—

''(A) IN GENERAL.—A special trustee shall be qualified and independent and shall be appointed by the court.

''(B) PROPOSAL BY TRUSTEE.—In connection with the hearing to approve a transfer under section 1405, the trustee may propose to the court a person to serve as special trustee, if the trustee confirms to the court that the Board has been consulted regarding the identity of the proposed special trustee and advises the court of the results of such consultation.

''(b) TRUST AGREEMENT.—The trust agreement governing a trust formed under subsection (a)(1) shall provide—

''(1) for the payment of the fees, costs, expenses, and indemnities of the special trustee from the assets of the debtor's estate;

''(2) that the special trustee provide—

''(A) quarterly reporting to the estate, which shall be filed with the court; and

''(B) information about the bridge company reasonably requested by a party in interest to prepare a disclosure statement for a plan providing for distribution of any securities of the bridge company if such information is necessary to prepare such disclosure statement;

''(3) that for as long as the equity securities of the bridge company are held by the trust, the special trustee shall file a notice with the court in connection with—

''(A) any change in a director or senior officer of the bridge company;

''(B) any modification to the governing documents of the bridge company; or

''(C) any material corporate action of the bridge company, including—

''(i) recapitalization;

''(ii) a material borrowing;

''(iii) termination of an intercompany debt or guarantee;

''(iv) a transfer of a substantial portion of the assets of the bridge company; or

''(v) the issuance or sale of any securities of the bridge company;

''(4) that any sale of any equity securities of the bridge company shall not be consummated until the special trustee consults with the Federal Deposit Insurance Corporation and the Board regarding such sale and discloses the results of such consultation with the court;

''(5) that, subject to reserves for payments permitted under paragraph (1) provided for in the trust agreement, the proceeds of the sale of any equity securities of the bridge company by the special trustee be held in trust for the benefit of or transferred to the estate;

''(6) the process and guidelines for the replacement of the special trustee; and

''(7) that the property held in trust by the special trustee is subject to distribution in accordance with subsection (c).

''(c) DISTRIBUTION OF ASSETS HELD IN TRUST.—

''(1) IN GENERAL.—The special trustee shall distribute the assets held in trust—

''(A) if the court confirms a plan in the case, in accordance with the plan on the effective date of the plan; or

''(B) if the case is converted to a case under chapter 7 under section 1410.

''(2) TERMINATION.—As soon as practicable after a final distribution under paragraph (1), the office of the special trustee shall terminate, except as may be necessary to wind up and conclude the business and financial affairs of the trust.

''(d) APPLICABILITY.—After a transfer to the special trustee under this section, the special trustee shall be subject only to applicable nonbankruptcy law, and the actions and conduct of the special trustee shall no longer be subject to approval by the court in the case under this chapter.

''§ 1407. Automatic stay; assumption

''(a) AUTOMATIC STAY.—

''(1) IN GENERAL.—A petition filed under section 1403 operates as a stay, applicable to all entities, of the acceleration, termination, or modification of any debt, contract, lease, or agreement of the kind described in paragraph (2), or of any right or obligation under any such debt, contract, lease, or agreement, solely because of—

''(A) a default by the debtor under any such debt, contract, lease, or agreement; or

''(B) a provision in such debt, contract, lease, or agreement, or in applicable nonbankruptcy law, that is conditioned on—

''(i) the insolvency or financial condition of the debtor at any time before the closing of the case;

''(ii) the commencement of a case under this title concerning the debtor;

''(iii) the appointment of or taking possession by a trustee in a case under this title concerning the debtor or by a custodian before the commencement of the case; or

''(iv) a credit rating agency rating, or absence or withdrawal of a credit rating agency rating of—

''(I) the debtor at any time after the commencement of the case;

''(II) an affiliate during the 48 hours after the commencement of the case;

''(III) the bridge company while the trustee or the special trustee is a direct or indirect beneficial holder of more than 50 percent of the equity securities of—

''(aa) the bridge company; or

''(bb) an affiliate, if all of the direct or indirect interests in the affiliate that are property of the estate are transferred under section 1406; or

''(IV) an affiliate while the trustee or the special trustee is a direct or indirect beneficial holder of more than 50 percent of the equity securities of—

''(aa) the bridge company; or

''(bb) the affiliate, if all of the direct or indirect interests in the affiliate that are property of the estate are transferred under section 1405.

''(2) DEBT, CONTRACT, LEASE, OR AGREEMENT.—A debt, contract, lease, or agreement described in this paragraph—

''(A) is—

''(i) any debt, executory contract, or unexpired lease of the debtor;

''(ii) any agreement under which the debtor issued or is obligated for debt;

''(iii) any debt, executory contract, or unexpired lease of an affiliate; and

''(iv) any agreement under which an affiliate issued or is obligated for debt; and

''(B) does not include capital structure debt or qualified financial contracts.

''(3) TERMINATION OF STAY.—A stay under this subsection terminates—

''(A) as to the debtor, upon the earliest of—

''(i) 48 hours after the commencement of the case;

''(ii) assumption of the debt, contract, lease, or agreement by the bridge company under an order authorizing a transfer under section 1405;

''(iii) a final order of the court denying the request for a transfer of the debt, contract, lease, or agreement under section 1405; or

''(iv) the time the case is dismissed; and

''(B) as to an affiliate, upon the earliest of—

''(i) 48 hours after the commencement of the case, if the court has not ordered a transfer under section 1405;

''(ii) the entry of an order authorizing a transfer under section 1405 in which the direct or indirect interests in the affiliate that are property of the estate are not transferred under section 1405;

''(iii) a final order of the court denying the request for a transfer under section 1405; or

''(iv) the time the case is dismissed.

''(4) APPLICABILITY.—Sections (d), (e), (f), and (g) of section 362 apply to a stay under this subsection.

''(b) ASSUMPTION BY BRIDGE COMPANY.—A debt, executory contract, unexpired lease of the debtor, or any other agreement described in subsection (a)(2), may be assumed by a bridge company in a transfer under section 1405 notwithstanding any provision in an agreement or in applicable nonbankruptcy law that—

''(1) prohibits, restricts, or conditions the assignment of the debt, contract, lease, or agreement; or

''(2) accelerates, terminates, or modifies, or permits a party other than the debtor to accelerate, terminate, or modify, the debt, contract, lease, or agreement on account of—

''(A) the assignment of the debt, contract, lease, or agreement; or

''(B) a change in control of any party to the debt, contract, lease, or agreement.

''(c) NO ACCELERATION, TERMINATION, OR MODIFICATION OF AGREEMENTS OF DEBTOR.—

''(1) IN GENERAL.—A debt, contract, lease, or agreement of the kind described in subsection (a)(2) may not be accelerated, terminated, or modified, and any right or obligation under such debt, contract, lease, or agreement may not be accelerated, terminated, or modified, as to the bridge company solely because of a provision in the debt, contract, lease, or agreement or in applicable nonbankruptcy law—

''(A) of the kind described in subsection (a)(1)(B) as applied to the debtor;

''(B) that prohibits, restricts, or conditions the assignment of the debt, contract, lease, or agreement; or

''(C) that accelerates, terminates, or modifies, or permits a party other than the debtor to accelerate, terminate, or modify, the debt, contract, lease or agreement, on account of—

''(i) the assignment of the debt, contract, lease, or agreement; or

''(ii) a change in control of any party to the debt, contract, lease, or agreement.

''(2) DEFAULT.—If there has been a default by the debtor under a provision other than the kind described in paragraph (1) in a debt, contract, lease, or agreement of the kind described in subsection (a)(2), the bridge company may assume such debt, contract, lease, or agreement only if the bridge company—

''(A) cures, or provides adequate assurance in connection with a transfer under section 1405 that the bridge company will promptly cure, the default;

''(B) compensates, or provides adequate assurance in connection with a transfer under section 1405 that the bridge company will promptly compensate, a party other than the debtor to the debt, contract, lease, or agreement, for any actual pecuniary loss to the party resulting from the default; and

''(C) provides adequate assurance in connection with a transfer under section 1405 of future performance under the debt, contract, lease, or agreement, as determined by the court under section 1405(c)(4).

''§ 1408. Treatment of qualified financial contracts and affiliate contracts

''(a) IN GENERAL.—Notwithstanding sections 362(b)(6), 362(b)(7), 362(b)(17), 362(b)(27), 362(o), 555, 556, 559, 560, and 561, a petition filed under section 1403 operates as a stay, during the period specified in section 1407(a)(3)(A), applicable to all entities, of the exercise of a contractual right—

''(1) to cause the acceleration, termination, modification, or liquidation of a qualified financial contract of the debtor or an affiliate;

''(2) to offset or net out any termination value, payment amount, or other transfer obligation arising under or in connection with a qualified financial contract of the debtor or an affiliate; or

''(3) under any security agreement or arrangement or other credit enhancement forming a part of or related to a qualified financial contract of the debtor or an affiliate.

''(b) PAYMENT AND DELIVERY OBLIGATIONS.—

''(1) IN GENERAL.—During the period specified in section 1407(a)(3)(A), the trustee or the affiliate shall perform all payment and delivery obligations under a qualified financial contract of the debtor or the affiliate, as the case may be, that become due after the commencement of the case. The stay provided under subsection (a) terminates as to a qualified financial contract of the debtor or an affiliate immediately upon the failure of the trustee or the affiliate, as the case may be, to perform any such obligation during such period.

''(2) FAILURE TO PERFORM.—Any failure by a counterparty to any qualified financial contract of the debtor or any affiliate to perform any payment or delivery obligation under such qualified financial contract, including during the pendency of the stay provided under subsection (a), shall constitute a breach of such qualified financial contract by the counterparty.

''(c) ASSIGNMENT OR ASSUMPTION.—Notwithstanding any provision of subsection 1407(b) or applicable nonbankruptcy law, subject to the court's approval, a qualified financial contract between an entity and the debtor may be assigned to or assumed by the bridge company in a transfer under section 1405 only if—

''(1) all qualified financial contracts between the entity and the debtor are assigned to and assumed by the bridge company in the transfer under section 1405;

''(2) all claims of the entity against the debtor under any qualified financial contract between the entity and the debtor (other than any claim that, under the terms of the qualified financial contract, is subordinated to the claims of general unsecured creditors) are assigned to and assumed by the bridge company;

''(3) all claims of the debtor against the entity under any qualified financial contract between the entity and the debtor are assigned to and assumed by the bridge company; and

''(4) all property securing or any other credit enhancement furnished by the debtor for any qualified financial contract described in paragraph (1) or any claim described in paragraph (2) or (3) under any qualified financial contract between the entity and the debtor is assigned to and assumed by the bridge company.

''(d) NO ACCELERATION, TERMINATION, OR MODIFICATION OF QUALIFIED FINANCIAL CONTRACTS.—Notwithstanding any provision of a qualified financial contract or of applicable nonbankruptcy law, a qualified financial contract of the debtor that is assumed by or assigned to the bridge company in a transfer under section 1405 may not be accelerated, terminated, modified, or liquidated after the entry of the order approving a transfer under section 1405, and any right or obligation under the qualified financial contract may not be accelerated, terminated, or modified, after the entry of the order approving a transfer under section 1405 solely because of a provision of the kind described in section 1407(c)(1), other than a provision of the kind described in section 1407(b) that occurs after property of the estate no longer includes a direct beneficial interest or an indirect beneficial interest through the special trustee, in more than 50 percent of the equity securities of the bridge company.

''(e) NO ACCELERATION, TERMINATION, MODIFICATION, OR LIQUIDATION OF AGREEMENTS OF AFFILIATES.—Notwithstanding any provision in any agreement or in applicable nonbankruptcy law, an agreement (including an executory contract, unexpired lease, qualified financial contract, or an agreement under which the affiliate issued or is obligated for debt) of an affiliate that is assumed by or assigned to the bridge company in a transfer under section 1405, and any right or obligation under such agreement, may not be accelerated, terminated, modified, or liquidated after the entry of the order approving a transfer under section 1405 solely because of a provision of the kind described in section 1407(c)(1), other than a provision of the kind described in section 1407(b) that occurs after the bridge company is no longer a direct or indirect beneficial holder of more than 50 percent of the equity securities of the affiliate at any time after the commencement of the case if—

''(1) all direct or indirect interests in the affiliate that are property of the estate are transferred under section 1405 to the bridge company within the period specified in subsection (a);

''(2) the bridge company assumes—

''(A) any guarantee or other credit enhancement issued by the debtor relating to the agreement of the affiliate; and

''(B) any right of setoff, netting arrangement, or debt of the debtor that directly arises out of or directly relates to the guarantee or credit enhancement; and

''(3) any property of the estate that directly serves as collateral for the guarantee or credit enhancement is transferred to the bridge company.

''§ 1409. Licenses, permits, and registrations

''(a) IN GENERAL.—Notwithstanding any otherwise applicable nonbankruptcy law, if a request is made under section 1405 for a transfer of property of the estate, any Federal, State, or local license, permit, or registration that the debtor or an affiliate had immediately before the commencement of the case and that is proposed to be transferred under section 1405 may not be accelerated, terminated, or modified at any time after the request solely on account of—

''(1) the insolvency or financial condition of the debtor at any time before the closing of the case;

''(2) the commencement of a case under this title concerning the debtor;

''(3) the appointment of or taking possession by a trustee in a case under this title concerning the debtor or by a custodian before the commencement of the case; or

''(4) a transfer under section 1405.

''(b) VALIDITY OF CERTAIN LICENSES, PERMITS, AND REGISTRATIONS.—Notwithstanding any otherwise applicable nonbankruptcy law, any Federal, State, or local license, permit, or registration that the debtor had immediately before the commencement of the case that is included in a transfer under section 1405 shall be valid and all rights and obligations thereunder shall vest in the bridge company.

''§ 1410. Conversion to chapter 7

''Notwithstanding section 109(b), a court may convert a case under this chapter to a case under chapter 7 if—

''(1) a transfer described in section 1405 has taken place;

''(2) the court has ordered the appointment of a special trustee under section 1406; and

''(3) the court finds, after providing notice and conducting a hearing, that the conversion of the case is in the best interests of the creditors and the estate.

''§ 1411. Exemption from securities laws

''For purposes of section 1145, a security of the bridge company shall be deemed to be a security of a successor to the debtor under a plan if the court approves the disclosure statement for the plan as providing adequate information (as defined in section 1125(a)) about the bridge company and the security.

''§ 1412. Inapplicability of certain avoiding powers

''A transfer made or an obligation incurred by the debtor to an affiliate prior to or after the commencement of the case, including any obligation released by the debtor or the estate to or for the benefit of an affiliate, in contemplation of or in connection with a transfer under section 1405, is not avoidable under section 544, 547, 548(a)(1)(B), or 549, or under any similar nonbankruptcy law.

''§ 1413. Consideration of financial stability

''The court may consider the effect that any decision in connection with this chapter may have on financial stability in the United States.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of chapters for title 11, United States Code, is amended by inserting after the item relating to chapter 13 the following:

''14. Liquidation, reorganization, or recapitalization of a covered financial corporation ..... 1401.''.

SEC. 4. AMENDMENTS TO TITLE 28, UNITED STATES CODE.

(a) AMENDMENT TO CHAPTER 13.—Chapter 13 of title 28, United States Code, is amended by adding at the end the following:

''§ 298. Judge for a case under chapter 14 of title 11

''(a) Notwithstanding section 295, the Chief Justice of the United States shall designate not fewer than 10 bankruptcy judges to be available to hear a case under chapter 14 of title 11. Bankruptcy judges may request to be considered by the Chief Justice of the United States for such designation.

''(b)(1) Notwithstanding section 155, a case under chapter 14 of title 11 shall be heard under section 157 by a bankruptcy judge designated under subsection (a), who shall be assigned to hear such case by the chief judge of the court of appeals for the circuit embracing the district in which the case is pending.

''(2) If the bankruptcy judge assigned to hear a case under paragraph (1) is not assigned to the district in which the case is pending, the bankruptcy judge shall be temporarily assigned to the district. To the greatest extent practicable, the approvals required under section 155(a) shall be obtained.

''(c) A case under chapter 14 of title 11, and all proceedings in the case, shall take place in the district in which the case is pending.''.

(b) AMENDMENT TO SECTION 1334.—Section 1334 of title 28, United States Code, is amended by adding at the end the following:

''(f) This section does not grant jurisdiction to the district court after a transfer pursuant to an order under section 1405 of title 11 of any proceeding related to a special trustee appointed, or to a bridge company formed to accomplish a transfer, under section 1405 of title 11.''.

(c) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 13 of title 28, United States Code, is amended by adding at the end the following:

''298. Judge for a case under chapter 14 of title 11.''.

SEC. 5. REPEAL OF TITLE II OF DODD-FRANK WALL STREET REFORM AND CONSUMER PROTECTION ACT.

(a) IN GENERAL.—Title II of the Dodd-Frank Wall Street Reform and Consumer Protection Act (Public Law 111–203) is repealed and any Federal law amended by such title shall, on and after the date of enactment of this Act, be effective as if title II of the Dodd-Frank Wall Street Reform and Consumer Protection Act had not been enacted.

(b) CONFORMING AMENDMENTS.—

(1) DODD-FRANK WALL STREET REFORM AND CONSUMER PROTECTION ACT.—The Dodd-Frank Wall Street Reform and Consumer Protection Act is amended—

(A) in the table of contents, by striking all items relating to title II;

(B) in section 165(d)(6), by striking '', a receiver appointed under title II,'';

(C) in section 716(g), by striking ''or a covered financial company under title II'';

(D) in section 1105(e)(5), by striking ''amount of any securities issued under that chapter 31 for such purpose shall be treated in the same manner as securities issued under section 208(n)(5)(E)'' and inserting ''issuances of such securities under that chapter 31 for such purpose shall by treated as public debt transactions of the United States, and the proceeds from the sale of any obligations acquired by the Secretary under this paragraph shall be deposited into the Treasury of the United States as miscellaneous receipts''; and

(E) in section 1106(c)(2)(A)—

(i) in clause (i), by inserting '', other than a covered financial corporation (as defined in section 101(9A) of title 11, United States Code),'' after ''company''; and

(ii) in clause (ii), by inserting '', other than a covered financial corporation (as defined in section 101(9A) of title 11, United States Code),'' after ''company''.

(2) FEDERAL DEPOSIT INSURANCE ACT.—Section 10(b)(3)(A) of the Federal Deposit Insurance Act (12 U.S.C. 1820(b)(3)(A)) is amended by striking '', or of such nonbank financial company supervised by the Board of Governors or bank holding company described in section 165(a) of the Financial Stability Act of 2010, for the purpose of implementing its authority to provide for orderly liquidation of any such company under title II of that Act''.

(3) FEDERAL RESERVE ACT.—Section 13(3) of the Federal Reserve Act (12 U.S.C. 343(3)) is amended—

(A) in subparagraph (B)—

(i) in clause (ii), by striking '', resolution under title II of the Dodd-Frank Wall Street Reform and Consumer Protection Act, or'' and inserting ''or is subject to resolution under''; and

(ii) in clause (iii), by striking '', resolution under title II of the Dodd-Frank Wall Street Reform and Consumer Protection Act, or'' and inserting ''or resolution under''; and

(B) by striking subparagraph (E).

SEC. 6. LIMITATION ON ADVANCES FROM A FEDERAL RESERVE BANK.

Section 10B(b) of the Federal Reserve Act (12 U.S.C. 347b(b)) is amended—

(1) by redesignating paragraph (5) as paragraph (6);

(2) by inserting after paragraph (4) the following:

''(5) LIMITATION ON ADVANCES TO COVERED FINANCIAL CORPORATIONS AND BRIDGE COMPANIES.—Notwithstanding paragraph (2), a Federal Reserve bank may not make advances to any covered financial corporation that is a debtor in a pending case under chapter 14 of title 11, United States Code, or to a bridge company, for the purpose of providing debtor-in-possession financing pursuant to section 364 of such title.''; and

(3) in paragraph (6), as redesignated—

(A) by redesignating subparagraphs (B) through (E) as subparagraphs (D) through (G), respectively; and

(B) by inserting after subparagraph (A) the following:

''(B) BRIDGE COMPANY.—The term 'bridge company' has the same meaning as in section 1402(2) of title 11, United States Code.

''(C) COVERED FINANCIAL CORPORATION.—The term 'covered financial corporation' has the same meaning as in section 101(9A) of title 11, United States Code.''.

SEC. 7. LIMITATION ON USE OF FEDERAL FUNDS.

Notwithstanding any other provision of law, no funds appropriated to the Federal Government may be paid to a covered financial corporation (as defined in section 101(9A) of title 11, United States Code, as amended by section 2(a) of this Act), or to a creditor of any covered financial corporation, to satisfy a claim in a case under chapter 14 of title 11, United States Code.

By Mr. CORNYN (for himself and Mr. TOOMEY):

S. 1841. A bill to amend title 11, United States Code, to provide for the liquidation, reorganization, or recapitalization of a covered financial corporation, and for other purposes; to the Committee on the Judiciary.

Mr. CORNYN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1841

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Taxpayer Protection and Responsible Resolution Act''.

SEC. 2. GENERAL PROVISIONS RELATING TO COVERED FINANCIAL CORPORATIONS.

(a) DEFINITION.—Section 101 of title 11, United States Code, is amended by inserting the following after paragraph (9):

''(9A) The term 'covered financial corporation' means any corporation incorporated or organized under any Federal or State law, other than a stockbroker, a commodity broker, or an entity of the kind specified in paragraph (2) or (3) of section 109(b), that is—

''(A) a bank holding company, as defined in section 2(a) of the Bank Holding Company Act of 1956 (12 U.S.C. 1841(a)); or

''(B) a corporation that exists for the primary purpose of owning, controlling, and financing subsidiaries that are predominantly engaged in activities that the Board of Governors of the Federal Reserve System has determined are financial in nature or incidental to such financial activity for purposes of section 4(k) of the Bank Holding Company Act of 1956 (12 U.S.C. 1843(k)).''.

(b) APPLICABILITY OF CHAPTERS.—Section 103 of title 11, United States Code, is amended—

(1) in subsection (a)—

(A) by striking ''section 1161'' and inserting ''sections 1161 and 1401''; and

(B) by striking ''or 13'' and inserting ''13, or 14'';

(2) in subsection (g), by inserting ''subsection (m) and'' before ''section''; and

(3) by adding at the end the following:

''(l) Chapter 14 of this title applies only in a case under such chapter.

''(m) Except as otherwise provided in chapter 14 of this title, chapter 11 of this title applies in a case under chapter 14 of this title.''.

(c) WHO MAY BE A DEBTOR.—Section 109 of title 11, United States Code, is amended—

(1) in subsection (d)—

(A) by striking ''and'';

(B) by striking ''or a'' and inserting ''or''; and

(C) by inserting '', or a covered financial corporation'' after ''Federal Deposit Insurance Corporation Improvement Act of 1991''; and

(2) by adding at the end the following:

''(i) Only a covered financial corporation may be a debtor in a case under chapter 14.''.

(d) DISTRIBUTION OF PROPERTY OF THE ESTATE.—Section 726(a)(1) of title 11, United States Code, is amended by inserting ''in payment of any unpaid fees, costs, and expenses of a special trustee appointed under section 1406, and then'' after ''first,''.

(e) CONFIRMATION OF PLAN.—Section 1129(a) of title 11, United States Code, is amended by adding at the end the following:

''(17) In a case under chapter 14, all payable fees, costs, and expenses of the special trustee have been paid or the plan provides for the payment of all such fees, costs, and expenses, as of the effective date of the plan.

''(18) In a case under chapter 14, confirmation of the plan is not likely to cause serious adverse effects on financial stability in the United States.''.

(f) QUALIFICATION OF TRUSTEE.—Section 322(b)(2) of title 11, United States Code, is amended by striking ''The'' and inserting ''In cases under chapter 14, the United States trustee shall recommend to the court, and in all other cases, the''.

SEC. 3. LIQUIDATION, REORGANIZATION, OR RECAPITALIZATION OF A COVERED FINANCIAL CORPORATION.

(a) IN GENERAL.—Title 11, United States Code, is amended by inserting before chapter 15 the following:

''CHAPTER 14—LIQUIDATION, REORGANIZATION, OR RECAPITALIZATION OF A COVERED FINANCIAL CORPORATION

''Sec.
''1401. Inapplicability of other sections.
''1402. Definitions for this chapter.
''1403. Commencement of a case concerning a covered financial corporation.
''1404. Regulators.
''1405. Special transfer of property of the estate.
''1406. Special trustee.
''1407. Automatic stay; assumed debt.
''1408. Treatment of qualified financial contracts and affiliate contracts.
''1409. Licenses, permits, and registrations.
''1410. Conversion to chapter 7.
''1411. Exemption from securities laws.
''1412. Inapplicability of certain avoiding powers.
''1413. Consideration of financial stability.

''§ 1401. Inapplicability of other sections

''Sections 303 and 321(c) do not apply in a case under this chapter.

''§ 1402. Definitions for this chapter

''In this chapter, the following definitions shall apply:

''(1) The term 'Board' means the Board of Governors of the Federal Reserve System.

''(2) The term 'bridge company' means a newly formed corporation to which property of the estate may be transferred under section 1405(a) and the equity securities of which may be transferred to a special trustee under section 1406(a).

''(3) The term 'capital structure debt' means all unsecured debt of the debtor for borrowed money for which the debtor is the primary obligor, other than a qualified financial contract and other than debt secured by a lien on property of the estate that is to be transferred to a bridge company pursuant to an order of the court under section 1405(a).

''(4) The term 'contractual right' means a contractual right of a kind described in section 555, 556, 559, 560, or 561.

''(5) The term 'qualified financial contract' means any contract of a kind defined in paragraph (25), (38A), (47), or (53B) of section 101, section 741(7), or paragraph (4), (5), (11), or (13) of section 761.

''(6) The term 'special trustee' means a trustee appointed under section 1406(a)(2)(A).

''(7) The term 'trustee' means a person who is—

''(A) appointed or elected under section 1104; and

''(B) qualified under section 322 to serve as trustee in the case or, in the absence of such person, the debtor in possession.

''§ 1403. Commencement of a case concerning a covered financial corporation

''(a) IN GENERAL.—A case under this chapter may be commenced by the filing of a petition with the court by an entity that may be a debtor under section 301 if the entity states to the best of its knowledge, under penalty of perjury, in the petition that the entity is a covered financial corporation.

''(b) ORDER FOR RELIEF.—The commencement of a case under subsection (a) constitutes an order for relief under this chapter.

''(c) LIABILITY.—The members of the board of directors (or body performing similar functions) of a covered financial corporation shall not be liable to shareholders, creditors or other parties in interest for—

''(1) a good faith filing of a case under this chapter; or

''(2) for any reasonable action taken, before or after the date on which a case is commenced under this chapter, in good faith in contemplation of or in connection with such a filing or a transfer under section 1405 or section 1406.

''(d) NOTICE TO COURT.—Counsel to the entity that may be a debtor shall provide, to the greatest extent practicable, sufficient confidential notice to the Director of the Administrative Office of the United States Courts and the chief judge of the court of appeals embracing the district in which the case is pending regarding the potential commencement of a case under this chapter without disclosing the identity of the potential debtor to allow the Director and chief judge to designate and ensure the ready availability of 1 of the bankruptcy judges designated under section 298(b)(1) of title 28 to be available to preside over the case.

''§ 1404. Regulators

''The Board, the Securities Exchange Commission, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation may raise and may appear and be heard on any issue in any case or proceeding under this chapter.

''§ 1405. Special transfer of property of the estate

''(a) IN GENERAL.—

''(1) TRANSFER.—On request of the trustee, and after notice and hearing not less than 24 hours after the order for relief, the court may order a transfer under this section of property of the estate, and the assignment of debt, executory contracts, unexpired leases, qualified financial contracts, and agreements of the debtor, to a bridge company. Except as provided under this section, the provisions of sections 363 and 365 shall apply to a transfer and assignment under this section.

''(2) PROPERTY OF ESTATE.—Upon the entry of an order approving a transfer under this section, any property transferred, and any debt, executory contract, unexpired leases, qualified financial contract, or agreement assigned under such order shall no longer be property of the estate.

''(b) NOTICE.—Unless the court orders otherwise, notice of a request for an order under subsection (a) shall consist of electronic or telephonic notice of not less than 24 hours to—

''(1) the holders of the 20 largest secured claims against the debtor;

''(2) the holders of the 20 largest unsecured claims against the debtor;

''(3) counterparties to any debt, executory contract, unexpired lease, qualified financial contract, or agreement requested to be transferred under this section;

''(4) the Board;

''(5) the Federal Deposit Insurance Corporation;

''(6) the Secretary of the Treasury;

''(7) the Comptroller of the Currency;

''(8) the Securities and Exchange Commission;

''(9) the United States trustee or bankruptcy administrator; and

''(10) each primary financial regulatory agency (as defined in section 2(12) of the Dodd-Frank Wall Street Reform and Consumer Protection Act (12 U.S.C. 5301(12))) with respect to any affiliate the equity securities of which are proposed to be transferred under this section.

''(c) DETERMINATION.—The court may not order a transfer under this section unless the court determines, based upon a preponderance of the evidence, that—

''(1) the transfer under this section is necessary to prevent serious adverse effects on financial stability in the United States;

''(2) the transfer does not provide for the assumption of any capital structure debt by the bridge company;

''(3) the transfer does not provide for the transfer to the bridge company of any property of the estate that is subject to a lien securing a debt, executory contract, unexpired lease, or agreement of the debtor unless—

''(A)(i) the bridge company assumes such debt, executory contract, unexpired lease, or agreement, including any claims arising in respect thereof that would not be allowed secured claims under section 506(a)(1), and after giving effect to such transfer, such property remains subject to the lien securing such debt, executory contract, unexpired lease, or agreement; and

''(ii) the court has determined that assumption of such debt, executory contract, unexpired lease, or agreement by the bridge company is in the best interest of the estate; or

''(B) such property is being transferred to the bridge company in accordance with the provisions of section 363;

''(4) the transfer does not provide for the assumption by the bridge company of any debt, executory contract, unexpired lease, or agreement of the debtor secured by a lien on property in which the estate has an interest unless the transfer provides for such property to be transferred to the bridge company in accordance with paragraph (3)(A) of this subsection;

''(5) the transfer does not provide for the transfer of the equity of the debtor;

''(6) the debtor has demonstrated that the bridge company is not likely to fail to meet the obligations of any debt, executory contract, qualified financial contract, unexpired lease, or other agreement assumed and assigned to the bridge company;

''(7) the transfer provides for the transfer to a special trustee all of the equity securities in the bridge company and appointment of a special trustee in accordance with section 1406;

''(8) after giving effect to the transfer, adequate provision has been made for the payment of the fees, costs, and expenses of the estate and special trustee; and

''(9) the bridge company will have governing documents, and initial directors and senior officers, that are in the best interest of creditors and the estate.

''(d) REQUIREMENTS BEFORE TRANSFER.—Immediately before a transfer under this section, the bridge company that is the recipient of the transfer shall—

''(1) not have any property, debts, executory contracts, unexpired leases, qualified financial contracts, or agreements, other than any property acquired or debts, executory contracts, unexpired leases, qualified financial contracts, or agreements assumed when acting as a transferee of a transfer under this section; and

''(2) have equity securities that are property of the estate, which may be sold or distributed in accordance with this title.

''§ 1406. Special trustee

''(a) IN GENERAL.—

''(1) TRANSFER TO SPECIAL TRUSTEE.—An order approving a transfer under section 1405 shall require the trustee to transfer to a special trustee all of the equity securities in the bridge company that is the recipient of a transfer under section 1405 to hold in trust for the sole benefit of the estate subject to satisfaction of the special trustee's fees, costs, and expenses. The trust of which the special trustee is the trustee shall be a newly formed trust governed by a trust agreement approved by the court as in the best interests of the estate, and shall exist for the sole purpose of holding and administering, and shall be permitted to dispose of, the equity securities of the bridge company in accordance with the trust agreement.

''(2) APPOINTMENT OF SPECIAL TRUSTEE.—

''(A) IN GENERAL.—A special trustee shall be qualified and independent and shall be appointed by the court.

''(B) PROPOSAL BY TRUSTEE.—In connection with the hearing to approve a transfer under section 1405, the trustee may propose to the court a person to serve as special trustee, if the trustee confirms to the court that the Board has been consulted regarding the identity of the proposed special trustee and advises the court of the results of such consultation.

''(b) TRUST AGREEMENT.—The trust agreement governing a trust formed under subsection (a)(1) shall provide—

''(1) for the payment of the fees, costs, expenses, and indemnities of the special trustee from the assets of the debtor's estate;

''(2) that the special trustee provide—

''(A) quarterly reporting to the estate, which shall be filed with the court; and

''(B) information about the bridge company reasonably requested by a party in interest to prepare a disclosure statement for a plan providing for distribution of any securities of the bridge company if such information is necessary to prepare such disclosure statement;

''(3) that for as long as the equity securities of the bridge company are held by the trust, the special trustee shall file a notice with the court in connection with—

''(A) any change in a director or senior officer of the bridge company;

''(B) any modification to the governing documents of the bridge company; or

''(C) any material corporate action of the bridge company, including—

''(i) recapitalization;

''(ii) a material borrowing;

''(iii) termination of an intercompany debt or guarantee;

''(iv) a transfer of a substantial portion of the assets of the bridge company; or

''(v) the issuance or sale of any securities of the bridge company;

''(4) that any sale of any equity securities of the bridge company shall not be consummated until the special trustee consults with the Federal Deposit Insurance Corporation and the Board regarding such sale and discloses the results of such consultation with the court;

''(5) that, subject to reserves for payments permitted under paragraph (1) provided for in the trust agreement, the proceeds of the sale of any equity securities of the bridge company by the special trustee be held in trust for the benefit of or transferred to the estate;

''(6) the process and guidelines for the replacement of the special trustee; and

''(7) that the property held in trust by the special trustee is subject to distribution in accordance with subsection (c).

''(c) DISTRIBUTION OF ASSETS HELD IN TRUST.—

''(1) IN GENERAL.—The special trustee shall distribute the assets held in trust—

''(A) if the court confirms a plan in the case, in accordance with the plan on the effective date of the plan; or

''(B) if the case is converted to a case under chapter 7 under section 1410.

''(2) TERMINATION.—As soon as practicable after a final distribution under paragraph (1), the office of the special trustee shall terminate, except as may be necessary to wind up and conclude the business and financial affairs of the trust.

''(d) APPLICABILITY.—After a transfer to the special trustee under this section, the special trustee shall be subject only to applicable nonbankruptcy law, and the actions and conduct of the special trustee shall no longer be subject to approval by the court in the case under this chapter.

''§ 1407. Automatic stay; assumption

''(a) AUTOMATIC STAY.—

''(1) IN GENERAL.—A petition filed under section 1403 operates as a stay, applicable to all entities, of the acceleration, termination, or modification of any debt, contract, lease, or agreement of the kind described in paragraph (2), or of any right or obligation under any such debt, contract, lease, or agreement, solely because of—

''(A) a default by the debtor under any such debt, contract, lease, or agreement; or

''(B) a provision in such debt, contract, lease, or agreement, or in applicable nonbankruptcy law, that is conditioned on—

''(i) the insolvency or financial condition of the debtor at any time before the closing of the case;

''(ii) the commencement of a case under this title concerning the debtor;

''(iii) the appointment of or taking possession by a trustee in a case under this title concerning the debtor or by a custodian before the commencement of the case; or

''(iv) a credit rating agency rating, or absence or withdrawal of a credit rating agency rating of—

''(I) the debtor at any time after the commencement of the case;

''(II) an affiliate during the 48 hours after the commencement of the case;

''(III) the bridge company while the trustee or the special trustee is a direct or indirect beneficial holder of more than 50 percent of the equity securities of—

''(aa) the bridge company; or

''(bb) an affiliate, if all of the direct or indirect interests in the affiliate that are property of the estate are transferred under section 1406; or

''(IV) an affiliate while the trustee or the special trustee is a direct or indirect beneficial holder of more than 50 percent of the equity securities of—

''(aa) the bridge company; or

''(bb) the affiliate, if all of the direct or indirect interests in the affiliate that are property of the estate are transferred under section 1405.

''(2) DEBT, CONTRACT, LEASE, OR AGREEMENT.—A debt, contract, lease, or agreement described in this paragraph—

''(A) is—

''(i) any debt, executory contract, or unexpired lease of the debtor;

''(ii) any agreement under which the debtor issued or is obligated for debt;

''(iii) any debt, executory contract, or unexpired lease of an affiliate; and

''(iv) any agreement under which an affiliate issued or is obligated for debt; and

''(B) does not include capital structure debt or qualified financial contracts.

''(3) TERMINATION OF STAY.—A stay under this subsection terminates—

''(A) as to the debtor, upon the earliest of—

''(i) 48 hours after the commencement of the case;

''(ii) assumption of the debt, contract, lease, or agreement by the bridge company under an order authorizing a transfer under section 1405;

''(iii) a final order of the court denying the request for a transfer of the debt, contract, lease, or agreement under section 1405; or

''(iv) the time the case is dismissed; and

''(B) as to an affiliate, upon the earliest of—

''(i) 48 hours after the commencement of the case, if the court has not ordered a transfer under section 1405;

''(ii) the entry of an order authorizing a transfer under section 1405 in which the direct or indirect interests in the affiliate that are property of the estate are not transferred under section 1405;

''(iii) a final order of the court denying the request for a transfer under section 1405; or

''(iv) the time the case is dismissed.

''(4) APPLICABILITY.—Sections (d), (e), (f), and (g) of section 362 apply to a stay under this subsection.

''(b) ASSUMPTION BY BRIDGE COMPANY.—A debt, executory contract, unexpired lease of the debtor, or any other agreement described in subsection (a)(2), may be assumed by a bridge company in a transfer under section 1405 notwithstanding any provision in an agreement or in applicable nonbankruptcy law that—

''(1) prohibits, restricts, or conditions the assignment of the debt, contract, lease, or agreement; or

''(2) accelerates, terminates, or modifies, or permits a party other than the debtor to accelerate, terminate, or modify, the debt, contract, lease, or agreement on account of—

''(A) the assignment of the debt, contract, lease, or agreement; or

''(B) a change in control of any party to the debt, contract, lease, or agreement.

''(c) NO ACCELERATION, TERMINATION, OR MODIFICATION OF AGREEMENTS OF DEBTOR.—

''(1) IN GENERAL.—A debt, contract, lease, or agreement of the kind described in subsection (a)(2) may not be accelerated, terminated, or modified, and any right or obligation under such debt, contract, lease, or agreement may not be accelerated, terminated, or modified, as to the bridge company

solely because of a provision in the debt, contract, lease, or agreement or in applicable nonbankruptcy law—

''(A) of the kind described in subsection (a)(1)(B) as applied to the debtor;

''(B) that prohibits, restricts, or conditions the assignment of the debt, contract, lease, or agreement; or

''(C) that accelerates, terminates, or modifies, or permits a party other than the debtor to accelerate, terminate, or modify, the debt, contract, lease or agreement, on account of—

''(i) the assignment of the debt, contract, lease, or agreement; or

''(ii) a change in control of any party to the debt, contract, lease, or agreement.

''(2) DEFAULT.—If there has been a default by the debtor under a provision other than the kind described in paragraph (1) in a debt, contract, lease, or agreement of the kind described in subsection (a)(2), the bridge company may assume such debt, contract, lease, or agreement only if the bridge company—

''(A) cures, or provides adequate assurance in connection with a transfer under section 1405 that the bridge company will promptly cure, the default;

''(B) compensates, or provides adequate assurance in connection with a transfer under section 1405 that the bridge company will promptly compensate, a party other than the debtor to the debt, contract, lease, or agreement, for any actual pecuniary loss to the party resulting from the default; and

''(C) provides adequate assurance in connection with a transfer under section 1405 of future performance under the debt, contract, lease, or agreement, as determined by the court under section 1405(c)(4).

''§ 1408. Treatment of qualified financial contracts and affiliate contracts

''(a) IN GENERAL.—Notwithstanding sections 362(b)(6), 362(b)(7), 362(b)(17), 362(b)(27), 362(o), 555, 556, 559, 560, and 561, a petition filed under section 1403 operates as a stay, during the period specified in section 1407(a)(3)(A), applicable to all entities, of the exercise of a contractual right—

''(1) to cause the acceleration, termination, modification, or liquidation of a qualified financial contract of the debtor or an affiliate;

''(2) to offset or net out any termination value, payment amount, or other transfer obligation arising under or in connection with a qualified financial contract of the debtor or an affiliate; or

''(3) under any security agreement or arrangement or other credit enhancement forming a part of or related to a qualified financial contract of the debtor or an affiliate.

''(b) PAYMENT AND DELIVERY OBLIGATIONS.—

''(1) IN GENERAL.—During the period specified in section 1407(a)(3)(A), the trustee or the affiliate shall perform all payment and delivery obligations under a qualified financial contract of the debtor or the affiliate, as the case may be, that become due after the commencement of the case. The stay provided under subsection (a) terminates as to a qualified financial contract of the debtor or an affiliate immediately upon the failure of the trustee or the affiliate, as the case may be, to perform any such obligation during such period.

''(2) FAILURE TO PERFORM.—Any failure by a counterparty to any qualified financial contract of the debtor or any affiliate to perform any payment or delivery obligation under such qualified financial contract, including during the pendency of the stay provided under subsection (a), shall constitute a breach of such qualified financial contract by the counterparty.

''(c) ASSIGNMENT OR ASSUMPTION.—Notwithstanding any provision of subsection 1407(b) or applicable nonbankruptcy law, subject to the court's approval, a qualified financial contract between an entity and the debtor may be assigned to or assumed by the bridge company in a transfer under section 1405 only if—

''(1) all qualified financial contracts between the entity and the debtor are assigned to and assumed by the bridge company in the transfer under section 1405;

''(2) all claims of the entity against the debtor under any qualified financial contract between the entity and the debtor (other than any claim that, under the terms of the qualified financial contract, is subordinated to the claims of general unsecured creditors) are assigned to and assumed by the bridge company;

''(3) all claims of the debtor against the entity under any qualified financial contract between the entity and the debtor are assigned to and assumed by the bridge company; and

''(4) all property securing or any other credit enhancement furnished by the debtor for any qualified financial contract described in paragraph (1) or any claim described in paragraph (2) or (3) under any qualified financial contract between the entity and the debtor is assigned to and assumed by the bridge company.

''(d) NO ACCELERATION, TERMINATION, OR MODIFICATION OF QUALIFIED FINANCIAL CONTRACTS.—Notwithstanding any provision of a qualified financial contract or of applicable nonbankruptcy law, a qualified financial contract of the debtor that is assumed by or assigned to the bridge company in a transfer under section 1405 may not be accelerated, terminated, modified, or liquidated after the entry of the order approving a transfer under section 1405, and any right or obligation under the qualified financial contract may not be accelerated, terminated, or modified, after the entry of the order approving a transfer under section 1405 solely because of a provision of the kind described in section 1407(c)(1), other than a provision of the kind described in section 1407(b) that occurs after property of the estate no longer includes a direct beneficial interest or an indirect beneficial interest through the special trustee, in more than 50 percent of the equity securities of the bridge company.

''(e) NO ACCELERATION, TERMINATION, MODIFICATION, OR LIQUIDATION OF AGREEMENTS OF AFFILIATES.—Notwithstanding any provision in any agreement or in applicable nonbankruptcy law, an agreement (including an executory contract, unexpired lease, qualified financial contract, or an agreement under which the affiliate issued or is obligated for debt) of an affiliate that is assumed by or assigned to the bridge company in a transfer under section 1405, and any right or obligation under such agreement, may not be accelerated, terminated, modified, or liquidated after the entry of the order approving a transfer under section 1405 solely because of a provision of the kind described in section 1407(c)(1), other than a provision of the kind described in section 1407(b) that occurs after the bridge company is no longer a direct or indirect beneficial holder of more than 50 percent of the equity securities of the affiliate at any time after the commencement of the case if—

''(1) all direct or indirect interests in the affiliate that are property of the estate are transferred under section 1405 to the bridge company within the period specified in subsection (a);

''(2) the bridge company assumes—

''(A) any guarantee or other credit enhancement issued by the debtor relating to the agreement of the affiliate; and

''(B) any right of setoff, netting arrangement, or debt of the debtor that directly arises out of or directly relates to the guarantee or credit enhancement; and

''(3) any property of the estate that directly serves as collateral for the guarantee or credit enhancement is transferred to the bridge company.

''§ 1409. Licenses, permits, and registrations

''(a) IN GENERAL.—Notwithstanding any otherwise applicable nonbankruptcy law, if a request is made under section 1405 for a transfer of property of the estate, any Federal, State, or local license, permit, or registration that the debtor or an affiliate had immediately before the commencement of the case and that is proposed to be transferred under section 1405 may not be accelerated, terminated, or modified at any time after the request solely on account of—

''(1) the insolvency or financial condition of the debtor at any time before the closing of the case;

''(2) the commencement of a case under this title concerning the debtor;

''(3) the appointment of or taking possession by a trustee in a case under this title concerning the debtor or by a custodian before the commencement of the case; or

''(4) a transfer under section 1405.

''(b) VALIDITY OF CERTAIN LICENSES, PERMITS, AND REGISTRATIONS.—Notwithstanding any otherwise applicable nonbankruptcy law, any Federal, State, or local license, permit, or registration that the debtor had immediately before the commencement of the case that is included in a transfer under section 1405 shall be valid and all rights and obligations thereunder shall vest in the bridge company.

''§ 1410. Conversion to chapter 7

''Notwithstanding section 109(b), a court may convert a case under this chapter to a case under chapter 7 if—

''(1) a transfer described in section 1405 has taken place;

''(2) the court has ordered the appointment of a special trustee under section 1406; and

''(3) the court finds, after providing notice and conducting a hearing, that the conversion of the case is in the best interests of the creditors and the estate.

''§ 1411. Exemption from securities laws

''For purposes of section 1145, a security of the bridge company shall be deemed to be a security of a successor to the debtor under a plan if the court approves the disclosure statement for the plan as providing adequate information (as defined in section 1125(a)) about the bridge company and the security.

''§ 1412. Inapplicability of certain avoiding powers

''A transfer made or an obligation incurred by the debtor to an affiliate prior to or after the commencement of the case, including any obligation released by the debtor or the estate to or for the benefit of an affiliate, in contemplation of or in connection with a transfer under section 1405, is not avoidable under section 544, 547, 548(a)(1)(B), or 549, or under any similar nonbankruptcy law.

''§ 1413. Consideration of financial stability

''The court may consider the effect that any decision in connection with this chapter may have on financial stability in the United States.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of chapters for title 11, United States Code, is amended by inserting after the item relating to chapter 13 the following:

''14. Liquidation, reorganization, or recapitalization of a covered financial corporation ..... 1401.''.

SEC. 4. AMENDMENTS TO TITLE 28, UNITED STATES CODE.

(a) AMENDMENT TO CHAPTER 13.—Chapter 13 of title 28, United States Code, is amended by adding at the end the following:

''§ 298. Judge for a case under chapter 14 of title 11

''(a) Notwithstanding section 295, the Chief Justice of the United States shall designate not fewer than 10 bankruptcy judges to be available to hear a case under chapter 14 of title 11. Bankruptcy judges may request to be considered by the Chief Justice of the United States for such designation.

''(b)(1) Notwithstanding section 155, a case under chapter 14 of title 11 shall be heard under section 157 by a bankruptcy judge designated under subsection (a), who shall be assigned to hear such case by the chief judge of the court of appeals for the circuit embracing the district in which the case is pending.

''(2) If the bankruptcy judge assigned to hear a case under paragraph (1) is not assigned to the district in which the case is pending, the bankruptcy judge shall be temporarily assigned to the district. To the greatest extent practicable, the approvals required under section 155(a) shall be obtained.

''(c) A case under chapter 14 of title 11, and all proceedings in the case, shall take place in the district in which the case is pending.''.

(b) AMENDMENT TO SECTION 1334.—Section 1334 of title 28, United States Code, is amended by adding at the end the following:

''(f) This section does not grant jurisdiction to the district court after a transfer pursuant to an order under section 1405 of title 11 of any proceeding related to a special trustee appointed, or to a bridge company formed to accomplish a transfer, under section 1405 of title 11.''.

(c) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 13 of title 28, United States Code, is amended by adding at the end the following:

''298. Judge for a case under chapter 14 of title 11.''.

SEC. 5. LIMITATION ON USE OF FEDERAL FUNDS.

Notwithstanding any other provision of law, no funds appropriated to the Federal Government may be paid to a covered financial corporation (as defined in section 101(9A) of title 11, United States Code, as amended by section 2(a) of this Act), or to a creditor of any covered financial corporation, to satisfy a claim in a case under chapter 14 of title 11, United States Code.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2268. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table.

SA 2269. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2270. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2271. Mr. MORAN (for himself, Mr. DONNELLY, and Mr. BLUNT) submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2272. Mr. TESTER submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2273. Mrs. FISCHER (for herself and Mr. BLUNT) submitted an amendment intended to be proposed by her to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2274. Mr. BLUNT (for himself and Mr. CASEY) submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2275. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2276. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2277. Mr. MORAN (for himself, Mr. DONNELLY, and Mr. ROBERTS) submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2278. Mr. COTTON submitted an amendment intended to be proposed to amendment SA 2266 submitted by Mr. MCCONNELL and intended to be proposed to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2279. Mrs. FEINSTEIN (for herself and Mr. WICKER) submitted an amendment intended to be proposed by her to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2280. Mr. LEE submitted an amendment intended to be proposed to amendment SA 2266 submitted by Mr. MCCONNELL and intended to be proposed to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2281. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2282. Mr. LEE submitted an amendment intended to be proposed to amendment SA 2266 submitted by Mr. MCCONNELL and intended to be proposed to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2283. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2268. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. PROHIBITION.

Notwithstanding any other provision of law, no Federal funds may be made available to Planned Parenthood Federation of America, or to any of its affiliates.

SA 2269. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. PROHIBITION ON FEDERAL FUNDING OF CERTAIN ENTITIES.

Notwithstanding any other provision of law, no Federal funds shall be made available to any entity that—

(1) is the target of an investigation by an agency of the Federal government; and

(2) performs, or provides any funds to any other entity that performs, an abortion unless in the reasonable medical judgment of the physician involved, the abortion is necessary to save the life of a pregnant woman whose life is endangered by a physical disorder, physical illness, or physical injury, including a life-endangering condition caused by or arising from the pregnancy itself, but not including psychological or emotional conditions.

SA 2270. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of division F, add the following:

TITLE LXII—ADDITIONAL PROVISIONS

SEC. 62001. REPEAL OF DUPLICATIVE INSPECTION AND GRADING PROGRAM.

(a) FOOD, CONSERVATION, AND ENERGY ACT OF 2008.—Effective June 18, 2008, section 11016 of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 Stat. 2130) is repealed.

(b) AGRICULTURAL ACT OF 2014.—Effective February 7, 2014, section 12106 of the Agricultural Act of 2014 (Public Law 113–79; 128 Stat. 981) is repealed.

(c) APPLICATION.—The Federal Meat Inspection Act (21 U.S.C. 601 et seq.) and the Agricultural Marketing Act of 1946 (7 U.S.C. 1621 et seq.) shall be applied and administered as if the provisions of law repealed by this section had not been enacted.

SA 2271. Mr. MORAN (for himself, Mr. DONNELLY, and Mr. BLUNT) submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken

into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. BUS AND BUS FACILITIES STATE OF GOOD REPAIR DISCRETIONARY GRANTS.

(a) IN GENERAL.—Chapter 53 of title 49, United States Code, is amended by adding at the end the following:

''§ 5341. Bus and bus facilities state of good repair discretionary grants

''(a) DEFINITIONS.—In this section—

''(1) the term 'State' means a State of the United States; and

''(2) the term 'territory' means the District of Columbia, Puerto Rico, the Northern Mariana Islands, Guam, American Samoa, and the United States Virgin Islands.

''(b) GENERAL AUTHORITY.—The Secretary shall make grants under this section to assist eligible recipients described in subsection (e)(1) in financing capital projects to maintain bus and bus facilities systems in a state of good repair, including projects—

''(1) to replace, rehabilitate, and purchase buses and related equipment; and

''(2) to construct bus-related facilities.

''(c) GRANT CRITERIA.—In making grants under this section, the Secretary—

''(1) with respect to a bus and bus facilities system, shall consider—

''(A) project readiness;

''(B) the level of commitment of non-Federal funds and the availability of a local financial commitment that exceeds the required non-Federal share of the cost of the project; and

''(C) project justification;

''(2) with respect to the replacement, rehabilitation, and purchase of buses and related equipment, and the construction of bus-related facilities, shall consider—

''(A) condition;

''(B) the need to comply with any applicable legal requirements relating to reinvestment; and

''(C) the status of components; and

''(3) in considering the factors under paragraphs (1) and (2), shall give priority consideration to vehicle age and mileage.

''(d) GRANT REQUIREMENTS.—The requirements of section 5307 apply to recipients of grants made under this section.

''(e) ELIGIBLE RECIPIENTS AND SUBRECIPIENTS.—

''(1) RECIPIENTS.—Eligible recipients under this section are designated recipients that operate bus service or that allocate funding to bus operators.

''(2) SUBRECIPIENTS.—A designated recipient that receives a grant under this section may allocate amounts of the grant to subrecipients that are public agencies or private nonprofit organizations engaged in public transportation.

''(f) GOVERNMENT'S SHARE OF COSTS.—

''(1) CAPITAL PROJECTS.—A grant for a capital project under this section shall be for 80 percent of the net capital costs of the project. A recipient of a grant under this section may provide additional local matching amounts.

''(2) REMAINING COSTS.—The remainder of the net project cost shall be provided—

''(A) in cash from non-Government sources other than revenues from providing public transportation services;

''(B) from revenues derived from the sale of advertising and concessions;

''(C) from an undistributed cash surplus, a replacement or depreciation cash fund or reserve, or new capital; or

''(D) from amounts received under a service agreement with a State or local social service agency or private social service organization.

''(g) PERIOD OF AVAILABILITY TO RECIPIENTS.—Amounts made available to carry out this section may be obligated by a recipient for 3 fiscal years after the fiscal year in which the amount is appropriated. Not later than 30 days after the end of the 3-year period described in the preceding sentence, any amount that is not obligated on the last day of that period shall be added to the amount that may be appropriated to carry out this section in the next fiscal year.

''(h) FUNDING LIMIT.—Not more than 4 percent of the amounts made available under section 5338 to carry out this section for a fiscal year shall be made available to a single recipient.

''(i) BUS AND BUS FACILITIES FORMULA GRANTS.—

''(1) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to prohibit a recipient from receiving a grant under section 5339 and a grant under this section.

''(2) FUNDING FOR FORMULA GRANTS.—Of the amounts made available under section 5338 to carry out this section for a fiscal year, $62,500,000 shall be available for the bus and bus facilities program under section 5339, of which $1,250,000 shall be apportioned to each State.''.

(b) FUNDING.—Section 5338 of title 49, United States Code, is amended—

(1) by redesignating subsections (j) and (k) as subsections (k) and (l), respectively; and

(2) by inserting after subsection (i) the following:

''(j) BUS AND BUS FACILITIES STATE OF GOOD REPAIR DISCRETIONARY GRANTS.—There are authorized to be appropriated out of the Mass Transit Account of the Highway Trust Fund to carry out section 5341—

''(1) $492,000,000 for fiscal year 2016;

''(2) $687,000,000 for fiscal year 2017;

''(3) $777,000,000 for fiscal year 2018;

''(4) $878,000,000 for fiscal year 2019;

''(5) $992,000,000 for fiscal year 2020; and

''(6) $1,389,000,000 fiscal year 2021.''.

(c) INITIAL GRANTS.—Not later than 180 days after the date of enactment of this Act, the Secretary of Transportation shall begin making grants under section 5341 of title 49, United States Code, as added by subsection (b).

(d) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 53 of title 49, United States Code, is amended by adding at the end the following:

''5341. Bus and bus facilities state of good repair discretionary grants.''.

SA 2272. Mr. TESTER submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

In section 52203, strike ''$1,000,000,000'' and insert ''$10,000,000,000''.

SA 2273. Mrs. FISCHER (for herself and Mr. BLUNT) submitted an amendment intended to be proposed by her to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 429, between lines 20 and 21, insert the following:

SEC. 32009. INTERIM HIRING STANDARD.

(a) DEFINITIONS.—In this section:

(1) ENTITY.—The term ''entity'' means a person acting as—

(A) a shipper or a consignee;

(B) a broker, a freight forwarder, or a household goods freight forwarder (as such terms are defined in section 13102 of title 49, United States Code);

(C) a non-vessel-operating common carrier, an ocean freight forwarder, or an ocean transportation intermediary (as such terms are defined in section 40102 of title 46, United States Code);

(D) an indirect air carrier authorized to operate under a Standard Security Program approved by the Transportation Security Administration;

(E) a customs broker licensed in accordance with section 111.2 of title 19, Code of Federal Regulations;

(F) an interchange motor carrier subject to paragraphs (1)(B) and (2) of section 13902(i); or

(G) a warehouse (as defined in Article 7–102(13) of the Uniform Commercial Code).

(2) MOTOR CARRIER.—The term ''motor carrier'' means a motor carrier or a household goods motor carrier (as such terms are defined in section 13102 of title 49, United States Code) that is subject to Federal motor carrier financial responsibility and safety regulations.

(3) STATE.—The term ''State'' means each of the 50 States, a political subdivision of any such State, any intrastate agency, any other political agency of 2 or more States, the District of Columbia, American Samoa, the Commonwealth of the Northern Mariana Islands, the Commonwealth of Puerto Rico, Guam, and the Virgin Islands.

(b) NATIONAL HIRING STANDARDS FOR MOTOR CARRIERS.—

(1) NATIONAL STANDARD.—Before tendering a shipment, but not more than 35 days before the pickup of a shipment by the hired motor carrier, an entity shall verify that the motor carrier, at the time of such verification—

(A) is registered with and authorized by the Federal Motor Carrier Safety Administration to operate as a motor carrier or household goods motor carrier, if applicable;

(B) has the minimum insurance coverage required by Federal law; and

(C)(i) before the safety fitness determination regulations are issued, does not have an unsatisfactory safety fitness determination issued by the Federal Motor Carrier Safety Administration in force at the time of such verification; or

(ii) beginning on the date that safety fitness determination regulations are implemented, does not have a safety fitness rating issued by the Federal Motor Carrier Safety Administration under such regulations that is the equivalent of the unsatisfactory fitness rating referred to in clause (i).

(2) INTERIM USE OF DATA.—

(A) IN GENERAL.—Only evidence of an entity's compliance with paragraph (1) may be

admitted as evidence or otherwise used in a civil action for damages resulting from a claim of negligent selection or retention of such motor carrier against the entity.

(B) EXCLUDED EVIDENCE.—All other motor carrier data created or maintained by the Federal Motor Carrier Safety Administration, including safety measurement system data or analysis of such data, may not be admitted into evidence in a case or proceeding in which it is asserted or alleged that an entity's selection or retention of a motor carrier was negligent.

(C) CESSATION OF EFFECTIVENESS.—Subparagraphs (A) and (B) cease to be effective on the date of completion of the certification under section 32003.

(c) APPLICABILITY.—Notwithstanding any other provision of law, this section shall not apply to any motor carrier transportation contract entered into before the date of the enactment of this Act.

SA 2274. Mr. BLUNT (for himself and Mr. CASEY) submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 43, between lines 5 and 6, insert the following:

(iii) by adding at the end the following:

''(C) SET-ASIDE FOR CERTAIN OFF-NHS BRIDGES.—Each State shall obligate an amount equal to not less than 50 percent of the amount set aside under subparagraph (A) for off-NHS bridges located on public roads that are not Federal-aid highways.''; and

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SA 2275. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE __—INVEST IN TRANSPORTATION

SEC. ___101. SHORT TITLE.

This title may be cited as the ''Invest In Transportation Act''.

SEC. ___102. INCENTIVES TO REINVEST FOREIGN EARNINGS IN UNITED STATES.

(a) APPLICABILITY OF TEMPORARY DIVIDENDS RECEIVED DEDUCTION.—

(1) IN GENERAL.—Subsection (f) of section 965 of the Internal Revenue Code of 1986 is amended to read as follows:

''(f) ELECTION.—

''(1) IN GENERAL.—The taxpayer may elect to apply this section to the 5-taxable-year period beginning with—

''(A) the taxpayer's last taxable year which begins before the date of the enactment of the Invest In Transportation Act, or

''(B) the taxpayer's first taxable year which begins during the 1-year period beginning on such date of enactment.

''(2) TIME FOR MAKING ELECTION.—Any election made under this section shall be made on or before the due date (including extensions) for filing the return of tax for the first taxable year in the 5-taxable-year period described in paragraph (1).

''(3) DECLARATION OF AMOUNT REPATRIATED.—An election under this section shall designate a limitation of the aggregate amount of dividends to be taken into account under subsection (a) during the 5-taxable-year period.''.

(2) CONFORMING AMENDMENTS.—

(A) DETERMINATIONS RELATING TO BASE PERIOD FOR DETERMINING EXTRAORDINARY DIVIDENDS.—Section 965 of such Code is amended by striking ''June 30, 2003'' each place it appears in subsections (b)(2) and (c)(2) and inserting ''December 31, 2014''.

(B) DETERMINATIONS RELATING TO RELATED PARTY INDEBTEDNESS.—Section 965(b)(3)(B) of such Code is amended by striking ''October 3, 2004'' and inserting ''December 31, 2014''.

(b) DEDUCTION EQUIVALENT TO 6.5-PERCENT RATE OF TAX.—Paragraph (1) of section 965(a) of the Internal Revenue Code of 1986 is amended by striking ''85 percent'' and inserting ''81.4 percent''.

(c) LIMITATIONS.—

(1) IN GENERAL.—

(A) IN GENERAL.—Paragraph (1) of section 965(b) of the Internal Revenue Code of 1986 is amended to read as follows:

''(1) IN GENERAL.—The amount of dividends taken into account under subsection (a) shall not exceed the United States shareholder's pro rata share of the accumulated earnings and profits described in section 959(c)(3) as of the end of the last taxable year ending on or before December 31, 2014, for all controlled foreign corporations of the United States shareholder.''.

(B) CONFORMING AMENDMENTS.—

(i) Subsection (c) of section 965 of such Code is amended by striking paragraph (1).

(ii) Paragraph (5) of section 965(c) of such Code is amended to read as follows:

''(5) CONTROLLED GROUPS.—All United States shareholders which are members of an affiliated group filing a consolidated return under section 1501 shall be treated as one United States shareholder.''.

(2) ADDITIONAL LIMITATION.—Subsection (b) of section 965 of such Code is amended by redesignating paragraph (4) as paragraph (5) and by inserting after paragraph (3) the following new paragraph:

''(4) ADDITIONAL LIMITATION.—

''(A) IN GENERAL.—The amount of dividends taken into account under subsection (a) for each taxable year during the 5-taxable-year period described in subsection (f)(1) shall not exceed the amount designated in the election under subsection (f)(3) reduced by the sum of—

''(i) the aggregate amount of dividends taken into account under subsection (a) in prior taxable years in such 5-taxable-year period, and

''(ii) the sum of the dividend shortfalls for each such prior taxable year.

''(B) DIVIDEND SHORTFALL.—For purposes of subparagraph (A), the dividend shortfall for any taxable year is an amount equal to the excess (if any) of—

''(i) 20 percent of the amount designated under subsection (f)(3), over

''(ii) the amount of dividends taken into account under subsection (a) for such taxable year.''.

(d) DIVIDEND REINVESTMENT PLAN REQUIREMENTS.—Paragraph (5) of section 965(b) of the Internal Revenue Code of 1986, as redesignated by subsection (c), is amended to read as follows:

''(5) REQUIREMENT TO INVEST IN UNITED STATES.—

''(A) IN GENERAL.—Subsection (a) shall not apply to any dividends received by a United States shareholder unless the amount of the dividends is invested in the United States pursuant to a domestic reinvestment plan which—

''(i) is approved by the taxpayer's president, chief executive officer, or comparable official before the payment of such dividend and subsequently approved by the taxpayer's board of directors, management committee, executive committee, or similar body,

''(ii) provides that not less than 25 percent of such dividends will be used—

''(I) to increase workforce, to raise wages and benefits, or to increase pension contributions,

''(II) to provide for energy efficiency improvements either through investment in new property or the retrofitting of existing property,

''(III) to provide for environmental improvements, such as carbon offsets, water efficiency, or environmental remediation,

''(IV) to invest in public-private partnerships and the improvement of public infrastructure,

''(V) to make capital improvements,

''(VI) for the acquisition of other businesses, or

''(VII) for research and development, and

''(iii) provides that none of such dividends will be used during the period covered by the domestic reinvestment plan to compensate any employee who is the chief executive officer (or is an individual acting in such a capacity), or who is among the 4 highest compensated employees, in excess of the level of compensation paid to individuals in such capacity during the taxable year immediately preceding the taxable year to which an election under this section applies.

For purposes of clause (iii), compensation shall be determined under rules similar to the rules for reporting executive officer compensation to shareholders under the Securities Exchange Act of 1934.

''(B) USE OF CERTAIN FUNDS.—

''(i) IN GENERAL.—Except as provided in clause (ii), dividends shall be treated as meeting the requirements of subclauses (I), (V), and (VII) of subparagraph (A)(ii) only if such amounts supplement but do not supplant otherwise planned funding for such purposes. Such planned funding shall be certified by the individual and entity approving the domestic reinvestment plan.

''(ii) EXCEPTION.—Clause (i) shall not apply if the aggregate funding for the purposes described in subclauses (I), (V), and (VII) of subparagraph (A)(ii) for the 5-taxable-year period described in subsection (f)(1) exceeds 125 percent of the amount spent for such purposes during the 5-year period ending with the last day of the most recent taxable year ending before January 1, 2015. Rules similar to the rules of subparagraphs (B) and (C) of subsection (c)(2) shall apply for purposes of determining the 5-year period under the preceding sentence.

''(C) COMPLIANCE.—Under regulations established by the Secretary, any taxpayer making an election under this section shall submit to the Secretary—

''(i) the domestic reinvestment plan required under this paragraph, and

''(ii) annually thereafter, such information as required by the Secretary for purposes of determining such taxpayer's compliance with the plan, including contemporaneous documentation of compliance and retention

requirements for a period of time as determined by the Secretary as appropriate.''.

(e) SPECIAL RULES FOR INVERTED CORPORATIONS.—

(1) IN GENERAL.—Subsection (b) of section 965 is amended by adding at the end the following new paragraph:

''(6) DENIAL OF DEDUCTION FOR CERTAIN COMPANIES.—No deduction shall be allowed under subsection (a) with respect to any expatriated entity (as defined in section 7874(a)(2)).''.

(2) RECAPTURE.—Section 965 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

''(g) RECAPTURE.—

''(1) IN GENERAL.—In the case of a taxpayer who makes an election under subsection (f) and who is an expatriated entity—

''(A) the tax imposed by this chapter shall be increased for the first taxable year in which such taxpayer becomes an expatriated entity by an amount equal to 20 percent of the amount designated under subsection (f)(3), and

''(B) no credits shall be allowed against the increase in tax under subparagraph (A).

''(2) EXPATRIATED ENTITY.—For purposes of this subsection, the term 'expatriated entity' has the same meaning given such term under section 7874(a)(2), except that—

''(A) 'during the 10-year period beginning with the first taxable year after 2013 to which section 965 applies' shall be substituted for 'after March 4, 2003' in subparagraph (B)(i), and

''(B) 'the first taxable year after 2013 to which section 965 applies' shall be substituted for 'March 4, 2003' in the matter following subparagraph (B)(iii).''.

(f) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years ending after the date of the enactment of this Act.

SEC. ___103. TRANSFERS TO HIGHWAY TRUST FUND.

(a) IN GENERAL.—Subsection (f) of section 9503 of the Internal Revenue Code of 1986, as amended by this Act is amended by redesignating paragraph (8) as paragraph (9) and by inserting after paragraph (7) the following new paragraph:

''(8) TRANSFER OF REVENUES FROM REPATRIATION HOLIDAY.—

''(A) INITIAL TRANSFER.—

''(i) IN GENERAL.—Not later than 60 days after the date of the enactment of this paragraph, the Secretary shall estimate the amount of revenues to be received in the Treasury after the date of the enactment of this paragraph and before October 1, 2019, from income taxes imposed on dividends which are taken into account under section 965.

''(ii) TRANSFER.—Out of money in the Treasury not otherwise appropriated, there is hereby appropriated—

''(I) to the Highway Account (as defined in subsection (e)(5)(B)) in the Highway Trust Fund an amount equal to 80 percent of the amount estimated under subparagraph (A), and

''(II) to the Mass Transit Account in the Highway Trust Fund an amount equal to 20 percent of the amount so estimated.

''(B) ADDITIONAL TRANSFER.—

''(i) IN GENERAL.—Not later than October 1, 2023, the Secretary shall determine the amount of revenues received in the Treasury from income taxes imposed on dividends which were taken into account under section 965 during the period described in subparagraph (A)(i).

''(ii) TRANSFER.—If the amount determined under clause (i) exceeds the amount transferred under subparagraph (A)(ii), out of money in the Treasury not otherwise appropriated, there is hereby appropriated—

''(I) to the Highway Account (as defined in subsection (e)(5)(B)) in the Highway Trust Fund an amount equal to the applicable percentage of such excess, and

''(II) to the Mass Transit Account in the Highway Trust Fund an amount equal to 20 percent of so much of such excess as does not exceed the applicable amount.

''(iii) APPLICABLE PERCENTAGES.—For purposes of clause (ii), the applicable percentage is—

''(I) 80 percent with respect to so much of excess under subparagraph (B)(ii) as does not exceed the applicable amount, and

''(II) 100 percent with respect the amount of such excess to which subclause (I) does not apply.

''(iv) APPLICABLE AMOUNT.—For purposes of this subparagraph, the applicable amount is the amount (not less than zero) equal to the excess of—

''(I) $62,000,000,000, over

''(II) the amount transferred under subparagraph (A)(ii).''.

(b) RETURN OF EXCESS TRANSFERS.—

(1) IN GENERAL.—Subsection (c) of section 9503 of such Code is amended by adding at the end the following new paragraph:

''(6) RETURN OF EXCESS TRANSFERS.—If the amount of transfers under subparagraph (A)(ii) of subsection (f)(8) exceeds the amount determined under subparagraph (B)(i) of such subsection, the Secretary shall pay to the general fund of the Treasury from the Highway Trust Fund not later than October 1, 2023, an amount equal to such excess.''.

(2) PORTION FROM MASS TRANSIT ACCOUNT.—Paragraph (5) of section 9503 of such Code is amended by adding at the end the following new subparagraph:

''(C) AMOUNTS RELATED TO CERTAIN EXCESS TRANSFERS.—20 percent of any transfer under paragraph (6) of subsection (c) shall be borne by the Mass Transit Account.''.

SEC. ___104. REPAIR, REPLACEMENT, AND REHABILITATION OF DEFICIENT BRIDGES.

(a) DEFICIENT BRIDGE AMOUNT.—For purposes of this section, the deficient bridge amount is so much of the amount transferred to the Highway Account (as defined in section 9503(e)(5)(B) of the Internal Revenue Code of 1986) in the Highway Trust Fund under section 9503(f)(8)(B) of such Code as exceeds the applicable amount (as defined in section 9503(f)(8)(B)(iv) of such Code).

(b) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) an amount equal to the deficient bridge amount to be used for the repair, replacement, or rehabilitation of deficient bridges eligible for assistance under chapter 1 of title 23, United States Code.

(2) CALCULATION OF STATE AMOUNTS.—

(A) STATE APPORTIONMENTS.—The Secretary of Transportation shall apportion the amount authorized to be appropriated under this subsection among the States in accordance with subparagraph (B).

(B) STATE SHARES.—The amount for each State shall be determined by multiplying the total amount available under this subsection by the share for each State, which shall be equal to the proportion that—

(i) the amount of apportionments that the State received under title 23, United States Code, for fiscal year 2019; bears to

(ii) the amount of those apportionments received by all States for that fiscal year.

(3) CONTRACT AUTHORITY.—Funds authorized to be appropriated by this subsection shall—

(A) be available for obligation in the same manner as if the funds were apportioned under chapter 1 of title 23, United States Code; and

(B) remain available until expended and not be transferrable.

SA 2276. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE ____—CARRYING OF FIREARMS ON MILITARY INSTALLATIONS

SEC. _____1. SHORT TITLE.

This title may be cited as the ''Servicemembers Self-Defense Act of 2015''.

SEC. _____2. FIREARMS PERMITTED ON DEPARTMENT OF DEFENSE PROPERTY.

Section 930(g)(1) of title 18, United States Code, is amended—

(1) by striking ''The term 'Federal facility' means'' and inserting the following: ''The term 'Federal facility'—

''(A) means'';

(2) by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(B) with respect to a qualified member of the Armed Forces, as defined in section 926D(a), does not include any land, a building, or any part thereof owned or leased by the Department of Defense.''.

SEC. _____3. LAWFUL POSSESSION OF FIREARMS ON MILITARY INSTALLATIONS BY MEMBERS OF THE ARMED FORCES.

(a) MODIFICATION OF GENERAL ARTICLE.—Section 934 of title 10, United States Code (article 134 of the Uniform Code of Military Justice), is amended—

(1) by inserting ''(a) IN GENERAL.—'' before ''Though not specifically mentioned''; and

(2) by adding at the end the following new subsection:

''(b) POSSESSION OF A FIREARM.—The possession of a concealed or open carry firearm by a member of the armed forces subject to this chapter on a military installation, if lawful under the laws of the State in which the installation is located, is not an offense under this section.''.

(b) MODIFICATION OF REGULATIONS.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall amend Department of Defense Directive number 5210.56 to provide that members of the Armed Forces may possess firearms for defensive purposes on facilities and installations of the Department of Defense in a manner consistent with the laws of the State in which the facility or installation concerned is located.

SEC. _____4. CARRYING OF CONCEALED FIREARMS BY QUALIFIED MEMBERS OF THE ARMED FORCES.

(a) IN GENERAL.—Chapter 44 of title 18, United States Code, is amended by inserting after section 926C the following

''§ 926D. Carrying of concealed firearms by qualified members of the Armed Forces

''(a) DEFINITIONS.—As used in this section—

''(1) the term 'firearm'—

''(A) except as provided in this paragraph, has the same meaning as in section 921;

''(B) includes ammunition not expressly prohibited by Federal law or subject to the provisions of the National Firearms Act; and

''(C) does not include—

''(i) any machinegun (as defined in section 5845 of the National Firearms Act);

''(ii) any firearm silencer; or

''(iii) any destructive device; and

''(2) the term 'qualified member of the Armed Forces' means an individual who—

''(A) is a member of the Armed Forces on active duty status, as defined in section 101(d)(1) of title 10;

''(B) is not the subject of disciplinary action under the Uniform Code of Military Justice;

''(C) is not under the influence of alcohol or another intoxicating or hallucinatory drug or substance; and

''(D) is not prohibited by Federal law from receiving a firearm.

''(b) AUTHORIZATION.—Notwithstanding any provision of the law of any State or any political subdivision thereof, an individual who is a qualified member of the Armed Forces and who is carry identification required by subsection (d) may carry a concealed firearm that has been shipped or transported in interstate or foreign commerce, subject to subsection (c).

''(c) LIMITATIONS.—This section shall not be construed to superseded or limit the laws of any State that—

''(1) permit private persons or entities to prohibit or restrict the possession of concealed firearms on their property; or

''(2) prohibit or restrict the possession of firearms on any State or local government property, installation, building, base, or park.

''(d) IDENTIFICATION.—The identification required by this subsection is the photographic identification issued by the Department of Defense for the qualified member of the Armed Forces.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 44 of title 18, United States Code, is amended by inserting after the item relating to section 926C the following:

''926D. Carrying of concealed firearms by qualified members of the Armed Forces.''.

SA 2277. Mr. MORAN (for himself, Mr. DONNELLY, and Mr. ROBERTS) submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. COMMERCIAL DELIVERY OF LIGHT- AND MEDIUM-DUTY TRAILERS.

(a) DEFINITIONS.—Section 31111(a) of title 49, United States Code, is amended—

(1) by redesignating paragraph (3) as paragraph (6);

(2) by redesignating paragraph (2) as paragraph (3);

(3) by redesignating paragraph (4) as paragraph (2); and

(4) by inserting after paragraph (3) the following:

''(4) TOWAWAY TRAILER TRANSPORTER COMBINATION.—The term 'towaway trailer transporter combination' means a combination of vehicles consisting of a trailer transporter towing unit and 2 trailers or semitrailers—

''(A) with a total combined weight that does not exceed 26,000 pounds; and

''(B) in which the trailers or semitrailers carry no property and constitute inventory property of a manufacturer, distributor, or dealer of such trailers or semitrailers.

''(5) TRAILER TRANSPORTER TOWING UNIT.—The term 'trailer transporter towing unit' means a power unit that is not used to carry property while operating in a towaway trailer transporter combination.''.

(b) GENERAL LIMITATIONS.—Section 31111(b)(1) of title 49, United States Code, is amended—

(1) in subparagraph (E), by striking ''or'' at the end;

(2) in subparagraph (F), by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(G) has the effect of imposing an overall length limitation of less than 82 feet on a towaway trailer transporter combination.''.

(c) CONFORMING AMENDMENTS.—

(1) PROPERTY-CARRYING UNIT LIMITATION.—Section 31112(a)(1) of title 49, United States Code, is amended by inserting ''or trailers or semitrailers transported as part of a towaway trailer transporter combination (as defined in section 31111(a)'' after ''truck tractor''.

(2) ACCESS TO INTERSTATE SYSTEM.—Section 31114(a)(2) of title 49, United States Code, is amended—

(A) by striking ''or''; and

(B) by inserting '', or any towaway trailer transporter combination (as defined in section 31111(a)) that is not longer than 82 feet'' before the period at the end.

SA 2278. Mr. COTTON submitted an amendment intended to be proposed to amendment SA 2266 submitted by Mr. MCCONNELL and intended to be proposed to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. ELIGIBILITY REQUIREMENTS FOR STATE CRIMINAL ALIEN ASSISTANCE PROGRAM (SCAAP) FUNDING.

(a) IN GENERAL.—Section 241(i) of the Immigration and Nationality Act (8 U.S.C. 1231(i)) is amended by adding at the end the following:

''(7) A State (or a political subdivision of a State) shall not be eligible to enter into a contractual arrangement under paragraph (1) if the State (or political subdivision)—

''(A) has in effect any law, policy, or procedure in contravention of subsection (a) or (b) of section 642 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373); or

''(B) prohibits State or local law enforcement officials from gathering information regarding the citizenship or immigration status, lawful or unlawful, of any individual.''.

(b) LIMITATION ON DOJ GRANT PROGRAMS.—

(1) COPS.—In the case of a State or unit of local government that received a grant award under part Q of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd et seq.), if, during a fiscal year, that State or local government is a State or local government described in subsection (c), the Attorney General shall withhold all of the amount that would otherwise be awarded to that State or unit of local government for the following fiscal year.

(2) BYRNE-JAG.—In the case of a State or unit of local government that received a grant award under subpart 1 of part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3750 et seq.), if, during a fiscal year, that State or unit of local government is described in subsection (c), the Attorney General shall withhold all of the amount that would otherwise be awarded to that State or unit of local government for the following fiscal year.

(3) STATES AND LOCAL GOVERNMENTS DESCRIBED.—A State or unit of local government described in this subsection is any State or local government that—

(A) has in effect any law, policy, or procedure in contravention of subsection (a) or (b) of section 642 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373); or

(B) prohibits State or local law enforcement officials from gathering information regarding the citizenship or immigration status, lawful or unlawful, of any individual.

SA 2279. Mrs. FEINSTEIN (for herself and Mr. WICKER) submitted an amendment intended to be proposed by her to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. THE SECRETARY OF TRANSPORTATION MAY PROMULGATE A RULEMAKING TO INCREASE THE MINIMUM LENGTH LIMITATION THAT A STATE MAY PRESCRIBE FOR A TRUCK TRACTOR-SEMITRAILER-TRAILER COMBINATION UNDER SECTION 31111(b)(1)(A) OF TITLE 49, UNITED STATES CODE, FROM 28 FEET TO 33 FEET IF THE SECRETARY MAKES A STATISTICALLY SIGNIFICANT FINDING, BASED ON THE FINAL COMPREHENSIVE TRUCK SIZE AND WEIGHT LIMITS STUDY REQUIRED UNDER SECTION 32801 OF THE COMMERCIAL MOTOR VEHICLE SAFETY ENHANCEMENT ACT OF 2012 (TITLE II OF DIVISION C OF PUBLIC LAW 112–141), THAT SUCH CHANGE WOULD NOT HAVE A NET NEGATIVE IMPACT ON PUBLIC SAFETY.

SA 2280. Mr. LEE submitted an amendment intended to be proposed to amendment SA 2266 submitted by Mr. MCCONNELL and intended to be proposed to the bill H.R. 22, to amend the

Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

Strike section 11014 (relating to transportation alternatives).

SA 2281. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. REPEAL OF DAVIS-BACON WAGE REQUIREMENTS.

(a) IN GENERAL.—Subchapter IV of chapter 31 of title 40, United States Code, is repealed.

(b) REFERENCE.—Any reference in any law to a wage requirement of subchapter IV of chapter 31 of title 40, United States Code, shall be null and void.

(c) EFFECTIVE DATE AND LIMITATION.—Subsections (a) and (b), and the amendment made by such subsections, shall take effect 30 days after the date of enactment of this Act but shall not affect any contract—

(1) in existence on the date that is 30 days after such date of enactment; or

(2) made pursuant to an invitation for bids outstanding on the date that is 30 days after such date of enactment.

SA 2282. Mr. LEE submitted an amendment intended to be proposed to amendment SA 2266 submitted by Mr. MCCONNELL and intended to be proposed to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. PROHIBITION ON USE OF FEDERAL FUNDS FOR ABORTION.

(a) PROHIBITION.—Notwithstanding any other provision of law and except as described in subsections (b) and (c), no funds authorized or appropriated by Federal law, and none of the funds in any trust fund to which Federal funds are authorized or appropriated, including Federal grant awards and reimbursements, may be made available to any entity unless the entity certifies that, during the period of receipt and use of such Federal funds, the entity will not perform, and will not provide any funds to any other entity that performs, an abortion.

(b) EXCEPTIONS.—Subsection (a) shall not apply with respect to an abortion where —

(1) the pregnancy is the result of rape or incest; or

(2) a physician certifies that the woman suffers from a physical disorder, physical injury, or physical illness that would place the woman in danger of death unless an abortion is performed, including a life-threatening physical condition caused by or arising from the pregnancy itself.

(c) HOSPITALS.—Subsection (a) shall not apply with respect to a hospital, so long as such hospital does not, during the period of receipt and use of Federal funds described in subsection (a), provide funds to any non-hospital entity that performs an abortion (other than an abortion described in subsection (b)).

(d) DEFINITIONS.—In this section—

(1) the term ''entity'' includes the entire legal entity, including any entity that controls, is controlled by, or is under common control with such entity; and

(2) the term ''hospital'' has the meaning given such term in section 1861(e) of the Social Security Act (42 U.S.C. 1395x(e)).

SA 2283. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. PROHIBITION ON USE OF FEDERAL FUNDS FOR ABORTION.

(a) PROHIBITION.—Notwithstanding any other provision of law and except as described in subsections (b) and (c), no funds authorized or appropriated by Federal law, and none of the funds in any trust fund to which Federal funds are authorized or appropriated, including Federal grant awards and reimbursements, may be made available to any entity unless the entity certifies that, during the period of receipt and use of such Federal funds, the entity will not perform, and will not provide any funds to any other entity that performs, an abortion.

(b) EXCEPTIONS.—Subsection (a) shall not apply with respect to an abortion where —

(1) the pregnancy is the result of rape or incest; or

(2) a physician certifies that the woman suffers from a physical disorder, physical injury, or physical illness that would place the woman in danger of death unless an abortion is performed, including a life-threatening physical condition caused by or arising from the pregnancy itself.

(c) HOSPITALS.—Subsection (a) shall not apply with respect to a hospital, so long as such hospital does not, during the period of receipt and use of Federal funds described in subsection (a), provide funds to any non-hospital entity that performs an abortion (other than an abortion described in subsection (b)).

(d) DEFINITIONS.—In this section—

(1) the term ''entity'' includes the entire legal entity, including any entity that controls, is controlled by, or is under common control with such entity; and

(2) the term ''hospital'' has the meaning given such term in section 1861(e) of the Social Security Act (42 U.S.C. 1395x(e)).

NOTICE OF HEARING

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. ALEXANDER. Mr. President, I would like to announce that the Committee on Health, Education, Labor, and Pensions will meet during the session of the Senate on July 29, 2015, at 9 a.m., in room SH–430 of the Hart Senate Office Building, to conduct a hearing entitled ''Reauthorizing the Higher Education Act: Combating Campus Sexual Assault.''

For further information regarding this meeting, please contact Jake Baker of the committee staff on (202) 224–8484.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. INHOFE. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on July 22, 2015, at 10 a.m., in room SR–253 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. INHOFE. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on July 22, 2015, at 2 p.m., to conduct a hearing entitled ''Nominations.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. INHOFE. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate, on July 22, 2015, at 10 a.m., in room SD–430 of the Dirksen Senate Office Building to conduct a hearing entitled ''Reauthorizing the Higher Education Act: Exploring Barriers and Opportunities within Innovation.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. INHOFE. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on July 22, 2015, at 10 a.m., to conduct a hearing entitled ''Protecting the Electric Grid from the Potential Threats of Solar Storms and Electromagnetic Pulse.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON INDIAN AFFAIRS

Mr. INHOFE. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized

to meet during the session of the Senate on July 22, 2015, in room SH–216 of the Hart Senate Office Building, at 2:15 p.m., to conduct a hearing entitled ''Safeguarding the Integrity of Indian Gaming.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. INHOFE. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on July 22, 2015, at 10 a.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Nominations.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mr. INHOFE. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on July 22, 2015, at 10 a.m., in room SR–428A of the Russell Senate Office Building to conduct a hearing entitled ''Targeted Tax Reform: Solutions to Relieve the Tax Compliance Burden(s) for America's Small Businesses.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS' AFFAIRS

Mr. INHOFE. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on July 22, 2015, at 2:30 p.m. in room SR–418 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SPECIAL COMMITTEE ON AGING

Mr. INHOFE. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet during the session of the Senate on July 22, 2015, at 2:15 p.m., in room SD–562 of the Dirksen Senate Office Building, to conduct a hearing entitled ''The Doctor Is Not In: Combating Medicare Provider Enrollment Fraud.''

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON OVERSIGHT, AGENCY ACTION, FEDERAL RIGHTS, AND FEDERAL COURTS

Mr. INHOFE. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on Oversight, Agency Action, Federal Rights, and Federal Courts, be authorized to meet during the session of the Senate, on July 22, 2015, at 1:30 p.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''With Prejudice: Supreme Court Activism and Possible Solutions.''

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON SECURITIES, INSURANCE, AND INVESTMENT

Mr. INHOFE. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs Subcommittee on Securities, Insurance, and Investment be authorized to meet during the session of the Senate on July 22, 2015, at 10:15 a.m., to conduct a hearing entitled ''Oversight of the Financial Stability Oversight Council Designation Process.''

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. MERKLEY. Mr. President, I ask unanimous consent that my intern, Lisa Smith, be granted privileges of the floor for the remainder of the day.

The PRESIDING OFFICER. Without objection.

Mr. COONS. Mr. President, I ask unanimous consent that a member of my staff, Erica Sensenbrenner, be granted privileges of the floor for the duration of today's session.

The PRESIDING OFFICER. Without objection, it is so ordered.

CRIMINAL ANTITRUST ANTI-RETALIATION ACT OF 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 151, S. 1599.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 1599) to provide anti-retaliation protections for antitrust whistleblowers.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Criminal Antitrust Anti-Retaliation Act of 2015''.

SEC. 2. AMENDMENT TO ACPERA.

The Antitrust Criminal Penalty Enhancement and Reform Act of 2004 (Public Law 108–237; 15 U.S.C. 1 note) is amended by inserting after section 215 the following:

''SEC. 216. ANTI-RETALIATION PROTECTION FOR WHISTLEBLOWERS.

''(a) WHISTLEBLOWER PROTECTIONS FOR EMPLOYEES, CONTRACTORS, SUBCONTRACTORS, AND AGENTS.—

''(1) IN GENERAL.—No employer may discharge, demote, suspend, threaten, harass, or in any other manner discriminate against a covered individual in the terms and conditions of employment of the covered individual because of any lawful act done by the covered individual—

''(A) to provide or cause to be provided to the employer or the Federal Government information relating to—

''(i) any violation of, or any act or omission the covered individual reasonably believes to be a violation of, the antitrust laws; or

''(ii) any violation of, or any act or omission the covered individual reasonably believes to be a violation of, another criminal law committed in conjunction with a potential violation of the antitrust laws or in conjunction with an investigation by the Department of Justice of a potential violation of the antitrust laws; or

''(B) to cause to be filed, testify in, participate in, or otherwise assist a Federal Government investigation or a Federal Government proceeding filed or about to be filed (with any knowledge of the employer) relating to—

''(i) any violation of, or any act or omission the covered individual reasonably believes to be a violation of, the antitrust laws; or

''(ii) any violation of, or any act or omission the covered individual reasonably believes to be a violation of, another criminal law committed in conjunction with a potential violation of the antitrust laws or in conjunction with an investigation by the Department of Justice of a potential violation of the antitrust laws.

''(2) LIMITATION ON PROTECTIONS.—Paragraph (1) shall not apply to any covered individual if—

''(A) the covered individual planned and initiated a violation or attempted violation of the antitrust laws;

''(B) the covered individual planned and initiated a violation or attempted violation of another criminal law in conjunction with a violation or attempted violation of the antitrust laws; or

''(C) the covered individual planned and initiated an obstruction or attempted obstruction of an investigation by the Department of Justice of a violation of the antitrust laws.

''(3) DEFINITIONS.—In this section:

''(A) ANTITRUST LAWS.—The term 'antitrust laws' means section 1 or 3 of the Sherman Act (15 U.S.C. 1 and 3).

''(B) COVERED INDIVIDUAL.—The term 'covered individual' means an employee, contractor, subcontractor, or agent of an employer.

''(C) EMPLOYER.—The term 'employer' means a person, or any officer, employee, contractor, subcontractor, or agent of such person.

''(D) FEDERAL GOVERNMENT.—The term 'Federal Government' means—

''(i) a Federal regulatory or law enforcement agency; or

''(ii) any Member of Congress or committee of Congress.

''(E) PERSON.—The term 'person' has the same meaning as in subsection (a) of the first section of the Clayton Act (15 U.S.C. 12(a)).

''(4) RULE OF CONSTRUCTION.—The term 'violation', with respect to the antitrust laws, shall not be construed to include a civil violation of any law that is not also a criminal violation.

''(b) ENFORCEMENT ACTION.—

''(1) IN GENERAL.—A covered individual who alleges discharge or other discrimination by any employer in violation of subsection (a) may seek relief under subsection (c) by—

''(A) filing a complaint with the Secretary of Labor; or

''(B) if the Secretary of Labor has not issued a final decision within 180 days of the filing of the complaint and there is no showing that such delay is due to the bad faith of the claimant, bringing an action at law or equity for de novo review in the appropriate district court of the United States, which shall have jurisdiction over such an action without regard to the amount in controversy.

''(2) PROCEDURE.—

''(A) IN GENERAL.—A complaint filed with the Secretary of Labor under paragraph (1)(A) shall be governed under the rules and procedures set forth in section 42121(b) of title 49, United States Code.

''(B) EXCEPTION.—Notification made under section 42121(b)(1) of title 49, United States Code, shall be made to any individual named in the complaint and to the employer.

''(C) BURDENS OF PROOF.—A complaint filed with the Secretary of Labor under paragraph (1)(A) shall be governed by the legal burdens of

proof set forth in section 42121(b) of title 49, United States Code.

''(D) STATUTE OF LIMITATIONS.—A complaint under paragraph (1)(A) shall be filed with the Secretary of Labor not later than 180 days after the date on which the violation occurs.

''(E) CIVIL ACTIONS TO ENFORCE.—If a person fails to comply with an order or preliminary order issued by the Secretary of Labor pursuant to the procedures set forth in section 42121(b) of title 49, United States Code, the Secretary of Labor or the person on whose behalf the order was issued may bring a civil action to enforce the order in the district court of the United States for the judicial district in which the violation occurred.

''(c) REMEDIES.—

''(1) IN GENERAL.—A covered individual prevailing in any action under subsection (b)(1) shall be entitled to all relief necessary to make the covered individual whole.

''(2) COMPENSATORY DAMAGES.—Relief for any action under paragraph (1) shall include—

''(A) reinstatement with the same seniority status that the covered individual would have had, but for the discrimination;

''(B) the amount of back pay, with interest; and

''(C) compensation for any special damages sustained as a result of the discrimination including litigation costs, expert witness fees, and reasonable attorney's fees.

''(d) RIGHTS RETAINED BY WHISTLEBLOWERS.—Nothing in this section shall be deemed to diminish the rights, privileges, or remedies of any covered individual under any Federal or State law, or under any collective bargaining agreement.''.

Mr. LEAHY. Mr. President, I applaud the Senate is passing bipartisan legislation that will protect employees who blow the whistle on criminal antitrust violations. The Criminal Antitrust Anti-Retaliation Act is legislation that I have worked on with Senator GRASSLEY for three Congresses now. This is the second Congress in a row that the Senate has passed it unanimously. The bill is an extension of my longstanding partnership with Senator GRASSLEY on whistleblower issues.

Our bipartisan bill provides meaningful protections to employees who blow the whistle on the worst forms of anticompetitive behavior such as price fixing. Whistleblowers play an important role in alerting the public, Congress, and law enforcement agencies to wrongdoing in a number of areas. They often take significant risks in making these disclosures and can be the target of retaliation. The Criminal Antitrust Anti-Retaliation Act prohibits employers from retaliating against employees who alert the company, Congress, or law enforcement of criminal activity.

Senator GRASSLEY and I modeled this legislation on the whistleblower protections we authored as part of the Sarbanes-Oxley Act. The protections are narrowly tailored and do not provide whistleblowers with an economic incentive to bring forth false claims. Last Congress, we made modest changes to the bill in the Judiciary Committee to improve the definition of a covered individual and to clarify that protections only apply to employees reporting criminal violations. This Congress, we made additional refinements in the Judiciary Committee to further clarify the scope of the bill. The protections in this bill build on recommendations from key stakeholders in a 2011 Government Accountability Office report to Congress.

Consumers benefit from competitive markets and the antitrust laws serve to safeguard competition. By protecting those who would blow the whistle on criminal antitrust behavior, our bill will help facilitate the reporting of these kinds of violations. I urge the House to pass this bipartisan legislation.

I ask unanimous consent that a letter in support of the bill from the National Whistleblowers Center be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NATIONAL WHISTLEBLOWER CENTER,
Washington, DC, July 17, 2015.

Re Criminal Antitrust Anti-Retaliation Act of 2015.

Hon. CHARLES E. GRASSLEY,
Senate Committee on the Judiciary, Washington, DC.
Hon. PATRICK LEAHY,
Senate Committee on the Judiciary, Washington, DC.

DEAR SENATORS, I am writing to you in support of the Criminal Antitrust Anti-Retaliation Act of 2015. This legislation will extend whistleblower protection for employees who provide information to the Department of Justice related to criminal antitrust violations. This Bill will create, for the first time, whistleblower protections for employees who report antitrust violations.

The protections in this bill were recommend by the Government Accountability Office in a 2011 report and will plug a loophole in the patchwork of whistleblower protection that currently exists. Current laws in place do not provide any protections for innocent third parties who blow the whistle on criminal antitrust activity. The proposed Bill will allow employees to file an action with the Department of Labor in the event that they are retaliated against for reporting criminal violations of the antitrust laws.

Numerous studies have shown that employees are the first defense to prevent fraud and white-collar crime. Such crimes harm businesses, consumers, and our economy. Investigators rely heavily on information from insiders to protect the public interest and prevent illegal competitive practices. The brave individuals that report antitrust violations should be protected.

This is a narrow but important bill that will help to improve enforcement of the antitrust laws.

STEPHEN M. KOHN,
Executive Director.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the committee-reported substitute amendment be agreed to; the bill, as amended, be read a third time and passed; and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee-reported amendment in the nature of a substitute was agreed to.

The bill (S. 1599), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

ORDERS FOR THURSDAY, JULY 23, 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Thursday, July 23; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following leader remarks, the Senate resume consideration of the motion to proceed to H.R. 22, postcloture; lastly, that all time during the adjournment of the Senate count postcloture on the motion to proceed to H.R. 22.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 8:22 p.m., adjourned until Thursday, July 23, 2015, at 9:30 a.m.

HOUSE OF REPRESENTATIVES—*Wednesday, July 22, 2015*

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. TIPTON).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
July 22, 2015.

I hereby appoint the Honorable SCOTT R. TIPTON to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 6, 2015, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

IRAN AGREEMENT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, it was interesting to listen to some of the congressional reactions after the United Nations Security Council on Monday unanimously approved a resolution that creates a basis for international economic sanctions against Iran to be lifted.

This was a 15–0 vote for the 104-page resolution that lays out the steps required for lifting the United Nations sanctions. Importantly, it sets up a way to renew sanctions if Iran does not abide by its commitments.

If we get into a dispute over Iran's enrichment activities, these sanctions automatically snap back after 30 days; and the United States, as a member of the Security Council, could veto any effort to change that. The United States controls the snap back.

Congress should not be annoyed but, instead, should understand and appreciate the unanimous support from the major countries that helped secure the agreement and enforce sanctions in the first place.

The United States did not bring Iran to the negotiating table by itself. We have been sanctioning Iran for years with far more stringent and stronger economic body blows, but they didn't bite until we were joined by other powerful countries.

It required Japan and India not to buy Iranian oil and the unanimous support of the U.N. Security Council, plus Germany, the so-called P5+1, to hammer this out.

This is vital information for Congress to evaluate. Were we to walk away from this historic international agreement that has the participation of all the other major powers and the consumers of Iranian oil, we would be on our own.

If we repudiate this hard-fought, carefully crafted diplomatic solution, we will be in an infinitely weaker position, Iran free to go about its business, and the support of those other countries that was so vital will melt away.

There is a reason why 100 distinguished former administration officials, diplomats, and military officials from all across the political spectrum with backgrounds in Democratic and Republican administrations alike endorsed the proposal this week.

This is the best solution in a difficult part of the world with a country that has been difficult to work with, to say the least, that has been involved with bad behavior and which has been bent on developing the capacity to create a nuclear weapon. We all want to prevent that or at least delay it as long as possible.

This agreement achieves that additional time, 10 years or more. It has strong, enforceable sanctions in the event of failure; and the inspections regime, the controls over the Iranian nuclear power program continue for 10 years or more. Some are permanent.

This is a watershed moment in American diplomacy, an opportunity to get past the troubled history for decades on a more positive footing. Iran, to this point, has lived up to its agreements; and we have watched their nuclear activity being dialed back and openness expanded, which would have been unthinkable 3 years ago.

Last and most important to consider, the opponents of this agreement have no good alternative. They may huff and puff about all options being on the table; but realistically, the American public has little appetite for a war with Iran, a country bigger than Afghanistan and Iraq combined, with a population more than twice as large, well-educated and sophisticated.

An attack would bring about unthinkable circumstances, even if the American public were likely to accept it, which is highly unlikely; and, of course, the United States will have squandered the alliance with the world's most powerful countries. They are aligned with us today, but it would be difficult, if not impossible, to get them back on our side again if we can't take yes for an answer.

Congress should stop hyperventilating, look at the evidence, and we should move forward to support diplomacy as our best chance to prevent a nuclear-armed Iran and chaos in the Middle East.

ARREST STATISTICS REPORTING ACT OF 2015

The SPEAKER pro tempore (Mr. GRAVES of Louisiana). The Chair recognizes the gentleman from Alabama (Mr. BROOKS) for 5 minutes.

Mr. BROOKS of Alabama. Mr. Speaker, America's policymakers face an information gap that undermines our ability to make the immigration policy decisions needed to protect American lives from the threat posed by illegal aliens.

What information gap? It is crime statistics that reflect criminal conduct by illegal aliens.

The horrifying murder of 32-year-old Kate Steinle in San Francisco has, once again, put crime by illegal aliens in the national spotlight; but this issue should always be in the spotlight because it daily affects American citizens across the country, despite pro-amnesty forces' best efforts to suppress politically inconvenient truths about illegal alien crime in America.

The fact is America's crime data for illegal aliens is inadequate. While we have access to Federal sentencing data for illegal aliens, illegal aliens crime data for cities, counties, and States is just not there. For example, while illegal aliens are roughly 3.5 percent of America's population, the United States Sentencing Commission data reflects that, out of 74,911 Federal sentencing cases, illegal aliens committed 17 percent of drug trafficking, 20 percent of kidnapping/hostage taking, 12 percent of money laundering, 12 percent of murders, and a whopping 74 percent of drug possession felonies.

If this Federal data is any indicator, illegal aliens are far more likely to commit violent and dangerous crimes than the average American or lawful immigrant. The absence of State and

local law enforcement data is critical because most heinous crimes—such as murder, rape, violent assaults, and the like—are prosecuted at the State level.

As of today, the Federal Government does not publicly report State and local illegal alien crime data, thus undermining our understanding of how bad the illegal alien crime problem is and what we must do to address it.

A report released this past Monday, July 20, by the Center for Immigration Studies found that, according to Census Bureau data, 2.5 million illegal aliens, at the rate of 400,000 per year, have been added to America's illegal alien problem since President Obama took office. America's policymakers need empirical data showing how many Americans are horribly victimized by the millions of illegal aliens this and other administrations have allowed into our country.

While we have daily access to the endless stream of anecdotal, gruesome news reports of yet another illegal alien taking yet another American citizen's life, we need ''big picture'' data to rebut the liberal left's mantra that illegal aliens are as clean, innocent, and pure as freshly fallen snow.

For example, in my district, which has Redstone Arsenal, one of America's premier military facilities, more Americans have been killed by illegal aliens than my district has lost in Afghanistan, in Iraq, to the Islamic State, to al Qaeda, and to the Taliban combined.

Is Alabama's Fifth Congressional District's experience with illegal aliens an anomaly? Or is illegal alien crime as bad in the rest of America?

Mr. Speaker, in order to make good policy decisions, America's policymakers need better data. I have introduced a bill to help. My bill, the Arrest Statistics Reporting Act, does two things.

First, it requires that arrest reports already sent to the FBI by State and local governments include the best known immigration status of the arrestee. Second, it requires the Federal Government to publish illegal alien crime data in the FBI's annual crime statistics reports.

This data will better inform the public and lawmakers about illegal alien crime and empower us to make the decisions needed to protect American lives.

Mr. Speaker, honest immigration debate requires the best crime data. My bill, the Arrest Statistics Reporting Act, will help us obtain it.

VIOLENCE IN MEXICO

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. SCHIFF) for 5 minutes.

Mr. SCHIFF. Mr. Speaker, earlier this month, Americans were riveted by news that infamous drug lord Joaquin Guzman, better known as El Chapo, had escaped from a maximum security prison in Mexico.

It took this spectacular movie-style breakout to return Mexico and its drug cartels to our national attention, and that is a problem.

When ruthless, barbaric criminals terrorize an innocent population halfway around the world, America notices. We rightly rise up as one to decry the horrific violence perpetrated by ISIL in Syria and Iraq, recoiling in horror at the news of rapes, beheadings, and savagery run amok; yet, when similar violence is visited upon an innocent population in our own backyard, why are we not similarly outraged?

Earlier this year, Aide Nava was beheaded by ruthless thugs not halfway around the world, but in the Mexican state of Guerrero, less than 1,000 miles from the U.S. border. Ms. Nava's death was not an isolated incident, nor was it random. She was a candidate for mayor of her town. Her husband had been mayor until last year, when he was assassinated.

A note found near her body warned of similar treatment for other politicians who did not fall in line and was signed ''Los Rojos,'' the name of one of Guerrero's largest criminal organizations.

If violence in the state of Guerrero sounds familiar, it should. In the town of Iguala in Guerrero, just last year, 43 students engaged in a peaceful protest were kidnapped, murdered, and cremated in a mass grave.

Those 43 are but a tiny fraction of the tens of thousands of Mexicans who have been murdered by Mexican drug cartels over the last decade, including at least four candidates and more than a dozen campaign workers during this year's midterm elections. Disturbingly, violence against women in particular has skyrocketed, and the rate at which women are murdered in Mexico is now double the global average.

Meanwhile, a cowed and corrupt leadership seems powerless to stop any of this and may even be actively abetting the violence.

We know that drug use in the United States has regrettably contributed to the conditions that have allowed this violence to spread. The money that fuels the drug cartels comes in large part from narcotics sales north of the Rio Grande.

Just as the drugs flow north, the guns flow south. I have addressed this Chamber in support of legislation countering the sale of guns through ''straw purchasers,'' which are then sent across the border.

This mutually destructive trade of guns and drugs cannot be allowed to continue unabated. More sensible treatment of drug addiction at home and more commonsense gun laws would not only help our own country, but also reduce chaos in the neighborhood.

The U.S. has done much to assist Mexico in countering cartel violence, primarily through the Merida Initiative, a counterdrug and anticrime assistance package.

Since 2008, we have provided Mexico with over $2.5 billion for the Merida Initiative, whose strategy focuses on disrupting criminal groups, institutionalizing the rule of law, creating a 21st century border, and building strong and resilient communities.

The reforms or money supports have been painfully slow in coming. It is still the case that only 25 percent of the crimes in Mexico are reported, fewer than 5 percent are investigated, and fewer than 2 percent ultimately move to trial and sentencing.

The problem in Mexico is not simply a lack of resources; it appears to be a lack of will. The active presence of corruption and official collusion squelches free speech, causing citizens to fear their elected officials, allowing the rule of law to fail.

□ 1015

Those 43 murdered students appear to have been killed with the knowledge and participation of the local police force on orders from Iguala's mayor and his wife. It is a dramatic story, but not unusual one, a story of corruption and impunity in officialdom.

Sadly, those who tell the story, including journalists, human rights activists, and even brave victims willing to speak out, too often meet fates similar to the students of Iguala.

Indeed, within the last months, three journalists have been murdered in three different Mexican states, joining the tragic toll of more than 50 Mexican journalists killed or disappeared since 2007.

I wish, Mr. Speaker, I stood before you today with a simple solution to these problems. I do not. But I do know that the struggle of the Mexican people for a peaceful, safe, and well-governed nation is our struggle as well. They must know that we are paying attention and that we recognize that Mexico's problems are also our own.

DODD-FRANK WALL STREET REFORM ACT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Nevada (Mr. HARDY) for 5 minutes.

Mr. HARDY. Mr. Speaker, I rise today to discuss the unfortunate Dodd-Frank Wall Street Act.

This week marks the fifth anniversary of the signing of the law that was the Democratic answer to the recession that impacted our Nation.

My State, the State of Nevada, was devastated by the meltdown which started with the weakening of the credit standards, and it erupted into foreclosures that brought our fiscal system to the edge of the cliff.

At the peak of the recession, Nevada had an unemployment rate of 13.7 percent. Nevadans all over the State were

losing their jobs, their homes, and their businesses.

The Democratically controlled Congress and the Democratically controlled White House responded with regulation after regulation on the false pretense that the crash was caused by the lack of rules.

Five years in and what do we have today? We have for the first time in over three decades more small businesses failing than being started. Think about that. We have more small business deaths than we have small business births.

The life blood of our Nation lies with small businesses. According to the 2012 data from the Small Business Administration, 64 percent of all private-sector jobs were created by small businesses. Half of all people employed in this country work for small businesses.

I am going to repeat we now have more small business deaths than we have small businesses being started. They are being suffocated by 400 new Federal regulations.

One-size-fits-all rules have impacted small bankers, so much that we have less community banks now than we had before Dodd-Frank.

These small community banks serve my constituents. They serve the neighbors of my district. They serve the neighborhoods of our country.

These community banks were not the banks making the risky loans. They were building strong relationships with their customers, but now, because of Dodd-Frank, there are fewer of them.

How did Dodd-Frank address Fannie Mae and Freddie Mac? It didn't. It didn't reform Fannie or Freddie. Dodd-Frank, in essence, is top-down governance from Washington bureaucrats.

Instead of ending too-big-to-fail, regulators inserted it into law. We now have SIFIs, systemically important financial institutions.

If a bank is defined as a SIFI, it will surely be the first to be bailed out because they are systemically too important.

This presents a problem of moral hazard. Dodd-Frank put it in law that they will be bailed out by Americans and their hard-earned money. Dodd-Frank was supposed to end this practice and it was supposed to protect the consumer.

After 5 years, we now have SIFIs. We now have fewer community banks. Simply put, our businesses are facing higher borrowing costs and the inability to create jobs.

Nevada today has an unemployment rate of 6.9 percent. Nevadans don't want more regulations, they want more jobs. Like all Americans, they want more opportunities. They want access to capital to start their new companies and businesses.

Mr. Speaker, unfortunately, the burdensome Dodd-Frank law is still churning out final rules. Americans will continue to face the red tape during this slog of a recovery.

ELEMENTARY AND SECONDARY EDUCATION ACT REAUTHORIZATION

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. LORETTA SANCHEZ) for 5 minutes.

Ms. LORETTA SANCHEZ of California. Mr. Speaker, last week, thanks to the leadership of the Senate HELP Committee, Chairman LAMAR ALEXANDER and Ranking Member PATTY MURRAY, the Senate passed a bipartisan bill known as the Every Child Achieves Act that would reauthorize the Elementary and Secondary Education Act. This is the law the Federal Government has with respect to kindergarten through twelfth grade education.

I applaud my Senate colleagues for reaching across the aisle and working collectively in good faith to expand access to early childhood education to improve programs for English language learners and to ensure accountability in serving our neediest students.

It is far from perfect. But in 2002, the reauthorization of the same act, known as No Child Left Behind, was implemented.

It gave this principle that we would look at the students who are falling through the cracks. It meant to serve our poor and minority students, students with disabilities, and English learners.

After all, let's not forget that the original ESEA, the original one in 1965, had an exact declaration of policy that said ''in recognition of the special education needs of children of low-income families.'' This landmark legislation in 1965 is a civil rights law.

It reaffirmed Brown v. Board of Education. It reaffirmed the 1947 Mendez v. Westminster decision, which happened in my own district, which was the precursor to Brown v. Board. It said every child has the right to an equal opportunity for a quality education.

Let's be honest. We are in the wake of a civil rights movement in this country. When we see tragedies in Ferguson, to Charleston, to presidential candidates issuing condemnations to immigrant families who come and who contribute to this country, to milestone victories where we see all individuals throughout the States may choose to marry the ones that they love, we can no longer ignore the social and the economic issues our great Nation is currently facing.

It all starts in our classrooms, in the quality of the education and the fundamental values that we impart to our children.

That is why I am also extremely disappointed in the House version of the ESEA where it limits the opportunity for our neediest students.

The Student Success Act—this is the one that the Republicans are putting forward—would take away $3 billion over the next 6 years from the 32 largest school districts and most diverse school districts in our Nation, by the way, many of those students being Black and Latino. While the Senate's Every Child Achieves Act accomplishes tremendous feats in expanding access, the House bill actually does not.

So what do we do? We must make sure that the bills that we pass have actions intended in them. The Senate bill, for example, makes actions optional when schools are not meeting goals while eliminating requirements for States to identify schools that are in need of intervention where it is detrimental to the progress of the children.

So laws must require timely State action to address the inequities where they persist so that we can provide the Federal resources and the support to the lowest performing schools.

Everyone hates talking about accountability. But, without it, we cannot help our low-performing students get back on track. Without clear expectations for reporting inaction, we are doing a disservice to students. These students will fall through the cracks.

I look around this room and I am proud to say that I am a public school kid and many of us in this Chamber are. We are products of our Nation's public school systems.

Look at us. Our communities have chosen us to be their voice. Our communities have chosen us to be their advocates and to fight for them in the classroom.

And I am sure that each of us has had an administrator, a teacher, a principal, who believed in us and put us on the right track so that we might be where we are today.

As I continuously reflect on my own experience, the daughter of poor immigrants from Mexico, first generation and low income and a child that the original ESEA was meant to serve, I ask my colleagues, let's work together and pass a bill that really helps our children.

GENETICALLY MODIFIED ORGANISMS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. THOMPSON) for 5 minutes.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, as a subcommittee chair of the Committee on Agriculture, I am committed to safe and affordable food.

In recent years, there has been increased interest in where our food comes from and how it is grown. In my view, this movement is long overdue, as far too many Americans are removed from the family farm for several generations.

Agriculture is the backbone of rural America, and its success is critical for local economies and to deliver a product every American needs on a daily basis.

With a growing world demand for food and less Americans engaged in farming, science and innovation have become essential components of agriculture and remain paramount to meet increased demands.

Aside from tractors, combines, and physical technology, innovation also extends to biotechnology. Biotech ensures that America will always have the safest, most abundant, and affordable food supply.

As world populations continue to increase, producing more food on less land will be an ongoing challenge, but one that can be addressed through advances in biotechnology.

With this in mind, there has been an ongoing debate and much attention to what have been dubbed GMOs, or genetically modified organisms, seeds or crops.

Despite the alarmist claims of some, GM products, GM seeds, have provided great benefits to farmers, ranchers, food producers, and consumers.

For instance, some varieties of GM seeds have been engineered to host genetic traits that resist certain types of insects, molds or diseases that destroy crops or, in other cases, GM seeds allow for longer growing seasons or greater crop yields.

GM crops have had an enormously positive impact on farmers, ranchers, and food producers. GM seeds have also had a positive environmental impact because they have reduced the need for large-scale sprays or open-range distribution of pesticides or insecticides.

While some continue to question the safety of consuming GM seeds, the overwhelming consensus among the various credible scientific organizations, such as the National Academy of Sciences, the World Health Organization, and the American Medical Association, remains.

Quite simply, there is no sound scientific evidence that such crops or foods are harmful to human health or the environment.

In fact, a January 2015 study from the Pew Research Center found that 88 percent of surveyed scientists believe that GM seeds or crops are perfectly safe for human consumption.

However, one of the real challenges that has developed regarding GM foods is the lack of a fair and consistent regulatory structure.

Recently several States have made attempts to mandate all GM foods are labeled as genetically modified organisms. As a result, a patchwork of different State laws have begun to emerge over the labeling requirements of GM foods.

Now, this is already causing confusion as to how such labeling standards would directly apply to farmers, ranchers, food processors and, yes, also regulators.

This patchwork of State laws could also create some constitutional questions, should such laws affect interstate commerce and trade.

Nearly 80 percent of the food produced in the United States contains some kind of GM product, and the implications of a State-by-State labeling requirement would be vast.

□ 1030

This week, Mr. Speaker, the House will consider H.R. 1599, the Safe and Accurate Food Labeling Act of 2015, in an effort to address this confusion. Because there are so many myths surrounding this debate, let's start with what the bill does.

This legislation is squarely centered on State labeling efforts. While the bill does preclude States from enacting their own GM labeling laws, it also creates a Federal framework for premarket review and labeling of GM foods; or, in other words, the legislation requires the FDA to conduct a review of any and all new plant or seed varieties before such products are commercially available.

The bill would also require standards for defining whether a product is of the ''GM'' or ''natural.'' The legislation does not prohibit States from outright banning GM crops or writing new relevant laws, but what the bill will do is give farmers, ranchers, and food producers much-needed certainty by establishing a unified and clear regulatory process.

Mr. Speaker, as a cosponsor of H.R. 1599, I rise in support of the legislation, and I urge my colleagues to vote ''yes'' on it.

CALLING FOR THE JUSTICE DEPARTMENT TO INVESTIGATE THE DEATH OF SANDRA BLAND

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. AL GREEN) for 5 minutes.

Mr. AL GREEN of Texas. Mr. Speaker, I stand in the well of the United States House of Representatives today to call to the attention of the Nation the death of Ms. Sandra Bland, something that has been widely published. Videos have been shown. People can draw their own conclusions. But I stand here today because I want to announce that I join the many requesting that the Justice Department impose a thorough investigation—a thorough investigation.

Mr. Speaker, there are some who contend that the Justice Department should not look into this death. I differ. The district attorney, himself, in Waller County—this is where she died—the district attorney, himself, is looking into this and has said the death will be treated as a murder investigation.

A person who is stopped for a minor traffic violation should not end up dead. I think we should all agree that the basic premise is that, if you are stopped for a minor traffic violation, even if you are taken into custody, you should not be found dead in your jail cell.

It is said that she died from self-inflicted asphyxiation, a very polite way to say that she committed suicide. Under these questionable circumstances, the district attorney investigated. It is said that the FBI is looking into it. It is said that local constabulary will look into it in the State of Texas.

Why not have the Justice Department look into it? This is what the Justice Department is for, to look into these questionable circumstances of which too many have occurred as of late and, quite frankly, over a substantial period of time in our country. So this is a questionable case, and I believe this is a case ripe for the Justice Department to investigate.

I want to let the family know—and by the way, I don't know them. I didn't know Ms. Bland. I have no association with them. This is not about her ethnicity, and it is not about her gender. But I want the family to know that I am in sympathy with them, and I feel a certain amount of pain. I cannot feel their pain, but I feel a certain amount of pain because I believe that, if I had a daughter and if my daughter were arrested for a minor traffic violation or as a result of an initial stop for a minor traffic violation and my daughter was found dead in a jail cell some time thereafter with an allegation of suicide, I would want that case investigated, and I believe most people of goodwill would want to see an investigation.

So, Mr. Speaker, I am addressing those who contend that there should be no Justice Department investigation. I have great sympathy for this family—I want you to know that—and I believe there ought to be such an investigation. If this case isn't ripe for a Justice Department investigation, I am not sure that we can conjure up in our minds a case that is more ripe under these circumstances.

Finally this, Mr. Speaker, I think we have to ponder the question: Have we accorded the constabulary the right to do wrong such that wrongdoing can be justified because it has been codified in the law that you have the right to do certain things?

I think we have to ponder this question because what happened in this case is highly questionable and highly suspect. I say this as a student of jurisprudence, a member of the bar, and a former judge of a court that held probable cause hearings. I have seen my share. But I know that in this case, the Justice Department should investigate.

Mr. Speaker, I will continue to pray for this family and pray for justice to be done.

THE NUCLEAR DEAL WITH IRAN AND OUR NATIONAL SECURITY

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Tennessee (Mrs. BLACKBURN) for 5 minutes.

Mrs. BLACKBURN. Mr. Speaker, I come to the floor this morning to talk for a few minutes about the primary issue that my constituents are talking about right now, and that is the issue of national security, homeland security, and how what is happening in the world is affecting our communities right where we live and work and where our children go to school. Isn't that what everyone wants to know: that we are going to be safe, that our children are going to be safe, and that future generations are going to be safe here in the United States?

Mr. Speaker, as we look at these issues of illegal immigration, as we look at ISIS and the threats that are carried out, such as what happened in Chattanooga, and as we look at the Iran deal, we know this affects where we live and where we work.

Today, Mr. Speaker, I want to spend just a few minutes talking about the Iran nuclear deal.

One of the members, retired, of a military organization, MOAA, came up to me Saturday as I was talking to them. He said: MARSHA, this is a bad, bad deal. It is a bad, bad deal.

I have got to agree with him. It is. Of course, he speaks from the perspective of having worn the uniform and served, having had a full military career. It is interesting. They know a bad deal when they see one, and in this Iran nuclear deal that is proposed, they see the tenets of a very bad deal.

Let's look at a few of these components that will not serve us and future generations, our national security, or our homeland security well.

As you review this deal, you see that Iran retains the ability to enrich uranium. That does not stop. It is going to continue on. We can already see how a nuclear Iran would create an arms race in an area which is already volatile. Any capability to enrich uranium may cause a nuclear arms race to happen and further destabilize the Middle East.

You see, Mr. Speaker, we are not prohibiting them from doing anything. All we are doing is basically setting a date certain 10, 15, or 20 years down the road. Now, think about your children and grandchildren 10, 15 or 20 years down the road. If Iran has a nuclear weapon, what are they going to say at that point in time? How is it going to affect them?

Think about the region. A Saudi official has said: ''Politically, it would be completely unacceptable to have Iran with a nuclear capability and not the kingdom.'' I am quoting a Saudi official's remarks.

Any deal must have full transparency, and we need to know that there can be and will be because there must be anytime, anywhere inspections. It is my fear that a deal with Iran is not going to accomplish this.

The Wall Street Journal reported yesterday—and, Mr. Speaker, I will submit this for the RECORD—''Iran Inspections in 24 Days? Not Even Close.'' It was a Wall Street Journal article, and I commend it to my colleagues to read as they review this and think about how they are going to vote on this deal.

The Wall Street Journal stated: ''The Obama administration assures Americans that the Iran deal grants access within 24 days to undeclared but suspected Iranian nuclear sites.''

When you look at the Joint Comprehensive Plan of Action, it reveals that actually it is going to be closer to months. They can end up holding inspectors at bay for months.

Again, from the Journal I am reading and quoting: ''So from the moment the IAEA first tips its hand about what it wants to inspect, likely three or more months may pass.''

Now, Mr. Speaker, I ask you, does this sound like the type of deal that you would want to make with a country whose people recently were out chanting ''death to America'' and burning our flag to celebrate the Muslim holy day with the Supreme Leader in attendance at that rally? Does this sound like the type of deal that should be approved by our Secretary of State and supported by our President? Why? Why would they want to do this? Why would there be a deal that sets a date certain and kind of lays out that path? Simply put, there is no way—no way—that we can trust Iran to allow inspectors unfettered access to both civilian and military sites to verify that they are not pushing a nuclear weapon. So we would be left wondering if—if—they are going to hold up their end of this so-called nuclear deal.

Mr. Speaker, a senior commander in the Revolutionary Guard has recently said that inspectors will not be allowed on military sites. General Hossein Salami said: ''We will respond with hot lead . . . We will not roll out the red carpet for the enemy.''

In addition, Mr. Speaker, it is extremely concerning that Iran is asking for sanctions on weapons sales and ballistic missile technology transfers to be lifted. It is a bad, bad deal, as my constituent said. I commend further study to my colleagues.

[From the Wall Street Journal, July 21, 2015]

IRAN INSPECTIONS IN 24 DAYS? NOT EVEN CLOSE

(By Hillel Fradkin and Lewis Libby)

The Obama administration assures Americans that the Iran deal grants access within 24 days to undeclared but suspected Iranian nuclear sites. But that's hardly how a recalcitrant Iran is likely to interpret the deal. A close examination of the Joint Comprehensive Plan of Action released by the Obama administration reveals that its terms permit Iran to hold inspectors at bay for months, likely three or more.

Paragraphs 74 to 78 govern the International Atomic Energy Agency's access to suspect sites. First, the IAEA tells Iran ''the basis'' of its concerns about a particular location, requesting clarification. At this point Iran will know where the IAEA is headed. Iran then provides the IAEA with ''explanations'' to resolve IAEA concerns. This stage has no time limit.

Opportunities for delay abound. Iran will presumably want to know what prompted the IAEA's concern. The suspect site identified by the IAEA is likely to be remote, and Iran will no doubt say that it must gather skilled people and equipment to responsibly allay IAEA concerns. Iran may offer explanations in stages, seeking IAEA clarifications before ''completing'' its response. That could take a while.

Only if Iran's ''explanations do not resolve the IAEA's concerns'' may the IAEA then ''request access'' to the suspect site. Oddly, the agreement doesn't specify who judges whether the explanations resolve concerns. If Iran claims that it has a say in the matter, the process may stall here. Assuming Iran grants that the IAEA can be the judge, might Iran claim that the ''great Satan'' improperly influenced IAEA conclusions? Let's assume that Tehran won't do that.

Now the IAEA must provide written reasons for the request and ''make available relevant information.'' Let's assume that even though the IAEA may resist revealing the secret sources or technical means that prompted its suspicions, Iran acknowledges that a proper request has been supplied.

Only then do the supposed 24 days begin to run. First, Iran may propose, and the IAEA must consider, alternative means of resolving concerns. This may take 14 days. Absent satisfactory ''arrangements,'' a new period begins.

During this period Iran, ''in consultation with'' the Joint Commission, will ''resolve'' the IAEA concerns ''through necessary means agreed between Iran and the IAEA.'' The Joint Commission includes China, France, Germany, Russia, the U.K., the U.S., the European Union and, of course, Iran. Not exactly a wieldy bunch.

The Iranians will likely claim that ''consultation'' with the Joint Commission doesn't bind Tehran, just as the U.S. president isn't bound by consultations with Congress. The agreement says the consultation process will not exceed seven days, but Iran can point out that the nuclear deal doesn't specify when Iran and the IAEA must reach agreement and ''resolve'' IAEA concerns.

In the absence of Iran-IAEA agreement, a majority of the Joint Commission has seven days to ''advise'' on the ''necessary means'' to resolve the matter. Iran may fairly argue that the commission's right to ''advise'' is not the same as a right to ''determine'' the ''necessary means.'' Lastly, the agreement provides that ''Iran would implement the necessary means within 3 additional days.'' But what ''necessary means'' are these? As noted, the agreement refers to ''necessary means agreed between Iran and the IAEA.'' So these additional three days don't even begin until an agreement is reached.

Now what? Well, the U.S. may take a ''Dispute'' to the Joint Commission, on which

Iran sits, which has 15 days to resolve the issue. Parties may or may not invoke a similar 15 days for foreign ministers to act. Parties may also request a nonbinding opinion within 15 days from an advisory board consisting of three members, one appointed by Iran, one by the complaining country and ''a third independent member.''

But Iran may argue that nothing in the nuclear deal specifies how quickly a country must appoint its advisory-board member or even how the ''independent member'' is selected. In short, this stage may take at least 30 days and possibly 45 of consideration at the different levels, but Iran may argue that the last 15 days don't start until an advisory board has been duly formed. Then we get another five days of Joint Commission deliberation, before a disappointed U.S. or other commission member seeking IAEA inspections can hobble off to the United Nations seeking resolutions reimposing sanctions.

In short, as Iran is free to interpret the agreement, 63 or even 78 days may pass, plus three potentially lengthy periods that Iran can stretch out: One of ''explanations'' before the clock starts, one to agree on necessary means and ''resolve concerns,'' and one for advisory-board selection near the end.

So from the moment the IAEA first tips its hand about what it wants to inspect, likely three or more months may pass. All along, the Joint Commission is required to act in ''good faith,'' and to make only ''minimum necessary'' requests limited to verification, not ''interference.'' Tehran could also cite these terms to challenge particular requests.

The description of this process is based on the English-language text of the nuclear agreement. The text lacks a provision that it is the entire agreement, so Iran may claim support in supposed side agreements or statements during negotiations.

Announcing this ''comprehensive, long-term'' deal, President Obama quoted President Kennedy's 1961 call for negotiations with the Soviets. Kennedy reached two notable nuclear agreements. Mr. Obama didn't mention that within a decade of Kennedy's 1963 Limited Test Ban Treaty, Soviet nuclear forces—once a fraction of America's—were at parity or had surpassed ours.

During the 1962 Cuban Missile Crisis, Kennedy reached secret agreements—undisclosed to Americans for decades—not to invade Cuba and to withdraw U.S. weapons from Turkey. By invoking Kennedy was President Obama signaling there is more to this ''long-term'' deal than we know?

He is a subtle man.

COMMEMORATING THE 50TH ANNIVERSARY OF THE VOTING RIGHTS ACT OF 1965

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Ohio (Mrs. BEATTY) for 5 minutes.

Mrs. BEATTY. Mr. Speaker, I rise today to join many of my Democratic colleagues to commemorate the 50th anniversary of the Voting Rights Act of 1965 and to ask this House to pass legislation for voting rights now.

Mr. Speaker, this was the first nation in our history to be founded with a purpose. Great phrases of that purpose are still being said and quoted around the world from the souls and hearts of Americans: ''All men are created equal,'' and, ''Give me liberty or give me death.'' Those words were not to be revered as meaningless, to ring hollow over the years. Today I join my colleagues as guardians of that liberty and advocates for voting rights legislation.

Mr. Speaker, 50 years ago before Congress, President LBJ said: ''I want to be the President who helped the poor to find their way and who protected the right of every citizen to vote in every election.''

''Every American citizen must have an equal right to vote. There is no reason which can excuse the denial of that right. There is no duty which weighs more heavily on us than the duty we have to ensure that right.''

Mr. Speaker, from the steps of the Lincoln Memorial, Martin Luther King delivered his ''Give Us the Ballot'' speech, urging the President and Members of Congress to ensure voting rights for African Americans. He indicted both political parties for betraying the cause of justice. He said—let us be reminded of these words—''The Democrats have betrayed it by capitulating to the prejudices and undemocratic practices of the Southern Dixiecrats. The Republicans have betrayed it by capitulating to the blatant hypocrisy of the right wing, reactionary Northerners. These men so often have a high blood pressure of words and an anemia of deeds.''

Mr. Speaker, today I ask Democrats and Republicans to come together for voting rights legislation now.

Over the past 50 years, our country has come a long way: the end of Jim Crow, integration of our public schools, and the election of our first Black President. While we have made great progress over the past 50 years, we must continue to fight for justice and equality at the polls.

In the past few Presidential elections, we have seen long lines, intimidation, and voter suppression. We must remain diligent in our efforts to root out voting discrimination because of the Supreme Court's misguided decision in 2013 in the Shelby County v. Holder matter and the failure of Congress to remedy this dismantling of our Nation's fundamental rights. We must be more vigilant than ever.

Two years ago, in Shelby, the Supreme Court struck down a critical part of the Voting Rights Act. Some would say it cut the heart of the Voting Rights Act by finding section 4 unconstitutional.

□ 1045

This was a setback to our country and to our democracy by removing much-needed voting protections in disenfranchised communities. Our democracy was founded on the audacious idea that every eligible citizen should have access to the ballot box.

This is why I am proud to stand with over 70 bipartisan congressional colleagues as an original cosponsor of the Voting Rights Advancement Act of 2015, H.R. 2867, which would restore and advance the critical voter protections taken away by the Shelby decision.

Mr. Speaker, it is time for us to bring voting rights legislation to the floor. Now, more than ever, with just 7 legislative days left, we head back to our districts for our August work period. Congress should honor the progress of being able to allow us to say to our constituents, to this Nation, that our country has made sure that there is equal rights and equal treatment.

Let us work together on advancing important legislative priorities, such as the Voting Rights Amendment Act.

APOLLO 11 MISSION, 46 YEARS LATER

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. HULTGREN) for 5 minutes.

Mr. HULTGREN. Mr. Speaker, I rise today to remember and celebrate a monumental achievement our Nation's space program reached 46 years ago this week. On July 20, 1969, Neil Armstrong, Buzz Aldrin, Michael Collins, and the entire NASA team transformed the world's belief in what was possible.

Following President Kennedy's charge to land a man on the Moon and return him safely to the Earth before the decade was over, NASA put their talent and treasure into making that dream a reality. No longer was human discovery and exploration limited to our own planet. The Moon, which had always been beyond our human ability to reach, was now within our grasp.

This ''giant leap for mankind'' propelled American space exploration and inspired generations to pursue science and research as a way of life. Today, human space exploration and discovery sciences are engrained in American society and are prime demonstrations of our Nation's exceptional nature. As Americans, it is in our DNA to push the boundaries and frontiers of knowledge.

Developing new technologies and expertise is vital as we consider a mission to Mars, take closeup photos of Pluto, and send robots throughout our solar system. The new generation must now work to fulfill the dreams and ambitions of that first group of space explorers.

Let us encourage our children to think seriously about careers in science, technology, engineering, and mathematics—careers that could lead them to become actual rocket scientists or astronauts. Bold, long-term commitments to the projects that made NASA and our space program great will help inspire our kids.

The Apollo 11 mission changed America and the world, and we remain forever grateful to those who were a part of that mission. Forty-six years ago, if

the unthinkable occurred and the astronauts never made it back to Earth, President Nixon had a speech prepared to deliver to the Nation.

If the worst happened, the President would have said:

In ancient days, men looked at stars and saw their heroes in the constellations. In modern times, we do much the same, but our heroes are epic men of flesh and blood.

I was honored to meet the members of the Apollo 11 crew, including Neil Armstrong before he died. Indeed, these men were epic heroes of mine. Many of us grew up in an era where we were proud to be the Nation that sent men to the Moon, and we still are. Nothing can change that fateful decade of discovery coupled with frustration, trial coupled with error, all resulting in that historic world-changing mission.

I want our kids and grandkids to look back and be proud citizens of the Nation that made our Moon hospitable, sent astronauts to Mars, and keeps sending spacecraft past the outer reaches of our solar system. Renewed vigor in our country's space program will ensure we continue to make mankind-sized leaps for years to come.

CLOSURE OF COLOWYO COAL MINE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Colorado (Mr. TIPTON) for 5 minutes.

Mr. TIPTON. Mr. Speaker, mines in Colorado's Third Congressional District provide not only critical jobs, they also provide the reliable, affordable electricity on which countless Americans rely.

The future of one such mine, operated by Colowyo in Moffat County, is now in jeopardy after a Federal judge sided with a radical environmental group notorious for filing lawsuits, at the expense of taxpayers who often end up footing their litigation bill.

I am urging the Department of the Interior to take swift action to prevent the impending closure of the Colowyo mine, and I want to thank Senator CORY GARDNER for his partnership in this effort.

On May 8, 2015, the Federal district court for the district of Colorado issued an order determining that the Office of Surface Mining failed to comply with the National Environmental Policy Act in 2007, when it issued a mine plan for approval of the Colowyo coal mine.

The court gave OSM 120 days to be able to prepare a new analysis and issue a new decision. If OSM does not complete the process in 120 days, the court stated that it would vacate the mine plan, effectively shutting down the mine on September 6.

Unfortunately, despite repeated insistence from myself, Senator GARDNER, county officials, and the surrounding local communities, this administration decided against appealing the court's ruling.

We have to ask the question: Does not the executive branch have a duty to defend its permitting actions? Of course, it does. The Federal Government must vigorously defend the legality of its permitting actions and leave policy debates over the role of coal in the legislative and rulemaking proceedings where those debates belong.

Here is where we stand as the September 6 deadline approaches. The livelihoods of thousands of northwest Coloradans are in peril, as they rely on an administration with a track record of attacks on the mining industry and affordable electricity to do the right thing. Unfortunately, this administration hasn't done much to allay our concerns.

A mine closure would jeopardize 220 direct jobs and millions in economic activity. While 220 jobs may not sound like much, to the town of Craig, population 9,400, that has a significant economic impact on this community.

To properly be able to understand the scale of this potential catastrophe, this is equivalent to the President's hometown of Chicago shedding 63,000 well-paying jobs.

The adverse effects of shutting down this mine go beyond the jobs at the mine that would be lost. Coal produced by this mine, located in Moffat and Rio Blanco Counties, is used to generate power at Craig Station. The mine is a critical supplier of western Colorado's energy. It provides reliable, affordable electricity in much of the western half of the State.

Last week, I attended a meeting to discuss the future of the Colowyo mine in Glenwood Springs with Secretary of the Interior Sally Jewell; Bureau of Land Management Director Neil Kornze; and a number of western Colorado community leaders, including Moffat County Commissioner John Kinkaid and Craig Mayor Ray Beck.

While it would have been preferable for the Secretary to make time to be able to meet with the miners in Moffat County who are facing the loss of their livelihood, look them in the eye, and hear their stories, she did meet with this group; and I hope that she received a better understanding of the important impact of the Colowyo mine on the impact of the economy in northwest Colorado.

I was pleased to be able to hear Secretary Jewell assure us before the meeting that the Department of the Interior is on schedule to be able to complete a new environmental assessment by the court's deadline of September 6; and, if for some reason they fail to meet that schedule, they will request an extension.

I hope the Secretary realizes that the decisions made in Washington have lasting impacts on everyday working Americans. Unfortunately, we have seen repeated attempts by this administration to impose drastic and, in some cases, outright unattainable mandates on the existing electricity sources.

Communities such as Craig have expressed concerns that these proposed regulations will work to the detriment of the local economies by shutting down local power plants, negatively affecting Colorado's mining industry, and needlessly burdening Coloradan families and businesses with higher energy costs; yet here we are on the cusp of leaving over 220 honest, hard-working people without a paycheck.

This battle offers a vivid and all too familiar lesson in how environmental special interests, if not balanced against the practical need for a healthy and growing economy, can wreak havoc in the everyday lives of Coloradans. The careful balance between environmental protection and economic prosperity is regrettably missing from this administration's policies.

The most troubling part of all of this is that the effects of these misguided regulations won't actually result in cleaner air overall, but will jeopardize the reliability of the electrical grid and have a severe economic impact.

The people of Moffat County are the people who are feeling these impacts. The people of Moffat County need to know that they are not alone in this effort. I am committed to doing everything within my power to be able to fight for affordable, reliable, and responsible energy production.

COAL ASH WASTE DISPOSAL

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from New Jersey (Mrs. WATSON COLEMAN) for 5 minutes.

Mrs. WATSON COLEMAN. Mr. Speaker, this week, the House will consider dangerous legislation on coal ash that will put communities and families in New Jersey in danger. We need strong Federal regulation on coal ash waste. Poor management practices in States like Pennsylvania and New York that border New Jersey affect my constituents' lives.

The Delaware River provides drinking water to one-third of New Jersey's municipalities. In 2005, Martins Creek Power Plant in Pennsylvania spilled 100 million gallons of coal ash across 10 acres into the Delaware, contaminating that drinking water with arsenic. Towns surrounding the Delaware, towns that depend on the river for the fishing and recreational activity that drives their economies were devastated.

In New York, the EPA found that coal ash from a power station had contaminated groundwater with iron, selenium, manganese, aluminum, and at least 10 other dangerous chemicals.

H.R. 1734 not only fails to protect communities from toxic pollution, it undermines legitimate efforts to protect our communities.

I urge my colleagues to vote against it. All of our constituents deserve better.

AUDIT THE FED

The SPEAKER pro tempore. The Chair recognizes the gentleman from West Virginia (Mr. MOONEY) for 5 minutes.

Mr. MOONEY of West Virginia. Mr. Speaker, few institutions are as powerful and as secretive as the Federal Reserve.

The Federal Reserve's monetary policy impacts the prices every American pays at the grocery store; the ability of businesses to obtain the capital necessary to create new jobs; and the value of investments the average American relies on to provide for their families, educate their children, and enjoy a secure retirement.

Despite the Fed's enormous power, Congress continues to allow the Fed to conduct monetary policy in secret. While the Government Accountability Office is allowed to perform limited audits of the Fed, it is forbidden by law from auditing. In other words, the Congress has forbidden the Government Accountability Office from examining how the Fed conducts monetary policy, its most important function.

Allowing the Fed to conduct monetary policy in secret is a failure of Congress' duty to carry out meaningful oversight of the Federal Reserve. Congress and the people we represent deserve to know the full truth about the Federal Reserve.

□ 1100

This is why one of my first acts upon coming to this House was to cosponsor the Federal Reserve Transparency Act, H.R. 24, introduced by my friend THOMAS MASSIE of Kentucky.

This simple two-page bill authorizes a full audit of the Fed's monetary functions and is popularly known as ''Audit the Fed.''

The passage of this bill will allow the American people to finally get a better picture of the Fed's operations, including its dealings with large financial institutions and foreign central banks.

Contrary to the claims of the Fed and its supporters, nothing in this bill gives Congress any new authority over the Federal Reserve.

It simply allows Congress to get a retrospective look at how the Fed carries out monetary policy so that Congress and the people can fully understand, evaluate, and oversee the Fed's actions.

Audit the Fed has twice passed the House by overwhelming majorities and is supported by almost 80 percent of the American people. Yet, former Senate Majority Leader HARRY REID blocked the bill from coming to the floor for a vote in the U.S. Senate.

Senator REID's replacement as majority leader, Senator MITCH MCCONNELL, is a cosponsor of S. 264, the Senate version of Audit the Fed, which has been introduced by Kentucky Senator RAND PAUL.

It is finally time for a vote in the U.S. Senate as well. The passage of Audit the Fed is more important than ever, given the Federal Reserve's actions since the 2008 financial crisis.

Following the financial meltdown, the Fed commenced an unprecedented program of trillion-dollar bailouts for Wall Street. The Fed's poor track record over the past decade is not an irregularity.

Since the Fed's creation, the dollar has lost 97 percent of its purchasing power. Allowing the Federal Reserve to continue operating in secrecy may benefit certain well-placed individuals, but it has not benefited my constituents in West Virginia.

It is time to bring transparency to monetary policy. It is time to tear down the Fed's wall of secrecy. It is time to audit the Fed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 11 o'clock and 2 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Thank You, O Lord, our God, for giving us another day.

You are the provident guide of our Nation's history, and we ask You to guide, protect, and strengthen the United States House of Representatives during this first session of the 114th Congress.

Help these duly elected Representatives of the people be about the work of the people. Make this democratic Republic strong, that it may be Your fit instrument to unite the natural and human resources of this Nation, that Your people may live ordered lives under the law and in harmony with others—and so be a beacon of hope for the world.

In You and from You we draw our inspiration and creativity. In You and from You, O Lord, we find lasting peace and universal justice. May all that is done within the people's House this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. MCCLINTOCK. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. MCCLINTOCK. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentlewoman from California (Ms. JUDY CHU) come forward and lead the House in the Pledge of Allegiance.

Ms. JUDY CHU of California led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

GUN GRAB THROUGH SOCIAL SECURITY

(Mr. SAM JOHNSON of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SAM JOHNSON of Texas. Mr. Speaker, President Obama is at it again. He is now seeking to deny millions of law-abiding Americans their Second Amendment right to bear arms by going through Social Security.

And why is that? Because he couldn't get gun control through the Congress. The American people wouldn't stand for it.

Mr. Speaker, old age or a disability does not make someone a threat to society. These folks should be able to defend themselves, just like everyone else.

As chairman of the Social Security Subcommittee and a staunch defender of the Second Amendment, I will do everything in my power to stop this gun grab. Yesterday I ordered the Commissioner of Social Security to stand down and abandon any such plan.

Mark my words: Americans' Second Amendment rights must and will be protected.

AUTHORIZATION INCREASE FOR SMALL BUSINESS 7(A) LOAN PROGRAM

(Ms. JUDY CHU of California asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JUDY CHU of California. Mr. Speaker, I am here to ring the alarm bell on the pending expiration of a very important program next week.

It is the Small Business Administration's flagship 7(a) loan program, which provides long-term loans to small businesses that are unable to secure financing through conventional channels.

About 80 percent of small-business owners who apply for a non-SBA loan get rejected. It is SBA's 7(a) program that gets them the money they need to succeed. In my district alone, more than $2 billion in capital has been provided to small businesses since 1990.

Not only does 7(a) lending directly support American jobs, it also operates at zero cost to taxpayers. We cannot let this successful program lapse. At the current rate of lending, this program could be forced to shut down as soon as next week.

I urge the Speaker to act on this critical issue before the August recess and make sure that our small businesses thrive.

STURGIS 75TH ANNIVERSARY

(Mr. WALBERG asked and was given permission to address the House for 1 minute.)

Mr. WALBERG. Mr. Speaker, I rise to recognize the upcoming Sturgis Motorcycle Rally, which will be celebrating its 75th anniversary this year.

Each August, freedom-loving bikers, racers, and motorcycle enthusiasts gather in Sturgis, South Dakota, to celebrate this annual event.

From the first Black Hills Motor Classic rally in 1938, Sturgis has expanded from a single race to a weeklong event attended by hundreds of thousands of people from across the U.S. and the globe. This year, organizers are anticipating well over 1 million people will descend upon the small town of 6,600.

As co-chair of the Congressional Motorcycle Caucus, I want to offer my best wishes to the attendees of this year's event. We hope for good weather, safety, and another successful week celebrating motorcycles and the freedom to ride.

HONORING THE LIFE AND LEGACY OF VAN MILLER

(Mr. HIGGINS asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS. Mr. Speaker, I rise to honor the life and legacy of Van Miller, the radio voice of the Buffalo Bills, who passed away last Friday at the age of 87.

For decades, thousands of Bills fans welcomed Van into their homes. Every Sunday they muted their televisions so that they could watch the game with Van giving the play-by-play on the radio. He epitomized what it means to be a Buffalo Bills fan because he was one of us, a native western New Yorker.

Van joined the Bills for the team's inaugural season in 1960, and his voice became synonymous with some of the most exciting moments in Buffalo sports history. His play-by-play of four consecutive Super Bowl appearances, his exhilarating call of ''The Comeback'' game, and his word ''fandemonium'' will forever echo in the ears of loyal Bills fans everywhere.

Van earned a place on the wall of fame at Ralph Wilson Stadium and was the first local broadcaster to be honored with the Pete Rozelle Radio-Television Award from the Pro Football Hall of Fame in 2004.

I ask my colleagues to join me in remembering Van Miller's place in sports history and to recognize the cultural contributions, memories, and joy he brought to so many western New Yorkers.

PULSE OF TEXAS: THOMAS DAVIS—HOUSTON, TEXAS

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Mr. Speaker, the President has announced he has reached a nuclear deal with Iran. Some of my Texas constituents have contacted me because they are worried about this dangerous and irresponsible ''deal.''

Thomas Davis of Houston wrote, ''We must not finance terrorism or in any way support Iran's gaining nuclear weapons.''

Thomas is rightfully concerned. Since Iran will soon receive billions of dollars, they can continue to sponsor their terrorist groups worldwide. Also, the deal legitimizes Iran's nuclear weapon program development in 10 years.

Thomas continues, ''I also urge you to disregard the U.N.'s premature acceptance, as they do not accept something for us or authorize spending of our funds. If their action does give Iran funds from an account we supplement, then defund that account.''

Wise words from citizen Thomas Davis. Giving the U.N. the first say on the nuclear deal and not Congress was misguided. The U.N. vote of approval will not intimidate me into voting for this deal.

This deal will make the world less safe, less free, and make Iran a world nuclear weapon power. Isn't that lovely.

And that is just the way it is.

OLDER AMERICANS ACT

(Ms. SCHAKOWSKY asked and was given permission to address the House for 1 minute.)

Ms. SCHAKOWSKY. Mr. Speaker, on July 14, the Older Americans Act turned 50 years old. My constituent Patricia, from Chicago, is one of millions who rely on the Older Americans Act. And here is what she wrote to me:

''I suffer from three chronic illnesses. Meals on Wheels allows me to have nutritious meals despite a difficult medicine regime . . . while not as active as I used to be it allows me dignity in these difficult days . . . it allows me to volunteer both through my church and the park district and give back to the community the gifts and knowledge accumulated through my lifetime . . . I teach crochet in the park district and to youngsters as well as tutor science and math in my church . . . enriching the lives of many . . . it's what I can do and these programs help me do it. . . .''

Let's celebrate the Older Americans Act by passing a strong reauthorization bill for millions of people like Patricia.

IRAN

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, we repeatedly hear supporters of this weak and dangerous Iran nuclear deal throw out this false dichotomy: It is either this deal or war.

The reality of the situation is this: If Congress does not reject this naive Iran nuclear deal, then we won't be faced with the deal or war. We will be faced with this deal and war.

Why do I say this? Other countries in the region are going to want what we have conceded to Iran, especially because we inexplicably agreed to a lifting of the arms embargo and a lifting of the sanctions against the regime's ballistic missile program.

So what have we guaranteed with this unverifiable deal? There is a conventional and nuclear arms race already set in motion in the region, and Iran will be nuclear in just about a decade's time.

The only rational decision, Mr. Speaker, is to vote against this deal if we truly want to avoid war.

IMMIGRATION REFORM

(Mr. GALLEGO asked and was given permission to address the House for 1 minute.)

Mr. GALLEGO. Mr. Speaker, what happened in San Francisco was a horrible tragedy, and my thoughts and

prayers go out to Kathryn Steinle's family.

As the authorities in San Francisco seek justice for Kate, we should not, however, allow demagogues like Donald Trump to demonize entire communities because of the actions of a single person. It is disappointing and alarming that the House Republican leadership is following Donald Trump's lead on immigration.

The bill before the House this week would withhold funds that are meant to enhance public safety, support community policing, and assist crime victims, effectively putting our communities at higher risk.

Mr. Speaker, this is nothing but an effort to cover for the House Republican leadership's failure to bring a comprehensive immigration reform bill to the floor that would actually fix our broken immigration system.

But like Donald Trump, the House Republican leadership seemingly can't help themselves when it comes to painting millions of law-abiding and hard-working immigrants as nothing but criminals.

Mr. Speaker, the safety of our communities should not be a political pawn. What the House Republican leadership is doing is irresponsible. Local law enforcement knows how to keep communities safe. Let them do their job.

FAKE OBAMACARE PAYMENTS

(Mr. PAULSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAULSEN. Mr. Speaker, we continue to see issues with the President's healthcare law, including the most recent GAO investigation that has revealed that there are major fraud problems with the enrollment Web site.

The nonpartisan watchdog discovered that www.healthcare.gov is unable to detect and prevent blatant fraud, as fake applicants were able to sign up for subsidies.

This red flag is yet another example of how the healthcare law is not achieving the goals that it has claimed. Premiums continue to rise. Medical innovation has been stifled. And patients have less choice when it comes to their own healthcare decisions.

Mr. Speaker, www.healthcare.gov was supposed to include a working verification system to ensure that nobody could cheat the system. However, it is clear from this investigation that there is very little fraud protection in place.

Mr. Speaker, whether it is through incompetence or apathy, it is unacceptable that hard-earned taxpayer dollars are being wasted because administrators aren't implementing fraud protection measures. The status quo must change.

□ 1215

OPPOSE ENFORCE THE LAW FOR SANCTUARY CITIES ACT

(Ms. LINDA T. SÁNCHEZ of California asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I rise today in staunch opposition to H.R. 3009, the Enforce the Law for Sanctuary Cities Act, or perhaps better titled, the ''Donald Trump Act.'' This bill is nothing more than an underhanded ploy to criminalize the immigrant community who, research shows, is less likely to commit serious crimes than native-born persons. To demonize an entire community based on the actions of a few does not inform wise policy.

Local police are best equipped to make decisions of how best to serve their communities. Let them make those decisions. Withholding Federal funds from jurisdictions who have adopted local trust policies will not make our communities safer or fix our broken immigration system. It will only make it more difficult for local police to provide public safety to their communities.

Unfortunately, Mr. Speaker, this doesn't come as a surprise. This is the same Republican-led Congress that nearly shut down the Department of Homeland Security, compromising the safety of our communities.

I have consistently said that we need to focus on passing comprehensive immigration reform, yet time and time again, Republicans have shown the only aspect of immigration reform they are interested in is deportation.

REMEMBERING BROOKSVILLE'S VICE MAYOR, JOE JOHNSTON

(Mr. NUGENT asked and was given permission to address the House for 1 minute.)

Mr. NUGENT. Mr. Speaker, I rise today to remember the life of the city of Brooksville's vice mayor and a good friend of mine, Joe Johnston III. Joe was as straightforward and as good as they come. The loss of his life has impacted the entire Hernando County community, and for obvious reasons.

Joe was a family man. He dedicated his life to his wife, Diana, their three daughters, his two brothers, and seven grandchildren in the same place where his parents raised him. He attended our local schools, graduated from the University of Florida, and moved back to be a paralegal in the firm which his father established and helped to build.

More often than not, Joe's devotion was indicative of his love for the greater community. Twenty years ago, Joe ran successfully for a seat on the Brooksville City Council and proudly served in that seat until his untimely death just this month.

He was compassionate and caring about those around him, whether he knew you or not. Joe was known for being a steady hand on the council and was never backing down, even when the odds were against him. And people respected that. He became well known in our small town not solely because of his politics or his career; in fact, it was mostly what he did outside of it. He was an outdoorsman, a traveler, a sailor, an adventurer, and a great member of the community.

Mr. Speaker, he understood that true appreciation in life comes from the experiences you have and the memories you make, and he embraced it with his all.

It pains me that, after 10 years, Joe lost his battle with cancer. So I stand here today to remember a leader I valued and to celebrate his great life.

THE EXPORT-IMPORT BANK

(Mrs. CAROLYN B. MALONEY of New York asked and was given permission to address the House for 1 minute.)

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, only one of the top ten exporting countries in the world does not have an export-import agency that helps them finance new export deals, just one, and that country is the United States of America. That is because this Congress has failed to do what every Congress since FDR has done, and that is reauthorize the Export-Import Bank.

Today, Mr. Speaker, an American exporter is forced to compete against China, South Korea, Germany, France, Italy, and Japan with one hand tied behind its back. Their businesses get the support, their citizens get the jobs, and Americans are hung out to dry by their own government.

In my congressional district alone, 66 small businesses in the past 8 years have benefited from Export-Import financing of their exports. They have exported everything from peanut butter to industrial equipment.

Mr. Speaker, let's give Congress a chance to save American jobs. Let's have an up-or-down vote on the Export-Import Bank. If it came to a vote on this floor, it would surely pass.

CELEBRATING PIUTE COUNTY'S 150TH BIRTHDAY

(Mr. STEWART asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STEWART. Mr. Speaker, today I rise to celebrate Piute County's 150th birthday. Piute County was formed in January 1865, after a year of hard work by entrepreneurial Mormon pioneers.

Press reported that in only 1 year the settlers had built more than 4 miles of canals and more than 10 miles of roads, all to access the good farmland and

timber and other things they would need as they built this community. One reporter noted:

The spirit of industry and perseverance in the people is manifest. Their actions are kind and benevolent towards one another, and they will make this a great place for future generations.

Mr. Speaker, the past 150 years have proven these words to be true. Today, the county is home to many hard-working residents, people who work in a uniquely beautiful rural setting. The county enjoys the world-famous Paiute ATV Trail, boating, fishing, hunting, and horseback riding.

Mr. Speaker, I am proud to represent Piute County. They represent some of the best people our Nation has to offer, and I wish them much success as they celebrate their 150th anniversary.

THE VOTING RIGHTS ACT

(Mr. VEASEY asked and was given permission to address the House for 1 minute.)

Mr. VEASEY. Mr. Speaker, I rise today to mark the approaching 50th anniversary of the Voting Rights Act and talk about the importance of restoring the Voting Rights Act as well.

For decades, the Voting Rights Act has stood as the guardian for all Americans to exercise their right to vote. But 2 years ago, the Supreme Court reversed course on expanding voting rights when it ruled that section 4 of the Voting Rights Act was unconstitutional. Just hours after that ruling, my home State of Texas immediately began enforcing discriminatory laws against minority citizens from voting.

I sued the State to fight these unconstitutional efforts in Veasey v. Perry, which the United States district court agreed that Rick Perry, then the Governor of Texas, signed an intentionally discriminatory Texas voter photo ID law. It was under Perry's watch as Governor of Texas that the State legislature passed the most egregious voter ID law in the entire country.

Mr. Speaker, as we await the decision of the Fifth Circuit Court of Appeals on Veasey v. Perry, House Democrats will continue to fight against obstacles to voter participation and talk about the importance of restoring the Voting Rights Act. As you can tell by what is going on in Texas, it needs to be done now.

FIGHTING FOR THE UNBORN

(Mr. GUINTA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GUINTA. Mr. Speaker, I stand before you today with a heavy heart.

Recently, videos have been released showing senior employees at Planned Parenthood discussing a horrific topic: the proper way to preserve the heart, liver, and lungs of a child during an abortion in order to harvest those organs for sale.

Consider the illogical nature of the conclusion that an infant is not a life, that an infant is not worthy of preservation, but the organs, which give it life, are worthy enough to be kept and sold.

Pro-life or not, this should strike at the conscience of every human being, and, in a larger sense, it should strike at the conscience of a nation that this practice is permitted and allowed.

Following the release of these videos, House leadership called for an investigation into Planned Parenthood, which I commend and fully support.

I am often asked back home if I consider myself pro-life and, if so, why. My answer to them is simple: I will never forget hearing my daughter's heartbeat for the first time. That heartbeat had a name, and its name was Colby.

AMERICANS BELIEVE MEDIA IS INTENTIONALLY BIASED

(Mr. SMITH of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Texas. Mr. Speaker, Americans are increasingly skeptical about the national news they receive. A new study released this month conducted by the First Amendment Center and USA Today found that only 24 percent of Americans believe the media try to report the news without bias. This is a record low since the question was first asked a decade ago.

Mr. Speaker, 70 percent of respondents believe that news reports are intentionally biased. This represents a 15 percent increase just since last year. Millennials are even more suspicious about the news. Only 7 percent of Americans 18 to 21 years old said that the media report news objectively.

Media bias is both real and unfortunate. Americans will continue to reject the bias of the national liberal media until the media stops telling them what to think.

RECOGNIZING KATHY ARTS OF THE FOURTH CONGRESSIONAL DISTRICT OF CALIFORNIA

(Mr. MCCLINTOCK asked and was given permission to address the House for 1 minute.)

Mr. MCCLINTOCK. Mr. Speaker, Walt Whitman explained the story of mankind when he said: ''The powerful play goes on, and you will contribute a verse.''

I rise today to recognize the many verses contributed by an extraordinary lady, Kathy Arts. Kathy has managed my district office for nearly 7 years and is retiring to contribute still more verses through her family, her friends, colleagues, community, and church.

Whether as a small-business owner for the past 28 years, a volunteer coordinator for local county fairs and community festivals or a charity fundraiser, Kathy is the paragon of a go-to person.

Kathy's most conspicuous virtue is her genuine concern for helping others, and that has been a godsend to my office and to the people of the Fourth Congressional District of California. In this, she is irreplaceable.

When I think of a meaningful life, I think of Kathy Arts and rise to thank her for her public service.

PLANNED PARENTHOOD

(Mr. STUTZMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STUTZMAN. Mr. Speaker, I rise today in support of protecting the lives of the unborn and condemn the barbaric practices of Planned Parenthood as described by the foundation's medical directors in recently released video footage. The heartless and blatant disregard for the sanctity of life reveals the systemic problems with this organization, specifically, their culture of death.

Mr. Speaker, let's think about this: How can life-giving organs be considered more valuable than the very life of the baby from which they are taking those organs?

Hopefully, these sobering clips will embolden the Senate to move on finishing the fight to protect the unborn that are medically documented to feel pain at 20 weeks and pass H.R. 36, the Pain-Capable Unborn Child Protection Act.

In closing, Mr. Speaker, as the veil is pulled back and the practices of Planned Parenthood are further exposed, I remain steadfast in preventing taxpayer dollars from funding this organization. We must protect the innocent lives of the unborn in every way that we can.

HONORING HAL COXIN OF LAKE COUNTY, ILLINOIS

(Mr. DOLD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DOLD. Mr. Speaker, I rise today to recognize the contributions of Hal Coxin to our community in Lake County, Illinois. Hal is literally an institution in Lake County, and there are few local leaders or organizations that have not benefited from Hal's leadership, generosity, and friendship.

On July 28, Hal is retiring from Consumers Credit Union, where he and his team led efforts to open the door for credit to thousands of people who otherwise would never have thought it possible.

Hal recognized that Consumers could do more for its customers than provide financial services and that they could also play a role in helping improve people's lives in other ways. It was not uncommon to find Hal and his team holding workshops or helping in the library, working to volunteer with organizations and helping them raise much-needed resources for very, very worthy causes.

Mr. Speaker, I am honored to call Hal my friend. He will surely be missed, but there is no doubt that he will continue to help people in our community even in retirement.

Thank you, Hal.

PROVIDING FOR CONSIDERATION OF H.R. 1599, SAFE AND ACCURATE FOOD LABELING ACT OF 2015, AND PROVIDING FOR CONSIDERATION OF H.R. 1734, IMPROVING COAL COMBUSTION RESIDUALS REGULATION ACT OF 2015

Mr. BYRNE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 369 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 369

Resolved, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1599) to amend the Federal Food, Drug, and Cosmetic Act with respect to food produced from, containing, or consisting of a bioengineered organism, the labeling of natural foods, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Committee on Agriculture now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114-24 modified by the amendment printed in part A of the report of the Committee on Rules accompanying this resolution. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part B of the report of the Committee on Rules. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. At any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1734) to amend subtitle D of the Solid Waste Disposal Act to encourage recovery and beneficial use of coal combustion residuals and establish requirements for the proper management and disposal of coal combustion residuals that are protective of human health and the environment. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. All points of order against provisions in the bill are waived. No amendment to the bill shall be in order except those printed in part C of the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

□ 1230

The SPEAKER pro tempore (Mr. LOUDERMILK). The gentleman from Alabama is recognized for 1 hour.

Mr. BYRNE. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. BYRNE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. BYRNE. House Resolution 369 provides a structured rule for consideration of H.R. 1734, the Improving Coal Combustion Residuals Regulation Act of 2015, and H.R. 1599, the Safe and Accurate Food Labeling Act of 2015.

Mr. Speaker, when I am back in southwest Alabama for district travel, I spend a lot of time visiting with small-business owners and holding townhall meetings. At almost every event I hold, someone mentions how regulations are having a negative impact on them, their business, and their employees. These regulations cover everything from energy to health care to tax policy. Too many of my constituents are drowning in red tape, and they are forced to spend too much money and time complying with burdensome regulations.

Now, I get it; a lot of people in Washington think that they know best. These bureaucrats get in a room, and they start scheming on how they can solve all these problems, and our answer is almost always that we need more rules and regulations.

Mr. Speaker, this is entirely the wrong approach. This kind of top-down, Washington knows best strategy is not working, and it is putting a real burden on my constituents in Alabama and people all over the country. That is why this rule allows for the consideration of two bills that are focused on simplifying the regulatory process in two very important areas, energy and agriculture.

Being from Alabama, I know a thing or two about these topics. Anyone who has ever spent time in lower Alabama during July or August knows just how hot it can get, so that means families down there have to spend a pretty penny on their power bills during these summer months.

Well, under the Obama administration's EPA, regulations on the energy sector have skyrocketed. The costs from these regulations are most certainly passed on to the consumer in the form of higher power bills, and the compliance burdens associated with these regulations are making it harder and harder for utilities to deliver reliable power to their customers.

That is why the current enforcement structure of EPA's rule on coal combustion residuals, or CCRs, is so concerning. While most of us were pleased that the EPA decided to regulate CCR as a nonhazardous solid waste, we are left with civil suits in place of commonsense enforcement measures to make sure the industry is complying with EPA standards. This creates uncertainty among industry and a patchwork of interpretations by various courts around the country.

The EPA rule also creates some unintended consequences when it comes to

Federal and State jurisdiction. That is why the Improving Coal Combustion Residuals Regulation Act empowers States and allows them to establish permit programs to meet or exceed regulatory requirements set forth in the EPA's final rule.

It only makes sense that each State, with their unique topography and geographic conditions, should be able to set the permitting requirements most appropriate for their conditions in order to meet these EPA standards. In fact, States already govern the disposal of solid and hazardous waste under the Resource Conservation and Recovery Act, or RCRA, and have done so since 1976.

It is important to point out that these regulatory reforms do not change the minimum requirements under the EPA rule, which are designed to protect human health and the environment. This legislation actually codifies these standards and sets them as the baseline for State permitting programs nationwide.

Mr. Speaker, I expect that some of my friends on the other side are going to argue that this legislation, in some way, weakens standards. Let me tell you what will result in weakened standards, allowing different Federal judges from all across the country to decide how the law should be interpreted and how standards should be set, despite the fact that these judges have no real background in regulatory matters regarding these sorts of hazardous wastes, these sorts of wastes at all.

Instead of that flawed system, let's allow States to create their own permitting system, which must comply with the EPA standard. By getting frivolous civil lawsuits out of the way, estimates project that this legislation will protect around 316,000 jobs. If my colleagues on the other side think that this is a waste of time, then I want them to tell that to these 316,000 families.

H.R. 1734 is a good bill that makes some very sensible reforms that simplify the process for the safe management and disposal of coal ash while providing a realistic enforcement mechanism for existing environmental standards.

The second bill covered by this rule, the Safe and Accurate Food Labeling Act, deals with agriculture. Now, agriculture is the top industry in my home State of Alabama, with over 500,000 jobs. I have heard from a number of farmers who support this bipartisan legislation.

H.R. 1599 will provide much needed clarity and uniformity in the labeling of food products containing genetically engineered plants or ingredients. This commonsense legislation is supported by almost 500 associations and farmers from Hawaii to Maine.

The current regulatory system is a patchwork of State and local regulations, which create unnecessary costs among consumers and food manufacturers without really helping to increase consumer awareness. In fact, a study by Cornell University found that food prices could rise for American families by as much as $500 a year if something isn't changed.

This legislation would streamline the labeling process and create a national, voluntary food labeling standard for products derived from GMOs. By doing so, America's farmers and food manufacturers won't be burdened with inconsistent and costly regulations.

This legislation isn't just good for producers and farmers; it creates a uniform system driven by consumer demand. Under this bill, consumers will be able to easily identify products and make their own decisions about what products are best for them and their families.

Mr. Speaker, these bills are both about reducing the regulatory burden and simplifying the regulatory process. From consumers to small-business owners to rural electric cooperatives to family farmers, people shouldn't have to spend precious time and money figuring out how to comply with regulations.

Instead, here in Congress, we should be focused on getting government out of the way and allowing the American people to actually do their job, and that is what both of these bills do.

This is a fair rule, and I urge its support. The coal ash rule allows for six amendments, all but one of them Democrat amendments. The food labeling rule allows for four amendments, all of them Democrat amendments, including one amendment that is a complete substitute for the bill.

The Rules Committee has worked very hard to make a very fair amendment process, and I believe that is exactly what this bill has done.

I do urge support for this rule.

Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I want to thank the gentleman from Alabama (Mr. BYRNE) for the customary 30 minutes, and I yield myself such time as I may consume.

I rise in very strong opposition to this rule, which provides for consideration of H.R. 1599, the so-called Safe and Accurate Food Labeling Act, and H.R. 1734, the Improving Coal Combustion Residuals Regulation Act.

This week, we are back on the floor with our twenty-fourth grab bag rule, one rule that governs debate for two completely unrelated measures. Today, the Republican majority has chosen to group together a bill that undermines an EPA rulemaking designed to protect public health and our environment with a bill designed to make it harder for consumers to know whether or not their food has been produced with genetically engineered ingredients.

Utilizing this kind of rule for two completely separate bills leads to disjointed debate. It limits the time that people have to be able to talk about these issues, but it is a deliberate attempt by the Republican majority to suppress debate. They don't want to bring serious issues to the floor, and they certainly don't want serious debate, and I regret very much that this has become a pattern.

I also oppose this rule because neither bill is an open rule. A lot of Members, I am sure, have a lot of issues they want to raise on both these bills, but they are not going to have that opportunity. The Rules Committee denied a whole bunch of amendments on the GMO labeling bill last night in committee.

I would urge my colleagues on both sides of the aisle to stand up for open debate and an open process and reject this. Send a message to the Republican leadership that enough is enough.

Mr. Speaker, with regard to H.R. 1734, the so-called Improving Coal Combustion Residuals Regulation Act, this bill continues the Republicans' anti-science, antienvironment, antipublic health fight. There is not a week that goes by that we don't have a bill that seeks to try to undermine regulation or rulemaking that is designed to help protect the people of this country.

This bill undercuts EPA's new coal ash rule, putting many communities at risk of exposure. Coal ash is highly toxic and needs to be properly disposed of, and the devastating health effects from exposure to neurotoxins in coal ash—like lead, mercury, and arsenic—are well known.

This bill is just another Republican bill attempting to undermine common sense, health, and safety protection from toxic chemicals. The American people deserve much better. I am glad the White House has issued a veto threat against the bill.

I include the Statement of Administration Policy in the RECORD.

STATEMENT OF ADMINISTRATION POLICY

H.R. 1734—IMPROVING COAL COMBUSTION RESIDUALS REGULATION ACT OF 2015

(Rep. McKinley, R–WV, and 44 cosponsors; July 21, 2015)

The Administration strongly opposes H.R. 1734, because it would undermine the protection of public health and the environment provided by the Environmental Protection Agency's (EPA's) December 2014 final rule addressing the risks posed by mismanaged impoundments of coal ash and other coal combustion residuals (CCR). The 2008 failure of a coal ash impoundment in Kingston, Tennessee, and the 2014 coal ash spill into the Dan River in Eden, North Carolina, serve as stark reminders of the need for safe disposal and management of coal ash.

EPA's rule articulates clear and consistent national standards to protect public health and the environment, prevent contamination of drinking water, and minimize the risk of catastrophic failure at coal ash surface impoundments. H.R. 1734 would, however, substantially weaken these protections. For example, the bill would eliminate restrictions

on how close coal ash impoundments can be located to drinking water sources. It also would undermine EPA's requirement that unlined impoundments must close or be retrofitted with protective liners if they are leaking and contaminating drinking water. Further, the bill would delay requirements in EPA's final CCR rule, including structural integrity and closure requirements, for which tailored extensions are already available through EPA's rule and through approved Solid Waste Management Plans.

While the Administration supports appropriate State program flexibility, H.R. 1734 would allow States to modify or waive critical protective requirements found in EPA's final CCR rule. Specifically, H.R. 1734 authorizes States to implement permit programs that would not meet a national minimum standard of protection and fails to provide EPA with an opportunity to review and approve State permit programs prior to implementation, departing from the longstanding precedent of previously enacted Federal environmental statutes.

Because it would undercut important national protections provided by EPA's 2014 CCR management and disposal rule, the Administration strongly opposes H.R. 1734. If the President were presented with H.R. 1734 as drafted, his senior advisors would recommend that he veto the bill.

□ 1245

Mr. MCGOVERN. Mr. Speaker, I am going to spend most of my time talking about the other bill, which I also strongly oppose, H.R. 1599, which they have titled the Safe and Accurate Food Labeling Act of 2015, one of the most misnamed pieces of legislation that I think we have considered this year.

Mr. Speaker, I believe at the center of the debate about this bill is Americans' fundamental right to know what is in the food they eat and how it is grown. I believe people ought to have the right, plain and simple.

This isn't a debate about the science behind GMOs. That is a separate debate. Yet, whether you love GMOs or hate them, you ought to know if the food that you are feeding your family is made from them.

Mr. Speaker, the Food and Drug Administration requires the labeling of thousands of ingredients, additives, and processes, many of which have nothing to do with safety or nutrition.

For example, the FDA requires the mandatory labeling of juice when it is from concentrate. Food labels are a simple and a reliable way to tell people what is in their food and how it is made.

Americans have told us loud and clear that they want to know what is in their food. Poll after poll indicates the widespread support for labeling GMOs. A recent poll by the Mellman Group found that 91 percent are in favor of labeling with 81 percent saying they strongly prefer GMO labeling.

The support for labeling cuts across party identification, gender, age—you name it. As well, three States—Vermont, Maine, and Connecticut—have listened to their citizens and have passed laws requiring that GMO foods be labeled, and dozens more are considering similar initiatives, including my home State of Massachusetts.

I understand the concern with 50 different States passing 50 different State labeling laws. I get it. That is why I support mandatory GMO labeling. We need a national standard that eliminates confusion and puts the American people in charge.

Unfortunately, the bill before us only adds to the confusion. It codifies the existing voluntary labeling system for GMO foods that hasn't worked and that hasn't provided consumers the information that they want.

It preempts States from responding to consumer demand and requiring GMO labeling, and it invalidates State laws already in place. It continues to allow foods that contain GMOs to be labeled as ''natural'' despite the fact that 60 percent of Americans believe that ''natural'' means GMO-free.

Mr. Speaker, I have a stack of letters here from a variety of organizations that are opposed to H.R. 1599—the National Farmers Union—representing family farmers and ranchers across the country.

They oppose this bill as well as the Consumers Union, the National Black Farmers, and 125 CEOs and business leaders from Massachusetts and across the country, including Whole Foods Market co-CEO Walter Robb; Chipotle CEO and chairman Steve Ells; Clif Bar, Inc., CEO Kevin Cleary; Newman's Own Organics cofounder Nell Newman; Panera Bread, Inc., CEO Ron Shaich; Patagonia, Inc., CEO Rose Marcario; American Sustainable Business Council CEO and cofounder David Levine; Sweetgreen, Inc., cofounder Nicolas Jammet; chef and founder of the Think Food Group, Jose Andres; Craft Hospitality CEO and well-known chef, Tom Colicchio; and many, many, many others.

The supporters of H.R. 1599 oppose mandatory GMO labeling, claiming that GMO labeling would increase food prices for consumers. This is just simply untrue. I want to read a section of a letter from the CEO of Ben & Jerry's that proves the point:

''As an ice cream company that operates in more than 30 countries, many of which require mandatory GMO labeling, we are not swayed by arguments that mandatory labeling will be expensive. The truth is, we regularly make changes, sometimes big, sometimes small, to our packaging.''

He continues:

''Every year, we make changes to between 25% and 50% of our packaging. Over the last 7 years, we've gone through three full line redesigns. In other words, we have changed the packaging on every single pint in our product line as a matter of normal business. I can tell you unequivocally that changing labels does not require us to raise the price of our products. Lots of things impact the cost a consumer pays for a pint of Ben & Jerry's. Label changes are not one.''

Mr. Speaker, it seems to me that adding a label to indicate that a product contains GMOs ought to be pretty straightforward.

So, to the supporters of H.R. 1599, I would simply ask: What are you afraid of? Why is giving the American people more information about their food such a bad idea?

Perhaps supporters of keeping the American people in the dark believe that, if consumers know that GMOs are in their food, they won't buy it. I don't believe that to be the case. I myself consume GMO foods, as does my family, and we will continue to do so even if there is a label, but that is my choice.

H.R. 1599 really is a Washington-knows-best approach. I mean, this is the epitome of a Washington-knows-best approach. It says, We don't care what people want. We don't care what people think. We politicians in Washington know best.

I am going to tell you something. That is why people hate Congress. That is why people are frustrated with Congress. They don't think we listen.

Let me suggest to my colleagues a radical idea—and brace yourselves because this is a really, really radical idea—give the American people what they want.

I reserve the balance of my time.

Mr. BYRNE. Mr. Speaker, I yield myself such time as I may consume.

I was listening to the gentleman's remarks. If he believes that, by codifying the EPA regulation that this bill is undermining the EPA, I just don't follow that reasoning. That is what this bill does.

It takes the EPA regulation and it codifies it. It puts it into statutory law. It sets it as a minimum, and it allows the State regulators who are already regulating solid and hazardous waste to use that as a minimum and to go above it.

Far from undermining the EPA's authority here, far from undermining the effort to get a clean environment for the people of America, this enhances it by putting it into law and allowing the States to go above it if that is what they want to do.

What this bill really does that is new and is different from what the EPA is trying to do is that it takes the enforcement of this away from different Federal courts around the country, and it gives it to the State regulators, who are already providing this regulation in other common areas and who have been since 1976.

I am a lawyer and have practiced in Federal courts. We have many fine Federal district judges around the country, but they are not experts in this area. If you bring a lawsuit in their courts, they and their law clerks

will work very hard to make sure that they get it as close to right as they can.

But in not having their experience and their expertise, we are going to get a lot of differences. We are going to get a patchwork. Whereas, if we go to the State regulators, who are doing it now, we are going to get something that makes sense within each of these individual States, given their different geographies and topographies and other things that we should consider. This coal ash bill does not undermine the law. It enhances the law.

Now, on the food labeling law, we had discussion about this in the Rules Committee yesterday. I am a consumer. I go to the store. My wife sends me to the store, and she says to get this, this, this, and this. She does a lot of studying before I do that, but sometimes I have to read the labels.

Now, imagine that I go to a store where I live in Alabama and that I am an hour away from Mississippi and an hour away from Florida. Somebody has got to put a product on store shelves up and down the gulf coast, and they have got to comply with all three States' regulations on what has got to be on the label.

I am going to pick up a can, and there are going to be all of these different disclosure requirements, but they have been put on the same can because they have got to make sure they can market it in all of these States.

I have got to figure out what does all of that mean as opposed to having one common, uniform disclosure. If somebody chooses not to disclose—if a producer of a given food product chooses not to disclose whether or not it contains GMOs—I am going to assume that there are. If I have a problem with GMOs, I am not going to buy it.

Five percent of the consumers in America today won't buy GMOs, and they are pretty educated consumers. What they are going to do is they are going to go into the store and say, ''All right. Who has got GMO labeling and who doesn't? If they don't, I am not buying it.''

If the producers of those foods want to sell something to those customers, they had better start taking advantage of what is happening through this common rule, this uniform rule, across the country to market themselves.

Far from hurting the consumers, this helps the consumers. That is what this bill has tried so very hard to do, and I think they have done a good job with it.

Mr. Speaker, I yield 5 minutes to the gentleman from Washington (Mr. NEWHOUSE), a member of the Rules Committee and a farmer himself.

Mr. NEWHOUSE. I would like to thank my colleague from Alabama, a member of the Rules Committee, as well as joining Mr. MCGOVERN with whom we share a Rules Committee assignment.

Mr. Speaker, I rise in support of the rule that we are considering as well as the underlying legislation, both bills, but I would like to specifically speak to H.R. 1599, which is, I believe, accurately labeled the Safe and Accurate Food Labeling Act. I think, also, I would like to talk to the positive impacts that it will have on our Nation's food supply.

Many of you may know that, prior to coming to Congress, I was the director of the Washington State Department of Agriculture. Shortly after my time at the WSDA, several groups in my home State of Washington proposed a ballot initiative, I–522, which would have required mandatory labeling of biotech food products or of those using ingredients that had biotech ingredients, also referred to as GMOs.

Now, I opposed I–522 for a couple of reasons but mainly because of the impact that we could see it would have on our farmers and on our ranchers and on our grocers but, more importantly, on our consumers, the families who are making food decisions in the grocery stores, who, in the end, would pay higher food prices as a result of this mandatory labeling law that was being considered.

In our State, we have the Washington Research Council, and it conducted an independent study, showing that the mandatory food labeling of biotech ingredients would cost the average family at least—at a minimum—$450 a year in increased food costs. That is assuming that Washington was the only jurisdiction to create such a law.

Now, if other States and other cities—other localities—decided to follow suit and pass their own laws, such as Seattle or New York or Boston or San Francisco or Oregon, food producers would face an incredible, unworkable patchwork of legal definitions of what a ''GMO'' is and how to label it.

I can only imagine a food producer having to print, say, 100 different labels for its products depending on where they were destined, where they were to be sold, and the liability they would face if, for instance, a box of food labeled for Phoenix ended up in Las Vegas or in Los Angeles or in Salt Lake City.

Many producers are considering stopping or have stopped selling products in the State of Vermont, which is the most recent State to adopt mandatory labeling standards, because of this increased cost, because of the uncertainty and the liability that separate jurisdictions would create.

In my estimation and what the people of my State have said is that what we need is a national voluntary label, much like organic, a label which gives consumers who want to purchase non-GMO foods the freedom to do so, but that will not impose higher costs on producers or consumers.

Mr. Speaker, critics of this bill, H.R. 1599, unfairly claim it will limit the ability of consumers to know what they are purchasing; but let me say that that just simply is not the case, that it is not true.

If you go into a grocery store and want to purchase an organic product, that is something that you are easily able to do, and that is exactly what this bill will do for GMO foods. It will create a similar label.

So make no mistake. If buying non-GMO is important to any of you as a consumer, then you will have every ability to do so when you walk into a grocery store and make your purchase.

You will have the confidence of the United States Department of Agriculture's system of making sure that those labels are consistent from one State to the other; so you will know what you are buying by what that label says.

Mr. Speaker, the Founders of our Nation gave Congress a tool in our Constitution to regulate interstate commerce to prevent the types of legal patchworks and market distortions that we are beginning to see on this issue.

I strongly urge my colleagues to support the rule, to support H.R. 1599, and protect the Nation's access to safe, affordable food.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

I appreciate the comments from my colleagues from Washington and Alabama. Both serve on the Rules Committee with me, and I respect them; but I do not think they were paying attention to my speech.

I am not arguing here for a patchwork of 50 different rules and regulations with regard to labeling. What I am saying is that what my friends are proposing here, which is voluntary labeling on non-GMO products, should be replaced with mandatory GMO labeling across the country.

That is what people want, and that is what this bill would deny. You are not only preempting States and telling States that they have no role in this debate and you are not only preempting the will of the American people here, but you are setting a standard here so that people will be kept in the dark.

□ 1300

I want uniformity, but I want more information, and this idea that somehow labeling will increase food prices is just baseless; it is baseless. There are plenty of things that increase the prices that we pay at the grocery store—transportation costs and ingredients costs, those all add to the cost—but GMO labeling is not one of them. In study after study, we have seen that a simple GMO disclaimer on food packaging will not increase food prices.

I just read to you the letter from the CEO of Ben & Jerry's. Food companies change their labels all the time to

make new claims. All food companies will soon have to change their labels to make important changes to the nutrition fact panel.

Adding a few words on the back of the food package about genetic engineering will not impact the cost of making food. That is just not a real argument; that is just baseless. Let's focus on what this bill really does. It basically keeps the American people in the dark about what is in their food.

I yield 4 minutes to the gentleman from Oregon (Mr. DEFAZIO), the distinguished ranking member of the Committee on Transportation and Infrastructure.

Mr. DEFAZIO. Mr. Speaker, I have listened with interest to the speakers who preceded me, and the gentleman from Massachusetts is absolutely right. The simple solution is to adopt a uniform national mandatory standard that would give that information on the label. Eighty-eight percent of the American people who regularly are polled say: We would like that information on the label.

It will not add cost any more than printing ''red dye no. 2'' on the label adds cost to the label. It will add no cost. It would have a uniform national standard. You wouldn't have to worry about a proliferation of the States, and then you wouldn't have to contradict yourselves as Republicans when, every day, you are down here screaming about states' rights, and now, when States do something you don't like: Oh, my God, states' rights, out of here.

It is not just the labeling. Yeah, there are three blue States that have labeled, and you don't care if you preempt their laws—got that; but there are a lot of red States and purple States and blue States where the departments of agriculture have recognized the reality of GMO and the potential pollution of conventional non-GMO and organic crops.

We had a little incident in Oregon where all our wheat export was stopped because GMO-modified wheat was found in the middle of a very large conventional farm. Until they could figure out how it got there and how much pollution there might be or cross-contamination of Oregon's huge wheat exports, they were all stopped because 64 countries around the world require this labeling, and somehow, the U.S. conglomerates who make food and export processed food are able to label over there.

I have a Hershey's label from the EU. I will show it tomorrow. It's beautiful. It's got an American flag on it, made in the USA, contains GMOs. They can do it over there, but they can't do it here because it would just drive the price up stratospherically. That seems odd.

In fact, this would help them. If we adopted a national standard here—and the way my bill is written, it would be essentially the same as that required in the European Union and 64 other countries—then they could ship their food to all 50 States, the territories, and 64 countries around the world without having to make any changes. They might save some money then if labels are so expensive.

But, no, we are going to have a meaningless, voluntary label. Even worse, we are going to create a new label. We are going to say that ''natural'' means GMO. When you mate a flounder with a tomato plant—which is what they do, just like hybridizing, flounders, tomato plants, they get together all the time—then that is natural.

Or when you take a salmon and you introduce an eel gene—they mate, cross-breed all the time—well, no, actually, they don't—and the salmon grows twice as fast as normal salmon, then that is natural.

You won't be able to say ''contains GMOs'' if you can say ''natural'' and ''natural'' means contains GMOs, unless they want to voluntarily go on and say: Well, under the new ''natural'' label, I can have GMOs, but I am going to put it is natural, but it contains GMOs.

This has the prospect of causing tremendous chaos with a new, very confusing label for the American consumers.

Back to the cross-contamination—again, this is not just a blue State issue; it is a red State issue. We have huge export markets, and those 64 countries will not accept products that contain GMOs. If you strip out State regulations, how they claim they have fixed the bill, and they don't strip out all the State department of agriculture regulations in some 35 States around the country, many of them very red States.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MCGOVERN. I yield the gentleman an additional 2 minutes.

Mr. DEFAZIO. Mr. Speaker, they claim to have fixed it, but the language is still a little bit ambiguous. Many people who have read it—experts say no, actually, it looks like we are preempting State department of agriculture on separation and buffer zones and other things to protect conventional farmers, organic farmers from the GMOs.

I had a very simple amendment that would just say this does not preempt any State department of agriculture which has adopted for the purposes of redacting conventional crops, non-GMO, and organic crops for reasonable buffer zones and other sorts of provisions to prevent that cross-contamination. That is wiped out by this bill, in my opinion and the opinion of many other experts. My amendment was not allowed.

I am thankful that I had one amendment allowed which will say, if you are already labeling it in countries all around the world, you have got to label it here. That is good, but preferably, we would have uniform labeling of everything in the 50 States and internationally by just requiring that you disclose that it contains GMOs.

There is another amendment that will be offered tomorrow which will do away with this new ''natural'' standard, ''natural'' meaning mandatorily under Federal law contains GMOs. ''Natural'' can contain GMOs. I think that is pretty disingenuous, and I am not sure who slipped that little beauty in there.

If you want to talk about confusing consumers, ''organic,'' ''natural.'' Whoa, what is the difference between ''natural'' and ''organic''? Well, I like ''natural.'' ''Organic,'' that sounds kind of complicated; I will go with ''natural.'' Oh, that contains GMOs. Well, it doesn't say that. No, it doesn't. It says ''natural.'' ''Natural'' contains GMOs.

If the gentleman is really concerned about consumer confusion, you should support that amendment tomorrow to do away with this new disingenuous label.

Mr. BYRNE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I wanted to assure my friend from Massachusetts that the gentleman from Washington and I are indeed paying attention to him, as we do in the Committee on Rules. He is a very knowledgeable gentleman and certainly makes very interesting points.

The problem is that, as I listened to you talk, what you were saying, the gentleman says, I think quite eloquently, that we need a national standard, and right now, we don't have a national standard. This bill will provide a national standard.

If you want a national standard, the status quo doesn't get you there. If you want a national standard, this bill gets you there. That is why the bill has been offered. That is why we have this rule today, and that is why it is so important that we have this debate and the debate on the underlying rule, so we can make sure we are all straight about what this bill does and does not do.

This bill does something that is not being done right now. It provides a national standard for GMO. The gentleman, I think, would like for it to be mandatory; the bill calls for it to be voluntary. We can disagree about whether or not that is advisable, but we can't disagree about the fact that there is no national standard now, and this bill provides one.

I want to make sure the gentleman knows, we listened to him. He makes very interesting points that are always educational to us, but we don't agree with his line of thought here. This bill, in our judgment, gets us where I think he is trying to take us to go.

I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would just simply say to the gentleman, I agree with him that this bill that will be considered tomorrow that this rule will make in order does create a national standard.

The problem is that it is a national standard that keeps consumers in the dark about what is in their food. Many of us would prefer a national standard that kind of shines some light on what is in people's food so that consumers know what they are buying. That is what consumers want.

I will go back to what I said in my opening statement. I know this is a radical idea in this particular Congress, but we ought to try something different. We ought to try giving the American people what they want. On this issue, they want to know what is in their food. They want to know whether their foods contain GMOs.

Again, this is not a debate about whether GMOs are good or bad. As I said before, I eat GMOs; I consume GMOs; my family consumes GMOs. That is not what this debate is about. This is about information, transparency, and giving consumers what they want.

Mr. Speaker, I am going to ask my colleagues to defeat the previous question, and if we do, I will offer an amendment to the rule to bring up H.R. 3064, a comprehensive 6-year surface transportation bill that is partially paid for by restricting U.S. companies from using so-called inversion to shirk their tax obligations.

I ask unanimous consent to insert the text of my amendment in the RECORD along with extraneous material immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MCGOVERN. Mr. Speaker, I yield 3 minutes to the gentleman from Maryland (Mr. VAN HOLLEN), the distinguished ranking member of the Committee on Budget, to discuss this proposal.

Mr. VAN HOLLEN. Mr. Speaker, I do just want to take a break from the GMO debate to talk about a huge problem confronting our country, and that is the infrastructure that is in disrepair, from roads to bridges to transit ways around this country.

The American people know it, and they are backed up in what they can see in front of them by a report from the American Society of Civil Engineers. They are the nonpartisan pros; they are the experts.

They have looked at the state of American infrastructure and given us a grade of a D-plus—D-plus. Nobody should be happy with a D-plus. The sad thing is that this Congress should get an F grade for failing to respond to the bad grade with respect to our failing infrastructure.

In the face of this big problem, what did the House do? Well, we are about to run out of money in 8 days. We are about to see the end of the authorization in 8 days; so the House of Representatives, instead of coming up with a long-term plan to address this issue, which is what we should do, came up with another kick-the-can-down-the-road Band-Aid approach. They said, we are going to provide an extension of the inadequate funding for just 5 more months, just to December of this year.

Now, we are a great country, and I think everybody knows that if you are planning to make major investments in infrastructure, whether it is our roads or our bridges or transit ways, you need a little more certainty and stability than that.

Certainly, the private sector couldn't plan on 5-month intervals, and we are asking these companies and these workers and these States to come up with long-term plans for our States and for our country on infrastructure, but we are only going to give them 5 months of certainty going forward. We think that is a bad idea. Guess what. Senate Republicans also think that is a bad idea. They came up with a 6-year plan.

Now, what we are providing this House today is the opportunity on the very next vote to vote for the opportunity to vote on a robust 6-year transportation infrastructure plan that is fully funded for the first 2 years.

How do we pay for that 2-year installment? We pay for it, Mr. Speaker, by getting rid of this egregious tax loophole that many multinational corporations are using to escape their responsibilities to the American taxpayer.

Here is how it works. You have an American company. Their headquarters are here; their people are here; everything they do is here. Then they go and they purchase a small company, a small foreign company, and they move their mailing address overseas to that small company, and then that American company benefits from the educational system we have here in the United States.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MCGOVERN. I yield the gentleman an additional 1 minute.

Mr. VAN HOLLEN. Mr. Speaker, they purchase a small foreign company, and then they move their mailing address overseas to that small company. They then say to the American taxpayer: Guess what. We don't have to pay any more taxes in the United States. We don't have to pay taxes for the infrastructure that we have that does support us. We don't have to pay for the education system that supports us. We want a free ride.

Now, we need to close down this tax break. More and more companies every day are taking advantage of it.

□ 1315

If you close that loophole, you generate $40 billion. And you use that money that otherwise would go to the bottom line of these corporations that are trying to escape their responsibility to the American people and you invest it in infrastructure right here at home. You help modernize your infrastructure, and you put more people to work.

We have introduced a piece of legislation, Mr. Speaker, to do that. The bill is H.R. 3064. And if we defeat the previous question, we as a House will have an opportunity to vote on a 6-year, robust transportation plan that is funded for 2 years by closing this egregious tax loophole that is being exploited by corporations.

Let's defeat the previous question. Let's do the right thing for American workers and American infrastructure.

Mr. BYRNE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I appreciate the points of the gentleman from Maryland. I, too, would like to see a 6-year highway bill. If you come to my district and see Interstate 10 going through Mobile at rush hour, on a holiday weekend, or on a summer weekend, you will see cars backed up just about every direction. We need another I–10 bridge across the Mobile River. We can't do that with a short-term highway bill.

So I strongly support what you are trying to accomplish—maybe not exactly how you are trying to get there, but I certainly support the concept there.

Here is the problem, though. Your idea, whatever it is, hasn't been vetted through committee. You are just going to put it up here in place of whatever we have got, and there really won't be an adequate opportunity for the Members of this House to understand all the details, and the details are going to matter.

Also, I was listening to the gentleman from Massachusetts in his initial statement talk about how inappropriate it is that we put two different bills on two different topics under one rule, and now we are going to interject transportation. Well, if agriculture and energy are confusing, if we add transportation, it is going to be further confusing.

So as much as I appreciate the idea that the gentleman from Maryland has—perhaps not the specifics, but the idea—this is not the appropriate place, and this is certainly not the appropriate rule for us to be discussing it.

When the time comes to be appropriate, I will actually move the previous question, but I will also ask all of my colleagues to support the previous question when I do so. I believe that is the appropriate way for this House to handle a matter of this magnitude, and it is a matter of great magnitude.

I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

Before I close, I will insert in the RECORD a letter from the National Farmers Union supporting mandatory GMO labeling and opposed to H.R. 1599; a letter from Dr. John W. Boyd, Jr., the Founder and President of the National Black Farmers Association; a letter from Ben Burkett, the Executive Director of the National Family Farm Coalition, opposed to H.R. 1599; a letter from the Consumers Union opposed to H.R. 1599; a letter from Jostein Solheim, the CEO of Ben & Jerry's, opposed to the underlying bill; a letter from Tom Colicchio on behalf of the Food Policy Action group, opposed to H.R. 1599; a letter from Scott Faber, Senior Vice President for Governmental Affairs at EWG, opposed to H.R. 1599; a letter from the Consumer Federation of America opposed to H.R. 1599 and in support of mandatory GMO labeling; a letter from the CEO of National Co+op Grocers, opposed to the bill; and a letter from a group called Just Label It, signed by a whole bunch of people opposed to the bill and for mandatory GMO labeling.

[From the National Farmers Union, July 21, 2015]

NFU REITERATES SUPPORT FOR MANDATORY GMO LABELING, OPPOSES POMPEO BILL BUT NOTES PROGRESS

WASHINGTON.—In light of the U.S. House of Representatives' consideration of the Safe and Accurate Food Labeling Act (H.R. 1599), National Farmers Union (NFU) President Roger Johnson again highlighted NFU policy on Genetically Modified Organism (GMO) labeling. The policy supports conspicuous, mandatory, uniform and federal labeling for food products throughout the processing chain to include all ingredients, additives and processes, including genetically altered or engineered food products.

''NFU appreciates efforts by Representatives Pompeo, R-Kansas, and Davis, R-Illinois, to reduce consumer confusion and standardize a GMO label;'' said Johnson. ''The bill passed out of committee makes significant improvements over previous versions of this bill. Absent a mandatory labeling framework, however, NFU cannot support this bill.''

Johnson noted that the bill has changed several times from the one introduced during the last Congress. Improvements include additional authority for the U.S. Department of Agriculture (USDA), a labeling framework that if utilized could reduce consumer confusion, greater emphasis on the Food and Drug Administration's role in safety reviews, and a GMO label that works in conjunction with USDA's organic seal instead of counter to it.

''Consumers increasingly want to know more information about their food, and producers want to share that information with them,'' said Johnson. ''It is time to find common ground that includes some form of mandatory disclosure for the benefit of all aspects of the value chain, but this bill is not that common ground.''

JULY 15, 2015.

Hon. JOHN BOEHNER,
Office of the Speaker of the House.
Hon. NANCY PELOSI,
Office of the Democratic Leader.

Re ''Safe and Accurate Food Labeling Act,'' H.R. 1599

DEAR SPEAKER BOEHNER AND LEADER PELOSI: The National Black Farmers Association (NBFA), a non-profit organization representing African American farmers and their families with tens of thousands of members nationwide, urge you to oppose the ''Safe and Accurate Food Labeling Act'' (also known as the ''Deny Americans the Right to Know (DARK) Act'').

NBFA strongly supports mandatory labeling of genetically engineered foods (commonly called ''GMOs''). But in spite of its name, the ''Safe and Accurate Food Labeling Act'' undermines farmworker safety and labeling by:

Preempting states from regulating GMO crops to protect farmworker health, public health, and the environment;

Codifying the current, broken voluntary labeling system;

Allowing ''natural'' foods to contain GMO ingredients and preempt state efforts to end misleading ''natural'' claims; and

Virtually eliminating FDA's ability to craft a national GMO labeling system.

While NBFA does not object to farmers growing GMO crops per se, we are aware of the increased use of toxic weed killers associated with herbicide-tolerant GMO crops. As farmers, NBFA members know firsthand that consumers are demanding more information about the food they feed their families—not less.

NBFA stands with the vast majority of Americans who are in favor of labeling GMOs. Because the ''Safe and Accurate Food Labeling Act'' does not require GMO labels, we urge you to oppose the bill.

Sincerely,

DR. JOHN W. BOYD, JR.,
Founder and President,
National Black Farmers Association.

NATIONAL FAMILY FARM COALITION,
Washington, DC, July 21, 2015.

DEAR REPRESENTATIVE, On behalf of the family farmers, ranchers and fishermen we represent, the National Family Farm Coalition (NFFC) urges you to oppose H.R. 1599, the Safe and Accurate Food Labeling Act. H.R. 1599 proponents claim it would establish a national standard for labeling products containing GMOs. In reality, this bill fails to provide more accurate labeling and significantly curtails the ability of state, local and municipal governments to protect their constituents.

H.R. 1599 would establish a voluntary national standard that companies could use to label their products as GMO-free, but FDA guidelines have provided this option for companies since 2001. An overwhelming 88 percent of consumers favor required labeling of food products containing GMOs in a Mellman Group study, but H.R. 1599's voluntary program would also allow companies to label products containing GMOs as 'natural', which is vague and misleading to consumers.

H.R. 1599 would invalidate dozens of state and local laws across the nation. The GMO labeling laws that citizens and legislators worked for diligently in Vermont, Maine and Connecticut would be preempted. Furthermore, H.R. 1599 would block laws creating buffer zones around schools and hospitals to protect children and patients from pesticide exposure, as in Hawaii.

For non-GMO farmers, H.R. 1599 would be disastrous as it would preempt laws designed to protect them from GMO contamination of their fields. Farmers have already suffered through the contamination of wheat, rice and other crops, having lost export dollars to Asian markets that demand non-GMO varieties. Without strong regulations and oversight, farmers' crops and livelihoods are at risk in ways that they, their families and their communities cannot afford.

Striking down the laws around food and food production that a broad array of citizens and officials have worked to enact undermines the democratic processes guaranteed by our constitution. The NFFC asks you to oppose H.R. 1599, thereby preserving the rights of people to know what they are growing and consuming.

Sincerely,

BEN BURKETT,
NFFC Executive Board President.

CONSUMERSUNION®,
Washington, DC, July 21, 2015.

HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR REPRESENTATIVE: Consumers Union, the policy and advocacy arm of Consumer Reports, strongly urges you to vote no on H.R. 1599, introduced by Representative Pompeo, which we understand the House will consider this week. The bill would very broadly preempt state laws relating to genetically engineered (GE) food and crops, and ban any level of government from requiring GE food to be labeled as such.

Consumers Union supports mandatory labeling of GE food, and opposes H.R. 1599, for several reasons. First, consumers want labeling. Polls, including our own, show that more than 90% of consumers want GE food to be labeled accordingly. Yet H.R. 1599 would codify current prevailing federal policy, in which any labeling of GE food must be the voluntary choice of the food producer—a policy which has only generated confusion. The Food and Drug Administration (FDA) adopted this policy 15 years ago, and today there is not a single food product on the market that carries a label indicating it contains GE ingredients.

Second, there are numerous precedents for mandatory labeling. FDA already requires labeling of food if it is homogenized, frozen, or made from concentrate. Some 64 countries, including most of our major trading partners, require labeling of GE food.

Third, states have begun to act on the clear requests of their citizens for information on whether the food they buy contains GE ingredients. Vermont, Maine, and Connecticut have passed legislation requiring labeling of food from GE plants. Other states, including New York, New Jersey, Pennsylvania, Massachusetts, and Illinois, have considered bills. Whether enacted by state legislatures or approved by voters, the ability of states to act democratically to carry out the wishes of their citizens on GE food labeling should not be impeded by Congress.

Fourth, H.R. 1599 would permit the use of ''natural'' claims on the labels of GE food until FDA finalizes a rule defining ''natural'' and decides whether it will continue to allow this practice. The bill would also prohibit states from taking their own steps to regulate the use of these claims. Polling by Consumer Reports has found that more than 60% of consumers are misled, in that they already believe a ''natural'' label on a product means it does not contain genetically modified ingredients. Fully 85% of consumers think that a ''natural'' label on packaged or

processed foods should mean no genetically modified ingredients were used. Yet Consumer Reports testing last year identified five food products labeled ''natural'' that actually did contain such ingredients. By allowing foods labeled as ''natural'' to contain GE ingredients, H.R. 1599 would authorize a deceptive practice that is highly inconsistent with consumer expectations.

Fifth, mandatory GE food labeling would not be expensive. An analysis commissioned by Consumers Union and conducted by an independent economic research firm found from a review of published research that the median cost of requiring GE food labeling is $2.30 per person annually—less than a penny a day for each consumer. This figure takes into account one-time implementation expenses, so the actual cost per person could be even lower.

Finally, H.R. 1599 goes beyond the question of labeling to explicitly prohibit state or local requirements related to the use of GE plants for food in interstate commerce. Restrictions on growing such crops in California, Oregon, Washington, and Hawaii would likely be severely restricted or invalidated. These measures were adopted for a variety of reasons, including to prevent the contamination of specialty crops destined for export, protect against invasive species, and limit the use of toxic pesticides, such as glyphosate, which many GE crops have been engineered to tolerate and which was recently classified by the World Health Organization's cancer research arm as probably carcinogenic to humans.

We therefore strongly urge you to vote no on H.R. 1599, which is contrary to what consumers want, and which would profoundly interfere with the ability of state and local governments to respond to the needs of their citizens.

Sincerely,

JEAN HALLORAN,
Director, Food Policy Initiatives, Consumers Union.

URVASHI RANGAN,
Director, Consumer Safety and Sustainability, Consumer Reports.

HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR REPRESENTATIVE: I write on behalf of Ben & Jerry's to urge you to oppose H.R. 1599, the Safe and Accurate Food Labeling Act of 2015, otherwise known as the DARK Act.

As you know, national public opinion polling shows that more than 90% of Americans want to know whether the products they purchase contain genetically engineered ingredients (GMOs). Just like labels that require disclosure of farm-raised salmon or orange juice from concentrate, mandatory labeling of GMO food will provide consumers the information they need to make choices for themselves and their families. Only mandatory GMO labeling will ensure that American consumers have the same right to know what's in the food as citizens in 64 other countries around the world, including many where Ben & Jerry's operates. H.R. 1599, with its voluntary framework for labeling products without GMOs, will only enhance confusion in the marketplace.

As a Vermont-based company, we are particularly troubled that H.R. 1599 would preempt Vermont's Act 120, which beginning in July of 2016, will require labeling of food products with GMO ingredients sold in Vermont. As a food company doing business in all 50 states, we'd prefer a national standard for mandatory GMO labeling, but absent that, we support states like Vermont passing legislation that ensures transparency and consumers' right to know.

As an ice cream company that operates in more than 30 countries, many of which require mandatory GMO labeling, we are not swayed by arguments that mandatory labeling will be expensive. The truth is, we regularly make changes, sometimes big, sometimes small to our packaging. Every year, we make changes to between 25% and 50% of our packaging. Over the last 7 years, we've gone through three full line redesigns. In other words, we have changed the packaging on every single pint in our product line as a matter of normal business. I can tell you unequivocally that changing labels does not require us to raise the price of our products. Lots of things impact the cost a consumer pays for a pint of Ben & Jerry's. Label changes are not one.

I'd be more than happy to discuss this issue and how it would impact a large international food company like ours in more detail with you or your staff. I urge you to stand with the more than 90% of Americans that support transparency in our food system by opposing H.R. 1599.

All the best,

JOSTEIN SOLHEIM,
CEO, Ben & Jerry's.

FOOD POLICY ACTION,
Washington, DC, July 16, 2015.

DEAR REPRESENTATIVE: I urge you to oppose H.R. 1599, legislation designed to block state and federal GMO labeling laws and to weaken regulation of GMO crops.

As a chef, I want to know what I am feeding my customers. And, my customers want to know what's in their food and how it's grown.

So, I am shocked that some legislators in Washington are trying to deny consumers this basic right.

Next week, legislators in the U.S. House of Representatives will consider H.R. 1599, legislation that would block states from requiring GMO labels and that would make it virtually impossible for FDA to craft a national GMO labeling system.

But that's not all. H.R. 1599 would also block states from regulating GMO crops to protect farmers and public health.

Nine out of ten consumers tell us they want the right to know whether their food contains GMOs—just like consumers in 64 other nations. But, H.R. 1599 would deny them this right.

Congress should be leading efforts to give consumers more information about what's in their food and how it's grown, not less.

I urge you to oppose H.R. 1599.

Sincerely,

TOM COLICCHIO.

EWG,
Washington, DC, July 20, 2015.

DEAR REPRESENTATIVE: EWG strongly opposes H.R. 1599, the so-called ''Safe and Accurate Food Labeling Act of 2015.'' We urge you to vote NO.

Consumers have the right to know what is in their food and how it is grown. H.R. 1599 would deny consumers this basic right by preempting state GMO labeling laws, virtually eliminating the ability of the Food and Drug Administration to craft a national mandatory GMO labeling system, by enshrining a voluntary GMO labeling system that has failed consumers, and by allowing ''natural'' claims on GMO foods.

Nine out of ten consumers want the right to know whether their food has been produced with genetically modified food ingredients—just like consumers in 64 other nations. GMO labeling has not increased food prices in other nations, and studies show that a modest GMO disclosure on the back of food packages will have no impact on food prices or food security needs.

In addition, H.R. 1599 would preempt state and local GMO crop regulations designed to protect farmers from economic harms caused by GMO crops. More than 40 states and counties have adopted rules designed to protect farmers and rural residents from the impacts of GMO crops.

Consumers should have the right to know what it's their food and how it's grown. We urge you to vote NO on H.R. 1599.

Sincerely,

SCOTT FABER,
Senior Vice President for Government Affairs, EWG.

CONSUMER FEDERATION OF AMERICA,
Washington, DC, July 20, 2015.

DEAR MEMBER OF CONGRESS: On behalf of Consumer Federation of America (CFA), I urge you to vote in opposition to the Safe and Accurate Food Labeling Act of 2015 (H.R. 1599) when it comes up for a full floor vote. CFA is an association of 250 nonprofit consumer organizations across the country that was established in 1968 to advance the consumer interest through research, advocacy and education.

Contrary to its name, the Safe and Accurate Food Labeling Act is not an appropriate solution to labeling genetically modified organisms (GMOs). Instead, the Act would codify the current voluntary system which has not provided consumers the information they want to know. It would pre-empt state GMO labeling laws passed to provide their constituents with accurate information about their food. The Act would also create consumer confusion in the marketplace by allowing food companies to continue making ''natural'' claims on products containing GMO foods.

More and more, American consumers want information about the food they feed to their families. American consumers have a right to know what is in their food, just like consumers in 64 countries who already have the right to know whether their food contains GMOs. Voluntary labeling, as proposed in the Act, is not effective because it does not provide consistent information to consumers. Instead, consumers get information only from some companies who choose to provide it and not from other companies. A better solution is the GE Food Right to Know Act introduced by Senator Boxer and Representative DeFazio, which would require GMO foods to be labeled, providing consumers with the consistent information they deserve.

I urge you to oppose the Safe and Accurate Food Labeling Act of 2015 (H.R. 1599) when it comes up for a full floor vote.

Thank you for your consideration.

Sincerely,

CHRIS WALDROP.

NATIONAL CO+OP GROCERS,
Iowa City, IA, July 17, 2015.

DEAR REPRESENTATIVE: National Co+op Grocers (NCG) supports consumers' right to information, including sufficient product labeling, so that people can make their own informed purchasing decisions. We strongly oppose The Safe and Accurate Food Labeling Act (H.R. 1599) because it:

1. Lacks transparency. H.R. 1599 merely codifies the status quo of voluntary labeling. In the 14 years since the FDA has allowed companies to voluntarily label foods that have been produced using genetic engineering, no single company has labeled them as such. Only mandatory labeling fulfills consumer demand for transparency regarding GMOs.

2. Undermines public will. Multiple surveys have shown that the majority of Americans, regardless of age, income, education, or party affiliation, want GMO foods to be labeled. H.R. 1599 nullifies GMO labeling laws that are already on the books in Vermont, Connecticut and Maine. Furthermore, the bill preempts states by blocking any future state legislation or ballot initiatives that would require GMO labeling. While NCG favors a national solution, we support states' efforts in the absence of federally regulated mandatory labeling.

3. Heightens consumer confusion. Newly inserted language would allow food companies to continue to make ''natural'' claims on foods produced using genetic engineering and would also block state efforts to protect consumers from misleading ''natural'' claims. Because many consumers believe that ''natural'' foods are produced without genetically engineered ingredients, H.R. 1599 would only perpetuate consumer confusion in the marketplace.

NCG is a business services cooperative for retail food co-ops located throughout the United States. We represent 143 food co-ops operating over 195 stores in 38 states with combined annual sales of over $1.7 billion and over 1.3 million consumer-owners. We urge Congress to reject H.R. 1599.

Thank you for your time and consideration of this issue.

Sincerely,

ROBYNN SHRADER,
National Co+op Grocers CEO.

JUST LABEL IT!,
Washington, DC, July 20, 2015.

DEAR REPRESENTATIVE: We urge you to oppose H.R. 1599, which would deny Americans the right to know whether their food contains genetically modified food ingredients.

National polls show that nine out of ten Americans want the right to know if their food contains GMOs. Regardless of age, income, education level or even party affiliation, Americans want the right to know what is in their food and how it was produced—the same right held by citizens in 64 other nations.

As business leaders, we hope that you will reject H.R. 1599 and instead require food companies to label products that contain GMOs.

If enacted, H.R. 1599 would limit the FDA's ability to create a national GMO labeling system, weaken our broken voluntary labeling system, and block state initiatives to give citizens this basic information about their food.

Congress has long recognized that Americans should be given basic information about their food and trusted to make the right choices for their families.

We urge you to honor this longstanding tradition and to reject H.R. 1599.

Sincerely,

Andrew Abraham, Founder and CEO, Orgain Inc., CA; José Andrés, Chef and Founder, Think Food Group, DC; Summer Auerbach, Second Generation Owner, Rainbow Blossom Natural Food Markets, KY; Dan Barber, Chef/Co-Owner, Blue Hill at Stone Barns, NY; Brandon Barnholt, President and CEO, KeHE Distributors LLC, IL; Fedele Bauccio, CEO, Bon Appétit Management, CA; Rick Bayless, Chef/Owner, Frontera Grill, IL; Andy and Rachel Berliner, Co-Founders, Amy's Kitchen, CA; Trudy Bialic, Director, Public Affairs, PCC Natural Markets, WA; Mitch Blumenthal, Founder, Global Organic Specialty Source Inc, FL.

Marco Borges, CEO, 22 Days Nutrition, FL; Doug Brent, CEO, Made in Nature LLC, CO; Clifford Brett Jr., CEO/Owner, Kimberton Whole Foods, PA; Peter and Janie Brodhead, Owners, Brighter Day Natural Foods Market, GA; David Bronner, CEO, Dr. Bronner's Inc., CA; Michael Branner, Founder and Chairman, UNREAL Inc., MA; Jonas Buehl, Owner, The Crunchy Grocer, CO; Jon Cadoux, Founder/CEO, Peak Organic Brewing Company, ME; Yvonne Chamberlain, Owner, The Market @ Tree of Life Center, TN; Kevin Cleary, CEO, Clif Bar & Company, CA.

Morty Cohen, CEO, Falcon Trading Company, CA; Tom Colicchio, CEO, Craft Hospitality, NY; Kerry Collins, CEO, Applegate Inc., NJ; Kit Crawford, Co-Owner, Clif Bar & Company, CA; Nicole Dawes, President, COO, Late July Organics, MA; Joel Dee, President, Edward & Sons Trading Company, CA; Valerie Deptula, President, The Good Earth Natural Foods Co., MD; Steve Diakowsky, President and CEO, Taste of Nature Foods Inc., CA; Norman Dill, Owner/President, Rebecca's Natural Food, VA; Adnan Durrani, CEO, Saffron Road Inc., CT.

Steve Ells, Chairman and CEO, Chipotle, CO; Shane Emmett, CEO, Health Warrior, VA; Gary Erickson, Co-Owner and Founder, Clif Bar & Company, CA; Susie Farbin, Co-Owner, Mama Jean's Natural Market, MO; Jerry Farrell, Owner/President, Rising Tide Natural Market, NY; Mark Fergusson, Chief Executive Officer, Down to Earth Organic & Natural, HI; Mike Ferry, President, Horizon Organic, CO; John Foraker, CEO, Annie's Inc., CA; Leonard Freeke, CEO and Founder, The Veri Soda Company, NY; Michael Funk, Co-Founder and Chairman, United Natural Foods Inc., RI.

Robert Gerner, President, The Natural Grocery Company, CA; Diane Gibb-Lahodny, Owner, Campbell's Nutrition, IA; Neal Gottlieb, CEO, Three Twins Ice Cream, CA; Gail Graham, General Manager, Mississippi Market Natural Foods Coop, MN; Jerry Greenfield, Co-Founder, Ben & Jerry's Inc., VT; Hitesh Hajarnavis, Founder, esSVee, Life, NJ; Kristi Harwell, Owner/CEO, New Leaf Community Market, CA; Ben Henderson, Owner, Bare Essentials Natural Market, NC; Belinda Higuera, CEO, Berryvale Grocery, CA; Gary Hirshberg, Chairman, Stonyfield Farm Inc., NH; Roland Hoch, Vice President, Global Organics Ltd., MA.

Janie Hoffman, CEO and Founder, Mamma Chia, CA; Stephanie Hong, CEO, Real Food Company, CA; Steve Hughes, Founder and CEO, Boulder Brands Inc., CO; Cheryl Hughes, Owner, The Whole Wheatery, CA; Nicolas Jammet, Co-Founder, Sweetgreen Inc., DC; Mindee Jeffery, Product & Standards Analyst, Good Earth Natural Foods, CA; Blair Kellison, CEO, Traditional Medicinals, CA; Rosanne Kiely, Owner, West Village Market & Deli, NC; Ashley Koff, CEO, Ashley Koff RD LLC, DC; Jesse LaFlamme, CEO, Pete and Gerry's Organic Eggs, NH.

Donna Layburn, President, Alameda Natural Grocery, CA; Lanis LeBaron, Owner, Lupines Natural Foods, CA; David Levine, Co-Founder and CEO, American Sustainable Business Council, DC; Grant Lundberg, CEO, Lundberg Family Farms Inc., CA; Susan and Maury Lyon, Owners, Cornucopia Natural Food & Fine Cheese, IL; Rose Marcario, CEO, Patagonia Inc., CA; Matt McLean, Founder and CEO, Uncle Matt's Organic, FL; Danny Meyer, CEO, Union Square Hospitality Group, NY; Paku Misra, Owner/CEO, Sunflower Natural Foods Market, NY; Sam Mogannam, Founder and President, Bi-Rite Market, CA.

Marie Montemurro, Owner, Lovey's Natural Foods and Cafe, NC; Rod Moyer, Co-Founder, Beverage Innovations Inc., FL; Dean Nelson, President, Dean's Natural Food Markets, NJ; Nell Newman, Co-Founder, Newman's Own Organics, CT; Ted Niehaus, Owner/CEO, Naturally Organic, IL; Michel Nischan, President/CEO, Wholesome Wave, CT; Bu Nygrens, Co-Founder and Director of Purchasing, Veritable Vegetable, CA; Doug Obenhaus, Grocery Manager, Royal River Natural Foods, ME; Gwyneth Paltrow, Founder and CCO, goop.com, CA; Nick Pascoe, Owner/President Bear Foods Natural Market & Café-Crépèrie, WA; John Pittari Jr., President, Proprietor, New Morning Market, CT.

Mark Polson, Owner/CEO, Polson's Natural Foods, IL; Michael Potter, Chairman and President, Eden Foods, MI; Angela Reusing, Chef-Owner, Lantern, NC; Douglas Riboud, Co-Founder and Co-CEO, Harmless Harvest, CA; Evan Richards, Founder, Rejuvenative Foods, CA; Walter Robb, Co-CEO, Whole Foods Market, TX; Maria Rodale, CEO, Rodale Press, PA; Edouard Rollet, Co-Founder, Alter Eco Foods, CA; Layne Rolston, Communications Director, Good Food Store, MT.

Scott Roseman, Founder and CEO, New Leaf Community Markets, CA; Bob Scaman, President, Goodness Greeness, IL; Mark Schoninger, Owner, Bath Natural Market ME; Erin Schrode, Co-Founder and Spokeswoman, Turning Green, CA; Mathieu Senard, Co-Founder, Alter Eco Foods, CA; Ron Shaich, CEO, Panera Bread Inc., MA; Alan Shepherd, Owner, Rocket Market, WA; Corinne Shindelar, CEO, Independent Natural Food Retailers Association, MN; Ron Sjoquist, General Manager, Good Harvest Market, WI.

Robynn Shrader, CEO, National Co+op Grocers, IA; Craig Sieben, President, Sieben Energy Associates, IL; George Siemon, CEO, Organic Valley, WI; Irwin D. Simon, Founder, Chairman, President and CEO, The Hain Celestial Group Inc., NY; Jim Slama, President Family Farmed, IL; Joel Solomon, CEO, Joel Solomon Company, TN; Jimbo Someck, President, Jimbo's Naturally, CA; Tom Spier, CEO, Boulder Food Group, CO; Steve Spinner, CEO, United Natural Foods Inc., RI; Mark Squire, President and CEO, Good Earth Natural Foods, CA; Adam and Debra Stark, Owners, Debra's Natural Gourmet, MA; Arran Stephens, Co-Founder and CEO, Nature's Path Foods, WA.

Bobby Sullivan, General Manager, French Broad Food Co-op, NC; Kelly Swette, CEO, Sweet Earth Natural Foods, CA; Sam Talbot, Founding Executive Chef, The Surf Lodge, NY; Shazi Visram, Founder/CEO, Happy Family Brands, NY; Dennis Wagner, President, Rainbow Grocery Cooperative Inc., CA; Laughing Water, Owner, Real Food Market & Deli, MT; Bill Weiland, President and CEO, Presence Marketing, IL; Cindy Weinfurter, Owner, The Free Market, WI; Tim Westwell, CEO, Pukka Herbs Inc., DE; Bill Whyte, CEO and Founder, W.S. Badger Company Inc., NH; Stephen Williamson, CEO, Forager Project CA; John Wood II, Owner, The Green Grocer, RI; Alex Young, Zingerman's Roadhouse, MI.

Mr. MCGOVERN. Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore. The gentleman has 7½ minutes remaining.

Mr. MCGOVERN. Mr. Speaker, I yield myself the balance of my time.

First of all, I oppose the rule because it is not an open rule. A number of amendments were not made in order. Again, it is kind of a hodgepodge, grabbag rule where we are dealing with multiple issues that are not related. We have to end this practice. Voting against this rule is one way to demonstrate your dissatisfaction.

But let me close talking about H.R. 1599 and basically urge my colleagues to be opposed to this bill. The fact of the matter is, as a parent—and I think I speak for all parents—I think we want to know what is in the food that we are feeding our family. That is why I support mandatory GMO labeling. Not 50 different labels of 50 different States, but mandatory, standardized GMO labeling.

Americans want to know what is in their food. American consumers want the same right as consumers in 64 other countries who already have the right to know whether their food contains GMOs. Why we should not have that same right is beyond me, but I guess Washington knows best.

Support for GMO labeling crosses demographic boundaries. Polls show more than 90 percent of Americans want the right to know, regardless of age, income, education, or party affiliation. Millions of Americans have taken action. More than 1.4 million Americans have joined a petition to FDA demanding the right to know what is in their food.

H.R. 1599, which has been dubbed the ''Dark Act,'' will basically block State GMO labeling laws. This will preempt GMO labeling laws that have already been passed in Vermont, Maine, and Connecticut, and pending in 17 other State legislatures.

This bill also will allow the bogus natural claims to continue. It allows food companies to continue to make natural claims on GMO foods and block the State efforts to protect consumers from this misleading natural claim. As I pointed out, when consumers see a product that says ''natural,'' they think it means no GMOs.

Mr. Speaker, I have heard my colleagues say that GMOs are safe and why is this labeling necessary. This debate is not about the safety of GMOs. As I mentioned before and I will mention again, I consume GMOs, my family does. This is about consumers' right to know what is in the food they put on their tables. We ought to give them that right.

This debate isn't about what the label should say. We can work on the label. We aren't proposing a skull and crossbones on the packaging. It is not a warning to consumers. It is a label simply disclosing the presence of GMOs. Consumers are free to use this information as they wish, but those who want to know should be able to know.

We had a fight about mandatory uniform nutrition labels in the 1980s, and I think there is no doubt consumers are better off for it. People are better served by knowing the nutrition information in their foods.

Why do my friends want to keep Americans in the dark? I would just say people who are listening to this debate ought to call their Representatives and tell them that they want more information, not less. They want to be more informed about what they are purchasing for their families.

This shouldn't be a controversial idea. This shouldn't be a radical idea. Let's give the people what they want. Let's do that for a change. Maybe our approval ratings will go up.

Mr. Speaker, I urge my colleagues to vote ''no'' on the previous question and ''no'' on the rule, and I yield back the balance of my time.

Mr. BYRNE. Mr. Speaker, I yield myself such time as I may consume.

I appreciate the gentleman from Massachusetts' interest in this very important topic.

We said it several times. I am going to say it again. What this bill does is provides a national label where there is no label now at the national level; and we believe so strongly in that, that we put forward this bill. Our side put forward this bill to give us a national label because there is none now. There is zero, and you would be, as a consumer, totally depending upon your local government, your State government, coming up with it. You may find that your government at the local level has one thing, your State government at the State level has another, a community down the road has a different one. The idea behind the uniformity is to give consumers a uniform way of understanding what this information is.

I do wonder, by the way, what some people at home may be thinking when they hear all this talk about GMOs. They may be running to the refrigerator and saying, What is this GMO stuff?

The truth of the matter is we all are probably consuming GMOs, because they have actually been a tremendous benefit not just to the agricultural industry, but to us consumers. It gives us so many different varieties of good quality food that we didn't have before.

So this is not about whether GMOs are a good thing or a bad thing. They are about our side providing a vehicle to give a national labeling system today, where there is none today. I think the consumers of America will appreciate the fact that we did that.

I do want to go back and say one last thing about the coal ash bill. There has been a lot of talk about somehow this bill weakening the EPA regulation. Totally to the contrary, this bill codifies the regulation in statutory law. Whereas under the present regime at the EPA they are not going to do any oversight over how it is going to be implemented, they are going to rely upon people to file lawsuits in various Federal courts around the Nation, this bill provides that State regulators who are already doing this for the most part will be the ones to provide that regulation with their substantial expertise and experience, which, I can tell you from my years of practicing law in Federal courts, the vast majority of our Federal judges don't have that. They will do their jobs. They will do their homework. Their law clerks will work with them, but they won't bring to it what these State regulators have.

So we have substantially enhanced the regulation here. We have substantially enhanced its implementation by having this bill before the House and the House adopting it.

As they consider these two bills, I would urge everyone to understand that what we have offered in these bills is good for consumers and it is good for the economy of the United States because it lessens that regulatory burden I have talked about at the beginning.

The material previously referred to by Mr. MCGOVERN is as follows:

AN AMENDMENT TO H. RES. 369 OFFERED BY MR. MCGOVERN OF MASSACHUSETTS

At the end of the resolution, add the following new sections:

SEC. 3. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3064) to authorize highway infrastructure and safety, transit, motor carrier, rail, and other surface transportation programs, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided among and controlled by the chair and ranking minority member of the Committee on Transportation and Infrastructure and the chair and ranking minority member of the Committee on Ways and Means. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 4. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 3064.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308–311), describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R–Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

The Republican majority may say ''the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: ''Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.''

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2) Section 21.3 continues: ''Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. BYRNE. I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MCGOVERN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on adopting House Resolution 369, if ordered; and agreeing to the Speaker's approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—yeas 239, nays 167, not voting 27, as follows:

[Roll No. 450]

YEAS—239

Abraham	Garrett	McHenry
Aderholt	Gibbs	McKinley
Allen	Gibson	McMorris Rodgers
Amash	Gohmert	McSally
Amodei	Goodlatte	Meadows
Babin	Gosar	Meehan
Barletta	Gowdy	Messer
Barr	Granger	Mica
Barton	Graves (GA)	Miller (FL)
Benishek	Graves (LA)	Miller (MI)
Bilirakis	Griffith	Moolenaar
Bishop (MI)	Grothman	Mooney (WV)
Bishop (UT)	Guinta	Mullin
Black	Guthrie	Mulvaney
Blackburn	Hanna	Murphy (PA)
Blum	Hardy	Neugebauer
Bost	Harper	Newhouse
Boustany	Harris	Noem
Brady (TX)	Hartzler	Nugent
Brat	Heck (NV)	Nunes
Brooks (AL)	Hensarling	Olson
Brooks (IN)	Herrera Beutler	Palazzo
Buck	Hice, Jody B.	Palmer
Bucshon	Hill	Paulsen
Burgess	Holding	Pearce
Byrne	Hudson	Perry
Calvert	Huelskamp	Pittenger
Carter (GA)	Huizenga (MI)	Pitts
Chabot	Hultgren	Poe (TX)
Chaffetz	Hunter	Poliquin
Coffman	Hurd (TX)	Pompeo
Cole	Issa	Posey
Collins (GA)	Jenkins (KS)	Price, Tom
Collins (NY)	Jenkins (WV)	Ratcliffe
Comstock	Johnson (OH)	Reed
Conaway	Johnson, Sam	Reichert
Cook	Jolly	Renacci
Costello (PA)	Jones	Ribble
Cramer	Jordan	Rice (SC)
Crawford	Joyce	Rigell
Crenshaw	Katko	Roby
Culberson	Kelly (MS)	Roe (TN)
Curbelo (FL)	Kelly (PA)	Rogers (AL)
Davis, Rodney	King (IA)	Rogers (KY)
Denham	King (NY)	Rohrabacher
Dent	Kinzinger (IL)	Rokita
DeSantis	Kline	Rooney (FL)
DesJarlais	Knight	Ros-Lehtinen
Diaz-Balart	Labrador	Roskam
Dold	LaMalfa	Ross
Donovan	Lamborn	Rothfus
Duffy	Lance	Rouzer
Duncan (SC)	Latta	Royce
Duncan (TN)	LoBiondo	Russell
Ellmers (NC)	Long	Ryan (WI)
Emmer (MN)	Loudermilk	Salmon
Farenthold	Love	Sanford
Fincher	Lucas	Scalise
Fitzpatrick	Luetkemeyer	Schweikert
Fleischmann	Lummis	Scott, Austin
Fleming	MacArthur	Sensenbrenner
Flores	Marchant	Sessions
Forbes	Marino	Shimkus
Fortenberry	Massie	Shuster
Foxx	McCarthy	Simpson
Franks (AZ)	McCaul	Smith (MO)
Frelinghuysen	McClintock	Smith (NE)
Smith (NJ)	Upton	Whitfield
Smith (TX)	Valadao	Williams
Stefanik	Wagner	Wilson (SC)
Stewart	Walberg	Wittman
Stivers	Walden	Womack
Stutzman	Walker	Woodall
Thompson (PA)	Walorski	Yoder
Thornberry	Walters, Mimi	Yoho
Tiberi	Weber (TX)	Young (AK)
Tipton	Webster (FL)	Young (IA)
Trott	Wenstrup	Young (IN)
Turner	Westerman	Zeldin
	Westmoreland	Zinke

NAYS—167

Adams	Fudge	Neal
Ashford	Gabbard	Nolan
Bass	Gallego	Norcross
Beatty	Garamendi	O'Rourke
Becerra	Graham	Pallone
Bera	Grayson	Pascrell
Beyer	Green, Al	Payne
Bishop (GA)	Green, Gene	Pelosi
Bonamici	Grijalva	Perlmutter
Boyle, Brendan F.	Hastings	Peters
	Higgins	Peterson
Brown (FL)	Himes	Pingree
Brownley (CA)	Hinojosa	Pocan
Bustos	Honda	Polis
Butterfield	Hoyer	Price (NC)
Capps	Huffman	Quigley
Capuano	Jackson Lee	Rangel
Cárdenas	Jeffries	Rice (NY)
Carney	Johnson (GA)	Richmond
Carson (IN)	Johnson, E. B.	Roybal-Allard
Cartwright	Kaptur	Ruiz
Castor (FL)	Keating	Ruppersberger
Chu, Judy	Kelly (IL)	Rush
Cicilline	Kildee	Ryan (OH)
Clark (MA)	Kilmer	Sánchez, Linda T.
Clay	Kind	
Cleaver	Kuster	Sanchez, Loretta
Clyburn	Langevin	Schakowsky
Cohen	Larsen (WA)	Schrader
Connolly	Larson (CT)	Scott (VA)
Conyers	Lawrence	Scott, David
Cooper	Lee	Serrano
Courtney	Levin	Sewell (AL)
Crowley	Lewis	Sherman
Cuellar	Lieu, Ted	Sinema
Cummings	Lipinski	Sires
Davis (CA)	Loebsack	Slaughter
Davis, Danny	Lofgren	Speier
DeFazio	Lowenthal	Swalwell (CA)
DeGette	Lowey	Takai
Delaney	Lujan Grisham (NM)	Takano
DeLauro		Thompson (CA)
DelBene	Luján, Ben Ray (NM)	Thompson (MS)
DeSaulnier		Titus
Deutch	Maloney, Carolyn	Tonko
Dingell		Torres
Doggett	Maloney, Sean	Tsongas
Doyle, Michael F.	Matsui	Van Hollen
	McCollum	Vargas
Duckworth	McDermott	Veasey
Edwards	McGovern	Vela
Ellison	McNerney	Velázquez
Engel	Meeks	Visclosky
Eshoo	Meng	Walz
Farr	Moulton	Wasserman Schultz
Fattah	Murphy (FL)	
Foster	Nadler	Watson Coleman
Frankel (FL)	Napolitano	Wilson (FL)

NOT VOTING—27

Aguilar	Costa	Kirkpatrick
Blumenauer	Esty	Lynch
Brady (PA)	Graves (MO)	Moore
Bridenstine	Gutiérrez	Sarbanes
Buchanan	Hahn	Schiff
Carter (TX)	Heck (WA)	Smith (WA)
Castro (TX)	Hurt (VA)	Waters, Maxine
Clarke (NY)	Israel	Welch
Clawson (FL)	Kennedy	Yarmuth

□ 1352

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated for:

Mr. HURT of Virginia. Mr. Speaker, I was not present for rollcall vote No. 450 on H. Res. 369. Had I been present, I would have voted ''yes.''

Stated against:

Mr. SCHIFF. Mr. Speaker, on rollcall No. 450, had I been present, I would have voted "no."

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. MCGOVERN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 242, noes 175, not voting 16, as follows:

[Roll No. 451]

AYES—242

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Chabot
Chaffetz
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—175

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Bonamici
Boyle, Brendan F.
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Chu, Judy
Cicilline
Clark (MA)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Hahn
Hastings
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Watson Coleman
Welch
Wilson (FL)

NOT VOTING—16

Blumenauer
Brady (PA)
Buchanan
Carter (TX)
Castro (TX)
Clarke (NY)
Clawson (FL)
Esty
Graves (MO)
Gutiérrez
Heck (WA)
Lynch
Moore
Stewart
Waters, Maxine
Yarmuth

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1401

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. CASTRO of Texas. Mr. Speaker, my vote was not recorded on rollcall No. 450, the Motion on Ordering the Previous Question to the Rule providing for consideration of H.R. 1599 and H.R. 1734. I was not present for the vote due to attending a national security briefing at the White House. I intended to vote "nay." On rollcall No. 451, the Rule providing for consideration of H.R. 1599 and H.R. 1734, I intended to vote "nay."

THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. MCCARTHY. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 249, noes 169, answered ''present'' 2, not voting 13, as follows:

[Roll No. 452]

AYES—249

Abraham
Aderholt
Allen
Amodei
Ashford
Barletta
Barton
Beatty
Becerra
Bera
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Blum
Bonamici
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Bustos
Butterfield
Byrne
Calvert
Capps
Cárdenas
Carney
Carson (IN)
Cartwright
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clay
Cleaver
Cohen
Cole
Collins (NY)
Comstock
Cook
Cooper
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Davis (CA)
Davis, Danny
DeGette
DeLauro
DelBene
DeSaulnier
DesJarlais
Deutch
Dingell
Doggett
Donovan
Doyle, Michael F.
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Emmer (MN)
Engel
Eshoo
Farr
Fattah
Fincher
Fleischmann
Forbes
Fortenberry
Foster
Frankel (FL)
Franks (AZ)
Frelinghuysen
Gabbard
Gallego
Garamendi
Garrett
Gibbs
Goodlatte
Graham
Granger
Graves (LA)
Grayson
Griffith
Grothman
Guthrie
Hahn
Hardy
Harper
Harris
Hensarling
Higgins
Himes
Hinojosa
Huelskamp
Huffman
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Jolly
Jones
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kildee
King (IA)
King (NY)
Kline
Knight
Kuster
Labrador
LaMalfa
Lamborn
Larsen (WA)
Larson (CT)
Latta
Levin

Lipinski	Olson	Shimkus
Loebsack	Palmer	Shuster
Lofgren	Pascrell	Simpson
Long	Pearce	Smith (NE)
Loudermilk	Pelosi	Smith (NJ)
Love	Perlmutter	Smith (TX)
Lowenthal	Pingree	Smith (WA)
Lucas	Pittenger	Speier
Luetkemeyer	Pitts	Stefanik
Lujan Grisham (NM)	Pocan	Stewart
	Pompeo	Stutzman
Luján, Ben Ray (NM)	Posey	Takai
	Price (NC)	Takano
Lummis	Quigley	Thornberry
Maloney, Carolyn	Reichert	Tiberi
	Ribble	Titus
Marino	Roby	Trott
Massie	Rogers (KY)	Tsongas
McCarthy	Rokita	Upton
McCaul	Rooney (FL)	Van Hollen
McClintock	Roskam	Wagner
McCollum	Ross	Walorski
McHenry	Rothfus	Walters, Mimi
McMorris Rodgers	Royce	Walz
	Ruiz	Wasserman Schultz
Meadows	Ruppersberger	
Meeks	Rush	Webster (FL)
Meng	Russell	Welch
Messer	Ryan (WI)	Wenstrup
Mica	Salmon	Westerman
Miller (MI)	Sanford	Westmoreland
Moolenaar	Scalise	Williams
Mullin	Schiff	Wilson (FL)
Nadler	Schweikert	Wilson (SC)
Napolitano	Scott (VA)	Womack
Neugebauer	Scott, Austin	Yarmuth
Newhouse	Scott, David	Young (IA)
Noem	Sensenbrenner	Young (IN)
Nunes	Sessions	Zeldin
O'Rourke	Sherman	Zinke

NOES—169

Adams	Green, Al	Norcross
Aguilar	Green, Gene	Nugent
Amash	Guinta	Palazzo
Babin	Hanna	Pallone
Barr	Hartzler	Paulsen
Bass	Hastings	Payne
Benishek	Heck (NV)	Perry
Beyer	Herrera Beutler	Peters
Bishop (MI)	Hice, Jody B.	Peterson
Bost	Hill	Poe (TX)
Boyle, Brendan F.	Holding	Poliquin
	Honda	Polis
Brownley (CA)	Hoyer	Price, Tom
Buck	Hudson	Rangel
Bucshon	Huizenga (MI)	Ratcliffe
Burgess	Israel	Reed
Capuano	Issa	Renacci
Carter (GA)	Jenkins (KS)	Rice (NY)
Castor (FL)	Jenkins (WV)	Rice (SC)
Clark (MA)	Johnson (OH)	Richmond
Clarke (NY)	Jordan	Rigell
Clyburn	Joyce	Roe (TN)
Coffman	Kennedy	Rogers (AL)
Collins (GA)	Kilmer	Rohrabacher
Conaway	Kind	Ros-Lehtinen
Connolly	Kinzinger (IL)	Rouzer
Conyers	Kirkpatrick	Roybal-Allard
Costa	Lance	Ryan (OH)
Costello (PA)	Langevin	Sánchez, Linda T.
Culberson	Lawrence	
Cummings	Lee	Sanchez, Loretta
Curbelo (FL)	Lewis	Sarbanes
Davis, Rodney	Lieu, Ted	Schakowsky
DeFazio	LoBiondo	Schrader
Delaney	Lowey	Serrano
Denham	MacArthur	Sewell (AL)
Dent	Maloney, Sean	Sinema
DeSantis	Marchant	Sires
Diaz-Balart	Matsui	Slaughter
Dold	McDermott	Smith (MO)
Duckworth	McGovern	Stivers
Duffy	McKinley	Swalwell (CA)
Ellmers (NC)	McNerney	Thompson (CA)
Farenthold	McSally	Thompson (MS)
Fitzpatrick	Meehan	Thompson (PA)
Fleming	Miller (FL)	Tipton
Flores	Mooney (WV)	Torres
Foxx	Moulton	Turner
Fudge	Mulvaney	Valadao
Gibson	Murphy (FL)	Vargas
Gosar	Murphy (PA)	Veasey
Gowdy	Neal	Vela
Graves (GA)	Nolan	Velázquez
Visclosky	Watson Coleman	Woodall
Walberg	Weber (TX)	Yoder
Walden	Whitfield	Yoho
Walker	Wittman	Young (AK)

ANSWERED ''PRESENT''—2

Gohmert	Tonko

NOT VOTING—13

Blumenauer	Esty	Lynch
Brady (PA)	Graves (MO)	Moore
Buchanan	Grijalva	Waters, Maxine
Carter (TX)	Gutiérrez	
Clawson (FL)	Heck (WA)	

□ 1408

So the Journal was approved.

The result of the vote was announced as above recorded.

OFFICIAL PHOTOGRAPH OF 114TH CONGRESS

The SPEAKER. Pursuant to House Resolution 292, this time has been designated for the taking of the official photo of the House of Representatives in session.

The House will be in a brief recess while the Chamber is being prepared for the photo. As soon as the photographer indicates that these preparations are complete, the Chair will call the House to order to resume its actual session for the taking of the photograph. At that point the Members will take their cues from the photographer. Shortly after the photographer is finished, the House will proceed with business.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess while the Chamber is being prepared.

Accordingly (at 2 o'clock and 10 minutes p.m.), the House stood in recess.

□ 1414

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 2 o'clock and 14 minutes p.m.

(Thereupon, the Members sat for the official photograph of the House of Representatives for the 114th Congress.)

RECESS

The SPEAKER. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the chair.

Accordingly (at 2 o'clock and 15 minutes p.m.), the House stood in recess.

□ 1600

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HUDSON) at 4 p.m.

HOUR OF MEETING ON TOMORROW

Mr. SHIMKUS. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 10 a.m. tomorrow.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

IMPROVING COAL COMBUSTION RESIDUALS REGULATION ACT OF 2015

GENERAL LEAVE

Mr. SHIMKUS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on the bill, H.R. 1734.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 369 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 1734.

The Chair appoints the gentleman from Illinois (Mr. HULTGREN) to preside over the Committee of the Whole.

□ 1602

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 1734) to amend subtitle D of the Solid Waste Disposal Act to encourage recovery and beneficial use of coal combustion residuals and establish requirements for the proper management and disposal of coal combustion residuals that are protective of human health and the environment, with Mr. HULTGREN in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Illinois (Mr. SHIMKUS) and the gentleman from New Jersey (Mr. PALLONE) each will control 30 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. SHIMKUS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, in December of last year, EPA put out its final rule for coal ash. We applaud EPA's decision to regulate coal ash under subtitle D, confirming what we have been saying all along, that coal ash is not hazardous.

All you have to do is talk to any of the thousands of coal ash recyclers across the country, and they will tell you that not only is coal ash not hazardous, it is an essential component in their product. However, the rule remains seriously flawed; and implementation will result in confusion, conflict, and a lot of needless litigation.

A fundamental flaw with the rule is that it is self-implementing, which means that, now that EPA has finalized the rule, going forward, there will be zero regulatory oversight of coal ash by the EPA. What this means is that all of the requirements in the final rule, no matter how protective you believe they are, will be interpreted and implemented by the utilities with no oversight or enforcement by the EPA or the States.

This leads us to one of the other key flaws with the final rule, which is that it is enforceable only through citizen suits. Think about that; the final rule sets out a complex set of technical requirements for coal ash, but interpreting what they mean and how to implement them is left entirely to the regulated community with citizen lawsuits in Federal Court as the only mechanism for enforcement.

This will result in an unpredictable array of regulatory interpretations as judges throughout the country are forced to make technical compliance decisions that are better left to a regulatory agency.

Under current law, State permit programs will not operate in lieu of the final coal ash rule. Even if States adopt the final rule, regulated entities must comply with the requirements in the Federal rule and their State. This means, even if a utility was in full compliance with their State coal ash permit, they could and would be sued for noncompliance with the Federal rule.

The Western Governors' Association said it best in a letter to the House and Senate leadership on May 15 of this year:

> Unfortunately, EPA's final rule produces an unintended regulatory consequence in that it creates a dual Federal and State regulatory system. This is because EPA is not allowed under RCRA subtitle D to delegate the CCR program to States in lieu of the Federal program.
>
> Also, the rule does not require facilities to obtain permits, does not require States to adopt and implement new rules, and cannot be enforced by EPA. The rule's only compliance mechanism is for a State or citizen group to bring a citizen suit in Federal District Court under RCRA section 7002. This approach marginalizes the role of State regulation, oversight, and enforcement.

This brings us to where we are today, in need of legislative solution to address the fundamental flaws with the final rule. H.R. 1734 is the solution. The bill addresses the self-implementing aspect of the final rule, as well as the problem with citizen suit enforcement, by establishing enforceable permit programs that directly incorporate the technical requirements of the final rule.

The bill will ensure that every State has a coal ash permit program, that every permit program will contain all of the minimal Federal standards or something more stringent, and that the technical requirements of EPA's final rule are implemented with direct regulatory oversight and enforcement.

The bill requires owners and operators to take actions such as preparing a fugitive dust control plan and conducting structural stability inspections within 8 months from the date of enactment, which makes compliance with these and other requirements directly in line with the timeframe for compliance under the final rule.

Notably, H.R. 1734 also requires owners and operators to begin groundwater monitoring within 36 months from the date of enactment with State environmental agencies immediately ensuring compliance, rather than having to wait for the courts.

It treats inactive surface impoundments in exactly the same manner as the final rule; applies all of the location restrictions from the final rule to the new surface impoundments and expansions of existing impoundments; and will ensure all relevant information—including all information associated with the issuance of permits, all groundwater monitoring data, structural stability assessments, emergency action plans, fugitive dust control plans, information regarding corrective action remedies, and certifications regarding closure—be made available on the Internet.

H.R. 1734 expressly protects the ability to file citizen suits under RCRA while ensuring parties to a lawsuit demonstrate actual harm from the coal ash and not just that a utility allegedly violated the requirements of the rule.

Some say that the bill ''goes too far'' because it allows States to exercise flexibility and make site-specific, risk-based decisions. Others say that the bill is a ''giveaway'' to the utilities or that allowing the States to exercise the same flexibility available under other RCRA permit programs ''weakens'' the requirement of the final rule.

To that, we say H.R. 1734 simply gives the States the same authority to implement coal ash permit programs that they have for other RCRA subtitle D and even subtitle C permit programs.

We trust the States are in the best position to analyze the local conditions and make risk-based permit decisions. We also know EPA trusts the States because EPA relies on the States for the implementation and enforcement of RCRA.

As we have heard before from the Environmental Council of the States and the Association of State and Territorial Solid Waste Management Officials and from the States themselves, they welcome the new minimum Federal requirements, are up to the task of regulating coal ash, and strongly support H.R. 1734.

In addition to ECOS and ASTSWMO, H.R. 1734 enjoys support from a wide array of stakeholders, including Utility Solid Waste Activities Group, Edison Electric Institute, the National Rural Electric Cooperative, American Public Power Association, the Western Governors Association I mentioned earlier, American Coal Ash Association, and the U.S. Chamber of Commerce.

I reserve the balance of my time.

Mr. PALLONE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I oppose this legislation.

H.R. 1734, the Improving Coal Combustion Residuals Regulation Act of 2015 is both unnecessary and dangerous legislation. The administration opposes the bill; and, if it somehow passes Congress, it will be vetoed.

The bill is also opposed by over 180 environmental, public health, and civil rights groups, including the Sierra Club, the League of Conservation Voters, NAACP, NRDC, and Earthjustice.

They oppose this legislation because it would block EPA's final coal ash rule and roll back important protections for human health and the environment. EPA's rule has put these protections in place after years of hard work and public process.

Transparency requirements, groundwater protection standards, cleanup requirements, location restrictions, and liner requirements all will protect human health and the environment. These requirements are long overdue.

Mr. Chairman, we have known for years that unsafe coal ash disposal threatens groundwater, drinking water, and air quality. Contaminants can leach into groundwater and drinking water supplies or become airborne as toxic dust. Aging or deficient impoundments can fail structurally, resulting in catastrophic floods of toxic sludge entering neighboring communities.

Contamination can pose serious and widespread health risks. Just last year, a coal ash spill in North Carolina affected drinking water systems in Virginia. In 2005, a smaller spill in Pennsylvania affected drinking water systems in my home State of New Jersey.

Unfortunately, these incidents are not uncommon. EPA has now identified 157 damage cases from coal ash contamination. If EPA's rule is delayed or undermined, that number will likely continue to grow.

At the same time, Mr. Chairman, that EPA's rule includes many important protections, it is also balanced and responsive to industry concerns. When EPA solicited comments on their proposed rule, they heard from coal ash recyclers that they wanted a subtitle D, nonhazardous rule. That is what EPA finalized.

Those in the electric utility industry wanted a subtitle D rule that would not require them to retrofit their existing impoundments with liners. Again, that is what EPA finalized. States wanted a mechanism to set up their own programs to implement Federal standards

and to have EPA approve them. EPA provided that in the final rule as well.

EPA's balanced rule has eliminated past justifications for coal ash legislation. Past concerns that EPA would not be able to finalize a coal ash rule no longer have merit because EPA has done so, and past concerns that EPA might regulate coal ash as hazardous no longer have merit because EPA finalized a nonhazardous rule and has no plans to reverse direction.

Past contentions that EPA needed legislation to effectively protect public health no longer have merit because EPA has confidence that the rule will be effective and protective. Past concerns over enforcement of a subtitle D rule have been addressed because EPA has established mechanisms to review and approve State programs enforcing the rule.

The bottom line, Mr. Chairman, is that legislation is not warranted. Even if it were, this bill would not be the vehicle because it dangerously eliminates or undermines necessary protections.

A number of amendments were to be filed to preserve some of the important requirements in EPA's final rule, and I understand that some of these may be accepted, but I want to stress that these amendments highlight only a subset of the problems with this bill. Even if all the amendments were adopted, the bill would still be unnecessary and a dangerous precedent for public health.

I urge everyone to oppose the bill, Mr. Chairman, and I reserve the balance of my time.

Mr. SHIMKUS. Mr. Chairman, I yield 5 minutes to the gentleman from West Virginia (Mr. MCKINLEY), a real fighter for coal in the country.

Mr. MCKINLEY. Mr. Chairman, for 35 years, Congress has wrestled with how to deal with coal ash, an unavoidable byproduct of burning coal.

Every day, coal ash is produced in more than 500 coal-fired plants located in 49 States, spread across 207 congressional districts. Each one of those dots represents where every day in America coal ash is being produced. This issue is not a State issue; this is a national issue that needs to be addressed. Over 140 million tons of coal ash are produced annually in each one of those red dots.

I recently received a letter of support from the pulp and paper industry which recycles fly ash and employs nearly 900,000 people in 47 States. Their comment, they want to see this bill pass because, ''The EPA's proposed regulation provides a complicated approach to enforcing the regulation,'' and this bill ''provides clarity and certainty.''

Now, last year, in December, the EPA issued its regulation—indeed, they did—on fly ash. To its credit, the EPA addressed one of the more immediate concerns and opted, however, just for now, to regulate coal ash as a nonhazardous waste.

The question legitimately needs to be raised, and it has been: Why is this legislation needed?

It is two issues. First, the nonhazardous designation is not permanent; and, secondly, the only oversight mechanism in the rule is lawsuits.

□ 1615

Let's be more specific. The nonhazardous designation is merely applicable as long as this rule is not modified. Even in the preamble, the EPA indicates they may reverse their decision and ultimately regulate fly ash as a hazardous material.

More specifically from the rule, it says: The EPA is deferring its final decision because of regulatory uncertainties that cannot be resolved at this time.

This uncertainty could be devastating to recyclers. The science is settled on fly ash, and it should trump political and ideological interference. Are we living in a nation of rules and regulation or are we living in a nation of laws?

This bill ensures that the EPA will not be able to retroactively reverse its original decision. But secondly and equally and maybe more so important is the rule of this omission of specificity and the lack of State or Federal oversight of coal ash disposal. And remember what I just said, the lack of State or Federal oversight that is provided in the rule.

The way the rule is currently written, oversight will occur only through lawsuits, not through regulators.

The bill, however, addresses regulatory uncertainty by guaranteeing that every State will have a coal ash permit program in concert with the EPA, but with State oversight and that every program will meet the standards set forth under the proposed EPA rule. Nothing in the rule was omitted in the legislation.

Rather, the bill modifies the rule to allow States the flexibility to implement an adequate, sufficient, and successful coal ash permit program. It simply ensures that the lawsuits are not the only regulatory component.

Let me give you an example on how the language within the rule could be a problem. The rule states: The owner or operator of a CCR unit must install a sufficient number of wells to yield groundwater samples.

Mr. Chairman, who defines what ''sufficient'' is? One utility in one State may say it is 10 wells. In another State, it may be 20 or 30.

Under this rule, the decision will be handled by a Federal judge rather than a State environmental agency. That is what we corrected with this bill. This is not the fly ash bill from 30 years ago.

We have worked with the EPA in developing this legislation. Perhaps, Mr. Chairman, the administration hasn't read the bill because the bill, one, codifies the rule. It doesn't eliminate anything. It codifies the rule.

Secondly, it removes the uncertainty with the regulatory designation. Three, it enhances oversight. Fourthly, it requires every State to have a coal ash program.

The CHAIR. The time of the gentleman has expired.

Mr. SHIMKUS. Mr. Chair, I yield an additional 1 minute to the gentleman from West Virginia (Mr. MCKINLEY).

Mr. MCKINLEY. Mr. Chair, in so doing, in providing for the coal ash program, we finally have a national system for oversight of dams.

Think about that. We haven't had that up to this point. That is what caused the problem in the first place, was lack of dam safety.

Secondly, we are going to have enhanced water quality. We are going to have improved environmental considerations.

This rule will go into effect October 19 of this year. Without this legislative action, regulatory uncertainty surrounding the disposal of coal ash will continue as it has for 35 years.

It is imperative we pass this bill today and continue to move forward. The clock is ticking, and the time is now to finally put this issue behind us.

I encourage all of my colleagues on both sides of the aisle to put this issue to rest. We have come to a compromise with the EPA. The administration needs to come on board finally.

Mr. PALLONE. Mr. Chairman, I yield myself such time as I may consume.

The gentleman from West Virginia seems to suggest that this legislation will improve enforcement of EPA's important coal ash standards.

If that were true, the public interest groups that have fought for strong standards for years would support it.

Democratic Members that have conducted strong oversight of coal ash disasters in the rulemaking process would also support it.

And the EPA, which has worked for decades to establish effective protective requirements, would support it.

Those environmental groups and public health groups strongly oppose this bill, I strongly oppose this bill, and the administration strongly opposes the bill.

That is because this bill is not needed to ensure effective enforcement of the EPA's coal ash rule, and it won't have that effect.

You may hear that EPA's rule will only be enforced through citizen suits, and that is simply not true. While citizen suits have been and will continue to be an important component of all environmental enforcement, States will play an important part in enforcing EPA's final coal ash rule.

They will do so either by bringing citizen suits themselves or by incorporating the requirements of EPA's rule into their State programs.

States want to take on this role. They told the EPA as much in comments on the coal ash proposed rule.

In response to those requests, EPA established in the rule a mechanism to review and approve State programs implementing these requirements.

EPA expects the States to make use of this mechanism and implement the rules requirements through approved programs. So the claim that enforcement will depend exclusively on citizen suits should not be believed.

You have heard also from the chairman of the subcommittee that EPA's rule will be plagued by dual enforcement.

This is the opposite of the claim that enforcement will happen only through citizen suits, but is often made by the same parties. This claim is also untrue.

The mechanism EPA set up in the rule will allow for States to get approval for their programs, meaning EPA will make clear that they have reviewed the State program and found that it is at least as stringent as the Federal requirements.

In other words, EPA will make clear that a facility complying with the State program is, without question, also complying with the Federal requirements.

Citizens groups are unlikely to bring suit against facilities in compliance. If they were to do so, such suits would not go very far.

So, Mr. Chairman, contrary to the claim that judges would be interpreting the requirements differently left and right, Federal judges would defer to EPA's expert evaluations of the sufficiency of State programs.

These enforcement concerns are not the real motivation for this bill. As I said, if this is about improving compliance and enforcement, it would have widespread support.

Instead, this bill is about undermining important health and environmental protections, and that is why it faces widespread opposition.

I reserve the balance of my time.

Mr. SHIMKUS. Mr. Chairman, I yield 2 minutes to the gentleman from southwestern Indiana (Mr. BUCSHON), my colleague and next-door neighbor.

Mr. BUCSHON. Mr. Chairman, I rise today in support of H.R. 1734, the Improving Coal Combustion Residuals Regulation Act of 2015.

This legislation will have a direct impact on the constituents in the Eighth District because Indiana has more coal ash ponds than any other State.

I was concerned that the EPA's final rule on coal combustion residuals lacked clarity and did not adequately address enforcement of the Federal minimum standards for public health and safety.

H.R. 1734 fixes this by giving States like Indiana the authority to implement coal ash rules in a way that protects the environment, public health, and good-paying jobs rather than totally deferring to bureaucrats in Washington, D.C.

This legislation also reconfirms that recycling this nonhazardous material helps keep utility costs low, provides for low-cost, durable construction materials and reduces waste.

I urge my colleagues to support this commonsense legislation.

Mr. PALLONE. Mr. Chairman, I yield myself such time as I may consume.

Under the proven model of environmental regulation, Congress sets the standard of protection the State programs must meet. EPA interprets that standard through rules or guidance so States know what they must do to achieve that level of protection.

States can demonstrate to EPA that they have in place programs adequate to provide the minimum level of protection required, and EPA retains backstop enforcement authority to ensure that State programs are enforced. This bill, Mr. Chairman, fails on each of these points.

Unlike EPA's rule, it does not contain any minimum Federal requirement to protect health and the environment. It undermines the minimum national safeguards in EPA's rule by introducing significant discretion. It fails to establish Federal backstop authority. Finally, it fails to define what facilities the bill covers instead giving States discretion to define the scope of their programs.

So this proposal will not ensure the safe disposal of coal ash, protect groundwater, or prevent dangerous air pollution, and it certainly isn't going to prevent another catastrophic failure like the one we saw in Kingston, Tennessee.

I continue to oppose the legislation, just as the administration does and just as environmental groups and public health groups do. I urge all of my colleagues to do the same.

I reserve the balance of my time.

Mr. SHIMKUS. Mr. Chairman, before I yield to my colleague from West Virginia, I would just like to mention that, when I mentioned the word ''RCRA,'' that is a municipal solid waste law.

What we are doing is the same thing that we did to RCRA: Federal standards, State implementation by the State EPA. It is the same thing, and all we are doing is codifying that, which means putting these rules and regulations in statute, in law, so it can't be changed.

I yield 2 minutes to the gentleman from West Virginia (Mr. JENKINS).

Mr. JENKINS of West Virginia. Mr. Chairman, I thank Chairman SHIMKUS and Congressman MCKINLEY for all of their hard work on this very important issue.

I rise to offer my strong support for this legislation. This bipartisan bill will provide certainty for more than 300,000 workers around our country, including thousands of coal miners in my State of West Virginia and southern West Virginia, in particular.

The recycling of coal ash material helps keep America's energy costs low. It helps to produce construction supplies that industries across our Nation rely on, such as materials for concrete and roofing.

The EPA's final rule did not address a number of issues, including State permitting requirements and oversight.

This bill puts the States in charge. It gives our States the enforcement authority to implement standards for the safe disposal of coal ash.

Our State and local officials know better than Washington bureaucrats how to address the regulatory requirements of the rule.

I urge passage of this bill.

Mr. PALLONE. Mr. Chairman, I yield myself such time as I may consume.

As someone who cares about beneficial reuse and wants to see the beneficial reuse flourish, I am listening to this debate.

And one might think that we are facing a stark choice, either vote for this bill or coal ash recycling will stop, but that is not the choice that we face.

When EPA issued its final coal ash rule, they finalized a nonhazardous regulation, exactly what the coal ash recycling industry sought, and the rule explicitly protects beneficial reuse.

Many Members of Congress sent letters and submitted comments to EPA during the comment period on the proposed rule in support of the subtitle, the option they ultimately chose.

In this bill, on the other hand, the decision between hazardous and nonhazardous would be moved to the State level, meaning that these materials could be regulated as hazardous in some States, but not others.

Now, how will that avoid the stigma so many in the industry have spoken of and how will it create the certainty they crave?

Even worse, this bill would eliminate important protections in EPA's final rule, meaning the number of damage cases is likely to continue to grow, and that will really create a stigma around these materials.

So, if we leave these ash ponds in place and another one fails, what will happen to the beneficial reuse industry?

The way to ensure a strong beneficial reuse industry is to ensure consistent regulation and safe disposal of CCR by allowing the EPA rule to be implemented.

Again, that is why I urge my colleagues to oppose this rule if they really want to see the beneficial reuse industry flourish.

I reserve the balance of my time.

Mr. SHIMKUS. Mr. Chairman, before I yield to my colleague from North Dakota, let me just respond in that, in

the final rule, they didn't close the door to regulating coal ash as toxic.

They can re-regulate. They can promulgate a new regulation and then call it toxic. So then you have the fly ash and the concrete in the school and the school has to get torn down because it has got fly ash in it? It makes no sense.

So that is why we need to codify the science, which the EPA has twice, now three times, said coal ash is not toxic.

I yield 2 minutes to the gentleman from North Dakota (Mr. CRAMER).

□ 1630

Mr. CRAMER. Mr. Chairman, I appreciate the chairman's clarifying the statements just made from the other side. I think we all have the same goal, but the lack of certainty, when you put in rule that for today we are not going to determine it hazardous but we leave the thing open-ended just in case we change our mind, that is uncertainty. That is what we are talking about.

I come from a State, North Dakota, where, for nearly 10 years, I was a coal regulator. I regulated coal mining, among other things, including utilities, thank you very much. I appreciate the fact that we were able to mine our coal, burn it at the mine mouth, and generate some of the lowest cost electricity in the country largely because we are able to use the coal ash as a beneficial use for lots of things including, by the way, putting in the foundations of wind turbines.

We didn't need the Federal Government. We have been doing this since the 1970s. We didn't need the EPA's overreach to teach us how to do it. The regulation of coal ash disposal has been debated for decades—for decades. Fortunately, for those of us in North Dakota, we have done pretty well with it. We have had modern facilities and modern standards.

Our State regulators at the health department, along with the Public Service Commission, working with industry—and I stress ''working with industry''—to develop these standards and practices that have worked for all these decades really don't need further imposition of the Federal Government, and certainly not the EPA.

All of our regulations are tailored specifically to our coal types, specifically to the coal ash, specifically to our geology; and, frankly, this legislative approach may not be perfect, but it is better than the EPA's proposal, Mr. Chairman, which leaves way too many opportunities for extreme environmentalists to meddle, to use the courts to come in place throughout the years and impose much more extreme regulations.

I again thank the chairman for his leadership, and I thank the gentleman for introducing the bill.

Mr. PALLONE. Mr. Chairman, I yield such time as he may consume to the gentleman from New York (Mr. TONKO), the ranking member of the subcommittee.

Mr. TONKO. Mr. Chairman, once again, the House is considering a bill to set standards for coal ash disposal. Unfortunately, H.R. 1734 does not contain standards that will prevent the problems from poor disposal practices that have plagued communities across the country for far too long. H.R. 1734, the Improving Coal Combustion Residuals Regulation Act, largely maintains the status quo, a system that is operated by the States with no uniform Federal standards, and the status quo isn't good enough.

In the 35 years since Congress passed the Resource Conservation and Recovery Act, or RCRA, the Environmental Protection Agency has been studying the issue of coal ash disposal. During this same time, the regulation of these facilities has been done by the States, and communities in many States have experienced serious problems related to improper disposal of coal ash.

Spills resulting from coal ash impoundment failures have polluted water supplies, destroyed private and public property, and resulted in lengthy and expensive cleanup efforts. Action on this issue is long overdue.

Last December, the Environmental Protection Agency finalized a rule to strengthen the regulations on the disposal of coal ash. The final rule was published in the Federal Register in April. The rule was in development for many years. It is the result of an extensive public process. The Agency sorted through over 450,000 public-submitted statements during the comment period on this rule and held eight public hearings in communities across the country.

EPA's rule is responsive to industry concerns that officially clarifying coal ash as hazardous waste would harm coal ash recycling efforts that utilize coal ash in new materials and products, and the rule is responsive to the concerns of public health and environmental advocates. For the first time, the rule establishes minimum Federal standards that all coal ash disposal facilities must meet. H.R. 1734 does not do that.

H.R. 1734 enables States to do what some are doing now, that is, to allow continued operation of these facilities without sufficient safeguards. H.R. 1734 isn't about providing flexibility in achieving better standards. H.R. 1734 allows States to weaken a standard if facilities can't meet them.

The standards set by the rule provide a guaranteed floor of protection for all communities. What are these? Well, location restrictions. New or expanded areas of existing coal ash facilities must now be sited with consideration and defined buffers with respect to aquifers, wetlands, seismic impact zones, fault areas, and, indeed, unstable areas.

Liner design criteria are included to prevent leaching. The basic requirements in the rule to include both a geomembrane and a 2-foot layer of compacted soil can be met with an alternative design if the alternative would provide equivalent or better performance.

Structural integrity requirements are defined in the rule to prevent structural failures, such as the one that occurred in Tennessee in the year 2008, a failure that caused tremendous damage when an impoundment failed.

Operating criteria are included in the rule to prevent runoff and wind-blown dust, require periodic inspection and capacity limits, among other things.

The advocates for H.R. 1734 have expressed concerns about the enforcement of EPA's coal ash rule. H.R. 1734 is offered as a remedy to this problem. Well, there is no problem. The rule will be enforced by the States through their own authorities to operate their solid waste management programs. I think that is what H.R. 1734 envisions. The rule will also be enforced through citizen suits; and, by the way, States sometimes bring these suits against private parties on behalf of their citizens.

Listening to the majority criticize an EPA regulation because of its weak EPA enforcement provisions is, indeed, unusual. It is certainly not a complaint the Agency hears very often. The coal ash rule represents a compromise amongst the stakeholders in this issue. H.R. 1734 simply does not.

It is not surprising there are those who are unhappy with certain provisions of this rule. H.R. 1734 is on the floor today at the urging of some of those stakeholders. Of course, the rule from either vantage point is not perfect.

Given the differing opinions on the role of Federal regulation of coal ash disposal and the nature of the standards that should apply to these facilities, that is not too surprising. But I do believe this legislation—in fact, any legislation—is premature.

Changes in regulation or in law take a long time, and hitting the restart button now will only lead to continued uncertainty and continued risk. We have had far too much of those already. I believe the rule should move forward. H.R. 1734 would prevent that from happening.

We have had 35 years of weak protection. It has cost us a great deal. It is time for a more rigorous and stringent approach that prevents spills, water pollution, air pollution, and exposures to toxic substances. It is time to put people's health and safety first.

EPA's coal ash disposal rule was years in the making. We should not discard the approach taken in EPA's rule before it has even been implemented or evaluated. EPA's rule emerged through an extensive public

engagement and negotiation process and as a result of years of work invested by the interested parties and the Agency. The coal ash disposal rule should be implemented and given a fair chance to work. If it does not, we certainly retain the option of moving legislation forward.

H.R. 1734 is unnecessary, and H.R. 1734 offers far weaker protections than those of EPA's final rule. I oppose this bill, and I urge my colleagues to do the same.

Mr. SHIMKUS. Mr. Chairman, may I ask how much time remains for each side?

The CHAIR. The gentleman from Illinois has 12½ minutes remaining. The gentleman from New Jersey has 14 minutes remaining.

Mr. SHIMKUS. Mr. Chairman, I yield 2 minutes to the gentleman from West Virginia (Mr. MOONEY).

Mr. MOONEY of West Virginia. Mr. Chairman, our coal industry is suffering in West Virginia because President Obama's regulations are artificially driving down demand for reliable and affordable coal.

With power plants closing and home energy prices rising, our miners are suffering and jobs are being cut due to this administration's continuous overreach and interference. That is why Representative DAVID MCKINLEY's bill, the Improving Coal Combustion Residuals Regulation Act of 2015 is so important to our communities in West Virginia. I am a proud original cosponsor.

I strongly support this legislation because it allows States to adopt and implement their own coal ash permitting systems as long as they meet basic Federal standards. The States, along with their local communities and hardworking coal miners, know best how to implement coal ash regulations and will ensure that water quality and the environment are protected.

Being able to recycle coal ash means we can turn our spent coal into useful products, like drywall and concrete. This means more mining jobs and a healthier economy for West Virginia and all of America.

I urge my colleagues to join us in voting for H.R. 1734, the Improving Coal Combustion Residuals Regulation Act of 2015.

Mr. PALLONE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, again, a major reason why so many Members on my side of the aisle oppose this bill is because of our concern that coal ash is, in fact, toxic. I just want to focus for a few moments on the reasons this issue is so important to many Members, i.e., the significant health risks posed by the toxic constituents in coal ash.

Coal ash contains arsenic, antimony, barium, beryllium, cadmium, lead, mercury, hexavalent chromium, nickel, selenium, and thallium. Those metals are toxic and pose both acute and chronic threats to human health and the environment. We have heard several claims today that coal ash is not toxic, but the risks posed by these materials, if not properly handled, are real and significant.

EPA finalized the rule for coal ash under subtitle via RCRA, the nonhazardous title, but even in that rule the Agency recognized the serious threats to public health, saying repeatedly that ash can leach toxic metals at levels of concern.

We now know of more than 150 documented damage cases from coal ash pollution. We saw what happened in Kingston, Tennessee. We saw what happened in the Dan River. We saw what happened in Martins Creek, Pennsylvania. The list goes on.

Some may try to dispute the empirical evidence, citing an old laboratory test for leaching that EPA used in 2000, but that test is not the state of the art and has not been for some time. In fact, in 1999, the Science Advisory Board criticized EPA's use of that test for coal ash, suggesting that a new test was necessary. In 2006, the National Academies criticized the leaching test as well, saying that it was not representative of real-world conditions and may greatly underestimate the leaching that occurs. EPA recognized this in their final rule.

I would caution my colleagues against relying too heavily on that outdated test or even on EPA's decision to regulate as nonhazardous. Coal ash is dangerous, and if it ends up in drinking water, groundwater, or air, it is toxic. That is why EPA's rule is so important and why this bill is so dangerous.

I urge my colleagues to vote ''no.''

I reserve the balance of my time.

Mr. SHIMKUS. Mr. Chairman, before I yield to my colleague from Florida, let me respond.

I am just trying to figure out whether the other side believes it is toxic or not toxic and if they trust the EPA or don't trust the EPA, because the EPA has ruled twice—in 1993 and 2000—that it was toxic. Then they roll out the final rule, which the other side is defending, and they say it is not toxic. The other side's debating point is really why we need the bill, because uncertainty is being created with the recyclable and reuse people.

What was just talked about should cause everyone who is in the recyclable and reuse industry to say, ''We were right; we need this bill'' because the EPA, in 1993 and 2000, and the final rule. That is one part of the reason why we need the bill is to close that loophole because, yes, it is kind of ironic for me to be supporting the EPA, but the EPA has said it is not toxic.

I yield 2 minutes to the gentleman from Florida (Mr. BILIRAKIS).

Mr. BILIRAKIS. Mr. Chairman, I rise today to support H.R. 1734, the Improving Coal Combustion Residuals Regulation Act. This commonsense legislation will ensure that coal combustion products are safely regulated by empowering the States to regulate it at fixed standards without overwhelming consumers' wallets. It also gives the EPA the authority to act to protect the public should a State fail to implement its own regulations.

□ 1645

Coal combustion products have become a significant sector of the economy, providing jobs and environmental and safety benefits. The recycling of coal combustion products reduces greenhouse gas emissions, extends the life and durability of the Nation's roads and bridges, and reduces the amount that must be disposed of in landfills or surface impoundments.

If EPA reverses its decision not to regulate coal ash as a hazardous material, as they are considering, the cost to Floridians could be astronomical because Florida law does not permit hazardous waste landfills. Utilities would then be forced to export the ash to neighboring States, the result of which would be higher out-of-pocket energy costs for my constituents. We can't have that.

Overregulating the recycling of coal combustible products will only serve to hurt the environment and increase the costs to consumers. These are things we should be avoiding, not promoting.

This legislation will protect jobs and provide certainty to States, utilities, and businesses that recycle coal combustible products.

I urge my colleagues to support this important piece of legislation.

Mr. PALLONE. Mr. Chairman, I yield myself such time as I may consume.

In response to the chairman of the subcommittee, I just want to stress again that I don't think that you should rely on EPA's decision to regulate as nonhazardous, meaning that coal ash is considered nontoxic.

The fact of the matter is that the EPA has never said that it is not a toxic material, and they continue to say that it is dangerous. If it ends up in drinking water, groundwater, or air, it is toxic.

That is why I will take the time now, Mr. Chairman, to read from the SAP, or the Statement of Administration Policy, from the Executive Office of the President. Their main concern in issuing this Statement of Administration Policy is the impact on public health and the environment.

I just would like to read it. It says: ''The Administration strongly opposes H.R. 1734, because it would undermine the protection of public health and the environment provided by the Environmental Protection Agency's (EPA's) December 2014 final rule addressing the

risks posed by mismanaged impoundments of coal ash and other coal combustion residuals (CCR). The 2008 failure of a coal ash impoundment in Kingston, Tennessee, and the 2014 coal ash spill into the Dan River in Eden, North Carolina, serve as stark reminders of the need for safe disposal and management of coal ash.

''EPA's rule articulates clear and consistent national standards to protect public health and the environment, prevent contamination of drinking water, and minimize the risk of catastrophic failure at coal ash surface impoundments. H.R. 1734 would, however, substantially weaken these protections. For example, the bill would eliminate restrictions on how close coal ash impoundments can be to drinking water sources. It would also undermine EPA's requirement that unlined impoundments must close or be retrofitted with protective liners if they are leaking and contaminating drinking water. Further, the bill would delay requirements in EPA's final CCR rule, including structural integrity and closure requirements, for which tailored extensions are already available through EPA's rule and through approved Solid Waste Management Plans.

''While the Administration supports appropriate State program flexibility, H.R. 1734 would allow States to modify or waive critical protective requirements found in EPA's final CCR rule. Specifically, H.R. 1734 authorizes States to implement permit programs that would not meet a national minimum standard of protection and fails to provide EPA with an opportunity to review and approve State permit programs prior to implementation, departing from the long-standing precedent of previously enacted Federal environmental statutes.

''Because it would undercut important national programs provided by EPA's 2014 CCR management and disposal rule, the Administration strongly opposes H.R. 1734. If the President were presented with H.R. 1734''—as before the House today—''his senior advisers would recommend that he veto the bill.''

That is the end of the SAP. The administration's opposition is primarily based on the concerns over public health and the environment that would undermine their rules.

Again, I think it is quite clear that the President, the White House, and the EPA are very concerned that this legislation would make it very possible for coal ash and toxic residue to get into the environment, whether it is through drinking water, air, groundwater, whatever. That is our primary concern, Mr. Chairman.

I reserve the balance of my time.

Mr. SHIMKUS. Mr. Chairman, I have no further speakers, and I reserve the balance of my time.

Mr. PALLONE. Mr. Chairman, may I inquire how much time is remaining?

The CHAIR. The gentleman from New Jersey has 7½ minutes remaining.

Mr. PALLONE. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, what is coal ash and what risk does it pose? Basically, it is the waste from burning coal and power plants or industrial facilities; and it contains high concentrations of toxic chemicals, as I said, including arsenic, lead, and mercury.

The unsafe disposal of coal ash presents serious risks to human health and the environment. Contaminants can leach into groundwater and drinking water supplies or become airborne as toxic dust. Aging or deficient coal ash impoundments can fail structurally, resulting in catastrophic floods of toxic sludge entering neighboring communities. Examples of these harms are numerous and well documented.

The EPA addressed these risks and published a final rule governing coal ash disposal in the Federal Register in April after decades of work, a robust public process, and consideration of over 450,000 public comments.

The rule sets out minimum national criteria for the disposal of coal ash carefully designed to ensure that no reasonable probability of adverse effects occur on the health or the environment, and the rule explicitly protects beneficial reuse or recycling of coal ash.

The GOP is saying that their bill, H.R. 1734, would merely codify EPA's rule; but that is simply not true. This bill would endanger human health and the environment by eliminating or changing crucial requirements in EPA's rule.

Some examples of protective requirements in the rule that would be eliminated by the bill are liner requirements for existing surface impoundments, closure requirements for deficient structures, location restrictions, groundwater protection standards, cleanup requirements, and transparency.

The bill undermines transparency requirements in EPA's rule, including specific requirements to make information publicly available online; and it introduces new exceptions to publication requirements.

Clearly, this bill would delay important health protections. The EPA rule requires coal ash disposal sites to quickly come into compliance with the rules requirements, with many requirements effective this October.

This bill establishes much longer timeframes for some requirements, with full compliance not required until 6 or 7 years after enactment. Even where the timeframes in the bill are close to those in the rule, they would be counted from the bill's date of enactment, leading to significant delays, compared to the rule.

There is no need for this legislation, Mr. Chairman. In the past, some argued that legislation was needed to prevent EPA from regulating coal ash as hazardous waste and to protect beneficial reuse, but EPA's final rule regulates coal ash as nonhazardous and specifically protects the beneficial reuse.

Some have also suggested that legislation is needed to prevent dual enforcement of State and Federal requirements, but the final rule includes a mechanism for EPA approval of State requirements specifically to address this concern.

Who opposes H.R. 1734? Well, again, the administration—I read the SAP—environment, public health and civil rights groups, Sierra Club, and NAACP; the list goes on. In North Carolina, where a recent spill devastated the Dan River, 25 State legislators have signed a letter of opposition to this legislation.

Again, Mr. Chairman, if you care about human health, if you care about the environment, if you want to make sure that coal ash disposal is not going to contaminate your groundwater, your air, or your drinking water, you should vehemently oppose this legislation.

I urge all of my colleagues to do so, and I yield back the balance of my time.

Mr. SHIMKUS. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, a couple of things—first of all, drinking battery acid is toxic. Batteries are thrown into municipal solid waste landfills. States comply with Federal standards and enforce the protection of their citizens. That is all we are asking here.

I am glad you read the Statement of Administration Policy. I have a letter from ECOS and ASTSWMO. ECOS is the Environmental Council of the States. It represents all 50 States. ASTSWMO represents the Association of State and Territorial Solid Waste Management Officials.

Every local government official that manages waste in this country and our territories supports this bill. They must think that there is a reason. I have got to believe that these local States are concerned about protecting their citizens. Otherwise, they wouldn't be elected.

California is an ECOS. Washington State is an ECOS. In fact, the next letter we have is from the Western Governors' Association, and it was unanimous to support this bill. Our friend, the Governor of Washington State, used to be on the committee. No one would say he is going to threaten and endanger his citizens.

The States can do this. They have State EPAs. Let's have a certificate program using Federal statutory guidelines so that we know the rules of the road. That is really all we are doing.

H.R. 1734 is the best solution for everyone. It is a solution for the EPA because their protective technical requirements for coal ash will be implemented through enforceable permits,

and they will have a far more significant oversight role for coal ash than they would have under the rule.

It is a solution for the States because they will be able to immediately develop permit programs and know exactly what the permit programs must contain.

It is a solution for the regulated community because they will have the benefit of enforceable permits and regulatory oversight to help them interpret and implement the requirements.

It is a solution for the beneficial users because they will have the certainty that coal ash will continue to be regulated as a nonhazardous waste.

Finally, I would like to thank Mr. MCKINLEY for his longstanding leadership on this issue as we continue the process of trying to figure out how to effectively regulate coal ash.

I urge all my colleagues to support this bipartisan solution to effectively and affirmatively regulate coal ash, and I yield back the balance of my time.

Ms. CLARKE of New York. Mr. Chair, today, I rise to discuss my opposition to H.R 1734, Improving Coal Combustion Residuals Regulation Act of 2015. H.R. 1734 is an attack on the EPA's recently finalized minimum disposal standards for toxic coal ash and a threat to safety, health, and the environment.

Low-income communities bear an unbalanced share of the health risks from disposal of coal combustion waste, as with so many environmental issues. Almost 70 percent of coal ash impoundments are located in communities of color or low income communities.

Coal ash disposal sites directly impact the health, livelihood, and home values for the already poor and vulnerable communities living around these dump sites. More than 200 coal ash sites have already contaminated water in 37 states.

Supporting this act gives a cold shoulder to American families suffering from toxic coal ash-related health issues. It tells those families that Congress does not care about their health and environmental issues.

This bill will delay many of the EPA's coal ash rule's new health and safety protections, weaken the rule's mandate to close inactive ponds by extending the deadline for closure, eliminate the rule's guarantee of public access to information and public participation, and eliminate the rule's ban on storing and dumping coal ash in drinking water. The bill will also remove the national minimum standard for protection and cleanup of coal ash-contaminated sites, remove the rule's national standard for drinking water protection and cleanup of ash-contaminated sites, prohibit effective federal oversight of state programs, and prohibit EPA enforcement of state program requirements unless invited by a state.

This is why I am in support of the Butterfield/Rush/Clarke/Price/Adams Amendment, which attempts to improve this bill by allowing the Administrator of the EPA to prevent the underlying legislation from going into effect if it is determined to have a negative impact on vulnerable populations.

In summary, I oppose H.R. 1734 because it places the health of communities and environment in great danger and fails to guarantee consistent nationwide protection. I urge my colleagues to join me in protecting the American people by opposing this bill.

Mr. GENE GREEN of Texas. Mr. Chair, I rise in support of H.R. 1734, the Improving Coal Combustion Residuals Regulation Act.

The Energy and Commerce Committee has looked at the issue of coal ash for the past several Congresses. I have and continue to advocate for coal ash to be regulated under Subtitle D of the Resource Conservation and Recovery Act (RCRA), which would ensure that the recycling of coal ash continues without disruption.

The beneficial reuse of coal ash is responsible for tens of thousands of jobs around the country—helping our economy and our environment.

I appreciate EPA's decision to regulate coal ash as a non-hazardous waste in its April final rule. However, I do have concerns with the other parts of EPA's new regulations. In particular, the rule is self-implementing, meaning that it does not require permits to be issued and the federal government will have no authority to enforce EPA's standards.

The best way forward is to create a state-based permitting program with minimum federal standards. This legislation does just that, taking many of EPA's requirements and folding them into state permitting programs. The program created by this bill would give states the flexibility to meet their unique conditions and empower state agencies to enforce environmental and safety requirements that will protect communities and the environment.

EPA will be authorized to step-in for states that do not create their own programs.

This chamber passed coal ash legislation with bipartisan support in 2011 and 2013. The legislation before us today is an improvement on those bills and provides stronger protections for human health and the environment.

Mr. Chair, I ask for colleagues on both sides of the aisle to come together and vote in support of this commonsense, bipartisan legislation.

Mr. UPTON. Mr. Chair, I rise today to again voice my strong support for H.R. 1734, the Improving Coal Combustion Residuals Regulation Act. We have been down this road before, and it has been bipartisan every step of the way. Versions of this legislation already passed the House on a number of occasions, and I believe that each Congress our thoughtful solution got better as we work to protect jobs, public health, and the environment. We worked closely with states as well as the administration, and we have a balanced solution before us today.

This legislation incorporates the EPA's final coal ash rule that was announced in December and eliminates the challenges to its implementation. It sets up a state-based regulatory program to ensure the safe management and disposal of coal ash.

States like my home state of Michigan have been, and will always be, better suited to implement rules and regulations because they understand local conditions. Folks who are on the ground are always better able to assess and handle a situation than bureaucrats in Washington.

We have received letters in support of this bipartisan bill from state legislators, governors, and laborers—the list goes on. The Western Governors Association wrote that they ''support congressional efforts to address problematic confusion'' created by EPA's final coal ash rule. They point out that the rule produces an unintended consequence by creating a dual federal and state regulatory system.

Why? Because EPA lacks authority to delegate the coal ash program to states in lieu of a federal program. Their letter also notes that EPA's rule ''does not require facilities to obtain permits, does not require states to adopt and implement new rules, and cannot be enforced by EPA.''

This bill is not about the fracas over burning coal. It's about who's on the Clean-up Committee. It's about who has the expertise and responsibility for protecting a state's natural resources and the health of a state's residents.

And it's not just Western Governors who understand this principle. The Environmental Council of the States, the nonpartisan association of state and territorial environmental agency leaders, has lent their strong voices to this effort, unanimously writing is support of H.R. 1734. This isn't just environmental chiefs from states with coal, or states with governors from the same party. It's all ECOS member states.

We have a thoughtful solution before us today, and I want to recognize the bill's author, Mr. MCKINLEY, and the subcommittee chairman, Mr. SHIMKUS, for their hard work. We have been at this for years and have struck the sweet spot. I urge all Members to vote ''yes'' on final passage and to vote with the gentlemen from Illinois on any amendments. I yield back.

Mr. CONYERS. Mr. Chair, I rise today in opposition to H.R. 1734, the majority's haphazard effort to delay and weaken regulation of coal combustion residuals—better known as coal ash.

Every year our coal plants consume nearly 800 million tons of coal. That consumption produces nearly 100 million tons of coal ash loaded with mercury, cadmium, arsenic, and heavy metals. These toxic compounds have led even conservative towns like Conway, South Carolina—where President Obama lost by 28 points to Governor Romney in 2014—to vote for coal ash removal.

The Environmental Protection Agency's Coal Combustion Residual (CCR) Rule, issued on December 19, 2014, seeks to remedy the problem that many communities have with coal ash. It prohibits storage in dangerous areas, like along fault lines and too close to the water table. It creates strong liner requirements to prevent leaching of toxic compounds. It requires groundwater testing of areas immediately next to coal ash storage sites. It requires companies to clean up their mess when their coal ash leaches out or spills into waterways. It requires disclosure and public notice of testing results and spillages.

H.R. 1734 would weaken most of these strong standards in favor state-run permitting programs. And those programs that would take years to create and would then require fewer protections for the public.

But the watered down standards are merely the surface problem with H.R. 1734—the fatal flaw is in how H.R. 1734 would delay and undercut any effort to enforce coal ash regulations.

Under current law, private citizens may bring lawsuits to enforce the Resource Conservation and Recovery Act of 1976 (RCRA). Since EPA promulgated the Coal Ash Regulation under RCRA, that means that the same people who care most about coal ash—those whose air and water are threatened—may sue to enforce EPA's Coal Ash provisions. H.R. 1734 changes that, creating a permitting program that could delay suits for more than five years.

Still, the Chairman of one Energy and Commerce Subcommittee describes H.R. 1734 as a win for coal ash accountability, because it ''breathes real-life enforcement authority into the standards.''

Nothing could be further from the truth.

North Carolina—ground zero in the fight against coal ash—provides a crystal clear example of the crony capitalist regulation and corrupt enforcement that H.R. 1734 would enshrine in law.

On February 2, 2014, Duke Energy spilled nearly 40,000 tons of coal ash into the Dan River. The spill by itself was a disaster. But it also called attention to a decades-old problem—coal ash leaching in less dramatic ways into North Carolina's waterways.

Newly-aware North Carolinians were furious and demanded action. Raleigh, NC-based Public Policy Polling found that 93% of North Carolinians wanted the state to force Duke Energy to clean up the Dan River; 83% favored forcing Duke Energy to clean up all their coal ash sites.

But that was not what happened. North Carolina met Duke Energy's Dan River spill not with enforcement, but with what looks a lot like ''constituent services.'' A three-decade Duke Energy employee occupied the North Carolina governor's mansion. North Carolina's environmental regulator delayed the enforcement proceedings—as they have done with other leaching-based contaminations—to the benefit of Duke Energy. When they finally assessed a fine—they hit Duke Energy with just $25 million against a company who made $3 billion that year. But that agreement also had no requirement that Duke Energy clean up their spill—directly contradicting the wishes of 93% of North Carolinians.

H.R. 1734 tells us to trust in state enforcement. But as we have already seen, it is far too easy for corrupt utilities to capture state regulators. H.R. 1734 repeals the EPA rule for one reason—it would work. And unlike coal ash leaching into our drinking waters, that is not something that unscrupulous special interest groups are going to tolerate.

I urge my colleagues to end the farce that H.R. 1734 represents; pull it from the floor like they did with the House Interior and Environment Appropriations; and figure out how they can help our communities instead of poison them.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule. The bill shall be considered as read.

The text of the bill is as follows:

H.R. 1734

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Improving Coal Combustion Residuals Regulation Act of 2015''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title and table of contents.
Sec. 2. Management and disposal of coal combustion residuals.
Sec. 3. 2000 regulatory determination.
Sec. 4. Technical assistance.
Sec. 5. Federal Power Act.

SEC. 2. MANAGEMENT AND DISPOSAL OF COAL COMBUSTION RESIDUALS.

(a) IN GENERAL.—Subtitle D of the Solid Waste Disposal Act (42 U.S.C. 6941 et seq.) is amended by adding at the end the following:

''SEC. 4011. MANAGEMENT AND DISPOSAL OF COAL COMBUSTION RESIDUALS.

''(a) STATE PERMIT PROGRAMS FOR COAL COMBUSTION RESIDUALS.—Each State may adopt, implement, and enforce a coal combustion residuals permit program in accordance with this section.

''(b) STATE ACTIONS.—

''(1) NOTIFICATION.—Not later than 6 months after the date of enactment of this section (except as provided by the deadline identified under subsection (d)(3)(B)), the Governor of each State shall notify the Administrator, in writing, whether such State will adopt and implement a coal combustion residuals permit program.

''(2) CERTIFICATION.—

''(A) IN GENERAL.—Not later than 24 months after the date of enactment of this section (except as provided in subparagraph (B) and subsection (f)(1)(A)), in the case of a State that has notified the Administrator that it will implement a coal combustion residuals permit program, the head of the lead State implementing agency shall submit to the Administrator a certification that such coal combustion residuals permit program meets the requirements described in subsection (c).

''(B) EXTENSION.—

''(i) REQUIREMENTS.—The Administrator may extend the deadline for submission of a certification for a State under subparagraph (A) for a period of 12 months if the State submits to the Administrator a request for such an extension that—

''(I) describes the efforts of the State to meet such deadline;

''(II) demonstrates that the legislative or rulemaking procedures of such State render the State unable meet such deadline; and

''(III) provides the Administrator with a detailed schedule for completion and submission of the certification.

''(ii) DETERMINATION.—If the Administrator does not approve or deny a request submitted under clause (i) by the date that is 30 days after such submission, the request shall be deemed approved.

''(C) CONTENTS.—A certification submitted under this paragraph shall include—

''(i) a letter identifying the lead State implementing agency, signed by the head of such agency;

''(ii) identification of any other State agencies involved with the implementation of the coal combustion residuals permit program;

''(iii) an explanation of how the State coal combustion residuals permit program meets the requirements of this section, including—

''(I) a description of the State's—

''(aa) process to inspect or otherwise determine compliance with such permit program;

''(bb) process to enforce the requirements of such permit program;

''(cc) public participation process for the promulgation, amendment, or repeal of regulations for, and the issuance of permits under, such permit program; and

''(dd) statutes, regulations, or policies pertaining to public access to information, including information on groundwater monitoring data, structural stability assessments, emergency action plans, fugitive dust control plans, notifications of closure (including any certification of closure by a qualified professional engineer), and corrective action remedies; and

''(II) identification of any changes to the definitions under section 257.53 of title 40, Code of Federal Regulations, for purposes of the State coal combustion residuals permit program, including a reasonable basis for such changes, as required under subsection (l)(5);

''(iv) a statement that the State has in effect, at the time of certification, statutes or regulations necessary to implement a coal combustion residuals permit program that meets the requirements described in subsection (c);

''(v) copies of State statutes and regulations described in clause (iv);

''(vi) a plan for a response by the State to a release at a structure or inactive surface impoundment that has the potential for impact beyond the site on which the structure or inactive surface impoundment is located; and

''(vii) a plan for coordination among States in the event of a release that crosses State lines.

''(D) UPDATES.—A State may update the certification as needed to reflect changes to the coal combustion residuals permit program.

''(3) MAINTENANCE OF 4005(c) OR 3006 PROGRAM.—In order to adopt or implement a coal combustion residuals permit program under this section (including pursuant to subsection (f)), the lead State implementing agency shall maintain an approved permit program or other system of prior approval and conditions under section 4005(c) or an authorized program under section 3006.

''(c) REQUIREMENTS FOR A COAL COMBUSTION RESIDUALS PERMIT PROGRAM.—A coal combustion residuals permit program shall consist of the following:

''(1) GENERAL REQUIREMENTS.—

''(A) PERMITS.—The implementing agency shall require that owners or operators of structures apply for and obtain permits incorporating the applicable requirements of the coal combustion residuals permit program.

''(B) PUBLIC AVAILABILITY OF INFORMATION.—Except for information with respect to which disclosure is prohibited under section 1905 of title 18, United States Code, the implementing agency shall ensure that—

''(i) documents for permit determinations are made publicly available for review and comment under the public participation process of the coal combustion residuals permit program;

''(ii) final determinations on permit applications are made publicly available;

''(iii) information on groundwater monitoring data, structural stability assessments, emergency action plans, fugitive dust control plans, notifications of closure (including any certification of closure by a qualified professional engineer), and corrective action remedies required pursuant to paragraph (2), collected in a manner determined appropriate by the implementing agency, is publicly available, including on an Internet website; and

''(iv) information regarding the exercise by the implementing agency of any discretionary authority granted under this section and not provided for in the rule described in subsection (l)(1) is made publicly available.

''(C) AGENCY AUTHORITY.—

''(i) IN GENERAL.—The implementing agency shall—

''(I) obtain information necessary to determine whether the owner or operator of a structure is in compliance with the requirements of the coal combustion residuals permit program;

''(II) conduct or require monitoring or testing to ensure that structures are in compliance with the requirements of the coal combustion residuals permit program; and

''(III) enter any site or premise at which a structure or inactive coal combustion residuals surface impoundment is located for the purpose of inspecting such structure or surface impoundment and reviewing relevant records.

''(ii) MONITORING AND TESTING.—If monitoring or testing is conducted under clause (i)(II) by or for the implementing agency, the implementing agency shall, if requested, provide to the owner or operator—

''(I) a written description of the monitoring or testing completed;

''(II) at the time of sampling, a portion of each sample equal in volume or weight to the portion retained by or for the implementing agency; and

''(III) a copy of the results of any analysis of samples collected by or for the implementing agency.

''(2) CRITERIA.—The implementing agency shall apply the following criteria with respect to structures:

''(A) DESIGN REQUIREMENTS.—For new structures, including lateral expansions of existing structures, the criteria regarding design requirements described in sections 257.70 and 257.72 of title 40, Code of Federal Regulations, as applicable.

''(B) GROUNDWATER MONITORING AND CORRECTIVE ACTION.—

''(i) IN GENERAL.—Except as provided in clause (ii), for all structures, the criteria regarding groundwater monitoring and corrective action requirements described in sections 257.90 through 257.98 of title 40, Code of Federal Regulations, including—

''(I) for the purposes of detection monitoring, the constituents described in appendix III to part 257 of title 40, Code of Federal Regulations; and

''(II) for the purposes of assessment monitoring, establishing a groundwater protection standard, and assessment of corrective measures, the constituents described in appendix IV to part 257 of title 40, Code of Federal Regulations.

''(ii) EXCEPTIONS AND ADDITIONAL AUTHORITY.—

''(I) ALTERNATIVE POINT OF COMPLIANCE.—Notwithstanding section 257.91(a)(2) of title 40, Code of Federal Regulations, the implementing agency may establish the relevant point of compliance for the down-gradient monitoring system as provided in section 258.51(a)(2) of title 40, Code of Federal Regulations.

''(II) ALTERNATIVE GROUNDWATER PROTECTION STANDARDS.—Notwithstanding section 257.95(h) of title 40, Code of Federal Regulations, the implementing agency may establish an alternative groundwater protection standard as provided in section 258.55(i) of title 40, Code of Federal Regulations.

''(III) ABILITY TO DETERMINE THAT CORRECTIVE ACTION IS NOT NECESSARY OR TECHNICALLY FEASIBLE.—Notwithstanding section 257.97 of title 40, Code of Federal Regulations, the implementing agency may determine that remediation of a release from a structure is not necessary as provided in section 258.57(e) of title 40, Code of Federal Regulations.

''(IV) AUTHORITY RELATING TO RELEASES, OTHER THAN RELEASES TO GROUNDWATER.—Notwithstanding sections 257.90(d) and 257.96(a) of title 40, Code of Federal Regulations, the implementing agency may, with respect to a release from a structure, other than a release to groundwater, authorize, for purposes of complying with this section, remediation of such release in accordance with other applicable Federal or State requirements if compliance with such requirements will result in the same level of protection as compliance with the criteria described in sections 257.96 through 257.98 of title 40, Code of Federal Regulations, taking into consideration the nature of the release.

''(V) GENERAL AUTHORITY RELATING TO GROUNDWATER MONITORING AND CORRECTIVE ACTION.—Notwithstanding sections 257.90 through 257.98 of title 40, Code of Federal Regulations, the implementing agency may authorize alternative groundwater monitoring and corrective action requirements provided that such requirements are no less stringent than the alternative requirements authorized to be established under subpart E of part 258 of title 40, Code of Federal Regulations.

''(VI) OPPORTUNITY FOR CORRECTIVE ACTION FOR UNLINED SURFACE IMPOUNDMENTS.—Notwithstanding section 257.101(a)(1) of title 40, Code of Federal Regulations, the implementing agency may allow the owner or operator of an existing structure that is an unlined surface impoundment—

''(aa) to continue to operate, pursuant to sections 257.96 through 257.98 of title 40, Code of Federal Regulations, until the date that is 102 months after the date of enactment of this section; and

''(bb) to continue to operate after such date as long as such unlined surface impoundment meets the groundwater protection standard established pursuant to this subparagraph and any other applicable requirement established pursuant to this section.

''(C) CLOSURE.—For all structures, the criteria for closure described in sections 257.101, 257.102, and 257.103 of title 40, Code of Federal Regulations, except—

''(i) the criteria described in section 257.101(a)(1) of title 40, Code of Federal Regulations, shall apply to an existing structure that is an unlined surface impoundment only if—

''(I) the unlined surface impoundment is not allowed to continue operation pursuant to subparagraph (B)(ii)(VI)(aa); or

''(II) in the case of an unlined surface impoundment that is allowed to continue operation pursuant to subparagraph (B)(ii)(VI)(aa), the date described in such subparagraph has passed and the unlined surface impoundment does not meet the requirements described in subparagraph (B)(ii)(VI)(bb);

''(ii) the criteria described in section 257.101(b)(1) of title 40, Code of Federal Regulations, shall not apply to existing structures, except as provided in subparagraphs (E)(i)(II) and (E)(ii); and

''(iii) if an implementing agency has set a deadline under clause (i) or (ii) of subparagraph (L), the criteria described in section 257.101(b)(2) of title 40, Code of Federal Regulations, shall apply to structures that are surface impoundments only after such deadline.

''(D) POST-CLOSURE.—For all structures, the criteria for post-closure care described in section 257.104 of title 40, Code of Federal Regulations.

''(E) LOCATION RESTRICTIONS.—

''(i) IN GENERAL.—The criteria for location restrictions described in—

''(I) for new structures, including lateral expansions of existing structures, sections 257.60 through 257.64 and 257.3–1 of title 40, Code of Federal Regulations; and

''(II) for existing structures, sections 257.64 and 257.3–1 of title 40, Code of Federal Regulations.

''(ii) ADDITIONAL AUTHORITY.—The implementing agency may apply the criteria described in sections 257.60 through 257.63 of title 40, Code of Federal Regulations, to existing structures that are surface impoundments.

''(F) AIR CRITERIA.—For all structures, the criteria for air quality described in section 257.80 of title 40, Code of Federal Regulations.

''(G) FINANCIAL ASSURANCE.—For all structures, the criteria for financial assurance described in subpart G of part 258 of title 40, Code of Federal Regulations.

''(H) SURFACE WATER.—For all structures, the criteria for surface water described in section 257.3–3 of title 40, Code of Federal Regulations.

''(I) RECORDKEEPING.—For all structures, the criteria for recordkeeping described in section 257.105 of title 40, Code of Federal Regulations.

''(J) RUN-ON AND RUN-OFF CONTROLS.—For all structures that are landfills, sand or gravel pits, or quarries, the criteria for run-on and run-off control described in section 257.81 of title 40, Code of Federal Regulations.

''(K) HYDROLOGIC AND HYDRAULIC CAPACITY REQUIREMENTS.—For all structures that are surface impoundments, the criteria for inflow design flood control systems described in section 257.82 of title 40, Code of Federal Regulations.

''(L) STRUCTURAL INTEGRITY.—For structures that are surface impoundments, the criteria for structural integrity described in sections 257.73 and 257.74 of title 40, Code of Federal Regulations, except that, notwithstanding section 257.73(f)(4) of title 40, Code of Federal Regulations, the implementing agency may provide for—

''(i) up to 30 days for an owner or operator to complete a safety factor assessment when an owner or operator has failed to meet an applicable periodic assessment deadline provided in section 257.73(f) of title 40, Code of Federal Regulations; and

''(ii) up to 12 months for an owner or operator to meet the safety factor assessment criteria provided in section 257.73(e)(1) of title 40, Code of Federal Regulations, if the implementing agency determines, through the initial safety factor assessment, that the structure does not meet such safety factor assessment criteria and that the structure does not pose an immediate threat of release.

''(M) INSPECTIONS.—For all structures, the criteria described in sections 257.83 and 257.84 of title 40, Code of Federal Regulations.

''(3) PERMIT PROGRAM IMPLEMENTATION FOR EXISTING STRUCTURES.—

''(A) NOTIFICATION.—Not later than the date on which a State submits a certification under subsection (b)(2), not later than 18 months after the Administrator receives notice under subsection (e)(1)(A), or not later than 24 months after the date of enactment of this section with respect to a coal combustion residuals permit program that is being

implemented by the Administrator under subsection (e)(3), as applicable, the implementing agency shall notify owners or operators of existing structures of—

''(i) the obligation to apply for and obtain a permit under subparagraph (C); and

''(ii) the requirements referred to in subparagraph (B)(ii).

''(B) COMPLIANCE WITH CERTAIN REQUIREMENTS.—

''(i) INITIAL DEADLINE FOR CERTAIN REQUIREMENTS.—Not later than 8 months after the date of enactment of this section, the implementing agency shall require owners or operators of existing structures to comply with—

''(I) the requirements under paragraphs (2)(F), (2)(H), (2)(I), and (2)(M); and

''(II) the requirement for a permanent identification marker under the criteria described in paragraph (2)(L).

''(ii) SUBSEQUENT DEADLINE FOR CERTAIN OTHER REQUIREMENTS.—Not later than 12 months after the date on which a State submits a certification under subsection (b)(2), not later than 30 months after the Administrator receives notice under subsection (e)(1)(A), or not later than 36 months after the date of enactment of this section with respect to a coal combustion residuals permit program that is being implemented by the Administrator under subsection (e)(3), as applicable, the implementing agency shall require owners or operators of existing structures to comply with—

''(I) the requirements under paragraphs (2)(B), (2)(G), (2)(J), (2)(K), and (2)(L); and

''(II) the requirement for a written closure plan under the criteria described in paragraph (2)(C).

''(C) PERMITS.—

''(i) PERMIT DEADLINE.—Not later than 48 months after the date on which a State submits a certification under subsection (b)(2), not later than 66 months after the Administrator receives notice under subsection (e)(1)(A), or not later than 72 months after the date of enactment of this section with respect to a coal combustion residuals permit program that is being implemented by the Administrator under subsection (e)(3), as applicable, the implementing agency shall issue, with respect to an existing structure, a final permit incorporating the applicable requirements of the coal combustion residuals permit program, or a final denial of an application submitted requesting such a permit.

''(ii) APPLICATION DEADLINE.—The implementing agency shall identify, in collaboration with the owner or operator of an existing structure, a reasonable deadline by which the owner or operator shall submit a permit application under clause (i).

''(D) INTERIM OPERATION.—

''(i) PRIOR TO DEADLINES.—Unless the implementing agency determines that the structure should close in accordance with the criteria described in paragraph (2)(C), with respect to any period of time on or after the date of enactment of this section but prior to the applicable deadline in subparagraph (B), the owner or operator of an existing structure may continue to operate such structure until such applicable deadline under any applicable regulations in effect during such period.

''(ii) PRIOR TO PERMIT.—Unless the implementing agency determines that the structure should close in accordance with the criteria described in paragraph (2)(C), if the owner or operator of an existing structure meets the requirements referred to in subparagraph (B) by the applicable deadline in such subparagraph, the owner or operator may operate the structure until such time as the implementing agency issues, under subparagraph (C), a final permit incorporating the requirements of the coal combustion residuals permit program, or a final denial of an application submitted requesting such a permit.

''(4) REQUIREMENTS FOR INACTIVE COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS.—

''(A) NOTICE.—Not later than 2 months after the date of enactment of this section, each owner or operator of an inactive coal combustion residuals surface impoundment shall submit to the Administrator and the State in which such inactive coal combustion residuals surface impoundment is located a notice stating whether such inactive coal combustion residuals surface impoundment will—

''(i) not later than 3 years after the date of enactment of this section, complete closure in accordance with section 257.100 of title 40, Code of Federal Regulations; or

''(ii) comply with the requirements of the coal combustion residuals permit program applicable to existing structures that are surface impoundments (except as provided in subparagraph (D)(ii)).

''(B) EXTENSION.—In the case of an inactive coal combustion residuals surface impoundment for which the owner or operator submits a notice described in subparagraph (A)(i), the implementing agency may extend the closure deadline provided in such subparagraph by a period of not more than 2 years if the owner or operator of such inactive coal combustion residuals surface impoundment—

''(i) demonstrates to the satisfaction of the implementing agency that it is not feasible to complete closure of the inactive coal combustion residuals surface impoundment in accordance with section 257.100 of title 40, Code of Federal Regulations, by the deadline provided in subparagraph (A)(i)—

''(I) because of complications stemming from the climate or weather, such as unusual amounts of precipitation or a significantly shortened construction season;

''(II) because additional time is required to remove the liquid from the inactive coal combustion residuals surface impoundment due to the volume of coal combustion residuals contained in the surface impoundment or the characteristics of the coal combustion residuals in such surface impoundment;

''(III) because the geology and terrain surrounding the inactive coal combustion residuals surface impoundment will affect the amount of material needed to close the inactive coal combustion residuals surface impoundment; or

''(IV) because additional time is required to coordinate with and obtain necessary approvals and permits; and

''(ii) demonstrates to the satisfaction of the implementing agency that the inactive coal combustion residuals surface impoundment does not pose an immediate threat of release.

''(C) FINANCIAL ASSURANCE.—The implementing agency shall require the owner or operator of an inactive surface impoundment that has closed pursuant to this paragraph to perform post-closure care in accordance with the criteria described in section 257.104(b)(1) of title 40, Code of Federal Regulations, and to provide financial assurance for such post-closure care in accordance with the criteria described in section 258.72 of title 40, Code of Federal Regulations.

''(D) TREATMENT AS STRUCTURE.—

''(i) IN GENERAL.—An inactive coal combustion residuals surface impoundment shall be treated as an existing structure that is a surface impoundment for the purposes of this section, including with respect to the requirements of paragraphs (1) and (2), if—

''(I) the owner or operator does not submit a notice in accordance with subparagraph (A); or

''(II) the owner or operator submits a notice described in subparagraph (A)(ii).

''(ii) INACTIVE COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS THAT FAIL TO CLOSE.—An inactive coal combustion residuals surface impoundment for which the owner or operator submits a notice described in subparagraph (A)(i) that does not close by the deadline provided under subparagraph (A)(i) or subparagraph (B), as applicable—

''(I) shall be treated as an existing structure for purposes of this section beginning on the date that is the day after such applicable deadline, including by—

''(aa) being required to comply with the requirements of paragraph (1), as applicable; and

''(bb) being required to comply, beginning on such date, with each requirement of paragraph (2); but

''(II) shall not be required to comply with paragraph (3).

''(d) FEDERAL REVIEW OF STATE PERMIT PROGRAMS.—

''(1) IN GENERAL.—The Administrator shall provide to a State written notice and an opportunity to remedy deficiencies in accordance with paragraph (3) if at any time the State—

''(A) does not satisfy the notification requirement under subsection (b)(1);

''(B) has not submitted a certification as required under subsection (b)(2);

''(C) does not satisfy the maintenance requirement under subsection (b)(3);

''(D) is not implementing a coal combustion residuals permit program, with respect to which the State has submitted a certification under subsection (b)(2), that meets the requirements described in subsection (c);

''(E) is not implementing a coal combustion residuals permit program, with respect to which the State has submitted a certification under subsection (b)(2)—

''(i) that is consistent with such certification; and

''(ii) for which the State continues to have in effect statutes or regulations necessary to implement such program; or

''(F) does not make available to the Administrator, within 90 days of a written request, specific information necessary for the Administrator to ascertain whether the State has satisfied the requirements described in subparagraphs (A) through (E).

''(2) REQUEST.—If a request described in paragraph (1)(F) is proposed pursuant to a petition to the Administrator, the Administrator shall make the request only if the Administrator does not possess the information necessary to ascertain whether the State has satisfied the requirements described in subparagraphs (A) through (E) of paragraph (1).

''(3) CONTENTS OF NOTICE; DEADLINE FOR RESPONSE.—A notice provided under paragraph (1) shall—

''(A) include findings of the Administrator detailing any applicable deficiencies described in subparagraphs (A) through (F) of paragraph (1); and

''(B) identify, in collaboration with the State, a reasonable deadline by which the State shall remedy such applicable deficiencies, which shall be—

''(i) in the case of a deficiency described in subparagraphs (A) through (E) of paragraph (1), not earlier than 180 days after the date on which the State receives the notice; and

''(ii) in the case of a deficiency described in paragraph (1)(F), not later than 90 days after the date on which the State receives the notice.

''(4) CONSIDERATIONS FOR DETERMINING DEFICIENCY OF STATE PERMIT PROGRAM.—In making a determination whether a State has failed to satisfy the requirements described in subparagraphs (A) through (E) of paragraph (1), or a determination under subsection (e)(1)(B), the Administrator shall consider, as appropriate—

''(A) whether the State's statutes or regulations to implement a coal combustion residuals permit program are not sufficient to meet the requirements described in subsection (c) because of—

''(i) failure of the State to promulgate or enact new statutes or regulations when necessary; or

''(ii) action by a State legislature or court striking down or limiting such State statutes or regulations;

''(B) whether the operation of the State coal combustion residuals permit program fails to comply with the requirements of subsection (c) because of—

''(i) failure of the State to issue permits as required in subsection (c)(1)(A);

''(ii) repeated issuance by the State of permits that do not meet the requirements of subsection (c);

''(iii) failure of the State to comply with the public participation requirements of this section; or

''(iv) failure of the State to implement corrective action requirements required under subsection (c)(2)(B); and

''(C) whether the enforcement of a State coal combustion residuals permit program fails to comply with the requirements of this section because of—

''(i) failure to act on violations of permits, as identified by the State; or

''(ii) repeated failure by the State to inspect or otherwise determine compliance pursuant to the process identified under subsection (b)(2)(C)(iii)(I).

''(e) IMPLEMENTATION BY ADMINISTRATOR.—

''(1) FEDERAL BACKSTOP AUTHORITY.—The Administrator shall implement a coal combustion residuals permit program for a State if—

''(A) the Governor of the State notifies the Administrator under subsection (b)(1) that the State will not adopt and implement a permit program;

''(B) the State has received a notice under subsection (d) and the Administrator determines, after providing a 30-day period for notice and public comment, that the State has failed, by the deadline identified in the notice under subsection (d)(3)(B), to remedy the deficiencies detailed in the notice pursuant to subsection (d)(3)(A); or

''(C) the State informs the Administrator, in writing, that such State will no longer implement such a permit program.

''(2) REVIEW.—A State may obtain a review of a determination by the Administrator under this subsection as if the determination was a final regulation for purposes of section 7006.

''(3) OTHER STRUCTURES.—For structures and inactive coal combustion residuals surface impoundments located on property within the exterior boundaries of a State that the State does not have authority or jurisdiction to regulate, the Administrator shall implement a coal combustion residuals permit program only for those structures and inactive coal combustion residuals surface impoundments.

''(4) REQUIREMENTS.—If the Administrator implements a coal combustion residuals permit program under paragraph (1) or (3), the permit program shall consist of the requirements described in subsection (c).

''(5) ENFORCEMENT.—

''(A) IN GENERAL.—If the Administrator implements a coal combustion residuals permit program for a State under paragraph (1)—

''(i) the authorities referred to in section 4005(c)(2)(A) shall apply with respect to coal combustion residuals, structures, and inactive coal combustion residuals surface impoundments for which the Administrator is implementing the coal combustion residuals permit program; and

''(ii) the Administrator may use those authorities to inspect, gather information, and enforce the requirements of this section in the State.

''(B) OTHER STRUCTURES.—If the Administrator implements a coal combustion residuals permit program under paragraph (3)—

''(i) the authorities referred to in section 4005(c)(2)(A) shall apply with respect to coal combustion residuals, structures, and inactive coal combustion residuals surface impoundments for which the Administrator is implementing the coal combustion residuals permit program; and

''(ii) the Administrator may use those authorities to inspect, gather information, and enforce the requirements of this section for the structures and inactive coal combustion residuals surface impoundments for which the Administrator is implementing the coal combustion residuals permit program.

''(6) PUBLIC PARTICIPATION PROCESS.—If the Administrator implements a coal combustion residuals permit program under this subsection, the Administrator shall provide a 30-day period for the public participation process required under subsection (c)(1)(B)(i).

''(f) STATE CONTROL AFTER IMPLEMENTATION BY ADMINISTRATOR.—

''(1) STATE CONTROL.—

''(A) NEW ADOPTION, OR RESUMPTION OF, AND IMPLEMENTATION BY STATE.—For a State for which the Administrator is implementing a coal combustion residuals permit program under subsection (e)(1)(A) or subsection (e)(1)(C), the State may adopt and implement such a permit program by—

''(i) notifying the Administrator that the State will adopt and implement such a permit program;

''(ii) not later than 6 months after the date of such notification, submitting to the Administrator a certification under subsection (b)(2); and

''(iii) receiving from the Administrator—

''(I) a determination, after the Administrator provides for a 30-day period for notice and public comment, that the State coal combustion residuals permit program meets the requirements described in subsection (c); and

''(II) a timeline for transition to the State coal combustion residuals permit program.

''(B) REMEDYING DEFICIENT PERMIT PROGRAM.—For a State for which the Administrator is implementing a coal combustion residuals permit program under subsection (e)(1)(B), the State may adopt and implement such a permit program by—

''(i) remedying only the deficiencies detailed in the notice pursuant to subsection (d)(3)(A); and

''(ii) receiving from the Administrator—

''(I) a determination, after the Administrator provides for a 30-day period for notice and public comment, that the deficiencies detailed in such notice have been remedied; and

''(II) a timeline for transition to the State coal combustion residuals permit program.

''(2) REVIEW OF DETERMINATION.—

''(A) DETERMINATION REQUIRED.—The Administrator shall make a determination under paragraph (1) not later than 90 days after the date on which the State submits a certification under paragraph (1)(A)(ii), or notifies the Administrator that the deficiencies have been remedied pursuant to paragraph (1)(B)(i), as applicable.

''(B) REVIEW.—A State may obtain a review of a determination by the Administrator under paragraph (1) as if such determination was a final regulation for purposes of section 7006.

''(g) IMPLEMENTATION DURING TRANSITION.—

''(1) EFFECT ON ACTIONS AND ORDERS.—Program requirements of, and actions taken or orders issued pursuant to, a coal combustion residuals permit program shall remain in effect if—

''(A) a State takes control of its coal combustion residuals permit program from the Administrator under subsection (f)(1); or

''(B) the Administrator takes control of a coal combustion residuals permit program from a State under subsection (e).

''(2) CHANGE IN REQUIREMENTS.—Paragraph (1) shall apply to such program requirements, actions, and orders until such time as—

''(A) the implementing agency that took control of the coal combustion residuals permit program changes the requirements of the coal combustion residuals permit program with respect to the basis for the action or order; or

''(B) with respect to an ongoing corrective action, the State or the Administrator, whichever took the action or issued the order, certifies the completion of the corrective action that is the subject of the action or order.

''(3) SINGLE PERMIT PROGRAM.—Except as otherwise provided in this subsection—

''(A) if a State adopts and implements a coal combustion residuals permit program under subsection (f), the Administrator shall cease to implement the coal combustion residuals permit program implemented under subsection (e) for such State; and

''(B) if the Administrator implements a coal combustion residuals permit program for a State under subsection (e)(1), the State shall cease to implement its coal combustion residuals permit program.

''(h) EFFECT ON DETERMINATION UNDER 4005(c) OR 3006.—The Administrator shall not consider the implementation of a coal combustion residuals permit program by the Administrator under subsection (e) in making a determination of approval for a permit program or other system of prior approval and conditions under section 4005(c) or of authorization for a program under section 3006.

''(i) AUTHORITY.—

''(1) STATE AUTHORITY.—Nothing in this section shall preclude or deny any right of any State to adopt or enforce any regulation or requirement respecting coal combustion residuals that is more stringent or broader in scope than a regulation or requirement under this section.

''(2) AUTHORITY OF THE ADMINISTRATOR.—

''(A) IN GENERAL.—Except as provided in subsections (d), (e), and (g) of this section and section 6005, the Administrator shall, with respect to the regulation of coal combustion residuals under this Act, defer to the States pursuant to this section.

''(B) IMMINENT HAZARD.—Nothing in this section shall be construed as affecting the authority of the Administrator under section 7003 with respect to coal combustion residuals.

''(C) ENFORCEMENT ASSISTANCE ONLY UPON REQUEST.—Upon request from the head of a lead State implementing agency, the Administrator may provide to such State agency only the enforcement assistance requested.

''(D) CONCURRENT ENFORCEMENT.—Except as provided in subparagraph (C) of this paragraph and subsection (g), the Administrator shall not have concurrent enforcement authority when a State is implementing a coal combustion residuals permit program, including during any period of interim operation described in subsection (c)(3)(D).

''(3) CITIZEN SUITS.—Nothing in this section shall be construed to affect the authority of a person to commence a civil action in accordance with section 7002.

''(j) MINE RECLAMATION ACTIVITIES.—A coal combustion residuals permit program implemented by the Administrator under subsection (e) shall not apply to the utilization, placement, and storage of coal combustion residuals at surface or underground coal mining and reclamation operations.

''(k) USE OF COAL COMBUSTION RESIDUALS.—Use of coal combustion residuals in any of the following ways shall not be considered to be receipt of coal combustion residuals for the purposes of this section:

''(1) Use as—

''(A) engineered structural fill constructed in accordance with—

''(i) ASTM E2277 entitled 'Standard Guide for Design and Construction of Coal Ash Structural Fills', including any amendment or revision to that guidance;

''(ii) any other published national standard determined appropriate by the implementing agency; or

''(iii) a State standard or program relating to—

''(I) fill operations for coal combustion residuals; or

''(II) the management of coal combustion residuals for beneficial use; or

''(B) engineered structural fill for—

''(i) a building site or foundation;

''(ii) a base or embankment for a bridge, roadway, runway, or railroad; or

''(iii) a dike, levee, berm, or dam that is not part of a structure.

''(2) Storage in a manner that is consistent with the management of raw materials, if the coal combustion residuals being stored are intended to be used in a product or as a raw material.

''(3) Beneficial use—

''(A) that provides a functional benefit;

''(B) that is a substitute for the use of a virgin material;

''(C) that meets relevant product specifications and regulatory or design standards; and

''(D) if such use involves placement on the land of coal combustion residuals in nonroadway applications, in an amount equal to or greater than the amount described in the definition of beneficial use in section 257.53 of title 40, Code of Federal Regulations, for which the person using the coal combustion residuals demonstrates, and keeps records showing, that such use does not result in environmental releases to groundwater, surface water, soil, or air that—

''(i) are greater than those from a material or product that would be used instead of the coal combustion residuals; or

''(ii) exceed relevant regulatory and health-based benchmarks for human and ecological receptors.

''(l) EFFECT OF RULE.—

''(1) IN GENERAL.—With respect to the final rule entitled 'Hazardous and Solid Waste Management System; Disposal of Coal Combustion Residuals from Electric Utilities' signed by the Administrator on December 19, 2014—

''(A) such rule shall be implemented only through a coal combustion residuals permit program under this section; and

''(B) to the extent that any provision or requirement of such rule conflicts, or is inconsistent, with a provision or requirement of this section, the provision or requirement of this section shall control.

''(2) REFERENCES TO THE CODE OF FEDERAL REGULATIONS.—For purposes of this section, any reference to a provision of the Code of Federal Regulations added by the rule described in paragraph (1) shall be considered to be a reference to such provision as it is contained in such rule.

''(3) EFFECTIVE DATE.—For purposes of this section, any reference in part 257 of title 40, Code of Federal Regulations, to the effective date contained in section 257.51 of such part shall be considered to be a reference to the date of enactment of this section, except that, in the case of any deadline established by such a reference that is in conflict with a deadline established by this section, the deadline established by this section shall control.

''(4) APPLICABILITY OF OTHER REGULATIONS.—The application of section 257.52 of title 40, Code of Federal Regulations, is not affected by this section.

''(5) DEFINITIONS.—The definitions under section 257.53 of title 40, Code of Federal Regulations, shall apply with respect to any criteria described in subsection (c) the requirements of which are incorporated into a coal combustion residuals permit program under this section, except—

''(A) as provided in paragraph (1); and

''(B) a lead State implementing agency may make changes to such definitions if the lead State implementing agency—

''(i) identifies the changes in the explanation included with the certification submitted under subsection (b)(2)(C)(iii); and

''(ii) provides in such explanation a reasonable basis for the changes.

''(6) OTHER CRITERIA.—The criteria described in sections 257.106 and 257.107 of title 40, Code of Federal Regulations, may be incorporated into a coal combustion residuals permit program at the discretion of the implementing agency.

''(m) DEFINITIONS.—In this section:

''(1) COAL COMBUSTION RESIDUALS.—The term 'coal combustion residuals' means the following wastes generated by electric utilities and independent power producers:

''(A) The solid wastes listed in section 3001(b)(3)(A)(i) that are generated primarily from the combustion of coal, including recoverable materials from such wastes.

''(B) Coal combustion wastes that are comanaged with wastes produced in conjunction with the combustion of coal, provided that such wastes are not segregated and disposed of separately from the coal combustion wastes and comprise a relatively small proportion of the total wastes being disposed in the structure.

''(C) Fluidized bed combustion wastes that are generated primarily from the combustion of coal.

''(D) Wastes from the co-burning of coal with non-hazardous secondary materials, provided that coal makes up at least 50 percent of the total fuel burned.

''(E) Wastes from the co-burning of coal with materials described in subparagraph (A) that are recovered from monofills.

''(2) COAL COMBUSTION RESIDUALS PERMIT PROGRAM.—The term 'coal combustion residuals permit program' means all of the authorities, activities, and procedures that comprise a system of prior approval and conditions implemented under this section to regulate the management and disposal of coal combustion residuals.

''(3) ELECTRIC UTILITY; INDEPENDENT POWER PRODUCER.—The terms 'electric utility' and 'independent power producer' include only electric utilities and independent power producers that produce electricity on or after the date of enactment of this section.

''(4) EXISTING STRUCTURE.—The term 'existing structure' means a structure the construction of which commenced before the date of enactment of this section.

''(5) IMPLEMENTING AGENCY.—The term 'implementing agency' means the agency responsible for implementing a coal combustion residuals permit program, which shall either be the lead State implementing agency identified under subsection (b)(2)(C)(i) or the Administrator pursuant to subsection (e).

''(6) INACTIVE COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENT.—The term 'inactive coal combustion residuals surface impoundment' means a surface impoundment, located at an electric utility or independent power producer, that, as of the date of enactment of this section—

''(A) does not receive coal combustion residuals;

''(B) contains coal combustion residuals; and

''(C) contains liquid.

''(7) STRUCTURE.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the term 'structure' means a landfill, surface impoundment, sand or gravel pit, or quarry that receives coal combustion residuals on or after the date of enactment of this section.

''(B) EXCEPTIONS.—

''(i) MUNICIPAL SOLID WASTE LANDFILLS.—The term 'structure' does not include a municipal solid waste landfill.

''(ii) DE MINIMIS RECEIPT.—The term 'structure' does not include any landfill or surface impoundment that receives only de minimis quantities of coal combustion residuals if the presence of coal combustion residuals is incidental to the material managed in the landfill or surface impoundment.

''(8) UNLINED SURFACE IMPOUNDMENT.—The term 'unlined surface impoundment' means a surface impoundment that does not have a liner system described in section 257.71 of title 40, Code of Federal Regulations.''.

(b) CONFORMING AMENDMENT.—The table of contents contained in section 1001 of the Solid Waste Disposal Act is amended by inserting after the item relating to section 4010 the following:

''Sec. 4011. Management and disposal of coal combustion residuals.''.

SEC. 3. 2000 REGULATORY DETERMINATION.

Nothing in this Act, or the amendments made by this Act, shall be construed to alter in any manner the Environmental Protection Agency's regulatory determination entitled ''Notice of Regulatory Determination on Wastes From the Combustion of Fossil Fuels'', published at 65 Fed. Reg. 32214 (May 22, 2000), that the fossil fuel combustion wastes addressed in that determination do not warrant regulation under subtitle C of the Solid Waste Disposal Act (42 U.S.C. 6921 et seq.).

SEC. 4. TECHNICAL ASSISTANCE.

Nothing in this Act, or the amendments made by this Act, shall be construed to affect the authority of a State to request, or the Administrator of the Environmental

Protection Agency to provide, technical assistance under the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.).

SEC. 5. FEDERAL POWER ACT.

Nothing in this Act, or the amendments made by this Act, shall be construed to affect the obligations of an owner or operator of a structure (as such term is defined in section 4011 of the Solid Waste Disposal Act, as added by this Act) under section 215(b)(1) of the Federal Power Act (16 U.S.C. 824o(b)(1)).

The CHAIR. No amendment to the bill shall be in order except those printed in part C of House Report 114–216. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. SHIMKUS

The CHAIR. It is now in order to consider amendment No. 1 printed in part C of House Report 114–216.

Mr. SHIMKUS. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 7, line 13, strike ''subsection (l)(5)'' and insert ''subsection (l)(4)''.

Page 45, beginning on line 5, strike ''signed by the Administrator on December 19, 2014'' and insert ''and published in the Federal Register on April 17, 2015 (80 Fed. Reg. 21302)''.

Page 45, strike lines 15 through 20.

Page 45, line 21, through page 47, line 5, redesignate paragraphs (3) through (6) as paragraphs (2) through (5), respectively.

The CHAIR. Pursuant to House Resolution 369, the gentleman from Illinois (Mr. SHIMKUS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. SHIMKUS. Mr. Chairman, my amendment makes a technical and conforming change to the bill. Let me explain.

The final rule amends part 257 of title 40 of the Code of Federal Regulations. EPA put out a prepublication version on the final rule on December 19, 2014, meaning that it was public, but had not yet been published in the Federal Register.

H.R. 1734 directly incorporates the requirements in the EPA's final rule, and so there are numerous citations in the bill to the Code of Federal Regulations because, as of the date of our full committee markup, the final rule had not yet been published in the Federal Register and thus did not have a final citation in the Code of Federal Regulations.

It was necessary to include in the bill a reference to the date of prepublication of the final rule and include a paragraph regarding references to the Code of Federal Regulations.

The final rule was published in the Federal Register on April 17, 2015; and as of that date, citations to the final rule were appropriately cited as citations to 40 CFR 257.

My amendment simply removes the paragraph from the bill that was added as a placeholder until a final rule was published in the Federal Register.

I urge all Members to support this amendment. I yield back the balance of my time.

□ 1700

The CHAIR. The question is on the amendment offered by the gentleman from Illinois (Mr. SHIMKUS).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. PALLONE

The CHAIR. It is now in order to consider amendment No. 2 printed in part C of House Report 114–216.

Mr. PALLONE. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike page 9, line 1, through page 10, line 4, and insert the following:

''(B) PUBLIC AVAILABILITY OF INFORMATION.—The implementing agency shall ensure compliance with sections 257.106 and 257.107 of title 40, Code of Federal Regulations.

Page 47, strike lines 1 through 5.

The CHAIR. Pursuant to House Resolution 369, the gentleman from New Jersey (Mr. PALLONE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. PALLONE. Mr. Chairman, I yield myself such time as I may consume in support of my amendment.

Mr. Chairman, this bill is dangerous for human health and the environment, in part, because it deletes or undermines important protections in EPA's final coal ash rule. The deleted requirements include location restrictions, like a bar on disposing of coal ash directly in contact with natural aquifers. The undermined requirements include groundwater protection standards and monitoring requirements, which States would be able to change as they see fit. And all of the requirements, including design, maintenance, and operation requirements, would be delayed.

My amendment, however, focuses on just one of these dangerous shortcomings, which I think is very important, and illustrates the fundamental issues with this bill. EPA's rule establishes a strong national floor for public disclosure of information. The rule specifies what information will be made available to the public and how it must be posted. Utilities will have to maintain pages on their Web sites that document their compliance with a wide range of criteria in the rule, including inspections and groundwater monitoring data.

These requirements will inform and empower communities and hold utilities accountable. Concerned citizens won't have to navigate an array of State agencies and offices to find out if the coal ash impoundment in their neighborhood is contaminating groundwater. Instead, they will able to go directly to the utility Web site and see all monitoring results.

Mr. Chairman, EPA testified before the Energy and Commerce Committee that these transparency requirements will be strong drivers of compliance, just as disclosure requirements have been under other environmental statutes. The Toxics Release Inventory is a great example. But this bill would eliminate these requirements.

Under this bill, there would be no national requirement to maintain a public Web site and to post all of this important data. So my amendment would simply restore these important requirements in EPA's final rule.

Mr. Chairman, I urge my colleagues to ask why this bill does away with this important compliance tool when its proponents suggest that the bill will improve compliance and enforcement. I think the answer is that this bill is not intended to increase compliance with the important standards EPA developed, but to allow the unsafe disposal of coal ash to continue. But it has already gone on for far too long.

I urge my colleagues to support this amendment to address one of the many shortcomings in the bill. I don't expect this amendment to pass, but I want to be clear that even if it does, the underlying bill will still be unnecessary and problematic. I will be urging a ''no'' vote when the question comes on final passage.

Mr. Chairman, I yield back the balance of my time.

Mr. SHIMKUS. Mr. Chair, I rise to speak in opposition to the amendment.

The CHAIR. The gentleman from Illinois is recognized for 5 minutes.

Mr. SHIMKUS. Mr. Chairman, I share my colleague's concern for transparency, and I too want to make sure that the public has access to all relevant information. The State certification program would have State public access through the State EPA, and that is in this bill. So there is public access to information.

H.R. 1734 accomplishes the goal by making sure the public has access to information and guaranteeing that the public will be involved with the decisionmaking process because it requires public participation in the permitting process, and it requires States to make available on the Internet such information as: all groundwater monitoring data, information regarding structural stability assessments, emergency action plans and emergency response plans, fugitive dust controls, certifications of closures, corrective action remedies, and all documents associated with the permitting process.

I would like to point out that Mathy Stanislaus, Assistant Administrator for the Office of Solid Waste and Emergency Response at EPA, indicated at our legislative hearing that States making the information available on the Internet was just as good as requiring owners and operators of disposal units putting it on their Web site.

All that said, I understand my colleague's belief that the public would be better served by having utilities create individual Web sites where the same information could be posted, and I offered to work with him to improve his amendment so that it would have accomplished his goal of having individual utility Web sites and removing references to confidential business information but would also have continued to ensure that States would make information available.

I regret that we were unable to come to an agreement. I am willing to work with the gentleman on this issue as we move forward, and I regret that I have to urge a ''no'' vote on his amendment.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. PALLONE).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. PALLONE. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New Jersey will be postponed.

AMENDMENT NO. 3 OFFERED BY MS. CASTOR OF FLORIDA

The CHAIR. It is now in order to consider amendment No. 3 printed in part C of House Report 114–216.

Ms. CASTOR of Florida. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 14, strike lines 3 through 21.

Page 14, line 22, through page 16, line 10, redesignate subclauses (V) and (VI) as subclauses (IV) and (V), respectively.

The CHAIR. Pursuant to House Resolution 369, the gentlewoman from Florida (Ms. CASTOR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Florida.

Ms. CASTOR of Florida. Mr. Chairman, my amendment requires the owners and operators of coal ash ponds to immediately clean up pollution from spills or disasters that involve their coal ash waste. The underlying bill inexplicably did not contain such a requirement.

I know that is hard to believe, in the face of the horrendous coal ash disasters of the past 2 years, that my Republican colleagues did not include such a requirement. So my amendment reinstitutes the requirement for cleanup of these disasters.

Now, the EPA rule requires an owner or operator of coal ash waste to respond immediately to a spill or release, whether it is through the air, water, or soil. The rule requires the polluter to alert both the local authorities and the public and to immediately prepare a cleanup plan. I mean, that is a fundamental concept of doing business, isn't it? Yet the Republican bill eliminates that requirement for owners and operators.

They would no longer have to be responsible for their pollution or a disaster? That is a scary proposition after the Dan River Duke Energy spill in North Carolina that spilled over 39,000 tons of coal ash and 140,000 tons of toxic wastewater, and after the TVA blowout that they say will cost over a billion dollars to remediate that community.

Now, there are over 600 coal waste disposal impoundments across the Nation, and more than 100 million tons of coal waste are generated each year.

In my home State of Florida, there are over 42 coal ash ponds at 8 power plants, 27 of which are unlined, and 13 landfills, 6 of which are unlined. My local power provider alone has 11 coal ash ponds and one landfill. Over 6.1 million tons of coal ash are generated in Florida each year, yet Florida does not really regulate coal ash ponds, and that is similar to a lot of communities across the country.

But we have learned the hard way that we need to have some basic standards to prevent these type of disasters. The EPA has identified 170 coal ash ponds and landfills that have contaminated groundwater, surface water, or otherwise increased risks of harm to human health over the past years.

These surface impoundments where coal ash is stored in ponds pose a threat, and even a threat to loss of life, if they fail. Coal ash ponds are located in 33 States, and 50 impoundments are currently considered high hazard, meaning that a failure would probably cause loss of human life.

One such impoundment was at the TVA Kingston Fossil Plant, which burst on December 22, 2008, releasing 5.4 million cubic yards of coal ash to the Emory and Clinch Rivers and surrounding areas, creating a Superfund site that could cost about $1.2 billion, they estimate.

The initial release of material created a wave of water and ash that destroyed three homes, disrupted electrical power, ruptured a natural gas line in the nearby neighborhood, covered railways and roadways, and necessitated the evacuation of a nearby neighborhood. This disaster forever changed the lives of farmers, ranchers, and families. More than 1 billion gallons of waste washed down the valley like a wave, covering more than 300 acres. The volume of ash and water was nearly 100 times greater than the amount of oil spilled in the Exxon Valdez disaster. Thankfully, no serious injuries were reported since this occurred at night while people slept.

And since 2008, we have had three major coal ash disasters, including the largest toxic waste spill in United States history.

In addition to the TVA disaster, the Dan River plant spill in North Carolina was absolutely horrendous. February 2014, a pipe burst beneath an unlined coal ash impoundment, sending over 82,000 tons of coal ash slurry into the Dan River, spreading 70 miles downstream.

The cost of cleaning up spills and leaking dumpsites has already snowballed, with six companies reporting liabilities that exceed $10 billion. And we want to let them off the hook? I don't think so.

We have got to correct this by adopting my amendment. Without Federal action to guide cleanup within a reasonable time, we are going to let folks off the hook, and that would not be fair. The chronic risks are significant. The risks to public and private property are significant. The risks to public health are too significant to ignore.

So Mr. Chairman, I urge my colleagues to adopt the Castor amendment. Vote ''yes'' to restore the rule's requirement to clean up releases of pollution caused by these coal ash impoundment ponds.

I reserve the balance of my time.

The CHAIR. The time of the gentlewoman has expired.

Mr. SHIMKUS. Mr. Chairman, I rise in opposition, although I do not oppose the amendment.

The CHAIR. Without objection, the gentleman from Illinois is recognized for 5 minutes.

There was no objection.

Mr. SHIMKUS. Mr. Chairman, first of all, I appreciate my colleague bringing up this amendment. I just wish she, as a member of the committee, I wish we would have seen this in the markup of the full committee and the committee because maybe we could have just inserted it into the bill instead of having it as an amendment on the floor. I understand the gentlewoman's passion. I just wish, through regular order, we probably could have disposed of this in the committee process.

Having said that, the gentlewoman's amendment takes steps to more closely conform the bill to the EPA rule with respect to cleanup requirements, which is the entire intent of this bill. The intent of the bill is to codify the EPA rule, and so the gentlewoman's amendment helps us do that, and I appreciate that.

I agree with the gentlewoman that it approves a protectiveness of State permit programs. Again, the key thing about H.R. 1734, it creates State permit programs so that the States have Federal standards and they have an enforceable permit program which they

can enforce, just like we do on solid waste.

I have no objection to the amendment. It is going to improve the bill, and I accept it on our side.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentlewoman from Florida (Ms. CASTOR).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. CONNOLLY

The CHAIR. It is now in order to consider amendment No. 4 printed in part C of House Report 114–216.

Mr. CONNOLLY. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 27, line 19, strike ''FINANCIAL ASSURANCE'' and insert ''POST-CLOSURE CARE AND FINANCIAL ASSURANCE''.

Page 27, line 24, strike ''section 257.104(b)(1)'' and insert ''subsections (b) and (c) of section 257.104''.

The CHAIR. Pursuant to House Resolution 369, the gentleman from Virginia (Mr. CONNOLLY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. CONNOLLY. Mr. Chairman, I want to begin by thanking the majority for including my amendment offered to the coal ash bill considered in a previous Congress requiring States to have a strong and comprehensive emergency response plan in the unfortunate event of a spill or a leak.

As I said then, and believe even more now, we simply cannot count on a private company to be prepared for a spill. The State and local governments, who will be the first responders, must also be active partners. By requiring States to be prepared with their own emergency response plans, I think we are taking a modest step to ensure they are prepared to protect the communities.

Again, I acknowledge that and thank my colleagues.

□ 1715

It is in that same spirit of bipartisan, commonsense, and modest safeguards that I offer this amendment that would simply require that all inactive surface impoundments that begin closure procedures to put in place the same groundwater monitoring safeguards procedures required in the final Federal rule.

When we debated similar legislation in July of 2013, I spoke of the devastating 2008 failure of the coal ash impoundment in Kingston, Tennessee.

As a result of that breach, more than 5 million cubic yards of coal ash were released, covering more than 300 acres in toxic sludge, damaging and destroying homes and property, resulting in more than $1.2 billion in cleanup costs.

We must not forget the lasting health consequences as well, some of which are still unknown, resulting from that incident. Some residents will suffer from respiratory illnesses and other side effects.

Arsenic levels, where the Kingston coal ash runoff was disposed of, were measured at 80 times higher than the amount allowed under the Safe Drinking Water Act, and the EPA already has said such exposure significantly increases the risk of cancer over time.

What is even more troubling is these incidents continue to occur, most recently in my own home State of Virginia, where a neighboring North Carolina coal ash pond spilled more than 39,000 tons of toxic ash and 24 million gallons of wastewater into the Dan River.

Though much of the public and media attention of this spill was focused on North Carolina's regulatory shortcomings, Virginians were also left exposed to the dangers of that coal ash spill. It is estimated that only 2,500 tons of ash were removed, leaving over 90 percent of the coal ash in Virginia waters.

As a result of this incident, Virginia's Department of Environmental Quality has proposed a $2.5 million settlement against Duke Energy Carolinas, probably only a fraction of the ultimate cost of cleanup.

What has happened to communities in North Carolina, Tennessee, and Virginia can happen to any one of our communities that have or are near coal ash impoundment ponds.

Today across the Commonwealth of Virginia, there are more than 30 active and inactive ponds at 11 different sites, including one in my district, with an average of 47 years.

As more of these facilities transition from coal-fired plants to gas-fired and biomass and as we close down these surface impoundments, we need to make sure we are protecting our communities with proper postclosure procedures.

One of the easiest protections our constituents can expect is that we maintain rigorous groundwater monitoring as these legacy ponds and inactive surface impoundments move toward postclosure status.

However, I worry that, as this bill is written and, admittedly, as the EPA rule was finalized, regrettably, an unfortunate carve-out was made that threatens our communities.

Why is it that a site that closes under the rule's guidelines must monitor groundwater for 30 years, but one that is rushed to meet the 3-year deadline only has to monitor for a fraction of that same time? What could go wrong with that?

Buried on pages 125 and 126 of the April 17, 2015, Federal Register, EPA notes that it ''received few public comments on the proposed activities to conduct during the post-closure care. These commenters were supportive of the activities and specifically urged the rule to require the monitoring of groundwater throughout the post-closure care period. The Agency received no comments opposing the proposed postclosure care activities.''

I will remind my friends that more than 450,000 comments were provided on this rule.

It isn't often we can all agree on something. But I think we can agree our neighbors have the right to expect that the water they are drinking is safe.

So here is our opportunity to come together and support strong groundwater monitoring requirements at impoundment sites that keep all of our communities safe, and I urge my colleagues to support this amendment.

I yield back the balance of my time.

Mr. MCKINLEY. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The CHAIR. The gentleman from West Virginia is recognized for 5 minutes.

Mr. MCKINLEY. Mr. Chairman, when we analyzed all of the proposed amendments to H.R. 1734 earlier this week, we were eager to accept those amendments that might improve the legislation and make the State permitting process even stronger so we can ensure that the coal ash impoundments are closed in a safe and efficient manner. Unfortunately, this amendment would have the opposite effect.

This amendment would require that all inactive impoundments or legacy sites, as they are known, comply with the requirements in the final rule to conduct postclosure care, which includes the installation of groundwater monitoring.

While I appreciate and share my colleague's concerns about inactive surface impoundments, this amendment would not achieve what I believe is my colleague's goal of ensuring the timely closure of inactive surface impoundments.

In the final rule, the EPA recognized the need for efficient and timely closure of the inactive impoundments. In fact, the EPA incentivized the closure of legacy sites by ensuring that the utilities that are able to safely close inactive impoundments within the 3-year deadline would not need to comply with any of the other requirements in the final rule, including groundwater monitoring.

This amendment would wipe out the EPA's incentive for utilities to complete closure of inactive surface impoundments in a timely manner by requiring that utilities comply with certain requirements immediately.

In addition, I think there is a broad agreement that the EPA final rule is protective with respect to taking steps to address inactive surface impoundments.

The gentleman's amendment goes farther than even what EPA determined would be protective to address

the legacy site by requiring immediate compliance with certain requirements which, as I indicated, would remove the incentive for EPA to close inactive impoundments by the deadline.

Many of the inactive surface impoundments will be clean-closed. To explain that, that means that all of the coal ash will be removed from the impoundment. There is no need for 30 years of postclosure care for these particular impoundments.

So for all these reasons, Mr. Chairman, I urge my colleagues to vote ''no'' on this amendment.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. CONNOLLY).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. CONNOLLY. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Virginia will be postponed.

AMENDMENT NO. 5 OFFERED BY MS. ADAMS

The CHAIR. It is now in order to consider amendment No. 5 printed in part C of House Report 114–216.

Ms. ADAMS. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 29, after line 16, insert the following:

''(5) DRINKING WATER SUPPLY WELL SURVEY AND PROVISION OF ALTERNATE WATER SUPPLY.—

''(A) SURVEY.—Not later than 7 months after the date of enactment of this section, each owner or operator of a surface impoundment shall conduct a survey that identifies all drinking water supply wells within one-half mile down-gradient from the established waste boundary of the surface impoundment and shall submit the survey to—

''(i) the Administrator; and

''(ii) the implementing State, if applicable.

''(B) INCLUSIONS.—Each survey conducted pursuant to subparagraph (A) shall include well locations, the nature of water uses, available well construction details, and information regarding ownership of the wells.

''(C) DETERMINATION OF SAMPLING.—

''(i) IN GENERAL.—Not later than 4 months after an owner or operator submits a survey under subparagraph (A), the Administrator or the implementing State, as applicable, shall determine which wells identified in the survey the owner or operator will be required to conduct sampling and water quality analysis for, and how frequently and for what period sampling is required.

''(ii) REQUIRED SAMPLING.—The Administrator or the implementing State, as applicable, shall require sampling and water quality analysis described in clause (i) where data regarding groundwater quality and flow and depth in the area of the surveyed well provide a reasonable basis to predict that the quality of water from the surveyed well may be adversely impacted by coal combustion residuals.

''(D) SAMPLING.—

''(i) INITIATION.—Not later than 5 months after an owner or operator submits a survey under subparagraph (A), the owner or operator shall initiate any sampling and water quality analysis required pursuant to subparagraph (C) for constituents associated with coal combustion residuals, including, at a minimum, arsenic, lead, hexavalent chromium, vanadium, boron, thallium, molybdenum, and selenium.

''(ii) INDEPENDENT SAMPLING.—A property owner whose well has been selected for sampling and analysis may elect to have an independent third party selected from a laboratory certified by the Administrator or the implementing State, as applicable, conduct the sampling and analysis required under this paragraph in lieu of such sampling and analysis being conducted by the owner or operator of the surface impoundment.

''(iii) COSTS.—The owner or operator of the surface impoundment shall pay for the reasonable costs of any sampling and analysis conducted pursuant to this paragraph.

''(iv) RIGHT TO REFUSE SAMPLING.—Nothing in this paragraph shall be construed to preclude or impair the right of any property owner whose well has been selected for sampling and analysis to refuse such sampling and analysis.

''(E) ALTERNATE SUPPLIES OF DRINKING WATER.—If sampling and water quality analysis conducted pursuant to this paragraph indicates that water from a drinking water supply well exceeds groundwater quality standards for constituents associated with the presence of coal combustion residuals, the owner or operator of the surface impoundment, in addition to any other applicable requirement, shall replace such water—

''(i) with an alternate supply of potable drinking water, as appropriate, not later than 24 hours after the Administrator or the implementing State, as applicable, determines that there is such an exceedance; and

''(ii) with an alternate supply of water that is safe for other household uses, as appropriate, not later than 30 days after the Administrator or the implementing State, as applicable, determines that there is such an exceedance.

''(F) ANNUAL GROUNDWATER PROTECTION AND RESTORATION REPORT.—

''(i) IN GENERAL.—Not later than one year after the date of enactment of this section, and each year thereafter, each owner or operator of a surface impoundment required to conduct sampling and water quality analysis pursuant to this paragraph shall submit a report to the Administrator or the implementing State, as applicable, that includes a summary of all groundwater monitoring, protection, and restoration activities related to the surface impoundment for the preceding year, including any replacement of contaminated drinking water pursuant to this paragraph.

''(ii) PUBLICLY ACCESSIBLE INTERNET WEBSITE REQUIREMENT.—Not later than 30 days after submitting a report under clause (i), an owner or operator shall post the report on a publicly accessible Internet website established by the owner or operator in accordance with section 257.107 of title 40, Code of Federal Regulations.

''(G) RELATIONSHIP TO OTHER GROUNDWATER MONITORING REQUIREMENTS.—To the extent that any requirement of this paragraph conflicts with a provision of paragraph (2)(B), the requirement of this paragraph shall control.

Page 49, after line 7, insert the following:

''(6) IMPLEMENTING STATE.—The term 'implementing State' means—

''(A) a State that has notified the Administrator under subsection (b)(1) that it will adopt and implement a coal combustion residuals permit program; or

''(B) if a lead State implementing agency has been identified under subsection (b)(2)(C)(i) for such a State, such implementing agency.

Page 49, line 8, through page 50, line 17, redesignate paragraphs (6) through (8) as paragraphs (7) through (9), respectively.

The CHAIR. Pursuant to House Resolution 369, the gentlewoman from North Carolina (Ms. ADAMS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from North Carolina.

Ms. ADAMS. Mr. Chairman, my amendment provides strong and consistent safeguards to inform communities about coal ash contaminants in their drinking water supply wells.

We have heard a lot of talk about regulatory certainty, certainty for utilities, certainty for coal ash recyclers.

But what about certainty for children and families who live near coal ash sites, certainty of transparency for their parents who rely on well water to prepare their children's meals and to bathe them at night?

These parents have the right to know if their water is safe to consume, and they have a right to access that information immediately.

And what about certainty of accountability to ensure that these families can expect an alternate water supply if it has been compromised by coal ash pollution?

North Carolina can give the Nation a lesson about what poor management of coal ash looks like. It took a disastrous spill of coal ash into the Dan River to make it clear that the protection of our communities and waterways could not rely on the goodwill of powerful utilities.

North Carolina learned the hard way that, when State regulators stick their heads in the sand to allow the unfettered disposal of coal ash, spills happen.

I would like to share with my colleagues the most recent update on well testing from North Carolina's Department of Environment and Natural Resources.

Out of 285 wells tested, 265 show contamination. That is more than 90 percent of the drinking water wells showing contamination.

This information is made possible to communities because of S. 729, a bill that the North Carolina General Assembly passed last year while I served in the legislature.

Following the Dan River spill, North Carolina now requires owners and operators of coal ash dams to identify all drinking water supply wells within one-half mile downgradient from the impoundments.

If sampling indicates high levels of contamination, the owner or operator must replace the contaminated drinking water with an alternate supply of water that is safe.

My amendment seeks to provide rural communities across the Nation with the same requirements that citizens in North Carolina now enjoy, requirements that will give them the certainty that their water is safe.

Americans in North Carolina and across the Nation have the right to access safe drinking water, especially rural communities who rely overwhelmingly on private wells as their main source of drinking water.

Finally, coal ash pollution often affects low-income communities who don't have the resources to go up against big utilities. Passing this amendment will give these communities the resources they deserve to protect themselves.

I urge my colleagues to join me in standing with the people of North Carolina and rural communities across the Nation who deserve transparency and nothing less.

Mr. Chairman, I reserve the balance of my time.

Mr. SHIMKUS. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman from Illinois is recognized for 5 minutes.

Mr. SHIMKUS. Mr. Chairman, we applaud the activity of the State of North Carolina—and that is the whole benefit of H.R. 1734—because the Federal regulation proposed by EPA is a floor.

And through a State certification program, if the States want to ramp that up to a higher level, they can. So what North Carolina has done is able to be done under the current legislation.

But the amendment offered by the gentlewoman from North Carolina has a lot of problems, and that is why I rise in opposition.

It would require each owner of a surface impoundment to provide EPA or a State certain types of data about all drinking water supply wells, to pay for and perform groundwater sampling at these wells, provide alternate sources of water, and issue regular reports on these activities.

I understand the gentlewoman's concern, but I am not sure she gets there with this amendment.

She talks about providing certainty. Well, there is already certainty to do this under Federal law. Under the Superfund law, which we call CERCLA, EPA already has the authority to obtain information, access property, and inspect and sample wells if there is a ''reasonable basis to believe there may be a release or a threat of release.'' So there is already certainty under that law.

Not only does CERCLA already cover what the gentlewoman is proposing, but the Safe Drinking Water Act provides the same authority.

The amendment would require owners or operators of coal ash disposal units to provide an alternative source of drinking water if wells are found to exceed existing Safe Drinking Water Act standards.

But section 1431 of the Safe Drinking Water Act already allows EPA to require that alternative sources of drinking water be provided if EPA has information that a contaminant ''is likely to enter a public water system or an underground source of drinking water.''

So we already have that in Federal statute, especially if it ''may present an imminent and substantial endangerment to the health of persons.''

Beyond the duplication existing in the law that we already have, there are also concerns with the amendment.

The amendment focuses on drinking water wells that are one-half mile down-gradient from a surface impoundment. This seems an arbitrary determination, that for all States and for all impoundments, that that is where the groundwater is.

And that is definitely not true around the country. Can we be sure that this is the correct distance? Why was that number selected?

The amendment would require the owners or operators to provide an alternative source of drinking water within 24 hours.

While we completely understand the need to move quickly to provide a solution, it may not be feasible to secure an alternate source of drinking water within that short a period of time.

Perhaps of greater concern, the amendment includes key terms like ''drinking water supply well'' that are undefined, and the amendment would trump all other groundwater monitoring requirements required by the EPA final rule and State permit programs.

We are not trying to re-create existing authority. Rather, we are focused on getting the folks with the most experience and knowledge of this issue to address coal ash disposal units and ensure that they are not causing contamination.

But I assure you that H.R. 1734 already mandates that, if disposal units are causing problems, States will utilize all available authorities to ensure that their citizens have safe drinking water.

I urge my colleagues to vote ''no'' on this amendment.

I yield back the balance of my time.

□ 1730

Ms. ADAMS. Mr. Chairman, I yield the balance of my time to the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Mr. Chairman, I support this amendment which would improve protection for human health and the environment nationwide, and I would like to thank my colleague from North Carolina for her hard work on this important issue and for offering this amendment.

The citizens and government of North Carolina recognize the seriousness of the risks posed by coal ash. They have experienced the devastation coal ash can cause, and that is why even Republicans in the State government have supported strengthening regulation of coal ash.

Representative ADAMS speaks from personal experience that many of us have been spared, but we should not wait for more coal ash disasters to adopt strong, preventive measures.

Mr. Chairman, I urge my colleagues to support the amendment and vote ''yes,'' but I do want to caution that, like my colleague, I will urge a ''no'' vote on final passage even if this amendment passes.

Ms. ADAMS. Mr. Chairman, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentlewoman from North Carolina (Ms. ADAMS).

The question was taken; and the Chair announced that the noes appeared to have it.

Ms. ADAMS. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from North Carolina will be postponed.

AMENDMENT NO. 6 OFFERED BY MR. BUTTERFIELD

The CHAIR. It is now in order to consider amendment No. 6 printed in part C of House Report 114–216.

Mr. BUTTERFIELD. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 47, after line 5, insert the following:

''(m) EFFECT ON VULNERABLE POPULATIONS.—If the Administrator determines that implementation of this section would diminish protections for vulnerable populations, the requirements of this section shall have no force or effect.

Page 47, line 6, redesignate subsection (m) as subsection (n).

Page 50, line 17, strike the closed quotation mark and the final period.

Page 50, after line 17, insert the following:

''(9) VULNERABLE POPULATION.—The term 'vulnerable population' means a population that is subject to a disproportionate exposure to, or potential for a disproportionate adverse effect from exposure to, coal combustion residuals, including—

''(A) infants, children, and adolescents;

''(B) pregnant women (including effects on fetal development);

''(C) the elderly;

''(D) individuals with preexisting medical conditions;

''(E) individuals who work at coal combustion residuals treatment or disposal facilities; and

''(F) members of any other appropriate population identified by the Administrator based on consideration of—

''(i) socioeconomic status;

''(ii) racial or ethnic background; or

''(iii) other similar factors identified by the Administrator.''.

The CHAIR. Pursuant to House Resolution 369, the gentleman from North Carolina (Mr. BUTTERFIELD) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from North Carolina.

Mr. BUTTERFIELD. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in support of my amendment that will ensure that vulnerable communities are protected from the unsafe storage of coal combustion residuals known as coal ash.

My amendment is simple. It would prevent the coal ash regulation framework in this bill from going into effect if States fail to protect vulnerable populations from the adverse effects of haphazard coal ash storage. Vulnerable populations defined in the amendment include infants, children, adolescents, pregnant women, the elderly, racial or ethnic groups, and others identified by the EPA Administrator.

Mr. Chairman, the EPA estimates that 70 percent of coal ash impoundments are located in low-income communities. Coal ash impoundments lacking proper safeguards can fail, resulting in the leaching of harmful chemicals into surface and groundwater. Coal ash stored in pools have caused water contamination in 37 States.

In worst case scenarios, catastrophic failures cause coal ash slurry to flow directly into rivers, streams, ponds, and lakes. The largest coal ash spill in U.S. history occurred in 2008 in Kingston, Tennessee, when 5.4 million cubic yards of toxic sludge spilled into a nearby river, causing a Superfund site which could cost $1.2 billion in remediation costs.

In February of 2014, 82,000 tons of coal ash spilled into the Dan River in Eden, North Carolina, near the district of Ms. ADAMS, who just spoke a moment ago, after a pipe burst, causing a coal ash impoundment failure. Costs for that cleanup are $300 million in the short term and could potentially have a much greater long-term impact.

Mr. Chairman, the majority of coal ash ponds are located in close proximity to vulnerable communities. It is important to protect those communities from being disproportionately affected by poor coal ash storage.

This commonsense amendment ensures that—if this bill were to go into effect—vulnerable populations are protected from the potentially adverse effects of coal ash exposure. Mr. Chairman, I urge my colleagues to support the amendment, and I reserve the balance of my time.

Mr. SHIMKUS. Mr. Chairman, I reluctantly rise in opposition to the amendment.

The CHAIR. The gentleman from Illinois is recognized for 5 minutes.

Mr. SHIMKUS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, we first learned about this amendment before us late on Monday. Of course, I was struck by the gentleman's deep concern for vulnerable populations, people who, because of circumstances or physical attributes, are more at risk than others when it comes to certain environmental exposures.

The gentleman knows well that I share his concern. He knows it from our committee work earlier this year on the TSCA Modernization Act. We reached a unanimous committee position in this area, in fact, throughout the bill.

I reached out to him early Tuesday morning and tried to explain the gentleman's amendment was problematic as drafted; and we offered to work with him on a version that addressed his concern without, frankly, gutting the rest of our bill.

Despite hard work from both teams and staff all day Tuesday, we were not able to reach the agreement, so the gentleman opted to revert to his original proposal which is what we are considering now.

Mr. Chairman, I see three basic problems with the amendments as being offered.

First, it gives the EPA Administrator effective unilateral veto power over the entire coal ash bill upon any EPA finding that somewhere, somehow, a vulnerable subpopulation is not protected. This, of course, undoes the entire premise of the bill that brings together the best of the EPA-proposed rule and the states' expertise and dedication in regulating solid waste through permit programs.

Second, the gentleman defines ''vulnerable subpopulation'' by listing around 10 specific population groups for protection. Everyone on his list, I agree with, including, for example, infants, elderly, and persons based on racial or ethnic backgrounds; but when we include some on a list, we can wind up excluding others.

It is a basic principle of legislative drafting. I think we should be sure to include all vulnerable groups, and we suggested to the gentleman language to do just that. I regret that we were not able to reach an agreement.

Third, Mr. Chairman, I am not sure the gentleman's amendment passes constitutional scrutiny. I understand that we, in the Congress, have sweeping power to waive requirements of law; but I don't think we can give a single Administrator power to cancel a law altogether. In my view, only the President himself has that power, subject to override votes in the Congress.

I am willing to work this out with the gentleman, and we did try. I regret very much that this amendment does not reflect these efforts, so I have to urge a ''no'' vote.

Mr. Chairman, I yield back the balance of my time.

Mr. BUTTERFIELD. It is true that we did make a valiant effort yesterday to try to reach some common ground on this amendment, and regrettably, we were not able to get there.

Mr. Chairman, I thank the gentleman for his courtesy and his willingness to have the conversation, and hopefully, we can continue to try to legislate in a way that will protect vulnerable communities from this type of activity.

Mr. Chairman, at this time, I yield such time as he may consume to the gentleman from New Jersey (Mr. PALLONE), the ranking member of the Energy and Commerce Committee.

Mr. PALLONE. Mr. Chairman, I rise to support this amendment. It raises an important point that should be part of our dialogue on all environmental issues, and I thank my colleague for offering it.

The unsafe disposal of coal ash poses serious risk to human health and the environment. Those dangers are particularly acute for the minority and low-income communities that often live near coal ash disposal sites.

Unfortunately, this dangerous bill would diminish protections for those communities most at risk. Important safeguards would be eliminated, and significant discretion would be given to States to choose whether or not other safeguards will apply.

This discretion will hurt hotspot communities for the same reason that they host these dangerous communities; it is because they do not have the political clout and voice that other communities have. We must recognize the disproportionate risks faced by vulnerable populations and ensure that those risks are addressed, and that is what this amendment does.

While I don't support the bill overall, Mr. Chairman, I do urge my colleagues to support this amendment and vote ''yes.''

Mr. BUTTERFIELD. Mr. Chairman, I have no further speakers, and I yield back the balance of my time.

Mr. PRICE of North Carolina. Mr. Chair, I rise in support of the Butterfield-Rush-Clarke-Price-Adams amendment.

The December 2014 coal ash rule was a reasonable compromise between the EPA and the energy industry, based on sound science and three decades of research into the significant human and environmental health consequences of ash spills. I will oppose the underlying legislation because, as my colleagues have noted, it would unjustifiably eliminate, undermine, or delay the well-thought out protections included in this compromise rule.

Our amendment gets at another issue. There is a great risk that this legislation could be especially harmful to some of our nation's most vulnerable populations—and here I mean pregnant women, children, the elderly, low-income Americans—because nearly 70% of coal ash ponds are located in communities where the majority earns an income that falls below the national average, and where communities of color are disproportionately represented.

Our amendment is very simple—it would require the Administrator of the EPA to determine whether this legislation unfairly affects these vulnerable populations. If it does, its provisions would not go into effect.

Misguided deregulation is one thing; outright discrimination is another. Let's make sure that we're not prioritizing the energy industry's bottom line over the health and welfare of women, children, the elderly, and low-income Americans.

I urge my colleagues to support the amendment.

The CHAIR. The question is on the amendment offered by the gentleman from North Carolina (Mr. BUTTERFIELD).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. BUTTERFIELD. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from North Carolina will be postponed.

ANNOUNCEMENT BY THE CHAIR

The CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part C of House Report 114–216 on which further proceedings were postponed, in the following order:

Amendment No. 2 by Mr. PALLONE of New Jersey.

Amendment No. 4 by Mr. CONNOLLY of Virginia.

Amendment No. 5 by Ms. ADAMS of North Carolina.

Amendment No. 6 by Mr. BUTTERFIELD of North Carolina.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 2 OFFERED BY MR. PALLONE

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New Jersey (Mr. PALLONE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 177, noes 244, not voting 12, as follows:

[Roll No. 453]

AYES—177

Adams
Aguilar
Ashford
Beatty
Becerra
Bera
Beyer
Blumenauer
Bonamici
Boyle, Brendan F.
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Hahn
Hastings
Heck (WA)
Higgins
Himes
Honda
Hoyer
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmuter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Rice (NY)
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—244

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Chabot
Chaffetz
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—12

Bass
Brady (PA)
Carter (TX)
Clawson (FL)
Franks (AZ)
Graves (MO)
Gutiérrez
Hinojosa
Huffman
Rangel
Richmond
Stivers

□ 1810

Messrs. BUCSHON and JODY B. HICE of Georgia changed their vote from ''aye'' to ''no.''

Ms. MENG, Messrs. PERLMUTTER, BRENDAN F. BOYLE of Pennsylvania, and DANNY K. DAVIS of Illinois changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. HINOJOSA. Mr. Chair, on rollcall No. 453, had I been present, I would have voted "yes."

AMENDMENT NO. 4 OFFERED BY MR. CONNOLLY

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Virginia (Mr. CONNOLLY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 177, noes 245, not voting 11, as follows:

[Roll No. 454]

AYES—177

Adams
Aguilar
Ashford
Beatty
Becerra
Bera
Beyer
Blumenauer
Bonamici
Boyle, Brendan F.
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Rice (NY)
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—245

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Chabot
Chaffetz
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—11

Bass
Brady (PA)
Carter (TX)
Clawson (FL)
Diaz-Balart
Franks (AZ)
Graves (MO)
Gutiérrez
McDermott
Rangel
Richmond

ANNOUNCEMENT BY THE CHAIR

The CHAIR (during the vote). There is 1 minute remaining.

□ 1815

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 5 OFFERED BY MS. ADAMS

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from North Carolina (Ms. ADAMS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 192, noes 231, not voting 10, as follows:

[Roll No. 455]

AYES—192

Adams
Aguilar
Ashford
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costello (PA)
Courtney
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Dent
DeSaulnier
Deutch
Dingell
Doggett
Dold
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Hahn
Hastings
Heck (WA)
Herrera Beutler
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McGovern
McMorris Rodgers
McNerney
Meehan
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth
Zinke

NOES—231

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Chabot
Chaffetz
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costa
Cramer
Crawford
Crenshaw
Culberson
Davis, Rodney
Denham
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frelinghuysen
Garrett
Gibbs
Gohmert
Goodlatte
Gosar

Gowdy
Granger
Graves (GA)
Graves (LA)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McSally
Meadows
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin

NOT VOTING—10

Bass
Brady (PA)
Carter (TX)
Clawson (FL)
Franks (AZ)
Graves (MO)
Gutiérrez
Kaptur
McDermott
Rangel

ANNOUNCEMENT BY THE CHAIR

The CHAIR (during the vote). There is 1 minute remaining.

□ 1820

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 6 OFFERED BY MR. BUTTERFIELD

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from North Carolina (Mr. BUTTERFIELD) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 180, noes 240, not voting 13, as follows:

[Roll No. 456]

AYES—180

Adams
Aguilar
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Katko
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McGovern
McNerney
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—240

Abraham
Aderholt
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Chabot
Chaffetz
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—13

Bass
Brady (PA)
Carter (TX)
Clawson (FL)
Costa
Duffy
Franks (AZ)
Graves (MO)
Gutiérrez
Kinzinger (IL)
McDermott
Meeks
Rangel

□ 1825

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. McDERMOTT. Mr. Chair, on rollcall Nos. 454, 455, and 456. I was detained doing a TV appearance with Rev. Al Sharpton on MSNBC, Had I been present, I would have voted "yes" on 454, 455, and 456.

The Acting CHAIR (Mr. CHAFFETZ). There being no further amendments, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HULTGREN) having assumed the chair, Mr. CHAFFETZ, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1734) to amend subtitle D of the Solid Waste Disposal Act to encourage recovery and beneficial

use of coal combustion residuals and establish requirements for the proper management and disposal of coal combustion residuals that are protective of human health and the environment, and, pursuant to House Resolution 369, he reported the bill back to the House with sundry amendments adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment reported from the Committee of the Whole? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. FOSTER. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. FOSTER. I am in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Foster moves to recommit the bill H.R. 1734 to the Energy and Commerce Committee, with instructions to report the same back to the House forthwith, with the following amendment:

Page 11, after line 16, insert the following:

''(D) PROTECTING DRINKING WATER AND THE GREAT LAKES.—The implementing agency shall require that all structures that are surface impoundments meet criteria for design, construction, operation, and maintenance sufficient to—

''(i) prevent any toxic contamination of groundwater; and

''(ii) protect sources of drinking water, including the Great Lakes, the largest freshwater system in the world.

Mr. SHIMKUS. Mr. Speaker, I reserve a point of order.

The SPEAKER pro tempore. A point of order is reserved.

The gentleman from Illinois (Mr. FOSTER) is recognized for 5 minutes in support of his motion.

□ 1830

Mr. FOSTER. Mr. Speaker, this is the final amendment to the bill, which will not kill the bill or send it back to the committee. If adopted, the bill will immediately proceed to final passage as amended.

What this commonsense amendment does is something that I think we should all be able to agree is a good thing; it protects our drinking water. My motion to recommit would require that coal ash impoundments must be sufficient to prevent toxic contamination of groundwater and to protect all sources of drinking water, including but not limited to the Great Lakes.

Coal ash—the material left after coal is burned—contains many toxic elements, including arsenic, cadmium, chromium, lead, and selenium. Arsenic exposure can lead to nervous system damage, cardiovascular issues, urinary tract cancers, lung cancer, and skin cancer.

When people are exposed to lead, they may experience brain swelling, kidney disease, heart problems, nervous system damage, a drop in intelligence, or even death. If not handled properly, these toxins can and do leach from storage sites and contaminate nearby water sources.

I think my colleagues on both sides of the aisle can agree that we don't want our children drinking water contaminated with lead, arsenic, and other toxic compounds; but that is exactly what happens when these surface impoundments are not properly built, maintained, and monitored.

According to a 2010 EPA risk assessment, people living near unlined coal ash ponds have an increase in lifetime cancer risk as high as 1 in 50 caused by the arsenic contamination alone in their drinking water. I suspect that this is a much higher risk than any of us would accept for our families and ourselves.

I do not believe that it is an accident that coal ash ponds, as well as the coal plants that produce them, are disproportionately located in economically disadvantaged areas, placing the burden on those with few resources to defend themselves and the health of their families.

A 2011 report by the Environmental Integrity Project found that my home State of Illinois has the second most sites contaminated by coal ash in the country, and that Illinois EPA data showed groundwater contamination exceeding health standards at all 22 coal ash-related sites the Agency monitored.

We know that there are coal ash ponds contaminating groundwater. Some are located in Waukegan, Illinois, which borders Lake Michigan. Contamination in Illinois is not just a problem for the people of Illinois; it is a problem for the entire country.

Water crosses State boundaries in lakes, rivers, and underground aquifers. That is why coal ash should be regulated at the national level, but at a minimum, we should demand that groundwater and drinking water be protected.

The Great Lakes are the largest freshwater system in the world, and it is unconscionable that we are considering a bill today that would weaken protections for the water that many of us drink.

The vote on this motion to recommit is fundamentally about whether or not you believe that all people in our country deserve access to safe drinking water.

I urge my colleagues to vote ''yes'' on this motion and ''yes'' to protecting the health of millions of American families.

I yield back the balance of my time.

Mr. SHIMKUS. Mr. Speaker, I withdraw my reservation of a point of order.

The SPEAKER pro tempore. The reservation of the point of order is withdrawn.

Mr. SHIMKUS. I claim the time in opposition.

The SPEAKER pro tempore. The gentleman from Illinois is recognized for 5 minutes.

Mr. SHIMKUS. We have had a good afternoon on debating the many amendments that have been brought forward. Let me just briefly, in this short time, talk about what we have done.

We have taken the recent EPA rule and codified it. In other words, we set it into statutory language so it can be enforceable. That allows States to set up State permitting programs that can be enforced.

We trust States with what we call the Solid Waste Disposal Act, which is RCRA, to protect the Great Lakes. I think we can trust the States, in working with minimal Federal standards, to do the same thing.

The EPA, three times, has determined that coal ash is not toxic—the EPA has determined three times. In 1993, in 2000, and with their recently released rule in December, they said coal ash is not toxic.

I am going to end on two letters that we mentioned in the bill markups and on the floor. We have the group called ECOS, Environmental Council of the States, which all the States' EPA directors; and also another group, called ASTSWMO, which is the Association of State and Territorial Solid Waste Management Officials, which is in all territories; and the Western Governors' Association. There is not a single dissent. The Western Governors' Association includes California, Oregon, and Washington State.

They all support H.R. 1734 because it actually does the opposite of what my colleague claimed. It strengthens the law. It codifies our ability to enforce the result so that our communities are safe.

I appreciate my colleague's motion. I ask my colleagues to reject it, and I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. FOSTER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, this 5-minute vote on the motion to recommit will be followed by a 5-minute vote on passage of the bill, if ordered.

The vote was taken by electronic device, and there were—ayes 184, noes 240, not voting 9, as follows:

[Roll No. 457]

AYES—184

Adams
Aguilar
Ashford
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—240

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Chabot
Chaffetz
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—9

Barton
Bass
Brady (PA)
Carter (TX)
Clawson (FL)
Franks (AZ)
Graves (MO)
Gutiérrez
Rangel

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1842

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. PALLONE. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 258, noes 166, not voting 9, as follows:

[Roll No. 458]

AYES—258

Abraham
Aderholt
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Beatty
Benishek
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Bustos
Byrne
Calvert
Carter (GA)
Chabot
Chaffetz
Clay
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Doyle, Michael F.
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frelinghuysen
Fudge
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Green, Gene
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moore
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perlmutter
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schrader
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall

Yoder	Young (AK)	Young (IN)
Yoho	Young (IA)	Zeldin

NOES—166

Adams	Green, Al	Norcross
Aguilar	Grijalva	O'Rourke
Becerra	Hahn	Pallone
Bera	Hastings	Pascrell
Beyer	Heck (WA)	Payne
Blumenauer	Higgins	Pelosi
Bonamici	Himes	Peters
Boyle, Brendan F.	Hinojosa	Pingree
	Honda	Pocan
Brown (FL)	Hoyer	Poliquin
Brownley (CA)	Huffman	Polis
Butterfield	Israel	Price (NC)
Capps	Jackson Lee	Quigley
Capuano	Jeffries	Rice (NY)
Cárdenas	Johnson (GA)	Richmond
Carney	Johnson, E. B.	Roybal-Allard
Carson (IN)	Kaptur	Ruiz
Cartwright	Keating	Ruppersberger
Castor (FL)	Kelly (IL)	Rush
Castro (TX)	Kennedy	Ryan (OH)
Chu, Judy	Kildee	Sánchez, Linda T.
Cicilline	Kilmer	
Clark (MA)	Kind	Sanchez, Loretta
Clarke (NY)	Kuster	Sarbanes
Cleaver	Langevin	Schakowsky
Clyburn	Larsen (WA)	Schiff
Cohen	Larson (CT)	Scott (VA)
Connolly	Lawrence	Scott, David
Conyers	Lee	Serrano
Cooper	Levin	Sewell (AL)
Courtney	Lewis	Sherman
Crowley	Lieu, Ted	Sinema
Cummings	Lipinski	Sires
Davis (CA)	Loebsack	Slaughter
Davis, Danny	Lofgren	Smith (WA)
DeFazio	Lowenthal	Speier
DeGette	Lowey	Swalwell (CA)
Delaney	Lujan Grisham (NM)	Takai
DeLauro		Takano
DelBene	Luján, Ben Ray (NM)	Thompson (CA)
DeSaulnier		Titus
Deutch	Lynch	Tonko
Dingell	Maloney, Carolyn	Torres
Doggett		Tsongas
Duckworth	Maloney, Sean	Van Hollen
Edwards	Matsui	Vargas
Ellison	McCollum	Veasey
Engel	McDermott	Vela
Eshoo	McGovern	Velázquez
Esty	McNerney	Wasserman Schultz
Farr	Meeks	
Fattah	Meng	Waters, Maxine
Foster	Moulton	Watson Coleman
Frankel (FL)	Murphy (FL)	Welch
Gabbard	Nadler	Wilson (FL)
Gallego	Napolitano	Yarmuth
Garamendi	Neal	
Grayson	Nolan	

NOT VOTING—9

Bass	Clawson (FL)	Gutiérrez
Brady (PA)	Franks (AZ)	Rangel
Carter (TX)	Graves (MO)	Zinke

□ 1849

Mr. TAKAI changed his vote from ''aye'' to ''no.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. GUTIÉRREZ. Mr. Speaker, I was unavoidably absent in the House chamber for votes on Wednesday, July 22, 2015. Had I been present, I would have voted ''yea'' on rollcall votes: 453, 454, 455, 456, and 457. Had I been present, I would have voted ''nay'' on rollcall votes: 450, 451, 452, and 458.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3009, ENFORCE THE LAW FOR SANCTUARY CITIES ACT

Mr. COLLINS of Georgia, from the Committee on Rules, submitted a privileged report (Rept. No. 114–223) on the resolution (H. Res. 370) providing for consideration of the bill (H.R. 3009) to amend section 241(i) of the Immigration and Nationality Act to deny assistance under such section to a State or political subdivision of a State that prohibits its officials from taking certain actions with respect to immigration, which was referred to the House Calendar and ordered to be printed.

REMOVAL OF NAMES OF MEMBERS AS COSPONSORS OF H.R. 2646

Mr. MURPHY of Pennsylvania. Mr. Speaker, I ask unanimous consent to remove the following Members as cosponsors of H.R. 2646: Representatives JOYCE BEATTY, RON DESANTIS, and ZOE LOFGREN.

The SPEAKER pro tempore (Mr. BISHOP of Michigan). Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

RESTORATION OF THE U.S. CAPITOL DOME

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Mr. Speaker, today I would like to draw attention to the excellent work that the Architect of the Capitol has been doing in repairing and restoring the dome of our Capitol Building. I was recently briefed with an update on the progress they are making about halfway through the project. I am very impressed so far with the work.

Starting last June, they installed 52 miles worth of scaffolding at 25 layers around the dome. It only touches the dome at three areas so that the weight-bearing structures do not affect and damage the dome.

I am glad to know, also, that part of the repair devices come from California. In order to repair the cracks that they have in the iron structure that happens over the years, a company from Turlock, California, devised a drill and self-tapping mechanism here that requires no welding, no cornices, none of the complications you get with cast iron, therefore making repair of the dome effective and very good for the long term.

They have removed 12 layers of paint and will put on three new good layers to make the dome gleam. We have some really excellent folks, 100 people in construction at any one time, helping to make our dome gleam. That is something we can all be proud of in our country, which is what I think this Capitol symbolizes: the greatness of the United States of America.

So my hat is off to the great work of the Architect of the Capitol in restoring our dome.

REMEMBERING PHILIP SCHOLZ

(Mr. SWALWELL of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SWALWELL of California. Mr. Speaker, I rise to remember and honor Philip Scholz of Pleasanton, California, who died last year saving another person from an oncoming train.

In January 2014, Philip saw someone on the Caltrain commuter tracks. He reached out to try and help save this person. Both were tragically struck by the train, and while the other man suffered injuries, he survived, and we lost Philip.

Originally from Washington State, Phil attended college in the bay area at Santa Clara University. At the time of his death, he and his wife had lived in Pleasanton, my Congressional district, for over 10 years.

Phil was not just a hero for the way that he saved this man's life; that is how he lived every day. Phil loved to hike, play organized sports, and rescue animals. He was also a regular blood donor and constantly put others before himself.

His wife and friends have honored his memory by creating the Philip Scholz Memorial Foundation to support the interests and causes in which Phil believed, such as donating to the Valley Humane Society of Pleasanton.

Earlier this year, Phil was posthumously awarded the Carnegie Medal by the Carnegie Hero Fund Commission, given to recognize those who have risked their lives to save others, and given to fewer than 10,000 people since 1904.

Both the memorial foundation and this award are fitting tributes for such a courageous man. Hopefully, they serve to remind us of Phil's example and inspire others as well.

HONORING THE ACCOMPLISHMENTS OF ANDRE IGUODALA

(Mr. RODNEY DAVIS of Illinois asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I rise today to honor Andre Iguodala, an Illinois native who was named the Most Valuable Player while playing for the Golden State Warriors in the 2015 NBA Championship series.

Mr. Iguodala's basketball career began in Illinois' 13th District. As a student at Lanphier High School in

Springfield, Andre led his team to the State championship game in his senior year and went on to play for the University of Arizona. After graduation, Andre began his professional basketball career in the NBA.

Before his appearance this year in the NBA Finals, Andre proudly represented America as a member of the 2012 U.S. Olympic Team in London. He contributed to the team's efforts that ultimately earned them a Gold Medal.

This year, Andre proved to be an important contributor to the Warriors' 2015 NBA Finals success. He was a crucial part in helping to earn the team the NBA championship title, and he was awarded the MVP award with a resounding vote of 7–4.

I am proud to recognize Andre Iguodala and his many accomplishments and his dedication to basketball from his time as a youth in Springfield, Illinois, until now.

Congratulations, Andre. Congratulations to all the Warriors fans. And congratulations to those in Springfield who continue to look up to you every single day.

THE VOTING RIGHTS ACT

(Ms. FUDGE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. FUDGE. Mr. Speaker, 730 days; 17,520 hours; 1,051,200 minutes; 2 full years since the Supreme Court ruled section 4 of the Voting Rights Act of 1965 unconstitutional; 2 full years without voter protections and full access to the ballot box.

Since the ruling, many Americans in States like Ohio have been subjected to restrictive voter registration requirements, paying costly fees for State IDs or waiting in line for hours on election day.

Legislation to restore the VRA and strengthen the right to vote have been offered, but the majority has refused to take them up. It is clear Congress has dropped the ball.

Two years without the full protection of the Voting Rights Act is too long. The clock is ticking. It is time to restore the VRA.

WE NEED A COMMONSENSE SOLUTION

(Mr. LIPINSKI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LIPINSKI. Mr. Speaker, Americans are appalled by the murder of Kate Steinle by a man who had been deported five times and was wanted by ICE but was let free.

In Chicago, Denny McCain was killed by a drunk driver who had a prior felony and who was in our country illegally. ICE issued a detainer, but the defendant was let out on bail and disappeared.

Donald Trump is wrong. Most immigrants to America are upstanding people who come to our country to work hard, but policies that permit these travesties should be stopped.

Unfortunately, we are not being offered a commonsense solution. We are offered the polarizing choices that we either do nothing or we harm the very institutions and citizens we are trying to protect.

What we need to do is stop local policies that ignore ICE detainers and let criminals go who are in our country illegally. I know this commonsense solution will anger people on both sides, but ask local police. They want to focus on those who have committed crimes in their communities. It is just common sense.

□ 1900

REMEMBERING FORMER SPEAKER OF THE HOUSE JIM WRIGHT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentleman from Texas (Mr. VEASEY) is recognized for 60 minutes as the designee of the minority leader.

GENERAL LEAVE

Mr. VEASEY. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the subject of my Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. VEASEY. Mr. Speaker, I rise today to honor the life and legacy of one of the great leaders that stood tall here in Washington, D.C., and back home in Texas, James ''Jim'' Claude Wright, Jr., who passed away recently, back in May, at the age of 92.

And, Mr. Speaker, I am sad to announce that his wife Betty just died on July 15, just last week. So the family has been through a lot.

We have a lot of really nice stories to tell about Speaker Wright and how he has influenced so many people.

I want to begin by yielding to the gentleman from Maryland (Mr. HOYER), our minority whip.

Mr. HOYER. I thank the gentleman from Texas for yielding.

Jim Wright would have been proud of MARC VEASEY. He would have said MARC VEASEY is in the Jim Wright tradition. I am going to speak a bit about that.

Mr. Speaker, I rise to talk about a Mr. Speaker, to pay tribute to the life and legacy of a man who served this House and our country with distinction as a Member, as majority leader, and as Speaker.

Jim Wright was a man of principle and great political skill, and he relied on both during his 34 years in Congress. I have now served 34 years in Congress, and for part of that 34 years, I had the honor of serving with Jim Wright.

Just 2 years after he was first elected to represent Texas' 12th Congressional District, Jim stuck to his principles and refused to sign the Southern Manifesto, opposing desegregation, as so many of his southern colleagues did.

It was a risk, of course, Mr. Speaker, politically, but he put his belief in equal opportunity ahead of what was politically popular among his constituents at the time.

When he voted for the Civil Rights Act of 1957, it was a further sign of his courage, of his conviction, and of his adherence to the principles that have made our country so great and so respected.

In spite of breaking with many of his southern conservative Democratic colleagues on that issue, he forged friendships with them based on mutual respect and good old-fashioned camaraderie, just as he did with Members from other parts of the country and across party lines.

Jim was elected majority leader in 1976, and he was serving in that capacity when I came to Congress in 1981. Today, Mr. Speaker, I am honored to sit in the same office, H–148 in the Capitol Building, just a few feet from this floor, where Jim Wright sat as the majority leader.

If you look up toward the ceiling in one corner of our office suite, you can still see the great seal of the State of Texas painted on the wall. Emblazoned in the center of that seal is the proud lone star of Texas.

Sam Rayburn may have been one of those stars, Lyndon Johnson may have been one of those stars, and many other Texans may have been one of those stars. But in our office, that lone star stands for Speaker Jim Wright.

In many ways, Jim was that lone star who stood out at the center of our party in this House, a leader who knew how to bring Members together by inspiring them to follow his example.

He never wavered in his mission to bring Democrats and Republicans together and replace partisan divisions with cooperation, comity, and—yes—compromise, which is in such little supply on this floor right now.

Jim was an extraordinary person. He was someone who refused to take ''no'' for an answer and seemed destined to serve his community and his country.

Mr. Speaker, at age 10, he tried hard to join the Boy Scouts, even though he was 2 years shy of the minimum age to participate.

At 13, Jim lied and said he was 16 in order to enter a boxing tournament. Now, there are some 13-year-olds who can empathize with that. And, Mr. Speaker, he almost won that competition.

In high school, his classmates wrote in his class of 1939 yearbook that Jim would likely be serving in Congress by 1955. How prescient his classmates were, for he won his first congressional election in 1954.

While in college at the University of Texas, Jim learned that the attack on Pearl Harbor had occurred. Without hesitation, he decided to drop out the next day and join the Army Air Corps.

Jim flew more than 300 combat hours over the South Pacific. He flew, as my stepfather did, in the battles that were fought in the Pacific to combat those who had attacked Pearl Harbor. He was decorated for his distinguished service.

Those of us who served with Jim in the House saw the same determined spirit he demonstrated in the Army as he applied himself to serving the people of Texas' 12th District.

I had the opportunity to be at Jim Wright's funeral on May 11 of this year.

On the day of his assassination, in the last speech of his life, President John Fitzgerald Kennedy visited what he called ''Jim Wright's city'' and praised the Congressman by saying, ''I don't know of any city that is better represented in the Congress of the United States than Fort Worth,'' Texas.

I can remember the year after Jim Wright was elected Speaker of the House that I had the opportunity of chairing and emceeing a dinner that was held in Fort Worth, one of the biggest ever held there.

I will echo, therefore, that sentiment. I can think of few who served in the Congress who will be remembered as fondly by those they served with than Jim Wright, by his constituents, by his colleagues, and by his family. He loved this institution dearly.

His family and those who served with him, like me, will miss him. A grateful Nation thanks him for a lifetime of service to us all.

And I thank the gentleman for yielding to me.

Mr. VEASEY. Mr. HOYER, I thank you very much. I appreciate those very kind words about Speaker Wright, and everyone in Fort Worth and the metroplex will appreciate those kind words as well.

I also would like to recognize Minority Leader NANCY PELOSI. She is another Member of Congress who also served with Speaker Wright, someone that she was also very fond of. She had the opportunity to talk with Speaker Wright a couple of years before his passing when she was down in Fort Worth.

Mr. Speaker, I yield to the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Speaker, I thank the gentleman for yielding to me on this very special Special Order.

I thank you for affording me the opportunity to visit with Speaker Wright, as you mentioned, in just the recent past. On a number of occasions and visits to Texas, I have had the privilege of basking in his glow, because that is what we did here in the Congress of the United States.

When Jim Wright was the Speaker of the House, I had the privilege to serve under his leadership for a short period of time because I was a new Member at the time.

And when he would come to this floor, to this well, to speak as the Speaker of the House, his oratory was just so compelling. People would stop what they were doing to listen to what Jim Wright had to say and how he said it.

In some ways, that was of another era that hearkened back to how the business or the work of Congress was conducted, where people would come and actually listen to the debate.

He was a man of great oratorical skill, of course, a legislative master, but he was also a person of great courage and a person of great principle.

Tonight we gather on the floor to honor the memory of this great Speaker of the House. From the service that earned him the Distinguished Flying Cross in World War II to leadership that defined his 34 years in the House, Jim Wright exemplified commitment to the bright future of America's families.

He was a great patriot. He was one of America's most distinguished and dedicated public servants, a person known for deep courage, brilliant eloquence, and a complete mastery of the legislative process.

Wright's strong, decisive leadership built an indelible legacy of progress not only in his beloved State of Texas, but around the world.

Jim Wright championed investing in our infrastructure. Jim Wright had been a member of the Transportation Committee. He helped forge a path to peace in Central America.

For that, I will always be grateful to him for his brilliance, for his leadership, and especially for his courage. It was hard to do. Jim Wright sought prosperity for every hard-working family.

Speaker Wright was a patriot who held the respect of friends and colleagues on both sides of the aisle. Even after he left the House, Wright continued to contribute to building a better future for our country by sharing his wisdom with the new generation of leaders, as professor at Texas Christian University.

When Jim Wright was presented the gavel in 1987, becoming the Speaker of the 100th Congress, he spoke of the enduring promise of our Constitution and of the sacred responsibility it entrusts the Members of the House. He said:

> We are its custodians. Those men of principle and vision who penned the deed to freedom had in mind a very special place for the Congress. Ours is a creative and dynamic role. We alone can legislate. Only we can appropriate. We are expected to initiate, to innovate, to see the obstacles on the road ahead, and to chart a path around them for our Nation.

He went on to say:

> Let us, with gratitude for the privilege that is ours, ask Almighty God that He shall grant to each of us a portion of the vision to see the right; the courage to stand for the right; the honesty to admit human error; and the love that binds our Nation and our people together, to the end that we may continue to be not the envy of the world but an inspiration to the world—and an instrument of His peace.

Mr. Speaker, 28 years later, Jim Wright's prayer for bravery and humility still speaks to us through the decades. He was indeed a person who had the vision to see the right and the courage to stand for the right. And, for that, we are enormously grateful.

Speaker Jim Wright never stopped serving our country, and his achievements will stand forever as a living monument to his determined vision and legislative ability.

I learned a lot from Jim Wright in the short period of time that I served with him in Congress, and from time to time I share those lessons with newer Members of Congress, but also with great humor.

We hope it is a comfort to Speaker Wright's family, friends, students, and colleagues that so many of us share their grief and some come to the floor to join with them in celebrating his memory.

May his legacy long keep watch over the House he led, and may it challenge all of us to do more and do better on behalf of America's hard-working families.

Thank you to Jim Wright's family for sharing him with all of us. It was an honor to serve with him. It was even a bigger privilege to call him friend.

I will miss that I will not be seeing him from time to time in Texas. I always invited him to the Congress for any special occasion we had. And on one or two occasions, he did accept, and that was an honor for this House.

I thank the gentleman for yielding and for calling this Special Order.

□ 1915

Mr. VEASEY. Leader PELOSI, I appreciate those kind words about Speaker Wright, and I know that his family will appreciate everything that you have to share. Thank you so much.

Mr. Speaker, I yield to the gentlewoman from California.

Ms. PELOSI. Mr. Speaker, I do want to add to my remarks because I was so taken by speaking about Jim Wright; but on the occasions I did see him in Texas, on the most recent occasions, he expressed the pride he took in your service in the Congress.

Congratulations to you, Congressman VEASEY, for carrying on that beautiful legacy.

Mr. VEASEY. Mr. Speaker, I would like to recognize, from the 30th Congressional District in Texas, the gentlewoman from Dallas, Ms. EDDIE BERNICE JOHNSON, who also was very well acquainted and was a good friend of Speaker Wright's and has some great stories about things that she shared with Speaker Wright over the years.

Now, I would like to welcome and yield to the gentlewoman from the 30th Congressional District from Dallas, Texas (Ms. EDDIE BERNICE JOHNSON).

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today with great pleasure to pay tribute to the life and legacy of the former Speaker of the House, James ''Jim'' Wright, who passed away on Wednesday, May 6, at age 92 of this year.

Speaker Wright served in Congress for more than three decades and left an indelible legacy as chairman of the House Public Works Committee that is now named the Transportation and Infrastructure Committee.

He was elected by his peers as Speaker in 1987. He was born in Fort Worth, Texas, the son of a traveling salesman. He was educated at Weatherford College and the University of Texas at Austin. He dedicated his life to serving the public. He bravely served in the United States Army Air Force during World War II and was awarded the Distinguished Flying Cross for flying combat missions in the South Pacific.

Subsequently, he was elected to the Texas House of Representatives in 1946. He served as mayor of Weatherford, Texas, from 1950 to 1954; and he was elected to the U.S. House of Representatives in 1954. He was reelected 16 times.

Speaker Wright was a visionary who served the people of Fort Worth and this Nation well. He is deserving of this tribute. Because of his leadership, the House experienced one of the most prolific periods.

Speaker Wright demonstrated his skill as a political leader and a master legislator by shepherding extraordinarily complex legislation through the House. He understood that the business of legislating and good politics required good skill in the art of compromise.

Speaker Wright never backed down from a challenge. Even after leaving office, he continued to serve the public diligently. I was always able to consult with Speaker Wright, and I will always cherish those memories.

He was the author of the Wright amendment at the time the Dallas/Fort Worth airport was built. When it came time for it to change, only Speaker Wright, even in retirement, was able to get it loose in the Senate so that we could get it passed in the House as well.

Our country has lost one of its finest statesman; and I have lost a very close personal friend whose wisdom, dignity, and knowledge of the legislative process was unquestionably enviable.

He is among the most influential speakers in the history of the House of Representatives. Jim Wright is really an unforgettable public servant and leader. A man fueled by passion and concern for others, he set the bar high for his successors.

At the time of his death, he was survived by his wife, Betty, who was deceased just recently, and four children.

I stand today to honor former Speaker of the House Jim Wright and thank him for his work in the service of the people of Texas and throughout the Nation. He has left a powerful legacy that will live for generations.

I want to thank my colleague, Congressman VEASEY, for having the leadership and the vision for waiting for a while to be able to sponsor this hour in tribute to Speaker Wright.

SPEAKER JIM WRIGHT

December 22, 1922–May 6, 2015

Jim Wright, Speaker of the U.S. House of Representatives and Distinguished Lecturer at TCU, died Wednesday, May 6, 2015, in Fort Worth.

Jim Wright was born on December 22, 1922, to James Claude and Marie Lyster Wright. His childhood years were spent in Oklahoma and Texas during and after the Depression but for the remainder of his life he referred to both Weatherford and Fort Worth as home. This period in his life had a strong impact on his later legislative priorities. He finished his primary education by age 16 and soon thereafter enrolled in Weatherford College and the University of Texas in Austin. In his senior year, Pearl Harbor called many of the young men his age to enlist in the military and to serve their country. Wright enlisted in the Army Air Corps at age 19 and in 1943 flew the first of five legs in the South Pacific movement of the 380th Heavy Bomb Group as a bombardier. During World War II, men painted a personal name on the exterior of their aircraft and Wright's group flew nightly raids from Australia to nearby Japanese bases in a B–24 Liberator Bomber known as Gus's Bus.

Soon after enlisting, Jim married his college sweetheart, Mary Ethlyn Lemons, on December 25, 1942. They were married for 28 years and had five children: James C. III; Virginia; Kay; Parker Stephen and Alicia Marie. Mary Ethlyn and Parker Stephen preceded him in death. He married Betty Hay in November 1972 and they lived together in Washington, D.C. and later Fort Worth. Betty was his love and companion for 42 years. In addition to Betty and these children, he is survived by 15 grandchildren, 24 great-grandchildren and his sister, Betty Lee Wright.

Wright returned from the war and at age 23 was elected to the Texas State Legislature as one of the youngest men to ever serve in that body. He subsequently served as mayor of Weatherford and worked in his father's rural economic development business as an advertising agent for National Trades Day. In November of 1954 Wright was elected to the U.S. House of Representatives from Texas' 12th Congressional District. In Congress, he served on the Public Works Committee, Budget Committee and beginning in 1977 as the majority leader for the Democrats in Congress. In 1987, his colleagues elected him to be Speaker of The House. He had many lasting influences in Fort Worth, including infrastructure projects such as DFW Airport, veterans' programs and environmental projects.

After World War II, Wright referred to Congress as a heady place to be, where members of both political parties cooperated to make America a world leader and to build and support a strong middle-class. He said, ''We'd had to cast aside the restraining remnants of local chauvinisms, ethnic schisms, religious bigotry, and regional mistrusts. In the words of our pledge of allegiance, we were becoming more nearly 'one nation, indivisible.''' He loved the institution.

One of the most fulfilling days in Wright's political career came on Nov. 22, 1963, when President John F. Kennedy visited Fort Worth to meet and speak to residents. And less than two hours after speaking in Fort Worth, it became one of the most tragic in all of history when President Kennedy was shot. The whiplash of that day's emotion haunted Jim as one of the happiest then one of the saddest moments in his lifetime. Before leaving Fort Worth, President Kennedy said, ''I know of no other city in the United States that is better represented in the Congress of the United States than Fort Worth.''

Wright's accomplishments as a U.S. Congressman were many. Among his proudest memories he would recall legislation creating the Clean Water Act, interstate highway system, benefits for returning veterans, and the honor he felt as a witness and participant to creating peace. He visited the Middle East, facilitating the initial meeting that lead to the accord between Israel and Egypt in 1977; and in ending the internal strife in Nicaragua in 1988 by leading a compromise to end the U.S.-financed war between the Sandinista Government and the Contras. In foreign affairs, Wright enjoyed the role of bipartisanship and peacemaker, and Nicaragua was perhaps the most difficult of all bipartisan efforts. To the surprise of an increasingly partisan group of legislators wanting to overthrow the Nicaraguan government, his approach led to an end to U.S.-financed weapons and to constructive talks among the Nicaraguan leaders and eventually to democratically-held elections.

His success led a similar group of partisan legislators to file ethics charges against him, and even though the initial charges against him were dropped for lack of evidence, the persistence of what had become an increasingly partisan and combative Legislative Branch led to his resignation. In his resignation speech he said, ''When vengeance becomes more desirable than vindication, harsh personal attacks on one another's motives, one another's character, drown out the quiet logic of serious debate on important issues, things that we ought to be involved ourselves in. Surely, that's unworthy of our institution, unworthy of our American political process. All of us in both parties must resolve to bring this period of mindless cannibalism to an end. There's been enough of it.'' To Jim's constant dismay, he did not live long enough to see the end or even a diminished attack by partisan efforts.

After returning to Fort Worth, Wright put his official office papers with the TCU Library and for more than 20 years, he taught at TCU a course on ''Congress and the Presidents.'' His intention to keep the classes small was not possible and his classes continued to grow by registering interested students. In December 2010, his eyesight had become an insurmountable challenge as a teacher and he retired.

Jim Wright approached life with an eager and courageous mission in each pursuit. He

had the balance of knowledge, intuition, direction and wisdom that comes from experience. His ability to forgive and move on was amazing, and his desire to overcome was persistent. When he loved he did it with all his heart and he loved this lifetime. Horace Greeley had a quote that Wright used—''and fame is a vapor, popularity an accident, riches take wings, those who cheer today may curse tomorrow, only one thing endures: character.''

Well done, Jim Wright, your character endures and you will be forever remembered.

—After a private conversation with Dad in 2013

Ginger

Mr. VEASEY. Mr. Speaker, I thank the Congresswoman from the 30th District, Ms. EDDIE BERNICE JOHNSON, for her very kind words about Speaker Wright. He was very fond of you and appreciated your leadership in an area that he excelled in, which was transportation. I just want to thank you for your kind words.

Now, I would like to recognize from Houston, Texas, the distinguished gentlewoman, SHEILA JACKSON LEE, who would also like to have a few words about Speaker Jim Wright.

So many Texans that served with Jim Wright and those who didn't have the opportunity to serve with him really appreciated his style and everything that he stood for. He was such a statesman.

You can tell how his influence was felt because so many individuals like SHEILA, so many other people that knew the Speaker reached out to me after his death and wanted to send condolences to his friends and his family, and she was just thankful that he was so influential in SHEILA JACKSON LEE's life as well.

Mr. Speaker, I yield to the gentlewoman from Houston, Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Speaker, I am delighted to be here with my colleagues from all over the Nation, Leader PELOSI, Whip HOYER, and my colleague as well, Congressman JOHNSON from Dallas.

We all gathered at the funeral of Speaker Wright, and it was almost like a reunion of family members from the many political persons, public servants who not only through the years have known Speaker Wright, but really, those who came to honor him because of the iconic role that he played in the history of Texas and the history of America.

We are excited that he was a Speaker that cared about people and cared about Members. He, as was indicated, was born in Fort Worth, loved Fort Worth, and never wanted to leave Fort Worth.

I think it is interesting that he was the son of a professional boxer who turned tailor. After the attack in Pearl Harbor in December 1941, he left college to enlist in the United States Army and flew combat missions in the South Pacific, earning the Distinguished Flying Cross and Legion of Merit. He was of the Greatest Generation.

He served in the Texas House. From his hometown of Weatherford, he became the mayor for his boyhood home. He served in that post for 4 years, from 1950 to 1954, before his first congressional victory.

Speaker Wright had a way with words. He was an eloquent speaker. He was a disciple of House Speaker Sam Rayburn, a fellow Texan. He was also a disciple of another Texan, Lyndon B. Johnson, who served in the Senate during Wright's initial years in Congress before becoming Vice President in 1961.

He was in the Presidential motorcade on November 22, 1963, when President John F. Kennedy was assassinated in Dallas. To describe the depth of sadness that engulfed us that day defies vocabulary, he once said, recalling how the friendly mood of the Dallas crowds turned to sheer terror and horror. It was that day that his friend, Lyndon B. Johnson, became the President of the United States.

He worked hard for the people of Fort Worth. He was a person of deep courage, brilliance, eloquence, and complete mastery of the legislative process. He was decisive and strong, and he handled his Texas Members.

He championed the causes of Texas. He believed in the goodness of America, and he was a great achiever. He loved the Boy Scouts. As I indicated, his father was a boxer, and he started out doing that as well.

I come today to honor him as a great American and to add to this tribute that he served with President Lyndon Baines Johnson when the Civil Rights Act and the Voting Rights Act were passed.

He was a friend of one of my predecessors, the Honorable Barbara Jordan. They served together. They knew each other. They were strong Texans, but they loved America.

I know that, as we look to promoting his legacy, besides caring about this institution and loving America and honoring our men and women in the United States military, I know that it is also time, in his name, to bring forward the Voting Rights Act reauthorization that will, again, restore and invest in the rights of people to vote and will capture what he understood to be the right way to handle America's business, and as well, it captures his friend's vision, the Honorable Barbara Jordan, who, in fact, wrote the language to add Texas to the Voting Rights Act.

I thank you, Congressman, for having this very special Special Order for us to thank a dear friend who, again, I salute tonight as a great American.

To his family, thank you so very much for sharing Jim Wright—Speaker Wright—a great Texan and a great American, with all of us.

Mr. Speaker, today, we mourn the loss of one of America's most distinguished and dedicated public servants: Speaker Jim Wright.

From the service that earned him the Distinguished Flying Cross in World War II to the leadership that defined his 34 years in the House, Jim Wright exemplified commitment to the future of America's families.

Jim Wright represented Fort Worth in Congress for 34 years. Jim Wright was a peacemaker, local politician and international leader and a consummate Democrat who offered his hand for bipartisanship.

Jim Wright worked for the people of Fort Worth, whether it was winning a bomber contract for a Fort Worth defense contractor or helping an individual with their Social Security.

Speaker Wright was a person of deep courage, brilliant eloquence, and complete mastery of the legislative process.

Speaker Wright's strong, decisive leadership built an indelible legacy of progress, not only in his beloved state of Texas, but around the world.

Speaker Wright championed prosperity for every working family, and helped lead the way to peace to Central America.

After he left the House, Wright continued to share his wisdom with new generations of leaders as a professor at Texas Christian University.

Jim Wright was an achiever. When he was 10 years old, he tried to join the Boy Scouts, two years ahead of the minimum age.

As a 13-year-old boxer, he told officials he was 16 in order to enter an AAU tournament, where he won two bouts and lost the third in a close decision.

Jim Wright became hooked on history and decided to become a congressman while he was sidelined from high school football by a knee injury.

Jim Wright was 23 when he started his political career when he was elected to the Texas Legislature.

He never stopped serving our country, and his achievements will stand forever as a living monument to his determined vision and legendary ability.

We hope it is a comfort to Speaker Wright's family, friends, students and colleagues that so many join them in grieving and honoring such a wonderful man. Today we bury a favorite son of Texas.

Speaker Wright was a man who loved his country and today we mourn his loss. He was the Speaker of the House in Congress and a humble man.

During the funeral many spoke to his ability to forgive and the words of his great-granddaughter will always stay with me which was that when we leave the funeral today she wanted us to think of hope over despair and prosperity over scarcity.

If the Congress can begin to turn its attention to these philosophies America will be a better nation.

We should always pay tribute to those who helped make Texas great. Speaker Wright has left us with a remarkable story.

Mr. VEASEY. Mr. Speaker, I want to thank the gentlewoman from Houston, SHEILA JACKSON LEE, for sharing so many great stories and fond memories of Speaker Jim Wright.

I would like to add a few words of my own. Jim Wright was very influential to me. When I was elected into the State legislature in 2004 was when I really started to get to know him well. I had known him previous to that when I was an aide for United States Congressman Martin Frost, who was also from Fort Worth.

Once I got into the State legislature, I got to know him even more, and I realized very quickly what a great storyteller he was. Speaker Wright had some amazing stories from people that he had met over the years, people that influenced him in his life.

So many people always wonder how he became the great orator that he was. There were so many stories that I heard early on about before the House had C–SPAN—now, we can watch coverage of the House of Representatives 24 hours a day, thanks to technology—but Speaker Wright was such a great orator that, before C–SPAN came into effect, you heard stories about staffers coming to fill the galleries so they could come and hear this man from Fort Worth, Texas, come in and give speeches because they were so amazing.

I asked him: How did you become the great orator that you were when you were in the U.S. House of Representatives and that you still are today? Even, unfortunately, with the oral cancer that he had—his speech had been hampered, but it was still amazing, the wisdom and the knowledge that he shared.

As you have heard from so many speakers tonight, boxing was a very important part of life. He loved boxing. It was something that he watched over the years. When he was growing up in Weatherford, Texas, that was one of the ways how young boys and men distinguished themselves, was their boxing skills on the street.

He told me that, one day, his dad told him that while it was great that he was able to distinguish himself with his fists through boxing, that if he really wanted to improve himself and improve his lot in life, that he would learn how to be a great orator, that he would learn what the anatomy of a great speech was all about; so Jim Wright, at a very early age, decided that he was going to learn how he could become a better speaker, and there are so many stories like that.

I went to his office right before I was sworn in, in 2012, and I asked him to just share some of that wisdom with me as an incoming new Member of Congress. He told me so many stories that day. One of them related to boxing.

Many of you know Larry Hagman from ''I Dream of Jeannie'' and from the TV series ''Dallas.'' Some of you may know that Larry Hagman's mother is Mary Martin of Peter Pan fame. Mary Martin was actually from Weatherford, Texas, and she knew Jim Wright and knew Speaker Wright's family.

I said: Larry Hagman told a friend of mine that he ran into that you taught him how to box; is that true?

Speaker Wright began to tell me the story about his mother thought that maybe he needed to get back to his Texas roots and have a little bit more Texas upbringing in him, and so she sent him back to Weatherford, Texas, with his dad; and Speaker Wright taught him how to box. That was how Larry Hagman learned how to become a boxer.

One of the areas that Speaker Wright—and NANCY PELOSI talked about it a lot—how he was a big influence in my life and so many others' lives—and I would be remiss if I did not mention some of the former Members that also he was very influential in their lives.

Congressman Martin Frost, who was the ranking member of the Rules Committee, Speaker Wright was very, very influential in getting him on the Rules Committee his freshman year in office.

□ 1930

Also Secretary Pete Geren, a former Member of Congress and Secretary of the Army and Air Force, again, Speaker Wright was very influential early on in his career. Pete Geren was actually Speaker Wright's successor in Congress, and that was also very important to him.

Many people know that Speaker Wright was known as a very strong Democrat. He was someone that loved the Democratic Party, that was very proud of his Democratic roots and had a very strong relationship with organized labor in Tarrant County. When you talk to people that are longtime employees at Lockheed Martin, at General Motors, at American Airlines, the things that he did with transportation, all of those things were very, very important for who he became.

In addition to that, he also learned a lot from some of the failures and mistakes that he made. He told me that his first term in the State legislature, that it was not easy, that he didn't get along with the speaker of the house in the State legislature.

When he was elected here, he wanted to make sure that he got along with Sam Rayburn when he was elected to Congress. He told me: Marc, I have learned my lesson from when I was in the State legislature, and I really wanted to be on the Foreign Affairs Committee because that was what was really happening back in the 1950s when I first got elected. With the cold war going on, I wanted to be on that committee. It was something very important to me. Speaker Rayburn put me on the Public Works Committee—which is now the Transportation and Infrastructure Committee.

He said, that ended up that was a mistake that I made because that committee ended up really making my career. It is hard to think that I would have become majority leader and Speaker of the House had I not been on the Public Works Committee—which is where Speaker Rayburn put him.

Again, in addition to being that strong, strong Democrat that he was, I can tell you that bipartisanship was something that he was very fond of because he talked a lot after his career in Congress about how bipartisanship helped make this country strong and about how it helped make him a better Member of Congress.

If you go and look in the archives of the Star-Telegram from just a couple of months ago after he passed, you will notice the remarks that were given from a very bipartisan group of people in the Dallas/Fort Worth area. ROGER WILLIAMS, also from Fort Worth, he was quoted in the Star-Telegram; KAY GRANGER, former mayor of Fort Worth, was also quoted in the Star-Telegram—about how Speaker Wright did so many great things for Fort Worth.

One of the areas that he liked to talk about was the Voting Rights Act and how important voting rights were to him and also Eisenhower and the freeways. He told us a great story about how he and a few other Congressmen went to Eisenhower about getting the interstate highway bill passed and how President Eisenhower said, Let's get the votes; let's get it done—and how they came together in a bipartisan way in order to get that legislation done.

My favorite story that he told me about is the importance of bipartisanship. I asked him: Mr. Speaker, I am going to be a new Member of Congress, and so many people talk about how Congress is broken and they don't work together.

I said: Do you have any theories on why that is?

He said: That is a very good question. When I was in Congress, we spent a lot of time getting to know one another. We spent a lot more time in Congress than we do today.

He said: I want to tell you a story. One time, I told my daughter, I want you to go get a job—and this was before he was majority leader—I want you to go and get a job, and I do not want you to use my name. Whatever you do, do not use my name. She came home that evening and she said, Daddy, I found a job. He was like, Oh, great, where did you find a job? She said, I got a job in the minority leader's office.

Speaker Wright, a great storyteller that he was, he said: I just exploded, and I said, What, you got a job at the minority leader's office? Did you tell them who I was? She said, Dad, you told me not to use your name.

He said that he immediately picked up the phone; he called Gerald Ford up, and he said, Gerald, I need to apologize to you. I want you to know that my daughter has accepted a job in your office, and she is to report to your office

first thing in the morning and apologize and say that she cannot accept the job.

He said that Gerald Ford said to him: Jim, if your daughter wants to work here, it won't be any problem at all.

He said: Marc, can you imagine that happening today?

It really stopped and gave me pause just about how much things have really, really changed.

Speaker Wright was an amazing person, a person of great wisdom, intelligence, humility. He would talk about how he lost the Senate race and it was fine for him to lose that special election for the U.S. Senate because things ended up working out for him in the U.S. House of Representatives. He could actually find humor even in something that was a big defeat for him.

I just wanted to thank him, and I am so thankful that our paths crossed and that he was such an influence to me and so many others. I can tell you that the city that I am from, Fort Worth, Texas, that the city is the great city that it is today because of the work and the statesmanship of Jim Wright.

His legacy continues to live on through so many others that continue to serve in Congress today that are in other positions in office and in business.

Mr. Speaker, I am just very, very grateful and very blessed that I knew Speaker James Claude ''Jim'' Wright.

Mr. Speaker, I yield back the balance of my time.

Mr. GENE GREEN of Texas. Mr. Speaker, I rise today to honor the life and legacy of a great American and a great Texan, former Speaker of the House Jim Wright.

Speaker Wright served our nation over five decades, first as a B–24 bombardier in the Pacific during World War II, where he earned the Distinguished Flying Cross. Returning home to Texas, Speaker Wright was elected to the Texas State Legislature and then as Mayor of Weatherford.

In 1954, Jim Wright would be elected to Congress, where he would serve for the next 34 years, 10 years as Majority Leader, and Speaker of the House from 1987 to 1989.

In Congress, Jim Wright was known for his hard work on behalf of the 12th District, centered in Fort Worth, Texas. Through his work on the House Public Works Committee, then-Rep. Wright secured important improvements to the Trinity River flood control and the revival of the Fort Worth stockyards area and become an important advocate for the local defense industry.

As Speaker, Jim Wright guided the passage of significant legislation, including amendments to the Clean Water Act, the 1987 highway bill and expanded education benefits for military personnel.

After leaving Congress, Speaker Wright said that his biggest achievement was sponsoring the bipartisan peace accord between the Sandinista government and the contras in Nicaragua, which had been fighting for a decade.

Speaker Wright passed away on May 6, 2015, in his hometown of Fort Worth, at the age of 92. The passing of Speaker Wright is the end of an era in Texas politics. He was among the last of our great state's legislative giants, who learned his trade from fellow Texans, Lyndon Johnson and Sam Rayburn.

Speaker Wright was a leader dedicated to bettering our country, and he will be sorely and dearly missed by his family, friends, and this Congress.

FIFTH ANNIVERSARY OF DODD-FRANK ACT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentleman from Texas (Mr. HENSARLING) is recognized for 60 minutes as the designee of the majority leader.

Mr. HENSARLING. Mr. Speaker, there are a number of us who are gathered for a very important discussion tonight regarding the fifth anniversary of the Dodd-Frank Act.

Before we do, there is another important anniversary that needs to be recognized in America today. For that, Mr. Speaker, I am happy to yield to the gentleman from Illinois (Mr. SHIMKUS).

65TH WEDDING ANNIVERSARY OF GENE AND KATHY SHIMKUS

Mr. SHIMKUS. Mr. Speaker, I rise today to give thanks to God and publicly celebrate the 65th wedding anniversary of my mom and dad, Gene and Kathy Shimkus.

Dad was raised by his grandparents, Charles Frederick and Dorothea Heinicke. He has been a lifetime member at Holy Cross Lutheran Church and School. Mom was raised in State Park, just down the road from Collinsville, by Harvey and Myrtle Mondy.

They are both graduates of Collinsville High School, dad in 1946 and mom in 1949. Dad started working for the telephone company in high school, and mom worked as a telephone operator.

Mom and dad got married on July 22, 1950, 65 years ago today. Dad was drafted during the Korean war and left for Korea. On August 3, 1951, their first child, Bill, was born. Dad returned from the war and continued to work for the telephone company and then various telephone companies as the industry changed. Using the GI Bill, he also received his associate's degree from Southern Illinois University Edwardsville.

Mom started her career and one that she has kept throughout known time as mother and now matriarch of the family. From here, the family grew as Dorothy, Joan, Helen, Jean, Jana, and I were born. The kids grew up to become a pastor, teacher, healthcare worker, CPA, and even a politician.

Bill now lives in the Northwest and is married to Bette. They have three children, Matthew, Maria, and Emily. Dorothy has two boys, Terry and Dusty. Joan is married to Bernie and has two children, Niki and Tim. Karen and I are married with sons David, Joshua, and Daniel. Helen is married to Pat and lives in Tennessee. They have two daughters, Jennifer and Katelyn. Jean has two sons, Adam and Gene, as well as a daughter, Elizabeth. Jana is married to Chris. There are nine great-grandchildren.

In an era where everything seems to be disposable, it is helpful and uplifting to see something that has lasted. For things to last, you have to work at it.

Thank you, Mom and Dad, for teaching us about life. We have survived the good and the bad and, for the most part, have done it united as a family. The Shimkus clan will celebrate this accomplishment through this weekend by just spending time together.

Our gathering culminates with attending church together on Sunday. We have much to be thankful for, but mostly for God's undeserved love in sending his son, Jesus, to die on the cross and rising again for our salvation.

Congratulations, Mom and Dad, and thank you for being the parents that you are.

GENERAL LEAVE

Mr. HENSARLING. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on the subject of the Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. HENSARLING. Mr. Speaker, before we get started, I just want to thank the gentleman from Illinois to remind us of what is truly important in life having much to do with our faith and our family, and I thank him for allowing us to be a part of that very special moment for him and his parents and his whole family tonight.

Now, to the topic of tonight, Mr. Speaker. This week marks the fifth anniversary of the passage of the Dodd-Frank Act, which was passed in the wake of the great financial crisis of 2008.

We were told at the time, Mr. Speaker, that it would lift our economy, end too big to fail, and promote financial stability. We now have 5 years of data; we have 5 years of experience. The evidence is overwhelming, Mr. Speaker: 5 years after the passage of Dodd-Frank, the big banks are bigger; the small banks are fewer; the taxpayer is poorer.

We will explore over the next hour, Mr. Speaker, all the different ways that regrettably, regardless of what good intentions might have been behind this 2,300-page bill—the most massive rewrite of our financial laws in America since the New Deal, 400-plus new rules that have been promulgated, only two-thirds of which—or not quite two-thirds have been finalized.

What this has done in many ways, Mr. Speaker, is to make the American

people and our economy less stable, to make us less prosperous and, most importantly, Mr. Speaker—and most regrettably—how this law has made us less free.

We need to work together. House Republicans are working to ensure that every American has economic opportunity to climb the ladder of success, to pursue happiness, to achieve financial security.

Today, 5 years after Dodd-Frank, we have way too many low- and moderate-income Americans who lose sleep at night worrying about their meager paychecks, worrying about their shrinking bank accounts, and worrying about their children's future because, again, Mr. Speaker, Dodd-Frank has made us less stable, it has made us less prosperous, it has made us less free.

Mr. Speaker, I am joined by many Members of the House Financial Services Committee that I have the honor and responsibility to chair. I am so proud to call them colleagues and for their great work, to try to extend, again, economic opportunity and financial security to all Americans. They know firsthand how working men and women have suffered under this Dodd-Frank Act lo these many years.

I want to start out yielding to the gentleman from New Jersey (Mr. GARRETT), who happens to be the chairman of the Capital Markets and Government Sponsored Enterprises Subcommittee.

He knows firsthand that in order to have the benefits of free enterprise, in order for small businesses to be capitalized, you have to have very vibrant and healthy capital markets.

Probably more so than anyone in Congress, he is most qualified to talk to us about what Dodd-Frank has done to our capital markets and what it has done to stability, what it has done to prosperity, and what it has done to freedom.

□ 1945

Mr. GARRETT. I thank the gentleman from Texas for holding this Special Order tonight.

Mr. Speaker, birthdays are usually a cause of celebration, but, this week we mark 5 years—the 5th birthday—of one of the most overreaching and damaging laws in recent memory that was heaved on our economy.

Now, when the Democratic majority passed Dodd-Frank, there were three big promises they made about this legislation, first, that the legislation would end too big to fail; second, that the legislation would protect consumers; and, third, that Dodd-Frank would make our economy more competitive.

Why don't we take a look at each one of those one by one and see how they have worked out so far.

Promise number one, Dodd-Frank will end too big to fail.

First, did Dodd-Frank really end too big to fail?

For starters, by just about every measure, the biggest banks today are even bigger than they were before the financial crisis while community banks and other small lenders continue to be shut out and shut down around the country.

In fact, according to recent statistics, the five largest banks in the Nation now control roughly half of all of the assets in our banking system. To put that in another perspective, that means that outside of these institutions it takes the collective assets of over 6,000 banks in order to equal the number of assets held by the five largest banks.

Moreover, the so-called resolution authority included in title II of Dodd-Frank is not, as our former colleague Barney Frank put it, a death panel for banks. It is, in fact, instead, a mechanism for future bailouts enshrined now into the law.

This is not just a case of baseless accusations. One need only look at the actual text of Dodd-Frank to understand how it allows for big banks to be bailed out—by whom?—by you, the American taxpayer.

For example, Dodd-Frank gives the FDIC, the Federal Deposit Insurance Corporation, the authority to do two things, first, purchase the debt from the creditors of a failing institution at par or even above par and, two, pay any obligations of an institution that it believes are necessary and appropriate during that time of crisis.

Dodd-Frank, of course, also created the so-called FSOC. What is that? That is the Financial Stability Oversight Council, which during its current existence has done virtually nothing to enhance the stability of the financial market.

In fact, if you look at it through its systemically important designations of institutions, FSOC has gone in the other direction in that it has now put taxpayers on the hook not just for banks and bank bailouts, but for the potential bailout of nonbank institutions as well.

So a law that has made the big banks bigger, that has given regulators such a vast expansion of authority, and that has put taxpayers now at so much risk cannot conceivably be described as having ended too big to fail.

It is not just those on our side of the aisle who are skeptical of Dodd-Frank's claims. Here are two examples.

The GAO, in a January 2013 report, concluded that there ''is no clear consensus on the extent to which, if at all, the Dodd-Frank Act will help reduce the probability or severity of a future crisis.''

Cornelius Hurley, a former senior official at the Federal Reserve, stated recently, ''If the whole purpose of Dodd-Frank was to eliminate the concept of too-big-to-fail and you judge it by that standard, then it's a failure.''

So, by any objective measure, it is clear, I think, that they failed at promise number one.

Let's look now at promise number two, Dodd-Frank will protect consumers.

How has it protected consumers?

On this matter, it depends, in large part, on what you mean by consumer protection.

You see, the drafters of Dodd-Frank and many of my colleagues on the other side of the aisle believe that consumer protection involves complete bureaucratic control over the entire credit market, which gives a handful of individuals right here in Washington, D.C.—the bureaucrats—the ability to decide what kind of mortgage you want, what kind of credit card you are going to get, the kind of student loan Americans should have access to, and so on.

Hence, the creation of the unaccountable CFPB and the incredible amount of authority now that they have been given is given to a single agency or, actually, to a single dictator there, if you will.

Real consumer protection doesn't involve unelected and unaccountable bureaucrats who make decisions on behalf of you, the American citizen. No.

Real consumer protection involves ensuring competitive credit markets and empowering the consumers to make their own choices based off of well-disclosed information in the marketplace. By this measure, Dodd-Frank and the CFPB have again failed miserably.

Take, for example, the CFPB's qualified mortgage rule, which became effective just last year. According to a study from the Federal Reserve Board, roughly one-quarter of Americans right now who obtained mortgages in 2010 would not have qualified for those mortgages that they did get under the QM rule, increasing the likelihood then that millions of Americans will find it harder in the future to actually qualify for a mortgage.

Moreover, the effect of QM is even more pronounced on certain segments of the economy, such as minority borrowers. The same Federal Reserve study noted that about one-third of both African Americans and Hispanic borrowers would have been ineligible to have gotten a mortgage under the QM loan.

Many of the Bureau's initiatives regarding credit cards and other loans will ultimately have the same effect, making it either impossible or too expensive for individuals who are starting businesses to draw on a line of credit.

So it is clear that, on promise number two, Dodd-Frank is not protecting consumers and that it is, in fact, harming consumers and making it harder for them with all of this red tape.

The next and final promise, number three, is that Dodd-Frank will make our economy more competitive:

The third promise, that it will make our economy more competitive, clearly has not come true. In fact, Dodd-Frank is a direct cause of the economic struggle that millions of Americans continue to face today.

For a minute, just take a look at the sheer breadth of regulation that has come out of Dodd-Frank. The law provides so much regulation that it is a burden on the economy.

The Davis Polk law firm performed a public service back in 2013 when it estimated at the time that, for every one word of text in Dodd-Frank, 42 words of regulations have been produced. Since that time, the number has even grown.

How can our economy possibly be more competitive today when such a huge number of complex and burdensome regulations have been implemented over the last 5 years?

We need to look no further than the growth of our economy to figure this out, which actually shrank during the first quarter of this year, another reminder that we remain mired in the weakest economic recovery since World War II.

So Dodd-Frank has actually served to weaken our economy, not to have strengthened it, and the millions of Americans who have experienced a weak job market and decreased opportunity are the ones that are feeling the pain of Dodd-Frank.

Since 2011, the Financial Services Committee, under the chairmanship of JEB HENSARLING from Texas, has led the charge to roll back some of the most damaging provisions of Dodd-Frank, and I commend the chairman and all of my colleagues on the committee for their continued efforts in this regard.

Unfortunately, it now appears that many of these efforts, which used to be bipartisan in nature, are running up against the rigid ideology which believes that Dodd-Frank was chiseled into stone and should never be changed.

I believe that their view is unsustainable as we continue to see evidence of the harm that Dodd-Frank is inflicting upon Americans, and hard-working Americans at that.

Our committee and this Congress must continue to do the important work that will make it easier for our fellow citizens to get a job, to obtain a credit card, to obtain a mortgage, and to create opportunities for themselves and their families.

Mr. HENSARLING. I thank the gentleman for his comments tonight, and I thank him for his leadership on our committee.

Again, Mr. Speaker, it is the unhappy occasion of the fifth anniversary of the signing of the Dodd-Frank Act, again, weighing in at 2,300 pages.

It is so sad to realize, as the gentleman from New Jersey pointed out, that so many of the promises that were made have not been kept and they have not been realized.

Again, the big banks are bigger, the small banks are fewer, and our hard-working constituents—many of them—are worse off. Many of them have stagnant paychecks. And so many of them have smaller bank accounts. What they have seen is free checking cut in half in America, and bank fees have gone up.

This is all because of the Dodd-Frank law putting an incredible mass of regulations upon our community banks and on our credit unions, those who serve our hard-working families and our small businesses. Regrettably, in so many different ways, we are less prosperous, we are less stable, and we are less free.

I was there 5 years ago, Mr. Speaker, at the conference committee. Republicans had an alternative. We had a bill that, frankly, was written and filed before the Democrat bill was, but there was no willingness to negotiate, no willingness to discuss, no willingness to compromise. So we ended up with Dodd-Frank, and the American people are poorer because of it.

Now, Mr. Speaker, I am very happy to yield to the gentleman from Illinois (Mr. HULTGREN), a very hard-working member of our committee, a gentleman who brings a lot of expertise to this committee on a number of matters, especially insurance, which is near and dear to the financial security of so many of our constituents, and I am happy to get his views on this anniversary of Dodd-Frank.

Mr. HULTGREN. Mr. Speaker, I rise today to mark 5 years of overly burdensome and costly banking regulations and a failed opportunity to address fundamental problems in our economy.

Leading up to 2008, a perfect storm of easy lending, pushed by Washington bureaucrats, coupled with a spider web of duplicative, conflicting, and nonsensical regulations, led to a complete breakdown of the housing market.

A lack of regulation was not the problem. In fact, regulation increased in the 10 years leading up to the crisis. Community banks were faced with determining which of several regulators to answer to first.

Small businesses faced ever-expanding compliance mandates, raising the cost of doing business. Yet, at the time, those in power seized on the opportunity to never let a serious crisis go to waste in order to reward regulators with much more authority.

The fundamental issues of the housing crisis were never addressed. Those who put in place the policies that encouraged risky borrowing and lending were never held accountable.

Instead, the Dodd-Frank Act doubled down on the misguided government policies that caused the crisis, doing nothing to stop another from happening in the future.

Dodd-Frank's vast expansion of regulatory authority has not helped lift the economy or helped Americans looking to pursue opportunities for themselves and their families.

It failed to end too big to fail. It failed to protect consumers who rely on the community banks in their local towns. It failed to help small businesses in search of funds to restart and rebuild. It failed to tackle much-needed housing reform. And it failed to protect Americans from a power-hungry, regulation-happy Federal Government that was bent on expanding its power.

Five years later, struggling families, struggling small businesses, and struggling community banks are the collateral damage of Dodd-Frank and its thriving Washington regulators.

The largest institutions have gotten larger. More than 500 community banks have failed. And the number of bank options available to consumers continues to decline due to crushing regulatory burdens. This disturbing trend must be reversed.

Regulation must not be one size fits all. Banking regulators should tailor regulations for community banks, those local financial institutions that partner with families and small businesses to help strengthen our communities.

Decreasing the regulatory burden will allow our Nation's financial institutions to devote more time to the needs of consumers instead of devoting more time to the whims of regulators like the CFPB. Decreasing the regulatory burden will allow local banks to create innovative financial products and services for the benefits of their customers.

Even as Dodd-Frank remains in effect, I and the Financial Services Committee will continue to stand up for Americans and stand against an overreaching Federal Government.

On this anniversary of the law, now is the time to recognize and to respond to Dodd-Frank's vast imperfections and to also pursue true housing reform that promotes responsible lending and borrowing.

Again, I thank Chairman HENSARLING for his great work, and I thank my colleagues on the Financial Services Committee.

Mr. HENSARLING. Once again, I thank the gentleman for his comments and for reminding us, yet again, that the narrative that the left has fostered is a false narrative.

Mr. Speaker, we were told that there was this massive deregulation that somehow led to all of these bad mortgages and that the world was blowing up. Yet, as the gentleman from Illinois pointed out, for 10 years, we have had increased regulation.

It has increased, I believe, by almost 20 percent more in regulations. You

had Sarbanes-Oxley. You had FIRREA. You had FDICIA. We are very good at acronyms in Congress, but we had more and more regulation.

It wasn't deregulation that caused the crisis. It was dumb regulation. It was dumb regulation by the government that was incentivizing and cajoling and mandating financial institutions to loan money to people to buy homes that they couldn't afford to keep.

□ 2000

What a tragedy. What a tragedy to put somebody in a home they can't afford to keep. That is the cause. Fannie and Freddie at the epicenter, and the Dodd-Frank bill was totally silent on the issue—totally silent on the issue—and people suffered. People suffered.

I still remember my friends on the other side of the aisle said let's roll the dice a little on this affordable housing goal of Fannie and Freddie. Well, the dice got rolled, and the American people lost, and we had the great American financial crisis. Now they are doubling down. Even more regulatory burden dragging down our financial institutions, making us less stable, taking away our freedom and prosperity. That is just wrong. That is why we have to commit ourselves: No more. It is time that we have to replace this law. Five years later, it is obvious.

I yield to the gentleman from North Carolina (Mr. PITTENGER) to hear his views on Dodd-Frank as well.

Mr. PITTENGER. Mr. Chairman, thank you for your leadership on behalf of the American people to bring opportunity to them.

Mr. Speaker, I rise today on the fifth anniversary of the burdensome and overreaching Dodd-Frank Act. As I have built two businesses from scratch, I understand the risks and sacrifice and the hard work necessary to grow a business and create jobs.

Unfortunately, Dodd-Frank has made it incredibly difficult for American small businesses to raise capital, and for the first time in 35 years, small business deaths have outnumbered small business births. Dodd-Frank was supposed to protect the American people. Instead, it is hurting the economy and it is costing jobs, particularly low- and moderate-income families. Dodd-Frank is strangling the economy and job growth by creating a compliance nightmare of over 400 new rules and regulations.

I am not antiregulation, but the pendulum has swung too far. Unfortunately, Dodd-Frank goes overboard, fixing problems that don't exist and ignoring the root cause of the financial crisis, which was the government requirement for easy credit for those who were a credit risk.

We have all been told that Dodd-Frank ends too big to fail. This act did not end too big to fail. It glorified it into law and made middle-income paychecks almost $12,000 less compared to the average postwar economic recovery. Five years later, our economy continues to sputter at a 2 percent growth rate while Washington bureaucrats continue to burden American businesses, those small enterprises, with never-ending regulations.

Dodd-Frank is deterring the entrepreneurship that has made this country great. Dodd-Frank is too big, and it has failed the American people.

Mr. HENSARLING. I thank the gentleman from North Carolina for his comments tonight. I thank him for his leadership on our committee, not only on dealing with Dodd-Frank, but dealing with the very serious issue of terrorist financing, where he serves as the vice chair of our task force on that subject.

Mr. Speaker, I yield to the gentleman from Minnesota (Mr. EMMER), the newest member of the House Committee on Financial Services. Although he is new to the committee, it didn't take him too long to figure out, by speaking to his constituents and speaking to his credit unions and community banks, that Dodd-Frank is not working, that Dodd-Frank is helping make this economy less stable and making the American people less prosperous and less free.

Mr. EMMER of Minnesota. Mr. Speaker, 5 years ago the President signed the Dodd-Frank legislation into law. The American people were told that Dodd-Frank would end Washington bailouts, protect consumers, and in the event of another perilous economic situation, it would mitigate the impact and stabilize the financial industry and our economy.

As American families and businesses have now learned, Dodd-Frank does just the opposite. Dodd-Frank has actually codified the too big to fail mentality in Washington, harmed consumers, and will fail to sound the alarm before the next economic crisis.

I have talked with many people in the financial services industry about Dodd-Frank, and the theme I hear over and over again is that the regulatory burdens created by this law are harming their ability to offer affordable services to their clients, my constituents.

Since Dodd-Frank, approximately 1,500 community banks across the country have closed, and a recent study shows that Dodd-Frank has added 61 million hours of paperwork and more than $24 billion in final rule costs to the financial industry. These costs are not borne by Wall Street executives but, rather, by working mothers, small-business owners, and retirees.

This body is not powerless. In fact, I am here with many of my colleagues tonight standing up for working families impacted by this flawed law. We should subject this Consumer Financial Protection Bureau and Financial Stability Oversight Council to congressional appropriations. We should establish a bipartisan commission to lead the CFPB and reduce regulation that is crippling our community banks and credit unions. By enacting commonsense reforms, businesses can grow, jobs will be created, and American workers can better provide for their families.

I also want to thank the 146 banks, 8 credit unions, and nearly 60,000 constituents in my district who provide vital financial services to Minnesotans despite the ever-growing regulatory burden from Washington.

Mr. HENSARLING. The gentleman is obviously a quick study, but it doesn't take long when you speak to your constituents to realize, again, they are still hurting in this limping economy.

When one looks at the President's economic program, it is really based on a couple major pillars. It is based on his healthcare program, ObamaCare, but it is also based on Dodd-Frank; and in many ways Dodd-Frank is to household finances what ObamaCare is to household health care, and it is harming low-income and working American families. It is hurting their ability to achieve greater levels of economic opportunity, greater levels of financial independence.

Mr. Speaker, we have an economy that is limping along at about 2 percent economic growth, when historically we know it has been at 3½ percent. The economy is underperforming by 40 percent, and one of the reasons is because of Dodd-Frank. You can ask any person who is out there—an entrepreneur, small-business person who is helping create jobs—and they will tell you about this drag that the sheer weight, volume, complexity, and uncertainty of this tsunami of regulation is causing.

I am very happy, Mr. Speaker, that someone that we have on our committee is a businessperson who has a history of creating jobs in my native State of Texas. I yield to the gentleman from Texas (Mr. WILLIAMS) to give us his thoughts on Dodd-Frank as well.

Mr. WILLIAMS. Mr. Chairman, I want to thank you for your leadership.

Before I begin, I would just like to say, I am a small-business owner. I have owned my own business for 44 years. I have been through a lot. I have been through dollar gasoline; I have been through 20 percent interest, where I borrowed money; I have been through the slowdown in 1988; I have been through 9/11; and I must tell you, the economy that we are in now, Main Street America is hurting like I have never seen it hurt before. That is why I am up here to talk about this situation that we seem to honor tonight, Dodd-Frank.

I join the chairman and my other colleagues here tonight to speak on what I believe is one of the most impulsive, deceiving, and un-American pieces of legislation that has ever been passed through this body. What I am talking about is a 2,300-page law that has unfairly blanketed our entire financial system with more than 400 costly rules and regulations. Just as we have found out that the Affordable Care Act is not affordable, we are learning that Dodd-Frank Wall Street Reform and Consumer Protection Act doesn't do what its name suggests. I believe we probably need a government protection act.

Now, Dodd-Frank is hammering small town America as we have talked about, and I mean like I have never seen before in 44 years. Small town America, Main Street America is hurting. They are hurting with unnecessary but very expensive compliance measures that are hard to meet.

As a small-business owner, as I have said, of over 40 years, I can say firsthand that Dodd-Frank is driving Main Street job creators and community banks and credit unions out of business. Yesterday in our op-ed, Congressman RANDY NEUGEBAUER and I wrote that the American people were fooled into believing Dodd-Frank was necessary to ensure financial stability and prevent future market meltdowns. But instead of responsibly studying the root causes of the financial crisis, Democrats in Washington rushed to regulate.

In my home State of Texas, one of the healthiest economies in the Nation, 115 banks have closed their doors. These banks are far from the major financial institutions in New York. They are small town community lenders that cannot pull together resources to comply with Dodd-Frank. They are community banks and credit unions that issue 51 percent of all business loans under $1 million.

The crippling effects of Dodd-Frank have trickled down from the President's pen to local job creators who had nothing to do with the financial crisis. The costs have been passed along to them. It isn't right, and it is not fair. Dodd-Frank is another example of how this administration discourages growth. Under President Obama and his administration, the risk of running a business is no longer worth the possible reward, and that is a big problem.

This is America. Bad policies like Dodd-Frank are the product of lawmakers who have little to no business experience. They haven't worked on payrolls; they haven't met a payroll; they haven't counted inventory; they haven't met with employees that need personal help; they haven't put people to work; but they have done something: issue 153 new regulations, 87 compliance changes, and 59 annual adjustments to thresholds.

At what price, we ask. The Congressional Budget Office and the Government Accountability Office have both estimated that Dodd-Frank costs $3 billion to implement and will result in nearly $27 billion in private sector fees, assessments, and premiums. We simply can't afford this.

For this reason, I have introduced legislation that will loosen Dodd-Frank's choke hold on small businesses and Main Street America. The Community Financial Institution Exemption Act will require the Consumer Financial Protection Bureau to explain to Main Street lenders why they are not exempted from certain CFPB rules and regulations, as permitted.

My bill has the support of the Independent Bankers Association of Texas, the Texas Credit Union Association, the National Association of Federal Credit Unions, and the Credit Union National Association.

I ask all my colleagues to support my efforts. It is time we stopped punishing those who put their livelihoods on the line to realize the American Dream and not the American scheme.

In God we trust.

Mr. HENSARLING. I thank my friend and my fellow Texan for his comments and the perspective that he brings as somebody who has actually successfully created jobs in the Lone Star State. He can look around at the customers of his business and to his employees and see how they have lost their prosperity.

Mr. Speaker, we were told that when Dodd-Frank was passed that it would lift the economy. They had a great celebration and signing ceremony at the White House. It would lift the economy.

Well, so what do we discover 5 years later? What we discover is an economy that is limping along at 2 percent. And that is not just some vague statistic. That translates into millions of Americans who remain underemployed and unemployed in America.

If you ask the people who create the jobs what is the great challenge, one of the great challenges is this regulatory burden. The question is not so much regulation or deregulation; the question is whether we are going to have smart regulation or dumb regulation. Dumb regulation hurts low- and moderate-income Americans who are just trying to climb the ladder of success, who are seeking economic opportunity.

Had we just had the average recovery—the average recovery, Mr. Speaker—we would have 12.1 million more jobs in America today. The average working family would have an extra $12,000 of income to take home in their pocket. That is just if we had the average recovery as opposed to this Obama recovery based upon Dodd-Frank as one of its pillars. We would have had 1.6 million more who could escape poverty. But, no, not the Obama economy. Dodd-Frank and the regulatory tsunami are keeping people down.

□ 2015

We all hear about this. Regrettably, every Member of Congress still gets these letters. I had a letter from one of my constituents that said:

> There are part-time jobs around my area, but always jobs with no benefits and less than 40 hours. My son is a disabled Iraqi Freedom combat veteran who has lost hope of a decent full-time job.

That is the kind of angst we hear, but House Republicans are committed to helping these people. One of the ways we have to do it is do something about Dodd-Frank.

I am very happy that I am joined by two other of my colleagues tonight, the gentleman from Michigan (Mr. HUIZENGA), who chairs our Monetary Policy and Trade Subcommittee, and the gentleman from Arizona (Mr. SCHWEIKERT), who has a lot of experience with municipal finance in Arizona.

I am happy first to yield to the gentleman from Michigan to get some of his perspectives on Dodd-Frank and how we are less stable, less prosperous, and less free.

Mr. HUIZENGA of Michigan. Mr. Chairman, I appreciate your leadership on this and so many other issues. I am going to have a couple of questions for you in a minute because I, like my colleague and friend from Arizona, wasn't here when Dodd-Frank was created. I like to say I wasn't here for the creation; I just have to live with the echo effects of it. I have to figure out what it means in this post Dodd-Frank world.

By the way, it has been mentioned tonight it was 2,300 pages. It sounds a little reminiscent to another bill that maybe they had to pass to find out what was in it. I think if it wasn't for ObamaCare—the Affordable Care Act—and that famous statement that was uttered about having to pass it to find out what is in it, this would be the poster child for that.

This would be the poster child for Federal Government overreach. It was an agenda waiting for a crisis to come along.

Mr. HENSARLING. I was here 5 years ago, and it is funny and reminiscent that Senator Dodd, the coauthor of Dodd-Frank—the Dodd of Dodd-Frank—said at the time: ''No one will know until this is actually in place how it works.''

He said this in 2012. Here we are, 5 years later, and we know how it works. We know it is a drag on the economy. We know that free checking has been cut in half. We know that bank fees have gone up. We know that we are losing a community bank and a credit union a day, mostly because of Dodd-Frank.

Mr. HUIZENGA of Michigan. Mr. Chairman, I have to disagree a little

bit with you. We know that there is a tremendous amount of Dodd-Frank that we have seen play out, but this is something I am not sure everybody understands. They are still writing the rules; 5 years into it, we are still writing the rules. I don't think that was your intent at the time this was passed.

Mr. HENSARLING. It was never my intent to support the law in the first place. Under then-Ranking Member Spencer Bachus of Alabama, my predecessor, Republicans had put forward a different law, and it was about bankruptcy, as opposed to of bailouts. Instead, what Dodd-Frank did was codify bailouts into law.

It codified this whole concept of too-big-to-fail institutions. I believe there is not one financial institution in America that is too big to fail. The American financial system is too big to fail, but not one particular financial institution.

We offered a different law in the first place, which was totally ignored by the Democrats. At the time, they enjoyed a super majority; so we were left with this particular monstrosity that, again, is making the American people less prosperous.

I thank the gentleman, and maybe we can get a comment from the gentleman from Arizona.

Mr. SCHWEIKERT. One of the most painful things, Mr. Chairman, when I first got elected, I was blessed to be on the Financial Services Committee, and I spent that summer trying to read every word of the Dodd-Frank legislation.

What you learn is, even reading the legislation, you don't understand all it is going to do because it refers to this agency will make this rule set, this regulator will create this rule set—you start to realize that 2,300 pages is taller than I am—and it is still coming.

Mr. Chairman, what percentage of the rule set is finished so far?

Mr. HENSARLING. A little over 60 percent, 5 years later; but in some respects, nothing is finalized because, when we think about being less free, in many respects, Dodd-Frank isn't even a law. Dodd-Frank is a license to unelected, unaccountable Federal bureaucrats to create discretionary results that they can change at their discretion.

Even the rules that are ''finalized,'' which is kind of a Washington term, you still don't have something that is predictable, that you can count on, and so it has led to all of these abuses.

When you think about the people who have run our VA, the people who did the rollout for ObamaCare—a healthcare system that people didn't want, they couldn't afford, and on a Web site that didn't work—all of a sudden, we are entrusting them to decide whether or not we can get a credit card, whether or not we can get a mortgage.

In that respect, no rule is particularly finalized.

Mr. SCHWEIKERT. I know Chairman HUIZENGA has actually taken a look at some of these things.

One of the other aspects that almost never gets discussed is that innovation is almost gone, the opportunity for what the next world is going to look like.

Think of this, when Apple Pay comes from a technology company and not one of our banking companies, you have got to understand what this law has done. It has basically stifled economic growth, but it has also stifled the very innovation that made our financial markets one of our engines of growth.

Mr. HENSARLING. I yield to the gentleman from Michigan.

Mr. HUIZENGA of Michigan. I want to relay a little experience I had just today. I was speaking in front of a group of European Parliament members, a few European business folks; and this question was brought up about trying to harmonize our financial services laws and trying to make sure that we are all kind of on the same page.

One of the members from a very liberal leftwing party was asking about Dodd-Frank and whether that is a path that they should pursue, and even she was dubious about that. Certainly, some of the other members from the European Parliament were seeing that this is a cautionary tale.

They know that they have been down a tough spot in Europe because they have seen such a lack of growth and innovation, and they are seeing that same thing happen here in the United States.

Mr. HENSARLING. I yield to the gentleman from Arizona.

Mr. SCHWEIKERT. Let's face it. There is a wonderful irony here. The system has great stress; horrible things happened. Let's turn to the very regulators who were in charge at that time and say: Let's double down with them.

Instead of taking a step backwards and understanding we live in the time of information and technology, where we could have used that sunshine to see into our markets, instead, we basically created a command and control regulatory system and handed it back to the same folks who screwed it up in the first place.

Mr. HUIZENGA of Michigan. Will the gentleman yield?

Mr. HENSARLING. I yield to the gentleman from Michigan.

Mr. HUIZENGA of Michigan. Certainly, the gentleman from Arizona is not implying that they are not well intended.

Mr. HENSARLING. I yield to the gentleman from Arizona.

Mr. SCHWEIKERT. Well, think about this: How much reform has truly happened at Fannie and Freddie? Where are we at right now? I know the apologists on the left go out of their way to say don't blame the GSEs and their concentration risk and the cascade and the markets they built in subprime paper and don't blame the regulators who are supposed to be watching them.

Here we are, 5 years later, and in many ways, the folks who soaked themselves in gasoline are still there.

Mr. HUIZENGA of Michigan. It seems to me that part of our problem here is not intentions, but it is ability to execute. What we have done is we have replaced the private sector. We have replaced the innovators, the people that are getting stuff done in our economy.

We have replaced them with unelected bureaucrats who don't often know what the real world is like and how it operates. I think that has caused so many problems.

Mr. HENSARLING. It is a very important point because America has always been the land of the risk taker, the hard worker, the big dreamer, the entrepreneur. Now, what we are seeing in America today, because of Dodd-Frank and the Obama regulatory tsunami, is that we are having new business startups at their lowest level in over a generation. That means, increasingly, our garages are full of old cars, as opposed to new startups.

Economic growth is something that compounds. If you don't have economic growth and American families can't grow, again, they lose sleep at night worrying about how they are going to pay their bills, how they are going to cover their checks, what will their children's future be?

That is for those who still have checking accounts because another result of Dodd-Frank is that bank fees have gone up. As bank fees have gone up, the unbanked, lower- and moderate-income Americans, those ranks have grown. According to the FDIC, 9 million households don't have a checking or savings account; and that is because account fees are too high or unpredictable, most of this courtesy of Dodd-Frank.

Another way it hurts hard-working American families is this Orwellian-named Consumer Financial Protection Bureau, where there is now one national credit nanny, has come up with a rule called the qualified mortgage rule that the Federal Reserve says, once fully phased in, one-third of Black and Hispanic borrowers will find themselves disqualified for not meeting Washington's rigid one-size-fits-all debt-to-income requirements.

We are losing our entrepreneurs. We are losing our small businesses. Low- and moderate-income people are falling behind because Dodd-Frank didn't keep the promise of lifting the economy.

Mr. HUIZENGA of Michigan. If the chairman will yield, I have got a question for you—because I have had an experience in my time. This is my third term here in Congress, and I have had

a little bit of an experience that was bothersome to me. I want to know if this matches your expectations as well.

You talked about this qualified mortgage. I have a piece of legislation called the Mortgage Choice Act, where rules that were written under the Dodd-Frank Act in an attempt to protect people from being gouged, I believe is actually doing the opposite.

In fact, it is not just me. It was a bipartisan group that got together and put this piece of legislation together that last Congress passed this House in this Chamber unanimously.

For the American people watching out there, yes, things actually pass unanimously here. You are not going to hear about that in the news a whole lot, but we actually can work together.

Now, there is one disturbing thing, though. It passed the House unanimously, went over to the Senate, and there was one particular Senator who put the brakes on it. Not to name any names, but she didn't want any changes to her baby, the Dodd-Frank Act.

We had to reintroduce the bill. As the chairman wells knows, we got it into committee again. Suddenly, it went from being unanimous to being a divisive issue. That was certainly not anything on our part because it was the exact same language, but people who had decided a year ago this was the exact way to go have decided, for political purposes, that it is now something that can't be touched, can't be altered, can't even be addressed, and I am sure the chairman has some thoughts as to whether that is working.

Mr. HENSARLING. I thank the gentleman for his, regrettably, accurate observation.

I try not to question the motives of my colleagues, but something is awry when something goes through the House unanimously, and then just in a matter of a weeks to a couple of months later, all of a sudden, it becomes a very divisive issue.

My fear is that the left hand doesn't always know what the far left hand is doing. The far left hand has decided that Dodd-Frank is sacred text, notwithstanding the fact that, 5 years later, we understand that free checking has been cut in half; 5 years later, we understand that bank fees are going up; 5 years later, we understand the ranks of the unbanked and the low- and moderate-income people who need to be able to have access to credit—when you need $500 to repair your car to get to work on Monday, you need $500 to repair your car to go to work on Monday.

Yet, for many, it is clear that Dodd-Frank has become a matter of brand protection, of ideology; and it really doesn't matter how many people suffer. That is so sad. I have strong thoughts on the matter, but I will sit down and reason in good faith and compromise policy in order to advance principles on behalf of the American people.

I yield to the gentleman from Michigan.

Mr. HUIZENGA of Michigan. Mr. Chairman, you just hit on the word ''compromise.'' I think there are many of us that are looking to compromise.

I was disturbed—and I am curious to hear the thoughts of my colleague from Arizona as well about this—when we were sitting in committee and had a witness in front of us who characterized the Dodd-Frank Act as a compromise bill, it struck me that I guess maybe he is right. It was a compromise between Senator Dodd and Congressman Frank at the time, both Democrats, who didn't bother to get any input from the Republicans.

As you pointed out, Mr. Chairman, you actually had a bill. A compromise would have been to take parts of your bill and parts of their bills and marry them together. This isn't what happened, though, is it?

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Mr. HENSARLING. I thank the gentleman. Again, Republicans were frozen out. It was what Democrats wanted to do so they can own this particular bill that, again, is making America less stable. It makes it less stable because the big banks are bigger and the small banks are fewer.

Dodd-Frank has concentrated more financial assets in fewer institutions. It is a pillar of the President's economic program that is causing working families to have stagnant paychecks and lower bank accounts, that is, assuming they have a bank account, because the ranks of the unbanked has increased. It has made us less free.

We have one national consumer credit czar who decides now. It is Washington. Washington decides whether or not you can have a credit card. Washington decides whether or not you can have a mortgage. Washington now decides whether or not you can get a small business line of credit.

I haven't even talked about this thing called the Financial Stability Oversight Council that, for all intents and purposes, now has the ability to control huge swaths of our economy by defining vague terms and systemic risks.

Mr. SCHWEIKERT. Will the gentleman yield?

Mr. HENSARLING. I yield to the gentleman from Arizona.

Mr. SCHWEIKERT. Thank you for the yield, Mr. Chairman.

You actually just hit on one of the wonderful ironies and one of the great difficulties we have in our discussions in our own committee.

First off, the regulation, the way Dodd-Frank is designed, it is designed for the last problem. It is not forward-looking of what the future looks like. And then there is always the arrogance here in Washington of thinking we know what the future looks like.

But there is also a number of professionals in the industry and academia who are now writing about what they call concentration risks. What happens when you tell every bank that they can only hold certain assets? You now have a concentration risk. If something goes wrong in that asset category, the cascade effect is universal. This is now happening up and down our financial system.

In many ways, I can make you a powerful argument that the post-Dodd-Frank world is creating a banking system that ultimately is more fragile because of a contagion concentration risk.

Mr. HENSARLING. It is, in some respects, deja vu all over again. It is dangerous for government to have one view of risk—one view of risk. The regulators told all the banks that there was virtually no risk in mortgage-backed securities, no risk in sovereign debt, so you don't have to reserve practically any capital against those.

Think Fannie, Freddie, and Greek bonds, and it almost brought down the entire national financial system, and we are obviously repeating the same mistake. So I appreciate the gentleman from Arizona for his observation.

Mr. HUIZENGA of Michigan. Will the gentleman yield?

Mr. HENSARLING. I yield to the gentleman from Michigan.

Mr. HUIZENGA of Michigan. I know we have probably got about 3 or 4 minutes before a quick hour has gone by here, but I go back to my intention here and the question I have got for the chairman.

Obviously, a lot of well-intentioned things. Were there some issues and problems, abuses? Absolutely. I was in the real estate industry myself, still am in construction. But the goal of having Dodd-Frank lift our economy, promote financial stability, end too big to fail, it certainly doesn't seem like that from the perspective that I am. And I think all the evidence is overwhelmingly that the answer is a resounding ''no'' on all counts.

I would love to hear the chairman's thoughts on that evidence.

Mr. HENSARLING. Well, before I do, Mr. Speaker, may I inquire how much time is remaining?

The SPEAKER pro tempore (Mr. BOST). The gentleman has 3 minutes remaining.

Mr. HENSARLING. Again, in many respects, I do believe the economy is more fragile. The good news is that more of our financial institutions are holding more capital. They are more liquid.

But what is ironic is the regulators, prior to Dodd-Frank, had all the regulatory authority they needed to have made these balance sheets even safer; yet there has been no effort on the part

of the administration, notwithstanding the good work of our committee, to do anything about Fannie and Freddie that were at the epicenter of the crisis.

Again, this whole government idea of putting people into homes that ultimately they cannot afford to keep, it is terrible for them. It is bad for the taxpayer. It is bad for the economy. We have to move to a sustainable housing system: sustainable for homeowners, sustainable for the economy, and certainly sustainable for taxpayers.

Mr. HUIZENGA of Michigan. Will the gentleman yield?

Mr. HENSARLING. I yield to the gentleman from Michigan.

Mr. HUIZENGA of Michigan. I used to be a licensed Realtor, and I will never forget that time in the late nineties when I went to my first closing, where they slid a check, the closing agent slid a check across to the seller, as is expected. They are selling their home. Then they slid a check across to the buyer, and there was kind of a nervous laugh and a joke. ''Well, we know you are probably going need to buy some furniture.'' That was the first time I personally witnessed someone borrowing more than what the house was actually worth. It is those kinds of decisions and that lack of risk, that lack of accountability, I think, that brought us to some of the areas.

I just wanted to relay that story of something that was just seared into my mind, and one I hope we never, ever repeat.

Mr. HENSARLING. I fear that, in many respects, the Obama administration is making the same mistakes, and that is why, again, we need the sustainable housing financial system.

But ultimately, what we are working for, as House Republicans, is to make sure that all Americans have greater economic opportunity, and that means competitive, innovative, and transparent financial markets. That means an economy that is fair and works for everyone. It means getting out of the bailout business once and for all. There ought to be bankruptcy for these financial institutions, not taxpayer bailouts.

We need all Americans to be able to climb the ladder of success, and that means they need access to bank accounts. They need to go back and have access to the free checking which they have lost under Dodd-Frank. We need community banks to prosper for our rural areas, for our inner cities.

All of that can happen yet again, but it all starts—it all starts—with having to replace Dodd-Frank, which is a clearly failed law 5 years later. It didn't meet its promises. We are less stable, we are less prosperous, and we are less free.

House Republicans are putting forth a different plan today, just as we did 5 years ago. The evidence is stark. The evidence is stark that the big banks are bigger, the small banks are fewer, and hard-working Americans are worse off.

I appreciate the time we have had with our colleagues. It is time to replace Dodd-Frank.

Mr. Speaker, I yield back the balance of my time.

Mrs. BEATTY. Mr. Speaker, I thank Ranking Member WATERS of the Financial Services Committee for leading today's important discussion on the Dodd-Frank Wall Street Reform and Consumer Protection Act.

Earlier this week, House Democrats recognized the 5th anniversary of Dodd-Frank—the most sweeping financial regulatory reform in the United States since the 1930s.

Signed into law by President Obama on July 21, 2010, Dodd-Frank has changed—for the better—the way consumers, investors, and other market participants interact with our financial system.

It has provided oversight to Wall Street, giving regulators the tools to end the era of ''too big to fail'' entities and outrageous taxpayer bailouts, and has eliminated loopholes that allowed risky and abusive practices to go unnoticed and unregulated.

But how did we get here?

Five years ago, Dodd-Frank was enacted in the wake of profound economic devastation as our nation was reeling from the impact of the 2008 financial crisis.

Millions of Americans suffered job loss, many small businesses closed down, foreclosures skyrocketed, the stock market suffered large drops, and a looming repeat of the Great Depression was feared.

Specifically, in the six months before President Obama took office in February 2009, our economy lost a total of nearly 4 million private sector jobs—an unimaginable average of 650,000 jobs per month.

Nearly $13 trillion in economic growth and $16 trillion in household wealth simply disappeared while close to 9 million individuals were displaced from their homes.

2008 was truly one of the lowest economic points in U.S. history.

Yet, the American people weathered this storm and Congressional Democrats took action by passing legislation to restore responsibility and accountability in our financial system, and to give Americans confidence that we were putting the tools in place to avoid another economic crisis.

In fact, since Dodd-Frank's passage in July 2010, the American economy has experienced vast improvement in private sector job growth with nearly 12 million jobs added; a lower unemployment rate, to 5.3 percent from the peak of 10.0 percent in October 2009, and a recovering housing market.

Indeed, because of Dodd-Frank, financial regulators are now empowered to identify and address risks to our financial system through increased monitoring and stricter rules for our nation's biggest banks in a timely way.

Dodd-Frank also provided new authority to the Securities and Exchange Commission (SEC), which, since 2011, has recovered more than $9.3 billion in civil fines and penalties despite Republicans' repeated budget cuts to the agency.

Like all comprehensive reform bills, however, Dodd-Frank is not perfect.

There are a few areas that I believe can be improved.

Nonetheless, it is important that we do not let the perfect be the enemy of the good.

I believe we also have a responsibility to build upon and improve this legislation when needed.

One area of concern for many stakeholders in my district, and across the country, is the manner in which Dodd-Frank requires the Federal Reserve to subject bank holding companies with more than $50 billion in consolidated assets to enhanced regulatory supervision.

However, if we are to subject smaller, regional bank holding companies to the same or similar supervisory requirements, then we should do so in a way that balances our nation's financial stability without placing excessive burdens on non-systemically important institutions by using a more deliberative assets-and-activities-based test should be considered in determining the ''systemic importance'' of bank holding companies.

Earlier this month, Chair Yellen testified that she was open to raising a threshold for determining a bank's systemic importance.

I look forward to working with her on this issue and African-American job growth efforts.

This is at the top of my priority list for improving Dodd-Frank.

Another area of concern for me lies in the development of diversity assessment standards under Section 342 of Dodd-Frank, also known as OMWI.

Though Section 342 is not very long, it is a very significant step in the effort to improve the hiring of women and minorities in the financial services industry in which these groups remain woefully underrepresented.

However, due to misinterpretations of congressional intent, I am concerned that after five years the federal financial regulators have not developed standards requiring the disclosure of diversity data, which would provide much needed transparency to this industry regarding the promotion of diversity in its workplace.

Like my congressional colleagues here today, I celebrate substantial achievements of Dodd-Frank and look forward to working together to find the appropriate tweaks to further facilitate its positive lasting effects on the financial markets and for consumers far beyond this five-year anniversary.

In order to continue being a successful nation, we must capitalize on our diversity and tackle the inequality in wage and job growth in African-American communities.

CONGRESSIONAL ETHIOPIAN AMERICAN CAUCUS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the Chair recognizes the gentleman from California (Mr. HONDA) for 30 minutes.

GENERAL LEAVE

Mr. HONDA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the subject of my Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HONDA. Mr. Speaker, I come to the floor today as the founder and co-chair of the Congressional Ethiopian American Caucus. This caucus was established to give a legislative voice to the specific concerns of the Ethiopian American community.

Founded in 2001, the caucus is comprised of Members who appreciate the critical relationship between Ethiopia and the U.S. and value the contributions of Ethiopian Americans to our Nation. Congressman JOHN GARAMENDI and I co-chair this caucus of nearly 20 Members of Congress.

President Obama's upcoming visit to Ethiopia on July 27, which is next Monday, will be the very first visit to this nation of 97 million people by a sitting American President.

Ethiopia has Africa's second largest population and is a nation with a rich, independent cultural history. And, by the way, Ethiopia is the only African country in that continent that has not ever been colonized.

It is a country of growing economic, humanitarian, and strategic importance to the United States. Accompanying these opportunities are many challenges that face Ethiopia today.

Situated at the center of the Horn of Africa, Ethiopia is located in an unstable region, making it a key ally of the United States in combating radical extremists in the region.

Ethiopia has a checkered humanitarian record, and the government must learn to embrace the voices of political dissent and promote basic human and civil rights.

I believe that President Obama's upcoming trip to Ethiopia provides a unique opportunity to promote respect for freedom of speech and press, in addition to supporting economic health, food security, and humanitarian development in Ethiopia.

The United States must aggressively support and encourage Ethiopia to embrace democracy and its hallmarks: free speech and a free and independent media.

With a base of young entrepreneurs, a large labor force, and a wealth of natural resources, Ethiopia has quickly become an important center of industry, agriculture, and technology. We must explore avenues for U.S. investment and partnerships with Ethiopia to further this growing economic partnership.

Here at home, Ethiopians in the U.S. provide us with a large pool of talent, education, and experience. If we are to draw lessons from U.S. relations with China, Vietnam, and India, we can see that engagement is an important tool in bringing about sustainable change.

The U.S. and Ethiopian Governments must work closely to engage private business and Ethiopians in the diaspora. If we have learned anything about Ethiopia and Ethiopians, it is to never discount the capacity for genius and resolve in the interest of their country and fellow countrymen.

I visited Ethiopia in 2005, and I left the country a changed man. The Ethiopian diaspora's generosity and forward vision continue to inspire me as a person and as a policymaker.

Numbering over a quarter of a million people across this country, the vibrant and fast-growing Ethiopian American community greatly contributes to the richness of American culture and strengthens our economy to help make our Nation competitive in the 21st century.

As I traveled around Ethiopia and met people from all walks of life who are bound by one truth, to control their own destiny, I was inspired more than ever to strengthening a long-established relationship between Ethiopia and the U.S. and become an effective voice to encourage lasting democratic, humanitarian, and security improvements and partnerships with our friend in the Horn of Africa.

As President Obama prepares for his upcoming trip to Africa in the coming days, many human rights groups are criticizing his visit to Ethiopia as one that props up and supports a repressive regime; a government that has been censoring and intimidating the media, and even imprisoning journalists who spoke out against the ruling Ethiopian party.

Since 2014, six privately owned media outlets have shut down due to government harassment of over two dozen journalists and bloggers who have faced criminal charges, and at least 30 others have fled the country to avoid arrest. More journalists are in jail in Ethiopia than anywhere else in Africa.

This crackdown and use of antiterrorism legislation to stifle political dissent in Ethiopia is absolutely unacceptable. The State Department has publicly and privately expressed concerns about Ethiopian restrictions on political and human rights. These issues present complicated diplomatic engagement and security cooperation scenarios.

Stability, security, and economic development are sustainable only with the development of democratic values, and Ethiopia has a long road ahead to fully achieve these goals. But with our support and the support of the Ethiopian Caucus, we can help them move closer to those ideals.

Over the past month, in the run-up to President Obama's visit, the Ethiopian Government has released half a dozen journalists and bloggers who were being held on dubious charges. While this is a positive step, this does not forgive or cause us to overlook the restrictive and undemocratic pressures on the media in Ethiopia. The government's recent actions of good faith are not an achievement but, rather, they represent the first step in a long road towards the government demonstrating it can embrace a free and open democracy with a vibrant and free press.

I believe the U.S. can be most effective at championing human rights and democratic institutions in Ethiopia through engagement. The U.S. must build on Obama's historic visit and work harder to encourage positive change. As a partner, we can have frank conversations with the government and champion human rights and democratic principles.

Ethiopia is a young country in terms of democracy and, over time, we can help shape their maturing political system in a way that provides real choices for the people.

The Ethiopian Government needs to continue to uphold democratic principles and engagement while, at the same time, reconciling the need for security with the increasing opportunities to engage talented Ethiopians.

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I stand with Amnesty International and call for the immediate and unconditional release of any and all remaining journalists and bloggers who remain in prison based on politically motivated convictions on terrorism charges.

As a friend to the people of Ethiopia, it is our responsibility to encourage President Desalegn's government to stick to this reform.

As the U.S. pursues closer economic and strategic relationships with Ethiopia, we must remain adamant that improvements to human rights and democratic institutions are a requirement to a successful partnership.

Ethiopia is a valuable partner in a critical region, from peacekeeping, to fighting al-Shabaab, to pursuing peace in South Sudan.

In recent years, the number of attacks performed by extremists across the Horn of Africa has been increasing. Ethiopia has been a vital partner and ally to confront extremism in the region.

U.S. national security is intertwined with countries like Ethiopia that are on the frontline of fighting terrorism. The threat posed to African countries posed by terrorism requires the support of the United States Government in helping build stability that will allow democratic institutions to grow and flourish.

Ethiopia has historically been a key contributor to United Nations and African Union peacekeeping missions and, as the seat of the African Union, has taken an active role in trying to bring peace to the region and the continent.

To this end, Ethiopia gets nearly $800 million a year in U.S. military assistance to fight the Somali Islamic group

al-Shabaab, a group that is responsible for numerous attacks across the region.

As we invest hundreds of millions to combat this brutal extremist group, we must remember that military strength alone will not defeat extremism.

The only lasting solution is a comprehensive one that addresses the political and economic concerns of the region, one in which the rights of all religious and cultural groups are respected.

I encourage President Obama to work with the Ethiopian, Kenyan, and Somali Governments to find ways to address the underlying social and economic issues that are resulting in fertile grounds for extremist movements like al-Shabaab.

Ethiopia has undergone amazingly rapid economic growth in recent years and has made significant progress toward its Millennium Development Goals. The U.S. must continue to support Ethiopia's development goals and increase opportunities for U.S. businesses in the region.

Ethiopia has the fifth fastest growing economy of the 188 International Monetary Fund member countries. The Ethiopian economy has enjoyed strong economic growth, with average GDP growth over 10 percent in the past decade, double the average for sub-Saharan Africa.

This growth has largely been a result of government-led development policies with an emphasis on public investment, commercialization of agriculture, and nonfarm, private sector development.

As part of this growth, Ethiopia has prioritized infrastructure development. Ethiopia is investing heavily in physical infrastructure as part of its development strategy.

This includes the development and upgrading of the country's power, transport, and telecommunications facilities, with a brand-new railway network and the construction of a number of hydroelectric power stations. These investments will allow the country to continue to export power to neighboring countries.

Ethiopia has also proven to be a partner in renewable energy development. Their hydro programs are helping move Ethiopia to become a climate-resilient economy by 2025.

Ethiopia has the second highest hydropower-generating capacity in Africa and the continent's biggest wind farm.

These renewable resources have enabled Ethiopia to export electricity to Kenya, Djibouti, and Sudan despite having limited hydrocarbon resources.

This incredible growth has not gone unnoticed by the rest of the world, and numerous developed nations, including China and India, are investing heavily in Ethiopia.

India is the biggest investor in land in Ethiopia, with Indian companies accounting for almost 70 percent of the land acquired by foreigners. The U.S. Government needs to do more to encourage American companies to invest in Ethiopia.

With the continent's second largest population, Ethiopia is a huge market for American companies and products.

Self-imposed congressional limitations on programs like OPIC, the Overseas Private Investment Corporations, are severely hindering U.S. investment into this economy. Self-imposed congressional limitations are severely hindering U.S. investment in this economy. We have to remember that.

According to figures from the World Bank and Ernst & Young, foreign direct investment into Ethiopia has risen more than tenfold in 7 years, from $108 million in 2008 to $1.2 billion in 2014, with $1.5 billion projected for 2015.

A significant portion of this investment growth is represented by Chinese investment in Ethiopia ramping up. This includes a new $200 million African Union headquarters financed by China, a $300 million contract to expand the Addis Ababa airport, and construction of a reported $2 billion factory for China's Huajian Corporation, which will employ 30,000 Ethiopians.

It is critical that the U.S. Government mobilizes private sector capital to address these development challenges or other countries will.

Despite all this economic growth, Ethiopia has significant challenges. Ethiopia's per capita GDP of $505 is one of the world's lowest.

Though per capita GDP is on the rise—7.2 percent in 2014—it is still one of the poorest countries in the world, ranking 173 out of 187 countries on the Human Development Index.

Although Ethiopia is outperforming many sub-Saharan countries in poverty reduction, widespread malnutrition continues to haunt the nation.

Estimates suggest that the country loses around 16.5 percent of its GDP each year to the long-term effects of child malnutrition.

Dependency on agriculture—coffee, in particular—leaves the large rural population vulnerable to droughts, natural disasters, and other economic shocks.

Recent periods of rapid inflationary pressures and large refugee inflows from Eritrea and South Sudan further aggravate these trends. This has led to food prices rising 100 percent in 2011.

Ethiopia still relies heavily on aid to achieve its development goals. Ethiopia receives the most USAID assistance of any sub-Saharan African country, ranked seventh worldwide.

Even among other donors, Ethiopia remains the single largest recipient of official development assistance in sub-Saharan Africa.

So Ethiopia has made progress towards reaching most of the Millennium Development Goals.

Together with government action and the largest social protection scheme in the region, Ethiopia has seen remarkable progress towards its development targets. Apart from the overall decline in poverty—reduced by 33 percent since 2000—positive gains have been made in terms of education, health, and reducing the prevalence of HIV/AIDS and fistula.

USAID development funds and programs are having a massive impact in Ethiopia in everything from nutrition, sustainability, food stability, health, and education. U.S. businesses and entrepreneurs also have a strong role to play in Ethiopia.

Organizations like the U.S.-Africa Diaspora Business Council focus on tapping into the large entrepreneurial Ethiopian and African diaspora populations in the U.S.

They help provide information, build capacity, and developmental infrastructure to assist American companies to build business footprints in Ethiopia and develop trade between the U.S. and Africa.

I would like to particularly highlight the budding benefit corporations that are producing a positive impact on society and the environment as well as making a profit.

Ethiopian diaspora-owned company Blessed Coffee, the nation's second benefit corporation, is established as a socially responsible business, focusing on trade in coffee growing regions as well as in communities in the U.S. where coffee is sold.

A symbiotic relationship will be one that not only benefits the American consumer but, also, the farmers in Ethiopia and the development of the region.

On a side note, I am not sure that it is well known, but according to DNA analysis, all coffee came from Ethiopia. So we can thank them for that.

I was proud to help reauthorize the African Growth and Opportunity Act last month, which paves the way for continued investment in Ethiopia and Africa through preferential duty-free treatment to U.S. imports of certain products.

This important bill incentivizes American companies to invest in industry and development programs in Africa and Ethiopia that provide products to the United States and jobs to the region.

As the Representative from Silicon Valley, I take special note of the large opportunities in high technology and Internet fields.

With just over 2 percent Internet penetration and 27 percent cellular phone subscriptions, Ethiopia has one of the lowest rates of Internet and mobile phone penetration in the world.

Persistent State interventions, including nationwide Internet filtering, public sector monopoly over the telecom sector, and a relatively closed

economy, have suppressed the growth of economic freedom over the past 5 years.

All of this points to an opportunity for the U.S. Government and companies to help Ethiopia modernize and open its markets to American tech companies.

In closing, let me just say that Ethiopia is a nation of growing importance and opportunity for the United States, a reality that is highlighted by President Obama's visit next week.

As one of the poorest countries, yet with one of the fastest growing economies and largest population in Africa, Ethiopia still represents enormous untapped potential for economic growth.

Ethiopia is a country where American companies can invest and bring jobs and development. It is critical that the U.S. Government seizes this opportunity for investment and mobilizes private sector capital to address the development challenges Ethiopia faces.

Additionally, the U.S. has an opportunity to help Ethiopia address the numerous humanitarian challenges it faces. The administration's Feed the Future initiative supports Ethiopia's food security strategy to reduce hunger, improve nutrition, and promote broad-based economic growth.

Ethiopia still has many serious unmet development needs in sectors like small-business lending, private education, health care, and access to electricity.

Healthy bilateral aid programs through USAID and development programs like Power Africa can help make significant improvements into the health and food security of millions of people in Ethiopia.

Notwithstanding Ethiopia's enormous development needs, we must secure ties within the country to reinforce its constructive collaboration with the U.S. on regional security issues in the Horn of Africa.

Ethiopia's ongoing strategic partnership with the United States in combating al-Shabaab and defeating extremism in the Horn of Africa is an opportunity for the United States to change the narrative in the region away from focusing solely on military solutions and, instead, focusing on a comprehensive approach that addresses the underlying social, economic, and political causes that fuel extremist groups.

Stability, security, and economic development are sustainable only with the development of democratic values.

Ethiopia is a young democracy where human rights and freedom of speech are not respected by the ruling government. The United States must take a strong position of standing with democratic institutions, such as free speech and open, fair, transparent elections.

The U.S. must build on Obama's historic visit and work harder to encourage positive change. As a partner, we can have frank conversations with their government and champion human rights and democratic principles.

Ethiopia is a young country in terms of democracy, and over time we can help shape their maturing political system in a way that provides real choices for the people.

The Ethiopian diaspora here in the United States are the natural bridges and ambassadors and human resources to build and strengthen the economic, strategic, and humanitarian connections between our nations.

The future looks extremely bright for Ethiopia, and the United States has an opportunity to be a strong partner as it moves towards a wealthier, more secure, and more democratic future.

I am proud to be the co-chair of the Ethiopian American Caucus, where I can help give a legislative voice to the specific concerns of the Ethiopian American community and help the U.S. Government and diaspora build these important, necessary bridges to a brighter future.

Mr. Speaker, I yield back the balance of my time.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise in support of the strong relationship between the United States and Ethiopia. As a member of the Ethiopian American Caucus, I am proud to see our bilateral relationship grow.

As the United States continues to provide economic, humanitarian, and developmental assistance, Ethiopia continues to struggle with human rights issues and food insecurity. Next week, I will visit Ethiopia with President Barack Obama to highlight America's commitment to investing in Africa. I hope that with this visit, we can reinforce our commitment to improving public health, food security, and human rights in Ethiopia.

It is my hope that in Congress, we can follow the lead of the late former Congressman Mickey Leland, whose work to end hunger and poverty was world-changing. Congressman Leland helped to form the House Select Committee on World Hunger in 1984 which generated awareness within Congress regarding national and international hunger and prompted a bipartisan effort to find solutions to end hunger in the U.S. and around the world, particularly in Ethiopia and Sudan. Congressman Leland wag killed in a plane crash in Ethiopia during a mission.

Since the African Growth and Opportunities Act was reauthorized earlier this summer, Ethiopia is eligible for preferential trade benefits. I hope to see our trade relationship grow as we work with Ethiopia to improve humanitarian conditions. I am proud to be a member of the Ethiopian American Caucus and I ask my colleagues to support the relationship between the U.S. and Ethiopia.

□ 2100

THE IRANIAN NUCLEAR AGREEMENT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the Chair recognizes the gentlewoman from Florida (Ms. ROS-LEHTINEN) for 30 minutes.

Ms. ROS-LEHTINEN. Mr. Speaker, just a few days ago, the White House formally transmitted to Congress the Iranian nuclear agreement. I am holding it here in my hand. And now there will be much discussion in Congress over the role of this legislative body regarding nuclear agreements, but I would like to remind my colleagues that a process is already in place for civil nuclear agreements. This Iran deal that we have in front of us includes sections about a civil nuclear cooperation with Iran.

Under current law, section 123 of the Atomic Energy Act specifies the conditions by which the United States should enter into a civil nuclear cooperation agreement with other countries. Parts of the terms determined by the 123 agreement is the cessation from enrichment or reprocessing, a term that is coined, Mr. Speaker, as the gold standard. But the Obama administration has taken the liberty to enter into 123 agreements without abiding by the gold standard.

Why should we hold different countries accountable for different terms when it comes to proliferation? We should be holding each country to the very strictest of standards to ensure maximum safeguards are in place.

This is why, Mr. Speaker, in the last Congress I reintroduced, alongside with my congressional colleague BRAD SHERMAN, a bill which reforms the Atomic Energy Act of 1954 to provide greater congressional oversight of nuclear agreements with foreign countries and to protect against the threat of nuclear proliferation. So when the President says that it is either this deal or we go to war, there is actually another option.

Let's not forget about the U.S.-Russia nuclear cooperation agreement, which was previously withdrawn by the Bush administration in 2008 because the President could not certify under the Iran, North Korea, Syria Nonproliferation Act that Russia was not providing nuclear, missile, and advanced conventional weapons to Iran. Yet, through this new deal with Iran, Iran can buy nuclear, missile, and advanced conventional weapons from the Russians.

Next on the list was the 123 agreement with Vietnam. I strongly opposed this agreement because it allowed Vietnam to enrich.

Next up, the pending U.S.-China nuclear cooperation agreement. Again, I opposed that agreement because it allows China to enrich.

So what kind of message are we sending to our allies, Mr. Speaker? Jordan and the UAE, some of our closest partners in the region, are not allowed to enrich based on their commitments to our 123 agreement, but bad actors such

as Russia, China, and Vietnam, oh, they can enrich. It does not make much sense, Mr. Speaker.

Page 5, section 13—and I hope that our constituents read it—of the general provisions of the Iran nuclear agreement states that the P5+1 nations will ''cooperate, as appropriate, in the field of peaceful uses of nuclear energy and engage in mutually determined civil nuclear cooperation projects as detailed in Annex 3.''

So when we go to Annex 3, the situation becomes really scary. According to Annex 3, the P5+1 nations and Iran can cooperate on civil nuclear and scientific projects.

What does that mean? Oh, it spells it out, and it includes—listen to this—facilitation of Iran's acquisition of light water research and power reactors, for research, development, and testing; construction of new light water power reactors, including small- and medium-sized nuclear reactors; construction of state-of-the-art light water moderated multipurpose research reactors; supply of state-of-the-art instrumentation and control systems for the research and power reactors.

Oh, but the list keeps going.

Supply of nuclear simulation and software solutions with regard to these research and power reactors; on-the-job training on fuel management scenarios for these research and power nuclear reactors; and, last but not least, joint technical review of Iran's current nuclear reactors, upon the request by Iran, in order to upgrade current equipment and systems.

So, essentially, we will be helping Iran to modernize and upgrade their reactors. This is absolutely absurd—and dangerously absurd, Mr. Speaker. How could we ever expect any country to agree to the gold standard when they can point to the JCPOA and say they want the Iran standard? They don't want the gold standard. We want the Iran standard because that is what is going to be one of the lasting legacies of this weak and dangerous deal: we have obliterated any of our moral or legal standing to insist that other countries forgo their own enrichment programs.

No country's leaders in their right minds would ever agree to anything less than what we have allowed Iran to do; and now if we don't block this deal's implementation, Mr. Speaker, we are putting into motion a nuclear arms race that we will not be able to stop.

Mr. Speaker, one of the most egregious mistakes of this nuclear deal—which is saying something. It is a long list of bad things. This deal is chockfull egregious mistakes, but one of the worst is the lifting of U.S. sanctions on conventional weapons and ballistic missiles as well as the lifting of sanctions on Iran's central figures of its nuclear weapons program by the E.U. and the U.N.

Just last night, Mr. Speaker, The Wall Street Journal reported on the sanctions that are to be lifted on the Iranians and the institutions behind Iran's decades-long, covert, and illegal nuclear program. This doesn't even begin to touch on the issues of sanctions being lifted against Iran's Quds Force leaders and the IRGC, the very same people who are responsible for carrying out and planning Iran's most deadly attacks and for supporting terror attacks across the world, the very same individuals, Mr. Speaker, who have American servicemembers' blood on their hands.

That is right. The administration and the P5+1 have agreed right there in Annex 1 and Annex 2 to remove these individuals and these entities from the U.N. and European sanctions list. How the administration can even begin to try to justify removing these people from these sanctions lists and these designations is beyond comprehension. In fact, it is a direct affront to every man or woman who has served in the U.S. Armed Forces and their friends, families, and loved ones.

The administration needs to explain—and I would like viewers to look at this poster—how Soleimani, the gentleman here in the middle, the head of Iran's Revolutionary Guard, the commander of the Quds Force, not only gets to get rid of these sanctions, but soon will get a boon to his coffers to increase his attacks against the U.S. and our interests.

But look at this rogues gallery. We are not done yet. How about General Vahidi? General Vahidi, this fine gentleman here, former Quds Force commander, Iranian defense minister, has been wanted by Interpol since 2007 for his role in the 1994 AMIA Jewish center bombing in Buenos Aires, Argentina. He will come off some of these sanctions lists, this gentleman responsible for the murder of innocent men, women, and children.

But as The Wall Street Journal article notes, we are actually going to be lifting the sanctions on the scientists and the individuals responsible for developing Iran's covert nuclear weapons program. Mr. Speaker, this will leave these individuals free to continue to work on the regime's nuclear program. But not only that, it will leave them free to proliferate their expertise and knowledge.

What we have here, Mr. Speaker, is that we essentially have agreed to lift the sanctions and designations on most of the key individuals on Iran's covert nuclear weapons program while, at the same time, allowing all of Iran's key components of its nuclear program to remain intact. How does that benefit our national security?

We have agreed to lift sanctions on the Iranian equivalent of A.Q. Khan, this gentleman here, the head of Iran's WMD program. A.Q. Khan, if you remember, Mr. Speaker, is the Pakistani nuclear physicist responsible for the proliferation network that helped Libya, North Korea, Iran, and China develop their nuclear programs. He is the equivalent of A.Q. Khan. The Iranian A.Q. Khan helped the regime in its attempt to develop a nuclear explosive device which the regime still refuses to come clean about to the International Atomic Energy Agency.

So look at this rogues gallery. We are not done.

Now the Iranian equivalent of A.Q. Khan will be likely taken off the designation list before the terms of this agreement is up, meaning that, by the time this deal expires, this Iranian, A.Q. Khan, will have had years to perfect his explosive device without repercussions.

This deal will also lift sanctions on the nuclear scientist named Abbasi-Davani. This fine gentleman here was the head of Iran's Atomic Energy Agency. Not only was this man once the head of the Atomic Energy Organization of Iran, but he was sanctioned by the U.N. Security Council, sanctioned by the U.N. for his work on both Iran's nuclear and ballistic missile program, which, by the way, just underscores the absurdity of the notion that Iran's nuclear program is for peaceful purposes. Only nations that intend on having a nuclear payload develop ballistic missiles, and this man was involved in both. Yet he too will be removed from U.N. sanctions before this agreement expires, leaving him several years to continue his work without any international scrutiny.

But we have one more fine gentleman to point out, Mr. Speaker, as if that weren't enough. German engineer Gerhard Wisser, right over here, is a collaborating German scientist. He was an individual who was convicted and imprisoned in South Africa for his involvement in the A.Q. Khan network and who has facilitated the sale of nuclear equipment to North Korea, to Iran, and to Libya. He will be delisted, as well.

On top of all of this, Iran's organization involved in spearheading its nuclear weapons research will be removed from the U.S. sanctions list, despite its long record of noncompliance with the International Atomic Energy Agency.

All I see in this agreement, Mr. Speaker, is a path to the Iranian bomb and not the prevention of one, as the administration claimed was the objective. Any way you slice it, Mr. Speaker, Iran will be a nuclear weapons state within a decade or so, and these individuals will be free to harm our international interests.

Even if the U.N. Security Council opts to reimpose sanctions on the regime, Iran has built into the agreement that this would be a violation of the agreement. Listen to that, Mr. Speaker. If the U.N. Security Council opts to

reimpose sanctions, Iran has in this deal a stipulation that this would be a violation of the agreement, and then it can simply snap back its own nuclear program. That is the only snapback that is involved, Iran snapping back its own nuclear program. And now it will be free of all the burdens of sanctions. It will have its entire infrastructure—complete with the added benefit of U.S. assistance in modernizing its equipment, in advancing certain aspects of it—as well as the key individuals involved and responsible for advancing the program ready and able to produce a nuclear weapon without any problems whatsoever.

Mr. Speaker, if Congress approves this deal, we are guaranteeing that Iran becomes a nuclear weapons state, and we are giving away every bit of leverage that we have against this rogue regime. This deal isn't going to avert a war. It might very well precipitate one. Our only real option for peace and a nuclear-free Middle East is to insist on a better deal.

Mr. Speaker, we must back that up with tougher sanctions, not a promise to lift sanctions on some of the world's most dangerous individuals. How can we say, Mr. Speaker, that this nuclear deal is anything but a bad deal when it doesn't meet the benchmarks of the U.N. Security Council Resolutions or even the President's own benchmarks from 2013?

□ 2115

Iran was in violation of every one of those resolutions; yet, just 2 days ago, the administration and the rest of the P5+1 went to the U.N. Security Council to bind ourselves to lifting the resolutions, even though the Iranian regime never complied with a single one—six resolutions violated.

Each of those resolutions confirmed that Iran was not in compliance with the International Atomic Energy Agency, had not halted enrichment, had not stopped reprocessing, had not halted developing nuclear technology, and had not stopped its ballistic missile program.

Iran has never met a U.N. Security Council resolution that it didn't violate; yet here we are, pretending that Iran has somehow complied with the international community and can be trusted this time to live up to its obligation under international law.

Let's just take a look at what each of those resolutions required from Iran and what we are no longer requiring Iran to do as a result of this disastrous deal.

Mr. Speaker, I will start with U.N. Security Council Resolution 1696, implemented on July 13, 2006. It demands that Iran suspend all enrichment related and reprocessing activities, which would be verified by the International Atomic Energy Agency after Iran's noncompliance with the IAEA for over 3 years.

It gave Iran 1 month to comply with the IAEA or face the possibility of economic and diplomatic sanctions. It endorsed the diplomatic solution, specifically a P5+1 proposal from 2006 for a long-term, comprehensive agreement to determine the exclusively peaceful nature of Iran's nuclear program.

It called upon states to exercise vigilance to prevent the transfer of any item, materials, goods, and technology that could contribute to Iran's enrichment and reprocessing activities and ballistic missile program. Iran did not comply.

U.N. Security Council Resolution 1737 passed on December 23rd, 2006, it imposed sanctions on Iran for failing to halt uranium enrichment as stipulated in United Nations Security Council Resolution 1696 that I just spoke about.

It reaffirms that Iran shall, without further delay, suspend all enrichment related and reprocessing activities, including research and development to be verified by the IAEA and work on all heavy water-related projects, including the construction of a research reactor, moderated by heavy water.

The resolution further imposed sanctions on that country, blocking the import or export of sensitive nuclear material and equipment and freezing the financial assets of persons and entities supporting its proliferation-sensitive nuclear activities or the development of nuclear weapons delivery systems.

Also, this resolution established a new committee comprised of all council members to monitor the implementation of the present text and designate further individuals or entities to which the sanctions should apply. I bet Iran was really worried about that new committee.

How about this resolution, U.N. Security Council Resolution 1747, adopted on March 24, 2007? It widened the scope of the previous resolution by banning Iran's arms exports, arms embargo, prohibits transfers to Iran of nuclear, missile, and dual-use items, exports from Iran of arms or WMD useful technology.

It reaffirmed previous positions on Iran's nuclear program, including the suspension of all enrichment activity. It sanctioned additional individual and entities. How many more people could we put on that list?

How about another resolution? U.N. Security Council Resolution 1803, adopted on March 3, 2008, it approved a new round of sanctions against Iran for refusing to suspend nuclear projects and activities.

It reaffirmed all previous resolutions and demanded that Iran cease all enrichment and reprocessing and ballistic missile related activity. It required countries to inspect suspected cargo to and from Iran, extended the freezing of financial assets to persons or entities supporting Iran's nuclear-related programs or activities. It called upon countries to monitor activities of Iranian banks. It imposed travel restrictions on sanctioned individuals

How about U.N. Security Council Resolution 1835, adopted on September 27, 2008? It reaffirmed all previous resolutions. It reports that it found conclusively that Iran is continuing to develop its nuclear program.

I bet that was a surprise. It found that Iran was making progress on developing and operating its centrifuges and continued to deliberately block and stonewall. It called on Iran to comply with obligations fully and without delay.

Remember, these resolutions are gone now, Mr. Speaker.

U.N. Security Council Resolution 1929 adopted on June 9, 2010, it reaffirmed all previous resolutions. It prohibited Iran from investing abroad in uranium mining, related nuclear technologies, or nuclear capable ballistic missile technology.

It prohibited Iran from launching ballistic missiles, including on its own territory. It required Iran to refrain from any development of ballistic missiles that are nuclear capable.

It mandated that countries not export major combat systems to Iran, but does not bar sales of missiles that are not on the U.N. Register of Conventional Arms. It called on the vigilance of international lending to Iran, providing trade credits and other financing.

It called on countries to inspect cargoes carried by Iran air cargo and Islamic Republic of Iran shipping lines or by any ship in national or international waters, if there are indications that they are carrying cargo banned for carriage to Iran.

Searches in international waters would require concurrence of the country where the ship is registered, but it could happen. It froze the assets of Iranian persons and entities named in annexes to the resolutions and required that countries ban the travel of named Iranians.

That was back in the day, Mr. Speaker; yet here we are today, 2 days after the administration went around Congress to bind the United States to a U.N. Security Council resolution that will lift all of those resolutions. You see all of those resolutions; we just ripped them up, no longer needed. We did not achieve a single thing that those previous six resolutions called for.

Now, to make matters worse, Mr. Speaker, the P5+1 countries will honor their obligations on this new U.N. Security Council resolution, while the Iranian regime laughs at us all the way to the bomb.

Iran has never felt compelled to honor its international obligations; and now, we are just supposed to expect it to fully comply with this? A zebra can't change its stripes, and this

Iranian regime will never feel obligated to abide by this new international agreement.

Why tie our hands like this, Mr. Speaker? This is a bad and dangerous nuclear deal. I would urge my colleagues to reject it.

There has been a lot of talk, Mr. Speaker, about these anytime, anywhere inspections. I think it is important for us to examine what this agreement actually says about anytime, anywhere.

If the IAEA has concerns regarding undeclared nuclear materials or activities, they can request clarification from Iran. They request clarification from Iran, Oh, please explain to us. If Iran's clarification does not satisfy the IAEA, then the IAEA can request access to such locations—request.

If the two sides are unable to reach satisfactory arrangements within 14 days of the IAEA's original request—look at the timeline, Mr. Speaker—then the joint commission would advise on how to resolve that issue within an additional 7 days; then Iran will have another 3 days to implement such a decision.

Can you keep up with me, ladies and gentlemen? Do the math. Iran actually has 24 days to stall or hide any undeclared nuclear material.

Is that the definition now of anytime, anywhere inspections, Mr. Speaker? I don't think so, and Iran's Defense Minister doesn't think so either. Why do I say that? Just 2 days ago, he said that the IAEA would not be allowed to inspect any of Iran's military sites.

They have been saying over and over again—the Supreme Leader has said the same thing multiple times—Iran will not let foreigners inspect any military center or interview its nuclear scientists.

On top of that, Iran's Foreign Minister and chief negotiator said, just yesterday, that Iran has secured the so-called right to deny the IAEA access to its nuclear sites for inspections.

Iran has also banned American nuclear inspectors from entering any nuclear site or participating on any International Atomic Energy Agency inspection team. No American can participate.

Let's just say, for argument's sake, that Iran is caught cheating, as unlikely as that might be—and I am being facetious obviously—what happens then? Well, it says it right here. It is very clear. The deal states that, if the countries believe that Iran is not meeting its commitment under this agreement, they can refer the issue to the joint commission.

The commission would have 15 days or longer to resolve the issue; then the issue can be referred to the ministers of foreign affairs if the commission could not resolve the issue. That is another 15 days for the ministers, Mr. Speaker.

Let's do the math. We are already up to 30 days at the minimum. Then the compliance participant could request that the issue be considered to the advisory board, which will have another 15 days to issue a nonbinding opinion.

If it is not resolved during this process and the U.N. Security Council gets notified, by the end, another 2 months or so would have passed and given Iran enough time to lobby Russia, China, and the rest of the P5+1 to vote with them so that sanctions are not reimposed.

Remember, Mr. Speaker, sanctions will only be reimposed in the event of a significant nonperformance by Iran. The key word there is ''significant.''

What does the U.S. consider significant violations? What do the Europeans consider significant violations? What does China consider it? What does Russia and Iran, itself, consider significant violations?

Iran can prevent from sanctions being reimposed, as long as they cheat only in small increments and not significantly. If they just cheat a little bit, they can get away with it.

Additionally, the JCPOA explicitly states: ''Iran has stated that if sanctions are reinstated in whole or in part, Iran will treat that as grounds to cease performing its commitment under this JCPOA in whole or in part.''

Iran is saying: If you put sanctions on us, we don't have to continue with this agreement.

I am not making it up. That is a quote. Even if Iran is caught cheating and we move to reimpose sanctions, as we are entitled to do under the JCPOA, Iran is actually entitled to walk away from the deal.

In conclusion, Mr. Speaker, I feel that Iran will use this as its trump card to bully the P5+1 into not addressing violations or holding Iran accountable for its cheating. Even though the United States has the ability to veto a Security Council vote, choosing not to reimpose sanctions and hold Iran accountable, we must, again, remember that such a veto would unravel this deal, reapply sanctions, and allow Iran to claim it can walk away.

Finally, an effective sanctions regime against Iran that was established over many years cannot be easily reapplied. The idea of snapback sanctions is simply not viable.

Mr. Speaker, I could go on and on about all of the loopholes in this deal. Suffice it to say, we can do better than this. We must do better than this. We owe it to our children and our grandchildren to do better than this.

Mr. Speaker, I yield back the balance of my time.

□ 2130

THE IRAN DEAL

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the Chair recognizes the gentleman from Texas (Mr. GOHMERT) for 30 minutes.

Mr. GOHMERT. Mr. Speaker, I both applaud and appreciate the comments by my colleague, a person I love being a colleague with, Ms. ILEANA ROS-LEHTINEN. These are profound points, excellent points, she has been making about the so-called Iran deal.

What is shocking to me—and I got this copy that a friend was using, but the pages aren't numbered. By the way, Mr. Speaker, when Secretary Kerry came to the Hill today—in having been through briefings by our Secretary previously—I knew that the best use of my time would be in going and reading the deal for myself, which is what I did.

It was interesting. I know that we have been assured over and over publicly that this is such a great deal, that this is what is going to really save the world from the Iranians having a nuclear deal, but there are some very troubling things that I haven't heard anybody mention about this agreement.

Actually, there is a report that there is an outside deal that has to be arranged by the IAEA with Iran in order to have a complete deal, which is that the IAEA is going to have to work out terms—conditions—of its examination of some of the nuclear facilities in Iran. That is deeply troubling.

Here is a story by Joel Gehrke from July 21, entitled ''House Republican: Obama Administration Won't Release Full Iran Deal to Congress.''

It reads:

''Senator TOM COTTON and Representative MIKE POMPEO, who serves on the House Intelligence Committee, learned of the arrangement while meeting with the IAEA in Vienna, Austria, last week. 'That we are only now discovering that parts of this dangerous agreement are being kept secret begs the question of what other elements may also be secret and entirely free from public scrutiny.' ''

Meeting with the IAEA is something that I have done in the last year and a half, but because of the ban by our Speaker on my being able to travel because I was hoping to have a different Speaker, I am not able to visit anymore in a room with the IAEA in their office in Vienna. That was immensely helpful to do in the job.

As one of the Speaker's folks mentioned, they see taxpayer-funded travel as a reward, and I haven't earned their giving away taxpayer-funded travel. Apparently, that is something you earn by voting like you are told to. In any event, I am glad that MIKE POMPEO and Senator TOM COTTON have been over there and have met with them.

There is just so much about this deal that stinks to high heaven, especially when you see it today, in that, apparently, in the last year or so, there must have been approval for an exception to

the sanctions on Iran to allow Iran to have 13 metric tons of pure gold shipped to it from South Africa.

Then we find out today that, actually, the U.S. was releasing $4.2 billion to Iran, apparently in return, paying them to sit down and negotiate further.

Mr. Speaker, I will tell you that our allies have got to be really miffed as they find out more and more about the way this administration operates.

If you are our friend, we are going to cut deals with your enemy that create a real issue as to whether or not you may exist in the future. But if you are our enemy, we will pay you just to sit down and negotiate with us.

We will allow you to get gold shipped to you from 13 metric tons. There is no telling how much grief those 13 metric tons of gold have cost the U.S. I wonder how many American lives have had their demise contributed to because of the gold.

How many Jews or Christians around the world have lost their lives as a result of this administration's paying the world's leading sponsor of terror all of this money, apparently, just to sit down with them and releasing all of this money in the past just to get them to come to the table? We don't do that with our friends. We don't pay them to sit down with us.

We have already seen this in the attempted dealings with the Taliban. Mr. Speaker, it has not been that many years ago. It has been since I have been in Congress that this administration was reaching out to the Taliban, which has killed so many Americans and continues to kill Americans.

In fact, under Commander in Chief George W. Bush, we lost—I believe it was—about 560 precious military American lives in Afghanistan in that entire 7½ years—about 7¼ years, actually.

This President has only been in office 6½ years, and under his command—his rules of engagement that cripple our military's ability to defend themselves—under this administration and this Commander in Chief's rules, there have been over three times that many lost American, precious, military lives.

With this President being in command of three times the number of lost American military lives in Afghanistan, this administration's approach couldn't learn anything from the Bush administration's mistakes and successes.

Instead, it decided to reach out. There are all kinds of reports of their reaching out their offers. ''Look, Taliban. If you will just sit down—no preconditions. If you will just agree to sit down with us, we will be releasing murderers you want released from Guantanamo or anywhere else. Not only that, we will buy you luxurious offices in Qatar—or wherever you say—just to sit down with us.''

Our enemies have really learned how to deal with this administration. Our friends have got to be scratching their heads, those who still have their heads. Therein lies another tragedy.

In this agreement, until I can be sure that the parts I read have been released publicly—and that is why I was asking for this copy of the agreement. It is a different format from what I was reading earlier today.

As a judge, as a chief justice, even as a lawyer who has taken on the world's largest oil company—I did years ago successfully—and as a lawyer who has taken on some pretty unbelievable efforts, words mean a lot when I am reading through things.

There is one word that particularly catches my attention, and that is the little two-letter disjunctive word ''or.'' Until I can be sure that what I had read has been released—it should be. There is no reason that this agreement should not be public so everyone can read it.

To those folks out there who are saying, ''Hey, it is a 10-year deal. It will keep Iran from having nuclear weapons for 10 years. Even though it may come back and have a nuclear weapon within a month, 2 months, 3 months after the 10 years, at least it will keep them tied up for 10 years,'' I would encourage anybody who has access to the actual agreement to look at any years mentioned—8, 10, whatever it is—and then see if there is that little two-letter disjunctive word ''or'' and then see if there is a provision for a shorter time than 10 years or a shorter time than 8 years to develop intercontinental ballistic missiles.

These are things I have seen publicly, but I think it is critical. What kind of time or length of time of this deal are we looking at?

If there is this disjunctive little word ''or'' anywhere after any time that this deal will last, we need to know how long that other provision might be that would be shorter than 10 years.

If that provision, if such exists, puts the hands of how long this deal will last completely out of the United States' hands, completely out of the P5+1, then that alone makes this deal a ''no'' deal. It is outrageous that anything but a hard timeline could exist in such a deal.

There is a story from July 16 by James Jay Carafano. The first paragraph reads:

''Once a major diplomatic agreement is inked, the world typically reacts by holding its breath, waiting to see if it will all turn out all right. Some deals, like the Munich Pact, crumble quickly. Others, like the Camp David Accords, hang in there; but rarely has there been a deal like the one reached in Vienna last night—a deal in which all the nations most closely affected by it, including Iran, pretty much start out knowing it won't end well.''

Here, Mr. Speaker, I would like to point out that, as absolutely atrocious as the Clinton-Albright-Wendy Sherman deal with North Korea was, at least South Korea and Japan were involved and present for the talks, because our allies Japan and South Korea were the ones most affected by any deal that the United States cut with North Korea.

Now, it was an outrageous agreement. I mean, I was just a district judge at the time, but I knew, clearly, from history and from current events, that it was a deal that said, ''Here, North Korea. We will help you build nuclear reactors, which will give you nuclear material to make sure you have got what you need. All we ask in return, basically, is that you promise that you will never use any of this stuff to create nuclear weapons.''

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Of course, North Korea jumped on that deal—different from here, though. The number one most affected country by this deal is our dear friend Israel.

Well, this President and all his minions could not get Prime Minister Netanyahu defeated and out of office, as they tried to do. This administration has tried to punish Israel different ways, and those in the administration who really do want to punish Israel, that don't like Israel, they have got to be smiling over this deal because it is absolutely unconscionable what has been done in the deal as it affects the future of Israel. It is just incredible that we could allow this.

Then Saudi Arabia, right there in the vicinity, they certainly understand what a bad deal this is. As we understand it, they are already making clear they are going to have to have a nuclear weapon. Egypt is going to need a nuclear weapon.

This deal makes clear that Iran is going to have nuclear weapons in at least 10 years; 10 years, 2 months, whatever anybody wants to say, or out of my concern, possibly much sooner than that legally under the deal, even if it were ratified by the Senate. This is of tremendous concern.

This is what the entire world, except for the most evil perpetrators in it, has worried most about, a point in world history where there is massive proliferation of nuclear weapons.

It won't do much good to return a Nobel Peace Prize after a President causes nuclear proliferation that leads ultimately to the loss of millions of lives and rampant destruction around the world and, certainly, in the Middle East.

We have got all these folks worried about climate change, and here we are, on the brink of 10 years, at the most, before the most terroristic evil nation—well, the nation is not evil, their leaders are—the most evil leaders in the world have their hands on nuclear weapons that will kill millions of people.

It won't do much good for all those who lose their lives in a horrible flash if the President sends back his Nobel Peace Prize as being the cause of that.

That is why it is so important that we stop this deal. I don't have any belief at all that anybody in this administration wants the world to go up, after nuclear proliferation, in one big mushroom cloud.

I don't believe that; I know that is not true, but that is what their actions—if not stopped by Senators and House Members, that is what is going to happen.

This is not just me saying so. Dr. Carafano says: ''The whole neighborhood will race to go nuclear. The number one concern with the way this deal was structured was that it was bound to accelerate nuclear proliferation. Iran has violated its obligations under the Nuclear Nonproliferation Treaty and repeatedly thumbed its nose at oversight from the International Atomic Energy Agency, the IAEA. Yet it winds up getting a great deal under the agreement—better, in fact, than the deal the United States gives its friends and allies, through the 123 civil nuclear agreements. If regional powers like Turkey, Egypt, and Saudi Arabia believe that the likelihood of Iran getting a weapon is undiminished and the penalty for becoming a nuclear breakout power is plummeting, then the deterrent for them to cross the nuclear threshold drops as well.

''Tehran gets to keep its vast nuclear infrastructure and its missile program.''

It goes on to talk about that.

''Sanctions relief will make the region far less safe.''

''The deal is temporary, by design.''

I tell you, Mr. Speaker, we hear from our friends in the U.S. Chamber of Commerce, our local chambers of commerce, at least, about how normally to calculate economic impact of $1 being spent somewhere, you have to multiply it times seven because that dollar gets spent again and spent again and spent again.

I would submit that, with this deal with Iran, the most evil leaders in the world, the $100 billion to $150 billion that this administration makes sure they have can't just be limited by $100 billion to $150 billion when it comes to the calculation of evil that will result from that money.

We can be sure that, since Iran sponsors terrorism around the world, that it will spend a lot of that money creating terrorism with other terrorists and with other evil people; and those evil people will then be able to take the billions of dollars they get from Iran and spend that for their evil purposes with other evil people.

You may be looking at, really, a trillion dollars by the time all of that money gets spent when you look at it as chambers of commerce normally do. The potential for evil, for the $100 billion to $150 billion going to an unrepentant sponsor of world terrorism, is really dramatic.

It is just incredible that this is happening on anybody's watch; Republican, Democrat, it doesn't matter. It is incredible.

Here is an article by Sarah Wheaton, July 21st: ''In both a muscular speech to the Veterans of Foreign Wars in Pittsburgh and a taping of 'The Daily Show with Jon Stewart,' Obama cast critics of his diplomacy as the same kind of misguided warmongers who pushed for the invasion of Iraq during George W. Bush's Presidency.''

I guess that includes Hillary Clinton; John Kerry, I think he may have been on board with that.

The article says: '' 'We're hearing the echoes of some of those same policies and mindset that failed us in the past,' Obama said in Pittsburgh. His loudest critics, he added, are 'the same folks who were so quick to go to war in Iraq and said it would take a few months.' ''

Well, it is interesting to me that our President reserves making his case for the Iran deal for a venue such as Comedy Central, and it really would be a comedic escapade if this weren't so serious and we weren't talking about the existence of Israel, the continued lives or stoppage of lives of Christians and Jews around the world.

We know what the leaders of Iran think. They never, ever stop saying what they think. It is just incredible. They have never stopped demanding ''death to America'' and ''death to Israel.''

I see this article by Raf Sanchez from July 21st: ''The U.S. said on Tuesday it was disturbed by an outburst of anti-American rhetoric from Iran's Supreme Leader in the wake of the nuclear deal, as fierce debates over the agreement began in both the Iranian Parliament and U.S. Congress.

''John Kerry, the U.S. Secretary of State, said he was troubled by a fiery speech in which Ayatollah Khamenei promised to continue fomenting unrest across the Middle East and said Iran's 'policy towards the arrogant U.S. will not change.'

'' 'If it is the policy, it's very disturbing, it's very troubling, and we'll have to wait and see.' ''

No, we shouldn't have to wait and see. When Iran's evil leaders say they are going to keep fomenting trouble, they are going to keep killing Christians and Jews across the Middle East, they are going to keep killing moderate Muslims in the Middle East, we should not wait; we should take them seriously. They are saying it while the deal is still not affirmed and ratified here in the United States.

You would have to be a blooming idiot to make a deal with people who are saying they are going to take the money they get from this deal and kill Americans, kill Christians, kill Jews, and give them the money anyway. There are going to be consequences for this kind of irresponsibility.

Mr. Speaker, I would just encourage anyone who has access to an updated copy of the Iran deal, look to see for sure if it is limited to a 10-year deal or perhaps could somebody do an inspection and say, Oh, it is all good—maybe it is a 5-year deal instead of a 10-year deal.

When the person making the agreement has no power after the deal is signed, sealed, and delivered over when that deal ends, it is not a deal that should be made. That alone ought to be enough to make anyone walk away from it.

Mr. Speaker, I am immensely concerned for our friends around the world. I have mentioned numerous times—and I keep going back to the words of a west African named Ebeneezer, a senior citizen there in west Africa who explained how excited they were when we elected our first Black President, but they have seen America get weaker, and he begged me to tell people in Washington that, when we get weaker in America, they suffer more around the world and specifically in Africa. Those words still bother me.

This deal with an evil group of leaders in Iran is going to spell death down the road for masses of people if we don't get it stopped.

Mr. Speaker, that is my plea. Let's stop the deal for the good of the world.

Mr. Speaker, I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CLAWSON of Florida (at the request of Mr. MCCARTHY) for today on account of a family emergency.

Ms. MAXINE WATERS of California (at the request of Ms. PELOSI) for today until 3 p.m.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 286. An act to amend the Indian Self-Determination and Education Assistance Act to provide further self-governance by Indian tribes, and for other purposes; to the Committee on Natural Resources.

ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 57 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, July 23, 2015, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

2262. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's interim rule — Emerald Ash Borer; Quarantined Areas [Docket No.: APHIS-2015-0028] received July 21, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Agriculture.

2263. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule — Khapra Beetle; New Regulated Countries and Regulated Articles [Docket No.: APHIS-2013-0079] received July 21, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Agriculture.

2264. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Kenneth J. Glueck, Jr., United States Marine Corps, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

2265. A letter from the Acting Under Secretary, Personnel and Readiness, Department of Defense, transmitting a letter authorizing Colonel David W. Maxwell, United States Marine Corps, to wear the insignia of the grade of brigadier general, in accordance with 10 U.S.C. 777; to the Committee on Armed Services.

2266. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting the Department's final rule — Energy Conservation Program: Energy Conservation Standards for Packaged Terminal Air Conditioners and Packaged Terminal Heat Pumps [Docket No.: EERE-2012-BT-STD-0029] (RIN: 1904-AC82) received July 21, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2267. A letter from the Assistant General Counsel, General Law, Ethics, and Regulation, Department of the Treasury, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998, Pub. L. 105-277; to the Committee on Oversight and Government Reform.

2268. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Fireworks Display, Columbia River, Cathlamet, WA [Docket No.: USCG-2015-0358] (RIN: 1625-AA00) received July 20, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Transportation and Infrastructure.

2269. A letter from the Board Members, Federal Old-Age And Survivors Insurance And Federal Disability Insurance Trust Funds, transmitting the 2015 Annual Report of the Board of Trustees of the Federal Old-Age and Survivors Insurance and the Federal Disability Insurance Trust Funds, in accordance to Sec. 709 of the Social Security Act; (H. Doc. No. 114—51); to the Committee on Ways and Means and ordered to be printed.

2270. A letter from the Boards of Trustees, Federal Hospital Insurance and Federal Supplementary Medical Insurance Trust Funds, transmitting the 2015 Annual Report of the Boards of Trustees of the Federal Hospital Insurance and Federal Supplementary Medical Insurance Trust Funds; (H. Doc. No. 114—50); jointly to the Committees on Ways and Means and Energy and Commerce, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 521. A bill to provide for the conveyance of certain property to the Yukon Kuskokwim Health Corporation located in Bethel, Alaska; with an amendment (Rept. 114–217, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. MCCAUL: Committee on Homeland Security. H.R. 2770. A bill to amend the Homeland Security Act of 2002 to require certain maintenance of security-related technology at airports, and for other purposes; with an amendment (Rept. 114–218). Referred to the Committee of the Whole House on the state of the Union.

Mr. MCCAUL: Committee on Homeland Security. H.R. 998. A bill to establish the conditions under which the Secretary of Homeland Security may establish preclearance facilities, conduct preclearance operations, and provide customs services outside the United States, and for other purposes; with an amendment (Rept. 114–219, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. MCCAUL: Committee on Homeland Security. H.R. 2127. A bill to direct the Administrator of the Transportation Security Administration to limit access to expedited airport security screening at an airport security checkpoint to participants of the PreCheck program and other known low-risk passengers, and for other purposes; with an amendment (Rept. 114–220). Referred to the Committee of the Whole House on the state of the Union.

Mr. MCCAUL: Committee on Homeland Security. H.R. 2843. A bill to require certain improvements in the Transportation Security Administration's PreCheck expedited screening program, and for other purposes; with an amendment (Rept. 114–221). Referred to the Committee of the Whole House on the state of the Union.

Mr. MCCAUL: Committee on Homeland Security. H.R. 1300. A bill to direct the Secretary of Homeland Security to make anthrax vaccines and antimicrobials available to emergency response providers, and for other purposes; with an amendment (Rept. 114–222, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. COLLINS of Georgia: Committee on Rules. House Resolution 370. Resolution providing for consideration of the bill (H.R. 3009) to amend section 241(i) of the Immigration and Nationality Act to deny assistance under such section to a State or political subdivision of a State that prohibits its officials from taking certain actions with respect to immigration (Rept. 114–223). Referred to the House Calendar.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committee on Energy and Commerce discharged from further consideration. H.R. 521 referred to the Committee of the Whole House on the state of the Union.

Pursuant to clause 2 of rule XIII, the Committee on Ways and Means discharged from further consideration. H.R. 998 referred to the Committee of the Whole House on the state of the Union.

Pursuant to clause 2 of rule XIII, the Committee on Energy and Commerce discharged from further consideration. H.R. 1300 referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. MICA:

H.R. 3149. A bill to amend title 49, United States Code, to establish a limit on checked baggage fees imposed by air carriers on passengers in air transportation, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. BECERRA (for himself, Mr. BRENDAN F. BOYLE of Pennsylvania, Ms. JUDY CHU of California, Ms. LEE, Mr. POCAN, Mr. LANGEVIN, Mr. BLUMENAUER, Mr. DOGGETT, Mr. CROWLEY, Mr. DANNY K. DAVIS of Illinois, Mr. RANGEL, Ms. LINDA T. SÁNCHEZ of California, Mr. MCDERMOTT, Mr. LEWIS, Mr. NEAL, Mr. THOMPSON of California, Mr. PASCRELL, Mr. LARSON of Connecticut, Ms. SCHAKOWSKY, Ms. MATSUI, Mr. CUMMINGS, Mr. GRIJALVA, and Mr. ELLISON):

H.R. 3150. A bill to amend title II of the Social Security Act to merge the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund, and for other purposes; to the Committee on Ways and Means.

By Mr. BROOKS of Alabama (for himself, Ms. JENKINS of Kansas, Mr. FARENTHOLD, and Mr. SMITH of Texas):

H.R. 3151. A bill to require the Director of U.S. Immigration and Customs Enforcement to submit annual reports regarding certain demographic information on aliens arrested; to the Committee on the Judiciary.

By Mr. NOLAN:

H.R. 3152. A bill to amend the Rural Electrification Act of 1936 to establish an Office of Rural Broadband Initiatives in the Department of Agriculture, and for other purposes; to the Committee on Agriculture, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KNIGHT (for himself and Ms. BROWNLEY of California):

H.R. 3153. A bill to authorize a national memorial to commemorate those killed by the collapse of the Saint Francis Dam on March 12, 1928, and for other purposes; to the Committee on Natural Resources.

By Mr. MULLIN (for himself and Mr. LOEBSACK):

H.R. 3154. A bill to allow manufacturers to meet warranty and labeling requirements for consumer products by displaying the terms

of warranties on Internet websites, and for other purposes; to the Committee on Energy and Commerce.

By Ms. JACKSON LEE (for herself, Mr. CONYERS, Ms. BASS, Mr. BLUMENAUER, Ms. BROWN of Florida, Ms. JUDY CHU of California, Mr. CICILLINE, Ms. CLARKE of New York, Mr. CLAY, Mr. COHEN, Mrs. WATSON COLEMAN, Mr. DANNY K. DAVIS of Illinois, Ms. EDWARDS, Mr. GRIJALVA, Ms. HAHN, Mr. JEFFRIES, Mr. JOHNSON of Georgia, Ms. LEE, Ms. LOFGREN, Mr. NADLER, Ms. NORTON, Mr. PAYNE, Mr. PIERLUISI, Mr. RANGEL, Mr. RICHMOND, Mr. SERRANO, Mr. VAN HOLLEN, Ms. WILSON of Florida, Mr. BUTTERFIELD, Mr. VEASEY, Mr. ELLISON, Mr. PETERS, Ms. MAXINE WATERS of California, Mr. HINOJOSA, Mr. VARGAS, Mr. AL GREEN of Texas, and Mr. CASTRO of Texas):

H.R. 3155. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide for the humane treatment of youths who are in police custody, and for other purpose; to the Committee on the Judiciary.

By Ms. JACKSON LEE (for herself, Mr. CONYERS, Ms. BASS, Ms. BROWN of Florida, Ms. JUDY CHU of California, Mr. CICILLINE, Mr. CLAY, Ms. CLARKE of New York, Mr. COHEN, Mrs. WATSON COLEMAN, Mr. DANNY K. DAVIS of Illinois, Mr. DEUTCH, Ms. EDWARDS, Mr. GRIJALVA, Ms. HAHN, Mr. JEFFRIES, Mr. JOHNSON of Georgia, Ms. LEE, Ms. LOFGREN, Mr. NADLER, Ms. NORTON, Mr. PAYNE, Mr. PIERLUISI, Mr. RANGEL, Mr. RICHMOND, Mr. SERRANO, Mr. VAN HOLLEN, Ms. WILSON of Florida, Mr. BUTTERFIELD, Mr. VEASEY, Mr. ELLISON, Mr. PETERS, Ms. MAXINE WATERS of California, Mr. HINOJOSA, Mr. VARGAS, Mr. AL GREEN of Texas, and Mr. CASTRO of Texas):

H.R. 3156. A bill to provide for the expungement and sealing of youth criminal records, and for other purposes; to the Committee on the Judiciary.

By Mr. ROKITA (for himself, Ms. FUDGE, Mr. KLINE, and Mr. SCOTT of Virginia):

H.R. 3157. A bill to amend the General Education Provisions Act to strengthen privacy protections for students and parents; to the Committee on Education and the Workforce.

By Ms. JACKSON LEE (for herself, Mr. CONYERS, Ms. BASS, Ms. BROWN of Florida, Ms. JUDY CHU of California, Mr. CICILLINE, Mr. CLAY, Ms. CLARKE of New York, Mr. COHEN, Mrs. WATSON COLEMAN, Mr. DANNY K. DAVIS of Illinois, Mr. DEUTCH, Ms. EDWARDS, Mr. GRIJALVA, Ms. HAHN, Mr. JEFFRIES, Mr. JOHNSON of Georgia, Ms. LEE, Ms. LOFGREN, Mr. NADLER, Ms. NORTON, Mr. PAYNE, Mr. PIERLUISI, Mr. RANGEL, Mr. RICHMOND, Mr. SERRANO, Mr. VAN HOLLEN, Ms. WILSON of Florida, Mr. BUTTERFIELD, Mr. VEASEY, Mr. ELLISON, Mr. PETERS, Ms. MAXINE WATERS of California, Mr. HINOJOSA, Mr. VARGAS, Mr. AL GREEN of Texas, and Mr. CASTRO of Texas):

H.R. 3158. A bill to provide alternatives to incarceration for youth, and for other purposes; to the Committee on the Judiciary.

By Mr. ASHFORD (for himself and Mr. FORTENBERRY):

H.R. 3159. A bill to amend the Immigration and Nationality Act to provide for expedited naturalization processes for the alien spouses of first responders who die as a result of their employment, and for other purposes; to the Committee on the Judiciary.

By Ms. BASS (for herself, Mr. MCDERMOTT, Mr. MARINO, Mr. LANGEVIN, Mrs. BLACK, Mr. FRANKS of Arizona, Ms. CLARKE of New York, Mr. RANGEL, Ms. NORTON, Mr. CARSON of Indiana, Ms. WILSON of Florida, Mrs. LAWRENCE, Ms. JUDY CHU of California, Ms. LEE, Mr. VAN HOLLEN, Mr. SEAN PATRICK MALONEY of New York, Mr. DANNY K. DAVIS of Illinois, Mrs. NAPOLITANO, Mr. WILSON of South Carolina, Mr. DOGGETT, Mr. GRIJALVA, Ms. JACKSON LEE, Mr. HONDA, Mr. POCAN, Mrs. WATSON COLEMAN, Mr. VARGAS, Mr. NADLER, Mr. BARLETTA, Mr. KEATING, and Mrs. HARTZLER):

H.R. 3160. A bill to amend part E of title IV of the Social Security Act to allow States that provide foster care for children up to age 21 to serve former foster youths through age 23 under the John H. Chafee Foster Care Independence Program; to the Committee on Ways and Means.

By Mr. BOUSTANY:

H.R. 3161. A bill to amend the Internal Revenue Code of 1986 to make permanent certain provisions of the Heartland, Habitat, Harvest, and Horticulture Act of 2008 relating to timber, and for other purposes; to the Committee on Ways and Means.

By Mr. COLLINS of Georgia (for himself, Mrs. LUMMIS, Mr. NEUGEBAUER, Mr. HUIZENGA of Michigan, Mr. AMODEI, Mr. LUETKEMEYER, Mr. THOMPSON of Pennsylvania, and Mr. VALADAO):

H.R. 3162. A bill to amend the Endangered Species Act of 1973 to improve the disclosure of certain expenditures under that Act, and for other purposes; to the Committee on Natural Resources.

By Ms. DUCKWORTH (for herself, Mr. CROWLEY, Mr. MURPHY of Florida, Mr. RANGEL, Mr. GRIJALVA, Ms. NORTON, Mr. PAYNE, Ms. CLARK of Massachusetts, Mr. BERA, Mr. TED LIEU of California, Mr. MCDERMOTT, Mr. POCAN, Mr. BLUMENAUER, Ms. BONAMICI, Mrs. WATSON COLEMAN, Mr. RYAN of Ohio, Mr. NADLER, Ms. DEGETTE, Ms. FRANKEL of Florida, Ms. CASTOR of Florida, Ms. DELBENE, Mr. DEUTCH, Ms. SLAUGHTER, Mr. LEWIS, Mrs. BEATTY, Mr. BEYER, Ms. WASSERMAN SCHULTZ, Mr. DAVID SCOTT of Georgia, Miss RICE of New York, Mr. ELLISON, Ms. JACKSON LEE, Ms. SPEIER, Mr. GRAYSON, Mrs. DAVIS of California, Mr. CUMMINGS, Mrs. CAPPS, Ms. KUSTER, Ms. CLARKE of New York, Ms. SCHAKOWSKY, Ms. DELAURO, Mr. WELCH, Ms. HAHN, Ms. WILSON of Florida, Mr. ENGEL, Mr. HONDA, Mr. COHEN, Ms. EDWARDS, Mr. MOULTON, Ms. PINGREE, Ms. TITUS, Mr. PETERS, Mr. HASTINGS, Mr. VAN HOLLEN, Mr. CAPUANO, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. CONYERS, Mr. SEAN PATRICK MALONEY of New York, Mr. DESAULNIER, Mr. CÁRDENAS, Mr. TONKO, Ms. MOORE, Mrs. LAWRENCE, Mr. DEFAZIO, Ms. BROWNLEY of California, Mr. QUIGLEY, Ms. MCCOLLUM, Mrs. BUSTOS, Ms. LEE, Mr. LARSEN of Washington, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. BRADY of Pennsylvania, Mr. DANNY K. DAVIS of Illinois, Mr. JOHNSON of Georgia, Ms. JUDY CHU of California, Mr. O'ROURKE, Mr. LOEBSACK, and Ms. ROYBAL-ALLARD):

H.R. 3163. A bill to ensure timely access to affordable birth control for women; to the Committee on Energy and Commerce.

By Mr. ELLISON (for himself, Mr. GRIJALVA, Mr. CONYERS, Ms. CLARKE of New York, Ms. JUDY CHU of California, Ms. NORTON, Ms. JACKSON LEE, Mr. VAN HOLLEN, Ms. LEE, Mr. HONDA, Mr. RANGEL, Mr. PALLONE, Ms. ROYBAL-ALLARD, Ms. HAHN, Mr. MCDERMOTT, Mr. FARR, Ms. ADAMS, Mr. NADLER, Mr. LOWENTHAL, Ms. SCHAKOWSKY, Ms. VELÁZQUEZ, Mr. MEEKS, Mr. POCAN, Mr. GALLEGO, Mr. COHEN, Mr. TAKANO, Mrs. WATSON COLEMAN, Ms. EDWARDS, Mr. SERRANO, Mr. LEWIS, Mr. BLUMENAUER, Ms. DELAURO, Mr. CUMMINGS, Mr. BEYER, Mr. TED LIEU of California, Mr. SIRES, and Mr. MCGOVERN):

H.R. 3164. A bill to provide for increases in the Federal minimum wage; to the Committee on Education and the Workforce.

By Mr. GOHMERT:

H.R. 3165. A bill to provide for the apprehension, detention, and removal of certain aliens arrested by the District of Columbia, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committees on the Judiciary, and Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRIJALVA (for himself, Mr. COLE, and Mrs. NAPOLITANO):

H.R. 3166. A bill to amend section 520E of the Public Health Service Act to require States and their designees receiving grants for development or implementation of statewide suicide early intervention and prevention strategies to consult with each Federally recognized Indian tribe, tribal organization, and urban Indian organization in the State; to the Committee on Energy and Commerce.

By Mr. KATKO:

H.R. 3167. A bill to amend the Internal Revenue Code of 1986 to prohibit the designation of individuals who are not employees of the Internal Revenue Service to examine certain books and witnesses; to the Committee on Ways and Means.

By Mr. SEAN PATRICK MALONEY of New York (for himself and Mr. ZELDIN):

H.R. 3168. A bill to amend title 23, United States Code, to include bridges on the National Highway Performance Program; to the Committee on Transportation and Infrastructure.

By Ms. NORTON:

H.R. 3169. A bill to revise the composition of the Board of Regents of the Smithsonian Institution so that all members are individuals appointed by the President from a list of nominees submitted by the leadership of the Congress, and for other purposes; to the Committee on House Administration.

By Mr. NUGENT:

H.R. 3170. A bill to amend the Internal Revenue Code of 1986 to allow without penalty any 529 plan distributions used for student loans payments; to the Committee on Ways and Means.

By Mr. SENSENBRENNER (for himself and Mr. DUFFY):

H.R. 3171. A bill to amend the Public Health Service Act to prohibit certain research on the transplantation of human fetal tissue obtained pursuant to an abortion; to the Committee on Energy and Commerce.

By Mr. STEWART:

H.R. 3172. A bill to amend the Wild Free-Roaming Horses and Burros Act to provide for State and tribal management and protection of wild free-roaming horses and burros, and for other purposes; to the Committee on Natural Resources.

By Ms. GRANGER:

H. Con. Res. 64. Concurrent resolution authorizing the use of Emancipation Hall in the Capitol Visitor Center for a ceremony to present the Congressional Gold Medal to the Monuments Men; to the Committee on House Administration.

By Ms. CLARKE of New York (for herself, Ms. MENG, Ms. LEE, Mr. SERRANO, Mr. PAYNE, Mrs. WATSON COLEMAN, Mrs. LAWRENCE, Ms. NORTON, Mr. HASTINGS, Ms. WILSON of Florida, Ms. JACKSON LEE, Mr. LEWIS, and Mr. RANGEL):

H. Res. 371. A resolution expressing the sense of the House of Representatives that there should be established a ''National African Immigrant Heritage Month'' in September to celebrate the great contributions of Americans of African immigrant heritage in the United States who have enriched the history of the Nation; to the Committee on Oversight and Government Reform.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

100. The SPEAKER presented a memorial of the Legislature of the State of Texas, relative to Senate Concurrent Resolution No. 13, urging the United States Congress and the President of the United States to recognize that crude oil exports and free trade are in the national interest and take all necessary steps to eliminate the current ban on crude oil exports; jointly to the Committees on Foreign Affairs and Ways and Means.

101. Also, a memorial of the Legislature of the State of Texas, relative to Senate Concurrent Resolution No. 5, expressing dissatisfaction with the Federal Government's inadequate efforts to secure the Texas-Mexico international border; jointly to the Committees on Homeland Security and the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. MICA:

H.R. 3149.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution, specifically Clause 3

By Mr. BECERRA:

H.R. 3150.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, to ''provide for the common Defence and general Welfare of the United States.''

By Mr. BROOKS of Alabama:

H.R. 3151.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8.

By Mr. NOLAN:

H.R. 3152.

Congress has the power to enact this legislation pursuant to the following:

clause 18 of section 8 of article I of the Constitution.

By Mr. KNIGHT:

H.R. 3153.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution, specifically clause 18, relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress.

By Mr. MULLIN:

H.R. 3154.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of Section 8 of Article I of the Constitution of the United States.

By Ms. JACKSON LEE:

H.R. 3155.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States.

By Ms. JACKSON LEE:

H.R. 3156.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States.

By Mr. ROKITA:

H.R. 3157.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States

By Ms. JACKSON LEE:

H.R. 3158.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States.

By Mr. ASHFORD:

H.R. 3159.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8. The Congress shall have the Power To establish an uniform Rule of Naturalization.

By Ms. BASS:

H.R. 3160.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 1.

Article. I.

Section 1.

All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

By Mr. BOUSTANY:

H.R. 3161.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. COLLINS of Georgia:

H.R. 3162.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 18 of the United States Constitution

By Ms. DUCKWORTH:

H.R. 3163.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, Section 8, Clause 18 of the United States Constitution which gives Congress the authority to ''make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Office thereof.''

By Mr. ELLISON:

H.R. 3164.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8 of the Constitution of the United States, which states:

The Congress shall have the power to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.''

The Congress shall have the power to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.''

By Mr. GOHMERT:

H.R. 3165.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 4, US Constitution: To establish a uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the United States.

Article 1, Section 8, Clause 17 US Constitution: To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings;

By Mr. GRIJALVA:

H.R. 3166.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. art. I, §8.

By Mr. KATKO:

H.R. 3167.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18, which states that ''The Congress shall have Power To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.''

By Mr. SEAN PATRICK MALONEY of New York:

H.R. 3168.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Ms. NORTON:

H.R. 3169.

Congress has the power to enact this legislation pursuant to the following:

clause 18, section 8 of article I of the Constitution.

By Mr. NUGENT:

H.R. 3170.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8:

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States.

By Mr. SENSENBRENNER:

H.R. 3171.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. STEWART:

H.R. 3172.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 4 allows that ''The United States shall guarantee to every State in this union a Republican Form of Government, and shall protect each of them against Invasion; and on Application of the Legislature, or of the Executive (when the Legislature cannot be convened) against domestic Violence.''

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 204: Mr. MACARTHUR.

H.R. 217: Mr. HUNTER, Mr. STIVERS, and Mr. ALLEN.

H.R. 243: Mr. GIBSON.

H.R. 244: Mr. BARLETTA.

H.R. 303: Mr. ENGEL, Mr. HINOJOSA, Mrs. LAWRENCE, and Mr. TAKANO.

H.R. 341: Mrs. NAPOLITANO.

H.R. 402: Mr. MOOLENAAR.

H.R. 423: Mr. ROTHFUS.

H.R. 425: Mr. YARMUTH.

H.R. 510: Mr. SCHWEIKERT.

H.R. 540: Ms. ROYBAL-ALLARD.

H.R. 592: Mrs. WALORSKI, Mr. ABRAHAM, Mr. BLUMENAUER, Mr. BISHOP of Michigan, and Mr. AMODEI.

H.R. 707: Mr. GROTHMAN.

H.R. 767: Ms. WILSON of Florida.

H.R. 799: Mr. RYAN of Ohio.

H.R. 816: Mr. BENISHEK, Mr. MURPHY of Pennsylvania, Mr. RIBBLE, and Mr. WOMACK.

H.R. 836: Mr. JENKINS of West Virginia, Mr. SHUSTER, Miss RICE of New York, Mr. FITZPATRICK, Mr. SENSENBRENNER, and Mr. BISHOP of Michigan.

H.R. 855: Mr. BUCHANAN.

H.R. 863: Mrs. HARTZLER.

H.R. 879: Mr. GRAVES of Louisiana.

H.R. 916: Mr. WALZ.

H.R. 921: Mrs. WALORSKI, Mr. PIERLUISI, and Mr. ROE of Tennessee.

H.R. 961: Mr. MARCHANT.

H.R. 969: Mr. CARNEY, Mrs. DINGELL, and Ms. DUCKWORTH.

H.R. 985: Mr. GRIFFITH.

H.R. 994: Mr. MCGOVERN.

H.R. 1142: Mr. WALZ.

H.R. 1148: Mr. BRIDENSTINE, Mr. BUCHANAN, and Mrs. ROBY.

H.R. 1192: Mr. CULBERSON, Mr. HENSARLING, Mr. SABLAN, and Mr. FLORES.

H.R. 1197: Mr. LONG and Mr. COLLINS of New York.

H.R. 1209: Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. NEWHOUSE, Ms. JUDY CHU of California, Mr. DENT, and Mrs. MILLER of Michigan.

H.R. 1211: Ms. LEE, Ms. CLARKE of New York, Mr. RYAN of Ohio, Ms. NORTON, Mr. NOLAN, and Mr. CARTWRIGHT.

H.R. 1220: Mr. BARLETTA.

H.R. 1258: Miss RICE of New York.

H.R. 1288: Mrs. LOWEY, Ms. DUCKWORTH, Ms. JUDY CHU of California, Mr. SEAN PATRICK MALONEY of New York, Mr. MICHAEL F. DOYLE of Pennsylvania, and Mr. NOLAN.

H.R. 1301: Mr. MURPHY of Pennsylvania.

H.R. 1312: Ms. SCHAKOWSKY and Ms. CLARK of Massachusetts.

H.R. 1343: Ms. MCCOLLUM and Mr. OLSON.

H.R. 1344: Mr. BEN RAY LUJÁN of New Mexico and Mr. SMITH of Nebraska.

H.R. 1356: Mr. KLINE, Mr. BARR, Mr. PETERS, Mr. GIBSON, Mr. YOUNG of Iowa, Mr. WITTMAN, Mrs. BEATTY, Mr. FARENTHOLD, and Ms. BROWNLEY of California.

H.R. 1384: Mr. KATKO, Mr. FARENTHOLD, and Ms. GRANGER.

H.R. 1388: Mr. FLEMING and Mrs. WALORSKI.

H.R. 1401: Mrs. MCMORRIS RODGERS.

H.R. 1415: Ms. BORDALLO.

H.R. 1419: Mr. POCAN.

H.R. 1422: Mr. STEWART.

H.R. 1441: Mr. LARSEN of Washington and Mrs. BUSTOS.

H.R. 1453: Mr. LARSEN of Washington.

H.R. 1462: Mr. JOYCE.

H.R. 1475: Mr. JOLLY, Mr. PEARCE, and Mr. PIERLUISI.

H.R. 1505: Mrs. LOVE and Ms. BORDALLO.

H.R. 1516: Mr. RENACCI.

H.R. 1546: Mr. VEASEY and Mr. CRAMER.

H.R. 1600: Ms. ESTY.

H.R. 1610: Mr. LATTA, Mr. MARCHANT, and Mr. CUELLAR.

H.R. 1624: Mr. AMODEI, Mr. MCCLINTOCK, Mr. FLEISCHMANN, Mrs. LOVE, Mr. WALBERG, Mrs. HARTZLER, Mr. WITTMAN, Mr. LOUDERMILK, and Mr. HULTGREN.

H.R. 1625: Mr. COOPER.

H.R. 1628: Mr. KEATING.

H.R. 1669: Mrs. LUMMIS.

H.R. 1684: Ms. FRANKEL of Florida.

H.R. 1748: Mr. TONKO, Mr. GRAVES of Missouri, Mr. BLUMENAUER, Mr. VARGAS, Mr. CRENSHAW, and Mr. STIVERS.

H.R. 1814: Mr. KEATING, Mr. FOSTER, Mr. PASCRELL, Mr. LYNCH, and Mr. COURTNEY.

H.R. 1848: Mr. BEYER and Mr. BLUMENAUER.

H.R. 1853: Mr. JOHNSON of Ohio.

H.R. 1886: Mr. GIBBS.

H.R. 1901: Mr. HARPER and Mr. NUGENT.

H.R. 1919: Mr. NEWHOUSE.

H.R. 1929: Mr. WILLIAMS.

H.R. 1940: Ms. LEE.

H.R. 1941: Mr. MILLER of Florida and Mr. STEWART.

H.R. 1969: Mrs. DINGELL, Mr. YOUNG of Iowa, Ms. MCSALLY, and Mr. WITTMAN.

H.R. 1986: Mr. ZINKE.

H.R. 1994: Mr. COOK, Mr. ALLEN, Mr. YOUNG of Iowa, and Mr. KATKO.

H.R. 2013: Ms. PINGREE.

H.R. 2017: Mr. BLUM, Mr. HUELSKAMP, Mrs. WALORSKI, and Mr. AMODEI.

H.R. 2025: Mr. CROWLEY.

H.R. 2030: Ms. LOFGREN, Mr. QUIGLEY, and Mr. ISRAEL.

H.R. 2043: Mr. ROGERS of Alabama, Mr. YODER, and Mr. PASCRELL.

H.R. 2058: Mr. WALKER.

H.R. 2063: Ms. CLARK of Massachusetts.

H.R. 2123: Mrs. BROOKS of Indiana, Mr. FRANKS of Arizona, Ms. LOFGREN, Mrs. BEATTY, and Mr. DESANTIS.

H.R. 2156: Mr. SIRES.

H.R. 2193: Mr. BLUMENAUER.

H.R. 2209: Mr. POLIQUIN.

H.R. 2213: Mrs. NOEM and Mr. ROUZER.

H.R. 2217: Mr. TAKANO.

H.R. 2241: Ms. DELBENE.

H.R. 2243: Mr. LATTA.

H.R. 2280: Ms. ROYBAL-ALLARD.

H.R. 2330: Mrs. LAWRENCE.

H.R. 2350: Mr. NORCROSS.

H.R. 2380: Mr. QUIGLEY.

H.R. 2391: Ms. EDWARDS and Ms. BROWN of Florida.

H.R. 2400: Mr. MEADOWS, Mrs. WALORSKI, Mr. CURBELO of Florida, Mr. DUNCAN of South Carolina, Mr. SANFORD, Mr. LATTA, and Mr. FITZPATRICK.

H.R. 2405: Mr. BOUSTANY.

H.R. 2429: Mr. SCHIFF.

H.R. 2430: Mr. NEAL, Mr. HECK of Washington, Mr. HASTINGS, and Miss RICE of New York.

H.R. 2460: Mr. POMPEO.

H.R. 2483: Mr. KLINE and Mr. SALMON.

H.R. 2493: Mr. SHERMAN, Ms. MCSALLY, and Mr. MOULTON.

H.R. 2510: Mr. KLINE.

H.R. 2544: Mr. FARENTHOLD.

H.R. 2567: Mr. DENT.

H.R. 2602: Ms. NORTON, Mrs. BEATTY, Mr. DEFAZIO, Mr. LYNCH, Mr. TONKO, Mr. KENNEDY, Ms. TITUS, Ms. SCHAKOWSKY, Ms. JACKSON LEE, and Ms. PLASKETT.

H.R. 2606: Mr. WILLIAMS.

H.R. 2607: Mr. KING of New York.

H.R. 2627: Mr. RANGEL.

H.R. 2643: Mr. VARGAS, Mr. HINOJOSA, and Mr. POLIQUIN.

H.R. 2646: Mr. GIBSON and Ms. PLASKETT.

H.R. 2669: Mr. LATTA.

H.R. 2686: Mr. NEAL.

H.R. 2689: Mr. VALADAO and Ms. HAHN.

H.R. 2698: Mrs. ROBY, Mr. LAMALFA, and Mr. CALVERT.

H.R. 2713: Ms. MATSUI, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. BONAMICI, and Mrs. DINGELL.

H.R. 2721: Ms. TITUS and Mr. HONDA.

H.R. 2726: Mrs. DINGELL and Mr. NADLER.

H.R. 2730: Mr. WHITFIELD.

H.R. 2747: Mr. LOBIONDO.

H.R. 2769: Mr. BROOKS of Alabama.

H.R. 2773: Ms. TITUS.

H.R. 2793: Mr. CARTER of Georgia, Mrs. WALORSKI, and Mrs. HARTZLER.

H.R. 2800: Mr. ROE of Tennessee.

H.R. 2802: Mr. RUSSELL and Mr. ZELDIN.

H.R. 2805: Mr. BARR.

H.R. 2817: Mr. SIMPSON.

H.R. 2820: Mr. BARLETTA, Mr. BURGESS, and Ms. ESHOO.

H.R. 2838: Mr. REICHERT.

H.R. 2849: Ms. TITUS and Ms. BORDALLO.

H.R. 2856: Mr. LONG.

H.R. 2866: Mr. SCHIFF and Ms. MICHELLE LUJAN GRISHAM of New Mexico.

H.R. 2884: Mr. MULVANEY.

H.R. 2896: Ms. JENKINS of Kansas, Mr. EMMER of Minnesota, Mr. BRIDENSTINE, Mr. KELLY of Pennsylvania, Mr. CRENSHAW, Mr. CRAMER, Mr. MCKINLEY, Mr. POSEY, Mr. POLIQUIN, Mr. GOSAR, Mr. POMPEO, Mr. RUSSELL, Mr. COLE, and Mr. HURT of Virginia.

H.R. 2903: Mr. KLINE, Mrs. BLACK, Mr. LANCE, and Mr. TIPTON.

H.R. 2905: Mr. STEWART, Mr. ROE of Tennessee, Mr. LAMALFA, Mrs. BLACKBURN, Mr. ZINKE, Mr. MCCLINTOCK, Mr. RICE of South Carolina, Mr. HULTGREN, and Mr. PITTENGER.

H.R. 2920: Ms. TITUS and Miss RICE of New York.

H.R. 2921: Mr. HENSARLING.

H.R. 2923: Mr. WITTMAN.

H.R. 2937: Mr. GROTHMAN.

H.R. 2972: Mr. VEASEY, Ms. TITUS, and Mr. LEVIN.

H.R. 2976: Ms. CLARK of Massachusetts.

H.R. 2987: Mrs. WAGNER and Mr. LUCAS.

H.R. 2991: Mr. CARNEY.

H.R. 2994: Ms. JUDY CHU of California and Mr. MCGOVERN.

H.R. 3002: Mr. CHABOT.

H.R. 3003: Mr. RUPPERSBERGER.

H.R. 3006: Mr. ALLEN.

H.R. 3009: Mr. CARTER of Texas, Mr. CHABOT, Mrs. HARTZLER, Mr. GRAVES of Louisiana, Mr. BOST, Mr. PALAZZO, Mr. FLORES, and Mr. CULBERSON.

H.R. 3016: Mr. COFFMAN.

H.R. 3037: Mr. KATKO.

H.R. 3040: Mr. SABLAN, Mr. RUSH, and Ms. GABBARD.

H.R. 3054: Mr. TONKO.

H.R. 3067: Mr. MCGOVERN.

H.R. 3105: Mr. CONYERS, Mrs. LAWRENCE, and Mr. KILDEE.

H.R. 3109: Mr. WESTMORELAND.

H.R. 3115: Mr. YOUNG of Iowa, Mr. CHABOT, Mr. WESTERMAN, Mr. LANCE, Mr. GOSAR, Mr. SALMON, Mr. JODY B. HICE of Georgia, Mr. DUNCAN of South Carolina, Mr. MULVANEY, Mr. LOUDERMILK, Mr. MEADOWS, Mr. BRAT, Mr. BROOKS of Alabama, Mr. YOHO, Mrs. NOEM, Mr. SMITH of Missouri, Mr. HARDY, Mr. HUNTER, Mr. SHUSTER, Mr. SANFORD, Mr. MCHENRY, Mrs. LUMMIS, Mr. CHAFFETZ, and Mr. MICA.

H.R. 3118: Mrs. LUMMIS, Mr. GROTHMAN, Mr. RICE of South Carolina, and Mr. MILLER of Florida.

H.R. 3120: Mr. RIBBLE.

H.R. 3123: Mr. ALLEN.

H.R. 3132: Mr. HINOJOSA, Mr. MEEKS, Mr. PIERLUISI, Ms. BORDALLO, Mr. KILMER, Mr. GUTIÉRREZ, Mr. WELCH, Mr. PERLMUTTER, Mr. HASTINGS, Ms. SLAUGHTER, Mr. FARR, Mr. POCAN, Mr. QUIGLEY, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CÁRDENAS, and Ms. FRANKEL of Florida.

H.R. 3134: Mr. WESTERMAN, Mr. COLLINS of New York, Mr. BARR, Mr. LOUDERMILK, Mr. SHUSTER, Mr. GROTHMAN, Mr. GOSAR, Mr. BILIRAKIS, Mr. CHAFFETZ, Mr. BARTON, Mr. MARCHANT, Mr. SALMON, Mr. POMPEO, Mrs. MILLER of Michigan, Mr. GRIFFITH, Mr PEARCE, Mr. POSEY, Mr. NEUGEBAUER, Mr. PITTENGER, Mr. POE of Texas, Mr. YOUNG of Indiana, Mr. COLE, Mr. GRAVES of Georgia, Mr. ROONEY of Florida, Mr. GOWDY, Mr. WALBERG, Mr. NEWHOUSE, Mr. FORTENBERRY, Mr. CULBERSON, Mr. WALKER, Mr. STUTZMAN, Mr. SIMPSON, Mr. TIBERI, Mr. WEBER of Texas, Mr. TOM PRICE of Georgia, Mr. RICE of South Carolina, Mr. JOYCE, Mr. BARLETTA, Mr. GRAVES of Louisiana, Mr. MULLIN, Mr. DUNCAN of Tennessee, Mr. STIVERS, Mr. BYRNE, and Mr. SMITH of Texas.

H.R. 3137: Mrs. TORRES, Mr. POLIS, and Mr. HECK of Washington.

H.R. 3139: Mr. GROTHMAN, Mr. WOODALL, and Mr. POMPEO.

H.R. 3141: Mr. BEYER.

H.J. Res. 9: Mr. DUNCAN of Tennessee.

H.J. Res. 47: Mr. KNIGHT.

H.J. Res. 59: Mr. HULTGREN, Mr. PITTENGER, Mr. BABIN, Mr. CONAWAY, Mr. WOODALL, Mrs. BLACKBURN, Mr. STUTZMAN, Mr. AUSTIN SCOTT of Georgia, Mr. WEBER of Texas, Mr. MCCLINTOCK, Mr. RICE of South Carolina, Mr. ROE of Tennessee, Mr. LAMALFA, Mr. FRANKS of Arizona, Mr. FARENTHOLD, and Mr. BARR.

H. Con. Res. 17: Ms. ADAMS.

H. Con. Res. 33: Mr. TIPTON.

H. Res. 12: Ms. CLARKE of New York.

H. Res. 49: Mr. KLINE.

H. Res. 82: Mr. COURTNEY, Mr. CICILLINE, and Ms. ESTY.

H. Res. 111: Mr. KLINE and Mrs. HARTZLER.

H. Res. 130: Mr. KLINE.

H. Res. 194: Mrs. WALORSKI.

H. Res. 210: Mr. DESJARLAIS.

H. Res. 220: Mr. DUNCAN of South Carolina, Mr. CURBELO of Florida, Mr. MARINO, and Mr. GIBSON.

H. Res. 286: Ms. CLARKE of New York and Mr. BARLETTA.

H. Res. 289: Ms. CLARKE of New York.

H. Res. 294: Mr. YOUNG of Iowa, Ms. TITUS, and Mr. NOLAN.

H. Res. 343: Mr. KLINE, Mr. JOHNSON of Ohio, Mr. JONES, Mrs. WAGNER, Mr. ROUZER, Mr. TIBERI, Mr. VAN HOLLEN, Mr. HECK of Nevada, Mr. LIPINSKI, Mr. CONYERS, Mrs. BEATTY, Mr. KNIGHT, Mr. POCAN, Mr. WELCH, Mr. BRAT, Mr. SENSENBRENNER, Mr. ROKITA, and Mr. BRIDENSTINE.

H. Res. 354: Mr. WEBER of Texas, Mr. COHEN, Mr. VARGAS, Mr. KILMER, Mr. LAMBORN, Mr. LATTA, Mr. AL GREEN of Texas, and Mr. ROHRABACHER.

H. Res. 359: Mr. MURPHY of Pennsylvania and Mr. ALLEN.

H. Res. 365: Mr. MCGOVERN.

H. Res. 367: Mr. GROTHMAN.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MR. GOODLATTE

The provisions that warranted a referral to the Committee on Judiciary in H.R. 3009 do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions, as follows:

H.R. 2646: Mr. DESANTIS, Mrs. BEATTY, and Ms. LOFGREN.

EXTENSIONS OF REMARKS

HONORING THE LIFE OF ROBERT EUGENE BARTELS

HON. JACKIE WALORSKI
OF INDIANA
IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 22, 2015

Mrs. WALORSKI. Mr. Speaker, I rise today to honor the life of Robert Eugene Bartels, who passed away at the age of 78, in South Bend, Indiana on July 17, 2015.

Bob was born in 1937 in Zanesville, Ohio to the late Martin H. and Verna K. Bartels. In 1959, he graduated from Purdue University earning a Bachelor of Science in mechanical engineering. He joined General Electric and worked in various East Coast cities. In 1962, while visiting a fraternity brother in South Bend, he met Nancy Tarnow on a blind date. They later married and settled in Providence, Rhode Island.

In 1964, Martin and Jane Tarnow offered Bob an opportunity to join Martin's Super Markets as a right-hand executive with the company. With Nancy as a partner and trusted confidante, Bob led Martin's Super Markets through many changes during his tenure.

He developed a single 'mom and pop' Martin's Super Market into an innovative, respected store chain covering much of Indiana. Today, these stores are more than just a supermarket; they are the glue that holds our Hoosier communities together.

At 51, he became an employee of the supermarket and served as president and CEO beginning in 1973, and as chairman beginning in 2005.

Under Bob's leadership, Martin's Super Markets grew into a fully functioning corporation by adding 19 additional stores, relocating six and completing countless updates and remodeling projects under his watch.

In addition, he oversaw the introduction of many of the company's most popular features, such as Side Door Deli Cafes, Starbucks Coffee kiosks, catering, and more. Bob was instrumental in expanding Martin's Super Market's commitment to its communities, with fundraisers such as Heat for Homes, Roofsit, Advantages of Education and student scholarship programs, both public and private.

Bob served his community and industry in many roles, including as former trustee of the Stanley Clark School in South Bend, Indiana; former director of St. Joseph County Chamber of Commerce; former director of his local YMCA; and former trustee of Project Future in South Bend, Indiana.

Make no mistake, Bob was a man gifted with a powerful intellect and the ability to understand great complexities, reduce them into simple concepts, and put them to work. He was a good steward and defined his responsibilities expansively.

His commitment to personal excellence, education, demanding workloads, and his ability to turn opportunity into accomplishment were inspiring. His commitment to high personal standards of conduct and seemingly tireless effort and engagement were his way of showing his love for his family, colleagues and friends.

Mr. Speaker, I ask the entire U.S. House of Representatives to join me in expressing our deepest sympathy to Bob Bartels and the entire Bartels family.

25TH ANNIVERSARY OF THE AMERICANS WITH DISABILITIES ACT

HON. CHARLES W. DENT
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 22, 2015

Mr. DENT. Mr. Speaker, I rise today to bring recognition to the 25th Anniversary of the Americans with Disabilities Act. This legislation, signed into law by President George H.W. Bush on July 26, 1990, serves as a sterling example of the great things Congress can accomplish for the American people when we work together with amity in a spirit of cooperation.

The ADA codified important rights for those of our fellow Americans with disabilities. It made us a stronger, more diverse and more inclusive society. By lifting restrictions it elevated hopes and by removing barriers it opened up opportunities.

Good Shepherd, a nationally recognized rehabilitation center, located in my hometown of Allentown, will be holding a year-long series of art and cultural events in conjunction with the Lehigh Valley Arts Council highlighting accessibility and inclusion for persons with disabilities in the arts.

I ask the House to join me in commending both Good Shepherd and the Lehigh Valley Arts council for the outstanding services they provide to the people of my community.

Finally, Mr. Speaker, I ask that we all take a moment to reflect on the achievement of the Americans with Disabilities Act itself. The creation and passage of such well-thought-out, beneficial and bipartisan legislation like the ADA Act should always be the goal of the House.

HONORING CHARLES S. CROMPTON

HON. JARED HUFFMAN
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 22, 2015

Mr. HUFFMAN. Mr. Speaker, I rise today with my friend and colleague, Congressman JOHN CARNEY, to recognize the Honorable Charles Crompton, who took his Oath as Judge of the Superior Court of California for the City and County of San Francisco on June 17, 2015. Since becoming a member of the California Bar, Mr. Crompton has enjoyed a distinguished legal career as a litigation partner with Latham & Watkins LLP and as the Director of the Drop in Legal Clinic at GLIDE in San Francisco.

During his time with Latham & Watkins, Charles Crompton was a member of the firm's Intellectual Property Practice, Technology Transactions Practice and Antitrust & Competition Practice. He successfully handled numerous jury trials, bench trials, arbitrations, and appeals for high profile clients in the technology, biotechnology, mining, energy, and construction industries. Charles Crompton also arbitrated a number of technology disputes before the American Arbitration Association and the International Chamber of Commerce.

In addition, Mr. Crompton has written several articles for publications that include: The Daily Journal, Antitrust Magazine, and The Computer Lawyer. He has lectured on intellectual property law for the Practicing Law Institute, Stanford Law School, and UC Berkeley's Boalt Hall, among others.

In 2014, Charles Crompton withdrew from private practice to dedicate himself full-time to the free Drop-In Legal Clinic that he founded at GLIDE, an organization that has served poor and disenfranchised residents of San Francisco's Tenderloin neighborhood for fifty years. Inspired by GLIDE's comprehensive approach to meeting the diverse needs of its community members, the Drop-In Legal Clinic strives to address any legal issue, turning nobody away because their specific problem does not meet pre-set criteria.

As he begins a new chapter in his legal career, it is fitting that we recognize the Honorable Charles Crompton today for his many accomplishments and for his public services. California's Governor Edmund Brown Jr. made a wise decision when he appointed Charles Crompton to his current judgeship, and we can be sure that Mr. Crompton's extensive legal experience and longstanding commitment to serving others will be a tremendous asset to the San Francisco County Superior Court.

10TH ANNUAL NATIONAL NIGHT OUT IN THE CITY OF BULVERDE, TEXAS ON OCTOBER 6, 2015

HON. LAMAR SMITH
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 22, 2015

Mr. SMITH of Texas. Mr. Speaker, National Night Out is an annual community-building campaign that promotes police-community partnerships and neighborhood camaraderie in order to make our neighborhoods safer. National Night Out provides a unique opportunity

for Bulverde, Texas, which is located in the 21st Congressional District in Texas, to join with thousands of other communities across the country in promoting cooperative, police-community crime prevention efforts. Police-community partnerships, as well as neighborhood safety awareness and cooperation, are important themes of National Night Out.

Congratulations to the City of Bulverde as it marks its 10th consecutive year participating in this important event with the Bulverde Police Department to promote joint crime, drug, and violence prevention efforts. These efforts keep our communities, and our citizens, more safe and secure.

Credit goes to the citizens of Bulverde, Texas, as they join the Bulverde Police Department and the National Association of Town Watch in supporting the Annual National Night Out on October 6, 2015.

CELEBRATING ARLENE RITTER'S 105TH BIRTHDAY

HON. ADRIAN SMITH

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 22, 2015

Mr. SMITH of Nebraska. Mr. Speaker, I rise to honor Arlene Ritter of Johnson, Nebraska, who is celebrating her 105th birthday today, July 22nd.

Arlene was born to Elmer Claude and Ella May Demarest in 1910. She had two brothers, Frank and Harry, and graduated from Talmage High School in Talmage, Nebraska. In December 1932, Arlene married Herbert M.J. Ritter and proudly added farm wife to her list of talents as an artist, seamstress, and cook.

Arlene and her husband raised four daughters. Herbert passed away in 1966, but Arlene continued to live independently on the farm until late last year. She has remained active in her church, school, and community, even serving as the brainchild for the founding of the Brock Bugle local newspaper.

Over the course of 105 years, Arlene has experienced countless remarkable events in Nebraska and our country. As highlights of her life, she lists being honored at a Husker football game and, more importantly, her faith in Jesus Christ. She also enjoys spending time with her 11 grandchildren, 14 great-grandchildren, and seven great-great-grandchildren.

On behalf of the people of Nebraska's Third District, I congratulate Arlene on her 105th birthday and wish her many more healthy and happy years.

HONORING ALVIN JAY FUGITT

HON. GRACE F. NAPOLITANO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 22, 2015

Mrs. NAPOLITANO. Mr. Speaker, it is with great sadness, I rise to recognize an outstanding community leader, Alvin Jay Fugitt, who died after battling Parkinson's disease and cancer for several years.

A resident of the city of La Verne, Mr. Fugitt embraced life, people, and causes that saved endangered species, protected the environment and enriched the lives of the poor and the oppressed.

Mr. Fugitt was an avid reader who co-founded the Friends of La Verne Library, which has provided educational resources to the poor and struggling service men and women. He worked closely with elected officials of La Verne and is recognized as the embodiment of kindness after a lifetime of advocacy for environmental causes, energy conservation, urban development, and improving education.

Mr. Fugitt's selfless service will be missed greatly by his family, friends, and neighbors. We are all devastated by the loss of one so loved, and I ask my colleagues in the United States House of Representatives to join my constituents and me in honoring Mr. Fugitt for his lasting, positive impact to our San Gabriel Valley community.

PERSONAL EXPLANATION

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 22, 2015

Mr. CONYERS. Mr. Speaker, on July 21, 2015, I was not present for roll call votes #448 and 449. Had I been present, I would have voted AYE on both.

HONORING THE EXTRAORDINARY LIFE OF THOMAS M. LOFTON

HON. SUSAN W. BROOKS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 22, 2015

Mrs. BROOKS of Indiana. Mr. Speaker, I rise today to honor the life of a beloved member of the Indiana community, Thomas Lofton. Sadly, Tom passed away on June 19, 2015, at the age of 86. He was a well-established attorney and leader of the Lilly Endowment, one of the largest private philanthropic foundations in the country. He will be dearly missed by the Hoosier community, but he leaves behind a tremendous legacy that will live on and flourish under the leadership of those that he has mentored.

A lifelong Hoosier, Tom was born and raised in Indianapolis. He attended Howe High School, and during this time he was an Eagle Scout and a delegate to Hoosier Boys State. He later earned his bachelor's degree from Indiana University and J.D. from the Indiana University Maurer School of Law. He graduated with distinction and was honored with membership to the Order of the Coif and Beta Gamma Sigma, both of which are honor societies recognizing academic excellence.

Tom's experience in the law field is extensive and impressive. He started his career by serving as a law clerk to United States Supreme Court Justice Sherman Minton. After his clerkship he joined Baker & Daniels law firm in Indianapolis and remained there for over three decades. He developed a national reputation as an expert on tax-exempt organizations, providing counsel to organizations like The Clowes Fund, Liberty Fund, Indiana University Foundation, Christian Theological Seminary, the Eiteljorg Museum, and the Lilly Endowment, which he would later Chair.

In 1991, Tom retired from his position as Managing Partner at Baker & Daniels to accept the position of Vice Chairman of the Lilly Endowment and in 1994 was named Chairman, a position which he would hold for the next 22 years. The impact he made in his over 45 years of service in Indianapolis is incredible. During his Lilly Endowment Chairmanship he oversaw the allocation of more than $7 billion in grants to education, community development, and religion, mostly in Indianapolis. He had a passion for helping others and cared deeply about the Endowment and its legacy. He was known to be a great mentor, investing time in helping others grow personally and professionally. He truly was an embodiment of the Endowment's mission to serve others.

Tom's dedication to charitable causes went beyond his involvement with the Lilly Endowment. He was a member of the boards of the Indiana University Foundation and the Allen Whitehall Clowes Charitable Foundation, to name a few. Tom also continued his devotion to Indiana University by founding and sitting on the Board of Visitors of the Indiana University Maurer School of Law and sitting on the IU Medical School Dean's Council.

On many different occasions, Tom was recognized for his wonderful work. He received honorary doctoral degrees from Indiana University, Ball State University, and Wabash College. He received numerous awards from Indiana University, including the Distinguished Alumni Service Award, the Thomas Hart Benton Medallion, and was inducted into the Academy of Law Alumni Fellows. From Wabash College he received the Peck Award for his distinguished career. He was even added to the Sigma Nu Fraternity Hall of Honor and awarded by Governor Mitch Daniels the prestigious Sagamore of the Wabash.

Tom is survived by his wife, Betty Lofton, daughters Stephanie Lees of Indianapolis and Melissa Guinn of Bloomington, six grandchildren, two great grandchildren, and his brother, John Lofton. Tom had an unrivaled wisdom and commitment to serving others. Tom was a leader in the community who will always be remembered through his accomplishments and the enduring benefits he created for the Indianapolis community. Please join me in thanking Tom's family and friends for sharing such a wonderful man with the Hoosier community.

HONORING THE THOMPSON-CLEMONS POST #200

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 22, 2015

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor The Thompson-Clemons Post #200 of Greenwood, Mississippi.

The Thompson-Clemons Post #200 of Greenwood, Mississippi was the first African American Post established in the State of Mississippi and came about due to the perseverance of eighteen determined Black Veterans

of World War I and World War II in the Mississippi Delta.

These veterans attempted to join Keeler-Hamrick-Gillespie Post #29 which refused them membership. Given that this was the 1940s and Mississippi being a segregationist state, Post #29 could not get a majority vote of its members to allow black veterans to join their post.

The eighteen black veterans filed a petition to start a new post and presented it to the Mississippi Department of the American Legion. Mr. Solomon N. Dickerson, a black veteran, postal worker and co-worker of Mr. Author H. Ritchter, the Adjutant of post #29, worked to get the petition through the District. It was due to their vigorous and persistent correspondence to the District and the Mississippi Department of the American Legion that they were allowed to form a separate post if they could find a sponsor.

Keesler-Hamrick-Gillespie Post #29 agreed to serve as a sponsor to assist Thompson-Clemons Post #200 in getting the temporary charter, paving the way for other charters to be granted to other black veteran's groups throughout the state of Mississippi.

Originally, the post was called the Mississippi Delta Post #200. Mr. L.H. Threadgill, principal of Stone Street High School, a veteran of World War II, proposed that the post be named after two former students of Stone Street High School, that were killed in action during WWII. The motion carried and the name was adopted. Thompson-Clemons Post #200 was granted a permanent charter on July 28, 1949, becoming the first Black post in the State of Mississippi. The first Post Commander was Mr. Solomon N. Dickerson.

Mr. L.H. Threadgill and others in the community were instrumental in purchasing the property, obtaining a deed, and getting a building to establish a post headquarters where it is still located today.

The Thompson-Clemons Post #200 of Greenwood, Mississippi has a distinct track record of encouragement to veterans with issues, be they from serving abroad; in combat situations or statewide service. Issues range from transportation to Regional Office and VA Hospital for medical disability claims, educational and skill training, housing and other activities including establishing collaborative partnerships with community organizations to provide emergency services such as utilities, homes for the homeless, counseling and assistance in understanding the myriad of services provided by the VA.

The VA community activities include sponsorship of little league baseball teams, voter education classes, veterans day celebration, adopt a school program, donations to needy families, Boys State Program and the National American Legion Oratorical Contest, where candidates sponsored by Post #200 have won the Mississippi State Championship four times, and three out of the past four years.

Leadership activities include a weekly live call in radio talk program aired on WGNL 104.3 FM in Greenwood, Mississippi where veterans can actually dial up and talk about issues that affect them and their community. Partnering with organizations such as the National Association of the Advancement of Colored People (NAACP), Greenwood Voters League, Mississippi Valley State University and other community based groups that advocate for social justice.

Thompson-Clemons Post #200 is well integrated into the fabric and culture of the Mississippi Delta and should be recognized as a Post that has the interest of our service men, their families and community at heart.

The American Legion Post #200 is moving forward to continue the legacy of those early veterans who honorably served their country and had the vision that through the American Legion and its core principles, they could continue to protect and build an America and Mississippi.

Mr. Speaker, I ask my colleagues to join me in recognizing a remarkable organization, The Thompson-Clemons Post #200, for its dedication to serving our veterans and giving back to the African American community.

TRIBUTE TO DIANE WATTS

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 22, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Diane Watts on the celebration of her 100th birthday. Vera will be celebrating her 100th birthday today July 22nd, 2015.

Our world has changed a great deal during the course of Diane's life. Since her birth, we have revolutionized air travel and walked on the moon. We have invented the television, cellular phones and the internet. We have fought in wars overseas, seen the rise and fall of Soviet communism and witnessed the birth of new democracies. Diane has lived through seventeen United States Presidents and twenty-four Governors of Iowa. In her lifetime, the population of the United States has more than tripled.

Mr. Speaker, it is an honor to represent Diane in the United States Congress and it is my pleasure to wish her a very happy 100th birthday. I invite my colleagues in the House to join me in congratulating her on reaching this incredible milestone, and wishing her even more health and happiness in the years to come.

INTRODUCTION OF THE ONE SOCIAL SECURITY ACT

HON. XAVIER BECERRA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 22, 2015

Mr. BECERRA. Mr. Speaker, for nearly 80 years, Social Security has helped protect and nurture the American dream. Americans know if they work hard and pay into Social Security, they and their families will receive Social Security's earned benefits when they need them, for as long as they need them.

Congress has always honored that commitment, making adjustments and corrections to the law as needed, from time to time, so that all Americans receive the Social Security benefits they earned through a lifetime of work. Now Congress must act again. If we don't, 11 million Americans will have their Social Security benefits cut by 20 percent next year.

Let me explain.

Social Security is the heart of economic security for American workers, allowing them to earn birth-to-death protection against the loss of income from work, in one simple package. One seamless Social Security system insures American workers and their families (1) in the case of premature death, (2) if they have to stop working due to a disability or very serious illness, and (3) when they reach retirement.

What many people don't know is that after we make our Social Security tax contribution through each paycheck, the law requires that it be distributed into in two different trust funds—one that pays for benefits we qualify for if a wage-earner dies, or when we retire, and one that pays for benefits we earn if we become too sick or disabled to work.

All American workers contribute to both funds, with the vast majority of their contributions being deposited in the retirement and survivor fund. But in practice, Congress and the American public have simply treated the two funds as one unified financing system, which guarantees payment of all Social Security earned benefits. In fact, Congress has routinely rebalanced the allocation of workers' contributions between the two funds to ensure that all benefits can be paid. For example, in 1980 and again in 1983, Congress shifted funds from the disability fund in order to shore up the retirement and survivor fund, and then in 1994, the most recent reallocation, Congress shifted some of the incoming contributions back to the disability fund, ensuring that it could pay benefits through 2016.

Now it's 2015. Social Security has an overall surplus of $2.8 trillion, which all workers helped build up. Those who receive Social Security due to a disability worked and paid into Social Security for an average of 22 years to earn their benefits, making a significant contribution to the surplus. But because Social Security is legally required to pay Social Security benefits earned because of a disability only out of the disability fund, the benefits of Americans who receive Social Security because of a disability will be cut by 20 percent unless Congress takes action to permit Social Security to use all its available funds to pay all earned benefits.

Social Security is one unified system. It's wrong to separate out Social Security Americans qualify for because of a disability from the rest of Social Security. It's wrong to delay action on legislation to pay Americans the Social Security benefits they earned and need to live.

Americans know we have one Social Security, and they are counting on Congress to act now to protect all of it, not just some pieces of it.

Just like 168 million other Americans, I pay into Social Security with every paycheck. I make one contribution—just one—to earn Social Security's lifetime, all-in-one protection. I don't make different contributions for disability, for retirement, and for my survivors. It's all one—just one Social Security.

When we begin our working lives, none of us knows what kind of insurance from Social

Security we'll need, or at what stage of our lives we'll need it. Some workers will die young, leaving family who can rely on Social Security survivors' protection. The majority of seniors depend on Social Security as their primary source of retirement income. And no one expects to suffer a career-ending disability, but if they do, Social Security is there for them. There's one Social Security that covers it all.

For millions of Americans, that one Social Security coverage—''there when you need it''—is a lifeline. Social Security's survivor insurance is the equivalent of a $476,000 life insurance policy for a worker with young children. More than half of workers who receive Social Security disability insurance payments because of a work-ending illness or injury would live in poverty without Social Security. Many will not survive to receive retirement benefits. Death rates for disability recipients are three to six times higher than for others their age. And unlike most other retirement benefits, Social Security is inflation-protected and cannot be outlived, which is why 44 percent of seniors who are 80 and over have little or nothing other than Social Security to live on.

Today I am introducing the One Social Security Act to make sure we don't break Social Security's simple promise to every American worker—if you pay into one Social Security, you and your family will receive your full earned benefits, of whatever kind, when you need them.

The One Social Security Act would prevent the scheduled 20 percent cut in Social Security benefits for 11 million Americans by merging Social Security's trust funds into a single comprehensive fund. This would allow all American workers access to their fair share of Social Security's worker-generated $2.8 trillion surplus, to pay the benefits they earned. Except for preventing the cut, the bill would not change Social Security benefits or overall Social Security solvency, as projected in the Trustees Report released today.

Creating one unified trust fund for one Social Security is just common sense, and long overdue. In fact, it was unanimously endorsed by the bipartisan 1979 Advisory Council on Social Security—a distinguished federal advisory panel that was charged with making recommendations to Congress on all aspects of Social Security. They found that there was ''no longer a need'' for separate trust funds. The Advisory Council concluded that the two-trust fund system, with its need for periodic reallocations, ''is cumbersome and can cause needless public worry about the financial integrity of the Social Security system.''

The bill has been endorsed by thirty-six organizations representing American workers, people with disabilities, and senior citizens. They know it's the right solution to protect Social Security.

The earned benefits of 11 million Americans are not something we can let hang in the balance. They are a solemn obligation. We have only one Social Security. I look forward to working with my colleagues, on a bipartisan basis, to honor that obligation, so that we can move forward and find the best way to preserve and strengthen all of Social Security for the generations to come.

PAYING TRIBUTE TO JUDGE DENNIS CARROLL FOR HIS OUTSTANDING SERVICE TO MADISON COUNTY

HON. SUSAN W. BROOKS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 22, 2015

Mrs. BROOKS of Indiana. Mr. Speaker, I rise today to honor Judge Dennis Carroll on the occasion of his retirement. For more than three decades, Judge Carroll has served as judge of Madison Circuit Court, Division 6 in Madison County, Indiana. The people of Indiana's Fifth Congressional District and especially Madison County are forever grateful for Judge Carroll's contributions to the Hoosier community.

Although he is an Illinois native, Judge Carroll spent most of his life in Indiana. He first came to Indiana to attend Anderson University, where he earned his bachelor's degree in English and Education in 1969. Upon graduating, he was a high school English teacher at Shenandoah schools in Indiana, and later decided to attend law school.

After graduating from the Indiana University School of Law in 1974, Judge Carroll and his wife, Emily, decided to lay down roots in Anderson, Indiana. He began his career in law serving as the first Executive Director of the East Central Indiana Legal Services Program. After three years, Judge Carroll returned to Anderson University as an adjunct professor and was Coordinator of the Pre-Law Studies Program. He also maintained a private law practice during his time with the University.

Judge Carroll is truly a leader in the judiciary and in his community. During his 34 year tenure on the bench, he has served several terms as the Chief Judge of the Unified Courts of Madison County; was elected to serve on the Board of Directors of the Indiana Judicial Conference; and was appointed by the Chief Justice of the Indiana Supreme Court to serve on the Supreme Court Select Committee on Judicial Ethics, the Indiana Judicial Conference Education Committee, and the State Judiciary Criminal Law and Policy Committee. Additionally, Judge Carroll was a visionary when it came to Problem Solving Courts. In 2007, he founded a specialty court for Madison County, the Mental Health Court. In 2010, that court became the first Mental Health Court to earn accreditation as certified by the State of Indiana. He applied for and was awarded a grant that expanded mental health services in the Madison County courts under the banner of Problem Solving Courts, one of only two courts in the entire country to receive such an honor.

In Madison County, Judge Carroll's contributions to the community go beyond his duties on the bench. He served on the Executive Committee of the Board of Trustees of Anderson University, the Board of the Madison County Urban League, and is affiliated with Community Hospital Anderson.

His commitment to community led him to recruit people to fill public office and leadership roles in Madison County, including the current prosecutor and three judges. After Anderson University President James Edwards announced he would be retiring, Judge Carroll, as a member of the Anderson University recruitment committee, artfully orchestrated plans to recruit then Transportation and Security Administration Administrator John Pistole, an Anderson University alumnus, to return to Indiana to serve as the new President of Anderson University. This ensures that the strong legacy that past presidents have built at Anderson University will continue to grow.

Judge Carroll's contributions to Madison County are vast and impressive, and although he will be retiring from his judgeship, we are thrilled that he plans to continue to play an active role in making our community a better place. On behalf of Indiana's Fifth Congressional District, I congratulate Judge Carroll on a well-deserved retirement and wish Judge Carroll and Emily the best as they move on to their next adventure.

PERSONAL EXPLANATION

HON. RYAN A. COSTELLO

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 22, 2015

Mr. COSTELLO of Pennsylvania. Mr. Speaker, unfortunately, on July 16, 2015, I missed five recorded votes on the House floor. Had I been present, I would have voted NAY on Roll Call 443, YEA on Roll Call 444, NAY on Roll Call 445, NAY on Roll Call 446, and YEA on Roll Call 447.

HONORING NORTH PANOLA HIGH SCHOOL

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 22, 2015

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable school, North Panola High School of Sardis, Mississippi and the great leadership it is under.

North Panola High School is a rural high school situated on the eastern edge of the Mississippi delta. For many years the high school has been a part of a school district that had been plagued by low test scores, violence and a negative school culture. The school district had been taken over by the state several times due to year after year low test scores.

In July of 2011, Robert King, Conservator of the North Panola School District, hired Jamone Edwards as the principal of North Panola High School. Jamone Edwards, a graduate of Mississippi State University and The University of Mississippi, was the youngest principal the school had ever witnessed. He brought innovative ideas and worked tirelessly to increase teacher morale and create a positive school culture. Under his leadership and the staff's support, the school has made significant gains in the accountability model in which schools are rated. Prior to the new leadership, for many years the school was considered low performing and on academic watch. During his tenure, the school rose to Successful, which is equivalent to a C school. In the

2013–14 school year, Mr. Edwards led the school to its first ever High Performing Status, which is equivalent to a B school. This is a remarkable achievement as the school had never experienced such success and recognition.

Additionally, since 2010, the school has many successes to celebrate. The school's graduation rate was at an all-time low of 49% in 2010. Since that time, the graduation rate has risen to 73% for the 2013–14 academic school year. Currently, the high school is projected to have a graduation rate of 85% for the 2014–15 accountability rating. In addition, Algebra I and U.S. History subject area test scores have surpassed the state's average, and English II and Biology I state test scores are slightly trailing the state's average.

North Panola High School has also made significant improvement in preparing students for college and acquiring scholarships. In 2010, the mean ACT score was 14.8. Since that time, several students of North Panola High School has scored 20 or better on the ACT. In 2010, the high school graduating seniors had generated $150,000 in scholarship monies. In 2014, the high school graduating class of approximately 80 students received in excess more that $2 Million in scholarship monies creating more opportunities for our children to succeed in college and careers after high school.

In March 2015, North Panola High School received an award from the State Superintendent of Education, Dr. Carey M. Wright and the Mississippi Department of Education for closing the achievement gap between black and white students in the area of English/Language Arts and Mathematics. North Panola was one of the only predominantly minority high schools to be recognized with the Distinguished School Award. As a result, North Panola High School received $23,750.05 to further enhance the students' overall educational experience.

Mr. Speaker, I ask my colleagues to join me in recognizing North Panola High School for its dedication to serving our great state of Mississippi and country.

TRIBUTE TO PETER WILLIAMS

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 22, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Peter Williams of Indianola, Iowa for receiving a coveted Fulbright award during the 2014–2015 Academic Year. Peter is a recent graduate of the University of Minnesota, Twin Cities with a degree in Ecology, Evolution and Behavior, as well as minors in Chinese and Music. He will travel to China in September 2015 and begin his research on the endangered golden snub-nosed monkey of west central China.

Established by Congress in 1946, the Fulbright Program is funded through an annual appropriation to the U.S. Department of State. It serves as a valuable foreign affairs tool by making people-to-people connections. It also gives participants a chance to help with important issues across the globe and gain valuable skills, giving them the necessary experience to lead our future generations. With over 360,000 participants since its creation, the Fulbright Program serves an important role in educating our young people and improving our diplomatic relations.

Mr. Speaker, it is with great respect and admiration that I recognize Peter today. It is the young people like him who are willing to work hard and make sacrifices for the betterment of society that will lead our future generations. I know my colleagues in the U.S. House of Representatives join me in congratulating him on this outstanding achievement and wish him nothing but continued success moving forward.

CONGRATULATING SCOTT CUNNINGHAM ON HIS YMCA YOUTH AND GOVERNMENT AWARDS

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 22, 2015

Mr. MARCHANT. Mr. Speaker, I am honored to congratulate one of my personal staff members, Scott Cunningham, on his earning two prestigious national awards from the YMCA Youth and Government program for his volunteer service.

YMCA Youth and Government exists at both the state and national levels and provides teenage youth with the opportunity to participate in model state legislatures, international assemblies, and other related bodies. The students involved often exhibit strong interest in being civic and community leaders and in developing policy ideas to better the world around them. At conferences, which often involve months of preparation on the part of the participants, the students learn to hone these skills. Some, like Scott, go on better prepared to pursue a career in public service and, in turn, give back by regularly helping the next generation's students in their own YMCA conferences.

Scott first became involved with YMCA Youth and Government while in high school in Dallas, Texas, and was active in both Texas and national programs. After graduating high school in 1998, he returned to serve at conferences as a college advisor and has continued ever since among alumni volunteers at several state and national conferences. He has also lived his love for public service and policymaking in his own career. Scott came to Washington as a congressional intern in 1999. In 2007 he joined my staff and continues to serve the people of the 24th district of Texas with energy and integrity, first as policy director, then legislative director, and presently as deputy chief of staff. I have no doubt that Scott's hard work and experience in YMCA Youth and Government, both as a student and an adult volunteer, have contributed to his excellent and good-humored performance.

For his consistent efforts to make Youth and Government and its participants as successful as possible, Scott recently received service awards at two different national conferences. On June 13, he was awarded the YMCA Youth and Government Distinguished Service Award at the Youth Governors Conference in Washington, DC. This award, better known as the Crystal Gavel, is presented to alumni in recognition of dedication and exceptional service to the program. To earn it, one must meet the established criteria which include: having volunteered with Youth and Government for over ten years, personifying a spirit of selfless service and exemplifying the qualities of servant leadership, demonstrating significant personal investment in the program and a meaningful impact on his or her area of work, and exemplifying the Four Core Values of the YMCA—caring, honest, respect, responsibility—and a commitment to the goal that ''Democracy must be learned by each generation.''

On July 2, at the 48th Annual YMCA Youth Conference on National Affairs in Black Mountain, North Carolina, Scott was awarded the Dr. Paul Grist Service Award. This lifetime honor is given for most distinguished service as an advisor to the conference and the Youth and Government program.

For his part, Scott affirms that YMCA Youth and Government has done much for him in his life, and he considers it a privilege to give back to the program that gave him ''a whole lot and then some.'' It is an honor to have such a dedicated public servant assist me in many critical ways in representing the 24th district of Texas. And on behalf of the 24th Congressional District of Texas, Mr. Speaker, I ask all of my distinguished colleagues to join me in congratulating Scott Cunningham on his two YMCA Youth and Government service awards and in thanking him for his tireless and sacrificial work to help the upcoming generation of young Americans learn the ideals and practice of democracy.

PERSONAL EXPLANATION

HON. RICHARD L. HANNA

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 22, 2015

Mr. HANNA. Mr. Speaker, on Roll Call #448 on H.R. 1557, I am not recorded because I was absent for personal reasons. Had I been present, I would have voted Aye.

TRIBUTE TO ALEXANDREA SWANSON

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 22, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Alexandrea Swanson of Carter Lake, Iowa for receiving a coveted Fulbright award during the 2014–2015 Academic Year. Alexandrea is a recent graduate of Creighton University with a bachelor's degree in international relations and German and a minor in Spanish. She will travel to Germany in August 2015 and begin working in an English teaching assistantship.

Established by Congress in 1946, the Fulbright Program is funded through an annual appropriation to the U.S. Department of State. It serves as a valuable foreign affairs tool by making people-to-people connections. It also gives participants a chance to help with important issues across the globe and gain valuable skills, giving them the necessary experience to lead our future generations. With over 360,000 participants since its creation, the Fulbright Program serves an important role in educating our young people and improving our diplomatic relations.

Mr. Speaker, it is with great respect and admiration that I recognize Alexandrea today. It is the young people like her who are willing to work hard and make sacrifices for the betterment of society that will lead our future generations. I know my colleagues in the U.S. House of Representatives join me in congratulating her on this outstanding achievement and wish her nothing but continued success moving forward.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 22, 2015

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was $10,626,877,048,913.08.

Today, it is $18,151,831,938,889.04. We've added $7,524,954,889,975.96 to our debt in 6 years. This is over $7.5 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

PAYING TRIBUTE TO PAT KIELY FOR HIS 23 YEARS OF OUTSTANDING SERVICE TO THE INDIANA MANUFACTURERS ASSOCIATION

HON. SUSAN W. BROOKS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 22, 2015

Mrs. BROOKS of Indiana. Mr. Speaker, I rise today to honor Pat Kiely on the occasion of his retirement. For 23 years, Pat served as President of the Indiana Manufacturers Association, the second oldest manufacturers association in the country and only trade association in Indiana that exclusively focuses on manufacturing. Pat has been a well-respected legislator and successful business leader in Indiana for decades. The Hoosier community is forever grateful to Pat for his tireless efforts and dedication to making Indiana a better place.

A lifelong Hoosier, Pat spent most of his personal and professional life in Anderson, Indiana. He attended college in Indiana as well, earning his bachelor's degree in Marketing Research and Statistics from Ball State University. In 1978 Pat became the State Representative for the 36th District of Indiana; he was only 26 at the time. Five years into his service at the age of 31, he was appointed Chairman of the Ways and Means Committee, making him the youngest Chairman in Indiana history. During his six and a half terms as a state legislator, he also served as Chairman of the State Budget Committee and Chairman of the State Tax and Financing Policy Commission.

Throughout his tenure as a legislator, Pat was also a business owner and operator. In 1982, he opened Computerland, which was the first computer store in Indianapolis. Additionally, he was the Vice President at City Securities Corporation in Anderson from 1983 to 1991. He knew that technology would have a significant impact on the economy and his expertise in the area and experience as a business owner allowed him to bring valuable perspective to his role as a legislator.

In 1991, Pat left the legislature and began his service as President and CEO of the Indiana Manufacturers Association. Under his leadership, the Indiana Manufacturers Association became a national leader in protecting the business environment. Pat was instrumental in his advocacy for manufacturer's interest at both the state and federal level. His advocacy and strong leadership led the association to many accomplishments in the areas of taxes, budget, infrastructure, healthcare, and environmental policy, among others. Pat also enhanced Indiana's economy through his ability to maintain, promote, and create quality manufacturing jobs in Indiana. This was especially important since Indiana is one of the top manufacturing states in the nation.

Pat's involvement with the Indiana business community is extensive. Since 1979, he has been involved with over 35 organizations including the Indiana Economic Development Council, Indiana Employers Quality Health Alliance, Governor's Education Roundtable, Indiana Business Journal's Editorial Advisory Board, Skyline Club Board of Directors, and Indiana Legal Foundation.

His commitment to the community and success as a leader have not gone unnoticed. He has been honored with Ball State University's Distinguished Alumni Award, Ball State's College of Business Award of Achievement, the Professional Fire Fighters' Union of Indiana Legislator of the Year Award, and the Indiana Department of Environmental Management's Environmental Impact Award.

Pat has been a champion for manufacturers in Indiana and across the country for decades. On behalf of the grateful constituents of Indiana's Fifth Congressional District, I would like to congratulate Pat on all of his success and extend a huge thank you for his extraordinary contributions to the Hoosier community. I wish the very best to Pat, his wife Mary Pat, and his entire family as he enjoys a well-deserved retirement.

INTRODUCTION OF THE SMITHSONIAN MODERNIZATION ACT OF 2015

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 22, 2015

Ms. NORTON. Mr. Speaker, today, I introduce a bill to modernize the Smithsonian Institution and to enhance its governance and fundraising capabilities, in keeping with the recommendations of a number of experts, including the Smithsonian Independent Review Committee, chaired by former U.S. Comptroller General Charles Bowsher. This bill, the Smithsonian Modernization Act of 2015, makes changes to the Smithsonian's governance structure by expanding and changing the current 17-member composition of its Board of Regents, which includes public officials—six Members of Congress, the Vice President of the United States, and the Chief Justice of the U.S. Supreme Court—to 21 members, comprised solely of private citizens. This change will strengthen both the Smithsonian's governance and fundraising capacity, and it would be the first significant change in this old and revered institution since it was established in 1846.

This bill preserves and strengthens the traditional role of the Speaker of the House and the President of the Senate in selecting Board members while eliminating the role of the Board in selecting private citizens for the Board. The Speaker of the House and the President of the Senate will each send 12 recommendations to the President of the United States, who will select the 21 members of the Board from these recommendations.

The Smithsonian Institution is an irreplaceable cultural, scientific, historical, educational and artistic complex without any public or private counterpart in the world. Since its founding, the Smithsonian has developed an extraordinary array of world-class museums, galleries, educational showplaces and unique research centers, including 19 museums and galleries, nine research facilities, the National Zoo, and the forthcoming National Museum of African American History and Culture, which is now under construction. The Smithsonian has grown with private funding, donations from cultural foundations, and contemporary artists, but most of its funding continues to come from federal appropriations. Despite receiving 70 percent of its funding from the federal government, the Smithsonian has long had serious funding, infrastructure, and other needs. Today, the Smithsonian is embarking on a seven-year, $1.5 billion fundraising effort, but its current board members who hold public office are severely limited in participating, as is usually expected of board members. Under the Smithsonian's fundraising plan, the 19 museums and research institutions are working together as part of a unified campaign to raise the necessary funds. With this goal of $1.5 billion, it is more important now than ever that the Smithsonian's ability to raise money be modernized.

Congress must help the Smithsonian strengthen its ability to build resources beyond what taxpayers are able to provide. The most

important step Congress could take today is to rescue the Smithsonian from its 19th-century governance structure, which keeps it from accessing needed and available private resources and limits close and critical oversight. The Smithsonian Modernization Act provides a governance structure befitting the Smithsonian's unique complexity. The existing structure may have fit the Smithsonian over 170 years ago, but today the structure has proven to be a relic that does a disservice to the Smithsonian, the federal government, and the public.

The present governance structure places immense responsibility to raise money on dedicated but overextended Members of the House and Senate, the Vice President of the United States and the Chief Justice of the United States Supreme Court. These federal officials comprise almost half of the Smithsonian Board of Regents, and must perform their fiduciary duties as board members while giving first priority to their sworn responsibilities as important federal officials.

In 2007, an independent review committee found that the Board had violated principles of good management during the tenure of former Secretary of the Smithsonian Lawrence Small by allowing him to create an ''insular culture.'' The committee's report indicated that the Board had failed to provide the needed oversight and had overcompensated Mr. Small. The report also found that Sheila P. Burke, the Smithsonian's then-deputy secretary and chief operating officer, had frequent absences from her duties because of outside activities, including service on corporate boards, for which she personally earned more than $1.2 million over six years. Further, the Smithsonian's then-business ventures chief, Gary Beer, was dismissed for financial indiscretions. This crisis, caused by unprecedented controversies and irresponsible risks, put into sharp focus the need for new revenue streams and for a modern governance structure. The first full-blown scandal in the Smithsonian's history, replete with embarrassing media coverage, damaged its reputation and perhaps the confidence of potential contributors. The poor judgment and overreaching of Smithsonian personnel during that period demonstrate the need for new and concentrated oversight.

The current Board, of course, has taken some important action on its own. After irregularities were uncovered by the media, the Board responded to the controversies by creating a governance committee, chaired by Patty Stonesifer, a Regent and former chief executive officer of the Bill & Melinda Gates Foundation, with a mandate to comprehensively review the policies and practices of the Smithsonian and how the Board conducts its oversight of the institution. The Board also established an Independent Review Committee (IRC), chaired by former U.S. Comptroller General Charles A. Bowsher, to review the issues arising from an Inspector General's report, the Board's response, and related Smithsonian practices.

The IRC was forthright in its investigation and recommendations. The IRC stated explicitly that the root cause of the problems at the Smithsonian was an antiquated governance structure, which led to failures in governance and management. According to the IRC, the Board must assume a fiduciary duty that carries a ''major commitment of time and effort, a reputational risk, and potentially, financial liability.'' The IRC further argued that the Smithsonian, with a budget of over $1 billion a year, must have Board members who ''act as true fiduciaries and who have both the time and the experience to assume the responsibilities of setting strategy and providing oversight.'' The IRC cited a lack of clarity in the roles of the Vice President of the United States and Chief Justice of the U.S. Supreme Court on the Board in particular, and said that ''it is not feasible to expect the Chief Justice to devote the hours necessary to serve as a fiduciary agent.'' The same observation could be made of the Members of the House and Senate who serve on the Board. The IRC recommended that the Board increase the level of expertise and the number of members to ensure that the Board has sufficient time and attention to dedicate to the Smithsonian. My bill follows this guidance.

The Smithsonian's own governance committee identified several Board weaknesses, concluding that the Board did not receive or demand the reports necessary for competent decision-making, that the staff whom the Board depended upon for oversight inquiries did not have direct access to information, and that the inability of staff to communicate red flags ''crippled'' internal compliance and oversight.

Only Congress, with the concurrence of the president, can amend the Smithsonian Charter. The last change to the Board's structure occurred over 30 years ago, but it only increased the number of private citizens on the Board from six to nine. The Smithsonian Board is still a board dominated by highly placed public officials.

The number of Regents, however, is not the root problem. My bill expands the Board from 17 to 21 members, but most importantly, it brings the Board into alignment with modern public and private boards by requiring all the Regents to be private citizens. The search for private funds by Smithsonian management was a major cause of the recent controversy. Faced with crippling budget problems, the Regents must be free to give new and unprecedented attention and energy to finding and helping to raise substantially more funds from private sources. The new structure envisioned by this bill will improve oversight and the capacity for fundraising from private sources. Unlike the eight federal officials on the current Board, the nine private citizens on the current Board are entirely free to assist in private fundraising. Most importantly, private citizens have sufficient expertise to serve on the Board, and are able to devote the personal time and attention necessary to fulfill the fiduciary responsibility that comes with serving such a venerable and complex institution.

Considering the seriousness of the findings of the Board's own governance committee, as well as of the IRC, the changes prescribed by this bill are nothing short of mandatory. The reform of the fiduciary and governance issues that have brought public criticism to this iconic American institution must begin with the indispensable step of making the Smithsonian's governance consistent with that of similar institutions today. Only congressional attention can reassure the public that the controversies that recently besieged the Smithsonian will not recur. In the face of an unprecedented public controversy and a $1.5 billion fundraising goal, Congress would be remiss if it left the Smithsonian to its own oversight and devices alone.

I urge my colleagues to support this bill.

HONORING LUCILLE LOVETTE

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 22, 2015

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a driven and ambitious woman, Ms. Lucille Lovette. Lucille has shown what can be done through hard work, dedication and a desire to serve others.

Lucille Lovette, a resident of Anguilla, Mississippi, is the ninth of 15 siblings born into a family who believed in hard work and didn't believe in handouts.

Lovette earned a bachelor of science in elementary education degree from Mississippi Valley State University at Itta Bena, followed by a masters degree in educational leadership and supervision and a specialist degree in educational leadership and supervision, both from Delta State University in Cleveland, Mississippi.

She began her career as an office manager in 1978 for the South Delta School District (formerly known as Anguilla Line Consolidated School District) under the direction of a great superintendent who encouraged her to go a little further. Lovette was employed by the South Delta School District from 1978–2009, serving as curriculum director, federal programs director and principal. During her time as principal, she led an elementary school with a starting enrollment of some 740 students and 90 faculty members. During her tenure, the students' grade level reading scores on state assessments increased more than 38.4 percent and math score on state assessment increased more than 70 percent. The school achieved an Exemplary and High Performing School rating. Also while as principal the South Delta Elementary School received the Torch Award granted by the Mississippi Department of Education.

In 1994 she was one of 13 teachers who were chosen by the state of Mississippi for a six week study with NASA.

Prior to serving as principal of South Delta Elementary School, Lovette worked as educational technologist as South Delta Middle School, and has served as an adult education teacher at Mississippi Delta Community College in Moorhead.

From 2009–2010 Lovette served as an educational leadership consultant at Dollarway Middle School in Pine Bluff, Arkansas and Eliza Miller Junior High School in Helena Arkansas. She was employed as school improvement coordinator with the Indianola School district from 2010 until 2011 and from 2011 until 2013; she served as educational leadership consultant for the Jackson Public School District and the Senatobia Public School District.

Among the awards she has garnered during her years in education are: the Mississippi

School Board Association's School Improvement Beacon Award in 2009; the Mississippi Success for All School Reading Award in 2003, 2004, 2005, 2006, and 2007; the South Delta School District Administrator of the Year Award in 2007; Delta State University Educational Leadership Sabbatical in 2001; Mississippi Teacher of the Year State Finalist; Mississippi Second Congressional District Teacher of the Year in 2000; and South Delta Middle School and School District Teacher of the Year in 1998 and 2000.

Lovette joined the Yazoo City Municipal School District in 2013, where she served as assistant superintendent and as federal programs director. In February 2015, the Yazoo City Municipal School District School Board named Lucille Lovette the district's interim superintendent.

Lucille says, ''Service is the rent we pay for being allowed to live on this earth. We're supposed to give back, so that's key for me.''

Mr. Speaker, I ask my colleagues to join me in recognizing Ms. Lucille Lovette for her passion and dedication to educate our youth and desire to make a difference in the lives of others.

TRIBUTE TO LT. COL. DOUG ROSSELL

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 22, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Lt. Col. Doug Rossell of Atlantic, Iowa for his recent retirement from the Iowa National Guard on May 3rd, 2015. He served his country for 28 years in the Iowa National Guard and the U.S. Army.

Lt. Col. Rossell was a graduate of Griswold Community High School before receiving an Army ROTC Scholarship to Northwest Missouri State University, graduating with a Bachelor of Arts and U.S. Army Reserve commission. He immediately joined the Iowa Army National Guard, where he served in a number of different roles, as a guardsmen and as an active duty member of the military. Lt. Col. Rossell received a number of military awards while in service including, but not limited to: the Meritorious Service Medal, Army and Air Force Commendation medal, the Army Achievement Medal, Army Reserve Components Achievement Medal, and the National Defense Service Medal. This is only a small sample of Lt. Col. Rossell's various awards during his decorated military career and we cannot thank him enough for his sacrifices for our country.

I commend and thank Lt. Col. Rossell for his many years of dedicated service to his fellow Americans and Iowans. It is because of people like Lt. Col. Rossell that we are able to sleep soundly at night knowing our safety and security are in their capable hands. I am proud to represent Lt. Col. Rossell in the United States Congress and I know my colleagues in the House join me in congratulating him on his retirement. I wish him and his family nothing but the best moving forward.

PERSONAL EXPLANATION

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 22, 2015

Mr. GRAVES of Missouri. Mr. Speaker, on Tuesday, July 21, I missed a series of Roll Call votes. Had I been present, I would have voted ''YEA'' on #448 and #449.

HONORING CALVARY M. B. CHURCH

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 22, 2015

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a church family whose desire is to do God's will, Calvary M. B. Church. Calvary M. B. Church has served the Yazoo County community over a century through faith and service.

Calvary M. B. Church desire is to bring people closer to the Lord. They want to build the foundation of faith in young people and remind the Yazoo community that anything is possible through love, faith and prayer.

Calvary, located on Broadway, began welcoming the community to its services over 100 years ago. November 15, 2015 will mark 131 years of praise, prayer and worship.

On April 1, 1889 a small group purchased a lot for $50 which became the site of Calvary. For an additional $35, another lot was purchased along with the original and this site would later develop into the modern day church.

According to church history notes the first pastor was Rev. Phillips. As the years progressed the congregation grew, even amidst growth, there were challenges. Small fires struck the church. Over the years several pastors called Calvary home. But it seemed like perfect timing when Pastor RaSean O. Thomas arrived at Calvary in 2009. Pastor Thomas is a product of Calvary.

Calvary has a rich history within the Yazoo community, its recent ministries and growth show what can be done through strong prayer and fellowship. Currently, the church has two hundred members and growing. The church has Sunday School, morning worship every Sunday, Wednesday night Bible Study, monthly street evangelism and prayer services, outreach project health fairs, men and women empowerment conferences and other ministries. There is always something going on inside the walls of Calvary.

Mr. Speaker, I ask my colleagues to join me in recognizing Calvary M. B. Church for its dedication to serving the community and doing God's will.

IN HONOR OF DON A. BUCKALEW AND BUCKALEW CHEVROLET

HON. KEVIN BRADY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 22, 2015

Mr. BRADY of Texas. Mr. Speaker, today I honor my dear friend, Don A. Buckalew, and the golden anniversary of his ownership of Buckalew Chevrolet. For five decades Don and his family have supported our community and been a huge part of the Montgomery County success story.

Raised by L. A. and Nellie Mae Buckalew in the sawmill community of Magnolia, Don was Valedictorian of Magnolia High School before earning his business degree at Baylor University. After starting his automotive career in Tomball and Humble, he became a partner in the Weisinger Chevrolet Company in Conroe. When W. B. Weisinger sold 50 percent of the company to Don in January of 1965, the name became Weisinger-Buckalew Chevrolet. After Mr. Weisinger's passing, Don bought the remaining 50 percent and the name became Buckalew Chevrolet.

Over the last half century, the name Buckalew has been synonymous with customer service and community. Don has served as chairman of the Board of the Texas Automobile Dealers Association and on the Board of Directors of the Houston Automobile Dealer Association.

This Lion of the Year, Past International Director and Lions International Ambassador of Goodwill is a Lifetime Executive Committee Member and Director for the Houston Livestock Show & Rodeo, Lifetime Executive Committee and past Chairman of Montgomery County Fair Association, and has served as Chairman of Greater Conroe Economic Development Council, two-time Chairman and Man of the Year of Conroe/Lake Conroe Area Chamber of Commerce, President of Conroe Industrial Park, Inc., and Chairman of Montgomery County Hospital District. From being awarded the Time Quality Dealer Award by Time Magazine and National Automobile Dealers Association to receiving the Texas Automobile Dealers Association Legends Award, Don's industry and community accolades prove that with strong business and family principles, everything is possible.

Don Buckalew's unwavering support of youth and education is evident in his service as past President and Board Member of the Conroe Independent School District Board of Trustees. In a rare honor, Conroe ISD opened Don A. Buckalew Elementary School in 1998. In keeping with Don's love for all things Baylor, the Bear was named the school mascot and the colors are, not surprisingly, Green and Gold.

Don and his wife Elaine are members of First Baptist Church Conroe. They have 7 children, Debbie, Donnie, Denny, Deann, Kristen, Bryan and Lacey and 13 grandchildren. Five of Don's children, a daughter-in-law and three grandchildren have earned Baylor degrees and at least two more grandchildren will soon follow.

An outstanding record of leadership, service, honesty and integrity and love of family

are only part of the Don Buckalew legend. My friend's philanthropic heart—his unsung support of those in his community who need it the most—is an example to us all of how to walk in the steps of Our Lord. Please join me in celebrating the 50th Anniversary of Buckalew Chevrolet in Conroe and in honoring the man who has set that standard, Don Buckalew.

CONGRATULATING THE CANDLE-LITE COMPANY

HON. BRAD R. WENSTRUP

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 22, 2015

Mr. WENSTRUP. Mr. Speaker, on July 25, 2015, we congratulate the Candle-Lite Company of Leesburg, Ohio, for 175 years of continuous business in Southern Ohio, dating back to 1840.

Across three different centuries, the Candle-Lite Company has manufactured quality candles, lighting the region for generations. The company thrives on the American values of hard work and entrepreneurial perseverance as its employees craft beautiful, quality goods to share with residents throughout Ohio, the United States, and the world.

Candle-Lite Company's story is the American story. Founder Thomas Emery, an immigrant from Europe to Southwest Ohio, started simply enough: door to door sales.

Innovation and dedication led to a growing business and new formulas for higher quality candles that continued Emory's tradition of maintaining a vision for the future.

175 years later, Emery's vision and persistence is now the largest employer in Highland County with products around the world.

As we recognize this historic anniversary, we follow the example of the Candle-Lite Company and look to the future, knowing that the Candle-Lite Company will continue to flourish as a company and employer we are proud to have in Ohio.

HONORING THE LIFE AND SERVICE OF SGT. CARSON ALLEN LOUIS HOLMQUIST

HON. SEAN P. DUFFY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 22, 2015

Mr. DUFFY. Mr. Speaker, it is with deep sorrow that I stand today to recognize the death of Sgt. Carson Allen Louis Holmquist. Sgt. Holmquist was a loving man: He loved cars, trucks, and farming. He was an avid fisherman and hunter, and devoted to his family, friends and serving his country.

On the morning of July 16, 2015, Sgt. Holmquist gave his life for the country he loved. He was shot and killed while working at a military facility in Chattanooga, Tennessee. It is in these stark moments, when soldiers are killed on our own soil, that we recognize just how fragile our freedom is. Liberty is a precious gift whose benefits we all enjoy, but too often we give little thought to the price that is paid.

Vice President Cheney once said, ''Our nation grieves for the brave men and women whose lives have ended in freedom's cause. No one can take away the sorrow that comes to the families of the fallen. We can only say . . . that these Americans served in a noble and a necessary cause, and their sacrifice has made our nation and the world more secure. We will honor their memory forever.'' Through this moment of reflection, we can help keep Sgt. Holmquist's memory alive. We owe him nothing less than to remember, and to give thanks for all he has done on our behalf. Sgt. Holmquist is survived by his wife, Jasmine, and his young son, Wyatt, for whom Rachel and I offer prayers of comfort.

Mr. Speaker, on behalf of a grateful nation, I ask that we salute him, and pledge that we will never forget.

PERSONAL EXPLANATION

HON. RICHARD L. HANNA

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 22, 2015

Mr. HANNA. Mr. Speaker, on Roll Call No. 449 on H.R. 2256, I am not recorded because I was absent for personal reasons. Had I been present, I would have voted Aye.

HONORING MAJOR GENERAL MICHAEL R. REGNER

HON. WALTER B. JONES

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 22, 2015

Mr. JONES. Mr. Speaker, I am proud to rise today to honor Major General Michael R. Regner, for his thirty-nine years of service to our nation in the United States Marine Corps.

Major General Regner's extensive career started in 1976, when he received his commission through the Naval Reserve Officer Training Corps after graduating from The Citadel.

Major General Regner's storied career is distinguished by his willingness and desire to serve the Marine Corps each and every day. He is a man who has served faithfully and to the best of his abilities in all positions in which he has been assigned, which has made him invaluable to the Marine Corps and to our nation. He has successfully used his skills as Commanding General, both in the field and in garrison. It is likely that most of Major General Regner's service will never fully be recognized, but his leadership will truly be felt for years to come.

During his decades of service, Major General Regner has served with distinction in support of anti-terrorism operations, including Operation Desert Storm, Operation Enduring Freedom, and Operation Iraqi Freedom. During his time as a field grade officer, he commanded at the battalion and Marine Expeditionary Unit level and also deployed to Somalia, Bosnia and the Former Republic of Yugoslavia. Mike Regner continued to serve tirelessly after successful command tours and was selected as the 1st Marine Expeditionary Force Operations Officer where he helped plan the liberation of Fallujah as well as overseeing the first free elections in Al Anbar Province, Iraq.

In 2005, Mike Regner was promoted to Brigadier General and served as the Legislative Assistant to Commandant. During this time he was successful in instituting multiple programs and ideas, including publishing the U.S. Marine Corps' Legislative Strategy. This ultimately increased congressional awareness and funding of over $1.2 billion for fundamental Marine programs. In 2009, Mike Regner deployed in support of Operation Enduring Freedom, to serve as the Deputy Chief of Staff for Joint Operations at the International Security Assistance Force Joint Command. Major General Regner retires from his post as Staff Director at Headquarters Marine Corps, Washington D.C.

Major General Regner's achievements go far beyond his impressive resume and hand in relentlessly protecting and serving the American people. Mike Regner established the Department of Defense Enlisted Defense Fellowship Program. This program, created originally for the Marine Corps, has become the model for the entire Department of Defense as all the services now have enlisted members serving in this program. The program has enabled Congressional members and staff to obtain invaluable insight into the workings of all military services, allowing them to make appropriate decisions that affect the military. Mike Regner was recognized in the U.S. House of Representatives for his work as a Marine Corps' Liaison Officer from 1999–2002, before being assigned as the Commanding Officer of the 13th Marine Expeditionary Unit (MEU).

Major General Regner closely assisted in the establishment of the Wounded Warrior Employment Program, acting as a spokesman on behalf of all those service members who were wounded in combat and their families to the United States Congress and worked with then Speaker NANCY PELOSI on the implementation of this program. This program has specifically helped over 130 military service members obtain employment to date. Mike Regner is a passionate advocate for those that are wounded, ill, or injured, and continually uses his voice to speak on behalf of those who have served our country relentlessly.

Of the many words used to describe Major General Regner, strategic planner and coalition builder would be two that best characterize him. Mike Regner has worked with the U.S. Congress to testify on multiple issues that relate to military personnel. He has worked with Former Senator James Webb on instituting the Post 9/11 G.I. Bill, which was signed into law in 2008 and has benefited thousands of service members and their families.

Mike Regner has acted as a lead facilitator when providing security during Afghanistan's presidential elections, and further displayed his ability to form alliances with co-authoring The Republic of Korea Counter Provocation Peace Plan. Mike Regner's ability to plan strategically has led to the creation of the NATO International Joint Command, which produced increased security and operational effectiveness within Afghanistan.

Over the three decades that Major General Regner has served our nation, Mrs. Mary S. Regner, Major General Regner's wife, has equally served the people of the United States. Noted as an educator and leader, Mrs. Regner serves as a member of the Board of Governors for the National Military Family Association. Mrs. Regner is also a Spouse Ambassador for The White House Joining Forces Initiative, Military Spouse Employment Partnership.

Her greatest professional accomplishments stem from her time working as a Department of Labor contractor for the Department of Defense Transition Assistance Program, where she was able to further support military spouses in careers as trainers and managers. Mrs. Regner is a woman that continually educates those around her, and has presented on various topics at the Marine Corps' Cornerstone Spouses' Courses and at Department of Defense conferences.

Mrs. Regner is involved in and serves a multitude of other organizations in the Washington, D.C. area while being a wife and a mother to three adult children who also strive to make a difference in their daily lives.

Their family includes their oldest son, Michael, who is serving in the Marine Corps as an Infantry Officer, and he is married to Erin, who is busy raising three small children, Michael, Caroline and Charlie. Their daughter, Julia Linton, is working for the South Carolina Research Authority, in Charleston, S.C., as a Project Administrator for SC Launch. Julia and John, an attorney, are expecting their first child. Finally, John Regner, their youngest child, is a high school teacher in Lynchburg, VA, and his wife, Katie, is a social worker.

I have personally known the Regner family since 1998, and I am extraordinarily proud of the work they have done for our nation and will do in the future. I have many fond memories of both Mike and Mary from my early days in Congress, but my favorite memory is the story of USMC K–9, Lex. When Lex's handler, Corporal Dustin Lee, was killed in action in 2007, the Lee family wanted to have the injured Lex retired and adopt him. I turned to my good friend Mike Regner to help make this happen. On December 21, 2007, Lex was officially retired with a Purple Heart and turned over to the Lee family. Without Mike Regner, this would have never happened. It is something for which the Lee family and I will be forever grateful.

On behalf of my colleagues on both sides of the aisle, I would like to recognize Major General Regner's outstanding accomplishments, courageous attitude, and past and present devotion to our nation. I wish to congratulate him, his wife Mary, and children, Michael, Julia, and John on the completion of a long and highly distinguished career.

In closing, may God continue to bless the Regners and may they have ''fair winds and following seas'' as they embark on a new journey of service to our beloved nation.

Semper Fidelis.

IN RECOGNITION OF MS. MELBA CURLS FOR HER DEDICATED CAREER TO THE KANSAS CITY COMMUNITY

HON. EMANUEL CLEAVER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 22, 2015

Mr. CLEAVER. Mr. Speaker, I rise today to recognize an outstanding dedicated employee of the Kansas City community. On July 31, 2015, Ms. Melba J. Curls will officially retire as the councilwoman of Kansas City's 3rd District-at-large, having served the last eight years on the Kansas City Council. Her commitment to shaping and improving the Kansas City, Missouri community is unparalleled. She is a trailblazer, civil rights activist, a devoted family woman, and a community leader who has dedicated her life to serving others.

Born on October 3, 1941, Melba Curls is a lifelong resident of Kansas City. She graduated from Central High School where she was one of the first classes in an integrated school. She later went on to attend the University of Missouri-Columbia. At an early age, Melba was active in politics and the civil rights movement. She was active in the NAACP's Youth, and actually met her future husband, the late Missouri Senator Phil B. Curls, on a civil rights trip with the organization. The Curls were married for 43 years before his untimely passing in 2007. She is the proud mother of four amazing children: Phil Jr., Michael, Monica and Louis.

Melba has been involved in public service most of her career. She spent several years working for the City of Kansas City where she served the citizens in the Personnel and Legal Departments and as a Staff Assistant to then Mayor Charles B. Wheeler. She also worked on the staff of U.S. Senator Tom Eagleton. Melba spent almost 15 years working at the KCMC Child Development Corporation in support of the Head Start Program and early childhood education in Kansas City.

In 1999, Melba was elected by the citizens of the 41st District to represent them in the Missouri House of Representatives, where she served for seven years. During her tenure in the State Legislature, she was able to work with colleagues, government officials from all branches, and community leaders, regardless of their political affiliation, race, gender or socio-economic background, to help find solutions to the problems plaguing the community. Melba also served as the Chairperson of the Committee on Urban Affairs, from 2000 to 2002, and as the Vice-Chair of the Ethics committee, from 2004 to 2006. She then successfully ran for City Council in 2007.

Councilwoman Curls' interests in helping better the lives of others through various organizations in our community include her involvement with: The De La Salle Education Center, the Jackson County Board of Domestic Violence Shelters, and the American Jazz Museum, just to name a few. She also currently serves as an Executive Board Member to the longest-serving civil rights organization dedicated to serving the needs of Kansas City's African-American community—Freedom, Incorporated. Kansas City Mayor Sly James selected Councilwoman Curls to serve on the Neighborhoods, Housing and Healthy Communities and Transportation and Infrastructure committees.

Over the years, Melba has been able to earn the respect of her colleagues by working hard to be a bridge-builder between individuals and organizations. She is an active member of the City Council, and is very focused on participating in community activities and being involved in the community that she serves.

Mr. Speaker, please join me and our colleagues in recognizing and honoring Ms. Melba Curls for a lifetime of devoted commitment to the Kansas City community. While she embraces this next phase of life in retirement, I wish to thank her for her tireless service to the Kansas City Community for the past three decades. Demonstrating unparalleled dedication, Melba serves as an inspiration and role model for our community.

HONORING ETHEL C. MANGUM

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 22, 2015

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable public servant, Mrs. Ethel C. Mangum who is a native of Madison County. Many of her formative years were spent in the Virden Addition Area. She attended school at Walton Elementary and Brinkley High School. At Jackson State University she earned B.S. and Masters degree in Social Work and Guidance.

For twenty-eight years she has been an active member of Farish Street Baptist Church and its E. B. Topp Missionary Circle.

Mrs. Mangum has done extensive volunteer work which included: teaching and reading at Powell Middle School; serving as Co-Chairperson of Lake Hico Eubanks Creek Neighborhood Association; working as an HIV/AIDS educator for the American Red Cross; working with children to prevent teenage pregnancy; and motivating them toward moral and academic excellence.

Mrs. Mangum has been a ''first'' in opening opportunities for others by becoming the first African American woman to hold a professional position at Baptist Children's Village; the first African American woman to work for Michael Baker, Jr., Inc. Consulting Engineers; and for SCAN (Suspected Child Abuse and Neglect). She was one of two females who integrated the lunch room at St. Dominic's Hospital.

Mrs. Mangum currently strives for excellence in the community through her position as Administrative Assistant for Ward 3.

Mr. Speaker, I ask my colleagues to join me in recognizing Mrs. Ethel C. Mangum for her dedication to serving others.

EXPANDING UNARMED APPROACHES TO PROTECT CIVILIANS

HON. RICHARD M. NOLAN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 22, 2015

Mr. NOLAN. Mr. Speaker, we are besieged daily with news of intensifying brutal attacks on innocent civilians in South Sudan, Syria, Ukraine, and many more places throughout the world. Women and children are increasingly being targeted.

Anthony Lake, the executive director of UNICEF, recently wrote about South Sudan: ''The details of the worsening violence against children are unspeakable, but we must speak of them . . . Survivors report that boys have been castrated and left to bleed to death . . . Girls as young as 8 have been gang raped and murdered . . . Children have been tied together before their attackers slit their throats . . . Others have been thrown into burning buildings . . . Children are also being aggressively recruited into armed groups of both sides on an alarming scale.''

When confronted with such atrocities, our typical response is to send in the bombers and drones, ship military equipment, train ''the good guys,'' or even put our own troops on the ground. By doing these things, we create a state of on-going war. Is it any wonder the result is more violence, rather than less?

The UN High Commissioner on Refugees reported last month that 59.5 million individuals have been forcibly displaced worldwide. This is the largest number since UNHCR began keeping records. UNHCR's Annual Report tells us that every day last year, an average of 42,500 people had to flee their homes, a four-fold increase in just four years. That's like everybody in a city the size of Duluth, the largest city in my district, fleeing from their homes every other day.

But there are effective alternatives that are protecting civilians and deterring violence in some of the most brutal war zones around the world. You probably haven't heard about them because, unlike terrorists, these nonviolent peacekeepers seldom make the headlines.

During this time of crisis, it is imperative that we examine new and less conventional methodologies as we try to fulfill our responsibility to protect our fellow civilians as best we can. One such approach is unarmed civilian protection (UCP), pioneered by Nonviolent Peaceforce, an organization that originated in Minnesota. UCP provides unarmed, specially trained civilians who are recruited from many different countries to live and work with local civil society in areas of violent conflict. Currently there are more than a dozen nongovernmental organizations DIRECTLY protecting civilians, using only nonviolent methods, in places like South Sudan, Colombia, Guatemala, Palestine and the Philippines.

Their approaches are strategic, thoughtful, and tailored for each specific situation. These unarmed civilian protectors model peace by practicing it. For example in South Sudan, displaced women leaving the Protection of Civilian areas to gather firewood and water face rape by soldiers lurking at the edge of the sites. The women routinely have to make excruciating choices between their family's sustenance and their personal safety. UCP workers found that when two or more trained, unarmed civilian protectors accompany 20–30 women, the soldiers look the other way. No woman has been attacked when accompanied by an unarmed civilian protector.

Imagine if we had 10,000 unarmed civilians protecting civilians in South Sudan, instead of the 150 that Nonviolent Peaceforce struggles to fund. We can afford them, because these unarmed civilian protectors cost a fraction of the cost of a soldier.

In their report released on June 16, the UN High Level Peace Operations Review Panel recognized UCP as a key reform for protecting civilians under threat of violent conflict.

The Panel Chair, Nobel Laureate Jose Ramos Horta, stated, ''The Panel reviewed the excellent input by Nonviolent Peaceforce, which shared with us its positive experience in protecting civilians in war-torn situations. In our Report, we recommend that the UN engage more of those brave people working in the field, unarmed, to protect civilians''.

Crisis demands innovation. We need to respond to violence with methods that are effective and efficient, not just usual and conventional. We need methods that move us towards peace, not those that engulf us in further violence. The United States must incorporate UCP as a key instrument in transforming violent conflict, and in protecting civilians, through our initiatives at the State Department and USAID as well as our positions at the United Nations.

CALLING FOR DEBATE AND VOTE ON LEGISLATION TO REPAIR DAMAGE TO VOTING RIGHTS ACT

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 22, 2015

Ms. JACKSON LEE. Mr. Speaker, I call upon House Speaker BOEHNER to bring legislation intended to protect the right to vote of all Americans to the floor for debate and vote in advance of the 50th anniversary of the landmark Voting Rights Act signed by President Lyndon Johnson on August 6, 1965.

This action is long overdue.

It has been more than two years since the Supreme Court decided Shelby County v. Holder, 570 U.S. 193 (2013), which invalidated Section 4(b) of the Voting Rights Act and paralyzed the application of the Act's Section 5 preclearance requirements, which protect minority voting rights where voter discrimination has historically been the worst.

In the 49 years since its passage in 1965, the Voting Rights Act has safeguarded the right of Americans to vote and stood as an obstacle to many of the more egregious attempts by certain states and local jurisdictions to game the system by passing discriminatory changes to their election laws and administrative policies.

In signing the Voting Rights Act on August 6, 1965, President Lyndon Johnson said:

The vote is the most powerful instrument ever devised by man for breaking down injustice and destroying the terrible walls which imprison men because they are different from other men.

Although much progress has been made there is still much work to be done in order to prevent systemic voter suppression and discrimination within our communities and we must remain ever vigilant and oppose schemes that will abridge or dilute the precious right to vote.

Since 1982, Section 5 has stopped more than 1,000 discriminatory voting changes in their tracks, including 107 discriminatory changes in Texas.

In the aftermath of the Shelby decision, I was a member of the working group led by Congressman JIM CLYBURN of South Carolina that was tasked with sharing ideas, making recommendations, and crafting and drafting the legislation that would repair the damage done to the Voting Rights Act by the Supreme Court decision and capable of winning majorities in the House and Senate and the signature of the President.

That effort resulted in the Voting Rights Amendments Act, (H.R. 3899 and H.R. 885) of which I am an original co-sponsor, which repairs the damage done to the Voting Rights Act by the Supreme Court decision.

This legislation replaces the old 'static' coverage formula with a new dynamic coverage formula, or 'rolling trigger,' which effectively gives the legislation nationwide reach because any state and any jurisdiction in any state potentially is subject to being covered if the requisite number of violations are found to have been committed.

I am also a sponsor of H.R. 2867, the Voting Rights Advancement Act of 2015, a bill that restores and advances the Voting Rights Act of 1965 by providing a modern day coverage test that will extend federal oversight to jurisdictions which have a history of voter suppression and protects vulnerable communities from discriminatory voting practices.

I am also a sponsor of H.R. 12, the Voter Empowerment Act of 2015, which protects voters from suppression, deception, and other forms of disenfranchisement by modernizing voter registration, promoting access to voting for individuals with disabilities, and protecting the ability of individuals to exercise the right to vote in elections for federal office.

For millions of Americans, the Voting Rights Act of 1965 is sacred treasure, earned by the sweat and toil and tears and blood of ordinary Americans who showed the world it was possible to accomplish extraordinary things.

The Voting Rights Act is needed as much today to prevent another epidemic of voting disenfranchisement as Dr. Salk's vaccine is still needed to prevent another polio epidemic.

I again call upon Speaker BOEHNER to bring H.R. 2867, the Voting Rights Advancement Act of 2015, and H.R. 12, Voter Empowerment Act of 2015, to the floor for a vote before August 6, the 50th anniversary of the landmark Voting Rights Act signed by President Lyndon Johnson and three weeks before President Johnson's 107th birthday.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4,

1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, July 23, 2015 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JULY 28

10 a.m.
Committee on Banking, Housing, and Urban Affairs
To hold hearings to examine lifting the crude oil export ban.
SD–538

Committee on Homeland Security and Governmental Affairs
To hold hearings to examine the State Department's proposal to construct a new diplomatic security training facility.
SD–342

2 p.m.
Joint Economic Committee
To hold hearings to examine dynamic scoring, focusing on how it will affect fiscal policymaking.
SH–216

2:30 p.m.
Select Committee on Intelligence
To hold closed hearings to examine certain intelligence matters.
SH–219

JULY 29

9 a.m.
Committee on Health, Education, Labor, and Pensions
To hold hearings to examine reauthorizing the Higher Education Act, focusing on combating campus sexual assault.
SH–216

10 a.m.
Committee on Banking, Housing, and Urban Affairs
Subcommittee on Financial Institutions and Consumer Protection
To hold hearings to examine the role of bankruptcy reform in addressing too-big-to-fail.
SD–538

Committee on Foreign Relations
To hold hearings to examine the North Korea threat and United States policy.
SD–419

Committee on Homeland Security and Governmental Affairs
Business meeting to consider an original bill entitled, ''Department of Homeland Security Border Security Metrics Act of 2015'', an original bill entitled, ''Critical Infrastructure Protection Act of 2015'', an original bill entitled, ''EINSTEIN Act of 2015'', S. 1073, to amend the Improper Payments Elimination and Recovery Improvement Act of 2012, including making changes to the Do Not Pay initiative, for improved detection, prevention, and recovery of improper payments to deceased individuals, an original bill entitled, ''Quarterly Financial Reporting Reauthorization Act of 2015'', S. 1607, to affirm the authority of the President to require independent regulatory agencies to comply with regulatory analysis requirements applicable to executive agencies, S. 1526, to amend title 10 and title 41, United States Code, to improve the manner in which Federal contracts for construction and design services are awarded, to prohibit the use of reverse auctions for design and construction services procurements, to amend title 31 and 41, United States Code, to improve the payment protections available to construction contractors, subcontractors, and suppliers for work performed, S. 1820, to require agencies to publish an advance notice of proposed rule making for major rules, S. 1817, to improve the effectiveness of major rules in accomplishing their regulatory objectives by promoting retrospective review, S. 1808, to require the Secretary of Homeland Security to conduct a Northern Border threat analysis, S. 779, to provide for Federal agencies to develop public access policies relating to research conducted by employees of that agency or from funds administered by that agency, S. Res. 104, to express the sense of the Senate regarding the success of Operation Streamline and the importance of prosecuting first time illegal border crossers, S. 708, to establish an independent advisory committee to review certain regulations, S. 1170, to amend title 39, United States Code, to extend the authority of the United States Postal Service to issue a semipostal to raise funds for breast cancer research, H.R. 1531, to amend title 5, United States Code, to provide a pathway for temporary seasonal employees in Federal land management agencies to compete for vacant permanent positions under internal merit promotion procedures, an original bill to designate the facility of the United States Postal Service located at 99 West 2nd Street in Fond du Lac, Wisconsin, as the ''Lieutenant Colonel James 'Maggie' Megellas Post Office'', S. 1596, to designate the facility of the United States Postal Service located at 2082 Stringtown Road in Grove City, Ohio, as the ''Specialist Joseph W. Riley Post Office Building'', and the nomination of Denise Turner Roth, of North Carolina, to be Administrator of General Services.
SD–342

10:30 a.m.
Committee on Commerce, Science, and Transportation
To hold hearings to examine wireless broadband and the future of spectrum policy.
SR–253

2 p.m.
Committee on the Judiciary
Subcommittee on Oversight, Agency Action, Federal Rights and Federal Courts
To hold hearings to examine IRS targeting, focusing on progress of agency reforms and congressional options.
SD–226

2:15 p.m.
Committee on Indian Affairs
To hold an oversight hearing to examine the true costs of alcohol and drug abuse in Native communities.
SD–628

2:30 p.m.
Committee on Veterans' Affairs
To hold hearings to examine ending veteran homelessness.
SR–418

JULY 30

2:30 p.m.
Select Committee on Intelligence
To receive a closed briefing on certain intelligence matters.
SH–219

AUGUST 4

10 a.m.
Committee on Energy and Natural Resources
To hold hearings to examine the back-end of the nuclear fuel cycle and related legislation, including S. 854, to establish a new organization to manage nuclear waste, provide a consensual process for siting nuclear waste facilities, ensure adequate funding for managing nuclear waste.
SD–366

HOUSE OF REPRESENTATIVES—*Thursday, July 23, 2015*

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. DUNCAN of Tennessee).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
July 23, 2015.

I hereby appoint the Honorable JOHN J. DUNCAN, Jr. to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

PRAYER

Reverend Brian Bohlman, The Harvest Church, Lexington, South Carolina, offered the following prayer:

O God, our help in ages past and our hope for years to come, we assemble today with humility in our hearts as we ask for Your blessing upon the affairs of this House.

We also remember the words of President Lincoln, when he said: ''I have been driven many times upon my knees by the overwhelming conviction that I had nowhere else to go.''

So, Lord, we thank You, that when we lack wisdom and strength, that You give generously to all who ask without finding fault.

May our elected officials and leaders work together towards the common interests of the American people. May they act justly, love mercy, and walk humbly with their God.

Lord, we also ask for Your protection over our servicemembers and families, both abroad and at home. Strengthen them when they are weary, increase their power when weak.

Continue to bless our Nation and the work of this House. For your honor and glory, O Lord, we pray.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Ms. FOXX. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER pro tempore. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. FOXX. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Michigan (Mr. TROTT) come forward and lead the House in the Pledge of Allegiance.

Mr. TROTT led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

WELCOMING CHAPLAIN BRIAN BOHLMAN

The SPEAKER pro tempore. Without objection, the gentleman from South Carolina (Mr. WILSON) is recognized for 1 minute.

There was no objection.

Mr. WILSON of South Carolina. Mr. Speaker, I am grateful to recognize a constituent, Chaplain Lieutenant Colonel Brian Bohlman, as our guest chaplain today.

Chaplain Bohlman, a native of Bel Air, Maryland, now resides in West Columbia, South Carolina. Lieutenant Colonel Bohlman is a dedicated member of the South Carolina Air National Guard.

After enlisting in the Air Force in 1992, he faithfully served in the Air Force and Air Force Reserves before joining the South Carolina Air National Guard. On Active Duty, Chaplain Bohlman provided ministry at home and abroad during Operations Noble Eagle, Enduring Freedom, and Iraqi Freedom.

He is the author of ''So Help Me God,'' which is a historical review of the oath of the military office, and ''For God and Country,'' which discusses the call for military chaplaincy.

In recognition of his service and pastoral care, Chaplain Bohlman was awarded the Samuel Stone Award as the Air National Guard Chaplain of the Year in 2013, a well-deserved honor.

Chaplain Bohlman is also the founder and director of Operation Thank You, a nonprofit dedicated to inspiring our servicemembers and military families.

As a 28-year veteran of the National Guard and grateful parent of three members currently serving in the Guard, I know firsthand of Chaplain Bohlman's dedicated service.

I am grateful to welcome Chaplain Brian Bohlman, his wife, Shelley, and his daughter, Mary Ellen, to the Capitol today.

In conclusion, God bless our troops, and the may the President, by his actions, never forget September the 11th in the global war on terrorism.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to five further requests for 1-minute speeches on each side of the aisle.

OPPOSE THE IRAN NUCLEAR DEAL

(Mr. TROTT asked and was given permission to address the House for 1 minute.)

Mr. TROTT. Mr. Speaker, this headline is dated July 21, 2025. It is what our children and grandchildren will read in the history books in 10 years. ''Due to Obama Agreement, Iran Develops Nuclear Arsenal. Rogue Nation Now Threatening To Strike United States, Destroy Israel, & Attack Other U.S. Allies.''

In addition to creating a nuclear Iran, this deal will also create an arms race. It will create a means through which to finance more terrorism. It will create more tension because we only have ''managed access inspections.''

What this deal will not change is Iran's behavior. They will continue to hate us. They will continue to call for ''death to America.''

This deal is a big gamble, a gamble the United Nations is apparently willing to take, but one that we in Congress must reject.

I urge my colleagues to join me in opposing this deal. We can never allow this terrible headline to become a reality.

CONGRATULATING PRATT & WHITNEY ON THEIR 90TH ANNIVERSARY

(Ms. ESTY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ESTY. Mr. Speaker, I rise today to congratulate Pratt & Whitney on their 90th anniversary.

Since 1925, Pratt & Whitney has been a cornerstone of Connecticut's and the Nation's economy. In the last 90 years, men and women from across the country and in my State have designed and produced the most technologically advanced and dependable engines on the market.

Their F–135 engine powers Lockheed Martin's F–35 Joint Strike Fighter, and their new geared turbofan engine is setting the standard for performance in commercial aviation.

Pratt & Whitney's engineers, manufacturers, designers, and technicians have fostered Connecticut's innovation ecosystem for almost a century. We could not be more proud that they call Connecticut home.

Congratulations, Pratt & Whitney. We look forward to another 90 years of aviation leadership.

WE MUST ADDRESS SANCTUARY CITIES

(Mr. JOLLY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JOLLY. Mr. Speaker, the House will soon consider legislation to address sanctuary cities, local policies that skirt Federal policies regarding the detention of undocumented individuals who have broken the law, a policy that led recently to a terrible tragedy. We should address this. It is right we do so.

But I rise out of concern for the enforcement mechanism in the current draft of the legislation. The current draft would penalize sanctuary cities by reducing assistance to law enforcement, the very men and women we rely on each day to keep us safe.

Consider the irony. To promote greater public safety in law enforcement, we are threatening to reduce assistance to law enforcement, when it is commissions and councils that actually adopt policies regarding sanctuary cities. This is simply wrong.

We can do better. I anticipate voting for passage because we need to address this issue nationally, but I ask my colleagues today to work together. Let's replace this shortsighted provision that wrongfully punishes those who serve us each day on the front lines of law enforcement, men and women that, months ago, we lauded on this House floor during Police Week for the fine work they do.

Let's not reduce resources for law enforcement. Let's ensure that we are able to increase and continue to invest in local law enforcement.

SAFE AND ACCURATE FOOD LABELING ACT OF 2015

(Ms. LEE asked and was given permission to address the House for 1 minute.)

Ms. LEE. Mr. Speaker, I rise in strong opposition to H.R. 1599, which would nullify states' rights to label genetically modified organisms, commonly known as GMOs. The House will vote on this bill today.

I share the concerns of many of my constituents in California's 13th Congressional District about the proliferation of untested, genetically modified foods entering our food supply.

I also share the concerns about the risks to farmers, the environment, and public health created by the rushed commercialization of genetically engineered crops and genetically modified food products.

American consumers deserve the best information available when it comes to food choices that they make for themselves and their families. Already, some 64 nations around the world require GMO labeling.

We need to be on the side of transparency and the safety of the people we represent. That is why I support legislation like Representative PETER DEFAZIO's Genetically Engineered Food Right-to-Know Act, H.R. 913, which would require the labeling of genetically engineered foods at the Federal level.

So I hope my colleagues will defeat H.R. 1599 and move forward with Federal efforts requiring adequate and clear labeling for the foods American families are eating.

FINDING A CURE FOR DIABETES

(Mr. GUINTA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GUINTA. Mr. Speaker, I rise today on behalf of the 1.25 million American children and adults with type 1 diabetes.

As Members of Congress, we have the privilege of meeting with individuals from our home States advocating on various issues. All come from different backgrounds and different experiences; however, they all have one thing in common: they come to Washington looking to change our Nation.

Last week, I had the honor of meeting with 11-year-old Skye Archibald from Exeter, New Hampshire, who was in Washington as part of the Juvenile Diabetes Research Foundation's Children's Congress. Skye was diagnosed with type 1 diabetes at the young age of 9 and, since then, has been vital in changing the stigma attached with diabetes, raising money to help find a cure, and advocating at both the Federal and State level. In fact, her hard work and dedication has resulted in the signing of a bill by New Hampshire's own Governor.

It is because of bright and determined advocates like Skye that Washington can begin working better for New Hampshire. And it is because of Skye that I recently signed on to H.R. 1427, a bipartisan bill to help provide increased coverage of a vital tool that monitors sugar levels to help save the lives of those with diabetes.

COMMEMORATING THE LIFE AND LEGACY OF MS. TOMMIE WILLIAMS

(Mr. VEASEY asked and was given permission to address the House for 1 minute.)

Mr. VEASEY. Mr. Speaker, I rise today to commemorate the life and legacy of a very inspirational Grand Prairie resident from the Dalworth community, Ms. Tommie Williams.

Ms. Williams worked as an educator in several capacities next-door in the Arlington Independent School District. She served as a first, third, and seventh grade teacher, a basketball coach, a cheerleading sponsor, and vice president of curriculum at Sam Houston High School. In addition, Ms. Williams was the first African American administrator and the first parent to serve as a community ombudsman in the Arlington Independent School District.

In honor of her outstanding service and education, the Tommie B. Williams Elementary School in Arlington was dedicated in her honor in 1991.

Although we lost a great educator in the Arlington Independent School District and many in the Dalworth community lost a great neighbor, her friends, the students that she taught, the parents, the faculty will always remember her passion and her belief in a brighter future for our youngest members of society.

ENFORCE THE LAW AGAINST SANCTUARY CITIES

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Mr. Speaker, today I rise in favor of H.R. 3009, Enforce the Law Against Sanctuary Cities Act.

Why does it take tragedy after tragedy before this Congress and America gets behind the idea that we don't have to have more tragedies like Kate Steinle in San Francisco or one that almost may be forgotten about, Jamiel Shaw, Jr., in southern California some years ago, all at the hands of illegal immigrants that should not be here, should be deported? Why do we keep doing this?

Indeed, sanctuary cities not only don't enforce the law, they intentionally cause people to be in harm's way because they are not enforcing the law. Denying funding to them is one strong message to sanctuary cities,

over 300 of them now in the United States, that they are doing the wrong thing and needlessly endangering or losing the lives of Kate Steinle to illegal immigrants that are here causing this crime.

Mr. Speaker, I urge passage of H.R. 3009, and for the Senate to timely take it up and pass it as well.

□ 1015

SANCTUARY CITIES

(Mr. CÁRDENAS asked and was given permission to address the House for 1 minute.)

Mr. CÁRDENAS. Mr. Speaker, watching the news lately, it is nothing but Donald Trump and his baseless rhetoric. He has attacked a war hero, but first attacked an entire country of people. Donald Trump is trying to get into the White House, but it looks like he has already infiltrated Congress.

This bill on the floor of this House today has Donald Trump written all over it. This Donald Trump bill treats people like criminals who haven't even been arrested yet.

Congress doesn't need to tell our local police and sheriffs how to keep us safe. Decades of research shows that this kind of bill will only make our neighborhoods less safe.

The safety of our families should not be a pawn to please Donald Trump. Republicans should work to fix our broken immigration system that will make our neighborhoods safer and supercharge our economy.

I stand with the Major County Sheriffs' Association and the Fraternal Order of Police and oppose this bill.

HIGHWAY TRUST FUND REFORM ACT

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, last week the House passed legislation that would fund the Nation's highway and transit programs through December 18.

Transportation and infrastructure are key components of economic development efforts in North Carolina, and this fiscally responsible bill keeps important road and bridge projects going in the short term while discussions continue on a longer term bill.

Earlier this year I introduced legislation to help the Federal Government responsibly manage taxpayer money and stretch the limited funds available to the highway trust fund by exempting it from the Davis-Bacon Act's outdated, wasteful labor requirements for Federal-aid highway and public transportation projects.

The Davis-Bacon Act was passed in 1931 and requires Federal contractors and subcontractors to pay the local prevailing wage for construction projects on which the Federal Government is a party.

For decades, it has been driving up the cost of Federal highway projects by mandating artificially high wages. It is time to get America back on track by spending wisely, not carelessly.

VOTING RIGHTS ACT

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON LEE. Mr. Speaker, on August 6, just a few days from now, America will have the privilege of celebrating the 50th anniversary of the 1965 Voting Rights Act, with the sadness to know that that Voting Rights Act has been gutted by the United States Supreme Court with instructions for this Congress to respond to the rights of Americans to vote.

I am very proud of the words that Justice Ginsburg said: It is common sense that, if polio is on the demise, why get rid of the polio vaccination.

Voting prohibitions and prohibiting people from voting has decreased over the decades, but it has because of the Voting Rights Act. Frankly, we are doing a great disservice.

When there are rebel flags being flown to show racial divide or monuments that represent very dire comments about those who are slaves, it looks as if this Congress could bring a voting rights legislation to be voted on for all Americans to be able to vote.

What a sad state of affairs when we cannot have a real vote on the floor of the House to reauthorize the Voting Rights Act, which many of us have worked on even from the last Congress.

I finally conclude by saying on this floor will be a bill dealing with what we call sanctuary cities, taking advantage of an enormous tragedy of which I offer my deepest sympathy.

The National League of Cities, the Fraternal Order of Police, and the national Major County Sheriffs' Association are saying that the bill dealing with sanctuary cities is misguided.

It penalizes law enforcement, and it doesn't allow the common sense that should have been issued in San Francisco, pick up the phone and communicate.

I think we should do the right kind of law in this body, not laws that will undermine the very principles of democracy, equality, and justice.

Pass a Voting Rights Act now.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 23, 2015.

Hon. JOHN A. BOEHNER,
Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on July 23, 2015 at 9:32 a.m.:

That the Senate passed S. 1599.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

PROVIDING FOR CONSIDERATION OF H.R. 3009, ENFORCE THE LAW FOR SANCTUARY CITIES ACT

Mr. COLLINS of Georgia. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 370 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 370

Resolved, That upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 3009) to amend section 241(i) of the Immigration and Nationality Act to deny assistance under such section to a State or political subdivision of a State that prohibits its officials from taking certain actions with respect to immigration. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary; and (2) one motion to recommit.

The SPEAKER pro tempore. The gentleman from Georgia is recognized for 1 hour.

Mr. COLLINS of Georgia. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Colorado (Mr. POLIS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. COLLINS of Georgia. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous materials on House Resolution 370, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. COLLINS of Georgia. Mr. Speaker, I am pleased to bring this rule forward on behalf of the Rules Committee.

The rule provides for consideration of H.R. 3009, the Enforce the Law for Sanctuary Cities Act. The Rules Committee met yesterday evening and

heard testimony from both the chairman of the Judiciary Committee, the ranking member of the Subcommittee on Immigration, in addition to several Members interested in this important issue.

This rule brought forward by the committee is a closed rule and provides for 1 hour of general debate, equally divided and controlled by the chair and the ranking member of the Judiciary Committee.

We are bringing this rule forward today because both the safety of American people and the integrity of our system of laws depends on its passage. No institution, body, or agency has the right to selectively apply the law or selectively enforce the law.

The same individuals who claim exemption from our immigration laws demand equality under our criminal laws. Do we really want to live in a country where an agency claims the authority to pass political judgment on you and your circumstance to determine if the law applies to you?

This is precisely what the administration is proposing. Not only are their actions contrary to public safety, they fundamentally undermine the most basic concept of law.

I believe that sanctuary cities are unacceptable. That is why I was a part of the effort to prohibit them in Georgia and why I am so committed to continuing this fight here in Congress.

The tragic and preventible death of Kate Steinle in San Francisco at the hands of an illegal immigrant is the latest example of why we have to address sanctuary cities and enforce the law. Hear me, Mr. Speaker. Kate is not the only victim.

According to the U.S. Sentencing Commission, of 74,911 Federal crimes in fiscal year 2014, 27,505, or 36 percent, were committed by those here illegally.

During an 8-month period in 2014, sanctuary cities released more than 8,000 criminal illegal immigrant offenders the U.S. Immigration and Customs Enforcement was seeking to deport.

According to a new report released by the Center for Immigration Studies, of these 8,000 released, approximately 1,900 were arrested for successive crimes during the 8-month timeframe.

I believe San Francisco's hands are soaked in blood now. They choose to protect criminal illegal aliens over an innocent American woman.

Beyond the public safety threat posed by sanctuary cities, the Federal Government has the responsibility to be good stewards of tax dollars entrusted to them by hard-working Americans.

There is no reasonable explanation, in law or policy, as to why the Federal Government should send money to cities in the form of grants or reimbursements to help them enforce the law when they are blatantly ignoring the law.

It is a waste of taxpayer money to send this money to States for purposes of law enforcement when they clearly aren't using it for that purpose.

The situation before us today is one dangerous political hypocrisy. The administration has vocally stated immigration law lies with the Federal Government and the Federal Government alone.

In fact, their entire case against Arizona was premised on that point. That was when States were trying to enforce the law.

When States don't enforce the law, essentially playing into the administration's failure to enforce the administration's claims, there is nothing they can do. It is sort of an interesting proposition.

Last week I questioned the Secretary of Homeland Security about the issues of sanctuary cities. The Secretary stated there was nothing that DHS could do and that he didn't feel it was productive to try and force the cities to cooperate.

The administration jumped all over States that help enforce immigration laws, including suing Arizona for enacting laws to protect its borders and its citizens.

I ask: Where is the outrage by the administration over San Francisco's failure to follow the law? Where is the lawsuit?

It is not surprising that the administration is only outraged when States are acting in a manner that doesn't meet their political goals.

DHS refuses to make sanctuary cities comply with the law while, at the same time, DOJ is now requiring law enforcement in Maricopa County, Arizona, to provide services in Spanish to jail inmates and to have Federal oversight for all workforce enforcement raids. This kind of political hypocrisy is the kind that has already cost the life of Kate Steinle.

The administration wants a nonenforcement policy, but it is up to Congress to make the administration follow the law. That is exactly why the Rules Committee is bringing forward this rule and H.R. 3009.

Sanctuary cities ignore and shield illegal immigrants at the expense of lawabiding Americans, and the administration, through its failure to defend and enforce this law, is complicit.

Listen, Mr. Speaker, I believe that sanctuary cities should be descriptions of cities that provide safe and secure places for law-abiding citizens, not the definition for cities choosing to provide safety for those flaunting our immigration laws.

I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield myself such time as I may consume, and I thank the gentleman from Georgia for yielding me the 30 minutes.

Mr. Speaker, I rise in opposition to the rule and the underlying bill. The rule here today provides for consideration of H.R. 3009, a bill that I strongly oppose that wouldn't even solve the problem that it attempts to here today.

First, a little bit about the process. This is a closed process that reflects the practice of shutting down debate on the House floor.

We should be talking about how to protect Americans like Kathryn Steinle. Instead, we are limited to debating a bill that, even if it had been the law, would not have affected this case or others like it or secured our borders. We are not even allowed to introduce amendments that would secure our borders here before the House floor.

We have not had a single hearing on this bill, and it has not been marked up in committee. It simply appeared before the Judiciary Committee.

It simply appeared before the Rules Committee yesterday fully formed. We talked for several hours about many of its flaws there. But, unfortunately, nevertheless, it has been advanced under this rule to the House floor.

This bill is not a fix. It is not a solution to anything. It is a heavy-handed way to attack communities that are simply trying to find solutions to what is fundamentally a Federal problem.

Yes, Mr. Speaker, dress it up however you like. It is our fault, the institution of Congress' fault, the Federal Government's fault, that we have failed to secure our borders.

It is the Federal Government's fault that there are 10-, 12-, 14 million people in our country illegally, some of them felon immigrants. That is not the fault of any city or county or State.

Our law enforcement professionals—sheriffs, police chiefs—are doing the best they can with the facts on the ground which work against them because of this body's failure to act.

This bill before us is simply an attempt to provide a false solution to a tragic incident, this in spite of the fact this body has refused to bring forward a single bill to fix our broken immigration system or secure our border.

The murder of Kathryn Steinle was a terrible tragedy. It should not have occurred. There were so many breakages along the way and things that could have been done to prevent it. But this action is primarily a way to highlight our broken immigration system.

It is a disgrace, for instance, that our immigration enforcement agencies dedicate significant resources to pursuing tens of thousands of individuals with no criminal history while the enforcement of our laws against serious felons like Mr. Lopez-Sanchez, as a result, is limited to something like a phone call or an email from the sheriff in San Francisco.

□ 1030

ICE, the agency with sole authority to pursue, detain, and deport people

within our borders—an agency with a budget of more than $5 billion annually—is to blame here for its perverse allocation of resources.

Mr. Speaker, ICE should have pursued this individual vigorously, and ICE is responsible for the fact that this man was walking the streets of San Francisco instead of in Mexico; but, rather than take responsibility for this tragedy and commit to making the necessary changes to prevent anything like this from happening in the future—like, for instance, encapsulating the President's DACA and DAPA programs in statute so that our limited enforcement resources can be focused on criminal felons rather than tens of thousands of individuals with no criminal history—instead of doing that, this body is threatening local law enforcement with reducing their funds to keep communities safe.

Mr. Speaker, this bill before us would do even less to address this issue in a meaningful way. This legislation undermines local law enforcement, tramples the 10th Amendment to our Constitution, and directly undermines the authority and judgment exercised by local law enforcement agencies that are simply trying to do their job as best they can in light of a Federal failure—a Federal failure—to deport felon immigrants, a Federal failure to secure our borders, and a Federal failure to establish enforcement priorities in statute.

These decisions behind policing communities and ensuring public safety are made by those in those jurisdictions. We shouldn't have reactionary politicians in Washington threatening to cut off funding to sheriffs and police chiefs to make their communities less safe and lead to more victims of felons, both immigrant and American.

That is why this bill is opposed by the Conference of Mayors, Law Enforcement Immigration Task Force, the Fraternal Order of Police, and many other law enforcement professionals.

The fact is, Mr. Speaker, that article I, section 8 of the Constitution, which we began the session of Congress by reading, makes it clear that it is the Federal Government's responsibility to create and enforce immigration policy.

No matter how much this body tries to pass its failure on to cities, States, and counties, it will always come back here because only the Federal Government can secure our borders, only the Federal Government can establish enforcement priorities in statute, only the Federal Government can provide a pathway to citizenship, and only the Federal Government deports felon immigrants.

Despite this, however, Congress has displayed a complete and total unwillingness to even begin the debate on fixing our broken immigration system, instead choosing to threaten local law enforcement for our own failures in this town, Washington, D.C.

Mr. Speaker, I tried to reinitiate this debate just yesterday in the Rules Committee by introducing an amendment to this bill that would have allowed us to address the systemic problems by considering comprehensive immigration reform, including border security. Unfortunately, on a party-line vote, my measure was voted down and, therefore, in favor of maintaining this status quo.

Instead of having a meaningful debate on how to make our immigration system work in our favor and keep Americans safe by keeping immigrant felons off the street and securing our border, the Republicans are instead insisting to push this bill through the House, threatening local law enforcement without hearing, committee debate, or even the opportunity to amend it with good ideas from Democrats or Republicans.

Felons and egregious immigration violators like Mr. Lopez-Sanchez should not be free to walk the streets of this country, but until this body gets serious about securing our border and creating enforceable laws with the resources to enforce them, people like Mr. Lopez-Sanchez will walk free and will continue to harm Americans.

Mr. Speaker, this legislation will effectively require local enforcement of immigration laws, effectively trying to foist off our responsibilities on beleaguered local law enforcement agencies who, with their limited resources, are making the best judgments they can to keep their communities safe.

Federal courts have found that the DHS detainer policies violate the Constitution. Because ICE detainers request that a person be held in local custody for up to 2 days beyond the time they would otherwise be released, Federal courts have concluded that ICE detainers cause a new period of detention, and they are unconstitutional.

ICE has flouted this requirement for years, issuing detainers based on investigative interests alone; and these dragnet detainer issuances practices have caused the detention of countless people who were not criminal felons, felon aliens, who are not removable—even U.S. citizens in some cases.

The Federal courts finally caught up with this practice and found them to be unconstitutional and are holding local agencies under civil liability for honoring detainer requests from ICE.

In Colorado, for example, the Arapahoe County sheriff was forced to pay $30,000 to a victim of domestic violence who was, herself, arrested when she called the police for help. She was then held in the Arapahoe County jail at the request of Federal immigration authorities for 3 days after a judge had ordered her release. Another case in Jefferson County Sheriff's Office was forced to settle for $40,000.

Now, detainers are a form of communication and are therefore, in a reasonable reading of this proposed law, included. Effectively, you are presenting impossible choices to local law enforcement. You are telling them, on the one hand, subject yourself to civil liability or subject yourself to the cutting off of Federal grants to support your efforts.

Either way, Mr. Speaker, it is a loss for the safety of American citizens and a loss for law enforcement, all because this body fails to own up to the fact that only we can fix the problem; only we can secure the border; only we can replace our immigration system with a comprehensive approach that makes sense and has the resources to enforce it, the Federal resources to enforcement.

This isn't some theoretical matter that some intellectually curious law review cooked up. Jurisdictions in my district have been found civilly liable for enforcing detainers and been forced to pay. Lawsuits are being filed, and local law enforcement agencies that serve as proxies for ICE are losing.

If you want to tell cities in my State to enforce unconstitutional policies, why not take on the liability federally? Will this body pay the settlement from the Jefferson County Sheriff's Office? Will this body pay the settlement of $30,000 from the Arapahoe County sheriff?

The Republicans are making it clear that they don't have a plan to keep people like Kathryn Steinle safe. They don't have a plan to secure our borders. They don't have a plan to address our broken immigration system. This bill today is just another piece of evidence of this body's, this institution's failure to keep Americans safe.

Mr. Speaker, I reserve the balance of my time.

Mr. COLLINS of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I just want to hit a couple of points here. It was stated by my friend from Colorado about the issue of San Francisco and pursuing individuals, such as this one who committed murder; and the fact is ICE did ask for him to be held. San Francisco made the choice to let him go, which is leading us to the issue today before us, and we want to continue.

Also, this one assertion that this is a false solution debate—when is it a false solution to actually have to be here and discuss actually enforcing the law? I think that is exactly what we are doing here. If you choose to enforce the law, that is what your proper role should be, and if not, these are the penalties that will be put in place.

I think we will continue this process, Mr. Speaker, and at this time, I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield 4 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), my distinguished colleague on the Rules Committee.

Mr. MCGOVERN. I want to thank the gentleman from Colorado for yielding me the time.

Mr. Speaker, I rise in opposition to this closed rule. This process is an absolutely outrage. I also rise in strong opposition to H.R. 3009.

Mr. Speaker, along with all of my colleagues and every American, my heart goes out to the family of Kathryn Steinle. The murder of any innocent person is a tragedy, and after each such heinous crime, we always ask ourselves: Could this have been avoided? Could we have done something differently?

Mr. Speaker, H.R. 3009 paints itself as a remedy to Kathryn Steinle's death, but it does nothing—absolutely nothing—to address how to improve communication between our law enforcement, immigration, prosecutors, and penal institutions, nor does it improve the protocols and practices of how decisions are made on the release or transfer of a prisoner against whom ICE has lodged a detainer request.

Instead, Mr. Speaker, H.R. 3009 chose to penalize local law enforcement agencies and strip them of their Federal grants and funding when they prioritize working with immigrant communities in order to keep neighborhoods, cities, and towns safe.

Republicans would rather demonize these cities and local law enforcement agencies and force them to squander scarce local resources on immigration enforcement, instead of local policing. In effect, Mr. Speaker, H.R. 3009 will make our cities and communities less safe, rather than more secure.

This is why law enforcement and city governments oppose this bill. It deliberately and cynically undermines their ability to protect their communities, nurture public trust in the police and our legal system, and strengthen our public safety.

H.R. 3009 is opposed by the Major County Sheriffs' Association, the Fraternal Order of Police, the National Criminal Justice Association, the Major Cities Chiefs Association, the U.S. Conference of Mayors, and the National League of Cities; all of them strongly oppose this bill.

Mr. Speaker, this bill reeks of prejudice. It isn't meant to solve any problem. It is meant to punish cities that don't embrace the views of anti-immigrant extremists. It is meant to demonize all immigrants as criminals.

It means to punish any city, any police officer, any sheriff, and any cop on the beat who challenges the Republican anti-immigrant orthodoxy of ''hate them all'' and ''deport them all.'' Deport the DREAMers; deport the parents of U.S. citizens; deport children fleeing violence—deport, deport, deport.

Mr. Speaker, this House continues to wait and wait for the Republican majority to show some leadership and bring up a comprehensive immigration reform bill. It has been more than 2 years since the Senate passed a strong, bipartisan immigration reform bill; and we are still waiting for the House Republicans to act.

What we need is a way to bring 11 million of our neighbors, friends, colleagues, small-business owners, and hard-working residents out of the shadows. Let them register, be documented, and not fear talking with the police. Let us recognize their achievements and contributions to the American way of life.

This bill had no hearings, no markup, and no input from local law enforcement—no regular order. In fact, in the topsy-turvy world of the Republican House, the Judiciary Committee's Immigration and Border Security Subcommittee is holding its first hearing on this topic today—this morning—when this bill is already here on the House floor for debate and voted today.

No, Mr. Speaker, this bill is just more of the same, old, divisive Republican anti-immigrant formula. America is better than this, and I urge my colleagues to reject this closed rule and to oppose the underlying bill.

Mr. COLLINS of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise and just, again, part of this is really—and even if you look at the Administration's view on this bill and others, it is almost an Alice in Wonderland effect. What is up is down and down is up. We are looking at this, that enforcing the law hurts enforcement of the law and that it is backwards.

Now, there are issues that need to be addressed. One of the issues is that we have a communication problem. I agree. We have got a communication problem. When they say, ''Hold him; he is going to be deported; he is deportable; he is not someone we want on our streets'' and San Francisco and other sanctuary cities choose to release him, that is a communication problem. I will agree with my friends across the aisle on that point.

To say that punishing views—how about enforcing the law? The last time I sat in my law classes, we didn't enforce views; we enforced laws. I think that is what we are bringing up here.

I can't let it pass. I talked about this before, and as a Member who believes that there are immigration issues that we need to address and as a member of the Judiciary Committee—which, by the way, has held hearings dealing with this subject—in fact, just last week, the Secretary of DHS was in. I questioned him directly about this, and it is amazing. He has no real opinion about sanctuary cities as he told me in his testimony.

I find that rather amazing in that he would say that there would be a problem not enforcing these laws, and when I asked about other laws that we want to enforce—is it okay for cities to turn their back on those laws—there is not an opinion there.

We have talked about this. We have had immigration hearings. We have begun the process of marking up legislation to secure our communities, to secure our borders, and to do those things; but before we start throwing in the nature of saying there is all wrong with the Republican majority on something that we have not done, I just want to go back and remind—I am still one who at the time was out there watching the proceedings from my home in the State of Georgia, where we were doing everything we could to balance the needs of our State and our economy during shutdown and during a depression, recession—whatever you want to call it—and we were trying to balance budgets, and we were watching this issue up here, but what I saw was that we are told today we are waiting for Republicans and the Republicans have all this bad agenda.

At the same point, when this body was controlled by my friends across the aisle, when the other body across the way—the Senate—was controlled by my friends across the aisle, and when the administration was new and in their early stages of developing their strategy for solving all the world's problems, what they chose to do was wreck health care and to work against community bankers. They chose that.

□ 1045

They chose not to do comprehensive immigration reform. They chose to use it as a political issue and a political pawn. They chose not to bring this up.

When you want to bring it up, let's shine the light brightly. Let's bring it up and shine the light brightly on both sides. The world was waiting. You managed to get a lot of other things through. You managed to do other things that you wanted to do, but you chose not to do this. You chose not to make this.

My question here is simply: the bill that is being brought forward, it says enforce the law.

I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield myself such time as I may consume.

As the gentleman from Georgia might recall, when the Democrats controlled the Senate last session, they did pass comprehensive immigration reform with strong Republican and Democratic support. More than two-thirds of the body supported securing our borders, expelling felon immigrants, and keeping Americans safe. Had this body simply acted on that bill, as we repeatedly tried to get them to do, we quite likely would not be facing this tragedy that we face here today. Until this body acts, there are likely to be more victims, more American victims, of criminal immigrants.

It is not the fault of the Democrats. We, with the Republicans in the Senate, put together a bill that would have

addressed it. It is the fault of this body, the House of Representatives, that failed to act.

Mr. Speaker, I submit for the RECORD a Statement of Administration Policy with regard to this bill, which includes that the President's senior advisers would recommend that he veto this bill. He then goes into some of the same arguments we have been talking about with regard to why we need to secure our border and grow our economy and make sure that we can fix our broken immigration system.

STATEMENT OF ADMINISTRATION POLICY

H.R. 3009—ENFORCE THE LAW FOR SANCTUARY CITIES ACT

(Rep. Hunter, R–CA, and 44 cosponsors)

The Administration strongly opposes H.R. 3009. This bill fails to offer comprehensive reforms needed to fix the Nation's broken immigration laws, undermines current Administration efforts to remove the most dangerous convicted criminals and to work collaboratively with State and local law enforcement agencies, and threatens the civil rights of all Americans by authorizing State and local officials to collect information regarding any private citizen's immigration status, at any time, for any reason, and without justification.

The Administration continues to believe that it is critical to fix the Nation's broken immigration system through comprehensive commonsense legislation that builds on existing efforts to strengthen border security, cracks down on employers hiring undocumented workers, streamlines legal immigration, and offers an earned path to citizenship for undocumented immigrants to get right with the law if they pass background checks, contribute to the Nation's economy by paying taxes, and go to the back of the line. While the Senate passed comprehensive legislation with strong bipartisan support over two years ago that would do just that, the House of Representatives failed to take any action. According to the Congressional Budget Office, that legislation would also grow the Nation's economy by 5.4 percent and reduce Federal deficits by nearly $850 billion over 20 years. The Administration continues to urge the Congress to address all of the problems with the Nation's broken immigration system and take up commonsense legislation that will offer meaningful solutions to those problems.

The Administration also believes the most effective way to enhance public safety is through sensible and effective policies that focus enforcement resources on the most significant public safety threats. The Administration has put in place new enforcement priorities that do just that, focusing limited resources on the worst offenders—national security threats, convicted criminals, gang members, and recent border crossers. The effectiveness of these new priorities depends on collaboration between Federal, State, and local law enforcement. Every day, the Federal government fosters State and local collaboration through a variety of mechanisms, including policies, programs, and joint task forces. The Department of Homeland Security's Priority Enforcement Program (PEP) enables Federal immigration enforcement to work with State and local law enforcement to take custody of individuals who are enforcement priorities, including public safety and national security threats, before those individuals are released into communities. PEP is a balanced, commonsense approach to enforcing the Nation's immigration laws. It replaced the Secure Communities program, which, by establishing a ''one-size-fits-all'' approach to State and local cooperation with Federal immigration enforcement officials, discouraged some localities from turning over dangerous individuals to DHS custody. Secure Communities was embroiled in litigation and widely criticized for undermining State and local community policing efforts. PEP builds collaboration between Federal, State, and local law enforcement that allows for the most effective enforcement while enhancing community policing and trust. The Congress should give PEP a chance to work, instead of displacing that collaborative approach—which prioritizes the worst offenders—with the coercive approach of this bill, which makes no such differentiation.

Finally, the bill would condition Federal money on State and local governments allowing their law enforcement officials to gather citizenship and immigration status information from any person at any time for any reason. The Administration believes that such blanket authority would threaten the civil rights of all Americans, lead to mistrust between communities and State and local law enforcement agencies, and impede efforts to safely, fairly, and effectively enforce the Nation's immigration laws.

If the President were presented with H.R. 3009, his senior advisors would recommend that he veto this bill.

Mr. POLIS. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Speaker, the Donald Trump wing of the Republican Party is clearly ascendant here today. It is the dominant thinking among House Republicans.

This is the same crowd that, just back in February, threatened the funding for Homeland Security because they were so eager to deport our DREAMers—young people who came here as children, who have cleared a criminal background check, who paid a fee and are already contributing to America—because whenever they are in doubt on immigration, they fade to the extreme right. These are the same Members of Congress who have even gone to court to sue the President of the United States when he prioritized the deportation of criminals over immigrant families; and these are the same Republicans who were so fearful of a sane discussion here, and this Congress, this House, is never a sanctuary of sanity when it comes to immigration.

But they refuse to bring to the House floor a bipartisan bill unanimously approved in the Homeland Security Committee to deal with border security. If that weren't bad enough, they came back this year with a totally partisan border security bill, and they have been afraid to bring it to the floor because they do not want a reasoned discussion of immigration in this House of Representatives.

Unfortunately, this Congress is also never a sanctuary from partisan political stunts designed to capitalize on the latest tragedy, like the tragedy that occurred in San Francisco. This bill is not about grabbing criminals; it is about grabbing headlines. It is not about a thoughtful debate of the best immigration and law enforcement policies for our country; it is about scoring political points. It does so by rejecting the expert opinion of sheriffs and police chiefs and law enforcement experts and organizations and local mayors and leaders in the municipal level across America who say that, to fight crime effectively, they need to win the trust of all of the communities that they serve.

This bill is opposed by major law enforcement organizations, by municipal government organizations. I saw at the top of the list of those law enforcement organizations the police chief of my hometown, who works with community policing to make our communities safe. Some localities believe that they can better enforce the law, better keep our communities safe, if an undocumented person who is a witness or a victim of crime is involved with them and reporting those crimes and helping enforce the law.

If I have to choose between Donald Trump and his extreme attitudes embodied by colleagues here in this House today and my local law enforcement about how to protect my family, all of our families, I choose law enforcement. Let's reject this bad bill.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. POLIS. I yield the gentleman an additional 15 seconds.

Mr. DOGGETT. If they are so committed to supporting local law enforcement, eliminating funding for the COPS program is hardly the way to do it. We ought to be putting our dollars and our support and our immigration laws in conformity with the law enforcement experts across America and protect our families.

Reject this bad bill, and then do something substantive to back our law enforcement officials.

Mr. COLLINS of Georgia. Mr. Speaker, I yield myself such time as I may consume.

I appreciate the argument, and this is why we have this time. But I do want to just remind again, from my previous statement, bringing up a bill last Congress reminds me of back when I used to coach kids in football. There was always that struggle you wanted to put as many kids in, you wanted everybody to play, and you still wanted to win the game. There was that balance that you always had.

It reminds me of one time it happened to be one of my own kids. Now, that is pretty hard when you are coaching one of your own kids and you get to the end of the game and you didn't put him in like you thought you were going to because the time had run out on the game. And you go to him—fortunately, he was my son. I was driving home, and I said, ''I am sorry.'' I called

his name and I said, ''I am sorry I didn't get you into the game. The time had run out, but I had every intention of getting you into the game.'' That is about like saying last Congress when the Senate was Democrat but the House was Republican and we have different ideas and different views that we are bringing forward. I simply go back to the time when that did not exist, when time was still on the clock and they chose not to do anything.

Also, it is a good distracter from what we are talking about today: cities enforcing laws, finding solutions, and doing so. That is simply what this bill does, that is what this rule provides for, and those are the things that need to be talked about. This is the discussion that needs to be had, and this is the discussion the American people are having all over, including, by the way, San Francisco, who is reevaluating their policy even now.

I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield 3 minutes to the gentlewoman from Maryland (Ms. EDWARDS).

Ms. EDWARDS. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise today to ask my House colleagues to stop and think for a moment and to oppose not only the rule, but the underlying bill. It is extreme, it is anti-immigrant, and it is really not about sanctuary cities.

In fact, this flawed legislation actually second-guesses the decisions that are made by local police chiefs and sheriffs around the country on how best to police their communities and ensure public safety and ensure the kind of cooperation that they need in order for law enforcement to work properly.

As the founder and former executive director of the National Network to End Domestic Violence, representing domestic violence organizations and coalitions around the country, I am deeply concerned that this legislation will have a negative effect on the cooperation that is necessary between law enforcement and isolated, very isolated victims of domestic and sexual violence. Furthermore, it would strip the bipartisan provisions that passed in the Violence Against Women Act when we just reauthorized it.

Specifically, H.R. 3009 negatively amends section 241(i) of the Immigration and Nationality Act by doing the following:

It undermines the spirit and protections of VAWA, effectively pushing immigrant survivors and their children, many of whom are likely U.S. citizens, deeper and deeper into the shadows of danger.

It undermines the policies that local communities have determined are appropriate for their localities to ensure that victims of crime come forward without fear of retribution.

It allows violent crimes to go uninvestigated, and it leaves victims without redress because of reductions in funding.

This bill would have damaging ramifications for families across the Nation and in my home State of Maryland.

I enter into the RECORD a letter from the National Task Force to End Sexual and Domestic Violence Against Women, representing coalitions, organizations, shelters, services, and programs in every single State in this country.

Mr. Speaker, I want to just quote from this letter. It says: ''Fear of deportation also strengthens the ability of abusers and traffickers to silence and trap their victims. Not only are the individual victims harmed, but their fear of law enforcement leads many to abstain from reporting violent perpetrators or coming forward, and, as a result, dangerous criminals are not identified and go unpunished.''

NATIONAL TASK FORCE TO END SEXUAL AND DOMESTIC VIOLENCE AGAINST WOMEN,

JULY 21, 2015.

DEAR REPRESENTATIVE: As the Steering Committee of the National Taskforce to End Sexual and Domestic Violence (''NTF''), comprising national leadership organizations advocating on behalf of sexual and domestic violence victims and women's rights, we represent hundreds of organizations across the country dedicated to ensuring all survivors of violence receive the protections they deserve. For this reason, we write to express our deep concerns about the impact of the ''Enforce the Law for Sanctuary Cities Act'' (H.R. 3009), which amends section 241(i) of the Immigration and Nationality Act.

As government officials, we ask you to approach this issue from the perspective of a leader and be sure of the implications this bill can have on entire communities. All parties have the common goal of making communities safer. This bill will encourage law enforcement to enforce immigration law, and will significantly hinder the ability of certain communities to build trust and cooperation between vulnerable and isolated victims of domestic and sexual violence and law enforcement. Last year marked the twentieth anniversary of the bipartisan Violence Against Women Act (''VAWA''), which has, since it was first enacted, included critical protections for immigrant victims of domestic and sexual violence. This bill undermines the spirit and protections of VAWA and will have the effect of pushing immigrant survivors and their children (many of whom are likely U.S. Citizens) deeper into the shadows and into danger.

As recognized in VAWA, bipartisan legislation supporting our nation's response to domestic and sexual violence and stalking, immigrant victims of violent crimes are often fearful of contacting law enforcement due to fear that they will be deported. A recent and comprehensive survey shows that 41 percent of Latinos believe that the primary reason Latinos/as do not come forward is fear of deportation.

Policies that minimize the intertwining of local law enforcement with ICE help bring the most vulnerable victims out of the shadows by creating trust between law enforcement and the immigrant community, which in turn helps protect our entire communities. Fear of deportation also strengthens the ability of abusers and traffickers to silence and trap their victims. Not only are the individual victims harmed, but their fear of law enforcement leads many to abstain from reporting violent perpetrators or coming forward, and, as a result, dangerous criminals are not identified and go unpunished. These criminals remain on the streets and continue to be a danger to their communities.

This bill undermines policies that local communities have determined are appropriate for their localities, and decrease the ability of law enforcement agencies to respond to violent crimes and assist all (immigrant, citizens, etc.) victims of crime. As recognized in VAWA, law enforcement plays a critical role in our coordinated community response to domestic and sexual violence. Federal law enforcement funding supports critical training, equipment, and agency staffing that assists domestic and sexual violence victims. H.R. 3009 will allow violent crimes to go uninvestigated and leave victims without redress due to reductions in funding.

For these reasons, we urge you to affirm the intent and spirit of VAWA and oppose the provisions above. Thank you very much for taking this important step to protect and support immigrant survivors of domestic violence and sexual assault.

Ms. EDWARDS. Surely, Mr. Speaker, this is not what we need to do. We need to ensure the continued protections of domestic violence victims all across this country, no matter who they are and no matter where they are, and to know that law enforcement will be there to protect them and their children.

Mr. COLLINS of Georgia. Mr. Speaker, I continue to reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield myself such time as I may consume.

The best way to address the problems in our immigration system, the best way to address the lack of security for American citizens, the best way to ensure that there are not others like Kathryn Steinle and others that have fallen victim to immigrant felons is to fix our broken immigration system, secure our borders. Only Congress can do that.

Now, the President has taken the first steps to help keep Americans safe by suggesting certain policies like DACA and DAPA programs. Now, DACA is being implemented; DAPA is, unfortunately, tied up in the courts. What these efforts allow our law enforcement agencies to do is to focus their efforts on criminals like Mr. Lopez-Sanchez rather than violators of our civil law. It would be better if this body could put those concepts into statute or, better yet, make sure that we can differentiate between noncriminals and criminals within the law.

An immigration reform bill would reduce the risk of tragedies like this and help keep Americans safe by helping law enforcement identify people who are here illegally, and it would bring people out of the shadows. Identifying the portion of our people that are here illegally that qualify for relief and for

prosecutorial discretion would help our law enforcement agencies narrow their focus and targets to individuals like Mr. Lopez-Sanchez.

Immigration reform efforts like H.R. 15, which was the comprehensive bill from last Congress, would modernize our immigration agencies, increase enforcement and resources tools, technology, and border security to prevent tragedies like this from occurring. Doing the difficult work of having a meaningful debate around immigration reform is the only way we can ever be able to keep Americans safer and reduce the likelihood of this kind of incident.

A vote for this particular bill won't do anything to address these systemic problems. Had this been the law, it would not have prevented this tragedy, nor does it do anything to address the problems plaguing our immigration system. Instead, it threatens and bullies local law enforcement and says to them, either expose yourself to civil liability—which is very real. My agencies in Colorado have been forced to pay—they have been forced to pay—$30,000 or $40,000. So pay legal fines, or we are going to cut your grants.

Look, it is a natural tendency of people to pass the buck, and Congress is basically trying to pass the buck to local law enforcement for our failures here in this body.

Mr. Lopez-Sanchez should not have been wandering the streets of San Francisco or any other American city. He should not have been allowed to illegally enter. In fact, he had been caught at the border four or five times, and he had snuck across other times.

□ 1100

We need real border security, and we need to finally enforce our law and get serious about restoring the rule of law, which this bill would only make an even bigger joke.

Rather than restoring the rule of law and encouraging cooperation between Federal, State, and local authorities in cases that involve immigrant felons, this bill would punish local law enforcement for prioritizing public safety and community policing over trying to do the job that Congress and the Federal Government are supposed to do.

I reserve the balance of my time.

Mr. COLLINS of Georgia. Mr. Speaker, I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, how much time remains?

The SPEAKER pro tempore. The gentleman from Colorado has 3¾ minutes remaining.

Mr. POLIS. Mr. Speaker, I yield myself the balance of my time.

It is time for this body to fix our broken immigration system to keep Americans safe. How many other victims like Kathryn Steinle need to make the ultimate sacrifice—or the countless other Americans who are victims of other kinds of crime—at the hands of immigrant felons? It will be until this body chooses to fix our broken immigration system and restore the rule of law.

This particular bill would only further dissipate the rule of law. It tells local law enforcement you have to either pay fines that drain your ability to enforce our laws or you lose grants that reduce your ability to enforce our laws.

Either way, if this bill were somehow to become law—even though the President has indicated he would veto it—it would drain away the very local law enforcement resources, the purpose of which is to keep Americans safe.

Let us move forward to replace our broken immigration system with one that works, not try to pass the buck. Mr. Speaker, the buck can't be passed. It is the Federal Government's responsibility to secure our border and to establish immigration laws. It is the Federal Government's responsibility to deport criminals.

No matter how this body may try to say that it should be cities and counties and sheriffs and police chiefs—who are trying to do the dirty work—who are the result of our failure to take action, they need to make the decisions that are in the best interests of keeping their communities safe.

With 10 or 12 or 14 million people in our country illegally—some of them immigrant felons—we are passing along the buck to local law enforcement with an impossible task.

Rather than make that task more impossible by forcing them to pay civil fines or to lose important law enforcement resources, let's help them have the resources and policies they need to deport felon immigrants before they can commit crimes like the tragedy that occurred in San Francisco.

I urge my colleagues to oppose this rule, to oppose this bill, and to reject this bizarre approach that we are seeking here today, which would have done nothing to have prevented this tragedy or any other like it, and would lead to countless more tragedies by taking resources out of the hands of those who are on the front lines—on our streets, in our neighborhoods—keeping Americans safe.

I yield back the balance of my time.

Mr. COLLINS of Georgia. Mr. Speaker, I yield myself the balance of my time.

This is an interesting argument, as I stated before, because it really defies, in many ways, logic.

The best way to help prevent what has just happened is to enforce the law. It is not to give a substantive, wishy-washy: Well, I won't enforce this. I don't want to enforce this. I am making a political judgment.

In fact, that is really what the law should be there for, is to say: This is the law that has been passed through the political process, but this is the law for everyone.

When you have the debates in Congress, that is what the political argument is for. I don't disagree with my friend from Colorado, as this is the part that we are supposed to debate; but once it leaves here and it is printed and it is law and it is signed, it is to be enforced.

To really argue that, on this side, we don't want to enforce, and, on this side, we want to enforce, where does it end—when we don't want to enforce drug laws? trafficking laws? employment law? Where does it end?

I am sure there are political differences in many cities, possibly in my own district of the Ninth District of Georgia, where cities say: I am not sure I like this employment law. I am not sure I like having to deal with compliance, with Federal law. We will just ignore it. No. It is about enforcement.

Lopez-Sanchez was requested by ICE. Whether you are talking about limited resources or whether you are talking about a lot of resources, it doesn't matter. They requested him to be held.

San Francisco said no. It is San Francisco's choice—their political choice, their life choice. It was a life choice for this young lady. Her life is gone.

It is not an economic choice—it is a life choice—and their choice led to a life's being taken. It is not about whether you like the law or not, and it is not about whether you have a view on the law or not—it is about whether you will enforce the law or not.

I struggle with this as I understand about the interest of immigrant communities, and I understand about good policing. My father was a State trooper.

I understand the relationship between communities and of their all working together to provide a safe community; but sanctuary cities are sanctuaries for those who abide by the law—those who are here legally, those who want to live a prosperous life and just get up and go to work and not have to worry about being shot on the street by somebody who is being sanctuaried because he is here illegally—not once but multiple times over.

As has already been stated, this is not a judgment call. San Francisco could see this. They could see his record. They could see he had been detained for illegally entering. This is not something that was, frankly, even close. They chose.

The question remains: Do we enforce or do we not? The question remains: Do we want to be under a rule of law or do we want to have something else?

It has been brought up many times today of a bill in the last Congress that was passed by the Senate that would be the panacea for everything and probably would help this. That was the implication given.

I have just one question to those who make that assertion: If San Francisco and other sanctuary cities won't enforce the law now because of their political views, what gives them any idea they would for a new law?

We have got a fundamental problem here, Mr. Speaker. The fundamental problem is: Is political rule of law going to happen or is the rule of law going to happen?

Pass any bill you want, but if we allow them to ignore it without consequence, then you have no standard, you have no basis for debate, you have no place to move forward.

You can pass everything you want to and have the President sign it in beautiful ceremonies; but if we allow political subdivisions in this country to just continue to pick and choose, then we have got a problem.

Now, if there are issues, let's solve them here. Let's have the debates—I agree—but this isn't up for debate when it leaves here.

So pass whatever you want to pass. Will San Francisco enforce it? I don't know—maybe, maybe not—but when they released and when other sanctuary cities release them and say: We are not going to hold. We are not going to do these things, then they have made a choice. Unfortunately, in this case, they made a life choice, and that beautiful life is gone.

This rule simply says enforce the law. This rule—this bill—says we have law. It is what we have got right now. It is not your aspirational goal. It is the law. Simply enforce it.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. POLIS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

SAFE AND ACCURATE FOOD LABELING ACT OF 2015

GENERAL LEAVE

Mr. POMPEO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on the bill, H.R. 1599.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 369 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 1599.

The Chair appoints the gentleman from Idaho (Mr. SIMPSON) to preside over the Committee of the Whole.

□ 1111

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 1599) to amend the Federal Food, Drug, and Cosmetic Act with respect to food produced from, containing, or consisting of a bioengineered organism, the labeling of natural foods, and for other purposes, with Mr. SIMPSON in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Kansas (Mr. POMPEO) and the gentleman from Vermont (Mr. WELCH) each will control 30 minutes.

The Chair recognizes the gentleman from Kansas.

Mr. POMPEO. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, H.R. 1599, the Safe and Accurate Food Labeling Act, is the product of diligent and bipartisan work by the Energy and Commerce Committee and the Agriculture Committee.

Over the past year and a half that we have been working on this legislation, we have solicited input from Members and from relevant agencies like the FDA and the USDA. We have also met with the organic community, conventional farmers and ranchers, seed producers, scientists, and supply chain specialists.

Throughout this process, we have sought to address every legitimate concern and provide whatever clarification might be necessary.

The fact is that the scientific consensus on the safety of genetically engineered products is utterly overwhelming. Precisely zero pieces of credible evidence have been presented that foods produced with biotechnology pose any risk to our health and safety.

Given this fact, it is not the place of government—government at any level—to arbitrarily step in and mandate that one plant product should be labeled based solely on how it was bred while another identical product is free of a government warning label because that producer chose a different breeding technology. That is unscientific, and that is bad public policy.

The mandatory labeling of genetically engineered products has no basis in legitimate health or safety concerns, but is a naked attempt to impose the preferences of a small segment of the populace on the rest of us and make the constituents whom I serve in Kansas pay more for their food.

A recent study shows that the proposed State GE labeling laws could raise the cost of the average family's food bill by, roughly, $500 per year. Many, many families in Kansas simply cannot afford that.

Antibiotechnology interest groups are attempting to use State laws to force mandatory GE labeling on safe products and interfere with interstate commerce.

To ensure that families in Kansas and all across the country have access to nutritious and affordable food, H.R. 1599 accomplishes three primary objectives.

First, we ensure that every new GE plant destined to enter the food supply goes in for an FDA safety review.

Second, we prevent the creation of what would be the unworkable patchwork of State-by-State—or even county-by-county or city-by-city—mandatory GE labeling laws.

□ 1115

Finally, in order to provide clarity to those who prefer not to eat GE products, our bill authorizes a voluntary, user-fee-based non-GE labeling program at the USDA to provide even greater transparency and more options so that consumers, by ensuring a common definition for non-GMO for all foods, whether they are sold at the retail level or served in restaurants.

Members of Congress need to realize that allowing activists to create a patchwork State-by-State set of rules will have a real effect on our families and our districts. Those who support mandatory GE products must admit they are willing to increase the cost of food for families in Wichita and Dallas and Grand Rapids and in Vermont and in Boston and all across our Nation based on unscientific demands of a handful of antibiotechnology activists.

Congress' goal must be to ensure that people in those places have access to safe, nutritious, and affordable food to feed their families. A patchwork of laws will not accomplish that.

The reality is that biotechnologies, time and time again, have proven safe. It is simply not debatable. U.S. policies should reflect that. We should not raise prices on consumers based on the wishes of a handful of activists. I ask for everyone to support H.R. 1599.

Mr Chairman, I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, July 15, 2015.

Hon. MICHAEL K. CONAWAY,
Chairman, Committee on Agriculture, Washington, DC.

DEAR CHAIRMAN CONAWAY: I write in regard to H.R. 1599, Safe and Accurate Food Labeling Act of 2015, which was ordered reported by the Committee on Agriculture on July 14, 2015. As you are aware, the bill also was referred to the Committee on Energy and Commerce. I wanted to notify you that the Committee on Energy and Commerce will forgo action on H.R. 1599 so that it may proceed expeditiously to the House floor for consideration.

This is done with the understanding that the Committee on Energy and Commerce's jurisdictional interests over this and similar legislation are in no way diminished or altered. In addition, the Committee reserves the right to seek conferees on H.R. 1599 and requests your support when such a request is made.

I would appreciate your response confirming this understanding with respect to H.R. 1599 and ask that a copy of our exchange of letters on this matter be included in the Congressional Record during consideration of the bill on the House floor.

Sincerely,

FRED UPTON,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON AGRICULTURE,
Washington, DC, June 15, 2015.

Hon. FRED UPTON,
Chairman, Committee on Energy and Commerce, Washington, DC.

DEAR CHAIRMAN UPTON: Thank you for your letter regarding H.R. 1599, ''Safe and Accurate Food Labeling Act of 2015.'' I appreciate your support in bringing this legislation before the House of Representatives, and accordingly, understand that the Committee on Energy and Commerce will forego action on the bill.

The Committee on Agriculture concurs in the mutual understanding that by foregoing consideration of the bill at this time, the Committee on Energy and Commerce does not waive any jurisdiction over the subject matter contained in this bill or similar legislation in the future. In addition, should a conference on this bill be necessary, I would support your request to have the Committee on the Energy and Commerce represented on the conference committee.

I will insert copies of this exchange in the Congressional Record during Floor consideration. I appreciate your cooperation regarding this legislation and look forward to continuing to work the Committee on Energy and Commerce as this bill moves through the legislative process.

Sincerely,

K. MICHAEL CONAWAY,
Chairman.

Mr. WELCH. I yield myself such time as I may consume.

Mr. Chairman, I want to address this issue that Mr. POMPEO and this bill present to this House. This question of GMO labeling and biotechnology is a good thing. Biotechnology has done a lot of good things for this country and for consumers. This is not a question about whether the science says that GMO foods cause medical issues. That is not the issue.

The question is whether consumers, when they purchase food, have a right to know what is in it. What Mr. POMPEO and this legislation are suggesting is that, regardless of what consumers want, they won't be told.

This bill does two fundamental things. One, it says to those States that this is not about a small group of activists. This is States like Vermont, Maine, and Connecticut with massive bipartisan votes, Republicans and Democrats saying that they wanted the right to have these products labeled, and then the consumer can decide whether he or she wants to purchase that product. It is the market that ultimately decides.

This legislation would basically block all State laws that require mandatory GMO labeling; so if the State of Idaho, with its Republicans and Democrats in the legislature responding to the demands of its constituents, wanted to label it, they wouldn't be able to do it. It effectively blocks the FDA from creating a national labeling standard. That is the irony here.

If you are talking preemption, you at least have to talk about a national standard that has credibility and provides information that consumers want. In this case, we strip from the States the right to do what they believe is in the interest of their citizens and don't substitute any serious label that would apply across the board. This claim that this would create a patchwork of different State laws is not addressed when you don't even offer a national standard.

Next, it would allow ''natural'' claims on GMO foods and block State laws that prevent such claims. This legislation fundamentally takes away from your State and mine the ability to do what they believe is in the interest of their consumers: let them know what they are buying.

By the way, what is the problem with letting consumers know what they are buying? They are the ones that decide what products they want to consume. The issue here, again, to repeat, is not about the science of whether GMOs cause health problems, but there is a significant issue about GMO products requiring significantly more herbicides in order to produce, and the use of herbicides—glyphosate has gone from 16 million pounds to about 280 million pounds since the introduction. Those farming practices do have an effect, and a lot of consumers are really concerned about that.

Mr. Chairman, I reserve the balance of my time.

Mr. POMPEO. Mr. Chairman, I yield 2 minutes to the gentlewoman from the great State of Missouri (Mrs. HARTZLER).

Mrs. HARTZLER. Mr. Chairman, today, I rise to lend my support to H.R. 1599, the Safe and Accurate Food Labeling Act. As a mother, farmer, and former nutrition education teacher, I understand the importance of providing valuable information to consumers about where their food comes from and how it is grown.

If we are going to face the growing challenges of obesity in this country and increasing demand for food worldwide, each and every American is going to have to engage in an honest dialogue about our food production and distribution systems.

It is important that these systems are based on sound science, with a strong set of food labeling guidelines that are consistent across State lines, affordable for all Americans, and provide accurate and easy to understand information on the package for those consumers wanting to know more.

H.R. 1599 is a mirror image of the successful USDA organic program that many of my constituents have come to appreciate and trust. This voluntary, commonsense option program is a compromise that balances the needs of both consumers and producers while providing a national path to getting consumers information that they may want.

I thank the chairman for bringing this timely bill to the floor. I ask all my colleagues to support H.R. 1599.

Mr. WELCH. I yield 2 minutes to the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Mr. Chairman, I have stated at our two Energy and Commerce Committee hearings on this issue that I am sympathetic to the need for Federal legislation.

It does not make sense to have a patchwork of food labeling requirements in different States. I also do not believe that genetically engineered foods are unsafe. If they were unsafe, they would not be allowed on the market.

However, I acknowledge that the majority of consumers want foods made with genetically engineered ingredients to be labeled as such. They view this as a right-to-know issue. While I don't know of any scientific reason to require GE foods to be labeled differently than non-GE foods, I do not believe we will be engendering confidence in these foods if we pass H.R. 1599.

I feel that by preempting State right-to-know laws without creating any national labeling requirement, this legislation will be seen by most consumers as an attempt by Congress and Washington to prevent them from knowing which foods have GE ingredients, and therefore, I intend to vote against the bill.

However, I also understand why others think this bill is important and will vote for it. Obviously, it is up to any Member to decide for him or herself how this affects constituents in their own districts and vote accordingly.

Mr. POMPEO. I yield 1 minute to the gentleman from New York (Mr. COLLINS).

Mr. COLLINS of New York. Mr. Chairman, I rise today in support of H.R. 1599, the Safe and Accurate Food Labeling Act.

As today's global food chain expands, consumers deserve to know what is in their food. H.R. 1599 eliminates confusion and saves taxpayers from shouldering the costs associated with a patchwork of State labeling laws.

Additionally, H.R. 1599 ensures that our food supply is safe by clearly establishing the FDA as the preeminent authority to make science-based decisions concerning food safety. Currently, a patchwork of GMO labeling

has emerged across our country, with some States having completely different food labeling requirements than others.

This hodgepodge of regulation increases the cost of food for families and negatively impacts food producers. By increasing transparency, reducing the cost of regulations, and improving food safety, H.R. 1599 will bring our Nation's food labeling into the 21st century.

Mr. WELCH. I yield 2 minutes to the gentleman from Minnesota (Mr. PETERSON).

Mr. PETERSON. Mr. Chairman, I rise to support H.R. 1599.

This bill establishes a voluntary nationwide USDA-administered certification program for labeling genetically engineered food products, and we believe that this is a reasonable, workable solution that balances consumer demand to know more about their food with what we know about the safety of the foods that we produce.

I didn't sign on to this bill initially because I thought we needed to make some changes, which were eventually made and made the bill supportable, from my perspective.

This is a very important point. The bill ensures that every new genetically engineered plant destined to enter the market has to go through an FDA safety review. This change means that foods from genetically engineered plants will only be able to enter the marketplace after this happens, and that is a change from the current situation.

H.R. 1599 prevents the unworkable scenario of a State-by-State, county-by-county, or even city-by-city labeling law. This patchwork of laws would only create confusion for consumers, farmers, and food companies and would also drive up consumer grocery bills.

I acknowledge that consumers want to know what they are eating, and in my opinion, H.R. 1599 provides them with that information. Before we can do anything in this area, we have to define what this means, and if you talk to five different people about what genetically engineered or genetically modified means, you are going to get five different answers.

One of the things that will happen with this bill if it becomes law is that the USDA will go through a process, talking to all the stakeholders, and come up with a definition of what this means, which I think is one of the most important things because, right now, I think there is a real disconnect between the science on this issue and the consumers.

What this bill does is allows companies like companies in my district to go and work with the Secretary to create a non-GMO label, nongenetically engineered label.

The CHAIR. The time of the gentleman has expired.

Mr. WELCH. I yield an additional 30 seconds to the gentleman.

Mr. PETERSON. Then consumers can find out. If they want to purchase nongenetically engineered products, there are companies out there that are going to provide them.

I think this doesn't get to where a lot of people want to get, but it gets us a long ways down the road. It will be able to define what this means and put in place a workable solution that I think people should support.

I urge my colleagues to support H.R. 1599.

Mr. POMPEO. Mr. Chairman, I yield myself such time as I may consume to engage in a colloquy with the gentleman from Texas (Mr. CONAWAY).

When considering the substitute reported by the Committee on Agriculture, I would like to confirm that the committee was aware that many ingredients derived from genetically engineered crops have been so highly refined that they contain no genetically engineered material and that finished food products produced with such ingredients, likewise, would contain no genetically engineered material.

Mr. CONAWAY. Will the gentleman yield?

Mr. POMPEO. I yield to the gentleman from Texas.

Mr. CONAWAY. I thank the gentleman for yielding. It certainly is our understanding that products—and sugar is a good example of those—may come from a GE crop, but the finished product has no genetic material in it.

Mr. POMPEO. This fact exemplifies why labeling as to whether or not food has been produced through genetic engineering is appropriately voluntary, not mandatory, as it seems unnecessary to require labeling about the use of genetic engineering if the labeled food contains no genetically engineered material.

I would just add—and hope that the gentleman from Texas would concur—that this approach is consistent with the exemption from the labeling requirements for major food allergens that Congress has established for highly refined oils as part of the Food Allergen Labeling and Consumer Protection Act of 2004.

While the eight major food allergens—milk, egg, fish, crustacean shellfish, tree nuts, wheat, peanuts, and soybeans—must be listed on food labels where they or ingredients containing protein derived from these allergens are added to food, the definition of ''major food allergen'' excludes any highly refined oil derived from a major food allergen and ''any ingredient derived from such highly refined oil.''

Mr. CONAWAY. Will the gentleman yield?

Mr. POMPEO. I yield to the gentleman from Texas.

Mr. CONAWAY. I thank the gentleman for yielding. The gentleman is correct. This is a perfect example of why passage of this legislation is so important.

Mr. POMPEO. I thank the gentleman.

I yield 3 minutes to the gentleman from Texas (Mr. CONAWAY).

Mr. CONAWAY. Mr. Chairman, I rise in support of H.R. 1599. Mankind has used biological technologies for more than 10,000 years to improve crops and livestock and to make useful food products, such as bread, cheese, and to preserve dairy products.

When applied to plant breeding, these technologies have led to evolution of nearly every food product we consume. These and other advances have enabled us to proudly boast that we enjoy the safest, highest quality, most abundant, diverse, and affordable food supply and fiber mankind has ever known.

As our knowledge has increased, so has the speed and precision in which we are able to harness natural capabilities to improve the plants that we cultivate. These new applications of biotechnology have been available to American and international consumers for some three decades.

The safety of technology has been documented and confirmed by the world's leading scientific and public health organizations, including the World Health Organization, the National Academies of Science, the American Association for the Advancement of Sciences, the American Medical Association, and the Royal Society of Great Britain.

□ 1130

The House Agriculture Committee has frequently reviewed these technologies. We have reviewed the regulatory mechanism that has been in place since the Reagan administration and have been regularly assured by the absence of any valid concerns regarding the safety or quality of products derived from these production technologies.

Biotechnology is an essential tool for farmers and our food supply to have in the toolbox. If we plan to feed the estimated 10 billion people in the year 2050 in an environmentally sound, sustainable, affordable way, they must be used.

Unfortunately, threats exist to our ability to fully utilize this technology in the form of proposed Federal and State laws as well as some new State laws that will be implemented soon if we don't act. Passage of any new antibiotech laws and amendments or implementation of those already passed will likely have far-reaching negative consequences, which we will debate today.

The legislation before the House today addresses this threat in a manner that pays tribute to the successful voluntary, market-driven programs administered by the Department of Agriculture. These programs have not only enabled farmers to receive premiums in the marketplace for their efforts to

distinguish their products, they have appealed to the growing desire of many food-conscious consumers. One such example is the highly successful National Organic Program, many aspects of which we have replicated in this legislation.

The structure and coverage of this legislation, like that of the National Organic Program, will assure consumers are given reliable, accurate, and consistent information related to the genetic engineering, whether it is at the retail level or at a restaurant.

In developing this legislation, we worked in a bipartisan fashion between the Agriculture and the Energy and Commerce Committees, receiving and integrating the ideas and suggestions of Federal agencies, organic interests, conventional producers and handlers, and more.

Mr. Chairman, mandatory labels are used as a warning or a caution. Even our opponents to this legislation have said there is no safety issue here that we are talking about to ''scare'' potential consumers. We believe this voluntary program meets that need of letting consumers know, and I urge support of the bill.

Mr. WELCH. I yield 2 minutes to the gentlewoman from Hawaii (Ms. GABBARD).

Ms. GABBARD. Mr. Chairman, I am rising today in strong opposition to H.R. 1599, which actually stands in direct contradiction to the wishes of almost 90 percent of Americans across the country. It is no wonder that this legislation has more commonly become known to people who are very concerned about this issue as the DARK Act, or the Deny Americans the Right to Know Act. And that is really what is at issue here.

This legislation makes a mockery of transparency and leaves U.S. consumers in the dark. What are they so afraid of? Why deprive Americans of the ability to make educated choices about whether they want food with genetically modified ingredients? Why make the labeling of such food just voluntary? Why not require it as you require basic nutrition information on processed foods now? Why not join the 64 other countries, including the EU, Japan, Australia, Brazil, and China, in empowering our constituents with information, making mandatory labeling?

My State of Hawaii is the number one State for experimental genetically engineered plant field trials, according to the USDA. Many of my constituents are very concerned about GE crop field testing because of the lack of information about these trials and the pesticides that are being applied to the fields.

On the island of Kauai, in my district, residents organized and passed an ordinance requiring large agrochemical companies to disclose the pesticides they are spraying and observe buffer zones around schools, homes, and hospitals to prevent chemical spray drifts.

The DARK Act could overrule the rights of these local communities to make such decisions to protect their health and safety and guide the growth of their agricultural industries.

This legislation could overturn a ban on the cultivation of genetically engineered coffee passed by Hawaii Island constituents, potentially damaging the global reputation of Hawaii's famous and unique Kona coffee, the only domestic coffee industry in our country. It could negate a ban on the cultivation of genetically engineered taro, endangering a main staple and culturally significant plant for indigenous Native Hawaiians.

This is why I am calling on my colleagues to adopt the Genetically Engineered Food Right-to-Know-Act. I urge my colleagues today to vote against the DARK Act and support commonsense labeling as we move forward.

Mr. POMPEO. Mr. Chairman, it is clear that there is some misinformation here. This legislation has literally nothing to do with rules about cultivation. State laws will be able to continue to govern that. That is simply about labeling. I think it is important every one know that.

I yield 1½ minutes to the gentleman from Ohio (Mr. GIBBS).

Mr. GIBBS. Mr. Chairman, I rise today in support of H.R. 1599, the Safe and Accurate Food Labeling Act.

When any Federal agency mandates what used to be a voluntary process, it can only add to a bureaucratic headache. A mandatory process for FDA food labeling approvals would create increased costs for businesses and consumers, invite potential litigation, and burden our Nation's farmers and small businesses.

I am pleased to see that this bill streamlines the voluntary FDA labeling process, with the help of the USDA, to make a combined, joint effort to label food headed to the market. Having uniform rules for foods with a GMO-free label will benefit consumers and alleviate struggles with interstate commerce in response to a patchwork of State and local labeling standards. H.R. 1599 will help give consumers an opportunity to make an informed choice at the supermarket, while also advancing food safety and consistency in our food labels.

I thank my colleagues in the Agriculture Committee as well as the Energy and Commerce Committee for finding a way to make this change in a simple and most effective way.

Mr. WELCH. Mr. Chairman, I yield 2 minutes to the gentleman from Colorado (Mr. POLIS).

Mr. POLIS. Mr. Chairman, I thank the gentleman from Vermont for yielding.

I rise in opposition to H.R. 1599. This legislation, which should be called the Deny Americans the Right to Know Act, or DARK Act, represents a major threat to consumer information. States have the right to determine their own local laws relating to GMO labeling, and the Federal Government shouldn't interfere.

I frequently hear Republicans talk about states' rights and talk about the big, bad Federal Government; but when it comes down to it, here they want to take away the rights of States and counties and the voice of people, instead to support huge corporations and companies.

Polls prove again and again Americans want to know what is in their food. Nine out of ten Americans support genetically engineered labeling, including majorities of Democrats, Republicans, Independents, Whites, Latinos, Blacks. What else can bring everybody together? This isn't a ''handful of activists'' we are talking about here. We are talking about 90 percent of the American people.

It is the right of States to be able to determine how they label their food. States are doing it as we speak, just as they do with many other things: sell-by requirements; labels on bottled water around deposit requirements; States requiring origin of seafood and catfish, whether it is farm raised or wild caught.

It is a vibrant discussion across the States that we should not preempt here in Washington at the behest of a couple major world corporations. We are talking about the rights of hundreds of counties and States and tribes to talk about how close to schools and hospitals pesticides can be used that relate to genetically modified organisms. Do we really want pesticides used to kill superbugs sprayed across your 5-year-old child's playground?

These are the States that we are talking about, not a handful of activists. It includes States like Texas, where legislation has been introduced.

This bill will remove everything that has the right to know for people and for States. We need to stand up to fight for the right to allow States and consumers to make these kinds of choices for themselves. That is why I cosponsored my colleague from Maine's substitute amendment, which will remove the preemption language from the bill.

I urge my colleagues to oppose the DARK Act and to support consumer transparency.

Mr. POMPEO. Mr. Chairman, I yield myself such time as I may consume.

We have heard on multiple occasions about this 90 percent number in some poll about folks who want to have this labeling. This doesn't even pass the smell test.

When consumers were asked to list the items they would like to see labeled, exactly 7 percent of respondents to a 2013 Rutgers University study volunteered GMOs. Frankly, the most reliable survey, the ballot box, has been

100 percent consistent. Every time a GMO labeling bill has been presented to voters in any State in the United States of America, they have rejected it.

There is most certainly not 90 percent of the folks wanting to know that. This bill will not deny those handful that do the right to do that. It is disingenuous to offer up anything to the contrary.

I yield 3 minutes to the gentleman from Pennsylvania (Mr. PITTS).

Mr. PITTS. Mr. Chairman, I rise in support of H.R. 1599.

There are real sensitivities around GMOs and all issues regarding the food we eat and feed our children and grandchildren. It is our job as policymakers, particularly as it relates to the public health, to establish a factually and scientifically sound foundation prior to taking any action that would impact consumers in our economy.

The bill before us today, H.R. 1599, does just that by ensuring national uniformity regarding labeling of foods derived from genetically engineered plants by preventing a patchwork of conflicting State or local labeling laws which inherently interfere with interstate and foreign commerce.

Genetic engineering in agriculture has occurred for centuries. Ingredients from genetically engineered plants have been a part of the U.S. food supply for decades. In fact, as much as 90 percent of our corn, sugar beet, and soybean crops are now genetically engineered, and more than 70 percent of processed foods contain ingredients derived from such crops.

The FDA oversees the safety of all food products from plant sources, including those from genetically engineered crops. These products must meet the same safety requirements as foods from traditionally bred crops.

The FDA currently has a consultation process in place in which developers of the underlying technologies address any outstanding safety or other regulatory issues with the agency prior to marketing their products. The FDA has completed approximately 100 of such consultations. No products have gone to market until FDA safety-related questions have been resolved.

FDA officials have repeatedly stated that the agency has no basis for concluding that bioengineered foods are different from other foods in a meaningful way, and the World Health Organization has confirmed that ''no effects on human health have been shown as a result of consumption of such foods.'' In fact, they can grow faster, resist diseases and drought, cost less, and prove more nutritious.

Nonetheless, there recently have been a number of State initiatives calling for mandatory labeling of food products that contain GMOs. I am concerned that a patchwork of State labeling schemes would be impractical and unworkable. Such a system would create confusion among consumers and result in higher prices and fewer options.

Mr. Chairman, I commend Representatives POMPEO and BUTTERFIELD for their leadership on this legislation. I thank my colleagues on the Agriculture Committee for working through any issues and reaching consensus between the sponsors, committees of jurisdiction, implementing agencies, and impacted stakeholders. I commend the legislation to the House and urge its adoption.

Mr. WELCH. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan (Mr. CONYERS).

Mr. CONYERS. Mr. Chairman, I thank Mr. WELCH and Mr. MCGOVERN for their work on this issue.

Ladies and gentlemen, one of the most important lessons I have learned in the years I have been in this great body is that we have got to be aware of unintended consequences.

While some claim genetically modified organisms are safe beyond a reasonable doubt, the simple fact is that there is a great deal that we do not know about a technology that alters the basic building blocks of nature.

We have more to learn about how the widespread use of GMOs could hurt the resilience of our food system by reducing the diversity of plant species, and there is much research to undertake on how the chemicals that are used concurrently with GMOs threaten human health.

Just this year, the World Health Organization found the herbicide glyphosate to be a probable cause of cancer. GMOs are designed specially to be used with great quantities of this chemical, and the herbicide is being used in increasing quantities around the world.

This is why Pope Francis, himself, recently spoke of the need to exercise greater caution with regard to genetical manipulation by biotechnology. This is why more than 90 percent of Americans want GMO labeling, according to recent polling.

Mr. Chairman, H.R. 1599 would make it impossible for people to even be mindful of unintended consequences. It makes it impossible for people to know what they are purchasing and eating. It prevents States from taking prudent actions to protect consumers and farmworkers.

Our Nation's leading legal organizations, environmental groups, consumer groups, and food safety groups all oppose H.R. 1599 because it is an attack on transparency and a dangerous attack on our great tradition of federalism.

Mr. POMPEO. Mr. Chairman, it is my pleasure to yield 5 minutes to the distinguished gentleman from North Carolina (Mr. BUTTERFIELD), an original cosponsor, who is responsible for getting this bill to the state it is in today.

□ 1145

Mr. BUTTERFIELD. Mr. Chairman, I thank Mr. POMPEO for yielding time and thank him for his leadership on this issue. I thank Mr. WELCH for his very thoughtful debate.

Mr. Chairman, I rise in support of H.R. 1599 and urge my colleagues to vote ''yes'' on final passage. This bipartisan bill, cosponsored by 106 of our colleagues, creates a science-based nationwide labeling standard for plant-based foods.

It establishes a national GMO-free certification program administered by USDA that will provide a government-issued label to qualifying products which will provide a market advantage.

It requires the FDA to conduct premarket safety reviews of all new GM plant varieties before they can be used to produce food, and it requires the FDA to define the term ''natural'' through a rulemaking process allowing for public input and discussion.

Despite the downright false claims made by the opponents of what it will or won't do, H.R. 1599 is a measured approach. It gives consumers certainty, while taking into account the delicate balance and sheer size and complexity of the food supply chain that employs tens of millions of Americans and is responsible for feeding the country.

My opinion is shared by the bill's 106 sponsors and by 475 agriculture, science, hunger, and nutrition organizations from all 50 States.

The alternative to H.R. 1599, already beginning to play out in some States across the country, is a complex and unworkable patchwork of differing State laws that create an uneven playing field that only can cause confusion among consumers and do little to provide transparency.

Depending on what State regulations require, farmers and manufacturers would be forced to set up separate supply chains in order to comply with as many as 50 different State laws. Wholesale changes to growing, packaging, and shipping foods would have to be made, beginning at the farm and all the way to the supermarket shelf, in order to comply.

The new infrastructure requirements are as daunting as they are costly. You can bet that all of these costs will be passed on to our constituents, with a recent study showing the average cost topping $500 a year. For many of my constituents and others across the country, that will not work.

Despite going in with knowledge of the consequences that would result from upending a highly integrated and interconnected system, several States have already moved forward with proposals that would require foods containing these ingredients to be labeled. This is in response to an unsubstantiated claim that foods containing GM ingredients are in some way dangerous; they are not.

Foods containing GM ingredients are safe. Don't take my word for it. The science regarding the safety of bioengineered foods is not murky—the opposite, in fact. There have been over 2,000 studies worldwide that shows foods grown from these plants are safe.

The FDA, USDA, the U.N. Food and Agriculture Organization, the American Medical Association, National Academy of Sciences, the American Association for the Advancement of Science, the World Health Organization, and nearly every major scientific organization agrees that foods produced with bioengineered products are as safe as their non-GMO counterparts.

Even opponents of GM foods admit they ''have failed to produce any untoward health effects,'' but the demonization of GM foods continue, despite objective science proving the contrary. Those opposed to these foods simply reject science. That is tremendously disappointing. Along with the bill's bipartisan cosponsors—again, 106—I stand with the science.

That is why I have worked with my friend, Mr. POMPEO, and the bill's cosponsors, in advocating for a Federal framework, a Federal framework that puts the FDA and USDA—our Nation's foremost food safety authorities—in the driver's seat.

H.R. 1599 is a balanced approach that reduces confusion by providing consumers with labeling uniformity across State lines. It also addresses the concerns of those opposed to GM foods by establishing a program at USDA that will provide a Federal certification for GMO-free foods, while not neglecting the fact that our Nation's farmers and manufacturers grow and produce foods that are sold far and wide.

Without a Federal standard, those farmers and manufacturers will be forced to comply with uneven, costly, potentially misleading, onerous State-by-State mandates.

Compliance will require a new, costly supply chain infrastructure that will disrupt our food supply. It will cause confusion, Mr. Chairman, and uncertainty among consumers and, ultimately, will result in the consumer shouldering the increased costs associated with production.

In that regard, I thank Chairman CONAWAY for his commitment to work with livestock and meat producers, many of whom operate farms and processing facilities in North Carolina, to address concerns about the definition of those products in the bill.

I share Mr. CONAWAY's commitment to getting the language right on those products and ensuring fair and accurate labeling, and I thank him for working so diligently with Mr. PETERSON on these amendments.

In conclusion, H.R. 1599 is reasonable and, Mr. Chairman, it is workable.

Mr. WELCH. Mr. Chairman, I yield 2 minutes to the gentleman from Massachusetts (Mr. MCGOVERN).

Mr. MCGOVERN. Mr. Chairman, I have an idea. It is a radical idea. It is something that is unprecedented for this Congress, something that would genuinely surprise the American people. That idea is simple; let's give the American people what they want.

Poll after poll shows that an overwhelming majority of the American people favor mandatory GMO labeling. People want to know what is in their food that they eat, and they want to know how it is grown. We should give them what they want; yet the bill before us goes in the opposite direction. It keeps the American people in the dark about whether their food contains GMOs. It is no wonder why Congress is so unpopular.

To the supporters of this ''keep Americans in the dark'' bill, I would ask one simple question: What are you afraid of?

This debate is not about whether GMOs are good or bad. I consume GMOs; my kids consume GMOs. This is about consumers' rights to know what is in the food that they eat, plain and simple.

As many of my colleagues know, I am passionate about ending hunger, both here in this country and around the world. If I thought for one second that GMO labeling would cause food prices to rise, I wouldn't be calling for GMO labeling.

This is a scare tactic being used by opponents of GMOs labeling. The fact is companies change their labels all the time, for all kinds of reasons. Transportation and commodity prices are drivers of food prices, not labeling.

If you are worried about 50 States requiring 50 different labels, then support mandatory GMO labeling. Do not override States that have already embraced GMO labeling or consumers who want them. Sixty-four countries already have GMO labeling. Why can't we?

American food companies already have to label their foods as containing GMOs in those countries. Why can't American consumers have access to the same information? Keeping consumers in the dark about what is in their food is the wrong approach.

It is a ''Washington knows best'' approach from politicians inside the beltway who think they know better than the American people.

I urge my colleagues to vote ''no'' on H.R. 1599.

Mr. POMPEO. Mr. Chairman, may I inquire as to the amount of time remaining on each side?

The CHAIR. The gentleman from Kansas has 10 minutes remaining. The gentleman from Vermont has 15½ minutes remaining.

Mr. POMPEO. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. LAMALFA).

Mr. LAMALFA. Mr. Chairman, I rise today in strong support of H.R. 1599, the Safe and Accurate Food Labeling Act.

I also have great appreciation for the effort by Mr. POMPEO for a thoughtful and bipartisan bill that will be successful.

Some of the opponents of this bill, based off clear speculation and fearmongering, are again trying to deny America's first industry—farming—the necessary technology it needs to grow more food to meet consumer demand in this generation and the next.

In what other industry do we discourage innovation? Why is it that farming technology meets such scorn perpetuated by activist groups that stand to gain financially by tearing down modern agricultural practices?

Across numerous States, including my home State of California, voters resoundingly rejected State-mandated GMO labeling. The facts are clear. Biotechs have facilitated the growth of more nutritious crops, all the while reducing pesticide spraying by an estimated 975 million pounds.

Biotech crops have also increased crops produced, saved over 300 million acres of land, and helped alleviate poverty for 16.5 million small farmers and farm families, while reducing agriculture's—wait for it—greenhouse gases.

While some of the colleagues across the aisle have advocated consumers have a right to know—and I agree—but mandated labeling will only cause more consumer confusion, while drastically increasing the cost of foods for families at the store shelf across the entire Nation. This bill allows consumers to have a choice by establishing a voluntary non-GMO labeling program, much like the successful national organic program.

It is about common sense and delivering consumers what they want, choice and confidence while buying their foods without unnecessary confusion and high costs. A uniform, 50-State standard helps achieve that goal.

Mr. WELCH. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. I thank my colleague for yielding.

Mr. Chairman, I rise in strong opposition to H.R. 1599. This misguided legislation would limit consumers' access to information about the food they eat by preempting State laws and codifying the current failed system.

I want to be clear. This is not a debate about whether or not genetically-engineered foods are safe. It is a debate about whether or not consumers have a right to know what is in their food is the point I hope we can all agree upon.

Unfortunately, consumers currently do not have access to the information they are looking for when it comes to genetically engineered foods. Current labeling standards are so ineffective that consumers are often confused by the information that they do find.

Consumers should be able to trust that the labeling on food is both accurate and truthful. Consumers should

not be confused about something as basic and fundamental as the food they eat, but rather than fix this problem, H.R. 1599 simply perpetuates the status quo of confusion.

The food industry claims the current voluntary system is adequate and consumers do have information they need; yet despite the fact that there are great numbers of genetically engineered foods on the market, very few of them have been labeled as such.

Our constituents want to know how their food is made, and they are calling on us to help make this information more accessible, but instead of responding to this call, this flawed legislation ignores the problem and makes it even harder to require labeling in the future. It removes FDA's authority to craft a national labeling solution yet also prevents States from acting on their own.

Simply put, this bill prioritizes profits over consumer choice and keeps consumers in the dark. That is why I strongly oppose this bill, and I urge my colleagues to join me in voting ''no.''

Mr. POMPEO. Mr. Chairman, I yield 3 minutes to the gentleman from Washington State (Mr. NEWHOUSE).

Mr. NEWHOUSE. Mr. Chairman, I thank the gentleman from Kansas.

As a third-generation farmer and a former director of my State's Department of Agriculture, I cannot stress enough the importance of this legislation for our Nation and our world's food supply.

Yesterday, I spoke on the merits of preventing a patchwork of conflicting State and local GMO labeling laws which would require producers to sell under potentially hundreds of different labels, and I still believe that is a very important element to this debate.

However, there is another aspect I would like to address on why I believe this mandatory labeling law, which some of my colleagues have called for, is a very poor idea.

Mr. Chairman, I question the motives behind some of these arguments. They say they ''want consumers to have information'' but that can't actually be their concern because this legislation gives consumers information. It is disingenuous to claim it doesn't.

If you want to go to a store and buy a ''non-GMO'' product, much like ''organic'' or ''cage-free,'' you can do that under this legislation. It will provide consumers all the information they need to purchase food they think is right for their families.

So what is their motive?

Is it they want to try to scare consumers, to demonize this technology?

POINT OF ORDER

Mr. WELCH. Mr. Chairman, I make a point of order.

The CHAIR. The gentleman will state his point of order.

Mr. WELCH. The point of order is the speaker is questioning motives of those on the other side of this argument.

The CHAIR. Is the gentleman asking that the gentleman's words be taken down?

Mr. WELCH. No, but I would suggest that the——

The CHAIR. The Chair would generally advise Members to avoid engaging in personalities.

The Chair recognizes the gentleman from Washington (Mr. NEWHOUSE).

Mr. NEWHOUSE. Mr. Chairman, antiscience, fear-mongering strategies cannot be left unanswered. I believe there are a few things people should know about biotechnology.

First, I appreciate anyone's safety concerns. That is why it is important to note that the USDA and the FDA rigorously test every biotech crop for human safety for years before anything can be brought to the market.

To be clear, no peer-reviewed study—and there have been hundreds—has ever found GMO foods have caused health concerns, ever.

□ 1200

Individuals have concerns about environmental impacts. I appreciate that, too. But what many people don't know is that, by turning on just one gene in corn, we now have a corn that is significantly more pest-resistant, which means huge reductions in the use of pesticides. We can do this with other crops as well. To be probiotech is to be proenvironment.

There is a type of rice that is vitamin A-enriched and has the ability to prevent hundreds of thousands of cases of blindness and death from vitamin A deficiency around the world.

There is a really nasty type of wheat rot called UG–99 spreading from Africa and the Middle East that has the ability to kill 90 percent of the world's wheat supply.

To be clear, this would cause a global famine. Scientists are looking at a way to create rot-resistant wheat through biotechnology and gene sequencing, which would save millions and millions of lives.

Mr. Chair, this technology is good proenvironment, lifesaving technology. And while I agree we need to have a system to give consumers the freedom to use it or not, which this bill does, we cannot allow antiscience opponents of biotechnology to use scare tactics that would cost millions of lives in the end.

Mr. WELCH. Mr. Chair, I yield 2 minutes to the gentleman from Oregon (Mr. SCHRADER).

Mr. SCHRADER. Mr. Chair, as a veterinarian and an organic farmer, having spent 6 years in the House Ag Committee, including 2 as ranking member of the Biotechnology, Horticulture, and Research Subcommittee, I have studied GMOs very closely, and it is something I take very seriously. In fact, back in the eighties, I helped write our State organic standards in Oregon.

For thousands of years, humans have grown or bred plants and animals to choose the most desirable traits for breeding the next generations in an effort to help them to be able to resist pests, disease, and increase yields.

Through biotechnology, we have been able to increase productivity and efficiency while reducing the number of inputs, like water and pesticides, resulting in higher crop yields. Higher crop yields per acre allow for better land management and the conservation of marginal lands.

GMOs, in combination with good agricultural practices, also improve soil quality and reduce pollution by allowing farmers to till, work the ground, less often or not at all, reducing soil erosion and reducing the carbon footprint of agriculture.

If you are worried about climate change and want good science, you should be for this bill. GM crops flourish in challenging environments without the aid of expensive pesticides or equipment that play an important role in alleviating hunger and food stress in the developing world.

This is precisely why I am very concerned about the demonization of biotechnology and the rejection by many of the supporting science behind it.

Food labeling should be about health and safety. The reason we have USDA and FDA is to provide uniform protection to consumers across this country, to avoid a patchwork of politically motivated, nonscientific, mythological regulations by activists, not scientists. And right to know is protected in this bill.

We have heard from many on polls. I would like to cite one. The Pew Research Center conducted a poll recently and found that nearly 90 percent—yes, 90 percent—of the scientific community found genetically engineered food is safe and poses no health threat to the environment or humans.

H.R. 1599 provides a uniform standard for non-GMO products through a USDA-administered program and ensures national uniformity for non-GE claims, providing consistency in the marketplace while ensuring consumer confidence in the integrity of the label.

Mr. POMPEO. Mr. Chair, I yield 3 minutes to the gentleman from Illinois (Mr. RODNEY DAVIS).

Mr. RODNEY DAVIS of Illinois. Mr. Chairman, I thank my colleague from Kansas (Mr. POMPEO). I know this hasn't been an easy path to get to where we are today, to allow for consumers in all 50 States to be able to know what is in their food.

I congratulate my colleague from Kansas (Mr. POMPEO) on the hard work he and his staff and those on the House Energy and Commerce Committee and House Ag Committee have put forth to make this bill a reality today.

I am proud, as a subcommittee chairman on the House Ag Committee for Biotechnology, Horticulture, and Research, to put my name on an amendment to this bill.

I am proud to stand here today to support this bill as a member of that committee and, also, as a dad who is responsible for shopping for many of the products that we are going to see this label put on in the grocery stores when I go home every weekend.

Biotechnology is crucial to our ability to feed the world. It is a critical technology, so much so in my district in central Illinois that earlier this month I went on a biotech tour in my district.

I visited plants and research facilities from Litchfield, Illinois, to Clinton, Illinois. I met with workers and scientists who are committed to developing better seed products that will help us feed a growing world.

Mr. Chairman, it will help us feed a growing world. So many people that don't live in this great country, where we take for granted our ability to have access to the safest food supply on this globe, don't have access to food.

Biotechnology allows us to grow that food in countries where people need food. They need to eat. They don't know where their next meal is coming from. Without biotechnology, we are not going to be able to feed the billions that are going to be required in the coming years.

I want to tell you about Pioneer technology in Litchfield, Illinois, who is developing a soybean seed that won't have transfats. I thought that was good, Mr. Chairman. But this is the type of technology that we are talking about here.

Science is on our side. Science shows that GMOs and biotechnology are safe. As a matter of fact, just earlier today I was at a panel discussion with Alexis Taylor, the Deputy Under Secretary for Farm and Foreign Agricultural Services right here at our USDA.

She even made a comment that GMOs are good for climate change. That should make many of my colleagues in this Chamber happy. But, unfortunately, I don't think that will get them to ''yes'' on this vote.

We are hearing a lot about motives, Mr. Chairman. Our motives are to make sure that every single American in all 50 States has access, has the transparency, knows what is in their food.

This is exactly what H.R. 1599 is going to do for every single one of them. Every mom and dad in this country is going to know what is in their food.

That is exactly why we are doing this. That is exactly why I am here to support this bill. That is exactly why I am proud of my colleague from Kansas (Mr. POMPEO) for doing exactly what we are going to do today.

Mr. WELCH. Mr. Chair, I will now enter into the RECORD two articles, ''Mandatory GMO Labeling'' and ''NFU Union Reiterates Support for Mandatory GMO Labeling.''

[From the Huffington Post, July 23, 2015]

MANDATORY GMO LABELING—IT'S YOUR RIGHT TO KNOW

(By Gary Hirshberg)

The crossfire on whether or not to require mandatory labeling of GMOs has become so heated and partisan that it's hard to discern the facts from rhetoric. The latest volley was last week's Slate essay that challenged labeling proponents' lack of substantive proof that GMOs are unsafe or unhealthy. Author William Saletan raises many valid points, but equally fails to address the hyperbole and enormous gaps between the promise and actual performance of agricultural biotechnology. But beyond this imbalance, he entirely misses the fact that there is a long history of government-enacted labeling disclosures that have nothing to do with safety concerns. There are no unique risks associated with orange juice ''from concentrate'' compared to fresh juice, or from ''wild caught'' vs. farmed fish, but both require labeling so that consumers can choose. Most content on food labels is government mandated, marketing oriented, or intended to inform consumers about information that people just want to know.

And that is the fact that trumps all the others. Despite years of heated and often exaggerated rhetoric on both sides of the GMO labeling debate, poll after poll reveals that the public's skepticism has remained unchanged and that people just want to know. The latest Mellman polls show the same results as polls taken three years ago—nine in every 10 of Americans want labels on foods containing GMOs so they can make up their own minds. Here are the three reasons why this choice makes sense:

INADEQUATE SCIENTIFIC RESEARCH

There have been essentially no studies by the government or independent researchers designed to assess the long-term public health impacts of growing and consuming GMO crops. FDA approvals are essentially based on studies conducted by industry. GMO technology developers design and conduct all of the studies carried out on their own inventions, interpret the results (almost always finding ''no new or novel risk''), and report their conclusion to the Food and Drug Administration (FDA) as part of a ''voluntary consultation.'' The FDA then performs a cursory appraisal of the submitted data, and rarely asks for additional information. It does not verify the data's reliability, nor attempt to independently confirm the conclusions drawn from it by the companies. This is why the FDA is always careful to say, in closing out a ''voluntary consultation'' that ''you [the company] have concluded . . .''

The lack of credible, independent research on GMO safety, performance, and economics is the root cause of lingering controversies over GMO crops like papaya and golden rice, as well as confusion over whether Integrated Pest Management, organic systems, or GMOs are the best way to deal with pests.

In order for us to be able to trust the science, both the public and private sectors need to invest more heavily in the work and careers of independent scientists willing to develop and apply improved tools to monitor the impacts of GMO technology and alternatives. Until then, skepticism will not diminish, in spite of the propaganda.

DRASTICALLY INCREASED HERBICIDE USE DESPITE CLAIMS TO THE CONTRARY

While proponents promised that GMO crops would reduce pesticide use, they have, in fact, locked farmers into unilateral, chemical and toxin-based pest management systems that are bad for farmers, the environment, and consumers. However, the use of herbicides, a category of pesticides that kill weeds, has explosively increased, according to USDA survey data. Where GMO soybeans and cotton are grown in 2015, overall per acre herbicide plus insecticide use will be close to double the level in 1996 at the dawn of the GMO era.

Since the mid-1990s, when biotech companies introduced genetically engineered crops that are not adversely impacted by the herbicide glyphosate, its use has increased 16-fold to the point where the USGS has found glyphosate in 60–100 percent of Iowa rainwater. Over-use of this formerly effective weed control has led to the rapid spread of over a dozen serious glyphosate-resistant weeds, so now farmers must now spray three, four, or five herbicides. This includes older products with greater potential to cause damage. Farmers also now apply herbicides throughout the growing season instead of a single application at the beginning with greater potential to damage the soil, harm wildlife, and increase collateral damage, particularly among those living in farming areas and drinking water with multiple herbicide residues in it.

Thanks in large part to to GMO crop technology, glyphosate is now by far the most heavily used pesticide in history, both in the U.S. and worldwide. Glyphosate is now showing-up in the drinking water, air and breast milk of mothers in areas where these herbicides are in concentrated use. Most people on the planet are exposed to glyphosate on a near-daily basis. And this past spring, the world's most respected cancer research group—the World Health Organization's International Agency for Research on Cancer (IARC) classified glyphosate as ''probably carcinogenic.''

So to summarize, regardless of whether GMOs are ultimately found to be safe to eat, the WHO IARC findings raise serious questions about whether they are safe to grow. As resistance continues to escalate due to over-use, farmers will have no choice but to continue increasing their use of these toxic herbicides. This is surely material to us all.

IT'S SIMPLY OUR RIGHT TO KNOW

Responsible advocates are not demanding mandatory GMO labeling because they are unsafe; we are demanding labeling because people want, and have a right to know how our foods are grown. Just Label It and other responsible labeling proponents have never argued that science has proven GMOs to be unsafe, although we have and will continue to make the case for more in-depth, independent science using state-of-the-art methods to be as sure as possible that they are safe. But while scientific questions persist over the safety of today's GMO crops, the now sharply upward trajectory in the amount of herbicide needed to bring most GMO crops to harvest on every continent on which GMO, herbicide-tolerant crops have been planted, is deeply worrisome.

People have dozens of valid reasons for wanting to know whether their food is from genetically engineered crops. Some are grounded in religious or ethical views. Others reflect concern over the long-term consequences of corporate control over both seeds and the food supply. Yet others legitimately believe that there has been inadequate independent testing of GMOs for health and safety.

Whatever the reason, it is clear that facts and rhetoric will continue to be debated for years to come. In the interim, mandatory labeling of GMO foods will give consumers another option to steer clear of uncertainty

and support farming systems and technology more closely aligned with personal values and concerns. This Thursday, Congress will vote on H.R. 1599 the so-called Safe and Accurate Food Labeling Act (colloquially called the ''DARK Act'' for Denying Americans the Right to Know), which deceptively purports to support federal labeling disclosures. But in fact, this bill would effectively block any hopes of American joining the other 64 nations around the world who have instituted mandatory GMO labeling. This bill needs to be stopped so that all interested parties—food companies, farmers, regulators and consumers can sit down at a table and forge a mutually acceptable and responsible mandatory labeling protocol free of hyperbole and judgment that simply allows consumers to vote in the marketplace for the kind of food system we want.

Please contact your congressperson and tell them to stop the DARK Act and vote against H.R. 1599.

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[From the National Farmers Union, July 21, 2015]

NFU REITERATES SUPPORT FOR MANDATORY GMO LABELING, OPPOSES POMPEO BILL BUT NOTES PROGRESS

WASHINGTON.—In light of the U.S. House of Representatives' consideration of the Safe and Accurate Food Labeling Act (H.R. 1599), National Farmers Union (NFU) President Roger Johnson again highlighted NFU policy on Genetically Modified Organism (GMO) labeling. The policy supports conspicuous, mandatory, uniform and federal labeling for food products throughout the processing chain to include all ingredients, additives and processes, including genetically altered or engineered food products.

''NFU appreciates efforts by Representatives Pompeo, R–Kansas, and Davis, R–Illinois, to reduce consumer confusion and standardize a GMO label,'' said Johnson. ''The bill passed out of committee makes significant improvements over previous versions of this bill. Absent a mandatory labeling framework, however, NFU cannot support this bill.''

Johnson noted that the bill has changed several times from the one introduced during the last Congress. Improvements include additional authority for the U.S. Department of Agriculture (USDA), a labeling framework that if utilized could reduce consumer confusion, greater emphasis on the Food and Drug Administration's role in safety reviews, and a GMO label that works in conjunction with USDA's organic seal instead of counter to it.

''Consumers increasingly want to know more information about their food, and producers want to share that information with them,'' said Johnson. ''It is time to find common ground that includes some form of mandatory disclosure for the benefit of all aspects of the value chain, but this bill is not that common ground.''

Mr. WELCH. Mr. Chair, at this time I yield 2 minutes to the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. Mr. Chairman, I was pleased to hear the gentleman who preceded me in the well acknowledge climate change and say that GMOs are the solution.

I do think climate change is a problem. I don't think GMOs are the solution.

Let's go to some of the arguments we have just heard: This is what we have been doing for millennia, hybridization, you know, where you graft the plant onto another plant.

I am not quite sure when the last time was when a flounder mated with a tomato plant, but we now have tomatoes that have injected into them flounder genes in order to enhance production, or the last time an eel mated with a salmon. They are putting eel genes into genetically modified salmon—Frankenfish—so they will grow twice as fast as other fish, twice as fast.

Now, they say: Don't worry. They won't get out. And, besides that, most of them are sterile. Yes. Right. Okay. So what happens when they do get out and they begin to cross-breed with real salmon as opposed to eel salmon or whatever these things are?

This bill would prohibit any labeling. You catch a real salmon, it is a salmon. You present someone with a GMO eel salmon, it is a salmon. You can't distinguish. You don't have to disclose. So that is not exactly hybridization, folks.

You know this thing about being politically motivated, nonscientific, and scare tactics because we want to have it disclosed that GMOs are contained in the product. Well, I didn't hear those arguments when they required red dye number two or cellulose or xanthan gum. Why not GMOs?

Sixty-four countries require the labeling of products that contain GMOs, not the United States of America. Bastions of democracy like China, Russia, Saudi Arabia, require it for their consumers. But, no, we are not going to allow that in the United States of America.

Proliferation of labels. Yes. That is happening at the State level. And that is states' rights, which Republicans normally are for, except when a State does something they don't like, and then they are against it.

But there is a solution to that, my bill, which would require a uniform national label which just simply discloses ''contains GMOs.'' It won't cost any additional money, since they are having to change the nutritional labels anyway.

The CHAIR. The time of the gentleman has expired.

Mr. WELCH. I yield the gentleman an additional 1 minute.

Mr. DEFAZIO. Now, we heard a lot about pesticides. This is great. Let's talk about Monsanto and glyphosate-resistant corn.

They are using more pesticides today on cornfields than they did historically, more, and they had glyphosate-resistant corn.

They dumped the glyphosate on the corn: Don't worry. There will never be a glyphosate-resistant weed. Oops. They were wrong. Weeds everywhere now taking over the cornfield.

Let's change that up. We are now going to have 2,4–D—remember Agent Orange? Pretty darn close—resistant corn. They are going to dump thousands, millions, of tons of 2,4–D over this corn.

That is the net result of this sort of forward movement that they are touting as helping us deal with pesticide and herbicide issues: Oh. Don't worry. There will never be a 2,4–D resistant weed. If there is, don't worry. They will get an even more toxic chemical.

They are addicting farmers to their products and addicting farmers to buying more and more of their pesticides.

We have now seen milkweed wiped out in the Midwest, causing a crisis with monarch butterflies, who are actually a pretty critical pollinator. Most people don't know that, apparently. And that is the result of all this glyphosate and the coming of 2,4–D.

I thank the gentleman for the time.

Mr. POMPEO. Mr. Chair, I reserve the balance of my time.

Mr. WELCH. Mr. Chair, I yield 1½ minutes to the gentlewoman from New York (Ms. CLARKE).

Ms. CLARKE of New York. Mr. Chairman, I rise in opposition to H.R. 1599, the Safe and Accurate Food Labeling Act, also known as ''the DARK Act.'' One of my concerns is that this bill blocks the FDA from creating a national mandatory GMO labeling system.

The current voluntary labeling system is not providing consumers with the information they need because only 2 percent of the products on the shelves have voluntarily submitted to the non-GMO labeling process.

It is apparent that mandatory labeling is sorely needed, such as the kind required by Mr. DEFAZIO, the gentleman from Oregon's bill, the Genetically Engineered Food Right to Know Act.

In addition, what has happened to the outcry for states' rights from the other side of the aisle? This bill preempts States from passing their own GMO labeling laws.

This would essentially invalidate the will of the people and, in so doing, limit a State's ability to respond to the individual needs of its constituents.

There have been many discussions and conversations surrounding this bill. One such discussion has been extremely troubling, debasing, and scornful. Specifically, there are some who say that poor people don't care what is in their food, nor do they care what they eat.

Let me be clear: I don't care whether you are wealthy or poor. All Americans deserve to know what is in their food. Poor people are, first and foremost, human beings. They are not marginal subordinates in a democratic civil society.

Poor people deserve the same respect and consideration as the wealthy. Despite what some may think, poor people do care about what food they eat,

and they should be able to choose what they put in their bodies.

I will say it again. All Americans deserve to know what is in their food. I ask my colleagues to join me in opposing H.R. 1599, the DARK Act.

Mr. POMPEO. Mr. Chair, I reserve the balance of my time.

Mr. WELCH. Mr. Chair, I yield 1 minute to the gentleman from California (Mr. COSTA).

Mr. COSTA. Mr. Chair, I rise to urge my colleagues to support the Safe and Accurate Food Labeling measure before us.

This legislation, I understand, creates a great deal of angst among various supporters and opponents. We have heard that. But it also creates a uniform, science-based labeling standard. I think that is a move forward.

It also creates Federal regulations for the Food and Drug Administration and the United States Department of Agriculture to remain preeminent authorities in food safety and labeling, just as it has been for decades.

Additionally, it creates a national GMO-free certification program so consumers who choose to buy non-GMO foods have the ability to do so without the higher prices or the misleading labeling.

This legislation does not reject consumers' rights to choose. While the opponents of this measure wish it would do other things, it does not. I think it is a balanced attempt.

Furthermore, the voters of California, as many of you may know, recently, in proposition 37, had an opportunity to put in GMO labeling. Mr. Chairman, 42 percent said ''yes,'' and 58 percent of the voters of California said ''no.''

I urge we support this legislation.

Mr. POMPEO. Mr. Chair, I reserve the balance of my time.

Mr. WELCH. Mr. Chair, I yield myself the balance of my time to close.

I thank the gentleman from Kansas (Mr. POMPEO), my colleague on the Energy and Commerce Committee. He is a good man. Sometimes he is misguided, but he likes Ben & Jerry's ice cream. I appreciate that. And it is GMO-free.

But I do want to address seriously the arguments the gentleman has made because, number one, this is a serious issue. It is a serious issue, first of all, because this legislation puts handcuffs on all of our State legislatures from doing whatever it is they deem in the best interest of their people.

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Secondly, it puts handcuffs on voters. Mr. POMPEO said that voters have rejected this. In some ballot initiatives, that is the case. He is right. Why pass a law that takes that power from the voters and invest it here?

This is a very serious policy question where the United States House of Representatives is intruding into the efforts of States to represent the people that they serve.

By the way, three States have passed laws by overwhelming margins. In Vermont, the Vermont Senate bipartisan body, it was a 26–2 vote; the Vermont House bipartisan body, it was 114–30 vote. In Connecticut, it was 143–3 in the House and 35–1 in the Senate. In Maine, it was 114–4, and it was unanimously passed in the Senate 35–0.

What we are doing in the House of Representatives right now is saying to the Vermont legislature, saying to the Maine legislature, and saying to the Connecticut legislature: Drop dead. What you passed, we are taking away.

I don't think that is right.

I will make an acknowledgement. Sometimes, it is the right thing for the Federal Government or the Congress to preempt State action so that it can have a uniform, across-the-board standard. That is what the DeFazio bill does. It acknowledges that so you don't have this patchwork.

This bill, with voluntary labeling, in effect, creates a patchwork. Does it mean that company A decides they do want to label and they write the label they want and company B writes another label or doesn't? What does that mean for consumers?

First of all, in all likelihood, there will be no labels. Secondly, there will be the patchwork produced by this legislation that is what the critics of the State-by-State approach say they want to avoid.

Next, there was an assertion by my friend from Texas, Mr. CONAWAY, that a label is a warning. I think that really goes to the heart of what the dispute here is. Is a label a warning?

In fact, the proponents of the DeFazio bill and the opponents of this bill are not asserting that the purpose of the label is to suggest there is scientific evidence indicating GMOs cause health problems. What a label is, is information; and the consumer then decides. Your consumers and my consumers, they decide. Whatever their reason is, they have a right to decide to buy product A or B, depending on what is in it or what is not in it.

What is the big fear about letting consumers know? A lot of the big advocates that are pushing this are, in fact, some of these manufacturers that create products that they sell to farmers, and Mr. DEFAZIO outlined that in his argument. They fear that the label will reduce the saleability of that product.

Here is the irony: If what they are producing and selling is so good and so nutritious and so tasty and so yummy, why not let the consumer know what is in it? That would be something you would want to advertise.

This really is a very profound decision by this Congress. Number one, it is telling States that have been taking initiative on the basis of their citizens' desires that they can't do it anymore. Number two, in the name of avoiding a patchwork set of regulations, it is creating the inevitability of a patchwork. Then, three, in a very basic way, it is telling American consumers that it is really none of their business what is in their product, no matter how much they really want to know what is in their product.

I urge that we vote ''no'' and defeat this measure and stand for State rights and consumer rights to know.

I yield back the balance of my time.

Mr. POMPEO. Mr. Chairman, I yield myself the balance of my time to close.

As I close, I would like to offer my thanks first to Mr. WELCH for the respectful debate today and for the ice cream. I would like to thank my lead cosponsor, Mr. BUTTERFIELD, for his hard work all along the way; as well as being the chairman of the Congressional Black Caucus, he has leaned into this and really made us able to get where we are today.

I would like to thank Chairman UPTON, Chairman CONAWAY, and Ranking Member PETERSON for their support and effort in getting this legislation to the floor as well. I would like to thank all the staff on the Energy and Commerce and Agriculture Committees for their hard work, too.

I would be remiss if I didn't thank Blake Hollander on my staff, who put in long hours making sure this commonsense bipartisan bill was ready for the floor.

Mr. Chairman, it is really very simple. H.R. 1599 has two very simple goals. First, it is to ensure families in Kansas and across the country have access to nutritious and affordable food; and, second, it is to make sure that those who wish to avoid food products that contain GMOs will be able to do so, that they will not be denied the right to know.

In place of a convoluted patchwork of loophole-filled State or local labeling laws, we will ensure that our food policy is science based and transparent to consumers.

Let's be very clear. Consumers who wish to avoid foods containing GMOs are able to do so today, and they will be able to do so after this bill becomes law—except it is better now. There will now be a clear standard about what that term really means.

Mr. Chairman, this is a commonsense, proconsumer, profarmer bill that brings clarity to food labeling and keeps affordable food for our constituents.

I encourage all my colleagues to support H.R. 1599, and I yield back the balance of my time.

Mr. YOUNG of Alaska. Mr. Chair, on June 23, 2015, the House considered H.R. 1599, the Safe and Accurate Food Labeling Act. It is my intention to vote against this legislation. For the past four decades I have fought tirelessly for one of the finest products in the world, wild Alaskan salmon. The multi-billion

dollar seafood industry in Alaska is the largest private sector employer in my state. Yet the approval of a genetically engineered (GE) salmon, or ''Frankenfish'' as I call it, could put our thriving and iconic fishing sector in jeopardy.

Frankenfish could pose a grave threat to our wild salmon stocks in Alaska, and the Food and Drug Administration's (FDA) support for approving GE salmon is disturbing. Equally disturbing is the fact that, if approved, the FDA has said that it would not require GE salmon to be labeled.

In today's global marketplace, a consumer's access to accurate ingredient information is paramount. Clear and accurate GE labeling requirements attempt to mitigate the risk of market confusion or rejection by countries that have no interest in purchasing the hybrid organism. Consumer confusion about what types of salmon or seafood are genetically engineered may deter shoppers from purchasing these products altogether. If GE salmon is approved despite opposition from Congress and nearly two million people who wrote in to the FDA, it should be clearly labeled to avoid the potential market rejection of all salmon.

In an effort to ensure that Alaskan consumers have this essential information, Alaska enacted legislation in 2005 that requires the labeling of all products containing GE fish and shellfish. However, the so-called Safe and Accurate Food Labeling Act (H.R. 1599), recently referred out of the House Agriculture Committee, would block states like Alaska from requiring mandatory labeling of GE fish while also curtailing FDA's ability to craft a true, national GE labeling system. Rather, its proponents would suggest that Alaskan fishermen should go through a costly non-GMO certification if they want consumers to know that their salmon is not genetically engineered. Why should all U.S. salmon fishermen have to prove their salmon are non-GMO when farmed GE salmon coming into the U.S. from other countries would not. It is insufficient for consumers and it is insufficient for Alaska's thriving fishing industry.

For these reasons, I oppose H.R. 1599 in defense of states' rights to decide these important matters for themselves. All consumers should be able to see whether their salmon is Frankenfish or not.

Mr. VAN HOLLEN. Mr. Chair, I rise in opposition to this legislation, which would preempt the ability of states to require GMO labeling laws.

Numerous studies have shown that Americans want to know what's in their food. As states respond to this trend, we should not restrict their ability to keep consumers informed about the food they eat. GMO labeling laws are widely supported by consumers in over 60 countries including China, Russia and the European Union. We should not deny states the ability to make this decision for their residents.

While I understand the concerns about the potential for a patchwork of state labeling laws, companies, can, of course, voluntarily choose to provide GMO information on their labeling. In fact, many of those opposing this legislation provide information on GMO products in Europe and other countries.

Mr. Chair, this bill was rushed through the Agriculture Committee and came too quickly to the House floor before we could have a serious discussion about GMO labeling and consumer rights. We must closely study the merits of the bill and find common ground between labeling and a consumer's right to know before we vote on this far-reaching legislation.

Mr. MCGOVERN. Mr. Chair, I rise today to highlight an editorial that my good friend and colleague, Congresswoman CHELLIE PINGREE of Maine and I recently wrote expressing our opposition to H.R. 1599, the Safe and Accurate Food Labeling Act. It appeared in the July 21, 2015 online edition of The Boston Globe.

[From the Boston Globe, July 21, 2015]

LET AMERICANS DECIDE FOR THEMSELVES ON GMOS

(By Jim McGovern and Chellie Pingree)

America has a proud tradition of empowering consumers. You can walk into any grocery store in the country, pick up a product from the shelf, and immediately learn the calorie count, the amount of protein per serving, and the full list of ingredients.

So it's alarming that Congress could soon pass a bill that aims to keep consumers in the dark when it comes to foods with genetically modified organisms, or GMOs.

This week, the House of Representative will consider the Safe and Accurate Food Labeling Act. Unfortunately, the bill does nothing to support safe and accurate food labeling. Instead, it protects the status quo by preventing states from requiring labels on foods containing GMO ingredients and locks in the current and inadequate voluntary GMO labeling system.

As more of the foods we eat contain GMOs, consumers naturally want to know which foods contain them. All they are asking for are the facts. This bill ignores that.

Congress needs to pass a law that puts consumers first by requiring mandatory GMO labeling across the country, eliminating confusion and establishing one national standard.

Polls consistently show that there is overwhelming support for clearly labeling foods that have been genetically modified or contain GMO ingredients. In a 2012 survey by the Mellman Group, 89 percent were in favor of labeling with 77 percent saying they ''strongly'' prefer GMO labeling. That same survey also showed strong bipartisan support for GMO labeling with huge majorities of Democrats (85 percent), independents (93 percent), and Republicans (88 percent) all in favor.

While Congress has been stuck in neutral, states have stepped up and passed laws that give the power back to consumers. In 2014, Vermont became the first state to require mandatory GMO labeling. Connecticut and Maine have both passed laws to require labeling and more than a dozen other states are considering similar oversight, including Massachusetts. What's more, 64 other countries have GMO labeling, including Brazil whose consumption patterns are similar to those in the United States.

Supporters of the bill claim that GMO labeling will increase food prices. While plenty of things impact the prices we pay at the grocery store—including transportation costs and ingredient costs—GMO labeling is not one of them. In study after study, we have seen that a simple GMO disclaimer on food packaging will not increase prices.

Food companies change their labels all the time to make new claims, and all food companies will soon have to change their labels to make important changes to the Nutrition Fact Panel. Adding a few words to the back of the food package about genetic engineering will not have any impact of the cost of making food.

Opponents of updating food labeling made the same bogus arguments when they fought nutrition labeling in the 1980s. Back then, they claimed that disclosing the presence of calories, salt, fat, and sugar would require costly reformulations. But those much more significant changes to foods labels—adding the Nutrition Facts Panel and including more information about ingredients—didn't change the price of food at all.

Americans want more information, not less. What we need is one law that makes GMO labeling mandatory across the country and establishes a single national standard that eliminates confusion and puts consumers in charge.

This debate isn't about the safety of GMOs. It's about consumers' right to know what's in the food they put on their tables. We ought to give them that right.

Mr. BLUM. Mr. Chair, I rise today to offer my strong support of the bipartisan Safe and Accurate Food Labeling Act of 2015. I want to recognize the hard work my colleague of Mr. POMPEO, as well as the efforts of both the Committee on Energy and Commerce and the Committee on Agriculture into this legislation.

As a representative from the great State of Iowa, I am extremely sensitive and aware of the issues facing agriculture—from farm to fork—and I am aware of the challenges my constituents face while producing the delicious and nutritious food the rest of us consume. On an annual basis, Iowa grows $12B worth of corn and $5.7B worth of soybeans, of which 95% and 97%, respectively, are Genetically Modified Organisms—or GMOs. Recently, states began to enact laws that required labeling of these GMO products, often with exemptions for local products, would increase compliance costs for producers and create confusion for consumers.

This bill addresses the current patchwork of state biotechnology labeling requirements—compliance with which would be a daunting task for the producers in my district that distribute food throughout the United States—by providing a mechanism for uniform labeling requirements. No one benefits—not farmers, nor food manufacturers and processors, nor retailers, and most of all, not consumers—from a confusing collection of state laws—each different, with different requirements—creating great confusion among consumers in the marketplace.

It does so by establishing a voluntary non-GMO labeling program at USDA modeled after the highly successful National Organic Program. Today, when consumers go into a grocery store, they may see a wide variety of products that may have a non-GMO label on it. However, there isn't a standard that defines what a non-GMO product is or is not. The language of the bill directs the USDA to establish standards and certification process for producers in order to put a non-GMO label on their products.

Mr. Chair, a number of constituents along with some of my colleagues, are advocating for mandatory labeling for GMO products because consumers have a right to know what is in their food. I agree—consumers have a right to know—and the standards set by the USDA under this legislation will provide consumers with all the information necessary to make informed decisions and choices on their grocery

stores purchases. This bill protects and enhances consumer choice by establishing a voluntary non-GMO labeling program—without costing them an extra $500 a year per family that economists at Cornell University estimate mandatory labeling would.

Mr. Chair, I urge all my colleagues to support H.R. 1599—over 470 agricultural and food organizations that represent the entire food chain have already done so. The legislation enhances consumer choice, clears up confusion in the marketplace, and enhances consumer confidence in the food we eat.

Vote ''Yes'' on H.R. 1599.

Mr. ISRAEL. Mr. Chair, I rise today to express my opposition to H.R. 1599, the Safe and Accurate Food Labeling Act of 2015. This legislation would prohibit the Food and Drug Administration from developing a national genetically modified organism (GMO) labeling system for food, block any state or local laws to require GMO labeling, and ultimately deny consumers the right to know what is in their food.

Nearly 90 percent of consumers wish to know if their food contains GMO ingredients and I believe Americans should have that same right that 64 other nations have already provided their citizens.

H.R. 1599 lets down the American consumer and for that reason I am opposed to this legislation and encourage the House of Representatives to take up legislation that adequately addresses this issue and gives consumers the information they demand.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

In lieu of the amendment in the nature of a substitute recommended by the Committee on Agriculture, printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee print 114–24, modified by the amendment printed in part A of House Report 114–216. That amendment in the nature of a substitute shall be considered as read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 1599

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Safe and Accurate Food Labeling Act of 2015''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Savings clause.
TITLE I—FOOD SAFETY AFFIRMATION FOR CERTAIN PLANT PRODUCTS
Subtitle A—Food and Drug Administration
Sec. 101. Consultation process.
Subtitle B—Department of Agriculture
Sec. 111. Regulation.
Sec. 112. Regulations.
Sec. 113. Preemption.
Sec. 114. Rule of construction.
Sec. 115. Implementation report.
TITLE II—GENETIC ENGINEERING CERTIFICATION
Sec. 201. Genetic engineering certification.
Sec. 202. Regulations.
Sec. 203. Preemption.
Sec. 204. Applicability.
TITLE III—NATURAL FOODS
Sec. 301. Labeling of natural foods.
Sec. 302. Regulations.
Sec. 303. Preemption.
Sec. 304. Effective date.

SEC. 2. SAVINGS CLAUSE.

Nothing in this Act (or the amendments made by this Act) is intended to alter or affect the authorities or regulatory programs, policies, and procedures otherwise available to, or the definitions used by, the Food and Drug Administration under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.) or the Animal and Plant Health Inspection Service under the Plant Protection Act (7 U.S.C. 7701 et seq.), to ensure the safety of the food supply and the protection of plant health.

TITLE I—FOOD SAFETY AFFIRMATION FOR CERTAIN PLANT PRODUCTS

Subtitle A—Food and Drug Administration

SEC. 101. CONSULTATION PROCESS.

Chapter IV of the Federal Food, Drug, and Cosmetic Act is amended by inserting after section 423 of such Act (21 U.S.C. 350l) the following:

''SEC. 424. FOOD DERIVED FROM NEW PLANT VARIETIES.

''(a) IN GENERAL.—The Secretary shall continue to administer the consultation process established under the Food and Drug Administration's policy statement entitled 'Statement of Policy: Food Derived from New Plant Varieties' published in the Federal Register on May 29, 1992 (57 Fed. Reg. 22,984).

''(b) DETERMINATION OF MATERIAL DIFFERENCE BETWEEN FOOD FROM GENETICALLY ENGINEERED PLANTS AND COMPARABLE FOODS.—

''(1) IN GENERAL.—For purposes of subsection (a), the use of genetic engineering does not, by itself, constitute information that is material for purposes of determining whether there is a difference between a food produced from, containing, or consisting of a genetically engineered plant and a comparable food.

''(2) LABELING REQUIRED.—The Secretary may require that the labeling of a food produced from, containing, or consisting of a genetically engineered plant contain a statement to adequately inform consumers of a difference between the food so produced and its comparable food if the Secretary determines that—

''(A) there is a material difference in the functional, nutritional, or compositional characteristics, allergenicity, or other attributes between the food so produced and its comparable food; and

''(B) the disclosure of such material difference is necessary to protect public health and safety or to prevent the label or labeling of the food so produced from being false or misleading in any particular.''.

Subtitle B—Department of Agriculture

SEC. 111. REGULATION.

The Plant Protection Act (7 U.S.C. 7701 et seq.) is amended by adding at the end the following new subtitle:

''Subtitle F—Coordination of Food Safety and Agriculture Programs

''SEC. 461. NOTIFICATION RELATING TO CERTAIN GENETICALLY ENGINEERED PLANTS.

''(a) IN GENERAL.—Subject to subsection (b), it shall be unlawful to sell or offer for sale in interstate commerce a nonregulated genetically engineered plant for use or application in food or a food produced from, containing, or consisting of a nonregulated genetically engineered plant unless—

''(1)(A) the Secretary of Health and Human Services notified the entity seeking evaluation of a food produced from, containing, or consisting of the genetically engineered plant in writing that the Secretary of Health and Human Services, in evaluating the food from the genetically engineered plant through the consultation process referred to in section 424(a) of the Federal Food, Drug, and Cosmetic Act, has no objections to the entity's determination that food produced from, containing, or consisting of the genetically engineered plant that is the subject of the notification is safe for use by humans or animals, as applicable, and lawful under the Federal Food, Drug, and Cosmetic Act, and

''(B) the entity seeking evaluation of a food produced from, containing, or consisting of the genetically engineered plant submits to the Secretary of Agriculture the notification of the finding of the Secretary of Health and Human Services under subparagraph (A); or

''(2) before the date of the enactment of the Safe and Accurate Food Labeling Act of 2015, the Secretary of Health and Human Services—

''(A) considered the consultation process referred to in section 424(a) of the Federal Food, Drug, and Cosmetic Act with respect to such genetically engineered plant to be complete;

''(B) notified the consulting party in writing that all questions with respect to the safety of food produced from, containing, or consisting of the genetically engineered plant have been resolved; and

''(C) published such notification on the public Internet website of the Food and Drug Administration.

''(b) EXCEPTIONS.—Notwithstanding subsection (a), this section does not apply with respect to the sale or offering for sale in interstate commerce of a genetically engineered plant—

''(1) for the purpose of research or development testing, including—

''(A) testing conducted to generate data and information that could be used in a submission to the Secretary under this title or other regulatory submission; or

''(B) multiplication of seed or hybrid and variety development conducted before submitting a notification under subsection (a)(1)(B);

''(2) solely because a processing aid or enzyme produced from the genetically engineered plant is intended to be used to produce food; or

''(3) solely because the genetically engineered plant is used as a nutrient source for microorganisms.

''(c) RULE OF CONSTRUCTION.—Nothing in subsection (b)(1) may be construed as authorizing the sale or offering for sale in interstate commerce of a nonregulated genetically engineered plant for use or application in food or a food produced from, containing, or consisting of a nonregulated genetically engineered plant.

''(d) PUBLIC DISCLOSURE.—

''(1) IN GENERAL.—Subject to paragraph (2), the Secretary of Agriculture shall publish on the public Internet website of the Department of Agriculture, and update as necessary, a registry that includes—

''(A) a list of each nonregulated genetically engineered plant intended for a use or application in food that may be sold or offered for sale in interstate commerce, in accordance with subsection (a);

''(B) the petitions submitted to, and determinations made by, the Secretary of Agriculture with respect to such a plant; and

''(C) the notifications of findings issued by the Secretary of Health and Human Services with respect to such a plant or the use or application of such a plant in food.

''(2) TRADE SECRETS AND CONFIDENTIAL INFORMATION.—Notwithstanding paragraph (1), nothing in this section shall be construed to alter the protections offered by laws, regulations, and policies governing disclosure of confidential commercial or trade secret information, and any other information exempt from disclosure pursuant to section 552(b) of title 5, United States Code, as such provisions would be applied to the documents and information referred to in subparagraphs (A) through (C) of paragraph (1).

''(e) IMPORTED FOOD.—In the case of food imported into the United States that is food produced from, containing, or consisting of a plant that meets the definition of a nonregulated genetically engineered plant or a plant that, if sold in interstate commerce, would be subject to regulation under part 340 of title 7, Code of Federal Regulations (or any successor regulations), the provisions of this section shall apply to such food in the same manner and to the same extent as such provisions apply to a food that is not so imported.

''SEC. 462. DEFINITIONS.

''In this subtitle:

''(1) FOOD.—The term 'food' has the meaning given such term in section 201(f) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(f)).

''(2) NONREGULATED GENETICALLY ENGINEERED PLANT.—The term 'nonregulated genetically engineered plant' means a genetically engineered plant—

''(A) for which the Secretary of Agriculture has approved a petition under section 340.6 of title 7, Code of Federal Regulations (or any successor regulations), for a determination that the genetically engineered plant should not be regulated under this Act; or

''(B) that—

''(i) is not subject to regulation as a plant pest under this Act;

''(ii) contains genetic material from a different species; and

''(iii) has been modified through in vitro recombinant deoxyribonucleic acid (DNA) techniques.''.

SEC. 112. REGULATIONS.

Not later than one year after the date of the enactment of this Act, the Secretary of Agriculture shall promulgate interim final regulations to carry out the amendments made by section 111.

SEC. 113. PREEMPTION.

Regardless of whether regulations have been promulgated under section 112, beginning on the date of the enactment of this Act, no State or political subdivision of a State may directly or indirectly establish under any authority or continue in effect as to any food in interstate commerce any requirement with respect to the sale or offering for sale in interstate commerce of a genetically engineered plant for use or application in food that is not identical to the requirement of section 461 of the Plant Protection Act (as added by section 111 of this Act).

SEC. 114. RULE OF CONSTRUCTION.

Nothing in the amendments made by this subtitle is intended to alter or affect the ability of—

(1) the Secretary of Health and Human Services to take enforcement actions with respect to a violation of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.), including section 301 of such Act (21 U.S.C. 331); or

(2) the Secretary of Agriculture to take enforcement actions with respect to a violation of the Plant Protection Act (7 U.S.C. 7701 et seq.), including section 411 of such Act (7 U.S.C. 7711).

SEC. 115. IMPLEMENTATION REPORT.

(a) STUDY.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Agriculture and the Secretary of Health and Human Services shall jointly submit to Congress a report evaluating the progress made in the implementation of subtitle F of the Plant Protection Act, as added by section 111. Such report shall include—

(1) an analysis of plants over which regulatory oversight under such subtitle is required;

(2) an analysis of the extent to which the provisions of such subtitle establish an appropriate scope of regulatory oversight for the Animal and Plant Health Inspection Service and the Food and Drug Administration, including their oversight of public research programs; and

(3) any potential changes to the Plant Protection Act that would better facilitate implementation of a coordinated, predictable, and efficient science-based regulatory process.

(b) COORDINATION WITH OTHER EFFORTS TO MODERNIZE REGULATION.—The report under subsection (a) shall be prepared, to the greatest extent practicable, in accordance with the process described in the memorandum issued by the Executive Office of the President on July 2, 2015, entitled ''Modernizing the Regulatory System for Biotechnology Products'', including the directive specified in such memorandum to update the ''Coordinated Framework for Regulation of Biotechnology'' published by the Executive Office of the President, Office of Science and Technology Policy, in the Federal Register on June 26, 1986 (51 Fed.Reg. 23302).

TITLE II—GENETIC ENGINEERING CERTIFICATION

SEC. 201. GENETIC ENGINEERING CERTIFICATION.

The Agricultural Marketing Act of 1946 (7 U.S.C. 1621 et seq.) is amended by adding at the end the following new subtitle:

''Subtitle E—Genetic Engineering Certification

''SEC. 291. DEFINITIONS.

''In this subtitle:

''(1) The term 'certifying agent' means the chief executive officer of a State or, in the case of a State that provides for the statewide election of an official to be responsible solely for the administration of the agricultural operations of the State, such official, and any person (including a private entity) who is accredited by the Secretary as a certifying agent for the purpose of certifying a covered product as a product, the labeling of which may indicate whether the product is produced with or without the use of genetic engineering.

''(2) The term 'covered product' means—

''(A) an agricultural product, whether raw or processed (including any product derived from livestock that is marketed in the United States for consumption by humans or other animals);

''(B) any other food (as defined in section 201 of the Federal Food, Drug, and Cosmetic Act) not derived from an agricultural product; and

''(C) seed or other propagative material.

''(3) The term 'genetically engineered plant' refers to a plant or plant product (as those terms are defined in section 403 of the Plant Protection Act (7 U.S.C. 7702)), if—

''(A) it contains genetic material that has been modified through in vitro recombinant deoxyribonucleic acid (DNA) techniques; and

''(B) the modification could not otherwise be obtained using conventional breeding techniques.

''(4) The term 'comparable food' means, with respect to a covered product produced from, containing, or consisting of a genetically engineered plant—

''(A) the parental variety of the plant;

''(B) another commonly consumed variety of the plant; or

''(C) a commonly consumed covered product with properties comparable to the covered product produced from, containing, or consisting of the genetically engineered plant.

''(5) The term 'handle' means to sell, process or package covered products.

''(6) The term 'producer' means a person who engages in the business of growing or producing covered products.

''(7) The term 'Secretary' means the Secretary of Agriculture, acting through the Agricultural Marketing Service.

''SEC. 291A. NATIONAL GENETICALLY ENGINEERED FOOD CERTIFICATION PROGRAM.

''(a) IN GENERAL.—The Secretary shall establish a voluntary genetically engineered food certification program for covered products with respect to the use of genetic engineering in the production of such products, as provided for in this subtitle. The Secretary shall establish the requirements and procedures as the Secretary determines are necessary to carry out such program.

''(b) CONSULTATION.—In developing the program under subsection (a), the Secretary shall consult with such other parties as are necessary to develop such program to ensure that producers or handlers seeking to make claims under section 291B or 291C are certified to make such claims.

''(c) CERTIFICATION.—The Secretary shall implement the program established under subsection (a) through certifying agents. Such certifying agents may certify that covered products were or were not produced with the use of genetic engineering or a genetically engineered plant, in accordance with this subtitle.

''(d) SEAL.—The Secretary shall establish a seal to identify covered products in interstate commerce using terminology the Secretary considers appropriate for covered products certified under this title, including terminology commonly used in interstate commerce or established by the Secretary in regulations.

''SEC. 291B. NATIONAL STANDARDS FOR LABELING NONGENETICALLY ENGINEERED FOOD.

''(a) IN GENERAL.—To be sold or labeled as a covered product produced without the use of genetic engineering—

''(1) the covered product shall—

''(A) be subject to supply chain process controls that address—

''(i) the producer planting seed that is not genetically engineered;

''(ii) the producer keeping the crop separated during growth, harvesting, storage, and transportation; and

''(iii) persons in direct contact with such crop or products derived from such crop during transportation, storage, or processing keeping the product separated from other products that are or are derived from genetically engineered plants; and

''(B) be produced and handled in compliance with a nongenetically engineered food plan developed and approved in accordance with subsection (c);

''(2) in the case of a covered product derived from livestock that is marketed in the United States for human consumption, the covered product and the livestock, products consumed by such livestock, and products used in processing the products consumed by such livestock shall be produced without the use of products derived from genetic engineering; and

''(3) labeling or advertising material on, or in conjunction with, such covered product shall not suggest either expressly or by implication that covered products developed without the use of genetic engineering are safer or of higher quality than covered products produced from, containing, or consisting of a genetically engineered plant.

''(b) EXCEPTIONS.—A covered product shall not be considered as not meeting the criteria specified in subsection (a) solely because the covered product—

''(1) is manufactured or processed using a genetically engineered microorganism or a processing aid or enzyme;

''(2) is derived from microorganisms that consumed a nutrient source produced from, containing, or consisting of a genetically engineered plant; or

''(3) is an approved substance on the National List established under section 2118 of the Organic Foods Production Act of 1990 (7 U.S.C. 6517).

''(c) NONGENETICALLY ENGINEERED FOOD PLAN.—

''(1) IN GENERAL.—A producer or handler seeking certification under this section shall submit a nongenetically engineered food plan to the certifying agent and such plan shall be reviewed by the certifying agent who shall determine if such plan meets the requirements of this section.

''(2) CONTENTS.—A nongenetically engineered food plan shall contain a description of—

''(A) the procedures that will be followed to assure compliance with this section;

''(B) a description of the monitoring records that will be maintained; and

''(C) any corrective actions that will be implemented in the event there is a deviation from the plan.

''(3) AVAILABILITY.—The nongenetically engineered food plan and the records maintained under the plan shall be available for review and copying by the Secretary or a certifying agent.

''(d) TREATMENT OF LIVESTOCK.—In the case of a covered product derived from livestock that is marketed in the United States for human consumption, the covered product shall not be considered to be genetically engineered solely because the livestock consumed feed produced from containing, or consisting of a genetically engineered plant.''.

''SEC. 291C. NATIONAL STANDARDS FOR LABELING GENETICALLY ENGINEERED FOOD.

''(a) IN GENERAL.—To be sold or labeled as a covered product produced with the use of genetic engineering—

''(1) the covered product shall be produced and handled in compliance with a genetically engineered food plan developed and approved in accordance with subsection (b); and

''(2) the labeling of or advertising material on, or in conjunction with, such covered product shall—

''(A) not expressly or impliedly claim that a covered product developed with the use of genetic engineering is safer or of higher quality solely because the covered product is a product developed with the use of genetic engineering;

''(B) not make any claims that are false or misleading; and

''(C) contain such information as the Secretary considers appropriate.

''(b) GENETICALLY ENGINEERED FOOD PLAN.—

''(1) IN GENERAL.—A producer or handler seeking certification under this section shall submit a genetically engineered food plan to the certifying agent and such plan shall be reviewed by the certifying agent who shall determine if such plan meets the requirements of this section.

''(2) CONTENTS.—A genetically engineered food plan shall contain a description of—

''(A) the procedures that will be followed to assure compliance with this section;

''(B) a description of the monitoring records that will be maintained; and

''(C) any corrective actions that will be implemented in the event there is a deviation from the plan.

''(3) AVAILABILITY.—The genetically engineered food plan and the records maintained under the plan shall be available for review and copying by the Secretary or a certifying agent.

''(c) PROHIBITION AGAINST RESTRICTING CERTAIN DISCLOSURES.—With respect to a covered product that otherwise meets the criteria specified in subsection (a), the Secretary may not prevent a person—

''(1) from disclosing voluntarily on the labeling of such a covered product developed with the use of genetic engineering the manner in which the product has been modified to express traits or characteristics that differ from its comparable food; or

''(2) from disclosing in advertisements, on the Internet, in response to consumer inquiries, or on other communications, other than in the labeling, that a covered product was developed with the use of genetic engineering.

''SEC. 291D. IMPORTED PRODUCTS.

''Imported covered products may be sold or labeled as produced with or without the use of genetic engineering if the Secretary determines that such products have been produced and handled under a genetic engineering certification program that provides safeguards and guidelines governing the production and handling of such products that are at least equivalent to the requirements of this subtitle.

''SEC. 291E. ACCREDITATION PROGRAM.

''(a) IN GENERAL.—The Secretary shall establish and implement a program to accredit a governing State official, and any private person, that meets the requirements of this section as a certifying agent for the purpose of certifying a covered product as having been produced with or without the use of genetic engineering or a genetically engineered plant, in accordance with this subtitle.

''(b) REQUIREMENTS.—To be accredited as a certifying agent under this section, a governing State official or private person shall—

''(1) prepare and submit to the Secretary an application for such accreditation;

''(2) have sufficient expertise in agricultural production and handling techniques as determined by the Secretary; and

''(3) comply with the requirements of this section.

''(c) DURATION OF ACCREDITATION.—An accreditation made under this section shall be for a period of not to exceed 5 years, as determined appropriate by the Secretary, and may be renewed.

''(d) COORDINATION WITH EXISTING ORGANIC PROGRAM ACCREDITATION.—A governing State official or private person who is accredited to certify a farm or handling operation as a certified organic farm or handling operation pursuant to section 2115 of the Organic Foods Production Act of 1990 (7 U.S.C. 6415) (and such accreditation is in effect) shall be deemed to be accredited to certify covered products under this subtitle.

''SEC. 291F. RECORDKEEPING, INVESTIGATIONS, AND ENFORCEMENT.

''(a) RECORDKEEPING.—

''(1) IN GENERAL.—Except as otherwise provided in this title, each person who sells, labels, or represents any covered product as having been produced with or without the use of genetic engineering or a genetically engineered plant shall—

''(A) maintain records in a manner prescribed by the Secretary; and

''(B) make available to the Secretary, on request by the Secretary, all records associated with the covered product.

''(2) CERTIFYING AGENTS.—

''(A) IN GENERAL.—A certifying agent shall—

''(i) maintain all records concerning the activities of the certifying agent with respect to the certification of covered products under this subtitle in a manner prescribed by the Secretary; and

''(ii) make available to the Secretary, on request by the Secretary, all records associated with such activities.

''(B) TRANSFERENCE OF RECORDS.—If a private person that was certified under this subtitle is dissolved or loses accreditation, all records and copies of records concerning the activities of the person under this subtitle shall be transferred to the Secretary.

''(b) INVESTIGATIONS.—

''(1) IN GENERAL.—The Secretary may take such investigative actions as the Secretary considers to be necessary—

''(A) to verify the accuracy of any information reported or made available under this subtitle; and

''(B) to determine whether a person covered by this subtitle has committed a violation of any provision of this subtitle, including an order or regulation promulgated by the Secretary pursuant to this subtitle.

''(2) SPECIFIC INVESTIGATIVE POWERS.—In carrying out this subtitle, the Secretary may—

''(A) administer oaths and affirmations;

''(B) subpoena witnesses;

''(C) compel attendance of witnesses;

''(D) take evidence; and

''(E) require the production of any records required to be maintained under this subtitle that are relevant to an investigation.

''(c) VIOLATIONS OF SUBTITLE.—

''(1) FAILURE TO PROVIDE INFORMATION.—Any person covered by this subtitle who, after notice and an opportunity to be heard, has been found by the Secretary to have failed or refused to provide accurate information (including a delay in the timely delivery of such information) required by the Secretary under this subtitle, shall be assessed a civil penalty of not more than $10,000.

''(2) MISUSE OF LABEL.—

''(A) IN GENERAL.—Any person who, after notice and an opportunity to be heard, is found by the Secretary to have knowingly sold or labeled any covered product as having been produced with or without the use of genetic engineering or a genetically engineered plant, except in accordance with this subtitle, shall be assessed to a civil penalty of not more than $10,000.

''(B) CONTINUING VIOLATION.—Each day during which a violation described in subparagraph (A) occurs shall be considered to be a separate violation.

''(3) INELIGIBILITY.—

''(A) IN GENERAL.—Except as provided in subparagraph (C), any person that carries out an activity described in subparagraph (B), after notice and an opportunity to be heard, shall not be eligible, for the 5-year period beginning on the date of the occurrence, to receive a certification under this subtitle with respect to any covered product.

''(B) DESCRIPTION OF ACTIVITIES.—An activity referred to in subparagraph (A) is—

''(i) making a false statement;

''(ii) a violation described in paragraph (2)(A);

''(iii) attempting to have a label indicating that a covered product has been produced with or without the use of genetic engineering or a genetically engineered plant affixed to a covered product that a person knows, or should have reason to know, to have been produced in a manner that is not in accordance with this subtitle; or

''(iv) otherwise violating the purposes of the genetically engineered food certification program established under section 291A, as determined by the Secretary.

''(C) WAIVER.—Notwithstanding subparagraph (A), the Secretary may modify or waive a period of ineligibility under this paragraph if the Secretary determines that the modification or waiver is in the best interests of the genetically engineered food certification program established under section 291A.

''(4) REPORTING OF VIOLATIONS.—A certifying agent shall immediately report any violation of this subtitle to the Secretary.

''(5) CEASE-AND-DESIST ORDERS.—

''(A) IN GENERAL.—The Secretary may, after providing notice and an opportunity to be heard, issue an order, require any person who

the Secretary reasonably believes is selling or labeling a covered product in violation of this subtitle to cease and desist from selling or labeling such covered product as having been produced with or without the use of genetic engineering or a genetically engineered plant.

''(B) FINAL AND CONCLUSIVE.—The order of the Secretary imposing a cease-and-desist order under this paragraph shall be final and conclusive unless the affected person files an appeal from the Secretary's order with the appropriate district court of the United States not later than 30 days after the date of the issuance of the order.

''(6) VIOLATIONS BY CERTIFYING AGENT.—A certifying agent that is a private person that violates the provisions of this subtitle or falsely or negligently certifies any covered product that does not meet the terms and conditions of the genetically engineered food certification program established under section 291A, as determined by the Secretary, shall, after notice and an opportunity to be heard—

''(A) lose accreditation as a certifying agent under this subtitle; and

''(B) be ineligible to be accredited as a certifying agent under this subtitle for a period of not less than 3 years, beginning on the date of the determination.

''(7) SUSPENSION.—

''(A) IN GENERAL.—The Secretary may, after first providing the certifying agent notice and an opportunity to be heard, suspend the accreditation of the certifying agent for a period specified in subparagraph (B) for a violation of this subtitle.

''(B) PERIOD OF SUSPENSION.—The period of a suspension under subparagraph (A) shall terminate on the date the Secretary makes a final determination with respect to the violation that is the subject of the suspension.

''(8) ENFORCEMENT BY ATTORNEY GENERAL.—On request of the Secretary, the Attorney General may bring a civil action against a person in a district court of the United States to enforce this subtitle or a requirement or regulation prescribed, or an order issued, under this subtitle. The action may be brought in the judicial district in which the person does business or in which the violation occurred.

''SEC. 291G. AUTHORIZATION OF APPROPRIATIONS; FEES.

''(a) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to establish the genetically engineered food certification program under section 291A, $2,000,000, to remain available until expended.

''(b) FEES.—

''(1) IN GENERAL.—Upon establishment of the genetically engineered food certification program under section 291A, the Secretary shall establish by notice, charge, and collect fees to cover the estimated costs to the Secretary of carrying out this subtitle.

''(2) AVAILABILITY.—Fees collected under paragraph (1) shall be deposited into a fund in the Treasury of the United States and shall remain available until expended, subject to appropriation, to carry out this subtitle.''.

SEC. 202. REGULATIONS.

In promulgating regulations to carry out the amendments made by section 201, the Secretary of Agriculture shall—

(1) provide a process to account for certified nongenetically engineered covered products containing material from genetically engineered plants due to the inadvertent presence of such material;

(2) to the greatest extent practicable, establish consistency between the certification programs established under subtitle E of the Agricultural Marketing Act of 1946 (as added by section 201 of this Act), the organic certification program established under the Organic Foods Production Act of 1990 (7 U.S.C. 6501 et seq.), and other voluntary labeling programs administered by the Secretary;

(3) with respect to regulations for covered products intended for consumption by non-food animals, take into account the inherent differences between food intended for animal and human consumption, including the essential vitamins, minerals, and micronutrients required to be added to animal food to formulate a complete and balanced diet; and

(4) provide a process for requesting and granting exemptions from the requirements of subtitle E of the Agricultural Marketing Act of 1946 (as added by section 201 of this Act) under conditions established by the Secretary.

SEC. 203. EFFECTIVE DATE; PREEMPTION.

(a) EFFECTIVE DATE.—Regardless of whether regulations have been promulgated under section 202 of this Act, the amendments made by section 201 shall take effect beginning on the date of the enactment of this Act.

(b) PROHIBITIONS AGAINST MANDATORY LABELING OF FOOD DEVELOPED USING GENETIC ENGINEERING.—

(1) IN GENERAL.—Subject to paragraph (2), no State or political subdivision of a State may directly or indirectly establish under any authority or continue in effect as to any covered product (as defined in section 291 of the Agricultural Marketing Act of 1946, as added by section 201 of this Act) in interstate commerce, any requirement for the labeling of a covered product indicating the product as having been produced from, containing, or consisting of a genetically engineered plant, including any requirements for claims that a covered product is or contains an ingredient that was produced from, contains, or consists of a genetically engineered plant.

(2) EXCEPTION.—Notwithstanding paragraph (1), a State (or a political subdivision thereof) may establish either of the following voluntary programs for the regulation of claims described in such paragraph:

(A) A program that relates to voluntary claims to which paragraph (1) of section 204(a) of this Act applies.

(B) A program that—

(i) is voluntary;

(ii) is accredited by the Secretary pursuant to section 291E of the Agricultural Marketing Act of 1946 (as added by section 201 of this Act); and

(iii) establishes standards that are identical to the standards established under section 291B or 291C of the Agricultural Marketing Act of 1946, as applicable (as added by section 201 of this Act).

(c) RULE OF CONSTRUCTION.—For the sole purpose of subsection (b)(1), a covered product derived from livestock that consumed genetically engineered plants shall be deemed as having been produced from, containing, or consisting of a genetically engineered plant.

SEC. 204. APPLICABILITY.

(a) EXISTING CLAIMS.—A voluntary claim made with respect to whether a covered product (as defined in section 291 of the Agricultural Marketing Act of 1946, as added by section 201 of this Act) was produced with or without the use of genetic engineering or genetically engineered plants before the date of the enactment of this Act—

(1) may be made for such a product during the 36-month period that begins on the date of the enactment of this Act; and

(2) after the expiration of such 36-month period, may be made so long as the labels associated with such a claim meet the standards specified in section 291B or 291C of the Agricultural Marketing Act of 1946, as applicable (as added by section 201 of this Act).

(b) ORGANIC CERTIFICATION.—In the case of a covered product (as defined in section 291 of the Agricultural Marketing Act of 1946, as added by section 201 of this Act) produced by a farm or handling operation that is certified as an organic farm or handling operation under the Organic Foods Production Act of 1990 (7 U.S.C. 6501 et seq.), such product is deemed to be certified as a product produced without the use of genetic engineering under the genetically engineered food certification program established under section 291A of the Agricultural Marketing Act of 1946 (as added by section 201 of this Act).

TITLE III—NATURAL FOODS

SEC. 301. LABELING OF NATURAL FOODS.

Section 403 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 343) is amended by adding at the end the following:

''(z)(1) If its labeling contains an express or implied claim that the food is 'natural' unless the claim is made in accordance with subparagraph (2).

''(2) A claim described in subparagraph (1) may be made only if the claim uses terms that have been defined by, and the food meets the requirements that have been established in, regulations promulgated to carry out this paragraph.

''(3) Notwithstanding subparagraph (2), prior to the finalization of regulations to carry out this paragraph, the use of any claim that a food is 'natural' shall be allowed if consistent with the Secretary's existing policy for such claims.

''(4) In promulgating regulations to carry out this paragraph, the Secretary shall differentiate between food for human consumption and food intended for consumption by animals other than humans.

''(5) For purposes of subparagraph (1), a natural claim includes the use of—

''(A) the terms 'natural', '100% natural', 'naturally grown', 'all natural', and 'made with natural ingredients'; and

''(B) any other terms specified by the Secretary.''.

SEC. 302. REGULATIONS.

(a) PROPOSED REGULATIONS.—Not later than 18 months after the date of enactment of this Act, the Secretary of Health and Human Services shall issue proposed regulations to implement section 403(z) of the Federal Food, Drug, and Cosmetic Act, as added by section 301 of this Act.

(b) FINAL REGULATIONS.—Not later than 30 months after the date of enactment of this Act, the Secretary of Health and Human Services shall issue final regulations to implement such section 403(z).

SEC. 303. PREEMPTION.

Section 403A(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 343–1(a)) is amended—

(1) in paragraph (4), by striking ''or'' at the end;

(2) in paragraph (5), by striking the period and inserting a comma; and

(3) by inserting after paragraph (5) the following:

''(6) any requirement for the labeling of food of the type required by section 403(z) that is not identical to the requirement of such section.''.

SEC. 304. EFFECTIVE DATE.

The labeling requirements of section 403(z) of the Federal Food, Drug, and Cosmetic Act, as added by section 301 of this Act, shall take effect on the effective date of final regulations promulgated under section 302(b) of this Act. The provisions of section 403A(a)(6) of the Federal Food, Drug, and Cosmetic Act, as added by section 303 of this Act, take effect on the date of enactment of this Act.

The CHAIR. No amendment to that amendment in the nature of a substitute shall be in order except those

printed in part B of House Report 114–216. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. DEFAZIO

The CHAIR. It is now in order to consider amendment No. 1 printed in part B of House Report 114–216.

Mr. DEFAZIO. I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, after line 5, insert the following:

''(3) LABELING OF PRODUCTS THAT ARE REQUIRED TO BE LABELED ABROAD.—

''(A) REQUIREMENT.—The Secretary shall require that food produced from, containing, or consisting of a genetically engineered plant and intended for sale in interstate commerce be labeled as such if—

''(i) the person producing or manufacturing the food, or any affiliate thereof, produces or manufactures an equivalent food intended for consumption in a foreign country; and

''(ii) the person or affiliate is required by such foreign country to indicate in the labeling of such food that it is produced from, contains, or consists of a genetically engineered plant.

''(B) DEFINITION.—In this paragraph, the term 'affiliate' means any entity that controls, is controlled by, or is under common control with another entity.''.

The CHAIR. Pursuant to House Resolution 369, the gentleman from Oregon (Mr. DEFAZIO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oregon.

Mr. DEFAZIO. Mr. Chair, there was a time when Monsanto supported labeling. Of course, 64 countries have adopted labeling, including the United Kingdom.

Here is what Monsanto said back then: Monsanto fully supports U.K. food manufacturers and retailers in their introduction to these labels. We believe you should be aware of all the facts before making a purchase. We encourage you to look out for these labels.

That was then; this is now. Now, Monsanto and Monsanto's allies say such labeling is impossible, impractical, and unnecessary. There was a time when Monsanto was proud of their genetically modified organisms. Why not now?

We have heard all of these arguments, some of which aren't exactly accurate, about the great benefits of GMOs. Why not put on there, ''GMOs solve global warming.'' Put it right there on the label. For all the people who are concerned about climate change, that would be something.

Now, 64 countries around the world require labeling; and many, many large U.S. firms actually do label in those countries. The countries are all the European Union—that is a pretty big slice of the world economy—China, Japan, Australia, South Korea, Brazil, India, New Zealand, Russia, Ukraine, Kazakhstan, and Saudi Arabia. Now, all of those countries require it; U.S. manufacturers ship products to those countries, and they put it on the label.

Now, Hershey's is not the only company that does this. This is a Hershey's label, and it is ''made in the USA.'' We like that. We like exporting things around the world, so we are very proud of the exports of Hershey's and other food manufacturers, but because of laws in Sweden, they have to say ''contains genetically modified organisms.''

Now, somehow, they can do that there. I mean, the EU has consistent rules, and my bill would have rules consistent with the EU. They could make one label, which would go to about half the world's economy. If it really costs money to print different labels, that would actually save them money, and it would do away with this argument about a proliferation of various different labels across the U.S.

There are some other countries that have different requirements, and they do still export to those countries, too. They can't have a uniform overseas label, but they could get darn close with all of the European Union, United States; and New Zealand and Australia are virtually identical.

Now, it isn't just Hershey's. These large companies go into—at least—50 of the 64 countries that require labeling: Pepsi, Tyson, Nestle, Coke, Mars, Hershey, Kellogg, and Heinz.

Now, I was contacted by Hershey, and they said: We can't deal with the proliferation in the States.

Then they should support my bill. Get a uniform national label. Let consumers know it contains GMOs. Monsanto can go out and tout the benefits or others can tout the benefits of GMOs, and then they could have one label for the EU and the United States.

I reserve the balance of my time.

Mr. POMPEO. Mr. Chair, I rise in opposition to the amendment.

The CHAIR. The gentleman from Kansas is recognized for 5 minutes.

Mr. POMPEO. Mr. Chairman, the United States should not let other countries dictate U.S. food policy. This would be absurd. It is exactly what this amendment does.

The proponents of this amendment seemingly wish to scare the public with unjustified warning labels on all products produced with any technology or, short of that, punish companies that have the audacity to engage in foreign commerce.

Just because European policy has been driven by fear-mongering, we should not allow it to be so here in the United States. We should not succumb to this angry rhetoric. We should lead the world in getting this policy right.

Now, let's just say, for sake of argument, we were to pass this amendment. I would like to ask: Who would be responsible for enforcement of such a quagmire? What agency licenses exports of food? What agency would be responsible for monitoring where in the world those products went and what specific requirements were placed on them by the countries receiving those products?

Assuming such information is actually obtained, that information is likely proprietary business information, exempted from disclosure between agencies by the Freedom of Information Act.

Here in the United States, we rely on the FDA for responsibility for food inspection, but as many proponents of mandatory warning labels are quick to point out, the FDA inspects less than 1 percent of the products.

Are the proponents just doing this for show? Or do they actually expect an agency to fulfill its enforcement obligation? If so, has this amendment been scored?

I can only imagine what the cost will be to the agency to ensure that labels mandated by this amendment's sponsors are accurate.

Mr. Chairman, this amendment would take us backwards. It would require an even more patchwork set of rules. I urge that we get to uniformity. The logistics of enforcing every product label and their counterpart in 1 of 195 other countries in the world would be costly and a waste of taxpayer dollars.

I urge the defeat of this ill-conceived effort to punish American businessmen and -women who are doing their best to grow our economy.

I reserve the balance of my time

Mr. DEFAZIO. Mr. Chair, 64 countries require labeling, including the European Union. This would give companies an opportunity to have a consistent label across the United States and into the European Union.

Consumers want this. The polls are consistently 88 percent. Monsanto spends $20 million, $30 million like they did in Oregon convincing people it would drive up food costs; and then they won by one one-hundredths of 1 percent in that election, after spending a record amount of money.

Americans want to know what is in their food; don't put them in the dark.

I yield back the balance of my time.

Mr. POMPEO. Mr. Chairman, we should not create a system whereby U.S. food producers are at the complete mercy of global actors all around the world. Goodness knows what the requirements would be for their labels here.

I urge my colleagues to vote against this amendment, and I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Oregon (Mr. DEFAZIO).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. DEFAZIO. Mr. Chair, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Oregon will be postponed.

AMENDMENT NO. 2 OFFERED BY MR. HUFFMAN

The CHAIR. It is now in order to consider amendment No. 2 printed in part B of House Report 114–216.

Mr. HUFFMAN. I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 10, line 12, at the end of section 113 of the bill insert the following: ''Nothing in this title or the amendments made thereby shall be construed to limit the authority of a State or tribe (or a political subdivision thereof) to prohibit or restrict the cultivation of genetically engineered plants on or near tribal lands.''.

The CHAIR. Pursuant to House Resolution 369, the gentleman from California (Mr. HUFFMAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. HUFFMAN. Mr. Chairman, I rise to offer an amendment to ensure tribal sovereignty is not inadvertently harmed by this legislation, the DARK Act.

I am joined by several colleagues in support of this amendment, including cosponsors Representatives POLIS, MCCOLLUM, GRIJALVA, and RUIZ.

Now, much of the debate this morning has focused on how and if this bill will preempt State and local laws, which would include ordinances in my district that have been adopted by Marin, Mendocino, Humboldt, and Trinity Counties.

□ 1230

I agree with my colleagues: we deserve to know what is in our food, and this bill prevents local and State governments from providing consumers with that information, the information they want.

But in today's debate, little has been said about the need to protect the principle of tribal self-governance. I recognize that some of my colleagues believe the manager's amendment addresses any concerns regarding preemption and tribal sovereignty. I disagree. That is why I am offering this amendment to address any potential ambiguity in the bill, and to ensure that tribes can continue to take action on GMOs, as many of them have sought to do. If the underlying bill is supposed to protect tribal sovereignty, I would hope that the bill supporters wouldn't mind making that protection explicit by passing this amendment.

In 2013, the National Congress of American Indians, which supports my amendment today, passed a resolution calling on Congress and the Federal Government to ''preserve, protect, and maintain the integrity of traditional native foods, seeds, and agricultural systems . . . support the labeling of seeds or products containing GE technology and ingredients . . . create GE and transgenic crop-free zones; and oppose the use and cultivation of GE seeds in the United States.'' But this bill would preempt the creation of a national standard for GMOs that NCAI has asked for.

Now, this is not just about crops, Mr. Chairman. The Affiliated Tribes of Northwest Indians, which includes several tribes in my district, are strongly opposed to the FDA approval of genetically engineered salmon due to the potential for harmful impacts on wild salmon that are so important to the tribes and to, frankly, the commercial economy in my district. Under this legislation, it is hard to see how FDA could ever require the labeling of genetically engineered salmon.

With the significant concerns over GE foods and the proactive steps that tribes are taking on their lands and resources, we ought to make clear that this bill will not affect tribes' authorities to prohibit or restrict the cultivation of GE plants on or near tribal lands.

The Congressional Research Service has taken a look at this bill's new preemption section, and they have said that the effects of the preemption language are ambiguous. In the case of impacts to tribes, we ought to leave no ambiguity.

I urge support of this amendment. No matter how we feel about the legislation as a whole, I would hope, at the very least, we could clarify that tribes should retain the authority to restrict GE plants on their own lands, if they so choose.

I reserve the balance of my time.

Mr. POMPEO. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman from Kansas is recognized for 5 minutes.

Mr. POMPEO. Mr. Chairman, simply put, H.R. 1599 does not prohibit local governments from passing and enforcing bans on cultivation of genetically engineered crops. Similarly, it does not do that with respect to tribal sovereignty either.

The bill before us applies only to the food use and labels. There is nothing in this legislation that any opponent can point to that suggests or implies interference with State or local ordinances related to plant cultivation, period.

Likewise, the preemption provision that the amendment seeks to modify only applies to States and political subdivisions thereof. Tribal lands are sovereign. They are not affected.

If the amendment sponsor wishes only to clarify sovereign rights of tribal governments on their land, then we would be happy to work with him, but the structure of this amendment appears to provide tribal governments with some level of authority over land outside of their boundaries. This may or may not have been the intended purpose of the amendment, but it has serious unintended consequences.

I urge the sponsor to withdraw this amendment and allow us the opportunity to work together to address their concerns.

I reserve the balance of my time.

Mr. HUFFMAN. Mr. Chairman, if the intent is not to prohibit or restrict or preempt tribal sovereignty, why not make it clear, why not pass this amendment?

I yield 1 minute to the distinguished gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. Mr. Chairman, there are three preemption sections in this bill: one prohibits States from labeling GMOs; another establishes something for a label called ''natural,'' which will contain GMOs and can contain GMOs and still be labeled ''natural''; and then finally, a very poorly written big section that seems to preempt all State regulations and tribal regulations.

The Navajo Nation has a ban on the cultivation of genetically modified crops. They are trying to preserve their indigenous crops.

States have provided for buffer zones in 30 States. This bill, I believe, will preempt those 30 States from establishing buffer zones to protect conventional crops.

We had conventional wheat in Oregon that was banned from export because of GMO pollution—conventional wheat, let alone organic wheat, which would be worthless if it had GMO pollution.

So in this bill I had an amendment to clarify this section and say, no, no, no, not preempting State Departments of Agriculture establishing reasonable rules to protect conventional and organic farmers from preemption. They say they fixed it. I don't believe they have. That part of the bill is very vague. This, I believe, could both preempt tribal sovereign entity, State sovereign entity, and reasonable regulations to protect other farmers.

Mr. POMPEO. Mr. Chairman, the language is very clear. It says that ''no State or political subdivision of a State may directly or indirectly establish under any authority or continue in effect as to any food in interstate commerce any requirement with respect to genetically engineered plants for a use or application of food that is not identical to the requirement of section 461 of the Plant Protection Act.''

I reserve the balance of my time.

Mr. HUFFMAN. Mr. Chairman, I respectfully disagree that that language is clear, but I would note that that language says nothing about tribal sovereignty.

Mr. Chairman, colleagues, this is a bill that is deeply flawed. It should be

opposed for all sorts of reasons. But here is an amendment that would at least make it a little better for those of us that represent Indian Country, for those of us that care about tribal sovereignty.

For those of us that want to protect the tribes who have taken action on their land, who have in some cases partnered with States for buffer zones near tribal land, we ought to at least take this additional step to make it clear that they can do that, that we are not running roughshod over their tribal sovereignty.

With that, I request an ''aye'' vote, and I yield back the balance of my time.

Mr. POMPEO. Mr. Chairman, nothing in this amendment will impact tribal sovereignty one iota. It talks about States and political subdivisions. That doesn't apply in any way to tribal land.

Mr. Chairman, I urge my colleagues to vote against this amendment, and I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from California (Mr. HUFFMAN).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. HUFFMAN. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 3 OFFERED BY MS. DELAURO

The CHAIR. It is now in order to consider amendment No. 3 printed in part B of House Report 114–216.

Ms. DELAURO. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 33, lines 13 through 17, amend paragraph (2) to read as follows:

''(2) A claim described in subparagraph (1) may be made only if—

''(A) the claim uses terms that have been defined by, and the food meets the requirements that have been established in, regulations promulgated to carry out this paragraph; and

''(B) the food is not produced using, does not contain, and does not consist of a genetically engineered plant.''.

The CHAIR. Pursuant to House Resolution 369, the gentlewoman from Connecticut (Ms. DELAURO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Connecticut.

Ms. DELAURO. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, my amendment would make clear that foods labeled ''natural'' cannot contain genetically modified material.

I want to emphasize right from the outset it is about our basic right to know what we are eating and what we are feeding to our children.

FDA already requires clear labeling of over 3,000 ingredients, additives, and food processes. One example: fruit juice must indicate whether or not it is from concentrate. Clearly, that is not a judgment on food safety; it is a simple matter of transparency.

Calling GMO foods ''natural'' is not transparent. It is confusing, and we have the data to back that up.

As Members can see from the chart behind me, almost two-thirds of American adults believe that ''natural'' already means GMO-free, and 84 percent agree that that is what it should mean.

We need to make sure that food labels reflect that commonsense understanding. As drafted, this bill would do the opposite. It would codify the status quo, being that food companies can put ''natural'' on a product, even if it was genetically engineered, which allows misleading labels. It would perpetuate misunderstandings and confusion. It would keep American families in the dark.

This is not what the American public wants. More than 90 percent of us want clear GMO labeling. In response to this overwhelming demand, three States—Vermont, Maine, and my home State of Connecticut—have passed laws restricting the ''natural'' label to foods that do not contain GMOs. Several other States are considering similar laws.

Without my amendment, this bill would nullify those State laws. This would represent a serious setback for the right to know in these States around the country.

Mr. Chairman, American families want clear information about GMOs. They deserve that information. I urge my colleagues to support the amendment, and I reserve the balance of my time.

Mr. RODNEY DAVIS of Illinois. Mr. Chairman, I wish to rise in opposition.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. RODNEY DAVIS of Illinois. Mr. Chairman, I reserve the balance of my time.

Ms. DELAURO. Mr. Chairman, I yield 2 minutes to the gentleman from Oregon (Mr. DEFAZIO), my colleague.

Mr. DEFAZIO. Mr. Chairman, this bill would deceive consumers. It would say that there will now be an FDA definition of ''natural.'' The FDA has never, ever wanted to try and define ''natural'' and that it would include GMOs. Something labeled as ''natural''—Cheerios, naturally flavored—if it contained GMOs, they wouldn't have to say that.

So consumers often, in fact, confuse the ''organic'' and the ''natural'' label. In fact, some polls show that consumers more often think ''natural'' is natural and they are not quite sure what ''organic'' is. This bill is going to muddy those waters further, deceive consumers, and have them buy things labeled ''natural'' that contain genetically modified organisms.

Why is that in this bill? We can fight over the labeling standards for disclosure. Why are you going to muddy the waters and confuse things and create a new mandatory Federal definition and label for ''natural'' that contains GMOs?

Again, here we have all natural vodka creamy marinara. Wow, that is something. And again, this has a number of things in it that very likely contain GMOs that wouldn't be disclosed. But they do have to disclose, and she does, cellulose, sorbic acid, whey, xanthan gum, vodka—of course, it is vodka sauce. But in the future, natural, contains GMOs, no disclosure.

This is really, really I think probably the most egregious part of a very egregious bill—preempting states' rights. Remember, this is the party of states' rights. Until a State does something they don't like, then we have got to preempt it.

Then they say, well, we can't have proliferation of labels. Well, there is a very simple solution, my bill, one mandatory standard Federal label that would say, ''contains GMOs.'' Then that label could be sold into the European Union. You would be able to sell to about half of the world's economy with one label; whereas, today, you have got to have one label for the EU, one label for the U.S., and then a multiple of other countries where 50 major corporations sell their products.

This is so disingenuous. It is very discouraging.

Mr. RODNEY DAVIS of Illinois. Mr. Chairman, I continue to reserve the balance of my time.

Ms. DELAURO. Mr. Chairman, how much time remains?

The CHAIR. The gentlewoman from Connecticut has 1 minute remaining.

Ms. DELAURO. Mr. Chairman, as I said at the beginning, this is not a question of safety or otherwise of GMO foods. We need to ask ourselves a simple question: Does the word ''natural'' really mean to a salmon engineered to grow at double the normal rate? a cereal created in a laboratory to be resistant to herbicide? a tomato with fish genes? Are these things natural? Our common sense says no. A clear majority of Americans agree. By overwhelming margins, we want to know when our food contains GMOs.

We are what we eat, and whether it is the number of calories in our kids' Happy Meals, the country where our beef was raised, or the GMO content of the food we buy at the supermarket, as consumers, as parents, as Americans, we have a right to know.

As drafted, this bill would fly in the face of that broad consensus and keep us in the dark. For the sake of transparency and for commonsense, I urge my colleagues to support this amendment.

I yield back the balance of my time.

Mr. RODNEY DAVIS of Illinois. Mr. Chairman, it is interesting; this whole entire debate we have talked about science. The science clearly shows that genetically modified seeds, genetically modified foods, are safe for every single American family.

It is also interesting that my colleague brought a box of Honey Nut Cheerios to the floor. My colleague talked about claims made on that box. Well, it is interesting that my colleague didn't bring a box of regular Cheerios that sometimes contain a label of non-GMO.

Well, it is a marketing ploy, and that is what we are trying to correct here, because there is no GMO oat. It is all to convince consumers that it is somehow safer, even though there is no distinction between that Cheerios that has that label and the other Cheerios box that doesn't.

□ 1245

It is interesting to see those specific points brought to the floor to try and make this case. It is just clearly not resonating with the American people.

There are no clear and consistent standards for the term ''natural,'' which is why we are trying to correct this in this bill.

We need to make sure that consistent litigation that has come about because of the very definitions of what the term ''natural'' means can stop. Let's put a clear standard in place.

H.R. 1599 also requires the FDA to file a notice and comment rulemaking process to define and set standards for the term ''natural.'' I thought this was exactly what the rulemaking process was supposed to be used for.

This will allow for an open, transparent, public process so that the FDA can establish such standards based on the facts, the science, and the input received.

This amendment would predetermine that outcome and not allow for a science-based, fact-driven process—that is open to the public—to continue to move forward.

I urge my colleagues to reject this amendment. Let's get on the path of passing H.R. 1599 in this House.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentlewoman from Connecticut (Ms. DELAURO).

The question was taken; and the Chair announced that the noes appeared to have it.

Ms. DELAURO. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Connecticut will be postponed.

AMENDMENT NO. 4 OFFERED BY MS. PINGREE

The CHAIR. It is now in order to consider amendment No. 4 printed in part B of House Report 114–216.

Ms. PINGREE. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 1, strike line 1 and all that follows through the end of the bill, and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Non-GMO Disclosure Act of 2015''.

SEC. 2. NON-GMO FOOD CERTIFICATION PROGRAM.

The Agricultural Marketing Act of 1946 (7 U.S.C. 1621 et seq.) is amended by adding at the end the following new subtitle:

''Subtitle E—Non-GMO Food Certification Program

''SEC. 291. CERTIFICATION OF NON-GMO FOODS.

''(a) IN GENERAL.—The Secretary shall establish a voluntary certification program for food produced without the use of genetic engineering to be known as the Non-GMO Food Certification Program.

''(b) CONSULTATION.—The Secretary shall consult with other relevant parties to develop the Non-GMO Food Certification Program.

''(c) CERTIFICATION.—The Secretary shall implement the Non-GMO Food Certification Program through certifying agents. Certifying agents may certify that products were not produced with the use of genetic engineering or a genetically engineered plant, in accordance with this subtitle.

''(d) SEAL.—The Secretary shall establish a seal to identify products that were not produced with the use of genetic engineering or a genetically engineered plant in interstate commerce using terminology the Secretary considers appropriate, including terminology commonly used in interstate commerce or established by the Secretary in regulations.

''SEC. 292. DEFINITIONS.

''In this subtitle:

''(1) GENETICALLY ENGINEERED.—The term 'genetically engineered', used with respect to a food, means a material intended for human consumption that is—

''(A) an organism that is produced through the intentional use of genetic engineering; or

''(B) the progeny of intended sexual or asexual reproduction (or both) of 1 or more organisms that is the product of genetic engineering.

''(2) GENETIC ENGINEERING.—The term 'genetic engineering' means a process—

''(A) involving the application of in vitro nucleic acid techniques, including recombinant deoxyribonucleic acid (DNA) and direct injection of nucleic acid into cells or organelles;

''(B) involving the application of fusion of cells beyond the taxonomic family; or

''(C) that overcomes natural physiological, reproductive, or recombinant barriers and that is not a process used in traditional breeding and selection.''.

SEC. 3. REGULATIONS.

Not later than 1 year after the date of the enactment of this Act, the Secretary shall promulgate regulations to implement the Non-GMO Food Certification Program in accordance with section 291 of the Agricultural Marketing Act of 1946 (7 U.S.C. 1621 et seq.), as added by section 2.

SEC. 4. SAVINGS CLAUSE.

Nothing in this Act (or the amendments made by this Act) is intended to alter or affect the authorities or regulatory programs, policies, and procedures otherwise available to, or the definitions used by, the Food and Drug Administration under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.) or the Animal and Plant Health Inspection Service under the Plant Protection Act (7 U.S.C. 7701 et seq.).

The CHAIR. Pursuant to House Resolution 369, the gentlewoman from Maine (Ms. PINGREE) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentlewoman from Maine.

Ms. PINGREE. Mr. Chairman, I yield myself such time as I may consume.

I appreciate the lively debate that has gone on today, and I want to speak in favor of this particular amendment.

This is the Pingree-DeFazio-Polis amendment in the nature of a substitute, which strikes all of the anticonsumer and antifarmer provisions of the underlying bill.

This comes down to a very simple proposition: Do consumers have a right to know what is in the food they buy and that they feed to their families?

As we have heard many times today, 9 out of 10 consumers say, yes, they support GMO labeling. The public wants to know, as more and more people care about what is in their food and where it comes from. People want to know more, not less, about what they eat.

We already know a lot about our food. We know how many calories are in it, thanks to the labels. We know how much vitamin C we get per serving. We know if a fish is farm raised or wild caught.

We want to know those things. We actually know if our orange juice is made from concentrate or not. Maybe not everybody wants to know that, but it is right there on the label. Shouldn't we also be able to know if the food we are buying has GMO ingredients?

I know some of the opponents of labeling have suggested that consumers might be frightened by GMO ingredients if they were to see them on the labels.

Do we really think that consumers are not smart enough to handle this information? Do we really think that 90 percent of Americans are wrong to want GMO products labeled?

Not only does this bill make it very unlikely that we would ever see the labeling of GMO products on a national basis, but it goes after the laws that have already been passed at the State level, just like in my State of Maine.

Our law was passed by a Democratic legislature, was signed by a conservative Republican Governor, and it has a huge amount of public support.

Now Congress wants to tell the consumers of my State and my State legislators that they cannot have this basic piece of information.

I guarantee you, if Congress passes this law, my State legislature and my constituents will not be happy. They do not want to see their ability to make those decisions taken away.

Not only does this bill go after State labeling laws, but it may also preempt laws and regulations at a local level that protect farmers from contamination by drift from GMO crops.

In my State and in many others, local organic farms are contributing to the economy by growing high-value, high-demand crops.

Some local and county governments have created buffer zones to protect those farms from contamination from GMO crops, and we have heard from experts who say this bill would preempt these laws.

Why would we want to do that? Why would we want to undercut one of the fastest growing sectors in our farm economy that has been very beneficial to rural States like mine—that has revitalized many communities and that has provided economic opportunities for our farmers? What reason would we have to go in the opposite direction?

I urge my colleagues to support this amendment. It would strike the dangerous parts of this bill.

I reserve the balance of my time.

Mr. POMPEO. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman from Kansas is recognized for 10 minutes.

Mr. POMPEO. Mr. Chairman, this amendment would completely gut the primary purpose of the legislation before us today.

In order to prevent a patchwork of 50 different labeling laws for genetically engineered ingredients, preemption is necessary to protect interstate commerce.

Of course, we have heard a lot today about states' rights, but the Founders understood what was important about interstate commerce.

They knew that local governments were at risk of trying to put in place rules that favored local activities; so they accounted for this. They created what is called the Interstate Commerce Clause.

It is right there in the Constitution, and it is pretty darned clear. It was about trade between the States. It said that the Federal Government shall have the authority to regulate this trade. It is important that we do this today, but this amendment would deny us the capacity to do that.

Current State labeling initiatives include a number of varying exemptions, loopholes, and caveats, making it very confusing for not only food producers, but for consumers to understand what it is they are truly consuming.

H.R. 1599 builds on this idea of a uniform standard to provide clarity and consistency to consumers that they can depend upon, regardless of where they shop for food.

I reserve the balance of my time.

Ms. PINGREE. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. FARR), my good friend and the ranking member of the Appropriations Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies.

Mr. FARR. Mr. Chairman, I rise in strong support of this amendment. The author is an organic grower. She knows how people care about what is in their food.

I represent one of the most successful agricultural counties in the United States—Monterey County. I challenge anybody to find a county in this country that makes $4.5 billion a year by growing over 100 different crops in one county.

Food is just like politics—it is all local. What the underlying bill does is strike local control—local control where people care about the methodology of growing.

My area is the area that blossomed into creating the California Organic Standards Act, which I authored in the California State Legislature, which became the model for the Federal Organic Standards Act. This preempts some of the regulations in there. That is not a good thing to do.

Although the Federal Government may have the authority on interstate commerce, I don't think that people want the Federal Government to preempt the ability for them to know their farmers, to know their food, and to have it be labeled as they so choose in a local area.

Labeling is really important, but what you do is change the definition of labels here to one size fits all. That is not the way this country works. That is not the way farming works. And it is certainly not the way that consumers want it to be.

It is too early for the Federal Government, for Congress, to jump in and try to mix up this field. Allow local politics to exist. Allow people to choose to know what is in their food by allowing it to be labeled locally.

Let's support American agriculture so that we can sell it abroad. This bill does everything but gain confidence. The amendment is to be supported.

Mr. POMPEO. Mr. Chairman, I yield 3 minutes to the gentleman from Illinois (Mr. RODNEY DAVIS).

Mr. RODNEY DAVIS of Illinois. Mr. Chairman, I am honored to follow my colleague from California. Less than a year ago I was in his fine district, and I saw the benefits of the agricultural industry in Monterey, California.

I actually toured an organic food processing facility in and around my colleague's district, and I saw firsthand the impact of California agriculture.

I want my colleagues to be assured that the organic labeling program is exactly what this bill is modeled after.

The words that may have been developed in the California State Senate and in the California State Assembly are part of our national organic standards because they work. Organic is a voluntary program just like we are trying to put forth.

This is exactly what we are trying to do, Mr. Chairman—address the concerns of many Americans who want a label and who have contacted our offices.

Americans also want standards; so, when we hear words like ''contamination,'' unfortunately, it connotates negativity to consumers that somehow GMOs are bad for them. The science, though, clearly shows they are not.

As a matter of fact, I just walked over to the Senate side and sat down with some of my colleagues who probably will not vote for this bill. We didn't know, because there was no label, whether or not that sandwich we ate contained genetically modified organisms—seeds—if it were produced with GMOs.

We are trying to fix that. We would allow that sandwich shop to actually meet a set of standards, just like how our organic growers do today, to determine what a GMO product means.

When we hear about trade, earlier today, I was with a member of the European Parliament, Julie Girling. We were talking about some of the impacts of the GMO rules and regulations in the EU on their ability to get cheap food into their supermarkets.

I would urge my colleagues to talk to those who are experiencing the exact same thing right now in our European countries that are our allies. Talk with Ms. Girling. Talk to her about the problems that Europe is experiencing.

We are trying to stop those problems from happening here in America. I want to make sure that we use science—that we use the facts—and that we use a model of a very successful organic labeling program to write this bill.

Therefore, my colleagues should be in favor of this if they are so in favor of the existing program today.

Ms. PINGREE. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey (Mr. PALLONE), the ranking member of the Energy and Commerce Committee, who cares deeply about issues surrounding our environment and public health.

Mr. PALLONE. Mr. Chairman, the amendment offered to H.R. 1599 by Congresswoman PINGREE and Congressman DEFAZIO would replace the underlying bill with a voluntary certification program for non-genetically engineered foods, enabling companies that elect to go through this process to certify that their food is non-GE and share this information with consumers through a seal established by the USDA, similar to the organic program.

This amendment is a step forward in providing consumers with the information they want. While this amendment would preserve the ability of States and localities to act in regards to the labeling of non-GE and GE foods, it unfortunately does not address the problem many of us have heard about

today, and that is a patchwork of food labeling requirements across the country.

As I have said previously, I can't support preempting State labeling laws without establishing a national mandatory labeling standard in its place. Moving forward, I hope that we can work with the Senate to strike a balance that will address concerns we have heard on both sides of this issue.

Mr. POMPEO. Mr. Chairman, I reserve the balance of my time.

Ms. PINGREE. Mr. Chairman, I yield 2 minutes to the gentleman from Oregon (Mr. BLUMENAUER), a hard-working Congressman who cares deeply, as well, about agriculture issues and about the consumers in his State.

Mr. BLUMENAUER. I thank the gentlewoman who represents the other Portland. I deeply appreciated her leadership and insight in this area.

Mr. Chairman, these are areas that touch Americans on a whole host of levels, but one of the things that is important to note is that the extreme provisions of the preemption bill, of the underlying bill that we are discussing, actually have significant negative consequences on hard-working farmers in our State.

There are vast world markets that we export to, and most of the world markets care about whether or not the product is genetically engineered or not. You can argue the merits, but the world market has made a judgment.

We had some cross contamination in wheat for the genetically engineered strain, which set off alarm bells. Oregon farmers lost business as a result of that.

The underlying bill would undercut the efforts of 40 States in working with their local communities to try and provide protections.

Whether or not you are going to label it, there is no reason that you can't provide reasonable buffers around crops that are genetically modified so that you can help provide some protection.

□ 1300

Why would we want to strip away the ability of State and local governments to provide those sort of protections?

Now, in the long run, Mr. Chairman, what we need to do is just have a uniform national policy that labels these, that gets rid of all the problems of multiplicity of labels and the costs and the confusion. My good friend from Oregon (Mr. DEFAZIO) has legislation that would do precisely that. But in the meantime, I deeply appreciate my friend from Maine stepping up to get rid of the most egregious part of the underlying bill, create a program that they can label their products GE free, and get rid of these egregious preemption provisions.

Mr. POMPEO. I reserve the balance of my time.

Ms. PINGREE. Would the Chair please inform how much time I have remaining.

The CHAIR. The gentlewoman from Maine has 2 minutes remaining. The gentleman from Kansas has 6½ minutes remaining.

Ms. PINGREE. Mr. Chair, I yield myself such time as I may consume.

We have heard a lot of arguments about this bill today and the various components of it, why the bill is not a good idea, and why my amendment, which would strike most of the egregious parts of the bill, would be a beneficial way to change this.

Just to go back to my favorite example about labeling, the next time you go into a grocery store, take a look at the carton of orange juice. Right there on the front of the label you will see the words ''from concentrate'' on most of the juice boxes. By law, those words have to appear right there on the front of the label in letters at least half as tall as the name of the brand. We are that specific.

Now, the fact that we need to know the difference in that carton between fresh squeezed and made from concentrate or any other process that might have been used shows me that we have decided to have labels for almost everything you can think of except GMO ingredients.

If it is so important for Americans to know whether or not their orange juice is made from a concentrate, don't you think it is reasonable to put a label somewhere on the back of a package of food telling consumers whether or not it contains GMO ingredients?

This bill, if it is passed by the House, will effectively guarantee that consumers won't have access to that information when they go to the grocery store. This bill will take away the rights of States like mine in Maine to pass laws that protect our consumers. States like Maine and Vermont, who have already passed laws like this, will not have the right to proceed. The Pingree-DeFazio-Polis amendment will strike the worst parts of this bill. I urge all of my colleagues to support this amendment.

I yield back the balance of my time.

Mr. POMPEO. I yield myself the balance of my time.

Mr. Chairman, this amendment would put us right back where we are today, with a patchwork of laws confusing consumers and making it difficult on American food companies to compete around the world to feed the next billion people.

This amendment would drive up the cost of food for every consumer in the United States of America by relegating them to the set of patchwork rules, which would drive costs throughout the food safety and supply chain.

We have heard today that this puts farmers at risk, it makes life for farmers difficult. We have heard from Representatives from Maine who said that, and yet the Maine Beverage Association and the Maine Potato Board both endorsed this legislation.

We have heard that this will hurt Oregon farmers and Oregon consumers, and yet the Oregon Farm Bureau, the Oregon Feed and Grain Association, the Oregon Potato Commission, the Oregon Retail Council, the Oregon Seed Association, the Oregon Wheat Growers League, and Oregonians for Food & Shelter endorsed this bill.

Mr. Chairman, this amendment will gut this entire legislation. It takes away the important balance that has been struck in order to make sure that, in fact, consumers do have the right to know.

We have heard these vague epithets trying to rename this bill the DARK Act, Denying Americans the Right to Know, but as a good conservative, I can promise you, this bill doesn't deny any consumer any right to know what is in their food product.

If a consumer, like my cousin, who likes her non-GMO food, wants to continue to feed that to herself and her family, when this bill becomes law, she will still be able to do so. I would never deny any American the right to know what is in their food.

This is about freedom and consumer choice and affordability. Our bill will achieve that, and this amendment would destroy that. I urge my colleagues to vote against this amendment.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentlewoman from Maine (Ms. PINGREE).

The amendment was rejected.

ANNOUNCEMENT BY THE CHAIR

The CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part B of House Report 114–216 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Mr. DEFAZIO of Oregon.

Amendment No. 2 by Mr. HUFFMAN of California.

Amendment No. 3 by Ms. DELAURO of Connecticut.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 1 OFFERED BY MR. DEFAZIO

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Oregon (Mr. DEFAZIO) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 123, noes 303, not voting 7, as follows:

[Roll No. 459]

AYES—123

Adams
Aguilar
Bass
Beatty
Becerra
Beyer
Blumenauer
Bonamici
Boyle, Brendan F.
Brown (FL)
Brownley (CA)
Capps
Capuano
Cárdenas
Carson (IN)
Cartwright
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Cleaver
Cohen
Connolly
Conyers
Courtney
Cummings
Davis, Danny
DeFazio
DeGette
DeLauro
DeSaulnier
Doggett
Edwards
Ellison
Eshoo
Esty
Farr
Fattah
Gabbard
Gallego
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Higgins
Honda
Huffman
Jackson Lee
Johnson (GA)
Johnson, E. B.
Kennedy
Kuster
Langevin
Larson (CT)
Lee
Levin
Lewis
Lieu, Ted
Lofgren
Lowenthal
Lowey
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
Meng
Moore
Moulton
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pascrell
Payne
Pelosi
Perlmutter
Pingree
Pocan
Polis
Rangel
Rice (NY)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Schakowsky
Schiff
Scott (VA)
Serrano
Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Thompson (CA)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vela
Velázquez
Visclosky
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—303

Abraham
Aderholt
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Benishek
Bera
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Carney
Carter (GA)
Castor (FL)
Chabot
Chaffetz
Clay
Clyburn
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Cooper
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Curbelo (FL)
Davis (CA)
Davis, Rodney
Delaney
DelBene
Denham
Dent
DeSantis
DesJarlais
Deutch
Diaz-Balart
Dingell
Dold
Donovan
Doyle, Michael F.
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Engel
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Garamendi
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Himes
Hinojosa
Holding
Hoyer
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Larsen (WA)
Latta
Lawrence
Lipinski
LoBiondo
Loebsack
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Pallone
Palmer
Paulsen
Pearce
Perry
Peters
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Ruiz
Russell
Ryan (WI)
Salmon
Sarbanes
Scalise
Schrader
Schweikert
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Sewell (AL)
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Takano
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Vargas
Veasey
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—7

Brady (PA)
Carter (TX)
Clawson (FL)
Israel
Kaptur
Keating
Lujan Grisham (NM)

□ 1332

Ms. KELLY of Illinois, Messrs. DONOVAN, AUSTIN SCOTT of Georgia, CLAY, Ms. WASSERMAN SCHULTZ, Messrs. BUTTERFIELD and LAWRENCE changed their vote from ''aye'' to ''no.''

Ms. LORETTA SANCHEZ of California changed her vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 2 OFFERED BY MR. HUFFMAN

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. HUFFMAN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 196, noes 227, not voting 10, as follows:

[Roll No. 460]

AYES—196

Adams
Aguilar
Bass
Beatty
Becerra
Bera
Beyer
Blum
Blumenauer
Bonamici
Boyle, Brendan F.
Brooks (AL)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Byrne
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Connolly
Conyers
Cooper
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Fortenberry
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Gibson
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (NV)
Heck (WA)
Herrera Beutler
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Huizenga (MI)
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Massie
Matsui
McCollum
McDermott
McGovern
McNerney
McSally
Meeks
Meng
Miller (MI)
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Noem
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Pingree
Pocan
Polis
Posey
Price (NC)
Quigley
Rangel
Reed
Rice (NY)
Richmond
Rokita
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Serrano
Sherman
Sinema
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth
Young (AK)
Zinke

NOES—227

Abraham
Aderholt
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Calvert
Carter (GA)
Chabot
Chaffetz
Coffman
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson

Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fleischmann
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Frelinghuysen
Garamendi
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Price, Tom
Ratcliffe
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Sewell (AL)
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (IA)
Young (IN)
Zeldin

NOT VOTING—10

Bishop (MI)
Brady (PA)
Carter (TX)
Clawson (FL)
Israel
Kaptur
Keating
Lujan Grisham (NM)
Pearce
Royce

ANNOUNCEMENT BY THE CHAIR

The CHAIR (during the vote). There is 1 minute remaining.

□ 1338

Mr. FLEISCHMANN changed his vote from ''aye'' to ''no.''

Mr. VEASEY changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 3 OFFERED BY MS. DELAURO

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Connecticut (Ms. DELAURO) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 163, noes 262, not voting 8, as follows:

[Roll No. 461]

AYES—163

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Beyer
Blumenauer
Bonamici
Boyle, Brendan F.
Brooks (AL)
Brown (FL)
Brownley (CA)
Bustos
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Cohen
Connolly
Conyers
Costa
Courtney
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Fudge
Gabbard
Gallego
Garamendi
Gibson
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Heck (WA)
Higgins
Himes
Honda
Hoyer
Huffman
Huizenga (MI)
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Loudermilk
Lowenthal
Lowey
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peterson
Pingree
Pocan
Poliquin
Polis
Quigley
Rangel
Rice (NY)
Rohrabacher
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Schakowsky
Schiff
Scott (VA)
Serrano
Sherman
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Swalwell (CA)
Takai
Thompson (CA)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Velázquez
Visclosky
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth
Zeldin

NOES—262

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bera
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Butterfield
Byrne
Calvert
Carter (GA)
Castor (FL)
Chabot
Chaffetz
Clyburn
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Cooper
Costello (PA)
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Deutch
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Hinojosa
Holding
Hudson
Huelskamp
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
Lofgren
Long
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Perry
Peters
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (NC)
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Scalise
Schrader
Schweikert
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Sewell (AL)
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Takano
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Veasey
Vela
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zinke

NOT VOTING—8

Brady (PA)
Carter (TX)
Clawson (FL)
Israel
Kaptur
Keating
Lujan Grisham (NM)
Pearce

□ 1342

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIR. The question is on the amendment in the nature of a substitute.

The amendment was agreed to.

The CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WOMACK) having assumed the chair, Mr. SIMPSON, Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1599) to amend the Federal Food,

Drug, and Cosmetic Act with respect to food produced from, containing, or consisting of a bioengineered organism, the labeling of natural foods, and for other purposes, and, pursuant to House Resolution 369, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the amendment in the nature of a substitute.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. PALLONE. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 275, noes 150, not voting 8, as follows:

[Roll No. 462]

AYES—275

Abraham
Adams
Aderholt
Allen
Amodei
Ashford
Babin
Barletta
Barr
Barton
Benishek
Bera
Bilirakis
Bishop (GA)
Bishop (MI)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Buck
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Carney
Carter (GA)
Castor (FL)
Chabot
Chaffetz
Clay
Cleaver
Clyburn
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Cooper
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Curbelo (FL)
Davis, Danny
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duckworth
Duffy
Duncan (SC)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frelinghuysen
Fudge
Garamendi
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Hinojosa
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jackson Lee
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (IL)
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Labrador
LaMalfa
Lamborn
Latta
Lawrence
Lipinski
LoBiondo
Loebsack
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
McCarthy
McCaul
McClintock
McCollum
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Norcross
Nugent
Nunes
Olson
Palazzo
Palmer
Pascrell
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Pompeo
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Ruppersberger
Russell
Ryan (WI)
Salmon
Scalise
Schrader
Schweikert
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Sewell (AL)
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Veasey
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zinke

NOES—150

Aguilar
Amash
Bass
Beatty
Becerra
Beyer
Blumenauer
Bonamici
Boyle, Brendan F.
Brownley (CA)
Buchanan
Capps
Capuano
Cárdenas
Carson (IN)
Cartwright
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Cohen
Connolly
Conyers
Courtney
Crowley
Cummings
Davis (CA)
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duncan (TN)
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Frankel (FL)
Franks (AZ)
Gabbard
Gallego
Gibson
Grayson
Grijalva
Gutiérrez
Hahn
Heck (WA)
Higgins
Himes
Honda
Hoyer
Huffman
Jeffries
Johnson (GA)
Kennedy
Kildee
Kilmer
Kind
Kuster
Lance
Langevin
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis
Lieu, Ted
Lofgren
Lowenthal
Lowey
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Massie
Matsui
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
O'Rourke
Pallone
Payne
Pelosi
Perlmutter
Peters
Pingree
Pocan
Poliquin
Polis
Posey
Price (NC)
Quigley
Rangel
Rice (NY)
Roybal-Allard
Ruiz
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Schakowsky
Schiff
Scott (VA)
Serrano
Sherman
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Vela
Velázquez
Visclosky
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth
Zeldin

NOT VOTING—8

Bishop (UT)
Brady (PA)
Carter (TX)
Clawson (FL)
Israel
Kaptur
Keating
Lujan Grisham (NM)

□ 1350

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

AMENDMENT OFFERED BY MR. POLIS

Mr. POLIS. Mr. Speaker, I have an amendment at the desk to change the title of the bill to the ''Deny Americans the Right to Know Act.''

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Mr. Polis moves to amend the title of H.R. 1599 to read as follows: ''A bill to enact the 'Deny Americans the Right to Know Act' or the 'DARK Act'.''.

The SPEAKER pro tempore. Under clause 6 of rule XVI, the amendment is not debatable.

The question is on the amendment.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. POLIS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on the amendment to the title will be followed by a 5-minute vote on adoption of House Resolution 370.

The vote was taken by electronic device, and there were—yeas 87, nays 337, not voting 9, as follows:

[Roll No. 463]

YEAS—87

Aguilar
Bass
Becerra
Blumenauer
Bonamici
Boyle, Brendan F.
Capps
Cárdenas
Carson (IN)
Cartwright
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Connolly
Conyers
Cummings
DeFazio
DeGette
Delaney
DeLauro
DeSaulnier
Deutch
Edwards
Ellison
Fattah
Gabbard
Gallego
Grayson
Grijalva
Gutiérrez
Hahn
Higgins
Honda
Huffman
Johnson (GA)
Johnson, E. B.
Kennedy
Kuster
Lee
Levin
Lewis
Lieu, Ted
Lofgren
Lowenthal
Maloney, Carolyn
Massie
McDermott
McGovern
McNerney
Meng
Moore
Moulton
Murphy (FL)
Nadler
Nolan
O'Rourke
Payne
Pelosi
Perlmutter
Pingree
Polis
Rangel
Rice (NY)
Roybal-Allard
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Schiff
Serrano
Sherman
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Titus
Tonko
Torres
Tsongas

Van Hollen
Velázquez
Visclosky
Waters, Maxine
Watson Coleman
Welch

NAYS—337

Abraham
Adams
Aderholt
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Beatty
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Capuano
Carney
Carter (GA)
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DelBene
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Farr
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Garamendi
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Himes
Hinojosa
Holding
Hoyer
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lipinski
LoBiondo
Loebsack
Long
Loudermilk
Love
Lowey
Lucas
Luetkemeyer
Luján, Ben Ray (NM)
Lummis
MacArthur
Maloney, Sean
Marchant
Marino
Matsui
McCarthy
McCaul
McClintock
McCollum
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Meeks
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Napolitano
Neal
Neugebauer
Newhouse
Noem
Norcross
Nugent
Nunes
Olson
Palazzo
Pallone
Palmer
Pascrell
Paulsen
Pearce
Perry
Peters
Peterson
Pittenger
Pitts
Pocan
Poe (TX)
Poliquin
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Ruiz
Ruppersberger
Rush
Russell
Ryan (WI)
Salmon
Sanford
Sarbanes
Scalise
Schakowsky
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Sewell (AL)
Shimkus
Shuster
Simpson
Sinema
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Vargas
Veasey
Vela
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—9

Brady (PA)
Carter (TX)
Clawson (FL)
Israel
Kaptur
Keating
Lujan Grisham (NM)
Lynch
Woodall

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1407

Mr. RUIZ and Ms. WASSERMAN SCHULTZ changed their vote from ''yea'' to ''nay.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 3009, ENFORCE THE LAW FOR SANCTUARY CITIES ACT

The SPEAKER pro tempore. The unfinished business is the vote on adoption of the resolution (H. Res. 370) providing for consideration of the bill (H.R. 3009) to amend section 241(i) of the Immigration and Nationality Act to deny assistance under such section to a State or political subdivision of a State that prohibits its officials from taking certain actions with respect to immigration, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 243, nays 174, not voting 16, as follows:

[Roll No. 464]

YEAS—243

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Chabot
Chaffetz
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
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Fincher
Fitzpatrick
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Flores
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Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
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Hanna
Hardy
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Hartzler
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Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
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LaMalfa
Lamborn
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Latta
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Long
Loudermilk
Love
Lucas
Luetkemeyer
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MacArthur
Marchant
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Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
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Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
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Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
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Womack
Woodall
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Young (AK)
Young (IA)
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Beatty
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Brown (FL)
Brownley (CA)
Bustos
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Delaney
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Deutch
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Doyle, Michael F.
Duckworth
Edwards
Ellison
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Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
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Graham
Grayson

Green, Al	Maloney, Carolyn	Sánchez, Linda T.
Grijalva	Maloney, Sean	Sanchez, Loretta
Gutiérrez	Matsui	Sarbanes
Hahn	McCollum	Schakowsky
Hastings	McDermott	Schiff
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Higgins	Meeks	Scott (VA)
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Kennedy	O'Rourke	Takai
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Kind	Payne	Thompson (MS)
Kirkpatrick	Pelosi	Titus
Kuster	Perlmutter	Tonko
Langevin	Peters	Torres
Larsen (WA)	Peterson	Tsongas
Larson (CT)	Pingree	Van Hollen
Lawrence	Pocan	Vargas
Lee	Polis	Veasey
Levin	Price (NC)	Velázquez
Lewis	Rangel	Visclosky
Lieu, Ted	Rice (NY)	Walz
Lipinski	Richmond	Wasserman Schultz
Loebsack	Roybal-Allard	Waters, Maxine
Lofgren	Ruiz	Watson Coleman
Lowenthal	Ruppersberger	Welch
Lowey	Rush	Yarmuth
Luján, Ben Ray (NM)	Ryan (OH)	

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Brady (PA)	Israel	McNerney
Carter (TX)	Kaptur	Quigley
Clawson (FL)	Keating	Sires
Doggett	Lujan Grisham (NM)	Vela
Green, Gene	Lynch	Wilson (FL)
Hinojosa		

□ 1416

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. GENE GREEN of Texas. Mr. Speaker, on rollcall No. 464, had I been present, I would have voted "no."

ENFORCE THE LAW FOR SANCTUARY CITIES ACT

Mr. GOODLATTE. Madam Speaker, pursuant to House Resolution 370, I call up the bill (H.R. 3009) to amend section 241(i) of the Immigration and Nationality Act to deny assistance under such section to a State or political subdivision of a State that prohibits its officials from taking certain actions with respect to immigration, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Ms. FOXX). Pursuant to House Resolution 370, the bill is considered read.

The text of the bill is as follows:

H.R. 3009

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Enforce the Law for Sanctuary Cities Act''.

SEC. 2. ELIGIBILITY REQUIREMENTS FOR STATE CRIMINAL ALIEN ASSISTANCE PROGRAM (SCAAP) FUNDING.

Section 241(i) of the Immigration and Nationality Act (8 U.S.C. 1231(i)) is amended by adding at the end the following:

''(7) A State (or a political subdivision of a State) shall not be eligible to enter into a contractual arrangement under paragraph (1) if the State (or political subdivision)—

''(A) has in effect any law, policy, or procedure in contravention of subsection (a) or (b) of section 642 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373); or

''(B) prohibits State or local law enforcement officials from gathering information regarding the citizenship or immigration status, lawful or unlawful, of any individual.''.

SEC. 3. LIMITATION ON DOJ GRANT PROGRAMS.

(a) COPS.—In the case of a State or unit of local government that received a grant award under part Q of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd et seq.), if, during a fiscal year, that State or local government is a State or local government described in subsection (c), the Attorney General shall withhold all of the amount that would otherwise be awarded to that State or unit of local government for the following fiscal year.

(b) BYRNE-JAG.—In the case of a State or unit of local government that received a grant award under subpart 1 of part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3750 et seq.), if, during a fiscal year, that State or unit of local government is described in subsection (c), the Attorney General shall withhold all of the amount that would otherwise be awarded to that State or unit of local government for the following fiscal year.

(c) STATES AND LOCAL GOVERNMENTS DESCRIBED.—A State or unit of local government described in this subsection is any State or local government that—

(1) has in effect any law, policy, or procedure in contravention of subsection (a) or (b) of section 642 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373); or

(2) prohibits State or local law enforcement officials from gathering information regarding the citizenship or immigration status, lawful or unlawful, of any individual.

The SPEAKER pro tempore. The gentleman from Virginia (Mr. GOODLATTE) and the gentleman from Michigan (Mr. CONYERS) each will control 30 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. GOODLATTE. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous materials on H.R. 3009, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. GOODLATTE. Madam Speaker, I yield myself such time as I may consume.

I support H.R. 3009, the Enforce the Law for Sanctuary Cities Act, and commend Representative HUNTER for introducing this legislation. It helps to address one of the main factors contributing to the collapse of immigration enforcement in the United States, ''sanctuary cities'' that prohibit their law enforcement officers from sharing information with Federal immigration authorities to enable the removal of unlawful and criminal aliens.

Nearly 20 years ago, Congress realized that sanctuary cities were impeding the Federal Government from enforcing our immigration laws and jeopardizing the safety of our residents, immigrant and native-born alike.

Legislation cowritten by former chairman of the Judiciary Committee, LAMAR SMITH, prohibited States and localities from becoming sanctuaries for unlawful aliens.

The Illegal Immigration Reform and Immigrant Responsibility Act of 1996 ensures that jurisdictions cannot prohibit or restrict government officials from sending to or receiving from Federal immigration authorities information regarding the immigration status of any person.

Unfortunately, despite the proliferation of sanctuary jurisdictions, the Justice Department has never initiated a prosecution for violation of the 1996 act. If the administration won't act, Congress must, and that is what Mr. HUNTER's bill does.

It withholds key Federal law enforcement grants from sanctuary jurisdictions that violate the 1996 act. Enactment of Representative HUNTER's legislation will help persuade sanctuary jurisdictions to simply abide by current Federal law and, in doing so, advance public safety.

Representative HUNTER's bill is an important first step, but there is much more we will need to do to rebuild immigration enforcement in the United States. Once jurisdictions notify DHS of arrested unlawful and criminal aliens, it is crucial that they hold these aliens for transfer so that DHS can launch removal proceedings.

The Center for Immigration Studies has revealed that, in the first 8 months of 2014, sanctuary cities refused to comply with DHS detainers for 8,145 aliens. After releasing these aliens, in only an 8-month period, 1,867 were arrested again for a criminal offense. Most recently, San Francisco's refusal to honor a DHS detainer resulted in the tragic death of Kathryn Steinle.

This is why it is so important that jurisdictions honor DHS detainers. In fact, just this morning, we held a hearing in the Judiciary Committee where a representative from the Steinle family testified.

The conclusion of the witnesses was that we need to make crystal clear that compliance with ICE detainers is mandatory; yet this administration openly proclaims that detainers can be ignored and has chosen to dramatically scale back their issuance.

This administration has chosen to create enforcement-free zones for millions of unlawful and criminal aliens.

It has turned the U.S. into a sanctuary Nation. That is the current reality.

Despite DHS' pledge to prioritize the removal of serious criminal aliens, in the last year, the number of administrative arrests by criminal aliens has fallen by a third. U.S. Immigration and Customs Enforcement continues to release thousands of criminal aliens onto our streets, 30,558 in 2014, of which another 1,423 have already been convicted of new crimes.

There are almost 180,000 convicted criminal aliens currently in removal proceedings living in our neighborhoods and almost 170,000 convicted aliens who have been ordered removed from the country also still living free and causing crimes on our streets.

Under the Obama administration, the total number of convicted criminal aliens who are not being detained has jumped 28 percent since 2012 to a total of nearly 350,000.

We must prevent this or any other administration from being able to turn off the switch on immigration enforcement. Representative GOWDY, chairman of the Immigration and Border Security Subcommittee, has offered us a way forward to ensure enforcement of our immigration laws, despite the purposeful inaction of any administration.

His legislation, the Michael Davis, Jr. and Danny Oliver in Honor of State and Local Law Enforcement Act, allows States and localities to enact and enforce immigration laws of their own, as long as they are consistent with Federal law. Jurisdictions could proactively take responsibility for protecting their communities and ensuring the integrity of our immigration system.

Today, we are making an important down payment on protecting our constituents, and I appreciate the majority leader's commitment to me that we will take additional action to ensure compliance with our immigration laws in the future.

I urge my colleagues to support H.R. 3009, the Enforce the Law for Sanctuary Cities Act, and I reserve the balance of my time.

Mr. CONYERS. Madam Speaker, I yield myself such time as I may consume.

I rise in strong opposition to H.R. 3009, the Enforce the Law for Sanctuary Cities Act.

This thoroughly flawed measure is a blatant attempt by most of the majority to insert its anti-immigrant status agenda into local policing initiatives. It does this by prohibiting State and local governments from receiving critical criminal justice funds if they have policies that prioritize public safety and community policing over Federal immigration enforcement.

The bill absolutely makes no sense because, rather than improving public safety, it will achieve the complete opposite; and that is not just my conclusion. Law enforcement agencies from across the United States and numerous organizations—such as the Major County Sheriffs Association, the Fraternal Order of Police, the Law Enforcement Immigration Task Force, the United States Conference of Mayors, and the National League of Cities—all oppose this bill.

In effect, this bill would punish law enforcement officers by withholding the funds they need to do their jobs, and it would require States and localities to prioritize Federal immigration enforcement ahead of enhancing public safety.

Reactionary proposals such as this legislation will only make our communities less safe because immigrants will not report crimes or otherwise cooperate with the police if they fear they or their family members may be asked for their immigration status. As a result, crimes will go unsolved and unpunished while criminals are free to victimize more people.

In addition, withholding crucial United States Department of Justice funds from local communities will not lower crime. Studies have demonstrated that these programs, particularly the COPS and Byrne JAG funds, provide crucial support services to fight criminal activity, but a vote for H.R. 3009 is a vote to take these funds away and to risk making communities less safe.

All of us, on both sides of the aisle, are opposed to violent crime. There is simply no debate about that. Not one of us would condone what happened to Kate Steinle in San Francisco, but H.R. 3009 is simply the wrong approach.

I agree with the Major Cities Chiefs Association that the best way to reduce crime in their cities is to gain the community's trust and cooperation. I also believe that the majority of immigrants in this country are hard-working, law-abiding residents; and comprehensive immigration reform would allow these law-abiding individuals to come out of the shadows and get right with the law.

Such legislative reform would enable Immigration and Customs Enforcement to focus its limited resources on deporting the worst elements, while ensuring that our entire community, citizens and immigrants alike, are protected from harm.

Instead of considering this commonsense solution, the majority—most of them—have repeatedly voted to deport DREAMers; to deport the parents of United States citizens; and to deport vulnerable children from fleeing persecution, violence, and trafficking.

Now, the majority, in the form of H.R. 3009, asks us to override the public safety mission of State and local enforcement agencies to increase deportations.

I strenuously urge my colleagues to oppose this dangerous legislation.

Madam Speaker, I reserve the balance of my time.

□ 1430

Mr. GOODLATTE. Madam Speaker, I yield 4 minutes to the gentleman from California (Mr. HUNTER), the chief sponsor of this legislation.

Mr. HUNTER. Madam Speaker, let me say to Chairman GOODLATTE, thank you very much for your leadership on this and thanks for moving this so quickly. This is a timely bill, and I just want to thank you and your committee for moving it so quick.

This legislation is about one thing. That is accountability. The American people have the right to not give their Federal tax dollars to municipalities and States that do not follow Federal law.

There are lots of changes to enforcement that must be imposed on sanctuary cities, and we are going to work toward those things. This Republican Congress is going to work toward those things, just as we are putting in motion a mechanism today that holds sanctuary cities accountable.

I think we can all agree that any locality must comply with the law, and they are required to coordinate and cooperate with the Federal Government. If an arrest is made, the Federal Government should be notified.

The fact that San Francisco and L.A. and other cities disagree with the politics of Federal enforcement does not give them a free pass to subvert the law. If they do, there has to be consequences.

The way that we impose consequences on these sanctuary cities is by hitting them where it hurts, and that is in their pocketbook. It is simple.

If you don't comply with the law as it stands now, then you don't receive coveted Federal money intended for law enforcement. And that money allocated for fiscal year 2015 alone almost adds up to a billion dollars.

$800 million are going to municipalities, cities, counties, and States that care more about illegal alien criminals, felons, than they do their own citizens. It is time we stand up to sanctuary cities and begin holding them accountable for their failure to uphold the law.

I come as a representative that has sanctuary cities in my district. They are going to lose money for this. They are going to lose money because they are not complying with Federal law.

This Federal money that they get is taxpayer money from States like Wisconsin, from New York, from South Carolina, from Florida, and throughout the entire country. People around this country don't want their money going to States and cities that don't care to follow the Federal law.

Again, if you are a State, city, or locality and you choose to defy Federal immigration law, you will be cut off

from three Federal programs: the State Criminal Alien Assistance Program, the Community-Oriented Policing Services program, and the Byrne JAG program.

These are the three funds that will get cut if you are a sanctuary city. All you have to do to receive these funds is comply with the Federal law.

This bill is just the first step in restoring accountability in our immigration system. Our border infrastructure continues to fall short in too many places, and I am as frustrated as anyone in this Congress that the administration refuses to enforce Federal immigration law.

These are all serious issues that need to be addressed, and I look forward to working with this Congress and Chairman GOODLATTE in the future to advance these goals.

I urge my colleagues to support H.R. 3009.

Mr. CONYERS. Madam Speaker, I yield 4 minutes to the gentlewoman from California (Ms. ZOE LOFGREN).

Ms. LOFGREN. Madam Speaker, we have an immigration system that is badly broken. There are 11 million undocumented people in this country. Contrary to what Donald Trump may think, the majority of these people are not rapists.

They are hard-working people, spouses and parents of U.S. citizens, DREAMers, entrepreneurs who want an opportunity to come forward, submit to background checks, and become fully American.

Faced with a broken system, State and local law enforcement have adopted policies to enhance public safety and maintain community trust.

Because when people are afraid of the police, when they are afraid that the police might ask them or their family about their immigration status, they are afraid to report crimes, unlikely to cooperate with investigations, and then criminals thrive and the general public suffers.

This bill puts an impossible choice between State and local law enforcement agencies. They can either abandon policies that work or they can lose the Federal funds they rely on to police their communities and protect them.

The dangers posed by this bill are real. 144 national, State, and local advocacy organizations have written opposing this bill because of the detrimental impact it would have on public safety, big cities, but also little ones like Dayton, Ohio, a place that most people don't think of as a sanctuary city.

In Dayton, police officers are told not to check immigration status of witnesses and victims, nor to ask about immigration during minor traffic stops.

The police chief there has explained that this policy has helped them have a safer community. According to the chief, after the policy was adopted, serious violent crime dropped nearly 22 percent and serious property crime decreased almost 15 percent.

Madam Speaker, why should Dayton, Ohio, be barred from receiving funds for policing when their policies work?

Now, punishing the law enforcement officers by withholding the funds they need is not only incorrect, it is why the bill is opposed to by the Major County Sheriffs' Associations, the Fraternal Order of Police, dozens of sheriffs and police chiefs.

The President has said we should deport felons, not families, and that is what his priority enforcement program does.

The Secretary of Homeland Security told the Judiciary Committee just last week that withholding funds from communities would be a huge setback in efforts to improve the relationship between DHS, State, and local law enforcement in communities across the country.

It has been said that this bill is a response to the tragic murder of Kathryn Steinle in San Francisco, just up the road from my district.

However, nothing in this bill would have prevented that outrageous murder of Ms. Steinle. Nothing in the bill would have required the Bureau of Prisons and ICE to consult with San Francisco, to ascertain whether or not the 20-year-old warrant would lead to a prosecution.

Nothing in this bill would have required ICE to obtain a warrant, as is necessary to hold people beyond the term of their criminal sentence.

Nothing in the bill would even have affected the sheriff of San Francisco's decision to release the individual charged with murdering Ms. Steinle.

So that tragedy should not be used to advance a different agenda, this bill.

Over the last year we have come to the floor to vote on bills to deport the DREAM Act kids, to deport the parents of U.S. citizens, to deport vulnerable children fleeing persecution and sex trafficking.

Today we are asked to vote on a bill that overrides the public safety mission of State and local law enforcement agencies and to increase deportations all around.

We had the votes to pass comprehensive immigration reform in the last Congress, and I hope we can get back to that point.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. CONYERS. I yield 15 seconds to the gentlewoman.

Ms. LOFGREN. Madam Speaker, I would note that we have an opportunity here to learn from the tragedy in San Francisco to come up with real solutions that would make our community safer instead of using that tragedy as an excuse to promote a different agenda.

Mr. GOODLATTE. Madam Speaker, I yield myself 15 seconds to make very clear nothing in this bill requires any officer of the law to ask any question of any victims of crime about their immigration status.

All it does is prohibit cities and counties from ordering their officers to not communicate with ICE or gather information from ICE about the status of individuals. This is a good bill.

I yield 2 minutes to the gentleman from Texas (Mr. SMITH), the former chairman of the Judiciary Committee and the current chairman of the Science Committee.

Mr. SMITH of Texas. Madam Speaker, first of all, let me thank the gentleman from Virginia and a good friend and the chairman of the Judiciary Committee for yielding me time.

Madam Speaker, I support H.R. 3009, the Enforce the Law for Sanctuary City Act. The bill is appropriately named, since sanctuary cities violate current laws that require these jurisdictions to share information with Federal authorities about illegal immigrants who have been arrested.

H.R. 3009 helps enforce an immigration bill I introduced several years ago that became law. This legislation withholds certain Federal funds from sanctuary jurisdictions that hide the immigration status of illegal immigrants charged with crimes. These reforms serve as a first step in keeping dangerous criminals off our streets and out of our neighborhoods.

Sanctuary cities have increased under this administration, which has done nothing to discourage them.

During only an 8-month period last year, sanctuary cities released almost 9,000 illegal immigrants charged with or convicted of serious crimes. One-quarter have already been arrested again for committing more crimes, like murder and sexual assault. When does it end?

I don't understand how anyone could oppose enforcing immigration laws. The victims are not Democrats or Republicans. The victims are innocent Americans.

Many of the crimes committed by illegal immigrants could have been prevented if the Obama administration had enforced immigration laws. Instead, it has chosen to ignore them and innocent Americans continue to pay a steep price.

I thank the gentleman from California (Mr. HUNTER) for authorizing this legislation, and I urge its approval.

Mr. CONYERS. Madam Speaker, I yield 4 minutes to the gentleman from New York (Mr. NADLER), a senior member of the Judiciary Committee.

Mr. NADLER. Madam Speaker, I rise in strong opposition to H.R. 3009, which would make communities across the country less safe from crime.

This legislation would withhold needed Federal funding from cities that

prohibit their law enforcement authorities from collecting information on a person's immigration status or that have policies restricting the disclosure of this information to other governmental entities.

Many cities, including New York, have made the reasonable determination that they will not question victims of crime or witnesses to a crime about their immigration status. They believe it is counterproductive to make them afraid to cooperate with law enforcement.

But this bill says that we in Congress know better, and, in the name of protecting public safety, we will deny such cities the funds that they need to protect the public safety.

Many cities think that their communities are safer when a victim of domestic violence feels comfortable asking the police for protection from their abuser without fear of deportation.

They believe that witnesses to a murder ought to step forward and assist law enforcement in tracking down the perpetrator without fear that they will face consequences of their own if they step forward.

They think that good policing depends on building trust with their residents and that striking fear among immigrants that they may be deported if they report a crime makes everyone less safe.

Punishing residents of cities whose officials have made such decisions is both unfair and unwise. New York City alone could lose $57 million under this legislation.

This would not only punish the public officials who set these policies and the undocumented residents in their communities, but it would punish all innocent people who depend on these Federal resources to protect public safety.

My heart is with the Steinle family, and we all share their outrage at Kate's senseless murder. But this bill and other attempts to punish so-called sanctuary cities would do nothing to address the issues that might have prevented her death.

Instead of taking positive steps to improve communication between Federal, State, and local authorities, this bill simply demonizes immigrants and perpetuates the myth that they are more prone to commit a crime than is the native-born population.

This legislation might fit comfortably in Donald Trump's campaign platform, but it has no business on the House floor.

I urge my colleagues to vote ''no.''

Mr. CONYERS. Will the gentleman yield?

Mr. NADLER. I yield to the gentleman from Michigan.

Mr. CONYERS. Madam Speaker, I just want to make clear that the gentleman from Virginia, the chairman of the committee, is wrong about this bill. He says it only prohibits States and localities from adopting policies about not communicating with ICE. This is not true.

The bill also prohibits State and local law enforcement agencies from adopting policies directing their officers not to collect information about immigration status for the general public.

Any individual, the bill says. So it doesn't state that State and local police must gather immigration status information for the Federal Government.

Mr. NADLER. Madam Speaker, I thank the gentleman.

□ 1445

Mr. GOODLATTE. Madam Speaker, I yield myself 15 seconds to say again, nothing in the bill requires any officer to ask any question of any victim of crimes about their immigration status. All it does is prohibit cities and counties from ordering their officers to not communicate with ICE or to gather the information status of individuals.

I yield 2 minutes to the gentleman from Iowa (Mr. KING), a member of the Committee on the Judiciary.

Mr. KING of Iowa. Madam Speaker, I appreciate this bill coming to the floor.

I hear this discussion, and it seems to me there is a consistent theme that the people on the other side of the aisle are opposed to bringing leverage to political subdivisions to bring about law enforcement. They assert that nothing in this bill could have prevented the tragic murder of Kate Steinle.

I would suggest that if we had no sanctuary jurisdictions in America, there is a lot greater chance that his deportation would have stuck; and if we had a President of the United States who worked to get our law enforcement officers to coordinate at each level of our political subdivisions rather than litigate when they do mirror Federal law, likely we would have had a chance to prevent not only her tragic death but that of thousands and thousands of others.

I support this bill. It is encompassed within an amendment that I brought to the floor here on June 3 that passed with 227 votes. I congratulate DUNCAN HUNTER for his persistence on this legislation that is 6 years long. I am grateful to be working on an immigration issue with the second generation of Hunters.

I see there is much more enforcement that is ahead of us, but this is a step, and it is a step that helps us find out are people for a thread of enforcement and bringing some leverage to try to bring the political subdivisions in line rather than having them flout the law, which they have consistently done, and it has grown dramatically under the Obama administration.

I would add that there is much more that I would like to do, much more to do. I would like to move Kate's Law. MATT SALMON has brought some of that. I would like to make it incremental so it goes from a 5-year mandatory to a 10-year mandatory on second offense and move it up the line. I would like to make E-Verify mandatory. I would like to pass the New IDEA Act so the IRS can help enforce this. I would like to build a fence, a wall, and a fence, Madam Speaker, and I would like to repass the border bill that we did last summer. There are a number of good things.

By the way, we need to make detainers mandatory, and we need to tighten up the loophole language. All of that we have a chance to do after Labor Day. Today we need to do what we can do, and that is pass this bill.

Mr. CONYERS. Madam Speaker, I yield 2 minutes to the gentleman from North Carolina (Mr. PRICE).

Mr. PRICE of North Carolina. Madam Speaker, I rise in opposition to this misguided legislation offered under the false pretense that it has something to do with the tragic murder of Kathryn Steinle in San Francisco. Make no mistake, Miss Steinle's killer should not have been on the streets. We must get to the bottom of the official misjudgment and negligence and the bureaucratic breakdown that led to this tragedy.

As the former chairman of the Subcommittee on Homeland Security of the Committee on Appropriations, I take a backseat to no one when it comes to deporting dangerous criminal aliens who pose a threat to public safety. But we also need to be very clear about this: this tragedy has nothing to do with so-called sanctuary cities.

The bill before us would punish some of the most vulnerable cities high on the UASI list—places like San Francisco, New York, Miami, Chicago—punish them for exercising their lawful discretion in dealing with noncriminals or those with minor violations. They do this in order to protect the public and enforce the law, which requires trust and cooperation with immigrant communities. To scapegoat entire cities and make law enforcement less effective through this bill is simply inexcusable.

I urge its defeat.

Mr. GOODLATTE. Madam Speaker, I yield myself 15 seconds to say to the gentleman from North Carolina, this bill has everything to do with what happened in San Francisco. The tragic murder of Kate Steinle was because the city of San Francisco was not following the law and contacting the immigration service and doing things to make sure that he was deported. Instead, they released him back onto their streets.

I yield 2 minutes to the gentleman from California (Mr. CALVERT).

Mr. CALVERT. Madam Speaker, I rise today in support of this bill, in support of American families.

This week, we have heard powerful and heartbreaking stories from families who have lost a loved one at the hands of an illegal immigrant. Oftentimes, these individuals were able to operate freely because of the sanctuary policies of certain U.S. cities, policies that ignore Federal immigration law.

It is time this Congress put the lives and welfare of American citizens and legal residents first. It is time to protect the innocent. This means not another Kate, Josh, Dennis, Danny, Grant, and countless others. It is time to penalize cities that willfully ignore Federal law to the detriment of citizens and legal residents.

I encourage my fellow Members to read the testimony from this week's Senate hearing. Read about the lives lost, the brutality of the crimes, the lack of remorse by the perpetrators, and the heartbreak of the families. Today we have a choice: protect fellow Americans or give sanctuary to criminal aliens.

Mr. CONYERS. Madam Speaker, I yield 2½ minutes to the gentleman from Illinois (Mr. GUTIÉRREZ), an excellent member of the Committee on the Judiciary.

Mr. GUTIÉRREZ. Madam Speaker, just a few weeks into his campaign and Donald Trump has a bill on the floor of the House. That is better than some of the Senators he is running against. Donald Trump announces his campaign, saying Mexican immigrants are mostly murderers, drug dealers, and rapists. What is the response from the Republican Party? Do they denounce him? No, they only denounce people when they go after war heroes who ran for President. I denounce him for that, too.

Some tried to distance themselves from his comments. Okay. But here we are on the floor of the House passing a bill to jump on the Trump bandwagon, cynically exploiting a family's tragedy in San Francisco to score political points.

I have been very clear from day one, despite efforts to spear me by hard-line advocates, that the person, this Lopez-Sanchez, who pulled the trigger in San Francisco should have been deported and never turned over. I have no sympathy for him. I have said it on this floor, and I will say it again today: murderers should rot in hell.

The breakdown by the Federal Government—the Federal Government—to deport a known criminal, as they have done before, to keep them in jail, is what led to an American woman losing her life. She was just about the age of my daughters when she was killed. A tragedy, and a preventable tragedy, if the Federal Government had done what it is supposed to do, and preventable if this Congress had done what it was supposed to do and address immigration years ago, as my side of the aisle has been pleading for you to do.

But this Republican proposal is not a serious attempt at fixing the problem. Instead of piecemeal measures aimed at maximizing deportation, the long overdue solution is for Congress to enact comprehensive immigration reform that combines smart enforcement at the border and in the interior with a clear plan for reducing the size of the undocumented population in America.

We do this by having a modern visa system so people can come with visas and background checks, not with smugglers or overstaying visas and just blending in. We do this by telling millions of people who have never committed crimes: Come forward; admit you are here illegally; go through a background check; and work your way to the right side of the law. Get the millions of immigrants inside the system and on the books so they no longer need to worry about their local police working with or without the deportation system.

If you get millions and millions of immigrants inside the law, then the ones who are criminals can't qualify to get inside the law. They will stick out like sore thumbs, not blend in to our communities across America and cause havoc, as they did in San Francisco.

But this is very specifically the approach the Republican majority refused to touch with a 10-foot pole because they see demagogues like Donald Trump.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. CONYERS. Madam Speaker, I yield an additional 15 seconds to the gentleman.

Mr. GUTIÉRREZ. But this approach of bringing millions and millions of immigrants inside the law so that we can get after the criminals that stick out like sore thumbs outside of the law, this approach is what has been the approach that the Republican majority refuses to touch with a 10-foot pole because they see demagogues like Donald Trump firing up frustrated voters and want to take the easy way out.

Mr. GOODLATTE. Madam Speaker, I yield 3 minutes to the gentleman from Arizona (Mr. SALMON).

Mr. SALMON. Madam Speaker, I would like to thank my colleague DUNCAN HUNTER for working with me in crafting this important piece of legislation. As the coauthor of this bill, I am very proud to see the House taking action on this front. I also want to thank leadership for bringing this bill to the floor.

We are hearing some strange rhetoric here today, especially from the other side of the aisle. I hear about vulnerable cities. How about vulnerable taxpaying Americans? I hear about sanctuary for thugs like the one that killed Kate Steinle. Shouldn't our cities be a sanctuary for law-abiding American citizens who have a right to walk on safe streets?

Make no mistake, this is a very, very important bill. From 2010 to 2014, the number 121 should stick in everybody's minds; 121 illegal immigrants with lengthy criminal records went on to commit murder after they were let out to do their heinous crimes.

That is why I was so appalled to hear one of my colleagues from across the aisle call the murder of American citizens like Kate Steinle and my constituent, Grant Ronnebeck, a little thing. Such disgusting remarks and flagrant disregard for life, especially the lives of those that we claim to represent, I find repulsive. In fact, such callous remarks only serve to highlight the fact that it is time for the majority of Americans who want to see government fulfill its most basic constitutional duties, protecting its borders and its citizens, stand up and take America back. It is time to stand up and be heard and demand that our government fulfill these most basic duties.

These sanctuary cities that refuse to uphold the law and openly broadcast the fact that they are flouting the law make our country less safe and only serve to perpetuate tragedies like the one that we saw in San Francisco. Not only are these supposed sanctuary cities ignoring the law, but they are broadcasting the fact to illegal immigrant felons like Kate Steinle's murderer, a seven-time felon who flat out admitted one of the reasons that he chose to stay in San Francisco—in fact, the predominant reason he chose to stay—was because he knew that they would protect him.

Well, who is going to protect law-abiding Americans? When will American cities be sanctuaries for Americans and not for illegal felons?

Unfortunately, these sanctuary cities are not being held accountable by this administration, which has demonstrated time and time again it has no interest in securing the border or upholding existing immigration law. With this in mind, I think that we have a responsibility to stand up and do what is right. This sanctuary cities policy and fixing it so that they have to abide by the laws that we pass here in Congress to protect our borders and protect our citizens has to be adhered to. It is just common sense.

Mr. CONYERS. Madam Speaker, I yield the balance of my time to Representative LOFGREN and ask unanimous consent that she be permitted to control the time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. LOFGREN).

Ms. LOFGREN. Madam Speaker, I yield 1 minute to the gentleman from Texas (Mr. O'ROURKE).

Mr. O'ROURKE. Madam Speaker, I would like to bring the perspective of

my community, the community I have the honor of representing in Congress, El Paso, Texas, to bear in this discussion.

El Paso is the safest community with an over 500,000 population in the United States today, and it has been for the last 4 years in a row. That is, some people think, despite the fact that it is connected to Ciudad Juarez at the U.S.-Mexico border and despite the fact that it has a large number of immigrants in the community. I say, and the people who live in that community agree with me, that it is, in large part, because of immigrants who come to participate and contribute to the American Dream.

□ 1500

On issues and matters of law enforcement, I tend to defer to the experts. Big city police chiefs and county sheriffs, like the sheriff in El Paso, Texas, say for them to prevent crime and solve crimes, it is necessary to be able to work with everyone in the community without fear that they are going to be enforcing Federal law enforcement mandates to the exclusion of the public safety of the people that I have the honor of representing.

For that reason, I urge my colleagues to join me in voting against this proposal, a solution in search of a problem.

Mr. GOODLATTE. Mr. Speaker, I yield myself 15 seconds to say, yet again, nothing in this bill requires any officer to ask any question of any victims of crime about their immigration status. All it does is prohibit cities and counties from ordering their officers not to communicate with ICE or to gather information status about individuals.

It is my pleasure to yield 2 minutes to the gentlewoman from Tennessee (Mrs. BLACKBURN).

Mrs. BLACKBURN. Mr. Speaker, I thank the gentleman from Virginia for so consistently working on this issue of how we deal with the criminal illegal alien population and also with the sanctuary cities.

I thank Mr. HUNTER for the work that he has done on this bill. I chuckled when Congressman KING and the gentleman from Iowa mentioned the second generation of Hunters because, yes, we do know that his father was very involved in this issue and focusing on making certain that we keep our cities safe.

As we have this debate and as we look at these sanctuary city policies that certain counties and cities and State have exercised, we have come to realize that through the years, every State has become a border State and every town a border town because of the criminal illegal alien population that will gravitate to these sanctuary cities.

Los Angeles was the first sanctuary city in 1979. We hear people say, Oh, this is an issue that has been around for a long time. Mr. Speaker, that does not mean you do not address the issue. It means you solve the problem; you bring forward solutions, and that is what we are doing here today.

The U.S. Sentencing Commission recently released some data that I think is instructive to this debate. Illegal aliens accounted for almost 75 percent of Federal sentencing for drug possession and made up more than a third of all Federal sentences in 2014. That is why we are dealing with this issue.

Our constituents are saying, You need to put this on a front burner and deal with this issue. That is what we are doing here. Look at the State of Texas. I just recently read the stats from them.

The SPEAKER pro tempore (Mr. BYRNE). The time of the gentlewoman has expired.

Mr. GOODLATTE. I yield an additional 1 minute to the gentlewoman from Tennessee.

Mrs. BLACKBURN. In Texas, the department of public safety released a report that, between 2008 and 2014, foreign aliens committed over 600,000 crimes and almost 3,000 murders in the State of Texas. That is the reason that we come here to address this issue.

Mr. Speaker, the crime rate for illegal aliens in this country should be zero. It should be zero because it should not be tolerated.

Ms. LOFGREN. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. BECERRA).

Mr. BECERRA. I thank the gentlewoman for yielding.

The man who killed Kathryn Steinle should be punished to the fullest extent of the law. Perhaps more importantly, the officials who released the person who killed her—released this man from custody—dropped the ball, they should be held accountable.

This bill punishes the police in my city of Los Angeles, the police in the city of Knoxville, and the police in Manchester, New Hampshire. It punishes police that had nothing to do with the crime that occurred in San Francisco. It takes away money from the police departments in Los Angeles, in Knoxville, and Manchester, when we need to put people and police on the street to protect all of us.

This would deprive our cities of monies we have earned because we paid our taxes. Why? It is because the proponents of this bill say that our cities are violating the law. If we are violating the law, name the law we are violating. We are not violating any law. You just don't like the policy.

Don't take the Donald Trump bait. Don't punish others for the crimes of someone else. In our country, you go after the person who is criminally liable; you go after that individual and lock them up forever, but don't tell the police in Los Angeles, Manchester, or in Knoxville, Tennessee, or other cities that are trying to have a working relationship between their police and growing immigrant communities that they won't be able to collaborate so we can go after the criminals—because that is what you are doing.

You are taking money away from L.A., even though this crime did not happen in my city, and you are telling my police department and the men and women in uniform in L.A. that they will have fewer officers by their side because you are going to take money away because you don't like that some guy committed a criminal act. He killed someone; he should be punished for it, but we had nothing to do with it. Go after the folks that are accountable.

This is not the way we do justice in America, and it is wrong. It is wrong for you to tell all these communities who have a working relationship between their police officers and their growing immigrant communities that they are now going to lose funds to hire more police officers. That is the wrong way to do it.

That is the Donald Trump bait. Don't take it. Let's vote this down.

The SPEAKER pro tempore. Members are reminded that their remarks must be directed to the Chair.

Mr. GOODLATTE. Mr. Speaker, I yield myself 30 seconds to respond to the gentleman from California to tell him that the law that sanctuary cities are violating is title 8, section 1373 of the United States Code, communication between government agencies and the Immigration and Naturalization Service.

The failure to do that has resulted in 8,000 criminal aliens being released onto our streets just last year by sanctuary cities. Those 8,000 criminal aliens have since then already committed nearly 1,900 additional crimes. This is about not just San Francisco, but other States as well.

I yield 3 minutes to the gentleman from Texas (Mr. FARENTHOLD).

Mr. FARENTHOLD. Mr. Speaker, I rise today in support of the Enforce the Law for Sanctuary Cities Act because we have got to stop the madness of not enforcing our laws.

In the last weeks, we have seen coverage of two terrible murders that occurred because our laws went unenforced. My thoughts, prayers, and condolences go out to the families of the victims. Sadly, these tragedies are but a representation of a larger, deeper, and more troubling problem.

While I wish today we were also considering legislation by Mr. GOWDY to address the administration's abysmal lack of respect for our immigration laws, Chairman MCCAUL's bill to secure the borders, or Chairman LAMAR SMITH's bill to implement E-Verify to stop businesses from exploiting undocumented workers, this bill is a step

in the right direction. It will stop the American people from subsidizing local law enforcement departments that refuse to do their jobs and enforce the law.

Let's take the emotion out of this. Let's take it out of the immigration and border security issue, which are emotionally charged. This is a fiscally responsible bill. If we were spending money for a defense contractor to develop a new weapons system and they weren't developing that weapons system, we would take the money back.

Well, here we are, giving money to law enforcement to work with ICE to deal with criminal aliens, and they are not doing it. Of course, we have got to take the money back. It would be foolish to do anything else.

Mr. Speaker, this horrible loss of life that we have seen is a result of the negligence and complete lack of respect for the rule of law that this administration and the mayors of sanctuary cities took an oath to uphold. It is appalling. Today, we are going to be able to deal with one part of that problem, and I am going to encourage all of my colleagues to vote with me to support H.R. 3009 and put our Nation back on the path to sanity.

Ms. LOFGREN. Mr. Speaker, may I inquire how much time remains?

The SPEAKER pro tempore. The gentlewoman from California has 9¾ remaining. The gentleman from Virginia has 7½ minutes remaining.

Ms. LOFGREN. Mr. Speaker, I reserve the balance of my time.

Mr. GOODLATTE. Mr. Speaker, we have only one additional speaker, and I reserve the balance of my time.

Ms. LOFGREN. Mr. Speaker, I yield myself such time as I may consume.

Community trust policies result in more efficient policing. When State and local law enforcement agencies promote community trust policies, public safety is increased.

The current New York police commissioner and former chief of police in Los Angeles, William Bratton, said: ''When officers can speak freely with victims and witnesses, it goes a long way towards making every American neighborhood much safer.''

Here is a case study in New Haven, Connecticut. According to a 2010 report by the Police Executive Research Forum, New Haven, Connecticut, developed a community trust policy in which New Haven police assured immigrant communities that the police department's goals were to address crime and to make the streets safer.

They encouraged people to report crime and to cooperate, regardless of their immigration status. The city law prohibited immigration status inquiries of crime victims, witnesses, or others who approached police for assistance.

I would note that the bill before us would prohibit this policy, this law that New Haven adopted. The result of New Haven's policy and their other community trust policies were stronger ties between law enforcement and the immigrant community. Over the next several years, New Haven experienced a 46 percent decrease in murders and a 13 percent decrease in rape incidences. This policy, which this bill would prohibit, worked.

This was a very important result. After learning of it, the United States Conference of Mayors, a group that most of us trust pretty much, did a survey of cities around the United States who adopted the same trust policies.

They include Alameda, California; Augusta, Georgia; New Brunswick, New Jersey; and a whole host of others. They found that all of these cities also reported the same kind of reduction in crime after they adopted these policies. Adopting these policies is an important component of keeping communities safe, and this bill would prohibit that. It would prohibit it.

Now, I understand the outrage over Mr. Lopez-Sanchez. In fact, I share it. Obviously, he has been accused of murder. Even when we have a situation like this, we have to have a trial, but I believe personally that he is guilty, based on all the evidence.

I believe he should not have been out on that street in San Francisco. If you look at his record—and I will go through it a little bit—it actually makes certain points. I have heard people say, Well, we have got open borders, and that is why he was here.

In fact, that is not the case. This individual attempted to enter the United States repeatedly, and he was caught by the Border Patrol, just as they are supposed to do their job.

What happened then is he was deported repeatedly in the nineties, and then they started prosecuting him for felony reentry after removal. He served 16 years in Federal prison for the felony of reentering after removal.

Our laws went after him. He should not have been released in San Francisco, but I think some of what we need to do is see what policies would have kept him off that street, and I will deal with those later.

I yield 2 minutes to the gentleman from California (Mr. BECERRA).

Mr. BECERRA. I thank the gentlewoman for yielding.

I took a look at the statute, the code section that the chairman cited as the authority that a law has been violated by San Francisco.

The SPEAKER pro tempore. The gentleman will suspend.

The gentleman will direct his remarks to the Chair.

Mr. BECERRA. Mr. Speaker, I will direct my remarks to the Chair.

May I ask, Mr. Speaker, if any of my time has been consumed as a result of the Chair's interruptions of my remarks?

The SPEAKER pro tempore. It has not.

Mr. BECERRA. I thank the Chair.

Mr. Speaker, the chairman of the committee made a statement that the law that had been violated by San Francisco, and the law that would be violated by places like Los Angeles that would cause this legislation to have my community of Los Angeles lose money for its police officers was a particular section in the code.

□ 1515

I have read the code. I am looking it up right now. That section relates to information being provided about the immigration status of an individual. We are not talking about the immigration status of an individual. We all knew that this individual was not documented. We knew his status. The information that was not conveyed in this particular case is that the individual is going to be released from custody. This bill doesn't change that.

There was no law violated by the city of San Francisco. Certainly, my city of Los Angeles didn't violate any law. The city of Knoxville, Tennessee, didn't violate any law. The city of Manchester, New Hampshire didn't violate any law. And I could name to you any number of other cities and towns in America who are trying to establish working relationships with their immigrant community who did not violate any law. But this bill would punish all those cities and towns simply because this legislation wishes to extract punishment for any city that has established a policy working with its immigrant community.

There is no State or city law in America that supersedes Federal law. Federal law is the law of the land. The chairman knows that. We all know that. And so, to pretend that somehow cities are violating Federal law is a farce. It is the sort of attack that Donald Trump is using right now as he goes out and campaigns for President.

We should not fall for that, and we should not deny our police departments funding because of a policy that some people don't like.

I thank the gentlewoman for yielding.

Ms. LOFGREN. Mr. Speaker, I yield myself such time as I may consume.

I just want to close by posing some of the questions that this bill does not deal with and that I think should command our attention.

In this case, we had an individual who had a criminal record. He had attempted to enter the United States, was apprehended, deported, was prosecuted and convicted for illegal entry after removal. After serving over 4 years for the last felony prosecution, he was ready to be deported, but they found, even though he had been deported many times before with an outstanding bench warrant from 1995

where the underlying offense was marijuana possession, all of a sudden, this year, he was sent to San Francisco.

I think one of the questions we need to ask is: What is the process of outstanding warrants and its interface with the Bureau of Prisons when someone really should be deported?

Apparently, there was no communication between the Federal Government and the prosecuting attorney in San Francisco. He was sent to, apparently, San Francisco, but the district attorney did not see this matter until he was already in custody.

Now, I don't fault the district attorney for not prosecuting on a 20-year-old marijuana possession case. Where would you find the witnesses? And, in fact, in California today, marijuana possession is an infraction, not a misdemeanor. But the point is he should never have been in San Francisco to begin with.

So I think we need to take a look at the processes that we have to make sure that we don't have this kind of situation again. Clearly, he should not have been released when the district attorney declined to prosecute.

Mr. Speaker, I yield 1 minute to my colleague from California (Mr. FARR).

Mr. FARR. Mr. Speaker, I represent many small communities in California that have a lot of gang violence. It is mostly Hispanic young men against Hispanic young men. They are not undocumented. They are actually second-generation gangs, a lot of killings. In fact, it is labeled the murder capital of the world, or in the United States.

What the community has been trying to do is work out what we call community policing, where you really trust the cops. What happens is they asked them to be a sanctuary city, because what the local cops didn't like about the INS and la migra coming in is that they would just come in and do raids and they would round up innocent people, and there was just lots of confusion. Our office would get involved trying to trace people down, where are they, and all these things.

What the sanctuary city says is, look, let's not just turn over the name to everybody we stop on an infraction to the Federal cop. Let them come down and do what they call jail checks. Well, they don't want to do jail checks. That is not fun and fancy.

The SPEAKER pro tempore. The time of the gentleman has expired.

Ms. LOFGREN. I yield the gentleman an additional 30 seconds.

Mr. FARR. The problem is that this community policing, the problem is this bill just busts all that, all the trust that has been built.

As Congresswoman LOFGREN said, the San Francisco deal was a big screwup between law enforcement. But don't penalize all these other cities that are doing a lot of wonderful things to do community policing and lead to confidence in law enforcement, not disconfidence.

You are going to create more problems than you ever imagined, like people not wanting to report crimes, not wanting to talk to cops, and you are just using the heavy hand of government to bust good community relations.

I just think this is the wrong way to do it. Let's let this thing air out and address the problems that Congresswoman LOFGREN talked about and not adopt this bill.

Mr. GOODLATTE. Mr. Speaker, I yield myself 1 minute to respond to both gentlemen from California.

First, with regard to Mr. BECERRA, the fact of the matter is that title 8 of the United States Code, section 1373, related to communication between government agencies and Immigration and Naturalization Service, is an important statute, and sanctuary cities violate that statute when they pass ordinances that prohibit—prohibit—their law enforcement officers from communicating with the Immigration and Naturalization Service.

This yields situations like what occurred in San Francisco, because the sheriff there has a policy saying they could not communicate with the INS. Already, one San Francisco supervisor has called upon the city to change the policy so that they will communicate.

This bill, which cuts off funds to cities that have provisions that contradict and violate the United States law does the same thing by a different route, and it will save many lives in the future if local law enforcement will communicate with the INS.

Now, to the gentleman from California (Mr. FARR), I just want to repeat again what I have said several times here.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. GOODLATTE. I yield myself an additional 15 seconds.

There is nothing in this bill that requires any officer to ask any question of any victims of crimes about their immigration status or to reveal that information to the INS.

So I would urge folks to look at what this bill, very straightforward, simple bill says. Federal law governs immigration policy, and local governments shouldn't have hundreds of different immigration policies of their own.

I reserve the balance of my time.

Ms. LOFGREN. Mr. Speaker, I yield myself the balance of my time. I would just close by saying that we have been asked by law enforcement agencies, by domestic violence advocacy groups, by the faith community not to adopt this bill. I know we can come together to make a safer community. This bill is not the answer, and I urge Members to vote ''no.''

I yield back the balance of my time.

Mr. GOODLATTE. Mr. Speaker, may I ask how much time is remaining?

The SPEAKER pro tempore. The gentleman from Virginia has 6¼ minutes remaining.

Mr. GOODLATTE. Mr. Speaker, I yield the balance of my time to the gentleman from South Carolina (Mr. GOWDY), the chairman of the Immigration and Border Security Subcommittee, to close our debate.

Mr. GOWDY. Mr. Speaker, I want to thank Chairman GOODLATTE for his leadership on this and so many other issues of significance on the Judiciary Committee. His steady hand and brilliant legal mind are without equal on our committee.

Mr. Speaker, I also want to thank the family of Kate Steinle for the grace that they have shown during this time of unspeakable grief.

Burying a child, Mr. Speaker, is what each of us who has ever been called Mom or Dad fears the most. After Trayvon Martin was killed, the President said, ''That could have been my son,'' Mr. Speaker.

And when I see a picture of a beautiful Kate Steinle smiling, that could have been any of our daughters. And it still can be, because what happened to her, Mr. Speaker, can and will happen again if we do not get serious about enforcing the law.

Juan Francisco Lopez-Sanchez, Mr. Speaker, had a quarter century's worth of lawlessness. Dating back to 1991, he committed local, State, and Federal crimes in five separate States, I hasten to add, Mr. Speaker. He was deported five times, and each time had so little regard for the law of this country that he reentered that border that we are supposed to have functional control over.

His procedural history, Mr. Speaker, is every bit as disturbing. In May of 2011, this defendant was convicted and sentenced to 46 months imprisonment for illegal reentry again. At the conclusion of that sentence, he was released from the Bureau of Prisons to a known sanctuary jurisdiction for the ostensible prosecution of an old drug case.

Of course, Mr. Speaker, San Francisco did not prosecute that old drug case. They dismissed it, which surprises exactly no one, and then they released this defendant.

They did not return him to the Bureau of Prisons. They did not return him to Federal probation. They did not honor the detainer that had been placed by ICE. They released him, who was not supposed to be in the country in the first place, with this horrific criminal history. They released him so he would be free to walk around and shoot someone's daughter, which is exactly what he did.

Mr. Speaker, we are given a litany of excuses. I have heard them this morning, Mr. Speaker, for policies like this. We are told that we need policies like the one in San Francisco so people will cooperate with law enforcement.

I want you, Mr. Speaker, to consider just how utterly illogical that comment is. We need to release known criminals back into society so society will help us catch known criminals. How absurd is that, that we are going to release people that should be deported, that are recidivist felons, so other people will help us catch those who should be deported and are recidivist felons?

For almost 5 years, Mr. Speaker, I have worked alongside Chairman GOODLATTE, and I have heard a litany of phrases, with almost catatonic frequency, as if repeating something enough will make it true—phrases, Mr. Speaker, like ''functional control over the border''—but I have yet to hear how somebody can reenter five times if you have functional control over the border.

I have heard we need citizenship for 11 million undocumented aspiring Americans, as if 11 million of any category can pass a background check.

I have heard arguments against empowering State and local law enforcement to assist in the enforcement of our immigration laws, Mr. Speaker.

Now, stop and think. We trust them to do murder cases, sex assault cases, kidnapping cases, narcotics trafficking. You even trust them to provide security, Mr. Speaker, at their own functions back in the district. But when it comes to immigration law, oh, no. No, sir. We don't trust you to enforce immigration law. Everything else, including our own security both here in Washington and back in the district, but God forbid we trust State and local cops to help us with immigration law.

The President says we need immigration reform so folks will, to use his words, Mr. Speaker, come forward, get on the books, get right with the law.

I want you to ask yourself, what in Mr. Lopez-Sanchez' background makes you think he would ever come forward? And why in the hell does he need to be on the books? He is in the Bureau of Prisons. You don't need him on the books. He is in the Bureau of Prisons. And you had him, and you let him go.

□ 1530

Which brings me to my favorite phrase, Mr. Speaker, ''sanctuary cities.'' It has almost a Utopian sound to it, doesn't it?

Well, as the Speaker knows, the definition of a ''sanctuary'' is a place of refuge or safety. And my question for folks in San Francisco and my colleagues who support this policy is: A refuge for whom? A sanctuary for whom? A refuge for Kate Steinle? A sanctuary for Kate Steinle? A refuge for a convicted felon with a 25-year-long criminal history?

So the phrase sounds benign, but it was no sanctuary for her. It may have been for him, but it sure as hell wasn't for her.

Mr. Speaker, my message to San Francisco would be simple: You won't honor our detainers, we won't honor your warrants. If detainers are too much trouble for you to handle, perhaps Federal money will be too much trouble for you to handle, too. If you can't honor our detainers, you are not going to get any more money.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. GOODLATTE. I yield back the balance of my time.

Mr. CICILLINE. Mr. Speaker, I rise today to express my concerns about the Enforce the Law for Sanctuary Cities Act. I am completely appalled by the tragic and senseless death of Kathryn Steinle and those responsible should be held fully accountable. Dangerous criminals, including those who are in the United States illegally, should not ever be released into the community.

However, H.R. 3009 does not address this problem. In fact, if H.R. 3009 becomes law it will only make it more difficult for law enforcement agencies to prevent future tragedies like this one. The system failed to catch this felon, not because of our nation's immigration policy, but because there was a breakdown in communication between agencies. The suspect, who has confessed to the shooting, has seven prior felony convictions, and has been deported five times, was apprehended by U.S. Immigration and Customs Enforcement (ICE) and turned over to the custody of the San Francisco Sheriff's Department at its request on an outstanding drug warrant. ICE issued a detainer, requesting to be notified before the suspect's release. Unfortunately, the suspect was released back onto the streets after the prosecutor declined to pursue the drug charges.

This individual should never have been released from the custody of law enforcement, and the events that followed reflect a systemic failure on the part of local law enforcement and prosecutors. And while I believe that Congress has a moral responsibility to prevent future tragedies like this from occurring in the future, this legislation falls far short in addressing any of the failings in our immigration system that led to it. If enacted, H.R. 3009 would not have required local law enforcement to certify that the suspect would be prosecuted before taking custody of him. Nor would it have required the Bureau of Prisons or ICE to consult with local law enforcement or prosecutors to determine whether justice would be better served by having the suspect deported rather than being transferred to face an unlikely prosecution for a 20-year-old drug possession charge.

H.R. 3009 purports to address this tragedy by stripping local law enforcement agencies of necessary federal funding to fulfill its responsibilities to the public. More specifically, the legislation would strip funding for state criminal alien assistance programs. Instead of aiding local law enforcement, this bill would cripple the efforts of these agencies to support federal law enforcement. In a naked attempt to score political points, this legislation deliberately ignores and neglects the roots of the tragedy. As such, a wide coalition of groups oppose H.R. 3009, including the Major County Sherriff's Association, the National Fraternal Order of Police, the Law Enforcement Immigration Task Force, the National League of Cities, the U.S. Conference of Mayors, AFL–CIO, AFSCME, ACLU, LULAC, and LCCHR. While I remain committed to substantive and constructive reform of our nation's immigration system, this legislation falls far short of what is necessary.

Ms. JACKSON LEE. Mr. Speaker, as a senior member of the Committees on the Judiciary and on Homeland Security, I rise in strong opposition to H.R. 3009, the so-called ''Enforce the Law for Sanctuary Cities Act.''

I oppose this legislation because it undermines public safety, fails to address needed immigration reform, promotes a deportation-only approach, and will not achieve the Republican leadership's stated purpose in bringing the bill to the floor.

Mr. Speaker, nothing in H.R. 3009 would have prevented the tragic killing of an innocent young woman in San Francisco.

Instead, this bill is being rushed to the floor for the sole purpose of exploiting that tragedy by scapegoating immigrants and undocumented persons, holding them responsible for the actions of one person, and avoiding action on comprehensive immigration reform.

It is undisputable that victims of murder deserve justice.

H.R. 3009 the ''Enforce the Law for Sanctuary Cities Act'' would push undocumented immigrants further into the shadows and create and an environment with heightened threats to our safety and ability to seek justice.

Stripping state and local law enforcement agencies of key funding and resources impedes their ability to combat crime and protect our communities.

Surely, House Republicans do not want to tie the hands of law enforcement when it comes to preventing and investigating criminal acts.

Rather than taking positive steps to promote better cooperation and communication between Federal, State and local authorities, where appropriate, H.R. 3009 punishes State and local law enforcement agencies that prioritize public safety and community policing over immigration enforcement efforts.

Nearly every major law enforcement association in the country, from the Major Cities Chiefs Associations, the Major Counties Sheriffs Association, the Fraternal Order of Police, and the Law Enforcement Immigration Task Force, opposes H.R. 3009 and the host of other similar and related proposals set forth by Republicans.

H.R. 3009 simply spreads the myth that all immigrants are criminals and threats to the public—despite decades of research that demonstrate the fact that immigrants are less likely to commit serious crimes than native-born persons and are less likely to end up in prison.

In fact, thousands immigrant populations throughout the country have resided within our country for decades as law-abiding, tax-paying, hard-working model persons who contribute to our nation's economy and culture of diversity and inclusiveness.

Additionally, thousands of immigrant populations are actually here seeking safety and refuge because they too are victims of horrific abuse, torture and massacre that plagues their native countries.

Yet, once again we are discussing measures that simply seek to enhance and promote mass criminalization, racial profiling and discrimination, and deportation of immigrants.

In just this past year, House Republicans have voted to:

1. Deport hundreds of thousands of Dreamers who came to the country as children and are American in all but name;

2. Deport millions of parents of US citizens who are playing by the rules, contributing to their communities and working to support their families; and

3. Deport without due process tens of thousands of unaccompanied children who came to the US fleeing persecution, extreme violence and trafficking.

Just this past Friday, the U.S. Court of Appeals for the 1st Circuit issued an opinion dismissing immunity claims by ICE Agents who unlawfully detained an American citizen.

A U.S. citizen who was born in Guatemala and has resided here since the 1980s and was naturalized in 1995, was subjected to multiple ICE detainers in violation of her Fourth and Fifth Amendment rights.

On at least two occasions the plaintiff was detained by ICE and questioned about her citizenship—despite her repeated claims and assertion of her legal status.

No efforts were made to confirm or investigate prior to her detention by ICE which allowed her to be booked, strip-searched and held in jail for up to 48-hours.

''Detain first, question later'' practices and policies should not be supported—yet H.R. 3009 penalizes law enforcement for refusing to gather information about one's citizenship or immigration status where such actions are unwarranted.

President Obama issued a statement today advising that H.R. 3009 will get vetoed if presented to him for signature.

It cannot be said that immigration reform is being taken seriously, when proposals are rushed and fail to go through regular order.

Serious reform requires bringing to the floor for debate a comprehensive immigration bill that reforms our broken immigration system by making it fairer and more humane, and secures our Northern, Southern, and maritime borders and our ports.

The House Homeland Security Committee proved this can be done last year when it reported out of committee on a unanimous vote, H.R. 1417, the Border Security Results Act of 2014.

Instead of wasting time on legislation that is designed to attract publicity rather than have any realistic chance of becoming law, we should be bringing to the floor for debate legislation that will address the real problems and challenges facing the American people.

Instead of squandering valuable floor time on this irresponsible legislation, the House should be allowed to work its will on issues that matter, like raising the minimum wage, protecting the right to vote of all Americans, and passing criminal justice reform that builds trust and respect between law enforcement agencies and the communities they are to protect and serve.

Mr. VAN HOLLEN. Mr. Speaker, I rise today in opposition to H.R. 3009, the so-called ''Enforce the Law for Sanctuary Cities Act.''

This misguided legislation is purportedly a response to the heartbreaking and tragic shooting of Kathryn Steinle earlier this month. However, the reality is that this legislation cynically uses this isolated incident to scapegoat all undocumented immigrants and undermine community policing. Specifically, H.R. 3009 would withhold critical funding for State and local law enforcement agencies as well as victims of crimes unless these jurisdictions bear the burden of enforcing Federal immigration statutes.

If passed, this bill would tie the hands of local law enforcement agencies who are working to promote safety and build community trust. Requiring local police to enforce Federal immigration laws often times dissuades undocumented individuals from reporting crimes, offering testimony, and serving as witnesses in court proceedings. For example, the evidence shows that victims of domestic violence will be afraid to report these crimes to police for fear of deportation. A survey conducted by the National Domestic Violence Hotline in 2013 found that nearly 50-percent of foreign born individuals were afraid to seek help because of their immigrant status. As Secretary of Homeland Security Jeh Johnson testified earlier this month, ''mandating through legislation the conduct of sheriffs and police chiefs'' is not the way to go.

Instead of pushing these failed policies, we need to come together and pass bipartisan legislation to address our broken immigration system. I urge my colleagues to oppose this bill.

Mr. FARR. Mr. Speaker, I rise today to voice my opposition to HR 3009. First and foremost, my heartfelt sympathies go out to the Steinle family for the loss of their daughter, Kate. There is no question that her death is tragic and unjust.

However, this bill neither avenges her death nor effectively prevents similar tragedies from happening in the future. Absent comprehensive immigration reform, we are forcing local police to act as federal immigration officials. That is wrong, wrong, wrong.

I represent one of the largest agriculture districts in CA that is dependent on migrant workers who toil the fields to feed our nation. We also have a significant gang violence problem in ''the Salad Bowl of the World'', yet, I am not aware that any of our local law enforcement officials think this bill is a good idea.

In some of the harshest neighborhoods, our local law enforcement officials have established satellite facilities and programs for the kids in the neighborhood that provide alternatives to joining gangs. This type of 21st Century Policing encourages community partnerships, problem-solving and organizational transformation.

Mr. Speaker, we have already seen the willingness of the Republicans to shut down the government over immigration issues by failing to fund the Department of Homeland Security for 4 months. While compromising the safety of our communities and the effectiveness of our local police might be good for Donald Trump, it is bad for America.

I urge a no vote.

Ms. ROYBAL-ALLARD. Mr. Speaker, the recent killing of Kathryn Steinle in San Francisco is a tragedy, and my thoughts are with her family during this very difficult time.

Unfortunately, the Majority has chosen to politicize this tragedy by bringing this misguided and unacceptable bill to the floor.

H.R. 3009 would withhold Department of Justice grants specifically targeted to enhance public safety, support community policing, and assist crime victims from states and law enforcement agencies that do not collect information regarding a person's immigration status.

We can and should ensure that serious criminals who are dangerous and enforcement priorities for ICE are not released from the custody of local law enforcement. However, it is misguided and counterproductive to force local law enforcement officers to inquire about a person's immigration status at any time and for any reason in order to be eligible to receive critical public safety funding.

It is also wrong and irresponsible that this bill misrepresents the immigrant community as one comprised entirely of criminals. In fact, decades of research show that immigrants are less likely to commit serious crimes than native-born persons.

Earlier this year, many Republicans insisted that our Homeland Security Appropriations bill include anti-immigrant riders, and threatened to shut down the Department of Homeland Security if they did not get their way. Sadly, H.R. 3009 is just more of the same from the Majority, who apparently think it is more important to incite hatred of our immigrant population for political purposes than it is to keep our communities safe and secure.

If we truly want to deal with our broken immigration system, we must pass comprehensive immigration reform that treats immigrants humanely, focuses on deporting those who threaten our safety and national security, and better secures our borders. Unfortunately, the House Majority has no interest in passing such reforms and instead chooses to rob local law enforcement of the money they need to keep our constituents safe from harm.

I urge my colleagues to oppose this bill.

Ms. LEE. Mr. Speaker, I rise in strong opposition to H.R. 3009, the Enforce the Law for Sanctuary Cities Act.

The murder of Kathryn Steinle in San Francisco was a senseless tragedy. My heart continues to go out to her family and friends at this difficult time.

As a nation, we cannot base complex policy decisions regarding the intersection of our federal immigration system and local law enforcement on a single tragic event.

Sanctuary Cities exist because municipalities across the country recognized that they had to act to keep families together as Congressional Republican leadership refused to move forward on bipartisan comprehensive immigration reform.

These are some of the most populous cities in the country—New York, Los Angeles, Chicago, Houston—and the list goes on.

Our local law enforcement agencies are not trained immigration agents, nor should they be.

This conversation comes at a time in this country when many local law enforcement agencies are facing a crisis of trust with the communities they are sworn to protect and serve.

To threaten their federal funding based on local decisions about how best to serve their

communities, as H.R. 3009, would do, is not only misguided but dangerous.

Instead, my colleagues should be working to pass bipartisan legislation to fix our broken immigration system and address these longstanding issues in a comprehensive and thoughtful way.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 370, the previous question is ordered on the bill.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. JEFFRIES. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. JEFFRIES. I am opposed to it in its current form.

Mr. GOODLATTE. Mr. Speaker, I reserve a point of order.

The SPEAKER pro tempore. A point of order is reserved.

The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Jeffries moves to recommit the bill H.R. 3009 to the Committee on the Judiciary, with instructions to report the same back to the House forthwith, with the following amendment:

Add at the end the following:

SEC.____. PROTECTING LOCAL COMMUNITIES FROM CUTS TO LAW ENFORCEMENT.

The Attorney General may not reduce or eliminate, under this Act or the amendment made by this Act, any sums provided to a State (or a political subdivision of a State) if the Attorney General determines that such reduction or elimination would result in—

(1) an increase in the overall crime rate in that State or political subdivision, including an increase in domestic violence, sex trafficking, or crimes against children; or

(2) a decrease in the number of trained law enforcement officers in that State or political subdivision, including community police, that are available to protect the public.

The SPEAKER pro tempore. The gentleman from New York is recognized for 5 minutes.

Mr. JEFFRIES. Mr. Speaker, this is the final amendment to the bill, which will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage, as amended.

The murder of Kate Steinle in San Francisco was a national tragedy that certainly shocked the conscience of America. We must continue to mourn her passing. We must continue to stand behind her family.

We must continue to make sure that her killer is prosecuted to the full extent of the law, but we should not respond with irresponsible public policy.

Our Founders indicated that the House of Representatives is supposed to reflect the passions of the people, but the passions should be properly channeled into an appropriate legislative vehicle.

On December 14, 2012, 20 children were brutally gunned down in Sandy Hook Elementary School. More than 30,000 additional Americans have died as a result of gun violence since that fateful day. Mr. Speaker, 952 days have passed. This House has done nothing.

On June 27, 2013, the Senate passed a bipartisan comprehensive immigration reform bill, 52 Democrats, 14 Republicans, 2 Independents. That bill would have secured our borders. That bill would have reduced the deficit by more than $850 billion over 20 years. That bill would have required undocumented immigrants to learn English, pay back taxes, pass a criminal background check, and then get at the back of the line. Mr. Speaker, 757 days have passed. This House has done nothing.

Instead, we are here today considering a misguided legislative response to a terrible tragedy. That is why I offer this amendment, which will prevent the elimination or reduction of funds to State or local law enforcement organizations if the Attorney General determines that the elimination of funding would result in an overall increase in the crime rate, particularly with respect to domestic violence, sex trafficking, and crimes against children, or if it would result in a decrease in the number of trained law enforcement officers on American streets.

The COPS and Byrne-JAG programs are essential to public safety and should not be used as a blunt force weapon to carry out a reckless and irresponsible antiimmigrant agenda. That is why the National Fraternal Order of Police, the Law Enforcement Immigration Task Force, and the Major County Sheriffs' Association of America all oppose the underlying legislation.

In a letter dated July 15, the National Fraternal Order of Police expressed their ''strong opposition to any amendment or piece of legislation that would penalize law enforcement agencies by withholding Federal funding or resources from law enforcement assistance programs in an effort to coerce a policy change in so-called sanctuary cities.''

In offering this amendment, I stand with law enforcement. In offering this amendment, I stand with the Statue of Liberty that sits in New York Harbor with the inscription ''Give me your tired, your poor, your huddled masses yearning to breathe free.''

In offering this amendment, I stand with the United States Constitution and the 10th Amendment limitation on the Federal Government's ability to commandeer State or local police authorities into the service of Federal areas of enforcement.

In offering this amendment, I stand with the Scripture in Matthew 25:35, where it says: I was hungry, and you gave me food. I was thirsty, and you gave me drink. I was a stranger, and you welcomed me.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. GOODLATTE. Mr. Speaker, I withdraw my reservation of a point of order.

The SPEAKER pro tempore. The reservation of the point of order is withdrawn.

Mr. GOODLATTE. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Virginia is recognized for 5 minutes.

Mr. GOODLATTE. Mr. Speaker, I urge my colleagues to oppose this motion to recommit. It would give the discretion to the Attorney General of the United States and the ability to determine whether or not such reductions provided in this legislation would take place.

This is the same Attorney General of the United States who is new to the position, but has already indicated her unwillingness to enforce title VIII, section 1373, of the United States Code related to the requirement that cities and all other government agencies communicate with the Immigration and Naturalization Service.

The Enforce the Law for Sanctuary Cities Act helps to address one of the main factors contributing to the collapse of immigration enforcement in the United States.

Hundreds of sanctuary cities are violating Federal law by prohibiting their law enforcement officers from sharing information with Federal immigration authorities to enable the removal of unlawful and criminal aliens.

This bill will finally establish penalties to persuade these jurisdictions to comply with longstanding Federal law.

Sanctuary cities present a clear and present danger to their citizens. In the first 8 months of 2014, they released 8,145 aliens who the Department of Homeland Security wanted to deport.

Very quickly, almost a quarter of these aliens were arrested again for new criminal offenses. Most recently, San Francisco's refusal to honor a DHS detainer resulted in the tragic death of Kate Steinle.

This is not an isolated incident. This is something that will continue again and again and again unless these cities start cooperating with law enforcement.

And, yes, there are many other things that need to be done to protect American citizens from unlawful criminal aliens besides this bill. Those should be brought to the floor as well.

But this bill represents an important first step in making rogue jurisdictions comply with Federal law and safeguard their communities. We will take further steps in the months ahead to ensure enforcement of immigration laws, but we have to start today.

Federal grants—and there are three categories of grants covered by this

legislation—are not entitlements to the States. They are gratuities that Congress has chosen to give to the States.

The Supreme Court has held that Congress can place restrictions or conditions on the receipt of Federal funds to further policies that are aimed at protecting the general welfare.

I support these law enforcement grants, but the solution to potential loss of these funds is simple: eliminate the policies that violate Federal law, eliminate the policies that prohibit information sharing with the Immigration and Customs Enforcement agency, and they will receive this funding. They will also receive safer communities, communities that are sanctuaries for law-abiding citizens, not sanctuaries for criminals.

This legislation must be passed to protect American citizens and do right by them and do it in honor of people like Kate Steinle, who gave her life because of these bad policies.

I urge my colleagues to oppose the motion to recommit, support this legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. JEFFRIES. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on passage of the bill, if ordered, and the question on agreeing to the Speaker's approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—yeas 181, nays 239, not voting 13, as follows:

[Roll No. 465]

YEAS—181

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Honda
Hoyer
Huffman
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NAYS—239

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Chabot
Chaffetz
Coffman
Cole
Collins (GA)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—13

Bishop (UT)
Brady (PA)
Carter (TX)
Clawson (FL)
Collins (NY)
Denham
Hinojosa
Israel
Kaptur
Lujan Grisham (NM)
Schakowsky
Speier
Stewart

□ 1607

Messrs. CONAWAY, FINCHER, STIVERS, and JOHNSON of Ohio changed their vote from ''yea'' to ''nay.''

Ms. GABBARD and Mr. SHERMAN changed their vote from ''nay'' to ''yea.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Ms. LOFGREN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 241, noes 179, not voting 13, as follows:

[Roll No. 466]

AYES—241

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bera
Bilirakis
Bishop (MI)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Carter (GA)
Chabot
Chaffetz
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Cooper
Costello (PA)
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)

Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Keating
Kelly (MS)
Kelly (PA)
King (IA)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—179

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Beyer
Bishop (GA)
Blumenauer
Bonamici
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Costa
Courtney
Crowley
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Honda
Hoyer
Huffman
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Reichert
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sires
Slaughter
Smith (WA)
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—13

Bishop (UT)
Boyle, Brendan F.
Brady (PA)
Calvert
Carter (TX)
Clawson (FL)
Conyers
Hinojosa
Israel
Kaptur
Lujan Grisham (NM)
Speier
Stewart

□ 1619

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. CALVERT. Mr. Speaker, on rollcall 466, I was unable to vote due to a malfunction of my voting card. Had I been able to vote, I would have voted yes on rollcall 466.

THE JOURNAL

The SPEAKER pro tempore (Mr. CARTER of Georgia). The unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

Pursuant to clause 1, rule I, the Journal stands approved.

LEGISLATIVE PROGRAM

(Mr. HOYER asked and was given permission to address the House for 1 minute.)

Mr. HOYER. Mr. Speaker, I yield to the gentleman from California (Mr. MCCARTHY), my friend, the majority leader.

Mr. MCCARTHY. I thank the gentleman for yielding.

Mr. Speaker, on Monday, the House will meet at noon for morning hour and 2 p.m. for legislative business. Votes will be postponed until 6:30 p.m.

On Tuesday and Wednesday, the House will meet at 10 a.m. for morning hour and noon for legislative business.

On Thursday, the House will meet at 9 a.m. for legislative business. Last votes of the week are expected no later than 3 p.m.

On Friday, no votes are expected in the House.

Mr. Speaker, the House will consider a number of suspensions next week, a complete list of which will be announced by close of business tomorrow.

In addition, the House will consider H.R. 427, the Regulations from the Executive in Need of Scrutiny Act of 2015, sponsored by Representative TODD YOUNG.

Last year Federal regulations burdened job creators with trillions of dollars in costs. This bill, commonly referred to as the REINS Act, will ensure that Congress has a say in whether major rules should be imposed on the American people.

The House will also consider H.R. 1994, the VA Accountability Act, sponsored by Chairman JEFF MILLER.

Getting the best possible service to our Nation's veterans starts with having the best possible personnel in charge VA programs.

This critical bill will give the administration additional tools to turn things around at the VA and ensure veterans have the kind of care they deserve.

I thank the gentleman.

Mr. HOYER. I thank the gentleman for his information with reference to the two bills that will be considered next week.

We are coming now to the end of the scheduled work period, and we will be going into the August break. We just passed a bill, Mr. Leader, which dealt with a tragedy—or purportedly dealt with a tragedy—that occurred in San Francisco.

Every Member of this House believes, I think, that a mistake was made by the sheriff in San Francisco in releasing this individual who had been convicted of numerous felonies.

We also believe, if we had passed a comprehensive immigration reform bill similar to the one the Senate passed in the last Congress, that this problem itself would not be solved—because we believe that the sheriff should not have released this individual irrespective of the status of immigration reform—but we believe this would go a long way towards enhancing the ability of both law enforcement and of communities to deal with the immigration issue as well as giving confidence to people of their status.

Does the gentleman believe that there is any possibility of a comprehensive immigration bill being considered in the next work period?

I yield to my friend.

Mr. MCCARTHY. I thank my friend for yielding.

What happened in San Francisco was not just a mistake. This individual had seven felonies. It is not miscommunication. Kate lost her life and should not had to have.

Sanctuary cities are made up of individuals who believe they can make their own law and disregard the law of the Federal Government.

I think today's bill was a good first start. I do look forward to continuing

the conversations on both sides of the aisle on immigration reform, but I have nothing scheduled at this time.

Mr. HOYER. Just to make it clear, the mistake was the sheriff's. He should not have done what he did. It was a tragedy. We all agree on that.

Very frankly, we don't think that he was compelled to do so by the sanctuary law that San Francisco had in effect.

I will tell the majority leader that we had a difference of opinion in a previous bill, the Violence Against Women Act, where you did not include protection for immigrants when they came forward to law enforcement authorities and complained of domestic violence.

We had a disagreement on that, and the disagreement was that we thought they ought to be protected, which is why so many law enforcement officials opposed the bill that was brought forward.

I will tell you again, Mr. Leader, that we do not believe that the statute that was in San Francisco compelled or led to the actions of the sheriff in releasing a felon who had committed the numerous felonies and should not have been released. It was a tragedy.

Let me go on, Mr. Leader, to the appropriations process.

There are no appropriation bills listed on your schedule for next week. We have after next week some, I think, 16 legislative days left between now and the end of the fiscal year.

Again, for the next period that we are going to be back and in light of the fact that we know what it is going to be at least—and I will have some questions on some things that may be on, but we know what is scheduled for next week—does the gentleman believe that our Members ought to anticipate the further consideration of appropriation bills prior to the end of the fiscal year?

I yield to my friend.

Mr. MCCARTHY. I thank the gentleman for yielding.

As I mentioned last week, yes, it is our intention to get back to the appropriation process as soon as possible.

As the gentleman knows, we are halfway done. We should finish our job, but I will make sure to keep the Members updated on the appropriation bills as they are scheduled and continue to be considered.

Mr. HOYER. I thank the majority leader. I am pleased to hear that.

I know the Speaker observed—and I think he is probably right—that there will have to be a CR. In light of that, I would hope that the majority leader, in league with the chairman of the Appropriations Committee, perhaps with the chairman of the Ways and Means Committee, and with the Speaker, would initiate the conversations now in preparation so that we would not have a crisis on September 30, but would, in a logical and, hopefully, a cooperative way, have gotten to what action would be taken with respect to a CR. I would urge my friend to pursue those discussions.

I would be glad to participate with him in those discussions with others on our side who will be involved in that process—our ranking member on the Appropriations Committee, our ranking member on the Ways and Means Committee, and our ranking member on the Budget Committee.

I yield to my friend if he wants to make a comment.

Mr. MCCARTHY. No.

Mr. HOYER. I thank the gentleman.

The gentleman and I have had discussions about highways. We know that next week the highway authorization ends. We are planning on leaving here, if the schedule is kept, on Thursday of next week.

Will the gentleman tell me what he believes is the status of the highway bill?

I know the Senate is discussing a longer term highway bill. Neither the majority leader nor I are very enthusiastic about that bill as I have learned in my discussions with you.

Will you tell me what your plans are with respect to the highway bill so that we don't leave here without some sort of authorization having been passed?

I yield to my friend.

□ 1630

Mr. MCCARTHY. Well, I thank the gentleman for yielding. I thank him for his discussions with me regarding highways. Just last week, we passed a bipartisan bill that would ensure critical infrastructure projects continue throughout the year.

I know the Senate has their debate. Our bill goes to the end of the year with a long-term solution. The Senate currently is debating a bill that is not funded long term. I think the best bit of advice is to urge the Senate to accept our bill.

Mr. HOYER. I thank the gentleman.

Lastly, as the gentleman knows, I have been very much involved with the authorization of the Export-Import Bank through the years. As the gentleman knows, Mr. Cantor and I worked together and came up with a bipartisan proposal in 2012 that passed this House overwhelmingly with approximately 140 Republicans and about 185 or more Democrats, so it passed overwhelmingly.

Can the gentleman tell me whether or not there is any possibility of assuring that the majority of this House can work its will and the majority of the Senate—and I say that because MITCH MCCONNELL, the leader of the Senate, is quoted as saying the supporters of the Federal Export-Import Bank have the Senate votes to revive it and will get a chance to do so.

Majority Leader MITCH MCCONNELL said, It looks to me like they have the votes—and I am requesting to give them the opportunity. MCCONNELL, who opposes the Bank, said he expects supporters to try to attach the reauthorization to a highway bill.

Assuming that we get a bill from the Senate with the Export-Import Bank attached to it, does the majority leader believe that we will have the opportunity—and I think the majority of the Members of the House would vote in favor of it—will have the opportunity to vote on the Export-Import Bank before we leave here on Thursday?

I yield to my friend

Mr. MCCARTHY. I thank the gentleman for yielding.

I thank my friend for his weekly questions. I think you may have asked these questions actually more times than we repealed ObamaCare, but my answer remains the same.

Mr. HOYER. I could not possibly stand on this floor long enough to do that.

I yield to my friend.

Mr. MCCARTHY. My answer still remains the same to the gentleman. There is no action scheduled in the House on Ex-Im.

Mr. HOYER. I keep asking that question, and I keep getting the wrong answer. I will be faithful to asking that question.

I say that with humor, but the gentleman knows that I believe this is an extraordinarily serious issue. The gentleman knows I agree with the Speaker of the House of Representatives, Mr. BOEHNER, that we are losing jobs right now as a result of our failure to extend the authorization of the Export-Import Bank past June 30.

The gentleman knows I believe that 165,000 jobs are at risk. The Indian director of their export-import bank is quoted as saying in the paper, just the other day, that he believes they are going to pick up jobs and orders because of the failure of the Export-Import Bank to be reauthorized.

I think this is not something that is not real. It is a loss of jobs and a loss of competitive status for our country if we do not reauthorize this and do so as quickly as possible.

I will keep asking the question because I feel it is so very important to our country and to our competitiveness, but I appreciate the gentleman's faithfulness in his answer. I am hopeful that it will change.

Mr. MCCARTHY. We will keep repealing ObamaCare.

Mr. HOYER. Mr. Speaker, I didn't notice that ObamaCare had been repealed. I simply noticed the Supreme Court said it was a constitutional piece of legislation.

I yield back the balance of my time.

ADJOURNMENT FROM THURSDAY, JULY 23, 2015, TO MONDAY, JULY 27, 2015

Mr. MCCARTHY. Mr. Speaker, I ask unanimous consent that when the

House adjourns today, it adjourn to meet on Monday, July 27, 2015, when it shall convene at noon for morning-hour debate and 2 p.m. for legislative business.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

PLANNED PARENTHOOD

(Mr. ROTHFUS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROTHFUS. Mr. Speaker, it is painful to hear the words in the recently released video showing Planned Parenthood trafficking in body parts.

At one point, the doctor talks about a customer wanting ''lower extremities,'' that is legs in everyday language.

''I don't know what they are going to do with it. Maybe they want muscle,'' she says.

These are legs that will never run to a mom or a dad, never run to a brother or a sister, never run to a spouse, never run to protect another child.

It has been 42 years since the Supreme Court did what Justice White called an exercise of raw judicial power. Since then, we have seen more than 55 million abortions in this country; yet we are still shocked by what these videos show.

This is a teaching moment, Mr. Speaker. There is a lot of pain implicit in these videos, pain for kids, pain for moms, pain for dads and families. Perhaps these videos can become the moment where our Nation can begin to heal that pain.

Stopping taxpayer dollars flowing to organizations responsible for this horror is a good place to start that healing.

FALLEN HAYWARD POLICE DEPARTMENT SERGEANT SCOTT LUNGER

(Mr. SWALWELL of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SWALWELL of California. Mr. Speaker, I rise today to ask that this House honor Sergeant Scott Lunger, 48 years old, who was murdered tragically yesterday as a Hayward police officer while on routine patrol.

His murder is a reminder that the work we call our police officers to do puts them and their lives in jeopardy every day, every stop, not knowing if it is going to be their last or if they are going to return home to see their families.

Sergeant Lunger leaves behind two daughters, a brother, family, and friends; but he died doing what he loved, his second career working as a police officer.

For 15 years, he did so to help people in the community. He served on the SWAT team and on the gang unit. He was described by his police chief as a warrior cop, an ethical police officer. He was described by others as that ideal officer, that go-to guy. A lieutenant said: He is the best cop and crimefighter I have ever seen.

The East Bay and Hayward community mourns the loss of Sergeant Scott Lunger. Long live the memory of Sergeant Scott Lunger. May God watch over his soul, our community, and his family.

HONORING DANIELLE GREEN

(Mrs. WALORSKI asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. WALORSKI. Mr. Speaker, I rise today to recognize former Notre Dame basketball player and Army veteran, Danielle Green, who was recognized at last week's ESPYs ceremony with the Pat Tillman award.

The award is named after former NFL player Pat Tillman, who joined the Army Rangers following 9/11, served several tours in combat before he died in a friendly fire incident in Afghanistan in 2004. It recognizes an individual with a strong connection to sports who has served others in a way that echoes Pat's legacy.

Danielle Green could not be more deserving of this prestigious honor. While bravely serving her country in Iraq, she lost part of her left arm from a rocket-propelled grenade attack. Upon her return, Green earned the Purple Heart for injuries suffered in combat. She now works with returning veterans as a readjustment counselor in South Bend, Indiana.

Danielle's sacrifice to protect our freedom and her contributions to Indiana veterans deserves recognition. She is an inspiration to Hoosiers everywhere.

Today, I thank Danielle Green and all of our servicemen and -women for the sacrifices they make in the name of freedom.

THE EQUALITY ACT

(Mr. KENNEDY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KENNEDY. Mr. Speaker, today, my colleague Congressman DAVID CICILLINE, an unparalleled champion for LGBT rights, introduced the Equality Act. I rise today as a proud cosponsor in support of this bill.

Recent gains, from public opinion to the Supreme Court, have undoubtedly accelerated our ongoing civil rights march, but real justice will be served in this country when the LGBT community is guaranteed—not just legal equality, but lived equality.

The ability to experience everyday life without fear of discrimination is something most of us take for granted. Walking into a gas station without worrying about being denied service because of your gender identity, heading into a movie theater without fear of being turned away because of the hand you held when you walked in, that threat of judgment, rejection, and prejudice is injustice in its purest form.

Today, through the Equality Act, we can help root out the dangerous intolerance that continues to define too many American lives. I urge all of my colleagues to join this fight, cosponsor this bill, and get it signed into law.

SECRET SIDE DEALS WITH IRAN CONCERNING INSPECTION OF THEIR NUKES

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Mr. Speaker, it seems the Iranians are not the only ones we can't trust. Apparently, there are some secret side deals with Iran concerning inspections of their nukes. The administration conveniently withheld this from Congress.

Susan Rice said:

> These documents are not public, but nonetheless, we have been briefed on those documents. We know their contents. We are satisfied with them, and we will share the contents of those briefings in full in a classified session with the Congress, so there is nothing in that regard that we know that they won't know.

Let me get this straight. We are supposed to trust the person who lied to the American people on national television about Benghazi?

Mr. Speaker, what else are they hiding? Maybe the details of the side deal are stored on a server somewhere. We know we can't trust the Iranians to follow the deal.

Now, we can't trust the administration to let us know what is in the deal. Let's hope these secret side deals are not as hard to get a hold of as the former Secretary of State's emails.

And that is just the way it is.

INDIAN INDEPENDENCE DAY

(Mrs. WATSON COLEMAN asked and was given permission to address the House for 1 minute.)

Mrs. WATSON COLEMAN. Mr. Speaker, I rise today to recognize Indian Independence Day and the 11th Annual New Jersey India Day Parade, organized by the Indian Business Association.

On August 15, 1947, India won its freedom from the British Empire, raising the Indian national flag at the Red Fort in Delhi.

On August 9 of this year, New Jersey's vibrant Indian American community will celebrate that milestone with

one of the largest events in the world, drawing more than 35,000 attendees.

Oak Tree Road, between Edison and Iselin, will be filled with dozens of floats, marching bands, musicians, and dignitaries, concluding with a cultural program that will offer everyone present the opportunity to see the beautiful traditions of India in addition to modern culture.

New Jersey is home to one of the largest Asian Indian populations in the United States, behind California and New York in number, but second to none as a percent of our overall population. They are a thriving group that contributes to our State's economic growth and strength in diversity.

I wish everyone well as they prepare for the August festivities and send early Indian Independence Day greetings to all those celebrating in my district.

HONORING FLORIDA INTERNATIONAL UNIVERSITY STUDENT CRISTINA GOMEZ

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today to talk about Cristina Gomez and thank her for her kind, generous, and caring spirit.

It has been a little over a year since this promising young woman from South Florida suffered a serious traumatic brain injury after she fell while jogging. Before her tragic accident, Cristina was a senior at my alma mater, Florida International University. She was studying to be a teacher and donated much of her free time to help others.

Cristina's family has established the Cristina Gomez Traumatic Brain Injury Foundation to help other families in similar circumstances and to carry on Cristina's legacy as she recovers.

Christina, the thoughts and prayers of our community are with you and your family. Get well soon. Florida International University misses you and wants you back.

□ 1645

JORDAN MICHAEL FILLER FOUNDATION

(Mr. DOLD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DOLD. Mr. Speaker, I rise today to commend the efforts of the Jordan Michael Filler Foundation in their fight against an unseen killer: addiction.

One person dies every 3 days in the Chicago suburbs because of a heroin overdose. Jordan Filler was 23 when his addiction to heroin tragically took his life. His family started the Jordan Michael Filler Foundation in his honor to help others combat addiction. The foundation works tirelessly to provide vital education to children and their families on addiction.

Mr. Speaker, heroin is an epidemic in our community, and unfortunately, there is no silver bullet to end drug abuse. As the co-chair of the Illinois Suburban Anti-Heroin Task Force, I am committed to working with local organizations like the Jordan Michael Filler Foundation to prevent drug overdose. There are no easy solutions to the drug abuse epidemic, but I am committed to putting in the hard work required to make progress alongside our many community partners.

I offer my sincerest thanks to the Jordan Michael Filler Foundation and other community organizations for their lifesaving work.

HONORING MIKE ZAHN

(Mr. RODNEY DAVIS of Illinois asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I rise today to recognize Mike Zahn, a friend, public servant, and leader in the Springfield, Illinois, community.

For several years, Mike has been involved in the International Union of Operating Engineers Local 965 in Springfield. His father was an operating engineer and served as the branch's business manager.

Following in his father's footsteps, Mike first joined in 1974 and spent nearly 30 years with Local 965, eventually becoming the business manager for the branch himself.

In addition to his time with Local 965, Mike also immersed himself in public service. He served as the chairman of the Illinois State Council and was a member of the Greater Springfield Chamber of Commerce Diversity Development Council. Mike has been a strong voice for improving our infrastructure, as a frequent visitor to this great city.

After over four decades with Local 965, Mike announced he is going to retire as an operating engineer. He and his wife, Jacki, have two children, Steve and Jessica.

I am proud to honor my friend Mike Zahn for his work on behalf of the people of Springfield, Illinois, and this great country. I wish him the best in his retirement.

RELIGIOUS PERSECUTION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentleman from Georgia (Mr. COLLINS) is recognized for 60 minutes as the designee of the majority leader.

GENERAL LEAVE

Mr. COLLINS of Georgia. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous materials on the topic of my Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. COLLINS of Georgia. Mr. Speaker, I would like to start by looking at headlines. All you have got to do is just read the headlines that are blaring at us, coming at us in print, over our Internet, and others. They say things like: ''Five children among 94 crucified, flogged, and caged by ISIS for eating during Ramadan''; ''Hundreds Killed in Nigeria Anti-Christian Violence''; ''ISIS Plants Land Mines in Christian Civilian Homes, Ancient Ruins Across Iraq, Syria.''

If we have the stomach for it that particular day, we may read the article that follows. We might say a prayer or silently wonder at the brazen face of evil. But ultimately, we go on with our lives. We do not fear for our personal safety or that of our families because of systemic religious violence.

Yet millions of our brothers and sisters around the world do not have the luxury of walking away from real religious persecution. They don't read the news stories; they live them day in and day out. They have watched family members die. They have had friends simply vanish into thin air, never to be heard from again. Their homes and businesses are seized by the government. Even as they place their hope in eternity, they fear for their future here on Earth.

Today, my colleagues and I come to the House floor to tell our stories. We come because this body and this administration have a responsibility to use our position to promote religious liberty around the world. Millions of lives are literally depending on America's willingness to export our most precious commodity, religious freedom, and it is time to step up our efforts.

As a pastor and currently a chaplain in the United States Air Force Reserve, defending religious liberty at home and abroad is near and dear to my heart. I have had the honor of serving folks of many faiths, as well as those with no faith, and I am convinced that the foundational importance of religious liberty is not just in America, but in every country.

No nation is truly free unless its citizens can practice their religious beliefs without fear of losing their life or livelihood because of state-sponsored opposition or unchecked persecution by their neighbors. Yet even in democratized societies, we are witnessing a sharp increase in violent religious persecution worldwide.

If America is to be a shining city upon a hill in the 21st century, we must

redouble our commitment to fighting for those around the world who do not enjoy the basic right to worship as they choose.

I am grateful that my colleagues who share my passion for religious liberties have joined me for this Special Order, and I am especially grateful to my friend from California, Representative VARGAS. We have gotten to know each other and travel, but on this issue, party lines are diminished, party lines are laid aside. When we think about our own freedoms and religious liberty, he is a champion for that.

I yield to the gentleman from California (Mr. VARGAS) as we continue to discuss this issue.

Mr. VARGAS. I thank the gentleman from Georgia, Representative DOUG COLLINS, for his opening remarks and especially for his courage to speak out for religious freedom around the world and also for his courage serving our Nation in uniform.

At this moment, religious freedom around the world is in a state of emergency. The recently released International Religious Freedom annual report describes ''humanitarian crisis fueled by waves of terror, intimidation, violence,'' and ''the horrific loss of human life, freedom, and dignity that has accompanied the chaos.''

From the brutality of ISIL in Iraq and Syria to Boko Haram's mass murders at mosques and churches and the displacement of over 140,000 Rohingya Muslims and 100,000 Kachin Christians in Burma, the past year has seen unspeakable violations of the basic right to practice one's religion. Additionally, blasphemy laws, the vast displacement of religious minorities, and the persistent attacks on religious communities and places of worship should all be a cause for concern.

Today, I would like to highlight the plight of religious minorities in ISIL-held territories a year after the fall of Mosul.

The Nineveh plains have been inhabited by Christians for the past 2,000 years and was first settled in 6000 BCE. In the Bible, the Prophet Jonah was ordered by God to ''Arise, go unto Nineveh, that great city, and preach unto it the preaching that I bid thee.''

Based in modern-day Mosul, with the Tigris River to the east, the Nineveh plains is rich in cultural history and religious diversity. Before the fall of Saddam Hussein, the number of Christians in Iraq had been estimated to be between 800,000 and 1.4 million. This included Armenian Catholics, Chaldean Christians, Assyrian Church of the East members, and Protestants. In 2013, the Christian population was estimated at 500,000 and shrinking significantly.

Last year, the world watched in horror as a transnational Sunni insurgency initiated a political and religious insurrection in the name of establishing a caliphate across Iraq and Syria.

After ISIL established its control over northwestern Iraq, these Islamist insurgents warned religious minorities living under its jurisdiction to either convert to Islam, pay a cumbersome religious tax, or be executed. These religious minorities included Christians, Yazidis, Turkmen, and Shabak, all of which have a long and rich history in the region and have historically coexisted peacefully with Muslims.

Since ISIL's declaration, thousands of families have packed their belongings and fled to neighboring communities in Kurdistan, Syria, Lebanon, and Jordan. Many thousands have been murdered or abducted, and an unknown number of women and girls have been sexually assaulted and forced into marriage.

We all witnessed in August 2014 thousands of Yazidis fleeing to Mount Sinjar to escape the brutality and persecution as ISIL advanced in the surrounding areas. I would like to read the testimony of a Yazidi recounting that horrible time:

> Hours later, ISIS forces attacked the Yazidis in Sinjar. The Yazidis in towns and villages of the south side of Mount Sinjar had some light weapons, such as AK–47 rifles, with a small amount of ammunition. They fought against ISIS forces for 4 or 5 hours. While this minimal defense was proceeding, many Yazidis fled to Mount Sinjar.
>
> Finally, the defenders ran out of bullets and our positions were overrun. The lucky few Yazidis who made it to Mount Sinjar stayed for several days without any food or water. Hundreds then died from starvation and dehydration, especially infants, young children, sick people, and elders.
>
> On August 6, while ISIS forces flushed other Yazidi and Chaldo-Assyrians from their Nineveh plain homes, ISIS also advanced toward Mount Sinjar. Then the Yazidis had no choice but to flee by foot, a journey that took days.
>
> On Friday, August 15, more than 210 Yazidi families in Kocho village, which is just south of Sinjar City, received an ISIS order to convert to Islam or be killed. In that village, the ISIS militia beheaded more than 70 young men, killed hundreds, and took all women, girls, and children to Badush Prison near Mosul. The women and children were sold as sex slaves by ISIS commanders.

While American leadership assisted in providing humanitarian relief as events unraveled, little was done to alleviate ISIL's reign of terror. Since then, over 2 million people have been displaced, and thousands continue to face crimes against humanity. These include torture, enslavement, rape, forced prostitution, imprisonment, and extermination.

Additionally, as a means to eradicate the history and heritage of these different groups, ISIS has led a campaign to destroy cultural and religious properties. Assyrians and other Christians have seen the destruction of the statue of the Virgin Mary at the Immaculate Church and the tomb of the Prophet Jonah, and numerous churches have been destroyed, looted, and burned down.

In closing, I would like to echo the words of Pope Francis, who eloquently stated: ''Our brothers are being persecuted, chased away, they are forced to leave their homes without being able to take anything with them. I assure these families that I am close to them and in constant prayer. . . I know how much you are suffering. I know you are being stripped of everything.''

Mr. COLLINS of Georgia. I think what you have stated shows what we are dealing with here. What we are finding is the intolerance, something that is just so atypical of what we find here in America.

I think the reason we are here today and actually talking about this is to again raise that level and to understand that this is not something in the past, not something beyond. It is something that is going on right now.

It is not easy to hear about, but you had spoken of it as well, the ISIL victims who reject forced conversion. As we think about that in our religious freedom context, just because they say, ''I am not going to convert to your faith,'' Mr. Speaker, is what they are saying, they are crucified, beheaded, tortured, raped, and countless other atrocities, sold into slavery, simply because they stand on their own faith and won't be forced into the faith of another.

ISIL, frankly, is just evil. They hide behind the cloak of religiousness. The problem is evil is just evil. You call evil what it is. Religious freedom has to be protected, and we have to be purveyors of that.

When we look around, just in the Iraq community alone, just a few years ago, there were 1.5 million Christians in Iraq. Now, the best estimates are 200,000, at best estimate. And it just continues to drive. This is something that we are going to have to continue, I believe, to watch.

There is a dear friend of mine here tonight who is a fighter for not only religious liberties, but I have fought with him for the lives and the birthdays of newborns everywhere. He is a fighter for religious liberties. The gentleman from Arizona speaks with authority on these issues because he has been there and he has been fighting on the front lines for a while.

It is my privilege to yield to the gentleman from Arizona (Mr. FRANKS) to continue this discussion on the need for religious liberties.

□ 1700

Mr. FRANKS of Arizona. Mr. Speaker, I thank the gentleman. It is a privilege for me to be here on the floor of the House of Representatives tonight with Congressman COLLINS and Congressman VARGAS.

I consider them both precious friends and colaborers in this vital struggle for

religious freedom, which is the cornerstone of all other freedoms; and without which, there can be really no other kind of freedom to exist for any length of time.

Mr. Speaker, there is nothing that I fear more for my colleagues and my fellow Americans than the danger of growing numb to the evil that incites these horrific atrocities being committed against people around the world today based on their faith.

I submit that we are, in these days, witnesses to some of the most glaring and brutal attacks on this universal right of religious freedom in all of our history.

The Islamic State, that metastasizing cancer spreading throughout the Middle East and north Africa, is especially targeting Christians, Yazidis, and other ancient religious minorities and communities for extinction.

The world has watched this insidious campaign of terror unfold day by day for over a year. More than 407 days now have passed since the ancient city of Mosul fell into the hands of the Islamic State.

Their campaign of terror drove hundreds of thousands of Christian men, women, and children out of the land of their spiritual heritage, which dates back for nearly 2,000 years.

Nearly 1 year has passed since the Islamic State's attack on the Yazidi community. Thousands were slaughtered, Mr. Speaker. At least 5,000 women and young girls were taken captive as sex slaves. Nearly 1,000 boys between the ages of 4 and 10 were captured and forced into ISIS training camps.

Mr. Speaker, there is no room for Christians, Yazidis, or other dissidents in the Islamic State's self-proclaimed caliphate. Innocent men, women, and children are forced to choose between their deeply held religious beliefs and their lives.

They are subject to torture, mass executions, beheadings, and crucifixions. They are drowned and burned alive in cages. They are raped, abused, and sold as commodities in a modern day slave market.

They are tied to chairs and thrown off high-rise buildings. They are desecrated, violated, humiliated, and stripped of their dignity. Their ancient places of worship and sacred sites are destroyed.

Mr. Speaker, how many more unimaginable atrocities must occur before this administration takes off its heartless blinders and finds the courage and determination to decisively address this evil slaughter of innocents based on their religious beliefs?

German Lutheran pastor and anti-Nazi dissident Dietrich Bonhoeffer said: ''Silence in the face of evil is evil itself. God will not hold us guiltless. Not to speak is to speak, and not to act is to act.''

Mr. Speaker, the Obama administration can no longer remain conspicuously silent on the plight of religious minorities caught in the wake of the Islamic State. It is vital that America and the world make the necessary responses to stop this campaign of terror and preserve these ancient religious communities from extinction.

In the middle of this scourge, the administration has allowed the Special Envoy to promote religious freedom of religious minorities in the Near East and South Central Asia position to remain vacant now for nearly a year. Very little effort has been made to equip regional security forces to protect these communities from ISIS' advance.

This administration's response is shameful and an astonishing failure, and it only affirms the Islamic State's barbaric strategy and encourages what they proudly boast to be a ''battle between faith and blasphemy, truth, and falsehood.''

Mr. Speaker, I would just adjure the President of the United States not to continue to stand by and let this evil relentlessly proceed.

The assault on religious freedom we are witness to in the Middle East is just one of the many attacks against this most sacred and basic right of religious freedom. There are thousands of innocent people around the world who are antagonized, oppressed, tortured, and killed because of their belief or disbelief in a particular religion or ideology.

I know these are challenging subjects, Mr. Speaker, but God help us to remain committed to echoing the voices of these innocents in the halls of Congress.

May we all be relentlessly committed to pursue that day when the light of hope will fall across all of the lonely faces of God's children all over this world and that this ''most inalienable and sacred right of true religious freedom will be the possession of every last human being, and the destiny of future generations will be to walk in the sunlight of liberty for as long as mankind inhibits the Earth.''

May it be so.

I thank the gentleman.

Mr. COLLINS of Georgia. I thank you again, Congressman FRANKS, for your friendship. Thank you for your outspokenness on this issue for many years, and I think we continue to bring this forward as we go forward.

Mr. Speaker, one of the things I want to overlook before I turn it over to another colleague is the area of Pakistan—and this is something that is many times overlooked when we start, but in Pakistan, blasphemy laws carry a potential death sentence.

Now, think about this for just a second—and, again, in our area, we get numb to the fact because of what we have—but blasphemy laws there carry a potential death sentence for anyone who insults Islam or professes another faith.

In November 2014, two Pakistani parents were burned alive because of their Christian faith. These individuals were accused of burning a Koran and subsequently killed by a mob of their countrymen.

A Pakistani court also convicted a Christian woman, mother of five, Asia Bibi, of blasphemy and sentenced her to death. Yesterday, after much prayer and concern from the Christian community, Reuters News reported that the Pakistani Supreme Court temporarily suspended her death sentence.

While the suspension is welcome news, the international community desires that Ms. Bibi is released from prison because of the trumped-up charges.

These are just two examples of persecution in a nation in which all minorities must grapple with the devastating impact of the notorious blasphemy law, as well as the danger posed by Islamic militant organizations that enjoy a strong foothold in the region.

We must, as Congress and the administration, implore, put pressure—whatever we need to do—to say to Pakistan: This is something that has got to be removed. This is something that needs to be done away with. These blasphemy laws must be put away, to be a part of a free and orderly society that actually recognizes the beliefs and religious liberties.

Mr. Speaker, I yield to the gentleman from North Carolina (Mr. WALKER), my friend and fellow pastor to speak on this issue and bring his perspective on what he has seen across the world, but also in his time in Congress.

Mr. WALKER. Thank you, Congressman COLLINS. I appreciate you raising this issue and bringing it to the House floor. It is one of a growing concern internationally, that we have seen organizations like Boko Haram and others who have done great damage to those, really, to the least of these.

Mr. Speaker, our Nation was founded on the right to believe and to live according to one's beliefs, and our commitment to allow people to live out their religious values without fear of discrimination is really the cornerstone that developed our country into a force for freedom; but this liberty isn't just an American right. It should be a foundational element for all people groups.

Who would have ever thought that we would be in a position to reference the United Nations? This right is so universal that it was included as article 18 of the U.N.'s Universal Declaration of Human Rights.

Article 18 recognizes that the right of all people to freedom of thought, conscience, and religion—this right includes freedom to change his religion or belief, freedom to manifest his belief

in teaching, practice, worship, and observance.

However, members of the very institution that is supposed to subscribe to this declaration proactively seek out and punish individuals in groups for their very own religious beliefs.

In violation of international law—and his inherent human rights—Iran is currently imprisoning a gentleman by the name of Saeed Abedini for the mere fact of being a Christian, a man who was working with children who had little hope, if any.

I have communicated on multiple occasions with his wife, Naghmeh, whose children have pleaded and begged this administration and Iran to be able to release.

In fact, in 2012, the history, during a visit to Tehran to meet with his family to talk about helping out with orphanages and building board members, the Iranian Revolutionary Guard arrested Saeed for his Christian faith.

Without any due process, Saeed was summarily given a sentence of 8 years. Throughout Saeed's imprisonment, he has spent weeks in solitary confinement. The prison guards have allowed other prisoners to come and beat him. He is denied medical treatment for infections that resulted from beatings because he is labeled an infidel.

I am more than proud that this House unanimously passed H. Res. 233, that demands the immediate release of Pastor Saeed, along with former U.S. marine, Amir Hekmati, and Washington Post journalist, Jason Rezaian; but we need to do more. We need to return Pastor Saeed to his home family now.

As I was thinking about this whole process and speaking about it, I actually thought back to the original Mayflower Compact, so I looked it up. The words—it is amazing—still ring true, Mr. Speaker.

Allow me remind us just for a moment of those words. It reads:

IN THE NAME OF GOD, AMEN. We, whose names are underwritten, the Loyal Subjects of our dread Sovereign Lord King James, by the Grace of God, of Great Britain, France, and Ireland, King, Defender of the Faith, etc., Having undertaken for the Glory of God, and Advancement of the Christian Faith, and the Honour of our King and Country, a Voyage to plant the first Colony in the northern Parts of Virginia; Do by these Presents, solemnly and mutually, in the Presence of God and one another, covenant and combine ourselves together into a civil Body Politick, for our better Ordering and Preservation, and Furtherance of the Ends aforesaid: And by Virtue hereof do enact, constitute, and frame, such just and equal Laws, Ordinances, Acts, Constitutions, and Officers, from time to time, as shall be thought most meet and convenient for the general Good of the Colony; unto which we promise all due Submission and Obedience.

IN WITNESS whereof we have hereunto subscribed our names at Cape-Cod the eleventh of November, in the Reign of our Sovereign Lord King James, of England, France, and Ireland, the eighteenth, and of Scotland the fifty-fourth, 1620.

Ronald Reagan—in closing—said it best. He said:

The most essential element of our defense of freedom is our insistence on speaking out for the cause of religious liberty.

That is why we are here today, and I hope and am proud to stand with Representative COLLINS in continuing to stand for those who cannot stand for themselves.

Mr. COLLINS of Georgia. Mr. Speaker, I do appreciate those words, and I think it is not just in faraway places. We are also dealing with this kind of issue in this hemisphere as well.

Just a little closer to home, southern Mexico even has experienced growing religious tensions over the past year. In a country in which 90 percent of Mexico's population identifies as Catholic, the Mexican Constitution even has long protected freedom of worship.

There is growing hostilities against Protestantism. In fact, the highlands of southern Mexico have a history of sectarian violence. Just a few decades ago, conflict led to hundreds of deaths and the displacement of 30,000 Protestants.

Right now, the conflict has arisen once again. Protestants have had their lands seized, utilities cuts, and appeals for government assistance has fallen on deaf ears. There are also reports of violence, death threats, and forcible expulsions of hundreds of victims from communities in recent years.

You don't have to go all over the world to see that we have this rise of religious intolerance around. That is a basic right, as Congressman WALKER stated. Even in the U.N., it is one of those rights that is laid out in article 18, that everyone has the right to freedom of thought, conscience, and religion.

A right includes freedom to change his religion or belief in freedom, either alone or in a community with others or in public or private, to manifest his religion or belief in teaching, practice, worship, and observation.

Mr. Speaker, I yield to my dear friend from California, Representative VARGAS, for more, as we have been hearing from our friends.

It is all over, and we need to continue to shine this light.

Mr. VARGAS. Mr. Speaker, again, I would like to thank Mr. FRANKS from Arizona and Mr. WALKER from North Carolina and especially you, Representative COLLINS, for your remarks and your leadership on this issue. Thank you.

I would also like to conclude my remarks today by highlighting a few other key issues. According to the U.N. High Commissioner for Refugees, there are more than 50 million refugees around the world, half of which are women and children.

Religion is a key factor in humanitarian crises worldwide, as we saw earlier this year, with a record number of refugees attempting to cross the Mediterranean to seek asylum.

□ 1715

In this Congress, I have also introduced legislation—the Protecting Religious Minorities Persecution by ISIS Act of 2015—to address the plight of religious minorities in ISIS-held territories.

Additionally, there are far too many people imprisoned for religious belief and religious freedom advocacy. We heard already about Mr. Saeed Abedini.

I would also like to take a moment to focus on the issue of prisoners of conscience around the world by highlighting the plight of Behnam Irani of Iran, as detailed in the U.S. Commission on International Religious Freedom's Defending Freedom Project Prisoner's List: Behnam Irani is an evangelical Christian leader from Iran who led a 300-member church of Iran in Karaj, a city less than 15 minutes outside the capital of Tehran. In 2011, Irani was sentenced to 6 years' imprisonment for his Christian activities after a raid on a house church in Karaj. In September 2014, Mr. Irani was hit with 18 additional charges, including Mofsed-e-filarz, which means ''spreading corruption on Earth,'' a crime punishable by death. However, in October 2014, this charge was dropped and Irani was sentenced instead to 6 years' imprisonment due to his alleged acting against national security and forming a group to overthrow the government. In total, Pastor Irani is expected to serve a total of 12 years in prison and is, therefore, due for release in 2023. Mr. Irani has faced numerous health problems while in prison, including severe bleeding due to stomach ulcers and colon complications. Mr. Irani is married and has a daughter and a son.

Lastly, I would like to bring a spotlight to the increase in anti-Semitism in Europe. According to numerous reports, there has been an increase of anti-Semitic acts in France, the United Kingdom, Belgium, Austria, Italy, and Germany between 2013 and 2014.

These include violent acts and attacks with an anti-Jewish motivation. Earlier this year, the world saw four Jewish patrons being murdered during an attack on a kosher supermarket in Paris, France.

We must continue to partner with and support Jewish communities around the world to mitigate these anti-Semitic attacks.

With that, I again would like to thank my Republican colleagues and all of my colleagues for their support on this issue. Again, I would like to thank, in particular, my colleague and friend from Georgia (Mr. COLLINS).

Mr. COLLINS of Georgia. Thank you for being here, Congressman VARGAS.

I think there are many things that we can stand for. Nothing, I think,

more basic to our liberties not only here in our country, but around the world, is just standing for, as Congressman WALKER just said, those who can't stand for themselves, who are right now being persecuted simply for the act of a conscious belief, the act of having a faith that others disagree with.

I think that is why we are here tonight, Mr. Speaker, to talk about this in terms of things that we can do and things that we can highlight.

One of the issues that is concerning to me—and it is going to be debated in this Chamber later—is, when we are dealing with countries who have—and we have talked about this today with Iran—dealing with countries who encourage religious persecution. They have issues with this. And we yet enter into agreements without discussing those.

My concern is, in matters of trade and business, all international leaders come to our President, our Ambassadors, our State Department, our government officials. Whenever they come and trade in business—and they want to do business because this is the market that everybody wants—then this is our time to bring this up.

It is in those times that we bring up the persecution. It is in those times that we bring up the five that are held in Iran. It is in those times that we stand for them while they are shackled and cannot stand for themselves.

We have to get over this ridiculous notion that we shouldn't bring up religious liberty in certain contexts because we don't want to offend anyone.

We are worried about causing offense while men, women, girls, and boys are being raped, killed, crucified, and losing their lives. No American faces a barbaric State-sponsored death sentence simply because he or she believes a different religion than a neighbor.

Mr. Speaker, this is part of the freedom that we have. It is a part of the freedom that has been given to us by those who have passed before us.

I have always believed that we stand on the freedoms in this country today of the Constitution and the charters that have gone before us and not only what they did to sign their names to the Declaration of Independence, to sign their names to the Constitution, but to say that we will fight for those rights and those men and women who have died over the years, to say these are worth fighting for.

There have even been issues in our own country of intolerance. And what we have to understand, from my perspective even as an Air Force chaplain, is there have been more discussions on what is right and how we are going to stand up for what we believe.

As an Air Force chaplain, I am there not only from my faith background that I have, but for all, whether they have a hard-and-fast faith, a faith that is just being developed or they have no faith at all.

That is what a chaplain is there for, is to present encouragement and to preserve the religious freedoms and protections that we have.

If we back up on that, if we back up on the basic freedoms such as religious liberty, freedom of conscience, these things that we take for granted, this human rights issue in our country, then what else are we going to back up on? If we start messing with the fundamental pillars, where will it end?

The light that shines brightest here is the one that shines brightest across the seas. We cannot let this issue continue to just become dull to us by simply reading headlines on a page, maybe saying a prayer for those in need, or believing that a book of martyrs is something that used to happen and not anymore.

Today there are those around the world who are simply dying or being persecuted because of their own conscience, because of their belief that they hold. That is wrong.

It is time for us to use all of our resources here in the freest country in the world, to say: We are not going to stand for it. We need to make this the light.

I thank Congressman VARGAS again and those who have come in to be a part of this, to make sure that this light is not dim. It is something that will continue to shine brightly.

Mr. Speaker, I yield back the balance of my time.

Ms. ESHOO. Mr. Speaker, I'm pleased to join my colleagues, Congressmen VARGAS and COLLINS in this Special Order regarding international religious freedom.

As the daughter of Assyrian and Armenian immigrants who fled the slaughter of Middle East Christians in the early 1900's, the importance of religious freedom is interwoven into the history of my family.

I remember vividly the stories my parents, grandparents, aunts and uncles told me of what they faced; how they fled; about the family members murdered; of Churches being burned; and all because they were Christians. Tragically, we are witnessing history repeating itself today in the Middle East.

Violence and instability has once again placed Christians and other religious minorities in the Middle East in exceptional peril, a population which has already dwindled considerably in Iraq and Syria.

There is a systematic extermination of the world's oldest Christian communities taking place. First it was Al Qaeda when the U.S. invaded Iraq. Today it is the barbarians of ISIS who are responsible for horrific acts, including torture, murder and displacement of thousands, many with whom I share the same ethnic background.

From the founding of our nation, religious freedom has been a pillar of our democracy and it remains a cornerstone of our democracy and a value we espouse to peoples around the world.

The situation for religious minorities in the Middle East remains particularly desperate and many are losing hope. As a maelstrom of violence and religious persecution ravages this part of the world, we can and must lead.

First, there is a desperate need for humanitarian aid for the displaced inside and outside established refugee camps.

Second, the United States should provide adequate safety for the few remaining religious minority communities in Syria and Iraq.

Third, we should ease the bureaucratic burdens which hold up immigration applications for religious minorities who wish to seek refuge in the United States. Today they are made to wait years due to our tedious refugee processing through the State Department and Department of Homeland Security.

Religious leaders across ecumenical lines have come together and firmly stated their support for religious freedom. Pope Francis said in January, ". . . Freedom of religion and freedom of expression are both fundamental human rights."

The United States must step up, lead by example, and make good on our belief that religious freedom is a precious one.

FIFTH ANNIVERSARY OF THE DODD-FRANK WALL STREET REFORM AND CONSUMER PROTECTION ACT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentleman from Connecticut (Mr. HIMES) is recognized for 60 minutes as the designee of the minority leader.

Mr. HIMES. Mr. Speaker, I come to the floor today on this fifth anniversary of Dodd-Frank to reflect a little bit on a signal piece of legislation that, to this day, remains controversial.

Dodd-Frank, of course, was a response to the worst economic meltdown that we have seen in this country since the Great Depression of the 1930s.

I want to reflect back on what led to the need for Dodd-Frank, the impact that that Great Recession, as we have come to call it, had on Americans and American families all over this country and then think a little bit about what Dodd-Frank has and has not done in the 5 years since its passage.

It remains a controversial piece of legislation. All you have to do is look at the steady stream of press releases from the majority party on financial services.

I have a few here:

Dodd-Frank has enshrined too big to fail into law.

Obama claimed Dodd-Frank would lift the economy. It has done the opposite, despite the fact that we learned today, of course, we have got one of the lowest jobless rates in a very, very long time.

Financial crisis was caused by Washington's dumb regulations. That would come as a surprise to pretty much anybody with economic know-how who saw the long chain of malfeasance and irresponsibility in the mortgage market that actually led to the crisis.

Dodd-Frank is setting the stage for the next crisis.

''Dodd-Frank Act leaves America less stable, less prosperous, less free.''

These are truly extravagant claims.

So let's back up a little bit and remember January of 2009. That happens to be the month that I was given the privilege of serving in this Chamber.

It came after the last quarter of 2008 in which the United States' economy actually shrank at an 8 percent rate on an annualized basis.

The economy was very literally melting down. The stock market was half of what it is today. Businesses were closing.

Americans saw literally trillions of dollars of value—let's talk for a second about what ''value'' means.

''Value'' means that retirement fund that you were relying on in order to retire. It means the money that you had set aside in a brokerage account to educate your children.

It means those savings that you had accumulated over many, many years of foregoing that vacation or scrimping on the budget, those things. All of that, for many Americans, was wiped out or cut in half, devastation.

And, by the way, in January of 2009—I remember this—though the bailout had passed this House what was known as the TARP, the Troubled Asset Relief Program, and though that had been put into place by the United States Congress and seemed to have stabilized the market, at least temporarily, we worried day in and day out as to whether this—let's face it—obnoxious measure—I don't think there is anybody who thinks in a free market system there should be bailouts—this obnoxious, politically toxic measure which, nonetheless, reasserted some stability in the financial services sector—nobody really knew if it was enough.

I remember wondering whether we might not see a bankruptcy in a money center bank, a moment, perhaps, in which ATMs wouldn't have money in them. This was January of 2009.

Most importantly—there are a lot of big words—asset values, this, that, and the other thing, money center banks—this meant devastation for millions of Americans who lost their jobs, for families who weren't going to be able to send their kids to school, who were going to have to postpone retirement, unemployment going into double digits, meaning that—and I spoke to one of my constituents yesterday who has an Ivy League degree who found himself working as a clerk at Home Depot, surrounded by other people with lots of education who were fortunate to have that job back in 2009, 2010 because the economy had been devastated by a financial services industry and, yes, by Fannie Mae and Freddie Mac, and insufficient regulation and irresponsibility on the part of some of the regulators had devastated the economy and left the American people holding the bag.

So what happened? We went to work. We went to work in 2009. In 2010, we passed the Dodd-Frank Act. The Dodd-Frank Act is a complicated, big thing, but it addressed every stage of that chain of irresponsibility and malfeasance, starting with the selling of toxic and explosive mortgages to families that brokers and others knew couldn't possibly repay those mortgages to the bundling of those toxic mortgages into complicated securities which, frankly, you needed a Ph.D. to understand, to the fact that some of the credit rating agencies then put investment-grade AAA ratings on these toxic securities, to the fact that derivatives were then written on these securities, derivatives that were largely unregulated as the result of an act of this Congress, a long line of malfeasance and irresponsibility of insufficient regulation and of regulation insufficiently enforced, a terrible market practice.

And, of course, in the middle of 2008, the chickens came home to roost and the economy was devastated and the American people, almost without exception, suffered.

□ 1730

We saw the Troubled Asset Relief Program—the bailout—passed. Imagine how shocking that is to the American people. I have lost my job; I have lost my home, and there is a bailout of these institutions that I don't know a whole lot about; but I suspect, correctly, were at the heart of this crisis.

No wonder we had political upheaval in this country after that happened. Every step in that chain, Mr. Speaker, from toxic mortgages to securities that nobody understood, to credit rating agencies doing an awful job in evaluating those securities, to Fannie Mae and Freddie Mac acting irresponsibly, to regulators being asleep at the switch, Dodd-Frank addressed every element of that set of problems which combined to devastate the American economy and to hurt American families.

Did it do it perfectly? Of course, it didn't do it perfectly. We were legislating under conditions of great fear and heightened emotions, and at the end of the day, we are mortals addressing very, very complicated issues.

It was a good-faith effort to address what had clearly caused this problem. This notion that the Republicans are peddling that it was caused by Washington's dumb regulations is beyond insane because Dodd-Frank looked at what actually caused the problems of 2008 and addressed them.

What happened? We were told that Dodd-Frank would be a job killer. This was back in 2010 when anything that the then-Democratic Congress did was going to be a job killer.

The Affordable Care Act which, as it turns out, has provided health insurance to 16 million Americans, was going to be a job killer. Dodd-Frank was going to be a job killer. Everything was going to be a job killer. When we turned the lights on in this room, it was a job killer.

You don't hear that much anymore because, since those fantastic descriptions of job-killing legislation, we have added almost 13 million jobs to the economy. The unemployment rate today is as low as it was before the meltdown of 2008.

The stock market has doubled since then, business confidence is up, business investment is up, and our capital markets are healthy. This idea that it was going to be job-killing was just flat-out wrong, certainly compared to the crisis, which was the true job killer.

Mr. Speaker, the other accusation that was made, of course, was that Dodd-Frank was going to crush credit markets, that the sources of financing that a family needs to buy a home or to send a child to college, the sources of financing that give rise to startup companies, companies like Google which didn't exist 25 years ago, venture capital, the stock market that, of course, gives equity to our businesses to grow and expand and employ more, those were going away because of Dodd-Frank. The criticisms leveled and the predictions made about the credit markets were apocalyptic.

Let's take a look at what actually happened. I assembled a little bit of the data here just to show what has happened in the credit markets. We all love venture capital, that iconic image of the entrepreneurs in the garage developing a product that grows into a multibillion-dollar corporation that provides an electronic device that changes our lives and that makes our lives better—venture capital.

Here is the line. Venture capital at the start of Dodd-Frank and, today, that is a line running up and to the right.

Let's look at total consumer credit. You want to buy a car; you want to buy a television set. Consumer credit, we all use it. At the start of Dodd-Frank, 5 years ago—and today—a dramatic increase in consumer credit.

Stock market—the stock market, of course, is where established companies go to raise money and where we put money hoping it will grow. What has happened there? A near doubling of the stock market—robust.

Commercial and industrial loans—what if you are a business and you don't want to raise money in the stock market, you want to borrow money? Commercial and industrial loans—every one of these lines which capture most of the financing mechanisms and how healthy they are running at the point in time when Dodd-Frank was started to today is running strongly upwards.

All of those criticisms that it was going to crush the credit markets are

completely rebutted by pretty much anything that is happening in the credit markets today.

Let's just spend a minute, Mr. Speaker, on what was actually in Dodd-Frank because this is pretty complicated stuff. What was actually in Dodd-Frank were a couple of important ideas, that we should have something called a Consumer Financial Protection Bureau that says to credit card companies, No, you can't switch the order of a purchase to make it look like somebody overdrew an account or spent too much money so that you can charge a $25 fee; that said to mortgage brokers, No, you can't put somebody into an inappropriately risky or high-cost mortgage just because you make more money for doing so.

Mr. Speaker, we have standards in our country. You can't buy a toaster that will burn down your house. You can't buy a car that will explode when you turn on the ignition. That happens because we have minimum safety standards.

If you can't buy a toaster that will burn down your house, why should you be allowed to be sold a mortgage that very clearly will cause you to lose your house? That is what the Consumer Financial Protection Bureau does, and it has returned literally millions and millions of dollars to the American public as a result of its telling those cheats, those people who would prey on the financial naivete of the American people: You can't do that anymore; and if you do it, we are going to shut you down, and you are going to give the money back.

That is what the Consumer Financial Protection Bureau is doing today.

Mr. Speaker, the second important thing that Dodd-Frank did was to say, for the first time, that maybe we ought to regulate this derivatives market. Now, derivatives are a fairly complicated financial instrument.

Most Americans don't use derivatives directly and don't necessarily know what they do. They are essentially bets, and that is okay. If you want to bet that oil prices are going to go up or down because you use oil, you ought to be able to take that bet to hedge your risk. That is okay.

But in the early 2000s, the derivatives market had become very literally nothing but a betting game for people who simply wanted to roll the dice on the mortgage market or on the direction of a corporate credit or on the stock market.

You could take any bet. People would lend you money; you could place that bet, and off you went. That is, of course, what brought down what was otherwise an iconic American insurance company, AIG. This was truly a storied insurance company that got into the derivatives business and touched off the crisis.

Shockingly, by law, the derivatives market, even though it is more complicated and larger than the stock market, by law, was not regulated. When you wanted to buy or sell a derivative, you picked up the phone; you called your broker; you did the deal, and nobody necessarily knew about it.

That obviously doesn't happen in the stock market. You go through a broker; the trade gets registered, and the SEC looks over the shoulder of the market to make sure it operates in a safe and sound fashion.

By law, the derivatives market was unregulated and untransparent, and Dodd-Frank said that does not make sense and said that, if you are going to trade derivatives, you are going to do it over an exchange, the way we trade stocks. If you are going to trade derivatives—particularly risky ones—you are going to put up capital against the bet you are taking so that if you lose, you can pay it off.

That is what happened with AIG. They took a whole lot of very big bets that they had no ability to pay off when they lost.

Who lent them the money to take those bets, Mr. Speaker? It was banks and brokerages who, when they found out that the bet they thought they won, there was no money coming to them, that is when we got into real trouble at places like Bear Stearns and Lehman Brothers.

We said, crazy though it may sound, a market as complicated and as large as the derivatives market ought to be subject to the same transparency and regulation that the stock market has been subject to since the 1930s. That is what Dodd-Frank did.

Finally—Dodd-Frank did a lot, but this is another really big thing—Dodd-Frank said we ought to actually have a mortgage market that is a little friendlier to the American people because, for most Americans, the savings that they have is in their homes.

For generations, until 2008, generally, home prices had gone up. Let's face it, the middle class works pretty hard not making a lot of extra money. The growth in the value of their home was the way you amassed a nest egg to retire or to buy that vacation cabin, whatever it was you aspired to do; yet by 2008, this had become yet another dangerous casino.

It was true at the time, though it is not true anymore, that a broker could sell a mortgage to a family that was a lot more expensive and a lot riskier than it needed to be because that broker could get paid more in commission for selling that more complicated, more risky mortgage than that broker would get paid for selling a plain vanilla mortgage.

Those days are gone. Those days are gone, and that is a very, very good thing for the American people. Remember, homes are where people—most people—have their savings. That is what Dodd-Frank was.

My friends on the Republican side who have these incredible statements, like the financial crisis was caused by Washington's dumb regulations, fail to see that Dodd-Frank was actually a proportionate and targeted response to a truly devastating financial crisis that had real impact on an awful lot of families.

I am sorry about that. The reason I am sorry about that is because Dodd-Frank, of course, is not perfect. There are clearly issues around some things like Fannie Mae and Freddie Mac, which Dodd-Frank was silent on.

Today, the vast majority of American mortgages are still explicitly backstopped by the Federal Government because we didn't reform Fannie Mae and Freddie Mac.

Shame on both parties for that, by the way. We had a lot to do when the Democrats were running the show, and we didn't get to that point. In the many years since the Republicans have been controlling this Chamber, they have not taken that up. We should take that up. I am very proud to be, along with Congressman DELANEY and Congressman CARNEY, a sponsor of legislation which would do just that.

Mr. Speaker, there is still difficulty for Americans who should probably qualify for a mortgage in getting that mortgage. It is possible that Dodd-Frank swung the pendulum a little far in the mortgage market in a way that we ought to look at and be very, very careful about because, remember, at the core of the crisis in 2008 were mortgages that an awful lot of people shouldn't have been in, an overcommitment on the part of public policy and others to make every American a homeowner, to make it cheap, and to have outrageously complicated mortgages so that could happen. Carefully, we ought to look at what is happening in the mortgage market today.

Mr. Speaker, there are more technical issues. There are questions about whether there is enough liquidity in the mechanisms, particularly bonds, that companies use to finance themselves.

There are fair questions about whether we have adequately dealt with the question of too big to fail. Dodd-Frank certainly put profound strictures on large institutions. It gave the government unprecedented authority to look into the so-called too-big-to-fail institutions and say: Sorry, you have got to shrink down. You have got to get out of this business.

It put additional capital—in fact, just this week, the Federal Reserve announced the additional capital that large institutions will be required to set aside. It is a fair debate as to whether or not we have truly dealt with the question of too big to fail.

Mr. Speaker, this is the rub: as long as the discussion we have about Dodd-Frank is a near religious discussion

with my friends in the Republican Party making statements like Dodd-Frank should be repealed, the Dodd-Frank Act leaves America less stable, less prosperous, and less free; and, yes, frankly, as long as the Democrats don't open the door to the notion that we may not have gotten it perfectly right on each one of its pages, we won't be able to come together to do something which is essential in any piece of legislation, but particularly in financial regulation, which is to adapt and allow the regulatory structure to change to reflect changing conditions.

There are very few markets as adaptive, that change more rapidly, that innovate for good and for ill, as rapidly as the financial services market. As a result, we need a regulatory apparatus that adapts along with the market, that looks for new threats, and that realizes that the regulation of 40 years ago actually doesn't make a lot of sense today.

This near religious conflict that we have with the Republicans saying, You ought to do away with the whole darn thing—they say that, of course, they have never actually brought legislation forward to repeal Dodd-Frank which should cause you to ask, Mr. Speaker, how serious they are about truly repealing it, but as long as that is the conversation—repeal or don't change a word of this legislation—we give up the opportunity to make it better and to make it change with the underlying conditions that it seeks to regulate.

□ 1745

That is where we need to go. We need to acknowledge that Dodd-Frank has done some very, very good things, that it has addressed some catastrophic problems, that it took on behavior that is embarrassing to contemplate when looked back 5, 10 years, but that maybe we didn't get it 100 percent right and start that conversation.

We should do that to make sure that American families are never put in the position they were put in back in '09. We should do that because the truth is that the financial services industry is crucial to prosperity in this country.

If you want to buy a house, educate a child, buy a car, invest in a company, start a company, grow a company, you have to have access to capital. One of the competitive advantages of this country is our incredibly liquid and efficient capital markets. It is a big part of why we are as prosperous as we are today.

But if we can't acknowledge that the regulatory structure has to adapt and change, we risk either putting Americans at risk one more time or damaging these incredible capital markets that are truly a national competitive advantage of the United States, one of the reasons we are the center of innovation on the planet.

I think, Mr. Speaker, we can get that balance right. I think we just need to take the temperature down, approach this from the standpoint of what makes sense, acknowledge that we all have good ideas, and move forward so that we remain innovative, we keep our competitive advantages, but we never, ever allow the American people to suffer the way they did starting in 2008.

So looking back over 5 years, I think Dodd-Frank was a tremendous accomplishment. It really addressed a cataclysmic problem. But it doesn't stop there. I urge my colleagues to recognize that we have taken a very big step in the right direction, but the next step demands us to be constructive and remember that we can find a balance between innovation and liquid and strong capital markets and the protection of our constituents.

Mr. Speaker, I yield back the balance of my time.

IMMIGRATION REFORM

The SPEAKER pro tempore (Mr. BUCK). Under the Speaker's announced policy of January 6, 2015, the Chair recognizes the gentleman from Texas (Mr. GOHMERT) for 30 minutes.

Mr. GOHMERT. Mr. Speaker, we had a statement from the White House spokesman yesterday at a White House press briefing in which he had said that the Republicans have ''no one to blame but themselves.''

So, Mr. Speaker, I thought it would be helpful if we looked at the statements he made about the vast amount of crime in America disproportionately being committed by people who are illegally in the United States.

First, the White House spokesman said it included—and he is talking about the President's bill and how if the House had passed that, then all our problems are over. And he said about the President's bill, it included a historic investment in border security.

Well, let me help. Obviously, he is just not up on what the law said. He hadn't read it as I had. But what it did is it set forward a plan to have a plan made by Homeland Security within so many months. It has been a good while since I looked at it, but they had all kinds of time to put together a plan. And then that would be looked at by GAO, the Government Accountability Office, as I recall, and then they had so much time, a vast amount of time, to analyze that to see if the situational awareness and occupational control would be adequate under the plan that was being proposed by Homeland Security, the very people that have not secured the border so far.

And then as time went on, I believe at the end of 5 years, it got really serious. If the border occupational control and situational awareness were not adequate, then there was a real tough penalty, and that was that the, I believe it was, Secretary of Homeland Security had to give a report on why it was not adequately controlled.

Look, the Senate bill was a disaster. It did nothing to control our border. It was the same kind of gobbledygook we have been dealing with for quite some time from the White House.

And we have said consistently, as Republicans in this House, most of us, if the President will secure the border, we will pass an immigration bill that takes care of everything else. It is pretty basic: secure the border, then we will deal with the people that are here illegally.

Until the border is secured, then you are going to keep having people like Juan Francisco Lopez-Sanchez coming back across. So it won't matter how expansive a bill is and how much situational awareness there is on our borders or in our country; it won't matter because people like Mr. Lopez-Sanchez will keep coming back.

We have got to have border security. That is all there is to it. Once the border is secure, we can work everything else out. And I pointed out many times what I have learned on the border, what I have heard repeatedly from our immigration officers, our border patrolmen, that they are not allowed to properly secure the border.

We had this massive influx of people coming in, and apparently it is expected to grow some more again this year, but we are not securing the border. We let them come in. And once they are on our side of the border, then we go ahead and ship them off. This had been going on for some time.

One of the border patrolmen told me that, among the drug cartels and the gangs in Mexico, the Homeland Security Department is called ''logistics,'' after the commercial. I forget if it is FedEx or UPS, one of them that say: Hey, we are the logistics. You give us your package, and then we get it wherever you want it to go.

I asked just in the last couple of weeks the Secretary of Homeland Security: Are you still shipping people all over the place? I didn't get an adequate answer. I am afraid the answer is: There is still the logistics. We won't stop you at the border if you come across the river, we are not going to have people out there at the river to stop you from coming onto United States property. Now we are going to let you get onto United States property, and then we are going to take you where you need to go. You may have to stay in a facility here or there. That's the kind of thing that was going on that was luring more and more people.

And as the border patrolmen, multiple, told me, Chris Crane has testified about himself that every time somebody in Washington talks about amnesty, talks about legalizing people that are here, it becomes a massive draw, a lure to people to come into this country illegally. That lures people to

their deaths. It lures young girls into situations where they end up being sex slaves, we are told, that the sex trafficking is horrendous, and that young girls coming up here are often raped on the way by the gangs bringing them.

And as one border patrolman had said, since he was Hispanic and he spoke better Spanish than many of the people coming across, he would ask them the question they are required to ask about why did you come to America, and 90 percent of the time he said they would say to get away from gang violence. He would say in Spanish: Hey, some gringo may accept that, but you and I both know you paid a gang, some gang to bring you up here. So don't be telling me you came to get away from the gangs; you used a gang to get here.

And 90 percent of the time, their responses were: Well, yeah, that is true, but we were told to say we are getting away from gang violence.

Well, the spokesperson for the White House also said about the Senate bill it would also have ramped up Interior enforcement of immigration laws against dangerous individuals.

Well, in Juan Francisco Lopez-Sanchez' case, the immigration laws were being enforced to some extent, not completely, but to some extent. He had been to prison a number of times. He violated the immigration laws and had illegal reentry, been deported five times. So at least on five occasions, the Interior enforcement was happening. The issue was that the Bureau of Prisons released him to a sanctuary city of San Francisco and not to ICE, and San Francisco released him then to walk freely.

So, even if we followed the White House advice and ramped up Interior enforcement, which clearly this administration has no intention whatsoever of doing—and I have stories to back that up shortly—then it would not have changed, in all likelihood, the outcome of that case. For those who are tempted to say, ''You are making a big deal about one case where a sweet young daughter was shot dead by somebody deported five times, a criminal, a felon, multiple-time felon, but it is not that big a deal,'' well, it is a big deal.

Just recently, we had an article, the 7th of July of this year, written by Caroline May, headline, ''Illegal Immigrants Accounted for Nearly 37 Percent of Federal Sentences in FY 2014.''

According to fiscal year 2014 USSC data, of 74,911 sentencing cases, citizens accounted for 43,479, or 58 percent; illegal immigrants accounted for 27,505, or 36.7 percent; and legal immigrants made up for 4 percent of those sentences.

As far as drug trafficking, illegal immigrants represented 16.8 percent of all drug trafficking cases. They represented 20 percent of the kidnapping and hostage taking cases. They represented 74.1 percent of the drug possession cases, 12.3 percent of money laundering cases, and 12 percent of murder convictions.

Of the Federal murder convictions in America, 12 percent would not have happened. Since this President has taken office, there are thousands of people who would not have been murdered if we enforced our immigration laws and had a secure border. It is not just this precious girl in San Francisco.

It is not a race issue. There are Hispanics being killed. There are Hispanics being taken hostage. There are Hispanics being raped.

□ 1800

There are Whites, Blacks, Asians—you name it. They are victims of illegal immigrant criminal activity.

It is absolutely outrageous for anyone in a government position to belittle thousands of people being murdered, raped, kidnapped, and to be so cavalier about it.

The White House says, well, the bill that they were plugging for would have enhanced penalties for repeat immigration violators with sentences up to 20 years for certain illegal aliens who were convicted of felonies.

Look, there were laws in place, and they were violated. He had been to prison. Until you secure the border, people like Mr. Lopez-Sanchez are going to keep coming back. You have to secure the border.

He also said the bill would have increased penalties for passport and immigration document trafficking and fraud.

Yes, like that would have stopped him. He came back across illegally five times. It wasn't a passport issue. It is just pretty dramatic what kind of things have occurred.

I also filed a bill today—we have got some cosponsors—regarding the District of Columbia. The District of Columbia, by authority of the Constitution, was empowered to Congress. We set up local control.

Some would say: Well, wait a minute. If you are trying to punish a sanctuary city like the District of Columbia, the only real Federal city in the country, the only real city under congressional, constitutional control, why don't you just leave it to the locals?

We did, and the local officials allowed it to become a sanctuary city that was not enforcing the law.

So the bill that was passed today wasn't near as tough as I felt like it should have been. It wasn't near as tough of a bill as the King amendment had been that we had previously passed with plenty of votes.

We could have passed it again today, but that is not the bill that was brought. It is a good first step. It is a step in the right direction.

That is why I ended up voting for it even though it was not as strong as the original King amendment. It is important to avoid having sanctuaries, refuges, for people who are felons, like the man who killed Kate Steinle.

Then we have this story from July 22 by Elizabeth Harrington. It points out that the Obama administration is not only planning on not enforcing the law, despite all the hogwash coming out of the White House press room, and not only are they not going to enforce the law, but here is what is coming out.

The article points out:

''The Obama administration is moving forward with plans to expand a waiver program that will allow additional illegal aliens to remain in the country rather than apply for legal status from abroad.

''The Department of Homeland Security issued a proposed rule on Tuesday that would make changes to a waiver program created by President Barack Obama's executive action on immigration in 2013,'' unconstitutional as it was.

''The action created a waiver that primarily allowed illegal immigrants with a U.S. citizen spouse or parent to stay . . .'' and it goes into the specifics. ''The new rule expands eligibility to a host of other categories of illegal immigrants.''

Jessica Vaughan, director of policy studies at the Center for Immigration Studies, said:

'' 'It's a very bad policy. It makes it possible for illegal aliens to avoid the consequences established by Congress to deter people from settling here illegally and then laundering their status by adjusting to a green card.'

''Vaughan, who has been following the issue for over 2 years, said the changes to the waiver program would increase fraud.

'' 'It is a slap in the face to the many legal immigrants who abide by the law, follow the process, and wait their turn,' she said. 'In addition, it will increase the likelihood of fraud in the marriage categories, which produce tens of thousands of new green cards each year.'

'' 'The President should not be issuing executive actions that serve only to expedite the legalization process for those who have ignored our laws. This legalization gimmick is undermining the integrity of our legal immigration system, and Congress should take steps to block it.'

''The public will have 60 days to comment on the proposal.''

It appears to be yet another unconstitutional act by our President, still seeming to thumb his nose at the judge in south Texas who had put an injunction on the last amnesty that was issued by the President. So they are just going to keep going, apparently.

This article by Julia Preston has a title from The New York Times: ''Most Undocumented Immigrants Will Stay Under Obama's New Policies, Report Says.''

''Under new immigration enforcement programs the Obama administration is putting in place across the country, the vast majority of unauthorized immigrants—up to 87 percent—would not be the focus of deportation operations and would have 'a degree of protection' to remain in the United States, according to a report published Thursday by the Migration Policy Institute.

''The report found that about 13 percent of an estimated 11 million immigrants without papers, or about 1.4 million people, have criminal records or recently crossed the border illegally, making them priorities for deportation under guidelines the administration announced in November.''

It makes it very clear that there is so much disingenuousness coming out of the White House.

Oh, yes, if we had passed this ridiculous bill that the Senate passed, which really was not going to address the issue of enforcement adequately, we were going to have studies and plans.

If it did not work in 5 years, heck, we would let the Secretary give us a report on why it didn't all work. I mean, it is absurd. Secure the border. It is very basic. The President has got the power, and he has got the money.

Heck, they just blew off the $4 billion virtual fence a few years ago that we had appropriated money for. What are they doing with that money? Why haven't they secured the border with that? They could do it.

Just when you think news about people acting illegally and being given amnesty couldn't get much worse, this story by Steven Green, on July 20, by PJ Media, reads:

''Iranian worshippers chant slogans during their Friday prayer service at the Tehran University campus in Tehran, Iran, Friday . . . The main prayer service in the Iranian capital has been interrupted by repeated chants of 'death to America'—despite this week's landmark nuclear deal with world powers that was welcomed by authorities in Tehran.''

The devastating revelation from Mitch Ginsburg and the Times of Israel reads:

''Mojtaba Atarodi, arrested in California for attempting to acquire equipment for Iran's military-nuclear programs, was released in April as part of back channel talks, Times of Israel told. The contacts, mediated in Oman for years by close colleagues of the Sultan, have seen a series of U.S.-Iran prisoner releases''—not exchanges, but releases—''and there may be more to come.''

I mean, it is incredible. We are told we have seen the deal. Oh, yes. There are parts, like the IAEA has got to work out its side deal that we don't see here in Congress, but it is a good deal.

Let's not forget my friend who spoke last from the other side of the aisle was talking about how great the Dodd-Frank bill is. Let me just say this quickly about that.

As for the Dodd-Frank bill that was passed, supposedly, to punish those evil investment banks on Wall Street, what has it really done? It has punished the community banks that didn't do anything wrong.

They weren't invested in mortgage-backed securities. They weren't doing all kinds of machinations to try to create new forms of legalized gambling on Wall Street. They weren't engaged in that.

Yet, Dodd-Frank has so punished community banks that every month there are fewer community banks. They are getting gobbled up by the guys who caused the problems. That is what Dodd-Frank did.

It added so much expense and burden on the local banks, and it provided a lot of benefits to the biggest banks. They are the ones that could absorb the parts of the law. We are losing banks constantly.

As far as the great economic news, we know we have at least 93-plus million people for the first time in our history—94 million people, maybe, now—who have given up looking for jobs. It has never gotten that high before.

It had gotten close once before, I think, under Carter, but it has never gotten this high before. People have just given up looking for jobs. You have got more on food stamps than ever before. Is that really something to be proud of? It is if you want indentured servitude of the people of the United States.

The middle class, we hear now recently, is growing smaller. The gap between the ultra rich and the poor is growing bigger under this President's redistribution model because it doesn't work.

The most troubling economic statistic that anybody should have been seeing over the last few years—over the last 2 years—came out in 2013, that, under President Obama, for the first time in American history—ever—95 percent of all of the income went to the top 1 percent income earners.

It still bothers me greatly. But I read, actually, that, even though the top 1 percent is making 95 percent of all the income, it was a slower growth to them than in the last two expansions.

So it really was not that great of news for them. Well, it isn't great for America when 95 percent of the income is made by the top 1 percent.

It is just this wink and nod with Wall Street from this administration of: We are going to call you fat cats. We are going to punish you. We are going to hit you with Dodd-Frank.

And what happens? You kill the smaller banks. You hurt the middle class. You overburden the middle class. You make it more difficult for them to live. More people end up on food stamps. It is a disaster.

That is why it was no surprise in the last couple of days when we saw a report that there is a great majority of Americans who feels like this President has hurt the economy more than he has helped it. I don't know that that is true, but I do know that more people, according to the poll, are saying that.

Capital markets and Wall Street, oh, they have done well. Yes, that is what happens when we create more money than at any time in American history. We are creating money.

Notice, Mr. Speaker, I am saying ''creating money'' because I learned it was improper to say we are printing more money than ever before.

I was told by someone with the Fed—some years back when I asked: ''How much more money are we printing than we have ever printed?''—''Oh, none, really.''

''But there is more money in the system.''

''Oh, yes. We couldn't possibly print all of the money we are creating.''

Are you kidding me? We are just adding numbers. We aren't even bothering to print it anymore as we are increasing money so fast. It is an outrage what has happened.

The bottom line is Americans are suffering. Government does not make things better. It is better when they get a job, not more food stamps.

It is time that we knock Dodd-Frank down to size where it does deal with the investment banks that caused the problem of 2008 and doesn't punish the banks that didn't get us in that trouble.

In the time I have left, I have just got to go back to this horrendous Iranian deal. It is putting the United States and all freedom-loving people at risk.

Iran cannot be trusted, and I am still concerned about the language, like, if you say in a bill or in the Iran agreement, oh, yes, you can't use ICBMs or develop them for 8 years or, at the broader conclusion of the IAEAs, that nuclear material is being used for peaceful purposes, whichever is earlier.

□ 1815

That concerns me about the 8-year requirement. Is it really an 8-year requirement, seriously? I mean, what does that mean? I went down and cleared that that was not classified, so I could speak of that. There are a few places where I have seen that that language, the broader conclusion by the IAEA, holy cow, that is completely out of our control. That is one of the time deadlines that some of the important timing can be?

Iran continues to make clear, as this story from July 12 from Adam Kredo says, that Iran is saying, ''We will trample upon America.''

''Iranian cleric Ayatollah Mohammad Ali Movahedi Kermani, who was handpicked by the Islamic Republic's supreme leader to deliver the prayers, delivered a message of hostility toward the United States in the first official remarks since a final nuclear deal was signed between Iran and world powers in Vienna last week.''

''Analysts who spoke to the Washington Free Beacon about the anti-American tone of last week's prayers said it is a sign Tehran believes it bested the United States in the talks.''

You think?

The article further down says: ''Iran's defense minister on Monday said the deal also will prohibit all foreigners from inspecting Iran's 'defensive and missile capabilities' at sensitive military sites.''

You don't have to have my SAT scores to know they are going to be classifying as many sites as they can as defensive sites that we cannot have inspected.

It is time to say ''no'' to the deal. Americans need to rise up and demand it, and let's crush the Iranian deal before Iran crushes Israel and the Great Satan, United States.

I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CLAWSON of Florida (at the request of Mr. MCCARTHY) for today on account of a family emergency.

EXPENDITURES BY THE OFFICE OF GENERAL COUNSEL UNDER HOUSE RESOLUTION 676, 113TH CONGRESS

HOUSE OF REPRESENTATIVES, COMMITTEE ON HOUSE ADMINISTRATION,

Washington, DC, July 23, 2015.

Hon. JOHN A. BOEHNER,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER, Pursuant to section 3(b) of H. Res. 676 of the 113th Congress, as continued by section 3(f)(2) of H. Res. 5 of the 114th Congress, I write with the following enclosure which is a statement of the aggregate amount expended on outside counsel and other experts on any civil action authorized by H. Res. 676.

Sincerely,

CANDICE S. MILLER, *Chairman,*
Committee on House Administration.

AGGREGATE AMOUNT EXPENDED ON OUTSIDE COUNSEL OR OTHER EXPERTS—H. RES. 676

July 1–September 30 2014	
October 1–December 31, 2014	$42,875.00
January 1–March 31, 2015	50,000.00
April 1, 2015–June 30, 2015	29,915.00
Total	122,790.00

ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 19 minutes p.m.), under its previous order, the House adjourned until Monday, July 27, 2015, at noon for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

2271. A letter from the Acting Under Secretary, Personnel and Readiness, Department of Defense, transmitting notification that the Department intends to assign women to certain previously closed positions in the Army, pursuant to 10 U.S.C. 652; to the Committee on Armed Services.

2272. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Air Plan Approval; MI, Belding; 2008 Lead Clean Data Determination [EPA-R05-OAR-2015-0407; FRL-9930-81-Region 5] received July 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2273. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Approval and Promulgation of Air Quality Implementation Plans; District of Columbia, Maryland, and Virginia, 2011 Base Year Emissions Inventories for the Washington DC-MD-VA Nonattainment Area for the 2008 Ozone National Ambient Air Quality Standard [EPA-R03-OAR-2014-0759; FRL-9930-96-Region 3] received July 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2274. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Approval and Promulgation of Implementation Plans for the State of Alabama: Cross-State Air Pollution Rule [EPA-R04-OAR-2015-0313; FRL-9931-24-Region 4] received July 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2275. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Approval and Promulgation of Implementation Plans; New Mexico; Electronic Reporting Consistent With the Cross Media Electronic Reporting Rule [EPA-R06-OAR-2015-0172; FRL-9931-09-Region 6] received July 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2276. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Approval and Promulgation of Implementation Plans; Oregon; Grants Pass Second 10-Year PM10 Limited Maintenance Plan [EPA-R10-OAR-2015-0323; FRL-9931-16-Region 10] received July 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2277. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Approval and Promulgation of State Implementation Plans: Oregon: Grants Pass Carbon Monoxide Limited Maintenance Plan [EPA-R10-OAR-2015-0322; FRL-9931-13-Region 10] received July 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2278. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Sedaxane; Pesticide Tolerances [EPA-HQ-OPP-2014-0354; FRL-9930-84] received July 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2279. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule — Prevailing Rate Systems; Redefinition of the Jacksonville, FL; Savannah, GA; Hagerstown-Martinsburg-Chambersburg, MD; Richmond, VA; and Roanoke, VA, Appropriated Fund Federal Wage System Wage Areas (RIN: 3206-AN15) received July 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Oversight and Government Reform.

2280. A letter from the Associate General Counsel for General Law, Office of the General Counsel, Transportation Security Administration, Department of Homeland Security, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998, Pub. L. 105-277 as codified in 5 U.S.C. 3345 et seq; to the Committee on Oversight and Government Reform.

2281. A letter from the Chief Administrative Officer, transmitting the quarterly report of receipts and expenditures of appropriations and other funds for the period April 1, 2015 to June 30, 2015, pursuant to 2 U.S.C. 104a; Public Law 88-454; (H. Doc. No. 114-52); to the Committee on House Administration and ordered to be printed.

2282. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Atka Mackerel in the Bering Sea and Aleutian Islands Management Area [Docket No.: 131021878-4158-02] (RIN: 0648-XD744) received July 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

2283. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Trip Limit Reduction [Docket No.: 001005281-0369-02] (RIN: 0648-XD717) received July 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

2284. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Department's modification of fishing seasons — Fisheries Off West Coast States; Modifications of the West Coast Commercial Salmon Fisheries; Inseason Actions #3, #4, #5, and #6 [Docket No.: 150316270-5270-01] (RIN: 0648-XD976) received July 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

2285. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; 2015 Commercial Accountability Measure and Closure for South Atlantic Snowy Grouper [Docket No.: 0907271173-0629-03] (RIN: 0648-XE003) received July 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

2286. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries [Docket No.: 120328229-4949-02] (RIN: 0648-XD672) received July 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

2287. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary final rule — Fisheries of the Northeastern United States; Atlantic Herring Fishery; Adjustments to 2015 Annual Catch Limits [Docket No.: 141002820-5113-01] (RIN: 0648-XD536) received July 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

2288. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Atlantic Highly Migratory Species; 2006 Consolidated Atlantic Highly Migratory Species (HMS) Fishery Management Plan; Amendment 7; Correction [Docket No.: 120328229-5064-03] (RIN: 0648-BC09) received July 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

2289. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Standardized Bycatch Reporting Methodology Omnibus Amendment [Docket No.: 140904749-5507-02] (RIN: 0648-BE50) received July 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

2290. A letter from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting a report entitled, ''Debt Collection Recovery Activities of the Department of Justice for Civil Debts Referred for Collection Annual Report for FY 2014'', pursuant to 31 U.S.C. 3718, Contracts for collection services, and the Debt Collection Improvement Act of 1996; to the Committee on the Judiciary.

2291. A letter from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility; Virginia: Augusta County, Unincorporated Areas [Docket ID: FEMA-2015-0001; Internal Agency Docket No.: FEMA-8389] received July 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; jointly to the Committees on Financial Services and Homeland Security.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. GOODLATTE: Committee on the Judiciary. H.R. 2604. A bill to improve and reauthorize provisions relating to the application of the antitrust laws to the award of need-based educational aid (Rept. 114–224). Referred to the Committee of the Whole House on the state of the Union.

Mr. MILLER of Florida: Committee on Veterans' Affairs. H.R. 1994. A bill to amend title 38, United States Code, to provide for the removal or demotion of employees of the Department of Veterans Affairs based on performance or misconduct, and for other purposes; with an amendment (Rept. 114–225, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committee on Oversight and Government Reform discharged from further consideration. H.R. 1994 referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. WALZ (for himself, Mr. WITTMAN, Mr. GENE GREEN of Texas, Mr. DUNCAN of South Carolina, Mr. THOMPSON of Mississippi, Mr. THOMPSON of California, and Mr. KIND):

H.R. 3173. A bill to promote conservation for the purpose of enhancing hunting, fishing and other outdoor recreational opportunities; to the Committee on Natural Resources.

By Mr. CHAFFETZ (for himself, Mr. CARTWRIGHT, Mr. CLEAVER, Mr. JONES, Mrs. LOVE, and Mr. RUSH):

H.R. 3174. A bill to promote competition and help consumers save money by giving them the freedom to choose where they buy prescription pet medications, and for other purposes; to the Committee on Energy and Commerce.

By Ms. BONAMICI:

H.R. 3175. A bill to assure equity in contracting between the Federal Government and small business concerns, and for other purposes; to the Committee on Small Business.

By Mr. COOK:

H.R. 3176. A bill to amend title 18, United States Code, to establish a criminal violation for injuring or destroying property under the jurisdiction of the National Park Service, and for other purposes; to the Committee on the Judiciary.

By Mr. HECK of Nevada (for himself, Mr. ROE of Tennessee, Mr. POLIS, Mr. POCAN, Mr. KLINE, Mr. SCOTT of Virginia, Mr. WALBERG, Mr. MESSER, Mr. GROTHMAN, Ms. STEFANIK, Mrs. DAVIS of California, Mr. GRIJALVA, Mr. SABLAN, Ms. BONAMICI, Mr. TAKANO, Ms. CLARK of Massachusetts, Mr. DESAULNIER, Mr. ROYCE, Mr. BUCSHON, and Mr. KELLY of Pennsylvania):

H.R. 3177. A bill to simplify the application used for the estimation and determination of financial aid eligibility for postsecondary education; to the Committee on Education and the Workforce.

By Ms. FOXX (for herself, Mr. MESSER, Mr. SABLAN, Mr. KLINE, Mr. SCOTT of Virginia, Mr. WALBERG, Mr. HECK of Nevada, Mr. CARTER of Georgia, Ms. STEFANIK, Mrs. DAVIS of California, Mr. GRIJALVA, and Mr. DESAULNIER):

H.R. 3178. A bill to simplify and streamline the information regarding institutions of higher education made publicly available by the Secretary of Education, and for other purposes; to the Committee on Education and the Workforce.

By Mr. GUTHRIE (for himself, Mr. ALLEN, Ms. BONAMICI, Mr. KLINE, Mr. SCOTT of Virginia, Mr. HUNTER, Mr. WALBERG, Mr. HECK of Nevada, Mr. MESSER, Mr. CARTER of Georgia, Ms. STEFANIK, Mrs. DAVIS of California, Mr. GRIJALVA, Mr. SABLAN, Mr. POCAN, Mr. TAKANO, Ms. CLARK of Massachusetts, Mr. DESAULNIER, and Mr. HUDSON):

H.R. 3179. A bill to amend the loan counseling requirements under the Higher Education Act of 1965, and for other purposes; to the Committee on Education and the Workforce.

By Ms. STEFANIK (for herself, Mr. CURBELO of Florida, Mr. HINOJOSA, Mr. KLINE, Mr. SCOTT of Virginia, Mr. THOMPSON of Pennsylvania, Mr. HECK of Nevada, Mrs. DAVIS of California, Mr. TAKANO, Mr. DESAULNIER, and Mr. GIBSON):

H.R. 3180. A bill to amend the Higher Education Act of 1965 to provide students with increased flexibility in the use of Federal Pell Grants, and for other purposes; to the Committee on Education and the Workforce.

By Mr. HURD of Texas (for himself, Mr. CUELLAR, and Mr. MCCAUL):

H.R. 3181. A bill to amend title 23, United States Code, to permit border States to designate certain funds for border infrastructure projects, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. EDDIE BERNICE JOHNSON of Texas (for herself and Mr. SMITH of Texas):

H.R. 3182. A bill to advance United States leadership in planetary science and space exploration though education and outreach; to the Committee on Science, Space, and Technology.

By Mr. JOLLY:

H.R. 3183. A bill to amend the Veterans Access, Choice, and Accountability Act of 2014 to expand and make permanent the Veterans Choice Program, and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. LAWRENCE:

H.R. 3184. A bill to amend the Internal Revenue Code of 1986 to permit the medical expenses of dependents who have not attained age 26 to be paid from a health savings account; to the Committee on Ways and Means.

By Mr. CICILLINE (for himself, Mr. POLIS, Mr. SEAN PATRICK MALONEY of New York, Mr. POCAN, Mr. TAKANO, Ms. SINEMA, Mr. AGUILAR, Mr. ASHFORD, Ms. BASS, Mr. BECERRA, Mr. BERA, Mr. BEYER, Mr. BLUMENAUER, Ms. BONAMICI, Mr. BRENDAN

F. BOYLE of Pennsylvania, Ms. BROWNLEY of California, Mrs. BUSTOS, Mrs. CAPPS, Mr. CAPUANO, Mr. CÁRDENAS, Mr. CARNEY, Mr. CARSON of Indiana, Mr. CARTWRIGHT, Ms. CASTOR of Florida, Mr. CASTRO of Texas, Ms. JUDY CHU of California, Ms. CLARK of Massachusetts, Mr. CLEAVER, Mr. COOPER, Mr. CONNOLLY, Mr. CONYERS, Mr. COURTNEY, Mr. CROWLEY, Mr. CUMMINGS, Mr. DANNY K. DAVIS of Illinois, Mrs. DAVIS of California, Mr. DEFAZIO, Ms. DEGETTE, Mr. DELANEY, Ms. DELAURO, Ms. DELBENE, Mr. DESAULNIER, Mr. DEUTCH, Mrs. DINGELL, Ms. EDWARDS, Mr. ELLISON, Mr. ENGEL, Ms. ESHOO, Ms. ESTY, Mr. FARR, Mr. FATTAH, Mr. FOSTER, Ms. FRANKEL of Florida, Ms. GABBARD, Mr. GALLEGO, Mr. GARAMENDI, Mr. GRAYSON, Mr. AL GREEN of Texas, Mr. GRIJALVA, Mr. GUTIÉRREZ, Ms. HAHN, Mr. HASTINGS, Mr. HECK of Washington, Mr. HIGGINS, Mr. HINOJOSA, Ms. NORTON, Mr. HONDA, Mr. HOYER, Mr. HUFFMAN, Mr. ISRAEL, Ms. JACKSON LEE, Mr. JEFFRIES, Ms. KAPTUR, Mr. HIMES, Mr. JOHNSON of Georgia, Mr. KEATING, Ms. KELLY of Illinois, Mr. KENNEDY, Mr. KILDEE, Mr. KILMER, Ms. KUSTER, Mr. LANGEVIN, Mr. LARSON of Connecticut, Ms. LEE, Mr. LEVIN, Mr. LEWIS, Mr. TED LIEU of California, Mr. LOEBSACK, Ms. LOFGREN, Mr. LOWENTHAL, Mrs. LOWEY, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. BEN RAY LUJÁN of New Mexico, Mr. LYNCH, Mrs. CAROLYN B. MALONEY of New York, Ms. MATSUI, Ms. MCCOLLUM, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. MCNERNEY, Mr. MEEKS, Ms. MENG, Mr. MOULTON, Mr. MURPHY of Florida, Mr. NADLER, Mrs. NAPOLITANO, Mr. NEAL, Mr. NOLAN, Mr. NORCROSS, Mr. O'ROURKE, Mr. PALLONE, Mr. PASCRELL, Ms. PELOSI, Mr. PETERS, Ms. PINGREE, Mr. PRICE of North Carolina, Mr. QUIGLEY, Miss RICE of New York, Ms. ROYBAL-ALLARD, Mr. RUIZ, Mr. RUSH, Mr. RYAN of Ohio, Ms. LINDA T. SÁNCHEZ of California, Ms. LORETTA SANCHEZ of California, Mr. SARBANES, Ms. SCHAKOWSKY, Mr. SCHIFF, Mr. SCHRADER, Mr. SCOTT of Virginia, Mr. SERRANO, Mr. SHERMAN, Mr. SIRES, Ms. SLAUGHTER, Mr. SMITH of Washington, Ms. SPEIER, Mr. SWALWELL of California, Mr. TAKAI, Mr. THOMPSON of California, Mr. TONKO, Mrs. TORRES, Ms. TSONGAS, Mr. VAN HOLLEN, Mr. VARGAS, Mr. VEASEY, Ms. VELÁZQUEZ, Mr. WALZ, Ms. WASSERMAN SCHULTZ, Mrs. WATSON COLEMAN, Mr. WELCH, Ms. WILSON of Florida, Mr. YARMUTH, Mr. COHEN, Mr. MICHAEL F. DOYLE of Pennsylvania, Mrs. KIRKPATRICK, Mr. LARSEN of Washington, Mr. RUPPERSBERGER, Mr. VELA, Ms. DUCKWORTH, Mr. DOGGETT, Mr. RANGEL, Mr. BRADY of Pennsylvania, Ms. TITUS, Mrs. BEATTY, Mr. PAYNE, Mrs. LAWRENCE, and Ms. SEWELL of Alabama):

H.R. 3185. A bill to prohibit discrimination on the basis of sex, gender identity, and sexual orientation, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Education and the Workforce, Financial Services, Oversight and Government Reform, and House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WOODALL (for himself and Mr. GOHMERT):

H.R. 3186. A bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to reform the budget baseline; to the Committee on the Budget.

By Mr. MASSIE (for himself, Ms. PINGREE, Mr. JONES, and Mr. POLIS):

H.R. 3187. A bill to amend the Federal Meat Inspection Act to exempt from inspection the slaughter of animals and the preparation of carcasses conducted at a custom slaughter facility, and for other purposes; to the Committee on Agriculture.

By Mr. GRAVES of Missouri:

H.R. 3188. A bill to amend title 31, United States Code, to end speculation on the current cost of multilingual services provided by the Federal Government, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. HUIZENGA of Michigan:

H.R. 3189. A bill to amend the Federal Reserve Act to establish requirements for policy rules and blackout periods of the Federal Open Market Committee, to establish requirements for certain activities of the Board of Governors of the Federal Reserve System, and to amend title 31, United States Code, to reform the manner in which the Board of Governors of the Federal Reserve System is audited, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CARTWRIGHT (for himself, Mr. LANCE, Mr. HUFFMAN, Mr. PETERS, Mr. BLUMENAUER, Ms. NORTON, Ms. PINGREE, Mr. HONDA, Mr. HASTINGS, Mr. CAPUANO, Mr. FITZPATRICK, Mr. POLIS, Mr. CONNOLLY, Mr. KIND, Mr. LOWENTHAL, Mr. VAN HOLLEN, Mr. QUIGLEY, Mr. FARENTHOLD, and Mr. GARAMENDI):

H.R. 3190. A bill to amend title 31, United States Code, to enhance the Federal Government's planning and preparation for extreme weather, and the Federal Government's dissemination of best practices to respond to extreme weather, thereby increasing resilience, improving regional coordination, and mitigating the financial risk to the Federal Government from such extreme weather; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CHABOT:

H.R. 3191. A bill to amend the Consolidated and Further Continuing Appropriations Act, 2015 with respect to funding available for fiscal year 2015 for certain general business loans authorized under the Small Business Act, to amend the Small Business Act to modify loan limitations, and for other purposes; to the Committee on Small Business.

By Mr. HILL (for himself and Mr. SHERMAN):

H.R. 3192. A bill to provide for a temporary safe harbor from the enforcement of integrated disclosure requirements for mortgage loan transactions under the Real Estate Settlement Procedures Act of 1974 and the Truth in Lending Act, and for other purposes; to the Committee on Financial Services.

By Ms. TITUS (for herself, Mr. BILIRAKIS, Ms. BROWN of Florida, Mr. CÁRDENAS, Ms. CLARK of Massachusetts, Mr. HASTINGS, Mr. HONDA, Ms. JACKSON LEE, Mr. LOBIONDO, Mr. MARINO, Mr. MCGOVERN, Mr. NADLER, Ms. NORTON, Mr. QUIGLEY, Mr. RANGEL, and Ms. ROS-LEHTINEN):

H.R. 3193. A bill to amend the Animal Welfare Act to require that covered persons develop and implement emergency contingency plans; to the Committee on Agriculture.

By Mr. ELLISON (for himself and Mr. CICILLINE):

H.R. 3194. A bill to protect and promote international religious freedom; to the Committee on the Judiciary, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ELLISON (for himself and Mr. CONYERS):

H.R. 3195. A bill to establish minimum standards of disclosure by franchises whose franchisees use loans guaranteed by the Small Business Administration; to the Committee on Energy and Commerce.

By Mr. ELLISON (for himself, Mr. CONYERS, and Mr. HUFFMAN):

H.R. 3196. A bill to establish minimum standards of fair conduct in franchise sales and franchise business relationships, and for other purposes; to the Committee on the Judiciary.

By Mrs. BLACK (for herself, Mr. WESTERMAN, Mr. COLLINS of Georgia, Mr. KELLY of Pennsylvania, Mr. MESSER, Mr. FRANKS of Arizona, Mr. GRAVES of Missouri, Mr. DUNCAN of South Carolina, Mrs. WAGNER, Mr. OLSON, Mr. BRIDENSTINE, Mr. HENSARLING, Mr. CHABOT, Mr. PALAZZO, Mr. JORDAN, Mr. ADERHOLT, Mr. HARPER, Mr. BYRNE, Mr. PITTS, Mr. BABIN, Mr. WENSTRUP, Mr. DUNCAN of Tennessee, Mr. YOHO, Mr. MILLER of Florida, Mr. DUFFY, Mr. HUELSKAMP, Mr. HUDSON, Mr. MULLIN, Mr. BENISHEK, Mr. PEARCE, Mr. GROTHMAN, Mr. ROE of Tennessee, Mr. ROTHFUS, Mr. BOUSTANY, Ms. FOXX, Mr. FORBES, Mr. FLEISCHMANN, Mr. HARRIS, Mr. JODY B. HICE of Georgia, Mr. TIBERI, Mr. LONG, Mr. CULBERSON, Mr. COLE, Mr. ROUZER, Mr. CRAMER, Mr. SMITH of Missouri, Mr. FINCHER, Mr. WITTMAN, Mr. LUETKEMEYER, Mr. CRAWFORD, Mr. MASSIE, Mr. ROSKAM, Mr. MEADOWS, Mr. MOOLENAAR, Mr. GOSAR, Mr. MARCHANT, Mr. AMASH, Mr. SMITH of Texas, Mrs. LUMMIS, Mr. RATCLIFFE, Mr. SAM JOHNSON of Texas, Mr. SMITH of New Jersey, Mrs. BLACKBURN, Mr. KELLY of Mississippi, and Mr. PALMER):

H.R. 3197. A bill to prohibit Federal funding to entities that do not certify the entities will not perform, or provide any funding to any other entity that performs, an abortion; to the Committee on Energy and Commerce.

By Mr. AGUILAR:

H.R. 3198. A bill to amend the Internal Revenue Code of 1986 to allow a credit to small employers for certain newly hired employees, and for other purposes; to the Committee on Ways and Means.

By Mr. BRAT (for himself, Mr. GROTHMAN, Mr. MESSER, and Mr. PALMER):

H.R. 3199. A bill to prohibit statutory sanctions relief by the United States with respect to Iran unless the Senate provides its advice and consent to ratification of the Joint Comprehensive Plan of Action; to the Committee on Foreign Affairs.

By Ms. BROWN of Florida:

H.R. 3200. A bill to authorize the Secretary of Veterans Affairs to transfer unobligated amounts previously made available to the Department of Veterans Affairs to the medical accounts of the Department to improve the furnishing of health care to veterans; to the Committee on Veterans' Affairs, and in addition to the Committee on Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CÁRDENAS (for himself and Ms. ROS-LEHTINEN):

H.R. 3201. A bill to support the integration of immigrants to the United States into the economic, social, cultural, and civic life of their local communities and the Nation, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CLAWSON of Florida (for himself, Mr. JOLLY, Ms. ROS-LEHTINEN, Mr. CURBELO of Florida, Mr. CRENSHAW, and Mr. DIAZ-BALART):

H.R. 3202. A bill to amend section 42 of title 18, United States Code, popularly known as the Lacey Act, to add certain species of lionfish to the list of injurious species that are prohibited from being imported or shipped; to the Committee on the Judiciary.

By Mr. HIGGINS:

H.R. 3203. A bill to require prompt responses by mortgage owners of homes in foreclosure to short sale offers to purchase such homes, and for other purposes; to the Committee on Financial Services.

By Mr. ISRAEL:

H.R. 3204. A bill to amend the Elementary and Secondary Education Act of 1965 to reduce the testing requirements for part A of title I of such Act, and for other purposes; to the Committee on Education and the Workforce.

By Ms. JACKSON LEE:

H.R. 3205. A bill to establish the History Is Learned from the Living grant program to enable communities to learn about historical movements in the United States in the past century through the oral histories of community members who participated in those movements, and for other purposes; to the Committee on Natural Resources.

By Mr. MCDERMOTT (for himself, Ms. FRANKEL of Florida, Ms. MOORE, Mr. VAN HOLLEN, Mr. CAPUANO, Ms. CLARK of Massachusetts, Mr. SCOTT of Virginia, Mr. TAKANO, Mr. CONYERS, Mr. SWALWELL of California, Mr. BLUMENAUER, Mr. GALLEGO, Mr. RANGEL, Mr. HONDA, Mr. ELLISON, Ms. JUDY CHU of California, Mr. THOMPSON of California, Mr. MURPHY of Florida, Ms. WILSON of Florida, Mrs. TORRES, Mr. FARR, Mrs. NAPOLITANO, Ms. MAXINE WATERS of California, and Ms. BONAMICI):

H.R. 3206. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income student loan indebtedness discharged in connection with closures of educational institutions, and for other purposes; to the Committee on Ways and Means.

By Ms. NORTON:

H.R. 3207. A bill to amend the Public Health Service Act to provide for a national program to conduct and support activities toward the goal of significantly reducing the number of cases of overweight and obesity among individuals in the United States; to the Committee on Energy and Commerce.

By Mr. O'ROURKE:

H.R. 3208. A bill to amend title 5, United States Code, to clarify the timing of deposits relating to the Civil Service Retirement System with respect to crediting military service, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. PAULSEN (for himself, Mr. COURTNEY, Ms. SLAUGHTER, Mr. REICHERT, and Ms. JENKINS of Kansas):

H.R. 3209. A bill to amend the Internal Revenue Code of 1986 to permit the disclosure of certain tax return information for the purpose of missing or exploited children investigations; to the Committee on Ways and Means.

By Mr. SALMON:

H.R. 3210. A bill to prohibit United States voluntary contributions to the United Nations Democracy Fund; to the Committee on Foreign Affairs.

By Mr. SCHRADER:

H.R. 3211. A bill to provide for the addition of certain real property to the reservation of the Siletz Tribe in the State of Oregon; to the Committee on Natural Resources.

By Mr. SCHRADER:

H.R. 3212. A bill to amend the Grand Ronde Reservation Act to make technical corrections, and for other purposes; to the Committee on Natural Resources.

By Mr. WILLIAMS:

H.R. 3213. A bill to amend the Internal Revenue Code of 1986 to make 100 percent bonus depreciation permanent; to the Committee on Ways and Means.

By Mr. RODNEY DAVIS of Illinois:

H.J. Res. 61. A joint resolution amending the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; to the Committee on Ways and Means, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BECERRA:

H. Res. 372. A resolution recognizing the importance of the 2015 Special Olympics World Games hosted by the United States of America in Los Angeles, California; to the Committee on Foreign Affairs.

By Mr. NOLAN:

H. Res. 373. A resolution expressing the sense of the House of Representatives regarding the need for Congress to have the power to implement and enforce limits on when money can be spent on campaign activities, and for other purposes; to the Committee on House Administration.

By Mr. HECK of Washington (for himself, Mr. BYRNE, Mr. SALMON, Mr. VELA, Ms. BORDALLO, Mr. RUSSELL, Mr. KEATING, Mr. QUIGLEY, and Mr. LARSEN of Washington):

H. Res. 374. A resolution recognizing the 50th anniversary of Singaporean independence and reaffirming Singapore's close partnership with the United States; to the Committee on Foreign Affairs.

By Mr. LIPINSKI (for himself, Ms. SCHAKOWSKY, Mr. HULTGREN, Mr. GUTIÉRREZ, Ms. KELLY of Illinois, Ms. DUCKWORTH, Mr. FOSTER, Mr. SHIMKUS, Mr. KINZINGER of Illinois, Mr. DANNY K. DAVIS of Illinois, Mr. QUIGLEY, Mrs. BUSTOS, and Mr. RODNEY DAVIS of Illinois):

H. Res. 375. A resolution honoring the victims, survivors, and those who responded to the Eastland disaster—a shipwreck which resulted in the deaths of 844 passengers and crew—on its centennial; to the Committee on Transportation and Infrastructure.

By Mr. BENISHEK:

H. Res. 376. A resolution to refer H.R. 3133, a bill making congressional reference to the United States Court of Federal Claims pursuant to sections 1492 and 2509 of title 28, United States Code, of certain Indian land-related takings claims of the Grand Traverse Band of Ottawa and Chippewa Indians of Michigan and its individual members; to the Committee on the Judiciary.

By Mr. BRAT:

H. Res. 377. A resolution recognizing ''National Atomic Veterans Day'' on July 16; to the Committee on Veterans' Affairs.

By Mr. ISRAEL (for himself, Ms. CASTOR of Florida, Ms. DELAURO, Mr. FITZPATRICK, Mr. GRIJALVA, Mr. HIGGINS, Mr. HIMES, Mr. ISSA, Mrs. CAROLYN B. MALONEY of New York, Ms. MCCOLLUM, Ms. NORTON, Ms. SLAUGHTER, Ms. TSONGAS, Ms. WASSERMAN SCHULTZ, and Mr. DEFAZIO):

H. Res. 378. A resolution expressing support for the designation of September 2015 as ''National Ovarian Cancer Awareness Month''; to the Committee on Oversight and Government Reform.

By Mr. LANCE (for himself, Mr. WEBER of Texas, Mr. MARINO, Mr. MCKINLEY, Mr. NUNES, Mr. BOUSTANY, Mr. MESSER, Mr. MACARTHUR, Mr. OLSON, and Ms. JENKINS of Kansas):

H. Res. 379. A resolution reaffirming the role of the House of Representatives in the review and approval or disapproval of the Joint Comprehensive Plan of Action relating to the nuclear program of Iran; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

102. The SPEAKER presented a memorial of the Senate of the State of Illinois, relative to Senate Joint Resolution No. 218, urging President Obama and the United States Senate and House of Representatives to reauthorize the United States Export-Import Bank before June 30, 2015; to the Committee on Financial Services.

103. Also, a memorial of the Legislature of the State of Ohio, relative to House Concurrent Resolution No. 9, to establish a sustainable energy-abundance plan for Ohio to meet future Ohio energy needs with affordable, abundant, and environmentally friendly energy; to the Committee on Energy and Commerce.

104. Also, a memorial of the Legislature of the State of Ohio, relative to House Concurrent Resolution No. 9, to establish a sustainable energy-abundance plan for Ohio to meet future Ohio energy needs with affordable, abundant, and environmentally friendly energy; to the Committee on Energy and Commerce.

105. Also, a memorial of the Legislature of the State of Texas, relative to Senate Concurrent Resolution No. 32, urging the United

States Congress to expedite natural gas exports; to the Committee on Energy and Commerce.

106. Also, a memorial of the Legislature of the State of Illinois, relative to Senate Joint Resolution No. 7, urging the President of the United States, members of Congress, and the United States Department of Labor to update regulations implementing an executive order prohibiting discrimination by federally-assisted contractors and subcontractors; to the Committee on Oversight and Government Reform.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. WALZ:

H.R. 3173.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Section 8 of Article I of the United States Constitution.

By Mr. CHAFFETZ:

H.R. 3174.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3:

To regulate commerce with foreign nations, and among the several states, and with the Indian tribes;

By Ms. BONAMICI:

H.R. 3175.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 1.

By Mr. COOK:

H.R. 3176.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution

By Mr. HECK of Nevada:

H.R. 3177.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States

By Ms. FOXX:

H.R. 3178.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States

By Mr. GUTHRIE:

H.R. 3179.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States

By Ms. STEFANIK:

H.R. 3180.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States

By Mr. HURD of Texas:

H.R. 3181.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1:

''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States . . .''

By Ms. EDDIE BERNICE JOHNSON of Texas:

H.R. 3182.

Congress has the power to enact this legislation pursuant to the following:

Art. 1, Sect. 8

By Mr. JOLLY:

H.R. 3183.

Congress has the power to enact this legislation pursuant to the following:

The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states: ''No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law . . .'' In addition, clause 1 of section 8 of article I of the Constitution (the spending power) provides: ''The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States. . . .'' Together, these specific constitutional provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.

By Mrs. LAWRENCE:

H.R. 3184.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. CICILLINE:

H.R. 3185.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. WOODALL:

H.R. 3186.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 9, Clause 7

By Mr. MASSIE:

H.R. 3187.

Congress has the power to enact this legislation pursuant to the following:

This act is justified by the Commerce Clause of the United States Constitution which, by granting Congress the power to regulate commerce among the several states, also allows Congress to prevent or prohibit federal interference with Americans' ability to slaughter and process meat. This act is also justified by the Ninth and Tenth Amendments to the Constitution, which recognize that rights and powers are retained and reserved by the people and to the States.

By Mr. GRAVES of Missouri:

H.R. 3188.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 gives Congress the power to lay and collect taxes, duties, imposts and excises, and to pay the debts levied by such expenses.

By Mr. HUIZENGA of Michigan:

H.R. 3189.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 (To regulate commerce with foreign nations, and among the several states, and with the Indian tribes); Article I, Section 8, Clause 5 (To coin money, regulate the value thereof; and of foreign coin, and fix the standard of weights and measures); Article I, Section 8, Clause 6 (To provide for the punishment of counterfeiting the securities and current coin of the United States); and Article I, Section 8, Clause 18 (To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department thereof).

By Mr. CARTWRIGHT:

H.R. 3190.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 (relating to the power of Congress to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.)

Article I; Section 8; Clause 18

The Congress shall have Power To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. CHABOT:

H.R. 3191.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the United States Constiution

By Mr. HILL:

H.R. 3192.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 3

By Ms. TITUS:

H.R. 3193.

Congress has the power to enact this legislation pursuant to the following:

Clause 18 of Section 8 of Article 1 of the United States Constitution

By Mr. ELLISON:

H.R. 3194.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. ELLISON:

H.R. 3195.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8, Clause 1 and 3.

By Mr. ELLISON:

H.R. 3196.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8, Clause 1 and 3.

By Mrs. BLACK:

H.R. 3197.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 and Article I, Section 9, Clause 7 of the United States Constitution.

By Mr. AGUILAR:

H.R. 3198.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 and Clause 18 of Section 8, of Article 1 of the United States Constitution.

By Mr. BRAT:

H.R. 3199.

Congress has the power to enact this legislation pursuant to the following:

Article II, Section 2 gives the President the ''Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two thirds of the Senators present concur.'' Article I, Section 8, clause 18 grants Congress the Power ''To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department of Officer thereof.'' It is necessary and proper to clarify that the matter addressed by this legislation is a treaty and must be considered under the relevant requirements of the Constitution.

By Ms. BROWN of Florida:

H.R. 3200.

Congress has the power to enact this legislation pursuant to the following:

Pursuant to Article I, section 8 of the United States Constitution, this legislation is authorized by Congress' power to ''provide for the common defense and general welfare of the United States.'''

By Mr. CÁRDENAS:

H.R. 3201.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1

The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States;

To borrow money on the credit of the United States

By Mr. CLAWSON of Florida:

H.R. 3202.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8: ''To regulate Commerce with foreign Nations, and among the several States, and with Indian Tribes;''

By Mr. HIGGINS:

H.R. 3203.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. ISRAEL:

H.R. 3204.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Ms. JACKSON LEE:

H.R. 3205.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clauses 1, 3, and 18 of the United States Constitution.

By Mr. MCDERMOTT:

H.R. 3206.

Congress has the power to enact this legislation pursuant to the following:

Clause I of Section VIII of Article I: ''The Congress shall have power to lay and collect Taxes, Duties, Imposts, and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States''

By Ms. NORTON:

H.R. 3207.

Congress has the power to enact this legislation pursuant to the following:

clause 3 of section 8 of article I of the Constitution.

By Mr. O'ROURKE:

H.R. 3208.

Congress has the power to enact this legislation pursuant to the following:

Clause 18 of Section 8 of Article I of the United States Constitution

By Mr. PAULSEN:

H.R. 3209.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clauses 1 and 18 of the United States Constitution

By Mr. SALMON:

H.R. 3210.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9, Clause 7—''No money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.''

By Mr. SCHRADER:

H.R. 3211.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. SCHRADER:

H.R. 3212.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. WILLIAMS:

H.R. 3213.

Congress has the power to enact this legislation pursuant to the following:

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. RODNEY DAVIS of Illinois:

H.J. Res. 61.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 169: Mr. GOSAR.

H.R. 183: Mr. RIBBLE.

H.R. 217: Mr. NEWHOUSE.

H.R. 333: Mr. TAKANO, Mr. DEFAZIO, and Mr. FITZPATRICK.

H.R. 335: Ms. BORDALLO.

H.R. 339: Mr. GUTHRIE, Mr. AUSTIN SCOTT of Georgia, Mr. ROGERS of Alabama, Mr. COLE, Mr. SESSIONS, Mr. MCKINLEY, Mr. COOK, and Mr. ROHRABACHER.

H.R. 342: Mr. BROOKS of Alabama.

H.R. 381: Mrs. WATSON COLEMAN.

H.R. 430: Ms. DUCKWORTH.

H.R. 449: Mr. KIND.

H.R. 540: Mr. WEBER of Texas.

H.R. 546: Mr. KING of New York and Mr. CASTRO of Texas.

H.R. 578: Mr. JENKINS of West Virginia.

H.R. 592: Mr. GIBBS, Mr. JENKINS of West Virginia, and Ms. LINDA T. SÁNCHEZ of California.

H.R. 653: Mr. MCGOVERN.

H.R. 692: Mr. COLLINS of New York and Mr. SAM JOHNSON of Texas.

H.R. 703: Mr. WENSTRUP.

H.R. 721: Mr. FITZPATRICK.

H.R. 775: Mr. JOLLY, Mr. DUNCAN of South Carolina, Mr. BEYER, and Mr. PEARCE.

H.R. 799: Mr. UPTON.

H.R. 815: Mr. BARLETTA and Mr. MACARTHUR.

H.R. 825: Mr. NORCROSS and Mr. JOLLY.

H.R. 828: Mr. JOLLY.

H.R. 829: Mr. HONDA.

H.R. 836: Mrs. MCMORRIS RODGERS.

H.R. 842: Mr. CRENSHAW.

H.R. 855: Mr. GIBSON and Mr. HINOJOSA.

H.R. 885: Mr. TURNER.

H.R. 890: Mr. BEYER.

H.R. 894: Mr. GIBSON.

H.R. 902: Mr. BEYER.

H.R. 918: Mr. ALLEN and Mr. LATTA.

H.R. 921: Mr. ROUZER.

H.R. 932: Mr. DANNY K. DAVIS of Illinois, Miss RICE of New York, Mr. CARTWRIGHT, and Mr. WELCH.

H.R. 940: Mr. WOODALL and Mr. COLE.

H.R. 973: Mr. QUIGLEY and Mr. PIERLUISI.

H.R. 999: Mr. GIBSON and Mr. NUGENT.

H.R. 1062: Ms. DUCKWORTH.

H.R. 1095: Ms. ROYBAL-ALLARD.

H.R. 1100: Ms. GRANGER, Ms. SLAUGHTER, Ms. LINDA T. SÁNCHEZ of California, Mr. BRIDENSTINE, Mr. MICA, Mr. LARSEN of Washington, Mr. YOUNG of Iowa, Mr. CALVERT, and Mrs. BEATTY.

H.R. 1107: Mr. GIBSON.

H.R. 1148: Mr. OLSON.

H.R. 1155: Mr. NEWHOUSE.

H.R. 1192: Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 1194: Mr. TAKANO.

H.R. 1202: Mr. DESAULNIER.

H.R. 1209: Mr. JENKINS of West Virginia and Ms. BROWNLEY of California.

H.R. 1211: Mr. POCAN.

H.R. 1258: Mr. UPTON.

H.R. 1270: Mr. BOUSTANY and Mr. LATTA.

H.R. 1288: Mr. CURBELO of Florida, Mr. SERRANO, and Mr. WESTMORELAND.

H.R. 1301: Mr. TED LIEU of California, Mr. DOLD, and Mr. MARCHANT.

H.R. 1309: Mr. BRADY of Texas, Mr. LUCAS, Mr. DESJARLAIS, Mr. YOUNG of Iowa, and Mrs. BLACKBURN.

H.R. 1320: Mr. JENKINS of West Virginia.

H.R. 1344: Mr. SMITH of Washington.

H.R. 1371: Mr. YOUNG of Alaska and Mr. HARDY.

H.R. 1384: Mr. FITZPATRICK, Mr. SCOTT of Virginia, and Mr. LUETKEMEYER.

H.R. 1387: Mr. DENHAM.

H.R. 1391: Ms. BROWN of Florida.

H.R. 1401: Mr. CARTER of Georgia.

H.R. 1421: Miss RICE of New York and Mr. SCHIFF.

H.R. 1427: Mr. MEADOWS.

H.R. 1434: Mr. VISCLOSKY, Mr. GENE GREEN of Texas, Mr. VEASEY, Mrs. WATSON COLEMAN, Mr. HOYER, and Mr. VELA.

H.R. 1462: Ms. BROWNLEY of California.

H.R. 1475: Mr. POSEY.

H.R. 1545: Mr. JENKINS of West Virginia.

H.R. 1546: Mr. DEUTCH.

H.R. 1553: Mr. MURPHY of Florida, Mr. PERLMUTTER, and Mr. JONES.

H.R. 1559: Ms. MOORE.

H.R. 1567: Mrs. WALORSKI.

H.R. 1571: Mr. NEAL.

H.R. 1594: Mr. BRIDENSTINE, Mr. CUMMINGS, Mr. MICA, Mr. STIVERS, and Mr. YOUNG of Iowa.

H.R. 1608: Mr. NEWHOUSE and Mr. GUTIÉRREZ.

H.R. 1610: Mr. TIBERI, Mr. MARINO, Mr. RUSSELL, Mr. BRIDENSTINE, Mr. HUDSON, Mr. FARENTHOLD, Mrs. ELLMERS of North Carolina, Mr. GRAVES of Louisiana, Mr. ROYCE, Mr. NUGENT, Mr. BABIN, Mr. WALKER, and Mr. EMMER of Minnesota.

H.R. 1624: Mr. NOLAN, Mr. BLUM, Mr. DENHAM, Mr. MCCAUL, Mr. RUIZ, Mr. SHUSTER, Mr. KELLY of Mississippi, Mr. YOUNG of

Iowa, Mr. SMITH of Missouri, Mr. YOHO, and Mr. WALKER.

H.R. 1655: Mr. NEAL, Mr. KATKO, Mr. LARSON of Connecticut, and Mr. KINZINGER of Illinois.

H.R. 1670: Mr. MACARTHUR.

H.R. 1736: Mr. STUTZMAN.

H.R. 1752: Mr. BENISHEK.

H.R. 1769: Mr. PETERS and Mr. WALBERG.

H.R. 1784: Mr. SHIMKUS.

H.R. 1814: Mr. RYAN of Ohio and Mr. TURNER.

H.R. 1830: Mr. SCHWEIKERT.

H.R. 1856: Ms. PINGREE.

H.R. 1875: Ms. GABBARD.

H.R. 1901: Mr. CARTER of Georgia.

H.R. 1981: Mr. UPTON.

H.R. 1994: Mr. THOMPSON of Pennsylvania.

H.R. 1995: Mrs. LOVE.

H.R. 2005: Mr. DESAULNIER.

H.R. 2043: Mr. VALADAO.

H.R. 2050: Mr. DOLD.

H.R. 2061: Mr. DOLD.

H.R. 2063: Mr. POCAN.

H.R. 2066: Mr. NUGENT.

H.R. 2082: Ms. ESHOO.

H.R. 2096: Mr. RENACCI.

H.R. 2125: Ms. DUCKWORTH.

H.R. 2217: Mr. POCAN.

H.R. 2229: Mr. DUFFY.

H.R. 2241: Mr. AL GREEN of Texas.

H.R. 2247: Mr. CHABOT.

H.R. 2259: Mr. CRENSHAW and Mr. ROONEY of Florida.

H.R. 2266: Mr. GUTIÉRREZ, Ms. CASTOR of Florida, Ms. SINEMA, Mr. TAKANO, Mr. ELLISON, Mr. SCHIFF, and Mr. SWALWELL of California.

H.R. 2287: Mr. ROUZER.

H.R. 2290: Mr. WALBERG.

H.R. 2292: Mr. MICHAEL F. DOYLE of Pennsylvania and Ms. ROYBAL-ALLARD.

H.R. 2293: Mr. BARLETTA, Ms. SINEMA, Mr. ISRAEL, Mr. SCHRADER, Ms. BROWN of Florida, Mr. HONDA, Ms. JACKSON LEE, Mr. RANGEL, and Mr. ROSKAM.

H.R. 2315: Mr. CARTWRIGHT, Mr. BERA, Mr. POE of Texas, Mr. CARNEY, Mrs. BROOKS of Indiana, Mr. SIRES, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. ROONEY of Florida, Mr. BUCK, Ms. GABBARD, Mr. PALAZZO, and Mr. GOHMERT.

H.R. 2355: Mr. WELCH.

H.R. 2366: Mr. ROKITA.

H.R. 2382: Mr. DENHAM.

H.R. 2391: Mr. DESAULNIER.

H.R. 2400: Mr. BISHOP of Utah, Mr. MCKINLEY, Mr. POMPEO, Mr. TIPTON, and Mr. YOUNG of Iowa.

H.R. 2403: Mr. WITTMAN, Mr. CARTER of Georgia, Mr. KATKO, and Mrs. BLACKBURN.

H.R. 2404: Mr. HUNTER.

H.R. 2407: Mr. DENHAM.

H.R. 2408: Mrs. LAWRENCE.

H.R. 2410: Mr. SMITH of Washington.

H.R. 2494: Ms. GRANGER.

H.R. 2530: Mr. RICHMOND and Mr. VARGAS.

H.R. 2545: Miss RICE of New York.

H.R. 2602: Ms. KUSTER, Mr. NORCROSS, Mr. CAPUANO, Mr. KEATING, Ms. MOORE, Mr. HASTINGS, Mr. NEAL, and Ms. BROWNLEY of California.

H.R. 2622: Mr. JOLLY.

H.R. 2643: Mr. JONES and Mr. MARCHANT.

H.R. 2646: Mr. NOLAN.

H.R. 2652: Mr. ABRAHAM, Ms. MCSALLY, and Mr. JENKINS of West Virginia.

H.R. 2657: Mr. SIMPSON.

H.R. 2661: Mr. LOEBSACK, Mrs. BUSTOS, Mr. POLIS, Mr. SARBANES, Mr. CONNOLLY, Ms. NORTON, and Mr. BLUMENAUER.

H.R. 2663: Mr. DUNCAN of South Carolina and Mr. LABRADOR.

H.R. 2680: Mr. TED LIEU of California.

H.R. 2689: Mr. MCNERNEY and Ms. BASS.

H.R. 2698: Mr. COOK and Mr. MACARTHUR.

H.R. 2702: Mr. O'ROURKE.

H.R. 2711: Mr. ROE of Tennessee and Mr. COLLINS of New York.

H.R. 2744: Mr. ROHRABACHER and Mr. HONDA.

H.R. 2769: Mr. MURPHY of Florida.

H.R. 2799: Ms. CLARKE of New York.

H.R. 2802: Mr. WOMACK, Mr. MCCAUL, Mr. GRAVES of Louisiana, and Mr. DESANTIS.

H.R. 2805: Mr. BARLETTA.

H.R. 2823: Ms. NORTON, Mr. GRIJALVA, Mr. PAYNE, and Mr. POCAN.

H.R. 2835: Mr. BARLETTA.

H.R. 2847: Mr. ISRAEL.

H.R. 2871: Ms. CLARKE of New York.

H.R. 2894: Ms. KELLY of Illinois.

H.R. 2896: Mr. SMITH of Nebraska and Mr. YOUNG of Iowa.

H.R. 2903: Mr. PETERS and Mr. GROTHMAN.

H.R. 2911: Mr. NEAL and Mrs. BLACK.

H.R. 2915: Mr. HONDA, Mr. GRIJALVA, and Mr. GIBSON.

H.R. 2942: Mr. RICE of South Carolina, Mr. CHABOT, and Mrs. HARTZLER.

H.R. 2948: Mr. DESAULNIER and Ms. LOFGREN.

H.R. 2954: Mr. COHEN.

H.R. 2965: Mr. UPTON.

H.R. 2974: Mr. PETERS.

H.R. 2992: Mr. SEAN PATRICK MALONEY of New York, Mr. BARR, Mr. CARNEY, Mr. DELANEY, Mr. PETERS, and Mr. BUCSHON.

H.R. 2994: Mr. POCAN and Mr. RANGEL.

H.R. 2999: Miss RICE of New York.

H.R. 3011: Mr. JOLLY, Mr. SAM JOHNSON of Texas, Mr. RICE of South Carolina, Mr. KING of New York, Mr. CHABOT, Mr. LOUDERMILK, Mr. DUNCAN of Tennessee, Mr. GRAVES of Louisiana, and Mrs. HARTZLER.

H.R. 3025: Mr. LAMALFA.

H.R. 3033: Mr. BUCSHON.

H.R. 3036: Mr. SWALWELL of California.

H.R. 3039: Mr. CARTER of Georgia and Mr. GRAVES of Missouri.

H.R. 3047: Mr. HARRIS, Mr. GROTHMAN, and Mr. LAMALFA.

H.R. 3051: Mr. HASTINGS, Mr. SWALWELL of California, Ms. CLARK of Massachusetts, Mr. CONYERS, Ms. CLARKE of New York, Mr. JOHNSON of Georgia, and Mr. COHEN.

H.R. 3052: Mr. BABIN and Mr. JOHNSON of Ohio.

H.R. 3060: Mr. POCAN.

H.R. 3068: Ms. NORTON.

H.R. 3071: Mr. GALLEGO and Ms. LOFGREN.

H.R. 3084: Mr. JOLLY, Mr. MEEKS, Mr. YOHO, Ms. STEFANIK, and Ms. SLAUGHTER.

H.R. 3089: Mr. CARTER of Georgia.

H.R. 3091: Ms. ROS-LEHTINEN.

H.R. 3092: Mr. BARLETTA.

H.R. 3093: Mr. MEADOWS and Mr. CHABOT.

H.R. 3095: Mr. DEFAZIO and Ms. DELBENE.

H.R. 3100: Mr. ROE of Tennessee.

H.R. 3105: Ms. DEGETTE.

H.R. 3110: Mr. ABRAHAM.

H.R. 3114: Ms. NORTON and Mr. HONDA.

H.R. 3115: Mr. HENSARLING, Mr. ISSA, Mr. ROTHFUS, Mr. FARENTHOLD, Mr. SAM JOHNSON of Texas, and Mr. BILIRAKIS.

H.R. 3119: Mr. WALDEN.

H.R. 3120: Mr. RYAN of Ohio.

H.R. 3126: Mr. BABIN, Mr. CRAWFORD, Mr. ROGERS of Alabama, Mr. FLEMING, Mr. ROE of Tennessee, and Mr. PALAZZO.

H.R. 3132: Ms. BROWN of Florida, Ms. NORTON, Mr. COSTA, Mr. NOLAN, Ms. BONAMICI, and Ms. ESTY.

H.R. 3134: Mr. HOLDING, Mr. HURT of Virginia, Mr. COLLINS of Georgia, Mr. HULTGREN, Mr. JODY B. HICE of Georgia, Mr. FORBES, Mr. ROUZER, Mr. PALMER, Mr. MASSIE, Mr. BISHOP of Michigan, Mr. ROHRABACHER, Mrs. NOEM, and Mr. ALLEN.

H.R. 3136: Mr. GOSAR and Mr. KING of Iowa.

H.R. 3139: Mr. RODNEY DAVIS of Illinois, Mr. BILIRAKIS, Mr. POSEY, Mr. FORTENBERRY, and Mr. THOMPSON of Pennsylvania.

H.R. 3148: Mr. KILMER.

H.R. 3151: Mr. CARTER of Georgia, Mr. GOSAR, Mr. BARLETTA, and Mr. SAM JOHNSON of Texas.

H.R. 3161: Mr. HARPER, Mr. CRAWFORD, Mr. HILL, Mr. FLEMING, and Mr. WESTERMAN.

H.R. 3163: Mr. VEASEY and Mr. SWALWELL of California.

H.R. 3164: Mr. VEASEY.

H.R. 3165: Mr. SMITH of Texas, Mr. BROOKS of Alabama, Mr. MCCLINTOCK, Mr. KING of Iowa, and Mr. FARENTHOLD.

H.R. 3170: Mr. RODNEY DAVIS of Illinois.

H.J. Res. 9: Mr. FRELINGHUYSEN.

H.J. Res. 14: Mr. PALMER.

H.J. Res. 48: Mr. DEFAZIO and Ms. SLAUGHTER.

H.J. Res. 51: Miss RICE of New York.

H.J. Res. 59: Mr. SAM JOHNSON of Texas and Mr. LABRADOR.

H. Con. Res. 17: Mr. FATTAH.

H. Con. Res. 62: Mr. ISRAEL, Mr. MCKINLEY, and Mrs. HARTZLER.

H. Res. 130: Ms. CLARKE of New York.

H. Res. 140: Mrs. DINGELL.

H. Res. 318: Mr. MCCLINTOCK.

H. Res. 343: Mr. POSEY, Mr. CONAWAY, Mrs. BROOKS of Indiana, Mr. COLLINS of New York, Mr. GROTHMAN, Mr. RODNEY DAVIS of Illinois, Mr. HOLDING, and Mr. WALBERG.

H. Res. 354: Mr. SWALWELL of California, Mr. VAN HOLLEN, Mr. JOHNSON of Ohio, Mr. SESSIONS, Mr. MURPHY of Pennsylvania, and Mr. COOK.

H. Res. 365: Mr. VEASEY.

H. Res. 366: Mr. VEASEY.

H. Res. 367: Mr. MARINO, Mr. LOBIONDO, Mr. HARDY, Mr. JOHNSON of Ohio, and Mr. RIGELL.

SENATE—*Thursday, July 23, 2015*

The Senate met at 9:30 a.m. and was called to order by the Honorable DEAN HELLER, a Senator from the State of Nevada.

PRAYER

The PRESIDING OFFICER. Today's prayer will be offered by Pastor Ken Carney, First Church of the Nazarene, Hot Springs, AR.

The guest Chaplain offered the following prayer:

Let us pray.

Heavenly Father, we come before You today asking You for a new touch of grace to fall on all of our elected leaders. You told us in Your Word to ask for wisdom. I humbly ask today for everyone who governs and makes decisions concerning our great country to be filled with Your divine wisdom. Please, Father, remember mercy for those who are weak and struggling.

I close my prayer by asking that You protect all of our elected leaders and their families from harm and danger.

This I pray in Your Holy and Matchless Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, July 23, 2015.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable DEAN HELLER, a Senator from the State of Nevada, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

Mr. HELLER thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

THE HIGHWAY BILL

Mr. MCCONNELL. Mr. President, there are a lot of tired clichés about not giving up after an initial setback. I won't subject our colleagues to any of those this morning, but I will say that last night's vote represents an important first step toward passing a multiyear, bipartisan highway bill. It is the first step on a much longer road but, in my view, a worthwhile one.

This bipartisan bill will fund our roads, highways, and bridges for longer than any transportation bill considered by Congress in a decade, and the highway proposal will do so without increasing taxes or adding to the deficit. That is no small achievement.

Just consider what the Committee for a Responsible Federal Budget had to say about the bill we voted to move forward on last night. It is ''refreshing,'' they said, to see Congress focusing ''on a multi-year solution instead of just another short-term patch.'' In general, their overall view was that this is ''a fiscally responsible bill that relies on some pretty solid offsets.'' That is from the Committee for a Responsible Federal Budget. They called it ''a fiscally responsible bill that relies on some pretty solid offsets.'' Positive comments such as those echo the kinds of things I continue to hear from Members of both parties.

I would like to thank the Senator from California and the other Members on her side who worked with us to help prepare this bill and then voted with us to advance it last night. I hope we will continue to work together to finally deliver a fiscally responsible, long-term highway bill for the American people.

OBLIGATIONS UNDER IRAN NUCLEAR AGREEMENT REVIEW ACT

Mr. MCCONNELL. Mr. President, yesterday I joined Speaker BOEHNER, Senator COTTON, and Congressman POMPEO in sending a letter to the administration with a simple request: that the administration meet its full obligations to Congress under the terms of the bipartisan Iran Nuclear Agreement Review Act—a law both parties supported overwhelmingly just this spring. The law gives Congress the right to review all of the elements of an agreement struck between the White House and Iran and then take a vote on it.

The law is clear, but the administration has not submitted the side agreements between the International Atomic Energy Agency and Iran to the Senate, withholding the text from both Democrats and Republicans in Congress. And since the Iran Nuclear Agreement Review Act was signed into law prior to the completion of the negotiation in Vienna, Secretary Kerry was fully aware—fully aware—of the requirement in law to submit the side deal to Congress.

Congress cannot properly carry out its obligation to the American people until the administration fulfills its legal obligation to the American people and to Congress, so we are calling on the administration to do that immediately.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Democratic leader is recognized.

SUPPORTING OUR NATION'S VETERANS

Mr. REID. Mr. President, we can tell a lot about how a Senator feels about our veterans by seeing how they vote on issues dealing with veterans. We can tell a lot about a Senator by how he or she treats our Nation's veterans. Are they committed to giving our veterans the care and help they deserve and need or do they see American servicemembers as political footballs to be used for partisan fights?

I was disappointed yesterday to see my Republican colleagues try to actually manipulate a good veterans bill, a noble bill, and it was done for political purposes.

The senior Senator from Washington, who has worked so hard on veterans issues for years now in the Senate, crafted a bipartisan piece of legislation to help veterans to do a number of things—basically, to help with their families. It is a tragic reality that thousands of veterans and servicemembers struggle with issues related to reproductive health, including fertility, some as a result of injuries sustained in combat. Senator MURRAY's bill would give the Veterans' Administration the resources it needs to attend to our veterans' reproductive health. The legislation would also help facilitate adoptive services for wounded veterans who want a family of their own.

Senator MURRAY's bill was to be marked up. That means it would be finalized in committee before it was reported from that committee to the floor. That is one of the opportunities we have to get legislation on the floor. But in a cynical, duplicitous move, a handful of Republicans on that committee were determined to manipulate

the legislation. Instead of working with Senator MURRAY and others on the committee to pass a good bill as is, the junior Senator from North Carolina and other Republicans tried to attach so-called poison pill amendments to the bill. Senator MURRAY, to her credit, saw immediately what this charade was all about as a political stunt and requested that the chairman pull her bill from consideration, which did happen. The Senator from Washington didn't want a good, bipartisan bill hijacked by a few Republicans looking to get their names on FOX television.

This episode says a lot about today's Republican Party. This is an attack on families, it is an attack on the health of women, and it is an attack on our veterans.

Every servicemember who puts on the uniform of the United States armed services deserves everything we can give them because they take an oath to defend our Nation. It is not a pledge taken lightly by these men and women who serve. They understand what is being asked of them. They know that at any given time they may have to sacrifice everything for this country.

We here in the Senate take a similar oath when we are sworn in to office, but we also make an unspoken, yet equally solemn, vow—to do everything in our power to support these veterans. We aren't called upon to make the ultimate sacrifices they are, but we have to recognize that they need our help. That means we do anything we can to give them the care they deserve. That means we always put their well-being above partisan politics.

The Republicans in this ploy yesterday put FOX News ahead of the welfare of the veterans community. This is, in fact, a reality. It is too bad for the veterans community.

Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. STABENOW. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. ROUNDS). Without objection, it is so ordered.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

HIRE MORE HEROES ACT OF 2015—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to H.R. 22, which the clerk will report.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 19, H.R. 22, a bill to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, first let me say it is important that we fund the highway trust fund and that we have a long-term commitment to the infrastructure of our country—the jobs, the economy, the neighborhoods.

I see the distinguished Senator from Oklahoma coming to the floor. He leads the committee that oversees transportation. He and my friend from California have put forward a 6-year authorization on policy that I think we should commend them for. I am proud to be a part of the group. Certainly Democrats have been united in saying we need a sense of urgency, we need to get beyond month-to-month highway trust fund renewals, and we need to make a commitment to a long-term approach, just as every other country has done in a global economy, so that we can continue to compete and win as it relates to our roads, bridges, ports, rails, and all of the other parts of our infrastructure.

What concerns me about the bill in front of us, though, is that, while we are on the one hand wanting to make sure we have good infrastructure for our communities, including safe roads, safe bridges, and other investments, one of the ways it is funded in this bill—and I believe strongly that we need to fix this before it moves forward, and I will do whatever I can to make sure we do, along with colleagues on both sides of the aisle who care about this—is a small provision that actually takes money away from communities and neighborhoods working very hard to come back from blight.

We have communities all across Michigan—this is called the Hardest Hit Fund. There are communities all across Michigan. I don't have the full list in front of me right now, but I will do this off the top of my head. We have Detroit, Pontiac, Flint, Saginaw, Lansing, and Grand Rapids. Here is the list: Highland Park, Jackson, Inkster, Ecorse, Muskegon Heights, River Rouge, Port Huron, Hamtramck, Ironwood, and Adrian. These are all communities that are working very hard, through public sector and private sector efforts, to rebuild neighborhoods, to take down drug houses on a block where children are walking by on the way to school, and to rebuild with a new park or new housing.

This is a program that has worked. In one of America's great cities that have gone through a lot of challenges called the city of Detroit, there is a huge effort going on right now, including public sector and private sector foundations. We have CEOs running towards the city of Detroit. It is really an amazing thing to see, what the private sector is doing. They are engaged in an effort to save and rebuild neighborhoods that can be saved by going into neighborhoods where the majority of houses are where senior citizens have lived for generations. Young couples have bought a house, but maybe there are two or three houses on a block that are empty and that are places where crime is occurring, such as drug houses. We take those down. What is happening in the city of Detroit is that home values are going up and things are beginning to turn around because of this strategy.

Unfortunately, in this bill, monies that have been allocated to cities across the country in States across the country—I believe we have a list of States. States across the country have been allocated funds to fix issues, to fix houses, to rebuild neighborhoods. In this bill, money we are counting on, money that has been allocated for this purpose will be taken back. Can my colleagues imagine that?

Here is the way this works. We have construction going on. Let's say they are removing asbestos from a home or taking houses down. The contractor does the work, and the city pays the contractor and then turns the bill in to the U.S. Department of the Treasury. They are counting on the fact that they will be paid because we, the Federal Government, have given them in writing our word that they have a certain amount of dollars allocated.

This bill, unfortunately—and I am hopeful that this was not done on purpose and that we will be able to fix this—actually says that you incur that bill from the private contractor, but we are not going to pay it anymore. It is one thing if we want to debate whether this program makes sense going forward, but for allocations that have already been made for South Carolina, Illinois, and Ohio—and my good friend, ROB PORTMAN——

Mr. INHOFE. Mr. President, will the Senator yield?

Ms. STABENOW. I will be happy to yield to the distinguished chairman.

Mr. INHOFE. I have been listening. I say to my good friend that I am concerned about that.

As the Senator from Michigan knows, there are several titles in this bill. I chair the Environment and Public Works Committee, which is about 90 percent of the bill. But what the Senator is referring to here is in the banking title of the bill.

I understand—and I can't say this for certain—that there are a couple of amendments that address this. One amendment may be that of the Senator from Michigan.

Ms. STABENOW. Mr. President, I say to the chairman that Senator PORTMAN and I will have an amendment.

Mr. INHOFE. OK, it was my understanding that was the case. I have checked with the leaders of the banking committee, and I think they are anticipating that could happen. So I appreciate it, and I just wanted that clarification as to where that problem that you point out does exist in the bill.

Ms. STABENOW. Thank you very much, Mr. Chairman, for that clarification.

I do want to indicate very clearly that for communities around this country, this is a big deal. This is certainly a big deal for Michigan, and I can't in any way support any effort going forward unless this is fixed. It is a small amount of dollars in the larger scheme of funding this bill, and if it means that we fund the highway bill one less month rather than devastating communities such as Cleveland, Detroit, Flint, and cities in Illinois and South Carolina, Nevada, California, Kentucky, and across the country, then so be it. But I can't be any part of something that takes a huge effort and stops it in its tracks when it is so important to rebuild.

I just want to share one example of why this is so important. I know the chairman is waiting to speak, so I won't be long. But I do want to show that in every rebuild community—let me just give you one story.

In Detroit in October of 2009—this was in the paper—a 14-year-old girl on her way to high school was pulled behind a garage in a blighted neighborhood. In 2012, Detroit neighbors organized to try to protect schoolgirls from being assaulted on their way to school. One volunteer told the Detroit Free Press of rescuing a 13-year-old girl who was attacked in an abandoned garage. In 2012, a man who lived near Detroit looks for girls who are walking alone—girls walking to school, doing the right thing. We want them to go to school. We want them to get an education. The man abducted them at gunpoint and took them to vacant buildings and assaulted them. One man was accused of assaulting seven women. In 2012, a young woman was pulled into an abandoned house just two blocks from Denby High School and sexually assaulted—two blocks from school. She was trying to go to school when she was sexually assaulted. The Detroit Free Press interviewed an 18-year-old young woman who walked every day to school. She said she passed 88 vacant homes, and she knew other girls her age had been attacked in the neighborhood. This is getting fixed. This is getting fixed. Those buildings are coming down and in some cases what we have are landlords fixing them up. They are going in and taking back the house and rebuilding the house. People are buying homes. They are coming back into the neighborhoods. In some cases small businesses are buying these homes.

We have rejuvenation going on like I have never seen before. It is dependent on the blight funds that we, through the Department of Treasury, have made available. I am not debating whether we should add more. I would love to add more. We need more funds. We need a more robust program. What I am saying is that it is outrageous if we are in a situation where there is money that cities are already counting on and spending with the private sector, with neighborhoods, with church groups—everybody is involved in this—and they are in the middle of a project and they are told: You know what; the good news is we are going to fix the road in front of your house. The bad news is your neighborhood is going to fall apart because we are not keeping our commitments as it relates to blight.

I will be speaking more as we go. I want to certainly yield to our distinguished chairman. I appreciate the work of EPW, as I said earlier, in the policy. But this is critical to get done. This absolutely has to be out of this bill, and I hope it will be. I hope it will be.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, it is my understanding that the Senator from Indiana, Mr. COATS, is going to want some time to speak, and I am very flexible today. I just want to visit about the bill. We have so many parts of this, and I think that people have not really had a chance, and a lot of Members have not really gotten into the bill to see how far it goes and what it does.

This is the sixth one of these that I have had since I have been here in the House and the Senate. We had one in the House first. This bill, I think, is really good.

People forget that the last big bill we had was in 2005. It was a 5-year bill and it is very similar to the bill before us today. There were projects that took place that were in that bill that are now complete. In my State of Oklahoma, we had a bridge in terrible condition in Oklahoma City. In fact, we had a terrible accident. A lady with her three small children was driving under the bridge and concrete dropped and killed her. This has happened. I spoke yesterday about all the bridges and the problems that exist around this country with all of our deficient bridges. So it is serious.

Since 2009 we have not had a long-term bill. This is it. We have been operating on short-term extensions. There have been a total of 33 short-term extensions. On short-term extensions you can't get anything done. You cannot have any major reforms.

In this bill we have reforms in the NEPA system, the environmental system. We are giving latitude for road construction in terms of endangered species. There might be some little critter 6 feet down that some people don't want to disturb. Anyway, we are making exceptions. So we are really going to be able to get these projects going, and this is the first time since 2009 that we are doing it the right way.

Yesterday there were some provisions about which what we have tried to do is take them one at a time to show how much daylight is in this bill so that people know how their money is being spent. Every project that is out there can now be monitored.

What I would like to do is talk about the background of this. People don't realize that this was started in 1956 by the great General Dwight D. Eisenhower, who became the President of the United States. This Senator can say, as one of the most conservative Members of the Senate, I believe the Federal Government has grown larger and more invasive than our Founding Fathers ever envisioned, and our country could benefit from a smaller and more efficient government. I have observed that in government, if there is a problem out there, the government comes along and starts some kind of agency to deal with the problem and then the problem goes away, but the agency continues. In fact, they become part of the problem. Right now I am having a problem with one of the big bureaucracies, the FAA, on legislation that I proposed and that we passed 2 years ago, and now we have an extension of that.

When looking at the budgets of the various bureaucracies—and in that case I don't have the exact figures—it has almost doubled what it was in 1986, yet the workload is less. We have to keep in mind this is going on. This is what people are complaining about. What they are not complaining about is what the Constitution says we are supposed to be doing.

The Constitution is very clear. It says in article I, section 8 what we are supposed to be doing as Members of the Senate and the House—No. 1, defending America, and No. 2, building and maintaining roads and bridges. Sometimes we need to get out that old worn out document and reread it and find out that this is what this bill is all about. No one else is doing it for us.

There are a lot of ideas that people have, and there are a lot of conservative groups, for example, that are saying we need devolution.

I will tell the Presiding Officer something that in all his infinite wisdom he doesn't know, and that is that 20 years ago I was the father of devolution. It is more fun to stand on the steps and say all we have to do is do away with all the Federal gas taxes and move them to the States and let the States take care of these. I would suggest that some people are in States such as South Dakota where there is a lot of

land and not a whole lot of people, and that just wouldn't work. Here is the problem with that issue. In order to make devolution work—and, again, this Senator was the guy that as beautiful as it was on the stump, it was fun to talk about until I found out it was wrong. First of all, it is easy to repeal all the Federal taxes, but then you have to assume that all 48 States will agree to pass a tax increase, and that isn't going to happen. I think we all know that.

I want to mention something that is important, and that is to give the history of this. There are two areas where I believe the Federal Government has to be involved, as I mentioned, and that are consistent with the Constitution. This is both a conservative and constitutional understanding of the role of the Federal Government. President Eisenhower's Federal-Aid Highway Act of 1956 authorized construction of a 41,000-mile national system of interstate and defense highways. This chart I have in the Chamber shows the blue lines as the original highways, and the red came along later, which is the National Highway System. So you have the Interstate Highway System and the National Highway System. The blue is the Interstate Highway System, consisting of 41,000 miles of highways. This is actually a map of Eisenhower's Interstate Highway System back in 1956.

In order to finance this massive undertaking and to fund the remainder of the Federal-Aid Highway Program, the Highway Revenue Act of 1956 created the highway trust fund. That is what we have been talking about for a long period of time now. It provided that revenues from certain highway user groups be credited to the highway trust fund.

Interestingly, I can remember when the biggest problem with the highway trust fund was that it had too big a surplus. It was huge. I remember the Clinton administration tried to take $12 billion out of the highway trust fund for another program, and they were successful. It took me 3 years to get it back. That is because it was a target that had a lot of money in it. Well, the dedicated funding mechanism provided certainty for the Federal highway program. The 13-year authorization of the Highway Revenue Act gave the States the necessary certainty to plan and construct highway projects.

Since 1956, Congress has regularly reauthorized the Federal-Aid Highway Program. Eisenhower's highway act of 1956 was implemented to solve many problems we are experiencing now as our infrastructure deteriorates.

Keep in mind that it was all built on a 50-year basis and that it would last 50 years. Well, that was about 70 years ago. It is beyond its maintenance period now, and that is why it is so critical today.

The act originally in 1956 was implemented to solve the problems that we are experiencing now as our infrastructure deteriorates. Most notably, billions of dollars have been wasted on detours, traffic jams, and inefficiency in the transport of goods.

Not only did Eisenhower understand the constitutional order as intended by the Framers, but he demonstrated the terms and conditions of the Constitution in the implemented Federal-Aid Highway Act of 1956. The original principles of the Constitution and the Federal-State relationship exist to ensure liberty while maintaining security. Eisenhower was the President, but he was also a general. He was a star. He knew about the military. His original concern was not with the economy as much as it was with the military. This was following World War II, and he was anticipating that something else could happen. He wanted to make sure that we could move our goods and services around for military defense purposes. The principles were made operational via the interstate highway act of 1956, and this chart has the stated purpose of the act by the President. He said: ''The obsolescence of the Nation's highways presents an appalling problem of waste, danger and death.''

This is a statement he made at that time. Unfortunately, Congress has forgotten that passing fully funded, long-term transportation legislation is one of the unique responsibilities and has instead fallen into a pattern of passing short-term extensions. Now, I have already talked about how many extensions have been passed since 2009—33 of them. In those extensions, you don't get any of the reforms, you don't have any of the opportunities to build roads cheaper and repair the bridges much cheaper. Now we can do that.

So he said: ''Adequate financing there must be, but contention over the method should not be permitted to deny our people these critically needed roads.'' The need for a Federal investment is dire. Just look at the current condition of our roads and bridges. What was once the best transportation system in the world is now rapidly deteriorating as we struggle to maintain the existing condition of our infrastructure. Our global competitors are outpacing us in their infrastructure investment. I think we have another chart on that.

The interstate system is just as much about defense as it is interstate commerce: ''The obsolescence of the nation's highways presents an appalling problem of waste, danger and death.''

This was what the President said at that time. He is right. The condition of our roads currently has impacted the quality of life for all Americans. Fifty-four percent of America's major roads are rated poor or mediocre, according to the U.S. Department of Transportation.

This has become a matter of life and death: 32,700 Americans died in traffic crashes in 2013, with 1 of 3 fatalities related to poor road conditions, according to the Federal Highway Administration. We all remember back in 2007, up in Minnesota—it got a lot of attention up there at that time when they had the bridge collapse, the people who died, the people who were injured. It is something that could have been avoided if we had kept up-to-date on all of our bridges.

As I said yesterday, I talked about all of the bridges we have—not all of them, just some of the ones that are used more than any others. This shows the structurally deficient bridges. The darker the color the worse the bridges. There is my State of Oklahoma. You can see the entire northeast quarter of the State has a lot of the deficient bridges.

I was talking to the Senator from Missouri, Mr. BLUNT, yesterday. He talked about in Missouri—the problems we have in Missouri and Oklahoma. There are a lot of structurally deficient bridges in both states. The DRIVE Act is addressing that but also the very large bridges that are causing unnecessary deaths. Our national interstate system needs to be completely reconstructed. Right now, the 47,000—this is critical here. The 47,000-mile interstate system is about 60 years old. Many of the first segments, including segments in Oklahoma and Missouri and Kentucky, are now well beyond their 50-year design life.

When Eisenhower successfully passed the Federal-Aid Highway Act in 1956, both the House and the Senate were controlled by Democrats, while he was a Republican. The measure was met with widespread bipartisan support. There is no such thing as a Republican bridge or a Democratic road. This is something that should be blind to partisan politics, but nonetheless he was very active and he considered that one of his top priorities.

In fact, during the debates in Congress in 1955 and 1956, there had been no opposition to the interstate system. The DRIVE Act, that is what we are going to be voting on—we have already voted on a motion to proceed to it, so we have crossed that bridge. We are now going to be considering amendments. The DRIVE Act is a long-term investment vision with new reforms that will provide States with certainty and flexibility needed to revamp our National Highway System.

We are going to—this is the only opportunity we are going to have to get this done. We are going to try to finish this bill by the end of next week. So that will be quite an undertaking. I would invite and hope that all of our Members will bring their amendments down. We will be considering amendments. We can't consider them unless they come down. What I don't want to

happen is to be standing here begging for amendments to come down, and then 2 weeks from now, right before it comes time, find that we have to pass a procedure not to allow amendments.

We don't want that to happen. So we are saying get your amendments down here early. We know there are some of them—there has been a lot of publicity on this—that are not germane. Yet we are going to go ahead and consider them. We are going to open the amendment process. That is one thing I think the Republicans do better than Democrats because during the years the Democrats controlled this Chamber, we just had a handful of amendments at that time. We passed that 8-year record in the first month by encouraging people to bring down amendments. So I am asking the Democratic and Republican Senators to do that.

This is going to be the most significant bill—now that we have passed the Defense authorization bill. That is not all behind us yet. We are still meeting on that. In fact, we had a meeting this morning, but nonetheless it was passed from the committee and from the floor. Now the most important legislation that is left for the rest of the year is this bill we are talking about now. There is going to be a lot of legislation that is going to be introduced.

In my committee, the Environment and Public Works Committee, a lot of people think of that, and I know the Presiding Officer is an active member of that committee. It is not just public works. It is not just roads and highways and bridges. The other part of it, the environment and public works, includes all of the overregulation.

Right now, if you go back to your States—I don't care what State it is—and you talk to people on the streets who are in business, they will tell you the greatest problem we are having right now is overregulation by the EPA. The Environmental Protection Agency is passing regulations right now. I mean, look at the cap-and-trade legislation. That would constitute the greatest tax increase in history. Yet they tried to pass it as legislation. Now they are trying to do it as regulations.

The waters of the United States. That is an issue that if you talk to your farmers—I don't care if it is in South Dakota, Oklahoma, Missouri or any of the rest of the country—and you ask what is the biggest problem you are facing right now, it is nothing that is found in the farm bill. It is the overregulation by the EPA. They will single out the waters of the United States bill or rule that they are trying to put through. I recall so vividly, just a few years ago, when two Members authored bills to take the word ''navigable'' out. I am sure there are some who have forgotten the fact that the regulation of water in the United States has always been left to the States, except for navigable waters. I understand that. Even being a conservative, I understand the Federal Government needs to be regulating those.

What the liberals tried to do is take the word ''navigable'' out so the States would have no say in the regulation that is out there. So not only did we defeat the legislation, but both Senator Feingold and Congressman Oberstar, who were the sponsors of the bill, were defeated in the next election too. We have all these things. We have endangered species. These are all part of this committee. So it is overregulation that is consuming most of our time.

Repairing our roads and bridges is an area where everyone agrees. You have to keep in mind, this bill passed—our bipartisan bill—unanimously out of committee, not one vote against.

I am prepared to yield the floor because I understand the Senator from Indiana is here.

I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. Mr. President, I want to thank my colleague from Oklahoma for his recent statement. I also understand he is willing to help relieve me a little bit, as I am the next Presiding Officer. I appreciate that. I will relieve him of that responsibility as soon as I finish my remarks.

WASTEFUL SPENDING

As many know, I have, since February, been coming to the Senate floor—now 18 different times—to highlight waste, fraud, and abuse within the Federal Government. The Senator from Oklahoma was talking about his committee, which he runs in such an efficient and effective way—I am particularly taken with the overregulation under this administration. It resonates with me. It is killing our farmers. It is killing our small businesses.

We are all for safe, sound, cost-effective regulations that address safety and health. No one is trying to undo those, but we have an agency that is running amuck with ideological determinations on the basis of what ''they think is best'' for the country, regardless of what numbers come up, what impact they have—what negative impacts. No one has better led this effort than the Senator from Oklahoma, Mr. INHOFE. I thank him for that.

But today I have come to talk about waste, abuse, and fraud. I have been down here 18 times since February, once a week. I could be down here every day. I could be down here every hour. It is astounding the amount of taxpayers' hard-earned dollars that has to pay for what has been categorized by neutral agencies—not on a partisan basis at all—as total waste, total fraud, and total abuse.

So here I am again, trying to do the best we can to make this government more effective, more efficient, and more focused on the essential things it needs to do—wiping out, eliminating the abusive use, the wasteful use, and the fraudulent use of hard-earned tax dollars.

Today, what I would like to speak about relates to the so-called Affordable Care Act. I think we found that a better title would have been the ''Unaffordable Care Act.'' But last week in the Senate Finance Committee, we had the Director from GAO—a member from GAO, Mr. Bagdoyan. He is the Director of Audit Services at the Government Accountability Office.

It was a fascinating hearing, but he came to report to us about abuses that are taking place or could take place with the Affordable Care Act enrollment. It is amazing. I would like to go over that. His audit team—this is his job. His job is to audit the spending of taxpayer dollars. In this case, they looked at the Affordable Care Act enrollment process. They wanted to see whether the procedures that had been agreed to, to prevent people from abusing this in a fraudulent way—if they had been implemented at the Centers for Medicare and Medicaid, CMS.

So what they did is run an undercover so-called secret shopper investigation to test the internal controls of healthcare.gov to review how the Centers for Medicare and Medicaid Services handle this new program. Particularly, this investigation was designed to determine how effective the administration's Federal health insurance exchange is protecting against fraudulent applications. So it is a very narrowly focused test and a very legitimate test to see if the agreed-upon measures and criteria for qualifying to enroll in health care, the ObamaCare bill, have been put in place.

There are millions of people who have selected ObamaCare plans through healthcare.gov. Eight million Americans in 34 States have selected plans, and 87 percent of those have qualified for premium subsidies. That alone adds up to tens of billions in subsidies each year, all coming through healthcare.gov. That is an issue in and of itself. I am not here necessarily to address that. We can address that at another time.

But the key question was, if applicants misrepresent themselves with fake facts in order to receive those subsidies, would the folks at healthcare.gov find those, catch them, and keep them from qualifying. Unfortunately, the answer is a resounding no. The GAO, the Government Accountability Office, found that 11 out of 12 fake applications received approval. For this investigation, GAO created false identities and used them to apply for premium tax subsidies through the Federal health insurance exchange. They used fake documents or, in several cases, no documents at all. It was just a test. So they would learn that either those applications

would be turned down or that those restrictions which were designated—that those running healthcare.gov knew what they needed to do and did what they needed to do.

The Centers for Medicare and Medicaid Services accepted 11 out of the 12, accepted the fake documents, for some didn't even attempt to verify their authenticity, and as a result they enrolled those applicants. They granted them thousands of dollars in premium tax subsidies. Specifically, CMS awarded $30,000 in advanced premium tax credits to 11 of those 12 fraudulent applicants in 2014 alone.

As 2015 began, CMS then terminated coverage for 6 of those 11 fake individuals, noting that they had not properly registered or provided necessary documents. So it seemed then that, OK, the program turned out to work and CMS finally caught on to the fact that they were issuing subsidies for fraudulent applications. Well, that optimism was very short-lived because GAO then called CMS pretending to be those individuals who had been turned down, and in five of the six cases, they were able to get their coverage and subsidies restored without submitting any paperwork.

The system handles millions of applications with billions of dollars of subsidies, and they did not design a mechanism to identify fraud even though they had been told they were not identifying the fraud and not putting the measures in place to do so.

Part of the problem is that the law is so gargantuan, it is nearly unworkable. But there is no excuse for these compliance numbers when billions of taxpayer dollars are at stake.

Unfortunately, the administration continues to measure success by the number of people who have signed up for ObamaCare. Last year, the administration rejoiced when reaching its enrollment goal and lauded it as proof the exchanges were working just fine. However, given the results of this investigation, I wonder what percentage of those enrollees were real people providing real information and how many were people providing no information or false information.

When the test revealed that 11 out of 12—that is a pretty high percentage. You can multiply that out over what you think might be happening in the enrollment process, and there could be very substantial amounts of taxpayer money being paid in subsidies to people who do not qualify.

Careful oversight of these programs for Federal benefits is of utmost importance, whether it is CMS on ObamaCare or whether it is any other agency in government that is providing benefits to individuals. I have listed many of those in my ''Waste of the Week'' speeches.

This government needs to—must and Congress must do better in terms of oversight to make sure taxpayer dollars are spent effectively and efficiently, and if not, returned to the taxpayers so they don't have to send them here to be wasted in the first place.

Clearly GAO used only a small number of claims, but imagine what hasn't been looked at or identified and what those numbers would be. This is a canary in a coal mine. If this isn't an alarm bell of dysfunction, I don't know what it is.

Today I am not going to speculate on how much money has been wasted because of the acceptance of false applications, but I will put $30,000 of documented abuse of subsidies that were paid for under the GAO investigation. So it is just a little bump on our gauge as we head toward $100 billion, and I have been told that next week's waste of the week will take us to our goal of $100 billion. We had hoped to reach that goal by the end of this year. We are way ahead of time. And, as I said, I could come down here every day or maybe every hour, given the waste we are finding in this misuse of taxpayer money.

I thank the Chair again for helping me out on the time situation. I look forward to relieving the Presiding Officer in the chair.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. INHOFE). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. INHOFE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. COATS). Without objection, it is so ordered.

Mr. INHOFE. Mr. President, we have so many elements of the bill that is under consideration now, the DRIVE Act. It is enjoyable to talk about it. Yesterday we talked about the transparency, the fact that we have a way that the public can know every dime.

I was watching as the Presiding Officer was giving a presentation on waste in government. That is not the case here. If all government agencies had the transparency we are going to have with the DRIVE Act, where everyone is going to know on a day-to-day basis the progress of every bridge, every highway that is being done, the renovations, then we wouldn't be having that problem. We are doing it right.

You know, I look at these different parts of the bill. It is so big, you can talk about it for a long period of time. Yesterday we went over not all of the deficient bridges in the country but quite a few of them, and when people stop and realize that people die unnecessarily because of deficiencies in our bridges—it is a serious thing.

But one of the parts of this bill that people are not aware of as much as they should be is the freight section of the bill, transporting freight around. We talked about the history. We talked about the fact that the first bill that came along for a transportation reauthorization bill back in 1956 was primarily for military purposes. Now we realize the deficiency—we are compared to China, compared to other countries in not keeping up our highway system.

Today the National Highway System carries more than 55 percent of the Nation's highway traffic and 97 percent of the truck freight traffic. Of the 4 million miles of public roads, the National Highway System represents 5.5 percent of the Nation's most heavily traveled miles of road. That 5.5 percent carries 97 percent of the freight.

Americans depend on a well-maintained National Highway System that provides critical connections between urban and rural communities. American businesses pay an estimated $27 billion a year in extra freight transportation costs due to the poor condition of public roads, which increases shipping delays and raises prices on everyday products. Recognizing that it is the foundation of the Nation's economy and the key to the Nation's ability to compete in the global economy, it is essential that we focus efforts to improve freight movement on the National Highway System.

You know, in all the bills—and I have been involved in six of these over the years—we have never really singled out freight to be addressed. Yet there is no one in here who hasn't gone down our roads and highways and seen the congestion and the traffic and trucks idling here and there and everyone being late, and there is a tremendous cost to that.

The DRIVE Act includes two new programs to help States deliver projects that promote the safe, efficient, and reliable transportation of consumer goods and products. The first new program is the National Freight Program. The National Freight Program is distributed by a formula that will provide funds to all States to enhance the movement of goods, reduce costs, and improve the performance for businesses.

It is kind of interesting because one of the good features about a transportation system and the way we have been doing it with our Transportation reauthorization bill is that we rely on the States to decide what their priorities are. This infinite wisdom in Washington where they think they know more than we know in the States is not true at all. So this is one of the rare areas where we go to States and say: Look, you guys, you decide what you think your priorities are in Indiana or in Oklahoma. So we have a formula to address that.

The problem with that is when you get to moving freight, they do not have that as a high priority because most

freight moves through a State and they do not consider that to be a local problem. They are more concerned about passenger cars. So it doesn't appear in their priorities. Well, it does appear now.

So we have the first new program, the National Freight Program, which is a different type of formula, and it addresses the movement of freight through States. The program will expand flexibility for both rural and urban areas to designate key freight corridors that match the regional movement of goods on roads. It will improve the efforts to identify projects with a high return on investment through State freight plans and State advisory committees.

The second program is the Assistance for Major Projects Program. It creates a competitive grant program to provide funds to major projects of high importance to the community, to the region, and to the Nation. The program includes a set-aside for rural areas and ensures an equitable geographic distribution of funds.

These new freight programs will only exist if the DRIVE Act is enacted. That is what we are talking about now—the DRIVE Act. And it will be enacted by Congress, I am very confident.

I can't imagine, by the way, Members not listening to the people back home. Right now, if you go back to any of the States—I don't care what State it is—and you talk to the State departments of transportation, they will be listening to not just the road builders and suppliers but the people who are driving on the roads. It is the most popular thing in America. So I can't imagine having the opportunity to have a 6-year program and getting justification for voting against it.

I think it is time to be innovative and forward-thinking in how the Federal programs use tax dollars to responsibly partner with the States to improve the National Highway System, and the DRIVE Act is the answer.

Let's talk about Fort Lee, NJ. Here is the George Washington Bridge, which connects Fort Lee, NJ, to New York City. It is the second worst freight bottleneck by congestion index in the Nation. Average speed slows to 29 miles an hour. Rush hour speeds in the morning and evenings slow to below 15 miles an hour. The nearby I–95 Cross Bronx Expressway is the most congested corridor in the country. The morning southbound commute is considered the worst of the worst in the country. The George Washington Bridge is the world's busiest motor vehicle bridge. That is what we are looking at.

Yesterday we were talking about the Brooklyn Bridge. Some of us here are old enough to remember the old Tarzan movies. Do you guys remember that? Do you watch the reruns? Johnny Weissmuller was his name. He had a lot of muscles and was a very strong guy. One of his movies was ''Tarzan's New York Adventure.'' In that movie he was being chased around the Brooklyn Bridge. The Brooklyn Bridge was built in 1883 and here we are today and we still have the Brooklyn Bridge. Anyway, Johnny Weissmuller crawled up on the top as the cops were chasing him with guns and all that and he dived off. Every time I drive over that bridge, I think I am going to be diving off there if it collapses.

Houston, TX, is home to 5 of the top 20 freight bottlenecks in the Nation. Texas is home to 9 of the top 25 freight bottlenecks. Freight bottlenecks cost the freight industry in Texas some $671 million a year—that is just in Texas, the bottlenecks—and 8.8 million hours of delay.

I–45 at U.S. 59 is ranked third by the congestion index. I–45 at U.S. 610 North is ranked 15. Average speed slows to 39 miles an hour. Morning and evening rush hour speeds drop way below that.

Look at this. You can see that is a problem. That is why this is a very important part of the bill that is before us now.

I think we have an opportunity here. We have to sometimes remind people of what doesn't work. What doesn't work are short-term fixes or short-term extensions of previous bills that were passed. The last one we passed was in 2005. It was a 5-year bill. It expired at the end of 2009. At that time we should have started another transportation reauthorization bill, but we didn't do it. So we have had short-term extensions.

There is a guy named Gary Ridley out in Oklahoma who is recognized nationally. He has been here testifying several times before us as a nationally recognized scholar. He really understands transportation. If we look at the 33 short-term extensions we have operated under here in America after 2009 and before this bill, it wastes more dollars than a long-term reauthorization.

I think it is important for a lot of people to hear this because sometimes there are rating organizations that say: Well, we are going to oppose a bill because it is a big spending bill. Sure it is a big spending bill. You know, that old, worn-out document called the Constitution says what we are supposed to be doing here is defending America and building bridges and roads. So that is what this is all about, and we are going to do it. But for conservative groups to say they don't want to support this bill—they have dropped short of understanding the fact that the alternative is to have short-term extensions, which is an irresponsible use of dollars. The conservative position is to pass a funded highway reauthorization bill.

I know a lot of people will be talking about devolution. I can talk about this because going back 25 years ago, at that time a guy named Connie Mack, who was a House Member and later a Senator from Florida—he and I were the fathers of devolution. You didn't know that, did you? We are the ones who introduced the devolution bill. The idea sounded good on the stump because you could say: Well, we will just repeal all the Federal taxes and make State taxes out of them.

Well, it didn't quite work that way because you can't do that. If you repeal a Federal tax, then you have to pass a State tax. And how many people here are naive enough to believe that all 48 contiguous States would be willing to pass a sizable State tax increase? It is not going to happen. So that is why the National Highway System is so important. That is why Eisenhower started this back in 1956.

I have friends up in Wyoming. There are very few people in Wyoming, but there are a lot of roads that are part of our National Highway System. If devolution occurred in Wyoming, they would have to pass a 31-cent-per-gallon gasoline tax increase in Wyoming. It is not going to happen. We know it is not going to happen. So we are not going to have a uniform system unless we do it this way.

The opportunity we have now is the DRIVE Act. I know the House has made some statements that they want to do a 5-month extension. See, there we go again, another short-term extension. Their reasoning, I guess, is they want to get to the year's end and then couple that—because of the popularity of the highway bill—with some of the tax changes that are set to take place at the first of this coming year.

So I know some of my friends—because I have talked to them over in the House—have said: Well, we want a short-term bill because we don't think you are going to pass a long-term bill in the Senate.

Well, when they find out we are going to pass a long-term bill—we are going to pass this bill—that will change things. So I look forward to that, to the opportunity to get this passed and get it passed in a timely fashion.

By the way, we have to keep in mind that we are on a deadline. The deadline is the end of this month. The highway trust fund runs out of money at that time, so that is why it is important that we get this passed.

ORDER FOR RECESS

Mr. President, I ask unanimous consent that the Senate recess from 12:30 p.m. until 2:15 p.m. and that the time during the recess count postcloture on the motion to proceed to H.R. 22.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INHOFE. With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. FISCHER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. FISCHER. Mr. President, I rise today to speak about critical legislation before the Senate regarding our Nation's transportation regulatory framework and infrastructure.

As an active member of the Senate commerce committee and the Environment and Public Works Committee, I am proud of the work my colleagues and I have done to develop a strong, comprehensive bill that keeps our Nation moving by making our transportation system safer and more efficient, while also increasing our global competitiveness. As many may know, my father was the director of the Nebraska Department of Roads. Through his service—and by osmosis—I gained a deep appreciation for infrastructure projects and enabling them to move forward in Nebraska and elsewhere.

I have spoken with families, consumers, workers, and business owners all across the State of Nebraska. The message is loud and clear. Nebraskans want a long-term highway bill. Nebraskans want to bring certainty to local projects and increase safety on the roads and highways.

In the coming days, the Senate has the opportunity to provide our constituents with just that—a 6-year transportation bill that will help vital projects get up and running.

The bill enhances safety, makes much-needed regulatory reforms, and increases investment in our Nation's infrastructure.

I appreciate the work that Chairmen THUNE and INHOFE and Senator BOXER and their committee staff members have accomplished with the DRIVE Act.

The DRIVE Act will reauthorize surface transportation programs for 6 years—something I have long advocated—to provide certainty for States, businesses, families, and the traveling public. Most importantly, the bill advances key provisions to ensure that local infrastructure projects in my State will move forward with a better and more defined process from the onset.

Throughout the process of developing this bill, I worked with local stakeholders in Nebraska, including our State department of roads, highway builders, consultants, and transportation leaders. The meaningful changes I championed will provide better coordination between the Federal Highway Administration and States on streamlining environmental permitting and review and programmatic agreement templates when initiating new infrastructure projects.

More specifically, the bill will establish procedures, based on a template developed by the Transportation Secretary, allowing States, in addition to the Federal Government, to determine which State or Federal agencies must be consulted prior to beginning an infrastructure project.

In addition, the bill provides technical assistance to States that want to assume responsibility for reviews of categorical exclusion projects, which are a category of projects that don't have a significant impact on the environment, triggering a less arduous level of environmental review.

My provision would help States provide their own certification regarding the appropriate level of environmental review of certain projects, rather than wasting time and taxpayer dollars waiting for the Federal Government to provide the assessments.

Given Nebraska's challenges with starting and completing infrastructure projects, these elements of the DRIVE Act offer a major step forward for transportation projects in my State. I appreciate all of the input my office received from Nebraska's transportation stakeholders on these crucial issues.

The bill also includes major components of a bill I introduced earlier this summer called the TRUCK Safety Reform Act. The legislation offers important regulatory reforms to the Federal Motor Carrier Safety Administration, or FMCSA, and encourages stronger regulatory analysis, more transparency, and wider public participation in this regulatory process.

The bill also provides regulatory relief to agricultural producers in Nebraska, reforms research at the Department of Transportation to reduce duplication across the modal administrations, and it addresses the challenges of the CSA truck scoring program.

I am also pleased that the bill establishes a new freight program to prioritize, increase efficiency, and lower the cost of the movement of freight imports and exports throughout our Nation.

The freight program will help America's transportation system continue to facilitate expanding U.S. trade flows.

The DRIVE Act further incorporates performance-based regulations into our Nation's transportation system. Performance-based measures will offer States more flexibility in meeting the goals of infrastructure-related regulations.

Furthermore, the reforms to our transportation system will increase U.S. global competitiveness and strengthen safety on our Nation's roads. They will also provide certainty to States and local governments, businesses, consumers, workers, and families.

Although this bill does not include every single provision for which I initially advocated, I was willing to compromise. I was willing to compromise for the greater good of our country's transportation network. I truly appreciate Senator BOXER's willingness to negotiate in good faith.

I encourage all of my colleagues to support this essential legislation. It is time for us to address our Nation's transportation challenges.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. COATS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. FISCHER). Without objection, it is so ordered.

THE BUDGET

Mr. COATS. Madam President, I repeatedly have come down to the Senate floor to talk about our budget issues. Earlier this morning I talked about my 18th waste of the week—looking at waste, fraud, and abuse in terms of government spending and a waste of taxpayers' dollars.

The first 4 years of this 6-year term that I am enjoying and participating in, I have been consumed with the issue of our continuing deficit spending and increasing national debt.

I was part of a group working directly with the President in an effort for many months with his top people to reach an agreement on how to address our long-term budget situation. It is no secret that under this administration the national debt has almost doubled. It is staggering to think that over the 230 or 240 years of the life of this country we have gone from $10.6 trillion to now $18.8 trillion of debt. It is going to have consequences.

As chairman of the Joint Economic Committee, we recently released some information entitled ''Ten Things to know about CBO's Long-Term Budget Outlook.'' This is something we spent a great deal of time debating years ago, but it has fallen under the radar. We are obviously dealing with issues that are important. This Iran deal that has just been signed by the administration deserves intense concentration and consideration in terms of how we address it. We also have the continuing economic malaise and slow recovery from the recession.

We have a number of issues we need to address, such as highway funding, health care, and so forth. These are all important issues. But underlying all of this is a fundamental issue that has not been addressed, and if it is not addressed, it will have significant and adverse consequences for the American people, not just for future generations but even for our own generation.

I keep trying to bring us back to this gorilla in the room that we ignore and keep thinking we will deal with it later. It has been passed on, and the so-called can has been kicked down the road election after election, through different Presidents and resulting in more and more negative consequences for the American people.

Our Joint Economic Committee just recently released ten things we need to know about the Congressional Budget Office's long-term budget outlook.

No. 1, the United States cannot rely on borrowing forever. This is not a complex issue. If you continue to borrow more money and don't pay your bills, eventually the tax collector is at the door. With the tax collector being at the door, this means eventually investors will demand higher and higher interest rates because we don't have the confidence the United States is going to be able to pay its bills.

No. 2, mandatory spending skyrockets. We all have known the spending for Medicare and Medicaid and entitlements is running amok and it needs to be addressed on a long-term fix.

No. 3, according to CBO, ''The large amount of debt could also compromise national security by constraining defense spending in times of international crisis or by limiting the country's ability to prepare for such a crisis.'' Look at the world today. It is aflame. Yet we are cutting our defense at historically low rates of readiness in terms of dealing with this. So while the threat increases daily and is right there before us, we are slashing our spending on defense and national security because we cannot afford it due to the entitlements eating all of this up.

No. 4, bankruptcy looms for Social Security. We stand here and pretend like everything is fine and everybody is going to continue to receive their Social Security checks, no problem. CBO projects that bankruptcy looms for Social Security. The report that just came out from the trustees has basically said that within a relatively short period of time Social Security is going to hit bankruptcy. What does that mean? That means dramatic cuts in Social Security benefits to people who have counted on using Social Security to help for their retirement or dramatic tax increases to cover the deficit.

There is a portion of Social Security—the Social Security disability benefits—that the trustees said is going broke next year. We are more than halfway through 2015, and CBO projects that by the end of 2016 the Social Security disability fund will be going bankrupt. That is what has been said here. If you don't trust my words, read the—not my favorite newspaper but one that usually gets its facts right—the New York Times. Today's New York Times has a major article: ''Social Security Disability Benefits Face Cuts in 2016, Trustees Say.'' I will quote a couple of items which are written in this issue:

> Eleven million people face a deep, abrupt cut in disability insurance benefits in late 2016 if Congress fails to replenish Social Security's disability trust fund, which is running out of money.

That statement was issued by the administration.

> Officials expressed concern about the program as they issued their annual report on the financial condition of Medicare and Social Security, which together account for 40 percent of all federal spending.
>
> The trustees of Social Security . . . said the disability trust fund would be depleted in the last quarter of 2016. After that, they said, benefits would automatically be cut by 19 percent because revenues, largely from payroll taxes, would be sufficient to cover only 81 percent of scheduled benefit payments.

Folks, we have been warning about this for years, not doing anything about it, and we now have this report from the trustees who oversee these funds, and the report, as published by the New York Times today, says this thing is going broke next year and cuts will be 19 percent because we don't have the money to pay for it. You would think the alarm bells would be sounding. You would think we would finally understand we are hitting the wall on spending and that we would finally step up and do something about runaway entitlement mandatory spending or everybody will end up paying the price.

I will add one more point from the New York Times:

> The trustees, in their report, said that the squeeze on the disability program was ''but the first manifestation of larger financial imbalances facing Social Security as a whole, as well as Medicare.''

Where is AARP? Where are the people in retirement who say don't touch a penny of my Social Security or Medicare benefits, when the trustees say don't worry, we will not have to touch a penny of it; the program is going broke on its own.

For all of us who have been pleading to do something to address this issue, it is not even being talked about. Yet anybody who comes to the floor and says this kind of stuff is immediately pilloried by AARP: Oh, they are going to go off and cut our Social Security. No. It is going to automatically happen because we haven't addressed the issue. So don't criticize us for trying to address an issue that will cut your benefits by 19 percent or cause the program to go broke. Support those who have had the courage to stand and say: Folks, we have to do something about this. If you want to continue and guarantee Social Security benefits when people retire or give them Medicare coverage when they retire and need it, something has to be done now or there will be massive cuts. That is not just a Republican or conservative standing and saying that we are spending too much money and we have to cut back on that; the trustees who oversee the programs are warning us and saying you have to do something or everybody is going to take not just a haircut but a major cut.

A couple of other things came out on the budget term outlook. The Federal debt has nearly doubled since President Obama was elected. It now stands at 74 percent of the economy. The Federal debt has nearly doubled since the President was elected. What a legacy. Why in the world would a President of the United States with a responsibility to oversee the fiscal basis of what makes this country work and to commit to people that he will address problems as they occur—if this was a private business, it would be in bankruptcy. Nobody would buy the stock of this business. Nobody would buy bonds of this business. Nobody would invest in this business because it is totally dysfunctional and it is totally going broke. Yet the Federal Government has printing presses down in the basement and they keep printing out dollars. That decreases their value to cover our debts, and they continue to tell people to go ahead and loan money to the States. We are also going to keep taking your taxes, but buy our bonds and don't worry because we are going to pay them back—not at this rate. We are heading toward the wall, we are in the crisis, and we are not doing anything about it.

No. 6, and the last point. Hopefully, CBO, the Congressional Budget Office, made correct assumptions. Their warnings are based on assumptions and hopefully we will make some efforts and prevent some of this, but if they are off by just three-quarters of 1 percentage point, it will result in a dramatic change of raising the Federal debt from 111 percent of the economy by 2039 to 159 percent of the economy. You know who has those numbers? Greece. Japan is careening toward that catastrophe.

If you want to see a model or example of what happens to a country that allows its debt to run unchecked and to hit the 100-percent mark of its total economy, just take a look at what is happening in Greece. None of us wants to see that happen, but we have far too few alarm bells sounding in this country because it is happening. This isn't just Republican or conservative propaganda. This is the Congressional Budget Office. It is not Republican, it is not Democratic, it is totally neutral. It is math. It is numbers. It has nothing to do with ideology. It has everything to do with numbers that ought to be driving us to deal with this issue, standing up to our constituents and saying, regardless of the political consequences, folks, just do the math. It is pretty simple math. If we don't do something, everyone is going to pay the price.

For those organizations—and I call out AARP—that scare people with mail and phone calls and everything else saying that they are going to cut your Social Security and take some money away from your disability benefits, that is not what we want to do. We want to guarantee what we have promised to people, but if we don't take

these actions, it will automatically happen. So we need the support of everybody who has concern not just about my generation, who are retiring in record numbers, but about the future for our children and grandchildren. What is this country going to be if we can't take these steps?

I get exercised about this, and it is why I came back. It is one of the two main reasons I decided to run for the Senate again. I was worried about terrorist attacks and the nightmare of a marriage between weapons of mass destruction and terrorist groups impacting our country and the world. But while we seem to be struggling to address the terror issue and having some success—at least we are aware of it on a daily basis—we are letting this fiscal crisis go by without even talking about it. I think everybody is exhausted. We have had exhausting exchanges. We have had bipartisan Democrats and Republicans working together and pleading with the President and the White House, starting with Simpson-Bowles, which was a bipartisan effort. The Gang of 6, the Committee of 12, the supercommittee were all bipartisan efforts.

I was part of the dinner group, which was an effort to plead with the President to do something together to address this problem and being turned down time after time after time. Now we are sailing toward the end of this Presidency, and obviously nothing is going to be done even though the Social Security trust fund is going to expire on the President's watch. They will come up with some gimmick and shift some money around and so forth, thereby just putting us further in debt and kicking the can down the road. They have to cover this because politically they will not allow this to happen, but they will do it in a way that makes our situation even worse.

As the President careens toward retirement and his legacy, one of those legacies will be questioned by people for years and years into the future: Why didn't we do something when we had the chance on a bipartisan basis with support from both parties? Why was the President so adamant about not doing anything to address this problem?

Time is running out. Social Security disability will collapse under the President's leadership before he escapes at the end of 2016. You can tell how frustrated I am, but I will keep coming down here and talking about this stuff and hopefully—well, we don't want it to happen under a crisis. We don't want to be days away from bankruptcy, so we move some money around in the Federal budget and so forth and so on, take it from Peter to pay Paul, put us further in debt, and then kick the can down the road.

I feel for the next President, whoever that might be. They are going to get a can of worms because we didn't do anything about this during this tenure.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. BOOKER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:33 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

HIRE MORE HEROES ACT OF 2015—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, Vermonters—like many Americans—are frustrated. They are frustrated when they see short-term patches that do not make investments in our crumbling infrastructure. They are frustrated with seeing meaningful policy advance, while Congress bickers over how to pay for it—and at what expense to other critical programs.

Passing a long-term authorization to make needed improvements to our aging roads and bridges is a matter of common sense. It is a matter of safety. And quite frankly, for us in Congress, it's our job.

After 11 short-term extensions over the course of 3 years, Congress finally approved MAP–21 in 2012. Now, two short-term extensions later and faced with another expiration deadline, we have a choice: another patch, or pass a meaningful, long-term transportation authorization that will give our States the ability to build and repair roads, bridges, and byways, to promote rail safety and transit, and to invest in the critical infrastructure that supports our cities and towns, enables interstate and intrastate commerce, and creates jobs for American workers. The time to pass a plan for long-term transportation funding is now.

Vermonters take great pride in our historic downtowns and small communities. In our cities and towns, we have a culture of getting things done. We find a way to accomplish our shared goals. But, when those shared goals rely largely on a Federal funding stream that is unreliable at best, and uncertain at worst, it makes it impossible to double down on the investments needed to keep the cars, buses, and trucks moving on our roads. We can invest in bridges and roads overseas. We do it all the time. We decided to spend a couple of trillion dollars in Iraq. We didn't use any offsets; we just put it on the credit card. As one Vermonter said to me back home: We spend billions upon billions of dollars to build roads and bridges over there, and then they blow them up. Why don't we spend a little bit of that money here at home, and we will take care of those roads and bridges?

As much as we invest in bridges and roads overseas, we must do so right here at home. Look at this bridge show in this picture I have in the Chamber. It is located in East Montpelier, just about 5 miles from where I was born. It was built in 1936—the year my parents were married. It is in dire need of repair. Weather, the sometimes very harsh Vermont climate, age, and traffic volume—more than 4,400 vehicles cross it per day, 10 percent of which are trucks—have led to the deterioration of the bridge. It is one of nearly 300 long and short bridges in Vermont that have been deemed structurally deficient. The East Montpelier Bridge remains open—at least for now. It will be replaced in 2018, with a price tag of $7.3 million, about 2 minutes' worth of the money we wasted in Iraq. It is an issue of safety. It is an issue of economic certainty. It is a commonsense investment that has been delayed for too long because resources are far too scarce. I am willing to bet the same could be said of all 50 States represented in this body.

We all agree that a long-term transportation bill means safe bridges, paved roads, and completed railways. But it also encourages innovative projects that incorporate public health, environmental, and social incentives. Look no further than Burlington, VT. A picturesque town nestled on the shores of Lake Champlain, it is home to a variety of innovative entrepreneurs and businesses, from high-tech hubs to specialty food producers. As our businesses and communities grow, Vermonters depend on safe and reliable modes of transportation to keep them connected.

Church Street is a pedestrian-only street that welcomes locals and visitors to enjoy the many vibrant shops and restaurants. As businesses begin to sprawl beyond the limits of Church Street and settle into new homes along Pine Street, the city has invested in safe modes of travel to ensure accessibility. The Bike Path Rehabilitation Project and the Safe Streets Collaborative are projects that consider the needs of the community as a whole—either in a vehicle, on foot, or pedaling.

Main Street—the heart of any Vermont downtown—is home to small businesses and services such as post offices, grocery stores, medical offices, and banks. In a rural State such as Vermont, investing in our infrastructure extends beyond bridges and roads.

It is sidewalk repair. It is establishing crosswalks. It is widening roads to provide for parking, and it is installing such basic things as street lighting, refuse receptacles and landscaping.

After many years of economic decline in downtown Barre—one of our larger cities—the city's Main Street was left with empty storefronts and lonely streets. The community introduced the Big Dig—a multiyear effort to revitalize Main Street and City Hall Park. With funding sourced from Downtown Transportation Grants and Federal funding sourced through the Agency of Transportation, 200 State employees were able to relocate into a new office building in the heart of downtown.

Look at the before and after pictures. The differences are stark. These are the kinds of Federal investments, coupled with investments from States and towns, that can revitalize communities across the country. This project brought life back into Main Street. Businesses filled vacant office spaces, restaurants opened their doors, and the sidewalks welcomed locals and visitors alike. The transportation funding went beyond just improving the physical infrastructure; it was an investment in the health and economy of the community.

The highway trust fund is not just about infrastructure; it is about jobs—jobs that cannot be shipped overseas.

Earlier this year, I met with Jeff Tucker, the president of Dubois & King. D&K is a Vermont owned and based consulting engineering firm which employs 100 people, including about 80 Vermonters. Jeff's frustration was clear: short-term highway trust fund extensions paralyze the ability of States and municipalities to plan. Jeff's company provides high quality engineering jobs with an average annual salary of over $71,000. These jobs come with full benefits—health care, paid vacation, sick and holiday paid time off and retirement packages.

A significant portion of his business includes transportation-related engineering projects that originate from the Vermont Agency of Transportation. The Vermont Agency of Transportation creates a statewide plan based on the State's known Federal transportation funding share—something the agency has not been able to count on in a long time. There are thousands more examples of businesses around the country hampered in the same way. In a State like Vermont, a short-term construction season paired with a short-term funding stream is a terrible combination, for both the State and the companies that provide these services.

Now the Senate is debating how to move forward with a long-term investment in our roads and bridges and railways. It is an important debate. There is a lot about this policy proposal that I support. I share the concerns, however, of many that it will undermine the safety of riders, bikers, and pedestrians.

The policy is not perfect, but how we pay for it should also be considered. The highway trust fund has been supported for the most part by a user-fee driven system. Our roads and byways need our attention, but a long-term extension of this authorization, paid for by robbing from other critical programs, is as unsustainable as a network of short-term patches.

America is starving for real, certain infrastructure investment. The highway trust fund cannot limp forward on a continued series of short-term extensions. Our country's progress is being stalled, and it is time we start building for our future.

JUDICIAL NOMINATIONS

Mr. President, last week the junior Senator from Arkansas objected to a request to vote on any of the five nominations to the U.S. Court of Federal Claims. They have been waiting for 10 months for a vote. He did not want to debate the merits of any of these eminently qualified nominees. I think the junior Senator is dusting off the Republican playbook from the last Congress to try to do to the U.S. Court of Federal Claims what he could not do to the DC Circuit.

The caseload statistics of the U.S. Court of Federal Claims—as in other courts—have increased and decreased at various times. This does not mean that one Republican should be permitted to put up a wholesale blockade of nominees to a specific court preventing every single one of them from being considered on their merit by the full Senate. Furthermore, in contrast to the assertions made by the junior Senator for Arkansas, the number of new cases filed with the court since 2007 has actually increased by 13.4 percent.

Early in the last Republican administration, there was discussion about the caseload of the U.S. Court of Federal Claims, but no Senate Republican voiced concern then. In fact, during the Bush administration, the Senate confirmed nine judges to the CFC—with the support of every Senate Republican. Only three CFC judges nominated by President Obama have received confirmation votes. This is the same double standard that Senate Republicans tried to apply to President Obama's D.C. Circuit nominees, when they filibustered and refused to permit any of President Obama's three pending D.C. Circuit nominees from receiving a vote last Congress.

Not a single Republican on the Senate Judiciary Committee raised a concern about the CFC's caseload either during the committee hearings on these nominations last year or during the committee debate last year or this year. In blocking these five nominees, the junior Senator from Arkansas ignores the Senate Judiciary Committee's unanimous votes on these nominations in 2014 and again this year. He also disregards the chief judge who speaks on behalf of the entire court and the five past presidents of the U.S. Court of Federal Claims Bar Association who have urged the Senate to fill these vacancies.

In 2003, the now-chairman of the Senate Judiciary Committee engaged in a debate on the caseload of this court. He said then: ''I feel it is unfair to these Court of Federal Claims nominees to deny them a seat by bringing up this point at this late date.'' I hope that the junior Senator from Arkansas will heed these words and remove his objection to an up or down vote on these nominees. If he personally does not believe these judges need to be confirmed, he can certainly vote against them.

The fact is that all five of these nominees are impeccably qualified. One of the nominees, Armando Bonilla, would be the first Hispanic judge to hold a seat on the court, but the junior Senator from Arkansas objected. The nominee is strongly endorsed by the Hispanic National Bar Association and has spent his entire career—now spanning over two decades—as an attorney for the Department of Justice. He was hired out of law school in the Department's prestigious Honors Program, and has risen to become the Associate Deputy Attorney General in the Department.

Another nominee, Jeri Somers, retired with the rank of lieutenant colonel in the U.S. Air Force, but the junior senator from Arkansas objected. The nominee spent over two decades serving first as a Judge Advocate General and then as a Military Judge in the U.S. Air Force and the District of Columbia's Air National Guard. In 2007, she became a Board judge with the U.S. Civilian Board of Contract Appeals and currently serves as its vice chair.

Mr. Bonilla and Ms. Somers are just two of the five nominees being blocked from consideration by one Senator. Both of them have dedicated the majority of their careers in service to our Nation. They deserve better than the treatment they are receiving from this Senate. I urge the Senate majority leader to move to confirmation votes on these well qualified nominees without further delay.

Since President Obama was sworn in as President of the United States, I am afraid Republicans have made it their priority to obstruct nominations put forward.

More than half a year into this new Congress, the Republican leadership has scheduled votes to confirm only five judicial nominees. Let me contrast that with the last 2 years of President George W. Bush's tenure. Democrats had taken over the Senate majority. If we treated Republican President Bush

that way the new Republican Senate majority is treating Democratic President Obama only five judges would have been confirmed by today in 2007. Instead, we confirmed 25 district and circuit court judges by July 23, 2007.

Let me say that again because I want to make it clear that we would not play politics with judges because they are supposed to be outside of politics. By this time in the last 2 years of President Bush's term, when I was chairman of the Judiciary Committee, we had moved 25 judges through the process to confirmation. Today's Republican leadership has allowed only five of President Obama's judicial nominees to be confirmed.

In the last 2 years of President Bush's tenure the Democratic majority moved 68 district and circuit judges through the process to confirmation. And today, we find Republicans objecting to even considering highly qualified men and women to these judgeships. In the last 2 years of the Reagan term a Democratic majority confirmed 85 judges.

Twenty-five by this time in 2007, 68 in all during the last 2 years of President Bush's term. Only five for President Obama. Seventeen by this time in the last 2 years of President Reagan's term, 85 in all. Only five for President Obama.

You know all this does is politicize the Federal judiciary. They are an independent branch of government. The Senate ought to be confirming them. Let's not have a double standard. We made it clear we would not do that with President Reagan and President Bush. We shouldn't do it with President Obama.

It is up to the majority leader and the Senate Republicans to demonstrate that they are not applying a double standard that is solely driven by who occupies the White House. The Senate should be confirming these long delayed U.S. Court of Federal Claims nominees and then proceeding to nine other judicial nominees pending on the Senate Executive Calendar.

I see my good friend on the floor.

I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. WICKER. Mr. President, I rise to talk about a very important amendment that Senator FEINSTEIN and I will be offering to the transportation bill when we move to consideration. That vote may be around 2 a.m., and then the clock will tick. But then at some point on Sunday, I am hoping that we will begin the process of considering amendments and, chief among them, should be the Feinstein-Wicker amendment to the bill regarding truck-length increases. Our amendment would authorize the Secretary of Transportation to require a truck size-and-weight study before promulgating a rule to increase the minimum length limitation for trucks.

Now I show to my colleagues and I show to the Presiding Officer a poster. What I am showing is a picture, a drawing of what we call twin 33's. This is the tractor trailer. Here is a 33-foot trailer, and here is another 33-foot trailer tacked on to the back of that. So twin 33's are long trucks—longer than is allowed in 39 States.

So far we have let the States make the decision about whether to accept these, and some 39 of our Federal States have decided: No, we don't want trucks this long with the twin 33 trailers on them in our States.

Our amendment would accept that decision on the part of the States. Our decision would allow those 39 States to continue to make that decision. Of course, the States that want trucks that long can make that decision themselves.

Why are we having to offer such an amendment on this highway and transportation bill? Because the Appropriations Committee, by a very close margin of some 16 yeses and 14 noes, has decided otherwise. Unless we act as a Senate, that legislation on the appropriations side of things will go forward and will become the law of the land, telling 39 States that they cannot make their own decisions on twin 33's.

So we would allow the States to continue to make this decision while the Secretary of Transportation promulgates a full rule to increase the minimum length limitation.

I will tell you that preliminary information from the U.S. Department of Transportation indicates that we don't need to go to mandatory twin 33's. The U.S. Department of Transportation has concluded there should be no change to the current maximum truck length limit allowed on Federal highways.

Their preliminary report goes on to say: ''The Department finds that the current data limitations are so profound that no changes in the relevant laws and regulations should be considered until these data limitations are overcome.'' So that is the counsel of the U.S. Department of Transportation.

I will say that I am not always bound by what the Federal departments say. As a matter of fact, I would stress that decisions are better made by the States and State legislators, Governors, and transportation commissions, but I do think it is instructive that even these people at the Federal level are counseling against this idea of a Federal mandate to all 50 States that they must move to the twin 33's. So that is the U.S. Department of Transportation.

Why is ROGER WICKER from Mississippi on the floor advocating for federalism and advocating for States making their own decisions, basically advocating against a Federal mandate for these long trucks?

I will tell you. I started hearing from folks. When this issue came before the Appropriations Committee, a group of people rose up and said: What are you doing? What are you thinking, mandating this to all 50 States without their consent?

So who is for the Feinstein-Wicker amendment and opposed to mandatory twin 33 trucks in all of our States? I will tell you who is opposed to it—advocates for highway and auto safety. AAA knows a little something about getting around the United States of America. AAA is for the Feinstein-Wicker amendment. The National Troopers Coalition knows a little something about safety on the highways. They are opposed to mandatory twin 33's.

I will also tell you it is very interesting that as for the Mississippi Trucking Association, you would think every trucker would want to be for this, make more money, and get to haul more stuff. The Mississippi Trucking Association contacted our office and said: We don't want this. Senator WICKER, other Members of the Senate and the House, oppose this Federal mandate that is about to come out of the Appropriations Committee and pass the Feinstein-Wicker amendment. The Mississippi Trucking Association is for our amendment and against twin 33's, along with a host of other trucking associations from east to west and from north to south.

I will tell you who else is opposed to mandatory twin 33's: the Mississippi Sheriffs' Association and a host of other States' sheriffs associations and the Mississippi Association of Chiefs of Police and a host of other State associations of chiefs of police.

Did I mention that the Illinois State Senate unanimously passed a resolution in support of what the Feinstein-Wicker amendment would do and opposed mandatory twin 33's. The Illinois State Senate unanimously passed this resolution saying to the Congress: Leave it up to the State of Illinois. We know what is best for our State when it comes to infrastructure. We know what is best for our State when it comes to the safety of our citizens.

So it is people such as them. The Mississippi Transportation Commission, or MDOT, has passed a unanimous resolution asking us to oppose twin 33's on a mandatory basis.

Why are people so opposed to these? They haul a whole lot more. Obviously, some people would make a lot more money if they could have this much area in their trailers to haul things. So why are people opposed to it?

Well, they are concerned about—for one thing—wear and tear on our Nation's infrastructure. We are going to pass a bill, I hope, in a few days and send it over to the House. We hope we get it sent to the President on a bipartisan basis, and we want to build some more highways. We want to strengthen our bridges. Everyone within the sound

of my voice knows we need to do that. It is a question of how to come up with the money, but the last thing we need to do is to authorize—not authorize, mandate—something that is going to cause more wear and tear and that 39 States don't want because of the wear and tear.

Also, estimates are that this forced mandate, if it comes from Washington, DC—if the Feinstein-Wicker amendment or something like it doesn't pass—will cost about $1.2 billion to $1.8 billion per year in additional funding because of the pavement damage. It just doesn't stand to reason that you can mandate this sort of additional truck length on the highways without more damage to the highways. It makes sense, and we have statistics to prove it.

Also, it is a matter of public safety. I will tell you that not every interstate in my State of Mississippi is exactly straight and narrow. We have some hills, and we have places where the curves are less desirable than I would like them to be. We are told that stopping distances are going to increase if we mandate this sort of thing on the 50 States. There are longer stopping distances for double 33's than the truck configuration we currently have on the roads in the United States of America. The double 33 trailers in some studies took 22 feet longer to stop than the current double 28's with normal operating brakes.

I have four grandchildren in Mississippi. I have two daughters with small children, two sons-in-law in Mississippi, and they are driving up and down these highways. I would just as soon they not have to compete on the roads, on those curves.

On Waterworks Curve in Jackson, MS, I would rather my three grandchildren not be in a van with a twin 33 trying to pass them. I just don't think it is safe for my children and my grandchildren, and the State governments in 39 States apparently agree. If they decide they disagree, they have that right.

Also, I think that Senator FEINSTEIN and I, with our amendment, are standing up for small business. Do you know who can afford a twin 33 tractor-trailer rig, double 33's? The big guys. The big companies. You know their names. They can afford to do this. And certainly one can understand why they would think it would be better for their business.

But I will tell you there is a reason why the Mississippi Trucking Association is opposed to this. They do not have the money to convert to a bunch of twin 33 double trailers. They would rather not do this. As a matter of fact, this Federal mandate—if Congress decides to do this, and I certainly hope we don't; I hope we don't think we are so smart we can mandate this on 50 States—is going to put some small truckers out of business. That is why the Mississippi Truckers Association passed a resolution. That is why they have contacted me.

And I will tell you this, Mr. President. While the American Trucking Association says they are for these twin 33's, the individual members of the ATA—the American Trucking Association—have come to me and said: Thank you, Senator WICKER, for standing up for our interests because we are small businesses and we can't afford to get in this competition. It will run us out of business to have to go out and make a capital investment.

I would also make an argument just in the name of federalism. There is a reason we have 50 States. And, you know, my Republican Party won an election in November and we won control of this body. One of the things we have said as Republicans is that we don't think all the wisdom resides here in Washington, DC. We don't like a lot of Federal mandates; we like States making decisions.

We made a bold statement last week that States should make their own decisions and school boards locally should make their own decisions with regard to education. I voted for that. I applaud that. It didn't go as far as many on this side would have perhaps wanted, but we made a strong statement that we wouldn't have a national education school board policy; we would move more of the decision-making back to the States. So why on Earth, a week and a half or 2 weeks later, would we make a decision here in Washington, DC, that we know more about how to take care of infrastructure; that we know more about truck lengths and more about safety for our children and grandchildren here in Washington, DC, than State legislatures do? I just don't think we will do that.

I urge my colleagues, while we have some time to debate, to get down to the floor. Let's talk about this issue. We will be standing in quorum calls and recesses subject to the call of the Chair for perhaps most of this weekend. We have time to debate this issue now and for the few moments it takes Sunday or Monday or Tuesday or whenever we actually vote on this. We are entitled to a vote, Mr. President, on this germane amendment. And this is germane. It is not something extraneous, dealing with social issues or Planned Parenthood or any number of nongermane issues that I am sympathetic with. This is a transportation issue. It is germane to the bill. The Senate needs to work its will on this issue. It needs to go over to the House and they need to work their will.

I think that once we think about this, I would say to the Presiding Officer and to the rest of my colleagues, we will make the decision that we ought to leave this issue up to the States. There is a reason 39 States don't want to do this, in their considered opinion. We ought to respect that decision. We ought to do it in the name of federalism, in the name of the States having the right to do things a little differently in each State if they want to, in the name of safety, in the name of infrastructure, and in the name of fairness.

I thank Senator FEINSTEIN for joining with me on this bipartisan amendment, and I urge my colleagues, when the time comes—after the brief debate on the floor on this issue has occurred—to vote yes in favor of the Feinstein-Wicker amendment.

Mr. President, I yield the floor to my friend.

The PRESIDING OFFICER. The Senator from Oregon.

(The remarks of Mr. MERKLEY pertaining to the introduction of S. 1858 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

The PRESIDING OFFICER (Mr. CASSIDY). The Senator from Kansas.

Mr. ROBERTS. Mr. President, I call up the Roberts amendment for consideration.

The PRESIDING OFFICER. The Senate is on a motion to proceed. Amendments are not in order.

Mr. ROBERTS. Mr. President, when it is in order and I call up the Roberts amendment for consideration, I will thank my colleagues Senators ALEXANDER, BURR, CORNYN, COTTON, GARDNER, RISCH, SASSE, BOOZMAN, and TILLIS for joining me on this amendment.

Today we ask our fellow colleagues to stand with us to protect the U.S. economy from $3.2 billion in retaliatory tariffs being applied to our exports to Canada and Mexico every year—every year.

A recent ruling from the World Trade Organization found, for the fourth and final time, that our Country of Origin Labeling Program for meat—or what the acronym says is COOL, to which it is often referred—that this labeling program violates our trade agreements with our two closest trading partners.

This debate isn't about the merits of a particular labeling program or our opinions about how our beef or pork or chicken should be sold. No, this debate is about a simple fact, and facts are stubborn things.

Whether you support COOL or whether you oppose COOL, the fact is that retaliation is coming unless the Senate acts to stop this program that the WTO has found to be discriminatory.

Over the years, this body has attempted many times to craft a workable COOL Program for all stakeholders while still living up to our international trade obligations. Congress, through directives in the 2002 farm bill and the 2008 farm bill, required the establishment of COOL for

meat. Through regulations issued in 2009 and revised in 2013, the Department of Agriculture made several attempts to implement a workable and WTO-compliant COOL Program. However, as I mentioned earlier, again and again the WTO ruled in favor of Canada and Mexico. On four occasions—four—our trade regulator ruled that the U.S. policy did not live up to our international trade obligations and disadvantaged our best trading partners, Canada and Mexico.

Some have suggested we should salvage this labeling program by once again making more changes. However, simply changing certain aspects of the program will not prevent the $3.2 billion in retaliation from damaging our economy. Don't take my word for it. Here is a statement, issued just today, from the Canadian Government, which will determine whether retaliation on U.S. products will take effect in the near future: ''The only acceptable outcome remains for the United States to repeal COOL or face $3 billion in annual retaliation.''

I have worked with many of my colleagues over the years and over the last few weeks to craft a solution that meets the needs of all stakeholders. However, after all of our work, it is clear that to protect our economy—to ensure Canada and Mexico drop their pursuit of retaliation on U.S. exports—we must first take up the House-passed bill repealing COOL, a bipartisan bill that received 300 votes in the House of Representatives.

The damages Canada and Mexico are seeking are immense—over $3.2 billion in sanctions on U.S. products is probable if we do not repeal COOL—and these are not just agriculture products in the crosshairs. Products including beef, pork, cherries, and ethanol—repeat, and ethanol—wine, orange juice, jewelry, even mattresses, furniture, and parts for heating appliances are just some of the targets of Canadian retaliation. Mexico has yet to finalize their list, but we expect it to be just as damaging.

California alone has $4 billion in exports to Canada at risk. Florida, Illinois, Iowa, Michigan, Minnesota, New Jersey, New York, Pennsylvania, Texas, Washington, and Wisconsin each have roughly $1 billion in exports from their State at risk from the Canadian retaliation alone.

I remind my colleagues that again today Canada released a statement in response to legislation authored by others that reaffirmed their position: ''The U.S. Senate must follow the lead of the House of Representatives and put forward legislation that repeals COOL once and for all.''

Now, I must emphasize to my colleagues that retaliation is fast approaching and the responsibility sits squarely on our shoulders to avoid it. Regardless of what farm groups, the Department of Agriculture, or the USTR say or regardless of what some Members would like, Canada and Mexico—and only Canada and Mexico—have the ability to halt retaliation.

So this takes me back to the beginning of my statement: It doesn't matter if you support COOL or if you oppose COOL, you cannot ignore the fact that retaliation is imminent and that we must avoid it.

Repeal of mandatory COOL is necessary to protect the U.S. economy from damaging sanctions, and our amendment will accomplish just that.

I urge my colleagues to adopt the amendment.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ROBERTS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROBERTS. Mr. President, I ask unanimous consent that the ''Statement from Ministers Ritz and Fast on Senator STABENOW's Proposed Bill to amend U.S. Country of Origin Labelling (COOL)'' be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

(From Agriculture and Agri-Food Canada, July 23, 2015]

STATEMENT FROM MINISTERS RITZ AND FAST ON SENATOR STABENOW'S PROPOSED BILL TO AMEND U.S. COUNTRY OF ORIGIN LABELING (COOL)

(By Agriculture Minister Gerry Ritz and International Trade Minister Ed Fast)

Senator Stabenow's (COOL) 2.0 fails to address Canada's concerns and would continue to undermine our integrated North American supply chains. By continuing the segregation of and discrimination against Canadian cattle and hogs, Senator Stabenow's measure will harm farmers, ranchers, packers, retailers and consumers on both sides of the border. This is contrary to successive World Trade Organization (WTO) decisions that have clearly ruled in Canada's favor.

The U.S. Senate must follow the lead of the House of Representatives and put forward legislation that repeals COOL once and for all.

The only acceptable outcome remains for the United States to repeal COOL or face $3B in annual retaliation.

Canada will continue to stand up for the rights of our cattle and hog producers to ensure this harm is ended and to restore the value of our highly integrated North American livestock market.

Mr. ROBERTS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. CAPITO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. CAPITO. Mr. President, I rise in strong support of the DRIVE Act. I commend Chairman INHOFE and Ranking Member BOXER for their bipartisan work on this bill that passed out of the Environment and Public Works Committee with a unanimous vote.

A long-term highway solution such as the DRIVE Act will provide our States with the certainty they need to advance major road and bridge projects. Passing a 6-year bill would be a great achievement for this Congress, especially in the context of our recent history, and I am hopeful we will seize this opportunity.

Several years ago, as a member of the House Transportation Committee, I strongly supported the last long-term highway bill that helped support major roads in West Virginia and around the country.

The 2005 highway bill was extended 10 separate times—10 times—between 2009 and 2012. During that period, States were only assured Federal funding for a period of weeks or months, making lasting improvements to our highway infrastructure difficult, and it shows.

As we saw between 2009 and 2012, several short-term extensions resulted in fewer and more costly fixes. In 2012, we passed MAP–21 to reauthorize the highway program for 2 years. I served as a conferee on that legislation.

MAP–21 was a strong bipartisan achievement that included a number of important reforms to streamline project delivery and help States complete their projects more efficiently and economically, but ultimately MAP–21 was a 2-year bill.

Since MAP–21, we have had more of the same: short-term extension after short-term extension. The recent history shows how significant this opportunity we have is. We have before us a bipartisan, fiscally responsible bill that will provide the certainty our States need to improve the Nation's highway system for several years.

I am encouraged by the bipartisan vote we saw last night to move to debate, and I hope my colleagues will continue to work together to drive that DRIVE Act into law.

West Virginians rely heavily, as do most people around the country, on roads, bridges, and highways to fuel our economy, to access hard-to-reach places in our State, to get to and from work, and to transport goods and services. West Virginians understand the need for a long-term highway bill. Nearly one-third of our State's major roads are currently in poor condition.

The Federal Highway Administration has listed 960 West Virginia bridges as structurally deficient. We have quite a few bridges in our State because of our beautiful mountains.

The DRIVE Act will increase funding for maintaining and repairing these bridges. The bill prioritizes maintenance of our major roads, helping to

address the current state of disrepair on highways across this country.

This is a statistic of which, quite frankly, I was jarred by the number. Each West Virginia motorist pays an average of $575 a year in extra maintenance costs due to the poor road conditions. The DRIVE Act will help our States address maintenance and repair, meaning safer and less costly trips for our drivers, but the biggest thing is the certainty that comes from a long-term highway bill. It is important for not only the maintenance aspect, but it is most important to advance new projects. Large highway projects are expensive multiyear endeavors.

States can't plan for the future based on funding commitments for a week or a month. Whether the issue is relieving congestion and improving access to rural communities to fuel economic development or moving freight across the country, the DRIVE Act will help the most important projects move forward.

In West Virginia, U.S. Route 35 in Putnam and Mason Counties is one of our most critical projects. It is an important freight link for the goods moving from the Southeast to the Midwest, but it has been two lanes for a very long time. It was one of the most dangerous roads that interstate truck traffic shared.

Thanks in part to the 2005 bill I talked about, the majority of Route 35 is now a four-lane highway, and our State efforts to complete the remaining 14 miles are well underway, but the DRIVE Act will aid efforts to get that project across the finish line. It will also help us build Corridor H for residents in Central and Eastern West Virginia, an important part of the Appalachian Development Highway System. When this road is completed, it will link counties in Central West Virginia with the Interstate 81 corridor, improving safety and providing economic development opportunities for our communities.

Whether it is Route 35, Corridor H, the King Coal Highway, Coal Fields Expressway or other high-priority projects across our State, States need that certainty that is going to come from a dedicated Federal investment to move forward. That is what a long-term highway bill does while creating jobs for our construction workers.

According to the Contractors Association of West Virginia, construction and employment in my State fell by 11.3 percent between November of 2013 and November of 2014. That is 1 year. Passing a highway bill that supports investment in our roads and bridges will put these men and women back to work.

Reauthorizing our highway program for 6 years would be reason enough, in my opinion, to strongly support the DRIVE Act. I want to highlight another part of this bill that is important to my State. It reauthorizes the Appalachian Regional Commission through 2021. West Virginia is the only State whose boundaries fall entirely within the commission's boundaries.

Earlier this year, the commission marked its 50th anniversary of leading efforts to fight poverty and improve the quality of life in the Appalachian region. Over that period, poverty in the Appalachian region has been cut in half, and the percentage of residents over 25 with college degrees has nearly tripled, but there is much more work to be done.

The DRIVE Act authorizes a broadband deployment initiative through the ARC to help increase access to high-speed internet—a problem in rural America—in support of distance learning, telemedicine, and business development.

Reauthorizing the ARC and bringing broadband to small, economically distressed communities will help bring jobs to West Virginia. The ARC provides important support for health care, education, and infrastructure programs, and I am pleased the DRIVE Act will allow the commission to continue its efforts for the next 6 years.

Now is the time to move our transportation system forward and meet the needs of our growing population, ensure safety for travelers, and promote growth in areas that struggle economically. The Senate has the opportunity to make a real and positive difference for all Americans by passing the DRIVE Act.

I ask my colleagues on both sides of the aisle to support this important legislation.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Mr. President, as we have been talking about fixing our Nation's infrastructure, I want to raise a concern I had with one of the potential ways in which we are talking about paying for it. That is by using funds out of what is called the Hardest Hit Fund.

Over the years, I have worked in my State of Ohio and around the country to help deal with this issue of abandoned homes. We are all concerned about communities that have blighted properties because they tend to be magnets for crime, for drugs, and for other illegal activity. It turns out that one of the best ways to increase home values in some of the blighted neighborhoods around our country and in my home State of Ohio is to actually take these abandoned homes, tear them down, and have that property be used for other purposes, whether it is new development, a community garden or whether it is simply razing the property to ensure that homes in the neighborhood are not affected negatively by those home values going down.

There is a lot of information out there about this now because many States have become active in doing it, and it appears it is working. In other words, home values are increasing, sometimes dramatically, by taking down these blighted properties. I think, perhaps inadvertently, Members of this body who are looking at ways to pay for the highway trust fund extension decided that the Hardest Hit Fund was the place to look. There is no question there has been a GAO report about some aspects of this fund and how it has been used, where there might be need for reform, maybe significant reform, but this one area of dealing with blighted properties is one we need to be very careful with.

Main Streets across our country are looking to us right now in the U.S. Senate to ensure that we don't overreach, and trying to find funding for infrastructure, in effect, creates more problems in those neighborhoods. In my home State of Ohio, we have nearly 80,000 dangerous abandoned homes. One of the best things that you can do to address public safety in tumbling home values in those neighborhoods is to demolish these structures. By the way, some of the data that we have from cities in my home State of Ohio says they cost neighbors up to 80 percent of their value.

We have also seen that first responders sometimes are at risk when these homes are subject to arson and other crimes. Sadly, we lost a firefighter in one of these homes in Ohio because of arson.

I remember touring some of these abandoned homes in Toledo, OH, where I got to witness one of the homes being torn down. I have done the same thing in Warren, OH, and I have done the same thing in other communities around our State. I have done the same thing in Toledo with the mayor. As we were talking to neighbors, I asked the neighbor who was right next to one of the homes being torn down, how do you feel about this? She said what other neighbors have told me on other opportunities that I have had to go into these communities and talk about abandoned homes. She said: Well, it will be better because there is less blight and there is less crime. We have a concern because this abandoned home is being used by drug dealers. But she also said: You know, ROB, I live right next to this home. There are only a few feet that separated these two homes. She said: I have three kids at home. Every night when I went to bed, I was worried about what might happen, that an arsonist would light this home on fire, as has been done throughout the city of Toledo and other cities with abandoned homes, and that my kids would be at risk.

This is something that is working. I am concerned that if we do not take this into account as we look at how to pay for this infrastructure bill, we will make the situation worse rather than better.

One way we are getting at this in my home State of Ohio and around the country is land banks. In some of the hardest hit States, manufacturing States like Ohio and Michigan got to work attacking this issue. The resources they need to demolish these properties in order to help struggling neighborhoods recover come in part from the Hardest Hit Fund.

In Ohio we now have 24 land banks. I think there are six more in formation. By the end of the year, we expect to have at least 30 county land banks in Ohio.

After visiting some of these neighborhoods that are impacted by these homes and walking the streets with local officials in 2013, I authored a bill called the Neighborhood Safety Act. It was a companion bill to a bipartisan House effort that was led by some Ohio Members of Congress, including DAVE JOYCE, MARCY KAPTUR, and MARCIA FUDGE. Our legislation called for the Hardest Hit Fund to be used for demolition purposes.

After we pushed for this and pushed aggressively, this important change was made. It provided nearly $66 million to my State of Ohio to deal with these thousands of abandoned homes we talked about. I know the State of Michigan also received a significant part of the Hardest Hit Fund for these purposes, as did other States. Again, I am concerned about this potential payfor in the legislation that could take away some of these funds, which are critical for doing this important work. I have been in touch with the land banks in Ohio. I am talking to the Ohio Housing Finance Agency to determine what is the best path forward to protect these funds. We are working right now with the committee leadership to see if we can modify the language in the underlying bill. I know it is something that is a concern to Senator STABENOW because I spoke to her about it earlier today, as well as my colleague from Ohio Senator BROWN.

I don't know what we are going to do going forward. We may need to offer an amendment to change the language. I am hopeful we can have this be part of a managers' amendment. Again, dealing with these abandoned, blighted homes is a public safety concern. It is a huge concern for local officials, local officials in my home State whom I have talked to, been on the streets with, but also local officials across our country. We have to protect these funds for the communities that so desperately need them.

I wish to particularly thank a friend back home, Jim Rokakis, director of the Thriving Communities Initiative at the Western Reserve Land Conservancy. He has done excellent work highlighting issues in Ohio and has helped to bring people together.

I hope we will be able to resolve this issue in a managers' amendment, but if not, I do intend to offer an amendment, and I hope that amendment can be supported on a bipartisan basis to ensure that we are not, perhaps inadvertently, taking away this tool that we are using every day to make our neighborhoods safer and to improve home values for the people we represent.

The final point I wish to make about the underlying legislation is that it also includes very important language that reforms our regulatory system—specifically, our permitting system. For years now, people have been talking about the fact that America is a place where it is hard to build something. In fact, it has gotten to the point that one international survey that is widely respected has said that America has fallen to No. 41 in the world in terms of the ease of doing business as it relates to green-lighting a project. Think of a commercial building, road or bridge being built or an energy project, whether it is solar, wind or oil and gas.

What we are finding out is that it is so hard to build something in America, that some of these funds are going somewhere else. Sometimes in foreign capitals, as we visit as congressional delegations, we see a lot of cranes and a lot of activity. Part of that is because these funds are not coming to this country because it takes so long to build something and to get the permits, and there is so much uncertainty and the capital is not patient enough. There is more legal liability here than in so many other countries. So being No. 41 in the world has led to our having fewer good-paying construction jobs here in this country.

As a result of this concern, over the last 3 years, I worked with my colleagues on both sides of the aisle to draft commonsense legislation to speed up the permitting process, while still ensuring that we go through a regulatory process that includes an environmental review and other reviews. This legislation streamlines the process and requires one Federal agency to be accountable, which is not the case now. It deals with some of the issues that we have now. For instance, you may have as many as 35 different Federal permits on an energy project just to get the project going.

It also helps with regard to legal liability. With regard to the statute of limitations, instead of having it run 6 years after the final environmental review, we limited that to 2 years, which is plenty of time to bring a lawsuit. Some have found that the 6-year statute of limitations makes it very difficult to find investors.

This is an important part of the legislation that we are dealing with as part of the highway trust fund. It is part of this infrastructure bill and will not only provide more funding for our highways and roads but will also ensure that we can move forward with more of these projects more quickly and use the money for efficiently.

This legislation has been supported broadly across the aisle. It was reported out of our committee—the governmental affairs committee—earlier this year with a strong bipartisan vote. I believe the vote was 12 to 1. It is supported by the U.S. Chamber of Commerce and also by the AFL–CIO Building Trades Council. They feel strongly about it for all the right reasons. They want to bring back some jobs. A lot of construction jobs that were lost during the financial crisis have yet to come back. This will help.

I commend the authors of the underlying legislation for including my bill as part of the underlying bill. I sure hope it stays in the bill because it is the right thing to do for taxpayers, it is the right thing to do to get projects moving, and, of course, it is the right thing to do to create more jobs at a time when all of us continue to be disappointed by the recovery, which is one of the weakest recoveries we have ever seen in the history of our country.

I thank the Presiding Officer for allowing me to talk about an issue that is of concern; that is, that the Hardest Hit Fund does an excellent job in our communities with regard to abandoned homes. We have to be careful that we not pull the rug out from under these organizations that are doing a terrific job helping to make our communities safer and helping to increase home values.

Again, I wish to commend those who have included in this legislation our permitting bill. Senator CLAIRE MCCASKILL from Missouri and I have worked on this for 3 years. It is good bipartisan legislation. It makes sense in order to get America back to work and building things again. It will help in terms of the highway funding by making sure that funding goes further, and it will also help in terms of all sorts of construction of other projects, such as energy projects, commercial buildings, and other infrastructure.

With that, I yield to my colleague.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. FRANKEN. Mr. President, I ask unanimous consent to speak for up to 10 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

OVERTIME PAY

Mr. FRANKEN. Mr. President, I rise today to talk about the Department of Labor's proposal to provide overtime pay to more Americans, a step that could affect as many as 90,000 middle-class workers in Minnesota and nearly 5 million around the country.

Right now, if someone makes more than $450 a week, or about $24,000 a year, there is a very good chance they don't qualify for overtime pay, and that is below the current poverty line for a family of four. The newly proposed regulations would raise that

level to $970 a week, or about $50,000 annually. That means that a salaried worker earning less than that amount will be able to benefit from overtime pay regardless of the duties that he or she performs. This change would benefit an enormous number of Americans whose wages have remained virtually unchanged while the cost of education, childcare, and retirement have risen steadily over the past decade.

Last month, we saw the 64th straight month of private sector job growth since the Great Depression. Our economy overall is getting stronger, but too much of that prosperity is going to people at the top. Middle-class families and those aspiring to be in the middle class simply are not reaping the benefits. In fact, America's wealth gap between middle-income and upper-income families is at its highest level—the gap—since 1983. The gap between the highest and lowest earners is at its greatest since before the Great Depression. This kind of inequality is not just bad for those workers. It is bad for our economy as a whole, which is strongest when we have a thriving middle class.

Overtime protections were first passed as part of the Fair Labor Standards Act of 1938 in the midst of the Great Depression, when the economy was far worse off than it is now. It was passed as a way to protect workers from abusive employers and lay the groundwork to rebuild the middle class. While overtime protections have been a staple of the American economy, they no longer reach many of the workers they were intended to help.

Just look at the trends. In 1975, overtime covered 62 percent of full-time salaried workers, including a majority of people with college degrees. Today only 8 percent of workers are eligible for overtime, which is an especially alarming statistic since hourly wages for the average worker have remained flat in real dollars since 1979. That is why in January of this year I joined several of my colleagues in pushing President Obama to update these outdated overtime rules. We asked the President to allow more working people to qualify for overtime and to index those earnings, that threshold, to keep up with inflation so that future generations of American workers could reap the benefits of their hard work. I am glad the administration agreed. These proposed rules will help put more money in the pockets of those who work longer hours or provide incentive to employers to hire more workers or increase the hours of part-time workers and help strengthen the economy. These rules will allow workers to spend their new-found earnings and spur further economic growth. They will help grow our shrinking middle class, which is the backbone of our economy, and help create a pathway for those who want to become a part of the middle class. It is vital that we support this proposal to guarantee overtime pay to millions of more Americans.

I thank the Presiding Officer, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. HOEVEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HOEVEN. Mr. President, I ask unanimous consent to speak as in morning business for up to 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. HOEVEN pertaining to the introduction of S. 1844 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. HOEVEN. I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BLUMENTHAL. Mr. President, as I watch this great deliberative body move toward a transportation bill, I sometimes feel as though I am watching an impending train wreck or a car crash because on the issue of safety this bill reflects a tragic, unfortunate, unforgivable missed opportunity. If we authorize this transportation measure, which is vitally important to the future of our Nation and will help drive economic growth and create jobs, we will miss the opportunity to make our roads and rails safer, more reliable, and more resilient for our economy and quality of life. We are missing an opportunity to, in effect, save lives.

Anyone who has opened the morning newspaper and read about a derailment—whether in Bridgeport, Rikers Island, the Bronx, NY, or Philadelphia—causing injuries, deaths, loss of both life and property, can ask, understandably, why can't they do something? Anybody who discovers a used car bought by a friend or a relative or oneself rife with recalls and the need for repairs can justifiably ask, why can't they do something? Anybody who has had a near miss on the highway with an 80,000-pound truck going 75 miles an hour because there is a tired truckdriver under pressure from an owner or because there are two 33-length rigs can justifiably ask, why haven't they done something? The answer is because the Senate is missing an opportunity now, this year, on this bill.

I spend a lot of time driving Connecticut's roads and seeing firsthand how all of these vital forms of transportation—railroad, bridges, ports, and airports—are in need of investment.

The latest example and evidence is from a report released today—it is called the ''TRIP report''—in New Haven finding that 45 percent of roads there are in poor condition and that the cost to drivers is $707 a year in repairs. That is real money. The roads are in very bad condition—45 percent of them—in the New Haven area alone. And the ''TRIP report'' ought to be a powerful reminder of the need for robust and enduring investment.

I wrote to the writers and drafters of the bill before us asking for a good bill that makes the kind of investment we need to respond to the needs that are reflected in the ''TRIP report,'' which is in the range of billions of dollars a year, but this measure provides to Connecticut only about $500 million a year—a pittance compared to what the need is in Connecticut.

According to the American Society of Civil Engineers and the Federal Highway Administration, keeping roads and rail reliable and safe means investment. Creating jobs means investment. Driving the economy forward means investment. All of those goals can be served by a robust and adequate investment.

I urged that the bill cover the full 6 years. Instead, this bill really is a mirage of what is necessary. The bill before us fails to provide a long-term and robust plan to meet the priorities for our Nation's transportation infrastructure. Major construction projects, such as building the I–84/Route 8 highway interchange in Waterbury, known as the Mixmaster, and replacing the Aetna Viaduct portions of I–84 in Hartford, will take years to complete. This bill provides only the illusion of a long-term authorization, backed only by 3 years of dedicated funding for highways and no—let me repeat—no dedicated funding for critical infrastructure investment in our Nation's commuter railroads.

When the American people discover what is in this bill, they are going to again say: Why can't they do something? Why can't they do something better than this train wreck and car collision of a bill?

I voted against the motion to proceed to this bill because of its failure to provide a path forward and this bill's failure to provide a reliable funding source for the commuter rail systems millions of Americans depend on every day and its failure to address our country's ongoing crisis in transportation safety.

We have seen the evidence of safety failure in a variety of tragic instances—in Philadelphia, in Westchester County, where a collision at a grade crossing killed six people; a derailment in the Bronx that killed four;

a train on the wrong track that struck and killed a worker in West Haven; and, of course, the derailment in Bridgeport that injured more than 70 people.

Positive train control would help prevent these kinds of tragedies. It is a technology similar to GPS—not much more complicated—that monitors track conditions and speeds and helps trains slow or stop before there is a collision or derailment. It is not a new or novel or original, untested technology; it has been around for years. This bill fails to bring our railroads into the latest 20th-century technology, not to mention the 21st-century technology that positive train control offers.

The Northeast Corridor is in urgent need of at least $570 million per year to enable a decent and adequate state of repair, to give railroads a realistic chance of implementing lifesaving positive train control technology, and to improve safety at rail grade crossings. That is money which can't be created by a mirage or an illusion in a bill like this one. The national infrastructure safety and investment grants program was designed to provide this level of support. If Congress were to dedicate the necessary funding from the highway trust fund, it could be done, but Congress is ignoring this fundamental need.

On our roads, American bus and truck drivers perform an essential service and they work hard at it, but their industry also has well-documented safety issues. Unfortunately, this legislation creates additional hurdles for the Federal Motor Carrier Safety Administration to promulgate rules and to address safety issues. Rather than making the world safer, it actually enables more danger.

The bill before us allows 18-year-olds to sit behind the wheel of an 80,000-pound truck going 75 miles an hour—with no requirement to get rest—to drive 75 miles an hour not only within the State but across State lines.

The bill allows giant twin 33's—new to our roads—to be driven across State lines, putting drivers at risk and further degrading our highway system.

The bill eviscerates rules on how much rest truckdrivers must take. That rest is essential to safety.

I sought to strike and modify these damaging provisions in committee, and I urged my colleagues to support essential safety reforms, but unfortunately those calls went unheeded.

Over the last 2 years, the commerce committee has had a tragic front-row seat—a unique insight into the tragedies that pile up when safety is ignored. Our national safety regulators all too commonly look the other way when auto companies, for example, conceal information to protect profits over human life.

I appreciate the work of Senator BOXER, who has stripped the most offensive provisions out of the title governing the National Highway Traffic Safety Administration. That title no longer limits grants for the prevention of drunk driving, for example. Unfortunately, it still contains unacceptable loopholes.

Due to the GM ignition coverup and the Takata airbag crisis, there are currently an unprecedented 64 million cars on the road today that are under safety recall. Let me repeat that number. There are 64 million cars on the road today that are under safety recall. That is 25 percent of the total 250 million cars in America. To say this number is unprecedented fails to do it justice.

Along with a number of my colleagues, particularly Senator MARKEY, I advocated numerous policy changes to ensure accountability for these problems and make them less likely in the future—not just to punish but to protect. I would like to focus on two that are particularly urgent.

First, many of the cars that have been recalled are 10 or more years old and in the hands of their second or third owners. There needs to be a provision that says to these car dealers that when a car is in a recall, they have an obligation to notify a new owner and, in fact, to repair the car.

Second, as we learned in the case of GM, Federal prosecutors simply lack legal tools to file criminal charges against companies for knowingly concealing information about defects that can kill. Deliberate coverup and concealment of deadly defects should be punishable criminally, as it is in other industries where the stakes are similar. We know that employees at GM were aware of dangerous safety defects but chose to remain silent or, in fact, mislead authorities, leading to hundreds of injuries and deaths.

This measure and the DRIVE Act do nothing to hold manufacturers or their corporate officers criminally responsible when they knowingly fail to disclose those risks. Even after the defects are discovered, this bill lacks the teeth to ensure that wrongdoing is not repeated. Their civil penalty authority for safety violations is currently capped at $35 million. The DRIVE Act leaves these fines at just a pittance compared to the revenue of GM—less than the cost of doing business. Safety fines need to be meaningful rather than a pittance, less than the cost of doing business. Congress must remove this cap and ensure that safety penalties provide a meaningful deterrent to wrongdoing. Even at $70 million, it is a pittance compared to GM, which made $156 billion in 2014.

Americans deserve better than another 6 years of crashes, bridge collapses, accidents that are preventable, and they need protection to stop it. I hope my colleagues will join me to implement reforms now and take strong steps to build and maintain a transportation system worthy of the greatest, strongest country in the history of the world.

For our economy, we can create jobs. For our quality of life, we can ensure quality and convenience. For our safety, we can prevent tragedy. We can do better with a transportation system that keeps people safe.

Thank you, Mr. President.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. PERDUE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PERDUE. Mr. President, I ask unanimous consent to speak as in morning business for up to 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

NUCLEAR AGREEMENT WITH IRAN

Mr. PERDUE. Mr. President, I rise today to talk about a very important topic for our country, the future of our kids, and the future of our kids' kids.

This morning I was in a Foreign Relations hearing about Iran. It is pretty obvious that the administration has decided once again that our democratic values and procedures are just too high of a hurdle to clear. Instead of keeping its promise to the American people and following the pledge it made to Congress just a few months ago to give everyone time to review the terms of this deal, the administration has instead undercut all of us again. This administration has effectively ignored 98 Senators—myself included—and 400 Representatives who voted for the Iran Nuclear Agreement Review Act earlier this year. By advancing this vote at the U.N. Security Council, this administration has violated the very balance of power between our three branches of government.

I am outraged that this administration continues to circumvent Congress at every turn, from regulations, to mandates, to foreign policy. This is an absolute failure of the administration to do what is best for the American people, our security, and indeed the security of the world.

The precept for this deal with Iran simply doesn't make sense. This deal started off by ceding the right to enrich to Iran immediately, reversing decades of U.S. nonproliferation policy. In fact, Secretary Kerry said in 2013 that ''we do not recognize the right to enrich.''

This deal reverses six United Nations Security Council resolutions and turns a pariah proliferator into a legitimate nuclear state.

This agreement allows Iran to leapfrog over the 18 countries who have

peaceful nuclear programs but no enrichment and to be treated like countries like Argentina, Brazil, Germany, Netherlands, and Japan who have peaceful energy programs and domestic enrichment but who do not have a nuclear weapon. These five nations are upstanding members of the international community.

This deal takes Iran—the largest state sponsor of terrorism and a violator of human rights as well as an international pariah—and treats Iran's nuclear program like Japan's.

Secretary Kerry said at a hearing in the Foreign Relations Committee in March that ''our negotiation is calculated to make sure that [Iran] can never have a nuclear weapon.'' But President Obama has said that ''in year 13, 14, or 15 . . . the breakout times would have shrunk down to almost zero.''

So this deal will not protect Iran from becoming a nuclear weapons state; it just delays it. As I have said all along, I cannot support any deal that allows Iran to become a nuclear weapons state—not now, not in 10 years, not ever.

What is more, this deal provides Iran with billions of dollars of sanctions relief upfront, before the IAEA completes its assessment on whether Iran's nuclear program is indeed peaceful. It took the IAEA 19 years to make this determination for South Africa's program. And this deal starts lifting United Nations and European Union sanctions this year, the arms embargo in 5 years, and the ballistic missile ban in 8 short years. This deal will provide Iran with a windfall of sanctions relief of up to over $100 billion—funds that President Obama's National Security Advisor Susan Rice just recently conceded will go to terrorism, the Iranian military, the Houthis, and Assad.

President Obama said that ''this deal is not built on trust, it is built on verification.'' But this deal doesn't require ''anytime, anywhere'' inspections of all nuclear and military sites. Instead, it empowers Iran to create lengthy delays when IAEA inspectors request access to suspicious nuclear sites that are indeed not declared by Iran. From what I understand, the IAEA will have two teams traveling a country twice the size of Texas. And let's not forget that Iran developed the Fordow facility and it operated for years despite having IAEA teams on the ground.

And if we do find Iran to be in violation of this deal, our enforcement mechanism has no teeth. Snapback sanctions in fact are a fantasy. Paragraph 37 of the Iran deal states that Iran will cease performing all of its commitments to the deal in the event of a full or partial snapback. Iran will walk away if we try to hold it to the very deal it just signed off on.

With this all-or-nothing nature of the snapback, will anyone try to punish Iran's cheating? History tells us that when Iran cheats, it does so incrementally, in small steps, so no single action in and of itself can be punished, but when you look at it over time, their cheating is egregious.

Will any nation be willing to stake sinking the entire deal over minor cheating? Even if sanctions are indeed snapped back, Iran's sanctions relief is front-loaded. They will be able to so quickly pad their economy to make themselves more resistant to future sanctions. Most dangerously, this deal is predicated on the idea that the regime will change its dangerous behavior, when we have only seen proof that we will see more of the same—sponsorship of rogue regimes and terrorism worldwide.

So I am curious, given what we know now about this deal, how the United States not only voted for this deal at the United Nations Security Council but actually sponsored the resolution. Secretary Kerry claims that should Congress disapprove of this deal, we would be in noncompliance with all of the other countries in the world. He claims that there will be no nation standing with us on our sanctions or opposition to Iran.

Well, I say we let the nations of the world decide for themselves. Let's give the world the option. We have stood alone before. Do you want to do business with Iran or the United States? We have stood alone many times in history when it meant doing the right thing.

The American people and the fine people of Georgia who are calling and writing into my office every day are uncomfortable with this nuclear deal for Iran, and they are uncomfortable with our future under its provisions. So I say to this administration that you cannot circumvent the American people with this nuclear deal. Congress will have its say. We worked hard for this 60-day review period and I will do my part to muster the 67 votes required to disapprove a deal that leaves Iran as a nuclear threshold state in a little more than a decade.

This 60-day oversight period is the result of a bipartisan effort in the House and Senate, protecting the balance of the three branches of government. Now we must act together to protect our country and our world from a very bad actor like Iran from ever becoming a nuclear weapons state.

Mr. President, I rise also in the time remaining to speak very briefly of a current issue that we are going to vote on, possibly this weekend; that is, the highway trust fund. Georgia sent me to Washington to help solve our fiscal crisis, not make it worse. As a member of the Senate Budget Committee, I am working every day to find smarter ways to prioritize our spending. That way we can support critical functions of the Federal Government such as funding our National Highway System.

Make no mistake—I support funding infrastructure, but we must do it responsibly. Transportation is a top priority as it supports a robust economy and is one of the responsibilities the Federal Government is charged with in executing under the Constitution. As we continue to debate the highway bill in the Senate, I am committed to finding the right funding and enough funding for our critical infrastructure needs.

As proposed, the highway bill authorizes spending for the next 6 years yet only funds these programs for the next 3 years. Passing responsibility over to the next Congress to find additional funding mechanisms for the remaining 3 years is unacceptable. It is what has gotten us in this debt crisis in the first place. Some of my colleagues have suggested this is simply the way the Senate has acted in the past. Yes, I got that. Again, it is what got us here. That may be true, but it does not make it right. I was not sent to Washington to accept this status quo.

A serious long-term solution needs to be fully funded, not filled with half-empty promises that cannot be kept or could add to our national debt. I am working to find a responsible way forward in order to provide Georgia and other States with more certainty through a longer term solution, instead of settling for just another short-term fix. Today, I am introducing an amendment to simply match the authorization period with the available funding. That sounds basic; it sounds simple. It is what I have to do at home in my home budget. It is what most Americans have to do. If they don't have the money, they don't spend it. This amendment ensures that Congress is not authorizing spending programs beyond a point where there is no money to pay for them in the future.

I urge my colleagues to join me in breaking Washington of its chronic overspending problem. I urge my colleagues to support a fiscally responsible highway bill that matches the length of the authorization with the funding mechanism. That way we can continue to fund our critical infrastructure projects without compromising our conservative budget principles.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. THUNE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. THUNE. Mr. President, I ask unanimous consent that I be allowed to speak for up to 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. THUNE. Mr. President, the Senate has an opportunity to pass a multiyear transportation bill that ensures critical transportation projects move forward without disruption. As part of this bipartisanship bill, the DRIVE Act, we also have an opportunity to pass necessary policy changes that enhance safety and make our transportation system work better.

Part of the DRIVE Act includes important work on transportation policy we have undertaken at the Senate Commerce, Science, and Transportation Committee. We will lose an opportunity to pass bipartisan reforms if we do not approve this critical legislation.

The last time we passed a multiyear transportation bill into law was 2012. However, since 2009, we have passed 33 short-term extensions to avoid a funding gap that would stop much-needed transportation projects. Highway and transportation infrastructure projects—and in many urban areas, public transit projects—are important to our constituents and our Nation's economy.

If we continue to do short-term extensions—again 33, literally 33 short-term extensions since 2009—that is a terrible way to run a highway program. It does not allow State departments of transportation to plan. It does not allow those who are involved in the construction, the contractors who build our roads and bridges, an opportunity to plan. It creates all kinds of uncertainty out there.

We need the certainty that comes with a long-term highway program instead of having these 33 short-term extensions. So this is a unique opportunity that we have to actually put in place policies that would guide us at least for the next 3 years and hopefully beyond. Our transportation system is one of our government's visible assets. Our constituents who sent us here notice when there is a problem with it.

The Federal infrastructure investment that Senator INHOFE and Senator BOXER have taken the lead on in the Environment and Public Works Committee and the transit projects for which the banking committee is responsible are not the only critical parts of our transportation system. There are policy decisions and advanced safety initiatives. We have rules governing how and when and where we build critical projects, as well as oversight of various regulations at the U.S. Department of Transportation regarding trucking, freight rail, passenger rail, and automobile safety requirements.

These areas are the exclusive jurisdiction of the Senate commerce committee. I have the honor of chairing the Commerce, Science, and Transportation Committee. I was pleased to see my friend from Florida, Senator NELSON, who is the ranking member of our committee, return last night following his surgery last week to help advance consideration of the DRIVE Act.

Let's talk about some of the policies that I have worked on with colleagues on both sides of the aisle that will not become law if we fail to move forward with this bill. Keep in mind that Senators WICKER and BOOKER are the authors of the rail safety bill that the commerce committee passed by voice vote last month, and their bill is included in this legislation.

Let's also recognize that commuter rail systems, including New Jersey Transit and Virginia Railway Express, have stated that they will not meet Federal deadlines for implementing positive train control technology. This legislation currently before the Senate would authorize grants and prioritize loan applications to help commuter railroads deploy this new technology to help address safety issues and to get positive train control up and running as soon as possible.

The bill also includes numerous additional rail safety requirements, including the implementation of necessary automatic train control modifications and crew communication improvements, to improve operations while positive train control is being implemented.

The National Transportation Safety Board recommended requiring inward-facing cameras in all passenger railroads to create more accountability. This bill requires all passenger railroads to install such equipment in their locomotives. In fact, I have a letter here from the National Transportation Safety Board, in which Chairman Christopher Hart says:

> I applaud the recent passage of the passenger rail safety bill. I was pleased to see the inclusion of our recommendations regarding inward and outward audio and image recorders.
>
> Thank you for your ongoing support of the NTSB.

That is from the National Transportation Safety Board Chairman, Mr. Christopher Hart. So having these necessary improvements will make our passenger rail systems much safer as they travel across the country.

The bill also streamlines the permitting process for improvements to existing railroad track and infrastructure and improves multimodal planning and permitting. The Secretary of Transportation will have new authority to speed up projects and to reduce paperwork burdens. Outside of improving rail safety, we include a proposal offered as an amendment during committee markup by Senator MCCASKILL to ban rental car companies from renting vehicles needing recall repair work.

We also include several provisions to increase consumer awareness of recalls, increased corporate responsibility, and improved highway safety efforts in all the States. Following a harsh inspector general report criticizing the Federal Government's auto safety regulator, this bill requires the full implementation of reforms outlined in that report. Once these reforms are implemented, the agency's funding authorization will substantially increase to meet the GROW AMERICA requests for vehicle safety efforts. These are important safety provisions in this bill. They make our roads and our transportation system safer, and they deserve our support.

At the committee level, some provisions of our title were the subject of constructive discussions that helped us improve this bill before it made its way to the floor. Here are a few things we did to broaden support for this proposal after our committee passed the bill last week.

Senator MANCHIN raised concerns about a provision I authored that requires additional testing for a new train braking requirement known as ECP that will be required under law by 2021 and 2023. I worked with Senator MANCHIN. We came to an agreement that if new real-world tests show that the requirement isn't effective, it cannot proceed. If it is effective, there will be no delay in its implementation, and there will be no need for new rulemaking.

We worked with Mothers Against Drunk Driving on another important issue to combat drunk driving. When we heard they had concerns with our 24/7 sobriety program grant language, we worked with them to address those concerns and to assure that the dedicated grant program with ignition interlock laws continues.

A pilot program our bill proposed that would allow licensed truckdrivers between the ages of 18 to 21 to cross short distances outside the borders of their home State now requires not only the approval of participating States but also the approval of the Secretary of Transportation. At the Commerce Committee we have worked on a bipartisan basis to change, drop or add provisions since we marked up the bill to earn the support of colleagues on both sides of the aisle.

There are still some differences. I expect amendments where this body will have the opportunity to decide important issues that we have debated throughout the committee process. One such issue, which I heard a variety of opinions about, concerns the current $35 million cap on fines that the Department of Transportation can assess on manufacturers for auto safety violations. This bill would double the cap to $70 million, provided that the Department first finishes a still undone rulemaking process on penalty assessment factors that was required in our last highway bill.

I have heard arguments that this cap on fines for auto safety failure should be raised more or even set at an unlimited amount, but we are doubling this

cap to $70 million and conditioning an additional increased authorization for vehicle safety on implementing needed reforms.

This bill enhances safety. If we do not pass this bill, auto safety regulators don't get more funding, as called for by Secretary Foxx and various safety groups following the record 64 million auto safety recalls we have witnessed over the past 2 years. Penalties for auto safety violations will not go up if this bill doesn't pass, commuter railroads don't get new assistance to implement positive train control or the other critically important safety improvements that the NTSB, Amtrak, the FRA, and others have called for. None of that happens if this bill doesn't pass. Rental car companies don't face a Federal ban on renting vehicles that are subject to open recalls if this bill doesn't pass.

Not passing the safety reforms in the DRIVE Act would be an incredible missed opportunity for addressing a host of key safety improvements. Some in this building believe it would be easier if we just passed another short-term extension. They are right. It would be much easier, but keeping highway and related transportation infrastructure projects funded for a few more months doesn't address safety and regulatory issues that we cannot afford to keep ignoring.

Five months from now, if tax reform leaves us with new options, we can always decide to infuse additional funding into the bill before the Senate, but delaying action on transportation for 5 months could also compound our difficulties. Remember, there have already been 33 short-term extensions passed by Congress since 2009.

A silent part of every argument for a short-term extension is let's not address safety and other critical transportation needs. The right decision for the American people is to seize the opportunity to pass a bipartisan, multiyear transportation bill without delay.

I wish to share with you some of the letters of support we have received from various organizations that have looked at the body of work that is included in these particular provisions that I have mentioned.

The Governors Highway Safety Association says:

GHSA congratulates the U.S. Senate Commerce Committee on releasing S. 1732. This six-year reauthorization bill will provide needed stability and consistency for state highway safety agencies to reduce the number of crashes, injuries and fatalities on America's roads.

This is from the American Public Transportation Association. It says:

On behalf of the American Public Transportation Association (APTA), our 1,500 member agencies, and the millions of Americans that depend on public transportation, I write to commend the Committee's hard work to advance comprehensive rail legislation that attempts to address safety, funding needs, Amtrak enhancements, improved project delivery, and other important rail policy issues.

We fully support the inclusion of a rail title within any broader surface transportation authorization package considered in the Senate.

That was from the president and CEO of the American Public Transportation Association.

The National Association of Railroad Passengers states that they are writing ''to endorse the inclusion of the Railroad Reform, Enhancement, and Efficiency Act (S. 1626) into the Comprehensive Transportation and Consumer Protection Act of 2015 (S. 1732).

''The move to include passenger rail authorizing language in a broader highway and transit bill is an important step in recognizing the critical role intercity trains play in a national transportation system.''

This letter is from the States for Passenger Rail Coalition:

On behalf of the States for Passenger Rail Coalition, Inc., (SPRC) I write in support of the actions taken by the Commerce Committee to introduce sections of the highway bill. I am particularly pleased that the Railroad Reform, Enhancement, and Efficiency Act (R2E2)—as approved by the Commerce Committee—was included as a title of the bill.

These are just a few of the examples of letters we have received. The final one I will mention is from Transportation for America, and there again they say they appreciate the fact that we are authorizing ''the federal passenger rail program with the transportation safety and freight provisions under the jurisdiction of the Commerce Committee through 2021,'' and that ''this proposal moves the federal transportation program in the right direction in addressing the nation's freight needs.''

The point I wish to make is there have been some of our colleagues on the floor who have been finding fault with various provisions in the bill, and obviously there are going to be a lot of people who aren't going to support this in the end anyway, but we ought to at least be talking about the facts. We ought to be talking about what is actually in the bill, and we ought to be talking about the important reforms that were made in this legislation that addressed safety issues, safety on the highway, safety on our rail system, improvements and reforms in our passenger rail systems, and the commuter railroads we have traveling across this country. There are a number of needed safety improvements and reforms that will be lost if we fail to act.

The letters I have mentioned are just a few examples of the organizations that rely upon those forms of transportation, that recognize this is an opportunity we should not miss.

I hope we will take advantage of the opportunity and not do another short-term extension, which would be the 34th now since 2009, and not put in place the types of changes, reforms, and improvements that are needed in our transportation system across this country. If we fail to act now—the window that people think we have now for a short-term extension—the 34th short-term extension—we will be looking at this sometime later this year, and we will be right back where we are right now.

We shouldn't miss this opportunity. We should take advantage of it and try, and as best we can as we move this across the Senate floor and debate some of these issues—if there are ideas about improving it, making it better, making it stronger, I think that is what this debate is all about. But I want to make sure that as we talk about these issues we are accurately characterizing and reflecting what is actually in the bill and all the work that has been done on both sides of the aisle by both Democrats and Republicans and Members who are interested in these issues.

There are a number of committees that have jurisdiction over transportation issues. As I mentioned, the Commerce Committee is just one. The Environment and Public Works Committee has had the lead on writing the bill. The Finance Committee, on which I also serve, is responsible for—at least largely responsible for—trying to come up with the pay-fors the way that we are going to fund this, and the banking committee deals with many of the transit provisions of the bill.

So there are multiple jurisdictional issues involved here. All the committees have been active. All the Members on those committees have been active. I can certainly say that on our committee, the commerce committee, we had great participation from both Republicans and Democrats on the committee. We had a lot of good input, which didn't end when we reported the bill out of the committee but continued on through the weekend and into this week. So we continue to look at ways we can make this bill stronger.

But I have to say, all the things that are included in here, all the things I mentioned along with the components and features of this bill that have been worked on by other committees, are important changes. Probably, most important of all, is that we get something that puts in place a multiyear bill that creates the kinds of conditions that are conducive to jobs and to economic growth. We all know how important transportation infrastructure is to our economy.

I come from a part of the country where we rely heavily—we drive long distances, we have a lot of geography that we have to cover. Our economy, because we are agriculturally based, relies very heavily upon getting our products to the marketplace. So we

have to have good roads and bridges, we have to have a railroad system that works, and we believe that many of the things that are done in this bill contribute to, enhance, make stronger, better, and more efficient our transportation system. That is good for jobs, that is good for the economy in this country, and that is why it is so important that we move forward.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. HATCH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. THUNE). Without objection, it is so ordered.

Mr. HATCH. Mr. President, after last night's cloture vote, we are one step closer to providing a long-term solution for the shortfalls in the highway trust fund. Soon we will begin debate on legislation that will provide more clarity and certainty to our States and to highway builders and workers throughout the country.

Earlier this week, I was pleased to learn that our distinguished majority leader and the ranking member of the Environment and Public Works Committee were able to reach a bipartisan agreement to authorize and fund a long-term highway extension. I want to commend both of them and everyone who was involved in putting this bill together for their hard work and willingness to put partisanship aside in order to help the American people.

Now the rest of us need to follow their example. I want to express my support for this bipartisan highway bill and urge all of my Senate colleagues to do the same.

The legislation that we will soon be debating would authorize expenditures from the highway trust fund for 6 years and provide 3 years of funding. It would do so without adding a dime to the deficit and without raising taxes.

Over the last few months, we have all heard from the naysayers who claimed that such a feat was impossible, that there was no path forward to provide long-term highway funding without a massive tax increase. I am pleased to see our colleagues have provided us with such a path. All we have to do is be willing to walk down that path.

This bipartisan bill provides us with a historic opportunity when it comes to highway funding. It would provide the longest extension of highway funding we have seen in over a decade.

I know my colleagues on the other side of the aisle—including some who will likely come out against this bill—like to point to the 2012 MAP–21 legislation as a paragon for how Congress should consider and pass a long-term highway bill. Of course, MAP–21 extended highway funding for only 2 years. This legislation we will be debating this week will go for a significantly longer period of time.

In short, passage of this bill would be a significant victory for good government, and, of course, it would provide a great example of what is possible when Members of both parties work together.

Of course, we have seen a number of these types of examples in the Senate this year. For example, earlier this year we passed legislation to permanently repeal and replace the Medicare sustainable growth rate system, a problem that had plagued Congress and our health care system for years. Shortly thereafter, we passed a bipartisan bill to combat human trafficking. And, of course, after that, Members from both parties in both Chambers came together to renew trade promotion authority and update our trade laws for the 21st century.

The Senate is working again, and I don't think it is going to stop any time soon. I think the highway bill will be the next item we add to the long list of bipartisan victories we have achieved in the Senate under the current leadership. We just need to keep moving this bill forward.

Of course, this bill isn't perfect either. Anyone who is desperate to find a reason to vote against this legislation could likely scour through the text and find some frivolous reason.

The pay-fors in the bill—at least as far as I am concerned—don't all represent ideal policy choices. But we shouldn't hold a good bill hostage while we search for perfection. Indeed, as I said a number of times here on the floor in recent months, I have been here in the Senate for 39 years, and in that time I don't remember voting on very many bills I thought were perfect.

This is a good bill. It is not meant to be a partisan wish list or a political messaging vehicle. It provides a serious and workable solution to a legitimate problem, and it was designed to get support from Members of both parties.

Once again, I want to commend my colleagues for getting us this close to a solution on highways.

As we all know, the House has taken a different path with regard to highway funding. They have sent over a 6-month patch with the intention of using that time to work on a solution that would both fix problems in our Tax Code and provide for long-term highway funding.

The idea of linking highways to tax reform has a lot of support here in Washington. Like I said, that is the path the House has opted to go down, and I know leaders in the Obama administration have a similar vision.

I want to make one thing clear. I support tax reform. I have been and will continue to be the most outspoken Member of the Senate in favor of robust, bipartisan tax reform. I agree with many of my colleagues that linking that effort to the highway funding could make a lot of sense.

Luckily, the Senate's highway bill will allow us to continue to pursue that path. Keep in mind, that under this bill, we will have 3 years of additional authorized highway expenditures to pay for when all is said and done. This means that whenever we can agree on a tax reform package, whether it is 6 months from now or later, it will still be possible—and likely just as sensible—to tie the two efforts together.

My colleagues also need to keep in mind that while this legislation addresses the immediate need for highway funding, the fundamental issues that fuel the need for tax reform will remain in place. We will still face an increasing number of corporate incursions and foreign takeovers. Our tax rates will still be too high, and our Tax Code will still be altogether too complicated and burdensome.

In other words, if Congress passes this bipartisan, long-term highway bill, we will still be under enormous pressure to fix our Nation's broken Tax Code and to provide relief to struggling job creators and taxpayers throughout the country. No one should question that.

Once again, I urge my colleagues on both sides of the aisle to support this bipartisan highway package. It provides a realistic path forward to a solution that all of us want to see. Traditionally, Members of both parties have been able to come together to deal with our Nation's infrastructure. For the sake of our citizens who need better roads and highways; for our builders, engineers, and job creators, who want to grow and expand; and for our workers who need good jobs, I hope we can do so with this important legislation.

Now, having said that and having found good in what both the House and Senate are trying to do, I think it is important to point out that delaying this for 6 months is not going to work. I can see the same roadblocks thrown up every step of the way, and then you get to the end of that particular time and the leverage is going to be with those who want to stall this fight to begin with.

So I am concerned about doing that, especially when we have what really is a very good highway bill here in the Senate and could solve at least these problems for a while, and we can still work on tax reform in the process.

I have no illusions. I have been around here for a long time, and I know how difficult tax reform is going to be. I also know it takes Presidential leadership, which I hope will be there when the time comes. But we have no guarantee it is going to be there.

I can remember many months ago that I said to the President: If you want tax reform, send us a well-thought-out bill, and we will see what

we can do to put it through. I am still waiting, and I can say that to put all our apples in that particular basket may not be the smartest thing we can do, especially since we are going to be in an election year next year. That could make it very, very difficult by the end of this year to really do what we all know we should do.

This bill answers that problem. It gets rid of one very important big problem, and that is our highway funding. It is no secret that we on the Finance Committee provided—and they didn't think we could do this—really around $82 billion, which we found in the code. We did not expect all $82 billion to be used, but they were there, and it would have given us approximately a 6-year highway bill.

That is not going to happen now. But to have a 3-year highway bill, with some of the things we were able to come up with—even though some are difficult and controversial—is nothing short of a miracle. So I think we have to get this done. We need to show the House that the Senate is moving ahead, and we also need to cooperate with our friends in the House when it comes to tax reform.

I hope we can bring both Houses together and do tax reform before the end of the year. It would be wonderful if we could. I don't have any illusions about it, however. But I think we ought to do what we should do, what we have to do, and what needs to be done at this particular time.

With that, Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. Will the Senator withhold his request?

Mr. HATCH. I will be happy to withhold.

The PRESIDING OFFICER (Mr. CASSIDY). The Senator from California.

Mrs. BOXER. Mr. President, I appreciate the remarks of my friend from Utah. Before Senator HATCH leaves the floor, I just want to say that we have worked very hard to put this bill together. It has been difficult. If I were writing it, I would have written it differently. If the Senator from Utah were writing it alone, he would have written it differently. But we have worked together long enough to know that we have to meet each other halfway.

Mr. HATCH. Will the Senator yield?

Mrs. BOXER. Of course.

Mr. HATCH. I want to thank her.

Mrs. BOXER. Oh, that is nice. Thank you.

Mr. HATCH. This has not been an easy thing to do, and she has taken some unnecessary and unjust criticism for trying to do the art of the doable here in the Senate.

I just want to tell her it has been a privilege to work with her, and I want to make sure that together—and with the help of others—we get this bill through for the benefit of this country and for the benefit of our highways.

I know how hard the Senator from California and the distinguished Senator from Oklahoma have worked on the highway bill. So I just want to say I have tremendous respect for the Senator and appreciate her efforts in this regard and want to give kudos to her. Keep it up. We have to get this done.

Mrs. BOXER. I say to Senator HATCH, that means a lot to me. I so remember that the Senator from Utah set the pace for bipartisan cooperation when he worked with the late great Senator Ted Kennedy. People looked at the two of you and said: This is impossible. But my colleague was able to find the common ground and build on it, and I watched that.

Senator INHOFE and I have been able to do our best to also find the sweet spot where we could come together and work together. I just wanted my colleague to know that the teamwork I watched between himself and Senator Kennedy from time to time on very important issues made an impression on me and certainly on the Senate and on the whole country.

Mr. HATCH. If the Senator will yield again—

Mrs. BOXER. Of course.

Mr. HATCH. I remember when we finally got together. It was way back in 1980–1981.

Mrs. BOXER. That is right.

Mr. HATCH. From that point on we found ways of coming together and getting things done that are monumental and landmark pieces of legislation. There is no reason why we can't do that today.

Let me just mention that on the Committee on Finance we have put out of the committee almost 40 bills that are bipartisan—not just one Democrat or one Republican, but bipartisan in nature—not the least of which is the highway bill—the funding, rather. And I just have to say that we are doing what we should do here.

I think people feel good about it. I have had people come up and say it is wonderful we are having amendments again and working together and we are getting things done. And I certainly attribute some of that to the distinguished Senator from California and the work she is doing here in the Senate. I do personally appreciate working with her.

Let's get this done. I will do everything in my power to help the Senator from California, and I thank her so much.

Mrs. BOXER. Yes. I say to Senator HATCH, we are going to have some tough votes coming up, and some people aren't going to like this amendment or that amendment, but all I want to say is this: Let's keep our eye on what the prize is.

Before the Senator leaves the floor, I want to share with him a photo. Last week, on the California-Arizona border, a bridge collapsed. Now, this bridge had been rated as structurally obsolete because so much traffic was going between California and Arizona—so much more traffic than was anticipated. We are so fortunate there were no deaths involved.

To me this is the reason why we are doing what we are doing. We just can't sit back and wait for some great, wonderful future promise to come down from the sky and say: We have solved the funding problems.

We want to find that solution. It is not at hand. So what the Senator did, which was so important—working with all the members of the Committee on Finance and across party lines with leadership and everybody else—was to put together sources of funding that he felt the Senate could live with.

As it turned out, there were a couple of things that were a bridge too far—talking about bridges—for a couple of Members, and we are fixing those. We are fixing those, and it is good. But none of these pay-fors are delightful. They are all hard. But this is what we are trying to turn around.

So I say to my colleagues on both sides—and I have said it to my own caucus over and over—nobody is going to love every page of this bill because that is the nature of legislating. If we each could write our own bill, we would love every page. We would be thrilled. We would blow kisses at every page. But we don't write it ourselves. We have to step back, and we have to allow the process to work.

Yesterday, that process worked. It was tough, but we got more than 60 votes to begin work on a long-term surface transportation bill. That bill is going to give certainty to our States—3 years of certain funding and a 6-year authorization, with the hope that in the coming months we can figure out a good way to look at international tax reform and other ways to pay for the final 3 years.

But let me be clear. It has been more than 10 years since we have had more than a 2-year extension. This is a 3-year bill, and it makes great improvements in the Environment and Public Works title.

We really did compromise, Senator INHOFE and I, and he and I really worked well together in this area. This cloture vote was so key and so important to business and labor and all the people who know they don't want this to happen to them in their State, in their commute. How many more bridges have to fail before we recognize that we can't be patching up this highway trust fund little by little? It is just not working.

I often say this—and I hope it doesn't bore people because I have said it a lot—if you wanted to buy a house and you found a house and you went to a good banker and he or she looked at you and said ''I have great news for you, Mr. or Mrs. America—we have

checked your credit rating, your credit rating is great, and we are going to give you a mortgage'' and you said ''That is wonderful news'' and then they said ''But it is only for 6 months or 5 months or 1 year,'' you are not going to buy that house. That is what we have been doing to our States and local entities. They can't build anything new. They can't make investments that are important because they don't have a guarantee that the funding will be there.

The beautiful thing about our funding system is it is Federal, State, and local, and there is even sometimes some private money that comes in. So the Federal Government is the spark. I don't know what the Presiding Officer's ratio is in Louisiana, whether it is 50/50 or 60/40. In my State, it is about 50/50. We have 50 percent local State dollars to 50 percent Federal dollars. Some of our States rely on the Federal Government for 90 percent of their transportation dollars, and one State, 100 percent. So this isn't a question of having the States do this by themselves; they really can't do it by themselves.

It was President Eisenhower—a Republican President—so many years ago who said if we are going to have a strong country, if we are going to protect our national security, we have to be able to move people and move goods. He took a tour across this great Nation, and he came up with the notion of a highway trust fund and a national transportation infrastructure.

Well, the EPW Committee—which I am the ranking member of and Senator INHOFE chairs—provides about 70 percent of the spending in this Transportation bill. We came together in a 20-to-0 vote and voted in favor of the DRIVE Act. This is going to support millions of jobs—not hundreds, not thousands, but millions of jobs across our great Nation—and it will provide economic security. If we don't do this and we wind up with a patch, believe me when I tell you that our States will shut down their programs because they just can't move forward.

It is imperative that we act now—I agree with Senator HATCH—because we have come so far. If we don't do this, we will be looking at another extension. Somebody told me it was the 34th extension—the 34th extension. That is not right. We need to do our work. The committees have done their work.

I was happy to hear that Senator BROWN now says that the transit funding is good. It is very good, as well as the highway funding.

So I want people to keep in mind the picture of this bridge. It means that when there are goods moving through from Arizona to California or California to Arizona, the cars and trucks have to go 400 miles out of their way—the cost of that to our Nation's business, the difficulty of that to those who drive the trucks and the vans.

I will say that this link is closed indefinitely. That is a terrible thing to say. They don't have a plan to fix this because it is so complex, and we need the funding so that they can. We have emergency funding in this bill—$100 million per year—to look at situations like this and come in and help.

How many more bridges have to collapse before we do our job? We cannot be economically competitive when truckers delivering goods have to drive 400 miles out of the way to get goods from one State to another.

Here are the facts: There are 61,300 bridges that are structurally deficient in America. Fifty 50 percent of our roads are in less than good condition. We have no excuses. We need to move forward.

I will show a list of supporters of our work. I just implore those 38 or so Members who voted no on going to this bill—I ask you to take a look at these groups and tell me in your heart of hearts how you can say no to them. These are hard-working people. They are Republicans. They are Democrats. They are Independents. They are people of every political stripe—the American Highway Users Alliance, the American Public Transportation Association, the American Road and Transportation Builders Association, American Society of Civil Engineers, American Trucking Associations, equipment distributors, general contractors, equipment manufacturers, metropolitan planning organizations, the National Asphalt Pavement Association.

I have four of these charts. These are the people who want us to vote yes: The National Association of Counties—I started off as a county supervisor—they know the bridges and roads are in disrepair; the National Association of Manufacturers; the National Association of Truck Stop Operators; the National Governors Association; the League of Cities; the ready mixed concrete people; the sand, stone, and gravel people; the independent drivers; the Portland Cement Association; the Retail Industry Leaders Association.

Here is another one, the last one: The U.S. Chamber of Commerce. Now, I ask you, when do we see the U.S. Chamber of Commerce, the International Union of Operating Engineers, the Laborers' International Union of North America, the United Brotherhood of Carpenters—when do we see all these on the same side? The answer: When we write a highway bill.

America is coming together around our efforts. We should be unanimous even though there are parts of the bill I don't like and you don't like. Colleagues, we cannot have a perfect bill. It is an imperfect bill in an imperfect world. But unless we wrote it ourselves, we would never be thrilled with every provision.

I will finish. The AAA—remember those people we call when we break down? The AAA said: Pass a bill. They are tired of coming out to start up cars that aren't running well because they get caught in some kind of sinkhole.

The U.S. Conference of Mayors; the American Association of State Highway and Transportation Officials; Mothers Against Drunk Driving—and I want to say that at first Mothers Against Drunk Driving opposed this bill. Now they support it. There is also the American Council of Engineering Companies.

This is a list of people who are begging us to pass this bill.

Democrats stood here, and we called on the Republicans to please come up with a bill, and they did. There were reasons to say we didn't love it, and we sat down and we worked hard. I have to say that Senator MCCONNELL and his staff, my staff, Senator INHOFE's staff, Senator DURBIN and his staff—we have been working hard. We are still working to get more votes. We need more votes. We need this to happen.

Today my plea is that the clock is ticking. We have 8 days, colleagues, until the highway trust fund goes bust. Guess what. We can solve this problem, get a strong bill that increases funding in the first year by 6 percent and after that a couple percent a year for 3 years. It scores well. It doesn't add a penny to the deficit. I am so glad we are moving forward, but we need more support.

Here is my last plea to everybody who might possibly be listening—maybe my relatives, but in addition to that, anyone who might be listening: There are going to be amendments that I don't like and that you don't like. Could we try to keep our eye on the prize? This is the prize. We don't want this happening anyplace in this country. It brings devastation.

We have a good bill before us. Is it perfect? No. Are the pay-fors perfect? No. Are we continuing to improve it? Yes. Can we always do more later? Yes.

Let's say yes together, Republicans Democrats. Let's deliver this for the American people.

I thank the Chair.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

HONORING VIETNAM VETERANS AND NORTH DAKOTA'S SOLDIERS WHO LOST THEIR LIVES IN VIETNAM

Ms. HEITKAMP. Mr. President, as I do on many Thursdays, I rise again today to share about the lives of the men from my State, the North Dakotans who died during the Vietnam war. I have been talking about the 189 men who didn't make it home, but that is not a complete accounting of the people we lost as a result of Vietnam.

Many of our Vietnam veterans continue to feel the effects of their service long after they return home. Some developed medical conditions that, quite frankly, are hard to explain. I have

worked with a number of these men, many of whom became my friends and one who is very special to me, a veteran by the name of Bill Broer, who was former director of the North Dakota Bureau of Criminal Investigation.

WILLIAM ''BILL'' BROER

William ''Bill'' Broer started his work in law enforcement as a security policeman in the U.S. Air Force. During the Vietnam war, Bill was stationed at a base that supported aircraft that was used in Agent Orange campaigns. Bill died in 2002, at the age of 53, from non-Hodgkin's lymphoma.

In 1989, Bill was appointed Director of the Bureau of Criminal Investigation and was an outstanding law enforcement official. He was awarded the Attorney General's Meritorious Service Award in 1991 and the North Dakota peace officers highest award, the Lone Eagle Award, in 1996.

Bill worked hard for North Dakota law enforcement both at his desk in our office and during his free time. He started a bowling tournament to bring together people involved in law enforcement from across our State so they could get to know each other and work together in an environment that took them away from their official duties. That tournament is now in its 30th year.

Bill also was instrumental in creating the Peace Officers Memorial that stands on the capitol grounds today, recognizing that those who serve in law enforcement also take that risk every day that so many of our servicemen do in protection of our people.

But I want to say something more than that about Bill. I am quite certain I probably would not have been attorney general without Bill's help, and I certainly don't believe I would have been a United States Senator without the lessons I learned from Bill Broer. He was a great friend and a trusted adviser to me.

Quite honestly, I don't know anyone in law enforcement who didn't absolutely love him. His staff was devastated when Bill was taken ill. We were devastated when we lost Bill way too early—I know not as devastated as his wonderful wife and his two great daughters. I remember when he used to rush home so he could be at a basketball game, of course in his suit and tie, always cheering them on. His only fault probably was being an Atlanta Braves fan.

JOHN SCHNEIDER

Another friend of mine, John Schneider, died in 2001 from a brain tumor. He also was a Vietnam-era veteran and a true friend and public servant of the highest caliber.

John served in the Peace Corps in Afghanistan in the 1960s and was tops in his language class, which was learning Pashto. He worked with farmers to introduce a hardier, more productive wheat variety to the region.

While in law school, John was drafted. He entered the Marine Corps in 1970 and was deployed to bases in Japan and the Philippines during the Vietnam war. John finished his law studies after he was discharged and joined a firm in Fargo, ND. He was elected to the North Dakota House of Representatives in 1982 and was known for his brilliant command of the legislative process. He was appointed U.S. attorney for North Dakota in 1993. In fact, he served in that capacity because I begged him to join me. He served as our U.S. attorney during those same years that I served as attorney general, and we spent a lot of time together, especially in Indian Country, working on the law enforcement issues of the day.

John was devoted to his wife Lois and their sons Jasper and Rocky. He loved cooking—cooking with way too much salt for them—and visiting with them for endless hours, even taking longer routes to school so he and his sons could talk.

John organized the Schneider baseball games, family tennis matches, and other competitions. The boys have a love of baseball to this day because of John. He loved to sing, knew thousands of songs, had a beautiful voice, and wrote and produced original family Christmas plays for 15 years.

John was thoughtful and kind. He loved life and he loved North Dakota and its people.

Now I have the privilege of sharing about the lives and deaths of other North Dakotans, those men who did not come home from the war.

JAMES ''JIMMY'' LEVINGS

James Levings was commonly called Jimmy. He was from New Town. He was born on October 18, 1948. He served in the Army's 503rd Infantry, 173rd Airborne Brigade. Jimmy was 19 years old when he was killed May 23, 1968.

His father James Conklin, Jr., served our country in the Army during the Korean war, and his grandfather Martin Levings also served in the Army in Europe during World War I.

Jimmy grew up close to his grandparents, aunts, uncles, and cousins. They said Jimmy thought the world of hunting, hiking, and riding horses.

His family appreciates the letters he mailed them when he was serving in Vietnam. They remember the pictures he mailed them and how proud he looked to be serving his country.

Jimmy's cousin Rex Mayer said he enjoyed when Jimmy stayed with his family when they were young because Jimmy was like an older brother who played with him and took him to the movies at the nearby theater. Rex said Jimmy was 17 years old when he enlisted in the Army and volunteered to return to Vietnam for his second tour. Rex remembers seeing Jimmy when he was home on leave between his tours and that Jimmy had a different look about him, that he was changed by what he experienced in Vietnam.

Jimmy was shot and killed in Vietnam when he approached his base perimeter and was accidentally mistaken as a hostile force.

Jimmy is buried in Snowbird Chapel Cemetery and his name is memorialized on the Mandan, Hidatsa & Arikara Fallen Soldiers Memorial near New Town.

WARD WALTER

Ward Walter was born October 13, 1917. Prior to serving in Vietnam, Ward had lived in McKenzie County and in Minot. He served in the Army's 720th Military Police Battalion. Ward was 50 years old when he died on November 29, 1967.

Ward spent most of his adult life working in law enforcement and serving in the Army. Based on Ward's time in the Army and experience in four countries, his fellow soldiers became like family to him. His camaraderie and guidance earned him the nickname of Pop.

One month after arriving in Vietnam, Ward's team was tasked with setting up an ambush. Once in their ambush position, a U.S. Army jeep drove by and spotted movement. Thinking Ward's team members were opposing forces, the jeep opened fire, shooting Ward in the chest and killing him.

To commemorate Ward, members of his battalion named the movie theater at their post in Vietnam the Sergeant Ward ''Pop'' Memorial Theater.

The Army recognized Ward's service by issuing him the Bronze Star Medal for Valor, the Purple Heart, and the Good Conduct Medal.

LEON LOCHTHOWE

Leon Lochthowe was from Minot. He was born March 23, 1945. He served in the Marine Corps' Mike Company, 9th Marines, 3rd Marine Division. Leon died on September 22, 1967. He was 22 years old.

Leon was the oldest of four children born to Don and Donna Lochthowe. His mother Donna said that growing up on the family farm, Leon was a free spirit and enjoyed riding his dirt bike in off-road races. He married Betty Berg, and they had a son Rickie and daughter Kimberly.

On September 10, 1965, Leon, his wife, and two children were driving north of Minot and were hit head-on by a drunk driver. Leon's wife and both children were killed.

After his wife and kids' deaths, Leon's draft number was changed to that of a single man. He chose to enlist in the Marines. A year after his family's death, he arrived in Vietnam.

Leon's fellow marine Gerald Loretta credits Leon with saving his life by pulling him to safety after he was wounded so badly he could not move. Other fellow marines have also written about Leon's heroism during his service.

On September 22, 1967, Leon received a letter from his mother stating that

his parents were in California with his brother Gary, who was critically ill with spinal meningitis. Gary recently had enlisted in the Marines and was in his first days of basic training when he was hospitalized. That same afternoon, rockets and artillery began shelling the area that Leon was defending. Shrapnel struck him in the chest, and he was killed instantly.

Leon's parents left California, where their son Gary was in a coma, to return to Minot to receive Leon's body and hold a funeral. Just hours after arriving home, Donna learned that her father had died in his home. The day after his funeral, they held Leon's funeral. During Leon's funeral reception, the family learned their son Gary had just died in California. This is a family who had held three funerals for the men they love in just 1 week.

ROBERT ''BOBBY'' STOREY

Robert ''Bobby'' Storey was from Grand Forks, and he was born July 22, 1946. He served in the Army Reserve's 17th Aviation Group, 1st Aviation Brigade as a helicopter pilot. Bobby was 22 years old when he died on November 21, 1968.

He was the oldest of four children. His father Henry served in the Air Force and the family moved to different bases while the kids were young.

Bobby's sister Debbie said that Bobby was kind and had a smile that would light up a room. She remembers that in high school he played quarterback for the high school football team and was nicknamed Bunny because of how fast he could run. Bobby's friends came to their house often, which meant a house full of boys and a refrigerator stocked with milk.

Bobby attended college at the University of North Dakota. He joined the Sigma Nu Fraternity, and he and several of his fraternity brothers enlisted in the Army.

Bobby became a Warrant Officer helicopter pilot, and about a month after arriving in Vietnam his helicopter was shot down and Bobby was killed. After his death, Bobby's father also went to Vietnam, serving our country in 1970 and 1971.

After Bobby's death, both of Bobby's brothers chose to wear the number 22 on their sports jerseys, just like Bobby had in high school. In memory of Bobby, his youngest brother named their son Robert.

DELAND ''DENNIS'' ZUBKE

Deland ''Dennis'' Zubke was from Grassy Butte, and he was born October 28, 1951. He served in the Army's 15th Artillery Regiment. Deland was just 19 years old when he went missing on March 1, 1971.

He was one of five children born to Drusilla and Gerald Zubke.

One of Deland's fellow soldiers, Ralph, wrote a remembrance describing how Deland volunteered to take Ralph's place on a dangerous mission the day Deland was last seen. His actions that day under intense enemy and friendly fire made Deland a hero. In Ralph's eyes, Deland should have been awarded a Silver Star for his courage under the most difficult combat conditions imaginable. Deland had arrived in Vietnam about 2 months earlier.

In 1978, the Army changed Deland's status from Missing in Action to Died While Missing. Deland has never been found.

DAVID KLINE

David Kline was born July 31, 1948, and was from Hurdsfield. He was in the Army's 1st Cavalry Division. David died July 2, 1967. He was 18 years old.

David's sister Faye remembers that David was liked by everyone in Hurdsfield. David was the envy of many because he owned a pink and white 1957 Chevy convertible.

He played basketball for the high school team and liked playing his guitar for fun. ''Dancing in the Streets'' by Martha and the Vandellas was one of his favorite songs. He was senior class president and hoped to teach history someday.

He had a younger brother Curtis, who was just 11 months younger than David. They were so close, folks around town told them they were like twins.

Faye said that when she, David, and Curtis were young, they always participated in Memorial Day events, placing flags next to the headstones of our country's veterans. Faye recalls clearly that one time David noted that ''someday, I will have a flag just like that.''

She remembers the words he said to her, his little sister, the last time he left for Vietnam: ''Don't grow up too fast.''

ROBERT ''BOB'' FULLMER

Robert ''Bob'' Fullmer was from Grand Forks. He was born April 2, 1948. He served in the Army's 25th Infantry Division. Bob died on June 6, 1969. He was 21 years old.

Bob had two brothers, Bud and Bill. They both served our country. Bud served in the Navy and Bill served in the Army Reserve.

Bill said Bob was very social and enjoyed always having friends over. When Bob was killed in Vietnam, his parents donated his death gratuity to the Grand Forks Central High School to be used as a scholarship for students with average grades who wished to attend the University of North Dakota.

Bob's high school friend Barb Colby wrote a poem about Bob shortly after he died, and the poem was published in 1987 in the first issue of a magazine entitled ''Reflecting on the Memories of War.'' This was her poem:

Why didn't you say goodbye
The January day,
When that damn warring airplane
Took you so far away?
Maybe you knew before you left
That you were going to die
So your heart just wouldn't let you
Come and say goodbye.
Please try and understand
I can't come to where you lie.
I guess I feel like you did then.
I just can't say goodbye.

After learning that Bob's mother had read her poem, Barb visited his mother on Memorial Day. After their visit, Barb wrote a letter to the editor of the magazine describing how she and Bob's mother reminisced about Bob's life and the people who have contacted his mother since his death describing the ways they have touched his mother's heart.

Talking with Bob's mother and seeing her laughter, strength, and warmth made Barb realize, 17 years later, that her poem was not finished. Barb wrote this ending to her poem and dedicated it to Bob and his mother.

Seventeen years have come and gone
Again it's the month of May.
I went back home and met your mom
On this Memorial Day.
She talked of you as a child and son
I told her stories of our youth.
And as we shared our memories and loss
She taught me a simple truth.
She showed me that your memory is alive
So you'll never really die.
She made me laugh—she let me cry
She helped me to say goodbye.

These are just some of the stories I am privileged to share, hopefully with the rest of the country, as we continue this 50-year remembrance of the Vietnam war and the people who took part. I think it is so critical and so important, especially in this time when we call on people to make sacrifices, that so many of the young people here, who would be the age of the grandchildren of many of the people who served, appreciate and understand the extent of the sacrifice and the disruption of family but the love of country that is an inherent part of each one of these stories.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. DAINES. Mr. President, I ask unanimous consent that following my very brief remarks Senator SULLIVAN be allowed to speak.

The PRESIDING OFFICER. Without objection, it is so ordered.

MONTANA WILDFIRES

Mr. DAINES. Mr. President, I want to bring attention to the serious wildfires going on in Montana as I speak. There are currently two large active fires burning in Montana, including 4,000 acres called the Reynolds Creek fire right in Glacier National Park, as well as the Cabin Gulch fire, 2,500 acres, near Townsend.

Our fire crews are putting themselves in harm's way to protect our lands, our forests, and our communities. With lower-than-average snowpack, we have had less-than-average rains. It has created a situation. We have very low

water levels in our rivers and our streams, and our firefighting teams are facing ripe conditions for wildfire.

They are also being driven by high winds and dry fuels. So far this year, we are experiencing the second worst fire season in terms of impacted areas in a decade. The situation could only get more serious in the coming weeks and months.

Our communities, our watersheds, our wildlife habitat, our access to recreation—all of these critical Montana treasures—are at risk for wildfire. Please join me in praying for the safety of our firefighters, and please thank them for a job and service well done for the State of Montana.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. SULLIVAN. Mr. President, I wish to begin my remarks this afternoon by commending my colleague from North Dakota for her weekly tributes to our Vietnam veterans. I have watched her do that week after week. It is very moving. It speaks volumes to her character as well as the character of the veterans from North Dakota.

NUCLEAR AGREEMENT WITH IRAN

Mr. President, I come to the floor this afternoon to speak about one of the important issues facing the Senate today, for weeks, months, and maybe even years, and that is the debate we are having over the Iran nuclear agreement.

Many of my colleagues have already spoken very eloquently and very patiently about this agreement. I want to give one example. My colleague from Maine, Senator KING, was on the floor the other day when I was presiding. He was imploring us to fully debate the issue. He stated: ''The truth emerges from the fire of an argument on an issue of this importance.'' I couldn't agree more. We should debate this issue. We should fully vet this issue. We should bring all of the voices of the people we represent into this body to debate this issue.

Where to begin? There is so much here, so many issues. We have seen some of them: centrifuges, enrichment, inspections, sanctions, and anywhere, anytime inspections. We have to examine all of that.

I thought it was important today to step back and take a look at some of the big issues. There are three issues that I believe are particularly important as we start this debate: first, the role of the American people and this body and the Congress with regard to this agreement; second, the basic underlying premise of this agreement—the driving force that in many ways is behind this agreement; and third, the main goal as has been agreed to by the President and by Members of this body on what we should be trying to achieve with regard to this agreement.

First, the role of the American people in this body. There is confusion, which has been perpetuated by this administration, that those of us who are asking questions and are skeptical of the agreement are somehow being partisan. The President said that Republicans, no matter the deal, will disagree with him and not vote with him. In some ways he seems to be making this about his personal agenda. But with all due respect to the President, the Iranian nuclear agreement is much bigger than President Obama—much bigger. The President will be gone in 18 months, and the American people will have to live with the consequences of this agreement for decades. That is why it is so important that the Congress debate and approve or disapprove this agreement. Yet, had the Obama administration had its way, we would not be doing this today—what we are doing right now—debating this agreement.

In fact, throughout this process, from the very beginning, they have been dismissive of the role of the American people through their representatives in Congress to weigh in and bring clarity and wisdom to what this agreement is all about. Just a few months ago, the President said that he did not want the Congress to be involved at all. We started debating an act on this floor to provide this body with an opportunity to review and approve. He said he would veto it—no involvement from the American people. The administration only backed off when a bipartisan group of Senators, Democrats and Republicans, stood firm—a veto-proof majority—and said: No, the American people need to be read into this agreement. That was when we passed the Iran Nuclear Review Act. I personally would have preferred that this be viewed as a treaty by the administration, but we are reviewing it now under that law.

The President and Secretary Kerry have taken the deal to the U.N. Security Council—again, before Congress and the American people even started to debate the issue. The Russians and Chinese were voting on this agreement before we had the opportunity to do so. Members of this body, Democrats and Republicans, implored the Secretary by saying: Don't do this; it is an affront to the American people. They didn't listen. Finally, the President is saying—even before we debate—if we are not in agreement with him, he is going to veto whatever we do in this body.

This is not how the Federal Government is supposed to conduct foreign policy. Throughout the history of this great body, weighing in and voting on international agreements and international treaties of this magnitude have been the Senate's most important job, the heart and soul of what we do in this body. Sadly, two former Members of this body—the President and the Secretary of State—have actively fought against our involvement.

But Alexander Hamilton knew better. In the Federalist Papers, he spoke about the critical role of the Senate in foreign affairs. He warned against the President having sole authority over issues of such a ''delicate and momentous kind.'' He argued vigorously for the Senate to have a say on critical foreign policy and national security issues. Our history and the Constitution reflect this, and that is where we come in, and that is why we are debating this.

In examining the agreement, I think it is important to understand and look at the bigger picture. What is the driving force? What is the underlying premise? What is the philosophy that is motivating this agreement? It is not hard to discern. From the beginning of the Obama administration, the President and his team have been focused on transforming our relationship with Iran to bring it into the community of respected nations, thereby transforming the Middle East. The President has talked about this a number of times. He highlighted this in a speech to the United Nations in 2013, and it is here again in the text of this agreement.

The text of the agreement states that the P5+1 expresses its desire to build a new relationship with Iran. That is in the agreement. This is a bold and ambitious goal, no doubt, but it is also dangerously naive. Interestingly, there is no reciprocal statement in the agreement by Iran about Iran wanting to have a new relationship with the United States or the West. We want it; they don't seem to want it. In fact, with its leaders regularly still chanting ''death to America; death to Israel'' even after the signing of this agreement, it seems very clear that Iran does not want a new relationship, and this is the biggest flaw of the agreement. It amounts to a high-stakes bet—the highest of stakes: the security of the United States—that Iran will change its behavior.

What I fear the most is if they don't change—and there is no sign that they are going to—within 10 years, by its own terms, this agreement will enable Iran to have a much stronger economy, a significant ballistic missile capability, to be on the verge of a nuclear bomb and still be the world's largest sponsor of state terrorism. This is a huge risk for the security of our country and our allies in the Middle East.

It doesn't have to be this way. This agreement could have mitigated these risks. We do this all the time in diplomacy. We tell countries that we negotiate with: If you improve your behavior, you will get rewarded incrementally, step by step—step by difficult step. For example, during the debate we had on the Iran Nuclear Agreement Review Act, I offered an amendment that was simple, but it was based on this issue: Sanctions would be lifted on

Iran once Iran came off the list of countries that sponsored state terrorism. Simple. If you improve your behavior, you will get rewarded. This agreement does not do that. Instead, when you look at the structure of this agreement, it allows Iran to get almost all of the benefits up front.

Almost half of this agreement is about our obligations to lift sanctions in very minute detail—our obligations to lift sanctions on Iran within the next several months. Think about that. We had the leverage. The countries that negotiated this are among the most powerful in the world. We had Iran on the ropes with strong, American-led sanctions. We had the leverage, and we lost it with this agreement on the hope that Iran will change its behavior.

So far, it is clear that their leaders did not get the memo on the change of behavior or on the new relationship. Iran is still destabilizing the Middle East, holding Americans hostage, threatening Israel, and supporting terrorist groups, such as Hezbollah and others, throughout the world. In fact, Iran, which is a nation that has had imperial ambitions throughout the Middle East for centuries, could very well accelerate its destabilizing activities as a result of the power and prestige this agreement provides them.

Supporters of this agreement, including the President, are arguing: Look, United States, we have done this before. We have negotiated with our enemies to a positive end. President Reagan did it with the Soviet Union. He got a constructive deal. But this is a flawed analogy both strategically and tactically. When we negotiated with the Soviet Union, it was a negotiation between the world's two superpowers that were armed with nuclear weapons, similar military strength—thousands of military weapons. Here, however, we are bringing a nuclear pariah into the club of nuclear powers. This is very different.

Tactically, Team Obama has never demonstrated the desire to walk away from this deal. This wasn't the case with President Reagan. He famously walked away from the Soviets in Reykjavik, Iceland, over a verification issue on the INF agreement. ''This meeting is over,'' President Reagan said to George Shultz, his Secretary of State, when he thought we were giving away too much. ''Let's go, George. We're leaving,'' said the President. And they did. They left. A year later, Mikhail Gorbachev came back to the table and agreed to onsite inspections of their nuclear facilities. America and the USSR signed the INF treaty, and Soviet power began to unravel. Contrast that to the experience we have heard about in the last few months of these negotiations on the issue of conventional weapons and ballistic missiles.

The Chairman of the Joint Chiefs of Staff, GEN Martin Dempsey, testified in front of the Armed Services Committee very recently. He said: ''Under no circumstances should we relieve pressure on Iran relative to ballistic missile capabilities and arms trafficking.'' That was said by the No. 1 military adviser to the President of the United States. But we did. Within 7 days of that statement, we did. The embargo on conventional weapons and ballistic missiles is going to be lifted as part of this agreement. When the Russians and the Chinese pushed this position at the very end of these negotiations, Secretary Kerry should have listened to General Dempsey's military advice and he should have done what Secretary Shultz did. He should have walked. He should have walked away to get a better deal.

Finally, I wish to conclude by underscoring what everybody, from the President to Members of this body, has agreed should be the principal negotiation objective of this agreement, which has always been to keep Iran from developing a nuclear weapon and to dismantle its nuclear capability.

In fact, this body weighed in last year—March of 2014—in a letter written by 81 U.S. Senators to the President of the United States about these negotiations. The letter had a number of benchmarks for the negotiators. One stated that sanctions ''must continue until Iran abandons its efforts to build a nuclear weapon.''

The letter then goes on to cite another critical basic goal of the agreement. It states: ''We believe any agreement must dismantle Iran's nuclear weapons program and prevent it from ever having a uranium or plutonium path to a nuclear bomb.'' Last year, 81 Senators stated that. Let me repeat that: ''We believe any agreement must dismantle Iran's nuclear weapons program and prevent it from ever having a uranium or plutonium path to a nuclear bomb.'' I agree with the 81 Senators. Mr. President, 40 Democrats, 40 Republicans, and 1 Independent signed that letter, and 72 of those Senators are still Members of this body. But they need to ask themselves: Are they sure this goal has been achieved?

I have read this entire agreement. I believe this goal has not been achieved, and that should deeply concern all Members of the U.S. Senate.

Let me conclude by quoting someone I normally do not quote on the floor of the U.S. Senate—Iranian Supreme Leader Ayatollah Khamenei, who just this past Saturday stated the following: ''Even after this deal our policy towards the arrogant United States will not change,'' and then he led the crowd he was before into chanting ''Death to America.'' That is the country that we are hoping and risking our future on that will change, that we will have a ''new relationship'' with, as the agreement states.

To the American people: We will continue to debate this critical issue.

In the words of my colleague from Maine, we will bring the fire to the debate and a truth will emerge. Unfortunately, here is one truth that I find self-evident: Iran is not changing anytime soon. That is because this agreement didn't force it to.

I yield the floor.

The PRESIDING OFFICER. The assistant Democratic leader.

FOR-PROFIT COLLEGES AND UNIVERSITIES

Mr. DURBIN. Mr. President, if we ask most people in America what is the most heavily subsidized industry in America, which industry, which sector of our economy receives the highest level of Federal subsidy in America, I guess they would get it wrong, because it turns out the sector that gets the highest degree of Federal subsidy is for-profit colleges and universities—for-profit colleges and universities.

I wish to say a word or two about the current status of the largest of these for-profit colleges and universities and the tactics they are using to become even fatter at the expense of the American taxpayers.

I will read a quote about the for-profit college industry:

> They are not educators and they're looking to manipulate this model to make money. There is nothing wrong with making money, but I think anyone making money in an educational activity has a higher standard of accountability.

Some might think that was a quote from some speech I gave here. They would be wrong. That was a quote from John Murphy, a cofounder of the University of Phoenix, during a recent interview he gave to Deseret News National. As the article rightly observes, the University of Phoenix is the ''grand-daddy'' of the for-profit industry, but the enterprise has experienced a dramatic shift in priorities since it became a publicly traded company, according to Mr. Murphy, one of the cofounders. The reason for the change, according to Murphy, is the combination of the new corporate entity—for-profit University of Phoenix—chasing stock prices with the temptation of the open spigot of Federal funds. Mr. Murphy calls the Federal student loan money ''the juice'' of the for-profit college industry. And for its part, the University of Phoenix is swimming in the juice. They received 84 percent of their revenue from Federal title IV funding in 2012 and 2013. How much? It was $3.5 billion.

According to law, for-profit colleges are prohibited—we don't want them to become too dependent on the Federal Government, so we prohibit them from receiving any more than 90 percent of their revenue from title IV Federal funding—90 percent.

When I think of the outrage I hear from those in Washington who track Federal money, I can't believe they are

overlooking this industry. A major loophole, however, allows the University of Phoenix to not include veterans' GI Bill benefits or Department of Defense tuition assistance programs in their Federal revenue calculation. So I joined with Senator TOM CARPER of Delaware and others to fix this, to close this loophole, to hold the for-profit colleges to no more than 90 percent of the revenue coming directly from the Federal Government.

A recent article by Aaron Glantz published by the Center for Investigative Reporting provides a troubling look into the world of for-profit college recruitment of America's veterans and members of our military. The article details how the University of Phoenix has become a major sponsor of military events. In one instance, they paid $25,000 to sponsor a concert for military members and their families. The company gave away Galaxy computer tablets and wrapped the stage in a giant University of Phoenix banner. In other instances, the Center for Investigative Reporting found that the University of Phoenix sponsored ''resume workshops'' which essentially amounted to recruitment drives for their university. According to the article, the company sponsored hundreds of events on military bases, including rock concerts, Super Bowl parties, father-daughter dances, Easter egg hunts, chocolate festivals, fashion shows, and even brunch with Santa.

University of Phoenix paid $250,000—a quarter of a million dollars—to sponsor events over the last 3 years at Fort Campbell, KY. Private sponsorship of military events is not unusual, but it has to raise some eyebrows when the company whose profits depend on recruiting servicemembers are paying for these programs. Let's face it. That is what these events are for—recruitment events for the company.

In the name of corporate sponsorship, the University of Phoenix could gain direct access to military bases with a nod and a wink to servicemembers: Come to Phoenix. We care about the military.

Boy, has it paid off for Phoenix and what Mr. Murphy called ''the juice'' of Federal funds.

The University of Phoenix is the fourth largest recipient of Department of Defense tuition assistance funds which help servicemembers continue their education. In fiscal year 2014, the University of Phoenix received more than $20 million of these benefits. But hold on tight. Here is where the juice gets deep. When it comes to veterans' GI Bill funding, the University of Phoenix is a top recipient in America of these funds—$272 million. In return, the company offers servicemembers and veterans degrees of questionable value, below-average graduation rates, and—get this—a student loan default rate almost 40 percent higher than the national average. That is what we are offering to members of our military and veterans through the University of Phoenix and their programs.

I don't think this type of behavior by the University of Phoenix is what the President had in mind when he signed Executive Order 13607, intended to prevent for-profit colleges from gaining preferential access to our military.

I have written to Secretary of Defense Ash Carter about the outrage. If it is a matter of University of Phoenix not following DOD rules, I want the Department to take action. If the University of Phoenix's actions outlined in this report are within the rules, the rules need to be changed.

I want to say a word about another story by the Center for Investigative Reporting last week. This is almost incredible. It is difficult for me—I can't—to recount the details of the story I am about to relate, and my colleagues will understand why in a moment.

According to the Center for Investigative Reporting, nearly 2,000 unaccredited institutions received more than $260 million in GI Bill benefits between 2009 and 2014. Some of them are for profit; all are totally unaccredited. When someone serves in our military, we offer them GI Bill benefits—once-in-a-lifetime benefits—for the betterment of themselves and their family. Once they have used the benefits, they are gone.

One example of one of these unaccredited institutions that is receiving these benefits for our military—GI Bill benefits—is a sexual therapy school in San Francisco. The name of it is the Institute For Advanced Study of Human Sexuality—unaccredited. The activities that are described in the article about this school I cannot say on the floor of the Senate. The institute openly brags—this unaccredited institute receiving GI Bill benefits openly brags about its massive collection of pornography, and we sent this institution GI Bill funding. That is outrageous.

Seven other Senators joined me in writing to Secretary McDonald of the VA last week asking him to investigate and explain. I also expect to speak with him by next week, and I hope to hear that the VA is taking action. The GI Bill is too important for our veterans to have these benefits ever questioned because of a scandal such as this.

Stories such as these abuses by the for-profit college industry and these unaccredited so-called schools are appearing more frequently. In newspapers and other media outlets across America, this issue has never received so much attention. Unfortunately, here in the Halls of Congress, you can still hear the crickets when it comes to this issue. I hope this changes. If we are serious about really caring about our military and their families and our veterans, if we are serious about caring about taxpayers' dollars, if we are honest about this industry that is fleecing the American taxpayers and members of our military, this Congress should act on a bipartisan basis. But some of these schools have friends in high places. Every time I have tried to call them out, someone has stepped in to their defense, usually in a private manner so the public doesn't know.

The day of reckoning is coming for these for-profit schools. The stock market is catching up with them. Stockholders are catching up with them. Students and their families are catching up with the fact that they are a waste of time and money. Now we have to make sure the taxpayers have their day and their attention directed toward this outrageous exploitation.

5TH ANNIVERSARY OF DODD-FRANK

Mr. DURBIN. Mr. President, July 21 marks the fifth anniversary of the enactment of the Dodd-Frank Wall Street Reform and Consumer Protection Act.

Let's remember what was happening when the law was created. In 2008, we were staring in the face of the greatest economic meltdown since the Great Depression. Wall Street banks and financial companies had built a multi-trillion dollar house of cards. They built it out of subprime and predatory mortgage lending, mortgage-backed securities with inflated credit ratings, and unregulated derivatives based on these mortgages. It was enormously complex and risky, and our financial regulatory system was ill-equipped to oversee it. It all started coming apart when several mortgage lenders went under, and Bear Stearns began wobbling.

Then in March 2008 Bear Stearns went down. By September 2008 one giant financial company after another started collapsing: Lehman Brothers, Merrill Lynch, AIG, Washington Mutual, Wachovia. It was a time of panic. Credit markets froze. The stock market swung wildly. Congress had to take dramatic steps to stop the economy from going into free fall. Who suffered the most from Wall Street's misbehavior? Main Street Americans.

As a result of the financial crisis, unemployment went up over 10 percent. Nearly nine million Americans lost their jobs. Millions of families faced foreclosure on their homes. More than $19 trillion in household and retirement wealth was wiped away.

It was clear we had to act to get out of this ''great recession,'' and we did. We saved the auto industry, passed the Recovery Act to boost the economy, and stabilized the economy. We have now had 64 consecutive months of job growth, and the unemployment rate is down to 5.3 percent. But it was clear to all of us who lived through that financial crisis that we needed to reform our financial regulatory system and curb risky and predatory financial practices.

Five years ago, we did just that by enacting the Dodd-Frank Wall Street Reform and Consumer Protection Act. It took months of legislating—dozens of hearings, extended debate and amendments in committees and on the floor, and a robust conference committee process. The result was a landmark reform law that reined in the worst abuses of Wall Street and provided critical new protections for consumers and Main Street businesses.

One of those was the creation of the Consumer Financial Protection Bureau, or CFPB. I remember back in 2007 when a law professor named ELIZABETH WARREN told me about all the tricks and traps that banks and mortgage companies were using on consumers. She said we need an agency that is focused like a laser on making sure that there is transparency and fairness in consumer financial products. I agreed. So in 2008 I introduced the first bill that sought to create this consumer financial protection agency.

I could not have been prouder when this agency was established by the Dodd-Frank Act. This was a landmark win not only for consumers but for our overall economy.

When consumers have transparent and accurate information about financial products, they are empowered to make better choices. Senator WARREN did an admirable job of getting the CFPB up and running. And now, under the leadership of Richard Cordray, the CFPB has achieved great success in protecting consumers, especially those most often targeted by wrongdoers—students; older Americans; servicemembers, veterans and their families; and the economically disadvantaged. To date, the CFPB has obtained over $10 billion in relief to consumers through its enforcement actions.

The CFPB went after several of the Nation's largest credit card companies for targeting their customers with deceptive and fraudulent activities. This resulted in nearly $2 billion being paid back to more than 12 million customers nationwide. To further protect students and their families, the CFPB has brought action against for-profit colleges for their predatory lending practices.

In November 2013, the CFPB announced its first enforcement action in the predatory payday lending industry. This led to $14 million in restitution from Cash America for targeting servicemembers and their families and violating the Military Lending Act in the process. Since then, the CFPB has continued to limit the ability of payday lenders to prey on vulnerable families across America.

The CFPB is a tremendous success story. But the successes of Dodd-Frank don't stop there.

When the Dodd-Frank bill was on the Senate floor, I offered an amendment that dealt with the issue of debit card swipe fees. This amendment was adopted by the Senate with 64 votes—47 Democrats and 17 Republicans—and it was enacted into law. My amendment marked the first time that Congress acted to rein in excessive swipe fees, which were lining the pockets of big banks and costing billions for merchants and their consumers. I am pleased to report this reform has achieved significant success.

For those who don't remember, swipe fees are fees fixed by Visa and MasterCard, and are paid by merchants to card-issuing banks whenever a purchase is made with a card. Because Visa and MasterCard set the fees on behalf of all banks, there is no competition between banks on the fee rates—so the rates always went up. By 2009, the banks were collecting about $16 billion per year in debit swipe fees from merchants. And merchants had to pass that cost on to their customers in the form of higher prices. Of course, the banks didn't need all of this swipe fee money to conduct debit transactions. The actual cost to process a debit transaction is just a few cents. But the banks and card companies exploited the swipe fee system so they would receive far more than they would ever need—an average of 44 cents per transaction.

It didn't have to be this way. Many other countries have thriving debit card systems with swipe fees strictly regulated or prohibited altogether. But in the U.S., swipe fees were spinning out of control. There were no market forces working to keep fees at a reasonable level. So I offered my amendment to bring some reasonable regulation to this system.

My amendment said that if the Nation's biggest banks are going to let Visa and MasterCard fix swipe fee rates for them, then the rates must be reasonable and proportional to the cost of processing a transaction. And my amendment also said there needs to be a real choice of card networks available for each debit transaction. This reform cut the average debit swipe fee in half, from about 44 cents to about 24 cents.

This is actually pretty modest reform. Most other countries have gone much further in regulating swipe fees. But boy, did the big banks scream about it. They said swipe fee regulation would be the end of the world. They claimed it would kill the debit card system, devastate small banks and credit unions, and cause banks to jack up other fees on consumers. Well, the law took effect in 2011, so we have had some time to see how it has worked. And as it turns out, the horror stories that the banks predicted turned out to be pure fiction.

Let us look at the facts. First, swipe fee reform hasn't hurt the growth of the debit system. Debit card use continues to grow each year, according to the Federal Reserve. And it hasn't hurt small banks and credit unions, either. My amendment exempted all but the biggest one percent of card-issuing banks from fee regulation. The Fed announced in May 2013 that this small issuer exemption ''is working as intended.''

Credit unions and small banks have thrived since the amendment took effect, because the amendment has enabled them to receive higher fees than their big bank competitors. It has helped level the playing field between the big banks and the little guys.

Don't take it from me. Here is what press releases from the Credit Union National Association have said since my amendment took effect in 2011:

November 2012: ''Credit Unions Growing at Sustained, Increasingly Strong Pace.''

March 2013: ''The credit union movement is healthy, vibrant and on the rise.''

Last February: ''Credit unions experience fast growth on all fronts in 2014 . . . 2015 expected to surpass banner year.''

I know the small banks and credit unions will never thank me for this reform. But the reality is they have gained a competitive advantage through this reform. It has helped them.

And how about consumers? Well, the banks said my amendment would cause consumer checking fees to go through the roof—and they still try to pretend that is the case. But the facts say otherwise.

Last September the Wall St. Journal reported that ''After peaking in 2009, the annual account fees collected at U.S. commercial banks have declined markedly, even as the volume of bank deposits has swelled.'' Transparency and competition is helping keep fees down.

The American Bankers Association reported last year that 62 percent of Americans pay nothing at all for bank services. And this year Bankrate.com found that 72 percent of credit union checking accounts came with no maintenance fees.

And what about savings to consumers? Well, noted economist Robert Shapiro did a study in 2013 and estimated that swipe fees overall were reduced by about $8.5 billion in 2012. He estimated that about $6 billion of these reductions were passed along from merchants to consumers in the form of lower prices.

While it may be hard to see those price reductions when you spread the savings across the entire economy, the fact is that the savings are real. Unfortunately, the savings should have been even greater. When the Federal Reserve drafted a proposed rule for my amendment, they planned for a fee cap of 7 to 12 cents—far closer to the actual cost of processing a debit transaction. But the banks lobbied the Fed hard to double the proposed cap, and the Fed gave in to the bank lobbyists. Of

course, the banks and card companies promptly took advantage of the watered-down regulation and turned the fee cap into a fee floor. As a result, there are still excessive swipe fees begin charged in the debit system—not to mention credit card swipe fees, which have not been reformed at all.

There is no doubt that swipe fees continue to distort the incentives in our payments system. Banks and card companies continue to shape the system to maximize fees instead of efficiency and security. Just look at the issue of card security technology. The banks ignored this for years—until my amendment made part of the debit swipe fee contingent on having effective fraud prevention technology in place.

Just a few weeks after my amendment took effect in 2011, Visa finally announced a roadmap to promote adoption of smart-chip cards in the United States. MasterCard soon followed. That is good news, but unfortunately the banks and card networks are still steering away from using PINs on cards—even though the rest of the world uses a chip-and-PIN system and PINs mean lower fraud. Why avoid PINs? Because several other card companies compete with Visa and MasterCard on PIN transactions, and the competition means the fees are lower. Further reform is needed to correct these skewed incentives.

We have more work to do to make sure our credit and debit card systems are competitive, transparent and fair. I hope the Federal Reserve and my colleagues in both parties will work with me in this effort.

Unfortunately, when it comes to Dodd-Frank, Republicans in Congress have spent the past 5 years trying to undermine this legislation. We must not forget the lessons we learned from the financial crisis. We can't go back to the system we had before Dodd-Frank. Instead let's work together to protect what works, make constructive improvements, and expand Dodd-Frank's reforms where needed.

Remember, Wall Street used to get its way all the time around here, and they led us down a path that almost took our economy off a cliff. Let's not go back there. Let's promise the American people that never again will Congress allow financial tricks and traps to bring our economy to near-ruin.

I see one of my colleagues on the floor, and I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

TROOP SAFETY

Mr. BOOZMAN. Mr. President, the dangers our troops face extend beyond war zones and unfortunately to within our Nation's borders, and it is time our policies reflect their risks no matter where they are stationed.

Just like the attack at the Little Rock Army recruiting station and the tragedy at Fort Hood, the recent senseless shootings in Chattanooga happened when our troops were unarmed, leaving them no way to defend themselves.

I fully support the actions of Arkansas Governor Asa Hutchinson to do what is necessary to protect the Arkansas National Guard by allowing members to be armed at guard installations. However, the Governor only has authority over the Arkansas National Guard. While Governors of other States have issued similar directives, I urge Secretary of Defense Ashton Carter and President Obama to order protective measures at Department of Defense installations.

HONORING MARINE STAFF SERGEANT DAVID WYATT AND THE OTHER SERVICEMEMBERS WHO LOST THEIR LIVES IN THE CHATTANOOGA TRAGEDY

Mr. President, the vicious attack in Chattanooga changed the lives of the families of GySgt Thomas Sullivan, LCpl Squire Wells, Sgt Carson Holmquist, SSgt David Wyatt, and PO2 Randall Smith.

The attack hit especially close to home for Arkansas, where SSgt David Wyatt grew up. While he no longer called Arkansas home, the State always had a fond place in Staff Sergeant Wyatt's heart. He often visited his family who still live in the Natural State and taught his children how to call the hogs.

He was a 1998 graduate of Russellville High School. Staff Sergeant Wyatt was active in athletics and played in the school band. He also earned the Eagle Scout, the highest rank of the Boy Scouts. His Scoutmasters, classmates, and teachers fondly recalled David as a young man who was a natural leader with a lot of enthusiasm and a unique sense of humor.

A career in the military was a natural fit for Staff Sergeant Wyatt, who came from a long line of military service. He enlisted in the Marines following the events of 9/11. During his 11 years in the military, Staff Sergeant Wyatt served in locations all over the world. He was well aware of the dangers of wearing the Nation's uniform, having served deployments in Iraq and Afghanistan. His mom, Deborah Wyatt Boen, told the Russellville Courier that her son was proud to be a U.S. marine and called his fellow marines ''brothers.''

No one could have predicted the violence that targeted his life while he was working to protect and defend our Nation with his band of brothers. But with the nature of the current threats we face and with increased calls from groups such as ISIS to attack U.S. servicemembers at home, it is vital that we reevaluate our security practices for all our military installations and fix any vulnerabilities that put our personnel at risk.

On Thursday, July 16, 2015, SSgt David Wyatt made the ultimate sacrifice for his selfless service to our Nation. SSgt David Wyatt is a true American hero.

I ask my colleagues to keep his wife Lorri, daughter Rebecca, son Heith, and the rest of his family and friends in their thoughts and prayers.

On behalf of our grateful Nation, I humbly offer my appreciation and gratitude for his selfless service and sacrifice.

I yield the floor.

The PRESIDING OFFICER. The majority whip.

Mr. CORNYN. Mr. President, today the Senate has begun work on legislation that would provide our States and communities across this great land the resources and reliability they need to soundly invest in our transportation infrastructure. After a full stumble start when our friends across the aisle decided to block our ability to proceed, they reconsidered, thankfully, and I am glad to see them join us to move forward on this sensible, bipartisan bill.

To this Senator, the most important part of the bill is that it doesn't kick the can down the road—at least not in the way we have done more than 30 different times. We have had more than 30 short-term transportation patches, which is a terrible way to do business, and frankly it should be embarrassing to us that we haven't been able to come up with a better solution.

While a 3-year transportation bill is no panacea, it represents progress and avoids a lot of the unpredictability and wait-and-see problems our States have had when it comes to planning longer term projects. Fortunately, this multiyear bill restores some sanity by providing resources over a consistent and dependable period of time. It is actually a 6-year bill. We have come up with a bipartisan group of pay-fors to take us 3 years out, but then hopefully we will continue to work on trying to find a way to pay for the last 3 years without adding to the deficit and debt, as has happened in the past.

This bill is really forward-looking, and this legislation provides the foundation for more commerce, more efficient travel, and more public safety by enhancing our transportation networks. In doing so, it provides for a more stable economic climate for the next generation, as our States plan to meet the needs of a continually growing population.

I am thankful in Texas that with strong economic growth and a lot of people moving there—voting with their feet, as I like to say—from other parts of the country, we know the value of good infrastructure. And when the highway fights in Washington, DC, froze to a standstill, Texas stepped up to the plate and refused to wait.

One example of that action that I mentioned earlier this week came last fall when Texans voted last November

to overwhelmingly approve a measure that would provide an additional $1.7 billion to upgrade and maintain our vast transportation infrastructure. This came from a surplus in our rainy day fund. That proposal was approved with more than 80 percent of the vote, and in so doing, Texans clearly prioritized improved infrastructure and understood that by making our roads more efficient, we can decrease the 44 hours of car time that Texans spend stuck in traffic annually.

The vote also showed that Texans realized that our State is poised to grow significantly. In fact, our economy, which grew 5.2 percent last year compared to 2.2 percent nationwide—one reason our economy is growing is because people are coming to Texas to pursue their dreams. We are going to need better roadways to absorb the estimated 18 million vehicles expected to be added to our roads by the year 2040. This bill will help Texas manage the influx of people and vehicles so that we will have the transportation infrastructure to support the millions of new people who will call Texas home in the not too distant future.

Texas has long known that good transportation infrastructure is part of what has made us the economic powerhouse we are today. Take, for example, the farm-to-market roads that opened more than 70 years ago, with the idea that our farmers and ranchers needed a reliable transportation network to get their livestock and crops to town. So basically our farm-to-market roads gave our rural areas more access to the towns and cities that purchased those goods. This helped Texas agriculture—a substantial part of our economy—and made it even more competitive by providing a reliable method to transport our grown and raised goods to market—first around the local community, then around the State, and now around the country.

Of course, I was pleased, along with a lot of folks in the agriculture sector in Texas, that we passed trade promotion authority with the promise of opening up even more markets around the world.

Many generations have benefited from the investments we made in infrastructure to help them get efficiently from point A to point B.

Just as the farm-to-market roads provided a more reliable transportation network throughout rural Texas, this legislation includes vital resources that will upgrade rural routes and freight corridors in addition to improving the overall safety and efficiency of nearly 20,000 miles of major roadways in Texas.

While it is not perfect, as the Presiding Officer knows, this bill represents some progress. I wish I could say we have solved our transportation problems in perpetuity, but I don't think that is possible. But doing it for 3 years beats the dickens out of another short-term patch, as I mentioned a moment ago, and kicking this can down the road does nothing to support the next chapter of population and economic growth.

As we continue to discuss and review this legislation, I am going to continue to encourage our colleagues to consider just how much our entire country needs to strengthen the infrastructure projects that will hopefully help that 2.2 percent growth which we experienced in 2014 nationwide go upward and upward because that will create more jobs and more opportunity.

We have also seen that under new leadership, starting this last January, we have been able to make incremental progress in a number of areas on a bipartisan basis. Frankly, given the response I heard from many of my constituents last year when they complained to me about the dysfunction here in Washington, DC—even though, again, they are not necessarily saying we have met the mark, they are seeing that we are trying to work hard on a bipartisan basis to meet their needs, and I think this bill represents that kind of progress.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. SASSE). The Senator from Georgia.

VA ACCOUNTABILITY

Mr. ISAKSON. Mr. President, as chairman of the Veterans' Affairs Committee of the U.S. Senate, I am proud to be joined by other members of the committee for a colloquy and a report to the American people on the progress we are making to hold the VA accountable for our veterans and our taxpayers.

As all will remember, there was a terrible tragedy at the VA hospital in Phoenix last year. Because of missed appointments, erased records, consults that were removed, veterans waiting for services never got them, and in three cases they died. That was malfeasance in office and brought a great scandal to the VA.

In January, when our committee took hold, we decided to go to the Justice Department and the inspector general and say: Go into the VA, investigate these incidents that took place, and if we find criminal wrongdoing or civil wrongdoing, we should prosecute these people to make sure it doesn't happen again.

I am never happy when anybody is indicted, but I was satisfied that last Friday the first indictment came down from the Justice Department against a VA hospital employee—unfortunately, in my State of Georgia at the VA hospital in Augusta—for 50 counts of falsifying medical records, the results of which ended up benefiting the employees and hurting veterans.

I promise the American people and Members of the Senate that this is not going to be the last indictment. We are going to see to it that people are held accountable for their actions and that they do what is right morally and what is right legally. We owe nothing less and we owe nothing more to our veterans than that type of treatment.

Yesterday the VA committee met, and we approved two great bills in our effort to bring about greater accountability. One of those bills was the Rubio-Johnson bill, which allows the firing and holding of accountability of VA employees for malfeasance and misconduct in office for cause.

As many people know, the VA oftentimes in disciplining people just moved them to another job at the same pay because they can't move them out of the system. So the accountability never takes place, there is no sense of accountability, and veterans are not well served. Thanks to the Rubio-Johnson bill, people who for cause are terminated will have a brief hearing and a chance to justify their case, and if their case is not justified, they will be removed from the Veterans' Administration health services agency and they will be fired. That is the type of accountability every American who is employed at their job has, and we think that is the same accountability every employee ought to have at the VA.

After that, we then passed the Cassidy-Ayotte bill, a bill that I was very proud of because Senator CASSIDY and Senator AYOTTE said the following: It is just not right for somebody who is not doing their job to get a bonus.

As many people know, bonuses were paid in the VA last year to employees who were being reprimanded for misconduct and bad behavior. You cannot take a benefit away retroactively, and this bill does not do that, but it says to the VA prospectively that rewards and bonuses cannot be earned by those who are not conducting their job in the way they should.

These are the types of accountability measures that people in the United States expect.

As chairman of the committee, I always want to brag about the good things VA employees do, and they do a lot of good things. For every one scandal you hear about, there are hundreds of thousands of benefits veterans are receiving because of good, loyal employees. But the best employees in the world are brought down a notch when those who are not good are allowed to continue to stay on the job even if they are not performing or get bonuses when they are not performing.

I am so proud of the Cassidy-Ayotte bill and Johnson-Rubio bill, which say to the American people that we are going to have accountability; we are going to pay bonuses for good behavior, not bad behavior; and if somebody doesn't do their job, they will lose that job if that cause is justified. That is what the American people expect of the

Senate, that is what they expect of our committee, and I am proud to report to the Senate today that started.

I am also proud to yield to the Senator from Louisiana, Mr. CASSIDY, a physician, a doctor who understands health services and who brought one of these accountability issues to the committee yesterday.

Senator CASSIDY.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. CASSIDY. Mr. President, I thank the chairman.

This week, the VA committee passed out of committee S. 627, which establishes guidelines for the Secretary to deny bonuses to employees who have violated VA policy or law. It also ensures information on reprimands will be kept in the employee's permanent record. Our veterans deserve this bill.

When the VA scandal erupted in Phoenix last year, then-VA Secretary Eric Shinseki rescinded the performance award given in 2013 to the career senior executive who ran this Phoenix VA health care hospital—a bonus that the Department said was awarded because of an administrative error. The employee appealed and a Federal judge directed the VA to repay the bonus despite the fact that the employee had improperly accepted more than $13,000 in gifts from a lobbyist and failed to report them and manipulated data to conceal excessive wait times for veterans seeking health care.

The judge determined, however, that the VA did not have the authority to rescind her bonus. This is why many veterans do not trust the VA. Here is an administrator who, again, took $13,000 in gifts from a lobbyist, did not report them, manipulated data and, nonetheless, gets a bonus. This is, by the way, while veterans were allegedly dying prematurely because of the care not given at this facility.

If we want to improve the VA system, we need to focus on the quality of the workforce. Workforce morale was seriously affected by those who abused their authority and nonetheless received bonuses or those who do not have information on reprimands retained in their permanent record, meaning it is that much harder to dismiss those employees who are not good.

How does this incentivize honest workers to do a better job if we reward those who do not do good jobs? This is a commonsense solution that the American people will view as a signal that Congress is serious about improving veterans health care. In addition, S. 1082, the Department of Veterans Affairs Accountability Act, a bill introduced by Senators RUBIO and JOHNSON, would give the VA Secretary more flexibility to remove corrupt or poor-performing employees, not just top officials. The bill would expand the authority of the 2014 Veterans Access, Choice, and Accountability Act to the entire workforce of the VA, which has made it easier to remove senior executives for wrongdoing.

This bill would also extend the probationary period for new VA employees. A veteran once told me that his perception was that the VA system was run for the benefit of employees, not for the benefit of the veteran who is the patient. This is incredibly unfair to the dedicated VA employees. But on the other hand, giving bonuses to those such as this Phoenix VA supervisor makes it understandable why he has this perception.

The legislation I have spoken of today helps restore accountability to the VA system so that all will know that the VA is run first, foremost, and always for the veterans seen there as patients.

I yield the floor to my colleague Senator ROUNDS.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. ROUNDS. Mr. President, I rise today also to speak with regard to the work of the Veterans' Affairs Committee. The Senate Veterans' Affairs Committee yesterday passed some very critical legislation. It is great to see the chairman and the ranking member and how they worked together side by side—Republican and Democratic colleagues working together to improve the lives of our veterans and truly to begin the process of reforming a broken VA system.

More than a year ago, the VA wait list scandal was made public. One of the biggest reasons the problem grew so large was the lack of accountability within the VA. Yesterday, with bipartisan support, we reported out five bills. Among those were two bills focused on bringing accountability to the VA. I would like to talk about that process and about what I learned as a freshman Senator, stepping in and watching—after listening to all of the stories about how the Senate was dysfunctional and things were not working right; Republicans would not work with Democrats, and Democrats would not work with Republicans—how Chairman ISAKSON and Ranking Member BLUMENTHAL worked their way through these bills and unanimously passed them out of committee.

I also watched as some members offered amendments. The chairman suggested, strongly, that perhaps they should withdraw them because we did not have what we call pay-fors with them, where there might have been an expense, or we did not have a report saying whether it would add cost to a VA system that was also already short on funding in those particular areas.

Rather than simply having votes and having acrimony, what those Members said was this: Would you work with us to see that our goals would be accomplished? I watched as our chairman, along with Ranking Member BLUMENTHAL, work to get the job done to make things better for veterans. It was not acrimonious. It was a matter of members of this committee working side by side committing to help each other make the VA perform better than what they have in the past.

That is the type of work that we need in the Senate. It is what our people want us to do. It is what veterans want to have happen. So I am here to say this can be done and it can be done correctly. I will also tell you that in talking with members of that committee afterwards, there was real interest. Republicans and Democrats side by side were saying: Look, there were some good ideas offered in that committee, and they would make good amendments to the bill, but we had to know what the costs were. The commitment on both sides of the aisle was to find a way to work together. I commend the chairman, and I commend the ranking member for their work and the way that they worked through some very serious issues.

The first one of those bills that I wanted to talk about was S. 1082, the Department of Veterans Affairs Accountability Act. It was introduced by Senators MARCO RUBIO and RON JOHNSON. Senator JOHNSON I am sure will be here to speak because he understands exactly from his constituents what the need is to reform the system.

This bill would allow for the removal or the demotion of employees of the VA based on performance or misconduct. It also gives the employee ample time to appeal the removal or demotion. Finally, it extended the probationary period for Senior Executive Service employees to make sure the high-ups are doing their jobs correctly.

The second one is S. 627, the Ayotte-Cassidy accountability bill. You have heard a little bit about it already. This bill would force VA employees who purposefully manipulated wait lists for veterans' health care to repay their bonus. It seems like only common sense—the kind of common sense we have in South Dakota and that we like to have. I know the Presiding Officer's home State in Nebraska has that kind of common sense. It says: If you are doing something wrong, you should not get paid a bonus and be allowed to continue on.

This behavior of any VA employee should not be tolerated—let alone rewarded. I am happy to see that this passed the committee, and it sends a message to the other hard-working employees of the VA administration that their hard work is not going to be tainted by individuals who are not doing their job correctly. Let me just share this. I just have to share this story. Some things you think you would not see, and yet, in South Dakota, I have a good friend who is 83 years old. He is a veteran.

All he wanted to do was to get a new set of glasses. He has diabetes. He wanted to get it through the VA. He had gone to his own optometrist because in our part we don't have contracts yet in the central part of South Dakota through the VA for optometrists. So he had gone in and had separately paid for the work of the optometrist. The optometrist had written a prescription.

This veteran only wanted the VA to take care of the cost of the glasses. They expected him to travel over 150 miles to get to a VA facility to go get glasses. We sure don't want him driving. Yet that was the expectation—to come up.

Look, this is the kind of stuff that makes people irritated with the system that should be helping veterans. Our office got involved with it. In fact, I offered to go on out and meet with the VA in Sturgis, SD, to find out what the problem was and why they would not deliver this. My staff suggested that I should simply stop by if they could not take care of the problem.

The VA indicated at that point they would get it taken care of. But later they came back and suggested: Well, you know, we don't know why this guy should get new glasses more than every 2 years. That is because their contract would not allow for it. That is not the type of attitude we want among VA officials. That is not the way we should be treating our veterans.

This is the reason that we want accountability within the VA system. We found Republicans and Democrat side by side saying: We are going to fix it. Now, we have a long way to go. We have a man at the head of the VA right now that truly wants to fix it. He walked into the middle of a swamp, and he is up to his butt in alligators. But he is there to fix a problem. We want to do everything we can to give him the tools to get the job done right.

Hopefully, next week we will start with fixing a budget problem they have by simply allowing them the flexibility to take the resources that are already there within the Department and move them into locations where they are more appropriate. That is what this is all about—using a little bit of common sense in Washington, DC, to fix a problem for veterans that has gone on way too long.

Today I wish to say thank you to our veterans, to those men and women that wear the uniform of the United States of America. We cannot say enough about what they have done for the rest of us here. But we can continue to tell them thank you time and again and to send a message that we are not going to allow them to go without the services that they are entitled to, the services that we want to render to them in an appropriate fashion, and that we will work until we get it done and get it done correctly.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. JOHNSON. Mr. President, I rise also to join my colleagues in support of a couple of bills that are supporting the finest among us. I certainly want to underscore the thanks that the Senator from South Dakota expressed to the men and women of our military, people to whom we owe a huge debt of gratitude for defending this Nation and fighting for our freedoms.

I also really want to thank the good Senator from Georgia, the chairman of the Veterans' Affairs Committee, for in a very expeditious fashion taking up some very good pieces of legislation that will hold accountable those individuals who are caring for the finest among us in our veterans health care centers.

But before I address those bills, let me make a couple of points about the vast majority of men and women who are working in those VA health care centers. They are dedicated individuals, and they are doing a great job providing health care to the men and women of our Armed Forces. Upon becoming a Senator for Wisconsin, I started visiting the VA medical facilities within our State and also in Minneapolis, a center that also serves veterans from Wisconsin.

What I found did not surprise me at all. I found those dedicated individuals, and they are providing excellent health care. The veterans I spoke to in the halls and throughout the State were very satisfied with the health care they were getting. They were more than satisfied. They heaped praise upon their care providers.

The wait times were pretty long. The parking lots were pretty full. But again, they underscored certainly what I saw—that the vast majority of those men and women—the nurses, the doctors, the administrators—in our VA health care facilities are really dedicated to the task, and they are doing a great job for our veterans. But the fact of the matter is that they are not all doing a good job. It is not a perfect system—not by a long shot. I give the press corps a great deal of credit for breaking stories, first in Arizona, where we saw those long wait times actually resulting in the deaths of some veterans.

Then, in early January, I first became aware, because of a news report, of a real problem in the Tomah, WI, VA health care facility. I think maybe the best way to approach this is to provide a timeline that I provided in a field hearing that we held. It was a joint field hearing between my committee, the Senate Committee on Homeland Security and Governmental Affairs, and the Veterans' Affairs Committee in the House raising the issue in the community.

It was an excellent hearing. It afforded the surviving family members of some of the veterans who had died in the care of the Tomah VA center the ability to tell their stories, to make an impression, and to get the attention of the administrators of the VA to start correcting the problems. But in my opening statement, I laid out a timeline that I would like to repeat here.

In April of 2003, Dr. David Houlihan was disciplined by the Iowa Board of Medicine for having an inappropriate relationship with a psychiatric patient. According to the executive director of the Iowa Board of Medicine, the sanctions should have been a serious concern for future employers.

That was April of 2003. In 2004, Dr. Houlihan was hired as a psychiatrist by the Tomah VA Medical Center. In August of 2005, Dr. Houlihan became chief of staff of the Tomah Medical Center. In November 2007, Kraig Ferrington, a veteran who sought treatment for medication management, died from a lethal mixture of drugs. Autopsy results showed Mr. Ferrington had seven drugs in his system. In April 2009, it was known and documented by employees of Tomah VA that many patients had called him the Candy Man and that veterans were ''prescribed large quantities of narcotics.'' Again, that was April of 2009.

In June of 2009, Dr. Noelle Johnson was fired from Tomah for refusing to fill prescriptions she believed to be unsafe. Dr. Johnson had raised concerns to her superiors, had sought guidance from the Iowa medical licensing board, and later spoke with the Drug Enforcement Administration about Dr. Houlihan.

In July of 2009, Dr. Chris Kirkpatrick was fired from Tomah. Dr. Kirkpatrick had raised concerns to his union about overmedication at Tomah. Tragically, later that day, on the day of his termination, Dr. Kirkpatrick committed suicide.

In August of 2011, the VA Office of Inspector General received an anonymous complaint about overprescription and retaliation by Dr. Houlihan at Tomah.

In March of 2012, a second anonymous complaint was filed with the IG against Dr. Houlihan. The OIG examined 32 separate examinations during his 2½-year-long inspection.

In March of last year, 2014, the Office of Inspector General finished its inspection of Tomah and administratively closed the case without making it public.

On August 30 of 2014, Jason Simcakoski died in the Tomah mental health wing as a result of a mixed drug toxicity. Simcakoski was a patient of Dr. Houlihan. His autopsy revealed he had over a dozen different medications in his system.

In September 2014, Ryan Honl began lodging whistleblower complaints about patient safety and quality of care at Tomah.

On January 8, 2015, the Center for Investigative Reporting published an article detailing overprescription and retaliation at Tomah. The article revealed that veterans and employees referred to the Tomah VA Medical Center as ''Candy Land.''

On January 12, 2015, Candace Delis brought her father, Thomas Baer, to the Tomah VA Medical Center with stroke-like symptoms. Mr. Baer waited over 2 hours for attention. That day the facility's CT scanner was down for ''routine preventive maintenance.'' Mr. Baer passed away 2 days later.

On February 26, 2015, the Office of Inspector General finally posted its Tomah health care inspection report on its Web site.

I called Candace Delis, the daughter of Thomas Baer, shortly after I heard of the tragic death of her father. I will never forget what she told me. She said: RON, had I known the problems at the Tomah VA Medical Center, I never would have taken my father to the facility, and my father would be alive today.

I believe that to be a true statement. Accountability is something that is crucial in any organization. I ran a manufacturing plant for 31 years. I can't tell you how corrosive it is to an organization if individuals within that organization are not doing their job, not pulling their full weight, undermining the shared goals of the organization. It is corrosive.

I was surprised when I offered a piece of legislation and the chairman of the VA committee allowed me to present that piece of legislation to the committee, the Ensuring Veterans Safety Through Accountability Act, and the VA representatives at that hearing were opposed to holding medical professionals accountable.

Fortunately, the chairman, the Senator from Georgia, agreed with me that the only way we are going to reform this system, the only way we can make sure we honor promises through our VA health centers to the finest among us—the men and women of the military—is by holding individuals accountable, which is exactly how the bill was reported out, sponsored by the Senator from Florida.

I truly thank him for his leadership on this issue, and I am pleased to join him as the lead sponsor of that bill. The Department of Veterans Affairs Accountability Act of 2015 will hold every employee within the VA accountable. That is crucial.

Again, I thank our veterans, I thank the Senator from Florida, the Senator from Georgia, and I urge my colleagues to support this piece of legislation. Let's get it passed. Let's start holding those few bad apples—and I truly believe that. I think it is just a few people who need to be held accountable.

A little postscript to my timeline, and I think one of the reasons this piece of legislation is so important, is even with that record dating back to 2004—and by the way, our own committee's investigation shows there are employees of the Tomah VA who were referring to the Tomah VA back then as ''Candy Land.'' It is crucial we hold those people accountable. But to date, nobody—after multiple deaths caused by the overprescription of opiates, after the death of Thomas Baer, a veteran who basically died of neglect—has been held accountable by being fired, by being terminated.

Again, there is not, from my perspective, any joy in terminating an employee, but for the good of the organization or to honor the promise of the finest among us, that type of accountability is absolutely necessary.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. GARDNER. Mr. President, I rise to speak about the west coast port slowdown and comments that were made by the administration as they relate to that slowdown, along with legislation I have introduced called the PORTS Act, legislation I hope to pursue during the transportation debate we are going to commence with over the next several days and also as it relates to that west coast port slowdown, the economic impact that slowdown had on our economy.

On June 30 of last year, the labor contract that covered nearly 20,000 workers at 29 west coast ports expired. Port management and the ILWU began negotiations a year before, but in September of 2014 those talks ground to a standstill. Instead of remaining at the table and trying to find a solution and negotiating in good faith, both parties decided to begin jockeying for leverage.

The longshoremen purposefully slowed down their work and drastically decreased productivity while still taking home a full day's pay. In the real world, employees can't show up at work and not do their work or slow it down dramatically, not have the productivity they are expected to, and still get everything they want, but in the back worlds of labor union politics at the ports, that is business as usual. And business has been good at the ports.

According to employer data, a full-time longshoreman earns about $130,000 a year, full-time employment $130,000 a year, while foremen earn about $210,000. That is a pretty good paycheck, and the contract raises these wages even higher.

Workers pay nothing for health coverage that includes no premiums and $1 prescriptions. Providing this health care costs employers about $35,000 per employee per year. They are also eligible for a maximum pension of over $80,000 per year upon retirement, so $130,000 salary for a longshoreman, $210,000 if you are a foreman, $35,000 for health benefits, and $80,000 per year worth of pension upon retirement.

But what happened for the rest of us this past year when the slowdown occurred on the 29 west coast ports, the effect of the slowdowns weren't just limited to the port owners. When the longshoremen decided to slow down their work, the goods flowing through these ports backed up and international trade ground to a halt.

This has had devastating economic impacts in States far beyond the west coast and around the Nation as a whole. Nine excruciating months after the labor contract expired, the parties finally reached a deal but not before costing U.S. businesses and consumers billions upon billions of dollars and ruining the credibility of our exporters abroad.

When it comes to the administration, though, the response was pretty alarming as well. Labor Secretary Perez was just asked about this economic disaster of the west coast ports slowdown when visiting the ports of Los Angeles and Long Beach. His response: ''The collective bargaining process worked.''

As a result of the west coast port slowdown, the administration's response was: ''The collective bargaining process worked.''

The Labor Secretary made these comments while visiting Los Angeles, Long Beach, the two busiest ports of the country. So let's take a look at what the collective bargaining process did at those ports. This is a ship finder map of Los Angeles and Long Beach showing ships anchored offshore this week. This is recent data. These are ships that are anchored off the shore of Los Angeles and Long Beach just this past week. This is what it looks like when the ports are operating and functioning normally.

You will notice there is a lot of blue ocean and not many ships anchored offshore. Ships can quickly unload imported products and load American-made exports for distribution around the world. There is no backup, no congestion, and no disruption to our country's economy.

But this is what Los Angeles and Long Beach—the ports of Los Angeles and Long Beach—looked like during the slowdown during the crisis. Dozens upon dozens of ships anchored and idled waiting for ships in port to be unloaded.

You can see all the ships that are backed up compared to the previous chart. The Journal of Commerce reported that there were 32 ships anchored off the ports of Los Angeles and Long Beach at one point during the slowdown. There has been a lot of discussion recently about the need for a long-term surface transportation bill that invests in 21st century infrastructure, but just take a look at the kind of dysfunction antiquated labor laws can cause.

This is an aerial shot. You can see this is off the wing of an airplane where you can see all of the ships that are backed up waiting at these ports to be unloaded, ships that carry the goods for our economy, the goods that make our economy run. Congestion like this is a nightmare for American farmers, businesses, and consumers.

Farm exporters were charged exorbitant fees for warehouse space to store their agricultural goods as they rotted and spoiled. Meat and poultry companies alone faced port charges in excess of $30 million per week. So if people were earning $130,000 a year and not doing their work unloading ships, American farmers, poultry, and meat producers were charged $30 million per week. Businesses further up the supply chain were also affected.

One large U.S. base manufacturer has calculated the cost of lost sales, warehouse space, additional inventory, and transportation at $100 million in total as a result of the delays at the west coast ports. Those are just the direct costs.

American businesses also lost credibility and future customers as the foreign buyers turned to other nations for more stable supplies.

The Wall Street Journal recently reported that the west coast port delays forced layoffs and downsizing in the U.S. leather industry. Chinese tanners are now turning to European and Brazilian producers to fill their orders. This is a $3 billion industry that had to lay off workers because of the dispute of the west coast ports.

Apparently, the administration again thinks the process worked just as it was supposed to work. Efficient trade through U.S. ports is critical to maintaining and growing economic opportunity in States across this country. According to the American Association of Port Authorities, U.S. ports support 23 million jobs, and the value of related economic activity accounts for 26 percent of our national GDP. Twenty-six percent of our national GDP comes from our ports system. Contract negotiations related to labor disputes at our ports clog up these vital arteries and cause problems throughout our national supply chain.

If you need further proof of whether this impacted our economy—that picture we just saw of all the ships stacked up at L.A. and the ports in California—according to Federal Reserve economists, the disruptions on the west coast were great enough to affect the entire economic output of the country.

This chart shows the quarterly change in national GDP. Once negotiations stalled, you will notice GDP growth started to decline. So here we are in the third quarter of 2014. Remember, we started talking about September of 2014, when the slowdowns really started. By the time we get to the last quarter of 2014 and the first quarter of 2015, you can see the labor dispute contributing to the decline of our national GDP. Our economy shrank as a result of port slowdown.

In the first quarter of this year, when the slowdowns were in full swing, the economy actually shrank by 0.2 percent. You can see it, in the third quarter—this is the last quarter—to the first quarter of this year. Twenty-six percent of our GDP depends on these ports.

The Fed economists also found that disruptions disproportionately affected exporters sending American-made goods abroad for sale overseas. Exporters didn't have access to imported raw materials and parts they needed to build their products. This caused supply chains to back up and eventually reduced output and employment.

So the Fed is telling us that the collective bargaining process at the ports measurably reduced economic growth and American jobs across the country by crippling American businesses, but only in the backward worlds of labor union politics could this economic disaster be considered everything is working just fine. Only in a union-dominated industry could this catastrophe be considered a success.

That is why I have introduced the PORTS Act. Our legislation would discourage disruptions at U.S. ports and incentivize speedy resolution of disputes by strengthening and expanding the well-known Taft-Hartley process.

Over 100 national agricultural, manufacturing, and retail organizations support the PORTS Act because they are fed up with the status quo. They disagree with the administration, which thinks shrinking our economy is everything working just fine.

There are some who oppose the PORTS Act, and those are the labor unions. In fact, earlier this month, the AFL–CIO put out a statement saying legislation like the PORTS Act was not needed. You can see what has happened without the PORTS Act is economic decline, people being laid off, farmers losing millions of dollars, products rotting in warehouses because of the backups.

In just 5 years—5 years from now—the labor contracts on both the east coast and the west coast will expire. Imagine what would happen if we had labor disputes occurring on the west coast and the east coast at the same time, people who were willing to threaten that 26 percent of our national GDP over a dispute, while the administration says everything is working just fine. It is critical we have the necessary tools in place to prevent another debilitating crisis.

If we learned anything from this past dispute, it is that Labor Secretary Perez is wrong—the current process does not work. And the AFL–CIO is wrong—legislation like the PORTS Act is desperately needed.

I urge my colleagues in the Senate to join me in supporting this important legislation. Let us not pinch our economy in an economic vice from the east and the west. Let's find economic opportunity to grow our Nation together.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCONNELL. Mr. President, for the information of all Senators, regular order would have produced a vote on the motion to proceed at 2 a.m. tonight. For the information of all Senators, that vote will actually occur at 9 a.m. tomorrow. So there will be no further votes tonight.

The PRESIDING OFFICER. The Senator from Washington.

STRATEGIC PETROLEUM RESERVE

Ms. CANTWELL. Mr. President, Senator MURKOWSKI and I released a bipartisan energy bill. We hope to mark up that bill next week, but critical to that Energy bill is the modernization of the Strategic Petroleum Reserve.

Forty years ago, we created the Strategic Petroleum Reserve to prevent economic distress caused by oil disruption. People remember exactly what happened with the Arab oil embargo in 1973. The law that created the SPR the Energy Policy Conservation Act—was enacted in 1975 specifically to help protect the U.S. economy from energy disruptions.

The core policy reason for having the reserve really hasn't changed, nor should it. The Strategic Petroleum Reserve is an important asset to our energy security. We need it as much today as we did then. Perhaps even more so now that we have so much volatility.

Clearly, we have seen dramatic changes in our energy policy landscape. Instead of importing a lot of oil, we have become a bigger producer in the United States, and our oil infrastructure and refining capacity has reduced our ability to make sure SPR is available in case of an emergency.

In fact, the Department of Energy did a test sale in 2014 and identified a series of challenges associated with the way the SPR distribution works today. That is why I think it is so important. These very supplies that make us more secure in one respect are also stressing our national infrastructure and may actually lessen our ability to respond in an emergency. That is why it is so important to modernize the SPR, to use the resources we have there, to make sure we make investments.

Some may have seen the Quadrennial Energy Review recently produced and

released. Its key findings—I am now reading from the report—show that multiple factors affect U.S. energy security. These include U.S. oil demand, the level of oil imports, the adequacy of emergency response systems, fuel inventory levels, fuel substitution capacity, energy system resilience, and the flexibility, transparency, and competitiveness of the global energy marketplace.

The report goes on to say the United States is the world's largest producer of petroleum and natural gas. Combined with new clean energy technologies and improved fuel efficiency, U.S. energy security is stronger than it has been in over half a century.

But the report goes on to say: Nonetheless, challenges remain in maximizing that energy security benefits of our resources in a way that enhances our competitiveness and minimizes our environmental impacts of their use. The network of oil distribution has changed significantly.

So the Strategic Petroleum Reserve's ability to offset future energy supply disruption has been adversely affected by global domestic and global market development, and so there is a need for an upgrade.

I think people can all agree it needs an upgrade. So that is why we raise a question about a transportation bill on the floor that takes money out of the Strategic Petroleum Reserve not to upgrade that energy security but to put it into highways, which will do nothing to secure us if there is an energy supply disruption.

The report goes on to say the capacity of the Strategic Petroleum Reserve to protect the U.S. economy from severe economic harm in the event of a supply emergency associated with spikes has been diminished. It has been diminished.

Changes in U.S. energy production are stressing and transforming the way energy commodities are transported in the United States. Some of these commodities, the report goes on to say, such as coal and ethanol have traditionally relied on rail and barge transport to move these products. These transportation modes, such as rail, barge, and truck transport, are also shared by agriculture and other major commodities and are being joined by significant growth in the use of transport of oil and refined petroleum products.

So it creates a limited infrastructure capacity among these commodities. The report goes on to say that those costs are being increased in shipping and then being passed on to the consumer. So literally, by taking money out of the SPR and not investing it in the modernization of our energy infrastructure and security—we are taking money and building highways—we are making it more expensive for consumers to get products and to secure our economy.

The Department of Agriculture has indicated that disruptions to agricultural shipments—that is, agricultural products that can't get on the rails because we have so much oil, natural gas, coal, and all these other things or just sand for drilling—are basically causing a disruption so big that it is bigger than the disruption to agriculture caused by Katrina.

So we have supply. But the economic challenge of having other products displaced or having the cost to consumers go up is what is threatening us. Even the ability to maintain adequate coal stockpiles at some electric powerplants has been affected by rail congestion. That comes directly from the report. Why is that so important? Because all these energy commodities are important to us. These agricultural commodities are important for us.

The quadrennial review calls for an update to the Strategic Petroleum Reserve. The Department of Energy should make infrastructure investments to the Strategic Petroleum Reserve and its distribution systems to optimize the SPR's ability to protect the U.S. economy in an energy emergency. That is right from the report. The report calls for creating a multimodal freight program to make sure we improve investment in freight and to make sure there is Federal action on shared transportation infrastructure that makes sure we can move our energy products.

It says we have to work on our waterways as well because the waterways are critical to moving our energy products around.

The report goes on to say that the Federal facility that consists of a network of 62 salt caverns at four geographically dispersed storage sites need upgrading. A lot of this is happening in the south of our country, in Louisiana and Texas. We need to make sure our economy does not see another disruption or price spike without our ability to update the SPR and actually get the product out.

The report called on DOE to make a $2 billion investment to increase the incremental distribution of SPR by adding a dedicated marine loading-dock capacity at a gulf coast terminus—my guess, again, is probably in Texas or Louisiana—and that Congress should update the SPR to be more effective in preventing serious economic hardships to the U.S. energy supply and making sure we optimize our capacity for infrastructure distribution. The report also calls for an additional $2.5 billion over 10 years to make sure we are making these connectors.

So not only are we required to do this as a country—to make sure that our country is safe and secure and that we take advantage of the product we have—but we are also a member of the International Energy Program. As to members, they make sure every country is doing what they should to make sure there is an increase in supply and that we can withstand anything—a world event, a natural disaster, a hurricane or critical infrastructure destruction by some cyber event or by an actual attack. So the SPR is like a rainy day fund, an account that makes that infrastructure work.

There are two things in particular we should consider when we are thinking about the drawdown of this product that is not specifically tied to an emergency.

First, we should make sure this investment is an upgrade to the SPR's infrastructure and for its emergency capabilities. That is, if we are going to take money out, it should go to infrastructure in responding to emergencies and not just to the highway bill for highways. We need to make sure the SPR's critical systems and equipment, which are nearing their life-end operational capacity—that in fact there is the $2 billion that is needed to repair that. I am not even sure you can sell oil out of the SPR now onto the marketplace because all of the apparatuses and the functioning capabilities for it don't work correctly now. I know we want to mark up a transportation bill that has this money in here, but we may not even be able to collect on it. Let's make sure we do our repairs.

Secondly, let's make sure the receipts from the SPR sale should be used to improve the critical urgency and energy infrastructure investments that we need.

Now, some of my colleagues talk about how expensive this oil was when we bought it and now what we are selling it for. I could say taxpayers are definitely not getting their fair share. But one way to make sure they get their fair share on this investment is to make sure it is invested in the energy security infrastructure that our Nation needs. Now would not be the time to damage our Nation's emergency preparedness by giving this money away in a transportation deal that is only about highways.

I hope, my colleagues, if we are really serious about this effort, if we are going to sell SPR at any price and affect the American taxpayers, that we will follow the recommendations of the Department of Energy's Quadrennial Energy Review that found that many different areas of our energy infrastructure need investing. We could make investments in resiliency, reliability, and security, and focusing on hardening our infrastructure, particularly our transportation systems, which are going to be critical for how we move this product around in the future, and, also so that we have port connectors, which are challenged by the movement of critical freight in critical freight corridors.

We want our country to continue to be self-reliant and to have the great

products we are exporting through our ports, but they too need the infrastructure investment. Multiple commodities are competing, and they can't even get on the tracks or through our port corridors without making further investment.

I believe the Secretary of Energy needs the flexibility to manage the SPR and the SPR assets. I believe, if the Secretary of Energy or the President of the United States thought it was such a great idea to sell money out of the SPR for highways only, we would hear them saying so. We don't.

I think we need to provide the Secretary with the dependability to make these decisions about our energy security and make the right investments for our future. I hope we can get this right before this bill is done here in the Senate. Otherwise, we will not be doing ourselves any favor when it comes to energy or energy security.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

(The remarks of Mr. BLUMENTHAL pertaining to the introduction of S. 1856 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. BLUMENTHAL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMERICANS WITH DISABILITIES ACT 25TH ANNIVERSARY

Mr. SANDERS. Mr. President, July 26, 2015, marks the 25th anniversary of the enactment of the Americans with Disabilities Act. I would like to take a moment to discuss the importance of this landmark legislation and to highlight the strides we have made in making our communities more inclusive.

It is estimated that nearly one in five Americans have a disability. Upon its passage, the ADA was hailed as the world's first comprehensive declaration of equality for people with disabilities. It established a clear national mandate that we as a nation have a moral responsibility to ensure that all Americans have access to the programs and the support needed to contribute to society, live with dignity, and achieve a high quality of life. Over the past 25 years, the ADA has expanded opportunities for Americans with disabilities by reducing barriers and changing perceptions and increasing full participation in all areas of public life, including the workforce, education, and transportation. Because of this legislation, we have made tremendous progress in eliminating barriers to everyday life for Americans living with disabilities.

Unfortunately, even after 25 years, we still live in a world where people with disabilities have fewer work opportunities and higher rates of unemployment than people without disabilities. We still have more work to do to ensure that the basic civil rights of persons with disabilities are fully protected and respected, but the ADA was an important step forward in achieving these goals.

Through passage of the ADA, we have made more progress on this issue than anyone ever dreamed of 25 years ago. We should be proud of these efforts to make our communities more inclusive, and we should honor this important anniversary by continuing our efforts to ensure that no person with a disability experiences prejudice, discrimination, or barriers to living full and productive lives.

REMEMBERING TROY ELAM

Mr. PORTMAN. Mr. President, I wish to honor the life of Troy B. Elam, of Middletown, OH, and to recognize his legacy and service to our Nation.

Troy was born in Knox County, KY, on May 31, 1926. He was the son of John Nathan Elam and Alice (Clouse) Elam and passed away on July 17, 2015.

Part of our ''greatest generation,'' Troy Elam served his country valiantly in WWII. A decorated WWII combat veteran, Troy Elam was awarded two Bronze Stars for service on the front lines as part of a U.S. Army machine gun squad in the Battle of the Bulge and the Battle of Remagen. His unit liberated a Nazi concentration camp and Troy was proud to be part of the honor guard 21-gun salute for a Dutch soldier who died after being liberated.

In addition to being a WWII veteran, he was a longtime and dedicated mechanic at the Portman Equipment Company. Troy raised his family in Middletown, OH, and is survived by his wife of 71 years, Dorothy Mae (Helton) Elam, his children Diane McCowan, Troy D. Elam, Don Elam, and Jerry Elam, 9 grandchildren, and 14 great-grandchildren.

Troy Elam was an American hero. He will be missed, but his legacy will not be forgotten.

ADDITIONAL STATEMENTS

SAMUEL SHAPIRO & COMPANY 100TH ANNIVERSARY

● Mr. CARDIN. Mr. President, I wish to pay tribute to Samuel Shapiro & Company, a Baltimore-based customs broker and freight forwarder, on the occasion of the firm's 100th anniversary. Founded by Samuel Shapiro in 1915, Shapiro & Co. has since become one of our country's leaders in domestic and international shipping, with locations across the eastern seaboard.

From navigating the intricacies of international cargo management to providing client consultation on import and export compliance, Shapiro & Co. has distinguished itself as a center of innovation, extensive business acumen, and creativity. Strong family and community ties lie at the real heart of the company, which has been family-owned since its founding.

Samuel Shapiro, a son of Russian immigrants, founded Samuel Shapiro & Company at age 20 just as our Nation was beginning to emerge onto the global stage, economically, politically, and socially. Our European allies were in the midst of war, driving the need for American-made goods ever higher. Designated by the U.S. Government as the Port of Baltimore's distribution broker for grain exports, Shapiro & Co., though small, began to build a reputation for effectiveness and reliability among European businesses during the postwar reconstruction period. Throughout the 1920s, 1930s, and 1940s, Shapiro & Co. continued to expand, helping to cement the city of Baltimore as one of the Nation's premier commercial ports.

In the 1950s, Shapiro & Co., driven by the strong leadership of Samuel and his son Sigmund, emerged as an influential force in lobbying for the establishment of the Maryland Port Authority in 1956 and in advocating for the growth of the port, supporting the construction of the Dundalk Marine Terminal in the late 1950s and early 1960s. Shapiro & Co. continued to serve as an economic force through some of Baltimore's most difficult times, throughout the eras of upheaval and relocation in the 1960s and 1970s.

After a lifetime of devotion to the city of Baltimore, Samuel Shapiro passed away at the age of 92 in the mid-1980s. Today, the company is headed by president and CEO Marjorie Shapiro, Samuel's granddaughter. Shapiro, as the company is known today, has evolved from a one-room office with a $5 roll-top desk to a well-respected and highly regarded industry leader and Baltimore institution. The Port of Baltimore is more vibrant than ever, due in part to the stewardship of Shapiro & Co. In 2014, the Port brought in 29.5 million tons of foreign exports at a value of $52.5 billion. I ask my colleagues to join me in celebrating the

legacy of this outstanding company, which embodies the values that we honor most as Americans: hard work, a commitment to family, and tireless dedication.●

TRIBUTE TO LESLEY ROBINSON

● Mr. DAINES. Mr. President, I wish to recognize Lesley Robinson, the newly elected member of the Executive Committee of the National Association of Counties, NACo, as Montanan of the Week. Mrs. Robinson was recognized during NACo's 80th Annual Conference and will now act as the regional representative for the western region of the United States. Mrs. Robinson will also serve as vice chair of NACo's Public Lands Steering Committee, which oversees all matters pertaining to federally-owned public lands.

As a rancher from Dodson, MT, Mrs. Robinson understands the western lifestyle and hopes to protect the interests of Montana and other western counties while working on the executive committee. Mrs. Robinson wants to highlight issues regarding resource management, endangered species protection, and wildfire prevention.

Beyond her work at NACo, Mrs. Robinson is also an active member of her community. She works with local organizations like the Bear Paw Development Corporation, Phillco Economic Council, Phillips Transit Authority and the Joint Powers Trust, and the Montana Stockgrowers Association. I am proud to see Montana being represented by women like Mrs. Robinson, who have dedicated their lives to improving the betterment of Montana and the west for all.●

TRIBUTE TO CARA BECK

● Mr. ROUNDS. Mr. President, today I recognize Cara Beck, an intern in my Washington, DC, office, for all of the hard work she has done for me, my staff, and the State of South Dakota.

Cara is a graduate of Mitchell High School in Mitchell, SD. Currently, she is attending Augustana College, where she is majoring in history and political science. She is a dedicated and diligent worker who has been devoted to getting the most out of her internship experience.

I extend my sincere thanks and appreciation to Cara for all of the fine work she has done and wish her continued success in the years to come.●

TRIBUTE TO LEAH GOSCH

● Mr. ROUNDS. Mr. President, today I recognize Leah Gosch, an intern in my Washington, DC, office, for all of the hard work she has done for me, my staff, and the State of South Dakota.

Leah is a graduate of Great Plains Lutheran High School and is from Rapid City, SD. Currently, she is attending South Dakota State University, where she is majoring in electrical engineering. She is smart, hardworking, and has been an incredible asset to our office.

I extend my sincere thanks and appreciation to Leah for all of the fine work she has done and wish her continued success in the years to come.●

TRIBUTE TO DUSTIN SANTJER

● Mr. ROUNDS. Mr. President, today I recognize Dustin Santjer, an intern in my Washington, DC, office, for all of the hard work he has done for me, my staff, and the State of South Dakota.

Dustin is a graduate of Central High School in Aberdeen, SD. Currently, he is attending the University of South Dakota, where he is majoring in finance and political science. He is intelligent, hardworking, and has truly made the most of his internship here.

I extend my sincere thanks and appreciation to Dustin for all of the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO BRANDON VANBEEK

● Mr. ROUNDS. Mr. President, today I recognize Brandon VanBeek, an intern in my Washington, DC, office, for all of the hard work he has done for me, my staff, and the State of South Dakota.

Brandon is from Beresford, SD and is a graduate of the Netherlands Reformed Christian School. Currently, he is attending the University of South Dakota, where he is majoring in political science. He is a hard worker who has been dedicated to getting the most out of his internship experience.

I extend my sincere thanks and appreciation to Brandon for all of the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO JULIA ALVAREZ HIERRO

● Mr. RUBIO. Mr. President, today I recognize Julia Alvarez Hierro, a 2015 summer intern in my Washington, DC, office, for all of the hard work she has done for me, my staff, and the people of the State of Florida.

Julia is a student at the Universidad Pontificia de Comillas, where she is double majoring in international relations and translating and interpreting. She is a dedicated and diligent worker who has been devoted to getting the most out of her internship experience.

I extend my sincere thanks and appreciation to Julia for all the fine work she has done and wish her continued success in the years to come.●

TRIBUTE TO GABRIELLE GERECHT

● Mr. RUBIO. Mr. President, today I recognize Gabrielle Gerecht, a 2015 summer intern in my Washington, DC, office, for all of the hard work she has done for me, my staff, and the people of the State of Florida.

Gabrielle is a student at McGill University where she is majoring in international development. She is a dedicated and diligent worker who has been devoted to getting the most out of her internship experience.

I extend my sincere thanks and appreciation to Gabrielle for all the fine work she has done and wish her continued success in the years to come.●

TRIBUTE TO RYAN HOGAN

● Mr. RUBIO. Mr. President, today I recognize Ryan Hogan, a 2015 summer intern in my Washington, DC, office, for all of the hard work he has done for me, my staff, and the people of the State of Florida.

Ryan is a student at Ohio State University where he is majoring in psychology. He is a dedicated and diligent worker who has been devoted to getting the most out of his internship experience.

I extend my sincere thanks and appreciation to Ryan for all the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO CALEB ORR

● Mr. RUBIO. Mr. President, today I recognize Caleb Orr, a 2015 summer intern in my Washington, DC, office, for all of the hard work he has done for me, my staff, and the people of the State of Florida.

Caleb is a rising senior at Abilene Christian University, where he is majoring in political science and sociology. He is a dedicated and diligent worker who has been devoted to getting the most out of his internship experience.

I extend my sincere thanks and appreciation to Caleb for all the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO WILL PIERESON

● Mr. RUBIO. Mr. President, today I recognize Will Piereson, a 2015 summer intern in my Washington, DC, office, for all of the hard work he has done for me, my staff, and the people of the State of Florida.

Will is a student at Harvard Law School where he is studying national security and cyber law. He is a dedicated and diligent worker who has been devoted to getting the most out of his internship experience.

I extend my sincere thanks and appreciation to Will for all the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO DANIELA RAMIREZ

● Mr. RUBIO. Mr. President, today I recognize Daniela Ramirez, a 2015 summer intern in my Washington, DC, office, for all of the hard work she has done for me, my staff, and the people of the State of Florida.

Daniela is a student at the University of Tampa, where she is majoring in both criminology and government and world affairs. She is a dedicated and diligent worker who has been devoted to getting the most out of her internship experience.

I extend my sincere thanks and appreciation to Daniela for all the fine work she has done and wish her continued success in the years to come.●

TRIBUTE TO ANDREW RIDDAUGH

● Mr. RUBIO. Mr. President, today I recognize Andrew Riddaugh, a 2015 summer intern in my Washington, DC, office, for all of the hard work he has done for me, my staff, and the people of the State of Florida.

Andrew is a student at Florida State University, where he is majoring in political science. He is a dedicated and diligent worker who has been devoted to getting the most out of his internship experience.

I extend my sincere thanks and appreciation to Andrew for all the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO KEVIN RUBIO

● Mr. RUBIO. Mr. President, today I recognize Kevin Rubio, a 2015 summer intern in my Washington, DC, office, for all of the hard work he has done for me, my staff, and the people of the State of Florida.

Kevin is a student at the University of South Carolina, where he is majoring in both history and political science. He is a dedicated and diligent worker who has been devoted to getting the most out of his internship experience.

I extend my sincere thanks and appreciation to Kevin for all the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO JARED BLACKBURN

● Mr. RUBIO. Mr. President, today I recognize Jared Blackburn, a 2015 summer intern in my Orlando, FL, office for all of the hard work he has done for me, my staff, and the people of the State of Florida.

Jared is a student at the University of Florida, where he is majoring in political science. He is a dedicated and diligent worker who has been devoted to getting the most out of his internship experience.

I extend my sincere thanks and appreciation to Jared for all the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO STEPHANIE BONTELL

● Mr. RUBIO. Mr. President, today I recognize Stephanie Bontell, a 2015 summer intern in my Orlando, FL, office for all of the hard work she has done for me, my staff, and the people of the State of Florida.

Stephanie is a student at Southeastern University, where she is majoring in legal studies. She is a dedicated and diligent worker who has been devoted to getting the most out of her internship experience.

I extend my sincere thanks and appreciation to Stephanie for all the fine work she has done and wish her continued success in the years to come.●

TRIBUTE TO SERGIO DE LA TORRE

● Mr. RUBIO. Mr. President, today I recognize Sergio De La Torre, a 2015 summer intern in my Orlando, FL, office for all of the hard work he has done for me, my staff, and the people of the State of Florida.

Sergio is a student at the University of Florida, where he is majoring in political science. He is a dedicated and diligent worker who has been devoted to getting the most out of his internship experience.

I extend my sincere thanks and appreciation to Sergio for all the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO RICHARD EL-RASSY

● Mr. RUBIO. Mr. President, today I recognize Richard El-Rassy, a 2015 summer intern in my Orlando, FL, office for all of the hard work he has done for me, my staff, and the people of the State of Florida.

Richard is a student at the University of Florida, where he is majoring in business administration. He is a dedicated and diligent worker who has been devoted to getting the most out of his internship experience.

I extend my sincere thanks and appreciation to Richard for all the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO DEIDRE FRAGAPANE

● Mr. RUBIO. Mr. President, today I recognize Deidre Fragapane, a 2015 Summer intern in my Orlando, FL, office for all of the hard work she has done for me, my staff, and the people of the State of Florida.

Deidre is a student at the University of Central Florida, where she is majoring in political science. She is a dedicated and diligent worker who has been devoted to getting the most out of her internship experience.

I extend my sincere thanks and appreciation to Deidre for all the fine work she has done and wish her continued success in the years to come.●

TRIBUTE TO SABRINA JEROME

● Mr. RUBIO. Mr. President, today I recognize Sabrina Jerome, a 2015 summer intern in my Orlando, FL, office for all of the hard work she has done for me, my staff, and the people of the State of Florida.

Sabrina is a student at the University of Central Florida, where she is majoring in legal studies. She is a dedicated and diligent worker who has been devoted to getting the most out of her internship experience.

I extend my sincere thanks and appreciation to Sabrina for all the fine work she has done and wish her continued success in the years to come.●

TRIBUTE TO ROBERT MILLER

● Mr. RUBIO. Mr. President, today I recognize Robert Miller, a 2015 summer intern in my Orlando, FL, office for all of the hard work he has done for me, my staff, and the people of the State of Florida.

Robert is a student at the University of Central Florida, where he is majoring in political science. He is a dedicated and diligent worker who has been devoted to getting the most out of his internship experience.

I extend my sincere thanks and appreciation to Robert for all the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO ARTEM POLOVIKOV

● Mr. RUBIO. Mr. President, today I recognize Artem Polovikov, a 2015 summer intern in my Orlando, FL, office for all of the hard work he has done for me, my staff, and the people of the State of Florida.

Artem is a student at the University of Florida, where he is majoring in political science. He is a dedicated and diligent worker who has been devoted to getting the most out of his internship experience.

I extend my sincere thanks and appreciation to Artem for all the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO BRITTANY SHAUL

● Mr. RUBIO. Mr. President, today I recognize Brittany Shaul, a 2015 summer intern in my Orlando, FL, office for all of the hard work she has done for me, my staff, and the people of the State of Florida.

Brittany is a student at the University of Central Florida, where she is majoring in political science. She is a dedicated and diligent worker who has

been devoted to getting the most out of her internship experience.

I extend my sincere thanks and appreciation to Brittany for all the fine work she has done and wish her continued success in the years to come.●

TRIBUTE TO STEPHEN SOTO

● Mr. RUBIO. Mr. President, today I recognize Stephen Soto, a 2015 summer intern in my Orlando, FL, office for all of the hard work he has done for me, my staff, and the people of the State of Florida.

Stephen is a student at Florida State University, where he is majoring in political science. He is a dedicated and diligent worker who has been devoted to getting the most out of his internship experience.

I extend my sincere thanks and appreciation to Stephen for all the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO MARC SZNAPSTAJLER

● Mr. RUBIO. Mr. President, today I recognize Marc Sznapstajler, a 2015 summer intern in my Orlando, FL, office for all of the hard work he has done for me, my staff, and the people of the State of Florida.

Marc is a student at the University of Central Florida, where he is majoring in political science. He is a dedicated and diligent worker who has been devoted to getting the most out of his internship experience.

I extend my sincere thanks and appreciation to Marc for all the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO GRACE WILLOUGHBY

● Mr. RUBIO. Mr. President, today I recognize Grace Willoughby, a 2015 summer intern in my Orlando, FL, office for all of the hard work she has done for me, my staff, and the people of the State of Florida.

Grace is a student at the University of Florida, where she is majoring in political science. She is a dedicated and diligent worker who has been devoted to getting the most out of her internship experience.

I extend my sincere thanks and appreciation to Grace for all the fine work she has done and wish her continued success in the years to come.●

RECOGNIZING SIX C FABRICATION

● Mr. VITTER. Mr. President, small businesses are often able to provide specialized customer service in their industries, with the ability to attract talented employees who are motivated to work hard and focus on innovation. This week, I am proud to recognize Six C Fabrication of Winnfield, LA, as Small Business of the Week.

Robin Cummings founded Six C Fabrication in 1990 as a small shop in Winnfield, LA, with the name originating from the ''C'' of the family name and ''six'' counting for the members of the Cummings family, including Robin, his wife, and their four children. Robin's intent with Six C Fabrication was to provide Louisiana with the best available and most efficient service for fabrication. The Louisiana-based business was originally focused on lumber, but later expanded to other divisions—leading to exponential growth in revenue and employees. Today, Six C has 425 employees between its headquarters in North Louisiana and two facilities in Ohio. Cummings and his team now specialize in fabrication of compressor stations, power piping, process piping, petrochemical operations, pressure valves, and pulp and paper industries, in addition to their original lumber services. Additionally, Six C Fabrication offers a full range of welding services using state of the art equipment—all aimed at meeting the spectrum of their customers' needs.

In recent years, the company has made tremendous strides toward success, from once having a gross income of $300,000 to now averaging a gross income of $46 million. Six C's central location provides optimal transportation options, resulting in timely turnaround and an additional extension of their unrivaled customer service. Six C has received numerous awards and recognitions, including the 2008 Business of the Year for Winnfield, LA, Louisiana Workers' Compensation Corporation 70 Safest Companies of 2010 award, and 2011 Kisatchie-Delta Entrepreneur of the Year, among others.

Congratulations again to Six C Fabrication for being selected as Small Business of the Week. We appreciate and recognize your success and contribution to Louisiana's manufacturing industry and local economy.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the Committee on Armed Services.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 11:56 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 1734. An act to amend subtitle D of the Solid Waste Disposal Act to encourage recovery and beneficial use of coal combustion residuals and establish requirements for the proper management and disposal of coal combustion residuals that are protective of human health and the environment.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–2352. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting the report of an officer authorized to wear the insignia of the grade of brigadier general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC–2353. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Lieutenant General Kenneth J. Glueck, Jr., United States Marine Corps, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–2354. A communication from the Senior Vice President/Chief Financial Officer, Federal Home Loan Bank of San Francisco, transmitting, pursuant to law, the Bank's 2014 Annual Report, 2014 Management Report, Statement on the System of Internal Controls, and Audited Financial Statements; to the Committee on Banking, Housing, and Urban Affairs.

EC–2355. A communication from the General Counsel, Department of Housing and Urban Development, transmitting, pursuant to law, a report relative to a vacancy in the position of Chief Financial Officer, Department of Housing and Urban Development, received during adjournment of the Senate in the Office of the President of the Senate on July 17, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC–2356. A communication from the President of the United States, transmitting, pursuant to law, a report relative to the continuation of the national emergency with respect to the former Liberian regime of Charles Taylor that was established in Executive Order 13348 on July 22, 2004; to the Committee on Banking, Housing, and Urban Affairs.

EC–2357. A communication from the Director, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report entitled ''Mid-Session Review of the Budget of the U.S. Government for Fiscal Year 2016''; to the Committees on Appropriations; and the Budget.

EC–2358. A communication from the General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Revised Exhibit Submission Requirements for Commission Hearings'' (Docket No. RM15–5–000) received during adjournment of the Senate in the Office of the President of the Senate on July 17, 2015; to the Committee on Energy and Natural Resources.

EC–2359. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting, pursuant to

law, the report of a rule entitled ''Energy Conservation Program for Certain Industrial Equipment: Energy Conservation Standards and Test Procedures for Commercial Heating, Air-Conditioning, and Water-Heating Equipment'' ((RIN1904–AD23) (Docket No. EERE–2014–BT–STD–0015)) received during adjournment of the Senate in the Office of the President of the Senate on July 17, 2015; to the Committee on Energy and Natural Resources.

EC–2360. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Rhode Island; Control of Volatile Organic Compounds from Adhesives and Sealants'' (FRL No. 9930–94–Region 1) received during adjournment of the Senate in the Office of the President of the Senate on July 17, 2015; to the Committee on Environment and Public Works.

EC–2361. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Update of Weighted Average Interest Rates, Yield Curves, and Segment Rates'' (Notice 2015–50) received during adjournment of the Senate in the Office of the President of the Senate on July 17, 2015; to the Committee on Finance.

EC–2362. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Modification of Notice 2015–4'' (Notice 2015–51) received during adjournment of the Senate in the Office of the President of the Senate on July 17, 2015; to the Committee on Finance.

EC–2363. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Suspension of Community Eligibility'' ((44 CFR Part 64) (Docket No. FEMA–2015–0001)) received during adjournment of the Senate in the Office of the President of the Senate on July 20, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC–2364. A communication from the Deputy Director, Office of the National Coordinator for Health Information Technology, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Health Resources Priority and Allocations Systems (HRPAS)'' (RIN0991–AB94) received in the Office of the President of the Senate on July 16, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC–2365. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Food Labeling; Nutrition Labeling of Standard Menu Items in Restaurants and Similar Retail Food Establishments; Extension of Compliance Date'' ((RIN0910–AG57) (Docket No. FDA–2011–N–0172)) received during adjournment of the Senate in the Office of the President of the Senate on July 17, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC–2366. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Regulatory Hearing Before the Food and Drug Administration; Technical Amendment'' (Docket No. FDA–2015–N–0011) received during adjournment of the Senate in the Office of the President of the Senate on July 20, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC–2367. A communication from the Senior Vice President and Chief Financial Officer, Potomac Electric Power Company, transmitting, pursuant to law, the Company's Balance Sheet as of December 31, 2014; to the Committee on Homeland Security and Governmental Affairs.

EC–2368. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21–99, ''Fiscal Year 2016 Budget Request Act of 2015''; to the Committee on Homeland Security and Governmental Affairs.

EC–2369. A communication from the Human Resources Specialist (Executive Resources), Small Business Administration, transmitting, pursuant to law, a report relative to a vacancy in the position of Deputy Administrator, Small Business Administration, received during adjournment of the Senate in the Office of the President of the Senate on July 17, 2015; to the Committee on Small Business and Entrepreneurship.

EC–2370. A communication from the Executive Director, Consumer Product Safety Commission, transmitting, pursuant to law, the Commission's 2013 Annual Report to the President and Congress; to the Committee on Commerce, Science, and Transportation.

EC–2371. A communication from the Secretary of Transportation, transmitting, pursuant to law, an annual report relative to accomplishments made under the Airport Improvement Program for fiscal year 2011; to the Committee on Commerce, Science, and Transportation.

EC–2372. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report entitled ''2015 Annual Report: The U.S. Department of Transportation's (DOT) Status of Actions Addressing the Safety Issue Areas on the National Transportation Safety Board's (NTSB) Most Wanted List''; to the Committee on Commerce, Science, and Transportation.

EC–2373. A communication from the Associate Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Numbering Policies for Modern Communications, IP–Enabled Services . . . Connect America Fund, and Numbering Resource Optimization'' ((RIN3060–AK36) (FCC 15–70)) received during adjournment of the Senate in the Office of the President of the Senate on July 20, 2015; to the Committee on Commerce, Science, and Transportation.

EC–2374. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Canned Pacific Salmon; Technical Amendment'' (Docket No. FDA–2015–N–0011) received during adjournment of the Senate in the Office of the President of the Senate on July 17, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC–2375. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Khapra Beetle; New Regulated Countries and Regulated Articles'' (Docket No. APHIS–2013–0079) received in the Office of the President of the Senate on July 21, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2376. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, a report relative to the Department of Defense (DoD) intending to assign women to previously closed positions in the Army; to the Committee on Armed Services.

EC–2377. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Energy Conservation Program: Energy Conservation Standards for Packaged Terminal Air Conditioners and Packaged Terminal Heat Pumps'' ((RIN1904–AC82) (Docket No. EERE–2012–BT–STD–0029)) received in the Office of the President of the Senate on July 21, 2015; to the Committee on Energy and Natural Resources.

EC–2378. A communication from the Chairman of the United States International Trade Commission, transmitting, pursuant to law, a report entitled ''The Year in Trade 2014''; to the Committee on Finance.

EC–2379. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 14–135); to the Committee on Foreign Relations.

EC–2380. A communication from the Associate General Counsel for General Law, Department of Homeland Security, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary/Administrator, Transportation Security Administration, Department of Homeland Security, received in the Office of the President of the Senate on July 22, 2015; to the Committee on Commerce, Science, and Transportation.

EC–2381. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report entitled ''Annual Report for 2014 on Disability-Related Air Travel Complaints''; to the Committee on Commerce, Science, and Transportation.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–52. A resolution adopted by the House of Representatives of the State of Louisiana memorializing the United States Congress to take such actions as are necessary to designate Grambling State University as a United States Department of Agriculture 1890 land-grant institution; to the Committee on Agriculture, Nutrition, and Forestry.

HOUSE RESOLUTION NO. 102

Whereas, a land-grant college or university is a postsecondary education institution that has been designated to receive the benefits of the federal Morrill Acts of 1862 or 1890; and

Whereas, there is at least one land-grant institution in every state and territory of the United States, as well as the District of Columbia, and over the years, land-grant status has been associated with several types of federal support; and

Whereas, two universities in this state, Louisiana State University (LSU) and Southern University (SU), are designated as land-grant institutions; LSU received this

designation in 1862, and in 1890, what is known as the Second Morrill Act conferred land-grant status to several historically black colleges and universities, commonly referred to as ''1890 land-grant institutions'', and SU is among this group; and

Whereas, Grambling State University, located in Grambling, Louisiana, is seeking designation as an 1890 land-grant institution under the banner of the Second Morrill Act; and

Whereas, Grambling State University was founded in 1901 by the North Louisiana Colored Agriculture Relief Association; in 1905, it moved to its present location and was renamed the North Louisiana Agricultural and Industrial School; in 1946, it became Grambling College; and in 1949, it earned its first accreditation by the Southern Association of Colleges and Schools; and

Whereas, in 1974, the school began to offer graduate programs in early childhood and elementary education and acquired the name Grambling State University; over the years, several new academic programs have been incorporated and new facilities added to the 384-acre campus; and

Whereas, Grambling now offers more than eight hundred courses and forty-seven degree programs in five colleges, including an honors college, two professional schools, a graduate school, and a Division of Continuing Education; and

Whereas, Grambling combines the academic strengths of a major university with the benefits of a small college, and its students grow and learn in a serene and positive environment; and

Whereas, in addition to being one of the country's top producers of African American graduates, Grambling is home to the internationally renowned Tiger Marching Band and remains proud of the legacy of the late Eddie Robinson, Sr., a truly legendary football coach; and

Whereas, Grambling places an emphasis on the value and importance of each student, which is exemplified by its motto, ''Where Everybody is Somebody''; and

Whereas, after more than a decade since its founding, Grambling remains an important influence in the quality of lives and communities of generations of North Louisiana residents; and

Whereas, the designation of Ohio's Central State University as an 1890 land-grant institution in the 2014 Farm Bill set a very recent precedent for the addition of a university to the land-grant system; and

Whereas, the nation's system of land-grant institutions would be strengthened by the inclusion of Grambling State University; and

Whereas, as a historically black university with a strong record of academics, research, and service, Grambling, with its rich history and traditions, would bring a unique perspective to the land-grant system; and

Whereas, for one hundred twenty-five years, the 1890 land-grant institutions have played a vital role in ensuring access to higher education and opportunity for underserved communities, and as such an institution, Grambling would have access to increased resources that it could direct to serving such communities and to providing research, extension, and public services in North Louisiana, an area where these services are not currently being provided sufficiently; and

Whereas, such designation would be consistent with Grambling's agricultural origins and its mission and history of service to African American students and the people of Louisiana and would strengthen Grambling's research and teaching in science, technology, engineering, and mathematics (STEM) programs and enhance existing programs and facilitate the development of new programs in agricultural business, biotechnology, economics, environment and natural resources, family and consumer science, and engineering technology; and

Whereas, Grambling State University has made the same extraordinary contributions to the education of African Americans in the state of Louisiana as other 1890 land-grant universities have made in their respective states; and

Whereas, as the only Historically Black College or University (HBCU) in the University of Louisiana System, the role that Grambling plays in the state is critical; and

Whereas, a land-grant designation would enhance greatly Grambling's service to the people of Louisiana, and it is appropriate that Congress take all necessary measures to grant such designation to Grambling State University: Now, therefore, be it

Resolved, That the House of Representatives of the Legislature of Louisiana does hereby memorialize the United States Congress to take such actions as are necessary to designate Grambling State University as a United States Department of Agriculture 1890 land-grant institution; and be it further

Resolved, That a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM–53. A joint resolution adopted by the Legislature of the State of California memorializing the President of the United States and the United States Congress to recognize the unique military value of California's defense installations and the disproportionate sacrifices California has endured in previous base realignment and closure (BRAC) rounds; to the Committee on Armed Services.

ASSEMBLY JOINT RESOLUTION NO. 11

Whereas, The federal Department of Defense conducted base realignment and closure (BRAC) rounds in 1988, 1991, 1993, 1995, and 2005. The previous BRAC rounds resulted in the closure of 25 major bases in California and the realignment of eight other facilities; and

Whereas, A sixth BRAC round for 2017 has been proposed in the fiscal year 2016 federal budget; and

Whereas, California has been the state hardest hit by the Department of Defense's previous BRAC rounds. In the first four BRAC rounds, for example, the state absorbed 25 percent of the total base closures nationally and 11 percent of the base realignments; and

Whereas, California absorbed 54 percent of personnel cuts in the first four BRAC rounds, losing more federal military jobs from the closure of its military bases than the combined losses in all other states. Additionally, 300,000 private sector defense industry jobs in California were eliminated as a result of those base closures; and

Whereas, These base closures had a severe impact on local governments and communities, some of which continue to struggle with the transition and reuse of these closed bases; and

Whereas, There are currently more than 30 major federal military installations and commands remaining in California that could be closed or realigned as a result of another BRAC process; and

Whereas, The Department of Defense and the defense industry represent a major industry in California today, totaling more than $71 billion in direct spending and employing more than 350,000 Californians. Total effects on the economy far exceed these numbers; and

Whereas, For over half of a century, California's workers, businesses, industries, and universities have contributed to our national security, utilizing their talents, capital, and skills to develop and manufacture new technologies, aircraft, satellites, missiles, and advanced weapons systems; and

Whereas, Military installations provide the foundation for United States defense efforts. Maintaining these installations is, therefore, critical to supporting America's national security. California is vital to the mission and might of our United States military. Our seaports and airports, bases and equipment, research labs and testing grounds support the finest fighting force in the world; and

Whereas, As our nation faces new security threats in the 21st century, California remains ready to confront these dangers. In space, cyberspace, over land, at sea, and in the air, California is helping the military meet the challenges of today and tomorrow. From troop deployment to systems development and cybersecurity, training to logistics, the future of our military is here in California; and

Whereas, Having been the leader in the nation's defense effort, California state government must lead by articulating the national security imperative of maintaining military installations within its borders; and

Whereas, In an effort to be proactive in retaining military facilities within California that are essential to national security, and to provide for a single, focused strategy to defend these installations, in March 2013 Governor Edmund G. Brown Jr. established the Governor's Military Council, in an effort to protect and expand the military's vital role in national security and California's economy. The council has met regularly throughout the state since its creation, and is continuing to work to protect California's military installations and operations and to assist in recruiting new defense missions and operations to the state: Now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That California's military installations possess critical military value and that California is ready to help the Department of Defense meet its goals now and in the future; and be it further

Resolved, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States, to not only recognize the unique military value of California's defense installations, but also continue to take into consideration all of the following:

(a) California's unparalleled land, air, and sea ranges that provide the ability to train all types of forces, year round, in every type of warfare effectively, efficiently, and economically.

(b) California's strategic location in the Pacific Theater is a critical factor in executing the National Defense Strategy strategic shift to the Pacific region by allowing for rapid deployment to trouble spots in Asia.

(c) California's ability to recruit and train highly skilled and educated personnel.

(d) The existing synergies between military installations and the private sector.

(e) The economic impact on existing communities in the vicinity of military installations.

(f) Our incomparable quality of life, which enhances personnel retention.

(g) The vast intellectual capital that has been developed in California since World War II.

(h) The disproportionate sacrifices California has endured in previous BRAC rounds; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the Majority Leader of the Senate, to each Senator and Representative from California in the Congress of the United States, and to the author for appropriate distribution.

POM–54. A joint resolution adopted by the Legislature of the State of California urging the President of the United States and the United States Congress to enact legislation to establish guarantees by the federal government to support the responsible sale of postearthquake bonds by financially sound residential-earthquake-insurance programs operated by any of the several states on an actuarially sound basis; to the Committee on Banking, Housing, and Urban Affairs.

ASSEMBLY JOINT RESOLUTION NO. 6

Whereas, Over the last 30 years, California has experienced 1,451 earthquakes of magnitude 4.0 or greater, ranging from 16 to 168 per year; and

Whereas, Most Californians live within 20 miles of a major earthquake fault capable of producing damaging earthquakes; and

Whereas, On the morning of August 24, 2014, many residents of Napa discovered they lived closer to such a fault than they believed. A magnitude 6.0 earthquake struck American Canyon, south of Napa, at 3:20 a.m., leading to one death and many injuries. The earthquake seriously damaged nearly 100 homes, as well as many historic downtown buildings. It cost local wineries millions of dollars in spilled wine and damaged equipment, and numerous people were injured. The overall damage and effects of the earthquake demonstrated how even a moderate-sized earthquake can have a large impact on a community; and

Whereas, In June 2014, the Los Angeles Times reported that the first five months of the year were marked by five earthquakes larger than magnitude 4.0, after what had been a relatively quiet period of seismic activity for the Los Angeles area. That number of earthquakes at that magnitude had not occurred in a year since 1994, the year of the Northridge earthquake; and

Whereas, Faced with the certainty of its peril from earthquakes, over the last three decades California has repeatedly shown that smart public policy choices can help Californians prepare for a catastrophic earthquake. Milestone innovations across this era include the following:

(a) In the year following the 1983 Coalinga earthquake, California passed the Earthquake Insurance Act, requiring residential property insurers to offer homeowners earthquake coverage, to ensure homeowners considered the possibility of protecting their home from earthquake damage.

(b) In the year after the 1989 Loma Prieta earthquake, California began examining how a state-based financial pool might be constructed to improve protection for homeowners. This effort, the California Residential Earthquake Recovery Fund (CRERF), was intended to cover the cost of earthquake insurance deductibles. While this plan was repealed in 1992 as potentially actuarially unsound, it pointed the way to further innovations.

(c) Since 1996, the multipart funding mechanism of the California Earthquake Authority (CEA), a public instrumentality of the State of California, has succeeded as the primary source of earthquake insurance for California homeowners seeking to protect their homes from earthquakes; and

Whereas, Despite the growing successes of the CEA since its 1996 formation, how it can be improved has become clear. Almost every news story about California earthquake insurance and the CEA notes that residential earthquake insurance is costly for homeowners and the deductibles are high. The high cost and high deductibles are seen as a key factor behind why only 12 percent of Californians who buy homeowners' insurance also buy earthquake insurance; and

Whereas, There is no better way to prepare California for the inevitability of disastrous earthquakes than to make earthquake insurance work better for its residents. The limitations of the existing system are well-known. Now is the time for the next key step in policy innovation to make the state's earthquake insurance system work better for renters and homeowners; and

Whereas, As the CEA approaches two decades of operation, it has become clear that the CEA has pushed the envelope on how a single state-based pool can materially assist in catastrophe readiness. But by law, the CEA's rates must be actuarially sound and based on the best available scientific information for assessing earthquake frequency, severity, and loss; these sensible conditions also temper the CEA's ability to cut the cost of earthquake insurance; and

Whereas, As a public instrumentality of the state, the CEA must cover all its risks, including the possibility that at any time, a truly catastrophic earthquake might hit the state; and

Whereas, The CEA's need, as a stand-alone, risk-bearing public instrumentality of the state, to always have a plan to cover the chance of a catastrophic earthquake is what, under the current system, keeps the price of earthquake insurance high. For the level of total exposure the policies represent, the rates yield sufficient premiums to pay for a backstop of reinsurance sufficient to offset expected CEA losses in all but the most catastrophic earthquake; and

Whereas, A federal policy of certain access to federal debt guarantees for postevent financing would strengthen the risk-bearing capacity of actuarially sound state-based disaster programs like the CEA and reduce the preevent expense of providing that insurance. In recent sessions of the United States Congress, a proposed federal partnership limited to prequalified, actuarially sound state earthquake insurance programs has been estimated to expose the federal government to a 10-year cost of only $25 million; and

Whereas, A state and federal partnership to enhance the ability of prequalified, actuarially sound state earthquake funds to access postdisaster borrowing would enable California and other states using actuarially sound programs to manage risk with a dramatically better tool; and

Whereas, The CEA's certain access to a federal guarantee of its postearthquake borrowing would ensure access to the private capital markets at reasonable rates, enhancing the claims-paying capacity for a catastrophic earthquake. That lower-cost capacity, in turn, would permit the CEA to adjust its annual purchase of earthquake reinsurance and lower expenses, thus speeding long-term capital accumulation to help CEA modulate its cost of providing basic earthquake insurance across the state: Now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the Legislature urges the President and the Congress of the United States to enact legislation to establish guarantees by the federal government to support the responsible sale of postearthquake bonds by financially sound residential-earthquake-insurance programs operated by any of the several states on an actuarially sound basis; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the Majority Leader of the Senate, and to each Senator and Representative from the State of California in the Congress of the United States.

POM–55. A joint resolution adopted by the Legislature of the State of California urging the United States Congress to support legislation reauthorizing the Export-Import Bank of the United States; to the Committee on Banking, Housing, and Urban Affairs.

ASSEMBLY JOINT RESOLUTION NO. 14

Whereas, The Export-Import Bank of the United States (Ex-Im Bank) is the official export credit agency of the United States and exists for the purposes of financing and insuring foreign purchases of United States goods; and

Whereas, The mission of the Ex-Im Bank is to create and sustain United States jobs by financing sales of United States exports to international buyers; and

Whereas, The Ex-Im Bank is the principal government agency responsible for aiding the export of American goods and services, and thereby creating and sustaining United States jobs, through a variety of loan, guarantee, and insurance programs for small and large businesses; and

Whereas, The Ex-Im Bank has supported more than $400 billion in United States exports in the past 70 years and helps to cover critical trade finance gaps by providing loan guaranties, export credit insurance, and direct loans for United States exports in developing markets where commercial bank financing is unavailable or insufficient. For fiscal year 2014, the Ex-Im Bank provided $20.5 billion in loan guarantees which leveraged $27.5 billion in exports while supporting 164,000 United States jobs. Since fiscal year 2009, the bank has supported more than 1.3 million American jobs in all 50 states; and

Whereas, The Ex-Im Bank is a self-sustaining agency, which operates at no cost to the taxpayer and over the last three fiscal years has generated more than $3 billion in fees from its foreign customers which were deposited in the United States Treasury to reduce the United States deficit and indebtedness; and

Whereas, The Ex-Im Bank enables United States companies large and small to turn export opportunities into sales that help to create and maintain jobs in the United States that contribute to a stronger national economy. On average nearly 90 percent of the Ex-Im Bank's transactions support United States small businesses; and

Whereas, Exports are particularly important to the California economy as California is currently ranked second in exports among all states. If California's manufacturing base is to grow, we must continue to expand our ability to export goods from California facilities. Given the key role the Ex-Im Bank plays in facilitating export sales, failure to reauthorize it would be devastating to existing industry and to those that we hope to create in the future; and

Whereas, Over the past five years, the Ex-Im Bank has assisted more than 967 California companies to export their products. Nearly 200 of those companies are owned by women or minorities and over 700 are small businesses. These companies export their products and services around the globe totaling more than $21 billion in sales. Fifty-two of the 53 congressional districts in California had companies benefit from the Ex-Im Bank loans; and

Whereas, A reauthorization of the Ex-Im Bank is critical to the ability of many United States exporters to compete on a level playing field in a commercial market where current and future competitors continue to enjoy aggressive support from their countries' export credit agencies; and

Whereas, A failure to reauthorize the Ex-Im Bank would amount to unilateral disarmament in the face of other nations' aggressive trade finance programs that favor their domestic companies over American companies; and

Whereas, Economic growth depends on increasing exports from both small and large manufacturers and service providers in California and reauthorization means support for California exports and California jobs; and

Whereas, in the 114th United States Congress, 1st Session, legislation is pending that would continue the Ex-Im Bank's capacity for creating jobs while also making its practices more accountable and transparent, as well as making the bank more solvent and self-sufficient: Now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the Legislature urges Congress to support Export-Import Bank of the United States; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the Majority Leader of the Senate, and to each Senator and Representative from California in the Congress of the United States.

POM–56. A concurrent memorial adopted by the Legislature of the State of Arizona urging the United States Government to immediately dispose of the public lands within Arizona's borders directly to the State of Arizona; to the Committee on Energy and Natural Resources.

HOUSE CONCURRENT MEMORIAL 2005

Whereas, at the time of Arizona's Enabling Act, the course and practice of the United States Congress with all prior states admitted to the Union had been to fully dispose, within a reasonable time, of all lands within the boundaries of such states, except for those Indian lands, or lands otherwise expressly reserved to the exclusive jurisdiction of the United States; and

Whereas, the State of Arizona did not contemplate, and could not have contemplated, the United States failing or refusing to dispose of all lands within its defined boundaries within a reasonable time such that the State of Arizona and its permanent fund for its public schools could never realize the anticipated benefit of the deployment, taxation and economic benefit of all the lands within its defined boundaries; and

Whereas, Arizona's Enabling Act contemplates that Arizona's temporary suspension of its sovereign right to tax the public lands within its borders for the benefit of its public schools and the common good of the state ends the very moment that the national government discharges of its trust obligation to immediately dispose of Arizona's public lands within its borders; and

Whereas, under Article I, section 8, clause 17 of the United States Constitution, the national government is constitutionally authorized to exercise right, title and jurisdiction only over lands that are ''purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings''; and

Whereas, the United States Congress never purchased land designated as national parks nor did it ever seek or obtain the consent of the Arizona Legislature as required under Article I, section 8, clause 17 of the United States Constitution; and

Whereas, because of the failure of the national government to immediately dispose of land within the borders of Arizona, this state bears the burden of the inestimable entanglements and expectations over the multiple use of these public lands that were required to be disposed of that have accumulated for more than one hundred years; and

Whereas, Arizona should have had total control over its public lands from 1912, plus a reasonable time for disposition of the lands; and

Whereas, Arizona has been substantially damaged in its ability to provide funding for education because the national government has unduly retained control of much of the land lying within Arizona's borders; and

Whereas, had the national government sold the land in or about 1912, much of the net proceeds should have been applied to paying down the national public debt, and some should have gone to the state of Arizona's permanent fund for the support of the public schools; and

Whereas, Arizona consistently ranks high among all states in class size and low in per pupil funding for education; and

Whereas, had the national government disposed of the land in or about 1912, Arizona would have generated, from that point forward, substantial tax revenues to the benefit of its public schools and to the common good of the state; and

Whereas, the national government gives Arizona less than half of the proceeds of mineral lease revenues and severance taxes generated from the lands within this state's borders; and

Whereas, Arizona has been substantially damaged in mineral lease revenues and severance taxes in that, had the national government disposed of land in or about 1912, Arizona would realize 100% of the mineral lease revenues and severance taxes from the lands; and

Whereas, Arizona has been damaged by the inordinate cost and substantial uncertainty regarding the national government's infringement on Arizona's sovereign control of public lands within its borders; and

Whereas, County of Shoshone v. United States (unpublished), which confirmed that state law controls in determining what constitutes sufficient public use, Shelby County v. Holder, which clarified that ''the fundamental principle of equal sovereignty remains highly pertinent in assessing [post-admission] disparate treatment of states'' and People for the Ethical Treatment of Property Owners v. United States Fish and Wildlife Service, which confirmed the federal government's abuse of the Commerce Clause authority, all lend support to the notion that the public lands within Arizona's borders should be transferred to Arizona: and

Whereas, because of the breach of Arizona's Enabling Act, and the damages resulting from it, the United States Congress should immediately dispose of the public lands lying within the State of Arizona directly to the State of Arizona; and

Whereas, the national government has an obligation to present and future generations to pay the public debt, yet it has demonstrated a reckless disregard for the growing national debt even as it continues to worsen at an exponential rate.

Wherefore your memorialist, the House of Representatives of the State of Arizona, the Senate concurring, prays:

1. That the United States government immediately and not later than December 31, 2019 dispose of the public lands within Arizona's borders directly to the State of Arizona.

2. That the United States Congress engage in good faith communication, cooperation, coordination and consultation with the State of Arizona regarding the immediate disposal of the public lands directly to this state.

3. That the Secretary of State of the State of Arizona transmit copies of this Memorial to the President of the United States Senate, the Speaker of the United States House of Representatives, the Secretary of the United States Department of the Interior, the Chief of the United States Forest Service, the Chairperson of the United States House Committee on Natural Resources, the Chairperson of the United States Senate Committee on Energy and Natural Resources and each Member of Congress from the State of Arizona.

POM–57. A concurrent memorial adopted by the Legislature of the State of Arizona urging the United States Congress to vote to approve the Keystone XL oil pipeline; to the Committee on Energy and Natural Resources.

SENATE CONCURRENT MEMORIAL 1006

Whereas, the United States relies, and will continue to rely for many years, on gasoline, diesel and jet fuel for sources of energy; and

Whereas. in order to fuel our economy, the United States will need more oil and natural gas in addition to alternative energy sources; and

Whereas, the United States currently depends on foreign imports for more than half of its petroleum usage and is the largest consumer of petroleum in the world; and

Whereas, United States dependence on overseas oil has created difficult geopolitical relationships with potentially damaging consequences for our national security; and

Whereas, oil deposits in the Bakken Reserves of Montana, North Dakota and South Dakota are an increasingly important crude oil resource; and

Whereas, there is not enough pipeline capacity to deliver crude oil supplies from Montana, North Dakota, South Dakota, Oklahoma and Texas to American refineries; and

Whereas, Canadian oil reserves total 174 billion barrels, of which 169 billion barrels can be recovered from the oil sands using today's technology; and

Whereas, Canada is the single largest supplier of crude oil to the United States at 3.05 million barrels per day and has the capacity to significantly increase that rate; and

Whereas, the southern leg of the Keystone XL pipeline ties into the existing Keystone pipeline that already runs to Canada, bringing up to 700,000 barrels of oil a day to refineries in Texas. At peak capacity, the pipeline will deliver 830,000 barrels of oil per day; and

Whereas, according to the United States State Department's fifth Final Supplemental

Environmental Impact Statement (Final SEIS), which was issued on January 31, 2014, the Keystone XL pipeline will be the safest pipeline ever constructed on American soil, will have minimal impact on the environment, will create thousands of much-needed jobs and bolster the United States' energy security; and

Whereas, according to the Final SEIS, the Keystone XL pipeline will support approximately 42,100 direct, indirect and induced jobs and result in approximately $2 billion in earnings throughout the United States; and

Whereas, the Final SEIS predicts that the Keystone XL pipeline will contribute approximately $3.4 billion to the United States gross domestic product and provide a substantial increase in tax revenues for local counties along the pipeline route, with 17 to 27 counties expected to see tax revenues increase by 10% or more; and

Whereas, the Oklahoma-Texas leg of the Keystone pipeline system, also referred to as the Gulf Coast segment, went into service in late January 2014; and

Whereas, according to a recent economic analysis report conducted by noted economist Bud Weinstein at Southern Methodist University Cox School of Business, the Gulf Coast segment injected $2.14 billion into the Oklahoma economy and more than $3.6 billion into the Texas economy; and

Whereas, a recent study by the United States Department of Energy found that increasing delivery of crude oil from Montana, North Dakota, South Dakota and Alberta, as well as Texas and Oklahoma, to American refineries has the potential to substantially reduce our country's dependency on sources outside of North America: and

Whereas, Canada sends more than 99% of its oil exports to the United States, the bulk of which goes to Midwestern refineries: and

Whereas, oil companies are investing huge sums to expand and upgrade refineries in the Midwest and elsewhere to make gasoline and other refined products from Canadian oil derived from oil sands, and the expansion and upgrade projects will create many new construction jobs over the next five years; and

Whereas, 90% of the money used to buy Canadian oil will likely later be spent directly on United States goods and services; and

Whereas, since 2011, nearly 30 public opinion polls have repeatedly confirmed that building the Keystone XL pipeline is in the best interest of the vast majority of Americans: and

Whereas, supporting the continued shift towards reliable and secure sources of North American oil is of vital interest to the United States and the State of Arizona.

Wherefore your memorialist, the Senate of the State of Arizona, the House of Representatives concurring, prays:

1. That the United States Congress vote to approve the Keystone XL oil pipeline.

2. That the Secretary of State of the State of Arizona transmit copies of this Memorial to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives and each Member of Congress from the State of Arizona.

POM–58. A concurrent memorial adopted by the Legislature of the State of Arizona urging the United States Congress to oppose the designation of the Grand Canyon Watershed National Monument in northern Arizona; to the Committee on Energy and Natural Resources.

SENATE CONCURRENT MEMORIAL 1001

Whereas, Arizonans value the Grand Canyon as a national and world treasure and as an economic engine; and

Whereas, there is no threat to the Grand Canyon National Park and its surrounding lands; and

Whereas, existing laws and regulations, including the National Environmental Policy Act, the Federal Land Policy and Management Act, the Archaeological Resources Protection Act and many others, ensure the protection and responsible use of the Grand Canyon National Park and its surrounding lands; and

Whereas, as of 2012, Arizona had the third highest total designated wilderness acreage in the United States with 4.5 million acres. Additionally, another 5.8 million acres were affected by special land use designations, including national monuments; and

Whereas, only three members of the eleven-member Arizona congressional delegation and others have requested that the President of the United States use his authority under the Antiquities Act to designate an estimated 1.7 million acres in northern Arizona as the Grand Canyon Watershed National Monument; and

Whereas, this proposed designation would almost double the amount of acreage designated as national monuments in Arizona and would be the nation's second largest national monument after the neighboring Grand Staircase-Escalante National Monument in southern Utah, which is over 1.8 million acres; and

Whereas, the federal government granted lands at statehood to the State of Arizona to be held in trust to provide a source of income for schools and other beneficiaries; and

Whereas, the proposed monument designation would severely impact thousands of acres of state trust lands locked up within its boundaries and deny their beneficial use to the trust; and

Whereas, this taking of state trust lands within the proposed national monument without just compensation would be a breach of the sacred trust between the State of Arizona and the federal government that was agreed on in this state's enabling act and harms Arizona's school children; and

Whereas, withdrawal of this vast amount of lands from multiple-use management eliminates or restricts reasonable and thoughtful use of these natural resources for multiple purposes, such as recreation, grazing, mining, energy development and forestry; and

Whereas, multiple-use management of these lands by the United States Bureau of Land Management and the United States Forest Service is based on resource management plans that were developed with public input and have framed the use of these lands since the passage of the Federal Land Policy and Management Act in 1976; and

Whereas, responsible use of natural resources provides a substantial economic benefit to northern Arizona and there is no reason to eliminate this benefit for a nonexistent threat; and

Whereas, the conservation of wildlife resources across Arizona is the trust responsibility of the Arizona Game and Fish Commission; and

Whereas, the Arizona Game and Fish Commission voted to oppose the proposed Grand Canyon Watershed National Monument on May 11, 2012 and its analysis found that monument designation can lead to restrictions on proactive wildlife management, including hunting and fishing access; and

Whereas, national monument designation requires a very narrow management regime and could severely restrict forest management activities, such as scientifically established fire management, erosion control and invasive species treatments; and

Whereas, in addition, Arizona's proper management of state forest lands, which includes selective logging, has made for a healthy and prolific environment for naturally occurring habitat and has proven effective in preventing habitat loss, as has occurred on federally managed forest lands, through wildfire; and

Whereas, consideration of the effects on the customs, cultures and economic well-being of our local communities as well as important historic and cultural aspects of our local heritage; and

Whereas, the cost benefit of this proposal must be considered; and

Whereas, while a minority caucus of three of the eleven-member Arizona congressional delegation and a small, yet vocal, group of others advocate to transfer state resources to the federal government, the State of Arizona desires to uphold the congressional designation of the multiple-use policy as per the Federal Land Management Policy Act as being best for our citizens and Arizona's economy.

Wherefore your memorialist, the Senate of the State of Arizona, the House of Representatives concurring, prays:

1. That the President of the United States does not designate the Grand Canyon Watershed National Monument in northern Arizona.

2. That the United States Congress oppose the designation of the Grand Canyon Watershed National Monument in northern Arizona.

3. That any new monuments, including the proposed Grand Canyon Watershed National Monument, have express state and congressional approval before they are so designated by the President.

4. That the Governor and the Attorney General of the State of Arizona take appropriate actions to implement this Memorial.

5. That the Secretary of State of the State of Arizona transmit copies of this Memorial to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, each Member of Congress from the State of Arizona, the Secretary of the Interior, the Governor of the State of Arizona and the Attorney General of the State of Arizona.

POM–59. A concurrent memorial adopted by the Legislature of the State of Arizona urging the United States Congress to pass H.R. 594; to the Committee on Environment and Public Works.

SENATE CONCURRENT MEMORIAL 1004

Whereas, on April 21, 2014, the United States Environmental Protection Agency and the United States Army Corps of Engineers published a proposed rule in the Federal Register that defines ''Waters of the United States'' under the Clean Water Act; and

Whereas, the final rule is projected to be published in the Federal Register by August 31, 2015; and

Whereas, the rule purports to clarify issues raised in two United States Supreme Court decisions, Solid Waste Agency of Northern Cook County v. U.S. Army Corps of Engineers and Rapanos v. United States, that created uncertainty over the Clean Water Act's scope and application; and

Whereas, the rule will expand the scope of the Clean Water Act, resulting in greater impacts to this state, as well as on local governments, their citizens and their businesses; and

Whereas, the rule will subject almost all physical areas with a connection, or a ''significant nexus,'' to downstream navigable waters, including features such as ditches, natural or manmade ponds and floodplains, to the jurisdiction of the Clean Water Act; and

Whereas, the rule will apply to all programs under the Clean Water Act; and

Whereas, the rule change will cause significant harm to local farmers, stall the development of businesses and strip local providers of their control of land use for sustainable food production; and

Whereas, the cost to our municipalities and taxpayers will be enormous; and

Whereas, the rule is contrary to the ruling of the United States Supreme Court in Rapanos as it appears to rely heavily on the minority opinion's concept of ''significant nexus,'' which was rejected by the Court's prevailing opinion; and

Whereas, the term ''significant nexus'' does not appear in the Clean Water Act: and

Whereas, under the rule, groundwater may be used in making determinations of a ''significant nexus,'' which is an overreach of the federal agencies as groundwater systems are under the jurisdiction of the states and should not be broadly used in justifying a determination of jurisdictional water of the United States; and

Whereas, in Solid Waste Agency of Northern Cook County, the United States Supreme Court stated that the use of ''case by case'' determinations should be the exception, not the rule, and the rule allows for broad use of case by case determinations, which inserts needless uncertainty into the development process; and

Whereas, the rule grants the United States Environmental Protection Agency and the United States Army Corps of Engineers authorities not specifically granted to them by the Clean Water Act; and

Whereas, the proposed rule, should it become effective, will hamper beneficial development, increase costs of infrastructure construction and maintenance and result in an unacceptable level of uncertainty in the permitting process; and

Whereas, the Constitution of the United States was meant to reserve to the states exclusive jurisdiction over their respective nonnavigable, intrastate waters and waterways within their boundaries except as expressly delegated to the federal government by the Constitution or prohibited by it to the states. and the federal government's power to regulate navigable waters cannot constitutionally reach nonnavigable, intrastate waters and waterways that have no significant connection to navigable waters; and

Whereas, it is impractical for the federal government to regulate every ditch, pond and rain puddle that may have some tenuous connection, miles away, to a body of water that is currently defined as ''navigable.''

Wherefore your memorialist, the Senate of the State of Arizona, the House of Representatives concurring, prays:

1. That the United States Congress pass H.R. 594, which prohibits the United States Environmental Protection Agency and the United States Army Corps of Engineers from developing, finalizing, adopting, implementing, applying, administering or enforcing the proposed federal rule that defines ''Waters of the United States'' under the Clean Water Act.

2. That the Secretary of State of the State of Arizona transmit copies of this Memorial to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, each Member of Congress from the State of Arizona, the Administrator of the United States Environmental Protection Agency and the Commanding General and Chief of Engineers of the United States Army Corps of Engineers.

POM–60. A concurrent memorial adopted by the Legislature of the State of Arizona urging the United States Environmental Protection Agency to refrain from reducing the ozone concentration standard; to the Committee on Environment and Public Works.

SENATE CONCURRENT MEMORIAL 1014

Whereas, the United States Environmental Protection Agency (EPA) is proposing to reduce the national ambient air quality standard for ozone from 75 parts per billion to 65 to 70 parts per billion, while taking comment on a level as low as 60 parts per billion; and

Whereas, the Clean Air Act requires the EPA to review the ozone concentration standard every five years, and the EPA last updated this standard in 2008, setting it at 75 parts per billion; and

Whereas, if the EPA reduced the standard to 70 parts per billion, nine out of 11 counties monitored for ozone levels in Arizona would be out of compliance; and

Whereas, if the EPA reduced the standard to 65 parts per billion, all 11 counties monitored for ozone levels in Arizona would be out of compliance, and the four rural counties that are not currently monitored might also be out of compliance; and

Whereas, a revised ozone standard of 65 to 70 parts per billion would result in widespread nonattainment designations in areas of the nation that already meet the current ozone standards; and

Whereas, based on 2011 through 2013 monitoring data, the EPA reports that 358 counties in the nation would violate a standard of 70 parts per billion and that an additional 200 counties would violate a standard of 65 parts per billion; and

Whereas, nonattainment area designations would limit economic and job growth by restricting new and expanded industrial and manufacturing facilities, imposing emission ''offset'' requirements on new sources of nitrogen oxides and volatile organic compounds emissions, constraining oil and gas extraction and raising electricity prices for industries and consumers; and

Whereas, low-income and fixed-income citizens would bear the brunt of higher energy costs and utility bills; and

Whereas, according to the National Association of manufacturers, the EPA's proposal could be the most expensive regulation ever issued on the American public, costing the nation $270 billion to $360 billion annually; and

Whereas, according to the National Association of Manufacturers, the proposed ozone regulations could cost Arizona $28 billion in gross state product loss from 2017 to 2040, 19,982 lost jobs or job equivalents per year, $639 million in total compliance costs and a $520 drop in average household consumption per year; and

Whereas, the National Association of Manufacturers predicts that the EPA's proposed standards could result in a 15% increase in residential electricity prices, a 32% increase in residential natural gas prices and an 8% reduction in Arizona's coal-fired generating capacity; and

Whereas, the EPA has identified only 46% of the controls needed to meet the proposed standards, and the remaining 54% would have to be met with unknown controls that the EPA has not yet identified but that would likely have to include early shutdowns and scrappage of existing facilities, equipment and vehicles; and

Whereas, early retirement and scrappage of power plants, industrial facilities, heavy-duty trucks and equipment and automobiles would be much more costly ways to remove each additional ton of emissions than the controls the EPA has identified; and

Whereas, air quality continues to improve, and nitrogen oxide emissions are already down to 60% nationwide since 1980, which, after adjusting for economic growth, implies a 90% reduction in emission rates from the relatively uncontrolled 1990 rates for nitrogen oxide-emitting sources; and

Whereas, average ozone concentrations have decreased significantly in both urban and rural areas over the past two decades in response to state and federal emission control programs; and

Whereas, states are on track to be fully in attainment with the current standards, but some have not yet reached full attainment; and

Whereas, instead of giving states enough time to meet the current standards through ongoing emission reduction programs, the EPA now wants to move the goalpost by imposing a lower standard; and

Whereas, retaining the current ozone standards would provide for continued air quality improvement throughout the nation as emission reduction programs under existing EPA regulations are implemented.

Wherefore your memorialist, the Senate of the State of Arizona, the House of Representatives concurring, prays:

1. That the EPA refrain from reducing the ozone concentration standard from 75 parts per billion to 65 to 70 parts per billion.

2. That the Secretary of State of the State of Arizona transmit copies of this Memorial to the Administrator of the United States Environmental Protection Agency, the President of the United States, the President of the United States Senate. the Speaker of the United States House of Representatives and each Member of Congress from the State of Arizona.

POM–61. A concurrent memorial adopted by the Legislature of the State of Arizona urging the United States Fish and Wildlife Service to focus future Mexican wolf introduction efforts on remote areas within the northern Sierra Madre Occidental mountain range, to halt additional introductions of Mexican wolves in Arizona, and to shift the responsibility for the Mexican wolf introduction to the Arizona Game and Fish Department; to the Committee on Environment and Public Works.

SENATE CONCURRENT MEMORIAL 1003

Whereas, on January 16, 2015, United States Fish and Wildlife Service (USFWS) issued a revised experimental population rule under section 10(j) of the Endangered Species Act (ESA) that provides for a population objective of 300 to 325 wolves in Arizona and New Mexico and expands the areas within which Mexican wolves can occupy and disperse with the goal of phasing the releases westward over a period of twelve years; and

Whereas, the revised experimental population rule raises concerns regarding the creation of an unmanageable Mexican wolf population, fails to consider state and local interests and remains silent on Mexican wolf recovery; and

Whereas, Congress enacted section 10(j) of the ESA to mitigate fears that reestablishing populations of endangered species

would negatively impact landowners and other private parties, recognizing that flexible rules, developed in consultation with local governments and private citizens, could encourage recovery partners to actively assist in the establishment and hosting of endangered populations on their lands; and

Whereas, to the maximum extent practicable, section 10(j) rules are intended to represent an agreement between the USFWS, affected state and federal agencies and persons holding any interest in land that may be affected by the establishment of an experimental population; and

Whereas, the objective of 1982 Mexican Wolf Recovery Plan is the establishment of a viable, self-sustaining population of at least 100 Mexican wolves in the wild; and

Whereas, at the end of 2014, there were a minimum of 109 wolves in the wild in Arizona and New Mexico, all of which were conceived and born in the wild as a direct result of previous wolf introduction efforts; and

Whereas, the costs to date of this program have exceeded $7.3 million; and

Whereas, the implementation of the revised experimental population rule will allow additional wolves to be introduced within Arizona and New Mexico; and

Whereas, the introduction of wolves into Arizona and New Mexico has resulted in significant adverse impacts on private landowners and resource users, as well as hunting and other recreational activities, which are vital to our local and regional economy; and

Whereas, under its regulations, the USFWS must consult with appropriate state fish and wildlife agencies, local governmental entities, affected federal agencies and affected private landowners in developing and implementing experimental population rules; and

Whereas, in developing its experimental population rules for the Mexican wolf, the USFWS has failed to meaningfully consult with local governmental entities, whose citizens will be adversely affected by the introduction of wolves, and with private land and resource users who will be adversely impacted by the introduction of wolves; and

Whereas, the adopted experimental population rule for the Mexican wolf will create even greater conflicts with private landowners and resource users; and

Whereas, the Arizona Game and Fish Department provided the USFWS and the United States Department of the Interior with a notice of intent to bring a civil action pursuant to section 11(g)(1)(C) of the ESA for the Secretary of the Interior's failure to develop a recovery plan for the Mexican gray wolf that meets the legal requirements in section 4(f) of the ESA; and

Whereas, the federal government has failed to take into consideration the customs, cultures, historic heritage and local and state economic well-being of areas that have been identified as habitats for this species; and

Whereas, the Secretary of the Interior has a nondiscretionary duty under section 4(f) to develop a recovery plan that incorporates ''objective. measurable criteria which when met, would result in a determination, in accordance with the provisions of this section, that the species be removed from the list.''

Wherefore your memorialist, the Senate of the State of Arizona, the House of Representatives concurring, prays:

1. That the USFWS focus future Mexican wolf introduction efforts on remote areas within the northern Sierra Madre Occidental mountain range, which contains substantial habitat suitable for Mexican wolves and, in many places, is largely uninhabited.

2. That the USFWS halt additional introductions of Mexican wolves in Arizona.

3. That the USFWS shift the primary responsibility for the administration of the Mexican wolf introduction program in Arizona to the Arizona Game and Fish Department.

4. That the Secretary of the Interior comply with the Secretary of the Interior's duty under section 4(f) of the ESA to develop a recovery plan that incorporates ''objective, measureable criteria which when met, would result in a determination, in accordance with the provisions of this section, that the species be removed from the list.''

5. That the Governor and the Attorney General of the State of Arizona take appropriate actions to uphold this state's responsibilities with respect to the recovery plan and defend this state against overreaching federal regulations.

6. That the Secretary of State of the State of Arizona transmit copies of this Memorial to the Director of the United States Fish and Wildlife Service, the Secretary of the United States Department of the Interior, the Attorney General of the State of Arizona, the Governor of the State of Arizona, the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives and each Member of Congress from the State of Arizona.

POM–62. A concurrent resolution adopted by the Legislature of the State of Arizona commending the nation of Israel for its cordial and mutually beneficial relationship with the United States and with the State of Arizona; to the Committee on Foreign Relations.

SENATE CONCURRENT RESOLUTION 1019

Whereas, Israel has been granted her land under and through the oldest recorded deed, as recorded in the Old Testament, scripture that is held sacred and revered by Jews and Christians alike, the acts and words of God; and

Whereas, the claim and presence of the Jewish people in Israel has remained constant throughout the past 4,000 years of history; and

Whereas, the legal basis for the establishment of the modern State of Israel was a binding act of international law established in the San Remo Resolution, which was unanimously adopted by the League of Nations in 1922 and subsequently affirmed by both houses of the United States Congress; and

Whereas, this resolution affirmed the establishment of a national home for the Jewish people in the historical region of the Land of Israel, including the areas of Judea, Samaria and Jerusalem; and

Whereas, Article 80 of the United Nations Charter recognized the continued validity of the rights granted to states or peoples that already existed under international instruments, and, therefore, the 1922 League of Nations resolution remains valid and the 650,000 Jews currently residing in the areas of Judea, Samaria and eastern Jerusalem reside there legitimately; and

Whereas, Israel declared its independence and self-governance on May 14, 1948, with the goal of reestablishing its God-given and legally recognized land as a homeland for the Jewish people; and

Whereas, the United States, as the first country to recognize Israel as an independent nation and as Israel's principal ally, has enjoyed a close and mutually beneficial relationship with Israel and her people; and

Whereas, Israel is the greatest friend and ally of the United States in the Middle East, and the values of our two nations are so intertwined that it is impossible to separate one from the other; and

Whereas, there are those in the Middle East who have continually sought to destroy Israel from the time of its inception as a state, and those same enemies of Israel also hate and seek to destroy the United States; and

Whereas, the State of Arizona and Israel have enjoyed cordial and mutually beneficial relations since 1948, a friendship that continues to strengthen with each passing year; and

Whereas, Israeli Prime Minister Benjamin Netanyahu spoke before a joint session of Congress on March 3, 2015 and urged the United States to stand with Israel to ''stop Iran's march of conquest, subjugation and terror'' and warned the United States that an emerging nuclear agreement with Iran ''paves Iran's path to the bomb'': Now, therefore, be it

Resolved by the Senate of the State of Arizona, the House of Representatives concurring:

1. That the Members of the Legislature commend Israel for its cordial and mutually beneficial relationship with the United States and with the State of Arizona and support Israel as a Jewish state in its legal, historical, moral and God-given right of self-governance and self-defense on the entirety of its own lands, recognizing that Israel is not an occupier of the lands of others and that peace can be afforded in the region only through a whole and united Israel.

2. That the Secretary of State transmit copies of this Resolution to the President of the United States, each member of Congress from the State of Arizona and the Governor of the State of Arizona.

POM–63. A resolution adopted by the Senate of the State of Georgia encouraging the representation of diverse populations of different racial and ethnic backgrounds in clinical research and the dedication of additional community resources to increase awareness on the importance of participating in clinical trials, to provide support for patient participation, and to promote effective partnerships with the community to achieve solutions; to the Committee on Health, Education, Labor, and Pensions.

SENATE RESOLUTION 590

Whereas, developing new medicines and other treatment options is a complex process that involves clinical trials to explore whether a medical strategy, treatment, or device is safe and effective for humans; and

Whereas, volunteer participation is necessary to evaluate potential therapies for safety and effectiveness in clinical studies; and

Whereas, often the enrolled patient population is not representative of United States demographics or subpopulations impacted by the particular disease; and

Whereas, groups such as African Americans and Hispanics are significantly underrepresented in clinical trials; according to the Food and Drug Administration, African Americans represent 12 percent of the United States population but only 5 percent of clinical trial participants, and Hispanics comprise 16 percent of the population but only 1 percent of clinical trial participants; and

Whereas, despite a congressional mandate that research financed by the National Institutes of Health (NIH) include minorities, non-whites comprise fewer than 5 percent of participants in NIH-supported studies; and

Whereas, certain medical conditions have been known to affect particular demographic groups more than others, including Type 2 diabetes for which African Americans and Hispanics are twice as likely to be diagnosed on average; and

Whereas, according to the Centers for Disease Control and Prevention, sickle cell trait is common among African Americans and occurs in about one in 12, and sickle cell disease occurs in about one out of every 500 African American births, compared to about one out of every 36,000 Hispanic American births; and

Whereas, race and ethnicity have also been demonstrated to affect the efficacy of and response to certain drugs, such as antihypertensive therapies in the treatment of hypertension in African Americans and antidepressants in Hispanics; and

Whereas, many barriers exist that account for the low rate of participation among diverse communities, including patient fear of experimentation and lack of understanding or education with regard to the importance of clinical trials in creating new treatments and cures: Now, therefore, be it

Resolved by the Senate, That the members of this body encourage the representation of diverse populations of different racial and ethnic backgrounds in clinical research and the dedication of additional community resources to increase awareness on the importance of participating in clinical trials, to provide support for patient participation, and to promote effective partnerships with the community to achieve solutions; and be it further

Resolved, That the Secretary of the Senate is authorized and directed to make appropriate copies of this resolution available for distribution to the President of the United States, the Vice President of the United States, the Georgia delegation to the United States Congress, and other federal and state government officials as appropriate.

POM–64. A concurrent resolution adopted by the Legislature of the State of Iowa urging the United states Congress to repeal the Act of June 30, 1948, Public Law Number 846, 62 Statute 1161, which conferred on the State of Iowa jurisdiction over offenses committed by or against Indians on the Meskwaki Settlement and to take whatever steps are necessary to achieve such a repeal; to the Committee on Indian Affairs.

SENATE CONCURRENT RESOLUTION 5

Whereas, the Sac and Fox Tribe of the Mississippi in Iowa (the Meskwaki) is a federally recognized tribe organized in accordance with Section 16 of the federal Indian Reorganization Act of June 18, 1934, 48 Stat. 984, as amended by the federal Act of June 15, 1935, 49 Stat. 378, under a Constitution and Bylaws approved by the Secretary of the Interior on December 20, 1937; and

Whereas, in 1857, the Meskwaki purchased 80 acres in Tama County which was held in trust by the State of Iowa as permitted by then Governor James Grimes and for the next 30 years the Meskwaki governed themselves virtually free from interference from both the federal and state governments; and

Whereas, the jurisdictional status of the Meskwaki during this period of time was unclear as the tribe was recognized by the federal government but also had a continuing relationship with the State of Iowa due to the Meskwaki's private ownership of land which was held in trust by the Governor of the State of Iowa; and

Whereas, in 1895, in order to clear up any ambiguities, the State of Iowa ceded to the federal government all jurisdiction over the Meskwaki with the stipulation that nothing in the transfer of the tribal lands would prevent the State of Iowa from exercising jurisdiction over crimes against the laws of Iowa committed either by Indians or others on the Meskwaki Settlement; and

Whereas, during what is now known as the Indian Termination Era, the United States government tried to end its trusteeship over Indian reservations throughout the country and in part passed the federal Act of June 30, 1948, which conferred jurisdiction over criminal offenses committed on the Meskwaki Settlement to the State of Iowa; and

Whereas, the federal Act of June 30, 1948, was passed at a time when there was a perception that there was lawlessness on the Meskwaki Settlement and an absence of adequate tribal institutions for law enforcement; and

Whereas the passage of the federal Act of June 30, 1948, provided no federal funding to the State of Iowa to assume this responsibility which has amounted to an unfunded federal mandate and the resulting cost over the years has been unfairly borne by the taxpayers of Tama County; and

Whereas, in the past 67 years much has changed at the federal, state, and tribal levels in the area of criminal law enforcement and in the development of laws in general on the Meskwaki Settlement; and

Whereas, the federal Tribal Law and Order Act of 2010, Pub. L. No. 111–211, authorized Indian tribes to expand the prosecution and punishment of criminal offenders if certain due process requirements were followed; and

Whereas, Indian tribes have recently achieved more authority to prosecute criminal offenses committed on tribal lands as evidenced by the enactment of the federal Violence Against Women Reauthorization Act of 2013, Pub. L. No. 113–4, which for the first time allowed tribal enforcement over non-natives who commit domestic violence on tribal lands; and

Whereas, the State of Iowa was the first in the nation to pass Native American grave protection legislation, commonly known as the Iowa Graves Protection Act, 1976 Iowa Acts, ch. 1158, §7, that came into law before the federal version and before the more recent passage of Iowa's Recognition and Enforcement of Tribal Civil Judgments Act, 2007 Iowa Acts, ch. 192, which followed the development of the Meskwaki Tribal Court System in 2005, with its first case being tried in 2006, and 2003 state legislation, 2003 Iowa Acts, ch. 87, recognizing the Meskwaki Tribal Police and allowing them to participate in the Iowa Law Enforcement Academy and to become state certified; and

Whereas, the Meskwaki has greatly enhanced at its own expense the tribe's criminal justice system and now provides a fully functioning court system through the establishment of a state certified police force, legally trained and licensed public defenders, prosecutors and judges, and a full-time probation officer, and provides for the publication of its tribal laws; and

Whereas, the Iowa Coalition Against Sexual Assault and the Iowa Coalition against Domestic Violence have noted that the victims of domestic violence on the Meskwaki Settlement prefer that prosecution and other court services be handled by the tribal court of the Meskwaki Settlement: Now, therefore, be it

Resolved by the Senate, the House of Representatives concurring, That the Iowa General Assembly urges the members of the United States Senate and the United States House of Representatives to repeal the Act of June 30, 1948, Pub. L. No. 846, 62 Stat. 1161, which conferred on the State of Iowa jurisdiction over offenses committed by or against Indians on the Meskwaki Settlement and to take whatever steps are necessary to achieve such a repeal; and be it further

Resolved, That upon passage of this resolution, the Secretary of the Senate shall transmit copies of this resolution to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of Iowa's congressional delegation.

POM–65. A concurrent memorial adopted by the Legislature of the State of Arizona urging the United States Congress to enact legislation similar to the Mohave County Radiation Compensation Act of 2013; to the Committee on the Judiciary.

HOUSE CONCURRENT MEMORIAL 2004

Whereas, the United States conducted nearly 200 atmospheric nuclear weapons development tests from 1945 to 1962; and

Whereas, essential to the nation's nuclear weapons development was uranium mining and processing, which was carried out by tens of thousands of workers; and

Whereas, following cessation of the tests in 1962, many of these workers filed class action lawsuits alleging exposure to known radiation hazards; and

Whereas, these suits were dismissed by the appellate courts, but the United States Congress responded with the Radiation Exposure Compensation Act (RECA), which devised a program allowing partial restitution to individuals who developed serious illnesses after exposure to radiation released during the atmospheric nuclear tests or after employment in the uranium industry; and

Whereas, RECA presents an apology and monetary compensation to individuals who contracted certain cancers and other serious diseases following exposure to radiation released during the atmospheric nuclear weapons tests or following occupational exposure to radiation while employed in the uranium industry during the Cold War arsenal buildup; and

Whereas, RECA was designed to serve as an expeditious, low-cost alternative to litigation; and

Whereas, Mohave County was not included as an affected area for purposes of making claims under RECA based on exposure to atmospheric nuclear testing; and

Whereas, in 2013, United States Representative Paul Gosar introduced H.R. 424, known as the Mohave County Radiation Compensation Act of 2013, which sought to include Mohave County as an affected area for purposes of making claims under RECA; and

Whereas, H.R. 424 was not enacted.

Wherefore your memorialist, the House of Representatives of the State of Arizona, the Senate concurring, prays:

1. That the Members of the United States Congress enact legislation similar to United States Representative Paul Gosar's Mohave County Radiation Compensation Act of 2013 that adds Mohave County as an affected area for purposes of making claims under RECA.

2. That the Secretary of State of the State of Arizona transmit copies of this Memorial to the President of the United States Senate, the Speaker of the United States House of Representatives and each Member of Congress from the State of Arizona.

POM–66. A concurrent memorial adopted by the Legislature of the State of Arizona urging the Congress of the United States and

Department of Veterans Affairs to review the disability rating process; to the Committee on Veterans' Affairs.

SENATE CONCURRENT MEMORIAL 1008

Whereas, military veterans with similar disabilities are receiving disparate disability ratings because of different standards, policies and procedures used by the physical evaluation boards operated by the military departments; and

Whereas, achieving consistent disability ratings regardless of service is an important objective that will ensure service members are treated equitably; and

Whereas, disability significantly increases the veteran poverty rate; the rate of increase is nearly twice that of the nonveteran disabled population; and

Whereas, even those veterans who receive Social Security Disability or Supplemental Security Income benefits have incomes under $9,000 per year; and

Whereas, 60% of hiring organizations polled in a June 2010 Society for Human Resource Management survey said that translating military skills to a civilian job experience could pose a challenge in hiring veterans and 46% said the same about hiring those who suffer from post-traumatic stress disorder and other mental health issues; and

Whereas, while service members are often promised saleable skills and job opportunities they would not have access to otherwise, the reality is that veterans often feel discriminated against and overlooked in the workplace; and

Whereas, veterans who are granted a Total Disability Rating Based on Individual Unemployability are subject to earning restrictions.

Wherefore your memorialist, the Senate of the State of Arizona, the House of Representatives concurring, prays:

1. That the United States Department of Veterans Affairs review the disability rating process to ensure that similar disabilities are rated similarly.

2. That the United States Department of Veterans Affairs review the limitations on employment of veterans with disabilities and the ways in which veteran benefits are impacted if a veteran with a disability becomes employed to ensure that veterans with disabilities are not hindered from joining the workforce.

3. That the United States Department of Veterans Affairs remove the earning restriction associated with the Total Disability Rating Based on Individual Unemployability.

4. That the United States Department of Veterans Affairs develop programs and incentives to encourage employers to hire veterans with disabilities.

5. That the United States Congress enact legislation that codifies into the United States Code the text of 38 Code of Federal Regulations section 4.16, which provides that employment in a protected environment is not considered substantially gainful employment for the purposes of a Total Disability Rating Based on Individual Unemployability.

6. That the United States Congress define ''protected environment'' to include businesses that make special accommodations for veterans with disabilities.

7. That the United States Congress enact legislation that prevents the United States Department of Veterans Affairs from decreasing a Total Disability Rating Based on Individual Unemployability if the veteran is marginally employed in a protected environment.

8. That the Secretary of State of the State of Arizona transmit a copy of this Memorial to the Secretary of the United States Department of Veterans Affairs, the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives and each Member of Congress from the State of Arizona.

POM–67. A joint resolution adopted by the Legislature of the State of Maine memorializing the Congress of the United States to pass necessary legislation that will help all our veterans, from all our wars and conflicts, from World War II to present-day Iraq and Afghanistan to the extent necessary; to the Committee on Veterans' Affairs.

JOINT RESOLUTION S.P. 474

We your Memorialists, the Members of the One Hundred and Twenty-seventh Legislature of the State of Maine now assembled in the First Regular Session, most respectfully present and petition the United States Congress as follows:

Whereas, military personnel from the State of Maine have answered the call to serve our Nation many times and Maine is estimated to be 3rd in the Nation per capita for military service. According to Veterans Administration records, Maine has had 11,531 military members serve since the tragic events of 9/11; and

Whereas, members of the Maine National Guard and Reservists have been deployed many times over and many have returned from the wars in Iraq and Afghanistan needing assistance and medical care; and

Whereas, 55 of Maine's services members have been killed in action in Iraq and Afghanistan; and

Whereas, more than 320 have received the Purple Heart for wounds received in combat; and

Whereas, many have returned home with post-traumatic stress disorder, traumatic brain injury, hearing problems and other physical and mental disabilities; and

Whereas, many communities in Maine need someone who can meet with veterans and survivors to explain benefits and to get the word out to veterans and their families concerning frequently changing Veterans Administration benefits and eligibility; and

Whereas, major issues for returning veterans concerning increasing suicide rates, homelessness, unemployment and education were brought before the 113th Congress with little or no substantive results; and

Whereas, as the 114th Congress begins, veterans and their families in Maine and across the Nation hope that the new Congress will be responsive and helpful and aggressively address the many issues facing the veterans of the wars in Iraq and Afghanistan; and

Whereas, the men and women who serve our State and Nation so faithfully deserve to have access to care, housing, medical treatment and mental and physical therapy: Now, therefore, be it

Resolved, That We, your Memorialists, on behalf of the people we represent, take this opportunity to urge the United States Congress to take the lead in passing necessary legislation that will help all our veterans, from all our wars and conflicts, from World War II to present-day Iraq and Afghanistan to the extent necessary; and be it further

Resolved, That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the President of the United States Senate, to the Speaker of the United States House of Representatives and to each Member of the Maine Congressional Delegation.

POM–68. A resolution adopted by the California State Lands Commission supporting S.414, the California Desert Conservation and Recreation Act of 2015; to the Committee on Energy and Natural Resources.

POM–69. A concurrent resolution adopted by the Legislature of the Commonwealth of Puerto Rico expressing firm support to the decision of the President of the United States to restore diplomatic relations between the government of the United States and the government of the Republic of Cuba; to the Committee on Foreign Relations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, without amendment:

S. 242. A bill to amend title 5, United States Code, to provide leave to any new Federal employee who is a veteran with a service-connected disability rated at 30 percent or more for purposes of undergoing medical treatment for such disability, and for other purposes (Rept. No. 114–89).

By Mr. THUNE, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 764. A bill to reauthorize and amend the National Sea Grant College Program Act, and for other purposes (Rept. No. 114–90).

S. 834. A bill to amend the law relating to sport fish restoration and recreational boating safety, and for other purposes (Rept. No. 114–91).

H.R. 720. A bill to improve intergovernmental planning for and communication during security incidents at domestic airports, and for other purposes (Rept. No. 114–92).

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. MCCAIN for the Committee on Armed Services.

Air Force nomination of Maj. Gen. John N. T. Shanahan, to be Lieutenant General.

Army nomination of Maj. Gen. Michael X. Garrett, to be Lieutenant General.

Navy nomination of Capt. Darse E. Crandall, to be Rear Admiral (lower half).

Navy nomination of Rear Adm. Joseph E. Tofalo, to be Vice Admiral.

Air Force nomination of Gen. Paul J. Selva, to be General.

Marine Corps nomination of Gen. Joseph F. Dunford, Jr., to be General.

Air Force nomination of Gen. Darren W. McDew, to be General.

Air Force nomination of Maj. Gen. David J. Buck, to be Lieutenant General.

Air Force nomination of Lt. Gen. Tod D. Wolters, to be Lieutenant General.

Air Force nomination of Lt. Gen. Russell J. Handy, to be Lieutenant General.

Air Force nomination of Col. Frank H. Stokes, to be Brigadier General.

Air Force nomination of Lt. Gen. John W. Raymond, to be Lieutenant General.

Army nomination of Col. James E. Porter, Jr., to be Brigadier General.

Army nomination of Maj. Gen. Robert P. Ashley, Jr., to be Lieutenant General.

Army nomination of Maj. Gen. Daniel R. Hokanson, to be Lieutenant General.

Navy nomination of Rear Adm. Kevin D. Scott, to be Vice Admiral.

Navy nomination of Rear Adm. Kevin M. Donegan, to be Vice Admiral.

Army nomination of Maj. Gen. Michael H. Shields, to be Lieutenant General.

Army nomination of Brig. Gen. Victor J. Braden, to be Major General .

Navy nomination of Rear Adm. Richard P. Breckenridge, to be Vice Admiral.

Air Force nominations beginning with Colonel David W. Ashley and ending with Colonel Richard W. Wedan, which nominations were received by the Senate and appeared in the Congressional Record on July 9, 2015. (minus 1 nominee: Colonel Robert A. Meyer, Jr.)

Air Force nomination of Col. Steven A. Schaick, to be Brigadier General.

Army nomination of Col. Jeffrey A. Doll, to be Brigadier General.

Air Force nomination of Lt. Gen. Carlton D. Everhart II, to be General.

Air Force nomination of Col. Dondi E. Costin, to be Major General.

Army nomination of Maj. Gen. Stephen R. Lyons, to be Lieutenant General.

Navy nomination of Rear Adm. John C. Aquilino, to be Vice Admiral.

Navy nomination of Vice Adm. Robert L. Thomas, Jr., to be Vice Admiral.

Marine Corps nomination of Maj. Gen. Lawrence D. Nicholson, to be Lieutenant General.

Mr. MCCAIN. Mr. President, for the Committee on Armed Services I report favorably the following nomination lists which were printed in the RECORD on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

Air Force nomination of Robert B. A. MacGregor, to be Major.

Air Force nominations beginning with Jane E. Boomer and ending with Matthew D. Van Dalen, which nominations were received by the Senate and appeared in the Congressional Record on June 24, 2015.

Air Force nominations beginning with Afsana Ahmed and ending with Reggie D. Yager, which nominations were received by the Senate and appeared in the Congressional Record on June 24, 2015.

Air Force nominations beginning with John C. Rockwell and ending with Stephen J. Torres, which nominations were received by the Senate and appeared in the Congressional Record on June 24, 2015.

Air Force nominations beginning with Ana M. Apoltan and ending with Aldo Ttinoco, which nominations were received by the Senate and appeared in the Congressional Record on June 24, 2015.

Air Force nominations beginning with Brian H. Adams and ending with Mary Jean Wood, which nominations were received by the Senate and appeared in the Congressional Record on June 24, 2015.

Air Force nominations beginning with Allen Kipp Albright and ending with Bradley Duncan White, which nominations were received by the Senate and appeared in the Congressional Record on July 15, 2015.

Army nomination of David G. Jones, to be Colonel.

Army nomination of Raymond L. Phua, to be Colonel.

Army nomination of John M. Bradford, to be Major.

Army nominations beginning with Steve J. Chun and ending with Benjamin R. Siebert, which nominations were received by the Senate and appeared in the Congressional Record on June 24, 2015.

Army nomination of Steven L. Isenhour, to be Colonel.

Army nomination of Joseph D. Gramling, to be Colonel.

Army nomination of Mark S. Snyder, to be Colonel.

Army nomination of Keith J. McVeigh, to be Colonel.

Army nomination of Lisa M. Stremel, to be Major.

Army nominations beginning with Michael N. Cleveland and ending with Michael W. Summers, which nominations were received by the Senate and appeared in the Congressional Record on June 24, 2015.

Army nominations beginning with Matthew H. Brooks and ending with Jay D. Hanson, which nominations were received by the Senate and appeared in the Congressional Record on June 24, 2015.

Army nominations beginning with Gil A. Diazcruz and ending with Soliman G. Valdez, which nominations were received by the Senate and appeared in the Congressional Record on June 24, 2015.

Army nominations beginning with Nicholas R. Cabano and ending with James W. Pratt, which nominations were received by the Senate and appeared in the Congressional Record on July 8, 2015.

Army nominations beginning with Kimberly D. Brenda and ending with Carrie A. Storer, which nominations were received by the Senate and appeared in the Congressional Record on July 8, 2015.

Army nominations beginning with Eric J. Ansorge and ending with D011713, which nominations were received by the Senate and appeared in the Congressional Record on July 8, 2015.

Army nominations beginning with John L. Ament and ending with Wendy G. Woodall, which nominations were received by the Senate and appeared in the Congressional Record on July 8, 2015.

Army nomination of Laura M. Hudson, to be Major.

Army nomination of Mark R. Read, to be Colonel.

Marine Corps nomination of John R. Barclay, to be Lieutenant Colonel.

Navy nomination of Thomas F. Murphy III, to be Captain.

Navy nominations beginning with Arslan S. Chaudhry and ending with Andrew D. Silvestri, which nominations were received by the Senate and appeared in the Congressional Record on June 24, 2015.

Navy nomination of Benjamin M. Boche, to be Lieutenant Commander.

Navy nomination of Michael J. Elliott, to be Captain.

Navy nominations beginning with Christopher N. Andrews and ending with Nicholas J. Vandyke, which nominations were received by the Senate and appeared in the Congressional Record on July 8, 2015.

By Mr. GRASSLEY for the Committee on the Judiciary.

Michael C. McGowan, of Delaware, to be United States Marshal for the District of Delaware, for the term of four years.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. HOEVEN (for himself, Ms. STABENOW, Ms. HEITKAMP, Mr. GRASSLEY, Ms. KLOBUCHAR, Mr. THUNE, Mr. BROWN, Mr. ENZI, and Mr. ROUNDS):

S. 1844. A bill to amend the Agricultural Marketing Act of 1946 to provide for voluntary country of origin labeling for beef, pork, and chicken; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. HATCH:

S. 1845. A bill to amend the Wild Free-Roaming Horses and Burros Act to provide for State and tribal management and protection of wild free-roaming horses and burros, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. JOHNSON (for himself and Mr. CRUZ):

S. 1846. A bill to amend the Homeland Security Act of 2002 to secure critical infrastructure against electromagnetic threats, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. SCHATZ (for himself, Ms. WARREN, Mr. BLUMENTHAL, Mr. SANDERS, Mr. MERKLEY, and Mrs. MCCASKILL):

S. 1847. A bill to enhance the accuracy of credit reporting and provide greater rights to consumers who dispute errors in their credit reports, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. LEE (for himself and Mr. CORNYN):

S. 1848. A bill to amend the Federal Reserve Act to improve the functioning and transparency of the Board of Governors of the Federal Reserve System and the Federal Open Market Committee, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. MURKOWSKI (for herself, Mr. INHOFE, Mr. PAUL, Mr. CASSIDY, and Mr. BARRASSO):

S. 1849. A bill to amend title XVIII of the Social Security Act to establish a Medicare payment option for patients and eligible professionals to freely contract, without penalty, for Medicare fee-for-service items and services, while allowing Medicare beneficiaries to use their Medicare benefits; to the Committee on Finance.

By Mr. CASEY (for himself and Mr. PAUL):

S. 1850. A bill to amend the Juvenile Justice and Delinquency Prevention Act of 1974 to eliminate the use of valid court orders to secure lockup of status offenders, and for other purposes; to the Committee on the Judiciary.

By Mr. SCHUMER (for himself and Mr. CORNYN):

S. 1851. A bill to amend the Juvenile Justice and Delinquency Prevention Act of 1974 to require States to eliminate the use of restraints on pregnant juveniles in State correction facilities, and for other purposes; to the Committee on the Judiciary.

By Mr. CASEY:

S. 1852. A bill to amend title XIX of the Social Security Act to ensure health insurance coverage continuity for former foster youth; to the Committee on Finance.

By Mr. CRUZ:

S. 1853. A bill to limit the availability of funding for contributions to the United Nations if the arms embargo on Iran pursuant to United Nations Security Council Resolutions 1747 and 1929 is lifted; to the Committee on Foreign Relations.

By Mr. BOOKER:

S. 1854. A bill to amend title 39, United States Code, to improve the United States

Postal Service, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Ms. HIRONO (for herself, Mr. RUBIO, Mr. MENENDEZ, and Mr. JOHNSON):

S. 1855. A bill to provide special foreign military sales status to the Philippines; to the Committee on Foreign Relations.

By Mr. BLUMENTHAL (for himself, Mrs. MURRAY, Mr. SANDERS, Mr. BROWN, Mr. TESTER, and Ms. HIRONO):

S. 1856. A bill to amend title 38, United States Code, to provide for suspension and removal of employees of the Department of Veterans Affairs for performance or misconduct that is a threat to public health or safety and to improve accountability of employees of the Department, and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. FISCHER (for herself, Ms. AYOTTE, and Mr. SCOTT):

S. 1857. A bill to amend the Small Business Act to provide for expanded participation in the microloan program, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. MERKLEY (for himself, Ms. BALDWIN, Mr. BOOKER, Mr. BENNET, Mr. BLUMENTHAL, Mrs. BOXER, Mr. BROWN, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. COONS, Mr. DURBIN, Mrs. FEINSTEIN, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. HEINRICH, Ms. HIRONO, Mr. KAINE, Mr. KING, Ms. KLOBUCHAR, Mr. LEAHY, Mr. MARKEY, Mrs. MCCASKILL, Mr. MENENDEZ, Ms. MIKULSKI, Mr. MURPHY, Mrs. MURRAY, Mr. PETERS, Mr. REED, Mr. REID, Mr. SANDERS, Mr. SCHATZ, Mr. SCHUMER, Mrs. SHAHEEN, Ms. STABENOW, Mr. UDALL, Mr. WARNER, Ms. WARREN, Mr. WHITEHOUSE, and Mr. WYDEN):

S. 1858. A bill to prohibit discrimination on the basis of sex, gender identity, and sexual orientation, and for other purposes; to the Committee on the Judiciary.

By Mr. UDALL:

S. 1859. A bill to assure equity in contracting between the Federal Government and small business concerns, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. DURBIN (for himself and Mr. LEAHY):

S. 1860. A bill to protect and promote international religious freedom; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Ms. AYOTTE (for herself, Ms. STABENOW, Ms. BALDWIN, Mrs. BOXER, Mr. BROWN, Mr. BURR, Mr. COONS, Mr. DURBIN, Mrs. FEINSTEIN, Mr. MORAN, Mr. PETERS, Mr. RUBIO, Mr. SCHUMER, and Mr. MENENDEZ):

S. Res. 228. A resolution designating September 2015 as ''National Ovarian Cancer Awareness Month''; to the Committee on the Judiciary.

By Mr. WARNER (for himself, Ms. MIKULSKI, Mr. BURR, Mrs. FEINSTEIN, Mr. BLUNT, Mr. RISCH, Mr. DURBIN, Mr. KAINE, Mr. KING, Mr. RUBIO, Mr. WHITEHOUSE, Mr. LANKFORD, Mr. HEINRICH, Mr. COTTON, and Ms. HIRONO):

S. Res. 229. A resolution designating July 26, 2015, as ''United States Intelligence Professionals Day''; considered and agreed to.

ADDITIONAL COSPONSORS

S. 174

At the request of Mr. WHITEHOUSE, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 174, a bill to end offshore tax abuses, to preserve our national defense and protect American families and businesses from devastating cuts, and for other purposes.

S. 284

At the request of Mr. CARDIN, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 284, a bill to impose sanctions with respect to foreign persons responsible for gross violations of internationally recognized human rights, and for other purposes.

S. 314

At the request of Mr. GRASSLEY, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 314, a bill to amend title XVIII of the Social Security Act to provide for coverage under the Medicare program of pharmacist services.

S. 512

At the request of Mr. HATCH, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 512, a bill to amend title 18, United States Code, to safeguard data stored abroad from improper government access, and for other purposes.

S. 571

At the request of Mr. INHOFE, the names of the Senator from Iowa (Mrs. ERNST) and the Senator from Iowa (Mr. GRASSLEY) were added as cosponsors of S. 571, a bill to amend the Pilot's Bill of Rights to facilitate appeals and to apply to other certificates issued by the Federal Aviation Administration, to require the revision of the third class medical certification regulations issued by the Federal Aviation Administration, and for other purposes.

S. 804

At the request of Ms. COLLINS, the names of the Senator from New Jersey (Mr. BOOKER) and the Senator from Montana (Mr. TESTER) were added as cosponsors of S. 804, a bill to amend title XVIII of the Social Security Act to specify coverage of continuous glucose monitoring devices, and for other purposes.

S. 812

At the request of Mr. MORAN, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 812, a bill to enhance the ability of community financial institutions to foster economic growth and serve their communities, boost small businesses, increase individual savings, and for other purposes.

S. 862

At the request of Ms. MIKULSKI, the names of the Senator from New York (Mr. SCHUMER) and the Senator from Washington (Ms. CANTWELL) were added as cosponsors of S. 862, a bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes.

S. 864

At the request of Mrs. BOXER, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 864, a bill to amend the Public Health Service Act to establish direct care registered nurse-to-patient staffing ratio requirements in hospitals, and for other purposes.

S. 928

At the request of Mrs. GILLIBRAND, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 928, a bill to reauthorize the World Trade Center Health Program and the September 11th Victim Compensation Fund of 2001, and for other purposes.

S. 993

At the request of Mr. FRANKEN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 993, a bill to increase public safety by facilitating collaboration among the criminal justice, juvenile justice, veterans treatment services, mental health treatment, and substance abuse systems.

S. 1143

At the request of Ms. CANTWELL, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1143, a bill to make the authority of States of Washington, Oregon, and California to manage Dungeness crab fishery permanent and for other purposes.

S. 1169

At the request of Mr. WHITEHOUSE, the names of the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. 1169, a bill to reauthorize and improve the Juvenile Justice and Delinquency Prevention Act of 1974, and for other purposes.

S. 1170

At the request of Mrs. FEINSTEIN, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 1170, a bill to amend title 39, United States Code, to extend the authority of the United States Postal Service to issue a semipostal to raise funds for breast cancer research, and for other purposes.

S. 1345

At the request of Mrs. SHAHEEN, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 1345, a bill to amend title XVIII of the Social Security Act to improve access to diabetes self-management training by authorizing certified diabetes educators to provide diabetes self-

management training services, including as part of telehealth services, under part B of the Medicare program.

S. 1387

At the request of Mr. BROWN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1387, a bill to amend title XVI of the Social Security Act to update eligibility for the supplemental security income program, and for other purposes.

S. 1608

At the request of Mrs. FEINSTEIN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 1608, a bill to protect the safety of the national airspace system from the hazardous operation of consumer drones, and for other purposes.

S. 1640

At the request of Mr. SESSIONS, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 1640, a bill to amend the Immigration and Nationality Act to improve immigration law enforcement within the interior of the United States, and for other purposes.

S. 1641

At the request of Ms. BALDWIN, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1641, a bill to improve the use by the Department of Veterans Affairs of opioids in treating veterans, to improve patient advocacy by the Department, and to expand availability of complementary and integrative health, and for other purposes.

S. 1648

At the request of Mr. GRASSLEY, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 1648, a bill to amend title XVIII of the Social Security Act to create a sustainable future for rural healthcare.

S. 1659

At the request of Mr. LEAHY, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 1659, a bill to amend the Voting Rights Act of 1965 to revise the criteria for determining which States and political subdivisions are subject to section 4 of the Act, and for other purposes.

S. 1688

At the request of Mr. CARPER, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 1688, a bill to provide for the admission of the State of New Columbia into the Union.

S. 1704

At the request of Mr. BARRASSO, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1704, a bill to amend the Indian Tribal Justice Act to secure urgent resources vital to Indian victims of crime, and for other purposes.

S. 1746

At the request of Mr. CARDIN, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 1746, a bill to require the Office of Personnel Management to provide complimentary, comprehensive identity protection coverage to all individuals whose personally identifiable information was compromised during recent data breaches at Federal agencies.

S. 1785

At the request of Mr. LEE, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 1785, a bill to repeal the wage rate requirements of the Davis-Bacon Act.

S. 1812

At the request of Mr. GRASSLEY, the name of the Senator from Louisiana (Mr. CASSIDY) was added as a cosponsor of S. 1812, a bill to protect public safety by incentivizing State and local law enforcement to cooperate with Federal immigration law enforcement to prevent the release of criminal aliens into communities.

S. 1814

At the request of Mr. VITTER, the name of the Senator from Louisiana (Mr. CASSIDY) was added as a cosponsor of S. 1814, a bill to withhold certain Federal funding from sanctuary cities.

S. 1832

At the request of Mr. SANDERS, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1832, a bill to provide for increases in the Federal minimum wage.

S. 1836

At the request of Mr. LANKFORD, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 1836, a bill to provide for a moratorium on Federal funding to Planned Parenthood Federation of America, Inc.

S. RES. 226

At the request of Mr. CRUZ, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. Res. 226, a resolution expressing the sense of the Senate that the street between the intersections of 16th Street, Northwest and Fuller Street, Northwest and 16th Street, Northwest and Euclid Street, Northwest in Washington, District of Columbia, should be designated as ''Oswaldo Paya Way''.

AMENDMENT NO. 2268

At the request of Mr. PAUL, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of amendment No. 2268 intended to be proposed to H.R. 22, a bill to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

AMENDMENT NO. 2272

At the request of Mr. TESTER, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of amendment No. 2272 intended to be proposed to H.R. 22, a bill to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

AMENDMENT NO. 2276

At the request of Mr. PAUL, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of amendment No. 2276 intended to be proposed to H.R. 22, a bill to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

AMENDMENT NO. 2281

At the request of Mr. LEE, the names of the Senator from Georgia (Mr. PERDUE) and the Senator from Idaho (Mr. RISCH) were added as cosponsors of amendment No. 2281 intended to be proposed to H.R. 22, a bill to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. HOEVEN (for himself, Ms. STABENOW, Ms. HEITKAMP, Mr. GRASSLEY, Ms. KLOBUCHAR, Mr. THUNE, Mr. BROWN, Mr. ENZI, and Mr. ROUNDS):

S. 1844. A bill to amend the Agricultural Marketing Act of 1946 to provide for voluntary country of origin labeling for beef, pork, and chicken; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. HOEVEN. Mr. President, today I filed, along with a bipartisan group of cosponsors, the Voluntary Country of Origin Labeling and Trade Enhancement Act of 2015. I wish to thank the cosponsors on the legislation. The lead cosponsor on the Democratic side is Senator DEBBIE STABENOW, ranking member on the Senate Agriculture Committee. Also joining us in this bipartisan group are Senator JOHN THUNE from South Dakota, another member of the agriculture committee, Senator AMY KLOBUCHAR, Senator CHUCK GRASSLEY, Senator HEIDI HEITKAMP, Senator MIKE ENZI, and Senator

SHERROD BROWN. With the exception of Senator ENZI, all of the cosponsors are members of our agriculture committee.

What we are trying to do is come up with a solution to the country-of-origin labeling issue. This is an issue that has been in a WTO court for some time and involves the United States, Canada, and Mexico, our very good trading partners. Essentially what we are working to do is to find a solution that addresses the WTO issues as far as country-of-origin labeling in a way that makes sure that we are WTO compliant so that there are no duties or tariffs that can be levied against any of our agricultural exports or any other exports. At the same time, for those who want to use country-of-origin labeling on a voluntary basis, they are able to do so. That would preserve what is known as the ''Grade A'' label, which simply means born, raised, and slaughtered or processed in the United States. So for beef, pork, and chicken, if it is born and raised and processed in the United States, one can still use that ''Grade A'' label, but it is a voluntary program, it is not a mandatory program. We do that purposely so that we meet the WTO requirements. I have spoken with the U.S. Trade Representative's office about that issue, which I will go into in just a minute.

What we have done is we have simply taken the House legislation—sponsored by the Agriculture Committee chairman in the House, Representative MIKE CONAWAY, which passed in the House—essentially, we take the same bill, the same language as far as repealing mandatory COOL. So we repeal mandatory COOL, which puts us in compliance with what the WTO is asking for, then we simply add some language that allows for a voluntary program, so that for processors, marketers, and producers that want to participate in a voluntary program, they can. If they believe consumers want to know, then they have that opportunity to provide their product with the ''Grade A'' label on a voluntary basis. That is reasonable because that is what Canada does. Canada has a voluntary program. It is called their ''Product of Canada'' label. So all we are doing is what Canada does. We repeal the mandatory program and we put in place a voluntary program just as our good friends and neighbors do in Canada.

When I spoke with the U.S. Trade Representative about this issue, essentially what they said is whether we repeal mandatory COOL by itself or repeal mandatory COOL and have a voluntary program, essentially we are in the same position vis-a-vis meeting the WTO requirements.

So this is really an effort to build bipartisan support for a solution to the COOL issue, which has been a challenging issue. This is an issue we worked on on the farm bill. I was one of the conferees on the conference committee, and COOL and some of the other issues were some of the last—dairy, for example—issues we were able to resolve in finally getting an agreement on a farm bill.

Again, this is an effort in a practical way to bring people together on both sides of the issue to solve the problem. We make sure we are WTO compliant. Then, on a voluntary basis, there is the option for people to label as they want to. We work to create enough bipartisan support in this body so we can deal with the issue now, so we can resolve the issue now and pass this legislation and then get it to conference with the House and have a resolution before the end of this month and before the August recess so that this issue is taken care of.

I look forward to working with everybody involved on both sides of the aisle, including our esteemed chairman of the Agriculture Committee, Senator ROBERTS. I appreciate all the time we have spent working together on this issue. I look forward to working with Members on both sides of the aisle, both on the Agriculture Committee and everyone else, to craft a solution, advance it through this body, and get it to conference with the House.

As I said, I have spoken with Chairman CONAWAY, the Agriculture Committee chairman in the House. We have a good relationship, and we had a good dialogue about the sooner we get to work together to resolve this, the better, and we look forward to that.

Again, I ask my colleagues to join with us, our bipartisan group, in a bipartisan way. Let's get this done and make sure we not only have addressed the issue with the World Trade Organization court so there are no duties but also make sure we have put forward a solution that works for the American consumer and for the American agriculture industry, that on a voluntary basis gives them the opportunity to provide country-of-origin labeling as well as solving the WTO challenge.

By Mr. BLUMENTHAL (for himself, Mrs. MURRAY, Mr. SANDERS, Mr. BROWN, Mr. TESTER, and Ms. HIRONO):

S. 1856. A bill to amend title 38, United States Code, to provide for suspension and removal of employees of the Department of Veterans Affairs for performance or misconduct that is a threat to public health or safety and to improve accountability of employees of the Department, and for other purposes; to the Committee on Veterans' Affairs.

Mr. BLUMENTHAL. Mr. President, going back to my colleagues who have appeared to talk about issues of accountability for the Department of Veterans Affairs, I want to say how grateful I am for the spirit of collaboration that prevailed yesterday in our meeting.

Very generously and responsibly, the chairman of that committee, Senator ISAKSON—my good friend and distinguished colleague from Georgia—offered and committed to continue the effort to improve the measures we approved yesterday in our committee to hold accountable the Department of Veterans Affairs and all of its employees—just as we do any other agency of government—to make sure we keep faith with our veterans and leave no veteran behind.

Our Nation needs to make sure we provide the robust resources and the prompt delivery of health care services and other measures to our veterans with the honest and efficient management our veterans deserve.

So many of us were repulsed and outraged by the revelation just a little more than 1 year ago about delays in health care, irresponsible and reprehensible and, indeed, criminal obstruction of justice in cooking the books that prevailed at health care facilities of the Department of Veterans Affairs around the country, and the ramifications were sweeping. There were indeed changes in management, beginning at the very top, with a new Secretary. There were also measures approved by this Congress in the last session, the Veterans Access, Choice and Accountability Act, to make sure no veteran suffering 30 days or more in delays in health care be denied a private provider if he or she chooses one or is living more than 40 miles from any facility.

We are working on additional measures, constructive and positive measures, to make sure this Nation fulfills its promise of prompt, world-class, first-class health care to every veteran who needs it, regardless of what that need is, the specialty or the illness, and to make sure we also cure the other deficiencies, such as the delays in disability claims, homelessness, joblessness, the need for job training and skills among our veterans.

Part of our task is accountability to make sure members of the Department of Veterans Affairs are held accountable. That is one reason why I insisted and urged from the very beginning of those revelations of wrongdoing and criminality in the Department of Veterans Affairs that there be a Department of Justice investigation. I called on the Attorney General of the United States to investigate, not the inspector general of the Department of Veterans Affairs, the Attorney General of the United States because only the Department of Justice has the resources and expertise, direction, and leadership to successfully pursue the wide-ranging criminality and wrongdoing that I thought was revealed.

For all of us who hope there is honesty and fair dealing in our government, regrettably there has now been a criminal indictment. The indications

are that more should follow, that there was and is reason for a Department of Justice investigation, that there are and need to be continued reports and results of the IG investigation. I have called in hearing after hearing that we be given those reports and results of the ongoing inspector general investigation, and we still are lacking in the full work product from that office. There is clearly more work to be done on the wrongdoing that has been committed in the past, and there is clearly more work to be done to prevent it in the future.

Part of what needs to be done is to protect the whistleblowers. Indeed, those revelations of wrongdoing came in part from whistleblowers who had the courage and fortitude to step forward and who were intimidated and ostracized and sometimes persecuted within the VA. They need protection. One part of what we need to do is to make sure they are protected.

There ought to be accountability going forward in disciplining employees within the VA when there is malfeasance or waste or fraud. That involves eliminating some of the redtape and rigaramole that in the past have hampered the VA Secretary or other managers in making sure that there is accountability. That is why I welcome the focus of our committee on assuring accountability and transparency.

Those changes in the law are necessary to enable the VA Secretary and his team to make sure that there is not only accurate and effective prompt discipline but also the appearance of it so that employees at the VA will know that there is a standard of conduct and it will be enforced and it will be upheld in the courts when it is challenged. That is true not only in the VA but of every department of the U.S. Government. There needs to be that perception and reality of the enforcement of codes of conduct and ethics.

There needs to be a recognition that it is in the interest not only of the American taxpayer but the employees of the U.S. Government themselves. The majority of them are honest and hard-working. Those nurses, counselors, therapists, doctors, and administrators at the VA who are doing their job—in fact, working overtime often without additional pay—who are serving valiantly and responsibly, their clients deserve that wrongdoers be rooted out and held accountable. They are the vast majority of those honest and hard-working employees, and we owe them thanks for what they do to serve our veterans, but the wrongdoers need to be disciplined.

The idea that they should receive bonuses is absolutely abhorrent. I welcome legislation that stops bonuses for employees who fail the most basic notions of effective and honest service. They deserve that those bonuses be stopped.

My colleague Senator ISAKSON has spoken about S. 627, the bill that has been sponsored by Senator AYOTTE and was approved yesterday. I want to make sure in the improvements I am going to offer to it and that my colleague Senator BROWN offered yesterday—that we actually make it more effective. That is the nature of this deliberative process, that we try to improve on what we are doing to make enforcement more effective.

I know as an enforcer, as a former U.S. attorney and a Federal and State official, enforcement is key to making the law work. The same is true of S. 1082, sponsored by our colleague Senator RUBIO, which also was approved yesterday by our committee. I have offered a bill that will improve the measure we approved yesterday in a number of different respects.

First of all, there are serious questions about the constitutionality of the provision approved yesterday. I think in fairness to all of the American taxpayers as well as this body, we should face whatever deficiencies there are constitutionally in the law before that law becomes unenforceable.

The importance of making sure a law is constitutional goes to enforcement. A law that is unconstitutional, that fails to provide sufficient notice, a statement of causes, a right to be heard, an opportunity to achieve basic constitutional protection that the U.S. Security Court has repeatedly said is necessary, those deficiencies can make law unenforceable.

As I said yesterday in our committee meeting, as a former attorney general, and there are others in this body, we know how difficult the task is to defend a law or defend State action that is based on a constitutional and firm statute.

A law that is unenforceable is worse than no law at all because it creates a false sense of security, an expectation that never can be fulfilled because a law that is unenforceable will never be effective in preventing the wrong that it is designed to do.

I want to improve S. 1082—in fact, to make it more effective—but to make sure it is done in a way that can be upheld, also to protect those whistleblowers, and to make sure that if there are firings and disciplines, it is done on the merits, that it is done on the basis of real cause and evidence, not as part of a political witch hunt.

We have been through the spoils system. This Nation has lived through a time when, in effect, offices were bought and sold. That certainly is nobody's intention here, and I am sure my colleagues and I can work together to move toward a measure that fulfills our common shared objective in making sure that merit and effective action is rewarded with bonuses and through other means and that wrongdoing is punished and deterred.

There can be no enforcement unless the law is framed as well as possible, and there can be no deterrence unless there is enforcement. That is what we want to do: prevent this kind of wrongdoing going forward, not just looking backward and pursuing and prosecuting the wrongdoers, which I hope will be done. There is more than ample evidence to support it but also to prevent it going forward.

I am tremendously heartened by our committee chairman's commitment to work with me and others on that committee. He said to me very explicitly, and it is on the record, that he will, in fact, work with us. We will engage in collaboration.

I think we are going to improve these measures. They may not be huge or sweeping changes in what we approved yesterday, but we all know that words can sometimes lead to courts concluding that there are defects in the law that were never intended by the Framers. That is a consequence, an unintended result that we should avoid if possible. It may seem like lawyer talk, but it has ramifications in the courts. That is the reason we heard from the DAV at our June 24 hearing that it is ''vitally important to VA's long-term future to create an environment in which the best and brightest professionals choose VA over other Federal or private employers.''

We need those best of the best in the VA, not working in the private sector alone. Fairness and due process in our workplace will encourage talented doctors, lawyers, nurses, and other professionals to come to the VA, which is where we need them, for the strength of that system.

As the independent U.S. Merit Systems Protection Board stated in its statement for the record in the committee's June 24th hearing, there is a need to follow and respect constitutional due process. The Partnership for Public Service said much of the same thing in this letter of July 21, 2015.

Mr. President, I ask unanimous consent that the letter be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

PARTNERSHIP FOR PUBLIC SERVICE,
Washington DC, July 21, 2015.

SENATE COMMITTEE ON VETERANS AFFAIRS,
U.S. Senate, Washington, DC.

DEAR MEMBERS OF THE SENATE VETERANS AFFAIRS COMMITTEE: On behalf of the Partnership for Public Service, a nonpartisan, nonprofit organization dedicated to improving the effectiveness of our federal government, I am writing to express my views on S. 1082, the Department of Veterans Affairs Accountability Act of 2015, and a substitute amendment to be offered by Senator Blumenthal, which would address employee accountability and broader management challenges at the Department of Veterans Affairs (VA).

As members of the Senate Veterans Affairs Committee, you have a unique opportunity

to fix serious problems at the Department and improve the ability of the Department to deliver on its mission to provide high-quality services to veterans. Unfortunately, the reforms promoted in S. 1082 will not accomplish these objectives. As drafted, the bill eliminates due process protections for employees—which will silence the very whistleblowers we rely on to sound the alarm—and could lead to removals for partisan or discriminatory reasons. The bill will also have an adverse impact on the ability of VA to recruit and retain top talent, as seasoned reformers may be less inclined to pursue VA leadership positions without due process protections. In addition, the bill expedites the appeals process without providing additional resources, which, according to a statement for the record from the Merit Systems Protection Board (MSPB), could overwhelm MSPB's capacity to manage its workload.

The Partnership strongly agrees that poor performance is a real problem at VA and that federal employees at all agencies must be held accountable for their performance and conduct. We have recommended dozens of reforms to the current civil service system that, we believe, will lead to a better managed government and a higher performing workforce. However, moving to at-will employment will have many unintended consequences and will not solve the critical management challenges that are hobbling VA and jeopardizing the care of our veterans. We believe a better solution lies in Sen. Blumenthal's substitute amendment that would give the Secretary an additional tool to remove individuals who are a threat to public health or safety, and improve the management of the Department.

Among other things, the substitute amendment would do the following:

Hold senior political leaders accountable in performance plans for recruiting and selecting the right people for employment at the agency, engaging and motivating employees, training and developing employees and holding managers accountable for making difficult performance decisions. Accountability for management in government starts at the very top and this provision will ensure all leaders, career and political, are held accountable.

Ensure managers are fully using the probationary period to develop high-potential employees and to remove someone if they are not the right fit for the position. The amendment would require managers to make an affirmative decision as to whether an individual who serves in a probationary period has demonstrated successful performance and should continue past the probationary period. It also requires new supervisors to demonstrate management competencies, in addition to technical skills, in order to remain in a management position.

Require periodic training for managers on the rights of whistleblowers and how to address an employee allegation of a hostile work environment, reprisal or harassment; how to effectively motivate, manage and reward employees; and how to effectively manage employees who are performing at an unacceptable level.

Hold VA managers accountable in performance plans for taking action to address poor performance and misconduct and for taking steps to improve or sustain high levels of employee engagement.

Create a separate promotion track for technical experts so they can advance in their careers without having to go into management positions for which they are ill-suited. Too often we hear that supervisors promote their employees to management positions because they want to pay them more, even when the employees are technical experts who may be uninterested or unskilled in managing people.

Require GAO to study the implementation of Section 707 of the Veterans Access, Choice, and Accountability Act of 2014, which was enacted last year, to understand its impact on performance, accountability, recruitment and retention at VA, particularly at the executive level. The provision would also require GAO to review VA's internal policies for dealing with performance issues and make recommendations for how the Department could expedite the process for addressing performance and misconduct administratively.

The challenges at VA are critical and must be addressed. We encourage the Committee to adopt the substitute amendment and ensure these critical management provisions are included as the bill moves to the floor. Our veterans deserve the very best care and this is the time for real reform, not simple expediency.

Very best wishes,

MAX STIER,
President and CEO.

Mr. BLUMENTHAL. I ask that my colleagues join in this collaboration because I know how deeply you and I feel, how we share that common goal, not just in our committee. I ask that we work to incorporate the measure I have introduced today, S. 1856, with the cosponsorship Senators MURRAY, SANDERS, BROWN, TESTER, and HIRONO, my colleagues on the Veterans' Affairs Committee, the Department of Veterans Affairs Equitable Employee Accountability Act. This measure is introduced today, and it will help us improve and enhance S. 1082 and the supremely important objectives that motivate it.

I thank my colleagues for our work together, and I look forward to pursuing it.

I thank the Presiding Officer, and I yield the floor.

By Mr. MERKLEY (for himself, Ms. BALDWIN, Mr. BOOKER, Mr. BENNET, Mr. BLUMENTHAL, Mrs. BOXER, Mr. BROWN, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. COONS, Mr. DURBIN, Mrs. FEINSTEIN, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. HEINRICH, Ms. HIRONO, Mr. KAINE, Mr. KING, Ms. KLOBUCHAR, Mr. LEAHY, Mr. MARKEY, Mrs. MCCASKILL, Mr. MENENDEZ, Ms. MIKULSKI, Mr. MURPHY, Mrs. MURRAY, Mr. PETERS, Mr. REED, Mr. REID, Mr. SANDERS, Mr. SCHATZ, Mr. SCHUMER, Mrs. SHAHEEN, Ms. STABENOW, Mr. UDALL, Mr. WARNER, Ms. WARREN, Mr. WHITEHOUSE, and Mr. WYDEN):

S. 1858. A bill to prohibit discrimination on the basis of sex, gender identity, and sexual orientation, and for other purposes; to the Committee on the Judiciary.

Mr. MERKLEY. Mr. President, I rise today to introduce the Equality Act of 2015—comprehensive civil rights legislation for our LGBT community.

There are few concepts as fundamentally American as equality. We were founded on this principle with these simple words:

> We hold these truths to be self-evident, that all men are created equal, they are endowed by their Creator with unalienable Rights, that among these are life, liberty, and the pursuit of happiness.

For more than two centuries, we have been working to fulfill that vision of equality. We have taken direct action as a nation so that our laws align more closely with these founding ideals. We have challenged unjust rules and destructive prejudices and chosen to advance basic civil rights.

Martin Luther King put forth the vision that the arc of the moral universe is long but it bends towards justice. He knew that in the 1950s and 1960s Americans were hard at work making that moral arc of the universe bend towards justice. That is the work we continue here in the Senate, here on Capitol Hill, here in the House of Representatives just 100 yards away.

Step by step, stride by stride, the barriers that once prevented people from enjoying the full measure of liberty, the full measure of opportunity, the full measure of equality have broken down.

At the same time, we recognize there is much more to be done to secure that reality for each and every American. In cities and towns across our Nation, many of our citizens do not receive equal treatment, not because of anything they have done but because of who they are—lesbian, gay, bisexual, transgender, whom they love, and who they are.

Yes, we have made progress in advancing rights for the LGBT community. We passed the Matthew Shepard Hate Crimes Prevention Act after I came to the Senate in 2009. We repealed don't ask, don't tell, which prevented all Americans from serving openly in the U.S. military. We reauthorized the Violence Against Women Act, or VAWA, with protections for services for the LGBT community. We passed the Affordable Care Act so that no one could be denied health care because of their sexual orientation or gender identity. And we have seen landmark victories in the Supreme Court, first in the Edith Windsor case when the Court ruled it was unconstitutional for the Federal Government to discriminate and just last month when the Court reaffirmed that ''love is love'' and ensured that marriage equality would come to all 50 States.

That is a significant number of steps, a significant number of strides on the path toward full equality, and it happened in a relatively short period of time. But we are far from where we need to be—full equality for every American. As long as people are afraid

to put their spouse's photo on their desk at work, as long as they are worried about being evicted from their apartment if they do not pretend to be just roommates, we have a lot of work to do.

The harsh reality remains that in far too many States there are still no laws specifically prohibiting discrimination against LGBT Americans. Nearly two-thirds of the LGBT community reports they have faced discrimination in their lives. In Pennsylvania, a transgender woman can be denied service and kicked out of a restaurant just for being who she is and it would be perfectly legal. In Michigan, a newly married couple can be denied the chance to buy their first house just because they are both women and that would be perfectly legal. In North Carolina, a gay man can be fired from his job today just for being gay and that would be perfectly legal.

Only 22 States and the District of Columbia have passed legislation that prevents workers from being fired because they are gay. Only 19 of those States and the District of Columbia include language protecting against gender identity bias.

The time has come to right this wrong. The time has come for us as a nation to be bolder and better at ensuring full rights and full equality for the LGBT community. Not only is it within our power, it is something America must work to lead. And the most powerful form of leadership is the example we set.

In 1962, Bobby Kennedy said:

Nations around the world look to us for leadership not merely by strength of arms, but by the strength of our convictions. We not only want, but we need, the free exercise of rights by every American.

Our commitment to the vision of equality and fairness is a significant part of America's soul. It makes us strong. It makes us who we are as a people. And we should settle for nothing less. These fundamental principles served as the guiding force behind the comprehensive legislation—the Equality Act of 2015—we are introducing today here in the Senate and the House of Representatives.

I thank my lead cosponsors in the Senate, CORY BOOKER and TAMMY BALDWIN, who have done enormous good work in setting the stage for today's introduction.

I thank four staff members who worked very hard on this on my team, including my chief of staff, Michael Zamore; my legislative director, Jeremiah Baumann; my legislative assistant, Adrian Snead; and my legislative correspondent, Elizabeth Eickelberg. There are many other members of the team who pitched in, but they have worked day and night to help make this moment arrive.

We have had support, such critical support and involvement from numerous outside groups.

Mr. President, I ask unanimous consent to have printed in the RECORD a list of dozens of groups endorsing this legislation.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NATIONAL ORGANIZATIONS THAT ENDORSE THE LEGISLATION:

9to5, National Association of Working Women, Advocates for Youth, Aids United, American Civil Liberties Union, American Federation of Teachers, American Federation of Teachers, Anti-Defamation League, Athlete Ally, Bend the Arc Jewish Action, CenterLink: The Community of LGBT Centers, Central Conference of American Rabbis, Family Equality Council, Family Equality Council, Freedom to Work, Generation Progress, GLSEN, Hindu American Foundation, Human Rights Campaign, Interfaith Alliance, JWI.

Lambda Legal, NARAL Pro-Choice America, National Black Justice Coalition, National Center for Lesbian Rights, National Center for Transgender Equality, National Council of La Raza (NCLR), National Education Association, National Education Association, National Employment Law Project, National Gay & Lesbian Chamber of Commerce, National LGBTQ Task Force Action Fund, National Organization for Women, National Partnership for Women & Families, National Women's Law Center, People For the American Way, PFLAG National, PFLAG National, Planned Parenthood Federation of America, Secular Coalition for America, Sexuality Information and Education Council of the U.S. (SIECUS), The Trevor Project, Union for Reform Judaism.

STATE ORGANIZATIONS THAT ENDORSE THE LEGISLATION:

9to5 California, CA; 9to5 Colorado, CO; 9to5 Georgia, GA; 9to5 Wisconsin, WI; Equality Michigan, MI; Equality Michigan, MI; Gender Justice, MN and Upper Midwest; Gender Rights Maryland, MD; PROMO (Missouri), MO; Southwest Women's Law Center, NM.

Mr. MERKLEY. Mr. President, I particularly want to draw attention to several organizations that played a leading role, and I apologize to others that were also very involved. The Human Rights Campaign played a central role in organizing today's introduction. I also thank the American Civil Liberties Union, the National Council of La Raza, the National LGBTQ Task Force Action Fund, the National Women's Law Center, and so many others.

The Equality Act will create uniform Federal standards to protect all LGBT Americans from discrimination in housing, in workplaces, in schools, in public accommodations, and in financial transactions. It is a vision of equality deeply rooted in the 1964 Civil Rights Act. It is setting the same foundation to end discrimination for the LGBT community that was set for ethnicity and set for gender and set for race. That is the foundation for the vision of eliminating discrimination in area after area, and it is time we place LGBT nondiscrimination on that same foundation. That is what we are doing today—comprehensively taking on discrimination.

The bill also addresses gaps in legal protections against sex discrimination—ensuring women are treated equally in all aspects of their lives. The Equal Employment Opportunity Commission and a steadily increasing number of courts have recognized that sexual orientation and gender identity discrimination are properly understood as forms of sex discrimination in light of multiple controlling sex discrimination cases. The EEOC has done this through several decisions, most notably Macy v. Holder in 2012, which held that transgender discrimination is sex discrimination, and Baldwin v. Foxx very recently, which held that sexual orientation discrimination is sex discrimination.

The bill we are introducing today, the Equality Act, codifies this understanding, making it clear that sexual orientation and gender identity are correctly understood as sex discrimination.

In addition, the bill adds the terms ''sexual orientation'' and ''gender identity'' to the list of protected characteristics throughout the code. This change should not be read to mean that sexual orientation and gender identity are not correctly understood as sex discrimination. These additions were made so covered entities as well as LGBT people can clearly see that these protections exist. Employers, businesses, and institutions are often not aware of the decisions by the EEOC and the courts holding that sexual orientation or gender identity are protected.

This bill represents a paradigm shift in two ways. First, our civil rights community has worked incredibly hard to defend the principles established in the 1964 Civil Rights Act, and today we are asking for their engagement to not simply defend this act but to expand this act. Second, we have worked very hard to take on pieces of discrimination, whether it be don't ask, don't tell, whether it be Federal benefits for same-sex partners. But today we are saying we need a vision of comprehensive nondiscrimination. That is the expression of full opportunity. You cannot access full opportunity if the door is closed in financial transactions or jury selection or public accommodations if you can still be turned away from a restaurant because of whom you love or whom you are. Every American deserves equality in every basic function of our society. Discrimination has no place in our Nation's laws.

If it is wrong in marriage, as the Court has held, as numerous States have established, it is wrong also in employment. If it is wrong in employment, it is wrong in housing. If it is wrong in housing, it is wrong, too, in education.

Overwhelmingly, Americans believe discrimination is wrong. Overwhelmingly, they believe it is already illegal, and they believe it has no place in our

society and no place being condoned by our laws.

Even though the Equality Act addresses multiple dimensions of discrimination, it is quite simple. It says that people deserve to live free from fear, free from violence, and free from discrimination, regardless of who they are or whom they love.

Writing these protections into law will bring us another stride forward in our Nation's long march toward inclusion and equality. It will extend the full promise of America to every American. I will keep fighting until this bill is on the President's desk. I will not be satisfied until everyone in the lesbian, gay, bisexual, transgender community is guaranteed the dignity and the freedom they deserve, the whole sense of opportunity provided through participation in American society. A full measure of equality: equal citizen.

I urge all of my colleagues to join me in this fight. I thank the 40 Senators who stood up today to be original cosponsors of the Equality Act of 2015. Let's make our democracy more inclusive and our freedom more perfect by bringing our laws and our actions in line with the founding principle that all are created equal.

Mr. LEAHY. Mr. President, last month, the Supreme Court took a significant step towards a more perfect union when it ruled that every American has the right to marry the person they love and have that lawful marriage recognized. It was a victory for love and justice over bigotry and intolerance. This historic milestone should be celebrated, but we must remember that the journey is not complete. The Fourteenth Amendment's principles of liberty and equality safeguard all couples' right to marry, and also serves as a bulwark against discriminatory treatment in the other aspects of everyday life, including where we live, where we work, and our interactions with the government.

While LGBT Americans are now able to marry the person they love, they continue to experience discrimination in many other aspects of their lives. Achieving full equality means that LGBT individuals should be able to provide security for their families without fear that they will be fired from their jobs or denied housing. It means that a restaurant cannot refuse to serve an LGBT couple because the owner disapproves of that couple's relationship.

These are not abstract concepts. In our country today, LGBT Americans continue to experience discrimination, and it must end. In a June 27 article in the New York Times, entitled ''Next Fight for Gay Rights: Bias in Jobs and Housing,'' the author Erik Eckholm provides clear documentation of such discrimination. A landlord in East Nashville, TN, refused to rent his apartment to two women in a loving relationship after he learned of their partnership because it made him ''uncomfortable.'' He refused their rental application even after they offered to raise the rent by $150. A transgender individual was fired from her job as an industrial electrician because, according to her boss, her identity was becoming ''too much of a distraction,'' in spite of the fact that she was doing ''great work.''

If such discrimination were based on race, religion, sex, or national origin, these individuals would be protected under Federal law. But because Federal civil rights law, as well as many state and local laws, do not provide explicit protections based on sexual orientation and gender identity, these individuals continue to experience discrimination without any legal protection. Their stories show us that LGBT Americans continue to be treated as second class citizens in their daily lives.

That is why I am an original cosponsor of the Equality Act. The bill would amend existing Federal law to provide explicit civil rights protections for LGBT individuals. This non-discrimination bill would ensure that sexual orientation and gender identity are protected under Federal law in the same way that race, sex, religion, national origin, and disability are also protected classes. The result would be to protect LGBT individuals against discrimination in public accommodations, federally-funded programs, employment, housing, education, credit, and other aspects of daily life. This is the kind of equality and security that all American families should enjoy.

I am proud that Vermont was one of the first States to pass a comprehensive law prohibiting discrimination on the basis of sexual orientation in 1992, and also passed a law explicitly prohibiting discrimination on the basis of gender identity in 2007. All Vermonters are protected from discrimination in employment, places of public accommodation, housing, credit, and other services. This is what we need on the Federal level as well.

Mr. President, I ask unanimous consent that the New York Times article referenced above be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Times, June 27, 2015]

NEXT FIGHT FOR GAY RIGHTS: BIAS IN JOBS AND HOUSING

(By Erik Eckholm)

Exhilarated by the Supreme Court's endorsement of same-sex marriage, gay rights leaders have turned their sights to what they see as the next big battle: obtaining federal, state and local legal protections in employment, housing, commerce and other arenas, just like those barring discrimination based on race, religion, sex and national origin.

The proposals pit advocates against many of the same religious conservatives who opposed legalizing same-sex marriage, and who now see the protection of what they call religious liberty as their most urgent task. These opponents argue that antidiscrimination laws will inevitably be used to force religious people and institutions to violate their beliefs, whether by providing services for same-sex weddings or by employing gay men and lesbians in church-related jobs.

Nationally, antidiscrimination laws for gay people are a patchwork with major geographic inequities, said Brad Sears, executive director of the Williams Institute at the School of Law of the University of California, Los Angeles. ''Those who don't live on the two coasts or in the Northeast have been left behind in terms of legal protection,'' he said.

At least 22 states bar discrimination based on sexual orientation, and most of them also offer protections to transgender people.

Tennessee is one of the majority of states that do not bar such discrimination. There, in East Nashville, Tiffany Cannon and Lauren Horbal thought they had found the perfect house to share with a friend, and the landlord seemed ready to rent when they applied in April.

Then he called them to ask what their relationship with each other was, Ms. Horbal, 26, recalled.

She said that when the landlord learned that she and Ms. Cannon, 25, were partners, he said, ''I'm not comfortable with that.'' He refused to process their application, even after they offered to raise their rent by $150, to $700 a month, Ms. Horbal said.

The women, both restaurant workers, are still looking for a place to live.

In many states, some local governments have antidiscrimination laws, but they are often weak or poorly enforced, said Ruth Colker, an expert on discrimination law at Moritz College of Law at Ohio State University.

''Typically, the penalty for violating a city ordinance is more akin to a traffic violation,'' she said. ''State-level penalties can be much more significant.''

As they push for more state and local safeguards, rights advocates are also starting a long-term campaign for a broad federal shield that would give sexual orientation and gender identity protected status under the Civil Rights Act of 1964.

The goal is to achieve overlapping local, state and federal laws, an approach that has proved effective in curbing other kinds of discrimination, said Sarah Warbelow, legal director at the Human Rights Campaign, a gay rights advocacy group. Visible laws can not only permit lawsuits, she said, but also deter employers and others from biased behavior.

Although a majority of states lack such protections, federal orders and court decisions, especially in employment, are gradually offering more safeguards.

With executive orders last year, President Obama barred discrimination based on sexual orientation and gender identity by federal agencies and federal contractors, including companies employing about one in five American workers, Mr. Sears said.

At the same time, the Equal Employment Opportunity Commission, charged with enforcing federal law in the workplace, has determined that discrimination against gay men, lesbians and transgender people amounts to illegal sex discrimination under Title VII of the Civil Rights Act, and it is bringing or endorsing lawsuits under that provision.

That application of existing law is still being tested in court and is more established

for transgender workers than for gay and lesbian workers. In the past two years, the agency has successfully pursued 223 cases involving gay or transgender people who faced workplace harassment or other discrimination, gaining settlements or court orders, said Chai R. Feldblum, one of the agency's five commissioners.

Patricia Dawson of Pangburn, Ark., 46, hopes to join that list. Ms. Dawson, who grew up as Steven, had more than 15 years' experience as an industrial electrician and had been a rising employee at H & H Electric, an industrial contractor, for four years when she informed her boss in 2012 that she was transitioning to female and had changed her name.

The boss, she said in a Title VII-based lawsuit brought by the American Civil Liberties Union, told her to keep her plans secret and not to ''rock the boat'' with clients.

When her identity became obvious and gossip raged at the work site, she said, the boss said to her, ''I'm sorry, Steve, you do great work, but you are too much of a distraction, and I am going to have to let you go.''

Ms. Dawson said she was devastated by her treatment. ''I love what I do; I get the greatest joy out of fixing things,'' she said in an interview. ''Treating us as second-class citizens, it's hurtful.''

Civil rights groups worked for years for an employment antidiscrimination act, an effort that was blocked by House Republicans and collapsed this year over discord about religious exemptions. Buoyed by the rapid advance of same-sex marriage, these groups are now determined to seek a far wider law.

''I think there's a very strong consensus now among advocacy groups that we need a broader bill that puts discrimination based on sexual orientation and gender identity on the same footing as race, religion and gender,'' said Shannon P. Minter, legal director at the National Center for Lesbian Rights.

''No court decision could accomplish all of that,'' Mr. Minter said.

Senator Jeff Merkley, Democrat of Oregon, said he planned to introduce a bill within the next few months to add protections for gays and transgender people to the Civil Rights Act.

''People are going to realize that you can get married in the morning and be fired from your job or refused entry to a restaurant in the afternoon,'' Mr. Merkley said. ''That is unacceptable.''

But the effort will take years, he said, because it appears unlikely that Republican committee heads in Congress will advance such a bill.

In the emerging state-by-state battles for antidiscrimination laws, the strongest opposition has come from conservative religious groups that have been alarmed by a few well-publicized cases, like that of a florist in Washington State who was fined for refusing to provide flowers for a same-sex wedding.

''We've got good reason to be concerned about these laws, because they've been found to be coercive where they've been enacted,'' said Greg Scott, vice president of communications at Alliance Defending Freedom, a Christian legal group.

Russell Moore, president of the Ethics and Religious Liberty Commission of the Southern Baptist Convention, said that it was wrong to equate religious objections to homosexual behavior with racism, and that proposed antidiscrimination laws could ''do more harm than good.''

''Some have suggested that we work out a compromise, addressing housing and employment discrimination and protecting religious freedom for those who dissent from the ideas of the sexual revolution,'' he said. ''But I have yet to see any proposal that would do both of those things well.''

There is some common ground. For example, under the Civil Rights Act, religious organizations have the right to give preference in hiring to those of their faith, Ms. Warbelow of the Human Rights Campaign noted. In housing, federal rules exempt owner-occupied rentals with four or fewer units from discrimination provisions.

''We wouldn't expect these things to change,'' Ms. Warbelow said. ''We really want L.G.B.T. people to be protected the same as those in other protected categories.''

But some disagreements, especially involving private businesses, may be unbridgeable. The major gay and civil rights groups are united in their opposition to ''religious liberty'' bills, a priority of conservative Christian advocates, which would allow religious vendors to refuse to serve gay couples or wedding celebrations.

''Religious liberty does not authorize discrimination,'' said James D. Esseks, the director of gay rights issues at the American Civil Liberties Union.

''It's profoundly harmful to walk into a business open to the public and be told, 'No, we don't actually serve your kind here,' '' he said. ''That's not how America works.''

Mr. REID. Mr. President, I am proud to join in sponsoring the Equality Act.

Last month, the Supreme Court ruled on the right side of history by deciding that loving and committed same-sex couples have the right to be married. While same-sex couples now can be legally wed, Federal law still does not protect them from being fired or evicted from their homes on the basis of their sexual identity or gender identity. The Equality Act addresses this issue and represents a major step forward in protecting the civil rights of all Americans.

At the same time we celebrate this historic bill, we must ensure that religious institutions have the right to their own views of marriage. As the Supreme Court noted in its decision, ''it must be emphasized that religions, and those who adhere to religious doctrines, may continue to advocate with utmost, sincere conviction that, by divine precepts, same-sex marriage should not be condoned.'' I look forward to working with colleagues to address these issues as the bill advances through the legislative process.

By Mr. DURBIN (for himself and Mr. LEAHY):

S. 1860. A bill to protect and promote international religious freedom; to the Committee on the Judiciary.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1860

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Further Independence of Religion for Security and Tolerance Freedom Act of 2015'' or the ''FIRST Freedom Act''.

SEC. 2. FINDINGS; SENSE OF CONGRESS.

(a) FINDINGS.—Congress finds the following:

(1) Many of our Nation's founders fled religious persecution and placed great importance on religious freedom. President George Washington summed up the prevailing view of our founders when he wrote, in 1793, ''in this Land of equal liberty it is our boast, that a man's religious tenets will not forfeit the protection of the Laws''.

(2) In 1791, the First Amendment to the Constitution was ratified, enshrining freedom of religion as the ''First Freedom'' of all Americans and becoming an inspiration to people all over the world who struggle to throw off the yoke of religious persecution.

(3) Throughout our Nation's history, the United States has sought to protect and promote fundamental human rights, including religious freedom, in the United States and throughout the world.

(4) After World War II, under Eleanor Roosevelt's leadership, the United States spearheaded the ratification of the Universal Declaration of Human Rights, adopted at Paris December 10, 1948, which recognized freedom of religion as a fundamental right of all people. Article 18 of that treaty states ''Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.''.

(5) The International Covenant on Civil and Political Rights, adopted at New York December 16, 1966, and which was ratified by the United States in 1992, states, ''Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.''.

(6) Since the enactment of the International Religious Freedom Act of 1998 (Public Law 105–292), referred to in this section as ''IRFA'', which established the Department of State's Office on International Religious Freedom, the Ambassador at Large for International Religious Freedom, and the United States Commission on International Religious Freedom (referred to in this section as ''USCIRF''), the state of religious freedom throughout the world has significantly worsened.

(7) In section 2(a)(4) of IRFA (2 U.S.C. 6401(a)(4)), Congress stated, ''More than one-half of the world's population lives under regimes that severely restrict of prohibit the freedom of their citizens to study, believe, observe, and freely practice the religious faith of their choice.''.

(8) According to ''Rising Tide of Restrictions on Religion,'' the most recent report of the Pew Research Center's Forum on Religion & Public Life, three-quarters of the world's population lives in countries in which restrictions on religion were high or very high.

(9) According to the 2014 USCIRF Annual Report, ''The past 10 years have seen a worsening of the already-poor religious freedom environment in Pakistan, a continued dearth of religious freedom in Turkmenistan, backsliding in Vietnam, rising violations in Egypt before and after the Arab Spring, and Syria's decent [sic] into sectarian civil war

with all sides perpetrating egregious religious freedom violations.''.

(10) Under section 402 of IRFA (22 U.S.C. 6442), the President is required to designate a country as a country of particular concern (referred to in this section as ''CPC'') if the government of the country has engaged in or tolerated systematic, ongoing and egregious violations of religious freedom.

(11) According to the 2015 USCIRF Annual Report, since October 1999, when the first countries were designated as CPCs, ''the list has been largely unchanged. Of the nine countries designated as CPCs in July 2014, most had been named as CPCs for over a decade . . . Since IRFA's inception, only one country has been removed from the State Department's CPC list due to diplomatic activity.'' This track record calls into serious question the utility of the CPC mechanism and the utility of IRFA to improve the state of religious freedom throughout the world.

(12) The United States has a long tradition of providing safe haven to refugees, including members of religious minority groups and those fleeing religious persecution. Following the international community's tragic failure to shelter Jewish refugees fleeing the Nazi genocide, the United States played a leadership role in establishing the international legal regime for the protection of refugees. Since that time, the American people have generously welcomed millions of refugees fleeing war and totalitarian regimes, and the United States traditionally accepts at least 50 percent of resettlement cases handled by the Office of the United Nations High Commissioner for Refugees (referred to in this section as ''UNHCR'').

(13) According to the 2014 UNHCR Global Trends Report, more than 59,500,000 people were forcibly displaced in 2014—

(A) which is equal to 1 displacement for every 122 people worldwide;

(B) which is the most displacements in a year in recorded history;

(C) including—

(i) 38,200,000 individuals who were internally displaced within their own country;

(ii) 19,500,000 refugees; and

(iii) 1,800,000 asylum-seekers;

(D) many of whom were victims of serious human rights violations, including religious persecution; and

(E) many are whom are members of vulnerable populations, including religious minorities.

(14) The ongoing conflict in Syria has led to the world's worst ongoing humanitarian crisis and worst refugee crisis since World War II. More than 50 percent of Syria's 23,000,000 people have been forcibly displaced from their homes and, as of 2015, 20 percent of the world's refugees are Syrians. UNHCR is seeking to resettle 130,000 Syrian refugees during 2015 and 2016, with a particular focus on vulnerable individuals such as religious minorities. Although the United States traditionally accepts at least 50 percent of UNHCR resettlement cases, the United States has only accepted approximately 800 Syrian refugees since the beginning of the Syrian conflict, which is an unacceptably low number.

(15) There are several steps that would facilitate the efforts of the United States Government to protect and provide safe haven to refugees from religious persecution. The 2015 USCIRF Annual Report recommends that Congress ''work to provide the President with permanent authority to designate as refugees specifically-defined groups based on shared characteristics identifying them as targets for persecution on account of race, religion, nationality, membership in a particular social group, or political opinion''.

(16) The United States Government has limited tools to hold accountable the perpetrators of religious freedom violations. Section 604 of IRFA added section 212(a)(2)(G) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(2)(G)), which made foreign government officials who commit particularly severe violations of religious freedom inadmissible to the United States, but it has only been applied once, to deny entry to Narendra Modi, who was Chief Minister of Gujarat, India. In its 2015 Annual Report, USCIRF recommends that the State Department: ''Make greater efforts to ensure foreign government officials are denied entry into the United States due to their inadmissibility under U.S. law for their responsibility for religious freedom violations abroad.'' The effectiveness of this law is also limited because it does not apply to non-state actors, such as international terrorists, and it can only be used to deny entry to a perpetrator who has not yet arrived in the United States, not to deport a perpetrator who has already entered the country.

(17) In the 2015 USCIRF Annual Report, USCIRF recommended that the United States Government ''should call for or support a referral by the UN Security Council to the International Criminal Court to investigate ISIL violations in Iraq and Syria against religious and ethnic minorities, following the models used in Sudan and Libya, or encourage the Iraqi government to accept ICC jurisdiction to investigate ISIL violations in Iraq after June 2014''. Given the weakness of the international criminal justice system, particularly that an ICC referral is subject to a UN Security Council veto, the United States Government should have the ability to prosecute members of ISIL in United States courts for crimes against humanity, including religious persecution.

(18) Under United States law, it is a crime for a non-United States national to commit genocide, torture, terrorism, or several other violations of the law of nations, but it is not a crime under United States law to commit crimes against humanity, including religious persecution. Since the United States Government is unable to prosecute perpetrators of these crimes, many foreign war criminals have found safe haven in this country.

(19) In 2006, the United States Government learned that Marko Boskic, a man who participated in the Srebrenica massacre in the Bosnian conflict, was living in Massachusetts. Rather than charging him with crimes against humanity, or religious persecution, Mr. Boskic was charged with visa fraud and sentenced to only 5 years in prison.

(20) There is bipartisan agreement about the need for the United States Government to promote and protect international human rights, including religious freedom. USCIRF is, by design, a bipartisan organization, with Commissioners appointed by the President and Congressional leaders. USCIRF can most effectively promote religious freedom on a bipartisan basis.

(21) In its 2014 Annual Report entitled ''Additional Opportunities to Reduce Fragmentation, Overlap, and Duplication and Achieve Other Financial Benefits'', which identifies unnecessary duplication in the Federal government, the Government Accountability Office (referred to in this section as ''GAO'')—

(A) highlighted the lack of coordination and overlapping missions of USCIRF and the Office of International Religious Freedom in the Department of State;

(B) found that ''the lack of a definition regarding how State and the Commission are to interact has sometimes created foreign policy tensions that State has had to mitigate.''; and

(C) concluded that the lack of coordination between the USCIRF and the Department of State may undermine the efforts of the United States Government to promote international religious freedom by sending mixed messages to foreign governments and human-rights activists who are fighting to defend religious freedom in their countries.

(22) Congress, which is responsible for overseeing the work of USCIRF and ensuring that it is effectively pursuing its mission, should provide greater oversight of USCIRF's practices, including addressing concerns regarding financial irregularities and the work environment for religious minorities.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the protection and promotion of international human rights, including religious freedom, should be an important priority for the United States Government; and

(2) the United States Government should pursue new strategies for protecting and promoting religious freedom throughout the world, including—

(A) the creation of new tools—

(i) to deter and punish the perpetrators of particularly severe violations of religious freedom, including non-state actors; and

(ii) to protect the victims of such violations; and

(B) increased diplomatic engagement that does not focus primarily on CPC designations.

SEC. 3. ENHANCED PROTECTIONS FOR REFUGEES AND ASYLEES FLEEING RELIGIOUS PERSECUTION.

(a) AUTHORITY TO DESIGNATE CERTAIN GROUPS OF REFUGEES FOR CONSIDERATION.—Section 207(c)(1) of the Immigration and Nationality Act (8 U.S.C. 1157(c)(1)) is amended—

(1) by inserting ''(A)'' before ''Subject to the numerical limitations''; and

(2) by adding at the end the following:

''(B)(i) The Secretary of State, in consultation with the Secretary of Homeland Security, may designate specifically defined groups of aliens—

''(I) whose resettlement in the United States is justified by humanitarian concerns or is otherwise in the national interest; and

''(II) who—

''(aa) share common characteristics that identify them as targets of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion; or

''(bb) having been identified as targets under item (aa), share a common need for resettlement due to a specific vulnerability.

''(ii) An alien who establishes membership in a group designated under clause (i) to the satisfaction of the Secretary of Homeland Security shall be considered a refugee for purposes of admission as a refugee under this section unless the Secretary of Homeland Security determines that such alien ordered, incited, assisted, or otherwise participated in the persecution of any person on account of race, religion, nationality, membership in a particular social group, or political opinion.

''(iii) A designation under clause (i) is for purposes of adjudicatory efficiency and may be revoked by the Secretary of State at any time after notification to Congress.

''(iv) Categories of aliens established under section 599D(b) of the Foreign Operations,

Export Financing, and Related Programs Appropriations Act, 1990 (Public Law 101–167; 8 U.S.C. 1157 note)—

''(I) shall be designated under clause (i) until the end of the first fiscal year commencing after the date of the enactment of the FIRST Freedom Act; and

''(II) shall be eligible for designation thereafter at the discretion of the Secretary of State, considering, among other factors, whether a country under consideration has been designated as a country of particular concern under section 402 of International Religious Freedom Act of 1998 (22 U.S.C. 6442) for engaging in or tolerating systematic, ongoing, and egregious violations of religious freedom.

''(v) A designation under clause (i) shall not influence decisions to grant, to any alien, asylum under section 208, protection under section 241(b)(3), or protection under the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, done at New York December 10, 1984.

''(vi) A decision to deny admission under this section to an alien who establishes to the satisfaction of the Secretary of Homeland Security that the alien is a member of a group designated under clause (i) shall—

''(I) be in writing; and

''(II) state, to the maximum extent feasible, the reason for the denial.

''(vii) Refugees admitted pursuant to a designation under clause (i)—

''(I) shall be subject to the numerical limitations under subsection (a); and

''(II) shall be admissible under this section.''.

(b) TIME LIMITS FOR FILING FOR ASYLUM.—Section 208(a)(2) of the Immigration and Nationality Act (8 U.S.C. 1158(a)(2)) is amended—

(1) in subparagraph (A), by inserting ''or the Secretary of Homeland Security'' after ''Attorney General'' both places such term appears;

(2) by striking subparagraphs (B) and (D);

(3) by redesignating subparagraph (C) as subparagraph (B);

(4) in subparagraph (B), as redesignated, by striking ''subparagraph (D)'' and inserting ''subparagraphs (C) and (D)''; and

(5) by inserting after subparagraph (B), as redesignated, the following:

''(C) CHANGED CIRCUMSTANCES.—Notwithstanding subparagraph (B), an application for asylum of an alien may be considered if the alien demonstrates, to the satisfaction of the Attorney General or the Secretary of Homeland Security, the existence of changed circumstances that materially affect the applicant's eligibility for asylum.

''(D) MOTION TO REOPEN CERTAIN MERITORIOUS CLAIMS.—Notwithstanding subparagraph (B) or section 240(c)(7), an alien may file a motion to reopen an asylum claim during the 2-year period beginning on the date of the enactment of the FIRST Freedom Act if the alien—

''(i) was denied asylum based solely upon a failure to meet the 1-year application filing deadline in effect on the date on which the application was filed;

''(ii) was granted withholding of removal pursuant to section 241(b)(3) and has not obtained lawful permanent residence in the United States pursuant to any other provision of law;

''(iii) is not subject to the safe third country exception under subparagraph (A) or a bar to asylum under subsection (b)(2) and should not be denied asylum as a matter of discretion; and

''(iv) is physically present in the United States when the motion is filed.''.

(c) CONDITIONS FOR GRANTING ASYLUM.—Section 208(b)(1)(B)(i) of the Immigration and Nationality Act (8 U.S.C. 1158(b)(1)(B)(i)) is amended by striking ''at least one central reason for persecuting the applicant'' and inserting ''a factor in the applicant's persecution or fear of persecution''.

(d) STUDY ON THE EFFECT OF EXPEDITED REMOVAL AND PROCESSING DELAYS ON ASYLUM CLAIMS.—

(1) STUDY.—

(A) DEFINITIONS.—In this paragraph—

(i) the term ''immigration officer'' means an officer of the Department of Homeland Security performing duties under section 235(b) of the Immigration and Nationality Act (8 U.S.C. 1225(b)) with respect to aliens who—

(I) are apprehended after entering the United States; and

(II) may be eligible to apply for asylum under section 208 or 235 of such Act; and

(ii) the term ''improper conduct'' means conduct whereby an immigration officer—

(I) improperly encourages an alien described in clause (i) to withdraw or retract claims for asylum;

(II) incorrectly fails to refer such an alien for an interview by an immigration officer to determine whether the alien has a credible fear of persecution (as defined in section 235(b)(1)(B)(v) of such Act (8 U.S.C. 1225(b)(1)(B)(v)));

(III) incorrectly removes such an alien to a country in which the alien may be persecuted; or

(IV) detains such an alien improperly or under inappropriate conditions.

(B) AUTHORIZATION.—The United States Commission on International Religious Freedom (referred to in this section as the ''Commission'') is authorized to conduct a study to determine—

(i) whether immigration officers are engaging in improper conduct; and

(ii) the impact of delays in interviews by immigration officers and immigration court hearings on asylum claims.

(2) REPORT.—Not later than 2 years after the date on which the Commission initiates the study under subsection (a), the Commission shall submit a report containing the results of the study to—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

(B) the Committee on the Judiciary of the Senate;

(C) the Committee on Foreign Relations of the Senate;

(D) the Committee on Homeland Security of the House of Representatives;

(E) the Committee on the Judiciary of the House of Representatives; and

(F) the Committee on Foreign Affairs of the House of Representatives.

(3) STAFF.—

(A) FROM OTHER AGENCIES.—

(i) IDENTIFICATION.—The Commission may identify employees of the Department of Homeland Security, the Department of Justice, and the Government Accountability Office who have significant expertise and knowledge of refugee and asylum issues.

(ii) DESIGNATION.—At the request of the Commission, the Secretary of Homeland Security, the Attorney General, and the Comptroller General of the United States shall authorize staff identified under subparagraph (A) to assist the Commission in conducting the study under paragraph (1).

(B) ADDITIONAL STAFF.—The Commission may hire additional staff and consultants to conduct the study under paragraph (1).

(C) ACCESS TO PROCEEDINGS.—

(i) IN GENERAL.—Except as provided in clause (ii), the Secretary of Homeland Security and the Attorney General shall provide staff designated under subparagraph (A) or hired under subparagraph (B) with unrestricted access to all stages of all proceedings conducted under section 235(b) of the Immigration and Nationality Act (8 U.S.C. 1225(b)).

(ii) EXCEPTIONS.—The Secretary of Homeland Security and the Attorney General may not permit unrestricted access under clause (i) if—

(I) the alien subject to a proceeding under such section 235(b) objects to such access; or

(II) the Secretary or Attorney General determines that the security of a particular proceeding would be threatened by such access.

SEC. 4. ACCOUNTABILITY FOR SEVERE VIOLATIONS OF INTERNATIONAL RELIGIOUS FREEDOM.

(a) PARTICULARLY SEVERE VIOLATIONS OF RELIGIOUS FREEDOM.—

(1) INADMISSIBILITY.—Section 212(a)(2)(G) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(2)(G)) is amended to read as follows:

''(G) ALIENS WHO HAVE COMMITTED PARTICULARLY SEVERE VIOLATIONS OF RELIGIOUS FREEDOM.—Any alien who was responsible for, or directly carried out, at any time, particularly severe violations of religious freedom (as defined in section 3 of the International Religious Freedom Act of 1998 (22 U.S.C. 6402)) is inadmissible.''.

(2) REMOVABILITY.—Section 237(a)(4)(E) of the Immigration and Nationality Act (8 U.S.C. 1227(a)(4)(E)) is amended to read as follows:

''(E) ALIENS WHO HAVE COMMITTED PARTICULARLY SEVERE VIOLATIONS OF RELIGIOUS FREEDOM.—Any alien who was responsible for, or directly carried out, at any time, particularly severe violations of religious freedom (as defined in section 3 of the International Religious Freedom Act of 1998 (22 U.S.C. 6402)) is deportable.''.

(b) RELIGIOUS PERSECUTION.—Chapter 118 of title 18, United States Code, is amended by adding at the end the following:

''§ 2443. Religious persecution

''(a) OFFENSE.—Any person who outside the United States commits, or attempts or conspires to commit, religious persecution—

''(1) shall be fined under this title, imprisoned for not more than 20 years, or both; and

''(2) if the death of any person results from the violation of this subsection, shall be fined under this title and imprisoned for any term of years or for life.

''(b) JURISDICTION.—There is jurisdiction over an offense under subsection (a), and any attempt or conspiracy to commit such an offense, if—

''(1) the victim is a United States person;

''(2) the offender is a United States person or an alien residing in the United States, regardless of whether the alien is lawfully admitted for permanent residence;

''(3) the offender is a stateless person whose habitual residence is in the United States; or

''(4) after the conduct required for the offense occurs, the offender is brought into or found in the United States, even if the conduct required for the offense occurs outside the United States.

''(c) DEFINITIONS.—In this section:

''(1) ADMISSION TO THE UNITED STATES; ALIEN; IMMIGRANT; LAWFULLY ADMITTED FOR PERMANENT RESIDENCE; NONIMMIGRANT.—The terms 'admission to the United States',

'alien', 'immigrant', 'lawfully admitted for permanent residence', and 'nonimmigrant' have the meanings given such terms in section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)).

''(2) RELIGIOUS PERSECUTION.—The term 'religious persecution' means conduct that—

''(A) is intended—

''(i) to obstruct any person in the free exercise of religious belief or practice; or

''(ii) to terrorize or coerce any person because of the actual or perceived religion of any person; and

''(B) if the conduct described in subparagraph (A) occurred in the United States or in the special maritime and territorial jurisdiction of the United States, would violate—

''(i) section 81 (relating to arson);

''(ii) section 1111 (relating to murder);

''(iii) section 1201(a) (relating to kidnapping), regardless of whether the offender is the parent of the victim;

''(iv) section 1203 (relating to hostage taking), notwithstanding any exception under subsection (b) of such section;

''(v) section 1581(a) (relating to peonage);

''(vi) section 1583(a)(1) (relating to kidnapping or carrying away individuals for involuntary servitude or slavery);

''(vii) section 1584(a) (relating to sale into involuntary servitude);

''(viii) section 1589(a) (relating to forced labor);

''(ix) section 1590(a) (relating to trafficking with respect to peonage, slavery, involuntary servitude, or forced labor);

''(x) section 1591(a) (relating to sex trafficking of children or by force, fraud, or coercion);

''(xi) section 2241(a) (relating to aggravated sexual abuse by force or threat);

''(xii) section 2242 (relating to sexual abuse); or

''(xiii) section 2340A (relating to torture), regardless of whether the offender is acting under color of law.

''(3) UNITED STATES PERSON.—The term 'United States person' has the meaning given such term in section 3077.''.

(c) STATUTE OF LIMITATIONS.—Chapter 213 of title 18, United States Code is amended by adding at the end the following:

''§ 3302. Religious persecution

''No person may be prosecuted, tried, or punished for a violation of section 2443 unless the indictment or the information is filed not later than 10 years after the commission of the offense.''.

(d) CLERICAL AMENDMENTS.—Title 18, United States Code, is amended—

(1) in the table of sections for chapter 118, by adding at the end the following:

''2443. Religious persecution.''.

(2) in the table of sections for chapter 213, by adding at the end the following:

''3302. Religious persecution.''.

SEC. 5. REFORM AND REAUTHORIZATION OF UNITED STATES COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM.

(a) ESTABLISHMENT AND COMPOSITION.—

(1) LEADERSHIP.—Section 201(d) of the International Religious Freedom Act of 1998 (22 U.S.C. 6431(d)) is amended to read as follows:

''(d) ELECTION OF CHAIR.—At the first meeting of the Commission after May 30 of each year, a majority of the members of the Commission present and voting shall elect the Chair and Vice Chair of the Commission, subject to the following requirements:

''(1) INITIAL ELECTIONS.—At the first meeting of the Commission after May 30, 2016, the members of the Commission shall elect—

''(A) as Chair, a member of the Commission who was appointed by an elected official of the political party that is not the political party of the President; and

''(B) as Vice Chair, a member of the Commission who was appointed by an elected official of the political party of the President.

''(2) FUTURE ELECTIONS.—

''(A) NEXT ELECTION.—At the first meeting of the Commission after May 30, 2017, the members of the Commission shall elect—

''(i) as Chair, a member of the Commission who was appointed by an elected official of the political party of the President; and

''(ii) as Vice Chair, a member of the Commission who was appointed by an elected official of the political party that is not the political party of the President.

''(B) SUBSEQUENT ELECTIONS.—After the election described in subparagraph (A), the positions of Chair and Vice Chair shall continue to rotate on an annual basis between members of the Commission appointed by elected officials of each political party.

''(3) TERM LIMITS.—No member of the Commission is eligible to be elected as—

''(A) Chair of the Commission for a second term; or

''(B) Vice Chair of the Commission for a second term.''.

(2) ATTENDANCE AT MEETINGS OF AMBASSADOR AT LARGE FOR INTERNATIONAL RELIGIOUS FREEDOM.—Section 201(f) of such Act (22 U.S.C. 6431(f)) is amended by adding at the end the following: ''The Ambassador at Large shall be given advance notice of all Commission meetings and may attend all Commission meetings as a nonvoting member of the Commission.''.

(3) APPOINTMENTS IN CASES OF VACANCIES.—Section 201(g) of such Act (22 U.S.C. 6431(g)) is amended by striking the second sentence.

(b) POWERS OF THE COMMISSION.—Section 203(e) of the International Religious Freedom Act of 1998 (22 U.S.C. 6432a(e)) is amended to read as follows:

''(e) VIEWS OF THE COMMISSION.—

''(1) PRIVATE SPEECH.—Members of the Commission may speak in their capacity as private citizens. A member of the Commission may be identified as a member of the Commission when making oral or written statements in their private or other professional capacity if the member states clearly that the statement—

''(A) is not on behalf of the Commission; and

''(B) does not necessarily reflect the views of the Commission.

''(2) OFFICIAL STATEMENTS.—

''(A) WRITTEN STATEMENTS.—All statements on behalf of the Commission shall be issued in writing over the names of the members of the Commission.

''(B) STATUTORY AUTHORITY.—In its written statements, the Commission shall clearly describe its statutory authority, distinguishing that authority from that of appointed or elected officials of the United States Government. Oral statements of the Commission shall include a similar description, to the extent practicable.

''(C) CONSENSUS.—Members of the Commission shall make every effort to reach consensus on all oral or written statements on behalf of the Commission.

''(D) APPROVAL.—All views of the Commission on pending legislation or any other matter under the jurisdiction of the Commission shall be approved by an affirmative vote of at least 6 of the 9 members of the Commission. Each member of the Commission may include the individual or dissenting views of the member.

''(E) ACCURACY.—All oral or written statements by members or staff of the Commission on behalf of the Commission, including testimony, press releases, articles, and public or private correspondence, shall accurately reflect approved views of the Commission in accordance with subparagraph (D).''.

(c) COMMISSION PERSONNEL MATTERS.—Section 204 of the International Religious Freedom Act of 1998 (22 U.S.C.6432b) is amended—

(1) in subsection (a)—

(A) by striking ''or terminate an Executive Director'' and inserting ''an Executive Director and additional personnel''; and

(B) by adding at the end the following: ''The decision to terminate an Executive Director and additional personnel shall be made by an affirmative vote of at least 5 of the 9 members of the Commission.'';

(2) by redesignating subsections (b) through (g) as subsections (c) through (h);

(3) by inserting after subsection (a) the following:

''(b) EXECUTIVE DIRECTOR.—

''(1) APPOINTMENT.—Not later than 60 days after the date of the enactment of the FIRST Freedom Act, the Commission shall appoint an Executive Director by an affirmative vote of at least 6 of the 9 members of the Commission.

''(2) TERM OF SERVICE.—Each Executive Director—

''(A) may serve for a 4-year term; and

''(B) may serve an additional, consecutive 4-year term if reappointed by the Commission by an affirmative vote of at least 6 of the 9 members of the Commission.'';

(4) in subsection (d), as redesignated, by striking ''and the Executive Director'';

(5) in subsection (g), as redesignated, by striking ''the commission, for the executive director,'' and inserting ''the Commission, for the Executive Director,''; and

(6) in subsection (h), as redesignated—

(A) by striking ''For purposes'' and inserting the following:

''(1) IN GENERAL.—For purposes'';

(B) by inserting ''(including discrimination on the bases of race, color, religion, sex, national origin, age, or disability)'' after ''employment discrimination''; and

(C) by adding at the end the following:

''(2) TREATMENT OF DISCRIMINATION ON BASIS OF SEXUAL ORIENTATION OR GENDER IDENTITY.—In applying paragraph (1) to rights and protections that pertain to employment discrimination on the basis of sex, and the remedies and procedures available to address alleged violations of such rights and protections, the laws, rules, and regulations that provide such rights and protections to employees whose pay is disbursed by the Secretary of the Senate or the Chief Administrative Officer of the House of Representatives shall be deemed to recognize discrimination on the basis of sexual orientation or gender identity as forms of discrimination on the basis of sex and shall treat such discrimination in the same manner as discrimination on the basis of sex.''.

(d) REPORT OF COMMISSION.—Section 205 of the International Religious Freedom Act of 1998 (22 U.S.C. 6433) is amended—

(1) in subsection (a), by striking ''Not later than May 1 of each year,'' and inserting ''Each year, between 30 and 90 days after the publication of the Department of State's Annual Report on International Religious Freedom,''; and

(2) by amending subsection (c) to read as follows:

''(c) INDIVIDUAL OR DISSENTING VIEWS.—Members of the Commission shall make every effort to reach consensus on the report

under this section. When such consensus is not possible, the report shall be approved by an affirmative vote of at least 6 of the 9 members of the Commission. Each member of the Commission may include the individual or dissenting views of the member in the report.''.

(e) APPLICABILITY OF THE FREEDOM OF INFORMATION ACT.—

(1) Section 206 of the International Religious Freedom Act of 1998 (22 U.S.C. 6434) is amended—

(A) by inserting ''(a) FEDERAL ADVISORY COMMITTEE ACT'' before ''The''; and

(B) by adding at the end the following:

''(b) FREEDOM OF INFORMATION ACT.—Notwithstanding section 551 of title 5, United States Code, the Commission shall be considered to be an agency for purposes of section 552 of such title.''.

(f) AUTHORIZATION OF APPROPRIATIONS.—Section 207(a) of the International Religious Freedom Act of 1998 (22 U.S.C. 6435(a)) is amended by striking ''2015'' and inserting ''2017''.

(g) TERMINATION.—Section 209 of the International Religious Freedom Act of 1998 (22 U.S.C. 6436) is amended by striking ''September 30, 2015'' and inserting ''September 30, 2017''.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 228—DESIGNATING SEPTEMBER 2015 AS ''NATIONAL OVARIAN CANCER AWARENESS MONTH''

Ms. AYOTTE (for herself, Ms. STABENOW, Ms. BALDWIN, Mrs. BOXER, Mr. BROWN, Mr. BURR, Mr. COONS, Mr. DURBIN, Mrs. FEINSTEIN, Mr. MORAN, Mr. PETERS, Mr. RUBIO, Mr. SCHUMER, and Mr. MENENDEZ) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 228

Whereas ovarian cancer is the deadliest of all gynecologic cancers;

Whereas ovarian cancer is the fifth leading cause of cancer deaths among women in the United States;

Whereas, in 2015, approximately 21,290 new cases of ovarian cancer will be diagnosed, and 14,180 women will die of ovarian cancer in the United States;

Whereas the mortality rate for ovarian cancer has not significantly decreased since the ''War on Cancer'' was declared more than 40 years ago;

Whereas 25 percent of women will die within 1 year of diagnosis with ovarian cancer and over 50 percent will die within 5 years;

Whereas while there is the mammogram to detect breast cancer and the Pap smear to detect cervical cancer, there is no reliable early detection test for ovarian cancer;

Whereas the lack of an early detection test means that approximately 80 percent of cases of ovarian cancer are detected at an advanced stage;

Whereas all women are at risk for ovarian cancer, and approximately 20 percent of women diagnosed with ovarian cancer have a hereditary predisposition to ovarian cancer, which places them at even higher risk;

Whereas scientists and physicians have uncovered changes in the BRCA genes that some women inherit from their parents, which may make them 30 times more likely to develop ovarian cancer;

Whereas the family history of a woman has been found to play an important role in accurately assessing the risk of that woman of developing ovarian cancer and medical experts believe that family history should be taken into consideration during the annual well woman visit of any woman;

Whereas many experts in health prevention now recommend genetic testing for young women with a family history of breast and ovarian cancer;

Whereas women who know they are at high risk of breast and ovarian cancer may undertake prophylactic measures to help reduce the risk of developing these diseases;

Whereas the Society of Gynecologic Oncology now recommends that all women diagnosed with ovarian cancer receive counseling and genetic testing;

Whereas many people are unaware that the symptoms of ovarian cancer often include bloating, pelvic or abdominal pain, difficulty eating or feeling full quickly, urinary symptoms, and several other symptoms that are easily confused with other diseases;

Whereas awareness of the symptoms of ovarian cancer by women and health care providers can lead to a quicker diagnosis;

Whereas, in June 2007, the first national consensus statement on ovarian cancer symptoms was developed to provide consistency in describing symptoms to make it easier for women to learn and remember the symptoms; and

Whereas each year during the month of September, the Ovarian Cancer National Alliance and partner members hold a number of events to increase public awareness of ovarian cancer: Now, therefore, be it

Resolved, That the Senate—

(1) designates September 2015 as ''National Ovarian Cancer Awareness Month''; and

(2) supports the goals and ideals of National Ovarian Cancer Awareness Month.

SENATE RESOLUTION 229—DESIGNATING JULY 26, 2015, AS ''UNITED STATES INTELLIGENCE PROFESSIONALS DAY''

Mr. WARNER (for himself, Ms. MIKULSKI, Mr. BURR, Mrs. FEINSTEIN, Mr. BLUNT, Mr. RISCH, Mr. DURBIN, Mr. KAINE, Mr. KING, Mr. RUBIO, Mr. WHITEHOUSE, Mr. LANKFORD, Mr. HEINRICH, Mr. COTTON, and Ms. HIRONO) submitted the following resolution; which was considered and agreed to:

S. RES. 229

Whereas on July 26, 1908, Attorney General Charles Bonaparte ordered newly-hired Federal investigators to report to the Office of the Chief Examiner of the Department of Justice, which subsequently was renamed the Federal Bureau of Investigation;

Whereas on July 26, 1947, President Truman signed the National Security Act of 1947 (50 U.S.C. 3001 et seq.), creating the Department of Defense, the National Security Council, the Central Intelligence Agency, and the Joint Chiefs of Staff, thereby laying the foundation for today's intelligence community;

Whereas the National Security Act of 1947, which appears in title 50 of the United States Code, governs the definition, composition, responsibilities, authorities, and oversight of the intelligence community of the United States;

Whereas the intelligence community is defined by section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)) to include the Office of the Director of National Intelligence, the Central Intelligence Agency, the National Security Agency, the Defense Intelligence Agency, the National Geospatial-Intelligence Agency, the National Reconnaissance Office, other offices within the Department of Defense for the collection of specialized national intelligence through reconnaissance programs, the intelligence elements of the Army, the Navy, the Air Force, the Marine Corps, the Coast Guard, the Federal Bureau of Investigation, the Drug Enforcement Administration, and the Department of Energy, the Bureau of Intelligence and Research of the Department of State, the Office of Intelligence and Analysis of the Department of the Treasury, the elements of the Department of Homeland Security concerned with the analysis of intelligence information, and other elements as may be designated;

Whereas July 26, 2015, is the 68th anniversary of the signing of the National Security Act of 1947 (50 U.S.C. 3001 et seq.);

Whereas the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458; 118 Stat. 3638) created the position of the Director of National Intelligence to serve as the head of the intelligence community and to ensure that national intelligence be timely, objective, independent of political considerations, and based upon all sources available;

Whereas Congress has previously passed joint resolutions, signed by the President, to designate Peace Officers Memorial Day on May 15, Patriot Day on September 11, and other commemorative occasions, to honor the sacrifices of law enforcement officers and of those who lost their lives on September 11, 2001;

Whereas the United States has increasingly relied upon the men and women of the intelligence community to protect and defend the security of the United States in the decade since the attacks of September 11, 2001;

Whereas the men and women of the intelligence community, both civilian and military, have been increasingly called upon to deploy to theaters of war in Iraq, Afghanistan, and elsewhere since September 11, 2001;

Whereas numerous intelligence officers of the elements of the intelligence community have been injured or killed in the line of duty;

Whereas intelligence officers of the United States are routinely called upon to accept personal hardship and sacrifice in the furtherance of their mission to protect the United States, to undertake dangerous assignments in the defense of the interests of the United States, to collect reliable information within prescribed legal authorities upon which the leaders of the United States rely in life-and-death situations, and to ''speak truth to power.'' by providing their best assessments to decision makers, regardless of political and policy considerations;

Whereas the men and women of the intelligence community have on numerous occasions succeeded in preventing attacks upon the United States and allies of the United States, saving numerous innocent lives; and

Whereas intelligence officers of the United States must of necessity often remain unknown and unrecognized for their substantial achievements and successes: Now, therefore, be it

Resolved, That the Senate—

(1) designates July 26, 2015, as ''United States Intelligence Professionals Day'';

(2) acknowledges the courage, fidelity, sacrifice, and professionalism of the men and

women of the intelligence community of the United States; and

(3) encourages the people of the United States to observe this day with appropriate ceremonies and activities.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2284. Mrs. SHAHEEN (for herself and Mr. KAINE) submitted an amendment intended to be proposed by her to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table.

SA 2285. Mr. WICKER (for himself, Mr. COCHRAN, and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2286. Mr. MARKEY (for himself, Mr. NELSON, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2287. Mr. MARKEY (for himself, Mr. NELSON, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2288. Mr. MARKEY (for himself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2289. Mr. WICKER (for himself and Mr. BOOKER) submitted an amendment intended to be proposed to amendment SA 2266 submitted by Mr. MCCONNELL and intended to be proposed to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2290. Mr. BROWN submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2291. Mr. MARKEY (for himself, Mr. NELSON, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2292. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2293. Mrs. FISCHER submitted an amendment intended to be proposed by her to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2294. Ms. AYOTTE submitted an amendment intended to be proposed by her to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2295. Mr. RUBIO (for himself and Mr. LEE) submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2296. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 2266 submitted by Mr. MCCONNELL and intended to be proposed to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2297. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2298. Mr. CRUZ (for himself, Mr. RUBIO, and Mr. VITTER) submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2299. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2300. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2301. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2302. Mr. ROBERTS (for himself, Mr. ALEXANDER, Mr. BURR, Mr. CORNYN, Mr. COTTON, Mr. GARDNER, Mr. RISCH, Mr. SASSE, Mr. TILLIS, Mr. BOOZMAN, and Mr. PERDUE) submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2303. Mr. BARRASSO (for himself and Mr. CRAPO) submitted an amendment intended to be proposed to amendment SA 2266 submitted by Mr. MCCONNELL and intended to be proposed to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2304. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2305. Mr. FLAKE (for himself and Mr. ALEXANDER) submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2306. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2307. Mr. FLAKE (for himself and Mr. VITTER) submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2308. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2266 submitted by Mr. MCCONNELL and intended to be proposed to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2309. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2266 submitted by Mr. MCCONNELL and intended to be proposed to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2310. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2266 submitted by Mr. MCCONNELL and intended to be proposed to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2311. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2312. Mr. FLAKE (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2313. Mr. MANCHIN submitted an amendment intended to be proposed to amendment SA 2266 submitted by Mr. MCCONNELL and intended to be proposed to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2314. Mrs. SHAHEEN submitted an amendment intended to be proposed to amendment SA 2266 submitted by Mr. MCCONNELL and intended to be proposed to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2315. Ms. STABENOW (for herself, Mr. BROWN, Mr. PETERS, Mr. REED, and Mr. MENENDEZ) submitted an amendment intended to be proposed by her to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2316. Mr. TOOMEY (for himself and Mr. MERKLEY) submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2317. Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2318. Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2319. Mr. WYDEN (for himself and Mr. CRAPO) submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2320. Mr. WYDEN (for himself and Mr. CRAPO) submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2321. Mr. WYDEN (for himself and Mr. CRAPO) submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2322. Mr. WYDEN (for himself and Mr. CRAPO) submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2323. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2324. Mr. PERDUE (for himself and Mr. SCOTT) submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2325. Mrs. GILLIBRAND submitted an amendment intended to be proposed by her to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2326. Mr. SULLIVAN (for Mr. VITTER (for himself, Mrs. SHAHEEN, Mr. RISCH, Mr. COONS, and Mr. PETERS)) proposed an amendment to the bill H.R. 2499, to amend the Small Business Act to increase access to capital for veteran entrepreneurs, to help create jobs, and for other purposes.

TEXT OF AMENDMENTS

SA 2284. Mrs. SHAHEEN (for herself and Mr. KAINE) submitted an amendment intended to be proposed by her to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of division F, insert the following:

SEC. ___. SENSE OF THE SENATE ON SEQUESTRATION.

It is the Sense of the Senate that—

(1) the Nation's fiscal challenges are a top priority for Congress, and sequestration, non-strategic, across-the-board budget cuts, remains an unreasonable and inadequate budgeting tool to address the Nation's deficits and debt;

(2) sequestration relief must be accomplished for fiscal years 2016 and 2017;

(3) sequestration relief should include equal defense and non-defense relief; and

(4) sequestration relief should be offset through targeted changes in mandatory and discretionary categories and revenues.

SA 2285. Mr. WICKER (for himself, Mr. COCHRAN, and Mrs. FEINSTEIN) submitted an amendment intended to be

proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. DISBURSEMENT AUTHORITY FOR THE NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION.

(a) IN GENERAL.—Notwithstanding section 1552 of title 31, United States Code, funds made available for the Broadband Technology Opportunities Program (including funds that have expired, but have not been cancelled) under title II of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5) shall remain available for expenditure through fiscal year 2020 for the purpose of liquidating valid obligations of active grants under such program.

(b) DEFINED TERM.—In this section, the term ''active grants'' means grants for which the period of performance has expired but are not finally closed out.

SA 2286. Mr. MARKEY (for himself, Mr. NELSON, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 582, between lines 13 and 14, insert the following:

SEC. 34216. PUBLIC AVAILABILITY OF EARLY WARNING DATA.

(a) RULEMAKING.—Not later than 2 years after the date of the enactment of this Act, the Secretary of Transportation shall promulgate regulations establishing categories of information provided to the Secretary under section 30166(m) of title 49, United States Code, as amended by section 34217, which shall be made available to the public. The Secretary may establish categories of information that are exempt from public disclosure under section 552(b) of title 5, United States Code.

(b) CONSULTATION.—In conducting the rulemaking under subsection (a), the Secretary shall consult with—

(1) the Director of the Office of Government Information Services of the National Archives and Records Administration; and

(2) the Director of the Office of Information Policy of the Department of Justice.

(c) PRESUMPTION.—In promulgating regulations under subsection (a), vehicle safety defect information related to incidents involving death or injury shall presumptively not be eligible for protection under section 552(b) of title 5, United States Code.

(d) NULLIFICATION OF PRIOR REGULATIONS.—Beginning 2 years after the date of the enactment of this Act, the regulations establishing early warning reporting class determinations in appendix C of part 512 of title 49, Code of Federal Regulations, shall have no force or effect.

SEC. 34217. ADDITIONAL EARLY WARNING REPORTING REQUIREMENTS.

Section 30166(m) is amended—

(1) in paragraph (3)(C)—

(A) by striking ''The manufacturer'' and inserting the following:

''(i) IN GENERAL.—The manufacturer''; and

(B) by adding at the end the following:

''(ii) FATAL INCIDENTS.—If an incident described in clause (i) involves a fatality, the Secretary shall require the manufacturer to submit, as part of its incident report—

''(I) all initial claim or notice documents (as defined by the Secretary through regulation) except media reports, that notified the manufacturer of the incident;

''(II) any police reports or other documents that—

''(aa) describe or reconstruct the incident (as defined by the Secretary through regulation);

''(bb) relate to the initial claim or notice (except for documents that are protected by attorney-client privilege or work product privileges that are not already publicly available); and

''(cc) are in the physical possession or control of the manufacturer at the time the incident report is submitted; and

''(III) any police reports or other documents that describe or reconstruct the incident that are obtained by the manufacturer after the submission of its incident report.'';

(2) in paragraph (4), by amending subparagraph (C) to read as follows:

''(C) DISCLOSURE.—The information provided to the Secretary under this subsection—

''(i) shall be disclosed publicly after the Secretary redacts or confirms the redaction of any information that is withholdable under sections 552 and 552a of title 5; and

''(ii) shall be entered into the early warning reporting database in a manner specified by the Secretary through regulation that is searchable by manufacturer name, vehicle or equipment make and model name, model year, and reported system or component.''; and

(3) by adding at the end the following:

''(6) PUBLIC DISCLOSURE OF INFORMATION.—Any requirement for the Secretary to publicly disclose information under this subsection shall be construed in a manner that is consistent with the requirements under sections 552 and 552a of title 5.''.

SA 2287. Mr. MARKEY (for himself, Mr. NELSON, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

Beginning on page 450, strike line 13 and all that follows through page 453, line 16.

SA 2288. Mr. MARKEY (for himself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle D of title XXXIV, add the following:

PART IV—SPY CAR ACT OF 2015

SEC. 34441. SHORT TITLE.

This part may be cited as the ''Security and Privacy in Your Car Act of 2015'' or the ''SPY Car Act of 2015''.

SEC. 34442. CYBERSECURITY STANDARDS FOR MOTOR VEHICLES.

(a) IN GENERAL.—Chapter 301 is amended—

(1) in section 30102(a)—

(A) by redesignating paragraphs (4) through (11) as paragraphs (10) through (17), respectively;

(B) by redesignating paragraphs (1) through (3) as paragraphs (4) through (6), respectively;

(C) by inserting before paragraph (3), as redesignated, the following:

''(1) 'Administrator' means the Administrator of the National Highway Traffic Safety Administration;

''(2) 'Commission' means the Federal Trade Commission;

''(3) 'critical software systems' means software systems that can affect the driver's control of the vehicle movement;''; and

(D) by inserting after paragraph (6), as redesignated, the following:

''(7) 'driving data' include, but are not limited to, any electronic information collected about—

''(A) a vehicle's status, including, but not limited to, its location or speed; and

''(B) any owner, lessee, driver, or passenger of a vehicle;

''(8) 'entry points' include, but are not limited to, means by which—

''(A) driving data may be accessed, directly or indirectly; or

''(B) control signals may be sent or received either wirelessly or through wired connections;

''(9) 'hacking' means the unauthorized access to electronic controls or driving data, either wirelessly or through wired connections;''; and

(2) by adding at the end the following:

''§ 30129. Cybersecurity standards

''(a) CYBERSECURITY STANDARDS.—

''(1) REQUIREMENT.—All motor vehicles manufactured for sale in the United States on or after the date that is 2 years after the date on which final regulations are prescribed pursuant to section 2(b)(2) of the SPY Car Act of 2015 shall comply with the cybersecurity standards set forth in paragraphs (2) through (4).

''(2) PROTECTION AGAINST HACKING.—

''(A) IN GENERAL.—All entry points to the electronic systems of each motor vehicle manufactured for sale in the United States shall be equipped with reasonable measures to protect against hacking attacks.

''(B) ISOLATION MEASURES.—The measures referred to in subparagraph (A) shall incorporate isolation measures to separate critical software systems from noncritical software systems.

''(C) EVALUATION.—The measures referred to in subparagraphs (A) and (B) shall be evaluated for security vulnerabilities following

best security practices, including appropriate applications of techniques such as penetration testing.

''(D) ADJUSTMENT.—The measures referred to in subparagraphs (A) and (B) shall be adjusted and updated based on the results of the evaluation described in subparagraph (C).

''(3) SECURITY OF COLLECTED INFORMATION.—All driving data collected by the electronic systems that are built into motor vehicles shall be reasonably secured to prevent unauthorized access—

''(A) while such data are stored onboard the vehicle;

''(B) while such data are in transit from the vehicle to another location; and

''(C) in any subsequent offboard storage or use.

''(4) DETECTION, REPORTING, AND RESPONDING TO HACKING.—Any motor vehicle that presents an entry point shall be equipped with capabilities to immediately detect, report, and stop attempts to intercept driving data or control the vehicle.

''(b) PENALTIES.—A person that violates this section is liable to the United States Government for a civil penalty of not more than $5,000 for each violation in accordance with section 30165.''.

(b) RULEMAKING.—

(1) IN GENERAL.—Not later than 18 months after the date of the enactment of this Act, the Administrator of the National Highway Traffic Safety Administration, after consultation with the Federal Trade Commission, shall issue a Notice of Proposed Rulemaking to carry out section 30129 of title 49, United States Code, as added by subsection (a).

(2) FINAL REGULATIONS.—Not later than 3 years after the date of the enactment of this Act, the Administrator, after consultation with the Commission, shall issue final regulations to carry out section 30129 of title 49, United States Code, as added by subsection (a).

(3) UPDATES.—Not later than 3 years after final regulations are issued pursuant to paragraph (2) and not less frequently than once every 3 years thereafter, the Administrator, after consultation with the Commission, shall—

(A) review the regulations issued pursuant to paragraph (2); and

(B) update such regulations, as necessary.

(c) CLERICAL AMENDMENT.—The table of sections for chapter 301 is amended by striking the item relating to section 30128 and inserting the following:

''30128. Vehicle rollover prevention and crash mitigation.

''30129. Cybersecurity standards.''.

(d) CONFORMING AMENDMENT.—Section 30165(a)(1) is amended by inserting ''30129,'' after ''30127,''.

SEC. 34443. CYBER DASHBOARD.

(a) IN GENERAL.—Section 32302 is amended by inserting after subsection (b) the following:

''(c) CYBER DASHBOARD.—

''(1) IN GENERAL.—All motor vehicles manufactured for sale in the United States on or after the date that is 2 years after the date on which final regulations are prescribed pursuant to section 3(b)(2) of the SPY Car Act of 2015 shall display a 'cyber dashboard', as a component of the label required to be affixed to each motor vehicle under section 32908(b).

''(2) FEATURES.—The cyber dashboard required under paragraph (1) shall inform consumers, through an easy-to-understand, standardized graphic, about the extent to which the motor vehicle protects the cybersecurity and privacy of motor vehicle owners, lessees, drivers, and passengers beyond the minimum requirements set forth in section 30129 of this title and in section 27 of the Federal Trade Commission Act.''.

(b) RULEMAKING.—

(1) IN GENERAL.—Not later than 18 months after the date of the enactment of this Act, the Administrator of the National Highway Traffic Safety Administration, after consultation with the Federal Trade Commission, shall prescribe regulations for the cybersecurity and privacy information required to be displayed under section 32302(c) of title 49, United States Code, as added by subsection (a).

(2) FINAL REGULATIONS.—Not later than 3 years after the date of the enactment of this Act, the Administrator, after consultation with the Commission, shall issue final regulations to carry out section 32302 of title 49, United States Code, as added by subsection (a).

(3) UPDATES.—Not less frequently than once every 3 years, the Administrator, after consultation with the Commission, shall—

(A) review the regulations issued pursuant to paragraph (2); and

(B) update such regulations, as necessary.

SEC. 34444. PRIVACY STANDARDS FOR MOTOR VEHICLES.

(a) IN GENERAL.—The Federal Trade Commission Act (15 U.S.C. 41 et seq.) is amended by inserting after section 26 (15 U.S.C. 57c–2) the following:

''SEC. 27. PRIVACY STANDARDS FOR MOTOR VEHICLES.

''(a) IN GENERAL.—All motor vehicles manufactured for sale in the United States on or after the date that is 2 years after the date on which final regulations are prescribed pursuant to subsection (e) shall comply with the features required under subsections (b) through (d).

''(b) TRANSPARENCY.—Each motor vehicle shall provide clear and conspicuous notice, in clear and plain language, to the owners or lessees of such vehicle of the collection, transmission, retention, and use of driving data collected from such motor vehicle.

''(c) CONSUMER CONTROL.—

''(1) IN GENERAL.—Subject to paragraphs (2) and (3), owners or lessees of motor vehicles shall be given the option of terminating the collection and retention of driving data.

''(2) ACCESS TO NAVIGATION TOOLS.—If a motor vehicle owner or lessee decides to terminate the collection and retention of driving data under paragraph (1), the owner or lessee shall not lose access to navigation tools or other features or capabilities, to the extent technically possible.

''(3) EXCEPTION.—Paragraph (1) shall not apply to driving data stored as part of the electronic data recorder system or other safety systems on-board the motor vehicle that are required for post-incident investigations, emissions history checks, crash avoidance or mitigation, or other regulatory compliance programs.

''(d) LIMITATION ON USE OF PERSONAL DRIVING INFORMATION.—

''(1) IN GENERAL.—A manufacturer (including an original equipment manufacturer) may not use any information collected by a motor vehicle for advertising or marketing purposes without affirmative express consent by the owner or lessee.

''(2) REQUESTS.—Consent requests under paragraph (1)—

''(A) shall be clear and conspicuous;

''(B) shall be made in clear and plain language; and

''(C) may not be a condition for the use of any nonmarketing feature, capability, or functionality of the motor vehicle.

''(e) ENFORCEMENT.—A violation of this section shall be treated as an unfair and deceptive act or practice in violation of a rule prescribed under section 18(a)(1)(B).''.

(b) RULEMAKING.—

(1) IN GENERAL.—Not later than 18 months after the date of the enactment of this Act, the Federal Trade Commission, after consultation with the Administrator of the National Highway Traffic Safety Administration, shall prescribe regulations, in accordance with section 553 of title 5, United States Code, to carry out section 27 of the Federal Trade Commission Act, as added by subsection (a).

(2) FINAL REGULATIONS.—Not later than 3 years after the date of the enactment of this Act, the Commission, after consultation with the Administrator, shall issue final regulations, in accordance with section 553 of title 5, United States Code, to carry out section 27 of the Federal Trade Commission Act, as added by subsection (a).

(3) UPDATES.—Not less frequently than once every 3 years, the Commission, after consultation with the Administrator, shall—

(A) review the regulations prescribed pursuant to paragraph (2); and

(B) update such regulations, as necessary.

SA 2289. Mr. WICKER (for himself and Mr. BOOKER) submitted an amendment intended to be proposed to amendment SA 2266 submitted by Mr. MCCONNELL and intended to be proposed to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 33, line 25, strike ''65 percent'' and ''64 percent''.

On page 34, line 2, strike ''29 percent'' and insert ''30 percent''.

On page 41, line 3, strike ''55 percent'' and insert ''67 percent''.

On page 41, line 8, strike ''45 percent'' and insert ''33 percent''.

On page 41, strike lines 10 through 15 and insert the following:

(B) by striking paragraph (3) and inserting the following:

''(3) ACCESS TO FUNDS FOR AREAS OF UNDER 200,000 POPULATION.—For purposes of clauses (ii) and (iii) of paragraph (1)(A), excluding funds a State has suballocated to metropolitan areas in the areas in described in those clauses, before obligating funding for an area with a population of less than 200,000, each State, in coordination with local interested parties, shall carry out an open and transparent competitive grant process to allow local governments, metropolitan planning organizations, regional transportation authorities, transit agencies, regional transportation planning organizations, and tribal governments to submit projects for funding that achieve the objectives established by the State and the relevant metropolitan planning organization for the performance-based planning process.'';

SA 2290. Mr. BROWN submitted an amendment intended to be proposed by

him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. REDUCTION OF APPORTIONMENT FOR CERTAIN FEDERAL-AID HIGHWAY PROGRAMS.

Section 104 of title 23, United States Code, is amended by adding at the end the following:

''(h) REDUCTION OF APPORTIONMENT FOR CERTAIN FEDERAL-AID HIGHWAY PROGRAMS.—The amount apportioned to a State under paragraphs (1) and (2) of subsection (b) shall be reduced by an amount equal to 5 percent of those funds—

''(1) effective beginning on October 1 of the first fiscal year beginning after the date of enactment of this subsection, for each fiscal year in which the State issues a license plate that contains an image of a flag of the Confederate States of America, including the Battle Flag of the Confederate States of America; and

''(2) effective beginning on October 1 of the second fiscal year beginning after the date of enactment of this subsection, for each fiscal year in which the State allows a license plate described in paragraph (1) and issued by the State before the first fiscal year referred to in that paragraph to be displayed on a motor vehicle registered in the State.''.

SA 2291. Mr. MARKEY (for himself, Mr. NELSON, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

Strike section 34205 and insert the following:

SEC. 34205. RECALL GRANT PROGRAMS.

(a) STATE NOTIFICATION OF OPEN SAFETY RECALLS.—

(1) GRANT PROGRAM.—Not later than 2 years after the date of the enactment of this Act, the Secretary shall establish a grant program for States to notify registered motor vehicle owners of safety recalls issued by the manufacturers of those motor vehicles.

(2) ELIGIBILITY.—To be eligible for a grant under this subsection, a State shall—

(A) submit an application in such form and manner as the Secretary shall prescribe;

(B) agree that when a motor vehicle owner registers the motor vehicle for use in that State, the State will—

(i) search the recall database maintained by the National Highway Traffic Safety Administration using the motor vehicle identification number;

(ii) determine all safety recalls issued by the manufacturer of that motor vehicle that have not been completed; and

(iii) notify the motor vehicle owner of the safety recalls described in clause (ii); and

(C) provide such other information or notification as the Secretary may require.

(b) RECALL COMPLETION PILOT GRANT PROGRAM.—

(1) IN GENERAL.—The Secretary shall conduct a pilot program to evaluate the feasibility and effectiveness of a State process for increasing the recall completion rate for motor vehicles by requiring each owner or lessee of a motor vehicle to have repaired any open recall on that motor vehicle.

(2) GRANTS.—To carry out the program under this subsection, the Secretary shall award a grant to a State to be used to implement the pilot program described in paragraph (1) in accordance with the requirements under paragraph (3).

(3) ELIGIBILITY.—To be eligible for a grant under this subsection, a State shall—

(A) submit an application in such form and manner as the Secretary shall prescribe;

(B) meet the requirements and provide notification of safety recalls to registered motor vehicle owners under the grant program described in subsection (a);

(C) except as provided in paragraph (4), agree to require, as a condition of motor vehicle registration, including renewal, that the motor vehicle owner or lessee complete all remedies for defects and noncompliance offered without charge by the manufacturer or a dealer under section 30120 of title 49, United States Code; and

(D) provide such other information or notification as the Secretary may require.

(4) EXCEPTION.—A State may exempt a motor vehicle owner or lessee from the requirement under paragraph (3)(C) if—

(A) the recall occurred not earlier than 75 days before the registration or renewal date;

(B) the manufacturer, through a local dealership, has not provided the motor vehicle owner or lessee with a reasonable opportunity to complete any applicable safety recall remedy due to a shortage of necessary parts or qualified labor; or

(C) the motor vehicle owner or lessee states that the owner or lessee has had no reasonable opportunity to complete all applicable safety recall remedies, in which case the State may grant a temporary registration, of not more than 90 days, during which time the motor vehicle owner or lessee shall complete all applicable safety recall remedies for which the necessary parts and qualified labor are available.

(5) AWARD.—In selecting an applicant for a grant under this subsection, the Secretary shall consider the State's methodology for—

(A) determining safety recalls on a motor vehicle;

(B) informing the owner or lessee of a motor vehicle of the safety recalls;

(C) requiring the owner or lessee of a motor vehicle to repair any safety recall prior to issuing any registration, approval, document, or certificate related to a motor vehicle registration renewal; and

(D) determining performance in increasing the safety recall completion rate.

(6) PERFORMANCE PERIOD.—A grant awarded under this subsection shall require a performance period of at least 2 years.

(7) REPORT.—Not later than 90 days after the completion of the performance period under paragraph (6) and the obligations under the pilot program, the grantee shall submit a performance report to the Secretary that contains such information as the Secretary considers necessary to evaluate the extent to which safety recalls have been remedied.

(8) EVALUATION.—Not later than 1 year after the date on which the Secretary receives the report under paragraph (7), the Secretary shall evaluate the extent to which safety recalls identified under paragraph (3) have been remedied.

SA 2292. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place in division F, insert the following:

SEC. _____. REQUIREMENTS FOR IANA STEWARDSHIP TRANSITION.

(a) SHORT TITLE.—This section may be cited as the ''Domain Openness Through Continued Oversight Matters Act of 2015'' or the ''DOTCOM Act of 2015''.

(b) DEFINITIONS.—In this section:

(1) ASSISTANT SECRETARY.—The term ''Assistant Secretary'' means the Assistant Secretary of Commerce for Communications and Information.

(2) ICANN.—The term ''ICANN'' means the Internet Corporation for Assigned Names and Numbers.

(3) JOINT RESOLUTION.—The term ''joint resolution'' means a joint resolution—

(A) that does not have a preamble;

(B) the title of which is as follows: ''Joint resolution approving the proposal relating to the transition of the stewardship of the Internet Assigned Numbers Authority functions''; and

(C) the matter after the resolving clause of which is as follows: ''That Congress approves the proposal relating to the transition of the stewardship of the Internet Assigned Numbers Authority functions as described in the report of the Assistant Secretary of Commerce for Communications and Information submitted to Congress on _____.'', with the blank space being filled with the appropriate date.

(4) LEGISLATIVE DAY.—The term ''legislative day'' does not include Saturdays, Sundays, legal public holidays, or days either House of Congress is adjourned for more than 3 days during a session of Congress.

(5) NTIA.—The term ''NTIA'' means the National Telecommunications and Information Administration.

(c) REQUIREMENTS FOR IANA STEWARDSHIP TRANSITION.—Until the date that is 30 legislative days after the submission to Congress of the report described in subsection (d), and unless a joint resolution is enacted on or before that date, the Assistant Secretary may not permit the NTIA's role in the performance of the Internet Assigned Numbers Authority functions to terminate, lapse, be cancelled, or otherwise cease to be in effect.

(d) REPORT DESCRIBED.—The report described in this subsection is a report that contains—

(1) the proposal relating to the transition of the NTIA's stewardship of the Internet Assigned Numbers Authority functions that was developed in a process convened by ICANN at the request of the NTIA; and

(2) a certification by the Assistant Secretary that—

(A) such proposal—

(i) supports and enhances the multistakeholder model of Internet governance;

(ii) maintains the security, stability, and resiliency of the Internet domain name system;

(iii) meets the needs and expectations of the global customers and partners of the Internet Assigned Numbers Authority services;

(iv) maintains the openness of the Internet; and

(v) does not replace the role of the NTIA with a government-led or intergovernmental organization solution; and

(B) the required changes to ICANN's bylaws contained in the final report of ICANN's Cross Community Working Group on Enhancing ICANN Accountability and the changes to ICANN's bylaws required by ICANN's IANA Stewardship Transition Coordination Group have been adopted.

(e) REQUIREMENT OF CONGRESSIONAL APPROVAL.—

(1) EXPEDITED CONSIDERATION IN THE HOUSE OF REPRESENTATIVES.—

(A) REPORTING AND DISCHARGE.—

(i) IN GENERAL.—Any committee of the House of Representatives to which a joint resolution is referred shall report it to the House of Representatives not later than 10 days after the date on which the joint resolution is introduced.

(ii) DISCHARGE.—If a committee of the House of Representatives fails to report a joint resolution within the period specified in clause (i), the committee shall be discharged from further consideration of the joint resolution, and the joint resolution shall be referred to the appropriate calendar.

(B) PROCEEDING TO CONSIDERATION.—

(i) IN GENERAL.—After each committee authorized to consider a joint resolution reports it to the House of Representatives or has been discharged from its consideration, it shall be in order, not later than the 11th day after the date on which the joint resolution is introduced, to move to proceed to consider the joint resolution in the House of Representatives.

(ii) PROCEDURES.—If a motion to proceed to a joint resolution is made—

(I) all points of order against the motion are waived;

(II) the motion shall not be in order after the House has disposed of a motion to proceed on the joint resolution;

(III) the previous question shall be considered as ordered on the motion to its adoption without intervening motion;

(IV) the motion shall not be debatable; and

(V) a motion to reconsider the vote by which the motion is disposed of shall not be in order.

(C) CONSIDERATION.—If the House of Representatives proceeds to a joint resolution—

(i) the joint resolution shall be considered as read;

(ii) all points of order against the joint resolution and against its consideration are waived;

(iii) the previous question shall be considered as ordered on the joint resolution to its passage without intervening motion, except 2 hours of debate equally divided and controlled by the proponent and an opponent;

(iv) an amendment to the joint resolution shall not be in order; and

(v) a motion to reconsider the vote on passage of the joint resolution shall not be in order.

(2) EXPEDITED CONSIDERATION IN THE SENATE.—

(A) REPORTING AND DISCHARGE.—

(i) IN GENERAL.—Any committee of the Senate to which a joint resolution is referred shall report it to the Senate not later than 10 days after the date on which the joint resolution is introduced.

(ii) DISCHARGE.—If a committee of the Senate fails to report a joint resolution within the period specified in clause (i), the committee shall be discharged from further consideration of the joint resolution, and the joint resolution shall be placed on the calendar.

(B) MOTION TO PROCEED.—

(i) IN GENERAL.—Notwithstanding rule XXII of the Standing Rules of the Senate, it is in order, not later than the 11th day after the date on which the joint resolution is introduced, to move to proceed to consider the joint resolution in the Senate (even though a previous motion to the same effect has been disagreed to).

(ii) PROCEDURES.—If a motion to proceed to a joint resolution is made—

(I) all points of order against the motion (and against consideration of the joint resolution) are waived;

(II) the motion is not debatable;

(III) the motion is not subject to a motion to postpone; and

(IV) a motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order.

(iii) MOTION AGREED TO.—If a motion to proceed to the consideration of a joint resolution is agreed to, the joint resolution shall remain the unfinished business until disposed of.

(C) CONSIDERATION.—If the Senate proceeds to a joint resolution—

(i) all points of order against the joint resolution are waived;

(ii) consideration of the joint resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 10 hours, which shall be divided equally between the majority and minority leaders or their designees;

(iii) a motion further to limit debate is in order and not debatable; and

(iv) an amendment to the joint resolution, a motion to postpone, a motion to proceed to the consideration of other business, or a motion to recommit the joint resolution are not in order.

(D) VOTE ON PASSAGE.—The vote on passage shall occur immediately following the conclusion of the debate on a joint resolution, and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the Senate.

(E) RULINGS OF THE CHAIR ON PROCEDURE.—Appeals from the decisions of the Chair relating to the application of the rules of the Senate to the procedure relating to a joint resolution shall be decided without debate.

(3) RULES RELATING TO SENATE AND HOUSE OF REPRESENTATIVES.—

(A) COORDINATION WITH ACTION BY OTHER HOUSE.—If, before the passage by one House of a joint resolution of that House, that House receives from the other House a joint resolution—

(i) the joint resolution of the other House shall not be referred to a committee;

(ii) with respect to a joint resolution of the House receiving the resolution—

(I) the procedure in that House shall be the same as if no joint resolution had been received from the other House; and

(II) the vote on passage shall be on the joint resolution of the other House.

(B) TREATMENT OF JOINT RESOLUTION OF OTHER HOUSE.—If one House fails to introduce or consider a joint resolution under this subsection, the joint resolution of the other House shall be entitled to expedited floor procedures under this subsection.

(C) TREATMENT OF COMPANION MEASURES.—If, following passage of the joint resolution in the Senate, the Senate then receives the companion measure from the House of Representatives, the companion measure shall not be debatable.

(D) CONSIDERATION AFTER PASSAGE.—If the President vetoes a joint resolution, debate on a veto message in the Senate under this subsection shall be 1 hour equally divided between the majority and minority leaders or their designees.

(4) RULES OF HOUSE OF REPRESENTATIVES AND SENATE.—This subsection is enacted by Congress—

(A) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such it is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a joint resolution, and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(B) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

SA 2293. Mrs. FISCHER submitted an amendment intended to be proposed by her to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

Subtitle D—American Infrastructure Bank

SEC. 11301. SHORT TITLE.

This subtitle may be cited as the ''Build USA Act''.

SEC. 11302. DEFINITIONS.

In this subtitle:

(1) BANK.—The term ''Bank'' means the American Infrastructure Bank established under section 11311(a).

(2) BOARD.—The term ''Board'' means the Board of Directors of the Bank.

(3) CORE INFRASTRUCTURE PROJECT.—The term ''core infrastructure project'' means a Federal-aid highway or highway (as those terms are defined in section 101 of title 23, United States Code) project of a State that is eligible for funding under chapter 1 of title 23, United States Code.

(4) STATE.—The term ''State'' has the meaning given the term in section 101(a) of title 23, United States Code.

PART I—AMERICAN INFRASTRUCTURE BANK

SEC. 11311. ESTABLISHMENT OF AMERICAN INFRASTRUCTURE BANK.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—There is established as a wholly owned Government corporation subject to chapter 91 of title 31, United States Code (commonly known as the ''Government Corporation Control Act'') (except as otherwise provided in this part), a bank to be known as the ''American Infrastructure Bank''.

(2) RESPONSIBILITY OF SECRETARY.—The Secretary shall take such action as the Secretary determines to be necessary to assist

in implementing the establishment of the Bank in accordance with this subtitle.

(3) CONFORMING AMENDMENT.—Section 9101(3) of title 31, United States Code, is amended by inserting after subparagraph (N) the following:

''(O) the American Infrastructure Bank.''.

(b) BOARD OF DIRECTORS.—

(1) MEMBERSHIP.—

(A) IN GENERAL.—The Bank shall have a bipartisan Board of Directors consisting of—

(i) 4 voting members, 1 of each who shall be appointed, by and with the advice and consent of the Senate—

(I) by the Majority Leader of the Senate, in consultation with the Chairperson of the Committee on Environment and Public Works of the Senate;

(II) by the Minority Leader of the Senate, in consultation with the Ranking Member of the Committee on Environment and Public Works of the Senate;

(III) by the Speaker of the House of Representatives, in consultation with the Chairperson of the Committee on Transportation and Infrastructure of the House of Representatives; and

(IV) by the Minority Leader of the House of Representatives, in consultation with the Ranking Member of the Committee on Transportation and Infrastructure of the House of Representatives; and

(ii) 1 nonvoting member, who shall be the Secretary (or a designee).

(B) QUALIFICATIONS.—A Board member appointed under subparagraph (A)(i) shall have relevant expertise in the fields of public or private finance, infrastructure financing, or transportation infrastructure policy.

(C) TERM.—A member of the Board shall be appointed for a term of 3 years.

(D) DATE OF INITIAL APPOINTMENTS.—The initial appointments to the Board under subparagraph (A)(i) shall be made not later than 180 days after the date of the enactment of this Act.

(E) VACANCIES.—A vacancy on the Board—

(i) shall not affect the powers of the Board; and

(ii) shall be filled in the same manner as the original appointment was made.

(F) MEETINGS.—The Board shall meet at the call of the chairperson.

(G) QUORUM.—A majority of the members of the Board shall constitute a quorum.

(H) CHAIRPERSON AND VICE CHAIRPERSON.—The Board shall select a chairperson and vice chairperson from among the members of the Board.

(I) COMPENSATION.—

(i) IN GENERAL.—Subject to clause (ii), the Secretary shall determine compensation of members of the Board in a manner that is consistent with similar compensation for members of other boards in the Federal Government.

(ii) FEDERAL EMPLOYEES AND OFFICIALS.—A member of the Commission who is an officer or employee of the Federal Government shall serve without compensation in addition to the compensation received for the services of the member as an officer or employee of the Federal Government.

(J) ADMINISTRATIVE COSTS.—

(i) IN GENERAL.—For the first 3 years beginning on the date of the enactment of this Act, not more than ½ of 1 percent of the funds made available under section 11322 shall be used for—

(I) compensation for members of the Board under subparagraph (I);

(II) compensation for employees of the Board;

(III) administrative expenses; and

(IV) any other expenses incurred by the Bank.

(ii) 3 YEARS AFTER THE DATE OF ENACTMENT.—For any year beginning after the date that is 3 years after the date of the enactment of this Act, funds from interest received by the Bank shall be used to provide funds for the expenses described in clause (i).

(2) DUTIES.—The Board shall—

(A) not later than 18 months after the date of the enactment of this Act, commence operation of the Bank, including by establishing all operational and administrative parameters of the Bank; and

(B) monitor and exercise oversight of core infrastructure projects as necessary to achieve the purposes of the Bank.

(3) POWERS.—The Board shall have the authority—

(A) in accordance with such terms as the Board determines to be appropriate, to make senior and subordinated loans, purchase senior and subordinated debt securities, and enter into a binding commitment to make any such loan or purchase any such security, the proceeds of which are used to assist in the financing or refinancing of the development of 1 or more core infrastructure projects;

(B) to issue and sell debt securities of the Bank on such terms as the Board determines to be appropriate;

(C) to issue public benefit bonds and provide financing to core infrastructure projects from amounts made available from the issuance of those bonds;

(D) to make loan guarantees;

(E) to enter into agreements or contracts with any individual or entity in support of the business of the Bank;

(F) to purchase in the open market any outstanding obligation of the Bank at any time and at any price;

(G) to acquire, lease, pledge, exchange, and dispose of real and personal property and otherwise exercise all the usual incidents of ownership of property to the extent the exercise of those powers are appropriate to, and consistent with, the purposes of the Bank;

(H) to sue and be sued in a corporate capacity in any court of competent jurisdiction, except that no attachment, injunction, or similar process, may be issued against the property of the Bank or against the Bank with respect to that property;

(I) to indemnify the members of the Board for liabilities arising out of the actions of the Board, in accordance with, and subject to the limitations contained in, this subtitle; and

(J) to exercise all other lawful powers that are necessary or appropriate to carry out, and are consistent with, the purposes of the Bank.

(4) LIMITATIONS.—

(A) ISSUANCE OF DEBT SECURITY.—The Board may not issue any debt security without the consent of the Secretary.

(B) ISSUANCE OF VOTING SECURITY.—The Board may not issue any voting security in the Bank.

(c) AUDITS; REPORTS.—

(1) ACCOUNTING.—The book of accounts of the Bank shall be—

(A) maintained in accordance with generally accepted accounting principles; and

(B) subject to an annual audit by an independent public accountant that is—

(i) appointed by the Board; and

(ii) of nationally recognized standing.

(2) REPORTS.—Not later than 90 days after the last day of each fiscal year during which the Bank is in operation, the Board shall submit to the President and the appropriate committees of Congress a report that describes, with respect to the preceding fiscal year—

(A) the operations of the Bank;

(B) a schedule of the obligations and outstanding capital securities of the Bank, together with a statement of the amounts issued and redeemed or paid during that fiscal year; and

(C) the status of core infrastructure projects receiving funding or other assistance pursuant to this subtitle, including disclosure of all entities with a development, ownership, or operational interest in those core infrastructure projects.

(3) BOOKS AND RECORDS.—

(A) IN GENERAL.—The Bank shall maintain adequate books and records to support the financial transactions of the Bank, including a description, to be maintained on a publically accessible database, of—

(i) each financial transaction of the Bank and each core infrastructure project that receives funding from the Bank; and

(ii) the amount of funding for each core infrastructure project.

(B) AUDITS.—The books and records of the Bank shall be—

(i) maintained in accordance with recommended accounting practices; and

(ii) open to inspection by the Comptroller General of the United States.

SEC. 11312. STATE REMITTANCE AGREEMENTS WITH BANK.

(a) IN GENERAL.—A State may enter into an agreement of not less than 3 years with the Bank, under which—

(1) the State agrees to remit not less than 60 percent of the total amount of funds received by the State in each year of the 3-year period from the Federal Government for Federal-aid highway activities under sections 119(d) and 133(b) of title 23, United States Code;

(2) the Board will issue to the State funds from the Bank received under section 11322 in an amount equal to 90 percent of the amount the State remitted to the Bank under paragraph (1); and

(3) the State will use the funds received from the Bank under paragraph (2) to carry out core infrastructure projects in accordance with subsection (b).

(b) STATE DETERMINATION OF COMPLIANCE.—Notwithstanding any other provision of law, in carrying out a project under subsection (a)(3), a State shall—

(1) have the authority to determine whether the State is in compliance with all Federal requirements of—

(A) environmental approvals relating to the project;

(B) environmental permits relating to the project;

(C) section 313 of title 23, United States Code;

(D) the development and construction of the project, including—

(i) preliminary design;

(ii) right-of-way acquisition;

(iii) construction engineering; and

(iv) final acceptance of the project;

(E) preapproval for preventative maintenance projects and procedures;

(F) project agreements and modifications to project agreements; and

(G) consultant procurement services relating to the project;

(2) assume responsibility of and oversight duties over compliance with the requirements described in paragraph (1); and

(3) to the maximum extent practicable, attempt to carry out the project in compliance with all Federal requirements.

(c) USE OF STATE-REMITTED FUNDS.—The Bank shall use an amount equal to 10 percent of the funds remitted to the Bank by States under subsection (a)(1) to carry out section 11313.

SEC. 11313. LOANS TO STATES AND UNITS OF LOCAL GOVERNMENT FOR TRANSPORTATION PROJECTS.

(a) IN GENERAL.—The Bank may grant a loan to a State or a unit of local government to carry out a core infrastructure project in compliance with all applicable Federal laws and requirements.

(b) SUBMISSION OF APPLICATIONS.—In order to be eligible to receive a loan under subsection (a), a State or unit of local government shall submit to the Board an application at such time, in such manner, and containing such information as the Board may reasonably require.

(c) INTEREST RATES FOR LOANS.—The Board shall—

(1) set the interest rate for a loan provided under subsection (a); and

(2) ensure that the interest rate remains at a level that is more favorable than that of similar infrastructure loans available on the private market.

PART II—CAPITALIZATION OF BANK

SEC. 11321. ALLOWANCE OF TEMPORARY DIVIDENDS RECEIVED DEDUCTION FOR DIVIDENDS RECEIVED FROM A CONTROLLED FOREIGN CORPORATION.

(a) APPLICABILITY OF TEMPORARY DIVIDENDS RECEIVED DEDUCTION.—

(1) IN GENERAL.—Subsection (f) of section 965 of the Internal Revenue Code of 1986 is amended to read as follows:

''(f) ELECTION.—

''(1) IN GENERAL.—The taxpayer may elect to apply this section to the 3-taxable year period beginning with—

''(A) the taxpayer's last taxable year which begins before the date of the enactment of the Build USA Act, or

''(B) the taxpayer's first taxable year which begins during the 1-year period beginning on such date of enactment.

''(2) TIME FOR MAKING ELECTION.—Any election made under this section shall be made on or before the due date (including extensions) for filing the return of tax for the first taxable year in the 3-taxable year period described in paragraph (1).

''(3) DECLARATION OF AMOUNT REPATRIATED.—An election under this section shall designate a limitation of the aggregate amount of dividends to be taken into account under subsection (a) during the 3-taxable year period.''.

(2) CONFORMING AMENDMENTS.—

(A) EXTRAORDINARY DIVIDENDS.—Section 965(b)(2) of such Code is amended by striking ''June 30, 2003'' and inserting ''December 31, 2014'', and

(B) DETERMINATIONS RELATING TO RELATED PARTY INDEBTEDNESS.—Section 965(b)(3)(B) of such Code is amended by striking ''October 3, 2004'' and inserting ''December 31, 2014''.

(C) DETERMINATIONS RELATING TO BASE PERIOD.—Section 965(c)(2) of such Code is amended by striking ''June 30, 2003'' and inserting ''December 31, 2014''.

(b) AMOUNT OF DEDUCTION.—Paragraph (1) of section 965(a) of the Internal Revenue Code of 1986 is amended by striking ''85 percent'' and inserting ''81.4 percent''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years ending after the date of the enactment of this Act.

SEC. 11322. APPROPRIATIONS TO BANK.

(a) ESTIMATION OF REVENUES FROM REPATRIATION.—Not later than 60 days after the date of the enactment of this Act, the Secretary of the Treasury (or the Secretary's designee) shall estimate the increase in the amount of revenues to be received in the Treasury after the date of the enactment of this Act and before October 1, 2019, attributable to the amendments made by this part.

(b) APPROPRIATION.—Out of any money in the Treasury not otherwise appropriated, there is hereby appropriated to the Bank an amount equal to the amount described in subsection (a), to remain available until expended.

SA 2294. Ms. AYOTTE submitted an amendment intended to be proposed by her to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. STRENGTHENING AMERICA'S BRIDGES FUND.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—There is established in the Treasury of the United States a fund, to be known as the ''Strengthening America's Bridges Fund'' (referred to in this section as the ''Fund''), consisting of such amounts as may be appropriated to the Fund under paragraph (2).

(2) TRANSFERS TO FUND.—There is appropriated to the Fund an amount equivalent to the increase in revenue received in the Treasury due to the amendments made by subsection (b), as determined by the Secretary of the Treasury (or a designee).

(3) EXPENDITURES FROM FUND.—Amounts in the Fund shall be made available by the Secretary of Transportation for the purpose of making grants, in accordance with the requirements of this subsection, to States for the repair or maintenance of any bridges classified as deficient in the National Bridge Inventory, as authorized under section 144(b) of title 23, United States Code.

(4) SELECTION PROCESS.—

(A) IN GENERAL.—The Secretary shall select the recipients of grants awarded under this subsection in accordance with the criteria published under subparagraph (B) and described in paragraph (5).

(B) PUBLICATION OF CRITERIA.—The Secretary shall publish selection criteria for any grants awarded under this subsection not earlier than 60 days after the date of enactment of this Act.

(C) TIMELINE FOR SUBMISSION.—Applications for grants under this section shall be submitted not earlier than 120 days after the date on which the criteria are published under subparagraph (B).

(D) DEADLINE FOR SELECTION.—The Secretary shall select and announce all projects selected under this paragraph not earlier than 60 days after the last date of the submission period described in subparagraph (C).

(5) CRITERIA.—In making grants under this subsection, the Secretary shall ensure that—

(A) the distribution of funds is geographically equitable, including an appropriate balance in addressing the needs of urban and rural areas;

(B) not more than 25 percent of the funds made available under this section are awarded to projects in a single State;

(C) not less than 20 percent of the funds provided under this section shall be for projects located in rural areas;

(D) for projects located in rural areas, the Secretary may increase the Federal share of costs to more than 80 percent; and

(E) priority is given to projects that require a contribution of Federal funds in order to complete an overall financing package.

(6) RETENTION OF FUNDS.—To fund the provision and oversight of grants under this subsection, the Secretary may—

(A) retain not more than 10 percent of the funds made available to the Secretary under paragraph (3); and

(B) transfer any portion of those funds to the Administrator of the Federal Highway Administration.

(7) FEDERAL SHARE.—Except as provided in paragraph (5)(D), the Federal share of the costs for which an expenditure is made under this subsection shall be, at the option of the recipient, not more than 80 percent.

(b) SOCIAL SECURITY NUMBER REQUIRED TO CLAIM REFUNDABLE PORTION OF CHILD TAX CREDIT.—

(1) IN GENERAL.—Subsection (e) of section 24 of the Internal Revenue Code of 1986 is amended to read as follows:

''(e) IDENTIFICATION REQUIREMENT WITH RESPECT TO QUALIFYING CHILDREN.—

''(1) IN GENERAL.—Subject to paragraph (2), no credit shall be allowed under this section to a taxpayer with respect to any qualifying child unless the taxpayer includes the name and taxpayer identification number of such qualifying child on the return of tax for the taxable year.

''(2) REFUNDABLE PORTION.—Subsection (d)(1) shall not apply to any taxpayer with respect to any qualifying child unless the taxpayer includes the name and social security number of such qualifying child on the return of tax for the taxable year.''.

(2) OMISSION TREATED AS MATHEMATICAL OR CLERICAL ERROR.—Subparagraph (I) of section 6213(g)(2) of the Internal Revenue Code of 1986 is amended to read as follows:

''(I) an omission of a correct TIN under section 24(e)(1) (relating to child tax credit) or a correct Social Security number required under section 24(e)(2) (relating to refundable portion of child tax credit), to be included on a return,''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after the date of enactment of this Act.

SA 2295. Mr. RUBIO (for himself and Mr. LEE) submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

In lieu of the matter proposed to be inserted, insert the following:

TITLE ___—TERMINATION OF EXPORT-IMPORT BANK OF THE UNITED STATES

SEC. ___01. ABOLISHMENT OF EXPORT-IMPORT BANK OF THE UNITED STATES.

(a) IN GENERAL.—Effective on the abolishment date:

(1) ABOLISHMENT.—The Export-Import Bank of the United States (in this title referred to as the ''Bank'') is abolished.

(2) TRANSFER OF FUNCTIONS.—All functions that, on the day before the abolishment date are authorized to be performed by the Bank, the Board of Directors of the Bank, any officer or employee of the Bank acting in that capacity, or any agency or office of the Bank, are transferred to the Secretary of the Treasury (in this title referred to as the ''Secretary'').

(3) TRANSFER OF ASSETS AND OBLIGATIONS.—Except as otherwise provided in this title, the obligations, assets, personnel, property, records, and unexpended balances of appropriations, allocations, and other funds employed, used, held, available, or to be made available in connection with a function transferred under paragraph (2) are transferred to the Secretary.

(b) ABOLISHMENT DATE DEFINED.—In this title, the term ''abolishment date'' means the date that is 30 days after the date of the enactment of this Act.

SEC. ___02. RESOLUTION AND TERMINATION OF BANK FUNCTIONS.

(a) RESOLUTION OF FUNCTIONS.—The Secretary shall—

(1) complete the disposition and resolution of functions of the Bank in accordance with this title; and

(2) resolve all functions that are transferred to the Secretary under section ___01.

(b) TERMINATION OF FUNCTIONS.—All functions that are transferred to the Secretary under section ___01 shall terminate on the date all obligations of the Bank, and all obligations of others to the Bank, in effect on the day before the abolishment date have been sold under section ___03 or otherwise satisfied, as determined by the Secretary.

(c) REPORT TO THE CONGRESS.—When the Secretary makes the determination described in subsection (b), the Secretary shall report the determination to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate.

SEC. ___03. AUCTION OF BANK ASSETS AND OBLIGATIONS.

(a) IN GENERAL.—Not later than 30 days after the assets and obligations of the Bank are transferred to the Secretary under this title, the Secretary shall conduct an auction to sell such assets and obligations to non-Federal entities.

(b) REMAINING ASSETS AND OBLIGATIONS.—The Secretary shall service any assets and obligations not sold pursuant to subsection (a) until such assets and obligations reach maturity.

(c) DEPOSIT IN GENERAL FUND.—The proceeds of the auction required by subsection (a) shall be deposited in the general fund of the Treasury and used for the purpose of deficit reduction.

SEC. ___04. AUTHORITY AND RESPONSIBILITY OF THE SECRETARY OF THE TREASURY.

The Secretary shall—

(1) be responsible for the implementation of this title; and

(2) have the authority to carry out any tasks necessary to provide for the transfer of any assets or obligations under section ___01 or the auction required by section ___03.

SEC. ___05. PERSONNEL.

Effective on the abolishment date, there are transferred to the Department of the Treasury all individuals, other than members of the Board of Directors of the Bank, who—

(1) immediately before the abolishment date, were officers or employees of the Bank; and

(2) in their capacity as such an officer or employee, performed functions that are transferred to the Secretary under section ___01.

SEC. ___06. TRANSFER OF INSPECTOR GENERAL DUTIES.

(a) TERMINATION OF THE OFFICE OF INSPECTOR GENERAL FOR THE EXPORT-IMPORT BANK OF THE UNITED STATES.—Notwithstanding any other provision of law, the Office of Inspector General for the Bank shall terminate on the abolishment date, and the assets and obligations of the Office shall be transferred to the Office of the Inspector General for the Department of the Treasury or otherwise disposed of.

(b) AUTHORITY AND RESPONSIBILITY FOR TRANSFER OR DISPOSAL.—The Secretary shall have the authority and responsibility for transfer or disposal under subsection (a).

(c) SAVINGS PROVISION.—The provisions of this section shall not affect the performance of any pending audit, investigation, inspection, or report by the Office of the Inspector General for the Bank as of the abolishment date, with respect to functions transferred by this section. Nothing in this subsection shall be deemed to prohibit the discontinuance or modification of any performance under the same terms and conditions and to the same extent that such performance could have been discontinued or modified if this section had not been enacted.

SEC. ___07. EXERCISE OF AUTHORITIES.

Except as otherwise provided by law, the Secretary may, for purposes of performing a function transferred by this title, exercise all authorities under any other provision of law that were available with respect to the performance of that function to the Bank on the day before the effective date of the transfer of the function under this title.

SEC. ___08. AVAILABILITY OF EXISTING FUNDS.

(a) IN GENERAL.—Existing appropriations and funds available for the performance of functions, programs, and activities terminated pursuant to this title shall remain available, for the duration of their period of availability, for necessary expenses in connection with the termination and resolution of such functions, programs, and activities.

(b) DEPOSIT IN GENERAL FUND.—Any appropriations or other funds described in subsection (a) not used for necessary expenses in connection with the termination and resolution of functions, programs, and activities under this title shall be deposited in the general fund of the Treasury and used for the purpose of deficit reduction.

SEC. ___09. CONFORMING AMENDMENTS AND REPEALS.

(a) REPEAL OF PRIMARY AUTHORIZING STATUTE.—The Export-Import Bank Act of 1945 (12 U.S.C. 635 et seq.) is repealed.

(b) ELIMINATION OF RELATED AUTHORIZING PROVISIONS.—

(1) Section 103 of the International Development and Finance Act of 1989 (Public Law 101–240; 12 U.S.C. 635 note) is repealed.

(2) Section 303 of the Support for East European Democracy (SEED) Act of 1989 (Public Law 101–179; 12 U.S.C. 635 note) is repealed.

(3) Section 1908 of the Export-Import Bank Act Amendments of 1978 (12 U.S.C. 635a–1) is amended—

(A) by striking ''(a)''; and

(B) by striking subsection (b).

(4) Sections 1911 and 1912 of the Export-Import Bank Act Amendments of 1978 (12 U.S.C. 635a–2 and 635a–3) are repealed.

(5) Section 206 of the Bank Export Services Act (12 U.S.C. 635a–4) is repealed.

(6) Sections 1 through 5 of Public Law 90–390 (12 U.S.C. 635j through 635n) are repealed.

(7) Sections 641 through 647 of the Trade and Development Enhancement Act of 1983 (12 U.S.C. 635o note and 12 U.S.C. 536o through 635t) are repealed.

(8) Section 534 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1990 (Public Law 101–167; 12 U.S.C. 635g note) is amended by striking subsection (d).

(9) Section 3302 of the Omnibus Trade and Competitiveness Act of 1988 (Public Law 100–418; 12 U.S.C. 635i–3 note) is amended by striking subsection (a).

(10) Section 1105(a) of title 31, United States Code, is amended by striking paragraph (34) and redesignating the succeeding paragraphs of such section as paragraphs (34) through (38), respectively.

(11) Section 9101(3) of title 31, United States Code, is amended by striking subparagraph (C).

(c) ELIMINATION OF RELATED COMPENSATION PROVISIONS.—

(1) POSITION AT LEVEL III.—Section 5314 of title 5, United States Code, is amended by striking the following item:

''President of the Export-Import Bank of Washington.''.

(2) POSITIONS AT LEVEL IV.—Section 5315 of title 5, United States Code, is amended—

(A) by striking the following item:

''First Vice President of the Export-Import Bank of Washington.''; and

(B) by striking the following item:

''Members, Board of Directors of the Export-Import Bank of Washington.''.

(d) ELIMINATION OF OFFICE OF INSPECTOR GENERAL FOR THE BANK.—Section 12 of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in paragraph (1), by striking ''the President of the Export-Import Bank;''; and

(2) in paragraph (2), by striking ''the Export-Import Bank,''.

(e) EFFECTIVE DATE.—The repeals and amendments made by this section shall take effect on the abolishment date.

(f) REPORT TO THE CONGRESS ON OTHER AMENDMENTS TO FEDERAL STATUTE.—The Secretary shall submit to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate a written report that contains suggestions for such other amendments to Federal statutes as may be necessary or appropriate as a result of this title.

SEC. ___10. REFERENCES.

Any reference in any other Federal law, Executive order, rule, regulation, or delegation of authority, or any document of or pertaining to Bank shall be deemed to be a reference to the Secretary.

SA 2296. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 2266 submitted by Mr. MCCONNELL and intended to be proposed to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of title V of division A, add the following:

SEC. 15_____. LIMITATION ON WITHHOLDING OF APPORTIONMENTS FOR NONCOMPLIANCE WITH AIR QUALITY STANDARDS.

(a) IN GENERAL.—Chapter 1 of title 23, United States Code, is amended by inserting after section 159 the following:

''§ 160. Noncompliance with air quality standards

''The Secretary may withhold amounts required to be apportioned under section 104(b) or any other provision of this title or title 49 for Federal-aid highway projects for a fiscal year from a State that contains an area that has not attained an applicable national primary or secondary ambient air quality standard under the Clean Air Act (42 U.S.C. 7401 et seq.) (including regulations promulgated pursuant to that Act) only if—

''(1) the rule establishing the standard has been finalized and implemented before the date of enactment of the DRIVE Act; or

''(2) in a case in which the rule establishing the standard is finalized and implemented on or after the date of enactment of the DRIVE Act, the Administrator of the Environmental Protection Agency includes in each regulatory impact analysis regarding the proposed and final rule at least 1 analysis that does not include—

''(A) any other proposed rule;

''(B) any other rule that, as of the date of the analysis—

''(i) has been finalized by the Administrator; but

''(ii) has not been implemented; and

''(C) any calculation of benefits resulting from reducing emissions of any other criteria pollutant.''.

(b) CONFORMING AMENDMENT.—The analysis for title 23, United States Code, is amended by inserting after the item relating to section 159 the following:

''160. Noncompliance with air quality standards.''.

SA 2297. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. REPEAL OF THE PATIENT PROTECTION AND AFFORDABLE CARE ACT AND THE HEALTH CARE AND EDUCATION RECONCILIATION ACT OF 2010.

(a) IN GENERAL.—

(1) PATIENT PROTECTION AND AFFORDABLE CARE ACT.—Effective on the date that is 180 days after the date of enactment of this Act, the Patient Protection and Affordable Care Act (Public Law 111–148) is repealed and the provisions of law amended or repealed by such Act are restored or revived as if such Act had not been enacted.

(2) HEALTH CARE AND EDUCATION RECONCILIATION ACT OF 2010.—Effective on the date that is 180 days after the date of enactment of this Act, the Health Care and Education Reconciliation Act of 2010 (Public Law 111–152) is repealed and the provisions of law amended or repealed by such Act are restored or revived as if such Act had not been enacted.

(b) BUDGETARY EFFECTS OF THIS SECTION.—The budgetary effects of this section, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this section, submitted for printing in the Congressional Record by the Chairman of the Committee on the Budget of the House of Representatives, as long as such statement has been submitted prior to the vote on passage of this section.

SA 2298. Mr. CRUZ (for himself, Mr. RUBIO, and Mr. VITTER) submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. HEALTH INSURANCE COVERAGE FOR CERTAIN CONGRESSIONAL MEMBERS AND MEMBERS OF THE EXECUTIVE BRANCH.

(a) IN GENERAL.—Notwithstanding section 1312(d)(3)(D) of the Patient Protection and Affordable Care Act (42 U.S.C. 18032(d)(3)(D)), Members of Congress, the President, Vice President, and all other political appointees shall purchase health insurance coverage through a health exchange established under such Act and shall receive no Federal subsidy or contribution to the costs of such coverage that is not also otherwise available to individuals at a similar income level.

(b) DEFINITIONS.—In this section:

(1) MEMBER OF CONGRESS.—The term ''Member of Congress'' shall have the meaning given such term in section 1312(d)(3)(D)(ii)(I) of the Patient Protection and Affordable Care Act (42 U.S.C. 18032(d)(3)(D)(ii)(I)).

(2) POLITICAL APPOINTEE.—The term ''political appointee'' means any individual who—

(A) is employed in a position described under sections 5312 through 5316 of title 5, United States Code, (relating to the Executive Schedule);

(B) is a limited term appointee, limited emergency appointee, or noncareer appointee in the Senior Executive Service, as defined under paragraphs (5), (6), and (7), respectively, of section 3132(a) of title 5, United States Code;

(C) is employed in a position in the executive branch of the Government of a confidential or policy-determining character under schedule C of subpart C of part 213 of title 5 of the Code of Federal Regulations; or

(D) is employed in or under the Executive Office of the President in a position that is excluded from the competitive service by reason of its confidential, policy-determining, policy-making, or policy-advocating character.

SA 2299. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. CONDITION ON RECEIPT OF FEDERAL FUNDS.

Notwithstanding any other provision of law, no Federal funds shall be made available to any entity unless the entity certifies that, during the period beginning on the date of receipt of such funds and ending on the date such funds are exhausted, the entity will not perform, and will not provide any funds to any other entity that performs, an abortion unless in reasonable medical judgment, the abortion is necessary to save the life of a pregnant woman whose life is endangered by a physical disorder, physical illness, or physical injury, including a life-endangering physical condition caused by or arising from the pregnancy itself, but not including psychological or emotional conditions.

SA 2300. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. PROHIBITION ON FEDERAL FUNDING OF CERTAIN ENTITIES.

Notwithstanding any other provision of law, no Federal funds shall be made available to any entity that—

(1) is the target of an investigation by an agency of the Federal government; and

(2) performs, or provides any funds to any other entity that performs, an abortion unless in the reasonable medical judgment of the physician involved, the abortion is necessary to save the life of a pregnant woman whose life is endangered by a physical disorder, physical illness, or physical injury, including a life-endangering condition caused by or arising from the pregnancy itself, but not including psychological or emotional conditions.

SA 2301. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. PROHIBITION ON SANCTIONS RELIEF FOR IRAN.

Notwithstanding any other provision of law, the President may not waive, suspend,

reduce, provide relief from, or otherwise limit the application of statutory sanctions with respect to Iran under any provision of law or refrain from applying any such sanctions pursuant to an agreement with Iran relating to Iran's nuclear program until—

(1) the Government of Iran has recognized Israel's right to exist; and

(2) the Government of Iran has released all American prisoners of conscience who are being unjustly held in Iranian jails, including Saeed Abedini, Amir Hekmati, and Jason Rezaian, and located and returned Robert Levinson.

SA 2302. Mr. ROBERTS (for himself, Mr. ALEXANDER, Mr. BURR, Mr. CORNYN, Mr. COTTON, Mr. GARDNER, Mr. RISCH, Mr. SASSE, Mr. TILLIS, Mr. BOOZMAN, and Mr. PERDUE) submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. REPEAL OF COUNTRY OF ORIGIN LABELING REQUIREMENTS FOR BEEF, PORK, AND CHICKEN.

(a) DEFINITIONS.—Section 281 of the Agricultural Marketing Act of 1946 (7 U.S.C. 1638) is amended—

(1) by striking paragraphs (1) and (7);

(2) by redesignating paragraphs (2), (3), (4), (5), (6), (8), and (9) as paragraphs (1), (2), (3), (4), (5), (6), and (7), respectively; and

(3) in paragraph (1)(A) (as so redesignated)—

(A) by striking clause (i) and inserting the following new clause:

''(i) muscle cuts of lamb and venison;'';

(B) by striking clause (ii) and inserting the following new clause:

''(ii) ground lamb and ground venison;'';

(C) by striking clause (viii); and

(D) by redesignating clauses (ix), (x), and (xi) as clauses (viii), (ix), and (x), respectively.

(b) NOTICE OF COUNTRY OF ORIGIN.—Section 282 of the Agricultural Marketing Act of 1946 (7 U.S.C. 1638a) is amended—

(1) in subsection (a)(2)—

(A) in the heading, by striking ''BEEF, LAMB, PORK, CHICKEN,'' and inserting ''LAMB,'';

(B) by striking ''beef, lamb, pork, chicken,'' and inserting ''lamb,'' each place it appears in subparagraphs (A), (B), (C), and (D); and

(C) in subparagraph (E)—

(i) in the heading, by striking ''GROUND BEEF, PORK, LAMB, CHICKEN,'' and inserting ''GROUND LAMB,''; and

(ii) by striking ''ground beef, ground pork, ground lamb, ground chicken,'' each place it appears and inserting ''ground lamb,''; and

(2) in subsection (f)(2)—

(A) by striking subparagraphs (B) and (C); and

(B) by redesignating subparagraphs (D) and (E) as subparagraphs (B) and (C), respectively.

SA 2303. Mr. BARRASSO (for himself and Mr. CRAPO) submitted an amendment intended to be proposed to amendment SA 2266 submitted by Mr. MCCONNELL and intended to be proposed to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

In section 11001(b)(1) (relating to research, technology, and education authorizations of appropriations)—

(1) in subparagraph (A) (relating to the highway research and development program), reduce the amounts made available for each of fiscal years 2016 through 2021 by $15,000,000; and

(2) in subparagraph (D) (relating to the intelligent transportation systems program), reduce the amounts made available for—

(A) each of fiscal years 2016 through 2020 by $5,000,000; and

(B) fiscal year 2021 by $4,315,400.

In subsection (b)(2) of section 11009 (relating to flexibility for certain rural road and bridge projects), strike ''section 1316(b) of MAP–21'' and insert ''section 1316(a) of MAP–21 (as amended by section 11304)''.

At the end of title I, add the following:

Subtitle D—Tribal Infrastructure and Roads Enhancement and Safety

SEC. 11301. SHORT TITLE.

This subtitle may be cited as the ''Tribal Infrastructure and Roads Enhancement and Safety Act'' or ''TIRES Act''.

SEC. 11302. DEFINITIONS.

In this subtitle:

(1) INDIAN RESERVATION.—The term ''Indian reservation'' has the meaning given the term ''reservation'' in section 3 of the Indian Financing Act of 1974 (25 U.S.C. 1452).

(2) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

SEC. 11303. APPLICATION OF CATEGORICAL EXCLUSIONS TO CERTAIN TRIBAL TRANSPORTATION FACILITIES.

(a) CATEGORICAL EXCLUSIONS.—

(1) IN GENERAL.—Effective on the date of enactment of this Act, a highway project, including projects administered by the Bureau of Indian Affairs, located on a road eligible for assistance under section 202 of title 23, United States Code, is deemed to be an action categorically excluded from the requirements relating to environmental assessments or environmental impact statements under section 1508.4 of title 40, Code of Federal Regulations (as in effect on the date of enactment of this Act), if the project—

(A) qualifies for categorical exclusion under—

(i) MAP–21 (Public Law 112–141; 126 Stat. 405) or an amendment made by that Act; or

(ii) section 771.117 of title 23, Code of Federal Regulations (or successor regulations); or

(B) would meet those requirements if the project sponsor were a State agency.

(2) MAP–21 CATEGORICAL EXCLUSIONS TO CERTAIN TRIBAL TRANSPORTATION FACILITIES.—Section 1317 of MAP–21 (23 U.S.C. 109 note; 126 Stat. 550) (as amended by section 11101 (relating to categorical exclusions for projects of limited Federal assistance)) is amended by adding at the end the following:

''(c) APPLICATION OF CATEGORICAL EXCLUSIONS TO CERTAIN TRIBAL TRANSPORTATION FACILITIES.—With respect to a project described in subsection (a) that is located on a road eligible for assistance under section 202 of title 23, United States Code, for the first full fiscal year after the date of enactment of the TIRES Act, and each fiscal year thereafter, the amount referred to in subsection (a)(1)(A) shall be adjusted to reflect changes for the 12-month period ending the preceding November 30 in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor.''.

(b) ADMINISTRATION.—The Secretary may issue guidance or rules for the administration of this section.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—The categorical exclusions described in subsection (a), and the amendments made by subsection (a), take effect on the date of enactment of this Act.

(2) FAILURE OF SECRETARY TO ACT.—The failure of the Secretary to promulgate any final regulations or guidance shall not affect the qualification for the categorical exclusions described in subsection (a).

SEC. 11304. STREAMLINING FOR TRIBAL PUBLIC SAFETY PROJECTS WITHIN EXISTING OPERATIONAL RIGHTS-OF-WAY.

Section 1316 of MAP–21 (23 U.S.C. 109 note; 126 Stat. 549) is amended—

(1) in subsection (b)—

(A) by striking ''(b) DEFINITION OF AN OPERATIONAL RIGHT-OF-WAY.—In this section, the'' and inserting the following:

''(b) DEFINITIONS.—In this section:

''(1) OPERATIONAL RIGHT-OF-WAY.—

''(A) IN GENERAL.—The'';

(B) by adding at the end the following:

''(B) INCLUSION.—For purposes of subparagraph (A), if a real property interest on an Indian reservation has not been formally designated an operational right-of-way, an Indian tribe may determine the scope and boundaries of that real property interest as an operational right-of-way, subject to the approval of the Bureau of Indian Affairs and the Secretary.

''(2) TRIBAL PUBLIC SAFETY PROJECT.—

''(A) IN GENERAL.—The term 'tribal public safety project' means a project subject to this section that—

''(i) corrects or improves a hazardous road location or feature; or

''(ii) addresses a highway safety problem.

''(B) INCLUSIONS.—The term 'tribal public safety project' includes a project for 1 or more of the following:

''(i) An intersection safety improvement.

''(ii) Pavement and shoulder widening, including addition of a passing lane to remedy an unsafe condition.

''(iii) Installation of a rumble strip or other warning device, if the rumble strip or other warning device does not adversely affect the safety or mobility of bicyclists, pedestrians, or the disabled.

''(iv) Installation of a skid-resistant surface at an intersection or other location with a high frequency of accidents.

''(v) An improvement for pedestrian or bicyclist safety or safety of the disabled.

''(vi) Construction of any project for the elimination of hazards at a railway-highway crossing that is eligible for funding under section 130 of title 23, United States Code, including the separation or protection of grades at railway-highway crossings.

''(vii) Construction of a railway-highway crossing safety feature, including installation of protective devices.

''(viii) The conduct of a model traffic enforcement activity at a railway-highway crossing.

''(ix) Construction of a traffic calming feature.

''(x) Elimination of a roadside obstacle.

''(xi) Improvement of highway signage and pavement markings.

''(xii) Installation of a priority control system for emergency vehicles at signalized intersections.

''(xiii) Installation of a traffic control or other warning device at a location with high accident potential.

''(xiv) Safety-conscious planning.

''(xv) Improvements in the collection and analysis of crash data.

''(xvi) Planning integrated interoperable emergency communications equipment, operational activities, or traffic enforcement activities, including police assistance, relating to workzone safety.

''(xvii) Installation of guardrails, barriers, including barriers between construction work zones and traffic lanes for the safety of motorists and workers, and crash attenuators.

''(xviii) The addition or retrofitting of structures or other measures to eliminate or reduce accidents involving vehicles and wildlife.

''(xix) Installation and maintenance of signs, including fluorescent, yellow-green signs, at pedestrian-bicycle crossings and in school zones.

''(xx) Construction and yellow-green signs at pedestrian-bicycle crossings and in school zones.

''(xxi) Construction and operational improvements on high-risk rural roads.

''(xxii) Any other project that the Secretary determines qualifies.'';

(2) by redesignating subsections (a) and (b) as subsections (b) and (a), respectively, and moving the subsections so as to appear in alphabetical order;

(3) in subsection (b) (as so redesignated), in the subsection heading, by striking ''IN GENERAL'' and inserting ''DESIGNATION''; and

(4) by adding at the end the following:

''(c) PROJECTS WITHIN EXISTING OPERATIONAL RIGHTS-OF-WAY.—

''(1) APPLICABILITY.—This subsection applies to a project within an existing operational right-of-way on an Indian reservation (as defined in section 3 of the Indian Financing Act of 1974 (25 U.S.C. 1452)) that is—

''(A) for a maintenance or preservation activity, whether or not federally funded, within the existing operational right-of-way, including for roadside ditches; or

''(B) a project that—

''(i) is a tribal public safety project or a project that the tribal department of transportation or the equivalent (or in the case of an Indian tribe without a tribal department of transportation or equivalent, an official representing the Indian tribe) certifies to the Secretary as providing a safety benefit to the public; and

''(ii) is an action that—

''(I) is categorically excluded under section 771.117 of title 23, Code of Federal Regulations (or successor regulations); or

''(II) would be categorically excluded under section 771.117 of title 23, Code of Federal Regulations (or successor regulations), if the applicant were a State agency.

''(2) FINAL ACTION.—Except as provided in paragraph (3), a Federal agency shall take final action on an application by an Indian tribe for a permit, approval, or jurisdictional determination for a project described in paragraph (1) not later than 45 days after the date of receipt of the application.

''(3) EXTENSIONS.—A Federal agency may extend the period to take final action on an application by an Indian tribe under paragraph (2) by an additional 30 days by providing to the Secretary and the Indian tribe notice of the extension, including a statement of the need for the extension.

''(4) CONSTRUCTIVE APPROVAL.—If a Federal agency does not take final action on an application by an Indian tribe under paragraphs (2) and (3)—

''(A) the permit or approval for the project described in paragraph (1) shall be considered approved; and

''(B) the Indian tribe shall notify the Secretary of approval under this paragraph.

''(5) REPORT.—Not later than 4 years after the date of enactment of the 'TIRES Act', the Secretary shall submit to Congress a report that describes the operation of this subsection, including any recommendations.''.

SEC. 11305. OPTION OF ASSUMING NEPA APPROVAL AUTHORITY.

(a) DEFINITION OF SECRETARY.—In this section, the term ''Secretary'' means the Secretary of the Interior or the Secretary of Transportation, as applicable.

(b) ASSUMPTION OF FEDERAL RESPONSIBILITIES.—An Indian tribe participating in tribal self-governance or a contract or agreement under subsection (a)(2) or (b)(7) of section 202 of title 23, United States Code, and carrying out construction projects on the Indian reservation over which the Indian tribe has jurisdiction, may elect to assume all Federal responsibilities under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), division A of subtitle III of title 54, United States Code, and other applicable Federal law that would apply if the Secretary were to undertake a construction project if the Indian tribe—

(1) designates an officer—

(A) to represent the Indian tribe; and

(B) to assume the status of a responsible Federal official under those laws; and

(2) accepts the jurisdiction of the Federal court for the purpose of enforcement of the responsibilities of the responsible Federal official under those laws.

SEC. 11306. TRIBAL GOVERNMENT TRANSPORTATION SAFETY DATA REPORT.

(a) FINDINGS.—Congress finds that—

(1) in many States, the Native American population is disproportionately represented in fatalities and crash statistics;

(2) improved crash reporting by tribal law enforcement agencies would facilitate safety planning and would enable Indian tribes to apply more successfully for State and Federal funds for safety improvements;

(3) the causes of underreporting of crashes on Indian reservations include—

(A) tribal law enforcement capacity, including—

(i) staffing shortages and turnover; and

(ii) lack of equipment, software, and training; and

(B) lack of standardization in crash reporting forms and protocols; and

(4) without more accurate reporting of crashes on Indian reservations and rural roads located in or around Alaska Native villages and within the boundaries of Regional Corporations (within the meaning of the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.)), it is difficult or impossible to fully understand the nature of the problem and develop appropriate countermeasures, which may include effective transportation safety planning and programs aimed at—

(A) DUI prevention;

(B) pedestrian safety;

(C) roadway safety improvements;

(D) seat belt usage; and

(E) proper use of child restraints.

(b) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary, after consultation with the Secretary of Transportation, the Secretary of Health and Human Services, the Attorney General, and Indian tribes, shall submit to the Committee on Indian Affairs of the Senate and the Committee on Natural Resources of the House of Representatives a report describing the quality of transportation safety data collected by States and counties for transportation safety systems and the relevance of that data to improving the collection and sharing of data on crashes on or near—

(A) Indian reservations; or

(B) rural roads located in or around Alaska Native villages and within the boundaries of Regional Corporations (within the meaning of the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.)).

(2) PURPOSES.—The purposes of the report described in paragraph (1) are—

(A) to improve the collection and sharing of data on crashes on or near Indian reservations; and

(B) to develop data that Indian tribes can use to recover damages to tribal property caused by motorists.

(3) PAPERLESS DATA REPORTING.—In preparing the report under paragraph (1), the Secretary shall provide Indian tribes with options and best practices for transition to a paperless transportation safety data reporting system that—

(A) improves the collection of crash reports;

(B) stores, archives, queries, and shares crash records; and

(C) uses data exclusively—

(i) to address traffic safety issues on—

(I) Indian reservations; and

(II) rural roads located in or around Alaska Native villages and within the boundaries of Regional Corporations (within the meaning of the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.)); and

(ii) to identify and improve problem areas on—

(I) public roads on Indian reservations; and

(II) rural roads located in or around Alaska Native villages and within the boundaries of Regional Corporations (within the meaning of the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.)).

(4) ADDITIONAL BUDGETARY RESOURCES.—The Secretary shall include in the report under paragraph (1) the identification of Federal transportation funds provided to Indian tribes by agencies in addition to the Department of the Interior.

SEC. 11307. BUREAU OF INDIAN AFFAIRS ROAD SAFETY STUDY.

Not later than 2 years after the date of enactment of this Act, the Secretary, acting through the Assistant Secretary for Indian Affairs, in consultation with the Secretary of Transportation, the Attorney General, and States, shall—

(1) complete a study that identifies and evaluates options for improving safety on—

(A) public roads on or near Indian reservations; and

(B) rural roads located in or around Alaska Native villages and within the boundaries of Regional Corporations (within the meaning of the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.)); and

(2) submit to the Committee on Indian Affairs of the Senate and the Committee on Natural Resources of the House of Representatives a report describing the results of the study.

SEC. 11308. TRIBAL TRANSPORTATION FUNDING.

(a) IN GENERAL.—Section 1101(a)(3) of MAP–21 (Public Law 112–141; 126 Stat. 414) is amended—

(1) by striking subparagraph (A) and inserting the following:

''(A) TRIBAL TRANSPORTATION PROGRAM.—For the tribal transportation program under section 202 of title 23, United States Code (other than subsection (d) of that section), there are authorized to be appropriated—

''(i) $468,180,000 for fiscal year 2016;

''(ii) $477,540,000 for fiscal year 2017;

''(iii) $487,090,000 for fiscal year 2018;

''(iv) $496,830,000 for fiscal year 2019;

''(v) $506,770,000 for fiscal year 2020; and

''(vi) $516,905,400 for fiscal year 2021.''; and

(2) by adding at the end the following:

''(D) TRIBAL TRANSPORTATION FACILITY BRIDGE PROGRAM.—For the tribal transportation facility bridge program under section 202(d) of title 23, United States Code, there are authorized to be appropriated—

''(i) $16,000,000 for fiscal year 2016;

''(ii) $18,000,000 for fiscal year 2017;

''(iii) $20,000,000 for fiscal year 2018;

''(iv) $22,000,000 for fiscal year 2019;

''(v) $24,000,000 for fiscal year 2020; and

''(vi) $26,000,000 for fiscal year 2021.''.

(3) TRIBAL TRANSPORTATION FACILITY BRIDGE PROGRAM.—Section 202(d) of title 23, United States Code (as amended by sections 11023(c)(2) (relating to asset management) and 11024(2) (relating to a tribal transportation program amendment)), is amended by striking paragraph (2) and inserting the following:

''(2) TRIBAL TRANSPORTATION FACILITY BRIDGE PROGRAM.—The Secretary shall use funds made available to carry out this subsection—

''(A) to carry out any planning, design, engineering, preconstruction, construction, and inspection of new or replacement tribal transportation facility bridges;

''(B) to replace, rehabilitate, seismically retrofit, paint, apply calcium magnesium acetate, sodium acetate/formate, or other environmentally acceptable, minimally corrosive anti-icing and deicing composition; or

''(C) to implement any countermeasure for deficient tribal transportation facility bridges, including multiple-pipe culverts.''.

In section 34101(6) (relating to authorization of appropriations for administrative expenses), reduce the amounts made available for each of fiscal years 2016 through 2020 by $10,000,000.

SA 2304. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. NATIONAL AMBIENT AIR QUALITY STANDARDS.

Section 109(d) of the Clean Air Act (42 U.S.C. 7409(d)) is amended—

(1) in paragraph (1)—

(A) in the first sentence, by striking ''(d)(1) Not later than December 31, 1980, and at five-year intervals'' and inserting the following:

''(d) REVIEW AND REVISION OF CRITERIA AND STANDARDS; INDEPENDENT SCIENTIFIC REVIEW COMMITTEE; APPOINTMENT; ADVISORY FUNCTIONS.—

''(1) REVIEW AND REVISION OF CRITERIA AND STANDARDS.—

''(A) IN GENERAL.—Except as provided in subparagraph (C), not later than December 31, 1980, and at 10-year intervals'';

(B) in the second sentence, by striking ''The Administrator'' and inserting the following:

''(B) EARLY AND FREQUENT REVIEW AND REVISION.—Except with respect to any national ambient air quality standard promulgated under this section for ozone concentrations, the Administrator''; and

(C) by adding at the end the following:

''(C) NATIONAL AMBIENT AIR QUALITY STANDARDS FOR OZONE CONCENTRATIONS.—Not earlier than February 1, 2018, but not later than December 31, 2018, and at 10-year intervals thereafter, the Administrator shall, with respect to national ambient air quality standards for ozone concentrations—

''(i) complete a thorough review of any standard promulgated under this section; and

''(ii) make revisions to the standards described in clause (i) and promulgate new standards as may be appropriate in accordance with section 108 and subsection (b).''; and

(2) in paragraph (2)(B)—

(A) by striking ''(B) Not later than January 1, 1980, and at five-year intervals'' and inserting the following:

''(B) REVIEW.—

''(i) IN GENERAL.—Except as provided in clause (ii), not later than January 1, 1980, and at 10-year intervals''; and

(B) by adding at the end the following:

''(ii) NATIONAL AMBIENT AIR QUALITY STANDARDS FOR OZONE CONCENTRATIONS.—Not earlier than February 1, 2018, and at 10-year intervals thereafter, the committee referred to in subparagraph (A) shall, with respect to national ambient air quality standards for ozone concentrations—

''(I) complete a review of any standard promulgated under this section; and

''(II) recommend to the Administrator any new standard and any revision to the standards described in subclause (I) as may be appropriate under section 108 and subsection (b).''.

SA 2305. Mr. FLAKE (for himself and Mr. ALEXANDER) submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. AGREEMENT TO KEEP PUBLIC LAND OPEN DURING A GOVERNMENT SHUTDOWN.

(a) DEFINITIONS.—In this section:

(1) COVERED UNIT.—The term ''covered unit'' means—

(A) public land;

(B) units of the National Park System;

(C) units of the National Wildlife Refuge System; or

(D) units of the National Forest System.

(2) PUBLIC LAND.—The term ''public land'' has the meaning given the term ''public lands'' in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702).

(3) SECRETARY.—The term ''Secretary'' means—

(A) the Secretary of the Interior, with respect to land under the jurisdiction of the Secretary of the Interior; or

(B) the Secretary of Agriculture, with respect to land under the jurisdiction of the Secretary of Agriculture.

(b) AUTHORIZATION OF AGREEMENT.—Subject to subsection (c), if a State or political subdivision of the State offers, the Secretary shall enter into an agreement with the State or political subdivision of the State under which the United States may accept funds from the State or political subdivision of the State to reopen, in whole or in part, any covered unit within the State or political subdivision of the State during any period in which there is a lapse in appropriations for the covered unit.

(c) APPLICABILITY.—The authority under subsection (b) shall only be in effect during any period in which the Secretary is unable to operate and manage covered units at normal levels, as determined in accordance with the terms of agreement entered into under subsection (b).

(d) REFUND.—The Secretary shall refund to the State or political subdivision of the State all amounts provided to the United States under an agreement entered into under subsection (b)—

(1) on the date of enactment of an Act retroactively appropriating amounts sufficient to maintain normal operating levels at the covered unit reopened under an agreement entered into under subsection (b); or

(2) on the date on which the State or political subdivision establishes, in accordance with the terms of the agreement, that, during the period in which the agreement was in effect, fees for entrance to, or use of, the covered units were collected by the Secretary.

(e) VOLUNTARY REIMBURSEMENT.—If the requirements for a refund under subsection (d) are not met, the Secretary may, subject to the availability of appropriations, reimburse the State and political subdivision of the State for any amounts provided to the United States by the State or political subdivision under an agreement entered into under subsection (b).

SA 2306. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. UNUSED EARMARKS.

(a) SHORT TITLE.—This section may be cited as the ''Jurassic Pork Act''.

(b) DEFINITIONS.—In this section—

(1) the term ''agency'' has the meaning given the term ''Executive agency'' under section 105 of title 5, United States Code;

(2) the term ''earmark'' means—

(A) a congressionally directed spending item, as defined in rule XLIV of the Standing Rules of the Senate; and

(B) a congressional earmark, as defined in rule XXI of the Rules of the House of Representatives; and

(3) the term ''unused DOT earmark'' means an earmark of funds provided for the Department of Transportation as to which more than 90 percent of the dollar amount of the earmark of funds remains available for obligation at the end of the 9th fiscal year following the fiscal year during which the earmark was made available.

(c) RESCISSION OF UNUSED DOT EARMARKS.—

(1) IN GENERAL.—Except as provided in paragraph (2), effective on October 1 of the 10th fiscal year after funds under an unused DOT earmark are made available, all unobligated amounts made available under the unused DOT earmark are rescinded and shall be transferred to the Highway Trust Fund.

(2) EXCEPTION.—The Secretary of Transportation may delay the rescission of amounts made available under an unused DOT earmark for 1 year if the Secretary determines that an additional obligation of amounts from the earmark is likely to occur during the 10th fiscal year after funds under the unused DOT earmark are made available.

(d) AGENCY-WIDE IDENTIFICATION AND REPORT.—

(1) AGENCY IDENTIFICATION.—Each agency shall identify and submit to the Director of the Office of Management and Budget an annual report—

(A) that identifies each earmark for a project of the agency that is ineligible for funding; and

(B) that discusses each project of the agency for which—

(i) amounts are made available under an earmark; and

(ii) as of the end of a fiscal year, unobligated balances remain available.

(2) ANNUAL REPORT.—The Director of the Office of Management and Budget shall submit to Congress and publically post on the website of the Office of Management and Budget an annual report regarding earmarks (including any earmark that is ineligible for funding) that includes—

(A) a listing and accounting for earmarks for which unobligated balances remain available, summarized by agency, which shall include, for each earmark—

(i) the amount of funds made available under the original earmark;

(ii) the amount of the unobligated balances that remain available;

(iii) the fiscal year through which the funds are made available, if applicable; and

(iv) recommendations and justifications for whether the earmark should be rescinded or retained in the next fiscal year;

(B) the number of rescissions resulting from this section and the annual savings resulting from this section for the previous fiscal year; and

(C) a listing and accounting for earmarks provided for the Department of Transportation scheduled to be rescinded under subsection (c) at the end of the fiscal year during which the report is submitted.

SA 2307. Mr. FLAKE (for himself and Mr. VITTER) submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. USE OF PROJECT LABOR AGREEMENTS IN CONSTRUCTION PROJECTS.

(a) CIVILIAN CONTRACTS.—

(1) IN GENERAL.—Division C of subtitle I of title 41, United States Code, is amended by adding at the end the following new section:

''§ 4713. Prohibition on awarding of construction contracts based on awardees entering into agreements with labor organizations

''(a) IN GENERAL.—The head of an executive agency may not in any solicitation, bid specification, project agreement, or other controlling document—

''(1) require or prohibit bidders, offerors, contractors, or subcontractors to enter into or adhere to agreements with one or more labor organizations; or

''(2) discriminate against or give preference to bidders, offerors, contractors, or subcontractors based on their entering or refusing to enter into such an agreement.

''(b) RULE OF CONSTRUCTION.—Nothing in this section shall prohibit a contractor or subcontractor from voluntarily entering into such an agreement, as is protected by the National Labor Relations Act (29 U.S.C. 151 et seq.).''.

(2) CLERICAL AMENDMENT.—The table of sections for division C of subtitle I of title 41, United States Code, is amended by inserting after the item relating to section 4712 the following new item:

''4713. Prohibition on awarding of construction contracts based on awardees entering into agreements with labor organizations.''.

(b) DEFENSE CONTRACTS.—

(1) IN GENERAL.—Chapter 137 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 2338. Prohibition on awarding of construction contracts based on awardees entering into agreements with labor organizations

''(a) IN GENERAL.—The head of an agency may not in any solicitation, bid specification, project agreement, or other controlling document—

''(1) require or prohibit bidders, offerors, contractors, or subcontractors to enter into or adhere to agreements with one or more labor organizations; or

''(2) discriminate against or give preference to bidders, offerors, contractors, or subcontractors based on their entering or refusing to enter into such an agreement.

''(b) RULE OF CONSTRUCTION.—Nothing in this section shall prohibit a contractor or subcontractor from voluntarily entering into such an agreement, as is protected by the National Labor Relations Act (29 U.S.C. 151 et seq.).''.

(2) CLERICAL AMENDMENT.—The table of sections for chapter 137 of title 10, United States Code, is amended by inserting after the item relating to section 2337 the following new item:

''2338. Prohibition on awarding of construction contracts based on awardees entering into agreements with labor organizations.''.

(c) APPLICATION OF AMENDMENTS.—The amendments made by subsections (a) and (b) shall not apply to construction contracts awarded before the date of the enactment of this Act.

SA 2308. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2266 submitted by Mr. MCCONNELL and intended to be proposed to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 888, strike lines 7 through 20 and insert the following:

''(i) reduction of long-term congestion, including impacts on a national, regional, and statewide basis;

''(ii) an increase in the speed, reliability, and accessibility of the movement of people or freight; or

''(iii) improvement of transportation safety, including reducing transportation accident and serious injuries and fatalities;

''(G) is justified based on the ability of the project to achieve generation of national economic benefits that reasonably exceed the costs of the project; and

''(H) is supported by a sufficient amount

SA 2309. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2266 submitted by Mr. MCCONNELL and intended to be proposed to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

Strike paragraph (1) of section 15002(b) (relating to authorization of appropriations for the Appalachian regional development program)) and insert the following:

(1) by striking paragraph (5) of subsection (a) and inserting the following:

''(5) $90,000,000 for each of fiscal years 2016 through 2021.'';

SA 2310. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2266 submitted by Mr. MCCONNELL and intended to be proposed to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of division H, add the following:

SEC. 800____. ADJUSTMENT OF AUTHORIZATIONS TO MATCH FUNDING.

Notwithstanding any other provision of this Act, the Secretary of the Treasury shall determine the total amount of revenue generated by this Act and the amendments made by this Act and adjust, on a fiscal year basis, each extension or authorization of authority provided under this Act or an amendment made by this Act so that the total

amount of revenue generated offsets the total revenue obligated.

SA 2311. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PROHIBITION ON EARMARKS.

(a) IN GENERAL.—None of the funds appropriated under this Act or an amendment made by this Act may be used for an earmark.

(b) DEFINITION.—In this section, the term ''earmark'' means—

(1) a congressionally directed spending item, as defined in rule XLIV of the Standing Rules of the Senate; and

(2) a congressional earmark, as defined in rule XXI of the Rules of the House of Representatives.

SA 2312. Mr. FLAKE (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. EXTENSION OF COMPLIANCE DEADLINE FOR CARBON DIOXIDE EMISSIONS RULE.

(a) DEFINITION OF COMPLIANCE DATE.—

(1) IN GENERAL.—In this section, the term ''compliance date'' means the date by which any State, local, or tribal government or other person is required to comply with any requirement in a final rule that succeeds—

(A) the proposed rule entitled ''Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units'' (79 Fed. Reg. 34830 (June 18, 2014)); or

(B) the supplemental proposed rule entitled ''Carbon Pollution Emission Guidelines for Existing Stationary Sources: EGUs in Indian Country and U.S. Territories; Multi-Jurisdictional Partnerships'' (79 Fed. Reg. 65482 (November 4, 2014)).

(2) INCLUSION.—The term ''compliance date'' includes the date by which State plans are required to be submitted to the Administrator of the Environmental Protection Agency under any final rule described in paragraph (1).

(b) EXTENSIONS.—If any person files a petition for review to challenge a final rule described in subsection (a)(1), each compliance date shall be extended by the time period equal to the period of days that—

(1) begins on the date that is 60 days after the date on which notice of promulgation of a final rule described in subsection (a)(1) appears in the Federal Register; and

(2) ends on the date that is 60 days after the date on which judgment becomes final, and no longer subject to further appeal or review, in all actions (including any action filed pursuant to section 307 of the Clean Air Act (42 U.S.C. 7607)) that—

(A) are filed during the time period described in paragraph (1); and

(B) seek review of any aspect of the rule.

SA 2313. Mr. MANCHIN submitted an amendment intended to be proposed to amendment SA 2266 submitted by Mr. MCCONNELL and intended to be proposed to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

In section 52203, strike ''$1,000,000,000'' and insert ''$15,000,000,000''.

SA 2314. Mrs. SHAHEEN submitted an amendment intended to be proposed to amendment SA 2266 submitted by Mr. MCCONNELL and intended to be proposed to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle A of title I, add the following:

SEC. 11____. STRENGTHEN AND FORTIFY EXISTING BRIDGES.

(a) DEFINITIONS.—In this section:

(1) BRIDGE.—The term ''bridge'' means a bridge on a public road, without regard to whether the bridge is on a Federal-aid highway.

(2) ELIGIBLE BRIDGE.—The term ''eligible bridge'' means a bridge that is—

(A) structurally deficient;

(B) functionally obsolete; or

(C) fracture critical.

(3) FEDERAL-AID HIGHWAY.—The term ''Federal-aid highway'' has the meaning given the term in section 101(a) of title 23, United States Code.

(4) FRACTURE CRITICAL.—The term ''fracture critical'' means, with respect to a bridge, a bridge with a steel member in tension, or with a tension element, the failure of which would likely cause a portion of the bridge or the entire bridge to collapse.

(5) FUNCTIONALLY OBSOLETE.—The term ''functionally obsolete'' means, with respect to a bridge, a bridge that, as determined by the Secretary, no longer meets the most current design standards for the traffic demands on the bridge.

(6) PUBLIC ROAD.—The term ''public road'' has the meaning given the term in section 101(a) of title 23, United States Code.

(7) REHABILITATION.—The term ''rehabilitation'' means, with respect to a bridge, the carrying out of major work necessary, as determined by the Secretary—

(A) to restore the structural integrity of the bridge; or

(B) to correct a major safety defect of the bridge.

(8) REPLACEMENT.—The term ''replacement'' means, with respect to a bridge, the construction of a new facility that, as determined by the Secretary, is in the same general traffic corridor as the replaced bridge.

(9) STATE.—The term ''State'' means—

(A) a State; and

(B) the District of Columbia.

(10) STRUCTURALLY DEFICIENT.—The term ''structurally deficient'' means, with respect to a bridge, a bridge that, as determined by the Secretary—

(A) has significant load-carrying elements that are in poor or worse condition due to deterioration, damage, or both;

(B) has a load capacity that is significantly below truckloads using the bridge and that requires replacement; or

(C) has a waterway opening causing frequent flooding of the bridge deck and approaches resulting in significant traffic interruptions.

(b) ESTABLISHMENT.—Not later than 30 days after the date of enactment of this Act, the Secretary shall establish a program to assist States to rehabilitate or replace eligible bridges.

(c) APPORTIONMENT OF FUNDS.—

(1) IN GENERAL.—Amounts made available to carry out the program established under subsection (b) for a fiscal year shall be apportioned to each State according to the ratio that—

(A) the total cost to rehabilitate or replace structurally deficient and functionally obsolete bridges in that State; bears to

(B) the total cost to rehabilitate or replace structurally deficient and functionally obsolete bridges in all States.

(2) CALCULATION OF TOTAL COST.—

(A) CATEGORIES OF BRIDGES.—The Secretary shall place each structurally deficient or functionally obsolete bridge into 1 of the following categories:

(i) Federal-aid highway bridges eligible for rehabilitation.

(ii) Federal-aid highway bridges eligible for replacement.

(iii) Bridges not on Federal-aid highways eligible for rehabilitation.

(iv) Bridges not on Federal-aid highways eligible for replacement.

(B) CALCULATION.—For purposes of the calculation under paragraph (1), the Secretary shall multiply the deck area of structurally deficient and functionally obsolete bridges in each category described in subparagraph (A) by the respective unit price on a State-by-State basis, as determined by the Secretary, to determine the total cost to rehabilitate or replace bridges in each State.

(C) DATA USED IN MAKING DETERMINATIONS.—The Secretary shall make determinations under this subsection based on the latest available data, which shall be updated not less than annually.

(D) USE OF EXISTING INVENTORIES.—To the extent practicable, the Secretary shall make determinations under this subsection using inventories prepared under section 144 of title 23, United States Code.

(d) USE OF FUNDS.—Funds apportioned to a State under the program established under subsection (b) shall—

(1) be used by that State for the rehabilitation and replacement of eligible bridges;

(2) except as otherwise specified in this section, be administered as if apportioned under chapter 1 of title 23, United States Code, except that the funds shall not be transferable;

(3) be subject to the requirements described in section 1101(b) of MAP–21 (23 U.S.C. 101 note; 126 Stat. 414) in the same manner as amounts made available for programs under divisions A and B of that Act; and

(4) not be subject to any limitation on obligations for Federal-aid highways or highway safety construction programs set forth in any Act.

(e) CONDITION AT PROJECT COMPLETION.—A bridge that is rehabilitated or replaced under the program established under subsection (b) may not be structurally deficient, functionally obsolete, or fracture critical upon the completion of the rehabilitation or replacement.

(f) FEDERAL SHARE.—The Federal share of the cost of a project carried out with funds apportioned to a State under the program established under subsection (b) shall be 100 percent.

(g) REAPPORTIONMENT OF UNOBLIGATED FUNDS.—Any funds apportioned to a State under the program established under subsection (b) and not obligated by that State at the end of the third fiscal year beginning after the fiscal year during which the funds were apportioned shall be withdrawn from that State and reapportioned by the Secretary to States that have not had funds withdrawn under this subsection in accordance with the formula specified in subsection (b).

(h) NONSUBSTITUTION.—In carrying out the program established under subsection (b), the Secretary shall ensure that funding made available to a State under the program supplements, and does not supplant—

(1) other Federal funding made available for the rehabilitation or replacement of eligible bridges; and

(2) the planned obligations of that State with respect to eligible bridges.

(i) REPORT.—Not later than 1 year after the date of enactment of this Act, and each year thereafter if States obligated funds apportioned under the program established under subsection (b) during that year, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report that describes the amounts obligated by each State for projects under the program.

(j) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) to carry out this section (other than subsection (k)) $2,000,000,000 for each of fiscal years 2016 through 2018.

(k) OFFSET.—

(1) IN GENERAL.—Section 7701 of the Internal Revenue Code of 1986 is amended by redesignating subsection (p) as subsection (q) and by inserting after subsection (o) the following new subsection:

''(p) CERTAIN CORPORATIONS MANAGED AND CONTROLLED IN THE UNITED STATES TREATED AS DOMESTIC FOR INCOME TAX.—

''(1) IN GENERAL.—Notwithstanding subsection (a)(4), in the case of a corporation described in paragraph (2) if—

''(A) the corporation would not otherwise be treated as a domestic corporation for purposes of this title, but

''(B) the management and control of the corporation occurs, directly or indirectly, primarily within the United States,

then, solely for purposes of chapter 1 (and any other provision of this title relating to chapter 1), the corporation shall be treated as a domestic corporation.

''(2) CORPORATION DESCRIBED.—

''(A) IN GENERAL.—A corporation is described in this paragraph if—

''(i) the stock of such corporation is regularly traded on an established securities market, or

''(ii) the aggregate gross assets of such corporation (or any predecessor thereof), including assets under management for investors, whether held directly or indirectly, at any time during the taxable year or any preceding taxable year is $50,000,000 or more.

''(B) GENERAL EXCEPTION.—A corporation shall not be treated as described in this paragraph if—

''(i) such corporation was treated as a corporation described in this paragraph in a preceding taxable year,

''(ii) such corporation—

''(I) is not regularly traded on an established securities market, and

''(II) has, and is reasonably expected to continue to have, aggregate gross assets (including assets under management for investors, whether held directly or indirectly) of less than $50,000,000, and

''(iii) the Secretary grants a waiver to such corporation under this subparagraph.

''(3) MANAGEMENT AND CONTROL.—

''(A) IN GENERAL.—The Secretary shall prescribe regulations for purposes of determining cases in which the management and control of a corporation is to be treated as occurring primarily within the United States.

''(B) EXECUTIVE OFFICERS AND SENIOR MANAGEMENT.—Such regulations shall provide that—

''(i) the management and control of a corporation shall be treated as occurring primarily within the United States if substantially all of the executive officers and senior management of the corporation who exercise day-to-day responsibility for making decisions involving strategic, financial, and operational policies of the corporation are located primarily within the United States, and

''(ii) individuals who are not executive officers and senior management of the corporation (including individuals who are officers or employees of other corporations in the same chain of corporations as the corporation) shall be treated as executive officers and senior management if such individuals exercise the day-to-day responsibilities of the corporation described in clause (i).

''(C) CORPORATIONS PRIMARILY HOLDING INVESTMENT ASSETS.—Such regulations shall also provide that the management and control of a corporation shall be treated as occurring primarily within the United States if—

''(i) the assets of such corporation (directly or indirectly) consist primarily of assets being managed on behalf of investors, and

''(ii) decisions about how to invest the assets are made in the United States.''.

(2) REVENUES PLACED IN HIGHWAY TRUST FUND.—Section 9503(b) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(7) CERTAIN OTHER AMOUNTS.—There are hereby appropriated to the Highway Trust Fund amounts equivalent to the revenues received in the Treasury which are attributable to the amendments made by section 11____ (k)(1) of the DRIVE Act.''.

(3) EFFECTIVE DATE.—The amendments made by paragraph (1) shall apply to taxable years beginning on or after the date which is 2 years after the date of the enactment of this Act, whether or not regulations are issued under section 7701(p)(3) of the Internal Revenue Code of 1986, as added by this subsection.

SA 2315. Ms. STABENOW (for herself, Mr. BROWN, Mr. PETERS, Mr. REED, and Mr. MENENDEZ) submitted an amendment intended to be proposed by her to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

Strike section 52301.

SA 2316. Mr. TOOMEY (for himself and Mr. MERKLEY) submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. GRANTS TO STATES.

Chapter 311 of title 49, United States Code, is amended—

(1) in section 31101—

(A) by redesignating paragraphs (2), (3), and (4) as paragraphs (3), (4), and (5), respectively;

(B) by inserting after paragraph (1) the following:

''(2) 'covered farm vehicle' means a motor vehicle (including an articulated motor vehicle)—

''(A) that—

''(i) is registered or otherwise designated by the State for use in, or transportation activities related to, the operation of farms;

''(ii) is equipped with a special registration plate or other State-issued designation to allow for identification of the vehicle as a farm vehicle by law enforcement personnel;

''(iii) is traveling in the State of registration or designation or in another State;

''(iv) is operated by—

''(I) a farm owner or operator;

''(II) a ranch owner or operator; or

''(III) an employee or family member of an individual specified in subclause (I) or (II);

''(v) is transporting to or from a farm or ranch—

''(I) agricultural commodities;

''(II) livestock;

''(III) agricultural supplies; or

''(IV) machinery, including machinery being transported for the purpose of performance of agricultural production activity or for the purpose of servicing or repairing the item being transported;

''(vi) is not used in the operations of a for-hire motor carrier;

''(vii) has a gross vehicle weight rating or gross vehicle weight, whichever is greater, that is—

''(I) 26,001 pounds or less; or

''(II) greater than 26,001 pounds and is traveling within the State of registration or designation or within 150 air miles of the farm

or ranch with respect to which the vehicle is being operated; and

''(viii) is not transporting materials that require a placard; or

''(B) that—

''(i) meets the requirements under subparagraph (A) (other than clause (vi) of such subparagraph);

''(ii) is operated pursuant to a crop share farm lease agreement;

''(iii) is owned by a tenant with respect to that agreement; and

''(iv) is transporting the landlord's portion of the crops under that agreement.''; and

(2) in section 31102—

(A) in subsection (b)(2)(E), by striking the period at the end and inserting a semicolon;

(B) by redesignating subsection (e) as subsection (f); and

(C) by inserting after subsection (d) the following:

''(e) LIMITATION OF AUTHORITY; STATE STANDARDS FOR COVERED FARM VEHICLES AND DRIVERS.—The Secretary may not terminate, reduce, limit, or otherwise interfere with the amount or timing of grants that a State is otherwise eligible to receive under this title or title 23 as a result of any minimum standard or exemption provided by the State for a covered farm vehicle or the driver of such vehicle that is less stringent than the requirements for commercial motor vehicles and drivers established under title 49, Code of Federal Regulations, including requirements pertaining to—

''(1) controlled substances and alcohol use and testing;

''(2) commercial driver's licensing;

''(3) driver qualifications;

''(4) medical certifications;

''(5) driving and operating commercial vehicles;

''(6) parts and accessories for the safe operation of commercial vehicles;

''(7) the maximum hours of service of drivers;

''(8) vehicle inspection repair and maintenance;

''(9) employee safety and health standards; and

''(10) recordkeeping related to compliance with such standards.''.

SA 2317. Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle A of title I, add the following:

SEC. 10____. EMERGENCY EXEMPTIONS.

Any road, highway, railway, bridge, or transit facility that is damaged by an emergency that is declared by the Governor of the State and concurred in by the Secretary of Homeland Security or declared as an emergency by the President pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) and that is in operation or under construction on the date on which the emergency occurs—

(1) may be reconstructed in the same location with the same capacity, dimensions, and design as before the emergency; and

(2) shall be exempt from any environmental reviews, approvals, licensing, and permit requirements under—

(A) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(B) sections 402 and 404 of the Federal Water Pollution Control Act (33 U.S.C. 1342, 1344);

(C) division A of subtitle III of title 54, United States Code;

(D) the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.);

(E) the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.);

(F) the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.);

(G) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), except when the reconstruction occurs in designated critical habitat for threatened and endangered species;

(H) Executive Order 11990 (42 U.S.C. 4321 note; relating to the protection of wetland); and

(I) any Federal law (including regulations) requiring no net loss of wetland.

SA 2318. Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE ____EXPORT-IMPORT BANK OF THE UNITED STATES

SEC. ____01. SHORT TITLE.

This title may be cited as the ''Restoring Competition in Export Financing Act of 2015''.

SEC. ____02. EXTENSION OF AUTHORITY.

(a) IN GENERAL.—Section 7 of the Export-Import Bank Act of 1945 (12 U.S.C. 635f) is amended by striking ''September 30, 2014'' and inserting ''June 30, 2025''.

(b) DUAL-USE EXPORTS.—Section 1(c) of Public Law 103–428 (12 U.S.C. 635 note) is amended by striking ''September 30, 2014'' and inserting ''June 30, 2025''.

(c) SUB-SAHARAN AFRICA ADVISORY COMMITTEE.—Section 2(b)(9)(B)(iii) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(9)(B)(iii)) is amended by striking ''September 30, 2014'' and inserting ''June 30, 2025''.

SEC. ____03. AGGREGATE LOAN, GUARANTEE, AND INSURANCE AUTHORITY.

(a) IN GENERAL.—Section 6(a)(2) of the Export-Import Bank Act of 1945 (12 U.S.C. 635e(a)(2)) is amended to read as follows:

''(2) APPLICABLE AMOUNT.—In paragraph (1), the term 'applicable amount' means—

''(A) during fiscal year 2015, $120,000,000,000;

''(B) during fiscal year 2016, $115,000,000,000;

''(C) during fiscal year 2017, $103,500,000,000;

''(D) during fiscal year 2018, $92,000,000,000;

''(E) during fiscal year 2019, $80,500,000,000;

''(F) during fiscal year 2020, $69,000,000,000;

''(G) during fiscal year 2021, $57,500,000,000;

''(H) during fiscal year 2022, $46,000,000,000;

''(I) during fiscal year 2023, $34,500,000,000;

''(J) during fiscal year 2024, $23,000,000,000; and

''(K) during fiscal year 2025, $11,500,000,000.''.

(b) MEASURES TO ENSURE COMPLIANCE.—Section 6(a) of the Export-Import Bank Act of 1945 (12 U.S.C. 635e(a)), as amended by subsection (a), is further amended—

(1) by redesignating paragraph (3) as paragraph (5); and

(2) by inserting after paragraph (2) the following:

''(3) AUTHORITY TO SELL SEASONED LOANS AND GUARANTEES TO COMPLY WITH LIMITATION.—The Bank may sell seasoned loans and guarantees to private investors to comply with the decreasing limitation on outstanding loans, guarantees, and insurance under this subsection.

''(4) CONSEQUENCES OF EXCEEDING LIMITATION.—

''(A) IN GENERAL.—If the Bank exceeds the limitation on outstanding loans, guarantees, and insurance under this subsection in a fiscal year, the Bank—

''(i) may not provide any new loans, guarantees, or insurance on or after the date on which the Bank exceeds that limitation; and

''(ii) the President of the Bank shall submit to Congress a report describing the reasons the Bank exceeded that limitation and the efforts of the Bank to come into compliance with the limitation.

''(B) TESTIMONY.—The Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives may compel the President of the Bank to testify with respect to a report described in subparagraph (A)(ii).''.

SEC. ____04. REPORT ON WINDING DOWN OF OPERATIONS.

(a) REPORT BY EXPORT-IMPORT BANK.—Not later than one year after the date of the enactment of this Act, the Export-Import Bank of the United States shall submit to Congress and the Comptroller General of the United States a plan on how the Bank plans—

(1) to manage the orderly wind-down of the portfolio and operations of the Bank by June 30, 2025; and

(2) to comply with the decreasing limitation on the aggregate loan, guarantee, and insurance authority of the Bank under section 6(a) of the Export-Import Bank Act of 1945, as amended by section ____03.

(b) REPORT BY COMPTROLLER GENERAL OF THE UNITED STATES.—After receiving the report required by subsection (a), the Comptroller General of the United States shall submit to Congress an assessment of the plan and such recommendations as the Comptroller General considers appropriate with respect to the plan and the orderly wind-down of the portfolio and operations of the Export-Import Bank of the United States.

SEC. ____05. EFFECTIVE DATE.

The provisions of and amendments made by this title shall take effect on June 30, 2015.

SA 2319. Mr. WYDEN (for himself and Mr. CRAPO) submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of division F, add the following:

SEC. _____. SECURE RURAL SCHOOLS AND COMMUNITY SELF-DETERMINATION PROGRAM.

(a) SECURE PAYMENTS FOR STATES AND COUNTIES CONTAINING FEDERAL LAND.—

(1) DEFINITIONS.—Section 3(11) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7102) is amended—

(A) in subparagraph (B), by striking ''and'' at the end;

(B) in subparagraph (C)—

(i) by striking ''fiscal year 2012 and each fiscal year thereafter'' and inserting ''each of fiscal years 2012 through 2015''; and

(ii) by striking ''year.'' and inserting ''year; and''; and

(C) by adding at the end the following:

''(D) for each of fiscal years 2016 through 2018, the amount that is equal to 150 percent of the full funding amount for fiscal year 2011.''.

(2) CALCULATION OF PAYMENTS.—Section 101 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7111) is amended by striking ''2015'' each place it appears and inserting ''2018''.

(3) ELECTIONS.—Section 102(b) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7112(b)) is amended—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking ''August 1, 2013 (or as soon thereafter as the Secretary concerned determines is practicable), and August 1 of each second fiscal year thereafter'' and inserting ''August 1 of each fiscal year (or a later date specified by the Secretary concerned for the fiscal year)''; and

(ii) by adding at the end the following:

''(D) PAYMENT FOR FISCAL YEARS 2016 THROUGH 2018.—A county election otherwise required by subparagraph (A) shall not apply for fiscal years 2016 through 2018 if the county elects to receive a share of the State payment or the county payment in 2013.''; and

(B) in paragraph (2)(B)—

(i) by inserting ''or any subsequent year'' after ''2013''; and

(ii) by striking ''2015'' and inserting ''2018''.

(4) ELECTION AS TO USE OF BALANCE.—Section 102(d)(1) of the Secure Rural Schools and Community Self Determination Act of 2000 (16 U.S.C. 7112(d)(1)) is amended—

(A) in subparagraph (B)(ii), by striking ''not more than 7 percent of the total share for the eligible county of the State payment or the county payment'' and inserting ''any portion of the balance''; and

(B) by striking subparagraph (C) and inserting the following:

''(C) COUNTIES WITH MAJOR DISTRIBUTIONS.—In the case of each eligible county to which $350,000 or more is distributed for any fiscal year pursuant to either or both of paragraphs (1)(B) and (2)(B) of subsection (a), the eligible county shall elect to do 1 or more of the following with the balance of any funds not expended pursuant to subparagraph (A):

''(i) Reserve any portion of the balance for projects in accordance with title II.

''(ii) Reserve not more than 7 percent of the total share for the eligible county of the State payment or the county payment for projects in accordance with title III.

''(iii) Return to the Treasury of the United States the portion of the balance not reserved under clauses (i) and (ii).''.

(5) FAILURE TO ELECT.—Section 102(d)(3)(B)(ii) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7112(d)(3)(B)(ii)) is amended by striking ''purpose described in section 202(b)'' and inserting ''purposes described in section 202(b), section 203(c), or section 204(a)(5)''.

(6) DISTRIBUTION OF PAYMENTS TO ELIGIBLE COUNTIES.—Section 103(d)(2) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7113(d)(2)) is amended by striking ''2015'' and inserting ''2018''.

(b) CONTINUATION OF AUTHORITY TO CONDUCT SPECIAL PROJECTS ON FEDERAL LAND.—

(1) PILOT PROGRAM.—Section 204(e) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7124(e)) is amended by striking paragraph (3).

(2) AVAILABILITY OF PROJECT FUNDS.—Section 207(d)(2) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7127(d)(2)) is amended by striking ''subparagraph (B)'' and inserting ''subparagraph (B)(i)''.

(3) TERMINATION OF AUTHORITY.—Section 208 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7128) is amended—

(A) in subsection (a), by striking ''2017'' and inserting ''2020''; and

(B) in subsection (b), by striking ''2018'' and inserting ''2021''.

(c) CONTINUATION OF AUTHORITY TO USE COUNTY FUNDS.—

(1) FUNDING FOR SEARCH AND RESCUE.—Section 302(a) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7142(a)) is amended by striking paragraph (2) and inserting the following:

''(2) to reimburse the participating county or sheriff for amounts paid for by the participating county or sheriff, as applicable, for—

''(A) search and rescue and other emergency services, including firefighting, that are performed on Federal land; and

''(B) emergency response vehicles or aircraft but only in the amount attributable to the use of the vehicles or aircraft to provide the services described in subparagraph (A).''.

(2) TERMINATION OF AUTHORITY.—Section 304 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7144) is amended—

(A) in subsection (a), by striking ''2017'' and inserting ''2020'' and

(B) in subsection (b), by striking ''2018'' and inserting ''2021''.

(d) NO REDUCTION IN PAYMENT.—Title IV of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7151 et seq.) is amended by adding at the end the following:

''SEC. 404. NO REDUCTION IN PAYMENTS.

''Payments under this Act for fiscal year 2016 and each fiscal year thereafter shall be exempt from direct spending reductions under section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a).''.

SA 2320. Mr. WYDEN (for himself and Mr. CRAPO) submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of division F, add the following:

SEC. 6_____. WILDFIRE DISASTER FUNDING.

(a) DISASTER FUNDING.—Section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(D)) is amended—

(1) in clause (i)—

(A) in subclause (I), by striking ''and'' at the end and inserting ''plus'';

(B) in subclause (II), by striking the period at the end and inserting ''; less''; and

(C) by adding the following:

''(III) the additional new budget authority provided in an appropriation Act for wildfire suppression operations pursuant to subparagraph (E) for the preceding fiscal year.''; and

(2) by adding at the end the following:

''(v) Beginning in fiscal year 2018, and for each fiscal year thereafter, the calculation of the 'average funding provided for disaster relief over the previous 10 years' shall include, for each year within that average, the additional new budget authority provided in an appropriation Act for wildfire suppression operations pursuant to subparagraph (E) for the preceding fiscal year.''.

(b) WILDFIRE SUPPRESSION.—Section 251(b)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)) is amended by adding at the end the following:

''(E) WILDFIRE SUPPRESSION.—

''(i) DEFINITIONS.—In this subparagraph:

''(I) ADDITIONAL NEW BUDGET AUTHORITY.—The term 'additional new budget authority' means the amount provided for a fiscal year in an appropriation Act that is—

''(aa) in excess of 100 percent of the average costs for wildfire suppression operations over the previous 10 years; and

''(bb) specified to pay for the costs of wildfire suppression operations.

''(II) WILDFIRE SUPPRESSION OPERATIONS.—The term 'wildfire suppression operations' means the emergency and unpredictable aspects of wildland firefighting, including—

''(aa) support, response, and emergency stabilization activities;

''(bb) other emergency management activities; and

''(cc) the funds necessary to repay any transfers needed for the costs of wildfire suppression operations.

''(ii) ADDITIONAL NEW BUDGET AUTHORITY.—If a bill or joint resolution making appropriations for a fiscal year is enacted that specifies an amount for wildfire suppression operations in the Wildland Fire Management accounts at the Department of Agriculture or the Department of the Interior, then the adjustments for that fiscal year shall be the amount of additional new budget authority provided in that Act for wildfire suppression operations for that fiscal year, but shall not exceed—

''(I) for fiscal year 2016, $1,460,000,000 in additional new budget authority;

''(II) for fiscal year 2017, $1,557,000,000 in additional new budget authority;

''(III) for fiscal year 2018, $1,778,000,000 in additional new budget authority;

''(IV) for fiscal year 2019, $2,030,000,000 in additional new budget authority;

''(V) for fiscal year 2020, $2,319,000,000 in additional new budget authority; and

''(VI) for fiscal year 2021, $2,650,000,000 in additional new budget authority.

''(iii) AVERAGE COST CALCULATION.—The average costs for wildfire suppression operations over the previous 10 years shall be calculated annually and reported in the budget of the President submitted under section 1105(a) of title 31, United States Code, for each fiscal year.''.

(c) REPORTING REQUIREMENTS.—

(1) SUPPLEMENTAL APPROPRIATIONS.—If the Secretary of the Interior or the Secretary of Agriculture determines that supplemental

appropriations are necessary for a fiscal year for wildfire suppression operations, a request for the supplemental appropriations shall promptly be submitted to Congress.

(2) NOTICE OF NEED FOR ADDITIONAL FUNDS.—Prior to the obligation of any of the additional new budget authority for wildfire suppression operations specified for purposes of section 251(b)(2)(E)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(E)(ii)), the Secretary of the Interior or the Secretary of Agriculture, as applicable, shall submit to the Committees on Appropriations and the Budget of the House of Representatives and the Committees on Appropriations and the Budget of the Senate written notification that describes—

(A) that the amount for wildfire suppression operations to meet the terms of section 251(b)(2)(E) of that Act for that fiscal year will be exhausted imminently; and

(B) the need for additional new budget authority for wildfire suppression operations.

(3) ACCOUNTING, REPORTS AND ACCOUNTABILITY.—

(A) ACCOUNTING AND REPORTING REQUIREMENTS.—For each fiscal year, the Secretary of the Interior and the Secretary of Agriculture shall account for and report on the amounts used from the additional new budget authority for wildfire suppression operations provided to the Secretary of the Interior or Secretary of Agriculture, as applicable, in an appropriations Act pursuant to section 251(b)(2)(E)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(E)(ii)).

(B) ANNUAL REPORT.—

(i) IN GENERAL.—Not later than 180 days after the end of the fiscal year for which additional new budget authority is used, pursuant to section 251(b)(2)(E)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(E)(ii)), the Secretary of the Interior or the Secretary of Agriculture, as applicable, shall—

(I) prepare an annual report with respect to the additional new budget authority;

(II) submit to the Committees on Appropriations, the Budget, and Natural Resources of the House of Representatives and the Committees on Appropriations, the Budget, and Energy and Natural Resources of the Senate the annual report prepared under subclause (I); and

(III) make the report prepared under subclause (I) available to the public.

(ii) COMPONENTS.—The annual report prepared under clause (i) shall—

(I) document risk-based factors that influenced management decisions with respect to wildfire suppression operations;

(II) analyze a statistically significant sample of large fires, including an analysis for each fire of—

(aa) cost drivers;

(bb) the effectiveness of risk management techniques and whether fire operations strategy tracked the risk assessment;

(cc) any resulting ecological or other benefits to the landscape;

(dd) the impact of investments in wildfire suppression operations preparedness;

(ee) effectiveness of wildfire suppression operations, including an analysis of resources lost versus dollars invested;

(ff) effectiveness of any fuel treatments on fire behavior and suppression expenditures;

(gg) suggested corrective actions; and

(hh) any other factors the Secretary of the Interior or Secretary of Agriculture determines to be appropriate;

(III) include an accounting of overall fire management and spending by the Department of the Interior or the Department of Agriculture, which shall be analyzed by fire size, cost, regional location, and other factors;

(IV) describe any lessons learned in the conduct of wildfire suppression operations; and

(V) include any other elements that the Secretary of the Interior or the Secretary of Agriculture determines to be necessary.

SA 2321. Mr. WYDEN (for himself and Mr. CRAPO) submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of division F, add the following:

SEC. 6_____. WILDFIRE DISASTER FUNDING AUTHORITY.

(a) IN GENERAL.—Section 251(b)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)) is amended by adding at the end the following:

''(E) FLAME WILDFIRE SUPPRESSION.—

''(i) If a bill or joint resolution making appropriations for a fiscal year is enacted that specifies an amount for wildfire suppression operations in the Wildland Fire Management accounts at the Department of Agriculture or the Department of the Interior, then the adjustments for that fiscal year shall be the amount of additional new budget authority provided in that Act for wildfire suppression operations for that fiscal year, but shall not exceed—

''(I) for fiscal year 2016, $1,410,000,000 in additional new budget authority;

''(II) for fiscal year 2017, $1,460,000,000 in additional new budget authority;

''(III) for fiscal year 2018, $1,560,000,000 in additional new budget authority;

''(IV) for fiscal year 2019, $1,780,000,000 in additional new budget authority;

''(V) for fiscal year 2020 $2,030,000,000 in additional new budget authority;

''(VI) for fiscal year 2021, $2,320,000,000 in additional new budget authority;

''(VII) for fiscal year 2022, $2,650,000,000 in additional new budget authority;

''(VIII) for fiscal year 2023, $2,690,000,000 in additional new budget authority;

''(IX) for fiscal year 2024, $2,690,000,000 in additional new budget authority; and

''(X) for fiscal year 2025, $2,690,000,000 in additional new budget authority.

''(ii) As used in this subparagraph—

''(I) the term 'additional new budget authority' means the amount provided for a fiscal year, in excess of 70 percent of the average costs for wildfire suppression operations over the previous 10 years, in an appropriation Act and specified to pay for the costs of wildfire suppression operations; and

''(II) the term 'wildfire suppression operations' means the emergency and unpredictable aspects of wildland firefighting including support, response, and emergency stabilization activities; other emergency management activities; and funds necessary to repay any transfers needed for these costs.

''(iii) The average costs for wildfire suppression operations over the previous 10 years shall be calculated annually and reported in the President's Budget submission under section 1105(a) of title 31, United States Code, for each fiscal year.''.

(b) DISASTER FUNDING.—Section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(D)) is amended—

(1) in clause (i)—

(A) in subclause (I), by striking ''and'' and inserting ''plus'';

(B) in subclause (II), by striking the period and inserting ''; less''; and

(C) by adding the following:

''(III) the additional new budget authority provided in an appropriation Act for wildfire suppression operations pursuant to subparagraph (E) for the preceding fiscal year.''; and

(2) by adding at the end the following:

''(v) Beginning in fiscal year 2018 and in subsequent fiscal years, the calculation of the 'average funding provided for disaster relief over the previous 10 years' shall include the additional new budget authority provided in an appropriation Act for wildfire suppression operations pursuant to subparagraph (E) for the preceding fiscal year.''.

(c) REPORTING REQUIREMENTS.—If the Secretary of the Interior or the Secretary of Agriculture determines that supplemental appropriations are necessary for a fiscal year for wildfire suppression operations, such Secretary shall promptly submit to Congress—

(1) a request for such supplemental appropriations; and

(2) a plan detailing the manner in which such Secretary intends to obligate the supplemental appropriations by not later than 30 days after the date on which the amounts are made available.

SA 2322. Mr. WYDEN (for himself and Mr. CRAPO) submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of division F, add the following:

SEC. _____. SECURE RURAL SCHOOLS AND COMMUNITY SELF-DETERMINATION PROGRAM.

(a) SECURE PAYMENTS FOR STATES AND COUNTIES CONTAINING FEDERAL LAND.—

(1) DEFINITIONS.—Section 3(11) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7102) is amended—

(A) in subparagraph (B), by striking ''and'' at the end;

(B) in subparagraph (C)—

(i) by striking ''fiscal year 2012 and each fiscal year thereafter'' and inserting ''each of fiscal years 2012 through 2015''; and

(ii) by striking ''year.'' and inserting ''year; and''; and

(C) by adding at the end the following:

''(D) for each of fiscal years 2016 through 2021, the amount that is equal to 150 percent of the full funding amount for fiscal year 2011.''.

(2) CALCULATION OF PAYMENTS.—Section 101 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7111) is amended by striking ''2015'' each place it appears and inserting ''2021''.

(3) ELECTIONS.—Section 102(b) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7112(b)) is amended—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking ''August 1, 2013 (or as soon thereafter as the Secretary concerned determines is practicable), and August 1 of each second fiscal year thereafter'' and inserting ''August 1 of each fiscal year (or a later date specified by the Secretary concerned for the fiscal year)''; and

(ii) by adding at the end the following:

''(D) PAYMENT FOR FISCAL YEARS 2016 THROUGH 2021.—A county election otherwise required by subparagraph (A) shall not apply for fiscal years 2016 through 2021 if the county elects to receive a share of the State payment or the county payment in 2013.''; and

(B) in paragraph (2)(B)—

(i) by inserting ''or any subsequent year'' after ''2013''; and

(ii) by striking ''2015'' and inserting ''2021''.

(4) ELECTION AS TO USE OF BALANCE.—Section 102(d)(1) of the Secure Rural Schools and Community Self Determination Act of 2000 (16 U.S.C. 7112(d)(1)) is amended—

(A) in subparagraph (B)(ii), by striking ''not more than 7 percent of the total share for the eligible county of the State payment or the county payment'' and inserting ''any portion of the balance''; and

(B) by striking subparagraph (C) and inserting the following:

''(C) COUNTIES WITH MAJOR DISTRIBUTIONS.—In the case of each eligible county to which $350,000 or more is distributed for any fiscal year pursuant to either or both of paragraphs (1)(B) and (2)(B) of subsection (a), the eligible county shall elect to do 1 or more of the following with the balance of any funds not expended pursuant to subparagraph (A):

''(i) Reserve any portion of the balance for projects in accordance with title II.

''(ii) Reserve not more than 7 percent of the total share for the eligible county of the State payment or the county payment for projects in accordance with title III.

''(iii) Return to the Treasury of the United States the portion of the balance not reserved under clauses (i) and (ii).''.

(5) FAILURE TO ELECT.—Section 102(d)(3)(B)(ii) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7112(d)(3)(B)(ii)) is amended by striking ''purpose described in section 202(b)'' and inserting ''purposes described in section 202(b), section 203(c), or section 204(a)(5)''.

(6) DISTRIBUTION OF PAYMENTS TO ELIGIBLE COUNTIES.—Section 103(d)(2) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7113(d)(2)) is amended by striking ''2015'' and inserting ''2021''.

(b) CONTINUATION OF AUTHORITY TO CONDUCT SPECIAL PROJECTS ON FEDERAL LAND.—

(1) PILOT PROGRAM.—Section 204(e) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7124(e)) is amended by striking paragraph (3).

(2) AVAILABILITY OF PROJECT FUNDS.—Section 207(d)(2) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7127(d)(2)) is amended by striking ''subparagraph (B)'' and inserting ''subparagraph (B)(i)''.

(3) TERMINATION OF AUTHORITY.—Section 208 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7128) is amended—

(A) in subsection (a), by striking ''2017'' and inserting ''2023''; and

(B) in subsection (b), by striking ''2018'' and inserting ''2024''.

(c) CONTINUATION OF AUTHORITY TO USE COUNTY FUNDS.—

(1) FUNDING FOR SEARCH AND RESCUE.—Section 302(a) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7142(a)) is amended by striking paragraph (2) and inserting the following:

''(2) to reimburse the participating county or sheriff for amounts paid for by the participating county or sheriff, as applicable, for—

''(A) search and rescue and other emergency services, including firefighting, that are performed on Federal land; and

''(B) emergency response vehicles or aircraft but only in the amount attributable to the use of the vehicles or aircraft to provide the services described in subparagraph (A).''.

(2) TERMINATION OF AUTHORITY.—Section 304 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7144) is amended—

(A) in subsection (a), by striking ''2017'' and inserting ''2023'' and

(B) in subsection (b), by striking ''2018'' and inserting ''2024''.

(d) NO REDUCTION IN PAYMENT.—Title IV of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7151 et seq.) is amended by adding at the end the following:

''SEC. 404. NO REDUCTION IN PAYMENTS.

''Payments under this Act for fiscal year 2016 and each fiscal year thereafter shall be exempt from direct spending reductions under section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a).''.

SA 2323. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place in division F, insert the following:

SEC. _____. INDUSTRIAL HEMP FARMING.

(a) SHORT TITLE.—This section may be cited as the ''Industrial Hemp Farming Act of 2015''.

(b) EXCLUSION OF INDUSTRIAL HEMP FROM DEFINITION OF MARIHUANA.—Section 102 of the Controlled Substances Act (21 U.S.C. 802) is amended—

(1) in paragraph (16)—

(A) by striking ''(16) The'' and inserting ''(16)(A) The''; and

(B) by adding at the end the following:

''(B) The term 'marihuana' does not include industrial hemp.''; and

(2) by adding at the end the following:

''(57) The term 'industrial hemp' means the plant Cannabis sativa L. and any part of such plant, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than 0.3 percent on a dry weight basis.''.

(c) INDUSTRIAL HEMP DETERMINATION BY STATES.—Section 201 of the Controlled Substances Act (21 U.S.C. 811) is amended by adding at the end the following:

''(i) INDUSTRIAL HEMP DETERMINATION.—If a person grows or processes Cannabis sativa L. for purposes of making industrial hemp in accordance with State law, the Cannabis sativa L. shall be deemed to meet the concentration limitation under section 102(57), unless the Attorney General determines that the State law is not reasonably calculated to comply with section 102(57).''.

SA 2324. Mr. PERDUE (for himself and Mr. SCOTT) submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. SAVINGS PROVISION.

Notwithstanding any other provision of this Act, any authorization or appropriation for each of fiscal years 2019, 2020, and 2021 shall have no force or effect.

SA 2325. Mrs. GILLIBRAND submitted an amendment intended to be proposed by her to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place in subtitle A of title I, add the following:

SEC. 11___. BRIDGES NOT ON NATIONAL HIGHWAY SYSTEM.

Section 119(d)(2) of title 23, United States Code, is amended by adding at the end the following:

''(Q) Replacement (including replacement with fill material), rehabilitation, preservation, and protection (including scour countermeasures, seismic retrofits, impact protection measures, security countermeasures, and protection against extreme events) of bridges on Federal-aid highways (other than on the National Highway System).''.

SA 2326. Mr. SULLIVAN (for Mr. VITTER (for himself, Mrs. SHAHEEN, Mr. RISCH, Mr. COONS, and Mr. PETERS)) proposed an amendment to the bill H.R. 2499, to amend the Small Business Act to increase access to capital for veteran entrepreneurs, to help create jobs, and for other purposes; as follows:

At the end, add the following:

SEC. 4. BUSINESS LOANS PROGRAM.

(a) SECTION 7(a) FUNDING LEVELS.—The third proviso under the heading ''BUSINESS LOANS PROGRAM ACCOUNT'' under the heading ''SMALL BUSINESS ADMINISTRATION'' under title V of division E of the Consolidated and Further Continuing Appropriations Act, 2015 (Public Law 113–235; 128 Stat. 2371) is amended by striking ''$18,750,000,000'' and inserting ''$23,500,000,000''.

(b) LOAN LIMITATIONS.—Section 7(a)(1) of the Small Business Act (15 U.S.C. 636(a)(1)) is amended—

(1) in subparagraph (A)—

(A) by striking ''No financial assistance'' and inserting the following:

''(i) IN GENERAL.—No financial assistance''; and

(B) by adding at the end the following:

''(ii) LIQUIDITY.—On and after October 1, 2015, the Administrator may not guarantee a loan under this subsection if the lender determines that the borrower is unable to obtain credit elsewhere solely because the liquidity of the lender depends upon the guaranteed portion of the loan being sold on the secondary market.''; and

(2) by adding at the end the following:

''(C) LENDING LIMITS OF LENDERS.—On and after October 1, 2015, the Administrator may not guarantee a loan under this subsection if the sole purpose for requesting the guarantee is to allow the lender to exceed the legal lending limit of the lender.''.

(c) REPORTING.—

(1) DEFINITIONS.—In this subsection—

(A) the term ''Administrator'' means the Administrator of the Small Business Administration;

(B) the term ''business loan'' means a loan made or guaranteed under section 7(a) of the Small Business Act (15 U.S.C. 636(a));

(C) the term ''cancellation'' means that the Administrator approves a proposed business loan, but the prospective borrower determines not to take the business loan; and

(D) the term ''net dollar amount of business loans'' means the difference between the total dollar amount of business loans and the total dollar amount of cancellations.

(2) REQUIREMENT.—During the 3-year period beginning on the date of enactment of this Act, the Administrator shall submit to Committee on Small Business and Entrepreneurship and the Committee on Appropriations of the Senate and the Committee on Small Business and the Committee on Appropriations of the House of Representatives a quarterly report regarding the loan programs carried out under section 7(a) of the Small Business Act (15 U.S.C. 636(a)), which shall include—

(A) for the fiscal year during which the report is submitted and the 3 fiscal years before such fiscal year—

(i) the weekly total dollar amount of business loans;

(ii) the weekly total dollar amount of cancellations;

(iii) the weekly net dollar amount of business loans—

(I) for all business loans; and

(II) for each category of loan amount described in clause (i), (ii), or (iii) of section 7(a)(18) of the Small Business Act (15 U.S.C. 636(a)(18));

(B) for the fiscal year during which the report is submitted—

(i) the amount of remaining authority for business loans, in dollar amount and as a percentage; and

(ii) estimates of the date on which the net dollar amount of business loans will reach the maximum for such business loans based on daily net lending volume and extrapolations based on year to date net lending volume, quarterly net lending volume, and quarterly growth trends;

(C) the number of early defaults (as determined by the Administrator) during the quarter covered by the report;

(D) the total amount paid by borrowers in early default during the quarter covered by the report, as of the time of purchase of the guarantee;

(E) the number of borrowers in early default that are franchisees;

(F) the total amount of guarantees purchased by the Administrator during the quarter covered by the report; and

(G) a description of the actions the Administrator is taking to combat early defaults administratively and any legislative action the Administrator recommends to address early defaults.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. INHOFE. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on July 23, 2015, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. INHOFE. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on July 23, 2015, at 9:30 a.m., to conduct a hearing entitled ''Measuring the Systemic Importance of U.S. Bank Holding Companies.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. INHOFE. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on July 23, 2015, at 10 a.m., in room SD–215 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. INHOFE. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on July 23, 2015, at 10 a.m., to conduct a hearing entitled ''Iran Nuclear Agreement Review.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. INHOFE. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate, on July 23, 2015, at 10 a.m., in room SD–430 of the Dirksen Senate Office Building to conduct a hearing entitled ''Achieving the Promise of Health Information Technology: Information Blocking and Potential Solutions.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. INHOFE. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on July 23, 2015, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. INHOFE. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on July 23, 2015, at 10 a.m., in room SD–226 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. INHOFE. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on July 23, 2015, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON THE CONSTITUTION

Mr. INHOFE. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on the Constitution, be authorized to meet during the session of the Senate, on July 23, 2015, at 2 p.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''The Administrative State v. The Constitution: Dodd-Frank at Five Years.''

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. THUNE. Mr. President, I ask unanimous consent that Katherine White, Federal Trade Commission, and LCDR Robert Donnell, U.S. Coast Guard, detailees on the Commerce Committee, be granted floor privileges throughout the debate on the highway bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL WINDSTORM IMPACT REDUCTION ACT REAUTHORIZATION OF 2015

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 114, H.R. 23.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 23) to reauthorize the National Windstorm Impact Reduction Program, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce, Science, and Transportation, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

H.R. 23

SECTION 1. SHORT TITLE.

This Act may be cited as the ''National Windstorm Impact Reduction Act Reauthorization of 2015''.

SEC. 2. DEFINITIONS.

(a) DIRECTOR.—Section 203(1) of the National Windstorm Impact Reduction Act of 2004 (42

U.S.C. 15702(1)) is amended by striking ''Director of the Office of Science and Technology Policy'' and inserting ''Director of the National Institute of Standards and Technology''.

(b) LIFELINES.—Section 203 of the National Windstorm Impact Reduction Act of 2004 (42 U.S.C. 15702) is further amended—

(1) by redesignating paragraphs (2) through (4) as paragraphs (3) through (5), respectively; and

(2) by inserting after paragraph (1) the following new paragraph:

''(2) LIFELINES.—The term 'lifelines' means public works and utilities, including transportation facilities and infrastructure, oil and gas pipelines, electrical power and communication facilities and infrastructure, and water supply and sewage treatment facilities.''.

(c) WINDSTORM.—Paragraph (5) of such section, as redesignated by subsection (b), is amended by inserting ''northeaster,'' after ''tropical storm,''.

SEC. 3. NATIONAL WINDSTORM IMPACT REDUCTION PROGRAM.

Section 204 of the National Windstorm Impact Reduction Act of 2004 (42 U.S.C. 15703) is amended—

(1) by striking subsections (a), (b), and (c) and inserting the following:

''(a) ESTABLISHMENT.—There is established the National Windstorm Impact Reduction Program, the purpose of which is to achieve major measurable reductions in the losses of life and property from windstorms through a coordinated Federal effort, in cooperation with other levels of government, academia, and the private sector, aimed at improving the understanding of windstorms and their impacts and developing and encouraging the implementation of cost-effective mitigation measures to reduce those impacts.

''(b) RESPONSIBILITIES OF PROGRAM AGENCIES.—

''(1) LEAD AGENCY.—The National Institute of Standards and Technology shall have the primary responsibility for planning and coordinating the Program. In carrying out this paragraph, the Director shall—

''(A) ensure that the Program includes the necessary components to promote the implementation of windstorm risk reduction measures by Federal, State, and local governments, national standards and model building code organizations, architects and engineers, and others with a role in planning and constructing buildings and lifelines;

''(B) support the development of performance-based engineering tools, and work with appropriate groups to promote the commercial application of such tools, including through wind-related model building codes, voluntary standards, and construction best practices;

''(C) request the assistance of Federal agencies other than the Program agencies, as necessary to assist in carrying out this Act;

''(D) coordinate all Federal post-windstorm investigations to the extent practicable; and

''(E) when warranted by research or investigative findings, issue recommendations to assist in informing the development of model codes, and provide information to Congress on the use of such recommendations.

''(2) NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.—In addition to the lead agency responsibilities described under paragraph (1), the National Institute of Standards and Technology shall be responsible for carrying out research and development to improve model building codes, voluntary standards, and best practices for the design, construction, and retrofit of buildings, structures, and lifelines.

''(3) NATIONAL SCIENCE FOUNDATION.—The National Science Foundation shall support research in—

''(A) engineering and the atmospheric sciences to improve the understanding of the behavior of windstorms and their impact on buildings, structures, and lifelines; and

''(B) economic and social factors influencing windstorm risk reduction measures.

''(4) NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.—The National Oceanic and Atmospheric Administration shall support atmospheric sciences research to improve the understanding of the behavior of windstorms and their impact on buildings, structures, and lifelines.

''(5) FEDERAL EMERGENCY MANAGEMENT AGENCY.—The Federal Emergency Management Agency shall—

''(A) support—

''(i) the development of risk assessment tools and effective mitigation techniques;

''(ii) windstorm-related data collection and analysis;

''(iii) public outreach and information dissemination; and

''(iv) promotion of the adoption of windstorm preparedness and mitigation measures, including for households, businesses, and communities, consistent with the Agency's all-hazards approach; and

''(B) work closely with national standards and model building code organizations, in conjunction with the National Institute of Standards and Technology, to promote the implementation of research results and promote better building practices within the building design and construction industry, including architects, engineers, contractors, builders, and inspectors.'';

(2) by redesignating subsection (d) as subsection (c), and by striking subsections (e) and (f); and

(3) by inserting after subsection (c), as so redesignated, the following new subsections:

''(d) BUDGET ACTIVITIES.—The Director of the National Institute of Standards and Technology, the Director of the National Science Foundation, the Director of the National Oceanic and Atmospheric Administration, and the Director of the Federal Emergency Management Agency shall each include in their agency's annual budget request to Congress a description of their agency's projected activities under the Program for the fiscal year covered by the budget request, along with an assessment of what they plan to spend on those activities for that fiscal year.

''(e) INTERAGENCY COORDINATING COMMITTEE ON WINDSTORM IMPACT REDUCTION.—

''(1) ESTABLISHMENT.—There is established an Interagency Coordinating Committee on Windstorm Impact Reduction, chaired by the Director or the Director's designee.

''(2) MEMBERSHIP.—In addition to the chair, the Committee shall be composed of—

''(A) the heads or such designees of—

''(i) the Federal Emergency Management Agency;

''(ii) the National Oceanic and Atmospheric Administration;

''(iii) the National Science Foundation;

''(iv) the Office of Science and Technology Policy; and

''(v) the Office of Management and Budget; and

''(B) the head of any other Federal agency, or such designee, the chair considers appropriate.

''(3) MEETINGS.—The Committee shall meet not less than once a year at the call of the Director of the National Institute of Standards and Technology.

''(4) GENERAL PURPOSE AND DUTIES.—The Committee shall oversee the planning and coordination of the Program.

''(5) STRATEGIC PLAN.—The Committee shall develop and submit to Congress, not later than one year after the date of enactment of the National Windstorm Impact Reduction Act Reauthorization of 2015, a Strategic Plan for the Program that includes—

''(A) prioritized goals for the Program that will mitigate against the loss of life and property from future windstorms;

''(B) short-term, mid-term, and long-term research objectives to achieve those goals;

''(C) a description of the role of each Program agency in achieving the prioritized goals;

''(D) the methods by which progress towards the goals will be assessed; and

''(E) an explanation of how the Program will foster the transfer of research results into outcomes, such as improved model building codes.

''(6) PROGRESS REPORT.—Not later than 18 months after the date of enactment of the National Windstorm Impact Reduction Act Reauthorization of 2015, the Committee shall submit to the Congress a report on the progress of the Program that includes—

''(A) a description of the activities funded under the Program, a description of how these activities align with the prioritized goals and research objectives established in the Strategic Plan, and the budgets, per agency, for these activities;

''(B) the outcomes achieved by the Program for each of the goals identified in the Strategic Plan;

''(C) a description of any recommendations made to change existing building codes that were the result of Program activities; and

''(D) a description of the extent to which the Program has incorporated recommendations from the Advisory Committee on Windstorm Impact Reduction.

''(7) COORDINATED BUDGET.—The Committee shall develop a coordinated budget for the Program, which shall be submitted to the Congress not later than 60 days after the date of the President's budget submission for each fiscal year.''.

SEC. 4. NATIONAL ADVISORY COMMITTEE ON WINDSTORM IMPACT REDUCTION.

Section 205 of the National Windstorm Impact Reduction Act of 2004 (42 U.S.C. 15704) is amended to read as follows:

''SEC. 205. NATIONAL ADVISORY COMMITTEE ON WINDSTORM IMPACT REDUCTION.

''(a) IN GENERAL.—The Director of the National Institute of Standards and Technology shall establish an Advisory Committee on Windstorm Impact Reduction, which shall be composed of at least 7 and not more than 15 members who are qualified to provide advice on windstorm impact reduction and represent related scientific, architectural, and engineering disciplines, none of whom may be employees of the Federal Government, including—

''(1) representatives of research and academic institutions;

''(2) industry standards development organizations;

''(3) emergency management agencies;

''(4) State and local government; and

''(5) business communities, including the insurance industry.

''(b) ASSESSMENTS.—The Advisory Committee on Windstorm Impact Reduction shall offer assessments and recommendations on—

''(1) trends and developments in the natural, engineering, and social sciences and practices of windstorm impact mitigation;

''(2) the priorities of the Program's Strategic Plan;

''(3) the coordination of the Program;

''(4) the effectiveness of the Program in meeting its purposes; and

''(5) any revisions to the Program which may be necessary.

''(c) COMPENSATION.—The members of the Advisory Committee established under this section shall serve without compensation.

''(d) REPORTS.—At least every 2 years, the Advisory Committee shall report to the Director on the assessments carried out under subsection (b) and its recommendations for ways to improve the Program.

''(e) CHARTER.—Notwithstanding section 14(b)(2) of the Federal Advisory Committee Act (5 U.S.C. App.), the Advisory Committee shall not be required to file a charter subsequent to its initial charter, filed under section 9(c) of such Act, before the termination date specified in subsection (f) of this section.

''(f) TERMINATION.—The Advisory Committee shall terminate on September 30, 2017.

''(g) CONFLICT OF INTEREST.—An Advisory Committee member shall recuse himself from any Advisory Committee activity in which he has an actual pecuniary interest.''.

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

Section 207 of the National Windstorm Impact Reduction Act of 2004 (42 U.S.C. 15706) is amended to read as follows:

''SEC. 207. AUTHORIZATION OF APPROPRIATIONS.

''(a) FEDERAL EMERGENCY MANAGEMENT AGENCY.—There are authorized to be appropriated to the Federal Emergency Management Agency for carrying out this title—

''(1) $5,332,000 for fiscal year 2015;

''(2) $5,332,000 for fiscal year 2016; and

''(3) $5,332,000 for fiscal year 2017.

''(b) NATIONAL SCIENCE FOUNDATION.—There are authorized to be appropriated to the National Science Foundation for carrying out this title—

''(1) $9,682,000 for fiscal year 2015;

''(2) $9,682,000 for fiscal year 2016; and

''(3) $9,682,000 for fiscal year 2017.

''(c) NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.—There are authorized to be appropriated to the National Institute of Standards and Technology for carrying out this title—

''(1) $4,120,000 for fiscal year 2015;

''(2) $4,120,000 for fiscal year 2016; and

''(3) $4,120,000 for fiscal year 2017.

''(d) NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.—There are authorized to be appropriated to the National Oceanic and Atmospheric Administration for carrying out this title—

''(1) $2,266,000 for fiscal year 2015;

''(2) $2,266,000 for fiscal year 2016; and

''(3) $2,266,000 for fiscal year 2017.''.

Mr. SULLIVAN. I ask unanimous consent that the committee-reported substitute be agreed to, that the bill, as amended, be read a third time and passed, and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee-reported amendment in the nature of a substitute was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The bill (H.R. 23), as amended, was passed.

VETERANS ENTREPRENEURSHIP ACT OF 2015

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 149, H.R. 2499.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 2499) to amend the Small Business Act to increase access to capital for veteran entrepreneurs, to help create jobs, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. SULLIVAN. I ask unanimous consent that the Vitter amendment at the desk be agreed to, that the bill, as amended, be read a third time and passed, and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 2326) was agreed to, as follows:

(Purpose: To improve the bill)

At the end, add the following:

SEC. 4. BUSINESS LOANS PROGRAM.

(a) SECTION 7(a) FUNDING LEVELS.—The third proviso under the heading ''BUSINESS LOANS PROGRAM ACCOUNT'' under the heading ''SMALL BUSINESS ADMINISTRATION'' under title V of division E of the Consolidated and Further Continuing Appropriations Act, 2015 (Public Law 113–235; 128 Stat. 2371) is amended by striking ''$18,750,000,000'' and inserting ''$23,500,000,000''.

(b) LOAN LIMITATIONS.—Section 7(a)(1) of the Small Business Act (15 U.S.C. 636(a)(1)) is amended—

(1) in subparagraph (A)—

(A) by striking ''No financial assistance'' and inserting the following:

''(i) IN GENERAL.—No financial assistance''; and

(B) by adding at the end the following:

''(ii) LIQUIDITY.—On and after October 1, 2015, the Administrator may not guarantee a loan under this subsection if the lender determines that the borrower is unable to obtain credit elsewhere solely because the liquidity of the lender depends upon the guaranteed portion of the loan being sold on the secondary market.''; and

(2) by adding at the end the following:

''(C) LENDING LIMITS OF LENDERS.—On and after October 1, 2015, the Administrator may not guarantee a loan under this subsection if the sole purpose for requesting the guarantee is to allow the lender to exceed the legal lending limit of the lender.''.

(c) REPORTING.—

(1) DEFINITIONS.—In this subsection—

(A) the term ''Administrator'' means the Administrator of the Small Business Administration;

(B) the term ''business loan'' means a loan made or guaranteed under section 7(a) of the Small Business Act (15 U.S.C. 636(a));

(C) the term ''cancellation'' means that the Administrator approves a proposed business loan, but the prospective borrower determines not to take the business loan; and

(D) the term ''net dollar amount of business loans'' means the difference between the total dollar amount of business loans and the total dollar amount of cancellations.

(2) REQUIREMENT.—During the 3-year period beginning on the date of enactment of this Act, the Administrator shall submit to Committee on Small Business and Entrepreneurship and the Committee on Appropriations of the Senate and the Committee on Small Business and the Committee on Appropriations of the House of Representatives a quarterly report regarding the loan programs carried out under section 7(a) of the Small Business Act (15 U.S.C. 636(a)), which shall include—

(A) for the fiscal year during which the report is submitted and the 3 fiscal years before such fiscal year—

(i) the weekly total dollar amount of business loans;

(ii) the weekly total dollar amount of cancellations;

(iii) the weekly net dollar amount of business loans—

(I) for all business loans; and

(II) for each category of loan amount described in clause (i), (ii), or (iii) of section 7(a)(18) of the Small Business Act (15 U.S.C. 636(a)(18));

(B) for the fiscal year during which the report is submitted—

(i) the amount of remaining authority for business loans, in dollar amount and as a percentage; and

(ii) estimates of the date on which the net dollar amount of business loans will reach the maximum for such business loans based on daily net lending volume and extrapolations based on year to date net lending volume, quarterly net lending volume, and quarterly growth trends;

(C) the number of early defaults (as determined by the Administrator) during the quarter covered by the report;

(D) the total amount paid by borrowers in early default during the quarter covered by the report, as of the time of purchase of the guarantee;

(E) the number of borrowers in early default that are franchisees;

(F) the total amount of guarantees purchased by the Administrator during the quarter covered by the report; and

(G) a description of the actions the Administrator is taking to combat early defaults administratively and any legislative action the Administrator recommends to address early defaults.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The bill (H.R. 2499), as amended, was passed.

DHS IT DUPLICATION REDUCTION ACT OF 2015

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be discharged from further consideration of H.R. 1626 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 1626) to reduce duplication of information technology at the Department of Homeland Security, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the bill be read a third time and passed and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 1626) was ordered to a third reading, was read the third time, and passed.

UNITED STATES INTELLIGENCE PROFESSIONALS DAY

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 229, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 229) designating July 26, 2015, as ''United States Intelligence Professionals Day.''

There being no objection, the Senate proceeded to consider the resolution.

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 229) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

ORDERS FOR FRIDAY, JULY 24, 2015

Mr. SULLIVAN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9 a.m., Friday, July 24; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following leader remarks, all postcloture time on the motion to proceed to H.R. 22 be deemed expired.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 9 A.M. TOMORROW

Mr. SULLIVAN. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 8:07 p.m., adjourned until Friday, July 24, 2015, at 9 a.m.

NOMINATIONS

Executive nominations received by the Senate:

IN THE ARMY

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be brigadier general

COLONEL BRETT W. ANDERSEN
COLONEL WALLACE S. BONDS
COLONEL JOHN C. BOYD
COLONEL DAVID L. BOYLE
COLONEL MARK N. BROWN
COLONEL ROBERT D. BURKE
COLONEL THOMAS M. CARDEN, JR.
COLONEL PATRICK J. CENTER
COLONEL LAURA L. CLELLAN
COLONEL JOHANNA P. CLYBORNE
COLONEL ALAN C. CRANFORD
COLONEL ANITA K.W. CURINGTON
COLONEL DARRELL D. DARNBUSH
COLONEL AARON R. DEAN II
COLONEL DAMIAN T. DONAHOE
COLONEL JOHN H. EDWARDS, JR.
COLONEL LEE M. ELLIS
COLONEL PABLO ESTRADA, JR.
COLONEL JAMES R. FINLEY
COLONEL THOMAS C. FISHER
COLONEL LAPTHE C. FLORA
COLONEL MICHAEL S. FUNK
COLONEL MICHAEL J. GARSHAK
COLONEL HARRISON B. GILLIAM
COLONEL MICHAEL J. GLISSON
COLONEL WALLACE A. HALL, JR.
COLONEL KENNETH S. HARA
COLONEL MARCUS R. HATLEY
COLONEL GREGORY J. HIRSCH
COLONEL JOHN E. HOEFERT
COLONEL LEE W. HOPKINS
COLONEL LYNDON C. JOHNSON
COLONEL RUSSELL D. JOHNSON
COLONEL PETER S. KAYE
COLONEL JESSE J. KIRCHMEIER
COLONEL RICHARD C. KNOWLTON
COLONEL MARTIN A. LAFFERTY
COLONEL EDWIN W. LARKIN
COLONEL BRUCE C. LINTON
COLONEL KEVIN D. LYONS
COLONEL ROBERT B. MCCASTLAIN
COLONEL MARK D. MCCORMACK
COLONEL MARSHALL T. MICHELS
COLONEL MICHAEL A. MITCHELL
COLONEL SHAWN M. O'BRIEN
COLONEL DAVID F. O'DONAHUE
COLONEL JOHN O. PAYNE
COLONEL TROY R. PHILLIPS
COLONEL RAFAEL A. RIBAS
COLONEL EDWARD D. RICHARDS
COLONEL HAMILTON D. RICHARDS
COLONEL JOHN W. SCHROEDER
COLONEL SCOTT C. SHARP
COLONEL CARY A. SHILLCUTT
COLONEL BENNETT E. SINGER
COLONEL RAYMOND G. STRAWBRIDGE
COLONEL TRACEY J. TRAUTMAN
COLONEL SUZANNE P. VARES–LUM
COLONEL DAVID N. VESPER
COLONEL CLINT E. WALKER
COLONEL JAMES B. WASKOM
COLONEL MICHAEL J. WILLIS
COLONEL KURTIS J. WINSTEAD
COLONEL DAVID E. WOOD

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be brigadier general

COL. LAURA L. YEAGER

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be brigadier general

COL. WILLIAM J. EDWARDS

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be major general

BRIG. GEN. ROBERT W. ENZENAUER

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be major general

BRIGADIER GENERAL RANDY A. ALEWEL
BRIGADIER GENERAL CRAIG E. BENNETT
BRIGADIER GENERAL ALLEN E. BREWER
BRIGADIER GENERAL BRIAN R. COPES
BRIGADIER GENERAL BENJAMIN J. CORELL
BRIGADIER GENERAL PETER L. COREY
BRIGADIER GENERAL STEVEN FERRARI
BRIGADIER GENERAL RALPH H. GROOVER III
BRIGADIER GENERAL WILLIAM A. HALL
BRIGADIER GENERAL BRIAN C. HARRIS
BRIGADIER GENERAL RICHARD J. HAYES, JR.
BRIGADIER GENERAL SAMUEL L. HENRY
BRIGADIER GENERAL BARRY D. KEELING
BRIGADIER GENERAL KEITH A. KLEMMER
BRIGADIER GENERAL WILLIAM J. LIEDER
BRIGADIER GENERAL DANA L. MCDANIEL
BRIGADIER GENERAL RAFAEL O'FERRALL
BRIGADIER GENERAL JOANNE F. SHERIDAN

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS COMMANDER, MARINE FORCES RESERVE, AND APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 5144:

To be lieutenant general

MAJ. GEN. REX C. MCMILLIAN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL IN THE UNITED STATES MARINE CORPS WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. ROBERT R. RUARK

IN THE AIR FORCE

THE FOLLOWING NAMED AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be colonel

JOHN C. BOSTON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE AND AS PERMANENT PROFESSOR AT THE UNITED STATES AIR FORCE ACADEMY UNDER TITLE 10, U.S.C., SECTIONS 9333(B) AND 9336(A):

To be colonel

JOHN A. CHRIST

IN THE ARMY

THE FOLLOWING NAMED OFFICER IN THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

STEPHEN T. WOLPERT

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

JENIFER E. HEY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be major

MICHAEL R. STARKEY

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

DEEPA HARIPRASAD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

DALE T. WALTMAN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

VINCENT E. BUGGS
DEXTER E. CASTON
ROBERT C. DOTSON
JOHNNIE E. EDMONDS
DENNIS C. EDWARDS
RICHARD D. ERENBAUM
DERRICK M. FISHBACK
ANDREW L. FLAGLER
STEPHEN K. FREEMAN
LEE D. HYDER
BRYAN A. JONES
GEORGE LEWIS
MICHAEL A. LOCKWOOD
JAMES E. MARTIN, JR.
ROBERTO MARTINEZGONZALEZ
DAVID E. MEYER
JOSEPH P. NEUWIRTH
JOHN T. NOVAK
MICHAEL O. PETZINGER
SANDY C. SADLER
KIRK R. SLAUGHTER
DORA E. TERAN
JOHN M. TERRIZZI
GUSTAVUS A. WALTERS
WILLIAM A. WYMAN, JR.
JAMES M. ZEPP III

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

SHONTELLE C. ADAMS
ROGER T. AESCHLIMAN
IREDRELL K. AGEE III
ALAN B. ALEXANDER
MICHAEL J. ALLEN
BRENT F. ANDERSON

JASON M. AWADI
CRAIG W. BAKER
KEVIN M. BAKER
JOHNATHON W. BALLARD
NICOLE M. BALLIET
CHRISTOPHER S. BARIL
RAYMOND J. BARNES
STEVEN D. BARNEY
BRENT R. BAXTER
JEMAL J. BEALE
GLENN A. BEARD, JR.
MARK M. BECKLER
ALFRED S. BELLUCHE
KEVIN K. BENDER
DANIEL T. BILKO
KEVIN M. BLACK
DOUGLAS W. BOGENHAGEN
JOSEPH W. BOLER
JULIAN H. BOND
CHARLES F. BOOZE III
RODNEY C. BOYD
MICHAEL S. BOYLE
JAMES D. BRIGGS
JEFFREY L. BROWN
VICTOR R. BROWN
SCOTT K. BURNHOPE
MIRIAM D. CARLISLEWESTFALL
ALLAN W. CARTER
CHRISTOPHER C. CERNIAUSKAS
JAMES P. CHALLENDER
ANDREW J. CHEVALIER
DIRK A. CHRISTIAN
GREGG T. CLARK
RAMON COLON
MARK D. COLVIN
THOMAS L. CONERLY
RYAN E. CONNELLY
REGINALD L. COOK
DAVID E. COOPER
WILLIAM F. COST, JR.
CALVIN J. COVANY, JR.
LEVON E. CUMPTON
XAVIER R. DASHIELL
MARION D. DAVIS
DANIEL A. DEGELOW
BRIAN S. DEMERS
ROBERT S. DIVNEY
STEPHEN P. DOWDIE
THOMAS P. DOWNEY
DANA L. DUGGINS
BILLY A. EASTERLY
TODD W. EDGAR
LESLEY F. EDWARDS, JR.
ANDREW W. ENGELHARDT
JONATHAN J. ERICKSON
JAMES D. ERIKSEN, JR.
CHRISTOPHER S. EVANS
WILLIAM T. EWING
MICHAEL J. FALK
PATRICIA T. FANT
SCOTT D. FARISH
JAMES P. FREEHART
WILLIAM K. FREEMAN, JR.
MATTHEW W. FRYMAN
KEVIN A. FUJIMOTO
LOUIS J. FUSARO, JR.
SCOTT A. GAINES
ROS L. GAMMON IV
KEVIN L. GARNER
JOHN T. GENTRY, JR.
RAUL E. GIERBOLINI
STEVEN A. GILBERT
DOYLE GILLIS, JR.
BOBBY M. GINN, JR.
GARLAND H. GOODRICH
RICHARD A. GRAY
LEO GRIEGO, JR.
TAMMY L. GROSS
LAWRENCE H. GUENTHER
JOEL D. HAGY
EDWARD H. HALLENBECK
ERIC H. HALLSTROM
GRETCHEN E. HARBIN
RODNEY HARRIS
PAUL D. HARRON
ROBERT J. HAYDEN IV
TIMOTHY A. HEAD
JAMISON A. HERRERA
HECTOR R. HERRERACAMERON
MARK E. HOLLAND
CHRISTOPHER S. HOLMES
MURRAY E. HOLT II
MICHAEL A. HONEYCUTT
ROBIN A. HOSSFELD
LYNN J. ISHII
ROBERT T. JARRETT, JR.
CLARK V. JOHNSON
RONALD N. JONAS
CRAIG W. JONES
JAMES M. JONES
STEPHEN P. JONES
GARY A. JORGENSEN, JR.
JASON D. KAUL
MATTHEW J. KENNEDY
THOMAS C. KIMBALL
PATRICK A. KIRBY
MICHAEL E. KITCHENS
HAROLD W. KNIGHT III
CHARLES L. KNOWLES
DENNIS E. KONKEL
JAMES P. KOPKO
ALLYSA A. KROPP
CLAYTON E. KUETEMEYER
CHRISTOPHER LAMBESIS
ROBERT J. LARKIN
CHRISTOPHER L. LARRABEE
CHRISTOPHER J. LAWSON
MARK D. LEBEAU
JEFFREY D. LEE
LOREN R. LEGRAND
MICHAEL J. LINS
EDWARDS S. LITTLE, JR.
HOWARD R. LLOYD, JR.
KEVIN W. LOCHTEFELD
FREDERICK D. LONG
PATRICK R. MACKLIN
KIMBERLY M. MARTINDALE
MICHAEL M. MAY
RORY B. MCCORMACK
GORDON MCCOY
KIMBERLY J. MCDONALD
MIMI Y. H. MCEWING
MARK E. MCGUIRE
LAURA A. MCHUGH
MICHAEL A. MCLEAN
NORMAND G. MICHAUD
JOSEPH A. MITCHELL
WILLIAM S. MITCHELL
PAUL J. MOCARSKI
BENNIE L. MORRIS
CHRISTOPHER M. MURPHY
MICHAEL T. MURPHY
PAUL NEMA
ANTHONY F. NOLL
FRANK J. OLIVEIRA
BRYAN K. OUELLETTE
ROBERT A. PAOLUCCI
WARREN L. PAULING
KARL S. POND
DAVID K. PRITCHETT
JERRY F. PROCHASKA
STEVEN E. REECE
ANTHONY L. RIVERA
CARLOS J. RIVERAROMAN
GENE T. ROACH, JR.
JAMES M. ROBERTS II
BRETT D. ROBISTOW
MAURICE E. ROCHELLE
GREGORY W. ROGERS
KIM S. ROLSTONE
ISRAEL ROMERO
STACY L. ROTH
EDITH C. SAILOR
GUSTAVO V. SANTIAGO, JR.
SHANNON D. SAUCY
MATTHEW J. SAXTON
ANTHONY SCIARAFFA
STEVEN G. SHEPHERD
GARY L. SHEPPARD
SCOTT M. SHERMAN
STEVEN G. SHERROD
CHAD H. SMITH
DOUGLAS R. SMITH
EDWARD S. SMITH
ISABEL R. SMITH
JEFFERY M. SMITH
JODY M. SMITH
ROBERT E. SOWARDS
TODD A. SPAFFORD
HENRY L. STEVENS
KEVIN M. STEWART
PAUL C. SUSKIE
FREDERICK F. TADY, JR.
ERIC J. TEEGERSTROM
MARK E. TELLIER
DENNIS A. TILSON
GREGORY C. TINE
FRANK TOMINEZ, JR.
CHUNG T. TRAN
JOHN A. TREUFELDT, JR.
PERRY L. TURNER
TYRONE T. TWYMAN
THOMAS E. VERN, JR.
KEVIN L. VINES
CHRISTIAN J. VONWUPPERFELD
BART R. WAGNER
EDWARD C. WALLER
GLEN H. WALTERS
LELAND D. WARD
ROBERT F. WEIR
DAVID A. WEISBERG
KENNETH R. WHITE
MARK K. WHITLOCK
JOHN W. WHITMIRE
JAMES C. WILKINS
KEITH L. WILLIAMS
JOHN M. WINDLE
ROBERT T. WOOLDRIDGE II
ROBERT S. WRIGHT
JOSEPH S. ZUFFANTI

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY DENTAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

ANDREA C. ALICEA
ASHLEY G. ARAGONA
HUGO R. ASURZA
GILBERT C. BARRETT II
BARRETT N. BEARDSLEY
DANIEL W. BJORGE
ABBY N. BOSCHERT
ADAM W. BROCK
DAWN L. BROYLES
PHILIP T. BUCKLER
JASON M. BULLOCK
JOSEPH F. CAPETILLO
BYRON E. CAPPS
DIANA K. S. CHOI
COLLIN R. CLATANOFF
LEE M. COTE, JR.
LOGAN R. CURTIS
NHANAM D. DO
ANDREW W. DULLNIG
ELENA G. FURDUICARR
THOMAS P. GRAHAM
JESSE P. HALL
JOSHUA L. HALL
MICHAEL B. HARPER
ELSIE A. HINZ
CHRISTA E. HIRLEMAN
ERICK A. JANSSON
JOHN G. KEETON
JOHN M. K. KIM
SUNG S. KIM
BRIAN J. KIRKWOOD
VIVIAN Y. W. KO
MARK M. KOMFORTI
JASON C. LACOURSE
ADAM J. LANE
ANDRE C. LEDOUX
BRIAN J. LEE
JOSHUA H. LEE
TERRENCE O. LEWIS
JACOB V. LILJENQUIST
KOURTNEY R. LOGAN
SCOTT C. MARSHALL
JAMES M. MCCANN
PETER B. MCCLELLAN
JASON MCDANIEL
LUIS F. MISSURA
DUKE P. NGUYEN
IRIS A. PANOS
STEPHEN B. PETERMAN
KEVIN D. PRIEST
TEJDEEP S. RATTAN
VEJAY K. RAVINDRAN
ROHTAZ K. SANDHU
STEPHEN J. SEBASTIAN
PAUL SEIBEL
JAMES T. SHANER
KRISTOFER P. SIVANICH
KEVIN D. SMITH
ANDREW D. TAYLOR
BENJAMIN L. THOMPSON
CHRISTOPHER O. TORRES
MATTHEW J. WALKER
HILARY F. WHEELESS
SPENCER W. WILSON
AARON J. YARNELL
GIOVANNY F. ZALAMAR

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

ERIC B. ABDUL
ALAIN M. P. ABELLADA
DAVID J. S. ACIERTO
DANIKA L. ALEXANDER
GEOFFREY C. ALEXANDER
DAVID E. ANDERSON
RONALD D. ANDERSON
MICHAEL D. APRIL
CRUZ N. J. ARBELO
JOEL L. ARTER
BENJAMIN T. ARTHUR
TIENEKA M. BAKER
ERIC M. BALENT
JEDIDIAH A. BALLARD
MATTHEW M. BANTI
JULIANN BARRETT
DANIEL W. BEAUCHAMP
KATHERINE M. BEDIGREW
MICHAEL A. BELLAMY
MICHAEL D. BERVEN
AARON S. BIRCH
KRISTINA A. BOWEN
NATHAN L. BOYER
MICHAEL R. BRACKMAN
AARON W. BROTHERS
ROBERT A. BROWN, JR.
CHARLES E. BRYANT
JEFFREY H. BURKET
BRANDY M. BUTLER
MICHAEL BYBEL, JR.
EVAN R. CAMERON
AMANDA M. CARNES
VINCENT E. CASIANO
IAN M. CASSADAY
ASHLEY N. CHAFFINDEMPSEY
MICHAEL M. CHAMBERLIN
STEPHEN H. CHO
JOON S. CHOI
LAURA C. COOKMAN
ALISSA M. COONEY
SETH L. CORNELL
JOANNA R. CROSSETT
JENNIFER M. CRUMBAILEY
MICHAELFLYNN L. CULLEN
JOHN W. DAULA
KELLY T. DAVISON
RYAN M. DECORT
JONATHAN M. DEETH

JONATHAN R. DIAZ
GREGORY R. DION
MARK N. DONOVAN
SETH DUKES
KENNETH C. DUNSTONE
AMANDA R. DUTTLINGER
RICHARD P. EIDE III
DIANE U. ELEGINOSTEFFENS
ISAAC D. ERBELE
RICHARD J. ERNST
JAMES J. ESPOSITO
CAITLIN M. FINK
EMILIE B. FITZPATRICK
FRANCISCO J. FLETES
JOHN J. FOWLER
KLAUS A. FREELAND
JEFFREY T. FREEMAN
JOSIAH D. FREEMYER
IAN D. FUNNELL
ABRAHAM J. FURA
MARY S. GELNETT
ALAN A. GEORGE
MICHELE A. GLASS
JASON A. GLOW
BENJAMIN E. GOOD
NICHOLAS P. GORHAM
TROY B. GRAYBEAL
VANESSA R. GREEN
LIESL S. GRENIER
KENNETH H. GRIER
STEPHANIE A. GROTZKE
AMBER K. GRUTERS
ELIZABETH S. GUINTO
ROY E. GUINTO
JARRED A. HAGAN
LAELA M. HAJIAGHAMOHSENI
ASHLEY U. HALL
CHRISTOPHER P. HALL
NOAH M. HALL
JUSTIN A. HAMILTON
JONATHAN T. HARDIN
QUINTON M. HATCH
NATHANAEL E. HATHAWAY
CHRISTINE Y. H. HAYES
COURTNEY J. HAYES
MEREDITH A. HAYS
DANA T. HENSLEY, JR.
MATTHEW E. HERBERG
MICHELLE M. HILL
GRAYSON W. HOOPER
DONALD N. HOPE
ERICA R. HOPE
GERALD J. HOPKINS, JR.
PAUL M. HOUGHTALING
ROBERT HOUSTON IV
JAMES A. HULA, JR.
ADAM L. HUNZEKER
JOSHUA B. HVIDDING
GARETT E. JACKSON
SELINA A. JEANISE
REBEKAH J. JOHNSON
MILISSA U. JONES
CHARLES L. KATZ
DONALD E. KEEN, JR.
BRIAN P. KEENE
LAURA M. KELLER
LINDSAY E. KELLEY
JOSEPH R. KELLY
CHONNA L. KENDRICK
JIYOON KIM
MICHAEL KIM
MYUNGJIN G. KIM
SARAH A. KINKENNON
JOHN G. KNIGHT
MICHAEL A. KOREN
BRYAN K. KUJAWA
NJI G. T. KUM
NICHOLAS J. KUNTZ
MARIA T. KURTZ
JOSHUA L. LAGRANT
CHRISTOPHER W. LARSON
SHANE L. LARSON
MATTHEW D. LAUGHLIN
LUAT N. C. LE
DANIEL J. LEE
JOSHUA S. LEE
DAVID A. LEITMAN II
BRYAN J. LIMING
CHARLES K. LIN
PHILLIP C. LINDHOLM
LUKE J. LINDLEY
COLIN T. LINTHICUM
KEVIN T. LOK
QUINTON D. LORDS
VICTORIA A. R. MAHAR
PAMELA C. MASELLA
KYLE M. MASTERS
PATRICK J. MASTIN
BRETT A. MATZEK
JEREMY R. MCCALLUM
MARK A. MCCONNELL
REBECCA L. MCCONNELL
EMILY C. MCDUFFEE
RAVI S. MENON
NORMAN K. MESSENGER, JR.
SARA E. MICHAEL
MARY E. MILLER
JOSEPH G. MOLLURA
CARDONA A. L. MORALES
EMILY N. MORGAN
TYLER A. MOSS
MATT T. MURAMOTO
VINCENTE S. NELSON
JAMES Q. NGUYEN
MOROMOKE O. ODINA
MARY T. M. ODONNELL
CHRISTINE M. OLANREWAJU
DAVID L. OLIVER
NICOLAS M. ORTIZ
REBECCA M. ORTOLANO
SCOTT R. OSTRANDER
BRETT A. OZANICH
SARAH A. PACE
ROBERT D. PAISLEY
ALEXIS C. PALBUS
OTTO W. PANTOJA
JIGARKUMAR A. PATEL
ANTHONY B. PATTERSON
BRIAN L. PATTON
JOSEPH J. PAVELITES
IRINA M. PECHENKO
GREGORY S. PEIRCE
MIGUEL PEREZABREU
JOSEPH L. PETFIELD
MICHAEL D. PHILLIPS
ADAM M. PICKETT
GREGORY R. PITTMAN
JASON E. POLCHINSKI
AUGUSTAH J. POUTRE
JEFFREY D. PRICHARD
ROBERT QUARCOO
LAURA J. RADEL
ARWYN E. RAINA
DINESH S. RAO
TYLER R. REESE
DANIEL S. RHOADES
PEDRO J. RIOSMORALES
RACHEL C. ROBBINS
CHRISTOPHER A. ROBERTS
CHRISTOPHER R. ROHRBOUGH
DAVID M. ROMANO
CABALLERO M. ROMERO
RACHEL A. ROSENBAUM
OLGA O. ROSENBERRY
MEGHAN R. ROSENQUIST
JACOB C. L. RUMLEY
GEORGE N. RYMARCZUK
REBECCA J. SAINATO
MICHAEL A. SAMUELS
JOY SARKAR
AUDREY L. M. SATO
STEVEN G. SCHAUER
CARLA W. SCHNITZLEIN
JEREMY D. SCHROEDER
ERIC L. SCOFIELD
JASON S. SEDARSKY
JARED R. SEIBERT
JONATHAN J. SEXTON
LISA M. SHAPCOTT
NICHOLAS J. SHARBINI
ZACHARY J. SHAUB
ASHLEY G. SHAW
WILLIAM E. SHERMAN
WILLIAM J. SHERMAN
SEAN R. SHIRLEY
ELIZABETH G. SIMMONS
ADAM J. SMITH
JONATHAN S. P. SMITH
PATRICK R. SMITH
THOMAS B. SMITH
CHE A. SOLLA
MARICEL Z. SOTO
MARIO A. SOTO
MICHELLE K. STEGENGA
CHRISTOPHER D. STEWART
DOUGLAS R. STODDARD
MATTHEW A. STRODE
JOSHUA J. STROMMEN
NICHOLAS R. TENEYUQUE
JESSICA S. THOMAS
JORDAN L. THOMSON
REGINALD TREVINO
JASON A. UNGER
BLARCUM G. S. VAN
CHARLENE A. VESTERMARK
NICOLE O. VIETOR
ROBERT C. VIETOR
BERNADETTE VILLARREAL
WILLIAM J. WADZINSKI
JENNIFER A. WAGNER
IAN M. WARD
KRISTIE M. WAVERS
JAMES W. WEIGHTMAN
MEGHAN L. WEISBECK
KIMBERLY A. WERNER
JONATHAN E. WIESE
JOSEPH R. C. WILLIAMS
TA R. K. WILLS
JAMES H. WINEGARNER
CAMERON S. WOLTERSTORFF
DIFU WU
GERALD E. WYNNE
MATTHEW J. ZAK
DEREK G. ZICKGRAF
SARA I. ZOESCH

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

GARY S. ANSELMO
TIMOTHY J. ARSENEAU
DEANNA M. BAGUE
CHRISTOPHER Z. BARRA
MICHAEL E. BEANE
JUAN R. BERRIOS
MARK A. BLANEK
ERIC BOETTCHER
CHARLES V. BOLLES II
WAYNE H. BOWEN
TIMOTHY E. BRENNAN
RICHARD E. BROWN
PAUL J. BUCKWALTER
KEVIN S. BUNTON
JERRY B. BUSH
LORING Q. BUSH
JEFFREY A. CANTOR
RANDALL S. CARTMILL
TIMOTHY D. CHAPMAN
MICHAEL C. CLAY
RICARDO COBIAN
SHAWN P. COCHRAN
FRANCES E. COFFEY
CLIFFORD A. CONKLIN
JOHN A. CONKLIN
KAREN A. CONNICK
JEANINE S. CUNLIFFE
GARY D. CURRY
ROBERT C. CUTAJAR
JAMES Y. DAFFRON
KIRK P. DAILEY
MICHAEL A. DALESANDRO
DAVID J. DAUB
JAMES E. DAVIS
KEVIN E. DAVIS
MARSHA L. DEFELICE
GREG B. DEGUZMAN
MARI E. DEPORRES
JOHN E. DETHLEFS
DARRELL D. DODGE
FRED M. DORSEY, JR.
CHRISTOPHER J. DZIUBEK
BARRY E. EDBERG
OSCAR F. EICHHORN
NORMAN M. FABIAN
GERALD A. FAUNT
RODNEY J. FISCHER
JOHN M. FISHER
BRETT J. GARDNER
KELLY E. GARRETT
DONALD W. GATES
KIM A. GATEWOOD
JOHN M. GERMANN
SETH A. GLADSTONE
ROGER A. GLENN
JASON K. GRAAF
LEONARD D. GRANT
JEFFERY G. GREENE
ROBERT J. HAILEY
DEAN E. HALE
DAVID L. HARRIS
DAVID E. HEFLIN
WILLIAM P. HEYLAND
WILLIAM P. HIGGINS
ERIC S. HOLLIDAY
DOUGLAS L. HOPLER
CAROL V. HRICZOV
JOHN T. HUBERT
MICHELLE M. HUCKINS
ELVIS HUGEE
DOUGLAS R. HURST
TRISTRAM T. HYDE V
MARTIN B. INMAN
EURIKA L. JENNINGS
JOHN W. JOSEPH
MARIA A. JUAREZ
ROBIN D. JULCH
VICTOR G. KELLY
JULIANNE M. L. KERR
JAMES M. KISIEL
GAYLON L. KRAVIG
DUANE LACLAIR
STEVE C. LAI
ROBERT LALOR
BETHANY L. LEE
MARLON E. LEWIS
TODD C. LIEBIG
RANDY W. LUKE
WILLIAM M. MAGUIRE
JEFFREY D. MAHAN
MICHAEL C. MALONE
RUDOLPH V. MALONE
ANTHONY E. MANETTA
JESSE C. MANNING
CHRISTOPHER L. MATSON
PAUL J. MATTERN
WALTER C. MATTIL
CARLOS D. MAYS
CLEA O. MCCAA
DARYL S. MCCORMICK
TIMOTHY E. MCGOWAN
RANDALL L. MEDEIROS
JOHN K. MEEHAN
SAMUEL C. MEMBRERE
WILLIAM G. MERGNER
PAUL V. MILLER
KAREN S. MONDAYGRESHAM
DANNY C. MORGAN
KIMBERLY S. MOROS
LINDAN A. MOYA
SCOTT A. NELSON
DAVID A. NIESEN
HALLAH E. NILSEN
MANUEL OCASIO, JR.
KEVIN D. OLIVER
THOMAS W. OLSEN

STANLEY B. OSWALD
GREGORY V. PASS
MICHAEL C. PECKHAM
AHMAD J. PELZER
JOHN J. A. PERREL
EDWARD L. PESCE
LONG PHAM
ROBERT T. PHILLIPS
ANTHONY PICKENS
KENNETH R. POWELL
GREGORY P. PUCCETTI
JEFFREY D. PUGH
TIMOTHY G. PULLEY
EDWARD W. RADGOWSKI, JR.
DAVID K. RAINEY
RICHARD G. REED
KENNETH D. REID
TODD L. RESSEL
RODGER T. REYNOLDS
MARY B. REYNOLDS
VINCE A. RICE
JEFFREY L. RICHAR
CHANDRA M. ROBERTS
MICHAEL L. ROBERTSON
ANTHONY L. ROCKEMORE
JOHN L. RODRIGUEZ
BURNIE L. ROPER, JR.
CHRISTINE V. RUMMEL
WILLIAM J. RUMMEL
DORIL SANDERS
RAY D. SARTAIN
JOHN H. SCOTT
MARCUS A. SCOTT
DOUGLAS E. SHARP
ALAN R. SHEARD
MICHAEL A. SHERMAN
PAMELA L. SHIELDS
RAYMOND SHORT
JOHN D. SLAVIN
KEVIN M. SMITH
ANTHONY T. SNIDER
TIMOTHY M. SNYDER
MARK M. STEWART
JOHN A. STOKES, JR.
DOUGLAS M. STONE
GARY K. STOVER, JR.
MICHAEL S. SULLIVAN
APRIL L. THOMAS
DEAN P. THOMPSON
SAMMIE L. THURMAN, JR.
WILLIAM E. TILLERY
RENEA L. TIMKO
MARCI D. TOLER
STEPHEN L. TREMBLAY
GERALD E. TUCKER
DOYLE R. TUISL
ANTHONY E. ULRICH
MARK P. VAKOS
ROBERT A. VAUGHAN
ERNST C. VONARNSWALDT
JOHN G. VONGLIS
JEFFREY L. WAKELYN
MALCOLM T. WALKER
WILLIAM A. WILKE
WENDETTA N. WILLIAMS
DAVID L. WILLIS
JOSEPH A. WOLL
KENNETH J. YEASKY
JOHN G. ZIERDT

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant commander

AUDRY T. OXLEY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

MARK B. LYLES

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

RUSSELL P. BATES
DAVID GLOVER
RAFAELDIONIS MEDINA
HORACIO G. TAN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

SYLVESTER C. ADAMAH
GREGGORY A. BENTON
CHARLES W. BISGARD
TROY M. BROWN
RYAN P. CAREY
JAMES W. EVANS
CATHERINE U. EYRICH
MATTHEW C. GUNDERSON
GREGORY P. JENNINGS
SAMUEL A. JOHNSON
STEPHEN M. LAMPERT
CHRISTOPHER S. LANDESS
MICHAEL W. MCCAIN
DANIEL J. MULLER
JEREMY D. RAMBERG
JEFFREY A. RICHER
KENNETH E. SCHWALBE
CONSTANCE L. SOLINA
CHRISTOPHER E. STEELE
ROBERT D. STILES
JULIANA M. STRIETER
LI SUNG
PRESTON D. TAYLOR
CHADWICK D. WHITE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

RUBEN A. ALCOCER
ROBERT G. ALEXANDER III
DONALD E. BAKER
PATRICK W. BROWN
CHRISTOPHER M. BUCZKOWSKI
KEITH A. CAPPER
TRAVIS P. COLLERAN
CHRISTOPHER P. COUSINO
JODY M. DANIEL
SAMUEL V. FONTE
TERRI L. GABRIEL
JOSEPH M. GILMORE
STEPHEN K. GULICK
JEFFREY S. HARRIS
PETER J. HOLDORF
DAVID J. HUBER
COLLEEN L. JACKSON
KENNETH J. JACKSON
EDELIO P. JOLOYA
JOANNA D. KALVIG
KEITH B. KLEMM
CARL W. KOCH
PHILIP R. LINDLEY
ERIC D. LOCKETT
PHILIP W. LOWREY
CASS K. MADSON
FRANK D. MILLER
GREGORY P. MITCHELL
SHAWN M. MORGHEIM
DOUGLAS R. MURPHY
CHRISTOPHER A. NEWELL
ALLEN M. OWENS, JR.
DAVID W. PAVLIK
JOSEPH C. PESTAR, JR.
JOSEPH H. PETH
DERWIN B. PROBY
CHARLES M. REED
MICHAEL R. SCHILLING
SETH D. THORNHILL
JOHN H. TIPTON
SEAN W. TOOLE
SALVADOR TORRESACOSTA
JAMES A. TROUT
JAMES L. VENCKUS
ALEXANDER D. WALLACE III
MELISSIA A. WILLIAMS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

ACCURSIA A. BALDASSANO
BRIAN A. BARBER
RACHEL R. BAUDEK
KRYSTAL M. BAUMAN
KAREN A. BELCAR
RHONDA L. BENNETT
RAYMOND L. BONDS
PHILLIP A. BOYER
TIMOTHY P. BRENDER
NATHAN S. BREZOVIC
CARMEN M. BROSINSKI
TYMESIA V. CORTEZ
COBY S. CROFT
RICHARD J. CURLEY
DAVID A. DEIKE
KERRY L. EBUENG
BRIDGETTE D. FERGUSON
JERVIA I. FICKENS
LYDIA B. HAASE
ROBIN A. HARRIS
CAMBRAI E. HARTY
VIRGINIA C. HAZLETT
KIRSTEN L. HILL
BETH A. HOFFMAN
LINDA A. HUBER
TERRI L. JANDRON
JODY L. KING
SOPHIA M. LAWRENCE
PANDORA J. LIPTROT
VALERIE V. LITTLEFIELD
JILL M. MALDARELLIDREY
CRAIG T. MALLOY
BRENT M. MCDUFFIE
KAZMER MESZAROS, JR.
PATRICIA J. MILLER
DAWN E. MITCHELL
MEGAN Z. NASWORTHY
LOUISE B. NELLUMS
ERIC J. PAULI
DANIEL F. RICE
ANNA A. ROSS
WILLIAM J. ROULAINE
ELIOT D. SPENCER
SUSAN M. TILLMON
MATTHEW A. TRUDEAU
JERROL B. WALLACE
JOEL P. WEMETTE
AMY C. WHITE
JANICE A. WHITE
JACQUELINE R. WILLIAMS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

JASON S. AYEROFF
LAURA E. BISHOP
PHILLIP A. CHOCKLEY
CHRIS W. CZAPLAK
PHILIP J. HAMON
CLIFTON H. HUTCHINSON II
ELIZABETH H. JOSEPHSON
HAYES C. LARSEN
AMANDA R. MYERS
STEVEN M. MYERS
STEVEN R. OBERT
PETER P. PASCUCCI
KATHERINE S. PASIETA
MARY B. POHANKA
ELIZABETH A. ROSSO
RYAN STORMER
ANGELA J. TANG
BRENT E. TROYAN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

JERRY J. BAILEY
TIMOTHY D. BARNES
MATT D. BEERY
KERRI L. BROWNE
ROGER S. CARON
WILLIE D. CARTER
BRENT N. CASADY
GEORGE P. COAN III
ROBERT E. COMEAU
JOHN P. CONZA
MARIA C. COON
NOEL M. CORPUS
RANDY S. DEE
CARRIE L. DREYER
JOSEPHINE C. FAJARDO
DIANA M. GARCIA
ADRIAN D. GASKIN
REBECCA V. GELS
RICHARD GILLIARD, JR.
JEFFERSON D. GRUBB
LESLIE C. HAIR
ANDREW M. HAYES
JONATHAN A. HOILES
MATTHEW H. JAMERSON
JOSEPH S. JENKINS
PAULA JOHNSTON
DANIEL KACHENCHAI
MICHELLE L. KEE
MELISSA D. H. LAUBY
ROBERT D. LIPPY
JOSEPH A. MASTRANGELO
ROBERT T. MCMAHON III
RACHELLE MCPHERSON
KENNETH J. MEEHAN
JOHN G. MEETING
STACIE A. MILAVEC
KELLY E. MOKAY
JASON T. MORAREND
MARCY M. MORLOCK
BRENT A. OLDE
RANDY L. PANKE
ANTHONY M. RABAIOTTI
JANEL B. ROSSETTO
WILLIAM R. SCHEELER
STEVEN D. SCHUTT
DOUGLAS P. SCHWEIKHART
ROBERT P. SENKO
ELIZABETH SMITH
BRUCE H. THOMPSON
ERIN R. WILFONG

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

WILLIAM M. ANDERSON
YASIR F. BAHRANI
CECILIA M. BROWN
DEA L. BRUEGGEMEYER
AMY L. BRYER
KATHLEEN D. BUSS
SHERRY A. CARAVEO
JAMES T. CORBETT
BART M. CRAGEN
MATTHEW C. DART
JEFFREY A. DRAUDE
NICOLE C. EISENBERG
KRISTI E. ERICKSON
PATRICK J. FOX, JR.
BRIAN J. GUERRIERI
BROOK W. JONES
BYUNG J. JOO
JOHN J. NEAL
IAN M. J. VALECRUZ
DAVID S. WELDON
JEFFREY R. WESSEL

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

MARIA A. ALAVANJA
TERRENCE D. ANDERSON
CHRISTOPHER M. ANDREWS
STEVEN R. BANKS
MICHAEL J. BARRY
RICHARD L. BECKER
DEIRDRE A. BELL
CURT A. BERGSTROM
KASINA J. BLEVINS
JASON B. BLITZ
ROGER BOODOO
WESLEY D. BOOSE
NORMAN Y. BRIONES
CAROL L. BUDZIK
KEVIN A. BYRD
MARIO J. CARDOSO
ROBERT N. CLAPP
MAX A. CLARK II
JUSTIN M. COX
TRAVIS G. DEATON
MARK R. DEBUSE
JAMES G. DEMITRACK
JOY U. DIERKS
TAI A. DO
RODERICK H. DOSS
BENJAMIN J. DRINKWINE
JONATHAN N. ELLIOT
DANIEL P. ELLIOTT
OCTAVIANO ESPINOSA
SAMUEL G. ESPIRITU
MICHAEL C. FLANAGAN
IAN M. FOWLER
WARREN K. FREY
MARCIA L. FRYE
JACOB J. GLASER
JASON A. GORDON
WENDY T. GORDON
DANIEL J. GRABO, JR.
THANH D. HOANG
ASHLEY E. HUMPHRIES
DONALD W. HURST
MARK D. JOHNSON
GRANT A. KIDD
JENNIFER F. M. KLIMPEL
THAD D. KLIMPEL
BRIAN S. KNIPP
RICHARD A. KOCH
ROBERT J. KRAUSE
JOHN T. LANDERS
MARK F. LUND
MONICA A. LUTGENDORF
DAVID M. MANN
MERLE B. MARTIN
JAMES MASTERSON
JACQUELINE C. MCDOWELL
MICHAEL G. MERCADO
ANIS MILADI
ALICEA M. MINGO
JOHN D. MOORE
NICOLAS B. MOYADELPINO
JOSEPH A. NELLIS
CAMERON J. L. NELSON
WILLIAM B. NGUYEN
KATE E. OLIVER
MARIUSZ A. OLSZEWSKI
CHARLES J. OSIER, JR.
CHRISTOPHER R. OXNER
MICHELLE A. PERKINS
GREGORY R. POMICTER
TODD A. QUACKENBUSH
ALBIN S. QUIKO
JAMES C. RAPLEY III
JENNIFER M. REEM
JUNEWAI L. REOMA
DUSTIN J. ROBERTS
JASON H. ROCKWOOD
JESSE J. ROHLOFF
OMAR SAEED
MARK R. SEIGH
ROBERT G. SHEU
WAYNE R. SMITH
STEPHEN J. STAUB
HUNTER S. STOLLDORF
BRIAN D. TERRIEN
JOSEPH B. THIES
ELLIE L. VENTURA
MICHAEL L. VILLARROEL
SARAH A. VILLARROEL
RICHARD J. WACLAWSKI
LESLIE A. WALDMAN
PATRICK D. WEBB
DENISE A. WHITFIELD
GEOFFREY W. WILSON
TAMARA J. WORLTON
VINCENT A. I. ZIZAK

EXTENSIONS OF REMARKS

IN HONOR OF THE 75TH ANNIVERSARY OF THE WELLES DECLARATION

HON. GEORGE HOLDING

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 23, 2015

Mr. HOLDING. Mr. Speaker, I rise today to honor the 75th anniversary of the Welles Declaration.

Issued on July 23, 1940, by United States Under Secretary of State Sumner Welles, this declaration condemned the Soviet Union's aggression against, and annexation of, Estonia, Latvia, and Lithuania.

This strong statement was the first announcement of the historic policy of non-recognition that was pivotal to empowering the resistance by democratic movements behind the Iron Curtain.

Until the restoration of their independence, the United States maintained strong support for the freedom of these Baltic States and their people.

Mr. Speaker, at this particular moment in history, I believe this anniversary holds even more significance.

History has a way of repeating itself Mr. Speaker, and as we see aggressive military campaigns seeking to illegally gain dominance over nations' sovereign territory, we must have the same courage of our predecessors to stand against tyranny and support those who yearn for democracy, freedom, and independence.

Mr. Speaker, I am proud to remember the role our nation had 75 years ago supporting Estonia, Latvia, and Lithuania in their aspirations for freedom, and commend those nations today for their commitment to democratic governance, their contributions to NATO, and the critical role they each play in promoting democratic ideals worldwide.

HONORING BILL TOWNSEND

HON. JARED HUFFMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 23, 2015

Mr. HUFFMAN. Mr. Speaker, I rise today to recognize Bill Townsend, who will be ninety-nine years old on August 13, 2015, for his many years of service to Mendocino County.

Since 1947, Mr. Townsend has dedicated his time, talent, and energy to the health of our forests and rivers, and to the youth of Mendocino County. A lifelong sportsman, Mr. Townsend has demonstrated an enduring commitment to preserving our natural resources for future generations. For sixty years, he has volunteered his time, beginning with his work at the Iron Gate Fish Hatchery in 1955. His contributions have included everything from fish ladders, Pike Minnow Derbies, stream restoration projects, and 43 years of grilling fish at the ''World's Largest Salmon Barbeque'' in Fort Bragg, California, which raises funds for fisheries.

With his dedication to fish habitat restoration, it was fitting that in 1973 the Mendocino County Board of Supervisors appointed Bill to the Mendocino County Fish and Game Commission where he served as chairman for 15 years until he retired in 1988. Throughout his tenure on the commission, Mr. Townsend worked tirelessly to support healthy fisheries and integrate youth education into the Commission's projects.

Mr. Townsend served as president of Salmon Unlimited for three years starting in 1991, where he played an instrumental role in the development of the hatchery on Rowdy Creek on the Smith River. Included in his legacy of accomplishments is his work to secure the fish hatchery at Coyote Dam, which was completed in 1996 and renamed the ''Bill Townsend Fish Hatchery'' in 2004. He also served his community on the Russian River Flood Control Board for five years from 2005–2010, ''retiring'' at the age of 97.

Mr. Speaker, it is fitting to honor and thank Bill Townsend for his many years of dedicated service. I am privileged to express deep appreciation to Mr. Townsend for his profound impacts on our rivers and convey to him my best wishes on his ninety-ninth birthday.

TRIBUTE FOR CONNIE NEAL

HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 23, 2015

Mr. ROGERS of Kentucky. Mr. Speaker, I rise today to pay tribute to a leader in the fight against drug abuse in Kentucky, Ms. Connie Neal, upon her upcoming retirement from the Administration Office of the Courts, as the Drug Court General Manager for Kentucky.

Connie Neal received her Bachelor's Degree in Social Work from Morehead State University in 1985 and a Master's Degree from the University of Kentucky in 1992. She has more than 22 years of experience in the field, ranging from working with court committed juvenile offenders, to the dually diagnosed mentally ill, to Child Protective Services, to Drug Courts. Since the inception of the Kentucky Drug Court Department in 1996, Connie has dedicated her career to this life-changing program, working her way up through the ranks and taking the helm as General Manager in 2012. Thanks in large part to her leadership, more than 7,000 participants have successfully completed the program, more than 1,000 babies have been born drug free, $5.3 million in child support has been collected, and $5.7 million court obligations have been paid. Today, Kentucky has more than 54 Adult Drug Courts, 5 Veteran Treatment Courts, one Mental Health Court, as well as one DUI Court. It is her sheer courage and conviction to provide individuals with a second chance in their darkest hour that has driven her efforts to expand services in the Commonwealth.

In addition to her tireless efforts for Kentucky Drug Courts, Connie has conducted workshops for the National Association of Drug Court Professionals, the Kentucky School of Alcohol and Other Drug Studies, the Department of Vocational Rehabilitation and Community Corrections and countless other partners and stakeholders impacted by the national drug abuse epidemic.

Connie's passion and drive to help addicts achieve long-term recovery has been instrumental to the growth and success of Drug Courts across the Commonwealth. In fact, she has developed an expertise in training judges, teams and staff in nearly every county, helping each leader confront the daily challenges of Drug Court with tremendous grace.

Mr. Speaker, I ask my colleagues to join me in recognizing the incredible impact that Connie Neal has made in the efficiency and effectiveness of Drug Courts in Kentucky, evidenced by the thousands of individuals who have been reunited with loved ones and are now living as productive, drug-free citizens of the Commonwealth. May her years of retirement be richly blessed.

CELEBRATING SHAPIRO & COMPANY'S 100 YEARS OF SERVICE

HON. JOHN P. SARBANES

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 23, 2015

Mr. SARBANES. Mr. Speaker, I rise today to congratulate Samuel Shapiro & Company, Inc., a Customs brokerage and freight forwarding firm in Baltimore, on 100 years of service to the international trade community.

In 1915, Samuel Shapiro, a newly licensed Customs House broker, opened a one-room office at 29 S Gay Street with a $5 roll top desk and two employees. He built his company on a foundation of integrity, respect and the ability to create change. During World War I, Samuel's young firm managed the U.S. government's grain exports to war-torn European countries out of the Port of Baltimore. As business expanded internationally, Shapiro & Co. earned a reputation as the most trustworthy shipping firm in Baltimore. Samuel became an influential leader in the expansion of the Port and advocated for an autonomous Maryland Port Authority. Samuel's son, Sigmund, strengthened the company's relationship with government officials at the local, state and national level, becoming a voice for the industry on regulation.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

More than a family business, Shapiro & Co. is a family that cares for its own and its community. Samuel began the tradition of philanthropy early. At the close of his first full year of business, and having made a modest profit of $50, he gave 20% to the American Jewish Relief Fund. That spirit of generosity has continued with the deep community involvement of Sig and Barbara Shapiro and the next generation leadership of Samuel's granddaughter, Marjorie. Shapiro & Co. sponsors a logistics class at the University of Baltimore Business School, consults with nonprofit organizations pro bono, matches its employees' charitable contributions and helps its employees' children pay for college. With annual retreats and crab feasts, birthday celebrations, and a company cookbook, the people at Shapiro & Co. enjoy the time they spend together. It is little wonder that Shapiro is consistently ranked one of the top places to work in Baltimore.

Over the last century, Shapiro & Co. has managed not only to adapt to new challenges but to flourish. Its offices now reach from New York to Georgia, but Shapiro continues to value the same old-fashioned customer service established at Sam's roll-top desk in 1915. I thank Shapiro & Co. for 100 years of dedication to its customers, care for its employees, and leadership in its community, and I look forward to the 100 years to come.

INTRODUCTION OF H.R. 3175, THE ASSURING CONTRACTING EQUITY ACT

HON. SUZANNE BONAMICI

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 23, 2015

Ms. BONAMICI. Mr. Speaker, today I am proud to introduce H.R. 3175, the Assuring Contracting Equity Act.

This legislation promotes economic development for many of the small businesses and communities that were hit the hardest by our country's recession and are still struggling to recover.

As I tour small businesses in my district, I am constantly reminded of the critical contribution they make to our communities. But too often our small businesses can't access or are unable to take advantage of federal contracting opportunities. By raising the contracting goal, the government will need to be more proactive in its outreach to small businesses. More contracts will help small businesses grow and hire more workers, empowering them to continue to give back to our communities.

The Assuring Contracting Equity Act will expand opportunities for small businesses to secure contracts with the federal government; particularly businesses owned by women, veterans, and minorities. The bill also provides increased access to government contracts for small businesses located in economically distressed areas known as Historically Underutilized Business Zones, or HUBZones.

In addition, the ACE Act improves accountability and transparency by requiring the Small Business Administration to report the percentage of all federal contracting dollars that are awarded to small businesses as well as direct agencies to prioritize large contractors that maximize subcontracts to small businesses.

In my district and across the country, small business owners are striving to succeed. The Assuring Contracting Equity Act could redirect an additional $10 billion in business every year to the nation's smallest companies, giving entrepreneurs the potential to expand their businesses and continue creating jobs and growing our economy.

I look forward to working with my colleagues on the Assuring Contracting Equity Act to provide a greater opportunity for success to the small businesses that deserve it the most.

THE UNFOLDING CRISIS IN BURUNDI

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 23, 2015

Mr. SMITH of New Jersey. Mr. Speaker, a hearing that I convened yesterday was extremely timely, as events are unfolding in real time in Burundi—a small nation that is often overlooked by the international community, including those of us here in Congress.

Many are familiar with the horrific genocidal violence that gripped Rwanda in the 1990s, as Hutu and Tutsi butchered each other in paroxysms of ethnic hatred.

Few know, however, that Burundi also went through a protracted Tutsi versus Hutu ethnic struggle that also amounted to genocide in the 1990s.

Few know that Burundi, without much fanfare and without the largess that the international community showered upon Rwanda, overcame its divisive civil war and, following a peace brokered by Nelson Mandela solemnized in the Arusha Accords of 2000, has sought to heal the wounds of the past and rebuild a nation.

Today, however, this peace is under the threat of unraveling. The sitting President of Burundi, Pierre Nkurunziza, in apparent defiance of the term limits set forth in the Arusha Accords and memorialized in the Constitution, is seeking a third term. While the constitutional issue is complex and unsettled, the rising political violence and tension—not to mention the roughly 160,000 people displaced and seeking refuge in neighboring countries—is easy to understand, and serves as a canary in the coal mine.

Now there is a window of opportunity for action, where immediate and sustained attention can prevent the situation from escalating out of control.

As in the case of the Central African Republic, over which we held two critical hearings in the last Congress, timely attention and targeted intervention can stop an incipient conflict from metastasizing. Burundi is now approaching a tipping point, though it has yet to topple over.

There is still time, and we in Congress have a role to play in sounding the alarm and prodding the administration to take action, followed by oversight. We also need to avoid the temptation to be penny wise and pound foolish. As several of our witnesses explain, by spending a small amount to further democracy and governance efforts in fragile states such as Burundi, we can avoid much greater cost down the road—and I mean not simply the dollar-and-cents expense of humanitarian interventions, but more importantly, in terms of blood lost and lives shattered.

In Burundi, the administration must do more. While often-lonely voices such as that of Samantha Power have called attention to the need for atrocity prevention, too often the administration policy has been one of, if not malign neglect, then certainly non-benign neglect.

We saw this, for example, in the foot-dragging that accompanied the appointment of a Special Envoy for the Great Lakes Region. In January of this year, then-Special Envoy Russ Feingold announced that he was stepping down. I called on the administration to find a replacement as soon as possible, as the circle of violence was beginning to widen in Burundi.

In May, for example, I stated that a failure to do so signaled a ''disengagement when lives are at stake.'' I was afraid that we would see a repeat of the administration's inaction with respect to the Middle East, where to date it has yet to appoint a Special Envoy to Promote Religious Freedom of Religious Minorities in the Near East and South Central Asia, despite Congress having created that position last August—almost one year ago.

At the beginning of this month, however, the administration finally appointed a Special Envoy.

In 2012, the administration, to much fanfare, created an Atrocities Prevention Board, following a Presidential Study directive which stated that ''Preventing mass atrocities and genocide is a core national security interest and a core moral responsibility of the United States.'' The APB is supposed to provide early warning of mass atrocities, and mobilize interagency resources to stop such atrocities.

In Burundi, we can still make a difference.

TRIBUTE TO FORMER OHIO CONGRESSMAN LOUIS STOKES

HON. MARCIA L. FUDGE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 23, 2015

Ms. FUDGE. Mr. Speaker, I rise today in tribute to my friend, mentor and predecessor, former Congressman Louis Stokes. Earlier this week the world learned of his cancer diagnosis.

When the Congressman first told me about his condition, I didn't know quite what to say. He had still been out, attending events and doing things. He never stops. It is easy to think he is immortal. Because he is a fighter. For more than 30 years, he tirelessly fought for the people of Ohio, and he is still fighting today. The first African American elected to Congress from Ohio, Congressman Stokes is the epitome of a public servant.

While in Washington, he was a trailblazer. He was the first African American to serve on the powerful House Appropriations Committee, and was a founder of the CBC Health Braintrust. He constantly fought to combat pervasive health disparities plaguing the African-

American community and served as a voice for people of color and all of our nation's most vulnerable.

Congressman Stokes once said, ''I'm going to keep on denouncing the inequities of this system, but I'm going to work within it. To go outside the system would be to deny myself—to deny my own existence.'' His work has affected thousands. There is no one in Washington that does not know the name Louis Stokes, and no one who was not touched in some way by his work and his kindness.

He is always a gentleman, someone who made you feel good about being represented by him or just being in his company. When he speaks, people listen. Congressman Stokes exudes leadership, vision, and purpose. He's a giant of a man, an example for us all. It is a privilege to work with him and walk in his Congressional footsteps.

Thank you, Congressman Louis Stokes for everything you have done. The nation is indebted to you. We are grateful for your service. As you continue to battle this diagnosis, my thoughts and prayers are with you, your family and your doctors. Let us all continue to uplift and encourage the Stokes family.

HONORING LOU LENART

HON. BRAD SHERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 23, 2015

Mr. SHERMAN. Mr. Speaker, I rise today to honor the life of Lou Lenart, a hero to both the United States and Israel, who passed away July 20, 2015 at the age of 94. Today we remember Lou for his service in the Marines during World War II as well as in the Israel Air Force in 1948 when he was dubbed ''The Man Who Saved Tel Aviv.''

Lou Lenart was born in 1921 to Jewish farmers in a small village in Hungary. When Lenart was 10, his family moved to the United States to escape widespread anti-Semitism. Sadly, he and his family were subjected to anti-Semitic taunting in his new home of Wilkes-Barre, Pennsylvania. At 17, Lenart enlisted in the U.S. Marine Corps where he fought in World War II and won the Gold Star flying in Okinawa. In 1948 Lenart became one of the first members of Israel's budding Air Force, which at that time had just four Czech-built German Messerschmitt fighter planes.

On May 29, 1948, Egyptian forces of about 500 vehicles were closing in on Tel Aviv, threatening the very existence of the two-week old state of Israel. Israeli commanders decided to risk all four planes to attack the advance.

As the most experienced pilot in the group (and in fact the only pilot with combat experience), Lenart led the attack, with future President Ezer Weizman as his wingman. Stunned by the sight of bona fide Israeli fighter planes, the Egyptians stopped their advance and were forced to retreat. Lenart's key role in this mission earned him the title, in many news reports, as ''The Man Who Saved Tel Aviv.'' Lenart later told the IAF journal, ''It was the most important event in my life . . . I survived World War II so I could lead this mission.''

Following the war, Lenart helped in airlifting Iraqi Jews to Israel in Operation Ezra and Nehemiah. He also became a pilot for El Al Airlines and spent time living in Southern California, where he produced six feature films including Iron Eagle and Iron Eagle II.

Lou Lenart's legacy will live on in both Israel and the United States. He fought in our armed services to protect our freedom, and then risked his life again for Israel in its vulnerable and early stages. His life and story are an inspiration for those seeking hope and strength in the face of persecution. I send my sincerest condolences to his family.

HONORING THE ''EASTLAND'' DISASTER

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 23, 2015

Mr. LIPINSKI. Mr. Speaker, I rise today to honor the victims of the *Eastland* disaster—a shipwreck which resulted in the deaths of 844 passengers and crew—on the 100th anniversary of the tragedy.

One hundred years ago, thousands of employees of Western Electric were preparing for a rare day off of work, taking a boat ride across Lake Michigan to enjoy an annual picnic. Tragically, for 844 passengers and crew on the *Eastland*, their vessel listed and tipped over, and they soon drowned in the Chicago River. Many were immigrants from Central and Eastern Europe, living in Berwyn, Cicero, and the surrounding Chicagoland area, and their loss left an enduring mark on these communities—22 families were completely wiped out, and 19 families were left without parents. I will always remember my grandmother talking about the tragedy and the mark it left on her.

The *Eastland* shipwreck remains to this day the greatest loss of life in a single disaster in Illinois history. It is a shame that the victims and heroes of the *Eastland* disaster have been largely forgotten by the American people. That is why I have introduced a resolution commemorating the *Eastland*. I believe it is absolutely necessary that we here in Congress pay our respects to the working class families who lost their lives on that terrible summer day. Along with honoring the victims and survivors of the disaster, my resolution includes references to the historical significance of the sinking of the *Eastland* and recognizes the brave first responders who risked their own lives to save hundreds of passengers and crew.

I would like to thank my colleagues from Illinois for cosponsoring this measure. I think it is also important to commend the hard work that the *Eastland* Disaster Historical Society has done in researching, promoting, and educating the public about this important historical event, and its broader effect on Chicagoland.

Mr. Speaker, I ask my colleagues to remember the victims and heroes of the *Eastland* disaster, and to remain dedicated to avoiding such tragedies in the future.

CONGRATULATING THE DOWNTOWN FLINT OPTIMIST CLUB ON ITS 80TH ANNIVERSARY

HON. DANIEL T. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 23, 2015

Mr. KILDEE. Mr. Speaker, I ask the United States House of Representatives to join me in recognizing The Downtown Flint Optimist Club on the occasion of their 80th anniversary.

Optimist International is a worldwide volunteer organization made up of more than 2,500 local Clubs whose members work each day to make the future brighter by bringing out the best in children, in their communities, and in themselves.

The Optimist Club of Downtown Flint was chartered in 1934. It is believed to be the second oldest Optimist Club in Michigan. Since its inception, the Optimist Club of Downtown Flint has organized several other Optimist Clubs in the Flint area. The Club currently meets at the Flint Golf Club, but historically has met in the Durant Hotel, Italia Gardens, and the Sarvis Center.

The Optimist Club of Downtown Flint's mission is to foster an optimistic way of life for the improvement of individuals and society through a network of Optimists dedicated to ever-expanding service to its members, the youth, the community and the world.

The Club's projects and service programs over the years are copious. To name only a few, the Optimist Club of Downtown Flint has been in partnership with Boys & Girls Club, Whaley Children's Center, The Salvation Army, and Big Brothers Big Sisters.

Mr. Speaker, I applaud The Downtown Flint Optimist Club and extend my deepest appreciation to them for their years of service to the community.

TRIBUTE TO MR. LEROY JOSEPH JONES, SR.

HON. DONALD M. PAYNE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 23, 2015

Mr. PAYNE. Mr. Speaker, I ask my colleagues here in the House of Representatives to join me as I rise to pay tribute to Mr. LeRoy Joseph Jones, Sr., and the many contributions he made as a dedicated public servant in the State of New Jersey.

Born and raised in Orange, New Jersey, Mr. Jones had an extensive career in public service and worked tirelessly to improve the lives of the residents in his community. After graduating from Orange Public Schools in 1953, Mr. Jones enlisted in the United States Navy in 1954 and served his country honorably for 12 years. Following his military service, Mr. Jones earned an Associate Degree in Urban Studies from Essex County College. In 1972, he attended the Community Action Training Institute at Rutgers University and later earned a Bachelor's Degree in Urban Studies at Shaw University in Raleigh, North Carolina.

As a trailblazer, he served as President of New Jersey State Interscholastic Athletic Association and Board 33 Referee Association,

where he became the first African American President in the history of both organizations. He was appointed by Governor Brendan Byrne in 1980 to serve on the State of NJ Parole Board Juvenile Panel from 1980–1983. Mr. Jones achieved another first, when he served as senior hearing officer on the State of New Jersey Parole Board. Some of his other accomplishments included Director of the Fellowship Civic Center in East Orange, Assistant Director of Recreation for the City of Orange, Acting Director of the Orange Community Development Program, member of the Orange Chamber of Commerce, Board of Trustee for the East Orange Neighborhood Development Corporation, Coach of the East Orange Tigers, and member of the management board for the YMCA of Orange.

His commitment to public service has changed many lives throughout the state. His contributions were recognized by numerous organizations such as the National Council of Juvenile and Family Court Judges, the National District Attorney's Association, NJ State Interscholastic Athletic Association and the American Correctional Association.

He was a devoted man that showed his love for his family and his community through his actions. My thoughts and prayers are with Mr. LeRoy Jones, Sr.'s family. He is survived by his beloved wife Rosan Jones, his four children LeRoy Joseph Jones, Jr., Leanne Jackson, Leisa Tynes-Merriweather and Lisa Jones, his 11 grandchildren, 5 great-grandchildren, two brothers and two sisters, and a host of other relatives and friends.

Mr. Speaker, I know my fellow members of the House of Representatives agree that Mr. LeRoy Joseph Jones, Sr. deserves to be recognized for a job well done and for his many years of service to the citizens of the State of New Jersey. This tribute recognizes his life's work, his stellar career and his personal commitment to improving the lives of his fellow man.

HONORING BEHAILU ASSEFA

HON. JOHN GARAMENDI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 23, 2015

Mr. GARAMENDI. Mr. Speaker, I submit the following Proclamation:

Whereas, friends, colleagues, and the Ethiopian Community and Cultural Center wish to acknowledge a hard-working, beloved, and integral supporter of California's Ethiopian community;

Whereas, Behailu Assefa has been an active cultural and business leader on the local, state, and national level; and

Whereas, Behailu served as the President of the Ethiopian Community and Cultural Center since its founding in 2001, he has also served as the President of the Ethiopian Community in Minneapolis, was President of the Ethiopian Sports Federation of North America and was a member of the Oakland and City of Bahir Dar Sister City Program; and

Whereas, as the founder ASC Engineering Services, Behailu has provided professional certification of electrical products and served clients spanning over 4 continents and 40 states over the span of 20 years; and

Whereas, as founder of Terra Global Energy Developers, Behailu has utilized the experiences of Ethiopian American Diaspora and their ingenuity to introduce a new wind energy project to the Ethiopian government; and

Whereas, as the co-founder of Global Enterprise Engineering, Behailu has expanded the global presence of his company to Germany, Taiwan, China, Ethiopia, and Senegal; and therefore be it now

Resolved, that I, Congressman JOHN GARAMENDI, of California's 3rd District, do hereby recognize the exemplary service of Behailu Assefa, and encourage all to join me in celebrating him in his lifetime of achievements.

THANKING FIRST RESPONDERS AND VOLUNTEERS FOR THEIR SERVICE AFTER A DEVASTATING TORNADO

HON. CHERI BUSTOS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 23, 2015

Mrs. BUSTOS. Mr. Speaker, I rise today to thank the first responders and volunteers who have been working tirelessly in Cameron, Illinois after an EF2 tornado devastated this small town in my district. While the storm caused widespread property damage and several injuries, the good people from across the region who rushed to Cameron to help give me hope that this community will rebuild and become stronger than ever.

First responders and volunteers stepped in at a time of great need and continue to provide safety, material assistance and comfort to the good people of Cameron. They came from all over the region bringing bottled water, tarps and even homemade blueberry pies to help this town of 600 people get back on its feet after 125 mile per hour winds tore through it last week.

I spoke with many families who were affected by the tornado, and there was a recurring theme that resonated with me: Cameron was bent, not broken. With over 50 homes damaged, community members and other helpers have been working tirelessly to support these families and straighten out all the bends brought upon them by this disaster.

Mr. Speaker, my heart goes out to all the families this terrible tornado impacted and I am grateful for the brave and generous first responders and volunteers who pour their time, energy, and love into helping Cameron recover.

CONGRATULATING THE WESTMINSTER PRESBYTERIAN CHURCH OF BAY CITY ON THEIR 150TH ANNIVERSARY

HON. DANIEL T. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 23, 2015

Mr. KILDEE. Mr. Speaker, I ask the United States House of Representatives to join me in recognizing Westminster Presbyterian Church in Bay City, Michigan, on the occasion of their 150th anniversary.

Westminster's sacred story began on August 23, 1865, when 15 members organized a new Presbyterian Church in the Village of Wenona. On the same day a cornerstone was laid for a house of worship on two lots donated by Henry W. Sage on Catherine St. The house of worship for "The First Presbyterian Society of the Township of Bangor" was completed and dedicated on December 3, 1865 under the leadership of Missionary Donald B Campbell.

His mission complete, Rev. Campbell left in 1868 and Rev. Elihu Turney Sanford became the first ordained minister of the new church. Westminster has been privileged to be led by a number of very capable leaders over the past 150 years, to include our current minister Rev. Matthew Schramm, who had the honor of serving as a guest chaplain for the U.S. House of Representatives in the summer of 2014.

In 1872, the name of the church was changed to the "First Presbyterian Church of Wenona", and finally in 1882 to "Westminster Presbyterian Church." Also in 1882 plans were drawn for a new worship facility. Once again Henry W. Sage came forward and donated four lots on Midland St where the church is presently located. On Christmas Day in 1883, the congregation worshipped in their new semi-gothic style church.

In 1958, ground was broken for a new Fellowship Hall, classrooms and a kitchen, and in 1969 the congregation endorsed a building program for the existing Sanctuary with formal dedication ceremonies in September 1970. In 2015, Westminster will begin its next 150 years with a campaign to update the facility for future generations.

The congregation has been active in ministry and service for 150 years. From working in USO activities, collecting metal for scrap drives, and sending care packages to servicemen during the war years, to hosting literacy programs for children and adults, serving free hot meals to those in need, and providing quality Christian education for all ages today, Westminster is well known in Bay City for its community focus. The church is proud to have been a charter organization for the Boy Scouts for over 50 years, and to open its doors for programs ranging from job training for special needs young adults to music and theatre rehearsal, and to provide meeting space for countless community organizations.

Westminster has been a proud partner with the Good Samaritan Rescue Mission in Bay City since its inception. Not only has the church been an annual supporter during each of the mission's ten years of operation, it was instrumental in the construction and opening of the men's wing of the mission in 2008. In 2015 Westminster helped sponsor the mission's annual Golf Challenge Fund Raiser, which earned a near record $73,000 to provide a place of hope and care for the needy in and around Bay City.

Westminster actively supports missions in Niger, India, Zambia, Thailand, and the Middle East, while also supporting disaster relief efforts throughout the world. Both pastors and members of the congregation have assumed

an active role in leading the Lake Huron Presbytery and the Presbyterian Church (USA) General Assembly.

Through partnering with quality programs and organizations, sharing fellowship and service, inspiring teaching and worship, and outwardly-focused and selfless mission, Westminster seeks to further its own legacy of hope and care in Bay City since 1865, and looks forward to the next 150 years serving God and humanity, sharing the love of Jesus through faith, hope and love, with an open and genuine spirit.

Mr. Speaker, I applaud the work done by the Westminster Presbyterian Church in Bay City and thank them for the service they have provided to the community.

NATURAL GROCERS

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 23, 2015

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize Natural Grocers efforts to promote healthy eating through their free educational outreach over the last 60 years. I'm happy to announce Governor Hickenlooper will proclaim August 13, 2015 as ''Natural Grocers Day'' in Colorado.

Natural Grocers by Vitamin Cottage was founded by Margaret and Phillip Isely and is based in Lakewood, Colorado. In 2015, they were recognized as the 11th fastest growing Colorado public company. Their mission is to provide shoppers with an affordable, healthy lifestyle as well as empower them to take control of their own wellbeing.

Not only does Natural Grocers supply Coloradans with healthy food options, they also provide customers personalized nutrition information to help them meet their nutritional goals. Since 1995, Natural Grocers has offered Coloradans free science-based nutrition education programs with the creation of their Nutritional Health Coach program. Their health coaches organize nutritional outreach programs to numerous schools and businesses, as well as hold in-store cooking demonstrations and nutrition classes. Additionally, I regularly hold my ''Government in the Grocery'' events at Natural Grocers stores around my district. These events give me the opportunity to visit with constituents in their communities on topics ranging from veterans issues, the economy and jobs to foreign policy.

Mr. Speaker, it is my privilege to congratulate Natural Grocers for their accomplishment in promoting healthy eating through educational outreach and I commend them for their dedication to providing extraordinary services to Colorado customers. I wish Natural Grocers all the best in their next 60 years of operation.

IN RECOGNITION OF MR. WANE A. HAILES

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 23, 2015

Mr. BISHOP of Georgia. Mr. Speaker, I rise today to honor and commend an outstanding citizen and respected community leader, Mr. Wane A. Hailes, President and Publisher of the Courier/Eco Latino, Columbus, Georgia's premier African-American and Latino newspaper. The Courier/Eco Latino will be celebrating ten years of providing the Tri-City Area of Columbus, Georgia, Fort Benning, Georgia, and Phenix City, Alabama with positive, high quality information. In celebration of this special milestone, the Courier/Eco Latino will be hosting the 2015 Community Service Awards on Saturday, July 25, 2015 at the Columbus Convention and Trade Center in Columbus, Georgia.

Wane A. Hailes was born in Richmond, Virginia and grew up in Portsmouth, New Hampshire; New Brunswick, New Jersey; Clifton Forge, Virginia; and Charlottesville, Virginia. In 1979, Wane graduated from Ottawa University in Ottawa, Kansas. He then served for fifteen years as Director of the YMCA in Missouri, Wisconsin, Florida, and North Carolina. In 1990, the Chattahoochee Valley gained a passionate and dedicated community leader when Wane A. Hailes arrived in Columbus, Georgia to serve as the CEO of the A.J. McClung YMCA.

With thirty-one years of radio and newspaper experience in cumulative sales, marketing, and public relations, Wane became a driving force in the Columbus media. He worked for the minority-owned radio station, Davis Broadcasting Inc., as an on-air personality and sales consultant. He then worked at the Columbus Ledger-Enquirer as the Real Estate, Employment and Automotive Sales Consultant, before working at the minority-owned Columbus Times as Vice President of Advertising and Sales.

In March 2005, Wane founded the Courier/Eco Latino, a bi-weekly publication with a circulation of 15,000 dedicated to acting as ''the voice of the people.'' It is published in English and Spanish and remains the only bilingual publication in the Tri-City area.

Wane's goal in founding the Courier/Eco Latino was to provide his readers with real stories about the African-American and Latino experience in Columbus. He continued to tell those stories in his book, A View from a Pew, a thoughtful examination of African-American life and culture in the South.

As well as receiving local recognition for his work, Wane received the prestigious Georgia Minority Small Business Champion Award and the Region IV Minority Small Business Champion Award from the U.S. Small Business Administration in 2007.

Dr. Benjamin E. Mays often said: ''You make your living by what you get; you make your life by what you give.'' Not only has Wane established a legacy of multicultural journalism in Columbus, Georgia, but he has also done a tremendous job of giving back to the city, and I am very grateful for his tireless advocacy to make the community stronger. A man of great integrity, his efforts, his dedication, and his expertise in his field are unparalleled.

There are not enough words to describe the impact that Wane A. Hailes has had on the African-American and Latino communities of Columbus. Not only does he care about each member of these communities, but he also works tirelessly to unite them through the Courier/Eco Latino newspaper. I am very grateful to Wane for his efforts to improve this diverse community.

No hay suficientes palabras para describir el impacto que Wane A. Hailes ha tenido sobre las comunidades afroamericanas y latinas de Columbus. No solo le importa la vida de cada uno de los miembros de estas comunidades, pero trabaja incansablemente para unirlos a través del periódico Courier/Eco Latino. Me siento muy agradecido a Wane por sus esfuerzos para mejorar esta comunidad diversa.

Mr. Speaker, I ask my colleagues to join me, my wife, Vivian, and the more than 730,000 residents of Georgia's Second Congressional District in honoring Mr. Wane A. Hailes and thanking him for his meaningful contributions to the Tri-City community.

BOSTON GLOBE STORY ON THE NARROWS

HON. JAMES P. McGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 23, 2015

Mr. MCGOVERN. Mr. Speaker, for more than 10 years I had the pleasure of representing Fall River, a great city with great potential. One of the jewels of the city is The Narrows Center for the Arts.

Founded in 1995, it's a vital part of the community that's helping to promote the visual and performing arts. Patrick Norton, one of my former aides, is doing excellent work as the Executive Director of The Narrows, making it a one-of-a-kind destination.

I urge my colleagues to read this article in The Boston Globe about The Narrows. The next time you visit New England, make sure you visit The Narrows to see all that it's doing to showcase artists throughout the community.

[From The Boston Globe, July 22, 2015]

THE NARROWS IS A CLUB TO CALL HOME

(By Robert Kerr)

Tom Rush has taken his music to a lot of places in 50 years, but no place quite like The Narrows.

''Those old, creaky floorboards—you can almost imagine the ghosts of the people who used to work there,'' says Rush, who has sold out the old mill music venue a record 11 times.

There is something in those floorboards and in the slightly slanted ceiling and in the big windows that provide a striking view of the Braga Bridge and Mount Hope Bay. There is history, reminders of a time when people did indeed work hard in Fall River mills and, among other things, produced more cotton cloth than any other place on earth.

And now there is music in this wonderfully unlikely top floor place. There is music that

draws more and more people to listen in an easy and intimate way. The musicians are close and the audience has climbed those stairs or ridden that elevator to listen and savor and maybe chat up a favorite singer or guitarist.

''In 14 years, we've never had idiots,'' says Kathleen Duffy, referring to the clear absence of boozy hustle at The Narrows Center for the Arts.

She is a retired speech therapist who bakes the brownies that have become a part of music nights at The Narrows. She is one of the dozens of volunteers who keep this mill town miracle going.

''We couldn't do it without volunteers,'' says Patrick Norton. ''They help load in shows, load out, sell refreshments. Many have been here eight to 10 years. They're a hard core, grizzled bunch.''

Norton, a former aide to Congressman Jim McGovern, is the executive director of The Narrows.

''I've been a music junkie my whole life. I've been in bands. I wanted to be a rock star.''

Instead, he resides at the soundboard and books the performers and does what has to be done. He is one of the two people primarily responsible for making it all happen.

It began humbly, very humbly, about 20 years ago in Bert Harlow's carpentry shop in a mill on the bank of South Watuppa Pond. It was in that part of Fall River known as The Narrows that is between the North and South Watuppa.

Harlow is a carpenter, a skilled woodworker who has worked in, among other places, Trump Tower in New York City. He even remembers sharing an elevator with Trump, who didn't say hello.

He is also a Marine veteran of Vietnam whose combat memories play a part in shaping what is an enduring sense of community obligation. With his skilled hands, he created an art gallery in the front of the mill where his shop was. He had a vision of restoring the mill and creating a park.

''I want to be involved in doing something good,'' says Harlow. ''For me, it's a way to heal.''

He thought a coffeehouse would be a good idea. So there was a coffeehouse. It was created in the mid-'90s by a small group of friends, including Norton, who moved some of Harlow's equipment to one side, cleared a small performance space, put some coffee on, and invited musicians to perform in a different kind of place.

It was the beginning. Audiences were small at first, but there was something about music in that mill setting on the pond that drew people. A move to an adjacent room, where the brick walls were sandblasted and some couches and chairs put in, broadened the appeal.

Then a developer bought the mill.

''He wanted four times the rent,'' says Norton.

They couldn't afford it. Norton and Harlow went looking. At one point, the mayor of New Bedford offered them free downtown space.

''But we're Fall River guys,'' says Norton.

They met Sam Shapiro, who owned a mill on the waterfront that needed tenants.

''He liked what we were doing,'' says Norton. ''From day one, he wanted to make this work.''

They moved in in July 2001. And it has worked, but it hasn't been easy. There was the building inspector who showed up after their first show to point out the need for a few improvements, such as enclosing the stairways.

''When things look a little dicey, something seems to happen to pull us through,'' says Norton.

There was also the time early on when Harlow said to Norton, ''Let's book Richie Havens.''

Norton thought it was too big a reach. Havens, the man who kicked off Woodstock, was going to cost four or five times what they had ever paid anyone.

They gambled. They booked Havens.

''The energy that came off that man was incredible,'' says Harlow. ''That was our first sellout.''

And it was a message to people that there is music in Fall River worth driving for. Maybe settle in for some excellent Portuguese chow at a nearby restaurant, then take in the kind of music people take personally. Tom Rush, Richard Thompson, Los Lobos, Dr. John—all have come to The Narrows and claimed a unique stop on the musical road.

''The audience there is special,'' says Rush, who returns in November. ''They come for the music. And they come for a good time, and they're not going to let me stop them.''

Perhaps the one downside to the story of The Narrows is that it has succeeded almost in spite of the city it's located in. Fall River, a city too well known for squandering opportunity, has not been a big factor in The Narrows' success. And when, on show nights, someone asks for a show of hands from Fall River residents, there are sometimes three or four, sometimes none.

''We're attracting the Providence-Barrington crowd,'' says Norton. ''Maybe it's shabby chic.''

Still, there is a local connection at The Narrows that Norton and Harlow have insisted on and which extends their reach beyond the stage. It is the ''community piece.''

''I feel lucky to be involved here,'' says Norton. ''Being around Bert all these years, he's like a big brother. And we want to give back to the community. We believe in Fall River.''

There are five artists' studios at The Narrows and a gallery designed by Harlow. There is a lot to look at before and after the music. And kids come to learn about art and music. The Narrows even provides buses. Norton's especially proud of the connection with People Inc., the organization that does such good work with the developmentally disabled.

On a spring morning, musician Mark Cutler was onstage with some of the clients of People Inc. He had been writing songs with them—songs that include ''Do You Hate Mondays Too?'' and ''Mind Your Own Business.'' Cutler played his guitar and his young friends picked up microphones and sang in ways that amazed the people who work with them every day. It was a wonderful show.

A few weeks later, Cutler was back onstage, this time leading the Schemers, the iconic Rhode Island rock band. It was a CD release party.

Cutler is positive The Narrows is the only place he could have played those two gigs.

PERSONAL EXPLANATION

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 23, 2015

Mr. GRAVES of Missouri. Mr. Speaker, on Wednesday, July 22, I missed a series of Roll Call votes. Had I been present, I would have voted ''YEA'' on #450, #451, and #458. Additionally, I would have voted ''NAY'' on #452, #453, #454, #455, #456, and #457.

RECOGNIZING NYA BARTON

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 23, 2015

Mr. WILSON of South Carolina. Mr. Speaker, today I am grateful to welcome Nya Sole Barton on her visit to the Capitol. Nya will attend Lemon Road Elementary School in Falls Church, Virginia this fall.

Often named to the Honor Roll, Nya has demonstrated superior academic achievement, and is active in martial arts and dance. I congratulate her parents, Darlene and Jacob Barton, on raising an impressive young lady, and I am confident in her future success.

HAPPY 10TH ANNIVERSARY TO LOGOS PREP

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 23, 2015

Mr. OLSON. Mr. Speaker, I rise today to congratulate Logos Preparatory Academy on its 10 year anniversary.

Logos Prep opened their doors on August 6, 2005 and ever since, they have provided a high quality, Christ-centered education to our future leaders. Logos Prep began when four families in Southwest Houston joined together to create a Christ centered educational institute. In its first year, Logos offered 3rd–10th grades with an initial enrollment of 232 students. Now, 10 years later, over 500 students are enrolled in its K–12 college preparatory program. The school's superior academic record speaks for itself—students are thriving. Thank you to the teachers and staff at Logos Prep for their dedication to seeing their students succeed.

On behalf of the Twenty-Second Congressional District of Texas, congratulations to Logos Preparatory Academy for 10 successful years educating our leaders of tomorrow.

IN RECOGNITION OF THE 50TH ANNIVERSARY OF THE MATAWAN ITALIAN AMERICAN ASSOCIATION

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 23, 2015

Mr. PALLONE. Mr. Speaker, I rise today to congratulate the Matawan Italian American Association as its members celebrate its 50th anniversary this year.

Currently under the leadership of President Frank Giammarino, the Matawan Italian American Association executive office consists of a

1st Vice President, Treasurer, Financial Secretary, Corresponding Secretary, Recording Secretary and Sergeant at Arms. It is also advised by a Board of Trustees. Its membership is comprised of residents of Italian descent and their spouses who meet monthly in fellowship and community service.

For 50 years, the Matawan Italian American Club has worked to preserve and promote Italian heritage and improve the community through charitable donations, scholarships and activities. It supports various local and national non-profits, humanitarian and community organizations, including the National MS Society, Ronald McDonald House, and the Bayshore Senior Center, among many others. Its efforts to support the local community and to offer an association of Italian culture are truly admirable and I am honored to be one of the past recipients of the Man of the Year Award.

Once again, I sincerely hope that my colleagues will join me in congratulating the Matawan Italian American Association on its 50th anniversary and recognizing its numerous contributions to the community.

TELEMUNDO 47'S 50-YEAR ANNIVERSARY

HON. ALBIO SIRES

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 23, 2015

Mr. SIRES. Mr. Speaker, I rise today to honor the upcoming 50th Anniversary of Telemundo 47. Telemundo 47 began operation on July 30, 1965 as a television station to serve Spanish-language viewers in the New York Tri-State area. Since then, it has been the main source of information and entertainment for the Spanish-speaking community across the Tri-State area, including New Jersey.

Telemundo 47 has evolved with its audience over the past 50 years, and recently experienced a boost in its local news operations. Today, the station broadcasts more than 20 hours of local news and programming each week and provides viewers with local newscasts seven days a week. To support this boost in demand, Telemundo 47 has hired additional journalists and launched a new weekday newscast aired at 5:30 p.m.

A particular program worth noting is Telemundo Responde, a new consumer investigative unit that is charged with fighting for and helping consumers who have been wronged. The unit has already recovered more than $1.4 million for consumers, successfully combining informative broadcasting with consumer protection.

For the past 50 years, Telemundo 47 has done an outstanding job of broadcasting both entertaining and informative programs to many viewers in my district. I am confident that Telemundo 47's success will continue for decades to come, and I congratulate them on this important milestone.

RECOGNIZING JOSEPH HAMILTON

HON. CHRIS COLLINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 23, 2015

Mr. COLLINS of New York. Mr. Speaker, I rise today to recognize the distinguished accomplishment of a constituent in my district, Joseph Hamilton, on the occasion of his 2015 NFIB Young Entrepreneur Award.

Mr. Hamilton from Lancaster, New York started ''Charlie and Checkers'' to provide live, unique entertainment for people of all ages. Joseph created the business alongside his brother and they now perform a blend of comedy, magic, juggling, and music. The brothers have also performed for the homeless, disabled, and elderly as a way to give back to their community.

As a 2015 NFIB Young Entrepreneur Award winner, Mr. Hamilton has earned a financial scholarship and will be attending Canisius College next year.

I want to wish him nothing but the best for his future entrepreneurial and educational endeavors.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 23, 2015

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was $10,626,877,048,913.08.

Today, it is $18,151,821,652,004.79. We've added $7,524,944,603,091.71 to our debt in 6 years. This is over $7.5 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

INTRODUCTION OF THE LIFELONG IMPROVEMENTS IN FOOD AND EXERCISE (LIFE) ACT

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 23, 2015

Ms. NORTON. Mr. Speaker, today, as we approach July 25, and the 6th annual National Dance Day, I rise to reintroduce the Lifelong Improvements in Food and Exercise (LIFE) Act, authorizing a national initiative to attack a major health problem in the United States that cannot be remedied through the health care system alone. Increasing rates of overweight and obesity are now found in Americans of every age, race, and major demographic group, and threaten the health of Americans like no other single disease or condition. In fact, the key to eliminating many of the most serious health conditions is not only to reduce overweight and obesity but also to encourage exercise of all kinds. On National Dance Day across the nation, Americans will be dancing, one of the most enjoyable and popular forms of exercise.

This bill would provide $25 million to the Centers for Disease Control and Prevention (CDC) for a coordinated national effort to reverse increasingly sedentary lifestyles and diets that are high in fat and sugar.

We see rising consciousness of the need to get moving, from the First Lady's ''Let's Move'' campaign for children and the television shows ''So You Think You Can Dance,'' ''The Biggest Loser,'' and ''Extreme Weight Loss''. Yet, the United States continues to have startling rates of obesity among adults and children. In 2010, estimates from the CDC National Center for Health Statistics showed that since 1980, the percentage of children who are overweight has more than doubled, and the percentage of adolescents who are overweight has tripled. Today, the 13 million overweight children have an 80 percent chance of being overweight adults, with the health conditions that follow, such as high blood pressure, heart disease, and cancer. The CDC reports that Type 2 diabetes, considered an adult disease, is now widespread in children. The rising cost of the health care system, including insurance premiums, reflects the epidemic. The consequences for kids will follow them throughout their lives if we do not act quickly and decisively. If we are serious about controlling health care costs, we must start where the most serious health conditions begin: overweight and obesity.

This bill seeks to provide the first national strategy to combat the epidemic by directing the CDC to do three things: train health professionals to recognize the signs of obesity early and to educate people concerning healthy lifestyles, such as proper nutrition and regular exercise; conduct public education campaigns about how to recognize and address overweight and obesity; and develop intervention strategies to be used in everyday life, such as in the workplace and in community settings. This legislation is the minimum necessary to address our most important health crisis. Today, chronic diseases, many of which are caused or exacerbated by overweight and obesity, account for 70 percent of all deaths in the U.S., and 60 percent of U.S. medical care costs. According to the Surgeon General's Call to Action to Prevent and Decrease Overweight and Obesity, the cost of obesity in the U.S. was more than $117 billion in 2000. The CDC has highlighted a study that estimates the annual cost to be $147 billion. It is estimated that between 300,000 and 400,000 deaths per year are related to obesity.

A focused national health initiative would provide guidance to the states to engage in similar programs, as mayors of some cities have done. National focus could lead to full participation in high school physical education classes, participation in which has dropped from 42 percent in 1991 to 33 percent in 2005. Changes in nutrition are equally critical because 60 percent of young people consume too much fat, a factor in the doubling of the percentage of overweight youth. Data show an increase in unhealthy eating habits for adults and no change in physical activity.

According to a recent study conducted by the American College of Sports Medicine, the

District of Columbia is the fittest city in the United States, and yet, obesity continues to be a severe problem even here. Most of the obesity epidemic is exercise-food-related. One-fifth of the District of Columbia is considered to be obese, and if the number is this high in the nation's capital, one shudders to think how high it is for other areas of the nation. We need to act now.

I urge my colleagues to join me in support of this important legislation to mobilize the country now, before entirely preventable health conditions, which often begin in childhood, overwhelm the nation's health care system.

HONORING THE THOMPSON-CLEMONS POST #200

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 23, 2015

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor The Thompson-Clemons Post #200 of Greenwood, Mississippi.

The Thompson-Clemons Post #200 of Greenwood, Mississippi was the first African American Post established in the State of Mississippi and came about due to the perseverance of eighteen determined Black Veterans of World War I and World War II in the Mississippi Delta.

These veterans attempted to join Keesler-Hamrick-Gillespie Post #29 which refused them membership. Given that this was the 1940s and Mississippi being a segregationist state, Post #29 could not get a majority vote of its members to allow black veterans to join their post.

The eighteen black veterans filed a petition to start a new post and presented it to the Mississippi Department of the American Legion. Mr. Solomon N. Dickerson, a black veteran, postal worker and co-worker of Mr. Author H. Ritchter, the Adjutant of post #29, worked to get the petition through the District. It was due to their vigorous and persistent correspondence to the District and the Mississippi Department of the American Legion that they were allowed to form a separate post if they could find a sponsor.

Keesler-Hamrick-Gillespie Post #29 agreed to serve as a sponsor to assist Thompson-Clemons Post #200 in getting the temporary charter, paving the way for other charters to be granted to other black veteran's groups throughout the state of Mississippi.

Originally, the post was called the Mississippi Delta Post #200. Mr. L.H. Threadgill, principal of Stone Street High School, a veteran of World War II, proposed that the post be named after two former students of Stone Street High School, that were killed in action during WWII. The motion carried and the name was adopted. Thompson-Clemons Post #200 was granted a permanent charter on July 28, 1949, becoming the first Black post in the State of Mississippi. The first Post Commander was Mr. Solomon N. Dickerson.

Mr. L.H. Threadgill and others in the community were instrumental in purchasing the property, obtaining a deed, and getting a building to establish a post headquarters where it is still located today.

The Thompson-Clemons Post #200 of Greenwood, Mississippi has a distinct track record of encouragement to veterans with issues, be they from serving abroad; in combat situations or statewide service. Issues range from transportation to Regional Office and VA Hospital for medical disability claims, educational and skill training, housing and other activities including establishing collaborative partnerships with community organizations to provide emergency services such as utilities, homes for the homeless, counseling and assistance in understanding the myriad of services provided by the VA.

The VA community activities include sponsorship of little league baseball teams, voter education classes, veterans day celebration, adopt a school program, donations to needy families, Boys State Program and the National American Legion Oratorical Contest, where candidates sponsored by Post #200, have won the Mississippi State Championship four times, and three out of the past four years.

Leadership activities include a weekly live call in radio talk program aired on WGNL 104.3 FM in Greenwood, Mississippi where veterans can actually dial up and talk about issues that affect them and their community. Partnering with organizations such as the National Association of the Advancement of Colored People (NAACP), Greenwood Voters League, Mississippi Valley State University and other community based groups that advocate for social justice.

Thompson-Clemons Post #200 is well integrated into the fabric and culture of the Mississippi Delta and should be recognized as a Post that has the interest of our service men, their families and community at heart.

The American Legion Post #200 is moving forward to continue the legacy of those early veterans who honorably served their country and had the vision that through the American Legion and its core principles, they could continue to protect and build an America and Mississippi.

Mr. Speaker, I ask my colleagues to join me in recognizing a remarkable organization, The Thompson-Clemons Post #200, for its dedication to serving our veterans and giving back to the African American community.

CONGRATULATING DR. JAMES COFER ON HIS FULBRIGHT SCHOLAR ACHIEVEMENT

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 23, 2015

Mr. LONG. Mr. Speaker, I rise today to recognize and congratulate Dr. James Cofer on receiving a renowned Fulbright Scholar award.

Dr. Cofer, a Springfield resident and former Missouri State University president, was awarded a Fulbright Scholar grant to lecture and perform research at Pontifical Catholic University of Rio Grande do Sul in Brazil. As a Missouri State University marketing professor, Dr. Cofer devoted his research efforts while in Brazil to studying college and university administration and developing models for the Brazilian higher education community.

The Fulbright U.S. Scholar Program provides teaching and research grants to distinguished U.S. faculty and experienced professionals. Dr. Cofer has no doubt played a major role in spreading American ideas and contributions in Brazil.

The Missouri State University community and Ozarks community at-large should be proud to have a scholar like Dr. James Cofer representing them abroad. I urge my colleagues to join me in congratulating Dr. Cofer for his dedication to such significant research and for receiving this esteemed award.

HONORING MARIA HARRISON

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 23, 2015

Ms. NORTON. Mr. Speaker, I rise today to ask the House of Representatives to join me in honoring Maria Harrison, an outstanding public servant who retired after over 41 years of dedicated service to the federal government.

On Monday, June 18, 1973, Maria Harrison began her career in government with the Federal Aviation Administration (FAA). She was one of many who benefited from Mayor Marion Barry's jobs program he so famously created. On January 3, 2015 Maria retired from the United States Department of Transportation (USDOT) after 41 years and 6 months of service to our country as a federal employee. Except for 10 months at the Small Business Administration, her career was spent in the transportation field. Her exact sequence of service follows:

Department of Transportation/FAA 06/18/1973–07/30/1977.

Small Business Administration 07/31/1977–05/20/1978.

Department of Transportation/Office of the Secretary (OST) 05/21/1978–04/03/1982.

Department of Transportation/MARAD (Maritime) 04/04/1982–12/24/1983.

Department of Transportation/FAA 12/25/1983–06/04/1988.

Department of Transportation/Federal Railroad Administration 6/05/1988–11/03/2001.

Department of Transportation/OST 11/04/2001–Present.

Maria retired from the Office of Governmental Affairs at USDOT where she has been of assistance to my office and constituents numerous times. I can say with certainty that every office in the U.S. Senate and countless offices in the U.S. House of Representatives have benefited directly from her good work. As much as her colleagues at USDOT will miss her, she has earned the right to spend more time with her friends and family, especially her granddaughter whose pictures adorn the desk of her office. Maria has also earned the deepest gratitude from those of us in the U.S. Congress. Above all else she has earned the thanks of the country she has so unselfishly served for over 41 years. Thank you, Ms. Harrison.

Mr. Speaker, I ask the House to join me in honoring Maria Harrison for her more than four decades of service to the federal government in the transportation field.

THE 25TH ANNIVERSARY OF THE AMERICANS WITH DISABILITIES ACT

HON. JOYCE BEATTY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 23, 2015

Mrs. BEATTY. Mr. Speaker, since its enactment on July 26, 1990, the Americans with Disabilities Act (ADA) has helped remove barriers to education, employment, and technology for people with disabilities.

For a quarter-century, this landmark legislation has enabled people with disabilities to have the same civil rights and public use enjoyed by other citizens in all areas of public life.

The signing of the ADA was a pivotal moment in history, not just for people with disabilities, but for all Americans.

The ADA protects individuals with disabilities from discrimination and allows them to participate fully in the workforce and in their communities.

Today, there are over 55 million people living with a disability in the United States.

In my home state of Ohio, the Ohio County Boards of Developmental Disabilities serves more than 90,000 children and adults in all 88 Ohio counties and many more receive services from nonprofit partners and organizations.

In the third congressional district of Ohio, we have outstanding centers, such as the Helping Hands Center for Special Needs, which strives to meet the educational and therapeutic needs of children with autism and other developmental disabilities.

As it did twenty-five years ago in 1990, the ADA continues to help individuals with disabilities achieve their goals, realize their dreams, and give back to their communities.

Today, I celebrate the strides we have made since the ADA's enactment and honor its goals of equality of opportunity, full participation, and high quality of life for Americans with disabilities.

TRIBUTE TO JILL SWANSON

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 23, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to honor Jill Swanson, from Adair County Health System in Greenfield, Iowa. Ms. Swanson was awarded the 2015 DAISY Award Friday, June 12, 2015.

Jill Swanson was recognized for her accomplishments during the Fourth Annual DAISY Award Ceremony at Mercy Medical Center in Des Moines, Iowa. The award is given to a nurse from each of their network's facilities to recognize their excellent work.

Jill is frequently requested by patients and families when they visit because of her attentiveness and willingness to go above and beyond what is expected for each of her patients. Throughout her 27 years of service, she has always been a team player who puts others before herself. Her genuine care for patients and hard work ethic make Adair County Health Systems proud to have her as a member of their team.

I applaud and congratulate Jill for receiving this award and for providing excellent patient care in Iowa's 3rd Congressional district. I am proud to represent her in the United States Congress. I know that my colleagues join me in congratulating her and wish her nothing but continued success.

HONORING JERUSALEM OUTREACH CHILD & ADULT LEARNING CENTER

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 23, 2015

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor the Jerusalem Outreach Child & Adult Learning Center in Charleston, MS. It is locally referred to as JOCI (Jerusalem Outreach Center Incorporated).

JOCI was established as a nonprofit organization in the year 2000. JOCI was one of the partners in a countywide effort to provide service to citizens living in hard to reach and underserved communities in Tallahatchie County like Paynes and Glendora. JOCI's goal is to meet the educational and health and social welfare needs of both children and adults regardless of race. Their partner Glendora Economic and Community Development Corporation (GECDCo) focuses on the development needs of the communities like housing, recreation, jobs, and more.

In order to achieve the above goals JOCI hosts health fairs and provides a long list of services. The services include, but are not limited to: personal counseling, referrals to outside resources, depending on the issue; social therapy for special needs clients; child care; after school care and services; educational classes; tutoring; and more. Since 2000, JOCI's record of achievement has attracted new partners to their effort: Mississippi State University Early Childhood Institute, Quality Stars, the Department of Human Services, and the Tallahatchie Early Learning Alliance (TELA).

Mr. Speaker, I ask my colleagues to join me in recognizing the Jerusalem Outreach Child & Adult Learning Center in Charleston, MS for their work in those hard to reach communities in Tallahatchie County, MS.

STOP WILDLIFE TRAFFICKING IN ITS TRACKS

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 23, 2015

Mr. POE of Texas. Mr. Speaker, The Wildlife Conservation Society is doing great work to save wildlife and wild places.

The public knows more about wildlife today than they have at any other point in history.

New technology like Go-Pro cameras can be put on top of birds to track their migration patterns and see how they deal with their young in the nest.

Scientists can dive deeper into the oceans than ever before and are discovering new species that have not been identified.

But with all this knowledge and fancy technology, in 2015 animals are still becoming extinct.

The situation for elephants and rhinos is bad.

The elephant population in Tanzania has dropped by 60 percent in just the last 5 years.

A total of only five northern white rhinos are left in the world today.

A big reason why is money. The black-market price of ivory in Africa is over $1,000 per pound.

Rhino horn is now worth about $27,000 per pound. That's twice the value of gold and platinum and more than cocaine or diamonds.

When a person lives on less than $2 a day like many of the poachers do, that's a lot of money.

Poachers are willing to risk getting caught or even shot because the payday is just too big.

One rhino horn is enough for them to support their whole family for a year.

That might be why some locals in the community refer to ''rhinos'' simply as ''billions''.

In all, the illegal wildlife trade is estimated as a $10–20 billion per year business.

It is not just low level poachers getting most of the profits.

Transnational criminal organizations and terrorist groups are getting billions of dollars a year from this business. Al-Shabab [al-Shah-Bob] and Joseph Kony's the LRA are two examples.

The same groups that traffick elephant ivory and rhino horn also traffick drugs and weapons. So this isn't just a wildlife problem. It is a national security problem.

Currently, I have been working with my colleagues on the Foreign Affairs committee to make sure the U.S. government is doing everything we can to stop wildlife trafficking.

Part of the solution is understanding the problem.

Ranking Member on my Terrorism Subcommittee, Mr. KEATING and I have amended the Intelligence Authorization bill to require the Director of National Intelligence to produce a report on wildlife trafficking, how terrorist organizations are involved, and its impact on U.S. national security.

In addition to this a GAO study is being conducted to evaluate the job being done so far at trying to stop wildlife trafficking. Both of these should help us understand the problem better.

I'm happy to be an original cosponsor of Chairman ROYCE's bill to encourage countries to work together on this problem and elevate wildlife trafficking as a predicate offense under racketeering and money laundering statutes.

It is a strong bipartisan bill that I hope is passed into law soon.

Working together will stop wildlife trafficking in its tracks.

In the 1950s there were only a few hundred white rhino left in the world. Thanks to the

work of people like Ian Player, today there are over 15,000.

The threat has been beaten back before and it can be done again.

And that's just the way it is.

THE IRAN DEAL: A DANGEROUS GAMBLE FOR THE U.S. AND OUR ALLIES

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 23, 2015

Mr. MARCHANT. Mr. Speaker, I rise in strong opposition to the administration's nuclear deal with Iran.

Earlier this year, over 350 Members of Congress—myself included—wrote the president with objectives that a deal must reach before we'd consider sanctions relief. We said there must be anytime, anywhere site inspections. Above all, it must stop Iran's march toward a nuclear weapon.

The deal before us does not meet these objectives. Yet, it gives Iran upwards of 100 billion dollars in sanctions relief almost immediately. Money it can use to finance the spread of terrorism and violence.

This agreement is a dangerous gamble. The security of America and our allies is on the line, and the deck is stacked in favor of a sworn adversary to the United States.

I will be voting to reject this bad deal. I encourage all my colleagues to do the same.

CELEBRATING THE CAREER OF BRIAN SILAS

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 23, 2015

Mr. HIGGINS. Mr. Speaker, I rise today to honor the brilliant career of Brian Silas, a renowned pianist from India. Mr. Silas is beloved by many, not only for his music but for his dedication to humanitarianism.

Mr. Silas' passion for the piano began early in his life. He was raised in Kanpur, where he was immersed in music and tradition, leading him to his affection for the piano. His instinct and desire to perform drives his musical proficiency. Mr. Silas' talent has led him to some of the world's largest stages and venues, without any formal training.

Mr. Silas' desire to share his gift of music has allowed him to perform his life's work at various venues across the globe. During his career he has packed auditoriums, theatres and runways from the United States to Mauritius. No matter the venue, Mr. Silas' performances are met with the highest of praise. One of his highest honors was in 1998, when Mr. Silas was invited to perform at the United Nations to celebrate India's 51st year of independence.

Mr. Silas' gift to the world does not stop behind the piano. He donates his time to multiple charitable organizations, who aid the underprivileged, sick and neglected. Mr. Silas is deeply involved with the "Artists of Empowerment" who provide gender bias rehabilitation for victimized women. He has striven to help those affected by HIV by endorsing organizations such as "CORE" who strive to educate police personnel on the virus. Mr. Silas also frequently fundraises for organizations such as "Prayaas" who provide homes for the homeless.

Mr. Speaker, I thank you for allowing me to honor Mr. Brian Silas. I ask my colleagues to join me in extending the highest regards and wishes for continued success. Mr. Silas' passion for music and humanitarianism will surely continue to touch lives for years to come.

2015 NATIONAL SEAPERCH CHALLENGE MIDDLE SCHOOL CHAMPIONSHIP TEAM

HON. FRANK A. LoBIONDO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 23, 2015

Mr. LoBIONDO. Mr. Speaker, I come to the floor today to celebrate the accomplishment of the Egg Harbor Township Police Athletic League's SeaPerch Challenge Middle School Team. The Submersibles placed first in both the obstacle challenge and the finesse course of the 2015 National SeaPerch Middle School Championship.

This is a remarkable accomplishment stemming from months of hard work and determination and one in which these bright young men can feel proud. Their accomplishments this year, as well as their first place finish in the 2014 championship, are certainly deserving of this special recognition.

On April 24, 2015 the team won the Philadelphia SeaPerch Regional competition at Drexel University giving them the opportunity to compete at The University of Massachusetts in Dartmouth on May 29th and 30th. At the national championship, the team defeated 71 other teams nationwide to secure their second national SeaPerch title in 2 years.

SeaPerch is an innovative underwater robotics program that equips teachers and students with the resources to build an underwater Remotely Operated Vehicle (ROV). The program provides students the opportunity to learn about robotics, engineering, science, math, teamwork, leadership, and public speaking while competing against their peers at a national level.

The National Championship team includes: Jhadyn Seward (Egg Harbor Township), Aidan Himley (Egg Harbor Township), James Massey (Egg Harbor Township), Brandan Kusnirik (Hamilton Township), Anakin Leatherwood (Egg Harbor Township), Luke Williams (Northfield), and coaches Mike and Denise Massey.

Again, I wish to extend my sincere congratulations to the Submersibles and I wish them all the best in their future endeavors.

TRIBUTE TO CHANDRA McCANN

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 23, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to honor and congratulate Chandra McCann, from Greenfield, Iowa for her retirement from the Adair County Courthouse after 35 years of service.

Through her countless years of dedication to the citizens of Adair County she was able to provide valuable services to those who passed through the Adair County Courthouse. She always came to work with a smile on her face and a willingness to serve.

I applaud and congratulate Chandra for her accomplishments and for providing excellent customer service to Adair County and its citizens. I am proud to represent her in the United States Congress. I know that my colleagues in the U.S. House of Representatives join me in congratulating Chandra and wish her nothing but the best in her retirement.

CELEBRATING THE 50TH ANNIVERSARY OF NORTHWEST NEW JERSEY COMMUNITY ACTION PARTNERSHIP

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 23, 2015

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today, to celebrate Northwest New Jersey Community Action Partnership, otherwise known as NORWESCAP, located in Morris County, New Jersey, as it celebrates its Fiftieth Anniversary.

In 1965, NORWESCAP was incorporated by a group of concerned citizens from Hunterdon, Sussex and Warren counties, whose mission was to eliminate poverty in the area. NORWESCAP is one of twenty-three Community Action Agencies in the State of New Jersey. The agency actively supports low-income households, as these citizens develop their abilities to become self-reliant and build relationships within the community.

Over the past fifty years, the agency has expanded its reach into Morris, Somerset, and Passaic Counties. NORWESCAP assists more than 35,000 individuals each year, with a portfolio of emergency, preventative and self-sufficiency services. With 270 full and part-time employees and 1,400 volunteers operating 15 unique programs, the agency has been working to improve the lives of low income individuals and families by "Creating Opportunities" and "Changing Lives." An example of one of their programs is the Family Success Center, which brings together residents and leaders in the community to address the struggles that poverty-ridden families deal with every day.

Another significant program that NORWESCAP provides is the Child and Family Resource Services. With twenty-five years of enhancing the accessibility and quality of early care and education, the agency has proven its dedication to strengthening families

and communities in the area. The Child and Family Resource Service staff is committed to the belief that all children deserve access to quality affordable child care. Furthermore, by providing information, referrals, various child care subsidies, education and collaboration of efforts among all those involved in child care, this team has had a positive effect on the community. CFRS has been cited for ''a number of best practices regarding the management of the programs they implement.'' They became Child Care Aware Quality Assured in 2005; this identifies the agency as one that strives for excellence.

It is apparent that NORWESCAP's value to the public is priceless, and I express great admiration for their service.

Mr. Speaker, please join me in congratulating NORWESCAP, its Board of Directors, administration and employees, as it celebrates its Fiftieth Anniversary.

25TH ANNIVERSARY OF THE AMERICANS WITH DISABILITIES ACT

HON. DAVID G. REICHERT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 23, 2015

Mr. REICHERT. Mr. Speaker, today I rise to recognize the 25th anniversary of the Americans with Disabilities Act (ADA). This landmark legislation was critical to ensuring all Americans living with disabilities were guaranteed equal access to opportunities to live a full and meaningful life without being discriminated against. With over 55 million people living in our nation with disabilities, it is sometimes hard to realize that before 1990, so many barriers stood in their way to leading happy, successful lives.

My own godson lives with significant disabilities and if this law had not been enacted before he was born, his life would have turned out very differently—it would have been difficult to access transportation, public and private spaces, and receive an education. It is so important that we continue building upon the successes of the ADA and that we do everything within our power for those who need us to fight just a little bit extra for them, and that is why we must remember this anniversary.

TRIBUTE TO JACOB ''JAY'' BOJORQUEZ

HON. JOHN R. CARTER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 23, 2015

Mr. CARTER of Texas. Mr. Speaker, I rise today to celebrate the life of Jacob ''Jay'' Bojorquez. A resident of Temple, Texas, Jay became an angel on July 13, 2015. My thoughts and prayers are with his family and friends during this difficult time.

Jay was a native son of Monticello, New Mexico. His was a life of service and devotion to causes bigger than himself. Growing up in the rugged Land of Enchantment instilled in Jay a desire to protect our environment and, as a young man, he volunteered to fight forest fires in the scenic Black Range Mountains. As a Korean War veteran, Jay experienced firsthand the sacrifices our men and women of the armed forces make for the cause of freedom.

Blessed with a fierce intellect and aptitude with numbers, Jay graduated from Western New Mexico University with a bachelor's degree in accounting. He applied his talents as a financial auditor for El Paso's Thomason General Hospital.

Committed to public service, Jay played an active part in making any community he resided in a great place to live and work. Jay served as an elected member of the Horizon Regional Municipal Utilities District Board of Directors, Commander of the American Legion Post, President of the Lion's Club, President of the Horizon Communities Improvement Association, Treasurer of the Horizon Volunteer Fire Department, and a member of the Troop Committee for Boy Scout Troop 55 (Yucca Council). He also served on the City of Temple's Tax Increment Finance Reinvestment Zone Board.

Jay was married to Betty, the love of his life, 47 years. During their joyous life together, they lived, loved, and prospered as one. Proud parents of seven children, grandparents of eighteen, and great-grandparents of fourteen, Jay and Betty kept family at the center of their lives.

While we mourn Jay Bojorquez's passing, his presence was a blessing for all who knew him. The positive impacts he had on the lives of others will live on and remain in our hearts forever.

IN HONOR OF CORPORAL STEVEN L. LEVY

HON. DONALD NORCROSS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 23, 2015

Mr. NORCROSS. Mr. Speaker, I rise today to honor the memory of fallen officer Corporal Steven Levy of the Washington Township Police Department in Gloucester County, New Jersey, for his extraordinary sacrifice and exemplary service to the citizens of New Jersey and the United States.

Corporal Levy was a decorated officer of the Washington Township Police and a volunteer member on the Gloucester County Critical Incident Team. Serving as a police officer is an admirable quality in itself, but answering the call of CIT duty requires a superior level of dedication.

On October 21, 1999, Corporal Levy was killed in the line of duty while responding to a call about a domestic standoff in Woodbury, NJ. His untimely death left behind his beloved wife, Mrs. Janeen Levy and two children, Kevin and Jessica.

I have the pleasure of knowing his son, Kevin, who is following his father's example of public service and interning in my office this summer. It is because of Kevin, and the families of fallen public safety officers like his, that I decided to cosponsor The Children of Fallen Heroes Scholarship Act, which makes the children of law enforcement officers, firefighters, EMS workers, and fire police who died in the line of duty eligible for the maximum available Pell Grant.

Mr. Speaker, public safety workers like Corporal Steven Levy dedicate their careers to serving their communities, putting their lives on the line every day to protect us. The loss of these selfless men and women is a devastating loss for our communities, but no one suffers more than their families. Although nothing can replace the loss of a loved one, we owe it to local heroes, like Corporal Levy, to honor their memory by taking positive action on behalf of their families.

TRIBUTE TO MARY O'RILEY

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 23, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Mrs. Mary O'Riley, of Creston, Iowa for being selected as Union County's 2015 inductee into the Iowa 4–H Hall of Fame.

Mary will be inducted during a ceremony at the Iowa State Fair on August 23, 2015. She was chosen because of her long-standing devotion to 4–H and her commitment to helping each child develop to their full potential. She also is being recognized for 30 years of service as show ring announcer at the Union County Fair. Mary's additional contributions to 4–H include 13 years as a club leader, working with 4–H as an extension employee, judging 4–H project work, and serving as a member and officer of the Union County Friends of 4–H Foundation.

Mr. Speaker, the example set by Mary demonstrates the rewards of harnessing one's talents and sharing them with the world. Her efforts embody the Iowa spirit and I am honored to represent her, and Iowans like her, in the United States Congress. I know that all of my colleagues in the United States House of Representatives will join me in congratulating Mary for her achievements and wish her nothing but continued success.

PERSONAL EXPLANATION

HON. ELIZABETH H. ESTY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 23, 2015

Ms. ESTY. Mr. Speaker, I want to state that on Wednesday, July 22, I unfortunately missed three roll call votes as I was attending a classified briefing at the White House Situation Room on the recently announced Joint Comprehensive Plan of Action with Iran. Had I been present I would have voted:

1. NO—Ordering the Previous Question (Roll #450). I would have voted no in order to allow a vote on H.R. 3064, the GROW AMERICA Act. I am a proud cosponsor of this robust six-year expansion of funding for our America's transportation and infrastructure, which would provide much needed certainty for those projects and the jobs that rely on them.

2. NO—Approving H. Res. 369 (Roll #451). I would have voted no on H. Res. 369, which prevented the House from considering either H.R. 1599 or H.R. 1734 with the appropriate deliberation and open debate such important matters deserve.

3. AYE—Approving the Journal (Roll #452). I would have voted AYE on approving the Journal.

PERSONAL EXPLANATION

HON. SCOTT GARRETT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 23, 2015

Mr. GARRETT. Mr. Speaker, on July 16, 2015, the House of Representatives considered H.R. 2898 and several amendments to that bill. On that day, I was in New Jersey to attend my daughter's wedding and, therefore, could not vote on that legislation.

HONORING DEBORAH KALCEVIC ON THE OCCASION OF HER RETIREMENT FROM THE CONGRESSIONAL BUDGET OFFICE

HON. TOM PRICE

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 23, 2015

Mr. TOM PRICE of Georgia. Mr. Speaker, I along with Representative KLINE, Representative VAN HOLLEN, and Representative SCOTT of Virginia wish to pay tribute to Deborah Kalcevic, who is retiring this month after 40 years of distinguished service to the Congress at the Congressional Budget Office (CBO). She is the longest serving employee in the history of CBO. Since joining CBO in 1975 she has spent most of her time in the Income Security and Education Cost Estimates Unit. Ms. Kalcevic has worked closely with the Budget Committee and the authorizing committees on issues related to student loans and higher education. As one of the foremost experts on student loans, Ms. Kalcevic has been invaluable in helping the Budget Committee fulfill our responsibilities under the Congressional Budget Act and in assisting the Education and the Workforce Committee with countless reforms to the Higher Education Act.

Ms. Kalcevic is held in high esteem by both Republicans and Democrats for her tireless and diligent work. Her knowledge of student loan programs is legendary, as is her ability and willingness to help people more fully understand the important aspects and nuances of those programs. The work she did was incredibly important, and we are grateful to Ms. Kalcevic for her assistance, expertise, and dedication over the last four decades.

In short, Ms. Kalcevic exemplifies CBO's high standard of professionalism, objectivity, and nonpartisanship. In fact, she twice has received the CBO Director's award, the agency's highest recognition for outstanding performance. As the Chairmen and Ranking Members, we greatly appreciate the commitment that Ms. Kalcevic has shown in assisting the Budget and Education and the Workforce Committees and the Congress. We wish her well in her future endeavors, including her desire to spend more time with her family and close friends.

TRIBUTE TO STEPHANIE LOISELLE

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 23, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Stephanie Loiselle of Clive, Iowa for receiving a coveted Fulbright award during the 2014–2015 Academic Year. Stephanie is a recent graduate of the Monterey Institute of International Studies with a Master's degree in Teaching Foreign Languages and International Education Management. She will travel to Colombia in August 2015 and begin working in an English teaching assistantship.

Established by Congress in 1946, the Fulbright Program is funded through an annual appropriation to the U.S. Department of State. It serves as a valuable foreign affairs tools by making people-to-people connections. It also gives participants a chance to help with important issues across the globe and gain valuable skills, giving them the necessary experience to lead our future generations. With over 360,000 participants since its creation, the Fulbright Program serves an important role in educating our young people and improving our diplomatic relations.

Mr. Speaker, it is with great respect and admiration that I recognize Stephanie today. It is the young people like her who are willing to work hard and make sacrifices for the betterment of society that will lead our future generations. I know my colleagues in the U.S. House of Representatives join me in congratulating Stephanie on this outstanding achievement and wish her nothing but continued success moving forward.

PERSONAL EXPLANATION

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 23, 2015

Mr. CALVERT. Mr. Speaker, I would like to clarify my vote on H.R. 3009, Enforce the Law for Sanctuary Cities Act (ROLL CALL 466). I was on the floor and inserted my voting card to record a ''YES'' vote for H.R. 3009. Unfortunately my vote failed to register. On the recorded final total tally, I am listed as having ''NOT VOTED'' even though I intended and attempted to vote in favor of the bill. Immediately prior to vote on final passage, my vote against the Democratic Motion to Recommit is recorded. I also spoke in favor of H.R. 3009 on the House Floor.

STUDENT TAX RELIEF ACT OF 2015

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 23, 2015

Mr. MCDERMOTT. Mr. Speaker, I rise today to introduce the Student Tax Relief Act of 2015. This bill is meant to help the students who attended Corinthian Colleges, Inc.

The legislation is designed to help students affected by the sale of 53 Corinthian College Inc., campuses to Zenith Education Group, a subsidiary of Education Credit Management Corporation (ECMC). It will also help students who get debt relief as a result of a successful in asserting in defense against repayments.

My bill, at the time of introduction, has 23 original cosponsors and has the support of nine outside organizations—American Federation of Teachers (AFT), AFL–CIO, Campaign for America's Future, Consumers Union, National Education Association (NEA), New York Students Rising (NYSR), One Wisconsin Now (OWN), Young Invincibles, Student Debt Crisis.

Corinthian Colleges, Inc. was the parent of several private, for-profit institutions of higher education, the Everest Institute, Everest Colleges, Heald Colleges, and Wyotech Technical Schools.

The Zenith formed for the purpose of buying 53 campuses form Corinthian Colleges, Inc, and completed the purchase in 2015. As part of the final agreement Zenith agreed to provide $480 million in debt relief on Genesis loans advanced by Corinthian Colleges, Inc. As part of the agreement Zenith forgave 40% of the principal balance on the Genesis loans.

The servicers who are servicing these loans will write down the loans without a borrower needing to take any action.

As many as 170,000 individuals may qualify for this reduction. Under the tax code, generally, discharged income becomes taxable income to the taxpayer. Therefore, the amount that is discharged from the Genesis loans will result in the borrowers having to pay increased taxes.

However, this bill specifically prevents the amount discharged under the agreement between the Education Department and the Consumer Protection Financial Bureau from being included in gross income.

According to the Congressional Research Service, ''Borrowers who attended a Corinthian Colleges, Inc. school that was purchased by Zenith and borrowers who attended a Corinthian Colleges, Inc. school that closed but who are ineligible for closed school loan discharge may seek debt relief on their Federal Family Education Loan or Direct Loan program loans by asserting certain defenses against repayment. In certain circumstances, borrowers of Direct Loan program loans may be able to assert as a defense against repayment of their loan 'acts or omissions of an institution of higher education,' as specified in regulation. ED has determined in regulation that such acts and omissions are those that would 'give rise to a cause of action against the school under applicable State law.' ''

''If the borrower's defense is successful, Education Department will determine the

amount of debt relief to which the borrower is entitled, which can include relief from repaying all or part of the outstanding loan balance and reimbursement for previous amounts paid toward the loan.''

It is unknown how many individuals will ultimately end up using the Defense to Repayment provision, but the bill will provide tax relief for taxpayers who get their loans discharged under the Defense to Repayment provision. The bill will ensure that amounts discharged due to Defense to Repayment claims will not be considered gross income to the taxpayer.

It is important that the students who attended Corinthian College Inc. schools and have suffered already not have to suffer anymore by paying extra taxes on loans that get discharged.

REMEMBERING THE FALLEN CAPITOL POLICE OFFICERS J.J. CHESTNUT AND JOHN GIBSON

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 23, 2015

Ms. JACKSON LEE. Mr. Speaker, I rise in remembrance of Jacob ''J.J.'' Chestnut and John Gibson, who lost their lives on July 24, 1998, protecting the Members of this Chamber and the public while rendering honorable service as members of the U.S. Capitol Police Department.

President John F. Kennedy once remarked: ''A man does what he must in spite of personal consequences, in spite of obstacles and dangers and pressures, and that is the basis of all human morality.''

On July 24, 1998 this idea was given tangible expression when Officers Chestnut and Gibson lost their lives while serving others in the line of duty.

As the assailant opened fire in the hall of the Capitol, Officers Chestnut and Gibson reacted by putting themselves between the gunman and the innocent persons and representatives present in the Capitol that day.

Who knows what carnage would have unfolded had Officer Gibson not brought an end to this violence by neutralizing the assailants.

I vividly remember being here in this very chamber when the shootout started in 1998, and I know that their heroic actions saved many lives.

Officer Chestnut was on his second tour of public service, previously serving in the Vietnam War as an officer.

His military leadership skills translated seamlessly into his Capitol Police Officer role and were recognized when he was named Capitol Police Officer of the Year.

Even though Officer Chestnut was close to retirement his tireless effort to fulfill his role as protector saved many lives on that tragic day.

Officer Gibson not only was active and respected by his colleagues here on Capitol Hill, his commitment to his local community was exemplary.

An eighteen year veteran of the department, Officer Gibson was described as a model officer who always followed the golden rule and treated others with respect whether in uniform or not.

I would also like to thank all of the Capitol Hill Police Officers who protect me and my colleagues in Congress as well as the thousands of Americans who visit their national Capitol every day.

These guardians protect more than the innocent people around them that day.

They serve as examples of the oath all of our men and women in uniform take when volunteering to serve their nation as Capitol Police Officers:

We protect the legislative process, the symbol of our democracy, the people who carry out the process, and the millions of visitors who travel here to see democracy in action;

Every American who visits the Capitol, as well as those visitors from around the world, is a member of our protected community and sees first-hand how we are the best of America's spirit and diversity;

As an agency, we are a microcosm of America, representational of many races, colors, religions, political affiliations, sexual orientations, and ages. Our workforce derives from almost all 50 states and territories, with some representation from other countries. We embrace and celebrate a diverse workforce, where we believe inclusion makes our workplace stronger and respecting each individual as a person and as a professional is essential; and;

We represent the best in American policing. We act on the world stage every day of the year, as a model in security, urban crime prevention, dignitary protection, specialty response capabilities, and homeland security. We are often the first face that visitors and employees encounter, and we leave a lasting impression that is reflective of the Legislative Branch and its role in America's democracy.

Officers Chestnut and Gibson exemplified what the incredible sacrifice is that police officers make every day when they head out into the community to protect and serve their family, friends, and neighbors.

Mr. Speaker, this is why I am proud to remember the heroic actions of the Capitol Police Officers J.J. Chestnut and John Gibson on this day in 1998.

The Scriptures teach that no great love hath any but that he lay down his life for another.

Officers Chestnut and Gibson showed great love for their fellow men and women on July 24, 1998, and for their heroism, they will always be remembered.

RECOGNIZING THE LIFE OF PAT EPSTEIN

HON. LUCILLE ROYBAL-ALLARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 23, 2015

Ms. ROYBAL-ALLARD. Mr. Speaker, a dear friend, Patricia (Tananbaum) Epstein, passed away quietly on July 22, 2015, after a long and wonderful life filled with extended family and friends. She leaves her devoted husband of more than 66 years, Jerry. Together, and as individuals, they have been a very special and unforgettable couple who have had a meaningful impact on the lives of so many.

That is also true of the lives of my parents, former Congressman Edward R. Roybal and my mother Lucille Beserra Roybal. And it is most certainly true of the joy and friendship Pat and Jerry brought into my life and that of my husband Ed. We loved having dinner with them and hearing Pat's laughter and the jokes she loved to tell. And we loved seeing the examples of her talent in her beautiful works of art.

Pat was born in Atlanta, Georgia, on May 28, 1924, the only child of Leo and Hannah Tananbaum. She met Jerry, the love of her life, when he was a student at Emory University after the end of World War II. They married on December 26, 1948, in a beautiful ceremony at the Mayfair Club in Atlanta, attended by family and friends, many of whom had traveled on a private train from New York City for the event. Their wedding would be only the first of many spectacular parties Pat and Jerry would plan and host over the ensuing decades, as Pat became the consummate gracious and lively hostess.

Pat and Jerry settled permanently in Los Angeles in December 1949. For decades, including up to the last months of her life, Pat was a sculptress, working primarily in alabaster and later in papier-mâché. Her work can be found at St. John's Hospital, the Jewish Home for the Aging, and in many private homes around the country.

Pat enjoyed her involvement with the Advisory Board of the Fashion Institute of Design and Management (FIDM).

Pat was also active in Hadassah and the Irene Dunne Guild of Saint John's Hospital in Santa Monica. The doctors, nurses, and staff at St. John's Hospital were not just caregivers, but many became close friends for over four decades, and their compassion and attention were particularly meaningful during the last months of Pat's life.

Pat and Jerry's generosity and dedication to their many friends and family is legendary, and they leave a legacy of ''adopted'' children and grandchildren who have and will continue to benefit from their loving advice and assistance.

Ed and I will miss Pat greatly, but feel blessed that we had the good fortune to have known such a great lady.

SENATE—*Friday, July 24, 2015*

The Senate met at 9 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

O Lord our God, You soar upon the wings of the wind. Increase our faith, hope, and love that we may receive Your promises.

As our lawmakers seek to humbly do Your will, impart to them Your strength. Lord, pursue and overtake their adversaries, so that Your will may be done on Earth. Show our Senators Your loving kindness, enabling them to serve Your purposes for their lives in this generation.

Sustain us all in the day of calamity, for we find our delight in You. Show mercy to the merciful, purity to the pure, and justice to the upright.

We pray in Your sovereign Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mrs. CAPITO). Under the previous order, the leadership time is reserved.

HIRE MORE HEROES ACT OF 2015—MOTION TO PROCEED

The PRESIDING OFFICER. The clerk will report the pending business.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 19, H.R. 22, a bill to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

The PRESIDING OFFICER. Under the previous order, all time is yielded back.

The question is on agreeing to the motion.

Mr. MCCAIN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Missouri (Mr. BLUNT), the Senator from Arkansas (Mr. BOOZMAN), the Senator from Tennessee (Mr. CORKER), the Senator from Arkansas (Mr. COTTON), the Senator from Arizona (Mr. FLAKE), the Senator from Nevada (Mr. HELLER), the Senator from Oklahoma (Mr. INHOFE), the Senator from Kansas (Mr. MORAN), the Senator from Ohio (Mr. PORTMAN), the Senator from Pennsylvania (Mr. TOOMEY), and the Senator from Louisiana (Mr. VITTER).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted ''yea.''

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER), the Senator from Delaware (Mr. CARPER), the Senator from Delaware (Mr. COONS), the Senator from New York (Mrs. GILLIBRAND), the Senator from Massachusetts (Mr. MARKEY), the Senator from Missouri (Mrs. MCCASKILL), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Washington (Mrs. MURRAY), the Senator from Florida (Mr. NELSON), the Senator from Vermont (Mr. SANDERS), and the Senator from New York (Mr. SCHUMER), are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 51, nays 26, as follows:

[Rollcall Vote No. 252 Leg.]

YEAS—51

Ayotte	Feinstein	McCain
Baldwin	Fischer	McConnell
Barrasso	Franken	Perdue
Boxer	Gardner	Peters
Burr	Graham	Risch
Capito	Grassley	Roberts
Cassidy	Hatch	Rounds
Coats	Heitkamp	Schatz
Cochran	Hoeven	Sessions
Collins	Isakson	Shaheen
Cornyn	Johnson	Stabenow
Crapo	King	Sullivan
Daines	Kirk	Tester
Donnelly	Klobuchar	Thune
Durbin	Lankford	Tillis
Enzi	Leahy	Whitehouse
Ernst	Manchin	Wicker

NAYS—26

Bennet	Kaine	Rubio
Blumenthal	Lee	Sasse
Brown	Merkley	Scott
Cantwell	Mikulski	Shelby
Cardin	Murkowski	Udall
Casey	Murphy	Warner
Cruz	Paul	Warren
Heinrich	Reed	Wyden
Hirono	Reid	

NOT VOTING—23

Alexander	Flake	Murray
Blunt	Gillibrand	Nelson
Booker	Heller	Portman
Boozman	Inhofe	Sanders
Carper	Markey	Schumer
Coons	McCaskill	Toomey
Corker	Menendez	Vitter
Cotton	Moran	

The motion was agreed to.

HIRE MORE HEROES ACT OF 2015

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A bill (H.R. 22) to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

AMENDMENT NO. 2266, AS MODIFIED

Mr. MCCONNELL. Madam President, I call up amendment No. 2266, as modified with the changes at the desk.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 2266, as modified.

Mr. MCCONNELL. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment, as modified, is as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Developing a Reliable and Innovative Vision for the Economy Act'' or the ''DRIVE Act''.

SEC. 2. ORGANIZATION OF ACT INTO DIVISIONS; TABLE OF CONTENTS.

(a) DIVISIONS.—This Act is organized into 8 divisions as follows:

(1) Division A–Federal-aid Highways and Highway Safety Construction Programs.

(2) Division B–Public Transportation.

(3) Division C–Comprehensive Transportation and Consumer Protection Act of 2015.

(4) Division D–Freight and Major Projects.

(5) Division E–Finance.

(6) Division F–Miscellaneous.

(7) Division G–Surface Transportation Extension.

(8) Division H–Budgetary Effects.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Organization of Act into divisions; table of contents.

Sec. 3. Definitions.
Sec. 4. Effective date.

DIVISION A—FEDERAL-AID HIGHWAYS AND HIGHWAY SAFETY CONSTRUCTION PROGRAMS

TITLE I—FEDERAL-AID HIGHWAYS

Subtitle A—Authorizations and Programs

Sec. 11001. Authorization of appropriations.
Sec. 11002. Obligation ceiling.
Sec. 11003. Apportionment.
Sec. 11004. Surface transportation program.
Sec. 11005. Metropolitan transportation planning.
Sec. 11006. Statewide and nonmetropolitan transportation planning.
Sec. 11007. Highway use tax evasion projects.
Sec. 11008. Bundling of bridge projects.
Sec. 11009. Flexibility for certain rural road and bridge projects.
Sec. 11010. Construction of ferry boats and ferry terminal facilities.
Sec. 11011. Highway safety improvement program.
Sec. 11012. Data collection on unpaved public roads.
Sec. 11013. Congestion mitigation and air quality improvement program.
Sec. 11014. Transportation alternatives.
Sec. 11015. Consolidation of programs.
Sec. 11016. State flexibility for National Highway System modifications.
Sec. 11017. Toll roads, bridges, tunnels, and ferries.
Sec. 11018. HOV facilities.
Sec. 11019. Interstate system reconstruction and rehabilitation pilot program.
Sec. 11020. Emergency relief for federally owned roads.
Sec. 11021. Bridges requiring closure or load restrictions.
Sec. 11022. National electric vehicle charging and natural gas fueling corridors.
Sec. 11023. Asset management.
Sec. 11024. Tribal transportation program amendment.
Sec. 11025. Nationally significant Federal lands and Tribal projects program.
Sec. 11026. Federal lands programmatic activities.
Sec. 11027. Federal lands transportation program.
Sec. 11028. Innovative project delivery.
Sec. 11029. Obligation and release of funds.

Subtitle B—Acceleration of Project Delivery

Sec. 11101. Categorical exclusion for projects of limited Federal assistance.
Sec. 11102. Programmatic agreement template.
Sec. 11103. Agency coordination.
Sec. 11104. Initiation of environmental review process.
Sec. 11105. Improving collaboration for accelerated decision making.
Sec. 11106. Accelerated decisionmaking in environmental reviews.
Sec. 11107. Improving transparency in environmental reviews.
Sec. 11108. Integration of planning and environmental review.
Sec. 11109. Use of programmatic mitigation plans.
Sec. 11110. Adoption of Departmental environmental documents.
Sec. 11111. Technical assistance for States.
Sec. 11112. Surface transportation project delivery program.
Sec. 11113. Categorical exclusions for multimodal projects.
Sec. 11114. Modernization of the environmental review process.
Sec. 11115. Service club, charitable association, or religious service signs.
Sec. 11116. Satisfaction of requirements for certain historic sites.
Sec. 11117. Bridge exemption from consideration under certain provisions.
Sec. 11118. Elimination of barriers to improve at-risk bridges.
Sec. 11119. At-risk project preagreement authority.

Subtitle C—Miscellaneous

Sec. 11201. Credits for untaxed transportation fuels.
Sec. 11202. Justification reports for access points on the Interstate System.
Sec. 11203. Exemptions.
Sec. 11204. High priority corridors on the National Highway System.
Sec. 11205. Repeat intoxicated driver law.
Sec. 11206. Vehicle-to-infrastructure equipment.
Sec. 11207. Relinquishment.
Sec. 11208. Transfer and sale of toll credits.
Sec. 11209. Regional infrastructure accelerator demonstration program.

TITLE II—TRANSPORTATION INNOVATION

Subtitle A—Research

Sec. 12001. Research, technology, and education.
Sec. 12002. Intelligent transportation systems.
Sec. 12003. Future interstate study.
Sec. 12004. Researching surface transportation system funding alternatives.

Subtitle B—Data

Sec. 12101. Tribal data collection.
Sec. 12102. Performance management data support program.

Subtitle C—Transparency and Best Practices

Sec. 12201. Every Day Counts initiative.
Sec. 12202. Department of Transportation performance measures.
Sec. 12203. Grant program for achievement in transportation for performance and innovation.
Sec. 12204. Highway trust fund transparency and accountability.
Sec. 12205. Report on highway trust fund administrative expenditures.
Sec. 12206. Availability of reports.
Sec. 12207. Performance period adjustment.
Sec. 12208. Design standards.

TITLE III—TRANSPORTATION INFRASTRUCTURE FINANCE AND INNOVATION ACT OF 1998 AMENDMENTS

Sec. 13001. Transportation Infrastructure Finance and Innovation Act of 1998 amendments.

TITLE IV—TECHNICAL CORRECTIONS

Sec. 14001. Technical corrections.

TITLE V—MISCELLANEOUS

Sec. 15001. Appalachian development highway system.
Sec. 15002. Appalachian regional development program.
Sec. 15003. Water infrastructure finance and innovation.
Sec. 15004. Administrative provisions to encourage pollinator habitat and forage on transportation rights-of-way.
Sec. 15005. Study on performance of bridges.
Sec. 15006. Sport fish restoration and recreational boating safety.

DIVISION B—PUBLIC TRANSPORTATION

TITLE XXI—FEDERAL PUBLIC TRANSPORTATION ACT

Sec. 21001. Short title.
Sec. 21002. Definitions.
Sec. 21003. Metropolitan transportation planning.
Sec. 21004. Statewide and nonmetropolitan transportation planning.
Sec. 21005. Urbanized area formula grants.
Sec. 21006. Fixed guideway capital investment grants.
Sec. 21007. Mobility of seniors and individuals with disabilities.
Sec. 21008. Formula grants for rural areas.
Sec. 21009. Research, development, demonstration, and deployment program.
Sec. 21010. Private sector participation.
Sec. 21011. Innovative procurement.
Sec. 21012. Human resources and training.
Sec. 21013. General provisions.
Sec. 21014. Project management oversight.
Sec. 21015. Public transportation safety program.
Sec. 21016. State of good repair grants.
Sec. 21017. Authorizations.
Sec. 21018. Grants for bus and bus facilities.
Sec. 21019. Salary of Federal Transit Administrator.
Sec. 21020. Technical and conforming amendments.

DIVISION C—COMPREHENSIVE TRANSPORTATION AND CONSUMER PROTECTION ACT OF 2015

Sec. 31001. Short title.
Sec. 31002. References to title 49, United States Code.
Sec. 31003. Effective date.

TITLE XXXI—OFFICE OF THE SECRETARY

Subtitle A—Accelerating Project Delivery

Sec. 31101. Delegation of authority.
Sec. 31102. Infrastructure Permitting Improvement Center.
Sec. 31103. Accelerated decision-making in environmental reviews.
Sec. 31104. Environmental review alignment and reform.
Sec. 31105. Multimodal categorical exclusions.
Sec. 31106. Improving transparency in environmental reviews.
Sec. 31107. Local transportation infrastructure program.

Subtitle B—Research

Sec. 31201. Findings.
Sec. 31202. Modal research plans.
Sec. 31203. Consolidated research prospectus and strategic plan.
Sec. 31204. Research Ombudsman.
Sec. 31205. Smart cities transportation planning study.
Sec. 31206. Bureau of Transportation Statistics independence.
Sec. 31207. Conforming amendments.
Sec. 31208. Repeal of obsolete office.

Subtitle C—Port Performance Act

Sec. 31301. Short title.
Sec. 31302. Findings.
Sec. 31303. Port performance freight statistics program.

TITLE XXXII—COMMERCIAL MOTOR VEHICLE AND DRIVER PROGRAMS

Subtitle A—Compliance, Safety, and Accountability Reform

Sec. 32001. Correlation study.
Sec. 32002. Safety improvement metrics.
Sec. 32003. Data certification.
Sec. 32004. Data improvement.
Sec. 32005. Accident report information.
Sec. 32006. Post-accident report review.
Sec. 32007. Recognizing excellence in safety.
Sec. 32008. High risk carrier reviews.

Subtitle B—Transparency and Accountability

Sec. 32201. Petitions for regulatory relief.

Sec. 32202. Inspector standards.
Sec. 32203. Technology improvements.
Subtitle C—Trucking Rules Updated by Comprehensive and Key Safety Reform
Sec. 32301. Update on statutory requirements.
Sec. 32302. Statutory rulemaking.
Sec. 32303. Guidance reform.
Sec. 32304. Petitions.
Sec. 32305. Regulatory reform.
Subtitle D—State Authorities
Sec. 32401. Emergency route working group.
Sec. 32402. Additional State authority.
Sec. 32403. Commercial driver access.
Subtitle E—Motor Carrier Safety Grant Consolidation
Sec. 32501. Definitions.
Sec. 32502. Grants to States.
Sec. 32503. New entrant safety review program study.
Sec. 32504. Performance and registration information systems management.
Sec. 32505. Authorization of appropriations.
Sec. 32506. Commercial driver's license program implementation.
Sec. 32507. Extension of Federal motor carrier safety programs for fiscal year 2016.
Sec. 32508. Motor carrier safety assistance program allocation.
Sec. 32509. Maintenance of effort calculation.
Subtitle F—Miscellaneous Provisions
Sec. 32601. Windshield technology.
Sec. 32602. Electronic logging devices requirements.
Sec. 32603. Lapse of required financial security; suspension of registration.
Sec. 32604. Access to National Driver Register.
Sec. 32605. Study on commercial motor vehicle driver commuting.
Sec. 32606. Household goods consumer protection working group.
Sec. 32607. Interstate van operations.
Sec. 32608. Report on design and implementation of wireless roadside inspection systems.
Sec. 32609. Motorcoach hours of service study.
Sec. 32610. GAO Review of school bus safety.
Sec. 32611. Use of hair testing for preemployment and random controlled substances tests.
TITLE XXXIII—HAZARDOUS MATERIALS
Sec. 33101. Endorsements.
Sec. 33102. Enhanced reporting.
Sec. 33103. Hazardous material information.
Sec. 33104. National emergency and disaster response.
Sec. 33105. Authorization of appropriations.
TITLE XXXIV—HIGHWAY AND MOTOR VEHICLE SAFETY
Subtitle A—Highway Traffic Safety
PART I—Highway Safety
Sec. 34101. Authorization of appropriations.
Sec. 34102. Highway safety programs.
Sec. 34103. Grants for alcohol-ignition interlock laws and 24–7 sobriety programs.
Sec. 34104. Repeat offender criteria.
Sec. 34105. Study on the national roadside survey of alcohol and drug use by drivers.
Sec. 34106. Increasing public awareness of the dangers of drug-impaired driving.
Sec. 34107. Improvement of data collection on child occupants in vehicle crashes.
PART II—Stop Motorcycle Checkpoint Funding Act
Sec. 34121. Short title.
Sec. 34122. Grant restriction.
PART III—Improving Driver Safety Act of 2015
Sec. 34131. Short title.
Sec. 34132. Distracted driving incentive grants.
Sec. 34133. Barriers to data collection report.
Sec. 34134. Minimum requirements for State graduated driver licensing incentive grant program.
PART IV—Technical and Conforming Amendments
Sec. 34141. Technical corrections to the Motor Vehicle and Highway Safety Improvement Act of 2012.
Subtitle B—Vehicle Safety
Sec. 34201. Authorization of appropriations.
Sec. 34202. Inspector General recommendations.
Sec. 34203. Improvements in availability of recall information.
Sec. 34204. Recall process.
Sec. 34205. Pilot grant program for State notification to consumers of motor vehicle recall status.
Sec. 34206. Recall obligations under bankruptcy.
Sec. 34207. Dealer requirement to check for open recall.
Sec. 34208. Extension of time period for remedy of tire defects.
Sec. 34209. Rental car safety.
Sec. 34210. Increase in civil penalties for violations of motor vehicle safety.
Sec. 34211. Electronic odometer disclosures.
Sec. 34212. Corporate responsibility for NHTSA reports.
Sec. 34213. Direct vehicle notification of recalls.
Sec. 34214. Unattended children warning.
Sec. 34215. Tire pressure monitoring system.
Subtitle C—Research and Development and Vehicle Electronics
Sec. 34301. Report on operations of the Council for Vehicle Electronics, Vehicle Software, and Emerging Technologies.
Sec. 34302. Cooperation with foreign governments.
Subtitle D—Miscellaneous Provisions
PART I—Driver Privacy Act of 2015
Sec. 34401. Short title.
Sec. 34402. Limitations on data retrieval from vehicle event data recorders.
Sec. 34403. Vehicle event data recorder study.
PART II—Safety Through Informed Consumers Act of 2015
Sec. 34421. Short title.
Sec. 34422. Passenger motor vehicle information.
PART III—Tire Efficiency, Safety, and Registration Act of 2015
Sec. 34431. Short title.
Sec. 34432. Tire fuel efficiency minimum performance standards.
Sec. 34433. Tire registration by independent sellers.
Sec. 34434. Tire recall database.
TITLE XXXV—RAILROAD REFORM, ENHANCEMENT, AND EFFICIENCY
Sec. 35001. Short title.
Sec. 35002. Passenger transportation; definitions.
Subtitle A—Authorization of Appropriations
Sec. 35101. Authorization of grants to Amtrak.
Sec. 35102. National infrastructure and safety investments.
Sec. 35103. Authorization of appropriations for National Transportation Safety Board rail investigations.
Sec. 35104. Authorization of appropriations for Amtrak Office of Inspector General.
Sec. 35105. National cooperative rail research program.
Subtitle B—Amtrak Reform
Sec. 35201. Amtrak grant process.
Sec. 35202. 5-year business line and assets plans.
Sec. 35203. State-supported route committee.
Sec. 35204. Route and service planning decisions.
Sec. 35205. Competition.
Sec. 35206. Rolling stock purchases.
Sec. 35207. Food and beverage policy.
Sec. 35208. Local products and promotional events.
Sec. 35209. Right-of-way leveraging.
Sec. 35210. Station development.
Sec. 35211. Amtrak debt.
Sec. 35212. Amtrak pilot program for passengers transporting domesticated cats and dogs.
Sec. 35213. Amtrak board of directors.
Sec. 35214. Amtrak boarding procedures.
Subtitle C—Intercity Passenger Rail Policy
Sec. 35301. Competitive operating grants.
Sec. 35302. Federal-State partnership for state of good repair.
Sec. 35303. Large capital project requirements.
Sec. 35304. Small business participation study.
Sec. 35305. Gulf coast rail service working group.
Sec. 35306. Integrated passenger rail working group.
Sec. 35307. Shared-use study.
Sec. 35308. Northeast Corridor Commission.
Sec. 35309. Northeast Corridor through-ticketing and procurement efficiencies.
Sec. 35310. Data and analysis.
Sec. 35311. Performance-based proposals.
Sec. 35312. Amtrak Inspector General.
Sec. 35313. Miscellaneous provisions.
Subtitle D—Rail Safety
PART I—Safety Improvement
Sec. 35401. Highway-rail grade crossing safety.
Sec. 35402. Speed limit action plans.
Sec. 35403. Signage.
Sec. 35404. Alerters.
Sec. 35405. Signal protection.
Sec. 35406. Technology implementation plans.
Sec. 35407. Commuter rail track inspections.
Sec. 35408. Emergency response.
Sec. 35409. Private highway-rail grade crossings.
Sec. 35410. Repair and replacement of damaged track inspection equipment.
Sec. 35411. Rail police officers.
Sec. 35412. Operation deep dive; report.
Sec. 35413. Post-accident assessment.
Sec. 35414. Technical and conforming amendments.
Sec. 35415. GAO study on use of locomotive horns at highway-rail grade crossings.
Sec. 35416. Bridge inspection reports.

PART II—CONSOLIDATED RAIL INFRASTRUCTURE AND SAFETY IMPROVEMENTS
Sec. 35421. Consolidated rail infrastructure and safety improvements.
PART III—HAZARDOUS MATERIALS BY RAIL SAFETY AND OTHER SAFETY ENHANCEMENTS
Sec. 35431. Real-time emergency response information.
Sec. 35432. Thermal blankets.
Sec. 35433. Comprehensive oil spill response plans.
Sec. 35434. Hazardous materials by rail liability study.
Sec. 35435. Study and testing of electronically-controlled pneumatic brakes.
Sec. 35436. Recording devices.
Sec. 35437. Rail passenger transportation liability.
Sec. 35438. Modification reporting.
Sec. 35439. Report on crude oil characteristics research study.
PART IV—POSITIVE TRAIN CONTROL
Sec. 35441. Coordination of spectrum.
Sec. 35442. Updated plans.
Sec. 35443. Early adoption and interoperability.
Sec. 35444. Positive train control at grade crossings effectiveness study.
Subtitle E—Project Delivery
Sec. 35501. Short title.
Sec. 35502. Preservation of public lands.
Sec. 35503. Efficient environmental reviews.
Sec. 35504. Advance acquisition.
Sec. 35505. Railroad rights-of-way.
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DIVISION H—BUDGETARY EFFECTS
Sec. 80001. Budgetary effects.
Sec. 80002. Maintenance of highway trust fund cash balance.
Sec. 80003. Prohibition on rescissions of certain contract authority.

SEC. 3. DEFINITIONS.

In this Act:

(1) DEPARTMENT.—The term ''Department'' means the Department of Transportation.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of Transportation.

SEC. 4. EFFECTIVE DATE.

Except as otherwise provided, divisions A, B, C, and D, including the amendments made by those divisions, take effect on October 1, 2015.

DIVISION A—FEDERAL-AID HIGHWAYS AND HIGHWAY SAFETY CONSTRUCTION PROGRAMS

TITLE I—FEDERAL-AID HIGHWAYS

Subtitle A—Authorizations and Programs

SEC. 11001. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—The following sums are authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account):

(1) FEDERAL-AID HIGHWAY PROGRAM.—For the national highway performance program under section 119 of title 23, United States Code, the surface transportation program under section 133 of that title, the highway safety improvement program under section 148 of that title, the congestion mitigation and air quality improvement program under section 149 of that title, the national freight program under section 167 of that title, the transportation alternatives program under section 213 of that title, and to carry out section 134 of that title—

(A) $39,579,500,000 for fiscal year 2016;

(B) $40,771,300,000 for fiscal year 2017;

(C) $42,127,100,000 for fiscal year 2018;

(D) $43,476,400,000 for fiscal year 2019;

(E) $44,570,700,000 for fiscal year 2020; and

(F) $45,691,900,000 for fiscal year 2021.

(2) TRANSPORTATION INFRASTRUCTURE FINANCE AND INNOVATION PROGRAM.—For credit assistance under the transportation infrastructure finance and innovation program under chapter 6 of title 23, United States Code, $300,000,000 for each of fiscal years 2016 through 2021.

(3) FEDERAL LANDS AND TRIBAL TRANSPORTATION PROGRAMS.—

(A) TRIBAL TRANSPORTATION PROGRAM.—For the tribal transportation program under section 202 of title 23, United States Code—

(i) $460,000,000 for fiscal year 2016;

(ii) $470,000,000 for fiscal year 2017;
(iii) $480,000,000 for fiscal year 2018;
(iv) $490,000,000 for fiscal year 2019;
(v) $500,000,000 for fiscal year 2020; and
(vi) $510,000,000 for fiscal year 2021.

(B) FEDERAL LANDS TRANSPORTATION PROGRAM.—

(i) AUTHORIZATION.—For the Federal lands transportation program under section 203 of title 23, United States Code—

(I) $305,000,000 for fiscal year 2016;
(II) $310,000,000 for fiscal year 2017;
(III) $315,000,000 for fiscal year 2018;
(IV) $320,000,000 for fiscal year 2019;
(V) $325,000,000 for fiscal year 2020; and
(VI) $330,000,000 for fiscal year 2021.

(ii) SPECIAL RULE.—

(I) $240,000,000 of the amount made available for each fiscal year shall be the amount for the National Park Service; and

(II) $30,000,000 of the amount made available for each fiscal year shall be the amount for the United States Fish and Wildlife Service.

(C) FEDERAL LANDS ACCESS PROGRAM.—For the Federal lands access program under section 204 of title 23, United States Code—

(i) $255,000,000 for fiscal year 2016;
(ii) $260,000,000 for fiscal year 2017;
(iii) $265,000,000 for fiscal year 2018;
(iv) $270,000,000 for fiscal year 2019;
(v) $275,000,000 for fiscal year 2020; and
(vi) $280,000,000 for fiscal year 2021.

(4) TERRITORIAL AND PUERTO RICO HIGHWAY PROGRAM.—For the territorial and Puerto Rico highway program under section 165 of title 23, United States Code, $190,000,000 for each of fiscal years 2016 through 2021.

(5) ASSISTANCE FOR MAJOR PROJECTS PROGRAM.—For the assistance for major projects program under section 171 of title 23, United States Code—

(A) $250,000,000 for fiscal year 2016;
(B) $300,000,000 for fiscal year 2017;
(C) $350,000,000 for fiscal year 2018;
(D) $400,000,000 for fiscal year 2019;
(E) $400,000,000 for fiscal year 2020; and
(F) $400,000,000 for fiscal year 2021.

(b) RESEARCH, TECHNOLOGY, AND EDUCATION AUTHORIZATIONS.—

(1) IN GENERAL.—The following sums are authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account):

(A) HIGHWAY RESEARCH AND DEVELOPMENT PROGRAM.—To carry out the highway research and development program under section 503(b) of title 23, United States Code, $130,000,000 for each of fiscal years 2016 through 2021.

(B) TECHNOLOGY AND INNOVATION DEPLOYMENT PROGRAM.—To carry out the technology and innovation deployment program under section 503(c) of title 23, United States Code, $62,500,000 for each of fiscal years 2016 through 2021.

(C) TRAINING AND EDUCATION.—To carry out training and education under section 504 of title 23, United States Code, $24,000,000 for each of fiscal years 2016 through 2021.

(D) INTELLIGENT TRANSPORTATION SYSTEMS PROGRAM.—To carry out the intelligent transportation systems program under sections 512 through 518 of title 23, United States Code, $100,000,000 for each of fiscal years 2016 through 2021.

(E) UNIVERSITY TRANSPORTATION CENTERS PROGRAM.—To carry out the university transportation centers program under section 5505 of title 49, United States Code, $72,500,000 for each of fiscal years 2016 through 2021.

(2) BUREAU OF TRANSPORTATION STATISTICS.—There are authorized to be appropriated out of the general fund of the Treasury to carry out chapter 63 of title 49, United States Code, $26,000,000 for each of fiscal years 2016 through 2021.

(3) ADMINISTRATION.—The Federal Highway Administration shall administer the programs described in subparagraphs (D) and (E) of paragraph (1).

(4) APPLICABILITY OF TITLE 23, UNITED STATES CODE.—Funds authorized to be appropriated by paragraph (1) shall—

(A) be available for obligation in the same manner as if those funds were apportioned under chapter 1 of title 23, United States Code;

(B) remain available until expended; and

(C) not be transferable.

(c) DISADVANTAGED BUSINESS ENTERPRISES.—

(1) FINDINGS.—Congress finds that—

(A) while significant progress has occurred due to the establishment of the disadvantaged business enterprise program, discrimination and related barriers continue to pose significant obstacles for minority- and women-owned businesses seeking to do business in federally assisted surface transportation markets across the United States;

(B) the continuing barriers described in subparagraph (A) merit the continuation of the disadvantaged business enterprise program;

(C) Congress has received and reviewed testimony and documentation of race and gender discrimination from numerous sources, including congressional hearings and roundtables, scientific reports, reports issued by public and private agencies, news stories, reports of discrimination by organizations and individuals, and discrimination lawsuits, which show that race- and gender-neutral efforts alone are insufficient to address the problem;

(D) the testimony and documentation described in subparagraph (C) demonstrate that discrimination across the United States poses a barrier to full and fair participation in surface transportation-related businesses of women business owners and minority business owners and has impacted firm development and many aspects of surface transportation-related business in the public and private markets; and

(E) the testimony and documentation described in subparagraph (C) provide a strong basis that there is a compelling need for the continuation of the disadvantaged business enterprise program to address race and gender discrimination in surface transportation-related business.

(2) DEFINITIONS.—In this subsection, the following definitions apply:

(A) SMALL BUSINESS CONCERN.—

(i) IN GENERAL.—The term ''small business concern'' means a small business concern (as the term is used in section 3 of the Small Business Act (15 U.S.C. 632)).

(ii) EXCLUSIONS.—The term ''small business concern'' does not include any concern or group of concerns controlled by the same socially and economically disadvantaged individual or individuals that have average annual gross receipts during the preceding 3 fiscal years in excess of $22,410,000, as adjusted annually by the Secretary for inflation.

(B) SOCIALLY AND ECONOMICALLY DISADVANTAGED INDIVIDUALS.—The term ''socially and economically disadvantaged individuals'' has the meaning given the term in section 8(d) of the Small Business Act (15 U.S.C. 637(d)) and relevant subcontracting regulations issued pursuant to that Act, except that women shall be presumed to be socially and economically disadvantaged individuals for purposes of this subsection.

(3) AMOUNTS FOR SMALL BUSINESS CONCERNS.—Except to the extent that the Secretary determines otherwise, not less than 10 percent of the amounts made available for any program under title I of this Act and section 403 of title 23, United States Code, shall be expended through small business concerns owned and controlled by socially and economically disadvantaged individuals.

(4) ANNUAL LISTING OF DISADVANTAGED BUSINESS ENTERPRISES.—Each State shall annually—

(A) survey and compile a list of the small business concerns referred to in paragraph (2) in the State, including the location of the small business concerns in the State; and

(B) notify the Secretary, in writing, of the percentage of the small business concerns that are controlled by—

(i) women;

(ii) socially and economically disadvantaged individuals (other than women); and

(iii) individuals who are women and are otherwise socially and economically disadvantaged individuals.

(5) UNIFORM CERTIFICATION.—

(A) IN GENERAL.—The Secretary shall establish minimum uniform criteria for use by State governments in certifying whether a concern qualifies as a small business concern for the purpose of this subsection.

(B) INCLUSIONS.—The minimum uniform criteria established under subparagraph (A) shall include, with respect to a potential small business concern—

(i) on-site visits;
(ii) personal interviews with personnel;
(iii) issuance or inspection of licenses;
(iv) analyses of stock ownership;
(v) listings of equipment;
(vi) analyses of bonding capacity;
(vii) listings of work completed;
(viii) examination of the resumes of principal owners;
(ix) analyses of financial capacity; and
(x) analyses of the type of work preferred.

(6) REPORTING.—The Secretary shall establish minimum requirements for use by State governments in reporting to the Secretary—

(A) information concerning disadvantaged business enterprise awards, commitments, and achievements; and

(B) such other information as the Secretary determines to be appropriate for the proper monitoring of the disadvantaged business enterprise program.

(7) COMPLIANCE WITH COURT ORDERS.—Nothing in this subsection limits the eligibility of an individual or entity to receive funds made available under title I of this Act and section 403 of title 23, United States Code, if the individual or entity is prevented, in whole or in part, from complying with paragraph (2) because a Federal court issues a final order in which the court finds that a requirement or the implementation of paragraph (2) is unconstitutional.

(d) CONFORMING AMENDMENT.—Section 1101(b) of MAP–21 (Public Law 112–141; 126 Stat. 414) is repealed.

SEC. 11002. OBLIGATION CEILING.

(a) GENERAL LIMITATION.—Subject to subsection (e), and notwithstanding any other provision of law, the obligations for Federal-aid highway and highway safety construction programs shall not exceed—

(1) $41,625,500,000 for fiscal year 2016;
(2) $42,896,300,000 for fiscal year 2017;
(3) $44,331,100,000 for fiscal year 2018;
(4) $45,759,400,000 for fiscal year 2019;
(5) $46,882,700,000 for fiscal year 2020; and
(6) $48,032,900,000 for fiscal year 2021.

(b) EXCEPTIONS.—The limitations under subsection (a) shall not apply to obligations under or for—

(1) section 125 of title 23, United States Code;

(2) section 147 of the Surface Transportation Assistance Act of 1978 (23 U.S.C. 144 note; 92 Stat. 2714);

(3) section 9 of the Federal-Aid Highway Act of 1981 (95 Stat. 1701);

(4) subsections (b) and (j) of section 131 of the Surface Transportation Assistance Act of 1982 (96 Stat. 2119);

(5) subsections (b) and (c) of section 149 of the Surface Transportation and Uniform Relocation Assistance Act of 1987 (101 Stat. 198);

(6) sections 1103 through 1108 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2027);

(7) section 157 of title 23, United States Code (as in effect on June 8, 1998);

(8) section 105 of title 23, United States Code (as in effect for fiscal years 1998 through 2004, but only in an amount equal to $639,000,000 for each of those fiscal years);

(9) section 105 of title 23, United States Code (as in effect for fiscal years 2005 through 2012, but only in an amount equal to $639,000,000 for each of those fiscal years);

(10) Federal-aid highway programs for which obligation authority was made available under the Transportation Equity Act for the 21st Century (112 Stat. 107) or subsequent Acts for multiple years or to remain available until expended, but only to the extent that the obligation authority has not lapsed or been used;

(11) section 1603 of SAFETEA–LU (23 U.S.C. 118 note; 119 Stat. 1248), to the extent that funds obligated in accordance with that section were not subject to a limitation on obligations at the time at which the funds were initially made available for obligation;

(12) section 119 of title 23, United States Code (as in effect for fiscal years 2013 through 2015, but only in an amount equal to $639,000,000 for each of those fiscal years); and

(13) section 119 of title 23, United States Code (but, for each of fiscal years 2016 through 2021, only in an amount equal to $639,000,000 for each of those fiscal years).

(c) DISTRIBUTION OF OBLIGATION AUTHORITY.—For each of fiscal years 2016 through 2021, the Secretary shall—

(1) not distribute obligation authority provided by subsection (a) for the fiscal year for—

(A) amounts authorized for administrative expenses and programs by section 104(a) of title 23, United States Code; and

(B) amounts authorized for the Bureau of Transportation Statistics;

(2) not distribute an amount of obligation authority provided by subsection (a) that is equal to the unobligated balance of amounts—

(A) made available from the Highway Trust Fund (other than the Mass Transit Account) for Federal-aid highway and highway safety construction programs for previous fiscal years the funds for which are allocated by the Secretary (or apportioned by the Secretary under section 202 or 204 of title 23, United States Code); and

(B) for which obligation authority was provided in a previous fiscal year;

(3) determine the proportion that—

(A) an amount equal to the difference between—

(i) the obligation authority provided by subsection (a) for the fiscal year; and

(ii) the aggregate amount not distributed under paragraphs (1) and (2); bears to

(B) an amount equal to the difference between—

(i) the total of the sums authorized to be appropriated for the Federal-aid highway and highway safety construction programs (other than sums authorized to be appropriated for provisions of law described in paragraphs (1) through (12) of subsection (b) and sums authorized to be appropriated for section 119 of title 23, United States Code, equal to the amount referred to in subsection (b)(13) for the fiscal year); and

(ii) the aggregate amount not distributed under paragraphs (1) and (2);

(4) distribute the obligation authority provided by subsection (a), less the aggregate amount not distributed under paragraphs (1) and (2), for each of the programs (other than programs to which paragraph (1) applies) that are allocated by the Secretary under this Act and title 23, United States Code, or apportioned by the Secretary under section 202 or 204 of that title, by multiplying—

(A) the proportion determined under paragraph (3); by

(B) the amounts authorized to be appropriated for each such program for the fiscal year; and

(5) distribute the obligation authority provided by subsection (a), less the aggregate amount not distributed under paragraphs (1) and (2) and the amounts distributed under paragraph (4), for Federal-aid highway and highway safety construction programs that are apportioned by the Secretary under title 23, United States Code, (other than the amounts apportioned for the national highway performance program under section 119 of title 23, United States Code, that are exempt from the limitation under subsection (b)(13) and the amounts apportioned under sections 202 and 204 of that title) in the proportion that—

(A) amounts authorized to be appropriated for the programs that are apportioned under title 23, United States Code, to each State for the fiscal year; bears to

(B) the total of the amounts authorized to be appropriated for the programs that are apportioned under title 23, United States Code, to all States for the fiscal year.

(d) REDISTRIBUTION OF UNUSED OBLIGATION AUTHORITY.—Notwithstanding subsection (c), the Secretary shall, after August 1 of each of fiscal years 2016 through 2021—

(1) revise a distribution of the obligation authority made available under subsection (c) if an amount distributed cannot be obligated during that fiscal year; and

(2) redistribute sufficient amounts to those States able to obligate amounts in addition to those previously distributed during that fiscal year, giving priority to those States having large unobligated balances of funds apportioned under sections 144 (as in effect on the day before the date of enactment of MAP–21 (126 Stat. 405)) and 104 of title 23, United States Code.

(e) APPLICABILITY OF OBLIGATION LIMITATIONS TO TRANSPORTATION RESEARCH PROGRAMS.—

(1) IN GENERAL.—Except as provided in paragraph (2), obligation limitations imposed by subsection (a) shall apply to contract authority for transportation research programs carried out under chapter 5 of title 23, United States Code.

(2) EXCEPTION.—Obligation authority made available under paragraph (1) shall—

(A) remain available for a period of 4 fiscal years; and

(B) be in addition to the amount of any limitation imposed on obligations for Federal-aid highway and highway safety construction programs for future fiscal years.

(f) REDISTRIBUTION OF CERTAIN AUTHORIZED FUNDS.—

(1) IN GENERAL.—Not later than 30 days after the date of distribution of obligation authority under subsection (c) for each of fiscal years 2016 through 2021, the Secretary shall distribute to the States any funds (excluding funds authorized for the program under section 202 of title 23, United States Code) that—

(A) are authorized to be appropriated for the fiscal year for Federal-aid highway programs; and

(B) the Secretary determines will not be allocated to the States (or will not be apportioned to the States under section 204 of title 23, United States Code), and will not be available for obligation, for the fiscal year because of the imposition of any obligation limitation for the fiscal year.

(2) RATIO.—Funds shall be distributed under paragraph (1) in the same proportion as the distribution of obligation authority under subsection (c)(5).

(3) AVAILABILITY.—Funds distributed to each State under paragraph (1) shall be available for any purpose described in section 133(b) of title 23, United States Code.

SEC. 11003. APPORTIONMENT.

(a) IN GENERAL.—Section 104 of title 23, United States Code, is amended—

(1) in subsection (a)(1) by striking subparagraphs (A) and (B) and inserting the following:

''(A) $456,000,000 for fiscal year 2016;

''(B) $465,000,000 for fiscal year 2017;

''(C) $474,000,000 for fiscal year 2018;

''(D) $483,000,000 for fiscal year 2019;

''(E) $492,000,000 for fiscal year 2020; and

''(F) $501,000,000 for fiscal year 2021.'';

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking ''and the congestion mitigation and air quality improvement program'' and inserting ''the congestion mitigation and air quality improvement program, the national freight program'';

(B) in each of paragraphs (1), (2), and (3) by striking ''paragraphs (4) and (5)'' each place it appears and inserting ''paragraphs (4), (5), and (6), and section 213(a)'';

(C) in paragraph (1), by striking ''63.7 percent'' and inserting ''65 percent'';

(D) in paragraph (2), by striking ''29.3 percent'' and inserting ''29 percent'';

(E) in paragraph (3), by striking ''7 percent'' and inserting ''6 percent'';

(F) in paragraph (4), in the matter preceding subparagraph (A), by striking ''determined for the State under subsection (c)'' and inserting ''remaining under subsection (c) after making the set-asides in accordance with paragraph (5) and section 213(a)'';

(G) by redesignating paragraph (5) as paragraph (6);

(H) by inserting after paragraph (4) the following:

''(5) NATIONAL FREIGHT PROGRAM.—

''(A) IN GENERAL.—For the national freight program under section 167, the Secretary shall set aside from the amount determined for a State under subsection (c) an amount determined for the State under subparagraphs (B) and (C).

''(B) TOTAL AMOUNT.—The total amount set aside for the national freight program for all States shall be—

''(i) $1,000,000,000 for fiscal year 2016;

''(ii) $1,450,000,000 for fiscal year 2017;

''(iii) $2,000,000,000 for fiscal year 2018;

''(iv) $2,300,000,000 for fiscal year 2019;

''(v) $2,400,000,000 for fiscal year 2020; and

''(vi) $2,500,000,000 for fiscal year 2021.

''(C) STATE SHARE.—The Secretary shall distribute among the States the total set-

aside amount for the national freight program under subparagraph (B) so that each State receives an amount equal to the proportion that—

''(i) the total apportionment determined under subsection (c) for a State; bears to

''(ii) the total apportionments for all States.

''(D) METROPOLITAN PLANNING.—Of the amount set aside under this paragraph for a State, the Secretary shall use to carry out section 134 an amount determined by multiplying the set-aside amount by the proportion that—

''(i) the amount apportioned to the State to carry out section 134 for fiscal year 2009; bears to

''(ii) the total amount of funds apportioned to the State for that fiscal year for the programs referred to in section 105(a)(2), except for the high priority projects program referred to in section 105(a)(2)(H) (as in effect on the day before the date of enactment of MAP–21 (Public Law 112–141; 126 Stat. 405).''; and

(I) in paragraph (6) (as redesignated by subparagraph (G)), in the matter preceding subparagraph (A), by striking ''determined for the State under subsection (c)'' and inserting ''remaining under subsection (c) after making the set-asides in accordance with paragraph (5) and section 213(a)''; and

(3) in subsection (c) by adding at the end the following:

''(3) FOR FISCAL YEARS 2016 THROUGH 2021.—

''(A) STATE SHARE.—For each of fiscal years 2016 through 2021, the amount for each State of combined apportionments for the national highway performance program under section 119, the surface transportation program under section 133, the highway safety improvement program under section 148, the congestion mitigation and air quality improvement program under section 149, the national freight program under section 167, the transportation alternatives program under section 213, and to carry out section 134, shall be determined as follows:

''(i) INITIAL AMOUNT.—The initial amount for each State shall be determined by multiplying the total amount available for apportionment by the share for each State, which shall be equal to the proportion that—

''(I) the amount of apportionments that the State received for fiscal year 2014; bears to

''(II) the amount of those apportionments received by all States for that fiscal year.

''(ii) ADJUSTMENTS TO AMOUNTS.—The initial amounts resulting from the calculation under clause (i) shall be adjusted to ensure that, for each State, the amount of combined apportionments for the programs shall not be less than 95 percent of the estimated tax payments attributable to highway users in the State paid into the Highway Trust Fund (other than the Mass Transit Account) in the most recent fiscal year for which data are available.

''(B) STATE APPORTIONMENT.—For each of fiscal years 2016 through 2021, on October 1, the Secretary shall apportion the sum authorized to be appropriated for expenditure on the national highway performance program under section 119, the surface transportation program under section 133, the highway safety improvement program under section 148, the congestion mitigation and air quality improvement program under section 149, the national freight program under section 167, the transportation alternatives program under section 213, and to carry out section 134 in accordance with subparagraph (A).''.

(b) CONFORMING AMENDMENTS.—

(1) Section 104(d)(1)(A) of title 23, United States Code, is amended by striking ''subsection (b)(5)'' each place it appears and inserting ''paragraphs (5)(D) and (6) of subsection (b)''.

(2) Section 120(c)(3) of title 23, United States Code, is amended—

(A) in subparagraph (A), in the matter preceding clause (i), by striking ''or (5)'' and inserting ''(5)(D), or (6)''; and

(B) in subparagraph (C)(i), by striking ''and (5)'' and inserting ''(5)(D), and (6)''.

(3) Section 135(i) of title 23, United States Code, is amended by striking ''section 104(b)(5)'' and inserting ''paragraphs (5)(D) and (6) of section 104(b)''.

(4) Section 136(b) of title 23, United States Code, is amended in the first sentence by striking ''paragraphs (1) through (5) of section 104(b)'' and inserting ''paragraphs (1) through (6) of section 104(b)''.

(5) Section 141(b)(2) of title 23, United States Code, is amended by striking ''paragraphs (1) through (5) of section 104(b)'' and inserting ''paragraphs (1) through (6) of section 104(b)''.

(6) Section 505(a) of title 23, United States Code, is amended in the matter preceding paragraph (1) by striking ''through (4)'' and inserting ''through (5)''.

SEC. 11004. SURFACE TRANSPORTATION PROGRAM.

Section 133 of title 23, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (10), by inserting '', including emergency evacuation plans'' after ''programs''; and

(B) in paragraph (13), by adding a period at the end;

(2) in subsection (c)—

(A) in paragraph (1), by striking the semicolon at the end and inserting ''or for projects described in paragraphs (2), (4), (6), (7), (11), (20), (25), and (26) of subsection (b); and'';

(B) by striking paragraph (2); and

(C) by redesignating paragraph (3) as paragraph (2);

(3) in subsection (d)—

(A) in paragraph (1)—

(i) in subparagraph (A)—

(I) in the matter preceding clause (i), by striking ''50 percent'' and inserting ''55 percent''; and

(II) in clause (ii), by striking ''greater than 5,000'' and inserting ''of 5,000 or more''; and

(ii) in subparagraph (B), by striking ''50 percent'' and inserting ''45 percent''; and

(B) in paragraph (3)—

(i) by striking ''paragraph (1)(A)(ii)'' and inserting ''paragraph (1)(A)(iii)''; and

(ii) by striking ''greater than 5,000 and less than 200,000'' and inserting ''of 5,000 to 200,000'';

(4) in subsection (f)(1)—

(A) by striking ''104(b)(3)'' and inserting ''104(b)(2)''; and

(B) by striking ''the period of fiscal years 2011 through 2014'' and inserting ''each fiscal year'';

(5) by redesignating subsection (h) as subsection (i);

(6) in subsection (g)—

(A) by striking the subsection designation and heading and all that follows through paragraph (1) and inserting the following:

''(g) BRIDGES OFF THE NATIONAL HIGHWAY SYSTEM.—

''(1) DEFINITION OF OFF-NHS BRIDGE.—In this subsection, the term 'off-NHS bridge' means a highway bridge located on a public road, other than a bridge on the National Highway System.''; and

(B) in paragraph (2)—

(i) by striking subparagraph (A) and inserting the following:

''(A) SET-ASIDE.—Each State shall obligate for replacement (including replacement with fill material), rehabilitation, preservation, and protection (including scour countermeasures, seismic retrofits, impact protection measures, security countermeasures, and protection against extreme events) for off-NHS bridges an amount equal to the greater of—

''(i) 15 percent of the amount apportioned to the State under section 104(b)(2); and

''(ii) an amount equal to at least 110 percent of the amount of funds set aside for bridges not on Federal-aid highways in the State for fiscal year 2014.'';

(ii) in subparagraph (B), by striking ''off-system'' and inserting ''off-NHS''; and

(iii) by adding at the end the following:

''(C) SET-ASIDE FOR CERTAIN OFF-NHS BRIDGES.—Each State shall obligate an amount equal to not less than 50 percent of the amount set aside under subparagraph (A) for off-NHS bridges located on public roads that are not Federal-aid highways.''; and

(C) by redesignating paragraph (3) as subsection (h);

(7) in subsection (h) (as so redesignated)—

(A) by striking the heading and inserting ''CREDIT FOR BRIDGES NOT ON THE NATIONAL HIGHWAY SYSTEM.—'';

(B) by redesignating subparagraphs (A) and (B) as paragraphs (1) and (2), respectively, and indenting appropriately; and

(C) in the matter preceding paragraph (1) (as so redesignated)—

(i) by striking ''the replacement of a bridge or rehabilitation of''; and

(ii) by striking '', and is determined by the Secretary upon completion to be no longer a deficient bridge'';

(8) in subsection (i)(1) (as redesignated by paragraph (5)), by striking ''under subsection (d)(1)(A)(iii) for each of fiscal years 2013 through 2014'' and inserting ''under subsection (d)(1)(A)(ii) for each fiscal year''; and

(9) by adding at the end the following:

''(j) BORDER STATES.—

''(1) IN GENERAL.—After consultation with relevant transportation planning organizations, the Governor of a State that shares a land border with Canada or Mexico may designate for each fiscal year not more than 5 percent of funds made available to the State under subsection (d)(1)(B) for border infrastructure projects eligible under section 1303 of SAFETEA–LU (23 U.S.C. 101 note; Public Law 109–59).

''(2) USE OF FUNDS.—Funds designated under this subsection shall be available under the requirements of section 1303 of SAFETEA–LU (23 U.S.C. 101 note; Public Law 109–59).

''(3) CERTIFICATION.—Before making a designation under paragraph (1), the Governor shall certify that the designation is consistent with transportation planning requirements under this title.

''(4) NOTIFICATION.—Not later than 30 days after making a designation under paragraph (1), the Governor shall submit to the relevant transportation planning organizations within the border region a written notification of any suballocated or distributed amount of funds available for obligation by jurisdiction.

''(5) LIMITATION.—This subsection applies only to funds apportioned to a State after the date of enactment of the DRIVE Act.

''(6) DEADLINE FOR DESIGNATION.—A designation under paragraph (1) shall—

''(A) be submitted to the Secretary not later than 30 days before the beginning of the

fiscal year for which the designation is being made; and

''(B) remain in effect for the funds designated under paragraph (1) for a fiscal year until the Governor of the State notifies the Secretary of the termination of the designation.

''(7) UNOBLIGATED FUNDS AFTER TERMINATION.—On the date of a termination under paragraph (6)(B), all remaining unobligated funds that were designated under paragraph (1) for the fiscal year for which the designation is being terminated shall be made available to the State for the purposes described in subsection (d)(1)(B).''.

SEC. 11005. METROPOLITAN TRANSPORTATION PLANNING.

Section 134 of title 23, United States Code, is amended—

(1) in subsection (a)(1), by inserting ''resilient'' before ''surface transportation systems'';

(2) in subsection (c)(2), by striking ''and bicycle transportation facilities'' and inserting '', bicycle transportation facilities, intermodal facilities that support intercity transportation, including intercity buses and intercity bus facilities, and commuter vanpool providers'';

(3) in subsection (d)—

(A) by redesignating paragraphs (3) through (6) as paragraphs (4) through (7), respectively;

(B) by inserting after paragraph (2) the following:

''(3) REPRESENTATION.—

''(A) IN GENERAL.—Designation or selection of officials or representatives under paragraph (2) shall be determined by the metropolitan planning organization according to the bylaws or enabling statute of the organization.

''(B) PUBLIC TRANSPORTATION REPRESENTATIVE.—Subject to the bylaws or enabling statute of the metropolitan planning organization, a representative of a provider of public transportation may also serve as a representative of a local municipality.

''(C) POWERS OF CERTAIN OFFICIALS.—An official described in paragraph (2)(B) shall have responsibilities, actions, duties, voting rights, and any other authority commensurate with other officials described in paragraph (2)(B).''; and

(C) in paragraph (5) (as redesignated by subparagraph (A)), by striking ''paragraph (5)'' and inserting ''paragraph (6)'';

(4) in subsection (e)(4)(B), by striking ''subsection (d)(5)'' and inserting ''subsection (d)(6)'';

(5) in subsection (g)(3)(A), by inserting ''natural disaster risk reduction,'' after ''environmental protection,'';

(6) in subsection (h)—

(A) in paragraph (1)—

(i) in subparagraph (G), by striking ''and'' at the end;

(ii) in subparagraph (H), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(I) improve the resilience and reliability of the transportation system.''; and

(B) in paragraph (2)(A), by striking ''and in section 5301(c) of title 49'' and inserting ''and the general purposes described in section 5301 of title 49'';

(7) in subsection (i)—

(A) in paragraph (2)—

(i) in subparagraph (A)(i), by striking ''transit'' and inserting ''public transportation facilities, intercity bus facilities'';

(ii) in subparagraph (G)—

(I) by striking ''and provide'' and inserting '', provide''; and

(II) by inserting '', and reduce vulnerability due to natural disasters of the existing transportation infrastructure'' before the period at the end; and

(iii) in subparagraph (H), by inserting '', including consideration of the role that intercity buses may play in reducing congestion, pollution, and energy consumption in a cost-effective manner and strategies and investments that preserve and enhance intercity bus systems, including systems that are privately owned and operated'' before the period at the end;

(B) in paragraph (6)(A)—

(i) by inserting ''public ports,'' before ''freight shippers,''; and

(ii) by inserting ''(including intercity bus operators and commuter vanpool providers)'' after ''private providers of transportation''; and

(C) in paragraph (8), by striking ''(2)(C)'' each place it appears and inserting ''(2)(E)'';

(8) in subsection (j)(5)(A), by striking ''subsection (k)(4)'' and inserting ''subsection (k)(3)'';

(9) in subsection (k)—

(A) by striking paragraph (3); and

(B) by redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively;

(10) in subsection (*l*)—

(A) in paragraph (1), by adding a period at the end; and

(B) in paragraph (2)(D), by striking ''of less than 200,000'' and inserting ''with a population of 200,000 or less'';

(11) by striking subsection (n);

(12) by redesignating subsections (o) through (q) as subsections (n) through (p), respectively;

(13) in subsection (o) (as so redesignated), by striking ''set aside under section 104(f)'' and inserting ''apportioned under paragraphs (5)(D) and (6) of section 104(b)'' ; and

(14) by adding at the end the following:

''(q) TREATMENT OF LAKE TAHOE REGION.—

''(1) DEFINITION OF LAKE TAHOE REGION.—In this subsection, the term 'Lake Tahoe Region' has the meaning given the term 'region' in subsection (a) of Article II of the Lake Tahoe Regional Planning Compact (Public Law 96–551; 94 Stat. 3234).

''(2) TREATMENT.—For the purpose of this title, the Lake Tahoe Region shall be treated as—

''(A) a metropolitan planning organization;

''(B) a transportation management area under subsection (k); and

''(C) an urbanized area, which is comprised of a population of 145,000 in the State of California and a population of 65,000 in the State of Nevada.

''(3) SUBALLOCATED FUNDING.—

''(A) SECTION 133.—When determining the amount under subparagraph (A) of section 133(d)(1) that shall be obligated for a fiscal year in the States of California and Nevada under clauses (i), (ii), and (iii) of that subparagraph, the Secretary shall, for each of those States—

''(i) calculate the population under each of those clauses;

''(ii) decrease the amount under section 133(d)(1)(A)(iii) by the population specified in paragraph (2) of this subsection for the Lake Tahoe Region in that State; and

''(iii) increase the amount under section 133(d)(1)(A)(i) by the population specified in paragraph (2) of this subsection for the Lake Tahoe Region in that State.

''(B) SECTION 213.—When determining the amount under paragraph (1) of section 213(c) that shall be obligated for a fiscal year in the States of California and Nevada under subparagraphs (A), (B), and (C) of that paragraph, the Secretary shall, for each of those States—

''(i) calculate the population under each of those subparagraphs;

''(ii) decrease the amount under section 213(c)(1)(C) by the population specified in paragraph (2) of this subsection for the Lake Tahoe Region in that State; and

''(iii) increase the amount under section 213(c)(1)(A) by the population specified in paragraph (2) of this subsection for the Lake Tahoe Region in that State.''.

SEC. 11006. STATEWIDE AND NONMETROPOLITAN TRANSPORTATION PLANNING.

(a) IN GENERAL.—Section 135 of title 23, United States Code, is amended—

(1) in subsection (a)(2), by striking ''and bicycle transportation facilities'' and inserting '', bicycle transportation facilities, intermodal facilities that support intercity transportation, including intercity buses and intercity bus facilities, and commuter vanpool providers'';

(2) in subsection (d)—

(A) in paragraph (1)—

(i) in subparagraph (G), by striking ''and'' at the end;

(ii) in subparagraph (H), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(I) improve the resilience and reliability of the transportation system.''; and

(B) in paragraph (2)(A), by striking ''and in section 5301(c) of title 49'' and inserting ''and the general purposes described in section 5301 of title 49'';

(3) in subsection (e)(1), by striking ''subsection (m)'' and inserting ''subsection (l)'';

(4) in subsection (f)—

(A) in paragraph (2)(B)(i), by striking ''subsection (m)'' and inserting ''subsection (l)'';

(B) in paragraph (3)(A)—

(i) in clause (i), by striking ''subsection (m)'' and inserting ''subsection (l)''; and

(ii) in clause (ii), by inserting ''(including intercity bus operators and commuter vanpool providers)'' after ''private providers of transportation'';

(C) in paragraph (7), in the matter preceding subparagraph (A), by striking ''should'' and inserting ''shall''; and

(D) in paragraph (8), by inserting '', including consideration of the role that intercity buses may play in reducing congestion, pollution, and energy consumption in a cost-effective manner and strategies and investments that preserve and enhance intercity bus systems, including systems that are privately owned and operated'' before the period at the end;

(5) in subsection (g)—

(A) in paragraph (2)(B)(i), by striking ''subsection (m)'' and inserting ''subsection (l)'';

(B) in paragraph (3)—

(i) by inserting ''public ports,'' before ''freight shippers''; and

(ii) by inserting ''(including intercity bus operators),'' after ''private providers of transportation''; and

(C) in paragraph (6)(A), by striking ''subsection (m)'' and inserting ''subsection (l)'';

(6) by striking subsection (j); and

(7) by redesignating subsections (k) through (m) as subsections (j) through (l), respectively.

(b) CONFORMING AMENDMENTS.—Section 134(b)(5) of title 23, United States Code, is amended by striking ''section 135(m)'' and inserting ''section 135(l)''.

SEC. 11007. HIGHWAY USE TAX EVASION PROJECTS.

Section 143(b) of title 23, United States Code, is amended by striking paragraph (2)(A) and inserting the following:

''(A) IN GENERAL.—From administrative funds made available under section 104(a), the Secretary shall deduct such sums as are necessary, not to exceed $4,000,000 for each fiscal year, to carry out this section.''.

SEC. 11008. BUNDLING OF BRIDGE PROJECTS.

Section 144 of title 23, United States Code, is amended—

(1) in subsection (c)(2)(A), by striking ''the natural condition of the bridge'' and inserting ''the natural condition of the water'';

(2) by redesignating subsection (j) as subsection (k);

(3) by inserting after subsection (i) the following:

''(j) BUNDLING OF BRIDGE PROJECTS.—

''(1) PURPOSE.—The purpose of this subsection is to save costs and time by encouraging States to bundle multiple bridge projects as 1 project.

''(2) DEFINITION OF ELIGIBLE ENTITY.—In this subsection, the term 'eligible entity' means an entity eligible to carry out a bridge project under section 119 or 133.

''(3) BUNDLING OF BRIDGE PROJECTS.—An eligible entity may bundle 2 or more similar bridge projects that are—

''(A) eligible projects under section 119 or 133;

''(B) included as a bundled project in a transportation improvement program under section 134(j) or a statewide transportation improvement program under section 135, as applicable; and

''(C) awarded to a single contractor or consultant pursuant to a contract for engineering and design or construction between the contractor and an eligible entity.

''(4) ITEMIZATION.—Notwithstanding any other provision of law (including regulations), an eligible bridge project included in a bundle under this subsection may be listed as—

''(A) 1 project for purposes of sections 134 and 135; and

''(B) a single project within the applicable bundle.

''(5) FINANCIAL CHARACTERISTICS.—Projects bundled under this subsection shall have the same financial characteristics, including—

''(A) the same funding category or subcategory; and

''(B) the same Federal share.''; and

(4) in subsection (k)(2) (as redesignated by paragraph (2)), by striking ''104(b)(3)'' and inserting ''104(b)(2)''.

SEC. 11009. FLEXIBILITY FOR CERTAIN RURAL ROAD AND BRIDGE PROJECTS.

(a) AUTHORITY.—With respect to rural road and rural bridge projects eligible for funding under title 23, United States Code, subject to the provisions of this section and on request by a State, the Secretary may—

(1) exercise all existing flexibilities under and exceptions to—

(A) the requirements of title 23, United States Code; and

(B) other requirements administered by the Secretary, in whole or part; and

(2) otherwise provide additional flexibility or expedited processing with respect to the requirements described in paragraph (1).

(b) TYPES OF PROJECTS.—A rural road or rural bridge project under this section shall—

(1) be located in a county that, based on the most recent decennial census—

(A) has a population density of 80 or fewer persons per square mile of land area; or

(B) is the county that has the lowest population density of all counties in the State;

(2) be located within the operational right-of-way (as defined in section 1316(b) of MAP–21 (23 U.S.C. 109 note; 126 Stat. 549)) of an existing road or bridge; and

(3)(A) receive less than $5,000,000 of Federal funds; or

(B) have a total estimated cost of not more than $30,000,000 and Federal funds comprising less than 15 percent of the total estimated project cost.

(c) PROCESS TO ASSIST RURAL PROJECTS.—

(1) ASSISTANCE WITH FEDERAL REQUIREMENTS.—

(A) IN GENERAL.—For projects under this section, the Secretary shall seek to provide, to the maximum extent practicable, regulatory relief and flexibility consistent with this section.

(B) EXCEPTIONS, EXEMPTIONS, AND ADDITIONAL FLEXIBILITY.—Exceptions, exemptions, and additional flexibility from regulatory requirements may be granted if, in the opinion of the Secretary—

(i) the project is not expected to have a significant adverse impact on the environment;

(ii) the project is not expected to have an adverse impact on safety; and

(iii) the assistance would be in the public interest for 1 or more reasons, including—

(I) reduced project costs;

(II) expedited construction, particularly in an area where the construction season is relatively short and not granting the waiver or additional flexibility could delay the project to a later construction season; or

(III) improved safety.

(2) MAINTAINING PROTECTIONS.—Nothing in this subsection—

(A) waives the requirements of section 113 or 138 of title 23, United States Code;

(B) supersedes, amends, or modifies—

(i) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) or any other Federal environmental law; or

(ii) any requirement of title 23, United States Code; or

(C) affects the responsibility of any Federal officer to comply with or enforce any law or requirement described in this paragraph.

SEC. 11010. CONSTRUCTION OF FERRY BOATS AND FERRY TERMINAL FACILITIES.

(a) CONSTRUCTION OF FERRY BOATS AND FERRY TERMINAL FACILITIES.—Section 147 of title 23, United States Code, is amended—

(1) in subsection (a), by striking ''IN GENERAL'' and inserting ''PROGRAM'';

(2) by striking subsections (d) through (g) and inserting the following:

''(d) FORMULA.—Of the amounts allocated under subsection (c)—

''(1) 35 percent shall be allocated among eligible entities in the proportion that—

''(A) the number of ferry passengers, including passengers in vehicles, carried by each ferry system in the most recent calendar year for which data is available; bears to

''(B) the number of ferry passengers, including passengers in vehicles, carried by all ferry systems in the most recent calendar year for which data is available;

''(2) 35 percent shall be allocated among eligible entities in the proportion that—

''(A) the number of vehicles carried by each ferry system in the most recent calendar year for which data is available; bears to

''(B) the number of vehicles carried by all ferry systems in the most recent calendar year for which data is available; and

''(3) 30 percent shall be allocated among eligible entities in the proportion that—

''(A) the total route nautical miles serviced by each ferry system in the most recent calendar year for which data is available; bears to

''(B) the total route nautical miles serviced by all ferry systems in the most recent calendar year for which data is available.

''(e) REDISTRIBUTION OF UNOBLIGATED AMOUNTS.—The Secretary shall—

''(1) withdraw amounts allocated to an eligible entity under subsection (c) that remain unobligated by the end of the third fiscal year following the fiscal year for which the amounts were allocated; and

''(2) in the subsequent fiscal year, redistribute the funds referred to in paragraph (1) in accordance with the formula under subsection (d) among eligible entities for which no amounts were withdrawn under paragraph (1).

''(f) MINIMUM AMOUNT.—Notwithstanding subsection (c), a State with an eligible entity that meets the requirements of this section shall receive not less than $100,000 under this section for a fiscal year.

''(g) IMPLEMENTATION.—

''(1) DATA COLLECTION.—

''(A) NATIONAL FERRY DATABASE.—Amounts made available for a fiscal year under this section shall be allocated using the most recent data available, as collected and imputed in accordance with the national ferry database established under section 1801(e) of SAFETEA–LU (23 U.S.C. 129 note; 119 Stat. 1456).

''(B) ELIGIBILITY FOR FUNDING.—To be eligible to receive funds under subsection (c), data shall have been submitted in the most recent collection of data for the national ferry database under section 1801(e) of SAFETEA–LU (23 U.S.C. 129 note; 119 Stat. 1456) for at least 1 ferry service within the State.

''(2) ADJUSTMENTS.—On review of the data submitted under paragraph (1)(B), the Secretary may make adjustments to the data as the Secretary determines necessary to correct misreported or inconsistent data.

''(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) to carry out this section $80,000,000 for each of fiscal years 2016 through 2021.

''(i) PERIOD OF AVAILABILITY.—Notwithstanding section 118(b), funds made available to carry out this section shall remain available until expended.

''(j) APPLICABILITY.—All provisions of this chapter that are applicable to the National Highway System, other than provisions relating to apportionment formula and Federal share, shall apply to funds made available to carry out this section, except as determined by the Secretary to be inconsistent with this section.''.

(b) NATIONAL FERRY DATABASE.—Section 1801(e)(4) of SAFETEA–LU (23 U.S.C. 129 note; 119 Stat. 1456) is amended by striking subparagraph (D) and inserting the following:

''(D) make available, from the amounts made available for each fiscal year to carry out chapter 63 of title 49, not more than $500,000 to maintain the database.''.

(c) CONFORMING AMENDMENTS.—Section 129(c) of title 23, United States Code, is amended—

(1) in paragraph (2), in the first sentence, by inserting '', or on a public transit ferry eligible under chapter 53 of title 49'' after ''Interstate System'';

(2) in paragraph (3)—

(A) by striking ''(3) Such ferry'' and inserting ''(3)(A) The ferry''; and

(B) by adding at the end the following:

''(B) Any Federal participation shall not involve the construction or purchase, for private ownership, of a ferry boat, ferry terminal facility, or other eligible project under this section.'';

(3) in paragraph (4), by striking ''and repair,'' and inserting ''repair,''; and

(4) by striking paragraph (6) and inserting the following:

''(6) The ferry service shall be maintained in accordance with section 116.

''(7)(A) No ferry boat or ferry terminal with Federal participation under this title may be sold, leased, or otherwise disposed of, except in accordance with part 18 of title 49, Code of Federal Regulations (as in effect on December 18, 2014).

''(B) The Federal share of any proceeds from a disposition referred to in subparagraph (A) shall be used for eligible purposes under this title.''.

SEC. 11011. HIGHWAY SAFETY IMPROVEMENT PROGRAM.

Section 148 of title 23, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (4)(B)—

(i) in the matter preceding clause (i), by striking ''includes, but is not limited to,'' and inserting ''only includes''; and

(ii) by adding at the end the following:

''(xxv) Installation of vehicle-to-infrastructure communication equipment.

''(xxvi) Pedestrian hybrid beacons.

''(xxvii) Roadway improvements that provide separation between pedestrians and motor vehicles, including medians and pedestrian crossing islands.

''(xxviii) An infrastructure safety project not described in clauses (i) through (xxvii).''; and

(B) by striking paragraph (10) and redesignating paragraphs (11) through (13) as paragraphs (10) through (12), respectively;

(2) in subsection (c)(1)(A), by striking ''subsection (a)(12)'' and inserting ''subsection (a)(11)'';

(3) in subsection (d)(2)(B)(i), by striking ''subsection (a)(12)'' and inserting ''subsection (a)(11)''; and

(4) in subsection (g)(1)—

(A) by striking ''increases'' and inserting ''does not decrease''; and

(B) by inserting ''and exceeds the national fatality rate on rural roads,'' after ''available,''.

SEC. 11012. DATA COLLECTION ON UNPAVED PUBLIC ROADS.

Section 148 of title 23, United States Code, is amended by adding at the end the following:

''(k) DATA COLLECTION ON UNPAVED PUBLIC ROADS.—

''(1) IN GENERAL.—A State may elect not to collect fundamental data elements for the model inventory of roadway elements on public roads that are gravel roads or otherwise unpaved if—

''(A)(i) more than 45 percent of the public roads in the State are gravel roads or otherwise unpaved; and

''(ii) less than 10 percent of fatalities in the State occur on those unpaved public roads; or

''(B)(i) more than 70 percent of the public roads in the State are gravel roads or otherwise unpaved; and

''(ii) less than 25 percent of fatalities in the State occur on those unpaved public roads.

''(2) CALCULATION.—The percentages described in paragraph (1) shall be based on the average for the 5 most recent years for which relevant data is available.

''(3) USE OF FUNDS.—If a State elects not to collect data on a road described in paragraph (1), the State shall not use funds provided to carry out this section for a project on that road until the State completes a collection of the required model inventory of roadway elements for the road.''.

SEC. 11013. CONGESTION MITIGATION AND AIR QUALITY IMPROVEMENT PROGRAM.

Section 149 of title 23, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (1)(A)(i)(I), by inserting ''in the designated nonattainment area'' after ''air quality standard'';

(B) in paragraph (3), by inserting ''or maintenance'' after ''likely to contribute to the attainment'';

(C) in paragraph (4), by striking ''attainment of'' and inserting ''attainment or maintenance of the area of''; and

(D) in paragraph (8)(A)(ii)—

(i) in the matter preceding subclause (I), by inserting ''or port-related freight operations'' after ''construction projects''; and

(ii) in subclause (II), by inserting ''or chapter 53 of title 49'' after ''this title'';

(2) in subsection (c)(2), by inserting ''(giving priority to corridors designated under section 151)'' after ''at any location in the State'';

(3) in subsection (d)—

(A) in paragraph (2)—

(i) in subparagraph (A)—

(I) in the matter preceding clause (i), by inserting ''would otherwise be eligible under subsection (b) if the project were carried out in a nonattainment or maintenance area or'' after ''may use for any project that''; and

(II) in clause (i), by striking ''(excluding the amount of funds reserved under paragraph (1))''; and

(ii) in subparagraph (B)(i), by striking ''MAP–21t'' and inserting ''MAP–21''; and

(B) in paragraph (3), by inserting '', in a manner consistent with the approach that was in effect on the day before the date of enactment of MAP–21,'' after ''the Secretary shall modify'';

(4) in subsection (g)—

(A) in paragraph (2)(B), by striking ''not later that'' and inserting ''not later than'';

(B) in paragraph (3)—

(i) by striking ''States and metropolitan'' and inserting the following:

''(A) IN GENERAL.—States and metropolitan'';

(ii) by striking ''are proven to reduce'' and inserting ''reduce directly emitted''; and

(iii) by adding at the end the following:

''(B) USE OF PRIORITY FUNDING.—To the maximum extent practicable, PM2.5 priority funding shall be used on the most cost-effective projects and programs that are proven to reduce directly emitted fine particulate matter.'';

(5) in subsection (k)—

(A) in paragraph (1)—

(i) by striking ''that has a nonattainment or maintenance area'' and inserting ''that has 1 or more nonattainment or maintenance areas'';

(ii) by striking ''a nonattainment or maintenance area that are'' and inserting ''the nonattainment or maintenance areas that are'';

(iii) by striking ''such area'' both places it appears and inserting ''such areas''; and

(iv) by striking ''such fine particulate'' and inserting ''directly-emitted fine particulate'';

(B) in paragraph (2), by striking ''highway construction'' and inserting ''transportation construction''; and

(C) by adding at the end the following:

''(3) PM2.5 NONATTAINMENT AND MAINTENANCE IN LOW POPULATION DENSITY STATES.—

''(A) EXCEPTION.—In any State with a population density of 80 or fewer persons per square mile of land area, based on the most recent decennial census, the requirements under subsection (g)(3) and paragraphs (1) and (2) of this subsection shall not apply to a nonattainment or maintenance area in the State if—

''(i) the nonattainment or maintenance area does not have projects that are part of the emissions analysis of a metropolitan transportation plan or transportation improvement program; and

''(ii) regional motor vehicle emissions are an insignificant contributor to the air quality problem for PM2.5 in the nonattainment or maintenance area.

''(B) CALCULATION.—If subparagraph (A) applies to a nonattainment or maintenance area in a State, the percentage of the PM2.5 set-aside under paragraph (1) shall be reduced for that State proportionately based on the weighted population of the area in fine particulate matter nonattainment.

''(4) PORT-RELATED EQUIPMENT AND VEHICLES.—To meet the requirements under paragraph (1), a State or metropolitan planning organization may elect to obligate funds to the most cost-effective projects to reduce emissions from port-related landside nonroad or on-road equipment that is operated within the boundaries of a PM2.5 nonattainment or maintenance area.'';

(6) in subsection (*l*)(1)(B), by inserting ''air quality and traffic congestion'' before ''performance targets''; and

(7) in subsection (m), by striking ''section 104(b)(2)'' and inserting ''section 104(b)(4)''.

SEC. 11014. TRANSPORTATION ALTERNATIVES.

(a) IN GENERAL.—Section 213 of title 23, United States Code, is amended—

(1) by striking subsection (a) and inserting the following:

''(a) RESERVATION OF FUNDS.—

''(1) IN GENERAL.—On October 1 of each fiscal year, the Secretary shall set aside from the amount determined for a State under section 104(c) an amount determined for the State under paragraphs (2) and (3).

''(2) TOTAL AMOUNT.—The total amount set aside for the program under this section shall be $850,000,000 for each fiscal year.

''(3) STATE SHARE.—The Secretary shall distribute among the States the total set-aside amount under paragraph (2) so that each State receives an amount equal to the proportion that—

''(A) the amount apportioned to the State for the transportation enhancements program for fiscal year 2009 under section 133(d)(2), as in effect on the day before the date of enactment of MAP–21 (Public Law 112–141; 126 Stat. 405); bears to

''(B) the total amount of funds apportioned to all States for that fiscal year for the transportation enhancements program for fiscal year 2009.'';

(2) in subsection (c)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking ''Of the funds'' and all that follows through ''shall be obligated under this section'' in subparagraph (A) and inserting ''Funds reserved in a State under this section shall be obligated'';

(ii) by striking subparagraph (B);

(iii) by redesignating clauses (i) through (iii) as subparagraphs (A) through (C), respectively;

(iv) in subparagraph (B) (as so redesignated), by striking ''greater than 5,000'' and inserting ''of 5,000 or more''; and

(v) in subparagraph (C) (as so redesignated), by striking ''; and'' and inserting a period;

(B) in paragraph (2), by striking ''paragraph (1)(A)(i)'' and inserting ''paragraph (1)(A)'';

(C) in paragraph (3)(A)—

(i) by striking ''Except as provided in paragraph (1)(B), the'' and inserting ''The''; and

(ii) by striking ''paragraph (1)(A)(i)'' both places it appears and inserting ''paragraph (1)(A)'';

(D) in paragraph (4)(B)—

(i) in clause (vi), by striking ''and'' at the end;

(ii) by redesignating clause (vii) as clause (viii); and

(iii) by inserting after clause (vi) the following:

''(vii) a nonprofit entity responsible for the administration of local transportation safety programs; and''; and

(E) in paragraph (5)—

(i) by striking ''For funds reserved'' and inserting the following:

''(A) IN GENERAL.—For funds reserved'';

(ii) by striking ''paragraph (1)(A)(i)'' and inserting ''paragraph (1)(A)''; and

(iii) by adding at the end the following:

''(B) NO RESTRICTION ON SUBALLOCATION.—Nothing in this section prevents a metropolitan planning organization from further suballocating funds within the boundaries of the metropolitan planning area if a competitive process is implemented for the award of the suballocated funds.''; and

(3) by adding at the end the following:

''(h) ANNUAL REPORTS.—

''(1) IN GENERAL.—Each State or metropolitan planning organization responsible for carrying out the requirements of this section shall submit to the Secretary an annual report that describes—

''(A) the number of project applications received for each fiscal year, including—

''(i) the aggregate cost of the projects for which applications are received; and

''(ii) the types of project to be carried out (as described in subsection (b)), expressed as percentages of the total apportionment of the State under subsection (a); and

''(B) the number of projects selected for funding for each fiscal year, including the aggregate cost and location of projects selected.

''(2) PUBLIC AVAILABILITY.—The Secretary shall make available to the public, in a user-friendly format on the website of the Department, a copy of each annual report submitted under paragraph (1).

''(i) EXPEDITING INFRASTRUCTURE PROJECTS.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of this subsection, the Secretary shall develop regulations or guidance relating to the implementation of this section that encourages the use of the programmatic approaches to environmental reviews, expedited procurement techniques, and other best practices to facilitate productive and timely expenditure for projects that are small, low-impact, and constructed within an existing built environment.

''(2) STATE PROCESSES.—The Secretary shall work with State departments of transportation to ensure that any regulation or guidance developed under paragraph (1) is consistently implemented by States and the Federal Highway Administration to avoid unnecessary delays in implementing projects and to ensure the effective use of Federal dollars.''.

(b) CONFORMING AMENDMENT.—Section 126(b) of title 23, United States Code, is amended—

(1) by striking ''SET-ASIDES.—'' and all that follows through ''Funds that'' in paragraph (1) and inserting ''SET-ASIDES.—Funds that'';

(2) by striking ''sections 104(d) and 133(d)'' and inserting ''sections 104(d), 133(d), and 213(c)''; and

(3) by striking paragraph (2).

SEC. 11015. CONSOLIDATION OF PROGRAMS.

Section 1519(a) of MAP–21 (Public Law 112–141; 126 Stat. 574) is amended in the matter preceding paragraph (1) by striking ''fiscal years 2013 and 2014'' and inserting ''fiscal years 2013 through 2021''.

SEC. 11016. STATE FLEXIBILITY FOR NATIONAL HIGHWAY SYSTEM MODIFICATIONS.

(a) NATIONAL HIGHWAY SYSTEM FLEXIBILITY.—Not later than 90 days after the date of enactment of this Act, the Secretary shall issue guidance relating to working with State departments of transportation that request assistance from the division offices of the Federal Highway Administration—

(1) to review roads classified as principal arterials in the State that were added to the National Highway System as of October 1, 2012, so as to comply with section 103 of title 23, United States Code; and

(2) to identify any necessary functional classification changes to rural and urban principal arterials.

(b) ADMINISTRATIVE ACTIONS.—The Secretary shall direct the division offices of the Federal Highway Administration to work with the applicable State department of transportation that requests assistance under this section—

(1) to assist in the review of roads in accordance with guidance issued under subsection (a);

(2) to expeditiously review and facilitate requests from States to reclassify roads classified as principal arterials; and

(3) in the case of a State that requests the withdrawal of reclassified roads from the National Highway System under section 103(b)(3) of title 23, United States Code, to carry out that withdrawal if the inclusion of the reclassified road in the National Highway System is not consistent with the needs and priorities of the community or region in which the reclassified road is located.

(c) NATIONAL HIGHWAY SYSTEM MODIFICATION REGULATIONS.—The Secretary shall—

(1) review the National Highway System modification process described in appendix D of part 470 of title 23, Code of Federal Regulations (or successor regulations); and

(2) take any action necessary to ensure that a State may submit to the Secretary a request to modify the National Highway System by withdrawing a road from the National Highway System.

(d) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that includes a description of—

(1) each request for reclassification of National Highway System roads;

(2) the status of each request; and

(3) if applicable, the justification for the denial by the Secretary of a request.

(e) MODIFICATIONS TO THE NATIONAL HIGHWAY SYSTEM.—Section 103(b)(3)(A) of title 23, United States Code, is amended—

(1) in the matter preceding clause (i)—

(A) by striking '', including any modification consisting of a connector to a major intermodal terminal,''; and

(B) by inserting '', including any modification consisting of a connector to a major intermodal terminal or the withdrawal of a road from that system,'' after ''the National Highway System''; and

(2) in clause (ii)—

(A) by striking ''(ii) enhances'' and inserting ''(ii)(I) enhances'';

(B) by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following:

''(II) in the case of the withdrawal of a road, is reasonable and appropriate.''.

SEC. 11017. TOLL ROADS, BRIDGES, TUNNELS, AND FERRIES.

Section 129(a) of title 23, United States Code, is amended—

(1) in paragraph (1)—

(A) in subparagraph (B)—

(i) by striking ''(other than a highway on the Interstate System)''; and

(ii) by inserting ''non-HOV'' after ''toll-free'' each place it appears;

(B) by striking subparagraph (C); and

(C) by redesignating subparagraphs (D) through (I) as subparagraphs (C) through (H), respectively;

(2) by striking paragraph (4) and paragraph (6);

(3) by redesignating paragraphs (5), (7), (8), (9), and (10) as paragraphs (4), (5), (6), (7), and (9), respectively;

(4) in paragraph (4)(B) (as so redesignated), by striking ''the Federal-aid system'' and inserting ''Federal-aid highways''; and

(5) by inserting after paragraph (7) (as so redesignated) the following:

''(8) EQUAL ACCESS FOR MOTORCOACHES.—A private motorcoach that serves the public shall be provided access to a toll facility under the same rates, terms, and conditions as public transportation buses in the State.''.

SEC. 11018. HOV FACILITIES.

Section 166 of title 23, United States Code, is amended—

(1) in subsection (b)—

(A) by striking paragraph (4) and inserting the following:

''(4) HIGH OCCUPANCY TOLL VEHICLES.—

''(A) IN GENERAL.—The State agency may allow vehicles not otherwise exempt under this subsection to use the HOV facility if the operators of the vehicles pay a toll charged by the agency for use of the facility and the agency—

''(i) establishes a program that addresses how motorists can enroll and participate in the toll program;

''(ii) in the case of a high occupancy vehicle facility that affects a metropolitan area, submits to the Secretary a written statement that the metropolitan planning organization designated under section 134 for the area has been consulted concerning the placement and amount of tolls on the converted facility;

''(iii) develops, manages, and maintains a system that will automatically collect the toll; and

''(iv) establishes policies and procedures—

''(I) to manage the demand to use the facility by varying the toll amount that is charged;

''(II) to enforce violations of the use of the facility; and

''(III) to ensure that private motorcoaches that serve the public are provided access to the facility under the same rates, terms, and conditions, as public transportation buses in the State.

''(B) EXEMPTION FROM TOLLS.—In levying a toll on a facility under subparagraph (A), a State agency may—

''(i) designate classes of vehicles that are exempt from the toll; and

''(ii) charge different toll rates for different classes of vehicles.'';

(B) in paragraph (5), by striking subparagraph (A) and inserting the following:

''(A) INHERENTLY LOW EMISSION VEHICLE.—If a State agency establishes procedures for enforcing the restrictions on the use of a HOV facility by vehicles described in clauses (i) and (ii), the State agency may allow the use of the HOV facility by—

''(i) alternative fuel vehicles; and

''(ii) any motor vehicle described in section 30D(d)(1) of the Internal Revenue Code of 1986.'';

(2) in subsection (c)—

(A) in paragraph (1)—

(i) by striking ''Tolls'' and inserting ''Notwithstanding section 301, tolls''; and

(ii) by striking ''notwithstanding section 301 and, except as provided in paragraphs (2) and (3)'';

(B) by striking paragraph (2); and

(C) by redesignating paragraph (3) as paragraph (2);

(3) in subsection (d)(1), by striking subparagraphs (D) and (E) and inserting the following:

''(D) MAINTENANCE OF OPERATING PERFORMANCE.—

''(i) SUBMISSION OF PLAN.—Not later than 180 days after the date on which a facility is degraded under paragraph (2), the State agency with jurisdiction over the facility shall submit to the Secretary for approval a plan that details the actions the State agency will take to bring the facility into compliance with the minimum average operating speed performance standard through changes to operation of the facility, including—

''(I) increasing the occupancy requirement for HOV lanes;

''(II) varying the toll charged to vehicles allowed under subsection (b) to reduce demand;

''(III) discontinuing allowing non-HOV vehicles to use HOV lanes under subsection (b); or

''(IV) increasing the available capacity of the HOV facility.

''(ii) NOTICE OF APPROVAL OR DISAPPROVAL.—Not later than 60 days after the date of receipt of a plan under clause (i), the Secretary shall provide to the State agency a written notice indicating whether the Secretary has approved or disapproved the plan based on a determination of whether the implementation of the plan will bring the HOV facility into compliance.

''(iii) BIANNUAL PROGRESS UPDATES.—Until the date on which the Secretary determines that the State agency has brought the HOV facility into compliance with this subsection, the State agency shall submit biannual updates that describe—

''(I) the actions taken to bring the HOV facility into compliance; and

''(II) the progress made by those actions.

''(E) COMPLIANCE.—The Secretary shall subject the State to appropriate program sanctions under section 1.36 of title 23, Code of Federal Regulations (or successor regulations), until the performance is no longer degraded, if—

''(i) the State agency fails to submit an approved action plan under subparagraph (D) to bring a degraded facility into compliance; or

''(ii) after the State submits and the Secretary approves an action plan under subparagraph (D), the Secretary determines that, on a date that is not earlier than 1 year after the approval of the action plan, the State agency is not making significant progress toward bringing the HOV facility into compliance with the minimum average operating speed performance standard.''; and

(4) in subsection (f)(1), in the matter preceding subparagraph (A), by inserting ''solely'' before ''operating''.

SEC. 11019. INTERSTATE SYSTEM RECONSTRUCTION AND REHABILITATION PILOT PROGRAM.

Section 1216(b) of the Transportation Equity Act for the 21st Century (Public Law 105–178; 112 Stat. 212) is amended—

(1) in paragraph (3)—

(A) in subparagraph (A), by striking ''the age, condition, and intensity of use of the facility'' and inserting ''an analysis demonstrating that the facility has a significant age, condition, or intensity of use to require expedited reconstruction or rehabilitation'';

(B) in subparagraph (D)(iii), by inserting '', and that demonstrates the capability of that agency to perform or oversee the building, operation, and maintenance of a toll expressway system meeting criteria for the Interstate System'' before the semicolon at the end; and

(C) by adding at the end the following:

''(E) An analysis showing how the State plan for implementing tolls on the facility takes into account the interests and use of local, regional, and interstate travelers.

''(F) An explanation of how the State will collect tolls using electronic toll collection, including at highway speeds, if practicable.

''(G) A plan describing the proposed location for the collection of tolls on the facility, including any locations in proximity to a State border.

''(H) Approved documentation that the project—

''(i) has received a categorical exclusion, a finding of no significant impact, or a record of decision under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

''(ii) complies with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601 et seq.).'';

(2) by striking paragraphs (4) and (6);

(3) by redesignating paragraph (5) as paragraph (4);

(4) in paragraph (4)(as so redesignated)—

(A) in the matter preceding subparagraph (A), by striking ''Before the Secretary may permit'' and inserting ''As a condition of permitting'';

(B) in subparagraph (A)—

(i) in the matter preceding clause (i), by striking ''for—'' and inserting ''for permissible uses described in section 129(a)(3) of title 23, United States Code; and''; and

(ii) by striking clauses (i) through (iii);

(5) by inserting after paragraph (4) (as so redesignated) the following:

''(5) APPLICATION PROCESSING PROCEDURE.—

''(A) IN GENERAL.—Not later than 60 days after receipt of an application under this subsection, the Secretary shall provide to the applicant a written notice informing the applicant whether—

''(i) the application is complete and meets all requirements under this subsection; or

''(ii) additional information or materials are needed—

''(I) to complete the application; or

''(II) to meet the eligibility requirements under paragraph (3).

''(B) ADDITIONAL INFORMATION OR MATERIALS.—

''(i) IN GENERAL.—Not later than 60 days after receipt of an application, the Secretary shall—

''(I) identify any additional information or materials that are needed under subparagraph (A)(ii); and

''(II) provide to the applicant written notice specifying the details of the additional required information or materials.

''(ii) AMENDED APPLICATION.—Not later than 60 days after receipt of the additional information under clause (i), the Secretary shall determine if the amended application is complete and meets all requirements under this subsection.

''(C) TECHNICAL ASSISTANCE.—On the request of a State, the Secretary shall provide technical assistance to facilitate the development of a complete application under this paragraph that is likely to satisfy the eligibility criteria under paragraph (3).

''(D) APPROVAL OF APPLICATION.—On written notice by the Secretary that the application is complete and meets all requirements of this subsection, the project is considered approved and shall be permitted to participate in the program under this subsection.

''(E) LIMITATION ON APPROVED APPLICATION.—

''(i) IN GENERAL.—For an application received under this subsection on or after the date of enactment of the DRIVE Act for the reconstruction or rehabilitation of a facility, a State shall—

''(I) not later than 1 year after the date on which the application is approved, issue a solicitation for a contract to provide for the reconstruction or rehabilitation of the facility; and

''(II) not later than 2 years after the date on which the application is approved, execute a contract for the reconstruction or rehabilitation of the facility.

''(ii) PRIOR APPLICATIONS.—For an application that received a conditional provisional approval under this subsection before the date of enactment of the DRIVE Act, for the reconstruction or rehabilitation of a facility, a State shall—

''(I) not later than 1 year after the date of enactment of the DRIVE Act, issue a solicitation for a contract to provide for the reconstruction or rehabilitation of the facility; and

''(II) not later than 2 years after the date of enactment of the DRIVE Act, execute a contract for the reconstruction or rehabilitation of the facility.

''(iii) CANCELLATION OR EXTENSION.—If an applicable deadline under clause (i) or (ii) is not met, the Secretary shall—

''(I) cancel the application approval; or

''(II) grant an extension of not more than 1 year for the applicable deadline, on the condition that—

''(aa) there has been demonstrable progress toward meeting the applicable requirements; and

''(bb) the requirements are likely to be met within 1 year.

''(6) LIMITATION ON THE USE OF NATIONAL HIGHWAY PERFORMANCE PROGRAM FUNDS.—During the term of the pilot program, funds apportioned for the national highway performance program under section 104(b)(1) of title 23, United States Code, may not be used for a facility for which tolls are being collected under the pilot program unless the funds are used for a maintenance purpose, as defined in section 101(a) of title 23, United States Code.'';

(6) by redesignating paragraphs (7) and (8) as paragraphs (8) and (9), respectively;

(7) by inserting after paragraph (6) the following:

''(7) WITHDRAWAL.—A State may elect to withdraw participation of the State in the pilot program at any time.''; and

(8) in paragraph (8) (as redesignated by paragraph (6)), by inserting ''after the date

of enactment of the DRIVE Act'' after ''10 years''.

SEC. 11020. EMERGENCY RELIEF FOR FEDERALLY OWNED ROADS.

(a) ELIGIBILITY.—Section 125(d)(3) of title 23, United States Code, is amended—

(1) in subparagraph (A), by striking ''or'' at the end;

(2) in subparagraph (B), by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(C) projects eligible for assistance under this section located on tribal transportation facilities, Federal lands transportation facilities, or other federally owned roads that are open to public travel (as defined in subsection (e)(1)).''.

(b) DEFINITION.—Section 125(e) of title 23, United States Code, is amended by striking paragraph (1) and inserting the following:

''(1) DEFINITIONS.—In this subsection:

''(A) OPEN TO PUBLIC TRAVEL.—The term 'open to public travel' means, with respect to a road, that, except during scheduled periods, extreme weather conditions, or emergencies, the road—

''(i) is maintained;

''(ii) is open to the general public; and

''(iii) can accommodate travel by a standard passenger vehicle, without restrictive gates or prohibitive signs or regulations, other than for general traffic control or restrictions based on size, weight, or class of registration.

''(B) STANDARD PASSENGER VEHICLE.—The term 'standard passenger vehicle' means a vehicle with 6 inches of clearance from the lowest point of the frame, body, suspension, or differential to the ground.''.

SEC. 11021. BRIDGES REQUIRING CLOSURE OR LOAD RESTRICTIONS.

Section 144(h) of title 23, United States Code, is amended—

(1) by redesignating paragraphs (6) and (7) as paragraphs (7) and (8), respectively;

(2) by inserting after paragraph (5) the following:

''(6) BRIDGES REQUIRING CLOSURE OR LOAD RESTRICTIONS.—

''(A) BRIDGES OWNED BY FEDERAL AGENCIES OR TRIBAL GOVERNMENTS.—If a Federal agency or tribal government fails to ensure that any highway bridge that is open to public travel and located in the jurisdiction of the Federal agency or tribal government is properly closed or restricted to loads that the bridge can carry safely, the Secretary—

''(i) shall, on learning of the need to close or restrict loads on the bridge, require the Federal agency or tribal government to take action necessary—

''(I) to close the bridge within 48 hours; or

''(II) within 30 days, to restrict public travel on the bridge to loads that the bridge can carry safely; and

''(ii) may, if the Federal agency or tribal government fails to take action required under clause (i), withhold all funding authorized under this title for the Federal agency or tribal government.''.

''(B) OTHER BRIDGES.—If a State fails to ensure that any highway bridge, other than a bridge described in subparagraph (A), that is open to public travel and is located within the boundaries of the State is properly closed or restricted to loads the bridge can carry safely, the Secretary—

''(i) shall, on learning of the need to close or restrict loads on the bridge, require the State to take action necessary—

''(I) to close the bridge within 48 hours; or

''(II) within 30 days, to restrict public travel on the bridge to loads that the bridge can carry safely; and

''(ii) may, if the State fails to take action required under clause (i), withhold approval for Federal-aid projects in that State.''; and

(3) in paragraph (8) (as redesignated by paragraph (1)), by striking ''(6)'' and inserting ''(7)''.

SEC. 11022. NATIONAL ELECTRIC VEHICLE CHARGING AND NATURAL GAS FUELING CORRIDORS.

(a) IN GENERAL.—Chapter 1 of title 23, United States Code, is amended by inserting after section 150 the following:

''§ 151. National electric vehicle charging and natural gas fueling corridors

''(a) IN GENERAL.—Not later than 1 year after the date of enactment of the DRIVE Act, the Secretary shall designate national electric vehicle charging and natural gas fueling corridors that identify the near- and long-term need for, and location of, electric vehicle charging infrastructure and natural gas fueling infrastructure at strategic locations along major national highways to improve the mobility of passenger and commercial vehicles that employ electric and natural gas fueling technologies across the United States.

''(b) DESIGNATION OF CORRIDORS.—In designating the corridors under subsection (a), the Secretary shall—

''(1) solicit nominations from State and local officials for facilities to be included in the corridors;

''(2) incorporate existing electric vehicle charging and natural gas fueling corridors designated by a State or group of States; and

''(3) consider the demand for, and location of, existing electric vehicle charging and natural gas fueling infrastructure.

''(c) STAKEHOLDERS.—In designating corridors under subsection (a), the Secretary shall involve, on a voluntary basis, stakeholders that include—

''(1) the heads of other Federal agencies;

''(2) State and local officials;

''(3) representatives of—

''(A) energy utilities;

''(B) the electric and natural gas vehicle industries;

''(C) the freight and shipping industry;

''(D) clean technology firms;

''(E) the hospitality industry;

''(F) the restaurant industry; and

''(G) highway rest stop vendors; and

''(4) such other stakeholders as the Secretary determines to be necessary.

''(d) REDESIGNATION.—Not later than 5 years after the date of establishment of the corridors under subsection (a), and every 5 years thereafter, the Secretary shall update and redesignate the corridors.

''(e) REPORT.—During designation and redesignation of the corridors under this section, the Secretary shall issue a report that—

''(1) identifies electric vehicle charging and natural gas fueling infrastructure and standardization needs for electricity providers, natural gas providers, infrastructure providers, vehicle manufacturers, electricity purchasers, and natural gas purchasers; and

''(2) establishes an aspirational goal of achieving strategic deployment of electric vehicle charging and natural gas fueling infrastructure in those corridors by the end of fiscal year 2021.''.

(b) CONFORMING AMENDMENT.—The analysis of chapter 1 of title 23, United States Code, is amended by striking the item relating to section 151 and inserting the following:

''151. National Electric Vehicle Charging and Natural Gas Fueling Corridors.''.

SEC. 11023. ASSET MANAGEMENT.

(a) Section 119 of title 23, United States Code, is amended—

(1) in subsection (f)(2)—

(A) in subparagraph (A), by striking ''structurally deficient'' and inserting ''being in poor condition''; and

(B) in subparagraph (B), by striking ''structurally deficient'' and inserting ''being in poor condition''; and

(2) by adding at the end the following:

''(h) CRITICAL INFRASTRUCTURE.—

''(1) DEFINITION OF CRITICAL INFRASTRUCTURE.—In this subsection, the term 'critical infrastructure' means those facilities the incapacity or failure of which would have a debilitating impact on national or regional economic security, national or regional energy security, national or regional public health or safety, or any combination of those matters.

''(2) DESIGNATION.—The asset management plan of a State developed pursuant to subsection (e) may include a designation of a critical infrastructure network of facilities from among those facilities in the State that are eligible under subsection (c).

''(3) RISK REDUCTION.—A State may use funds apportioned under this section for projects intended to reduce the risk of failure of facilities designated as being on the critical infrastructure network of the State.''.

(b) Section 144 of title 23, United States Code, is amended—

(1) in subsection (a)(1)(B), by striking ''deficient''; and

(2) in subsection (b)(5), by striking ''each structurally deficient bridge'' and inserting ''each bridge in poor condition''.

(c) Section 202(d) of title 23, United States Code, is amended—

(1) in paragraph (1), by striking ''deficient'';

(2) in paragraph (2)(B), by striking ''deficient''; and

(3) in paragraph (3)—

(A) in subparagraph (A), by striking the semicolon at the end and inserting ''; and'';

(B) in subparagraph (B), by striking ''; and'' at the end and inserting a period; and

(C) by striking subparagraph (C).

SEC. 11024. TRIBAL TRANSPORTATION PROGRAM AMENDMENT.

Section 202 of title 23, United States Code, is amended—

(1) in subsection (a)(6), by striking ''6 percent'' and inserting ''5 percent''; and

(2) in subsection (d)(2), in the matter preceding subparagraph (A) by striking ''2 percent'' and inserting ''3 percent''.

SEC. 11025. NATIONALLY SIGNIFICANT FEDERAL LANDS AND TRIBAL PROJECTS PROGRAM.

(a) PURPOSE.—The Secretary shall establish a nationally significant Federal lands and tribal projects program (referred to in this section as the ''program'') to provide funding to construct, reconstruct, or rehabilitate nationally significant Federal lands and tribal transportation projects.

(b) ELIGIBLE APPLICANTS.—

(1) IN GENERAL.—Except as provided in paragraph (2), entities eligible to receive funds under sections 201, 202, 203, and 204 of title 23, United States Code, may apply for funding under the program.

(2) SPECIAL RULE.—A State, county, or unit of local government may only apply for funding under the program if sponsored by an eligible Federal land management agency or Indian tribe.

(c) ELIGIBLE PROJECTS.—An eligible project under the program shall be a single continuous project—

(1) on a Federal lands transportation facility, a Federal lands access transportation facility, or a Tribal transportation facility (as those terms are defined in section 101 of title 23, United States Code), except that such facility is not required to be included on an inventory described in sections 202 or 203 of title 23, United States Code;

(2) for which completion of activities required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) has been demonstrated through—

(A) a record of decision with respect to the project;

(B) a finding that the project has no significant impact; or

(C) a determination that the project is categorically excluded; and

(3) having an estimated cost, based on the results of preliminary engineering, equal to or exceeding $25,000,0000, with priority consideration given to projects with an estimated cost equal to or exceeding $50,000,000.

(d) ELIGIBLE ACTIVITIES.—

(1) IN GENERAL.—Subject to paragraph (2), an eligible applicant receiving funds under the program may only use the funds for construction, reconstruction, and rehabilitation activities.

(2) INELIGIBLE ACTIVITIES.—An eligible applicant may not use funds received under the program for activities relating to project design.

(e) APPLICATIONS.—Eligible applicants shall submit to the Secretary an application at such time, in such form, and containing such information as the Secretary may require.

(f) SELECTION CRITERIA.—In selecting a project to receive funds under the program, the Secretary shall consider the extent to which the project—

(1) furthers the goals of the Department, including state of good repair, environmental sustainability, economic competitiveness, quality of life, and safety;

(2) improves the condition of critical multimodal transportation facilities;

(3) needs construction, reconstruction, or rehabilitation;

(4) is included in or eligible for inclusion in the National Register of Historic Places;

(5) enhances environmental ecosystems;

(6) uses new technologies and innovations that enhance the efficiency of the project;

(7) is supported by funds, other than the funds received under the program, to construct, maintain, and operate the facility;

(8) spans 2 or more States; and

(9) serves land owned by multiple Federal agencies or Indian tribes.

(g) FEDERAL SHARE.—The Federal share of the cost of a project shall be 95 percent.

(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $150,000,000 for each of fiscal years 2016 through 2021, to remain available for a period of 3 fiscal years following the fiscal year for which the amounts were appropriated.

SEC. 11026. FEDERAL LANDS PROGRAMMATIC ACTIVITIES.

Section 201(c) of title 23, United States Code, is amended—

(1) in paragraph (6)(A)—

(A) by redesignating clauses (i) and (ii) as subclauses (I) and (II), respectively;

(B) in the matter preceding subclause (I) (as so redesignated), by striking ''The Secretaries'' and inserting the following:

''(i) IN GENERAL.—The Secretaries'';

(C) by inserting a period after ''tribal transportation program''; and

(D) by striking ''in accordance with'' and all that follows through ''including—'' and inserting the following:

''(ii) REQUIREMENT.—Data collected to implement the tribal transportation program shall be in accordance with the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.).

''(iii) INCLUSIONS.—Data collected under this paragraph includes—''; and

(2) by striking paragraph (7) and inserting the following—

''(7) COOPERATIVE RESEARCH AND TECHNOLOGY DEPLOYMENT.—The Secretary may conduct cooperative research and technology deployment in coordination with Federal land management agencies, as determined appropriate by the Secretary.

''(8) FUNDING.—

''(A) IN GENERAL.—To carry out the activities described in this subsection for Federal lands transportation facilities, Federal lands access transportation facilities, and other federally owned roads open to public travel (as that term is defined in section 125(e)), the Secretary shall combine and use not greater than 5 percent for each fiscal year of the funds authorized for programs under sections 203 and 204.

''(B) OTHER ACTIVITIES.—In addition to the activities described in subparagraph (A), funds described under that subparagraph may be used for—

''(i) bridge inspections on any federally owned bridge even if that bridge is not included on the inventory described under section 203; and

''(ii) transportation planning activities carried out by Federal land management agencies eligible for funding under this chapter.''.

SEC. 11027. FEDERAL LANDS TRANSPORTATION PROGRAM.

Section 203 of title 23, United States Code, is amended—

(1) in subsection (a)(1)—

(A) in subparagraph (B), by striking ''operation'' and inserting ''capital, operations,''; and

(B) in subparagraph (D), by striking ''subparagraph (A)(iv)'' and inserting ''subparagraph (A)(iv)(I)'';

(2) in subsection (b)—

(A) in paragraph (1)(B)—

(i) in clause (iv), by striking ''and'' at the end;

(ii) in clause (v), by striking the period at the end and inserting a semicolon; and

(iii) by adding at the end the following:

''(vi) the Bureau of Reclamation; and

''(vii) independent Federal agencies with natural resource and land management responsibilities.''; and

(B) in paragraph (2)(B), in the matter preceding clause (i), by inserting ''performance management, including'' after ''support''; and

(3) in subsection (c)(2)(B), by adding at the end the following:

''(vi) The Bureau of Reclamation.''.

SEC. 11028. INNOVATIVE PROJECT DELIVERY.

Section 120(c)(3) of title 23, United States Code, is amended—

(1) in subparagraph (A)(ii)—

(A) by inserting ''engineering or design approaches,'' after ''technologies,''; and

(B) by striking ''or contracting'' and inserting ''or contracting or project delivery''; and

(2) in subparagraph (B)(iii), by inserting ''and alternative bidding'' before the semicolon at the end.

SEC. 11029. OBLIGATION AND RELEASE OF FUNDS.

Section 118(c)(2) of title 23, United States Code, is amended—

(1) in the matter preceding subparagraph (A), by striking ''Any funds'' and inserting the following:

''(A) IN GENERAL.—Any funds'';

(2) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and indenting appropriately; and

(3) by adding at the end the following:

''(B) SAME CLASS OF FUNDS NO LONGER AUTHORIZED.—If the same class of funds described in subparagraph (A)(i) is no longer authorized in the most recent authorizing law, the funds may be credited to a similar class of funds, as determined by the Secretary.''.

Subtitle B—Acceleration of Project Delivery

SEC. 11101. CATEGORICAL EXCLUSION FOR PROJECTS OF LIMITED FEDERAL ASSISTANCE.

Section 1317 of MAP-21 (23 U.S.C. 109 note; Public Law 112–141) is amended—

(1) in the matter preceding paragraph (1), by striking ''Not later than'' and inserting the following:

''(a) IN GENERAL.—Not later than''; and

(2) by adding at the end the following:

''(b) INFLATIONARY ADJUSTMENT.—The dollar amounts described in subsection (a) shall be adjusted for inflation—

''(1) effective October 1, 2015, to reflect changes since July 1, 2012, in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor; and

''(2) effective October 1, 2016, and each succeeding October 1, to reflect changes for the preceding 12-month period in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor.''.

SEC. 11102. PROGRAMMATIC AGREEMENT TEMPLATE.

(a) IN GENERAL.—Section 1318 of MAP-21 (23 U.S.C. 109 note; Public Law 112–141) is amended by adding at the end the following:

''(e) PROGRAMMATIC AGREEMENT TEMPLATE.—

''(1) IN GENERAL.—The Secretary shall develop a template programmatic agreement described in subsection (d) that provides for efficient and adequate procedures for evaluating Federal actions described in section 771.117(c) of title 23, Code of Federal Regulations (as in effect on the date of enactment of this subsection).

''(2) USE OF TEMPLATE.—The Secretary—

''(A) on receipt of a request from a State, shall use the template programmatic agreement developed under paragraph (1) in carrying out this section; and

''(B) on consent of the applicable State, may modify the template as necessary to address the unique needs and characteristics of the State.

''(3) OUTCOME MEASUREMENTS.—The Secretary shall establish a method to verify that actions described in section 771.117(c) of title 23, Code of Federal Regulations (as in effect on the date of enactment of this subsection), are evaluated and documented in a consistent manner by the State that uses the template programmatic agreement under this subsection.''.

(b) CATEGORICAL EXCLUSION DETERMINATIONS.—Not later than 30 days after the date of enactment of this Act, the Secretary shall revise section 771.117(g) of title 23, Code of Federal Regulations, to allow a programmatic agreement under this section to include responsibility for making categorical exclusion determinations—

(1) for actions described in subsections (c) and (d) of section 771.117 of title 23, Code of Federal Regulations; and

(2) that meet the criteria for a categorical exclusion under section 1508.4 of title 40, Code of Federal Regulations (as in effect on the date of enactment of this Act), and are identified in the programmatic agreement.

SEC. 11103. AGENCY COORDINATION.

(a) ROLES AND RESPONSIBILITY OF LEAD AGENCY.—Section 139(c)(6) of title 23, United States Code, is amended—

(1) in subparagraph (A), by striking ''and'' at the end;

(2) in subparagraph (B), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(C) to consider and respond to comments received from participating agencies on matters within the special expertise or jurisdiction of the participating agencies.''.

(b) PARTICIPATING AGENCY RESPONSIBILITIES.—Section 139(d) of title 23, United States Code, is amended by adding at the end the following:

''(8) PARTICIPATING AGENCY RESPONSIBILITIES.—An agency participating in the collaborative environmental review process under this section shall—

''(A) provide comments, responses, studies, or methodologies on those areas within the special expertise or jurisdiction of the Federal participating or cooperating agency; and

''(B) use the process to address any environmental issues of concern to the participating or cooperating agency.''.

SEC. 11104. INITIATION OF ENVIRONMENTAL REVIEW PROCESS.

Section 139 of title 23, United States Code, is amended—

(1) in subsection (a), by striking paragraph (6) and inserting the following:

''(6) PROJECT.—

''(A) IN GENERAL.—The term 'project' means any highway project, public transportation capital project, or multimodal project that, if implemented as proposed by the project sponsor, would require approval by any operating administration or secretarial office within the Department.

''(B) CONSIDERATIONS.—For purposes of this paragraph, the Secretary shall take into account, if known, any sources of Federal funding or financing identified by the project sponsor, including discretionary grant, loan, and loan guarantee programs administered by the Department.'';

(2) in subsection (e)—

(A) in paragraph (1), by inserting ''(including any additional information that the project sponsor considers to be important to initiate the process for the proposed project)'' after ''location of the proposed project''; and

(B) by adding at the end the following:

''(3) REVIEW OF APPLICATION.—Not later than 45 days after the date on which an application is received by the Secretary under this subsection, the Secretary shall provide to the project sponsor a written response that, as applicable—

''(A) describes the determination of the Secretary—

''(i) to initiate the environmental review process, including a timeline and an expected date for the publication in the Federal Register of the relevant notice of intent; or

''(ii) to decline the application, including an explanation of the reasons for that decision; or

''(B) requests additional information, and provides to the project sponsor an accounting, regarding what is necessary to initiate the environmental review process.

''(4) REQUEST TO DESIGNATE A LEAD AGENCY.—

''(A) IN GENERAL.—Any project sponsor may submit a request to the Secretary to designate a specific operating administration or secretarial office within the Department of Transportation to serve as the Federal lead agency for a project.

''(B) PROPOSED SCHEDULE.—A request under subparagraph (A) may include a proposed schedule for completing the environmental review process.

''(C) SECRETARIAL ACTION.—

''(i) IN GENERAL.—If a request under subparagraph (A) is received, the Secretary shall respond to the request not later than 45 days after the date of receipt.

''(ii) REQUIREMENTS.—The response shall—

''(I) approve the request;

''(II) deny the request, with an explanation of the reasons; or

''(III) require the submission of additional information.

''(iii) ADDITIONAL INFORMATION.—If additional information is submitted in accordance with clause (ii)(III), the Secretary shall respond to that submission not later than 45 days after the date of receipt.''; and

(3) in subsection (f)(4), by adding at the end the following:

''(E) REDUCTION OF DUPLICATION.—

''(i) IN GENERAL.—In carrying out this paragraph, the lead agency shall reduce duplication, to the maximum extent practicable, between—

''(I) the evaluation of alternatives under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

''(II) the evaluation of alternatives in the metropolitan transportation planning process under section 134 of title 23, United States Code, or an environmental review process carried out under State law (referred to in this subparagraph as a 'State environmental review process').

''(ii) CONSIDERATION OF ALTERNATIVES.—The lead agency may eliminate from detailed consideration an alternative proposed in an environmental impact statement regarding a project if, as determined by the lead agency—

''(I) the alternative was considered in a metropolitan planning process or a State environmental review process by a metropolitan planning organization or a State or local transportation agency, as applicable;

''(II) the lead agency provided guidance to the metropolitan planning organization or State or local transportation agency, as applicable, regarding analysis of alternatives in the metropolitan planning process or State environmental review process, including guidance on the requirements under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and any other requirements of Federal law necessary for approval of the project;

''(III) the applicable metropolitan planning process or State environmental review process included an opportunity for public review and comment;

''(IV) the applicable metropolitan planning organization or State or local transportation agency rejected the alternative after considering public comments;

''(V) the Federal lead agency independently reviewed the alternative evaluation approved by the applicable metropolitan planning organization or State or local transportation agency; and

''(VI) the Federal lead agency has determined—

''(aa) in consultation with Federal participating or cooperating agencies, that the alternative to be eliminated from consideration is not necessary for compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); or

''(bb) with the concurrence of Federal agencies with jurisdiction over a permit or approval required for a project, that the alternative to be eliminated from consideration is not necessary for any permit or approval under any other Federal law.''.

SEC. 11105. IMPROVING COLLABORATION FOR ACCELERATED DECISION MAKING.

(a) COORDINATION AND SCHEDULING.—Section 139(g)(1)(B)(i) of title 23, United States Code, is amended—

(1) by striking ''The lead agency'' and inserting ''For a project requiring an environmental impact statement or environmental assessment, the lead agency''; and

(2) by striking ''may'' and inserting ''shall''.

(b) ISSUE IDENTIFICATION AND RESOLUTION.—Section 139(h) of title 23, United States Code, is amended—

(1) in paragraph (4)(C), by striking ''paragraph (5) and'' and inserting ''paragraph (5)'';

(2) in paragraph (5)(A)(ii)(I), by inserting '', including modifications to the project schedule'' after ''review process''; and

(3) in paragraph (6)(B), by striking clause (ii) and inserting the following:

''(ii) DESCRIPTION OF DATE.—The date referred to in clause (i) is 1 of the following:

''(I) The date that is 30 days after the date for rendering a decision as described in the project schedule established pursuant to subsection (g)(1)(B).

''(II) If no schedule exists, the later of—

''(aa) the date that is 180 days after the date on which an application for the permit, license or approval is complete; or

''(bb) the date that is 180 days after the date on which the Federal lead agency issues a decision on the project under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

''(III) A modified date consistent with subsection (g)(1)(D).''.

SEC. 11106. ACCELERATED DECISIONMAKING IN ENVIRONMENTAL REVIEWS.

(a) IN GENERAL.—Section 139 of title 23, United States Code, is amended by adding at the end the following:

''(n) ACCELERATED DECISIONMAKING IN ENVIRONMENTAL REVIEWS.—

''(1) IN GENERAL.—In preparing a final environmental impact statement under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), if the lead agency modifies the statement in response to comments that are minor and are confined to factual corrections or explanations regarding why the comments do not warrant additional agency response, the lead agency may write on errata sheets attached to the statement instead of rewriting the draft statement, subject to the condition that the errata sheets shall—

''(A) cite the sources, authorities, or reasons that support the position of the lead agency; and

''(B) if appropriate, indicate the circumstances that would trigger agency reappraisal or further response.

''(2) INCORPORATION.—To the maximum extent practicable, the lead agency shall expeditiously develop a single document that consists of a final environmental impact statement and a record of decision, unless—

''(A) the final environmental impact statement makes substantial changes to the proposed action that are relevant to environmental or safety concerns; or

''(B) there are significant new circumstances or information that—

''(i) are relevant to environmental concerns; and

''(ii) bear on the proposed action or the impacts of the proposed action.''.

(b) REPEAL.—Section 1319 of MAP–21 (42 U.S.C. 4332a) is repealed.

SEC. 11107. IMPROVING TRANSPARENCY IN ENVIRONMENTAL REVIEWS.

Section 139 of title 23, United States Code (as amended by section 11106(a)), is amended by adding at the end the following:

''(o) REVIEWS, APPROVALS, AND PERMITTING PLATFORM.—

''(1) IN GENERAL.—Not later than 2 years after the date of enactment of this subsection, the Secretary shall establish an online platform and, in coordination with agencies described in paragraph (2), issue reporting standards to make publicly available the status of reviews, approvals, and permits required for compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) or other applicable Federal laws for projects and activities requiring an environmental assessment or an environmental impact statement.

''(2) FEDERAL AGENCY PARTICIPATION.—A Federal agency of jurisdiction over a review, approval, or permit described in paragraph (1) shall provide status information in accordance with the standards established by the Secretary under paragraph (1).

''(3) STATE RESPONSIBILITIES.—A State that is assigned and assumes responsibilities under section 326 or 327 shall provide applicable status information in accordance with standards established by the Secretary under paragraph (1).''.

SEC. 11108. INTEGRATION OF PLANNING AND ENVIRONMENTAL REVIEW.

Section 168 of title 23, United States Code, is amended to read as follows:

''§ 168. Integration of planning and environmental review

''(a) DEFINITIONS.—In this section, the following definitions apply:

''(1) ENVIRONMENTAL REVIEW PROCESS.—The term 'environmental review process' means the process for preparing for a project an environmental impact statement, environmental assessment, categorical exclusion, or other document prepared under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

''(2) LEAD AGENCY.—The term 'lead agency' has the meaning given the term in section 139(a).

''(3) PLANNING PRODUCT.—The term 'planning product' means a decision, analysis, study, or other documented information that is the result of an evaluation or decision-making process carried out by a metropolitan planning organization or a State, as appropriate, during metropolitan or statewide transportation planning under section 134 or 135, respectively.

''(4) PROJECT.—The term 'project' has the meaning given the term in section 139(a).

''(b) ADOPTION OF PLANNING PRODUCTS FOR USE IN NEPA PROCEEDINGS.—

''(1) IN GENERAL.—Subject to subsection (d), the Federal lead agency for a project may adopt and use a planning product in proceedings relating to any class of action in the environmental review process of the project.

''(2) IDENTIFICATION.—If the Federal lead agency makes a determination to adopt and use a planning product, the Federal lead agency shall identify the agencies that participated in the development of the planning products.

''(3) PARTIAL ADOPTION OF PLANNING PRODUCTS.—The Federal lead agency may—

''(A) adopt an entire planning product under paragraph (1); or

''(B) select portions of a planning project under paragraph (1) for adoption.

''(4) TIMING.—A determination under paragraph (1) with respect to the adoption of a planning product may—

''(A) be made at the time the lead agencies decide the appropriate scope of environmental review for the project; or

''(B) occur later in the environmental review process, as appropriate.

''(c) APPLICABILITY.—

''(1) PLANNING DECISIONS.—The lead agency in the environmental review process may adopt decisions from a planning product, including—

''(A) whether tolling, private financial assistance, or other special financial measures are necessary to implement the project;

''(B) a decision with respect to general travel corridor or modal choice, including a decision to implement corridor or subarea study recommendations to advance different modal solutions as separate projects with independent utility;

''(C) the purpose and the need for the proposed action;

''(D) preliminary screening of alternatives and elimination of unreasonable alternatives;

''(E) a basic description of the environmental setting;

''(F) a decision with respect to methodologies for analysis; and

''(G) an identification of programmatic level mitigation for potential impacts of transportation projects, including—

''(i) measures to avoid, minimize, and mitigate impacts at a regional or national scale;

''(ii) investments in regional ecosystem and water resources; and

''(iii) a programmatic mitigation plan developed in accordance with section 169.

''(2) PLANNING ANALYSES.—The lead agency in the environmental review process may adopt analyses from a planning product, including—

''(A) travel demands;

''(B) regional development and growth;

''(C) local land use, growth management, and development;

''(D) population and employment;

''(E) natural and built environmental conditions;

''(F) environmental resources and environmentally sensitive areas;

''(G) potential environmental effects, including the identification of resources of concern and potential indirect and cumulative effects on those resources; and

''(H) mitigation needs for a proposed action, or for programmatic level mitigation, for potential effects that the Federal lead agency determines are most effectively addressed at a regional or national program level.

''(d) CONDITIONS.—The lead agency in the environmental review process may adopt and use a planning product under this section if the lead agency determines, with the concurrence of other participating agencies with relevant expertise and project sponsors, as appropriate, that the following conditions have been met:

''(1) The planning product was developed through a planning process conducted pursuant to applicable Federal law.

''(2) The planning product was developed in consultation with appropriate Federal and State resource agencies and Indian tribes.

''(3) The planning process included broad multidisciplinary consideration of systems-level or corridor-wide transportation needs and potential effects, including effects on the human and natural environment.

''(4) The planning process included public notice that the planning products produced in the planning process may be adopted during a subsequent environmental review process in accordance with this section.

''(5) During the environmental review process, the lead agency has—

''(A) made the planning documents available for public review and comment;

''(B) provided notice of the intention of the lead agency to adopt the planning product; and

''(C) considered any resulting comments.

''(6) There is no significant new information or new circumstance that has a reasonable likelihood of affecting the continued validity or appropriateness of the planning product.

''(7) The planning product has a rational basis and is based on reliable and reasonably current data and reasonable and scientifically acceptable methodologies.

''(8) The planning product is documented in sufficient detail to support the decision or the results of the analysis and to meet requirements for use of the information in the environmental review process.

''(9) The planning product is appropriate for adoption and use in the environmental review process for the project and is incorporated in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and section 1502.21 of title 40, Code of Federal Regulations (as in effect on the date of enactment of the DRIVE Act).

''(e) EFFECT OF ADOPTION.—Any planning product adopted by the Federal lead agency in accordance with this section may be—

''(1) incorporated directly into an environmental review process document or other environmental document; and

''(2) relied on and used by other Federal agencies in carrying out reviews of the project.

''(f) RULES OF CONSTRUCTION.—

''(1) IN GENERAL.—This section does not make the environmental review process applicable to the transportation planning process conducted under this title and chapter 53 of title 49.

''(2) TRANSPORTATION PLANNING ACTIVITIES.—Initiation of the environmental review process as a part of, or concurrently with, transportation planning activities does not subject transportation plans and programs to the environmental review process.

''(3) PLANNING PRODUCTS.—This section does not affect the use of planning products in the environmental review process pursuant to other authorities under any other provision of law or restrict the initiation of the environmental review process during planning.''.

SEC. 11109. USE OF PROGRAMMATIC MITIGATION PLANS.

Section 169(f) of title 23, United States Code, is amended—

(1) by striking ''may use'' and inserting ''shall consider''; and

(2) by inserting ''or other Federal environmental law'' before the period at the end.

SEC. 11110. ADOPTION OF DEPARTMENTAL ENVIRONMENTAL DOCUMENTS.

(a) IN GENERAL.—Title 49, United States Code, is amended by inserting after section 306 the following:

''§ 307. Adoption of Departmental environmental documents

''(a) IN GENERAL.—An operating administration or secretarial office within the Department may adopt any draft environmental impact statement, final environmental impact statement, environmental assessment, or any other document issued under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) by another operating administration or secretarial office within the Department—

''(1) without recirculating the document (except that a final environmental impact statement shall be recirculated prior to adoption); and

''(2) if the operating administration or secretarial office adopting the document certifies that the project is substantially the same as the project reviewed under the document to be adopted.

''(b) COOPERATING AGENCY.—An adopting operating administration or secretarial office that was a cooperating agency and certifies that the project is substantially the same as the project reviewed under the document to be adopted and that its comments and suggestions have been addressed may adopt a document described in subsection (a) without recirculating the document.''.

(b) CONFORMING AMENDMENT.—The analysis for chapter 3 of title 49, United States Code, is amended by striking the item relating to section 307 and inserting the following:

''Sec. 307. Adoption of Departmental environmental documents.''.

SEC. 11111. TECHNICAL ASSISTANCE FOR STATES.

Section 326 of title 23, United States Code, is amended—

(1) in subsection (c)—

(A) by redesignating paragraphs (2) through (4) as paragraphs (3) through (5), respectively; and

(B) by inserting after paragraph (1) the following:

''(2) ASSISTANCE TO STATES.—On request of a Governor of a State, the Secretary shall provide to the State technical assistance, training, or other support relating to—

''(A) assuming responsibility under subsection (a);

''(B) developing a memorandum of understanding under this subsection; or

''(C) addressing a responsibility in need of corrective action under subsection (d)(1)(B).''; and

(2) in subsection (d), by striking paragraph (1) and inserting the following:

''(1) TERMINATION BY SECRETARY.—The Secretary may terminate the participation of any State in the program, if—

''(A) the Secretary determines that the State is not adequately carrying out the responsibilities assigned to the State;

''(B) the Secretary provides to the State—

''(i) a notification of the determination of noncompliance;

''(ii) a period of not less than 120 days to take such corrective action as the Secretary determines to be necessary to comply with the applicable agreement; and

''(iii) on request of the Governor of the State, a detailed description of each responsibility in need of corrective action regarding an inadequacy identified under subparagraph (A); and

''(C) the State, after the notification and period described in clauses (i) and (ii) of subparagraph (B), fails to take satisfactory corrective action, as determined by the Secretary.''.

SEC. 11112. SURFACE TRANSPORTATION PROJECT DELIVERY PROGRAM.

Section 327(j) of title 23, United States Code, is amended by striking paragraph (1) and inserting the following:

''(1) TERMINATION BY SECRETARY.—The Secretary may terminate the participation of any State in the program if—

''(A) the Secretary determines that the State is not adequately carrying out the responsibilities assigned to the State;

''(B) the Secretary provides to the State—

''(i) a notification of the determination of noncompliance;

''(ii) a period of not less than 120 days to take such corrective action as the Secretary determines to be necessary to comply with the applicable agreement; and

''(iii) on request of the Governor of the State, a detailed description of each responsibility in need of corrective action regarding an inadequacy identified under subparagraph (A); and

''(C) the State, after the notification and period provided under subparagraph (B), fails to take satisfactory corrective action, as determined by the Secretary.''.

SEC. 11113. CATEGORICAL EXCLUSIONS FOR MULTIMODAL PROJECTS.

(a) MULTIMODAL PROJECT DEFINED.—Section 139(a) of title 23, United States Code, is amended by striking paragraph (5) and inserting the following:

''(5) MULTIMODAL PROJECT.—The term 'multimodal project' means a project that requires approval by more than 1 Department of Transportation operating administration or secretarial office.''.

(b) APPLICATION OF CATEGORICAL EXCLUSIONS FOR MULTIMODAL PROJECTS.—Section 304 of title 49, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking ''operating authority that is not the lead authority with respect to a project'' and inserting ''operating administration or secretarial office that has expertise but is not the lead authority with respect to a proposed multimodal project''; and

(B) by striking paragraph (2) and inserting the following:

''(2) LEAD AUTHORITY.—The term 'lead authority' means a Department of Transportation operating administration or secretarial office that has the lead responsibility for compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for a proposed multimodal project.'';

(2) in subsection (b), by striking ''under this title'' and inserting ''by the Secretary of Transportation'';

(3) in subsection (c)—

(A) in the matter preceding paragraph (1)—

(i) by striking ''a categorical exclusion designated under the implementing regulations or'' and inserting ''a categorical exclusion designated under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) implementing regulations or''; and

(ii) by striking ''other components of the'' and inserting ''a proposed multimodal''; and

(B) by striking paragraphs (1) through (5) and inserting the following:

''(1) the lead authority makes a determination, in consultation with the cooperating authority, on the applicability of a categorical exclusion to a proposed multimodal project;

''(2) the cooperating authority does not object to the determination of the lead authority of the applicability of a categorical exclusion;

''(3) the lead authority determines that the component of the proposed multimodal project to be covered by the categorical exclusion of the cooperating authority has independent utility; and

''(4) the lead authority determines that—

''(A) the proposed multimodal project does not individually or cumulatively have a significant impact on the environment; and

''(B) extraordinary circumstances do not exist that merit additional analysis and documentation in an environmental impact statement or environmental assessment required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).''; and

(4) by striking subsection (d) and inserting the following:

''(d) COOPERATIVE AUTHORITY EXPERTISE.—A cooperating authority shall provide expertise to the lead authority on aspects of the multimodal project in which the cooperating authority has expertise.''.

SEC. 11114. MODERNIZATION OF THE ENVIRONMENTAL REVIEW PROCESS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall examine ways to modernize, simplify, and improve the implementation of the National Environmental Policy Act of 1969 (42 U.S.C. 4231 et seq.) by the Department.

(b) INCLUSIONS.—In carrying out subsection (a), the Secretary shall consider—

(1) the use of technology in the process, such as—

(A) searchable databases;

(B) geographic information system mapping tools;

(C) integration of those tools with fiscal management systems to provide more detailed data; and

(D) other innovative technologies;

(2) ways to prioritize use of programmatic environmental impact statements;

(3) methods to encourage cooperating agencies to present analyses in a concise format; and

(4) any other improvements that can be made to modernize process implementation.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report describing the results of the review carried out under subsection (a).

SEC. 11115. SERVICE CLUB, CHARITABLE ASSOCIATION, OR RELIGIOUS SERVICE SIGNS.

Notwithstanding section 131 of title 23, United States Code, and part 750 of title 23, Code of Federal Regulations (or successor regulations), a State may allow the maintenance of a sign of a service club, charitable association, or religious service that was erected as of the date of enactment of this Act, the area of which is less than or equal to 32 square feet, if the State notifies the Federal Highway Administration.

SEC. 11116. SATISFACTION OF REQUIREMENTS FOR CERTAIN HISTORIC SITES.

(a) HIGHWAYS.—Section 138 of title 23, United States Code, is amended by adding at the end the following:

''(c) SATISFACTION OF REQUIREMENTS FOR CERTAIN HISTORIC SITES.—

''(1) IN GENERAL.—The Secretary shall—

''(A) align, to the maximum extent practicable, with the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4231 et seq.) and section 306108 of title 54, including implementing regulations; and

''(B) not later than 90 days after the date of enactment of this subsection, coordinate

with the Secretary of the Interior and the Executive Director of the Advisory Council on Historic Preservation (referred to in this subsection as the 'Council') to establish procedures to satisfy the requirements described in subparagraph (A) (including regulations).

''(2) AVOIDANCE ALTERNATIVE ANALYSIS.—

''(A) IN GENERAL.—If, in an analysis required under the National Environmental Policy Act of 1969 (42 U.S.C. 4231 et seq.), the Secretary determines that there is no feasible or prudent alternative to avoid use of an historic site, the Secretary may—

''(i) include the determination of the Secretary in the analysis required under that Act;

''(ii) provide a notice of the determination to—

''(I) each applicable State historic preservation officer and tribal historic preservation officer;

''(II) the Council, if the Council is participating in the consultation process under section 306108 of title 54; and

''(III) the Secretary of the Interior; and

''(iii) request from the applicable preservation officer, the Council, and the Secretary of the Interior a concurrence that the determination is sufficient to satisfy the requirement of subsection (a)(1).

''(B) CONCURRENCE.—If the applicable preservation officer, the Council, and the Secretary of the Interior each provide a concurrence requested under subparagraph (A)(iii), no further analysis under subsection (a)(1) shall be required.

''(C) PUBLICATION.—A notice of a determination, together with each relevant concurrence to that determination, under subparagraph (A) shall be—

''(i) included in the record of decision or finding of no significant impact of the Secretary; and

''(ii) posted on an appropriate Federal website by not later than 3 days after the date of receipt by the Secretary of all concurrences requested under subparagraph (A)(iii).

''(3) ALIGNING HISTORICAL REVIEWS.—

''(A) IN GENERAL.—If the Secretary, the applicable preservation officer, the Council, and the Secretary of the Interior concur that no feasible and prudent alternative exists as described in paragraph (2), the Secretary may provide to the applicable preservation officer, the Council, and the Secretary of the Interior notice of the intent of the Secretary to satisfy the requirements of subsection (a)(2) through the consultation requirements of section 306108 of title 54.

''(B) SATISFACTION OF CONDITIONS.—To satisfy the requirements of subsection (a)(2), each individual described in paragraph (2)(A)(ii) shall concur in the treatment of the applicable historic site described in the memorandum of agreement or programmatic agreement developed under section 306108 of title 54.''.

(b) PUBLIC TRANSPORTATION.—Section 303 of title 49, United States Code, is amended—

(1) in subsection (c), in the matter preceding paragraph (1), by striking ''subsection (d)'' and inserting ''subsections (d) and (e)''; and

(2) by adding at the end the following:

''(e) SATISFACTION OF REQUIREMENTS FOR CERTAIN HISTORIC SITES.—

''(1) IN GENERAL.—The Secretary shall—

''(A) align, to the maximum extent practicable, the requirements of this section with the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4231 et seq.) and section 306108 of title 54, including implementing regulations; and

''(B) not later than 90 days after the date of enactment of this subsection, coordinate with the Secretary of the Interior and the Executive Director of the Advisory Council on Historic Preservation (referred to in this subsection as the 'Council') to establish procedures to satisfy the requirements described in subparagraph (A) (including regulations).

''(2) AVOIDANCE ALTERNATIVE ANALYSIS.—

''(A) IN GENERAL.—If, in an analysis required under the National Environmental Policy Act of 1969 (42 U.S.C. 4231 et seq.), the Secretary determines that there is no feasible or prudent alternative to avoid use of an historic site, the Secretary may—

''(i) include the determination of the Secretary in the analysis required under that Act;

''(ii) provide a notice of the determination to—

''(I) each applicable State historic preservation officer and tribal historic preservation officer;

''(II) the Council, if the Council is participating in the consultation process under section 306108 of title 54; and

''(III) the Secretary of the Interior; and

''(iii) request from the applicable preservation officer, the Council, and the Secretary of the Interior a concurrence that the determination is sufficient to satisfy the requirement of subsection (c)(1).

''(B) CONCURRENCE.—If the applicable preservation officer, the Council, and the Secretary of the Interior each provide a concurrence requested under subparagraph (A)(iii), no further analysis under subsection (a)(1) shall be required.

''(C) PUBLICATION.—A notice of a determination, together with each relevant concurrence to that determination, under subparagraph (A) shall be—

''(i) included in the record of decision or finding of no significant impact of the Secretary; and

''(ii) posted on an appropriate Federal website by not later than 3 days after the date of receipt by the Secretary of all concurrences requested under subparagraph (A)(iii).

''(3) ALIGNING HISTORICAL REVIEWS.—

''(A) IN GENERAL.—If the Secretary, the applicable preservation officer, the Council, and the Secretary of the Interior concur that no feasible and prudent alternative exists as described in paragraph (2), the Secretary may provide to the applicable preservation officer, the Council, and the Secretary of the Interior notice of the intent of the Secretary to satisfy the requirements of subsection (c)(2) through the consultation requirements of section 306108 of title 54.

''(B) SATISFACTION OF CONDITIONS.—To satisfy the requirements of subsection (c)(2), the applicable preservation officer, the Council, and the Secretary of the Interior shall concur in the treatment of the applicable historic site described in the memorandum of agreement or programmatic agreement developed under section 306108 of title 54.''.

SEC. 11117. BRIDGE EXEMPTION FROM CONSIDERATION UNDER CERTAIN PROVISIONS.

(a) PRESERVATION OF PARKLANDS.—Section 138 of title 23, United States Code, as amended by section 11116, is amended by adding at the end the following:

''(d) BRIDGE EXEMPTION FROM CONSIDERATION.—A common post-1945 concrete or steel bridge or culvert (as described in 77 Fed. Reg. 68790) that is exempt from individual review under section 306108 of title 54, United States Code, shall be exempt from consideration under this section.''.

(b) POLICY ON LANDS, WILDLIFE AND WATERFOWL REFUGES, AND HISTORIC SITES.—Section 303 of title 49, United States Code, as amended by section 11116, is amended by adding at the end the following:

''(f) BRIDGE EXEMPTION FROM CONSIDERATION.—A common post-1945 concrete or steel bridge or culvert (as described in 77 Fed. Reg. 68790) that is exempt from individual review under section 306108 of title 54, United States Code, shall be exempt from consideration under this section.''.

SEC. 11118. ELIMINATION OF BARRIERS TO IMPROVE AT-RISK BRIDGES.

(a) TEMPORARY AUTHORIZATION.—

(1) IN GENERAL.—Until the Secretary of the Interior takes the action described in subsection (b), the take of nesting swallows to facilitate a construction project on a bridge eligible for funding under title 23, United States Code, with any component condition rating of 3 or less (as defined by the National Bridge Inventory General Condition Guidance issued by the Federal Highway Administration) is authorized under the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.) between April 1 and August 31.

(2) MEASURES TO MINIMIZE IMPACTS.—

(A) NOTIFICATION BEFORE TAKING.—Prior to the taking of nesting swallows authorized under paragraph (1), any person taking that action shall submit to the Secretary of the Interior a document that contains—

(i) the name of the person acting under the authority of paragraph (1) to take nesting swallows;

(ii) a list of practicable measures that will be undertaken to minimize or mitigate significant adverse impacts on the population of that species;

(iii) the time period during which activities will be carried out that will result in the taking of that species; and

(iv) an estimate of the number of birds, by species, to be taken in the proposed action.

(B) NOTIFICATION AFTER TAKING.—Not later than 60 days after the taking of nesting swallows authorized under paragraph (1), any person taking that action shall submit to the Secretary of the Interior a document that contains the number of birds, by species, taken in the action.

(b) AUTHORIZATION OF TAKE.—

(1) IN GENERAL.—The Secretary of the Interior, in consultation with the Secretary, shall promulgate a regulation under the authority of section 3 of the Migratory Bird Treaty Act (16 U.S.C. 704) authorizing the take of nesting swallows to facilitate bridge repair, maintenance, or construction—

(A) without individual permit requirements; and

(B) under terms and conditions determined to be consistent with treaties relating to migratory birds that protect swallow species occurring in the United States.

(2) TERMINATION.—On the effective date of a final rule under this subsection by the Secretary of the Interior, subsection (a) shall have no force or effect.

(c) SUSPENSION OR WITHDRAWAL OF TAKE AUTHORIZATION.—If the Secretary of the Interior, in consultation with the Secretary, determines that taking of nesting swallows carried out under the authority provided in subsection (a)(1) is having a significant adverse impact on swallow populations, the Secretary of the Interior may suspend that authority through publication in the Federal Register.

SEC. 11119. AT-RISK PROJECT PREAGREEMENT AUTHORITY.

(a) DEFINITION OF PRELIMINARY ENGINEERING.—In this section, the term ''preliminary

engineering'' means allowable preconstruction project development and engineering costs.

(b) AT-RISK PROJECT PREAGREEMENT AUTHORITY.—A recipient or subrecipient of Federal-aid funds under title 23, United States Code, may—

(1) incur preliminary engineering costs for an eligible project under title 23, United States Code, before receiving project authorization from the State, in the case of a subrecipient, and the Secretary to proceed with the project; and

(2) request reimbursement of applicable Federal funds after the project authorization is received.

(c) ELIGIBILITY.—The Secretary may reimburse preliminary engineering costs incurred by a recipient or subrecipient under subsection (b)—

(1) if the costs meet all applicable requirements under title 23, United States Code, at the time the costs are incurred and the Secretary concurs that the requirements have been met;

(2) in the case of a project located within a designated nonattainment or maintenance area for air quality, if the conformity requirements of the Clean Air Act (42 U.S.C. 7401 et seq.) have been met; and

(3) if the costs would have been allowable if incurred after the date of the project authorization by the Department.

(d) AT-RISK.—A recipient or subrecipient that elects to use the authority provided under this section shall—

(1) assume all risk for preliminary engineering costs incurred prior to project authorization; and

(2) be responsible for ensuring and demonstrating to the Secretary that all applicable cost eligibility conditions are met after the authorization is received.

(e) RESTRICTIONS.—Nothing in this section—

(1) allows a recipient or subrecipient to use the authority under this section to advance a project beyond preliminary engineering prior to the completion of the environmental review process;

(2) waives the applicability of Federal requirements to a project other than the reimbursement of preliminary engineering costs incurred prior to an authorization to proceed in accordance with this section; or

(3) guarantees Federal funding of the project or the eligibility of the project for future Federal-aid highway funding.

Subtitle C—Miscellaneous

SEC. 11201. CREDITS FOR UNTAXED TRANSPORTATION FUELS.

(a) DEFINITION OF QUALIFIED REVENUES.—In this section, the term ''qualified revenues'' means any amounts—

(1) collected by a State—

(A) for the registration of a vehicle that operates solely on a fuel that is not subject to a Federal tax; and

(B) not sooner than the second registration period following the purchase of the vehicle; and

(2) that do not exceed, for a vehicle described in paragraph (1), an annual amount determined by the Secretary to be equal to the annual amount paid for Federal motor fuels taxes on the fuel used by an average passenger car fueled solely by gasoline.

(b) CREDIT.—

(1) IN GENERAL.—Subject to paragraph (2), if a State contributes qualified revenues to cover not less than 5 percent of the total cost of a project eligible for assistance under this title, the Federal share payable for the project under this section may be increased by an amount that is—

(A) equal to the percent of the total cost of the project from contributed qualified revenues; but

(B) not more than 5 percent of the total cost of the project.

(2) EXPIRATION.—The authorization of an increased Federal share for a project pursuant to paragraph (1) expires on September 30, 2023.

(c) STUDY.—

(1) IN GENERAL.—Before the expiration date of the credit under subsection (b)(2), the Secretary, in coordination with other appropriate Federal agencies, shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that describes the most efficient and equitable means of taxing motor vehicle fuels not subject to a Federal tax as of the date of submission of the report.

(2) REQUIREMENT.—The means described in the report under paragraph (1) shall parallel, as closely as practicable, the structure of other Federal taxes on motor fuels.

SEC. 11202. JUSTIFICATION REPORTS FOR ACCESS POINTS ON THE INTERSTATE SYSTEM.

Section 111(e) of title 23, United States Code, is amended by inserting ''(including new or modified freeway-to-crossroad interchanges inside a transportation management area)'' after ''the Interstate System''.

SEC. 11203. EXEMPTIONS.

Section 127 of title 23, United States Code, is amended by adding at the end the following:

''(m) NATURAL GAS VEHICLES.—A vehicle, if operated by an engine fueled primarily by natural gas, may exceed any vehicle weight limit (up to a maximum gross vehicle weight of 82,000 pounds) under this section by an amount that is equal to the difference between—

''(1) the weight of the vehicle attributable to the natural gas tank and fueling system carried by that vehicle; and

''(2) the weight of a comparable diesel tank and fueling system.

''(n) EMERGENCY VEHICLES.—

''(1) DEFINITION OF EMERGENCY VEHICLE.—In this subsection, the term 'emergency vehicle' means a vehicle designed to be used under emergency conditions—

''(A) to transport personnel and equipment; and

''(B) to support the suppression of fires and mitigation of other hazardous situations.

''(2) EMERGENCY VEHICLE WEIGHT LIMIT.—Notwithstanding subsection (a), a State shall not enforce against an emergency vehicle a vehicle weight limit (up to a maximum gross vehicle weight of 86,000 pounds) of less than—

''(A) 24,000 pounds on a single steering axle;

''(B) 33,500 pounds on a single drive axle;

''(C) 62,000 pounds on a tandem axle; or

''(D) 52,000 pounds on a tandem rear drive steer axle.

''(o) OPERATION OF CERTAIN SPECIALIZED VEHICLES ON CERTAIN HIGHWAYS IN THE STATE OF ARKANSAS.—If any segment of United States Route 63 between the exits for highways 14 and 75 in the State of Arkansas is designated as part of the Interstate System—

''(1) a vehicle that could legally operate on the segment before the date of the designation at the posted speed limit may continue to operate on that segment; and

''(2) a vehicle that can only travel below the posted speed limit on the segment that could otherwise legally operate on the segment before the date of the designation may continue to operate on that segment during daylight hours.''.

SEC. 11204. HIGH PRIORITY CORRIDORS ON THE NATIONAL HIGHWAY SYSTEM.

Section 1105 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2031) is amended—

(1) in subsection (c) (105 Stat. 2032; 119 Stat. 1213)—

(A) by striking paragraph (13) and inserting the following:

''(13) Raleigh-Norfolk Corridor from Raleigh, North Carolina, through Rocky Mount, Williamston and Elizabeth City, North Carolina, to Norfolk, Virginia.'';

(B) by striking paragraph (68) and inserting the following:

''(68) The Washoe County Corridor and the Intermountain West Corridor shall generally follow:

''(A) in the case of the Washoe County Corridor, along Interstate Route 580/United States Route 95/United States Route 95A, from Reno, Nevada, to Las Vegas, Nevada; and

''(B) in the case of the Intermountain West Corridor, from the vicinity of Las Vegas extending north along United States Route 95, terminating at Interstate Route 80.''; and

(C) by adding at the end the following:

''(81) United States Route 117/Interstate Route 795 from United States Route 70 in Goldsboro, Wayne County, North Carolina, to Interstate Route 40 west of Faison, Sampson County, North Carolina.

''(82) United States Route 70 from its intersection with Interstate Route 40 in Garner, Wake County, North Carolina, to the Port at Morehead City, Carteret County, North Carolina.'';

(2) in subsection (e)(5)—

(A) in subparagraph (A) (109 Stat. 597; 118 Stat. 293; 119 Stat. 1213), in the first sentence—

(i) by inserting ''subsection (c)(13),'' after ''subsection (c)(9),'';

(ii) by striking ''subsections (c)(18)'' and all that follows through ''(c)(36)'' and inserting ''subsection (c)(18), subsection (c)(20), subparagraphs (A) and (B)(i) of subsection (c)(26), subsection (c)(36)'' ; and

(iii) by striking ''and subsection (c)(57)'' and inserting ''subsection (c)(57), subsection (c)(68)(B), subsection (c)(81), and subsection (c)(82)''; and

(B) in subparagraph (C)(i) (109 Stat. 598; 126 Stat. 427), by striking the last sentence and inserting ''The routes referred to in subparagraphs (A) and (B)(i) of subsection (c)(26) and in subsection (c)(68)(B) are designated as Interstate Route I–11.''.

SEC. 11205. REPEAT INTOXICATED DRIVER LAW.

Section 164(a)(4) of title 23, United States Code, is amended in the matter preceding subparagraph (A) by inserting ''or combination of laws'' after ''means a State law''.

SEC. 11206. VEHICLE-TO-INFRASTRUCTURE EQUIPMENT.

(a) NATIONAL HIGHWAY PERFORMANCE PROGRAM.—Section 119(d)(2)(L) of title 23, United States Code, is amended by inserting '', including the installation of interoperable vehicle-to-infrastructure communication equipment'' after ''capital improvements''.

(b) SURFACE TRANSPORTATION PROGRAM.—Section 133(b)(16) of title 23, United States Code, by inserting '', including the installation of interoperable vehicle-to-infrastructure communication equipment'' after ''capital improvements''.

SEC. 11207. RELINQUISHMENT.

A State transportation agency may relinquish park-and-ride lot facilities or portions

of park-and-ride lot facilities to a local government agency for highway purposes if authorized to do so under State law.

SEC. 11208. TRANSFER AND SALE OF TOLL CREDITS.

(a) DEFINITIONS.—In this section, the following definitions apply:

(1) ELIGIBLE STATE.—The term ''eligible State'' means a State that—

(A) is eligible to use a credit under section 120(i) of title 23, United States Code; and

(B) has been selected by the Secretary under subsection (d)(2).

(2) RECIPIENT STATE.—The term ''recipient State'' means a State that receives a credit by transfer or by sale under this section from an eligible State.

(b) ESTABLISHMENT OF PILOT PROGRAM.—Not later than 1 year after the date of the establishment of a nationwide toll credit monitoring and tracking system under subsection (g), the Secretary shall establish and implement a toll credit marketplace pilot program in accordance with this section.

(c) PURPOSES.—The purposes of the pilot program established under subsection (b) are—

(1) to identify whether a monetary value can be assigned to toll credits;

(2) to identify the discounted rate of toll credits for cash;

(3) to determine if the purchase of toll credits by States provides the purchasing State budget flexibility to deal with funding issues, including off-system needs, transit systems with high operating costs, or cash flow issues; and

(4) to test the feasibility of expanding the toll credit market to allow all States to participate on a permanent basis.

(d) SELECTION OF ELIGIBLE STATES.—

(1) APPLICATION TO SECRETARY.—In order to participate in the pilot program established under subsection (b), a State shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

(2) SELECTION.—Of the States that submit an application under paragraph (1), the Secretary may select not more than 10 States to be designated as an eligible State.

(e) TRANSFER OR SALE OF CREDITS.—

(1) IN GENERAL.—In carrying out the pilot program established under subsection (b), the Secretary shall provide that an eligible State may transfer or sell to a recipient State a credit not used by the eligible State under section 120(i) of title 23, United States Code.

(2) USE OF CREDITS BY TRANSFEREE OR PURCHASER.—A recipient State may use a credit received under paragraph (1) toward the non-Federal share requirement for any funds made available to carry out title 23 or chapter 53 of title 49, United States Code.

(3) CONDITION ON TRANSFER OR SALE OF CREDITS.—To receive a credit under paragraph (1), a recipient State shall enter into an agreement with the Secretary described in section 120(i) of title 23, United States Code.

(f) USE OF PROCEEDS FROM SALE OF CREDITS.—An eligible State shall use the proceeds from the sale of a credit under subsection (e)(1) for any project in the eligible State that is eligible under the surface transportation program established under section 133 of title 23, United States Code.

(g) TOLL CREDIT MONITORING AND TRACKING.—Not later than 180 days after the enactment of this section, the Secretary shall establish a nationwide toll credit monitoring and tracking system that functions as a real-time database on the inventory and use of toll credits among all States (as defined in section 101(a) of title 23, United States Code).

(h) NOTIFICATION.—Not later than 30 days after the date on which a credit is transferred or sold under subsection (e)(1), the eligible State shall submit to the Secretary in writing a notification of the transfer or sale.

(i) REPORTING REQUIREMENTS.—

(1) INITIAL REPORT.—Not later than 180 days after the date of establishment of the pilot program under subsection (b), the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the progress of the pilot program.

(2) STATE REPORT.—

(A) REPORT BY ELIGIBLE STATE.—Not later than 30 days after a purchase or sale under subsection (e)(1), an eligible State shall submit to the Secretary a report that describes—

(i) information on the transaction;

(ii) the amount of cash received and the value of toll credits sold;

(iii) the intended use of the cash; and

(iv) an update on the remaining toll credit balance of the State.

(B) REPORT BY RECIPIENT STATE.—Not later than 30 days after a purchase or sale under subsection (e)(1), a recipient State shall submit to the Secretary a report that describes—

(i) the value of toll credits purchased;

(ii) the anticipated use of the toll credits; and

(iii) plans for maintaining maintenance of effort for spending on Federal-aid highways projects.

(3) ANNUAL REPORT.—Not later than 1 year after the date on which the pilot program under subsection (b) is established and each year thereafter that the pilot program is in effect, the Secretary shall—

(A) submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that—

(i) determines whether a toll credit marketplace is viable;

(ii) describes the buying and selling activities of the pilot program;

(iii) describes the monetary value of toll credits;

(iv) determines whether the pilot program could be expanded to more States or all States; and

(v) provides updated information on the toll credit balance accumulated by each State; and

(B) make the report described in subparagraph (A) publicly available on the website of the Department.

(j) TERMINATION.—The Secretary may terminate the program established under this section or the participation of any State in the program if the Secretary determines that the program is not serving a public benefit.

SEC. 11209. REGIONAL INFRASTRUCTURE ACCELERATOR DEMONSTRATION PROGRAM.

(a) IN GENERAL.—The Secretary shall establish a regional infrastructure demonstration program (referred to in this section as the ''program'') to assist entities in developing improved infrastructure priorities and financing strategies for the accelerated development of a project that is eligible for funding under the TIFIA program under chapter 6 of title 23, United States Code.

(b) DESIGNATION OF REGIONAL INFRASTRUCTURE ACCELERATORS.—In carrying out the program, the Secretary may designate regional infrastructure accelerators that will—

(1) serve a defined geographic area; and

(2) act as a resource in the geographic area to qualified entities in accordance with this section.

(c) APPLICATION.—To be eligible for a designation under subsection (b), a proposed regional infrastructure accelerator shall submit to the Secretary a proposal at such time, in such manner, and containing such information as the Secretary may require.

(d) CRITERIA.—In evaluating a proposal submitted under subsection (c), the Secretary shall consider—

(1) the need for geographic diversity among regional infrastructure accelerators; and

(2) the ability of the proposal to promote investment in covered infrastructure projects, which shall include a plan—

(A) to evaluate and promote innovative financing methods for local projects, including the use of the TIFIA program under chapter 6 of title 23, United States Code;

(B) to build capacity of State, local, and tribal governments to evaluate and structure projects involving the investment of private capital;

(C) to provide technical assistance and information on best practices with respect to financing the projects;

(D) to increase transparency with respect to infrastructure project analysis and using innovative financing for public infrastructure projects;

(E) to deploy predevelopment capital programs designed to facilitate the creation of a pipeline of infrastructure projects available for investment;

(F) to bundle smaller-scale and rural projects into larger proposals that may be more attractive for investment; and

(G) to reduce transaction costs for public project sponsors.

(e) ANNUAL REPORT.—Not less frequently than once each year, the Secretary shall submit to Congress a report that describes the findings and effectiveness of the program.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out the program $12,000,000, of which the Secretary shall use—

(1) $11,750,000 for initial grants to regional infrastructure accelerators under subsection (b); and

(2) $250,000 for administrative costs of carrying out the program.

TITLE II—TRANSPORTATION INNOVATION

Subtitle A—Research

SEC. 12001. RESEARCH, TECHNOLOGY, AND EDUCATION.

(a) HIGHWAY RESEARCH AND DEVELOPMENT PROGRAM.—Section 503(b)(3) of title 23, United States Code, is amended—

(1) in subparagraph (C)—

(A) in clause (xviii), by striking ''and'' at the end;

(B) in clause (xix), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

''(xx) accelerated mobile, highway-speed, bridge inspection methods that provide quantitative data-driven decisionmaking capabilities without requiring lane closures; and

''(xxi) innovative segmental wall technology for soil bank stabilization and roadway sound attenuation, and articulated technology for hydraulic sheer-resistant erosion control.''; and

(2) in subparagraph (D)(i), by inserting ''and section 119(e)'' after ''this subparagraph''.

(b) TECHNOLOGY AND INNOVATION DEPLOYMENT PROGRAM.—Section 503(c) of title 23, United States Code, is amended—

(1) in paragraph (1), in the matter preceding subparagraph (A), by striking ''carry out'' and inserting ''establish and implement'';

(2) in paragraph (2)—

(A) in subparagraph (B), by striking clause (i) and inserting the following:

''(i) use not less than 50 percent of the funds authorized to carry out this subsection to make grants to, and enter into cooperative agreements and contracts with, States, other Federal agencies, local governments, metropolitan planning organizations, institutions of higher education, private sector entities, and nonprofit organizations to carry out demonstration programs that will accelerate the deployment and adoption of transportation research activities;'';

(B) by redesignating subparagraph (C) as subparagraph (D); and

(C) by inserting after subparagraph (B) the following:

''(C) INNOVATION GRANTS.—

''(i) IN GENERAL.—In carrying out the program established under subparagraph (B)(i), the Secretary shall establish a transparent competitive process in which entities described in subparagraph (B)(i) may submit an application to receive a grant under this subsection.

''(ii) PUBLICATION OF APPLICATION PROCESS.—A description of the application process established by the Secretary shall—

''(I) be posted on a public website;

''(II) identify the information required to be included in the application; and

''(III) identify the criteria by which the Secretary shall select grant recipients.

''(iii) SUBMISSION OF APPLICATION.—To receive a grant under this paragraph, an entity described in subparagraph (B)(i) shall submit an application to the Secretary.

''(iv) SELECTION AND APPROVAL.—The Secretary shall select and approve an application submitted under clause (iii) based on whether the project described in the application meets the goals of the program described in paragraph (1).''; and

(3) in paragraph (3)(C), by striking ''each of fiscal years 2013 through 2014'' and inserting ''each fiscal year''.

(c) CONFORMING AMENDMENT.—Section 505(c)(1) of title 23, United States Code, is amended by striking ''section 503(c)(2)(C)'' and inserting ''section 503 (c)(2)(D)''.

SEC. 12002. INTELLIGENT TRANSPORTATION SYSTEMS.

(a) INTELLIGENT TRANSPORTATION SYSTEMS DEPLOYMENT.—Section 513 of title 23, United States Code, is amended by adding at the end the following:

''(d) SYSTEM OPERATIONS AND ITS DEPLOYMENT GRANT PROGRAM.—

''(1) ESTABLISHMENT.—The Secretary shall establish a competitive grant program to accelerate the deployment, operation, systems management, intermodal integration, and interoperability of the ITS program and ITS-enabled operational strategies—

''(A) to measure and improve the performance of the surface transportation system;

''(B) to reduce traffic congestion and the economic and environmental impacts of traffic congestion;

''(C) to minimize fatalities and injuries;

''(D) to enhance mobility of people and goods;

''(E) to improve traveler information and services; and

''(F) to optimize existing roadway capacity.

''(2) APPLICATION.—To be eligible for a grant under this subsection, an eligible entity shall submit an application to the Secretary that includes—

''(A) a plan to deploy and provide for the long-term operation and maintenance of intelligent transportation systems to improve safety, efficiency, system performance, and return on investment, such as—

''(i) autonomous vehicle communication technologies;

''(ii) vehicle-to-vehicle or vehicle-to-infrastructure communication technologies;

''(iii) real-time integrated traffic, transit, and multimodal transportation information;

''(iv) advanced traffic, freight, parking, and incident management systems;

''(v) advanced technologies to improve transit and commercial vehicle operations;

''(vi) synchronized, adaptive, and transit preferential traffic signals;

''(vii) advanced infrastructure condition assessment technologies; and

''(viii) other technologies to improve system operations, including ITS applications necessary for multimodal systems integration and for achieving performance goals;

''(B) quantifiable system performance improvements, including—

''(i) reductions in traffic-related crashes, congestion, and costs;

''(ii) optimization of system efficiency; and

''(iii) improvement of access to transportation services;

''(C) quantifiable safety, mobility, and environmental benefit projections, including data-driven estimates of the manner in which the project will improve the efficiency of the transportation system and reduce traffic congestion in the region;

''(D) a plan for partnering with the private sector, including telecommunications industries and public service utilities, public agencies (including multimodal and multijurisdictional entities), research institutions, organizations representing transportation and technology leaders, and other transportation stakeholders;

''(E) a plan to leverage and optimize existing local and regional ITS investments; and

''(F) a plan to ensure interoperability of deployed technologies with other tolling, traffic management, and intelligent transportation systems.

''(3) SELECTION.—

''(A) IN GENERAL.—Effective beginning not later than 1 year after the date of enactment of the DRIVE Act, the Secretary may provide grants to eligible entities under this subsection.

''(B) GEOGRAPHIC DIVERSITY.—In awarding a grant under this subsection, the Secretary shall ensure, to the maximum extent practicable, that grant recipients represent diverse geographical areas of the United States, including urban, suburban, and rural areas.

''(C) NON-FEDERAL SHARE.—In awarding a grant under the subsection, the Secretary shall give priority to grant recipients that demonstrate an ability to contribute a significant non-Federal share to the cost of carrying out the project for which the grant is received.

''(4) ELIGIBLE USES.—Projects for which grants awarded under this subsection may be used include—

''(A) the deployment of autonomous vehicle communication technologies;

''(B) the deployment of vehicle-to-vehicle or vehicle-to-infrastructure communication technologies;

''(C) the establishment and implementation of ITS and ITS-enabled operations strategies that improve performance in the areas of—

''(i) traffic operations;

''(ii) emergency response to surface transportation incidents;

''(iii) incident management;

''(iv) transit and commercial vehicle operations improvements;

''(v) weather event response management by State and local authorities;

''(vi) surface transportation network and facility management;

''(vii) construction and work zone management;

''(viii) traffic flow information;

''(ix) freight management; and

''(x) congestion management;

''(D) carrying out activities that support the creation of networks that link metropolitan and rural surface transportation systems into an integrated data network, capable of collecting, sharing, and archiving transportation system traffic condition and performance information;

''(E) the implementation of intelligent transportation systems and technologies that improve highway safety through information and communications systems linking vehicles, infrastructure, mobile devices, transportation users, and emergency responders;

''(F) the provision of services necessary to ensure the efficient operation and management of ITS infrastructure, including costs associated with communications, utilities, rent, hardware, software, labor, administrative costs, training, and technical services;

''(G) the provision of support for the establishment and maintenance of institutional relationships between transportation agencies, police, emergency medical services, private emergency operators, freight operators, shippers, public service utilities, and telecommunications providers;

''(H) carrying out multimodal and cross-jurisdictional planning and deployment of regional transportation systems operations and management approaches; and

''(I) performing project evaluations to determine the costs, benefits, lessons learned, and future deployment strategies associated with the deployment of intelligent transportation systems.

''(5) REPORT TO SECRETARY.—For each fiscal year that an eligible entity receives a grant under this subsection, not later than 1 year after receiving the grant, each recipient shall submit to the Secretary a report that describes how the project has met the expectations projected in the deployment plan submitted with the application, including information on—

''(A) how the program has helped reduce traffic crashes, congestion, costs, and other benefits of the deployed systems;

''(B) the effect of measuring and improving transportation system performance through the deployment of advanced technologies;

''(C) the effectiveness of providing real-time integrated traffic, transit, and multimodal transportation information to the public that allows the public to make informed travel decisions; and

''(D) lessons learned and recommendations for future deployment strategies to optimize transportation efficiency and multimodal system performance.

''(6) REPORT TO CONGRESS.—Not later than 2 years after the date on which the first grant is awarded under this subsection and annually thereafter for each fiscal year for which grants are awarded under this subsection, the Secretary shall submit to Congress a report that describes the effectiveness of the

grant recipients in meeting the projected deployment plan goals, including data on how the grant program has—

''(A) reduced traffic-related fatalities and injuries;

''(B) reduced traffic congestion and improved travel-time reliability;

''(C) reduced transportation-related emissions;

''(D) optimized multimodal system performance;

''(E) improved access to transportation alternatives;

''(F) provided the public with access to real-time integrated traffic, transit, and multimodal transportation information to make informed travel decisions;

''(G) provided cost savings to transportation agencies, businesses, and the traveling public; and

''(H) provided other benefits to transportation users and the general public.

''(7) ADDITIONAL GRANTS.—If the Secretary determines, based on a report submitted under paragraph (5), that a grant recipient is not complying with the established grant criteria, the Secretary may—

''(A) cease payment to the recipient of any remaining grant amounts; and

''(B) redistribute any remaining amounts to other eligible entities under this section.

''(8) NON-FEDERAL SHARE.—The Federal share of the cost of a project for which a grant is provided under this subsection shall not exceed 50 percent of the cost of the project.

''(9) FUNDING.—Of the funds made available each fiscal year to carry out the intelligent transportation system program under sections 512 through 518, not less than $30,000,000 shall be used to carry out this subsection.''.

(b) INTELLIGENT TRANSPORTATION SYSTEMS GOALS AND PURPOSES.—Section 514(a) of title 23, United States Code, is amended—

(1) in paragraph (4), by striking ''and'' at the end; and

(2) by striking paragraph (5) and inserting the following:

''(5) improvement of the ability of the United States to respond to security-related or other manmade emergencies and natural disasters; and

''(6) enhancement of the freight system of the United States and support to freight policy goals by conducting heavy duty vehicle demonstration activities and accelerating adoption of ITS applications in freight operations.''.

(c) ITS ADVISORY COMMITTEE REPORT.—Section 515(h)(4) of title 23, United States Code, is amended in the matter preceding subparagraph (A) by striking ''February 1 of each year after the date of enactment of the Transportation Research and Innovative Technology Act of 2012'' and inserting ''May 1 of each year''.

SEC. 12003. FUTURE INTERSTATE STUDY.

(a) FINDINGS.—Congress finds that—

(1) a well-developed system of transportation infrastructure is critical to the economic well-being, health, and welfare of the people of the United States;

(2) the 47,000-mile national Interstate System is the backbone to that transportation infrastructure system; and

(3) as of the date of enactment of this Act—

(A) many segments of the approximately 60- year-old Interstate System are well beyond the 50-year design life of the System and yet these aging facilities are central to the transportation infrastructure system, carrying 25 percent of the vehicle traffic of the United States on just 1 percent of the total public roadway mileage;

(B) the need for ongoing maintenance, preservation, and reconstruction of the Interstate System has grown due to increasing and changing travel demands; and

(C) simple maintenance of the current condition and configuration of the Interstate System is insufficient for the System to fully serve the transportation needs of the United States for the next 50 years.

(b) FUTURE INTERSTATE SYSTEM STUDY.—Not later than 180 days after the date of enactment of this Act, the Secretary shall enter into an agreement with the Transportation Research Board of the National Academies to conduct a study on the actions needed to upgrade and restore the Dwight D. Eisenhower National System of Interstate and Defense Highways to its role as a premier system network that meets the growing and shifting demands of the 21st century and for the next 50 years (referred to in this section as the ''study'').

(c) METHODOLOGIES.—In conducting the study, the Transportation Research Board shall build on the methodologies examined and recommended in the report prepared for the American Association of State Highway and Transportation Officials entitled ''National Cooperative Highway Research Program Project 20–24(79): Specifications for a National Study of the Future 3R, 4R, and Capacity Needs of the Interstate System'' and dated December 2013.

(d) RECOMMENDATIONS.—The study—

(1) shall include specific recommendations regarding the features, standards, capacity needs, application of technologies, and intergovernmental roles to upgrade the Interstate System, including any revisions to law (including regulations) that the Transportation Research Board determines appropriate to achieve the goals; and

(2) is encouraged to build on the robust institutional knowledge in the highway industry in applying the techniques involved in implementing the study.

(e) CONSIDERATIONS.—In carrying out the study, the Transportation Research Board shall determine the need for reconstruction and improvement of the Interstate System by considering—

(1) future demands on transportation infrastructure determined for national planning purposes, including commercial and private traffic flows to serve future economic activity and growth;

(2) the expected condition of the current Interstate System over the next 50 years, including long-term deterioration and reconstruction needs;

(3) those National Highway System routes that should be added to the existing Interstate System to more efficiently serve national traffic flows;

(4) features that would take advantage of technological capabilities to address modern standards of construction, maintenance, and operations, for purposes of safety, and system management, taking into further consideration system performance and cost; and

(5) the resources necessary to maintain and improve the Interstate System, including the resources required to upgrade those National Highway System routes identified in paragraph (3) to Interstate standards.

(f) CONSULTATION.—In carrying out the study, the Transportation Research Board—

(1) shall convene and consult with a panel of national experts including current and future owners, operators, and users of the Interstate System and private sector stakeholders; and

(2) is encouraged to consult with—

(A) the Federal Highway Administration;

(B) States;

(C) planning agencies at the metropolitan, State, and regional levels;

(D) the motor carrier industry;

(E) freight shippers;

(F) highway safety groups; and

(G) other appropriate entities.

(g) REPORT.—Not later than 3 years after the date of enactment of this Act, the Transportation Research Board shall submit to the Secretary, the Committee on Environment and Public Works of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives a report on the results of the study conducted under this section.

(h) FUNDING.—From amounts authorized to carry out the Highway Research and Development Program, the Secretary shall use up to $5,000,000 for fiscal year 2016 to carry out this section.

SEC. 12004. RESEARCHING SURFACE TRANSPORTATION SYSTEM FUNDING ALTERNATIVES.

(a) IN GENERAL.—The Secretary shall promote the research of user-based alternative revenue mechanisms that preserve a user fee structure to maintain the long-term solvency of the Highway Trust Fund.

(b) OBJECTIVES.—The objectives of the research described in subsection (a) shall be—

(1) to study uncertainties relating to the design, acceptance, and implementation of 2 or more future user-based alternative revenue mechanisms;

(2) to define the functionality of those user-based alternative revenue mechanisms;

(3) to conduct or promote research activities to demonstrate and test those user-based alternative revenue mechanisms, including by conducting field trials, by partnering with individual States, groups of States, or other appropriate entities to conduct the research activities;

(4) to conduct outreach to increase public awareness regarding the need for alternative funding sources for surface transportation programs and provide information on possible approaches;

(5) to provide recommendations regarding adoption and implementation of those user-based alternative revenue mechanisms; and

(6) to minimize the administrative cost of any potential user-based alternative revenue mechanisms.

(c) GRANTS.—The Secretary shall provide grants to individual States, groups of States, or other appropriate entities to conduct research that addresses—

(1) the implementation, interoperability, public acceptance, and other potential hurdles to the adoption of a user-based alternative revenue mechanism;

(2) the protection of personal privacy;

(3) the use of independent and private third-party vendors to collect fees and operate the user-based alternative revenue mechanism;

(4) equity concerns, including the impacts of the user-based alternative revenue mechanism on differing income groups, various geographic areas, and the relative burdens on rural and urban drivers;

(5) ease of compliance for different users of the transportation system;

(6) the reliability and security of technology used to implement the user-based alternative revenue mechanism;

(7) the flexibility and choices of user-based alternative revenue mechanisms, including the ability of users to select from various technology and payment options;

(8) the cost of administering the user-based alternative revenue mechanism; and

(9) the ability of the administering entity to audit and enforce user compliance.

(d) ADVISORY COUNCIL.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary, in consultation with the Secretary of the Treasury, shall establish and lead a Surface Transportation Revenue Alternatives Advisory Council (referred to in this subsection as the ''Council'') to inform the selection and evaluation of user-based alternative revenue mechanisms.

(2) MEMBERSHIP.—

(A) IN GENERAL.—The members of the Council shall—

(i) be appointed by the Secretary; and

(ii) include, at a minimum—

(I) representatives with experience in user-based alternative revenue mechanisms, of which—

(aa) not fewer than 1 shall be from the Department;

(bb) not fewer than 1 shall be from the Department of the Treasury; and

(cc) not fewer than 2 shall be from State departments of transportation;

(II) representatives from applicable users of the surface transportation system; and

(III) appropriate technology and public privacy experts.

(B) GEOGRAPHIC CONSIDERATIONS.—The Secretary shall consider geographic diversity when selecting members under this paragraph.

(3) FUNCTIONS.—Not later than 1 year after the date on which the Council is established, the Council shall, at a minimum—

(A) define the functionality of 2 or more user-based alternative revenue mechanisms;

(B) identify technological, administrative, institutional, privacy, and other issues that—

(i) are associated with the user-based alternative revenue mechanisms; and

(ii) may be researched through research activities;

(C) conduct public outreach to identify and assess questions and concerns about the user-based alternative revenue mechanisms for future evaluation through research activities; and

(D) provide recommendations to the Secretary on the process and criteria used for selecting research activities under subsection (c).

(4) EVALUATIONS.—The Council shall conduct periodic evaluations of the research activities that have received assistance from the Secretary under this section.

(5) APPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.—The Council shall not be subject to the Federal Advisory Committee Act (5 U.S.C. App.).

(e) BIENNIAL REPORTS.—Not later than 2 years after the date of enactment of this Act, and every 2 years thereafter until the completion of the research activities under this section, the Secretary shall submit to the Secretary of the Treasury, the Committee on Finance and the Committee on Environment and Public Works of the Senate, and the Committee on Ways and Means and the Committee on Transportation and Infrastructure of the House of Representatives a report describing the progress of the research activities.

(f) FINAL REPORT.—On the completion of the research activities under this section, the Secretary and the Secretary of the Treasury, acting jointly, shall submit to the Committee on Finance and the Committee on Environment and Public Works of the Senate and the Committee on Ways and Means and the Committee on Transportation and Infrastructure of the House of Representatives a report describing the results of the research activities and any recommendations.

(g) FUNDING.—Of the funds authorized to carry out section 503(b) of title 23, United States Code—

(1) $15,000,000 shall be used to carry out this section in fiscal year 2016; and

(2) $20,000,000 shall be used to carry out this section in each of fiscal years 2017 through 2021.

Subtitle B—Data

SEC. 12101. TRIBAL DATA COLLECTION.

Section 201(c)(6) of title 23, United States Code, is amended by adding at the end the following:

''(C) TRIBAL DATA COLLECTION.—In addition to the data to be collected under subparagraph (A), not later than 90 days after the end of each fiscal year, any entity carrying out a project under the tribal transportation program under section 202 shall submit to the Secretary and the Secretary of Interior, based on obligations and expenditures under the tribal transportation program during the preceding fiscal year, the following data:

''(i) The names of projects or activities carried out by the entity under the tribal transportation program during the preceding fiscal year.

''(ii) A description of the projects or activities identified under clause (i).

''(iii) The current status of the projects or activities identified under clause (i).

''(iv) An estimate of the number of jobs created and the number of jobs retained by the projects or activities identified under clause (i).''.

SEC. 12102. PERFORMANCE MANAGEMENT DATA SUPPORT PROGRAM.

(a) PERFORMANCE MANAGEMENT DATA SUPPORT.—The Administrator of the Federal Highway Administration shall develop, use, and maintain data sets and data analysis tools to assist metropolitan planning organizations, States, and the Federal Highway Administration in carrying out performance management analyses (including the performance management requirements under section 150 of title 23, United States Code).

(b) INCLUSIONS.—The data analysis activities authorized under subsection (a) may include—

(1) collecting and distributing vehicle probe data describing traffic on Federal-aid highways;

(2) collecting household travel behavior data to assess local and cross-jurisdictional travel, including to accommodate external and through travel;

(3) enhancing existing data collection and analysis tools to accommodate performance measures, targets, and related data, so as to better understand trip origin and destination, trip time, and mode;

(4) enhancing existing data analysis tools to improve performance predictions and travel models in reports described in section 150(e) of title 23, United States Code; and

(5) developing tools—

(A) to improve performance analysis; and

(B) to evaluate the effects of project investments on performance.

(c) FUNDING.—From amounts authorized to carry out the Highway Research and Development Program, the Administrator may use up to $10,000,000 for each of fiscal years 2016 through 2021 to carry out this section.

Subtitle C—Transparency and Best Practices

SEC. 12201. EVERY DAY COUNTS INITIATIVE.

(a) IN GENERAL.—It is in the national interest for the Department, State departments of transportation, and all other recipients of Federal transportation funds—

(1) to identify, accelerate, and deploy innovation aimed at shortening project delivery, enhancing the safety of the roadways of the United States, and protecting the environment;

(2) to ensure that the planning, design, engineering, construction, and financing of transportation projects is done in an efficient and effective manner;

(3) to promote the rapid deployment of proven solutions that provide greater accountability for public investments and encourage greater private sector involvement; and

(4) to create a culture of innovation within the highway community.

(b) EVERY DAY COUNTS INITIATIVE.—To advance the policy described in subsection (a), the Administrator of the Federal Highway Administration (referred to in this section as the ''Administrator'') shall continue the Every Day Counts initiative to work with States, local transportation agencies, and industry stakeholders to identify and deploy proven innovative practices and products that—

(1) accelerate innovation deployment;

(2) shorten the project delivery process;

(3) improve environmental sustainability;

(4) enhance roadway safety; and

(5) reduce congestion.

(c) INNOVATION DEPLOYMENT.—

(1) IN GENERAL.—At least every 2 years, the Administrator shall work collaboratively with stakeholders to identify a new collection of innovations, best practices, and data to be deployed to highway stakeholders through case studies, webinars, and demonstration projects.

(2) REQUIREMENTS.—In identifying a collection described in paragraph (1), the Secretary shall take into account market readiness, impacts, benefits, and ease of adoption of the innovation or practice.

(d) PUBLICATION.—Each collection identified under subsection (c) shall be published by the Administrator on a publicly available website.

SEC. 12202. DEPARTMENT OF TRANSPORTATION PERFORMANCE MEASURES.

(a) PERFORMANCE MEASURES.—Not later than 1 year after the date of enactment of this Act, the Secretary, in coordination with the heads of other Federal agencies with responsibility for the review and approval of projects funded under title 23, United States Code, shall measure and report on—

(1) the progress made toward aligning Federal reviews of projects funded under title 23, United States Code, and the improvement of project delivery associated with those projects; and

(2) as applicable, the effectiveness of the Department in achieving the goals described in section 150(b) of title 23, United States Code, through discretionary programs.

(b) REPORT.—Not later than 2 years after the date of enactment of this Act and biennially thereafter, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report describing the results of the evaluation conducted under subsection (a).

(c) INSPECTOR GENERAL REPORT.—Not later than 3 years after the date of enactment of this Act, the Inspector General of the Department shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and

Infrastructure of the House of Representatives a report describing the results of the evaluation conducted under subsection (a).

SEC. 12203. GRANT PROGRAM FOR ACHIEVEMENT IN TRANSPORTATION FOR PERFORMANCE AND INNOVATION.

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE ENTITY.—The term ''eligible entity'' includes—

(A) a State;

(B) a unit of local government;

(C) a tribal organization (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b)); and

(D) a metropolitan planning organization.

(2) STATE.—The term ''State'' means—

(A) a State;

(B) the District of Columbia;

(C) the Commonwealth of Puerto Rico; and

(D) any other territory (as defined in section 165(c)(1) of title 23, United States Code).

(b) ESTABLISHMENT OF PROGRAM.—The Secretary shall establish a competitive grant program to reward—

(1) achievement in transportation performance management; and

(2) the implementation of strategies that achieve innovation and efficiency in surface transportation.

(c) PURPOSE.—The purpose of the program under this section shall be to reward entities for the implementation of policies and procedures that—

(1) support performance-based management of the surface transportation system and improve transportation outcomes; or

(2) use innovative technologies and practices that improve the efficiency and performance of the surface transportation system.

(d) APPLICATION.—

(1) IN GENERAL.—An eligible entity may submit to the Secretary an application for a grant under this section.

(2) CONTENTS.—An application under paragraph (1) shall indicate the means by which the eligible entity has met the requirements and purpose of the program under this section, including by—

(A) establishing, and making progress toward achieving, performance targets that exceed the requirements of title 23, United States Code;

(B) using innovative techniques and practices that enhance the effective movement of people, goods, and services, such as technologies that reduce construction time, improve operational efficiencies, and extend the service life of highways and bridges; and

(C) employing transportation planning tools and procedures that improve transparency and the development of transportation investment strategies within the jurisdiction of the eligible entity.

(e) EVALUATION CRITERIA.—In awarding a grant under this section, the Secretary shall take into consideration the extent to which the application of the applicable eligible entity under subsection (d)—

(1) demonstrates performance in meeting the requirements of subsection (c); and

(2) promotes the national goals described in section 150(b) of title 23, United States Code.

(f) ELIGIBLE ACTIVITIES.—Amounts made available to carry out this section shall be used for projects eligible for funding under—

(1) title 23, United States Code; or

(2) chapter 53 of title 49, United States Code.

(g) LIMITATION.—The amount of a grant under this section shall be not more than $15,000,000.

(h) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated out of the general fund of the Treasury to carry out this section $150,000,000 for each of fiscal years 2016 through 2021, to remain available until expended.

(2) ADMINISTRATIVE COSTS.—The Secretary shall withhold a reasonable amount of funds made available under paragraph (1) for administration of the program under this section, not to exceed 3 percent of the amount appropriated for each applicable fiscal year.

(i) APPLICABILITY OF REQUIREMENTS.—Amounts made available under this section shall be administered as if the funds were apportioned under chapter 1 of title 23, United States Code.

SEC. 12204. HIGHWAY TRUST FUND TRANSPARENCY AND ACCOUNTABILITY.

(a) IN GENERAL.—Section 104 of title 23, United States Code, is amended by striking subsection (g) and inserting the following:

''(g) HIGHWAY TRUST FUND TRANSPARENCY AND ACCOUNTABILITY REPORT.—

''(1) PUBLICLY AVAILABLE REPORT.—Not later than 180 days after the date of enactment of the DRIVE Act and quarterly thereafter, the Secretary shall compile data in accordance with this subsection on the use of Federal-aid highway program funds made available under this title.

''(2) REQUIREMENTS.—The Secretary shall ensure that the reports required under this subsection are made available in a user-friendly manner on the public website of the Department of Transportation and can be searched and downloaded by users of the website.

''(3) CONTENTS OF REPORT.—

''(A) APPORTIONED AND ALLOCATED PROGRAMS.—For each fiscal year, the report shall include comprehensive data for each program, organized by State, that includes—

''(i) the total amount of funds available for obligation, identifying the unobligated balance of funds available at the end of the preceding fiscal year and new funding available for the current fiscal year;

''(ii) the total amount of funding obligated during the current fiscal year;

''(iii) the remaining amount of funds available for obligation;

''(iv) changes in the obligated, unexpended balance during the current fiscal year, including the obligated, unexpended balance at the end of the preceding fiscal year and current fiscal year expenditures; and

''(v) the percentage of the total amount of obligations for the current fiscal year used for construction and the total amount obligated during the current fiscal year for rehabilitation.

''(B) PROJECT DATA.—To the maximum extent practicable, the report shall include project-specific data, including data describing—

''(i) the specific location of a project;

''(ii) whether the project is located in an area of the State with a population of—

''(I) less than 5,000 individuals;

''(II) 5,000 or more individuals but less than 50,000 individuals; or

''(III) 50,000 or more individuals;

''(iii) the total cost of the project;

''(iv) the amount of Federal funding being used on the project;

''(v) the 1 or more programs from which Federal funds are obligated on the project;

''(vi) the type of improvement being made, such as categorizing the project as—

''(I) a road reconstruction project;

''(II) a new road construction project;

''(III) a new bridge construction project;

''(IV) a bridge rehabilitation project; or

''(V) a bridge replacement project; and

''(vii) the ownership of the highway or bridge.

''(C) TRANSFERS BETWEEN PROGRAMS.—The report shall include a description of the amount of funds transferred between programs by each State under section 126.''.

(b) CONFORMING AMENDMENT.—Section 1503 of MAP–21 (23 U.S.C. 104 note; Public Law 112–141) is amended by striking subsection (c).

SEC. 12205. REPORT ON HIGHWAY TRUST FUND ADMINISTRATIVE EXPENDITURES.

(a) INITIAL REPORT.—Not later than 150 days after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report describing the administrative expenses of the Federal Highway Administration funded from the Highway Trust Fund during the 3 most recent fiscal years.

(b) UPDATES.—Not later than 5 years after the date on which the report is submitted under subsection (a) and every 5 years thereafter, the Comptroller General shall submit to Congress a report that updates the information provided in the report under that subsection for the preceding 5-year period.

(c) INCLUSIONS.—Each report submitted under subsection (a) or (b) shall include a description of the—

(1) types of administrative expenses of programs and offices funded by the Highway Trust Fund;

(2) tracking and monitoring of administrative expenses;

(3) controls in place to ensure that funding for administrative expenses is used as efficiently as practicable; and

(4) flexibility of the Department to reallocate amounts from the Highway Trust Fund between full-time equivalent employees and other functions.

SEC. 12206. AVAILABILITY OF REPORTS.

(a) IN GENERAL.—The Secretary shall make available to the public on the website of the Department any report required to be submitted by the Secretary to Congress after the date of enactment of this Act.

(b) DEADLINE.—Each report described in subsection (a) shall be made available on the website not later than 30 days after the report is submitted to Congress.

SEC. 12207. PERFORMANCE PERIOD ADJUSTMENT.

(a) NATIONAL HIGHWAY PERFORMANCE PROGRAM.—Section 119 of title 23, United States Code, is amended—

(1) in subsection (e)(7), by striking ''for 2 consecutive reports submitted under this paragraph shall include in the next report submitted'' and inserting ''shall include as part of the performance target report under section 150(e)''; and

(2) in subsection (f)(1)(A), by striking ''If, during 2 consecutive reporting periods, the condition of the Interstate System, excluding bridges on the Interstate System, in a State falls'' and inserting ''If a State reports that the condition of the Interstate System, excluding bridges on the Interstate System, has fallen''.

(b) HIGHWAY SAFETY IMPROVEMENT PROGRAM.—Section 148(i) of title 23, United States Code, is amended—

(1) in the matter preceding paragraph (1), by striking ''performance targets of the State established under section 150(d) by the date that is 2 years after the date of the establishment of the performance targets'' and inserting ''safety performance targets of the State established under section 150(d)''; and

(2) in paragraphs (1) and (2), by inserting ''safety'' before ''performance targets'' each place it appears.

SEC. 12208. DESIGN STANDARDS.

(a) IN GENERAL.—Section 109 of title 23, United States Code, is amended—

(1) in subsection (c)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking ''may take into account'' and inserting ''shall consider''; and

(ii) in subparagraph (C), by striking ''access for'' and inserting ''access and safety for''; and

(B) in paragraph (2)—

(i) in subparagraph (C), by striking ''and'' at the end;

(ii) by redesignating subparagraph (D) as subparagraph (F); and

(iii) by inserting after subparagraph (C) the following:

''(D) the publication entitled 'Highway Safety Manual' of the American Association of State Highway and Transportation Officials;

''(E) the publication entitled 'Urban Street Design Guide' of the National Association of City Transportation Officials; and''; and

(2) in subsection (f), by inserting ''pedestrian walkways,'' after ''bikeways,''.

(b) DESIGN STANDARD FLEXIBILITY.—Notwithstanding section 109(o) of title 23, United States Code, a local jurisdiction may use a roadway design guide that is different from the roadway design guide used by the State in which the local jurisdiction is located for the design of projects on all roadways under the ownership of the local jurisdiction (other than a highway on the Interstate System) if—

(1) the local jurisdiction is the project sponsor;

(2) the roadway design guide—

(A) is recognized by the Federal Highway Administration; and

(B) is adopted by the local jurisdiction; and

(3) the design complies with all other applicable Federal laws.

TITLE III—TRANSPORTATION INFRASTRUCTURE FINANCE AND INNOVATION ACT OF 1998 AMENDMENTS

SEC. 13001. TRANSPORTATION INFRASTRUCTURE FINANCE AND INNOVATION ACT OF 1998 AMENDMENTS.

(a) DEFINITIONS.—Section 601(a) of title 23, United States Code, is amended—

(1) in the matter preceding paragraph (1)—

(A) by striking ''In this chapter, the'' and inserting ''The''; and

(B) by inserting ''to sections 601 through 609'' after ''apply'';

(2) in paragraph (2)—

(A) in subparagraph (B), by striking ''and'' at the end;

(B) in subparagraph (C), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(D) capitalizing a rural projects fund using the proceeds of a secured loan made to a State infrastructure bank in accordance with sections 602 and 603, for the purpose of making loans to sponsors of rural infrastructure projects in accordance with section 610.'';

(3) in paragraph (3), by striking ''this chapter'' and inserting ''the TIFIA program'';

(4) in paragraph (10)—

(A) in the matter preceding subparagraph (A)—

(i) by inserting ''related'' before ''projects''; and

(ii) by striking ''(which shall receive an investment grade rating from a rating agency)'';

(B) in subparagraph (A), by striking ''subject to the availability of future funds being made available to carry out this chapter;'' and inserting ''subject to—

''(i) the availability of future funds being made available to carry out the TIFIA program; and

''(ii) the satisfaction of all of the conditions for the provision of credit assistance under the TIFIA program, including section 603(b)(1);''; and

(C) in subparagraph (D)—

(i) by redesignating clauses (ii) and (iii) as clauses (iii) and (iv), respectively;

(ii) by inserting after clause (i) the following:

''(ii) receiving an investment grade rating from a rating agency;'';

(iii) in clause (iii) (as so redesignated), by striking ''section 602(c)'' and inserting ''including sections 602(c) and 603(b)(1)''; and

(iv) in clause (iv) (as so redesignated), by striking ''this chapter'' and inserting ''the TIFIA program'';

(5) in paragraph (12)—

(A) in subparagraph (D)(iv), by striking the period at the end and inserting ''; and''; and

(B) by adding at the end the following:

''(E) a project to improve or construct public infrastructure that is located within walking distance of, and accessible to, a fixed guideway transit facility, passenger rail station, intercity bus station, or intermodal facility, including a transportation, public utility, and capital project described in section 5302(3)(G)(v) of title 49, and related infrastructure;

''(F) a project for the acquisition of plant and wildlife habitat pursuant to a conservation plan that—

''(i) has been approved by the Secretary of the Interior pursuant to section 10 of the Endangered Species Act of 1973 (16 U.S.C. 1539); and

''(ii) as determined by the Secretary of the Interior, would mitigate the environmental impacts of transportation infrastructure projects otherwise eligible for assistance under the TIFIA program; and

''(G) the capitalization of a rural projects fund by a State infrastructure bank with the proceeds of a secured loan made in accordance with sections 602 and 603, for the purpose of making loans to sponsors of rural infrastructure projects in accordance with section 610.'';

(6) in paragraph (15), by striking ''means'' and all that follows through the period at the end and inserting ''means a surface transportation infrastructure project located in an area that is outside of an urbanized area with a population greater than 150,000 individuals, as determined by the Bureau of the Census.'';

(7) by redesignating paragraphs (16), (17), (18), (19), and (20) as paragraphs (17), (18), (20), (21), and (22), respectively;

(8) by inserting after paragraph (15) the following:

''(16) RURAL PROJECTS FUND.—The term 'rural projects fund' means a fund—

''(A) established by a State infrastructure bank in accordance with section 610(d)(4);

''(B) capitalized with the proceeds of a secured loan made to the bank in accordance with sections 602 and 603; and

''(C) for the purpose of making loans to sponsors of rural infrastructure projects in accordance with section 610.'';

(9) by inserting after paragraph (18) (as redesignated) the following:

''(19) STATE INFRASTRUCTURE BANK.—The term 'State infrastructure bank' means an infrastructure bank established under section 610.''; and

(10) in paragraph (22) (as redesignated), by inserting ''established under sections 602 through 609'' after ''Department''.

(b) DETERMINATION OF ELIGIBILITY AND PROJECT SELECTION.—Section 602 of title 23, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1), in the matter preceding subparagraph (A), by striking ''this chapter'' and inserting ''the TIFIA program'';

(B) in paragraph (2)(A), by striking ''this chapter'' and inserting ''the TIFIA program'';

(C) in paragraph (3), by striking ''this chapter'' and inserting ''the TIFIA program'';

(D) in paragraph (5)—

(i) by striking the heading and inserting ''ELIGIBLE PROJECT COST PARAMETERS.—'';

(ii) in subparagraph (A)—

(I) in the matter preceding clause (i), by striking ''subparagraph (B), to be eligible for assistance under this chapter, a project'' and inserting ''subparagraphs (B) and (C), a project under the TIFIA program'';

(II) by striking clause (i) and inserting the following:

''(i) $50,000,000; and''; and

(III) in clause (ii), by striking ''assistance''; and

(iii) in subparagraph (B)—

(I) by striking the subparagraph designation and heading and all that follows through ''In the case'' and inserting the following:

''(B) EXCEPTIONS.—

''(i) INTELLIGENT TRANSPORTATION SYSTEMS.—In the case''; and

(II) by adding at the end the following:

''(ii) TRANSIT-ORIENTED DEVELOPMENT PROJECTS.—In the case of a project described in section 601(a)(12)(E), eligible project costs shall be reasonably anticipated to equal or exceed $10,000,000.

''(iii) RURAL PROJECTS.—In the case of a rural infrastructure project or a project capitalizing a rural projects fund, eligible project costs shall be reasonably anticipated to equal or exceed $10,000,000, but not to exceed $100,000,000.

''(iv) LOCAL INFRASTRUCTURE PROJECTS.—Eligible project costs shall be reasonably anticipated to equal or exceed $10,000,000 in the case of projects or programs of projects—

''(I) in which the applicant is a local government, public authority, or instrumentality of local government;

''(II) located on a facility owned by a local government; or

''(III) for which the Secretary determines that a local government is substantially involved in the development of the project.'';

(E) in paragraph (9), in the matter preceding subparagraph (A), by striking ''this chapter'' and inserting ''the TIFIA program''; and

(F) in paragraph (10)—

(i) by striking ''To be eligible'' and inserting the following:

''(A) IN GENERAL.—Except as provided in subparagraph (B), to be eligible'';

(ii) by striking ''this chapter'' each place it appears and inserting ''the TIFIA program'';

(iii) by striking ''not later than'' and inserting ''no later than''; and

(iv) by adding at the end the following:

''(B) RURAL PROJECTS FUND.—In the case of a project capitalizing a rural projects fund, the State infrastructure bank shall demonstrate, not later than 2 years after the date on which a secured loan is obligated for the project under the TIFIA program, that the bank has executed a loan agreement with

a borrower for a rural infrastructure project in accordance with section 610. After the demonstration is made, the bank may draw upon the secured loan. At the end of the 2-year period, to the extent the bank has not used the loan commitment, the Secretary may extend the term of the loan or withdraw the loan commitment.'';

(2) in subsection (b), by striking paragraph (2) and inserting the following:

''(2) MASTER CREDIT AGREEMENTS.—

''(A) PROGRAM OF RELATED PROJECTS.—The Secretary may enter into a master credit agreement for a program of related projects secured by a common security pledge on terms acceptable to the Secretary.

''(B) ADEQUATE FUNDING NOT AVAILABLE.—If the Secretary fully obligates funding to eligible projects for a fiscal year and adequate funding is not available to fund a credit instrument, a project sponsor of an eligible project may elect to enter into a master credit agreement and wait to execute a credit instrument until the fiscal year for which additional funds are available to receive credit assistance.'';

(3) in subsection (c)(1), in the matter preceding subparagraph (A), by striking ''this chapter'' and inserting ''the TIFIA program''; and

(4) in subsection (e), by striking ''this chapter'' and inserting ''the TIFIA program''.

(c) SECURED LOAN TERMS AND LIMITATIONS.—Section 603(b) of title 23, United States Code, is amended—

(1) in paragraph (2)—

(A) by striking ''The amount of'' and inserting the following:

''(A) IN GENERAL.—Except as provided in subparagraph (B), the amount of''; and

(B) by adding at the end the following:

''(B) RURAL PROJECTS FUND.—In the case of a project capitalizing a rural projects fund, the maximum amount of a secured loan made to a State infrastructure bank shall be determined in accordance with section 602(a)(5)(B)(iii).'';

(2) in paragraph (3)(A)(i)—

(A) in subclause (III), by striking ''or'' at the end;

(B) in subclause (IV), by striking ''and'' at the end and inserting ''or''; and

(C) by adding at the end the following:

''(V) in the case of a secured loan for a project capitalizing a rural projects fund, any other dedicated revenue sources available to a State infrastructure bank, including repayments from loans made by the bank for rural infrastructure projects; and'';

(3) in paragraph (4)(B)—

(A) in clause (i), by striking ''under this chapter'' and inserting ''or a rural projects fund under the TIFIA program''; and

(B) in clause (ii), by inserting ''and rural project funds'' after ''rural infrastructure projects'';

(4) in paragraph (5)—

(A) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and indenting appropriately;

(B) in the matter preceding subparagraph (A), by striking ''The final'' and inserting the following:

''(A) IN GENERAL.—Except as provided in subparagraph (B), the final''; and

(C) by adding at the end the following:

''(B) RURAL PROJECTS FUND.—In the case of a project capitalizing a rural projects fund, the final maturity date of the secured loan shall not exceed 35 years after the date on which the secured loan is obligated.'';

(5) in paragraph (8), by striking ''this chapter'' and inserting ''the TIFIA program''; and

(6) in paragraph (9)—

(A) by striking ''The total Federal assistance provided on a project receiving a loan under this chapter'' and inserting the following:

''(A) IN GENERAL.—The total Federal assistance provided for a project receiving a loan under the TIFIA program''; and

(B) by adding at the end the following:

''(B) RURAL PROJECTS FUND.—A project capitalizing a rural projects fund shall satisfy clause (i) through compliance with the Federal share requirement described in section 610(e)(3)(B).''.

(d) PROGRAM ADMINISTRATION.—Section 605 of title 23, United States Code, is amended—

(1) by striking ''this chapter'' each place it appears and inserting ''the TIFIA program''; and

(2) by adding at the end the following:

''(f) ASSISTANCE TO SMALL PROJECTS.—

''(1) RESERVATION OF FUNDS.—Of the funds made available to carry out the TIFIA program for each fiscal year, and after the set-aside under section 608(a)(6), not less than $2,000,000 shall be made available for the Secretary to use in lieu of fees collected under subsection (b) for projects under the TIFIA program having eligible project costs that are reasonably anticipated not to equal or exceed $75,000,000.

''(2) RELEASE OF FUNDS.—Any funds not used under paragraph (1) shall be made available on October 1 of the following fiscal year to provide credit assistance to any project under the TIFIA program.''.

(e) STATE AND LOCAL PERMITS.—Section 606 of title 23, United States Code, is amended in the matter preceding paragraph (1) by striking ''this chapter'' and inserting ''the TIFIA program''.

(f) REGULATIONS.—Section 607 of title 23, United States Code, is amended by striking ''this chapter'' and inserting ''the TIFIA program''.

(g) FUNDING.—Section 608 of title 23, United States Code, is amended—

(1) by striking ''this chapter'' each place it appears and inserting ''the TIFIA program''; and

(2) in subsection (a)—

(A) in paragraph (2), by inserting ''of'' after ''504(f)'';

(B) in paragraph (3)—

(i) in subparagraph (A), by inserting ''or rural projects funds'' after ''rural infrastructure projects''; and

(ii) in subparagraph (B), by inserting ''or rural projects funds'' after ''rural infrastructure projects''; and

(C) in paragraph (6), by striking ''0.50 percent'' and inserting ''1.5 percent''.

(h) REPORTS TO CONGRESS.—Section 609 of title 23, United States Code, is amended by striking ''this chapter (other than section 610)'' each place it appears and inserting ''the TIFIA program''.

(i) STATE INFRASTRUCTURE BANK PROGRAM.—Section 610 of title 23, United States Code, is amended—

(1) in subsection (a), by adding at the end the following:

''(11) RURAL INFRASTRUCTURE PROJECT.—The term 'rural infrastructure project' has the meaning given the term in section 601.

''(12) RURAL PROJECTS FUND.—The term 'rural projects fund' has the meaning given the term in section 601.'';

(2) in subsection (d)—

(A) in paragraph (1)(A), by striking ''each of fiscal years'' and all that follows through the end of subparagraph (A) and inserting ''each fiscal year under each of paragraphs (1), (2), and (5) of section 104(b); and'';

(B) in paragraph (2), by striking ''in each of fiscal years 2005 through 2009'' and inserting ''in each fiscal year'';

(C) in paragraph (3), by striking ''in each of fiscal years 2005 through 2009'' and inserting ''in each fiscal year'';

(D) by redesignating paragraphs (4) through (6) as paragraphs (5) through (7), respectively;

(E) by inserting after paragraph (3) the following:

''(4) RURAL PROJECTS FUND.—Subject to subsection (j), the Secretary may permit a State entering into a cooperative agreement under this section to establish a State infrastructure bank to deposit into the rural projects fund of the bank the proceeds of a secured loan made to the bank in accordance with section 602 and 603.''; and

(F) in paragraph (6) (as redesignated), by striking ''section 133(d)(3)'' and inserting ''section 133(d)(1)(A)(i)'';

(3) by striking subsection (e) and inserting the following:

''(e) FORMS OF ASSISTANCE FROM STATE INFRASTRUCTURE BANKS.—

''(1) IN GENERAL.—A State infrastructure bank established under this section may—

''(A) with funds deposited into the highway account, transit account, or rail account of the bank, make loans or provide other forms of credit assistance to a public or private entity to carry out a project eligible for assistance under this section; and

''(B) with funds deposited into the rural projects fund, make loans to a public or private entity to carry out a rural infrastructure project.

''(2) SUBORDINATION OF LOAN.—The amount of a loan or other form of credit assistance provided for a project described in paragraph (1) may be subordinated to any other debt financing for the project.

''(3) MAXIMUM AMOUNT OF ASSISTANCE.—A State infrastructure bank established under this section may—

''(A) with funds deposited into the highway account, transit account, or rail account, make loans or provide other forms of credit assistance to a public or private entity in an amount up to 100 percent of the cost of carrying out a project eligible for assistance under this section; and

''(B) with funds deposited into the rural projects fund, make loans to a public or private entity in an amount not to exceed 80 percent of the cost of carrying out a rural infrastructure project.

''(4) INITIAL ASSISTANCE.—Initial assistance provided with respect to a project from Federal funds deposited into a State infrastructure bank under this section may not be made in the form of a grant.'';

(4) in subsection (g)—

(A) in paragraph (1), by striking ''each account'' and inserting ''the highway account, the transit account, and the rail account''; and

(B) in paragraph (4), by inserting '', except that any loan funded from the rural projects fund of the bank shall bear interest at or below the interest rate charged for the TIFIA loan provided to the bank under section 603'' after ''feasible''; and

(5) in subsection (k), by striking ''For each of fiscal years 2005 through 2009'' and inserting ''For each fiscal year''.

TITLE IV—TECHNICAL CORRECTIONS

SEC. 14001. TECHNICAL CORRECTIONS.

(a) Section 101(a)(29) of title 23, United States Code, is amended—

(1) in subparagraph (B), by inserting a comma after ''disabilities''; and

(2) in subparagraph (F)(i), by striking ''133(b)(11)'' and inserting ''133(b)(14)''.

(b) Section 119(d)(1)(A) of title 23, United States Code, is amended by striking ''mobility,'' and inserting ''congestion reduction, system reliability,''.

(c) Section 126(b) of title 23, United States Code (as amended by section 11014(b)), is amended by striking ''133(d)'' and inserting ''133(d)(1)(A)''.

(d) Section 127(a)(3) of title 23, United States Code, is amended by striking ''118(b)(2) of this title'' and inserting ''118(b)''.

(e) Section 150(c)(3)(B) of title 23, United States Code, is amended by striking the semicolon at the end and inserting a period.

(f) Section 153(h)(2) of title 23, United States Code, is amended by striking ''paragraphs (1) through (3)'' and inserting ''paragraphs (1), (2), and (4)''.

(g) Section 163(f)(2) of title 23, United States Code, is amended by striking ''118(b)(2)'' and inserting ''118(b)''.

(h) Section 165(c)(7) of title 23, United States Code, is amended by striking ''paragraphs (2), (4), (7), (8), (14), and (19)'' and inserting ''paragraphs (2), (4), (6), (7), and (14)''.

(i) Section 202(b)(3) of title 23, United States Code, is amended—

(1) in subparagraph (A)(i), in the matter preceding subclause (I), by inserting ''(a)(6),'' after ''subsections''; and

(2) in subparagraph (C)(ii)(IV), by striking ''(III).]'' and inserting ''(III).''.

(j) Section 217(a) of title 23, United States Code, is amended by striking ''104(b)(3)'' and inserting ''104(b)(4)''.

(k) Section 327(a)(2)(B)(iii) of title 23, United States Code, is amended by striking ''(42 U.S.C. 13 4321 et seq.)'' and inserting ''(42 U.S.C. 4321 et seq.)''.

(l) Section 504(a)(4) of title 23, United States Code, is amended by striking ''104(b)(3)'' and inserting ''104(b)(2)''.

(m) Section 515 of title 23, United States Code, is amended by striking ''this chapter'' each place it appears and inserting ''sections 512 through 518''.

(n) Section 518(a) of title 23, United States Code, is amended by inserting ''a report'' after ''House of Representatives''.

(o) Section 6302(b)(3)(B)(vi)(III) of title 49, United States Code, is amended by striking ''6310'' and inserting ''6309''.

(p) Section 1301(*l*)(3) of SAFETEA–LU (23 U.S.C. 101 note; Public Law 109–59) is amended—

(1) in subparagraph (A)(i), by striking ''complied'' and inserting ''compiled''; and

(2) in subparagraph (B), by striking ''paragraph (1)'' and inserting ''subparagraph (A)''.

(q) Section 4407 of SAFETEA–LU (Public Law 109–59; 119 Stat. 1777), is amended by striking ''hereby enacted into law'' and inserting ''granted''.

(r) Section 51001(a)(1) of the Transportation Research and Innovative Technology Act of 2012 (126 Stat. 864) is amended by striking ''sections 503(b), 503(d), and 509'' and inserting ''section 503(b)''.

TITLE V—MISCELLANEOUS

SEC. 15001. APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM.

Section 1528 of MAP–21 (40 U.S.C. 14501 note; Public Law 112–141) is amended—

(1) by striking ''2021'' each place it appears and inserting ''2050''; and

(2) by striking ''shall be 100 percent'' each place it appears and inserting ''shall be up to 100 percent, as determined by the State''.

SEC. 15002. APPALACHIAN REGIONAL DEVELOPMENT PROGRAM.

(a) HIGH-SPEED BROADBAND DEVELOPMENT INITIATIVE.—

(1) IN GENERAL.—Subchapter I of chapter 145 of subtitle IV of title 40, United States Code, is amended by adding at the end the following:

''§ 14509. High-speed broadband deployment initiative

''(a) IN GENERAL.—The Appalachian Regional Commission may provide technical assistance, make grants, enter into contracts, or otherwise provide amounts to individuals or entities in the Appalachian region for projects and activities—

''(1) to increase affordable access to broadband networks throughout the Appalachian region;

''(2) to conduct research, analysis, and training to increase broadband adoption efforts in the Appalachian region;

''(3) to provide technology assets, including computers, smartboards, and video projectors to educational systems throughout the Appalachian region;

''(4) to increase distance learning opportunities throughout the Appalachian region;

''(5) to increase the use of telehealth technologies in the Appalachian region; and

''(6) to promote e-commerce applications in the Appalachian region.

''(b) LIMITATION ON AVAILABLE AMOUNTS.—Of the cost of any activity eligible for a grant under this section—

''(1) not more than 50 percent may be provided from amounts appropriated to carry out this section; and

''(2) notwithstanding paragraph (1)—

''(A) in the case of a project to be carried out in a county for which a distressed county designation is in effect under section 14526, not more than 80 percent may be provided from amounts appropriated to carry out this section; and

''(B) in the case of a project to be carried out in a county for which an at-risk designation is in effect under section 14526, not more than 70 percent may be provided from amounts appropriated to carry out this section.

''(c) SOURCES OF ASSISTANCE.—Subject to subsection (b), a grant provided under this section may be provided from amounts made available to carry out this section in combination with amounts made available—

''(1) under any other Federal program; or

''(2) from any other source.

''(d) FEDERAL SHARE.—Notwithstanding any provision of law limiting the Federal share under any other Federal program, amounts made available to carry out this section may be used to increase that Federal share, as the Appalachian Regional Commission determines to be appropriate.''.

(2) CONFORMING AMENDMENT.—The analysis for chapter 145 of title 40, United States Code, is amended by inserting after the item relating to section 14508 the following:

''14509. High-speed broadband deployment initiative.''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 14703 of title 40, United States Code, is amended—

(1) in subsection (a)(5), by striking ''fiscal year 2012'' and inserting ''each of fiscal years 2012 through 2021'';

(2) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

(3) by inserting after subsection (b) the following:

''(c) HIGH-SPEED BROADBAND DEPLOYMENT INITIATIVE.—Of the amounts made available under subsection (a), $10,000,000 shall be used to carry out section 14509 for each of fiscal years 2016 through 2021.''.

(c) TERMINATION.—Section 14704 of title 40, United States Code, is amended by striking ''2012'' and inserting ''2021''.

(d) EFFECTIVE DATE.—This section and the amendments made by this section take effect on October 1, 2015.

SEC. 15003. WATER INFRASTRUCTURE FINANCE AND INNOVATION.

Section 3907(a) of title 33, United States Code, is amended—

(1) by striking paragraph (5); and

(2) by redesignating paragraphs (6) and (7) as paragraphs (5) and (6), respectively.

SEC. 15004. ADMINISTRATIVE PROVISIONS TO ENCOURAGE POLLINATOR HABITAT AND FORAGE ON TRANSPORTATION RIGHTS-OF-WAY.

(a) IN GENERAL.—Section 319 of title 23, United States Code, is amended—

(1) in subsection (a), by inserting ''(including the enhancement of habitat and forage for pollinators)'' before ''adjacent''; and

(2) by adding at the end the following:

''(c) ENCOURAGEMENT OF POLLINATOR HABITAT AND FORAGE DEVELOPMENT AND PROTECTION ON TRANSPORTATION RIGHTS-OF-WAY.—In carrying out any program administered by the Secretary under this title, the Secretary shall, in conjunction with willing States, as appropriate—

''(1) encourage integrated vegetation management practices on roadsides and other transportation rights-of-way, including reduced mowing; and

''(2) encourage the development of habitat and forage for Monarch butterflies, other native pollinators, and honey bees through plantings of native forbs and grasses, including noninvasive, native milkweed species that can serve as migratory way stations for butterflies and facilitate migrations of other pollinators.''.

(b) PROVISION OF HABITAT, FORAGE, AND MIGRATORY WAY STATIONS FOR MONARCH BUTTERFLIES, OTHER NATIVE POLLINATORS, AND HONEY BEES.—Section 329(a)(1) of title 23, United States Code, is amended by inserting ''provision of habitat, forage, and migratory way stations for Monarch butterflies, other native pollinators, and honey bees,'' before ''and aesthetic enhancement''.

SEC. 15005. STUDY ON PERFORMANCE OF BRIDGES.

(a) IN GENERAL.—Subject to subsection (c), the Administrator of the Federal Highway Administration (referred to in this section as the ''Administrator'') shall commission the Transportation Research Board of the National Academy of Sciences to conduct a study on the performance of bridges that received funding under the innovative bridge research and construction program (referred to in this section as the ''program'') under section 503(b) of title 23, United States Code (as in effect on the day before the date of enactment of SAFETEA–LU (Public Law 109–59; 119 Stat. 1144)) in meeting the goals of that program, which included—

(1) the development of new, cost-effective innovative material highway bridge applications;

(2) the reduction of maintenance costs and lifecycle costs of bridges, including the costs of new construction, replacement, or rehabilitation of deficient bridges;

(3) the development of construction techniques to increase safety and reduce construction time and traffic congestion;

(4) the development of engineering design criteria for innovative products and materials for use in highway bridges and structures;

(5) the development of cost-effective and innovative techniques to separate vehicle and pedestrian traffic from railroad traffic;

(6) the development of highway bridges and structures that will withstand natural disasters, including alternative processes for the seismic retrofit of bridges; and

(7) the development of new nondestructive bridge evaluation technologies and techniques.

(b) CONTENTS.—The study commissioned under subsection (a) shall include—

(1) an analysis of the performance of bridges that received funding under the program in meeting the goals described in paragraphs (1) through (7) of subsection (a);

(2) an analysis of the utility, compared to conventional materials and technologies, of each of the innovative materials and technologies used in projects for bridges under the program in meeting the needs of the United States in 2015 and in the future for a sustainable and low lifecycle cost transportation system;

(3) recommendations to Congress on how the installed and lifecycle costs of bridges could be reduced through the use of innovative materials and technologies, including, as appropriate, any changes in the design and construction of bridges needed to maximize the cost reductions; and

(4) a summary of any additional research that may be needed to further evaluate innovative approaches to reducing the installed and lifecycle costs of highway bridges.

(c) PUBLIC COMMENT.—Before commissioning the study under subsection (a), the Administrator shall provide an opportunity for public comment on the study proposal.

(d) DATA FROM STATES.—Each State that received funds under the program shall provide to the Transportation Research Board any relevant data needed to carry out the study commissioned under subsection (a).

(e) DEADLINE.—The Administrator shall submit to Congress the study commissioned under subsection (a) not later than 3 years after the date of enactment of this Act.

SEC. 15006. SPORT FISH RESTORATION AND RECREATIONAL BOATING SAFETY.

Section 4 of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777c), as amended by section 73103, is amended—

(1) in subsection (a), in the matter preceding paragraph (1) by striking ''2015'' and inserting ''2021''; and

(2) in subsection (b)(1)(A) by striking ''2015'' and inserting ''2021''.

DIVISION B—PUBLIC TRANSPORTATION

TITLE XXI—FEDERAL PUBLIC TRANSPORTATION ACT

SEC. 21001. SHORT TITLE.

This title may be cited as the ''Federal Public Transportation Act of 2015''.

SEC. 21002. DEFINITIONS.

Section 5302 of title 49, United States Code, is amended—

(1) in paragraph (1)(E), by striking ''bicycle storage facilities and installing equipment'' and inserting ''bicycle storage shelters and parking facilities and the installation of equipment'';

(2) in paragraph (3)—

(A) by striking subparagraph (F) and inserting the following:

''(F) leasing equipment or a facility for use in public transportation;'';

(B) in subparagraph (G)—

(i) in clause (iv), by adding ''and'' at the end;

(ii) in clause (v), by striking ''and'' at the end; and

(iii) by striking clause (vi);

(C) in subparagraph (K), by striking ''or'' at the end;

(D) in subparagraph (L), by striking the period at the end and inserting a semicolon; and

(E) by adding at the end the following:

''(M) associated transit improvements; or

''(N) technological changes or innovations to modify low or no emission vehicles (as defined in section 5339(c)) or facilities.''; and

(3) by adding at the end the following:

''(24) VALUE CAPTURE.—The term 'value capture' means recovering the increased value to property located near public transportation resulting from investments in public transportation.''.

SEC. 21003. METROPOLITAN TRANSPORTATION PLANNING.

Section 5303 of title 49, United States Code, is amended—

(1) in subsection (a)(1), by inserting ''resilient'' after ''development of'';

(2) in subsection (c)(2), by striking ''and bicycle transportation facilities'' and inserting '', bicycle transportation facilities, intermodal facilities that support intercity transportation, including intercity buses and intercity bus facilities, and commuter vanpool providers'';

(3) in subsection (d)—

(A) by redesignating paragraphs (3) through (6) as paragraphs (4) through (7), respectively;

(B) by inserting after paragraph (2) the following:

''(3) REPRESENTATION.—

''(A) IN GENERAL.—Designation or selection of officials or representatives under paragraph (2) shall be determined by the metropolitan planning organization according to the bylaws or enabling statute of the organization.

''(B) PUBLIC TRANSPORTATION REPRESENTATIVE.—Subject to the bylaws or enabling statute of the metropolitan planning organization, a representative of a provider of public transportation may also serve as a representative of a local municipality.

''(C) POWERS OF CERTAIN OFFICIALS.—An official described in paragraph (2)(B) shall have responsibilities, actions, duties, voting rights, and any other authority commensurate with other officials described in paragraph (2)(B).''; and

(C) in paragraph (5), as so redesignated, by striking ''paragraph (5)'' and inserting ''paragraph (6)'';

(4) in subsection (e)(4)(B), by striking ''subsection (d)(5)'' and inserting ''subsection (d)(6)'';

(5) in subsection (g)(3)(A), by inserting ''natural disaster risk reduction,'' after ''environmental protection,'';

(6) in subsection (h)(1)—

(A) in subparagraph (G), by striking ''and'' at the end;

(B) in subparagraph (H), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(I) improve the resilience and reliability of the transportation system.'';

(7) in subsection (i)—

(A) in paragraph (2)—

(i) in subparagraph (A)(i), by striking ''transit'' and inserting ''public transportation facilities, intercity bus facilities'';

(ii) in subparagraph (G)—

(I) by striking ''and provide'' and inserting '', provide''; and

(II) by inserting before the period at the end the following: '', and reduce vulnerability due to natural disasters of the existing transportation infrastructure''; and

(iii) in subparagraph (H), by inserting before the period at the end the following: '', including consideration of the role that intercity buses may play in reducing congestion, pollution, and energy consumption in a cost-effective manner and strategies and investments that preserve and enhance intercity bus systems, including systems that are privately owned and operated'';

(B) in paragraph (6)(A)—

(i) by inserting ''public ports,'' before ''freight shippers''; and

(ii) by inserting ''(including intercity bus operators and commuter vanpool providers)'' after ''private providers of transportation''; and

(C) in paragraph (8), by striking ''paragraph (2)(C)'' each place that term appears and inserting ''paragraph (2)(E)'';

(8) in subsection (j)(5)(A), by striking ''subsection (k)(4)'' and inserting ''subsection (k)(3)'';

(9) in subsection (k)—

(A) by striking paragraph (3); and

(B) by redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively;

(10) in subsection (l)—

(A) in paragraph (1), by adding a period at the end; and

(B) in paragraph (2)(D), by striking ''of less than 200,000'' and inserting ''with a population of 200,000 or less'';

(11) by striking subsection (n);

(12) by redsignating subsections (o), (p), and (q) as subsections (n), (o), and (p), respectively;

(13) in subsection (o), as so redesignated, by striking ''set aside under section 104(f) of title 23'' and inserting ''apportioned under paragraphs (5)(D) and (6) of section 104(b) of title 23''; and

(14) by adding at the end the following:

''(q) TREATMENT OF LAKE TAHOE REGION.—

''(1) DEFINITION OF LAKE TAHOE REGION.—In this subsection, the term 'Lake Tahoe Region' has the meaning given the term 'region' in subsection (a) of Article II of the Lake Tahoe Regional Planning Compact (Public Law 96–551; 94 Stat. 3234).

''(2) TREATMENT.—For purposes of this title, the Lake Tahoe Region shall be treated as—

''(A) a metropolitan planning organization;

''(B) a transportation management area under subsection (k); and

''(C) an urbanized area, which is comprised of—

''(i) a population of 145,000 and 25 square miles of land area in the State of California; and

''(ii) a population of 65,000 and 12 square miles of land area in the State of Nevada.''.

SEC. 21004. STATEWIDE AND NONMETROPOLITAN TRANSPORTATION PLANNING.

(a) IN GENERAL.—Section 5304 of title 49, United States Code, is amended—

(1) in subsection (a)(2), by striking ''and bicycle transportation facilities'' and inserting '', bicycle transportation facilities, intermodal facilities that support intercity transportation, including intercity buses and intercity bus facilities, and commuter vanpool providers'';

(2) in subsection (d)—

(A) in paragraph (1)—

(i) in subparagraph (G), by striking ''and'' at the end;

(ii) in subparagraph (H), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(I) improve the resilience and reliability of the transportation system.''; and

(B) in paragraph (2)—

(i) in subparagraph (B)(ii), by striking ''urbanized areas with a population of fewer than 200,000 individuals, as calculated according to the most recent decennial census, and'' and inserting ''areas''; and

(ii) in subparagraph (C)—

(I) by striking ''title 23'' and inserting ''this chapter''; and

(II) by striking ''urbanized areas with a population of fewer than 200,000 individuals,

as calculated according to the most recent decennial census, and'' and inserting ''areas'';

(3) in subsection (e)(1)—

(A) by striking ''In'' and inserting ''In''; and

(B) by striking ''subsection (l)'' and inserting ''subsection (k)'';

(4) in subsection (f)—

(A) in paragraph (2)(B)(i), by striking ''subsection (l)'' and inserting ''subsection (k)'';

(B) in paragraph (3)(A)—

(i) in clause (i), by striking ''subsection (l)'' and inserting ''subsection (k)''; and

(ii) in clause (ii), by inserting ''(including intercity bus operators and commuter vanpool providers)'' after ''private providers of transportation'';

(C) in paragraph (7), in the matter preceding subparagraph (A), by striking ''should'' and inserting ''shall''; and

(D) in paragraph (8), by inserting '', including consideration of the role that intercity buses may play in reducing congestion, pollution, and energy consumption in a cost-effective manner and strategies and investments that preserve and enhance intercity bus systems, including systems that are privately owned and operated'' before the period at the end;

(5) in subsection (g)—

(A) in paragraph (2)(B)(i), by striking ''subsection (l)'' and inserting ''subsection (k)'';

(B) in paragraph (3)—

(i) by inserting ''public ports,'' before ''freight shippers''; and

(ii) by inserting ''(including intercity bus operators)'' after ''private providers of transportation''; and

(C) in paragraph (6)(A), by striking ''subsection (l)'' and inserting ''subsection (k)'';

(6) by striking subsection (i); and

(7) by redesignating subsections (j), (k), and (l) as subsections (i), (j), and (k), respectively.

(b) CONFORMING AMENDMENT.—Section 5303(b)(5) of title 49, United States Code, is amended by striking ''section 5304(l)'' and inserting ''section 5304(k)''.

SEC. 21005. URBANIZED AREA FORMULA GRANTS.

Section 5307 of title 49, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (2), by inserting ''or general public demand response service'' before ''during'' each place that term appears; and

(B) by adding at the end the following:

''(3) EXCEPTION TO SPECIAL RULE.—Notwithstanding paragraph (2), if a public transportation system described in that paragraph executes a written agreement with 1 or more other public transportation systems within the urbanized area to allocate funds for the purposes described in that paragraph by a method other than by measuring vehicle revenue hours, each public transportation system that is a party to the written agreement may follow the terms of the written agreement without regard to measured vehicle revenue hours referred to in that paragraph.

''(4) TEMPORARY AND TARGETED ASSISTANCE.—

''(A) ELIGIBILITY.—The Secretary may make a grant under this section to finance the operating cost of equipment and facilities to a recipient for use in public transportation in an area that the Secretary determines has—

''(i) a population of not fewer than 200,000 individuals, as determined by the Bureau of the Census; and

''(ii) a 3-month unemployment rate, as reported by the Bureau of Labor Statistics, that is—

''(I) greater than 7 percent; and

''(II) at least 2 percentage points greater than the lowest 3-month unemployment rate for the area during the 5-year period preceding the date of the determination.

''(B) AWARD OF GRANT.—

''(i) IN GENERAL.—Except as otherwise provided in this subparagraph, the Secretary may make a grant under this paragraph for not more than 2 consecutive fiscal years.

''(ii) ADDITIONAL YEAR.—If, at the end of the second fiscal year following the date on which the Secretary makes a determination under subparagraph (A) with respect to an area, the Secretary determines that the 3-month unemployment rate for the area is at least 2 percentage points greater than the unemployment rate for the area at the time the Secretary made the determination under subparagraph (A), the Secretary may make a grant to a recipient in the area for 1 additional consecutive fiscal year.

''(iii) EXCLUSION PERIOD.—Beginning on the last day of the last consecutive fiscal year for which a recipient receives a grant under this paragraph, the Secretary may not make a subsequent grant under this paragraph to the recipient for a number of fiscal years equal to the number of consecutive fiscal years in which the recipient received a grant under this paragraph.

''(C) LIMITATION.—

''(i) FIRST FISCAL YEAR.—For the first fiscal year following the date on which the Secretary makes a determination under subparagraph (A) with respect to an area, not more than 25 percent of the amount apportioned to a designated recipient under section 5336 for the fiscal year shall be available for operating assistance for the area.

''(ii) SECOND AND THIRD FISCAL YEARS.—For the second and third fiscal years following the date on which the Secretary makes a determination under subparagraph (A) with respect to an area, not more than 20 percent of the amount apportioned to a designated recipient under section 5336 for the fiscal year shall be available for operating assistance for the area.

''(D) PERIOD OF AVAILABILITY FOR OPERATING ASSISTANCE.—Operating assistance awarded under this paragraph shall be available for expenditure to a recipient in an area until the end of the second fiscal year following the date on which the Secretary makes a determination under subparagraph (A) with respect to the area, after which time any unexpended funds shall be available to the recipient for other eligible activities under this section.

''(E) CERTIFICATION.—The Secretary may make a grant for operating assistance under this paragraph for a fiscal year only if the recipient certifies that—

''(i) the recipient will maintain public transportation service levels at or above the current service level, which shall be demonstrated by providing an equal or greater number of vehicle hours of service in the fiscal year than the number of vehicle hours of service provided in the preceding fiscal year;

''(ii) any non-Federal entity that provides funding to the recipient, including a State or local governmental entity, will maintain the tax rate or rate of allocations dedicated to public transportation at or above the rate for the preceding fiscal year;

''(iii) the recipient has allocated the maximum amount of funding under this section for preventive maintenance costs eligible as a capital expense necessary to maintain the level and quality of service provided in the preceding fiscal year; and

''(iv) the recipient will not use funding under this section for new capital assets except as necessary for the existing system to maintain or achieve a state of good repair, assure safety, or replace obsolete technology.''; and

(2) in subsection (c)(1)—

(A) in subparagraph (C), by inserting ''in a state of good repair'' after ''equipment and facilities'';

(B) in subparagraph (J), by adding ''and'' at the end;

(C) by striking subparagraph (K); and

(D) by redesignating subparagraph (L) as subparagraph (K).

SEC. 21006. FIXED GUIDEWAY CAPITAL INVESTMENT GRANTS.

(a) IN GENERAL.—Section 5309 of title 49, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (3), by striking ''and weekend days'';

(B) in paragraph (6)—

(i) in subparagraph (A), by inserting '', small start projects,'' after ''new fixed guideway capital projects''; and

(ii) by striking subparagraph (B) and inserting the following:

''(B) 2 or more projects that are any combination of new fixed guideway capital projects, small start projects, and core capacity improvement projects.''; and

(C) in paragraph (7)—

(i) in subparagraph (A), by striking ''$75,000,000'' and inserting ''$100,000,000''; and

(ii) in subparagraph (B), by striking ''$250,000,000'' and inserting ''$300,000,000'';

(2) in subsection (d)—

(A) in paragraph (1)(B), by striking '', policies and land use patterns that promote public transportation,''; and

(B) in paragraph (2)(A)—

(i) in clause (iii), by adding ''and'' at the end;

(ii) by striking clause (iv); and

(iii) by redesignating clause (v) as clause (iv);

(3) in subsection (g)(2)(A)(i), by striking '', the policies and land use patterns that support public transportation,'';

(4) in subsection (i)—

(A) in paragraph (1), by striking ''subsection (d) or (e)'' and inserting ''subsection (d), (e), or (h)'';

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by inserting ''new fixed guideway capital project or core capacity improvement'' after ''federally funded'';

(ii) by striking subparagraph (D) and inserting the following:

''(D) the program of interrelated projects, when evaluated as a whole—

''(i) meets the requirements of subsection (d)(2), subsection (e)(2), or paragraphs (3) and (4) of subsection (h), as applicable, if the program is comprised entirely of—

''(I) new fixed guideway capital projects;

''(II) core capacity improvement projects; or

''(III) small start projects; or

''(ii) meets the requirements of subsection (d)(2) if the program is comprised of any combination of new fixed guideway projects, small start projects, and core capacity improvement projects;''; and

(iii) in subparagraph (F), by inserting ''or (h)(5), as applicable'' after ''subsection (f)''; and

(C) in paragraph (3), by striking subparagraph (A) and inserting the following:

''(A) PROJECT ADVANCEMENT.—A project receiving a grant under this section that is part of a program of interrelated projects may not advance—

''(i) in the case of a small start project, from the project development phase to the

construction phase unless the Secretary determines that the program of interrelated projects meets the applicable requirements of this section and there is a reasonable likelihood that the program will continue to meet such requirements; or

''(ii) in the case of a new fixed guideway capital project or a core capacity improvement project, from the project development phase to the engineering phase, or from the engineering phase to the construction phase, unless the Secretary determines that the program of interrelated projects meets the applicable requirements of this section and there is a reasonable likelihood that the program will continue to meet such requirements.''; and

(5) by adding at the end the following:

''(p) JOINT PUBLIC TRANSPORTATION AND INTERCITY PASSENGER RAIL PROJECTS.—

''(1) IN GENERAL.—The Secretary may make grants for new fixed guideway capital projects and core capacity improvement projects that provide both public transportation and intercity passenger rail service.

''(2) ELIGIBLE COSTS.—Eligible costs for a project under this subsection shall be limited to the net capital costs of the public transportation costs attributable to the project based on projected use of the new segment or expanded capacity of the project corridor, not including project elements designed to achieve or maintain a state of good repair, as determined by the Secretary under paragraph (4).

''(3) PROJECT JUSTIFICATION AND LOCAL FINANCIAL COMMITMENT.—A project under this subsection shall be evaluated for project justification and local financial commitment under subsections (d), (e), (f), and (h), as applicable to the project, based on—

''(A) the net capital costs of the public transportation costs attributable to the project as determined under paragraph (4); and

''(B) the share of funds dedicated to the project from sources other than this section included in the unified finance plan for the project.

''(4) CALCULATION OF NET CAPITAL PROJECT COST.—The Secretary shall estimate the net capital costs of a project under this subsection based on—

''(A) engineering studies;

''(B) studies of economic feasibility;

''(C) the expected use of equipment or facilities; and

''(D) the public transportation costs attributable to the project.

''(5) GOVERNMENT SHARE OF NET CAPITAL PROJECT COST.—

''(A) GOVERNMENT SHARE.—The Government share shall not exceed 80 percent of the net capital cost attributable to the public transportation costs of a project under this subsection as determined under paragraph (4).

''(B) NON-GOVERNMENT SHARE.—The remainder of the net capital cost attributable to the public transportation costs of a project under this subsection shall be provided from an undistributed cash surplus, a replacement or depreciation cash fund or reserve, or new capital.''.

(b) EXPEDITED PROJECT DELIVERY FOR CAPITAL INVESTMENT GRANTS PILOT PROGRAM.—

(1) DEFINITIONS.—In this subsection, the following definitions shall apply:

(A) APPLICANT.—The term ''applicant'' means a State or local governmental authority that applies for a grant under this subsection.

(B) CAPITAL PROJECT; FIXED GUIDEWAY; LOCAL GOVERNMENTAL AUTHORITY; PUBLIC TRANSPORTATION; STATE; STATE OF GOOD REPAIR.—The terms ''capital project'', ''fixed guideway'', ''local governmental authority'', ''public transportation'', ''State'', and ''state of good repair'' have the meanings given those terms in section 5302 of title 49, United States Code.

(C) CORE CAPACITY IMPROVEMENT PROJECT.—The term ''core capacity improvement project''—

(i) means a substantial corridor-based capital investment in an existing fixed guideway system that increases the capacity of a corridor by not less than 10 percent; and

(ii) may include project elements designed to aid the existing fixed guideway system in making substantial progress towards achieving a state of good repair.

(D) CORRIDOR-BASED BUS RAPID TRANSIT PROJECT.—The term ''corridor-based bus rapid transit project'' means a small start project utilizing buses in which the project represents a substantial investment in a defined corridor as demonstrated by features that emulate the services provided by rail fixed guideway public transportation systems—

(i) including—

(I) defined stations;

(II) traffic signal priority for public transportation vehicles;

(III) short headway bidirectional services for a substantial part of weekdays; and

(IV) any other features the Secretary may determine support a long-term corridor investment; and

(ii) the majority of which does not operate in a separated right-of-way dedicated for public transportation use during peak periods.

(E) ELIGIBLE PROJECT.—The term ''eligible project'' means a new fixed guideway capital project, a small start project, or a core capacity improvement project that has not entered into a full funding grant agreement with the Federal Transit Administration before the date of enactment of this Act.

(F) FIXED GUIDEWAY BUS RAPID TRANSIT PROJECT.—The term ''fixed guideway bus rapid transit project'' means a bus capital project—

(i) in which the majority of the project operates in a separated right-of-way dedicated for public transportation use during peak periods;

(ii) that represents a substantial investment in a single route in a defined corridor or subarea; and

(iii) that includes features that emulate the services provided by rail fixed guideway public transportation systems, including—

(I) defined stations;

(II) traffic signal priority for public transportation vehicles;

(III) short headway bidirectional services for a substantial part of weekdays and weekend days; and

(IV) any other features the Secretary may determine are necessary to produce high-quality public transportation services that emulate the services provided by rail fixed guideway public transportation systems.

(G) NEW FIXED GUIDEWAY CAPITAL PROJECT.—The term ''new fixed guideway capital project'' means—

(i) a fixed guideway project that is a minimum operable segment or extension to an existing fixed guideway system; or

(ii) a fixed guideway bus rapid transit project that is a minimum operable segment or an extension to an existing bus rapid transit system.

(H) RECIPIENT.—The term ''recipient'' means a recipient of funding under chapter 53 of title 49, United States Code.

(I) SMALL START PROJECT.—The term ''small start project'' means a new fixed guideway capital project, a fixed guideway bus rapid transit project, or a corridor-based bus rapid transit project for which—

(i) the Federal assistance provided or to be provided under this subsection is less than $75,000,000; and

(ii) the total estimated net capital cost is less than $300,000,000.

(2) GENERAL AUTHORITY.—The Secretary may make grants under this subsection to States and local governmental authorities to assist in financing—

(A) new fixed guideway capital projects or small start projects, including the acquisition of real property, the initial acquisition of rolling stock for the system, the acquisition of rights-of-way, and relocation, for projects in the advanced stages of planning and design; and

(B) core capacity improvement projects, including the acquisition of real property, the acquisition of rights-of-way, double tracking, signalization improvements, electrification, expanding system platforms, acquisition of rolling stock associated with corridor improvements increasing capacity, construction of infill stations, and such other capacity improvement projects as the Secretary determines are appropriate to increase the capacity of an existing fixed guideway system corridor by not less than 10 percent. Core capacity improvement projects do not include elements to improve general station facilities or parking, or acquisition of rolling stock alone.

(3) GRANT REQUIREMENTS.—

(A) IN GENERAL.—The Secretary may make not more than 10 grants under this subsection for an eligible project if the Secretary determines that—

(i) the eligible project is part of an approved transportation plan required under sections 5303 and 5304 of title 49, United States Code;

(ii) the applicant has, or will have—

(I) the legal, financial, and technical capacity to carry out the eligible project, including the safety and security aspects of the eligible project;

(II) satisfactory continuing control over the use of the equipment or facilities;

(III) the technical and financial capacity to maintain new and existing equipment and facilities; and

(IV) advisors providing guidance to the applicant on the terms and structure of the project that are independent from investors in the project;

(iii) the eligible project is supported, or will be supported, in part, through a public-private partnership, provided such support is determined by local policies, criteria, and decisionmaking under section 5306(a) of title 49, United States Code;

(iv) the eligible project is justified based on findings presented by the project sponsor to the Secretary, including—

(I) mobility improvements attributable to the project;

(II) environmental benefits associated with the project;

(III) congestion relief associated with the project;

(IV) economic development effects derived as a result of the project; and

(V) estimated ridership projections; and

(v) the eligible project is supported by an acceptable degree of local financial commitment (including evidence of stable and dependable financing sources).

(B) CERTIFICATION.—An applicant that has submitted the certifications required under

subparagraphs (A), (B), (C), and (H) of section 5307(c)(1) of title 49, United States Code, shall be deemed to have provided sufficient information upon which the Secretary may make the determinations required under this paragraph.

(C) TECHNICAL CAPACITY.—The Secretary shall use an expedited technical capacity review process for applicants that have recently and successfully completed not less than 1 new fixed guideway capital project, small start project, or core capacity improvement project, if—

(i) the applicant achieved budget, cost, and ridership outcomes for the project that are consistent with or better than projections; and

(ii) the applicant demonstrates that the applicant continues to have the staff expertise and other resources necessary to implement a new project.

(D) FINANCIAL COMMITMENT.—

(i) REQUIREMENTS.—In determining whether an eligible project is supported by an acceptable degree of local financial commitment and shows evidence of stable and dependable financing sources for purposes of subparagraph (A)(v), the Secretary shall require that—

(I) each proposed source of capital and operating financing is stable, reliable, and available within the proposed eligible project timetable; and

(II) resources are available to recapitalize, maintain, and operate the overall existing and proposed public transportation system, including essential feeder bus and other services necessary, without degradation to the existing level of public transportation services.

(ii) CONSIDERATIONS.—In assessing the stability, reliability, and availability of proposed sources of financing under clause (i), the Secretary shall consider—

(I) the reliability of the forecasting methods used to estimate costs and revenues made by the applicant and the contractors to the applicant;

(II) existing grant commitments;

(III) the degree to which financing sources are dedicated to the proposed eligible project;

(IV) any debt obligation that exists or is proposed by the applicant, for the proposed eligible project or other public transportation purpose; and

(V) private contributions to the eligible project, including cost-effective project delivery, management or transfer of project risks, expedited project schedule, financial partnering, and other public-private partnership strategies.

(E) LABOR STANDARDS.—The requirements under section 5333 of title 49, United States Code, shall apply to each recipient of a grant under this subsection.

(4) PROJECT ADVANCEMENT.—An applicant that desires a grant under this subsection and meets the requirements of paragraph (3) shall submit to the Secretary, and the Secretary shall approve for advancement, a grant request that contains—

(A) identification of an eligible project;

(B) a schedule and finance plan for the construction and operation of the eligible project;

(C) an analysis of the efficiencies of the proposed eligible project development and delivery methods and innovative financing arrangement for the eligible project, including any documents related to the—

(i) public-private partnership required under paragraph (3)(A)(iii); and

(ii) project justification required under paragraph (3)(A)(iv); and

(D) a certification that the existing public transportation system of the applicant or, in the event that the applicant does not operate a public transportation system, the public transportation system to which the proposed project will be attached, is in a state of good repair.

(5) WRITTEN NOTICE FROM THE SECRETARY.—

(A) IN GENERAL.—Not later than 120 days after the date on which the Secretary receives a grant request of an applicant under paragraph (4), the Secretary shall provide written notice to the applicant—

(i) of approval of the grant request; or

(ii) if the grant request does not meet the requirements under paragraph (4), of disapproval of the grant request, including a detailed explanation of the reasons for the disapproval.

(B) CONCURRENT NOTICE.—The Secretary shall provide concurrent notice of an approval or disapproval of a grant request under subparagraph (A) to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

(6) WAIVER.—The Secretary may grant a waiver to an applicant that does not comply with paragraph (4)(D) if—

(A) the eligible project meets the definition of a core capacity improvement project; and

(B) the Secretary certifies that the eligible project will allow the applicant to make substantial progress in achieving a state of good repair.

(7) SELECTION CRITERIA.—The Secretary may enter into a full funding grant agreement with an applicant under this subsection for an eligible project for which an application has been submitted and approved for advancement by the Secretary under paragraph (4), only if the applicant has completed the planning and activities required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(8) LETTERS OF INTENT AND FULL FUNDING GRANT AGREEMENTS.—

(A) LETTERS OF INTENT.—

(i) AMOUNTS INTENDED TO BE OBLIGATED.—The Secretary may issue a letter of intent to an applicant announcing an intention to obligate, for an eligible project under this subsection, an amount from future available budget authority specified in law that is not more than the amount stipulated as the financial participation of the Secretary in the eligible project. When a letter is issued for an eligible project under this subsection, the amount shall be sufficient to complete at least an operable segment.

(ii) TREATMENT.—The issuance of a letter under clause (i) is deemed not to be an obligation under section 1108(c), 1501, or 1502(a) of title 31, United States Code, or an administrative commitment.

(B) FULL FUNDING GRANT AGREEMENTS.—

(i) IN GENERAL.—Except as provided in clause (v), an eligible project shall be carried out under this subsection through a full funding grant agreement.

(ii) CRITERIA.—The Secretary shall enter into a full funding grant agreement, based the requirements of this subparagraph, with each applicant receiving assistance for an eligible project that has received a written notice of approval under paragraph (5)(A)(i).

(iii) TERMS.—A full funding grant agreement shall—

(I) establish the terms of participation by the Federal Government in the eligible project;

(II) establish the maximum amount of Federal financial assistance for the eligible project;

(III) include the period of time for completing construction of the eligible project, consistent with the terms of the public-private partnership agreement, even if that period extends beyond the period of an authorization; and

(IV) make timely and efficient management of the eligible project easier according to the law of the United States.

(iv) SPECIAL FINANCIAL RULES.—

(I) IN GENERAL.—A full funding grant agreement under this subparagraph obligates an amount of available budget authority specified in law and may include a commitment, contingent on amounts to be specified in law in advance for commitments under this subparagraph, to obligate an additional amount from future available budget authority specified in law.

(II) STATEMENT OF CONTINGENT COMMITMENT.—A full funding grant agreement shall state that the contingent commitment is not an obligation of the Federal Government.

(III) INTEREST AND OTHER FINANCING COSTS.—Interest and other financing costs of efficiently carrying out a part of the eligible project within a reasonable time are a cost of carrying out the eligible project under a full funding grant agreement, except that eligible costs may not be more than the cost of the most favorable financing terms reasonably available for the eligible project at the time of borrowing. The applicant shall certify, in a way satisfactory to the Secretary, that the applicant has shown reasonable diligence in seeking the most favorable financing terms.

(IV) COMPLETION OF OPERABLE SEGMENT.—The amount stipulated in an agreement under this subparagraph for a new fixed guideway capital project, core capacity improvement project, or small start project shall be sufficient to complete at least an operable segment.

(v) EXCEPTION.—

(I) IN GENERAL.—The Secretary, to the maximum extent practicable, shall provide Federal assistance under this subsection for a small start project in a single grant. If the Secretary cannot provide such a single grant, the Secretary may execute an expedited grant agreement in order to include a commitment on the part of the Secretary to provide funding for the project in future fiscal years.

(II) TERMS OF EXPEDITED GRANT AGREEMENTS.—In executing an expedited grant agreement under this clause, the Secretary may include in the agreement terms similar to those established under clause (iii).

(C) LIMITATION ON AMOUNTS.—

(i) IN GENERAL.—The Secretary may enter into full funding grant agreements under this paragraph for eligible projects that contain contingent commitments to incur obligations in such amounts as the Secretary determines are appropriate.

(ii) APPROPRIATION REQUIRED.—An obligation may be made under this paragraph only when amounts are appropriated for obligation.

(D) NOTIFICATION TO CONGRESS.—

(i) IN GENERAL.—Not later than 30 days before the date on which the Secretary issues a letter of intent or enters into a full funding grant agreement for an eligible project under this paragraph, the Secretary shall notify, in writing, the Committee on Banking, Housing, and Urban Affairs and the Committee on Appropriations of the Senate and the Committee on Transportation and Infrastructure

and the Committee on Appropriations of the House of Representatives of the proposed letter of intent or full funding grant agreement.

(ii) CONTENTS.—The written notification under clause (i) shall include a copy of the proposed letter of intent or full funding grant agreement for the eligible project.

(9) GOVERNMENT SHARE OF NET CAPITAL PROJECT COST.—

(A) IN GENERAL.—A grant for an eligible project shall not exceed 25 percent of the net capital project cost.

(B) REMAINDER OF NET CAPITAL PROJECT COST.—The remainder of the net capital project cost shall be provided from an undistributed cash surplus, a replacement or depreciation cash fund or reserve, or new capital.

(C) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in this subsection shall be construed as authorizing the Secretary to require a non-Federal financial commitment for a project that is more than 75 percent of the net capital project cost.

(D) SPECIAL RULE FOR ROLLING STOCK COSTS.—In addition to amounts allowed pursuant to subparagraph (A), a planned extension to a fixed guideway system may include the cost of rolling stock previously purchased if the applicant satisfies the Secretary that only amounts other than amounts provided by the Federal Government were used and that the purchase was made for use on the extension. A refund or reduction of the remainder may be made only if a refund of a proportional amount of the grant of the Federal Government is made at the same time.

(E) FAILURE TO CARRY OUT PROJECT.—If an applicant does not carry out an eligible project for reasons within the control of the applicant, the applicant shall repay all Federal funds awarded for the eligible project from all Federal funding sources, for all eligible project activities, facilities, and equipment, plus reasonable interest and penalty charges allowable by law.

(F) CREDITING OF FUNDS RECEIVED.—Any funds received by the Federal Government under this paragraph, other than interest and penalty charges, shall be credited to the appropriation account from which the funds were originally derived.

(10) AVAILABILITY OF AMOUNTS.—

(A) IN GENERAL.—An amount made available for an eligible project shall remain available to that eligible project for 5 fiscal years, including the fiscal year in which the amount is made available. Any amounts that are unobligated to the eligible project at the end of the 5-fiscal-year period may be used by the Secretary for any purpose under this subsection.

(B) USE OF DEOBLIGATED AMOUNTS.—An amount available under this subsection that is deobligated may be used for any purpose under this subsection.

(11) ANNUAL REPORT ON EXPEDITED PROJECT DELIVERY FOR CAPITAL INVESTMENT GRANTS.—Not later than the first Monday in February of each year, the Secretary shall submit to the Committee on Banking, Housing, and Urban Affairs and the Committee on Appropriations of the Senate and the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives a report that includes a proposed amount to be available to finance grants for anticipated projects under this subsection.

(12) BEFORE AND AFTER STUDY AND REPORT.—

(A) STUDY REQUIRED.—Each recipient shall conduct a study that—

(i) describes and analyzes the impacts of the eligible project on public transportation services and public transportation ridership;

(ii) describes and analyzes the consistency of predicted and actual benefits and costs of the innovative project development and delivery methods or innovative financing for the eligible project; and

(iii) identifies reasons for any differences between predicted and actual outcomes for the eligible project.

(B) SUBMISSION OF REPORT.—Not later than 2 years after an eligible project that is selected under this subsection begins revenue operations, the recipient shall submit to the Secretary a report on the results of the study conducted under subparagraph (A).

(13) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to—

(A) require the privatization of the operation or maintenance of any project for which an applicant seeks funding under this subsection;

(B) revise the determinations by local policies, criteria, and decisionmaking under section 5306(a) of title 49, United States Code;

(C) alter the requirements for locally developed, coordinated, and implemented transportation plans under sections 5303 and 5304 of title 49, United States Code; or

(D) alter the eligibilities or priorities for assistance under this subsection or section 5309 of title 49, United States Code.

SEC. 21007. MOBILITY OF SENIORS AND INDIVIDUALS WITH DISABILITIES.

(a) COORDINATION OF PUBLIC TRANSPORTATION SERVICES WITH OTHER FEDERALLY ASSISTED LOCAL TRANSPORTATION SERVICES.—

(1) DEFINITIONS.—In this subsection—

(A) the term ''allocated cost model'' means a method of determining the cost of trips by allocating the cost to each trip purpose served by a transportation provider in a manner that is proportional to the level of transportation service that the transportation provider delivers for each trip purpose, to the extent permitted by applicable Federal requirements; and

(B) the term ''Council'' means the Interagency Transportation Coordinating Council on Access and Mobility established under Executive Order 13330 (49 U.S.C. 101 note).

(2) COORDINATING COUNCIL ON ACCESS AND MOBILITY STRATEGIC PLAN.—Not later than 2 years after the date of enactment of this Act, the Council shall publish a strategic plan for the Council that—

(A) outlines the role and responsibilities of each Federal agency with respect to local transportation coordination, including nonemergency medical transportation;

(B) identifies a strategy to strengthen interagency collaboration;

(C) addresses any outstanding recommendations made by the Council in the 2005 Report to the President relating to the implementation of Executive Order 13330, including—

(i) a cost-sharing policy endorsed by the Council; and

(ii) recommendations to increase participation by recipients of Federal grants in locally developed, coordinated planning processes; and

(D) to the extent feasible, addresses recommendations by the Comptroller General of the United States concerning local coordination of transportation services.

(3) DEVELOPMENT OF COST-SHARING POLICY IN COMPLIANCE WITH APPLICABLE FEDERAL REQUIREMENTS.—In establishing the cost-sharing policy required under paragraph (2), the Council may consider, to the extent practicable—

(A) the development of recommended strategies for grantees of programs funded by members of the Council, including strategies for grantees of programs that fund nonemergency medical transportation, to use the cost-sharing policy in a manner that does not violate applicable Federal requirements; and

(B) optional incorporation of an allocated cost model to facilitate local coordination efforts that comply with applicable requirements of programs funded by members of the Council, such as—

(i) eligibility requirements;

(ii) service delivery requirements; and

(iii) reimbursement requirements.

(b) PILOT PROGRAM FOR INNOVATIVE COORDINATED ACCESS AND MOBILITY.—

(1) DEFINITIONS.—In this subsection—

(A) the term ''eligible project'' has the meaning given the term ''capital project'' in section 5302 of title 49, United States Code; and

(B) the term ''eligible recipient'' means a recipient or subrecipient, as those terms are defined in section 5310 of title 49, United States Code.

(2) GENERAL AUTHORITY.—The Secretary may make grants under this subsection to eligible recipients to assist in financing innovative projects for the transportation disadvantaged that improve the coordination of transportation services and non-emergency medical transportation services, including—

(A) the deployment of coordination technology;

(B) projects that create or increase access to community One-Call/One-Click Centers; and

(C) such other projects as determined by the Secretary.

(3) APPLICATION.—An eligible recipient shall submit to the Secretary an application that, at a minimum, contains—

(A) a detailed description of the eligible project;

(B) an identification of all eligible project partners and their specific role in the eligible project, including—

(i) private entities engaged in the coordination of non-emergency medical transportation services for the transportation disadvantaged; or

(ii) nonprofit entities engaged in the coordination of non-emergency medical transportation services for the transportation disadvantaged;

(C) a description of how the eligible project would—

(i) improve local coordination or access to coordinated transportation services;

(ii) reduce duplication of service, if applicable; and

(iii) provide innovative solutions in the State or community; and

(D) specific performance measures the eligible project will use to quantify actual outcomes against expected outcomes.

(4) GOVERNMENT SHARE OF COSTS.—

(A) IN GENERAL.—The Government share of the cost of an eligible project carried out under this subsection shall not exceed 80 percent.

(B) NON-GOVERNMENT SHARE.—The non-Government share of the cost of an eligible project carried out under this subsection may be derived from in-kind contributions.

(5) RULE OF CONSTRUCTION.—For purposes of this subsection, non-emergency medical transportation services shall be limited to services eligible under Federal programs other than programs authorized under chapter 53 of title 49, United States Code.

(c) TECHNICAL CORRECTION.—Section 5310(a) of title 49, United States Code, is amended by

striking paragraph (1) and inserting the following:

''(1) RECIPIENT.—The term 'recipient' means—

''(A) a designated recipient or a State that receives a grant under this section directly; or

''(B) a State or local governmental entity that operates a public transportation service.''.

SEC. 21008. FORMULA GRANTS FOR RURAL AREAS.

Section 5311 of title 49, United States Code, is amended—

(1) in subsection (c)(1), as amended by division G, by striking subparagraphs (A) and (B) and inserting the following:

''(A) $5,000,000 for each fiscal year shall be distributed on a competitive basis by the Secretary.

''(B) $30,000,000 for each fiscal year shall be apportioned as formula grants, as provided in subsection (j).''; and

(2) in subsection (j)(1)—

(A) in subparagraph (A)(iii), by striking ''(as defined by the Bureau of the Census)'' and inserting ''(American Indian Areas, Alaska Native Areas, and Hawaiian Home Lands, as defined by the Bureau of the Census)''; and

(B) by adding at the end the following:

''(E) ALLOCATION BETWEEN MULTIPLE INDIAN TRIBES.—If more than 1 Indian tribe provides public transportation service on tribal lands in a single Tribal Statistical Area, and the Indian tribes do not determine how to allocate the funds apportioned under clause (iii) of subparagraph (A) between the Indian tribes, the Secretary shall allocate the funds such that each Indian tribe shall receive an amount equal to the total amount apportioned under such clause (iii) multiplied by the ratio of the number of annual unlinked passenger trips provided by each Indian tribe, as reported to the National Transit Database, to the total unlinked passenger trips provided by all the Indian tribes in the Tribal Statistical Area.''.

SEC. 21009. RESEARCH, DEVELOPMENT, DEMONSTRATION, AND DEPLOYMENT PROGRAM.

(a) IN GENERAL.—Section 5312 of title 49, United States Code, is amended—

(1) in the section heading, by striking ''**projects**'' and inserting ''**program**'';

(2) in subsection (a), in the subsection heading, by striking ''PROJECTS'' and inserting ''PROGRAM'';

(3) in subsection (d)—

(A) in paragraph (3)—

(i) in the matter preceding subparagraph (A), by inserting ''demonstration, deployment, or evaluation'' before ''project that'';

(ii) in subparagraph (A), by striking ''and'' at the end;

(iii) in subparagraph (B), by striking the period at the end and inserting ''; or''; and

(iv) by adding at the end the following:

''(C) the deployment of low or no emission vehicles, zero emission vehicles, or associated advanced technology.''; and

(B) by striking paragraph (5) and inserting the following:

''(5) PROHIBITION.—The Secretary may not make grants under this subsection for the demonstration, deployment, or evaluation of a vehicle that is in revenue service unless the Secretary determines that the project makes significant technological advancements in the vehicle.

''(6) DEFINITIONS.—In this subsection—

''(A) the term 'direct carbon emissions' means the quantity of direct greenhouse gas emissions from a vehicle, as determined by the Administrator of the Environmental Protection Agency;

''(B) the term 'low or no emission vehicle' means—

''(i) a passenger vehicle used to provide public transportation that the Secretary determines sufficiently reduces energy consumption or harmful emissions, including direct carbon emissions, when compared to a comparable standard vehicle; or

''(ii) a zero emission vehicle used to provide public transportation; and

''(C) the term 'zero emission vehicle' means a low or no emission vehicle that produces no carbon or particulate matter.'';

(4) by redesignating subsections (e) and (f) as subsections (f) and (g), respectively;

(5) by inserting after subsection (d) the following:

''(e) LOW OR NO EMISSION VEHICLE COMPONENT ASSESSMENT.—

''(1) DEFINITIONS.—In this subsection—

''(A) the term 'covered institution of higher education' means an institution of higher education with which the Secretary enters into a contract or cooperative agreement, or to which the Secretary makes a grant, under paragraph (2)(B) to operate a facility designated under paragraph (2)(A);

''(B) the terms 'direct carbon emissions' and 'low or no emission vehicle' have the meanings given those terms in subsection (d)(6);

''(C) the term 'institution of higher education' has the meaning given the term in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002); and

''(D) the term 'low or no emission vehicle component' means an item that is separately installed in and removable from a low or no emission vehicle.

''(2) ASSESSING LOW OR NO EMISSION VEHICLE COMPONENTS.—

''(A) IN GENERAL.—The Secretary shall designate not more than 2 facilities to conduct testing, evaluation, and analysis of low or no emission vehicle components intended for use in low or no emission vehicles.

''(B) OPERATION AND MAINTENANCE.—

''(i) IN GENERAL.—The Secretary shall enter into a contract or cooperative agreement with, or make a grant to, not more than 2 institutions of higher education to each operate and maintain a facility designated under subparagraph (A).

''(ii) REQUIREMENTS.—An institution of higher education described in clause (i) shall have—

''(I) previous experience with transportation-related advanced component and vehicle evaluation;

''(II) laboratories capable of testing and evaluation;

''(III) direct access to or a partnership with a testing facility capable of emulating real-world circumstances in order to test low or no emission vehicle components installed on the intended vehicle;

''(IV) extensive knowledge of public-private partnerships in the transportation sector, with emphasis on development and evaluation of materials, products, and components;

''(V) the ability to reduce costs to partners by leveraging existing programs to provide complementary research, development, testing, and evaluation; and

''(VI) the means to conduct performance assessments on low or no emission vehicle components based on industry standards.

''(C) FEES.—A covered institution of higher education shall establish and collect fees, which shall be approved by the Secretary, for the assessment of low or no emission components at the applicable facility designated under subparagraph (A).

''(D) AVAILABILITY OF AMOUNTS TO PAY FOR ASSESSMENT.—The Secretary shall enter into a contract or cooperative agreement with, or make a grant to, each covered institution of higher education under which—

''(i) the Secretary shall pay 50 percent of the cost of assessing a low or no emission vehicle component at the applicable facility designated under subparagraph (A) from amounts made available to carry out this section; and

''(ii) the remaining 50 percent of such cost shall be paid from amounts recovered through the fees established and collected pursuant to subparagraph (C).

''(E) VOLUNTARY TESTING.—A manufacturer of a low or no emission vehicle component is not required to assess the low or no emission vehicle component at a facility designated under subparagraph (A).

''(F) COMPLIANCE WITH SECTION 5318.—Notwithstanding whether a low or no emission vehicle component is assessed at a facility designated under subparagraph (A), each new bus model shall comply with the requirements under section 5318.

''(G) SEPARATE FACILITY.—Each facility designated under subparagraph (A) shall be separate and distinct from the facility operated and maintained under section 5318.

''(3) LOW OR NO EMISSION VEHICLE COMPONENT PERFORMANCE REPORTS.—Not later than 2 years after the date of enactment of the Federal Public Transportation Act of 2015, and annually thereafter, the Secretary shall issue a report on low or no emission vehicle component assessments conducted at each facility designated under paragraph (2)(A), which shall include information related to the maintainability, reliability, performance, structural integrity, efficiency, and noise of those low or no emission vehicle components.

''(4) PUBLIC AVAILABILITY OF ASSESSMENTS.—Each assessment conducted at a facility designated under paragraph (2)(A) shall be made publically available, including to affected industries.

''(5) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to require—

''(A) a low or no emission vehicle component to be tested at a facility designated under paragraph (2)(A); or

''(B) the development or disclosure of a privately funded component assessment.'';

(6) in subsection (f), as so redesignated—

(A) in paragraph (2), by striking ''and'' at the end;

(B) by redesignating paragraph (3) as paragraph (4);

(C) by inserting after paragraph (2) the following:

''(3) a list of any projects that returned negative results in the preceding fiscal year and an analysis of such results; and''; and

(D) in paragraph (4), as so redesignated, by inserting before the period at the end the following: ''based on projects in the pipeline, ongoing projects, and anticipated research efforts necessary to advance certain projects to a subsequent research phase''; and

(7) by adding at the end the following:

''(h) COOPERATIVE RESEARCH PROGRAM.—

''(1) IN GENERAL.—The Secretary shall establish—

''(A) a public transportation cooperative research program under this subsection; and

''(B) an independent governing board for the program, which shall recommend public transportation research, development, and technology transfer activities the Secretary considers appropriate.

''(2) FEDERAL ASSISTANCE.—The Secretary may make grants to, and cooperative agreements with, the National Academy of Sciences to carry out activities under this subsection that the Secretary determines appropriate.

''(3) GOVERNMENT SHARE.—If there would be a clear and direct financial benefit to an entity under a grant or contract financed under this section, the Secretary shall establish a Government share consistent with that benefit.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) TITLE 49.—Chapter 53 of title 49, United States Code, is amended by striking section 5313.

(2) TABLE OF SECTIONS AMENDMENT.—The table of sections for chapter 53 of title 49, United States Code, is amended by striking the items relating to sections 5312 and 5313 and inserting the following:

''5312. Research, development, demonstration, and deployment program.
''[5313. Repealed.]''.

SEC. 21010. PRIVATE SECTOR PARTICIPATION.

(a) IN GENERAL.—Section 5315 of title 49, United States Code, is amended by adding at the end the following:

''(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to alter—

''(1) the eligibilities, requirements, or priority for assistance provided under this chapter; or

''(2) the requirements of section 5306(a).''.

(b) MAP-21 TECHNICAL CORRECTION.—Section 20013(d) of the Moving Ahead for Progress in the 21st Century Act (Public Law 112–141; 126 Stat. 694) is amended by striking ''5307(c)'' and inserting ''5307(b)''.

SEC. 21011. INNOVATIVE PROCUREMENT.

(a) IN GENERAL.—Chapter 53 of title 49, United States Code, is amended by inserting after section 5315 the following:

''§ 5316. Innovative procurement

''(a) DEFINITION.—In this section, the term 'grantee' means a recipient or subrecipient of assistance under this chapter.

''(b) COOPERATIVE PROCUREMENT.—

''(1) DEFINITIONS; GENERAL RULES.—

''(A) DEFINITIONS.—In this subsection—

''(i) the term 'cooperative procurement contract' means a contract—

''(I) entered into between a State government or eligible nonprofit and 1 or more vendors; and

''(II) under which the vendors agree to provide an option to purchase rolling stock and related equipment to multiple participants;

''(ii) the term 'eligible nonprofit entity' means—

''(I) a nonprofit entity that is not a grantee; or

''(II) a consortium of entities described in subclause (I);

''(iii) the terms 'lead nonprofit entity' and 'lead procurement agency' mean an eligible nonprofit entity or a State government, respectively, that acts in an administrative capacity on behalf of each participant in a cooperative procurement contract;

''(iv) the term 'participant' means a grantee that participates in a cooperative procurement contract; and

''(v) the term 'participate' means to purchase rolling stock and related equipment under a cooperative procurement contract using assistance provided under this chapter.

''(B) GENERAL RULES.—

''(i) PROCUREMENT NOT LIMITED TO INTRASTATE PARTICIPANTS.—A grantee may participate in a cooperative procurement contract without regard to whether the grantee is located in the same State as the parties to the contract.

''(ii) VOLUNTARY PARTICIPATION.—Participation by grantees in a cooperative procurement contract shall be voluntary.

''(iii) CONTRACT TERMS.—The lead procurement agency or lead nonprofit entity for a cooperative procurement contract shall develop the terms of the contract.

''(iv) DURATION.—A cooperative procurement contract—

''(I) subject to subclauses (II) and (III), may be for an initial term of not more than 2 years;

''(II) may include not more than 3 optional extensions for terms of not more than 1 year each; and

''(III) may be in effect for a total period of not more than 5 years, including each extension authorized under subclause (II).

''(v) ADMINISTRATIVE EXPENSES.—A lead procurement agency or lead nonprofit entity, as applicable, that enters into a cooperative procurement contract—

''(I) may charge the participants in the contract for the cost of administering, planning, and providing technical assistance for the contract in an amount that is not more than 1 percent of the total value of the contract; and

''(II) with respect to the cost described in subclause (I), may incorporate the cost into the price of the contract or directly charge the participants for the cost, but not both.

''(2) STATE COOPERATIVE PROCUREMENT SCHEDULES.—

''(A) AUTHORITY.—A State government may enter into a cooperative procurement contract with 1 or more vendors if—

''(i) the vendors agree to provide an option to purchase rolling stock and related equipment to the State government and any other participant; and

''(ii) the State government acts throughout the term of the contract as the lead procurement agency.

''(B) APPLICABILITY OF POLICIES AND PROCEDURES.—In procuring rolling stock and related equipment under a cooperative procurement contract under this subsection, a State government shall comply with the policies and procedures that apply to procurement by the State government when using non-Federal funds, to the extent that the policies and procedures are in conformance with applicable Federal law.

''(3) PILOT PROGRAM FOR NONPROFIT COOPERATIVE PROCUREMENTS.—

''(A) ESTABLISHMENT.—The Secretary shall establish and carry out a pilot program to demonstrate the effectiveness of cooperative procurement contracts administered by nonprofit entities.

''(B) DESIGNATION.—In carrying out the program under this paragraph, the Secretary shall designate not less than 1 eligible nonprofit entity to enter into a cooperative procurement contract under which the nonprofit entity acts throughout the term of the contract as the lead nonprofit entity.

''(C) NUMBER OF ENTITIES.—The Secretary may designate not more than 3 geographically diverse eligible nonprofit entities under subparagraph (B).

''(D) NOTICE OF INTENT TO PARTICIPATE.—At a time determined appropriate by the lead nonprofit entity, each participant in a cooperative procurement contract under this paragraph shall submit to the lead nonprofit entity a nonbinding notice of intent to participate.

''(c) LEASING ARRANGEMENTS.—

''(1) CAPITAL LEASE DEFINED.—

''(A) IN GENERAL.—In this subsection, the term 'capital lease' means any agreement under which a grantee acquires the right to use rolling stock or related equipment for a specified period of time, in exchange for a periodic payment.

''(B) MAINTENANCE.—A capital lease may require that the lessor provide maintenance of the rolling stock or related equipment covered by the lease.

''(2) PROGRAM TO SUPPORT INNOVATIVE LEASING ARRANGEMENTS.—

''(A) AUTHORITY.—A grantee may use assistance provided under this chapter to enter into a capital lease if—

''(i) the rolling stock or related equipment covered under the lease is eligible for capital assistance under this chapter; and

''(ii) there is or will be no Federal interest in the rolling stock or related equipment covered under the lease as of the date on which the lease takes effect.

''(B) GRANTEE REQUIREMENTS.—A grantee that enters into a capital lease shall—

''(i) maintain an inventory of the rolling stock or related equipment acquired under the lease; and

''(ii) maintain on the accounting records of the grantee the liability of the grantee under the lease.

''(C) ELIGIBLE LEASE COSTS.—The costs for which a grantee may use assistance under this chapter, with respect to a capital lease, include—

''(i) the cost of the rolling stock or related equipment;

''(ii) associated financing costs, including interest, legal fees, and financial advisor fees;

''(iii) ancillary costs such as delivery and installation charges; and

''(iv) maintenance costs.

''(D) TERMS.—A grantee shall negotiate the terms of any lease agreement that the grantee enters into.

''(E) APPLICABILITY OF PROCUREMENT REQUIREMENTS.—

''(i) LEASE REQUIREMENTS.—Part 639 of title 49, Code of Federal Regulations, or any successor regulation, and implementing guidance applicable to leasing shall not apply to a capital lease.

''(ii) BUY AMERICA.—The requirements under section 5323(j) shall apply to a capital lease.

''(3) INCENTIVE PROGRAM FOR CAPITAL LEASING OF ROLLING STOCK.—

''(A) AUTHORITY.—The Secretary shall carry out an incentive program for capital leasing of rolling stock (referred to in this paragraph as the 'program').

''(B) SELECTION OF PARTICIPANTS.—

''(i) IN GENERAL.—The Secretary shall select not less than 6 grantees to participate in the program, which shall be—

''(I) geographically diverse; and

''(II) evenly distributed among grantees in accordance with clause (ii).

''(ii) POPULATION SIZE.—In selecting an even distribution of grantees under clause (i)(II), the Secretary shall select not less than—

''(I) 2 grantees that serve rural areas;

''(II) 2 grantees that serve urbanized areas with a population of fewer than 200,000 individuals, as determined by the Bureau of the Census; and

''(III) 2 grantees that serve urbanized areas with a population of 200,000 or more individuals, as determined by the Bureau of the Census.

''(iii) WAIVER.—The Secretary may waive a requirement under clause (ii) if an insufficient number of eligible grantees of a particular population size apply to participate in the program.

''(C) PARTICIPANT REQUIREMENTS.—

''(i) IN GENERAL.—A grantee that participates in the program shall—

''(I) enter into a capital lease for a period of not less than 5 years; and

''(II) replace not less than ¼ of the grantee's fleet through the capital lease.

''(ii) VEHICLE REQUIREMENTS.—The vehicles replaced under clause (i)(II), with respect to the fleet as constituted on the day before the date on which the capital lease is entered into, shall—

''(I) be the oldest vehicles in the fleet; or

''(II) produce the highest quantity of direct greenhouse gas emissions relative to the other vehicles in the fleet, as determined by the Administrator of the Environmental Protection Agency.

''(iii) WAIVER OF FEDERAL INTEREST REQUIREMENTS.—If a grantee participating in the program seeks to replace vehicles that have a remaining Federal interest, the Secretary shall—

''(I) evaluate the economic and environmental benefits of waiving the Federal interest, as demonstrated by the grantee;

''(II) if the grantee demonstrates a net economic or environmental benefit, grant an early disposition of the vehicles; and

''(III) publish each evaluation and final determination of the Secretary under this clause in a conspicuous location on the website of the Federal Transit Administration.

''(D) PARTICIPANT BENEFIT.—During the period during which a capital lease described in subparagraph (C)(i)(I), entered into by a grantee participating in the program, is in effect, the limit on the Government share of operating expenses under subsection (d)(2) of section 5307, subsection (d)(2) of section 5310, or subsection (g)(2) of section 5311 shall not apply with respect to any grant awarded to the grantee under the applicable section.

''(E) REPORTING REQUIREMENT.—Not later than 3 years after the date on which a grantee enters into a capital lease under the program, the grantee shall submit to the Secretary a report that contains—

''(i) an evaluation of the overall costs and benefits of leasing rolling stock;

''(ii) a cost comparison of leasing versus buying rolling stock;

''(iii) a comparison of the expected short-term and long-term maintenance costs of leasing versus buying rolling stock; and

''(iv) a projected budget showing the changes in overall operating and capital expenses due to the capital lease that the grantee entered into under the program.

''(4) INCENTIVE PROGRAM FOR CAPITAL LEASING OF CERTAIN ZERO EMISSION VEHICLE COMPONENTS.—

''(A) DEFINITIONS.—In this paragraph—

''(i) the term 'removable power source'—

''(I) means a power source that is separately installed in, and removable from, a zero emission vehicle; and

''(II) may include a battery, a fuel cell, an ultra-capacitor, or other advanced power source used in a zero emission vehicle; and

''(ii) the term 'zero emission vehicle' has the meaning given the term in section 5339(c).

''(B) LEASED POWER SOURCES.—Notwithstanding any other provision of law, for purposes of this subsection, the cost of a removable power source that is necessary for the operation of a zero emission vehicle shall not be treated as part of the cost of the vehicle if the removable power source is acquired using a capital lease.

''(C) ELIGIBLE CAPITAL LEASE.—A grantee may acquire a removable power source by itself through a capital lease.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) TABLE OF SECTIONS.—The table of sections for chapter 53 of title 49, United States Code, is amended by inserting after the item relating to section 5315 the following:

''5316. Innovative procurement.''.

(2) CONFORMING AMENDMENT.—Section 5325(e)(2) of title 49, United States Code, is amended by inserting after ''this subsection'' the following: '', section 5316,''.

SEC. 21012. HUMAN RESOURCES AND TRAINING.

Section 5322 of title 49, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (1), in the paragraph heading, by striking ''PROGRAM ESTABLISHED'' and inserting ''IN GENERAL'';

(B) by redesignating paragraph (2) as paragraph (3);

(C) by inserting after paragraph (1) the following:

''(2) PROGRAMS.—A program eligible for assistance under subsection (a) shall—

''(A) provide skills training, on-the-job training, and work-based learning;

''(B) offer career pathways that support the movement from initial or short-term employment opportunities to sustainable careers;

''(C) address current or projected workforce shortages;

''(D) replicate successful workforce development models; or

''(E) respond to such other workforce needs as the Secretary determines appropriate.'';

(D) in paragraph (3), as so redesignated—

(i) in subparagraph (G), by striking ''and'' at the end;

(ii) in subparagraph (H), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(I) give priority to minorities, women, individuals with disabilities, veterans, low-income populations, and other underserved populations.''; and

(E) by adding at the end the following:

''(4) COORDINATION.—A recipient of assistance under this subsection shall—

''(A) identify the workforce needs and commensurate training needs at the local level in coordination with entities such as local employers, local public transportation operators, labor union organizations, workforce development boards, State workforce agencies, State apprenticeship agencies (where applicable), university transportation centers, community colleges, and community-based organizations representing minorities, women, disabled individuals, veterans, and low-income populations; and

''(B) to the extent practicable, conduct local training programs in coordination with existing local training programs supported by the Secretary, the Department of Labor (including registered apprenticeship programs), and the Department of Education.

''(5) PROGRAM OUTCOMES.—A recipient of assistance under this subsection shall demonstrate outcomes for any program that includes skills training, on-the-job training, and work-based learning, including—

''(A) the impact on reducing public transportation workforce shortages in the area served;

''(B) the diversity of training participants;

''(C) the number of participants obtaining certifications or credentials required for specific types of employment;

''(D) employment outcomes, including job placement, job retention, and wages, using performance metrics established in consultation with the Secretary and the Secretary of Labor and consistent with metrics used by programs under the Workforce Innovation and Opportunity Act (29 U.S.C. 3101 et seq.); and

''(E) to the extent practical, evidence that the program did not preclude workers who are participating in skills training, on-the-job training, and work-based learning from being referred to, or hired on, projects funded under this chapter without regard to the length of time of their participation in the program.''; and

(2) in subsection (d), by striking paragraph (4) and inserting the following:

''(4) USE FOR TECHNICAL ASSISTANCE.—The Secretary may use not more than 1 percent of the amounts made available to carry out this section to provide technical assistance for activities and programs developed, conducted, and overseen under this subsection.

''(5) AVAILABILITY OF AMOUNTS.—

''(A) IN GENERAL.—Not more than 0.5 percent of the amounts made available to a recipient under sections 5307, 5337, and 5339 is available for expenditure by the recipient, with the approval of the Secretary, to pay not more than 80 percent of the cost of eligible activities under this subsection.

''(B) EXISTING PROGRAMS.—A recipient may use amounts made available under paragraph (A) to carry out existing local education and training programs for public transportation employees supported by the Secretary, the Department of Labor, or the Department of Education.''.

SEC. 21013. GENERAL PROVISIONS.

Section 5323 of title 49, United States Code, is amended—

(1) in subsection (j)—

(A) in paragraph (2), by striking subparagraph (C) and inserting the following:

''(C) when procuring rolling stock (including train control, communication, and traction power equipment, and rolling stock prototypes) under this chapter—

''(i) the cost of components and subcomponents produced in the United States—

''(I) for fiscal years 2016 and 2017, is more than 60 percent of the cost of all components of the rolling stock;

''(II) for fiscal years 2018 and 2019, is more than 65 percent of the cost of all components of the rolling stock; and

''(III) for fiscal year 2020 and each fiscal year thereafter, is more than 70 percent of the cost of all components of the rolling stock; and

''(ii) final assembly of the rolling stock has occurred in the United States; or'';

(B) by resdesignating paragraphs (5) through (9) as paragraphs (7) through (11), respectively;

(C) by inserting after paragraph (4) the following:

''(5) ROLLING STOCK FRAMES OR CAR SHELLS.—In carrying out paragraph (2)(C) in the case of a rolling stock procurement receiving assistance under this chapter in which the average cost of a rolling stock vehicle in the procurement is more than $300,000, if rolling stock frames or car shells are not produced in the United States, the Secretary shall include in the calculation of the domestic content of the rolling stock the cost of steel or iron used in the rolling stock frames or car shells if—

''(A) all manufacturing processes for the steel or iron occur in the United States; and

''(B) the amount of steel or iron used in the rolling stock frames or car shells is significant.

''(6) CERTIFICATION OF DOMESTIC SUPPLY AND DISCLOSURE.—

''(A) CERTIFICATION OF DOMESTIC SUPPLY.—If the Secretary denies an application for a

waiver under paragraph (2), the Secretary shall provide to the applicant a written certification that—

''(i) the steel, iron, or manufactured goods, as applicable, (referred to in this subparagraph as the 'item') is produced in the United States in a sufficient and reasonably available amount;

''(ii) the item produced in the United States is of a satisfactory quality; and

''(iii) includes a list of known manufacturers in the United States from which the item can be obtained.

''(B) DISCLOSURE.—The Secretary shall disclose the waiver denial and the written certification to the public in an easily identifiable location on the website of the Department of Transportation.'';

(D) in paragraph (8), as so redesignated, by striking ''Federal Public Transportation Act of 2012'' and inserting ''Federal Public Transportation Act of 2015''; and

(E) by inserting after paragraph (11), as so redesignated, the following:

''(12) PRODUCTION IN UNITED STATES.—For purposes of this subsection, steel and iron may be considered produced in the United States if all the manufacturing processes, except metallurgical processes involving refinement of steel additives, took place in the United States.

''(13) DEFINITION OF SMALL PURCHASE.—For purposes of determining whether a purchase qualifies for a general public interest waiver under paragraph (2)(A) of this subsection, including under any regulation promulgated under that paragraph, the term 'small purchase' means a purchase of not more than $150,000.'';

(2) in subsection (q)(1), by striking the second sentence; and

(3) by adding at the end the following:

''(s) VALUE CAPTURE REVENUE ELIGIBLE FOR LOCAL SHARE.—Notwithstanding any other provision of law, a recipient of assistance under this chapter may use the revenue generated from value capture financing mechanisms as local matching funds for capital projects and operating costs eligible under this chapter.

''(t) VALUE ENGINEERING.—Nothing in this chapter shall be construed to authorize the Secretary to mandate the use of value engineering in projects funded under this chapter.''.

SEC. 21014. PROJECT MANAGEMENT OVERSIGHT.

Section 5327 of title 49, United States Code, is amended—

(1) in subsection (c), by striking ''section 5338(i)'' and inserting ''section 5338(h)''; and

(2) in subsection (d)—

(A) in paragraph (1)—

(i) by striking ''section 5338(i)'' and inserting ''section 5338(h)''; and

(ii) by striking ''and'' at the end; and

(B) by striking paragraph (2) and inserting the following:

''(2) a requirement that oversight—

''(A) begin during the project development phase of a project, unless the Secretary finds it more appropriate to begin the oversight during another phase of the project, to maximize the transportation benefits and cost savings associated with project management oversight; and

''(B) be limited to quarterly reviews of compliance by the recipient with the project management plan approved under subsection (b) unless the Secretary finds that the recipient requires more frequent oversight because the recipient has, for 2 consecutive quarterly reviews, failed to meet the requirements of such plan and the project is at risk of going over budget or becoming behind schedule; and

''(3) a process for recipients that the Secretary has found require more frequent oversight to return to quarterly reviews for purposes of paragraph (2)(B).''.

SEC. 21015. PUBLIC TRANSPORTATION SAFETY PROGRAM.

(a) IN GENERAL.—Section 5329 of title 49, United States Code, is amended—

(1) in subsection (b)(2)—

(A) in subparagraph (C), by striking ''and'' at the end;

(B) by redesignating subparagraph (D) as subparagraph (E); and

(C) by inserting after subparagraph (C) the following:

''(D) minimum safety standards to ensure the safe operation of public transportation systems that—

''(i) are not related to performance standards for public transportation vehicles developed under subparagraph (C); and

''(ii) to the extent practicable, take into consideration—

''(I) relevant recommendations of the National Transportation Safety Board;

''(II) best practices standards developed by the public transportation industry;

''(III) any minimum safety standards or performance criteria being implemented across the public transportation industry; and

''(IV) any additional information that the Secretary determines necessary and appropriate; and'';

(2) in subsection (f)(2), by inserting after ''public transportation system of a recipient'' the following: ''or the public transportation industry generally'';

(3) in subsection (g)(1), in the matter preceding subparagraph (A), by striking ''an eligible State, as defined in subsection (e),'' and inserting ''a recipient''; and

(4) by adding at the end the following:

''(l) FOIA EXEMPTION.—

''(1) DEFINITION.—In this subsection, the term 'covered record'—

''(A) means any record that the Secretary obtains under a provision of, or regulation or order under, this section that relates to the establishment, implementation, or modification of a public transportation agency safety plan; and

''(B) includes a public transportation agency's analysis of its safety risks and its statement of the mitigation measures with which it will address those risks.

''(2) EXEMPTION.—Except as necessary for the Secretary or another Federal agency to enforce or carry out any provision of Federal law, any part of any covered record is exempt from the requirements of section 552 of title 5 if the covered record is—

''(A) supplied to the Secretary pursuant to the review or audit of a public transportation agency safety plan; or

''(B) made available for inspection and copying by an officer, employee, or agent of the Secretary pursuant to a public transportation agency safety plan.

''(3) EXCEPTION.—Notwithstanding paragraph (2), the Secretary may disclose any part of a covered record comprised of facts otherwise available to the public if, in the Secretary's sole discretion, the Secretary determines that disclosure would be consistent with the confidentiality needed for a public transportation agency safety plan.

''(4) DISCRETIONARY PROHIBITION OF DISCLOSURE.—The Secretary may prohibit the public disclosure of risk analyses or risk mitigation analyses that the Secretary has obtained under other provisions of, or regulations or orders under, this chapter if the Secretary determines that the prohibition of public disclosure is necessary to promote public transportation safety.''.

(b) REVIEW OF PUBLIC TRANSPORTATION SAFETY STANDARDS.—

(1) REVIEW REQUIRED.—

(A) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary shall commence a review of the safety standards and protocols used in rail fixed guideway public transportation systems in the United States that examines the efficacy of existing standards and protocols.

(B) CONTENTS OF REVIEW.—In conducting the review under this paragraph, the Secretary shall review—

(i) minimum safety performance standards developed by the public transportation industry;

(ii) safety performance standards, practices, or protocols in use by rail fixed guideway public transportation systems, including—

(I) written emergency plans and procedures for passenger evacuations;

(II) training programs to ensure public transportation personnel compliance and readiness in emergency situations;

(III) coordination plans with local emergency responders having jurisdiction over a rail fixed guideway public transportation system, including—

(aa) emergency preparedness training, drills, and familiarization programs for those first responders; and

(bb) the scheduling of regular field exercises to ensure appropriate response and effective radio and public safety communications;

(IV) maintenance, testing, and inspection programs to ensure the proper functioning of—

(aa) tunnel, station, and vehicle ventilation systems;

(bb) signal and train control systems, track, mechanical systems, and other infrastructure; and

(cc) other systems as necessary;

(V) certification requirements for train and bus operators and control center employees;

(VI) consensus-based standards, practices, or protocols available to the public transportation industry; and

(VII) any other standards, practices, or protocols the Secretary determines appropriate; and

(iii) vehicle safety standards, practices, or protocols in use by public transportation systems, concerning—

(I) bus design and the workstation of bus operators, as it relates to—

(aa) the reduction of blindspots that contribute to accidents involving pedestrians; and

(bb) protecting bus operators from the risk of assault; and

(II) scheduling fixed route bus service with adequate time and access for operators to use restroom facilities.

(2) EVALUATION.—After conducting the review under paragraph (1), the Secretary shall, in consultation with representatives of the public transportation industry, evaluate the need to establish Federal minimum public transportation safety standards, including—

(A) standards governing worker safety;

(B) standards for the operation of signals, track, on-track equipment, mechanical systems, and control systems; and

(C) any other areas the Secretary, in consultation with the public transportation industry, determines require further evaluation.

(3) REPORT.—Upon completing the review and evaluation required under paragraphs (1) and (2), respectively, and not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Transportation and Infrastructure of the of House of Representatives a report that includes—

(A) findings based on the review conducted under paragraph (1);

(B) the outcome of the evaluation conducted under paragraph (2);

(C) a comprehensive set of recommendations to improve the safety of the public transportation industry, including recommendations for legislative changes where applicable; and

(D) actions that the Secretary will take to address the recommendations provided under subparagraph (C), including, if necessary, the establishment of Federal minimum public transportation safety standards.

SEC. 21016. STATE OF GOOD REPAIR GRANTS.

Section 5337 of title 49, United States Code, is amended—

(1) in subsection (c)—

(A) by striking paragraph (1) and inserting the following:

''(1) IN GENERAL.—Of the amount authorized or made available for a fiscal year under section 5338(a)(2)(L)—

''(A) $100,000,000 shall be made available in accordance with this subsection; and

''(B) 97.15 percent of the remainder shall be apportioned to recipients in accordance with this subsection.''; and

(B) in paragraph (2)(B), by inserting ''the provisions of'' before ''section 5336(b)(1)'';

(2) in subsection (d)—

(A) in paragraph (2), by striking ''section 5338(a)(2)(I), 2.85 percent'' and inserting ''section 5338(a)(2)(L), the remainder after the application of subsection (c)(1)''; and

(B) by adding at the end the following:

''(5) USE OF FUNDS.—Amounts apportioned under this subsection may be used for any project that is an eligible project under subsection (b)(1).''; and

(3) by adding at the end the following:

''(e) GOVERNMENT SHARE OF COSTS.—

''(1) CAPITAL PROJECTS.—A grant for a capital project under this section shall be for 80 percent of the net project cost of the project. The recipient may provide additional local matching amounts.

''(2) REMAINING COSTS.—The remainder of the net project costs shall be provided from an undistributed cash surplus, a replacement or depreciation cash fund or reserve, or new capital.''.

SEC. 21017. AUTHORIZATIONS.

Section 5338 of title 49, United States Code, as amended by division G, is amended to read as follows:

''§ 5338. Authorizations

''(a) GRANTS.—

''(1) IN GENERAL.—There shall be available from the Mass Transit Account of the Highway Trust Fund to carry out sections 5305, 5307, 5310, 5311, 5312, 5314, 5318, 5322(b), 5322(d), 5335, 5337, 5339, and 5340, section 20005(b) of the Federal Public Transportation Act of 2012, and section 21007(b) of the Federal Public Transportation Act of 2015—

''(A) $9,184,747,400 for fiscal year 2016;

''(B) $9,380,039,349 for fiscal year 2017;

''(C) $9,685,745,744 for fiscal year 2018;

''(D) $10,101,051,238 for fiscal year 2019;

''(E) $10,351,763,806 for fiscal year 2020; and

''(F) $10,609,442,553 for fiscal year 2021.

''(2) ALLOCATION OF FUNDS.—Of the amounts made available under paragraph (1)—

''(A) $132,020,000 for fiscal year 2016, $134,934,342 for fiscal year 2017, $138,004,098 for fiscal year 2018, $141,328,616 for fiscal year 2019, $144,893,631 for fiscal year 2020, and $148,557,701 for fiscal year 2021 shall be available to carry out section 5305;

''(B) $10,000,000 for each of fiscal years 2016 through 2021 shall be available to carry out section 20005(b) of the Federal Public Transportation Act of 2012;

''(C) $4,538,905,700 for fiscal year 2016, $4,639,102,043 for fiscal year 2017, $4,794,641,615 for fiscal year 2018, $4,975,879,158 for fiscal year 2019, $5,101,395,710 for fiscal year 2020, and $5,230,399,804 for fiscal year 2021 shall be allocated in accordance with section 5336 to provide financial assistance for urbanized areas under section 5307;

''(D) $263,466,000 for fiscal year 2016, $269,282,012 for fiscal year 2017, $275,408,178 for fiscal year 2018, $288,264,292 for fiscal year 2019, $295,535,759 for fiscal year 2020, and $303,009,267 for fiscal year 2021 shall be available to provide financial assistance for services for the enhanced mobility of seniors and individuals with disabilities under section 5310;

''(E) $2,000,000 for each of fiscal years 2016 through 2021 shall be available for the pilot program for innovative coordinated access and mobility under section 21007(b) of the Federal Public Transportation Act of 2015;

''(F) $619,956,000 for fiscal year 2016, $633,641,529 for fiscal year 2017, $648,056,873 for fiscal year 2018, $678,308,311 for fiscal year 2019, $695,418,638 for fiscal year 2020, and $713,004,385 for fiscal year 2021 shall be available to provide financial assistance for rural areas under section 5311, of which not less than—

''(i) $35,000,000 for each of fiscal years 2016 through 2021 shall be available to carry out section 5311(c)(1); and

''(ii) $20,000,000 for each of fiscal years 2016 through 2021 shall be available to carry out section 5311(c)(2);

''(G) $30,000,000 for each of fiscal years 2016 through 2021 shall be available to carry out section 5312, of which—

''(i) $5,000,000 for each of fiscal years 2016 through 2021 shall be available to carry out section 5312(e); and

''(ii) $5,000,000 for each of fiscal years 2016 through 2021 shall be available to carry out section 5312(h);

''(H) $4,000,000 for each of fiscal years 2016 through 2021 shall be available to carry out section 5314;

''(I) $3,000,000 for each of fiscal years 2016 through 2021 shall be available for bus testing under section 5318;

''(J) $5,000,000 for each of fiscal years 2016 through 2021 shall be available for the national transit institute under section 5322(d);

''(K) $4,000,000 for each of fiscal years 2016 through 2021 shall be available to carry out section 5335;

''(L) $2,428,342,500 for fiscal year 2016, $2,479,740,661 for fiscal year 2017, $2,533,879,761 for fiscal year 2018, $2,592,511,924 for fiscal year 2019, $2,655,385,537 for fiscal year 2020, and $2,720,006,127 for fiscal year 2021 shall be available to carry out section 5337;

''(M) $430,794,600 for fiscal year 2016, $440,304,391 for fiscal year 2017, $495,321,316 for fiscal year 2018, $585,851,498 for fiscal year 2019, $605,422,352 for fiscal year 2020, and $625,536,993 for fiscal year 2021 shall be available for the bus and bus facilities program under section 5339(a);

''(N) $180,000,000 for each of fiscal years 2016 and 2017, $185,000,000 for fiscal year 2018, and $190,000,000 for each of fiscal years 2019 through 2021 shall be available for bus and bus facilities competitive grants under section 5339(b) and no or low emission grants under section 5339(c), of which $55,000,000 for each of fiscal years 2016 through 2021 shall be available to carry out section 5339(c);

''(O) $533,262,600 for fiscal year 2016, $545,034,372 for fiscal year 2017, $557,433,904 for fiscal year 2018, $586,907,438 for fiscal year 2019, $601,712,178 for fiscal year 2020, and $616,928,276 for fiscal year 2021 shall be allocated in accordance with section 5340 to provide financial assistance for urbanized areas under section 5307 and rural areas under section 5311; and

''(P) $4,000,000 for each of fiscal years 2019 through 2021 shall be available to carry out section 5322(b).

''(b) RESEARCH, DEVELOPMENT, DEMONSTRATION, AND DEPLOYMENT PROGRAM.—There are authorized to be appropriated to carry out section 5312, other than subsections (e) and (h) of that section, $20,000,000 for each of fiscal years 2016 through 2021.

''(c) TECHNICAL ASSISTANCE AND STANDARDS DEVELOPMENT.—There are authorized to be appropriated to carry out section 5314, $7,000,000 for each of fiscal years 2016 through 2021.

''(d) HUMAN RESOURCES AND TRAINING.—There are authorized to be appropriated to carry out subsections (a), (b), (c), and (e) of section 5322, $5,000,000 for each of fiscal years 2016 through 2021.

''(e) EMERGENCY RELIEF PROGRAM.—There are authorized to be appropriated such sums as are necessary to carry out section 5324.

''(f) CAPITAL INVESTMENT GRANTS.—There are authorized to be appropriated to carry out section 5309 of this title and section 21006(b) of the Federal Public Transportation Act of 2015, $2,301,785,760 for fiscal year 2016, $2,352,597,681 for fiscal year 2017, $2,406,119,278 for fiscal year 2018, $2,464,082,691 for fiscal year 2019, $2,526,239,177 for fiscal year 2020, and $2,590,122,713 for fiscal year 2021, of which $276,214,291 for fiscal year 2016, $282,311,722 for fiscal year 2017, $288,734,313 for fiscal year 2018, $295,689,923 for fiscal year 2019, $303,148,701 for fiscal year 2020, and $310,814,726 for fiscal year 2021 shall be available to carry out section 21006(b) of the Federal Public Transportation Act of 2015.

''(g) ADMINISTRATION.—

''(1) IN GENERAL.—There are authorized to be appropriated to carry out section 5334, $115,016,543 for fiscal year 2016, $117,555,533 for fiscal year 2017, $120,229,921 for fiscal year 2018, $123,126,260 for fiscal year 2019, $126,232,120 for fiscal year 2020, and $129,424,278 for fiscal year 2021.

''(2) SECTION 5329.—Of the amounts authorized to be appropriated under paragraph (1), not less than $8,000,000 for each of fiscal years 2016 through 2021 shall be available to carry out section 5329.

''(3) SECTION 5326.—Of the amounts made available under paragraph (2), not less than $2,000,000 for each of fiscal years 2016 through 2021 shall be available to carry out section 5326.

''(h) OVERSIGHT.—

''(1) IN GENERAL.—Of the amounts made available to carry out this chapter for a fiscal year, the Secretary may use not more than the following amounts for the activities described in paragraph (2):

''(A) 0.5 percent of amounts made available to carry out section 5305.

''(B) 0.75 percent of amounts made available to carry out section 5307.

''(C) 1 percent of amounts made available to carry out section 5309.

''(D) 1 percent of amounts made available to carry out section 601 of the Passenger Rail

Investment and Improvement Act of 2008 (Public Law 110-432; 126 Stat. 4968).

''(E) 0.5 percent of amounts made available to carry out section 5310.

''(F) 0.5 percent of amounts made available to carry out section 5311.

''(G) 1 percent of amounts made available to carry out section 5337, of which not less than 0.25 percent shall be available to carry out section 5329.

''(H) 0.75 percent of amounts made available to carry out section 5339.

''(2) ACTIVITIES.—The activities described in this paragraph are as follows:

''(A) Activities to oversee the construction of a major capital project.

''(B) Activities to review and audit the safety and security, procurement, management, and financial compliance of a recipient or subrecipient of funds under this chapter.

''(C) Activities to provide technical assistance generally, and to provide technical assistance to correct deficiencies identified in compliance reviews and audits carried out under this section.

''(3) GOVERNMENT SHARE OF COSTS.—The Government shall pay the entire cost of carrying out a contract under this subsection.

''(4) AVAILABILITY OF CERTAIN FUNDS.—Funds made available under paragraph (1)(C) shall be made available to the Secretary before allocating the funds appropriated to carry out any project under a full funding grant agreement.

''(i) GRANTS AS CONTRACTUAL OBLIGATIONS.—

''(1) GRANTS FINANCED FROM HIGHWAY TRUST FUND.—A grant or contract that is approved by the Secretary and financed with amounts made available from the Mass Transit Account of the Highway Trust Fund pursuant to this section is a contractual obligation of the Government to pay the Government share of the cost of the project.

''(2) GRANTS FINANCED FROM GENERAL FUND.—A grant or contract that is approved by the Secretary and financed with amounts appropriated in advance from the General Fund of the Treasury pursuant to this section is a contractual obligation of the Government to pay the Government share of the cost of the project only to the extent that amounts are appropriated for such purpose by an Act of Congress.

''(j) AVAILABILITY OF AMOUNTS.—Amounts made available by or appropriated under this section shall remain available until expended.''.

SEC. 21018. GRANTS FOR BUS AND BUS FACILITIES.

(a) IN GENERAL.—Chapter 53 of title 49, United States Code, as amended by division G, is amended by striking section 5339 and inserting the following:

''§ 5339. Grants for bus and bus facilities

''(a) FORMULA GRANTS.—

''(1) DEFINITIONS.—In this subsection—

''(A) the term 'low or no emission vehicle' has the meaning given that term in subsection (c)(1);

''(B) the term 'State' means a State of the United States; and

''(C) the term 'territory' means the District of Columbia, Puerto Rico, the Northern Mariana Islands, Guam, American Samoa, and the United States Virgin Islands.

''(2) GENERAL AUTHORITY.—The Secretary may make grants under this subsection to assist eligible recipients described in paragraph (4)(A) in financing capital projects—

''(A) to replace, rehabilitate, and purchase buses and related equipment, including technological changes or innovations to modify low or no emissions vehicles or facilities; and

''(B) to construct bus-related facilities.

''(3) GRANT REQUIREMENTS.—The requirements of—

''(A) section 5307 shall apply to recipients of grants made in urbanized areas under this subsection; and

''(B) section 5311 shall apply to recipients of grants made in rural areas under this subsection.

''(4) ELIGIBLE RECIPIENTS AND SUBRECIPIENTS.—

''(A) RECIPIENTS.—Eligible recipients under this subsection are—

''(i) designated recipients that allocate funds to fixed route bus operators; or

''(ii) State or local governmental entities that operate fixed route bus service.

''(B) SUBRECIPIENTS.—A recipient that receives a grant under this subsection may allocate amounts of the grant to subrecipients that are public agencies or private nonprofit organizations engaged in public transportation.

''(5) DISTRIBUTION OF GRANT FUNDS.—Funds allocated under section 5338(a)(2)(M) shall be distributed as follows:

''(A) NATIONAL DISTRIBUTION.—$103,000,000 for each of fiscal years 2016 through 2021 shall be allocated to all States and territories, with each State receiving $2,000,000 for each such fiscal year and each territory receiving $500,000 for each such fiscal year.

''(B) DISTRIBUTION USING POPULATION AND SERVICE FACTORS.—The remainder of the funds not otherwise distributed under subparagraph (A) shall be allocated pursuant to the formula set forth in section 5336 other than subsection (b).

''(6) TRANSFERS OF APPORTIONMENTS.—

''(A) TRANSFER FLEXIBILITY FOR NATIONAL DISTRIBUTION FUNDS.—The Governor of a State may transfer any part of the State's apportionment under paragraph (5)(A) to supplement amounts apportioned to the State under section 5311(c) of this title or amounts apportioned to urbanized areas under subsections (a) and (c) of section 5336 of this title.

''(B) TRANSFER FLEXIBILITY FOR POPULATION AND SERVICE FACTORS FUNDS.—The Governor of a State may expend in an urbanized area with a population of less than 200,000 any amounts apportioned under paragraph (5)(B) that are not allocated to designated recipients in urbanized areas with a population of 200,000 or more.

''(7) GOVERNMENT SHARE OF COSTS.—

''(A) CAPITAL PROJECTS.—A grant for a capital project under this subsection shall be for 80 percent of the net capital costs of the project. A recipient of a grant under this subsection may provide additional local matching amounts.

''(B) REMAINING COSTS.—The remainder of the net project cost shall be provided—

''(i) in cash from non-Government sources other than revenues from providing public transportation services;

''(ii) from revenues derived from the sale of advertising and concessions;

''(iii) from an undistributed cash surplus, a replacement or depreciation cash fund or reserve, or new capital;

''(iv) from amounts received under a service agreement with a State or local social service agency or private social service organization; or

''(v) from revenues generated from value capture financing mechanisms.

''(8) PERIOD OF AVAILABILITY TO RECIPIENTS.—Amounts made available under this subsection may be obligated by a recipient for 3 fiscal years after the fiscal year in which the amount is apportioned. Not later than 30 days after the end of the 3-fiscal-year period described in the preceding sentence, any amount that is not obligated on the last day of that period shall be added to the amount that may be apportioned under this subsection in the next fiscal year.

''(b) BUS AND BUS FACILITIES COMPETITIVE GRANTS.—

''(1) IN GENERAL.—The Secretary may make grants under this subsection to designated recipients to assist in the financing of bus and bus facilities capital projects, including—

''(A) replacing, rehabilitating, purchasing, or leasing buses or related equipment; and

''(B) rehabilitating, purchasing, constructing, or leasing bus-related facilities.

''(2) GRANT CONSIDERATIONS.—In making grants under this subsection, the Secretary shall consider the age and condition of buses, bus fleets, related equipment, and bus-related facilities.

''(3) STATEWIDE APPLICATIONS.—A State may submit a statewide application on behalf of a public agency or private nonprofit organization engaged in public transportation in rural areas or other areas for which the State allocates funds. The submission of a statewide application shall not preclude the submission and consideration of any application under this subsection from other eligible recipients in an urbanized area in a State.

''(4) REQUIREMENTS FOR THE SECRETARY.—The Secretary shall—

''(A) disclose all metrics and evaluation procedures to be used in considering grant applications under this subsection upon issuance of the notice of funding availability in the Federal Register; and

''(B) publish a summary of final scores for selected projects, metrics, and other evaluations used in awarding grants under this subsection in the Federal Register.

''(5) RURAL PROJECTS.—Not less 10 percent of the amounts made available under this subsection in a fiscal year shall be distributed to projects in rural areas.

''(6) GRANT REQUIREMENTS.—

''(A) IN GENERAL.—A grant under this subsection shall be subject to the requirements of—

''(i) section 5307 for recipients of grants made in urbanized areas; and

''(ii) section 5311 for recipients of grants made in rural areas.

''(B) GOVERNMENT SHARE OF COSTS.—The Government share of the cost of an eligible project carried out under this subsection shall not exceed 80 percent.

''(7) AVAILABILITY OF FUNDS.—Any amounts made available to carry out this subsection—

''(A) shall remain available for 2 fiscal years after the fiscal year for which the amount is made available; and

''(B) that remain unobligated at the end of the period described in subparagraph (A) shall be added to the amount made available to an eligible project in the following fiscal year.

''(8) LIMITATION.—Of the amounts made available under this subsection, not more than 15 percent may be awarded to a single grantee.

''(c) LOW OR NO EMISSION GRANTS.—

''(1) DEFINITIONS.—In this subsection—

''(A) the term 'direct carbon emissions' means the quantity of direct greenhouse gas emissions from a vehicle, as determined by the Administrator of the Environmental Protection Agency;

''(B) the term 'eligible project' means a project or program of projects in an eligible area for—

''(i) acquiring low or no emission vehicles;

''(ii) leasing low or no emission vehicles;

''(iii) acquiring low or no emission vehicles with a leased power source;

''(iv) constructing facilities and related equipment for low or no emission vehicles;

''(v) leasing facilities and related equipment for low or no emission vehicles;

''(vi) constructing new public transportation facilities to accommodate low or no emission vehicles; or

''(vii) rehabilitating or improving existing public transportation facilities to accommodate low or no emission vehicles;

''(C) the term 'leased power source' means a removable power source, as defined in paragraph (4)(A) of section 5316(c), that is made available through a capital lease under that section;

''(D) the term 'low or no emission bus' means a bus that is a low or no emission vehicle;

''(E) the term 'low or no emission vehicle' means—

''(i) a passenger vehicle used to provide public transportation that the Secretary determines sufficiently reduces energy consumption or harmful emissions, including direct carbon emissions, when compared to a comparable standard vehicle; or

''(ii) a zero emission vehicle used to provide public transportation;

''(F) the term 'recipient' means a designated recipient, a local governmental authority, or a State that receives a grant under this subsection for an eligible project; and

''(G) the term 'zero emission vehicle' means a low or no emission vehicle that produces no carbon or particulate matter.

''(2) GENERAL AUTHORITY.—The Secretary may make grants to recipients to finance eligible projects under this subsection.

''(3) GRANT REQUIREMENTS.—

''(A) IN GENERAL.—A grant under this subsection shall be subject to the requirements of section 5307.

''(B) GOVERNMENT SHARE OF COSTS FOR CERTAIN PROJECTS.—Section 5323(i) applies to eligible projects carried out under this subsection, unless the recipient requests a lower grant percentage.

''(C) COMBINATION OF FUNDING SOURCES.—

''(i) COMBINATION PERMITTED.—An eligible project carried out under this subsection may receive funding under section 5307 or any other provision of law.

''(ii) GOVERNMENT SHARE.—Nothing in this subparagraph shall be construed to alter the Government share required under paragraph (7), section 5307, or any other provision of law.

''(4) COMPETITIVE PROCESS.—The Secretary shall—

''(A) not later than 30 days after the date on which amounts are made available for obligation under this subsection for a full fiscal year, solicit grant applications for eligible projects on a competitive basis; and

''(B) award a grant under this subsection based on the solicitation under subparagraph (A) not later than the earlier of—

''(i) 75 days after the date on which the solicitation expires; or

''(ii) the end of the fiscal year in which the Secretary solicited the grant applications.

''(5) CONSIDERATION.—In awarding grants under this subsection, the Secretary shall only consider eligible projects relating to the acquisition or leasing of low or no emission buses that—

''(A) make greater reductions in energy consumption and harmful emissions, including direct carbon emissions, than comparable standard buses or other low or no emission buses; and

''(B) are part of a long-term integrated fleet management plan for the recipient.

''(6) AVAILABILITY OF FUNDS.—Any amounts made available to carry out this subsection—

''(A) shall remain available to an eligible project for 2 fiscal years after the fiscal year for which the amount is made available; and

''(B) that remain unobligated at the end of the period described in subparagraph (A) shall be added to the amount made available to an eligible project in the following fiscal year.

''(7) GOVERNMENT SHARE OF COSTS.—

''(A) IN GENERAL.—The Federal share of the cost of an eligible project carried out under this subsection shall not exceed 80 percent.

''(B) NON-FEDERAL SHARE.—The non-Federal share of the cost of an eligible project carried out under this subsection may be derived from in-kind contributions.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 53 of title 49, United States Code, is amended by striking the item relating to section 5339 and inserting the following:

''5339. Grants for bus and bus facilities.''.

SEC. 21019. SALARY OF FEDERAL TRANSIT ADMINISTRATOR.

(a) IN GENERAL.—Section 5313 of title 5, United States Code, is amended by adding at the end the following:

''Federal Transit Administrator.''.

(b) CONFORMING AMENDMENT.—Section 5314 of title 5, United States Code, is amended by striking ''Federal Transit Administrator.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the first day of the first pay period beginning on or after the first day of the first fiscal year beginning after the date of enactment of this Act.

SEC. 21020. TECHNICAL AND CONFORMING AMENDMENTS.

(a) CHAPTER 53 OF TITLE 49, UNITED STATES CODE.—

(1) IN GENERAL.—Chapter 53 of title 49, United States Code, is amended—

(A) by striking section 5319;

(B) in section 5325—

(i) in subsection (e)(2), by striking ''at least two''; and

(ii) in subsection (h), by striking ''Federal Public Transportation Act of 2012'' and inserting ''Federal Public Transportation Act of 2015'';

(C) in section 5336—

(i) in subsection (a), by striking ''subsection (h)(4)'' and inserting ''subsection (h)(5)''; and

(ii) in subsection (h), as amended by division G—

(I) by striking paragraph (1) and inserting the following:

''(1) $30,000,000 for each fiscal year shall be set aside to carry out section 5307(h);''; and

(II) in paragraph (3), by striking ''1.5 percent'' and inserting ''2 percent''; and

(D) in section 5340(b), by striking ''section 5338(b)(2)(M)'' and inserting ''section 5338(a)(2)(O)''.

(2) TABLE OF SECTIONS.—The table of sections for chapter 53 of title 49, United States Code, is amended by striking the item relating to section 5319 and inserting the following:

''[5319. Repealed.]''.

(b) CHAPTER 105 OF TITLE 49, UNITED STATES CODE.—Section 10501(c) of title 49, United States Code, is amended—

(1) in paragraph (1)—

(A) in subparagraph (A)(i), by striking ''section 5302(a)'' and inserting ''section 5302''; and

(B) in subparagraph (B)—

(i) by striking ''mass transportation'' and inserting ''public transportation''; and

(ii) by striking ''section 5302(a)'' and inserting ''section 5302''; and

(2) in paragraph (2)(A), by striking ''mass transportation'' and inserting ''public transportation''.

DIVISION C—COMPREHENSIVE TRANSPORTATION AND CONSUMER PROTECTION ACT OF 2015

SEC. 31001. SHORT TITLE.

This division may be cited as the ''Comprehensive Transportation and Consumer Protection Act of 2015.''

SEC. 31002. REFERENCES TO TITLE 49, UNITED STATES CODE.

Except as otherwise expressly provided, wherever in this division an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 49, United States Code.

SEC. 31003. EFFECTIVE DATE.

Subtitle A of title XXXII, sections 33103, 34101(g), 34105, 34106, 34107, 34133, 34141, 34202, 34203, 34204, 34205, 34206, 34207, 34208, 34211, 34212, 34213, 34214, 34215, subtitles C and D of title XXXIV, and title XXXV take effect on the date of enactment of this Act.

TITLE XXXI—OFFICE OF THE SECRETARY

Subtitle A—Accelerating Project Delivery

SEC. 31101. DELEGATION OF AUTHORITY.

(a) IN GENERAL.—Chapter 1 is amended by adding at the end the following:

''§ 116. Administrations; acting officers

''No person designated to serve as the acting head of an administration in the department of transportation under section 3345 of title 5 may continue to perform the functions and duties of the office if the time limitations in section 3346 of that title would prevent the person from continuing to serve in a formal acting capacity.''.

(b) CONFORMING AMENDMENT.—The table of contents for chapter 1 is amended by inserting after the item relating to section 115 the following:

''116. Administrations; acting officers.''.

(c) APPLICATION.—The amendment under subsection (a) shall apply to any applicable office with a position designated for a Senate confirmed official.

SEC. 31102. INFRASTRUCTURE PERMITTING IMPROVEMENT CENTER.

(a) IN GENERAL.—Subchapter I of chapter 3, as amended by sections 31104 and 31106 of this Act, is further amended by adding after section 311 the following:

''§ 312. Interagency Infrastructure Permitting Improvement Center

''(a) IN GENERAL.—There is established in the Office of the Secretary an Interagency Infrastructure Permitting Improvement Center (referred to in this section as the 'Center').

''(b) ROLES AND RESPONSIBILITIES.—

''(1) GOVERNANCE.—The Center shall report to the chair of the Steering Committee described in paragraph (2) to ensure that the perspectives of all member agencies are represented.

''(2) INFRASTRUCTURE PERMITTING STEERING COMMITTEE.—An Infrastructure Permitting Steering Committee (referred to in this section as the 'Steering Committee') is established to oversee the work of the Center. The

Steering Committee shall be chaired by the Federal Chief Performance Officer in consultation with the Chair of the Council on Environmental Quality and shall be comprised of Deputy-level representatives from the following departments and agencies:

''(A) The Department of Defense.

''(B) The Department of the Interior.

''(C) The Department of Agriculture.

''(D) The Department of Commerce.

''(E) The Department of Transportation.

''(F) The Department of Energy.

''(G) The Department of Homeland Security.

''(H) The Environmental Protection Agency.

''(I) The Advisory Council on Historic Preservation.

''(J) The Department of the Army.

''(K) The Department of Housing and Urban Development.

''(L) Other agencies the Chair of the Steering Committee invites to participate.

''(3) ACTIVITIES.—The Center shall support the Chair of the Steering Committee and undertake the following:

''(A) Coordinate and support implementation of priority reform actions for Federal agency permitting and reviews for areas as defined and identified by the Steering Committee.

''(B) Support modernization efforts at Federal agencies and interagency pilots for innovative approaches to the permitting and review of infrastructure projects.

''(C) Provide technical assistance and training to field and headquarters staff of Federal agencies on policy changes, innovative approaches to project delivery, and other topics as appropriate.

''(D) Identify, develop, and track metrics for timeliness of permit reviews, permit decisions, and project outcomes.

''(E) Administer and expand the use of online transparency tools providing for—

''(i) tracking and reporting of metrics;

''(ii) development and posting of schedules for permit reviews and permit decisions; and

''(iii) sharing of best practices related to efficient project permitting and reviews.

''(F) Provide reporting to the President on progress toward achieving greater efficiency in permitting decisions and review of infrastructure projects and progress toward achieving better outcomes for communities and the environment.

''(G) Meet not less frequently than annually with groups or individuals representing State, Tribal, and local governments that are engaged in the infrastructure permitting process.

''(4) INFRASTRUCTURE SECTORS COVERED.—The Center shall support process improvements in the permitting and review of infrastructure projects in the following sectors:

''(A) Surface transportation.

''(B) Aviation.

''(C) Ports and waterways.

''(D) Water resource projects.

''(E) Renewable energy generation.

''(F) Electricity transmission.

''(G) Broadband.

''(H) Pipelines.

''(I) Other sectors, as determined by the Steering Committee.

''(c) PERFORMANCE MEASURES.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of the Comprehensive Transportation and Consumer Protection Act of 2015, the Secretary, in coordination with the heads of other Federal agencies on the Steering Committee with responsibility for the review and approval of infrastructure projects sectors described in subsection (b)(4), shall evaluate and report on—

''(A) the progress made toward aligning Federal reviews of such projects and the improvement of project delivery associated with those projects; and

''(B) the effectiveness of the Center in achieving reduction of permitting time and project delivery time.

''(2) PERFORMANCE TARGETS.—Not later than 180 days after the date on which the Secretary of Transportation establishes performance measures in accordance with paragraph (1), the Secretary shall establish performance targets relating to each of the measures and standards described in subparagraphs (A) and (B) of paragraph (1).

''(3) REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of the Comprehensive Transportation and Consumer Protection Act of 2015 and biennially thereafter, the Secretary shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that describes—

''(A) the results of the evaluation conducted under paragraph (1); and

''(B) the progress towards achieving the targets established under paragraph (2).

''(4) INSPECTOR GENERAL REPORT.—Not later than 3 years after the date of enactment of the Comprehensive Transportation and Consumer Protection Act of 2015, the Inspector General of the Department of Transportation shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that describes—

''(A) the results of the evaluation conducted under paragraph (1); and

''(B) the progress towards achieving the targets established under paragraph (2).''.

(b) CONFORMING AMENDMENT.—The table of contents of chapter 3, as amended by sections 31104 and 31106 of this Act, is further amended by inserting after the item relating to section 311 the following:

''312. Interagency Infrastructure Permitting Improvement Center.''.

SEC. 31103. ACCELERATED DECISION-MAKING IN ENVIRONMENTAL REVIEWS.

(a) IN GENERAL.—Subchapter I of chapter 3 is amended by inserting after section 304 the following:

''§ 304a. Accelerated decision-making in environmental reviews

''(a) IN GENERAL.—In preparing a final environmental impact statement under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), if the Department of Transportation, when acting as lead agency, modifies the statement in response to comments that are minor and are confined to factual corrections or explanations of why the comments do not warrant additional Departmental response, the Department may write on errata sheets attached to the statement instead of rewriting the draft statement, subject to the condition that the errata sheets—

''(1) cite the sources, authorities, or reasons that support the position of the Department; and

''(2) if appropriate, indicate the circumstances that would trigger Departmental reappraisal or further response.

''(b) INCORPORATION.—To the maximum extent practicable, the Department shall expeditiously develop a single document that consists of a final environmental impact statement and a record of decision, unless—

''(1) the final environmental impact statement makes substantial changes to the proposed action that are relevant to environmental or safety concerns; or

''(2) there are significant new circumstances or information relevant to environmental concerns and that bear on the proposed action or the impacts of the proposed action.''.

(b) CONFORMING AMENDMENT.—The table of contents of chapter 3 is amended by inserting after the item relating to section 304 the following:

''304a. Accelerated decision-making in environmental reviews.''.

SEC. 31104. ENVIRONMENTAL REVIEW ALIGNMENT AND REFORM.

(a) IN GENERAL.—Subchapter I of chapter 3 is amended by inserting after section 309 the following:

''§ 310. Aligning Federal environmental reviews

''(a) COORDINATED AND CONCURRENT ENVIRONMENTAL REVIEWS.—Not later than 1 year after the date of enactment of the Comprehensive Transportation and Consumer Protection Act of 2015, the Department of Transportation, in coordination with the Steering Committee described in section 312 of this title, shall develop a coordinated and concurrent environmental review and permitting process for transportation projects when initiating an environmental impact statement under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) (referred to in this section as 'NEPA'). The coordinated and concurrent environmental review and permitting process shall—

''(1) ensure that the Department of Transportation and Federal agencies of jurisdiction possess sufficient information early in the review process to determine a statement of a transportation project's purpose and need and range of alternatives for analysis that the lead agency and agencies of jurisdiction will rely upon for concurrent environmental reviews and permitting decisions required for the proposed project;

''(2) achieve early concurrence or issue resolution during the NEPA scoping process on the Department of Transportation's statement of a project's purpose and need and during development of the environmental impact statement on the range of alternatives for analysis that the lead agency and agencies of jurisdiction will rely upon for concurrent environmental reviews and permitting decisions required for the proposed project absent circumstances that require reconsideration in order to meet an agency of jurisdiction's legal obligations; and

''(3) achieve concurrence or issue resolution in an expedited manner if circumstances arise that require a reconsideration of the purpose and need or range of alternatives considered during any Federal agency's environmental or permitting review in order to meet an agency of jurisdiction's legal obligations.

''(b) ENVIRONMENTAL CHECKLIST.—The Secretary of Transportation and Federal agencies of jurisdiction likely to have substantive review or approval responsibilities on transportation projects, not later than 90 days after the date of enactment of the Comprehensive Transportation and Consumer Protection Act of 2015, shall jointly develop a checklist to help project sponsors identify potential natural, cultural, and historic resources in the area of a proposed project. The purpose of the checklist is—

''(1) to identify agencies of jurisdiction and cooperating agencies,

''(2) to develop the information needed for the purpose and need and alternatives for analysis; and

''(3) to improve interagency collaboration to help expedite the permitting process for the lead agency and Federal agencies of jurisdiction.

''(c) INTERAGENCY COLLABORATION.—Consistent with Federal environmental statutes and the priority reform actions for Federal agency permitting and reviews defined and identified by the Steering Committee established under section 312, the Secretary shall facilitate annual interagency collaboration sessions at the appropriate jurisdictional level to coordinate business plans and facilitate coordination of workload planning and workforce management. This engagement shall ensure agency staff is fully engaged and utilizing the flexibility of existing regulations, policies, and guidance and identifying additional actions to facilitate high quality, efficient, and targeted environmental reviews and permitting decisions. The sessions and the interagency collaborations they generate shall focus on how to work with State and local transportation entities to improve project planning, siting, and application quality and how to consult and coordinate with relevant stakeholders and Federal, tribal, State, and local representatives early in permitting processes.

''(d) PERFORMANCE MEASUREMENT.—Not later than 1 year after the date of enactment of the Comprehensive Transportation and Consumer Protection Act of 2015, the Secretary of Transportation, in coordination with the Steering Committee established under section 312 of this title, shall establish a program to measure and report on progress towards aligning Federal reviews as outlined in this section.''.

(b) CONFORMING AMENDMENT.—The table of contents of subchapter I of chapter 3 is amended by inserting after the item relating to section 309 the following:

''310. Aligning Federal environmental reviews.''.

SEC. 31105. MULTIMODAL CATEGORICAL EXCLUSIONS.

Section 304 is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking ''operating authority'' and inserting ''operating administration or secretarial office'';

(ii) by inserting ''has expertise but'' before ''is not the lead''; and

(iii) by inserting ''proposed multimodal'' before ''project'';

(B) by amending paragraph (2) to read as follows:

''(2) LEAD AUTHORITY.—The term 'lead authority' means a Department of Transportation operating administration or secretarial office that has the lead responsibility for a proposed multimodal project.''; and

(C) in paragraph (3), by striking ''has the meaning given the term in section 139(a) of title 23'' and inserting ''means an action by the Department of Transportation that involves expertise of 1 or more Department of Transportation operating administrations or secretarial offices'';

(2) in subsection (b), by striking ''under this title'' and inserting ''by the Secretary of Transportation'';

(3) in subsection (c)—

(A) in the matter preceding paragraph (1)—

(i) by striking ''a categorical exclusion designated under the implementing regulations or'' and inserting ''categorical exclusions designated under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) implementing''; and

(ii) by striking ''other components of the'' and inserting ''a proposed multimodal'';

(B) by amending paragraphs (1) and (2) to read as follows:

''(1) the lead authority makes a preliminary determination on the applicability of a categorical exclusion to a proposed multimodal project and notifies the cooperating authority of its intent to apply the cooperating authority categorical exclusion;

''(2) the cooperating authority does not object to the lead authority's preliminary determination of its applicability;'';

(C) in paragraph (3)—

(i) by inserting ''the lead authority determines that'' before ''the component of''; and

(ii) by inserting ''proposed multimodal'' before ''project to be covered''; and

(D) by amending paragraph (4) to read as follows:

''(4) the lead authority, with the concurrence of the cooperating authority—

''(A) follows implementing regulations or procedures under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

''(B) determines that the proposed multimodal project does not individually or cumulatively have a significant impact on the environment; and

''(C) determines that extraordinary circumstances do not exist that merit additional analysis and documentation in an environmental impact statement or environmental assessment required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).''; and

(4) by amending subsection (d) to read as follows:

''(d) COOPERATING AUTHORITY EXPERTISE.—A cooperating authority shall provide expertise to the lead authority on aspects of the multimodal project in which the cooperating authority has expertise.''.

SEC. 31106. IMPROVING TRANSPARENCY IN ENVIRONMENTAL REVIEWS.

(a) IN GENERAL.—Subchapter I of chapter 3, as amended by section 31104 of this Act, is further amended by inserting after section 310 the following:

''§ 311. Improving transparency in environmental reviews

''(a) IN GENERAL.—Not later than 2 years after the date of enactment of the Comprehensive Transportation and Consumer Protection Act of 2015, the Secretary of Transportation shall establish an online platform and, in coordination with Federal agencies described in subsection (b), issue reporting standards to make publicly available the status and progress with respect to compliance with applicable requirements under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and any other Federal approval required under applicable laws for projects and activities requiring an environmental assessment or an environmental impact statement.

''(b) FEDERAL AGENCY PARTICIPATION.—A Federal agency of jurisdiction over an approval required for a project under applicable laws shall provide information regarding the status and progress of the approval to the online platform, consistent with the standards established under subsection (a).

''(c) ASSIGNMENT OF RESPONSIBILITIES.—An entity with assigned authority for responsibilities under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), under section 326 or section 327 of title 23 shall be responsible for supplying project development and compliance status for all applicable projects.''.

(b) CONFORMING AMENDMENT.—The table of contents of subchapter I of chapter 3, as amended by section 31104 of this Act, is further amended by inserting after the item relating to section 310, the following:

''311. Improving transparency in environmental reviews.''.

SEC. 31107. LOCAL TRANSPORTATION INFRASTRUCTURE PROGRAM.

Section 610 of title 23, United States Code, is amended—

(1) in subsection (d)—

(A) in paragraph (1), by striking subparagraph (A) and inserting the following:

''(A) 10 percent of the funds apportioned to the State for each of fiscal years 2016 through 2021 under each of sections 104(b)(1), 104(b)(2), and 144; and'';

(B) in paragraph (2), by striking ''2005 through 2009'' and inserting ''2016 through 2021'';

(C) in paragraph (3), by striking ''2005 through 2009'' and inserting ''2016 through 2021''; and

(D) in paragraph (5), by striking ''section 133(d)(3)'' and inserting ''section 133(d)(4)''; and

(2) in subsection (k), by striking ''2005 through 2009'' and inserting ''2016 through 2021''.

Subtitle B—Research

SEC. 31201. FINDINGS.

Congress makes the followings findings:

(1) Federal transportation research planning and coordination—

(A) should occur within the Office of the Secretary; and

(B) should be, to the extent practicable, multi-modal and not occur solely within the subagencies of the Department of Transportation.

(2) Managing a multi-modal research portfolio within the Office of the Secretary will—

(A) help identify opportunities where research could be applied across modes; and

(B) prevent duplication of efforts and waste of limited Federal resources.

(3) An ombudsman for research at the Department of Transportation will—

(A) give stakeholders a formal opportunity to address concerns;

(B) ensure unbiased research; and

(C) improve the overall research products of the Department.

(4) Increasing transparency of transportation research efforts will—

(A) build stakeholder confidence in the final product; and

(B) lead to the improved implementation of research findings.

SEC. 31202. MODAL RESEARCH PLANS.

(a) IN GENERAL.—Not later than June 15 of the year preceding the research fiscal year, the head of each modal administration and joint program office of the Department of Transportation shall submit a comprehensive annual modal research plan to the Assistant Secretary for Research and Technology of the Department of Transportation (referred to in this subtitle as the ''Assistant Secretary'').

(b) REVIEW.—

(1) IN GENERAL.—Not later than October 1 of each year, the Assistant Secretary, for each plan submitted pursuant to subsection (a), shall—

(A) review the scope of the research; and

(B)(i) approve the plan; or

(ii) request that the plan be revised.

(2) PUBLICATIONS.—Not later than January 30 of each year, the Secretary shall publish each plan that has been approved under paragraph (1)(B)(i) on a public website.

(3) REJECTION OF DUPLICATIVE RESEARCH EFFORTS.—The Assistant Secretary may not

approve any plan submitted by the head of a modal administration or joint program office pursuant to subsection (a) if such plan duplicates the research efforts of any other modal administration.

(c) FUNDING LIMITATIONS.—No funds may be expended by the Department of Transportation on research that has not previously been approved as part of a modal research plan approved by the Assistant Secretary unless—

(1) such research is required by an Act of Congress;

(2) such research was part of a contract that was funded before the date of enactment of this Act; or

(3) the Secretary of Transportation certifies to Congress that such research is necessary before the approval of a modal research plan.

(d) DUPLICATIVE RESEARCH.—

(1) IN GENERAL.—Except as provided in paragraph (2), no funds may be expended by the Department of Transportation on research projects that the Secretary identifies as duplicative under subsection (b)(3).

(2) EXCEPTIONS.—Paragraph (1) shall not apply to—

(A) updates to previously commissioned research;

(B) research commissioned to carry out an Act of Congress; or

(C) research commissioned before the date of enactment of this Act.

(e) CERTIFICATION.—

(1) IN GENERAL.—The Secretary shall annually certify to Congress that—

(A) each modal research plan has been reviewed; and

(B) there is no duplication of study for research directed, commissioned, or conducted by the Department of Transportation.

(2) CORRECTIVE ACTION PLAN.—If the Secretary, after submitting a certification under paragraph (1), identifies duplication of research within the Department of Transportation, the Secretary shall—

(A) notify Congress of the duplicative research; and

(B) submit a corrective action plan to Congress that will eliminate such duplicative research.

SEC. 31203. CONSOLIDATED RESEARCH PROSPECTUS AND STRATEGIC PLAN.

(a) PROSPECTUS.—

(1) IN GENERAL.—The Secretary shall annually publish, on a public website, a comprehensive prospectus on all research projects conducted by the Department of Transportation, including, to the extent practicable, research funded through University Transportation Centers.

(2) CONTENTS.—The prospectus published under paragraph (1) shall—

(A) include the consolidated modal research plans approved under section 1302;

(B) describe the research objectives, progress, and allocated funds for each research project;

(C) identify research projects with multimodal applications;

(D) specify how relevant modal administrations have assisted, will contribute to, or plan to use the findings from the research projects identified under paragraph (1);

(E) identify areas in which multiple modal administrations are conducting research projects on similar subjects or subjects which have bearing on multiple modes;

(F) describe the interagency and cross modal communication and coordination that has occurred to prevent duplication of research efforts within the Department of Transportation;

(G) indicate how research is being disseminated to improve the efficiency and safety of transportation systems;

(H) describe how agencies developed their research plans; and

(I) describe the opportunities for public and stakeholder input.

(b) FUNDING REPORT.—In conjunction with each of the President's annual budget requests under section 1105 of title 31, United States Code, the Secretary shall submit a report to appropriate committees of Congress that describes—

(1) the amount spent in the last completed fiscal year on transportation research and development; and

(2) the amount proposed in the current budget for transportation research and development.

(c) PERFORMANCE PLANS AND REPORTS.—In the plans and reports submitted under sections 1115 and 1116 of title 31, United States Code, the Secretary shall include—

(1) a summary of the Federal transportation research and development activities for the previous fiscal year in each topic area;

(2) the amount spent in each topic area;

(3) a description of the extent to which the research and development is meeting the expectations set forth in subsection (d)(3)(A); and

(4) any amendments to the strategic plan developed under subsection (d).

(d) TRANSPORTATION RESEARCH AND DEVELOPMENT STRATEGIC PLAN.—

(1) IN GENERAL.—The Secretary shall develop a 5-year transportation research and development strategic plan to guide future Federal transportation research and development activities.

(2) CONSISTENCY.—The strategic plan developed under paragraph (1) shall be consistent with—

(A) section 306 of title 5, United States Code;

(B) sections 1115 and 1116 of title 31, United States Code; and

(C) any other research and development plan within the Department of Transportation.

(3) CONTENTS.—The strategic plan developed under paragraph (1) shall—

(A) describe the primary purposes of the transportation research and development program, which shall include—

(i) promoting safety;

(ii) reducing congestion;

(iii) improving mobility;

(iv) preserving the existing transportation system;

(v) improving the durability and extending the life of transportation infrastructure; and

(vi) improving goods movement;

(B) for each of the purposes referred to in subparagraph (A), list the primary research and development topics that the Department of Transportation intends to pursue to accomplish that purpose, which may include—

(i) fundamental research in the physical and natural sciences;

(ii) applied research;

(iii) technology research; and

(iv) social science research intended for each topic; and

(C) for each research and development topic—

(i) identify the anticipated annual funding levels for the period covered by the strategic plan; and

(ii) include any additional information the Department of Transportation expects to discover at the end of the period covered by the strategic plan as a result of the research and development in that topic area.

(4) CONSIDERATIONS.—The Secretary shall ensure that the strategic plan developed under this section—

(A) reflects input from a wide range of stakeholders;

(B) includes and integrates the research and development programs of all the Department of Transportation's modal administrations, including aviation, transit, rail, and maritime; and

(C) takes into account how research and development by other Federal, State, private sector, and nonprofit institutions—

(i) contributes to the achievement of the purposes identified under paragraph (3)(A); and

(ii) avoids unnecessary duplication of such efforts.

(e) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) CHAPTER 5 OF TITLE 23.—Chapter 5 of title 23, United States Code, is amended—

(A) by striking section 508;

(B) in the table of contents, by striking the item relating to section 508;

(C) in section 502—

(i) in subsection (a)(9), by striking ''transportation research and technology development strategic plan developed under section 508'' and inserting ''transportation research and development strategic plan under section 31203 of the Comprehensive Transportation and Consumer Protection Act of 2015''; and

(ii) in subsection (b)(4), by striking ''transportation research and development strategic plan of the Secretary developed under section 508'' and inserting ''transportation research and development strategic plan under section 31203 of the Comprehensive Transportation and Consumer Protection Act of 2015''; and

(D) in section 512(b), by striking ''as part of the transportation research and development strategic plan developed under section 508''.

(2) INTELLIGENT TRANSPORTATION SYSTEMS.—Section 5205 of the Intelligent Transportation Systems Act of 1998 (23 U.S.C. 502 note) is amended—

(A) in subsection (b), by striking ''as part of the Surface Transportation Research and Development Strategic Plan developed under section 508 of title 23, United States Code'' and inserting ''as part of the transportation research and development strategic plan under section 31203 of the Comprehensive Transportation and Consumer Protection Act of 2015''; and

(B) in subsection (e)(2)(A), by striking ''or the Surface Transportation Research and Development Strategic Plan developed under section 508 of title 23, United States Code'' and inserting ''or the transportation research and development strategic plan under section 31203 of the Comprehensive Transportation and Consumer Protection Act of 2015''.

(3) INTELLIGENT TRANSPORTATION SYSTEM RESEARCH.—Subtitle C of title V of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (23 U.S.C. 512 note) is amended—

(A) in section 5305(h)(3)(A), by striking ''the strategic plan under section 508 of title 23, United States Code'' and inserting ''the 5-year transportation research and development strategic plan under section 31203 of the Comprehensive Transportation and Consumer Protection Act of 2015''; and

(B) in section 5307(c)(2)(A), by striking ''or the surface transportation research and development strategic plan developed under section 508 of title 23, United States Code'' and inserting ''or the 5-year transportation

research and development strategic plan under section 31203 of the Comprehensive Transportation and Consumer Protection Act of 2015''.

SEC. 31204. RESEARCH OMBUDSMAN.

(a) IN GENERAL.—Subtitle III is amended by inserting after chapter 63 the following:

''CHAPTER 65—RESEARCH OMBUDSMAN

''Sec.
''6501. Research ombudsman.

''§ 6501. Research ombudsman

''(a) ESTABLISHMENT.—The Assistant Secretary for Research and Technology shall appoint a career Federal employee to serve as Research Ombudsman. This appointment shall not diminish the authority of peer review of research.

''(b) QUALIFICATIONS.—The Research Ombudsman appointed under subsection (a), to the extent practicable—

''(1) shall have a background in academic research and a strong understanding of sound study design;

''(2) shall develop a working knowledge of the stakeholder communities and research needs of the transportation field; and

''(3) shall not have served as a political appointee of the Department.

''(c) RESPONSIBILITIES.—

''(1) ADDRESSING COMPLAINTS AND QUESTIONS.—The Research Ombudsman shall—

''(A) receive complaints and questions about—

''(i) significant alleged omissions, improprieties, and systemic problems; and

''(ii) excessive delays of, or within, a specific research project; and

''(B) evaluate and address the complaints and questions described in subparagraph (A).

''(2) PETITIONS.—

''(A) REVIEW.—The Research Ombudsman shall review petitions relating to—

''(i) conflicts of interest;

''(ii) the study design and methodology;

''(iii) assumptions and potential bias;

''(iv) the length of the study; and

''(v) the composition of any data sampled.

''(B) RESPONSE TO PETITIONS.—The Research Ombudsman shall—

''(i) respond to relevant petitions within a reasonable period;

''(ii) identify deficiencies in the petition's study design; and

''(iii) propose a remedy for such deficiencies to the administrator of the modal administration responsible for completing the research project.

''(C) RESPONSE TO PROPOSED REMEDY.—The administrator of the modal administration charged with completing the research project shall respond to the proposed research remedy.

''(3) REQUIRED REVIEWS.—The Research Ombudsman shall evaluate the study plan for all statutorily required studies and reports before the commencement of such studies to ensure that the research plan has an appropriate sample size and composition to address the stated purpose of the study.

''(d) REPORTS.—

''(1) IN GENERAL.—Upon the completion of each review under subsection (c), the Research Ombudsman shall—

''(A) submit a report containing the results of such review to—

''(i) the Secretary;

''(ii) the head of the relevant modal administration; and

''(iii) the study or research leader; and

''(B) publish such results on a public website, with the modal administration response required under subsection (c)(2)(C).

''(2) INDEPENDENCE.—Each report required under this section shall be provided directly to the individuals described in paragraph (1) without any comment or amendment from the Secretary, the Deputy Secretary of Transportation, the head of any modal administration of the Department, or any other officer or employee of the Department or the Office of Management and Budget.

''(e) REPORT TO INSPECTOR GENERAL.—The Research Ombudsman shall submit any evidence of misfeasance, malfeasance, waste, fraud, or abuse uncovered during a review under this section to the Inspector General for further review.

''(f) REMOVAL.—The Research Ombudsman shall be subject to adverse employment action for misconduct or good cause in accordance with the procedures and grounds set forth in chapter 75 of title 5.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of chapters for subtitle III is amended by inserting after the item relating to chapter 63 the following:

''65. Research ombudsman ..... 6501''.

SEC. 31205. SMART CITIES TRANSPORTATION PLANNING STUDY.

(a) IN GENERAL.—The Secretary shall conduct a study of digital technologies and information technologies, including shared mobility, data, transportation network companies, and on-demand transportation services—

(1) to understand the degree to which cities are adopting these technologies;

(2) to assess future planning, infrastructure and investment needs; and

(3) to provide best practices to plan for smart cities in which information and technology are used—

(A) to improve city operations;

(B) to grow the local economy;

(C) to improve response in times of emergencies and natural disasters; and

(D) to improve the lives of city residents.

(b) COMPONENTS.—The study conducted under subsection (a) shall—

(1) identify broad issues that influence the ability of the United States to plan for and invest in smart cities, including barriers to collaboration and access to scientific information; and

(2) review how the expanded use of digital technologies, mobile devices, and information may—

(A) enhance the efficiency and effectiveness of existing transportation networks;

(B) optimize demand management services;

(C) impact low-income and other disadvantaged communities;

(D) assess opportunities to share, collect, and use data;

(E) change current planning and investment strategies; and

(F) provide opportunities for enhanced coordination and planning.

(c) REPORTING.—Not later than 18 months after the date of enactment of this Act, the Secretary shall publish the report containing the results of the study required under subsection (a) to a public website.

SEC. 31206. BUREAU OF TRANSPORTATION STATISTICS INDEPENDENCE.

Section 6302 is amended by adding at the end the following:

''(d) INDEPENDENCE OF BUREAU.—

''(1) IN GENERAL.—The Director shall not be required—

''(A) to obtain the approval of any other officer or employee of the Department with respect to the collection or analysis of any information; or

''(B) prior to publication, to obtain the approval of any other officer or employee of the United States Government with respect to the substance of any statistical technical reports or press releases lawfully prepared by the Director.

''(2) BUDGET AUTHORITY.—The Director shall have a significant role in the disposition and allocation of the Bureau's authorized budget, including—

''(A) all hiring, grants, cooperative agreements, and contracts awarded by the Bureau to carry out this section; and

''(B) the disposition and allocation of amounts paid to the Bureau for cost-reimbursable projects.

''(3) EXCEPTIONS.—The Secretary shall direct external support functions, such as the coordination of activities involving multiple modal administrations.

''(4) INFORMATION TECHNOLOGY.—The Department Chief Information Officer shall consult with the Director to ensure decisions related to information technology guarantee the protection of the confidentiality of information provided solely for statistical purposes, in accordance with the Confidential Information Protection and Statistical Efficiency Act of 2002 (44 U.S.C. 3501 note).''.

SEC. 31207. CONFORMING AMENDMENTS.

(a) TITLE 49 AMENDMENTS.—

(1) ASSISTANT SECRETARIES; GENERAL COUNSEL.—Section 102(e) is amended—

(A) in paragraph (1), by striking ''5'' and inserting ''6''; and

(B) in paragraph (1)(A), by inserting ''an Assistant Secretary for Research and Technology,'' before ''and an Assistant Secretary''.

(2) OFFICE OF THE ASSISTANT SECRETARY FOR RESEARCH AND TECHNOLOGY OF THE DEPARTMENT OF TRANSPORTATION.—Section 112 is repealed.

(3) TABLE OF CONTENTS.—The table of contents of chapter 1 is amended by striking the item relating to section 112.

(4) RESEARCH CONTRACTS.—Section 330 is amended—

(A) in the section heading, by striking ''**contracts**'' and inserting ''**activities**'';

(B) in subsection (a), by inserting ''IN GENERAL.—'' before ''The Secretary'';

(C) in subsection (b), by inserting ''RESPONSIBILITIES.—'' before ''In carrying out'';

(D) in subsection (c), by inserting ''PUBLICATIONS.—'' before ''The Secretary''; and

(E) by adding at the end the following:

''(d) DUTIES.—The Secretary shall provide for the following:

''(1) Coordination, facilitation, and review of the Department's research and development programs and activities.

''(2) Advancement, and research and development, of innovative technologies, including intelligent transportation systems.

''(3) Comprehensive transportation statistics research, analysis, and reporting.

''(4) Education and training in transportation and transportation-related fields.

''(5) Activities of the Volpe National Transportation Systems Center.

''(e) ADDITIONAL AUTHORITIES.—The Secretary may—

''(1) enter into grants and cooperative agreements with Federal agencies, State and local government agencies, other public entities, private organizations, and other persons—

''(A) to conduct research into transportation service and infrastructure assurance; and

''(B) to carry out other research activities of the Department;

''(2) carry out, on a cost-shared basis, collaborative research and development to encourage innovative solutions to multimodal transportation problems and stimulate the deployment of new technology with—

''(A) non-Federal entities, including State and local governments, foreign governments, institutions of higher education, corporations, institutions, partnerships, sole proprietorships, and trade associations that are incorporated or established under the laws of any State;

''(B) Federal laboratories; and

''(C) other Federal agencies; and

''(3) directly initiate contracts, grants, cooperative research and development agreements (as defined in section 12 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a)), and other agreements to fund, and accept funds from, the Transportation Research Board of the National Research Council of the National Academy of Sciences, State departments of transportation, cities, counties, institutions of higher education, associations, and the agents of those entities to carry out joint transportation research and technology efforts.

''(f) FEDERAL SHARE.—

''(1) IN GENERAL.—Subject to paragraph (2), the Federal share of the cost of an activity carried out under subsection (e)(3) shall not exceed 50 percent.

''(2) EXCEPTION.—If the Secretary determines that the activity is of substantial public interest or benefit, the Secretary may approve a greater Federal share.

''(3) NON-FEDERAL SHARE.—All costs directly incurred by the non-Federal partners, including personnel, travel, facility, and hardware development costs, shall be credited toward the non-Federal share of the cost of an activity described in paragraph (1).

''(g) PROGRAM EVALUATION AND OVERSIGHT.—For fiscal years 2016 through 2021, the Secretary is authorized to expend not more than 1 and a half percent of the amounts authorized to be appropriated for necessary expenses for administration and operations of the Office of the Assistant Secretary for Research and Technology for the coordination, evaluation, and oversight of the programs administered under this section.

''(h) USE OF TECHNOLOGY.—The research, development, or use of a technology under a contract, grant, cooperative research and development agreement, or other agreement entered into under this section, including the terms under which the technology may be licensed and the resulting royalties may be distributed, shall be subject to the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3701 et seq.).

''(i) WAIVER OF ADVERTISING REQUIREMENTS.—Section 6101 of title 41 shall not apply to a contract, grant, or other agreement entered into under this section.''.

(5) TABLE OF CONTENTS.—The item relating to section 330 in the table of contents of chapter 3 is amended by striking ''Contracts'' and inserting ''Activities''.

(6) BUREAU OF TRANSPORTATION STATISTICS.—Section 6302(a) is amended to read as follows:

''(a) IN GENERAL.—There shall be within the Department the Bureau of Transportation Statistics.''.

(b) TITLE 5 AMENDMENTS.—

(1) POSITIONS AT LEVEL II.—Section 5313 of title 5, United States Code, is amended by striking ''Under Secretary of Transportation for Security.''.

(2) POSITIONS AT LEVEL III.—Section 5314 of title 5, United States Code, is amended by striking ''Administrator, Research and Innovative Technology Administration.''.

(3) POSITIONS AT LEVEL IV.—Section 5315 of title 5, United States Code, is amended by striking ''(4)'' in the undesignated item relating to Assistant Secretaries of Transportation and inserting ''(5)''.

(4) POSITIONS AT LEVEL V.—Section 5316 is amended by striking ''Associate Deputy Secretary, Department of Transportation.''.

SEC. 31208. REPEAL OF OBSOLETE OFFICE.

(a) IN GENERAL.—Section 5503 is repealed.

(b) TABLE OF CONTENTS.—The table of contents of chapter 55 is amended by striking the item relating to section 5503.

Subtitle C—Port Performance Act

SEC. 31301. SHORT TITLE.

This subtitle may be cited as the ''Port Performance Act''.

SEC. 31302. FINDINGS.

Congress finds the following:

(1) America's ports play a critical role in the Nation's transportation supply chain network.

(2) Reliable and efficient movement of goods through the Nation's ports ensures that American goods are available to customers throughout the world.

(3) Breakdowns in the transportation supply chain network, particularly at the Nation's ports, can result in tremendous economic losses for agriculture, businesses, and retailers that rely on timely shipments.

(4) A clear understanding of terminal and port productivity and throughput should help—

(A) to identify freight bottlenecks;

(B) to indicate performance and trends over time; and

(C) to inform investment decisions.

SEC. 31303. PORT PERFORMANCE FREIGHT STATISTICS PROGRAM.

(a) IN GENERAL.—Chapter 63 is amended by adding at the end the following:

''§ 6314. Port performance freight statistics program

''(a) IN GENERAL.—The Director shall establish, on behalf of the Secretary, a port performance statistics program to provide nationally consistent measures of performance of, at a minimum—

''(1) the Nation's top 25 ports by tonnage;

''(2) the Nation's top 25 ports by 20-foot equivalent unit; and

''(3) the Nation's top 25 ports by dry bulk.

''(b) ANNUAL REPORTS.—

''(1) PORT CAPACITY AND THROUGHPUT.—Not later than January 15 of each year, the Director shall submit an annual report to Congress that includes statistics on capacity and throughput at the ports described in subsection (a).

''(2) PORT PERFORMANCE MEASURES.—The Director shall collect monthly port performance measures for each of the United States ports referred to in subsection (a) that receives Federal assistance or is subject to Federal regulation to submit an annual report to the Bureau of Transportation Statistics that includes monthly statistics on capacity and throughput as applicable to the specific configuration of the port.

''(A) MONTHLY MEASURES.—The Director shall collect monthly measures, including—

''(i) the average number of lifts per hour of containers by crane;

''(ii) the average vessel turn time by vessel type;

''(iii) the average cargo or container dwell time;

''(iv) the average truck time at ports;

''(v) the average rail time at ports; and

''(vi) any additional metrics, as determined by the Director after receiving recommendations from the working group established under subsection (c).

''(B) MODIFICATIONS.—The Director may consider a modification to a metric under subparagraph (A) if the modification meets the intent of the section.

''(c) RECOMMENDATIONS.—

''(1) IN GENERAL.—The Director shall obtain recommendations for—

''(A) specifications and data measurements for the port performance measures listed in subsection (b)(2);

''(B) additionally needed data elements for measuring port performance; and

''(C) a process for the Department of Transportation to collect timely and consistent data, including identifying safeguards to protect proprietary information described in subsection (b)(2).

''(2) WORKING GROUP.—Not later than 60 days after the date of the enactment of the Port Performance Act, the Director shall commission a working group composed of—

''(A) operating administrations of the Department of Transportation;

''(B) the Coast Guard;

''(C) the Federal Maritime Commission;

''(D) U.S. Customs and Border Protection;

''(E) the Marine Transportation System National Advisory Council;

''(F) the Army Corps of Engineers;

''(G) the Saint Lawrence Seaway Development Corporation;

''(H) the Advisory Committee on Supply Chain Competitiveness;

''(I) 1 representative from the rail industry;

''(J) 1 representative from the trucking industry;

''(K) 1 representative from the maritime shipping industry;

''(L) 1 representative from a labor organization for each industry described in subparagraphs (I) through (K);

''(M) 1 representative from a port authority;

''(N) 1 representative from a terminal operator;

''(O) representatives of the National Freight Advisory Committee of the Department; and

''(P) representatives of the Transportation Research Board of the National Academies.

''(3) RECOMMENDATIONS.—Not later than 1 year after the date of the enactment of the Port Performance Act, the working group commissioned under this subsection shall submit its recommendations to the Director.

''(d) ACCESS TO DATA.—The Director shall ensure that the statistics compiled under this section are readily accessible to the public, consistent with applicable security constraints and confidentiality interests.''.

(b) PROHIBITION ON CERTAIN DISCLOSURES.—Section 6307(b)(1) is amended by inserting ''or section 6314(b)'' after ''section 6302(b)(3)(B)'' each place it appears.

(c) COPIES OF REPORTS.—Section 6307(b)(2)(A) is amended by inserting ''or section 6314(b)'' after ''section 6302(b)(3)(B)''.

(d) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents for chapter 63 is amended by adding at the end the following:

''6314. Port performance freight statistics program.''.

TITLE XXXII—COMMERCIAL MOTOR VEHICLE AND DRIVER PROGRAMS

Subtitle A—Compliance, Safety, and Accountability Reform

SEC. 32001. CORRELATION STUDY.

(a) IN GENERAL.—The Administrator of the Federal Motor Carrier Safety Administration (referred to in this subtitle as the ''Administrator'') shall commission the National Research Council of the National Academies to conduct a study of—

(1) the Safety Measurement System (referred to in this subtitle as ''SMS''); and

(2) the Compliance, Safety, Accountability program (referred to in this subtitle as the ''CSA program'').

(b) SCOPE OF STUDY.—In carrying out the study commissioned pursuant to subsection (a), the National Research Council—

(1) shall analyze—

(A) the accuracy with which the Behavior Analysis and Safety Improvement Categories (referred to in this subtitle as ''BASIC'') safety measures used by SMS—

(i) identify high risk drivers and carriers; and

(ii) predict or be correlated with future crash risk, crash severity, or other safety indicators for individual drivers, motor carriers, and the highest risk carriers;

(B) the methodology used to calculate BASIC percentiles and identify carriers for enforcement, including the weights assigned to particular violations, and the tie between crash risk and specific regulatory violations, in order to accurately identify and predict future crash risk for motor carriers;

(C) the relative value of inspection information and roadside enforcement data;

(D) any data collection gaps or data sufficiency problems that may exist and the impact of those data gaps and insufficiencies on the efficacy of the CSA program; and

(E) the accuracy of data processing; and

(2) should consider—

(A) whether the current SMS provides comparable precision and confidence for SMS alerts and percentiles for the relative crash risk of individual large and small motor carriers;

(B) whether alternative systems would identify high risk carriers or identify high risk drivers and motor carriers more accurately; and

(C) the recommendations and findings of the Comptroller General of the United States and the Inspector General, and independent review team reports issued before the date of the enactment of this Act.

(c) REPORT.—Not later than 18 months after the date of enactment of this Act, the Administrator shall submit a report containing the results of the completed study to—

(1) the Committee on Commerce, Science, and Transportation of the Senate;

(2) the Committee on Transportation and Infrastructure of the House of Representatives;

(3) the Inspector General of the Department of Transportation; and

(4) the Comptroller General of the United States.

(d) CORRECTIVE ACTION PLAN.—

(1) IN GENERAL.—Not later than 120 days after the Administrator submits a report under subsection (c) that identifies a deficiency or opportunity for improvement in the CSA program or in any element of SMS, the Administrator shall submit a corrective action plan to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that—

(A) responds to the concerns highlighted by the report;

(B) identifies how the Federal Motor Carrier Safety Administration will address such concerns; and

(C) provides an estimate of the cost, including changes in staffing, enforcement, and data collection necessary to implement the recommendations.

(2) PROGRAM REFORMS.—The corrective action plan submitted under paragraph (1) shall include an implementation plan that—

(A) includes benchmarks;

(B) includes programmatic reforms, revisions to regulations, or proposals for legislation; and

(C) shall be considered in any rulemaking by the Department of Transportation that relates to the CSA program, including the SMS data sets or analysis.

(e) INSPECTOR GENERAL REVIEW.—Not later than 120 days after the Administrator issues a corrective action plan under subsection (d), the Inspector General of the Department of Transportation shall—

(1) review the extent to which such plan implements—

(A) recommendations contained in the report submitted under subsection (c); and

(B) recommendations issued by the Comptroller General or the Inspector General before the date of enactment of this Act; and

(2) submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on the responsiveness of the corrective action plan to the recommendations described in paragraph (1).

(f) FISCAL LIMITATION.—The Administrator shall carry out the study required under this section using amounts appropriated to the Federal Motor Carrier Safety Administration and available for obligation and expenditure as of the date of the enactment of this Act.

SEC. 32002. SAFETY IMPROVEMENT METRICS.

(a) IN GENERAL.—The Administrator shall incorporate a methodology into the CSA program or establish a third-party process to allow recognition, including credit, improved score, or by establishing a safety BASIC in SMS for safety technology, tools, programs, and systems approved by the Administrator through the qualification process developed under subsection (b) that exceed regulatory requirements or are used to enhance safety performance, including—

(1) the installation of qualifying advanced safety equipment, such as—

(A) collision mitigation systems;

(B) lane departure warnings;

(C) speed limiters;

(D) electronic logging devices;

(E) electronic stability control;

(F) critical event recorders; and

(G) strengthening rear guards and sideguards for underride protection;

(2) the use of enhanced driver fitness measures that exceed current regulatory requirements, such as—

(A) additional new driver training;

(B) enhanced and ongoing driver training; and

(C) remedial driver training to address specific deficiencies as identified in roadside inspection or enforcement reports;

(3) the adoption of qualifying administrative fleet safety management tools technologies, driver performance and behavior management technologies, and programs; and

(4) technologies and measures identified through the process described in subsection (c).

(b) QUALIFICATION.—The Administrator, through a notice and comment process, shall develop technical or other performance standards for technology, advanced safety equipment, enhanced driver fitness measures, tools, programs, or systems used by motor carriers that will qualify for credit under this section.

(c) ADDITIONAL REQUIREMENTS.—In modifying the CSA program under subsection (a), the Administrator, through notice and comment, shall develop a process for identifying and reviewing other technology, advanced safety equipment, enhanced driver fitness measures, tools, programs, or systems used by motor carriers to improve safety performance that—

(1) provides for a petition for reviewing technology, advanced safety equipment, enhanced driver fitness measures, tools, programs, or systems;

(2) seeks input and participation from industry stakeholders, including drivers, technology manufacturers, vehicle manufacturers, motor carriers, enforcement communities, and safety advocates, and the Motor Carrier Safety Advisory Committee; and

(3) includes technology, advanced safety equipment, enhanced driver fitness measures, tools, programs, or systems with a date certain for future statutory or regulatory implementation.

(d) SAFETY IMPROVEMENT METRICS USE AND VERIFICATION.—The Administrator, through notice and comment process, shall develop a process for—

(1) providing recognition or credit within a motor carrier's SMS score for the installation and use of measures in paragraphs (1) through (4) of subsection (a);

(2) ensuring that the safety improvement metrics developed under this section are presented with other SMS data;

(3) verifying the installation or use of such technology, advanced safety equipment, enhanced driver fitness measures, tools, programs, or systems;

(4) modifying or removing recognition or credit upon verification of noncompliance with this section;

(5) ensuring that the credits or recognition referred to in paragraph (1) reflect the safety improvement anticipated as a result of the installation or use of the specific technology, advanced safety equipment, enhanced driver fitness measure, tool, program, or system;

(6) verifying the deployment and use of qualifying equipment or management systems by a motor carrier through a certification from the vehicle manufacturer, the system or service provider, the insurance carrier, or through documents submitted by the motor carrier to the Department of Transportation;

(7) annually reviewing the list of qualifying safety technology, advanced safety equipment, enhanced driver fitness measures, tools, programs, or systems; and

(8) removing systems mandated by law or regulation, or if such systems demonstrate a lack of efficacy, from the list of qualifying technologies, advanced safety equipment, enhanced driver fitness measures, tools, programs, or systems eligible for credit under the CSA program.

(e) DISSEMINATION OF INFORMATION.—The Administrator shall maintain a public website that contains information regarding—

(1) the technology, advanced safety equipment, enhanced driver fitness measures, tools, programs, or systems eligible for credit and improved scores;

(2) any petitions for study of the technology, advanced safety equipment, enhanced driver fitness measures, tools, programs, or systems; and

(3) statistics and information relating to the use of such technology, advanced safety equipment, enhanced driver fitness measures, tools, programs, or systems.

(f) PUBLIC REPORT.—Not later than 1 year after the establishment of the Safety Improvement Metrics System (referred to in this section as ''SIMS'') under this section, and annually thereafter, the Administrator shall publish, on a public website, a report that identifies—

(1) the types of technology, advanced safety equipment, enhanced driver fitness measures, tools, programs, or systems that are eligible for credit;

(2) the number of instances in which each technology, advanced safety equipment, enhanced driver fitness measure, tool, program, or system is used;

(3) the number of motor carriers, and a description of the carrier's fleet size, that received recognition or credit under the modified CSA program; and

(4) the pre- and post-adoption safety performance of the motor carriers described in paragraph (3).

(g) IMPLEMENTATION AND OVERSIGHT RESPONSIBILITY.—The Administrator shall ensure that the activities described in subsections (a) through (f) of this section are not required under section 31102 of title 49, United States Code, as amended by this Act.

(h) EVALUATION.—

(1) IN GENERAL.—Not later than 2 years after the implementation of SIMS under this section, the Administrator shall conduct an evaluation of the effectiveness of SIMS by reviewing the impacts of SIMS on—

(A) law enforcement, commercial drivers and motor carriers, and motor carrier safety; and

(B) safety and adoption of new technologies.

(2) REPORT.—Not later than 30 months after the implementation of the program, the Administrator shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that describes—

(A) the results of the evaluation conducted under paragraph (1); and

(B) the actions the Federal Motor Carrier Safety Administration plans to take to modify the demonstration program based on such results.

(i) USE OF ESTIMATES OF SAFETY EFFECTS.—In conducting regulatory impact analyses for rulemakings relating to the technology, advanced safety equipment, enhanced driver fitness measures, tools, programs, or systems selected for credit under the CSA program, the Administrator, to the extent practicable, shall use the data gathered under this section and appropriate statistical methodology, including sufficient sample sizes, composition, and appropriate comparison groups, including representative motor carriers of all sizes, to estimate the effects on safety performance and reduction in the number and severity of accidents with qualifying technology, advanced safety equipment, tools, programs, and systems.

(j) SAVINGS PROVISION.—Nothing in this section may be construed to provide the Administrator with additional authority to change the requirements for the operation of a commercial motor vehicle.

SEC. 32003. DATA CERTIFICATION.

(a) LIMITATION.—Beginning not later than 1 day after the date of enactment of this Act, none of the analysis of violation information, enforcement prioritization, not-at-fault crashes, alerts, or the relative percentile for each Behavioral Analysis and Safety Improvement Category developed through the CSA program may be made available to the general public (including through requests under section 552 of title 5, United States Code), but violation and inspection information submitted by the States may be presented, until the Inspector General of the Department of Transportation certifies that—

(1) any deficiencies identified in the correlation study required under section 32001 have been addressed;

(2) the corrective action plan has been implemented and the concerns raised by the correlation study under section 32001 have been addressed;

(3) the Administrator has fully implemented or satisfactorily addressed the issues raised in the February 2014 GAO report entitled ''Modifying the Compliance, Safety, Accountability Program Would Improve the Ability to Identify High Risk Carriers'' (GAO–14–114), which called into question the accuracy and completeness of safety performance calculations;

(4) the study required under section 32001 has been published on a public website; and

(5) the CSA program has been modified in accordance with section 32002.

(b) LIMITATION ON USE OF CSA ANALYSIS.—The enforcement prioritization, alerts, or the relative percentile for each Behavioral Analysis and Safety Improvement Category developed through the CSA program within the SMS system may not be used for safety fitness determinations until the requirements under subsection (a) have been satisfied.

(c) CONTINUED PUBLIC AVAILABILITY OF DATA.—Inspection and violation information submitted to the Federal Motor Carrier Safety Administration by commercial motor vehicle inspectors and qualified law enforcement officials shall remain available for public viewing.

(d) EXCEPTIONS.—

(1) IN GENERAL.—Notwithstanding the limitations set forth in subsections (a) and (b)—

(A) the Federal Motor Carrier Safety Administration and State and local commercial motor vehicle enforcement agencies may only use the information referred to in subsection (a) for purposes of investigation and enforcement prioritization;

(B) motor carriers and commercial motor vehicle drivers may access information referred to in subsection (a) that relates directly to the motor carrier or driver, respectively; and

(C) the data analysis of motorcoach operators may be provided online, with a notation indicating that the ratings or alerts listed are not intended to imply any Federal safety rating of the carrier.

(2) NOTATION.—The notation described under paragraph (1)(C) shall include: ''Readers should not draw conclusions about a carrier's overall safety condition simply based on the data displayed in this system. Unless a motor carrier has received an UNSATISFACTORY safety rating under part 385 of title 49, Code of Federal Regulations, or has otherwise been ordered to discontinue operations by the Federal Motor Carrier Safety Administration, it is authorized to operate on the Nation's roadways.''.

(3) LIMITATION.—Nothing in subparagraphs (A) and (B) of paragraph (1) may be construed to restrict the official use by State enforcement agencies of the data collected by State enforcement personnel.

(e) CERTIFICATION.—The certification process described in subsection (a) shall occur concurrently with the implementation of SIMS under section 32002.

(f) COMPLETION.—The Secretary shall modify the CSA program in accordance with section 32002 not later than 1 year after the date of completion of the report described in section 32001(c).

SEC. 32004. DATA IMPROVEMENT.

(a) FUNCTIONAL SPECIFICATIONS.—Not later than 180 days after the date of enactment of this Act, the Administrator shall develop functional specifications to ensure the consistent and accurate input of data into systems and databases relating to the CSA program.

(b) FUNCTIONALITY.—The specifications developed pursuant to subsection (a)—

(1) shall provide for the hardcoding and smart logic functionality for roadside inspection data collection systems and databases; and

(2) shall be made available to public and private sector developers.

(c) EFFECTIVE DATA MANAGEMENT.—The Administrator shall ensure that internal systems and databases accept and effectively manage data using uniform standards.

(d) CONSULTATION WITH THE STATES.—Before implementing the functional specifications described in subsection (a) or the standards described in subsection (c), the Administrator shall seek input from the State agencies responsible for enforcing section 31102 of title 49, United States Code.

SEC. 32005. ACCIDENT REPORT INFORMATION.

(a) REVIEW.—The Administrator shall initiate a demonstration program that allows motor carriers and drivers to request a review of crashes, and the removal of crash data for use in the Federal Motor Carrier Safety Administration's safety measurement system of crashes, and removal from any weighting, or carrier safety analysis, if the commercial motor vehicle was operated legally and another motorist in connection with the crash is found—

(1) to have been driving under the influence;

(2) to have been driving the wrong direction on a roadway;

(3) to have struck the commercial motor vehicle in the rear;

(4) to have struck the commercial motor vehicle which was legally stopped;

(5) by the investigating officer or agency to have been responsible for the crash; or

(6) to have committed other violations determined by the Administrator.

(b) DOCUMENTS.—As part of a request for review under subsection (a), the motor carrier or driver shall submit a copy of available police reports, crash investigations, judicial actions, insurance claim information, and any related court actions submitted by each party involved in the accident.

(c) SOLICITATION OF OTHER INFORMATION.—Following a notice and comment period, the Administrator may solicit other types of information to be collected under subsection (b) to facilitate appropriate reviews under this section.

(d) EVALUATION.—The Federal Motor Carrier Safety Administration shall review the information submitted under subsections (b) and (c).

(e) RESULTS.—Subject to subsection (h)(2), the results of the review under subsection (a)—

(1) shall be used to recalculate the motor carrier's crash BASIC percentile;

(2) if the carrier is determined not to be responsible for the crash incident, such information, shall be reflected on the website of the Federal Motor Carrier Safety Administration; and

(3) shall not be admitted as evidence or otherwise used in a civil action.

(f) FEE SYSTEM.—

(1) ESTABLISHMENT.—The Administrator may establish a fee system, in accordance with section 9701 of title 31, United States Code, in which a motor carrier is charged a fee for each review of a crash requested by such motor carrier under this section.

(2) DISPOSITION OF FEES.—Fees collected under this section—

(A) may be credited to the Department of Transportation appropriations account for purpose of carrying out this section; and

(B) shall be used to fully fund the operation of the review program authorized under this section.

(g) REVIEW AND REPORT.—Not earlier than 2 years after the establishment of the demonstration program under this section, the Administrator shall—

(1) conduct a review of the internal crash review program to determine if other crash types should be included; and

(2) submit a report to Congress that describes—

(A) the number of crashes reviewed;

(B) the number of crashes for which the commercial motor vehicle operator was determined not to be at fault; and

(C) relevant information relating to the program, including the cost to operate the program and the fee structure established.

(h) IMPLEMENTATION AND OVERSIGHT RESPONSIBILITY.—

(1) IN GENERAL.—The Administrator shall ensure that the activities described in subsections (a) through (d) of this section are not required under section 31102 of title 49, United States Code, as amended by this Act.

(2) REVIEWS INVOLVING FATALITIES.—If a review under subsection (a) involves a fatality, the Inspector General of the Department of Transportation shall audit and certify the review prior to making any changes under subsection (e).

SEC. 32006. POST-ACCIDENT REPORT REVIEW.

(a) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Secretary shall convene a working group—

(1) to review the data elements of post-accident reports, for tow-away accidents involving commercial motor vehicles, that are reported to the Federal Government; and

(2) to report to the Secretary its findings and any recommendations, including best practices for State post-accident reports to achieve the data elements described in subsection (c).

(b) COMPOSITION.—Not less than 51 percent of the working group should be composed of individuals representing the States or State law enforcement officials. The remaining members of the working group shall represent industry, labor, safety advocates, and other interested parties.

(c) CONSIDERATIONS.—The working group shall consider requiring additional data elements, including—

(1) the primary cause of the accident, if the primary cause can be determined;

(2) the physical characteristics of the commercial motor vehicle and any other vehicle involved in the accident, including—

(A) the vehicle configuration;

(B) the gross vehicle weight if the weight can be readily determined;

(C) the number of axles; and

(D) the distance between axles, if the distance can be readily determined; and

(3) any data elements that could contribute to the appropriate consideration of requests under section 32005.

(d) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall—

(1) review the findings of the working group;

(2) identify the best practices for State post-accident reports that are reported to the Federal Government, including identifying the data elements that should be collected following a tow-away commercial motor vehicle accident; and

(3) recommend to the States the adoption of new data elements to be collected following reportable commercial motor vehicle accidents.

SEC. 32007. RECOGNIZING EXCELLENCE IN SAFETY.

(a) IN GENERAL.—The Administrator shall establish a program to publicly recognize motor carriers and drivers whose safety records and programs exceed compliance with the Federal Motor Carrier Safety Administration's safety regulations and demonstrate clear and outstanding safety practices.

(b) RESTRICTION.—The program established under subsection (a) may not be deemed to be an endorsement of, or a preference for, motor carriers or drivers recognized under the program.

SEC. 32008. HIGH RISK CARRIER REVIEWS.

(a) IN GENERAL.—After the completion of the certification under section 32003 of this Act, and the establishment of the Safety Fitness Determination program, the Secretary shall ensure that a review is completed on each motor carrier that demonstrates through performance data that it poses the highest safety risk. At a minimum, a review shall be conducted whenever a motor carrier is among the highest risk carriers for 4 consecutive months.

(b) REPORT.—Not later than 180 days after the completion of the certification under section 32003 of this Act and the establishment of the Safety Fitness Determination program, the Secretary shall post on a public website a report on the actions the Secretary has taken to comply with this section, including the number of high risk carriers identified and the high risk carriers reviewed.

(c) CONFORMING AMENDMENT.—Section 4138 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (49 U.S.C. 31144 note) is repealed.

Subtitle B—Transparency and Accountability

SEC. 32201. PETITIONS FOR REGULATORY RELIEF.

(a) APPLICATIONS FOR REGULATORY RELIEF.—Notwithstanding subpart C of part 381 of title 49, Code of Federal Regulations, the Secretary shall allow an applicant representing a class or group of motor carriers to apply for a specific exemption from any provision of the regulations under part 395 of title 49, Code of Federal Regulations, for commercial motor vehicle drivers.

(b) REVIEW PROCESS.—

(1) IN GENERAL.—The Secretary shall establish the procedures for the application for and the review of an exemption under subsection (a).

(2) PUBLICATION.—Not later than 30 days after the date of receipt of an application for an exemption, the Secretary shall publish the application in the Federal Register and provide the public with an opportunity to comment.

(3) PUBLIC COMMENT.—

(A) IN GENERAL.—Each application shall be available for public comment for a 30-day period, but the Secretary may extend the opportunity for public comment for up to 60 days if it is a significant or complex request.

(B) REVIEW.—Beginning on the date that the public comment period under subparagraph (A) ends, the Secretary shall have 60 days to review all of the comments received.

(4) DETERMINATION.—At the end of the 60-day period under paragraph (3)(B), the Secretary shall publish a determination in the Federal Register, including—

(A) the reason for granting or denying the application; and

(B) if the application is granted—

(i) the specific class of persons eligible for the exemption;

(ii) each provision of the regulations to which the exemption applies; and

(iii) any conditions or limitations applied to the exemption.

(5) CONSIDERATIONS.—In making a determination whether to grant or deny an application for an exemption, the Secretary shall consider the safety impacts of the request and may provide appropriate conditions or limitations on the use of the exemption.

(c) OPPORTUNITY FOR RESUBMISSION.—If an application is denied and the applicant can reasonably address the reason for the denial, the Secretary may allow the applicant to resubmit the application.

(d) PERIOD OF APPLICABILITY.—

(1) IN GENERAL.—Except as provided in paragraph (2) of this subsection and subsection (f), each exemption granted under this section shall be valid for a period of 5 years unless the Secretary identifies a compelling reason for a shorter exemption period.

(2) RENEWAL.—At the end of the 5-year period under paragraph (1)—

(A) the Secretary, at the Secretary's discretion, may renew the exemption for an additional 5-year period; or

(B) an applicant may apply under subsection (a) for a permanent exemption from each applicable provision of the regulations.

(e) LIMITATION.—No exemption under this section may be granted to or used by any motor carrier that has an unsatisfactory or conditional safety fitness determination.

(f) PERMANENT EXEMPTIONS.—

(1) IN GENERAL.—The Secretary shall make permanent the following limited exceptions:

(A) Department of Defense Military Surface Deployment and Distribution Command transport of weapons, munitions, and sensitive classified cargo as published in the Federal Register Volume 80 on April 16, 2015 (80 Fed. Reg. 20556).

(B) Department of Energy transport of security-sensitive radioactive materials as published in the Federal Register Volume 80 on June 22, 2015 (80 Fed. Reg. 35703).

(C) Motor carriers that transport hazardous materials shipments requiring security plans under regulations of the Pipeline and Hazardous Materials Safety Administration as published in the Federal Register Volume 80 on May 1, 2015 (80 Fed. Reg. 25004).

(D) Perishable construction products as published in the Federal Register Volume 80 on April 2, 2015 (80 Fed. Reg. 17819).

(E) Passenger vehicle record of duty status change as published in the Federal Register Volume 80 on June 4, 2015 (80 Fed. Reg. 31961).

(F) Transport of commercial bee hives as published in the Federal Register Volume 80 on June 19, 2018. (80 Fed. Reg. 35425).

(G) Specialized carriers and drivers responsible for transporting loads requiring special permits as published in the Federal Register Volume 80 on June 18, 2015 (80 Fed. Reg. 34957).

(H) Safe transport of livestock as published in the Federal Register Volume 80 on June 12, 2015 (80 Fed. Reg. 33584).

(2) ADDITIONAL EXEMPTIONS.—The Secretary may make any temporary exemption from any provision of the regulations under part 395 of title 49, Code of Federal Regulations, for commercial motor vehicle drivers

that is in effect on the date of enactment of this Act permanent if the Secretary determines that the permanent exemption will not degrade safety. The Secretary shall provide public notice and comment on a list of the additional temporary exemptions to be made permanent under this paragraph.

(3) REVOCATION OF EXEMPTIONS.—The Secretary may revoke an exemption issued under this section if the Secretary can demonstrate that the exemption has had a negative impact on safety.

SEC. 32202. INSPECTOR STANDARDS.

Not later than 90 days after the date of enactment of this Act, the Administrator of the Federal Motor Carrier Safety Administration shall revise the regulations under part 385 of title 49, Code of Federal Regulations, as necessary, to incorporate by reference the certification standards for roadside inspectors issued by the Commercial Vehicle Safety Alliance.

SEC. 32203. TECHNOLOGY IMPROVEMENTS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Government Accountability Office shall conduct a comprehensive analysis on the Federal Motor Carrier Safety Administration's information technology and data collection and management systems.

(b) REQUIREMENTS.—The study conducted under subsection (a) shall—

(1) evaluate the efficacy of the existing information technology, data collection, processing systems, and data management systems and programs, including their interaction with each other and their efficacy in meeting user needs;

(2) identify any redundancies among the systems and programs described in paragraph (1);

(3) explore the feasibility of consolidating data collection and processing systems;

(4) evaluate the ability of the systems and programs described in paragraph (1) to meet the needs of—

(A) the Federal Motor Carrier Safety Administration, at both the headquarters and State level;

(B) the State agencies that implement the Motor Carrier Safety Assistance Program under section 31102 of title 49, United States Code; and

(C) other users;

(5) evaluate the adaptability of the systems and programs described in paragraph (1), in order to make necessary future changes to ensure user needs are met in an easier, timely, and more cost efficient manner;

(6) investigate and make recommendations regarding—

(A) deficiencies in existing data sets impacting program effectiveness; and

(B) methods to improve any and all user interfaces; and

(7) evaluate the appropriate role the Federal Motor Carrier Safety Administration should take with respect to software and information systems design, development, and maintenance for the purpose of improving the efficacy of the systems and programs described in paragraph (1).

Subtitle C—Trucking Rules Updated by Comprehensive and Key Safety Reform

SEC. 32301. UPDATE ON STATUTORY REQUIREMENTS.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, and every 90 days thereafter until a final rule has been issued for each of the requirements described under paragraphs (1) through (5), the Administrator of the Federal Motor Carrier Safety Administration shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the status of a final rule for—

(1) the minimum entry-level training requirements for an individual operating a commercial motor vehicle under section 31305(c) of title 49, United States Code;

(2) motor carrier safety fitness determinations;

(3) visibility of agricultural equipment under section 31601 of division C of the Moving Ahead for Progress in the 21st Century Act (49 U.S.C. 30111 note);

(4) regulations to require commercial motor vehicles in interstate commerce and operated by a driver subject to the hours of service and record of duty status requirements under part 395 of title 49, Code of Federal Regulations, be equipped with an electronic control module capable of limiting the maximum speed of the vehicle; and

(5) any outstanding commercial motor vehicle safety regulation required by law and incomplete for more than 2 years.

(b) CONTENTS.—Each report under subsection (a) shall include a description of the work plan, an updated rulemaking timeline, current staff allocations, any resource constraints, and any other details associated with the development of the rulemaking.

SEC. 32302. STATUTORY RULEMAKING.

The Administrator of the Federal Motor Carrier Safety Administration shall prioritize the use of Federal Motor Carrier Safety Administration resources for the completion of each outstanding statutory requirement for a rulemaking before beginning any new rulemaking unless the Secretary certifies to Congress that there is a significant need to move forward with a new rulemaking.

SEC. 32303. GUIDANCE REFORM.

(a) GUIDANCE.—

(1) POINT OF CONTACT.—Each guidance document, other than a regulatory action, issued by the Federal Motor Carrier Safety Administration shall have a date of publication or a date of revision, as applicable, and the name and contact information of a point of contact at the Federal Motor Carrier Safety Administration who can respond to questions regarding the general applicability of the guidance.

(2) PUBLIC ACCESSIBILITY.—

(A) IN GENERAL.—Each guidance document and interpretation issued by the Federal Motor Carrier Safety Administration shall be published on the Department of Transportation's public website on the date of issuance.

(B) REDACTION.—The Administrator of the Federal Motor Carrier Safety Administration may redact from a guidance document or interpretation under subparagraph (A) any information that would reveal investigative techniques that would compromise Federal Motor Carrier Safety Administration enforcement efforts.

(3) RULEMAKING.—Not later than 5 years after the date that a guidance document is published under paragraph (2) or during the comprehensive review under subsection (c), whichever is earlier, the Secretary, in consultation with the Administrator, shall revise the applicable regulations to incorporate the guidance document to the extent practicable.

(4) REISSUANCE.—If a guidance document is not incorporated into the applicable regulations under paragraph (3), the Secretary shall—

(A) reissue an updated guidance document; and

(B) review and reissue an updated guidance document every 5 years during the comprehensive review process under subsection (c) until the date that the guidance document is removed or incorporated into the applicable regulations under paragraph (3) of this subsection.

(b) UPDATE.—Not later than 1 year after the date of enactment of this Act, the Secretary shall review regulations, guidance, and enforcement policies published on the Department of Transportation's public website to ensure the regulations, guidance, and enforcement policies are current, readily accessible to the public, and meet the standards under subsection (c)(1).

(c) REVIEW.—

(1) IN GENERAL.—Subject to paragraph (2), not less than once every 5 years, the Administrator of the Federal Motor Carrier Safety Administration shall conduct a comprehensive review of its guidance and enforcement policies to determine whether—

(A) the guidance and enforcement policies are consistent and clear;

(B) the guidance is uniformly and consistently enforceable; and

(C) the guidance is still necessary.

(2) NOTICE AND COMMENT.—Prior to beginning the review, the Administrator shall publish in the Federal Register a notice and request for comment soliciting input from stakeholders on which regulations should be updated or eliminated.

(3) PRIORITIZATION OF OUTSTANDING PETITIONS.—As part of the review under paragraph (1), the Administrator shall prioritize consideration of each outstanding petition (as defined in section 32304(b) of this Act) submitted by a stakeholder for rulemaking.

(4) REPORT.—

(A) IN GENERAL.—Not later than 60 days after the date that a review under paragraph (1) is complete, the Administrator shall publish on the Department of Transportation's public website a report detailing the review and a full inventory of guidance and enforcement policies.

(B) INCLUSIONS.—The report under subparagraph (A) of this paragraph shall include a summary of the response of the Federal Motor Carrier Safety Administration to each comment received under paragraph (2) indicating each request the Federal Motor Carrier Safety Administration is granting.

SEC. 32304. PETITIONS.

(a) IN GENERAL.—The Administrator of the Federal Motor Carrier Safety Administration shall—

(1) publish on the Department of Transportation's public website all petitions for regulatory action submitted;

(2) prioritize stakeholder petitions based on the likelihood of providing safety improvements;

(3) formally respond to each petition by indicating whether the Administrator will accept, deny, or further review, the petition not later than 180 days after the date the petition is published under paragraph (1);

(4) prioritize resulting actions consistent with an action's potential to reduce crashes, improve enforcement, and reduce unnecessary burdens; and

(5) not later than 60 days after the date of receipt, publish, and update as necessary, on the Department of Transportation's public website an inventory of the petitions described in paragraph (1), including any applicable disposition information for that petition.

(b) DEFINITION OF PETITION.—In this section, the term ''petition'' means a request

for new regulations, regulatory interpretations or clarifications, or retrospective review of regulations to eliminate or modify obsolete, ineffective, or overly-burdensome rules.

SEC. 32305. REGULATORY REFORM.

(a) REGULATORY IMPACT ANALYSIS.—

(1) IN GENERAL.—Within each regulatory impact analysis of a proposed or final rule issued by the Federal Motor Carrier Safety Administration, the Secretary shall whenever practicable—

(A) consider effects of the proposed or final rule on a carrier with differing characteristics; and

(B) formulate estimates and findings on the best available science.

(2) SCOPE.—To the extent feasible and appropriate, and consistent with law, the analysis described in paragraph (1) shall—

(A) use data generated from a representative sample of commercial vehicle operators, motor carriers, or both, that will be covered under the proposed or final rule; and

(B) consider effects on commercial truck and bus carriers of various sizes and types.

(b) PUBLIC PARTICIPATION.—

(1) IN GENERAL.—Before promulgating a proposed rule under part B of subtitle VI of title 49, United States Code, if the proposed rule is likely to lead to the promulgation of a major rule the Secretary shall—

(A) issue an advance notice of proposed rulemaking; or

(B) determine to proceed with a negotiated rulemaking.

(2) REQUIREMENTS.—Each advance notice of proposed rulemaking issued under paragraph (1) shall—

(A) identify the compelling public concern for a potential regulatory action, such as failures of private markets to protect or improve the safety of the public, the environment, or the well-being of the American people;

(B) identify and request public comment on the best available science or technical information on the need for regulatory action and on the potential regulatory alternatives;

(C) request public comment on the benefits and costs of potential regulatory alternatives reasonably likely to be included or analyzed as part of the notice of proposed rulemaking; and

(D) request public comment on the available alternatives to direct regulation, including providing economic incentives to encourage the desired behavior.

(3) WAIVER.—This subsection shall not apply when the Secretary, for good cause, finds (and incorporates the finding and a brief statement of reasons for such finding in the proposed or final rule) an advance notice of proposed rulemaking impracticable, unnecessary, or contrary to the public interest.

(c) SAVINGS CLAUSE.—Nothing in this section may be construed to limit the contents of any Advance Notice of Proposed Rulemaking.

Subtitle D—State Authorities

SEC. 32401. EMERGENCY ROUTE WORKING GROUP.

(a) IN GENERAL.—

(1) ESTABLISHMENT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall establish a working group to determine best practices for expeditious State approval of special permits for vehicles involved in emergency response and recovery.

(2) MEMBERS.—The working group shall include representatives from—

(A) State highway transportation departments or agencies;

(B) relevant modal agencies within the Department of Transportation;

(C) emergency response or recovery experts;

(D) relevant safety groups; and

(E) persons affected by special permit restrictions during emergency response and recovery efforts.

(b) CONSIDERATIONS.—In determining best practices under subsection (a), the working group shall consider whether—

(1) hurdles currently exist that prevent the expeditious State approval for special permits for vehicles involved in emergency response and recovery;

(2) it is possible to pre-identify and establish emergency routes between States through which infrastructure repair materials could be delivered following a natural disaster or an emergency;

(3) a State could pre-designate an emergency route identified under paragraph (1) as a certified emergency route if a motor vehicle that exceeds the otherwise applicable Federal and State truck length or width limits may safely operate along such route during period of emergency recovery; and

(4) an online map could be created to identify each pre-designated emergency route under paragraph (2), including information on specific limitations, obligations, and notification requirements along that route.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the working group shall submit to the Secretary a report of its findings under this section and any recommendations for the implementation of the best practices for expeditious State approval of special permits for vehicles involved in emergency recovery. Upon receipt, the Secretary shall publish the report on a public website.

(d) FEDERAL ADVISORY COMMITTEE ACT EXEMPTION.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the working group established under this section.

SEC. 32402. ADDITIONAL STATE AUTHORITY.

Notwithstanding any other provision of law, not later than 180 days after the date of enactment of this Act, any State impacted by section 4006 of the Intermodal Surface Transportation Efficiency Act of 1991 (Public Law 102–240; 105 Stat. 2148) shall be provided the option to update the routes listed in the final list as long as the update shifts routes to divided highways or does not increase centerline miles by more than 5 percent and the change is expected to increase safety performance.

SEC. 32403. COMMERCIAL DRIVER ACCESS.

(a) INTERSTATE COMPACT PILOT PROGRAM.—

(1) IN GENERAL.—The Administrator of the Federal Motor Carrier Safety Administration may establish a 6-year pilot program to study the feasibility, benefits, and safety impacts of allowing a licensed driver between the ages of 18 and 21 to operate a commercial motor vehicle in interstate commerce.

(2) INTERSTATE COMPACTS.—The Secretary shall allow States, including the District of Columbia, to enter into an interstate compact with contiguous States to allow a licensed driver between the ages of 18 and 21 to operate a motor vehicle across the applicable State lines. The Secretary shall approve as many as 3 interstate compacts, with no more than 4 States per compact participating in each interstate compact.

(3) MUTUAL RECOGNITION OF LICENSES.—A valid intrastate commercial driver's licenses issued by a State participating in an interstate compact under paragraph (2) shall be recognized as valid not more than 100 air miles from the border of the driver's State of licensure in each State that is participating in that interstate compact.

(4) STANDARDS.—In developing an interstate compact under this subsection, participating States shall provide for minimum licensure standards acceptable for interstate travel under this section, which may include, for a licensed driver between the ages of 18 and 21 participating in the pilot program—

(A) age restrictions;

(B) distance from origin (measured in air miles);

(C) reporting requirements; or

(D) additional hours of service restrictions.

(5) LIMITATIONS.—An interstate compact under paragraph (2) may not permit special configuration or hazardous cargo operations to be transported by a licensed driver under the age of 21.

(6) ADDITIONAL REQUIREMENTS.—The Secretary may—

(A) prescribe such additional requirements, including training, for a licensed driver between the ages of 18 and 21 participating in the pilot program as the Secretary considers necessary; and

(B) provide risk mitigation restrictions and limitations.

(b) APPROVAL.—An interstate compact under subsection (a)(2) may not go into effect until it has been approved by the governor of each State (or the Mayor of the District of Columbia, if applicable) that is a party to the interstate compact, after consultation with the Secretary of Transportation and the Administrator of the Federal Motor Carrier Safety Administration.

(c) DATA COLLECTION.—The Secretary shall collect and analyze data relating to accidents (as defined in section 390.5 of title 49, Code of Federal Regulations) in which a driver under the age of 21 participating in the pilot program is involved.

(d) REPORT.—Beginning 3 years after the date the first compact is established and approved, the Secretary shall submit to Congress a report containing the data collection and findings of the pilot program, a determination of whether a licensed driver between the ages of 18 and 21 can operate a commercial motor vehicle in interstate commerce with an equivalent level of safety, and the reasons for that determination. The Secretary may extend the air mileage requirements under subsection (a)(3) to expand operation areas and gather additional data for analysis.

(e) TERMINATION.—The Secretary may terminate the pilot program if the data collected under subsection (c) indicates that drivers under the age of 21 do not operate in interstate commerce with an equivalent level of safety of those drivers age 21 and over.

Subtitle E—Motor Carrier Safety Grant Consolidation

SEC. 32501. DEFINITIONS.

(a) IN GENERAL.—Section 31101 is amended—

(1) by redesignating paragraph (4) as paragraph (5); and

(2) by inserting after paragraph (3) the following:

''(4) 'Secretary' means the Secretary of Transportation.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Section 31101, as amended by subsection (a), is amended—

(1) in paragraph (1)(B), by inserting a comma after ''passengers''; and

(2) in paragraph (1)(C), by striking ''of Transportation''.

SEC. 32502. GRANTS TO STATES.

(a) MOTOR CARRIER SAFETY ASSISTANCE PROGRAM.—Section 31102 is amended to read as follows:

"§ 31102. Motor Carrier Safety Assistance Program

''(a) IN GENERAL.—The Secretary shall administer a motor carrier safety assistance program funded under section 31104.

''(b) GOAL.—The goal of the program is to ensure that the Secretary, States, local governments, other political jurisdictions, federally-recognized Indian tribes, and other persons work in partnership to establish programs to improve motor carrier, commercial motor vehicle, and driver safety to support a safe and efficient surface transportation system—

''(1) by making targeted investments to promote safe commercial motor vehicle transportation, including the transportation of passengers and hazardous materials;

''(2) by investing in activities likely to generate maximum reductions in the number and severity of commercial motor vehicle crashes and fatalities resulting from such crashes;

''(3) by adopting and enforcing effective motor carrier, commercial motor vehicle, and driver safety regulations and practices consistent with Federal requirements; and

''(4) by assessing and improving statewide performance by setting program goals and meeting performance standards, measures, and benchmarks.

''(c) STATE PLANS.—

''(1) IN GENERAL.—The Secretary shall prescribe procedures for a State to submit a multiple-year plan, and annual updates thereto, under which the State agrees to assume responsibility for improving motor carrier safety, adopting and enforcing compatible regulations, standards, and orders of the Federal Government on commercial motor vehicle safety and hazardous materials transportation safety.

''(2) CONTENTS.—The Secretary shall approve a plan if the Secretary determines that the plan is adequate to comply with the requirements of this section, and the plan—

''(A) implements performance-based activities, including deployment and maintenance of technology to enhance the efficiency and effectiveness of commercial motor vehicle safety programs;

''(B) designates a lead State commercial motor vehicle safety agency responsible for administering the plan throughout the State;

''(C) contains satisfactory assurances that the lead State commercial motor vehicle safety agency has or will have the legal authority, resources, and qualified personnel necessary to enforce the regulations, standards, and orders;

''(D) contains satisfactory assurances that the State will devote adequate resources to the administration of the plan and enforcement of the regulations, standards, and orders;

''(E) provides a right of entry and inspection to carry out the plan;

''(F) provides that all reports required under this section be available to the Secretary on request;

''(G) provides that the lead State commercial motor vehicle safety agency will adopt the reporting requirements and use the forms for recordkeeping, inspections, and investigations that the Secretary prescribes;

''(H) requires all registrants of commercial motor vehicles to demonstrate knowledge of applicable safety regulations, standards, and orders of the Federal Government and the State;

''(I) provides that the State will grant maximum reciprocity for inspections conducted under the North American Inspection Standards through the use of a nationally-accepted system that allows ready identification of previously inspected commercial motor vehicles;

''(J) ensures that activities described in subsection (h), if financed through grants to the State made under this section, will not diminish the effectiveness of the development and implementation of the programs to improve motor carrier, commercial motor vehicle, and driver safety as described in subsection (b);

''(K) ensures that the lead State commercial motor vehicle safety agency will coordinate the plan, data collection, and information systems with the State highway safety improvement program required under section 148(c) of title 23;

''(L) ensures participation in appropriate Federal Motor Carrier Safety Administration information technology and data systems and other information systems by all appropriate jurisdictions receiving Motor Carrier Safety Assistance Program funding;

''(M) ensures that information is exchanged among the States in a timely manner;

''(N) provides satisfactory assurances that the State will undertake efforts that will emphasize and improve enforcement of State and local traffic safety laws and regulations related to commercial motor vehicle safety;

''(O) provides satisfactory assurances in the plan that the State will address national priorities and performance goals, including—

''(i) activities aimed at removing impaired commercial motor vehicle drivers from the highways of the United States through adequate enforcement of regulations on the use of alcohol and controlled substances and by ensuring ready roadside access to alcohol detection and measuring equipment;

''(ii) activities aimed at providing an appropriate level of training to State motor carrier safety assistance program officers and employees on recognizing drivers impaired by alcohol or controlled substances; and

''(iii) when conducted with an appropriate commercial motor vehicle inspection, criminal interdiction activities, and appropriate strategies for carrying out those interdiction activities, including interdiction activities that affect the transportation of controlled substances (as defined under section 102 of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 802) and listed in part 1308 of title 21, Code of Federal Regulations, as updated and republished from time to time) by any occupant of a commercial motor vehicle;

''(P) provides that the State has established and dedicated sufficient resources to a program to ensure that—

''(i) the State collects and reports to the Secretary accurate, complete, and timely motor carrier safety data; and

''(ii) the State participates in a national motor carrier safety data correction system prescribed by the Secretary;

''(Q) ensures that the State will cooperate in the enforcement of financial responsibility requirements under sections 13906, 31138, and 31139 of this title, and regulations issued under these sections;

''(R) ensures consistent, effective, and reasonable sanctions;

''(S) ensures that roadside inspections will be conducted at locations that are adequate to protect the safety of drivers and enforcement personnel;

''(T) provides that the State will include in the training manuals for the licensing examination to drive both noncommercial motor vehicles and commercial motor vehicles information on best practices for driving safely in the vicinity of noncommercial and commercial motor vehicles;

''(U) provides that the State will enforce the registration requirements of sections 13902 and 31134 of this title by prohibiting the operation of any vehicle discovered to be operated by a motor carrier without a registration issued under those sections or to be operated beyond the scope of the motor carrier's registration;

''(V) provides that the State will conduct comprehensive and highly visible traffic enforcement and commercial motor vehicle safety inspection programs in high-risk locations and corridors;

''(W) except in the case of an imminent hazard or obvious safety hazard, ensures that an inspection of a vehicle transporting passengers for a motor carrier of passengers is conducted at a station, terminal, border crossing, maintenance facility, destination, or other location where adequate food, shelter, and sanitation facilities are available for passengers, and reasonable accommodations are available for passengers with disabilities;

''(X) ensures that the State will transmit to its roadside inspectors the notice of each Federal exemption granted under section 31315(b) of this title and sections 390.23 and 390.25 of title 49 of the Code of Federal Regulations and provided to the State by the Secretary, including the name of the person granted the exemption and any terms and conditions that apply to the exemption;

''(Y) except as provided in subsection (d), provides that the State—

''(i) will conduct safety audits of interstate and, at the State's discretion, intrastate new entrant motor carriers under section 31144(g) of this title; and

''(ii) if the State authorizes a third party to conduct safety audits under section 31144(g) on its behalf, the State verifies the quality of the work conducted and remains solely responsible for the management and oversight of the activities;

''(Z) provides that the State agrees to fully participate in the performance and registration information system management under section 31106(b) not later than October 1, 2020, by complying with the conditions for participation under paragraph (3) of that section;

''(AA) provides that a State that shares a land border with another country—

''(i) will conduct a border commercial motor vehicle safety program focusing on international commerce that includes enforcement and related projects; or

''(ii) will forfeit all funds calculated by the Secretary based on border-related activities if the State declines to conduct the program described in clause (i) in its plan; and

''(BB) provides that a State that meets the other requirements of this section and agrees to comply with the requirements established in subsection (l)(3) may fund operation and maintenance costs associated with innovative technology deployment under subsection (l)(3) with Motor Carrier Safety Assistance Program funds authorized under section 31104(a)(1).

''(3) PUBLICATION.—

''(A) IN GENERAL.—Subject to subparagraph (B), the Secretary shall publish each approved State multiple-year plan, and each annual update thereto, on the Department of Transportation's public website not later than 30 days after the date the Secretary approves the plan or update.

''(B) LIMITATION.—Before posting an approved State multiple-year plan or annual update under subparagraph (A), the Secretary shall redact any information identified by the State that, if disclosed—

''(i) would reasonably be expected to interfere with enforcement proceedings; or

''(ii) would reveal enforcement techniques or procedures that would reasonably be expected to risk circumvention of the law.

''(d) EXCLUSION OF U.S. TERRITORIES.—The requirement that a State conduct safety audits of new entrant motor carriers under subsection (c)(2)(Y) does not apply to a territory of the United States unless required by the Secretary.

''(e) INTRASTATE COMPATIBILITY.—The Secretary shall prescribe regulations specifying tolerance guidelines and standards for ensuring compatibility of intrastate commercial motor vehicle safety laws, including regulations, with Federal motor carrier safety regulations to be enforced under subsections (b) and (c). To the extent practicable, the guidelines and standards shall allow for maximum flexibility while ensuring a degree of uniformity that will not diminish motor vehicle safety.

''(f) MAINTENANCE OF EFFORT.—

''(1) BASELINE.—Except as provided under paragraphs (2) and (3) and in accordance with section 32508 of the Comprehensive Transportation and Consumer Protection Act of 2015, a State plan under subsection (c) shall provide that the total expenditure of amounts of the lead State commercial motor vehicle safety agency responsible for administering the plan will be maintained at a level each fiscal year at least equal to—

''(A) the average level of that expenditure for fiscal years 2004 and 2005; or

''(B) the level of that expenditure for the year in which the Secretary implements a new allocation formula under section 32508 of the Comprehensive Transportation and Consumer Protection Act of 2015.

''(2) ADJUSTED BASELINE AFTER FISCAL YEAR 2017.—At the request of a State, the Secretary may evaluate additional documentation related to the maintenance of effort and may make reasonable adjustments to the maintenance of effort baseline after the year in which the Secretary implements a new allocation formula under section 32508 of the Comprehensive Transportation and Consumer Protection Act of 2015, and this adjusted baseline will replace the maintenance of effort requirement under paragraph (1).

''(3) WAIVERS.—At the request of a State, the Secretary may waive or modify the requirements of this subsection for 1 fiscal year if the Secretary determines that a waiver or modification is reasonable, based on circumstances described by the State, to ensure the continuation of commercial motor vehicle enforcement activities in the State.

''(4) LEVEL OF STATE EXPENDITURES.—In estimating the average level of State expenditure under paragraph (1), the Secretary—

''(A) may allow the State to exclude State expenditures for Federally-sponsored demonstration and pilot programs and strike forces;

''(B) may allow the State to exclude expenditures for activities related to border enforcement and new entrant safety audits; and

''(C) shall require the State to exclude State matching amounts used to receive Federal financing under section 31104.

''(g) USE OF UNIFIED CARRIER REGISTRATION FEES AGREEMENT.—Amounts generated under section 14504a of this title and received by a State and used for motor carrier safety purposes may be included as part of the State's match required under section 31104 of this title or maintenance of effort required by subsection (f) of this section.

''(h) USE OF GRANTS TO ENFORCE OTHER LAWS.—When approved in the States' plan under subsection (c), a State may use Motor Carrier Safety Assistance Program funds received under this section—

''(1) if the activities are carried out in conjunction with an appropriate inspection of a commercial motor vehicle to enforce Federal or State commercial motor vehicle safety regulations, for—

''(A) enforcement of commercial motor vehicle size and weight limitations at locations, excluding fixed weight facilities, such as near steep grades or mountainous terrains, where the weight of a commercial motor vehicle can significantly affect the safe operation of the vehicle, or at ports where intermodal shipping containers enter and leave the United States; and

''(B) detection of and enforcement actions taken as a result of criminal activity, including the trafficking of human beings, in a commercial motor vehicle or by any occupant, including the operator, of the commercial motor vehicle;

''(2) for documented enforcement of State traffic laws and regulations designed to promote the safe operation of commercial motor vehicles, including documented enforcement of such laws and regulations relating to noncommercial motor vehicles when necessary to promote the safe operation of commercial motor vehicles, if—

''(A) the number of motor carrier safety activities, including roadside safety inspections, conducted in the State is maintained at a level at least equal to the average level of such activities conducted in the State in fiscal years 2004 and 2005; and

''(B) the State does not use more than 10 percent of the basic amount the State receives under a grant awarded under section 31104(a)(1) for enforcement activities relating to noncommercial motor vehicles necessary to promote the safe operation of commercial motor vehicles unless the Secretary determines that a higher percentage will result in significant increases in commercial motor vehicle safety; and

''(3) for the enforcement of household goods regulations on intrastate and interstate carriers if the State has adopted laws or regulations compatible with the Federal household goods regulations.

''(i) EVALUATION OF PLANS AND AWARD OF GRANTS.—

''(1) AWARDS.—The Secretary shall establish criteria for the application, evaluation, and approval of State plans under this section. Subject to subsection (j), the Secretary may allocate the amounts made available under section 31104(a)(1) among the States.

''(2) OPPORTUNITY TO CURE.—If the Secretary disapproves a plan under this section, the Secretary shall give the State a written explanation of the reasons for disapproval and allow the State to modify and resubmit the plan for approval.

''(j) ALLOCATION OF FUNDS.—

''(1) IN GENERAL.—The Secretary, by regulation, shall prescribe allocation criteria for funds made available under section 31104(a)(1).

''(2) ANNUAL ALLOCATIONS.—On October 1 of each fiscal year, or as soon as practicable thereafter, and after making a deduction under section 31104(c), the Secretary shall allocate amounts made available in section 31104(a)(1) to carry out this section for the fiscal year among the States with plans approved under this section in accordance with the criteria under paragraph (1).

''(3) ELECTIVE ADJUSTMENTS.—Subject to the availability of funding and notwithstanding fluctuations in the data elements used by the Secretary to calculate the annual allocation amounts, after the creation of a new allocation formula under section 32508 of the Comprehensive Transportation and Consumer Protection Act of 2015 the Secretary may not make elective adjustments to the allocation formula that decrease a State's Federal funding levels by more than 3 percent in a fiscal year. The 3 percent limit shall not apply to the withholding provisions of subsection (k).

''(k) PLAN MONITORING.—

''(1) IN GENERAL.—On the basis of reports submitted by the lead State agency responsible for administering an approved State plan and an investigation by the Secretary, the Secretary shall periodically evaluate State implementation of and compliance with the State plan.

''(2) WITHHOLDING OF FUNDS.—

''(A) DISAPPROVAL.—If, after notice and an opportunity to be heard, the Secretary finds that the State plan previously approved is not being followed or has become inadequate to ensure enforcement of the regulations, standards, or orders, or the State is otherwise not in compliance with the requirements of this section, the Secretary may withdraw approval of the plan and notify the State. The plan is no longer in effect once the State receives notice, and the Secretary shall withhold all funding under this section.

''(B) NONCOMPLIANCE WITHHOLDING.—In lieu of withdrawing approval of the plan, the Secretary may, after providing notice and an opportunity to be heard, withhold funding from the State to which the State would otherwise be entitled under this section for the period of the State's noncompliance. In exercising this option, the Secretary may withhold—

''(i) up to 5 percent of funds during the fiscal year that the Secretary notifies the State of its noncompliance;

''(ii) up to 10 percent of funds for the first full fiscal year of noncompliance;

''(iii) up to 25 percent of funds for the second full fiscal year of noncompliance; and

''(iv) not more than 50 percent of funds for the third and any subsequent full fiscal year of noncompliance.

''(3) JUDICIAL REVIEW.—A State adversely affected by a determination under paragraph (2) may seek judicial review under chapter 7 of title 5. Notwithstanding the disapproval of a State plan under paragraph (2)(A) or the withholding under paragraph (2)(B), the State may retain jurisdiction in an administrative or a judicial proceeding that commenced before the notice of disapproval or withholding if the issues involved are not related directly to the reasons for the disapproval or withholding.

''(l) HIGH PRIORITY FINANCIAL ASSISTANCE PROGRAM.—

''(1) IN GENERAL.—The Secretary shall administer a high priority financial assistance program funded under section 31104 for the purposes described in paragraphs (2) and (3).

''(2) ACTIVITIES RELATED TO MOTOR CARRIER SAFETY.—The purpose of this paragraph is to make discretionary grants to and cooperative agreements with States, local governments, federally-recognized Indian tribes, other political jurisdictions as necessary, and any person to carry out high priority activities and projects that augment motor carrier safety activities and projects planned in accordance with subsections (b) and (c), including activities and projects that—

''(A) increase public awareness and education on commercial motor vehicle safety;

''(B) target unsafe driving of commercial motor vehicles and non-commercial motor vehicles in areas identified as high risk crash corridors;

''(C) support the enforcement of State household goods regulations on intrastate and interstate carriers if the State has adopted laws or regulations compatible with the Federal household good laws;

''(D) improve the safe and secure movement of hazardous materials;

''(E) improve safe transportation of goods and persons in foreign commerce;

''(F) demonstrate new technologies to improve commercial motor vehicle safety;

''(G) support participation in performance and registration information systems management under section 31106(b)—

''(i) for entities not responsible for submitting the plan under subsection (c); or

''(ii) for entities responsible for submitting the plan under subsection (c)—

''(I) before October 1, 2020, to achieve compliance with the requirements of participation; and

''(II) beginning on October 1, 2020, or once compliance is achieved, whichever is sooner, for special initiatives or projects that exceed routine operations required for participation;

''(H) conduct safety data improvement projects—

''(i) that complete or exceed the requirements under subsection (c)(2)(P) for entities not responsible for submitting the plan under subsection (c); or

''(ii) that exceed the requirements under subsection (c)(2)(P) for entities responsible for submitting the plan under subsection (c); and

''(I) otherwise improve commercial motor vehicle safety and compliance with commercial motor vehicle safety regulations.

''(3) INNOVATIVE TECHNOLOGY DEPLOYMENT GRANT PROGRAM.—

''(A) IN GENERAL.—The Secretary shall establish an innovative technology deployment grant program to make discretionary grants funded under section 31104(a)(2) to eligible States for the innovative technology deployment of commercial motor vehicle information systems and networks.

''(B) PURPOSES.—The purposes of the program shall be—

''(i) to advance the technological capability and promote the deployment of intelligent transportation system applications for commercial motor vehicle operations, including commercial motor vehicle, commercial driver, and carrier-specific information systems and networks; and

''(ii) to support and maintain commercial motor vehicle information systems and networks—

''(I) to link Federal motor carrier safety information systems with State commercial motor vehicle systems;

''(II) to improve the safety and productivity of commercial motor vehicles and drivers; and

''(III) to reduce costs associated with commercial motor vehicle operations and Federal and State commercial vehicle regulatory requirements.

''(C) ELIGIBILITY.—To be eligible for a grant under this paragraph, a State shall—

''(i) have a commercial motor vehicle information systems and networks program plan approved by the Secretary that describes the various systems and networks at the State level that need to be refined, revised, upgraded, or built to accomplish deployment of commercial motor vehicle information systems and networks capabilities;

''(ii) certify to the Secretary that its commercial motor vehicle information systems and networks deployment activities, including hardware procurement, software and system development, and infrastructure modifications—

''(I) are consistent with the national intelligent transportation systems and commercial motor vehicle information systems and networks architectures and available standards; and

''(II) promote interoperability and efficiency to the extent practicable; and

''(iii) agree to execute interoperability tests developed by the Federal Motor Carrier Safety Administration to verify that its systems conform with the national intelligent transportation systems architecture, applicable standards, and protocols for commercial motor vehicle information systems and networks.

''(D) USE OF FUNDS.—Grant funds may be used—

''(i) for deployment activities and activities to develop new and innovative advanced technology solutions that support commercial motor vehicle information systems and networks;

''(ii) for planning activities, including the development or updating of program or top level design plans in order to become eligible or maintain eligibility under subparagraph (C); and

''(iii) for the operation and maintenance costs associated with innovative technology.

''(E) SECRETARY AUTHORIZATION.—The Secretary is authorized to award a State funding for the operation, and maintenance costs associated with innovative technology deployment with funds made available under both sections 31104(a)(1) and 31104(a)(2) of this title.''.

(b) COMMERCIAL MOTOR VEHICLE OPERATORS GRANT PROGRAM.—Section 31103 is amended to read as follows:

''§ 31103. Commercial Motor Vehicle Operators Grant Program

''(a) IN GENERAL.—The Secretary shall administer a commercial motor vehicle operators grant program funded under section 31104.

''(b) PURPOSE.—The purpose of the grant program is to train individuals in the safe operation of commercial motor vehicles (as defined in section 31301).''.

(c) AUTHORIZATION OF APPROPRIATIONS.—Section 31104 is amended to read as follows:

''§ 31104. Authorization of appropriations

''(a) FINANCIAL ASSISTANCE PROGRAMS.—The following sums are authorized to be appropriated from the Highway Trust Fund for the following Federal Motor Carrier Safety Administration Financial Assistance Programs:

''(1) MOTOR CARRIER SAFETY ASSISTANCE PROGRAM.—Subject to paragraph (2) of this subsection and subsection (c) of this section, to carry out section 31102—

''(A) $295,636,000 for fiscal year 2017;

''(B) $301,845,000 for fiscal year 2018;

''(C) $308,183,000 for fiscal year 2019;

''(D) $314,655,000 for fiscal year 2020; and

''(E) $321,263,000 for fiscal year 2021.

''(2) HIGH PRIORITY ACTIVITIES FINANCIAL ASSISTANCE PROGRAM.—Subject to subsection (c), to make grants and cooperative agreements under section 31102(l) of this title, the Secretary may set aside from amounts made available under paragraph (1) of this subsection up to—

''(A) $42,323,000 for fiscal year 2017;

''(B) $43,212,000 for fiscal year 2018;

''(C) $44,119,000 for fiscal year 2019;

''(D) $45,046,000 for fiscal year 2020; and

''(E) $45,992,000 for fiscal year 2021.

''(3) COMMERCIAL MOTOR VEHICLE OPERATORS GRANT PROGRAM.—To carry out section 31103—

''(A) $1,000,000 for fiscal year 2017;

''(B) $1,000,000 for fiscal year 2018;

''(C) $1,000,000 for fiscal year 2019;

''(D) $1,000,000 for fiscal year 2020; and

''(E) $1,000,000 for fiscal year 2021.

''(4) COMMERCIAL DRIVER'S LICENSE PROGRAM IMPLEMENTATION FINANCIAL ASSISTANCE PROGRAM.—Subject to subsection (c), to carry out section 31313—

''(A) $31,273,000 for fiscal year 2017;

''(B) $31,930,000 for fiscal year 2018;

''(C) $32,600,000 for fiscal year 2019;

''(D) $33,285,000 for fiscal year 2020; and

''(E) $33,984,000 for fiscal year 2021.

''(b) REIMBURSEMENT AND PAYMENT TO RECIPIENTS FOR GOVERNMENT SHARE OF COSTS.—

''(1) IN GENERAL.—Amounts made available under subsection (a) shall be used to reimburse financial assistance recipients proportionally for the Federal Government's share of the costs incurred.

''(2) REIMBURSEMENT AMOUNTS.—The Secretary shall reimburse a recipient, in accordance with a financial assistance agreement made under section 31102, 31103, or 31313, an amount that is at least 85 percent of the costs incurred by the recipient in a fiscal year in developing and implementing programs under these sections. The Secretary shall pay the recipient an amount not more than the Federal Government share of the total costs approved by the Federal Government in the financial assistance agreement. The Secretary shall include a recipient's in-kind contributions in determining the reimbursement.

''(3) VOUCHERS.—Each recipient shall submit vouchers at least quarterly for costs the recipient incurs in developing and implementing programs under section 31102, 31103, or 31313.

''(c) DEDUCTIONS FOR PARTNER TRAINING AND PROGRAM SUPPORT.—On October 1 of each fiscal year, or as soon after that date as practicable, the Secretary may deduct from amounts made available under paragraphs (1), (2), and (4) of subsection (a) for that fiscal year not more than 1.50 percent of those amounts for partner training and program support in that fiscal year. The Secretary shall use at least 75 percent of those deducted amounts to train non-Federal Government employees and to develop related training materials in carrying out these programs.

''(d) GRANTS AND COOPERATIVE AGREEMENTS AS CONTRACTUAL OBLIGATIONS.—The approval of a financial assistance agreement by the Secretary under section 31102, 31103, or 31313 is a contractual obligation of the Federal Government for payment of the Federal Government's share of costs in carrying out the provisions of the grant or cooperative agreement.

''(e) ELIGIBLE ACTIVITIES.—The Secretary shall establish criteria for eligible activities to be funded with financial assistance agreements under this section and publish those criteria in a notice of funding availability before the financial assistance program application period.

''(f) PERIOD OF AVAILABILITY OF FINANCIAL ASSISTANCE AGREEMENT FUNDS FOR RECIPIENT EXPENDITURES.—

''(1) IN GENERAL.—The period of availability for a recipient to expend a grant or cooperative agreement authorized under subsection (a) is as follows:

''(A) For grants made for carrying out section 31102, other than section 31102(l), for the fiscal year in which it is obligated and for the next fiscal year.

''(B) For grants or cooperative agreements made for carrying out section 31102(l)(2), for the fiscal year in which it is obligated and for the next 2 fiscal years.

''(C) For grants made for carrying out section 31102(l)(3), for the fiscal year in which it is obligated and for the next 4 fiscal years.

''(D) For grants made for carrying out section 31103, for the fiscal year in which it is obligated and for the next fiscal year.

''(E) For grants or cooperative agreements made for carrying out 31313, for the fiscal year in which it is obligated and for the next 4 fiscal years.

''(2) REOBLIGATION.—Amounts not expended by a recipient during the period of availability shall be released back to the Secretary for reobligation for any purpose under sections 31102, 31103, 31104, and 31313 in accordance with subsection (i) of this section.

''(g) CONTRACT AUTHORITY; INITIAL DATE OF AVAILABILITY.—Amounts authorized from the Highway Trust Fund by this section shall be available for obligation on the date of their apportionment or allocation or on October 1 of the fiscal year for which they are authorized, whichever occurs first.

''(h) AVAILABILITY OF FUNDING.—Amounts made available under this section shall remain available until expended.

''(i) TRANSFER OF OBLIGATION AUTHORITY.—

''(1) IN GENERAL.—Of the contract authority authorized for motor carrier safety grants, the Secretary shall have authority to transfer available unobligated contract authority and associated liquidating cash within or between Federal financial assistance programs authorized under this section and make new Federal financial assistance awards under this section.

''(2) COST ESTIMATES.—Of the funds transferred, the contract authority and associated liquidating cash or obligations and expenditures stemming from Federal financial assistance awards made with this contract authority shall not be scored as new obligations by the Office of Management and Budget or by the Secretary.

''(3) NO LIMITATION ON TOTAL OF OBLIGATIONS.—Notwithstanding any other provision of law, no limitation on the total of obligations for Federal financial assistance programs carried out by the Federal Motor Carrier Safety Administration under this section shall apply to unobligated funds transferred under this subsection.''.

(d) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) SAFETY FITNESS OF OWNERS AND OPERATOR; SAFETY REVIEWS OF NEW OPERATORS.—Section 31144(g) is amended by striking paragraph (5).

(2) INFORMATION SYSTEMS; PERFORMANCE AND REGISTRATION INFORMATION PROGRAM.—Section 31106(b) is amended by striking paragraph (4).

(3) BORDER ENFORCEMENT GRANTS.—Section 31107 is repealed.

(4) PERFORMANCE AND REGISTRATION INFORMATION SYSTEM MANAGEMENT.—Section 31109 is repealed.

(5) TABLE OF CONTENTS.—The table of contents of chapter 311 is amended—

(A) by striking the items relating to 31107 and 31109; and

(B) by striking the items relating to sections 31102, 31103, and 31104 and inserting the following:

''31102. Motor Carrier Safety Assistance Program.

''31103. Commercial Motor Vehicle Operators Grant Program.

''31104. Authorization of appropriations.''.

(6) GRANTS FOR COMMERCIAL DRIVER'S LICENSE PROGRAM IMPLEMENTATION.—Section 31313(a), as amended by section 32506 of this Act, is further amended by striking ''The Secretary of Transportation shall administer a financial assistance program for commercial driver's license program implementation for the purposes described in paragraphs (1) and (2)'' and inserting ''The Secretary of Transportation shall administer a financial assistance program for commercial driver's license program implementation funded under section 31104 of this title for the purposes described in paragraphs (1) and (2)''.

(7) COMMERCIAL VEHICLE INFORMATION SYSTEMS AND NETWORKS DEPLOYMENT.—Section 4126 of SAFETEA-LU (49 U.S.C. 31106 note) is repealed.

(8) SAFETY DATA IMPROVEMENT PROGRAM.—Section 4128 of SAFETEA-LU (49 U.S.C. 31100 note) is repealed.

(9) GRANT PROGRAM FOR COMMERCIAL MOTOR VEHICLE OPERATORS.—Section 4134 of SAFETEA-LU (49 U.S.C. 31301 note) is repealed.

(10) WINTER HOME HEATING OIL DELIVERY STATE FLEXIBILITY PROGRAM.—Section 346 of National Highway System Designation Act of 1995 (49 U.S.C. 31166 note) is repealed.

(11) MAINTENANCE OF EFFORT AS CONDITION ON GRANTS TO STATES.—Section 103(c) of the Motor Carrier Safety Improvement Act of 1999 (49 U.S.C. 31102 note) is repealed.

(12) STATE COMPLIANCE WITH CDL REQUIREMENTS.—Section 103(e) of the Motor Carrier Safety Improvement Act of 1999 (49 U.S.C. 31102 note) is repealed.

(13) BORDER STAFFING STANDARDS.—Section 218(d) of the Motor Carrier Safety Improvement Act of 1999 (49 U.S.C. 31133 note) is amended—

(A) in paragraph (1), by striking ''under section 31104(f)(2)(B) of title 49, United States Code'' and inserting ''section 31104(a)(1) of title 49, United States Code''; and

(B) by striking paragraph (3).

(e) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2016.

(f) TRANSITION.—Notwithstanding the amendments made by this section, the Secretary shall carry out sections 31102, 31103, 31104 of title 49, United States Code, and any sections repealed under subsection (d) of this section, as necessary, as those sections were in effect on the day before October 1, 2016, with respect to applications for grants, cooperative agreements, or contracts under those sections submitted before October 1, 2016.

SEC. 32503. NEW ENTRANT SAFETY REVIEW PROGRAM STUDY.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Office of Inspector General of the Department of Transportation shall report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure in the House of Representatives on its assessment of the new operator safety review program, required under section 31144(g) of title 49, United States Code, including the program's effectiveness in reducing commercial motor vehicles involved in crashes, fatalities, and injuries, and in improving commercial motor vehicle safety.

(b) REPORT.—Not later than 90 days after completion of the report under subsection (a), the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure in the House of Representatives a report on the actions the Secretary will take to address any recommendations included in the study under subsection (a).

(c) PAPERWORK REDUCTION ACT OF 1995; EXCEPTION.—The study and the Office of the Inspector General assessment shall not be subject to section 3506 or section 3507 of title 44, United States Code.

SEC. 32504. PERFORMANCE AND REGISTRATION INFORMATION SYSTEMS MANAGEMENT.

Section 31106(b) is amended in the heading by striking ''PROGRAM'' and inserting ''SYSTEMS MANAGEMENT''.

SEC. 32505. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—Subchapter I of chapter 311 is amended by adding at the end the following:

''§ 31110. Authorization of appropriations

''(a) ADMINISTRATIVE EXPENSES.—There are authorized to be appropriated from the Highway Trust Fund (other than the Mass Transit Account) for the Secretary of Transportation to pay administrative expenses of the Federal Motor Carrier Safety Administration—

''(1) $264,439,000 for fiscal year 2016;

''(2) $269,992,000 for fiscal year 2017;

''(3) $275,662,000 for fiscal year 2018;

''(4) $281,451,000 for fiscal year 2019;

''(5) $287,361,000 for fiscal year 2020; and

''(6) $293,396,000 for fiscal year 2021.

''(b) USE OF FUNDS.—The funds authorized by this section shall be used—

''(1) for personnel costs;

''(2) for administrative infrastructure;

''(3) for rent;

''(4) for information technology;

''(5) for programs for research and technology, information management, regulatory development, the administration of the performance and registration information systems management;

''(6) for programs for outreach and education under subsection (d);

''(7) to fund the motor carrier safety facility working capital fund established under subsection (c);

''(8) for other operating expenses;

''(9) to conduct safety reviews of new operators; and

''(10) for such other expenses as may from time to time become necessary to implement statutory mandates of the Federal Motor Carrier Safety Administration not funded from other sources.

''(c) MOTOR CARRIER SAFETY FACILITY WORKING CAPITAL FUND.—

''(1) IN GENERAL.—The Secretary may establish a motor carrier safety facility working capital fund.

''(2) PURPOSE.—Amounts in the fund shall be available for modernization, construction, leases, and expenses related to vacating, occupying, maintaining, and expanding motor carrier safety facilities, and associated activities.

''(3) AVAILABILITY.—Amounts in the fund shall be available without regard to fiscal year limitation.

''(4) FUNDING.—Amounts may be appropriated to the fund from the amounts made available in subsection (a).

''(5) FUND TRANSFERS.—The Secretary may transfer funds to the working capital fund from the amounts made available in subsection (a) or from other funds as identified by the Secretary.

''(d) OUTREACH AND EDUCATION PROGRAM.—

''(1) IN GENERAL.—The Secretary may conduct, through any combination of grants,

contracts, cooperative agreements, or other activities, an internal and external outreach and education program to be administered by the Administrator of the Federal Motor Carrier Safety Administration.

''(2) FEDERAL SHARE.—The Federal share of an outreach and education program for which a grant, contract, or cooperative agreement is made under this subsection may be up to 100 percent of the cost of the grant, contract, or cooperative agreement.

''(3) FUNDING.—From amounts made available in subsection (a), the Secretary shall make available such sums as are necessary to carry out this subsection each fiscal year.

''(e) CONTRACT AUTHORITY; INITIAL DATE OF AVAILABILITY.—Amounts authorized from the Highway Trust Fund by this section shall be available for obligation on the date of their apportionment or allocation or on October 1 of the fiscal year for which they are authorized, whichever occurs first.

''(f) FUNDING AVAILABILITY.—Amounts made available under this section shall remain available until expended.

''(g) CONTRACTUAL OBLIGATION.—The approval of funds by the Secretary under this section is a contractual obligation of the Federal Government for payment of the Federal Government's share of costs.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) ADMINISTRATIVE EXPENSES; AUTHORIZATION OF APPROPRIATIONS.—Section 31104 is amended—

(A) by striking subsection (i); and

(B) by redesignating subsections (j) and (k) and subsections (i) and (j), respectively.

(2) USE OF AMOUNTS MADE AVAILABLE UNDER SUBSECTION (I).—Section 4116(d) of SAFETEA-LU (49 U.S.C. 31104 note) is amended by striking ''section 31104(i)'' and inserting ''section 31110''.

(3) INTERNAL COOPERATION.—Section 31161 is amended by striking ''31104(i)'' and inserting ''31110''.

(4) SAFETEA-LU; OUTREACH AND EDUCATION.—Section 4127 of SAFETEA-LU (119 Stat. 1741; Public Law 109–59) is repealed.

(5) TABLE OF CONTENTS.—The table of contents of subchapter I of chapter 311 is amended by adding at the end the following:

''31110. Authorization of appropriations.''.

SEC. 32506. COMMERCIAL DRIVER'S LICENSE PROGRAM IMPLEMENTATION.

(a) IN GENERAL.—Section 31313 is amended to read as follows:

''§ 31313. Commercial driver's license program implementation financial assistance program

''(a) IN GENERAL.—The Secretary of Transportation shall administer a financial assistance program for commercial driver's license program implementation for the purposes described in paragraphs (1) and (2).

''(1) STATE COMMERCIAL DRIVER'S LICENSE PROGRAM IMPLEMENTATION GRANTS.—The Secretary of Transportation may make a grant to a State agency in a fiscal year—

''(A) to comply with the requirements of section 31311;

''(B) in the case of a State that is making a good faith effort toward substantial compliance with the requirements of section 31311, to improve its implementation of its commercial driver's license program, including expenses—

''(i) for computer hardware and software;

''(ii) for publications, testing, personnel, training, and quality control;

''(iii) for commercial driver's license program coordinators; and

''(iv) to implement or maintain a system to notify an employer of an operator of a commercial motor vehicle of the suspension or revocation of the operator's commercial driver's license consistent with the standards developed under section 32303(b) of the Commercial Motor Vehicle Safety Enhancement Act of 2012 (49 U.S.C. 31304 note).

''(2) PRIORITY ACTIVITIES.—The Secretary may make a grant or cooperative agreement in a fiscal year to a State agency, local government, or any person for research, development or testing, demonstration projects, public education, or other special activities and projects relating to commercial driver's licensing and motor vehicle safety that—

''(A) benefit all jurisdictions of the United States;

''(B) address national safety concerns and circumstances;

''(C) address emerging issues relating to commercial driver's license improvements;

''(D) support innovative ideas and solutions to commercial driver's license program issues; or

''(E) address other commercial driver's license issues, as determined by the Secretary.

''(b) PROHIBITIONS.—A recipient may not use financial assistance funds awarded under this section to rent, lease, or buy land or buildings.

''(c) REPORT.—The Secretary shall issue an annual report on the activities carried out under this section.

''(d) APPORTIONMENT.—All amounts made available to carry out this section for a fiscal year shall be apportioned to a State or recipient described in subsection (a)(2) according to criteria prescribed by the Secretary.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—The table of contents of chapter 313 is amended by striking the item relating to section 31313 and inserting the following:

''31313. Commercial driver's license program implementation financial assistance program.''.

SEC. 32507. EXTENSION OF FEDERAL MOTOR CARRIER SAFETY PROGRAMS FOR FISCAL YEAR 2016.

(a) MOTOR CARRIER SAFETY ASSISTANCE PROGRAM GRANT EXTENSION.—Section 31104(a) is amended—

(1) in the matter preceding paragraph (1), by inserting ''and, for fiscal year 2016, sections 31102, 31107, and 31109 of this title and section 4128 of SAFETEA-LU (49 U.S.C. 31100 note)'' after ''31102'';

(2) in paragraph (9), by striking ''and'' at the end; and

(3) by striking paragraph (10) and inserting the following:

''(10) $218,000,000 for fiscal year 2015; and

''(11) '$259,000,000 for fiscal year 2016.''.

(b) EXTENSION OF GRANT PROGRAMS.—Section 4101(c) SAFETEA-LU (119 Stat. 1715; Public Law 109–59), is amended to read as follows:

''(c) GRANT PROGRAMS FUNDING.—There are authorized to be appropriated from the Highway Trust Fund the following sums for the following Federal Motor Carrier Safety Administration programs:

''(1) COMMERCIAL DRIVER'S LICENSE PROGRAM IMPROVEMENT GRANTS.—For carrying out the commercial driver's license program improvement grants program under section 31313 of title 49, United States Code, $30,000,000 for fiscal year 2016.

''(2) BORDER ENFORCEMENT GRANTS.—From amounts made available under section 31104(a) of title 49, United States Code, for border enforcement grants under section 31107 of that title, $32,000,000 for fiscal year 2016.

''(3) PERFORMANCE AND REGISTRATION INFORMATION SYSTEMS MANAGEMENT GRANT PROGRAMS.—From amounts made available under section 31104(a) of title 49, United States Code, for the performance and registration information systems management grant program under section 31109 of that title, $5,000,000 for fiscal year 2016.

''(4) COMMERCIAL VEHICLE INFORMATION SYSTEMS AND NETWORKS DEPLOYMENT.—For carrying out the commercial vehicle information systems and networks deployment program under section 4126 of this Act (the innovative technology deployment program), $25,000,000, for fiscal year 2016.

''(5) SAFETY DATA IMPROVEMENT GRANTS.—From amounts made available under section 31104(a) of title 49, United States Code, for safety data improvement grants under section 4128 of this Act, $3,000,000 for fiscal year 2016.''.

(c) HIGH-PRIORITY ACTIVITIES.—Section 31104(j)(2), as redesignated by section 32505 of this Act is amended by striking ''2015'' and inserting ''2016''.

(d) NEW ENTRANT AUDITS.—Section 31144(g)(5)(B) is amended to read as follows:

''(B) SET ASIDE.—The Secretary shall set aside from amounts made available by section 31104(a) up to $32,000,000 for fiscal year 2016 for audits of new entrant motor carriers conducted under this paragraph.''.

(e) GRANT PROGRAM FOR COMMERCIAL MOTOR VEHICLE OPERATORS.—Section 4134(c) of SAFETEA-LU (49 U.S.C. 31301 note) is amended to read as follows:

''(c) FUNDING.—From amounts made available under section 31110 of title 49, United States Code, the Secretary shall make available, $1,000,000 for fiscal year 2016 to carry out the commercial motor vehicle operators grant program.''.

(f) COMMERCIAL VEHICLE INFORMATION SYSTEMS AND NETWORKS DEPLOYMENT.—

(1) IN GENERAL.—Section 4126 of SAFETEA-LU (49 U.S.C. 31106 note; 119 Stat. 1738; Public Law 109–59) is amended—

(A) in subsection (c)—

(i) in paragraph (2), by adding at the end the following: ''Funds deobligated by the Secretary from previous year grants shall not be counted towards the $2,500,000 maximum aggregate amount for core deployment.''; and

(ii) in paragraph (3), by adding at the end the following: ''Funds may also be used for planning activities, including the development or updating of program or top level design plans.''; and

(B) in subsection (d)(4), by adding at the end the following: ''Funds may also be used for planning activities, including the development or updating of program or top level design plans.''.

(2) INNOVATIVE TECHNOLOGY DEPLOYMENT PROGRAM.—For fiscal year 2016, the commercial vehicle information systems and networks deployment program under section 4126 of SAFETEA-LU (119 Stat. 1738; Public Law 109—59) may also be referred to as the innovative technology deployment program.

SEC. 32508. MOTOR CARRIER SAFETY ASSISTANCE PROGRAM ALLOCATION.

(a) WORKING GROUP.—

(1) ESTABLISHMENT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish a motor carrier safety assistance program formula working group (referred to in this section as the ''working group''.

(2) MEMBERSHIP.—

(A) IN GENERAL.—Subject to subparagraph (B), the working group shall consist of representatives of the following:

(i) The Federal Motor Carrier Safety Administration.

(ii) The lead State commercial motor vehicle safety agencies responsible for administering the plan required by section 31102 of title 49, United States Code.

(iii) An organization representing State agencies responsible for enforcing a program for inspection of commercial motor vehicles.

(iv) Such other persons as the Secretary considers necessary.

(B) COMPOSITION.—Representatives of State commercial motor vehicle safety agencies shall comprise at least 51 percent of the membership.

(3) NEW ALLOCATION FORMULA.—The working group shall analyze requirements and factors for a new motor carrier safety assistance program allocation formula.

(4) RECOMMENDATION.—Not later than 1 year after the date the working group is established under paragraph (1), the working group shall make a recommendation to the Secretary regarding a new Motor Carrier Safety Assistance Program allocation formula.

(5) FACA EXEMPTION.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the working group established under this subsection.

(6) PUBLICATION.—The Administrator of the Federal Motor Carrier Safety Administration shall publish on a public website summaries of its meetings, and the final recommendation provided to the Secretary.

(b) NOTICE OF PROPOSED RULEMAKING.—After receiving the recommendation under subsection (a)(4), the Secretary shall publish in the Federal Register a notice seeking public comment on a new allocation formula for the motor carrier safety assistance program under section 31102 of title 49, United States Code.

(c) BASIS FOR FORMULA.—The Secretary shall ensure that the new allocation formula is based on factors that reflect, at a minimum—

(1) the relative needs of the States to comply with section 31102 of title 49, United States Code;

(2) the relative administrative capacities of and challenges faced by States in complying with section 31102 of title 49, United States Code;

(3) the average of each State's new entrant motor carrier inventory for the 3-year period prior to the date of enactment of this Act;

(4) the number of international border inspection facilities and border crossings by commercial vehicles in each State; and

(5) any other factors the Secretary considers appropriate.

(d) FUNDING AMOUNTS PRIOR TO DEVELOPMENT OF A NEW ALLOCATION FORMULA.—

(1) INTERIM FORMULA.—Prior to the development of the new allocation formula, the Secretary may calculate the interim funding amounts for the motor carrier safety assistance program in fiscal year 2017 (and later fiscal years, as necessary) under section 31104(a)(1) of title 49, United States Code, as amended by section 32502 of this Act, by the following methodology:

(A) The Secretary shall calculate the funding amount using the allocation formula the Secretary used to award motor carrier safety assistance program funding in fiscal year 2016 under section 2507 of this Act.

(B) The Secretary shall average the funding awarded or other equitable amounts to a State in fiscal years 2013, 2014, and 2015 for border enforcement grants awarded under section 32603(c) of MAP-21 (126 Stat. 807; Public Law 112—141) and new entrant audit grants awarded under that section, or other equitable amounts.

(C) The Secretary shall add the amounts calculated in subparagraphs (A) and (B).

(2) ADJUSTMENTS.—Subject to the availability of funding and notwithstanding fluctuations in the data elements used by the Secretary, the initial amounts resulting from the calculation described in paragraph (1) shall be adjusted to ensure that, for each State, the amount shall not be less than 97 percent of the average amount of funding received or other equitable amounts in fiscal years 2013, 2014, and 2015 for—

(A) motor carrier safety assistance program funds awarded under section 32603(a) of MAP-21 (126 Stat. 807; Public Law 112–141);

(B) border enforcement grants awarded under section 32603(a) of MAP-21 (126 Stat. 807; Public Law 112–141); and

(C) new entrant audit grants awarded under section 32603(a) of MAP-21 (126 Stat. 807; Public Law 112–141).

(3) IMMEDIATE RELIEF.—In developing the new allocation formula, the Secretary shall provide immediate relief for at least 3 fiscal years to all States currently subject to the withholding provisions of Motor Carrier Safety Assistance Program funds for matters of noncompliance.

(4) FUTURE WITHHOLDINGS.—Beginning on the date that the new allocation formula is implemented, the Secretary shall impose all future withholdings in accordance with section 31102(k) of title 49, United States Code, as amended by section 32502 of this Act.

(e) TERMINATION OF EFFECTIVENESS.—This section expires upon the implementation of a new Motor Carrier Safety Assistance Program Allocation Formula.

SEC. 32509. MAINTENANCE OF EFFORT CALCULATION.

(a) BEFORE NEW ALLOCATION FORMULA.—

(1) FISCAL YEAR 2017.—If a new allocation formula has not been established for fiscal year 2017, then, for fiscal year 2017, the Secretary of Transportation shall calculate the maintenance of effort required under section 31102(f) of title 49, United States Code, as amended by section 32502 of this Act, by averaging the expenditures for fiscal years 2004 and 2005 required by section 32601(a)(5) of MAP-21 (Public Law 112—141), as that section was in effect on the day before the date of enactment of this Act.

(2) SUBSEQUENT FISCAL YEARS.—The Secretary may use the methodology for calculating the maintenance of effort for fiscal year 2017 and each fiscal year thereafter if a new allocation formula has not been established.

(b) BEGINNING WITH NEW ALLOCATION FORMATION.—

(1) IN GENERAL.—Subject to paragraphs (2) and (3)(B), beginning on the date that a new allocation formula is established under section 2508, upon the request of a State, the Secretary may modify the baseline maintenance of effort required by section 31102(e) of title 49, United States Code, as amended by section 32502 of this Act, for the purpose of establishing a new baseline maintenance of effort if the Secretary determines that a waiver or modification—

(A) is equitable due to reasonable circumstances;

(B) will ensure the continuation of commercial motor vehicle enforcement activities in the State; and

(C) is necessary to ensure that the total amount of State maintenance of effort and matching expenditures required under sections 31102 and 31104 of title 49, United States Code, as amended by section 32502 of this Act, does not exceed a sum greater than the average of the total amount of State maintenance of effort and matching expenditures for the 3 fiscal years prior to the date of enactment of this Act.

(2) ADJUSTMENT METHODOLOGY.—If requested by a State, the Secretary may modify the maintenance of effort baseline according to the following methodology:

(A) The Secretary shall establish the maintenance of effort using the average of fiscal years 2004 and 2005, as required by section 32601(a)(5) of MAP-21 (Public Law 112—141).

(B) The Secretary shall calculate the average required match by a lead State commercial motor vehicle safety agency for fiscal years 2013, 2014, and 2015 for motor carrier safety assistance grants established at 20 percent by section 31103 of title 49, United States Code, as that section was in effect on the day before the date of enactment of this Act.

(C) The Secretary shall calculate the estimated match required under section 31104(b) of title 49, United States Code, as amended by section 32502 of this Act.

(D) The Secretary will subtract the amount in subparagraph (B) from the amount in subparagraph (C) and—

(i) if the number is greater than 0, then the Secretary shall subtract the number from the amount in subparagraph (A); or

(ii) if the number is not greater than 0, then the Secretary shall calculate the maintenance of effort using the methodology in subparagraph (A).

(3) MAINTENANCE OF EFFORT AMOUNT.—

(A) IN GENERAL.—The Secretary shall use the amount calculated in paragraph (2) as the baseline maintenance of effort required in section 31102(f) of title 49, United States Code, as amended by section 32502 of this Act.

(B) DEADLINE.—If a State does not request a waiver or modification under this subsection before September 30 during the first fiscal year that the Secretary implements the new allocation formula under section 32508, the Secretary shall calculate the maintenance of effort using the methodology in paragraph (2)(A) of this subsection.

(4) MAINTENANCE OF EFFORT DESCRIBED.—The maintenance of effort calculated under this section is the amount required under section 31102(f) of title 49, United States Code, as amended by section 32502 of this Act.

(c) TERMINATION OF EFFECTIVENESS.—The authority under this section terminates effective on the date that the new maintenance of effort is calculated based on the new allocation formula implemented under section 32508.

Subtitle F—Miscellaneous Provisions

SEC. 32601. WINDSHIELD TECHNOLOGY.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall revise the regulations in section 393.60(e) of title 49, Code of Federal Regulations (relating to the prohibition on obstructions to the driver's field of view) to exempt from that section the voluntary mounting on a windshield of vehicle safety technology likely to achieve a level of safety that is equivalent to or greater than the level of safety that would be achieved absent the exemption.

(b) DEFINITION OF VEHICLE SAFETY TECHNOLOGY.—In this section, ''vehicle safety technology'' includes fleet-related incident management system, performance or behavior management system, speed management system, lane departure warning system, forward collision warning or mitigation system, active cruise control system, and any other technology that the Secretary considers applicable.

(c) RULE OF CONSTRUCTION.—For purposes of this section, any windshield mounted technology with a short term exemption under part 381 of title 49, Code of Federal Regulations, on the day before the date of enactment of this Act, shall be considered likely to achieve a level of safety that is equivalent to or greater than the level of safety that would be achieved absent an exemption under subsection (a).

SEC. 32602. ELECTRONIC LOGGING DEVICES REQUIREMENTS.

Section 31137(b) is amended—

(1) in paragraph (1)(C), by striking ''apply to'' and inserting ''except as provided in paragraph (3), apply to''; and

(2) by adding at the end the following:

''(3) EXCEPTION.—A motor carrier, when transporting a motor home or recreation vehicle trailer within the definition of 'driveaway-towaway operation' (as defined in section 390.5 of title 49, Code of Federal Regulations) may comply with the hours of service requirements by requiring each driver to use—

''(A) a paper record of duty status form; or

''(B) an electronic logging device.''.

SEC. 32603. LAPSE OF REQUIRED FINANCIAL SECURITY; SUSPENSION OF REGISTRATION.

Section 13906(e) is amended by inserting ''or suspend'' after ''revoke''.

SEC. 32604. ACCESS TO NATIONAL DRIVER REGISTER.

Section 30305(b) is amended by adding at the end the following:

''(13) The Administrator of the Federal Motor Carrier Safety Administration may request the chief driver licensing official of a State to provide information under subsection (a) of this section about an individual in connection with a safety investigation under the Administrator's jurisdiction.''.

SEC. 32605. STUDY ON COMMERCIAL MOTOR VEHICLE DRIVER COMMUTING.

(a) EFFECTS OF COMMUTING.—The Administrator of the Federal Motor Carrier Safety Administration shall conduct a study of the effects of motor carrier operator commutes exceeding 150 minutes commuting time on safety and commercial motor vehicle driver fatigue.

(b) STUDY.—In conducting the study, the Administrator shall consider—

(1) the prevalence of driver commuting in the commercial motor vehicle industry, including the number and percentage of drivers who commute;

(2) the distances traveled, time zones crossed, time spent commuting, and methods of transportation used;

(3) research on the impact of excessive commuting on safety and commercial motor vehicle driver fatigue;

(4) the commuting practices of commercial motor vehicle drivers and policies of motor carriers;

(5) the Federal Motor Carrier Safety Administration regulations, policies, and guidance regarding driver commuting; and

(6) any other matters the Administrator considers appropriate.

(c) REPORT.—Not later than 18 months after the date of enactment of this Act, the Administrator shall submit to Congress a report containing the findings under the study and any recommendations for legislative action concerning driver commuting.

SEC. 32606. HOUSEHOLD GOODS CONSUMER PROTECTION WORKING GROUP.

(a) WORKING GROUP.—The Secretary shall establish a working group for the purpose of developing recommendations on how to best convey to inexperienced consumers the information such consumers need to know with respect to the Federal laws concerning the interstate transportation of household goods by motor carrier.

(b) MEMBERSHIP.—The Secretary shall ensure that the working group is comprised of individuals with expertise in consumer affairs, educators with expertise in how people learn most effectively, and representatives of the household goods moving industry.

(c) RECOMMENDATIONS.—

(1) CONTENTS.—The recommendations developed by the working group shall include, at a minimum, recommendations on—

(A) condensing publication ESA 03005 of the Federal Motor Carrier Safety Administration into a format that is more easily used by consumers;

(B) using state-of-the-art education techniques and technologies, including optimizing the use of the Internet as an educational tool; and

(C) reducing and simplifying the paperwork required of motor carriers and shippers in interstate transportation.

(2) DEADLINE.—Not later than one year after the date of enactment of this Act, the working group shall make the recommendations described in paragraph (1) which the Secretary shall publish on a public website.

(d) REPORT.—Not later than 1 year after the date on which the working group makes its recommendations, the Secretary shall issue a report to Congress on the implementation of such recommendations.

(e) FEDERAL ADVISORY COMMITTEE ACT EXEMPTION.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the working group established under this section.

(f) TERMINATION.—The working group shall terminate 2 years after the date of enactment of this Act.

SEC. 32607. INTERSTATE VAN OPERATIONS.

Section 4136 of SAFETEA-LU (Public Law 109–59; 119 Stat. 1745; 49 U.S.C. 3116 note) is amended by inserting ''with the exception of commuter vanpool operations, which shall remain exempt'' before the period at the end.

SEC. 32608. REPORT ON DESIGN AND IMPLEMENTATION OF WIRELESS ROADSIDE INSPECTION SYSTEMS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report regarding the design, development, testing, and implementation of wireless roadside inspection systems.

(b) ELEMENTS.—The report required under subsection (a) shall include a determination as to whether wireless roadside inspection systems—

(1) conflict with existing non-Federal electronic screening systems, or create capabilities already available;

(2) require additional statutory authority to incorporate generated inspection data into the safety measurement system or the safety fitness determinations program; and

(3) provide appropriate restrictions to specifically address privacy concerns of affected motor carriers and operators.

SEC. 32609. MOTORCOACH HOURS OF SERVICE STUDY.

(a) REQUIREMENT BEFORE IMPLEMENTING NEW RULES.—

(1) IN GENERAL.—The Secretary may not amend, adjust, or revise the driver hours of service regulations for motor carriers of passengers, by rulemaking or any other means, until the Secretary conducts a formal study that properly accounts for operational differences and variances in crash data for drivers in intercity motorcoach service and interstate property carrier operations and between segments of the intercity motorcoach industry.

(2) CONTENTS.—The study required under paragraph (1) shall include—

(A) the impact of the current hours of service regulations for motor carriers of passengers on fostering safe operation of intercity motorcoaches;

(B) the separation of the failures of the current passenger carrier hours-of-service regulations and the lack of enforcement of the current regulations by Federal and State agencies;

(C) the correlation of noncompliance with current passenger carrier hours of service rule to passenger carrier accidents using data from 2000 through 2013; and

(D) how passenger carrier crashes could have been mitigated by any changes to passenger carrier hours of service rules.

(b) EMERGENCY REGULATIONS.—Nothing in this section may be construed to affect the Secretary's existing authority to provide relief from the hours of service regulations in the event of an emergency under section 390.232 of title 49, Code of Federal Regulations.

SEC. 32610. GAO REVIEW OF SCHOOL BUS SAFETY.

Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit, to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives, a review of the following:

(1) Existing Federal and State rules and guidance, as of the date of the review, concerning school bus transportation of elementary school and secondary school students engaging in home-to-school transport or other transport determined by the Comptroller General to be a routine part of kindergarten through grade 12 education, including regulations and guidance regarding driver training programs, capacity requirements, programs for special needs students, inspection standards, vehicle age requirements, best practices, and public access to inspection results and crash records.

(2) Any correlation between public or private school bus fleet operators whose vehicles are involved in an accident as defined by section 390.5 of title 49, Code of Federal Regulations, and each of the following:

(A) A failure by those same operators of State or local safety inspections.

(B) The average age or odometer readings of the school buses in the fleets of such operators.

(C) Violations of Federal laws administered by the Department of Transportation, or of State law equivalents of such laws.

(D) Violations of State or local law relating to illegal passing of a school bus.

(3) A regulatory framework comparison of public and private school bus operations.

(4) Expert recommendations on best practices for safe and reliable school bus transportation, including driver training programs, inspection standards, school bus age and odometer reading maximums for retirement, the percentage of buses in a local bus fleet needed as spare buses, and capacity levels per school bus for different age groups.

SEC. 32611. USE OF HAIR TESTING FOR PREEMPLOYMENT AND RANDOM CONTROLLED SUBSTANCES TESTS.

(a) SHORT TITLE.—This section may be cited as the ''Drug Free Commercial Driver Act of 2015''.

(b) AUTHORIZATION OF HAIR TESTING AS AN ACCEPTABLE PROCEDURE FOR PREEMPLOYMENT AND RANDOM CONTROLLED SUBSTANCE TESTS.—Section 31306 is amended—

(1) in subsection (b)(1)—

(A) by redesignating subparagraph (B) as subparagraph (C); and

(B) in subparagraph (A), by striking ''The regulations shall permit such motor carriers to conduct preemployment testing of such employees for the use of alcohol.'' and inserting the following:

''(B) The regulations prescribed under subparagraph (A) shall permit motor carriers—

''(i) to conduct preemployment testing of commercial motor vehicle operators for the use of alcohol; and

''(ii) to use hair testing as an acceptable alternative to urinalysis—

''(I) in conducting preemployment screening for the use of a controlled substance; and

''(II) in conducting random screening for the use of a controlled substance by individuals who were subject to preemployment screening.''; and

(2) in subsection (c)(2)—

(A) in subparagraph (B), by striking ''and'' at the end;

(B) in subparagraph (C), by inserting ''and'' after the semicolon; and

(C) by adding at the end the following:

''(D) laboratory protocols and cut-off levels for hair testing to detect the use of a controlled substance;''.

(c) EXEMPTION FROM MANDATORY URINALYSIS.—

(1) IN GENERAL.—Any motor carrier that demonstrates, to the satisfaction of the Administrator of the Federal Motor Carrier Safety Administration, in consultation with the Department of Health and Human Services, that it can carry out an applicable hair testing program, consistent with generally accepted industry standards, to detect the use of a controlled substance by commercial motor vehicle operators, may apply to the Administrator for an exemption from the mandatory urinalysis testing requirements set forth in subpart C of part 382 of title 49, Code of Federal Regulations until a final rule is issued implementing the amendments made by subsection (b).

(2) EVALUATION OF APPLICATIONS.—

(A) IN GENERAL.—In evaluating applications for an exemption under paragraph (1), the Administrator, in consultation with the Department of Health and Human Services, shall determine if the applicant's testing program employs procedures and protections similar to fleets that have carried out hair testing programs for at least 1 year.

(B) REQUIREMENTS.—A testing program may not receive an exemption under paragraph (1) unless the applicable testing laboratories—

(i) have obtained laboratory accreditation specific to hair testing from an accrediting body, compliant with international or other Federal standards, as appropriate, such as the College of American Pathologists; and

(ii) utilize hair testing assays that have been cleared by the Food and Drug Administration under section 510(k) of the Federal Food, Drug and Cosmetic Act (21 U.S.C. 360(k)).

(3) DEADLINE FOR DECISIONS.—Not later than 90 days after receiving an application from a motor carrier under this subsection, the Administrator, in consultation with the Secretary of Health and Human Services, shall determine whether the motor carrier is exempt from the testing requirements described in paragraph (1).

(4) REPORTING REQUIREMENT.—Any motor carrier that is granted an exemption under paragraph (1) shall submit records to the national clearinghouse established under section 31306a of title 49, United States Code, relating to all positive test results and test refusals from the hair testing program described in that paragraph.

(d) GUIDELINES FOR HAIR TESTING.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Health and Human Services shall issue scientific and technical guidelines for hair testing as a method of detecting the use of a controlled substance for purposes of section 31306 of title 49, United States Code, as amended by subsection (b). When issuing the scientific and technical guidelines, the Secretary of Health and Human Services may consider differentiating between exposure to, and usage of, various controlled substances.

(e) ANNUAL REPORT TO CONGRESS.—The Secretary shall submit an annual report to Congress that—

(1) summarizes the results of preemployment and random drug testing using both hair testing and urinalysis;

(2) evaluates the efficacy of each method; and

(3) determines which method provides the most accurate means of detecting the use of controlled substances over time.

TITLE XXXIII—HAZARDOUS MATERIALS

SEC. 33101. ENDORSEMENTS.

(a) EXCLUSIONS.—Section 5117(d)(1) is amended—

(1) in subparagraph (B), by striking ''and'' at the end;

(2) in subparagraph (C), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(D) a service vehicle (as defined in section 33101 of the Comprehensive Transportation and Consumer Protection Act of 2015) carrying diesel fuel in quantities of 3,785 liters (1,000 gallons) or less that is—

''(i) driven by a class A commercial driver's license holder who is a custom harvester, an agricultural retailer, an agricultural business employee, an agricultural cooperative employee, or an agricultural producer; and

''(ii) clearly marked with a placard reading 'Diesel Fuel'.''.

(b) HAZARDOUS MATERIALS ENDORSEMENT EXEMPTION.—The Secretary shall exempt all class A commercial driver's license holders who are custom harvesters, agricultural retailers, agricultural business employees, agricultural cooperative employees, or agricultural producers from the requirement to obtain a hazardous materials endorsement under part 383 of title 49, Code of Federal Regulations, while operating a service vehicle carrying diesel fuel in quantities of 3,785 liters (1,000 gallons) or less if the tank containing such fuel is clearly marked with a placard reading ''Diesel Fuel''.

(c) DEFINITION OF SERVICE VEHICLE.—In this section, the term ''service vehicle'' means a vehicle carrying diesel fuel that will be deductible as a profit-seeking activity—

(1) under section 162 of the Internal Revenue Code of 1986 as a business expense; or

(2) under section 212 of the Internal Revenue Code of 1986 as a production of income expense.

SEC. 33102. ENHANCED REPORTING.

Section 5121(h) is amended by striking ''transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate'' and inserting ''post on the Department of Transportation public website''.

SEC. 33103. HAZARDOUS MATERIAL INFORMATION.

(a) DERAILMENT DATA.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall revise the form for reporting a rail equipment accident or incident under section 225.21 of title 49, Code of Federal Regulations (Form FRA F 6180.54, Rail Equipment Accident/Incident Report), including to its instructions, to require additional data concerning rail cars carrying crude oil or ethanol that are involved in a reportable rail equipment accident or incident under part 225 of that title.

(2) CONTENTS.—The data under subsection (a) shall include—

(A) the number of rail cars carrying crude oil or ethanol;

(B) the number of rail cars carrying crude oil or ethanol damaged or derailed; and

(C) the number of rail cars releasing crude oil or ethanol.

(3) DIFFERENTIATION.—The data described in paragraph (2) shall be reported separately for crude oil and for ethanol.

(b) DATABASE CONNECTIVITY.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall implement information management practices to ensure that the Pipeline and Hazardous Materials Safety Administration Hazardous Materials Incident Reports Database (referred to in this section as ''Incident Reports Database'') and the Federal Railroad Administration Railroad Safety Information System contain accurate and consistent data on a reportable rail equipment accident or incident under part 225 of title 49, Code of Federal Regulations, involving the release of hazardous materials.

(2) IDENTIFIERS.—The Secretary shall ensure that the Incident Reports Database uses a searchable Federal Railroad Administration report number, or other applicable unique identifier that is linked to the Federal Railroad Safety Information System, for each reportable rail equipment accident or incident under part 225 of title 49, Code of Federal Regulations, involving the release of hazardous materials.

(c) EVALUATION.—

(1) IN GENERAL.—The Department of Transportation Inspector General shall—

(A) evaluate the accuracy of information in the Incident Reports Database, including determining whether any inaccuracies exist in—

(i) the type of hazardous materials released;

(ii) the quantity of hazardous materials released;

(iii) the location of hazardous materials released;

(iv) the damages or effects of hazardous materials released; and

(v) any other data contained in the database; and

(B) considering the requirements in subsection (b), evaluate the consistency and accuracy of data involving accidents or incidents reportable to both the Pipeline and Hazardous Materials Safety Administration and the Federal Railroad Administration, including whether the Incident Reports Database uses a searchable identifier described in subsection (b)(2).

(2) REPORT.—Not later than 18 months after the date of enactment of this Act, the

Department of Transportation Inspector General shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report of the findings under subparagraphs (A) and (B) of paragraph (1) and recommendations for resolving any inconsistencies or inaccuracies.

(d) SAVINGS CLAUSE.—Nothing in this section may be construed to prohibit the Secretary from requiring other commodity-specific information for any reportable rail equipment accident or incident under part 225 of title 49, Code of Federal Regulations.

SEC. 33104. NATIONAL EMERGENCY AND DISASTER RESPONSE.

(a) PURPOSE.—Section 5101 is amended by inserting and ''and to facilitate the safe movement of hazardous materials during national emergencies'' after ''commerce''.

(b) GENERAL REGULATORY AUTHORITY.—Section 5103 is amended—

(1) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

(2) by inserting after subsection (b) the following:

''(c) FEDERALLY DECLARED DISASTER AND EMERGENCY AREAS.—The Secretary, in consultation with the Secretary of Homeland Security, may prescribe standards to facilitate the safe movement of hazardous materials into, from, and within a federally declared disaster area or a national emergency area.''.

SEC. 33105. AUTHORIZATION OF APPROPRIATIONS.

Section 5128 is amended to read as follows:

''§ 5128. Authorization of appropriations

''(a) IN GENERAL.—There are authorized to be appropriated to the Secretary to carry out this chapter (except sections 5107(e), 5108(g)(2), 5113, 5115, 5116, and 5119)—

''(1) $43,660,000 for fiscal year 2016;

''(2) $44,577,000 for fiscal year 2017;

''(3) $45,513,000 for fiscal year 2018;

''(4) $46,469,000 for fiscal year 2019;

''(5) $47,445,000 for fiscal year 2020; and

''(6) $48,441,000 for fiscal year 2021.

''(b) HAZARDOUS MATERIALS EMERGENCY PREPAREDNESS FUND.—From the Hazardous Materials Emergency Preparedness Fund established under section 5116(i), the Secretary may expend, during each of fiscal years 2016 through 2021—

''(1) $188,000 to carry out section 5115;

''(2) $21,800,000 to carry out subsections (a) and (b) of section 5116, of which not less than $13,650,000 shall be available to carry out section 5116(b);

''(3) $150,000 to carry out section 5116(f);

''(4) $625,000 to publish and distribute the Emergency Response Guidebook under section 5116(i)(3); and

''(5) $1,000,000 to carry out section 5116(j).

''(c) HAZARDOUS MATERIALS TRAINING GRANTS.—From the Hazardous Materials Emergency Preparedness Fund established pursuant to section 5116(i), the Secretary may expend $4,000,000 for each of the fiscal years 2016 through 2021 to carry out section 5107(e).

''(d) CREDITS TO APPROPRIATIONS.—

''(1) EXPENSES.—In addition to amounts otherwise made available to carry out this chapter, the Secretary may credit amounts received from a State, Indian tribe, or other public authority or private entity for expenses the Secretary incurs in providing training to the State, authority, or entity.

''(2) AVAILABILITY OF AMOUNTS.—Amounts made available under this section shall remain available until expended.''.

TITLE XXXIV—HIGHWAY AND MOTOR VEHICLE SAFETY

Subtitle A—Highway Traffic Safety

PART I—HIGHWAY SAFETY

SEC. 34101. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—The following sums are authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account):

(1) HIGHWAY SAFETY PROGRAMS.—For carrying out section 402 of title 23, United States Code—

(A) $243,526,500 for fiscal year 2016;

(B) $252,267,972 for fiscal year 2017;

(C) $261,229,288 for fiscal year 2018;

(D) $270,415,429 for fiscal year 2019;

(E) $279,831,482 for fiscal year 2020; and

(F) $289,482,646 for fiscal year 2021.

(2) HIGHWAY SAFETY RESEARCH AND DEVELOPMENT.—For carrying out section 403 of title 23, United States Code—

(A) $137,835,000 for fiscal year 2016;

(B) $140,729,535 for fiscal year 2017;

(C) $143,684,855 for fiscal year 2018;

(D) $146,702,237 for fiscal year 2019;

(E) $149,782,984 for fiscal year 2020; and

(F) $152,928,427 for fiscal year 2021.

(3) NATIONAL PRIORITY SAFETY PROGRAMS.—For carrying out section 405 of title 23, United States Code—

(A) $274,720,000 for fiscal year 2016;

(B) $277,467,200 for fiscal year 2017;

(C) $280,241,872 for fiscal year 2018;

(D) $283,044,291 for fiscal year 2019;

(E) $285,874,734 for fiscal year 2020; and

(F) $288,733,481 for fiscal year 2021.

(4) NATIONAL DRIVER REGISTER.—For the National Highway Traffic Safety Administration to carry out chapter 303 of title 49, United States Code—

(A) $5,105,000 for fiscal year 2016;

(B) $5,212,205 for fiscal year 2017;

(C) $5,321,661 for fiscal year 2018;

(D) $5,433,416 for fiscal year 2019;

(E) $5,547,518 for fiscal year 2020; and

(F) $5,664,016 for fiscal year 2021.

(5) HIGH VISIBILITY ENFORCEMENT PROGRAM.—For carrying out section 2009 of SAFETEA–LU (23 U.S.C. 402 note)—

(A) $29,290,000 for fiscal year 2016;

(B) $29,582,900 for fiscal year 2017;

(C) $29,878,729 for fiscal year 2018;

(D) $30,177,516 for fiscal year 2019;

(E) $30,479,291 for fiscal year 2020; and

(F) $30,784,084 for fiscal year 2021.

(6) ADMINISTRATIVE EXPENSES.—For administrative and related operating expenses of the National Highway Traffic Safety Administration in carrying out chapter 4 of title 23, United States Code, and this subtitle—

(A) $25,755,000 for fiscal year 2016;

(B) $26,012,550 for fiscal year 2017;

(C) $26,272,676 for fiscal year 2018;

(D) $26,535,402 for fiscal year 2019;

(E) $26,800,756 for fiscal year 2020; and

(F) $27,068,764 for fiscal year 2021.

(b) PROHIBITION ON OTHER USES.—Except as otherwise provided in chapter 4 of title 23, United States Code, in this subtitle, and in the amendments made by this subtitle, the amounts made available from the Highway Trust Fund (other than the Mass Transit Account) for a program under such chapter—

(1) shall only be used to carry out such program; and

(2) may not be used by States or local governments for construction purposes.

(c) APPLICABILITY OF TITLE 23.—Except as otherwise provided in chapter 4 of title 23, United States Code, and in this subtitle, amounts made available under subsection (a) for fiscal years 2016 through 2021 shall be available for obligation in the same manner as if such funds were apportioned under chapter 1 of title 23, United States Code.

(d) REGULATORY AUTHORITY.—Grants awarded under this subtitle shall be in accordance with regulations issued by the Secretary.

(e) STATE MATCHING REQUIREMENTS.—If a grant awarded under this subtitle requires a State to share in the cost, the aggregate of all expenditures for highway safety activities made during any fiscal year by the State and its political subdivisions (exclusive of Federal funds) for carrying out the grant (other than planning and administration) shall be available for the purpose of crediting the State during such fiscal year for the non-Federal share of the cost of any project under this subtitle (other than planning or administration) without regard to whether such expenditures were actually made in connection with such project.

(f) GRANT APPLICATION AND DEADLINE.—To receive a grant under this subtitle, a State shall submit an application, and the Secretary shall establish a single deadline for such applications to enable the award of grants early in the next fiscal year.

(g) TRANSFERS.—Section 405(a)(1)(G) of title 23, United States Code, is amended to read as follows:

''(G) TRANSFERS.—Notwithstanding subparagraphs (A) through (F), the Secretary shall reallocate, before the last day of any fiscal year, any amounts remaining available of the amounts allocated to carry out any of the activities described in subsections (b) through (g) to increase the amount made available to carry out section 402, in order to ensure, to the maximum extent possible, that all such amounts are obligated during such fiscal year.''.

SEC. 34102. HIGHWAY SAFETY PROGRAMS.

(a) RESTRICTION.—Section 402(g) of title 23, United States Code, is amended to read as follows:

''(g) RESTRICTION.—Nothing in this section may be construed to authorize the appropriation or expenditure of funds for highway construction, maintenance, or design (other than design of safety features of highways to be incorporated into guidelines).''.

(b) USE OF FUNDS.—

(1) HIGHWAY SAFETY PROGRAMS.—Section 402(c)(2) of title 23, United States Code, is amended by inserting ''A State may provide the funds apportioned under this section to a political subdivision of a State, including Indian tribal governments.'' after ''neighboring States.''.

(2) NATIONAL PRIORITY SAFETY PROGRAMS.—Section 405(a)(1) is amended by adding at the end the following:

''(I) POLITICAL SUBDIVISIONS.—A State may provide the funds awarded under this section to a political subdivision of a State, including Indian tribal governments.''.

(c) TRACKING PROCESS.—Section 412 of title 23, United States Code, is amended by adding at the end the following:

''(f) TRACKING PROCESS.—The Secretary shall develop a process to identify and mitigate possible systemic issues across States and regional offices by reviewing oversight findings and recommended actions identified in triennial State management reviews.''.

(d) HIGHWAY SAFETY PLANS.—Section 402(k)(5)(A) of title 23, United States Code, is amended by striking ''60'' and inserting ''30''.

(e) MAINTENANCE OF EFFORT.—Section 405(a)(1)(H) of title 23, United States Code, is amended to read as follows:

''(H) MAINTENANCE OF EFFORT CERTIFICATION.—As part of the grant application required in section 402(k)(3)(F), a State receiving a grant in any fiscal year under subsection (b), subsection (c), or subsection (d)

of this section shall provide certification that the lead State agency responsible for programs described in any of those sections is maintaining aggregate expenditures at or above the average level of such expenditures in the 2 fiscal years prior to the date of enactment of the Comprehensive Transportation and Consumer Protection Act of 2015.''.

SEC. 34103. GRANTS FOR ALCOHOL-IGNITION INTERLOCK LAWS AND 24–7 SOBRIETY PROGRAMS.

Section 405(d) of title 23, United States Code, is amended—

(1) in paragraph (6)—

(A) by amending the heading to read as follows: ''ADDITIONAL GRANTS.—'';

(B) in subparagraph (A), by amending the heading to read as follows: ''GRANTS TO STATES WITH ALCOHOL-IGNITION INTERLOCK LAWS.—'';

(C) by redesignating subparagraphs (B) through (D) as subparagraphs (C) through (E), respectively;

(D) by inserting after subparagraph (A), the following:

''(B) GRANTS TO STATES WITH 24–7 SOBRIETY PROGRAMS.—The Secretary shall make a separate grant under this subsection to each State that—

''(i) adopts and is enforcing a law that requires all individuals convicted of driving under the influence of alcohol or of driving while intoxicated to receive a restriction on driving privileges; and

''(ii) provides a 24–7 sobriety program.'';

(E) in subparagraph (C), as redesignated, by inserting ''and subparagraph (B)'' after ''subparagraph (A)'';

(F) in subparagraph (D), as redesignated, by inserting ''and subparagraph (B)'' after ''subparagraph (A)'';

(G) by amending subparagraph (E), as redesignated, to read as follows:

''(E) FUNDING.—

''(i) FUNDING FOR GRANTS TO STATES WITH ALCOHOL-IGNITION INTERLOCK LAWS.—Not more than 12 percent of the amounts made available to carry out this subsection in a fiscal year shall be made available by the Secretary for making grants under subparagraph (A).

''(ii) FUNDING FOR GRANTS TO STATES WITH 24–7 SOBRIETY PROGRAMS.—Not more than 3 percent of the amounts made available to carry out this subsection in a fiscal year shall be made available by the Secretary for making grants under subparagraph (B).''; and

(H) by adding at the end the following:

''(F) EXCEPTIONS.—A State alcohol-ignition interlock law under subparagraph (A) may include exceptions for the following circumstances:

''(i) The individual is required to operate an employer's motor vehicle in the course and scope of employment and the business entity that owns the vehicle is not owned or controlled by the individual.

''(ii) The individual is certified by a medical doctor as being unable to provide a deep lung breath sample for analysis by an ignition interlock device.''; and

(2) in paragraph (7)(A)—

(A) in the matter preceding clause (i)—

(i) by striking ''or a State agency'' and inserting ''or an agency with jurisdiction''; and

(ii) by inserting ''bond,'' before ''sentence'';

(B) in clause (i), by striking ''who plead guilty or'' and inserting ''who was arrested, plead guilty, or''; and

(C) in clause (ii), by inserting ''at an in-person testing location'' after ''per day''.

SEC. 34104. REPEAT OFFENDER CRITERIA.

Section 164(a) of title 23, United States Code, is amended—

(1) by redesignating paragraphs (1) through (4) as paragraphs (2) through (5), respectively;

(2) by inserting before paragraph (2), as redesignated, the following:

''(1) 24–7 SOBRIETY PROGRAM.—The term '24–7 sobriety program' has the meaning given the term in section 405(d)(7)(A).'';

(3) in paragraph (5), as redesignated—

(A) in the matter preceding subparagraph (A), by inserting ''or combination of laws or programs'' after ''State law''; and

(B) by amending subparagraph (A) to read as follows:

''(A) receive, for a period of not less than 1 year—

''(i) a suspension of all driving privileges;

''(ii) a restriction on driving privileges that limits the individual to operating only motor vehicles with an ignition interlock device installed, unless a special exception applies;

''(iii) a restriction on driving privileges that limits the individual to operating motor vehicles only if participating in, and complying with, a 24-7 sobriety program; or

''(iv) any combination of clauses (i) through (iii);'';

(C) by striking subparagraph (B);

(D) by redesignating subparagraphs (C) and (D) as subparagraphs (B) and (C), respectively; and

(E) in subparagraph (C), as redesignated—

(i) in clause (i)—

(I) in subclause (I), by striking ''; or'' and inserting a semicolon;

(II) in subclause (II), by striking ''; and''; and inserting ''; or''; and

(III) by adding at the end the following:

''(III) the State certifies that the general practice is that such an individual will be incarcerated; and''; and

(ii) in clause (ii)—

(I) in subclause (I), by striking ''; or'' and inserting a semicolon;

(II) in subclause (II), by striking ''; and''; and inserting ''; or''; and

(III) by adding at the end the following:

''(III) the State certifies that the general practice is that such an individual will receive approximately 10 days of incarceration.''; and

(4) by adding at the end—

''(6) SPECIAL EXCEPTION.—The term 'special exception' means an exception under a State alcohol-ignition interlock law for the following circumstances:

''(A) The individual is required to operate an employer's motor vehicle in the course and scope of employment and the business entity that owns the vehicle is not owned or controlled by the individual.

''(B) The individual is certified by a medical doctor as being unable to provide a deep lung breath sample for analysis by an ignition interlock device.''.

SEC. 34105. STUDY ON THE NATIONAL ROADSIDE SURVEY OF ALCOHOL AND DRUG USE BY DRIVERS.

Not later than 180 days after the date that the Comptroller General reviews and reports on the overall value of the National Roadside Survey to researchers and other public safety stakeholders, the differences between a National Roadside Survey site and typical law enforcement checkpoints, and the effectiveness of the National Roadside Survey methodology at protecting the privacy of the driving public, as requested by the Committee on Appropriations of the Senate on June 5, 2014 (Senate Report 113–182), the Secretary shall report to Congress on the National Highway Traffic Safety Administration's progress toward reviewing that report and implementing any recommendations made in that report.

SEC. 34106. INCREASING PUBLIC AWARENESS OF THE DANGERS OF DRUG-IMPAIRED DRIVING.

(a) ADDITIONAL ACTIONS.—The Administrator of the National Highway Traffic Safety Administration, in consultation with the White House Office of National Drug Control Policy, the Secretary of Health and Human Services, State highway safety offices, and other interested parties, as determined by the Administrator, shall identify and carry out additional actions that should be undertaken by the Administration to assist States in their efforts to increase public awareness of the dangers of drug-impaired driving, including the dangers of driving while under the influence of heroin or prescription opioids.

(b) REPORT.—Not later than 60 days after the date of enactment of this Act, the Administrator shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that describes the additional actions undertaken by the Administration pursuant to subsection (a).

SEC. 34107. IMPROVEMENT OF DATA COLLECTION ON CHILD OCCUPANTS IN VEHICLE CRASHES.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall revise the crash investigation data collection system of the National Highway Traffic Safety Administration to include the collection of the following data in connection with vehicle crashes whenever a child restraint system was in use in a vehicle involved in a crash:

(1) The type or types of child restraint systems in use during the crash in any vehicle involved in the crash, including whether a five-point harness or belt-positioning booster.

(2) If a five-point harness child restraint system was in use during the crash, whether the child restraint system was forward-facing or rear-facing in the vehicle concerned.

(b) CONSULTATION.—In implementing subsection (a), the Secretary shall work with law enforcement officials, safety advocates, the medical community, and research organizations to improve the recordation of data described in subsection (a) in police and other applicable incident reports.

(c) REPORT.—Not later than 3 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on child occupant crash data collection in the crash investigation data collection system of the National Highway Traffic Safety Administration pursuant to the revision required by subsection (a).

PART II—STOP MOTORCYCLE CHECKPOINT FUNDING ACT

SEC. 34121. SHORT TITLE.

This part may be cited as the ''Stop Motorcycle Checkpoint Funding Act''.

SEC. 34122. GRANT RESTRICTION.

Notwithstanding section 153 of title 23, United States Code, the Secretary may not provide a grant or any funds to a State, county, town, township, Indian tribe, municipality, or other local government that may be used for any program—

(1) to check helmet usage; or

(2) to create checkpoints that specifically target motorcycle operators or motorcycle passengers.

PART III—IMPROVING DRIVER SAFETY ACT OF 2015

SEC. 34131. SHORT TITLE.

This part may be cited as the ''Improving Driver Safety Act of 2015''.

SEC. 34132. DISTRACTED DRIVING INCENTIVE GRANTS.

Section 405(e) of title 23, United States Code, is amended—

(1) in paragraph (1), by inserting ''includes distracted driving issues as part of the State's driver's license examination and'' after ''any State that'';

(2) in paragraph (2)—

(A) in subparagraph (B), by striking ''and'' at the end;

(B) by amending subparagraph (C) to read as follows:

''(C) establishes a minimum fine for a violation of the statute; and''; and

(C) by adding at the end the following:

''(D) does not provide for an exception that specifically allows a driver to use a personal wireless communications device for texting while stopped in traffic.'';

(3) in paragraph (3)—

(A) by amending subparagraph (A) to read as follows:

''(A) prohibits the use of a personal wireless communications device while driving for drivers—

''(i) younger than 18 years of age; or

''(ii) in the learner's permit and intermediate license stages;''; and

(B) by striking subparagraphs (C) and (D) and inserting the following:

''(C) establishes a minimum fine for a violation of the statute; and

''(D) does not provide for an exception that specifically allows a driver to text through a personal wireless communications device while stopped in traffic.''; and

(4) in paragraph (4)—

(A) in subparagraph (B)(ii), by striking ''and'' at the end;

(B) in subparagraph (C)—

(i) by striking ''section 31152'' and inserting ''section 31136''; and

(ii) by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(D) any additional exceptions determined by the Secretary through the rulemaking process.'';

(5) by amending paragraph (6) to read as follows:

''(6) ADDITIONAL DISTRACTED DRIVING GRANTS.—

''(A) IN GENERAL.—Notwithstanding paragraph (1), the Secretary shall use up to 50 percent of the amounts available for grants under this subsection to award grants to any State that—

''(i) in fiscal year 2017—

''(I) certifies that it has enacted a basic text messaging statute that—

''(aa) is applicable to drivers of all ages; and

''(bb) makes violation of the basic text messaging statute a primary offense or secondary enforcement action as allowed by State statute; and

''(II) is otherwise ineligible for a grant under this subsection; and

''(ii) in fiscal year 2018—

''(I) meets the requirements under clause (i);

''(II) imposes fines for violations; and

''(III) has a statute that prohibits drivers who are younger than 18 years of age from using a personal wireless communications device while driving.

''(B) USE OF GRANT FUNDS.—

''(i) IN GENERAL.—Notwithstanding paragraph (5) and subject to clauses (ii) and (iii) of this subparagraph, amounts received by a State under subparagraph (A) may be used for activities related to the enforcement of distracted driving laws, including for public information and awareness purposes.

''(ii) FISCAL YEAR 2017.—In fiscal year 2017, up to 15 percent of the amounts received by a State under subparagraph (A) may be used for any eligible project or activity under section 402.

''(iii) FISCAL YEAR 2018.—In fiscal year 2018, up to 25 percent of the amounts received by a State under subparagraph (A) may be used for any eligible project or activity under section 402.''; and

(6) in paragraph (9)(A)(i), by striking '', including operation while temporarily stationary because of traffic, a traffic light or stop sign, or otherwise''.

SEC. 34133. BARRIERS TO DATA COLLECTION REPORT.

Not later than 180 days after the date of the enactment of this Act, the Administrator of the National Highway Traffic Safety Administration shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Energy and Commerce of the House of Representatives, and the Committee on Transportation and Infrastructure of the House of Representatives that—

(1) identifies any legal and technical barriers to capturing adequate data on the prevalence of the use of wireless communications devices while driving; and

(2) provides recommendations on how to address such barriers.

SEC. 34134. MINIMUM REQUIREMENTS FOR STATE GRADUATED DRIVER LICENSING INCENTIVE GRANT PROGRAM.

Section 405(g)(2) of title 23, United States Code, is amended—

(1) in subparagraph (A), by striking ''21'' and inserting ''18''; and

(2) by amending subparagraph (B) to read as follows:

''(B) LICENSING PROCESS.—A State is in compliance with the 2-stage licensing process described in this subparagraph if the State's driver's license laws include—

''(i) a learner's permit stage that—

''(I) is at least 6 months in duration;

''(II) contains a prohibition on the driver using a personal wireless communications device (as defined in subsection (e)) while driving except under an exception permitted under paragraph (4) of that subsection, and makes a violation of the prohibition a primary offense;

''(III) requires applicants to successfully pass a vision and knowledge assessment prior to receiving a learner's permit;

''(IV) requires that the driver be accompanied and supervised at all times while the driver is operating a motor vehicle by a licensed driver who is at least 21 years of age or is a State-certified driving instructor;

''(V) has a requirement that the driver—

''(aa) complete a State-certified driver education or training course; or

''(bb) obtain at least 50 hours of behind-the-wheel training, with at least 10 hours at night, with a licensed driver;

''(VI) remains in effect until the driver—

''(aa) reaches 16 years of age and enters the intermediate stage; or

''(bb) reaches 18 years of age;

''(ii) an intermediate stage that—

''(I) commences immediately after the expiration of the learner's permit stage and successful completion of a driving skills assessment;

''(II) is at least 6 months in duration;

''(III) prohibits the driver from using a personal wireless communications device (as defined in subsection (e)) while driving except under an exception permitted under paragraph (4) of that subsection, and makes a violation of the prohibition a primary offense;

''(IV) for the first 6 month of the intermediate stage, restricts driving at night between the hours of 10:00 p.m. and 5:00 a.m. when not supervised by a licensed driver 21 years of age or older, excluding transportation to work, school, religious activities, or emergencies;

''(V) prohibits the driver from operating a motor vehicle with more than 1 nonfamilial passenger younger than 21 years of age unless a licensed driver who is at least 21 years of age is in the motor vehicle; and

''(VI) remains in effect until the driver reaches 17 years of age; and

''(iii) a learner's permit and intermediate stage that require, in addition to any other penalties imposed by State law, the granting of an unrestricted driver's license be automatically delayed for any individual who, during the learner's permit or intermediate stage, is convicted of a driving-related offense during the first 6 months, including—

''(I) driving while intoxicated;

''(II) misrepresentation of the individual's age;

''(III) reckless driving;

''(IV) driving without wearing a seat belt;

''(V) speeding; or

''(VI) any other driving-related offense, as determined by the Secretary.''.

PART IV—TECHNICAL AND CONFORMING AMENDMENTS

SEC. 34141. TECHNICAL CORRECTIONS TO THE MOTOR VEHICLE AND HIGHWAY SAFETY IMPROVEMENT ACT OF 2012.

(a) HIGHWAY SAFETY PROGRAMS.—Section 402 of title 23, United States Code is amended—

(1) in subsection (b)(1)(C), by striking ''except as provided in paragraph (3),'';

(2) in subsection (b)(1)(E)—

(A) by striking ''in which a State'' and inserting ''for which a State''; and

(B) by striking ''subsection (f)'' and inserting ''subsection (k)''; and

(3) in subsection (k)(4), by striking ''paragraph (2)(A)'' and inserting ''paragraph (3)(A)''.

(b) HIGHWAY SAFETY RESEARCH AND DEVELOPMENT.—Section 403(e) of title 23, United States Code is amended by inserting ''of title 49'' after ''chapter 301''.

(c) NATIONAL PRIORITY SAFETY PROGRAMS.—Section 405 of title 23, United States Code is amended—

(1) in subsection (d)(5), by striking ''section 402(c)'' and inserting ''section 402''; and

(2) in subsection (f)(4)(A)(iv), by striking ''developed under subsection (g)''.

Subtitle B—Vehicle Safety

SEC. 34201. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—Subject to subsection (b), there is authorized to be appropriated to the Secretary to carry out chapter 301 of title 49, and part C of subtitle VI of title 49, United States Code, amounts as follows:

(1) $132,730,000 for fiscal year 2016.

(2) $135,517,330 for fiscal year 2017.

(3) $138,363,194 for fiscal year 2018.

(4) $141,268,821 for fiscal year 2019.

(5) $144,235,466 for fiscal year 2020.

(6) $147,264,411 for fiscal year 2021.

(b) ADDITIONAL AUTHORIZATION OF APPROPRIATIONS IF A CERTIFICATION IS MADE.—

(1) IN GENERAL.—In addition to the amounts authorized to be appropriated under subsection (a) to carry out chapter 301 of title 49, and part C of subtitle VI of title 49, United States Code, if the certification described in paragraph (2) is made during a fiscal year there is authorized to be appropriated to the Secretary for that purpose for that fiscal year and subsequent fiscal years an additional amount as follows:

(A) $46,270,000 for fiscal year 2016.
(B) $51,537,670 for fiscal year 2017.
(C) $57,296,336 for fiscal year 2018.
(D) $62,999,728 for fiscal year 2019.
(E) $69,837,974 for fiscal year 2020.
(F) $76,656,407 for fiscal year 2021.

(2) CERTIFICATION DESCRIBED.—The certification described in this paragraph is a certification made by the Secretary and submitted to Congress that the National Highway Traffic Safety Administration has implemented all of the recommendations in the Office of Inspector General Audit Report issued June 18, 2015 (ST-2015-063). As part of the certification, the Secretary shall review the actions the National Highway Traffic Safety Administration has taken to implement the recommendations and issue a report to Congress detailing how the recommendations were implemented. The Secretary shall not delegate or assign the responsibility under this paragraph.

SEC. 34202. INSPECTOR GENERAL RECOMMENDATIONS.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, and periodically thereafter until the completion date, the Department of Transportation Inspector General shall report to the appropriate committees of Congress on whether and what progress has been made to implement the recommendations in the Office of Inspector General Audit Report issued June 18, 2015 (ST-2015-063).

(b) IMPLEMENTATION PROGRESS.—The Administrator of the National Highway Traffic Safety Administration shall—

(1) not later than 90 days after the date of enactment of this Act, and periodically thereafter until the completion date, provide a briefing to the appropriate committees of Congress on the actions the Administrator has taken to implement the recommendations in the audit report described in subsection (a), including a plan for implementing any remaining recommendations; and

(2) not later than 1 year after the date of enactment of this Act, issue a final report to the appropriate committees of Congress on the implementation of all of the recommendations in the audit report described in subsection (a).

(c) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives.

(2) COMPLETION DATE.—The term ''completion date'' means the date that the National Highway Traffic Safety Administration has implemented all of the recommendations in the Office of Inspector General Audit Report issued June 18, 2015 (ST-2015-063).

SEC. 34203. IMPROVEMENTS IN AVAILABILITY OF RECALL INFORMATION.

(a) VEHICLE RECALL INFORMATION.—Not later than 2 years after the date of enactment of this Act, the Secretary shall implement current information technology, web design trends, and best practices that will help ensure that motor vehicle safety recall information available to the public on the Federal website is readily accessible and easy to use, including—

(1) by improving the organization, availability, readability, and functionality of the website;

(2) by accommodating high-traffic volume; and

(3) by establishing best practices for scheduling routine website maintenance.

(b) GOVERNMENT ACCOUNTABILITY OFFICE PUBLIC AWARENESS REPORT.—

(1) IN GENERAL.—The Comptroller General shall study the current use by consumers, dealers, and manufacturers of the safety recall information made available to the public, including the usability and content of the Federal and manufacturers' websites and the National Highway Traffic Safety Administration's efforts to publicize and educate consumers about safety recall information.

(2) REPORT.—Not later than 2 years after the date of enactment of this Act, the Comptroller General shall issue a report with the findings of the study under paragraph (1), including recommending any actions the Secretary can take to improve public awareness and use of the websites for safety recall information.

(c) PROMOTION OF PUBLIC AWARENESS.—Section 31301(c) of the Moving Ahead for Progress in the 21st Century Act (49 U.S.C. 30166 note) is amended to read as follows:

''(c) PROMOTION OF PUBLIC AWARENESS.—The Secretary shall improve public awareness of safety recall information made publicly available by periodically updating the method of conveying that information to consumers, dealers, and manufacturers, such as through public service announcements.''.

(d) CONSUMER GUIDANCE.—Not later than 1 year after the date of enactment of this Act, the Secretary shall make available to the public on the Internet detailed guidance for consumers submitting safety complaints, including—

(1) a detailed explanation of what information a consumer should include in a complaint; and

(2) a detailed explanation of the possible actions the National Highway Traffic Safety Administration can take to address a complaint and respond to the consumer, including information on—

(A) the consumer records, such as photographs and police reports, that could assist with an investigation; and

(B) the length of time a consumer should retain the records described in subparagraph (A).

(e) VIN SEARCH.—

(1) IN GENERAL.—The Secretary, in coordination with industry, including manufacturers and dealers, shall study—

(A) the feasibility of searching multiple vehicle identification numbers at a time to retrieve motor vehicle safety recall information; and

(B) the feasibility of making the search mechanism described under subparagraph (A) publicly available.

(2) CONSIDERATIONS.—In conducting the study under paragraph (1), the Secretary shall consider the potential costs, and potential risks to privacy and security in implementing such a search mechanism.

SEC. 34204. RECALL PROCESS.

(a) NOTIFICATION IMPROVEMENT.—

(1) IN GENERAL.—Not later than 270 days after the date of enactment of this Act, the Secretary shall prescribe a final rule revising the regulations under section 577.7 of title 49, Code of Federal Regulations, to include notification by electronic means in addition to notification by first class mail.

(2) DEFINITION OF ELECTRONIC MEANS.—In this subsection, the term ''electronic means'' includes electronic mail and may include such other means of electronic notification, such as social media or targeted online campaigns, as determined by the Secretary.

(b) NOTIFICATION BY MANUFACTURER.—Section 30118(c) is amended by inserting ''or electronic mail'' after ''certified mail''.

(c) RECALL COMPLETION RATES REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and biennially thereafter for 4 years, the Secretary shall—

(A) conduct an analysis of vehicle safety recall completion rates to assess potential actions by the National Highway Traffic Safety Administration to improve vehicle safety recall completion rates; and

(B) submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on the results of the analysis.

(2) CONTENTS.—Each report shall include—

(A) the annual recall completion rate by manufacturer, model year, component (such as brakes, fuel systems, and air bags), and vehicle type (passenger car, sport utility vehicle, passenger van, and pick-up truck) for each of the 5 years before the year the report is submitted;

(B) the methods by which the Secretary has conducted analyses of these recall completion rates to determine trends and identify risk factors associated with lower recall rates; and

(C) the actions the Secretary has planned to improve recall completion rates based on the results of this data analysis.

(d) INSPECTOR GENERAL AUDIT OF VEHICLE RECALLS.—

(1) IN GENERAL.—The Department of Transportation Inspector General shall conduct an audit of the National Highway Traffic Safety Administration's management of vehicle safety recalls.

(2) CONTENTS.—The audit shall include a determination of whether the National Highway Traffic Safety Administration—

(A) appropriately monitors recalls to ensure the appropriateness of scope and adequacy of recall completion rates and remedies;

(B) ensures manufacturers provide safe remedies, at no cost to consumers;

(C) is capable of coordinating recall remedies and processes; and

(D) can improve its policy on consumer notice to combat effects of recall fatigue.

SEC. 34205. PILOT GRANT PROGRAM FOR STATE NOTIFICATION TO CONSUMERS OF MOTOR VEHICLE RECALL STATUS.

(a) IN GENERAL.—Not later than October 1, 2016, the Secretary shall implement a 2-year pilot program to evaluate the feasibility and effectiveness of a State process for informing consumers of open motor vehicle recalls at the time of motor vehicle registration in the State.

(b) GRANTS.—To carry out this program, the Secretary may make a grant to each eligible State, but not more than 6 eligible States in total, that agrees to comply with the requirements under subsection (c). Funds made available to a State under this section shall be used by the State for the pilot program described in subsection (a).

(c) ELIGIBILITY.—To be eligible for a grant, a State shall—

(1) submit an application in such form and manner as the Secretary prescribes;

(2) agree to notify, at the time of registration, each owner or lessee of a motor vehicle

presented for registration in the State of any open recall on that vehicle;

(3) provide the open motor vehicle recall information at no cost to each owner or lessee of a motor vehicle presented for registration in the State; and

(4) provide such other information as the Secretary may require.

(d) AWARDS.—In selecting an applicant for an award under this section, the Secretary shall consider the State's methodology for determining open recalls on a motor vehicle, for informing consumers of the open recalls, and for determining performance.

(e) PERFORMANCE PERIOD.—Each grant awarded under this section shall require a 2-year performance period.

(f) REPORT.—Not later than 90 days after the completion of the performance period under subsection (e), a grantee shall provide to the Secretary a report of performance containing such information as the Secretary considers necessary to evaluate the extent to which open recalls have been remedied.

(g) EVALUATION.—Not later than 180 days after the completion of the pilot program, the Secretary shall evaluate the extent to which open recalls identified have been remedied.

(h) DEFINITIONS.—In this section:

(1) CONSUMER.—The term ''consumer'' includes owner and lessee.

(2) MOTOR VEHICLE.—The term ''motor vehicle'' has the meaning given the term under section 30102(a) of title 49, United States Code.

(3) OPEN RECALL.—The term ''open recall'' means a recall for which a notification by a manufacturer has been provided under section 30119 of title 49, United States Code, and that has not been remedied under section 30120 of that title.

(4) REGISTRATION.—The term ''registration'' means the process for registering motor vehicles in the State.

(5) STATE.—The term ''State'' has the meaning given the term under section 101(a) of title 23, United States Code.

SEC. 34206. RECALL OBLIGATIONS UNDER BANKRUPTCY.

Section 30120A is amended by striking ''chapter 11 of title 11,'' and inserting ''chapter 7 or chapter 11 of title 11''.

SEC. 34207. DEALER REQUIREMENT TO CHECK FOR OPEN RECALL.

Section 30120(f) is amended—

(1) by inserting ''(1) IN GENERAL.—'' before ''A manufacturer'' and indenting appropriately;

(2) in paragraph (1), as redesignated, by striking the period at the end and inserting the following: ''if—

''(A) at the time of providing service for each of the manufacturer's motor vehicles it services, the dealer notifies the owner or the individual requesting the service of any open recall; and

''(B) the notification requirement under subparagraph (A) is specified in a franchise, operating, or other agreement between the dealer and the manufacturer.''; and

(3) by adding at the end the following:

''(2) DEFINITION OF OPEN RECALL.—In this subsection, the term 'open recall' means a recall for which a notification by a manufacturer has been provided under section 30119 and that has not been remedied under this section.''.

SEC. 34208. EXTENSION OF TIME PERIOD FOR REMEDY OF TIRE DEFECTS.

Section 30120(b) of title 49, United States Code, is amended—

(1) in paragraph (1), by striking ''60 days'' and inserting ''180 days''; and

(2) in paragraph (2), by striking ''60-day'' each place it appears and inserting ''180-day''.

SEC. 34209. RENTAL CAR SAFETY.

(a) SHORT TITLE.—This section may be cited as the ''Raechel and Jacqueline Houck Safe Rental Car Act of 2015''.

(b) DEFINITIONS.—Section 30102(a) is amended—

(1) by redesignating paragraphs (10) and (11) as paragraphs (12) and (13), respectively;

(2) by redesignating paragraphs (1) through (9) as paragraphs (2) through (10), respectively;

(3) by inserting before paragraph (2), as redesignated, the following:

''(1) 'covered rental vehicle' means a motor vehicle that—

''(A) has a gross vehicle weight rating of 10,000 pounds or less;

''(B) is rented without a driver for an initial term of less than 4 months; and

''(C) is part of a motor vehicle fleet of 5 or more motor vehicles that are used for rental purposes by a rental company.''; and

(4) by inserting after paragraph (10), as redesignated, the following:

''(11) 'rental company' means a person who—

''(A) is engaged in the business of renting covered rental vehicles; and

''(B) uses for rental purposes a motor vehicle fleet of 5 or more covered rental vehicles.''.

(c) REMEDIES FOR DEFECTS AND NONCOMPLIANCE.—Section 30120(i) is amended—

(1) in the subsection heading, by adding '', OR RENTAL'' at the end;

(2) in paragraph (1)—

(A) by striking ''(1) If notification'' and inserting the following:

''(1) IN GENERAL.—If notification'';

(B) by indenting subparagraphs (A) and (B) four ems from the left margin;

(C) by inserting ''or the manufacturer has provided to a rental company notification about a covered rental vehicle in the company's possession at the time of notification'' after ''time of notification'';

(D) by striking ''the dealer may sell or lease,'' and inserting ''the dealer or rental company may sell, lease, or rent''; and

(E) in subparagraph (A), by striking ''sale or lease'' and inserting ''sale, lease, or rental agreement'';

(3) by amending paragraph (2) to read as follows:

''(2) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed to prohibit a dealer or rental company from offering the vehicle or equipment for sale, lease, or rent.''; and

(4) by adding at the end the following:

''(3) SPECIFIC RULES FOR RENTAL COMPANIES.—

''(A) IN GENERAL.—Except as otherwise provided under this paragraph, a rental company shall comply with the limitations on sale, lease, or rental set forth in subparagraph (C) and paragraph (1) as soon as practicable, but not later than 24 hours after the earliest receipt of the notice to owner under subsection (b) or (c) of section 30118 (including the vehicle identification number for the covered vehicle) by the rental company, whether by electronic means or first class mail.

''(B) SPECIAL RULE FOR LARGE VEHICLE FLEETS.—Notwithstanding subparagraph (A), if a rental company receives a notice to owner covering more than 5,000 motor vehicles in its fleet, the rental company shall comply with the limitations on sale, lease, or rental set forth in subparagraph (C) and paragraph (1) as soon as practicable, but not later than 48 hours after the earliest receipt of the notice to owner under subsection (b) or (c) of section 30118 (including the vehicle identification number for the covered vehicle) by the rental company, whether by electronic means or first class mail.

''(C) SPECIAL RULE FOR WHEN REMEDIES NOT IMMEDIATELY AVAILABLE.—If a notification required under subsection (b) or (c) of section 30118 indicates that the remedy for the defect or noncompliance is not immediately available and specifies actions to temporarily alter the vehicle that eliminate the safety risk posed by the defect or noncompliance, the rental company, after causing the specified actions to be performed, may rent (but may not sell or lease) the motor vehicle. Once the remedy for the rental vehicle becomes available to the rental company, the rental company may not rent the vehicle until the vehicle has been remedied, as provided in subsection (a).

''(D) INAPPLICABILITY TO JUNK AUTOMOBILES.—Notwithstanding paragraph (1), this subsection does not prohibit a rental company from selling a covered rental vehicle if such vehicle—

''(i) meets the definition of a junk automobile under section 201 of the Anti-Car Theft Act of 1992 (49 U.S.C. 30501);

''(ii) is retitled as a junk automobile pursuant to applicable State law; and

''(iii) is reported to the National Motor Vehicle Information System, if required under section 204 of such Act (49 U.S.C. 30504).''.

(d) MAKING SAFETY DEVICES AND ELEMENTS INOPERATIVE.—Section 30122(b) is amended by inserting ''rental company,'' after ''dealer,'' each place such term appears.

(e) INSPECTIONS, INVESTIGATIONS, AND RECORDS.—Section 30166 is amended—

(1) in subsection (c)(2), by striking ''or dealer'' each place such term appears and inserting ''dealer, or rental company'';

(2) in subsection (e), by striking ''or dealer'' each place such term appears and inserting ''dealer, or rental company''; and

(3) in subsection (f), by striking ''or to owners'' and inserting '', rental companies, or other owners''.

(f) RESEARCH AUTHORITY.—The Secretary of Transportation may conduct a study of—

(1) the effectiveness of the amendments made by this section; and

(2) other activities of rental companies (as defined in section 30102(a)(11) of title 49, United States Code) related to their use and disposition of motor vehicles that are the subject of a notification required under section 30118 of title 49, United States Code.

(g) STUDY.—

(1) ADDITIONAL REQUIREMENT.—Section 32206(b)(2) of the Moving Ahead for Progress in the 21st Century Act (Public Law 112–141; 126 Stat. 785) is amended—

(A) in subparagraph (E), by striking ''and'' at the end;

(B) by redesignating subparagraph (F) as subparagraph (G); and

(C) by inserting after subparagraph (E) the following:

''(F) evaluate the completion of safety recall remedies on rental trucks; and''.

(2) REPORT.—Section 32206(c) of such Act is amended—

(A) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively;

(B) by striking ''REPORT.—Not later'' and inserting the following:

''(c) REPORTS.—

''(1) INITIAL REPORT.—Not later'';

(C) in paragraph (1), by striking ''subsection (b)'' and inserting ''subparagraphs

(A) through (E) and (G) of subsection (b)(2)''; and

(D) by adding at the end the following:

''(2) SAFETY RECALL REMEDY REPORT.—Not later than 1 year after the date of the enactment of the 'Raechel and Jacqueline Houck Safe Rental Car Act of 2015', the Secretary shall submit a report to the congressional committees set forth in paragraph (1) that contains—

''(A) the findings of the study conducted pursuant to subsection (b)(2)(F); and

''(B) any recommendations for legislation that the Secretary determines to be appropriate.''.

(h) PUBLIC COMMENTS.—The Secretary shall solicit comments regarding the implementation of this section from members of the public, including rental companies, consumer organizations, automobile manufacturers, and automobile dealers.

(i) RULE OF CONSTRUCTION.—Nothing in this section or the amendments made by this section—

(1) may be construed to create or increase any liability, including for loss of use, for a manufacturer as a result of having manufactured or imported a motor vehicle subject to a notification of defect or noncompliance under subsection (b) or (c) of section 30118 of title 49, United States Code; or

(2) shall supersede or otherwise affect the contractual obligations, if any, between such a manufacturer and a rental company (as defined in section 30102(a) of title 49, United States Code).

(j) RULEMAKING.—The Secretary may promulgate rules, as appropriate, to implement this section and the amendments made by this section.

(k) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date that is 180 days after the date of enactment of this Act.

SEC. 34210. INCREASE IN CIVIL PENALTIES FOR VIOLATIONS OF MOTOR VEHICLE SAFETY.

(a) INCREASE IN CIVIL PENALTIES.—Section 30165(a) is amended—

(1) in paragraph (1)—

(A) by striking ''$5,000'' and inserting ''$14,000''; and

(B) by striking ''$35,000,000'' and inserting ''$70,000,000''; and

(2) in paragraph (3)—

(A) by striking ''$5,000'' and inserting ''$14,000''; and

(B) by striking ''$35,000,000'' and inserting ''$70,000,000''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) of this section take effect on the date that the Secretary certifies to Congress that the National Highway Traffic Safety Administration has issued the final rule required by section 31203(b) of the Moving Ahead for Progress In the 21st Century Act (Public Law 112-141; 126 Stat. 758; 49 U.S.C. 30165 note).

(c) PUBLICATION OF EFFECTIVE DATE.—The Secretary shall publish notice of the effective date under subsection (b) of this section in the Federal Register.

SEC. 34211. ELECTRONIC ODOMETER DISCLOSURES.

Section 32705(g) is amended—

(1) by inserting ''(1)'' before ''Not later than'' and indenting appropriately; and

(2) by adding at the end the following:

''(2) Notwithstanding paragraph (1) and subject to paragraph (3), a State, without approval from the Secretary under subsection (d), may allow for written disclosures or notices and related matters to be provided electronically if—

''(A) in compliance with—

''(i) the requirements of subchapter 1 of chapter 96 of title 15; or

''(ii) the requirements of a State law under section 7002(a) of title 15; and

''(B) the disclosures or notices otherwise meet the requirements under this section, including appropriate authentication and security measures.

''(3) Paragraph (2) ceases to be effective on the date the regulations under paragraph (1) become effective.''.

SEC. 34212. CORPORATE RESPONSIBILITY FOR NHTSA REPORTS.

Section 30166(o) is amended—

(1) in paragraph (1), by striking ''may'' and inserting ''shall''; and

(2) by adding at the end the following:

''(3) DEADLINE.—Not later than 1 year after the date of enactment of the Comprehensive Transportation and Consumer Protection Act of 2015, the Secretary shall issue a final rule under paragraph (1).''.

SEC. 34213. DIRECT VEHICLE NOTIFICATION OF RECALLS.

(a) RECALL NOTIFICATION REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall issue a report on the feasibility of a technical system that would operate in each new motor vehicle to indicate when the vehicle is subject to an open recall.

(b) DEFINITION OF OPEN RECALL.—In this section the term ''open recall'' means a recall for which a notification by a manufacturer has been provided under section 30119 of title 49, United States Code, and that has not been remedied under section 30120 of that title.

SEC. 34214. UNATTENDED CHILDREN WARNING.

Section 31504(a) of the Moving Ahead for Progress in the 21st Century Act (49 U.S.C. 30111 note) is amended by striking ''may'' and inserting ''shall''.

SEC. 34215. TIRE PRESSURE MONITORING SYSTEM.

(a) PROPOSED RULE.—Not later than 1 year after the date of enactment of this Act, the Secretary shall publish a proposed rule that updates the standards pertaining to tire pressure monitoring systems to ensure that a tire pressure monitoring system cannot be overridden, reset, or recalibrated to an unsafe pressure level.

(b) FINAL RULE.—Not later than 2 years after the date of enactment of this Act, after providing the public with sufficient opportunity for notice and comment on the proposed rule published under subsection (a), the Secretary shall issue a final rule on the subject described in subsection (a).

Subtitle C—Research and Development and Vehicle Electronics

SEC. 34301. REPORT ON OPERATIONS OF THE COUNCIL FOR VEHICLE ELECTRONICS, VEHICLE SOFTWARE, AND EMERGING TECHNOLOGIES.

Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives a report regarding the operations of the Council for Vehicle Electronics, Vehicle Software, and Emerging Technologies established under section 31401 of the Moving Ahead for Progress in the 21st Century Act (49 U.S.C. 105 note). The report shall include information about the accomplishments of the Council, the role of the Council in integrating and aggregating electronic and emerging technologies expertise across the National Highway Traffic Safety Administration, the role of the Council in coordinating with other Federal agencies, and the priorities of the Council over the next 5 years.

SEC. 34302. COOPERATION WITH FOREIGN GOVERNMENTS.

(a) TITLE 49 AMENDMENT.—Section 30182(b) is amended—

(1) in paragraph (4), by striking ''; and'' and inserting a semicolon;

(2) in paragraph (5), by striking the period at the end and inserting ''; and''; and

(3) by inserting after paragraph (5) the following:

''(6) in coordination with Department of State, enter into cooperative agreements and collaborative research and development agreements with foreign governments.''.

(b) TITLE 23 AMENDMENT.—Section 403 of title 23, United States Code, is amended—

(1) in subsection (b)(2)(C), by inserting ''foreign government (in coordination with the Department of State)'' after ''institution,''; and

(2) in subsection (c)(1)(A), by inserting ''foreign governments,'' after ''local governments,''.

(c) AUDIT.—The Department of Transportation Inspector General shall conduct an audit of the Secretary of Transportation's management and oversight of cooperative agreements and collaborative research and development agreements, including any cooperative agreements between the Secretary of Transportation and foreign governments under section 30182(b)(6) of title 49, United States Code, and subsections (b)(2)(C) and (c)(1)(A) of title 23, United States Code.

Subtitle D—Miscellaneous Provisions

PART I—DRIVER PRIVACY ACT OF 2015

SEC. 34401. SHORT TITLE.

This part may be cited as the ''Driver Privacy Act of 2015''.

SEC. 34402. LIMITATIONS ON DATA RETRIEVAL FROM VEHICLE EVENT DATA RECORDERS.

(a) OWNERSHIP OF DATA.—Any data retained by an event data recorder (as defined in section 563.5 of title 49, Code of Federal Regulations), regardless of when the motor vehicle in which it is installed was manufactured, is the property of the owner, or, in the case of a leased vehicle, the lessee of the motor vehicle in which the event data recorder is installed.

(b) PRIVACY.—Data recorded or transmitted by an event data recorder described in subsection (a) may not be accessed by a person other than an owner or a lessee of the motor vehicle in which the event data recorder is installed unless—

(1) a court or other judicial or administrative authority having jurisdiction—

(A) authorizes the retrieval of the data; and

(B) to the extent that there is retrieved data, the data is subject to the standards for admission into evidence required by that court or other administrative authority;

(2) an owner or a lessee of the motor vehicle provides written, electronic, or recorded audio consent to the retrieval of the data for any purpose, including the purpose of diagnosing, servicing, or repairing the motor vehicle, or by agreeing to a subscription that describes how data will be retrieved and used;

(3) the data is retrieved pursuant to an investigation or inspection authorized under section 1131(a) or 30166 of title 49, United States Code, and the personally identifiable information of an owner or a lessee of the vehicle and the vehicle identification number

is not disclosed in connection with the retrieved data, except that the vehicle identification number may be disclosed to the certifying manufacturer;

(4) the data is retrieved for the purpose of determining the need for, or facilitating, emergency medical response in response to a motor vehicle crash; or

(5) the data is retrieved for traffic safety research, and the personally identifiable information of an owner or a lessee of the vehicle and the vehicle identification number is not disclosed in connection with the retrieved data.

SEC. 34403. VEHICLE EVENT DATA RECORDER STUDY.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator of the National Highway Traffic Safety Administration shall submit to Congress a report that contains the results of a study conducted by the Administrator to determine the amount of time event data recorders installed in passenger motor vehicles should capture and record for retrieval vehicle-related data in conjunction with an event in order to provide sufficient information to investigate the cause of motor vehicle crashes.

(b) RULEMAKING.—Not later than 2 years after submitting the report required under subsection (a), the Administrator of the National Highway Traffic Safety Administration shall promulgate regulations to establish the appropriate period during which event data recorders installed in passenger motor vehicles may capture and record for retrieval vehicle-related data to the time necessary to provide accident investigators with vehicle-related information pertinent to crashes involving such motor vehicles.

PART II—SAFETY THROUGH INFORMED CONSUMERS ACT OF 2015

SEC. 34421. SHORT TITLE.

This part may be cited as the ''Safety Through Informed Consumers Act of 2015''.

SEC. 34422. PASSENGER MOTOR VEHICLE INFORMATION.

Section 32302 is amended by inserting after subsection (b) the following:

''(c) CRASH AVOIDANCE.—Not later than 1 year after the date of enactment of the Safety Through Informed Consumers Act of 2015, the Secretary shall promulgate a rule to ensure that crash avoidance information is indicated next to crashworthiness information on stickers placed on motor vehicles by their manufacturers.''.

PART III—TIRE EFFICIENCY, SAFETY, AND REGISTRATION ACT OF 2015

SEC. 34431. SHORT TITLE.

This part may be cited as the ''Tire Efficiency, Safety, and Registration Act of 2015'' or the ''TESR Act''.

SEC. 34432. TIRE FUEL EFFICIENCY MINIMUM PERFORMANCE STANDARDS.

Section 32304A is amended—

(1) in the section heading, by inserting ''**AND STANDARDS**'' after ''**CONSUMER TIRE INFORMATION**'';

(2) in subsection (a)—

(A) in the heading, by striking ''RULEMAKING'' and inserting ''CONSUMER TIRE INFORMATION''; and

(B) in paragraph (1), by inserting ''(referred to in this section as the 'Secretary')'' after ''Secretary of Transportation'';

(3) by redesignating subsections (b) through (e) as subsections (e) though (h), respectively; and

(4) by inserting after subsection (a) the following:

''(b) PROMULGATION OF REGULATIONS FOR TIRE FUEL EFFICIENCY MINIMUM PERFORMANCE STANDARDS.—

''(1) IN GENERAL.—The Secretary, after consultation with the Secretary of Energy and the Administrator of the Environmental Protection Agency, shall promulgate regulations for tire fuel efficiency minimum performance standards for—

''(A) passenger car tires with a maximum speed capability equal to or less than 149 miles per hour or 240 kilometers per hour; and

''(B) passenger car tires with a maximum speed capability greater than 149 miles per hour or 240 kilometers per hour.

''(2) TIRE FUEL EFFICIENCY MINIMUM PERFORMANCE STANDARDS.—

''(A) STANDARD BASIS AND TEST PROCEDURES.—The minimum performance standards promulgated under paragraph (1) shall be expressed in terms of the rolling resistance coefficient measured using the test procedure specified in section 575.106 of title 49, Code of Federal Regulations (as in effect on the date of enactment of this Act).

''(B) NO DISPARATE EFFECT ON HIGH PERFORMANCE TIRES.—The Secretary shall ensure that the minimum performance standards promulgated under paragraph (1) will not have a disproportionate effect on passenger car high performance tires with a maximum speed capability greater than 149 miles per hour or 240 kilometers per hour.

''(C) APPLICABILITY.—

''(i) IN GENERAL.—This subsection applies to new pneumatic tires for use on passenger cars.

''(ii) EXCEPTIONS.—This subsection does not apply to light truck tires, deep tread tires, winter-type snow tires, space-saver or temporary use spare tires, or tires with nominal rim diameters of 12 inches or less.

''(c) PROMULGATION OF REGULATIONS FOR TIRE WET TRACTION MINIMUM PERFORMANCE STANDARDS.—

''(1) IN GENERAL.—The Secretary shall promulgate regulations for tire wet traction minimum performance standards to ensure that passenger tire wet traction capability is not reduced to achieve improved tire fuel efficiency.

''(2) TIRE WET TRACTION MINIMUM PERFORMANCE STANDARDS.—

''(A) BASIS OF STANDARD.—The minimum performance standards promulgated under paragraph (1) shall be expressed in terms of peak coefficient of friction.

''(B) TEST PROCEDURES.—Any test procedure promulgated under this subsection shall be consistent with any test procedure promulgated under subsection (a).

''(C) BENCHMARKING.—The Secretary shall conduct testing to benchmark the wet traction performance of tire models available for sale in the United States as of the date of enactment of this Act to ensure that the minimum performance standards promulgated under paragraph (1) are tailored to—

''(i) tires sold in the United States; and

''(ii) the needs of consumers in the United States.

''(D) APPLICABILITY.—

''(i) IN GENERAL.—This subsection applies to new pneumatic tires for use on passenger cars.

''(ii) EXCEPTIONS.—This subsection does not apply to light truck tires, deep tread tires, winter-type snow tires, space-saver or temporary use spare tires, or tires with nominal rim diameters of 12 inches or less.

''(d) COORDINATION AMONG REGULATIONS.—

''(1) COMPATIBILITY.—The Secretary shall ensure that the test procedures and requirements promulgated under subsections (a), (b), and (c) are compatible and consistent.

''(2) COMBINED EFFECT OF RULES.—The Secretary shall evaluate the regulations promulgated under subsections (b) and (c) to ensure that compliance with the minimum performance standards promulgated under subsection (b) will not diminish wet traction performance of affected tires.

''(3) RULEMAKING DEADLINES.—The Secretary shall promulgate —

''(A) the regulations under subsections (b) and (c) not later than 24 months after the date of enactment of this Act; and

''(B) the regulations under subsection (c) not later than the date of promulgation of the regulations under subsection (b).''.

SEC. 34433. TIRE REGISTRATION BY INDEPENDENT SELLERS.

Section 30117(b) is amended by striking paragraph (3) and inserting the following:

''(3) RULEMAKING.—

''(A) IN GENERAL.—The Secretary shall initiate a rulemaking to require a distributor or dealer of tires that is not owned or controlled by a manufacturer of tires to maintain records of—

''(i) the name and address of tire purchasers and lessors and information identifying the tire that was purchased or leased; and

''(ii) any additional records the Secretary considers appropriate.

''(B) ELECTRONIC TRANSMISSION.—The rulemaking carried out under subparagraph (A) shall require a distributor or dealer of tires that is not owned or controlled by a manufacturer of tires to electronically transmit the records described in clauses (i) and (ii) of subparagraph (A) to the manufacturer of the tires or the designee of the manufacturer by secure means at no cost to tire purchasers or lessors.

''(C) SATISFACTION OF REQUIREMENTS.—A regulation promulgated under subparagraph (A) may be considered to satisfy the requirements of paragraph (2)(B).''.

SEC. 34434. TIRE RECALL DATABASE.

(a) IN GENERAL.—The Secretary shall establish a publicly available and searchable electronic database of tire recall information that is reported to the Administrator of the National Highway Traffic Safety Administration.

(b) TIRE IDENTIFICATION NUMBER.—The database established under subsection (a) shall be searchable by Tire Identification Number (TIN) and any other criteria that assists consumers in determining whether a tire is subject to a recall.

TITLE XXXV—RAILROAD REFORM, ENHANCEMENT, AND EFFICIENCY

SEC. 35001. SHORT TITLE.

This title may be cited as the ''Railroad Reform, Enhancement, and Efficiency Act''.

SEC. 35002. PASSENGER TRANSPORTATION; DEFINITIONS.

Section 24102 is amended—

(1) by redesignating paragraphs (5) through (9) as paragraphs (6) through (10), respectively;

(2) by inserting after paragraph (4), the following:

''(5) 'long-distance route' means a route described in paragraph (6)(C).'';

(3) by amending paragraph (6)(A), as redesignated, to read as follows:

''(A) the Northeast Corridor main line between Boston, Massachusetts and the Virginia Avenue interlocking in the District of Columbia, and the facilities and services used to operate and maintain that line;'';

(4) in paragraph (7), as redesignated, by striking the period at the end and inserting '', except that the term 'Northeast Corridor' for the purposes of chapter 243 means the main line between Boston, Massachusetts

and the Virginia Avenue interlocking in the District of Columbia, and the facilities and services used to operate and maintain that line.''; and

(5) by adding at the end the following:

''(11) 'state-of-good-repair' means a condition in which physical assets, both individually and as a system, are—

''(A) performing at a level at least equal to that called for in their as-built or as-modified design specification during any period when the life cycle cost of maintaining the assets is lower than the cost of replacing them; and

''(B) sustained through regular maintenance and replacement programs.

''(12) 'State-supported route' means a route described in paragraph (6)(B) or paragraph (6)(D), or in section 24702(a).''.

Subtitle A—Authorization of Appropriations

SEC. 35101. AUTHORIZATION OF GRANTS TO AMTRAK.

(a) IN GENERAL.—There are authorized to be appropriated to the Secretary for the use of Amtrak for deposit into the accounts established under section 24319(a) of title 49, United States Code, the following amounts:

(1) For fiscal year 2016, $1,450,000,000.

(2) For fiscal year 2017, $1,550,000,000.

(3) For fiscal year 2018, $1,700,000,000.

(4) For fiscal year 2019, $1,900,000,000.

(b) PROJECT MANAGEMENT OVERSIGHT.—The Secretary may withhold up to one half of 1 percent of the amount appropriated under subsection (a) for the costs of management oversight of Amtrak.

(c) COMPETITION.—In administering grants to Amtrak under section 24318 of title 49, United States Code, the Secretary may withhold, from amounts that would otherwise be made available to Amtrak, such sums as are necessary from the amount appropriated under subsection (a) of this section to cover the operating subsidy described in section 24711(b)(1)(E)(ii) of title 49, United States Code.

(d) STATE-SUPPORTED ROUTE COMMITTEE.—The Secretary may withhold up to $2,000,000 from the amount appropriated in each fiscal year under subsection (a) of this section for the use of the State-Supported Route Committee established under section 24712 of title 49, United States Code.

(e) NORTHEAST CORRIDOR COMMISSION.—The Secretary may withhold up to $5,000,000 from the amount appropriated in each fiscal year under subsection (a) of this section for the use of the Northeast Corridor Commission established under section 24905 of title 49, United States Code.

SEC. 35102. NATIONAL INFRASTRUCTURE AND SAFETY INVESTMENTS.

(a) IN GENERAL.—There are authorized to be appropriated to the Secretary for grants under chapter 244 of title 49, United States Code, the following amounts:

(1) For fiscal year 2016, $350,000,000.

(2) For fiscal year 2017, $430,000,000.

(3) For fiscal year 2018, $600,000,000.

(4) For fiscal year 2019, $900,000,000.

(b) PROJECT MANAGEMENT OVERSIGHT.—The Secretary may withhold up to 1 percent from the amount appropriated under subsection (a) of this section for the costs of project management oversight of grants carried out under chapter 244 of title 49, United States Code.

SEC. 35103. AUTHORIZATION OF APPROPRIATIONS FOR NATIONAL TRANSPORTATION SAFETY BOARD RAIL INVESTIGATIONS.

(a) IN GENERAL.—Notwithstanding any other provision of law, there are authorized to be appropriated to the National Transportation Safety Board to carry out railroad accident investigations under section 1131(a)(1)(C) of title 49, United States Code, the following amounts:

(1) For fiscal year 2016, $6,300,000.

(2) For fiscal year 2017, $6,400,000.

(3) For fiscal year 2018, $6,500,000.

(4) For fiscal year 2019, $6,600,000.

(b) INVESTIGATION PERSONNEL.—Amounts appropriated under subsection (a) of this section shall be available to the National Transportation Safety Board for personnel, in regional offices and in Washington, DC, whose duties involve railroad accident investigations.

SEC. 35104. AUTHORIZATION OF APPROPRIATIONS FOR AMTRAK OFFICE OF INSPECTOR GENERAL.

There are authorized to be appropriated to the Office of Inspector General of Amtrak the following amounts:

(1) For fiscal year 2016, $20,000,000.

(2) For fiscal year 2017, $20,500,000.

(3) For fiscal year 2018, $21,000,000.

(4) For fiscal year 2019, $21,500,000.

SEC. 35105. NATIONAL COOPERATIVE RAIL RESEARCH PROGRAM.

(a) IN GENERAL.—Section 24910 is amended—

(1) in subsection (b)—

(A) in paragraph (12), by striking ''and'';

(B) in paragraph (13), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(14) to improve the overall safety of intercity passenger and freight rail operations.''; and

(2) by amending subsection (e) to read as follows:

''(e) ALLOCATION.—At least $5,000,000 of the amounts appropriated to the Secretary for a fiscal year to carry out railroad research and development programs shall be available to carry out this section.''.

Subtitle B—Amtrak Reform

SEC. 35201. AMTRAK GRANT PROCESS.

(a) REQUIREMENTS AND PROCEDURES.—Chapter 243 is amended by adding at the end the following:

''§ 24317. Costs and revenues

''(a) ALLOCATION.—Not later than 180 days after the date of enactment of the Railroad Reform, Enhancement, and Efficiency Act, Amtrak shall establish and maintain internal controls to ensure Amtrak's costs, revenues, and other compensation are appropriately and proportionally allocated to its Northeast Corridor train services or infrastructure, its State-supported routes, its long-distance routes, and its other national network activities.

''(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to limit the ability of Amtrak to enter into an agreement with 1 or more States to allocate operating and capital costs under section 209 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note).

''§ 24318. Grant process

''(a) PROCEDURES FOR GRANT REQUESTS.—Not later than 90 days after the date of enactment of the Railroad Reform, Enhancement, and Efficiency Act, the Secretary of Transportation shall establish and transmit to the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate and the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives substantive and procedural requirements, including schedules, for grant requests under this section.

''(b) GRANT REQUESTS.—Amtrak shall transmit grant requests for Federal funds appropriated to the Secretary of Transportation for the use of Amtrak to—

''(1) the Secretary; and

''(2) the Committee on Commerce, Science, and Transportation, the Committee on Appropriations, and the Committee on the Budget of the Senate and the Committee on Transportation and Infrastructure, the Committee on Appropriations, and the Committee on the Budget of the House of Representatives.

''(c) CONTENTS.—A grant request under subsection (b) shall—

''(1) describe projected operating and capital costs for the upcoming fiscal year for Northeast Corridor train services and infrastructure, Amtrak's State-supported routes, and Amtrak's long-distance routes, and Amtrak's other national network activities, as applicable, in comparison to prior fiscal year actual financial performance;

''(2) describe the capital projects to be funded, with cost estimates and an estimated timetable for completion of the projects covered by the request;

''(3) assess Amtrak's financial condition;

''(4) be displayed on Amtrak's Web site within a reasonable timeframe following its transmission under subsection (b); and

''(5) describe how the funding requested in a grant will be allocated to the accounts established under section 24319(a), considering the projected operating losses or capital costs for services and activities associated with such accounts over the time period intended to be covered by the grants.

''(d) REVIEW AND APPROVAL.—

''(1) THIRTY-DAY APPROVAL PROCESS.—

''(A) IN GENERAL.—Not later than 30 days after the date that Amtrak submits a grant request under this section, the Secretary of Transportation shall complete a review of the request and provide notice to Amtrak that—

''(i) the request is approved; or

''(ii) the request is disapproved, including the reason for the disapproval and an explanation of any incomplete or deficient items.

''(B) GRANT AGREEMENT.—If a grant request is approved, the Secretary shall enter into a grant agreement with Amtrak that allocates the grant funding to 1 of the 4 accounts established under section 24319(a).

''(2) FIFTEEN-DAY MODIFICATION PERIOD.—Not later than 15 days after the date of the notice under paragraph (1)(A)(ii), Amtrak shall submit a modified request for the Secretary's review.

''(3) MODIFIED REQUESTS.—Not later than 15 days after the date that Amtrak submits a modified request under paragraph (2), the Secretary shall either approve the modified request, or, if the Secretary finds that the request is still incomplete or deficient, the Secretary shall identify in writing to the Committee on Commerce, Science, and Transportation, the Committee on Appropriations, and the Committee on the Budget of the Senate and the Committee on Transportation and Infrastructure, the Committee on Appropriations, and the Committee on the Budget of the House of Representatives the remaining deficiencies and recommend a process for resolving the outstanding portions of the request.

''(e) PAYMENTS TO AMTRAK.—

''(1) IN GENERAL.—A grant agreement entered into under subsection (d) shall specify the operations, services, and other activities to be funded by the grant. The grant agreement shall include provisions, consistent with the requirements of this chapter, to measure Amtrak's performance and ensure accountability in delivering the operations,

services, or activities to be funded by the grant.

''(2) SCHEDULE.—Except as provided in paragraph (3), in each fiscal year for which amounts are appropriated to the Secretary for the use of Amtrak, and for which the Secretary and Amtrak have entered into a grant agreement under subsection (d), the Secretary shall disburse grant funds to Amtrak on the following schedule:

''(A) 50 percent on October 1.

''(B) 25 percent on January 1.

''(C) 25 percent on April 1.

''(3) EXCEPTIONS.—The Secretary may make a payment to Amtrak of appropriated funds—

''(A) more frequently than the schedule under paragraph (2) if Amtrak, for good cause, requests more frequent payment before the end of a payment period; or

''(B) with a different frequency or in different percentage allocations in the event of a continuing resolution or in the absence of an appropriations Act for the duration of a fiscal year.

''(f) AVAILABILITY OF AMOUNTS AND EARLY APPROPRIATIONS.—Amounts appropriated to the Secretary for the use of Amtrak shall remain available until expended. Amounts for capital acquisitions and improvements may be appropriated for a fiscal year before the fiscal year in which the amounts will be obligated.

''(g) LIMITATIONS ON USE.—Amounts appropriated to the Secretary for the use of Amtrak may not be used to cross-subsidize operating losses or capital costs of commuter rail passenger or freight rail transportation.

''§ 24319. Accounts

''(a) ESTABLISHMENT OF ACCOUNTS.—Beginning not later than October 1, 2016, Amtrak, in consultation with the Secretary of Transportation, shall define and establish—

''(1) a Northeast Corridor investment account, including subaccounts for Amtrak train services and infrastructure;

''(2) a State-supported account;

''(3) a long-distance account; and

''(4) an other national network activities account.

''(b) NORTHEAST CORRIDOR INVESTMENT ACCOUNT.—

''(1) DEPOSITS.—Amtrak shall deposit in the Northeast Corridor investment account established under subsection (a)(1)—

''(A) a portion of the grant funds appropriated under the authorization in section 35101(a) of the Railroad Reform, Enhancement, and Efficiency Act, or any subsequent Act appropriating funds for the use of Amtrak, as specified in a grant agreement entered into under section 24318;

''(B) any compensation received from commuter rail passenger transportation providers for such providers' share of capital costs on the Northeast Corridor provided to Amtrak under section 24905(c);

''(C) any operating surplus of the Northeast Corridor train services or infrastructure, as allocated under section 24317; and

''(D) any other net revenue received in association with the Northeast Corridor, including freight access fees, electric propulsion, and commercial development.

''(2) USE OF NORTHEAST CORRIDOR INVESTMENT ACCOUNT.—Except as provided in subsection (f), amounts deposited in the Northeast Corridor investment account shall be made available for the use of Amtrak for its share of—

''(A) capital projects described in section 24904(a)(2)(E)(i), and developed under the planning process established under that section, to bring Northeast Corridor infrastructure to a state-of-good-repair;

''(B) capital projects described in clauses (ii) and (iv) of section 24904(a)(2)(E) that are developed under the planning process established under that section intended to increase corridor capacity, improve service reliability, and reduce travel time on the Northeast Corridor;

''(C) capital projects to improve safety and security;

''(D) capital projects to improve customer service and amenities;

''(E) acquiring, rehabilitating, manufacturing, remanufacturing, overhauling, or improving equipment and associated facilities used for intercity rail passenger transportation by Northeast Corridor train services;

''(F) retirement of principal and payment of interest on loans for capital projects described in this paragraph or for capital leases for equipment and related to the Northeast Corridor;

''(G) participation in public-private partnerships, joint ventures, and other mechanisms or arrangements that result in the completion of capital projects described in this paragraph; and

''(H) indirect, common, corporate, or other costs directly incurred by or allocated to the Northeast Corridor.

''(c) STATE-SUPPORTED ACCOUNT.—

''(1) DEPOSITS.—Amtrak shall deposit in the State-supported account established under subsection (a)(2)—

''(A) a portion of the grant funds appropriated under the authorization in section 35101(a) of the Railroad Reform, Enhancement, and Efficiency Act, or any subsequent Act appropriating funds for the use of Amtrak, as specified in a grant agreement entered into under section 24318;

''(B) any compensation received from States provided to Amtrak under section 209 of the Passenger Rail Investment and Improvement Act of 2008 (42 U.S.C. 24101 note); and

''(C) any operating surplus from its State-supported routes, as allocated under section 24317.

''(2) USE OF STATE-SUPPORTED ACCOUNT.—Except as provided in subsection (f), amounts deposited in the State-supported account shall be made available for the use of Amtrak for capital expenses and operating costs, including indirect, common, corporate, or other costs directly incurred by or allocated to State-supported routes, of its State-supported routes and retirement of principal and payment of interest on loans or capital leases attributable to its State-supported routes.

''(d) LONG-DISTANCE ACCOUNT.—

''(1) DEPOSITS.—Amtrak shall deposit in the long-distance account established under subsection (a)(3)—

''(A) a portion of the grant funds appropriated under the authorization in section 35101(a) of the Railroad Reform, Enhancement, and Efficiency Act, or any subsequent Act appropriating funds for the use of Amtrak, as specified in a grant agreement entered into under section 24318;

''(B) any compensation received from States provided to Amtrak for costs associated with its long-distance routes; and

''(C) any operating surplus from its long-distance routes, as allocated under section 24317.

''(2) USE OF LONG-DISTANCE ACCOUNT.—Except as provided in subsection (f), amounts deposited in the long-distance account shall be made available for the use of Amtrak for capital expenses and operating costs, including indirect, common, corporate, or other costs directly incurred by or allocated to long-distance routes, of its long-distance routes and retirement of principal and payment of interest on loans or capital leases attributable to the long-distance routes.

''(e) OTHER NATIONAL NETWORK ACTIVITIES ACCOUNT.—

''(1) DEPOSITS.—Amtrak shall deposit in the other national network activities account established under subsection (a)(4)—

''(A) a portion of the grant funds appropriated under the authorization in section 35101(a) of the Railroad Reform, Enhancement, and Efficiency Act, or any subsequent Act appropriating funds for the use of Amtrak, as specified in a grant agreement entered into under section 24318;

''(B) any compensation received from States provided to Amtrak for costs associated with its other national network activities; and

''(C) any operating surplus from its other national network activities.

''(2) USE OF OTHER NATIONAL NETWORK ACTIVITIES ACCOUNT.—Except as provided in subsection (f), amounts deposited into the other national network activities account shall be made available for the use of Amtrak for capital and operating costs not allocated to the Northeast Corridor investment account, State-supported account, or long-distance account, and retirement of principal and payment of interest on loans or capital leases attributable to other national network activities.

''(f) TRANSFER AUTHORITY.—

''(1) AUTHORITY.—Amtrak may transfer any funds appropriated under the authorization in section 35101(a) of the Railroad Reform, Enhancement, and Efficiency Act, or any subsequent Act appropriating funds for the use of Amtrak for deposit into the accounts described in that section, or any surplus generated by operations, between the Northeast Corridor, State-supported, long-distance, and other national network activities accounts—

''(A) upon the expiration of 10 days after the date that Amtrak notifies the Amtrak Board of Directors, including the Secretary, of the planned transfer; and

''(B) with the approval of the Secretary.

''(2) REPORT.—Not later than 5 days after the date that Amtrak notifies the Amtrak Board of Directors of a planned transfer under paragraph (1), Amtrak shall transmit to the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate and the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives a report that includes—

''(A) the amount of the transfer; and

''(B) a detailed explanation of the reason for the transfer, including—

''(i) the effects on Amtrak services funded by the account from which the transfer is drawn, in comparison to a scenario in which no transfer was made; and

''(ii) the effects on Amtrak services funded by the account receiving the transfer, in comparison to a scenario in which no transfer was made.

''(3) NOTIFICATIONS.—

''(A) STATE-SUPPORTED ACCOUNT.—Not later than 5 days after the date that Amtrak notifies the Amtrak Board of Directors of a planned transfer under paragraph (1) of funds to or from the State-supported account, Amtrak shall transmit to each State that sponsors a State-supported route a letter that includes the information described under subparagraphs (A) and (B) of paragraph (2).

''(B) NORTHEAST CORRIDOR ACCOUNT.—Not later than 5 days after the date that Amtrak

notifies the Amtrak Board of Directors of a planned transfer under paragraph (1) of funds to or from the Northeast Corridor account, Amtrak shall transmit to the Northeast Corridor Commission a letter that includes the information described under subparagraphs (A) and (B) of paragraph (2).

''(g) ENFORCEMENT.—The Secretary shall enforce the provisions of each grant agreement under section 24318(d), including any deposit into an account under this section.

''(h) LETTERS OF INTENT.—

''(1) REQUIREMENT.—The Secretary may issue a letter of intent to Amtrak announcing an intention to obligate, for a major capital project described in clauses (ii) and (iv) of section 24904(a)(2)(E), an amount from future available budget authority specified in law that is not more than the amount stipulated as the financial participation of the Secretary in the project.

''(2) NOTICE TO CONGRESS.—At least 30 days before issuing a letter under paragraph (1), the Secretary shall notify in writing the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate and the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives of the proposed letter. The Secretary shall include with the notice a copy of the proposed letter, the criteria used for selecting the project for a grant award, and a description of how the project meets the criteria under this section.

''(3) CONTINGENT NATURE OF OBLIGATION OR COMMITMENT.—An obligation or administrative commitment may be made only when amounts are appropriated. The letter of intent shall state that the contingent commitment is not an obligation of the Federal Government, and is subject to the availability of appropriations under Federal law and to Federal laws in force or enacted after the date of the contingent commitment.''.

(b) CONFORMING AMENDMENTS.—The table of contents for chapter 243 is amended by adding at the end the following:

''24317. Costs and revenues.
''24318. Grant process.
''24319. Accounts.''.

(c) REPEALS.—

(1) ESTABLISHMENT OF GRANT PROCESS.—Section 206 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note) and the item relating to that section in the table of contents of that Act are repealed.

(2) AUTHORIZATION OF APPROPRIATIONS.—Section 24104 and the item relating to that section in the table of contents of chapter 241 are repealed.

SEC. 35202. 5-YEAR BUSINESS LINE AND ASSETS PLANS.

(a) AMTRAK 5-YEAR BUSINESS LINE AND ASSET PLANS.—Chapter 243, as amended by section 35201 of this Act, is further amended by inserting after section 24319 the following:

''§ 24320. Amtrak 5-year business line and asset plans

''(a) IN GENERAL.—

''(1) FINAL PLANS.—Not later than February 15 of each year, Amtrak shall submit to Congress and the Secretary final 5-year business line plans and 5-year asset plans prepared in accordance with this section. These final plans shall form the basis for Amtrak's general and legislative annual report to the President and Congress required by section 24315(b).

''(2) FISCAL CONSTRAINT.—Each plan prepared under this section shall be based on funding levels authorized or otherwise available to Amtrak in a fiscal year. In the absence of an authorization or appropriation of funds for a fiscal year, the plans shall be based on the amount of funding available in the previous fiscal year, plus inflation. Amtrak may include an appendix to the asset plan required in subsection (c) that describes any capital funding requirements in excess of amounts authorized or otherwise available to Amtrak in a fiscal year for capital investment.

''(b) AMTRAK 5-YEAR BUSINESS LINE PLANS.—

''(1) AMTRAK BUSINESS LINES.—Amtrak shall prepare a 5-year business line plan for each of the following business lines and services:

''(A) Northeast Corridor train services.

''(B) State-supported routes operated by Amtrak.

''(C) Long-distance routes operated by Amtrak.

''(D) Ancillary services operated by Amtrak, including commuter operations and other revenue generating activities as determined by the Secretary in consultation with Amtrak.

''(2) CONTENTS OF 5-YEAR BUSINESS LINE PLANS.—The 5-year business line plan for each business line shall include, at a minimum—

''(A) a statement of Amtrak's vision, goals, and service plan for the business line, coordinated with any entities that are contributing capital or operating funding to support passenger rail services within those business lines, and aligned with Amtrak's Strategic Plan and 5-year asset plans under subsection (c);

''(B) all projected revenues and expenditures for the business line, including identification of revenues and expenditures incurred by—

''(i) passenger operations;

''(ii) non-passenger operations that are directly related to the business line; and

''(iii) governmental funding sources, including revenues and other funding received from States;

''(C) projected ridership levels for all passenger operations;

''(D) estimates of long-term and short-term debt and associated principal and interest payments (both current and forecasts);

''(E) annual profit and loss statements and forecasts and balance sheets;

''(F) annual cash flow forecasts;

''(G) a statement describing the methodologies and significant assumptions underlying estimates and forecasts;

''(H) specific performance measures that demonstrate year over year changes in the results of Amtrak's operations;

''(I) financial performance for each route within each business line, including descriptions of the cash operating loss or contribution and labor productivity for each route;

''(J) specific costs and savings estimates resulting from reform initiatives;

''(K) prior fiscal year and projected equipment reliability statistics; and

''(L) an identification and explanation of any major adjustments made from previously-approved plans.

''(3) 5-YEAR BUSINESS LINE PLANS PROCESS.—In meeting the requirements of this section, Amtrak shall—

''(A) coordinate the development of the business line plans with the Secretary;

''(B) for the Northeast Corridor business line plan, coordinate with the Northeast Corridor Commission and transmit to the Commission the final plan under subsection (a)(1), and consult with other entities, as appropriate;

''(C) for the State-supported route business line plan, coordinate with the State-Supported Route Committee established under section 24712;

''(D) for the long-distance route business line plan, coordinate with any States or Interstate Compacts that provide funding for such routes, as appropriate;

''(E) ensure that Amtrak's annual budget request to Congress is consistent with the information in the 5-year business line plans; and

''(F) identify the appropriate Amtrak officials that are responsible for each business line.

''(4) STANDARDS TO PROMOTE FINANCIAL STABILITY.—In meeting the requirements under this subsection, Amtrak shall use the categories specified in the financial accounting and reporting system developed under section 203 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note) when preparing its 5-year business line plans.

''(c) AMTRAK 5-YEAR ASSET PLANS.—

''(1) ASSET CATEGORIES.—Amtrak shall prepare a 5-year asset plan for each of the following asset categories:

''(A) Infrastructure, including all Amtrak-controlled Northeast Corridor assets and other Amtrak-owned infrastructure, and the associated facilities that support the operation, maintenance, and improvement of those assets.

''(B) Passenger rail equipment, including all Amtrak-controlled rolling stock, locomotives, and mechanical shop facilities that are used to overhaul equipment.

''(C) Stations, including all Amtrak-controlled passenger rail stations and elements of other stations for which Amtrak has legal responsibility or intends to make capital investments.

''(D) National assets, including national reservations, security, training and training centers, and other assets associated with Amtrak's national passenger rail transportation system.

''(2) CONTENTS OF 5-YEAR ASSET PLANS.—Each asset plan shall include, at a minimum—

''(A) a summary of Amtrak's 5-year strategic plan for each asset category, including goals, objectives, any relevant performance metrics, and statutory or regulatory actions affecting the assets;

''(B) an inventory of existing Amtrak capital assets, to the extent practicable, including information regarding shared use or ownership, if applicable;

''(C) a prioritized list of proposed capital investments that—

''(i) categorizes each capital project as being primarily associated with—

''(I) normalized capital replacement;

''(II) backlog capital replacement;

''(III) improvements to support service enhancements or growth;

''(IV) strategic initiatives that will improve overall operational performance, lower costs, or otherwise improve Amtrak's corporate efficiency; or

''(V) statutory, regulatory, or other legal mandates;

''(ii) identifies each project or program that is associated with more than 1 category described in clause (i); and

''(iii) describes the anticipated business outcome of each project or program identified under this subparagraph, including an assessment of—

''(I) the potential effect on passenger operations, safety, reliability, and resilience;

''(II) the potential effect on Amtrak's ability to meet regulatory requirements if the project or program is not funded; and

''(III) the benefits and costs; and

''(D) annual profit and loss statements and forecasts and balance sheets for each asset category.

''(3) 5-YEAR ASSET PLAN PROCESS.—In meeting the requirements of this subsection, Amtrak shall—

''(A) coordinate with each business line described in subsection (b)(1) in the preparation of each 5-year asset plan and ensure integration of each 5-year asset plan with the 5-year business line plans;

''(B) as applicable, coordinate with the Northeast Corridor Commission, the State-Supported Route Committee, and owners of assets affected by 5-year asset plans; and

''(C) identify the appropriate Amtrak officials that are responsible for each asset category.

''(4) EVALUATION OF NATIONAL ASSETS COSTS.—The Secretary shall—

''(A) evaluate the costs and scope of all national assets; and

''(B) determine the activities and costs that are—

''(i) required in order to ensure the efficient operations of a national passenger rail system;

''(ii) appropriate for allocation to 1 of the other Amtrak business lines; and

''(iii) extraneous to providing an efficient national passenger rail system or are too costly relative to the benefits or performance outcomes they provide.

''(5) DEFINITION OF NATIONAL ASSETS.—In this section, the term 'national assets' means the Nation's core rail assets shared among Amtrak services, including national reservations, security, training and training centers, and other assets associated with Amtrak's national passenger rail transportation system.

''(6) RESTRUCTURING OF NATIONAL ASSETS.—Not later than 1 year after the date of completion of the evaluation under paragraph (4), the Administrator of the Federal Railroad Administration, in consultation with the Amtrak Board of Directors, the governors of each relevant State, and the Mayor of the District of Columbia, or their designees, shall restructure or reallocate, or both, the national assets costs in accordance with the determination under that section, including making appropriate updates to Amtrak's cost accounting methodology and system.''.

(b) EFFECTIVE DATE.—The requirements for Amtrak to submit final 5-year business line plans and 5-year asset plans under section 24320 of title 49, United States Code, shall take effect 1 year after the date of enactment of this Act.

(c) CONFORMING AMENDMENTS.—The table of contents for chapter 243, as amended by section 35201 of this Act, is further amended by adding at the end the following:

''24320. Amtrak 5-year business line and asset plans.''.

(d) REPEAL OF 5-YEAR FINANCIAL PLAN.—Section 204 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note), and the item relating to that section in the table of contents of that Act, are repealed.

(e) IDENTIFICATION OF DUPLICATIVE REPORTING REQUIREMENTS.—Not later than 1 year after the date of enactment of this Act, the Secretary shall—

(1) review existing Amtrak reporting requirements and identify where the existing requirements are duplicative with the business line and capital plans required by section 24320 of title 49, United States Code;

(2) if the duplicative reporting requirements are administrative, the Secretary shall eliminate the duplicative requirements; and

(3) submit to Congress a report with any recommendations for repealing any other duplicative Amtrak reporting requirements.

SEC. 35203. STATE-SUPPORTED ROUTE COMMITTEE.

(a) AMENDMENT.—Chapter 247 is amended by adding at the end the following:

''§ 24712. State-supported routes operated by Amtrak

''(a) STATE-SUPPORTED ROUTE COMMITTEE.—

''(1) ESTABLISHMENT.—Not later than 180 days after the date of enactment of the Railroad Reform, Enhancement, and Efficiency Act, the Secretary of Transportation shall establish the State-Supported Route Committee (referred to in this section as the 'Committee') to promote mutual cooperation and planning pertaining to the rail operations of Amtrak and related activities of trains operated by Amtrak on State-supported routes and to further implement section 209 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note).

''(2) MEMBERSHIP.—

''(A) IN GENERAL.—The Committee shall consist of—

''(i) members representing Amtrak;

''(ii) members representing the Department of Transportation, including the Federal Railroad Administration; and

''(iii) members representing States.

''(B) NON-VOTING MEMBERS.—The Committee may invite and accept other non-voting members to participate in Committee activities, as appropriate.

''(3) DECISIONMAKING.—The Committee shall establish a bloc voting system under which, at a minimum—

''(A) there are 3 separate voting blocs to represent the Committee's voting members, including—

''(i) 1 voting bloc to represent the members described in paragraph (2)(A)(i);

''(ii) 1 voting bloc to represent the members described in paragraph (2)(A)(ii); and

''(iii) 1 voting bloc to represent the members described in paragraph (2)(A)(iii);

''(B) each voting bloc has 1 vote;

''(C) the vote of the voting bloc representing the members described in paragraph (2)(A)(iii) requires the support of at least two-thirds of that voting bloc's members; and

''(D) the Committee makes decisions by unanimous consent of the 3 voting blocs.

''(4) MEETINGS; RULES AND PROCEDURES.—The Committee shall convene a meeting and shall define and implement the rules and procedures governing the Committee's proceedings not later than 180 days after the date of establishment of the Committee by the Secretary. The rules and procedures shall—

''(A) incorporate and further describe the decisionmaking procedures to be used in accordance with paragraph (3); and

''(B) be adopted in accordance with such decisionmaking procedures.

''(5) COMMITTEE DECISIONS.—Decisions made by the Committee in accordance with the Committee's rules and procedures, once established, are binding on all Committee members.

''(6) COST ALLOCATION METHODOLOGY.—

''(A) IN GENERAL.—Subject to subparagraph (B), the Committee may amend the cost allocation methodology required and previously approved under section 209 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note).

''(B) PROCEDURES FOR CHANGING METHODOLOGY.—The rules and procedures implemented under paragraph (4) shall include procedures for changing the cost allocation methodology.

''(C) REQUIREMENTS.—The cost allocation methodology shall—

''(i) ensure equal treatment in the provision of like services of all States and groups of States; and

''(ii) allocate to each route the costs incurred only for the benefit of that route and a proportionate share, based upon factors that reasonably reflect relative use, of costs incurred for the common benefit of more than 1 route.

''(b) INVOICES AND REPORTS.—Not later than February 15, 2016, and monthly thereafter, Amtrak shall provide to each State that sponsors a State-supported route a monthly invoice of the cost of operating such route, including fixed costs and third-party costs. The Committee shall determine the frequency and contents of the financial and performance reports that Amtrak shall provide to the States, as well as the planning and demand reports that the States shall provide to Amtrak.

''(c) DISPUTE RESOLUTION.—

''(1) REQUEST FOR DISPUTE RESOLUTION.—If a dispute arises with respect to the rules and procedures implemented under subsection (a)(4), an invoice or a report provided under subsection (b), implementation or compliance with the cost allocation methodology developed under section 209 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note) or amended under subsection (a)(6) of this section, either Amtrak or the State may request that the Surface Transportation Board conduct dispute resolution under this subsection.

''(2) PROCEDURES.—The Surface Transportation Board shall establish procedures for resolution of disputes brought before it under this subsection, which may include provision of professional mediation services.

''(3) BINDING EFFECT.—A decision of the Surface Transportation Board under this subsection shall be binding on the parties to the dispute.

''(4) OBLIGATION.—Nothing in this subsection shall affect the obligation of a State to pay an amount not in dispute.

''(d) ASSISTANCE.—

''(1) IN GENERAL.—The Secretary may provide assistance to the parties in the course of negotiations for a contract for operation of a State-supported route.

''(2) FINANCIAL ASSISTANCE.—From among available funds, the Secretary shall—

''(A) provide financial assistance to Amtrak or 1 or more States to perform requested independent technical analysis of issues before the Committee; and

''(B) reimburse Members for travel expenses, including per diem in lieu of subsistence, in accordance with section 5703 of title 5.

''(e) PERFORMANCE METRICS.—In negotiating a contract for operation of a State-supported route, Amtrak and the State or States that sponsor the route shall consider including provisions that provide penalties and incentives for performance.

''(f) STATEMENT OF GOALS AND OBJECTIVES.—

''(1) IN GENERAL.—The Committee shall develop a statement of goals, objectives, and associated recommendations concerning the

future of State-supported routes operated by Amtrak. The statement shall identify the roles and responsibilities of Committee members and any other relevant entities, such as host railroads, in meeting the identified goals and objectives, or carrying out the recommendations. The Committee may consult with such relevant entities, as the Committee considers appropriate, when developing the statement.

''(2) TRANSMISSION OF STATEMENT OF GOALS AND OBJECTIVES.—Not later than 2 years after the date of enactment of the Railroad Reform, Enhancement, and Efficiency Act the Committee shall transmit the statement developed under paragraph (1) to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

''(g) RULE OF CONSTRUCTION.—The decisions of the Committee—

''(1) shall pertain to the rail operations of Amtrak and related activities of trains operated by Amtrak on State-sponsored routes; and

''(2) shall not pertain to the rail operations or related activities of services operated by other rail passenger carriers on State-supported routes.

''(h) FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Committee.

''(i) DEFINITION OF STATE.—In this section, the term 'State' means any of the 50 States, the District of Columbia, or a public entity that sponsor the operation of trains by Amtrak on a State-supported route.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—The table of contents for chapter 247 is amended by adding at the end the following:

''24712. State-supported routes operated by Amtrak.''.

SEC. 35204. ROUTE AND SERVICE PLANNING DECISIONS.

Section 208 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note) is amended to read as follows:

''SEC. 208. METHODOLOGIES FOR AMTRAK ROUTE AND SERVICE PLANNING DECISIONS.

''(a) METHODOLOGY DEVELOPMENT.—Not later than 180 days after the date of enactment of the Railroad Reform, Enhancement, and Efficiency Act, as a condition of receiving a grant under section 101 of that Act, Amtrak shall obtain the services of an independent entity to develop and recommend objective methodologies for Amtrak to use in determining what intercity rail passenger transportation routes and services it should provide, including the establishment of new routes, the elimination of existing routes, and the contraction or expansion of services or frequencies over such routes.

''(b) CONSIDERATIONS.—Amtrak shall require the independent entity, in developing the methodologies described in subsection (a), to consider—

''(1) the current and expected performance and service quality of intercity rail passenger transportation operations, including cost recovery, on-time performance, ridership, on-board services, stations, facilities, equipment, and other services;

''(2) the connectivity of a route with other routes;

''(3) the transportation needs of communities and populations that are not well served by intercity rail passenger transportation service or by other forms of intercity transportation;

''(4) the methodologies of Amtrak and major intercity rail passenger transportation service providers in other countries for determining intercity passenger rail routes and services;

''(5) the financial and operational effects on the overall network, including the effects on indirect costs;

''(6) the views of States and the recommendations described in State rail plans, rail carriers that own infrastructure over which Amtrak operates, Interstate Compacts established by Congress and States, Amtrak employee representatives, stakeholder organizations, and other interested parties; and

''(7) the funding levels that will be available under authorization levels that have been enacted into law.

''(c) RECOMMENDATIONS.—Not later than 1 year after the date of enactment of the Railroad Reform, Enhancement, and Efficiency Act, Amtrak shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives recommendations developed by the independent entity under subsection (a).

''(d) CONSIDERATION OF RECOMMENDATIONS.—Not later than 90 days after the date the recommendations are transmitted under subsection (c), Amtrak shall consider the adoption of each recommendation and transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report explaining the reasons for adopting or not adopting each recommendation.''.

SEC. 35205. COMPETITION.

(a) ALTERNATE PASSENGER RAIL SERVICE PILOT PROGRAM.—Section 24711 is amended to read as follows:

''§ 24711. Alternate passenger rail service pilot program

''(a) IN GENERAL.—Not later than 18 months after the date of enactment of the Railroad Reform, Enhancement, and Efficiency Act, the Secretary of Transportation shall promulgate a rule to implement a pilot program for competitive selection of rail carriers for long-distance routes (as defined in section 24102).

''(b) PILOT PROGRAM REQUIREMENTS.—

''(1) IN GENERAL.—The pilot program shall—

''(A) allow a party described in paragraph (2) to petition the Secretary to provide intercity rail passenger transportation over a long-distance route in lieu of Amtrak for an operations period of 4 years from the date of commencement of service by the winning bidder and, at the option of the Secretary, consistent with the rule promulgated under subsection (a), allow the contract to be renewed for an additional operations period of 4 years, but not to exceed a total of 3 operations periods;

''(B) require the Secretary to—

''(i) notify the petitioner and Amtrak of receipt of the petition under subparagraph (A) and to publish in the Federal Register a notice of receipt not later than 30 days after the date of receipt; and

''(ii) establish a deadline, of not more than 120 days after the notice of receipt is published in the Federal Register under clause (i), by which both the petitioner and Amtrak, if Amtrak chooses to do so, would be required to submit a complete bid to provide intercity rail passenger transportation over the applicable route;

''(C) require that each bid—

''(i) describe the capital needs, financial projections, and operational plans, including staffing plans, for the service, and such other factors as the Secretary considers appropriate; and

''(ii) be made available by the winning bidder to the public after the bid award;

''(D) for a route that receives funding from a State or States, require that for each bid received from a party described in paragraph (2), other than a State, the Secretary have the concurrence of the State or States that provide funding for that route;

''(E) for a winning bidder that is not or does not include Amtrak, require the Secretary to execute a contract not later than 270 days after the deadline established under subparagraph (B)(ii) and award to the winning bidder—

''(i) subject to paragraphs (3) and (4), the right and obligation to provide intercity rail passenger transportation over that route subject to such performance standards as the Secretary may require; and

''(ii) an operating subsidy, as determined by the Secretary, for—

''(I) the first year at a level that does not exceed 90 percent of the level in effect for that specific route during the fiscal year preceding the fiscal year in which the petition was received, adjusted for inflation; and

''(II) any subsequent years at the level calculated under subclause (I), adjusted for inflation; and

''(F) for a winning bidder that is or includes Amtrak, award to that bidder an operating subsidy, as determined by the Secretary, over the applicable route that will not change during the fiscal year in which the bid was submitted solely as a result of the winning bid.

''(2) ELIGIBLE PETITIONERS.—The following parties are eligible to submit petitions under paragraph (1):

''(A) A rail carrier or rail carriers that own the infrastructure over which Amtrak operates a long-distance route.

''(B) A rail passenger carrier with a written agreement with the rail carrier or rail carriers that own the infrastructure over which Amtrak operates a long-distance route and that host or would host the intercity rail passenger transportation.

''(C) A State, group of States, or State-supported joint powers authority or other sub-State governance entity responsible for provision of intercity rail passenger transportation with a written agreement with the rail carrier or rail carriers that own the infrastructure over which Amtrak operates a long-distance route and that host or would host the intercity rail passenger transportation.

''(D) A State, group of States, or State-supported joint powers authority or other sub-State governance entity responsible for provision of intercity rail passenger transportation and a rail passenger carrier with a written agreement with the rail carrier or rail carriers that own the infrastructure over which Amtrak operates a long-distance route and that host or would host the intercity rail passenger transportation.

''(3) PERFORMANCE STANDARDS.—If the winning bidder under paragraph (1)(E)(i) is not or does not include Amtrak, the performance standards shall be consistent with the performance required of or achieved by Amtrak on the applicable route during the last fiscal year.

''(4) AGREEMENT GOVERNING ACCESS ISSUES.—Unless the winning bidder already has applicable access agreements in place or includes a rail carrier that owns the infrastructure used in the operation of the route, the winning bidder under paragraph (1)(E)(i)

shall enter into a written agreement governing access issues between the winning bidder and the rail carrier or rail carriers that own the infrastructure over which the winning bidder would operate and that host or would host the intercity rail passenger transportation.

''(c) ACCESS TO FACILITIES; EMPLOYEES.—If the Secretary awards the right and obligation to provide rail passenger transportation over a route under this section to an entity in lieu of Amtrak—

''(1) the Secretary shall require Amtrak to provide access to the Amtrak-owned reservation system, stations, and facilities directly related to operations of the awarded routes to the rail passenger carrier awarded a contract under this section, in accordance with subsection (g), as necessary to carry out the purposes of this section;

''(2) an employee of any person, except for a freight railroad or a person employed or contracted by a freight railroad, used by such rail passenger carrier in the operation of a route under this section shall be considered an employee of that rail passenger carrier and subject to the applicable Federal laws and regulations governing similar crafts or classes of employees of Amtrak; and

''(3) the winning bidder shall provide hiring preference to qualified Amtrak employees displaced by the award of the bid, consistent with the staffing plan submitted by the bidder, and shall be subject to the grant conditions under section 24405.

''(d) CESSATION OF SERVICE.—If a rail passenger carrier awarded a route under this section ceases to operate the service or fails to fulfill an obligation under the contract required under subsection (b)(1)(E), the Secretary shall take any necessary action consistent with this title to enforce the contract and ensure the continued provision of service, including—

''(1) the installment of an interim rail passenger carrier;

''(2) providing to the interim rail passenger carrier under paragraph (1) an operating subsidy necessary to provide service; and

''(3) rebidding the contract to operate the rail passenger transportation.

''(e) BUDGET AUTHORITY.—

''(1) IN GENERAL.—The Secretary shall provide to a winning bidder that is not or does not include Amtrak and that is selected under this section any appropriations withheld under section 35101(c) of the Railroad Reform, Enhancement, and Efficiency Act, or any subsequent appropriation for the same purpose, necessary to cover the operating subsidy described in subsection (b)(1)(E)(ii).

''(2) AMTRAK.—If the Secretary selects a winning bidder that is not or does not include Amtrak, the Secretary may provide to Amtrak an appropriate portion of the appropriations under section 35101(a) of the Railroad Reform, Enhancement, and Efficiency Act, or any subsequent appropriation for the same purpose, to cover any cost directly attributable to the termination of Amtrak service on the route and any indirect costs to Amtrak imposed on other Amtrak routes as a result of losing service on the route operated by the winning bidder. Any amount provided by the Secretary to Amtrak under this paragraph shall not be deducted from or have any effect on the operating subsidy described in subsection (b)(1)(E)(ii).

''(f) DEADLINE.—If the Secretary does not promulgate the final rule and implement the program before the deadline under subsection (a), the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a letter, signed by the Secretary and Administrator of the Federal Railroad Administration, each month until the rule is complete, including—

''(1) the reasons why the rule has not been issued;

''(2) an updated staffing plan for completing the rule as soon as feasible;

''(3) the contact information of the official that will be overseeing the execution of the staffing plan; and

''(4) the estimated date of completion of the rule.

''(g) DISPUTES.—If Amtrak and the rail passenger carrier awarded a route under this section cannot agree upon terms to carry out subsection (c)(1), and the Surface Transportation Board finds that access to Amtrak's facilities or equipment, or the provision of services by Amtrak, is necessary under subsection (c)(1) and that the operation of Amtrak's other services will not be impaired thereby, the Surface Transportation Board shall issue an order that the facilities and equipment be made available, and that services be provided, by Amtrak, and shall determine reasonable compensation, liability, and other terms for use of the facilities and equipment and provision of the services.

''(h) LIMITATION.—Not more than 3 long-distance routes may be selected under this section for operation by a winning bidder that is not or does not include Amtrak.

''(i) PRESERVATION OF RIGHT TO COMPETITION ON STATE-SUPPORTED ROUTES.—Nothing in this section shall be construed as prohibiting a State from introducing competition for intercity rail passenger transportation or services on its State-supported route or routes.''.

(b) REPORT.—Not later than 4 years after the date of implementation of the pilot program under section 24711 of title 49, United States Code, and quadrennially thereafter until the pilot program is discontinued, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the results on the pilot program to date and any recommendations for further action.

SEC. 35206. ROLLING STOCK PURCHASES.

(a) IN GENERAL.—Prior to entering into any contract in excess of $100,000,000 for rolling stock and locomotive procurements Amtrak shall submit a business case analysis to the Secretary, the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate and the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives, on the utility of such procurements.

(b) CONTENTS.—The business case analysis shall—

(1) include a cost and benefit comparison that describes the total lifecycle costs and the anticipated benefits related to revenue, operational efficiency, reliability, and other factors;

(2) set forth the total payments by fiscal year;

(3) identify the specific source and amounts of funding for each payment, including Federal funds, State funds, Amtrak profits, Federal, State, or private loans or loan guarantees, and other funding;

(4) include an explanation of whether any payment under the contract will increase Amtrak's grant request, as required under section 24318 of title 49, United States Code, in that particular fiscal year; and

(5) describe how Amtrak will adjust the procurement if future funding is not available.

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as requiring Amtrak to disclose confidential information regarding a potential vendor's proposed pricing or other sensitive business information prior to contract execution.

SEC. 35207. FOOD AND BEVERAGE POLICY.

(a) IN GENERAL.—Chapter 243, as amended in section 35202 of this Act, is further amended by adding after section 24320 the following:

''§ 24321. Food and beverage reform

''(a) PLAN.—Not later than 90 days after the date of enactment of the Railroad Reform, Enhancement, and Efficiency Act, Amtrak shall develop and begin implementing a plan to eliminate, not later than 4 years after the date of enactment of that Act, the operating loss associated with providing food and beverage service on board Amtrak trains.

''(b) CONSIDERATIONS.—In developing and implementing the plan under subsection (a), Amtrak shall consider a combination of cost management and revenue generation initiatives, including—

''(1) scheduling optimization;

''(2) onboard logistics;

''(3) product development and supply chain efficiency;

''(4) training, awards, and accountability;

''(5) technology enhancements and process improvements; and

''(6) ticket revenue allocation.

''(c) SAVINGS CLAUSE.—Amtrak shall ensure that no Amtrak employee holding a position as of the date of enactment of the Railroad Reform, Enhancement, and Efficiency Act is involuntarily separated because of—

''(1) the development and implementation of the plan required under subsection (a); or

''(2) any other action taken by Amtrak to implement this section.

''(d) NO FEDERAL FUNDING FOR OPERATING LOSSES.—Beginning on the date that is 4 years after the date of enactment of the Railroad Reform, Enhancement, and Efficiency Act, no Federal funds may be used to cover any operating loss associated with providing food and beverage service on a route operated by Amtrak or an alternative passenger rail service provider that operates a route in lieu of Amtrak under section 24711.

''(e) REPORT.—Not later than 120 days after the date of enactment of the Railroad Reform, Enhancement, and Efficiency Act, and annually thereafter for a period of 4 years, Amtrak shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the plan developed under subsection (a) and a description of progress in the implementation of the plan.''.

(b) CONFORMING AMENDMENT.—The table of contents for chapter 243, as amended in section 35202 of this Act, is amended by adding at the end the following:

''24321. Food and beverage reform.''.

SEC. 35208. LOCAL PRODUCTS AND PROMOTIONAL EVENTS.

(a) IN GENERAL.—Not later than 6 months after the date of enactment of this Act, Amtrak shall establish a pilot program for a State or States that sponsor a State-supported route operated by Amtrak to facilitate—

(1) onboard purchase and sale of local food and beverage products; and

(2) partnerships with local entities to hold promotional events on trains or in stations.

(b) PROGRAM DESIGN.—The pilot program under paragraph (1) shall allow a State or States—

(1) to nominate and select a local food and beverage products supplier or suppliers or local promotional event partner;

(2) to charge a reasonable price or fee for local food and beverage products or promotional events and related activities to help defray the costs of program administration and State-supported routes; and

(3) a mechanism to ensure that State products can effectively be handled and integrated into existing food and beverage services, including compliance with all applicable regulations and standards governing such services.

(c) PROGRAM ADMINISTRATION.—The pilot program shall—

(1) for local food and beverage products, ensure the products are integrated into existing food and beverage services, including compliance with all applicable regulations and standards;

(2) for promotional events, ensure the events are held in compliance with all applicable regulations and standards, including terms to address insurance requirements; and

(3) require an annual report that documents revenues and costs and indicates whether the products or events resulted in a reduction in the financial contribution of a State or States to the applicable State-supported route.

(d) REPORT.—Not later than 4 years after the date of establishment of the pilot programs under this section, Amtrak shall report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on which States have participated in the pilot programs under this section. The report shall summarize the financial and operational outcomes of the pilot programs.

(e) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed as limiting Amtrak's ability to operate special trains in accordance with section 216 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24308 note).

SEC. 35209. RIGHT-OF-WAY LEVERAGING.

(a) REQUEST FOR PROPOSALS.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, Amtrak shall issue a Request for Proposals seeking qualified persons or entities to utilize right-of-way and real estate owned, controlled, or managed by Amtrak for telecommunications systems, energy distribution systems, and other activities considered appropriate by Amtrak.

(2) CONTENTS.—The Request for Proposals shall provide sufficient information on the right-of-way and real estate assets to enable respondents to propose an arrangement that will monetize or generate additional revenue from such assets through revenue sharing or leasing agreements with Amtrak, to the extent possible.

(b) CONSIDERATION OF PROPOSALS.—Not later than 180 days following the deadline for the receipt of proposals under subsection (a), Amtrak shall review and consider each qualified proposal. Amtrak may enter into such agreements as are necessary to implement any qualified proposal.

(c) REPORT.—Not later than 270 days following the deadline for the receipt of proposals under subsection (a), Amtrak shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the Request for Proposals required by this section, including summary information of any proposals submitted to Amtrak and any proposals accepted by Amtrak.

(d) SAVINGS CLAUSE.—Nothing in this section shall be construed to limit Amtrak's ability to utilize right-of-way or real estate assets that it currently owns, controls, or manages or constrain Amtrak's ability to enter into agreements with other parties to utilize such assets.

SEC. 35210. STATION DEVELOPMENT.

(a) REPORT ON DEVELOPMENT OPTIONS.—Not later than 1 year after the date of the enactment of this Act, Amtrak shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that describes—

(1) options to enhance economic development and accessibility of and around Amtrak stations and terminals, for the purposes of—

(A) improving station condition, functionality, capacity, and customer amenities;

(B) generating additional investment capital and development-related revenue streams;

(C) increasing ridership and revenue;

(D) complying with the applicable sections of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.); and

(E) strengthening multimodal connections, including transit, intercity buses, roll-on and roll-off bicycles, and airports, as appropriate; and

(2) options for additional Amtrak stops that would have a positive incremental financial impact to Amtrak, based on Amtrak feasibility studies that demonstrate a financial benefit to Amtrak by generating additional revenue that exceeds any incremental costs.

(b) REQUEST FOR INFORMATION.—Not later than 90 days after the date the report is transmitted under subsection (a), Amtrak shall issue a Request of Information for 1 or more owners of stations served by Amtrak to formally express an interest in completing the requirements of this section.

(c) PROPOSALS.—

(1) REQUEST FOR PROPOSALS.—Not later than 180 days after the date the Request for Information is issued under subsection (a), Amtrak shall issue a Request for Proposals from qualified persons, including small business concerns owned and controlled by socially and economically disadvantaged individuals and veteran-owned small businesses, to lead, participate, or partner with Amtrak, a station owner that responded under subsection (b), and other entities in enhancing development in and around such stations and terminals using applicable options identified under subsection (a) at facilities selected by Amtrak.

(2) CONSIDERATION OF PROPOSALS.—Not later than 1 year after the date the Request for Proposals are issued under paragraph (1), Amtrak shall review and consider qualified proposals submitted under paragraph (1). Amtrak or a station owner that responded under subsection (b) may enter into such agreements as are necessary to implement any qualified proposal.

(d) REPORT.—Not later than 3 years after the date of enactment of this Act, Amtrak shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the Request for Proposals process required under this section, including summary information of any qualified proposals submitted to Amtrak and any proposals acted upon by Amtrak or a station owner that responded under subsection (b).

(e) DEFINITIONS.—In this section, the terms ''small business concern'', ''socially and economically disadvantaged individual'', and ''veteran-owned small business'' have the meanings given the terms in section 304(c) of this Act.

(f) SAVINGS CLAUSE.—Nothing in this section shall be construed to limit Amtrak's ability to develop its stations, terminals, or other assets, to constrain Amtrak's ability to enter into and carry out agreements with other parties to enhance development at or around Amtrak stations or terminals, or to affect any station development initiatives ongoing as of the date of enactment of this Act.

SEC. 35211. AMTRAK DEBT.

Section 205 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note) is amended—

(1) by striking ''as of the date of enactment of this Act'' each place it appears;

(2) in subsection (a)—

(A) by inserting '', to the extent provided in advance in appropriations Acts'' after ''Amtrak's indebtedness''; and

(B) by striking the second sentence;

(3) in subsection (b), by striking ''The Secretary of the Treasury, in consultation'' and inserting ''To the extent amounts are provided in advance in appropriations Acts, the Secretary of the Treasury, in consultation'';

(4) in subsection (d), by inserting '', to the extent provided in advance in appropriations Acts'' after ''as appropriate'';

(5) in subsection (e)—

(A) in paragraph (1), by striking ''by section 102 of this division''; and

(B) in paragraph (2), by striking ''by section 102'' and inserting ''for Amtrak'';

(6) in subsection (g), by inserting '', unless that debt receives credit assistance, including direct loans and loan guarantees, under chapter 6 of title 23, United States Code or title V of the Railroad Revitalization and Regulatory Act of 1976 (45 U.S.C. 821 et seq.)'' after ''Secretary''; and

(7) by striking subsection (h).

SEC. 35212. AMTRAK PILOT PROGRAM FOR PASSENGERS TRANSPORTING DOMESTICATED CATS AND DOGS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, Amtrak shall develop a pilot program that allows passengers to transport domesticated cats or dogs on certain trains operated by Amtrak.

(b) PET POLICY.—In developing the pilot program required under subsection (a), Amtrak shall—

(1) in the case of a passenger train that is comprised of more than 1 car, designate, where feasible, at least 1 car in which a ticketed passenger may transport a domesticated cat or dog in the same manner as carry-on baggage if—

(A) the cat or dog is contained in a pet kennel;

(B) the pet kennel complies with Amtrak size requirements for carriage of carry-on baggage;

(C) the passenger is traveling on a train operating on a route described in subparagraph (A), (B), or (D) of section 24102(6) of title 49, United States Code; and

(D) the passenger pays a fee described in paragraph (3);

(2) allow a ticketed passenger to transport a domesticated cat or dog on a train in the same manner as cargo if—

(A) the cat or dog is contained in a pet kennel;

(B) the pet kennel is stowed in accordance with Amtrak requirements for cargo stowage;

(C) the passenger is traveling on a train operating on a route described in subparagraph (A), (B), or (D) of section 24102(6) of title 49, United States Code;

(D) the cargo area is temperature controlled in a manner protective of cat and dog safety and health; and

(E) the passenger pays a fee described in paragraph (3); and

(3) collect fees for each cat or dog transported by a ticketed passenger in an amount that, in the aggregate and at a minimum, covers the full costs of the pilot program.

(c) REPORT.—Not later than 1 year after the pilot program required under subsection (a) is first implemented, Amtrak shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report containing an evaluation of the pilot program.

(d) LIMITATION ON STATUTORY CONSTRUCTION.—

(1) SERVICE ANIMALS.—The pilot program under subsection (a) shall be separate from and in addition to the policy governing Amtrak passengers traveling with service animals. Nothing in this section may be interpreted to limit or waive the rights of passengers to transport service animals.

(2) ADDITIONAL TRAIN CARS.—Nothing in this section may be interpreted to require Amtrak to add additional train cars or modify existing train cars.

(3) FEDERAL FUNDS.—No Federal funds may be used to implement the pilot program required under this section.

SEC. 35213. AMTRAK BOARD OF DIRECTORS.

(a) IN GENERAL.—Section 24302(a) is amended to read as follows:

''(a) COMPOSITION AND TERMS.—

''(1) IN GENERAL.—The Amtrak Board of Directors (referred to in this section as the 'Board') is composed of the following 9 directors, each of whom must be a citizen of the United States:

''(A) The Secretary of Transportation.

''(B) The President of Amtrak.

''(C) 7 individuals appointed by the President of the United States, by and with the advice and consent of the Senate, with general business and financial experience, experience or qualifications in transportation, freight and passenger rail transportation, travel, hospitality, or passenger air transportation businesses, or representatives of employees or users of passenger rail transportation or a State government.

''(2) SELECTION.—In selecting individuals described in paragraph (1)(C) for nominations for appointments to the Board, the President shall consult with the Speaker of the House of Representatives, the minority leader of the House of Representatives, the majority leader of the Senate, and the minority leader of the Senate. The individuals appointed to the Board under paragraph (1)(C) shall be composed of the following;

''(A) 2 individuals from the Northeast Corridor.

''(B) 4 individuals from regions of the country outside of the Northeast Corridor and geographically distributed with—

''(i) 2 individuals from States with long-distance routes operated by Amtrak; and

''(ii) 2 individuals from States with State-supported routes operated by Amtrak.

''(C) 1 individual from the Northeast Corridor or a State with long-distance or State-supported routes.

''(3) TERM.—An individual appointed under paragraph (1)(C) shall be appointed for a term of 5 years. The term may be extended until the individual's successor is appointed and qualified. Not more than 4 individuals appointed under paragraph (1)(C) may be members of the same political party.

''(4) CHAIRPERSON AND VICE CHAIRPERSON.—The Board shall elect a chairperson and vice chairperson, other than the President of Amtrak, from among its membership. The vice chairperson shall serve as chairperson in the absence of the chairperson.

''(5) SECRETARY'S DESIGNEE.—The Secretary may be represented at Board meetings by the Secretary's designee.''.

(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as affecting the term of any director serving on the Amtrak Board of Directors under section 24302(a)(1)(C) of title 49, United States Code, on the day preceding the date of enactment of this Act.

SEC. 35214. AMTRAK BOARDING PROCEDURES.

(a) REPORT.—Not later than 6 months after the date of enactment of this Act, the Amtrak Office of Inspector General shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that—

(1) evaluates Amtrak's boarding procedures for passengers, including passengers using or transporting nonmotorized transportation, such as wheelchairs and bicycles, at its 15 stations through which the most people pass;

(2) compares Amtrak's boarding procedures to—

(A) commuter railroad boarding procedures at stations shared with Amtrak;

(B) international intercity passenger rail boarding procedures; and

(C) fixed guideway transit boarding procedures; and

(3) makes recommendations, as appropriate, in consultation with the Transportation Security Administration, to improve Amtrak's boarding procedures, including recommendations regarding the queuing of passengers and free-flow of all station users and facility improvements needed to achieve the recommendations.

(b) CONSIDERATION OF RECOMMENDATIONS.—Not later than 6 months after the report is submitted under subsection (a), Amtrak shall consider each recommendation provided under subsection (a)(3) for implementation at appropriate locations across the Amtrak system.

Subtitle C—Intercity Passenger Rail Policy

SEC. 35301. COMPETITIVE OPERATING GRANTS.

(a) IN GENERAL.—Chapter 244 is amended—

(1) by striking section 24406; and

(2) by inserting after section 24405 the following:

''§ 24406. Competitive operating grants

''(a) APPLICANT DEFINED.—In this section, the term 'applicant' means—

''(1) a State;

''(2) a group of States;

''(3) an Interstate Compact;

''(4) a public agency or publicly chartered authority established by 1 or more States and having responsibility for providing intercity rail passenger transportation or commuter rail passenger transportation;

''(5) a political subdivision of a State;

''(6) Amtrak or another rail passenger carrier that provides intercity rail passenger transportation;

''(7) Any rail carrier in partnership with at least 1 of the entities described in paragraphs (1) through (5); and

''(8) any combination of the entities described in paragraphs (1) through (7).

''(b) GRANTS AUTHORIZED.—The Secretary of Transportation shall develop and implement a program for issuing 3-year operating assistance grants to applicants, on a competitive basis, for the purpose of initiating, restoring, or enhancing intercity rail passenger service.

''(c) APPLICATION.—An applicant for a grant under this section shall submit to the Secretary—

''(1) a capital and mobilization plan that—

''(A) describes any capital investments, service planning actions (such as environmental reviews), and mobilization actions (such as qualification of train crews) required for initiation of service; and

''(B) includes the timeline for undertaking and completing each of the investments and actions referred to in subparagraph (A);

''(2) an operating plan that describes the planned operation of the service, including—

''(A) the identity and qualifications of the train operator;

''(B) the identity and qualifications of any other service providers;

''(C) service frequency;

''(D) the planned routes and schedules;

''(E) the station facilities that will be utilized;

''(F) projected ridership, revenues, and costs;

''(G) descriptions of how the projections under subparagraph (F) were developed;

''(H) the equipment that will be utilized, how such equipment will be acquired or refurbished, and where such equipment will be maintained; and

''(I) a plan for ensuring safe operations and compliance with applicable safety regulations;

''(3) a funding plan that—

''(A) describes the funding of initial capital costs and operating costs for the first 3 years of operation;

''(B) includes a commitment by the applicant to provide the funds described in subparagraph (A) to the extent not covered by Federal grants and revenues; and

''(C) describes the funding of operating costs and capital costs, to the extent necessary, after the first 3 years of operation; and

''(4) a description of the status of negotiations and agreements with—

''(A) each of the railroads or regional transportation authorities whose tracks or facilities would be utilized by the service;

''(B) the anticipated rail passenger carrier, if such entity is not part of the applicant group; and

''(C) any other service providers or entities expected to provide services or facilities that will be used by the service, including any required access to Amtrak systems, stations, and facilities if Amtrak is not part of the applicant group.

''(d) PRIORITIES.—In awarding grants under this section, the Secretary shall give priority to applications—

''(1) for which planning, design, any environmental reviews, negotiation of agreements, acquisition of equipment, construction, and other actions necessary for initiation of service have been completed or nearly completed;

''(2) that would restore service over routes formerly operated by Amtrak, including routes with international connections;

''(3) that would provide daily or daytime service over routes where such service did not previously exist;

''(4) that include private funding (including funding from railroads), and funding or other significant participation by State, local, and regional governmental and private entities;

''(5) that include a funding plan that demonstrates the intercity rail passenger service will be financially sustainable beyond the 3-year grant period;

''(6) that would provide service to regions and communities that are underserved or not served by other intercity public transportation;

''(7) that would foster economic development, particularly in rural communities and for disadvantaged populations;

''(8) that would provide other non-transportation benefits; and

''(9) that would enhance connectivity and geographic coverage of the existing national network of intercity passenger rail service.

''(e) LIMITATIONS.—

''(1) DURATION.—Federal operating assistance grants authorized under this section for any individual intercity rail passenger transportation route may not provide funding for more than 3 years and may not be renewed.

''(2) LIMITATION.—Not more than 6 of the operating assistance grants awarded pursuant to subsection (b) may be simultaneously active.

''(3) MAXIMUM FUNDING.—Grants described in paragraph (1) may not exceed—

''(A) 80 percent of the projected net operating costs for the first year of service;

''(B) 60 percent of the projected net operating costs for the second year of service; and

''(C) 40 percent of the projected net operating costs for the third year of service.

''(f) USE WITH CAPITAL GRANTS AND OTHER FEDERAL FUNDING.—A recipient of an operating assistance grant under subsection (b) may use that grant in combination with other grants awarded under this chapter or any other Federal funding that would benefit the applicable service.

''(g) AVAILABILITY.—Amounts appropriated for carrying out this section shall remain available until expended.

''(h) COORDINATION WITH AMTRAK.—If the Secretary awards a grant under this section to a rail passenger carrier other than Amtrak, Amtrak may be required under section 24711(c)(1) of this title to provide access to its reservation system, stations, and facilities that are directly related to operations to such carrier, to the extent necessary to carry out the purposes of this section. The Secretary may award an appropriate portion of the grant to Amtrak as compensation for this access.

''(i) CONDITIONS.—

''(1) GRANT AGREEMENT.—The Secretary shall require grant recipients under this section to enter into a grant agreement that requires them to provide similar information regarding the route performance, financial, and ridership projections, and capital and business plans that Amtrak is required to provide, and such other data and information as the Secretary deems necessary.

''(2) INSTALLMENTS; TERMINATION.—The Secretary may—

''(A) award grants under this section in installments, as the Secretary considers appropriate; and

''(B) terminate any grant agreement upon—

''(i) the cessation of service; or

''(ii) the violation of any other term of the grant agreement.

''(3) GRANT CONDITIONS.—Except as specifically provided in this section, the use of any amounts appropriated for grants under this section shall be subject to the requirements under this chapter.

''(j) REPORT.—Not later than 4 years after the date of enactment of the Railroad Reform, Enhancement, and Efficiency Act, the Secretary, after consultation with grant recipients under this section, shall submit a report to Congress that describes—

''(1) the implementation of this section;

''(2) the status of the investments and operations funded by such grants;

''(3) the performance of the routes funded by such grants;

''(4) the plans of grant recipients for continued operation and funding of such routes; and

''(5) any legislative recommendations.''.

(b) CONFORMING AMENDMENTS.—Chapter 244 is amended—

(1) in the table of contents, by inserting after the item relating to section 24405 the following:

''24406. Competitive operating grants.'';

(2) in the chapter title, by striking ''**INTERCITY PASSENGER RAIL SERVICE CORRIDOR CAPITAL**'' and inserting ''**RAIL CAPITAL AND OPERATING**'';

(3) in section 24401, by striking paragraph (1);

(4) in section 24402, by striking subsection (j) and inserting the following:

''(j) APPLICANT DEFINED.—In this section, the term 'applicant' means a State (including the District of Columbia), a group of States, an Interstate Compact, a public agency or publicly chartered authority established by 1 or more States and having responsibility for providing intercity rail passenger transportation, or a political subdivision of a State.''; and

(5) in section 24405—

(A) in subsection (b)—

(i) by inserting '', or for which an operating grant is issued under section 24406,'' after ''chapter''; and

(ii) in paragraph (2), by striking ''(43'' and inserting ''(45'';

(B) in subsection (d)(1), in the matter preceding subparagraph (A), by inserting ''or unless Amtrak ceased providing intercity passenger railroad transportation over the affected route more than 3 years before the commencement of new service'' after ''unless such service was provided solely by Amtrak to another entity'';

(C) in subsection (f), by striking ''under this chapter for commuter rail passenger transportation, as defined in section 24012(4) of this title.'' and inserting ''under this chapter for commuter rail passenger transportation (as defined in section 24102(3)).''; and

(D) by adding at the end the following:

''(g) SPECIAL TRANSPORTATION CIRCUMSTANCES.—In carrying out this chapter, the Secretary shall allocate an appropriate portion of the amounts available under this chapter to provide grants to States—

''(1) in which there is no intercity passenger rail service, for the purpose of funding freight rail capital projects that are on a State rail plan developed under chapter 227 that provide public benefits (as defined in chapter 227), as determined by the Secretary; or

''(2) in which the rail transportation system is not physically connected to rail systems in the continental United States or may not otherwise qualify for a grant under this section due to the unique characteristics of the geography of that State or other relevant considerations, for the purpose of funding transportation-related capital projects.''.

SEC. 35302. FEDERAL-STATE PARTNERSHIP FOR STATE OF GOOD REPAIR.

(a) AMENDMENT.—Chapter 244 is amended by inserting after section 24406, as added by section 5301 of this Act, the following:

''§ 24407. Federal-State partnership for state of good repair

''(a) DEFINITIONS.—In this section:

''(1) APPLICANT.—The term 'applicant' means—

''(A) a State (including the District of Columbia);

''(B) a group of States;

''(C) an Interstate Compact;

''(D) a public agency or publicly chartered authority established by 1 or more States that has responsibility for providing intercity rail passenger transportation or commuter rail passenger transportation;

''(E) a political subdivision of a State;

''(F) Amtrak, acting on its own behalf or under a cooperative agreement with 1 or more States; or

''(G) any combination of the entities described in subparagraphs (A) through (F).

''(2) CAPITAL PROJECT.—The term 'capital project' means—

''(A) a project primarily intended to replace, rehabilitate, or repair major infrastructure assets utilized for providing intercity passenger rail service, including tunnels, bridges, stations, and other assets, as determined by the Secretary; or

''(B) a project primarily intended to improve intercity passenger rail performance, including reduced trip times, increased train frequencies, higher operating speeds, and other improvements, as determined by the Secretary.

''(3) NORTHEAST CORRIDOR.—The term 'Northeast Corridor' means—

''(A) the main rail line between Boston, Massachusetts and the Virginia Avenue interlocking in the District of Columbia; and

''(B) the branch rail lines connecting to Harrisburg, Pennsylvania, Springfield, Massachusetts, and Spuyten Duyvil, New York.

''(4) QUALIFIED RAILROAD ASSET.—The term 'qualified railroad asset' means infrastructure, equipment, or a facility that—

''(A) is owned or controlled by an eligible applicant; and

''(B) was not in a state of good repair on the date of enactment of the Railroad Reform, Enhancement, and Efficiency Act.

''(b) GRANT PROGRAM AUTHORIZED.—The Secretary of Transportation shall develop and implement a program for issuing grants to applicants, on a competitive basis, to fund capital projects that reduce the state of good repair backlog on qualified railroad assets.

''(c) ELIGIBLE PROJECTS.—Projects eligible for grants under this section include capital projects to replace or rehabilitate qualified railroad assets, including—

''(1) capital projects to replace existing assets in-kind;

''(2) capital projects to replace existing assets with assets that increase capacity or provide a higher level of service; and

''(3) capital projects to ensure that service can be maintained while existing assets are brought to a state of good repair.

''(d) PROJECT SELECTION CRITERIA.—In selecting an applicant for a grant under this section, the Secretary shall—

''(1) give preference to eligible projects—

''(A) that are consistent with the goals, objectives, and policies defined in any regional rail planning document that is applicable to a project proposal; and

''(B) for which the proposed Federal share of total project costs does not exceed 50 percent; and

''(2) take into account—

''(A) the cost-benefit analysis of the proposed project, including anticipated private and public benefits relative to the costs of the proposed project, including—

''(i) effects on system and service performance;

''(ii) effects on safety, competitiveness, reliability, trip or transit time, and resilience;

''(iii) efficiencies from improved integration with other modes; and

''(iv) ability to meet existing or anticipated demand;

''(B) the degree to which the proposed project's business plan considers potential private sector participation in the financing, construction, or operation of the proposed project;

''(C) the applicant's past performance in developing and delivering similar projects, and previous financial contributions;

''(D) whether the applicant has, or will have—

''(i) the legal, financial, and technical capacity to carry out the project;

''(ii) satisfactory continuing control over the use of the equipment or facilities; and

''(iii) the capability and willingness to maintain the equipment or facilities;

''(E) if applicable, the consistency of the project with planning guidance and documents set forth by the Secretary or required by law; and

''(F) any other relevant factors, as determined by the Secretary.

''(e) PLANNING REQUIREMENTS.—A project is not eligible for a grant under this section unless the project is specifically identified—

''(1) on a State rail plan prepared in accordance with chapter 227; or

''(2) if the project is located on the Northeast Corridor, on the Northeast Corridor Capital Investment Plan developed pursuant to section 24904(a).

''(f) NORTHEAST CORRIDOR PROJECTS.—

''(1) COMPLIANCE WITH USAGE AGREEMENTS.—Grant funds may not be provided under this section to an eligible recipient for an eligible project located on the Northeast Corridor unless Amtrak and the public authorities providing commuter rail passenger transportation on the Northeast Corridor are in compliance with section 24905(c)(2).

''(2) CAPITAL INVESTMENT PLAN.—When selecting projects located on the Northeast Corridor, the Secretary shall consider the appropriate sequence and phasing of projects as contained in the Northeast Corridor Capital Investment Plan developed pursuant to section 24904(a).

''(g) FEDERAL SHARE OF TOTAL PROJECT COSTS.—

''(1) TOTAL PROJECT COST.—The Secretary shall estimate the total cost of a project under this section based on the best available information, including engineering studies, studies of economic feasibility, environmental analyses, and information on the expected use of equipment or facilities.

''(2) FEDERAL SHARE.—The Federal share of total costs for a project under this subsection shall not exceed 80 percent.

''(3) TREATMENT OF AMTRAK REVENUE.—If Amtrak or another rail passenger carrier is an applicant under this section, Amtrak or the other rail passenger carrier, as applicable, may use ticket and other revenues generated from its operations and other sources to satisfy the non-Federal share requirements.

''(h) LETTERS OF INTENT.—

''(1) IN GENERAL.—The Secretary may issue a letter of intent to a grantee under this section that—

''(A) announces an intention to obligate, for a major capital project under this section, an amount from future available budget authority specified in law that is not more than the amount stipulated as the financial participation of the Secretary in the project; and

''(B) states that the contingent commitment—

''(i) is not an obligation of the Federal Government; and

''(ii) is subject to the availability of appropriations under Federal law and to Federal laws in force or enacted after the date of the contingent commitment.

''(2) CONGRESSIONAL NOTIFICATION.—

''(A) IN GENERAL.—Not later than 30 days before issuing a letter under paragraph (1), the Secretary shall submit written notification to—

''(i) the Committee on Commerce, Science, and Transportation of the Senate;

''(ii) the Committee on Appropriations of the Senate;

''(iii) the Committee on Transportation and Infrastructure of the House of Representatives; and

''(iv) the Committee on Appropriations of the House of Representatives.

''(B) CONTENTS.—The notification submitted pursuant to subparagraph (A) shall include—

''(i) a copy of the proposed letter or agreement;

''(ii) the criteria used under subsection (d) for selecting the project for a grant award; and

''(iii) a description of how the project meets such criteria.

''(3) APPROPRIATIONS REQUIRED.—An obligation or administrative commitment may be made under this section only when amounts are appropriated for such purpose.

''(i) AVAILABILITY.—Amounts appropriated for carrying out this section shall remain available until expended.

''(j) GRANT CONDITIONS.—Except as specifically provided in this section, the use of any amounts appropriated for grants under this section shall be subject to the requirements under this chapter.''.

(b) CONFORMING AMENDMENT.—The table of contents for chapter 244 is amended by inserting after the item relating to section 24406 the following:

''24407. Federal-State partnership for state of good repair.''.

SEC. 35303. LARGE CAPITAL PROJECT REQUIREMENTS.

Section 24402 is amended by adding at the end the following:

''(m) LARGE CAPITAL PROJECT REQUIREMENTS.—

''(1) IN GENERAL.—For a grant awarded under this chapter for an amount in excess of $1,000,000,000, the following conditions shall apply:

''(A) The Secretary of Transportation may not obligate any funding unless the applicant demonstrates, to the satisfaction of the Secretary, that the applicant has committed, and will be able to fulfill, the non-Federal share required for the grant within the applicant's proposed project completion timetable.

''(B) The Secretary may not obligate any funding for work activities that occur after the completion of final design unless—

''(i) the applicant submits a financial plan to the Secretary that generally identifies the sources of the non-Federal funding required for any subsequent segments or phases of the corridor service development program covering the project for which the grant is awarded;

''(ii) the grant will result in a useable segment, a transportation facility, or equipment, that has operational independence or is financially sustainable; and

''(iii) the intercity passenger rail benefits anticipated to result from the grant, such as increased speed, improved on-time performance, reduced trip time, increased frequencies, new service, safety improvements, improved accessibility, or other significant enhancements, are detailed by the grantee and approved by the Secretary.

''(C)(i) The Secretary shall ensure that the project is maintained to the level of utility that is necessary to support the benefits approved under subparagraph (B)(iii) for a period of 20 years from the date on which the useable segment, transportation facility, or equipment described in subparagraph (B)(ii) is placed in service.

''(ii) If the project property is not maintained as required under clause (i) for a 12-month period, the grant recipient shall refund a pro-rata share of the Federal contribution, based upon the percentage remaining of the 20-year period that commenced when the project property was placed in service.

''(2) EARLY WORK.—The Secretary may allow a grantee subject to this subsection to engage in at-risk work activities subsequent to the conclusion of final design if the Secretary determines that such work activities are reasonable and necessary.''.

SEC. 35304. SMALL BUSINESS PARTICIPATION STUDY.

(a) STUDY.—The Secretary shall conduct a nationwide disparity and availability study on the availability and use of small business concerns owned and controlled by socially and economically disadvantaged individuals and veteran-owned small businesses in publicly funded intercity passenger rail service projects.

(b) REPORT.—Not later than 4 years after the date of enactment of this Act, the Secretary shall submit a report containing the results of the study conducted under subsection (a) to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

(c) DEFINITIONS.—In this section:

(1) SMALL BUSINESS CONCERN.—The term ''small business concern'' has the meaning given such term in section 3 of the Small Business Act (15 U.S.C. 632), except that the term does not include any concern or group of concerns controlled by the same socially and economically disadvantaged individual or individuals that have average annual gross receipts during the preceding 3 fiscal years in excess of $22,410,000, as adjusted annually by the Secretary for inflation.

(2) SOCIALLY AND ECONOMICALLY DISADVANTAGED INDIVIDUAL.—The term ''socially and economically disadvantaged individual'' has the meaning given such term in section 8(d) of the Small Business Act (15 U.S.C. 637(d)) and relevant subcontracting regulations issued pursuant to such Act, except that women shall be presumed to be socially and economically disadvantaged individuals for purposes of this section.

(3) VETERAN-OWNED SMALL BUSINESS.—The term ''veteran-owned small business'' has the meaning given the term ''small business concern owned and controlled by veterans'' in section 3(q)(3) of the Small Business Act (15 U.S.C. 632(q)(3)), except that the term does not include any concern or group of concerns controlled by the same veterans that have average annual gross receipts during the preceding 3 fiscal years in excess of $22,410,000, as adjusted annually by the Secretary for inflation.

SEC. 35305. GULF COAST RAIL SERVICE WORKING GROUP.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary shall convene a working group to evaluate the restoration of intercity rail passenger service in the Gulf Coast region between New Orleans, Louisiana, and Orlando, Florida.

(b) MEMBERSHIP.—The working group convened pursuant to subsection (a) shall consist of representatives of—

(1) the Federal Railroad Administration, which shall serve as chair of the working group;

(2) Amtrak;

(3) the States along the proposed route or routes;

(4) regional transportation planning organizations and metropolitan planning organizations, municipalities, and communities along the proposed route or routes, which shall be selected by the Administrator;

(5) the Southern Rail Commission;

(6) freight railroad carriers whose tracks may be used for such service; and

(7) other entities determined appropriate by the Secretary, which may include independent passenger rail operators that express an interest in Gulf Coast service.

(c) RESPONSIBILITIES.—The working group shall—

(1) evaluate all options for restoring intercity rail passenger service in the Gulf Coast region, including options outlined in the report transmitted to Congress pursuant to section 226 of the Passenger Rail Investment and Improvement Act of 2008 (division B of Public Law 110–432);

(2) select a preferred option for restoring such service;

(3) develop a prioritized inventory of capital projects and other actions required to restore such service and cost estimates for such projects or actions; and

(4) identify Federal and non-Federal funding sources required to restore such service, including options for entering into public-private partnerships to restore such service.

(d) REPORT.—Not later than 9 months after the date of enactment of this Act, the working group shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that includes—

(1) the preferred option selected under subsection (c)(2) and the reasons for selecting such option;

(2) the information described in subsection (c)(3);

(3) the funding sources identified under subsection (c)(4);

(4) the costs and benefits of restoring intercity rail passenger transportation in the region; and

(5) any other information the working group determines appropriate.

SEC. 35306. INTEGRATED PASSENGER RAIL WORKING GROUP.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall convene a working group to review issues relating to—

(1) the potential operation of State-supported routes by rail passenger carriers other than Amtrak; and

(2) their role in establishing an integrated intercity passenger rail network in the United States.

(b) MEMBERSHIP.—The working group shall consist of a balanced representation of—

(1) the Federal Railroad Administration, who shall chair the Working Group;

(2) States that fund State-sponsored routes;

(3) independent passenger rail operators, including those that carry at least 5,000,000 passengers annually in United States or international rail service;

(4) Amtrak;

(5) railroads that host intercity State-supported routes;

(6) employee representatives from railroad unions and building trade unions with substantial engagement in railroad rights of way construction and maintenance; and

(7) other entities determined appropriate by the Secretary.

(c) RESPONSIBILITIES.—The working group shall evaluate options for improving State-supported routes and may make recommendations, as appropriate, regarding—

(1) best practices for State or State authority governance of State-supported routes;

(2) future sources of Federal and non-Federal funding sources for State-supported routes;

(3) best practices in obtaining passenger rail operations and services on a competitive basis with the objective of creating the highest quality service at the lowest cost to the taxpayer;

(4) ensuring potential interoperability of State-supported routes as a part of a national network with multiple providers providing integrated services including ticketing, scheduling, and route planning; and

(5) the interface between State-supported routes and connecting commuter rail operations, including maximized intra-modal and intermodal connections and common sources of funding for capital projects.

(d) MEETINGS.—Not later than 60 days after the establishment of the working group by the Secretary under subsection (a), the working group shall convene an organizational meeting outside of the District of Columbia and shall define the rules and procedures governing the proceedings of the working group. The working group shall hold at least 3 meetings per year in States that fund State-supported routes.

(e) REPORTS.—

(1) PRELIMINARY REPORT.—Not later than 1 year after the date the working group is established, the working group shall submit a preliminary report to the Secretary, the Governors of States funding State-supported routes, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives that includes—

(A) administrative recommendations that can be implemented by a State and State authority or by the Secretary; and

(B) preliminary legislative recommendations.

(2) FINAL LEGISLATIVE RECOMMENDATIONS.—Not later than 2 years after the date the working group is established, the working group shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that includes final legislative recommendations.

SEC. 35307. SHARED-USE STUDY.

(a) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Secretary, in consultation with Amtrak, commuter rail authorities, and other passenger rail operators, railroad carriers that own rail infrastructure over which both passenger and freight trains operate, States, the Surface Transportation Board, the Northeast Corridor Commission established under section 24905, the State-Supported Route Committee established under section 24712, and groups representing rail passengers and customers, as appropriate, shall complete a study that evaluates—

(1) the shared use of right-of-way by passenger and freight rail systems; and

(2) the operational, institutional, and legal structures that would best support improvements to the systems referred to in paragraph (1).

(b) AREAS OF STUDY.—In conducting the study under subsection (a), the Secretary shall evaluate—

(1) the access and use of railroad right-of-way by a rail carrier that does not own the right-of-way, such as passenger rail services that operate over privately-owned right-of-way, including an analysis of—

(A) access agreements;

(B) costs of access; and

(C) the resolution of disputes relating to such access or costs;

(2) the effectiveness of existing contractual, statutory, and regulatory mechanisms for establishing, measuring, and enforcing train performance standards, including—

(A) the manner in which passenger train delays are recorded;

(B) the assignment of responsibility for such delays; and

(C) the use of incentives and penalties for performance;

(3) strengths and weaknesses in the existing mechanisms described in paragraph (2) and possible approaches to address the weaknesses;

(4) mechanisms for measuring and maintaining public benefits resulting from publicly funded freight or passenger rail improvements, including improvements directed towards shared-use right-of-way by passenger and freight rail;

(5) approaches to operations, capacity, and cost estimation modeling that—

(A) allows for transparent decisionmaking; and

(B) protects the proprietary interests of all parties;

(6) liability requirements and arrangements, including—

(A) whether to expand statutory liability limits to additional parties;

(B) whether to revise the current statutory liability limits;

(C) whether current insurance levels of passenger rail operators are adequate and whether to establish minimum insurance requirements for such passenger rail operators; and

(D) whether to establish a liability regime modeled after section 170 of the Atomic Energy Act of 1954 (42 U.S.C. 2210);

(7) the effect on rail passenger services, operations, liability limits and insurance levels of the assertion of sovereign immunity by a State; and

(8) other issues identified by the Secretary.

(c) REPORT.—Not later than 60 days after the study under subsection (a) is complete, the Secretary shall submit to the Committee

on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that includes—

(1) the results of the study; and

(2) any recommendations for further action, including any legislative proposals consistent with such recommendations.

(d) IMPLEMENTATION.—The Secretary shall integrate the recommendations submitted under subsection (c) into its financial assistance programs under subtitle V of title 49, United States Code, and section 502 of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 822), as appropriate.

SEC. 35308. NORTHEAST CORRIDOR COMMISSION.

(a) COMPOSITION.—Section 24905(a) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by inserting '', infrastructure investments,'' after ''rail operations'';

(B) by amending subparagraph (B) to read as follows:

''(B) members representing the Department of Transportation, including the Office of the Secretary, the Federal Railroad Administration, and the Federal Transit Administration;''; and

(C) in subparagraph (D) by inserting ''and commuter'' after ''freight''; and

(2) by amending paragraph (6) to read as follows:

''(6) The members of the Commission shall elect co-chairs consisting of 1 member described in paragraph (1)(B) and 1 member described in paragraph (1)(C).''.

(b) STATEMENT OF GOALS AND RECOMMENDATIONS.—Section 24905(b) is amended—

(1) in paragraph (1), by inserting ''and periodically update'' after ''develop'';

(2) in paragraph (2)(A), by striking ''beyond those specified in the state of good repair plan under section 211 of the Passenger Rail Investment and Improvement Act of 2008''; and

(3) by adding at the end the following:

''(3) SUBMISSION OF STATEMENT OF GOALS, RECOMMENDATIONS, AND PERFORMANCE REPORTS.—The Commission shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives—

''(A) any updates made to the statement of goals developed under paragraph (1) not later than 60 days after such updates are made; and

''(B) annual performance reports and recommendations for improvements, as appropriate, issued not later than March 31 of each year, for the prior fiscal year, which summarize—

''(i) the operations and performance of commuter, intercity, and freight rail transportation along the Northeast Corridor; and

''(ii) the delivery of the capital plan described in section 24904.''.

(c) COST ALLOCATION POLICY.—Section 24905(c) is amended—

(1) in the subsection heading, by striking ''ACCESS COSTS'' and inserting ''ALLOCATION OF COSTS'';

(2) in paragraph (1)—

(A) in the paragraph heading, by striking ''FORMULA'' and inserting ''POLICY'';

(B) in the matter preceding subparagraph (A), by striking ''Within 2 years after the date of enactment of the Passenger Rail Investment and Improvement Act of 2008, the Commission'' and inserting ''The Commission'';

(C) in subparagraph (A), by striking ''formula'' and inserting ''policy''; and

(D) by striking subparagraph (B) through (D) and inserting the following:

''(B) develop a proposed timetable for implementing the policy;

''(C) submit the policy and timetable developed under subparagraph (B) to the Surface Transportation Board, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives;

''(D) not later than October 1, 2015, adopt and implement the policy in accordance with the timetable; and

''(E) with the consent of a majority of its members, the Commission may petition the Surface Transportation Board to appoint a mediator to assist the Commission members through nonbinding mediation to reach an agreement under this section.'';

(3) in paragraph (2)—

(A) by striking ''formula proposed in'' and inserting ''policy developed under''; and

(B) in the second sentence—

(i) by striking ''the timetable, the Commission shall petition the Surface Transportation Board to'' and inserting ''paragraph (1)(D) or fail to comply with the policy thereafter, the Surface Transportation Board shall''; and

(ii) by striking ''amounts for such services in accordance with section 24904(c) of this title'' and inserting ''for such usage in accordance with the procedures and procedural schedule applicable to a proceeding under section 24903(c), after taking into consideration the policy developed under paragraph (1)(A), as applicable'';

(4) in paragraph (3), by striking ''formula'' and inserting ''policy''; and

(5) by adding at the end the following:

''(4) REQUEST FOR DISPUTE RESOLUTION.—If a dispute arises with the implementation of, or compliance with, the policy developed under paragraph (1), the Commission, Amtrak, or public authorities providing commuter rail passenger transportation on the Northeast Corridor may request that the Surface Transportation Board conduct dispute resolution. The Surface Transportation Board shall establish procedures for resolution of disputes brought before it under this paragraph, which may include the provision of professional mediation services.''.

(d) CONFORMING AMENDMENTS.—Section 24905 is amended—

(1) by striking subsection (d);

(2) by redesignating subsections (e) and (f) as subsections (d) and (e), respectively;

(3) in subsection (d), as redesignated, by striking ''to the Commission such sums as may be necessary for the period encompassing fiscal years 2009 through 2013 to carry out this section'' and inserting ''to the Secretary for the use of the Commission and the Northeast Corridor Safety Committee such sums as may be necessary to carry out this section during fiscal year 2016 through 2019, in addition to amounts withheld under section 35101(e) of the Railroad Reform, Enhancement, and Efficiency Act''; and

(4) in subsection (e)(2), as redesignated, by striking ''on the main line.'' and inserting ''on the main line and meet annually with the Commission on the topic of Northeast Corridor safety and security.''.

(e) NORTHEAST CORRIDOR PLANNING.—

(1) AMENDMENT.—Chapter 249 is amended—

(A) by redesignating section 24904 as section 24903; and

(B) by inserting after section 24903, as redesignated, the following:

''§ 24904. Northeast Corridor planning

''(a) NORTHEAST CORRIDOR CAPITAL INVESTMENT PLAN.—

''(1) REQUIREMENT.—Not later than May 1 of each year, the Northeast Corridor Commission established under section 24905 (referred to in this section as the 'Commission') shall—

''(A) develop a capital investment plan for the Northeast Corridor main line between Boston, Massachusetts, and the Virginia Avenue interlocking in the District of Columbia, and the Northeast Corridor branch lines connecting to Harrisburg, Pennsylvania, Springfield, Massachusetts, and Spuyten Duyvil, New York, including the facilities and services used to operate and maintain those lines; and

''(B) submit the capital investment plan to the Secretary of Transportation and the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

''(2) CONTENTS.—The capital investment plan shall—

''(A) reflect coordination and network optimization across the entire Northeast Corridor;

''(B) integrate the individual capital and service plans developed by each operator using the methods described in the cost allocation policy developed under section 24905(c);

''(C) cover a period of 5 fiscal years, beginning with the first fiscal year after the date on which the plan is completed;

''(D) notwithstanding section 24902(b), identify, prioritize, and phase the implementation of projects and programs to achieve the service outcomes identified in the Northeast Corridor service development plan and the asset condition needs identified in the Northeast Corridor asset management plans, once available, and consider—

''(i) the benefits and costs of capital investments in the plan;

''(ii) project and program readiness;

''(iii) the operational impacts; and

''(iv) funding availability;

''(E) categorize capital projects and programs as primarily associated with;

''(i) normalized capital replacement and basic infrastructure renewals;

''(ii) replacement or rehabilitation of major Northeast Corridor infrastructure assets, including tunnels, bridges, stations, and other assets;

''(iii) statutory, regulatory, or other legal mandates;

''(iv) improvements to support service enhancements or growth; or

''(v) strategic initiatives that will improve overall operational performance or lower costs;

''(F) identify capital projects and programs that are associated with more than 1 category described in subparagraph (E);

''(G) describe the anticipated outcomes of each project or program, including an assessment of—

''(i) the potential effect on passenger accessibility, operations, safety, reliability, and resiliency;

''(ii) the ability of infrastructure owners and operators to meet regulatory requirements if the project or program is not funded; and

''(iii) the benefits and costs; and

''(H) include a financial plan.

''(3) FINANCIAL PLAN.—The financial plan under paragraph (2)(H) shall—

''(A) identify funding sources and financing methods;

''(B) identify the expected allocated shares of costs pursuant to the cost allocation policy developed under section 24905(c);

''(C) identify the projects and programs that the Commission expects will receive Federal financial assistance; and

''(D) identify the eligible entity or entities that the Commission expects will receive the Federal financial assistance described under subparagraph (C).

''(b) FAILURE TO DEVELOP A CAPITAL INVESTMENT PLAN.—If a capital investment plan has not been developed by the Commission for a given fiscal year, then the funds assigned to the account established under section 24319(b) for that fiscal year may be spent only on—

''(1) capital projects described in clause (i) or (iii) of subsection (a)(2)(E) of this section; or

''(2) capital projects described in subsection (a)(2)(E)(iv) of this section that are for the sole benefit of Amtrak.

''(c) NORTHEAST CORRIDOR ASSET MANAGEMENT.—

''(1) CONTENTS.—With regard to its infrastructure, Amtrak and each State and public transportation entity that owns infrastructure that supports or provides for intercity rail passenger transportation on the Northeast Corridor shall develop an asset management system and develop and update, as necessary, a Northeast Corridor asset management plan for each service territory described in subsection (a) that—

''(A) are consistent with the Federal Transit Administration process, as authorized under section 5326, when implemented; and

''(B) include, at a minimum—

''(i) an inventory of all capital assets owned by the developer of the asset management plan;

''(ii) an assessment of asset condition;

''(iii) a description of the resources and processes necessary to bring or maintain those assets in a state of good repair, including decision-support tools and investment prioritization methods; and

''(iv) a description of changes in asset condition since the previous version of the plan.

''(2) TRANSMITTAL.—Each entity described in paragraph (1) shall transmit to the Commission—

''(A) not later than 2 years after the date of enactment of the Railroad Reform, Enhancement, and Efficiency Act, its Northeast Corridor asset management plan developed under paragraph (1); and

''(B) at least biennial thereafter, an update to its Northeast Corridor asset management plan.

''(d) NORTHEAST CORRIDOR SERVICE DEVELOPMENT PLAN UPDATES.—Not less frequently than once every 10 years, the Commission shall update the Northeast Corridor service development plan.''.

(2) CONFORMING AMENDMENTS.—

(A) NOTE AND MORTGAGE.—Section 24907(a) is amended by striking ''section 24904 of this title'' and inserting ''section 24903''.

(B) TABLE OF CONTENTS AMENDMENT.—The table of contents for chapter 249 is amended—

(i) by redesignating the item relating to section 24904 as relating to section 24903; and

(ii) by inserting after the item relating to section 24903, as redesignated, the following:

''24904. Northeast Corridor planning.''.

(3) REPEAL.—Section 211 of the Passenger Rail Investment and Improvement Act of 2008 (division B of Public Law 110–432; 49 U.S.C. 24902 note) is repealed.

SEC. 35309. NORTHEAST CORRIDOR THROUGH-TICKETING AND PROCUREMENT EFFICIENCIES.

(a) THROUGH-TICKETING STUDY.—

(1) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Northeast Corridor Commission established under section 24905(a) of title 49, United States Code (referred to in this section as the ''Commission''), in consultation with Amtrak and the commuter rail passenger transportation providers along the Northeast Corridor shall complete a study on the feasibility of and options for permitting through-ticketing between Amtrak service and commuter rail services on the Northeast Corridor.

(2) CONTENTS.—In completing the study under paragraph (1), the Northeast Corridor Commission shall—

(A) examine the current state of intercity and commuter rail ticketing technologies, policies, and other relevant aspects on the Northeast Corridor;

(B) consider and recommend technology, process, policy, or other options that would permit through-ticketing to allow intercity and commuter rail passengers to purchase, in a single transaction, travel that utilizes Amtrak and connecting commuter rail services;

(C) consider options to expand through-ticketing to include local transit services;

(D) summarize costs, benefits, opportunities, and impediments to developing such through-ticketing options; and

(E) develop a proposed methodology, including cost and schedule estimates, for carrying out a pilot program on through-ticketing on the Northeast Corridor.

(3) REPORT.—Not later than 60 days after the date the study under paragraph (1) is complete, the Commission shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that includes—

(A) the results of the study; and

(B) any recommendations for further action.

(b) JOINT PROCUREMENT STUDY.—

(1) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Secretary, in cooperation with the Commission, Amtrak, and commuter rail transportation authorities on the Northeast Corridor shall complete a study of the potential benefits resulting from Amtrak and such authorities undertaking select joint procurements for common materials, assets, and equipment when expending Federal funds for such purchases.

(2) CONTENTS.—In completing the study under paragraph (1), the Secretary shall consider—

(A) the types of materials, assets, and equipment that are regularly purchased by Amtrak and such authorities that are similar and could be jointly procured;

(B) the potential benefits of such joint procurements, including lower procurement costs, better pricing, greater market relevancy, and other efficiencies;

(C) the potential costs of such joint procurements;

(D) any significant impediments to undertaking joint procurements, including any necessary harmonization and reconciliation of Federal and State procurement or safety regulations or standards and other requirements; and

(E) whether to create Federal incentives or requirements relating to considering or carrying out joint procurements when expending Federal funds.

(3) TRANSMISSION.—Not later than 60 days after completing the study required under this subsection, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that includes—

(A) the results of the study; and

(B) any recommendations for further action.

(c) NORTHEAST CORRIDOR.—In this section, the term ''Northeast Corridor'' means the Northeast Corridor main line between Boston, Massachusetts, and the Virginia Avenue interlocking in the District of Columbia, and the Northeast Corridor branch lines connecting to Harrisburg, Pennsylvania, Springfield, Massachusetts, and Spuyten Duyvil, New York, including the facilities and services used to operate and maintain those lines.

SEC. 35310. DATA AND ANALYSIS.

(a) DATA.—Not later than 3 years after the date of enactment of this Act, the Secretary, in consultation with the Surface Transportation Board, Amtrak, freight railroads, State and local governments, and regional business, tourism and economic development agencies shall conduct a data needs assessment—

(1) to support the development of an efficient and effective intercity passenger rail network;

(2) to identify the data needed to conduct cost-effective modeling and analysis for intercity passenger rail development programs;

(3) to determine limitations to the data used for inputs;

(4) to develop a strategy to address such limitations;

(5) to identify barriers to accessing existing data;

(6) to develop recommendations regarding whether the authorization of additional data collection for intercity passenger rail travel is warranted; and

(7) to determine which entities will be responsible for generating or collecting needed data.

(b) BENEFIT-COST ANALYSIS.—Not later than 180 days after the date of enactment of this Act, the Secretary shall enhance the usefulness of assessments of benefits and costs, for intercity passenger rail and freight rail projects—

(1) by providing ongoing guidance and training on developing benefit and cost information for rail projects;

(2) by providing more direct and consistent requirements for assessing benefits and costs across transportation funding programs, including the appropriate use of discount rates;

(3) by requiring applicants to clearly communicate the methodology used to calculate the project benefits and costs, including non-proprietary information on—

(A) assumptions underlying calculations;

(B) strengths and limitations of data used; and

(C) the level of uncertainty in estimates of project benefits and costs; and

(4) by ensuring that applicants receive clear and consistent guidance on values to apply for key assumptions used to estimate potential project benefits and costs.

(c) CONFIDENTIAL DATA.—The Secretary shall protect sensitive or confidential to the greatest extent permitted by law. Nothing in

this section shall require any entity to provide information to the Secretary in the absence of a voluntary agreement.

SEC. 35311. PERFORMANCE-BASED PROPOSALS.

(a) SOLICITATION OF PROPOSALS.—

(1) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Secretary shall issue a request for proposals for projects for the financing, design, construction, operation, and maintenance of an intercity passenger rail system, including—

(A) the Northeast Corridor;

(B) the California Corridor;

(C) the Empire Corridor;

(D) the Pacific Northwest Corridor;

(E) the South Central Corridor;

(F) the Gulf Coast Corridor;

(G) the Chicago Hub Network;

(H) the Florida Corridor;

(I) the Keystone Corridor;

(J) the Northern New England Corridor; and

(K) the Southeast Corridor.

(2) SUBMISSION.—Proposals shall be submitted to the Secretary not later than 180 days after the publication of such request for proposals under paragraph (1).

(3) PERFORMANCE STANDARD.—Proposals submitted under paragraph (2) shall meet any standards established by the Secretary. For corridors with existing intercity passenger rail service, proposals shall also be designed to achieve a reduction of existing minimum intercity rail service trip times between the main corridor city pairs by a minimum of 25 percent. In the case of a proposal submitted with respect to paragraph (1)(A), the proposal shall be designed to achieve a 2-hour or less express service between Washington, District of Columbia, and New York City, New York.

(4) CONTENTS.—A proposal submitted under this subsection shall include—

(A) the names and qualifications of the persons submitting the proposal and the entities proposed to finance, design, construct, operate, and maintain the railroad, railroad equipment, and related facilities, stations, and infrastructure;

(B) a detailed description of the proposed rail service, including possible routes, required infrastructure investments and improvements, equipment needs and type, train frequencies, peak and average operating speeds, and trip times;

(C) a description of how the project would comply with all applicable Federal rail safety and security laws, orders, and regulations;

(D) the locations of proposed stations, which maximize the usage of existing infrastructure to the extent possible, and the populations such stations are intended to serve;

(E) the type of equipment to be used, including any technologies, to achieve trip time goals;

(F) a description of any proposed legislation needed to facilitate all aspects of the project;

(G) a financing plan identifying—

(i) projected revenue, and sources thereof;

(ii) the amount of any requested public contribution toward the project, and proposed sources;

(iii) projected annual ridership projections for the first 10 years of operations;

(iv) annual operations and capital costs;

(v) the projected levels of capital investments required both initially and in subsequent years to maintain a state-of-good-repair necessary to provide the initially proposed level of service or higher levels of service;

(vi) projected levels of private investment and sources thereof, including the identity of any person or entity that has made or is expected to make a commitment to provide or secure funding and the amount of such commitment; and

(vii) projected funding for the full fair market compensation for any asset, property right or interest, or service acquired from, owned, or held by a private person or Federal entity that would be acquired, impaired, or diminished in value as a result of a project, except as otherwise agreed to by the private person or entity;

(H) a description of how the project would contribute to the development of the intercity passenger rail system and an intermodal plan describing how the system will facilitate convenient travel connections with other transportation services;

(I) a description of how the project will ensure compliance with Federal laws governing the rights and status of employees associated with the route and service, including those specified in section 24405 of title 49, United States Code;

(J) a description of how the design, construction, implementation, and operation of the project will accommodate and allow for future growth of existing and projected intercity, commuter, and freight rail service;

(K) a description of how the project would comply with Federal and State environmental laws and regulations, of what environmental impacts would result from the project, and of how any adverse impacts would be mitigated; and

(L) a description of the project's impacts on highway and aviation congestion, energy consumption, land use, and economic development in the service area.

(b) DETERMINATION AND ESTABLISHMENT OF COMMISSIONS.—Not later than 90 days after receipt of the proposals under subsection (a), the Secretary shall—

(1) make a determination as to whether any such proposals—

(A) contain the information required under paragraphs (3) and (4) of subsection (a);

(B) are sufficiently credible to warrant further consideration;

(C) are likely to result in a positive impact on the Nation's transportation system; and

(D) are cost-effective and in the public interest;

(2) establish a commission under subsection (c) for each corridor with 1 or more proposals that the Secretary determines satisfy the requirements of paragraph (1); and

(3) forward to each commission established under paragraph (2) the applicable proposals for review and consideration.

(c) COMMISSIONS.—

(1) MEMBERS.—Each commission established under subsection (b)(2) shall include—

(A) the governors of the affected States, or their respective designees;

(B) mayors of appropriate municipalities with stops along the proposed corridor, or their respective designees;

(C) a representative from each freight railroad carrier using the relevant corridor, if applicable;

(D) a representative from each transit authority using the relevant corridor, if applicable;

(E) representatives of nonprofit employee labor organizations representing affected railroad employees; and

(F) the President of Amtrak or his or her designee.

(2) APPOINTMENT AND SELECTION.—The Secretary shall appoint the members under paragraph (1). In selecting each commission's members to fulfill the requirements under subparagraphs (B) and (E) of paragraph (1), the Secretary shall consult with the Chairperson and Ranking Member of the Committee on Commerce, Science, and Transportation of the Senate and of the Committee on Transportation and Infrastructure of the House of Representatives.

(3) CHAIRPERSON AND VICE-CHAIRPERSON SELECTION.—The Chairperson and Vice-Chairperson shall be elected from among members of each commission.

(4) QUORUM AND VACANCY.—

(A) QUORUM.—A majority of the members of each commission shall constitute a quorum.

(B) VACANCY.—Any vacancy in each commission shall not affect its powers and shall be filled in the same manner in which the original appointment was made.

(5) APPLICATION OF LAW.—Except where otherwise provided by this section, the Federal Advisory Committee Act (5 U.S.C. App.) shall apply to each commission created under this section.

(d) COMMISSION CONSIDERATION.—

(1) IN GENERAL.—Each commission established under subsection (b)(2) shall be responsible for reviewing the proposal or proposals forwarded to it under that subsection and not later than 90 days after the establishment of the commission, shall transmit to the Secretary a report, including—

(A) a summary of each proposal received;

(B) services to be provided under each proposal, including projected ridership, revenues, and costs;

(C) proposed public and private contributions for each proposal;

(D) the advantages offered by the proposal over existing intercity passenger rail services;

(E) public operating subsidies or assets needed for the proposed project;

(F) possible risks to the public associated with the proposal, including risks associated with project financing, implementation, completion, safety, and security;

(G) a ranked list of the proposals recommended for further consideration under subsection (e) in accordance with each proposal's projected positive impact on the Nation's transportation system;

(H) an identification of any proposed Federal legislation that would facilitate implementation of the projects and Federal legislation that would be required to implement the projects; and

(I) any other recommendations by the commission concerning the proposed projects.

(2) VERBAL PRESENTATION.—Proposers shall be given an opportunity to make a verbal presentation to the commission to explain their proposals.

(3) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary for the use of each commission established under subsection (b)(2) such sums as are necessary to carry out this section.

(e) SELECTION BY SECRETARY.—

(1) IN GENERAL.—Not later than 60 days after receiving the recommended proposals of the commissions established under subsection (b)(2), the Secretary shall—

(A) review such proposals and select any proposal that provides substantial benefits to the public and the national transportation system, is cost-effective, offers significant advantages over existing services, and meets other relevant factors determined appropriate by the Secretary; and

(B) submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report containing any proposal with respect to subsection (a)(1)(A)

that is selected by the Secretary under subparagraph (A) of this paragraph, all the information regarding the proposal provided to the Secretary under subsection (d), and any other information the Secretary considers relevant.

(2) SUBSEQUENT REPORT.—Following the submission of the report under paragraph (1)(B), the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report containing any proposal with respect to subparagraphs (B) through (K) of subsection (a)(1) that are selected by the Secretary under paragraph (1) of this subsection, all the information regarding the proposal provided to the Secretary under subsection (d), and any other information the Secretary considers relevant.

(3) LIMITATION ON REPORT SUBMISSION.—The report required under paragraph (2) shall not be submitted by the Secretary until the report submitted under paragraph (1)(B) has been considered through a hearing by the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on the report submitted under paragraph (1)(B).

(f) NO ACTIONS WITHOUT ADDITIONAL AUTHORITY.—No Federal agency may take any action to implement, establish, facilitate, or otherwise act upon any proposal submitted under this section, other than those actions specifically authorized by this section, without explicit statutory authority enacted after the date of enactment of this Act.

(g) DEFINITIONS.—In this section:

(1) INTERCITY PASSENGER RAIL.—The term ''intercity passenger rail'' means intercity rail passenger transportation as defined in section 24102 of title 49, United States Code.

(2) STATE.—The term ''State'' means any of the 50 States or the District of Columbia.

SEC. 35312. AMTRAK INSPECTOR GENERAL.

(a) AUTHORITY.—

(1) IN GENERAL.—The Inspector General of Amtrak shall have the authority available to other Inspectors General, as necessary in carrying out the duties specified in the Inspector General Act of 1978 (5 U.S.C. App.), to investigate any alleged violation of sections 286, 287, 371, 641, 1001, 1002 and 1516 of title 18, United States Code.

(2) AGENCY.—For purposes of sections 286, 287, 371, 641, 1001, 1002, and 1516 of title 18, United States Code, Amtrak and the Amtrak Office of Inspector General, shall be considered a corporation in which the United States has a proprietary interest as set forth in section 6 of that title.

(b) ASSESSMENT.—The Inspector General of Amtrak shall—

(1) not later than 60 days after the date of enactment of this Act, initiate an assessment to determine whether current expenditures or procurements involving Amtrak's fulfillment of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) utilize competitive, market-driven provisions that are applicable throughout the entire term of such related expenditures or procurements; and

(2) not later than 6 months after the date of enactment of this Act, transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives the assessment under paragraph (1).

(c) LIMITATION.—The authority provided by subsections (a) and (b) shall be effective only with respect to a fiscal year for which Amtrak receives a Federal subsidy.

SEC. 35313. MISCELLANEOUS PROVISIONS.

(a) TITLE 49 AMENDMENTS.—

(1) CONTINGENT INTEREST RECOVERIES.—Section 22106(b) is amended by striking ''interest thereof'' and inserting ''interest thereon''.

(2) AUTHORITY.—Section 22702(b)(4) is amended by striking ''5 years for reapproval by the Secretary'' and inserting ''4 years for acceptance by the Secretary''.

(3) CONTENTS OF STATE RAIL PLANS.—Section 22705(a) is amended by striking paragraph (12).

(4) MISSION.—Section 24101(b) is amended by striking ''of subsection (d)'' and inserting ''set forth in subsection (c)''.

(5) TABLE OF CONTENTS AMENDMENT.—The table of contents for chapter 243 is amended by striking the item relating to section 24316 and inserting the following:

''24316. Plans to address the needs of families of passengers involved in rail passenger accidents.''.

(6) UPDATE.—Section 24305(f)(3) is amended by striking ''$1,000,000'' and inserting ''$5,000,000''.

(7) AMTRAK.—Chapter 247 is amended—

(A) in section 24702(a), by striking ''not included in the national rail passenger transportation system'';

(B) in section 24706—

(i) in subsection (a)—

(I) in paragraph (1), by striking ''a discontinuance under section 24704 or or''; and

(II) in paragraph (2), by striking ''section 24704 or''; and

(ii) in subsection (b), by striking ''section 24704 or''; and

(C) in section 24709, by striking ''The Secretary of the Treasury and the Attorney General,'' and inserting ''The Secretary of Homeland Security,''.

(b) PASSENGER RAIL INVESTMENT AND IMPROVEMENT ACT AMENDMENTS.—Section 305(a) of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note) is amended by inserting ''nonprofit organizations representing employees who perform overhaul and maintenance of passenger railroad equipment,'' after ''equipment manufacturers,''.

Subtitle D—Rail Safety

PART I—SAFETY IMPROVEMENT

SEC. 35401. HIGHWAY-RAIL GRADE CROSSING SAFETY.

(a) MODEL STATE HIGHWAY-RAIL GRADE CROSSING ACTION PLAN.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall develop a model of a State-specific highway-rail grade crossing action plan and distribute the model plan to each State.

(2) CONTENTS.—The plan developed under paragraph (1) shall include—

(A) methodologies, tools, and data sources for identifying and evaluating highway-rail grade crossing safety risks, including the public safety risks posed by blocked highway-rail grade crossings due to idling trains;

(B) best practices to reduce the risk of highway-rail grade crossing accidents or incidents and to alleviate the blockage of highway-rail grade crossings due to idling trains, including strategies for—

(i) education, including model stakeholder engagement plans or tools;

(ii) engineering, including the benefits and costs of different designs and technologies used to mitigate highway-rail grade crossing safety risks; and

(iii) enforcement, including the strengths and weaknesses associated with different enforcement methods;

(C) for each State, a customized list and data set of the highway-rail grade crossing accidents or incidents in that State over the past 3 years, including the location, number of deaths, and number of injuries for each accident or incident; and

(D) contact information of a Department of Transportation safety official available to assist the State in adapting the model plan to satisfy the requirements under subsection (b).

(b) STATE HIGHWAY-RAIL GRADE CROSSING ACTION PLANS.—

(1) REQUIREMENTS.—Not later than 18 months after the Secretary develops and distributes the model plan under subsection (a), the Secretary shall promulgate a rule that requires—

(A) each State, except the 10 States identified under section 202 of the Rail Safety Improvement Act of 2008 (49 U.S.C. 22501 note), to develop and implement a State highway-rail grade crossing action plan; and

(B) each State that was identified under section 202 of the Rail Safety Improvement Act of 2008 (49 U.S.C. 22501 note), to update its State action plan under that section and submit to the Secretary the updated State action plan and a report describing what the State did to implement its previous State action plan under that section and how it will continue to reduce highway-rail grade crossing safety risks.

(2) CONTENTS.—Each State plan required under this subsection shall—

(A) identify highway-rail grade crossings that have experienced recent highway-rail grade crossing accidents or incidents, or are at high-risk for accidents or incidents;

(B) identify specific strategies for improving safety at highway-rail grade crossings, including highway-rail grade crossing closures or grade separations; and

(C) designate a State official responsible for managing implementation of the State plan under subparagraph (A) or (B) of paragraph (1), as applicable.

(3) ASSISTANCE.—The Secretary shall provide assistance to each State in developing and carrying out, as appropriate, the State plan under this subsection.

(4) PUBLIC AVAILABILITY.—Each State shall submit its final State plan under this subsection to the Secretary for publication. The Secretary shall make each approved State plan publicly available on an official Internet Web site.

(5) CONDITIONS.—The Secretary may condition the awarding of a grant to a State under chapter 244 of title 49, United States Code, on that State submitting an acceptable State plan under this subsection.

(6) REVIEW OF ACTION PLANS.—Not later than 60 days after the date of receipt of a State plan under this subsection, the Secretary shall—

(A) if the State plan is approved, notify the State and publish the State plan under paragraph (4); and

(B) if the State plan is incomplete or deficient, notify the State of the specific areas in which the plan is deficient and allow the State to complete the plan or correct the deficiencies and resubmit the plan under paragraph (1).

(7) DEADLINE.—Not later than 60 days after the date of a notice under paragraph (6)(B), a State shall complete the plan or correct the deficiencies and resubmit the plan.

(8) FAILURE TO COMPLETE OR CORRECT PLAN.—If a State fails to meet the deadline

under paragraph (7), the Secretary shall post on the Web site under paragraph (4) a notice that the State has an incomplete or deficient highway-rail grade crossing action plan.

(c) RAILWAY-HIGHWAY CROSSINGS FUNDS.—The Secretary may use funds made available to carry out section 130 of title 23, United States Code, to provide States with funds to develop a State highway-rail grade crossing action plan under subsection (b)(1)(A) of this section or to update a State action plan under subsection (b)(1)(B) of this section.

(d) DEFINITIONS.—In this section:

(1) HIGHWAY-RAIL GRADE CROSSING.—The term ''highway-rail grade crossing'' means a location within a State, other than a location where 1 or more railroad tracks cross 1 or more railroad tracks at grade, where—

(A) a public highway, road, or street, or a private roadway, including associated sidewalks and pathways, crosses 1 or more railroad tracks either at grade or grade-separated; or

(B) a pathway explicitly authorized by a public authority or a railroad carrier that is dedicated for the use of non-vehicular traffic, including pedestrians, bicyclists, and others, that is not associated with a public highway, road, or street, or a private roadway, crosses 1 or more railroad tracks either at grade or grade-separated.

(2) STATE.—The term ''State'' means a State of the United States or the District of Columbia.

SEC. 35402. SPEED LIMIT ACTION PLANS.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, each railroad carrier providing intercity rail passenger transportation or commuter rail passenger transportation, in consultation with any applicable host railroad carrier, shall survey its entire system and identify each main track location where there is a reduction of more than 20 miles per hour from the approach speed to a curve or bridge and the maximum authorized operating speed for passenger trains at that curve or bridge.

(b) ACTION PLANS.—Not later than 120 days after the date that the survey under subsection (a) is complete, a rail passenger carrier shall submit to the Secretary an action plan that—

(1) identifies each main track location where there is a reduction of more than 20 miles per hour from the approach speed to a curve or bridge and the maximum authorized operating speed for passenger trains at that curve or bridge;

(2) describes appropriate actions, including modification to automatic train control systems, if applicable, other signal systems, increased crew size, improved signage, or other practices, including increased crew communication, to enable warning and enforcement of the maximum authorized speed for passenger trains at each location identified under paragraph (1);

(3) contains milestones and target dates for implementing each appropriate action described under paragraph (2); and

(4) ensures compliance with the maximum authorized speed at each location identified under paragraph (1).

(c) APPROVAL.—Not later than 90 days after the date an action plan is submitted under subsection (a), the Secretary shall approve, approve with conditions, or disapprove the action plan.

(d) ALTERNATIVE SAFETY MEASURES.—The Secretary may exempt from the requirements of this section each segment of track for which operations are governed by a positive train control system certified under section 20157 of title 49, United States Code, or any other safety technology or practice that would achieve an equivalent or greater level of safety in reducing derailment risk.

(e) REPORT.—Not later than 6 months after the date of the enactment of this Act, the Secretary shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that describes—

(1) the actions the railroad carriers have taken in response to Safety Advisory 2013–08, entitled ''Operational Tests and Inspections for Compliance With Maximum Authorized Train Speeds and Other Speed Restrictions'';

(2) the actions the railroad carriers have taken in response to Safety Advisory 2015–03, entitled ''Operational and Signal Modifications for Compliance with Maximum Authorized Passenger Train Speeds and Other Speed Restrictions''; and

(3) the actions the Federal Railroad Administration has taken to evaluate or incorporate the information and findings arising from the safety advisories referred to in paragraphs (1) and (2) into the development of regulatory action and oversight activities.

(f) SAVINGS CLAUSE.—Nothing in this section shall prohibit the Secretary from applying the requirements of this section to other segments of track at high risk of overspeed derailment.

SEC. 35403. SIGNAGE.

(a) IN GENERAL.—The Secretary shall promulgate such regulations as the Secretary considers necessary to require each railroad carrier providing intercity rail passenger transportation or commuter rail passenger transportation, in consultation with any applicable host railroad carrier, to install signs to warn train crews before the train approaches a location that the Secretary identifies as having high risk of overspeed derailment.

(b) ALTERNATIVE SAFETY MEASURES.—The Secretary may exempt from the requirements of this section each segment of track for which operations are governed by a positive train control system certified under section 20157 of title 49, United States Code, or any other safety technology or practice that would achieve an equivalent or greater level of safety in reducing derailment risk.

SEC. 35404. ALERTERS.

(a) IN GENERAL.—The Secretary shall promulgate a rule to require a working alerter in the controlling locomotive of each passenger train in intercity rail passenger transportation (as defined in section 24102 of title 49, United States Code) or commuter rail passenger transportation (as defined in section 24102 of title 49, United States Code).

(b) RULEMAKING.—

(1) IN GENERAL.—The Secretary may promulgate a rule to specify the essential functionalities of a working alerter, including the manner in which the alerter can be reset.

(2) ALTERNATE PRACTICE OR TECHNOLOGY.—The Secretary may require or allow a technology or practice in lieu of a working alerter if the Secretary determines that the technology or practice would achieve an equivalent or greater level of safety in enhancing or ensuring appropriate locomotive control.

SEC. 35405. SIGNAL PROTECTION.

(a) IN GENERAL.—The Secretary shall promulgate regulations to require, not later than 18 months after the date of the enactment of this Act, that on-track safety regulations, whenever practicable and consistent with other safety requirements and operational considerations, include requiring implementation of redundant signal protection, such as shunting or other practices and technologies that achieve an equivalent or greater level of safety, for maintenance-of-way work crews who depend on a train dispatcher to provide signal protection.

(b) ALTERNATIVE SAFETY MEASURES.—The Secretary may exempt from the requirements of this section each segment of track for which operations are governed by a positive train control system certified under section 20157 of title 49, United States Code, or any other safety technology or practice that would achieve an equivalent or greater level of safety in providing additional signal protection.

SEC. 35406. TECHNOLOGY IMPLEMENTATION PLANS.

Section 20156(e) is amended—

(1) in paragraph (4)—

(A) in subparagraph (A), by striking ''and'' at the end; and

(B) in subparagraph (B), by striking the period at the end and inserting ''; and''; and

(2) by adding at the end the following:

''(C) each railroad carrier required to submit such a plan, until the implementation of a positive train control system by the railroad carrier, shall analyze and, as appropriate, prioritize technologies and practices to mitigate the risk of overspeed derailments.''.

SEC. 35407. COMMUTER RAIL TRACK INSPECTIONS.

(a) IN GENERAL.—The Secretary shall evaluate track inspection regulations to determine if a railroad carrier providing commuter rail passenger transportation on high density commuter railroad lines should be required to inspect the lines in the same manner as currently required for other commuter railroad lines.

(b) RULEMAKING.—Considering safety, including railroad carrier employee and contractor safety, and system capacity, the Secretary may promulgate a rule for high density commuter railroad lines. If, after the evaluation under subsection (a), the Secretary determines that it is necessary to promulgate a rule, the Secretary shall specifically consider the following regulatory requirements for high density commuter railroad lines:

(1) At least once every 2 weeks—

(A) traverse each main line by vehicle; or

(B) inspect each main line on foot.

(2) At least once each month, traverse and inspect each siding by vehicle or by foot.

(c) REPORT.—If, after the evaluation under subsection (a), the Secretary determines it is not necessary to revise the regulations under this section, the Secretary, not later than 18 months after the date of enactment of this Act, shall transmit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives explaining the reasons for not revising the regulations.

(d) CONSTRUCTION.—Nothing in this section may be construed to limit the authority of the Secretary to promulgate regulations or issue orders under any other law.

SEC. 35408. EMERGENCY RESPONSE.

(a) IN GENERAL.—The Secretary, in consultation with railroad carriers, shall conduct a study to determine whether limitations or weaknesses exist in the emergency response information carried by train crews transporting hazardous materials.

(b) CONTENTS.—In conducting the study under subsection (a), the Secretary shall evaluate the differences between the emergency response information carried by train

crews transporting hazardous materials and the emergency response guidance provided in the Emergency Response Guidebook issued by the Department of Transportation.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report of the findings of the study under subsection (a) and any recommendations for legislative action.

SEC. 35409. PRIVATE HIGHWAY-RAIL GRADE CROSSINGS.

(a) IN GENERAL.—The Secretary, in consultation with railroad carriers, shall conduct a study—

(1) to determine whether limitations or weaknesses exist regarding the availability and usefulness for safety purposes of data on private highway-rail grade crossings; and

(2) to evaluate existing engineering practices on private highway-rail grade crossings.

(b) CONTENTS.—In conducting the study under subsection (a), the Secretary shall make recommendations as necessary to improve—

(1) the utility of the data on private highway-rail grade crossings; and

(2) the implementation of private highway-rail crossing safety measures, including signage and warning systems.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report of the findings of the study and any recommendations for further action.

SEC. 35410. REPAIR AND REPLACEMENT OF DAMAGED TRACK INSPECTION EQUIPMENT.

(a) IN GENERAL.—Subchapter I of chapter 201 is amended by inserting after section 20120 the following:

''§ 20121. Repair and replacement of damaged track inspection equipment

''The Secretary of Transportation may receive and expend cash, or receive and utilize spare parts and similar items, from non-United States Government sources to repair damages to or replace United States Government owned automated track inspection cars and equipment as a result of third-party liability for such damages, and any amounts collected under this section shall be credited directly to the Railroad Safety and Operations account of the Federal Railroad Administration, and shall remain available until expended for the repair, operation, and maintenance of automated track inspection cars and equipment in connection with the automated track inspection program.''.

(b) CONFORMING AMENDMENT.—The table of contents for subchapter I of chapter 201 is amended by adding after section 21020 the following:

''20121. Repair and replacement of damaged track inspection equipment.''.

SEC. 35411. RAIL POLICE OFFICERS.

(a) IN GENERAL.—Section 28101 is amended—

(1) by striking ''employed by'' each place it appears and inserting ''directly employed by or contracted by'';

(2) in subsection (b), by inserting ''or agent, as applicable,'' after ''an employee''; and

(3) by adding at the end the following:

''(c) TRANSFERS.—

''(1) IN GENERAL.—If a railroad police officer directly employed by or contracted by a rail carrier and certified or commissioned as a police officer under the laws of a State transfers primary employment or residence from the certifying or commissioning State to another State or jurisdiction, the railroad police officer, not later than 1 year after the date of transfer, shall apply to be certified or commissioned as a police office under the laws of the State of new primary employment or residence.

''(2) INTERIM PERIOD.—During the period beginning on the date of transfer and ending 1 year after the date of transfer, a railroad police officer directly employed by or contracted by a rail carrier and certified or commissioned as a police officer under the laws of a State may enforce the laws of the new jurisdiction in which the railroad police officer resides, to the same extent as provided in subsection (a).

''(d) TRAINING.—

''(1) IN GENERAL.—A State shall recognize as meeting that State's basic police officer certification or commissioning requirements for qualification as a rail police officer under this section any individual who successfully completes a program at a State-recognized police training academy in another State or at a Federal law enforcement training center and who is certified or commissioned as a police officer by that other State.

''(2) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed as superseding or affecting any unique State training requirements related to criminal law, criminal procedure, motor vehicle code, or State-mandated comparative or annual in-service training academy or Federal law enforcement training center.''.

(b) REGULATIONS.—Not later than 1 year after the date of enactment of this Act, the Secretary shall revise the regulations in part 207 of title 49, Code of Federal Regulations (relating to railroad police officers), to permit a railroad to designate an individual, who is commissioned in the individual's State of legal residence or State of primary employment and directly employed by or contracted by a railroad to enforce State laws for the protection of railroad property, personnel, passengers, and cargo, to serve in the States in which the railroad owns property.

(c) CONFORMING AMENDMENTS.—

(1) AMTRAK RAIL POLICE.—Section 24305(e) is amended—

(A) by striking ''may employ'' and inserting ''may directly employ or contract with'';

(B) by striking ''employed by'' and inserting ''directly employed by or contracted by''; and

(C) by striking ''employed without'' and inserting ''directly employed or contracted without''.

(2) SECURE GUN STORAGE OR SAFETY DEVICE; EXCEPTIONS.—Section 922(z)(2)(B) of title 18 is amended by striking ''employed by'' and inserting ''directly employed by or contracted by''.

SEC. 35412. OPERATION DEEP DIVE; REPORT.

(a) PROGRESS REPORTS.—Not later than 60 days after the date of the enactment of this Act, and quarterly thereafter until the completion date, the Administrator of the Federal Railroad Administration shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that describes the progress of Metro-North Commuter Railroad in implementing the directives and recommendations issued by the Federal Railroad Administration in its March 2014 report to Congress titled ''Operation Deep Dive Metro-North Commuter Railroad Safety Assessment''.

(b) FINAL REPORT.—Not later than 30 days after the completion date, the Administrator of the Federal Railroad Administration shall submit a final report on the directives and recommendations to Congress.

(c) DEFINED TERM.—In this section, the term ''completion date'' means the date on which Metro-North Commuter Railroad has completed all of the directives and recommendations referred to in subsection (a).

SEC. 35413. POST-ACCIDENT ASSESSMENT.

(a) IN GENERAL.—The Secretary of Transportation, in cooperation with the National Transportation Safety Board and the National Railroad Passenger Corporation (referred to in this section as ''Amtrak''), shall conduct a post-accident assessment of the Amtrak Northeast Regional Train #188 crash on May 12, 2015.

(b) ELEMENTS.—The assessment conducted pursuant to subsection (a) shall include—

(1) a review of Amtrak's compliance with the plan for addressing the needs of the families of passengers involved in any rail passenger accident, which was submitted pursuant to section 24316 of title 49, United States Code;

(2) a review of Amtrak's compliance with the emergency preparedness plan required under section 239.101(a) of title 49, Code of Federal Regulations;

(3) a determination of any additional action items that should be included in the plans referred to in paragraphs (1) and (2) to meet the needs of the passengers involved in the crash and their families, including—

(A) notification of emergency contacts;

(B) dedicated and trained staff to manage family assistance;

(C) the establishment of a family assistance center at the accident locale or other appropriate location;

(D) a system for identifying and recovering items belonging to passengers that were lost in the crash; and

(E) the establishment of a single customer service entity within Amtrak to coordinate the response to the needs of the passengers involved in the crash and their families;

(4) recommendations for any additional training needed by Amtrak staff to better implement the plans referred to in paragraphs (1) and (2), including the establishment of a regular schedule for training drills and exercises.

(c) REPORT TO CONGRESS.—Not later than 1 year after the date of the enactment of this Act, Amtrak shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that describes—

(1) its plan to achieve the recommendations referred to in subsection (b)(4); and

(2) steps that have been taken to address any deficiencies identified through the assessment.

SEC. 35414. TECHNICAL AND CONFORMING AMENDMENTS.

(a) ASSISTANCE TO FAMILIES OF PASSENGERS INVOLVED IN RAIL PASSENGER ACCIDENTS.—Section 1139 is amended—

(1) in subsection (a)(1), by striking ''phone number'' and inserting ''telephone number'';

(2) in subsection (a)(2), by striking ''post trauma communication with families'' and inserting ''post-trauma communication with families''; and

(3) in subsection (j), by striking ''railroad passenger accident'' each place it appears and inserting ''rail passenger accident''.

(b) SOLID WASTE RAIL TRANSFER FACILITY LAND-USE EXEMPTION.—Section 10909 is amended—

(1) in subsection (b), in the matter preceding paragraph (1), by striking ''Clean Railroad Act of 2008'' and inserting ''Clean Railroads Act of 2008''; and

(2) in subsection (e), by striking ''Upon the granting of petition from the State'' and inserting ''Upon the granting of a petition from the State''.

(c) RULEMAKING PROCESS.—Section 20116 is amended—

(1) by inserting ''(2)'' before ''the code, rule, standard, requirement, or practice has been subject to notice and comment under a rule or order issued under this part.'' and indenting accordingly;

(2) by inserting ''(1)'' before ''unless'' and indenting accordingly;

(3) in paragraph (1), as redesignated, by striking ''order, or'' and inserting ''order; or''; and

(4) in the matter preceding paragraph (1), as redesignated, by striking ''unless'' and inserting ''unless—''.

(d) ENFORCEMENT REPORT.—Section 20120(a) is amended—

(1) in the matter preceding paragraph (1), by striking ''website'' and inserting ''Web site'';

(2) in paragraph (1), by striking ''accident and incidence reporting'' and inserting ''accident and incident reporting'';

(3) in paragraph (2)(G), by inserting ''and'' at the end; and

(4) in paragraph (5)(B), by striking ''Administrative Hearing Officer or Administrative Law Judge'' and inserting ''administrative hearing officer or administrative law judge''.

(e) RAILROAD SAFETY RISK REDUCTION PROGRAM.—Section 20156 is amended—

(1) in subsection (c), by inserting a comma after ''In developing its railroad safety risk reduction program''; and

(2) in subsection (g)(1)—

(A) by inserting a comma after ''good faith''; and

(B) by striking ''non-profit'' and inserting ''nonprofit''.

(f) ROADWAY USER SIGHT DISTANCE AT HIGHWAY-RAIL GRADE CROSSINGS.—Section 20159 is amended by striking ''the Secretary'' and inserting ''the Secretary of Transportation''.

(g) NATIONAL CROSSING INVENTORY.—Section 20160 is amended—

(1) in subsection (a)(1), by striking ''concerning each previously unreported crossing through which it operates or with respect to the trackage over which it operates'' and inserting ''concerning each previously unreported crossing through which it operates with respect to the trackage over which it operates''; and

(2) in subsection (b)(1)(A), by striking ''concerning each crossing through which it operates or with respect to the trackage over which it operates'' and inserting ''concerning each crossing through which it operates with respect to the trackage over which it operates''.

(h) MINIMUM TRAINING STANDARDS AND PLANS.—Section 20162(a)(3) is amended by striking ''railroad compliance with Federal standards'' and inserting ''railroad carrier compliance with Federal standards''.

(i) DEVELOPMENT AND USE OF RAIL SAFETY TECHNOLOGY.—Section 20164(a) is amended by striking ''after enactment of the Railroad Safety Enhancement Act of 2008'' and inserting ''after the date of enactment of the Rail Safety Improvement Act of 2008''.

(j) RAIL SAFETY IMPROVEMENT ACT OF 2008.—

(1) TABLE OF CONTENTS.—Section 1(b) of division A of the Rail Safety Improvement Act of 2008 (Public Law 110–432; 122 Stat. 4848) is amended—

(A) in the item relating to section 307, by striking ''website'' and inserting ''Web site'';

(B) in the item relating to title VI, by striking ''solid waste facilities'' and inserting ''solid waste rail transfer facilities''; and

(C) in the item relating to section 602, by striking ''solid waste transfer facilities'' and inserting ''solid waste rail transfer facilities''.

(2) DEFINITIONS.—Section 2(a)(1) of division A of the Rail Safety Improvement Act of 2008 (Public Law 110–432; 122 Stat. 4849) is amended in the matter preceding subparagraph (A), by inserting a comma after ''at grade''.

(3) RAILROAD SAFETY STRATEGY.—Section 102(a)(6) of title I of division A of the Rail Safety Improvement Act of 2008 (49 U.S.C. 20101 note) is amended by striking ''Improving the safety of railroad bridges, tunnels, and related infrastructure to prevent accidents, incidents, injuries, and fatalities caused by catastrophic failures and other bridge and tunnel failures.'' and inserting ''Improving the safety of railroad bridges, tunnels, and related infrastructure to prevent accidents, incidents, injuries, and fatalities caused by catastrophic and other failures of such infrastructure.''.

(4) OPERATION LIFESAVER.—Section 206(a) of title II of division A of the Rail Safety Improvement Act of 2008 (49 U.S.C. 22501 note) is amended by striking ''Public Service Announcements'' and inserting ''public service announcements''.

(5) UPDATE OF FEDERAL RAILROAD ADMINISTRATION'S WEB SITE.—Section 307 of title III of division A of the Rail Safety Improvement Act of 2008 (49 U.S.C. 103 note) is amended—

(A) in the heading by striking ''**FEDERAL RAILROAD ADMINISTRATION'S WEBSITE**'' and inserting ''Federal Railroad Administration Web site'';

(B) by striking ''website'' each place it appears and inserting ''Web site''; and

(C) by striking ''website's'' and inserting ''Web site's''.

(6) ALCOHOL AND CONTROLLED SUBSTANCE TESTING FOR MAINTENANCE-OF-WAY EMPLOYEES.—Section 412 of title IV of division A of the Rail Safety Improvement Act of 2008 (49 U.S.C. 20140 note) is amended by striking ''Secretary of Transportation'' and inserting ''Secretary''.

(7) TUNNEL INFORMATION.—Section 414 of title IV of division A of the Rail Safety Improvement Act of 2008 (49 U.S.C. 20103 note) is amended—

(A) by striking ''parts 171.8, 173.115'' and inserting ''sections 171.8, 173.115''; and

(B) by striking ''part 1520.5'' and inserting ''section 1520.5''.

(8) SAFETY INSPECTIONS IN MEXICO.—Section 416 of title IV of division A of the Rail Safety Improvement Act of 2008 (49 U.S.C. 20107 note) is amended—

(A) in the matter preceding paragraph (1), by striking ''Secretary of Transportation'' and inserting ''Secretary''; and

(B) in paragraph (4), by striking ''subsection'' and inserting ''section''.

(9) HEADING OF TITLE VI.—The heading of title VI of division A of the Rail Safety Improvement Act of 2008 (122 Stat. 4900) is amended by striking ''**SOLID WASTE FACILITIES**'' and inserting ''**SOLID WASTE RAIL TRANSFER FACILITIES**''.

(10) HEADING OF SECTION 602.—Section 602 of title VI of division A of the Rail Safety Improvement Act of 2008 (122 Stat. 4900) is amended by striking ''**SOLID WASTE TRANSFER FACILITIES**'' and inserting ''**SOLID WASTE RAIL TRANSFER FACILITIES**''.

SEC. 35415. GAO STUDY ON USE OF LOCOMOTIVE HORNS AT HIGHWAY-RAIL GRADE CROSSINGS.

The Comptroller General of the United States shall submit a report to Congress containing the results of a study evaluating the effectiveness of the Federal Railroad Administration's final rule on the use of locomotive horns at highway-rail grade crossings, which was published in the Federal Register on August 17, 2006 (71 Fed. Reg. 47614).

SEC. 35416. BRIDGE INSPECTION REPORTS.

Section 417(d) of the Rail Safety Improvement Act of 2008 (49 U.S.C. 20103 note) is amended—

(1) by striking ''The Secretary'' and inserting the following:

''(1) IN GENERAL.—The Secretary''; and

(2) by adding at the end the following:

''(2) AVAILABILITY OF BRIDGE INSPECTION REPORTS.—The Administrator of the Federal Railroad Administration shall—

''(A) maintain a copy of the most recent bridge inspection reports prepared in accordance with section (b)(5); and

''(B) provide copies of the reports described in subparagraph (A) to appropriate State and local government transportation officials, upon request.''.

PART II—CONSOLIDATED RAIL INFRASTRUCTURE AND SAFETY IMPROVEMENTS

SEC. 35421. CONSOLIDATED RAIL INFRASTRUCTURE AND SAFETY IMPROVEMENTS.

(a) IN GENERAL.—Chapter 244, as amended by section 35302 of this Act, is further amended by adding at the end the following:

''§ 24408. Consolidated rail infrastructure and safety improvements

''(a) GENERAL AUTHORITY.—The Secretary may make grants under this section to an eligible recipient to assist in financing the cost of improving passenger and freight rail transportation systems in terms of safety, efficiency, or reliability.

''(b) ELIGIBLE RECIPIENTS.—The following entities are eligible to receive a grant under this section:

''(1) A State.

''(2) A group of States.

''(3) An Interstate Compact.

''(4) A public agency or publicly chartered authority established by 1 or more States and having responsibility for providing intercity rail passenger, commuter rail passenger, or freight rail transportation service.

''(5) A political subdivision of a State.

''(6) Amtrak or another rail passenger carrier that provides intercity rail passenger transportation (as defined in section 24102) or commuter rail passenger transportation (as defined in section 24102).

''(7) A Class II railroad or Class III railroad (as those terms are defined in section 20102).

''(8) Any rail carrier or rail equipment manufacturer in partnership with at least 1 of the entities described in paragraphs (1) through (5).

''(9) Any entity established to procure, manage, or maintain passenger rail equipment under section 305 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note).

''(10) An organization that is actively involved in the development of operational and safety-related standards for rail equipment

and operations or the implementation of safety-related programs.

''(11) The Transportation Research Board and any entity with which it contracts in the development of rail-related research, including cooperative research programs.

''(12) A University transportation center actively engaged in rail-related research.

''(13) A non-profit labor organization representing a class or craft of employees of railroad carriers or railroad carrier contractors.

''(c) ELIGIBLE PROJECTS.—The following projects are eligible to receive grants under this section:

''(1) Deployment of railroad safety technology, including positive train control and rail integrity inspection systems.

''(2) A capital project as defined in section 24401, except that a project shall not be required to be in a State rail plan developed under chapter 227.

''(3) A capital project identified by the Secretary as being necessary to address congestion challenges affecting rail service.

''(4) A highway-rail grade crossing improvement, including grade separations, private highway-rail grade crossing improvements, and safety engineering improvements to reduce risk in quiet zones or potential quiet zones.

''(5) A rail line relocation project.

''(6) A capital project to improve short-line or regional railroad infrastructure.

''(7) Development of public education, awareness, and targeted law enforcement activities to reduce violations of traffic laws at highway-rail grade crossings and to help prevent and reduce injuries and fatalities along railroad rights-of-way.

''(8) The preparation of regional rail and corridor service development plans and corresponding environmental analyses.

''(9) Any project that the Secretary considers necessary to enhance multimodal connections or facilitate service integration between rail service and other modes, including between intercity rail passenger transportation and intercity bus service.

''(10) The development of rail-related capital, operations, and safety standards.

''(11) The implementation and operation of a safety program or institute designed to improve rail safety culture and rail safety performance.

''(12) Any research that the Secretary considers necessary to advance any particular aspect of rail-related capital, operations, or safety improvements.

''(13) Workforce development activities, coordinated to the extent practicable with the existing local training programs supported by the Department of Transportation, Department of Labor, and Department of Education.

''(d) APPLICATION PROCESS.—The Secretary shall prescribe the form and manner of filing an application under this section.

''(e) PROJECT SELECTION CRITERIA.—

''(1) IN GENERAL.—In selecting a recipient of a grant for an eligible project, the Secretary shall—

''(A) give preference to a proposed project for which the proposed Federal share of total project costs does not exceed 50 percent; and

''(B) after factoring in preference to projects under subparagraph (A), select projects that will maximize the net benefits of the funds appropriated for use under this section, considering the cost-benefit analysis of the proposed project, including anticipated private and public benefits relative to the costs of the proposed project and factoring in the other considerations described in paragraph (2).

''(2) OTHER CONSIDERATIONS.—The Secretary shall also consider the following:

''(A) The degree to which the proposed project's business plan considers potential private sector participation in the financing, construction, or operation of the project;

''(B) The recipient's past performance in developing and delivering similar projects, and previous financial contributions;

''(C) Whether the recipient has or will have the legal, financial, and technical capacity to carry out the proposed project, satisfactory continuing control over the use of the equipment or facilities, and the capability and willingness to maintain the equipment or facilities;

''(D) If applicable, the consistency of the proposed project with planning guidance and documents set forth by the Secretary or required by law or State rail plans developed under chapter 227;

''(E) If applicable, any technical evaluation ratings that proposed project received under previous competitive grant programs administered by the Secretary; and

''(F) Such other factors as the Secretary considers relevant to the successful delivery of the project.

''(3) BENEFITS.—The benefits described in paragraph (1)(B) may include the effects on system and service performance, including measures such as improved safety, competitiveness, reliability, trip or transit time, resilience, efficiencies from improved integration with other modes, and ability to meet existing or anticipated demand.

''(f) PERFORMANCE MEASURES.—The Secretary shall establish performance measures for each grant recipient to assess progress in achieving strategic goals and objectives. The Secretary may require a grant recipient to periodically report information related to such performance measures.

''(g) RURAL AREAS.—

''(1) IN GENERAL.—Of the amounts appropriated under this section, at least 25 percent shall be available for projects in rural areas. The Secretary shall consider a project to be in a rural area if all or the majority of the project (determined by the geographic location or locations where the majority of the project funds will be spent) is located in a rural area.

''(2) DEFINITION OF RURAL AREA.—In this subsection, the term 'rural area' means any area not in an urbanized area, as defined by the Census Bureau.

''(h) FEDERAL SHARE OF TOTAL PROJECT COSTS.—

''(1) TOTAL PROJECT COSTS.—The Secretary shall estimate the total costs of a project under this subsection based on the best available information, including engineering studies, studies of economic feasibility, environmental analyses, and information on the expected use of equipment or facilities.

''(2) FEDERAL SHARE.—The Federal share of total project costs under this subsection shall not exceed 80 percent.

''(3) TREATMENT OF PASSENGER RAIL REVENUE.—If Amtrak or another rail passenger carrier is an applicant under this section, Amtrak or the other rail passenger carrier, as applicable, may use ticket and other revenues generated from its operations and other sources to satisfy the non-Federal share requirements.

''(i) APPLICABILITY.—Except as specifically provided in this section, the use of any amounts appropriated for grants under this section shall be subject to the requirements of this chapter.

''(j) AVAILABILITY.—Amounts appropriated for carrying out this section shall remain available until expended.''.

(b) CONFORMING AMENDMENT.—The table of contents of chapter 244, as amended by section 35302 of this Act, is amended by adding after the item relating to section 24407 the following:

''24408. Consolidated rail infrastructure and safety improvements.''.

PART III—HAZARDOUS MATERIALS BY RAIL SAFETY AND OTHER SAFETY ENHANCEMENTS

SEC. 35431. REAL-TIME EMERGENCY RESPONSE INFORMATION.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary, in consultation with the Secretary of Homeland Security, shall promulgate regulations—

(1) to require a Class I railroad transporting hazardous materials—

(A) to generate accurate, real-time, and electronic train consist information, including—

(i) the identity, quantity, and location of hazardous materials on a train;

(ii) the point of origin and destination of the train;

(iii) any emergency response information or resources required by the Secretary; and

(iv) an emergency response point of contact designated by the Class I railroad; and

(B) to enter into a memorandum of understanding with each applicable fusion center to provide that fusion center with secure and confidential access to the electronic train consist information described in subparagraph (A) for each train transporting hazardous materials in that fusion center's jurisdiction;

(2) to require each applicable fusion center to provide the electronic train consist information described in paragraph (1)(A) to first responders, emergency response officials, and law enforcement personnel that are involved in the response to or investigation of an incident, accident, or public health or safety emergency involving the rail transportation of hazardous materials and that request such electronic train consist information;

(3) upon the request of each State, political subdivision of a State, or public agency responsible for emergency response or law enforcement, to require each applicable fusion center to provide advance notice for each high-hazard flammable train traveling through the jurisdiction of each State, political subdivision of a State, or public agency, which notice shall include the electronic train consist information described in paragraph (1)(A) for the high-hazard flammable train, and to the extent practicable, for requesting States, political subdivisions, or public agencies, to ensure that the fusion center shall provide at least 12 hours of advance notice for a high-hazard flammable train that will be traveling through the jurisdiction of the State, political subdivision of a State, or public agency, and include within the notice its best estimate of the time the train will enter the jurisdiction;

(4) to prohibit any railroad, employee, or agent from withholding, or causing to be withheld the train consist information from first responders, emergency response officials, and law enforcement personnel described in paragraph (2) in the event of an incident, accident, or public health or safety emergency involving the rail transportation of hazardous materials;

(5) to establish security and confidentiality protections to prevent the release of the electronic train consist information to unauthorized persons; and

(6) to allow each Class I railroad to enter into a memorandum of understanding with any Class II or Class III railroad that operates trains over the Class I railroad's line to incorporate the Class II or Class III railroad's train consist information within the existing framework described in paragraph (1).

(b) DEFINITIONS.—In this section:

(1) APPLICABLE FUSION CENTER.—The term ''applicable fusion center'' means a fusion center with responsibility for a geographic area in which a Class I railroad operates.

(2) CLASS I RAILROAD.—The term ''Class I railroad'' has the meaning given the term in section 20102 of title 49, United States Code.

(3) FUSION CENTER.—The term ''fusion center'' has the meaning given the term in section 124h(j) of title 6, United States Code.

(4) HAZARDOUS MATERIALS.—The term ''hazardous materials'' means material designated as hazardous by the Secretary of Transportation under chapter 51 of the United States Code.

(5) HIGH-HAZARD FLAMMABLE TRAIN.—The term ''high-hazard flammable train'' means a single train transporting 20 or more tank cars loaded with a Class 3 flammable liquid in a continuous block or a single train transporting 35 or more tank cars loaded with a Class 3 flammable liquid throughout the train consist.

(6) TRAIN CONSIST.—The term ''train consist'' includes, with regard to a specific train, the number of rail cars and the commodity transported by each rail car.

(c) SAVINGS CLAUSE.—

(1) Nothing in this section may be construed to prohibit a Class I railroad from voluntarily entering into a memorandum of understanding, as described in subsection (a)(1)(B), with a State emergency response commission or an entity representing or including first responders, emergency response officials, and law enforcement personnel.

(2) Nothing in this section may be construed to amend any requirement for a railroad to provide a State Emergency Response Commission, for each State in which it operates trains transporting 1,000,000 gallons or more of Bakken crude oil, notification regarding the expected movement of such trains through the counties in the State.

SEC. 35432. THERMAL BLANKETS.

(a) REQUIREMENTS.—Not later than 180 days after the date of enactment of this Act, the Secretary shall promulgate such regulations as are necessary to require each tank car built to meet the DOT-117 specification and each non-jacketed tank car modified to meet the DOT-117R specification—

(1) to be equipped with a thermal blanket; or

(2) to have sufficient thermal resistance so that there will be no release of any lading within the tank car, except release through the pressure relief device, when subjected to a pool fire for 200 minutes and a torch fire for 30 minutes.

(b) DEFINITION OF THERMAL BLANKET.—In this section, the term ''thermal blanket'' means an insulating blanket that is applied between the outer surface of a tank car tank and the inner surface of a tank car jacket and that has thermal conductivity no greater than 2.65 Btu per inch, per hour, per square foot, and per degree Fahrenheit at a temperature of 2000 degrees Fahrenheit, plus or minus 100 degrees Fahrenheit.

(c) SAVINGS CLAUSE.—

(1) PRESSURE RELIEF DEVICES.—Nothing in this section may be construed to affect or prohibit any requirement to equip with appropriately sized pressure relief devices a tank car built to meet the DOT-117 specification or a non-jacketed tank car modified to meet the DOT-117R specification.

(2) HARMONIZATION.—Nothing in this section may be construed to require or allow the Secretary to prescribe an implementation deadline or authorization end date for the requirement under subsection (a) that is earlier than the applicable implementation deadline or authorization end date for other tank car modifications necessary to meet the DOT-117R specification.

SEC. 35433. COMPREHENSIVE OIL SPILL RESPONSE PLANS.

(a) REQUIREMENTS.—Not later than 120 days after the date of enactment of this Act, the Secretary shall issue a notice of proposed rulemaking to require each railroad carrier transporting a Class 3 flammable liquid to maintain a comprehensive oil spill response plan.

(b) CONTENTS.—The regulations under subsection (a) shall require each rail carrier described in that subsection—

(1) to include in the comprehensive oil spill response plan procedures and resources for responding, to the maximum extent practicable, to a worst-case discharge;

(2) to ensure the comprehensive oil spill response plan is consistent with the National Contingency Plan and each applicable Area Contingency Plan;

(3) to include in the comprehensive oil spill response plan appropriate notification and training procedures;

(4) to review and update its comprehensive oil spill response plan as appropriate; and

(5) to provide the comprehensive oil spill response plan for acceptance by the Secretary.

(c) SAVINGS CLAUSE.—Nothing in the section may be construed as prohibiting the Secretary from promulgating different comprehensive oil response plan standards for Class I, Class II, and Class III railroads.

(d) DEFINITIONS.—In this section:

(1) AREA CONTINGENCY PLAN.—The term ''Area Contingency Plan'' has the meaning given the term in section 311(a) of the Federal Water Pollution Control Act (33 U.S.C. 1321(a)).

(2) CLASS 3 FLAMMABLE LIQUID.—The term ''Class 3 flammable liquid'' has the meaning given the term in section 173.120(a) of title 49, Code of Federal Regulations.

(3) CLASS I RAILROAD, CLASS II RAILROAD, AND CLASS III RAILROAD.—The terms ''Class I railroad'', ''Class II railroad'' and ''Class III railroad'' have the meanings given the terms in section 20102 of title 49, United States Code.

(4) NATIONAL CONTINGENCY PLAN.—The term ''National Contingency Plan'' has the meaning given the term in section 1001 of the Oil Pollution Act of 1990 (33 U.S.C. 2701).

(5) RAILROAD CARRIER.—The term ''railroad carrier'' has the meaning given the term in section 20102 of title 49, United States Code.

(6) WORST-CASE DISCHARGE.—The term ''worst-case discharge'' means a railroad carrier's calculation of its largest foreseeable discharge in the event of an accident or incident.

SEC. 35434. HAZARDOUS MATERIALS BY RAIL LIABILITY STUDY.

(a) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Secretary shall initiate a study on the levels and structure of insurance for a railroad carrier transporting hazardous materials.

(b) CONTENTS.—In conducting the study under subsection (a), the Secretary shall evaluate—

(1) the level and structure of insurance, including self-insurance, available in the private market against the full liability potential for damages arising from an accident or incident involving a train transporting hazardous materials;

(2) the level and structure of insurance that would be necessary and appropriate—

(A) to efficiently allocate risk and financial responsibility for claims; and

(B) to ensure that a railroad carrier transporting hazardous materials can continue to operate despite the risk of an accident or incident;

(3) the potential applicability to trains transporting hazardous materials of—

(A) a liability regime modeled after section 170 of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2210); and

(B) a liability regime modeled after subtitle 2 of title XXI of the Public Health Service Act (42 U.S.C. 300aa–10 et seq.).

(c) REPORT.—Not later than 1 year after the date the study under subsection (a) is initiated, the Secretary shall submit a report containing the results of the study and recommendations for addressing liability issues with rail transportation of hazardous materials to—

(1) the Committee on Commerce, Science, and Transportation of the Senate; and

(2) the Committee on Transportation and Infrastructure of the House of Representatives.

(d) DEFINITIONS.—In this section:

(1) HAZARDOUS MATERIAL.—The term ''hazardous material'' means a substance or material the Secretary designates under section 5103(a) of title 49, United States Code.

(2) RAILROAD CARRIER.—The term ''railroad carrier'' has the meaning given the term in section 20102 of title 49, United States Code.

SEC. 35435. STUDY AND TESTING OF ELECTRONICALLY-CONTROLLED PNEUMATIC BRAKES.

(a) GOVERNMENT ACCOUNTABILITY OFFICE STUDY.—

(1) IN GENERAL.—The Government Accountability Office shall complete an independent evaluation of ECP brake systems pilot program data and the Department of Transportation's research and analysis on the effects of ECP brake systems.

(2) STUDY ELEMENTS.—In completing the independent evaluation under paragraph (1), the Government Accountability Office shall examine the following issues related to ECP brake systems:

(A) Data and modeling results on safety benefits relative to conventional brakes and to other braking technologies or systems, such as distributed power and 2-way end-of-train devices.

(B) Data and modeling results on business benefits, including the effects of dynamic braking.

(C) Data on costs, including up-front capital costs and on-going maintenance costs.

(D) Analysis of potential operational challenges, including the effects of potential locomotive and car segregation, technical reliability issues, and network disruptions.

(E) Analysis of potential implementation challenges, including installation time, positive train control integration complexities, component availability issues, and tank car shop capabilities.

(F) Analysis of international experiences with the use of advanced braking technologies.

(3) DEADLINE.—Not later than 18 months after the date of enactment of this Act, the Government Accountability Office shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and

Infrastructure of the House of Representatives a report on the results of the independent evaluation under paragraph (1).

(b) EMERGENCY BRAKING APPLICATION TESTING.—

(1) IN GENERAL.—The Secretary of Transportation shall enter into an agreement with the NCRRP Board—

(A) to complete testing of ECP brake systems during emergency braking application, including more than 1 scenario involving the uncoupling of a train with 70 or more DOT 117-specification or DOT 117R-specification tank cars; and

(B) to transmit, not later than 18 months after the date of enactment of this Act, to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the results of the testing.

(2) INDEPENDENT EXPERTS.—In completing the testing under paragraph (1), the NCRRP Board may contract with 1 or more engineering or rail experts, as appropriate, with relevant experience in conducting railroad safety technology tests or similar crash tests.

(3) TESTING FRAMEWORK.—In completing the testing under paragraph (1), the NCRRP Board and each contractor described in paragraph (2) shall ensure that the testing objectively, accurately, and reliably measures the performance of ECP brake systems relative to other braking technologies or systems, such as distributed power and 2-way end-of-train devices, including differences in—

(A) the number of cars derailed;

(B) the number of cars punctured;

(C) the measures of in-train forces; and

(D) the stopping distance.

(4) FUNDING.—The Secretary shall require, as part of the agreement under paragraph (1), that the NCRRP Board fund the testing required under this section—

(A) using such sums made available under section 24910 of title 49, United States Code; and

(B) to the extent funding under subparagraph (A) is insufficient or unavailable to fund the testing required under this section, using such sums as are necessary from the amounts appropriated to the Office of the Secretary.

(5) EQUIPMENT.—The NCRRP Board and each contractor described in paragraph (2) may receive or use rolling stock, track, and other equipment or infrastructure from a private entity for the purposes of conducting the testing required under this section.

(c) EVIDENCE-BASED APPROACH.—

(1) ANALYSIS.—The Secretary shall—

(A) not later than 90 days after the report date, fully incorporate and reflect the findings from both reports into a draft updated regulatory impact analysis of the effects of the applicable ECP brake system requirements;

(B) as soon as practicable after completion of the draft updated analysis under subparagraph (A), solicit public comment on the analysis for a period of not more than 30 days; and

(C) not later than 60 days after the end of the public comment period, post the final updated regulatory impact analysis on the Department of Transportation Web site.

(2) DETERMINATION.—Not later than 180 days after the report date, the Secretary shall—

(A) determine, based on whether the final regulatory impact analysis described in paragraph (1)(C) demonstrates that the benefits, including safety benefits, of the applicable ECP brake system requirements exceed their costs, whether the applicable ECP brake system requirements are justified; and

(B)(i) if the applicable ECP brake system requirements are justified, publish in the Federal Register the determination with the reasons for it; or

(ii) if the Secretary does not publish the determination under clause (i), repeal the applicable ECP brake system requirements.

(d) DEFINITIONS.—In this section:

(1) APPLICABLE ECP BRAKE SYSTEM REQUIREMENTS.—The term ''applicable brake system requirements'' means sections 174.310(a)(3)(ii), 174.310(a)(3)(iii), 174.310(a)(5)(v), 179.102-10, 179.202-12(g), and 179.202-13(i) of title 49, Code of Federal Regulations, and any other regulation in effect on the date of enactment of this Act requiring the installation of ECP brakes or operation in ECP brake mode.

(2) CLASS 3 FLAMMABLE LIQUID.—The term ''Class 3 flammable liquid'' has the meaning given the term in section 173.120(a) of title 49, Code of Federal Regulations.

(3) ECP.—The term ''ECP'' means electronically-controlled pneumatic when applied to a brake or brakes.

(4) ECP BRAKE MODE.—The term ''ECP brake mode'' includes any operation of a rail car or an entire train using an ECP brake system.

(5) ECP BRAKE SYSTEM.—

(A) IN GENERAL.—The term ''ECP brake system'' means a train power braking system actuated by compressed air and controlled by electronic signals from the locomotive or an ECP-EOT to the cars in the consist for service and emergency applications in which the brake pipe is used to provide a constant supply of compressed air to the reservoirs on each car but does not convey braking signals to the car.

(B) INCLUSIONS.—The term ''ECP brake system'' includes dual mode and stand-alone ECP brake systems.

(6) HIGH-HAZARD FLAMMABLE UNIT TRAIN.—The term ''high-hazard flammable unit train'' means a single train transporting 70 or more loaded tank cars containing Class 3 flammable liquid.

(7) NCRRP BOARD.—The term ''NCRRP Board'' means the independent governing board of the National Cooperative Rail Research Program.

(8) RAILROAD CARRIER.—The term ''railroad carrier'' has the meaning given the term in section 20102 of title 49, United States Code.

(9) REPORT DATE.—The term ''report date'' means the date that both the report under subsection (a)(3) and the report under subsection (b)(1)(B) have been transmitted under those subsections.

SEC. 35436. RECORDING DEVICES.

(a) IN GENERAL.—Subchapter II of chapter 201 is amended by adding after section 20167 the following:

''§ 20168. Installation of audio and image recording devices

''(a) IN GENERAL.—Not later than 2 years after the date of enactment of the Railroad Reform, Enhancement, and Efficiency Act, the Secretary of Transportation shall promulgate regulations to require each rail carrier that provides regularly scheduled intercity rail passenger or commuter rail passenger transportation to the public to install inward- and outward-facing image recording devices in all controlling locomotive cabs and cab car operating compartments in such passenger trains.

''(b) DEVICE STANDARDS.—Each inward- and outward-facing image recording device shall—

''(1) have a minimum 12-hour continuous recording capability;

''(2) have crash and fire protections for any in-cab image recordings that are stored only within a controlling locomotive cab or cab car operating compartment; and

''(3) have recordings accessible for review during an accident investigation.

''(c) REVIEW.—The Secretary shall establish a process to review and approve or disapprove an inward- or outward-facing recording device for compliance with the standards described in subsection (b).

''(d) USES.—A rail carrier that has installed an inward- or outward-facing image recording device approved under subsection (c) may use recordings from that inward- or outward-facing image recording device for the following purposes:

''(1) Verifying that train crew actions are in accordance with applicable safety laws and the rail carrier's operating rules and procedures.

''(2) Assisting in an investigation into the causation of a reportable accident or incident.

''(3) Carrying out efficiency testing and system-wide performance monitoring programs.

''(4) Documenting a criminal act or monitoring unauthorized occupancy of the controlling locomotive cab or car operating compartment.

''(5) Other purposes that the Secretary considers appropriate.

''(e) VOLUNTARY IMPLEMENTATION.—

''(1) IN GENERAL.—Each rail carrier operating freight rail service may implement any inward- or outward-facing image recording devices approved under subsection (c).

''(2) AUTHORIZED USES.—Notwithstanding any other provision of law, each rail carrier may use recordings from an inward- or outward-facing image recording device approved under subsection (c) for any of the purposes described in subsection (d).

''(f) DISCRETION.—

''(1) IN GENERAL.—The Secretary may—

''(A) require in-cab audio recording devices for the purposes described in subsection (d); and

''(B) define in appropriate technical detail the essential features of the devices required under subparagraph (A).

''(2) EXEMPTIONS.—The Secretary may exempt any rail passenger carrier or any part of a rail passenger carrier's operations from the requirements under subsection (a) if the Secretary determines that the rail passenger carrier has implemented an alternative technology or practice that provides an equivalent or greater safety benefit or is better suited to the risks of the operation.

''(g) TAMPERING.—A rail carrier may take appropriate enforcement or administrative action against any employee that tampers with or disables an audio or inward- or outward-facing image recording device installed by the rail carrier.

''(h) PRESERVATION OF DATA.—Each rail passenger carrier subject to the requirements of subsection (a) shall preserve recording device data for 1 year after the date of a reportable accident or incident.

''(i) INFORMATION PROTECTIONS.—An in-cab audio or image recording, and any part thereof, that the Secretary obtains as part of an accident or incident investigated by the Department of Transportation shall be exempt from disclosure under section 552(b)(3) of title 5.

''(j) PROHIBITED USE.—An in-cab audio or image recording obtained by a rail carrier under this section may not be used to retaliate against an employee.

''(k) SAVINGS CLAUSE.—Nothing in this section may be construed as requiring a rail

carrier to cease or restrict operations upon a technical failure of an inward- or outward-facing image recording device. Such rail carrier shall repair or replace the failed inward- or outward-facing image recording device as soon as practicable.''.

(b) CONFORMING AMENDMENT.—The table of contents for subchapter II of chapter 201 is amended by adding at the end the following:

''20168. Installation of audio and image recording devices.''.

SEC. 35437. RAIL PASSENGER TRANSPORTATION LIABILITY.

(a) LIMITATIONS.—Section 28103(a) is amended—

(1) in paragraph (2), by striking ''$200,000,000'' and inserting ''$295,000,000, except as provided in paragraph (3).''; and

(2) by adding at the end the following:

''(3) The liability cap under paragraph (2) shall be adjusted every 5 years by the Secretary of Transportation to reflect changes in the Consumer Price Index-All Urban Consumers.

''(4) The Federal Government shall have no financial responsibility for any claims described in paragraph (2).''.

(b) DEFINITION OF RAIL PASSENGER TRANSPORTATION.—Section 28103(e) is amended—

(1) in the heading, by striking ''DEFINITION.—'' and inserting ''DEFINITIONS.—'';

(2) in paragraph (2), by striking ''; and'' and inserting a semicolon;

(3) in paragraph (3), by striking the period at the end and inserting ''; and''; and

(4) by adding at the end the following:

''(4) the term 'rail passenger transportation' includes commuter rail passenger transportation (as defined in section 24102).''.

(c) PROHIBITION.—No Federal funds may be appropriated for the purpose of paying for the portion of an insurance premium attributable to the increase in allowable awards under the amendments made by subsection (a).

(d) EFFECTIVE DATE.—The amendments made by subsection (a) shall be effective for any passenger rail accident or incident occurring on or after May 12, 2015.

SEC. 35438. MODIFICATION REPORTING.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall implement a reporting requirement to monitor industry-wide progress toward modifying tank cars used in high-hazard flammable train service by the applicable deadlines or authorization end dates set in regulation.

(b) TANK CAR DATA.—The Secretary shall collect data from shippers and tank car owners on—

(1) the total number of tank cars modified to meet the DOT-117R specification, or equivalent, specifying—

(A) the type or specification of each tank car before it was modified, including non-jacketed DOT-111, jacketed DOT-111, non-jacketed DOT-111 meeting the CPC-1232 standard, or jacketed DOT-111 meeting the CPC-1232 standard; and

(B) the identification number of each Class 3 flammable liquid carried by each tank car in the past year;

(2) the total number of tank cars built to meet the DOT-117 specification, or equivalent; and

(3) the total number of tank cars used or likely to be used in high-hazard flammable train service that have not been modified, specifying—

(A) the type or specification of each tank car not modified, including the non-jacketed DOT-111, jacketed DOT-111, non-jacketed DOT-111 meeting the CPC-1232 standard, or jacketed DOT-111 meeting the CPC-1232 standard; and

(B) the identification number of each Class 3 flammable liquid carried by each tank car in the past year.

(c) TANK CAR SHOP DATA.—The Secretary shall conduct a survey of tank car facilities modifying tank cars to the DOT-117R specification, or equivalent, or building new tank cars to the DOT-117 specification, or equivalent, to generate statistically-valid estimates of the expected number of tank cars those facilities expect to modify to DOT-117R specification, or equivalent, or build to the DOT-117 specification, or equivalent.

(d) FREQUENCY.—The Secretary shall collect the data under subsection (b) and conduct the survey under subsection (c) annually until May 1, 2025.

(e) INFORMATION PROTECTIONS.—

(1) IN GENERAL.—The Secretary shall only report data in industry-wide totals and shall treat company-specific information as confidential business information.

(2) LEVEL OF CONFIDENTIALITY.—The Secretary shall ensure the data collected under subsection (b) and the survey data under subsection (c) have the same level of confidentiality as contained in the Confidential Information Protection and Statistical Efficiency Act of 2002 (44 U.S.C. 3501 note), as administered by the Bureau of Transportation Statistics.

(3) SECTION 552(B)(3) OF TITLE 5.—Any information that the Secretary obtains under subsection (b) or subsection (c) by the Department of Transportation shall be exempt from disclosure under section 552(b)(3) of title 5.

(4) DESIGNEE.—The Secretary may designate the Director of the Bureau of Transportation Statistics to collect data under subsection (b) and the survey data under subsection (c) and direct the Director to ensure the confidentially of company-specific information to the maximum extent permitted by law.

(f) REPORT.—Each year, not later than 60 days after the date that both the collection of the data under subsection (b) and the survey under subsection (c) are complete, the Secretary shall report on the aggregate results, without company-specific information, to—

(1) the Committee on Commerce, Science, and Transportation of the Senate; and

(2) the Committee on Transportation and Infrastructure of the House of Representatives.

(g) DEFINITIONS.—In this section:

(1) CLASS 3 FLAMMABLE LIQUID.—The term ''Class 3 flammable liquid'' has the meaning given the term in section 173.120(a) of title 49, Code of Federal Regulations.

(2) HIGH-HAZARD FLAMMABLE TRAIN.—The term ''high-hazard flammable train'' means a single train transporting 20 or more tank cars loaded with a Class 3 flammable liquid in a continuous block or a single train transporting 35 or more tank cars loaded with a Class 3 flammable liquid throughout the train consist.

SEC. 35439. REPORT ON CRUDE OIL CHARACTERISTICS RESEARCH STUDY.

Not later than 180 days after the research completion of the comprehensive Crude Oil Characteristics Research Sampling, Analysis, and Experiment (SAE) Plan study at Sandia National Laboratories, the Secretary of Energy, in cooperation with the Secretary of Transportation, shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Energy and Natural Resources of the Senate, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Energy and Commerce of the House of Representatives that contains—

(1) the results of the comprehensive Crude Oil Characteristics Research Sampling, Analysis, and Experiment (SAE) Plan study; and

(2) recommendations, based on the findings of the study, for—

(A) regulations that should be prescribed by the Secretary of Transportation or the Secretary of Energy to improve the safe transport of crude oil; and

(B) statutes that should be enacted by Congress to improve the safe transport of crude oil.

PART IV—POSITIVE TRAIN CONTROL

SEC. 35441. COORDINATION OF SPECTRUM.

(a) ASSESSMENT.—The Secretary, in coordination with the Chairman of the Federal Communications Commission, shall assess spectrum needs and availability for implementing positive train control systems (as defined in section 20157(i)(3) of title 49, United States Code). The Secretary and the Chairman may consult with external stakeholders in carrying out this section.

(b) REPORT.—Not later than 120 days after the date of enactment of this Act, the Secretary shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that contains the results of the assessment conducted under subsection (a).

SEC. 35442. UPDATED PLANS.

(a) IMPLEMENTATION.—Section 20157(a) is amended to read as follows:

''(a) IMPLEMENTATION.—

''(1) PLAN REQUIRED.—Each Class I railroad carrier and each entity providing regularly scheduled intercity or commuter rail passenger transportation shall develop and submit to the Secretary of Transportation a plan for implementing a positive train control system by December 31, 2015, governing operations on—

''(A) its main line over which intercity rail passenger transportation or commuter rail passenger transportation (as defined in section 24102) is regularly provided;

''(B) its main line over which poison- or toxic-by-inhalation hazardous materials (as defined in sections 171.8, 173.115, and 173.132 of title 49, Code of Federal Regulations) are transported; and

''(C) such other tracks as the Secretary may prescribe by regulation or order.

''(2) INTEROPERABILITY AND PRIORITIZATION.—The plan shall describe how the railroad carrier or other entity subject to paragraph (1) will provide for interoperability of the positive train control systems with movements of trains of other railroad carriers over its lines and shall, to the extent practical, implement the positive train control systems in a manner that addresses areas of greater risk before areas of lesser risk.

''(3) SECRETARIAL REVIEW OF UPDATED PLANS.—

''(A) SUBMISSION OF UPDATED PLANS.—Notwithstanding the deadline set forth in paragraph (1), not later than 90 days after the date of enactment of the Railroad Reform, Enhancement, and Efficiency Act, each Class I railroad carrier or other entity subject to paragraph (1) may submit to the Secretary an updated plan that amends the plan submitted under paragraph (1) with an updated implementation schedule (as described in

paragraph (4)(B)) and milestones or metrics (as described in paragraph (4)(A)) that demonstrate that the railroad carrier or other entity will implement a positive train control system as soon as practicable, if implementing in accordance with the updated plan will not introduce operational challenges or risks to full, successful, and safe implementation.

''(B) REVIEW OF UPDATED PLANS.—Not later than 150 days after receiving an updated plan under subparagraph (A), the Secretary shall review the updated plan and approve or disapprove it. In determining whether to approve or disapprove the updated plan, the Secretary shall consider whether the railroad carrier or other entity submitting the plan—

''(i)(I) has encountered technical or programmatic challenges identified by the Secretary in the 2012 report transmitted to Congress pursuant to subsection (d); and

''(II) the challenges referred to in subclause (I) have negatively affected the successful implementation of positive train control systems;

''(ii) has demonstrated due diligence in its effort to implement a positive train control system;

''(iii) has included in its plan milestones or metrics that demonstrate the railroad carrier or other entity will implement a positive train control system as soon as practicable, if implementing in accordance with the milestones or metrics will not introduce operational challenges or risks to full, successful, and safe implementation; and

''(iv) has set an implementation schedule in its plan that shows the railroad will comply with paragraph (7), if implementing in accordance with the implementation schedule will not introduce operational challenges or risks to full, successful, and safe implementation.

''(C) MODIFICATION OF UPDATED PLANS.—(i) If the Secretary has not approved an updated plan under subparagraph (B) within 60 days of receiving the updated plan under subparagraph (A), the Secretary shall immediately—

''(I) provide a written response to the railroad carrier or other entity that identifies the reason for not approving the updated plan and explains any incomplete or deficient items;

''(II) allow the railroad carrier or other entity to submit, within 30 days of receiving the written response under subclause (I), a modified version of the updated plan for the Secretary's review; and

''(III) approve or issue final disapproval for a modified version of the updated plan submitted under subclause (II) not later than 60 days after receipt.

''(ii) During the 60-day period described in clause (i)(III), the railroad or other entity that has submitted a modified version of the updated plan under clause (i)(II) may make additional modifications, if requested by the Secretary, for the purposes of correcting incomplete or deficient items to receive approval.

''(D) PUBLIC AVAILABILITY.—Not later than 30 days after approving an updated plan under this paragraph, the Secretary shall make the updated plan available on the website of the Federal Railroad Administration.

''(E) PENDING REVIEWS.—For an applicant that submits an updated plan under subparagraph (A), the Secretary shall extend the deadline for implementing a positive train control system at least until the date the Secretary approves or issues final disapproval for the updated plan with an updated implementation schedule (as described in paragraph (4)(B)).

''(F) DISAPPROVAL.—A railroad carrier or other entity that has its modified version of its updated plan disapproved by the Secretary under subparagraph (C)(i)(III), and that has not implemented a positive train control system by the deadline in subsection (a)(1), is subject to enforcement action authorized under subsection (e).

''(4) CONTENTS OF UPDATED PLAN.—

''(A) MILESTONES OR METRICS.—Each updated plan submitted under paragraph (3) shall describe the following milestones or metrics:

''(i) The total number of components that will be installed with positive train control by the end of each calendar year until positive train control is fully implemented, with totals separated by each component category.

''(ii) The number of employees that will receive the training, as required under the applicable positive train control system regulations, by the end of each calendar year until positive train control is fully implemented.

''(iii) The calendar year or years in which spectrum will be acquired and will be available for use in all areas that it is needed for positive train control implementation, if such spectrum is not already acquired and ready for use.

''(B) IMPLEMENTATION SCHEDULE.—Each updated plan submitted under paragraph (3) shall include an implementation schedule that identifies the dates by which the railroad carrier or other entity will—

''(i) fully implement a positive train control system;

''(ii) complete all component installation, consistent with the milestones or metrics described in subparagraph (A)(i);

''(iii) complete all employee training required under the applicable positive train control system regulations, consistent with the milestones or metrics described in subparagraph (A)(ii);

''(iv) acquire all necessary spectrum, consistent with the milestones or metrics in subparagraph (A)(iii); and

''(v) activate its positive train control system.

''(C) ADDITIONAL INFORMATION.—Each updated plan submitted under paragraph (3) shall include—

''(i) the total number of positive train control components required for implementation, with totals separated by each major component category;

''(ii) the total number of employees requiring training under the applicable positive train control system regulations;

''(iii) a summary of the remaining challenges to positive train control system implementation, including—

''(I) testing issues;

''(II) interoperability challenges;

''(III) permitting issues; and

''(IV) certification challenges.

''(D) DEFINED TERM.—In this paragraph, the term 'component' means a locomotive apparatus, a wayside interface unit (including any associated legacy signal system replacements), back office system hardware, a base station radio, a wayside radio, or a locomotive radio.

''(5) PLAN IMPLEMENTATION.—The Class I railroad carrier or other entity subject to paragraph (1) shall implement a positive train control system in accordance with its plan, including any amendments made to the plan by its updated plan approved by the Secretary under paragraph (3), and subject to section 35443 of the Railroad Reform, Enhancement, and Efficiency Act.

''(6) PROGRESS REPORT.—Each Class I railroad carrier or other entity with an approved updated plan shall submit an annual report to the Secretary that describes the progress made on positive train control implementation, including—

''(A) the extent to which the railroad carrier or other entity met or exceeded the metrics or milestones described in paragraph (4)(A);

''(B) the extent to which the railroad carrier or other entity complied with its implementation schedule under paragraph (4)(B); and

''(C) any update to the information provided under paragraph (4)(C).

''(7) CONSTRAINT.—Each updated plan shall reflect that the railroad carrier or other entity subject to paragraph (1) will, not later than December 31, 2018—

''(A) complete component installation and spectrum acquisition; and

''(B) activate its positive train control system without undue delay.''.

(b) ENFORCEMENT.—Section 20157(e) is amended to read as follows:

''(e) ENFORCEMENT.—The Secretary is authorized to assess civil penalties pursuant to chapter 213 for the failure to submit or comply with a plan for implementing positive train control under subsection (a), including any amendments to the plan made by an updated plan (including milestones or metrics and an updated implementation schedule) approved by the Secretary under paragraph (3) of such subsection, subject to section 35443 of the Railroad Reform, Enhancement, and Efficiency Act.''.

(c) DEFINITIONS.—Section 20157(i) is amended—

(1) by redesignating paragraphs (1) through (3) as paragraphs (2) through (4), respectively; and

(2) by inserting before paragraph (2), as redesignated, the following:

''(1) ACTIVATE.—The term 'activate' means to initiate the use of a positive train control system in every subdivision or district where the railroad carrier or other entity is prepared to do so safely, reliably, and successfully, and proceed with revenue service demonstration as necessary for system testing and certification, prior to full implementation.''.

(d) CONFORMING AMENDMENT.—Section 20157(g) is amended—

(1) by striking ''The Secretary'' and inserting the following:

''(1) IN GENERAL.—The Secretary''; and

(2) by adding at the end the following:

''(2) CONFORMING REGULATORY AMENDMENTS.—Immediately after the date of the enactment of the Railroad Reform, Enhancement, and Efficiency Act, the Secretary—

''(A) shall remove or revise any references to specified dates in the regulations or orders implementing this section to the extent necessary to conform with the amendments made by such Act; and

''(B) may not enforce any such date-specific deadlines or requirements that are inconsistent with the amendments made by such Act.''.

(e) SAVINGS PROVISIONS.—

(1) RESUBMISSION OF INFORMATION.—Nothing in the amendments made by this section may be construed to require a Class I railroad carrier or other entity subject to section 20157(a) of title 49, United States Code, to resubmit in its updated plan information from its initial implementation plan that is not changed or affected by the updated plan.

The Secretary shall consider an updated plan submitted pursuant to paragraph (3) of that section to be an addendum that makes amendments to the initial implementation plan.

(2) SUBMISSION OF NEW PLAN.—Nothing in the amendments made by this section may be construed to require a Class I railroad carrier or other entity subject to section 20157(a) of title 49, United States Code, to submit a new implementation plan pursuant to the deadline set forth in that section.

(3) APPROVAL.—A railroad carrier or other entity subject to section 20157(a) of title 49, United States Code, that has its updated plan, including a modified version of the updated plan, approved by the Secretary under subparagraph (B) or subparagraph (C) of paragraph (3) of that section shall not be required to implement a positive train control system by the deadline under paragraph (1) of that section.

SEC. 35443. EARLY ADOPTION AND INTEROPERABILITY.

(a) EARLY ADOPTION.—During the 1-year period beginning on the date on which the last railroad carrier's or other entity's positive train control system, subject to section 20157(a) of title 49, United States Code, is certified by the Secretary under subsection (h) of such section and implemented on all of that railroad carrier's or other entity's lines required to have operations governed by a positive train control system, any railroad carrier or other entity shall not be subject to the operational restrictions set forth in subpart I of part 236 of title 49, Code of Federal Regulations, that would otherwise apply in the event of a positive train control system component failure.

(b) INTEROPERABILITY PROCEDURE.—If multiple railroad carriers operate on a single railroad line through a trackage or haulage agreement, each railroad carrier operating on the railroad line shall not be subject to the operating restrictions set forth in subpart I of part 236 of title 49, Code of Federal Regulations, with respect to the railroad line, until the Secretary certifies that—

(1) each Class I railroad carrier and each entity providing regularly scheduled intercity or commuter rail passenger transportation that operates on the railroad line is in compliance with its positive train control requirements under section 20157(a) of title 49, United States Code;

(2) each Class II or Class III railroad that operates on the railroad line is in compliance with the applicable regulatory requirements to equip locomotives operating in positive train control territory; and

(3) the implementation of any and all positive train control systems are interoperable and operational on the railroad line in conformance with each approved implementation plan so that each freight and passenger railroad can operate on the line with that freight or passenger railroad's positive train control equipment.

(c) SMALL RAILROADS.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall amend section 236.1006(b)(4)(iii)(B) of title 49, Code of Federal Regulations (relating to equipping locomotives for applicable Class II and Class III railroads operating in positive train control territory) to extend each deadline by 3 years.

(d) ENFORCEMENT.—

(1) IN GENERAL.—Subject to paragraph (2), nothing in subsection (a) may be construed to prohibit the Secretary from enforcing the metrics and milestones under section 20157(a)(4)(A) of title 49, United States Code, as amended by section 35442 of this Act.

(2) ACTIVATION.—Beginning on the date in which a railroad carrier or other entity subject to section 20157(a) of title 49, United States Code, as amended by section 35442 of this Act, has activated its positive train control system, the railroad carrier or other entity shall not be in violation of its plan, including its updated plan, approved under this Act if implementing such plan introduces operational challenges or risks to full, successful, and safe implementation.

SEC. 35444. POSITIVE TRAIN CONTROL AT GRADE CROSSINGS EFFECTIVENESS STUDY.

(a) STUDY.—After the Secretary certifies that each Class I railroad carrier and each entity providing regularly scheduled intercity or commuter rail passenger transportation is in compliance with the positive train control requirements under section 20157(a) of title 49, United States Code, the Secretary shall enter into an agreement with the National Cooperative Rail Research Program Board—

(1) to conduct a study of the possible effectiveness of positive train control and related technologies on reducing collisions at highway-rail grade crossings; and

(2) to submit a report containing the results of the study conducted under paragraph (1) to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

(b) FUNDING.—The Secretary may require, as part of the agreement under subsection (a), that the National Cooperative Rail Research Program Board fund the study required under this section using such sums as may be necessary out of the amounts made available under section 24910 of title 49, United States Code.

Subtitle E—Project Delivery

SEC. 35501. SHORT TITLE.

This subtitle may be cited as the ''Track, Railroad, and Infrastructure Network Act''.

SEC. 35502. PRESERVATION OF PUBLIC LANDS.

(a) HIGHWAYS.—Section 138 of title 23, United States Code, is amended—

(1) in subsection (b)(2)(A)(i), by inserting '', taking into consideration any avoidance, minimization, and mitigation or enhancement measures incorporated into the program or project'' after ''historic site''; and

(2) by adding at the end the following:

''(c) RAIL AND TRANSIT.—Improvements to, or the maintenance, rehabilitation, or operation of, railroad or rail transit lines or elements of such lines, with the exception of stations, that are in use or were historically used for the transportation of goods or passengers, shall not be considered a use of an historic site under subsection (a), regardless of whether the railroad or rail transit line or element of such line is listed on, or eligible for listing on, the National Register of Historic Places.''.

(b) TRANSPORTATION PROJECTS.—Section 303 is amended—

(1) in subsection (c), by striking ''subsection (d)'' and inserting ''subsections (d) and (e)'';

(2) in subsection (d)(2)(A)(i), by inserting '', taking into consideration any avoidance, minimization, and mitigation or enhancement measures incorporated into the program or project'' after ''historic site''; and

(3) by adding at the end the following:

''(e) RAIL AND TRANSIT.—Improvements to, or the maintenance, rehabilitation, or operation of, railroad or rail transit lines or elements of such lines, with the exception of stations, that are in use or were historically used for the transportation of goods or passengers, shall not be considered a use of an historic site under subsection (c), regardless of whether the railroad or rail transit line or element of such line is listed on, or eligible for listing on, the National Register of Historic Places.''.

SEC. 35503. EFFICIENT ENVIRONMENTAL REVIEWS.

(a) IN GENERAL.—Section 304 is amended—

(1) in the heading, by striking ''**for multimodal projects**'' and inserting ''**and increasing the efficiency of environmental reviews**''; and

(2) by adding at the end the following:

''(e) EFFICIENT ENVIRONMENTAL REVIEWS.—

''(1) IN GENERAL.—The Secretary of Transportation shall apply the project development procedures, to the greatest extent feasible, described in section 139 of title 23, United States Code, to any rail project that requires the approval of the Secretary of Transportation under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

''(2) REGULATIONS AND PROCEDURES.—The Secretary of Transportation shall incorporate such project development procedures into the agency regulations and procedures pertaining to rail projects.

''(f) APPLICABILITY OF NEPA DECISIONS.—

''(1) IN GENERAL.—A Department of Transportation operating administration may apply a categorical exclusion designated by another Department of Transportation operating administration under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

''(2) FINDINGS.—A Department of Transportation operating administration may adopt, in whole or in part, another Department of Transportation operating administration's Record of Decision, Finding of No Significant Impact, and any associated evaluations, determinations, or findings demonstrating compliance with any law related to environmental review or historic preservation.''.

SEC. 35504. ADVANCE ACQUISITION.

(a) IN GENERAL.—Chapter 241 is amended by inserting after section 24105 the following—

''§ 24106. Advance acquisition

''(a) RAIL CORRIDOR PRESERVATION.—The Secretary may assist a recipient of funding in acquiring right-of-way and adjacent real property interests before or during the completion of the environmental reviews for any project receiving funding under subtitle V of title 49, United States Code, that may use such property interests if the acquisition is otherwise permitted under Federal law, and the recipient requesting Federal funding for the acquisition certifies, with the concurrence of the Secretary, that—

''(1) the recipient has authority to acquire the right-of-way or adjacent real property interest; and

''(2) the acquisition of the right-of-way or adjacent real property interest—

''(A) is for a transportation or transportation-related purpose;

''(B) will not cause significant adverse environmental impact;

''(C) will not limit the choice of reasonable alternatives for the proposed project or otherwise influence the decision of the Secretary on any approval required for the proposed project;

''(D) does not prevent the lead agency for the review process from making an impartial decision as to whether to accept an alternative that is being considered;

''(E) complies with other applicable Federal law, including regulations;

''(F) will be acquired through negotiation and without the threat of condemnation; and

''(G) will not result in the elimination or reduction of benefits or assistance to a displaced person under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601 et seq.) and title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.).

''(b) ENVIRONMENTAL REVIEWS.—

''(1) COMPLETION OF NEPA REVIEW.—Before authorizing any Federal funding for the acquisition of a real property interest that is the subject of a grant or other funding under this subtitle, the Secretary shall complete, if required, the review process under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) with respect to the acquisition.

''(2) COMPLETION OF SECTION 106.—An acquisition of a real property interest involving an historic site shall not occur unless the section 106 process, if required, under the National Historic Preservation Act (54 U.S.C. 306108) is complete.

''(3) TIMING OF ACQUISITIONS.—A real property interest acquired under subsection (a) may not be developed in anticipation of the proposed project until all required environmental reviews for the project have been completed.''.

(b) CONFORMING AMENDMENT.—The table of contents of chapter 241 is amended by inserting after the item relating to section 24105 the following:

''24106. Advance acquisition.''.

SEC. 35505. RAILROAD RIGHTS-OF-WAY.

Section 306108 of title 54, United States Code, is amended—

(1) by inserting ''(b) OPPORTUNITY TO COMMENT.—'' before ''The head of the Federal agency shall afford'' and indenting accordingly;

(2) in the matter before subsection (b), by inserting ''(a) IN GENERAL.—'' before ''The head of any Federal agency having direct'' and indenting accordingly; and

(3) by adding at the end the following:

''(c) EXEMPTION FOR RAILROAD RIGHTS-OF-WAY.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of the Track, Railroad, and Infrastructure Network Act, the Secretary of Transportation shall submit a proposed exemption of railroad rights-of-way from the review under this chapter to the Council for its consideration, consistent with the exemption for interstate highways approved on March 10, 2005 (70 Fed. Reg. 11,928).

''(2) FINAL EXEMPTION.—Not later than 180 days after the date that the Secretary submits the proposed exemption under paragraph (1) to the Council, the Council shall issue a final exemption of railroad rights-of-way from review under this chapter, consistent with the exemption for interstate highways approved on March 10, 2005 (70 Fed. Reg. 11,928).''.

SEC. 35506. SAVINGS CLAUSE.

Nothing in this title, or any amendment made by this title, shall be construed as superceding, amending, or modifying the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) or affect the responsibility of any Federal officer to comply with or enforce any such statute.

SEC. 35507. TRANSITION.

Nothing in this title, or any amendment made by this title, shall affect any existing environmental review process, program, agreement, or funding arrangement approved by the Secretary under title 49, United States Code, as that title was in effect on the day preceding the date of enactment of this subtitle.

Subtitle F—Financing

SEC. 35601. SHORT TITLE; REFERENCES.

(a) SHORT TITLE.—This subtitle may be cited as the ''Railroad Infrastructure Financing Improvement Act''.

(b) REFERENCES TO THE RAILROAD REVITALIZATION AND REGULATORY REFORM ACT OF 1976.—Except as otherwise expressly provided, wherever in this subtitle an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Railroad Revitalization and Regulatory Reform Act of 1976, as amended (45 U.S.C. 801 et seq.).

SEC. 35602. DEFINITIONS.

Section 501 (45 U.S.C. 821) is amended—

(1) by redesignating paragraph (8) as paragraph (10);

(2) by redesignating paragraphs (6) and (7) as paragraphs (7) and (8), respectively;

(3) by inserting after paragraph (5) the following:

''(6) The term 'investment-grade rating' means a rating of BBB minus, Baa 3, bbb minus, BBB(low), or higher assigned by a rating agency.'';

(4) by inserting after paragraph (8), as redesignated, the following:

''(9) The term 'master credit agreement' means an agreement to make 1 or more direct loans or loan guarantees at future dates for a program of related projects on terms acceptable to the Secretary.''; and

(5) by adding at the end the following:

''(11) The term 'project obligation' means a note, bond, debenture, or other debt obligation issued by a borrower in connection with the financing of a project, other than a direct loan or loan guarantee under this title.

''(12) The term 'railroad' has the meaning given the term 'railroad carrier' in section 20102 of title 49, United States Code.

''(13) The term 'rating agency' means a credit rating agency registered with the Securities and Exchange Commission as a nationally recognized statistical rating organization (as defined in section 3(a) of the Securities Exchange Act of 1934 (15 U.S.C. 78c(a))).

''(14) The term 'substantial completion' means—

''(A) the opening of a project to passenger or freight traffic; or

''(B) a comparable event, as determined by the Secretary and specified in the direct loan.''.

SEC. 35603. ELIGIBLE APPLICANTS.

Section 502(a) (45 U.S.C. 822(a)) is amended—

(1) in paragraph (5), by striking ''one railroad; and'' and inserting ''1 of the entities described in paragraph (1), (2), (3), (4), or (6);''; and

(2) by amending paragraph (6) to read as follows:

''(6) solely for the purpose of constructing a rail connection between a plant or facility and a rail carrier, limited option freight shippers that own or operate a plant or other facility; and''.

SEC. 35604. ELIGIBLE PURPOSES.

Section 502(b)(1) (45 U.S.C. 822(b)(1)) is amended—

(1) in subparagraph (A), by inserting '', and costs related to these activities, including pre-construction costs'' after ''shops'';

(2) in subparagraph (B), by striking ''subparagraph (A); or'' and inserting ''subparagraph (A) or (C);'';

(3) in subparagraph (C), by striking the period at the end and inserting a semicolon; and

(4) by adding at the end the following:

''(D) reimburse planning and design expenses relating to projects described in subparagraph (A) or (C).''.

SEC. 35605. PROGRAM ADMINISTRATION.

(a) APPLICATION PROCESSING PROCEDURES.—Section 502(i) (45 U.S.C. 822(i)) is amended to read as follows:

''(i) APPLICATION PROCESSING PROCEDURES.—

''(1) APPLICATION STATUS NOTICES.—Not later than 30 days after the date that the Secretary receives an application under this section, the Secretary shall provide the applicant written notice as to whether the application is complete or incomplete.

''(2) INCOMPLETE APPLICATIONS.—If the Secretary determines that an application is incomplete, the Secretary shall—

''(A) provide the applicant with a description of all of the specific information or material that is needed to complete the application; and

''(B) allow the applicant to resubmit the information and material described under subparagraph (A) to complete the application.

''(3) APPLICATION APPROVALS AND DISAPPROVALS.—

''(A) IN GENERAL.—Not later than 60 days after the date the Secretary notifies an applicant that an application is complete under paragraph (1), the Secretary shall provide the applicant written notice as to whether the Secretary has approved or disapproved the application.

''(B) ACTIONS BY THE OFFICE OF MANAGEMENT AND BUDGET.—In order to enable compliance with the time limit under subparagraph (A), the Office of Management and Budget shall take any action required with respect to the application within that 60-day period.

''(4) EXPEDITED PROCESSING.—The Secretary shall implement procedures and measures to economize the time and cost involved in obtaining an approval or a disapproval of credit assistance under this title.

''(5) DASHBOARD.—The Secretary shall post on the Department of Transportation's public Web site a monthly report that includes for each application—

''(A) the name of the applicant or applicants;

''(B) the location of the project;

''(C) a brief description of the project, including its purpose;

''(D) the requested direct loan or loan guarantee amount;

''(E) the date on which the Secretary provided application status notice under paragraph (1); and

''(F) the date that the Secretary provided notice of approval or disapproval under paragraph (3).''.

(b) ADMINISTRATION OF DIRECT LOANS AND LOAN GUARANTEES.—Section 503 (45 U.S.C. 823) is amended—

(1) in subsection (a), by striking the period at the end and inserting '', including a program guide and standard term sheet and specific timetables.'';

(2) by redesignating subsections (c) through (l) as subsections (d) through (m), respectively;

(3) by striking ''(b) ASSIGNMENT OF LOAN GUARANTEES.—'' and inserting ''(c) ASSIGNMENT OF LOAN GUARANTEES.—'';

(4) in subsection (d), as redesignated—

(A) in paragraph (1), by striking ''; and'' and inserting a semicolon;

(B) in paragraph (2), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(3) the modification cost has been covered under section 502(f).''; and

(5) by amending subsection (l), as redesignated, to read as follows:

''(l) CHARGES AND LOAN SERVICING.—

''(1) PURPOSES.—The Secretary may collect and spend from each applicant, obligor, or loan party a reasonable charge for—

''(A) the cost of evaluating the application, amendments, modifications, and waivers, including for evaluating project viability, applicant creditworthiness, and the appraisal of the value of the equipment or facilities for which the direct loan or loan guarantee is sought, and for making necessary determinations and findings;

''(B) the cost of award management and project management oversight;

''(C) the cost of services from expert firms, including counsel, and independent financial advisors to assist in the underwriting, auditing, servicing, and exercise of rights with respect to direct loans and loan guarantees; and

''(D) the cost of all other expenses incurred as a result of a breach of any term or condition or any event of default on a direct loan or loan guarantee.

''(2) STANDARDS.—The Secretary may charge different amounts under this subsection based on the different costs incurred under paragraph (1).

''(3) SERVICER.—

''(A) IN GENERAL.—The Secretary may appoint a financial entity to assist the Secretary in servicing a direct loan or loan guarantee under this section.

''(B) DUTIES.—A servicer appointed under subparagraph (A) shall act as the agent of the Secretary in serving a direct loan or loan guarantee under this section.

''(C) FEES.—A servicer appointed under subparagraph (A) shall receive a servicing fee from the obligor or other loan party, subject to approval by the Secretary.

''(4) SAFETY AND OPERATIONS ACCOUNT.—Amounts collected under this subsection shall—

''(A) be credited directly to the Safety and Operations account of the Federal Railroad Administration; and

''(B) remain available until expended to pay for the costs described in this subsection.''.

SEC. 35606. LOAN TERMS AND REPAYMENT.

(a) PREREQUISITES FOR ASSISTANCE.—Section 502(g)(1) (45 U.S.C. 822(g)(1)) is amended by striking ''35 years from the date of its execution'' and inserting ''the lesser of 35 years after the date of substantial completion of the project or the estimated useful life of the rail equipment or facilities to be acquired, rehabilitated, improved, developed, or established''.

(b) REPAYMENT SCHEDULES.—Section 502(j) (45 U.S.C. 822(j)) is amended—

(1) in paragraph (1), by striking ''the sixth anniversary date of the original loan disbursement'' and inserting ''5 years after the date of substantial completion''; and

(2) by adding at the end the following:

''(3) DEFERRED PAYMENTS.—

''(A) IN GENERAL.—If at any time after the date of substantial completion the project is unable to generate sufficient revenues to pay the scheduled loan repayments of principal and interest on the direct loan, the Secretary, subject to subparagraph (B), may allow, for a maximum aggregate time of 1 year over the duration of the direct loan, the obligor to add unpaid principal and interest to the outstanding balance of the direct loan.

''(B) INTEREST.—A payment deferred under subparagraph (A) shall—

''(i) continue to accrue interest under paragraph (2) until the loan is fully repaid; and

''(ii) be scheduled to be amortized over the remaining term of the loan.

''(4) PREPAYMENTS.—

''(A) USE OF EXCESS REVENUES.—Any excess revenues that remain after satisfying scheduled debt service requirements on the project obligations and direct loan and all deposit requirements under the terms of any trust agreement, bond resolution, or similar agreement securing project obligations may be applied annually to prepay the direct loan without penalty.

''(B) USE OF PROCEEDS OF REFINANCING.—The direct loan may be prepaid at any time without penalty from the proceeds of refinancing from non-Federal funding sources.''.

(c) SALE OF DIRECT LOANS.—Section 502 (45 U.S.C. 822) is amended by adding at the end the following:

''(k) SALE OF DIRECT LOANS.—

''(1) IN GENERAL.—Subject to paragraph (2) and as soon as practicable after substantial completion of a project, the Secretary, after notifying the obligor, may sell to another entity or reoffer into the capital markets a direct loan for the project if the Secretary determines that the sale or reoffering has a high probability of being made on favorable terms.

''(2) CONSENT OF OBLIGOR.—In making a sale or reoffering under paragraph (1), the Secretary may not change the original terms and conditions of the secured loan without the prior written consent of the obligor''.

(d) NONSUBORDINATION.—Section 502 (45 U.S.C. 822), as amended in subsection (c), is further amended by adding at the end the following:

''(l) NONSUBORDINATION.—

''(1) IN GENERAL.—Except as provided in paragraph (2)(B), a direct loan shall not be subordinated to the claims of any holder of project obligations in the event of bankruptcy, insolvency, or liquidation of the obligor.

''(2) PREEXISTING INDENTURES.—

''(A) IN GENERAL.—The Secretary may waive the requirement under paragraph (1) for a public agency borrower that is financing ongoing capital programs and has outstanding senior bonds under a preexisting indenture if—

''(i) the direct loan is rated in the A category or higher;

''(ii) the direct loan is secured and payable from pledged revenues not affected by project performance, such as a tax-based revenue pledge or a system-backed pledge of project revenues; and

''(iii) the program share, under this title, of eligible project costs is 50 percent or less.

''(B) LIMITATION.—The Secretary may impose limitations for the waiver of the nonsubordination requirement under this paragraph if the Secretary determines that such limitations would be in the financial interest of the Federal Government.''.

SEC. 35607. CREDIT RISK PREMIUMS.

Section 502(f) (45 U.S.C. 822(f)) is amended—

(1) in paragraph (1), by amending the first sentence to read as follows: ''In lieu of or in combination with appropriations of budget authority to cover the costs of direct loans and loan guarantees as required under section 504(b)(1) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661c(b)(1)), including the cost of a modification thereof, the Secretary may accept on behalf of an applicant for assistance under this section a commitment from a non-Federal source, including a State or local government or agency or public benefit corporation or public authority thereof, to fund in whole or in part credit risk premiums and modification costs with respect to the loan that is the subject of the application or modification.'';

(2) in paragraph (2)—

(A) in subparagraph (D), by adding ''and'' after the semicolon;

(B) by striking subparagraph (E); and

(C) by redesignating subparagraph (F) as subparagraph (E);

(3) by striking paragraph (4);

(4) by redesignating paragraph (3) as paragraph (4);

(5) by inserting after paragraph (2) the following:

''(3) CREDITWORTHINESS.—An applicant may propose and the Secretary may accept as a basis for determining the amount of the credit risk premium under paragraph (2) any of the following in addition to the value of any tangible asset:

''(A) The net present value of a future stream of State or local subsidy income or other dedicated revenues to secure the direct loan or loan guarantee.

''(B) Adequate coverage requirements to ensure repayment, on a non-recourse basis, from cash flows generated by the project or any other dedicated revenue source, including—

''(i) tolls;

''(ii) user fees; or

''(iii) payments owing to the obligor under a public-private partnership.

''(C) An investment-grade rating on the direct loan or loan guarantee, as applicable, except that if the total amount of the direct loan or loan guarantee is greater than $75,000,000, the applicant shall have an investment-grade rating from at least 2 rating agencies on the direct loan or loan guarantee.''; and

(6) in paragraph (4), as redesignated, by striking ''amounts'' and inserting ''amounts (and in the case of a modification, before the modification is executed), to the extent appropriations are not available to the Secretary to meet the costs of direct loans and loan guarantees, including costs of modifications thereof''.

SEC. 35608. MASTER CREDIT AGREEMENTS.

Section 502 (45 U.S.C. 822), as amended by subsections (c) and (d) of section 35606 of this Act, is further amended by adding at the end the following:

''(m) MASTER CREDIT AGREEMENTS.—

''(1) IN GENERAL.—Subject to section 502(d) and paragraph (2) of this subsection, the Secretary may enter into a master credit agreement that is contingent on all of the conditions for the provision of a direct loan or loan guarantee, as applicable, under this title and other applicable requirements being satisfied prior to the issuance of the direct loan or loan guarantee.

''(2) CONDITIONS.—Each master credit agreement shall—

''(A) establish the maximum amount and general terms and conditions of each applicable direct loan or loan guarantee;

''(B) identify 1 or more dedicated non-Federal revenue sources that will secure the repayment of each applicable direct loan or loan guarantee;

''(C) provide for the obligation of funds for the direct loans or loan guarantees contingent on and after all requirements have been met for the projects subject to the master credit agreement; and

''(D) provide 1 or more dates, as determined by the Secretary, before which the master credit agreement results in each of the direct loans or loan guarantees or in the release of the master credit agreement.''.

SEC. 35609. PRIORITIES AND CONDITIONS.

(a) PRIORITY PROJECTS.—Section 502(c) (45 U.S.C. 822(c)) is amended—

(1) in paragraph (1), by inserting '', including projects for the installation of a positive train control system (as defined in section 20157(i) of title 49, United States Code)'' after ''public safety'';

(2) by redesignating paragraphs (2) and (3) as paragraphs (3) and (2), respectively;

(3) in paragraph (5), by inserting ''or chapter 227 of title 49'' after ''section 135 of title 23'';

(4) by redesignating paragraphs (6) through (8) as paragraphs (7) through (9), respectively; and

(5) by inserting after paragraph (5) the following:

''(6) improve railroad stations and passenger facilities and increase transit-oriented development;''.

(b) CONDITIONS OF ASSISTANCE.—Section 502(h) (45 U.S.C. 822(h)) is amended in paragraph (2), by inserting '', if applicable'' after ''project''.

SEC. 35610. SAVINGS PROVISION.

(a) IN GENERAL.—Except as provided in subsection (b), this subtitle, and the amendments made by this subtitle, shall not affect any direct loan (or direct loan obligation) or an outstanding loan guarantee (or loan guarantee commitment) that was in effect prior to the date of enactment of this Act. Any such transaction entered into before the date of enactment of this Act shall be administered until completion under its terms as if this Act were not enacted.

(b) MODIFICATION COSTS.—At the discretion of the Secretary, the authority to accept modification costs on behalf of an applicant under section 502(f) of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 822(f)), as amended by section 35607 of this Act, may apply with respect to any direct loan (or direct loan obligation) or an outstanding loan guarantee (or loan guarantee commitment) that was in effect prior to the date of enactment of this Act.

DIVISION D—FREIGHT AND MAJOR PROJECTS

TITLE XLI—FREIGHT POLICY

SEC. 41001. ESTABLISHMENT OF FREIGHT CHAPTER.

(a) FREIGHT.—Subtitle III of title 49, United States Code, is amended by inserting after chapter 53 the following:

''CHAPTER 54—FREIGHT

''5401. Definitions.
''5402. National multimodal freight policy.
''5403. National multimodal freight network.
''5404. National freight strategic plan.
''5405. State freight advisory committees.
''5406. State freight plans.
''5407. Transportation investment planning and data tools.
''5408. Savings provision.
''5409. Assistance for freight projects.

''§ 5401. Definitions

''In this chapter:

''(1) ECONOMIC COMPETITIVENESS.—The term 'economic competitiveness' means the ability of the economy to efficiently move freight and people, produce goods, and deliver services, including—

''(A) reductions in the travel time of freight;

''(B) reductions in the congestion caused by the movement of freight;

''(C) improvements to freight travel time reliability; and

''(D) reductions in freight transportation costs due to congestion and insufficient infrastructure.

''(2) FREIGHT.—The term 'freight' means the commercial transportation of cargo, including agricultural, manufactured, retail, or other goods by vessel, vehicle, pipeline, or rail.

''(3) FREIGHT TRANSPORTATION MODES.—The term 'freight transportation modes' means—

''(A) the infrastructure supporting any mode of transportation that moves freight, including highways, ports, waterways, rail facilities, and pipelines; and

''(B) any vehicles or equipment transporting goods on such infrastructure.

''(4) NATIONAL HIGHWAY FREIGHT NETWORK.—The term 'national highway freight network' means the network established under section 167 of title 23.

''(5) NATIONAL MULTIMODAL FREIGHT NETWORK.—The term 'national multimodal freight network' means the network established under section 5403.

''(6) NATIONAL MULTIMODAL FREIGHT STRATEGIC PLAN.—The term 'national multimodal freight strategic plan' means the strategic plan developed under section 5404.

''(7) SECRETARY.—The term 'Secretary' means the Secretary of Transportation.

''(8) STATE.—The term 'State' means a State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, Guam, American Samoa, and the United States Virgin Islands.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of chapters for subtitle III of title 49, United States Code, is amended by inserting after the item relating to chapter 53 the following:

''54. Freight ..... 5401''.

SEC. 41002. NATIONAL MULTIMODAL FREIGHT POLICY.

Chapter 54 of subtitle III of title 49, United States Code, as added by section 41001, is amended by adding after section 5401 the following:

''§ 5402. National multimodal freight policy

''(a) POLICY.—It is the policy of the United States—

''(1) to support investment to maintain and improve the condition and performance of the national multimodal freight network;

''(2) to ensure that the United States maximizes its competitiveness in the global economy by increasing the overall productivity and connectivity of the national freight system; and

''(3) to pursue the goals described in subsection (b).

''(b) GOALS.—The national multimodal freight policy has the following goals:

''(1) To enhance the economic competitiveness of the United States by investing in infrastructure improvements and implementing operational improvements on the freight network of the United States that achieve 1 or more of the following:

''(A) Strengthen the contribution of the national freight network to the economic competitiveness of the United States.

''(B) Reduce congestion and relieve bottlenecks in the freight transportation system.

''(C) Reduce the cost of freight transportation.

''(D) Improve the reliability of freight transportation.

''(E) Increase productivity, particularly for domestic industries and businesses that create jobs.

''(2) To improve the safety, security, efficiency, and resiliency of freight transportation in rural and urban areas.

''(3) To improve the condition of the national freight network.

''(4) To use advanced technology to improve the safety and efficiency of the national freight network.

''(5) To incorporate concepts of performance, innovation, competition, and accountability into the operation and maintenance of the national freight network.

''(6) To improve the efficiency and productivity of the national freight network.

''(7) To pursue these goals in a manner that is not burdensome to State and local governments.

''(c) STRATEGIES.—The United States may achieve the goals described in subsection (b) by—

''(1) providing funding to maintain and improve freight infrastructure facilities;

''(2) implementing appropriate safety, environmental, energy and other transportation policies;

''(3) utilizing advanced technology and innovation;

''(4) promoting workforce development; and

''(5) using performance management activities.

''(d) IMPLEMENTATION.—The Under Secretary for Policy, who shall be responsible for the oversight and implementation of the national multimodal freight policy, shall—

''(1) assist with the coordination of modal freight planning;

''(2) ensure consistent, expedited review of multimodal freight projects;

''(3) review the project planning and approval processes at each modal administration to identify modeling and metric inconsistencies, approvals, and terminology differences that could hamper multimodal project approval;

''(4) identify interagency data sharing opportunities to promote freight planning and coordination;

''(5) identify multimodal efforts and connections;

''(6) designate the lead agency for multimodal freight projects;

''(7) develop recommendations for State incentives for multimodal planning efforts, which may include—

''(A) reducing the State cost share; or

''(B) expediting the review of agreements for multimodal or freight specific projects;

''(8) explore opportunities within existing legal authorities to reduce project delays by issuing categorical exclusions or allowing self-certifications of right-of-way acquisitions for freight projects; and

''(9) submit a report to the Committee on Commerce, Science, and Transportation and the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that identifies required reports, statutory requirements, and other limitations on efficient freight project delivery that could be streamlined or consolidated.''.

SEC. 41003. NATIONAL MULTIMODAL FREIGHT NETWORK.

Chapter 54 of subtitle III of title 49, United States Code, as amended by section 41002, is amended by adding after section 5402 the following:

''§ 5403. National multimodal freight network

''(a) IN GENERAL.—The Secretary shall establish a national freight network, in accordance with this section—

''(1) to assist States in strategically directing resources toward improved system performance for the efficient movement of freight on transportation networks;

''(2) to inform freight transportation planning;

''(3) to assist in the prioritization of Federal investment; and

''(4) to assess and support Federal investments to achieve the national multimodal freight policy goals described in section 5402(b) of this title and in section 150(b) of title 23.

''(b) NETWORK COMPONENTS.—The national multimodal freight network established under this section shall consist of all connectors, corridors, and facilities in all freight transportation modes that are the most critical to the current and future movement of freight, including the national highway freight network, to achieve the national multimodal freight policy goals described in section 5402(b) of this title and in section 150(b) of title 23.

''(c) INITIAL DESIGNATION OF PRIMARY FREIGHT SYSTEM.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of the DRIVE Act, the Secretary, after soliciting input from stakeholders, including multimodal freight system users, transport providers, metropolitan planning organizations, local governments, ports, airports, railroads, and States, through a public process to identify critical freight facilities and corridors that are vital to achieve the national multimodal freight policy goals described in section 5402(b) of this title and in section 150(b) of title 23, and after providing notice and opportunity for comment on a draft system, shall designate a primary freight system with the goal of—

''(A) improving network and intermodal connectivity; and

''(B) using measurable data as part of the assessment of the significance of freight movement, including the consideration of points of origin, destination, and linking components of domestic and international supply chains.

''(2) FACTORS.—In designating or redesignating a primary freight system, the Secretary shall consider—

''(A) origins and destinations of freight movement within, to, and from the United States;

''(B) volume, value, tonnage, and the strategic importance of freight;

''(C) access to border crossings, airports, seaports, and pipelines;

''(D) economic factors, including balance of trade;

''(E) access to major areas for manufacturing, agriculture, or natural resources;

''(F) access to energy exploration, development, installation, and production areas;

''(G) intermodal links and intersections that promote connectivity;

''(H) freight choke points and other impediments contributing to significant measurable congestion, delay in freight movement, or inefficient modal connections;

''(I) impacts on all freight transportation modes and modes that share significant freight infrastructure;

''(J) elements and transportation corridors identified by a multi-State coalition, a State, a State advisory committee, or a metropolitan planning organization, using national or local data, as having critical freight importance to the region;

''(K) intermodal connectors, major distribution centers, inland intermodal facilities, and first- and last-mile facilities;

''(L) the annual average daily truck traffic on principal arterials; and

''(M) the significance of goods movement, including consideration of global and domestic supply chains.

''(3) REQUIREMENTS FOR DESIGNATION.—A designation may be made under this subsection if the freight transportation facility or infrastructure being considered—

''(A) is in an urbanized area, regardless of population;

''(B) has been designated under subsection (d) as a critical rural freight corridor;

''(C) connects an intermodal facility to—

''(i) the primary freight network; or

''(ii) an intermodal freight facility;

''(D)(i) is located within a corridor of a route on the primary freight network; and

''(ii) provides an alternative option important to goods movement;

''(E) serves a major freight generator, logistic center, agricultural region, or manufacturing, warehouse, or industrial land; or

''(F) is important to the movement of freight within a State or metropolitan region, as determined by the State or the metropolitan planning organization.

''(4) CONSIDERATIONS.—In designating or redesignating the primary freight system under subsection (e), the Secretary shall—

''(A) use, to the extent practicable, measurable data to assess the significance of goods movement, including the consideration of points of origin, destination, and linking components of the United States global and domestic supply chains;

''(B) consider—

''(i) the factors described in subsection (c)(2); and

''(ii) any changes in the economy or freight transportation network demand; and

''(C) provide the States with an opportunity to submit proposed designations in accordance with paragraph (5).

''(5) STATE INPUT.—

''(A) IN GENERAL.—Each State that proposes increased designations on the primary freight system shall—

''(i) consider nominations for additional designations from metropolitan planning organizations and State freight advisory committees within the State;

''(ii) consider nominations for the additional designations from owners and operators of port, rail, pipeline, and airport facilities; and

''(iii) ensure that additional designations are consistent with the State Transportation Improvement Program or freight plan.

''(B) REVISIONS.—States may revise routes certified under section 4006 of the Intermodal Surface Transportation Efficiency Act of 1991 (Public Law 102–240; 105 Stat. 2148) to conform with the designated freight system under this section.

''(C) SUBMISSION AND CERTIFICATION.—Each State shall submit to the Secretary—

''(i) a list of the additional designations added under this subsection; and

''(ii) certification that—

''(I) the State has satisfied the requirements under subparagraph (A); and

''(II) the designations referred to in clause (i) address the factors for redesignation described in subsection (c)(3).

''(d) CRITICAL RURAL FREIGHT CORRIDORS.—A State may designate freight transportation infrastructure or facilities within the borders of the State as a critical rural freight corridor if the public road or facility—

''(1) is a rural principal arterial roadway or facility;

''(2) provides access or service to energy exploration, development, installation, or production areas;

''(3) provides access or service to—

''(A) a grain elevator;

''(B) an agricultural facility;

''(C) a mining facility;

''(D) a forestry facility; or

''(E) an intermodal facility;

''(4) connects to an international port of entry;

''(5) provides access to significant air, rail, water, or other freight facilities in the State; or

''(6) has been determined by the State to be vital to improving the efficient movement of freight of importance to the economy of the State.

''(e) REDESIGNATION OF PRIMARY FREIGHT SYSTEM.—Beginning on the date that is 5 years after the initial designation under subsection (c), and every 5 years thereafter, the Secretary, using the designation factors described in subsection (c)(3), shall redesignate the primary freight system.''.

TITLE XLII—PLANNING

SEC. 42001. NATIONAL FREIGHT STRATEGIC PLAN.

Chapter 54 of subtitle III of title 49, United States Code (as amended by title XLI), is amended by adding at the end the following:

''§ 5404. National freight strategic plan

''(a) INITIAL DEVELOPMENT OF NATIONAL FREIGHT STRATEGIC PLAN.—Not later than 3 years after the date of enactment of the DRIVE Act, the Secretary, in consultation with State departments of transportation, metropolitan planning organizations, and other appropriate public and private transportation stakeholders, shall develop, after providing opportunity for notice and comment on a draft national freight strategic plan, and post on the public website of the Department of Transportation a national freight strategic plan that includes—

''(1) an assessment of the condition and performance of the national multimodal freight network;

''(2) an identification of bottlenecks on the national multimodal freight network that create significant freight congestion based on a quantitative methodology developed by the Secretary, which shall, at a minimum, include—

''(A) information from the Freight Analysis Framework of the Federal Highway Administration; and

''(B) to the maximum extent practicable, an estimate of the cost of addressing each bottleneck and any operational improvements that could be implemented;

''(3) a forecast of freight volumes, based on the most recent data available, for—

''(A) the 5-year period beginning in the year during which the plan is issued; and

''(B) if practicable, for the 10- and 20-year period beginning in the year during which the plan is issued;

''(4) an identification of major trade gateways and national freight corridors that connect major economic corridors, population centers, trade gateways, and other major freight generators for current and forecasted traffic and freight volumes, the identification of which shall be revised, as appropriate, in subsequent plans;

''(5) an assessment of statutory, regulatory, technological, institutional, financial, and other barriers to improved freight transportation performance (including opportunities for overcoming the barriers);

''(6) an identification of routes providing access to energy exploration, development, installation, or production areas;

''(7) routes for providing access to major areas for manufacturing, agriculture, or natural resources;

''(8) best practices for improving the performance of the national freight network;

''(9) best practices to mitigate the impacts of freight movement on communities;

''(10) a process for addressing multistate projects and encouraging jurisdictions to collaborate on multistate projects;

''(11) identification of locations or areas with congestion involving freight traffic, and strategies to address those issues;

''(12) strategies to improve freight intermodal connectivity; and

''(13) best practices for improving the performance of the national multimodal freight network and rural and urban access to critical freight corridors.

''(b) UPDATES TO NATIONAL FREIGHT STRATEGIC PLAN.—Not later than 5 years after the date of completion of the first national multimodal freight strategic plan under subsection (a) and every 5 years thereafter, the Secretary shall update and repost on the public website of the Department of Transportation a revised national freight strategic plan.''.

SEC. 42002. STATE FREIGHT ADVISORY COMMITTEES.

Chapter 54 of subtitle III of title 49, United States Code (as amended by section 42001), is amended by adding at the end the following:

''§ 5405. State freight advisory committees

''(a) IN GENERAL.—Each State shall establish a freight advisory committee consisting of a representative cross-section of public and private sector freight stakeholders, including representatives of ports, third party logistics providers, shippers, carriers, freight-related associations, the freight industry workforce, the transportation department of the State, and local governments.

''(b) ROLE OF COMMITTEE.—A freight advisory committee of a State described in subsection (a) shall—

''(1) advise the State on freight-related priorities, issues, projects, and funding needs;

''(2) serve as a forum for discussion for State transportation decisions affecting freight mobility;

''(3) communicate and coordinate regional priorities with other organizations;

''(4) promote the sharing of information between the private and public sectors on freight issues; and

''(5) participate in the development of the freight plan of the State described in section 5406.''.

SEC. 42003. STATE FREIGHT PLANS.

Chapter 54 of subtitle III of title 49, United States Code (as amended by section 42002), is amended by adding at the end the following:

''§ 5406. State freight plans

''(a) IN GENERAL.—Each State shall develop a freight plan that provides a comprehensive plan for the immediate and long-range planning activities and investments of the State with respect to freight.

''(b) PLAN CONTENTS.—A freight plan described in subsection (a) shall include, at a minimum—

''(1) an identification of significant freight system trends, needs, and issues with respect to the State;

''(2) a description of the freight policies, strategies, and performance measures that will guide the freight-related transportation investment decisions of the State;

''(3) when applicable, a listing of critical rural and urban freight corridors designated within the State under section 5403 of this title or section 167 of title 23;

''(4) a description of how the plan will improve the ability of the State to meet the national freight goals established under section 5402(b) of this title and section 150(b) of title 23;

''(5) a description of how innovative technologies and operational strategies, including freight intelligent transportation systems, that improve the safety and efficiency of freight movement, were considered;

''(6) in the case of roadways on which travel by heavy vehicles (including mining, agricultural, energy cargo or equipment, and timber vehicles) is projected to substantially deteriorate the condition of roadways, a description of improvements that may be required to reduce or impede the deterioration;

''(7) an inventory of facilities with freight mobility issues, such as bottlenecks, within the State, and where the facilities are State owned or operated, a description of the strategies the State is employing to address those freight mobility issues;

''(8) consideration of any significant congestion or delay caused by freight movements and any strategies to mitigate that congestion or delay; and

''(9) a freight investment plan that, subject to subsection (c)(2), includes a list of priority projects and describes how funds made available to carry out section 167 of title 23 would be invested and matched.

''(c) RELATIONSHIP TO LONG-RANGE PLAN.—

''(1) INCORPORATION.—A State freight plan described in subsection (a) may be developed separately from or incorporated into the statewide strategic long-range transportation plan required by section 135 of title 23.

''(2) FISCAL CONSTRAINT.—The freight investment plan component of a freight plan shall include a project, or an identified phase of a project, only if funding for completion of the project can reasonably be anticipated to be available for the project within the time period identified in the freight investment plan.

''(d) PLANNING PERIOD.—The freight plan shall address a 5-year forecast period.

''(e) UPDATES.—

''(1) IN GENERAL.—A State shall update the freight plan not less frequently than once every 5 years.

''(2) FREIGHT INVESTMENT PLAN.—A State may update the freight investment plan more frequently than is required under paragraph (1).''.

SEC. 42004. FREIGHT DATA AND TOOLS.

Chapter 54 of subtitle III of title 49, United States Code (as amended by section 42003), is amended by adding at the end the following:

''§ 5407. Transportation investment data and planning tools

''(a) IN GENERAL.—Not later than 1 year after the date of enactment of the DRIVE Act, the Secretary shall—

''(1) begin development of new tools and improvement of existing tools to support an outcome-oriented, performance-based approach to evaluate proposed freight-related and other transportation projects, including—

''(A) methodologies for systematic analysis of benefits and costs on a national or regional basis;

''(B) tools for ensuring that the evaluation of freight-related and other transportation projects could consider safety, economic competitiveness, urban and rural access, environmental sustainability, and system condition in the project selection process;

''(C) improved methods for data collection and trend analysis;

''(D) encouragement of public-private partnerships to carry out data sharing activities while maintaining the confidentiality of all proprietary data; and

''(E) other tools to assist in effective transportation planning;

''(2) identify transportation-related model data elements to support a broad range of evaluation methods and techniques to assist in making transportation investment decisions; and

''(3) at a minimum, in consultation with other relevant Federal agencies, consider any improvements to existing freight flow data collection efforts that could reduce identified freight data gaps and deficiencies and help improve forecasts of freight transportation demand.

''(b) CONSULTATION.—The Secretary shall consult with Federal, State, and other stakeholders to develop, improve, and implement the tools and collect the data described in subsection (a).''.

SEC. 42005. SAVINGS PROVISION.

Chapter 54 of subtitle III of title 49, United States Code (as amended by section 42004), is amended by adding at the end the following:

''§ 5408. Savings provision

''Nothing in this chapter provides additional authority to regulate or direct private activity on freight networks designated by this chapter.''.

TITLE XLIII—FORMULA FREIGHT PROGRAM

SEC. 43001. NATIONAL HIGHWAY FREIGHT PROGRAM.

(a) IN GENERAL.—Section 167 of title 23, United States Code, is amended to read as follows:

''§ 167. National highway freight program

''(a) ESTABLISHMENT.—

''(1) IN GENERAL.—It is the policy of the United States to improve the condition and performance of the national highway freight network to ensure that the national freight network provides the foundation for the United States to compete in the global economy and achieve each goal described in subsection (b).

''(2) ESTABLISHMENT.—In support of the goals described in subsection (b), the Federal Highway Administrator (referred to in this section as the 'Administrator') shall establish a national highway freight program in accordance with this section to improve the efficient movement of freight on the national highway freight network.

''(b) GOALS.—The goals of the national highway freight program are—

''(1) to invest in infrastructure improvements and to implement operational improvements on the highways of the United States that—

''(A) strengthen the contribution of the national highway freight network to the economic competitiveness of the United States;

''(B) reduce congestion and relieve bottlenecks in the freight transportation system;

''(C) reduce the cost of freight transportation;

''(D) improve the reliability of freight transportation; and

''(E) increase productivity, particularly for domestic industries and businesses that create high-value jobs;

''(2) to improve the safety, security, efficiency, and resiliency of freight transportation in rural and urban areas;

''(3) to improve the state of good repair of the national highway freight network;

''(4) to use advanced technology to improve the safety and efficiency of the national highway freight network;

''(5) to incorporate concepts of performance, innovation, competition, and accountability into the operation and maintenance of the national highway freight network;

''(6) to improve the efficiency and productivity of the national highway freight network; and

''(7) to reduce the environmental impacts of freight movement.

''(c) ESTABLISHMENT OF A NATIONAL HIGHWAY FREIGHT NETWORK.—

''(1) IN GENERAL.—The Administrator shall establish a national highway freight network in accordance with this section to assist States in strategically directing resources toward improved system performance for efficient movement of freight on highways.

''(2) NETWORK COMPONENTS.—The national highway freight network shall consist of—

''(A) the primary highway freight system, as designated under subsection (d);

''(B) critical rural freight corridors established under subsection (e);

''(C) critical urban freight corridors established under subsection (f); and

''(D) the portions of the Interstate System not designated as part of the primary highway freight system, including designated future Interstate System routes as of the date of enactment of the DRIVE Act.

''(d) DESIGNATION AND REDESIGNATION OF THE PRIMARY HIGHWAY FREIGHT SYSTEM.—

''(1) INITIAL DESIGNATION OF PRIMARY HIGHWAY FREIGHT SYSTEM.—The initial designation of the primary highway freight system shall be—

''(A) the network designated by the Secretary under section 167(d) of title 23, United States Code, as in effect on the day before the date of enactment of the DRIVE Act; and

''(B) all National Highway System freight intermodal connectors.

''(2) REDESIGNATION OF PRIMARY HIGHWAY FREIGHT SYSTEM.—

''(A) IN GENERAL.—Beginning on the date that is 1 year after the date of enactment of the DRIVE Act and every 5 years thereafter, using the designation factors described in subparagraph (E), the Administrator shall redesignate the primary highway freight system (including any additional mileage added to the primary highway freight system under this paragraph as of the date on which the redesignation process is effective).

''(B) MILEAGE.—

''(i) FIRST REDESIGNATION.—In redesignating the primary highway freight system on the date that is 1 year after the date of enactment of the DRIVE Act, the Administrator shall limit the system to 30,000 centerline miles, without regard to the connectivity of the primary highway freight system.

''(ii) SUBSEQUENT REDESIGNATIONS.—Each redesignation after the redesignation described in clause (i), the Administrator may increase the primary highway freight system by up to 5 percent of the total mileage of the system, without regard to the connectivity of the primary highway freight system.

''(C) CONSIDERATIONS.—

''(i) IN GENERAL.—In redesignating the primary highway freight system, to the maximum extent practicable, the Administrator shall use measurable data to assess the significance of goods movement, including consideration of points of origin, destination, and linking components of the United States global and domestic supply chains.

''(ii) INTERMODAL CONNECTORS.—In redesignating the primary highway freight system, the Administrator shall include all National Highway System freight intermodal connectors.

''(D) INPUT.—In addition to the process provided to State freight advisory committees under paragraph (3), in redesignating the primary highway freight system, the Administrator shall provide an opportunity for State freight advisory committees to submit additional miles for consideration.

''(E) FACTORS FOR REDESIGNATION.—In redesignating the primary highway freight system, the Administrator shall consider—

''(i) the origins and destinations of freight movement in, to, and from the United States;

''(ii) land and water ports of entry;

''(iii) access to energy exploration, development, installation, or production areas;

''(iv) proximity of access to other freight intermodal facilities, including rail, air, water, and pipelines;

''(v) the total freight tonnage and value moved via highways;

''(vi) significant freight bottlenecks, as identified by the Administrator;

''(vii) the annual average daily truck traffic on principal arterials; and

''(viii) the significance of goods movement on principal arterials, including consideration of global and domestic supply chains.

''(3) STATE FLEXIBILITY FOR ADDITIONAL MILES ON PRIMARY HIGHWAY FREIGHT SYSTEM.—

''(A) IN GENERAL.—Not later than 1 year after each redesignation conducted by the Administrator under paragraph (2), each State, under the advisement of the State freight advisory committee, as developed and carried out in accordance with subsection (l), may increase the number of miles designated as part of the primary highway freight system in that State by not more than 10 percent of the miles designated in that State under this subsection if the additional miles—

''(i) close gaps between primary highway freight system segments;

''(ii) establish connections of the primary highway freight system critical to the efficient movement of goods, including ports, international border crossings, airports, intermodal facilities, logistics centers, warehouses, and agricultural facilities; or

''(iii) designate critical emerging freight routes.

''(B) CONSIDERATIONS.—Each State, under the advisement of the State freight advisory committee that increases the number of miles on the primary highway freight system under subparagraph (A) shall—

''(i) consider nominations for the additional miles from metropolitan planning organizations within the State;

''(ii) ensure that the additional miles are consistent with the freight plan of the State; and

''(iii) review the primary highway freight system of the State designated under paragraph (1) and redesignate miles in a manner that is consistent with paragraph (2).

''(C) SUBMISSION.—Each State, under the advisement of the State freight advisory committee shall—

''(i) submit to the Administrator a list of the additional miles added under this subsection; and

''(ii) certify that—

''(I) the additional miles meet the requirements of subparagraph (A); and

''(II) the State, under the advisement of the State freight advisory committee, has satisfied the requirements of subparagraph (B).

''(e) CRITICAL RURAL FREIGHT CORRIDORS.—A State may designate a public road within the borders of the State as a critical rural freight corridor if the public road—

''(1) is a rural principal arterial roadway and has a minimum of 25 percent of the annual average daily traffic of the road measured in passenger vehicle equivalent units from trucks (Federal Highway Administration vehicle class 8 to 13);

''(2) provides access to energy exploration, development, installation, or production areas;

''(3) connects the primary highway freight system, a roadway described in paragraph (1) or (2), or the Interstate System to facilities that handle more than—

''(A) 50,000 20-foot equivalent units per year; or

''(B) 500,000 tons per year of bulk commodities;

''(4) provides access to—

''(A) a grain elevator;

''(B) an agricultural facility;

''(C) a mining facility;

''(D) a forestry facility; or

''(E) an intermodal facility;

''(5) connects to an international port of entry;

''(6) provides access to significant air, rail, water, or other freight facilities in the State; or

''(7) is, in the determination of the State, vital to improving the efficient movement of freight of importance to the economy of the State.

''(f) CRITICAL URBAN FREIGHT CORRIDORS.—

''(1) URBANIZED AREA WITH POPULATION OF 500,000 OR MORE.—In an urbanized area with a population of 500,000 or more individuals, the representative metropolitan planning organization, in consultation with the State, may designate a public road within the borders of that area of the State as a critical urban freight corridor.

''(2) URBANIZED AREA WITH A POPULATION LESS THAN 500,000.—In an urbanized area with a population of less than 500,000 individuals, the State, in consultation with the representative metropolitan planning organization, may designate a public road within the borders of that area of the State as a critical urban freight corridor.

''(3) REQUIREMENTS FOR DESIGNATION.—A designation may be made under paragraphs (1) or (2) if the public road—

''(A) is in an urbanized area, regardless of population; and

''(B)(i) connects an intermodal facility to—

''(I) the primary highway freight network;

''(II) the Interstate System; or

''(III) an intermodal freight facility;

''(ii) is located within a corridor of a route on the primary highway freight network and provides an alternative highway option important to goods movement;

''(iii) serves a major freight generator, logistic center, or manufacturing and warehouse industrial land; or

''(iv) is important to the movement of freight within the region, as determined by the metropolitan planning organization or the State.

''(g) DESIGNATION AND CERTIFICATION.—

''(1) DESIGNATION.—States and metropolitan planning organizations may designate corridors under subsections (e) and (f) and submit the designated corridors to the Administrator on a rolling basis.

''(2) CERTIFICATION.—Each State or metropolitan planning organization that designates a corridor under subsection (e) or (f) shall certify to the Administrator that the designated corridor meets the requirements of the applicable subsection.

''(h) HIGHWAY FREIGHT TRANSPORTATION CONDITIONS AND PERFORMANCE REPORTS.—Not later than 2 years after the date of enactment of the DRIVE Act and biennially thereafter, the Administrator shall prepare and submit to Congress a report that describes the conditions and performance of the national highway freight network in the United States.

''(i) USE OF APPORTIONED FUNDS.—

''(1) IN GENERAL.—A State shall obligate funds apportioned to the State under section

104(b)(5) to improve the movement of freight on the national highway freight network.

''(2) FORMULA.—The Administrator shall calculate for each State the proportion that—

''(A) the total mileage in the State designated as part of the primary highway freight system; bears to

''(B) the total mileage of the primary highway freight system in all States.

''(3) USE OF FUNDS.—

''(A) STATES WITH HIGH PRIMARY HIGHWAY FREIGHT SYSTEM MILEAGE.—If the proportion of a State under paragraph (2) is greater than or equal to 3 percent, the State may obligate funds apportioned to the State under section 104(b)(5) for projects on—

''(i) the primary highway freight system;

''(ii) critical rural freight corridors; and

''(iii) critical urban freight corridors.

''(B) STATES WITH LOW PRIMARY HIGHWAY FREIGHT SYSTEM MILEAGE.—If the proportion of a State under paragraph (2) is less than 3 percent, the State may obligate funds apportioned to the State under section 104(b)(5) for projects on any component of the national highway freight network.

''(4) FREIGHT PLANNING.—Notwithstanding any other provision of law, effective beginning 2 years after the date of enactment of the DRIVE Act, a State may not obligate funds apportioned to the State under section 104(b)(5) unless the State has—

''(A) established a freight advisory committee in accordance with section 5405 of title 49; and

''(B) developed a freight plan in accordance with section 5406 of title 49, except that the multimodal component of the plan may be incomplete before an obligation may be made under this section.

''(5) ELIGIBILITY.—

''(A) IN GENERAL.—Except as provided in this subsection, for a project to be eligible for funding under this section the project shall—

''(i) contribute to the efficient movement of freight on the national highway freight network; and

''(ii) be consistent with a freight investment plan included in a freight plan of the State that is in effect.

''(B) OTHER PROJECTS.—A State may obligate not more than 10 percent of the total apportionment of the State under section 104(b)(5) for projects—

''(i) within the boundaries of public and private freight rail, water facilities (including ports), and intermodal facilities; and

''(ii) that provide surface transportation infrastructure necessary to facilitate direct intermodal interchange, transfer, and access into and out of the facility.

''(C) ELIGIBLE PROJECTS.—Funds apportioned to the State under section 104(b)(5) for the national highway freight program may be obligated to carry out 1 or more of the following:

''(i) Development phase activities, including planning, feasibility analysis, revenue forecasting, environmental review, preliminary engineering and design work, and other preconstruction activities.

''(ii) Construction, reconstruction, rehabilitation, acquisition of real property (including land relating to the project and improvements to land), construction contingencies, acquisition of equipment, and operational improvements directly relating to improving system performance.

''(iii) Intelligent transportation systems and other technology to improve the flow of freight, including intelligent freight transportation systems.

''(iv) Efforts to reduce the environmental impacts of freight movement.

''(v) Environmental and community mitigation of freight movement.

''(vi) Railway-highway grade separation.

''(vii) Geometric improvements to interchanges and ramps.

''(viii) Truck-only lanes.

''(ix) Climbing and runaway truck lanes.

''(x) Adding or widening of shoulders.

''(xi) Truck parking facilities eligible for funding under section 1401 of MAP–21 (23 U.S.C. 137 note; Public Law 112–141).

''(xii) Real-time traffic, truck parking, roadway condition, and multimodal transportation information systems.

''(xiii) Electronic screening and credentialing systems for vehicles, including weigh-in-motion truck inspection technologies.

''(xiv) Traffic signal optimization, including synchronized and adaptive signals.

''(xv) Work zone management and information systems.

''(xvi) Highway ramp metering.

''(xvii) Electronic cargo and border security technologies that improve truck freight movement.

''(xviii) Intelligent transportation systems that would increase truck freight efficiencies inside the boundaries of intermodal facilities.

''(xix) Additional road capacity to address highway freight bottlenecks.

''(xx) A highway project, other than a project described in clauses (i) through (xix), to improve the flow of freight on the national highway freight network.

''(xxi) Any other surface transportation project to improve the flow of freight into and out of a facility described in subparagraph (B).

''(6) OTHER ELIGIBLE COSTS.—In addition to the eligible projects identified in paragraph (5), a State may use funds apportioned under section 104(b)(5) for—

''(A) carrying out diesel retrofit or alternative fuel projects under section 149 for class 8 vehicles; and

''(B) the necessary costs of—

''(i) conducting analyses and data collection related to the national highway freight program;

''(ii) developing and updating performance targets to carry out this section; and

''(iii) reporting to the Administrator to comply with section 150.

''(7) APPLICABILITY OF PLANNING REQUIREMENTS.—Programming and expenditure of funds for projects under this section shall be consistent with the requirements of sections 134 and 135.

''(j) STATE PERFORMANCE TARGETS.—If the Administrator determines that a State has not met or made significant progress toward meeting the performance targets related to freight movement of the State established under section 150(d) by the date that is 2 years after the date of the establishment of the performance targets, until the date on which the Administrator determines that the State has met or has made significant progress towards meeting the performance targets, the State shall submit to the Administrator, on a biennial basis, a freight performance improvement plan that includes—

''(1) an identification of significant freight system trends, needs, and issues within the State;

''(2) a description of the freight policies and strategies that will guide the freight-related transportation investments of the State;

''(3) an inventory of freight bottlenecks within the State and a description of the ways in which the State is allocating the national highway freight program funds to improve those bottlenecks; and

''(4) a description of the actions the State will undertake to meet the performance targets of the State.

''(k) STUDY OF MULTIMODAL PROJECTS.—Not later than 2 years after the date of enactment of the DRIVE Act, the Administrator shall submit to Congress a report that contains—

''(1) a study of freight projects identified in State freight plans under section 5406 of title 49; and

''(2) an evaluation of multimodal freight projects included in the State freight plans, or otherwise identified by States, that are subject to the limitation of funding for such projects under this section.

''(l) STATE FREIGHT ADVISORY COMMITTEES.—A State freight advisory committee shall be carried out as described in section 5405 of title 49.

''(m) STATE FREIGHT PLANS.—A State freight plan shall be carried out as described in section 5406 of title 49.

''(n) INTELLIGENT FREIGHT TRANSPORTATION SYSTEM.—

''(1) DEFINITION OF INTELLIGENT FREIGHT TRANSPORTATION SYSTEM.—In this section, the term 'intelligent freight transportation system' means—

''(A) an innovative or intelligent technological transportation system, infrastructure, or facilities, including electronic roads, driverless trucks, elevated freight transportation facilities, and other intelligent freight transportation systems; and

''(B) a communications or information processing system used singly or in combination for dedicated intelligent freight lanes and conveyances that improve the efficiency, security, or safety of freight on the Federal-aid highway system or that operate to convey freight or improve existing freight movements.

''(2) LOCATION.—An intelligent freight transportation system shall be located—

''(A)(i) along existing Federal-aid highways; or

''(ii) in a manner that connects ports-of-entry to existing Federal-aid highways; and

''(B) in proximity to, or within, an existing right-of-way on a Federal-aid highway.

''(3) OPERATING STANDARDS.—The Administrator of the Federal Highway Administration shall determine the need for establishing operating standards for intelligent freight transportation systems.

''(o) TREATMENT OF FREIGHT PROJECTS.—Notwithstanding any other provision of law, a freight project carried out under this section shall be treated as if the project were on a Federal-aid highway.''.

(b) CONFORMING AMENDMENTS.—

(1) The analysis for chapter 1 of title 23, United States Code, is amended by adding at the end the following:

''167. National highway freight program.''

(2) Sections 1116, 1117, and 1118 of MAP–21 (23 U.S.C. 167 note; Public Law 112–141) are repealed.

TITLE XLIV—GRANTS

SEC. 44001. PURPOSE; DEFINITIONS; ADMINISTRATION.

(a) IN GENERAL.—The purpose of the grants described in the amendments made by section 44002 is to assist in funding critical high-cost transportation infrastructure projects that—

(1) are difficult to complete with existing Federal, State, local, and private funds; and

(2) will achieve 1 or more of—

(A) generation of national or regional economic benefits and an increase in the global economic competitiveness of the United States;

(B) reduction of congestion and the impacts of congestion;

(C) improvement of facilities vital to agriculture, manufacturing, or national energy security;

(D) improvement of the efficiency, reliability, and affordability of the movement of freight;

(E) improvement of transportation safety;

(F) improvement of existing and designated future Interstate System routes; or

(G) improvement of the movement of people through improving rural connectivity and metropolitan accessibility.

(b) DEFINITIONS.—In this section and for purposes of the grant programs established under the amendments made by section 44002:

(1) ELIGIBLE APPLICANT.—The term ''eligible applicant'' means—

(A) a State (or a group of States);

(B) a local government (or a group of local governments);

(C) a tribal government (or a consortium of tribal governments);

(D) a transit agency (or a group of transit agencies);

(E) a special purpose district or a public authority with a transportation function;

(F) a port authority (or a group of port authorities);

(G) a political subdivision of a State or local government;

(H) a Federal land management agency, jointly with the applicable State; or

(I) a multistate or multijurisdictional group of entities described in subparagraphs (A) through (H).

(2) RURAL AREA.—The term ''rural area'' means an area that is outside of an urbanized area with a population greater than 150,000 individuals, as determined by the Bureau of the Census.

(3) RURAL STATE.—The term ''rural State'' means a State that has a population density of 80 or fewer persons per square mile, based on the most recent decennial census.

(c) APPLICATIONS.—

(1) IN GENERAL.—An eligible applicant shall submit to the Secretary or the Federal Highway Administrator (referred to in this section as the ''Administrator''), as appropriate, an application in such form and containing such information as the Secretary or Administrator, as appropriate, determines necessary, including the total amount of the grant requested.

(2) CONTENTS.—Each application submitted under this paragraph shall include data on the most recent system performance, to the extent practicable, and estimated system improvements that will result from completion of the eligible project, including projections for improvements 5 and 10 years after completion of the project.

(3) RESUBMISSION OF APPLICATIONS.—An eligible applicant whose project is not selected may resubmit an application in a subsequent solicitation with an addendum indicating changes to the project application.

(d) ACCOUNTABILITY MEASURES.—The Secretary and the Administrator shall establish accountability measures for the management of the grants described in this section—

(1) to establish clear procedures for addressing late-arriving applications;

(2) to publicly communicate decisions to accept or reject applications; and

(3) to document major decisions in the application evaluation and project selection process through a decision memorandum or similar mechanism that provides a clear rationale for decisions.

(e) GEOGRAPHIC DISTRIBUTION.—In awarding grants, the Secretary or Administrator, as appropriate, shall take measures to ensure, to the maximum extent practicable—

(1) an equitable geographic distribution of amounts; and

(2) an appropriate balance in addressing the needs of rural and urban communities.

(f) REPORTS.—

(1) IN GENERAL.—The Secretary or the Administrator, as appropriate, shall make available on the website of the Department at the end of each fiscal year an annual report that lists each project for which a grant has been provided under this section during that fiscal year.

(2) COMPTROLLER GENERAL.—

(A) ASSESSMENT.—The Comptroller General of the United States shall conduct an assessment of the administrative establishment, solicitation, selection, and justification process with respect to the funding of grants described in this title.

(B) REPORT.—Not later than 1 year after the initial awarding of grants described in this section, the Comptroller General of the United States shall submit to the Committee on Environment and Public Works of the Senate, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives a report that describes—

(i) the adequacy and fairness of the process by which each project was selected, if applicable;

(ii) the justification and criteria used for the selection of each project, if applicable.

SEC. 44002. GRANTS.

(a) IN GENERAL.—Chapter 1 of title 23, United States Code, is amended by adding at the end the following:

''§ 171. Assistance for major projects program

''(a) PURPOSE OF PROGRAM.—The purpose of the assistance for major projects program shall be the purpose described in section 44001 of the DRIVE Act.

''(b) DEFINITIONS.—In this section—

''(1) the terms defined in section 44001 of the DRIVE Act shall apply; and

''(2) the following definitions shall apply:

''(A) ADMINISTRATOR.—The term 'Administrator' means the Administrator of the Federal Highway Administration.

''(B) ELIGIBLE PROJECT.—

''(i) IN GENERAL.—The term 'eligible project' means a surface transportation project, or a program of integrated surface transportation projects closely related in the function the projects perform, that—

''(I) is a capital project that is eligible for Federal financial assistance under—

''(aa) this title; or

''(bb) chapter 53 of title 49; and

''(II) except as provided in clause (ii), has eligible project costs that are reasonably anticipated to equal or exceed the lesser of—

''(aa) $350,000,000; and

''(bb)(AA) for a project located in a single State, 25 percent of the amount of Federal-aid highway funds apportioned to the State for the most recently completed fiscal year;

''(BB) for a project located in a single rural State with a population density of 80 or fewer persons per square mile based on the most recent decennial census, 10 percent of the amount of Federal-aid highway funds apportioned to the State for the most recently completed fiscal year; or

''(CC) for a project located in more than 1 State, 75 percent of the amount of Federal-aid highway funds apportioned to the participating State that has the largest apportionment for the most recently completed fiscal year.

''(ii) FEDERAL LAND TRANSPORTATION FACILITY.—In the case of a Federal land transportation facility, the term 'eligible project' means a Federal land transportation facility that has eligible project costs that are reasonably anticipated to equal or exceed $150,000,000.

''(C) ELIGIBLE PROJECT COSTS.—The term 'eligible project costs' means the costs of—

''(i) development phase activities, including planning, feasibility analysis, revenue forecasting, environmental review, preliminary engineering and design work, and other preconstruction activities; and

''(ii) construction, reconstruction, rehabilitation, and acquisition of real property (including land related to the project and improvements to land), environmental mitigation, construction contingencies, acquisition of equipment directly related to improving system performance, and operational improvements.

''(c) ESTABLISHMENT OF PROGRAM.—The Administrator shall establish a program in accordance with this section to provide grants for projects that will have a significant impact on a region or the Nation.

''(d) SOLICITATIONS AND APPLICATIONS.—

''(1) GRANT SOLICITATIONS.—The Administrator shall conduct a transparent and competitive national solicitation process to review eligible projects for funding under this section.

''(2) APPLICATIONS.—An eligible applicant shall submit an application to the Administrator in such form as described in and in accordance with section 44001 of the DRIVE Act.

''(e) CRITERIA FOR PROJECT EVALUATION AND SELECTION.—

''(1) IN GENERAL.—The Administrator may select a project for funding under this section only if the Administrator determines that the project—

''(A) is consistent with the national goals described in section 150(b);

''(B) will significantly improve the performance of the national surface transportation network, nationally or regionally;

''(C) is based on the results of preliminary engineering;

''(D) is consistent with the long-range statewide transportation plan;

''(E) cannot be readily and efficiently completed without Federal financial assistance;

''(F) is justified based on the ability of the project to achieve 1 or more of—

''(i) generation of national economic benefits that reasonably exceed the costs of the project;

''(ii) reduction of long-term congestion, including impacts on a national, regional, and statewide basis;

''(iii) an increase in the speed, reliability, and accessibility of the movement of people or freight; or

''(iv) improvement of transportation safety, including reducing transportation accident and serious injuries and fatalities; and

''(G) is supported by a sufficient amount of non-Federal funding, including evidence of stable and dependable financing to construct, maintain, and operate the infrastructure facility.

''(2) ADDITIONAL CONSIDERATIONS.—In evaluating a project under this section, in addition to the criteria described in paragraph (1), the Administrator shall consider the extent to which the project—

''(A) leverages Federal investment by encouraging non-Federal contributions to the project, including contributions from public-private partnerships;

''(B) is able to begin construction by the date that is not later than 18 months after the date on which the project is selected;

''(C) incorporates innovative project delivery and financing to the maximum extent practicable;

''(D) helps maintain or protect the environment;

''(E) improves roadways vital to national energy security;

''(F) improves or upgrades designated future Interstate System routes;

''(G) uses innovative technologies, including intelligent transportation systems, that enhance the efficiency of the project;

''(H) helps to improve mobility and accessibility; and

''(I) address the impact of population growth on the movement of people and freight.

''(f) GEOGRAPHIC DISTRIBUTION.—In awarding grants under this section, the Administrator shall take measures as described in section 44001 of the DRIVE Act.

''(g) FUNDING REQUIREMENTS.—

''(1) IN GENERAL.—Except in the case of projects described in paragraph (2), the amount of a grant under this section shall be at least $50,000,000.

''(2) RURAL PROJECTS.—The amounts made available for a fiscal year under this section for eligible projects located in rural areas or in rural States shall not be—

''(A) less than 20 percent of the amount made available for the fiscal year under this section; and

''(B) subject to paragraph (1).

''(3) LIMITATION OF FUNDS.—Not more than 20 percent of the funds made available for a fiscal year to carry out this section shall be allocated for projects eligible under section 167(i)(5)(B) or chapter 53 of title 49.

''(4) STATE CAP.—

''(A) IN GENERAL.—Not more than 20 percent of the funds made available for a fiscal year to carry out this section may be awarded to projects in a single State.

''(B) EXCEPTION FOR MULTISTATE PROJECTS.—For purposes of the limitation described in subparagraph (A), funds awarded for a multistate project shall be considered to be distributed evenly to each State.

''(5) TIFIA PROGRAM.—On the request of an eligible applicant under this section, the Administrator may use amounts awarded to the entity to pay subsidy and administrative costs necessary to provide the entity Federal credit assistance under chapter 6 with respect to the project for which the grant was awarded.

''(h) GRANT REQUIREMENTS.—

''(1) APPLICABILITY OF PLANNING REQUIREMENTS.—The programming and expenditure of funds for projects under this section shall be consistent with the requirements of sections 134 and 135.

''(2) DETERMINATION OF APPLICABLE MODAL REQUIREMENTS.—If an eligible project that receives a grant under this section has a crossmodal component, the Administrator—

''(A) shall determine the predominant modal component of the project; and

''(B) may apply the applicable requirements of that predominant modal component to the project.

''(i) REPORT TO THE ADMINISTRATOR.—For each project funded under this section, the project sponsor shall evaluate system performance and submit to the Administrator a report not later than 5, 10, and 20 years after completion of the project to assess whether the project outcomes have met preconstruction projections.

''(j) ADMINISTRATIVE SELECTION.—The Administrator shall award grants to eligible projects in a fiscal year based on the criteria described in subsection (e).

''(k) REPORTS.—

''(1) IN GENERAL.—The Administrator shall provide an annual report as described in section 44001 of the DRIVE Act.

''(2) COMPTROLLER GENERAL.—The Comptroller General of the United States shall conduct an assessment as described in section 44001 of the DRIVE Act.''.

(b) ASSISTANCE FOR FREIGHT PROJECTS.—Chapter 54 of subtitle III of title 49, United States Code, as amended by section 42005, is amended by adding after section 5408 the following:

''§ 5409. Assistance for freight projects

''(a) ESTABLISHMENT.—The Secretary shall establish and implement an assistance for freight projects grant program for capital investments in major freight transportation infrastructure projects to improve the movement of goods through the transportation network of the United States.

''(b) CRITERIA FOR PROJECT EVALUATION AND SELECTION.—

''(1) IN GENERAL.—The Secretary may select a project for funding under this section only if the Secretary determines that the project—

''(A) is consistent with the goals described in section 5402(b);

''(B) will significantly improve the national or regional performance of the freight transportation network;

''(C) is based on the results of preliminary engineering;

''(D) is consistent with the long-range statewide transportation plan;

''(E) cannot be readily and efficiently completed without Federal financial assistance;

''(F) is justified based on the ability of the project—

''(i) to generate national economic benefits that reasonably exceed the costs of the project;

''(ii) to reduce long-term congestion, including impacts on a regional and statewide basis; or

''(iii) to increase the speed, reliability, and accessibility of the movement of freight; and

''(G) is supported by a sufficient amount of non-Federal funding, including evidence of stable and dependable financing to construct, maintain, and operate the infrastructure facility.

''(2) ADDITIONAL CONSIDERATIONS.—In evaluating a project under this section, in addition to the criteria described in paragraph (1), the Secretary shall consider the extent to which the project—

''(A) leverages Federal investment by encouraging non-Federal contributions to the project, including contributions from public-private partnerships;

''(B) is able to begin construction by the date that is not later than 1 year after the date on which the project is selected;

''(C) incorporates innovative project delivery and financing to the maximum extent practicable;

''(D) improves freight facilities vital to agricultural or national energy security;

''(E) improves or upgrades current or designated future Interstate System routes;

''(F) uses innovative technologies, including intelligent transportation systems, that enhance the efficiency of the project;

''(G) helps to improve mobility and accessibility; and

''(H) improves transportation safety, including reducing transportation accident and serious injuries and fatalities.

''(c) ELIGIBLE PROJECTS.—

''(1) IN GENERAL.—A project is eligible for a grant under this section if the project—

''(A) is difficult to complete with existing Federal, State, local, and private funds;

''(B)(i) enhances the economic competitiveness of the United States; or

''(ii) improves the flow of freight or reduces bottlenecks in the freight infrastructure of the United States; and

''(C) will advance 1 or more of the following objectives:

''(i) Generate regional or national economic benefits and an increase in the global economic competitiveness of the United States.

''(ii) Improve transportation resources vital to agriculture or national energy security.

''(iii) Improve the efficiency, reliability, and affordability of the movement of freight.

''(iv) Improve existing freight infrastructure projects.

''(v) Improve the movement of people by improving rural and metropolitan freight routes.

''(2) EXAMPLES.—Eligible projects for grant funding under this section shall include—

''(A) a freight intermodal facility, including—

''(i) an intermodal facility serving a seaport;

''(ii) an intermodal or cargo access facility serving an airport;

''(iii) an intermodal facility serving a port on the inland waterways;

''(iv) a bulk intermodal/transload facility; or

''(v) a highway/rail intermodal facility;

''(B) a highway or bridge project eligible under title 23;

''(C) a public transportation project that reduces congestion on freight corridors and is eligible under chapter 53;

''(D) a freight rail transportation project (including rail-grade separations); and

''(E) a port infrastructure investment (including inland port infrastructure).

''(d) REQUIREMENTS.—

''(1) CONSIDERATIONS.—In selecting projects to receive grant funding under this section, the Secretary shall—

''(A) consider—

''(i) projected freight volumes; and

''(ii) how projects will enhance economic efficiency, productivity, and competitiveness;

''(iii) population growth and the impact on freight demand; and

''(B) give priority to projects dedicated to—

''(i) improving freight infrastructure facilities;

''(ii) reducing travel time for freight projects;

''(iii) reducing freight transportation costs; and

''(iv) reducing congestion caused by rapid population growth on freight corridors.

''(2) MULTIMODAL DISTRIBUTION OF FUNDS.—In distributing funding for grants under this section, the Secretary shall take such measures as the Secretary determines necessary to ensure the investment in a variety of transportation modes.

''(3) AMOUNT.—

''(A) IN GENERAL.—Except as provided in subparagraph (B)(i), a grant under this section shall be in an amount that is not less than $10,000,000 and not greater than $100,000,000.

''(B) PROJECTS IN RURAL AREAS.—If a grant awarded under this section is for a project located in a rural area—

''(i) the amount of the grant shall be at least $1,000,000; and

''(ii) the Secretary may increase the Federal share of costs to greater than 80 percent.

''(4) FEDERAL SHARE.—Except as provided under paragraph (3)(B)(ii), the Federal share of the costs for a project receiving a grant under this section shall be up to 80 percent.

''(5) PRIORITY.—The Secretary shall give priority to projects that require a contribution of Federal funds in order to complete an overall financing package.

''(6) RURAL AREAS.—Not less than 25 percent of the funding provided under this section shall be used to make grants for projects located in rural areas.

''(7) NEW COMPETITION.—The Secretary shall conduct a new competition each fiscal year to select the grants and credit assistance awarded under this section.

''(e) CONSULTATION.—The Secretary shall consult with the Secretary of Energy when considering projects that facilitate the movement of energy resources.

''(f) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—There is authorized to be appropriated from the general fund of the Treasury, $200,000,000 for each of fiscal years 2016 through 2021 to carry out this section.

''(2) ADMINISTRATIVE AND OVERSIGHT COSTS.—The Secretary may retain up to 0.5 percent of the amounts appropriated pursuant to paragraph (1)—

''(A) to administer the assistance for freight projects grant program; and

''(B) to oversee eligible projects funded under this section.

''(3) ADMINISTRATION OF FUNDS.—Amounts appropriated pursuant to this subsection shall be available for obligation until expended.

''(g) CONGRESSIONAL NOTIFICATION.—Not later than 72 hours before public notification of a grant awarded under this section, the Secretary shall notify the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Environment and Public Works of the Senate, the Committee on Banking, Housing, and Urban Affairs of the Senate, the Committee on Appropriations of the Senate, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Appropriations of the House of Representatives of such award.

''(h) ACCOUNTABILITY MEASURES.—The Secretary shall provide to Congress documentation of major decisions in the application evaluation and project selection process, which shall include a clear rationale for decisions—

''(1) to advance for senior review applications other than those rated as highly recommended;

''(2) to not advance applications rated as highly recommended; and

''(3) to change the technical evaluation rating of an application.''.

(c) CONFORMING AMENDMENT.—The analysis for chapter 1 of title 23, United States Code, is amended by adding at the end the following:

''171. Assistance for major projects program.''.

DIVISION E—FINANCE

SEC. 50001. SHORT TITLE.

This division may be cited as the ''Transportation Funding Act of 2015''.

TITLE LI—HIGHWAY TRUST FUND AND RELATED TAXES

Subtitle A—Extension of Trust Fund Expenditure Authority and Related Taxes

SEC. 51101. EXTENSION OF TRUST FUND EXPENDITURE AUTHORITY.

(a) HIGHWAY TRUST FUND.—Section 9503 of the Internal Revenue Code of 1986, as amended by division G, is amended—

(1) by striking ''October 1, 2015'' in subsections (b)(6)(B), (c)(1), and (e)(3) and inserting ''October 1, 2021'', and

(2) by striking ''Surface Transportation Extension Act of 2015'' in subsections (c)(1) and (e)(3) and inserting ''DRIVE Act''.

(b) SPORT FISH RESTORATION AND BOATING TRUST FUND.—Section 9504 of the Internal Revenue Code of 1986, as amended by division G is amended—

(1) by striking ''Surface Transportation Extension Act of 2015'' each place it appears in subsection (b)(2) and inserting ''DRIVE Act'', and

(2) by striking ''October 1, 2015'' in subsection (d)(2) and inserting ''October 1, 2021''.

(c) LEAKING UNDERGROUND STORAGE TANK TRUST FUND.—Paragraph (2) of section 9508(e) of the Internal Revenue Code of 1986, as amended by division G, is amended by striking ''October 1, 2015'' and inserting ''October 1, 2021''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on August 1, 2015.

SEC. 51102. EXTENSION OF HIGHWAY-RELATED TAXES.

(a) IN GENERAL.—

(1) Each of the following provisions of the Internal Revenue Code of 1986 is amended by striking ''September 30, 2016'' and inserting ''September 30, 2023'':

(A) Section 4041(a)(1)(C)(iii)(I).

(B) Section 4041(m)(1)(B).

(C) Section 4081(d)(1).

(2) Each of the following provisions of such Code is amended by striking ''October 1, 2016'' and inserting ''October 1, 2023'':

(A) Section 4041(m)(1)(A).

(B) Section 4051(c).

(C) Section 4071(d).

(D) Section 4081(d)(3).

(b) EXTENSION OF TAX, ETC., ON USE OF CERTAIN HEAVY VEHICLES.—Each of the following provisions of the Internal Revenue Code of 1986 is amended by striking ''2017'' each place it appears and inserting ''2024'':

(1) Section 4481(f).

(2) Subsections (c)(4) and (d) of section 4482.

(c) FLOOR STOCKS REFUNDS.—Section 6412(a)(1) of the Internal Revenue Code of 1986 is amended—

(1) by striking ''October 1, 2016'' each place it appears and inserting ''October 1, 2023'',

(2) by striking ''March 31, 2017'' each place it appears and inserting ''March 31, 2024'', and

(3) by striking ''January 1, 2017'' and inserting ''January 1, 2024''.

(d) EXTENSION OF CERTAIN EXEMPTIONS.—

(1) Section 4221(a) of the Internal Revenue Code of 1986 is amended by striking ''October 1, 2016'' and inserting ''October 1, 2023''.

(2) Section 4483(i) of such Code is amended by striking ''October 1, 2017'' and inserting ''October 1, 2024''.

(e) EXTENSION OF TRANSFERS OF CERTAIN TAXES.—

(1) IN GENERAL.—Section 9503 of the Internal Revenue Code of 1986 is amended—

(A) in subsection (b)—

(i) by striking ''October 1, 2016'' each place it appears in paragraphs (1) and (2) and inserting ''October 1, 2023'',

(ii) by striking ''OCTOBER 1, 2016'' in the heading of paragraph (2) and inserting ''OCTOBER 1, 2023'',

(iii) by striking ''September 30, 2016'' in paragraph (2) and inserting ''September 30, 2023'', and

(iv) by striking ''July 1, 2017'' in paragraph (2) and inserting ''July 1, 2024'', and

(B) in subsection (c)(2), by striking ''July 1, 2017'' and inserting ''July 1, 2024''.

(2) MOTORBOAT AND SMALL-ENGINE FUEL TAX TRANSFERS.—

(A) IN GENERAL.—Paragraphs (3)(A)(i) and (4)(A) of section 9503(c) of such Code are each amended by striking ''October 1, 2016'' and inserting ''October 1, 2023''.

(B) CONFORMING AMENDMENTS TO LAND AND WATER CONSERVATION FUND.—Section 200310 of title 54, United States Code, is amended—

(i) by striking ''October 1, 2017'' each place it appears and inserting ''October 1, 2024'', and

(ii) by striking ''October 1, 2016'' and inserting ''October 1, 2023''.

(f) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2016.

Subtitle B—Additional Transfers to Highway Trust Fund

SEC. 51201. FURTHER ADDITIONAL TRANSFERS TO TRUST FUND.

Subsection (f) of section 9503 of the Internal Revenue Code of 1986 is amended by redesignating paragraph (7) as paragraph (9) and by inserting after paragraph (6) the following new paragraphs:

''(7) FURTHER TRANSFERS TO TRUST FUND.—Out of money in the Treasury not otherwise appropriated, there is hereby appropriated—

''(A) $34,600,000,000 to the Highway Account (as defined in subsection (e)(5)(B)) in the Highway Trust Fund; and

''(B) $11,015,000,000 to the Mass Transit Account in the Highway Trust Fund.

''(8) ADDITIONAL INCREASE IN FUND BALANCE.—There is hereby transferred to the Highway Account (as defined in subsection (e)(5)(B)) in the Highway Trust Fund amounts appropriated from the Leaking Underground Storage Tank Trust Fund under section 9508(c)(4).''.

SEC. 51202. TRANSFER TO HIGHWAY TRUST FUND OF CERTAIN MOTOR VEHICLE SAFETY PENALTIES.

(a) IN GENERAL.—Paragraph (5) of section 9503(b) of the Internal Revenue Code of 1986 is amended—

(1) by striking ''There are hereby'' and inserting the following:

''(A) IN GENERAL.—There are hereby'', and

(2) by adding at the end the following new paragraph:

''(B) PENALTIES RELATED TO MOTOR VEHICLE SAFETY.—

''(i) IN GENERAL.—There are hereby appropriated to the Highway Trust Fund amounts equivalent to covered motor vehicle safety penalty collections.

''(ii) COVERED MOTOR VEHICLE SAFETY PENALTY COLLECTIONS.—For purposes of this subparagraph, the term 'covered motor vehicle safety penalty collections' means any amount collected in connection with a civil penalty under section 30165 of title 49, United States Code, reduced by any award authorized by the Secretary of Transportation to be paid to any person in connection with information provided by such person related to a violation of chapter 301 of such title which is a predicate to such civil penalty.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to amounts collected after the date of the enactment of this Act.

SEC. 51203. APPROPRIATION FROM LEAKING UNDERGROUND STORAGE TANK TRUST FUND.

(a) IN GENERAL.—Subsection (c) of section 9508 of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(4) ADDITIONAL TRANSFER TO HIGHWAY TRUST FUND.—Out of amounts in the Leaking Underground Storage Tank Trust Fund there is hereby appropriated—

''(A) on the date of the enactment of the DRIVE Act, $100,000,000,

''(B) on October 1, 2016, $100,000,000, and

''(C) on October 1, 2017, $100,000,000,

to be transferred under section 9503(f)(8) to the Highway Account (as defined in section 9503(e)(5)(B)) in the Highway Trust Fund.''.

(b) CONFORMING AMENDMENT.—Section 9508(c)(1) of the Internal Revenue Code of 1986 is amended by striking ''paragraphs (2) and (3)'' and inserting ''paragraphs (2), (3), and (4)''.

TITLE LII—OFFSETS

Subtitle A—Tax Provisions

SEC. 52101. CONSISTENT BASIS REPORTING BETWEEN ESTATE AND PERSON ACQUIRING PROPERTY FROM DECEDENT.

(a) PROPERTY ACQUIRED FROM A DECEDENT.—

(1) IN GENERAL.—Section 1014 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

''(f) BASIS MUST BE CONSISTENT WITH ESTATE TAX VALUE.—

''(1) IN GENERAL.—The basis under subsection (a) of any property shall not exceed—

''(A) in the case of property the value of which has been finally determined for purposes of the tax imposed by chapter 11 on the estate of such decedent, such value, and

''(B) in the case of property not described in subparagraph (A) and with respect to which a statement has been furnished under section 6035(a) identifying the value of such property, such value.

''(2) DETERMINATION.—For purposes of paragraph (1), the value of property has been finally determined for purposes of the tax imposed by chapter 11 if—

''(A) the value of such property is shown on a return under section 6018 and such value is not contested by the Secretary before the expiration of the time for assessing a tax under chapter 11,

''(B) in a case not described in subparagraph (A), the value is specified by the Secretary and such value is not timely contested by the executor of the estate, or

''(C) the value is determined by a court or pursuant to a settlement agreement with the Secretary.

''(3) REGULATIONS.—The Secretary may by regulations provide exceptions to the application of this subsection.''.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall apply to property with respect to which an estate tax return is filed after the date of the enactment of this Act.

(b) INFORMATION REPORTING.—

(1) IN GENERAL.—Subpart A of part III of subchapter A of chapter 61 of the Internal Revenue Code of 1986 is amended by inserting after section 6034A the following new section:

''SEC. 6035. BASIS INFORMATION TO PERSONS ACQUIRING PROPERTY FROM DECEDENT.

''(a) INFORMATION WITH RESPECT TO PROPERTY ACQUIRED FROM DECEDENTS.—

''(1) IN GENERAL.—The executor of any estate required to file a return under section 6018(a) shall furnish to the Secretary and to each person acquiring any interest in property included in the decedent's gross estate for Federal estate tax purposes a statement identifying the value of each interest in such property as reported on such return and such other information with respect to such interest as the Secretary may prescribe.

''(2) STATEMENTS BY BENEFICIARIES.—Each person required to file a return under section 6018(b) shall furnish to the Secretary and to each other person who holds a legal or beneficial interest in the property to which such return relates a statement identifying the information described in paragraph (1).

''(3) TIME FOR FURNISHING STATEMENT.—

''(A) IN GENERAL.—Each statement required to be furnished under paragraph (1) or (2) shall be furnished at such time as the Secretary may prescribe, but in no case at a time later than the earlier of—

''(i) the date which is 30 days after the date on which the return under section 6018 was required to be filed (including extensions, if any), or

''(ii) the date which is 30 days after the date such return is filed.

''(B) ADJUSTMENTS.—In any case in which there is an adjustment to the information required to be included on a statement filed under paragraph (1) or (2) after such statement has been filed, a supplemental statement under such paragraph shall be filed not later than the date which is 30 days after such adjustment is made.

''(b) REGULATIONS.—The Secretary shall prescribe such regulations as necessary to carry out this section, including regulations relating to—

''(1) the extension of this section to property of estates not required to file an estate tax return, and

''(2) situations in which the surviving joint tenant or other recipient may have better information than the executor regarding the basis or fair market value of the property.''.

(2) PENALTY FOR FAILURE TO FILE.—

(A) RETURN.—Section 6724(d)(1) of such Code is amended by striking ''and'' at the end of subparagraph (B), by striking the period at the end of subparagraph (C) and inserting '', and'', and by adding at the end the following new subparagraph:

''(D) any statement required to be filed with the Secretary under section 6035.''.

(B) STATEMENT.—Section 6724(d)(2) of such Code is amended by striking ''or'' at the end of subparagraph (GG), by striking the period at the end of subparagraph (HH) and inserting '', or'', and by adding at the end the following new subparagraph:

''(II) section 6035 (other than a statement described in paragraph (1)(D)).''.

(3) CLERICAL AMENDMENT.—The table of sections for subpart A of part III of subchapter A of chapter 61 of such Code is amended by inserting after the item relating to section 6034A the following new item:

''SEC. 6035. BASIS INFORMATION TO PERSONS ACQUIRING PROPERTY FROM DECEDENT.''.

(4) EFFECTIVE DATE.—The amendments made by this subsection shall take effect on the date of the enactment of this Act.

(c) PENALTY FOR INCONSISTENT REPORTING.—

(1) IN GENERAL.—Subsection (b) of section 6662 of the Internal Revenue Code of 1986 is amended by inserting after paragraph (7) the following new paragraph:

''(8) Any inconsistent estate basis.''.

(2) INCONSISTENT BASIS REPORTING.—Section 6662 of such Code is amended by adding at the end the following new subsection:

''(k) INCONSISTENT ESTATE BASIS REPORTING.—For purposes of this section, there is an 'inconsistent estate basis' if the basis of property (determined without regard to adjustments to basis during the period the property was held by the taxpayer) claimed on a return exceeds the basis as determined under section 1014(f).''.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to returns filed after the date of the enactment of this Act.

SEC. 52102. REVOCATION OR DENIAL OF PASSPORT IN CASE OF CERTAIN UNPAID TAXES.

(a) IN GENERAL.—Subchapter D of chapter 75 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

''SEC. 7345. REVOCATION OR DENIAL OF PASSPORT IN CASE OF CERTAIN TAX DELINQUENCIES.

''(a) IN GENERAL.—If the Secretary receives certification by the Commissioner of Internal Revenue that any individual has a seriously delinquent tax debt in an amount in excess of $50,000, the Secretary shall transmit such certification to the Secretary of State for action with respect to denial, revocation, or limitation of a passport pursuant to section 52102(d) of the Transportation Funding Act of 2015.

''(b) SERIOUSLY DELINQUENT TAX DEBT.—For purposes of this section, the term 'seriously delinquent tax debt' means an outstanding debt under this title for which a notice of lien has been filed in public records pursuant to section 6323 or a notice of levy has been filed pursuant to section 6331, except that such term does not include—

''(1) a debt that is being paid in a timely manner pursuant to an agreement under section 6159 or 7122, and

''(2) a debt with respect to which collection is suspended because a collection due process hearing under section 6330, or relief under subsection (b), (c), or (f) of section 6015, is requested or pending.

''(c) ADJUSTMENT FOR INFLATION.—In the case of a calendar year beginning after 2016, the dollar amount in subsection (a) shall be increased by an amount equal to—

''(1) such dollar amount, multiplied by

''(2) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year, determined by substituting 'calendar year 2015' for 'calendar year 1992' in subparagraph (B) thereof.

If any amount as adjusted under the preceding sentence is not a multiple of $1,000, such amount shall be rounded to the next highest multiple of $1,000.''.

(b) CLERICAL AMENDMENT.—The table of sections for subchapter D of chapter 75 of the Internal Revenue Code of 1986 is amended by adding at the end the following new item:

''Sec. 7345. Revocation or denial of passport in case of certain tax delinquencies.''.

(c) AUTHORITY FOR INFORMATION SHARING.—

(1) IN GENERAL.—Subsection (l) of section 6103 of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(23) DISCLOSURE OF RETURN INFORMATION TO DEPARTMENT OF STATE FOR PURPOSES OF PASSPORT REVOCATION UNDER SECTION 7345.—

''(A) IN GENERAL.—The Secretary shall, upon receiving a certification described in section 7345, disclose to the Secretary of State return information with respect to a taxpayer who has a seriously delinquent tax debt described in such section. Such return information shall be limited to—

''(i) the taxpayer identity information with respect to such taxpayer, and

''(ii) the amount of such seriously delinquent tax debt.

''(B) RESTRICTION ON DISCLOSURE.—Return information disclosed under subparagraph (A) may be used by officers and employees of the Department of State for the purposes of, and to the extent necessary in, carrying out the requirements of section 52102(d) of the Transportation Funding Act of 2015.''.

(2) CONFORMING AMENDMENT.—Paragraph (4) of section 6103(p) of such Code is amended by striking ''or (22)'' each place it appears in subparagraph (F)(ii) and in the matter preceding subparagraph (A) and inserting ''(22), or (23)''.

(d) AUTHORITY TO DENY OR REVOKE PASSPORT.—

(1) DENIAL.—

(A) IN GENERAL.—Except as provided under subparagraph (B), upon receiving a certification described in section 7345 of the Internal Revenue Code of 1986 from the Secretary of the Treasury, the Secretary of State shall not issue a passport to any individual who has a seriously delinquent tax debt described in such section.

(B) EMERGENCY AND HUMANITARIAN SITUATIONS.—Notwithstanding subparagraph (A), the Secretary of State may issue a passport, in emergency circumstances or for humanitarian reasons, to an individual described in such subparagraph.

(2) REVOCATION.—

(A) IN GENERAL.—The Secretary of State may revoke a passport previously issued to any individual described in paragraph (1)(A).

(B) LIMITATION FOR RETURN TO UNITED STATES.—If the Secretary of State decides to revoke a passport under subparagraph (A), the Secretary of State, before revocation, may—

(i) limit a previously issued passport only for return travel to the United States; or

(ii) issue a limited passport that only permits return travel to the United States.

(3) HOLD HARMLESS.—The Secretary of the Treasury and the Secretary of State shall not be liable to an individual for any action with respect to a certification by the Commissioner of Internal Revenue under section 7345 of the Internal Revenue Code of 1986.

(e) REVOCATION OR DENIAL OF PASSPORT IN CASE OF INDIVIDUAL WITHOUT SOCIAL SECURITY ACCOUNT NUMBER.—

(1) DENIAL.—

(A) IN GENERAL.—Except as provided under subparagraph (B), upon receiving an application for a passport from an individual that either—

(i) does not include the social security account number issued to that individual, or

(ii) includes an incorrect or invalid social security number willfully, intentionally, negligently, or recklessly provided by such individual,

the Secretary of State is authorized to deny such application and is authorized to not issue a passport to the individual.

(B) EMERGENCY AND HUMANITARIAN SITUATIONS.—Notwithstanding subparagraph (A), the Secretary of State may issue a passport, in emergency circumstances or for humanitarian reasons, to an individual described in subparagraph (A).

(2) REVOCATION.—

(A) IN GENERAL.—The Secretary of State may revoke a passport previously issued to any individual described in paragraph (1)(A).

(B) LIMITATION FOR RETURN TO UNITED STATES.—If the Secretary of State decides to revoke a passport under subparagraph (A), the Secretary of State, before revocation, may—

(i) limit a previously issued passport only for return travel to the United States; or

(ii) issue a limited passport that only permits return travel to the United States.

(f) EFFECTIVE DATE.—The provisions of, and amendments made by, this section shall take effect on January 1, 2016.

SEC. 52103. CLARIFICATION OF 6-YEAR STATUTE OF LIMITATIONS IN CASE OF OVERSTATEMENT OF BASIS.

(a) IN GENERAL.—Subparagraph (B) of section 6501(e)(1) of the Internal Revenue Code of 1986 is amended—

(1) by striking ''and'' at the end of clause (i), by redesignating clause (ii) as clause (iii), and by inserting after clause (i) the following new clause:

''(ii) An understatement of gross income by reason of an overstatement of unrecovered cost or other basis is an omission from gross income; and'',

(2) by inserting ''(other than in the case of an overstatement of unrecovered cost or other basis)'' in clause (iii) (as so redesignated) after ''In determining the amount omitted from gross income'', and

(3) by inserting ''AMOUNT OMITTED FROM'' after ''DETERMINATION OF'' in the heading thereof.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to—

(1) returns filed after the date of the enactment of this Act, and

(2) returns filed on or before such date if the period specified in section 6501 of the Internal Revenue Code of 1986 (determined without regard to such amendments) for assessment of the taxes with respect to which such return relates has not expired as of such date.

SEC. 52104. ADDITIONAL INFORMATION ON RETURNS RELATING TO MORTGAGE INTEREST.

(a) IN GENERAL.—Paragraph (2) of section 6050H(b) of the Internal Revenue Code of 1986 is amended by striking ''and'' at the end of subparagraph (C), by redesignating subparagraph (D) as subparagraph (G), and by inserting after subparagraph (C) the following new subparagraphs:

''(D) the amount of outstanding principal on the mortgage as of the beginning of such calendar year,

''(E) the address of the property securing such mortgage,

''(F) the date of the origination of such mortgage, and''.

(b) PAYEE STATEMENTS.—Subsection (d) of section 6050H of the Internal Revenue Code of 1986 is amended by striking ''and'' at the end of paragraph (1), by striking the period at the end of paragraph (2) and inserting '', and'', and by inserting after paragraph (2) the following new paragraph:

''(3) the information required to be included on the return under subparagraphs (D), (E), and (F) of subsection (b)(2).''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to returns and statements the due date for which (determined without regard to extensions) is after December 31, 2016.

SEC. 52105. RETURN DUE DATE MODIFICATIONS.

(a) NEW DUE DATE FOR PARTNERSHIP FORM 1065, S CORPORATION FORM 1120S, AND C CORPORATION FORM 1120.—

(1) PARTNERSHIPS.—

(A) IN GENERAL.—Section 6072 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

''(f) RETURNS OF PARTNERSHIPS.—Returns of partnerships under section 6031 made on the basis of the calendar year shall be filed on or before the 15th day of March following the close of the calendar year, and such returns made on the basis of a fiscal year shall be filed on or before the 15th day of the third month following the close of the fiscal year.''.

(B) CONFORMING AMENDMENT.—Section 6072(a) of such Code is amended by striking ''6017, or 6031'' and inserting ''or 6017''.

(2) S CORPORATIONS.—

(A) IN GENERAL.—So much of subsection (b) of section 6072 of the Internal Revenue Code of 1986 as precedes the second sentence thereof is amended to read as follows:

''(b) RETURNS OF CERTAIN CORPORATIONS.—Returns of S corporations under sections 6012 and 6037 made on the basis of the calendar year shall be filed on or before the 31st day of March following the close of the calendar year, and such returns made on the basis of a fiscal year shall be filed on or before the last day of the third month following the close of the fiscal year.''.

(B) CONFORMING AMENDMENTS.—

(i) Section 1362(b) of such Code is amended—

(I) by striking ''15th'' each place it appears and inserting ''last'',

(II) by striking ''2½'' each place it appears in the headings and the text and inserting ''3'', and

(III) by striking ''2 months and 15 days'' in paragraph (4) and inserting ''3 months''.

(ii) Section 1362(d)(1)(C)(i) of such Code is amended by striking ''15th'' and inserting ''last''.

(iii) Section 1362(d)(1)(C)(ii) of such Code is amended by striking ''such 15th day'' and inserting ''the last day of the 3d month thereof''.

(3) CONFORMING AMENDMENTS RELATING TO C CORPORATIONS.—

(A) Section 170(a)(2)(B) of such Code is amended by striking ''third month'' and inserting ''4th month''.

(B) Section 563 of such Code is amended by striking ''third month'' each place it appears and inserting ''4th month''.

(C) Section 1354(d)(1)(B)(i) of such Code is amended by striking ''3d month'' and inserting ''4th month''.

(D) Subsection (a) and (c) of section 6167 of such Code are each amended by striking ''third month'' and inserting ''4th month''.

(E) Section 6425(a)(1) of such Code is amended by striking ''third month'' and inserting ''4th month''.

(F) Section 6655 of such Code is amended—

(i) by striking ''3rd month'' each place it appears in subsections (b)(2)(A), (g)(3), and (h)(1) and inserting ''4th month'', and

(ii) in subsection (g)(4), by redesignating subparagraph (E) as subparagraph (F) and by inserting after subparagraph (D) the following new subparagraph:

''(E) Subsection (b)(2)(A) shall be applied by substituting 'the last day of the 3rd month' for 'the 15th day of the 4th month'.''.

(4) EFFECTIVE DATES.—

(A) IN GENERAL.—Except as otherwise provided in this paragraph, the amendments made by this subsection shall apply to returns for taxable years beginning after December 31, 2015.

(B) CONFORMING AMENDMENTS RELATING TO S CORPORATIONS.—The amendments made by paragraph (2)(B) shall apply with respect to elections for taxable years beginning after December 31, 2015.

(C) CONFORMING AMENDMENTS RELATING TO C CORPORATIONS.—The amendments made by paragraph (3) shall apply to taxable years beginning after December 31, 2015.

(5) SPECIAL RULE FOR CERTAIN C CORPORATION IN 2025.—In the case of a taxable year of

a C Corporation ending on June 30, 2025, section 6072(a) of the Internal Revenue Code of 1986 shall be applied by substituting ''third month'' for ''fourth month''.

(b) MODIFICATION OF DUE DATES BY REGULATION.—In the case of returns for any taxable period beginning after December 31, 2015, the Secretary of the Treasury or the Secretary's delegate shall modify appropriate regulations to provide as follows:

(1) The maximum extension for the returns of partnerships filing Form 1065 shall be a 6-month period beginning on the due date for filing the return (without regard to any extensions).

(2) The maximum extension for the returns of trusts and estates filing Form 1041 shall be a 5½-month period beginning on the due date for filing the return (without regard to any extensions).

(3) The maximum extension for the returns of employee benefit plans filing Form 5500 shall be an automatic 3½-month period beginning on the due date for filing the return (without regard to any extensions).

(4) The maximum extension for the Forms 990 (series) returns of organizations exempt from income tax shall be an automatic 6-month period beginning on the due date for filing the return (without regard to any extensions).

(5) The maximum extension for the returns of organizations exempt from income tax that are required to file Form 4720 returns of excise taxes shall be an automatic 6-month period beginning on the due date for filing the return (without regard to any extensions).

(6) The maximum extension for the returns of trusts required to file Form 5227 shall be an automatic 6-month period beginning on the due date for filing the return (without regard to any extensions).

(7) The maximum extension for filing Form 6069, Return of Excise Tax on Excess Contributions to Black Lung Benefit Trust Under Section 4953 and Computation of Section 192 Deduction, shall be an automatic 6-month period beginning on the due date for filing the return (without regard to any extensions).

(8) The maximum extension for a taxpayer required to file Form 8870 shall be an automatic 6-month period beginning on the due date for filing the return (without regard to any extensions).

(9) The due date of Form 3520–A, Annual Information Return of a Foreign Trust with a United States Owner, shall be the 15th day of the 3rd month after the close of the trust's taxable year, and the maximum extension shall be a 6-month period beginning on such day.

(10) The due date of FinCEN Form 114 (relating to Report of Foreign Bank and Financial Accounts) shall be April 15 with a maximum extension for a 6-month period ending on October 15, and with provision for an extension under rules similar to the rules of 26 C.F.R. 1.6081–5. For any taxpayer required to file such form for the first time, the Secretary of the Treasury may waive any penalty for failure to timely request or file an extension.

(11) Taxpayers filing Form 3520, Annual Return to Report Transactions with Foreign Trusts and Receipt of Certain Foreign Gifts, shall be allowed to extend the time for filing such form separately from the income tax return of the taxpayer, for an automatic 6-month period beginning on the due date for filing the return (without regard to any extensions).

(c) CORPORATIONS PERMITTED STATUTORY AUTOMATIC 6-MONTH EXTENSION OF INCOME TAX RETURNS.—

(1) IN GENERAL.—Section 6081(b) of the Internal Revenue Code of 1986 is amended by striking ''3 months'' and inserting ''6 months''.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall apply to returns for taxable years beginning after December 31, 2015.

(3) SPECIAL RULE FOR CERTAIN C CORPORATIONS IN 2024.—In the case of any taxable year of a C corporation ending on December 31, 2024, subsections (a) and (b) of section 6081 of the Internal Revenue Code of 1986 shall each be applied to returns of income taxes under subtitle A by substituting ''5 months'' for ''6 months''.

SEC. 52106. REFORM OF RULES RELATING TO QUALIFIED TAX COLLECTION CONTRACTS.

(a) REQUIREMENT TO COLLECT CERTAIN INACTIVE TAX RECEIVABLES UNDER QUALIFIED TAX COLLECTION CONTRACTS.—Section 6306 of the Internal Revenue Code of 1986 is amended by redesignating subsections (c) through (f) as subsections (d) through (g), respectively, and by inserting after subsection (b) the following new subsection:

''(c) COLLECTION OF INACTIVE TAX RECEIVABLES.—

''(1) IN GENERAL.—Notwithstanding any other provision of law, the Secretary shall enter into one or more qualified tax collection contracts for the collection of all outstanding inactive tax receivables.

''(2) INACTIVE TAX RECEIVABLES.—For purposes of this section—

''(A) IN GENERAL.—The term 'inactive tax receivable' means any tax receivable if—

''(i) at any time after assessment, the Internal Revenue Service removes such receivable from the active inventory for lack of resources or inability to locate the taxpayer,

''(ii) more than ⅓ of the period of the applicable statute of limitation has lapsed and such receivable has not been assigned for collection to any employee of the Internal Revenue Service, or

''(iii) in the case of a receivable which has been assigned for collection, more than 365 days have passed without interaction with the taxpayer or a third party for purposes of furthering the collection of such receivable.

''(B) TAX RECEIVABLE.—The term 'tax receivable' means any outstanding assessment which the Internal Revenue Service includes in potentially collectible inventory.''.

(b) CERTAIN TAX RECEIVABLES NOT ELIGIBLE FOR COLLECTION UNDER QUALIFIED TAX COLLECTION CONTRACTS.—Section 6306 of the Internal Revenue Code of 1986, as amended by subsection (a), is amended by redesignating subsections (d) through (g) as subsections (e) through (h), respectively, and by inserting after subsection (c) the following new subsection:

''(d) CERTAIN TAX RECEIVABLES NOT ELIGIBLE FOR COLLECTION UNDER QUALIFIED TAX COLLECTIONS CONTRACTS.—A tax receivable shall not be eligible for collection pursuant to a qualified tax collection contract if such receivable—

''(1) is subject to a pending or active offer-in-compromise or installment agreement,

''(2) is classified as an innocent spouse case,

''(3) involves a taxpayer identified by the Secretary as being—

''(A) deceased,

''(B) under the age of 18,

''(C) in a designated combat zone, or

''(D) a victim of tax-related identity theft,

''(4) is currently under examination, litigation, criminal investigation, or levy, or

''(5) is currently subject to a proper exercise of a right of appeal under this title.''.

(c) CONTRACTING PRIORITY.—Section 6306 of the Internal Revenue Code of 1986, as amended by the preceding provisions of this section, is amended by redesignating subsection (h) as subsection (i) and by inserting after subsection (g) the following new subsection:

''(h) CONTRACTING PRIORITY.—In contracting for the services of any person under this section, the Secretary shall utilize private collection contractors and debt collection centers on the schedule required under section 3711(g) of title 31, United States Code, including the technology and communications infrastructure established therein, to the extent such private collection contractors and debt collection centers are appropriate to carry out the purposes of this section.''.

(d) DISCLOSURE OF RETURN INFORMATION.—Section 6103(k) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(11) QUALIFIED TAX COLLECTION CONTRACTORS.—Persons providing services pursuant to a qualified tax collection contract under section 6306 may, if speaking to a person who has identified himself or herself as having the name of the taxpayer to which a tax receivable (within the meaning of such section) relates, identify themselves as contractors of the Internal Revenue Service and disclose the business name of the contractor, and the nature, subject, and reason for the contact. Disclosures under this paragraph shall be made only in such situations and under such conditions as have been approved by the Secretary.''.

(e) TAXPAYERS AFFECTED BY FEDERALLY DECLARED DISASTERS.—Section 6306 of the Internal Revenue Code of 1986, as amended by the preceding provisions of this section, is amended by redesignating subsection (i) as subsection (j) and by inserting after subsection (h) the following new subsection:

''(i) TAXPAYERS IN PRESIDENTIALLY DECLARED DISASTER AREAS.—The Secretary may prescribe procedures under which a taxpayer determined to be affected by a Federally declared disaster (as defined by section 165(i)(5)) may request—

''(1) relief from immediate collection measures by contractors under this section, and

''(2) a return of the inactive tax receivable to the inventory of the Internal Revenue Service to be collected by an employee thereof.''.

(f) REPORT TO CONGRESS.—

(1) IN GENERAL.—Section 6306 of the Internal Revenue Code of 1986, as amended by the preceding provisions of this section, is amended by redesignating subsection (j) as subsection (k) and by inserting after subsection (i) the following new subsection:

''(j) REPORT TO CONGRESS.—Not later than 90 days after the last day of each fiscal year (beginning with the first such fiscal year ending after the date of the enactment of this subsection), the Secretary shall submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate a report with respect to qualified tax collection contracts under this section which shall include—

''(1) annually, with respect to such fiscal year—

''(A) the total number and amount of tax receivables provided to each contractor for collection under this section,

''(B) the total amounts collected (and amounts of installment agreements entered

into under subsection (b)(1)(B)) with respect to each contractor and the collection costs incurred (directly and indirectly) by the Internal Revenue Service with respect to such amounts,

''(C) the impact of such contracts on the total number and amount of unpaid assessments, and on the number and amount of assessments collected by Internal Revenue Service personnel after initial contact by a contractor,

''(D) the amount of fees retained by the Secretary under subsection (e) and a description of the use of such funds, and

''(E) a disclosure safeguard report in a form similar to that required under section 6103(p)(5), and

''(2) biannually (beginning with the second report submitted under this subsection)—

''(A) an independent evaluation of contractor performance, and

''(B) a measurement plan that includes a comparison of the best practices used by the private collectors to the collection techniques used by the Internal Revenue Service and mechanisms to identify and capture information on successful collection techniques used by the contractors that could be adopted by the Internal Revenue Service.''.

(2) REPEAL OF EXISTING REPORTING REQUIREMENTS WITH RESPECT TO QUALIFIED TAX COLLECTION CONTRACTS.—Section 881 of the American Jobs Creation Act of 2004 is amended by striking subsection (e).

(g) EFFECTIVE DATES.—

(1) IN GENERAL.—The amendments made by subsections (a) and (b) shall apply to tax receivables identified by the Secretary after the date of the enactment of this Act.

(2) CONTRACTING PRIORITY.—The Secretary shall begin entering into contracts and agreements as described in the amendment made by subsection (c) within 3 months after the date of the enactment of this Act.

(3) DISCLOSURES.—The amendment made by subsection (d) shall apply to disclosures made after the date of the enactment of this Act.

(4) PROCEDURES; REPORT TO CONGRESS.—The amendments made by subsections (e) and (f) shall take effect on the date of the enactment of this Act.

SEC. 52107. SPECIAL COMPLIANCE PERSONNEL PROGRAM.

(a) IN GENERAL.—Subsection (e) of section 6306 of the Internal Revenue Code of 1986, as redesignated by section 52106, is amended by striking ''for collection enforcement activities of the Internal Revenue Service'' in paragraph (2) and inserting ''to fund the special compliance personnel program account under section 6307''.

(b) SPECIAL COMPLIANCE PERSONNEL PROGRAM ACCOUNT.—Subchapter A of chapter 64 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

''SEC. 6307. SPECIAL COMPLIANCE PERSONNEL PROGRAM ACCOUNT.

''(a) ESTABLISHMENT OF A SPECIAL COMPLIANCE PERSONNEL PROGRAM ACCOUNT.—The Secretary shall establish an account within the Department for carrying out a program consisting of the hiring, training, and employment of special compliance personnel, and shall transfer to such account from time to time amounts retained by the Secretary under section 6306(e)(2).

''(b) RESTRICTIONS.—The program described in subsection (a) shall be subject to the following restrictions:

''(1) No funds shall be transferred to such account except as described in subsection (a).

''(2) No other funds from any other source shall be expended for special compliance personnel employed under such program, and no funds from such account shall be expended for the hiring of any personnel other than special compliance personnel.

''(3) Notwithstanding any other authority, the Secretary is prohibited from spending funds out of such account for any purpose other than for costs under such program associated with the employment of special compliance personnel and the retraining and reassignment of current noncollections personnel as special compliance personnel, and to reimburse the Internal Revenue Service or other government agencies for the cost of administering qualified tax collection contracts under section 6306.

''(c) REPORTING.—Not later than March of each year, the Commissioner of Internal Revenue shall submit a report to the Committees on Finance and Appropriations of the Senate and the Committees on Ways and Means and Appropriations of the House of Representatives consisting of the following:

''(1) For the preceding fiscal year, all funds received in the account established under subsection (a), administrative and program costs for the program described in such subsection, the number of special compliance personnel hired and employed under the program, and the amount of revenue actually collected by such personnel.

''(2) For the current fiscal year, all actual and estimated funds received or to be received in the account, all actual and estimated administrative and program costs, the number of all actual and estimated special compliance personnel hired and employed under the program, and the actual and estimated revenue actually collected or to be collected by such personnel.

''(3) For the following fiscal year, an estimate of all funds to be received in the account, all estimated administrative and program costs, the estimated number of special compliance personnel hired and employed under the program, and the estimated revenue to be collected by such personnel.

''(d) DEFINITIONS.—For purposes of this section—

''(1) SPECIAL COMPLIANCE PERSONNEL.—The term 'special compliance personnel' means individuals employed by the Internal Revenue Service as field function collection officers or in a similar position, or employed to collect taxes using the automated collection system or an equivalent replacement system.

''(2) PROGRAM COSTS.—The term 'program costs' means—

''(A) total salaries (including locality pay and bonuses), benefits, and employment taxes for special compliance personnel employed or trained under the program described in subsection (a), and

''(B) direct overhead costs, salaries, benefits, and employment taxes relating to support staff, rental payments, office equipment and furniture, travel, data processing services, vehicle costs, utilities, telecommunications, postage, printing and reproduction, supplies and materials, lands and structures, insurance claims, and indemnities for special compliance personnel hired and employed under this section.

For purposes of subparagraph (B), the cost of management and supervision of special compliance personnel shall be taken into account as direct overhead costs to the extent such costs, when included in total program costs under this paragraph, do not represent more than 10 percent of such total costs.''.

(c) CLERICAL AMENDMENT.—The table of sections for subchapter A of chapter 64 of the Internal Revenue Code of 1986 is amended by inserting after the item relating to section 6306 the following new item:

''Sec. 6307. Special compliance personnel program account.''.

(d) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to amounts collected and retained by the Secretary after the date of the enactment of this Act.

SEC. 52108. TRANSFERS OF EXCESS PENSION ASSETS TO RETIREE HEALTH ACCOUNTS.

(a) IN GENERAL.—Section 420(b)(4) of the Internal Revenue Code of 1986 is amended by striking ''December 31, 2021'' and inserting ''December 31, 2025''.

(b) CONFORMING ERISA AMENDMENTS.—

(1) Sections 101(e)(3), 403(c)(1), and 408(b)(13) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1021(e)(3), 1103(c)(1), 1108(b)(13)) are each amended by striking ''MAP-21'' and inserting ''DRIVE Act''.

(2) Section 408(b)(13) of such Act (29 U.S.C. 1108(b)(13)) is amended by striking ''January 1, 2022'' and inserting ''January 1, 2026''.

Subtitle B—Fees and Receipts

SEC. 52201. EXTENSION OF DEPOSITS OF SECURITY SERVICE FEES IN THE GENERAL FUND.

Section 44940(i)(4) of title 49, United States Code, is amended by adding at the end the following:

''(K) $1,750,000,000 for each of fiscal years 2024 and 2025.''.

SEC. 52202. ADJUSTMENT FOR INFLATION OF FEES FOR CERTAIN CUSTOMS SERVICES.

(a) IN GENERAL.—Section 13031 of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c) is amended by adding at the end the following:

''(l) ADJUSTMENT OF FEES FOR INFLATION.—

''(1) IN GENERAL.—The Secretary of the Treasury shall adjust the fees established under subsection (a), and the limitations on such fees under paragraphs (2), (3), (5), (6), (8), and (9) of subsection (b), on October 1, 2015, and annually thereafter, to reflect the percentage (if any) of the increase in the average of the Consumer Price Index for the preceding 12-month period compared to the Consumer Price Index for fiscal year 2014.

''(2) SPECIAL RULES FOR CALCULATION OF ADJUSTMENT.—In adjusting under paragraph (1) the amount of the fees established under subsection (a), and the limitations on such fees under paragraphs (2), (3), (5), (6), (8), and (9) of subsection (b), the Secretary—

''(A) shall round the amount of any increase in the Consumer Price Index to the nearest dollar; and

''(B) may ignore any such increase of less than 1 percent.

''(3) CONSUMER PRICE INDEX DEFINED.—For purposes of this subsection, the term 'Consumer Price Index' means the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor.''.

(b) DEPOSITS INTO CUSTOMS USER FEE ACCOUNT.—Section 13031(f) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(f)) is amended—

(1) in paragraph (1), in the matter preceding subparagraph (A), by striking ''all fees collected under subsection (a)'' and inserting ''the amount of fees collected under subsection (a) (determined without regard to any adjustment made under subsection (l))''; and

(2) in paragraph (3)(A), in the matter preceding clause (i)—

(A) by striking ''fees collected'' and inserting ''amount of fees collected''; and

(B) by striking ''), each appropriation'' and inserting '', and determined without regard to any adjustment made under subsection (l)), each appropriation''.

(c) CONFORMING AMENDMENTS.—Section 13031 of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c), as amended by subsections (a) and (b), is further amended—

(1) in subsection (a), in the matter preceding paragraph (1), by inserting ''(subject to adjustment under subsection (l))'' after ''following fees''; and

(2) in subsection (b)—

(A) in paragraph (2), by inserting ''(subject to adjustment under subsection (l))'' after ''in fees'';

(B) in paragraph (3), by inserting ''(subject to adjustment under subsection (l))'' after ''in fees'';

(C) in paragraph (5)(A), by inserting ''(subject to adjustment under subsection (l))'' after ''in fees'';

(D) in paragraph (6), by inserting ''(subject to adjustment under subsection (l))'' after ''in fees'';

(E) in paragraph (8)(A)—

(i) in clause (i), by inserting ''or (l)'' after ''subsection (a)(9)(B)''; and

(ii) in clause (ii), by inserting ''(subject to adjustment under subsection (l))'' after ''$3''; and

(F) in paragraph (9)—

(i) in subparagraph (A)—

(I) in the matter preceding clause (i), by inserting ''and subject to adjustment under subsection (l)'' after ''Tariff Act of 1930''; and

(II) in clause (ii)(I), by inserting ''(subject to adjustment under subsection (l))'' after ''bill of lading''; and

(ii) in subparagraph (B)(i), by inserting ''(subject to adjustment under subsection (l))'' after ''bill of lading''.

SEC. 52203. DIVIDENDS AND SURPLUS FUNDS OF RESERVE BANKS.

Section 7(a)(1)(A) of the Federal Reserve Act (12 U.S.C. 289(a)(1)(A)) is amended by striking ''6 percent'' and inserting ''6 percent (1.5 percent in the case of a stockholder having total consolidated assets of more than $1,000,000,000 (determined as of September 30 of the preceding fiscal year))''.

SEC. 52204. STRATEGIC PETROLEUM RESERVE DRAWDOWN AND SALE.

(a) DRAWDOWN AND SALE.—

(1) IN GENERAL.—Notwithstanding section 161 of the Energy Policy and Conservation Act (42 U.S.C. 6241), except as provided in subsection (b), the Secretary of Energy shall drawdown and sell from the Strategic Petroleum Reserve—

(A) 4,000,000 barrels of crude oil during fiscal year 2018;

(B) 5,000,000 barrels of crude oil during fiscal year 2019;

(C) 8,000,000 barrels of crude oil during fiscal year 2020;

(D) 8,000,000 barrels of crude oil during fiscal year 2021;

(E) 10,000,000 barrels of crude oil during fiscal year 2022;

(F) 16,000,000 barrels of crude oil during fiscal year 2023;

(G) 25,000,000 barrels of crude oil during fiscal year 2024; and

(H) 25,000,000 barrels of crude oil during fiscal year 2025.

(2) DEPOSIT OF AMOUNTS RECEIVED FROM SALE.—Amounts received from a sale under paragraph (1) shall be deposited in the general fund of the Treasury during the fiscal year in which the sale occurs.

(b) EMERGENCY PROTECTION.—In any 1 fiscal year described in subsection (a)(1), the Secretary of Energy shall not drawdown and sell crude oil under this section in quantities that would result in a Strategic Petroleum Reserve that contains an inventory of petroleum products representing fewer than 90 days of emergency reserves, based on the average daily level of net imports of crude oil and petroleum products in the calendar year preceding that fiscal year.

SEC. 52205. EXTENSION OF ENTERPRISE GUARANTEE FEE.

Section 1327(f) of the Housing and Community Development Act of 1992 (12 U.S.C. 4547(f)) is amended by striking ''October 1, 2021'' and inserting ''October 1, 2025''.

Subtitle C—Outlays

SEC. 52301. INTEREST ON OVERPAYMENT.

Section 111 of the Federal Oil and Gas Royalty Management Act of 1982 (30 U.S.C. 1721) is amended—

(1) by striking subsections (h) and (i);

(2) by redesignating subsections (j) through (l) as subsections (h) through (j), respectively; and

(3) in subsection (h) (as so redesignated), by striking the fourth sentence.

DIVISION F—MISCELLANEOUS

TITLE LXI—FEDERAL PERMITTING IMPROVEMENT

SEC. 61001. DEFINITIONS.

In this title:

(1) AGENCY.—The term ''agency'' has the meaning given the term in section 551 of title 5, United States Code.

(2) AGENCY CERPO.—The term ''agency CERPO'' means the chief environmental review and permitting officer of an agency, as designated by the head of the agency under section 61002(b)(2)(A)(iii)(I).

(3) AUTHORIZATION.—The term ''authorization'' means any license, permit, approval, finding, determination, or other administrative decision issued by an agency that is required or authorized under Federal law in order to site, construct, reconstruct, or commence operations of a covered project, whether administered by a Federal or State agency.

(4) COOPERATING AGENCY.—The term ''cooperating agency'' means any agency with—

(A) jurisdiction under Federal law; or

(B) special expertise as described in section 1501.6 of title 40, Code of Federal Regulations (as in effect on the date of enactment of this Act).

(5) COUNCIL.—The term ''Council'' means the Federal Infrastructure Permitting Improvement Steering Council established under section 61002(a).

(6) COVERED PROJECT.—

(A) IN GENERAL.—The term ''covered project'' means any activity in the United States that requires authorization or environmental review by a Federal agency involving construction of infrastructure for renewable or conventional energy production, electricity transmission, surface transportation, aviation, ports and waterways, water resource projects, broadband, pipelines, manufacturing, or any other sector as determined by a majority vote of the Council that—

(i)(I) is subject to NEPA;

(II) is likely to require a total investment of more than $200,000,000; and

(III) does not qualify for abbreviated authorization or environmental review processes under any applicable law; or

(ii) is subject to NEPA and the size and complexity of which, in the opinion of the Council, make the project likely to benefit from enhanced oversight and coordination, including a project likely to require—

(I) authorization from or environmental review involving more than 2 Federal agencies; or

(II) the preparation of an environmental impact statement under NEPA.

(B) EXCLUSION.—The term ''covered project'' does not include—

(i) any project subject to section 139 of title 23, United States Code; or

(ii) any project subject to section 2045 of the Water Resources Development Act of 2007 (33 U.S.C. 2348).

(7) DASHBOARD.—The term ''Dashboard'' means the Permitting Dashboard required under section 61003(b).

(8) ENVIRONMENTAL ASSESSMENT.—The term ''environmental assessment'' means a concise public document for which a Federal agency is responsible under section 1508.9 of title 40, Code of Federal Regulations (or successor regulations).

(9) ENVIRONMENTAL DOCUMENT.—

(A) IN GENERAL.—The term ''environmental document'' means an environmental assessment, finding of no significant impact, notice of intent, environmental impact statement, or record of decision.

(B) INCLUSIONS.—The term ''environmental document'' includes—

(i) any document that is a supplement to a document described in subparagraph (A); and

(ii) a document prepared pursuant to a court order.

(10) ENVIRONMENTAL IMPACT STATEMENT.—The term ''environmental impact statement'' means the detailed written statement required under section 102(2)(C) of NEPA.

(11) ENVIRONMENTAL REVIEW.—The term ''environmental review'' means the agency procedures and processes for applying a categorical exclusion or for preparing an environmental assessment, an environmental impact statement, or other document required under NEPA.

(12) EXECUTIVE DIRECTOR.—The term ''Executive Director'' means the Executive Director appointed by the President under section 61002(b)(1)(A).

(13) FACILITATING AGENCY.—The term ''facilitating agency'' means the agency that receives the initial notification from the project sponsor required under section 61003(a).

(14) INVENTORY.—The term ''inventory'' means the inventory of covered projects established by the Executive Director under section 61002(c)(1)(A).

(15) LEAD AGENCY.—The term ''lead agency'' means the agency with principal responsibility for an environmental review of a covered project under NEPA and parts 1500 through 1508 of title 40, Code of Federal Regulations (or successor regulations).

(16) NEPA.—The term ''NEPA'' means the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(17) PARTICIPATING AGENCY.—The term ''participating agency'' means an agency participating in an environmental review or authorization for a covered project in accordance with section 61003.

(18) PROJECT SPONSOR.—The term ''project sponsor'' means an entity, including any private, public, or public-private entity, seeking an authorization for a covered project.

SEC. 61002. FEDERAL PERMITTING IMPROVEMENT COUNCIL.

(a) ESTABLISHMENT.—There is established the Federal Permitting Improvement Steering Council.

(b) COMPOSITION.—

(1) CHAIR.—The Executive Director shall—

(A) be appointed by the President; and
(B) serve as Chair of the Council.
(2) COUNCIL MEMBERS.—
(A) IN GENERAL.—
(i) DESIGNATION BY HEAD OF AGENCY.—Each individual listed in subparagraph (B) shall designate a member of the agency in which the individual serves to serve on the Council.
(ii) QUALIFICATIONS.—A councilmember described in clause (i) shall hold a position in the agency of deputy secretary (or the equivalent) or higher.
(iii) SUPPORT.—
(I) IN GENERAL.—Consistent with guidance provided by the Director of the Office of Management and Budget, each individual listed in subparagraph (B) shall designate 1 or more appropriate members of the agency in which the individual serves to serve as an agency CERPO.
(II) REPORTING.—In carrying out the duties of the agency CERPO under this title, an agency CERPO shall report directly to a deputy secretary (or the equivalent) or higher.
(B) HEADS OF AGENCIES.—The individuals that shall each designate a councilmember under this subparagraph are as follows:
(i) The Secretary of Agriculture.
(ii) The Secretary of the Army.
(iii) The Secretary of Commerce.
(iv) The Secretary of the Interior.
(v) The Secretary of Energy.
(vi) The Secretary of Transportation.
(vii) The Secretary of Defense.
(viii) The Administrator of the Environmental Protection Agency.
(ix) The Chairman of the Federal Energy Regulatory Commission.
(x) The Chairman of the Nuclear Regulatory Commission.
(xi) The Secretary of Homeland Security.
(xii) The Secretary of Housing and Urban Development.
(xiii) The Chairman of the Advisory Council on Historic Preservation.
(xiv) Any other head of a Federal agency that the Executive Director may invite to participate as a member of the Council.
(3) ADDITIONAL MEMBERS.—In addition to the members listed in paragraphs (1) and (2), the Chairman of the Council on Environmental Quality and the Director of the Office of Management and Budget shall also be members of the Council.
(c) DUTIES.—
(1) EXECUTIVE DIRECTOR.—
(A) INVENTORY DEVELOPMENT.—The Executive Director, in consultation with the Council, shall—
(i) not later than 180 days after the date of enactment of this Act, establish an inventory of covered projects that are pending the environmental review or authorization of the head of any Federal agency;
(ii)(I) categorize the projects in the inventory as appropriate, based on sector and project type; and
(II) for each category, identify the types of environmental reviews and authorizations most commonly involved; and
(iii) add a covered project to the inventory after receiving a notice described in section 61003(a)(1).
(B) FACILITATING AGENCY DESIGNATION.—The Executive Director, in consultation with the Council, shall—
(i) designate a facilitating agency for each category of covered projects described in subparagraph (A)(ii); and
(ii) publish the list of designated facilitating agencies for each category of projects in the inventory on the Dashboard in an easily accessible format.
(C) PERFORMANCE SCHEDULES.—
(i) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Executive Director, in consultation with the Council, shall develop recommended performance schedules, including intermediate and final completion dates, for environmental reviews and authorizations most commonly required for each category of covered projects described in subparagraph (A)(ii).
(ii) REQUIREMENTS.—
(I) IN GENERAL.—The performance schedules shall reflect employment of the use of the most efficient applicable processes.
(II) LIMIT.—
(aa) IN GENERAL.—The final completion dates in any performance schedule for the completion of an environmental review or authorization under clause (i) shall not exceed the average time to complete an environmental review or authorization for a project within that category.
(bb) CALCULATION OF AVERAGE TIME.—The average time referred to in item (aa) shall be calculated on the basis of data from the preceding 2 calendar years and shall run from the period beginning on the date on which the Executive Director must make a specific entry for the project on the Dashboard under section 61003(b)(2) (except that, for projects initiated before that duty takes effect, the period beginning on the date of filing of a completed application), and ending on the date of the issuance of a record of decision or other final agency action on the review or authorization.
(cc) COMPLETION DATE.—Each performance schedule shall specify that any decision by an agency on an environmental review or authorization must be issued not later than 180 days after the date on which all information needed to complete the review or authorization (including any hearing that an agency holds on the matter) is in the possession of the agency.
(iii) REVIEW AND REVISION.—Not later than 2 years after the date on which the performance schedules are established under this subparagraph, and not less frequently than once every 2 years thereafter, the Executive Director, in consultation with the Council, shall review and revise the performance schedules.
(D) GUIDANCE.—The Executive Director, in consultation with the Council, may recommend to the Director of the Office of Management and Budget or to the Council on Environmental Quality, as appropriate, that guidance be issued as necessary for agencies—
(i) to carry out responsibilities under this title; and
(ii) to effectuate the adoption by agencies of the best practices and recommendations of the Council described in paragraph (2).
(2) COUNCIL.—
(A) RECOMMENDATIONS.—
(i) IN GENERAL.—The Council shall make recommendations to the Executive Director with respect to the designations under paragraph (1)(B) and the performance schedules under paragraph (1)(C).
(ii) UPDATE.—The Council may update the recommendations described in clause (i).
(B) BEST PRACTICES.—Not later than 1 year after the date of enactment of this Act, and not less frequently than annually thereafter, the Council shall issue recommendations on the best practices for—
(i) enhancing early stakeholder engagement, including fully considering and, as appropriate, incorporating recommendations provided in public comments on any proposed covered project;
(ii) ensuring timely decisions regarding environmental reviews and authorizations, including through the development of performance metrics;
(iii) improving coordination between Federal and non-Federal governmental entities, including through the development of common data standards and terminology across agencies;
(iv) increasing transparency;
(v) reducing information collection requirements and other administrative burdens on agencies, project sponsors, and other interested parties;
(vi) developing and making available to applicants appropriate geographic information systems and other tools;
(vii) creating and distributing training materials useful to Federal, State, tribal, and local permitting officials; and
(viii) addressing other aspects of infrastructure permitting, as determined by the Council.
(3) AGENCY CERPOS.—An agency CERPO shall—
(A) advise the respective agency councilmember on matters related to environmental reviews and authorizations;
(B) provide technical support, when requested to facilitate efficient and timely processes for environmental reviews and authorizations for covered projects under the jurisdictional responsibility of the agency, including supporting timely identification and resolution of potential disputes within the agency or between the agency and other Federal agencies;
(C) analyze agency environmental review and authorization processes, policies, and authorities and make recommendations to the respective agency councilmember for ways to standardize, simplify, and improve the efficiency of the processes, policies, and authorities, including by implementing guidance issued under paragraph (1)(D) and other best practices, including the use of information technology and geographic information system tools within the agency and across agencies, to the extent consistent with existing law; and
(D) review and develop training programs for agency staff that support and conduct environmental reviews or authorizations.
(d) ADMINISTRATIVE SUPPORT.—The Director of the Office of Management and Budget shall designate a Federal agency, other than an agency that carries out or provides support for projects that are not covered projects, to provide administrative support for the Executive Director, and the designated agency shall, as reasonably necessary, provide support and staff to enable the Executive Director to fulfill the duties of the Executive Director under this title.

SEC. 61003. PERMITTING PROCESS IMPROVEMENT.

(a) PROJECT INITIATION AND DESIGNATION OF PARTICIPATING AGENCIES.—
(1) NOTICE.—
(A) IN GENERAL.—A project sponsor of a covered project shall submit to the Executive Director and the facilitating agency notice of the initiation of a proposed covered project.
(B) DEFAULT DESIGNATION.—If, at the time of submission of the notice under subparagraph (A), the Executive Director has not designated a facilitating agency under section 61002(c)(1)(B) for the categories of projects noticed, the agency that receives the notice under subparagraph (A) shall be designated as the facilitating agency.
(C) CONTENTS.—Each notice described in subparagraph (A) shall include—
(i) a statement of the purposes and objectives of the proposed project;

(ii) a concise description, including the general location of the proposed project and a summary of geospatial information, if available, illustrating the project area and the locations, if any, of environmental, cultural, and historic resources;

(iii) a statement regarding the technical and financial ability of the project sponsor to construct the proposed project;

(iv) a statement of any Federal financing, environmental reviews, and authorizations anticipated to be required to complete the proposed project; and

(v) an assessment that the proposed project meets the definition of a covered project under section 61001 and a statement of reasons supporting the assessment.

(2) INVITATION.—

(A) IN GENERAL.—Not later than 45 days after the date on which the Executive Director must make a specific entry for the project on the Dashboard under subsection (b)(2)(A), the facilitating agency or lead agency, as applicable, shall—

(i) identify all Federal and non-Federal agencies and governmental entities likely to have financing, environmental review, authorization, or other responsibilities with respect to the proposed project; and

(ii) invite all Federal agencies identified under clause (i) to become a participating agency or a cooperating agency, as appropriate, in the environmental review and authorization management process described in section 61005.

(B) DEADLINES.—Each invitation made under subparagraph (A) shall include a deadline for a response to be submitted to the facilitating or lead agency, as applicable.

(3) PARTICIPATING AND COOPERATING AGENCIES.—

(A) IN GENERAL.—An agency invited under paragraph (2) shall be designated as a participating or cooperating agency for a covered project, unless the agency informs the facilitating or lead agency, as applicable, in writing before the deadline under paragraph (2)(B) that the agency—

(i) has no jurisdiction or authority with respect to the proposed project; or

(ii) does not intend to exercise authority related to, or submit comments on, the proposed project.

(B) CHANGED CIRCUMSTANCES.—On request and a showing of changed circumstances, the Executive Director may designate an agency that has opted out under subparagraph (A)(ii) to be a participating or cooperating agency, as appropriate.

(4) EFFECT OF DESIGNATION.—The designation described in paragraph (3) shall not—

(A) give the participating agency authority or jurisdiction over the covered project; or

(B) expand any jurisdiction or authority a cooperating agency may have over the proposed project.

(5) LEAD AGENCY DESIGNATION.—

(A) IN GENERAL.—On establishment of the lead agency, the lead agency shall assume the responsibilities of the facilitating agency under this title.

(B) REDESIGNATION OF FACILITATING AGENCY.—If the lead agency assumes the responsibilities of the facilitating agency under subparagraph (A), the facilitating agency may be designated as a cooperative or participating agency.

(6) CHANGE OF FACILITATING OR LEAD AGENCY.—

(A) IN GENERAL.—On the request of a participating agency or project sponsor, the Executive Director may designate a different agency as the facilitating or lead agency, as applicable, for a covered project, if the facilitating or lead agency or the Executive Director receives new information regarding the scope or nature of a covered project that indicates that the project should be placed in a different category under section 61002(c)(1)(B).

(B) RESOLUTION OF DISPUTE.—The Executive Director shall resolve any dispute over designation of a facilitating or lead agency for a particular covered project.

(b) PERMITTING DASHBOARD.—

(1) REQUIREMENT TO MAINTAIN.—

(A) IN GENERAL.—The Executive Director, in coordination with the Administrator of General Services, shall maintain an online database to be known as the ''Permitting Dashboard'' to track the status of Federal environmental reviews and authorizations for any covered project in the inventory described in section 61002(c)(1)(A).

(B) SPECIFIC AND SEARCHABLE ENTRY.—The Dashboard shall include a specific and searchable entry for each covered project.

(2) ADDITIONS.—

(A) IN GENERAL.—

(i) EXISTING PROJECTS.—Not later than 14 days after the date on which the Executive Director adds a project to the inventory under section 61002(c)(1)(A), the Executive Director shall create a specific entry on the Dashboard for the covered project.

(ii) NEW PROJECTS.—Not later than 14 days after the date on which the Executive Director receives a notice under subsection (a)(1), the Executive Director shall create a specific entry on the Dashboard for the covered project, unless the Executive Director, facilitating agency, or lead agency, as applicable, determines that the project is not a covered project.

(B) EXPLANATION.—If the facilitating agency or lead agency, as applicable, determines that the project is not a covered project, the project sponsor may submit a further explanation as to why the project is a covered project not later than 14 days after the date of the determination under subparagraph (A).

(C) FINAL DETERMINATION.—Not later than 14 days after receiving an explanation described in subparagraph (B), the Executive Director shall—

(i) make a final and conclusive determination as to whether the project is a covered project; and

(ii) if the Executive Director determines that the project is a covered project, create a specific entry on the Dashboard for the covered project.

(3) POSTINGS BY AGENCIES.—

(A) IN GENERAL.—For each covered project added to the Dashboard under paragraph (2), the facilitating or lead agency, as applicable, and each cooperating and participating agency shall post to the Dashboard—

(i) a hyperlink that directs to a website that contains, to the extent consistent with applicable law—

(I) the notification submitted under subsection (a)(1);

(II)(aa) where practicable, the application and supporting documents, if applicable, that have been submitted by a project sponsor for any required environmental review or authorization; or

(bb) a notice explaining how the public may obtain access to such documents;

(III) a description of any Federal agency action taken or decision made that materially affects the status of a covered project;

(IV) any significant document that supports the action or decision described in subclause (III); and

(V) a description of the status of any litigation to which the agency is a party that is directly related to the project, including, if practicable, any judicial document made available on an electronic docket maintained by a Federal, State, or local court; and

(ii) any document described in clause (i) that is not available by hyperlink on another website.

(B) DEADLINE.—The information described in subparagraph (A) shall be posted to the website made available by hyperlink on the Dashboard not later than 5 business days after the date on which the Federal agency receives the information.

(4) POSTINGS BY THE EXECUTIVE DIRECTOR.—The Executive Director shall publish to the Dashboard—

(A) the permitting timetable established under subparagraph (A) or (C) of subsection (c)(2);

(B) the status of the compliance of each agency with the permitting timetable;

(C) any modifications of the permitting timetable;

(D) an explanation of each modification described in subparagraph (C); and

(E) any memorandum of understanding established under subsection (c)(3)(B).

(c) COORDINATION AND TIMETABLES.—

(1) COORDINATED PROJECT PLAN.—

(A) IN GENERAL.—Not later than 60 days after the date on which the Executive Director must make a specific entry for the project on the Dashboard under subsection (b)(2)(A), the facilitating or lead agency, as applicable, in consultation with each coordinating and participating agency, shall establish a concise plan for coordinating public and agency participation in, and completion of, any required Federal environmental review and authorization for the project.

(B) REQUIRED INFORMATION.—The Coordinated Project Plan shall include the following information and be updated by the facilitating or lead agency, as applicable, at least once per quarter:

(i) A list of, and roles and responsibilities for, all entities with environmental review or authorization responsibility for the project.

(ii) A permitting timetable, as described in paragraph (2), setting forth a comprehensive schedule of dates by which all environmental reviews and authorizations, and to the maximum extent practicable, State permits, reviews and approvals must be made.

(iii) A discussion of potential avoidance, minimization, and mitigation strategies, if required by applicable law and known.

(iv) Plans and a schedule for public and tribal outreach and coordination, to the extent required by applicable law.

(C) MEMORANDUM OF UNDERSTANDING.—The coordinated project plan described in subparagraph (A) may be incorporated into a memorandum of understanding.

(2) PERMITTING TIMETABLE.—

(A) ESTABLISHMENT.—

(i) IN GENERAL.—As part of the coordination project plan under paragraph (1), the facilitating or lead agency, as applicable, in consultation with each cooperating and participating agency, the project sponsor, and any State in which the project is located, shall establish a permitting timetable that includes intermediate and final completion dates for action by each participating agency on any Federal environmental review or authorization required for the project.

(ii) CONSENSUS.—In establishing a permitting timetable under clause (i), each agency shall, to the maximum extent practicable, make efforts to reach a consensus.

(B) FACTORS FOR CONSIDERATION.—In establishing the permitting timetable under subparagraph (A), the facilitating or lead agency shall follow the performance schedules established under section 61002(c)(1)(C), but may vary the timetable based on relevant factors, including—

(i) the size and complexity of the covered project;

(ii) the resources available to each participating agency;

(iii) the regional or national economic significance of the project;

(iv) the sensitivity of the natural or historic resources that may be affected by the project;

(v) the financing plan for the project; and

(vi) the extent to which similar projects in geographic proximity to the project were recently subject to environmental review or similar procedures under State law.

(C) DISPUTE RESOLUTION.—

(i) IN GENERAL.—The Executive Director, in consultation with appropriate agency CERPOs and the project sponsor, shall, as necessary, mediate any disputes regarding the permitting timetable established under subparagraph (A).

(ii) DISPUTES.—If a dispute remains unresolved 30 days after the date on which the dispute was submitted to the Executive Director, the Director of the Office of Management and Budget, in consultation with the Chairman of the Council on Environmental Quality, shall facilitate a resolution of the dispute and direct the agencies party to the dispute to resolve the dispute by the end of the 60-day period beginning on the date of submission of the dispute to the Executive Director.

(iii) FINAL RESOLUTION.—Any action taken by the Director of the Office of Management and Budget in the resolution of a dispute under clause (ii) shall—

(I) be final and conclusive; and

(II) not be subject to judicial review.

(D) MODIFICATION AFTER APPROVAL.—

(i) IN GENERAL.—The facilitating or lead agency, as applicable, may modify a permitting timetable established under subparagraph (A) only if—

(I) the facilitating or lead agency, as applicable, and the affected cooperating agencies, after consultation with the participating agencies, agree to a different completion date; and

(II) the facilitating agency or lead agency, as applicable, or the affected cooperating agency provides a written justification for the modification.

(ii) COMPLETION DATE.—A completion date in the permitting timetable may not be modified within 30 days of the completion date.

(E) CONSISTENCY WITH OTHER TIME PERIODS.—A permitting timetable established under subparagraph (A) shall be consistent with any other relevant time periods established under Federal law and shall not prevent any cooperating or participating agency from discharging any obligation under Federal law in connection with the project.

(F) CONFORMING TO PERMITTING TIMETABLES.—

(i) IN GENERAL.—Each Federal agency shall conform to the completion dates set forth in the permitting timetable established under subparagraph (A), or with any completion date modified under subparagraph (D).

(ii) FAILURE TO CONFORM.—If a Federal agency fails to conform with a completion date for agency action on a covered project or is at significant risk of failing to conform with such a completion date, the agency shall—

(I) promptly submit to the Executive Director for publication on the Dashboard an explanation of the specific reasons for failing or significantly risking failing to conform to the completion date and a proposal for an alternative completion date;

(II) in consultation with the facilitating or lead agency, as applicable, establish an alternative completion date; and

(III) each month thereafter until the agency has taken final action on the delayed authorization or review, submit to the Executive Director for posting on the Dashboard a status report describing any agency activity related to the project.

(G) ABANDONMENT OF COVERED PROJECT.—

(i) IN GENERAL.—If the facilitating or lead agency, as applicable, has a reasonable basis to doubt the continuing technical or financial ability of the project sponsor to construct the covered project, the facilitating or lead agency may request the project sponsor provide an updated statement regarding the ability of the project sponsor to complete the project.

(ii) FAILURE TO RESPOND.—If the project sponsor fails to respond to a request described in clause (i) by the date that is 30 days after receiving the request, the lead or facilitating agency, as applicable, shall notify the Executive Director, who shall publish an appropriate notice on the Dashboard.

(iii) PUBLICATION TO DASHBOARD.—On publication of a notice under clause (ii), the completion dates in the permitting timetable shall be tolled and agencies shall be relieved of the obligation to comply with subparagraph (F) until such time as the project sponsor submits to the facilitating or lead agency, as applicable, an updated statement regarding the technical and financial ability of the project sponsor to construct the project.

(3) COOPERATING STATE, LOCAL, OR TRIBAL GOVERNMENTS.—

(A) STATE AUTHORITY.—If the Federal environmental review is being implemented within the boundaries of a State, the State, consistent with State law, may choose to participate in the environmental review and authorization process under this subsection and to make subject to the process all State agencies that—

(i) have jurisdiction over the covered project;

(ii) are required to conduct or issue a review, analysis, opinion, or statement for the covered project; or

(iii) are required to make a determination on issuing a permit, license, or other approval or decision for the covered project.

(B) COORDINATION.—To the maximum extent practicable under applicable law, the facilitating or lead agency, as applicable, shall coordinate the Federal environmental review and authorization processes under this subsection with any State, local, or tribal agency responsible for conducting any separate review or authorization of the covered project to ensure timely and efficient completion of environmental reviews and authorizations.

(C) MEMORANDUM OF UNDERSTANDING.—

(i) IN GENERAL.—Any coordination plan between the facilitating or lead agency, as applicable, and any State, local, or tribal agency shall, to the maximum extent practicable, be included in a memorandum of understanding.

(ii) SUBMISSION TO EXECUTIVE DIRECTOR.—The facilitating or lead agency, as applicable, shall submit to the Executive Director each memorandum of understanding described in clause (i).

(d) EARLY CONSULTATION.—The facilitating or lead agency, as applicable, shall provide an expeditious process for project sponsors to confer with each cooperating and participating agency involved and, not later than 60 days after the date on which the project sponsor submits a request under this subsection, to have each such agency provide to the project sponsor information concerning—

(1) the availability of information and tools, including pre-application toolkits, to facilitate early planning efforts;

(2) key issues of concern to each agency and to the public; and

(3) issues that must be addressed before an environmental review or authorization can be completed.

(e) COOPERATING AGENCY.—

(1) IN GENERAL.—A lead agency may designate a participating agency as a cooperating agency in accordance with part 1501 of title 40, Code of Federal Regulations (or successor regulations).

(2) EFFECT ON OTHER DESIGNATION.—The designation described in paragraph (1) shall not affect any designation under subsection (a)(3).

(3) LIMITATION ON DESIGNATION.—Any agency not designated as a participating agency under subsection (a)(3) shall not be designated as a cooperating agency under paragraph (1).

(f) REPORTING STATUS OF OTHER PROJECTS ON DASHBOARD.—

(1) IN GENERAL.—On request of the Executive Director, the Secretary and the Secretary of the Army shall use best efforts to provide information for inclusion on the Dashboard on projects subject to section 139 of title 23, United States Code, and section 2045 of the Water Resources Development Act of 2007 (33 U.S.C. 2348) likely to require—

(A) a total investment of more than $200,000,000; and

(B) an environmental impact statement under NEPA.

(2) EFFECT OF INCLUSION ON DASHBOARD.—Inclusion on the Dashboard of information regarding projects subject to section 139 of title 23, United States Code, or section 2045 of the Water Resources Development Act of 2007 (33 U.S.C. 2348) shall not subject those projects to any requirements of this title.

SEC. 61004. INTERSTATE COMPACTS.

(a) IN GENERAL.—The consent of Congress is given for 3 or more contiguous States to enter into an interstate compact establishing regional infrastructure development agencies to facilitate authorization and review of covered projects, under State law or in the exercise of delegated permitting authority described under section 61006, that will advance infrastructure development, production, and generation within the States that are parties to the compact.

(b) REGIONAL INFRASTRUCTURE.—For the purpose of this title, a regional infrastructure development agency referred to in subsection (a) shall have the same authorities and responsibilities of a State agency.

SEC. 61005. COORDINATION OF REQUIRED REVIEWS.

(a) CONCURRENT REVIEWS.—To integrate environmental reviews and authorizations, each agency shall, to the maximum extent practicable—

(1) carry out the obligations of the agency with respect to a covered project under any other applicable law concurrently, and in conjunction with, other environmental reviews and authorizations being conducted by other cooperating or participating agencies, including environmental reviews and authorizations required under NEPA, unless the

agency determines that doing so would impair the ability of the agency to carry out the statutory obligations of the agency; and

(2) formulate and implement administrative, policy, and procedural mechanisms to enable the agency to ensure completion of the environmental review process in a timely, coordinated, and environmentally responsible manner.

(b) ADOPTION, INCORPORATION BY REFERENCE, AND USE OF DOCUMENTS.—

(1) STATE ENVIRONMENTAL DOCUMENTS; SUPPLEMENTAL DOCUMENTS.—

(A) USE OF EXISTING DOCUMENTS.—

(i) IN GENERAL.—On the request of a project sponsor, a lead agency shall consider and, as appropriate, adopt or incorporate by reference, the analysis and documentation that has been prepared for a covered project under State laws and procedures as the documentation, or part of the documentation, required to complete an environmental review for the covered project, if the analysis and documentation were, as determined by the lead agency in consultation with the Council on Environmental Quality, prepared under circumstances that allowed for opportunities for public participation and consideration of alternatives and environmental consequences that are substantially equivalent to what would have been available had the documents and analysis been prepared by a Federal agency pursuant to NEPA.

(ii) GUIDANCE BY CEQ.—The Council on Environmental Quality may issue guidance to carry out this subsection.

(B) NEPA OBLIGATIONS.—An environmental document adopted under subparagraph (A) or a document that includes documentation incorporated under subparagraph (A) may serve as the documentation required for an environmental review or a supplemental environmental review required to be prepared by a lead agency under NEPA.

(C) SUPPLEMENTATION OF STATE DOCUMENTS.—If the lead agency adopts or incorporates analysis and documentation described in subparagraph (A), the lead agency shall prepare and publish a supplemental document if the lead agency determines that during the period after preparation of the analysis and documentation and before the adoption or incorporation—

(i) a significant change has been made to the covered project that is relevant for purposes of environmental review of the project; or

(ii) there has been a significant circumstance or new information has emerged that is relevant to the environmental review for the covered project.

(D) COMMENTS.—If a lead agency prepares and publishes a supplemental document under subparagraph (C), the lead agency shall solicit comments from other agencies and the public on the supplemental document for a period of not more than 45 days, beginning on the date on which the supplemental document is published, unless—

(i) the lead agency, the project sponsor, and any cooperating agency agree to a longer deadline; or

(ii) the lead agency extends the deadline for good cause.

(E) NOTICE OF OUTCOME OF ENVIRONMENTAL REVIEW.—A lead agency shall issue a record of decision or finding of no significant impact, as appropriate, based on the document adopted under subparagraph (A) and any supplemental document prepared under subparagraph (C).

(c) ALTERNATIVES ANALYSIS.—

(1) PARTICIPATION.—As early as practicable during the environmental review, but not later than the commencement of scoping for a project requiring the preparation of an environmental impact statement, the lead agency, in consultation with each cooperating agency, shall determine the range of reasonable alternatives to be considered for a covered project.

(2) RANGE OF ALTERNATIVES.—

(A) IN GENERAL.—Following participation under paragraph (1) and subject to subparagraph (B), the lead agency shall determine the range of reasonable alternatives for consideration in any document that the lead agency is responsible for preparing for the covered project.

(B) ALTERNATIVES REQUIRED BY LAW.—In determining the range of alternatives under subparagraph (A), the lead agency shall include all alternatives required to be considered by law.

(3) METHODOLOGIES.—

(A) IN GENERAL.—The lead agency shall determine, in collaboration with each cooperating agency at appropriate times during the environmental review, the methodologies to be used and the level of detail required in the analysis of each alternative for a covered project.

(B) ENVIRONMENTAL REVIEW.—A cooperating agency shall use the methodologies referred to in subparagraph (A) when conducting any required environmental review, to the extent consistent with existing law.

(4) PREFERRED ALTERNATIVE.—With the concurrence of the cooperating agencies with jurisdiction under Federal law and at the discretion of the lead agency, the preferred alternative for a project, after being identified, may be developed to a higher level of detail than other alternatives to facilitate the development of mitigation measures or concurrent compliance with other applicable laws if the lead agency determines that the development of the higher level of detail will not prevent—

(A) the lead agency from making an impartial decision as to whether to accept another alternative that is being considered in the environmental review; and

(B) the public from commenting on the preferred and other alternatives.

(d) ENVIRONMENTAL REVIEW COMMENTS.—

(1) COMMENTS ON DRAFT ENVIRONMENTAL IMPACT STATEMENT.—For comments by an agency or the public on a draft environmental impact statement, the lead agency shall establish a comment period of not less than 45 days and not more than 60 days after the date on which a notice announcing availability of the environmental impact statement is published in the Federal Register, unless—

(A) the lead agency, the project sponsor, and any cooperating agency agree to a longer deadline; or

(B) the lead agency, in consultation with each cooperating agency, extends the deadline for good cause.

(2) OTHER REVIEW AND COMMENT PERIODS.—For all other review or comment periods in the environmental review process described in parts 1500 through 1508 of title 40, Code of Federal Regulations (or successor regulations), the lead agency shall establish a comment period of not more than 45 days after the date on which the materials on which comment is requested are made available, unless—

(A) the lead agency, the project sponsor, and any cooperating agency agree to a longer deadline; or

(B) the lead agency extends the deadline for good cause.

(e) ISSUE IDENTIFICATION AND RESOLUTION.—

(1) COOPERATION.—The lead agency and each cooperating and participating agency shall work cooperatively in accordance with this section to identify and resolve issues that could delay completion of an environmental review or an authorization required for the project under applicable law or result in the denial of any approval under applicable law.

(2) LEAD AGENCY RESPONSIBILITIES.—

(A) IN GENERAL.—The lead agency shall make information available to each cooperating and participating agency and project sponsor as early as practicable in the environmental review regarding the environmental, historic, and socioeconomic resources located within the project area and the general locations of the alternatives under consideration.

(B) SOURCES OF INFORMATION.—The information described in subparagraph (A) may be based on existing data sources, including geographic information systems mapping.

(3) COOPERATING AND PARTICIPATING AGENCY RESPONSIBILITIES.—Each cooperating and participating agency shall—

(A) identify, as early as practicable, any issues of concern regarding any potential environmental impacts of the covered project, including any issues that could substantially delay or prevent an agency from completing any environmental review or authorization required for the project; and

(B) communicate any issues described in subparagraph (A) to the project sponsor.

(f) CATEGORIES OF PROJECTS.—The authorities granted under this section may be exercised for an individual covered project or a category of covered projects.

SEC. 61006. DELEGATED STATE PERMITTING PROGRAMS.

(a) IN GENERAL.—If a Federal statute permits a Federal agency to delegate to or otherwise authorize a State to issue or otherwise administer a permit program in lieu of the Federal agency, the Federal agency with authority to carry out the statute shall—

(1) on publication by the Council of best practices under section 61002(c)(2)(B), initiate a national process, with public participation, to determine whether and the extent to which any of the best practices are generally applicable on a delegation- or authorization-wide basis to permitting under the statute; and

(2) not later than 2 years after the date of enactment of this Act, make model recommendations for State modifications of the applicable permit program to reflect the best practices described in section 61002(c)(2)(B), as appropriate.

(b) BEST PRACTICES.—Lead and cooperating agencies may share with State, tribal, and local authorities best practices involved in review of covered projects and invite input from State, tribal, and local authorities regarding best practices.

SEC. 61007. LITIGATION, JUDICIAL REVIEW, AND SAVINGS PROVISION.

(a) LIMITATIONS ON CLAIMS.—

(1) IN GENERAL.—Notwithstanding any other provision of law, a claim arising under Federal law seeking judicial review of any authorization issued by a Federal agency for a covered project shall be barred unless—

(A) the action is filed not later than 2 years after the date of publication in the Federal Register of the final record of decision or approval or denial of a permit, unless a shorter time is specified in the Federal law under which judicial review is allowed; and

(B) in the case of an action pertaining to an environmental review conducted under NEPA—

(i) the action is filed by a party that submitted a comment during the environmental review or a party that lacked a reasonable opportunity to submit a comment; and

(ii) a party filed a sufficiently detailed comment so as to put the lead agency on notice of the issue on which the party seeks judicial review.

(2) NEW INFORMATION.—

(A) IN GENERAL.—The head of a lead agency or participating agency shall consider new information received after the close of a comment period if the information satisfies the requirements under regulations implementing NEPA.

(B) SEPARATE ACTION.—If Federal law requires the preparation of a supplemental environmental impact statement or other supplemental environmental document, the preparation of such document shall be considered a separate final agency action and the deadline for filing a claim for judicial review of the agency action shall be 2 years after the date on which a notice announcing the final agency action is published in the Federal Register, unless a shorter time is specified in the Federal law under which judicial review is allowed.

(3) RULE OF CONSTRUCTION.—Nothing in this subsection creates a right to judicial review or places any limit on filing a claim that a person has violated the terms of an authorization.

(b) PRELIMINARY INJUNCTIVE RELIEF.—In addition to considering any other applicable equitable factors, in any action seeking a temporary restraining order or preliminary injunction against an agency or a project sponsor in connection with review or authorization of a covered project, the court shall—

(1) consider the effects on public health, safety, and the environment, the potential for significant job losses, and other economic harm resulting from an order or injunction; and

(2) not presume that the harms described in paragraph (1) are reparable.

(c) JUDICIAL REVIEW.—Except as provided in subsection (a), nothing in this title affects the reviewability of any final Federal agency action in a court of competent jurisdiction.

(d) SAVINGS CLAUSE.—Nothing in this title—

(1) supersedes, amends, or modifies any Federal statute or affects the responsibility of any Federal officer to comply with or enforce any statute; or

(2) creates a presumption that a covered project will be approved or favorably reviewed by any agency.

(e) LIMITATIONS.—Nothing in this section preempts, limits, or interferes with—

(1) any practice of seeking, considering, or responding to public comment; or

(2) any power, jurisdiction, responsibility, or authority that a Federal, State, or local governmental agency, metropolitan planning organization, Indian tribe, or project sponsor has with respect to carrying out a project or any other provisions of law applicable to any project, plan, or program.

SEC. 61008. REPORT TO CONGRESS.

(a) IN GENERAL.—Not later than April 15 of each year for 10 years beginning on the date of enactment of this Act, the Executive Director shall submit to Congress a report detailing the progress accomplished under this title during the previous fiscal year.

(b) CONTENTS.—The report described in subsection (a) shall assess the performance of each participating agency and lead agency based on the best practices described in section 61002(c)(2)(B).

(c) OPPORTUNITY TO INCLUDE COMMENTS.—Each councilmember, with input from the respective agency CERPO, shall have the opportunity to include comments concerning the performance of the agency in the report described in subsection (a).

SEC. 61009. FUNDING FOR GOVERNANCE, OVERSIGHT, AND PROCESSING OF ENVIRONMENTAL REVIEWS AND PERMITS.

(a) IN GENERAL.—The heads of agencies listed in section 61002(b)(2)(B), with the guidance of the Director of the Office of Management and Budget and in consultation with the Executive Director, may, after public notice and opportunity for comment, issue regulations establishing a fee structure for project proponents to reimburse the United States for reasonable costs incurred in conducting environmental reviews and authorizations for covered projects.

(b) REASONABLE COSTS.—As used in this section, the term ''reasonable costs'' shall include costs to implement the requirements and authorities required under sections 61002 and 61003, including the costs to agencies and the costs of operating the Council.

(c) FEE STRUCTURE.—The fee structure established under subsection (a) shall—

(1) be developed in consultation with affected project proponents, industries, and other stakeholders;

(2) exclude parties for which the fee would impose an undue financial burden or is otherwise determined to be inappropriate; and

(3) be established in a manner that ensures that the aggregate amount of fees collected for a fiscal year is estimated not to exceed 20 percent of the total estimated costs for the fiscal year for the resources allocated for the conduct of the environmental reviews and authorizations covered by this title, as determined by the Director of the Office of Management and Budget.

(d) ENVIRONMENTAL REVIEW AND PERMITTING IMPROVEMENT FUND.—

(1) IN GENERAL.—All amounts collected pursuant to this section shall be deposited into a separate fund in the Treasury of the United States to be known as the ''Environmental Review Improvement Fund'' (referred to in this section as the ''Fund'').

(2) AVAILABILITY.—Amounts in the Fund shall be available to the Executive Director, without appropriation or fiscal year limitation, solely for the purposes of administering, implementing, and enforcing this title, including the expenses of the Council.

(3) TRANSFER.—The Executive Director, with the approval of the Director of the Office of Management and Budget, may transfer amounts in the Fund to other agencies to facilitate timely and efficient environmental reviews and authorizations for proposed covered projects.

(e) EFFECT ON PERMITTING.—The regulations adopted pursuant to subsection (a) shall ensure that the use of funds accepted under subsection (d) will not impact impartial decision-making with respect to environmental reviews or authorizations, either substantively or procedurally.

(f) TRANSFER OF APPROPRIATED FUNDS.—

(1) IN GENERAL.—The heads of agencies listed in section 61002(b)(2)(B) shall have the authority to transfer, in accordance with section 1535 of title 31, United States Code, funds appropriated to those agencies and not otherwise obligated to other affected Federal agencies for the purpose of implementing the provisions of this title.

(2) LIMITATION.—Appropriations under title 23, United States Code and appropriations for the civil works program of the Army Corps of Engineers shall not be available for transfer under paragraph (1).

SEC. 61010. APPLICATION.

This title applies to any covered project for which—

(1) a notice is filed under section 61003(a)(1); or

(2) an application or other request for a Federal authorization is pending before a Federal agency 90 days after the date of enactment of this Act.

SEC. 61011. GAO REPORT.

Not later than 3 years after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report that includes an analysis of whether the provisions of this title could be adapted to streamline the Federal permitting process for smaller projects that are not covered projects.

TITLE LXII—ADDITIONAL PROVISIONS

SEC. 62001. HIRE MORE HEROES.

(a) SHORT TITLE.—This section may be cited as the ''Hire More Heroes Act of 2015''.

(b) EMPLOYEES WITH HEALTH COVERAGE UNDER TRICARE OR THE VETERANS ADMINISTRATION NOT TAKEN INTO ACCOUNT IN DETERMINING EMPLOYERS TO WHICH THE EMPLOYER MANDATE APPLIES UNDER PATIENT PROTECTION AND AFFORDABLE CARE ACT.—Section 4980H(c)(2) of the Internal Revenue Code of 1986 is amended by adding at the end the following:

''(F) EXEMPTION FOR HEALTH COVERAGE UNDER TRICARE OR THE VETERANS ADMINISTRATION.—Solely for purposes of determining whether an employer is an applicable large employer under this paragraph for any month, an individual shall not be taken into account as an employee for such month if such individual has medical coverage for such month under—

''(i) chapter 55 of title 10, United States Code, including coverage under the TRICARE program, or

''(ii) under a health care program under chapter 17 or 18 of title 38, United States Code, as determined by the Secretary of Veterans Affairs, in coordination with the Secretary of Health and Human Services and the Secretary.''.

(c) EFFECTIVE DATE.—The amendment made by subsection (b) shall apply to months beginning after December 31, 2013.

DIVISION G—SURFACE TRANSPORTATION EXTENSION

SEC. 70001. SHORT TITLE.

This division may cited as the ''Surface Transportation Extension Act of 2015''.

TITLE LXXI—EXTENSION OF FEDERAL-AID HIGHWAY PROGRAMS

SEC. 71001. EXTENSION OF FEDERAL-AID HIGHWAY PROGRAMS.

(a) IN GENERAL.—Section 1001 of the Highway and Transportation Funding Act of 2014 (Public Law 113–159; 128 Stat. 1840; 129 Stat. 219) is amended—

(1) in subsection (a), by striking ''July 31, 2015'' and inserting ''September 30, 2015'';

(2) in subsection (b)(1)—

(A) by striking ''July 31, 2015'' and inserting ''September 30, 2015''; and

(B) by striking ''$^{304}/_{365}$'' and inserting ''$^{365}/_{365}$''; and

(3) in subsection (c)—

(A) in paragraph (1)—

(i) by striking ''July 31, 2015'' and inserting ''September 30, 2015''; and

(ii) by striking ''$^{304}/_{365}$'' and inserting ''$^{365}/_{365}$''; and

(B) in paragraph (2)(B), by striking ''by this subsection''.

(b) OBLIGATION CEILING.—Section 1102 of MAP–21 (23 U.S.C. 104 note; Public Law 112–141) is amended—

(1) in subsection (a)(3)—

(A) by striking ''$33,528,284,932'' and inserting ''$40,256,000,000''; and

(B) by striking ''July 31, 2015'' and inserting ''September 30, 2015'';

(2) in subsection (b)(12)—

(A) by striking ''July 31, 2015'' and inserting ''September 30, 2015''; and

(B) by striking ''304/365'' and inserting ''365/365'';

(3) in subsection (c)—

(A) in the matter preceding paragraph (1), by striking ''July 31, 2015'' and inserting ''September 30, 2015''; and

(B) in paragraph (2)—

(i) by striking ''July 31, 2015'' and inserting ''September 30, 2015''; and

(ii) by striking ''304/365'' and inserting ''365/365''; and

(4) in subsection (f)(1), in the matter preceding subparagraph (A), by striking ''July 31, 2015'' and inserting ''September 30, 2015''.

(c) TRIBAL HIGH PRIORITY PROJECTS PROGRAM.—Section 1123(h)(1) of MAP-21 (23 U.S.C. 202 note; Public Law 112–141) is amended—

(1) by striking ''$24,986,301'' and inserting ''$30,000,000''; and

(2) by striking ''July 31, 2015'' and inserting ''September 30, 2015''.

SEC. 71002. ADMINISTRATIVE EXPENSES.

(a) AUTHORIZATION OF CONTRACT AUTHORITY.—Section 1002(a) of the Highway and Transportation Funding Act of 2014 (Public Law 113–159; 128 Stat. 1842; 129 Stat. 220) is amended—

(1) by striking ''$366,465,753'' and inserting ''$440,000,000''; and

(2) by striking ''July 31, 2015'' and inserting ''September 30, 2015''.

(b) CONTRACT AUTHORITY.—Section 1002(b)(2) of the Highway and Transportation Funding Act of 2014 (Public Law 113–159; 128 Stat. 1842; 129 Stat. 220) is amended by striking ''July 31, 2015'' and inserting ''September 30, 2015''.

TITLE LXXII—TEMPORARY EXTENSION OF PUBLIC TRANSPORTATION PROGRAMS

SEC. 72001. FORMULA GRANTS FOR RURAL AREAS.

Section 5311(c)(1) of title 49, United States Code, is amended—

(1) in subparagraph (A), by striking ''ending before'' and all that follows through ''July 31, 2015,''; and

(2) in subparagraph (B), by striking ''ending before'' and all that follows through ''July 31, 2015,''.

SEC. 72002. APPORTIONMENT OF APPROPRIATIONS FOR FORMULA GRANTS.

Section 5336(h)(1) of title 49, United States Code, is amended by striking ''before October 1, 2014'' and all that follows through ''July 31, 2015,'' and inserting ''before October 1, 2015''.

SEC. 72003. AUTHORIZATIONS FOR PUBLIC TRANSPORTATION.

(a) FORMULA GRANTS.—Section 5338(a) of title 49, United States Code, is amended—

(1) in paragraph (1), by striking ''for fiscal year 2014'' and all that follows and inserting ''for fiscal year 2014, and $8,595,000,000 for fiscal year 2015.'';

(2) in paragraph (2)—

(A) in subparagraph (A), by striking ''$107,274,521 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''$128,800,000 for fiscal year 2015'';

(B) in subparagraph (B), by striking ''2013 and 2014 and $8,328,767 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''2013, 2014, and 2015'';

(C) in subparagraph (C), by striking ''$3,713,505,753 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''$4,458,650,000 for fiscal year 2015'';

(D) in subparagraph (D), by striking ''$215,132,055 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''$258,300,000 for fiscal year 2015'';

(E) in subparagraph (E)—

(i) by striking ''$506,222,466 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''$607,800,000 for fiscal year 2015'';

(ii) by striking ''$24,986,301 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''$30,000,000 for fiscal year 2015''; and

(iii) by striking ''$16,657,534 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''$20,000,000 for fiscal year 2015'';

(F) in subparagraph (F), by striking ''2013 and 2014 and $2,498,630 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''2013, 2014, and 2015'';

(G) in subparagraph (G), by striking ''2013 and 2014 and $4,164,384 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''2013, 2014, and 2015'';

(H) in subparagraph (H), by striking ''2013 and 2014 and $3,206,575 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''2013, 2014, and 2015'';

(I) in subparagraph (I), by striking ''$1,803,927,671 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''$2,165,900,000 for fiscal year 2015'';

(J) in subparagraph (J), by striking ''$356,304,658 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''$427,800,000 for fiscal year 2015''; and

(K) in subparagraph (K), by striking ''$438,009,863 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''$525,900,000 for fiscal year 2015''.

(b) RESEARCH, DEVELOPMENT DEMONSTRATION AND DEPLOYMENT PROJECTS.—Section 5338(b) of title 49, United States Code, is amended by striking ''$58,301,370 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''$70,000,000 for fiscal year 2015''.

(c) TRANSIT COOPERATIVE RESEARCH PROGRAM.—Section 5338(c) of title 49, United States Code, is amended by striking ''$5,830,137 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''$7,000,000 for fiscal year 2015''.

(d) TECHNICAL ASSISTANCE AND STANDARDS DEVELOPMENT.—Section 5338(d) of title 49, United States Code, is amended by striking ''$5,830,137 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''$7,000,000 for fiscal year 2015''.

(e) HUMAN RESOURCES AND TRAINING.—Section 5338(e) of title 49, United States Code, is amended by striking ''$4,164,384 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''$5,000,000 for fiscal year 2015''.

(f) CAPITAL INVESTMENT GRANTS.—Section 5338(g) of title 49, United States Code, is amended by striking ''$1,558,295,890 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''$1,907,000,000 for fiscal year 2015''.

(g) ADMINISTRATION.—Section 5338(h) of title 49, United States Code, is amended—

(1) in paragraph (1), by striking ''$86,619,178 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''$104,000,000 for fiscal year 2015'';

(2) in paragraph (2), by striking ''2013 and 2014 and not less than $4,164,384 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''2013, 2014, and 2015''; and

(3) in paragraph (3), by striking ''2013 and 2014 and not less than $832,877 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''2013, 2014, and 2015''.

SEC. 72004. BUS AND BUS FACILITIES FORMULA GRANTS.

Section 5339(d)(1) of title 49, United States Code, is amended—

(1) by striking ''2013 and 2014 and $54,553,425 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''2013, 2014, and 2015'';

(2) by striking ''and $1,041,096 for such period''; and

(3) by striking ''and $416,438 for such period''.

TITLE LXXIII—EXTENSION OF HIGHWAY SAFETY PROGRAMS

Subtitle A—Extension of Highway Safety Programs

SEC. 73101. EXTENSION OF NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION HIGHWAY SAFETY PROGRAMS.

(a) EXTENSION OF PROGRAMS.—

(1) HIGHWAY SAFETY PROGRAMS.—Section 31101(a)(1)(C) of MAP–21 (126 Stat. 733) is amended to read as follows:

''(C) $235,000,000 for fiscal year 2015.''.

(2) HIGHWAY SAFETY RESEARCH AND DEVELOPMENT.—Section 31101(a)(2)(C) of MAP–21 (126 Stat. 733) is amended to read as follows:

''(C) $113,500,000 for fiscal year 2015.''.

(3) NATIONAL PRIORITY SAFETY PROGRAMS.—Section 31101(a)(3)(C) of MAP–21 (126 Stat. 733) is amended to read as follows:

''(C) $272,000,000 for fiscal year 2015.''.

(4) NATIONAL DRIVER REGISTER.—Section 31101(a)(4)(C) of MAP–21 (126 Stat. 733) is amended to read as follows:

''(C) $5,000,000 for fiscal year 2015.''.

(5) HIGH VISIBILITY ENFORCEMENT PROGRAM.—

(A) AUTHORIZATION OF APPROPRIATIONS.—Section 31101(a)(5)(C) of MAP–21 (126 Stat. 733) is amended to read as follows:

''(C) $29,000,000 for fiscal year 2015.''.

(B) LAW ENFORCEMENT CAMPAIGNS.—Section 2009(a) of SAFETEA–LU (23 U.S.C. 402 note) is amended—

(i) in the first sentence, by striking ''and 2014 and in the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''through 2015''; and

(ii) in the second sentence, by striking ''and 2014 and in the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''through 2015''.

(6) ADMINISTRATIVE EXPENSES.—Section 31101(a)(6)(C) of MAP–21 (126 Stat. 733) is amended to read as follows:

''(C) $25,500,000 for fiscal year 2015.''.

(b) COOPERATIVE RESEARCH AND EVALUATION.—Section 403(f)(1) of title 23, United States Code, is amended by striking ''under subsection 402(c) in each fiscal year ending before October 1, 2014, and $2,082,192 of the total amount available for apportionment to the States for highway safety programs under section 402(c) in the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''under section 402(c) in each fiscal year ending before October 1, 2015,''.

(c) APPLICABILITY OF TITLE 23.—Section 31101(c) of MAP–21 (126 Stat. 733) is amended by striking ''fiscal years 2013 and 2014 and for

the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''each of fiscal years 2013 through 2015''.

SEC. 73102. EXTENSION OF FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION PROGRAMS.

(a) MOTOR CARRIER SAFETY GRANTS.—Section 31104(a)(10) of title 49, United States Code, is amended to read as follows:

''(10) $218,000,000 for fiscal year 2015.''.

(b) ADMINISTRATIVE EXPENSES.—Section 31104(i)(1)(J) of title 49, United States Code, is amended to read as follows:

''(J) $259,000,000 for fiscal year 2015.''.

(c) GRANT PROGRAMS.—

(1) COMMERCIAL DRIVER'S LICENSE PROGRAM IMPROVEMENT GRANTS.—Section 4101(c)(1) of SAFETEA–LU (119 Stat. 1715) is amended by striking ''each of fiscal years 2013 and 2014 and $24,986,301 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''each of fiscal years 2013 through 2015''.

(2) BORDER ENFORCEMENT GRANTS.—Section 4101(c)(2) of SAFETEA–LU (119 Stat. 1715) is amended by striking ''each of fiscal years 2013 and 2014 and $26,652,055 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''each of fiscal years 2013 through 2015''.

(3) PERFORMANCE AND REGISTRATION INFORMATION SYSTEM MANAGEMENT GRANT PROGRAM.—Section 4101(c)(3) of SAFETEA–LU (119 Stat. 1715) is amended by striking ''each of fiscal years 2013 and 2014 and $4,164,384 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''each of fiscal years 2013 through 2015''.

(4) COMMERCIAL VEHICLE INFORMATION SYSTEMS AND NETWORKS DEPLOYMENT PROGRAM.—Section 4101(c)(4) of SAFETEA–LU (119 Stat. 1715) is amended by striking ''each of fiscal years 2013 and 2014 and $20,821,918 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''each of fiscal years 2013 through 2015''.

(5) SAFETY DATA IMPROVEMENT GRANTS.—Section 4101(c)(5) of SAFETEA–LU (119 Stat. 1715) is amended by striking ''each of fiscal years 2013 and 2014 and $2,498,630 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''each of fiscal years 2013 through 2015''.

(d) HIGH-PRIORITY ACTIVITIES.—Section 31104(k)(2) of title 49, United States Code, is amended by striking ''each of fiscal years 2006 through 2014 and up to $12,493,151 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''each of fiscal years 2006 through 2015''.

(e) NEW ENTRANT AUDITS.—Section 31144(g)(5)(B) of title 49, United States Code, is amended by striking ''per fiscal year and up to $26,652,055 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''per fiscal year''.

(f) OUTREACH AND EDUCATION.—Section 4127(e) of SAFETEA–LU (119 Stat. 1741) is amended by striking ''each of fiscal years 2013 and 2014 and $3,331,507 to the Federal Motor Carrier Safety Administration for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''each of fiscal years 2013 through 2015''.

(g) GRANT PROGRAM FOR COMMERCIAL MOTOR VEHICLE OPERATORS.—Section 4134(c) of SAFETEA–LU (49 U.S.C. 31301 note) is amended by striking ''each of fiscal years 2005 through 2014 and $832,877 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''each of fiscal years 2005 through 2015''.

SEC. 73103. DINGELL-JOHNSON SPORT FISH RESTORATION ACT.

Section 4 of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777c) is amended—

(1) in subsection (a), in the matter preceding paragraph (1) by striking ''each fiscal year through 2014 and for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''each fiscal year through 2015''; and

(2) in subsection (b)(1)(A) by striking ''for each fiscal year ending before October 1, 2014, and for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''for each fiscal year ending before October 1, 2015''.

Subtitle B—Hazardous Materials

SEC. 73201. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—Section 5128(a)(3) of title 49, United States Code, is amended to read as follows:

''(3) $42,762,000 for fiscal year 2015.''.

(b) HAZARDOUS MATERIALS EMERGENCY PREPAREDNESS FUND.—Section 5128(b)(2) of title 49, United States Code, is amended to read as follows:

''(2) FISCAL YEAR 2015.—From the Hazardous Materials Emergency Preparedness Fund established under section 5116(i), the Secretary may expend during fiscal year 2015—

''(A) $188,000 to carry out section 5115;

''(B) $21,800,000 to carry out subsections (a) and (b) of section 5116, of which not less than $13,650,000 shall be available to carry out section 5116(b);

''(C) $150,000 to carry out section 5116(f);

''(D) $625,000 to publish and distribute the Emergency Response Guidebook under section 5116(i)(3); and

''(E) $1,000,000 to carry out section 5116(j).''.

(c) HAZARDOUS MATERIALS TRAINING GRANTS.—Section 5128(c) of title 49, United States Code, is amended by striking ''each of fiscal years 2013 and 2014 and $3,331,507 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''each of fiscal years 2013 through 2015''.

TITLE LXXIV—REVENUE PROVISIONS

SEC. 74001. EXTENSION OF TRUST FUND EXPENDITURE AUTHORITY.

(a) HIGHWAY TRUST FUND.—Section 9503 of the Internal Revenue Code of 1986 is amended—

(1) by striking ''August 1, 2015'' in subsections (b)(6)(B), (c)(1), and (e)(3) and inserting ''October 1, 2015'', and

(2) by striking ''Highway and Transportation Funding Act of 2015'' in subsections (c)(1) and (e)(3) and inserting ''Surface Transportation Extension Act of 2015''.

(b) SPORT FISH RESTORATION AND BOATING TRUST FUND.—Section 9504 of the Internal Revenue Code of 1986 is amended—

(1) by striking ''Highway and Transportation Funding Act of 2015'' each place it appears in subsection (b)(2) and inserting ''Surface Transportation Extension Act of 2015'', and

(2) by striking ''August 1, 2015'' in subsection (d)(2) and inserting ''October 1, 2015''.

(c) LEAKING UNDERGROUND STORAGE TANK TRUST FUND.—Paragraph (2) of section 9508(e) of the Internal Revenue Code of 1986 is amended by striking ''August 1, 2015'' and inserting ''October 1, 2015''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on August 1, 2015.

DIVISION H—BUDGETARY EFFECTS

SEC. 80001. BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go-Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

SEC. 80002. MAINTENANCE OF HIGHWAY TRUST FUND CASH BALANCE.

(a) DEFINITIONS.—In this section:

(1) HIGHWAY ACCOUNT.—The term ''Highway Account'' has the meaning given the term in section 9503(e)(5)(B) of the Internal Revenue Code of 1986.

(2) HIGHWAY TRUST FUND.—The term ''Highway Trust Fund'' means the Highway Trust Fund established by section 9503(a) of the Internal Revenue Code of 1986.

(3) MASS TRANSIT ACCOUNT.—The term ''Mass Transit Account'' means the Mass Transit Account established by section 9503(e)(1) of the Internal Revenue Code of 1986.

(b) RESTRICTION ON OBLIGATIONS.—If the Secretary, in consultation with the Secretary of the Treasury, determines under the test or reevaluation described under subsection (c) or (d) that the projected cash balances of either the Highway Account or the Mass Transit Account of the Highway Trust Fund will fall below the levels described in subparagraph (A) or (B) of subsection (c)(2) at any time during the fiscal year for which that determination applies, the Secretary shall not approve any obligation of funds authorized out of the Highway Account or the Mass Transit Account of the Highway Trust Fund during that fiscal year.

(c) CASH BALANCE TEST.—On July 15 prior to the beginning of each of fiscal years 2019 through 2021, the Secretary, in consultation with the Secretary of the Treasury, shall—

(1) based on data available for the midsession review described under section 1106 of title 31, United States Code, estimate the projected cash balances of the Highway Account and the Mass Transit Account of the Highway Trust Fund for the upcoming fiscal year; and

(2) determine if those cash balances—

(A) are projected to fall below the amount of $4,000,000,000 at any time during that upcoming fiscal year in the Highway Account of the Highway Trust Fund; or

(B) are projected to fall below the amount of $1,000,000,000 at any time during that upcoming fiscal year in the Mass Transit Account of the Highway Trust Fund.

(d) REEVALUATION.—The Secretary shall conduct the test described under subsection (c) again during a respective fiscal year—

(1) if a law is enacted that provides additional revenues, deposits, or transfers to the Highway Trust Fund; or

(2) when the President submits to Congress under section 1105(a) of title 31, United States Code, updated outlay estimates or revenue projections related to the Highway Trust Fund.

(e) NOTIFICATION.—Not later than 15 days after a determination is made under subsection (c) or (d), the Secretary shall provide notification of the determination to—

(1) the Committee on Environment and Public Works of the Senate;

(2) the Committee on Transportation and Infrastructure of the House of Representatives;

(3) the Committee on Banking, Housing, and Urban Affairs of the Senate;

(4) the Committee on Commerce, Science, and Transportation of the Senate; and

(5) State transportation departments and designated recipients.

(f) EXCEPTIONS.—Notwithstanding subsection (b), the Secretary shall approve obligations in every fiscal year for—

(1) administrative expenses of the Federal Highway Administration, including any administrative expenses funded under—

(A) section 104(a) of title 23, United States Code;

(B) the tribal transportation program under section 202(a)(6), of title 23, United States Code;

(C) the Federal lands transportation program under section 203 of title 23, United States Code; and

(D) chapter 6 of title 23, United States Code;

(2) funds for the national highway performance program under section 119 of title 23, United States Code, that are exempt from the limitation on obligations;

(3) the emergency relief program under section 125 of title 23, United States Code;

(4) the administrative expenses of the National Highway Traffic Safety Administration in carrying out chapter 4 of title 23, United States Code;

(5) the highway safety programs under section 402 of title 23, United States Code, and national priority safety programs under section 405 of title 23, United States Code;

(6) the high visibility enforcement program under section 2009 of SAFETEA-LU (23 U.S.C. 402 note; Public Law 109–59);

(7) the highway safety research and development program under section 403 of title 23, United States Code;

(8) the national driver register under chapter 303 of title 49, United States Code;

(9) the motor carrier safety assistance program under section 31102 of title 49, United States Code;

(10) the administrative expenses of the Federal Motor Carrier Safety Administration under section 31110 of title 49, United States Code; and

(11) the administrative expenses of the Federal Transit Administration funded under section 5338(h) of title 49, United States Code, to carry out section 5329 of title 49, United States Code.

SEC. 80003. PROHIBITION ON RESCISSIONS OF CERTAIN CONTRACT AUTHORITY.

For purposes of the enforcement of a point of order established under the Congressional Budget Act of 1974 (2 U.S.C. 621 et seq.), the determination of levels under the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 et seq.) or the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 931 et seq.), and the enforcement of a point of order established under or the determination of levels under a concurrent resolution on the budget, the rescission of contract authority that is provided under this Act or an amendment made by this Act for fiscal year 2019, 2020, or 2021 shall not be counted.

Mr. MCCONNELL. Madam President, I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 2327 TO AMENDMENT NO. 2266

(Purpose: To reauthorize and reform the Export-Import Bank of the United States)

Mr. MCCONNELL. Madam President, I call up the Kirk amendment No. 2327.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL], for Mr. KIRK, proposes an amendment numbered 2327 to amendment No. 2266.

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

Mr. MCCONNELL. I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 2328 TO AMENDMENT NO. 2327

Mr. MCCONNELL. Madam President, I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 2328 to amendment No. 2327.

Mr. MCCONNELL. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To repeal the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act of 2010 entirely)

At the end, insert the following:

SEC. ___. REPEAL OF THE PATIENT PROTECTION AND AFFORDABLE CARE ACT AND THE HEALTH CARE AND EDUCATION RECONCILIATION ACT OF 2010.

(a) PATIENT PROTECTION AND AFFORDABLE CARE ACT.—Effective on the date that is 180 days after the date of enactment of this Act, the Patient Protection and Affordable Care Act (Public Law 111–148) is repealed and the provisions of law amended or repealed by such Act are restored or revived as if such Act had not been enacted.

(b) HEALTH CARE AND EDUCATION RECONCILIATION ACT OF 2010.—Effective on the date that is 180 days after the date of enactment of this Act, the Health Care and Education Reconciliation Act of 2010 (Public Law 111–152) is repealed and the provisions of law amended or repealed by such Act are restored or revived as if such Act had not been enacted.

(c) BUDGETARY EFFECTS.—The budgetary effects of this section, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this section, submitted for printing in the Congressional Record by the Chairman of the Committee on the Budget of the House of Representatives, as long as such statement has been submitted prior to the vote on passage of this Act.

AMENDMENT NO. 2329

Mr. MCCONNELL. Madam President, I have an amendment to the text proposed to be stricken.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 2329 to the language proposed to be stricken by amendment No. 2266.

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

Mr. MCCONNELL. I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 2330 TO AMENDMENT NO. 2329

Mr. MCCONNELL. Madam President, I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 2330 to amendment No 2329.

The amendment is as follows:

At the end insert the following:

''This act shall be effective one day after enactment.''

CLOTURE MOTION

Mr. MCCONNELL. Madam President, I have a cloture motion at the desk for the second-degree amendment No. 2328.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the McConnell amendment No. 2328, to repeal Obamacare.

Mitch McConnell, Marco Rubio, John Cornyn, John Barrasso, Dan Sullivan, Michael B. Enzi, John McCain, Joni Ernst, Deb Fischer, Tim Scott, Mike Rounds, James E. Risch, Daniel Coats, James Lankford, David Perdue, Richard Burr.

CLOTURE MOTION

Mr. MCCONNELL. Madam President, I have a cloture motion at the desk for the Kirk amendment No. 2327.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the Kirk amendment No. 2327 to amendment No. 2266, as modified, to H.R. 22, an act to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

Lindsey Graham, Mark Kirk, Kelly Ayotte, Susan M. Collins, John McCain, Richard Burr, Roy Blunt, Jeanne Shaheen, Thomas R. Carper, Heidi Heitkamp, Maria Cantwell, Patty Murray, Sherrod Brown, Christopher A. Coons, Richard J. Durbin, Amy Klobuchar, Harry Reid.

Mr. PAUL addressed the Chair.

CLOTURE MOTION

Mr. MCCONNELL. Madam President, I have a cloture motion at the desk for amendment No. 2266, as modified.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the McConnell amendment No. 2266, as modified.

Mitch McConnell, John Cornyn, Orrin G. Hatch, John Barrasso, Pat Roberts, Richard Burr, Thom Tillis, David Vitter, Lindsey Graham, Kelly Ayotte, Lamar Alexander, Daniel Coats, John Hoeven, James M. Inhofe, Roger F. Wicker, Susan M. Collins, John Thune.

Mr. PAUL addressed the Chair.

CLOTURE MOTION

Mr. MCCONNELL. Madam President, I have a cloture motion at the desk for H.R. 22.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

Mr. PAUL addressed the Chair.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on H.R. 22, an act to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

Mr. MCCONNELL. I ask unanimous consent that the reading of the names be dispensed with.

The PRESIDING OFFICER. Is there objection?

Several Senators addressed the Chair.

The PRESIDING OFFICER. Is there an objection from the Senator?

Mr. PAUL. Yes.

Several Senators addressed the Chair.

Mr. MCCONNELL. Regular order.

The PRESIDING OFFICER. The clerk will read the names on the cloture motion.

The senior assistant legislative clerk read as follows:

John Cornyn, Orrin Hatch, John Barrasso, Pat Roberts, Richard Burr, Thom Tillis, David Vitter, Lindsey Graham, Kelly Ayotte, Lamar Alexander, Daniel Coats, John Hoeven, James Inhofe, Roger F. Wicker, Susan Collins, John Thune.

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Madam President, the hard work to pass a bipartisan, fiscally responsible, multiyear highway bill that doesn't raise taxes or increase the deficit continues. It hasn't been easy. We always knew obstacles would lie ahead at every turn, and they sure have, but our country needs a multiyear highway bill, and we will get there if we just continue to stick together.

Perhaps the most challenging issue now relates to amendments. Supporters of the Ex-Im Bank are demanding a vote to reauthorize it, and they have made it clear they are ready to stop all other amendments if denied that opportunity. They have already proven they have the votes to back up the threat as well. This presents a challenge for the Senate and to opponents of the Ex-Im Bank, like myself in particular, but I believe we can still move forward, and I believe the more equitable and more balanced proposal I just offered will allow us to do so.

So let me explain. It provides for votes on two long-sought, nongermane amendments. First, it allows a vote on an amendment to reauthorize the Ex-Im Bank, something nearly every Democrat wants. Second, it allows a vote on an amendment that would repeal ObamaCare, something nearly every Republican wants and something we will continue to fight for.

Ex-Im shouldn't be the only vote we take on this bill, and under the compromise I just filed, it will not be. That is a much fairer way forward.

I would urge my colleagues to join me in voting against Ex-Im, and I urge every Senator to take this important opportunity to join me in voting to finally give the American people the fresh start they deserve on health care.

I know we will engage in a robust debate on all of these issues—we should—and then we will take a vote. While the clock demands that we file cloture given that the highway trust fund will expire at the end of next week, I hope we still have a robust amendment process on this critical bill.

So I would encourage every one of my colleagues to work with the bill managers on their germane amendments.

Senators should also note this: Yesterday, I circulated bill language to both sides of the aisle that I intended to use to modify my amendment No. 2266. That language contained technical and conforming edits as well as the removal of a provision related to fugitive felons that was not needed to fully offset the bill.

I wanted to let my colleagues know the amendment I just offered contains one additional modification. It removes provisions that would have terminated the $1.7 billion Hardest Hit Fund mortgage program. Several Senators on both sides of the aisle—and in particular Senator PORTMAN on our side of the aisle has been a real champion on this issue—expressed their opposition to its termination. So we have reduced spending levels in the bill to accommodate this change, while ensuring the bill remains fully paid for, for 3 years.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

Mr. REID. Madam President, I am just trying to focus. Did I just hear the legislative tree being filled? I can answer that question.

TRAGEDY IN LAFAYETTE, LOUISIANA

Madam President, this morning, Americans are waking to another news account of a tragic and senseless shooting. This one occurred in Lafayette, LA. The details are emerging, but at least two were murdered and about a dozen others were wounded.

We focus, as we should, on the innocent people watching the movie who were murdered, but we also need to focus on the other dozen. How many of those people will be paraplegics, quadriplegics or have injuries that will follow them for the rest of their lives? Time will only tell.

I know I speak for every Member of the Senate when I say our thoughts are with the victims, their families, and the many brave first responders who were at the scene.

AFFORDABLE CARE ACT

Madam President, once again the majority leader has cynically filed another repeal of the Obama health care legislation—it was legislation; it is now the law. I hope the Senate doesn't try to catch up with the House as to how many times they are going to try to repeal it.

It is a fact that the critics are stubbornly ignoring reality. That reality is that the bill passed many years ago. It has been reviewed in detail by various courts in the land and the highest courts in the land have upheld this law, including the Supreme Court, on two separate occasions.

We passed the Affordable Care Act. It has been signed into law. The Supreme Court has upheld it on two separate occasions. It is time for the Republicans to move on and join us in trying to improve the health care delivery system we have in America today. It is time to move on to something else because now we are approaching 20 million people who benefit from the law that is now in existence.

Madam President, 85 percent of these 10.2 million consumers who have coverage in these exchanges have tax credits to help them afford that coverage. These credits effectively cap premiums at a percent of income for those individuals, defraying the impact of any premium increases.

Without going into more numbers, with rare exceptions, the fact is every time I go home I have people come to me and say that we are so grateful for this law because my daughter can now get health insurance. We are not talking about a bunch of teenagers; we are

talking about people who were unable for all of their childhood and their adult life to get insurance until now.

We need to move on. This is not productive. I hope everyone will recognize that the health care delivery system is not perfect, but we are willing to work with the Republicans in trying to improve it, but let's do it constructively.

SEQUESTRATION

Madam President, finally, unless we act, in 3 months the Federal Government shuts down. I appreciate that this is not just me speaking out that something has to be done. The senior Senator from Arizona has said over the last week or so how important it is for the defense of this country to get rid of sequestration. If sequestration kicks in, the funding for defense and nondefense will be exactly the same. The only way that can be changed is if we pass a law in the Senate. Frankly, I would think that is going to be hard to do.

We believe we want to do everything we can to help the defense of this country, our fighting men and women, but we are also concerned about nondefense programs which are in need of repair.

It would be untoward to think we are going to do sequestration at the National Institutes of Health, as an example. Lifesaving, scientific research is being done there every day. The last sequestration knocked their pins out. I have talked to the head of the National Institutes of Health, Dr. Francis Collins. For example, they were so close to coming up with a universal flu vaccine. They had to drop it. They lost almost $2 billion as a result of the first sequestration. I am sorry to say another one that is staring them in the face will only be more hurtful to that great institution.

APPROPRIATIONS

Madam President, I was terribly disappointed yesterday to hear that my friend the Speaker of the House intends to give up on doing his job. He intends to abandon the appropriations process. He told a press conference yesterday: ''It's pretty clear given the number of days we're going to be here in September that we're going to have to do a (continuing resolution) of some sort.''

By relying on a continuing resolution that underfunds critical priorities for working men and women in America—especially our families—Republicans are neglecting their responsibilities and giving up on the middle class. Instead of working together with Democrats to negotiate a long-term funding package, Republicans are calling it quits.

A continuing resolution should be a last-ditch, eleventh-hour option, not an excuse 3 months before the deadline approaches to just say we give up.

I hope the Speaker of the House will change course and recommit his party to working with us. Three months, surely my Republican friends must realize, is more than enough time for us to do our jobs.

Madam President, finally, there are a lot of complaints people can have about the legislation before the body, but I do want to commend the Republican leader for having this amendment before us dealing with the Ex-Im Bank. It is very important that this legislation move on, and I hope the House will pass it as soon as they get it.

Right now, we have—let me just count them. I will not take the time here, but there are about 45 different countries that have working export-import banks that help their businesses and workers compete globally. They are really hurting our exports because our exporters are going to these other companies trying to get some help so they can continue exporting. So I truly do appreciate this being part of this legislation. It is an important piece of legislation. I am so glad the majority leader put that in as something we are going to work on over the next few days.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CRUZ. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CRUZ. Madam President, today is a sad day for this institution.

The Senate operates based on trust. Whether we are Democrats or Republicans, these 100 Senators have to be able to trust that when a Senator says something, he or she will do it, even if we disagree on substance—that we don't lie to each other.

What we just witnessed this morning is profoundly disappointing. I want to describe the context of two preceding discussions.

A number of weeks ago, when this Senate was considering trade promotion authority, a group of Senators gathered on this floor and blocked TPA for many minutes because they were pressing for the Export-Import Bank. They huddled on this floor and negotiated a deal in front of C–SPAN and in front of the world. Then, when they had their deal, TPA had the votes to pass.

Shortly thereafter, we had a Senate Republican lunch, where I stood and asked the majority leader, very directly: What is the deal that was just cut on TPA and was there a deal for the Export-Import Bank? It was a direct question I asked the majority leader in front of all of the Republican Senators. The majority leader was visibly angry with me that I would ask such a question, and the majority leader looked at me and said: There is no deal. There is no deal. There is no deal. Like Saint Peter, he repeated it three times.

He said: The only thing I told the proponents of the Export-Import Bank is, like any other Senator in this body, they could offer any amendment they liked on any amendable vehicle, but I gave them nothing. There is no deal. I gave them nothing. He was emphatic and he was repeated.

Following that public discussion, Senator MIKE LEE and I approached the majority leader afterward, in which he emphasized: There is no deal. I will do nothing. I oppose the Export-Import Bank. All I said is they can offer an amendment like any Senator can to any bill.

I went back to my office and I sat down and I had a long discussion with my staff. My staff told me that afternoon: He is lying to you. That is what my staff said. We have been around the Senate a long time. He is not telling you the truth.

What I told my staff that afternoon, I said: Well, I don't know if that is the case or not, but I don't see how, when the majority leader looks me in the eyes and makes an explicit promise—and by the way, looks into the eyes of every other Republican Senator and says that to every other Republican Senator—I don't see how I cannot take him at his word when he makes an explicit promise.

As a result, I cast my vote in May in support of TPA because I support free trade, and I felt I had no choice but to assume that when the majority leader spoke to 54 Republican Senators and made an explicit promise, he wasn't lying to us. Well, as TPA moved on and it went to the House, it became abundantly clear there was a deal. There was a deal in the House for the Export-Import Bank. So the second time TPA came up, I voted no because of that corrupt deal.

Now, I will note to the public that the majority leader and the Speaker of the House had repeatedly said: There was no corrupt deal. There was no corrupt deal. We made no deal. We made no deal. That is one element of the background context.

Let me tell you a second element of the background context. A number of weeks ago, when we were debating the Corker-Cardin bill, the Iran review act, there were a number of amendments that Senators had filed. I filed an amendment that would actually put teeth in the Iran review act by requiring affirmative congressional approval before sanctions on Iran could be lifted. Other Senators filed very good amendments. Senator MARCO RUBIO filed an amendment calling for Iran to recognize Israel's right to exist as a Jewish State before sanctions could be lifted. Our friends on the Democratic side of the aisle did not want to vote on that amendment, and in response, the majority leader cut off all amendments.

Now, I sat in the majority leader's office, and I urged the majority leader: Invoke cloture on Senator RUBIO's amendment. Invoke cloture on Senator RUBIO's amendment calling on Iran to recognize Israel's right to exist and setting that as a precondition of any lifting of sanctions. I argued vociferously with the majority leader that if the Democrats were so opposed to voting on that amendment, that was all the more reason, because it was important substantively. The majority leader said no, he would not do so, that invoking cloture on an amendment was an extraordinary step, and he would not do so. So he cut off every amendment. He filled the tree.

It was striking a minute ago seeing the Democratic leader, Senator HARRY REID, calling out the majority leader for filling the tree, for engaging in the same procedural abuse that HARRY REID did over and over and over again in this body. Now the Republican leader is behaving like the senior Senator from Nevada.

What we just saw was not, Madam President, what the majority leader told you and me and every other Republican Senator. What we just saw was not that the proponents of the Export-Import Bank, like anyone else, could stand up and offer whatever amendment they like on any issue. What the majority leader did is, No. 1, he called up that amendment. He called it up himself. Why does that matter? Because, as the majority leader, he has priority of recognition. When he calls up an amendment, no one can stop him. He didn't just call it up; he filled the tree. Just like HARRY REID, he filled the tree, blocking everyone else's amendment. And, by the way, I agree with Senator REID when he says the ObamaCare amendment is a cynical amendment. Of course it is. It is empty showmanship.

We will have a vote on repealing ObamaCare. The Republicans will all vote yes, and the Democrats will all vote no. It will be at a 60-vote threshold. It will be an exercise in meaningless political theater. Mind you, when we had a fight in October of 2013 to actually stop ObamaCare and defund it, the majority leader, then the minority leader, was opposed to doing something with real teeth in it to stop ObamaCare. But an empty show vote—that is a good way of distracting from what is going on.

You know, there is a profound disappointment among the American people because we keep winning elections and then we keep getting leaders who don't do anything they promise. The American people were told: If only we have a Republican majority in the House, things will be different. Well, in 2010, the American people showed up in enormous numbers, and we got a Republican majority in the House, and very little changed. Then the American people were told, you know, the problem is the Senate. If only we get a Republican majority in the Senate and retire HARRY REID as majority leader, then things will be different. Well, in 2014, the American people rose up in enormous numbers and voted to do exactly that. We have had a Republican majority in both Houses of Congress now for about 6 months.

What has that majority done?

The first thing we did in December is we came back and passed a trillion dollar CRomnibus plan filled with pork and corporate welfare. That was the very first thing we did. Then this Republican majority voted to fund ObamaCare, voted to fund President Obama's unconstitutional Executive amnesty. Then leadership rammed through the confirmation of Loretta Lynch as Attorney General. Which of those decisions would be one iota different if HARRY REID were still majority leader? Not a one. Not a one. This Senate operates exactly the same—the same priorities. Let me tell you why. It is not that this majority doesn't get things done. It does get things done. But it listens to one and only one voice; that is the voice of the Washington cartel—the lobbyists on K Street, the big money and big corporations.

If you go to the American people and ask if reauthorizing the Ex-Im Bank is a priority for you, the standard response for most of them would be this: The what? They don't even know what this is. Let me tell you what it is. It is an egregious example of corporate welfare. It is the American taxpayer being on the dime for hundreds of billions of dollars in loan guarantees given out to a handful of giant corporations. It is a classic example of cronyism and corporate welfare. By the way, among others, do you know what person had the clarity of thought on that? Then-Senator Barack Obama, who described it as a classic example of corporate welfare. That was when he was in the Senate. Now that he is in the White House, corporate welfare sounds pretty good. Now, just about all of the Democrats are supporting the corporate welfare with the exception of BERNIE SANDERS. I will give credit to Senator SANDERS for standing up against corporate welfare. But as to every Democrat who rails against big money and the corruption of Washington, as to every Democrat who styles himself or herself a populist, their actions on this matter speak far louder than their words. When it comes to Republicans, Republicans also are listening to K Street and the lobbyists. Why? It is not complicated. The giant corporations that are getting special favors from the taxpayers hire an army of lobbyists who write campaign checks after campaign checks. And, by the way, these checks go to both Democrats and Republicans. It is career politicians in both parties who are kept in office by looting the taxpayer to benefit wealthy powerful corporations.

The single largest recipient of loan guarantees from the Ex-Im Bank is the Boeing corporation. The Boeing corporation just had an earnings call where their CEO said—and I am paraphrasing: We'll be just fine without the Ex-Im Bank. It is not impacting us. There are plenty of private loan alternatives out there. But even though the market could provide, it is a lot easier to have compliant lawmakers rob from the public fist to enrich giant corporations.

Do you know who doesn't have lobbyists? A single mom waiting tables. Do you know who doesn't have lobbyists? A teenage immigrant like my father, washing dishes, making 50 cents an hour, struggling to achieve the American dream. Do you know who doesn't have lobbyists? A factory worker who just wants to work and provide for his or her children. They don't have lobbyists, and so what happens? Career politicians in both parties gang up with giant corporations to loot their taxes to make it harder for people who are struggling to achieve the American dream.

Coal miners, Madam President, in your State don't have lobbyists who are representing them here—the individual miners—while the majority leader teams up with the Democratic leader to take from their paychecks to fund giant corporations. It is wrong and it is corrupt.

It saddens me to say this. I sat in my office. I told my staff: The majority leader looked me in the eye and looked 54 Republicans in the eye. I cannot believe he would tell a flatout lie, and I voted based on those assurances that he made to each and every one of us. What we just saw today was an absolute demonstration that not only what he told every Republican Senator but what he told the press over and over and over again was a simple lie.

This institution should not operate at the beck and call of lobbyists in Washington. This institution, the majority and minority leaders arm in arm again, should not team up against the American taxpayers. It is why our children are going bankrupt.

Now we are facing an enormous threat with this Iran deal. A nuclear Iran poses the greatest national security threat to this country. Yet the majority leader refused to do what he just did for the Export-Import Bank on Iran. He refused to invoke cloture. That was an extraordinary step. If he was telling us the truth when he said there was no deal, why would he do what he just did? Well, we now know that when the majority leader looks us in the eyes and makes an explicit commitment, he is willing to say things that he knows are false. That has consequences for how this body operates.

If you or I cannot trust what the majority leader tells us, that will have consequences on other legislation as well, on how this institution operates.

There are a host of amendments that the American people have focused on—issues such as defunding Planned Parenthood after the gruesome video. The majority leader doesn't want to vote on that. That is actually something the American people are focused on. He brought up his ObamaCare amendment as a smokescreen, because it is intended to fail. But you know, what he didn't bring up was my amendment to end the congressional exemption from ObamaCare—the corrupt deal that HARRY REID cut with President Obama to exempt Members of Congress. We ought to live under the same rules as everybody else. The majority leader doesn't want to vote on that because he doesn't want to end the cronyism for Members of Congress any more than end the cronyism for giant corporations that enrich themselves at the expense of the American people.

There are a host of priorities for the voters who elected you and me. Madam President, I would ask you to think about when you were running for the Senate not too long ago. Do you recall any of your constituents ever saying: We want the Export-Import Bank. No, they want other things. They have other priorities, but those are not the priorities of the Republican leadership.

Sadly, today we have government of the lobbyists, by the lobbyists, and for the lobbyists. That is not how the Senate is supposed to operate. A far more important amendment than bringing back this corporate welfare and cronyism is my amendment that provides that sanctions on Iran cannot be lifted unless and until Iran does two things: No. 1, it recognizes Israel's right to exist as a Jewish State, and No. 2, it releases the four American hostages languishing in Iranian prisons. That is a far more important issue than enriching some more lobbyists on K Street and getting a few more campaign contributions. That is what we should be voting on.

Accordingly, Madam President, I call up my amendment No. 2301 to the McConnell amendment No. 2266, as modified.

The PRESIDING OFFICER. The amendment is not in order to be offered, as it is inconsistent with the Senate's precedents with respect to the offering of amendments, their number, degree, and kind.

APPEAL OF THE RULING OF THE CHAIR

Mr. CRUZ. Madam President, I appeal the ruling of the Chair that the amendment is not in order.

The PRESIDING OFFICER. The appeal is debatable.

Mr. CRUZ. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mrs. BOXER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. BOXER. Madam President, I want to start by thanking the Presiding Officer for her work on the Environment and Public Works Committee. We did what some people think is the impossible: We passed a bill without one dissenting vote to move forward with a 6-year reauthorization of our highway and transit programs.

People say: How did the committee do it? You are so split on other issues.

It is because we recognize—all of us, whether we are liberal, progressive, moderate, conservative, very conservative—that it is essential for our great Nation to have an infrastructure that works. Last week, a bridge collapsed in California. It was a miracle no one was killed. That bridge carries people from California to Arizona. That means commerce goes over that bridge. That means passenger cars go over it.

This is what happened. This is what it is about. It is not about what committees got in a room. It is not about Senator CRUZ's ideological issues. It is not about any lobbyist. It is about the hard, cold fact that more than 60,000 of our bridges are structurally deficient. It is very hard to go to bed at night knowing we have not done anything about this except just do these short-term extensions of the highway trust fund where States are simply not undertaking the kinds of projects they need to undertake, which are inspecting those bridges and moving forward with repairing and strengthening them.

The reason I have this here—to me, it is the poster child of why, on a bipartisan basis, we need to continue to move forward. Forget about the naysayers on the Democratic side. Forget about the naysayers on the Republican side. Let's have those of us who see this as the issue, not the process, you know, not the sequester which we have to solve—it is not part of this.

We have two bad problems facing us: the highway trust fund that funds the transit and highway system and sequester is another problem. If we can solve this problem now, let's solve this problem now.

We have a coming together, a very odd coalition here of Republicans and Democrats, despite the fact, I venture to say, that not one person loves this bill. There are always going to be things in a bill you don't like. We stripped some of the pay-fors that were hurting our cities. Thanks to Senators PORTMAN, STABENOW, and PETERS, that was done. That is good. We have a bill that is fully paid for, for 3 years—the first time in 10 years.

We can always find problems. We can always say: Why are we doing this and not doing that? Well, the reason we are doing this is—if my numbers are right—we are single digits away from the highway trust fund going bust. It goes bust on July 31. Imagine. And we are fighting about this? We ought to be moving this faster. Oh, no, we have a filibuster; we have to be in this weekend. But it is worth it. I asked my staff to figure it out. Over the 3-year period, it is 2 million jobs—2 million jobs. That is a quarter of the jobs that were lost in the great recession. The fact is, those families are suffering still—over 500,000 construction workers out of work.

I want to say this. When people say ''Well, the lobbyists are winning here,'' who are the people who are pushing us for a bill?

I would ask the American people—make your decision. The U.S. Chamber of Commerce, the International Union of Operating Engineers, the Laborers' International Union of North America, the AAA, the U.S. Conference of Mayors, the United Brotherhood of Carpenters, the American Association of State Highway and Transportation Officials, Mothers Against Drunk Driving, American Council of Engineering Companies—I would just say to folks that this is a rare coming together of America. The Presiding Officer has been around here for a while. It is hard to find the U.S. Chamber on the same page as the Laborers' International and on the same page as Mothers Against Drunk Driving and the Conference of Mayors and engineering companies.

Let's continue looking at this list: the American Highway Users Alliance, the American Public Transportation Association, the American Road & Transportation Builders Association, the Society of Civil Engineers, the American truckers, the Associated Equipment Distributors, the general contractors, the equipment manufacturers, the Association of Metropolitan Planning Organizations, the National Asphalt Pavement Association.

Labor has come together with business. Cities have come together with States. The users of the roads, the AAA—remember how we call them when our car breaks down, sometimes because it falls into a pothole and gets all messed up? The AAA wants this done.

I am saying that this is an opportunity. There are naysayers on everything. It is rare that we can come together and get anything done. This is one of those moments.

I want to share the fact that, on average, Federal funds provide 52 percent of every State's outlays for highways and bridges—52 percent, the average. There are some States that rely on the Federal Government more. I will tell you which States they are: Montana, 87 percent reliance on the Federal Government; Idaho, 68 percent reliance; Oregon, 54 percent reliance; Colorado, 64

percent—in other words, these States are counting on us—New Mexico, 70 percent; Minnesota, 64 percent; Missouri, 65 percent; Oklahoma, 63 percent; Mississippi, 65 percent; Alabama, 68 percent; Georgia, 62 percent; South Carolina, 79 percent; New Hampshire 57 percent; Vermont, 86 percent—I am sorry, New Hampshire is 68 percent—Maine, 57 percent; Rhode Island counts on it for everything, almost 100 percent; Connecticut, 71 percent; DC, 52 percent; Alaska, 93 percent; Hawaii, 79 percent; West Virginia—I thought my friend would be interested—61 percent reliance.

So what I am trying to say is that if we do not succeed on this and we give it a patch again, our States will shut down. Seven States have already shut down their programs. They cannot sign contracts to fix any bridge. If seven States have already shut down and we do another extension, we are talking about hundreds of thousands of jobs bleeding—bleeding. We will spin back into a bad situation.

I see the Senator from Montana is here. I was just going through the list and showing that our States do rely on this highway program, and Montana relies on it for 87 percent of their spending. The average in the country is 52 percent, but a lot of our Western States that have so many miles rely on us more. My own State is 49 percent, but I have to say, we have 40 million people, and if we are not getting 49 percent of what we are used to getting, we are shutting down a lot of programs.

I say all the time, if you want to get a house and you go to the bank and it says: Oh, you are cleared. You get a mortgage for 5 months. Well, you are not going to buy the house. You are not going to buy the house. You are going to say: Well, thank you for nothing. And that is the place we are.

I know my colleague would like to have the floor, and I don't need to say anything else except we have been working so hard across the aisle, Senator DURBIN and I, with Senator MCCONNELL and Senator INHOFE. It has been a collaboration and it has been difficult. We come to the table with different ideologies and different ideas. We have hammered it out, and we have hammered it out because none of us, whether we are a Republican or Democrat, moderate or conservative or liberal, wants to see this happen again anywhere, but it is going to happen again.

I can't tell you how shocked I was. Imagine, anyone going to Arizona now has to go 400 miles out of their way. What does that do to commerce? What does that do to the truck drivers trying to deliver goods? What does it do to our tourist industry? How many people go back and forth? They are going to make a fix to this, but it is going to be a little tough because they are going to take one span and shut it down while they fix it and the other will be a one-way this way and that way. So it could be more dangerous.

I just say thank you to my Republican friends, to my Democratic friends. We have two amendments, one is the Ex-IM Bank. We will vote on it on Sunday. Hopefully, that will pass and be attached to this bill. It is an important jobs bill.

The other one is a Republican amendment to repeal ObamaCare. I will not go into it today, but I have to say the House has voted 55 times on this issue. The Supreme Court said it is fine. We are reaching 20 million Americans who now have health care. Why, as my friend the Democratic leader asked, don't we just get together and make ObamaCare better?

I have met so many people who are thrilled to have insurance, but there are ways we can make it better. But to talk about repealing something that is already in law, and it will be there—we can make it better. Let's not keep this repealing ObamaCare idea out there because it would hurt too many people and would create chaos.

I hope we will vote against that and vote for Ex-Im. But much more important is that we are going to see Senator CRUZ and others who want to disrupt this, who will offer a lot of irrelevant amendments—amendments on Iran, amendments on a woman's right to choose. That is what is going to happen. The Chair is going to rule in accordance with precedent, and we are going to have to support the ruling of the Chair. It is going to be a tough and messy process.

Someone said to me: Now that you are in the middle of this, is it true that passing a law is like making sausage? I said: Well, that would be an insult to sausage. That is how tough it is. It is tough. Last night, at 11:30, 20 minutes to 12, I thought the deal was off. It has been tough, but we managed to come together.

We don't want this to happen. We want to give certainty to the States, and I hope we will stick together, as strange as the coalition is—because it is an odd one of Republicans and Democrats, though it is the way the Senate used to work—and get this done.

Again, I thank all Members, even the ones who have opposed me strongly and opposed Senator MCCONNELL strongly. Thank you for being here, and I hope you will be here Sunday because we have a couple of very important votes.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. DAINES. Madam President, some in my home State of Montana like to say we have two seasons: winter and construction season.

In fact, I grew up in the construction business. You learn in Montana there is a famous line when you are paving and putting in infrastructure. It is called 40 degrees and rising. In other words, if the temperature is not at least 40 degrees and rising, you are not supposed to pave. What that means is that we don't have a real long construction season in Montana to build our highways.

I also know how important it is to have certainty before you can break ground, before you can plan a project. With long winters and short summers, Montana construction workers know what it is like to wait for 40 degrees and rising before putting down the asphalt. Unfortunately, they have also learned to wait a long time for a long-term highway bill that provides the certainty needed to make the long-term investments in infrastructure.

Congress has passed 33—let me say that again, 33—short-term extensions in an attempt to keep the highway trust fund solvent. Those are 33 too many short-term extensions. As somebody who has spent 28 years in the private sector, I think it is ridiculous as I watch the way the Federal Government operates to try to manage in this spurt-driven, short-term-driven environment of Washington, DC—and I would argue crisis-driven environment.

This uncertainty, coupled with rigid programs that make planning and executing projects very difficult, is prohibitive to progress and strengthening the infrastructure in our country. These short-term extensions, these short construction seasons for those who live in the Northern part of our country, along with these rigid regulations, leave States such as Montana with their hands tied and hard-working Montana construction workers with their pockets empty.

Montana's short construction season is already well underway, and it is critical that Congress approves a multiyear solution that provides Montana and the rest of our country with the certainty needed to make long-term infrastructure investments.

Montana's extensive transportation is a pillar of our economy. It allows visitors, our tourists, to come to our State and enjoy our national parks. It allows our residents, including our farmers and our ranchers, the ability to traverse the State and to get their goods to market. In any final transportation bill, it is critical to maintain Montana's share of Federal highway, transit, and safety programs.

Congress needs to maintain support for the rural as well as the metropolitan areas. In fact, vehicle miles traveled increased in Montana by 43 percent from 1990 to 2012—to nearly 12 billion vehicle miles traveled. This is estimated to increase another 30 percent by 2030.

Because Montana is a bridge State, we play a vital role in national connectivity. For example, Interstate 90 connects the east coast to the west

coast. It runs from Boston to Seattle. I–15 connects our northern-to-southern borders. Now, I–90 is 3,000 miles long. Nearly 600 miles pass through the State of Montana. In fact, you add up the number of miles of interstate highway we have in Montana alone, it is over 1,000 miles. How far is 1,000 miles? To put that in DC terms, it is like going from Washington, DC, to Kansas City. In fact, the I–15 stretch that runs north-south in Montana is the second longest section of I–15. It is only 4 miles shorter than the entire north-south direction of the State of Utah.

In fact, studies by the research group TRIP have shown the two largest transportation challenges facing Montana are I–90 and I–15. There is inadequate capacity, there is deterioration of the pavement, and we need bridges replaced because these inadequacies will have a national impact. TRIP estimates $7.4 billion is needed to address Montana's top 20 list of challenges. However, there is only $1.2 billion currently available. That leaves a nearly $6 billion backlog.

What we need is to support a long-term highway bill. It creates construction jobs—union jobs. That is what is sitting on the table right now and what we will be debating this week in the Senate. These new jobs, created by increased access and infrastructure capacity, are being left unrealized.

Specifically, in these times of constrained funding, it is critical to allow our States to have the flexibility to direct funds to their top needs and their most effective projects. The bill we are now debating will create a multiyear highway authorization and provide time to plan important long-term projects around the country and provide 3 years of guaranteed funding for the highway trust fund.

I am an engineer by degree. In fact, I am the only chemical engineer who serves in Congress. When you are in engineering, you take a look at a problem and you find a solution. When you are an engineer, you lay out project plans. We need to put certainty in place so we can plan to improve the infrastructure of this country—to rebuild our highways, rebuild our bridges that are so much in need of repair at the moment.

If we pass a multiyear highway bill, it will reverse Congress's trend of short-term, temporary bandaid fixes to fund the Nation's transportation network. Across the country and in Montana these patches have left States and localities without the certainty they need to plan and build long-term infrastructure projects.

In the Senate committee on commerce, I have been working to ensure we have some of these needed reforms, and I want to thank Senator JOHN THUNE for his efforts in leading the committee. I look forward to a robust amendment process and debate on this much needed legislation.

The bottom line: I am looking forward to passing a long-term, multiyear highway bill that provides certainty, that improves the infrastructure of our country and most importantly creates jobs.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. PETERS. Madam President, I rise to express my deep appreciation to my colleagues Senators STABENOW and BROWN and to the majority leader for the bipartisan work that was done to remove a harmful and economically costly financing provision from the bill that is currently before this body. I had significant concerns with a provision in the pending highway bill which could have impaired the economic recovery in my home State of Michigan and in States across our country.

I am a strong supporter of programming to invest in our Nation's infrastructure, and much of the substance of this bill is absolutely essential. I applaud the work that has been done on a bipartisan basis to achieve a compromise, something that happens too little in Washington. While I believe Congress must make smart investments in our Nation's roads, bridges, and infrastructure, I also believe we must do so in a responsible way that does not hamper the economic recovery occurring in our States.

There are numerous financing policy alternatives available to lawmakers to fund infrastructure investments, but the drafters of this legislation originally chose to pay for infrastructure investments, in part, by asking some of the hardest hit communities in our Nation and in my State to bear the burden in order to help pay for the infrastructure investments contained in this bill. I am talking about a provision in the original bill and in the substitute which would have eliminated an important economic recovery program called the Hardest Hit Fund.

The Hardest Hit Fund has successfully supported efforts by local lenders to promote economic revitalization and renewal after the deepest and most painful housing and financial crisis in modern history. The Hardest Hit Fund helps States and municipalities invest in their citizens and in their communities. According to the most recent data reported by the State of Michigan, the Hardest Hit Fund has assisted more than 25,000 of my constituents in preserving their piece of the American Dream—their family home.

Not only are these funds being used to keep eligible families in their homes, but these dollars have also been put to work improving neighborhoods that have been devastated by urban blight resulting from America's most recent economic challenge.

In Michigan, we know the impact abandoned properties can have on economic renewal. Blight is not just ugly, creating eyesores and dragging down surrounding property values, empty homes and buildings also serve as way stations for criminals and drug dealers and further discourages outside investors and homeowners from taking a chance on a neighborhood that has been affected by blight.

That is why local leaders have been working with the nonprofit and private sectors to identify and eradicate blight in our communities. Several thousand blighted properties have been demolished or removed thanks to Michigan's partnership with the Hardest Hit Fund, and thousands more are in the pipeline to be addressed in the near term.

Thanks to the work done to address blight, homeowners are investing again in neighborhoods. Urban farming and greening and beautification efforts are well underway with businesses, nonprofits, and local schoolchildren transforming their communities one block at a time. Some of the impacted cities have already made investments in this area in anticipation of reimbursement from the Hardest Hit Fund. It would have been an unfair and inappropriate breach of our agreement to pull the rug out from under these cities at this stage in the game. That is why I worked with Senators DEBBIE STABENOW and SHERROD BROWN to offer an amendment to strike this provision in the highway bill that would have rescinded the remaining Hardest Hit Fund money from communities that most desperately need it.

Congress must come together and pass a multiyear transportation bill that makes smart investments to upgrade our country's crumbling infrastructure, but it would have been unacceptable to fund this plan at the expense of the communities in Michigan and other States that rely on the Hardest Hit Fund to eliminate blight and improve their local neighborhoods. This proposal not only risked future blight-removal funds, it could have left cities across Michigan on the hook for millions of dollars already outlaid for blight-removal projects.

As legislators, it is important that we first do no harm when making policy. In considering this highway bill, it is important for us not to harm the very communities we are aiming to help by advancing infrastructure policies.

It was important for us to act to avoid impairing the economic renewal that is underway in places such as Detroit, Flint, Grand Rapids, Saginaw, Pontiac, and other communities across my great State. Elimination of Hardest Hit funding would have been harmful to entire communities that are relying on public-private partnerships to transform their communities.

For these reasons, I was prepared to oppose the legislation we are considering today because I believed these changes would do damage to the economic recovery in my State. I could

not in good conscience support this legislation under those conditions. But thanks to the unwavering dedication of my colleague, the senior Senator from Michigan, Ms. STABENOW, and the cooperation of the majority leader, we were able to find a way forward that avoids disruption to this important program and avoids devastating economic outcomes in cities across my State.

This is what the legislative process should be all about here in the Senate. We were able to come from a point of major disagreement, and through intense and respectful discussion, we were able to agree on a workable solution. This process has demonstrated that colleagues on both sides of the aisle can work together to prioritize the needs of their constituents while also advancing the economic interests of our country.

I look forward to further consideration of this important legislation.

SBA'S 7(a) LOAN PROGRAM

Madam President, I wish to take a moment to express my gratitude to my colleagues in the Senate for prioritizing the needs of our Nation's small businesses.

Last night the Senate passed a critical and timely reform of the Small Business Administration's flagship lending program, the 7(a) Loan Guaranty Program.

Because of a growing economy and increased demand for small business loans, the SBA's 7(a) lending authority for this fiscal year may have been jeopardized absent the actions we took last night. This bill increased the 7(a) loan program authority from $18.75 billion to $23.5 billion. It also tightened the standards on lenders' determinations of borrower eligibility in order to target the SBA guaranty to promote loans to those who truly need it, and it included robust SBA reporting requirements that will keep Congress updated on the pace of lending going forward.

I am glad we were able to act in a bipartisan fashion to address this issue to continue to put the wind at the back of our country's entrepreneurs. We must make sure small businesses continue to receive the resources they need to survive, to compete, and to succeed.

I thank Senators VITTER, SHAHEEN, and RISCH for their leadership on this matter. I have been working with them since the spring to increase the lending authority, and I am proud to say we accomplished that for the rest of this fiscal year.

Small businesses need to access the capital they need in order to continue growing and creating jobs. The 7(a) program is a true success story that provides small businesses and startups with a versatile financing tool that can be used to support a wide range of business development activities.

It is also a promising sign for our economy that demand for the 7(a) loan program is increasing at a faster rate than anticipated just last December when the previous authorization level was set.

In last week's semiannual ''Monetary Policy Report'' to Congress, the Federal Reserve indicated that financing conditions for America's small businesses were continuing to improve.

In recent months, SBA's 7(a) program has experienced unprecedented demand, approving over 45,000 loans this year totalling more than $16.5 billion—a 25-percent increase over this same period last year.

According to a Pepperdine University and Dun & Bradstreet study published this summer, America's small businesses are seeing rises in revenue, with 48 percent of surveyed small firms reporting revenue increases—4 percent growth from 3 years ago. Demand for small business loans increased by 9 percent over the first quarter's study.

These are positive signs. We have more work to do, but they are very positive. If these trends continue, we will need to ensure that next year's lending authorization level reflects the still-recovering economy and the growth of small business loan demand so that we will not be up against the cap again next year.

The reporting improvements in the bill passed last night will also help Congress perform better oversight and monitor the developments in the 7(a) lending program in a more timely manner.

The 7(a) program is a critical tool in the small business policy toolkit because it helps our economy at no cost to the taxpayer. Let me repeat. This is a no-subsidy program, so this increased authorization comes at no cost to taxpayers.

Small businesses are the backbone of our economy, and helping them grow and compete should be a bipartisan priority. As a member of the Senate Small Business and Entrepreneurship Committee, I look forward to working with my colleagues on both sides of the aisle to explore other small business policy changes in the months and years ahead. Our Nation's small businesses create jobs and help support our local tax bases, which in turn feed education, public safety, and health care priorities.

It is not a stretch to say that if small businesses succeed, all of our communities succeed. That is why I was proud to work with Senator RISCH as the lead cosponsor on the Small Business Lending Reauthorization Act of 2015 earlier this year, and I was proud to work with the chairman and ranking member of the Committee on Small Business and Entrepreneurship to pass this legislation to deliver needed results last night.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. GARDNER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NUCLEAR AGREEMENT WITH IRAN

Mr. GARDNER. Madam President, I rise today to join many of my colleagues in the Senate to express grave concerns with the currently proposed Iran deal from the administration. This deal is fundamentally at odds with the goals that these negotiations set out to achieve in the first place, which were to prevent a nuclear Iran. In fact, this deal does the opposite. It provides a patient pathway to the nation of Iran.

With this deal, the administration has granted international blessing to a full-scale Iranian nuclear program in 15 years. With this deal, we let Iran keep its most prized nuclear assets, such as advanced centrifuges and to convert but not dismantle its nuclear reactors at Arak and Fordow. With this deal, the anytime, anyplace access to all of Iran's nuclear facilities became managed access. With this deal, inspectors need 24-day permission from Tehran to access their military facilities such as Parchin, which we know were used for nuclear weaponization work in the past.

With this deal, our economic leverage in Iran through the sanctions regime that was painstakingly built over a number of years will be completely squandered. With this deal, Iran will rebuild its economy and add economic resilience against future sanctions through $100 to $150 billion in economic relief and lifting the sanctions.

With this deal, the arms embargo on Iran will be lifted in a mere 5 years, allowing the regime to double down on its terrorism activities, including its support for Hezbollah, Hamas, and the murderous Assad regime in Syria.

With this deal, the ballistic missile embargo will be ended in 8 years. The ballistic missile embargo against Iran will be lifted in 8 years, directly endangering Israel and further down the line, the U.S. homeland. As with many aspects of this agreement, hard-nosed verification gives way to Iran's wishes.

According to the new U.N. Security Council resolution, Iran is ''called upon not to undertake any activity related to ballistic missiles designed to be capable of delivering nuclear weapons.'' That is the U.N. Security Council resolution.

What if Iran ignores the call of the international community, as it has done through decades of deception and violations of U.N. Security Council resolutions?

There is no other way to describe this deal other than as a massive win for the Iranian regime at the expense of the national security of the United States and our closest allies.

The leaders of the nation of Israel, the nation which Iran has threatened to ''wipe off the face of the earth'' have agreed. Has the President listened to our military and the intelligence community before concluding this terrible deal? The 2014 Quadrennial Defense Review said:

Even as Iran pledges not to pursue nuclear weapons, Iran's other destabilizing activities will continue to pose a threat to the Middle East, especially to the security of our allies and partners in the region and around the world.

The Chairman of the Joint Chiefs of Staff, General Martin Dempsey, testified that ''under no circumstances should we relieve pressure on Iran relative to ballistic missile capabilities and arms trafficking.''

Defense Secretary Ash Carter said: ''We want [Iran] to continue to be isolated as a military and limited in terms of the kinds of equipment and material they are able to procure.''

Yet we have the conventional arms embargo lifted in 5 years and the ballistic missile embargo in 8 years under this deal. The deal achieves none of those goals, but instead lets Iran off the hook to pursue arms exports and ballistic missile activities in only a few short years.

Yesterday I had the opportunity to engage Secretary Kerry, Secretary Moniz, and Secretary Lew at the Senate Foreign Relations Committee. I was left confounded and stunned by their responses.

I questioned Secretary Lew about several of the top nuclear figures who will be given sanctions relief under this deal. These are individuals who are given sanctions relief under this deal: Mohsen Fakhrizadeh-Mahabadi, known as the father of the Iranian nuclear program; Mr. Abbasi, whom the United Nations blacklisted in 2009 for being a close aide to Mr. Fakhrizadeh and working on nuclear programs in Iran and their very own ballistic missile program; and Gerhard Wisser, a German engineer who in 2007 was convicted and sentenced to 18 years in prison by a South African court for his role in supplying centrifuge components to the A.Q. Khan black market network of nuclear proliferation. They received sanctions relief under this deal.

When I asked Secretary Lew what message these delistings will send to proliferators around the world, his response was:

I think that the message is if you violate the rules and develop nuclear weapons and we and the world take action against you—it will have significant consequence. But if you reach an agreement and you unwind your nuclear program that also will have consequence.

The moral of the story, according to testimony before the Senate Foreign Relations Committee, is if you cheat long enough on a large enough scale, the United States will negotiate to give you complete amnesty from the consequences. It is a simply stunning outcome.

When I asked Secretary Kerry whether lifting the ballistic missile embargo will make Israel safer, his response was this: ''absolutely no question whatsoever that Israel is safer.''

On the question of whether to lift the ballistic missile embargo against Iran, the Secretary of State believes that it will put Israel in a safer position to give the Iranians ballistic missiles by lifting the embargo.

In fact, the Prime Minister has said in response to lifting a variety of sanctions, not including the ballistic missile embargo: ''I think to give Iran these capabilities is a grave mistake.''

Yet Secretary Kerry believes that by lifting the embargo—the ballistic missile embargo against Iran—there is absolutely no question whatsoever that it makes Israel safer.

My guess is Prime Minister Netanyahu would certainly disagree with that statement. As he has already said, it would be a grave mistake.

It is not just Prime Minister Netanyahu who believes it would be a grave mistake. It is the leaders on both the left and the right in Israel, who believe that lifting these provisions is a grave mistake. To Secretary Moniz, I quoted a top former IAEA official—an agency that was brought up before throughout the committee hearing, an agency that has done this time and again and that we rely on, respect, and trust to carry out the elements of this deal. Former IAEA official Olli Heinonen said of this inspection regime: ''A 24-day adjudicated timeline reduces detection probabilities exactly where the system is weakest: detecting undeclared facilities and materials.''

This deal gives 24-day notice, not anytime, anywhere inspections—24-day notice. It is not anytime, anywhere, 24-day notice, which will allow them to hide and to be able to present facilities and materials in an undetected and undeclared manner.

Secretary Moniz responded to this question: ''We have to know where to look, and that's the traditional role of intelligence—ours and those of our allies and friends.''

If we are relying on intelligence to know where to look, what access did we actually gain from the deal with Iran?

Finally, I asked the Secretaries how many imprisoned Americans will be freed as part of the deal. We all know the answer is none. Yet the father of Iran's nuclear program will receive sanctions relief.

Deal or no deal, four Americans, including Pastor Abedini will continue to languish in Iranian jails. Deal or no deal, we will know nothing more about the whereabouts of Bob Levinson. Deal or no deal, this administration continues to leave American citizens as prisoners to Iran. These American citizens being held captive are but one more reminder of the regime we are dealing with and why they are not an equal and should not be treated as an equal negotiating partner. Let us never forget the nature of the regime that was on the other side of the bargaining table. On October 23, 1983, a terrorist attack on the U.S. Marine barracks in Beirut, Lebanon, killed 241 American service men and women. Hezbollah, the wholly owned subsidiary of Iran, is widely believed to have been behind the attack.

Last week, Gen. Joseph Dunford, the President's nominee to lead the Joint Chiefs of Staff was asked about Americans killed in Iraq and Afghanistan by Iranian-supported militants. General Dunford said: ''I know the total number of soldiers, sailors, airmen and Marines that were killed by Iranian activities and the number has been recently quoted as about 500.''

So can a regime that has killed at least 700 American soldiers be relied upon to implement this deal in good faith and in a constructive atmosphere based on mutual respect as stated in the text of the agreement? Does the Iranian regime deserve mutual respect from the United States? It does not and it should not. President Obama insists that the only alternative to this deal is war with Iran. That is a false choice and should be rejected.

The alternative to this deal is what the administration said it would achieve; that is, a good deal based on continued economic pressure and a genuine dismantling of Iranian nuclear programs verified by what was said would happen all along, anytime, anywhere inspections, as promised by the administration.

The President has gone to the United Nations to approve this deal without giving Congress or the American people a chance to consider the consequences of this agreement. I urge my colleagues to reject this Iranian nuclear gambit that endangers U.S. national security, the safety of our friends and allies around the world, and empowers the largest State sponsor of terrorism in the world.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

RELIGIOUS FREEDOM

Mr. HATCH. Madam President, in January 1941, President Franklin Roosevelt delivered his State of the Union Address as World War II was underway in Europe. Even in that dark time, President Roosevelt reminded us all of what he called ''the simple, basic things that must never be lost sight of in the turmoil and unbelievable complexity of our modern world.'' Religious freedom was one of the four essential freedoms President Roosevelt outlined in that speech.

President Roosevelt's counsel applies today as the pace and degree of social

and cultural change increase. Last month, for example, the Supreme Court held that laws defining marriage as it had been defined at all times and in all societies are now unconstitutional. A bill has just been introduced in this body that would prohibit discrimination on the basis of sexual orientation or gender identity in areas such as employment, public accommodations, housing, and education. Some are even calling for punitive measures, such as revocation of tax-exempt status, for religious institutions that do not accept such social and cultural changes.

Debates about these issues continue in all three branches of government, and I might say, branches of both Federal and State governments among commentators and experts across the media and institutions, both religious and secular, and among our fellow citizens. President Roosevelt's words ''turmoil and unbelievable complexity'' seem to describe the situation today.

Yet these debates are not occurring on a blank slate. Some advocates of the social and cultural changes now underway ignore or perhaps never understood the history, importance, and value of religious freedom. They seem to treat religious freedom as optional and are willing to cast it aside as a casualty of achieving certain political objectives. That would be a grave error.

I wish to describe to my colleagues the backdrop for considering or implementing these recent social and cultural changes. The religious freedom Americans enjoy has been nearly 400 years in the making. Almost two centuries before American independence, one religious community after another came to these shores seeking freedom to practice their faith. Professor Michael McConnell, perhaps America's foremost scholar of religious liberty, writes that by the time the First Amendment was ratified, ''the American states had already experienced 150 years of a higher degree of religious diversity than had existed anywhere else in the world.''

The first individual right in the Bill of Rights is the free exercise of religion. The choice of words is significant. The First Amendment does not protect only some exercises of religion or religious exercise only by some people but the free exercise of religion itself. This term, the free exercise of religion, had appeared in American legal documents at least as early as 1648 and was a deliberate choice by those drafting the new Constitution.

In 1776, the Virginia legislature considered a constitution for the Commonwealth. George Mason proposed this language, ''that all men should enjoy the fullest toleration in the exercise of religion.'' James Madison thought this implied that the right to practice religion was a governmental favor rather than an inalienable right. He proposed this language instead, ''All men are equally entitled to the full and free exercise of [religion], according to the dictates of conscience.'' America's Founders saw religious freedom as an inalienable right that government must respect rather than something the government can decide whether to tolerate. In fact, as Supreme Court Justice Arthur Goldberg has written, America's Founders saw religious freedom as preeminent among fundamental rights.

Religious freedom in America has two general features. It is universal in that it is a natural right shared by all people and a constitutional and civil right protected by law. Religious freedom in America is also robust in that it has three dimensions—it is freedom not only of belief but also of behavior, it is freedom that may be exercised publicly as well as privately, and it is freedom to act both individually and collectively. These two basic features of religious liberty, that is both universal and robust, can be seen not only in American history and heritage but also in the commitments that we, as a nation, continue to make.

I will give three examples. In 1948, the United States joined 47 other nations in approving the Universal Declaration of Human Rights. Article 18 of that declaration states that every person has a fundamental right to religious freedom, including ''freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.'' There you see both the universal and robust nature of religious freedom.

The United States reaffirmed this view of religious freedom by ratifying the International Covenant on Civil and Political Rights. Article 18 repeats the principle that everyone has the freedom ''either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.''

In 1998, Congress enacted the International Religious Freedom Act, which passed by a voice vote in the House and by a vote of 98 to 0 in this body. This law States that religious freedom ''ungirds the very origin and existence of the United States.'' Congress has declared religious liberty to be a fundamental right, a pillar of our Nation, a universal human right, and a fundamental freedom. So 32 Senators serving today—18 Republicans and 14 Democrats—voted for that position either here or when they served in the House.

In addition to Congress, Presidents have issued an annual proclamation designating January 16 as Religious Freedom Day. On that day in 1786, the Virginia legislature adopted the Statute for Religious Freedom. In his proclamation—and I will refer to the chart—President Clinton proclaimed in his proclamation on religious freedom to be a fundamental human right, essential to our dignity as human beings, one of the most sacred of human rights, one of the core values of our democracy.

President George W. Bush said in his proclamation on his Religious Freedom Day that religious freedom is the foundation of a healthy and hopeful society, the birthright of every man, woman, and child throughout the world, one of our Nation's most cherished values, one of our fundamental freedoms, and a cornerstone of our Republic.

President Obama has said in his proclamations that religious freedom is one of our country's fundamental liberties, the right of every person to practice their faith, how they choose, a critical foundation of our Nation's liberty, a universal human right, an essential part of human dignity, a natural right of all humanity.

The Supreme Court has held many times that religious freedom is a fundamental right, and as it did in 1981, has held that the First Amendment ''by its terms, gives special protection to the exercise of religion.''

There is no getting around the fact that universal and robust religious freedom is the foundation of this Nation and an integral part of our national identity and character. It is a preeminent right recognized by all three branches as fundamental. That is an important word. This is our heritage, and it is the backdrop for our debates occurring today over social and cultural changes.

Some advocates of these changes are spinning a fictional tale about religious freedom in America. They may feel this narrative serves their political agenda, but that does not make their narrative true.

As I described earlier, religious freedom in America is both universal and robust. It includes both belief and behavior in public and in private, individually and collectively. The advocates I have described want instead to make religious freedom selective rather than universal and reduce it to nothing more than an individual private belief.

One of my Senate colleagues, for example, said in an interview shortly after the Supreme Court's decision that the First Amendment protects the freedom of ''institutions of faith . . . to observe deeply held religious beliefs. But I don't think it extends far beyond that.''

This is more than rhetorical spin in the service of a political agenda; this is simply wrong. From its very origin, the concept of religious freedom in America has always been an individual right. From the earliest laws of the 17th century, to the founding of America in the 18th century, to the laws, treaties, and proclamations of the 19th,

20th, and 21st centuries, religious freedom is first and foremost an individual right.

The Supreme Court's very first case involving the free exercise of religion in 1878 involved an individual. Adell Sherbert in the 1960s and Paula Hobbie in the 1980s—both Seventh-day Adventists—went to the Supreme Court after being fired for refusing to work on their Sabbath. Perhaps the most notorious free exercise case, Employment Division v. Smith, was brought by an individual. Whether these individuals won or lost, never did the courts say the right to religious exercise was not theirs.

The argument by some that institutions but not individuals exercise religious freedom is mystifying for another reason. Congress enacted the Religious Freedom Restoration Act—an act I had a lot to do with—in 1993 to make it difficult for government to interfere with the free exercise of religion. We saw it coming and we passed that bill 97 to 3, and it passed unanimously in the House.

When a company went to court arguing that a Federal mandate burdened its religious exercise, liberals objected because, they said, only individuals may exercise religion. But now they say that only churches exercise religion. Think about that. They argued at one time that only individuals may exercise religion, and now they are saying only churches can. Which is it—churches, individuals, or, as some would have it, none of the above?

The Supreme Court also contributed to this false narrative in its recent marriage decision by saying that the First Amendment protects religious organizations and persons, as they advocate or teach principles that are important to them. But that is not what the First Amendment says, nor does that describe its full meaning. Advocating or teaching would be protected under the First Amendment's free speech clause. The First Amendment separately protects the free exercise of religion, which includes much more.

The current debates over social and cultural changes, including same-sex marriage and prohibiting discrimination based on sexual orientation and gender identity, must take proper account of the history, importance, and value of religious freedom. This is not a new concern. The Becket Fund for Religious Liberty, for example, had a conference on this topic 10 years ago. Scholars on both sides of the same-sex marriage issue agreed that legislating same-sex marriage without robust religious accommodations would create widespread legal conflict. In 2009, a group of leading scholars wrote the New Jersey Legislature, which was considering a bill to legalize same-sex marriage, outlining such conflicts for both individuals and organizations.

I believe the best way forward is clear. Religious freedom should be properly accommodated rather than ignored, disparaged, or distorted, as some would do. Those acting on their religious beliefs about marriage, for example, should not face government retaliation or discrimination. And statutes prohibiting discrimination should include robust religious exemptions. Doing so expands rights and protections on one side without diminishing or eliminating them on the other. I supported the Employment Non-Discrimination Act last Congress, for example, because it took this balanced approach. And my State of Utah similarly enacted a law that both protects against discrimination and protects the exercise of religion.

Government should not be in the business of retaliating against people because of their religious beliefs. This is true when individuals worship privately as well as when they gather together in religious organizations or associations. When government retaliates against a person or a group for acting in accordance with deeply held religious beliefs, it undermines religious freedom and sends the message that the opinions of government officials trump rights of conscience. It tells worshippers that their right to religious exercise—far from being fundamental—exists at the pleasure of the State. That is precisely the view that James Madison, the primary author of the Bill of Rights, rejected.

Government retaliation further tells the believer that he or she is disfavored; the believer's views are out of bounds; they have no place in our modern, advanced age. This view of government as the supreme arbiter of faith and morality is contrary to the vision of our Founders. It is contrary to the First Amendment. It is contrary to the line of cases that culminated in the Supreme Court's recent marriage decision. Religion-based restrictions on intimate conduct, the Court said, must be struck down because moral disapproval cannot form the basis of law. How ironic it would be if the very principle that underlay the victory over traditional marriage were suddenly cast aside in the effort to enforce the new morality.

When government tells religious believers that they must conform to current State creeds or lose out on contracts, licenses, accreditation, funding, and other benefits, it puts them in an extremely difficult and indeed sometimes impossible position—either violate your beliefs or forgo something which others have ready access to and which you may need to carry out your mission.

Government should not be in the business of coercing citizens to condone conduct their sincerely held religious beliefs forbid; rather, government should allow space for the free exercise of religion. Surely we can work to end discrimination without retaliating against religious groups and schools for following practices they all agree are rooted in sincere religious belief. Surely there is space in anti-discrimination laws, such as the one recently introduced here in the Senate, for religious exemptions for religiously affiliated groups, schools, and organizations.

My point today is that religious freedom is not optional. It is a fundamental human right that is central to our existence and identity as a nation, and it is the backdrop against which the current debates about social and cultural changes must proceed.

Finally, I wish to ask my colleagues what principles would attract the support of the following: Republican and Democratic Presidents; the chairman of People for the American Way; the president of Focus on the Family; the chairman of the U.S. Chamber of Commerce; the president of the AFL–CIO; leaders of the faith communities, including Jews, Catholics, Mormons, Muslims, Baptists, Seventh-day Adventists, and Buddhists; and the chairmen of both the Democratic and Republican National Committees? Can anyone think of anything that can bring all of those people together? What could they possibly agree on that would really mean anything? These and many more leaders of government, academia, faith communities, business, law, and minority groups all signed the Williamsburg Charter. This document was first presented to the Nation on June 25, 1988, on the 200th anniversary of Virginia's call for a Bill of Rights to be added to the Constitution.

The charter presents certain first principles that are in the shared interest of all Americans. These include that religious freedom is a precious, fundamental right and an inalienable right founded on the inviolable dignity of the person. These are the Williamsburg Charter's principles about religious freedom—a precious, fundamental, and inalienable right founded on the inviolable dignity of the person; that it is our Nation's first liberty and undergirds all other rights and freedoms secured by the Bill of Rights; and that it allows citizens to shape their lives, whether private or public, on the basis of their beliefs. If these leaders who differ in so many ways and disagree on so many issues could agree on these principles, we should certainly be able to incorporate them into current debates.

The signers of the Williamsburg Charter said that ''the ignorance and contention now surrounding the [Constitution's religion] clauses are a reminder that their advocacy and defense is a task for each succeeding generation.'' I could not agree more.

President Reagan said it best:

Freedom is never more than one generation away from extinction. We didn't pass it to our children in the bloodstream. It must

be fought for, protected, and handed on for them to do the same.

I personally believe we can rise to that challenge. I think we must rise to that challenge.

Religious freedom is the first mentioned freedom in the Bill of Rights. Frankly, it is time to get back to the constitutional principles that have made this country the greatest country in the world, and we can do it without violating other people's rights.

Some desire to reduce religious rights in favor of other people's rights. Well, we don't have to hurt other people's rights by acknowledging and accepting the fact that religious freedom is an absolute necessity for a great society such as ours and has been an undergirding principle that has helped make this country the greatest country in the world.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. TILLIS). Without objection, it is so ordered.

MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMEMBERING OFFICER CHESTNUT AND DETECTIVE GIBSON

Mr. MCCONNELL. Mr. President, every July 24, we commemorate a solemn anniversary. We honor the sacrifice of J.J. Chestnut and John Gibson, Capitol Police officers who fell in the line of duty this day in 1998.

I hope it comforts the family and friends who loved these officers to know that their memories continue to live on.

Their memories live on in the Capitol Police Headquarters that is named in their honor, and they live on within the Capitol itself: on a commemorative plaque, inscribed indelibly; in the service of every officer who wears the badge today, evoked daily.

Indeed, Officer J.J. Chestnut and Detective John Gibson may rest just beyond the Potomac in Arlington National Cemetery, but the ideals they gave everything to defend endure in this symbol of democracy every day, carried forward by the brave men and women of our Capitol Police force. May they continue to do so, and may that bring some measure of comfort to every American mourning the loss of these brave officers again today.

Mr. REID. Mr. President, there are a select few men and women who come to work every day with one primary job: to protect those of us who work in the United States Capitol and all who come here from all corners of our country to see the heart of our democracy.

In 1998, two of those brave police officers gave their lives while protecting the Capitol. They were Special Agent John Gibson and Officer Jacob Chestnut.

Mr. President, 16 years ago today, a man entered the House side of the Capitol Building with a gun and shot Officer Chestnut at point-blank range. Agent Gibson warned tourists and staff to take cover and then confronted the gunman. Although Agent Gibson was also shot, he prevented anyone else from being killed.

Both officers died that day. They served a combined 36 years on the force protecting the Capitol.

I knew Agent Gibson. Years before the shooting, my wife and I attended a Senate retreat in southern Virginia. My wife became ill. Agent Gibson ran to her side. I can still remember how he was sweating from running so fast to come to my wife's aid. I have fond memories of these officers.

Agent Gibson, who was from Massachusetts, would race to the back of the sports section each morning to find the box score for his beloved Boston Red Sox. He was a generous neighbor and a loving father to his daughter and two sons.

Officer Chestnut—everyone called him ''J.J.''—was a father of five who loved his job and loved his country. He served in the Air Force for 20 years and fought in Vietnam. At the time of the shooting, he was just weeks away from retiring.

Gibson and Chestnut were laid in honor in the Capitol Rotunda, just steps from where they were murdered—a distinction Congress has conferred upon only a handful of Americans, including Abraham Lincoln, John F. Kennedy, and our unknown soldiers. Jacob Chestnut was the first African-American ever to be so honored in our Capitol Rotunda.

On this solemn anniversary, we pause to appreciate not just the bravery of two men who saved so many others but each and every Capitol Police officer who does his or her job so valiantly every single day of the year. On behalf of the entire United States Senate and everyone who works and visits here, thank you.

ADDITIONAL STATEMENTS

RECOGNIZING PRATT & WHITNEY 90TH ANNIVERSARY

● Mr. MURPHY. Mr. President, I would like to congratulate Pratt & Whitney for 90 years of success in the aviation industry. While there have been many important innovators in aviation over the past 90 years, Pratt & Whitney's work on the jet engine deserves special recognition.

Pratt & Whitney began operations in Hartford, CT, in August 1925. With a staff of 24 men and 2 women, the company began work in the old Pope-Hartford auto plant. Under the direction of aviation engineer Fredrick Rentschler, this small team set out to build a new and improved aircraft engine. Despite limited funding and resources, Pratt & Whitney Aircraft succeeded in modernized the jet engine with revolutionary advancements like a powerful and dependable air-cooled radial engine.

Through the many changes of the last 90 years, Pratt & Whitney's engines have consistently powered the most advanced modern aircraft. The F135 engine, for example, designed by Pratt & Whitney, meets the exacting requirements of the F–35 Lightning II, which is one of the most technologically advanced military jets ever made.

The jobs that Pratt & Whitney has created over the years have enriched Connecticut communities, and I am proud to honor Pratt & Whitney's 90 years of incredible achievement. I wish them the best of luck in their next 90 years.●

MESSAGE FROM THE HOUSE

At 11:05 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1599. An act to amend the Federal Food, Drug, and Cosmetic Act with respect to food produced from, containing, or consisting of a bioengineered organism, the labeling of natural foods, and for other purposes.

H.R. 3009. An act to amend section 241(i) of the Immigration and Nationality Act to deny assistance under such section to a State or political subdivision of a State that prohibits its officials from taking certain actions with respect to immigration.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1599. An act to amend the Federal Food, Drug, and Cosmetic Act with respect to food produced from, containing, or consisting of a bioengineered organism, the labeling of natural foods, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

H.R. 3009. An act to amend section 241(i) of the Immigration and Nationality Act to deny assistance under such section to a State or political subdivision of a State that prohibits its officials from taking certain actions with respect to immigration; to the Committee on the Judiciary.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 1861. A bill to prohibit Federal funding of Planned Parenthood Federation of America.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communication was laid before the Senate, together with accompanying papers, reports, and documents, and was referred as indicated:

EC–2382. A joint communication from the Mayor and the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, the report of the District's fiscal year 2016 budget request entitled ''Pathways to the Middle Class''; to the Committee on Homeland Security and Governmental Affairs.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. PAUL:

S. 1861. A bill to prohibit Federal funding of Planned Parenthood Federation of America; read the first time.

ADDITIONAL COSPONSORS

S. 183

At the request of Mr. BARRASSO, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 183, a bill to repeal the annual fee on health insurance providers enacted by the Patient Protection and Affordable Care Act.

S. 700

At the request of Mr. DURBIN, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 700, a bill to amend the Asbestos Information Act of 1988 to establish a public database of asbestos-containing products, to require public disclosure of information pertaining to the manufacture, processing, distribution, and use of asbestos-containing products in the United States, and for other purposes.

S. 1789

At the request of Mr. RUBIO, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 1789, a bill to improve defense cooperation between the United States and the Hashemite Kingdom of Jordan.

S. RES. 228

At the request of Ms. AYOTTE, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. Res. 228, a resolution designating September 2015 as ''National Ovarian Cancer Awareness Month''.

AMENDMENT NO. 2272

At the request of Mr. TESTER, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of amendment No. 2272 intended to be proposed to H.R. 22, a bill to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2327. Mr. KIRK (for himself, Mr. GRAHAM, Mr. BLUNT, Ms. AYOTTE, Ms. HEITKAMP, Mr. MANCHIN, Mr. DONNELLY, Mr. WARNER, Ms. KLOBUCHAR, and Ms. CANTWELL) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

SA 2328. Mr. MCCONNELL (for himself, Mr. ROBERTS, Mr. SCOTT, Mr. HATCH, Mr. ISAKSON, Mr. BLUNT, Mr. BARRASSO, and Ms. MURKOWSKI) submitted an amendment intended to be proposed to amendment SA 2327 submitted by Mr. KIRK (for himself, Mr. GRAHAM, Mr. BLUNT, Ms. AYOTTE, Ms. HEITKAMP, Mr. MANCHIN, Mr. DONNELLY, Mr. WARNER, Ms. KLOBUCHAR, and Ms. CANTWELL) to the amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra.

SA 2329. Mr. MCCONNELL proposed an amendment to the bill H.R. 22, supra.

SA 2330. Mr. MCCONNELL proposed an amendment to amendment SA 2329 proposed by Mr. MCCONNELL to the bill H.R. 22, supra.

SA 2331. Mrs. CAPITO submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2332. Mr. ENZI (for himself, Mr. DURBIN, Mr. ALEXANDER, and Ms. HEITKAMP) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2333. Mr. WYDEN (for himself, Mr. CARDIN, Mr. BROWN, and Ms. WARREN) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2334. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2335. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2336. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2337. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2338. Mr. BLUMENTHAL (for himself, Mr. NELSON, and Mr. MARKEY) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2339. Mr. BLUMENTHAL (for himself, Mr. NELSON, and Mr. MARKEY) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2340. Mr. BLUMENTHAL (for himself, Mr. NELSON, and Mr. MARKEY) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2341. Mr. CRAPO (for himself, Mr. BENNET, Mr. GARDNER, and Mr. RISCH) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2342. Mr. GARDNER submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2343. Mr. GARDNER submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2344. Mr. GARDNER (for himself, Mr. HELLER, and Mr. BENNET) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2345. Mrs. FISCHER submitted an amendment intended to be proposed by her to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2346. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2347. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2348. Mr. BARRASSO (for himself, Mr. DONNELLY, Mr. ROBERTS, Ms. HEITKAMP, Mr. SULLIVAN, and Mr. MANCHIN) submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2349. Mr. HATCH submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2350. Mr. REID (for Mr. NELSON (for himself, Mr. BLUMENTHAL, and Mr. MARKEY)) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2351. Mr. REID (for Mr. MARKEY (for himself, Mr. WHITEHOUSE, Mr. LEAHY, and Mr. BOOKER)) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2327. Mr. KIRK (for himself, Mr. GRAHAM, Mr. BLUNT, Ms. AYOTTE, Ms. HEITKAMP, Mr. MANCHIN, Mr. DONNELLY, Mr. WARNER, Ms. KLOBUCHAR,

and Ms. CANTWELL) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; as follows:

At the end of the amendment, insert the following:

TITLE ____—EXPORT-IMPORT BANK OF THE UNITED STATES

SEC. __01. SHORT TITLE.

This title may be cited as the ''Export-Import Bank Reform and Reauthorization Act of 2015''.

Subtitle A—Taxpayer Protection Provisions and Increased Accountability

SEC. __11. REDUCTION IN AUTHORIZED AMOUNT OF OUTSTANDING LOANS, GUARANTEES, AND INSURANCE.

Section 6(a) of the Export-Import Bank Act of 1945 (12 U.S.C. 635e(a)) is amended—

(1) by redesignating paragraph (3) as paragraph (4); and

(2) by striking paragraph (2) and inserting the following:

''(2) APPLICABLE AMOUNT DEFINED.—In this subsection, the term 'applicable amount', for each of fiscal years 2015 through 2019, means $135,000,000,000.

''(3) FREEZING OF LENDING CAP IF DEFAULT RATE IS 2 PERCENT OR MORE.—If the rate calculated under section 8(g)(1) is 2 percent or more for a quarter, the Bank may not exceed the amount of loans, guarantees, and insurance outstanding on the last day of that quarter until the rate calculated under section 8(g)(1) is less than 2 percent.''.

SEC. __12. INCREASE IN LOSS RESERVES.

(a) IN GENERAL.—Section 6 of the Export-Import Bank Act of 1945 (12 U.S.C. 635e) is amended—

(1) by redesignating subsection (b) as subsection (c); and

(2) by inserting after subsection (a) the following:

''(b) RESERVE REQUIREMENT.—The Bank shall build to and hold in reserve, to protect against future losses, an amount that is not less than 5 percent of the aggregate amount of disbursed and outstanding loans, guarantees, and insurance of the Bank.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date that is one year after the date of the enactment of this Act.

SEC. __13. REVIEW OF FRAUD CONTROLS.

Section 17(b) of the Export-Import Bank Reauthorization Act of 2012 (12 U.S.C. 635a–6(b)) is amended to read as follows:

''(b) REVIEW OF FRAUD CONTROLS.—Not later than 4 years after the date of the enactment of the Export-Import Bank Reform and Reauthorization Act of 2015, and every 4 years thereafter, the Comptroller General of the United States shall—

''(1) review the adequacy of the design and effectiveness of the controls used by the Export-Import Bank of the United States to prevent, detect, and investigate fraudulent applications for loans and guarantees and the compliance by the Bank with the controls, including by auditing a sample of Bank transactions; and

''(2) submit a written report regarding the findings of the review and providing such recommendations with respect to the controls described in paragraph (1) as the Comptroller General deems appropriate to—

''(A) the Committee on Banking, Housing, and Urban Affairs and the Committee on Appropriations of the Senate; and

''(B) the Committee on Financial Services and the Committee on Appropriations of the House of Representatives.''.

SEC. __14. OFFICE OF ETHICS.

Section 3 of the Export-Import Bank Act of 1945 (12 U.S.C. 635a) is amended by adding at the end the following:

''(k) OFFICE OF ETHICS.—

''(1) ESTABLISHMENT.—There is established an Office of Ethics within the Bank, which shall oversee all ethics issues within the Bank.

''(2) HEAD OF OFFICE.—

''(A) IN GENERAL.—The head of the Office of Ethics shall be the Chief Ethics Officer, who shall report to the Board of Directors.

''(B) APPOINTMENT.—Not later than 180 days after the date of the enactment of the Export-Import Bank Reform and Reauthorization Act of 2015, the Chief Ethics Officer shall be—

''(i) appointed by the President of the Bank from among persons—

''(I) with a background in law who have experience in the fields of law and ethics; and

''(II) who are not serving in a position requiring appointment by the President of the United States before being appointed to be Chief Ethics Officer; and

''(ii) approved by the Board.

''(C) DESIGNATED AGENCY ETHICS OFFICIAL.—The Chief Ethics Officer shall serve as the designated agency ethics official for the Bank pursuant to the Ethics in Government Act of 1978 (5 U.S.C. App. 101 et seq.).

''(3) DUTIES.—The Office of Ethics has jurisdiction over all employees of, and ethics matters relating to, the Bank. With respect to employees of the Bank, the Office of Ethics shall—

''(A) recommend administrative actions to establish or enforce standards of official conduct;

''(B) refer to the Office of the Inspector General of the Bank alleged violations of—

''(i) the standards of ethical conduct applicable to employees of the Bank under parts 2635 and 6201 of title 5, Code of Federal Regulations;

''(ii) the standards of ethical conduct established by the Chief Ethics Officer; and

''(iii) any other laws, rules, or regulations governing the performance of official duties or the discharge of official responsibilities that are applicable to employees of the Bank;

''(C) report to appropriate Federal or State authorities substantial evidence of a violation of any law applicable to the performance of official duties that may have been disclosed to the Office of Ethics; and

''(D) render advisory opinions regarding the propriety of any current or proposed conduct of an employee or contractor of the Bank, and issue general guidance on such matters as necessary.''.

SEC. __15. CHIEF RISK OFFICER.

Section 3 of the Export-Import Bank Act of 1945 (12 U.S.C. 635a), as amended by section __14, is further amended by adding at the end the following:

''(l) CHIEF RISK OFFICER.—

''(1) IN GENERAL.—There shall be a Chief Risk Officer of the Bank, who shall—

''(A) oversee all issues relating to risk within the Bank; and

''(B) report to the President of the Bank.

''(2) APPOINTMENT.—Not later than 180 days after the date of the enactment of the Export-Import Bank Reform and Reauthorization Act of 2015, the Chief Risk Officer shall be—

''(A) appointed by the President of the Bank from among persons—

''(i) with a demonstrated ability in the general management of, and knowledge of and extensive practical experience in, financial risk evaluation practices in large governmental or business entities; and

''(ii) who are not serving in a position requiring appointment by the President of the United States before being appointed to be Chief Risk Officer; and

''(B) approved by the Board.

''(3) DUTIES.—The duties of the Chief Risk Officer are—

''(A) to be responsible for all matters related to managing and mitigating all risk to which the Bank is exposed, including the programs and operations of the Bank;

''(B) to establish policies and processes for risk oversight, the monitoring of management compliance with risk limits, and the management of risk exposures and risk controls across the Bank;

''(C) to be responsible for the planning and execution of all Bank risk management activities, including policies, reporting, and systems to achieve strategic risk objectives;

''(D) to develop an integrated risk management program that includes identifying, prioritizing, measuring, monitoring, and managing internal control and operating risks and other identified risks;

''(E) to ensure that the process for risk assessment and underwriting for individual transactions considers how each such transaction considers the effect of the transaction on the concentration of exposure in the overall portfolio of the Bank, taking into account fees, collateralization, and historic default rates; and

''(F) to review the adequacy of the use by the Bank of qualitative metrics to assess the risk of default under various scenarios.''.

SEC. __16. RISK MANAGEMENT COMMITTEE.

(a) IN GENERAL.—Section 3 of the Export-Import Bank Act of 1945 (12 U.S.C. 635a), as amended by sections __14 and __15, is further amended by adding at the end the following:

''(m) RISK MANAGEMENT COMMITTEE.—

''(1) ESTABLISHMENT.—There is established a management committee to be known as the 'Risk Management Committee'.

''(2) MEMBERSHIP.—The membership of the Risk Management Committee shall be the members of the Board of Directors, with the President and First Vice President of the Bank serving as ex officio members.

''(3) DUTIES.—The duties of the Risk Management Committee shall be—

''(A) to oversee, in conjunction with the Office of the Chief Financial Officer of the Bank—

''(i) periodic stress testing on the entire Bank portfolio, reflecting different market, industry, and macroeconomic scenarios, and consistent with common practices of commercial and multilateral development banks; and

''(ii) the monitoring of industry, geographic, and obligor exposure levels; and

''(B) to review all required reports on the default rate of the Bank before submission to Congress under section 8(g).''.

(b) TERMINATION OF AUDIT COMMITTEE.—Not later than 180 days after the date of the enactment of this Act, the Board of Directors of the Export-Import Bank of the United States shall revise the bylaws of the Bank to terminate the Audit Committee established by section 7 of the bylaws.

SEC. __17. INDEPENDENT AUDIT OF BANK PORTFOLIO.

(a) AUDIT.—The Inspector General of the Export-Import Bank of the United States shall conduct an audit or evaluation of the portfolio risk management procedures of the Bank, including a review of the implementation by the Bank of the duties assigned to the Chief Risk Officer under section 3(l) of the Export-Import Bank Act of 1945, as amended by section __15.

(b) REPORT.—Not later than one year after the date of the enactment of this Act, and not less frequently than every 3 years thereafter, the Inspector General shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a written report containing all findings and determinations made in carrying out subsection (a).

SEC. __18. PILOT PROGRAM FOR REINSURANCE.

(a) IN GENERAL.—Notwithstanding any provision of the Export-Import Bank Act of 1945 (12 U.S.C. 635 et seq.), the Export-Import Bank of the United States (in this section referred to as the ''Bank'') may establish a pilot program under which the Bank may enter into contracts and other arrangements to share risks associated with the provision of guarantees, insurance, or credit, or the participation in the extension of credit, by the Bank under that Act.

(b) LIMITATIONS ON AMOUNT OF RISK-SHARING.—

(1) PER CONTRACT OR OTHER ARRANGEMENT.—The aggregate amount of liability the Bank may transfer through risk-sharing pursuant to a contract or other arrangement entered into under subsection (a) may not exceed $1,000,000,000.

(2) PER YEAR.—The aggregate amount of liability the Bank may transfer through risk-sharing during a fiscal year pursuant to contracts or other arrangements entered into under subsection (a) during that fiscal year may not exceed $10,000,000,000.

(c) ANNUAL REPORTS.—Not later than one year after the date of the enactment of this Act, and annually thereafter through 2019, the Bank shall submit to Congress a written report that contains a detailed analysis of the use of the pilot program carried out under subsection (a) during the year preceding the submission of the report.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to affect, impede, or revoke any authority of the Bank.

(e) TERMINATION.—The pilot program carried out under subsection (a) shall terminate on September 30, 2019.

Subtitle B—Promotion of Small Business Exports

SEC. __21. INCREASE IN SMALL BUSINESS LENDING REQUIREMENTS.

(a) IN GENERAL.—Section 2(b)(1)(E)(v) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(1)(E)(v)) is amended by striking ''20 percent'' and inserting ''25 percent''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to fiscal year 2016 and each fiscal year thereafter.

SEC. __22. REPORT ON PROGRAMS FOR SMALL AND MEDIUM-SIZED BUSINESSES.

(a) IN GENERAL.—Section 8 of the Export-Import Bank Act of 1945 (12 U.S.C. 635g) is amended by adding at the end the following:

''(k) REPORT ON PROGRAMS FOR SMALL AND MEDIUM-SIZED BUSINESSES.—The Bank shall include in its annual report to Congress under subsection (a) a report on the programs of the Bank for United States businesses with less than $250,000,000 in annual sales.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to the report of the Export-Import Bank of the United States submitted to Congress under section 8 of the Export-Import Bank Act of 1945 (12 U.S.C. 635g) for the first year that begins after the date of the enactment of this Act.

Subtitle C—Modernization of Operations

SEC. __31. ELECTRONIC PAYMENTS AND DOCUMENTS.

Section 2(b)(1) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(1)) is amended by adding at the end the following:

''(M) Not later than 2 years after the date of the enactment of the Export-Import Bank Reform and Reauthorization Act of 2015, the Bank shall implement policies—

''(i) to accept electronic documents with respect to transactions whenever possible, including copies of bills of lading, certifications, and compliance documents, in such manner so as not to undermine any potential civil or criminal enforcement related to the transactions; and

''(ii) to accept electronic payments in all of its programs.''.

SEC. __32. REAUTHORIZATION OF INFORMATION TECHNOLOGY UPDATING.

Section 3(j) of the Export-Import Act of 1945 (12 U.S.C. 635a(j)) is amended—

(1) in paragraph (1), in the matter preceding subparagraph (A), by striking ''2012, 2013, and 2014'' and inserting ''2015 through 2019'';

(2) in paragraph (2)(B), by striking ''(I) the funds'' and inserting ''(i) the funds''; and

(3) in paragraph (3), by striking ''2012, 2013, and 2014'' and inserting ''2015 through 2019''.

Subtitle D—General Provisions

SEC. __41. EXTENSION OF AUTHORITY.

(a) IN GENERAL.—Section 7 of the Export-Import Bank Act of 1945 (12 U.S.C. 635f) is amended by striking ''2014'' and inserting ''2019''.

(b) DUAL-USE EXPORTS.—Section 1(c) of Public Law 103–428 (12 U.S.C. 635 note) is amended by striking ''September 30, 2014'' and inserting ''the date on which the authority of the Export-Import Bank of the United States expires under section 7 of the Export-Import Bank Act of 1945 (12 U.S.C. 635f)''.

(c) SUB-SAHARAN AFRICA ADVISORY COMMITTEE.—Section 2(b)(9)(B)(iii) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(9)(B)(iii)) is amended by striking ''September 30, 2014'' and inserting ''the date on which the authority of the Bank expires under section 7''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on the earlier of the date of the enactment of this Act or June 30, 2015.

SEC. __42. CERTAIN UPDATED LOAN TERMS AND AMOUNTS.

(a) LOAN TERMS FOR MEDIUM-TERM FINANCING.—Section 2(a)(2)(A) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(a)(2)(A)) is amended—

(1) in clause (i), by striking ''; and'' and inserting a semicolon; and

(2) by adding at the end the following:

''(iii) with principal amounts of not more than $25,000,000; and''.

(b) COMPETITIVE OPPORTUNITIES RELATING TO INSURANCE.—Section 2(d)(2) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(d)(2)) is amended by striking ''$10,000,000'' and inserting ''$25,000,000''.

(c) EXPORT AMOUNTS FOR SMALL BUSINESS LOANS.—Section 3(g)(3) of the Export-Import Bank Act of 1945 (12 U.S.C. 635a(g)(3)) is amended by striking ''$10,000,000'' and inserting ''$25,000,000''.

(d) CONSIDERATION OF ENVIRONMENTAL EFFECTS.—Section 11(a)(1)(A) of the Export-Import Bank Act of 1945 (12 U.S.C. 635i–5(a)(1)(A)) is amended by striking ''$10,000,000 or more'' and inserting the following: ''$25,000,000 (or, if less than $25,000,000, the threshold established pursuant to international agreements, including the Common Approaches for Officially Supported Export Credits and Environmental and Social Due Diligence, as adopted by the Organisation for Economic Co-operation and Development Council on June 28, 2012, and the risk-management framework adopted by financial institutions for determining, assessing, and managing environmental and social risk in projects (commonly referred to as the 'Equator Principles')) or more''.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to fiscal year 2016 and each fiscal year thereafter.

Subtitle E—Other Matters

SEC. __51. PROHIBITION ON DISCRIMINATION BASED ON INDUSTRY.

Section 2 of the Export-Import Bank Act of 1945 (6 U.S.C. 635 et seq.) is amended by adding at the end the following:

''(k) PROHIBITION ON DISCRIMINATION BASED ON INDUSTRY.—

''(1) IN GENERAL.—Except as provided in this Act, the Bank may not—

''(A) deny an application for financing based solely on the industry, sector, or business that the application concerns; or

''(B) promulgate or implement policies that discriminate against an application based solely on the industry, sector, or business that the application concerns.

''(2) APPLICABILITY.—The prohibitions under paragraph (1) apply only to applications for financing by the Bank for projects concerning the exploration, development, production, or export of energy sources and the generation or transmission of electrical power, or combined heat and power, regardless of the energy source involved.''.

SEC. __52. NEGOTIATIONS TO END EXPORT CREDIT FINANCING.

(a) IN GENERAL.—Section 11 of the Export-Import Bank Reauthorization Act of 2012 (12 U.S.C. 635a–5) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking ''Secretary of the Treasury (in this section referred to as the 'Secretary')'' and inserting ''President''; and

(B) in paragraph (1)—

(i) by striking ''(OECD)'' and inserting ''(in this section referred to as the 'OECD')''; and

(ii) by striking ''ultimate goal of eliminating'' and inserting ''possible goal of eliminating, before the date that is 10 years after the date of the enactment of the Export-Import Bank Reform and Reauthorization Act of 2015,'';

(2) in subsection (b), by striking ''Secretary'' each place it appears and inserting ''President''; and

(3) by adding at the end the following:

''(c) REPORT ON STRATEGY.—Not later than 180 days after the date of the enactment of the Export-Import Bank Reform and Reauthorization Act of 2015, the President shall submit to Congress a proposal, and a strategy for achieving the proposal, that the United States Government will pursue with other major exporting countries, including OECD members and non-OECD members, to eliminate over a period of not more than 10 years subsidized export-financing programs, tied aid, export credits, and all other forms of government-supported export subsidies.

''(d) NEGOTIATIONS WITH NON-OECD MEMBERS.—The President shall initiate and pursue negotiations with countries that are not OECD members to bring those countries into a multilateral agreement establishing rules and limitations on officially supported export credits.

''(e) ANNUAL REPORTS ON PROGRESS OF NEGOTIATIONS.—Not later than 180 days after the date of the enactment of the Export-Import Bank Reform and Reauthorization Act of 2015, and annually thereafter through calendar year 2019, the President shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report on the progress of any negotiations described in subsection (d).''.

(b) EFFECTIVE DATE.—The amendments made by paragraphs (1) and (2) of subsection (a) shall apply with respect to reports required to be submitted under section 11(b) of the Export-Import Bank Reauthorization Act of 2012 (12 U.S.C. 635a–5(b)) after the date of the enactment of this Act.

SEC. _53. STUDY OF FINANCING FOR INFORMATION AND COMMUNICATIONS TECHNOLOGY SYSTEMS.

(a) ANALYSIS OF INFORMATION AND COMMUNICATIONS TECHNOLOGY INDUSTRY USE OF BANK PRODUCTS.—The Export-Import Bank of the United States (in this section referred to as the ''Bank'') shall conduct a study of the extent to which the products offered by the Bank are available and used by companies that export information and communications technology services and related goods.

(b) ELEMENTS.—In conducting the study required by subsection (a), the Bank shall examine the following:

(1) The number of jobs in the United States that are supported by the export of information and communications technology services and related goods, and the degree to which access to financing will increase exports of such services and related goods.

(2) The reduction in the financing by the Bank of exports of information and communications technology services from 2003 through 2014.

(3) The activities of foreign export credit agencies to facilitate the export of information and communications technology services and related goods.

(4) Specific proposals for how the Bank could provide additional financing for the exportation of information and communications technology services and related goods through risk-sharing with other export credit agencies and other third parties.

(5) Proposals for new products the Bank could offer to provide financing for exports of information and communications technology services and related goods, including—

(A) the extent to which the Bank is authorized to offer new products;

(B) the extent to which the Bank would need additional authority to offer new products to meet the needs of the information and communications technology industry;

(C) specific proposals for changes in law that would enable the Bank to provide increased financing for exports of information and communications technology services and related goods in compliance with the credit and risk standards of the Bank;

(D) specific proposals that would enable the Bank to provide increased outreach to the information and communications technology industry about the products the Bank offers; and

(E) specific proposals for changes in law that would enable the Bank to provide the financing to build information and communications technology infrastructure, in compliance with the credit and risk standards of the Bank, to allow for market access opportunities for United States information and communications technology companies to provide services on the infrastructure being financed by the Bank.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Bank shall submit to Congress a report that contains the results of the study required by subsection (a).

SA 2328. Mr. MCCONNELL (for himself, Mr. ROBERTS, Mr. SCOTT, Mr. HATCH, Mr. ISAKSON, Mr. BLUNT, Mr. BARRASSO, and Ms. MURKOWSKI) submitted an amendment intended to be proposed to amendment SA 2327 submitted by Mr. KIRK (for himself, Mr. GRAHAM, Mr. BLUNT, Ms. AYOTTE, Ms. HEITKAMP, Mr. MANCHIN, Mr. DONNELLY, Mr. WARNER, Ms. KLOBUCHAR, and Ms. CANTWELL) to the amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; as follows:

At the end, insert the following:

SEC. ___. REPEAL OF THE PATIENT PROTECTION AND AFFORDABLE CARE ACT AND THE HEALTH CARE AND EDUCATION RECONCILIATION ACT OF 2010.

(a) PATIENT PROTECTION AND AFFORDABLE CARE ACT.—Effective on the date that is 180 days after the date of enactment of this Act, the Patient Protection and Affordable Care Act (Public Law 111–148) is repealed and the provisions of law amended or repealed by such Act are restored or revived as if such Act had not been enacted.

(b) HEALTH CARE AND EDUCATION RECONCILIATION ACT OF 2010.—Effective on the date that is 180 days after the date of enactment of this Act, the Health Care and Education Reconciliation Act of 2010 (Public Law 111–152) is repealed and the provisions of law amended or repealed by such Act are restored or revived as if such Act had not been enacted.

(c) BUDGETARY EFFECTS.—The budgetary effects of this section, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this section, submitted for printing in the Congressional Record by the Chairman of the Committee on the Budget of the House of Representatives, as long as such statement has been submitted prior to the vote on passage of this Act.

SA 2329. Mr. MCCONNELL proposed an amendment to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; as follows:

At the appropriate place, insert the following:

SEC. 70001. SHORT TITLE.

This division may cited as the ''Surface Transportation Extension Act of 2015''.

TITLE LXXI—EXTENSION OF FEDERAL-AID HIGHWAY PROGRAMS

SEC. 71001. EXTENSION OF FEDERAL-AID HIGHWAY PROGRAMS.

(a) IN GENERAL.—Section 1001 of the Highway and Transportation Funding Act of 2014 (Public Law 113–159; 128 Stat. 1840; 129 Stat. 219) is amended—

(1) in subsection (a), by striking ''July 31, 2015'' and inserting ''September 29, 2015'';

(2) in subsection (b)(1)—

(A) by striking ''July 31, 2015'' and inserting ''September 30, 2015''; and

(B) by striking ''$^{304}/_{365}$'' and inserting ''$^{365}/_{365}$''; and

(3) in subsection (c)—

(A) in paragraph (1)—

(i) by striking ''July 31, 2015'' and inserting ''September 30, 2015''; and

(ii) by striking ''$^{304}/_{365}$'' and inserting ''$^{365}/_{365}$''; and

(B) in paragraph (2)(B), by striking ''by this subsection''.

(b) OBLIGATION CEILING.—Section 1102 of MAP–21 (23 U.S.C. 104 note; Public Law 112–141) is amended—

(1) in subsection (a)(3)—

(A) by striking ''$33,528,284,932'' and inserting ''$40,256,000,000''; and

(B) by striking ''July 31, 2015'' and inserting ''September 30, 2015'';

(2) in subsection (b)(12)—

(A) by striking ''July 31, 2015'' and inserting ''September 30, 2015''; and

(B) by striking ''$^{304}/_{365}$'' and inserting ''$^{365}/_{365}$'';

(3) in subsection (c)—

(A) in the matter preceding paragraph (1), by striking ''July 31, 2015'' and inserting ''September 30, 2015''; and

(B) in paragraph (2)—

(i) by striking ''July 31, 2015'' and inserting ''September 30, 2015''; and

(ii) by striking ''$^{304}/_{365}$'' and inserting ''$^{365}/_{365}$''; and

(4) in subsection (f)(1), in the matter preceding subparagraph (A), by striking ''July 31, 2015'' and inserting ''September 30, 2015''.

(c) TRIBAL HIGH PRIORITY PROJECTS PROGRAM.—Section 1123(h)(1) of MAP-21 (23 U.S.C. 202 note; Public Law 112–141) is amended—

(1) by striking ''$24,986,301'' and inserting ''$30,000,000''; and

(2) by striking ''July 31, 2015'' and inserting ''September 30, 2015''.

SEC. 71002. ADMINISTRATIVE EXPENSES.

(a) AUTHORIZATION OF CONTRACT AUTHORITY.—Section 1002(a) of the Highway and Transportation Funding Act of 2014 (Public Law 113–159; 128 Stat. 1842; 129 Stat. 220) is amended—

(1) by striking ''$366,465,753'' and inserting ''$440,000,000''; and

(2) by striking ''July 31, 2015'' and inserting ''September 30, 2015''.

(b) CONTRACT AUTHORITY.—Section 1002(b)(2) of the Highway and Transportation Funding Act of 2014 (Public Law 113–159; 128 Stat. 1842; 129 Stat. 220) is amended by striking ''July 31, 2015'' and inserting ''September 30, 2015''.

TITLE LXXII—TEMPORARY EXTENSION OF PUBLIC TRANSPORTATION PROGRAMS

SEC. 72001. FORMULA GRANTS FOR RURAL AREAS.

Section 5311(c)(1) of title 49, United States Code, is amended—

(1) in subparagraph (A), by striking ''ending before'' and all that follows through ''July 31, 2015,''; and

(2) in subparagraph (B), by striking ''ending before'' and all that follows through ''July 31, 2015,''.

SEC. 72002. APPORTIONMENT OF APPROPRIATIONS FOR FORMULA GRANTS.

Section 5336(h)(1) of title 49, United States Code, is amended by striking ''before October 1, 2014'' and all that follows through ''July 31, 2015,'' and inserting ''before October 1, 2015''.

SEC. 72003. AUTHORIZATIONS FOR PUBLIC TRANSPORTATION.

(a) FORMULA GRANTS.—Section 5338(a) of title 49, United States Code, is amended—

(1) in paragraph (1), by striking ''for fiscal year 2014'' and all that follows and inserting ''for fiscal year 2014, and $8,595,000,000 for fiscal year 2015.'';

(2) in paragraph (2)—

(A) in subparagraph (A), by striking ''$107,274,521 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''$128,800,000 for fiscal year 2015'';

(B) in subparagraph (B), by striking ''2013 and 2014 and $8,328,767 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''2013, 2014, and 2015'';

(C) in subparagraph (C), by striking ''$3,713,505,753 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''$4,458,650,000 for fiscal year 2015'';

(D) in subparagraph (D), by striking ''$215,132,055 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''$258,300,000 for fiscal year 2015'';

(E) in subparagraph (E)—

(i) by striking ''$506,222,466 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''$607,800,000 for fiscal year 2015'';

(ii) by striking ''$24,986,301 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''$30,000,000 for fiscal year 2015''; and

(iii) by striking ''$16,657,534 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''$20,000,000 for fiscal year 2015'';

(F) in subparagraph (F), by striking ''2013 and 2014 and $2,498,630 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''2013, 2014, and 2015'';

(G) in subparagraph (G), by striking ''2013 and 2014 and $4,164,384 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''2013, 2014, and 2015'';

(H) in subparagraph (H), by striking ''2013 and 2014 and $3,206,575 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''2013, 2014, and 2015'';

(I) in subparagraph (I), by striking ''$1,803,927,671 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''$2,165,900,000 for fiscal year 2015'';

(J) in subparagraph (J), by striking ''$356,304,658 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''$427,800,000 for fiscal year 2015''; and

(K) in subparagraph (K), by striking ''$438,009,863 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''$525,900,000 for fiscal year 2015''.

(b) RESEARCH, DEVELOPMENT DEMONSTRATION AND DEPLOYMENT PROJECTS.—Section 5338(b) of title 49, United States Code, is amended by striking ''$58,301,370 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''$70,000,000 for fiscal year 2015''.

(c) TRANSIT COOPERATIVE RESEARCH PROGRAM.—Section 5338(c) of title 49, United States Code, is amended by striking ''$5,830,137 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''$7,000,000 for fiscal year 2015''.

(d) TECHNICAL ASSISTANCE AND STANDARDS DEVELOPMENT.—Section 5338(d) of title 49, United States Code, is amended by striking ''$5,830,137 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''$7,000,000 for fiscal year 2015''.

(e) HUMAN RESOURCES AND TRAINING.—Section 5338(e) of title 49, United States Code, is amended by striking ''$4,164,384 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''$5,000,000 for fiscal year 2015''.

(f) CAPITAL INVESTMENT GRANTS.—Section 5338(g) of title 49, United States Code, is amended by striking ''$1,558,295,890 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''$1,907,000,000 for fiscal year 2015''.

(g) ADMINISTRATION.—Section 5338(h) of title 49, United States Code, is amended—

(1) in paragraph (1), by striking ''$86,619,178 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''$104,000,000 for fiscal year 2015'';

(2) in paragraph (2), by striking ''2013 and 2014 and not less than $4,164,384 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''2013, 2014, and 2015''; and

(3) in paragraph (3), by striking ''2013 and 2014 and not less than $832,877 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''2013, 2014, and 2015''.

SEC. 72004. BUS AND BUS FACILITIES FORMULA GRANTS.

Section 5339(d)(1) of title 49, United States Code, is amended—

(1) by striking ''2013 and 2014 and $54,553,425 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''2013, 2014, and 2015'';

(2) by striking ''and $1,041,096 for such period''; and

(3) by striking ''and $416,438 for such period''.

TITLE LXXIII—EXTENSION OF HIGHWAY SAFETY PROGRAMS

Subtitle A—Extension of Highway Safety Programs

SEC. 73101. EXTENSION OF NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION HIGHWAY SAFETY PROGRAMS.

(a) EXTENSION OF PROGRAMS.—

(1) HIGHWAY SAFETY PROGRAMS.—Section 31101(a)(1)(C) of MAP–21 (126 Stat. 733) is amended to read as follows:

''(C) $235,000,000 for fiscal year 2015.''.

(2) HIGHWAY SAFETY RESEARCH AND DEVELOPMENT.—Section 31101(a)(2)(C) of MAP–21 (126 Stat. 733) is amended to read as follows:

''(C) $113,500,000 for fiscal year 2015.''.

(3) NATIONAL PRIORITY SAFETY PROGRAMS.—Section 31101(a)(3)(C) of MAP–21 (126 Stat. 733) is amended to read as follows:

''(C) $272,000,000 for fiscal year 2015.''.

(4) NATIONAL DRIVER REGISTER.—Section 31101(a)(4)(C) of MAP–21 (126 Stat. 733) is amended to read as follows:

''(C) $5,000,000 for fiscal year 2015.''.

(5) HIGH VISIBILITY ENFORCEMENT PROGRAM.—

(A) AUTHORIZATION OF APPROPRIATIONS.—Section 31101(a)(5)(C) of MAP–21 (126 Stat. 733) is amended to read as follows:

''(C) $29,000,000 for fiscal year 2015.''.

(B) LAW ENFORCEMENT CAMPAIGNS.—Section 2009(a) of SAFETEA–LU (23 U.S.C. 402 note) is amended—

(i) in the first sentence, by striking ''and 2014 and in the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''through 2015''; and

(ii) in the second sentence, by striking ''and 2014 and in the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''through 2015''.

(6) ADMINISTRATIVE EXPENSES.—Section 31101(a)(6)(C) of MAP–21 (126 Stat. 733) is amended to read as follows:

''(C) $25,500,000 for fiscal year 2015.''.

(b) COOPERATIVE RESEARCH AND EVALUATION.—Section 403(f)(1) of title 23, United States Code, is amended by striking ''under subsection 402(c) in each fiscal year ending before October 1, 2014, and $2,082,192 of the total amount available for apportionment to the States for highway safety programs under section 402(c) in the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''under section 402(c) in each fiscal year ending before October 1, 2015,''.

(c) APPLICABILITY OF TITLE 23.—Section 31101(c) of MAP–21 (126 Stat. 733) is amended by striking ''fiscal years 2013 and 2014 and for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''each of fiscal years 2013 through 2015''.

SEC. 73102. EXTENSION OF FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION PROGRAMS.

(a) MOTOR CARRIER SAFETY GRANTS.—Section 31104(a)(10) of title 49, United States Code, is amended to read as follows:

''(10) $218,000,000 for fiscal year 2015.''.

(b) ADMINISTRATIVE EXPENSES.—Section 31104(i)(1)(J) of title 49, United States Code, is amended to read as follows:

''(J) $259,000,000 for fiscal year 2015.''.

(c) GRANT PROGRAMS.—

(1) COMMERCIAL DRIVER'S LICENSE PROGRAM IMPROVEMENT GRANTS.—Section 4101(c)(1) of SAFETEA–LU (119 Stat. 1715) is amended by striking ''each of fiscal years 2013 and 2014 and $24,986,301 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''each of fiscal years 2013 through 2015''.

(2) BORDER ENFORCEMENT GRANTS.—Section 4101(c)(2) of SAFETEA–LU (119 Stat. 1715) is amended by striking ''each of fiscal years 2013 and 2014 and $26,652,055 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''each of fiscal years 2013 through 2015''.

(3) PERFORMANCE AND REGISTRATION INFORMATION SYSTEM MANAGEMENT GRANT PROGRAM.—Section 4101(c)(3) of SAFETEA–LU (119 Stat. 1715) is amended by striking ''each of fiscal years 2013 and 2014 and $4,164,384 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''each of fiscal years 2013 through 2015''.

(4) COMMERCIAL VEHICLE INFORMATION SYSTEMS AND NETWORKS DEPLOYMENT PROGRAM.—Section 4101(c)(4) of SAFETEA–LU (119 Stat. 1715) is amended by striking ''each of fiscal years 2013 and 2014 and $20,821,918 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''each of fiscal years 2013 through 2015''.

(5) SAFETY DATA IMPROVEMENT GRANTS.—Section 4101(c)(5) of SAFETEA–LU (119 Stat.

1715) is amended by striking ''each of fiscal years 2013 and 2014 and $2,498,630 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''each of fiscal years 2013 through 2015''.

(d) HIGH-PRIORITY ACTIVITIES.—Section 31104(k)(2) of title 49, United States Code, is amended by striking ''each of fiscal years 2006 through 2014 and up to $12,493,151 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''each of fiscal years 2006 through 2015''.

(e) NEW ENTRANT AUDITS.—Section 31144(g)(5)(B) of title 49, United States Code, is amended by striking ''per fiscal year and up to $26,652,055 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''per fiscal year''.

(f) OUTREACH AND EDUCATION.—Section 4127(e) of SAFETEA–LU (119 Stat. 1741) is amended by striking ''each of fiscal years 2013 and 2014 and $3,331,507 to the Federal Motor Carrier Safety Administration for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''each of fiscal years 2013 through 2015''.

(g) GRANT PROGRAM FOR COMMERCIAL MOTOR VEHICLE OPERATORS.—Section 4134(c) of SAFETEA–LU (49 U.S.C. 31301 note) is amended by striking ''each of fiscal years 2005 through 2014 and $832,877 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''each of fiscal years 2005 through 2015''.

SEC. 73103. DINGELL-JOHNSON SPORT FISH RESTORATION ACT.

Section 4 of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777c) is amended—

(1) in subsection (a), in the matter preceding paragraph (1) by striking ''each fiscal year through 2014 and for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''each fiscal year through 2015''; and

(2) in subsection (b)(1)(A) by striking ''for each fiscal year ending before October 1, 2014, and for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''for each fiscal year ending before October 1, 2015''.

Subtitle B—Hazardous Materials

SEC. 73201. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—Section 5128(a)(3) of title 49, United States Code, is amended to read as follows:

''(3) $42,762,000 for fiscal year 2015.''.

(b) HAZARDOUS MATERIALS EMERGENCY PREPAREDNESS FUND.—Section 5128(b)(2) of title 49, United States Code, is amended to read as follows:

''(2) FISCAL YEAR 2015.—From the Hazardous Materials Emergency Preparedness Fund established under section 5116(i), the Secretary may expend during fiscal year 2015—

''(A) $188,000 to carry out section 5115;

''(B) $21,800,000 to carry out subsections (a) and (b) of section 5116, of which not less than $13,650,000 shall be available to carry out section 5116(b);

''(C) $150,000 to carry out section 5116(f);

''(D) $625,000 to publish and distribute the Emergency Response Guidebook under section 5116(i)(3); and

''(E) $1,000,000 to carry out section 5116(j).''.

(c) HAZARDOUS MATERIALS TRAINING GRANTS.—Section 5128(c) of title 49, United States Code, is amended by striking ''each of fiscal years 2013 and 2014 and $3,331,507 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''each of fiscal years 2013 through 2015''.

TITLE LXXIV—REVENUE PROVISIONS

SEC. 74001. EXTENSION OF TRUST FUND EXPENDITURE AUTHORITY.

(a) HIGHWAY TRUST FUND.—Section 9503 of the Internal Revenue Code of 1986 is amended—

(1) by striking ''August 1, 2015'' in subsections (b)(6)(B), (c)(1), and (e)(3) and inserting ''October 1, 2015'', and

(2) by striking ''Highway and Transportation Funding Act of 2015'' in subsections (c)(1) and (e)(3) and inserting ''Surface Transportation Extension Act of 2015''.

(b) SPORT FISH RESTORATION AND BOATING TRUST FUND.—Section 9504 of the Internal Revenue Code of 1986 is amended—

(1) by striking ''Highway and Transportation Funding Act of 2015'' each place it appears in subsection (b)(2) and inserting ''Surface Transportation Extension Act of 2015'', and

(2) by striking ''August 1, 2015'' in subsection (d)(2) and inserting ''October 1, 2015''.

(c) LEAKING UNDERGROUND STORAGE TANK TRUST FUND.—Paragraph (2) of section 9508(e) of the Internal Revenue Code of 1986 is amended by striking ''August 1, 2015'' and inserting ''October 1, 2015''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on August 1, 2015.

SA 2330. Mr. MCCONNELL proposed an amendment to amendment SA 2329 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; as follows:

At the end insert the following:

''This act shall be effective one day after enactment.''

SA 2331. Mrs. CAPITO submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of division F, add the following:

TITLE LXII—AFFORDABLE RELIABLE ELECTRICITY

SEC. 62__01. SHORT TITLE.

This title may be cited as the ''Affordable Reliable Electricity Now Act of 2015''.

SEC. 62__02. DEFINITIONS.

In this title:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(2) DEMONSTRATION PROJECT.—The term ''demonstration project'' means a project to test or demonstrate the feasibility of a carbon capture and storage technology that has Federal Government funding or financial assistance.

(3) EXISTING SOURCE.—The term ''existing source'' has the meaning given the term in section 111(a) of the Clean Air Act (42 U.S.C. 7411(a)).

(4) GREENHOUSE GAS.—The term ''greenhouse gas'' means any of the following:

(A) Carbon dioxide.

(B) Methane.

(C) Nitrous oxide.

(D) Sulfur hexafluoride.

(E) Hydrofluorocarbons.

(F) Perfluorocarbons.

(5) MODIFICATION.—The term ''modification'' has the meaning given the term in section 111(a) of the Clean Air Act (42 U.S.C. 7411(a)).

(6) MODIFIED SOURCE.—The term ''modified source'' means any stationary source, the modification of which is commenced after the date of enactment of this Act.

(7) NEW SOURCE.—The term ''new source'' has the meaning given the term in section 111(a) of the Clean Air Act (42 U.S.C. 7411(a)).

(8) RECONSTRUCTED SOURCE.—The term ''reconstructed source'' means any stationary source, the reconstruction (as defined in section 60.15 of title 40, Code of Federal Regulations (as in effect on the date of enactment of this Act)) of which is commenced after the date of enactment of this Act.

SEC. 62__03. STANDARDS OF PERFORMANCE FOR NEW, MODIFIED, AND RECONSTRUCTED FOSSIL FUEL-FIRED ELECTRIC UTILITY GENERATING UNITS.

(a) LIMITATION.—The Administrator may not issue, implement, or enforce any proposed or final rule, in whole or in part, under section 111 of the Clean Air Act (42 U.S.C. 7411) that establishes a standard of performance for emissions of any greenhouse gas from any new source, modified source, or reconstructed source that is a fossil fuel-fired electric utility generating unit, unless that rule meets the requirements of subsections (b) and (c).

(b) REQUIREMENTS.—In issuing any rule pursuant to section 111 of the Clean Air Act (42 U.S.C. 7411) establishing standards of performance for emissions of any greenhouse gas from new sources, modified sources, or reconstructed sources that are fossil fuel-fired electric utility generating units, the Administrator, for purposes of establishing those standards—

(1) shall separate sources fueled with coal and natural gas into separate categories; and

(2) shall not establish a standard based on the best system of emission reduction for new sources within a fossil-fuel category unless—

(A) the standard has been achieved, on average, for at least 1 continuous 12-month period (excluding planned outages) by each of at least 6 units within that category—

(i) each of which is located at a different electric generating station in the United States;

(ii) that, collectively, are representative of the operating characteristics of electric generation at different locations in the United States; and

(iii) each of which is operated for the entire 12-month period on a full commercial basis; and

(B) no results obtained from any demonstration project are used in setting the standard.

(c) COAL WITH CERTAIN HEAT CONTENT.—

(1) SEPARATE SUBCATEGORY.—In carrying out subsection (b)(1), the Administrator shall establish a separate subcategory for new sources, modified sources, or reconstructed sources that are fossil fuel-fired electric utility generating units using coal with an average heat content of 8,300 or less British Thermal Units per pound.

(2) STANDARD.—Notwithstanding subsection (b)(2), in issuing any rule pursuant to section 111 of the Clean Air Act (42 U.S.C. 7411) establishing standards of performance for emissions of any greenhouse gas from new, modified, or reconstructed sources in the subcategory referred to in paragraph (1), the Administrator shall not establish a standard based on the best system of emission reduction unless—

(A) that standard has been achieved, on average, for at least 1 continuous 12-month period (excluding planned outages) by each of at least 3 units within that subcategory—

(i) each of which is located at a different electric generating station in the United States;

(ii) which, collectively, are representative of the operating characteristics of electric generation at different locations in the United States; and

(iii) each of which is operated for the entire 12-month period on a full commercial basis; and

(B) no results obtained from any demonstration project are used in establishing that standard.

SEC. 62__04. STANDARDS OF PERFORMANCE FOR EXISTING FOSSIL FUEL-FIRED ELECTRIC UTILITY GENERATING UNITS, COMPLIANCE EXTENSION, AND RATEPAYER PROTECTION.

(a) LIMITATION.—

(1) IN GENERAL.—The Administrator may not issue, implement, or enforce any proposed or final rule described in paragraph (2), unless that rule meets the requirements of subsection (b).

(2) DESCRIPTION OF RULE.—A rule referred to in paragraph (1) is any proposed or final rule to address carbon dioxide emissions from existing sources that are fossil fuel-fired electric utility generating units under section 111 of the Clean Air Act (42 U.S.C. 7411), including any final rule that succeeds—

(A) the proposed rule entitled ''Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units'' (79 Fed. Reg. 34830 (June 18, 2014)); or

(B) the supplemental proposed rule entitled ''Carbon Pollution Emission Guidelines for Existing Stationary Sources: EGUs in Indian Country and U.S. Territories; Multi-Jurisdictional Partnerships'' (79 Fed. Reg. 65482 (November 4, 2014)).

(b) REQUIREMENTS.—

(1) IN GENERAL.—Before issuing, implementing, or enforcing any rule described in subsection (a)(2), the Administrator shall—

(A) submit to Congress a report describing the quantity of greenhouse gas emissions that the rule is projected to reduce, as compared to overall domestic and global greenhouse gas emissions;

(B) conduct modeling regarding the means by which the source rule in effect on the date of development of the proposed rule, if applicable, impacts each climate indicator used by the Administrator in developing the proposed rule; and

(C) issue State-specific model plans to demonstrate with specificity the areas in, and means by which, each State will be required to reduce the greenhouse gas emissions of the State under the rule.

(2) EXCLUSION.—A court shall not consider paragraph (1) in determining whether the Administrator is authorized to issue any rule described in subsection (a)(2).

(c) RATEPAYER PROTECTIONS.—No State shall be required to adopt or submit a State plan, and no State or entity within a State shall become subject to a Federal plan, pursuant to any final rule described in subsection (a), if the Governor of the State makes a determination, and notifies the Administrator, that implementation of the State or Federal plan would have a negative effect on—

(1) economic growth, competitiveness, and jobs in the State;

(2) the reliability of the electricity system of the State; or

(3) the electricity ratepayers of the State, including low-income ratepayers, by causing electricity rate increases.

(d) EXTENSION OF COMPLIANCE DATES.—

(1) DEFINITION OF COMPLIANCE DATE.—

(A) IN GENERAL.—In this subsection, the term ''compliance date'' means, with respect to any requirement of a final rule described in subsection (a)(2), the date by which any State, local, or tribal government or other person is first required to comply with the requirement.

(B) INCLUSION.—The term ''compliance date'' includes the date by which State plans are required to be submitted to the Administrator under any final rule described in subsection (a)(2).

(2) EXTENSIONS.—Each compliance date of any final rule described in subsection (a)(2) is deemed to be extended by the time period equal to the time period described in paragraph (3).

(3) PERIOD DESCRIBED.—The time period described in this paragraph is the period of days that—

(A) begins on the date that is 60 days after the day on which notice of promulgation of a final rule described in subsection (a)(2) appears in the Federal Register; and

(B) ends on the date on which judgement becomes final, and no longer subject to further appeal or review, in all actions (including any action filed pursuant to section 307 of the Clean Air Act (42 U.S.C. 7607) that—

(i) are filed during the 60 days described in paragraph (A); and

(ii) seek review of any aspect of the rule.

SEC. 62__05. LIMITATION ON EFFECT OF NONCOMPLIANCE.

Notwithstanding any other provision of law, noncompliance by a State with any proposed, modified, or final rule described in section 62__03 or 62__04 applicable to any new, modified, reconstructed, or existing source shall not constitute a reason for imposing any highway sanction under section 179(b)(1) of the Clean Air Act (42 U.S.C. 7509(b)(1)).

SEC. 62__06. REPEAL OF EARLIER RULES AND GUIDELINES.

The following rules shall be of no force or effect, and shall be treated as though the rules had never been issued:

(1) The proposed rule—

(A) entitled ''Standards of Performance for Greenhouse Gas Emissions for New Stationary Sources: Electric Utility Generating Units'' (77 Fed. Reg. 22392 (April 13, 2012)); and

(B) withdrawn pursuant to the notice entitled ''Withdrawal of Proposed Standards of Performance for Greenhouse Gas Emissions for New Stationary Sources: Electric Utility Generating Units'' (79 Fed. Reg. 1352 (January 8, 2014)).

(2) The proposed rule entitled ''Standards of Performance for Greenhouse Gas Emissions from New Stationary Sources: Electric Utility Generating Units'' (79 Fed. Reg. 1430 (January 8, 2014)).

(3) The proposed rule entitled ''Carbon Pollution Standards for Modified and Reconstructed Stationary Sources: Electric Utility Generating Units'' (79 Fed. Reg. 34960 (June 18, 2014)).

(4) With respect to the proposed rules described in paragraphs (1), (2), and (3), any successor or substantially similar proposed or final rule that—

(A) is issued prior to the date of enactment of this Act;

(B) is applicable to any new, modified, or reconstructed source that is a fossil fuel-fired electric utility generating unit; and

(C) does not meet the requirements under subsections (b) and (c) of section 62__03.

(5) Any proposed or final rule or guideline under section 111 of the Clean Air Act (42 U.S.C. 7411) that—

(A) is issued prior to the date of enactment of this Act; and

(B) establishes any standard of performance for emissions of any greenhouse gas from any modified source or reconstructed source that is a fossil fuel-fired electric utility generating unit or apply to the emissions of any greenhouse gas from an existing source that is a fossil fuel-fired electric utility generating unit.

SEC. 62__07. RESTATEMENT OF EXISTING LAW.

Section 111(d) of the Clean Air Act (42 U.S.C. 7411(d)) is amended—

(1) by striking ''(d)(1) The Administrator'' and inserting the following:

''(d) STANDARDS OF PERFORMANCE FOR EXISTING SOURCES; REMAINING USEFUL LIFE OF SOURCE.—

''(1) IN GENERAL.—The Administrator'';

(2) in paragraph (1)(A)(i), by striking ''section 108(a) or'' and all that follows through ''but'' and insert ''section 108(a) or emitted from a source category that is regulated under section 112, but'';

(3) by striking ''(2) The Administrator'' and inserting the following:

''(2) AUTHORITY OF THE ADMINISTRATOR.—The Administrator'';

(4) in the undesignated matter at the end, by striking ''In promulgating a standard'' and inserting the following:

''(3) CONSIDERATIONS.—In promulgating a standard''; and

(5) by adding at the end the following:

''(4) PROHIBITION.—The Administrator shall not regulate as an existing source under this subsection any source category regulated under section 112.''.

SA 2332. Mr. ENZI (for himself, Mr. DURBIN, Mr. ALEXANDER, and Ms. HEITKAMP) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of division F, add the following:

TITLE LXII—MARKETPLACE FAIRNESS ACT

SECTION 62001. SHORT TITLE.

This title may be cited as the ''Marketplace Fairness Act of 2015''.

SEC. 62002. AUTHORIZATION TO REQUIRE COLLECTION OF SALES AND USE TAXES.

(a) STREAMLINED SALES AND USE TAX AGREEMENT.—Each Member State under the Streamlined Sales and Use Tax Agreement is authorized to require all sellers not qualifying for the small seller exception described

in subsection (c) to collect and remit sales and use taxes with respect to remote sales sourced to that Member State pursuant to the provisions of the Streamlined Sales and Use Tax Agreement, but only if any changes to the Streamlined Sales and Use Tax Agreement made after the date of the enactment of this Act are not in conflict with the minimum simplification requirements in subsection (b)(2). Subject to section 62003(h), a State may exercise authority under this title beginning 180 days after the State publishes notice of the State's intent to exercise the authority under this title, but no earlier than the first day of the calendar quarter that is at least 180 days after the date of the enactment of this Act.

(b) ALTERNATIVE.—A State that is not a Member State under the Streamlined Sales and Use Tax Agreement is authorized notwithstanding any other provision of law to require all sellers not qualifying for the small seller exception described in subsection (c) to collect and remit sales and use taxes with respect to remote sales sourced to that State, but only if the State adopts and implements the minimum simplification requirements in paragraph (2). Subject to section 62003(h), such authority shall commence beginning no earlier than the first day of the calendar quarter that is at least 6 months after the date that the State—

(1) enacts legislation to exercise the authority granted by this title—

(A) specifying the tax or taxes to which such authority and the minimum simplification requirements in paragraph (2) shall apply; and

(B) specifying the products and services otherwise subject to the tax or taxes identified by the State under subparagraph (A) to which the authority of this title shall not apply; and

(2) implements each of the following minimum simplification requirements:

(A) Provide—

(i) a single entity within the State responsible for all State and local sales and use tax administration, return processing, and audits for remote sales sourced to the State;

(ii) a single audit of a remote seller for all State and local taxing jurisdictions within that State; and

(iii) a single sales and use tax return to be used by remote sellers to be filed with the single entity responsible for tax administration.

A State may not require a remote seller to file sales and use tax returns any more frequently than returns are required for nonremote sellers or impose requirements on remote sellers that the State does not impose on nonremote sellers with respect to the collection of sales and use taxes under this title. No local jurisdiction may require a remote seller to submit a sales and use tax return or to collect sales and use taxes other than as provided by this paragraph.

(B) Provide a uniform sales and use tax base among the State and the local taxing jurisdictions within the State pursuant to paragraph (1).

(C) Source all remote sales in compliance with the sourcing definition set forth in section 62004(7).

(D) Provide—

(i) information indicating the taxability of products and services along with any product and service exemptions from sales and use tax in the State and a rates and boundary database;

(ii) software free of charge for remote sellers that calculates sales and use taxes due on each transaction at the time the transaction is completed, that files sales and use tax returns, and that is updated to reflect rate changes as described in subparagraph (H); and

(iii) certification procedures for persons to be approved as certified software providers.

For purposes of clause (iii), the software provided by certified software providers shall be capable of calculating and filing sales and use taxes in all States qualified under this title.

(E) Relieve remote sellers from liability to the State or locality for the incorrect collection, remittance, or noncollection of sales and use taxes, including any penalties or interest, if the liability is the result of an error or omission made by a certified software provider.

(F) Relieve certified software providers from liability to the State or locality for the incorrect collection, remittance, or noncollection of sales and use taxes, including any penalties or interest, if the liability is the result of misleading or inaccurate information provided by a remote seller.

(G) Relieve remote sellers and certified software providers from liability to the State or locality for incorrect collection, remittance, or noncollection of sales and use taxes, including any penalties or interest, if the liability is the result of incorrect information or software provided by the State.

(H) Provide remote sellers and certified software providers with 90 days notice of a rate change by the State or any locality in the State and update the information described in subparagraph (D)(i) accordingly and relieve any remote seller or certified software provider from liability for collecting sales and use taxes at the immediately preceding effective rate during the 90-day notice period if the required notice is not provided.

(c) SMALL SELLER EXCEPTION.—A State is authorized to require a remote seller to collect sales and use taxes under this title only if the remote seller has gross annual receipts in total remote sales in the United States in the preceding calendar year exceeding $1,000,000. For purposes of determining whether the threshold in this section is met, the gross annual receipts from remote sales of 2 or more persons shall be aggregated if—

(1) such persons are related to the remote seller within the meaning of subsections (b) and (c) of section 267 or section 707(b)(1) of the Internal Revenue Code of 1986; or

(2) such persons have 1 or more ownership relationships and such relationships were designed with a principal purpose of avoiding the application of these rules.

SEC. 62003. LIMITATIONS.

(a) IN GENERAL.—Nothing in this title shall be construed as—

(1) subjecting a seller or any other person to franchise, income, occupation, or any other type of taxes, other than sales and use taxes;

(2) affecting the application of such taxes; or

(3) enlarging or reducing State authority to impose such taxes.

(b) NO EFFECT ON NEXUS.—This title shall not be construed to create any nexus or alter the standards for determining nexus between a person and a State or locality.

(c) NO EFFECT ON SELLER CHOICE.—Nothing in this title shall be construed to deny the ability of a remote seller to deploy and utilize a certified software provider of the seller's choice.

(d) LICENSING AND REGULATORY REQUIREMENTS.—Nothing in this title shall be construed as permitting or prohibiting a State from—

(1) licensing or regulating any person;

(2) requiring any person to qualify to transact intrastate business;

(3) subjecting any person to State or local taxes not related to the sale of products or services; or

(4) exercising authority over matters of interstate commerce.

(e) NO NEW TAXES.—Nothing in this title shall be construed as encouraging a State to impose sales and use taxes on any products or services not subject to taxation prior to the date of the enactment of this Act.

(f) NO EFFECT ON INTRASTATE SALES.—The provisions of this title shall apply only to remote sales and shall not apply to intrastate sales or intrastate sourcing rules. States granted authority under section 62002(a) shall comply with all intrastate provisions of the Streamlined Sales and Use Tax Agreement.

(g) NO EFFECT ON MOBILE TELECOMMUNICATIONS SOURCING ACT.—Nothing in this title shall be construed as altering in any manner or preempting the Mobile Telecommunications Sourcing Act (4 U.S.C. 116–126).

(h) LIMITATION ON INITIAL COLLECTION OF SALES AND USE TAXES FROM REMOTE SALES.—A State may not begin to exercise the authority under this title—

(1) before the date that is 1 year after the date of the enactment of this Act; and

(2) during the period beginning October 1 and ending on December 31 of the first calendar year beginning after the date of the enactment of this Act.

SEC. 62004. DEFINITIONS AND SPECIAL RULES.

In this title:

(1) CERTIFIED SOFTWARE PROVIDER.—The term ''certified software provider'' means a person that—

(A) provides software to remote sellers to facilitate State and local sales and use tax compliance pursuant to section 62002(b)(2)(D)(ii); and

(B) is certified by a State to so provide such software.

(2) LOCALITY; LOCAL.—The terms ''locality'' and ''local'' refer to any political subdivision of a State.

(3) MEMBER STATE.—The term ''Member State''—

(A) means a Member State as that term is used under the Streamlined Sales and Use Tax Agreement as in effect on the date of the enactment of this Act; and

(B) does not include any associate member under the Streamlined Sales and Use Tax Agreement.

(4) PERSON.—The term ''person'' means an individual, trust, estate, fiduciary, partnership, corporation, limited liability company, or other legal entity, and a State or local government.

(5) REMOTE SALE.—The term ''remote sale'' means a sale into a State, as determined under the sourcing rules under paragraph (7), in which the seller would not legally be required to pay, collect, or remit State or local sales and use taxes unless provided by this title.

(6) REMOTE SELLER.—The term ''remote seller'' means a person that makes remote sales in the State.

(7) SOURCED.—For purposes of a State granted authority under section 62002(b), the location to which a remote sale is sourced refers to the location where the product or service sold is received by the purchaser, based on the location indicated by instructions for delivery that the purchaser furnishes to the seller. When no delivery location is specified, the remote sale is sourced to the customer's address that is either

known to the seller or, if not known, obtained by the seller during the consummation of the transaction, including the address of the customer's payment instrument if no other address is available. If an address is unknown and a billing address cannot be obtained, the remote sale is sourced to the address of the seller from which the remote sale was made. A State granted authority under section 62002(a) shall comply with the sourcing provisions of the Streamlined Sales and Use Tax Agreement.

(8) STATE.—The term ''State'' means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, the Commonwealth of the Northern Mariana Islands, and any other territory or possession of the United States, and any tribal organization (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b)).

(9) STREAMLINED SALES AND USE TAX AGREEMENT.—The term ''Streamlined Sales and Use Tax Agreement'' means the multi-State agreement with that title adopted on November 12, 2002, as in effect on the date of the enactment of this Act and as further amended from time to time.

SEC. 62005. SEVERABILITY.

If any provision of this title or the application of such provision to any person or circumstance is held to be unconstitutional, the remainder of this title and the application of the provisions of such to any person or circumstance shall not be affected thereby.

SEC. 62006. PREEMPTION.

Except as otherwise provided in this title, this title shall not be construed to preempt or limit any power exercised or to be exercised by a State or local jurisdiction under the law of such State or local jurisdiction or under any other Federal law.

SA 2333. Mr. WYDEN (for himself, Mr. CARDIN, Mr. BROWN, and Ms. WARREN) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

Strike sections 52106 and 52107 and insert the following:

SEC. 52106. DELAY IN APPLICATION OF WORLDWIDE INTEREST.

(a) IN GENERAL.—Paragraphs (5)(D) and (6) of section 864(f) of the Internal Revenue Code of 1986 are each amended by striking ''December 31, 2020'' and inserting ''December 31, 2023''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

SA 2334. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 596, beginning on line 15, strike ''the following amounts:'' and all that follows through line 19, and insert ''$2,450,000,000 for each of the fiscal years 2016 through 2019.''.

On page 597, lines 13 through 16, strike ''up to $5,000,000 from the amount appropriated in each fiscal year under subsection (a) of this section for the use of the Northeast Corridor Commission'' and insert '', from the amounts appropriated pursuant to subsection (a), up to $550,000,000 for each of the fiscal years 2016 and 2017, up to $700,000,000 for fiscal year 2018, and up to $800,000,000 for fiscal year 2019, for the Northeast Corridor Infrastructure and Operations Advisory Commission''.

SA 2335. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place in title XXXII of division C, insert the following:

SEC. ___. RENTAL TRUCK REPORT CARD.

(a) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Administrator of the Federal Motor Carrier Safety Administration shall promulgate a rule that requires rental truck costumers to be provided with a maintenance report card for the truck they are renting at the time of such rental. Such report card shall include, with respect to the truck involved, information relating to—

(1) the braking systems (including the emergency break), checked at time of rental and the last service date (including when service was performed and the manufacturer's service standard);

(2) the tires (including tread depths, tire pressure, and sidewalls), checked at time of rental and the last time the tires were changed (including the manufacturer's service standard);

(3) the steering system, including the alignment checked at time of rental and last service date (including when service was performed and the manufacturer's service standard);

(4) the suspension system, including the last service date, the service performed, and the manufacturer's service standard;

(5) the transmission, including the last service date, the service performed, and the manufacturer's service standard;

(6) the lights (including the head lights, tail lights, and signal lamps), including a visual check at the time of rental;

(7) the fluids (including all fluids such as motor oil, power steering fluid, and coolant), to be checked at the time of rental;

(8) the wipers and wiper fluid to be checked at time of rental, including the last time the wipers were changed and the manufacturer's service standard;

(9) the battery, to be checked at time of rental, including the last time the battery was changed and the manufacturer's service standard; and

(10) the heating and air conditioning systems, to be checked at time of rental.

(b) DEFICIENT REPORT.—If the report card with respect to a rental truck under subsection (a) indicates that any of the areas described in such report card are deficient, the consumer has the right to be given another rental truck or a full refund. If another rental truck is not made available to the consumer within 24 hours of receiving the report card, then a fee shall be assessed against the entity renting the truck in an amount as determined by the Department of Transportation.

SA 2336. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

Strike section 32305 (relating to regulatory reform).

SA 2337. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

Strike section 32202 (relating to petitions for regulatory relief).

SA 2338. Mr. BLUMENTHAL (for himself, Mr. NELSON, and Mr. MARKEY) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 579, strike lines 6 through 17 and insert the following:

(a) INCREASE IN CIVIL PENALTIES.—

(1) IN GENERAL.—Section 30165(a) is amended—

(A) in paragraph (1)—

(i) in the first sentence—

(I) by inserting ''or causes the violation of'' after ''violates''; and

(II) by striking ''$5,000'' and inserting ''$25,000''; and

(ii) by striking the third sentence;

(B) in paragraph (2)—

(i) in subparagraph (A), by striking ''$10,000'' and inserting ''$100,000''; and

(ii) in subparagraph (B), by striking the second sentence; and

(C) in paragraph (3)—

(i) in the first sentence, by inserting ''or causes the violation of'' after ''violates'';

(ii) in the second sentence, by striking ''$5,000'' and inserting ''$25,000''; and

(iii) by striking the third sentence.

(2) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed as preventing the imposition of penalties under section 30165 of title 49, United States Code, as in effect before the effective date set forth in subsection (b), prior to the issuance of a final rule under section 31203(b) of the Moving Ahead for Progress in the 21st Century Act (49 U.S.C. 30165 note).

SA 2339. Mr. BLUMENTHAL (for himself, Mr. NELSON, and Mr. MARKEY) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. USED CAR SAFETY RECALL REPAIRS.

(a) SHORT TITLE.—This section may be cited as the ''Used Car Safety Recall Repair Act''.

(b) USED PASSENGER MOTOR VEHICLE CONSUMER PROTECTION.—Section 30120 of title 49, United States Code, is amended by adding at the end the following:

''(k) LIMITATION ON SALE OR LEASE OF USED PASSENGER MOTOR VEHICLES.—(1) A dealer may not sell or lease a used passenger motor vehicle until any defect or noncompliance determined under section 30118 with respect to the vehicle has been remedied.

''(2) Paragraph (1) shall not apply if—

''(A) the recall information regarding a used passenger motor vehicle was not accessible at the time of sale or lease using the means established by the Secretary under section 31301 of the Moving Ahead for Progress in the 21st Century Act (49 U.S.C. 30166 note); or

''(B) notification of the defect or noncompliance is required under section 30118(b), but enforcement of the order is set aside in a civil action to which 30121(d) applies.

''(3) Notwithstanding section 30102(a)(1), in this subsection—

''(A) the term 'dealer' means a person that has sold at least 10 motor vehicles to 1 or more consumers during the most recent 12-month period; and

''(B) the term 'used passenger motor vehicle' means a motor vehicle that has previously been purchased other than for resale.

''(4) By rule, the Secretary may exempt the auctioning of a used passenger motor vehicle from the requirements under paragraph (1) to the extent that the exemption does not harm public safety.''.

(c) EFFECTIVE DATE.—This section shall take effect on that date that is 18 months after the date of the enactment of this Act.

SA 2340. Mr. BLUMENTHAL (for himself, Mr. NELSON, and Mr. MARKEY) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. CRIMINAL PENALTIES.

(a) IN GENERAL.—Part I of title 18, United States Code, is amended by inserting after chapter 101 the following:

''CHAPTER 101A—REPORTING STANDARDS

''Sec.
''2081. Definitions.
''2082. Failure to inform and warn.
''2083. Relationship to existing law.

''§ 2081. Definitions

''In this chapter—

''(1) the term 'business entity' means a corporation, company, association, firm, partnership, sole proprietor, or other business entity that is a manufacturer;

''(2) the term 'covered product' means a motor vehicle, motor vehicle equipment, or other equipment that—

''(A) is integral to the operation of a motor vehicle;

''(B) is manufactured, assembled, designed, researched, imported, or distributed by a business entity; and

''(C) enters interstate commerce;

''(3) the term 'covered service' means a service that—

''(A) is integral to the operation of a motor vehicle or motor vehicle equipment;

''(B) is conducted or provided by a business entity; and

''(C) enters interstate commerce;

''(4) the terms 'manufacturer', 'motor vehicle', and 'motor vehicle equipment' have the meanings given those terms in section 30102 of title 49;

''(5) the term 'NHTSA' means the National Highway Traffic Safety Administration;

''(6) the term 'responsible corporate officer' means a person who—

''(A) is an employer, director, or officer of a business entity;

''(B) has the responsibility and authority, by reason of his or her position in the business entity and in accordance with the rules or practice of the business entity, to acquire knowledge of any serious danger associated with a covered product (or component of a covered product) or covered service; and

''(C) has the responsibility, by reason of his or her position in the business entity, to communicate information about the serious danger to—

''(i) the NHTSA; or

''(ii) individuals who may be exposed to the serious danger;

''(7) the term 'serious bodily injury' means an impairment of the physical condition of an individual, including as a result of trauma, repetitive motion, or disease, that—

''(A) creates a substantial risk of death; or

''(B) causes—

''(i) serious permanent disfigurement;

''(ii) unconsciousness;

''(iii) extreme pain; or

''(iv) permanent or protracted loss or impairment of the function of any bodily member, organ, bodily system, or mental faculty;

''(8) the term 'serious danger' means a danger, not readily apparent to a reasonable person, that the normal or reasonably foreseeable use of, or the exposure of an individual to, a covered product or covered service has an imminent risk of causing death or serious bodily injury to an individual; and

''(9) the term 'inform individuals' means take reasonable steps to give, to each individual who is exposed or may be exposed to a serious danger, a description of the serious danger that is sufficient to make the individual aware of the serious danger.

''§ 2082. Failure to inform and warn

''(a) REQUIREMENT.—After acquiring actual knowledge of a serious danger associated with a covered product (or component of a covered product) or covered service, a business entity and any responsible corporate officer with respect to the covered product or covered service, shall—

''(1) as soon as practicable and not later than 72 hours after acquiring such knowledge, verbally inform the NHTSA of the serious danger, unless the business entity or responsible corporate officer has actual knowledge that the NHTSA has been so informed;

''(2) not later than 15 days after acquiring such knowledge, inform the NHTSA in writing of the serious danger, unless the business entity or responsible corporate officer has actual knowledge that the NHTSA has been so informed; and

''(3) as soon as practicable, inform individuals who may be exposed to the serious danger of the serious danger if such individuals can reasonably be identified, unless the business entity or responsible corporate officer has actual knowledge that such individuals have been so warned.

''(b) PENALTY.—

''(1) IN GENERAL.—Whoever knowingly violates subsection (a) shall be fined under this title, imprisoned for not more than 5 years, or both.

''(2) PROHIBITION OF PAYMENT BY BUSINESS ENTITIES.—If a final judgment is rendered and a fine is imposed on an individual under this subsection, the fine may not be paid, directly or indirectly, out of the assets of any business entity on behalf of the individual.

''§ 2083. Relationship to existing law

''(a) RIGHTS TO INTERVENE.—Nothing in this chapter shall be construed to limit the right of any individual or group of individuals to initiate, intervene in, or otherwise participate in any proceeding before a regulatory agency or court, nor to relieve any regulatory agency, court, or other public body of any obligation, or affect its discretion to permit intervention or participation by an individual or a group or class of consumers, employees, or citizens in any proceeding or activity.

''(b) RULE OF CONSTRUCTION.—Nothing in this chapter shall be construed to—

''(1) increase the time period for informing of a serious danger or other harm under any other provision of law; or

''(2) limit or otherwise reduce the penalties for any violation of Federal or State law under any other provision of law.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of chapters for part I of title 18, United States Code, is amended by inserting after the item relating to chapter 101 the following:

''101A. Reporting standards ..... 2081''.

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect on the date that is 1 year after the date of enactment of this Act.

SA 2341. Mr. CRAPO (for himself, Mr. BENNET, Mr. GARDNER, and Mr. RISCH) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. FACILITATE WATER LEASING AND WATER TRANSFERS TO PROMOTE CONSERVATION AND EFFICIENCY.

(a) IN GENERAL.—Paragraph (12) of section 501(c) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

''(I) TREATMENT OF MUTUAL DITCH IRRIGATION COMPANIES.—

''(i) IN GENERAL.—In the case of a mutual ditch or irrigation company or of a like organization to a mutual ditch or irrigation company, subparagraph (A) shall be applied without taking into account any income received or accrued—

''(I) from the sale, lease, or exchange of fee or other interests in real property, including interests in water,

''(II) from the sale or exchange of stock in a mutual ditch or irrigation company (or in a like organization to a mutual ditch or irrigation company) or contract rights for the delivery or use of water, or

''(III) from the investment of proceeds from sales, leases, or exchanges under subclauses (I) and (II),

except that any income received under sub clause (I), (II), or (III) which is distributed or expended for expenses (other than for operations, maintenance, and capital improvements) of the mutual ditch or irrigation company or of the like organization to a mutual ditch or irrigation company (as the case may be) shall be treated as nonmember income in the year in which it is distributed or expended. For purposes of the preceding sentence, expenses (other than for operations, maintenance, and capital improvements) include expenses for the construction of conveyances designed to deliver water outside of the system of the mutual ditch or irrigation company or of the like organization.

''(ii) TREATMENT OF ORGANIZATIONAL GOVERNANCE.—In the case of a mutual ditch or irrigation company or of a like organization to a mutual ditch or irrigation company, where State law provides that such a company or organization may be organized in a manner that permits voting on a basis which is pro rata to share ownership on corporate governance matters, subparagraph (A) shall be applied without taking into account whether its member shareholders have one vote on corporate governance matters per share held in the corporation. Nothing in this clause shall be construed to create any inference about the requirements of this subsection for companies or organizations not included in this clause.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to taxable years beginning after the date of the enactment of this Act.

SA 2342. Mr. GARDNER submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XXXI of division C, add the following:

SEC. 31304. MONTHLY REPORTS ON PERFORMANCE AT UNITED STATES PORTS.

(a) IN GENERAL.—Not later than 1 year before the expiration date of a maritime labor agreement that applies to facilities of a United States port, 3 months before the expiration date of the maritime labor agreement, and monthly thereafter until a new agreement is agreed to, the Secretary of Transportation, in consultation with the Secretary of Commerce and the Secretary of Labor, shall post on the public website of the Department of Transportation a report that includes port performance indicators at the affected port. If multiple ports are affected by the expiration of the maritime labor agreement, the Secretary of Transportation shall post a report for each affected port.

(b) CONTENTS.—Each report required under subsection (a) shall include, for the affected port during the previous month—

(1) the performance indicators listed under section 6314(b)(2) of title 49, United States Code;

(2) the number and type of vessels awaiting berthing, including average wait time;

(3) the number of cancelled vessel calls;

(4) an estimate of the economic impact associated with any delays both at the port and across the national economy;

(5) an estimate of the amount of time required to clear any congestion;

(6) the average number of labor positions ordered and filled; and

(7) any other factors that might have created delays, including weather, equipment maintenance or failures, or infrastructure development or repair.

(c) EFFECTIVE PERIOD.—The Secretary of Transportation, in consultation with the Secretary of Commerce and the Secretary of Labor, shall submit a report required under subsection (a) for an affected port until the date on which a new maritime labor agreement that applies to the facilities of the port is agreed to by all of the parties to that maritime labor agreement.

(d) DEFINITION OF MARITIME LABOR AGREEMENT.—In this section, the term ''maritime labor agreement'' has the meaning given such term in section 40102 of title 46, United States Code.

SA 2343. Mr. GARDNER submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle C of title I, add the following:

SEC. 11210. HIGHWAY SAFETY IMPROVEMENTS.

(a) DEFINITION OF PREVENTIVE MAINTENANCE.—Section 116(a)(1) of title 23, United States Code, is amended by striking ''activities'' and inserting ''maintenance activities and the appropriate safety equipment to complete such maintenance activities''.

(b) ELIGIBLE SURFACE TRANSPORTATION PROGRAM PROJECTS.—Section 133(b)(7) of such title is amended by inserting ''and capital costs for fixed and mobile'' after ''installation of''.

(c) HIGHWAY SAFETY IMPROVEMENT PROJECTS.—Section 148(a)(4) of such title is amended—

(1) in subparagraph (A), by striking ''activities,'' and inserting ''maintenance activities, the safety equipment approved to complete such activities,'';

(2) in subparagraph (B)—

(A) in the matter preceding clause (i), by striking '', but is not limited to, a project'' and inserting ''a project or maintenance activity''; and

(B) by amending clause (xvi) to read as follows:

''(xvi) Installation and capital costs of guardrails, fixed and mobile barriers (including fixed and mobile barriers between construction work zones and traffic lanes for the safety of road users and workers), crash atenuators, and other safety equipment .''.

SA 2344. Mr. GARDNER (for himself, Mr. HELLER, and Mr. BENNET) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 256, strike lines 19 and 20 and insert the following:

(A) in paragraph (3), by inserting ''or as merited by ridership demands'' after ''weekend days'';

(B) in paragraph (4)—

(i) in subparagraph (A), by inserting ''or includes performance features that otherwise ensure reliable travel times for public transportation operating in a separated right-of-way in a shared-use facility'' after ''periods''; and

(ii) in subparagraph (C)(iii), by inserting ''or as merited by ridership demands'' after ''weekend days'';

On page 256, line 21, strike ''(B)'' and insert ''(C)''.

On page 257, line 7, strike ''(C)'' and insert ''(D)''.

SA 2345. Mrs. FISCHER submitted an amendment intended to be proposed by her to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for

purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

Beginning on page 450, strike line 13 and all that follows through page 453, line 16, and insert the following:

SEC. 32403. COMMERCIAL DRIVER ACCESS.

(a) INTERSTATE COMPACT PILOT PROGRAM.—

(1) IN GENERAL.—The Administrator of the Federal Motor Carrier Safety Administration shall establish a 6-year pilot program to study the feasibility, benefits, and safety impacts of allowing a licensed driver between 18 and 21 years of age to operate a commercial motor vehicle in interstate commerce.

(2) INTERSTATE COMPACTS.—The Secretary shall allow States, including the District of Columbia, to enter into an interstate compact with contiguous States to allow a licensed driver between 18 and 21 years of age to operate a motor vehicle across the applicable State lines. The Secretary shall approve as many as 6 interstate compacts, with no limit on the number of States participating in each interstate compact.

(3) MUTUAL RECOGNITION OF LICENSES.—A valid intrastate commercial driver's licenses issued by a State participating in an interstate compact under paragraph (2) shall be recognized as valid in each State that is participating in that interstate compact.

(4) STANDARDS.—In developing an interstate compact under this subsection, participating States shall provide for minimum licensure standards acceptable for interstate travel under this section, which may include, for a licensed driver between 18 and 21 years of age participating in the pilot program—

(A) age restrictions;

(B) distance from origin (measured in air miles);

(C) reporting requirements; or

(D) additional hours of service restrictions.

(5) LIMITATIONS.—An interstate compact under paragraph (2) may not permit special configuration or hazardous cargo operations to be transported by a licensed driver under 21 years of age.

(6) ADDITIONAL REQUIREMENTS.—The Secretary may—

(A) prescribe such additional requirements, including training, for a licensed driver between 18 and 21 years of age participating in the pilot program as the Secretary considers necessary; and

(B) provide risk mitigation restrictions and limitations.

(b) APPROVAL.—An interstate compact under subsection (a)(2) may not go into effect until it has been approved by the governor of each State (or the Mayor of the District of Columbia, if applicable) that is a party to the interstate compact, after consultation with the Secretary of Transportation and the Administrator of the Federal Motor Carrier Safety Administration.

(c) REPORT.—Not earlier than 4 years after the date on which the test program is established, the Secretary shall submit a report to Congress that contains—

(1) the findings of the pilot program;

(2) a determination of whether a licensed driver between 18 and 21 years of age can operate a commercial motor vehicle in interstate commerce with an equivalent level of safety; and

(3) the reasons for that determination.

SA 2346. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 407, before line 1, insert the following:

SEC. 31304. ADDRESSING PORT SLOWDOWNS, STRIKES, AND LOCK-OUTS.

(a) NATIONAL EMERGENCIES.—Section 206 of the Labor Management Relations Act, 1947 (29 U.S.C. 176) is amended—

(1) in the first sentence—

(A) by striking ''Whenever in the opinion'' and inserting ''(a) Whenever in the opinion'';

(B) by striking ''a threatened or actual strike or lock-out'' and inserting ''a slowdown, or a threatened or an actual strike or lock-out,'';

(C) by striking ''he may appoint'' and inserting ''the President may appoint''; and

(D) by striking ''to him within such time as he shall prescribe'' and inserting ''to the President within such time as the President shall prescribe and in accordance with the third sentence of this subsection'';

(2) in the third sentence, by striking ''The President'' and inserting ''Not later than 30 days after appointing the board of inquiry, the President''; and

(3) by adding at the end the following:

''(b)(1) Whenever in the opinion of any Governor of a State or territory of the United States, a slowdown, or a threatened or an actual strike or lock-out, occurring at 1 or more ports in the United States, is affecting an entire industry or a substantial part thereof engaged in trade, commerce, transportation, transmission, or communication among the several States or with foreign nations, or engaged in the production of goods for commerce, will, if permitted to occur or to continue, imperil national or State health or safety, the Governor may request the President to appoint a board of inquiry under subsection (a).

''(2)(A) If the President does not appoint a board of inquiry within 10 days of receiving a request under paragraph (1), the Governor who made the request under such paragraph may appoint a board of inquiry to inquire into the issues involved in the dispute and prepare and submit, to the Governor and the President, a written report as described in subparagraph (B) within such time as the Governor shall prescribe and in accordance with the deadline under subparagraph (C).

''(B) The report described in this subparagraph shall include a statement of the facts with respect to the dispute, including a statement from each party to the dispute describing the position of such party, but shall not contain any recommendations.

''(C) Not later than 30 days after appointing a board of inquiry under subparagraph (A), the Governor shall—

''(i) file a copy of the report described in subparagraph (B) with the Service; and

''(ii) make the contents of such report available to the President and the public.

''(c) Any Governor of a State or territory of the United States (referred to in this subsection as the 'supplementing Governor') may submit to the President or Governor who appointed a board of inquiry under subsection (a) or (b)(2) a supplement to the report under such subsection that includes data pertaining to the impact on the State or territory of the supplementing Governor of a slowdown, or a threatened or an actual strike or lock-out, at 1 or more ports. Upon receiving such supplement, the President or Governor shall file such supplement with the Service and make the contents of such supplement available to the public.

''(d) For each slowdown, or threatened or actual strike or lock-out, at 1 or more ports, only 1 board of inquiry may be appointed under subsection (a) or (b)(2) during any 90-day period.''.

(b) BOARDS OF INQUIRY.—Section 207(a) of the Labor Management Relations Act, 1947 (29 U.S.C. 177) is amended by striking ''as the President shall determine,'' and inserting ''as the President shall determine for a board of inquiry appointed under section 206(a), or as the Governor shall determine for a board of inquiry appointed by such Governor under section 206(b)(2),''.

(c) INJUNCTIONS DURING NATIONAL EMERGENCIES.—Section 208 of the Labor Management Relations Act, 1947 (29 U.S.C. 178) is amended—

(1) in subsection (a)—

(A) in the matter preceding clause (i)—

(i) by inserting ''appointed under subsection (a) or (b)(2) of section 206'' after ''board of inquiry'';

(ii) by striking ''strike or lock-out or the continuing thereof'' and inserting ''slowdown, or threatened or actual strike or lock-out, or the continuing thereof''; and

(iii) by striking ''such threatened or actual strike or lock-out'' and inserting ''such slowdown, or threatened or actual strike or lock-out, or the continuing thereof''; and

(B) in clause (ii), by striking ''strike or lock-out or the continuing thereof'' and inserting ''slowdown, strike, or lock-out, or the continuing thereof'';

(2) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(3) by inserting after subsection (a) the following:

''(b)(1) If a slowdown, or a threatened or an actual strike or lock-out, is occurring at 1 or more ports and the President does not direct the Attorney General to make a petition under subsection (a) within 10 days of receiving a report from a board of inquiry appointed under subsection (a) or (b)(2) of section 206, any Governor of a State or territory of the United States in which such port or ports are located may direct the attorney general of such State or territory to petition the district court of the United States having jurisdiction in such State or territory to enjoin such slowdown, or threatened or actual strike or lock-out, or the continuing thereof, at the port or ports within such State or territory.

''(2) The district court described in paragraph (1) shall have jurisdiction to enjoin any slowdown, threatened or actual strike or lock-out, or continuing thereof, and to make such other orders as may be appropriate, if such court determines that such slowdown or threatened or actual strike or lock-out—

''(A) affects an entire industry or a substantial part thereof engaged in trade, commerce, transportation, transmission, or communication within the applicable State or territory, or engaged in the production of goods for commerce; and

''(B) if permitted to occur or to continue, will imperil national or State health and safety.''.

(d) RECONVENING OF BOARDS OF INQUIRY; NLRB SECRET BALLOTS.—Section 209(b) of the Labor Management Relations Act, 1947 (29 U.S.C. 179(b)) is amended—

(1) in the first sentence, by striking ''Upon the issuance of such order, the President''

and inserting ''(1) Upon the issuance of any such order, the President or the Governor, as the case may be,'';

(2) in the second sentence, by striking ''report to the President'' and inserting ''report to the President and any Governor who initiated an action under section 206(b) or 208(b)'';

(3) in the third sentence, by striking ''The President'' and inserting ''The President or the Governor, as the case may be,'';

(4) in the fourth sentence—

(A) by striking ''The National Labor Relations Board, within the succeeding fifteen days, shall take a secret ballot'' and inserting the following:

''(2) Not later than 15 days after the board of inquiry submits a report under paragraph (1), the National Labor Relations Board, subject to paragraph (3), shall take a secret ballot'';

(B) by striking ''as stated by him'' and inserting ''as stated by the employer''; and

(C) by striking ''Attorney General'' and inserting ''Attorney General or State attorney general, whichever sought the injunction,''; and

(5) by adding at the end the following:

''(3) For each slowdown, or threatened or actual strike or lock-out, at 1 or more ports, the National Labor Relations Board shall take not more than 1 secret ballot in any 30-day period for the same employees.''.

(e) DISCHARGE OF INJUNCTIONS.—Section 210 of the Labor Management Relations Act, 1947 (29 U.S.C. 180) is amended—

(1) in the first sentence, by striking ''the Attorney General'' and inserting ''the Attorney General, or the State attorney general, whichever sought the injunction,''; and

(2) in the second sentence, by striking ''the President'' and inserting ''the President, or any Governor who initiated an action under section 208(b),''.

SA 2347. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

Strike section 35102 and (relating to national infrastructure and safety investments) and insert the following:

SEC. 35102. NATIONAL INFRASTRUCTURE AND SAFETY INVESTMENTS.

(a) IN GENERAL.—There is authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) for grants under chapter 244 of title 49, United States Code, $570,000,000 for each of fiscal years 2016 through 2021.

(b) PROJECT MANAGEMENT OVERSIGHT.—The Secretary may withhold up to 1 percent from the amount made available under subsection (a) for the costs of project management oversight of grants carried out under chapter 244 of title 49, United States Code.

(c) APPLICABILITY OF TITLE 23.—Funds authorized by subsection (a) shall—

(1) be available for obligation in the same manner as if the funds were apportioned under chapter 1 of title 23, United States Code, except that the Federal share payable on account of any project or activity carried out with funds made available under this section shall be no greater than 80 percent;

(2) remain available until expended;

(3) not be subject to any limitation on obligation; and

(4) not be transferable.

SA 2348. Mr. BARRASSO (for himself, Mr. DONNELLY, Mr. ROBERTS, Ms. HEITKAMP, Mr. SULLIVAN, and Mr. MANCHIN) submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of division F, add the following:

TITLE LXII—FEDERAL WATER QUALITY PROTECTION ACT

SEC. 62001. SHORT TITLE.

This title may be cited as the ''Federal Water Quality Protection Act''.

SEC. 62002. DEFINITIONS.

In this title:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(2) BODY OF WATER.—The term ''body of water'' means a traditional navigable water, territorial sea, river, stream, lake, pond, or wetlands.

(3) INTERSTATE WATERS.—The term ''interstate waters'' means the water described in section 328.3(a)(2) of title 33, Code of Federal Regulations (as in effect on the day before the date of enactment of this Act).

(4) ISOLATED.—The term ''isolated'', with respect to a body of water, means the absence of a surface hydrologic connection to a traditional navigable water.

(5) LAWFULLY CONSTRUCTED AND OPERATED WATER MANAGEMENT SYSTEM.—

(A) IN GENERAL.—The term ''lawfully constructed and operated water management system'' means a system that was built or operated outside of water that meets the definition of the term ''waters of the United States'' or, if constructed and operated in such water, the system—

(i) is authorized by a permit issued under section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344);

(ii) was constructed or operated before the effective date of initial regulations implementing section 404 of that Act (33 U.S.C. 1344);

(iii) was constructed or operated under an exemption from permitting described in subparagraph (A) or (C) of section 404(f)(1) of that Act (33 U.S.C. 1344(f)(1));

(iv) is a system that manages only irrigation return flow that is exempt from permitting under section 402(l)(1) of that Act (33 U.S.C. 1342(l)(1)); or

(v) is a system that manages only agricultural stormwater or return flows from irrigated agriculture exempt from permitting under section 502(14) of that Act (33 U.S.C. 1362(14)).

(B) INCLUSIONS.—The term ''lawfully constructed and operated'' includes a system described in subparagraph (A) that is—

(i) a ditch that collects water from roads, runways, parking lots, agricultural fields, forests, and other land or infrastructure;

(ii) an irrigation water ditch or canal;

(iii) a stormwater system;

(iv) a flood water system;

(v) a wastewater system;

(vi) a water supply system;

(vii) a spreading basin for aquifer storage and recovery or aquifer recharge;

(viii) an irrigated field;

(ix) a cranberry growing field; or

(x) a rice production field.

(6) NORMAL YEAR.—The term ''normal year'' means—

(A) the 30-year hydrologic normal, as that term is used by the Natural Resources Conservation Service of the Department of Agriculture, based on data from a specific geographic area; or

(B) if less than 30 years of data described in subparagraph (A) are available, the average of the observed monthly data from a specific geographic area over the period of record.

(7) PUBLIC NOTICE AND AN OPPORTUNITY FOR COMMENT.—

(A) IN GENERAL.—The term ''public notice and an opportunity for comment'' means notice and opportunity for comment that meets the requirements of subchapter II of chapter 5, and chapter 7, of title 5, United States Code (commonly known as the ''Administrative Procedure Act'').

(B) INCLUSION.—The term ''public notice and an opportunity for comment'' includes the opportunity for public hearings in different geographic regions with different hydrology, including separate meetings in the arid West.

(8) SECRETARY.—The term ''Secretary'' means the Secretary of the Army.

(9) STREAM.—The term ''stream'' means a natural channel formed by the flow of water that has a bed, bank, and ordinary high water mark (as defined in section 328.3(e) of title 33, Code of Federal Regulations (as in effect on the date of enactment of this Act)).

(10) SURFACE HYDROLOGIC CONNECTION.—

(A) IN GENERAL.—The term ''surface hydrologic connection'' means a continuous surface connection through which water moves within a body of water or from 1 body of water to another.

(B) EXCLUSION.—The term ''surface hydrologic connection'' does not include—

(i) overland flow of water outside a body of water (including sheetflow); or

(ii) the movement of water through soil, permafrost, subsurface tiles, or a groundwater aquifer.

(C) DETERMINATION OF CONTINUOUSNESS.—For purposes of this paragraph, a surface hydrologic connection shall be considered to be continuous if the connection is continuous, regardless of whether—

(i) water is not always present; and

(ii) there is a break in the ordinary high water mark of a stream that is unrelated to the flow regime of the stream, including a break caused by a culvert, pipe, dam, or by the flow of the stream underground for a short distance, such as through a cave.

(11) TRADITIONAL NAVIGABLE WATER.—The term ''traditional navigable water'' means the water described in section 328.3(a)(1) of title 33, Code of Federal Regulations (as in effect on the date of enactment of this Act).

(12) WETLANDS.—The term ''wetlands'' has the meaning given the term in section 328.3(b) of title 33, Code of Federal Regulations (as in effect on the date of enactment of this Act).

SEC. 62003. REVISED DEFINITION; PRINCIPLES AND PROCESS.

(a) REVISED DEFINITION.—A revision to or guidance on a regulatory definition of the term ''navigable waters'' or ''waters of the United States'' promulgated or issued pursuant to the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) after February 4, 2015, shall have no force or effect—

(1) unless the revision adheres to the principles under subsection (b); and

(2) until after the Secretary and the Administrator carry out each action described in subsection (c).

(b) PRINCIPLES.—In promulgating a revised regulatory definition pursuant to this subsection, the Secretary and the Administrator shall adhere to the following principles:

(1) The term ''waters of the United States'' under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) should identify bodies of water subject to Federal jurisdiction, and should include—

(A) traditional navigable waters and interstate waters;

(B) tributaries of navigable waters that are streams that contribute flow in a normal year through a surface hydrologic connection to a traditional navigable water of sufficient volume, duration, and frequency that pollutants in the reach of the tributary would degrade the water quality of the traditional navigable water, based on quantifiable and statistically valid measure of flow for the geographic area; and

(C) wetlands situated next to a water of the United States that, in a normal year, protect the water quality of a navigable water by preventing the movement of pollutants to a navigable water.

(2) The term ''waters of the United States'' under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) should not include—

(A) water that is located below the surface of the land, including soil water, permafrost, and groundwater;

(B) water that is not located within navigable water, interstate water, a territorial sea, a river, a stream, a lake, a pond, or a wetland;

(C) a stream that does not contribute flow to navigable water, as described in paragraph (1)(B);

(D) an isolated pond, whether natural or manmade, including a farm pond, fish pond, livestock watering pond, quarry, mine pit, ornamental pond, swimming pool, construction pit, fire control pond, sediment pond, manure lagoon, and any other isolated facility or system that holds water;

(E) a lawfully constructed and operated water management system, other than a system component that is a traditional navigable water;

(F) waste treatment systems; and

(G) prior-converted cropland (as defined in section 12.2(a) of title 7, Code of Federal Regulations (as in effect on the date of enactment of this Act)).

(3) In promulgating a revised definition of waters of the United States, the Secretary and the Administrator shall take into consideration that—

(A) the use of a body of water by an organism, including a migratory bird, does not provide a basis for establishing Federal jurisdiction under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.);

(B) the dispersal of plant seeds and insect eggs through ingestion and excretion by birds and mammals does not provide a basis for establishing Federal jurisdiction under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.);

(C) the supply of water to a groundwater aquifer and the storage of water in an isolated body of water are issues that—

(i) pertain to the use of water resources that shall not be superseded, abrogated, or otherwise impaired by the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) pursuant to sections 101(g) and 510(2) of that Act (33 U.S.C. 1251(g), 1370(2)); and

(ii) do not provide a basis for establishing Federal jurisdiction under that Act (33 U.S.C. 1251 et seq.); and

(D) evaporation, transpiration, condensation, precipitation, the overland flow of water, and the movement of water in an aquifer are all part of the water cycle and may connect all water over sufficiently long periods of time and distances, but do not provide a basis for establishing Federal jurisdiction under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.).

(4) Waters that are waters of the United States should be identified on maps provided by the Secretary and the Administrator to promote certainty and transparency in jurisdictional determinations.

(c) CONSIDERATION, CONSULTATION, AND REPORT.—

(1) FEDERALISM.—

(A) IN GENERAL.—In proposing and promulgating a regulation pursuant to subsection (a), the Secretary and the Administrator shall ensure compliance with the federalism policymaking criteria and consultation in accordance with Executive Order 13132 (64 Fed. Reg. 43255 (August 4, 1999)), regardless of whether the Secretary and the Administrator determine that the regulation would have any substantial and direct effect on—

(i) States;

(ii) the relationship between the Federal Government and the States; or

(iii) the distribution of power and responsibilities among the various levels of government.

(B) CONSULTATION.—

(i) IN GENERAL.—To be considered meaningful consultation described in section 101(b) of the Federal Water Pollution Control Act (33 U.S.C. 1251(b)), before publication of a proposed rule under this section, consultation shall include a discussion of alternative approaches with and a request for input and advice on the approaches from States and political subdivisions of States, including—

(I) Governors;

(II) State departments with authority over water supply and water quality;

(III) State departments of agriculture; and

(IV) local governments, including elected officials, local governmental entities with authority over water supply, stormwater, waste water, floodplain management, and flood control, irrigation districts, and conservation districts.

(ii) TOPICS.—The topics to be addressed in the consultation under this paragraph should include—

(I) categories of waters, in addition to those discussed in paragraphs (2) and (3) of subsection (b), that should be subject to Federal jurisdiction or should be subject solely to State or local regulation;

(II) what is the role of States in the identification of waters subject to Federal jurisdiction; and

(III) whether channels in which water is present only during or for a short time after a precipitation event are correctly categorized as geomorphological features rather than hydrologic features.

(2) REGULATORY FLEXIBILITY.—In proposing and promulgating a regulation pursuant to subsection (a), and regardless of whether the Secretary and the Administrator determine that the regulation would have a significant impact on a substantial number of small entities, the Secretary and the Administrator shall—

(A) carry out the actions described in sections 603, 604, and 609 of title 5, United States Code; and

(B) in carrying out those actions, take into consideration the costs of all programs under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), regardless of whether the Secretary and the Administrator consider the costs of the proposed regulation to be direct or indirect.

(3) UNFUNDED MANDATES.—In proposing and promulgating a regulation pursuant to subsection (a), the Secretary and the Administrator shall evaluate the intergovernmental and private sector impacts of the regulation, in accordance with title II of the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531 et seq.), regardless of whether the Secretary and the Administrator—

(A) consider the impacts of the proposed regulation to be direct or indirect; or

(B) determine that expenditures resulting from the proposed regulation would meet the monetary thresholds established in that Act (2 U.S.C. 1501 et seq.).

(4) IMPROVING REGULATION AND REGULATORY REVIEW.—In proposing and promulgating a regulation pursuant to subsection (a), regardless of whether the Secretary and the Administrator consider the regulation to be a significant regulatory action or significantly affect State, local, and tribal governments, the Secretary and the Administrator shall ensure that the regulation meets the requirements of—

(A) Executive Order 12866 (5 U.S.C. 601 note; relating to regulatory planning and review); and

(B) Executive Order 13563 (76 Fed. Reg. 3821 (January 18, 2011)).

(5) IMPROVING PERFORMANCE OF FEDERAL PERMITTING AND REVIEW OF INFRASTRUCTURE PROJECTS.—In proposing and promulgating a regulation pursuant to subsection (a), the Secretary and the Administrator shall consider—

(A) Executive Order 13604 (5 U.S.C. 601 note; relating to improving performance of Federal permitting and review of infrastructure projects); and

(B) the goal of reducing the time to make decisions in the permitting and review of infrastructure projects by the Federal Government.

(6) REPORT.—Not later than the date that is 30 days before the date of issuance of a proposed regulation pursuant to subsection (a), the Secretary and the Administrator shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that describes the means by which the proposed regulation, if finalized, would achieve compliance with the laws and Executive orders described in paragraphs (1) through (5).

(7) TIMING.—In carrying out this section, the Secretary and the Administrator shall use best efforts—

(A) to provide not less than 180 days for the consultation described in paragraph (2);

(B) to provide a comment period on the revised proposed rule of not less than 120 days; and

(C) to publish a final rule not later than December 31, 2016.

SEC. 62004. MEASURE OF FLOW.

After providing public notice and an opportunity for comment, the Secretary shall establish quantifiable and statistically valid measures of the volume, duration, and frequency of flow in streams in different geographic areas that would, in a normal year, allow pollutants in reaches of streams in those geographic areas to flow to and degrade the water quality of a traditional navigable water.

SEC. 62005. REPORT TO CONGRESS.

Not later than the date that is 3 years after the date of promulgation of a regulation pursuant to section 620003, and not less frequently than once every 3 years thereafter, the Comptroller General of the United States, after consultation with State, local, and tribal governments and other affected entities, shall—

(1) review the jurisdictional determinations made during the applicable period by the Secretary and the Administrator; and

(2) submit to Congress a report that describes—

(A) the interpretations of the regulation by—

(i) districts of the Corps of Engineers; and

(ii) regional offices of the Environmental Protection Agency;

(B) whether those interpretations are consistent;

(C) if any inconsistency exists, the measures carried out by the Secretary and the Administrator to reduce the inconsistency or an explanation of the geographic differences that make the inconsistency appropriate; and

(D) the impacts of those interpretations on Federal permitting and review of infrastructure projects, and the goal stated in section 1 of Executive Order 13604 (5 U.S.C. 601 note; relating to improving performance of Federal permitting and review of infrastructure projects) that the time to make decisions in the permitting and review of infrastructure projects by the Federal Government be reduced.

SEC. 62006. EFFECT OF TITLE.

(a) PERMITTING AUTHORITY.—Nothing in this title limits the authority of the Secretary or the Administrator—

(1) to require a permit for any discharge of pollutants to a navigable water under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.); or

(2) to take any enforcement action with respect to an unpermitted discharge under that Act.

(b) WATER TRANSFERS.—Nothing in this title affects a determination regarding whether the transfer of water from 1 body of water to another requires a permit under section 402 of the Federal Water Pollution Control Act (33 U.S.C. 1342).

(c) RETENTION OF STATE AUTHORITY.—Nothing in this title places any limitation on the scope of water subject to State jurisdiction under State law.

SA 2349. Mr. HATCH submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of division F, add the following:

SEC. ___. SECURE RURAL SCHOOLS AND COMMUNITY SELF-DETERMINATION PROGRAM.

(a) SECURE PAYMENTS FOR STATES AND COUNTIES CONTAINING FEDERAL LAND.—

(1) CALCULATION OF PAYMENTS.—Section 101 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7111) is amended by striking ''2015'' each place it appears and inserting ''2017''.

(2) ELECTIONS.—Section 102(b) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7112(b)) is amended—

(A) in paragraph (1)(C)—

(i) in the heading, by striking ''EFFECT OF LATE PAYMENT FOR FISCAL YEARS 2014 AND 2015'' and inserting ''PAYMENT FOR FISCAL YEARS 2014 THROUGH 2017''; and

(ii) by striking ''fiscal year 2014 or 2015'' and inserting ''fiscal years 2014 through 2017''; and

(B) in paragraph (2)—

(i) in subparagraph (A), by striking ''and 2015'' and inserting ''through 2017''; and

(ii) in subparagraph (B), by striking ''2015'' and inserting ''2017''.

(3) NOTIFICATION OF ELECTION.—Section 102(d) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7112(d)) is amended—

(A) in paragraph (1)(E)—

(i) in the heading, by striking ''EFFECT OF LATE PAYMENT FOR FISCAL YEAR 2014'' and inserting ''PAYMENT FOR FISCAL YEARS 2014 THROUGH 2017''; and

(ii) by striking ''and 2015'' and inserting ''through 2017''; and

(B) in paragraph (3)(C)—

(i) in the heading, by striking ''EFFECT OF LATE PAYMENT FOR FISCAL YEAR 2014'' and inserting ''PAYMENT FOR FISCAL YEARS 2014 THROUGH 2017''; and

(ii) by striking ''and 2015'' and inserting ''through 2017''.

(4) DISTRIBUTION OF PAYMENTS TO ELIGIBLE COUNTIES.—Section 103(d)(2) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7113(d)(2)) is amended by striking ''2015'' and inserting ''2017''.

(b) CONTINUATION OF AUTHORITY TO CONDUCT SPECIAL PROJECTS ON FEDERAL LAND.—Section 208 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7128) is amended—

(1) in subsection (a), by striking ''2017'' and inserting ''2019''; and

(2) in subsection (b), by striking ''2018'' and inserting ''2020''.

(c) CONTINUATION OF AUTHORITY TO USE COUNTY FUNDS.—Section 304 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7144) is amended—

(1) in subsection (a), by striking ''2017'' and inserting ''2019''; and

(2) in subsection (b), by striking ''2018'' and inserting ''2020''.

(d) NO REDUCTION IN PAYMENT.—Title IV of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7151 et seq.) is amended by adding at the end the following:

''SEC. 404. NO REDUCTION IN PAYMENTS.

''Payments under this Act for fiscal year 2016 and each fiscal year thereafter shall be exempt from direct spending reductions under section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a).''.

(e) OFFSET.—[Reserved]

SEC. ___. PAYMENTS IN LIEU OF TAXES PROGRAM.

(a) IN GENERAL.—Section 6906 of title 31, United States Code, is amended in the matter preceding paragraph (1), by striking ''2014'' and inserting ''2016''.

(b) OFFSET.—[Reserved]

SA 2350. Mr. REID (for Mr. NELSON (for himself, Mr. BLUMENTHAL, and Mr. MARKEY)) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PUBLIC AVAILABILITY OF EARLY WARNING DATA.

(a) RULEMAKING.—Not later than 2 years after the date of the enactment of this Act, the Secretary of Transportation shall promulgate regulations establishing categories of information provided to the Secretary under section 30166(m) of title 49, United States Code, as amended by section 34217, which shall be made available to the public. The Secretary may establish categories of information that are exempt from public disclosure under section 552(b) of title 5, United States Code.

(b) CONSULTATION.—In conducting the rulemaking under subsection (a), the Secretary shall consult with—

(1) the Director of the Office of Government Information Services of the National Archives and Records Administration; and

(2) the Director of the Office of Information Policy of the Department of Justice.

(c) PRESUMPTION.—In promulgating regulations under subsection (a), vehicle safety defect information related to incidents involving death or injury shall presumptively not be eligible for protection under section 552(b) of title 5, United States Code.

(d) NULLIFICATION OF PRIOR REGULATIONS.—Beginning 2 years after the date of the enactment of this Act, the regulations establishing early warning reporting class determinations in appendix C of part 512 of title 49, Code of Federal Regulations, shall have no force or effect.

SEC. _____. ADDITIONAL EARLY WARNING REPORTING REQUIREMENTS.

Section 30166(m) is amended—

(1) in paragraph (3)(C)—

(A) by striking ''The manufacturer'' and inserting the following:

''(i) IN GENERAL.—The manufacturer''; and

(B) by adding at the end the following:

''(ii) FATAL INCIDENTS.—If an incident described in clause (i) involves a fatality, the Secretary shall require the manufacturer to submit, as part of its incident report—

''(I) all initial claim or notice documents (as defined by the Secretary through regulation) except media reports, that notified the manufacturer of the incident;

''(II) any police reports or other documents that—

''(aa) describe or reconstruct the incident (as defined by the Secretary through regulation);

''(bb) relate to the initial claim or notice (except for documents that are protected by attorney-client privilege or work product privileges that are not already publicly available); and

''(cc) are in the physical possession or control of the manufacturer at the time the incident report is submitted; and

''(III) any police reports or other documents that describe or reconstruct the incident that are obtained by the manufacturer after the submission of its incident report.'';

(2) in paragraph (4), by amending subparagraph (C) to read as follows:

''(C) DISCLOSURE.—The information provided to the Secretary under this subsection—

''(i) shall be disclosed publicly after the Secretary redacts or confirms the redaction of any information that is withholdable under sections 552 and 552a of title 5; and

''(ii) shall be entered into the early warning reporting database in a manner specified by the Secretary through regulation that is searchable by manufacturer name, vehicle or equipment make and model name, model year, and reported system or component.''; and

(3) by adding at the end the following:

''(6) PUBLIC DISCLOSURE OF INFORMATION.—Any requirement for the Secretary to publicly disclose information under this subsection shall be construed in a manner that is consistent with the requirements under sections 552 and 552a of title 5.''.

At the appropriate place, insert the following:

SEC. _____. CRIMINAL PENALTIES.

(a) IN GENERAL.—Part I of title 18, United States Code, is amended by inserting after chapter 101 the following:

''CHAPTER 101A—REPORTING STANDARDS

''Sec.
''2081. Definitions.
''2082. Failure to inform and warn.
''2083. Relationship to existing law.

''§ 2081. Definitions

''In this chapter—

''(1) the term 'business entity' means a corporation, company, association, firm, partnership, sole proprietor, or other business entity that is a manufacturer;

''(2) the term 'covered product' means a motor vehicle, motor vehicle equipment, or other equipment that—

''(A) is integral to the operation of a motor vehicle;

''(B) is manufactured, assembled, designed, researched, imported, or distributed by a business entity; and

''(C) enters interstate commerce;

''(3) the term 'covered service' means a service that—

''(A) is integral to the operation of a motor vehicle or motor vehicle equipment;

''(B) is conducted or provided by a business entity; and

''(C) enters interstate commerce;

''(4) the terms 'manufacturer', 'motor vehicle', and 'motor vehicle equipment' have the meanings given those terms in section 30102 of title 49;

''(5) the term 'NHTSA' means the National Highway Traffic Safety Administration;

''(6) the term 'responsible corporate officer' means a person who—

''(A) is an employer, director, or officer of a business entity;

''(B) has the responsibility and authority, by reason of his or her position in the business entity and in accordance with the rules or practice of the business entity, to acquire knowledge of any serious danger associated with a covered product (or component of a covered product) or covered service; and

''(C) has the responsibility, by reason of his or her position in the business entity, to communicate information about the serious danger to—

''(i) the NHTSA; or

''(ii) individuals who may be exposed to the serious danger;

''(7) the term 'serious bodily injury' means an impairment of the physical condition of an individual, including as a result of trauma, repetitive motion, or disease, that—

''(A) creates a substantial risk of death; or

''(B) causes—

''(i) serious permanent disfigurement;

''(ii) unconsciousness;

''(iii) extreme pain; or

''(iv) permanent or protracted loss or impairment of the function of any bodily member, organ, bodily system, or mental faculty;

''(8) the term 'serious danger' means a danger, not readily apparent to a reasonable person, that the normal or reasonably foreseeable use of, or the exposure of an individual to, a covered product or covered service has an imminent risk of causing death or serious bodily injury to an individual; and

''(9) the term 'inform individuals' means take reasonable steps to give, to each individual who is exposed or may be exposed to a serious danger, a description of the serious danger that is sufficient to make the individual aware of the serious danger.

''§ 2082. Failure to inform and warn

''(a) REQUIREMENT.—After acquiring actual knowledge of a serious danger associated with a covered product (or component of a covered product) or covered service, a business entity and any responsible corporate officer with respect to the covered product or covered service, shall—

''(1) as soon as practicable and not later than 72 hours after acquiring such knowledge, verbally inform the NHTSA of the serious danger, unless the business entity or responsible corporate officer has actual knowledge that the NHTSA has been so informed;

''(2) not later than 15 days after acquiring such knowledge, inform the NHTSA in writing of the serious danger, unless the business entity or responsible corporate officer has actual knowledge that the NHTSA has been so informed; and

''(3) as soon as practicable, inform individuals who may be exposed to the serious danger of the serious danger if such individuals can reasonably be identified, unless the business entity or responsible corporate officer has actual knowledge that such individuals have been so warned.

''(b) PENALTY.—

''(1) IN GENERAL.—Whoever knowingly violates subsection (a) shall be fined under this title, imprisoned for not more than 5 years, or both.

''(2) PROHIBITION OF PAYMENT BY BUSINESS ENTITIES.—If a final judgment is rendered and a fine is imposed on an individual under this subsection, the fine may not be paid, directly or indirectly, out of the assets of any business entity on behalf of the individual.

''§ 2083. Relationship to existing law

''(a) RIGHTS TO INTERVENE.—Nothing in this chapter shall be construed to limit the right of any individual or group of individuals to initiate, intervene in, or otherwise participate in any proceeding before a regulatory agency or court, nor to relieve any regulatory agency, court, or other public body of any obligation, or affect its discretion to permit intervention or participation by an individual or a group or class of consumers, employees, or citizens in any proceeding or activity.

''(b) RULE OF CONSTRUCTION.—Nothing in this chapter shall be construed to—

''(1) increase the time period for informing of a serious danger or other harm under any other provision of law; or

''(2) limit or otherwise reduce the penalties for any violation of Federal or State law under any other provision of law.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of chapters for part I of title 18, United States Code, is amended by inserting after the item relating to chapter 101 the following:

''101A. Reporting standards ..... 2081''.

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect on the date that is 1 year after the date of enactment of this Act.

At the appropriate place, insert the following:

SEC. _____. USED PASSENGER MOTOR VEHICLE CONSUMER PROTECTION.

(a) IN GENERAL.—Section 30120 is amended by adding at the end the following:

''(k) LIMITATION ON SALE OR LEASE OF USED PASSENGER MOTOR VEHICLES.—(1) A dealer may not sell or lease a used passenger motor vehicle until any defect or noncompliance determined under section 30118 with respect to the vehicle has been remedied.

''(2) Paragraph (1) shall not apply if—

''(A) the recall information regarding a used passenger motor vehicle was not accessible at the time of sale or lease using the means established by the Secretary under section 31301 of the Moving Ahead for Progress in the 21st Century Act (49 U.S.C. 30166 note); or

''(B) notification of the defect or noncompliance is required under section 30118(b), but enforcement of the order is set aside in a civil action to which 30121(d) applies.

''(3) Notwithstanding section 30102(a)(1), in this subsection—

''(A) the term 'dealer' means a person that has sold at least 10 motor vehicles to 1 or more consumers during the most recent 12-month period; and

''(B) the term 'used passenger motor vehicle' means a motor vehicle that has previously been purchased other than for resale.

''(4) By rule, the Secretary may exempt the auctioning of a used passenger motor vehicle from the requirements under paragraph (1) to the extent that the exemption does not harm public safety.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) of this section shall take effect on the date that is 18 months after the date of enactment of this Act.

At the appropriate place, insert the following:

SEC. _____. IMMINENT HAZARD AUTHORITY.

Section 30118(b) is amended—

(1) in paragraph (1), by striking ''(1) The Secretary may'' and inserting ''(1) IN GENERAL.—Except as provided under paragraph (3), the Secretary may'';

(2) in paragraph (2), by inserting ''ORDERS.—'' before ''If the Secretary''; and

(3) by adding after paragraph (2) the following:

''(3) IMMINENT HAZARDS.—

''(A) DECISIONS AND ORDERS.—If the Secretary makes an initial decision that a defect or noncompliance, or combination of both, under subsection (a) presents an imminent hazard, the Secretary—

''(i) shall notify the manufacturer of a motor vehicle or replacement equipment immediately under subsection (a);

''(ii) shall order the manufacturer of the motor vehicle or replacement equipment to immediately—

''(I) give notification under section 30119 of this title to the owners, purchasers, and dealers of the vehicle or equipment of the imminent hazard; and

''(II) remedy the defect or noncompliance under section 30120 of this title;

''(iii) notwithstanding section 30119 or 30120, may order the time for notification, means of providing notification, earliest

remedy date, and time the owner or purchaser has to present the motor vehicle or equipment, including a tire, for remedy; and

''(iv) may include in an order under this subparagraph any other terms or conditions that the Secretary determines necessary to abate the imminent hazard.

''(B) OPPORTUNITY FOR ADMINISTRATIVE REVIEW.—Subsequent to the issuance of an order under subparagraph (A), opportunity for administrative review shall be provided in accordance with section 554 of title 5, except that such review shall occur not later than 10 days after issuance of such order.

''(C) DEFINITION OF IMMINENT HAZARD.—In this paragraph, the term 'imminent hazard' means any condition which substantially increases the likelihood of serious injury or death if not remedied immediately.''.

At the appropriate place, insert the following:

SEC. _____. APPLICATION OF REMEDIES FOR DEFECTS AND NONCOMPLIANCE.

Section 30120(g)(1) is amended by striking ''the motor vehicle or replacement equipment was bought by the first purchaser more than 10 calendar years, or''.

At the appropriate place, insert the following:

SEC. _____. COLLISION AVOIDANCE TECHNOLOGIES.

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary shall initiate a rulemaking to establish a Federal motor vehicle safety standard requiring a motor vehicle with a gross vehicle weight rating greater than 26,000 pounds be equipped with crash avoidance and mitigation systems, such as forward collision automatic braking systems and lane departure warning systems.

(b) PERFORMANCE AND STANDARDS.—The regulations prescribed under subsection (a) shall establish performance requirements and standards to prevent collisions with moving vehicles, stopped vehicles, pedestrians, cyclists, and other road users.

(c) EFFECTIVE DATE.—The regulations prescribed by the Secretary under this section shall take effect 2 years after the date of publication of the final rule.

At the appropriate place, insert the following:

SEC. _____. MOTOR VEHICLE PEDESTRIAN PROTECTION.

Not later than 2 years after the date of the enactment of this Act, the Secretary, through the Administrator of the National Highway Traffic Safety Administration, shall issue a final rule that—

(1) establishes standards for the hood and bumper areas of motor vehicles, including passenger cars, multipurpose passenger vehicles, trucks, and buses with a gross vehicle weight rating of 4,536 kilograms (10,000 pounds) or less, in order to reduce the number of injuries and fatalities suffered by pedestrians who are struck by such vehicles; and

(2) considers the protection of vulnerable pedestrian populations, including children and older adults.

On page 577, strike lines 6 through 17, and insert the following:

(a) INCREASE IN CIVIL PENALTIES.—

(1) IN GENERAL.—Section 30165(a) is amended—

(A) in paragraph (1)—

(i) in the first sentence—

(I) by inserting ''or causes the violation of'' after ''violates''; and

(II) by striking ''$5,000'' and inserting ''$25,000''; and

(ii) by striking the third sentence;

(B) in paragraph (2)—

(i) in subparagraph (A), by striking ''$10,000'' and inserting ''$100,000''; and

(ii) in subparagraph (B), by striking the second sentence; and

(C) in paragraph (3)—

(i) in the first sentence, by inserting ''or causes the violation of'' after ''violates'';

(ii) in the second sentence, by striking ''$5,000'' and inserting ''$25,000''; and

(iii) by striking the third sentence.

(2) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed as preventing the imposition of penalties under section 30165 of title 49, United States Code, as in effect before the effective date set forth in subsection (b), prior to the issuance of a final rule under section 31203(b) of the Moving Ahead for Progress in the 21st Century Act (49 U.S.C. 30165 note).

On page 579, strike lines 12 through 22, and insert the following:

SEC. 34213. DIRECT VEHICLE NOTIFICATION OF RECALLS.

(a) RULEMAKING.—Not later than 1 year after the date of enactment of this Act, the Secretary shall initiate a rulemaking for a regulation to require a warning system in each new motor vehicle to indicate to the operator in a conspicuous manner when the vehicle is subject to an open recall.

(b) FINAL RULE.—The Secretary shall prescribe final standards not later than 3 years after the date of enactment of this Act.

On page 579, strike lines 23 through 26, and insert the following:

SEC. 34214. UNATTENDED CHILDREN WARNING SYSTEM.

(a) SAFETY RESEARCH INITIATIVE.—Not later than 2 years after the date of enactment of this Act, the Secretary shall complete research into the development of performance requirements to warn a driver that a child or other unattended passenger remains in a rear seating position after a vehicle motor is disengaged.

(b) SPECIFICATIONS.—In completing the research under subsection (a), the Secretary shall consider performance requirements that—

(1) sense weight, the presence of a buckled seat belt, or other indications of the presence of a child or other passenger; and

(2) provide an alert to prevent hyperthermia and hypothermia that can result in death or severe injuries.

(c) RULEMAKING OR REPORT.—

(1) RULEMAKING.—Not later than 1 year after the date that the research under subsection (a) is complete, the Secretary shall initiate a rulemaking proceeding to issue a Federal motor vehicle safety standard if the Secretary determines that such a standard meets the requirements and considerations set forth in subsections (a) and (b) of section 30111 of title 49, United States Code. The Secretary shall complete the rulemaking and issue a final rule not later than 2 years after the date the rulemaking is initiated.

(2) REPORT.—If the Secretary determines that the standard described in subsection (a) does not meet the requirements and considerations set forth in subsections (a) and (b) of section 30111 of title 49, United States Code, the Secretary shall submit a report describing the reasons for not prescribing such a standard to—

(A) the Committee on Commerce, Science, and Transportation of the Senate; and

(B) the Committee on Energy and Commerce of the House of Representatives.

Beginning on page 565, strike line 1 and all that follows through page 567, line 14, and insert the following:

SEC. 34205. SAFETY RECALLS.

(a) STATE NOTIFICATION OF OPEN SAFETY RECALLS.—

(1) GRANT PROGRAM.—Not later than 2 years after the date of enactment of this Act, the Secretary shall establish a grant program for States to notify registered motor vehicle owners of safety recalls issued by the manufacturers of those motor vehicles.

(2) ELIGIBILITY.—To be eligible for a grant, a State shall—

(A) submit an application in such form and manner as the Secretary prescribes;

(B) agree that when a motor vehicle owner registers the motor vehicle for use in that State, the State will—

(i) search the recall database maintained by the National Highway Traffic Safety Administration using the motor vehicle identification number;

(ii) determine all safety recalls issued by the manufacturer of that motor vehicle that have not been completed; and

(iii) notify the motor vehicle owner of the safety recalls described in clause (ii); and

(C) provide such other information or notification as the Secretary may require.

(b) RECALL COMPLETION PILOT GRANT PROGRAM.—

(1) IN GENERAL.—The Secretary shall conduct a pilot program to evaluate the feasibility and effectiveness of a State process for increasing the recall completion rate for motor vehicles by requiring each owner or lessee of a motor vehicle to have repaired any open recall on that motor vehicle.

(2) GRANTS.—To carry out this program, the Secretary shall make a grant to a State to be used to implement the pilot program described in paragraph (1) in accordance with the requirements under paragraph (3).

(3) ELIGIBILITY.—To be eligible for a grant under this section, a State shall—

(A) submit an application in such form and manner as the Secretary prescribes;

(B) meet the requirements and provide notification of safety recalls to registered motor vehicle owners under the grant program described in subsection (a);

(C) except as provided in paragraph (4), agree to require, as a condition of motor vehicle registration, including renewal, that the motor vehicle owner or lessee complete all remedies for defects and noncompliance offered without charge by the manufacturer or a dealer under section 30120 of title 49, United States Code; and

(D) provide such other information or notification as the Secretary may require.

(4) EXCEPTION.—A State may exempt a motor vehicle owner or lessee from the requirement under paragraph (3)(C) if—

(A) the recall occurred not earlier than 75 days prior to the registration or renewal date;

(B) the manufacturer, through a local dealership, has not provided the motor vehicle owner or lessee with a reasonable opportunity to complete any applicable safety recall remedy due to a shortage of necessary parts or qualified labor; or

(C) the motor vehicle owner or lessee states that the owner or lessee has had no reasonable opportunity to complete all applicable safety recall remedies, in which case the State may grant a temporary registration, of not more than 90 days, during which time the motor vehicle owner or lessee shall complete all applicable safety recall remedies for which the necessary parts and qualified labor are available.

(5) AWARD.—In selecting an applicant for award under this section, the Secretary shall consider the State's methodology for—

(A) determining safety recalls on a motor vehicle;

(B) informing the owner or lessee of a motor vehicle of the safety recalls;

(C) requiring the owner or lessee of a motor vehicle to repair any safety recall prior to issuing any registration, approval, document, or certificate related to a motor vehicle registration renewal; and

(D) determining performance in increasing the safety recall completion rate.

(6) PERFORMANCE PERIOD.—A grant awarded under this section shall require a performance period for at least 2 years.

(7) REPORT.—Not later than 90 days after the completion of the performance period under paragraph (6) and the obligations under the pilot program, the grantee shall provide to the Secretary a report of performance containing such information as the Secretary considers necessary to evaluate the extent to which safety recalls have been remedied.

(8) EVALUATION.—Not later than 1 year after the date the Secretary receives the report under paragraph (7), the Secretary shall evaluate the extent to which safety recalls identified under paragraph (3) have been remedied.

On page 567, strike lines 15 through 18, and insert the following:

SEC. 34206. RECALL OBLIGATIONS UNDER BANKRUPTCY.

Section 30120A is amended to read as follows:

''§ 30120A. Recall obligations and bankruptcy of a manufacturer

''Notwithstanding any provision of title 11, United States Code, a manufacturer's duty to comply with section 30112, sections 30115 through 30121, and section 30166 of this title shall be enforceable against a manufacturer or a manufacturer's successors-in-interest whether accomplished by merger or by acquisition of the manufacturer's stock, the acquisition of all or substantially all of the manufacturer's assets or a discrete product line, or confirmation of any plan of reorganization under section 1129 of title 11.''.

SA 2351. Mr. REID (for Mr. MARKEY (for himself, Mr. WHITEHOUSE, Mr. LEAHY, and Mr. BOOKER)) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

Strike section 11116 (relating to the satisfaction of requirements for certain historic sites).

MEASURE READ THE FIRST TIME—S. 1861

Mr. MCCONNELL. Mr. President, I understand that there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The legislative clerk read as follows:

A bill (S. 1861) to prohibit Federal funding of Planned Parenthood Federation of America.

Mr. MCCONNELL. I now ask for a second reading and, in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will be read for the second time on the next legislative day.

ORDERS FOR SUNDAY, JULY 26, 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 2 p.m., Sunday, July 26; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following leader remarks, the Senate resume consideration of H.R. 22; further, that Saturday, July 25, count as the intervening day with respect to the cloture motions filed during today's session of the Senate; further, that the filing deadline for all first-degree amendments to H.R. 22 and the McConnell substitute amendment No. 2266, as well as the second-degree filing deadline for amendments to the Kirk amendment No. 2327, be at 2:30 p.m.; lastly, that the cloture vote with respect to the McConnell amendment No. 2328 occur at 3 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL SUNDAY, JULY 26, 2015, AT 2 P.M.

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 12:29 p.m., adjourned until Sunday, July 26, 2015, at 2 p.m.

SENATE—*Sunday, July 26, 2015*

The Senate met at 2 p.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

O God, our shield, gird us with Your strength, while the heavens declare Your glory and the skies show Your handiwork. Sustain our lawmakers with Your loving kindness so that they shall not be moved by life's vicissitudes.

Lord, give them clean hands, pure hearts, and truthful lips so that their lives glorify You. Deliver them from anxiety about anything as they pray about everything, with thanksgiving, so that Your peace that transcends human reasoning will guard their hearts and minds.

Do for our Senators more than they can ask or imagine, according to Your power working in and through them.

We pray in Your righteous Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RULE XIX, PARAGRAPH 2 OF THE STANDING RULES OF THE SENATE

The PRESIDENT pro tempore. The Chair reminds all Senators of the following paragraph from rule XIX of the Standing Rules of the Senate, which was adopted in this form in 1902 by the Senate and which governs debate in this body.

Rule XIX, paragraph 2:

No Senator in debate shall, directly or indirectly, by any form of words impute to another Senator or to other Senators any conduct or motive unworthy or unbecoming a Senator.

When a Senator is called to order under this rule, that Senator shall take his or her seat and may not proceed without leave of the Senate.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

MEASURE PLACED ON THE CALENDAR—S. 1861

Mr. MCCONNELL. Mr. President, I understand there is a bill at the desk that is due for its second reading.

The PRESIDENT pro tempore. The clerk will read the bill by title for the second time.

The senior assistant legislative clerk read as follows:

A bill (S. 1861) to prohibit Federal funding of Planned Parenthood Federation of America.

Mr. MCCONNELL. In order to place the bill on the calendar under the provisions of rule XIV, I object to further proceedings.

The PRESIDENT pro tempore. Objection is heard.

The bill will be placed on the calendar.

The PRESIDING OFFICER (Mr. COTTON). The majority leader.

THE HIGHWAY BILL

Mr. MCCONNELL. Mr. President, our country needs a multiyear highway bill, and we are close to finally passing a fiscally responsible and bipartisan one. Time is running short to get a bill through Congress, but as with most legislation, we still intend to consider some amendments from both sides of the aisle as we continue to work to pass it. We will start on that today.

Most important is a proposal that would repeal ObamaCare and allow our country to start over fresh with a real health care reform proposal. There is no question that I will be voting for it. There is no question that every Senator should join me in doing so. This is a law filled with higher costs, fewer choices, and broken promises.

This is a law that has failed repeatedly and continues to hammer hardworking middle-class families. The vote we will take this afternoon represents a stark choice for every Senator: protect a President who likes a law with his name on it or stand with the middle class by finally opening the way to truly affordable care.

Another proposal relates to the Export-Import Bank. I will be voting against it. The Export-Import Bank is a New Deal relic that has outlived any usefulness it might have had. If a project is worthy, private banks will step in to finance it. If it is not worthy, we should definitely not be financing it by putting American taxpayers on the hook. Either way, Ex-Im is not necessary.

At the same time, I understand that many Senators on both sides take a different view. A significant percentage of my conference and many Democrats support the Ex-Im's reauthorization. They are entitled to that view. I don't see a reason why they shouldn't be allowed a debate and then a vote to sort all of this out. I have said repeatedly and I have said publicly for months that the Ex-Im supporters from both parties should be allowed a vote. I also said publicly that the highway bill would be an obvious place to have that vote.

When there is overwhelming bipartisan support for an idea, even if I am opposed to it, it doesn't require some special deal to see a vote occur on that measure. This is the U.S. Senate, after all, where we debate and vote on all kinds of different issues. The supporters of Ex-Im can still lose a vote, of course. They are not the only ones with passion on their side. Those on my side of the issue are passionate, too, and this debate might just present the perfect opportunity to make the case against Ex-Im and carry the day in an open and democratic vote, but whatever the outcome, the slots for these amendments will be open once the Senate disposes of them and that will open the possibility of considering other important amendments.

Let me repeat that. The slots for these amendments will open once the Senate disposes of them.

We know there are many other ideas from both sides of the aisle about how to improve the highway bill further before its completion, but we also know time is running short to complete our work on the underlying highway bill. Jobs are on the line. Infrastructure projects important to the people we represent are on the line. We have to get this done. With cooperation, we can ensure that more ideas from both sides of the aisle are still heard and voted upon.

This is a new Senate. Amendment votes are hardly a rarity here anymore. We will have more opportunities soon to address other issues in the weeks and months ahead. I will work with colleagues to help ensure that votes on other priorities occur.

UNANIMOUS CONSENT AGREEMENT—AMENDMENT NO. 2266, AS MODIFIED

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the clerk be allowed to make technical changes to the substitute amendment regarding references to titles, divisions, page and line numbers.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

AFFORDABLE CARE ACT AND EXPORT-IMPORT BANK AMENDMENTS

Mr. REID. Mr. President, later today the Senate will vote on one or more motions to overturn rulings of the Chair brought by disgruntled Republican Senators. At another time, Republican Senators would have called this a number of things, not the least of which is the nuclear option.

Republicans have controlled the Senate for about 7 months now. It has become increasingly clear that what is wrong with the Senate today is the same thing that has troubled the Senate before Republicans took control—dysfunction in the Republican caucus.

Republicans probably will not succeed in overturning the rules of the Senate today, but an honest observer of the Senate will recognize that the day is coming when they will, unless the Republicans become the party of Eisenhower, Dodd, Dirksen, and even President Reagan.

I was amused to hear the Republican leader say he looks forward to amendments. Many Senators on our side look forward to being able to offer amendments; for example, to improve work safety provisions in the bill, but the amendment tree is filled. They are not going to have that opportunity unless something untoward happens.

Today, the Senate will vote on two amendments. How Senators vote on these amendments will demonstrate their priorities—who is for American families and who is doing the bidding of special interests. Consider today's vote on yet another Republican attempt to repeal the Affordable Care Act—ObamaCare.

By all accounts, it is working and working well. Is it perfect? Of course not. That is why we have invited the Republicans for years now to join with us in having a better health care delivery system, but ObamaCare is helping families all across this great Nation. There are many facts.

Insurance companies can no longer discriminate against people with preexisting conditions. They can't discriminate against anyone as they did when they discriminated, basically, against everyone. Twelve million more people now have coverage through Medicaid programs and CHIP programs. Health care costs are growing but very slowly—the slowest rate of growth in a long time. Perhaps, most importantly, the share of Americans who lack health insurance coverage has dramatically declined.

After the latest Supreme Court victory less than a month ago, I urged, at that time, my Republican friends to stop banging their heads against the wall because obviously it doesn't feel good. Why do they continually try to repeal the Affordable Care Act? Apparently, two Supreme Court wins and more than 50 votes by congressional Republicans to repeal or undermine the Affordable Care Act are not enough for the Republican leader and his friends. They are insisting on yet another partisan attempt to strip health insurance coverage from more than 19 million Americans—coverage that a recent Commonwealth Fund survey found that more than 80 percent of Americans are satisfied with this program.

Republicans claim this ObamaCare repeal is part of their crusade to reduce the deficit, but the nonpartisan Congressional Budget Office recently estimated that repealing the Affordable Care Act will increase the Federal budget by more than $350 billion.

So today's vote isn't going to be about reducing the deficit. This is about caving to special interests. This is about the Republicans and their leader desperately trying to appease their base.

I am appalled and, more than that, disappointed by these continued partisan attempts to strip away insurance coverage for almost 20 million Americans. Congress passed the Affordable Care Act. The President signed it into law, and the Supreme Court has put a stamp of approval on it, not once but twice.

It is time for Republicans to move on and not take another politically motivated vote that is going nowhere.

Finally, on another subject, the Export-Import Bank. After the ObamaCare vote, we will then consider the reauthorization of the Export-Import Bank—in fact, their charter. Once again, how Senators vote on the Export-Import Bank will reveal their loyalties.

Companies like Boeing, Caterpillar, General Electric, Honeywell, along with dozens of companies in sparsely populated Nevada, along with thousands of small businesses across this country, use this Bank to find a market for billions of dollars of their exports. It is not only for Boeing, Caterpillar, and these big companies; it is for thousands and thousands of small businesses.

Most of the jobs in America are created not by the great big companies but by small businesses, and they need this. They want this. That is why even the U.S. Chamber of Commerce must have been desperate.

Finally, siding with us on something, they support the Ex-Im Bank. This year alone, the Export-Import Bank supported 165,000 jobs in America. A vote for the Export-Import Bank is a vote for jobs, a healthy economy, and the prosperity of American families. Conversely, a vote against reauthorization is nothing more than a shameless attempt to garner the affection of the Koch brothers. After all, opposition to the Export-Import Bank is a prerequisite to having their support. All candidates running for President stumble over themselves to say: What do the brothers want today? What they want today is a vote against this Bank, contrary to the needs of the American people. The Koch brothers distributed a survey to the Republican Presidential hopefuls that essentially obligates those candidates to oppose the Ex-Im Bank.

I ask my colleagues today: Are you working for the American people or are you doing the dirty work for a couple of billionaire oil barons? A vote for the Export-Import Bank is a vote for American families. A vote against the repeal of ObamaCare is a vote for American families. Today, the Senate Democrats will vote for American families.

I was hoping to say a word about Senator INHOFE while he was on the floor, and unfortunately he is not here now. The senior Senator from Oklahoma is a very conservative Republican Senator. He and I disagree on a lot of things, but I have great respect for his courage on this legislation. I think this legislation, which we are moving forward on, is far from perfect, but I listened to Senator JIM INHOFE yesterday when he was answering the President. A Republican always follows the President. I think Senator INHOFE did a fine job of explaining how important it is that we have a transportation bill. We have said a lot of nice things about Senator BOXER, but it is time we said some nice things about JIM INHOFE because this bill would not be where it is without his efforts.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

HIRE MORE HEROES ACT OF 2015

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 22, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (H.R. 22) to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

Pending:

McConnell modified amendment No. 2266, in the nature of a substitute.

McConnell (for Kirk) amendment No. 2327 (to amendment No. 2266), to reauthorize and reform the Export-Import Bank of the United States.

McConnell amendment No. 2328 (to amendment No. 2327), to repeal the Patient Protection and Affordable Care Act and the Health

Care and Education Reconciliation Act of 2010 entirely.

McConnell amendment No. 2329 (to the language proposed to be stricken by amendment No. 2266), of a perfecting nature.

McConnell amendment No. 2330 (to amendment No. 2329), to change the enactment date.

Cruz motion to appeal the ruling of the Chair that Cruz amendment No. 2301 is not in order because it is inconsistent with the Senate's precedents with respect to the offering of amendments, their number, degree, and kind.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. I ask through the Chair if the Democratic leader has a request.

The PRESIDING OFFICER. The Democratic leader.

Mr. REID. Mr. President, has the bill been reported?

The PRESIDING OFFICER. The bill has been reported.

Mr. REID. Mr. President, I ask unanimous consent that before the 3 p.m. vote that Senator BOXER be permitted to speak for up to 10 minutes and that Senators WYDEN and MURPHY be permitted to speak for up to 5 minutes each.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I ask if the Democratic leader would modify his request to give me 12 minutes and Senator HATCH 10 minutes following Senators BOXER, WYDEN, and MURPHY.

Mr. REID. Why does the Senator from Tennessee get so much time? But I don't object, Mr. President. Just before the vote.

Mr. ALEXANDER. Just before the vote.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from California.

Mrs. BOXER. Mr. President, someone was speaking with me. What is the order? I get up to 10 minutes; is that correct?

The PRESIDING OFFICER. The Senator has up to 10 minutes.

Mrs. BOXER. I thank the Presiding Officer.

Mr. President, it is Sunday, and it is unusual for us to be here, but as I have said many times, this is the reason we are here. Look at this photo. This is the bridge collapse in California, and there is another report coming that says this is going to be far from the last one we have.

This is a bridge that carries thousands of people a day from California to Arizona. This can happen in any one of our States, and the fact is we need to pass a transportation bill. I am so grateful to my colleague Senator INHOFE and to everyone on that committee who got this started.

The Environment and Public Works Committee had a 20-to-0 vote so we don't have to face this anymore. After that, we had other committees act, just not in as bipartisan a fashion, so it was difficult. At that point, Leader MCCONNELL and Senator DURBIN stepped in with Senator INHOFE and me, and all we did was try to get to where we are right now, which is a place where we can pass a fair funding bill.

I have a list. It is very interesting, and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

FEDERAL SHARE OF EACH STATE'S CAPITAL OUTLAYS FOR HIGHWAY & BRIDGE PROJECTS

State	Percentage
Rhode Island	102
Alaska	93
Montana	87
Vermont	86
South Carolina	79
Hawaii	79
North Dakota	78
Wyoming	73
South Dakota	71
Connecticut	71
New Mexico	70
Idaho	68
Alabama	68
New Hampshire	68
Missouri	65
Mississippi	65
Colorado	64
Minnesota	64
Oklahoma	63
Arkansas	62
Georgia	62
Tennessee	62
West Virginia	61
Iowa	59
Ohio	58
Virginia	57
Maine	57
Wisconsin	55
Oregon	54
Indiana	54
New York	54
District of Columbia	52
California	49
Nevada	49
Arizona	49
Nebraska	49
Kansas	49
Louisiana	48
North Carolina	48
Maryland	48
Texas	47
Pennsylvania	46
Washington	45
Kentucky	44
Michigan	41
Delaware	41
Florida	39
Illinois	39
Utah	38
Massachusetts	37
New Jersey	35

Mrs. BOXER. Mr. President, my State counts on the Federal Government for one-half of its transportation funding, highways, and transit. Rhode Island counts on the Federal Government for 100 percent; Alaska, 93 percent; Montana, 87 percent; South Carolina, 79 percent; Hawaii, 79 percent; North Dakota, 78 percent; Wyoming, 73 percent; Connecticut, 71 percent; New Mexico, 70 percent, and it goes down from there, but the vast majority of our States count on the Federal Government for funding.

What we have done, as both Senators REID and MCCONNELL have pointed out, is we just keep patching up the highway trust fund.

I could go to a bank and say: I want to buy a House. The banker says: You have great credit. That's the good news. The bad news is you can only get a 5-month mortgage. What would I do in that case? I would sadly walk away. I can't afford to invest in a home if I have only 5 months of a mortgage. It is the same way with the States. The way the House went about it, and the way some of my colleagues on both sides want to handle it, is another 5-month extension, and our States are stopping.

On Tuesday, the general contractors told us that in 25 States they have begun to lay off many, many, many construction workers. We all know at the height of the great recession we had millions of unemployed construction workers. It has been tough to get them back to work, and remember the businesses that employ them, it has been tough to get them back to work.

It has been so hard and now we are seeing a reversal of all the hard work we did because we did a 2-year transportation bill that was helpful. This would be the first 6-year authorization in decades and the first 3-year funding, I believe, in 10 years. It could be more. We need to do this.

I want to close by saying this: Working across the aisle is always difficult, but it is exciting, it is interesting, and the staffs from both sides have shown they can do it.

Last night, I was on the phone with Senator MCCONNELL's staff—I think it was 20 minutes until 12—and I kept saying: If we can't fix this, I have to call the Senator. They said: Please don't. Well, we worked it out this morning.

I see the Senator from Rhode Island Mr. WHITEHOUSE is coming in now. I told the Senators that Rhode Island counts on this Federal highway trust fund for 100 percent of the funding. I also did not mention that Senator WHITEHOUSE is on the Environment and Public Works Committee. He is a very active and productive member. There is a program in there that is important to all of our States—major programs that will finally have a fund, regardless of whether it is Kentucky, Utah, Rhode Island or California.

This is a fair bill. It has a good increase for highways and a good increase for transportation. States and cities want it. Yesterday, I found out from Senator INHOFE—who, by the way, did a terrific national radio address on this issue, and I thank him for that—that the mayor from Oklahoma City and the mayor from New York City wrote a letter saying how desperately they need the certainty. We are on the cusp.

AMENDMENT NO. 2327

Mr. President, I personally support the Ex-Im Bank. I know my colleague Senator MCCONNELL and I do not agree on this. I think the Ex-Im Bank is important.

We should not forget that we are still recovering from the worst recession

since the Great Depression. We need to stay focused on putting people back to work, creating jobs, and growing the economy.

We can do that by passing the transportation bill. I thank my colleagues for working together on this bill, and for their patience with this process. This bill will support millions of jobs and thousands of businesses nationwide, it will help rebuild our country's infrastructure, and it will strengthen our economy.

It will also provide funding certainty for State and local governments and the construction industry, which was hard hit in the Great Recession. There are approximately 1.4 million fewer construction workers today compared to 2006—which equals roughly 20 percent of all construction jobs—and over 522,000 construction workers remain out of work in the U.S.

The law that authorizes our transportation programs will expire in just 5 days—on July 31st—and the Highway Trust Fund is going to run out of money shortly after that. Many States, including Utah, Arkansas, Georgia, Tennessee, and Wyoming, have delayed or canceled construction projects due to the uncertainty in Federal transportation funding.

We have the opportunity to pass a bill, the DRIVE Act, which is vital for jobs and the economy. Last week, a letter was sent from 68 groups calling on the Senate to vote for a six-year reauthorization of federal surface transportation programs. This letter was signed by labor groups such as the Operating Engineers, the Laborers International, and United Brotherhood of Carpenters, as well as business groups such as the U.S. Chamber of Commerce, the National Association of Manufacturers, and the National Retail Federation.

This letter was also signed by the American Association of State Highway and Transportation Officials, AASHTO, our State DOTs, who know better than anyone the importance of certainty from a long-term bill.

Today we have the opportunity to do even more to help grow our economy by reauthorizing the Ex-Im Bank. I applaud my colleagues on both sides of the aisle who worked so hard to reach a bipartisan agreement for a multi-year reauthorization.

At a time when too many of our workers are still looking for jobs, the Ex-Im Bank helps American businesses create jobs. Last year alone, it financed $27.5 billion in exports for over 3,000 businesses, supporting over 164,000 American jobs. And over the last 6 years, it has supported a total of 1.3 million jobs.

Not only that, the bank helps the United States level the playing field when so many other countries heavily subsidize their exports. The Ex-Im Bank helps American businesses compete fairly.

Even more important, this job creation comes at no cost to the public. The Ex-Im Bank covers its own costs—sometimes even returning money to the Treasury—and maintains a default rate of under 2 percent.

Unfortunately, as of July 1, the Ex-Im Bank has been unable to process any new transactions—and this poses a real threat to our economy. Business deals that are months or years in the making are now on hold, and may fall through, unless we reauthorize the Ex-Im Bank immediately.

Let me tell a few stories about the Ex-Im Bank's impact in California. Since 2009, the Ex-Im Bank has helped almost 1,000 California exporters—702 are small businesses—to make deals to export $18 billion in American products.

Here are just a few examples of what the Ex-Im Bank has done for California businesses.

FirmGreen, based in Newport Beach, CA, is a veteran-owned business that converts landfill gas and other renewable resources into renewable energy and clean fuel. Financing from the Ex-Im Bank enabled FirmGreen to lead a landfill gas project in Brazil, which generated 165 new manufacturing jobs across seven States. Unfortunately, FirmGreen recently lost a $57 million contract because of the uncertainty surrounding the Ex-Im Bank reauthorization. The company's CEO Steve Wilburn put it well recently, ''For Congress to create a partisan issue out of a bipartisan entity that is supporting U.S. business and growing jobs simply for the debate is just wrong.''

Los Kitos Produce, a minority, woman-owned produce company in Orange, CA, wanted to expand its business to new markets overseas. To reduce the risks involved in selling to new foreign buyers, the company applied for an insurance policy from the Ex-Im Bank. This insurance facilitated $750,000 in sales and the company's expansion into Colombia and Korea. This helped to increase exports from 5 percent to 25 percent of their total sales.

Martha Montoya, CEO of Los Kitos Produce, said:

> Without the Ex-Im Bank, I'd lose my growers' trust to ship overseas. Our growers reinvest everything back into their business and back into their community. They can't afford to risk not being paid. Congress needs to support American small business by reauthorizing the Ex-Im Bank. The bottom line is: without Ex-Im Bank, we wouldn't be able to export.

ProGauge Technologies of Bakersfield, CA, manufactures machines that inject steam into reservoirs to thin out oil so it is easier to pump. In recent years, the company received $15.6 million in Ex-Im loan guarantees. Exports now make up 65 percent of the company's revenue. ProGauge President Don Nelson said:

> Without Ex-Im bank, [a lender] would make us put up 100 percent collateral, and we would have no money available for operations. . . . Revenues would go down by about 75 percent and I'd have to lay off between 50 and 60 people. Ex-Im is critical to our business.

The Washington Post reported that ProGauge will have to withdraw its bid for a $30 million project in the Middle East if the Ex-Im Bank is not reauthorized. ''It's going to be devastating for us'' said CEO Don Nelson. ''Basically, we just won't be able to operate anymore.''

Wiggins Lift Company is a small business in Oxnard, CA, that employs over 50 workers and has been family owned for three generations. The Ex-Im Bank recently provided financing of $1.4 million for Wiggins to export its forklifts to three Brazilian companies. This deal will help to sustain an estimated 30 jobs at Wiggins Lift.

''Ex-Im's guarantee is a positive for everyone'' said Wiggins Lift CEO Michelle McDowell. ''These sales are helping us continue to grow, add employees, and contribute to the U.S. economy.''

These are just a few stories of what will be lost if the Ex-Im Bank is not reauthorized. Every day that the Ex-Im Bank is unable to make new loans, more and more businesses will lose opportunities to compete and sell their products worldwide, and that means jobs lost right here in America.

Let's do the right thing. Let's reauthorize the Ex-Im Bank. Let's pass the highway bill. Let's create jobs and strengthen our economy.

I urge my colleagues to support this important reauthorization.

To sum it up, we have a lot of small businesses that count on the Ex-Im Bank to finance them so they can export our products. We have so many in our State.

I hope it passes on a bipartisan vote, and I thank Leader MCCONNELL. I know this is not something he likes at all, but he made a commitment and he is sticking to it.

Lastly, we are going to have a vote to overturn ObamaCare. Senator HATCH and I were discussing how much we disagree on this point, but I told him I wouldn't hold back. I think it doesn't make any sense.

We are looking at millions of people nationwide who now have health insurance and cannot be told by their insurer they have a preexisting condition like high blood pressure or diabetes, forget it. We have so many families that now have their 24-year-old, 25-year-old, 26-year-old on their insurance.

I have stories that will make you feel good—stories from people in my State. One person had her cancer caught at a very early stage, and as a result of that she has lived to tell the tale. Before ObamaCare, she couldn't have gotten the tests she needed to discover this deadly cancer.

I just say rhetorically to my friends on the other side—and they are my friends. I will tell you, we have really built up some relationships over this bill, which I am so happy about. Why don't we work together to fix the problems? We know no bill is perfect. The Transportation bill is far from perfect, and we had to fix that too.

Maybe there is a new day dawning. We keep saying that, but it doesn't seem to be happening. But maybe something good is going to come from the bipartisanship, tough as it has been. The Transportation bill is far from perfect. I wanted to do so much more on safety, and I have to say that Senator NELSON did such a good job. I must have talked to Senator WYDEN half a dozen times. He kept putting on pay-fors that were good, but they were rejected by the other side. We could have done so much more if we had gone that way. We did what we could do, and just as in the trade battle where our caucus was very split, our caucus is very split here.

I hope we can find enough courage and interest, and most important, keep this in mind: This is, to me, the poster child of why we have come together. This America, this doesn't look like America. It is wrong, and we can come together and hopefully vote for Ex-Im Bank, against the repeal of ObamaCare, and then move forward with a good cloture vote tomorrow night on our very much compromised bill on transportation—because it is a compromise.

Again, my thanks to people on both sides of the aisle—Democrats, Republicans, and everybody—for moving this along.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

AMENDMENT NO. 2328

Mr. WYDEN. Mr. President, I have spent much of my time in public service working to promote bipartisanship in health care. In fact, the distinguished chairman of the Finance Committee is here. I think he may speak next. Our colleague from Tennessee Senator ALEXANDER is a cosponsor of my comprehensive health care reform bill. So, for me, bipartisanship and health care policy is enormously important, and there are certainly plenty of ways in which Democrats and Republicans could be working together to strengthen the Affordable Care Act. Unfortunately, that does not seem to be on the menu either today or in this Congress.

Today, instead of looking forward on health care in America, the Senate, on a transportation bill, will have a vote on whether to go backward on health care—backward to the days when health care in America was for the healthy and the wealthy. I specifically used those words because the moment you repeal the Affordable Care Act, millions of Americans lose protection against preexisting conditions. The moment that happens, if you are healthy and wealthy, no sweat, but for the millions who are aren't, they are back in that abyss where they go to bed at night worried that they may get wiped out the very next morning because they have a preexisting health condition.

Protection for those individuals will be gone the moment the Senate votes. I hope the Senate will not vote for ending the Affordable Care Act this afternoon, but the moment it does, gone is that protection for preexisting conditions. Gone are the tax credits. These are opportunities for Americans to get a little bit of tax relief when hard-working families pay for health insurance—gone when we repeal the Affordable Care Act. Gone would be the protections that bar insurance companies from charging top dollar for rock-bottom coverage. Gone would be the protections for young adults. Right now, they can't be locked out of their parents' insurance plans. Gone would be the protection for individuals to make sure their insurance isn't canceled the moment they get sick. Once again, pregnancy could be considered a preexisting condition.

So what I think this shows is that this debate is no longer about numbers on a page, bills we write, lots of charts, lots of graphs, lots of small print. But this isn't an abstraction, when we go back, as I have described, to the days when health care was for the healthy and the wealthy. More than 16 million Americans have gained health insurance coverage by virtue of the Affordable Care Act. Their health is on the line every single time there is a vote to repeal that law. So those are the consequences.

I will wrap up because I see my good friend from Tennessee is here, as well as my Senator and my colleague from Utah. Both of them have joined me repeatedly in trying to promote bipartisan approaches on health care policy. I don't take a backseat to anybody in this body on working on health care policy in a bipartisan fashion. There is nothing that I think would be more valuable than to have Democrats and Republicans come together, not to talk about repealing this law but to find ways to strengthen it. There is not a law that has been passed that we can't strengthen. And having spoken with my friend from Utah and my friend from Tennessee repeatedly, I think they know I am serious about reaching out for common ground with respect to this issue.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. WYDEN. Mr. President, I ask unanimous consent for 30 additional seconds.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WYDEN. The pie-in-the-sky insistence that the Affordable Care Act will be repealed and somehow we will not have the suffering I have just described—that is not reality.

What we ought to do is reject this amendment to repeal the Affordable Care Act and then get back to work in a bipartisan way to strengthen the law.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, will the Chair please inform me when 10 minutes has expired.

The PRESIDING OFFICER. The Chair will so notify.

APPEAL OF THE RULING OF THE CHAIR

Mr. ALEXANDER. Mr. President, today there will be at least three votes. The first, as we have heard, is to end debate on Senator MCCONNELL's amendment to repeal ObamaCare. The second will be to end debate on the Export-Import Bank. Then there may be a third vote on an appeal by the Senator from Texas, Mr. CRUZ, to overturn a ruling of the Chair that an amendment of his is not in order. This is how that came about. On Friday Senator CRUZ offered an amendment regarding Iran. The Chair ruled that the amendment was not in order because—and this is what the Chair said, in fact—''it is inconsistent with the Senate's precedents with respect to the offering of amendments.'' The Senator from Texas then appealed the ruling of the Chair. His intention today will be to try to obtain a majority vote to overturn the Chair's ruling.

I respect the Senator's strong desire to offer his amendment, but I believe he ought to do it within the Senate rules or I believe we should change Senate rules in the way our rules prescribe. If, instead, a majority of Senators agree with the Senator from Texas, the Senate will be saying that a majority can routinely change Senate rules and procedures anytime it wants on any subject it wants in order to get the result it wants. The problem with that, as former Senator Carl Levin of Michigan once said, is that a Senate that changes its rules anytime a majority wants is a Senate without any rules.

Think of it this way. Football season is coming up. Let's say the Tennessee Titans are playing football against the Indianapolis Colts in Nashville and the home team sets the rules of the game. So when the Titans gain 9 yards, they change the rules to say 9 yards is a first down or when the Colts gain 100 yards, the Titans say: Sorry, you need 110 yards to score a touchdown. No one would want to play such a game. No one would want to watch such a game. No one would respect such a game. That is why every Monday in New York City a team of former National Football League officials reviews every referee's call and noncall from the previous Sunday's games played in the

NFL. The league wants to make absolutely sure its rules are followed. And the NFL has a rules committee that meets between seasons to consider changes in the rules. It has rules about how to change its rules. The NFL, of course, wouldn't even consider allowing the Titans to change the rules in the middle of a game in Nashville in order to defeat the Colts.

The U.S. Senate has a rules committee, too, and we have rules on how to change our rules. We should follow those rules. The U.S. Senate is the chief rulemaking body for the United States of America. If we cannot follow our own rules, how can we expect 320 million Americans to follow the rules we write for them? If we render ourselves lawless, how can we expect our fellow Americans to respect and follow the rule of law?

There is a practical problem with what the Senator from Texas seeks to do. If he succeeds, it will destroy a crucial part of what we call the rule of regular order in the U.S. Senate. He will create a precedent that destroys the orderly consideration of amendments. There will be unlimited amendments. There will be chaos. And ironically, while destroying regular order, he wouldn't get the vote on the Iran amendment he seeks. That is because if he overrules the Chair and creates another branch of the amendment tree, the Senate leaders have a right to offer an amendment to fill that new branch of the tree before he does.

The U.S. Senate is unique in the world. It has been called the one authentic piece of genius of the American political system. Its uniqueness is based upon a variety of rules, precedents, procedures, and agreements that encourage extended debate. This process encourages consensus, and consensus is the way we govern a complex country, whether it is a civil rights bill or a trade agreement or an education bill. But a body of 100 of us that operates by unanimous consent requires restraint and good will on the part of Senators to function. We saw a good example of that a couple of weeks ago when the Senate passed 81 to 17 in 1 week a complex elementary and secondary education bill. Any Senator could have made that process much more difficult, but not one did, and the country is impressed with that result.

There are different ways—several different ways—to establish Senate rules and procedures, but they all fall under the same umbrella. There are standing rules adopted by the first Senate in 1789 with the advice of Thomas Jefferson. There are standing orders. Sometimes we set rules by passing a law, such as the Budget Act. Sometimes we establish a rule by unanimous consent or by agreeing to a new precedent. Taken together, all of these represent the full body of the Senate's Rules of Procedure. These Rules of Procedure have several things in common, no matter how they were established. The authority for establishing and changing each of them comes from the same place: article I, section 5 of the United States Constitution. Every one of them can be changed by 67 votes, following rule XXII of the Senate, except that a standing order may be changed with 60 votes.

One other thing these different forms of rules and precedents have in common is that the latest change supersedes whatever rule or precedent was established earlier. So if the Senator from Texas persuades the majority of us to overrule the Chair today, that decision governs the Senate forever until it is changed or unless it is changed. So there is no real difference between changing a rule or changing a precedent. What is important is not how the precedent was established or the rule was established but what is being overturned.

It is true that occasionally the Senate majority uses its power to overturn the ruling of the Chair to refine the interpretation of rules or precedents. This means that in some limited circumstances, the Senate changes its rules by majority vote.

The question today is not whether we can overturn the ruling of the Chair but whether we should overturn the ruling of the Chair. I believe we should not do so. To do so would destroy regular order in the Senate. It would create chaos in the Senate. Most importantly, a Senate in which a majority routinely changes the rules by overruling the Chair is a Senate without any rules.

There is a right way and a wrong way to change our rules and procedures. This would be the wrong way. I urge my colleagues to not agree with the Senator from Texas in his effort to overturn the ruling of the Chair.

The PRESIDING OFFICER. The Senator from Utah.

TREATING EACH OTHER WITH COURTESY AND RESPECT

Mr. HATCH. Mr. President, I rise today to address the Senate in my capacity as President pro tempore. I hope my colleagues will give attention to what I am about to say and will take it to heart because I speak from the heart out of respect for my colleagues and out of love for this great body in which we are all privileged to serve.

The Senate has a long and justly celebrated tradition of comity and respect among Members. Although there have been occasional exceptions throughout history, on the whole, Senators have taken great care to treat each other with courtesy and respect, both in private discussions and in public deliberations. We do this for several reasons—first, because mutual respect is essential for us to be able to work together to forge consensus on difficult issues that stir deep and sometimes divisive feelings. Passing meaningful legislation in this body typically requires the two parties to work together, and that, in turn, requires a trust and a certain level of good will. Courtesy and decorum foster an atmosphere where we can work in good faith to find common ground, where we can appeal to nobler instincts to do what is best for all Americans, not just those of a particular partisan persuasion.

The second reason we treat each other with courtesy and respect is because it is the honorable thing to do. We come to this body as 100 men and women with vastly different backgrounds, life experiences, and views on how government should operate. But we share a common humanity and a common goal to improve this great Nation and to secure the blessings of liberty for ourselves and our posterity. We divide into parties and join caucuses. We fight passionately about matters of tremendous consequence. But we do not become enemies. We remain colleagues. And colleagues treat each other with respect. We treat each other with honor even when we feel another has perhaps not accorded us the same esteem. Squabbling and sanctimony may be tolerated in other venues or perhaps on the campaign trail, but they have no place among colleagues in the U.S. Senate.

The third and most important reason we treat each other with courtesy and respect is because we are the people's representatives. We are not here on some frolic or to pursue personal ambitions; we are here because the people of the United States have entrusted us with the solemn responsibility to act on their behalf in shaping our Nation's laws. This is a high and holy calling. It is not something to take lightly. It is a sacred trust in which pettiness or grandstanding should have no part. We are here to do serious work. In doing this work, egos will inevitably be bruised. Feelings from time to time may be hurt. This is inherent in the nature of politics. But we are here to carry out the people's business. We serve the people, not our own egos. When we are on the losing side of a particular debate, when we are disappointed, we pick ourselves up and move ahead to the next challenge.

Our Nation's Founders designed the Senate to play a special role in our constitutional system. In contrast to the more raucous, populist House, the Senate was to be a body of deliberation and reasoned judgment. Senators were to seek the common good and consider national, not just parochial, interests in crafting legislation and considering nominees.

Decorum is essential to executing this constitutionally ordained role. Deliberation and reasoned judgment require an atmosphere of restraint, an atmosphere of thoughtful disagreement. Deliberation without decorum is

not deliberation at all; it is bickering. And bickering is beneath this body.

Regrettably, in recent times, the Senate floor has too often become a forum for partisan messaging and ideological grandstanding rather than a setting for serious debate. It has been misused as a tool to advance personal ambitions, a venue to promote political campaigns, and even a vehicle to enhance fundraising efforts—all at the expense of the proper functioning of this body. Most egregiously, the Senate floor has even become a place where Senators have singled out colleagues by name to attack them in personal terms and to impugn their character—in blatant disregard of Senate rules which plainly prohibit such conduct.

The Senate floor has hosted many passionate debates on crucial issues over the years. Tempers from time to time have flared. Voices have on occasion been raised. But we have almost universally confined our criticisms to policies and to ideas, to what we think is wrongheaded about particular bills or proposals. We have not, at least in my memory, called our opponents dishonest or sought to disparage their motives.

To bring personal attacks to the Senate floor would be to import the most toxic elements of our current political discourse into the well of the Senate, into the very heart of this institution. This would serve only to pollute our deliberations, to break the bonds of trust that are essential for achieving some measure of consensus, and to invite the dysfunction that so saturates our media and popular culture into this storied Chamber.

For those of us who care about the Senate as an institution and who want it once again to help solve the vexing challenges that face our Nation, such misuse of the Senate floor must not be tolerated. Each of us—Republicans and Democrats alike—must stand together in support of the Senate's time-honored traditions of collegiality and respect. We must stand resolute in requiring that the Senate's formal rules requiring dignity and decorum be observed. And we must ensure that the pernicious trend of turning the Senate floor into a forum for advancing personal ambitions, for promoting political campaigns, or for enhancing fundraising activities comes to a stop. There are enough other platforms for those seeking to accomplish those objectives; the Senate floor need not be one.

Mr. President, I recognize that many of my colleagues are quite new to the Senate and may not yet have had many opportunities to experience its proper institutional role as a forum for reasoned deliberation and constructive debate. Some are less familiar with its traditions of comity and respect. Others may know little of the Senate's history in rising above parochialism and narrow self-interest. And a few, I regret to say, seem unconcerned for its historic pivotal role in promoting consensus and helping to overcome our Nation's challenges.

As one who has had the privilege of serving here for the past four decades, I can attest from firsthand experience that the Senate can be and has been in times not too far past a distinguished and constructive body that does much good. I recall vividly times when this body was marked by good will rather than rancor and disrepute. In some respects, the Senate today is but a mere shadow of its former self, another casualty of the permanent political campaign. This is deeply disheartening to those like myself who were here to experience this body's better days, and it has severely damaged the proper governance of our Nation.

Mr. President, I have been frank in my remarks today. This candor stems from my genuine concern for this body and its future. I have been frank because I have seen so much of what I love about this body frittered away in recent years for small-minded, shortsighted, partisan gain. By virtue of my long service here in the Senate and my role as President pro tempore, I am a dedicated institutionalist. I care deeply about this institution and want it to work.

Our current majority leader has made important strides in putting the Senate back on a path toward meaningful deliberation and constructive lawmaking aimed at the common good, but his efforts and those of other Senators on both sides of the aisle who take the long view in seeking to build up this institution will not suffice unless each one of us is committed to instilling comity and respect as a core feature of everything we do.

Let's each move forward with a renewed sense of honor and respect, a resolve not to tolerate misuse of the Senate floor, a commitment to do our part to restore civility and constructive debate as defining characteristics of this body, and a renewed willingness to work together for the good of all Americans.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Texas.

APPEAL OF THE RULING OF THE CHAIR

Mr. CRUZ. Mr. President, I thank the senior Senator from Utah for an excellent speech. I entirely agree with his call for civility and decorum and respect. No Member of this body should engage in ad hominem attacks directed at any other Member of this body, be they a Republican or be they a Democrat. At the same time, I would note that it is entirely consistent with decorum and with the nature of this body traditionally as the world's greatest deliberative body to speak the truth. Speaking the truth about action is entirely consistent with civility. Indeed, in a quote often falsely attributed to George Orwell, the sentiment has been expressed thusly: ''In a time of universal deceit, telling the truth is a revolutionary act.''

I would make four brief points.

First of all, on Friday I gave an unusual speech—a speech unlike any I have given in this Chamber. It was not a speech I was happy to give. It was a speech to which the senior Senator from Utah has responded. I would note that in the course of that speech I described an explicit promise the majority leader had made to me and to all 53 Republican Senators. Neither the majority leader, nor the Senator from Utah, nor the Senator from Tennessee has disputed that the majority leader, in front of every Republican Senator, made that promise, looking me in the eyes—namely, that there was no deal on the Export-Import Bank, that its proponents could offer it in the regular order and there would be no special preferences whatsoever. We saw on Friday that promise was false.

In particular, on the amendment on the Export-Import Bank, first of all, it was not offered by its proponents, it was called up by the majority leader. Very few of us get our amendments called up by the majority leader because he has priority of recognition, he can edge out any other amendment in this Chamber.

Secondly, the majority leader followed that by filling the tree—a procedural mechanism that he had often decried when the former majority leader employed it to block other amendments.

Third, the majority leader filed cloture on the Export-Import Bank amendment—a tool he has used only once in his entire tenure as majority leader.

Those were extraordinary steps designed to force a vote to reauthorize the Export-Import Bank, and they were directly contrary to the promises the majority leader made to all 53 Republicans and to the press. My saying so may be uncomfortable, but it is a simple fact entirely consistent with decorum, and no Member of this body has disputed that promise was made and that promise was broken.

The senior Senator from Tennessee gave a learned speech on changing the rules of this body through appealing the ruling of the Chair, and I very much agree. When the former majority leader used the nuclear option, it was wrong to violate the rules. But the amendment tree does not come from the rules, the amendment tree comes from the precedents, and precedents are set precisely through appealing the rulings of the Chair by a majority vote.

Indeed, I would note that previously many Members of this body have voted in favor of overruling the ruling of the Chair, including my friend, the senior Senator from Tennessee, who has voted

4 times in his career to overrule the ruling of the Chair; my friend the majority whip, who has voted 5 times in his career to overrule the ruling of the Chair; and, indeed, the distinguished majority leader, who has voted 14 times in his career to overrule the ruling of the Chair. I would note beyond that, that as recently as April 2, 2014, there was a third-degree appeal precisely like the one I have filed that was filed by Senator VITTER. The ruling of the Chair was appealed, and a significant number of Republicans voted in favor of that appeal, including the majority leader and including the majority whip.

Many Republicans railed against the filling of the tree when the Democratic leader was the majority leader. If it was an abuse of power then, it remains so today. Indeed, I would note what the current majority leader said at the time: ''The practical effect of [filling the tree] is to disenfranchise the people I and my members represent, and, more significantly, a significant number of the people his members represent whose voices are simply not heard in the Senate.''

Beyond that, let me say on the substance that if you oppose filling the tree to silence the amendments of Members, be they in the majority party or the minority party, you should vote in favor of allowing my amendment to go forward.

I would note that the Senator from Tennessee was incorrect that it would allow unlimited amendments. It would simply add a third branch to the tree and not unlimited amendments.

At the same time, if you are resolved to stand with our friend and ally the Nation of Israel, if you are resolved to stand with American hostages in Iran, and if you are convinced to not lift sanctions on Iran unless and until Iran recognizes Israel's right to exist as a Jewish State and that they release four American hostages, then you should vote to allow that amendment to be voted on.

Needless to say, if you oppose the Export-Import Bank, you should vote to allow that amendment to be voted on.

Finally, if you want other amendments on pressing issues, be they defunding Planned Parenthood, be they stopping sanctuary cities, be they passing Kate's Law, or be they ending the congressional exemption from Obamacare, you should vote in favor of allowing this amendment to be voted on.

A great many Members of this body have given long, eloquent speeches on how this body operates when each Member has a right to offer amendments—and even difficult amendments. We debate and resolve them. That is the heart of this vote, and I would encourage each Member here to vote his conscience or her conscience on both substance and the ability of the Senate to remain the world's greatest deliberative body.

I yield the floor.

The PRESIDING OFFICER. The majority whip.

Mr. CORNYN. Mr. President, I ask unanimous consent to speak for up to 5 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. CORNYN. Mr. President, I have listened to the comments of my colleague, the junior Senator of Texas, both last week and this week, and I would have to say he is mistaken.

First of all, if, in fact, the majority leader had somehow misrepresented to the 54 Senators what the facts are with regard to the Ex-Im Bank, I suspect we would find other voices joining that of the junior Senator, but I hear no one else making such a similar accusation.

Secondly, I would just say to my colleague that there is an alternative explanation. There is an alternative explanation. As the majority leader has said time and time again, anytime 65 Senators want to do something here in the Senate, sooner or later they are going to get their way. Indeed, that represents the vote in support of the Ex-Im Bank—something I will end up voting against but where I realize that majorities will carry the day eventually.

But if the rule the junior Senator from Texas is arguing for is embraced, we will lose all control of the Senate schedule; there will be chaos; and, indeed, we won't be able to meet simple deadlines, such as the one that exists on the 31st of this month with regard to the expiration of the transportation fund, because even after we close off debate, any Senator who wants to get a vote on an amendment will be entitled to do so. And that cannot be the rule. It is not the rule. It has never been the rule. And that is why what the junior Senator is attempting to do is so extraordinary.

I will be opposing that, and I hope all of our colleagues will join us in opposing that because ultimately what that would mean is that a determined 51 Senators who want to raise taxes, who want to pass Obamacare 2.0, who want to pass a cap-and-trade bill or a carbon tax, who want to pass Dodd-Frank 2.0, or any additional government spending—they will be able to do it. They will be guaranteed an opportunity to get an amendment and be able to vote on that amendment, and it will pass in the Senate. I don't think that is in the best interests of the Senate. I don't think it is in the best interests of the 27 million people whom the junior Senator and I represent together. I certainly don't believe that is in the best interests of this institution which we all revere.

If all 100 Senators have the opportunity to offer an amendment without restraint, then there will never be any deadline. There will never be any conclusion, and we would not be able to do the simple work that we have been asked to do on behalf of the American people.

The final point is this. I know the junior Senator feels passionately about this amendment. But the fact of the matter is that we have a process that has been set up to review the Iran deal that President Obama and Secretary Kerry negotiated. We are going to have a chance to examine it, debate it, and review it over the next 2 months, and then we will have a chance to vote on it. There is a time and place for this vote. I will no doubt support the same position that the junior Senator is supporting. It is not on this bill. It is not now. It is not at the expense of breaking the orderly procedures that make sure that everyone gets a chance to participate. I would just say in conclusion that there was no misrepresentation made by the majority leader on the Ex-Im Bank.

The only thing the majority leader promised was an opportunity to offer an amendment on a bill, recognizing that if he denied that opportunity, when 65 Senators wanted it—not just one Senator who we know can stop things around here, slow them down—the 65 Senators would be bound and determined to use any available leverage until they got that vote. So I agree with what the majority leader has decided to do and how he has decided to handle it. I know there are passionate views around here, but that does not justify changing the rules of the Senate through such extraordinary means. So I hope our colleagues join me to ratify the ruling of the Chair when that time comes rather than to overrule it.

To overrule the Chair on something this important to the orderly consideration of the Senate's business would be a terrible mistake.

I yield the floor.

The PRESIDING OFFICER (Mr. PERDUE). The Senator from Tennessee.

CLOTURE MOTION

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the mandatory quorum be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the McConnell amendment No. 2328, to repeal Obamacare.

Mitch McConnell, Marco Rubio, John Cornyn, John Barrasso, Dan Sullivan, Michael B. Enzi, John McCain, Joni Ernst, Deb Fischer, Tim Scott, Mike Rounds, James E. Risch, Daniel Coats, James Lankford, David Perdue, Richard Burr.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on amendment No. 2328, offered by the Senator from Kentucky, Mr. MCCONNELL, to amendment No. 2327, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Tennessee (Mr. CORKER), the Senator from Arizona (Mr. FLAKE), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Alabama (Mr. SESSIONS), and the Senator from Pennsylvania (Mr. TOOMEY).

Further, if present and voting, the Senator from Alaska (Ms. MURKOWSKI) would have voted ''yea'' and the Senator from Pennsylvania (Mr. TOOMEY) would have voted ''yea.''

Mr. DURBIN. I announce that the Senator from Delaware (Mr. COONS), the Senator from Massachusetts (Mr. MARKEY), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 49, nays 43, as follows:

[Rollcall Vote No. 253 Leg.]

YEAS—49

Alexander	Ernst	Paul
Ayotte	Fischer	Perdue
Barrasso	Gardner	Portman
Blunt	Graham	Risch
Boozman	Grassley	Roberts
Burr	Hatch	Rounds
Capito	Heller	Rubio
Cassidy	Hoeven	Sasse
Coats	Inhofe	Scott
Cochran	Isakson	Shelby
Collins	Johnson	Sullivan
Cornyn	Kirk	Thune
Cotton	Lankford	Tillis
Crapo	Lee	Vitter
Cruz	McCain	Wicker
Daines	McConnell	
Enzi	Moran	

NAYS—43

Baldwin	Heinrich	Peters
Bennet	Heitkamp	Reed
Blumenthal	Hirono	Reid
Booker	Kaine	Schatz
Boxer	King	Schumer
Brown	Klobuchar	Shaheen
Cantwell	Leahy	Stabenow
Cardin	Manchin	Tester
Carper	McCaskill	Udall
Casey	Menendez	Warner
Donnelly	Merkley	Warren
Durbin	Mikulski	Whitehouse
Feinstein	Murphy	Wyden
Franken	Murray	
Gillibrand	Nelson	

NOT VOTING—8

Coons	Markey	Sessions
Corker	Murkowski	Toomey
Flake	Sanders	

The PRESIDING OFFICER. On this vote, the yeas are 49, the nays are 43.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The majority leader.

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the mandatory quorum be waived on the next vote.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the Kirk amendment No. 2327 to amendment No. 2266, as modified, to H.R. 22, an act to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

Lindsey Graham, Mark Kirk, Kelly Ayotte, Susan M. Collins, John McCain, Richard Burr, Roy Blunt, Jeanne Shaheen, Thomas R. Carper, Heidi Heitkamp, Maria Cantwell, Patty Murray, Sherrod Brown, Christopher A. Coons, Richard J. Durbin, Amy Klobuchar, Harry Reid.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on amendment No. 2327, offered by the Senator from Kentucky, Mr. MCCONNELL, for the Senator from Illinois, Mr. KIRK, to amendment No. 2266, as modified, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Tennessee (Mr. CORKER), the Senator from Arizona (Mr. FLAKE), the Senator from Alabama (Mr. SESSIONS), and the Senator from Pennsylvania (Mr. TOOMEY).

Further, if present and voting, the Senator from Pennsylvania (Mr. TOOMEY) would have voted ''nay.''

Mr. DURBIN. I announce that the Senator from Delaware (Mr. COONS), the Senator from Massachusetts (Mr. MARKEY), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 67, nays 26, as follows:

[Rollcall Vote No. 254 Leg.]

YEAS—67

Alexander	Booker	Carper
Ayotte	Boxer	Casey
Baldwin	Brown	Coats
Bennet	Burr	Cochran
Blumenthal	Cantwell	Collins
Blunt	Cardin	Donnelly
Durbin	Kirk	Reid
Enzi	Klobuchar	Roberts
Ernst	Leahy	Rounds
Feinstein	Manchin	Schatz
Franken	McCain	Schumer
Gillibrand	McCaskill	Scott
Graham	Menendez	Shaheen
Grassley	Merkley	Stabenow
Heinrich	Mikulski	Tester
Heitkamp	Moran	Udall
Heller	Murkowski	Warner
Hirono	Murphy	Warren
Hoeven	Murray	Whitehouse
Isakson	Nelson	Wicker
Johnson	Peters	Wyden
Kaine	Portman	
King	Reed	

NAYS—26

Barrasso	Fischer	Risch
Boozman	Gardner	Rubio
Capito	Hatch	Sasse
Cassidy	Inhofe	Shelby
Cornyn	Lankford	Sullivan
Cotton	Lee	Thune
Crapo	McConnell	Tillis
Cruz	Paul	Vitter
Daines	Perdue	

NOT VOTING—7

Coons	Markey	Toomey
Corker	Sanders	
Flake	Sessions	

The PRESIDING OFFICER. On this vote, the yeas are 67, the nays are 26.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

VOTE ON APPEAL OF THE RULING OF THE CHAIR

The question before the Senate is the appeal of the junior Senator from Texas, Mr. CRUZ, in relation to the offering of his amendment No. 2301, which has been ruled out of order.

No debate is in order pursuant to rule XXII.

The question is, Shall the decision of the Chair stand as the judgment of the Senate?

Mr. CRUZ. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is not a sufficient second.

The Senate sustains the decision of the Chair.

Mr. MCCONNELL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. LEE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Is there objection?

Mr. CARPER. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. CARPER. I withdraw my objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Utah.

Mr. LEE. Mr. President, I have an amendment at the desk, amendment No. 2282, withdrawing Federal funding for Planned Parenthood, and I ask for its immediate consideration.

Mrs. BOXER. I object.

The PRESIDING OFFICER. The amendment is not in order.

APPEAL OF THE RULING OF THE CHAIR

Mr. LEE. Mr. President, I appeal the ruling of the Chair and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is not a sufficient second.

The question is on the appeal.

The question is, Shall the decision of the Chair stand as the judgment of the Senate?

The Senate sustains the decision of the Chair.

AMENDMENT NO. 2328

Mr. KAINE. Mr. President, on Friday, July 24, 2015, as a result of a clerical error, I was inadvertently listed as a cosponsor on McConnell amendment No. 2328.

Today, a unanimous consent request was filed by the majority leader's office to remove my name as a cosponsor of this amendment. I did not cosponsor this amendment, do not support it, and voted against invoking cloture on it today.

Mr. MCCONNELL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. ISAKSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

HONORING MARINE LANCE CORPORAL SKIP WELLS

Mr. ISAKSON. Mr. President, while we have a pause in our business for a moment, I rise to offer a brief but sincere eulogy. At this very moment in Woodstock, GA, Skip Wells, U.S. Marine Corps lance corporal, is being buried and worshipped. Thousands of Georgians are at the First Baptist Church of Woodstock, GA to attend his funeral.

Skip Wells was murdered in Chattanooga, TN, on the 16th day of July while he was doing his duties as a marine, recruiting people to come into the U.S. military.

Skip graduated from Sprayberry High School just a few years ago. He played the clarinet and musical instruments in his church orchestra. He was a great student with thousands of friends. He was a young man we would all be proud of. His life was taken away from us in a snap by an enraged person on a religious tear.

When a young man of 21 years old dies in the prime of life, we ask why. In particular, when he wears the uniform of the U.S. Marine Corps, we ask why. It is inexplicable. We all know the Book of Ecclesiastes tells us, ''There is a time for everything''—a time to be born and a time to die. There is never a time when a young marine's life should be taken. It causes us to truly think about something. As we act in this U.S. Senate and guide our country, hundreds of thousands of young men and women volunteer to wear the uniform of the United States of America, and when they put it on, they never know when that day to die might come, but they have all made the commitment that they are ready, willing, and able to die for the country they love, the United States of America.

To Skip's mother Cathy, his extended family, and all those who knew Skip, we send our condolences and our best wishes for them to recover over time and heal.

In Woodstock, GA, an inscription is being read right now, which I will read on the floor of the Senate so we will read it at the same time. These words are comforting, they mean something, and in a time of grief for all of us, I think they are important. Skip's mother wanted this as a part of the ceremony. It is entitled ''To Those I Love.''

When I am gone, release me, let me go.
You musn't tie yourself to me with tears.
Just be happy that we had so many good years.
I gave you my love, you can only guess,
How much you gave to me in happiness.
I thank you for the love you each have shown,
But now it's time I traveled alone.
So grieve a while for me, if grieve you must,
Then let your grief be comforted by trust.
It's only for a while that we must part,
So bless the memories within your heart.
I won't be far away, for life goes on,
So if you need me, call, and I will come.
Though you can't see or touch me, I'll be near.
And if you listen with your heart, you'll hear,
All of my love around you, soft and clear.
And then, when you must come this way alone, I'll greet you with a smile, and say ''Welcome Home.''

That is the Book of John, Chapter 15, the 13th verse. ''Greater love has no one than this: to lay down one's life for one's friends.''

Skip Wells laid down his life for all of the people of the United States of America, for his family, and for his friends. We ask God to bless him and bring mercy to his family. We ask God to bless the great country that Skip wore the uniform to die for—the United States of America.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

BUDGET RECONCILIATION REPORTING DEADLINE

Mr. ENZI. Mr. President, section 2001(a) of S. Con. Res. 11, the concurrent resolution on the budget for fiscal year 2016, directs the Committees on Finance and Health, Education, Labor, and Pensions to report changes in laws within their respective jurisdictions to reduce the on-budget deficit by not less than $1 billion each for the total of fiscal years 2016 through 2025. Those committees were instructed to submit their recommendations to the Committee on the Budget no later than July 24, 2015.

For the information of colleagues, the reporting deadline has passed and the Budget Committee has not received reconciliation recommendations from either committee. While committees have not complied with the deadline, the Senate retains the ability to utilize the instructions contained in section 2001(a) of S. Con. Res. 11.

VOTE EXPLANATION

Mr. MENENDEZ. Mr. President, I was unavoidably detained for rollcall vote No. 252 on the motion to proceed to H.R. 22. Had I been present, I would have voted nay.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 1861. A bill to prohibit Federal funding of Planned Parenthood Federation of America.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. MORAN (for himself and Mr. TESTER):

S. 1862. A bill to require the Administrator of the Small Business Administration to carry out a pilot program on issuing grants to eligible veterans to start or acquire qualifying businesses, and for other purposes; to the Committee on Veterans' Affairs.

ADDITIONAL COSPONSORS

S. 271

At the request of Mr. REID, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 271, a bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to

receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation, and for other purposes.

S. 571

At the request of Mr. INHOFE, the names of the Senator from Indiana (Mr. COATS), the Senator from Virginia (Mr. WARNER), and the Senator from Tennessee (Mr. ALEXANDER) were added as cosponsors of S. 571, a bill to amend the Pilot's Bill of Rights to facilitate appeals and to apply to other certificates issued by the Federal Aviation Administration, to require the revision of the third class medical certification regulations issued by the Federal Aviation Administration, and for other purposes.

AMENDMENT NO. 2277

At the request of Mr. MORAN, the name of the Senator from Arkansas (Mr. COTTON) was added as a cosponsor of amendment No. 2277 intended to be proposed to H.R. 22, a bill to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

AMENDMENT NO. 2289

At the request of Mr. BOOKER, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of amendment No. 2289 intended to be proposed to H.R. 22, a bill to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

AMENDMENT NO. 2323

At the request of Mr. WYDEN, the name of the Senator from Kentucky (Mr. PAUL) was added as a cosponsor of amendment No. 2323 intended to be proposed to H.R. 22, a bill to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

AMENDMENT NO. 2325

At the request of Mrs. GILLIBRAND, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of amendment No. 2325 intended to be proposed to H.R. 22, a bill to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

AMENDMENT NO. 2327

At the request of Mr. KIRK, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of amendment No. 2327 proposed to H.R. 22, a bill to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

AMENDMENT NO. 2328

At the request of Mr. MCCONNELL, the names of the Senator from Mississippi (Mr. WICKER), the Senator from North Carolina (Mr. BURR), the Senator from Texas (Mr. CORNYN), the Senator from Iowa (Mr. GRASSLEY), the Senator from Wisconsin (Mr. JOHNSON), the Senator from Tennessee (Mr. ALEXANDER), and the Senator from Colorado (Mr. GARDNER) were added as cosponsors of amendment No. 2328 proposed to H.R. 22, a bill to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

AMENDMENT NO. 2333

At the request of Mr. WYDEN, the names of the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Maryland (Ms. MIKULSKI), the Senator from Vermont (Mr. SANDERS), the Senator from Minnesota (Mr. FRANKEN), the Senator from Vermont (Mr. LEAHY), the Senator from Washington (Mrs. MURRAY), the Senator from Rhode Island (Mr. REED), and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of amendment No. 2333 intended to be proposed to H.R. 22, a bill to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

AMENDMENT NO. 2347

At the request of Mr. BLUMENTHAL, the names of the Senator from Massachusetts (Mr. MARKEY) and the Senator from New Jersey (Mr. BOOKER) were added as cosponsors of amendment No. 2347 intended to be proposed to H.R. 22, a bill to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2352. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table.

SA 2353. Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2354. Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2355. Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2356. Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2357. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2358. Ms. MURKOWSKI (for herself and Ms. CANTWELL) submitted an amendment intended to be proposed by her to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2359. Ms. MURKOWSKI (for herself and Ms. CANTWELL) submitted an amendment intended to be proposed by her to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2360. Ms. MURKOWSKI (for herself and Ms. CANTWELL) submitted an amendment intended to be proposed by her to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2361. Ms. MURKOWSKI (for herself and Ms. CANTWELL) submitted an amendment intended to be proposed by her to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2362. Ms. MURKOWSKI submitted an amendment intended to be proposed by her to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2363. Ms. MURKOWSKI submitted an amendment intended to be proposed by her to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2364. Mr. CRAPO (for himself and Mr. CARPER) submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2365. Mr. ENZI submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2366. Mr. SULLIVAN submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2367. Mr. THUNE (for himself, Mr. NELSON, Mr. HELLER, Mrs. MCCASKILL, Ms. AYOTTE, Mr. MORAN, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2368. Mr. CORNYN submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2369. Mr. THUNE (for himself and Mr. NELSON) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2370. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2371. Mr. HOEVEN (for himself, Ms. STABENOW, Mr. GRASSLEY, Ms. HEITKAMP, Mr. THUNE, Ms. KLOBUCHAR, Mr. BROWN, Mr. WYDEN, Mr. CASEY, and Mr. ENZI) submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2372. Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2373. Mrs. CAPITO submitted an amendment intended to be proposed by her to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2374. Mrs. FISCHER (for herself and Mr. BLUNT) submitted an amendment intended to be proposed by her to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2375. Ms. MURKOWSKI submitted an amendment intended to be proposed by her to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2376. Ms. MURKOWSKI submitted an amendment intended to be proposed by her to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2377. Ms. MURKOWSKI submitted an amendment intended to be proposed by her to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2378. Ms. MURKOWSKI submitted an amendment intended to be proposed by her to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2379. Ms. MURKOWSKI submitted an amendment intended to be proposed by her to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2380. Ms. MURKOWSKI submitted an amendment intended to be proposed by her to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2381. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2382. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2383. Mr. CORNYN submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2384. Mr. LEAHY (for himself, Mr. CORNYN, and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2385. Ms. WARREN submitted an amendment intended to be proposed by her to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2386. Mr. ENZI (for himself, Mr. BARRASSO, and Mr. HATCH) submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2387. Mr. COATS submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2388. Mr. COATS submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2389. Mr. COATS submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2390. Mr. COATS submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2391. Mr. HELLER (for himself and Mr. MANCHIN) submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2392. Mr. CASSIDY submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2393. Mr. CASSIDY (for himself and Mr. MARKEY) submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2394. Ms. COLLINS (for herself and Mr. REED) submitted an amendment intended to be proposed by her to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2395. Mr. INHOFE (for Mr. SESSIONS) submitted an amendment intended to be proposed by Mr. INHOFE to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2396. Mr. HATCH submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2397. Ms. HIRONO (for herself and Mrs. MURRAY) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2398. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2399. Mr. WARNER (for himself and Mr. CRAPO) submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2400. Mr. WARNER (for himself and Mr. BLUNT) submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2401. Mr. WARNER submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2402. Mr. WARNER submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2403. Mr. WARNER (for himself and Mr. KAINE) submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2404. Mr. WARNER (for himself and Mr. KAINE) submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2405. Mr. WARNER (for himself, Ms. MIKULSKI, Mr. KAINE, and Mr. CARDIN) submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2406. Mr. LEAHY (for himself, Mr. BOOKER, and Mr. COONS) submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2407. Mr. SCHATZ (for himself, Mr. MARKEY, Mr. UDALL, Mr. MERKLEY, and Mr. FRANKEN) submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2408. Mr. SCHATZ (for himself and Mr. HELLER) submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2409. Mrs. GILLIBRAND submitted an amendment intended to be proposed by her to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2410. Mrs. GILLIBRAND submitted an amendment intended to be proposed by her to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2411. Mr. REED (for himself, Mr. CARPER, Mr. BROWN, Ms. WARREN, and Mr. MENENDEZ) submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2412. Mr. REED (for himself, Ms. WARREN, and Mr. BROWN) submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2413. Mr. REED (for himself and Mr. BROWN) submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2414. Mr. REED (for himself and Mr. MURPHY) submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2415. Mr. REED (for himself, Mr. CARPER, and Mr. MENENDEZ) submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2416. Mrs. MURRAY (for herself, Ms. COLLINS, Mr. REED, Mr. COCHRAN, Mr. DURBIN, Mr. SHELBY, Mr. MARKEY, Mr. CASSIDY, Mr. LEAHY, Mr. WARNER, Mr. FRANKEN, Mr. CARPER, Ms. HIRONO, Mr. COONS, Mr. UDALL, Ms. MIKULSKI, Mr. BROWN, Mr. MERKLEY, Mr. SCHUMER, Mr. WYDEN, Mr. SCHATZ, Ms. WARREN, Ms. CANTWELL, Mr. KING, Mr. MURPHY, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by her to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2417. Mr. MCCONNELL submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2418. Mr. MCCONNELL submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2419. Ms. CANTWELL (for herself, Mrs. MURRAY, Mr. UDALL, Mr. CARPER, and Mr. BOOKER) submitted an amendment intended to be proposed by her to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2420. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2421. Mr. MCCONNELL submitted an amendment intended to be proposed to

amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2422. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2423. Mr. NELSON submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2424. Mr. CARPER submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2425. Mr. CARPER submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2426. Mr. CARPER submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2427. Mr. CARPER submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2428. Mr. CARPER submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2429. Mr. CARPER (for himself, Mr. WARNER, and Mr. MENENDEZ) submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2430. Mr. CARPER submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2431. Mr. CARPER submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2432. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2433. Mr. DONNELLY (for himself and Mr. FLAKE) submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2434. Mr. DONNELLY submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2435. Mr. DONNELLY submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2436. Mr. DONNELLY submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2437. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2438. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2439. Mr. REID (for Mr. SANDERS) submitted an amendment intended to be proposed by Mr. REID to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2440. Mr. REID (for Mr. SANDERS) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2441. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 2327 submitted by Mr. KIRK (for himself, Mr. GRAHAM, Mr. BLUNT, Ms. AYOTTE, Ms. HEITKAMP, Mr. MANCHIN, Mr. DONNELLY, Mr. WARNER, Ms. KLOBUCHAR, and Ms. CANTWELL) to the amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2442. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 2327 submitted by Mr. KIRK (for himself, Mr. GRAHAM, Mr. BLUNT, Ms. AYOTTE, Ms. HEITKAMP, Mr. MANCHIN, Mr. DONNELLY, Mr. WARNER, Ms. KLOBUCHAR, and Ms. CANTWELL) to the amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2443. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 2327 submitted by Mr. KIRK (for himself, Mr. GRAHAM, Mr. BLUNT, Ms. AYOTTE, Ms. HEITKAMP, Mr. MANCHIN, Mr. DONNELLY, Mr. WARNER, Ms. KLOBUCHAR, and Ms. CANTWELL) to the amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2444. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 2327 submitted by Mr. KIRK (for himself, Mr. GRAHAM, Mr. BLUNT, Ms. AYOTTE, Ms. HEITKAMP, Mr. MANCHIN, Mr. DONNELLY, Mr. WARNER, Ms. KLOBUCHAR, and Ms. CANTWELL) to the amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2445. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 2327 submitted by Mr. KIRK (for himself, Mr. GRAHAM, Mr. BLUNT, Ms. AYOTTE, Ms. HEITKAMP, Mr. MANCHIN, Mr. DONNELLY, Mr. WARNER, Ms. KLOBUCHAR, and Ms. CANTWELL) to the amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2446. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 2327 submitted by Mr. KIRK (for himself, Mr. GRAHAM, Mr. BLUNT, Ms. AYOTTE, Ms. HEITKAMP, Mr. MANCHIN, Mr. DONNELLY, Mr. WARNER, Ms. KLOBUCHAR, and Ms. CANTWELL) to the amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2447. Mr. PORTMAN submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2448. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2449. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2450. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2451. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2452. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2453. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2454. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2455. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2456. Mr. MORAN (for himself, Mr. DONNELLY, Mr. BLUNT, Mrs. MURRAY, Mr. UDALL, Mr. BURR, and Ms. CANTWELL) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2457. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2458. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2459. Mr. VITTER submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2460. Mr. VITTER submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2461. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2462. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2463. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2464. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2465. Ms. KLOBUCHAR submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2466. Ms. KLOBUCHAR submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2467. Mr. BLUMENTHAL (for himself and Ms. CANTWELL) submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2468. Mr. BLUMENTHAL (for himself and Mr. NELSON) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2469. Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2470. Mr. BOOKER (for himself, Mr. SANDERS, Mr. MARKEY, Mr. CARPER, and Mr. MENENDEZ) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2471. Mr. BOOKER (for himself, Mr. CARPER, and Mr. MENENDEZ) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2472. Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2473. Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2474. Mr. BOOKER (for himself, Mr. NELSON, Mr. CASEY, Mr. MARKEY, Mr. BLUMENTHAL, Mr. CARPER, Mr. COONS, Mr. MURPHY, Mr. MENENDEZ, and Mr. WARNER) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2475. Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2476. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2477. Mr. BROWN (for himself, Mr. REED, Mr. MENENDEZ, and Mr. MERKLEY) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2478. Mr. BROWN (for himself, Mr. REED, Mr. MENENDEZ, and Mr. MERKLEY) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2479. Mr. BROWN (for himself, Mr. REED, Mr. MENENDEZ, and Mr. MERKLEY) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2480. Mr. BROWN (for himself, Mr. REED, and Mr. MENENDEZ) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2481. Mr. BROWN (for himself, Mr. REED, Mr. MENENDEZ, and Mr. MERKLEY) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2482. Mr. BROWN (for himself, Mr. REED, Mr. MENENDEZ, and Mr. MERKLEY) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2483. Mr. BROWN (for himself, Mr. REED, and Mr. MENENDEZ) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2484. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2485. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2486. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2487. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2488. Mr. BROWN (for himself, Mr. REED, Mr. MENENDEZ, and Mr. MERKLEY) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2489. Mr. MENENDEZ (for himself and Mr. BOOKER) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2490. Mr. MENENDEZ (for himself and Mr. BOOKER) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2491. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2492. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2493. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2494. Mr. MENENDEZ (for himself, Mr. BOOKER, and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2495. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2496. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2497. Mr. CASEY (for himself and Ms. CANTWELL) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2498. Mr. CASEY submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2499. Mr. CASEY submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2500. Mr. UDALL (for himself and Mr. FRANKEN) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2501. Mr. UDALL submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2502. Mr. UDALL submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2503. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2504. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2505. Mr. MCCONNELL submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2506. Mr. BOOZMAN submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2507. Mr. BOOZMAN (for himself and Mr. COTTON) submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2508. Mr. REID submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2509. Mr. REID submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2510. Mr. REID submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2511. Mr. REID submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2512. Mr. REID submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2513. Mr. REID submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2514. Mr. REID submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2515. Mr. CARPER (for himself and Mr. MENENDEZ) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2516. Mr. DURBIN submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2517. Mr. DURBIN submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2518. Mr. KIRK submitted an amendment intended to be proposed to amendment

SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2519. Mr. KIRK submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2520. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2521. Mr. THUNE submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2522. Mr. THUNE submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2523. Mr. THUNE (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2524. Mr. THUNE (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2525. Mr. HATCH (for himself and Mr. SCHATZ) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2526. Mr. HATCH (for himself, Mr. BURR, and Mr. TILLIS) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2527. Mr. INHOFE submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2352. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 256, strike lines 5 through 13 and insert the following:

(2) in subsection (c)(1)(C), by inserting ''in a state of good repair'' after ''equipment and facilities''.

SA 2353. Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

Strike section 11201 (relating to credits for untaxed transportation fuels).

SA 2354. Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

Beginning on page 257, strike line 14 and all that follows through page 258, line 3, and insert the following:

(2) in subsection (d)(2)(A)—

(A) in clause (iii), by adding ''and'' at the end;

(B) by striking clause (iv); and

(C) by redesignating clause (v) as clause (iv);

On page 258, line 4, strike ''(4)'' and insert ''(3)''.

On page 260, line 10, strike ''(5)'' and insert ''(4)''.

SA 2355. Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

In subsection (d)(3)(A) of section 31203 (relating to consolidated research prospectus and strategic plan), strike clauses (iii) through (vi) and insert the following:

(iii) preserving the environment;

(iv) improving mobility;

(v) preserving the existing transportation system;

(vi) improving the durability and extending the life of transportation infrastructure; and

(vii) improving goods movement;

SA 2356. Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

Beginning on page 321, strike line 8 and all that follows through ''Transportation.'' on page 322, line 5.

On page 726, strike line 17 and all that follows through ''(7)'' on line 20 and insert ''(6)''.

SA 2357. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of title LXII of division F, add the following:

SEC. 62_____. AMENDMENTS TO PUBLIC LAW 87–532.

Public Law 87–532 (76 Stat. 153) is amended—

(1) in the first section, in subsection (a)(2)—

(A) by inserting ''and its successors and assigns,'' after ''State of Texas'';

(B) by inserting ''consisting of not more than 14 lanes'' after ''approaches thereto''; and

(C) by striking ''and for a period of sixty-six years from the date of completion of such bridge,'';

(2) in section 2, by inserting ''and its successors and assigns,'' after ''companies'';

(3) by redesignating sections 3, 4, and 5 as sections 4, 5, and 6, respectively;

(4) by inserting after section 2 the following:

''SEC. 3. RIGHTS OF STARR-CAMARGO BRIDGE COMPANY AND SUCCESSORS AND ASSIGNS.

''(a) IN GENERAL.—The Starr-Camargo Bridge Company and its successors and assigns shall have the rights and privileges granted to the B and P Bridge Company and its successors and assigns under section 2 of the Act of May 1, 1928 (45 Stat. 471, chapter 466).

''(b) REQUIREMENT.—In exercising the rights and privileges granted under subsection (a), the Starr-Camargo Bridge Company and its successors and assigns shall act in accordance with—

''(1) just compensation requirements;

''(2) public proceeding requirements; and

''(3) any other requirements applicable to the exercise of the rights referred to in subsection (a) under the laws of the State of Texas.''; and

(5) in section 4 (as redesignated)—

(A) by inserting ''and its successors and assigns,'' after ''such company'';

(B) by striking ''or'' after ''public agency'';

(C) by inserting ''or to a corporation,'' after ''international bridge authority or commission,''; and

(D) by striking ''or commission'' after ''agency, authority,'' each place it appears and inserting ''commission, or corporation''.

SA 2358. Ms. MURKOWSKI (for herself and Ms. CANTWELL) submitted an amendment intended to be proposed by her to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

Strike section 52204 and insert the following:

SEC. 52204. STRATEGIC PETROLEUM RESERVE.

(a) STRATEGIC PETROLEUM RESERVE TEST DRAWDOWN AND SALE NOTIFICATION AND DEFINITION CHANGE.—

(1) NOTICE TO CONGRESS.—Section 161(g) of the Energy Policy and Conservation Act (42 U.S.C. 6241(g)) is amended by striking paragraph (8) and inserting the following:

''(8) NOTICE TO CONGRESS.—

''(A) PRIOR NOTICE.—Not less than 14 days before the date on which a test is carried out under this subsection, the Secretary shall notify both Houses of Congress of the test.

''(B) EMERGENCY.—The prior notice requirement in subparagraph (A) shall not apply if the Secretary determines that an emergency exists which requires a test to be carried out, in which case the Secretary shall notify both Houses of Congress of the test as soon as possible.

''(C) DETAILED DESCRIPTION.—

''(i) IN GENERAL.—Not later than 180 days after the date on which a test is completed under this subsection, the Secretary shall submit to both Houses of Congress a detailed description of the test.

''(ii) REPORT.—A detailed description submitted under clause (i) may be included as part of a report made to the President and Congress under section 165.''.

(2) DEFINITION CHANGE.—Section 3(8)(C)(iii) of the Energy Policy and Conservation Act (42 U.S.C. 6202(8)(C)(iii)) is amended by striking ''sabotage or an act of God'' and inserting ''sabotage, an act of terrorism, or an act of God''.

(b) STRATEGIC PETROLEUM RESERVE MISSION READINESS OPTIMIZATION.—Not later than 180 days after the date of enactment of this Act, the Secretary of Energy shall—

(1) complete a long-range strategic review of the Strategic Petroleum Reserve; and

(2) develop and submit to Congress a proposed action plan, including a proposed implementation schedule, that—

(A) specifies near- and long-term roles of the Strategic Petroleum Reserve relative to the energy and economic security goals and objectives of the United States;

(B) describes whether existing legal authorities that govern the policies, configuration, and capabilities of the Strategic Petroleum Reserve are adequate to ensure that the Strategic Petroleum Reserve can meet the current and future energy and economic security goals and objectives of the United States;

(C) identifies the configuration and performance capabilities of the Strategic Petroleum Reserve and recommends an action plan to achieve the optimal —

(i) capacity, location, and composition of petroleum products in the Strategic Petroleum Reserve; and

(ii) storage and distributional capabilities; and

(D) estimates the resources required to attain and maintain the long-term sustainability and operational effectiveness of the Strategic Petroleum Reserve.

(c) STRATEGIC PETROLEUM RESERVE MODERNIZATION.—

(1) REAFFIRMATION OF POLICY.—Congress reaffirms the continuing strategic importance and need for the Strategic Petroleum Reserve as found and declared in section 151 of the Energy Policy and Conservation Act (42 U.S.C. 6231).

(2) SPR PETROLEUM ACCOUNT.—Section 167(b) of the Energy Policy and Conservation Act (42 U.S.C. 6247(b)) is amended to read as follows:

''(b) OBLIGATION OF FUNDS FOR THE ACQUISITION, TRANSPORTATION, AND INJECTION OF PETROLEUM PRODUCTS INTO SPR AND FOR OTHER PURPOSES.—

''(1) PURPOSES.—Amounts in the Account may be obligated by the Secretary of Energy for—

''(A) the acquisition, transportation, and injection of petroleum products into the Reserve;

''(B) test sales of petroleum products from the Reserve;

''(C) the drawdown, sale, and delivery of petroleum products from the Reserve;

''(D) the construction, maintenance, repair, and replacement of storage facilities and related facilities; and

''(E) carrying out non-Reserve projects needed to enhance the energy security of the United States by increasing the resilience, reliability, safety, and security of energy supply, transmission, storage, or distribution infrastructure.

''(2) AMOUNTS.—Amounts in the Account may be obligated by the Secretary of Energy for purposes of paragraph (1), in the case of any fiscal year—

''(A) subject to section 660 of the Department of Energy Organization Act (42 U.S.C. 7270), in such aggregate amounts as may be appropriated in advance in appropriations Acts; and

''(B) notwithstanding section 660 of the Department of Energy Organization Act (42 U.S.C. 7270), in an aggregate amount equal to the aggregate amount of the receipts to the United States from the sale of petroleum products in any drawdown and a distribution of the Reserve under section 161, including—

''(i) a drawdown and distribution carried out under subsection (g) of that section; or

''(ii) from the sale of petroleum products under section 160(f).

''(3) AVAILABILITY OF FUNDS.—Funds available to the Secretary of Energy for obligation under this subsection may remain available without fiscal year limitation.''.

(3) DEFINITION OF RELATED FACILITY.—Section 152(8) of the Energy Policy and Conservation Act (42 U.S.C. 6232(8)) is amended by inserting ''terminals,'' after ''reservoirs,''.

SA 2359. Ms. MURKOWSKI (for herself and Ms. CANTWELL) submitted an amendment intended to be proposed by her to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

Strike section 52204 and insert the following:

SEC. 52204. STRATEGIC PETROLEUM RESERVE DRAWDOWN AND SALE; CLARIFICATION OF EXCISE TAX TREATMENT OF OIL SANDS.

(a) DRAWDOWN AND SALE.—

(1) IN GENERAL.—Notwithstanding section 161 of the Energy Policy and Conservation Act (42 U.S.C. 6241), except as provided in subsection (b), the Secretary of Energy shall drawdown and sell from the Strategic Petroleum Reserve—

(A) 7,000,000 barrels of crude oil during fiscal year 2021;

(B) 10,000,000 barrels of crude oil during fiscal year 2022;

(C) 16,000,000 barrels of crude oil during fiscal year 2023;

(D) 25,000,000 barrels of crude oil during fiscal year 2024; and

(E) 25,000,000 barrels of crude oil during fiscal year 2025.

(2) DEPOSIT OF AMOUNTS RECEIVED FROM SALE.—Amounts received from a sale under paragraph (1) shall be deposited in the general fund of the Treasury during the fiscal year in which the sale occurs.

(b) EMERGENCY PROTECTION.—In any 1 fiscal year described in subsection (a)(1), the Secretary of Energy shall not drawdown and sell crude oil under this section in quantities that would result in a Strategic Petroleum Reserve that contains an inventory of petroleum products representing fewer than 90 days of emergency reserves, based on the average daily level of net imports of crude oil and petroleum products in the calendar year preceding that fiscal year.

(c) CLARIFICATION OF OIL SANDS AS CRUDE OIL FOR EXCISE TAX PURPOSES.—

(1) IN GENERAL.—Paragraph (1) of section 4612(a) of the Internal Revenue Code of 1986 is amended to read as follows:

''(1) CRUDE OIL.—The term 'crude oil' includes crude oil condensates, natural gasoline, synthetic petroleum, any bitumen or bituminous mixture, any oil derived from a bitumen or bituminous mixture, and any oil derived from kerogen-bearing sources.''.

(2) TECHNICAL AMENDMENT.—Paragraph (2) of section 4612(a) of such Code is amended by striking ''from a well located''.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to oil and petroleum products received, entered, used, or exported during calendar quarters beginning more than 60 days after the date of the enactment of this Act.

SA 2360. Ms. MURKOWSKI (for herself and Ms. CANTWELL) submitted an amendment intended to be proposed by her to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

Strike section 52204 and insert the following:

SEC. 52204. STRATEGIC PETROLEUM RESERVE DRAWDOWN AND SALE; CLARIFICATION OF EXCISE TAX TREATMENT OF OIL SANDS.

(a) DRAWDOWN AND SALE.—

(1) IN GENERAL.—Notwithstanding section 161 of the Energy Policy and Conservation Act (42 U.S.C. 6241), except as provided in subsection (b), the Secretary of Energy shall drawdown and sell from the Strategic Petroleum Reserve—

(A) 3,560,000 barrels of crude oil during fiscal year 2018;

(B) 4,450,000 barrels of crude oil during fiscal year 2019;

(C) 7,120,000 barrels of crude oil during fiscal year 2020;

(D) 7,120,000 barrels of crude oil during fiscal year 2021;

(E) 8,900,000 barrels of crude oil during fiscal year 2022;

(F) 14,250,000 barrels of crude oil during fiscal year 2023;

(G) 22,250,000 barrels of crude oil during fiscal year 2024; and

(H) 22,250,000 barrels of crude oil during fiscal year 2025.

(2) DEPOSIT OF AMOUNTS RECEIVED FROM SALE.—Amounts received from a sale under paragraph (1) shall be deposited in the general fund of the Treasury during the fiscal year in which the sale occurs.

(b) EMERGENCY PROTECTION.—In any 1 fiscal year described in subsection (a)(1), the Secretary of Energy shall not drawdown and sell crude oil under this section in quantities that would result in a Strategic Petroleum Reserve that contains an inventory of petroleum products representing fewer than 90 days of emergency reserves, based on the average daily level of net imports of crude oil and petroleum products in the calendar year preceding that fiscal year.

(c) CLARIFICATION OF OIL SANDS AS CRUDE OIL FOR EXCISE TAX PURPOSES.—

(1) IN GENERAL.—Paragraph (1) of section 4612(a) of the Internal Revenue Code of 1986 is amended to read as follows:

''(1) CRUDE OIL.—The term 'crude oil' includes crude oil condensates, natural gasoline, synthetic petroleum, any bitumen or bituminous mixture, any oil derived from a bitumen or bituminous mixture, and any oil derived from kerogen-bearing sources.''.

(2) TECHNICAL AMENDMENT.—Paragraph (2) of section 4612(a) of such Code is amended by striking ''from a well located''.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to oil and petroleum products received, entered, used, or exported during calendar quarters beginning more than 60 days after the date of the enactment of this Act.

SA 2361. Ms. MURKOWSKI (for herself and Ms. CANTWELL) submitted an amendment intended to be proposed by her to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

Strike section 52204 and insert the following:

SEC. 52204. STRATEGIC PETROLEUM RESERVE DRAWDOWN AND SALE; CLARIFICATION OF EXCISE TAX TREATMENT OF OIL SANDS.

(a) DRAWDOWN AND SALE.—

(1) IN GENERAL.—Notwithstanding section 161 of the Energy Policy and Conservation Act (42 U.S.C. 6241), except as provided in subsections (b) and (d), the Secretary of Energy shall drawdown and sell from the Strategic Petroleum Reserve—

(A) 4,000,000 barrels of crude oil during fiscal year 2018;

(B) 5,000,000 barrels of crude oil during fiscal year 2019;

(C) 8,000,000 barrels of crude oil during fiscal year 2020;

(D) 8,000,000 barrels of crude oil during fiscal year 2021;

(E) 10,000,000 barrels of crude oil during fiscal year 2022;

(F) 16,000,000 barrels of crude oil during fiscal year 2023;

(G) 25,000,000 barrels of crude oil during fiscal year 2024; and

(H) 25,000,000 barrels of crude oil during fiscal year 2025.

(2) DEPOSIT OF AMOUNTS RECEIVED FROM SALE.—Amounts received from a sale under paragraph (1) shall be deposited in the general fund of the Treasury during the fiscal year in which the sale occurs.

(b) EMERGENCY PROTECTION.—In any 1 fiscal year described in subsection (a)(1), the Secretary of Energy shall not drawdown and sell crude oil under this section in quantities that would result in a Strategic Petroleum Reserve that contains an inventory of petroleum products representing fewer than 90 days of emergency reserves, based on the average daily level of net imports of crude oil and petroleum products in the calendar year preceding that fiscal year.

(c) CLARIFICATION OF OIL SANDS AS CRUDE OIL FOR EXCISE TAX PURPOSES.—

(1) IN GENERAL.—Paragraph (1) of section 4612(a) of the Internal Revenue Code of 1986 is amended to read as follows:

''(1) CRUDE OIL.—The term 'crude oil' includes crude oil condensates, natural gasoline, synthetic petroleum, any bitumen or bituminous mixture, any oil derived from a bitumen or bituminous mixture, and any oil derived from kerogen-bearing sources.''.

(2) TECHNICAL AMENDMENT.—Paragraph (2) of section 4612(a) of such Code is amended by striking ''from a well located''.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to oil and petroleum products received, entered, used, or exported during calendar quarters beginning more than 60 days after the date of the enactment of this Act.

(d) REDUCTION OF DRAWDOWN AND SALE.—The Secretary of Energy shall reduce the number of barrels of crude oil required to be sold for any fiscal year pursuant to subsection (a) by the total number of barrels with a cumulative fair market value equal to the projected increase in revenue for such fiscal year attributable to the amendments made by subsection (c).

SA 2362. Ms. MURKOWSKI submitted an amendment intended to be proposed by her to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of division F, add the following:

SEC. 6_____. KING COVE ROAD LAND EXCHANGE.

(a) FINDING.—Congress finds that the land exchange required under this section (including the designation of the road corridor and the construction of the road along the road corridor) is in the public interest.

(b) DEFINITIONS.—In this section:

(1) FEDERAL LAND.—

(A) IN GENERAL.—The term ''Federal land'' means the approximately 206 acres of Federal land located within the Refuge as depicted on the map entitled ''Project Area Map'' and dated September 2012.

(B) INCLUSION.—The term ''Federal land'' includes the 131 acres of Federal land in the Wilderness, which shall be used for the road corridor along which the road is to be constructed in accordance with subsection (c)(2).

(2) NON-FEDERAL LAND.—The term ''non-Federal land'' means the approximately 43,093 acres of land owned by the State as depicted on the map entitled ''Project Area Map'' and dated September 2012.

(3) REFUGE.—The term ''Refuge'' means the Izembek National Wildlife Refuge in the State.

(4) ROAD CORRIDOR.—The term ''road corridor'' means the road corridor designated under subsection (c)(2)(A).

(5) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(6) STATE.—The term ''State'' means the State of Alaska.

(7) WILDERNESS.—The term ''Wilderness'' means the Izembek Wilderness designated by section 702(6) of the Alaska National Interest Lands Conservation Act (16 U.S.C. 1132 note; Public Law 96–487).

(c) LAND EXCHANGE REQUIRED.—

(1) IN GENERAL.—If the State offers to convey to the Secretary all right, title, and interest of the State in and to the non-Federal land, the Secretary shall convey to the State all right, title, and interest of the United States in and to the Federal Land.

(2) USE OF FEDERAL LAND.—The Federal land shall be conveyed to the State for the purposes of—

(A) designating a road corridor through the Refuge; and

(B) constructing a noncommercial single-lane gravel road along the road corridor between the cities of King Cove and Cold Bay in the State to provide access to emergency medical services via the all-weather airport in Cold Bay.

(3) VALUATION, APPRAISALS, AND EQUALIZATION.—

(A) IN GENERAL.—The value of the Federal land and the non-Federal land to be exchanged under this section—

(i) shall be equal, as determined by appraisals conducted in accordance with subparagraph (B); or

(ii) if not equal, shall be equalized in accordance with subparagraph (C).

(B) APPRAISALS.—

(i) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary and State shall select an appraiser to conduct appraisals of the Federal land and non-Federal land.

(ii) REQUIREMENTS.—The appraisals required under clause (i) shall be conducted in accordance with nationally recognized appraisal standards, including—

(I) the Uniform Appraisal Standards for Federal Land Acquisitions; and

(II) the Uniform Standards of Professional Appraisal Practice.

(C) EQUALIZATION.—

(i) SURPLUS OF FEDERAL LAND.—If the final appraised value of the Federal land exceeds the final appraised value of the non-Federal land to be conveyed under the land exchange under this section, the value of the Federal land and non-Federal land shall be equalized—

(I) by conveying additional non-Federal land in the State to the Secretary, subject to the approval of the Secretary;

(II) by the State making a cash payment to the United States; or

(III) by using a combination of the methods described in subclauses (I) and (II).

(ii) SURPLUS OF NON-FEDERAL LAND.—If the final appraised value of the non-Federal land exceeds the final appraised value of the Federal land to be conveyed under the land exchange under this section, the value of the Federal land and non-Federal land shall be equalized by the State adjusting the acreage of the non-Federal land to be conveyed.

(iii) AMOUNT OF PAYMENT.—Notwithstanding section 206(b) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716(b)), the Secretary may accept a payment under clause (i)(II) in excess of 25 percent of the value of the Federal land conveyed.

(4) ADMINISTRATION.—On completion of the exchange of Federal land and non-Federal land under this section—

(A) the boundary of the Wilderness shall be modified to exclude the Federal land; and

(B) the non-Federal land shall be—

(i) added to the Wilderness; and

(ii) administered in accordance with—

(I) the Wilderness Act (16 U.S.C. 1131 et seq.); and

(II) other applicable laws.

(5) DEADLINE.—The land exchange under this section shall be completed not later than 90 days after the date of enactment of this Act.

(d) ROUTE OF ROAD CORRIDOR.—The route of the road corridor shall follow the southern road alignment as described in the alternative entitled ''Alternative 2-Land Exchange and Southern Road Alignment'' in the final environmental impact statement entitled ''Izembek National Wildlife Refuge Land Exchange/Road Corridor Final Environmental Impact Statement'' and dated February 5, 2013.

(e) REQUIREMENTS RELATING TO ROAD.—The requirements relating to usage, barrier cables, and dimensions and the limitation on support facilities under subsections (a) and (b) of section 6403 of the Omnibus Public Land Management Act of 2009 (Public Law 111–11; 123 Stat. 1180) shall apply to the road constructed in the road corridor.

(f) EFFECT.—The exchange of Federal land and non-Federal land under this section shall not constitute a major Federal action for purposes of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

SA 2363. Ms. MURKOWSKI submitted an amendment intended to be proposed by her to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. MULTIYEAR PROCUREMENT AUTHORITY FOR POLAR ICEBREAKERS.

(a) MULTIYEAR PROCUREMENT.—Subject to section 2306b of title 10, United States Code, the Secretary of the Navy shall enter into multiyear contracts for the procurement of two heavy polar icebreakers and any systems and equipment associated with those vessels.

(b) AUTHORITY FOR ADVANCE PROCUREMENT.—The Secretary of the Navy may enter into one or more contracts, beginning in fiscal year 2016, for advance procurement associated with the vessels, systems, and equipment for which authorization to enter into a multiyear contract is provided under subsection (a).

(c) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2016 is subject to the availability of appropriations or funds for that purpose for such later fiscal year.

(d) MEMORANDUM OF AGREEMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Navy and the Secretary of the Department in which the Coast Guard is operating shall enter into a memorandum of agreement establishing a process by which the Coast Guard, in concurrence with the Navy, shall—

(1) identify the vessel specifications, capabilities, systems, equipment, and other details required for the design of heavy polar icebreakers capable of fulfilling Navy and Coast Guard mission requirements, with the Coast Guard, as the sole operator of United States Government polar icebreaking assets, retaining final decision authority in the establishment of vessel requirements;

(2) oversee the construction of heavy polar icebreakers authorized to be procured under this section; and

(3) to the extent not adequately addressed in the 1965 Revised Memorandum of Agreement between the Department of the Navy and the Department of the Treasury on the Operation of Icebreakers, transfer heavy polar icebreakers procured through contracts authorized under this section from the Navy to the Coast Guard to be maintained and operated by the Coast Guard.

SA 2364. Mr. CRAPO (for himself and Mr. CARPER) submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

Strike section 52203.

SA 2365. Mr. ENZI submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. INFLATION ADJUSTMENT FOR TAX ON GASOLINE AND DIESEL FUEL.

(a) ADJUSTMENT FOR MANUFACTURER LEVEL TAX.—

(1) IN GENERAL.—Subpart A of part III of subchapter A of chapter 32 of the Internal Revenue Code of 1986 is amended by redesignating section 4084 as section 4085 and inserting after section 4083 the following new section:

''SEC. 4084. INFLATION ADJUSTMENT FOR GASOLINE, KEROSENE, AND DIESEL FUEL.

''(a) IN GENERAL.—In the case of any calendar year beginning after 2015, each of the specified amounts shall be adjusted by an amount equal to—

''(1) such dollar amount, multiplied by

''(2) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year, determined by substituting 'calendar year 2014' for 'calendar year 1992' in subparagraph (B) thereof.

''(b) SPECIFIED AMOUNTS.—For purposes of subsection (a), the specified amounts are—

''(1) the 18.3 cent amount under section 4081(a)(2)(A)(i),

''(2) the 24.3 cent amount under section 4081(a)(2)(A)(iii), and

''(3) the 19.7 cent amount under section 4081(a)(2)(D).

''(c) ROUNDING.—If any amount as adjusted under subsection (a) is not a multiple of 0.1 cents, such amount shall be rounded to the next highest multiple of 0.1 cents.

''(d) FLOOR STOCKS TAX.—

''(1) IN GENERAL.—There is hereby imposed on any applicable fuel held on an inflation adjustment date, by any person a tax equal to—

''(A) the tax which would have been imposed under section 4081 on the day before such inflation adjustment date on such applicable fuel had the most recent inflation adjustment under subsection (a) been in effect at all times before such inflation adjustment date, reduced by

''(B) the tax imposed under section 4081 on such applicable fuel before such inflation adjustment date.

''(2) LIABILITY FOR TAX AND METHOD OF PAYMENT.—

''(A) LIABILITY FOR TAX.—A person holding an applicable fuel on an inflation adjustment date to which the tax imposed by paragraph (1) applies shall be liable for such tax.

''(B) METHOD OF PAYMENT.—The tax imposed by paragraph (1) shall be paid in such manner as the Secretary shall prescribe.

''(C) TIME FOR PAYMENT.—The tax imposed by paragraph (1) shall be paid on or before the date which is 3 months after the inflation adjustment date.

''(3) DEFINITIONS.—For purposes of this subsection—

''(A) HELD BY A PERSON.—An applicable fuel shall be considered as 'held by a person' if title thereto has passed to such person (whether or not delivery to the person has been made).

''(B) APPLICABLE FUEL.—The term 'applicable fuel' means gasoline (other than aviation gasoline), diesel fuel, and kerosene.

''(C) INFLATION ADJUSTMENT DATE.—The term 'inflation adjustment date' means any date on which there is an increase in tax by reason of an adjustment under subsection (a).

''(4) EXCEPTION FOR EXEMPT USES.—The tax imposed by paragraph (1) shall not apply to applicable fuel held by any person exclusively for any use to the extent a credit or refund of the tax imposed by section 4081 is allowable for such use.

''(5) EXCEPTION FOR FUEL HELD IN VEHICLE TANK.—No tax shall be imposed by paragraph (1) on applicable fuel held in the tank of a vehicle.''.

(2) CONFORMING AMENDMENTS.—

(A) Section 4081(a)(2)(D) of the Internal Revenue Code of 1986 is amended by striking ''for '24.3 cents''' and inserting ''for the dollar applicable thereunder.''

(B) The table of sections for subpart A of part III of subchapter A of chapter 32 of the Internal Revenue Code of 1986 is amended by redesignating the item relating to section 4084 as relating to section 4085 and by inserting after the item relating to section 4083 the following new item:

''Sec. 4084. Inflation adjustment for gasoline, kerosene, and diesel fuel.''.

(b) ADJUSTMENT FOR RETAIL TAX.—Section 4041 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

''(c) INFLATION ADJUSTMENT FOR CERTAIN TAX RATES.—

''(1) IN GENERAL.—In the case of any calendar year beginning after 2015, each of the specified amounts shall be adjusted by an amount equal to—

''(A) such amount, multiplied by

''(B) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year, determined by substituting 'calendar year 2014' for 'calendar year 1992' in subparagraph (B) thereof.

''(2) SPECIFIED AMOUNT.—For purposes of paragraph (1), the specified amounts are—

''(A) the 24.3 cent amount under subsection (a)(2)(B)(ii),

''(B) the 18.3 cent amount under subsection (a)(3),

''(C) the 9.15 cent amount under subsection (m)(1)(A)(i), and

''(D) the 11.3 cent amount under subsection (m)(1)(A)(ii).

''(3) ROUNDING.—If any amount as adjusted under paragraph (1) is not a multiple of 0.1 cents, such amount shall be rounded to the next highest multiple of 0.1 cents.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to fuel removed, entered, sold, or used after December 31, 2015.

SA 2366. Mr. SULLIVAN submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

Beginning on page 14, strike line 15 and all that follows through page 15, line 4, and insert the following:

(A) TRIBAL TRANSPORTATION PROGRAM.—For the tribal transportation program under section 202 of title 23, United States Code—

(i) $466,000,000 for fiscal year 2016;

(ii) $476,000,000 for fiscal year 2017;

(iii) $486,000,000 for fiscal year 2018;

(iv) $496,000,000 for fiscal year 2019;

(v) $506,000,000 for fiscal year 2020; and

(vi) $516,000,000 for fiscal year 2021.

On page 17, line 20, strike ''$130,000,000'' and insert ''$124,000,000''.

Beginning on page 103, strike line 21 and all that follows through page 104, line 5, and insert the following:

SEC. 11024. TRIBAL TRANSPORTATION PROGRAM AMENDMENT.

Section 202 of title 23, United States Code, is amended—

(1) in subsection (a)(6), by striking ''6 percent'' and inserting ''5 percent'';

(2) in subsection (b)(3)(B)—

(A) by redesignating clauses (i), (ii), and (iii) as subclauses (I), (II), and (III), respectively, and indenting appropriately;

(B) in the matter preceding subclause (I) (as so redesignated), by striking ''Tribal shares under this program'' and inserting the following:

''(i) IN GENERAL.—Subject to clause (ii), tribal shares under this program''; and

(C) by adding at the end the following:

''(ii) FUNDING FLOOR.—

''(I) AMOUNT.—For each fiscal year, an Indian tribe shall receive an amount under this program that is not less than $75,000.

''(II) CALCULATION.—In calculating the amount under subclause (I), the Secretary shall include any amounts authorized for the Indian tribe under this subparagraph that are not available for obligation due to a limitation on obligations for the fiscal year''; and

(3) in subsection (d)(2), in the matter preceding subparagraph (A) by striking ''2 percent'' and inserting ''3 percent''.

SA 2367. Mr. THUNE (for himself, Mr. NELSON, Mr. HELLER, Mrs. MCCASKILL, Ms. AYOTTE, Mr. MORAN, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle D of title XXXIV of division C, add the following:

PART IV—MOTOR VEHICLE SAFETY WHISTLEBLOWER ACT

SEC. 34441. SHORT TITLE.

This part may be cited as the ''Motor Vehicle Safety Whistleblower Act''.

SEC. 34442. MOTOR VEHICLE SAFETY WHISTLEBLOWER INCENTIVES AND PROTECTIONS.

(a) IN GENERAL.—Subchapter IV of chapter 301 is amended by adding at the end the following:

''§ 30172. Whistleblower incentives and protections

''(a) DEFINITIONS.—In this section:

''(1) COVERED ACTION.—The term 'covered action' means any administrative or judicial action, including any related administrative or judicial action, brought by the Secretary or the Attorney General under this chapter that in the aggregate results in monetary sanctions exceeding $1,000,000.

''(2) MONETARY SANCTIONS.—The term 'monetary sanctions' means monies, including penalties and interest, ordered or agreed to be paid.

''(3) ORIGINAL INFORMATION.—The term 'original information' means information that—

''(A) is derived from the independent knowledge or analysis of an individual;

''(B) is not known to the Secretary from any other source, unless the individual is the original source of the information; and

''(C) is not exclusively derived from an allegation made in a judicial or an administrative action, in a governmental report, a hearing, an audit, or an investigation, or from the news media, unless the individual is a source of the information.

''(4) PART SUPPLIER.—The term 'part supplier' means a manufacturer of motor vehicle equipment.

''(5) SUCCESSFUL RESOLUTION.—The term 'successful resolution' includes any settlement or adjudication of a covered action.

''(6) WHISTLEBLOWER.—The term 'whistleblower' means any employee or contractor of a motor vehicle manufacturer, part supplier, or dealership who voluntarily provides to the Secretary original information relating to any motor vehicle defect, noncompliance, or any violation or alleged violation of any notification or reporting requirement of this chapter which is likely to cause unreasonable risk of death or serious physical injury.

''(b) AWARDS.—

''(1) IN GENERAL.—If the original information that a whistleblower provided to the Secretary led to the successful resolution of a covered action, the Secretary, subject to subsection (c), may pay an award or awards to 1 or more whistleblowers in an aggregate amount of not more than 30 percent, in total, of collected monetary sanctions.

''(2) PAYMENT OF AWARDS.—Any amount payable under paragraph (1) shall be paid from the monetary sanctions collected, and any monetary sanctions so collected shall be available for such payment.

''(c) DETERMINATION OF AWARDS; DENIAL OF AWARDS.—

''(1) DETERMINATION OF AWARDS.—

''(A) DISCRETION.—The determination of whether, to whom, or in what amount to make an award shall be in the discretion of the Secretary.

''(B) CRITERIA.—In determining an award made under subsection (b), the Secretary shall take into consideration—

''(i) if appropriate, whether a whistleblower reported or attempted to report the information internally to an applicable motor vehicle manufacturer, part supplier, or dealership;

''(ii) the significance of the original information provided by the whistleblower to the successful resolution of the covered action;

''(iii) the degree of assistance provided by the whistleblower and any legal representative of the whistleblower in the covered action; and

''(iv) such additional factors as the Secretary considers relevant.

''(2) DENIAL OF AWARDS.—No award under subsection (b) shall be made—

''(A) to any whistleblower who is convicted of a criminal violation related to the covered action for which the whistleblower otherwise could receive an award under this section;

''(B) to any whistleblower who, acting without direction from an applicable motor vehicle manufacturer, part supplier, or dealership, or agent thereof, deliberately causes or substantially contributes to the alleged violation of a requirement of this chapter;

''(C) to any whistleblower who submits information to the Secretary that is based on the facts underlying the covered action submitted previously by another whistleblower;

''(D) to any whistleblower who fails to provide the original information to the Secretary in such form as the Secretary may require by regulation; or

''(E) to any whistleblower who fails to report or attempt to report the information internally to an applicable motor vehicle manufacturer, parts supplier, or dealership, unless—

''(i) the whistleblower reasonably believed that such an internal report would have resulted in retaliation, notwithstanding section 30171(a); or

''(ii) the whistleblower reasonably believed that the information—

''(I) was already internally reported;

''(II) was already subject to or part of an internal inquiry or investigation; or

''(III) was otherwise already known to the motor vehicle manufacturer, part supplier, or dealership.

''(d) REPRESENTATION.—A whistleblower may be represented by counsel.

''(e) NO CONTRACT NECESSARY.—No contract with the Secretary is necessary for any whistleblower to receive an award under subsection (b).

''(f) PROTECTION OF WHISTLEBLOWERS; CONFIDENTIALITY.—

''(1) IN GENERAL.—Notwithstanding section 30167, and except as provided in paragraphs (4) and (5) of this subsection, the Secretary, and any officer or employee of the Department of Transportation, shall not disclose

any information, including information provided by a whistleblower to the Secretary, which could reasonably be expected to reveal the identity of a whistleblower, except in accordance with the provisions of section 552a of title 5, unless—

''(A) required to be disclosed to a defendant or respondent in connection with a public proceeding instituted by the Secretary or any entity described in paragraph (5);

''(B) the whistleblower provides prior written consent for the information to be disclosed; or

''(C) the Secretary, or other officer or employee of the Department of Transportation, receives the information through another source, such as during an inspection or investigation under section 30166, and has authority under other law to release the information.

''(2) REDACTION.—The Secretary, and any officer or employee of the Department of Transportation, shall take reasonable measures to not reveal the identity of the whistleblower when disclosing any information under paragraph (1).

''(3) SECTION 552(b)(3)(B).—For purposes of section 552 of title 5, paragraph (1) of this subsection shall be considered a statute described in subsection (b)(3)(B) of that section.

''(4) EFFECT.—Nothing in this subsection is intended to limit the ability of the Attorney General to present such evidence to a grand jury or to share such evidence with potential witnesses or defendants in the course of an ongoing criminal investigation.

''(5) AVAILABILITY TO GOVERNMENT AGENCIES.—

''(A) IN GENERAL.—Without the loss of its status as confidential in the hands of the Secretary, all information referred to in paragraph (1) may, in the discretion of the Secretary, when determined by the Secretary to be necessary or appropriate to accomplish the purposes of this chapter and in accordance with subparagraph (B), be made available to the following:

''(i) The Department of Justice.

''(ii) An appropriate department or agency of the Federal Government, acting within the scope of its jurisdiction.

''(B) MAINTENANCE OF INFORMATION.—Each entity described in subparagraph (A) shall maintain information described in that subparagraph as confidential, in accordance with the requirements in paragraph (1).

''(g) PROVISION OF FALSE INFORMATION.—A whistleblower who knowingly and willfully makes any false, fictitious, or fraudulent statement or representation, or who makes or uses any false writing or document knowing the same to contain any false, fictitious, or fraudulent statement or entry, shall not be entitled to an award under this section and shall be subject to prosecution under section 1001 of title 18.

''(h) APPEALS.—

''(1) IN GENERAL.—Any determination made under this section, including whether, to whom, or in what amount to make an award, shall be in the discretion of the Secretary.

''(2) APPEALS.—Any determination made by the Secretary under this section may be appealed by a whistleblower to the appropriate court of appeals of the United States not later than 30 days after the determination is issued by the Secretary.

''(3) REVIEW.—The court shall review the determination made by the Secretary in accordance with section 706 of title 5.

''(i) REGULATIONS.—Not later than 18 months after the date of enactment of the Motor Vehicle Safety Whistleblower Act, the Secretary shall promulgate regulations on the requirements of this section, consistent with this section.''.

(b) RULE OF CONSTRUCTION.—

(1) ORIGINAL INFORMATION.—Information submitted to the Secretary of Transportation by a whistleblower in accordance with the requirements of section 30172 of title 49, United States Code, shall not lose its status as original information solely because the whistleblower submitted the information prior to the effective date of the regulations if that information was submitted after the date of enactment of this Act.

(2) AWARDS.—A whistleblower may receive an award under section 30172 of title 49, United States Code, regardless of whether the violation underlying the covered action occurred prior to the date of enactment of this Act, and may receive an award prior to the Secretary of Transportation promulgating the regulations under section 30172(i) of that title.

(c) CONFORMING AMENDMENTS.—The table of contents of subchapter IV of chapter 301 is amended by adding at the end the following:

''30172. Whistleblower incentives and protections.''.

SA 2368. Mr. CORNYN submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

In section 12204 (relating to highway trust fund transparency and accountability), strike the section heading and designation and all that follows through the end of paragraph (2) of section 104(g) of title 23, United States Code (as added by section 12204) and insert the following:

SEC. 12204. HIGHWAY TRUST FUND AND HIGHWAY INVESTMENT TREND TRANSPARENCY AND ACCOUNTABILITY.

(a) IN GENERAL.—Section 104 of title 23, United States Code is amended by striking subsection (g) and inserting the following:

''(g) REPORT ON STATE HIGHWAY EXPENDITURE TRENDS.—Not later than 180 days after the date of enactment of the DRIVE Act and annually thereafter, the Secretary shall use existing data sources to prepare and submit to Congress a report that describes—

''(1) State government expenditures on highways, by State, for the most recent 10-year period; and

''(2) for each State, the amount, expressed in a percentage, of all expenditures for highways in the State for the most recent 10-year period that were funded by the State government.

''(h) HIGHWAY TRUST FUND TRANSPARENCY AND ACCOUNTABILITY REPORT.—

''(1) PUBLICLY AVAILABLE REPORT.—Not later than 180 days after the date of enactment of the DRIVE Act and quarterly thereafter, the Secretary shall compile data in accordance with this subsection on the use of Federal-aid highway program funds made available under this title.

''(2) REQUIREMENTS.—The Secretary shall ensure that the reports required under subsection (g) and this subsection are made available in a user-friendly manner on the public website of the Department of Transportation and can be searched and downloaded by users of the website.

SA 2369. Mr. THUNE (for himself and Mr. NELSON) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 19, strike lines 1 through 4.

SA 2370. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 583, strike lines 8 through 15, and insert the following:

(1)(A) a court or other judicial or administrative authority having jurisdiction authorizes the retrieval of the data; and

(B) after access, to the extent that retrieved data is submitted as evidence, the data is subject to the standards for admission into evidence required by that court or other judicial or administrative authority;

SA 2371. Mr. HOEVEN (for himself, Ms. STABENOW, Mr. GRASSLEY, Ms. HEITKAMP, Mr. THUNE, Ms. KLOBUCHAR, Mr. BROWN, Mr. WYDEN, Mr. CASEY, and Mr. ENZI) submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of division F, add the following:

SEC. 62_____. COUNTRY OF ORIGIN LABELING REQUIREMENTS FOR BEEF, PORK, AND CHICKEN.

(a) DEFINITIONS.—Section 281 of the Agricultural Marketing Act of 1946 (7 U.S.C. 1638) is amended—

(1) by striking paragraphs (1) and (7);

(2) by redesignating paragraphs (2), (3), (4), (5), (6), (8), and (9) as paragraphs (1), (2), (3), (4), (5), (6), and (7), respectively; and

(3) in paragraph (1)(A) (as redesignated by paragraph (2))—

(A) by striking clause (i) and inserting the following:

''(i) muscle cuts of lamb and venison;'';

(B) by striking clause (ii) and inserting the following:

''(ii) ground lamb and ground venison;'';

(C) in clause (vi), by striking ''and'' at the end;

(D) by striking clause (viii); and

(E) by redesignating clauses (ix), (x), and (xi) as clauses (viii), (ix), and (x), respectively.

(b) NOTICE OF COUNTRY OF ORIGIN.—Section 282 of the Agricultural Marketing Act of 1946 (7 U.S.C. 1638a) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking ''subsection (b)'' and inserting ''subsections (b) and (c)''; and

(B) in paragraph (2)—

(i) in the paragraph heading, by striking ''BEEF, LAMB, PORK, CHICKEN,''; and inserting ''LAMB,'';

(ii) in subparagraphs (A) through (D), by striking ''beef, lamb, pork, chicken,'' each place it appears and inserting ''lamb,''; and

(iii) in subparagraph (E)—

(I) in the subparagraph heading, by striking ''GROUND BEEF, PORK, LAMB, CHICKEN,'' and inserting ''GROUND LAMB,''; and

(II) by striking ''ground beef, ground pork, ground lamb, ground chicken,'' each place it appears and inserting ''ground lamb,'';

(2) by redesignating subsections (c) through (f) as subsections (d) through (g), respectively;

(3) by inserting after subsection (b) the following:

''(c) VOLUNTARY DESIGNATION OF COUNTRY OF ORIGIN FOR BEEF, PORK, AND CHICKEN.—

''(1) DEFINITION OF PACKER.—In this subsection, the term 'packer' has the meaning given the term in section 201 of the Packers and Stockyards Act, 1921 (7 U.S.C. 191)).

''(2) VOLUNTARY DESIGNATION.—As determined by the Secretary, a packer of beef, pork, or chicken may voluntarily designate any raw single-ingredient beef, pork, or chicken intended for retail sale as exclusively having a United States country of origin only if the beef, pork, or chicken meets the requirements of clause (i), (ii), or (iii) of subsection (a)(2)(A).

''(3) ENFORCEMENT.—The Secretary shall ensure compliance with paragraph (2) in the same manner as the Secretary ensures compliance with subsection (a)(2)(A).

''(4) SAVINGS CLAUSE.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), nothing in this paragraph affects any other Federal marketing or regulatory program or similar State initiative.

''(B) UNITED STATES COUNTRY OF ORIGIN.—No Federal agency, State, or political establishment of a State may establish or enforce a statute or administrative action that provides for the labeling of any beef, pork, or chicken intended for retail sale as exclusively having a United States country of origin in a manner that is less stringent than, or otherwise inconsistent with, the requirements of paragraph (2) and subsection (a)(2)(A).''; and

(4) in paragraph (2) of subsection (g) (as redesignated by paragraph (2))—

(A) by striking subparagraphs (B) and (C); and

(B) by redesignating subparagraphs (D) and (E) as subparagraphs (B) and (C), respectively.

SA 2372. Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 522, between lines 7 and 8, insert the following:

SEC. 32612. USED PASSENGER MOTOR VEHICLE CONSUMER PROTECTION.

(a) IN GENERAL.—Section 30120 is amended by adding at the end the following:

''(k) LIMITATION ON SALE OR LEASE OF USED PASSENGER MOTOR VEHICLES.—(1) A dealer may not sell or lease a used passenger motor vehicle to a purchaser, other than for resale, until—

''(A) the dealer clearly and conspicuously notifies the purchaser or lessee, using a printout of VIN-specific results from the look-up established by the Secretary pursuant to section 31301 of the MAP–21 (49 U.S.C. 30166 note), of any notifications of a defect or noncompliance under subsection (b) or (c) of section 30118 with respect to the vehicle that have not been remedied; and

''(B) the purchaser or lessee acknowledges, in writing, the receipt of the such notification.

''(2) Paragraph (1) shall not apply if—

''(A) the defect or noncompliance is remedied in accordance with this section before delivery under the sale or lease; or

''(B) notification of the defect or noncompliance is required under section 30118(b), but enforcement of the order is set aside in a civil action to which section 30121(d) applies.

''(3) Paragraph (1) shall not apply to a dealer if the recall information regarding a used passenger motor vehicle was not accessible at the time of the sale or lease using the means established by the Secretary under section 31301 of the MAP–21.

''(4) Notwithstanding section 30102(a)(1), in this subsection—

''(A) the term 'dealer' means a person that sold at least 10 motor vehicles to consumers during the most recent 12-month period; and

''(B) the term 'used passenger motor vehicle' means a passenger motor vehicle that has previously been purchased other than for resale.''.

(b) EFFECTIVE DATE.—The amendment made under subsection (a) shall take effect on the date that is 18 months after the date of the enactment of this Act.

SA 2373. Mrs. CAPITO submitted an amendment intended to be proposed by her to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of title LXII of division F, add the following:

SEC. 62002. APPLICABILITY OF CERTAIN SANCTIONS UNDER CLEAN AIR ACT.

(a) IN GENERAL.—None of the funds authorized to be appropriated pursuant to this Act shall be subject to any sanction under section 179(b)(1) of the Clean Air Act (42 U.S.C. 7509(b)(1)) based on the failure of a State to comply with any proposed, modified, or final rule described in subsection (b).

(b) DESCRIPTION OF RULE.—A rule referred to in subsection (a) is—

(1) any proposed or final rule to address carbon dioxide emissions from existing sources that are fossil fuel-fired electric utility generating units under section 111 of the Clean Air Act (42 U.S.C. 7411), including any final rule that succeeds—

(A) the proposed rule entitled ''Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units'' (79 Fed. Reg. 34830 (June 18, 2014)); or

(B) the supplemental proposed rule entitled ''Carbon Pollution Emission Guidelines for Existing Stationary Sources: EGUs in Indian Country and U.S. Territories; Multi-Jurisdictional Partnerships'' (79 Fed. Reg. 65482 (November 4, 2014));

(2) any proposed or final rule, in whole or in part, under section 111 of the Clean Air Act (42 U.S.C. 7411) that establishes a standard of performance for emissions of any greenhouse gas from any new source, modified source, or reconstructed source that is a fossil fuel-fired electric utility generating unit; or

(3) any national primary or secondary ambient air quality standard for ozone that is lower than the standard established under section 50.15 of title 40, Code of Federal Regulations (as in effect on January 1, 2015).

SA 2374. Mrs. FISCHER (for herself and Mr. BLUNT) submitted an amendment intended to be proposed by her to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 429, between lines 20 and 21, insert the following:

SEC. 32009. INTERIM HIRING STANDARD.

(a) DEFINITIONS.—In this section:

(1) ENTITY.—The term ''entity'' means a person acting as—

(A) a shipper, except for an individual shipper (as defined in section 13102 of title 49, United States Code), or a consignee;

(B) a broker, a freight forwarder, or a household goods freight forwarder (as such terms are defined in section 13102 of title 49, United States Code);

(C) a non-vessel-operating common carrier, an ocean freight forwarder, or an ocean transportation intermediary (as such terms are defined in section 40102 of title 46, United States Code);

(D) an indirect air carrier authorized to operate under a Standard Security Program approved by the Transportation Security Administration;

(E) a customs broker licensed in accordance with section 111.2 of title 19, Code of Federal Regulations;

(F) an interchange motor carrier subject to paragraphs (1)(B) and (2) of section 13902(i); or

(G) a warehouse (as defined in Article 7–102(13) of the Uniform Commercial Code).

(2) MOTOR CARRIER.—The term ''motor carrier'' means a motor carrier or a household goods motor carrier (as such terms are defined in section 13102 of title 49, United States Code) that is subject to Federal motor carrier financial responsibility and safety regulations.

(3) STATE.—The term ''State'' means each of the 50 States, a political subdivision of any such State, any intrastate agency, any other political agency of 2 or more States, the District of Columbia, American Samoa, the Commonwealth of the Northern Mariana Islands, the Commonwealth of Puerto Rico, Guam, and the Virgin Islands.

(b) NATIONAL HIRING STANDARDS FOR MOTOR CARRIERS.—

(1) NATIONAL STANDARD.—Before tendering a shipment, but not more than 35 days before the pickup of a shipment by the hired motor carrier, an entity shall verify that the motor carrier, at the time of such verification—

(A) is registered with and authorized by the Federal Motor Carrier Safety Administration to operate as a motor carrier or household goods motor carrier, if applicable;

(B) has the minimum insurance coverage required by Federal law; and

(C)(i) before the safety fitness determination regulations are issued, does not have an unsatisfactory safety fitness determination issued by the Federal Motor Carrier Safety Administration in force at the time of such verification; or

(ii) beginning on the date that safety fitness determination regulations are implemented, does not have a safety fitness rating issued by the Federal Motor Carrier Safety Administration under such regulations that is the equivalent of the unsatisfactory fitness rating referred to in clause (i).

(2) INTERIM USE OF DATA.—

(A) IN GENERAL.—Only evidence of an entity's compliance with paragraph (1) may be admitted as evidence or otherwise used in a civil action for damages resulting from a claim of negligent selection or retention of such motor carrier against the entity.

(B) EXCLUDED EVIDENCE.—All other motor carrier data created or maintained by the Federal Motor Carrier Safety Administration, including safety measurement system data or analysis of such data, may not be admitted into evidence in a case or proceeding in which it is asserted or alleged that an entity's selection or retention of a motor carrier was negligent.

(C) CESSATION OF EFFECTIVENESS.—Subparagraphs (A) and (B) cease to be effective on the date of completion of the certification under section 32003.

SA 2375. Ms. MURKOWSKI submitted an amendment intended to be proposed by her to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

Beginning on page 103, strike line 21 and all that follows through page 104, line 5, and insert the following:

SEC. 11024. TRIBAL TRANSPORTATION PROGRAM AMENDMENT.

Section 202 of title 23, United States Code, is amended—

(1) in subsection (a)(6), by striking ''6 percent'' and inserting ''5 percent'';

(2) in subsection (b)(3)(B)—

(A) by redesignating clauses (i), (ii), and (iii) as subclauses (I), (II), and (III), respectively, and indenting appropriately;

(B) in the matter preceding subclause (I) (as so redesignated), by striking ''Tribal shares under this program'' and inserting the following:

''(i) IN GENERAL.—Subject to clause (ii), tribal shares under this program''; and

(C) by adding at the end the following:

''(ii) FUNDING FLOOR.—For each fiscal year, an Indian tribe shall receive an amount under this program that is not less than $75,000.''; and

(3) in subsection (d)(2), in the matter preceding subparagraph (A) by striking ''2 percent'' and inserting ''3 percent''.

SA 2376. Ms. MURKOWSKI submitted an amendment intended to be proposed by her to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. WAIVER OF REPAYMENT OF PASSENGER FERRY GRANT FUNDS.

Notwithstanding any other provision of law, the Matanuska-Susitna Borough shall not be required to repay to the Secretary of Transportation any amounts disbursed to the Matanuska-Susitna Borough during the period beginning on January 1, 2002 and ending on the date of enactment of this Act under Federal Transit Administration grants numbered AK-03-0037, AK-04-0007, and AK-55-0002.

SA 2377. Ms. MURKOWSKI submitted an amendment intended to be proposed by her to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 889, strike lines 3 and 4 and insert the following:

''(E) improves roadways or railways vital to national energy security, including facilitation of the commercialization of stranded natural gas reserves;

SA 2378. Ms. MURKOWSKI submitted an amendment intended to be proposed by her to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

In section 11009 (relating to flexibility for certain rural road and bridge projects), add at the end the following:

(d) EVACUATION ROADS.—A rural road or rural bridge project under this section may include an evacuation road located in an area subject to serious risk of being inundated by ocean or river storm events.

SA 2379. Ms. MURKOWSKI submitted an amendment intended to be proposed by her to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

In section 1105(c) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2031; 119 Stat. 1213) (as amended by section 11204 (relating to high priority corridors on the National Highway System)), add at the end the following:

''(83) The Alaska Railroad Corridor and the Alaska Highway from the Canadian border to Haines, Alaska.''.

SA 2380. Ms. MURKOWSKI submitted an amendment intended to be proposed by her to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 170, after line 24, insert the following:

SEC. 11210. DESIGNATED PROJECTS.

(a) DEFINITIONS.—In this section, the following definitions apply:

(1) EARMARKED AMOUNT.—The term ''earmarked amount'' means—

(A) congressionally directed spending, as defined in rule XLIV of the Standing Rules of the Senate, identified in a prior law, report, or joint explanatory statement, that was authorized to be appropriated or appropriated more than 10 fiscal years prior to the fiscal year in which this Act becomes effective, and administered by the Administrator of the Federal Highway Administration; and

(B) a congressional earmark, as defined in rule XXI of the Rules of the House of Representatives identified in a prior law, report, or joint explanatory statement, that was authorized to be appropriated or appropriated more than 10 fiscal years prior to the fiscal year in which this Act becomes effective, and administered by the Administrator of the Federal Highway Administration.

(2) STATE.—The term ''State'' has the meaning given the term in section 101(a) of title 23, United States Code.

(3) TERRITORY.—The term ''territory'' has the meaning given the term in section 165(c) of title 23, United States Code.

(b) AUTHORITY.—A State or territory may use any earmarked amount and any associated obligation limitation for any project eligible under sections 133(b) or 165 of title 23, United States Code, respectively.

(c) TERMS.—

(1) NOTIFICATION.—The State transportation agency for the State or territory for which the earmarked amount was originally designated or directed shall—

(A) notify the Secretary of the intent of the State transportation agency to use authority under this section; and

(B) submit to the Secretary a report not later than September 30, 2016, identifying the earmarked amount, and associated obligation limitation, to be used and the projects to which the funding would be applied.

(2) PERIOD OF AVAILABILITY.—Notwithstanding the original period of availability of the earmarked amount and associated obligation limitation, the funds and associated obligation limitation shall remain available for obligation for a period of 3 fiscal years after the fiscal year in which the Secretary is notified under paragraph (1).

(3) FEDERAL SHARE.—The Federal share of the cost of a project carried out with funds made available under this section shall be the same as originally associated with the earmark.

(d) LIMITATIONS.—

(1) IN GENERAL.—The authority under subsection (b) may be exercised only—

(A) after September 30, 2016; and

(B)(i) for those projects or activities that have obligated less than 10 percent of the amount made available for obligation as of the date of enactment of this Act; or

(ii) for those projects with unexpended balances of funds for which the earmarked amount that was originally designated or directed has been closed and for which payments have been made under a final voucher.

(2) GEOGRAPHIC AREA.—

(A) IN GENERAL.—The earmarked amount and associated obligation limitation shall only be applied to projects within the same general geographic area within 50 miles and within the boundaries of the State or territory for which the earmarked amount was originally designated or directed, in consultation with the relevant metropolitan planning organization, if applicable.

(B) EXCEPTION.—A State or territory may apply the earmarked amount and associated obligation limitation, to a project in any area of the State or territory if the State or territory certifies that the project for which the earmarked amount was originally designated or directed has been completed and payments have been made under a final voucher.

(e) REPORT TO CONGRESS.—Not later than December 16, 2016, the Secretary shall submit a consolidated report of the information provided by States and territories under this section to—

(1) the Committee on Appropriations of the Senate;

(2) the Committee on Appropriations of the House of Representatives;

(3) the Committee on Environment and Public Works of the Senate; and

(4) the Committee on Transportation and Infrastructure of the House of Representatives.

SA 2381. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 14, strike lines 11 and 12 and insert the following:

title 23, United States Code—

(A) $550,000,000 for fiscal year 2016;

(B) $600,000,000 for fiscal year 2017;

(C) $650,000,000 for fiscal year 2018;

(D) $700,000,000 for each of fiscal years 2019, 2020, and 2021.

On page 17, strike lines 1 through 10 and insert the following:

(b) ASSISTANCE FOR MAJOR PROJECTS PROGRAM.—There are authorized to be appropriated out of the general fund of the Treasury to carry out the assistance for major projects program under section 171 of title 23, United States Code—

(1) $250,000,000 for fiscal year 2016;

(2) $300,000,000 for fiscal year 2017;

(3) $350,000,000 for fiscal year 2018;

(4) $400,000,000 for fiscal year 2019;

(5) $400,000,000 for fiscal year 2020; and

(6) $400,000,000 for fiscal year 2021.

On page 17, line 11, strike ''(b)'' and insert ''(c)''.

On page 19, line 13, strike ''(c)'' and insert ''(d)''.

On page 24, line 21, strike ''(d)'' and insert ''(e)''.

On page 215, strike lines 7 through 13 and insert the following:

(6) by striking paragraph (15) and inserting the following:

''(15) RURAL INFRASTRUCTURE PROJECT.—

''(A) IN GENERAL.—The term 'rural infrastructure project' means a surface transportation infrastructure project located in an area that is outside of an urbanized area with a population greater than 150,000 individuals, as determined by the Bureau of the Census.

''(B) INCLUSIONS.—The term 'rural infrastructure project' includes—

''(i) the portion of a project—

''(I) that lies both within and outside of the urbanized area described in subparagraph (A); and

''(II) for which not more than 50 percent of the estimated eligible project costs are attributable to the portion outside of the urbanized area described in subparagraph (A); and

''(ii) a project—

''(I) that lies both within and outside of the urbanized area described in subparagraph (A); and

''(II) for which more than 50 percent of the estimated eligible project costs are attributable to the portion outside of the urbanized area described in subparagraph (A).'';

On page 216, strike lines 19 and 20 and insert the following:

(B) in paragraph (2)—

(i) in subparagraph (A)—

(I) in the matter preceding clause (i), by striking ''this chapter'' and inserting ''the TIFIA program'';

(II) by striking clause (ii) and inserting the following:

''(ii) adequate coverage requirements to ensure repayment, which shall—

''(I) be defined by the Secretary using an average ratio of net revenues to TIFIA debt service credit assistance; and

''(II) include separate adequate coverage requirements, as defined by the Secretary, if the Federal credit instrument is—

''(aa) the senior debt; or

''(bb) subordinate debt.''; and

(III) in clause (iv), by striking ''$75,000,000'' and inserting ''$150,000,000''; and

(ii) in subparagraph (B), by striking ''$75,000,000'' and inserting ''$150,000,000'';

On page 219, between lines 2 and 3, insert the following:

(E) by striking paragraph (8) and inserting the following:

''(8) LETTERS OF INTEREST AND APPLICATIONS WHERE OBLIGOR WILL BE IDENTIFIED LATER.—A State, local government, agency or instrumentality of a State or local government, or public authority may submit to the Secretary a letter of interest under paragraph (1) or an application under paragraph (4), under which a private party to a public-private partnership will be—

''(A) the obligor; and

''(B) identified later through completion of a procurement and selection of the private party.'';

On page 219, line 3, strike ''(E)'' and insert ''(F)''.

On page 219, strike lines 7 through 18 and insert the following:

(G) by striking paragraph (10) and inserting the following:

''(10) PROJECT READINESS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), to be eligible for assistance under the TIFIA program, the applicant shall demonstrate that the public agency process for contracting for project construction or major equipment acquisition—

''(i) commenced prior to the application for credit assistance; and

''(ii) is continuing or completed.

On page 220, strike lines 8 and 9 and insert the following:

(2) in subsection (b)—

(A) in paragraph (1), by inserting ''letter of interest and'' before ''application process''; and

(B) by striking paragraph (2) and inserting the following:

On page 221, line 3, strike ''and'' at the end.

On page 221, strike lines 4 and 5 and insert the following:

(4) by striking subsection (d) and inserting the following:

''(d) LETTER OF INTEREST AND APPLICATION PROCESSING PROCEDURES.—

''(1) LETTER OF INTEREST.—

''(A) IN GENERAL.—A letter of interest shall provide the Secretary with sufficient information to determine actual satisfaction of the eligibility requirements other than creditworthiness, and a reasonable expectation of creditworthiness, and the Secretary shall not require any other information other than the information described in section 601(a).

''(B) DUE DILIGENCE MATERIALS.—

''(i) IN GENERAL.—An applicant shall submit—

''(I) a letter of interest; and

''(II) a preliminary rating opinion letter, a working financial model, and a traffic and revenue study, if applicable.

''(ii) MATERIALS NOT SUBMITTED.—If an applicant does not submit the items described in clause (i)(II), the Secretary may—

''(I) require that the applicant submit those items in order to establish a reasonable expectation of creditworthiness; or

''(II) defer receipt and evaluation of those items to the application stage.

''(C) NOTICE OF COMPLETE LETTER OF INTEREST.—Not later than 30 days after the date on which the Secretary receives a letter of interest under subparagraph (B), the Secretary shall provide to the applicant a written notice that states whether—

''(i) the letter of interest is complete; or

''(ii) additional information or materials are needed to complete the eligibility determination, including identification of the additional information or materials requested.

''(2) RESPONSE TO LETTER OF INTEREST.—Not later than 60 days after the date on which, in the determination of the Secretary, all items required under subparagraph (B) have been received, the Secretary

shall provide to the applicant a written notice that states that—

''(A)(i) the project is eligible or reasonably expected to meet eligibility requirements; and

''(ii) the applicant has the opportunity to submit an application; or

''(B) the project is ineligible, and identifies weaknesses and clarifications that should be addressed in a future application.''.

(5) in subsection (e), by striking ''this chapter'' and inserting ''the TIFIA program''; and

(6) by adding at the end the following:

''(f) TRAFFIC AND REVENUE STUDIES.—The Secretary shall issue guidance on practices and standards for traffic and revenue studies acceptable for determining creditworthiness of the Federal credit instrument secured by toll revenues, including for managed lane projects.''.

On page 225, line 12, strike ''and'' at the end.

On page 225, between lines 12 and 13, insert the following:

(C) in paragraph (4), by adding at the end the following:

''(D) LIMITATIONS.—

''(i) ELIGIBLE USES.—To the maximum extent practicable, the Secretary shall use amounts made available under this paragraph to obligate funds for eligible purposes.

''(ii) LIMITATIONS.—The Secretary may not carry out a redistribution under this paragraph—

''(I) for any fiscal year in which such redistribution would adversely impact the receipt of credit assistance by a qualified project within such fiscal year; or

''(II) if the budget authority determined to be necessary to cover all requests for credit assistance pending before the Department of Transportation on April 1 would reduce the uncommitted balance of funds below the threshold established in subparagraph (A).''; and

On page 225, line 13, strike ''(C)'' and insert ''(D)''.

On page 225, strike lines 15 through 18 and insert the following:

(h) REPORTS TO CONGRESS.—Section 609 of title 23, United States Code, is amended—

(1) by striking ''this chapter (other than section 610)'' each place it appears and inserting ''the TIFIA program'';

(2) in subsection (b)—

(A) in paragraph (1), by striking ''from project sponsors''; and

(B) in paragraph (2), in each of clauses (ii) and (iii), by inserting ''letter of interest or'' before ''application'' each place it appears; and

(3) by adding at the end the following:

''(c) MONTHLY STATUS REPORTS.—

''(1) IN GENERAL.—On a monthly basis, the Secretary shall publish on the website for the TIFIA program a current status report on all letters of interest and applications received for assistance under the TIFIA program.

''(2) INCLUSIONS.—Each status report under paragraph (1) shall include, at a minimum, with respect to each project included in the status report—

''(A) the name of the party submitting the letter of interest or application;

''(B) the name of the project;

''(C) the date the letter of interest or application was received;

''(D) the estimated project eligible costs;

''(E) the type of credit assistance sought;

''(F) the amount of assistance sought;

''(G) the anticipated fiscal year and quarter for closing of the credit assistance;

''(H) the expected sources of funds to be pledged to repay the credit assistance;

''(I) the subsidy amount or, if not yet known, the estimated subsidy amount;

''(J) the status of the credit assistance (eligibility review, credit review, application review, negotiation, closing);

''(K) a description of Credit Council actions, if any;

''(L) a copy of the letter of interest and application;

''(M) a copy of the preliminary term sheet and final term sheet; and

''(N) a copy of any executed Federal credit instruments.''.

SA 2382. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 159, line 22, insert ''112 Stat. 190;'' after ''105 Stat. 2032;''

On page 160, between lines 4 and 5, insert the following:

(B) in paragraph (18)(D)—

(i) in clause (ii), by striking ''and'' at the end;

(ii) in clause (iii), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(iv) include Texas State Highway 44 from United States Route 59 at Freer, Texas, to Texas State Highway 358.''; and

On page 160, line 5, strike ''(B)'' and insert ''(C)''.

On page 160, line 17, strike ''(C)'' and insert ''(D)''.

On page 161, strike line 2 and insert the following:

''City, Carteret County, North Carolina.

''(83) The Central Texas Corridor commencing at the logical terminus of Interstate 10, and generally following portions of United States Route 190 eastward passing in the vicinity Fort Hood, Killeen, Belton, Temple, Bryan, College Station, Huntsville, Livingston, Woodville, and to the logical terminus of Texas Highway 63 at the Sabine River Bridge at Burrs Crossing.'';

SA 2383. Mr. CORNYN submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 38, strike lines 1 through 11 and insert the following:

''(ii) ADJUSTMENTS TO AMOUNTS.—The initial amounts resulting from the calculation under clause (i) shall be adjusted to ensure that, for each State, of the estimated tax payments attributable to highway users in the State paid into the Highway Trust Fund (other than the Mass Transit Account) in the most recent fiscal year for which data are available, the amount shall be—

''(I) for each of fiscal years 2016 and 2017, 96 percent;

''(II) for fiscal year 2018, 97 percent; and

''(III) for each of fiscal years 2019, 2020, 2021, and each fiscal year thereafter, 98 percent.

SA 2384. Mr. LEAHY (for himself, Mr. CORNYN, and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

Beginning on page 326, strike line 12 and all that follows through page 328, line 2.

Beginning on page 419, strike line 2 and all that follows through page 420, line 4.

Beginning on page 784, strike line 24 and all that follows through page 785, line 3.

Page 789, strike lines 9 through 13.

SA 2385. Ms. WARREN submitted an amendment intended to be proposed by her to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 288, strike lines 13 through 16 and insert the following:

(B) projects that create or increase access to community One-Call/One-Click Centers;

(C) projects that provide transportation for veterans; and

(D) such other projects as determined by the Secretary.

On page 336, line 3, strike ''$2,000,000'' and insert ''$5,000,000''.

On page 336, line 23, strike ''$30,000,000'' and insert ''$27,000,000''.

SA 2386. Mr. ENZI (for himself, Mr. BARRASSO, and Mr. HATCH) submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of division F, add the following:

TITLE LXII—ADDITIONAL PROVISIONS

SEC. 62001. PAYMENTS FROM ABANDONED MINE RECLAMATION FUND.

Section 411(h) of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1240a(h)) is amended—

(1) in paragraph (1)(C)—

(A) by striking ''Payments'' and inserting the following:

''(i) IN GENERAL.—Payments''; and

(B) by adding at the end the following:

''(ii) CERTAIN PAYMENTS REQUIRED.—Not withstanding any other provision of this Act, as soon as practicable, of the 7 equal installments referred to in clause (i), the Secretary shall pay to any certified State or Indian tribe to which the total annual payment under this subsection was limited to $15,000,000 in 2013 and $28,000,000 in fiscal year 2014—

''(I) the final 2 installments in 2 separate payments of $82,700,000 each; and

''(II) 2 separate payments of $38,250,000 each.''; and

(2) by striking paragraphs (5) and (6).

SA 2387. Mr. COATS submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

In the appropriate place, strike paragraphs (5) through (26) of section 133(b) of title 23, United States Code, and insert the following:

''(5) Highway and transit safety infrastructure improvements and programs, installation of safety barriers and nets on bridges, hazard eliminations, projects to mitigate hazards caused by wildlife, and railway-highway grade crossings.

''(6) Highway and transit research and development and technology transfer programs.

''(7) Capital and operating costs for traffic monitoring, management, and control facilities and programs, including advanced truck stop electrification systems.

''(8) Surface transportation planning programs.

''(9) Transportation alternatives.

''(10) Transportation control measures listed in section 108 (f)(1)(A) (other than clause (xvi)) of the Clean Air Act (42 U.S.C. 7408 (f)(1)(A)).

''(11) Development and establishment of management systems.

''(12) Environmental mitigation efforts relating to projects funded under this title in the same manner and to the same extent as such activities are eligible under section119 (g).

''(13) Projects relating to intersections that—

''(A) have disproportionately high accident rates;

''(B) have high levels of congestion, as evidenced by—

''(i) interrupted traffic flow at the intersection; and

''(ii) a level of service rating that is not better than ''F'' during peak travel hours, calculated in accordance with the Highway Capacity Manual issued by the Transportation Research Board; and

''(C) are located on a Federal-aid highway.

''(14) Infrastructure-based intelligent transportation systems capital improvements.

''(15) Projects and strategies designed to support congestion pricing, including electric toll collection and travel demand management strategies and programs.''.

(16) Border infrastructure projects eligible for funding under section 1303 of the SAFETEA–LU (23 U.S.C. 101 note; Public Law 109–59).

(17) Development and implementation of a State asset management plan for the National Highway System in accordance with section 119, including data collection, maintenance, and integration and the costs associated with obtaining, updating, and licensing software and equipment required for risk based asset management and performance based management, and for similar activities related to the development and implementation of a performance based management program for other public roads.

(18) A project that, if located within the boundaries of a port terminal, includes only such surface transportation infrastructure modifications as are necessary to facilitate direct intermodal interchange, transfer, and access into and out of the port.

(19) Construction and operational improvements for any minor collector if—

(A) the minor collector, and the project to be carried out with respect to the minor collector, are in the same corridor as, and in proximity to, a Federal-aid highway designated as part of the National Highway System;

(B) the construction or improvements will enhance the level of service on the Federal-aid highway described in subparagraph (A) and improve regional traffic flow; and

(C) the construction or improvements are more cost-effective, as determined by a benefit-cost analysis, than an improvement to the Federal-aid highway described in subparagraph (A).

SA 2388. Mr. COATS submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. FUNDING FOR FREIGHT CORRIDOR IMPROVEMENT.

(a) INCREASE IN TAX ON DIESEL FUEL.—

(1) IN GENERAL.—Section 4081(a)(2) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

''(E) TEMPORARY INCREASE IN RATE OF TAX ON DIESEL FUEL.—In the case of diesel fuel and diesel-water fuel emulsions removed, sold, or entered before January 1, 2022—

''(i) the rate of tax under subparagraph (A)(iii) shall be 34.3 cents, and

''(ii) subparagraph (D) shall be applied by substituting '27.7' for '19.7'.''.

(2) EFFECTIVE DATE.—The amendment made by this section shall apply to diesel fuel and diesel-water fuel emulsions removed, entered, or sold after December 31, 2015.

(b) ADVANCED REPAYMENT OF INCREASE TO OWNERS AND ORIGINAL PURCHASERS OF DIESEL-POWERED AUTOMOBILES AND LIGHT TRUCKS.—

(1) IN GENERAL.—Section 6427 of the Internal Revenue Code of 1986 is amended by inserting after subsection (f) the following new subsection:

''(g) ADVANCE REPAYMENT OF INCREASED DIESEL FUEL TAX TO OWNERS AND ORIGINAL PURCHASERS OF DIESEL-POWERED AUTOMOBILES AND LIGHT TRUCKS.—

''(1) IN GENERAL.—Except as provided in subsection (k), the Secretary shall pay (without interest) an amount equal to the diesel fuel differential amount to the original purchaser of any qualified diesel-powered highway vehicle purchased after such date.

''(2) QUALIFIED DIESEL-POWERED HIGHWAY VEHICLE.—For purposes of this subsection, the term 'qualified diesel-powered highway vehicle' means any diesel-powered highway vehicle which—

''(A) has at least 4 wheels,

''(B) has a gross vehicle weight rating of 10,000 pounds or less, and

''(C) is registered for highway use in the United States under the laws of any State.

''(3) DIESEL FUEL DIFFERENTIAL AMOUNT.—For purposes of this subsection, the 'diesel fuel differential amount' shall be determined as follows:

''Year of purchase	In the case of a truck or van, the diesel fuel differential amount is—	In the case of any other highway vehicle, the diesel fuel differential amount is—
2016	$240	$180
2017	200	150
2018	160	120
2019	120	90
2020	80	60
2021	40	30
2022 and thereafter	0	0.

''(4) ORIGINAL PURCHASER.—For purposes of this subsection—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the term 'original purchaser' means the first person to purchase the qualified diesel-powered vehicle for use other than resale.

''(B) EXCEPTION FOR CERTAIN PERSONS NOT SUBJECT TO FUELS TAX.—The term 'original purchaser' shall not include any State or local government (as defined in section 4221(d)(4)) or any nonprofit educational organization (as defined in section 4221(d)(5)).

''(C) TREATMENT OF DEMONSTRATION USE BY DEALER.—For purposes of subparagraph (A),

use as a demonstrator by a dealer shall not be taken into account.

''(5) SPECIAL RULE FOR CERTAIN VEHICLES HELD ON JANUARY 1, 2016.—In the case of any person holding a qualified diesel-powered highway vehicle on January 1, 2016, such person shall be treated as if the person originally purchased such vehicle on January 1, 2016.

''(6) BASIS REDUCTION.—For the purposes of subtitle A, the basis of any qualified diesel-powered highway vehicle shall be reduced by the amount payable under this subsection with respect to such vehicle.''.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to vehicles purchased after December 31, 2015.

(c) FREIGHT CORRIDOR IMPROVEMENT ACCOUNT.—

(1) IN GENERAL.—Section 9503 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

''(g) ESTABLISHMENT OF FREIGHT CORRIDOR IMPROVEMENT ACCOUNT.—

''(1) CREATION OF ACCOUNT.—There is established in the Highway Trust Fund a separate account to be known as the 'Freight Corridor Improvement Account' consisting of such amounts as may be transferred or credited to the Freight Corridor Improvement Account as provided in this section or section 9602(b).

''(2) TRANSFERS TO FREIGHT CORRIDOR IMPROVEMENT ACCOUNT.—The Secretary of the Treasury shall transfer to the Freight Corridor Improvement Account an amount equal to 10 cents per gallon of the amounts appropriated to the Highway Trust Fund under subsection (b) which are attributable to the tax imposed on diesel fuel and diesel-water fuel emulsions under section 4081.

''(3) EXPENDITURES FROM ACCOUNT.—

''(A) IN GENERAL.—Amounts in the Freight Corridor Improvement Account shall be available, as provided by appropriation Acts, for expenditures before October 1, 2022, which are—

''(i) in accordance with section 167 of title23, United States Code, as in effect on the date of the enactment of the DRIVE Act, and

''(ii) for the primary highway freight system designated under section 167(d) of such title, determined without regard to paragraph (3) thereof.

''(B) AMOUNTS RELATED TO ADVANCE REPAYMENT OF INCREASED DIESEL FUEL TAXES.—The Secretary shall pay from time to time from the Freight Corridor Improvement Account to the general fund of the Treasury amounts (as determined by the Secretary) equivalent to the payments made under section 6427(g).''.

(2) CONFORMING AMENDMENT.—Section 9503(e)(5)(B) of such Code is amended by inserting ''or the Freight Corridor Improvement Account'' after ''Mass Transit Account''.

SA 2389. Mr. COATS submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

In the appropriate place, strike subsections (a) and (b) to section 126 of title 23, United States Code, and insert the following:

''Notwithstanding any other provision of law, a State may transfer up to 50 percent of funds from an apportionment under section 104(b) to any other apportionment of the State under that section''.

SA 2390. Mr. COATS submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

In the appropriate place, strike sections 104(c)(1)(A) of title 23, United States Code and insert the following:

''(A) CALCULATION OF AMOUNT.—For fiscal year 2013, the amount for each State of combined apportionments for the national highway performance program under section 119, the surface transportation program under section 133, the highway safety improvement program under section 148, the congestion mitigation and air quality improvement program under section 149, and to carry out section 134 shall be equal to the percentage of the total amount available for apportionment to all States that is equal to the proportion that—

SA 2391. Mr. HELLER (for himself and Mr. MANCHIN) submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health care coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. RECREATIONAL OFF-HIGHWAY VEHICLE STANDARDS STUDY.

(a) SHORT TITLE.—This section may be cited as the ''ROV In-Depth Examination Act of 2015''.

(b) DEFINITIONS.—In this section:

(1) COMMISSION.—The term ''Commission'' means the Consumer Product Safety Commission.

(2) RECREATIONAL OFF-HIGHWAY VEHICLE AND ROV.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the terms ''recreational off-highway vehicle'' and ''ROV'' mean a motorized off-highway vehicle that—

(i) is designed to travel on 4 or more tires;

(ii) is intended by the manufacturer for recreational use by 1 or more persons;

(iii) has a steering wheel for steering control;

(iv) has foot controls for throttle and service brake;

(v) has non-straddle seating;

(vi) is capable of traveling faster than 30 miles per hour;

(vii) has a gross vehicle weight rating that is not greater than 3,750 pounds;

(viii) is less than 80 inches in overall width, exclusive of accessories;

(ix) has an engine displacement that is equal to or less than 61 cubic inches for gasoline fueled engines; and

(x) can be identified by a 17-character personal or vehicle information number.

(B) EXCLUSION.—The terms ''recreational off-highway vehicle'' and ''ROV'' do not include a prototype of a motorized, off-highway, all-terrain vehicle or other motorized, off-highway, all-terrain vehicle that is intended exclusively for research and development purposes unless the vehicle is offered for sale.

(c) STUDY ON PROPOSED LATERAL STABILITY AND VEHICLE HANDLING REQUIREMENTS.—

(1) AGREEMENT.—The Commission shall seek to enter into an agreement with the National Academy of Sciences to perform the services described in this subsection before the date set forth in paragraph (2)(D).

(2) STUDY.—

(A) IN GENERAL.—Under an agreement between the Commission and the National Academy of Sciences, the National Academy of Sciences shall conduct a study on matters concerning the lateral stability and vehicle handling requirements proposed by the Commission in a notice of proposed rulemaking published in the Federal Register November 19, 2014 (79 Fed. Reg. 68964).

(B) ELEMENTS.—The study conducted under subparagraph (A) shall determine—

(i) the technical validity of the lateral stability and vehicle handling requirements described in subparagraph (A), for purposes of reducing the risk of ROV rollovers in the off-road environment, including the repeatability and reproducibility of testing for compliance with such requirements; and

(ii) whether there is a technical basis for the proposal to provide information on a point-of-sale hangtag about a vehicle's rollover resistance on a progressive scale.

(C) CONSULTATION.—In conducting the study under subparagraph (A), the National Academy of Sciences shall consult with the Administrator of the National Highway Traffic Safety Administration and the Secretary of Defense.

(D) DEADLINE AND REPORT.—Not later than 480 days after the date of the enactment of this Act, the National Academy of Sciences shall—

(i) complete the study under subparagraph (A); and

(ii) submit a report containing the findings of the study to—

(I) the Commission;

(II) the Committee on Commerce, Science, and Transportation of the Senate; and

(III) the Committee on Energy and Commerce of the House of Representatives.

(3) CONSIDERATION.—The Commission shall consider the results of the study conducted under this subsection in any subsequent rulemaking regarding the performance or configuration of ROVs, or the provision of point-of-sale information regarding ROV performance.

(4) ALTERNATE CONTRACT ORGANIZATION.—

(A) IN GENERAL.—If the Commission is unable to enter into an agreement described in paragraph (1)(A) with the National Academy of Sciences on terms acceptable to the Commission before the latest date on which the study should be commenced to allow the Academy to complete the study before the date set forth in paragraph (2)(D), the Commission shall seek to enter into such an agreement with another appropriate organization that—

(i) is not part of the Government;

(ii) operates as a not-for-profit entity; and

(iii) has expertise and objectivity comparable to that of the National Academy of Sciences.

(B) TREATMENT.—If the Commission enters into an agreement with another organization as described in subparagraph (A), any reference in this section to the National Academy of Sciences shall be treated as a reference to the other organization.

(d) NO MANDATORY STANDARDS REGARDING PERFORMANCE OR CONFIGURATION OF ROVS.—

(1) IN GENERAL.—The Commission may not establish any standards concerning the performance or configuration of recreational off-highway vehicles until after the completion of the study required under subsection (c).

(2) SCOPE OF PROHIBITION.—The restriction under paragraph (1) includes a prohibition on the exercise of any authority pursuant to section 27(e) of the Consumer Product Safety Act (15 U.S.C. 2076(e)) to require ROV manufacturers to provide performance and technical data to prospective purchasers and to the first purchaser of an ROV for purposes other than resale.

(3) VOLUNTARY STANDARDS.—Nothing in this section may be construed as suggesting that ROVs shall not be manufactured in compliance with applicable voluntary standards.

SA 2392. Mr. CASSIDY submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health care coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 948, after line 24, add the following:

(c) ADJUSTMENT; EXPORTATION.—

(1) IN GENERAL.—The Secretary of Energy may adjust the schedule of sales under subsection (a) as the Secretary determines to be appropriate to maximize the financial return to United States taxpayers.

(2) EXPORTATION.—Crude oil sold under subsection (a) may be exported if the Comptroller General of the United States finds that—

(A) the crude oil sold would generate greater revenue if sold on the international market than on the domestic market; and

(B) such an international sale would decrease energy prices for United States consumers.

SA 2393. Mr. CASSIDY (for himself and Mr. MARKEY) submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health care coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

Strike section 52204 and insert the following:

SEC. 52204. STRATEGIC PETROLEUM RESERVE DRAWDOWN AND SALE.

(a) DRAWDOWN AND SALE.—

(1) IN GENERAL.—Notwithstanding section 161 of the Energy Policy and Conservation Act (42 U.S.C. 6241), except as provided in subsections (b) and (c), the Secretary of Energy shall drawdown and sell from the Strategic Petroleum Reserve—

(A) the quantity of barrels of crude oil that the Secretary of Energy determines to be appropriate to maximize the financial return to United States taxpayers for each of fiscal years 2016 and 2017;

(B) 4,000,000 barrels of crude oil during fiscal year 2018;

(C) 5,000,000 barrels of crude oil during fiscal year 2019;

(D) 8,000,000 barrels of crude oil during fiscal year 2020;

(E) 8,000,000 barrels of crude oil during fiscal year 2021;

(F) 10,000,000 barrels of crude oil during fiscal year 2022;

(G) 16,000,000 barrels of crude oil during fiscal year 2023;

(H) 25,000,000 barrels of crude oil during fiscal year 2024; and

(I) 25,000,000 barrels of crude oil during fiscal year 2025.

(2) DEPOSIT OF AMOUNTS RECEIVED FROM SALE.—Amounts received from a sale under paragraph (1) shall be deposited in the general fund of the Treasury during the fiscal year in which the sale occurs.

(b) EMERGENCY PROTECTION.—In any 1 fiscal year described in subsection (a)(1), the Secretary of Energy shall not drawdown and sell crude oil under this section in quantities that would result in a Strategic Petroleum Reserve that contains an inventory of petroleum products representing fewer than 90 days of emergency reserves, based on the average daily level of net imports of crude oil and petroleum products in the calendar year preceding that fiscal year.

(c) ADJUSTMENT; LIMITATION.—

(1) ADJUSTMENT.—The Secretary of Energy may adjust the drawdown and sales under subparagraphs (A) through (I) of subsection (a)(1) as the Secretary of Energy determines to be appropriate to maximize the financial return to United States taxpayers.

(2) LIMITATION.—The Secretary of Energy shall not drawdown or conduct sales of crude oil under this section after the date on which a total of $9,050,000,000 has been received from sales authorized under this section.

SA 2394. Ms. COLLINS (for herself and Mr. REED) submitted an amendment intended to be proposed by her to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health care coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 528, strike line 11 and insert the following:

SEC. 33105. HAZARDOUS MATERIALS TRAINING FOR EMERGENCY RESPONDERS.

Section 5116 is amended by adding at the end the following:

''(l) USE OF FUNDS.—Notwithstanding subsections (b) and (c) of section 5128 and any appropriation limitation, the Secretary may use any prior year recoveries recognized in the current year—

''(1) to develop a hazardous materials response training curriculum for emergency responders, including response activities for the transportation of crude oil, ethanol, and other flammable liquids by rail, in accordance with National Fire Protection Association standards;

''(2) to make the training described in paragraph (1) available through an electronic format; and

''(3) to carry out subsections (b) and (j).''.

SEC. 33106. AUTHORIZATION OF APPROPRIATIONS.

SA 2395. Mr. INHOFE (for Mr. SESSIONS) submitted an amendment intended to be proposed by Mr. INHOFE to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health care coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE _____—PROTECTING AMERICAN LIVES ACT

SEC. _____1. SHORT TITLE.

This title may be cited as the ''Protecting American Lives Act''.

SEC. _____2. DEFINITIONS AND SEVERABILITY.

(a) DEFINITIONS.—In this title:

(1) DEPARTMENT.—The term ''Department'' means the Department of Homeland Security.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of Homeland Security.

(3) STATE.—The term ''State'' has the meaning given to such term in section 101(a)(36) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(36)).

(b) SEVERABILITY.—If any provision of this Act, or the application of such provision to any person or circumstance, is held invalid, the remainder of this Act, and the application of such provision to other persons not similarly situated or to other circumstances, shall not be affected by such invalidation.

SEC. _____3. INFORMATION SHARING REGARDING CRIMINAL ALIENS.

Section 642 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373) is amended—

(1) by striking ''Immigration and Naturalization Service'' each place it appears and inserting ''Department of Homeland Security'';

(2) in subsection (a), by striking ''may'' and inserting ''shall'';

(3) in subsection (b)—

(A) by striking ''no person or agency may'' and inserting ''a person or agency shall not''; and

(B) by striking ''doing any of the following with respect to information'' and inserting ''undertaking any of the following law enforcement activities''; and

(4) by striking paragraphs (1) through (3) and inserting the following:

''(1) Notifying the Federal Government regarding the presence of inadmissible and deportable aliens who are encountered by law enforcement personnel of a State or political subdivision of a State.

''(2) Complying with requests for information from Federal law enforcement.''; and

(5) by adding at the end the following:

''(d) SANCTUARY POLICES.—Notwithstanding any other provision of Federal, State, or local law, a Federal, State, or local government entity or official shall not issue in the form of resolutions, ordinances, administrative actions, general or special orders, or departmental policies that violate Federal law or restrict a State or political subdivision of a State from complying with Federal law or coordinating with Federal law enforcement.

''(e) COMPLIANCE.—

''(1) IN GENERAL.—A State, or a political subdivision of a State, that has in effect a statute, policy, or practice that prohibits law enforcement officers of the State, or of a political subdivision of the State, from assisting or cooperating with Federal immigration law enforcement in the course of carrying out the officers' routine law enforcement duties shall not be eligible to receive—

''(A) any of the funds that would otherwise be allocated to the State or political subdivision under section 241(i) of the Immigration and Nationality Act (8 U.S.C. 1231(i)) or the 'Cops on the Beat' program under part Q of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd et seq.); or

''(B) any other law enforcement or Department of Homeland Security grant.

''(2) ANNUAL DETERMINATION.—

''(A) REQUIREMENT.—Not later than March 1 of each year, the Secretary of Homeland Security shall determine which States or political subdivisions of a State are not in compliance with this section and report such determination to Congress.

''(B) INELIGIBILITY FOR FINANCIAL ASSISTANCE.—Any jurisdiction that the Secretary determines is not in compliance under subparagraph (A)—

''(i) shall be ineligible to receive Federal financial assistance as provided in paragraph (1) for a minimum period of 1 year; and

''(ii) shall only become eligible for such assistance after the Secretary certifies that the jurisdiction is in compliance.

''(3) REALLOCATION.—Any funds that are not allocated to a State or to a political subdivision of a State, due to the failure of the State, or of the political subdivision of the State, to comply with this section shall be reallocated to States, or to political subdivisions of States, that comply with such subsection.

''(f) STATE AND LOCAL LAW ENFORCEMENT PROVISION OF INFORMATION ABOUT APPREHENDED ALIENS.—

''(1) PROVISION OF INFORMATION.—In compliance with this section and section 434 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1644), each State, and each political subdivision of a State, shall provide the Secretary of Homeland Security in a timely manner with identifying information with respect to each alien in the custody of the State, or a political subdivision of the State, who is believed to be inadmissible or deportable.

''(2) ANNUAL REPORT ON COMPLIANCE.—Not later than March 1 of each year, the Secretary shall determine which States, or the political subdivisions of States, are not in compliance with this section and submit such determination to Congress.

''(g) REIMBURSEMENT.—The Secretary of Homeland Security shall reimburse States, and political subdivisions of a State, for all reasonable costs, as determined by the Secretary, incurred by the State, or the political subdivision of a State, as a result of providing information under subsection (f)(1).

''(h) CONSTRUCTION.—Nothing in this section shall require law enforcement officials of a State, or from political subdivisions of a State—

''(1) to provide the Secretary of Homeland Security with information related to a victim of a crime or witness to a criminal offense; or

''(2) to otherwise report or arrest such a victim or witness.''.

SEC. _____4. CLARIFYING THE AUTHORITY OF ICE DETAINERS.

(a) IN GENERAL.—Except as otherwise provided by Federal law or rule of procedure, the Secretary shall execute all lawful writs, process, and orders issued under the authority of the United States, and shall command all necessary assistance to execute the Secretary's duties.

(b) STATE AND LOCAL COOPERATION WITH DHS DETAINERS.—A State, or a political subdivision of a State, that has in effect a statute or policy or practice providing that it not comply with any Department detainer ordering that it temporarily hold an alien in their custody so that the alien may be taken into Federal custody, or transport the alien for transfer to Federal custody, shall not be eligible to receive—

(1) any of the funds that would otherwise be allocated to the State or political subdivision under section 241(i) of the Immigration and Nationality Act (8 U.S.C. 1231(i)) or the ''Cops on the Beat'' program under part Q of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd et seq.); or

(2) any other law enforcement or Department grant.

(c) IMMUNITY.—A State or a political subdivision of a State acting in compliance with a Department detainer who temporarily holds aliens in its custody so that they may be taken into Federal custody, or transports the aliens for transfer to Federal custody, shall be considered to be acting under color of Federal authority for purposes of determining its liability, and immunity from suit, in civil actions brought by the aliens under Federal or State law.

(d) PROBABLE CAUSE.—It is the sense of Congress that the Department has probable cause to believe that an alien is inadmissible or deportable when it issues a detainer regarding such alien under the standards in place on the date of introduction of this Act.

SEC. _____5. ILLEGAL REENTRY.

Section 276 of the Immigration and Nationality Act (8 U.S.C. 1326) is amended—

(1) in subsection (a), in the undesignated matter following paragraph (2), by striking ''not more than 2 years,'' and inserting ''not less than 5 years,''; and

(2) in subsection (b)—

(A) in paragraph (1), by inserting ''not less than 5 years and'' after ''imprisoned'';

(B) in paragraph (2), by inserting ''not less than 5 years and'' after ''imprisoned'';

(C) in paragraph (3), by striking ''sentence.'' and inserting ''sentence;''; and

(D) in paragraph (4), by inserting ''not less than 5 years and'' after ''imprisoned for''.

SA 2396. Mr. HATCH submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 112, strike lines 5 and 6 and insert the following:

(a) FIBER OPTIC LINES AND BROADBAND.—Section 1316(b) of MAP–21 (23 U.S.C. 109 note; Public Law 112–141) is amended by inserting ''copper and fiber optic lines and broadband infrastructure as installed by eligible telecommunications carriers,'' after ''landscaping,''.

(b) CATEGORICAL EXCLUSION.—Section 1317 of MAP–21 (23 U.S.C. 109 note; Public Law 112–141) is amended—

SA 2397. Ms. HIRONO (for herself and Mrs. MURRAY) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

Strike section 31303.

SA 2398. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

Beginning on page 403, strike line 3 and all that follows through page 404, line 6, and insert the following:

(2) PORT PERFORMANCE MEASURES.—

(A) IN GENERAL.—The Director shall collect monthly port performance measures for each of the United States ports referred to in subsection (a) that receive Federal assistance or is subject to Federal regulation to include in its annual report to Congress under this subsection. The annual report shall include the data elements described in subparagraph (B) and data recommended for collection by the working group commissioned by the Director under subsection (c)(2).

(B) DATA ELEMENTS.—Statistics collected pursuant to subparagraph (A) shall include capacity and throughput, as applicable to the specific configuration of the port, and shall be made publicly available during the calendar month immediately following the month in which they were generated.

SA 2399. Mr. WARNER (for himself and Mr. CRAPO) submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers

to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

Strike section 52205.

SA 2400. Mr. WARNER (for himself and Mr. BLUNT) submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health care coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 211, strike lines 13 through 18 and insert the following:

TITLE III—BUILDING AND RENEWING INFRASTRUCTURE FOR DEVELOPMENT AND GROWTH IN EMPLOYMENT

SEC. 13001. SHORT TITLE.

This title may be cited as the ''Building and Renewing Infrastructure for Development and Growth in Employment Act'' or the ''BRIDGE Act''.

SEC. 13002. PURPOSE.

The purpose of this title is to facilitate investment in, and the long-term financing of, economically viable eligible infrastructure projects of regional or national significance that are in the public interest in a manner that complements existing Federal, State, local, and private funding sources for these projects and introduces a merit-based system for financing those projects, in order to mobilize significant private sector investment, create long-term jobs, and ensure United States competitiveness through a self-sustaining institution that limits the need for ongoing Federal funding.

SEC. 13003. DEFINITIONS.

In this title:

(1) BLIND TRUST.—The term ''blind trust'' means a trust in which the beneficiary has no knowledge of the specific holdings and no rights over how those holdings are managed by the fiduciary of the trust prior to the dissolution of the trust.

(2) BOARD OF DIRECTORS.—The term ''Board of Directors'' means the Board of Directors of IFA.

(3) CHAIRPERSON.—The term ''Chairperson'' means the Chairperson of the Board of Directors of IFA.

(4) CHIEF EXECUTIVE OFFICER.—The term ''Chief Executive Officer'' means the chief executive officer of IFA, appointed under section 13103.

(5) COST.—The term ''cost'' has the meaning given the term in section 502 of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a).

(6) DIRECT LOAN.—The term ''direct loan'' has the meaning given the term in section 502 of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a).

(7) ELIGIBLE ENTITY.—The term ''eligible entity'' means—

(A) an individual;

(B) a corporation;

(C) a partnership, including a public-private partnership;

(D) a joint venture;

(E) a trust;

(F) a State or any other governmental entity, including a political subdivision or any other instrumentality of a State; or

(G) a revolving fund.

(8) ELIGIBLE INFRASTRUCTURE PROJECT.—

(A) IN GENERAL.—The term ''eligible infrastructure project'' means the construction, consolidation, alteration, or repair of the following sectors:

(i) Intercity passenger or freight rail lines, intercity passenger rail facilities or equipment, and intercity freight rail facilities or equipment.

(ii) Intercity passenger bus facilities or equipment.

(iii) Public transportation facilities or equipment.

(iv) Highway facilities, including bridges and tunnels.

(v) Airports and air traffic control systems.

(vi) Port or marine terminal facilities, including approaches to marine terminal facilities or inland port facilities, and port or marine equipment, including fixed equipment to serve approaches to marine terminals or inland ports.

(vii) Transmission or distribution pipelines.

(viii) Inland waterways.

(ix) Intermodal facilities or equipment related to 2 or more of the sectors described in clauses (i) through (viii).

(x) Water treatment and solid waste disposal facilities.

(xi) Storm water management systems.

(xii) Dams and levees.

(xiii) Facilities or equipment for energy transmission, distribution or storage.

(B) AUTHORITY OF THE BOARD OF DIRECTORS TO MODIFY SECTORS.—The Board of Directors may make modifications, at the discretion of the Board, to any of the sectors described in subparagraph (A) by a vote of not fewer than 5 of the voting members of the Board of Directors.

(9) IFA.—The term ''IFA'' means the Infrastructure Financing Authority established under section 13101.

(10) INVESTMENT-GRADE RATING.—The term ''investment-grade rating'' means a rating of BBB minus, Baa3, or higher assigned to an eligible infrastructure project by a ratings agency.

(11) LOAN GUARANTEE.—The term ''loan guarantee'' has the meaning given the term in section 502 of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a).

(12) OTRA.—The term ''OTRA'' means the Office of Technical and Rural Assistance created pursuant to section 13106.

(13) PUBLIC-PRIVATE PARTNERSHIP.—The term ''public-private partnership'' means any eligible entity—

(A)(i) that is undertaking the development of all or part of an eligible infrastructure project that will have a measurable public benefit, pursuant to requirements established in 1 or more contracts between the entity and a State or an instrumentality of a State; or

(ii) the activities of which, with respect to such an eligible infrastructure project, are subject to regulation by a State or any instrumentality of a State;

(B) that owns, leases, or operates or will own, lease, or operate, the project in whole or in part; and

(C) the participants in which include not fewer than 1 nongovernmental entity with significant investment and some control over the project or entity sponsoring the project vehicle.

(14) RATING AGENCY.—The term ''rating agency'' means a credit rating agency registered with the Securities and Exchange Commission as a nationally recognized statistical rating organization (as defined in section 3(a) of the Securities Exchange Act of 1934 (15 U.S.C. 78c(a))).

(15) REGIONAL INFRASTRUCTURE ACCELERATOR.—The term ''regional infrastructure accelerator'' means an organization created by public sector agencies through a multi-jurisdictional or multi-state agreement to provide technical assistance to local jurisdictions that will facilitate the implementation of innovative financing and procurement models to public infrastructure projects.

(16) RURAL INFRASTRUCTURE PROJECT.—The term ''rural infrastructure project''—

(A) has the same meaning given the term in section 601(15) of title 23, United States Code; and

(B) includes any eligible infrastructure project sector described in clauses (i) through (xvii) of paragraph (8)(A) located in any area other than a city with a population of more than 250,000 inhabitants within the city limits.

(17) SENIOR MANAGEMENT.—The term ''senior management'' means the chief financial officer, chief risk officer, chief compliance officer, general counsel, chief lending officer, and chief operations officer of IFA, and such other officers as the Board of Directors may, by majority vote, add to senior management.

(18) STATE.—The term ''State'' means—

(A) each of the several States of the United States; and

(B) the District of Columbia.

Subtitle A—Infrastructure Financing Authority

SEC. 13101. ESTABLISHMENT AND GENERAL AUTHORITY OF IFA.

(a) ESTABLISHMENT OF IFA.—The Infrastructure Financing Authority is established as a wholly owned Government corporation.

(b) GENERAL AUTHORITY OF IFA.—IFA shall—

(1) provide direct loans and loan guarantees to facilitate eligible infrastructure projects that are economically viable, in the public interest, and of regional or national significance; and

(2) carry out any other activities and duties authorized under this title.

(c) INCORPORATION.—

(1) IN GENERAL.—The Board of Directors first appointed shall be deemed the incorporator of IFA, and the incorporation shall be held to have been effected from the date of the first meeting of the Board of Directors.

(2) CORPORATE OFFICE.—IFA shall—

(A) maintain an office in Washington, DC; and

(B) for purposes of venue in civil actions, be considered to be a resident of Washington, DC.

(d) RESPONSIBILITY OF THE SECRETARY OF THE TREASURY.—The Secretary of the Treasury shall take such action as may be necessary to assist in implementing IFA and in carrying out the purpose of this title.

(e) RULE OF CONSTRUCTION.—Chapter 91 of title 31, United States Code, does not apply to IFA, unless otherwise specifically provided in this title.

SEC. 13102. VOTING MEMBERS OF THE BOARD OF DIRECTORS.

(a) VOTING MEMBERSHIP OF THE BOARD OF DIRECTORS.—

(1) IN GENERAL.—IFA shall have a Board of Directors consisting of 7 voting members appointed by the President, by and with the advice and consent of the Senate, not more than 4 of whom shall be from the same political party.

(2) CHAIRPERSON.—One of the voting members of the Board of Directors shall be designated by the President, by and with the advice and consent of the Senate, to serve as Chairperson of the Board of Directors.

(3) CONGRESSIONAL RECOMMENDATIONS.—Not later than 30 days after the date of the enactment of this Act, the majority leader of the Senate, the minority leader of the Senate, the Speaker of the House of Representatives, and the minority leader of the House of Representatives shall each submit a recommendation to the President for appointment of a member of the Board of Directors, after consultation with the appropriate committees of Congress.

(4) SPECIAL CONSIDERATION OF RURAL INTERESTS AND GEOGRAPHIC DIVERSITY.—In making an appointment under this subsection, the President shall give consideration to the geographic areas of the United States in which the members of the Board of Directors live and work, particularly to ensure that the infrastructure priorities and concerns of each region of the country, including rural areas and small communities, are represented on the Board of Directors.

(b) VOTING RIGHTS.—Each voting member of the Board of Directors shall have an equal vote in all decisions of the Board of Directors.

(c) QUALIFICATIONS OF VOTING MEMBERS.—Each voting member of the Board of Directors shall—

(1) be a citizen of the United States; and

(2) have significant demonstrated expertise in—

(A) the management and administration of a financial institution relevant to the operation of IFA; or

(B) the financing, development, or operation of infrastructure projects, including in the evaluation and selection of eligible infrastructure projects based on the purposes, goals, and objectives of this title.

(d) TERMS.—

(1) IN GENERAL.—Except as otherwise provided in this title, each voting member of the Board of Directors shall be appointed for a term of 5 years.

(2) INITIAL STAGGERED TERMS.—Of the voting members first appointed to the Board of Directors—

(A) the initial Chairperson and 3 of the other voting members shall each be appointed for a term of 5 years; and

(B) the remaining 3 voting members shall each be appointed for a term of 2 years.

(3) DATE OF INITIAL NOMINATIONS.—The initial nominations for the appointment of all voting members of the Board of Directors shall be made not later than 60 days after the date of the enactment of this Act.

(4) BEGINNING OF TERM.—The term of each of the initial voting members appointed under this section shall commence immediately upon the date of appointment, except that, for purposes of calculating the term limits specified in this subsection, the initial terms shall each be construed as beginning on January 22 of the year following the date of the initial appointment.

(5) VACANCIES.—

(A) IN GENERAL.—A vacancy in the position of a voting member of the Board of Directors shall be filled by the President, by and with the advice and consent of the Senate.

(B) TERM.—A member appointed to fill a vacancy on the Board of Directors occurring before the expiration of the term for which the predecessor was appointed shall be appointed only for the remainder of that term.

(e) MEETINGS.—

(1) OPEN TO THE PUBLIC; NOTICE.—Except as provided in paragraph (3), all meetings of the Board of Directors shall be—

(A) open to the public; and

(B) preceded by reasonable public notice.

(2) FREQUENCY.—The Board of Directors shall meet—

(A) not later than 60 days after the date on which all members of the Board of Directors are first appointed;

(B) at least quarterly after the date described in subparagraph (A); and

(C) at the call of the Chairperson or 3 voting members of the Board of Directors.

(3) EXCEPTION FOR CLOSED MEETINGS.—

(A) IN GENERAL.—The voting members of the Board of Directors may, by majority vote, close a meeting to the public if, during the meeting to be closed, there is likely to be disclosed proprietary or sensitive information regarding an eligible infrastructure project under consideration for assistance under this title.

(B) AVAILABILITY OF MINUTES.—The Board of Directors shall prepare minutes of any meeting that is closed to the public, which minutes shall be made available as soon as practicable, but not later than 1 year after the date of the closed meeting, with any necessary redactions to protect any proprietary or sensitive information.

(4) QUORUM.—For purposes of meetings of the Board of Directors, 5 voting members of the Board of Directors shall constitute a quorum.

(f) COMPENSATION OF MEMBERS.—Each voting member of the Board of Directors shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level III of the Executive Schedule under section 5314 of title 5, United States Code, for each day (including travel time) during which the member is engaged in the performance of the duties of the Board of Directors.

(g) CONFLICTS OF INTEREST.—A voting member of the Board of Directors may not participate in any review or decision affecting an eligible infrastructure project under consideration for assistance under this title, if the member has or is affiliated with an entity who has a financial interest in that project.

SEC. 13103. CHIEF EXECUTIVE OFFICER.

(a) IN GENERAL.—The Chief Executive Officer shall—

(1) be a nonvoting member of the Board of Directors;

(2) be responsible for all activities of IFA; and

(3) support the Board of Directors in accordance with this title and as the Board of Directors determines to be necessary.

(b) APPOINTMENT AND TENURE OF THE CHIEF EXECUTIVE OFFICER.—

(1) IN GENERAL.—The President shall appoint the Chief Executive Officer, by and with the advice and consent of the Senate.

(2) TERM.—The Chief Executive Officer shall be appointed for a term of 6 years.

(3) VACANCIES.—

(A) IN GENERAL.—Any vacancy in the office of the Chief Executive Officer shall be filled by the President, by and with the advice and consent of the Senate.

(B) TERM.—The person appointed to fill a vacancy in the Chief Executive Officer position that occurs before the expiration of the term for which the predecessor was appointed shall be appointed only for the remainder of that term.

(c) QUALIFICATIONS.—The Chief Executive Officer—

(1) shall have significant expertise in management and administration of a financial institution, or significant expertise in the financing and development of infrastructure projects; and

(2) may not—

(A) hold any other public office;

(B) have any financial interest in an eligible infrastructure project then being considered by the Board of Directors, unless that interest is placed in a blind trust; or

(C) have any financial interest in an investment institution or its affiliates or any other entity seeking or likely to seek financial assistance for any eligible infrastructure project from IFA, unless any such interest is placed in a blind trust for the tenure of the service of the Chief Executive Officer plus 2 additional years.

(d) RESPONSIBILITIES.—The Chief Executive Officer shall have such executive functions, powers, and duties as may be prescribed by this title, the bylaws of IFA, or the Board of Directors, including—

(1) responsibility for the development and implementation of the strategy of IFA, including—

(A) the development and submission to the Board of Directors of the annual business plans and budget;

(B) the development and submission to the Board of Directors of a long-term strategic plan; and

(C) the development, revision, and submission to the Board of Directors of internal policies; and

(2) responsibility for the management and oversight of the daily activities, decisions, operations, and personnel of IFA.

(e) COMPENSATION.—

(1) IN GENERAL.—Any compensation assessment or recommendation by the Chief Executive Officer under this section shall be without regard to the provisions of chapter 51 or subchapter III of chapter 53 of title 5, United States Code.

(2) CONSIDERATIONS.—The compensation assessment or recommendation required under this subsection shall take into account merit principles, where applicable, as well as the education, experience, level of responsibility, geographic differences, and retention and recruitment needs in determining compensation of personnel.

SEC. 13104. POWERS AND DUTIES OF THE BOARD OF DIRECTORS.

The Board of Directors shall—

(1) as soon as practicable after the date on which all members are appointed, approve or disapprove senior management appointed by the Chief Executive Officer;

(2) not later than 180 days after the date on which all members are appointed—

(A) develop and approve the bylaws of IFA, including bylaws for the regulation of the affairs and conduct of the business of IFA, consistent with the purpose, goals, objectives, and policies set forth in this title;

(B) establish subcommittees, including an audit committee that is composed solely of members of the Board of Directors, other than the Chief Executive Officer;

(C) develop and approve, in consultation with senior management, a conflict-of-interest policy for the Board of Directors and for senior management;

(D) approve or disapprove internal policies that the Chief Executive Officer shall submit to the Board of Directors, including—

(i) policies regarding the loan application and approval process, including application procedures and project approval processes; and

(ii) operational guidelines; and

(E) approve or disapprove a 1-year business plan and budget for IFA;

(3) ensure that IFA is at all times operated in a manner that is consistent with this title, by—

(A) monitoring and assessing the effectiveness of IFA in achieving its strategic goals;

(B) reviewing and approving internal policies, annual business plans, annual budgets, and long-term strategies submitted by the Chief Executive Officer;

(C) reviewing and approving annual reports submitted by the Chief Executive Officer;

(D) engaging 1 or more external auditors, as set forth in this title; and

(E) reviewing and approving all changes to the organization of senior management;

(4) appoint and fix, by a vote of not less than 5 of the 7 voting members of the Board of Directors, and without regard to the provisions of chapter 51 or subchapter III of chapter 53 of title 5, United States Code, the compensation and adjustments to compensation of all IFA personnel, provided that in appointing and fixing any compensation or adjustments to compensation under this paragraph, the Board shall—

(A) consult with, and seek to maintain comparability with, other comparable Federal personnel, as the Board of Directors may determine to be appropriate;

(B) consult with the Office of Personnel Management; and

(C) carry out those duties consistent with merit principles, where applicable, as well as the education, experience, level of responsibility, geographic differences, comparability to private sector positions, and retention and recruitment needs in determining compensation of personnel;

(5) serve as the primary liaison for IFA in interactions with Congress, the Secretary of Transportation and other executive branch officials, and State and local governments, and to represent the interests of IFA in those interactions and others;

(6) approve by a vote of not less than 5 of the 7 voting members of the Board of Directors any changes to the bylaws or internal policies of IFA;

(7) have the authority and responsibility—

(A) to oversee entering into and carrying out such contracts, leases, cooperative agreements, or other transactions as are necessary to carry out this title;

(B) to approve of the acquisition, lease, pledge, exchange, and disposal of real and personal property by IFA and otherwise approve the exercise by IFA of all of the usual incidents of ownership of property, to the extent that the exercise of those powers is appropriate to and consistent with the purposes of IFA;

(C) to determine the character of, and the necessity for, the obligations and expenditures of IFA, and the manner in which the obligations and expenditures will be incurred, allowed, and paid, subject to this title and other Federal law specifically applicable to wholly owned Federal corporations;

(D) to execute, in accordance with applicable bylaws and regulations, appropriate instruments;

(E) to approve other forms of credit enhancement that IFA may provide to eligible projects, as long as the forms of credit enhancements are consistent with the purposes of this title and the terms set forth in subtitle B;

(F) to exercise all other lawful powers which are necessary or appropriate to carry out, and are consistent with, the purposes of IFA;

(G) to sue or be sued in the corporate capacity of IFA in any court of competent jurisdiction;

(H) to indemnify the members of the Board of Directors and officers of IFA for any liabilities arising out of the actions of the members and officers in that capacity, in accordance with, and subject to the limitations contained in this title;

(I) to review all financial assistance packages to all eligible infrastructure projects, as submitted by the Chief Executive Officer and to approve, postpone, or deny the same by majority vote;

(J) to review all restructuring proposals submitted by the Chief Executive Officer, including assignation, pledging, or disposal of the interest of IFA in a project, including payment or income from any interest owned or held by IFA, and to approve, postpone, or deny the same by majority vote;

(K) to enter into binding commitments, as specified in approved financial assistance packages;

(L) to determine whether—

(i) to obtain a lien on the assets of an eligible entity that receives assistance under this title; and

(ii) to subordinate a lien under clause (i) to any other lien securing project obligations; and

(M) to ensure a measurable public benefit in the selection of eligible infrastructure projects and to provide for reasonable public input in the selection of such projects;

(8) delegate to the Chief Executive Officer those duties that the Board of Directors determines to be appropriate, to better carry out the powers and purposes of the Board of Directors under this section; and

(9) to approve a maximum aggregate amount of principal exposure of IFA at any given time.

SEC. 13105. SENIOR MANAGEMENT.

(a) IN GENERAL.—Senior management shall support the Chief Executive Officer in the discharge of the responsibilities of the Chief Executive Officer.

(b) APPOINTMENT OF SENIOR MANAGEMENT.—The Chief Executive Officer shall appoint such senior managers as are necessary to carry out the purposes of IFA, as approved by a majority vote of the voting members of the Board of Directors, including a chief compliance officer, general counsel, chief operating officer, chief lending officer, and other positions as determined to be appropriate by the Chief Executive Officer and the Board of Directors.

(c) TERM.—Each member of senior management shall serve at the pleasure of the Chief Executive Officer and the Board of Directors.

(d) REMOVAL OF SENIOR MANAGEMENT.—Any member of senior management may be removed—

(1) by a majority of the voting members of the Board of Directors at the request of the Chief Executive Officer; or

(2) by a vote of not fewer than 5 voting members of the Board of Directors.

(e) SENIOR MANAGEMENT.—

(1) IN GENERAL.—Each member of senior management shall report directly to the Chief Executive Officer, other than the chief risk officer, who shall report directly to the Board of Directors.

(2) CHIEF RISK OFFICER.—The chief risk officer shall be responsible for all functions of IFA relating to—

(A) the creation of financial, credit, and operational risk management guidelines and policies;

(B) the establishment of guidelines to ensure diversification of lending activities by region, infrastructure project type, and project size;

(C) the creation of conforming standards for infrastructure finance agreements;

(D) the monitoring of the financial, credit, and operational exposure of IFA; and

(E) risk management and mitigation actions, including by reporting those actions, or recommendations of actions to be taken, directly to the Board of Directors.

(f) CONFLICTS OF INTEREST.—No individual appointed to senior management may—

(1) hold any other public office;

(2) have any financial interest in an eligible infrastructure project then being considered by the Board of Directors, unless that interest is placed in a blind trust; or

(3) have any financial interest in an investment institution or its affiliates, IFA or its affiliates, or other entity then seeking or likely to seek financial assistance for any eligible infrastructure project from IFA, unless any such interest is placed in a blind trust during the term of service of that individual in a senior management position, and for a period of 2 years thereafter.

SEC. 13106. OFFICE OF TECHNICAL AND RURAL ASSISTANCE.

(a) IN GENERAL.—The Chief Executive Officer shall create and manage, within IFA, the ''Office of Technical and Rural Assistance''.

(b) DUTIES.—The OTRA shall—

(1) in consultation with the Secretary of Transportation and the heads of other relevant Federal agencies, as determined by the Chief Executive Officer, provide technical assistance to State and local governments and parties in public-private partnerships in the development and financing of eligible infrastructure projects, including rural infrastructure projects;

(2) assist the entities described in paragraph (1) with coordinating loan and loan guarantee programs available through Federal agencies, including the Department of Transportation and other Federal agencies, as appropriate;

(3) work with the entities described in paragraph (1) to identify and develop a pipeline of projects suitable for financing through innovative project financing and performance based project delivery, including those projects with the potential for financing through IFA; and

(4) establish a regional infrastructure accelerator demonstration program to assist the entities described in paragraph (1) in developing improved infrastructure priorities and financing strategies, for the accelerated development of covered infrastructure projects, including those projects with the potential for financing through IFA.

(c) DESIGNATION OF REGIONAL INFRASTRUCTURE ACCELERATORS.—In carrying out the program established pursuant to subsection (b)(3), the OTRA is authorized to designate regional infrastructure accelerators that will—

(1) serve a defined geographic area; and

(2) act as a resource in such area to entities described in subsection (b)(1), in accordance with this subsection.

(d) APPLICATION PROCESS.—To be eligible for a designation under subsection (c), regional infrastructure accelerators shall submit a proposal to the OTRA at such time, in such form, and containing such information as the OTRA determines is appropriate.

(e) CONSIDERATIONS.—In evaluating proposals submitted pursuant to subsection (d), the OTRA shall consider—

(1) the need for geographic diversity among regional infrastructure accelerators; and

(2) promoting investment in covered infrastructure projects, which shall include a plan—

(A) to evaluate and promote innovative financing methods for local projects, including the use of IFA;

(B) to build capacity of governments to evaluate and structure projects involving the investment of private capital;

(C) to provide technical assistance and information on best practices with respect to financing such projects;

(D) to increase transparency with respect to infrastructure project analysis and utilizing innovative financing for public infrastructure projects;

(E) to deploy predevelopment capital programs designed to facilitate the creation of a pipeline of infrastructure projects available for investment;

(F) to bundle smaller-scale and rural projects into larger proposals that may be more attractive for investment; and

(G) to reduce transaction costs for public project sponsors.

(f) ANNUAL REPORT.—The OTRA shall submit an annual report to Congress that describes the findings and effectiveness of the infrastructure accelerator demonstration program.

SEC. 13107. SPECIAL INSPECTOR GENERAL FOR IFA.

(a) IN GENERAL.—

(1) INITIAL PERIOD.—During the 5-year period beginning on the date of the enactment of this Act, the Inspector General of the Department of the Treasury shall serve as the Special Inspector General for IFA in addition to the existing duties of the Inspector General of the Department of the Treasury.

(2) OFFICE OF THE SPECIAL INSPECTOR GENERAL.—Beginning on the day that is 5 years after the date of the enactment of this Act, there is established the Office of the Special Inspector General for IFA.

(b) APPOINTMENT OF INSPECTOR GENERAL; REMOVAL.—

(1) HEAD OF OFFICE.—The head of the Office of the Special Inspector General for IFA shall be the Special Inspector General for IFA (referred to in this title as the ''Special Inspector General''), who shall be appointed by the President, by and with the advice and consent of the Senate.

(2) BASIS OF APPOINTMENT.—The appointment of the Special Inspector General shall be made on the basis of integrity and demonstrated ability in accounting, auditing, financial analysis, law, management analysis, public administration, or investigations.

(3) TIMING OF NOMINATION.—The nomination of an individual as Special Inspector General shall be made as soon as practicable after the date of the enactment of this Act.

(4) REMOVAL.—The Special Inspector General shall be removable from office in accordance with the provisions of section 3(b) of the Inspector General Act of 1978 (5 U.S.C. App.).

(5) RULE OF CONSTRUCTION.—For purposes of section 7324 of title 5, United States Code, the Special Inspector General shall not be considered an employee who determines policies to be pursued by the United States in the nationwide administration of Federal law.

(6) RATE OF PAY.—The annual rate of basic pay of the Special Inspector General shall be the annual rate of basic pay for an Inspector General under section 3(e) of the Inspector General Act of 1978 (5 U.S.C. App.).

(c) DUTIES.—The Special Inspector General shall—

(1) conduct, supervise, and coordinate audits and investigations of the business activities of IFA;

(2) establish, maintain, and oversee such systems, procedures, and controls as the Special Inspector General considers appropriate to discharge the duty under paragraph (1); and

(3) carry out any other duties and responsibilities of inspectors general under the Inspector General Act of 1978 (5 U.S.C. App.).

(d) POWERS AND AUTHORITIES.—

(1) IN GENERAL.—In carrying out the duties specified in subsection (c), the Special Inspector General shall have the authorities provided in section 6 of the Inspector General Act of 1978 (5 U.S.C. App.).

(2) ADDITIONAL AUTHORITY.—The Special Inspector General shall carry out the duties specified in subsection (c)(1) in accordance with section 4(b)(1) of the Inspector General Act of 1978 (5 U.S.C. App.).

(e) PERSONNEL, FACILITIES, AND OTHER RESOURCES.—

(1) ADDITIONAL OFFICERS.—

(A) IN GENERAL.—The Special Inspector General may select, appoint, and employ such officers and employees as may be necessary for carrying out the duties of the Special Inspector General, subject to the provisions of title 5, United States Code, governing appointments in the competitive service, and the provisions of chapter 51 and subchapter III of chapter 53 of such title, relating to classification and General Schedule pay rates.

(B) EMPLOYMENT AND COMPENSATION.—The Special Inspector General may exercise the authorities of subsections (b) through (i) of section 3161 of title 5, United States Code (without regard to subsection (a) of that section).

(2) RETENTION OF SERVICES.—The Special Inspector General may obtain services as authorized by section 3109 of title 5, United States Code, at daily rates not to exceed the equivalent rate prescribed for grade GS–15 of the General Schedule by section 5332 of such title.

(3) ABILITY TO CONTRACT FOR AUDITS, STUDIES, AND OTHER SERVICES.—The Special Inspector General may enter into contracts and other arrangements for audits, studies, analyses, and other services with public agencies and with private persons, and make such payments as may be necessary to carry out the duties of the Special Inspector General.

(4) REQUEST FOR INFORMATION.—

(A) IN GENERAL.—Upon request of the Special Inspector General for information or assistance from any department, agency, or other entity of the Federal Government, the head of that entity shall, insofar as is practicable and not in contravention of any existing law, furnish the information or assistance to the Special Inspector General or an authorized designee.

(B) REFUSAL TO COMPLY.—If information or assistance requested by the Special Inspector General is, in the judgment of the Special Inspector General, unreasonably refused or not provided, the Special Inspector General shall report the circumstances to the Secretary of the Treasury, without delay.

(f) REPORTS.—

(1) ANNUAL REPORT.—Not later than 1 year after the date on which the Special Inspector General is confirmed, and every calendar year thereafter, the Special Inspector General shall submit to the President and appropriate committees of Congress a report summarizing the activities of the Special Inspector General during the previous 1-year period ending on the date of that report.

(2) PUBLIC DISCLOSURES.—Nothing in this subsection authorizes the public disclosure of information that is—

(A) specifically prohibited from disclosure by any other provision of law;

(B) specifically required by Executive order to be protected from disclosure in the interest of national defense or national security or in the conduct of foreign affairs; or

(C) a part of an ongoing criminal investigation.

SEC. 13108. OTHER PERSONNEL.

(a) APPOINTMENT, REMOVAL, AND DEFINITION OF DUTIES.—Except as otherwise provided in the bylaws of IFA, the Chief Executive Officer, in consultation with the Board of Directors, shall appoint, remove, and define the duties of such qualified personnel as are necessary to carry out the powers, duties, and purpose of IFA, other than senior management, who shall be appointed in accordance with section 13105.

(b) COORDINATION IN IDENTIFYING QUALIFICATIONS AND EXPERTISE.—In appointing qualified personnel pursuant to subsection (a), the Chief Executive Officer shall coordinate with, and seek assistance from, the Secretary of Transportation in identifying the appropriate qualifications and expertise in infrastructure project finance.

SEC. 13109. COMPLIANCE.

The provision of assistance by IFA pursuant to this title does not supersede any provision of State law or regulation otherwise applicable to an eligible infrastructure project.

Subtitle B—Terms and Limitations on Direct Loans and Loan Guarantees

SEC. 13201. ELIGIBILITY CRITERIA FOR ASSISTANCE FROM IFA AND TERMS AND LIMITATIONS OF LOANS.

(a) PUBLIC BENEFIT; FINANCEABILITY.—A project is not be eligible for financial assistance from IFA under this title if—

(1) the use or purpose of such project is private or such project does not create a public benefit, as determined by the Board of Directors; or

(2) the applicant is unable to demonstrate, to the satisfaction of the Board of Directors, a sufficient revenue stream to finance the loan that will be used to pay for such project.

(b) FINANCIAL CRITERIA.—If the project meets the requirements under subsection (a), an applicant for financial assistance under this title shall demonstrate, to the satisfaction of the Board of Directors, that—

(1) for public-private partnerships, the project has received contributed capital or commitments for contributed capital equal to not less than 10 percent of the total cost of the eligible infrastructure project for which assistance is being sought if such contributed capital includes—

(A) equity;

(B) deeply subordinate loans or other credit and debt instruments, which shall be junior to any IFA assistance provided for the project;

(C) appropriated funds or grants from governmental sources other than the Federal Government; or

(D) irrevocable private contributions of funds, grants, property (including rights-of-way), and other assets that directly reduce or offset project costs; and

(2) the eligible infrastructure project for which assistance is being sought—

(A) is not for the refinancing of an existing infrastructure project; and

(B) meets—

(i) any pertinent requirements set forth in this title;

(ii) any criteria established by the Board of Directors under subsection (c) or by the Chief Executive Officer in accordance with this title; and

(iii) the definition of an eligible infrastructure project.

(c) CONSIDERATIONS.—The criteria established by the Board of Directors under this

subsection shall provide adequate consideration of—

(1) the economic, financial, technical, environmental, and public benefits and costs of each eligible infrastructure project under consideration for financial assistance under this title, prioritizing eligible infrastructure projects that—

(A) demonstrate a clear and measurable public benefit;

(B) offer value for money to taxpayers;

(C) contribute to regional or national economic growth;

(D) lead to long-term job creation; and

(E) mitigate environmental concerns;

(2) the means by which development of the eligible infrastructure project under consideration is being financed, including—

(A) the terms, conditions, and structure of the proposed financing;

(B) the creditworthiness and standing of the project sponsors, providers of equity, and cofinanciers;

(C) the financial assumptions and projections on which the eligible infrastructure project is based; and

(D) whether there is sufficient State or municipal political support for the successful completion of the eligible infrastructure project;

(3) the likelihood that the provision of assistance by IFA will cause the development to proceed more promptly and with lower costs for financing than would be the case without IFA assistance;

(4) the extent to which the provision of assistance by IFA maximizes the level of private investment in the eligible infrastructure project or supports a public-private partnership, while providing a significant public benefit;

(5) the extent to which the provision of assistance by IFA can mobilize the participation of other financing partners in the eligible infrastructure project;

(6) the technical and operational viability of the eligible infrastructure project;

(7) the proportion of financial assistance from IFA;

(8) the geographical location of the project, prioritizing geographical diversity of projects funded by IFA;

(9) the size of the project and the impact of the project on the resources of IFA; and

(10) the infrastructure sector of the project, prioritizing projects from more than 1 sector funded by IFA.

(d) APPLICATION.—

(1) IN GENERAL.—Any eligible entity seeking assistance from IFA under this title for an eligible infrastructure project shall submit an application to IFA at such time, in such manner, and containing such information as the Board of Directors or the Chief Executive Officer may require.

(2) REVIEW OF APPLICATIONS.—

(A) IN GENERAL.—IFA shall review applications for assistance under this title on an ongoing basis.

(B) PREPARATION.—The Chief Executive Officer, in cooperation with the senior management, shall prepare eligible infrastructure projects for review and approval by the Board of Directors.

(3) DEDICATED REVENUE SOURCES.—The Federal credit instrument shall be repayable, in whole or in part, from tolls, user fees, or other dedicated revenue sources derived from users or beneficiaries that also secure the eligible infrastructure project obligations.

(e) ELIGIBLE INFRASTRUCTURE PROJECT COSTS.—

(1) IN GENERAL.—Except as provided in paragraph (2), to be eligible for assistance under this title, an eligible infrastructure project shall have project costs that are reasonably anticipated to equal or exceed $50,000,000.

(2) RURAL INFRASTRUCTURE PROJECTS.—To be eligible for assistance under this title a rural infrastructure project shall have project costs that are reasonably anticipated to equal or exceed $10,000,000.

(f) LOAN ELIGIBILITY AND MAXIMUM AMOUNTS.—

(1) IN GENERAL.—The amount of a direct loan or loan guarantee under this title shall not exceed the lesser of—

(A) 49 percent of the reasonably anticipated eligible infrastructure project costs; and

(B) the amount of the senior project obligations, if the direct loan or loan guarantee does not receive an investment grade rating.

(2) MAXIMUM ANNUAL LOAN AND LOAN GUARANTEE VOLUME.—The aggregate amount of direct loans and loan guarantees made by IFA shall not exceed—

(A) during the first 2 fiscal years of the operations of IFA, $10,000,000,000 per year;

(B) during fiscal years 3 through 9 of the operations of IFA, $20,000,000,000 per year; and

(C) during any fiscal year thereafter, $50,000,000,000.

SEC. 13202. LOAN TERMS AND REPAYMENT.

(a) IN GENERAL.—A direct loan or loan guarantee under this title with respect to an eligible infrastructure project shall be on such terms, subject to such conditions, and contain such covenants, representations, warranties, and requirements (including requirements for audits) as the Chief Executive Officer determines appropriate.

(b) TERMS.—A direct loan or loan guarantee under this title—

(1) shall—

(A) be payable, in whole or in part, from tolls, user fees, or other dedicated revenue sources derived from users or beneficiaries; and

(B) include a rate covenant, coverage requirement, or similar security feature supporting the project obligations; and

(2) may be secured by a lien—

(A) on the assets of the obligor, including revenues described in paragraph (1); and

(B) which may be subordinated to any other lien securing project obligations.

(c) BASE INTEREST RATE.—The base interest rate on a direct loan under this title shall be not less than the yield on Treasury obligations of a similar maturity to the maturity of the direct loan on the date of execution of the loan agreement.

(d) RISK ASSESSMENT.—Before entering into an agreement for assistance under this title, the Chief Executive Officer, in consultation with the Director of the Office of Management and Budget and each rating agency providing a preliminary rating opinion letter under this section, shall determine an appropriate Federal credit subsidy amount for each direct loan and loan guarantee, taking into account that preliminary rating opinion letter, as well as any comparable market rates available for such a loan or loan guarantee, should any exist.

(e) CREDIT FEE.—

(1) IN GENERAL.—With respect to each agreement for assistance under this title, the Chief Executive Officer shall charge a credit fee to the recipient of that assistance to pay for, over time, all or a portion of the Federal credit subsidy determined under subsection (d), with the remainder paid by the account established for IFA.

(2) DIRECT LOANS.—In the case of a direct loan, the credit fee described in paragraph (1) shall be in addition to the base interest rate established under subsection (c).

(f) MATURITY DATE.—The final maturity date of a direct loan or loan guaranteed by IFA under this title shall be not later than 35 years after the date of substantial completion of the eligible infrastructure project, as determined by the Chief Executive Officer.

(g) PRELIMINARY RATING OPINION LETTER.—

(1) IN GENERAL.—The Chief Executive Officer shall require each applicant for assistance under this title to provide a preliminary rating opinion letter from at least 1 rating agency, indicating that the senior obligations of the eligible infrastructure project, which may be the Federal credit instrument, have the potential to achieve an investment-grade rating.

(2) RURAL INFRASTRUCTURE PROJECTS.—With respect to a rural infrastructure project, a rating agency opinion letter described in paragraph (1) shall not be required, except that the loan or loan guarantee shall receive an internal rating score, using methods similar to the rating agencies generated by IFA, measuring the proposed direct loan or loan guarantee against comparable direct loans or loan guarantees of similar credit quality in a similar sector.

(h) INVESTMENT-GRADE RATING REQUIREMENT.—

(1) LOANS AND LOAN GUARANTEES.—The execution of a direct loan or loan guarantee under this title shall be contingent on the senior obligations of the eligible infrastructure project receiving an investment-grade rating.

(2) RATING OF IFA OVERALL PORTFOLIO.—The average rating of the overall portfolio of IFA shall be not less than investment grade after 5 years of operation.

(i) TERMS AND REPAYMENT OF DIRECT LOANS.—

(1) SCHEDULE.—The Chief Executive Officer shall establish a repayment schedule for each direct loan under this title, based on the projected cash flow from eligible infrastructure project revenues and other repayment sources.

(2) COMMENCEMENT.—Scheduled loan repayments of principal or interest on a direct loan under this title shall commence not later than 5 years after the date of substantial completion of the eligible infrastructure project, as determined by the Chief Executive Officer of IFA.

(3) DEFERRED PAYMENTS OF DIRECT LOANS.—

(A) AUTHORIZATION.—If, at any time after the date of substantial completion of an eligible infrastructure project assisted under this title, the eligible infrastructure project is unable to generate sufficient revenues to pay the scheduled loan repayments of principal and interest on the direct loan under this title, the Chief Executive Officer may allow the obligor to add unpaid principal and interest to the outstanding balance of the direct loan, if the result would benefit the taxpayer.

(B) INTEREST.—Any payment deferred under subparagraph (A) shall—

(i) continue to accrue interest, in accordance with the terms of the obligation, until fully repaid; and

(ii) be scheduled to be amortized over the remaining term of the loan.

(C) CRITERIA.—

(i) IN GENERAL.—Any payment deferral under subparagraph (A) shall be contingent on the eligible infrastructure project meeting criteria established by the Board of Directors.

(ii) REPAYMENT STANDARDS.—The criteria established under clause (i) shall include

standards for reasonable assurance of repayment.

(4) PREPAYMENT OF DIRECT LOANS.—

(A) USE OF EXCESS REVENUES.—Any excess revenues that remain after satisfying scheduled debt service requirements on the eligible infrastructure project obligations and direct loan and all deposit requirements under the terms of any trust agreement, bond resolution, or similar agreement securing project obligations under this title may be applied annually to prepay the direct loan, without penalty.

(B) USE OF PROCEEDS OF REFINANCING.—A direct loan under this title may be prepaid at any time, without penalty, from the proceeds of refinancing from non-Federal funding sources.

(j) LOAN GUARANTEES.—The terms of a loan guaranteed by IFA under this title shall be consistent with the terms set forth in this section for a direct loan, except that the rate on the guaranteed loan and any payment, prepayment, or refinancing features shall be negotiated between the obligor and the lender (as defined in section 601(a) of title 23, United States Code) with the consent of the Chief Executive Officer.

(k) COMPLIANCE WITH FEDERAL CREDIT REFORM ACT OF 1990.—

(1) IN GENERAL.—Except as provided in paragraph (2), direct loans and loan guarantees authorized by this title shall be subject to the provisions of the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.).

(2) EXCEPTION.—Section 504(b) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661c(b)) shall not apply to a loan or loan guarantee under this title.

(l) POLICY OF CONGRESS.—It is the policy of Congress that IFA shall only make a direct loan or loan guarantee under this title if IFA determines that IFA is reasonably expected to recover the full amount of the direct loan or loan guarantee.

SEC. 13203. ENVIRONMENTAL PERMITTING PROCESS IMPROVEMENTS.

(a) INTERAGENCY COORDINATION.—As soon as practicable after IFA approves financing for a proposed project under this title, the President shall convene a meeting of representatives of all relevant and appropriate permitting agencies—

(1) to establish or update a permitting timetable for the proposed project;

(2) to coordinate concurrent permitting reviews by all necessary agencies; and

(3) to coordinate with relevant State agencies and regional infrastructure development agencies to ensure—

(A) adequate participation; and

(B) the timely provision of necessary documentation to allow any State review to proceed without delay.

(b) GOAL.—The permitting timetable for each proposed project established pursuant to subsection (a)(1) shall ensure that the environmental review process is completed as soon as practicable.

(c) EARLIER.—The President may carry out the functions set forth in subsection (a) with respect to a proposed project before the IFA has approved financing for such project upon the request of the Chief Executive Officer.

(d) CONCURRENT REVIEWS.—Each agency, to the greatest extent permitted by law, shall—

(1) carry out the obligations of the agency under other applicable law concurrently, and in conjunction with other reviews being conducted by other participating agencies, including environmental reviews required under the National Environmental Policy Act (42 U.S.C. 4321 et seq.), unless such concurrent reviews would impair the ability of the agency to carry out its statutory obligations; and

(2) formulate and implement administrative, policy, and procedural mechanisms to enable the agency to ensure the completion of the environmental review process in a timely, coordinated, and environmentally responsible manner.

SEC. 13204. COMPLIANCE AND ENFORCEMENT.

(a) CREDIT AGREEMENT.—Notwithstanding any other provision of law, each eligible entity that receives assistance under this title shall enter into a credit agreement that requires such entity to comply with all applicable policies and procedures of IFA, in addition to all other provisions of the loan agreement.

(b) APPLICABILITY OF FEDERAL LAWS.—Each eligible entity that receives assistance under this title shall provide written assurance, in such form and manner and containing such terms as are to be prescribed by IFA, that the eligible infrastructure project will be performed in compliance with the requirements of all Federal laws that would otherwise apply to similar projects to which the United States is a party, or financed in whole or in part from Federal funds or in accordance with guarantees of a Federal agency or financed from funds obtained by pledge of any contract of a Federal agency to make a loan, grant, or annual contribution (except where a different meaning is expressly indicated).

(c) IFA AUTHORITY ON NONCOMPLIANCE.—In any case in which an eligible entity that receives assistance under this title is materially out of compliance with the loan agreement, or any applicable policy or procedure of IFA, the Board of Directors may take action—

(1) to cancel unused loan amounts; or

(2) to accelerate the repayment terms of any outstanding obligation.

SEC. 13205. AUDITS; REPORTS TO THE PRESIDENT AND CONGRESS.

(a) ACCOUNTING.—The books of account of IFA shall be—

(1) maintained in accordance with generally accepted accounting principles; and

(2) subject to an annual audit by independent public accountants of nationally recognized standing appointed by the Board of Directors.

(b) REPORTS.—

(1) BOARD OF DIRECTORS.—Not later than 90 days after the last day of each fiscal year, the Board of Directors shall submit to the President and Congress a complete and detailed report with respect to the preceding fiscal year, setting forth—

(A) a summary of the operations of IFA for that fiscal year;

(B) a schedule of the obligations of IFA and capital securities outstanding at the end of that fiscal year, with a statement of the amounts issued and redeemed or paid during that fiscal year;

(C) the status of eligible infrastructure projects receiving funding or other assistance pursuant to this title during that fiscal year, including—

(i) all nonperforming loans; and

(ii) disclosure of all entities with a development, ownership, or operational interest in those eligible infrastructure projects;

(D) a description of the successes and challenges encountered in lending to rural communities, including the role of the Office of Technical and Rural Assistance established under this title; and

(E) an assessment of the risks of the portfolio of IFA, which shall be prepared by an independent source.

(2) GAO.—Not later than 5 years after the date of the enactment of this Act, the Comptroller General of the United States shall conduct an evaluation of, and submit to the Committee on Commerce, Science, and Transportation of the Senate and to the Committees on Transportation and Infrastructure and Energy and Commerce of the House of Representatives a report on the activities of IFA for the fiscal years covered by the report that includes—

(A) an assessment of the impact and benefits of each funded eligible infrastructure project, including a review of how effectively each eligible infrastructure project accomplished the goals prioritized by the eligible infrastructure project criteria of IFA; and

(B) an evaluation of the effectiveness of, and challenges facing, loan programs at the Department of Transportation and Department of Energy, and an analysis of the advisability of consolidating those programs within IFA.

(c) BOOKS AND RECORDS.—

(1) IN GENERAL.—IFA shall maintain adequate books and records to support the financial transactions of IFA, with a description of financial transactions and eligible infrastructure projects receiving funding, and the amount of funding for each project maintained on a publically accessible database.

(2) AUDITS BY THE SECRETARY OF THE TREASURY AND GAO.—The books and records of IFA shall at all times be open to inspection by the Secretary of the Treasury, the Special Inspector General, and the Comptroller General of the United States.

SEC. 13206. EFFECT ON OTHER LAWS.

Nothing in this title may be construed to affect or alter the responsibility of an eligible entity that receives assistance under this title to comply with applicable Federal and State laws (including regulations) relating to an eligible infrastructure project.

Subtitle C—Funding of IFA

SEC. 13301. FEES.

The Chief Executive Officer shall establish fees with respect to loans and loan guarantees under this title that—

(1) are sufficient to cover all the administrative costs to the Federal Government for the operations of IFA;

(2) may be in the form of an application or transaction fee, or interest rate adjustment; and

(3) may be based on the risk premium associated with the loan or loan guarantee, taking into consideration—

(A) the price of Treasury obligations of a similar maturity;

(B) prevailing market conditions;

(C) the ability of the eligible infrastructure project to support the loan or loan guarantee; and

(D) the total amount of the loan or loan guarantee.

SEC. 13302. SELF-SUFFICIENCY OF IFA.

The Chief Executive Officer shall, to the extent practicable, take actions consistent with this title to make IFA a self-sustaining entity, with administrative costs and Federal credit subsidy costs fully funded by fees and risk premiums on loans and loan guarantees.

SEC. 13303. FUNDING.

(a) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to IFA to make direct loans and loan guarantees under this title $10,000,000,000, which shall remain available until expended.

(2) ADMINISTRATIVE COSTS.—Of the amounts appropriated pursuant to paragraph (1), the

IFA may expend, for administrative costs, not more than—

(A) $25,000,000 for each of the fiscal years 2016 and 2017; and

(B) not more than $50,000,000 for fiscal year 2018.

(b) INTEREST.—The amounts made available to IFA pursuant to subsection (a) shall be placed in interest-bearing accounts.

(c) RURAL INFRASTRUCTURE PROJECTS.—Of the amounts made available to IFA under this section, not less than 5 percent shall be used to offset subsidy costs associated with rural infrastructure projects.

SEC. 13304. CONTRACT AUTHORITY.

Notwithstanding any other provision of law, approval by the Board of Directors of a Federal credit instrument that uses funds made available under this title shall impose upon the United States a contractual obligation to fund the Federal credit investment.

SEC. 13305. LIMITATION ON AUTHORITY.

IFA shall not have the authority to issue debt in its own name.

Subtitle D—Tax Exemption Requirements for State and Local Bonds

SEC. 13401. NATIONAL LIMITATION ON AMOUNT OF TAX-EXEMPT FINANCING FOR FACILITIES.

Section 142(m)(2)(A) of the Internal Revenue Code of 1986 is amended by striking ''$15,000,000,000'' and inserting ''$16,000,000,000''.

Subtitle E—Transportation Infrastructure Finance and Innovation Act of 1998 Amendments

SEC. 13501. TRANSPORTATION INFRASTRUCTURE FINANCE AND INNOVATION ACT OF 1998 AMENDMENTS.

SA 2401. Mr. WARNER submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 394, line 5, strike ''(c)'' and insert the following:

(c) TASK FORCE.—To assist with the study under subsection (a), the Secretary shall create a task force composed of representatives of—

(1) national stakeholders representing—

(A) city officials;

(B) State departments of transportation;

(C) transit agencies;

(D) transportation demand management professionals;

(E) rural transportation agencies;

(F) shared use mobility providers;

(G) intelligent transportation system professionals; and

(H) additional private sector technology professionals, as appropriate;

(2) university transportation centers engaged in research regarding urban mobility and shared use mobility;

(3) private companies that provide, promote, and operate digital mobility technologies and information technologies; and

(4) other entities that the Secretary determines could contribute to the development of the study.

(d)

SA 2402. Mr. WARNER submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 401, between lines 10 and 11, insert the following:

SEC. 31209. GUIDANCE ON INNOVATIVE MOBILITY TECHNOLOGIES.

(a) IN GENERAL.—The Secretary, in coordination with the Federal Highway Administration and the Federal Transit Administration, shall review policies and guidance to identify ways in which the Department can encourage State departments of transportation, transit agencies, and other direct recipients of Federal-Aid Highway and Federal Transit funding to encourage and expand the use of innovative mobility technologies, including car sharing, bike sharing, carpool, vanpool, transportation network companies, multimodal fare payment systems, application-based mobility programs, and other innovative projects that can make the transportation system more safe and efficient.

(b) REVIEW OF GUIDANCE.—The Secretary, in coordination with the Federal Highway Administration and the Federal Transit Administration, shall—

(1) review existing guidance and revise such guidance, as necessary, to encourage the use and expansion of innovative technologies, as appropriate; and

(2) develop specific guidance and circulars on how recipients of Federal-Aid Highway funding can and should be utilizing such technologies.

(c) REPORT TO CONGRESS.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall submit a report to Congress that includes—

(1) a plan describing how the Department will identify and provide technical assistance to recipients of Federal-Aid Highway funding on integrating and utilizing innovative mobility technologies;

(2) a plan for addressing current and potential guidance documents;

(3) the identification of legislative barriers that prevent expansion and utilization of innovative mobility technologies, including mobility services provided by private providers of public transportation; and

(4) recommendations on policies that the Department should implement and legislation that Congress should enact to expand innovative mobility technologies.

(d) TASK FORCE.—To assist with the development of the report under subsection (c), the Secretary shall create a task force composed of representatives of—

(1) national stakeholders representing—

(A) city officials;

(B) State departments of transportation;

(C) transit agencies;

(D) transportation demand management professionals;

(E) rural transportation agencies;

(F) shared use mobility providers;

(G) intelligent transportation system professionals; and

(H) additional private sector technology professionals, as appropriate;

(2) university transportation centers engaged in research regarding urban mobility and shared use mobility;

(3) private companies that provide, promote, and operate digital mobility technologies and information technologies; and

(4) other entities that the Secretary determines could contribute to the development of the report.

SA 2403. Mr. WARNER (for himself and Mr. KAINE) submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

Beginning on page 15, strike line 11 and all that follows through page 16, line 6, and insert the following:

(I) $370,000,000 for fiscal year 2016;

(II) $377,000,000 for fiscal year 2017;

(III) $385,000,000 for fiscal year 2018;

(IV) $393,000,000 for fiscal year 2019;

(V) $400,860,000 for fiscal year 2020; and

(VI) $408,877,000 for fiscal year 2021.

(ii) ALLOCATION OF FUNDING.—Of the amount made available for each fiscal year—

(I) $300,000,000 shall be distributed in the same proportion that the Federal lands transportation program funds were distributed among the Federal agencies in fiscal year 2014;

(II) of the remaining amount—

(aa) 80 percent shall be—

(AA) allocated for the Department of the Interior; and

(BB) divided by the Secretary of the Interior among the National Park Service, the Fish and Wildlife Service, the Bureau of Land Management, and the Bureau of Reclamation;

(bb) 15 percent shall be allocated for the United States Forest Service; and

(cc) 5 percent shall allocated for the United States Army Corps of Engineers.

On page 16, between lines 19 and 20, insert the following:

(D) NATIONALLY SIGNIFICANT FEDERAL LANDS AND TRIBAL PROJECTS PROGRAM.—For the nationally significant Federal lands and Tribal projects program under section 207 of title 23, United States Code, $150,000,000 for each of the fiscal years 2016 through 2021.

On page 25, strike lines 6 through 11 and insert the following:

(1) $43,291,500,000 for fiscal year 2016;

(2) $44,214,300,000 for fiscal year 2017;

(3) $45,202,100,000 for fiscal year 2018;

(4) $46,257,400,000 for fiscal year 2019;

(5) $47,383,560,000 for fiscal year 2020; and

(6) $48,536,777,000 for fiscal year 2021.

Beginning on page 104, strike line 6 and all that follows through page 107, line 13, and insert the following:

SEC. 11205. NATIONALLY SIGNIFICANT FEDERAL LANDS AND TRIBAL PROJECT PROGRAM.

(a) IN GENERAL.—Chapter 2 of title 23, United States Code, is amended by inserting after section 206 the following:

''§ 207. Nationally significant Federal lands and tribal project program

''(a) PURPOSE.—The Secretary shall establish a nationally significant Federal lands and tribal projects program (referred to in this section as the 'Program') to provide funding needed to construct, reconstruct, or rehabilitate nationally significant Federal lands and tribal transportation projects.

''(b) ELIGIBLE APPLICANTS.—

''(1) IN GENERAL.—Except as provided in paragraph (2), entities eligible to receive funds under sections 201, 202, 203, and 204 may apply for funding under the Program.

''(2) SPECIAL RULE.—A State, county, or unit of local government may only apply for funding under the Program if sponsored by an eligible Federal land management agency or Indian tribe.

''(c) ELIGIBLE PROJECTS.—An eligible project under the Program shall be a single continuous project—

''(1) on a Federal lands transportation facility, a Federal lands access transportation facility, or a Tribal transportation facility (as those terms are defined under section 101), except that such facility is not required to be included on an inventory described in section 202 or 203;

''(2) for which completion of activities required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) has been demonstrated through—

''(A) a record of decision with respect to the project;

''(B) a finding that the project has no significant impact; or

''(C) a determination that the project is categorically excluded; and

''(3) having an estimated cost, based on the results of preliminary engineering, of not less than $25,000,000, with priority consideration given to projects with an estimated cost of not less than $50,000,000.

''(d) ELIGIBLE ACTIVITIES.—

''(1) IN GENERAL.—Subject to paragraph (2), an applicant receiving funds under the Program may only use such funds for construction, reconstruction, and rehabilitation activities, unless such activities are directly related to a design-build contract.

''(2) INELIGIBLE ACTIVITIES.—An eligible applicant may not use funds received under the Program for activities relating to project design.

''(e) APPLICATIONS.—Eligible applicants shall submit an application to the Secretary at such time, in such form, and containing such information as the Secretary may require.

''(f) SELECTION CRITERIA.—In selecting a project to receive funds under the Program, the Secretary shall consider the extent to which the project—

''(1) furthers the goals of the Department, including state of good repair, environmental sustainability, economic competitiveness, quality of life, and safety;

''(2) improves the condition of critical multimodal transportation facilities;

''(3) needs construction, reconstruction, or rehabilitation;

''(4) is included in, or eligible for inclusion in, the National Register of Historic Places;

''(5) enhances environmental ecosystems;

''(6) uses new technologies and innovations that enhance the efficiency of the project;

''(7) is supported by funds other than those received under the Program to construct, maintain, and operate the facility;

''(8) spans 2 or more States; and

''(9) serves lands owned by multiple Federal agencies or Indian tribes.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 2 of title 23, United States Code, is amended by inserting after the item relating to section 206 the following:

''207. Nationally significant Federal lands and tribal project program.''.

(c) CONFORMING AMENDMENTS.—

(1) AVAILABILITY OF FUNDS.—Section 201(b) of title 23, United States Code, is amended—

(A) in paragraph (1), by inserting ''the nationally significant Federal lands and tribal projects program,'' after ''Federal lands transportation program,'';

(B) in paragraph (4)(A), by inserting ''the nationally significant Federal lands and tribal projects program,'' after ''Federal lands transportation program,''; and

(C) in paragraph (7), by adding at the end the following:

''(C) NATIONALLY SIGNIFICANT FEDERAL LANDS AND TRIBAL PROJECTS PROGRAM.—The Federal share of the cost of a project carried out under the nationally significant Federal lands and tribal projects program established under section 207 may be up to 100 percent.''.

(2) PLANNING.—Section 201(c)(3) of such title is amended by inserting ''nationally significant Federal lands and tribal projects program'' after ''Federal lands transportation program,'' the first time such phrase appears.

On page 107, line 15, strike ''Section 201(c)'' and insert the following:

(a) IN GENERAL.—Section 201(c)

On page 109, line 14, strike the end quote and final period and insert the following:

''(C) ELIGIBLE ENTITIES.—Amounts described in subparagraph (A) may be used by—

''(i) the Bureau of Land Management;

''(ii) the Bureau of Reclamation;

''(iii) the Military Surface Deployment and Distribution Command;

''(iv) the National Park Service;

''(v) the Tennessee Valley Authority;

''(vi) the United States Air Force;

''(vii) the United States Army;

''(viii) the United States Army Corps of Engineers;

''(ix) the United States Fish and Wildlife Service;

''(x) the United States Forest Service; and

''(xi) the United States Navy.

''(D) SPECIAL RULE.—Notwithstanding subparagraphs (A) through (C), a Federal land management agency receiving funds to carry out section 203 may use amounts authorized to carry out that section to meet the requirements under this subsection.''.

(b) COORDINATION.—Section 201 of such title is amended by adding at the end the following:

''(f) FEDERAL LANDS TRANSPORTATION EXECUTIVE COUNCIL.—

''(1) IN GENERAL.—The Secretary shall periodically convene a Federal Lands Transportation Executive Council, which—

''(A) shall be composed of the heads of the appropriate Federal land management agencies or their designees; and

''(B) shall be chaired by the Secretary or the Secretary's designee.

''(2) PURPOSE.—The purpose of the Federal Lands Transportation Executive Council shall be to consult on interdepartmental data standardization, technology integration, and interdepartmental consistency.''.

On page 110, line 15, strike ''and''.

On page 110, line 18, strike the period at the end and insert ''; and''.

On page 110, between lines 18 and 19, insert the following:

(4) by striking subsection (d).

SA 2404. Mr. WARNER (for himself and Mr. KAINE) submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 333, between lines 6 and 7, insert the following:

(A) in paragraph (1), by inserting '', including a high-occupancy vehicle (HOV) lane facility or a high-occupancy toll (HOT) lane facility that public transportation and high-occupancy vehicles are permitted to use toll-free'' before the period at the end;

On page 333, line 7, strike ''(A)'' and insert ''(B)''.

On page 333, line 11, strike ''(B)'' and insert ''(C)''.

SA 2405. Mr. WARNER (for himself, Ms. MIKULSKI, Mr. KAINE, and Mr. CARDIN) submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

Beginning on page 324, strike line 24 and all that follows through page 326, line 11, and insert the following:

(1) in subsection (b)—

(A) in paragraph (2)—

(i) in subparagraph (C), by striking ''and'' at the end;

(ii) by redesignating subparagraph (D) as subparagraph (E); and

(iii) by inserting after subparagraph (C) the following:

''(D) to the extent that the Secretary determines appropriate, minimum safety standards for rail fixed guideway public transportation systems relating to—

''(i) written emergency plans and procedures for passenger evacuations, and training programs to ensure public transportation personnel compliance and readiness;

''(ii) emergency preparedness training, drill, and familiarization programs for first responders with jurisdiction over a rail fixed guideway public transportation system, including quarterly field exercises;

''(iii) maintenance, testing, and inspection programs to ensure the proper functioning of tunnel, station, and vehicle ventilation systems;

''(iv) coordination with local emergency responders having jurisdiction over a rail fixed guideway public transportation system to ensure effective radio and public safety communications;

''(v) initial and recurring training for roadway workers in hazard recognition and mitigation;

''(vi) implementation of transmission-based train control systems;

''(vii) maintenance, testing, and inspection programs for signal and train control systems, track, mechanical systems, and operations;

''(viii) minimum safety standards for signals, track, and on-track equipment;

''(ix) certification requirements for train and bus operators and control center employees; and

''(x) medical and fitness-for-duty criteria for train and bus operators and control center employees; and''; and

(B) by adding at the end the following:

''(3) MINIMUM SAFETY STANDARDS CONSIDERATIONS.—In determining appropriate minimum safety standards under paragraph (2)(D), the Secretary shall consider standards that—

''(A) are not related to performance standards for public transportation vehicles developed under paragraph (2)(C); and

''(B) to the extent practicable, take into consideration—

''(i) relevant recommendations of the National Transportation Safety Board;

''(ii) best practices standards developed by the public transportation industry;

''(iii) any minimum safety standards or performance criteria being implemented across the public transportation industry; and

''(iv) any additional information that the Secretary determines necessary and appropriate.'';

(2) in subsection (f)(2), by inserting after ''public transportation system of a recipient'' the following: ''or the public transportation industry generally'';

(3) in subsection (g)—

(A) in paragraph (1), in the matter preceding subparagraph (A), by striking ''an eligible State, as defined in subsection (e),'' and inserting ''a recipient''; and

(B) by adding at the end the following:

''(3) EMERGENCY AUTHORITY.—

''(A) DEFINITION.—In this paragraph, the term 'emergency order' means an order issued by the Secretary under subparagraph (B).

''(B) EMERGENCY ORDERS.—If, through inspections, investigations, audits, examinations, or testing carried out under this section, the Secretary determines that an unsafe condition, unsafe practice, or combination of unsafe conditions and unsafe practices is causing an emergency situation involving a risk of death, personal injury, or significant harm to the environment, the Secretary may immediately, without regard to section 553 or 554 of title 5, issue an order imposing any restriction or prohibition that is necessary to abate the emergency situation.

''(C) CONDITIONS OR PRACTICES CREATING EMERGENCY SITUATION.—

''(i) IN GENERAL.—An emergency order shall describe—

''(I) the condition, practice, or combination of conditions and practices that is causing the emergency situation; and

''(II) the standards and procedures for obtaining relief from the order.

''(ii) RULE OF CONSTRUCTION.—Nothing in clause (i) shall be construed to affect the authority of the Secretary under this paragraph to maintain an emergency order in effect for as long as the Secretary determines that the emergency situation exists.''; and

Beginning on page 328, strike line 3 and all that follows through page 332, line 13, and insert the following:

(b) APPOINTMENT OF DIRECTORS OF THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY.—

(1) DEFINITIONS.—In this subsection—

(A) the term ''Compact'' means the Washington Metropolitan Area Transit Authority Compact (Public Law 89–774; 80 Stat 1324);

(B) the term ''Federal Director'' means—

(i) a voting member of the Board of Directors of the Transit Authority who represents the Federal Government; and

(ii) a nonvoting member of the Board of Directors of the Transit Authority who serves as an alternate for a member described in clause (i); and

(C) the term ''Transit Authority'' means the Washington Metropolitan Area Transit Authority established under Article III of the Compact.

(2) APPOINTMENT BY SECRETARY.—

(A) IN GENERAL.—For any appointment made on or after the date of enactment of this Act, the Secretary shall have sole authority to appoint Federal Directors to the Board of Directors of the Transit Authority.

(B) AMENDMENT TO COMPACT.—The signatory parties to the Compact shall amend the Compact as necessary in accordance with subparagraph (A).

SA 2406. Mr. LEAHY (for himself, Mr. BOOKER, and Mr. COONS) submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of title LXII of division F, add the following:

SEC. 62002. PERMANENT AUTHORIZATION AND FULL FUNDING OF THE LAND AND WATER CONSERVATION FUND.

(a) AUTHORIZATION.—Section 200302 of title 54, United States Code, is amended—

(1) in subsection (b), in the matter preceding paragraph (1), by striking ''During the period ending September 30, 2015, there'' and inserting ''There''; and

(2) in subsection (c)(1), by striking ''through September 30, 2015''.

(b) FULL FUNDING.—

(1) IN GENERAL.—Section 200303 of title 54, United States Code, is amended to read as follows:

''SEC. 200303. AVAILABILITY OF FUNDS.

''Amounts deposited in the Fund under section 200302 shall be made available for expenditure, without further appropriation or fiscal year limitation, to carry out the purposes of the Fund (including accounts and programs made available from the Fund).''.

(2) CLERICAL AMENDMENT.—The table of sections affected for title 54 is amended by striking the item relating to section 200303 and inserting the following:

''200303. Availability of funds.''.

SA 2407. Mr. SCHATZ (for himself, Mr. MARKEY, Mr. UDALL, Mr. MERKLEY, and Mr. FRANKEN) submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 592, between lines 15 and 16, insert the following:

PART IV—SAFE STREETS

SEC. 34441. SHORT TITLE.

This part may be cited as the ''Safe Streets Act of 2015''.

SEC. 34442. DEFINITIONS.

In this part:

(1) COMPLETE STREET.—The term ''complete street'' means a roadway that safely accommodates all travelers, particularly public transit users, bicyclists, pedestrians (including individuals of all ages and individuals with mobility, sensory, neurological, or hidden disabilities), motorists and freight vehicles, to enable all travelers to use the roadway safely and efficiently.

(2) COMPLETE STREETS POLICY; COMPLETE STREETS PRINCIPLE.—The terms ''complete streets policy'' and ''complete streets principle'' mean a transportation law, policy, or principle at the local, State, regional, or Federal level that ensures—

(A) the safe and adequate accommodation, in all phases of project planning and development, of all users of the transportation system, including pedestrians, bicyclists, public transit users, children, older individuals, individuals with disabilities, motorists, and freight vehicles; and

(B) the consideration of the safety and convenience of all users in all phases of project planning and development.

(3) LOCAL JURISDICTION.—The term ''local jurisdiction'' means any unit of local government.

(4) METROPOLITAN PLANNING ORGANIZATION.—The term ''metropolitan planning organization'' has the meaning given the term in section 134(b) of title 23, United States Code.

(5) ROADWAY.—The term ''roadway'' means—

(A) the defined Federal functional classification roadway system; and

(B) each bridge structure providing a connection for such a roadway system.

(6) SENIOR MANAGER.—The term ''senior manager'' means—

(A) the director of a State department of transportation (or a designee);

(B) the director of a metropolitan planning organization (or a designee); and

(C) the director of a regional, county, or city transportation agency that is primarily responsible for planning and approval of transportation projects (or a designee).

(7) TRANSPORTATION IMPROVEMENT PROGRAM.—The term ''transportation improvement program'' has the meaning given the term ''TIP'' in section 134(b) of title 23, United States Code.

SEC. 34443. COMPLETE STREETS POLICY.

(a) LAW OR POLICY.—Not later than October 1 of the fiscal year that begins 2 years after the date of the enactment of this Act each State and metropolitan planning organization shall have in effect—

(1) in the case of a State—

(A) a law requiring that, beginning on the effective date of the State law, all transportation projects in the State shall accommodate the safety and convenience of all users in accordance with complete streets principles; or

(B) an explicit State department of transportation policy that, beginning on the effective date of the policy, all transportation projects in the State shall accommodate the safety and convenience of all users in accordance with complete streets principles; and

(2) in the case of a metropolitan planning organization, an explicit statement of policy that, beginning on the effective date of the policy, all transportation projects under the jurisdiction of the metropolitan planning organization shall accommodate the safety and convenience of all users in accordance with complete streets principles.

(b) INCLUSIONS.—

(1) IN GENERAL.—A law or policy described in subsection (a) shall—

(A) apply to each federally funded project of each State department of transportation or metropolitan planning organization transportation improvement program;

(B) include a statement that each project under the transportation improvement program makes streets or affected rights-of-way accessible to the expected users of that facility, of all ages and abilities, including pedestrians, bicyclists, transit vehicles and users, freight vehicles, and motorists;

(C) except as provided in paragraph (2), apply to new road construction and road modification projects, including design, planning, construction, reconstruction, rehabilitation, maintenance, and operations, for the entire right-of-way;

(D) indicate that improvements for the safe and convenient travel by pedestrians or bicyclists of all ages and abilities on or across streets shall be fully assessed, considered, and documented as a routine element of pavement resurfacing projects;

(E) delineate a clear procedure by which transportation improvement projects may be exempted from complying with complete streets principles, which shall require—

(i) approval by the appropriate senior manager, in accordance with subsection (d)(2); and

(ii) documentation, with supporting data, that indicates the basis for such an exemption;

(F) comply with up-to-date design standards, particularly standards relating to providing access for individuals with disabilities;

(G) require that complete streets principles be applied in due consideration of the urban, suburban, or rural context in which a project is located;

(H) include a list of performance standards with measurable outcomes to ensure that the transportation improvement program adheres to complete streets principles; and

(I) direct agency staff to create an implementation plan.

(2) EXCEPTION.—A law or policy described in subsection (a) shall not apply to a new road construction or modification project for which, as of the effective date of the law or policy, at least 30 percent of the design phase is completed.

(c) EXEMPTION REQUIREMENTS AND PROCEDURES.—A law or policy described in subsection (a) shall allow for a project-specific exemption from an applicable complete streets policy if—

(1)(A) an affected roadway prohibits, by law, use of the roadway by specified users, in which case a greater effort shall be made to accommodate those specified users elsewhere, including on roadways that cross or otherwise intersect with the affected roadway;

(B) the cost to the exempted project in achieving compliance with the applicable complete streets policy would be excessively disproportionate (as defined in the 2001 Department of Transportation Guidance on Accommodating Bicycle and Pedestrian Travel), as compared to the need or probable use of a particular complete street; or

(C) the existing and planned population, employment densities, traffic volumes, or level of transit service around a particular roadway is so low, that the expected users of the roadway will not include pedestrians, public transportation, freight vehicles, or bicyclists; and

(2) the project-specific exemption is approved by—

(A) a senior manager of the metropolitan planning organization that approved the transportation improvement program containing the exempted project;

(B) a senior manager of the relevant State department of transportation; or

(C) in the case of a project for which neither the metropolitan planning organization nor the State department of transportation is the agency with primary transportation planning authority, a senior manager of the regional, county, or city agency responsible for planning and approval of the project.

(d) INTEGRATION.—Each State department of transportation and metropolitan planning organization implementing a complete streets policy shall incorporate complete streets principles into all aspects of the transportation project development, programming, and delivery process, including project planning and identification, scoping procedures, design approvals, design manuals, and performance measures.

(e) REPORTS.—

(1) IN GENERAL.—Each State department of transportation shall submit to the Secretary a report describing the implementation by the State of measures to achieve compliance with the requirements under this section, at such time, in such manner, and containing such information as the Secretary may require.

(2) DETERMINATION BY SECRETARY.—On receipt of a report under paragraph (1), the Secretary shall determine whether the applicable State has achieved compliance with the requirements under this section.

SEC. 34444. CERTIFICATION.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall establish a method of evaluating compliance by State departments of transportation and metropolitan planning organizations with the requirements of this part, including a requirement that each State department of transportation and metropolitan planning organization shall submit a report to the Secretary that describes—

(1) each complete streets policy adopted by the State department of transportation or metropolitan planning organization;

(2) the means of implementation by the State department of transportation or metropolitan planning organization of the complete streets policy; and

(3) the process for providing an exemption, from the requirements of the complete streets policy of the State department of transportation or metropolitan planning organization.

(b) REPORT.—Not later than 3 years after the date of the enactment of this Act, the Secretary shall submit a report to Congress that describes—

(1) the method established under subsection (a);

(2) the status of activities for adoption and implementation by State departments of transportation and metropolitan planning organizations of complete streets policies;

(3) the tools and resources provided by the Secretary to State departments of transportation and metropolitan planning organizations to assist with that adoption and implementation; and

(4) other measures carried out by the Secretary to encourage the adoption of complete streets policies by local jurisdictions.

SEC. 34445. ACCESSIBILITY STANDARDS.

(a) FINAL STANDARDS.—Not later than 1 year after the date of the enactment of this Act, the Architectural and Transportation Barriers Compliance Board established under section 502(a)(1) of the Rehabilitation Act of 1973 (29 U.S.C. 792(a)(1)) shall promulgate final standards for accessibility of new construction and alteration of pedestrian facilities for public rights-of-way.

(b) TEMPORARY STANDARDS.—During the period beginning on the date of enactment of this Act and ending on the date on which the Architectural and Transportation Barriers Compliance Board promulgates final standards under subsection (a), a State or metropolitan planning organization shall apply to public rights-of-way—

(1) the proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way of the Architectural and Transportation Barriers Compliance Board dated July 26, 2011, and supplemented on February 13, 2013; or

(2) if the standards referred to in paragraph (1) do not address, or are inapplicable to, an affected public right-of-way, the revised draft guidelines for accessible public rights-of-way of the Architectural and Transportation Barriers Compliance Board dated November 23, 2005.

SEC. 34446. RESEARCH, TECHNICAL GUIDANCE, AND IMPLEMENTATION ASSISTANCE.

(a) RESEARCH.—

(1) IN GENERAL.—The Secretary shall conduct research regarding complete streets to assist States, metropolitan planning organizations, and local jurisdictions in developing, adopting, and implementing plans, projects, procedures, policies, and training programs that comply with complete streets principles.

(2) PARTICIPATION.—The Secretary shall solicit participation in the research program under paragraph (1) by—

(A) the American Association of State Highway and Transportation Officials;

(B) the Institute of Transportation Engineers;

(C) the American Public Transportation Association;

(D) the American Planning Association;

(E) the National Association of Regional Councils;

(F) the Association of Metropolitan Planning Organizations;

(G) the Insurance Institute for Highway Safety;

(H) the American Society of Landscape Architects;

(I) representatives of transportation safety, disability, motoring, bicycling, walking, transit user, aging, and air quality organizations; and

(J) other affected communities.

(3) REQUIREMENTS.—The research under paragraph (1) shall—

(A) be based on the applicable statement of complete streets research needs of the Transportation Research Board, as described in TR Circular E110; and

(B) seek to develop new areas of inquiry, in addition to that statement.

(b) BENCHMARKS AND GUIDANCE.—

(1) IN GENERAL.—The research conducted under subsection (a) shall be designed to result in the establishment of benchmarks and the provision of practical guidance on methods of effectively implementing complete streets policies and complete streets principles that will accommodate all users along a facility or corridor, including vehicles, pedestrians, bicyclists, and transit users.

(2) FOCUS.—The benchmarks and guidance under paragraph (1) shall—

(A) focus on modifying scoping, design, and construction procedures to more effectively combine particular methods of use into integrated facilities that meet the needs of each method in an appropriate balance; and

(B) indicate the expected operational and safety performance of alternative approaches to facility design.

(c) DATA COLLECTION.—The Secretary shall collaborate with the Bureau of Transportation Statistics, the Federal Transit Administration, and appropriate committees of the Transportation Research Board—

(1) to collect data regarding a baseline nonmotorized and transit use survey to be integrated into the National Household Travel Survey; and

(2) to develop a survey tool for use by State departments of transportation in identifying the multimodal capacity of State and local roadways.

(d) TECHNICAL GUIDANCE.—

(1) REPORT.—Not later than 15 months after the date of the enactment of this Act, the Secretary shall prepare and make available, to all States, metropolitan planning organizations, and local jurisdictions, a report that describes the best practices by which transportation agencies throughout the United States have implemented complete streets principles in accordance with, or in anticipation of, the requirements of this part.

(2) TOPICS FOR EMPHASIS.—In preparing the report under paragraph (1), the Secretary shall place particular emphasis on—

(A) procedures for identifying the needs of users of all ages and abilities of a particular roadway;

(B) procedures for identifying the types and designs of facilities needed to serve each class of users;

(C) safety and other benefits provided by the implementation of complete streets principles;

(D) common barriers to the implementation of complete streets principles;

(E) procedures for overcoming the most common barriers to the implementation of complete streets principles;

(F) procedures for identifying the costs associated with the implementation of complete streets principles;

(G) procedures for maximizing local cooperation in the introduction and implementation of complete streets principles; and

(H) procedures for assessing and modifying the facilities and operational characteristics of existing roadways to improve consistency with complete streets principles.

SA 2408. Mr. SCHATZ (for himself and Mr. HELLER) submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 210, line 19, strike ''and'' at the end and all that follows through line 21, and insert the following:

(2) in subsection (f), by inserting ''pedestrian walkways,'' after ''bikeways,''; and

(3) by adding at the end the following:

''(s) SAFETY FOR MOTORIZED AND NONMOTORIZED USERS.—

''(1) IN GENERAL.—Not later than 2 years after the date of the enactment of this subsection, the Secretary shall establish standards to ensure that the design of Federal surface transportation projects provides for the safe and adequate accommodation (as determined by the State or other direct recipient of funds), in all phases of project planning, development, and operation, of all users of the transportation network, including motorized and nonmotorized users.

''(2) WAIVER FOR STATE LAW OR POLICY.—The Secretary may waive the application of standards established under paragraph (1) to a State that has adopted a law or policy that provides for the safe and adequate accommodation (as determined by the State or other direct recipient of funds), in all phases of project planning and development, of users of the transportation network on federally funded surface transportation projects.

''(3) COMPLIANCE.—

''(A) IN GENERAL.—Each State department of transportation shall submit a report to the Secretary, at such time, in such manner, and containing such information as the Secretary shall require, that describes measures implemented by the State to comply with this subsection.

''(B) DETERMINATION BY SECRETARY.—Upon the receipt of a report from a State under subparagraph (A), the Secretary shall determine whether the State is in compliance with this section.''.

SA 2409. Mrs. GILLIBRAND submitted an amendment intended to be proposed by her to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 545, between lines 12 and 13, insert the following:

SEC. 34108. COMPREHENSIVE SAFETY POLICY GRANTS.

(a) DEFINITIONS.—In this section:

(1) COMPREHENSIVE SAFETY POLICY.—The term ''comprehensive safety policy'' means a policy that—

(A) safeguards the lives of all road users, including pedestrians and bicyclists, through improvements such as—

(i) safety investments on the ground;

(ii) enforcement policies;

(iii) traffic safety education; and

(iv) legislative action with the goal of eliminating pedestrian and bicycle traffic fatalities;

(B) should be drafted with entities with jurisdiction over infrastructure, planning, and enforcement; and

(C) may include a vision zero action plan.

(2) ELIGIBLE ENTITY.—The term ''eligible entity'' means a unit of local government, including a city, town, township, borough, county, parish, district, village, or other political subdivision of a State.

(3) VISION ZERO ACTION PLAN.—The term ''vision zero action plan'' is a plan that—

(A) describes in detail the eligible entity's proposed actions to significantly reduce or eliminate traffic-related injuries and fatalities by a set target date; and

(B) outlines a program of projects, include education and enforcement components, designed to achieve the goal described in subparagraph (A); and

(C) could be jointly developed by a multiagency partnership, involving entities with jurisdiction over infrastructure, planning, and enforcement.

(b) PILOT PROGRAM.—

(1) INCENTIVE GRANTS.—The Secretary shall establish a pilot program through which the Secretary may award up to 5 grants, for each of the fiscal years 2016 through 2021, to eligible entities that have adopted a comprehensive safety policy.

(2) ELIGIBLE ACTIVITIES.—An eligible entity may use grant funding received under this subsection to carry out activities and safety projects designed to implement the elements of its comprehensive safety policy, including infrastructure safety improvements, communications, education programs, and enforcement activities, if such activities and projects are eligible for Federal funding under section 148 or 402 of title 23, United States Code.

(3) SELECTION CRITERIA.—In awarding grants under paragraph (1), the Secretary shall give priority to eligible entities that—

(A) provided an opportunity for public input in the development of the comprehensive safety policy;

(B) considered existing plans and planning processes in the drafting of the comprehensive safety policy;

(C) structured the comprehensive safety policy to meet the performance measures and standards established pursuant to section 150(c) of title 23, United States Code;

(D) demonstrate broad community support for the comprehensive safety policy, including the commitment of community leaders to successfully implement the plan; and

(E) demonstrate the availability of Federal, State, or local government funding, in addition to the grant funds authorized under this subsection, to finance the implementation of the comprehensive safety policy.

(4) FUNDING LIMITATIONS.—

(A) IN GENERAL.—Except as provided under subparagraph (B), the Federal share of the cost of a project or activity carried out using grant funds authorized under this subsection may not exceed 80 percent.

(B) FUNDS FROM OTHER FEDERAL SOURCES.—Amounts made available to an eligible entity under another Federal program may be credited toward the non-Federal share of the cost of a project or activity described in subparagraph (A), at the option of the eligible entity.

(c) FUNDING.—The Secretary is authorized to allocate up to 1 percent of the amount apportioned for the highway safety improvement program under section 104(b)(3) of title 23, United States Code, to carry out the pilot program authorized under subsection (b).

SA 2410. Mrs. GILLIBRAND submitted an amendment intended to be proposed by her to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 170, after line 24, insert the following:

SEC. 11210. PROJECT ADMINISTRATION ACCELERATION PILOT PROGRAM.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—The Secretary shall carry out a project acceleration pilot program (referred to in this section as the ''program'') to allow States to test the ability of local governments by assigning to the local governments the administrative responsibilities of direct recipients of Federal-aid highway funding.

(2) ASSUMPTION OF RESPONSIBILITY.—

(A) IN GENERAL.—Subject to the requirements of this section, a State may assign, and a local government may assume, the responsibilities of the State with respect to 1 or more highway projects within the jurisdiction of the local government that are selected for Federal-aid funding through the transportation planning process in sections 134 and 135 of title 23, United States Code, on the condition that the responsibilities shall not include any responsibility assigned to a State under section 326 or 327 of that title.

(B) WRITTEN AGREEMENT.—An assignment and assumption of responsibility under subparagraph (A) shall require the written agreement of the Secretary, the local government, and the State in which the local government is located, in such form and including such information and terms as the Secretary may prescribe.

(C) PROCEDURAL, LEGAL, AND SUBSTANTIVE REQUIREMENTS.—A local government selected for participation under the program shall assume responsibility under this section for compliance with all procedural and substantive requirements that would apply if that responsibility were carried out by the State, including requirements related to reporting, right-of-way acquisition, environment, engineering, civil rights, design and inspection, procurement, construction administration, financial administration, performance management, and all other applicable requirements, unless the local government or the Secretary determines that assumption of responsibility for 1 or more of the procedural or substantive requirements is not appropriate.

(D) APPLICABILITY.—Nothing in this section waives or modifies any requirements or provisions applicable to Federal-aid programs or projects, including the apportionment of funds, suballocation of funds, and selection of projects.

(b) PARTICIPATION.—

(1) NUMBER OF PARTICIPATING LOCAL GOVERNMENTS.—The Secretary shall allow up to 5 local governments to participate in the program.

(2) ELIGIBILITY.—To be eligible for participation in the program, a local government shall—

(A) have a population of 500,000 or more, according to the most recent available data from the Bureau of the Census;

(B) demonstrate to the satisfaction of the Secretary that the local government has the necessary organizational structure, agreements, processes, controls, and staff to ensure that project development and delivery meets all applicable Federal requirements; and

(C) certify that the local government has in place the necessary financial management systems and processes to carry out cost accounting, billing, certifications, improper payments review, recordkeeping, audits, and related requirements consistent with government-wide requirements described in sections 200.302 and 200.303 of title 2, Code of Federal Regulations (or successor regulations).

(3) APPLICATION PROCESS.—The Secretary shall establish application requirements for participation in the program.

(4) SELECTION CRITERIA.—The Secretary may approve an application under this section if the Secretary determines the local government meets the requirements of this section and any other requirement that the Secretary may prescribe, including any requirement for a pre-audit associated with the financial management and internal controls of the local government, necessary to provide reasonable assurance that the recipient will comply with applicable Federal requirements.

(c) OVERSIGHT.—

(1) WRITTEN AGREEMENT.—A written agreement under this section shall—

(A) have an initial term of not more than 5 years; and

(B) require the local government to provide to the Secretary any information the Secretary considers necessary to ensure that the local government is carrying out the requirements of this section.

(2) AUDIT.—

(A) IN GENERAL.—To ensure compliance by a local government participating in the program, the Secretary shall conduct annual audits during each year of the program.

(B) NO LIMITATIONS.—Subparagraph (A) does not limit the authority of the Secretary to carry out other oversight activities relating to the program or to projects or other activities carried out under the program.

(3) REPORT TO CONGRESS.—The Secretary shall submit to Congress an annual report that describes the administration of the program, including results of the audits described in paragraph (2).

(4) EXTENSION.—On request of a participating local government, the Secretary may extend the participation of the local government in the program for up to an additional 10 years through an extension of the initial written agreement, based on a review finding that the local government—

(A) met all requirements of the program; and

(B) ensured timely delivery of projects and proper fiscal control of Federal funds.

(d) FUNDING.—Funds for the projects for which local oversight has been approved shall be—

(1) deducted from the amounts apportioned for appropriate programs to the State in which the local government is located; and

(2) transferred to the local government.

(e) ADMINISTRATIVE EXPENSES.—

(1) IN GENERAL.—On October 1 of each fiscal year for the duration of the program, the Secretary may set aside up to $5,000,000 of the funds authorized to be appropriated under section 1001(a)(1) to carry out this section.

(2) USE OF FUNDS.—The Secretary shall use funds set aside under paragraph (1) for the Federal Highway Administration to provide oversight of the additional entities.

(f) TERMINATION BY SECRETARY.—The Secretary may terminate the participation of a local government in the program if—

(1) the Secretary determines that the local government is not adequately carrying out the responsibilities assumed by the local government under the program;

(2) the Secretary provides to the local government—

(A) notification of the determination of noncompliance; and

(B) a period of at least 30 days during which to take such corrective action as the Secretary determines is necessary to comply with the applicable written agreement; and

(3) the local government, after the notification provided under paragraph (2), fails to take satisfactory corrective action, as determined by the Secretary.

SA 2411. Mr. REED (for himself, Mr. CARPER, Mr. BROWN, Ms. WARREN, and Mr. MENENDEZ) submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 906, strike lines 19 to 23 and insert the following:

''(A) to the Highway Account (as defined in subsection (e)(5)(B)) in the Highway Trust Fund, $19,400,000,000 for each of fiscal years 2016 through 2021, and

''(B) to the Mass Transit Account in the Highway Trust Fund, $14,300,000,000 for each of fiscal years 2016 through 2021.

SA 2412. Mr. REED (for himself, Ms. WARREN, and Mr. BROWN) submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of division E, insert the following:

TITLE LIII—ADDITIONAL FUNDING

SEC. 53301. INCREASE IN FUNDING FOR HIGHWAY TRUST FUND.

(a) IN GENERAL.—Section 9503(f)(7) of the Internal Revenue Code of 1986, as added by section 52101, is further amended—

(1) by striking ''$34,600,000,000'' in subparagraph (A) and inserting ''$78,840,000,000'', and

(2) by striking ''$11,015,000,000'' in subparagraph (B) and inserting ''$22,075,000,000''.

(b) OFFSET.—

(1) APPLICATION OF DENIAL OF DEDUCTION FOR EXCESSIVE REMUNERATION TO ALL CURRENT AND FORMER EMPLOYEES.—

(A) IN GENERAL.—Section 162(m) of the Internal Revenue Code of 1986 is amended—

(i) by striking ''covered employee'' each place it appears in paragraphs (1) and (4) and inserting ''covered individual'', and

(ii) by striking ''such employee'' each place it appears in subparagraphs (A) and (G) of paragraph (4) and inserting ''such individual''.

(B) COVERED INDIVIDUAL.—Paragraph (3) of section 162(m) of such Code is amended to read as follows:

''(3) COVERED INDIVIDUAL.—For purposes of this subsection, the term 'covered individual' means any individual who is an officer, director, or employee of the taxpayer or a former officer, director, or employee of the taxpayer.''.

(C) CONFORMING AMENDMENTS.—

(i) Section 48D(b)(3)(A) of such Code is amended by inserting ''(as in effect for taxable years beginning before January 1, 2015)'' after ''section 162(m)(3)''.

(ii) Section 409A(b)(3)(D)(ii) of such Code is amended by inserting ''(as in effect for taxable years beginning before January 1, 2015)'' after ''section 162(m)(3)''.

(2) EXPANSION OF APPLICABLE EMPLOYEE REMUNERATION.—

(A) ELIMINATION OF EXCEPTION FOR COMMISSION-BASED PAY.—

(i) IN GENERAL.—Paragraph (4) of section 162(m) of the Internal Revenue Code of 1986, as amended by paragraph (1), is amended by

striking subparagraph (B) and by redesignating subparagraphs (C) through (G) as subparagraphs (B) through (F), respectively.

(ii) CONFORMING AMENDMENTS.—

(I) Section 162(m)(5) of such Code is amended—

(aa) by striking ''subparagraphs (B), (C), and (D) thereof'' in subparagraph (E) and inserting ''subparagraphs (B) and (C) thereof'', and

(bb) by striking ''subparagraphs (F) and (G)'' in subparagraph (G) and inserting ''subparagraphs (E) and (F)''.

(II) Section 162(m)(6) of such Code is amended—

(aa) by striking ''subparagraphs (B), (C), and (D) thereof'' in subparagraph (D) and inserting ''subparagraphs (B) and (C) thereof'', and

(bb) by striking ''subparagraphs (F) and (G)'' in subparagraph (G) and inserting ''subparagraphs (E) and (F)''.

(B) INCLUSION OF PERFORMANCE-BASED COMPENSATION.—

(i) IN GENERAL.—Paragraph (4) of section 162(m) of the Internal Revenue Code of 1986, as amended by paragraph (1) and subparagraph (A) of this paragraph, is amended by striking subparagraph (B) and redesignating subparagraphs (C) through (F) as subparagraphs (B) through (E), respectively.

(ii) CONFORMING AMENDMENTS.—

(I) Section 162(m)(5) of such Code, as amended by subparagraph (A), is amended—

(aa) by striking ''subparagraphs (B) and (C) thereof'' in subparagraph (E) and inserting ''subparagraph (B) thereof'', and

(bb) by striking ''subparagraphs (E) and (F)'' in subparagraph (G) and inserting ''subparagraphs (D) and (E)''.

(II) Section 162(m)(6) of such Code, as amended by subparagraph (A), is amended—

(aa) by striking ''subparagraphs (B) and (C) thereof'' in subparagraph (D) and inserting ''subparagraph (B) thereof'', and

(bb) by striking ''subparagraphs (E) and (F)'' in subparagraph (G) and inserting ''subparagraphs (D) and (E)''.

(3) EXPANSION OF APPLICABLE EMPLOYER.—Paragraph (2) of section 162(m) of the Internal Revenue Code of 1986 is amended to read as follows:

''(2) PUBLICLY HELD CORPORATION.—For purposes of this subsection, the term 'publicly held corporation' means any corporation which is an issuer (as defined in section 3 of the Securities Exchange Act of 1934 (15 U.S.C. 78c))—

''(A) the securities of which are registered under section 12 of such Act (15 U.S.C. 78l), or

''(B) that is required to file reports under section 15(d) of such Act (15 U.S.C. 780(d)).''.

(4) REGULATORY AUTHORITY.—

(A) IN GENERAL.—Section 162(m) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(7) REGULATIONS.—The Secretary may prescribe such guidance, rules, or regulations, including with respect to reporting, as are necessary to carry out the purposes of this subsection.''.

(B) CONFORMING AMENDMENT.—Paragraph (6) of section 162(m) of such Code is amended by striking subparagraph (H).

(5) EFFECTIVE DATE.—The amendments made by this subsection shall apply to taxable years beginning after December 31, 2015.

SA 2413. Mr. REED (for himself and Mr. BROWN) submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

Strike title LII and insert the following:

TITLE LII—OFFSETS

SEC. 52101. EXPANSION OF DENIAL OF DEDUCTION FOR CERTAIN EXCESSIVE EMPLOYEE REMUNERATION.

(a) APPLICATION TO ALL CURRENT AND FORMER EMPLOYEES.—

(1) IN GENERAL.—Section 162(m) of the Internal Revenue Code of 1986 is amended—

(A) by striking ''covered employee'' each place it appears in paragraphs (1) and (4) and inserting ''covered individual'', and

(B) by striking ''such employee'' each place it appears in subparagraphs (A) and (G) of paragraph (4) and inserting ''such individual''.

(2) COVERED INDIVIDUAL.—Paragraph (3) of section 162(m) of such Code is amended to read as follows:

''(3) COVERED INDIVIDUAL.—For purposes of this subsection, the term 'covered individual' means any individual who is an officer, director, or employee of the taxpayer or a former officer, director, or employee of the taxpayer.''.

(3) CONFORMING AMENDMENTS.—

(A) Section 48D(b)(3)(A) of such Code is amended by inserting ''(as in effect for taxable years beginning before January 1, 2015)'' after ''section 162(m)(3)''.

(B) Section 409A(b)(3)(D)(ii) of such Code is amended by inserting ''(as in effect for taxable years beginning before January 1, 2015)'' after ''section 162(m)(3)''.

(b) EXPANSION OF APPLICABLE EMPLOYEE REMUNERATION.—

(1) ELIMINATION OF EXCEPTION FOR COMMISSION-BASED PAY.—

(A) IN GENERAL.—Paragraph (4) of section 162(m) of such Code, as amended by subsection (a), is amended by striking subparagraph (B) and by redesignating subparagraphs (C) through (G) as subparagraphs (B) through (F), respectively.

(B) CONFORMING AMENDMENTS.—

(i) Section 162(m)(5) of such Code is amended—

(I) by striking ''subparagraphs (B), (C), and (D) thereof'' in subparagraph (E) and inserting ''subparagraphs (B) and (C) thereof'', and

(II) by striking ''subparagraphs (F) and (G)'' in subparagraph (G) and inserting ''subparagraphs (E) and (F)''.

(ii) Section 162(m)(6) of such Code is amended—

(I) by striking ''subparagraphs (B), (C), and (D) thereof'' in subparagraph (D) and inserting ''subparagraphs (B) and (C) thereof'', and

(II) by striking ''subparagraphs (F) and (G)'' in subparagraph (G) and inserting ''subparagraphs (E) and (F)''.

(2) INCLUSION OF PERFORMANCE-BASED COMPENSATION.—

(A) IN GENERAL.—Paragraph (4) of section 162(m) of the Internal Revenue Code of 1986, as amended by subsection (a) and paragraph (1) of this subsection, is amended by striking subparagraph (B) and redesignating subparagraphs (C) through (F) as subparagraphs (B) through (E), respectively.

(B) CONFORMING AMENDMENTS.—

(i) Section 162(m)(5) of such Code, as amended by paragraph (1), is amended—

(I) by striking ''subparagraphs (B) and (C) thereof'' in subparagraph (E) and inserting ''subparagraph (B) thereof'', and

(II) by striking ''subparagraphs (E) and (F)'' in subparagraph (G) and inserting ''subparagraphs (D) and (E)''.

(ii) Section 162(m)(6) of such Code, as amended by paragraph (1), is amended—

(I) by striking ''subparagraphs (B) and (C) thereof'' in subparagraph (D) and inserting ''subparagraph (B) thereof'', and

(II) by striking ''subparagraphs (E) and (F)'' in subparagraph (G) and inserting ''subparagraphs (D) and (E)''.

(c) EXPANSION OF APPLICABLE EMPLOYER.—Paragraph (2) of section 162(m) of the Internal Revenue Code of 1986 is amended to read as follows:

''(2) PUBLICLY HELD CORPORATION.—For purposes of this subsection, the term 'publicly held corporation' means any corporation which is an issuer (as defined in section 3 of the Securities Exchange Act of 1934 (15 U.S.C. 78c))—

''(A) the securities of which are registered under section 12 of such Act (15 U.S.C. 781), or

''(B) that is required to file reports under section 15(d) of such Act (15 U.S.C. 780(d)).''.

(d) REGULATORY AUTHORITY.—

(1) IN GENERAL.—Section 162(m) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(7) REGULATIONS.—The Secretary may prescribe such guidance, rules, or regulations, including with respect to reporting, as are necessary to carry out the purposes of this subsection.''.

(2) CONFORMING AMENDMENT.—Paragraph (6) of section 162(m) of such Code is amended by striking subparagraph (H).

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2015.

SA 2414. Mr. REED (for himself and Mr. MURPHY) submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. INCREASE IN DIESEL FUEL TAX FOR TRAINS; RAIL SAFETY TECHNOLOGY GRANTS.

(a) INCREASE IN DIESEL FUEL TAX FOR TRAINS.—

(1) IN GENERAL.—Section 4041(a)(1)(C)(ii) of the Internal Revenue Code of 1986 is amended—

(A) in subclause (II), by striking ''and'' at the end, and

(B) by striking subclause (III) and inserting the following new subclauses:

''(III) 0 cents per gallon after December 31, 2006, and before January 1, 2016, and

''(IV) 4.3 cents per gallon after December 31, 2015.''.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall apply to fuel sold or used after December 31, 2015.

(b) ESTABLISHMENT OF RAIL TRANSPORTATION TRUST FUND.—

(1) IN GENERAL.—Subchapter A of chapter 98 of subtitle I of the Internal Revenue Code

of 1986 is amended by adding at the end the following new section:

''SEC. 9512. RAIL TRANSPORTATION TRUST FUND.

''(a) CREATION OF TRUST FUND.—There is hereby established in the Treasury of the United States a trust fund to be known as the 'Rail Transportation Trust Fund', consisting of such amounts as may be appropriated or credited to the Rail Transportation Trust Fund in this section or section 9602(b).

''(b) TRANSFERS TO RAIL TRANSPORTATION TRUST FUND.—There are hereby appropriated to the Rail Transportation Trust Fund amounts equivalent to the taxes received in the Treasury under section 4041(a)(1)(C)(ii)(IV).

''(c) EXPENDITURES FROM RAIL TRANSPORTATION TRUST FUND.—Amounts in the Rail Transportation Trust Fund shall be available, as provided in appropriation Acts, only to the Secretary of Transportation for awarding grants to projects under sections 20158, 24407, and 24408 of title 49, United States Code.''.

(2) CLERICAL AMENDMENT.—The table of sections for subchapter A of chapter 98 of subtitle I of such Code is amended by adding at the end the following new item:

''Sec. 9512. Rail Transportation Trust Fund.''.

(3) CONFORMING AMENDMENT.—Section 20158 of title 49, United States Code, is amended in subsection (c) by striking ''$50,000,000 for each of fiscal years 2009 through 2013'' and inserting ''such sums as may be necessary''.

(4) ADDITIONAL AMOUNTS.—Any amounts made available pursuant to section 9512(c) of the Internal Revenue Code of 1986 for awarding grants to projects under sections 24407 and 24408 of title 49, United States Code, as added by sections 35302 and 35421 of this Act, shall be in addition to amounts authorized to be appropriated for such grants under section 35102 of this Act.

SA 2415. Mr. REED (for himself, Mr. CARPER, and Mr. MENENDEZ) submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 334, strike lines 6 through 23 and insert the following:

''(1) IN GENERAL.—

''(A) AMOUNTS MADE AVAILABLE.—There shall be available from the Mass Transit Account of the Highway Trust Fund to carry out sections 5305, 5307, 5310, 5311, 5312, 5314, 5318, 5322(b), 5322(d), 5335, 5337, 5339, and 5340, section 20005(b) of the Federal Public Transportation Act of 2012, and section 21007(b) of the Federal Public Transportation Act of 2015—

''(i) $9,284,747,400 for fiscal year 2016;

''(ii) $9,480,039,349 for fiscal year 2017;

''(iii) $9,785,745,744 for fiscal year 2018;

''(iv) $10,201,051,238 for fiscal year 2019;

''(v) $10,451,763,806 for fiscal year 2020; and

''(vi) $10,709,442,533 for fiscal year 2021.

''(B) ALLOCATION OF FUNDS FOR HIGH DENSITY STATE APPORTIONMENTS.—Of the amounts made available under subparagraph (A), $100,000,000 for each of fiscal years 2016 through 2021 shall be allocated in accordance with section 5340(d).

''(2) ALLOCATION OF FUNDS.—Of the amounts made available under paragraph (1)(A)—

SA 2416. Mrs. MURRAY (for herself, Ms. COLLINS, Mr. REED, Mr. COCHRAN, Mr. DURBIN, Mr. SHELBY, Mr. MARKEY, Mr. CASSIDY, Mr. LEAHY, Mr. WARNER, Mr. FRANKEN, Mr. CARPER, Ms. HIRONO, Mr. COONS, Mr. UDALL, Ms. MIKULSKI, Mr. BROWN, Mr. MERKLEY, Mr. SCHUMER, Mr. WYDEN, Mr. SCHATZ, Ms. WARREN, Ms. CANTWELL, Mr. KING, Mr. MURPHY, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by her to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle A of title XXXI, add the following:

SEC. 31108. NATIONAL INFRASTRUCTURE INVESTMENTS.

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE ENTITY.—The term ''eligible entity'' means—

(A) a State;

(B) an Indian tribe;

(C) the District of Columbia;

(D) a territory of the United States;

(E) a local government;

(F) a port authority;

(G) a metropolitan planning organization;

(H) a transit agency;

(I) another political subdivision of a State or local government; and

(J) 2 or more of the entities described in subparagraphs (A) through (I), working in collaboration.

(2) ELIGIBLE PROJECT.—

(A) IN GENERAL.—The term ''eligible project'' means a transportation project that, as determined by the Secretary, would have a significant beneficial impact on a State, a metropolitan area, a region, or the United States.

(B) INCLUSIONS.—The term ''eligible project'' includes—

(i) a highway or bridge project eligible for funding under chapter 1 of title 23, United States Code (including a project related to bicycles or pedestrians);

(ii) a public transportation project eligible for funding under chapter 53 of title 49, United States Code;

(iii) a passenger or freight rail transportation project;

(iv) a port infrastructure project; and

(v) an intermodal project.

(3) ELIGIBLE PROJECT COSTS.—

(A) IN GENERAL.—The term ''eligible project costs'' means costs relating to an eligible project, such as the costs of—

(i) development phase activities, including planning, feasibility analysis, revenue forecasting, environmental review, permitting, preliminary engineering and design work, and other preconstruction activities;

(ii) construction, reconstruction, rehabilitation, replacement, and acquisition of real property (including land related to the eligible project and improvements to land), environmental mitigation, construction contingencies, and acquisition of equipment; and

(iii) capitalized interest necessary to meet market requirements, reasonably required reserve funds, capital issuance expenses, and other carrying costs during construction.

(B) DREDGING ACTIVITIES.—The term ''eligible project costs''—

(i) includes the costs of dredging activities that are part of a berth reconstruction or rehabilitation project; and

(ii) does not include the costs of dredging activities that are the responsibility of the Army Corps of Engineers.

(4) RURAL AREA.—The term ''rural area'' means any area not in an urbanized area (as that term is defined by the Census Bureau).

(5) STATE.—The term ''State'' means—

(A) any of the 50 States; or

(B) the District of Columbia.

(6) SUBSTANTIAL COMPLETION.—The term ''substantial completion'' means the opening of an eligible project to vehicular or passenger traffic.

(b) NATIONAL INFRASTRUCTURE INVESTMENTS PROGRAM.—

(1) PROGRAM.—Not later than 1 year after the date of the enactment of this Act, the Secretary, by regulation, shall establish a program under which the Secretary shall award competitive grants to eligible entities for use in carrying out eligible projects.

(2) GRANT REQUIREMENTS.—

(A) AMOUNT.—Except as provided in subparagraph (E)(ii)(I), a grant under this section shall be in an amount that is—

(i) not less than $10,000,000; and

(ii) not greater than $200,000,000.

(B) GEOGRAPHICAL DISTRIBUTION; BALANCE; INVESTMENT.—In providing grants under this section, the Secretary shall take such measures as are necessary to ensure, to the maximum extent practicable—

(i) an equitable geographical distribution of funds;

(ii) an appropriate balance in addressing the needs of urban and rural areas; and

(iii) investment in a variety of transportation modes.

(C) MAXIMUM PERCENTAGE PER STATE.—Not more than 25 percent of the amounts made available to provide grants under this section for a fiscal year may be provided for eligible projects in a State.

(D) FEDERAL SHARE.—

(i) IN GENERAL.—Except as provided in subparagraph (E)(ii)(II), the Federal share of the cost of carrying out any eligible project funded by a grant under this section shall be, at the option of the eligible entity receiving the grant, up to 80 percent.

(ii) PRIORITY.—In providing grants under this section, the Secretary shall give priority to eligible projects that require a contribution of Federal funds in order to complete an overall financing package for the eligible projects.

(E) ELIGIBLE PROJECTS IN RURAL AREAS.—

(i) IN GENERAL.—Not less than 20 percent of the amounts made available to provide grants under this section for a fiscal year shall be provided for eligible projects located in rural areas.

(ii) MINIMUM GRANT AMOUNT; FEDERAL SHARE.—With respect to an eligible project located in a rural area—

(I) the minimum amount of a grant under this section shall be $1,000,000; and

(II) the Secretary may increase the Federal share of the cost of carrying out the eligible project up to 100 percent.

(F) SET-ASIDES FOR CERTAIN COSTS, PROJECTS, AND TRANSFERS.—Of the amounts made available under this section for a fiscal year, the Secretary may—

(i) use an amount not to exceed $20,000,000 for grants that pay for the planning, preparation, or design of eligible projects; and

(ii) use an amount not to exceed $20,000,000 to fund the provision and oversight of grants under this section, including transfers of funds from that amount to the Administrators of the Federal Highway Administration, the Federal Transit Administration, the Federal Railroad Administration, and the Maritime Administration to fund the provision and oversight of grants under this section for eligible projects under the administrative jurisdiction of those agencies.

(3) SELECTION AMONG ELIGIBLE PROJECTS.—

(A) ESTABLISHMENT.—The Secretary shall establish criteria for use in selecting among eligible projects to receive funding under this section.

(B) SELECTION CRITERIA.—

(i) PRIMARY SELECTION CRITERIA.—The Secretary shall select among eligible projects by evaluating the extent to which an eligible project provides significant benefits to a State, a metropolitan area, a region, or the United States, including the extent to which an eligible project—

(I) improves the safety of transportation facilities and systems;

(II) improves the condition of existing transportation facilities and systems;

(III) contributes to economic competitiveness over the medium- to long-term;

(IV) improves the environment, improves energy efficiency, reduces dependence on oil, or reduces greenhouse gas emissions; and

(V) improves access to transportation facilities and systems.

(ii) SECONDARY SELECTION CRITERIA.—In addition to considering the primary selection criteria described in clause (i), the Secretary shall consider the extent to which a project—

(I) uses innovative strategies or technologies to pursue any of those primary selection criteria; and

(II) demonstrates strong collaboration among a broad range of participants, or the integration of transportation with other public service efforts.

(4) APPLICATION REQUIREMENT.—The Secretary shall require an analysis of project benefits and costs in each application for a construction grant under this section.

(5) FEDERAL REQUIREMENTS.—The following provisions of law shall apply to funds made available under this section and eligible projects carried out using those funds:

(A) Subchapter IV of chapter 31 of title 40, United States Code.

(B) Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.).

(C) The National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(D) The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601 et seq.).

(6) TRANSPARENCY.—

(A) IN GENERAL.—The Secretary shall include in any notice of funding availability a full description of how applications will be evaluated against all selection criteria.

(B) CONSULTATIONS ON DECISIONS.—After provision of grants and credit assistance under this section for a fiscal year, the Secretary (or a designee) shall be available to meet with any applicant, at a time and place that is mutually acceptable to the Secretary and the applicant, to review the application of the applicant.

(c) TIFIA SUBSIDY AND ADMINISTRATIVE COSTS.—The Secretary may use up to 20 percent of the amounts appropriated pursuant to the authorization under subsection (e) to pay the subsidy and administrative costs of projects eligible for Federal credit assistance under chapter 6 of title 23, United States Code, if the Secretary determines that such use of funds would advance the purposes of this section.

(d) STATE AND LOCAL PERMITS.—Financial assistance under this section with respect to an eligible project shall not—

(1) relieve any recipient of the assistance of any obligation to obtain any required State or local permit or approval with respect to the eligible project;

(2) limit the right of any unit of State or local government to approve or regulate any rate of return on private equity invested in the eligible project; or

(3) otherwise supersede any State or local law (including any regulation) applicable to the construction or operation of the eligible project.

(e) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There are authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account), $500,000,000 for each of the fiscal years 2016 through 2021. Amounts appropriated pursuant to this paragraph shall be made available for obligation on October 1 of the fiscal year for which they are authorized.

(2) ADDITIONAL AMOUNTS.—In addition to the amounts authorized to be appropriated under paragraph (1), there are authorized to be appropriated such additional amounts as may be necessary to carry out this section for each of the fiscal years 2016 through 2021.

(3) AVAILABILITY.—Amounts appropriated for a fiscal year pursuant to this subsection shall be available for obligation during the 3-year period beginning on the first day of such fiscal year.

SA 2417. Mr. MCCONNELL submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end add the following:

''This act shall be effective 1 day after enactment.''

SA 2418. Mr. MCCONNELL submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On line 2, strike ''1 day'' and insert ''2 days''.

SA 2419. Ms. CANTWELL (for herself, Mrs. MURRAY, Mr. UDALL, Mr. CARPER, and Mr. BOOKER) submitted an amendment intended to be proposed by her to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 900, line 1, strike ''$200,000,000'' and insert ''$750,000,000''.

SA 2420. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

Beginning on page 947, strike line 20 and all that follows through page 948, line 4, and insert the following:

(A) 7,000,000 barrels of crude oil during fiscal year 2022;

On page 948, line 5, strike ''(F)'' and insert ''(B)''.

On page 948, line 7, strike ''(G)'' and insert ''(C)''.

On page 948, line 9, strike ''(H)'' and insert ''(D)''.

SA 2421. Mr. MCCONNELL submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

Strike divisions A through H and insert the following:

DIVISION A—FEDERAL-AID HIGHWAYS AND HIGHWAY SAFETY CONSTRUCTION PROGRAMS

TITLE I—FEDERAL-AID HIGHWAYS

Subtitle A—Authorizations and Programs

SEC. 11001. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—The following sums are authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account):

(1) FEDERAL-AID HIGHWAY PROGRAM.—For the national highway performance program under section 119 of title 23, United States Code, the surface transportation program under section 133 of that title, the highway safety improvement program under section 148 of that title, the congestion mitigation and air quality improvement program under section 149 of that title, the national freight program under section 167 of that title, the transportation alternatives program under section 213 of that title, and to carry out section 134 of that title—

(A) $39,579,500,000 for fiscal year 2016;

(B) $40,771,300,000 for fiscal year 2017;
(C) $42,127,100,000 for fiscal year 2018;
(D) $43,476,400,000 for fiscal year 2019;
(E) $44,570,700,000 for fiscal year 2020; and
(F) $45,691,900,000 for fiscal year 2021.

(2) TRANSPORTATION INFRASTRUCTURE FINANCE AND INNOVATION PROGRAM.—For credit assistance under the transportation infrastructure finance and innovation program under chapter 6 of title 23, United States Code, $300,000,000 for each of fiscal years 2016 through 2021.

(3) FEDERAL LANDS AND TRIBAL TRANSPORTATION PROGRAMS.—

(A) TRIBAL TRANSPORTATION PROGRAM.—For the tribal transportation program under section 202 of title 23, United States Code—
(i) $465,000,000 for fiscal year 2016;
(ii) $475,000,000 for fiscal year 2017;
(iii) $485,000,000 for fiscal year 2018;
(iv) $495,000,000 for fiscal year 2019;
(v) $505,000,000 for fiscal year 2020; and
(vi) $515,000,000 for fiscal year 2021.

(B) FEDERAL LANDS TRANSPORTATION PROGRAM.—
(i) AUTHORIZATION.—For the Federal lands transportation program under section 203 of title 23, United States Code—
(I) $305,000,000 for fiscal year 2016;
(II) $310,000,000 for fiscal year 2017;
(III) $315,000,000 for fiscal year 2018;
(IV) $320,000,000 for fiscal year 2019;
(V) $325,000,000 for fiscal year 2020; and
(VI) $330,000,000 for fiscal year 2021.
(ii) SPECIAL RULE.—
(I) $240,000,000 of the amount made available for each fiscal year shall be the amount for the National Park Service; and
(II) $30,000,000 of the amount made available for each fiscal year shall be the amount for the United States Fish and Wildlife Service.

(C) FEDERAL LANDS ACCESS PROGRAM.—For the Federal lands access program under section 204 of title 23, United States Code—
(i) $250,000,000 for fiscal year 2016;
(ii) $255,000,000 for fiscal year 2017;
(iii) $260,000,000 for fiscal year 2018;
(iv) $265,000,000 for fiscal year 2019;
(v) $270,000,000 for fiscal year 2020; and
(vi) $285,000,000 for fiscal year 2021.

(4) TERRITORIAL AND PUERTO RICO HIGHWAY PROGRAM.—For the territorial and Puerto Rico highway program under section 165 of title 23, United States Code, $190,000,000 for each of fiscal years 2016 through 2021.

(5) ASSISTANCE FOR MAJOR PROJECTS PROGRAM.—For the assistance for major projects program under section 171 of title 23, United States Code—
(A) $250,000,000 for fiscal year 2016;
(B) $300,000,000 for fiscal year 2017;
(C) $350,000,000 for fiscal year 2018;
(D) $400,000,000 for fiscal year 2019;
(E) $400,000,000 for fiscal year 2020; and
(F) $400,000,000 for fiscal year 2021.

(b) RESEARCH, TECHNOLOGY, AND EDUCATION AUTHORIZATIONS.—

(1) IN GENERAL.—The following sums are authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account):

(A) HIGHWAY RESEARCH AND DEVELOPMENT PROGRAM.—To carry out the highway research and development program under section 503(b) of title 23, United States Code, $130,000,000 for each of fiscal years 2016 through 2021.

(B) TECHNOLOGY AND INNOVATION DEPLOYMENT PROGRAM.—To carry out the technology and innovation deployment program under section 503(c) of title 23, United States Code, $62,500,000 for each of fiscal years 2016 through 2021.

(C) TRAINING AND EDUCATION.—To carry out training and education under section 504 of title 23, United States Code, $24,000,000 for each of fiscal years 2016 through 2021.

(D) INTELLIGENT TRANSPORTATION SYSTEMS PROGRAM.—To carry out the intelligent transportation systems program under sections 512 through 518 of title 23, United States Code, $100,000,000 for each of fiscal years 2016 through 2021.

(E) UNIVERSITY TRANSPORTATION CENTERS PROGRAM.—To carry out the university transportation centers program under section 5505 of title 49, United States Code, $72,500,000 for each of fiscal years 2016 through 2021.

(2) BUREAU OF TRANSPORTATION STATISTICS.—There are authorized to be appropriated out of the general fund of the Treasury to carry out chapter 63 of title 49, United States Code, $26,000,000 for each of fiscal years 2016 through 2021.

(3) ADMINISTRATION.—The Federal Highway Administration shall administer the programs described in subparagraphs (D) and (E) of paragraph (1).

(4) APPLICABILITY OF TITLE 23, UNITED STATES CODE.—Funds authorized to be appropriated by paragraph (1) shall—
(A) be available for obligation in the same manner as if those funds were apportioned under chapter 1 of title 23, United States Code;
(B) remain available until expended; and
(C) not be transferable.

(c) DISADVANTAGED BUSINESS ENTERPRISES.—

(1) FINDINGS.—Congress finds that—
(A) while significant progress has occurred due to the establishment of the disadvantaged business enterprise program, discrimination and related barriers continue to pose significant obstacles for minority- and women-owned businesses seeking to do business in federally assisted surface transportation markets across the United States;
(B) the continuing barriers described in subparagraph (A) merit the continuation of the disadvantaged business enterprise program;
(C) Congress has received and reviewed testimony and documentation of race and gender discrimination from numerous sources, including congressional hearings and roundtables, scientific reports, reports issued by public and private agencies, news stories, reports of discrimination by organizations and individuals, and discrimination lawsuits, which show that race- and gender-neutral efforts alone are insufficient to address the problem;
(D) the testimony and documentation described in subparagraph (C) demonstrate that discrimination across the United States poses a barrier to full and fair participation in surface transportation-related businesses of women business owners and minority business owners and has impacted firm development and many aspects of surface transportation-related business in the public and private markets; and
(E) the testimony and documentation described in subparagraph (C) provide a strong basis that there is a compelling need for the continuation of the disadvantaged business enterprise program to address race and gender discrimination in surface transportation-related business.

(2) DEFINITIONS.—In this subsection, the following definitions apply:

(A) SMALL BUSINESS CONCERN.—
(i) IN GENERAL.—The term ''small business concern'' means a small business concern (as the term is used in section 3 of the Small Business Act (15 U.S.C. 632)).
(ii) EXCLUSIONS.—The term ''small business concern'' does not include any concern or group of concerns controlled by the same socially and economically disadvantaged individual or individuals that have average annual gross receipts during the preceding 3 fiscal years in excess of $23,980,000, as adjusted annually by the Secretary for inflation.

(B) SOCIALLY AND ECONOMICALLY DISADVANTAGED INDIVIDUALS.—The term ''socially and economically disadvantaged individuals'' has the meaning given the term in section 8(d) of the Small Business Act (15 U.S.C. 637(d)) and relevant subcontracting regulations issued pursuant to that Act, except that women shall be presumed to be socially and economically disadvantaged individuals for purposes of this subsection.

(3) AMOUNTS FOR SMALL BUSINESS CONCERNS.—Except to the extent that the Secretary determines otherwise, not less than 10 percent of the amounts made available for any program under divisions A and B of this Act and section 403 of title 23, United States Code, shall be expended through small business concerns owned and controlled by socially and economically disadvantaged individuals.

(4) ANNUAL LISTING OF DISADVANTAGED BUSINESS ENTERPRISES.—Each State shall annually—
(A) survey and compile a list of the small business concerns referred to in paragraph (2) in the State, including the location of the small business concerns in the State; and
(B) notify the Secretary, in writing, of the percentage of the small business concerns that are controlled by—
(i) women;
(ii) socially and economically disadvantaged individuals (other than women); and
(iii) individuals who are women and are otherwise socially and economically disadvantaged individuals.

(5) UNIFORM CERTIFICATION.—
(A) IN GENERAL.—The Secretary shall establish minimum uniform criteria for use by State governments in certifying whether a concern qualifies as a small business concern for the purpose of this subsection.
(B) INCLUSIONS.—The minimum uniform criteria established under subparagraph (A) shall include, with respect to a potential small business concern—
(i) on-site visits;
(ii) personal interviews with personnel;
(iii) issuance or inspection of licenses;
(iv) analyses of stock ownership;
(v) listings of equipment;
(vi) analyses of bonding capacity;
(vii) listings of work completed;
(viii) examination of the resumes of principal owners;
(ix) analyses of financial capacity; and
(x) analyses of the type of work preferred.

(6) REPORTING.—The Secretary shall establish minimum requirements for use by State governments in reporting to the Secretary—
(A) information concerning disadvantaged business enterprise awards, commitments, and achievements; and
(B) such other information as the Secretary determines to be appropriate for the proper monitoring of the disadvantaged business enterprise program.

(7) COMPLIANCE WITH COURT ORDERS.—Nothing in this subsection limits the eligibility of an individual or entity to receive funds made available under divisions A and B of this Act and section 403 of title 23, United States Code, if the individual or entity is prevented, in whole or in part, from complying with paragraph (2) because a Federal court issues

a final order in which the court finds that a requirement or the implementation of paragraph (2) is unconstitutional.

(d) CONFORMING AMENDMENT.—Section 1101(b) of MAP–21 (Public Law 112–141; 126 Stat. 414) is repealed.

SEC. 11002. OBLIGATION CEILING.

(a) GENERAL LIMITATION.—Subject to subsection (e), and notwithstanding any other provision of law, the obligations for Federal-aid highway and highway safety construction programs shall not exceed—

(1) $41,625,500,000 for fiscal year 2016;
(2) $42,896,300,000 for fiscal year 2017;
(3) $44,331,100,000 for fiscal year 2018;
(4) $45,759,400,000 for fiscal year 2019;
(5) $46,882,700,000 for fiscal year 2020; and
(6) $48,032,900,000 for fiscal year 2021.

(b) EXCEPTIONS.—The limitations under subsection (a) shall not apply to obligations under or for—

(1) section 125 of title 23, United States Code;

(2) section 147 of the Surface Transportation Assistance Act of 1978 (23 U.S.C. 144 note; 92 Stat. 2714);

(3) section 9 of the Federal-Aid Highway Act of 1981 (95 Stat. 1701);

(4) subsections (b) and (j) of section 131 of the Surface Transportation Assistance Act of 1982 (96 Stat. 2119);

(5) subsections (b) and (c) of section 149 of the Surface Transportation and Uniform Relocation Assistance Act of 1987 (101 Stat. 198);

(6) sections 1103 through 1108 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2027);

(7) section 157 of title 23, United States Code (as in effect on June 8, 1998);

(8) section 105 of title 23, United States Code (as in effect for fiscal years 1998 through 2004, but only in an amount equal to $639,000,000 for each of those fiscal years);

(9) section 105 of title 23, United States Code (as in effect for fiscal years 2005 through 2012, but only in an amount equal to $639,000,000 for each of those fiscal years);

(10) Federal-aid highway programs for which obligation authority was made available under the Transportation Equity Act for the 21st Century (112 Stat. 107) or subsequent Acts for multiple years or to remain available until expended, but only to the extent that the obligation authority has not lapsed or been used;

(11) section 1603 of SAFETEA–LU (23 U.S.C. 118 note; 119 Stat. 1248), to the extent that funds obligated in accordance with that section were not subject to a limitation on obligations at the time at which the funds were initially made available for obligation;

(12) section 119 of title 23, United States Code (as in effect for fiscal years 2013 through 2015, but only in an amount equal to $639,000,000 for each of those fiscal years); and

(13) section 119 of title 23, United States Code (but, for each of fiscal years 2016 through 2021, only in an amount equal to $639,000,000 for each of those fiscal years).

(c) DISTRIBUTION OF OBLIGATION AUTHORITY.—For each of fiscal years 2016 through 2021, the Secretary shall—

(1) not distribute obligation authority provided by subsection (a) for the fiscal year for—

(A) amounts authorized for administrative expenses and programs by section 104(a) of title 23, United States Code; and

(B) amounts authorized for the Bureau of Transportation Statistics;

(2) not distribute an amount of obligation authority provided by subsection (a) that is equal to the unobligated balance of amounts—

(A) made available from the Highway Trust Fund (other than the Mass Transit Account) for Federal-aid highway and highway safety construction programs for previous fiscal years the funds for which are allocated by the Secretary (or apportioned by the Secretary under section 202 or 204 of title 23, United States Code); and

(B) for which obligation authority was provided in a previous fiscal year;

(3) determine the proportion that—

(A) an amount equal to the difference between—

(i) the obligation authority provided by subsection (a) for the fiscal year; and

(ii) the aggregate amount not distributed under paragraphs (1) and (2); bears to

(B) an amount equal to the difference between—

(i) the total of the sums authorized to be appropriated for the Federal-aid highway and highway safety construction programs (other than sums authorized to be appropriated for provisions of law described in paragraphs (1) through (12) of subsection (b) and sums authorized to be appropriated for section 119 of title 23, United States Code, equal to the amount referred to in subsection (b)(13) for the fiscal year); and

(ii) the aggregate amount not distributed under paragraphs (1) and (2);

(4) distribute the obligation authority provided by subsection (a), less the aggregate amount not distributed under paragraphs (1) and (2), for each of the programs (other than programs to which paragraph (1) applies) that are allocated by the Secretary under this Act and title 23, United States Code, or apportioned by the Secretary under section 202 or 204 of that title, by multiplying—

(A) the proportion determined under paragraph (3); by

(B) the amounts authorized to be appropriated for each such program for the fiscal year; and

(5) distribute the obligation authority provided by subsection (a), less the aggregate amount not distributed under paragraphs (1) and (2) and the amounts distributed under paragraph (4), for Federal-aid highway and highway safety construction programs that are apportioned by the Secretary under title 23, United States Code, (other than the amounts apportioned for the national highway performance program under section 119 of title 23, United States Code, that are exempt from the limitation under subsection (b)(13) and the amounts apportioned under sections 202 and 204 of that title) in the proportion that—

(A) amounts authorized to be appropriated for the programs that are apportioned under title 23, United States Code, to each State for the fiscal year; bears to

(B) the total of the amounts authorized to be appropriated for the programs that are apportioned under title 23, United States Code, to all States for the fiscal year.

(d) REDISTRIBUTION OF UNUSED OBLIGATION AUTHORITY.—Notwithstanding subsection (c), the Secretary shall, after August 1 of each of fiscal years 2016 through 2021—

(1) revise a distribution of the obligation authority made available under subsection (c) if an amount distributed cannot be obligated during that fiscal year; and

(2) redistribute sufficient amounts to those States able to obligate amounts in addition to those previously distributed during that fiscal year, giving priority to those States having large unobligated balances of funds apportioned under sections 144 (as in effect on the day before the date of enactment of MAP–21 (126 Stat. 405)) and 104 of title 23, United States Code.

(e) APPLICABILITY OF OBLIGATION LIMITATIONS TO TRANSPORTATION RESEARCH PROGRAMS.—

(1) IN GENERAL.—Except as provided in paragraph (2), obligation limitations imposed by subsection (a) shall apply to contract authority for transportation research programs carried out under chapter 5 of title 23, United States Code.

(2) EXCEPTION.—Obligation authority made available under paragraph (1) shall—

(A) remain available for a period of 4 fiscal years; and

(B) be in addition to the amount of any limitation imposed on obligations for Federal-aid highway and highway safety construction programs for future fiscal years.

(f) REDISTRIBUTION OF CERTAIN AUTHORIZED FUNDS.—

(1) IN GENERAL.—Not later than 30 days after the date of distribution of obligation authority under subsection (c) for each of fiscal years 2016 through 2021, the Secretary shall distribute to the States any funds (excluding funds authorized for the program under section 202 of title 23, United States Code) that—

(A) are authorized to be appropriated for the fiscal year for Federal-aid highway programs; and

(B) the Secretary determines will not be allocated to the States (or will not be apportioned to the States under section 204 of title 23, United States Code), and will not be available for obligation, for the fiscal year because of the imposition of any obligation limitation for the fiscal year.

(2) RATIO.—Funds shall be distributed under paragraph (1) in the same proportion as the distribution of obligation authority under subsection (c)(5).

(3) AVAILABILITY.—Funds distributed to each State under paragraph (1) shall be available for any purpose described in section 133(b) of title 23, United States Code.

SEC. 11003. APPORTIONMENT.

(a) IN GENERAL.—Section 104 of title 23, United States Code, is amended—

(1) in subsection (a)(1) by striking subparagraphs (A) and (B) and inserting the following:

''(A) $456,000,000 for fiscal year 2016;
''(B) $465,000,000 for fiscal year 2017;
''(C) $474,000,000 for fiscal year 2018;
''(D) $483,000,000 for fiscal year 2019;
''(E) $492,000,000 for fiscal year 2020; and
''(F) $501,000,000 for fiscal year 2021.'';

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking ''and the congestion mitigation and air quality improvement program'' and inserting ''the congestion mitigation and air quality improvement program, the national freight program'';

(B) in each of paragraphs (1), (2), and (3) by striking ''paragraphs (4) and (5)'' each place it appears and inserting ''paragraphs (4), (5), and (6), and section 213(a)'';

(C) in paragraph (1), by striking ''63.7 percent'' and inserting ''65 percent'';

(D) in paragraph (2), by striking ''29.3 percent'' and inserting ''29 percent'';

(E) in paragraph (3), by striking ''7 percent'' and inserting ''6 percent'';

(F) in paragraph (4), in the matter preceding subparagraph (A), by striking ''determined for the State under subsection (c)'' and inserting ''remaining under subsection (c) after making the set-asides in accordance with paragraph (5) and section 213(a)'';

(G) by redesignating paragraph (5) as paragraph (6);

(H) by inserting after paragraph (4) the following:

''(5) NATIONAL FREIGHT PROGRAM.—

''(A) IN GENERAL.—For the national freight program under section 167, the Secretary shall set aside from the amount determined for a State under subsection (c) an amount determined for the State under subparagraphs (B) and (C).

''(B) TOTAL AMOUNT.—The total amount set aside for the national freight program for all States shall be—

''(i) $1,000,000,000 for fiscal year 2016;

''(ii) $1,450,000,000 for fiscal year 2017;

''(iii) $2,000,000,000 for fiscal year 2018;

''(iv) $2,300,000,000 for fiscal year 2019;

''(v) $2,400,000,000 for fiscal year 2020; and

''(vi) $2,500,000,000 for fiscal year 2021.

''(C) STATE SHARE.—The Secretary shall distribute among the States the total set-aside amount for the national freight program under subparagraph (B) so that each State receives an amount equal to the proportion that—

''(i) the total apportionment determined under subsection (c) for a State; bears to

''(ii) the total apportionments for all States.

''(D) METROPOLITAN PLANNING.—Of the amount set aside under this paragraph for a State, the Secretary shall use to carry out section 134 an amount determined by multiplying the set-aside amount by the proportion that—

''(i) the amount apportioned to the State to carry out section 134 for fiscal year 2009; bears to

''(ii) the total amount of funds apportioned to the State for that fiscal year for the programs referred to in section 105(a)(2), except for the high priority projects program referred to in section 105(a)(2)(H) (as in effect on the day before the date of enactment of MAP–21 (Public Law 112–141; 126 Stat. 405).''; and

(I) in paragraph (6) (as redesignated by subparagraph (G)), in the matter preceding subparagraph (A), by striking ''determined for the State under subsection (c)'' and inserting ''remaining under subsection (c) after making the set-asides in accordance with paragraph (5) and section 213(a)''; and

(3) in subsection (c) by adding at the end the following:

''(3) FOR FISCAL YEARS 2016 THROUGH 2021.—

''(A) STATE SHARE.—For each of fiscal years 2016 through 2021, the amount for each State of combined apportionments for the national highway performance program under section 119, the surface transportation program under section 133, the highway safety improvement program under section 148, the congestion mitigation and air quality improvement program under section 149, the national freight program under section 167, the transportation alternatives program under section 213, and to carry out section 134, shall be determined as follows:

''(i) INITIAL AMOUNT.—The initial amount for each State shall be determined by multiplying the total amount available for apportionment by the share for each State, which shall be equal to the proportion that—

''(I) the amount of apportionments that the State received for fiscal year 2014; bears to

''(II) the amount of those apportionments received by all States for that fiscal year.

''(ii) ADJUSTMENTS TO AMOUNTS.—The initial amounts resulting from the calculation under clause (i) shall be adjusted to ensure that, for each State, the amount of combined apportionments for the programs shall not be less than 95 percent of the estimated tax payments attributable to highway users in the State paid into the Highway Trust Fund (other than the Mass Transit Account) in the most recent fiscal year for which data are available.

''(B) STATE APPORTIONMENT.—For each of fiscal years 2016 through 2021, on October 1, the Secretary shall apportion the sum authorized to be appropriated for expenditure on the national highway performance program under section 119, the surface transportation program under section 133, the highway safety improvement program under section 148, the congestion mitigation and air quality improvement program under section 149, the national freight program under section 167, the transportation alternatives program under section 213, and to carry out section 134 in accordance with subparagraph (A).''.

(b) CONFORMING AMENDMENTS.—

(1) Section 104(d)(1)(A) of title 23, United States Code, is amended by striking ''subsection (b)(5)'' each place it appears and inserting ''paragraphs (5)(D) and (6) of subsection (b)''.

(2) Section 120(c)(3) of title 23, United States Code, is amended—

(A) in subparagraph (A), in the matter preceding clause (i), by striking ''or (5)'' and inserting ''(5)(D), or (6)''; and

(B) in subparagraph (C)(i), by striking ''and (5)'' and inserting ''(5)(D), and (6)''.

(3) Section 135(i) of title 23, United States Code, is amended by striking ''section 104(b)(5)'' and inserting ''paragraphs (5)(D) and (6) of section 104(b)''.

(4) Section 136(b) of title 23, United States Code, is amended in the first sentence by striking ''paragraphs (1) through (5) of section 104(b)'' and inserting ''paragraphs (1) through (6) of section 104(b)''.

(5) Section 141(b)(2) of title 23, United States Code, is amended by striking ''paragraphs (1) through (5) of section 104(b)'' and inserting ''paragraphs (1) through (6) of section 104(b)''.

(6) Section 505(a) of title 23, United States Code, is amended in the matter preceding paragraph (1) by striking ''through (4)'' and inserting ''through (5)''.

SEC. 11004. SURFACE TRANSPORTATION PROGRAM.

Section 133 of title 23, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (10), by inserting '', including emergency evacuation plans'' after ''programs''; and

(B) in paragraph (13), by adding a period at the end;

(2) in subsection (c)—

(A) in paragraph (1), by striking the semicolon at the end and inserting ''or for projects described in paragraphs (2), (4), (6), (7), (11), (20), (25), and (26) of subsection (b); and'';

(B) by striking paragraph (2); and

(C) by redesignating paragraph (3) as paragraph (2);

(3) in subsection (d)—

(A) in paragraph (1)—

(i) in subparagraph (A)—

(I) in the matter preceding clause (i), by striking ''50 percent'' and inserting ''55 percent''; and

(II) in clause (ii), by striking ''greater than 5,000'' and inserting ''of 5,000 or more''; and

(ii) in subparagraph (B), by striking ''50 percent'' and inserting ''45 percent''; and

(B) in paragraph (3)—

(i) by striking ''paragraph (1)(A)(ii)'' and inserting ''paragraph (1)(A)(iii)''; and

(ii) by striking ''greater than 5,000 and less than 200,000'' and inserting ''of 5,000 to 200,000'';

(4) in subsection (f)(1)—

(A) by striking ''104(b)(3)'' and inserting ''104(b)(2)''; and

(B) by striking ''the period of fiscal years 2011 through 2014'' and inserting ''each fiscal year'';

(5) by redesignating subsection (h) as subsection (i);

(6) in subsection (g)—

(A) by striking the subsection designation and heading and all that follows through paragraph (1) and inserting the following:

''(g) BRIDGES OFF THE NATIONAL HIGHWAY SYSTEM.—

''(1) DEFINITION OF OFF-NHS BRIDGE.—In this subsection, the term 'off-NHS bridge' means a highway bridge located on a public road, other than a bridge on the National Highway System.''; and

(B) in paragraph (2)—

(i) by striking subparagraph (A) and inserting the following:

''(A) SET-ASIDE.—Each State shall obligate for replacement (including replacement with fill material), rehabilitation, preservation, and protection (including scour countermeasures, seismic retrofits, impact protection measures, security countermeasures, and protection against extreme events) for off-NHS bridges an amount equal to the greater of—

''(i) 15 percent of the amount apportioned to the State under section 104(b)(2); and

''(ii) an amount equal to at least 110 percent of the amount of funds set aside for bridges not on Federal-aid highways in the State for fiscal year 2014.'';

(ii) in subparagraph (B), by striking ''off-system'' and inserting ''off-NHS''; and

(iii) by adding at the end the following:

''(C) SET-ASIDE FOR CERTAIN OFF-NHS BRIDGES.—Each State shall obligate an amount equal to not less than 50 percent of the amount set aside under subparagraph (A) for off-NHS bridges located on public roads that are not Federal-aid highways.''; and

(C) by redesignating paragraph (3) as subsection (h);

(7) in subsection (h) (as so redesignated)—

(A) by striking the heading and inserting ''CREDIT FOR BRIDGES NOT ON THE NATIONAL HIGHWAY SYSTEM.—'';

(B) by redesignating subparagraphs (A) and (B) as paragraphs (1) and (2), respectively, and indenting appropriately; and

(C) in the matter preceding paragraph (1) (as so redesignated)—

(i) by striking ''the replacement of a bridge or rehabilitation of''; and

(ii) by striking '', and is determined by the Secretary upon completion to be no longer a deficient bridge'';

(8) in subsection (i)(1) (as redesignated by paragraph (5)), by striking ''under subsection (d)(1)(A)(iii) for each of fiscal years 2013 through 2014'' and inserting ''under subsection (d)(1)(A)(ii) for each fiscal year''; and

(9) by adding at the end the following:

''(j) BORDER STATES.—

''(1) IN GENERAL.—After consultation with relevant transportation planning organizations, the Governor of a State that shares a land border with Canada or Mexico may designate for each fiscal year not more than 5 percent of funds made available to the State under subsection (d)(1)(B) for border infrastructure projects eligible under section 1303 of SAFETEA–LU (23 U.S.C. 101 note; Public Law 109–59).

''(2) USE OF FUNDS.—Funds designated under this subsection shall be available under the requirements of section 1303 of SAFETEA–LU (23 U.S.C. 101 note; Public Law 109–59).

''(3) CERTIFICATION.—Before making a designation under paragraph (1), the Governor shall certify that the designation is consistent with transportation planning requirements under this title.

''(4) NOTIFICATION.—Not later than 30 days after making a designation under paragraph (1), the Governor shall submit to the relevant transportation planning organizations within the border region a written notification of any suballocated or distributed amount of funds available for obligation by jurisdiction.

''(5) LIMITATION.—This subsection applies only to funds apportioned to a State after the date of enactment of the DRIVE Act.

''(6) DEADLINE FOR DESIGNATION.—A designation under paragraph (1) shall—

''(A) be submitted to the Secretary not later than 30 days before the beginning of the fiscal year for which the designation is being made; and

''(B) remain in effect for the funds designated under paragraph (1) for a fiscal year until the Governor of the State notifies the Secretary of the termination of the designation.

''(7) UNOBLIGATED FUNDS AFTER TERMINATION.—On the date of a termination under paragraph (6)(B), all remaining unobligated funds that were designated under paragraph (1) for the fiscal year for which the designation is being terminated shall be made available to the State for the purposes described in subsection (d)(1)(B).''.

SEC. 11005. METROPOLITAN TRANSPORTATION PLANNING.

Section 134 of title 23, United States Code, is amended—

(1) in subsection (a)(1), by inserting ''resilient'' before ''surface transportation systems'';

(2) in subsection (c)(2), by striking ''and bicycle transportation facilities'' and inserting '', bicycle transportation facilities, intermodal facilities that support intercity transportation, including intercity buses and intercity bus facilities, and commuter vanpool providers'';

(3) in subsection (d)—

(A) by redesignating paragraphs (3) through (6) as paragraphs (4) through (7), respectively;

(B) by inserting after paragraph (2) the following:

''(3) REPRESENTATION.—

''(A) IN GENERAL.—Designation or selection of officials or representatives under paragraph (2) shall be determined by the metropolitan planning organization according to the bylaws or enabling statute of the organization.

''(B) PUBLIC TRANSPORTATION REPRESENTATIVE.—Subject to the bylaws or enabling statute of the metropolitan planning organization, a representative of a provider of public transportation may also serve as a representative of a local municipality.

''(C) POWERS OF CERTAIN OFFICIALS.—An official described in paragraph (2)(B) shall have responsibilities, actions, duties, voting rights, and any other authority commensurate with other officials described in paragraph (2)(B).''; and

(C) in paragraph (5) (as redesignated by subparagraph (A)), by striking ''paragraph (5)'' and inserting ''paragraph (6)'';

(4) in subsection (e)(4)(B), by striking ''subsection (d)(5)'' and inserting ''subsection (d)(6)'';

(5) in subsection (g)(3)(A), by inserting ''natural disaster risk reduction,'' after ''environmental protection,'';

(6) in subsection (h)—

(A) in paragraph (1)—

(i) in subparagraph (G), by striking ''and'' at the end;

(ii) in subparagraph (H), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(I) improve the resilience and reliability of the transportation system.''; and

(B) in paragraph (2)(A), by striking ''and in section 5301(c) of title 49'' and inserting ''and the general purposes described in section 5301 of title 49'';

(7) in subsection (i)—

(A) in paragraph (2)—

(i) in subparagraph (A)(i), by striking ''transit'' and inserting ''public transportation facilities, intercity bus facilities'';

(ii) in subparagraph (G)—

(I) by striking ''and provide'' and inserting '', provide''; and

(II) by inserting '', and reduce vulnerability due to natural disasters of the existing transportation infrastructure'' before the period at the end; and

(iii) in subparagraph (H), by inserting '', including consideration of the role that intercity buses may play in reducing congestion, pollution, and energy consumption in a cost-effective manner and strategies and investments that preserve and enhance intercity bus systems, including systems that are privately owned and operated'' before the period at the end;

(B) in paragraph (6)(A)—

(i) by inserting ''public ports,'' before ''freight shippers,''; and

(ii) by inserting ''(including intercity bus operators and commuter vanpool providers)'' after ''private providers of transportation''; and

(C) in paragraph (8), by striking ''(2)(C)'' each place it appears and inserting ''(2)(E)'';

(8) in subsection (j)(5)(A), by striking ''subsection (k)(4)'' and inserting ''subsection (k)(3)'';

(9) in subsection (k)—

(A) by striking paragraph (3); and

(B) by redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively;

(10) in subsection (*l*)—

(A) in paragraph (1), by adding a period at the end; and

(B) in paragraph (2)(D), by striking ''of less than 200,000'' and inserting ''with a population of 200,000 or less'';

(11) by striking subsection (n);

(12) by redesignating subsections (o) through (q) as subsections (n) through (p), respectively;

(13) in subsection (o) (as so redesignated), by striking ''set aside under section 104(f)'' and inserting ''apportioned under paragraphs (5)(D) and (6) of section 104(b)'' ; and

(14) by adding at the end the following:

''(q) TREATMENT OF LAKE TAHOE REGION.—

''(1) DEFINITION OF LAKE TAHOE REGION.—In this subsection, the term 'Lake Tahoe Region' has the meaning given the term 'region' in subsection (a) of Article II of the Lake Tahoe Regional Planning Compact (Public Law 96–551; 94 Stat. 3234).

''(2) TREATMENT.—For the purpose of this title, the Lake Tahoe Region shall be treated as—

''(A) a metropolitan planning organization;

''(B) a transportation management area under subsection (k); and

''(C) an urbanized area, which is comprised of a population of 145,000 in the State of California and a population of 65,000 in the State of Nevada.

''(3) SUBALLOCATED FUNDING.—

''(A) SECTION 133.—When determining the amount under subparagraph (A) of section 133(d)(1) that shall be obligated for a fiscal year in the States of California and Nevada under clauses (i), (ii), and (iii) of that subparagraph, the Secretary shall, for each of those States—

''(i) calculate the population under each of those clauses;

''(ii) decrease the amount under section 133(d)(1)(A)(iii) by the population specified in paragraph (2) of this subsection for the Lake Tahoe Region in that State; and

''(iii) increase the amount under section 133(d)(1)(A)(i) by the population specified in paragraph (2) of this subsection for the Lake Tahoe Region in that State.

''(B) SECTION 213.—When determining the amount under paragraph (1) of section 213(c) that shall be obligated for a fiscal year in the States of California and Nevada under subparagraphs (A), (B), and (C) of that paragraph, the Secretary shall, for each of those States—

''(i) calculate the population under each of those subparagraphs;

''(ii) decrease the amount under section 213(c)(1)(C) by the population specified in paragraph (2) of this subsection for the Lake Tahoe Region in that State; and

''(iii) increase the amount under section 213(c)(1)(A) by the population specified in paragraph (2) of this subsection for the Lake Tahoe Region in that State.''.

SEC. 11006. STATEWIDE AND NONMETROPOLITAN TRANSPORTATION PLANNING.

(a) IN GENERAL.—Section 135 of title 23, United States Code, is amended—

(1) in subsection (a)(2), by striking ''and bicycle transportation facilities'' and inserting '', bicycle transportation facilities, intermodal facilities that support intercity transportation, including intercity buses and intercity bus facilities, and commuter vanpool providers'';

(2) in subsection (d)—

(A) in paragraph (1)—

(i) in subparagraph (G), by striking ''and'' at the end;

(ii) in subparagraph (H), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(I) improve the resilience and reliability of the transportation system.''; and

(B) in paragraph (2)(A), by striking ''and in section 5301(c) of title 49'' and inserting ''and the general purposes described in section 5301 of title 49'';

(3) in subsection (e)(1), by striking ''subsection (m)'' and inserting ''subsection (l)'';

(4) in subsection (f)—

(A) in paragraph (2)(B)(i), by striking ''subsection (m)'' and inserting ''subsection (l)'';

(B) in paragraph (3)(A)—

(i) in clause (i), by striking ''subsection (m)'' and inserting ''subsection (l)''; and

(ii) in clause (ii), by inserting ''(including intercity bus operators and commuter vanpool providers)'' after ''private providers of transportation'';

(C) in paragraph (7), in the matter preceding subparagraph (A), by striking ''should'' and inserting ''shall''; and

(D) in paragraph (8), by inserting '', including consideration of the role that intercity buses may play in reducing congestion, pollution, and energy consumption in a cost-effective manner and strategies and investments that preserve and enhance intercity bus systems, including systems that are privately owned and operated'' before the period at the end;

(5) in subsection (g)—

(A) in paragraph (2)(B)(i), by striking ''subsection (m)'' and inserting ''subsection (l)'';

(B) in paragraph (3)—

(i) by inserting ''public ports,'' before ''freight shippers''; and

(ii) by inserting ''(including intercity bus operators),'' after ''private providers of transportation''; and

(C) in paragraph (6)(A), by striking ''subsection (m)'' and inserting ''subsection (l)'';

(6) by striking subsection (j); and

(7) by redesignating subsections (k) through (m) as subsections (j) through (l), respectively.

(b) CONFORMING AMENDMENTS.—Section 134(b)(5) of title 23, United States Code, is amended by striking ''section 135(m)'' and inserting ''section 135(l)''.

SEC. 11007. HIGHWAY USE TAX EVASION PROJECTS.

Section 143(b) of title 23, United States Code, is amended by striking paragraph (2)(A) and inserting the following:

''(A) IN GENERAL.—From administrative funds made available under section 104(a), the Secretary shall deduct such sums as are necessary, not to exceed $4,000,000 for each fiscal year, to carry out this section.''.

SEC. 11008. BUNDLING OF BRIDGE PROJECTS.

Section 144 of title 23, United States Code, is amended—

(1) in subsection (c)(2)(A), by striking ''the natural condition of the bridge'' and inserting ''the natural condition of the water'';

(2) by redesignating subsection (j) as subsection (k);

(3) by inserting after subsection (i) the following:

''(j) BUNDLING OF BRIDGE PROJECTS.—

''(1) PURPOSE.—The purpose of this subsection is to save costs and time by encouraging States to bundle multiple bridge projects as 1 project.

''(2) DEFINITION OF ELIGIBLE ENTITY.—In this subsection, the term 'eligible entity' means an entity eligible to carry out a bridge project under section 119 or 133.

''(3) BUNDLING OF BRIDGE PROJECTS.—An eligible entity may bundle 2 or more similar bridge projects that are—

''(A) eligible projects under section 119 or 133;

''(B) included as a bundled project in a transportation improvement program under section 134(j) or a statewide transportation improvement program under section 135, as applicable; and

''(C) awarded to a single contractor or consultant pursuant to a contract for engineering and design or construction between the contractor and an eligible entity.

''(4) ITEMIZATION.—Notwithstanding any other provision of law (including regulations), an eligible bridge project included in a bundle under this subsection may be listed as—

''(A) 1 project for purposes of sections 134 and 135; and

''(B) a single project within the applicable bundle.

''(5) FINANCIAL CHARACTERISTICS.—Projects bundled under this subsection shall have the same financial characteristics, including—

''(A) the same funding category or subcategory; and

''(B) the same Federal share.''; and

(4) in subsection (k)(2) (as redesignated by paragraph (2)), by striking ''104(b)(3)'' and inserting ''104(b)(2)''.

SEC. 11009. FLEXIBILITY FOR CERTAIN RURAL ROAD AND BRIDGE PROJECTS.

(a) AUTHORITY.—With respect to rural road and rural bridge projects eligible for funding under title 23, United States Code, subject to the provisions of this section and on request by a State, the Secretary may—

(1) exercise all existing flexibilities under and exceptions to—

(A) the requirements of title 23, United States Code; and

(B) other requirements administered by the Secretary, in whole or part; and

(2) otherwise provide additional flexibility or expedited processing with respect to the requirements described in paragraph (1).

(b) TYPES OF PROJECTS.—A rural road or rural bridge project under this section shall—

(1) be located in a county that, based on the most recent decennial census—

(A) has a population density of 80 or fewer persons per square mile of land area; or

(B) is the county that has the lowest population density of all counties in the State;

(2) be located within the operational right-of-way (as defined in section 1316(b) of MAP–21 (23 U.S.C. 109 note; 126 Stat. 549)) of an existing road or bridge; and

(3)(A) receive less than $5,000,000 of Federal funds; or

(B) have a total estimated cost of not more than $30,000,000 and Federal funds comprising less than 15 percent of the total estimated project cost.

(c) PROCESS TO ASSIST RURAL PROJECTS.—

(1) ASSISTANCE WITH FEDERAL REQUIREMENTS.—

(A) IN GENERAL.—For projects under this section, the Secretary shall seek to provide, to the maximum extent practicable, regulatory relief and flexibility consistent with this section.

(B) EXCEPTIONS, EXEMPTIONS, AND ADDITIONAL FLEXIBILITY.—Exceptions, exemptions, and additional flexibility from regulatory requirements may be granted if, in the opinion of the Secretary—

(i) the project is not expected to have a significant adverse impact on the environment;

(ii) the project is not expected to have an adverse impact on safety; and

(iii) the assistance would be in the public interest for 1 or more reasons, including—

(I) reduced project costs;

(II) expedited construction, particularly in an area where the construction season is relatively short and not granting the waiver or additional flexibility could delay the project to a later construction season; or

(III) improved safety.

(2) MAINTAINING PROTECTIONS.—Nothing in this subsection—

(A) waives the requirements of section 113 or 138 of title 23, United States Code;

(B) supersedes, amends, or modifies—

(i) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) or any other Federal environmental law; or

(ii) any requirement of title 23, United States Code; or

(C) affects the responsibility of any Federal officer to comply with or enforce any law or requirement described in this paragraph.

SEC. 11010. CONSTRUCTION OF FERRY BOATS AND FERRY TERMINAL FACILITIES.

(a) CONSTRUCTION OF FERRY BOATS AND FERRY TERMINAL FACILITIES.—Section 147 of title 23, United States Code, is amended—

(1) in subsection (a), by striking ''IN GENERAL'' and inserting ''PROGRAM'';

(2) by striking subsections (d) through (g) and inserting the following:

''(d) FORMULA.—Of the amounts allocated under subsection (c)—

''(1) 35 percent shall be allocated among eligible entities in the proportion that—

''(A) the number of ferry passengers, including passengers in vehicles, carried by each ferry system in the most recent calendar year for which data is available; bears to

''(B) the number of ferry passengers, including passengers in vehicles, carried by all ferry systems in the most recent calendar year for which data is available;

''(2) 35 percent shall be allocated among eligible entities in the proportion that—

''(A) the number of vehicles carried by each ferry system in the most recent calendar year for which data is available; bears to

''(B) the number of vehicles carried by all ferry systems in the most recent calendar year for which data is available; and

''(3) 30 percent shall be allocated among eligible entities in the proportion that—

''(A) the total route nautical miles serviced by each ferry system in the most recent calendar year for which data is available; bears to

''(B) the total route nautical miles serviced by all ferry systems in the most recent calendar year for which data is available.

''(e) REDISTRIBUTION OF UNOBLIGATED AMOUNTS.—The Secretary shall—

''(1) withdraw amounts allocated to an eligible entity under subsection (c) that remain unobligated by the end of the third fiscal year following the fiscal year for which the amounts were allocated; and

''(2) in the subsequent fiscal year, redistribute the funds referred to in paragraph (1) in accordance with the formula under subsection (d) among eligible entities for which no amounts were withdrawn under paragraph (1).

''(f) MINIMUM AMOUNT.—Notwithstanding subsection (c), a State with an eligible entity that meets the requirements of this section shall receive not less than $100,000 under this section for a fiscal year.

''(g) IMPLEMENTATION.—

''(1) DATA COLLECTION.—

''(A) NATIONAL FERRY DATABASE.—Amounts made available for a fiscal year under this section shall be allocated using the most recent data available, as collected and imputed in accordance with the national ferry database established under section 1801(e) of SAFETEA–LU (23 U.S.C. 129 note; 119 Stat. 1456).

''(B) ELIGIBILITY FOR FUNDING.—To be eligible to receive funds under subsection (c), data shall have been submitted in the most recent collection of data for the national ferry database under section 1801(e) of SAFETEA–LU (23 U.S.C. 129 note; 119 Stat. 1456) for at least 1 ferry service within the State.

''(2) ADJUSTMENTS.—On review of the data submitted under paragraph (1)(B), the Secretary may make adjustments to the data as the Secretary determines necessary to correct misreported or inconsistent data.

''(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) to carry out this section $80,000,000 for each of fiscal years 2016 through 2021.

''(i) PERIOD OF AVAILABILITY.—Notwithstanding section 118(b), funds made available to carry out this section shall remain available until expended.

''(j) APPLICABILITY.—All provisions of this chapter that are applicable to the National Highway System, other than provisions relating to apportionment formula and Federal share, shall apply to funds made available to carry out this section, except as determined by the Secretary to be inconsistent with this section.''.

(b) NATIONAL FERRY DATABASE.—Section 1801(e)(4) of SAFETEA–LU (23 U.S.C. 129 note; 119 Stat. 1456) is amended by striking

subparagraph (D) and inserting the following:

''(D) make available, from the amounts made available for each fiscal year to carry out chapter 63 of title 49, not more than $500,000 to maintain the database.''.

(c) CONFORMING AMENDMENTS.—Section 129(c) of title 23, United States Code, is amended—

(1) in paragraph (2), in the first sentence, by inserting '', or on a public transit ferry eligible under chapter 53 of title 49'' after ''Interstate System'';

(2) in paragraph (3)—

(A) by striking ''(3) Such ferry'' and inserting ''(3)(A) The ferry''; and

(B) by adding at the end the following:

''(B) Any Federal participation shall not involve the construction or purchase, for private ownership, of a ferry boat, ferry terminal facility, or other eligible project under this section.'';

(3) in paragraph (4), by striking ''and repair,'' and inserting ''repair,''; and

(4) by striking paragraph (6) and inserting the following:

''(6) The ferry service shall be maintained in accordance with section 116.

''(7)(A) No ferry boat or ferry terminal with Federal participation under this title may be sold, leased, or otherwise disposed of, except in accordance with part 18 of title 49, Code of Federal Regulations (as in effect on December 18, 2014).

''(B) The Federal share of any proceeds from a disposition referred to in subparagraph (A) shall be used for eligible purposes under this title.''.

SEC. 11011. HIGHWAY SAFETY IMPROVEMENT PROGRAM.

Section 148 of title 23, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (4)(B)—

(i) in the matter preceding clause (i), by striking ''includes, but is not limited to,'' and inserting ''only includes''; and

(ii) by adding at the end the following:

''(xxv) Installation of vehicle-to-infrastructure communication equipment.

''(xxvi) Pedestrian hybrid beacons.

''(xxvii) Roadway improvements that provide separation between pedestrians and motor vehicles, including medians and pedestrian crossing islands.

''(xxviii) An infrastructure safety project not described in clauses (i) through (xxvii).''; and

(B) by striking paragraph (10) and redesignating paragraphs (11) through (13) as paragraphs (10) through (12), respectively;

(2) in subsection (c)(1)(A), by striking ''subsection (a)(12)'' and inserting ''subsection (a)(11)'';

(3) in subsection (d)(2)(B)(i), by striking ''subsection (a)(12)'' and inserting ''subsection (a)(11)''; and

(4) in subsection (g)(1)—

(A) by striking ''increases'' and inserting ''does not decrease''; and

(B) by inserting ''and exceeds the national fatality rate on rural roads,'' after ''available,''.

SEC. 11012. DATA COLLECTION ON UNPAVED PUBLIC ROADS.

Section 148 of title 23, United States Code, is amended by adding at the end the following:

''(k) DATA COLLECTION ON UNPAVED PUBLIC ROADS.—

''(1) IN GENERAL.—A State may elect not to collect fundamental data elements for the model inventory of roadway elements on public roads that are gravel roads or otherwise unpaved if—

''(A)(i) more than 45 percent of the public roads in the State are gravel roads or otherwise unpaved; and

''(ii) less than 10 percent of fatalities in the State occur on those unpaved public roads; or

''(B)(i) more than 70 percent of the public roads in the State are gravel roads or otherwise unpaved; and

''(ii) less than 25 percent of fatalities in the State occur on those unpaved public roads.

''(2) CALCULATION.—The percentages described in paragraph (1) shall be based on the average for the 5 most recent years for which relevant data is available.

''(3) USE OF FUNDS.—If a State elects not to collect data on a road described in paragraph (1), the State shall not use funds provided to carry out this section for a project on that road until the State completes a collection of the required model inventory of roadway elements for the road.''.

SEC. 11013. CONGESTION MITIGATION AND AIR QUALITY IMPROVEMENT PROGRAM.

Section 149 of title 23, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (1)(A)(i)(I), by inserting ''in the designated nonattainment area'' after ''air quality standard'';

(B) in paragraph (3), by inserting ''or maintenance'' after ''likely to contribute to the attainment'';

(C) in paragraph (4), by striking ''attainment of'' and inserting ''attainment or maintenance of the area of''; and

(D) in paragraph (8)(A)(ii)—

(i) in the matter preceding subclause (I), by inserting ''or port-related freight operations'' after ''construction projects''; and

(ii) in subclause (II), by inserting ''or chapter 53 of title 49'' after ''this title'';

(2) in subsection (c)(2), by inserting ''(giving priority to corridors designated under section 151)'' after ''at any location in the State'';

(3) in subsection (d)—

(A) in paragraph (2)—

(i) in subparagraph (A)—

(I) in the matter preceding clause (i), by inserting ''would otherwise be eligible under subsection (b) if the project were carried out in a nonattainment or maintenance area or'' after ''may use for any project that''; and

(II) in clause (i), by striking ''(excluding the amount of funds reserved under paragraph (1))''; and

(ii) in subparagraph (B)(i), by striking ''MAP–21t'' and inserting ''MAP–21''; and

(B) in paragraph (3), by inserting '', in a manner consistent with the approach that was in effect on the day before the date of enactment of MAP–21,'' after ''the Secretary shall modify'';

(4) in subsection (g)—

(A) in paragraph (2)(B), by striking ''not later that'' and inserting ''not later than'';

(B) in paragraph (3)—

(i) by striking ''States and metropolitan'' and inserting the following:

''(A) IN GENERAL.—States and metropolitan'';

(ii) by striking ''are proven to reduce'' and inserting ''reduce directly emitted''; and

(iii) by adding at the end the following:

''(B) USE OF PRIORITY FUNDING.—To the maximum extent practicable, PM2.5 priority funding shall be used on the most cost-effective projects and programs that are proven to reduce directly emitted fine particulate matter.'';

(5) in subsection (k)—

(A) in paragraph (1)—

(i) by striking ''that has a nonattainment or maintenance area'' and inserting ''that has 1 or more nonattainment or maintenance areas'';

(ii) by striking ''a nonattainment or maintenance area that are'' and inserting ''the nonattainment or maintenance areas that are'';

(iii) by striking ''such area'' both places it appears and inserting ''such areas''; and

(iv) by striking ''such fine particulate'' and inserting ''directly-emitted fine particulate'';

(B) in paragraph (2), by striking ''highway construction'' and inserting ''transportation construction''; and

(C) by adding at the end the following:

''(3) PM2.5 NONATTAINMENT AND MAINTENANCE IN LOW POPULATION DENSITY STATES.—

''(A) EXCEPTION.—In any State with a population density of 80 or fewer persons per square mile of land area, based on the most recent decennial census, the requirements under subsection (g)(3) and paragraphs (1) and (2) of this subsection shall not apply to a nonattainment or maintenance area in the State if—

''(i) the nonattainment or maintenance area does not have projects that are part of the emissions analysis of a metropolitan transportation plan or transportation improvement program; and

''(ii) regional motor vehicle emissions are an insignificant contributor to the air quality problem for PM2.5 in the nonattainment or maintenance area.

''(B) CALCULATION.—If subparagraph (A) applies to a nonattainment or maintenance area in a State, the percentage of the PM2.5 set-aside under paragraph (1) shall be reduced for that State proportionately based on the weighted population of the area in fine particulate matter nonattainment.

''(4) PORT-RELATED EQUIPMENT AND VEHICLES.—To meet the requirements under paragraph (1), a State or metropolitan planning organization may elect to obligate funds to the most cost-effective projects to reduce emissions from port-related landside nonroad or on-road equipment that is operated within the boundaries of a PM2.5 nonattainment or maintenance area.'';

(6) in subsection (*l*)(1)(B), by inserting ''air quality and traffic congestion'' before ''performance targets''; and

(7) in subsection (m), by striking ''section 104(b)(2)'' and inserting ''section 104(b)(4)''.

SEC. 11014. TRANSPORTATION ALTERNATIVES.

(a) IN GENERAL.—Section 213 of title 23, United States Code, is amended—

(1) by striking subsection (a) and inserting the following:

''(a) RESERVATION OF FUNDS.—

''(1) IN GENERAL.—On October 1 of each fiscal year, the Secretary shall set aside from the amount determined for a State under section 104(c) an amount determined for the State under paragraphs (2) and (3).

''(2) TOTAL AMOUNT.—The total amount set aside for the program under this section shall be $850,000,000 for each fiscal year.

''(3) STATE SHARE.—The Secretary shall distribute among the States the total set-aside amount under paragraph (2) so that each State receives an amount equal to the proportion that—

''(A) the amount apportioned to the State for the transportation enhancements program for fiscal year 2009 under section 133(d)(2), as in effect on the day before the date of enactment of MAP–21 (Public Law 112–141; 126 Stat. 405); bears to

''(B) the total amount of funds apportioned to all States for that fiscal year for the transportation enhancements program for fiscal year 2009.'';

(2) in subsection (c)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking ''Of the funds'' and all that follows through ''shall be obligated under this section'' in subparagraph (A) and inserting ''Funds reserved in a State under this section shall be obligated'';

(ii) by striking subparagraph (B);

(iii) by redesignating clauses (i) through (iii) as subparagraphs (A) through (C), respectively;

(iv) in subparagraph (B) (as so redesignated), by striking ''greater than 5,000'' and inserting ''of 5,000 or more''; and

(v) in subparagraph (C) (as so redesignated), by striking ''; and'' and inserting a period;

(B) in paragraph (2), by striking ''paragraph (1)(A)(i)'' and inserting ''paragraph (1)(A)'';

(C) in paragraph (3)(A)—

(i) by striking ''Except as provided in paragraph (1)(B), the'' and inserting ''The''; and

(ii) by striking ''paragraph (1)(A)(i)'' both places it appears and inserting ''paragraph (1)(A)'';

(D) in paragraph (4)(B)—

(i) in clause (vi), by striking ''and'' at the end;

(ii) by redesignating clause (vii) as clause (viii); and

(iii) by inserting after clause (vi) the following:

''(vii) a nonprofit entity responsible for the administration of local transportation safety programs; and''; and

(E) in paragraph (5)—

(i) by striking ''For funds reserved'' and inserting the following:

''(A) IN GENERAL.—For funds reserved'';

(ii) by striking ''paragraph (1)(A)(i)'' and inserting ''paragraph (1)(A)''; and

(iii) by adding at the end the following:

''(B) NO RESTRICTION ON SUBALLOCATION.—Nothing in this section prevents a metropolitan planning organization from further suballocating funds within the boundaries of the metropolitan planning area if a competitive process is implemented for the award of the suballocated funds.''; and

(3) by adding at the end the following:

''(h) ANNUAL REPORTS.—

''(1) IN GENERAL.—Each State or metropolitan planning organization responsible for carrying out the requirements of this section shall submit to the Secretary an annual report that describes—

''(A) the number of project applications received for each fiscal year, including—

''(i) the aggregate cost of the projects for which applications are received; and

''(ii) the types of project to be carried out (as described in subsection (b)), expressed as percentages of the total apportionment of the State under subsection (a); and

''(B) the number of projects selected for funding for each fiscal year, including the aggregate cost and location of projects selected.

''(2) PUBLIC AVAILABILITY.—The Secretary shall make available to the public, in a user-friendly format on the website of the Department, a copy of each annual report submitted under paragraph (1).

''(i) EXPEDITING INFRASTRUCTURE PROJECTS.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of this subsection, the Secretary shall develop regulations or guidance relating to the implementation of this section that encourages the use of the programmatic approaches to environmental reviews, expedited procurement techniques, and other best practices to facilitate productive and timely expenditure for projects that are small, low-impact, and constructed within an existing built environment.

''(2) STATE PROCESSES.—The Secretary shall work with State departments of transportation to ensure that any regulation or guidance developed under paragraph (1) is consistently implemented by States and the Federal Highway Administration to avoid unnecessary delays in implementing projects and to ensure the effective use of Federal dollars.''.

(b) CONFORMING AMENDMENT.—Section 126(b) of title 23, United States Code, is amended—

(1) by striking ''SET-ASIDES.—'' and all that follows through ''Funds that'' in paragraph (1) and inserting ''SET-ASIDES.—Funds that'';

(2) by striking ''sections 104(d) and 133(d)'' and inserting ''sections 104(d), 133(d), and 213(c)''; and

(3) by striking paragraph (2).

SEC. 11015. CONSOLIDATION OF PROGRAMS.

Section 1519(a) of MAP–21 (Public Law 112–141; 126 Stat. 574) is amended in the matter preceding paragraph (1) by striking ''fiscal years 2013 and 2014'' and inserting ''fiscal years 2013 through 2021''.

SEC. 11016. STATE FLEXIBILITY FOR NATIONAL HIGHWAY SYSTEM MODIFICATIONS.

(a) NATIONAL HIGHWAY SYSTEM FLEXIBILITY.—Not later than 90 days after the date of enactment of this Act, the Secretary shall issue guidance relating to working with State departments of transportation that request assistance from the division offices of the Federal Highway Administration—

(1) to review roads classified as principal arterials in the State that were added to the National Highway System as of October 1, 2012, so as to comply with section 103 of title 23, United States Code; and

(2) to identify any necessary functional classification changes to rural and urban principal arterials.

(b) ADMINISTRATIVE ACTIONS.—The Secretary shall direct the division offices of the Federal Highway Administration to work with the applicable State department of transportation that requests assistance under this section—

(1) to assist in the review of roads in accordance with guidance issued under subsection (a);

(2) to expeditiously review and facilitate requests from States to reclassify roads classified as principal arterials; and

(3) in the case of a State that requests the withdrawal of reclassified roads from the National Highway System under section 103(b)(3) of title 23, United States Code, to carry out that withdrawal if the inclusion of the reclassified road in the National Highway System is not consistent with the needs and priorities of the community or region in which the reclassified road is located.

(c) NATIONAL HIGHWAY SYSTEM MODIFICATION REGULATIONS.—The Secretary shall—

(1) review the National Highway System modification process described in appendix D of part 470 of title 23, Code of Federal Regulations (or successor regulations); and

(2) take any action necessary to ensure that a State may submit to the Secretary a request to modify the National Highway System by withdrawing a road from the National Highway System.

(d) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that includes a description of—

(1) each request for reclassification of National Highway System roads;

(2) the status of each request; and

(3) if applicable, the justification for the denial by the Secretary of a request.

(e) MODIFICATIONS TO THE NATIONAL HIGHWAY SYSTEM.—Section 103(b)(3)(A) of title 23, United States Code, is amended—

(1) in the matter preceding clause (i)—

(A) by striking '', including any modification consisting of a connector to a major intermodal terminal,''; and

(B) by inserting '', including any modification consisting of a connector to a major intermodal terminal or the withdrawal of a road from that system,'' after ''the National Highway System''; and

(2) in clause (ii)—

(A) by striking ''(ii) enhances'' and inserting ''(ii)(I) enhances'';

(B) by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following:

''(II) in the case of the withdrawal of a road, is reasonable and appropriate.''.

SEC. 11017. TOLL ROADS, BRIDGES, TUNNELS, AND FERRIES.

Section 129(a) of title 23, United States Code, is amended—

(1) in paragraph (1)—

(A) in subparagraph (B)—

(i) by striking ''(other than a highway on the Interstate System)''; and

(ii) by inserting ''non-HOV'' after ''toll-free'' each place it appears;

(B) by striking subparagraph (C); and

(C) by redesignating subparagraphs (D) through (I) as subparagraphs (C) through (H), respectively;

(2) by striking paragraph (4) and paragraph (6);

(3) by redesignating paragraphs (5), (7), (8), (9), and (10) as paragraphs (4), (5), (6), (7), and (9), respectively;

(4) in paragraph (4)(B) (as so redesignated), by striking ''the Federal-aid system'' and inserting ''Federal-aid highways''; and

(5) by inserting after paragraph (7) (as so redesignated) the following:

''(8) EQUAL ACCESS FOR MOTORCOACHES.—A private motorcoach that serves the public shall be provided access to a toll facility under the same rates, terms, and conditions as public transportation buses in the State.''.

SEC. 11018. HOV FACILITIES.

Section 166 of title 23, United States Code, is amended—

(1) in subsection (b)—

(A) by striking paragraph (4) and inserting the following:

''(4) HIGH OCCUPANCY TOLL VEHICLES.—

''(A) IN GENERAL.—The State agency may allow vehicles not otherwise exempt under this subsection to use the HOV facility if the operators of the vehicles pay a toll charged by the agency for use of the facility and the agency—

''(i) establishes a program that addresses how motorists can enroll and participate in the toll program;

''(ii) in the case of a high occupancy vehicle facility that affects a metropolitan area, submits to the Secretary a written statement that the metropolitan planning organization designated under section 134 for the area has been consulted concerning the placement and amount of tolls on the converted facility;

''(iii) develops, manages, and maintains a system that will automatically collect the toll; and

''(iv) establishes policies and procedures—

''(I) to manage the demand to use the facility by varying the toll amount that is charged;

''(II) to enforce violations of the use of the facility; and

''(III) to ensure that private motorcoaches that serve the public are provided access to the facility under the same rates, terms, and conditions, as public transportation buses in the State.

''(B) EXEMPTION FROM TOLLS.—In levying a toll on a facility under subparagraph (A), a State agency may—

''(i) designate classes of vehicles that are exempt from the toll; and

''(ii) charge different toll rates for different classes of vehicles.'';

(B) in paragraph (5), by striking subparagraph (A) and inserting the following:

''(A) INHERENTLY LOW EMISSION VEHICLE.—If a State agency establishes procedures for enforcing the restrictions on the use of a HOV facility by vehicles described in clauses (i) and (ii), the State agency may allow the use of the HOV facility by—

''(i) alternative fuel vehicles; and

''(ii) any motor vehicle described in section 30D(d)(1) of the Internal Revenue Code of 1986.'';

(2) in subsection (c)—

(A) in paragraph (1)—

(i) by striking ''Tolls'' and inserting ''Notwithstanding section 301, tolls''; and

(ii) by striking ''notwithstanding section 301 and, except as provided in paragraphs (2) and (3)'';

(B) by striking paragraph (2); and

(C) by redesignating paragraph (3) as paragraph (2);

(3) in subsection (d)(1), by striking subparagraphs (D) and (E) and inserting the following:

''(D) MAINTENANCE OF OPERATING PERFORMANCE.—

''(i) SUBMISSION OF PLAN.—Not later than 180 days after the date on which a facility is degraded under paragraph (2), the State agency with jurisdiction over the facility shall submit to the Secretary for approval a plan that details the actions the State agency will take to bring the facility into compliance with the minimum average operating speed performance standard through changes to operation of the facility, including—

''(I) increasing the occupancy requirement for HOV lanes;

''(II) varying the toll charged to vehicles allowed under subsection (b) to reduce demand;

''(III) discontinuing allowing non-HOV vehicles to use HOV lanes under subsection (b); or

''(IV) increasing the available capacity of the HOV facility.

''(ii) NOTICE OF APPROVAL OR DISAPPROVAL.—Not later than 60 days after the date of receipt of a plan under clause (i), the Secretary shall provide to the State agency a written notice indicating whether the Secretary has approved or disapproved the plan based on a determination of whether the implementation of the plan will bring the HOV facility into compliance.

''(iii) BIANNUAL PROGRESS UPDATES.—Until the date on which the Secretary determines that the State agency has brought the HOV facility into compliance with this subsection, the State agency shall submit biannual updates that describe—

''(I) the actions taken to bring the HOV facility into compliance; and

''(II) the progress made by those actions.

''(E) COMPLIANCE.—The Secretary shall subject the State to appropriate program sanctions under section 1.36 of title 23, Code of Federal Regulations (or successor regulations), until the performance is no longer degraded, if—

''(i) the State agency fails to submit an approved action plan under subparagraph (D) to bring a degraded facility into compliance; or

''(ii) after the State submits and the Secretary approves an action plan under subparagraph (D), the Secretary determines that, on a date that is not earlier than 1 year after the approval of the action plan, the State agency is not making significant progress toward bringing the HOV facility into compliance with the minimum average operating speed performance standard.''; and

(4) in subsection (f)(1), in the matter preceding subparagraph (A), by inserting ''solely'' before ''operating''.

SEC. 11019. INTERSTATE SYSTEM RECONSTRUCTION AND REHABILITATION PILOT PROGRAM.

Section 1216(b) of the Transportation Equity Act for the 21st Century (Public Law 105–178; 112 Stat. 212) is amended—

(1) in paragraph (3)—

(A) in subparagraph (A), by striking ''the age, condition, and intensity of use of the facility'' and inserting ''an analysis demonstrating that the facility has a significant age, condition, or intensity of use to require expedited reconstruction or rehabilitation'';

(B) in subparagraph (D)(iii), by inserting '', and that demonstrates the capability of that agency to perform or oversee the building, operation, and maintenance of a toll expressway system meeting criteria for the Interstate System'' before the semicolon at the end; and

(C) by adding at the end the following:

''(E) An analysis showing how the State plan for implementing tolls on the facility takes into account the interests and use of local, regional, and interstate travelers.

''(F) An explanation of how the State will collect tolls using electronic toll collection, including at highway speeds, if practicable.

''(G) A plan describing the proposed location for the collection of tolls on the facility, including any locations in proximity to a State border.

''(H) Approved documentation that the project—

''(i) has received a categorical exclusion, a finding of no significant impact, or a record of decision under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

''(ii) complies with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601 et seq.).'';

(2) by striking paragraphs (4) and (6);

(3) by redesignating paragraph (5) as paragraph (4);

(4) in paragraph (4)(as so redesignated)—

(A) in the matter preceding subparagraph (A), by striking ''Before the Secretary may permit'' and inserting ''As a condition of permitting'';

(B) in subparagraph (A)—

(i) in the matter preceding clause (i), by striking ''for—'' and inserting ''for permissible uses described in section 129(a)(3) of title 23, United States Code; and''; and

(ii) by striking clauses (i) through (iii);

(5) by inserting after paragraph (4) (as so redesignated) the following:

''(5) APPLICATION PROCESSING PROCEDURE.—

''(A) IN GENERAL.—Not later than 60 days after receipt of an application under this subsection, the Secretary shall provide to the applicant a written notice informing the applicant whether—

''(i) the application is complete and meets all requirements under this subsection; or

''(ii) additional information or materials are needed—

''(I) to complete the application; or

''(II) to meet the eligibility requirements under paragraph (3).

''(B) ADDITIONAL INFORMATION OR MATERIALS.—

''(i) IN GENERAL.—Not later than 60 days after receipt of an application, the Secretary shall—

''(I) identify any additional information or materials that are needed under subparagraph (A)(ii); and

''(II) provide to the applicant written notice specifying the details of the additional required information or materials.

''(ii) AMENDED APPLICATION.—Not later than 60 days after receipt of the additional information under clause (i), the Secretary shall determine if the amended application is complete and meets all requirements under this subsection.

''(C) TECHNICAL ASSISTANCE.—On the request of a State, the Secretary shall provide technical assistance to facilitate the development of a complete application under this paragraph that is likely to satisfy the eligibility criteria under paragraph (3).

''(D) APPROVAL OF APPLICATION.—On written notice by the Secretary that the application is complete and meets all requirements of this subsection, the project is considered approved and shall be permitted to participate in the program under this subsection.

''(E) LIMITATION ON APPROVED APPLICATION.—

''(i) IN GENERAL.—For an application received under this subsection on or after the date of enactment of the DRIVE Act for the reconstruction or rehabilitation of a facility, a State shall—

''(I) not later than 1 year after the date on which the application is approved, issue a solicitation for a contract to provide for the reconstruction or rehabilitation of the facility; and

''(II) not later than 2 years after the date on which the application is approved, execute a contract for the reconstruction or rehabilitation of the facility.

''(ii) PRIOR APPLICATIONS.—For an application that received a conditional provisional approval under this subsection before the date of enactment of the DRIVE Act, for the reconstruction or rehabilitation of a facility, a State shall—

''(I) not later than 1 year after the date of enactment of the DRIVE Act, issue a solicitation for a contract to provide for the reconstruction or rehabilitation of the facility; and

''(II) not later than 2 years after the date of enactment of the DRIVE Act, execute a contract for the reconstruction or rehabilitation of the facility.

''(iii) CANCELLATION OR EXTENSION.—If an applicable deadline under clause (i) or (ii) is not met, the Secretary shall—

''(I) cancel the application approval; or

''(II) grant an extension of not more than 1 year for the applicable deadline, on the condition that—

''(aa) there has been demonstrable progress toward meeting the applicable requirements; and

''(bb) the requirements are likely to be met within 1 year.

''(6) LIMITATION ON THE USE OF NATIONAL HIGHWAY PERFORMANCE PROGRAM FUNDS.—During the term of the pilot program, funds apportioned for the national highway performance program under section 104(b)(1) of

title 23, United States Code, may not be used for a facility for which tolls are being collected under the pilot program unless the funds are used for a maintenance purpose, as defined in section 101(a) of title 23, United States Code.'';

(6) by redesignating paragraphs (7) and (8) as paragraphs (8) and (9), respectively;

(7) by inserting after paragraph (6) the following:

''(7) WITHDRAWAL.—A State may elect to withdraw participation of the State in the pilot program at any time.''; and

(8) in paragraph (8) (as redesignated by paragraph (6)), by inserting ''after the date of enactment of the DRIVE Act'' after ''10 years''.

SEC. 11020. EMERGENCY RELIEF FOR FEDERALLY OWNED ROADS.

(a) ELIGIBILITY.—Section 125(d)(3) of title 23, United States Code, is amended—

(1) in subparagraph (A), by striking ''or'' at the end;

(2) in subparagraph (B), by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(C) projects eligible for assistance under this section located on tribal transportation facilities, Federal lands transportation facilities, or other federally owned roads that are open to public travel (as defined in subsection (e)(1)).''.

(b) DEFINITION.—Section 125(e) of title 23, United States Code, is amended by striking paragraph (1) and inserting the following:

''(1) DEFINITIONS.—In this subsection:

''(A) OPEN TO PUBLIC TRAVEL.—The term 'open to public travel' means, with respect to a road, that, except during scheduled periods, extreme weather conditions, or emergencies, the road—

''(i) is maintained;

''(ii) is open to the general public; and

''(iii) can accommodate travel by a standard passenger vehicle, without restrictive gates or prohibitive signs or regulations, other than for general traffic control or restrictions based on size, weight, or class of registration.

''(B) STANDARD PASSENGER VEHICLE.—The term 'standard passenger vehicle' means a vehicle with 6 inches of clearance from the lowest point of the frame, body, suspension, or differential to the ground.''.

SEC. 11021. BRIDGES REQUIRING CLOSURE OR LOAD RESTRICTIONS.

Section 144(h) of title 23, United States Code, is amended—

(1) by redesignating paragraphs (6) and (7) as paragraphs (7) and (8), respectively;

(2) by inserting after paragraph (5) the following:

''(6) BRIDGES REQUIRING CLOSURE OR LOAD RESTRICTIONS.—

''(A) BRIDGES OWNED BY FEDERAL AGENCIES OR TRIBAL GOVERNMENTS.—If a Federal agency or tribal government fails to ensure that any highway bridge that is open to public travel and located in the jurisdiction of the Federal agency or tribal government is properly closed or restricted to loads that the bridge can carry safely, the Secretary—

''(i) shall, on learning of the need to close or restrict loads on the bridge, require the Federal agency or tribal government to take action necessary—

''(I) to close the bridge within 48 hours; or

''(II) within 30 days, to restrict public travel on the bridge to loads that the bridge can carry safely; and

''(ii) may, if the Federal agency or tribal government fails to take action required under clause (i), withhold all funding authorized under this title for the Federal agency or tribal government.''.

''(B) OTHER BRIDGES.—If a State fails to ensure that any highway bridge, other than a bridge described in subparagraph (A), that is open to public travel and is located within the boundaries of the State is properly closed or restricted to loads the bridge can carry safely, the Secretary—

''(i) shall, on learning of the need to close or restrict loads on the bridge, require the State to take action necessary—

''(I) to close the bridge within 48 hours; or

''(II) within 30 days, to restrict public travel on the bridge to loads that the bridge can carry safely; and

''(ii) may, if the State fails to take action required under clause (i), withhold approval for Federal-aid projects in that State.''; and

(3) in paragraph (8) (as redesignated by paragraph (1)), by striking ''(6)'' and inserting ''(7)''.

SEC. 11022. NATIONAL ELECTRIC VEHICLE CHARGING AND NATURAL GAS FUELING CORRIDORS.

(a) IN GENERAL.—Chapter 1 of title 23, United States Code, is amended by inserting after section 150 the following:

''§ 151. National electric vehicle charging and natural gas fueling corridors

''(a) IN GENERAL.—Not later than 1 year after the date of enactment of the DRIVE Act, the Secretary shall designate national electric vehicle charging and natural gas fueling corridors that identify the near- and long-term need for, and location of, electric vehicle charging infrastructure and natural gas fueling infrastructure at strategic locations along major national highways to improve the mobility of passenger and commercial vehicles that employ electric and natural gas fueling technologies across the United States.

''(b) DESIGNATION OF CORRIDORS.—In designating the corridors under subsection (a), the Secretary shall—

''(1) solicit nominations from State and local officials for facilities to be included in the corridors;

''(2) incorporate existing electric vehicle charging and natural gas fueling corridors designated by a State or group of States; and

''(3) consider the demand for, and location of, existing electric vehicle charging and natural gas fueling infrastructure.

''(c) STAKEHOLDERS.—In designating corridors under subsection (a), the Secretary shall involve, on a voluntary basis, stakeholders that include—

''(1) the heads of other Federal agencies;

''(2) State and local officials;

''(3) representatives of—

''(A) energy utilities;

''(B) the electric and natural gas vehicle industries;

''(C) the freight and shipping industry;

''(D) clean technology firms;

''(E) the hospitality industry;

''(F) the restaurant industry; and

''(G) highway rest stop vendors; and

''(4) such other stakeholders as the Secretary determines to be necessary.

''(d) REDESIGNATION.—Not later than 5 years after the date of establishment of the corridors under subsection (a), and every 5 years thereafter, the Secretary shall update and redesignate the corridors.

''(e) REPORT.—During designation and redesignation of the corridors under this section, the Secretary shall issue a report that—

''(1) identifies electric vehicle charging and natural gas fueling infrastructure and standardization needs for electricity providers, natural gas providers, infrastructure providers, vehicle manufacturers, electricity purchasers, and natural gas purchasers; and

''(2) establishes an aspirational goal of achieving strategic deployment of electric vehicle charging and natural gas fueling infrastructure in those corridors by the end of fiscal year 2021.''.

(b) CONFORMING AMENDMENT.—The analysis of chapter 1 of title 23, United States Code, is amended by striking the item relating to section 151 and inserting the following:

''151. National Electric Vehicle Charging and Natural Gas Fueling Corridors.''.

SEC. 11023. ASSET MANAGEMENT.

(a) Section 119 of title 23, United States Code, is amended—

(1) in subsection (f)(2)—

(A) in subparagraph (A), by striking ''structurally deficient'' and inserting ''being in poor condition''; and

(B) in subparagraph (B), by striking ''structurally deficient'' and inserting ''being in poor condition''; and

(2) by adding at the end the following:

''(h) CRITICAL INFRASTRUCTURE.—

''(1) DEFINITION OF CRITICAL INFRASTRUCTURE.—In this subsection, the term 'critical infrastructure' means those facilities the incapacity or failure of which would have a debilitating impact on national or regional economic security, national or regional energy security, national or regional public health or safety, or any combination of those matters.

''(2) DESIGNATION.—The asset management plan of a State developed pursuant to subsection (e) may include a designation of a critical infrastructure network of facilities from among those facilities in the State that are eligible under subsection (c).

''(3) RISK REDUCTION.—A State may use funds apportioned under this section for projects intended to reduce the risk of failure of facilities designated as being on the critical infrastructure network of the State.''.

(b) Section 144 of title 23, United States Code, is amended—

(1) in subsection (a)(1)(B), by striking ''deficient''; and

(2) in subsection (b)(5), by striking ''each structurally deficient bridge'' and inserting ''each bridge in poor condition''.

(c) Section 202(d) of title 23, United States Code, is amended—

(1) in paragraph (1), by striking ''deficient'';

(2) in paragraph (2)(B), by striking ''deficient''; and

(3) in paragraph (3)—

(A) in subparagraph (A), by striking the semicolon at the end and inserting ''; and'';

(B) in subparagraph (B), by striking ''; and'' at the end and inserting a period; and

(C) by striking subparagraph (C).

SEC. 11024. TRIBAL TRANSPORTATION PROGRAM AMENDMENT.

Section 202 of title 23, United States Code, is amended—

(1) in subsection (a)(6), by striking ''6 percent'' and inserting ''5 percent''; and

(2) in subsection (d)(2), in the matter preceding subparagraph (A) by striking ''2 percent'' and inserting ''3 percent''.

SEC. 11025. NATIONALLY SIGNIFICANT FEDERAL LANDS AND TRIBAL PROJECTS PROGRAM.

(a) PURPOSE.—The Secretary shall establish a nationally significant Federal lands and tribal projects program (referred to in this section as the ''program'') to provide funding to construct, reconstruct, or rehabilitate nationally significant Federal lands and tribal transportation projects.

(b) ELIGIBLE APPLICANTS.—

(1) IN GENERAL.—Except as provided in paragraph (2), entities eligible to receive funds under sections 201, 202, 203, and 204 of title 23, United States Code, may apply for funding under the program.

(2) SPECIAL RULE.—A State, county, or unit of local government may only apply for funding under the program if sponsored by an eligible Federal land management agency or Indian tribe.

(c) ELIGIBLE PROJECTS.—An eligible project under the program shall be a single continuous project—

(1) on a Federal lands transportation facility, a Federal lands access transportation facility, or a Tribal transportation facility (as those terms are defined in section 101 of title 23, United States Code), except that such facility is not required to be included on an inventory described in sections 202 or 203 of title 23, United States Code;

(2) for which completion of activities required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) has been demonstrated through—

(A) a record of decision with respect to the project;

(B) a finding that the project has no significant impact; or

(C) a determination that the project is categorically excluded; and

(3) having an estimated cost, based on the results of preliminary engineering, equal to or exceeding $25,000,0000, with priority consideration given to projects with an estimated cost equal to or exceeding $50,000,000.

(d) ELIGIBLE ACTIVITIES.—

(1) IN GENERAL.—Subject to paragraph (2), an eligible applicant receiving funds under the program may only use the funds for construction, reconstruction, and rehabilitation activities.

(2) INELIGIBLE ACTIVITIES.—An eligible applicant may not use funds received under the program for activities relating to project design.

(e) APPLICATIONS.—Eligible applicants shall submit to the Secretary an application at such time, in such form, and containing such information as the Secretary may require.

(f) SELECTION CRITERIA.—In selecting a project to receive funds under the program, the Secretary shall consider the extent to which the project—

(1) furthers the goals of the Department, including state of good repair, environmental sustainability, economic competitiveness, quality of life, and safety;

(2) improves the condition of critical multimodal transportation facilities;

(3) needs construction, reconstruction, or rehabilitation;

(4) is included in or eligible for inclusion in the National Register of Historic Places;

(5) enhances environmental ecosystems;

(6) uses new technologies and innovations that enhance the efficiency of the project;

(7) is supported by funds, other than the funds received under the program, to construct, maintain, and operate the facility;

(8) spans 2 or more States; and

(9) serves land owned by multiple Federal agencies or Indian tribes.

(g) FEDERAL SHARE.—The Federal share of the cost of a project shall be 95 percent.

(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $150,000,000 for each of fiscal years 2016 through 2021, to remain available for a period of 3 fiscal years following the fiscal year for which the amounts were appropriated.

SEC. 11026. FEDERAL LANDS PROGRAMMATIC ACTIVITIES.

Section 201(c) of title 23, United States Code, is amended—

(1) in paragraph (6)(A)—

(A) by redesignating clauses (i) and (ii) as subclauses (I) and (II), respectively;

(B) in the matter preceding subclause (I) (as so redesignated), by striking ''The Secretaries'' and inserting the following:

''(i) IN GENERAL.—The Secretaries'';

(C) by inserting a period after ''tribal transportation program''; and

(D) by striking ''in accordance with'' and all that follows through ''including—'' and inserting the following:

''(ii) REQUIREMENT.—Data collected to implement the tribal transportation program shall be in accordance with the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.).

''(iii) INCLUSIONS.—Data collected under this paragraph includes—''; and

(2) by striking paragraph (7) and inserting the following—

''(7) COOPERATIVE RESEARCH AND TECHNOLOGY DEPLOYMENT.—The Secretary may conduct cooperative research and technology deployment in coordination with Federal land management agencies, as determined appropriate by the Secretary.

''(8) FUNDING.—

''(A) IN GENERAL.—To carry out the activities described in this subsection for Federal lands transportation facilities, Federal lands access transportation facilities, and other federally owned roads open to public travel (as that term is defined in section 125(e)), the Secretary shall combine and use not greater than 5 percent for each fiscal year of the funds authorized for programs under sections 203 and 204.

''(B) OTHER ACTIVITIES.—In addition to the activities described in subparagraph (A), funds described under that subparagraph may be used for—

''(i) bridge inspections on any federally owned bridge even if that bridge is not included on the inventory described under section 203; and

''(ii) transportation planning activities carried out by Federal land management agencies eligible for funding under this chapter.''.

SEC. 11027. FEDERAL LANDS TRANSPORTATION PROGRAM.

Section 203 of title 23, United States Code, is amended—

(1) in subsection (a)(1)—

(A) in subparagraph (B), by striking ''operation'' and inserting ''capital, operations,''; and

(B) in subparagraph (D), by striking ''subparagraph (A)(iv)'' and inserting ''subparagraph (A)(iv)(I)'';

(2) in subsection (b)—

(A) in paragraph (1)(B)—

(i) in clause (iv), by striking ''and'' at the end;

(ii) in clause (v), by striking the period at the end and inserting a semicolon; and

(iii) by adding at the end the following:

''(vi) the Bureau of Reclamation; and

''(vii) independent Federal agencies with natural resource and land management responsibilities.''; and

(B) in paragraph (2)(B), in the matter preceding clause (i), by inserting ''performance management, including'' after ''support''; and

(3) in subsection (c)(2)(B), by adding at the end the following:

''(vi) The Bureau of Reclamation.''.

SEC. 11028. INNOVATIVE PROJECT DELIVERY.

Section 120(c)(3) of title 23, United States Code, is amended—

(1) in subparagraph (A)(ii)—

(A) by inserting ''engineering or design approaches,'' after ''technologies,''; and

(B) by striking ''or contracting'' and inserting ''or contracting or project delivery''; and

(2) in subparagraph (B)(iii), by inserting ''and alternative bidding'' before the semicolon at the end.

SEC. 11029. OBLIGATION AND RELEASE OF FUNDS.

Section 118(c)(2) of title 23, United States Code, is amended—

(1) in the matter preceding subparagraph (A), by striking ''Any funds'' and inserting the following:

''(A) IN GENERAL.—Any funds'';

(2) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and indenting appropriately; and

(3) by adding at the end the following:

''(B) SAME CLASS OF FUNDS NO LONGER AUTHORIZED.—If the same class of funds described in subparagraph (A)(i) is no longer authorized in the most recent authorizing law, the funds may be credited to a similar class of funds, as determined by the Secretary.''.

Subtitle B—Acceleration of Project Delivery

SEC. 11101. CATEGORICAL EXCLUSION FOR PROJECTS OF LIMITED FEDERAL ASSISTANCE.

Section 1317 of MAP-21 (23 U.S.C. 109 note; Public Law 112–141) is amended—

(1) in the matter preceding paragraph (1), by striking ''Not later than'' and inserting the following:

''(a) IN GENERAL.—Not later than''; and

(2) by adding at the end the following:

''(b) INFLATIONARY ADJUSTMENT.—The dollar amounts described in subsection (a) shall be adjusted for inflation—

''(1) effective October 1, 2015, to reflect changes since July 1, 2012, in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor; and

''(2) effective October 1, 2016, and each succeeding October 1, to reflect changes for the preceding 12-month period in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor.''.

SEC. 11102. PROGRAMMATIC AGREEMENT TEMPLATE.

(a) IN GENERAL.—Section 1318 of MAP-21 (23 U.S.C. 109 note; Public Law 112–141) is amended by adding at the end the following:

''(e) PROGRAMMATIC AGREEMENT TEMPLATE.—

''(1) IN GENERAL.—The Secretary shall develop a template programmatic agreement described in subsection (d) that provides for efficient and adequate procedures for evaluating Federal actions described in section 771.117(c) of title 23, Code of Federal Regulations (as in effect on the date of enactment of this subsection).

''(2) USE OF TEMPLATE.—The Secretary—

''(A) on receipt of a request from a State, shall use the template programmatic agreement developed under paragraph (1) in carrying out this section; and

''(B) on consent of the applicable State, may modify the template as necessary to address the unique needs and characteristics of the State.

''(3) OUTCOME MEASUREMENTS.—The Secretary shall establish a method to verify that actions described in section 771.117(c) of title 23, Code of Federal Regulations (as in

effect on the date of enactment of this subsection), are evaluated and documented in a consistent manner by the State that uses the template programmatic agreement under this subsection.''.

(b) CATEGORICAL EXCLUSION DETERMINATIONS.—Not later than 30 days after the date of enactment of this Act, the Secretary shall revise section 771.117(g) of title 23, Code of Federal Regulations, to allow a programmatic agreement under this section to include responsibility for making categorical exclusion determinations—

(1) for actions described in subsections (c) and (d) of section 771.117 of title 23, Code of Federal Regulations; and

(2) that meet the criteria for a categorical exclusion under section 1508.4 of title 40, Code of Federal Regulations (as in effect on the date of enactment of this Act), and are identified in the programmatic agreement.

SEC. 11103. AGENCY COORDINATION.

(a) ROLES AND RESPONSIBILITY OF LEAD AGENCY.—Section 139(c)(6) of title 23, United States Code, is amended—

(1) in subparagraph (A), by striking ''and'' at the end;

(2) in subparagraph (B), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(C) to consider and respond to comments received from participating agencies on matters within the special expertise or jurisdiction of the participating agencies.''.

(b) PARTICIPATING AGENCY RESPONSIBILITIES.—Section 139(d) of title 23, United States Code, is amended by adding at the end the following:

''(8) PARTICIPATING AGENCY RESPONSIBILITIES.—An agency participating in the collaborative environmental review process under this section shall—

''(A) provide comments, responses, studies, or methodologies on those areas within the special expertise or jurisdiction of the Federal participating or cooperating agency; and

''(B) use the process to address any environmental issues of concern to the participating or cooperating agency.''.

SEC. 11104. INITIATION OF ENVIRONMENTAL REVIEW PROCESS.

Section 139 of title 23, United States Code, is amended—

(1) in subsection (a), by striking paragraph (6) and inserting the following:

''(6) PROJECT.—

''(A) IN GENERAL.—The term 'project' means any highway project, public transportation capital project, or multimodal project that, if implemented as proposed by the project sponsor, would require approval by any operating administration or secretarial office within the Department.

''(B) CONSIDERATIONS.—For purposes of this paragraph, the Secretary shall take into account, if known, any sources of Federal funding or financing identified by the project sponsor, including discretionary grant, loan, and loan guarantee programs administered by the Department.'';

(2) in subsection (e)—

(A) in paragraph (1), by inserting ''(including any additional information that the project sponsor considers to be important to initiate the process for the proposed project)'' after ''location of the proposed project''; and

(B) by adding at the end the following:

''(3) REVIEW OF APPLICATION.—Not later than 45 days after the date on which an application is received by the Secretary under this subsection, the Secretary shall provide to the project sponsor a written response that, as applicable—

''(A) describes the determination of the Secretary—

''(i) to initiate the environmental review process, including a timeline and an expected date for the publication in the Federal Register of the relevant notice of intent; or

''(ii) to decline the application, including an explanation of the reasons for that decision; or

''(B) requests additional information, and provides to the project sponsor an accounting, regarding what is necessary to initiate the environmental review process.

''(4) REQUEST TO DESIGNATE A LEAD AGENCY.—

''(A) IN GENERAL.—Any project sponsor may submit a request to the Secretary to designate a specific operating administration or secretarial office within the Department of Transportation to serve as the Federal lead agency for a project.

''(B) PROPOSED SCHEDULE.—A request under subparagraph (A) may include a proposed schedule for completing the environmental review process.

''(C) SECRETARIAL ACTION.—

''(i) IN GENERAL.—If a request under subparagraph (A) is received, the Secretary shall respond to the request not later than 45 days after the date of receipt.

''(ii) REQUIREMENTS.—The response shall—

''(I) approve the request;

''(II) deny the request, with an explanation of the reasons; or

''(III) require the submission of additional information.

''(iii) ADDITIONAL INFORMATION.—If additional information is submitted in accordance with clause (ii)(III), the Secretary shall respond to that submission not later than 45 days after the date of receipt.''; and

(3) in subsection (f)(4), by adding at the end the following:

''(E) REDUCTION OF DUPLICATION.—

''(i) IN GENERAL.—In carrying out this paragraph, the lead agency shall reduce duplication, to the maximum extent practicable, between—

''(I) the evaluation of alternatives under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

''(II) the evaluation of alternatives in the metropolitan transportation planning process under section 134 of title 23, United States Code, or an environmental review process carried out under State law (referred to in this subparagraph as a 'State environmental review process').

''(ii) CONSIDERATION OF ALTERNATIVES.—The lead agency may eliminate from detailed consideration an alternative proposed in an environmental impact statement regarding a project if, as determined by the lead agency—

''(I) the alternative was considered in a metropolitan planning process or a State environmental review process by a metropolitan planning organization or a State or local transportation agency, as applicable;

''(II) the lead agency provided guidance to the metropolitan planning organization or State or local transportation agency, as applicable, regarding analysis of alternatives in the metropolitan planning process or State environmental review process, including guidance on the requirements under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and any other requirements of Federal law necessary for approval of the project;

''(III) the applicable metropolitan planning process or State environmental review process included an opportunity for public review and comment;

''(IV) the applicable metropolitan planning organization or State or local transportation agency rejected the alternative after considering public comments;

''(V) the Federal lead agency independently reviewed the alternative evaluation approved by the applicable metropolitan planning organization or State or local transportation agency; and

''(VI) the Federal lead agency has determined—

''(aa) in consultation with Federal participating or cooperating agencies, that the alternative to be eliminated from consideration is not necessary for compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); or

''(bb) with the concurrence of Federal agencies with jurisdiction over a permit or approval required for a project, that the alternative to be eliminated from consideration is not necessary for any permit or approval under any other Federal law.''.

SEC. 11105. IMPROVING COLLABORATION FOR ACCELERATED DECISION MAKING.

(a) COORDINATION AND SCHEDULING.—Section 139(g)(1)(B)(i) of title 23, United States Code, is amended—

(1) by striking ''The lead agency'' and inserting ''For a project requiring an environmental impact statement or environmental assessment, the lead agency''; and

(2) by striking ''may'' and inserting ''shall''.

(b) ISSUE IDENTIFICATION AND RESOLUTION.—Section 139(h) of title 23, United States Code, is amended—

(1) in paragraph (4)(C), by striking ''paragraph (5) and'' and inserting ''paragraph (5)'';

(2) in paragraph (5)(A)(ii)(I), by inserting '', including modifications to the project schedule'' after ''review process''; and

(3) in paragraph (6)(B), by striking clause (ii) and inserting the following:

''(ii) DESCRIPTION OF DATE.—The date referred to in clause (i) is 1 of the following:

''(I) The date that is 30 days after the date for rendering a decision as described in the project schedule established pursuant to subsection (g)(1)(B).

''(II) If no schedule exists, the later of—

''(aa) the date that is 180 days after the date on which an application for the permit, license or approval is complete; or

''(bb) the date that is 180 days after the date on which the Federal lead agency issues a decision on the project under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

''(III) A modified date consistent with subsection (g)(1)(D).''.

SEC. 11106. ACCELERATED DECISIONMAKING IN ENVIRONMENTAL REVIEWS.

(a) IN GENERAL.—Section 139 of title 23, United States Code, is amended by adding at the end the following:

''(n) ACCELERATED DECISIONMAKING IN ENVIRONMENTAL REVIEWS.—

''(1) IN GENERAL.—In preparing a final environmental impact statement under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), if the lead agency modifies the statement in response to comments that are minor and are confined to factual corrections or explanations regarding why the comments do not warrant additional agency response, the lead agency may write on errata sheets attached to the statement instead of rewriting the draft statement, subject to the condition that the errata sheets shall—

''(A) cite the sources, authorities, or reasons that support the position of the lead agency; and

''(B) if appropriate, indicate the circumstances that would trigger agency reappraisal or further response.

''(2) INCORPORATION.—To the maximum extent practicable, the lead agency shall expeditiously develop a single document that consists of a final environmental impact statement and a record of decision, unless—

''(A) the final environmental impact statement makes substantial changes to the proposed action that are relevant to environmental or safety concerns; or

''(B) there are significant new circumstances or information that—

''(i) are relevant to environmental concerns; and

''(ii) bear on the proposed action or the impacts of the proposed action.''.

(b) REPEAL.—Section 1319 of MAP–21 (42 U.S.C. 4332a) is repealed.

SEC. 11107. IMPROVING TRANSPARENCY IN ENVIRONMENTAL REVIEWS.

Section 139 of title 23, United States Code (as amended by section 11106(a)), is amended by adding at the end the following:

''(o) REVIEWS, APPROVALS, AND PERMITTING PLATFORM.—

''(1) IN GENERAL.—Not later than 2 years after the date of enactment of this subsection, the Secretary shall establish an online platform and, in coordination with agencies described in paragraph (2), issue reporting standards to make publicly available the status of reviews, approvals, and permits required for compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) or other applicable Federal laws for projects and activities requiring an environmental assessment or an environmental impact statement.

''(2) FEDERAL AGENCY PARTICIPATION.—A Federal agency of jurisdiction over a review, approval, or permit described in paragraph (1) shall provide status information in accordance with the standards established by the Secretary under paragraph (1).

''(3) STATE RESPONSIBILITIES.—A State that is assigned and assumes responsibilities under section 326 or 327 shall provide applicable status information in accordance with standards established by the Secretary under paragraph (1).''.

SEC. 11108. INTEGRATION OF PLANNING AND ENVIRONMENTAL REVIEW.

Section 168 of title 23, United States Code, is amended to read as follows:

''§ 168. Integration of planning and environmental review

''(a) DEFINITIONS.—In this section, the following definitions apply:

''(1) ENVIRONMENTAL REVIEW PROCESS.—The term 'environmental review process' means the process for preparing for a project an environmental impact statement, environmental assessment, categorical exclusion, or other document prepared under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

''(2) LEAD AGENCY.—The term 'lead agency' has the meaning given the term in section 139(a).

''(3) PLANNING PRODUCT.—The term 'planning product' means a decision, analysis, study, or other documented information that is the result of an evaluation or decisionmaking process carried out by a metropolitan planning organization or a State, as appropriate, during metropolitan or statewide transportation planning under section 134 or 135, respectively.

''(4) PROJECT.—The term 'project' has the meaning given the term in section 139(a).

''(b) ADOPTION OF PLANNING PRODUCTS FOR USE IN NEPA PROCEEDINGS.—

''(1) IN GENERAL.—Subject to subsection (d), the Federal lead agency for a project may adopt and use a planning product in proceedings relating to any class of action in the environmental review process of the project.

''(2) IDENTIFICATION.—If the Federal lead agency makes a determination to adopt and use a planning product, the Federal lead agency shall identify the agencies that participated in the development of the planning products.

''(3) PARTIAL ADOPTION OF PLANNING PRODUCTS.—The Federal lead agency may—

''(A) adopt an entire planning product under paragraph (1); or

''(B) select portions of a planning project under paragraph (1) for adoption.

''(4) TIMING.—A determination under paragraph (1) with respect to the adoption of a planning product may—

''(A) be made at the time the lead agencies decide the appropriate scope of environmental review for the project; or

''(B) occur later in the environmental review process, as appropriate.

''(c) APPLICABILITY.—

''(1) PLANNING DECISIONS.—The lead agency in the environmental review process may adopt decisions from a planning product, including—

''(A) whether tolling, private financial assistance, or other special financial measures are necessary to implement the project;

''(B) a decision with respect to general travel corridor or modal choice, including a decision to implement corridor or subarea study recommendations to advance different modal solutions as separate projects with independent utility;

''(C) the purpose and the need for the proposed action;

''(D) preliminary screening of alternatives and elimination of unreasonable alternatives;

''(E) a basic description of the environmental setting;

''(F) a decision with respect to methodologies for analysis; and

''(G) an identification of programmatic level mitigation for potential impacts of transportation projects, including—

''(i) measures to avoid, minimize, and mitigate impacts at a regional or national scale;

''(ii) investments in regional ecosystem and water resources; and

''(iii) a programmatic mitigation plan developed in accordance with section 169.

''(2) PLANNING ANALYSES.—The lead agency in the environmental review process may adopt analyses from a planning product, including—

''(A) travel demands;

''(B) regional development and growth;

''(C) local land use, growth management, and development;

''(D) population and employment;

''(E) natural and built environmental conditions;

''(F) environmental resources and environmentally sensitive areas;

''(G) potential environmental effects, including the identification of resources of concern and potential indirect and cumulative effects on those resources; and

''(H) mitigation needs for a proposed action, or for programmatic level mitigation, for potential effects that the Federal lead agency determines are most effectively addressed at a regional or national program level.

''(d) CONDITIONS.—The lead agency in the environmental review process may adopt and use a planning product under this section if the lead agency determines, with the concurrence of other participating agencies with relevant expertise and project sponsors, as appropriate, that the following conditions have been met:

''(1) The planning product was developed through a planning process conducted pursuant to applicable Federal law.

''(2) The planning product was developed in consultation with appropriate Federal and State resource agencies and Indian tribes.

''(3) The planning process included broad multidisciplinary consideration of systems-level or corridor-wide transportation needs and potential effects, including effects on the human and natural environment.

''(4) The planning process included public notice that the planning products produced in the planning process may be adopted during a subsequent environmental review process in accordance with this section.

''(5) During the environmental review process, the lead agency has—

''(A) made the planning documents available for public review and comment;

''(B) provided notice of the intention of the lead agency to adopt the planning product; and

''(C) considered any resulting comments.

''(6) There is no significant new information or new circumstance that has a reasonable likelihood of affecting the continued validity or appropriateness of the planning product.

''(7) The planning product has a rational basis and is based on reliable and reasonably current data and reasonable and scientifically acceptable methodologies.

''(8) The planning product is documented in sufficient detail to support the decision or the results of the analysis and to meet requirements for use of the information in the environmental review process.

''(9) The planning product is appropriate for adoption and use in the environmental review process for the project and is incorporated in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and section 1502.21 of title 40, Code of Federal Regulations (as in effect on the date of enactment of the DRIVE Act).

''(e) EFFECT OF ADOPTION.—Any planning product adopted by the Federal lead agency in accordance with this section may be—

''(1) incorporated directly into an environmental review process document or other environmental document; and

''(2) relied on and used by other Federal agencies in carrying out reviews of the project.

''(f) RULES OF CONSTRUCTION.—

''(1) IN GENERAL.—This section does not make the environmental review process applicable to the transportation planning process conducted under this title and chapter 53 of title 49.

''(2) TRANSPORTATION PLANNING ACTIVITIES.—Initiation of the environmental review process as a part of, or concurrently with, transportation planning activities does not subject transportation plans and programs to the environmental review process.

''(3) PLANNING PRODUCTS.—This section does not affect the use of planning products in the environmental review process pursuant to other authorities under any other provision of law or restrict the initiation of the environmental review process during planning.''.

SEC. 11109. USE OF PROGRAMMATIC MITIGATION PLANS.

Section 169(f) of title 23, United States Code, is amended—

(1) by striking ''may use'' and inserting ''shall consider''; and

(2) by inserting ''or other Federal environmental law'' before the period at the end.

SEC. 11110. ADOPTION OF DEPARTMENTAL ENVIRONMENTAL DOCUMENTS.

(a) IN GENERAL.—Title 49, United States Code, is amended by inserting after section 306 the following:

''§ 307. Adoption of Departmental environmental documents

''(a) IN GENERAL.—An operating administration or secretarial office within the Department may adopt any draft environmental impact statement, final environmental impact statement, environmental assessment, or any other document issued under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) by another operating administration or secretarial office within the Department—

''(1) without recirculating the document (except that a final environmental impact statement shall be recirculated prior to adoption); and

''(2) if the operating administration or secretarial office adopting the document certifies that the project is substantially the same as the project reviewed under the document to be adopted.

''(b) COOPERATING AGENCY.—An adopting operating administration or secretarial office that was a cooperating agency and certifies that the project is substantially the same as the project reviewed under the document to be adopted and that its comments and suggestions have been addressed may adopt a document described in subsection (a) without recirculating the document.''.

(b) CONFORMING AMENDMENT.—The analysis for chapter 3 of title 49, United States Code, is amended by striking the item relating to section 307 and inserting the following:

''Sec. 307. Adoption of Departmental environmental documents.''.

SEC. 11111. TECHNICAL ASSISTANCE FOR STATES.

Section 326 of title 23, United States Code, is amended—

(1) in subsection (c)—

(A) by redesignating paragraphs (2) through (4) as paragraphs (3) through (5), respectively; and

(B) by inserting after paragraph (1) the following:

''(2) ASSISTANCE TO STATES.—On request of a Governor of a State, the Secretary shall provide to the State technical assistance, training, or other support relating to—

''(A) assuming responsibility under subsection (a);

''(B) developing a memorandum of understanding under this subsection; or

''(C) addressing a responsibility in need of corrective action under subsection (d)(1)(B).''; and

(2) in subsection (d), by striking paragraph (1) and inserting the following:

''(1) TERMINATION BY SECRETARY.—The Secretary may terminate the participation of any State in the program, if—

''(A) the Secretary determines that the State is not adequately carrying out the responsibilities assigned to the State;

''(B) the Secretary provides to the State—

''(i) a notification of the determination of noncompliance;

''(ii) a period of not less than 120 days to take such corrective action as the Secretary determines to be necessary to comply with the applicable agreement; and

''(iii) on request of the Governor of the State, a detailed description of each responsibility in need of corrective action regarding an inadequacy identified under subparagraph (A); and

''(C) the State, after the notification and period described in clauses (i) and (ii) of subparagraph (B), fails to take satisfactory corrective action, as determined by the Secretary.''.

SEC. 11112. SURFACE TRANSPORTATION PROJECT DELIVERY PROGRAM.

Section 327(j) of title 23, United States Code, is amended by striking paragraph (1) and inserting the following:

''(1) TERMINATION BY SECRETARY.—The Secretary may terminate the participation of any State in the program if—

''(A) the Secretary determines that the State is not adequately carrying out the responsibilities assigned to the State;

''(B) the Secretary provides to the State—

''(i) a notification of the determination of noncompliance;

''(ii) a period of not less than 120 days to take such corrective action as the Secretary determines to be necessary to comply with the applicable agreement; and

''(iii) on request of the Governor of the State, a detailed description of each responsibility in need of corrective action regarding an inadequacy identified under subparagraph (A); and

''(C) the State, after the notification and period provided under subparagraph (B), fails to take satisfactory corrective action, as determined by the Secretary.''.

SEC. 11113. CATEGORICAL EXCLUSIONS FOR MULTIMODAL PROJECTS.

(a) MULTIMODAL PROJECT DEFINED.—Section 139(a) of title 23, United States Code, is amended by striking paragraph (5) and inserting the following:

''(5) MULTIMODAL PROJECT.—The term 'multimodal project' means a project that requires approval by more than 1 Department of Transportation operating administration or secretarial office.''.

(b) APPLICATION OF CATEGORICAL EXCLUSIONS FOR MULTIMODAL PROJECTS.—Section 304 of title 49, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking ''operating authority that is not the lead authority with respect to a project'' and inserting ''operating administration or secretarial office that has expertise but is not the lead authority with respect to a proposed multimodal project''; and

(B) by striking paragraph (2) and inserting the following:

''(2) LEAD AUTHORITY.—The term 'lead authority' means a Department of Transportation operating administration or secretarial office that has the lead responsibility for compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for a proposed multimodal project.'';

(2) in subsection (b), by striking ''under this title'' and inserting ''by the Secretary of Transportation'';

(3) in subsection (c)—

(A) in the matter preceding paragraph (1)—

(i) by striking ''a categorical exclusion designated under the implementing regulations or'' and inserting ''a categorical exclusion designated under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) implementing regulations or''; and

(ii) by striking ''other components of the'' and inserting ''a proposed multimodal''; and

(B) by striking paragraphs (1) through (5) and inserting the following:

''(1) the lead authority makes a determination, in consultation with the cooperating authority, on the applicability of a categorical exclusion to a proposed multimodal project;

''(2) the cooperating authority does not object to the determination of the lead authority of the applicability of a categorical exclusion;

''(3) the lead authority determines that the component of the proposed multimodal project to be covered by the categorical exclusion of the cooperating authority has independent utility; and

''(4) the lead authority determines that—

''(A) the proposed multimodal project does not individually or cumulatively have a significant impact on the environment; and

''(B) extraordinary circumstances do not exist that merit additional analysis and documentation in an environmental impact statement or environmental assessment required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).''; and

(4) by striking subsection (d) and inserting the following:

''(d) COOPERATIVE AUTHORITY EXPERTISE.—A cooperating authority shall provide expertise to the lead authority on aspects of the multimodal project in which the cooperating authority has expertise.''.

SEC. 11114. MODERNIZATION OF THE ENVIRONMENTAL REVIEW PROCESS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall examine ways to modernize, simplify, and improve the implementation of the National Environmental Policy Act of 1969 (42 U.S.C. 4231 et seq.) by the Department.

(b) INCLUSIONS.—In carrying out subsection (a), the Secretary shall consider—

(1) the use of technology in the process, such as—

(A) searchable databases;

(B) geographic information system mapping tools;

(C) integration of those tools with fiscal management systems to provide more detailed data; and

(D) other innovative technologies;

(2) ways to prioritize use of programmatic environmental impact statements;

(3) methods to encourage cooperating agencies to present analyses in a concise format; and

(4) any other improvements that can be made to modernize process implementation.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report describing the results of the review carried out under subsection (a).

SEC. 11115. SERVICE CLUB, CHARITABLE ASSOCIATION, OR RELIGIOUS SERVICE SIGNS.

Notwithstanding section 131 of title 23, United States Code, and part 750 of title 23, Code of Federal Regulations (or successor regulations), a State may allow the maintenance of a sign of a service club, charitable association, or religious service that was erected as of the date of enactment of this Act, the area of which is less than or equal to 32 square feet, if the State notifies the Federal Highway Administration.

SEC. 11116. SATISFACTION OF REQUIREMENTS FOR CERTAIN HISTORIC SITES.

(a) HIGHWAYS.—Section 138 of title 23, United States Code, is amended by adding at the end the following:

''(c) SATISFACTION OF REQUIREMENTS FOR CERTAIN HISTORIC SITES.—

''(1) IN GENERAL.—The Secretary shall—

''(A) align, to the maximum extent practicable, with the requirements of the National Environmental Policy Act of 1969 (42

U.S.C. 4231 et seq.) and section 306108 of title 54, including implementing regulations; and

''(B) not later than 90 days after the date of enactment of this subsection, coordinate with the Secretary of the Interior and the Executive Director of the Advisory Council on Historic Preservation (referred to in this subsection as the 'Council') to establish procedures to satisfy the requirements described in subparagraph (A) (including regulations).

''(2) AVOIDANCE ALTERNATIVE ANALYSIS.—

''(A) IN GENERAL.—If, in an analysis required under the National Environmental Policy Act of 1969 (42 U.S.C. 4231 et seq.), the Secretary determines that there is no feasible or prudent alternative to avoid use of an historic site, the Secretary may—

''(i) include the determination of the Secretary in the analysis required under that Act;

''(ii) provide a notice of the determination to—

''(I) each applicable State historic preservation officer and tribal historic preservation officer;

''(II) the Council, if the Council is participating in the consultation process under section 306108 of title 54; and

''(III) the Secretary of the Interior; and

''(iii) request from the applicable preservation officer, the Council, and the Secretary of the Interior a concurrence that the determination is sufficient to satisfy the requirement of subsection (a)(1).

''(B) CONCURRENCE.—If the applicable preservation officer, the Council, and the Secretary of the Interior each provide a concurrence requested under subparagraph (A)(iii), no further analysis under subsection (a)(1) shall be required.

''(C) PUBLICATION.—A notice of a determination, together with each relevant concurrence to that determination, under subparagraph (A) shall be—

''(i) included in the record of decision or finding of no significant impact of the Secretary; and

''(ii) posted on an appropriate Federal website by not later than 3 days after the date of receipt by the Secretary of all concurrences requested under subparagraph (A)(iii).

''(3) ALIGNING HISTORICAL REVIEWS.—

''(A) IN GENERAL.—If the Secretary, the applicable preservation officer, the Council, and the Secretary of the Interior concur that no feasible and prudent alternative exists as described in paragraph (2), the Secretary may provide to the applicable preservation officer, the Council, and the Secretary of the Interior notice of the intent of the Secretary to satisfy the requirements of subsection (a)(2) through the consultation requirements of section 306108 of title 54.

''(B) SATISFACTION OF CONDITIONS.—To satisfy the requirements of subsection (a)(2), each individual described in paragraph (2)(A)(ii) shall concur in the treatment of the applicable historic site described in the memorandum of agreement or programmatic agreement developed under section 306108 of title 54.''.

(b) PUBLIC TRANSPORTATION.—Section 303 of title 49, United States Code, is amended—

(1) in subsection (c), in the matter preceding paragraph (1), by striking ''subsection (d)'' and inserting ''subsections (d) and (e)''; and

(2) by adding at the end the following:

''(e) SATISFACTION OF REQUIREMENTS FOR CERTAIN HISTORIC SITES.—

''(1) IN GENERAL.—The Secretary shall—

''(A) align, to the maximum extent practicable, the requirements of this section with the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4231 et seq.) and section 306108 of title 54, including implementing regulations; and

''(B) not later than 90 days after the date of enactment of this subsection, coordinate with the Secretary of the Interior and the Executive Director of the Advisory Council on Historic Preservation (referred to in this subsection as the 'Council') to establish procedures to satisfy the requirements described in subparagraph (A) (including regulations).

''(2) AVOIDANCE ALTERNATIVE ANALYSIS.—

''(A) IN GENERAL.—If, in an analysis required under the National Environmental Policy Act of 1969 (42 U.S.C. 4231 et seq.), the Secretary determines that there is no feasible or prudent alternative to avoid use of an historic site, the Secretary may—

''(i) include the determination of the Secretary in the analysis required under that Act;

''(ii) provide a notice of the determination to—

''(I) each applicable State historic preservation officer and tribal historic preservation officer;

''(II) the Council, if the Council is participating in the consultation process under section 306108 of title 54; and

''(III) the Secretary of the Interior; and

''(iii) request from the applicable preservation officer, the Council, and the Secretary of the Interior a concurrence that the determination is sufficient to satisfy the requirement of subsection (c)(1).

''(B) CONCURRENCE.—If the applicable preservation officer, the Council, and the Secretary of the Interior each provide a concurrence requested under subparagraph (A)(iii), no further analysis under subsection (a)(1) shall be required.

''(C) PUBLICATION.—A notice of a determination, together with each relevant concurrence to that determination, under subparagraph (A) shall be—

''(i) included in the record of decision or finding of no significant impact of the Secretary; and

''(ii) posted on an appropriate Federal website by not later than 3 days after the date of receipt by the Secretary of all concurrences requested under subparagraph (A)(iii).

''(3) ALIGNING HISTORICAL REVIEWS.—

''(A) IN GENERAL.—If the Secretary, the applicable preservation officer, the Council, and the Secretary of the Interior concur that no feasible and prudent alternative exists as described in paragraph (2), the Secretary may provide to the applicable preservation officer, the Council, and the Secretary of the Interior notice of the intent of the Secretary to satisfy the requirements of subsection (c)(2) through the consultation requirements of section 306108 of title 54.

''(B) SATISFACTION OF CONDITIONS.—To satisfy the requirements of subsection (c)(2), the applicable preservation officer, the Council, and the Secretary of the Interior shall concur in the treatment of the applicable historic site described in the memorandum of agreement or programmatic agreement developed under section 306108 of title 54.''.

SEC. 11117. BRIDGE EXEMPTION FROM CONSIDERATION UNDER CERTAIN PROVISIONS.

(a) PRESERVATION OF PARKLANDS.—Section 138 of title 23, United States Code, as amended by section 11116, is amended by adding at the end the following:

''(d) BRIDGE EXEMPTION FROM CONSIDERATION.—A common post-1945 concrete or steel bridge or culvert (as described in 77 Fed. Reg. 68790) that is exempt from individual review under section 306108 of title 54, United States Code, shall be exempt from consideration under this section.''.

(b) POLICY ON LANDS, WILDLIFE AND WATERFOWL REFUGES, AND HISTORIC SITES.—Section 303 of title 49, United States Code, as amended by section 11116, is amended by adding at the end the following:

''(f) BRIDGE EXEMPTION FROM CONSIDERATION.—A common post-1945 concrete or steel bridge or culvert (as described in 77 Fed. Reg. 68790) that is exempt from individual review under section 306108 of title 54, United States Code, shall be exempt from consideration under this section.''.

SEC. 11118. ELIMINATION OF BARRIERS TO IMPROVE AT-RISK BRIDGES.

(a) TEMPORARY AUTHORIZATION.—

(1) IN GENERAL.—Until the Secretary of the Interior takes the action described in subsection (b), the take of nesting swallows to facilitate a construction project on a bridge eligible for funding under title 23, United States Code, with any component condition rating of 3 or less (as defined by the National Bridge Inventory General Condition Guidance issued by the Federal Highway Administration) is authorized under the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.) between April 1 and August 31.

(2) MEASURES TO MINIMIZE IMPACTS.—

(A) NOTIFICATION BEFORE TAKING.—Prior to the taking of nesting swallows authorized under paragraph (1), any person taking that action shall submit to the Secretary of the Interior a document that contains—

(i) the name of the person acting under the authority of paragraph (1) to take nesting swallows;

(ii) a list of practicable measures that will be undertaken to minimize or mitigate significant adverse impacts on the population of that species;

(iii) the time period during which activities will be carried out that will result in the taking of that species; and

(iv) an estimate of the number of birds, by species, to be taken in the proposed action.

(B) NOTIFICATION AFTER TAKING.—Not later than 60 days after the taking of nesting swallows authorized under paragraph (1), any person taking that action shall submit to the Secretary of the Interior a document that contains the number of birds, by species, taken in the action.

(b) AUTHORIZATION OF TAKE.—

(1) IN GENERAL.—The Secretary of the Interior, in consultation with the Secretary, shall promulgate a regulation under the authority of section 3 of the Migratory Bird Treaty Act (16 U.S.C. 704) authorizing the take of nesting swallows to facilitate bridge repair, maintenance, or construction—

(A) without individual permit requirements; and

(B) under terms and conditions determined to be consistent with treaties relating to migratory birds that protect swallow species occurring in the United States.

(2) TERMINATION.—On the effective date of a final rule under this subsection by the Secretary of the Interior, subsection (a) shall have no force or effect.

(c) SUSPENSION OR WITHDRAWAL OF TAKE AUTHORIZATION.—If the Secretary of the Interior, in consultation with the Secretary, determines that taking of nesting swallows carried out under the authority provided in subsection (a)(1) is having a significant adverse impact on swallow populations, the Secretary of the Interior may suspend that authority through publication in the Federal Register.

SEC. 11119. AT-RISK PROJECT PREAGREEMENT AUTHORITY.

(a) DEFINITION OF PRELIMINARY ENGINEERING.—In this section, the term ''preliminary engineering'' means allowable preconstruction project development and engineering costs.

(b) AT-RISK PROJECT PREAGREEMENT AUTHORITY.—A recipient or subrecipient of Federal-aid funds under title 23, United States Code, may—

(1) incur preliminary engineering costs for an eligible project under title 23, United States Code, before receiving project authorization from the State, in the case of a subrecipient, and the Secretary to proceed with the project; and

(2) request reimbursement of applicable Federal funds after the project authorization is received.

(c) ELIGIBILITY.—The Secretary may reimburse preliminary engineering costs incurred by a recipient or subrecipient under subsection (b)—

(1) if the costs meet all applicable requirements under title 23, United States Code, at the time the costs are incurred and the Secretary concurs that the requirements have been met;

(2) in the case of a project located within a designated nonattainment or maintenance area for air quality, if the conformity requirements of the Clean Air Act (42 U.S.C. 7401 et seq.) have been met; and

(3) if the costs would have been allowable if incurred after the date of the project authorization by the Department.

(d) AT-RISK.—A recipient or subrecipient that elects to use the authority provided under this section shall—

(1) assume all risk for preliminary engineering costs incurred prior to project authorization; and

(2) be responsible for ensuring and demonstrating to the Secretary that all applicable cost eligibility conditions are met after the authorization is received.

(e) RESTRICTIONS.—Nothing in this section—

(1) allows a recipient or subrecipient to use the authority under this section to advance a project beyond preliminary engineering prior to the completion of the environmental review process;

(2) waives the applicability of Federal requirements to a project other than the reimbursement of preliminary engineering costs incurred prior to an authorization to proceed in accordance with this section; or

(3) guarantees Federal funding of the project or the eligibility of the project for future Federal-aid highway funding.

Subtitle C—Miscellaneous

SEC. 11201. CREDITS FOR UNTAXED TRANSPORTATION FUELS.

(a) DEFINITION OF QUALIFIED REVENUES.—In this section, the term ''qualified revenues'' means any amounts—

(1) collected by a State—

(A) for the registration of a vehicle that operates solely on a fuel that is not subject to a Federal tax; and

(B) not sooner than the second registration period following the purchase of the vehicle; and

(2) that do not exceed, for a vehicle described in paragraph (1), an annual amount determined by the Secretary to be equal to the annual amount paid for Federal motor fuels taxes on the fuel used by an average passenger car fueled solely by gasoline.

(b) CREDIT.—

(1) IN GENERAL.—Subject to paragraph (2), if a State contributes qualified revenues to cover not less than 5 percent of the total cost of a project eligible for assistance under this title, the Federal share payable for the project under this section may be increased by an amount that is—

(A) equal to the percent of the total cost of the project from contributed qualified revenues; but

(B) not more than 5 percent of the total cost of the project.

(2) EXPIRATION.—The authorization of an increased Federal share for a project pursuant to paragraph (1) expires on September 30, 2023.

(c) STUDY.—

(1) IN GENERAL.—Before the expiration date of the credit under subsection (b)(2), the Secretary, in coordination with other appropriate Federal agencies, shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that describes the most efficient and equitable means of taxing motor vehicle fuels not subject to a Federal tax as of the date of submission of the report.

(2) REQUIREMENT.—The means described in the report under paragraph (1) shall parallel, as closely as practicable, the structure of other Federal taxes on motor fuels.

SEC. 11202. JUSTIFICATION REPORTS FOR ACCESS POINTS ON THE INTERSTATE SYSTEM.

Section 111(e) of title 23, United States Code, is amended by inserting ''(including new or modified freeway-to-crossroad interchanges inside a transportation management area)'' after ''the Interstate System''.

SEC. 11203. EXEMPTIONS.

Section 127 of title 23, United States Code, is amended by adding at the end the following:

''(m) NATURAL GAS VEHICLES.—A vehicle, if operated by an engine fueled primarily by natural gas, may exceed any vehicle weight limit (up to a maximum gross vehicle weight of 82,000 pounds) under this section by an amount that is equal to the difference between—

''(1) the weight of the vehicle attributable to the natural gas tank and fueling system carried by that vehicle; and

''(2) the weight of a comparable diesel tank and fueling system.

''(n) EMERGENCY VEHICLES.—

''(1) DEFINITION OF EMERGENCY VEHICLE.—In this subsection, the term 'emergency vehicle' means a vehicle designed to be used under emergency conditions—

''(A) to transport personnel and equipment; and

''(B) to support the suppression of fires and mitigation of other hazardous situations.

''(2) EMERGENCY VEHICLE WEIGHT LIMIT.—Notwithstanding subsection (a), a State shall not enforce against an emergency vehicle a vehicle weight limit (up to a maximum gross vehicle weight of 86,000 pounds) of less than—

''(A) 24,000 pounds on a single steering axle;

''(B) 33,500 pounds on a single drive axle;

''(C) 62,000 pounds on a tandem axle; or

''(D) 52,000 pounds on a tandem rear drive steer axle.

''(o) OPERATION OF CERTAIN SPECIALIZED VEHICLES ON CERTAIN HIGHWAYS IN THE STATE OF ARKANSAS.—If any segment of United States Route 63 between the exits for highways 14 and 75 in the State of Arkansas is designated as part of the Interstate System—

''(1) a vehicle that could legally operate on the segment before the date of the designation at the posted speed limit may continue to operate on that segment; and

''(2) a vehicle that can only travel below the posted speed limit on the segment that could otherwise legally operate on the segment before the date of the designation may continue to operate on that segment during daylight hours.''.

SEC. 11204. HIGH PRIORITY CORRIDORS ON THE NATIONAL HIGHWAY SYSTEM.

Section 1105 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2031) is amended—

(1) in subsection (c) (105 Stat. 2032; 112 Stat. 190; 119 Stat. 1213)—

(A) by striking paragraph (13) and inserting the following:

''(13) Raleigh-Norfolk Corridor from Raleigh, North Carolina, through Rocky Mount, Williamston and Elizabeth City, North Carolina, to Norfolk, Virginia.'';

(B) in paragraph (18)(D)—

(i) in clause (ii), by striking ''and'' at the end;

(ii) in clause (iii), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(iv) include Texas State Highway 44 from United States Route 59 at Freer, Texas, to Texas State Highway 358.''; and

(C) by striking paragraph (68) and inserting the following:

''(68) The Washoe County Corridor and the Intermountain West Corridor shall generally follow:

''(A) in the case of the Washoe County Corridor, along Interstate Route 580/United States Route 95/United States Route 95A, from Reno, Nevada, to Las Vegas, Nevada; and

''(B) in the case of the Intermountain West Corridor, from the vicinity of Las Vegas extending north along United States Route 95, terminating at Interstate Route 80.''; and

(D) by adding at the end the following:

''(81) United States Route 117/Interstate Route 795 from United States Route 70 in Goldsboro, Wayne County, North Carolina, to Interstate Route 40 west of Faison, Sampson County, North Carolina.

''(82) United States Route 70 from its intersection with Interstate Route 40 in Garner, Wake County, North Carolina, to the Port at Morehead City, Carteret County, North Carolina.

''(83) The Central Texas Corridor commencing at the logical terminus of Interstate 10, and generally following portions of United States Route 190 eastward passing in the vicinity Fort Hood, Killeen, Belton, Temple, Bryan, College Station, Huntsville, Livingston, Woodville, and to the logical terminus of Texas Highway 63 at the Sabine River Bridge at Burrs Crossing.'';

(2) in subsection (e)(5)—

(A) in subparagraph (A) (109 Stat. 597; 118 Stat. 293; 119 Stat. 1213), in the first sentence—

(i) by inserting ''subsection (c)(13),'' after ''subsection (c)(9),'';

(ii) by striking ''subsections (c)(18)'' and all that follows through ''(c)(36)'' and inserting ''subsection (c)(18), subsection (c)(20), subparagraphs (A) and (B)(i) of subsection (c)(26), subsection (c)(36)'' ; and

(iii) by striking ''and subsection (c)(57)'' and inserting ''subsection (c)(57), subsection (c)(68)(B), subsection (c)(81), and subsection (c)(82)''; and

(B) in subparagraph (C)(i) (109 Stat. 598; 126 Stat. 427), by striking the last sentence and inserting ''The routes referred to in subparagraphs (A) and (B)(i) of subsection (c)(26) and in subsection (c)(68)(B) are designated as Interstate Route I–11.''.

SEC. 11205. REPEAT INTOXICATED DRIVER LAW.

Section 164(a)(4) of title 23, United States Code, is amended in the matter preceding subparagraph (A) by inserting ''or combination of laws'' after ''means a State law''.

SEC. 11206. VEHICLE-TO-INFRASTRUCTURE EQUIPMENT.

(a) NATIONAL HIGHWAY PERFORMANCE PROGRAM.—Section 119(d)(2)(L) of title 23, United States Code, is amended by inserting '', including the installation of interoperable vehicle-to-infrastructure communication equipment'' after ''capital improvements''.

(b) SURFACE TRANSPORTATION PROGRAM.—Section 133(b)(16) of title 23, United States Code, by inserting '', including the installation of interoperable vehicle-to-infrastructure communication equipment'' after ''capital improvements''.

SEC. 11207. RELINQUISHMENT.

A State transportation agency may relinquish park-and-ride lot facilities or portions of park-and-ride lot facilities to a local government agency for highway purposes if authorized to do so under State law.

SEC. 11208. TRANSFER AND SALE OF TOLL CREDITS.

(a) DEFINITIONS.—In this section, the following definitions apply:

(1) ELIGIBLE STATE.—The term ''eligible State'' means a State that—

(A) is eligible to use a credit under section 120(i) of title 23, United States Code; and

(B) has been selected by the Secretary under subsection (d)(2).

(2) RECIPIENT STATE.—The term ''recipient State'' means a State that receives a credit by transfer or by sale under this section from an eligible State.

(b) ESTABLISHMENT OF PILOT PROGRAM.—Not later than 1 year after the date of the establishment of a nationwide toll credit monitoring and tracking system under subsection (g), the Secretary shall establish and implement a toll credit marketplace pilot program in accordance with this section.

(c) PURPOSES.—The purposes of the pilot program established under subsection (b) are—

(1) to identify whether a monetary value can be assigned to toll credits;

(2) to identify the discounted rate of toll credits for cash;

(3) to determine if the purchase of toll credits by States provides the purchasing State budget flexibility to deal with funding issues, including off-system needs, transit systems with high operating costs, or cash flow issues; and

(4) to test the feasibility of expanding the toll credit market to allow all States to participate on a permanent basis.

(d) SELECTION OF ELIGIBLE STATES.—

(1) APPLICATION TO SECRETARY.—In order to participate in the pilot program established under subsection (b), a State shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

(2) SELECTION.—Of the States that submit an application under paragraph (1), the Secretary may select not more than 10 States to be designated as an eligible State.

(e) TRANSFER OR SALE OF CREDITS.—

(1) IN GENERAL.—In carrying out the pilot program established under subsection (b), the Secretary shall provide that an eligible State may transfer or sell to a recipient State a credit not used by the eligible State under section 120(i) of title 23, United States Code.

(2) USE OF CREDITS BY TRANSFEREE OR PURCHASER.—A recipient State may use a credit received under paragraph (1) toward the non-Federal share requirement for any funds made available to carry out title 23 or chapter 53 of title 49, United States Code.

(3) CONDITION ON TRANSFER OR SALE OF CREDITS.—To receive a credit under paragraph (1), a recipient State shall enter into an agreement with the Secretary described in section 120(i) of title 23, United States Code.

(f) USE OF PROCEEDS FROM SALE OF CREDITS.—An eligible State shall use the proceeds from the sale of a credit under subsection (e)(1) for any project in the eligible State that is eligible under the surface transportation program established under section 133 of title 23, United States Code.

(g) TOLL CREDIT MONITORING AND TRACKING.—Not later than 180 days after the enactment of this section, the Secretary shall establish a nationwide toll credit monitoring and tracking system that functions as a real-time database on the inventory and use of toll credits among all States (as defined in section 101(a) of title 23, United States Code).

(h) NOTIFICATION.—Not later than 30 days after the date on which a credit is transferred or sold under subsection (e)(1), the eligible State shall submit to the Secretary in writing a notification of the transfer or sale.

(i) REPORTING REQUIREMENTS.—

(1) INITIAL REPORT.—Not later than 180 days after the date of establishment of the pilot program under subsection (b), the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the progress of the pilot program.

(2) STATE REPORT.—

(A) REPORT BY ELIGIBLE STATE.—Not later than 30 days after a purchase or sale under subsection (e)(1), an eligible State shall submit to the Secretary a report that describes—

(i) information on the transaction;

(ii) the amount of cash received and the value of toll credits sold;

(iii) the intended use of the cash; and

(iv) an update on the remaining toll credit balance of the State.

(B) REPORT BY RECIPIENT STATE.—Not later than 30 days after a purchase or sale under subsection (e)(1), a recipient State shall submit to the Secretary a report that describes—

(i) the value of toll credits purchased;

(ii) the anticipated use of the toll credits; and

(iii) plans for maintaining maintenance of effort for spending on Federal-aid highways projects.

(3) ANNUAL REPORT.—Not later than 1 year after the date on which the pilot program under subsection (b) is established and each year thereafter that the pilot program is in effect, the Secretary shall—

(A) submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that—

(i) determines whether a toll credit marketplace is viable;

(ii) describes the buying and selling activities of the pilot program;

(iii) describes the monetary value of toll credits;

(iv) determines whether the pilot program could be expanded to more States or all States; and

(v) provides updated information on the toll credit balance accumulated by each State; and

(B) make the report described in subparagraph (A) publicly available on the website of the Department.

(j) TERMINATION.—The Secretary may terminate the program established under this section or the participation of any State in the program if the Secretary determines that the program is not serving a public benefit.

SEC. 11209. REGIONAL INFRASTRUCTURE ACCELERATOR DEMONSTRATION PROGRAM.

(a) IN GENERAL.—The Secretary shall establish a regional infrastructure demonstration program (referred to in this section as the ''program'') to assist entities in developing improved infrastructure priorities and financing strategies for the accelerated development of a project that is eligible for funding under the TIFIA program under chapter 6 of title 23, United States Code.

(b) DESIGNATION OF REGIONAL INFRASTRUCTURE ACCELERATORS.—In carrying out the program, the Secretary may designate regional infrastructure accelerators that will—

(1) serve a defined geographic area; and

(2) act as a resource in the geographic area to qualified entities in accordance with this section.

(c) APPLICATION.—To be eligible for a designation under subsection (b), a proposed regional infrastructure accelerator shall submit to the Secretary a proposal at such time, in such manner, and containing such information as the Secretary may require.

(d) CRITERIA.—In evaluating a proposal submitted under subsection (c), the Secretary shall consider—

(1) the need for geographic diversity among regional infrastructure accelerators; and

(2) the ability of the proposal to promote investment in covered infrastructure projects, which shall include a plan—

(A) to evaluate and promote innovative financing methods for local projects, including the use of the TIFIA program under chapter 6 of title 23, United States Code;

(B) to build capacity of State, local, and tribal governments to evaluate and structure projects involving the investment of private capital;

(C) to provide technical assistance and information on best practices with respect to financing the projects;

(D) to increase transparency with respect to infrastructure project analysis and using innovative financing for public infrastructure projects;

(E) to deploy predevelopment capital programs designed to facilitate the creation of a pipeline of infrastructure projects available for investment;

(F) to bundle smaller-scale and rural projects into larger proposals that may be more attractive for investment; and

(G) to reduce transaction costs for public project sponsors.

(e) ANNUAL REPORT.—Not less frequently than once each year, the Secretary shall submit to Congress a report that describes the findings and effectiveness of the program.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out the program $12,000,000, of which the Secretary shall use—

(1) $11,750,000 for initial grants to regional infrastructure accelerators under subsection (b); and

(2) $250,000 for administrative costs of carrying out the program.

SEC. 11210. SONORAN CORRIDOR INTERSTATE DEVELOPMENT.

(a) FINDINGS.—Congress finds that the designation of the Sonoran Corridor Interstate

connecting Interstate 19 to Interstate 10 south of the Tucson International Airport as a future part of the Interstate System would—

(1) enhance direct linkage between major trading routes connecting growing ports, agricultural regions, infrastructure and manufacturing centers, and existing high priority corridors of the National Highway System; and

(2) significantly improve connectivity on the future Interstate 11 and the CANAMEX Corridor, a route directly linking the United States with Mexico and Canada.

(b) HIGH PRIORITY CORRIDORS ON NATIONAL HIGHWAY SYSTEM.—Section 1105(c) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2032; 119 Stat. 1210) (as amended by section 11204) is amended by adding at the end the following:

''(84) State Route 410, the Sonoran Corridor connecting Interstate 19 to Interstate 10 south of the Tucson International Airport.''.

(c) FUTURE PARTS OF INTERSTATE SYSTEM.—Section 1105(e)(5)(A) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2033; 119 Stat. 1213) (as amended by section 11204) is amended in the first sentence by striking ''and subsection (c)(82)'' and inserting ''subsection (c)(82), and subsection (c)(84)''.

TITLE II—TRANSPORTATION INNOVATION

Subtitle A—Research

SEC. 12001. RESEARCH, TECHNOLOGY, AND EDUCATION.

(a) HIGHWAY RESEARCH AND DEVELOPMENT PROGRAM.—Section 503(b)(3) of title 23, United States Code, is amended—

(1) in subparagraph (C)—

(A) in clause (xviii), by striking ''and'' at the end;

(B) in clause (xix), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

''(xx) accelerated mobile, highway-speed, bridge inspection methods that provide quantitative data-driven decisionmaking capabilities without requiring lane closures; and

''(xxi) innovative segmental wall technology for soil bank stabilization and roadway sound attenuation, and articulated technology for hydraulic sheer-resistant erosion control.''; and

(2) in subparagraph (D)(i), by inserting ''and section 119(e)'' after ''this subparagraph''.

(b) TECHNOLOGY AND INNOVATION DEPLOYMENT PROGRAM.—Section 503(c) of title 23, United States Code, is amended—

(1) in paragraph (1), in the matter preceding subparagraph (A), by striking ''carry out'' and inserting ''establish and implement'';

(2) in paragraph (2)—

(A) in subparagraph (B), by striking clause (i) and inserting the following:

''(i) use not less than 50 percent of the funds authorized to carry out this subsection to make grants to, and enter into cooperative agreements and contracts with, States, other Federal agencies, local governments, metropolitan planning organizations, institutions of higher education, private sector entities, and nonprofit organizations to carry out demonstration programs that will accelerate the deployment and adoption of transportation research activities;'';

(B) by redesignating subparagraph (C) as subparagraph (D); and

(C) by inserting after subparagraph (B) the following:

''(C) INNOVATION GRANTS.—

''(i) IN GENERAL.—In carrying out the program established under subparagraph (B)(i), the Secretary shall establish a transparent competitive process in which entities described in subparagraph (B)(i) may submit an application to receive a grant under this subsection.

''(ii) PUBLICATION OF APPLICATION PROCESS.—A description of the application process established by the Secretary shall—

''(I) be posted on a public website;

''(II) identify the information required to be included in the application; and

''(III) identify the criteria by which the Secretary shall select grant recipients.

''(iii) SUBMISSION OF APPLICATION.—To receive a grant under this paragraph, an entity described in subparagraph (B)(i) shall submit an application to the Secretary.

''(iv) SELECTION AND APPROVAL.—The Secretary shall select and approve an application submitted under clause (iii) based on whether the project described in the application meets the goals of the program described in paragraph (1).''; and

(3) in paragraph (3)(C), by striking ''each of fiscal years 2013 through 2014'' and inserting ''each fiscal year''.

(c) CONFORMING AMENDMENT.—Section 505(c)(1) of title 23, United States Code, is amended by striking ''section 503(c)(2)(C)'' and inserting ''section 503 (c)(2)(D)''.

SEC. 12002. INTELLIGENT TRANSPORTATION SYSTEMS.

(a) INTELLIGENT TRANSPORTATION SYSTEMS DEPLOYMENT.—Section 513 of title 23, United States Code, is amended by adding at the end the following:

''(d) SYSTEM OPERATIONS AND ITS DEPLOYMENT GRANT PROGRAM.—

''(1) ESTABLISHMENT.—The Secretary shall establish a competitive grant program to accelerate the deployment, operation, systems management, intermodal integration, and interoperability of the ITS program and ITS-enabled operational strategies—

''(A) to measure and improve the performance of the surface transportation system;

''(B) to reduce traffic congestion and the economic and environmental impacts of traffic congestion;

''(C) to minimize fatalities and injuries;

''(D) to enhance mobility of people and goods;

''(E) to improve traveler information and services; and

''(F) to optimize existing roadway capacity.

''(2) APPLICATION.—To be eligible for a grant under this subsection, an eligible entity shall submit an application to the Secretary that includes—

''(A) a plan to deploy and provide for the long-term operation and maintenance of intelligent transportation systems to improve safety, efficiency, system performance, and return on investment, such as—

''(i) autonomous vehicle communication technologies;

''(ii) vehicle-to-vehicle or vehicle-to-infrastructure communication technologies;

''(iii) real-time integrated traffic, transit, and multimodal transportation information;

''(iv) advanced traffic, freight, parking, and incident management systems;

''(v) advanced technologies to improve transit and commercial vehicle operations;

''(vi) synchronized, adaptive, and transit preferential traffic signals;

''(vii) advanced infrastructure condition assessment technologies; and

''(viii) other technologies to improve system operations, including ITS applications necessary for multimodal systems integration and for achieving performance goals;

''(B) quantifiable system performance improvements, including—

''(i) reductions in traffic-related crashes, congestion, and costs;

''(ii) optimization of system efficiency; and

''(iii) improvement of access to transportation services;

''(C) quantifiable safety, mobility, and environmental benefit projections, including data-driven estimates of the manner in which the project will improve the efficiency of the transportation system and reduce traffic congestion in the region;

''(D) a plan for partnering with the private sector, including telecommunications industries and public service utilities, public agencies (including multimodal and multijurisdictional entities), research institutions, organizations representing transportation and technology leaders, and other transportation stakeholders;

''(E) a plan to leverage and optimize existing local and regional ITS investments; and

''(F) a plan to ensure interoperability of deployed technologies with other tolling, traffic management, and intelligent transportation systems.

''(3) SELECTION.—

''(A) IN GENERAL.—Effective beginning not later than 1 year after the date of enactment of the DRIVE Act, the Secretary may provide grants to eligible entities under this subsection.

''(B) GEOGRAPHIC DIVERSITY.—In awarding a grant under this subsection, the Secretary shall ensure, to the maximum extent practicable, that grant recipients represent diverse geographical areas of the United States, including urban, suburban, and rural areas.

''(C) NON-FEDERAL SHARE.—In awarding a grant under the subsection, the Secretary shall give priority to grant recipients that demonstrate an ability to contribute a significant non-Federal share to the cost of carrying out the project for which the grant is received.

''(4) ELIGIBLE USES.—Projects for which grants awarded under this subsection may be used include—

''(A) the deployment of autonomous vehicle communication technologies;

''(B) the deployment of vehicle-to-vehicle or vehicle-to-infrastructure communication technologies;

''(C) the establishment and implementation of ITS and ITS-enabled operations strategies that improve performance in the areas of—

''(i) traffic operations;

''(ii) emergency response to surface transportation incidents;

''(iii) incident management;

''(iv) transit and commercial vehicle operations improvements;

''(v) weather event response management by State and local authorities;

''(vi) surface transportation network and facility management;

''(vii) construction and work zone management;

''(viii) traffic flow information;

''(ix) freight management; and

''(x) congestion management;

''(D) carrying out activities that support the creation of networks that link metropolitan and rural surface transportation systems into an integrated data network, capable of collecting, sharing, and archiving transportation system traffic condition and performance information;

''(E) the implementation of intelligent transportation systems and technologies that improve highway safety through information and communications systems linking vehicles, infrastructure, mobile devices,

transportation users, and emergency responders;

''(F) the provision of services necessary to ensure the efficient operation and management of ITS infrastructure, including costs associated with communications, utilities, rent, hardware, software, labor, administrative costs, training, and technical services;

''(G) the provision of support for the establishment and maintenance of institutional relationships between transportation agencies, police, emergency medical services, private emergency operators, freight operators, shippers, public service utilities, and telecommunications providers;

''(H) carrying out multimodal and cross-jurisdictional planning and deployment of regional transportation systems operations and management approaches; and

''(I) performing project evaluations to determine the costs, benefits, lessons learned, and future deployment strategies associated with the deployment of intelligent transportation systems.

''(5) REPORT TO SECRETARY.—For each fiscal year that an eligible entity receives a grant under this subsection, not later than 1 year after receiving the grant, each recipient shall submit to the Secretary a report that describes how the project has met the expectations projected in the deployment plan submitted with the application, including information on—

''(A) how the program has helped reduce traffic crashes, congestion, costs, and other benefits of the deployed systems;

''(B) the effect of measuring and improving transportation system performance through the deployment of advanced technologies;

''(C) the effectiveness of providing real-time integrated traffic, transit, and multimodal transportation information to the public that allows the public to make informed travel decisions; and

''(D) lessons learned and recommendations for future deployment strategies to optimize transportation efficiency and multimodal system performance.

''(6) REPORT TO CONGRESS.—Not later than 2 years after the date on which the first grant is awarded under this subsection and annually thereafter for each fiscal year for which grants are awarded under this subsection, the Secretary shall submit to Congress a report that describes the effectiveness of the grant recipients in meeting the projected deployment plan goals, including data on how the grant program has—

''(A) reduced traffic-related fatalities and injuries;

''(B) reduced traffic congestion and improved travel-time reliability;

''(C) reduced transportation-related emissions;

''(D) optimized multimodal system performance;

''(E) improved access to transportation alternatives;

''(F) provided the public with access to real-time integrated traffic, transit, and multimodal transportation information to make informed travel decisions;

''(G) provided cost savings to transportation agencies, businesses, and the traveling public; and

''(H) provided other benefits to transportation users and the general public.

''(7) ADDITIONAL GRANTS.—If the Secretary determines, based on a report submitted under paragraph (5), that a grant recipient is not complying with the established grant criteria, the Secretary may—

''(A) cease payment to the recipient of any remaining grant amounts; and

''(B) redistribute any remaining amounts to other eligible entities under this section.

''(8) NON-FEDERAL SHARE.—The Federal share of the cost of a project for which a grant is provided under this subsection shall not exceed 50 percent of the cost of the project.

''(9) FUNDING.—Of the funds made available each fiscal year to carry out the intelligent transportation system program under sections 512 through 518, not less than $30,000,000 shall be used to carry out this subsection.''.

(b) INTELLIGENT TRANSPORTATION SYSTEMS GOALS AND PURPOSES.—Section 514(a) of title 23, United States Code, is amended—

(1) in paragraph (4), by striking ''and'' at the end; and

(2) by striking paragraph (5) and inserting the following:

''(5) improvement of the ability of the United States to respond to security-related or other manmade emergencies and natural disasters; and

''(6) enhancement of the freight system of the United States and support to freight policy goals by conducting heavy duty vehicle demonstration activities and accelerating adoption of ITS applications in freight operations.''.

(c) ITS ADVISORY COMMITTEE REPORT.—Section 515(h)(4) of title 23, United States Code, is amended in the matter preceding subparagraph (A) by striking ''February 1 of each year after the date of enactment of the Transportation Research and Innovative Technology Act of 2012'' and inserting ''May 1 of each year''.

SEC. 12003. FUTURE INTERSTATE STUDY.

(a) FINDINGS.—Congress finds that—

(1) a well-developed system of transportation infrastructure is critical to the economic well-being, health, and welfare of the people of the United States;

(2) the 47,000-mile national Interstate System is the backbone to that transportation infrastructure system; and

(3) as of the date of enactment of this Act—

(A) many segments of the approximately 60- year-old Interstate System are well beyond the 50-year design life of the System and yet these aging facilities are central to the transportation infrastructure system, carrying 25 percent of the vehicle traffic of the United States on just 1 percent of the total public roadway mileage;

(B) the need for ongoing maintenance, preservation, and reconstruction of the Interstate System has grown due to increasing and changing travel demands; and

(C) simple maintenance of the current condition and configuration of the Interstate System is insufficient for the System to fully serve the transportation needs of the United States for the next 50 years.

(b) FUTURE INTERSTATE SYSTEM STUDY.—Not later than 180 days after the date of enactment of this Act, the Secretary shall enter into an agreement with the Transportation Research Board of the National Academies to conduct a study on the actions needed to upgrade and restore the Dwight D. Eisenhower National System of Interstate and Defense Highways to its role as a premier system network that meets the growing and shifting demands of the 21st century and for the next 50 years (referred to in this section as the ''study'').

(c) METHODOLOGIES.—In conducting the study, the Transportation Research Board shall build on the methodologies examined and recommended in the report prepared for the American Association of State Highway and Transportation Officials entitled ''National Cooperative Highway Research Program Project 20–24(79): Specifications for a National Study of the Future 3R, 4R, and Capacity Needs of the Interstate System'' and dated December 2013.

(d) RECOMMENDATIONS.—The study—

(1) shall include specific recommendations regarding the features, standards, capacity needs, application of technologies, and intergovernmental roles to upgrade the Interstate System, including any revisions to law (including regulations) that the Transportation Research Board determines appropriate to achieve the goals; and

(2) is encouraged to build on the robust institutional knowledge in the highway industry in applying the techniques involved in implementing the study.

(e) CONSIDERATIONS.—In carrying out the study, the Transportation Research Board shall determine the need for reconstruction and improvement of the Interstate System by considering—

(1) future demands on transportation infrastructure determined for national planning purposes, including commercial and private traffic flows to serve future economic activity and growth;

(2) the expected condition of the current Interstate System over the next 50 years, including long-term deterioration and reconstruction needs;

(3) those National Highway System routes that should be added to the existing Interstate System to more efficiently serve national traffic flows;

(4) features that would take advantage of technological capabilities to address modern standards of construction, maintenance, and operations, for purposes of safety, and system management, taking into further consideration system performance and cost; and

(5) the resources necessary to maintain and improve the Interstate System, including the resources required to upgrade those National Highway System routes identified in paragraph (3) to Interstate standards.

(f) CONSULTATION.—In carrying out the study, the Transportation Research Board—

(1) shall convene and consult with a panel of national experts including current and future owners, operators, and users of the Interstate System and private sector stakeholders; and

(2) is encouraged to consult with—

(A) the Federal Highway Administration;

(B) States;

(C) planning agencies at the metropolitan, State, and regional levels;

(D) the motor carrier industry;

(E) freight shippers;

(F) highway safety groups; and

(G) other appropriate entities.

(g) REPORT.—Not later than 3 years after the date of enactment of this Act, the Transportation Research Board shall submit to the Secretary, the Committee on Environment and Public Works of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives a report on the results of the study conducted under this section.

(h) FUNDING.—From amounts authorized to carry out the Highway Research and Development Program, the Secretary shall use up to $5,000,000 for fiscal year 2016 to carry out this section.

SEC. 12004. RESEARCHING SURFACE TRANSPORTATION SYSTEM FUNDING ALTERNATIVES.

(a) IN GENERAL.—The Secretary shall promote the research of user-based alternative revenue mechanisms that preserve a user fee structure to maintain the long-term solvency of the Highway Trust Fund.

(b) OBJECTIVES.—The objectives of the research described in subsection (a) shall be—

(1) to study uncertainties relating to the design, acceptance, and implementation of 2 or more future user-based alternative revenue mechanisms;

(2) to define the functionality of those user-based alternative revenue mechanisms;

(3) to conduct or promote research activities to demonstrate and test those user-based alternative revenue mechanisms, including by conducting field trials, by partnering with individual States, groups of States, or other appropriate entities to conduct the research activities;

(4) to conduct outreach to increase public awareness regarding the need for alternative funding sources for surface transportation programs and provide information on possible approaches;

(5) to provide recommendations regarding adoption and implementation of those user-based alternative revenue mechanisms; and

(6) to minimize the administrative cost of any potential user-based alternative revenue mechanisms.

(c) GRANTS.—The Secretary shall provide grants to individual States, groups of States, or other appropriate entities to conduct research that addresses—

(1) the implementation, interoperability, public acceptance, and other potential hurdles to the adoption of a user-based alternative revenue mechanism;

(2) the protection of personal privacy;

(3) the use of independent and private third-party vendors to collect fees and operate the user-based alternative revenue mechanism;

(4) equity concerns, including the impacts of the user-based alternative revenue mechanism on differing income groups, various geographic areas, and the relative burdens on rural and urban drivers;

(5) ease of compliance for different users of the transportation system;

(6) the reliability and security of technology used to implement the user-based alternative revenue mechanism;

(7) the flexibility and choices of user-based alternative revenue mechanisms, including the ability of users to select from various technology and payment options;

(8) the cost of administering the user-based alternative revenue mechanism; and

(9) the ability of the administering entity to audit and enforce user compliance.

(d) ADVISORY COUNCIL.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary, in consultation with the Secretary of the Treasury, shall establish and lead a Surface Transportation Revenue Alternatives Advisory Council (referred to in this subsection as the ''Council'') to inform the selection and evaluation of user-based alternative revenue mechanisms.

(2) MEMBERSHIP.—

(A) IN GENERAL.—The members of the Council shall—

(i) be appointed by the Secretary; and

(ii) include, at a minimum—

(I) representatives with experience in user-based alternative revenue mechanisms, of which—

(aa) not fewer than 1 shall be from the Department;

(bb) not fewer than 1 shall be from the Department of the Treasury; and

(cc) not fewer than 2 shall be from State departments of transportation;

(II) representatives from applicable users of the surface transportation system; and

(III) appropriate technology and public privacy experts.

(B) GEOGRAPHIC CONSIDERATIONS.—The Secretary shall consider geographic diversity when selecting members under this paragraph.

(3) FUNCTIONS.—Not later than 1 year after the date on which the Council is established, the Council shall, at a minimum—

(A) define the functionality of 2 or more user-based alternative revenue mechanisms;

(B) identify technological, administrative, institutional, privacy, and other issues that—

(i) are associated with the user-based alternative revenue mechanisms; and

(ii) may be researched through research activities;

(C) conduct public outreach to identify and assess questions and concerns about the user-based alternative revenue mechanisms for future evaluation through research activities; and

(D) provide recommendations to the Secretary on the process and criteria used for selecting research activities under subsection (c).

(4) EVALUATIONS.—The Council shall conduct periodic evaluations of the research activities that have received assistance from the Secretary under this section.

(5) APPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.—The Council shall not be subject to the Federal Advisory Committee Act (5 U.S.C. App.).

(e) BIENNIAL REPORTS.—Not later than 2 years after the date of enactment of this Act, and every 2 years thereafter until the completion of the research activities under this section, the Secretary shall submit to the Secretary of the Treasury, the Committee on Finance and the Committee on Environment and Public Works of the Senate, and the Committee on Ways and Means and the Committee on Transportation and Infrastructure of the House of Representatives a report describing the progress of the research activities.

(f) FINAL REPORT.—On the completion of the research activities under this section, the Secretary and the Secretary of the Treasury, acting jointly, shall submit to the Committee on Finance and the Committee on Environment and Public Works of the Senate and the Committee on Ways and Means and the Committee on Transportation and Infrastructure of the House of Representatives a report describing the results of the research activities and any recommendations.

(g) FUNDING.—Of the funds authorized to carry out section 503(b) of title 23, United States Code—

(1) $15,000,000 shall be used to carry out this section in fiscal year 2016; and

(2) $20,000,000 shall be used to carry out this section in each of fiscal years 2017 through 2021.

Subtitle B—Data

SEC. 12101. TRIBAL DATA COLLECTION.

Section 201(c)(6) of title 23, United States Code, is amended by adding at the end the following:

''(C) TRIBAL DATA COLLECTION.—In addition to the data to be collected under subparagraph (A), not later than 90 days after the end of each fiscal year, any entity carrying out a project under the tribal transportation program under section 202 shall submit to the Secretary and the Secretary of Interior, based on obligations and expenditures under the tribal transportation program during the preceding fiscal year, the following data:

''(i) The names of projects or activities carried out by the entity under the tribal transportation program during the preceding fiscal year.

''(ii) A description of the projects or activities identified under clause (i).

''(iii) The current status of the projects or activities identified under clause (i).

''(iv) An estimate of the number of jobs created and the number of jobs retained by the projects or activities identified under clause (i).''.

SEC. 12102. PERFORMANCE MANAGEMENT DATA SUPPORT PROGRAM.

(a) PERFORMANCE MANAGEMENT DATA SUPPORT.—The Administrator of the Federal Highway Administration shall develop, use, and maintain data sets and data analysis tools to assist metropolitan planning organizations, States, and the Federal Highway Administration in carrying out performance management analyses (including the performance management requirements under section 150 of title 23, United States Code).

(b) INCLUSIONS.—The data analysis activities authorized under subsection (a) may include—

(1) collecting and distributing vehicle probe data describing traffic on Federal-aid highways;

(2) collecting household travel behavior data to assess local and cross-jurisdictional travel, including to accommodate external and through travel;

(3) enhancing existing data collection and analysis tools to accommodate performance measures, targets, and related data, so as to better understand trip origin and destination, trip time, and mode;

(4) enhancing existing data analysis tools to improve performance predictions and travel models in reports described in section 150(e) of title 23, United States Code; and

(5) developing tools—

(A) to improve performance analysis; and

(B) to evaluate the effects of project investments on performance.

(c) FUNDING.—From amounts authorized to carry out the Highway Research and Development Program, the Administrator may use up to $10,000,000 for each of fiscal years 2016 through 2021 to carry out this section.

Subtitle C—Transparency and Best Practices

SEC. 12201. EVERY DAY COUNTS INITIATIVE.

(a) IN GENERAL.—It is in the national interest for the Department, State departments of transportation, and all other recipients of Federal transportation funds—

(1) to identify, accelerate, and deploy innovation aimed at shortening project delivery, enhancing the safety of the roadways of the United States, and protecting the environment;

(2) to ensure that the planning, design, engineering, construction, and financing of transportation projects is done in an efficient and effective manner;

(3) to promote the rapid deployment of proven solutions that provide greater accountability for public investments and encourage greater private sector involvement; and

(4) to create a culture of innovation within the highway community.

(b) EVERY DAY COUNTS INITIATIVE.—To advance the policy described in subsection (a), the Administrator of the Federal Highway Administration (referred to in this section as the ''Administrator'') shall continue the Every Day Counts initiative to work with States, local transportation agencies, and industry stakeholders to identify and deploy proven innovative practices and products that—

(1) accelerate innovation deployment;

(2) shorten the project delivery process;

(3) improve environmental sustainability;

(4) enhance roadway safety; and

(5) reduce congestion.

(c) INNOVATION DEPLOYMENT.—

(1) IN GENERAL.—At least every 2 years, the Administrator shall work collaboratively with stakeholders to identify a new collection of innovations, best practices, and data to be deployed to highway stakeholders through case studies, webinars, and demonstration projects.

(2) REQUIREMENTS.—In identifying a collection described in paragraph (1), the Secretary shall take into account market readiness, impacts, benefits, and ease of adoption of the innovation or practice.

(d) PUBLICATION.—Each collection identified under subsection (c) shall be published by the Administrator on a publicly available website.

SEC. 12202. DEPARTMENT OF TRANSPORTATION PERFORMANCE MEASURES.

(a) PERFORMANCE MEASURES.—Not later than 1 year after the date of enactment of this Act, the Secretary, in coordination with the heads of other Federal agencies with responsibility for the review and approval of projects funded under title 23, United States Code, shall measure and report on—

(1) the progress made toward aligning Federal reviews of projects funded under title 23, United States Code, and the improvement of project delivery associated with those projects; and

(2) as applicable, the effectiveness of the Department in achieving the goals described in section 150(b) of title 23, United States Code, through discretionary programs.

(b) REPORT.—Not later than 2 years after the date of enactment of this Act and biennially thereafter, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report describing the results of the evaluation conducted under subsection (a).

(c) INSPECTOR GENERAL REPORT.—Not later than 3 years after the date of enactment of this Act, the Inspector General of the Department shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report describing the results of the evaluation conducted under subsection (a).

SEC. 12203. GRANT PROGRAM FOR ACHIEVEMENT IN TRANSPORTATION FOR PERFORMANCE AND INNOVATION.

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE ENTITY.—The term ''eligible entity'' includes—

(A) a State;

(B) a unit of local government;

(C) a tribal organization (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b)); and

(D) a metropolitan planning organization.

(2) STATE.—The term ''State'' means—

(A) a State;

(B) the District of Columbia;

(C) the Commonwealth of Puerto Rico; and

(D) any other territory (as defined in section 165(c)(1) of title 23, United States Code).

(b) ESTABLISHMENT OF PROGRAM.—The Secretary shall establish a competitive grant program to reward—

(1) achievement in transportation performance management; and

(2) the implementation of strategies that achieve innovation and efficiency in surface transportation.

(c) PURPOSE.—The purpose of the program under this section shall be to reward entities for the implementation of policies and procedures that—

(1) support performance-based management of the surface transportation system and improve transportation outcomes; or

(2) use innovative technologies and practices that improve the efficiency and performance of the surface transportation system.

(d) APPLICATION.—

(1) IN GENERAL.—An eligible entity may submit to the Secretary an application for a grant under this section.

(2) CONTENTS.—An application under paragraph (1) shall indicate the means by which the eligible entity has met the requirements and purpose of the program under this section, including by—

(A) establishing, and making progress toward achieving, performance targets that exceed the requirements of title 23, United States Code;

(B) using innovative techniques and practices that enhance the effective movement of people, goods, and services, such as technologies that reduce construction time, improve operational efficiencies, and extend the service life of highways and bridges; and

(C) employing transportation planning tools and procedures that improve transparency and the development of transportation investment strategies within the jurisdiction of the eligible entity.

(e) EVALUATION CRITERIA.—In awarding a grant under this section, the Secretary shall take into consideration the extent to which the application of the applicable eligible entity under subsection (d)—

(1) demonstrates performance in meeting the requirements of subsection (c); and

(2) promotes the national goals described in section 150(b) of title 23, United States Code.

(f) ELIGIBLE ACTIVITIES.—Amounts made available to carry out this section shall be used for projects eligible for funding under—

(1) title 23, United States Code; or

(2) chapter 53 of title 49, United States Code.

(g) LIMITATION.—The amount of a grant under this section shall be not more than $15,000,000.

(h) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated out of the general fund of the Treasury to carry out this section $150,000,000 for each of fiscal years 2016 through 2021, to remain available until expended.

(2) ADMINISTRATIVE COSTS.—The Secretary shall withhold a reasonable amount of funds made available under paragraph (1) for administration of the program under this section, not to exceed 3 percent of the amount appropriated for each applicable fiscal year.

(i) APPLICABILITY OF REQUIREMENTS.—Amounts made available under this section shall be administered as if the funds were apportioned under chapter 1 of title 23, United States Code.

SEC. 12204. HIGHWAY TRUST FUND TRANSPARENCY AND ACCOUNTABILITY.

(a) IN GENERAL.—Section 104 of title 23, United States Code, is amended by striking subsection (g) and inserting the following:

''(g) HIGHWAY TRUST FUND TRANSPARENCY AND ACCOUNTABILITY REPORT.—

''(1) PUBLICLY AVAILABLE REPORT.—Not later than 180 days after the date of enactment of the DRIVE Act and quarterly thereafter, the Secretary shall compile data in accordance with this subsection on the use of Federal-aid highway program funds made available under this title.

''(2) REQUIREMENTS.—The Secretary shall ensure that the reports required under this subsection are made available in a user-friendly manner on the public website of the Department of Transportation and can be searched and downloaded by users of the website.

''(3) CONTENTS OF REPORT.—

''(A) APPORTIONED AND ALLOCATED PROGRAMS.—For each fiscal year, the report shall include comprehensive data for each program, organized by State, that includes—

''(i) the total amount of funds available for obligation, identifying the unobligated balance of funds available at the end of the preceding fiscal year and new funding available for the current fiscal year;

''(ii) the total amount of funding obligated during the current fiscal year;

''(iii) the remaining amount of funds available for obligation;

''(iv) changes in the obligated, unexpended balance during the current fiscal year, including the obligated, unexpended balance at the end of the preceding fiscal year and current fiscal year expenditures; and

''(v) the percentage of the total amount of obligations for the current fiscal year used for construction and the total amount obligated during the current fiscal year for rehabilitation.

''(B) PROJECT DATA.—To the maximum extent practicable, the report shall include project-specific data, including data describing—

''(i) the specific location of a project;

''(ii) whether the project is located in an area of the State with a population of—

''(I) less than 5,000 individuals;

''(II) 5,000 or more individuals but less than 50,000 individuals; or

''(III) 50,000 or more individuals;

''(iii) the total cost of the project;

''(iv) the amount of Federal funding being used on the project;

''(v) the 1 or more programs from which Federal funds are obligated on the project;

''(vi) the type of improvement being made, such as categorizing the project as—

''(I) a road reconstruction project;

''(II) a new road construction project;

''(III) a new bridge construction project;

''(IV) a bridge rehabilitation project; or

''(V) a bridge replacement project; and

''(vii) the ownership of the highway or bridge.

''(C) TRANSFERS BETWEEN PROGRAMS.—The report shall include a description of the amount of funds transferred between programs by each State under section 126.''.

(b) CONFORMING AMENDMENT.—Section 1503 of MAP–21 (23 U.S.C. 104 note; Public Law 112–141) is amended by striking subsection (c).

SEC. 12205. REPORT ON HIGHWAY TRUST FUND ADMINISTRATIVE EXPENDITURES.

(a) INITIAL REPORT.—Not later than 150 days after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report describing the administrative expenses of the Federal Highway Administration funded from the Highway Trust Fund during the 3 most recent fiscal years.

(b) UPDATES.—Not later than 5 years after the date on which the report is submitted under subsection (a) and every 5 years thereafter, the Comptroller General shall submit to Congress a report that updates the information provided in the report under that subsection for the preceding 5-year period.

(c) INCLUSIONS.—Each report submitted under subsection (a) or (b) shall include a description of the—

(1) types of administrative expenses of programs and offices funded by the Highway Trust Fund;

(2) tracking and monitoring of administrative expenses;

(3) controls in place to ensure that funding for administrative expenses is used as efficiently as practicable; and

(4) flexibility of the Department to reallocate amounts from the Highway Trust Fund between full-time equivalent employees and other functions.

SEC. 12206. AVAILABILITY OF REPORTS.

(a) IN GENERAL.—The Secretary shall make available to the public on the website of the Department any report required to be submitted by the Secretary to Congress after the date of enactment of this Act.

(b) DEADLINE.—Each report described in subsection (a) shall be made available on the website not later than 30 days after the report is submitted to Congress.

SEC. 12207. PERFORMANCE PERIOD ADJUSTMENT.

(a) NATIONAL HIGHWAY PERFORMANCE PROGRAM.—Section 119 of title 23, United States Code, is amended—

(1) in subsection (e)(7), by striking ''for 2 consecutive reports submitted under this paragraph shall include in the next report submitted'' and inserting ''shall include as part of the performance target report under section 150(e)''; and

(2) in subsection (f)(1)(A), by striking ''If, during 2 consecutive reporting periods, the condition of the Interstate System, excluding bridges on the Interstate System, in a State falls'' and inserting ''If a State reports that the condition of the Interstate System, excluding bridges on the Interstate System, has fallen''.

(b) HIGHWAY SAFETY IMPROVEMENT PROGRAM.—Section 148(i) of title 23, United States Code, is amended—

(1) in the matter preceding paragraph (1), by striking ''performance targets of the State established under section 150(d) by the date that is 2 years after the date of the establishment of the performance targets'' and inserting ''safety performance targets of the State established under section 150(d)''; and

(2) in paragraphs (1) and (2), by inserting ''safety'' before ''performance targets'' each place it appears.

SEC. 12208. DESIGN STANDARDS.

(a) IN GENERAL.—Section 109 of title 23, United States Code, is amended—

(1) in subsection (c)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking ''may take into account'' and inserting ''shall consider''; and

(ii) in subparagraph (C), by striking ''access for'' and inserting ''access and safety for''; and

(B) in paragraph (2)—

(i) in subparagraph (C), by striking ''and'' at the end;

(ii) by redesignating subparagraph (D) as subparagraph (F); and

(iii) by inserting after subparagraph (C) the following:

''(D) the publication entitled 'Highway Safety Manual' of the American Association of State Highway and Transportation Officials;

''(E) the publication entitled 'Urban Street Design Guide' of the National Association of City Transportation Officials; and'';

(2) in subsection (f), by inserting ''pedestrian walkways,'' after ''bikeways,''; and

(3) by adding at the end the following:

''(s) SAFETY FOR MOTORIZED AND NONMOTORIZED USERS.—

''(1) IN GENERAL.—Not later than 2 years after the date of the enactment of this subsection, the Secretary shall establish standards to ensure that the design of Federal surface transportation projects provides for the safe and adequate accommodation (as determined by the State or other direct recipient of funds), in all phases of project planning, development, and operation, of all users of the transportation network, including motorized and nonmotorized users.

''(2) WAIVER FOR STATE LAW OR POLICY.—The Secretary may waive the application of standards established under paragraph (1) to a State that has adopted a law or policy that provides for the safe and adequate accommodation (as determined by the State or other direct recipient of funds), in all phases of project planning and development, of users of the transportation network on federally funded surface transportation projects.

''(3) COMPLIANCE.—

''(A) IN GENERAL.—Each State department of transportation shall submit a report to the Secretary, at such time, in such manner, and containing such information as the Secretary shall require, that describes measures implemented by the State to comply with this subsection.

''(B) DETERMINATION BY SECRETARY.—Upon the receipt of a report from a State under subparagraph (A), the Secretary shall determine whether the State is in compliance with this section.''.

(b) DESIGN STANDARD FLEXIBILITY.—Notwithstanding section 109(o) of title 23, United States Code, a local jurisdiction may use a roadway design guide that is different from the roadway design guide used by the State in which the local jurisdiction is located for the design of projects on all roadways under the ownership of the local jurisdiction (other than a highway on the Interstate System) if—

(1) the local jurisdiction is the project sponsor;

(2) the roadway design guide—

(A) is recognized by the Federal Highway Administration; and

(B) is adopted by the local jurisdiction; and

(3) the design complies with all other applicable Federal laws.

TITLE III—TRANSPORTATION INFRASTRUCTURE FINANCE AND INNOVATION ACT OF 1998 AMENDMENTS

SEC. 13001. TRANSPORTATION INFRASTRUCTURE FINANCE AND INNOVATION ACT OF 1998 AMENDMENTS.

(a) DEFINITIONS.—Section 601(a) of title 23, United States Code, is amended—

(1) in the matter preceding paragraph (1)—

(A) by striking ''In this chapter, the'' and inserting ''The''; and

(B) by inserting ''to sections 601 through 609'' after ''apply'';

(2) in paragraph (2)—

(A) in subparagraph (B), by striking ''and'' at the end;

(B) in subparagraph (C), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(D) capitalizing a rural projects fund using the proceeds of a secured loan made to a State infrastructure bank in accordance with sections 602 and 603, for the purpose of making loans to sponsors of rural infrastructure projects in accordance with section 610.'';

(3) in paragraph (3), by striking ''this chapter'' and inserting ''the TIFIA program'';

(4) in paragraph (10)—

(A) in the matter preceding subparagraph (A)—

(i) by inserting ''related'' before ''projects''; and

(ii) by striking ''(which shall receive an investment grade rating from a rating agency)'';

(B) in subparagraph (A), by striking ''subject to the availability of future funds being made available to carry out this chapter;'' and inserting ''subject to—

''(i) the availability of future funds being made available to carry out the TIFIA program; and

''(ii) the satisfaction of all of the conditions for the provision of credit assistance under the TIFIA program, including section 603(b)(1);''; and

(C) in subparagraph (D)—

(i) by redesignating clauses (ii) and (iii) as clauses (iii) and (iv), respectively;

(ii) by inserting after clause (i) the following:

''(ii) receiving an investment grade rating from a rating agency;'';

(iii) in clause (iii) (as so redesignated), by striking ''section 602(c)'' and inserting ''including sections 602(c) and 603(b)(1)''; and

(iv) in clause (iv) (as so redesignated), by striking ''this chapter'' and inserting ''the TIFIA program'';

(5) in paragraph (12)—

(A) in subparagraph (D)(iv), by striking the period at the end and inserting ''; and''; and

(B) by adding at the end the following:

''(E) a project to improve or construct public infrastructure that is located within walking distance of, and accessible to, a fixed guideway transit facility, passenger rail station, intercity bus station, or intermodal facility, including a transportation, public utility, and capital project described in section 5302(3)(G)(v) of title 49, and related infrastructure;

''(F) a project for the acquisition of plant and wildlife habitat pursuant to a conservation plan that—

''(i) has been approved by the Secretary of the Interior pursuant to section 10 of the Endangered Species Act of 1973 (16 U.S.C. 1539); and

''(ii) as determined by the Secretary of the Interior, would mitigate the environmental impacts of transportation infrastructure projects otherwise eligible for assistance under the TIFIA program; and

''(G) the capitalization of a rural projects fund by a State infrastructure bank with the proceeds of a secured loan made in accordance with sections 602 and 603, for the purpose of making loans to sponsors of rural infrastructure projects in accordance with section 610.'';

(6) in paragraph (15), by striking ''means'' and all that follows through the period at the end and inserting ''means a surface transportation infrastructure project located in an area that is outside of an urbanized area with a population greater than 150,000 individuals, as determined by the Bureau of the Census.'';

(7) by redesignating paragraphs (16), (17), (18), (19), and (20) as paragraphs (17), (18), (20), (21), and (22), respectively;

(8) by inserting after paragraph (15) the following:

''(16) RURAL PROJECTS FUND.—The term 'rural projects fund' means a fund—

''(A) established by a State infrastructure bank in accordance with section 610(d)(4);

''(B) capitalized with the proceeds of a secured loan made to the bank in accordance with sections 602 and 603; and

''(C) for the purpose of making loans to sponsors of rural infrastructure projects in accordance with section 610.'';

(9) by inserting after paragraph (18) (as redesignated) the following:

''(19) STATE INFRASTRUCTURE BANK.—The term 'State infrastructure bank' means an infrastructure bank established under section 610.''; and

(10) in paragraph (22) (as redesignated), by inserting ''established under sections 602 through 609'' after ''Department''.

(b) DETERMINATION OF ELIGIBILITY AND PROJECT SELECTION.—Section 602 of title 23, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1), in the matter preceding subparagraph (A), by striking ''this chapter'' and inserting ''the TIFIA program'';

(B) in paragraph (2)(A), by striking ''this chapter'' and inserting ''the TIFIA program'';

(C) in paragraph (3), by striking ''this chapter'' and inserting ''the TIFIA program'';

(D) in paragraph (5)—

(i) by striking the heading and inserting ''ELIGIBLE PROJECT COST PARAMETERS.—'';

(ii) in subparagraph (A)—

(I) in the matter preceding clause (i), by striking ''subparagraph (B), to be eligible for assistance under this chapter, a project'' and inserting ''subparagraphs (B) and (C), a project under the TIFIA program'';

(II) by striking clause (i) and inserting the following:

''(i) $50,000,000; and''; and

(III) in clause (ii), by striking ''assistance''; and

(iii) in subparagraph (B)—

(I) by striking the subparagraph designation and heading and all that follows through ''In the case'' and inserting the following:

''(B) EXCEPTIONS.—

''(i) INTELLIGENT TRANSPORTATION SYSTEMS.—In the case''; and

(II) by adding at the end the following:

''(ii) TRANSIT-ORIENTED DEVELOPMENT PROJECTS.—In the case of a project described in section 601(a)(12)(E), eligible project costs shall be reasonably anticipated to equal or exceed $10,000,000.

''(iii) RURAL PROJECTS.—In the case of a rural infrastructure project or a project capitalizing a rural projects fund, eligible project costs shall be reasonably anticipated to equal or exceed $10,000,000, but not to exceed $100,000,000.

''(iv) LOCAL INFRASTRUCTURE PROJECTS.—Eligible project costs shall be reasonably anticipated to equal or exceed $10,000,000 in the case of projects or programs of projects—

''(I) in which the applicant is a local government, public authority, or instrumentality of local government;

''(II) located on a facility owned by a local government; or

''(III) for which the Secretary determines that a local government is substantially involved in the development of the project.'';

(E) in paragraph (9), in the matter preceding subparagraph (A), by striking ''this chapter'' and inserting ''the TIFIA program''; and

(F) in paragraph (10)—

(i) by striking ''To be eligible'' and inserting the following:

''(A) IN GENERAL.—Except as provided in subparagraph (B), to be eligible'';

(ii) by striking ''this chapter'' each place it appears and inserting ''the TIFIA program'';

(iii) by striking ''not later than'' and inserting ''no later than''; and

(iv) by adding at the end the following:

''(B) RURAL PROJECTS FUND.—In the case of a project capitalizing a rural projects fund, the State infrastructure bank shall demonstrate, not later than 2 years after the date on which a secured loan is obligated for the project under the TIFIA program, that the bank has executed a loan agreement with a borrower for a rural infrastructure project in accordance with section 610. After the demonstration is made, the bank may draw upon the secured loan. At the end of the 2-year period, to the extent the bank has not used the loan commitment, the Secretary may extend the term of the loan or withdraw the loan commitment.'';

(2) in subsection (b), by striking paragraph (2) and inserting the following:

''(2) MASTER CREDIT AGREEMENTS.—

''(A) PROGRAM OF RELATED PROJECTS.—The Secretary may enter into a master credit agreement for a program of related projects secured by a common security pledge on terms acceptable to the Secretary.

''(B) ADEQUATE FUNDING NOT AVAILABLE.—If the Secretary fully obligates funding to eligible projects for a fiscal year and adequate funding is not available to fund a credit instrument, a project sponsor of an eligible project may elect to enter into a master credit agreement and wait to execute a credit instrument until the fiscal year for which additional funds are available to receive credit assistance.'';

(3) in subsection (c)(1), in the matter preceding subparagraph (A), by striking ''this chapter'' and inserting ''the TIFIA program''; and

(4) in subsection (e), by striking ''this chapter'' and inserting ''the TIFIA program''.

(c) SECURED LOAN TERMS AND LIMITATIONS.—Section 603(b) of title 23, United States Code, is amended—

(1) in paragraph (2)—

(A) by striking ''The amount of'' and inserting the following:

''(A) IN GENERAL.—Except as provided in subparagraph (B), the amount of''; and

(B) by adding at the end the following:

''(B) RURAL PROJECTS FUND.—In the case of a project capitalizing a rural projects fund, the maximum amount of a secured loan made to a State infrastructure bank shall be determined in accordance with section 602(a)(5)(B)(iii).'';

(2) in paragraph (3)(A)(i)—

(A) in subclause (III), by striking ''or'' at the end;

(B) in subclause (IV), by striking ''and'' at the end and inserting ''or''; and

(C) by adding at the end the following:

''(V) in the case of a secured loan for a project capitalizing a rural projects fund, any other dedicated revenue sources available to a State infrastructure bank, including repayments from loans made by the bank for rural infrastructure projects; and'';

(3) in paragraph (4)(B)—

(A) in clause (i), by striking ''under this chapter'' and inserting ''or a rural projects fund under the TIFIA program''; and

(B) in clause (ii), by inserting ''and rural project funds'' after ''rural infrastructure projects'';

(4) in paragraph (5)—

(A) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and indenting appropriately;

(B) in the matter preceding subparagraph (A), by striking ''The final'' and inserting the following:

''(A) IN GENERAL.—Except as provided in subparagraph (B), the final''; and

(C) by adding at the end the following:

''(B) RURAL PROJECTS FUND.—In the case of a project capitalizing a rural projects fund, the final maturity date of the secured loan shall not exceed 35 years after the date on which the secured loan is obligated.'';

(5) in paragraph (8), by striking ''this chapter'' and inserting ''the TIFIA program''; and

(6) in paragraph (9)—

(A) by striking ''The total Federal assistance provided on a project receiving a loan under this chapter'' and inserting the following:

''(A) IN GENERAL.—The total Federal assistance provided for a project receiving a loan under the TIFIA program''; and

(B) by adding at the end the following:

''(B) RURAL PROJECTS FUND.—A project capitalizing a rural projects fund shall satisfy clause (i) through compliance with the Federal share requirement described in section 610(e)(3)(B).''.

(d) PROGRAM ADMINISTRATION.—Section 605 of title 23, United States Code, is amended—

(1) by striking ''this chapter'' each place it appears and inserting ''the TIFIA program''; and

(2) by adding at the end the following:

''(f) ASSISTANCE TO SMALL PROJECTS.—

''(1) RESERVATION OF FUNDS.—Of the funds made available to carry out the TIFIA program for each fiscal year, and after the set-aside under section 608(a)(6), not less than $2,000,000 shall be made available for the Secretary to use in lieu of fees collected under subsection (b) for projects under the TIFIA program having eligible project costs that are reasonably anticipated not to equal or exceed $75,000,000.

''(2) RELEASE OF FUNDS.—Any funds not used under paragraph (1) shall be made available on October 1 of the following fiscal year to provide credit assistance to any project under the TIFIA program.''.

(e) STATE AND LOCAL PERMITS.—Section 606 of title 23, United States Code, is amended in the matter preceding paragraph (1) by striking ''this chapter'' and inserting ''the TIFIA program''.

(f) REGULATIONS.—Section 607 of title 23, United States Code, is amended by striking ''this chapter'' and inserting ''the TIFIA program''.

(g) FUNDING.—Section 608 of title 23, United States Code, is amended—

(1) by striking ''this chapter'' each place it appears and inserting ''the TIFIA program''; and

(2) in subsection (a)—

(A) in paragraph (2), by inserting ''of'' after ''504(f)'';

(B) in paragraph (3)—

(i) in subparagraph (A), by inserting ''or rural projects funds'' after ''rural infrastructure projects''; and

(ii) in subparagraph (B), by inserting ''or rural projects funds'' after ''rural infrastructure projects'';

(C) by striking paragraph (4) and redesignating paragraphs (5) and (6) as paragraphs (4) and (5), respectively; and

(D) in paragraph (5) (as so redesignated), by striking ''0.50 percent'' and inserting ''1.5 percent''.

(h) REPORTS TO CONGRESS.—Section 609 of title 23, United States Code, is amended by striking ''this chapter (other than section 610)'' each place it appears and inserting ''the TIFIA program''.

(i) STATE INFRASTRUCTURE BANK PROGRAM.—Section 610 of title 23, United States Code, is amended—

(1) in subsection (a), by adding at the end the following:

''(11) RURAL INFRASTRUCTURE PROJECT.—The term 'rural infrastructure project' has the meaning given the term in section 601.

''(12) RURAL PROJECTS FUND.—The term 'rural projects fund' has the meaning given the term in section 601.'';

(2) in subsection (d)—

(A) in paragraph (1)(A), by striking ''each of fiscal years'' and all that follows through

the end of subparagraph (A) and inserting ''each fiscal year under each of paragraphs (1), (2), and (5) of section 104(b); and'';

(B) in paragraph (2), by striking ''in each of fiscal years 2005 through 2009'' and inserting ''in each fiscal year'';

(C) in paragraph (3), by striking ''in each of fiscal years 2005 through 2009'' and inserting ''in each fiscal year'';

(D) by redesignating paragraphs (4) through (6) as paragraphs (5) through (7), respectively;

(E) by inserting after paragraph (3) the following:

''(4) RURAL PROJECTS FUND.—Subject to subsection (j), the Secretary may permit a State entering into a cooperative agreement under this section to establish a State infrastructure bank to deposit into the rural projects fund of the bank the proceeds of a secured loan made to the bank in accordance with section 602 and 603.''; and

(F) in paragraph (6) (as redesignated), by striking ''section 133(d)(3)'' and inserting ''section 133(d)(1)(A)(i)'';

(3) by striking subsection (e) and inserting the following:

''(e) FORMS OF ASSISTANCE FROM STATE INFRASTRUCTURE BANKS.—

''(1) IN GENERAL.—A State infrastructure bank established under this section may—

''(A) with funds deposited into the highway account, transit account, or rail account of the bank, make loans or provide other forms of credit assistance to a public or private entity to carry out a project eligible for assistance under this section; and

''(B) with funds deposited into the rural projects fund, make loans to a public or private entity to carry out a rural infrastructure project.

''(2) SUBORDINATION OF LOAN.—The amount of a loan or other form of credit assistance provided for a project described in paragraph (1) may be subordinated to any other debt financing for the project.

''(3) MAXIMUM AMOUNT OF ASSISTANCE.—A State infrastructure bank established under this section may—

''(A) with funds deposited into the highway account, transit account, or rail account, make loans or provide other forms of credit assistance to a public or private entity in an amount up to 100 percent of the cost of carrying out a project eligible for assistance under this section; and

''(B) with funds deposited into the rural projects fund, make loans to a public or private entity in an amount not to exceed 80 percent of the cost of carrying out a rural infrastructure project.

''(4) INITIAL ASSISTANCE.—Initial assistance provided with respect to a project from Federal funds deposited into a State infrastructure bank under this section may not be made in the form of a grant.'';

(4) in subsection (g)—

(A) in paragraph (1), by striking ''each account'' and inserting ''the highway account, the transit account, and the rail account''; and

(B) in paragraph (4), by inserting '', except that any loan funded from the rural projects fund of the bank shall bear interest at or below the interest rate charged for the TIFIA loan provided to the bank under section 603'' after ''feasible''; and

(5) in subsection (k), by striking ''For each of fiscal years 2005 through 2009'' and inserting ''For each fiscal year''.

TITLE IV—TECHNICAL CORRECTIONS

SEC. 14001. TECHNICAL CORRECTIONS.

(a) Section 101(a)(29) of title 23, United States Code, is amended—

(1) in subparagraph (B), by inserting a comma after ''disabilities''; and

(2) in subparagraph (F)(i), by striking ''133(b)(11)'' and inserting ''133(b)(14)''.

(b) Section 119(d)(1)(A) of title 23, United States Code, is amended by striking ''mobility,'' and inserting ''congestion reduction, system reliability,''.

(c) Section 126(b) of title 23, United States Code (as amended by section 11014(b)), is amended by striking ''133(d)'' and inserting ''133(d)(1)(A)''.

(d) Section 127(a)(3) of title 23, United States Code, is amended by striking ''118(b)(2) of this title'' and inserting ''118(b)''.

(e) Section 150(c)(3)(B) of title 23, United States Code, is amended by striking the semicolon at the end and inserting a period.

(f) Section 153(h)(2) of title 23, United States Code, is amended by striking ''paragraphs (1) through (3)'' and inserting ''paragraphs (1), (2), and (4)''.

(g) Section 163(f)(2) of title 23, United States Code, is amended by striking ''118(b)(2)'' and inserting ''118(b)''.

(h) Section 165(c)(7) of title 23, United States Code, is amended by striking ''paragraphs (2), (4), (7), (8), (14), and (19)'' and inserting ''paragraphs (2), (4), (6), (7), and (14)''.

(i) Section 202(b)(3) of title 23, United States Code, is amended—

(1) in subparagraph (A)(i), in the matter preceding subclause (I), by inserting ''(a)(6),'' after ''subsections''; and

(2) in subparagraph (C)(ii)(IV), by striking ''(III).]'' and inserting ''(III).''.

(j) Section 217(a) of title 23, United States Code, is amended by striking ''104(b)(3)'' and inserting ''104(b)(4)''.

(k) Section 327(a)(2)(B)(iii) of title 23, United States Code, is amended by striking ''(42 U.S.C. 13 4321 et seq.)'' and inserting ''(42 U.S.C. 4321 et seq.)''.

(l) Section 504(a)(4) of title 23, United States Code, is amended by striking ''104(b)(3)'' and inserting ''104(b)(2)''.

(m) Section 515 of title 23, United States Code, is amended by striking ''this chapter'' each place it appears and inserting ''sections 512 through 518''.

(n) Section 518(a) of title 23, United States Code, is amended by inserting ''a report'' after ''House of Representatives''.

(o) Section 6302(b)(3)(B)(vi)(III) of title 49, United States Code, is amended by striking ''6310'' and inserting ''6309''.

(p) Section 1301(*l*)(3) of SAFETEA–LU (23 U.S.C. 101 note; Public Law 109–59) is amended—

(1) in subparagraph (A)(i), by striking ''complied'' and inserting ''compiled''; and

(2) in subparagraph (B), by striking ''paragraph (1)'' and inserting ''subparagraph (A)''.

(q) Section 4407 of SAFETEA–LU (Public Law 109–59; 119 Stat. 1777), is amended by striking ''hereby enacted into law'' and inserting ''granted''.

(r) Section 51001(a)(1) of the Transportation Research and Innovative Technology Act of 2012 (126 Stat. 864) is amended by striking ''sections 503(b), 503(d), and 509'' and inserting ''section 503(b)''.

TITLE V—MISCELLANEOUS

SEC. 15001. APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM.

Section 1528 of MAP–21 (40 U.S.C. 14501 note; Public Law 112–141) is amended—

(1) by striking ''2021'' each place it appears and inserting ''2050''; and

(2) by striking ''shall be 100 percent'' each place it appears and inserting ''shall be up to 100 percent, as determined by the State''.

SEC. 15002. APPALACHIAN REGIONAL DEVELOPMENT PROGRAM.

(a) HIGH-SPEED BROADBAND DEVELOPMENT INITIATIVE.—

(1) IN GENERAL.—Subchapter I of chapter 145 of subtitle IV of title 40, United States Code, is amended by adding at the end the following:

''§ 14509. High-speed broadband deployment initiative

''(a) IN GENERAL.—The Appalachian Regional Commission may provide technical assistance, make grants, enter into contracts, or otherwise provide amounts to individuals or entities in the Appalachian region for projects and activities—

''(1) to increase affordable access to broadband networks throughout the Appalachian region;

''(2) to conduct research, analysis, and training to increase broadband adoption efforts in the Appalachian region;

''(3) to provide technology assets, including computers, smartboards, and video projectors to educational systems throughout the Appalachian region;

''(4) to increase distance learning opportunities throughout the Appalachian region;

''(5) to increase the use of telehealth technologies in the Appalachian region; and

''(6) to promote e-commerce applications in the Appalachian region.

''(b) LIMITATION ON AVAILABLE AMOUNTS.—Of the cost of any activity eligible for a grant under this section—

''(1) not more than 50 percent may be provided from amounts appropriated to carry out this section; and

''(2) notwithstanding paragraph (1)—

''(A) in the case of a project to be carried out in a county for which a distressed county designation is in effect under section 14526, not more than 80 percent may be provided from amounts appropriated to carry out this section; and

''(B) in the case of a project to be carried out in a county for which an at-risk designation is in effect under section 14526, not more than 70 percent may be provided from amounts appropriated to carry out this section.

''(c) SOURCES OF ASSISTANCE.—Subject to subsection (b), a grant provided under this section may be provided from amounts made available to carry out this section in combination with amounts made available—

''(1) under any other Federal program; or

''(2) from any other source.

''(d) FEDERAL SHARE.—Notwithstanding any provision of law limiting the Federal share under any other Federal program, amounts made available to carry out this section may be used to increase that Federal share, as the Appalachian Regional Commission determines to be appropriate.''.

(2) CONFORMING AMENDMENT.—The analysis for chapter 145 of title 40, United States Code, is amended by inserting after the item relating to section 14508 the following:

''14509. High-speed broadband deployment initiative.''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 14703 of title 40, United States Code, is amended—

(1) in subsection (a)(5), by striking ''fiscal year 2012'' and inserting ''each of fiscal years 2012 through 2021'';

(2) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

(3) by inserting after subsection (b) the following:

''(c) HIGH-SPEED BROADBAND DEPLOYMENT INITIATIVE.—Of the amounts made available under subsection (a), $10,000,000 shall be used

to carry out section 14509 for each of fiscal years 2016 through 2021.''.

(c) TERMINATION.—Section 14704 of title 40, United States Code, is amended by striking ''2012'' and inserting ''2021''.

(d) EFFECTIVE DATE.—This section and the amendments made by this section take effect on October 1, 2015.

SEC. 15003. WATER INFRASTRUCTURE FINANCE AND INNOVATION.

Section 3907(a) of title 33, United States Code, is amended—

(1) by striking paragraph (5); and

(2) by redesignating paragraphs (6) and (7) as paragraphs (5) and (6), respectively.

SEC. 15004. ADMINISTRATIVE PROVISIONS TO ENCOURAGE POLLINATOR HABITAT AND FORAGE ON TRANSPORTATION RIGHTS-OF-WAY.

(a) IN GENERAL.—Section 319 of title 23, United States Code, is amended—

(1) in subsection (a), by inserting ''(including the enhancement of habitat and forage for pollinators)'' before ''adjacent''; and

(2) by adding at the end the following:

''(c) ENCOURAGEMENT OF POLLINATOR HABITAT AND FORAGE DEVELOPMENT AND PROTECTION ON TRANSPORTATION RIGHTS-OF-WAY.—In carrying out any program administered by the Secretary under this title, the Secretary shall, in conjunction with willing States, as appropriate—

''(1) encourage integrated vegetation management practices on roadsides and other transportation rights-of-way, including reduced mowing; and

''(2) encourage the development of habitat and forage for Monarch butterflies, other native pollinators, and honey bees through plantings of native forbs and grasses, including noninvasive, native milkweed species that can serve as migratory way stations for butterflies and facilitate migrations of other pollinators.''.

(b) PROVISION OF HABITAT, FORAGE, AND MIGRATORY WAY STATIONS FOR MONARCH BUTTERFLIES, OTHER NATIVE POLLINATORS, AND HONEY BEES.—Section 329(a)(1) of title 23, United States Code, is amended by inserting ''provision of habitat, forage, and migratory way stations for Monarch butterflies, other native pollinators, and honey bees,'' before ''and aesthetic enhancement''.

SEC. 15005. STUDY ON PERFORMANCE OF BRIDGES.

(a) IN GENERAL.—Subject to subsection (c), the Administrator of the Federal Highway Administration (referred to in this section as the ''Administrator'') shall commission the Transportation Research Board of the National Academy of Sciences to conduct a study on the performance of bridges that received funding under the innovative bridge research and construction program (referred to in this section as the ''program'') under section 503(b) of title 23, United States Code (as in effect on the day before the date of enactment of SAFETEA–LU (Public Law 109–59; 119 Stat. 1144)) in meeting the goals of that program, which included—

(1) the development of new, cost-effective innovative material highway bridge applications;

(2) the reduction of maintenance costs and lifecycle costs of bridges, including the costs of new construction, replacement, or rehabilitation of deficient bridges;

(3) the development of construction techniques to increase safety and reduce construction time and traffic congestion;

(4) the development of engineering design criteria for innovative products and materials for use in highway bridges and structures;

(5) the development of cost-effective and innovative techniques to separate vehicle and pedestrian traffic from railroad traffic;

(6) the development of highway bridges and structures that will withstand natural disasters, including alternative processes for the seismic retrofit of bridges; and

(7) the development of new nondestructive bridge evaluation technologies and techniques.

(b) CONTENTS.—The study commissioned under subsection (a) shall include—

(1) an analysis of the performance of bridges that received funding under the program in meeting the goals described in paragraphs (1) through (7) of subsection (a);

(2) an analysis of the utility, compared to conventional materials and technologies, of each of the innovative materials and technologies used in projects for bridges under the program in meeting the needs of the United States in 2015 and in the future for a sustainable and low lifecycle cost transportation system;

(3) recommendations to Congress on how the installed and lifecycle costs of bridges could be reduced through the use of innovative materials and technologies, including, as appropriate, any changes in the design and construction of bridges needed to maximize the cost reductions; and

(4) a summary of any additional research that may be needed to further evaluate innovative approaches to reducing the installed and lifecycle costs of highway bridges.

(c) PUBLIC COMMENT.—Before commissioning the study under subsection (a), the Administrator shall provide an opportunity for public comment on the study proposal.

(d) DATA FROM STATES.—Each State that received funds under the program shall provide to the Transportation Research Board any relevant data needed to carry out the study commissioned under subsection (a).

(e) DEADLINE.—The Administrator shall submit to Congress the study commissioned under subsection (a) not later than 3 years after the date of enactment of this Act.

SEC. 15006. SPORT FISH RESTORATION AND RECREATIONAL BOATING SAFETY.

Section 4 of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777c), as amended by section 73103, is amended—

(1) in subsection (a), in the matter preceding paragraph (1) by striking ''2015'' and inserting ''2021''; and

(2) in subsection (b)(1)(A) by striking ''2015'' and inserting ''2021''.

DIVISION B—PUBLIC TRANSPORTATION

TITLE XXI—FEDERAL PUBLIC TRANSPORTATION ACT

SEC. 21001. SHORT TITLE.

This title may be cited as the ''Federal Public Transportation Act of 2015''.

SEC. 21002. DEFINITIONS.

Section 5302 of title 49, United States Code, is amended—

(1) in paragraph (1)(E), by striking ''bicycle storage facilities and installing equipment'' and inserting ''bicycle storage shelters and parking facilities and the installation of equipment'';

(2) in paragraph (3)—

(A) by striking subparagraph (F) and inserting the following:

''(F) leasing equipment or a facility for use in public transportation;'';

(B) in subparagraph (G)—

(i) in clause (iv), by adding ''and'' at the end;

(ii) in clause (v), by striking ''and'' at the end; and

(iii) by striking clause (vi);

(C) in subparagraph (K), by striking ''or'' at the end;

(D) in subparagraph (L), by striking the period at the end and inserting a semicolon; and

(E) by adding at the end the following:

''(M) associated transit improvements; or

''(N) technological changes or innovations to modify low or no emission vehicles (as defined in section 5339(c)) or facilities.''; and

(3) by adding at the end the following:

''(24) VALUE CAPTURE.—The term 'value capture' means recovering the increased value to property located near public transportation resulting from investments in public transportation.''.

SEC. 21003. METROPOLITAN TRANSPORTATION PLANNING.

Section 5303 of title 49, United States Code, is amended—

(1) in subsection (a)(1), by inserting ''resilient'' after ''development of'';

(2) in subsection (c)(2), by striking ''and bicycle transportation facilities'' and inserting '', bicycle transportation facilities, intermodal facilities that support intercity transportation, including intercity buses and intercity bus facilities, and commuter vanpool providers'';

(3) in subsection (d)—

(A) by redesignating paragraphs (3) through (6) as paragraphs (4) through (7), respectively;

(B) by inserting after paragraph (2) the following:

''(3) REPRESENTATION.—

''(A) IN GENERAL.—Designation or selection of officials or representatives under paragraph (2) shall be determined by the metropolitan planning organization according to the bylaws or enabling statute of the organization.

''(B) PUBLIC TRANSPORTATION REPRESENTATIVE.—Subject to the bylaws or enabling statute of the metropolitan planning organization, a representative of a provider of public transportation may also serve as a representative of a local municipality.

''(C) POWERS OF CERTAIN OFFICIALS.—An official described in paragraph (2)(B) shall have responsibilities, actions, duties, voting rights, and any other authority commensurate with other officials described in paragraph (2)(B).''; and

(C) in paragraph (5), as so redesignated, by striking ''paragraph (5)'' and inserting ''paragraph (6)'';

(4) in subsection (e)(4)(B), by striking ''subsection (d)(5)'' and inserting ''subsection (d)(6)'';

(5) in subsection (g)(3)(A), by inserting ''natural disaster risk reduction,'' after ''environmental protection,'';

(6) in subsection (h)(1)—

(A) in subparagraph (G), by striking ''and'' at the end;

(B) in subparagraph (H), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(I) improve the resilience and reliability of the transportation system.'';

(7) in subsection (i)—

(A) in paragraph (2)—

(i) in subparagraph (A)(i), by striking ''transit'' and inserting ''public transportation facilities, intercity bus facilities'';

(ii) in subparagraph (G)—

(I) by striking ''and provide'' and inserting '', provide''; and

(II) by inserting before the period at the end the following: '', and reduce vulnerability due to natural disasters of the existing transportation infrastructure''; and

(iii) in subparagraph (H), by inserting before the period at the end the following: '',

including consideration of the role that intercity buses may play in reducing congestion, pollution, and energy consumption in a cost-effective manner and strategies and investments that preserve and enhance intercity bus systems, including systems that are privately owned and operated'';

(B) in paragraph (6)(A)—

(i) by inserting ''public ports,'' before ''freight shippers''; and

(ii) by inserting ''(including intercity bus operators and commuter vanpool providers)'' after ''private providers of transportation''; and

(C) in paragraph (8), by striking ''paragraph (2)(C)'' each place that term appears and inserting ''paragraph (2)(E)'';

(8) in subsection (j)(5)(A), by striking ''subsection (k)(4)'' and inserting ''subsection (k)(3)'';

(9) in subsection (k)—

(A) by striking paragraph (3); and

(B) by redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively;

(10) in subsection (l)—

(A) in paragraph (1), by adding a period at the end; and

(B) in paragraph (2)(D), by striking ''of less than 200,000'' and inserting ''with a population of 200,000 or less'';

(11) by striking subsection (n);

(12) by redsignating subsections (o), (p), and (q) as subsections (n), (o), and (p), respectively;

(13) in subsection (o), as so redesignated, by striking ''set aside under section 104(f) of title 23'' and inserting ''apportioned under paragraphs (5)(D) and (6) of section 104(b) of title 23''; and

(14) by adding at the end the following:

''(q) TREATMENT OF LAKE TAHOE REGION.—

''(1) DEFINITION OF LAKE TAHOE REGION.—In this subsection, the term 'Lake Tahoe Region' has the meaning given the term 'region' in subsection (a) of Article II of the Lake Tahoe Regional Planning Compact (Public Law 96–551; 94 Stat. 3234).

''(2) TREATMENT.—For purposes of this title, the Lake Tahoe Region shall be treated as—

''(A) a metropolitan planning organization;

''(B) a transportation management area under subsection (k); and

''(C) an urbanized area, which is comprised of—

''(i) a population of 145,000 and 25 square miles of land area in the State of California; and

''(ii) a population of 65,000 and 12 square miles of land area in the State of Nevada.''.

SEC. 21004. STATEWIDE AND NONMETROPOLITAN TRANSPORTATION PLANNING.

(a) IN GENERAL.—Section 5304 of title 49, United States Code, is amended—

(1) in subsection (a)(2), by striking ''and bicycle transportation facilities'' and inserting '', bicycle transportation facilities, intermodal facilities that support intercity transportation, including intercity buses and intercity bus facilities, and commuter vanpool providers'';

(2) in subsection (d)—

(A) in paragraph (1)—

(i) in subparagraph (G), by striking ''and'' at the end;

(ii) in subparagraph (H), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(I) improve the resilience and reliability of the transportation system.''; and

(B) in paragraph (2)—

(i) in subparagraph (B)(ii), by striking ''urbanized areas with a population of fewer than 200,000 individuals, as calculated according to the most recent decennial census, and'' and inserting ''areas''; and

(ii) in subparagraph (C)—

(I) by striking ''title 23'' and inserting ''this chapter''; and

(II) by striking ''urbanized areas with a population of fewer than 200,000 individuals, as calculated according to the most recent decennial census, and'' and inserting ''areas'';

(3) in subsection (e)(1)—

(A) by striking '''In'' and inserting ''In''; and

(B) by striking ''subsection (l)'' and inserting ''subsection (k)'';

(4) in subsection (f)—

(A) in paragraph (2)(B)(i), by striking ''subsection (l)'' and inserting ''subsection (k)'';

(B) in paragraph (3)(A)—

(i) in clause (i), by striking ''subsection (l)'' and inserting ''subsection (k)''; and

(ii) in clause (ii), by inserting ''(including intercity bus operators and commuter vanpool providers)'' after ''private providers of transportation'';

(C) in paragraph (7), in the matter preceding subparagraph (A), by striking ''should'' and inserting ''shall''; and

(D) in paragraph (8), by inserting '', including consideration of the role that intercity buses may play in reducing congestion, pollution, and energy consumption in a cost-effective manner and strategies and investments that preserve and enhance intercity bus systems, including systems that are privately owned and operated'' before the period at the end;

(5) in subsection (g)—

(A) in paragraph (2)(B)(i), by striking ''subsection (l)'' and inserting ''subsection (k)'';

(B) in paragraph (3)—

(i) by inserting ''public ports,'' before ''freight shippers''; and

(ii) by inserting ''(including intercity bus operators)'' after ''private providers of transportation''; and

(C) in paragraph (6)(A), by striking ''subsection (l)'' and inserting ''subsection (k)'';

(6) by striking subsection (i); and

(7) by redesignating subsections (j), (k), and (l) as subsections (i), (j), and (k), respectively.

(b) CONFORMING AMENDMENT.—Section 5303(b)(5) of title 49, United States Code, is amended by striking ''section 5304(l)'' and inserting ''section 5304(k)''.

SEC. 21005. URBANIZED AREA FORMULA GRANTS.

Section 5307 of title 49, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (2), by inserting ''or general public demand response service'' before ''during'' each place that term appears; and

(B) by adding at the end the following:

''(3) EXCEPTION TO SPECIAL RULE.—Notwithstanding paragraph (2), if a public transportation system described in that paragraph executes a written agreement with 1 or more other public transportation systems within the urbanized area to allocate funds for the purposes described in that paragraph by a method other than by measuring vehicle revenue hours, each public transportation system that is a party to the written agreement may follow the terms of the written agreement without regard to measured vehicle revenue hours referred to in that paragraph.

''(4) TEMPORARY AND TARGETED ASSISTANCE.—

''(A) ELIGIBILITY.—The Secretary may make a grant under this section to finance the operating cost of equipment and facilities to a recipient for use in public transportation in an area that the Secretary determines has—

''(i) a population of not fewer than 200,000 individuals, as determined by the Bureau of the Census; and

''(ii) a 3-month unemployment rate, as reported by the Bureau of Labor Statistics, that is—

''(I) greater than 7 percent; and

''(II) at least 2 percentage points greater than the lowest 3-month unemployment rate for the area during the 5-year period preceding the date of the determination.

''(B) AWARD OF GRANT.—

''(i) IN GENERAL.—Except as otherwise provided in this subparagraph, the Secretary may make a grant under this paragraph for not more than 2 consecutive fiscal years.

''(ii) ADDITIONAL YEAR.—If, at the end of the second fiscal year following the date on which the Secretary makes a determination under subparagraph (A) with respect to an area, the Secretary determines that the 3-month unemployment rate for the area is at least 2 percentage points greater than the unemployment rate for the area at the time the Secretary made the determination under subparagraph (A), the Secretary may make a grant to a recipient in the area for 1 additional consecutive fiscal year.

''(iii) EXCLUSION PERIOD.—Beginning on the last day of the last consecutive fiscal year for which a recipient receives a grant under this paragraph, the Secretary may not make a subsequent grant under this paragraph to the recipient for a number of fiscal years equal to the number of consecutive fiscal years in which the recipient received a grant under this paragraph.

''(C) LIMITATION.—

''(i) FIRST FISCAL YEAR.—For the first fiscal year following the date on which the Secretary makes a determination under subparagraph (A) with respect to an area, not more than 25 percent of the amount apportioned to a designated recipient under section 5336 for the fiscal year shall be available for operating assistance for the area.

''(ii) SECOND AND THIRD FISCAL YEARS.—For the second and third fiscal years following the date on which the Secretary makes a determination under subparagraph (A) with respect to an area, not more than 20 percent of the amount apportioned to a designated recipient under section 5336 for the fiscal year shall be available for operating assistance for the area.

''(D) PERIOD OF AVAILABILITY FOR OPERATING ASSISTANCE.—Operating assistance awarded under this paragraph shall be available for expenditure to a recipient in an area until the end of the second fiscal year following the date on which the Secretary makes a determination under subparagraph (A) with respect to the area, after which time any unexpended funds shall be available to the recipient for other eligible activities under this section.

''(E) CERTIFICATION.—The Secretary may make a grant for operating assistance under this paragraph for a fiscal year only if the recipient certifies that—

''(i) the recipient will maintain public transportation service levels at or above the current service level, which shall be demonstrated by providing an equal or greater number of vehicle hours of service in the fiscal year than the number of vehicle hours of service provided in the preceding fiscal year;

''(ii) any non-Federal entity that provides funding to the recipient, including a State or local governmental entity, will maintain the tax rate or rate of allocations dedicated to public transportation at or above the rate for the preceding fiscal year;

''(iii) the recipient has allocated the maximum amount of funding under this section

for preventive maintenance costs eligible as a capital expense necessary to maintain the level and quality of service provided in the preceding fiscal year; and

''(iv) the recipient will not use funding under this section for new capital assets except as necessary for the existing system to maintain or achieve a state of good repair, assure safety, or replace obsolete technology.''; and

(2) in subsection (c)(1)—

(A) in subparagraph (C), by inserting ''in a state of good repair'' after ''equipment and facilities'';

(B) in subparagraph (J), by adding ''and'' at the end;

(C) by striking subparagraph (K); and

(D) by redesignating subparagraph (L) as subparagraph (K).

SEC. 21006. FIXED GUIDEWAY CAPITAL INVESTMENT GRANTS.

(a) IN GENERAL.—Section 5309 of title 49, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (3), by striking ''and weekend days'';

(B) in paragraph (6)—

(i) in subparagraph (A), by inserting '', small start projects,'' after ''new fixed guideway capital projects''; and

(ii) by striking subparagraph (B) and inserting the following:

''(B) 2 or more projects that are any combination of new fixed guideway capital projects, small start projects, and core capacity improvement projects.''; and

(C) in paragraph (7)—

(i) in subparagraph (A), by striking ''$75,000,000'' and inserting ''$100,000,000''; and

(ii) in subparagraph (B), by striking ''$250,000,000'' and inserting ''$300,000,000'';

(2) in subsection (d)—

(A) in paragraph (1)(B), by striking '', policies and land use patterns that promote public transportation,''; and

(B) in paragraph (2)(A)—

(i) in clause (iii), by adding ''and'' at the end;

(ii) by striking clause (iv); and

(iii) by redesignating clause (v) as clause (iv);

(3) in subsection (g)(2)(A)(i), by striking '', the policies and land use patterns that support public transportation,'';

(4) in subsection (i)—

(A) in paragraph (1), by striking ''subsection (d) or (e)'' and inserting ''subsection (d), (e), or (h)'';

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by inserting ''new fixed guideway capital project or core capacity improvement'' after ''federally funded'';

(ii) by striking subparagraph (D) and inserting the following:

''(D) the program of interrelated projects, when evaluated as a whole—

''(i) meets the requirements of subsection (d)(2), subsection (e)(2), or paragraphs (3) and (4) of subsection (h), as applicable, if the program is comprised entirely of—

''(I) new fixed guideway capital projects;

''(II) core capacity improvement projects; or

''(III) small start projects; or

''(ii) meets the requirements of subsection (d)(2) if the program is comprised of any combination of new fixed guideway projects, small start projects, and core capacity improvement projects;''; and

(iii) in subparagraph (F), by inserting ''or (h)(5), as applicable'' after ''subsection (f)''; and

(C) in paragraph (3), by striking subparagraph (A) and inserting the following:

''(A) PROJECT ADVANCEMENT.—A project receiving a grant under this section that is part of a program of interrelated projects may not advance—

''(i) in the case of a small start project, from the project development phase to the construction phase unless the Secretary determines that the program of interrelated projects meets the applicable requirements of this section and there is a reasonable likelihood that the program will continue to meet such requirements; or

''(ii) in the case of a new fixed guideway capital project or a core capacity improvement project, from the project development phase to the engineering phase, or from the engineering phase to the construction phase, unless the Secretary determines that the program of interrelated projects meets the applicable requirements of this section and there is a reasonable likelihood that the program will continue to meet such requirements.''; and

(5) by adding at the end the following:

''(p) JOINT PUBLIC TRANSPORTATION AND INTERCITY PASSENGER RAIL PROJECTS.—

''(1) IN GENERAL.—The Secretary may make grants for new fixed guideway capital projects and core capacity improvement projects that provide both public transportation and intercity passenger rail service.

''(2) ELIGIBLE COSTS.—Eligible costs for a project under this subsection shall be limited to the net capital costs of the public transportation costs attributable to the project based on projected use of the new segment or expanded capacity of the project corridor, not including project elements designed to achieve or maintain a state of good repair, as determined by the Secretary under paragraph (4).

''(3) PROJECT JUSTIFICATION AND LOCAL FINANCIAL COMMITMENT.—A project under this subsection shall be evaluated for project justification and local financial commitment under subsections (d), (e), (f), and (h), as applicable to the project, based on—

''(A) the net capital costs of the public transportation costs attributable to the project as determined under paragraph (4); and

''(B) the share of funds dedicated to the project from sources other than this section included in the unified finance plan for the project.

''(4) CALCULATION OF NET CAPITAL PROJECT COST.—The Secretary shall estimate the net capital costs of a project under this subsection based on—

''(A) engineering studies;

''(B) studies of economic feasibility;

''(C) the expected use of equipment or facilities; and

''(D) the public transportation costs attributable to the project.

''(5) GOVERNMENT SHARE OF NET CAPITAL PROJECT COST.—

''(A) GOVERNMENT SHARE.—The Government share shall not exceed 80 percent of the net capital cost attributable to the public transportation costs of a project under this subsection as determined under paragraph (4).

''(B) NON-GOVERNMENT SHARE.—The remainder of the net capital cost attributable to the public transportation costs of a project under this subsection shall be provided from an undistributed cash surplus, a replacement or depreciation cash fund or reserve, or new capital.''.

(b) EXPEDITED PROJECT DELIVERY FOR CAPITAL INVESTMENT GRANTS PILOT PROGRAM.—

(1) DEFINITIONS.—In this subsection, the following definitions shall apply:

(A) APPLICANT.—The term ''applicant'' means a State or local governmental authority that applies for a grant under this subsection.

(B) CAPITAL PROJECT; FIXED GUIDEWAY; LOCAL GOVERNMENTAL AUTHORITY; PUBLIC TRANSPORTATION; STATE; STATE OF GOOD REPAIR.—The terms ''capital project'', ''fixed guideway'', ''local governmental authority'', ''public transportation'', ''State'', and ''state of good repair'' have the meanings given those terms in section 5302 of title 49, United States Code.

(C) CORE CAPACITY IMPROVEMENT PROJECT.—The term ''core capacity improvement project''—

(i) means a substantial corridor-based capital investment in an existing fixed guideway system that increases the capacity of a corridor by not less than 10 percent; and

(ii) may include project elements designed to aid the existing fixed guideway system in making substantial progress towards achieving a state of good repair.

(D) CORRIDOR-BASED BUS RAPID TRANSIT PROJECT.—The term ''corridor-based bus rapid transit project'' means a small start project utilizing buses in which the project represents a substantial investment in a defined corridor as demonstrated by features that emulate the services provided by rail fixed guideway public transportation systems—

(i) including—

(I) defined stations;

(II) traffic signal priority for public transportation vehicles;

(III) short headway bidirectional services for a substantial part of weekdays; and

(IV) any other features the Secretary may determine support a long-term corridor investment; and

(ii) the majority of which does not operate in a separated right-of-way dedicated for public transportation use during peak periods.

(E) ELIGIBLE PROJECT.—The term ''eligible project'' means a new fixed guideway capital project, a small start project, or a core capacity improvement project that has not entered into a full funding grant agreement with the Federal Transit Administration before the date of enactment of this Act.

(F) FIXED GUIDEWAY BUS RAPID TRANSIT PROJECT.—The term ''fixed guideway bus rapid transit project'' means a bus capital project—

(i) in which the majority of the project operates in a separated right-of-way dedicated for public transportation use during peak periods;

(ii) that represents a substantial investment in a single route in a defined corridor or subarea; and

(iii) that includes features that emulate the services provided by rail fixed guideway public transportation systems, including—

(I) defined stations;

(II) traffic signal priority for public transportation vehicles;

(III) short headway bidirectional services for a substantial part of weekdays and weekend days; and

(IV) any other features the Secretary may determine are necessary to produce high-quality public transportation services that emulate the services provided by rail fixed guideway public transportation systems.

(G) NEW FIXED GUIDEWAY CAPITAL PROJECT.—The term ''new fixed guideway capital project'' means—

(i) a fixed guideway project that is a minimum operable segment or extension to an existing fixed guideway system; or

(ii) a fixed guideway bus rapid transit project that is a minimum operable segment or an extension to an existing bus rapid transit system.

(H) RECIPIENT.—The term ''recipient'' means a recipient of funding under chapter 53 of title 49, United States Code.

(I) SMALL START PROJECT.—The term ''small start project'' means a new fixed guideway capital project, a fixed guideway bus rapid transit project, or a corridor-based bus rapid transit project for which—

(i) the Federal assistance provided or to be provided under this subsection is less than $75,000,000; and

(ii) the total estimated net capital cost is less than $300,000,000.

(2) GENERAL AUTHORITY.—The Secretary may make grants under this subsection to States and local governmental authorities to assist in financing—

(A) new fixed guideway capital projects or small start projects, including the acquisition of real property, the initial acquisition of rolling stock for the system, the acquisition of rights-of-way, and relocation, for projects in the advanced stages of planning and design; and

(B) core capacity improvement projects, including the acquisition of real property, the acquisition of rights-of-way, double tracking, signalization improvements, electrification, expanding system platforms, acquisition of rolling stock associated with corridor improvements increasing capacity, construction of infill stations, and such other capacity improvement projects as the Secretary determines are appropriate to increase the capacity of an existing fixed guideway system corridor by not less than 10 percent. Core capacity improvement projects do not include elements to improve general station facilities or parking, or acquisition of rolling stock alone.

(3) GRANT REQUIREMENTS.—

(A) IN GENERAL.—The Secretary may make not more than 10 grants under this subsection for an eligible project if the Secretary determines that—

(i) the eligible project is part of an approved transportation plan required under sections 5303 and 5304 of title 49, United States Code;

(ii) the applicant has, or will have—

(I) the legal, financial, and technical capacity to carry out the eligible project, including the safety and security aspects of the eligible project;

(II) satisfactory continuing control over the use of the equipment or facilities;

(III) the technical and financial capacity to maintain new and existing equipment and facilities; and

(IV) advisors providing guidance to the applicant on the terms and structure of the project that are independent from investors in the project;

(iii) the eligible project is supported, or will be supported, in part, through a public-private partnership, provided such support is determined by local policies, criteria, and decisionmaking under section 5306(a) of title 49, United States Code;

(iv) the eligible project is justified based on findings presented by the project sponsor to the Secretary, including—

(I) mobility improvements attributable to the project;

(II) environmental benefits associated with the project;

(III) congestion relief associated with the project;

(IV) economic development effects derived as a result of the project; and

(V) estimated ridership projections; and

(v) the eligible project is supported by an acceptable degree of local financial commitment (including evidence of stable and dependable financing sources).

(B) CERTIFICATION.—An applicant that has submitted the certifications required under subparagraphs (A), (B), (C), and (H) of section 5307(c)(1) of title 49, United States Code, shall be deemed to have provided sufficient information upon which the Secretary may make the determinations required under this paragraph.

(C) TECHNICAL CAPACITY.—The Secretary shall use an expedited technical capacity review process for applicants that have recently and successfully completed not less than 1 new fixed guideway capital project, small start project, or core capacity improvement project, if—

(i) the applicant achieved budget, cost, and ridership outcomes for the project that are consistent with or better than projections; and

(ii) the applicant demonstrates that the applicant continues to have the staff expertise and other resources necessary to implement a new project.

(D) FINANCIAL COMMITMENT.—

(i) REQUIREMENTS.—In determining whether an eligible project is supported by an acceptable degree of local financial commitment and shows evidence of stable and dependable financing sources for purposes of subparagraph (A)(v), the Secretary shall require that—

(I) each proposed source of capital and operating financing is stable, reliable, and available within the proposed eligible project timetable; and

(II) resources are available to recapitalize, maintain, and operate the overall existing and proposed public transportation system, including essential feeder bus and other services necessary, without degradation to the existing level of public transportation services.

(ii) CONSIDERATIONS.—In assessing the stability, reliability, and availability of proposed sources of financing under clause (i), the Secretary shall consider—

(I) the reliability of the forecasting methods used to estimate costs and revenues made by the applicant and the contractors to the applicant;

(II) existing grant commitments;

(III) the degree to which financing sources are dedicated to the proposed eligible project;

(IV) any debt obligation that exists or is proposed by the applicant, for the proposed eligible project or other public transportation purpose; and

(V) private contributions to the eligible project, including cost-effective project delivery, management or transfer of project risks, expedited project schedule, financial partnering, and other public-private partnership strategies.

(E) LABOR STANDARDS.—The requirements under section 5333 of title 49, United States Code, shall apply to each recipient of a grant under this subsection.

(4) PROJECT ADVANCEMENT.—An applicant that desires a grant under this subsection and meets the requirements of paragraph (3) shall submit to the Secretary, and the Secretary shall approve for advancement, a grant request that contains—

(A) identification of an eligible project;

(B) a schedule and finance plan for the construction and operation of the eligible project;

(C) an analysis of the efficiencies of the proposed eligible project development and delivery methods and innovative financing arrangement for the eligible project, including any documents related to the—

(i) public-private partnership required under paragraph (3)(A)(iii); and

(ii) project justification required under paragraph (3)(A)(iv); and

(D) a certification that the existing public transportation system of the applicant or, in the event that the applicant does not operate a public transportation system, the public transportation system to which the proposed project will be attached, is in a state of good repair.

(5) WRITTEN NOTICE FROM THE SECRETARY.—

(A) IN GENERAL.—Not later than 120 days after the date on which the Secretary receives a grant request of an applicant under paragraph (4), the Secretary shall provide written notice to the applicant—

(i) of approval of the grant request; or

(ii) if the grant request does not meet the requirements under paragraph (4), of disapproval of the grant request, including a detailed explanation of the reasons for the disapproval.

(B) CONCURRENT NOTICE.—The Secretary shall provide concurrent notice of an approval or disapproval of a grant request under subparagraph (A) to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

(6) WAIVER.—The Secretary may grant a waiver to an applicant that does not comply with paragraph (4)(D) if—

(A) the eligible project meets the definition of a core capacity improvement project; and

(B) the Secretary certifies that the eligible project will allow the applicant to make substantial progress in achieving a state of good repair.

(7) SELECTION CRITERIA.—The Secretary may enter into a full funding grant agreement with an applicant under this subsection for an eligible project for which an application has been submitted and approved for advancement by the Secretary under paragraph (4), only if the applicant has completed the planning and activities required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(8) LETTERS OF INTENT AND FULL FUNDING GRANT AGREEMENTS.—

(A) LETTERS OF INTENT.—

(i) AMOUNTS INTENDED TO BE OBLIGATED.—The Secretary may issue a letter of intent to an applicant announcing an intention to obligate, for an eligible project under this subsection, an amount from future available budget authority specified in law that is not more than the amount stipulated as the financial participation of the Secretary in the eligible project. When a letter is issued for an eligible project under this subsection, the amount shall be sufficient to complete at least an operable segment.

(ii) TREATMENT.—The issuance of a letter under clause (i) is deemed not to be an obligation under section 1108(c), 1501, or 1502(a) of title 31, United States Code, or an administrative commitment.

(B) FULL FUNDING GRANT AGREEMENTS.—

(i) IN GENERAL.—Except as provided in clause (v), an eligible project shall be carried out under this subsection through a full funding grant agreement.

(ii) CRITERIA.—The Secretary shall enter into a full funding grant agreement, based the requirements of this subparagraph, with each applicant receiving assistance for an eligible project that has received a written notice of approval under paragraph (5)(A)(i).

(iii) TERMS.—A full funding grant agreement shall—

(I) establish the terms of participation by the Federal Government in the eligible project;

(II) establish the maximum amount of Federal financial assistance for the eligible project;

(III) include the period of time for completing construction of the eligible project, consistent with the terms of the public-private partnership agreement, even if that period extends beyond the period of an authorization; and

(IV) make timely and efficient management of the eligible project easier according to the law of the United States.

(iv) SPECIAL FINANCIAL RULES.—

(I) IN GENERAL.—A full funding grant agreement under this subparagraph obligates an amount of available budget authority specified in law and may include a commitment, contingent on amounts to be specified in law in advance for commitments under this subparagraph, to obligate an additional amount from future available budget authority specified in law.

(II) STATEMENT OF CONTINGENT COMMITMENT.—A full funding grant agreement shall state that the contingent commitment is not an obligation of the Federal Government.

(III) INTEREST AND OTHER FINANCING COSTS.—Interest and other financing costs of efficiently carrying out a part of the eligible project within a reasonable time are a cost of carrying out the eligible project under a full funding grant agreement, except that eligible costs may not be more than the cost of the most favorable financing terms reasonably available for the eligible project at the time of borrowing. The applicant shall certify, in a way satisfactory to the Secretary, that the applicant has shown reasonable diligence in seeking the most favorable financing terms.

(IV) COMPLETION OF OPERABLE SEGMENT.—The amount stipulated in an agreement under this subparagraph for a new fixed guideway capital project, core capacity improvement project, or small start project shall be sufficient to complete at least an operable segment.

(v) EXCEPTION.—

(I) IN GENERAL.—The Secretary, to the maximum extent practicable, shall provide Federal assistance under this subsection for a small start project in a single grant. If the Secretary cannot provide such a single grant, the Secretary may execute an expedited grant agreement in order to include a commitment on the part of the Secretary to provide funding for the project in future fiscal years.

(II) TERMS OF EXPEDITED GRANT AGREEMENTS.—In executing an expedited grant agreement under this clause, the Secretary may include in the agreement terms similar to those established under clause (iii).

(C) LIMITATION ON AMOUNTS.—

(i) IN GENERAL.—The Secretary may enter into full funding grant agreements under this paragraph for eligible projects that contain contingent commitments to incur obligations in such amounts as the Secretary determines are appropriate.

(ii) APPROPRIATION REQUIRED.—An obligation may be made under this paragraph only when amounts are appropriated for obligation.

(D) NOTIFICATION TO CONGRESS.—

(i) IN GENERAL.—Not later than 30 days before the date on which the Secretary issues a letter of intent or enters into a full funding grant agreement for an eligible project under this paragraph, the Secretary shall notify, in writing, the Committee on Banking, Housing, and Urban Affairs and the Committee on Appropriations of the Senate and the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives of the proposed letter of intent or full funding grant agreement.

(ii) CONTENTS.—The written notification under clause (i) shall include a copy of the proposed letter of intent or full funding grant agreement for the eligible project.

(9) GOVERNMENT SHARE OF NET CAPITAL PROJECT COST.—

(A) IN GENERAL.—A grant for an eligible project shall not exceed 25 percent of the net capital project cost.

(B) REMAINDER OF NET CAPITAL PROJECT COST.—The remainder of the net capital project cost shall be provided from an undistributed cash surplus, a replacement or depreciation cash fund or reserve, or new capital.

(C) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in this subsection shall be construed as authorizing the Secretary to require a non-Federal financial commitment for a project that is more than 75 percent of the net capital project cost.

(D) SPECIAL RULE FOR ROLLING STOCK COSTS.—In addition to amounts allowed pursuant to subparagraph (A), a planned extension to a fixed guideway system may include the cost of rolling stock previously purchased if the applicant satisfies the Secretary that only amounts other than amounts provided by the Federal Government were used and that the purchase was made for use on the extension. A refund or reduction of the remainder may be made only if a refund of a proportional amount of the grant of the Federal Government is made at the same time.

(E) FAILURE TO CARRY OUT PROJECT.—If an applicant does not carry out an eligible project for reasons within the control of the applicant, the applicant shall repay all Federal funds awarded for the eligible project from all Federal funding sources, for all eligible project activities, facilities, and equipment, plus reasonable interest and penalty charges allowable by law.

(F) CREDITING OF FUNDS RECEIVED.—Any funds received by the Federal Government under this paragraph, other than interest and penalty charges, shall be credited to the appropriation account from which the funds were originally derived.

(10) AVAILABILITY OF AMOUNTS.—

(A) IN GENERAL.—An amount made available for an eligible project shall remain available to that eligible project for 5 fiscal years, including the fiscal year in which the amount is made available. Any amounts that are unobligated to the eligible project at the end of the 5-fiscal-year period may be used by the Secretary for any purpose under this subsection.

(B) USE OF DEOBLIGATED AMOUNTS.—An amount available under this subsection that is deobligated may be used for any purpose under this subsection.

(11) ANNUAL REPORT ON EXPEDITED PROJECT DELIVERY FOR CAPITAL INVESTMENT GRANTS.—Not later than the first Monday in February of each year, the Secretary shall submit to the Committee on Banking, Housing, and Urban Affairs and the Committee on Appropriations of the Senate and the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives a report that includes a proposed amount to be available to finance grants for anticipated projects under this subsection.

(12) BEFORE AND AFTER STUDY AND REPORT.—

(A) STUDY REQUIRED.—Each recipient shall conduct a study that—

(i) describes and analyzes the impacts of the eligible project on public transportation services and public transportation ridership;

(ii) describes and analyzes the consistency of predicted and actual benefits and costs of the innovative project development and delivery methods or innovative financing for the eligible project; and

(iii) identifies reasons for any differences between predicted and actual outcomes for the eligible project.

(B) SUBMISSION OF REPORT.—Not later than 2 years after an eligible project that is selected under this subsection begins revenue operations, the recipient shall submit to the Secretary a report on the results of the study conducted under subparagraph (A).

(13) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to—

(A) require the privatization of the operation or maintenance of any project for which an applicant seeks funding under this subsection;

(B) revise the determinations by local policies, criteria, and decisionmaking under section 5306(a) of title 49, United States Code;

(C) alter the requirements for locally developed, coordinated, and implemented transportation plans under sections 5303 and 5304 of title 49, United States Code; or

(D) alter the eligibilities or priorities for assistance under this subsection or section 5309 of title 49, United States Code.

SEC. 21007. MOBILITY OF SENIORS AND INDIVIDUALS WITH DISABILITIES.

(a) COORDINATION OF PUBLIC TRANSPORTATION SERVICES WITH OTHER FEDERALLY ASSISTED LOCAL TRANSPORTATION SERVICES.—

(1) DEFINITIONS.—In this subsection—

(A) the term ''allocated cost model'' means a method of determining the cost of trips by allocating the cost to each trip purpose served by a transportation provider in a manner that is proportional to the level of transportation service that the transportation provider delivers for each trip purpose, to the extent permitted by applicable Federal requirements; and

(B) the term ''Council'' means the Interagency Transportation Coordinating Council on Access and Mobility established under Executive Order 13330 (49 U.S.C. 101 note).

(2) COORDINATING COUNCIL ON ACCESS AND MOBILITY STRATEGIC PLAN.—Not later than 2 years after the date of enactment of this Act, the Council shall publish a strategic plan for the Council that—

(A) outlines the role and responsibilities of each Federal agency with respect to local transportation coordination, including nonemergency medical transportation;

(B) identifies a strategy to strengthen interagency collaboration;

(C) addresses any outstanding recommendations made by the Council in the 2005 Report to the President relating to the implementation of Executive Order 13330, including—

(i) a cost-sharing policy endorsed by the Council; and

(ii) recommendations to increase participation by recipients of Federal grants in locally developed, coordinated planning processes; and

(D) to the extent feasible, addresses recommendations by the Comptroller General of the United States concerning local coordination of transportation services.

(3) DEVELOPMENT OF COST-SHARING POLICY IN COMPLIANCE WITH APPLICABLE FEDERAL REQUIREMENTS.—In establishing the cost-sharing policy required under paragraph (2), the Council may consider, to the extent practicable—

(A) the development of recommended strategies for grantees of programs funded by members of the Council, including strategies for grantees of programs that fund non-emergency medical transportation, to use the cost-sharing policy in a manner that does not violate applicable Federal requirements; and

(B) optional incorporation of an allocated cost model to facilitate local coordination efforts that comply with applicable requirements of programs funded by members of the Council, such as—

(i) eligibility requirements;

(ii) service delivery requirements; and

(iii) reimbursement requirements.

(b) PILOT PROGRAM FOR INNOVATIVE COORDINATED ACCESS AND MOBILITY.—

(1) DEFINITIONS.—In this subsection—

(A) the term ''eligible project'' has the meaning given the term ''capital project'' in section 5302 of title 49, United States Code; and

(B) the term ''eligible recipient'' means a recipient or subrecipient, as those terms are defined in section 5310 of title 49, United States Code.

(2) GENERAL AUTHORITY.—The Secretary may make grants under this subsection to eligible recipients to assist in financing innovative projects for the transportation disadvantaged that improve the coordination of transportation services and non-emergency medical transportation services, including—

(A) the deployment of coordination technology;

(B) projects that create or increase access to community One-Call/One-Click Centers; and

(C) such other projects as determined by the Secretary.

(3) APPLICATION.—An eligible recipient shall submit to the Secretary an application that, at a minimum, contains—

(A) a detailed description of the eligible project;

(B) an identification of all eligible project partners and their specific role in the eligible project, including—

(i) private entities engaged in the coordination of non-emergency medical transportation services for the transportation disadvantaged; or

(ii) nonprofit entities engaged in the coordination of non-emergency medical transportation services for the transportation disadvantaged;

(C) a description of how the eligible project would—

(i) improve local coordination or access to coordinated transportation services;

(ii) reduce duplication of service, if applicable; and

(iii) provide innovative solutions in the State or community; and

(D) specific performance measures the eligible project will use to quantify actual outcomes against expected outcomes.

(4) GOVERNMENT SHARE OF COSTS.—

(A) IN GENERAL.—The Government share of the cost of an eligible project carried out under this subsection shall not exceed 80 percent.

(B) NON-GOVERNMENT SHARE.—The non-Government share of the cost of an eligible project carried out under this subsection may be derived from in-kind contributions.

(5) RULE OF CONSTRUCTION.—For purposes of this subsection, non-emergency medical transportation services shall be limited to services eligible under Federal programs other than programs authorized under chapter 53 of title 49, United States Code.

(c) TECHNICAL CORRECTION.—Section 5310(a) of title 49, United States Code, is amended by striking paragraph (1) and inserting the following:

''(1) RECIPIENT.—The term 'recipient' means—

''(A) a designated recipient or a State that receives a grant under this section directly; or

''(B) a State or local governmental entity that operates a public transportation service.''.

SEC. 21008. FORMULA GRANTS FOR RURAL AREAS.

Section 5311 of title 49, United States Code, is amended—

(1) in subsection (c)(1), as amended by division G, by striking subparagraphs (A) and (B) and inserting the following:

''(A) $5,000,000 for each fiscal year shall be distributed on a competitive basis by the Secretary.

''(B) $30,000,000 for each fiscal year shall be apportioned as formula grants, as provided in subsection (j).''; and

(2) in subsection (j)(1)—

(A) in subparagraph (A)(iii), by striking ''(as defined by the Bureau of the Census)'' and inserting ''(American Indian Areas, Alaska Native Areas, and Hawaiian Home Lands, as defined by the Bureau of the Census)''; and

(B) by adding at the end the following:

''(E) ALLOCATION BETWEEN MULTIPLE INDIAN TRIBES.—If more than 1 Indian tribe provides public transportation service on tribal lands in a single Tribal Statistical Area, and the Indian tribes do not determine how to allocate the funds apportioned under clause (iii) of subparagraph (A) between the Indian tribes, the Secretary shall allocate the funds such that each Indian tribe shall receive an amount equal to the total amount apportioned under such clause (iii) multiplied by the ratio of the number of annual unlinked passenger trips provided by each Indian tribe, as reported to the National Transit Database, to the total unlinked passenger trips provided by all the Indian tribes in the Tribal Statistical Area.''.

SEC. 21009. RESEARCH, DEVELOPMENT, DEMONSTRATION, AND DEPLOYMENT PROGRAM.

(a) IN GENERAL.—Section 5312 of title 49, United States Code, is amended—

(1) in the section heading, by striking ''**projects**'' and inserting ''**program**'';

(2) in subsection (a), in the subsection heading, by striking ''PROJECTS'' and inserting ''PROGRAM'';

(3) in subsection (d)—

(A) in paragraph (3)—

(i) in the matter preceding subparagraph (A), by inserting ''demonstration, deployment, or evaluation'' before ''project that'';

(ii) in subparagraph (A), by striking ''and'' at the end;

(iii) in subparagraph (B), by striking the period at the end and inserting ''; or''; and

(iv) by adding at the end the following:

''(C) the deployment of low or no emission vehicles, zero emission vehicles, or associated advanced technology.''; and

(B) by striking paragraph (5) and inserting the following:

''(5) PROHIBITION.—The Secretary may not make grants under this subsection for the demonstration, deployment, or evaluation of a vehicle that is in revenue service unless the Secretary determines that the project makes significant technological advancements in the vehicle.

''(6) DEFINITIONS.—In this subsection—

''(A) the term 'direct carbon emissions' means the quantity of direct greenhouse gas emissions from a vehicle, as determined by the Administrator of the Environmental Protection Agency;

''(B) the term 'low or no emission vehicle' means—

''(i) a passenger vehicle used to provide public transportation that the Secretary determines sufficiently reduces energy consumption or harmful emissions, including direct carbon emissions, when compared to a comparable standard vehicle; or

''(ii) a zero emission vehicle used to provide public transportation; and

''(C) the term 'zero emission vehicle' means a low or no emission vehicle that produces no carbon or particulate matter.'';

(4) by redesignating subsections (e) and (f) as subsections (f) and (g), respectively;

(5) by inserting after subsection (d) the following:

''(e) LOW OR NO EMISSION VEHICLE COMPONENT ASSESSMENT.—

''(1) DEFINITIONS.—In this subsection—

''(A) the term 'covered institution of higher education' means an institution of higher education with which the Secretary enters into a contract or cooperative agreement, or to which the Secretary makes a grant, under paragraph (2)(B) to operate a facility designated under paragraph (2)(A);

''(B) the terms 'direct carbon emissions' and 'low or no emission vehicle' have the meanings given those terms in subsection (d)(6);

''(C) the term 'institution of higher education' has the meaning given the term in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002); and

''(D) the term 'low or no emission vehicle component' means an item that is separately installed in and removable from a low or no emission vehicle.

''(2) ASSESSING LOW OR NO EMISSION VEHICLE COMPONENTS.—

''(A) IN GENERAL.—The Secretary shall designate not more than 2 facilities to conduct testing, evaluation, and analysis of low or no emission vehicle components intended for use in low or no emission vehicles.

''(B) OPERATION AND MAINTENANCE.—

''(i) IN GENERAL.—The Secretary shall enter into a contract or cooperative agreement with, or make a grant to, not more than 2 institutions of higher education to each operate and maintain a facility designated under subparagraph (A).

''(ii) REQUIREMENTS.—An institution of higher education described in clause (i) shall have—

''(I) previous experience with transportation-related advanced component and vehicle evaluation;

''(II) laboratories capable of testing and evaluation;

''(III) direct access to or a partnership with a testing facility capable of emulating real-world circumstances in order to test low or no emission vehicle components installed on the intended vehicle;

''(IV) extensive knowledge of public-private partnerships in the transportation sector, with emphasis on development and evaluation of materials, products, and components;

''(V) the ability to reduce costs to partners by leveraging existing programs to provide complementary research, development, testing, and evaluation; and

''(VI) the means to conduct performance assessments on low or no emission vehicle components based on industry standards.

''(C) FEES.—A covered institution of higher education shall establish and collect fees, which shall be approved by the Secretary, for the assessment of low or no emission components at the applicable facility designated under subparagraph (A).

''(D) AVAILABILITY OF AMOUNTS TO PAY FOR ASSESSMENT.—The Secretary shall enter into a contract or cooperative agreement with, or make a grant to, each covered institution of higher education under which—

''(i) the Secretary shall pay 50 percent of the cost of assessing a low or no emission vehicle component at the applicable facility designated under subparagraph (A) from amounts made available to carry out this section; and

''(ii) the remaining 50 percent of such cost shall be paid from amounts recovered through the fees established and collected pursuant to subparagraph (C).

''(E) VOLUNTARY TESTING.—A manufacturer of a low or no emission vehicle component is not required to assess the low or no emission vehicle component at a facility designated under subparagraph (A).

''(F) COMPLIANCE WITH SECTION 5318.—Notwithstanding whether a low or no emission vehicle component is assessed at a facility designated under subparagraph (A), each new bus model shall comply with the requirements under section 5318.

''(G) SEPARATE FACILITY.—Each facility designated under subparagraph (A) shall be separate and distinct from the facility operated and maintained under section 5318.

''(3) LOW OR NO EMISSION VEHICLE COMPONENT PERFORMANCE REPORTS.—Not later than 2 years after the date of enactment of the Federal Public Transportation Act of 2015, and annually thereafter, the Secretary shall issue a report on low or no emission vehicle component assessments conducted at each facility designated under paragraph (2)(A), which shall include information related to the maintainability, reliability, performance, structural integrity, efficiency, and noise of those low or no emission vehicle components.

''(4) PUBLIC AVAILABILITY OF ASSESSMENTS.—Each assessment conducted at a facility designated under paragraph (2)(A) shall be made publically available, including to affected industries.

''(5) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to require—

''(A) a low or no emission vehicle component to be tested at a facility designated under paragraph (2)(A); or

''(B) the development or disclosure of a privately funded component assessment.'';

(6) in subsection (f), as so redesignated—

(A) in paragraph (2), by striking ''and'' at the end;

(B) by redesignating paragraph (3) as paragraph (4);

(C) by inserting after paragraph (2) the following:

''(3) a list of any projects that returned negative results in the preceding fiscal year and an analysis of such results; and''; and

(D) in paragraph (4), as so redesignated, by inserting before the period at the end the following: ''based on projects in the pipeline, ongoing projects, and anticipated research efforts necessary to advance certain projects to a subsequent research phase''; and

(7) by adding at the end the following:

''(h) COOPERATIVE RESEARCH PROGRAM.—

''(1) IN GENERAL.—The Secretary shall establish—

''(A) a public transportation cooperative research program under this subsection; and

''(B) an independent governing board for the program, which shall recommend public transportation research, development, and technology transfer activities the Secretary considers appropriate.

''(2) FEDERAL ASSISTANCE.—The Secretary may make grants to, and cooperative agreements with, the National Academy of Sciences to carry out activities under this subsection that the Secretary determines appropriate.

''(3) GOVERNMENT SHARE.—If there would be a clear and direct financial benefit to an entity under a grant or contract financed under this section, the Secretary shall establish a Government share consistent with that benefit.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) TITLE 49.—Chapter 53 of title 49, United States Code, is amended by striking section 5313.

(2) TABLE OF SECTIONS AMENDMENT.—The table of sections for chapter 53 of title 49, United States Code, is amended by striking the items relating to sections 5312 and 5313 and inserting the following:

''5312. Research, development, demonstration, and deployment program.
''[5313. Repealed.]''.

SEC. 21010. PRIVATE SECTOR PARTICIPATION.

(a) IN GENERAL.—Section 5315 of title 49, United States Code, is amended by adding at the end the following:

''(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to alter—

''(1) the eligibilities, requirements, or priority for assistance provided under this chapter; or

''(2) the requirements of section 5306(a).''.

(b) MAP-21 TECHNICAL CORRECTION.—Section 20013(d) of the Moving Ahead for Progress in the 21st Century Act (Public Law 112–141; 126 Stat. 694) is amended by striking ''5307(c)'' and inserting ''5307(b)''.

SEC. 21011. INNOVATIVE PROCUREMENT.

(a) IN GENERAL.—Chapter 53 of title 49, United States Code, is amended by inserting after section 5315 the following:

''§ 5316. Innovative procurement

''(a) DEFINITION.—In this section, the term 'grantee' means a recipient or subrecipient of assistance under this chapter.

''(b) COOPERATIVE PROCUREMENT.—

''(1) DEFINITIONS; GENERAL RULES.—

''(A) DEFINITIONS.—In this subsection—

''(i) the term 'cooperative procurement contract' means a contract—

''(I) entered into between a State government or eligible nonprofit and 1 or more vendors; and

''(II) under which the vendors agree to provide an option to purchase rolling stock and related equipment to multiple participants;

''(ii) the term 'eligible nonprofit entity' means—

''(I) a nonprofit entity that is not a grantee; or

''(II) a consortium of entities described in subclause (I);

''(iii) the terms 'lead nonprofit entity' and 'lead procurement agency' mean an eligible nonprofit entity or a State government, respectively, that acts in an administrative capacity on behalf of each participant in a cooperative procurement contract;

''(iv) the term 'participant' means a grantee that participates in a cooperative procurement contract; and

''(v) the term 'participate' means to purchase rolling stock and related equipment under a cooperative procurement contract using assistance provided under this chapter.

''(B) GENERAL RULES.—

''(i) PROCUREMENT NOT LIMITED TO INTRASTATE PARTICIPANTS.—A grantee may participate in a cooperative procurement contract without regard to whether the grantee is located in the same State as the parties to the contract.

''(ii) VOLUNTARY PARTICIPATION.—Participation by grantees in a cooperative procurement contract shall be voluntary.

''(iii) CONTRACT TERMS.—The lead procurement agency or lead nonprofit entity for a cooperative procurement contract shall develop the terms of the contract.

''(iv) DURATION.—A cooperative procurement contract—

''(I) subject to subclauses (II) and (III), may be for an initial term of not more than 2 years;

''(II) may include not more than 3 optional extensions for terms of not more than 1 year each; and

''(III) may be in effect for a total period of not more than 5 years, including each extension authorized under subclause (II).

''(v) ADMINISTRATIVE EXPENSES.—A lead procurement agency or lead nonprofit entity, as applicable, that enters into a cooperative procurement contract—

''(I) may charge the participants in the contract for the cost of administering, planning, and providing technical assistance for the contract in an amount that is not more than 1 percent of the total value of the contract; and

''(II) with respect to the cost described in subclause (I), may incorporate the cost into the price of the contract or directly charge the participants for the cost, but not both.

''(2) STATE COOPERATIVE PROCUREMENT SCHEDULES.—

''(A) AUTHORITY.—A State government may enter into a cooperative procurement contract with 1 or more vendors if—

''(i) the vendors agree to provide an option to purchase rolling stock and related equipment to the State government and any other participant; and

''(ii) the State government acts throughout the term of the contract as the lead procurement agency.

''(B) APPLICABILITY OF POLICIES AND PROCEDURES.—In procuring rolling stock and related equipment under a cooperative procurement contract under this subsection, a State government shall comply with the policies and procedures that apply to procurement by the State government when using non-Federal funds, to the extent that the policies and procedures are in conformance with applicable Federal law.

''(3) PILOT PROGRAM FOR NONPROFIT COOPERATIVE PROCUREMENTS.—

''(A) ESTABLISHMENT.—The Secretary shall establish and carry out a pilot program to demonstrate the effectiveness of cooperative procurement contracts administered by nonprofit entities.

''(B) DESIGNATION.—In carrying out the program under this paragraph, the Secretary shall designate not less than 1 eligible nonprofit entity to enter into a cooperative procurement contract under which the nonprofit entity acts throughout the term of the contract as the lead nonprofit entity.

''(C) NUMBER OF ENTITIES.—The Secretary may designate not more than 3 geographically diverse eligible nonprofit entities under subparagraph (B).

''(D) NOTICE OF INTENT TO PARTICIPATE.—At a time determined appropriate by the lead nonprofit entity, each participant in a cooperative procurement contract under this

paragraph shall submit to the lead nonprofit entity a nonbinding notice of intent to participate.

''(c) LEASING ARRANGEMENTS.—

''(1) CAPITAL LEASE DEFINED.—

''(A) IN GENERAL.—In this subsection, the term 'capital lease' means any agreement under which a grantee acquires the right to use rolling stock or related equipment for a specified period of time, in exchange for a periodic payment.

''(B) MAINTENANCE.—A capital lease may require that the lessor provide maintenance of the rolling stock or related equipment covered by the lease.

''(2) PROGRAM TO SUPPORT INNOVATIVE LEASING ARRANGEMENTS.—

''(A) AUTHORITY.—A grantee may use assistance provided under this chapter to enter into a capital lease if—

''(i) the rolling stock or related equipment covered under the lease is eligible for capital assistance under this chapter; and

''(ii) there is or will be no Federal interest in the rolling stock or related equipment covered under the lease as of the date on which the lease takes effect.

''(B) GRANTEE REQUIREMENTS.—A grantee that enters into a capital lease shall—

''(i) maintain an inventory of the rolling stock or related equipment acquired under the lease; and

''(ii) maintain on the accounting records of the grantee the liability of the grantee under the lease.

''(C) ELIGIBLE LEASE COSTS.—The costs for which a grantee may use assistance under this chapter, with respect to a capital lease, include—

''(i) the cost of the rolling stock or related equipment;

''(ii) associated financing costs, including interest, legal fees, and financial advisor fees;

''(iii) ancillary costs such as delivery and installation charges; and

''(iv) maintenance costs.

''(D) TERMS.—A grantee shall negotiate the terms of any lease agreement that the grantee enters into.

''(E) APPLICABILITY OF PROCUREMENT REQUIREMENTS.—

''(i) LEASE REQUIREMENTS.—Part 639 of title 49, Code of Federal Regulations, or any successor regulation, and implementing guidance applicable to leasing shall not apply to a capital lease.

''(ii) BUY AMERICA.—The requirements under section 5323(j) shall apply to a capital lease.

''(3) INCENTIVE PROGRAM FOR CAPITAL LEASING OF ROLLING STOCK.—

''(A) AUTHORITY.—The Secretary shall carry out an incentive program for capital leasing of rolling stock (referred to in this paragraph as the 'program').

''(B) SELECTION OF PARTICIPANTS.—

''(i) IN GENERAL.—The Secretary shall select not less than 6 grantees to participate in the program, which shall be—

''(I) geographically diverse; and

''(II) evenly distributed among grantees in accordance with clause (ii).

''(ii) POPULATION SIZE.—In selecting an even distribution of grantees under clause (i)(II), the Secretary shall select not less than—

''(I) 2 grantees that serve rural areas;

''(II) 2 grantees that serve urbanized areas with a population of fewer than 200,000 individuals, as determined by the Bureau of the Census; and

''(III) 2 grantees that serve urbanized areas with a population of 200,000 or more individuals, as determined by the Bureau of the Census.

''(iii) WAIVER.—The Secretary may waive a requirement under clause (ii) if an insufficient number of eligible grantees of a particular population size apply to participate in the program.

''(C) PARTICIPANT REQUIREMENTS.—

''(i) IN GENERAL.—A grantee that participates in the program shall—

''(I) enter into a capital lease for a period of not less than 5 years; and

''(II) replace not less than ¼ of the grantee's fleet through the capital lease.

''(ii) VEHICLE REQUIREMENTS.—The vehicles replaced under clause (i)(II), with respect to the fleet as constituted on the day before the date on which the capital lease is entered into, shall—

''(I) be the oldest vehicles in the fleet; or

''(II) produce the highest quantity of direct greenhouse gas emissions relative to the other vehicles in the fleet, as determined by the Administrator of the Environmental Protection Agency.

''(iii) WAIVER OF FEDERAL INTEREST REQUIREMENTS.—If a grantee participating in the program seeks to replace vehicles that have a remaining Federal interest, the Secretary shall—

''(I) evaluate the economic and environmental benefits of waiving the Federal interest, as demonstrated by the grantee;

''(II) if the grantee demonstrates a net economic or environmental benefit, grant an early disposition of the vehicles; and

''(III) publish each evaluation and final determination of the Secretary under this clause in a conspicuous location on the website of the Federal Transit Administration.

''(D) PARTICIPANT BENEFIT.—During the period during which a capital lease described in subparagraph (C)(i)(I), entered into by a grantee participating in the program, is in effect, the limit on the Government share of operating expenses under subsection (d)(2) of section 5307, subsection (d)(2) of section 5310, or subsection (g)(2) of section 5311 shall not apply with respect to any grant awarded to the grantee under the applicable section.

''(E) REPORTING REQUIREMENT.—Not later than 3 years after the date on which a grantee enters into a capital lease under the program, the grantee shall submit to the Secretary a report that contains—

''(i) an evaluation of the overall costs and benefits of leasing rolling stock;

''(ii) a cost comparison of leasing versus buying rolling stock;

''(iii) a comparison of the expected short-term and long-term maintenance costs of leasing versus buying rolling stock; and

''(iv) a projected budget showing the changes in overall operating and capital expenses due to the capital lease that the grantee entered into under the program.

''(4) INCENTIVE PROGRAM FOR CAPITAL LEASING OF CERTAIN ZERO EMISSION VEHICLE COMPONENTS.—

''(A) DEFINITIONS.—In this paragraph—

''(i) the term 'removable power source'—

''(I) means a power source that is separately installed in, and removable from, a zero emission vehicle; and

''(II) may include a battery, a fuel cell, an ultra-capacitor, or other advanced power source used in a zero emission vehicle; and

''(ii) the term 'zero emission vehicle' has the meaning given the term in section 5339(c).

''(B) LEASED POWER SOURCES.—Notwithstanding any other provision of law, for purposes of this subsection, the cost of a removable power source that is necessary for the operation of a zero emission vehicle shall not be treated as part of the cost of the vehicle if the removable power source is acquired using a capital lease.

''(C) ELIGIBLE CAPITAL LEASE.—A grantee may acquire a removable power source by itself through a capital lease.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) TABLE OF SECTIONS.—The table of sections for chapter 53 of title 49, United States Code, is amended by inserting after the item relating to section 5315 the following:

''5316. Innovative procurement.''.

(2) CONFORMING AMENDMENT.—Section 5325(e)(2) of title 49, United States Code, is amended by inserting after ''this subsection'' the following: '', section 5316,''.

SEC. 21012. HUMAN RESOURCES AND TRAINING.

Section 5322 of title 49, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (1), in the paragraph heading, by striking ''PROGRAM ESTABLISHED'' and inserting ''IN GENERAL'';

(B) by redesignating paragraph (2) as paragraph (3);

(C) by inserting after paragraph (1) the following:

''(2) PROGRAMS.—A program eligible for assistance under subsection (a) shall—

''(A) provide skills training, on-the-job training, and work-based learning;

''(B) offer career pathways that support the movement from initial or short-term employment opportunities to sustainable careers;

''(C) address current or projected workforce shortages;

''(D) replicate successful workforce development models; or

''(E) respond to such other workforce needs as the Secretary determines appropriate.'';

(D) in paragraph (3), as so redesignated—

(i) in subparagraph (G), by striking ''and'' at the end;

(ii) in subparagraph (H), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(I) give priority to minorities, women, individuals with disabilities, veterans, low-income populations, and other underserved populations.''; and

(E) by adding at the end the following:

''(4) COORDINATION.—A recipient of assistance under this subsection shall—

''(A) identify the workforce needs and commensurate training needs at the local level in coordination with entities such as local employers, local public transportation operators, labor union organizations, workforce development boards, State workforce agencies, State apprenticeship agencies (where applicable), university transportation centers, community colleges, and community-based organizations representing minorities, women, disabled individuals, veterans, and low-income populations; and

''(B) to the extent practicable, conduct local training programs in coordination with existing local training programs supported by the Secretary, the Department of Labor (including registered apprenticeship programs), and the Department of Education.

''(5) PROGRAM OUTCOMES.—A recipient of assistance under this subsection shall demonstrate outcomes for any program that includes skills training, on-the-job training, and work-based learning, including—

''(A) the impact on reducing public transportation workforce shortages in the area served;

''(B) the diversity of training participants;

''(C) the number of participants obtaining certifications or credentials required for specific types of employment;

''(D) employment outcomes, including job placement, job retention, and wages, using performance metrics established in consultation with the Secretary and the Secretary of Labor and consistent with metrics used by programs under the Workforce Innovation and Opportunity Act (29 U.S.C. 3101 et seq.); and

''(E) to the extent practical, evidence that the program did not preclude workers who are participating in skills training, on-the-job training, and work-based learning from being referred to, or hired on, projects funded under this chapter without regard to the length of time of their participation in the program.''; and

(2) in subsection (d), by striking paragraph (4) and inserting the following:

''(4) USE FOR TECHNICAL ASSISTANCE.—The Secretary may use not more than 1 percent of the amounts made available to carry out this section to provide technical assistance for activities and programs developed, conducted, and overseen under this subsection.

''(5) AVAILABILITY OF AMOUNTS.—

''(A) IN GENERAL.—Not more than 0.5 percent of the amounts made available to a recipient under sections 5307, 5337, and 5339 is available for expenditure by the recipient, with the approval of the Secretary, to pay not more than 80 percent of the cost of eligible activities under this subsection.

''(B) EXISTING PROGRAMS.—A recipient may use amounts made available under paragraph (A) to carry out existing local education and training programs for public transportation employees supported by the Secretary, the Department of Labor, or the Department of Education.''.

SEC. 21013. GENERAL PROVISIONS.

Section 5323 of title 49, United States Code, is amended—

(1) in subsection (j)—

(A) in paragraph (2), by striking subparagraph (C) and inserting the following:

''(C) when procuring rolling stock (including train control, communication, and traction power equipment, and rolling stock prototypes) under this chapter—

''(i) the cost of components and subcomponents produced in the United States—

''(I) for fiscal years 2016 and 2017, is more than 60 percent of the cost of all components of the rolling stock;

''(II) for fiscal years 2018 and 2019, is more than 65 percent of the cost of all components of the rolling stock; and

''(III) for fiscal year 2020 and each fiscal year thereafter, is more than 70 percent of the cost of all components of the rolling stock; and

''(ii) final assembly of the rolling stock has occurred in the United States; or'';

(B) by resdesignating paragraphs (5) through (9) as paragraphs (7) through (11), respectively;

(C) by inserting after paragraph (4) the following:

''(5) ROLLING STOCK FRAMES OR CAR SHELLS.—In carrying out paragraph (2)(C) in the case of a rolling stock procurement receiving assistance under this chapter in which the average cost of a rolling stock vehicle in the procurement is more than $300,000, if rolling stock frames or car shells are not produced in the United States, the Secretary shall include in the calculation of the domestic content of the rolling stock the cost of steel or iron used in the rolling stock frames or car shells if—

''(A) all manufacturing processes for the steel or iron occur in the United States; and

''(B) the amount of steel or iron used in the rolling stock frames or car shells is significant.

''(6) CERTIFICATION OF DOMESTIC SUPPLY AND DISCLOSURE.—

''(A) CERTIFICATION OF DOMESTIC SUPPLY.—If the Secretary denies an application for a waiver under paragraph (2), the Secretary shall provide to the applicant a written certification that—

''(i) the steel, iron, or manufactured goods, as applicable, (referred to in this subparagraph as the 'item') is produced in the United States in a sufficient and reasonably available amount;

''(ii) the item produced in the United States is of a satisfactory quality; and

''(iii) includes a list of known manufacturers in the United States from which the item can be obtained.

''(B) DISCLOSURE.—The Secretary shall disclose the waiver denial and the written certification to the public in an easily identifiable location on the website of the Department of Transportation.'';

(D) in paragraph (8), as so redesignated, by striking ''Federal Public Transportation Act of 2012'' and inserting ''Federal Public Transportation Act of 2015''; and

(E) by inserting after paragraph (11), as so redesignated, the following:

''(12) PRODUCTION IN UNITED STATES.—For purposes of this subsection, steel and iron may be considered produced in the United States if all the manufacturing processes, except metallurgical processes involving refinement of steel additives, took place in the United States.

''(13) DEFINITION OF SMALL PURCHASE.—For purposes of determining whether a purchase qualifies for a general public interest waiver under paragraph (2)(A) of this subsection, including under any regulation promulgated under that paragraph, the term 'small purchase' means a purchase of not more than $150,000.'';

(2) in subsection (q)(1), by striking the second sentence; and

(3) by adding at the end the following:

''(s) VALUE CAPTURE REVENUE ELIGIBLE FOR LOCAL SHARE.—Notwithstanding any other provision of law, a recipient of assistance under this chapter may use the revenue generated from value capture financing mechanisms as local matching funds for capital projects and operating costs eligible under this chapter.

''(t) VALUE ENGINEERING.—Nothing in this chapter shall be construed to authorize the Secretary to mandate the use of value engineering in projects funded under this chapter.''.

SEC. 21014. PROJECT MANAGEMENT OVERSIGHT.

Section 5327 of title 49, United States Code, is amended—

(1) in subsection (c), by striking ''section 5338(i)'' and inserting ''section 5338(h)''; and

(2) in subsection (d)—

(A) in paragraph (1)—

(i) by striking ''section 5338(i)'' and inserting ''section 5338(h)''; and

(ii) by striking ''and'' at the end; and

(B) by striking paragraph (2) and inserting the following:

''(2) a requirement that oversight—

''(A) begin during the project development phase of a project, unless the Secretary finds it more appropriate to begin the oversight during another phase of the project, to maximize the transportation benefits and cost savings associated with project management oversight; and

''(B) be limited to quarterly reviews of compliance by the recipient with the project management plan approved under subsection (b) unless the Secretary finds that the recipient requires more frequent oversight because the recipient has, for 2 consecutive quarterly reviews, failed to meet the requirements of such plan and the project is at risk of going over budget or becoming behind schedule; and

''(3) a process for recipients that the Secretary has found require more frequent oversight to return to quarterly reviews for purposes of paragraph (2)(B).''.

SEC. 21015. PUBLIC TRANSPORTATION SAFETY PROGRAM.

(a) IN GENERAL.—Section 5329 of title 49, United States Code, is amended—

(1) in subsection (b)(2)—

(A) in subparagraph (C), by striking ''and'' at the end;

(B) by redesignating subparagraph (D) as subparagraph (E); and

(C) by inserting after subparagraph (C) the following:

''(D) minimum safety standards to ensure the safe operation of public transportation systems that—

''(i) are not related to performance standards for public transportation vehicles developed under subparagraph (C); and

''(ii) to the extent practicable, take into consideration—

''(I) relevant recommendations of the National Transportation Safety Board;

''(II) best practices standards developed by the public transportation industry;

''(III) any minimum safety standards or performance criteria being implemented across the public transportation industry; and

''(IV) any additional information that the Secretary determines necessary and appropriate; and'';

(2) in subsection (f)(2), by inserting after ''public transportation system of a recipient'' the following: ''or the public transportation industry generally'';

(3) in subsection (g)(1), in the matter preceding subparagraph (A), by striking ''an eligible State, as defined in subsection (e),'' and inserting ''a recipient''; and

(4) by adding at the end the following:

''(1) FOIA EXEMPTION.—

''(1) DEFINITION.—In this subsection, the term 'covered record'—

''(A) means any record that the Secretary obtains under a provision of, or regulation or order under, this section that relates to the establishment, implementation, or modification of a public transportation agency safety plan; and

''(B) includes a public transportation agency's analysis of its safety risks and its statement of the mitigation measures with which it will address those risks.

''(2) EXEMPTION.—Except as necessary for the Secretary or another Federal agency to enforce or carry out any provision of Federal law, any part of any covered record is exempt from the requirements of section 552 of title 5 if the covered record is—

''(A) supplied to the Secretary pursuant to the review or audit of a public transportation agency safety plan; or

''(B) made available for inspection and copying by an officer, employee, or agent of the Secretary pursuant to a public transportation agency safety plan.

''(3) EXCEPTION.—Notwithstanding paragraph (2), the Secretary may disclose any part of a covered record comprised of facts otherwise available to the public if, in the Secretary's sole discretion, the Secretary determines that disclosure would be consistent

with the confidentiality needed for a public transportation agency safety plan.

''(4) DISCRETIONARY PROHIBITION OF DISCLOSURE.—The Secretary may prohibit the public disclosure of risk analyses or risk mitigation analyses that the Secretary has obtained under other provisions of, or regulations or orders under, this chapter if the Secretary determines that the prohibition of public disclosure is necessary to promote public transportation safety.''.

(b) REVIEW OF PUBLIC TRANSPORTATION SAFETY STANDARDS.—

(1) REVIEW REQUIRED.—

(A) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary shall commence a review of the safety standards and protocols used in rail fixed guideway public transportation systems in the United States that examines the efficacy of existing standards and protocols.

(B) CONTENTS OF REVIEW.—In conducting the review under this paragraph, the Secretary shall review—

(i) minimum safety performance standards developed by the public transportation industry;

(ii) safety performance standards, practices, or protocols in use by rail fixed guideway public transportation systems, including—

(I) written emergency plans and procedures for passenger evacuations;

(II) training programs to ensure public transportation personnel compliance and readiness in emergency situations;

(III) coordination plans with local emergency responders having jurisdiction over a rail fixed guideway public transportation system, including—

(aa) emergency preparedness training, drills, and familiarization programs for those first responders; and

(bb) the scheduling of regular field exercises to ensure appropriate response and effective radio and public safety communications;

(IV) maintenance, testing, and inspection programs to ensure the proper functioning of—

(aa) tunnel, station, and vehicle ventilation systems;

(bb) signal and train control systems, track, mechanical systems, and other infrastructure; and

(cc) other systems as necessary;

(V) certification requirements for train and bus operators and control center employees;

(VI) consensus-based standards, practices, or protocols available to the public transportation industry; and

(VII) any other standards, practices, or protocols the Secretary determines appropriate; and

(iii) vehicle safety standards, practices, or protocols in use by public transportation systems, concerning—

(I) bus design and the workstation of bus operators, as it relates to—

(aa) the reduction of blindspots that contribute to accidents involving pedestrians; and

(bb) protecting bus operators from the risk of assault; and

(II) scheduling fixed route bus service with adequate time and access for operators to use restroom facilities.

(2) EVALUATION.—After conducting the review under paragraph (1), the Secretary shall, in consultation with representatives of the public transportation industry, evaluate the need to establish Federal minimum public transportation safety standards, including—

(A) standards governing worker safety;

(B) standards for the operation of signals, track, on-track equipment, mechanical systems, and control systems; and

(C) any other areas the Secretary, in consultation with the public transportation industry, determines require further evaluation.

(3) REPORT.—Upon completing the review and evaluation required under paragraphs (1) and (2), respectively, and not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Transportation and Infrastructure of the of House of Representatives a report that includes—

(A) findings based on the review conducted under paragraph (1);

(B) the outcome of the evaluation conducted under paragraph (2);

(C) a comprehensive set of recommendations to improve the safety of the public transportation industry, including recommendations for legislative changes where applicable; and

(D) actions that the Secretary will take to address the recommendations provided under subparagraph (C), including, if necessary, the establishment of Federal minimum public transportation safety standards.

SEC. 21016. STATE OF GOOD REPAIR GRANTS.

Section 5337 of title 49, United States Code, is amended—

(1) in subsection (c)—

(A) by striking paragraph (1) and inserting the following:

''(1) IN GENERAL.—Of the amount authorized or made available for a fiscal year under section 5338(a)(2)(L)—

''(A) $100,000,000 shall be made available in accordance with this subsection; and

''(B) 97.15 percent of the remainder shall be apportioned to recipients in accordance with this subsection.''; and

(B) in paragraph (2)(B), by inserting ''the provisions of'' before ''section 5336(b)(1)'';

(2) in subsection (d)—

(A) in paragraph (2), by striking ''section 5338(a)(2)(I), 2.85 percent'' and inserting ''section 5338(a)(2)(L), the remainder after the application of subsection (c)(1)''; and

(B) by adding at the end the following:

''(5) USE OF FUNDS.—Amounts apportioned under this subsection may be used for any project that is an eligible project under subsection (b)(1).''; and

(3) by adding at the end the following:

''(e) GOVERNMENT SHARE OF COSTS.—

''(1) CAPITAL PROJECTS.—A grant for a capital project under this section shall be for 80 percent of the net project cost of the project. The recipient may provide additional local matching amounts.

''(2) REMAINING COSTS.—The remainder of the net project costs shall be provided from an undistributed cash surplus, a replacement or depreciation cash fund or reserve, or new capital.''.

SEC. 21017. AUTHORIZATIONS.

Section 5338 of title 49, United States Code, as amended by division G, is amended to read as follows:

''§ 5338. Authorizations

''(a) GRANTS.—

''(1) IN GENERAL.—There shall be available from the Mass Transit Account of the Highway Trust Fund to carry out sections 5305, 5307, 5310, 5311, 5312, 5314, 5318, 5322(b), 5322(d), 5335, 5337, 5339, and 5340, section 20005(b) of the Federal Public Transportation Act of 2012, and section 21007(b) of the Federal Public Transportation Act of 2015—

''(A) $9,184,747,400 for fiscal year 2016;

''(B) $9,380,039,349 for fiscal year 2017;

''(C) $9,685,745,744 for fiscal year 2018;

''(D) $10,101,051,238 for fiscal year 2019;

''(E) $10,351,763,806 for fiscal year 2020; and

''(F) $10,609,442,553 for fiscal year 2021.

''(2) ALLOCATION OF FUNDS.—Of the amounts made available under paragraph (1)—

''(A) $132,020,000 for fiscal year 2016, $134,934,342 for fiscal year 2017, $138,004,098 for fiscal year 2018, $141,328,616 for fiscal year 2019, $144,893,631 for fiscal year 2020, and $148,557,701 for fiscal year 2021 shall be available to carry out section 5305;

''(B) $10,000,000 for each of fiscal years 2016 through 2021 shall be available to carry out section 20005(b) of the Federal Public Transportation Act of 2012;

''(C) $4,538,905,700 for fiscal year 2016, $4,639,102,043 for fiscal year 2017, $4,794,641,615 for fiscal year 2018, $4,975,879,158 for fiscal year 2019, $5,101,395,710 for fiscal year 2020, and $5,230,399,804 for fiscal year 2021 shall be allocated in accordance with section 5336 to provide financial assistance for urbanized areas under section 5307;

''(D) $263,466,000 for fiscal year 2016, $269,282,012 for fiscal year 2017, $275,408,178 for fiscal year 2018, $288,264,292 for fiscal year 2019, $295,535,759 for fiscal year 2020, and $303,009,267 for fiscal year 2021 shall be available to provide financial assistance for services for the enhanced mobility of seniors and individuals with disabilities under section 5310;

''(E) $2,000,000 for each of fiscal years 2016 through 2021 shall be available for the pilot program for innovative coordinated access and mobility under section 21007(b) of the Federal Public Transportation Act of 2015;

''(F) $619,956,000 for fiscal year 2016, $633,641,529 for fiscal year 2017, $648,056,873 for fiscal year 2018, $678,308,311 for fiscal year 2019, $695,418,638 for fiscal year 2020, and $713,004,385 for fiscal year 2021 shall be available to provide financial assistance for rural areas under section 5311, of which not less than—

''(i) $35,000,000 for each of fiscal years 2016 through 2021 shall be available to carry out section 5311(c)(1); and

''(ii) $20,000,000 for each of fiscal years 2016 through 2021 shall be available to carry out section 5311(c)(2);

''(G) $30,000,000 for each of fiscal years 2016 through 2021 shall be available to carry out section 5312, of which—

''(i) $5,000,000 for each of fiscal years 2016 through 2021 shall be available to carry out section 5312(e); and

''(ii) $5,000,000 for each of fiscal years 2016 through 2021 shall be available to carry out section 5312(h);

''(H) $4,000,000 for each of fiscal years 2016 through 2021 shall be available to carry out section 5314;

''(I) $3,000,000 for each of fiscal years 2016 through 2021 shall be available for bus testing under section 5318;

''(J) $5,000,000 for each of fiscal years 2016 through 2021 shall be available for the national transit institute under section 5322(d);

''(K) $4,000,000 for each of fiscal years 2016 through 2021 shall be available to carry out section 5335;

''(L) $2,428,342,500 for fiscal year 2016, $2,479,740,661 for fiscal year 2017, $2,533,879,761 for fiscal year 2018, $2,592,511,924 for fiscal year 2019, $2,655,385,537 for fiscal year 2020, and $2,720,006,127 for fiscal year 2021 shall be available to carry out section 5337;

''(M) $430,794,600 for fiscal year 2016, $440,304,391 for fiscal year 2017, $495,321,316 for

fiscal year 2018, $585,851,498 for fiscal year 2019, $605,422,352 for fiscal year 2020, and $625,536,993 for fiscal year 2021 shall be available for the bus and bus facilities program under section 5339(a);

''(N) $180,000,000 for each of fiscal years 2016 and 2017, $185,000,000 for fiscal year 2018, and $190,000,000 for each of fiscal years 2019 through 2021 shall be available for bus and bus facilities competitive grants under section 5339(b) and no or low emission grants under section 5339(c), of which $55,000,000 for each of fiscal years 2016 through 2021 shall be available to carry out section 5339(c);

''(O) $533,262,600 for fiscal year 2016, $545,034,372 for fiscal year 2017, $557,433,904 for fiscal year 2018, $586,907,438 for fiscal year 2019, $601,712,178 for fiscal year 2020, and $616,928,276 for fiscal year 2021 shall be allocated in accordance with section 5340 to provide financial assistance for urbanized areas under section 5307 and rural areas under section 5311; and

''(P) $4,000,000 for each of fiscal years 2019 through 2021 shall be available to carry out section 5322(b).

''(b) RESEARCH, DEVELOPMENT, DEMONSTRATION, AND DEPLOYMENT PROGRAM.—There are authorized to be appropriated to carry out section 5312, other than subsections (e) and (h) of that section, $20,000,000 for each of fiscal years 2016 through 2021.

''(c) TECHNICAL ASSISTANCE AND STANDARDS DEVELOPMENT.—There are authorized to be appropriated to carry out section 5314, $7,000,000 for each of fiscal years 2016 through 2021.

''(d) HUMAN RESOURCES AND TRAINING.—There are authorized to be appropriated to carry out subsections (a), (b), (c), and (e) of section 5322, $5,000,000 for each of fiscal years 2016 through 2021.

''(e) EMERGENCY RELIEF PROGRAM.—There are authorized to be appropriated such sums as are necessary to carry out section 5324.

''(f) CAPITAL INVESTMENT GRANTS.—There are authorized to be appropriated to carry out section 5309 of this title and section 21006(b) of the Federal Public Transportation Act of 2015, $2,301,785,760 for fiscal year 2016, $2,352,597,681 for fiscal year 2017, $2,406,119,278 for fiscal year 2018, $2,464,082,691 for fiscal year 2019, $2,526,239,177 for fiscal year 2020, and $2,590,122,713 for fiscal year 2021, of which $276,214,291 for fiscal year 2016, $282,311,722 for fiscal year 2017, $288,734,313 for fiscal year 2018, $295,689,923 for fiscal year 2019, $303,148,701 for fiscal year 2020, and $310,814,726 for fiscal year 2021 shall be available to carry out section 21006(b) of the Federal Public Transportation Act of 2015.

''(g) ADMINISTRATION.—

''(1) IN GENERAL.—There are authorized to be appropriated to carry out section 5334, $115,016,543 for fiscal year 2016, $117,555,533 for fiscal year 2017, $120,229,921 for fiscal year 2018, $123,126,260 for fiscal year 2019, $126,232,120 for fiscal year 2020, and $129,424,278 for fiscal year 2021.

''(2) SECTION 5329.—Of the amounts authorized to be appropriated under paragraph (1), not less than $8,000,000 for each of fiscal years 2016 through 2021 shall be available to carry out section 5329.

''(3) SECTION 5326.—Of the amounts made available under paragraph (2), not less than $2,000,000 for each of fiscal years 2016 through 2021 shall be available to carry out section 5326.

''(h) OVERSIGHT.—

''(1) IN GENERAL.—Of the amounts made available to carry out this chapter for a fiscal year, the Secretary may use not more than the following amounts for the activities described in paragraph (2):

''(A) 0.5 percent of amounts made available to carry out section 5305.

''(B) 0.75 percent of amounts made available to carry out section 5307.

''(C) 1 percent of amounts made available to carry out section 5309.

''(D) 1 percent of amounts made available to carry out section 601 of the Passenger Rail Investment and Improvement Act of 2008 (Public Law 110-432; 126 Stat. 4968).

''(E) 0.5 percent of amounts made available to carry out section 5310.

''(F) 0.5 percent of amounts made available to carry out section 5311.

''(G) 1 percent of amounts made available to carry out section 5337, of which not less than 0.25 percent shall be available to carry out section 5329.

''(H) 0.75 percent of amounts made available to carry out section 5339.

''(2) ACTIVITIES.—The activities described in this paragraph are as follows:

''(A) Activities to oversee the construction of a major capital project.

''(B) Activities to review and audit the safety and security, procurement, management, and financial compliance of a recipient or subrecipient of funds under this chapter.

''(C) Activities to provide technical assistance generally, and to provide technical assistance to correct deficiencies identified in compliance reviews and audits carried out under this section.

''(3) GOVERNMENT SHARE OF COSTS.—The Government shall pay the entire cost of carrying out a contract under this subsection.

''(4) AVAILABILITY OF CERTAIN FUNDS.—Funds made available under paragraph (1)(C) shall be made available to the Secretary before allocating the funds appropriated to carry out any project under a full funding grant agreement.

''(i) GRANTS AS CONTRACTUAL OBLIGATIONS.—

''(1) GRANTS FINANCED FROM HIGHWAY TRUST FUND.—A grant or contract that is approved by the Secretary and financed with amounts made available from the Mass Transit Account of the Highway Trust Fund pursuant to this section is a contractual obligation of the Government to pay the Government share of the cost of the project.

''(2) GRANTS FINANCED FROM GENERAL FUND.—A grant or contract that is approved by the Secretary and financed with amounts appropriated in advance from the General Fund of the Treasury pursuant to this section is a contractual obligation of the Government to pay the Government share of the cost of the project only to the extent that amounts are appropriated for such purpose by an Act of Congress.

''(j) AVAILABILITY OF AMOUNTS.—Amounts made available by or appropriated under this section shall remain available until expended.''.

SEC. 21018. GRANTS FOR BUS AND BUS FACILITIES.

(a) IN GENERAL.—Chapter 53 of title 49, United States Code, as amended by division G, is amended by striking section 5339 and inserting the following:

''§ 5339. Grants for bus and bus facilities

''(a) FORMULA GRANTS.—

''(1) DEFINITIONS.—In this subsection—

''(A) the term 'low or no emission vehicle' has the meaning given that term in subsection (c)(1);

''(B) the term 'State' means a State of the United States; and

''(C) the term 'territory' means the District of Columbia, Puerto Rico, the Northern Mariana Islands, Guam, American Samoa, and the United States Virgin Islands.

''(2) GENERAL AUTHORITY.—The Secretary may make grants under this subsection to assist eligible recipients described in paragraph (4)(A) in financing capital projects—

''(A) to replace, rehabilitate, and purchase buses and related equipment, including technological changes or innovations to modify low or no emissions vehicles or facilities; and

''(B) to construct bus-related facilities.

''(3) GRANT REQUIREMENTS.—The requirements of—

''(A) section 5307 shall apply to recipients of grants made in urbanized areas under this subsection; and

''(B) section 5311 shall apply to recipients of grants made in rural areas under this subsection.

''(4) ELIGIBLE RECIPIENTS AND SUBRECIPIENTS.—

''(A) RECIPIENTS.—Eligible recipients under this subsection are—

''(i) designated recipients that allocate funds to fixed route bus operators; or

''(ii) State or local governmental entities that operate fixed route bus service.

''(B) SUBRECIPIENTS.—A recipient that receives a grant under this subsection may allocate amounts of the grant to subrecipients that are public agencies or private nonprofit organizations engaged in public transportation.

''(5) DISTRIBUTION OF GRANT FUNDS.—Funds allocated under section 5338(a)(2)(M) shall be distributed as follows:

''(A) NATIONAL DISTRIBUTION.—$103,000,000 for each of fiscal years 2016 through 2021 shall be allocated to all States and territories, with each State receiving $2,000,000 for each such fiscal year and each territory receiving $500,000 for each such fiscal year.

''(B) DISTRIBUTION USING POPULATION AND SERVICE FACTORS.—The remainder of the funds not otherwise distributed under subparagraph (A) shall be allocated pursuant to the formula set forth in section 5336 other than subsection (b).

''(6) TRANSFERS OF APPORTIONMENTS.—

''(A) TRANSFER FLEXIBILITY FOR NATIONAL DISTRIBUTION FUNDS.—The Governor of a State may transfer any part of the State's apportionment under paragraph (5)(A) to supplement amounts apportioned to the State under section 5311(c) of this title or amounts apportioned to urbanized areas under subsections (a) and (c) of section 5336 of this title.

''(B) TRANSFER FLEXIBILITY FOR POPULATION AND SERVICE FACTORS FUNDS.—The Governor of a State may expend in an urbanized area with a population of less than 200,000 any amounts apportioned under paragraph (5)(B) that are not allocated to designated recipients in urbanized areas with a population of 200,000 or more.

''(7) GOVERNMENT SHARE OF COSTS.—

''(A) CAPITAL PROJECTS.—A grant for a capital project under this subsection shall be for 80 percent of the net capital costs of the project. A recipient of a grant under this subsection may provide additional local matching amounts.

''(B) REMAINING COSTS.—The remainder of the net project cost shall be provided—

''(i) in cash from non-Government sources other than revenues from providing public transportation services;

''(ii) from revenues derived from the sale of advertising and concessions;

''(iii) from an undistributed cash surplus, a replacement or depreciation cash fund or reserve, or new capital;

''(iv) from amounts received under a service agreement with a State or local social

service agency or private social service organization; or

''(v) from revenues generated from value capture financing mechanisms.

''(8) PERIOD OF AVAILABILITY TO RECIPIENTS.—Amounts made available under this subsection may be obligated by a recipient for 3 fiscal years after the fiscal year in which the amount is apportioned. Not later than 30 days after the end of the 3-fiscal-year period described in the preceding sentence, any amount that is not obligated on the last day of that period shall be added to the amount that may be apportioned under this subsection in the next fiscal year.

''(b) BUS AND BUS FACILITIES COMPETITIVE GRANTS.—

''(1) IN GENERAL.—The Secretary may make grants under this subsection to designated recipients to assist in the financing of bus and bus facilities capital projects, including—

''(A) replacing, rehabilitating, purchasing, or leasing buses or related equipment; and

''(B) rehabilitating, purchasing, constructing, or leasing bus-related facilities.

''(2) GRANT CONSIDERATIONS.—In making grants under this subsection, the Secretary shall consider the age and condition of buses, bus fleets, related equipment, and bus-related facilities.

''(3) STATEWIDE APPLICATIONS.—A State may submit a statewide application on behalf of a public agency or private nonprofit organization engaged in public transportation in rural areas or other areas for which the State allocates funds. The submission of a statewide application shall not preclude the submission and consideration of any application under this subsection from other eligible recipients in an urbanized area in a State.

''(4) REQUIREMENTS FOR THE SECRETARY.—The Secretary shall—

''(A) disclose all metrics and evaluation procedures to be used in considering grant applications under this subsection upon issuance of the notice of funding availability in the Federal Register; and

''(B) publish a summary of final scores for selected projects, metrics, and other evaluations used in awarding grants under this subsection in the Federal Register.

''(5) RURAL PROJECTS.—Not less 10 percent of the amounts made available under this subsection in a fiscal year shall be distributed to projects in rural areas.

''(6) GRANT REQUIREMENTS.—

''(A) IN GENERAL.—A grant under this subsection shall be subject to the requirements of—

''(i) section 5307 for recipients of grants made in urbanized areas; and

''(ii) section 5311 for recipients of grants made in rural areas.

''(B) GOVERNMENT SHARE OF COSTS.—The Government share of the cost of an eligible project carried out under this subsection shall not exceed 80 percent.

''(7) AVAILABILITY OF FUNDS.—Any amounts made available to carry out this subsection—

''(A) shall remain available for 2 fiscal years after the fiscal year for which the amount is made available; and

''(B) that remain unobligated at the end of the period described in subparagraph (A) shall be added to the amount made available to an eligible project in the following fiscal year.

''(8) LIMITATION.—Of the amounts made available under this subsection, not more than 15 percent may be awarded to a single grantee.

''(c) LOW OR NO EMISSION GRANTS.—

''(1) DEFINITIONS.—In this subsection—

''(A) the term 'direct carbon emissions' means the quantity of direct greenhouse gas emissions from a vehicle, as determined by the Administrator of the Environmental Protection Agency;

''(B) the term 'eligible project' means a project or program of projects in an eligible area for—

''(i) acquiring low or no emission vehicles;

''(ii) leasing low or no emission vehicles;

''(iii) acquiring low or no emission vehicles with a leased power source;

''(iv) constructing facilities and related equipment for low or no emission vehicles;

''(v) leasing facilities and related equipment for low or no emission vehicles;

''(vi) constructing new public transportation facilities to accommodate low or no emission vehicles; or

''(vii) rehabilitating or improving existing public transportation facilities to accommodate low or no emission vehicles;

''(C) the term 'leased power source' means a removable power source, as defined in paragraph (4)(A) of section 5316(c), that is made available through a capital lease under that section;

''(D) the term 'low or no emission bus' means a bus that is a low or no emission vehicle;

''(E) the term 'low or no emission vehicle' means—

''(i) a passenger vehicle used to provide public transportation that the Secretary determines sufficiently reduces energy consumption or harmful emissions, including direct carbon emissions, when compared to a comparable standard vehicle; or

''(ii) a zero emission vehicle used to provide public transportation;

''(F) the term 'recipient' means a designated recipient, a local governmental authority, or a State that receives a grant under this subsection for an eligible project; and

''(G) the term 'zero emission vehicle' means a low or no emission vehicle that produces no carbon or particulate matter.

''(2) GENERAL AUTHORITY.—The Secretary may make grants to recipients to finance eligible projects under this subsection.

''(3) GRANT REQUIREMENTS.—

''(A) IN GENERAL.—A grant under this subsection shall be subject to the requirements of section 5307.

''(B) GOVERNMENT SHARE OF COSTS FOR CERTAIN PROJECTS.—Section 5323(i) applies to eligible projects carried out under this subsection, unless the recipient requests a lower grant percentage.

''(C) COMBINATION OF FUNDING SOURCES.—

''(i) COMBINATION PERMITTED.—An eligible project carried out under this subsection may receive funding under section 5307 or any other provision of law.

''(ii) GOVERNMENT SHARE.—Nothing in this subparagraph shall be construed to alter the Government share required under paragraph (7), section 5307, or any other provision of law.

''(4) COMPETITIVE PROCESS.—The Secretary shall—

''(A) not later than 30 days after the date on which amounts are made available for obligation under this subsection for a full fiscal year, solicit grant applications for eligible projects on a competitive basis; and

''(B) award a grant under this subsection based on the solicitation under subparagraph (A) not later than the earlier of—

''(i) 75 days after the date on which the solicitation expires; or

''(ii) the end of the fiscal year in which the Secretary solicited the grant applications.

''(5) CONSIDERATION.—In awarding grants under this subsection, the Secretary shall only consider eligible projects relating to the acquisition or leasing of low or no emission buses that—

''(A) make greater reductions in energy consumption and harmful emissions, including direct carbon emissions, than comparable standard buses or other low or no emission buses; and

''(B) are part of a long-term integrated fleet management plan for the recipient.

''(6) AVAILABILITY OF FUNDS.—Any amounts made available to carry out this subsection—

''(A) shall remain available to an eligible project for 2 fiscal years after the fiscal year for which the amount is made available; and

''(B) that remain unobligated at the end of the period described in subparagraph (A) shall be added to the amount made available to an eligible project in the following fiscal year.

''(7) GOVERNMENT SHARE OF COSTS.—

''(A) IN GENERAL.—The Federal share of the cost of an eligible project carried out under this subsection shall not exceed 80 percent.

''(B) NON-FEDERAL SHARE.—The non-Federal share of the cost of an eligible project carried out under this subsection may be derived from in-kind contributions.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 53 of title 49, United States Code, is amended by striking the item relating to section 5339 and inserting the following:

''5339. Grants for bus and bus facilities.''.

SEC. 21019. SALARY OF FEDERAL TRANSIT ADMINISTRATOR.

(a) IN GENERAL.—Section 5313 of title 5, United States Code, is amended by adding at the end the following:

''Federal Transit Administrator.''.

(b) CONFORMING AMENDMENT.—Section 5314 of title 5, United States Code, is amended by striking ''Federal Transit Administrator.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the first day of the first pay period beginning on or after the first day of the first fiscal year beginning after the date of enactment of this Act.

SEC. 21020. TECHNICAL AND CONFORMING AMENDMENTS.

(a) CHAPTER 53 OF TITLE 49, UNITED STATES CODE.—

(1) IN GENERAL.—Chapter 53 of title 49, United States Code, is amended—

(A) by striking section 5319;

(B) in section 5325—

(i) in subsection (e)(2), by striking ''at least two''; and

(ii) in subsection (h), by striking ''Federal Public Transportation Act of 2012'' and inserting ''Federal Public Transportation Act of 2015'';

(C) in section 5336—

(i) in subsection (a), by striking ''subsection (h)(4)'' and inserting ''subsection (h)(5)''; and

(ii) in subsection (h), as amended by division G—

(I) by striking paragraph (1) and inserting the following:

''(1) $30,000,000 for each fiscal year shall be set aside to carry out section 5307(h);''; and

(II) in paragraph (3), by striking ''1.5 percent'' and inserting ''2 percent''; and

(D) in section 5340(b), by striking ''section 5338(b)(2)(M)'' and inserting ''section 5338(a)(2)(O)''.

(2) TABLE OF SECTIONS.—The table of sections for chapter 53 of title 49, United States

Code, is amended by striking the item relating to section 5319 and inserting the following:

''[5319. Repealed.]''.

(b) CHAPTER 105 OF TITLE 49, UNITED STATES CODE.—Section 10501(c) of title 49, United States Code, is amended—

(1) in paragraph (1)—

(A) in subparagraph (A)(i), by striking ''section 5302(a)'' and inserting ''section 5302''; and

(B) in subparagraph (B)—

(i) by striking ''mass transportation'' and inserting ''public transportation''; and

(ii) by striking ''section 5302(a)'' and inserting ''section 5302''; and

(2) in paragraph (2)(A), by striking ''mass transportation'' and inserting ''public transportation''.

DIVISION C—COMPREHENSIVE TRANSPORTATION AND CONSUMER PROTECTION ACT OF 2015

SEC. 31001. SHORT TITLE.

This division may be cited as the ''Comprehensive Transportation and Consumer Protection Act of 2015.''

SEC. 31002. REFERENCES TO TITLE 49, UNITED STATES CODE.

Except as otherwise expressly provided, wherever in this division an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 49, United States Code.

SEC. 31003. EFFECTIVE DATE.

Subtitle A of title XXXII, sections 33103, 34101(g), 34105, 34106, 34107, 34133, 34141, 34202, 34203, 34204, 34205, 34206, 34207, 34208, 34211, 34212, 34213, 34214, 34215, subtitles C and D of title XXXIV, and title XXXV take effect on the date of enactment of this Act.

TITLE XXXI—OFFICE OF THE SECRETARY

Subtitle A—Accelerating Project Delivery

SEC. 31101. DELEGATION OF AUTHORITY.

(a) IN GENERAL.—Chapter 1 is amended by adding at the end the following:

''§ 116. Administrations; acting officers

''No person designated to serve as the acting head of an administration in the department of transportation under section 3345 of title 5 may continue to perform the functions and duties of the office if the time limitations in section 3346 of that title would prevent the person from continuing to serve in a formal acting capacity.''.

(b) CONFORMING AMENDMENT.—The table of contents for chapter 1 is amended by inserting after the item relating to section 115 the following:

''116. Administrations; acting officers.''.

(c) APPLICATION.—The amendment under subsection (a) shall apply to any applicable office with a position designated for a Senate confirmed official.

SEC. 31102. INFRASTRUCTURE PERMITTING IMPROVEMENT CENTER.

(a) IN GENERAL.—Subchapter I of chapter 3, as amended by sections 31104 and 31106 of this Act, is further amended by adding after section 311 the following:

''§ 312. Interagency Infrastructure Permitting Improvement Center

''(a) IN GENERAL.—There is established in the Office of the Secretary an Interagency Infrastructure Permitting Improvement Center (referred to in this section as the 'Center').

''(b) ROLES AND RESPONSIBILITIES.—

''(1) GOVERNANCE.—The Center shall report to the chair of the Steering Committee described in paragraph (2) to ensure that the perspectives of all member agencies are represented.

''(2) INFRASTRUCTURE PERMITTING STEERING COMMITTEE.—An Infrastructure Permitting Steering Committee (referred to in this section as the 'Steering Committee') is established to oversee the work of the Center. The Steering Committee shall be chaired by the Federal Chief Performance Officer in consultation with the Chair of the Council on Environmental Quality and shall be comprised of Deputy-level representatives from the following departments and agencies:

''(A) The Department of Defense.

''(B) The Department of the Interior.

''(C) The Department of Agriculture.

''(D) The Department of Commerce.

''(E) The Department of Transportation.

''(F) The Department of Energy.

''(G) The Department of Homeland Security.

''(H) The Environmental Protection Agency.

''(I) The Advisory Council on Historic Preservation.

''(J) The Department of the Army.

''(K) The Department of Housing and Urban Development.

''(L) Other agencies the Chair of the Steering Committee invites to participate.

''(3) ACTIVITIES.—The Center shall support the Chair of the Steering Committee and undertake the following:

''(A) Coordinate and support implementation of priority reform actions for Federal agency permitting and reviews for areas as defined and identified by the Steering Committee.

''(B) Support modernization efforts at Federal agencies and interagency pilots for innovative approaches to the permitting and review of infrastructure projects.

''(C) Provide technical assistance and training to field and headquarters staff of Federal agencies on policy changes, innovative approaches to project delivery, and other topics as appropriate.

''(D) Identify, develop, and track metrics for timeliness of permit reviews, permit decisions, and project outcomes.

''(E) Administer and expand the use of online transparency tools providing for—

''(i) tracking and reporting of metrics;

''(ii) development and posting of schedules for permit reviews and permit decisions; and

''(iii) sharing of best practices related to efficient project permitting and reviews.

''(F) Provide reporting to the President on progress toward achieving greater efficiency in permitting decisions and review of infrastructure projects and progress toward achieving better outcomes for communities and the environment.

''(G) Meet not less frequently than annually with groups or individuals representing State, Tribal, and local governments that are engaged in the infrastructure permitting process.

''(4) INFRASTRUCTURE SECTORS COVERED.—The Center shall support process improvements in the permitting and review of infrastructure projects in the following sectors:

''(A) Surface transportation.

''(B) Aviation.

''(C) Ports and waterways.

''(D) Water resource projects.

''(E) Renewable energy generation.

''(F) Electricity transmission.

''(G) Broadband.

''(H) Pipelines.

''(I) Other sectors, as determined by the Steering Committee.

''(c) PERFORMANCE MEASURES.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of the Comprehensive Transportation and Consumer Protection Act of 2015, the Secretary, in coordination with the heads of other Federal agencies on the Steering Committee with responsibility for the review and approval of infrastructure projects sectors described in subsection (b)(4), shall evaluate and report on—

''(A) the progress made toward aligning Federal reviews of such projects and the improvement of project delivery associated with those projects; and

''(B) the effectiveness of the Center in achieving reduction of permitting time and project delivery time.

''(2) PERFORMANCE TARGETS.—Not later than 180 days after the date on which the Secretary of Transportation establishes performance measures in accordance with paragraph (1), the Secretary shall establish performance targets relating to each of the measures and standards described in subparagraphs (A) and (B) of paragraph (1).

''(3) REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of the Comprehensive Transportation and Consumer Protection Act of 2015 and biennially thereafter, the Secretary shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that describes—

''(A) the results of the evaluation conducted under paragraph (1); and

''(B) the progress towards achieving the targets established under paragraph (2).

''(4) INSPECTOR GENERAL REPORT.—Not later than 3 years after the date of enactment of the Comprehensive Transportation and Consumer Protection Act of 2015, the Inspector General of the Department of Transportation shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that describes—

''(A) the results of the evaluation conducted under paragraph (1); and

''(B) the progress towards achieving the targets established under paragraph (2).''.

(b) CONFORMING AMENDMENT.—The table of contents of chapter 3, as amended by sections 31104 and 31106 of this Act, is further amended by inserting after the item relating to section 311 the following:

''312. Interagency Infrastructure Permitting Improvement Center.''.

SEC. 31103. ACCELERATED DECISION-MAKING IN ENVIRONMENTAL REVIEWS.

(a) IN GENERAL.—Subchapter I of chapter 3 is amended by inserting after section 304 the following:

''§ 304a. Accelerated decision-making in environmental reviews

''(a) IN GENERAL.—In preparing a final environmental impact statement under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), if the Department of Transportation, when acting as lead agency, modifies the statement in response to comments that are minor and are confined to factual corrections or explanations of why the comments do not warrant additional Departmental response, the Department may write on errata sheets attached to the statement instead of rewriting the draft statement, subject to the condition that the errata sheets—

''(1) cite the sources, authorities, or reasons that support the position of the Department; and

''(2) if appropriate, indicate the circumstances that would trigger Departmental reappraisal or further response.

''(b) INCORPORATION.—To the maximum extent practicable, the Department shall expeditiously develop a single document that consists of a final environmental impact statement and a record of decision, unless—

''(1) the final environmental impact statement makes substantial changes to the proposed action that are relevant to environmental or safety concerns; or

''(2) there are significant new circumstances or information relevant to environmental concerns and that bear on the proposed action or the impacts of the proposed action.''.

(b) CONFORMING AMENDMENT.—The table of contents of chapter 3 is amended by inserting after the item relating to section 304 the following:

''304a. Accelerated decision-making in environmental reviews.''.

SEC. 31104. ENVIRONMENTAL REVIEW ALIGNMENT AND REFORM.

(a) IN GENERAL.—Subchapter I of chapter 3 is amended by inserting after section 309 the following:

''§ 310. Aligning Federal environmental reviews

''(a) COORDINATED AND CONCURRENT ENVIRONMENTAL REVIEWS.—Not later than 1 year after the date of enactment of the Comprehensive Transportation and Consumer Protection Act of 2015, the Department of Transportation, in coordination with the Steering Committee described in section 312 of this title, shall develop a coordinated and concurrent environmental review and permitting process for transportation projects when initiating an environmental impact statement under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) (referred to in this section as 'NEPA'). The coordinated and concurrent environmental review and permitting process shall—

''(1) ensure that the Department of Transportation and Federal agencies of jurisdiction possess sufficient information early in the review process to determine a statement of a transportation project's purpose and need and range of alternatives for analysis that the lead agency and agencies of jurisdiction will rely upon for concurrent environmental reviews and permitting decisions required for the proposed project;

''(2) achieve early concurrence or issue resolution during the NEPA scoping process on the Department of Transportation's statement of a project's purpose and need and during development of the environmental impact statement on the range of alternatives for analysis that the lead agency and agencies of jurisdiction will rely upon for concurrent environmental reviews and permitting decisions required for the proposed project absent circumstances that require reconsideration in order to meet an agency of jurisdiction's legal obligations; and

''(3) achieve concurrence or issue resolution in an expedited manner if circumstances arise that require a reconsideration of the purpose and need or range of alternatives considered during any Federal agency's environmental or permitting review in order to meet an agency of jurisdiction's legal obligations.

''(b) ENVIRONMENTAL CHECKLIST.—The Secretary of Transportation and Federal agencies of jurisdiction likely to have substantive review or approval responsibilities on transportation projects, not later than 90 days after the date of enactment of the Comprehensive Transportation and Consumer Protection Act of 2015, shall jointly develop a checklist to help project sponsors identify potential natural, cultural, and historic resources in the area of a proposed project. The purpose of the checklist is—

''(1) to identify agencies of jurisdiction and cooperating agencies,

''(2) to develop the information needed for the purpose and need and alternatives for analysis; and

''(3) to improve interagency collaboration to help expedite the permitting process for the lead agency and Federal agencies of jurisdiction.

''(c) INTERAGENCY COLLABORATION.—Consistent with Federal environmental statutes and the priority reform actions for Federal agency permitting and reviews defined and identified by the Steering Committee established under section 312, the Secretary shall facilitate annual interagency collaboration sessions at the appropriate jurisdictional level to coordinate business plans and facilitate coordination of workload planning and workforce management. This engagement shall ensure agency staff is fully engaged and utilizing the flexibility of existing regulations, policies, and guidance and identifying additional actions to facilitate high quality, efficient, and targeted environmental reviews and permitting decisions. The sessions and the interagency collaborations they generate shall focus on how to work with State and local transportation entities to improve project planning, siting, and application quality and how to consult and coordinate with relevant stakeholders and Federal, tribal, State, and local representatives early in permitting processes.

''(d) PERFORMANCE MEASUREMENT.—Not later than 1 year after the date of enactment of the Comprehensive Transportation and Consumer Protection Act of 2015, the Secretary of Transportation, in coordination with the Steering Committee established under section 312 of this title, shall establish a program to measure and report on progress towards aligning Federal reviews as outlined in this section.''.

(b) CONFORMING AMENDMENT.—The table of contents of subchapter I of chapter 3 is amended by inserting after the item relating to section 309 the following:

''310. Aligning Federal environmental reviews.''.

SEC. 31105. MULTIMODAL CATEGORICAL EXCLUSIONS.

Section 304 is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking ''operating authority'' and inserting ''operating administration or secretarial office'';

(ii) by inserting ''has expertise but'' before ''is not the lead''; and

(iii) by inserting ''proposed multimodal'' before ''project'';

(B) by amending paragraph (2) to read as follows:

''(2) LEAD AUTHORITY.—The term 'lead authority' means a Department of Transportation operating administration or secretarial office that has the lead responsibility for a proposed multimodal project.''; and

(C) in paragraph (3), by striking ''has the meaning given the term in section 139(a) of title 23'' and inserting ''means an action by the Department of Transportation that involves expertise of 1 or more Department of Transportation operating administrations or secretarial offices'';

(2) in subsection (b), by striking ''under this title'' and inserting ''by the Secretary of Transportation'';

(3) in subsection (c)—

(A) in the matter preceding paragraph (1)—

(i) by striking ''a categorical exclusion designated under the implementing regulations or'' and inserting ''categorical exclusions designated under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) implementing''; and

(ii) by striking ''other components of the'' and inserting ''a proposed multimodal'';

(B) by amending paragraphs (1) and (2) to read as follows:

''(1) the lead authority makes a preliminary determination on the applicability of a categorical exclusion to a proposed multimodal project and notifies the cooperating authority of its intent to apply the cooperating authority categorical exclusion;

''(2) the cooperating authority does not object to the lead authority's preliminary determination of its applicability;'';

(C) in paragraph (3)—

(i) by inserting ''the lead authority determines that'' before ''the component of''; and

(ii) by inserting ''proposed multimodal'' before ''project to be covered''; and

(D) by amending paragraph (4) to read as follows:

''(4) the lead authority, with the concurrence of the cooperating authority—

''(A) follows implementing regulations or procedures under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

''(B) determines that the proposed multimodal project does not individually or cumulatively have a significant impact on the environment; and

''(C) determines that extraordinary circumstances do not exist that merit additional analysis and documentation in an environmental impact statement or environmental assessment required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).''; and

(4) by amending subsection (d) to read as follows:

''(d) COOPERATING AUTHORITY EXPERTISE.—A cooperating authority shall provide expertise to the lead authority on aspects of the multimodal project in which the cooperating authority has expertise.''.

SEC. 31106. IMPROVING TRANSPARENCY IN ENVIRONMENTAL REVIEWS.

(a) IN GENERAL.—Subchapter I of chapter 3, as amended by section 31104 of this Act, is further amended by inserting after section 310 the following:

''§ 311. Improving transparency in environmental reviews

''(a) IN GENERAL.—Not later than 2 years after the date of enactment of the Comprehensive Transportation and Consumer Protection Act of 2015, the Secretary of Transportation shall establish an online platform and, in coordination with Federal agencies described in subsection (b), issue reporting standards to make publicly available the status and progress with respect to compliance with applicable requirements under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and any other Federal approval required under applicable laws for projects and activities requiring an environmental assessment or an environmental impact statement.

''(b) FEDERAL AGENCY PARTICIPATION.—A Federal agency of jurisdiction over an approval required for a project under applicable laws shall provide information regarding the status and progress of the approval to the online platform, consistent with the standards established under subsection (a).

''(c) ASSIGNMENT OF RESPONSIBILITIES.—An entity with assigned authority for responsibilities under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), under section 326 or section 327 of title 23 shall be responsible for supplying project development and compliance status for all applicable projects.''.

(b) CONFORMING AMENDMENT.—The table of contents of subchapter I of chapter 3, as amended by section 31104 of this Act, is further amended by inserting after the item relating to section 310, the following:

''311. Improving transparency in environmental reviews.''.

SEC. 31107. LOCAL TRANSPORTATION INFRASTRUCTURE PROGRAM.

Section 610 of title 23, United States Code, is amended—

(1) in subsection (d)—

(A) in paragraph (1), by striking subparagraph (A) and inserting the following:

''(A) 10 percent of the funds apportioned to the State for each of fiscal years 2016 through 2021 under each of sections 104(b)(1), 104(b)(2), and 144; and'';

(B) in paragraph (2), by striking ''2005 through 2009'' and inserting ''2016 through 2021'';

(C) in paragraph (3), by striking ''2005 through 2009'' and inserting ''2016 through 2021''; and

(D) in paragraph (5), by striking ''section 133(d)(3)'' and inserting ''section 133(d)(4)''; and

(2) in subsection (k), by striking ''2005 through 2009'' and inserting ''2016 through 2021''.

Subtitle B—Research

SEC. 31201. FINDINGS.

Congress makes the followings findings:

(1) Federal transportation research planning and coordination—

(A) should occur within the Office of the Secretary; and

(B) should be, to the extent practicable, multi-modal and not occur solely within the subagencies of the Department of Transportation.

(2) Managing a multi-modal research portfolio within the Office of the Secretary will—

(A) help identify opportunities where research could be applied across modes; and

(B) prevent duplication of efforts and waste of limited Federal resources.

(3) An ombudsman for research at the Department of Transportation will—

(A) give stakeholders a formal opportunity to address concerns;

(B) ensure unbiased research; and

(C) improve the overall research products of the Department.

(4) Increasing transparency of transportation research efforts will—

(A) build stakeholder confidence in the final product; and

(B) lead to the improved implementation of research findings.

SEC. 31202. MODAL RESEARCH PLANS.

(a) IN GENERAL.—Not later than June 15 of the year preceding the research fiscal year, the head of each modal administration and joint program office of the Department of Transportation shall submit a comprehensive annual modal research plan to the Assistant Secretary for Research and Technology of the Department of Transportation (referred to in this subtitle as the ''Assistant Secretary'').

(b) REVIEW.—

(1) IN GENERAL.—Not later than October 1 of each year, the Assistant Secretary, for each plan submitted pursuant to subsection (a), shall—

(A) review the scope of the research; and

(B)(i) approve the plan; or

(ii) request that the plan be revised.

(2) PUBLICATIONS.—Not later than January 30 of each year, the Secretary shall publish each plan that has been approved under paragraph (1)(B)(i) on a public website.

(3) REJECTION OF DUPLICATIVE RESEARCH EFFORTS.—The Assistant Secretary may not approve any plan submitted by the head of a modal administration or joint program office pursuant to subsection (a) if such plan duplicates the research efforts of any other modal administration.

(c) FUNDING LIMITATIONS.—No funds may be expended by the Department of Transportation on research that has not previously been approved as part of a modal research plan approved by the Assistant Secretary unless—

(1) such research is required by an Act of Congress;

(2) such research was part of a contract that was funded before the date of enactment of this Act; or

(3) the Secretary of Transportation certifies to Congress that such research is necessary before the approval of a modal research plan.

(d) DUPLICATIVE RESEARCH.—

(1) IN GENERAL.—Except as provided in paragraph (2), no funds may be expended by the Department of Transportation on research projects that the Secretary identifies as duplicative under subsection (b)(3).

(2) EXCEPTIONS.—Paragraph (1) shall not apply to—

(A) updates to previously commissioned research;

(B) research commissioned to carry out an Act of Congress; or

(C) research commissioned before the date of enactment of this Act.

(e) CERTIFICATION.—

(1) IN GENERAL.—The Secretary shall annually certify to Congress that—

(A) each modal research plan has been reviewed; and

(B) there is no duplication of study for research directed, commissioned, or conducted by the Department of Transportation.

(2) CORRECTIVE ACTION PLAN.—If the Secretary, after submitting a certification under paragraph (1), identifies duplication of research within the Department of Transportation, the Secretary shall—

(A) notify Congress of the duplicative research; and

(B) submit a corrective action plan to Congress that will eliminate such duplicative research.

SEC. 31203. CONSOLIDATED RESEARCH PROSPECTUS AND STRATEGIC PLAN.

(a) PROSPECTUS.—

(1) IN GENERAL.—The Secretary shall annually publish, on a public website, a comprehensive prospectus on all research projects conducted by the Department of Transportation, including, to the extent practicable, research funded through University Transportation Centers.

(2) CONTENTS.—The prospectus published under paragraph (1) shall—

(A) include the consolidated modal research plans approved under section 1302;

(B) describe the research objectives, progress, and allocated funds for each research project;

(C) identify research projects with multimodal applications;

(D) specify how relevant modal administrations have assisted, will contribute to, or plan to use the findings from the research projects identified under paragraph (1);

(E) identify areas in which multiple modal administrations are conducting research projects on similar subjects or subjects which have bearing on multiple modes;

(F) describe the interagency and cross modal communication and coordination that has occurred to prevent duplication of research efforts within the Department of Transportation;

(G) indicate how research is being disseminated to improve the efficiency and safety of transportation systems;

(H) describe how agencies developed their research plans; and

(I) describe the opportunities for public and stakeholder input.

(b) FUNDING REPORT.—In conjunction with each of the President's annual budget requests under section 1105 of title 31, United States Code, the Secretary shall submit a report to appropriate committees of Congress that describes—

(1) the amount spent in the last completed fiscal year on transportation research and development; and

(2) the amount proposed in the current budget for transportation research and development.

(c) PERFORMANCE PLANS AND REPORTS.—In the plans and reports submitted under sections 1115 and 1116 of title 31, United States Code, the Secretary shall include—

(1) a summary of the Federal transportation research and development activities for the previous fiscal year in each topic area;

(2) the amount spent in each topic area;

(3) a description of the extent to which the research and development is meeting the expectations set forth in subsection (d)(3)(A); and

(4) any amendments to the strategic plan developed under subsection (d).

(d) TRANSPORTATION RESEARCH AND DEVELOPMENT STRATEGIC PLAN.—

(1) IN GENERAL.—The Secretary shall develop a 5-year transportation research and development strategic plan to guide future Federal transportation research and development activities.

(2) CONSISTENCY.—The strategic plan developed under paragraph (1) shall be consistent with—

(A) section 306 of title 5, United States Code;

(B) sections 1115 and 1116 of title 31, United States Code; and

(C) any other research and development plan within the Department of Transportation.

(3) CONTENTS.—The strategic plan developed under paragraph (1) shall—

(A) describe the primary purposes of the transportation research and development program, which shall include—

(i) promoting safety;

(ii) reducing congestion;

(iii) improving mobility;

(iv) preserving the existing transportation system;

(v) improving the durability and extending the life of transportation infrastructure; and

(vi) improving goods movement;

(B) for each of the purposes referred to in subparagraph (A), list the primary research and development topics that the Department of Transportation intends to pursue to accomplish that purpose, which may include—

(i) fundamental research in the physical and natural sciences;

(ii) applied research;

(iii) technology research; and

(iv) social science research intended for each topic; and

(C) for each research and development topic—

(i) identify the anticipated annual funding levels for the period covered by the strategic plan; and

(ii) include any additional information the Department of Transportation expects to discover at the end of the period covered by the strategic plan as a result of the research and development in that topic area.

(4) CONSIDERATIONS.—The Secretary shall ensure that the strategic plan developed under this section—

(A) reflects input from a wide range of stakeholders;

(B) includes and integrates the research and development programs of all the Department of Transportation's modal administrations, including aviation, transit, rail, and maritime; and

(C) takes into account how research and development by other Federal, State, private sector, and nonprofit institutions—

(i) contributes to the achievement of the purposes identified under paragraph (3)(A); and

(ii) avoids unnecessary duplication of such efforts.

(e) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) CHAPTER 5 OF TITLE 23.—Chapter 5 of title 23, United States Code, is amended—

(A) by striking section 508;

(B) in the table of contents, by striking the item relating to section 508;

(C) in section 502—

(i) in subsection (a)(9), by striking ''transportation research and technology development strategic plan developed under section 508'' and inserting ''transportation research and development strategic plan under section 31203 of the Comprehensive Transportation and Consumer Protection Act of 2015''; and

(ii) in subsection (b)(4), by striking ''transportation research and development strategic plan of the Secretary developed under section 508'' and inserting ''transportation research and development strategic plan under section 31203 of the Comprehensive Transportation and Consumer Protection Act of 2015''; and

(D) in section 512(b), by striking ''as part of the transportation research and development strategic plan developed under section 508''.

(2) INTELLIGENT TRANSPORTATION SYSTEMS.—Section 5205 of the Intelligent Transportation Systems Act of 1998 (23 U.S.C. 502 note) is amended—

(A) in subsection (b), by striking ''as part of the Surface Transportation Research and Development Strategic Plan developed under section 508 of title 23, United States Code'' and inserting ''as part of the transportation research and development strategic plan under section 31203 of the Comprehensive Transportation and Consumer Protection Act of 2015''; and

(B) in subsection (e)(2)(A), by striking ''or the Surface Transportation Research and Development Strategic Plan developed under section 508 of title 23, United States Code'' and inserting ''or the transportation research and development strategic plan under section 31203 of the Comprehensive Transportation and Consumer Protection Act of 2015''.

(3) INTELLIGENT TRANSPORTATION SYSTEM RESEARCH.—Subtitle C of title V of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (23 U.S.C. 512 note) is amended—

(A) in section 5305(h)(3)(A), by striking ''the strategic plan under section 508 of title 23, United States Code'' and inserting ''the 5-year transportation research and development strategic plan under section 31203 of the Comprehensive Transportation and Consumer Protection Act of 2015''; and

(B) in section 5307(c)(2)(A), by striking ''or the surface transportation research and development strategic plan developed under section 508 of title 23, United States Code'' and inserting ''or the 5-year transportation research and development strategic plan under section 31203 of the Comprehensive Transportation and Consumer Protection Act of 2015''.

SEC. 31204. RESEARCH OMBUDSMAN.

(a) IN GENERAL.—Subtitle III is amended by inserting after chapter 63 the following:

''CHAPTER 65—RESEARCH OMBUDSMAN

''Sec. 6501. Research ombudsman.

''§ 6501. Research ombudsman

''(a) ESTABLISHMENT.—The Assistant Secretary for Research and Technology shall appoint a career Federal employee to serve as Research Ombudsman. This appointment shall not diminish the authority of peer review of research.

''(b) QUALIFICATIONS.—The Research Ombudsman appointed under subsection (a), to the extent practicable—

''(1) shall have a background in academic research and a strong understanding of sound study design;

''(2) shall develop a working knowledge of the stakeholder communities and research needs of the transportation field; and

''(3) shall not have served as a political appointee of the Department.

''(c) RESPONSIBILITIES.—

''(1) ADDRESSING COMPLAINTS AND QUESTIONS.—The Research Ombudsman shall—

''(A) receive complaints and questions about—

''(i) significant alleged omissions, improprieties, and systemic problems; and

''(ii) excessive delays of, or within, a specific research project; and

''(B) evaluate and address the complaints and questions described in subparagraph (A).

''(2) PETITIONS.—

''(A) REVIEW.—The Research Ombudsman shall review petitions relating to—

''(i) conflicts of interest;

''(ii) the study design and methodology;

''(iii) assumptions and potential bias;

''(iv) the length of the study; and

''(v) the composition of any data sampled.

''(B) RESPONSE TO PETITIONS.—The Research Ombudsman shall—

''(i) respond to relevant petitions within a reasonable period;

''(ii) identify deficiencies in the petition's study design; and

''(iii) propose a remedy for such deficiencies to the administrator of the modal administration responsible for completing the research project.

''(C) RESPONSE TO PROPOSED REMEDY.—The administrator of the modal administration charged with completing the research project shall respond to the proposed research remedy.

''(3) REQUIRED REVIEWS.—The Research Ombudsman shall evaluate the study plan for all statutorily required studies and reports before the commencement of such studies to ensure that the research plan has an appropriate sample size and composition to address the stated purpose of the study.

''(d) REPORTS.—

''(1) IN GENERAL.—Upon the completion of each review under subsection (c), the Research Ombudsman shall—

''(A) submit a report containing the results of such review to—

''(i) the Secretary;

''(ii) the head of the relevant modal administration; and

''(iii) the study or research leader; and

''(B) publish such results on a public website, with the modal administration response required under subsection (c)(2)(C).

''(2) INDEPENDENCE.—Each report required under this section shall be provided directly to the individuals described in paragraph (1) without any comment or amendment from the Secretary, the Deputy Secretary of Transportation, the head of any modal administration of the Department, or any other officer or employee of the Department or the Office of Management and Budget.

''(e) REPORT TO INSPECTOR GENERAL.—The Research Ombudsman shall submit any evidence of misfeasance, malfeasance, waste, fraud, or abuse uncovered during a review under this section to the Inspector General for further review.

''(f) REMOVAL.—The Research Ombudsman shall be subject to adverse employment action for misconduct or good cause in accordance with the procedures and grounds set forth in chapter 75 of title 5.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of chapters for subtitle III is amended by inserting after the item relating to chapter 63 the following:

''65. Research ombudsman ..... 6501''.

SEC. 31205. SMART CITIES TRANSPORTATION PLANNING STUDY.

(a) IN GENERAL.—The Secretary shall conduct a study of digital technologies and information technologies, including shared mobility, data, transportation network companies, and on-demand transportation services—

(1) to understand the degree to which cities are adopting these technologies;

(2) to assess future planning, infrastructure and investment needs; and

(3) to provide best practices to plan for smart cities in which information and technology are used—

(A) to improve city operations;

(B) to grow the local economy;

(C) to improve response in times of emergencies and natural disasters; and

(D) to improve the lives of city residents.

(b) COMPONENTS.—The study conducted under subsection (a) shall—

(1) identify broad issues that influence the ability of the United States to plan for and invest in smart cities, including barriers to collaboration and access to scientific information; and

(2) review how the expanded use of digital technologies, mobile devices, and information may—

(A) enhance the efficiency and effectiveness of existing transportation networks;

(B) optimize demand management services;

(C) impact low-income and other disadvantaged communities;

(D) assess opportunities to share, collect, and use data;

(E) change current planning and investment strategies; and

(F) provide opportunities for enhanced coordination and planning.

(c) REPORTING.—Not later than 18 months after the date of enactment of this Act, the Secretary shall publish the report containing the results of the study required under subsection (a) to a public website.

SEC. 31206. BUREAU OF TRANSPORTATION STATISTICS INDEPENDENCE.

Section 6302 is amended by adding at the end the following:

''(d) INDEPENDENCE OF BUREAU.—

''(1) IN GENERAL.—The Director shall not be required—

''(A) to obtain the approval of any other officer or employee of the Department with respect to the collection or analysis of any information; or

''(B) prior to publication, to obtain the approval of any other officer or employee of the United States Government with respect to the substance of any statistical technical reports or press releases lawfully prepared by the Director.

''(2) BUDGET AUTHORITY.—The Director shall have a significant role in the disposition and allocation of the Bureau's authorized budget, including—

''(A) all hiring, grants, cooperative agreements, and contracts awarded by the Bureau to carry out this section; and

''(B) the disposition and allocation of amounts paid to the Bureau for cost-reimbursable projects.

''(3) EXCEPTIONS.—The Secretary shall direct external support functions, such as the coordination of activities involving multiple modal administrations.

''(4) INFORMATION TECHNOLOGY.—The Department Chief Information Officer shall consult with the Director to ensure decisions related to information technology guarantee the protection of the confidentiality of information provided solely for statistical purposes, in accordance with the Confidential Information Protection and Statistical Efficiency Act of 2002 (44 U.S.C. 3501 note).''.

SEC. 31207. CONFORMING AMENDMENTS.

(a) TITLE 49 AMENDMENTS.—

(1) ASSISTANT SECRETARIES; GENERAL COUNSEL.—Section 102(e) is amended—

(A) in paragraph (1), by striking ''5'' and inserting ''6''; and

(B) in paragraph (1)(A), by inserting ''an Assistant Secretary for Research and Technology,'' before ''and an Assistant Secretary''.

(2) OFFICE OF THE ASSISTANT SECRETARY FOR RESEARCH AND TECHNOLOGY OF THE DEPARTMENT OF TRANSPORTATION.—Section 112 is repealed.

(3) TABLE OF CONTENTS.—The table of contents of chapter 1 is amended by striking the item relating to section 112.

(4) RESEARCH CONTRACTS.—Section 330 is amended—

(A) in the section heading, by striking ''**contracts**'' and inserting ''**activities**'';

(B) in subsection (a), by inserting ''IN GENERAL.—'' before ''The Secretary'';

(C) in subsection (b), by inserting ''RESPONSIBILITIES.—'' before ''In carrying out'';

(D) in subsection (c), by inserting ''PUBLICATIONS.—'' before ''The Secretary''; and

(E) by adding at the end the following:

''(d) DUTIES.—The Secretary shall provide for the following:

''(1) Coordination, facilitation, and review of the Department's research and development programs and activities.

''(2) Advancement, and research and development, of innovative technologies, including intelligent transportation systems.

''(3) Comprehensive transportation statistics research, analysis, and reporting.

''(4) Education and training in transportation and transportation-related fields.

''(5) Activities of the Volpe National Transportation Systems Center.

''(e) ADDITIONAL AUTHORITIES.—The Secretary may—

''(1) enter into grants and cooperative agreements with Federal agencies, State and local government agencies, other public entities, private organizations, and other persons—

''(A) to conduct research into transportation service and infrastructure assurance; and

''(B) to carry out other research activities of the Department;

''(2) carry out, on a cost-shared basis, collaborative research and development to encourage innovative solutions to multimodal transportation problems and stimulate the deployment of new technology with—

''(A) non-Federal entities, including State and local governments, foreign governments, institutions of higher education, corporations, institutions, partnerships, sole proprietorships, and trade associations that are incorporated or established under the laws of any State;

''(B) Federal laboratories; and

''(C) other Federal agencies; and

''(3) directly initiate contracts, grants, cooperative research and development agreements (as defined in section 12 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a)), and other agreements to fund, and accept funds from, the Transportation Research Board of the National Research Council of the National Academy of Sciences, State departments of transportation, cities, counties, institutions of higher education, associations, and the agents of those entities to carry out joint transportation research and technology efforts.

''(f) FEDERAL SHARE.—

''(1) IN GENERAL.—Subject to paragraph (2), the Federal share of the cost of an activity carried out under subsection (e)(3) shall not exceed 50 percent.

''(2) EXCEPTION.—If the Secretary determines that the activity is of substantial public interest or benefit, the Secretary may approve a greater Federal share.

''(3) NON-FEDERAL SHARE.—All costs directly incurred by the non-Federal partners, including personnel, travel, facility, and hardware development costs, shall be credited toward the non-Federal share of the cost of an activity described in paragraph (1).

''(g) PROGRAM EVALUATION AND OVERSIGHT.—For fiscal years 2016 through 2021, the Secretary is authorized to expend not more than 1 and a half percent of the amounts authorized to be appropriated for necessary expenses for administration and operations of the Office of the Assistant Secretary for Research and Technology for the coordination, evaluation, and oversight of the programs administered under this section.

''(h) USE OF TECHNOLOGY.—The research, development, or use of a technology under a contract, grant, cooperative research and development agreement, or other agreement entered into under this section, including the terms under which the technology may be licensed and the resulting royalties may be distributed, shall be subject to the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3701 et seq.).

''(i) WAIVER OF ADVERTISING REQUIREMENTS.—Section 6101 of title 41 shall not apply to a contract, grant, or other agreement entered into under this section.''.

(5) TABLE OF CONTENTS.—The item relating to section 330 in the table of contents of chapter 3 is amended by striking ''Contracts'' and inserting ''Activities''.

(6) BUREAU OF TRANSPORTATION STATISTICS.—Section 6302(a) is amended to read as follows:

''(a) IN GENERAL.—There shall be within the Department the Bureau of Transportation Statistics.''.

(b) TITLE 5 AMENDMENTS.—

(1) POSITIONS AT LEVEL II.—Section 5313 of title 5, United States Code, is amended by striking ''Under Secretary of Transportation for Security.''.

(2) POSITIONS AT LEVEL III.—Section 5314 of title 5, United States Code, is amended by striking ''Administrator, Research and Innovative Technology Administration.''.

(3) POSITIONS AT LEVEL IV.—Section 5315 of title 5, United States Code, is amended by striking ''(4)'' in the undesignated item relating to Assistant Secretaries of Transportation and inserting ''(5)''.

(4) POSITIONS AT LEVEL V.—Section 5316 is amended by striking ''Associate Deputy Secretary, Department of Transportation.''.

SEC. 31208. REPEAL OF OBSOLETE OFFICE.

(a) IN GENERAL.—Section 5503 is repealed.

(b) TABLE OF CONTENTS.—The table of contents of chapter 55 is amended by striking the item relating to section 5503.

Subtitle C—Port Performance Act

SEC. 31301. SHORT TITLE.

This subtitle may be cited as the ''Port Performance Act''.

SEC. 31302. FINDINGS.

Congress finds the following:

(1) America's ports play a critical role in the Nation's transportation supply chain network.

(2) Reliable and efficient movement of goods through the Nation's ports ensures that American goods are available to customers throughout the world.

(3) Breakdowns in the transportation supply chain network, particularly at the Nation's ports, can result in tremendous economic losses for agriculture, businesses, and retailers that rely on timely shipments.

(4) A clear understanding of terminal and port productivity and throughput should help—

(A) to identify freight bottlenecks;

(B) to indicate performance and trends over time; and

(C) to inform investment decisions.

SEC. 31303. PORT PERFORMANCE FREIGHT STATISTICS PROGRAM.

(a) IN GENERAL.—Chapter 63 is amended by adding at the end the following:

''§ 6314. Port performance freight statistics program

''(a) IN GENERAL.—The Director shall establish, on behalf of the Secretary, a port performance statistics program to provide nationally consistent measures of performance of, at a minimum—

''(1) the Nation's top 25 ports by tonnage;

''(2) the Nation's top 25 ports by 20-foot equivalent unit; and

''(3) the Nation's top 25 ports by dry bulk.

''(b) ANNUAL REPORTS.—

''(1) PORT CAPACITY AND THROUGHPUT.—Not later than January 15 of each year, the Director shall submit an annual report to Congress that includes statistics on capacity and throughput at the ports described in subsection (a).

''(2) PORT PERFORMANCE MEASURES.—The Director shall collect monthly port performance measures for each of the United States ports referred to in subsection (a) that receives Federal assistance or is subject to Federal regulation to submit an annual report to the Bureau of Transportation Statistics that includes monthly statistics on capacity and throughput as applicable to the specific configuration of the port.

''(A) MONTHLY MEASURES.—The Director shall collect monthly measures, including—

''(i) the average number of lifts per hour of containers by crane;

''(ii) the average vessel turn time by vessel type;

''(iii) the average cargo or container dwell time;

''(iv) the average truck time at ports;

''(v) the average rail time at ports; and

''(vi) any additional metrics, as determined by the Director after receiving recommendations from the working group established under subsection (c).

''(B) MODIFICATIONS.—The Director may consider a modification to a metric under subparagraph (A) if the modification meets the intent of the section.

''(c) RECOMMENDATIONS.—

''(1) IN GENERAL.—The Director shall obtain recommendations for—

''(A) specifications and data measurements for the port performance measures listed in subsection (b)(2);

''(B) additionally needed data elements for measuring port performance; and

''(C) a process for the Department of Transportation to collect timely and consistent data, including identifying safeguards to protect proprietary information described in subsection (b)(2).

''(2) WORKING GROUP.—Not later than 60 days after the date of the enactment of the Port Performance Act, the Director shall commission a working group composed of—

''(A) operating administrations of the Department of Transportation;

''(B) the Coast Guard;

''(C) the Federal Maritime Commission;

''(D) U.S. Customs and Border Protection;

''(E) the Marine Transportation System National Advisory Council;

''(F) the Army Corps of Engineers;

''(G) the Saint Lawrence Seaway Development Corporation;

''(H) the Advisory Committee on Supply Chain Competitiveness;

''(I) 1 representative from the rail industry;

''(J) 1 representative from the trucking industry;

''(K) 1 representative from the maritime shipping industry;

''(L) 1 representative from a labor organization for each industry described in subparagraphs (I) through (K);

''(M) 1 representative from a port authority;

''(N) 1 representative from a terminal operator;

''(O) representatives of the National Freight Advisory Committee of the Department; and

''(P) representatives of the Transportation Research Board of the National Academies.

''(3) RECOMMENDATIONS.—Not later than 1 year after the date of the enactment of the Port Performance Act, the working group commissioned under this subsection shall submit its recommendations to the Director.

''(d) ACCESS TO DATA.—The Director shall ensure that the statistics compiled under this section are readily accessible to the public, consistent with applicable security constraints and confidentiality interests.''.

(b) PROHIBITION ON CERTAIN DISCLOSURES.—Section 6307(b)(1) is amended by inserting ''or section 6314(b)'' after ''section 6302(b)(3)(B)'' each place it appears.

(c) COPIES OF REPORTS.—Section 6307(b)(2)(A) is amended by inserting ''or section 6314(b)'' after ''section 6302(b)(3)(B)''.

(d) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents for chapter 63 is amended by adding at the end the following:

''6314. Port performance freight statistics program.''.

TITLE XXXII—COMMERCIAL MOTOR VEHICLE AND DRIVER PROGRAMS

Subtitle A—Compliance, Safety, and Accountability Reform

SEC. 32001. CORRELATION STUDY.

(a) IN GENERAL.—The Administrator of the Federal Motor Carrier Safety Administration (referred to in this subtitle as the ''Administrator'') shall commission the National Research Council of the National Academies to conduct a study of—

(1) the Safety Measurement System (referred to in this subtitle as ''SMS''); and

(2) the Compliance, Safety, Accountability program (referred to in this subtitle as the ''CSA program'').

(b) SCOPE OF STUDY.—In carrying out the study commissioned pursuant to subsection (a), the National Research Council—

(1) shall analyze—

(A) the accuracy with which the Behavior Analysis and Safety Improvement Categories (referred to in this subtitle as ''BASIC'') safety measures used by SMS—

(i) identify high risk drivers and carriers; and

(ii) predict or be correlated with future crash risk, crash severity, or other safety indicators for individual drivers, motor carriers, and the highest risk carriers;

(B) the methodology used to calculate BASIC percentiles and identify carriers for enforcement, including the weights assigned to particular violations, and the tie between crash risk and specific regulatory violations, in order to accurately identify and predict future crash risk for motor carriers;

(C) the relative value of inspection information and roadside enforcement data;

(D) any data collection gaps or data sufficiency problems that may exist and the impact of those data gaps and insufficiencies on the efficacy of the CSA program; and

(E) the accuracy of data processing; and

(2) should consider—

(A) whether the current SMS provides comparable precision and confidence for SMS alerts and percentiles for the relative crash risk of individual large and small motor carriers;

(B) whether alternative systems would identify high risk carriers or identify high risk drivers and motor carriers more accurately; and

(C) the recommendations and findings of the Comptroller General of the United States and the Inspector General, and independent review team reports issued before the date of the enactment of this Act.

(c) REPORT.—Not later than 18 months after the date of enactment of this Act, the Administrator shall submit a report containing the results of the completed study to—

(1) the Committee on Commerce, Science, and Transportation of the Senate;

(2) the Committee on Transportation and Infrastructure of the House of Representatives;

(3) the Inspector General of the Department of Transportation; and

(4) the Comptroller General of the United States.

(d) CORRECTIVE ACTION PLAN.—

(1) IN GENERAL.—Not later than 120 days after the Administrator submits a report under subsection (c) that identifies a deficiency or opportunity for improvement in the CSA program or in any element of SMS, the Administrator shall submit a corrective action plan to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that—

(A) responds to the concerns highlighted by the report;

(B) identifies how the Federal Motor Carrier Safety Administration will address such concerns; and

(C) provides an estimate of the cost, including changes in staffing, enforcement, and data collection necessary to implement the recommendations.

(2) PROGRAM REFORMS.—The corrective action plan submitted under paragraph (1) shall include an implementation plan that—

(A) includes benchmarks;

(B) includes programmatic reforms, revisions to regulations, or proposals for legislation; and

(C) shall be considered in any rulemaking by the Department of Transportation that relates to the CSA program, including the SMS data sets or analysis.

(e) INSPECTOR GENERAL REVIEW.—Not later than 120 days after the Administrator issues a corrective action plan under subsection (d), the Inspector General of the Department of Transportation shall—

(1) review the extent to which such plan implements—

(A) recommendations contained in the report submitted under subsection (c); and

(B) recommendations issued by the Comptroller General or the Inspector General before the date of enactment of this Act; and

(2) submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on the responsiveness of the corrective action plan to the recommendations described in paragraph (1).

(f) FISCAL LIMITATION.—The Administrator shall carry out the study required under this section using amounts appropriated to the Federal Motor Carrier Safety Administration and available for obligation and expenditure as of the date of the enactment of this Act.

SEC. 32002. SAFETY IMPROVEMENT METRICS.

(a) IN GENERAL.—The Administrator shall incorporate a methodology into the CSA program or establish a third-party process to allow recognition, including credit, improved score, or by establishing a safety BASIC in SMS for safety technology, tools, programs, and systems approved by the Administrator through the qualification process developed under subsection (b) that exceed regulatory requirements or are used to enhance safety performance, including—

(1) the installation of qualifying advanced safety equipment, such as—

(A) collision mitigation systems;

(B) lane departure warnings;

(C) speed limiters;

(D) electronic logging devices;

(E) electronic stability control;

(F) critical event recorders; and

(G) strengthening rear guards and sideguards for underride protection;

(2) the use of enhanced driver fitness measures that exceed current regulatory requirements, such as—

(A) additional new driver training;

(B) enhanced and ongoing driver training; and

(C) remedial driver training to address specific deficiencies as identified in roadside inspection or enforcement reports;

(3) the adoption of qualifying administrative fleet safety management tools technologies, driver performance and behavior management technologies, and programs; and

(4) technologies and measures identified through the process described in subsection (c).

(b) QUALIFICATION.—The Administrator, through a notice and comment process, shall develop technical or other performance standards for technology, advanced safety equipment, enhanced driver fitness measures, tools, programs, or systems used by motor carriers that will qualify for credit under this section.

(c) ADDITIONAL REQUIREMENTS.—In modifying the CSA program under subsection (a), the Administrator, through notice and comment, shall develop a process for identifying and reviewing other technology, advanced safety equipment, enhanced driver fitness measures, tools, programs, or systems used by motor carriers to improve safety performance that—

(1) provides for a petition for reviewing technology, advanced safety equipment, enhanced driver fitness measures, tools, programs, or systems;

(2) seeks input and participation from industry stakeholders, including drivers, technology manufacturers, vehicle manufacturers, motor carriers, enforcement communities, and safety advocates, and the Motor Carrier Safety Advisory Committee; and

(3) includes technology, advanced safety equipment, enhanced driver fitness measures, tools, programs, or systems with a date certain for future statutory or regulatory implementation.

(d) SAFETY IMPROVEMENT METRICS USE AND VERIFICATION.—The Administrator, through notice and comment process, shall develop a process for—

(1) providing recognition or credit within a motor carrier's SMS score for the installation and use of measures in paragraphs (1) through (4) of subsection (a);

(2) ensuring that the safety improvement metrics developed under this section are presented with other SMS data;

(3) verifying the installation or use of such technology, advanced safety equipment, enhanced driver fitness measures, tools, programs, or systems;

(4) modifying or removing recognition or credit upon verification of noncompliance with this section;

(5) ensuring that the credits or recognition referred to in paragraph (1) reflect the safety improvement anticipated as a result of the installation or use of the specific technology, advanced safety equipment, enhanced driver fitness measure, tool, program, or system;

(6) verifying the deployment and use of qualifying equipment or management systems by a motor carrier through a certification from the vehicle manufacturer, the system or service provider, the insurance carrier, or through documents submitted by the motor carrier to the Department of Transportation;

(7) annually reviewing the list of qualifying safety technology, advanced safety equipment, enhanced driver fitness measures, tools, programs, or systems; and

(8) removing systems mandated by law or regulation, or if such systems demonstrate a lack of efficacy, from the list of qualifying technologies, advanced safety equipment, enhanced driver fitness measures, tools, programs, or systems eligible for credit under the CSA program.

(e) DISSEMINATION OF INFORMATION.—The Administrator shall maintain a public website that contains information regarding—

(1) the technology, advanced safety equipment, enhanced driver fitness measures, tools, programs, or systems eligible for credit and improved scores;

(2) any petitions for study of the technology, advanced safety equipment, enhanced driver fitness measures, tools, programs, or systems; and

(3) statistics and information relating to the use of such technology, advanced safety equipment, enhanced driver fitness measures, tools, programs, or systems.

(f) PUBLIC REPORT.—Not later than 1 year after the establishment of the Safety Improvement Metrics System (referred to in this section as ''SIMS'') under this section, and annually thereafter, the Administrator shall publish, on a public website, a report that identifies—

(1) the types of technology, advanced safety equipment, enhanced driver fitness measures, tools, programs, or systems that are eligible for credit;

(2) the number of instances in which each technology, advanced safety equipment, enhanced driver fitness measure, tool, program, or system is used;

(3) the number of motor carriers, and a description of the carrier's fleet size, that received recognition or credit under the modified CSA program; and

(4) the pre- and post-adoption safety performance of the motor carriers described in paragraph (3).

(g) IMPLEMENTATION AND OVERSIGHT RESPONSIBILITY.—The Administrator shall ensure that the activities described in subsections (a) through (f) of this section are not required under section 31102 of title 49, United States Code, as amended by this Act.

(h) EVALUATION.—

(1) IN GENERAL.—Not later than 2 years after the implementation of SIMS under this section, the Administrator shall conduct an evaluation of the effectiveness of SIMS by reviewing the impacts of SIMS on—

(A) law enforcement, commercial drivers and motor carriers, and motor carrier safety; and

(B) safety and adoption of new technologies.

(2) REPORT.—Not later than 30 months after the implementation of the program, the Administrator shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that describes—

(A) the results of the evaluation conducted under paragraph (1); and

(B) the actions the Federal Motor Carrier Safety Administration plans to take to modify the demonstration program based on such results.

(i) USE OF ESTIMATES OF SAFETY EFFECTS.—In conducting regulatory impact analyses for rulemakings relating to the technology, advanced safety equipment, enhanced driver fitness measures, tools, programs, or systems selected for credit under the CSA program, the Administrator, to the extent practicable, shall use the data gathered under this section and appropriate statistical methodology, including sufficient sample sizes, composition, and appropriate comparison groups, including representative motor carriers of all sizes, to estimate the effects on safety performance and reduction in the number and severity of accidents with qualifying technology, advanced safety equipment, tools, programs, and systems.

(j) SAVINGS PROVISION.—Nothing in this section may be construed to provide the Administrator with additional authority to change the requirements for the operation of a commercial motor vehicle.

SEC. 32003. DATA CERTIFICATION.

(a) LIMITATION.—Beginning not later than 1 day after the date of enactment of this Act, none of the analysis of violation information, enforcement prioritization, not-at-fault crashes, alerts, or the relative percentile for each Behavioral Analysis and Safety Improvement Category developed through the CSA program may be made available to the general public (including through requests under section 552 of title 5, United States Code), but violation and inspection information submitted by the States may be presented, until the Inspector General of the Department of Transportation certifies that—

(1) any deficiencies identified in the correlation study required under section 32001 have been addressed;

(2) the corrective action plan has been implemented and the concerns raised by the correlation study under section 32001 have been addressed;

(3) the Administrator has fully implemented or satisfactorily addressed the issues raised in the February 2014 GAO report entitled ''Modifying the Compliance, Safety, Accountability Program Would Improve the Ability to Identify High Risk Carriers'' (GAO–14–114), which called into question the accuracy and completeness of safety performance calculations;

(4) the study required under section 32001 has been published on a public website; and

(5) the CSA program has been modified in accordance with section 32002.

(b) LIMITATION ON USE OF CSA ANALYSIS.—The enforcement prioritization, alerts, or the relative percentile for each Behavioral Analysis and Safety Improvement Category developed through the CSA program within the SMS system may not be used for safety fitness determinations until the requirements under subsection (a) have been satisfied.

(c) CONTINUED PUBLIC AVAILABILITY OF DATA.—Inspection and violation information submitted to the Federal Motor Carrier Safety Administration by commercial motor vehicle inspectors and qualified law enforcement officials shall remain available for public viewing.

(d) EXCEPTIONS.—

(1) IN GENERAL.—Notwithstanding the limitations set forth in subsections (a) and (b)—

(A) the Federal Motor Carrier Safety Administration and State and local commercial motor vehicle enforcement agencies may only use the information referred to in subsection (a) for purposes of investigation and enforcement prioritization;

(B) motor carriers and commercial motor vehicle drivers may access information referred to in subsection (a) that relates directly to the motor carrier or driver, respectively; and

(C) the data analysis of motorcoach operators may be provided online, with a notation indicating that the ratings or alerts listed are not intended to imply any Federal safety rating of the carrier.

(2) NOTATION.—The notation described under paragraph (1)(C) shall include: ''Readers should not draw conclusions about a carrier's overall safety condition simply based on the data displayed in this system. Unless a motor carrier has received an UNSATISFACTORY safety rating under part 385 of title 49, Code of Federal Regulations, or has otherwise been ordered to discontinue operations by the Federal Motor Carrier Safety Administration, it is authorized to operate on the Nation's roadways.''.

(3) LIMITATION.—Nothing in subparagraphs (A) and (B) of paragraph (1) may be construed to restrict the official use by State enforcement agencies of the data collected by State enforcement personnel.

(e) CERTIFICATION.—The certification process described in subsection (a) shall occur concurrently with the implementation of SIMS under section 32002.

(f) COMPLETION.—The Secretary shall modify the CSA program in accordance with section 32002 not later than 1 year after the date of completion of the report described in section 32001(c).

SEC. 32004. DATA IMPROVEMENT.

(a) FUNCTIONAL SPECIFICATIONS.—Not later than 180 days after the date of enactment of this Act, the Administrator shall develop functional specifications to ensure the consistent and accurate input of data into systems and databases relating to the CSA program.

(b) FUNCTIONALITY.—The specifications developed pursuant to subsection (a)—

(1) shall provide for the hardcoding and smart logic functionality for roadside inspection data collection systems and databases; and

(2) shall be made available to public and private sector developers.

(c) EFFECTIVE DATA MANAGEMENT.—The Administrator shall ensure that internal systems and databases accept and effectively manage data using uniform standards.

(d) CONSULTATION WITH THE STATES.—Before implementing the functional specifications described in subsection (a) or the standards described in subsection (c), the Administrator shall seek input from the State agencies responsible for enforcing section 31102 of title 49, United States Code.

SEC. 32005. ACCIDENT REPORT INFORMATION.

(a) REVIEW.—The Administrator shall initiate a demonstration program that allows motor carriers and drivers to request a review of crashes, and the removal of crash data for use in the Federal Motor Carrier Safety Administration's safety measurement system of crashes, and removal from any weighting, or carrier safety analysis, if the commercial motor vehicle was operated legally and another motorist in connection with the crash is found—

(1) to have been driving under the influence;

(2) to have been driving the wrong direction on a roadway;

(3) to have struck the commercial motor vehicle in the rear;

(4) to have struck the commercial motor vehicle which was legally stopped;

(5) by the investigating officer or agency to have been responsible for the crash; or

(6) to have committed other violations determined by the Administrator.

(b) DOCUMENTS.—As part of a request for review under subsection (a), the motor carrier or driver shall submit a copy of available police reports, crash investigations, judicial actions, insurance claim information, and any related court actions submitted by each party involved in the accident.

(c) SOLICITATION OF OTHER INFORMATION.—Following a notice and comment period, the Administrator may solicit other types of information to be collected under subsection (b) to facilitate appropriate reviews under this section.

(d) EVALUATION.—The Federal Motor Carrier Safety Administration shall review the information submitted under subsections (b) and (c).

(e) RESULTS.—Subject to subsection (h)(2), the results of the review under subsection (a)—

(1) shall be used to recalculate the motor carrier's crash BASIC percentile;

(2) if the carrier is determined not to be responsible for the crash incident, such information, shall be reflected on the website of the Federal Motor Carrier Safety Administration; and

(3) shall not be admitted as evidence or otherwise used in a civil action.

(f) FEE SYSTEM.—

(1) ESTABLISHMENT.—The Administrator may establish a fee system, in accordance with section 9701 of title 31, United States Code, in which a motor carrier is charged a fee for each review of a crash requested by such motor carrier under this section.

(2) DISPOSITION OF FEES.—Fees collected under this section—

(A) may be credited to the Department of Transportation appropriations account for purpose of carrying out this section; and

(B) shall be used to fully fund the operation of the review program authorized under this section.

(g) REVIEW AND REPORT.—Not earlier than 2 years after the establishment of the demonstration program under this section, the Administrator shall—

(1) conduct a review of the internal crash review program to determine if other crash types should be included; and

(2) submit a report to Congress that describes—

(A) the number of crashes reviewed;

(B) the number of crashes for which the commercial motor vehicle operator was determined not to be at fault; and

(C) relevant information relating to the program, including the cost to operate the program and the fee structure established.

(h) IMPLEMENTATION AND OVERSIGHT RESPONSIBILITY.—

(1) IN GENERAL.—The Administrator shall ensure that the activities described in subsections (a) through (d) of this section are not required under section 31102 of title 49, United States Code, as amended by this Act.

(2) REVIEWS INVOLVING FATALITIES.—If a review under subsection (a) involves a fatality, the Inspector General of the Department of Transportation shall audit and certify the review prior to making any changes under subsection (e).

SEC. 32006. POST-ACCIDENT REPORT REVIEW.

(a) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Secretary shall convene a working group—

(1) to review the data elements of post-accident reports, for tow-away accidents involving commercial motor vehicles, that are reported to the Federal Government; and

(2) to report to the Secretary its findings and any recommendations, including best practices for State post-accident reports to achieve the data elements described in subsection (c).

(b) COMPOSITION.—Not less than 51 percent of the working group should be composed of individuals representing the States or State law enforcement officials. The remaining members of the working group shall represent industry, labor, safety advocates, and other interested parties.

(c) CONSIDERATIONS.—The working group shall consider requiring additional data elements, including—

(1) the primary cause of the accident, if the primary cause can be determined;

(2) the physical characteristics of the commercial motor vehicle and any other vehicle involved in the accident, including—

(A) the vehicle configuration;

(B) the gross vehicle weight if the weight can be readily determined;

(C) the number of axles; and

(D) the distance between axles, if the distance can be readily determined; and

(3) any data elements that could contribute to the appropriate consideration of requests under section 32005.

(d) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall—

(1) review the findings of the working group;

(2) identify the best practices for State post-accident reports that are reported to the Federal Government, including identifying the data elements that should be collected following a tow-away commercial motor vehicle accident; and

(3) recommend to the States the adoption of new data elements to be collected following reportable commercial motor vehicle accidents.

SEC. 32007. RECOGNIZING EXCELLENCE IN SAFETY.

(a) IN GENERAL.—The Administrator shall establish a program to publicly recognize motor carriers and drivers whose safety records and programs exceed compliance with the Federal Motor Carrier Safety Administration's safety regulations and demonstrate clear and outstanding safety practices.

(b) RESTRICTION.—The program established under subsection (a) may not be deemed to be an endorsement of, or a preference for, motor carriers or drivers recognized under the program.

SEC. 32008. HIGH RISK CARRIER REVIEWS.

(a) IN GENERAL.—After the completion of the certification under section 32003 of this Act, and the establishment of the Safety Fitness Determination program, the Secretary shall ensure that a review is completed on each motor carrier that demonstrates through performance data that it poses the highest safety risk. At a minimum, a review shall be conducted whenever a motor carrier is among the highest risk carriers for 4 consecutive months.

(b) REPORT.—Not later than 180 days after the completion of the certification under section 32003 of this Act and the establishment of the Safety Fitness Determination program, the Secretary shall post on a public website a report on the actions the Secretary has taken to comply with this section, including the number of high risk carriers identified and the high risk carriers reviewed.

(c) CONFORMING AMENDMENT.—Section 4138 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (49 U.S.C. 31144 note) is repealed.

Subtitle B—Transparency and Accountability

SEC. 32201. PETITIONS FOR REGULATORY RELIEF.

(a) APPLICATIONS FOR REGULATORY RELIEF.—Notwithstanding subpart C of part 381 of title 49, Code of Federal Regulations, the Secretary shall allow an applicant representing a class or group of motor carriers to apply for a specific exemption from any provision of the regulations under part 395 of title 49, Code of Federal Regulations, for commercial motor vehicle drivers.

(b) REVIEW PROCESS.—

(1) IN GENERAL.—The Secretary shall establish the procedures for the application for and the review of an exemption under subsection (a).

(2) PUBLICATION.—Not later than 30 days after the date of receipt of an application for an exemption, the Secretary shall publish the application in the Federal Register and provide the public with an opportunity to comment.

(3) PUBLIC COMMENT.—

(A) IN GENERAL.—Each application shall be available for public comment for a 30-day period, but the Secretary may extend the opportunity for public comment for up to 60 days if it is a significant or complex request.

(B) REVIEW.—Beginning on the date that the public comment period under subparagraph (A) ends, the Secretary shall have 60 days to review all of the comments received.

(4) DETERMINATION.—At the end of the 60-day period under paragraph (3)(B), the Secretary shall publish a determination in the Federal Register, including—

(A) the reason for granting or denying the application; and

(B) if the application is granted—

(i) the specific class of persons eligible for the exemption;

(ii) each provision of the regulations to which the exemption applies; and

(iii) any conditions or limitations applied to the exemption.

(5) CONSIDERATIONS.—In making a determination whether to grant or deny an application for an exemption, the Secretary shall consider the safety impacts of the request and may provide appropriate conditions or limitations on the use of the exemption.

(c) OPPORTUNITY FOR RESUBMISSION.—If an application is denied and the applicant can reasonably address the reason for the denial, the Secretary may allow the applicant to resubmit the application.

(d) PERIOD OF APPLICABILITY.—

(1) IN GENERAL.—Except as provided in paragraph (2) of this subsection and subsection (f), each exemption granted under this section shall be valid for a period of 5 years unless the Secretary identifies a compelling reason for a shorter exemption period.

(2) RENEWAL.—At the end of the 5-year period under paragraph (1)—

(A) the Secretary, at the Secretary's discretion, may renew the exemption for an additional 5-year period; or

(B) an applicant may apply under subsection (a) for a permanent exemption from each applicable provision of the regulations.

(e) LIMITATION.—No exemption under this section may be granted to or used by any motor carrier that has an unsatisfactory or conditional safety fitness determination.

(f) PERMANENT EXEMPTIONS.—

(1) IN GENERAL.—The Secretary shall make permanent the following limited exceptions:

(A) Department of Defense Military Surface Deployment and Distribution Command transport of weapons, munitions, and sensitive classified cargo as published in the Federal Register Volume 80 on April 16, 2015 (80 Fed. Reg. 20556).

(B) Department of Energy transport of security-sensitive radioactive materials as published in the Federal Register Volume 80 on June 22, 2015 (80 Fed. Reg. 35703).

(C) Motor carriers that transport hazardous materials shipments requiring security plans under regulations of the Pipeline and Hazardous Materials Safety Administration as published in the Federal Register Volume 80 on May 1, 2015 (80 Fed. Reg. 25004).

(D) Perishable construction products as published in the Federal Register Volume 80 on April 2, 2015 (80 Fed. Reg. 17819).

(E) Passenger vehicle record of duty status change as published in the Federal Register Volume 80 on June 4, 2015 (80 Fed. Reg. 31961).

(F) Transport of commercial bee hives as published in the Federal Register Volume 80 on June 19, 2018. (80 Fed. Reg. 35425).

(G) Specialized carriers and drivers responsible for transporting loads requiring special permits as published in the Federal Register Volume 80 on June 18, 2015 (80 Fed. Reg. 34957).

(H) Safe transport of livestock as published in the Federal Register Volume 80 on June 12, 2015 (80 Fed. Reg. 33584).

(2) ADDITIONAL EXEMPTIONS.—The Secretary may make any temporary exemption from any provision of the regulations under part 395 of title 49, Code of Federal Regulations, for commercial motor vehicle drivers that is in effect on the date of enactment of this Act permanent if the Secretary determines that the permanent exemption will not degrade safety. The Secretary shall provide public notice and comment on a list of the additional temporary exemptions to be made permanent under this paragraph.

(3) REVOCATION OF EXEMPTIONS.—The Secretary may revoke an exemption issued under this section if the Secretary can demonstrate that the exemption has had a negative impact on safety.

SEC. 32202. INSPECTOR STANDARDS.

Not later than 90 days after the date of enactment of this Act, the Administrator of the Federal Motor Carrier Safety Administration shall revise the regulations under part 385 of title 49, Code of Federal Regulations, as necessary, to incorporate by reference the certification standards for roadside inspectors issued by the Commercial Vehicle Safety Alliance.

SEC. 32203. TECHNOLOGY IMPROVEMENTS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Government Accountability Office shall conduct a comprehensive analysis on the Federal Motor Carrier Safety Administration's information technology and data collection and management systems.

(b) REQUIREMENTS.—The study conducted under subsection (a) shall—

(1) evaluate the efficacy of the existing information technology, data collection, processing systems, and data management systems and programs, including their interaction with each other and their efficacy in meeting user needs;

(2) identify any redundancies among the systems and programs described in paragraph (1);

(3) explore the feasibility of consolidating data collection and processing systems;

(4) evaluate the ability of the systems and programs described in paragraph (1) to meet the needs of—

(A) the Federal Motor Carrier Safety Administration, at both the headquarters and State level;

(B) the State agencies that implement the Motor Carrier Safety Assistance Program under section 31102 of title 49, United States Code; and

(C) other users;

(5) evaluate the adaptability of the systems and programs described in paragraph (1), in order to make necessary future changes to ensure user needs are met in an easier, timely, and more cost efficient manner;

(6) investigate and make recommendations regarding—

(A) deficiencies in existing data sets impacting program effectiveness; and

(B) methods to improve any and all user interfaces; and

(7) evaluate the appropriate role the Federal Motor Carrier Safety Administration should take with respect to software and information systems design, development, and maintenance for the purpose of improving the efficacy of the systems and programs described in paragraph (1).

Subtitle C—Trucking Rules Updated by Comprehensive and Key Safety Reform

SEC. 32301. UPDATE ON STATUTORY REQUIREMENTS.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, and every 90 days thereafter until a final rule has been issued for each of the requirements described under paragraphs (1) through (5), the Administrator of the Federal Motor Carrier Safety Administration shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the status of a final rule for—

(1) the minimum entry-level training requirements for an individual operating a commercial motor vehicle under section 31305(c) of title 49, United States Code;

(2) motor carrier safety fitness determinations;

(3) visibility of agricultural equipment under section 31601 of division C of the Moving Ahead for Progress in the 21st Century Act (49 U.S.C. 30111 note);

(4) regulations to require commercial motor vehicles in interstate commerce and operated by a driver subject to the hours of service and record of duty status requirements under part 395 of title 49, Code of Federal Regulations, be equipped with an electronic control module capable of limiting the maximum speed of the vehicle; and

(5) any outstanding commercial motor vehicle safety regulation required by law and incomplete for more than 2 years.

(b) CONTENTS.—Each report under subsection (a) shall include a description of the work plan, an updated rulemaking timeline, current staff allocations, any resource constraints, and any other details associated with the development of the rulemaking.

SEC. 32302. STATUTORY RULEMAKING.

The Administrator of the Federal Motor Carrier Safety Administration shall prioritize the use of Federal Motor Carrier Safety Administration resources for the completion of each outstanding statutory requirement for a rulemaking before beginning any new rulemaking unless the Secretary certifies to Congress that there is a significant need to move forward with a new rulemaking.

SEC. 32303. GUIDANCE REFORM.

(a) GUIDANCE.—

(1) POINT OF CONTACT.—Each guidance document, other than a regulatory action, issued by the Federal Motor Carrier Safety Administration shall have a date of publication or a date of revision, as applicable, and the name and contact information of a point of contact at the Federal Motor Carrier Safety Administration who can respond to questions regarding the general applicability of the guidance.

(2) PUBLIC ACCESSIBILITY.—

(A) IN GENERAL.—Each guidance document and interpretation issued by the Federal Motor Carrier Safety Administration shall be published on the Department of Transportation's public website on the date of issuance.

(B) REDACTION.—The Administrator of the Federal Motor Carrier Safety Administration may redact from a guidance document or interpretation under subparagraph (A) any information that would reveal investigative techniques that would compromise Federal Motor Carrier Safety Administration enforcement efforts.

(3) RULEMAKING.—Not later than 5 years after the date that a guidance document is published under paragraph (2) or during the

comprehensive review under subsection (c), whichever is earlier, the Secretary, in consultation with the Administrator, shall revise the applicable regulations to incorporate the guidance document to the extent practicable.

(4) REISSUANCE.—If a guidance document is not incorporated into the applicable regulations under paragraph (3), the Secretary shall—

(A) reissue an updated guidance document; and

(B) review and reissue an updated guidance document every 5 years during the comprehensive review process under subsection (c) until the date that the guidance document is removed or incorporated into the applicable regulations under paragraph (3) of this subsection.

(b) UPDATE.—Not later than 1 year after the date of enactment of this Act, the Secretary shall review regulations, guidance, and enforcement policies published on the Department of Transportation's public website to ensure the regulations, guidance, and enforcement policies are current, readily accessible to the public, and meet the standards under subsection (c)(1).

(c) REVIEW.—

(1) IN GENERAL.—Subject to paragraph (2), not less than once every 5 years, the Administrator of the Federal Motor Carrier Safety Administration shall conduct a comprehensive review of its guidance and enforcement policies to determine whether—

(A) the guidance and enforcement policies are consistent and clear;

(B) the guidance is uniformly and consistently enforceable; and

(C) the guidance is still necessary.

(2) NOTICE AND COMMENT.—Prior to beginning the review, the Administrator shall publish in the Federal Register a notice and request for comment soliciting input from stakeholders on which regulations should be updated or eliminated.

(3) PRIORITIZATION OF OUTSTANDING PETITIONS.—As part of the review under paragraph (1), the Administrator shall prioritize consideration of each outstanding petition (as defined in section 32304(b) of this Act) submitted by a stakeholder for rulemaking.

(4) REPORT.—

(A) IN GENERAL.—Not later than 60 days after the date that a review under paragraph (1) is complete, the Administrator shall publish on the Department of Transportation's public website a report detailing the review and a full inventory of guidance and enforcement policies.

(B) INCLUSIONS.—The report under subparagraph (A) of this paragraph shall include a summary of the response of the Federal Motor Carrier Safety Administration to each comment received under paragraph (2) indicating each request the Federal Motor Carrier Safety Administration is granting.

SEC. 32304. PETITIONS.

(a) IN GENERAL.—The Administrator of the Federal Motor Carrier Safety Administration shall—

(1) publish on the Department of Transportation's public website all petitions for regulatory action submitted;

(2) prioritize stakeholder petitions based on the likelihood of providing safety improvements;

(3) formally respond to each petition by indicating whether the Administrator will accept, deny, or further review, the petition not later than 180 days after the date the petition is published under paragraph (1);

(4) prioritize resulting actions consistent with an action's potential to reduce crashes, improve enforcement, and reduce unnecessary burdens; and

(5) not later than 60 days after the date of receipt, publish, and update as necessary, on the Department of Transportation's public website an inventory of the petitions described in paragraph (1), including any applicable disposition information for that petition.

(b) DEFINITION OF PETITION.—In this section, the term ''petition'' means a request for new regulations, regulatory interpretations or clarifications, or retrospective review of regulations to eliminate or modify obsolete, ineffective, or overly-burdensome rules.

SEC. 32305. REGULATORY REFORM.

(a) REGULATORY IMPACT ANALYSIS.—

(1) IN GENERAL.—Within each regulatory impact analysis of a proposed or final rule issued by the Federal Motor Carrier Safety Administration, the Secretary shall whenever practicable—

(A) consider effects of the proposed or final rule on a carrier with differing characteristics; and

(B) formulate estimates and findings on the best available science.

(2) SCOPE.—To the extent feasible and appropriate, and consistent with law, the analysis described in paragraph (1) shall—

(A) use data generated from a representative sample of commercial vehicle operators, motor carriers, or both, that will be covered under the proposed or final rule; and

(B) consider effects on commercial truck and bus carriers of various sizes and types.

(b) PUBLIC PARTICIPATION.—

(1) IN GENERAL.—Before promulgating a proposed rule under part B of subtitle VI of title 49, United States Code, if the proposed rule is likely to lead to the promulgation of a major rule the Secretary shall—

(A) issue an advance notice of proposed rulemaking; or

(B) determine to proceed with a negotiated rulemaking.

(2) REQUIREMENTS.—Each advance notice of proposed rulemaking issued under paragraph (1) shall—

(A) identify the compelling public concern for a potential regulatory action, such as failures of private markets to protect or improve the safety of the public, the environment, or the well-being of the American people;

(B) identify and request public comment on the best available science or technical information on the need for regulatory action and on the potential regulatory alternatives;

(C) request public comment on the benefits and costs of potential regulatory alternatives reasonably likely to be included or analyzed as part of the notice of proposed rulemaking; and

(D) request public comment on the available alternatives to direct regulation, including providing economic incentives to encourage the desired behavior.

(3) WAIVER.—This subsection shall not apply when the Secretary, for good cause, finds (and incorporates the finding and a brief statement of reasons for such finding in the proposed or final rule) an advance notice of proposed rulemaking impracticable, unnecessary, or contrary to the public interest.

(c) SAVINGS CLAUSE.—Nothing in this section may be construed to limit the contents of any Advance Notice of Proposed Rulemaking.

Subtitle D—State Authorities

SEC. 32401. EMERGENCY ROUTE WORKING GROUP.

(a) IN GENERAL.—

(1) ESTABLISHMENT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall establish a working group to determine best practices for expeditious State approval of special permits for vehicles involved in emergency response and recovery.

(2) MEMBERS.—The working group shall include representatives from—

(A) State highway transportation departments or agencies;

(B) relevant modal agencies within the Department of Transportation;

(C) emergency response or recovery experts;

(D) relevant safety groups; and

(E) persons affected by special permit restrictions during emergency response and recovery efforts.

(b) CONSIDERATIONS.—In determining best practices under subsection (a), the working group shall consider whether—

(1) hurdles currently exist that prevent the expeditious State approval for special permits for vehicles involved in emergency response and recovery;

(2) it is possible to pre-identify and establish emergency routes between States through which infrastructure repair materials could be delivered following a natural disaster or an emergency;

(3) a State could pre-designate an emergency route identified under paragraph (1) as a certified emergency route if a motor vehicle that exceeds the otherwise applicable Federal and State truck length or width limits may safely operate along such route during period of emergency recovery; and

(4) an online map could be created to identify each pre-designated emergency route under paragraph (2), including information on specific limitations, obligations, and notification requirements along that route.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the working group shall submit to the Secretary a report of its findings under this section and any recommendations for the implementation of the best practices for expeditious State approval of special permits for vehicles involved in emergency recovery. Upon receipt, the Secretary shall publish the report on a public website.

(d) FEDERAL ADVISORY COMMITTEE ACT EXEMPTION.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the working group established under this section.

SEC. 32402. ADDITIONAL STATE AUTHORITY.

Notwithstanding any other provision of law, not later than 180 days after the date of enactment of this Act, any State impacted by section 4006 of the Intermodal Surface Transportation Efficiency Act of 1991 (Public Law 102–240; 105 Stat. 2148) shall be provided the option to update the routes listed in the final list as long as the update shifts routes to divided highways or does not increase centerline miles by more than 5 percent and the change is expected to increase safety performance.

SEC. 32403. COMMERCIAL DRIVER ACCESS.

(a) INTERSTATE COMPACT PILOT PROGRAM.—

(1) IN GENERAL.—The Administrator of the Federal Motor Carrier Safety Administration may establish a 6-year pilot program to study the feasibility, benefits, and safety impacts of allowing a licensed driver between the ages of 18 and 21 to operate a commercial motor vehicle in interstate commerce.

(2) INTERSTATE COMPACTS.—The Secretary shall allow States, including the District of Columbia, to enter into an interstate compact with contiguous States to allow a licensed driver between the ages of 18 and 21 to

operate a motor vehicle across the applicable State lines. The Secretary shall approve as many as 3 interstate compacts, with no more than 4 States per compact participating in each interstate compact.

(3) MUTUAL RECOGNITION OF LICENSES.—A valid intrastate commercial driver's licenses issued by a State participating in an interstate compact under paragraph (2) shall be recognized as valid not more than 100 air miles from the border of the driver's State of licensure in each State that is participating in that interstate compact.

(4) STANDARDS.—In developing an interstate compact under this subsection, participating States shall provide for minimum licensure standards acceptable for interstate travel under this section, which may include, for a licensed driver between the ages of 18 and 21 participating in the pilot program—

(A) age restrictions;

(B) distance from origin (measured in air miles);

(C) reporting requirements; or

(D) additional hours of service restrictions.

(5) LIMITATIONS.—An interstate compact under paragraph (2) may not permit special configuration or hazardous cargo operations to be transported by a licensed driver under the age of 21.

(6) ADDITIONAL REQUIREMENTS.—The Secretary may—

(A) prescribe such additional requirements, including training, for a licensed driver between the ages of 18 and 21 participating in the pilot program as the Secretary considers necessary; and

(B) provide risk mitigation restrictions and limitations.

(b) APPROVAL.—An interstate compact under subsection (a)(2) may not go into effect until it has been approved by the governor of each State (or the Mayor of the District of Columbia, if applicable) that is a party to the interstate compact, after consultation with the Secretary of Transportation and the Administrator of the Federal Motor Carrier Safety Administration.

(c) DATA COLLECTION.—The Secretary shall collect and analyze data relating to accidents (as defined in section 390.5 of title 49, Code of Federal Regulations) in which a driver under the age of 21 participating in the pilot program is involved.

(d) REPORT.—Beginning 3 years after the date the first compact is established and approved, the Secretary shall submit to Congress a report containing the data collection and findings of the pilot program, a determination of whether a licensed driver between the ages of 18 and 21 can operate a commercial motor vehicle in interstate commerce with an equivalent level of safety, and the reasons for that determination. The Secretary may extend the air mileage requirements under subsection (a)(3) to expand operation areas and gather additional data for analysis.

(e) TERMINATION.—The Secretary may terminate the pilot program if the data collected under subsection (c) indicates that drivers under the age of 21 do not operate in interstate commerce with an equivalent level of safety of those drivers age 21 and over.

Subtitle E—Motor Carrier Safety Grant Consolidation

SEC. 32501. DEFINITIONS.

(a) IN GENERAL.—Section 31101 is amended—

(1) by redesignating paragraph (4) as paragraph (5); and

(2) by inserting after paragraph (3) the following:

''(4) 'Secretary' means the Secretary of Transportation.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Section 31101, as amended by subsection (a), is amended—

(1) in paragraph (1)(B), by inserting a comma after ''passengers''; and

(2) in paragraph (1)(C), by striking ''of Transportation''.

SEC. 32502. GRANTS TO STATES.

(a) MOTOR CARRIER SAFETY ASSISTANCE PROGRAM.—Section 31102 is amended to read as follows:

''§ 31102. Motor Carrier Safety Assistance Program

''(a) IN GENERAL.—The Secretary shall administer a motor carrier safety assistance program funded under section 31104.

''(b) GOAL.—The goal of the program is to ensure that the Secretary, States, local governments, other political jurisdictions, federally-recognized Indian tribes, and other persons work in partnership to establish programs to improve motor carrier, commercial motor vehicle, and driver safety to support a safe and efficient surface transportation system—

''(1) by making targeted investments to promote safe commercial motor vehicle transportation, including the transportation of passengers and hazardous materials;

''(2) by investing in activities likely to generate maximum reductions in the number and severity of commercial motor vehicle crashes and fatalities resulting from such crashes;

''(3) by adopting and enforcing effective motor carrier, commercial motor vehicle, and driver safety regulations and practices consistent with Federal requirements; and

''(4) by assessing and improving statewide performance by setting program goals and meeting performance standards, measures, and benchmarks.

''(c) STATE PLANS.—

''(1) IN GENERAL.—The Secretary shall prescribe procedures for a State to submit a multiple-year plan, and annual updates thereto, under which the State agrees to assume responsibility for improving motor carrier safety, adopting and enforcing compatible regulations, standards, and orders of the Federal Government on commercial motor vehicle safety and hazardous materials transportation safety.

''(2) CONTENTS.—The Secretary shall approve a plan if the Secretary determines that the plan is adequate to comply with the requirements of this section, and the plan—

''(A) implements performance-based activities, including deployment and maintenance of technology to enhance the efficiency and effectiveness of commercial motor vehicle safety programs;

''(B) designates a lead State commercial motor vehicle safety agency responsible for administering the plan throughout the State;

''(C) contains satisfactory assurances that the lead State commercial motor vehicle safety agency has or will have the legal authority, resources, and qualified personnel necessary to enforce the regulations, standards, and orders;

''(D) contains satisfactory assurances that the State will devote adequate resources to the administration of the plan and enforcement of the regulations, standards, and orders;

''(E) provides a right of entry and inspection to carry out the plan;

''(F) provides that all reports required under this section be available to the Secretary on request;

''(G) provides that the lead State commercial motor vehicle safety agency will adopt the reporting requirements and use the forms for recordkeeping, inspections, and investigations that the Secretary prescribes;

''(H) requires all registrants of commercial motor vehicles to demonstrate knowledge of applicable safety regulations, standards, and orders of the Federal Government and the State;

''(I) provides that the State will grant maximum reciprocity for inspections conducted under the North American Inspection Standards through the use of a nationally-accepted system that allows ready identification of previously inspected commercial motor vehicles;

''(J) ensures that activities described in subsection (h), if financed through grants to the State made under this section, will not diminish the effectiveness of the development and implementation of the programs to improve motor carrier, commercial motor vehicle, and driver safety as described in subsection (b);

''(K) ensures that the lead State commercial motor vehicle safety agency will coordinate the plan, data collection, and information systems with the State highway safety improvement program required under section 148(c) of title 23;

''(L) ensures participation in appropriate Federal Motor Carrier Safety Administration information technology and data systems and other information systems by all appropriate jurisdictions receiving Motor Carrier Safety Assistance Program funding;

''(M) ensures that information is exchanged among the States in a timely manner;

''(N) provides satisfactory assurances that the State will undertake efforts that will emphasize and improve enforcement of State and local traffic safety laws and regulations related to commercial motor vehicle safety;

''(O) provides satisfactory assurances in the plan that the State will address national priorities and performance goals, including—

''(i) activities aimed at removing impaired commercial motor vehicle drivers from the highways of the United States through adequate enforcement of regulations on the use of alcohol and controlled substances and by ensuring ready roadside access to alcohol detection and measuring equipment;

''(ii) activities aimed at providing an appropriate level of training to State motor carrier safety assistance program officers and employees on recognizing drivers impaired by alcohol or controlled substances; and

''(iii) when conducted with an appropriate commercial motor vehicle inspection, criminal interdiction activities, and appropriate strategies for carrying out those interdiction activities, including interdiction activities that affect the transportation of controlled substances (as defined under section 102 of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 802) and listed in part 1308 of title 21, Code of Federal Regulations, as updated and republished from time to time) by any occupant of a commercial motor vehicle;

''(P) provides that the State has established and dedicated sufficient resources to a program to ensure that—

''(i) the State collects and reports to the Secretary accurate, complete, and timely motor carrier safety data; and

''(ii) the State participates in a national motor carrier safety data correction system prescribed by the Secretary;

''(Q) ensures that the State will cooperate in the enforcement of financial responsibility requirements under sections 13906, 31138, and 31139 of this title, and regulations issued under these sections;

''(R) ensures consistent, effective, and reasonable sanctions;

''(S) ensures that roadside inspections will be conducted at locations that are adequate to protect the safety of drivers and enforcement personnel;

''(T) provides that the State will include in the training manuals for the licensing examination to drive both noncommercial motor vehicles and commercial motor vehicles information on best practices for driving safely in the vicinity of noncommercial and commercial motor vehicles;

''(U) provides that the State will enforce the registration requirements of sections 13902 and 31134 of this title by prohibiting the operation of any vehicle discovered to be operated by a motor carrier without a registration issued under those sections or to be operated beyond the scope of the motor carrier's registration;

''(V) provides that the State will conduct comprehensive and highly visible traffic enforcement and commercial motor vehicle safety inspection programs in high-risk locations and corridors;

''(W) except in the case of an imminent hazard or obvious safety hazard, ensures that an inspection of a vehicle transporting passengers for a motor carrier of passengers is conducted at a station, terminal, border crossing, maintenance facility, destination, or other location where adequate food, shelter, and sanitation facilities are available for passengers, and reasonable accommodations are available for passengers with disabilities;

''(X) ensures that the State will transmit to its roadside inspectors the notice of each Federal exemption granted under section 31315(b) of this title and sections 390.23 and 390.25 of title 49 of the Code of Federal Regulations and provided to the State by the Secretary, including the name of the person granted the exemption and any terms and conditions that apply to the exemption;

''(Y) except as provided in subsection (d), provides that the State—

''(i) will conduct safety audits of interstate and, at the State's discretion, intrastate new entrant motor carriers under section 31144(g) of this title; and

''(ii) if the State authorizes a third party to conduct safety audits under section 31144(g) on its behalf, the State verifies the quality of the work conducted and remains solely responsible for the management and oversight of the activities;

''(Z) provides that the State agrees to fully participate in the performance and registration information system management under section 31106(b) not later than October 1, 2020, by complying with the conditions for participation under paragraph (3) of that section;

''(AA) provides that a State that shares a land border with another country—

''(i) will conduct a border commercial motor vehicle safety program focusing on international commerce that includes enforcement and related projects; or

''(ii) will forfeit all funds calculated by the Secretary based on border-related activities if the State declines to conduct the program described in clause (i) in its plan; and

''(BB) provides that a State that meets the other requirements of this section and agrees to comply with the requirements established in subsection (l)(3) may fund operation and maintenance costs associated with innovative technology deployment under subsection (l)(3) with Motor Carrier Safety Assistance Program funds authorized under section 31104(a)(1).

''(3) PUBLICATION.—

''(A) IN GENERAL.—Subject to subparagraph (B), the Secretary shall publish each approved State multiple-year plan, and each annual update thereto, on the Department of Transportation's public website not later than 30 days after the date the Secretary approves the plan or update.

''(B) LIMITATION.—Before posting an approved State multiple-year plan or annual update under subparagraph (A), the Secretary shall redact any information identified by the State that, if disclosed—

''(i) would reasonably be expected to interfere with enforcement proceedings; or

''(ii) would reveal enforcement techniques or procedures that would reasonably be expected to risk circumvention of the law.

''(d) EXCLUSION OF U.S. TERRITORIES.—The requirement that a State conduct safety audits of new entrant motor carriers under subsection (c)(2)(Y) does not apply to a territory of the United States unless required by the Secretary.

''(e) INTRASTATE COMPATIBILITY.—The Secretary shall prescribe regulations specifying tolerance guidelines and standards for ensuring compatibility of intrastate commercial motor vehicle safety laws, including regulations, with Federal motor carrier safety regulations to be enforced under subsections (b) and (c). To the extent practicable, the guidelines and standards shall allow for maximum flexibility while ensuring a degree of uniformity that will not diminish motor vehicle safety.

''(f) MAINTENANCE OF EFFORT.—

''(1) BASELINE.—Except as provided under paragraphs (2) and (3) and in accordance with section 32508 of the Comprehensive Transportation and Consumer Protection Act of 2015, a State plan under subsection (c) shall provide that the total expenditure of amounts of the lead State commercial motor vehicle safety agency responsible for administering the plan will be maintained at a level each fiscal year at least equal to—

''(A) the average level of that expenditure for fiscal years 2004 and 2005; or

''(B) the level of that expenditure for the year in which the Secretary implements a new allocation formula under section 32508 of the Comprehensive Transportation and Consumer Protection Act of 2015.

''(2) ADJUSTED BASELINE AFTER FISCAL YEAR 2017.—At the request of a State, the Secretary may evaluate additional documentation related to the maintenance of effort and may make reasonable adjustments to the maintenance of effort baseline after the year in which the Secretary implements a new allocation formula under section 32508 of the Comprehensive Transportation and Consumer Protection Act of 2015, and this adjusted baseline will replace the maintenance of effort requirement under paragraph (1).

''(3) WAIVERS.—At the request of a State, the Secretary may waive or modify the requirements of this subsection for 1 fiscal year if the Secretary determines that a waiver or modification is reasonable, based on circumstances described by the State, to ensure the continuation of commercial motor vehicle enforcement activities in the State.

''(4) LEVEL OF STATE EXPENDITURES.—In estimating the average level of State expenditure under paragraph (1), the Secretary—

''(A) may allow the State to exclude State expenditures for Federally-sponsored demonstration and pilot programs and strike forces;

''(B) may allow the State to exclude expenditures for activities related to border enforcement and new entrant safety audits; and

''(C) shall require the State to exclude State matching amounts used to receive Federal financing under section 31104.

''(g) USE OF UNIFIED CARRIER REGISTRATION FEES AGREEMENT.—Amounts generated under section 14504a of this title and received by a State and used for motor carrier safety purposes may be included as part of the State's match required under section 31104 of this title or maintenance of effort required by subsection (f) of this section.

''(h) USE OF GRANTS TO ENFORCE OTHER LAWS.—When approved in the States' plan under subsection (c), a State may use Motor Carrier Safety Assistance Program funds received under this section—

''(1) if the activities are carried out in conjunction with an appropriate inspection of a commercial motor vehicle to enforce Federal or State commercial motor vehicle safety regulations, for—

''(A) enforcement of commercial motor vehicle size and weight limitations at locations, excluding fixed weight facilities, such as near steep grades or mountainous terrains, where the weight of a commercial motor vehicle can significantly affect the safe operation of the vehicle, or at ports where intermodal shipping containers enter and leave the United States; and

''(B) detection of and enforcement actions taken as a result of criminal activity, including the trafficking of human beings, in a commercial motor vehicle or by any occupant, including the operator, of the commercial motor vehicle;

''(2) for documented enforcement of State traffic laws and regulations designed to promote the safe operation of commercial motor vehicles, including documented enforcement of such laws and regulations relating to noncommercial motor vehicles when necessary to promote the safe operation of commercial motor vehicles, if—

''(A) the number of motor carrier safety activities, including roadside safety inspections, conducted in the State is maintained at a level at least equal to the average level of such activities conducted in the State in fiscal years 2004 and 2005; and

''(B) the State does not use more than 10 percent of the basic amount the State receives under a grant awarded under section 31104(a)(1) for enforcement activities relating to noncommercial motor vehicles necessary to promote the safe operation of commercial motor vehicles unless the Secretary determines that a higher percentage will result in significant increases in commercial motor vehicle safety; and

''(3) for the enforcement of household goods regulations on intrastate and interstate carriers if the State has adopted laws or regulations compatible with the Federal household goods regulations.

''(i) EVALUATION OF PLANS AND AWARD OF GRANTS.—

''(1) AWARDS.—The Secretary shall establish criteria for the application, evaluation, and approval of State plans under this section. Subject to subsection (j), the Secretary may allocate the amounts made available under section 31104(a)(1) among the States.

''(2) OPPORTUNITY TO CURE.—If the Secretary disapproves a plan under this section, the Secretary shall give the State a written explanation of the reasons for disapproval and allow the State to modify and resubmit the plan for approval.

''(j) ALLOCATION OF FUNDS.—

''(1) IN GENERAL.—The Secretary, by regulation, shall prescribe allocation criteria for funds made available under section 31104(a)(1).

''(2) ANNUAL ALLOCATIONS.—On October 1 of each fiscal year, or as soon as practicable thereafter, and after making a deduction under section 31104(c), the Secretary shall allocate amounts made available in section 31104(a)(1) to carry out this section for the fiscal year among the States with plans approved under this section in accordance with the criteria under paragraph (1).

''(3) ELECTIVE ADJUSTMENTS.—Subject to the availability of funding and notwithstanding fluctuations in the data elements used by the Secretary to calculate the annual allocation amounts, after the creation of a new allocation formula under section 32508 of the Comprehensive Transportation and Consumer Protection Act of 2015 the Secretary may not make elective adjustments to the allocation formula that decrease a State's Federal funding levels by more than 3 percent in a fiscal year. The 3 percent limit shall not apply to the withholding provisions of subsection (k).

''(k) PLAN MONITORING.—

''(1) IN GENERAL.—On the basis of reports submitted by the lead State agency responsible for administering an approved State plan and an investigation by the Secretary, the Secretary shall periodically evaluate State implementation of and compliance with the State plan.

''(2) WITHHOLDING OF FUNDS.—

''(A) DISAPPROVAL.—If, after notice and an opportunity to be heard, the Secretary finds that the State plan previously approved is not being followed or has become inadequate to ensure enforcement of the regulations, standards, or orders, or the State is otherwise not in compliance with the requirements of this section, the Secretary may withdraw approval of the plan and notify the State. The plan is no longer in effect once the State receives notice, and the Secretary shall withhold all funding under this section.

''(B) NONCOMPLIANCE WITHHOLDING.—In lieu of withdrawing approval of the plan, the Secretary may, after providing notice and an opportunity to be heard, withhold funding from the State to which the State would otherwise be entitled under this section for the period of the State's noncompliance. In exercising this option, the Secretary may withhold—

''(i) up to 5 percent of funds during the fiscal year that the Secretary notifies the State of its noncompliance;

''(ii) up to 10 percent of funds for the first full fiscal year of noncompliance;

''(iii) up to 25 percent of funds for the second full fiscal year of noncompliance; and

''(iv) not more than 50 percent of funds for the third and any subsequent full fiscal year of noncompliance.

''(3) JUDICIAL REVIEW.—A State adversely affected by a determination under paragraph (2) may seek judicial review under chapter 7 of title 5. Notwithstanding the disapproval of a State plan under paragraph (2)(A) or the withholding under paragraph (2)(B), the State may retain jurisdiction in an administrative or a judicial proceeding that commenced before the notice of disapproval or withholding if the issues involved are not related directly to the reasons for the disapproval or withholding.

''(l) HIGH PRIORITY FINANCIAL ASSISTANCE PROGRAM.—

''(1) IN GENERAL.—The Secretary shall administer a high priority financial assistance program funded under section 31104 for the purposes described in paragraphs (2) and (3).

''(2) ACTIVITIES RELATED TO MOTOR CARRIER SAFETY.—The purpose of this paragraph is to make discretionary grants to and cooperative agreements with States, local governments, federally-recognized Indian tribes, other political jurisdictions as necessary, and any person to carry out high priority activities and projects that augment motor carrier safety activities and projects planned in accordance with subsections (b) and (c), including activities and projects that—

''(A) increase public awareness and education on commercial motor vehicle safety;

''(B) target unsafe driving of commercial motor vehicles and non-commercial motor vehicles in areas identified as high risk crash corridors;

''(C) support the enforcement of State household goods regulations on intrastate and interstate carriers if the State has adopted laws or regulations compatible with the Federal household good laws;

''(D) improve the safe and secure movement of hazardous materials;

''(E) improve safe transportation of goods and persons in foreign commerce;

''(F) demonstrate new technologies to improve commercial motor vehicle safety;

''(G) support participation in performance and registration information systems management under section 31106(b)—

''(i) for entities not responsible for submitting the plan under subsection (c); or

''(ii) for entities responsible for submitting the plan under subsection (c)—

''(I) before October 1, 2020, to achieve compliance with the requirements of participation; and

''(II) beginning on October 1, 2020, or once compliance is achieved, whichever is sooner, for special initiatives or projects that exceed routine operations required for participation;

''(H) conduct safety data improvement projects—

''(i) that complete or exceed the requirements under subsection (c)(2)(P) for entities not responsible for submitting the plan under subsection (c); or

''(ii) that exceed the requirements under subsection (c)(2)(P) for entities responsible for submitting the plan under subsection (c); and

''(I) otherwise improve commercial motor vehicle safety and compliance with commercial motor vehicle safety regulations.

''(3) INNOVATIVE TECHNOLOGY DEPLOYMENT GRANT PROGRAM.—

''(A) IN GENERAL.—The Secretary shall establish an innovative technology deployment grant program to make discretionary grants funded under section 31104(a)(2) to eligible States for the innovative technology deployment of commercial motor vehicle information systems and networks.

''(B) PURPOSES.—The purposes of the program shall be—

''(i) to advance the technological capability and promote the deployment of intelligent transportation system applications for commercial motor vehicle operations, including commercial motor vehicle, commercial driver, and carrier-specific information systems and networks; and

''(ii) to support and maintain commercial motor vehicle information systems and networks—

''(I) to link Federal motor carrier safety information systems with State commercial motor vehicle systems;

''(II) to improve the safety and productivity of commercial motor vehicles and drivers; and

''(III) to reduce costs associated with commercial motor vehicle operations and Federal and State commercial vehicle regulatory requirements.

''(C) ELIGIBILITY.—To be eligible for a grant under this paragraph, a State shall—

''(i) have a commercial motor vehicle information systems and networks program plan approved by the Secretary that describes the various systems and networks at the State level that need to be refined, revised, upgraded, or built to accomplish deployment of commercial motor vehicle information systems and networks capabilities;

''(ii) certify to the Secretary that its commercial motor vehicle information systems and networks deployment activities, including hardware procurement, software and system development, and infrastructure modifications—

''(I) are consistent with the national intelligent transportation systems and commercial motor vehicle information systems and networks architectures and available standards; and

''(II) promote interoperability and efficiency to the extent practicable; and

''(iii) agree to execute interoperability tests developed by the Federal Motor Carrier Safety Administration to verify that its systems conform with the national intelligent transportation systems architecture, applicable standards, and protocols for commercial motor vehicle information systems and networks.

''(D) USE OF FUNDS.—Grant funds may be used—

''(i) for deployment activities and activities to develop new and innovative advanced technology solutions that support commercial motor vehicle information systems and networks;

''(ii) for planning activities, including the development or updating of program or top level design plans in order to become eligible or maintain eligibility under subparagraph (C); and

''(iii) for the operation and maintenance costs associated with innovative technology.

''(E) SECRETARY AUTHORIZATION.—The Secretary is authorized to award a State funding for the operation, and maintenance costs associated with innovative technology deployment with funds made available under both sections 31104(a)(1) and 31104(a)(2) of this title.''.

(b) COMMERCIAL MOTOR VEHICLE OPERATORS GRANT PROGRAM.—Section 31103 is amended to read as follows:

''§ 31103. Commercial Motor Vehicle Operators Grant Program

''(a) IN GENERAL.—The Secretary shall administer a commercial motor vehicle operators grant program funded under section 31104.

''(b) PURPOSE.—The purpose of the grant program is to train individuals in the safe operation of commercial motor vehicles (as defined in section 31301).''.

(c) AUTHORIZATION OF APPROPRIATIONS.—Section 31104 is amended to read as follows:

''§ 31104. Authorization of appropriations

''(a) FINANCIAL ASSISTANCE PROGRAMS.—The following sums are authorized to be appropriated from the Highway Trust Fund for the following Federal Motor Carrier Safety Administration Financial Assistance Programs:

''(1) MOTOR CARRIER SAFETY ASSISTANCE PROGRAM.—Subject to paragraph (2) of this subsection and subsection (c) of this section, to carry out section 31102—

''(A) $295,636,000 for fiscal year 2017;

''(B) $301,845,000 for fiscal year 2018;

''(C) $308,183,000 for fiscal year 2019;

''(D) $314,655,000 for fiscal year 2020; and

''(E) $321,263,000 for fiscal year 2021.

''(2) HIGH PRIORITY ACTIVITIES FINANCIAL ASSISTANCE PROGRAM.—Subject to subsection (c), to make grants and cooperative agreements under section 31102(l) of this title, the Secretary may set aside from amounts made available under paragraph (1) of this subsection up to—

''(A) $42,323,000 for fiscal year 2017;

''(B) $43,212,000 for fiscal year 2018;

''(C) $44,119,000 for fiscal year 2019;

''(D) $45,046,000 for fiscal year 2020; and

''(E) $45,992,000 for fiscal year 2021.

''(3) COMMERCIAL MOTOR VEHICLE OPERATORS GRANT PROGRAM.—To carry out section 31103—

''(A) $1,000,000 for fiscal year 2017;

''(B) $1,000,000 for fiscal year 2018;

''(C) $1,000,000 for fiscal year 2019;

''(D) $1,000,000 for fiscal year 2020; and

''(E) $1,000,000 for fiscal year 2021.

''(4) COMMERCIAL DRIVER'S LICENSE PROGRAM IMPLEMENTATION FINANCIAL ASSISTANCE PROGRAM.—Subject to subsection (c), to carry out section 31313—

''(A) $31,273,000 for fiscal year 2017;

''(B) $31,930,000 for fiscal year 2018;

''(C) $32,600,000 for fiscal year 2019;

''(D) $33,285,000 for fiscal year 2020; and

''(E) $33,984,000 for fiscal year 2021.

''(b) REIMBURSEMENT AND PAYMENT TO RECIPIENTS FOR GOVERNMENT SHARE OF COSTS.—

''(1) IN GENERAL.—Amounts made available under subsection (a) shall be used to reimburse financial assistance recipients proportionally for the Federal Government's share of the costs incurred.

''(2) REIMBURSEMENT AMOUNTS.—The Secretary shall reimburse a recipient, in accordance with a financial assistance agreement made under section 31102, 31103, or 31313, an amount that is at least 85 percent of the costs incurred by the recipient in a fiscal year in developing and implementing programs under these sections. The Secretary shall pay the recipient an amount not more than the Federal Government share of the total costs approved by the Federal Government in the financial assistance agreement. The Secretary shall include a recipient's in-kind contributions in determining the reimbursement.

''(3) VOUCHERS.—Each recipient shall submit vouchers at least quarterly for costs the recipient incurs in developing and implementing programs under section 31102, 31103, or 31313.

''(c) DEDUCTIONS FOR PARTNER TRAINING AND PROGRAM SUPPORT.—On October 1 of each fiscal year, or as soon after that date as practicable, the Secretary may deduct from amounts made available under paragraphs (1), (2), and (4) of subsection (a) for that fiscal year not more than 1.50 percent of those amounts for partner training and program support in that fiscal year. The Secretary shall use at least 75 percent of those deducted amounts to train non-Federal Government employees and to develop related training materials in carrying out these programs.

''(d) GRANTS AND COOPERATIVE AGREEMENTS AS CONTRACTUAL OBLIGATIONS.—The approval of a financial assistance agreement by the Secretary under section 31102, 31103, or 31313 is a contractual obligation of the Federal Government for payment of the Federal Government's share of costs in carrying out the provisions of the grant or cooperative agreement.

''(e) ELIGIBLE ACTIVITIES.—The Secretary shall establish criteria for eligible activities to be funded with financial assistance agreements under this section and publish those criteria in a notice of funding availability before the financial assistance program application period.

''(f) PERIOD OF AVAILABILITY OF FINANCIAL ASSISTANCE AGREEMENT FUNDS FOR RECIPIENT EXPENDITURES.—

''(1) IN GENERAL.—The period of availability for a recipient to expend a grant or cooperative agreement authorized under subsection (a) is as follows:

''(A) For grants made for carrying out section 31102, other than section 31102(l), for the fiscal year in which it is obligated and for the next fiscal year.

''(B) For grants or cooperative agreements made for carrying out section 31102(l)(2), for the fiscal year in which it is obligated and for the next 2 fiscal years.

''(C) For grants made for carrying out section 31102(l)(3), for the fiscal year in which it is obligated and for the next 4 fiscal years.

''(D) For grants made for carrying out section 31103, for the fiscal year in which it is obligated and for the next fiscal year.

''(E) For grants or cooperative agreements made for carrying out 31313, for the fiscal year in which it is obligated and for the next 4 fiscal years.

''(2) REOBLIGATION.—Amounts not expended by a recipient during the period of availability shall be released back to the Secretary for reobligation for any purpose under sections 31102, 31103, 31104, and 31313 in accordance with subsection (i) of this section.

''(g) CONTRACT AUTHORITY; INITIAL DATE OF AVAILABILITY.—Amounts authorized from the Highway Trust Fund by this section shall be available for obligation on the date of their apportionment or allocation or on October 1 of the fiscal year for which they are authorized, whichever occurs first.

''(h) AVAILABILITY OF FUNDING.—Amounts made available under this section shall remain available until expended.

''(i) TRANSFER OF OBLIGATION AUTHORITY.—

''(1) IN GENERAL.—Of the contract authority authorized for motor carrier safety grants, the Secretary shall have authority to transfer available unobligated contract authority and associated liquidating cash within or between Federal financial assistance programs authorized under this section and make new Federal financial assistance awards under this section.

''(2) COST ESTIMATES.—Of the funds transferred, the contract authority and associated liquidating cash or obligations and expenditures stemming from Federal financial assistance awards made with this contract authority shall not be scored as new obligations by the Office of Management and Budget or by the Secretary.

''(3) NO LIMITATION ON TOTAL OF OBLIGATIONS.—Notwithstanding any other provision of law, no limitation on the total of obligations for Federal financial assistance programs carried out by the Federal Motor Carrier Safety Administration under this section shall apply to unobligated funds transferred under this subsection.''.

(d) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) SAFETY FITNESS OF OWNERS AND OPERATOR; SAFETY REVIEWS OF NEW OPERATORS.—Section 31144(g) is amended by striking paragraph (5).

(2) INFORMATION SYSTEMS; PERFORMANCE AND REGISTRATION INFORMATION PROGRAM.—Section 31106(b) is amended by striking paragraph (4).

(3) BORDER ENFORCEMENT GRANTS.—Section 31107 is repealed.

(4) PERFORMANCE AND REGISTRATION INFORMATION SYSTEM MANAGEMENT.—Section 31109 is repealed.

(5) TABLE OF CONTENTS.—The table of contents of chapter 311 is amended—

(A) by striking the items relating to 31107 and 31109; and

(B) by striking the items relating to sections 31102, 31103, and 31104 and inserting the following:

''31102. Motor Carrier Safety Assistance Program.

''31103. Commercial Motor Vehicle Operators Grant Program.

''31104. Authorization of appropriations.''.

(6) GRANTS FOR COMMERCIAL DRIVER'S LICENSE PROGRAM IMPLEMENTATION.—Section 31313(a), as amended by section 32506 of this Act, is further amended by striking ''The Secretary of Transportation shall administer a financial assistance program for commercial driver's license program implementation for the purposes described in paragraphs (1) and (2)'' and inserting ''The Secretary of Transportation shall administer a financial assistance program for commercial driver's license program implementation funded under section 31104 of this title for the purposes described in paragraphs (1) and (2)''.

(7) COMMERCIAL VEHICLE INFORMATION SYSTEMS AND NETWORKS DEPLOYMENT.—Section 4126 of SAFETEA-LU (49 U.S.C. 31106 note) is repealed.

(8) SAFETY DATA IMPROVEMENT PROGRAM.—Section 4128 of SAFETEA-LU (49 U.S.C. 31100 note) is repealed.

(9) GRANT PROGRAM FOR COMMERCIAL MOTOR VEHICLE OPERATORS.—Section 4134 of SAFETEA-LU (49 U.S.C. 31301 note) is repealed.

(10) WINTER HOME HEATING OIL DELIVERY STATE FLEXIBILITY PROGRAM.—Section 346 of National Highway System Designation Act of 1995 (49 U.S.C. 31166 note) is repealed.

(11) MAINTENANCE OF EFFORT AS CONDITION ON GRANTS TO STATES.—Section 103(c) of the Motor Carrier Safety Improvement Act of 1999 (49 U.S.C. 31102 note) is repealed.

(12) STATE COMPLIANCE WITH CDL REQUIREMENTS.—Section 103(e) of the Motor Carrier Safety Improvement Act of 1999 (49 U.S.C. 31102 note) is repealed.

(13) BORDER STAFFING STANDARDS.—Section 218(d) of the Motor Carrier Safety Improvement Act of 1999 (49 U.S.C. 31133 note) is amended—

(A) in paragraph (1), by striking ''under section 31104(f)(2)(B) of title 49, United States Code'' and inserting ''section 31104(a)(1) of title 49, United States Code''; and

(B) by striking paragraph (3).

(e) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2016.

(f) TRANSITION.—Notwithstanding the amendments made by this section, the Secretary shall carry out sections 31102, 31103, 31104 of title 49, United States Code, and any sections repealed under subsection (d) of this section, as necessary, as those sections were in effect on the day before October 1, 2016, with respect to applications for grants, cooperative agreements, or contracts under those sections submitted before October 1, 2016.

SEC. 32503. NEW ENTRANT SAFETY REVIEW PROGRAM STUDY.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Office of Inspector General of the Department of Transportation shall report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure in the House of Representatives on its assessment of the new operator safety review

program, required under section 31144(g) of title 49, United States Code, including the program's effectiveness in reducing commercial motor vehicles involved in crashes, fatalities, and injuries, and in improving commercial motor vehicle safety.

(b) REPORT.—Not later than 90 days after completion of the report under subsection (a), the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure in the House of Representatives a report on the actions the Secretary will take to address any recommendations included in the study under subsection (a).

(c) PAPERWORK REDUCTION ACT OF 1995; EXCEPTION.—The study and the Office of the Inspector General assessment shall not be subject to section 3506 or section 3507 of title 44, United States Code.

SEC. 32504. PERFORMANCE AND REGISTRATION INFORMATION SYSTEMS MANAGEMENT.

Section 31106(b) is amended in the heading by striking ''PROGRAM'' and inserting ''SYSTEMS MANAGEMENT''.

SEC. 32505. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—Subchapter I of chapter 311 is amended by adding at the end the following:

''§ 31110. Authorization of appropriations

''(a) ADMINISTRATIVE EXPENSES.—There are authorized to be appropriated from the Highway Trust Fund (other than the Mass Transit Account) for the Secretary of Transportation to pay administrative expenses of the Federal Motor Carrier Safety Administration—

''(1) $264,439,000 for fiscal year 2016;

''(2) $269,992,000 for fiscal year 2017;

''(3) $275,662,000 for fiscal year 2018;

''(4) $281,451,000 for fiscal year 2019;

''(5) $287,361,000 for fiscal year 2020; and

''(6) $293,396,000 for fiscal year 2021.

''(b) USE OF FUNDS.—The funds authorized by this section shall be used—

''(1) for personnel costs;

''(2) for administrative infrastructure;

''(3) for rent;

''(4) for information technology;

''(5) for programs for research and technology, information management, regulatory development, the administration of the performance and registration information systems management;

''(6) for programs for outreach and education under subsection (d);

''(7) to fund the motor carrier safety facility working capital fund established under subsection (c);

''(8) for other operating expenses;

''(9) to conduct safety reviews of new operators; and

''(10) for such other expenses as may from time to time become necessary to implement statutory mandates of the Federal Motor Carrier Safety Administration not funded from other sources.

''(c) MOTOR CARRIER SAFETY FACILITY WORKING CAPITAL FUND.—

''(1) IN GENERAL.—The Secretary may establish a motor carrier safety facility working capital fund.

''(2) PURPOSE.—Amounts in the fund shall be available for modernization, construction, leases, and expenses related to vacating, occupying, maintaining, and expanding motor carrier safety facilities, and associated activities.

''(3) AVAILABILITY.—Amounts in the fund shall be available without regard to fiscal year limitation.

''(4) FUNDING.—Amounts may be appropriated to the fund from the amounts made available in subsection (a).

''(5) FUND TRANSFERS.—The Secretary may transfer funds to the working capital fund from the amounts made available in subsection (a) or from other funds as identified by the Secretary.

''(d) OUTREACH AND EDUCATION PROGRAM.—

''(1) IN GENERAL.—The Secretary may conduct, through any combination of grants, contracts, cooperative agreements, or other activities, an internal and external outreach and education program to be administered by the Administrator of the Federal Motor Carrier Safety Administration.

''(2) FEDERAL SHARE.—The Federal share of an outreach and education program for which a grant, contract, or cooperative agreement is made under this subsection may be up to 100 percent of the cost of the grant, contract, or cooperative agreement.

''(3) FUNDING.—From amounts made available in subsection (a), the Secretary shall make available such sums as are necessary to carry out this subsection each fiscal year.

''(e) CONTRACT AUTHORITY; INITIAL DATE OF AVAILABILITY.—Amounts authorized from the Highway Trust Fund by this section shall be available for obligation on the date of their apportionment or allocation or on October 1 of the fiscal year for which they are authorized, whichever occurs first.

''(f) FUNDING AVAILABILITY.—Amounts made available under this section shall remain available until expended.

''(g) CONTRACTUAL OBLIGATION.—The approval of funds by the Secretary under this section is a contractual obligation of the Federal Government for payment of the Federal Government's share of costs.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) ADMINISTRATIVE EXPENSES; AUTHORIZATION OF APPROPRIATIONS.—Section 31104 is amended—

(A) by striking subsection (i); and

(B) by redesignating subsections (j) and (k) and subsections (i) and (j), respectively.

(2) USE OF AMOUNTS MADE AVAILABLE UNDER SUBSECTION (I).—Section 4116(d) of SAFETEA-LU (49 U.S.C. 31104 note) is amended by striking ''section 31104(i)'' and inserting ''section 31110''.

(3) INTERNAL COOPERATION.—Section 31161 is amended by striking ''31104(i)'' and inserting ''31110''.

(4) SAFETEA-LU; OUTREACH AND EDUCATION.—Section 4127 of SAFETEA-LU (119 Stat. 1741; Public Law 109–59) is repealed.

(5) TABLE OF CONTENTS.—The table of contents of subchapter I of chapter 311 is amended by adding at the end the following:

''31110. Authorization of appropriations.''.

SEC. 32506. COMMERCIAL DRIVER'S LICENSE PROGRAM IMPLEMENTATION.

(a) IN GENERAL.—Section 31313 is amended to read as follows:

''§ 31313. Commercial driver's license program implementation financial assistance program

''(a) IN GENERAL.—The Secretary of Transportation shall administer a financial assistance program for commercial driver's license program implementation for the purposes described in paragraphs (1) and (2).

''(1) STATE COMMERCIAL DRIVER'S LICENSE PROGRAM IMPLEMENTATION GRANTS.—The Secretary of Transportation may make a grant to a State agency in a fiscal year—

''(A) to comply with the requirements of section 31311;

''(B) in the case of a State that is making a good faith effort toward substantial compliance with the requirements of section 31311, to improve its implementation of its commercial driver's license program, including expenses—

''(i) for computer hardware and software;

''(ii) for publications, testing, personnel, training, and quality control;

''(iii) for commercial driver's license program coordinators; and

''(iv) to implement or maintain a system to notify an employer of an operator of a commercial motor vehicle of the suspension or revocation of the operator's commercial driver's license consistent with the standards developed under section 32303(b) of the Commercial Motor Vehicle Safety Enhancement Act of 2012 (49 U.S.C. 31304 note).

''(2) PRIORITY ACTIVITIES.—The Secretary may make a grant or cooperative agreement in a fiscal year to a State agency, local government, or any person for research, development or testing, demonstration projects, public education, or other special activities and projects relating to commercial driver's licensing and motor vehicle safety that—

''(A) benefit all jurisdictions of the United States;

''(B) address national safety concerns and circumstances;

''(C) address emerging issues relating to commercial driver's license improvements;

''(D) support innovative ideas and solutions to commercial driver's license program issues; or

''(E) address other commercial driver's license issues, as determined by the Secretary.

''(b) PROHIBITIONS.—A recipient may not use financial assistance funds awarded under this section to rent, lease, or buy land or buildings.

''(c) REPORT.—The Secretary shall issue an annual report on the activities carried out under this section.

''(d) APPORTIONMENT.—All amounts made available to carry out this section for a fiscal year shall be apportioned to a State or recipient described in subsection (a)(2) according to criteria prescribed by the Secretary.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—The table of contents of chapter 313 is amended by striking the item relating to section 31313 and inserting the following:

''31313. Commercial driver's license program implementation financial assistance program.''.

SEC. 32507. EXTENSION OF FEDERAL MOTOR CARRIER SAFETY PROGRAMS FOR FISCAL YEAR 2016.

(a) MOTOR CARRIER SAFETY ASSISTANCE PROGRAM GRANT EXTENSION.—Section 31104(a) is amended—

(1) in the matter preceding paragraph (1), by inserting ''and, for fiscal year 2016, sections 31102, 31107, and 31109 of this title and section 4128 of SAFETEA-LU (49 U.S.C. 31100 note)'' after ''31102'';

(2) in paragraph (9), by striking ''and'' at the end; and

(3) by striking paragraph (10) and inserting the following:

''(10) $218,000,000 for fiscal year 2015; and

''(11) '$259,000,000 for fiscal year 2016.''.

(b) EXTENSION OF GRANT PROGRAMS.—Section 4101(c) SAFETEA-LU (119 Stat. 1715; Public Law 109–59), is amended to read as follows:

''(c) GRANT PROGRAMS FUNDING.—There are authorized to be appropriated from the Highway Trust Fund the following sums for the following Federal Motor Carrier Safety Administration programs:

''(1) COMMERCIAL DRIVER'S LICENSE PROGRAM IMPROVEMENT GRANTS.—For carrying

out the commercial driver's license program improvement grants program under section 31313 of title 49, United States Code, $30,000,000 for fiscal year 2016.

''(2) BORDER ENFORCEMENT GRANTS.—From amounts made available under section 31104(a) of title 49, United States Code, for border enforcement grants under section 31107 of that title, $32,000,000 for fiscal year 2016.

''(3) PERFORMANCE AND REGISTRATION INFORMATION SYSTEMS MANAGEMENT GRANT PROGRAMS.—From amounts made available under section 31104(a) of title 49, United States Code, for the performance and registration information systems management grant program under section 31109 of that title, $5,000,000 for fiscal year 2016.

''(4) COMMERCIAL VEHICLE INFORMATION SYSTEMS AND NETWORKS DEPLOYMENT.—For carrying out the commercial vehicle information systems and networks deployment program under section 4126 of this Act (the innovative technology deployment program), $25,000,000, for fiscal year 2016.

''(5) SAFETY DATA IMPROVEMENT GRANTS.—From amounts made available under section 31104(a) of title 49, United States Code, for safety data improvement grants under section 4128 of this Act, $3,000,000 for fiscal year 2016.''.

(c) HIGH-PRIORITY ACTIVITIES.—Section 31104(j)(2), as redesignated by section 32505 of this Act is amended by striking ''2015'' and inserting ''2016''.

(d) NEW ENTRANT AUDITS.—Section 31144(g)(5)(B) is amended to read as follows:

''(B) SET ASIDE.—The Secretary shall set aside from amounts made available by section 31104(a) up to $32,000,000 for fiscal year 2016 for audits of new entrant motor carriers conducted under this paragraph.''.

(e) GRANT PROGRAM FOR COMMERCIAL MOTOR VEHICLE OPERATORS.—Section 4134(c) of SAFETEA-LU (49 U.S.C. 31301 note) is amended to read as follows:

''(c) FUNDING.—From amounts made available under section 31110 of title 49, United States Code, the Secretary shall make available, $1,000,000 for fiscal year 2016 to carry out the commercial motor vehicle operators grant program.''.

(f) COMMERCIAL VEHICLE INFORMATION SYSTEMS AND NETWORKS DEPLOYMENT.—

(1) IN GENERAL.—Section 4126 of SAFETEA-LU (49 U.S.C. 31106 note; 119 Stat. 1738; Public Law 109–59) is amended—

(A) in subsection (c)—

(i) in paragraph (2), by adding at the end the following: ''Funds deobligated by the Secretary from previous year grants shall not be counted towards the $2,500,000 maximum aggregate amount for core deployment.''; and

(ii) in paragraph (3), by adding at the end the following: ''Funds may also be used for planning activities, including the development or updating of program or top level design plans.''; and

(B) in subsection (d)(4), by adding at the end the following: ''Funds may also be used for planning activities, including the development or updating of program or top level design plans.''.

(2) INNOVATIVE TECHNOLOGY DEPLOYMENT PROGRAM.—For fiscal year 2016, the commercial vehicle information systems and networks deployment program under section 4126 of SAFETEA-LU (119 Stat. 1738; Public Law 109—59) may also be referred to as the innovative technology deployment program.

SEC. 32508. MOTOR CARRIER SAFETY ASSISTANCE PROGRAM ALLOCATION.

(a) WORKING GROUP.—

(1) ESTABLISHMENT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish a motor carrier safety assistance program formula working group (referred to in this section as the ''working group''.

(2) MEMBERSHIP.—

(A) IN GENERAL.—Subject to subparagraph (B), the working group shall consist of representatives of the following:

(i) The Federal Motor Carrier Safety Administration.

(ii) The lead State commercial motor vehicle safety agencies responsible for administering the plan required by section 31102 of title 49, United States Code.

(iii) An organization representing State agencies responsible for enforcing a program for inspection of commercial motor vehicles.

(iv) Such other persons as the Secretary considers necessary.

(B) COMPOSITION.—Representatives of State commercial motor vehicle safety agencies shall comprise at least 51 percent of the membership.

(3) NEW ALLOCATION FORMULA.—The working group shall analyze requirements and factors for a new motor carrier safety assistance program allocation formula.

(4) RECOMMENDATION.—Not later than 1 year after the date the working group is established under paragraph (1), the working group shall make a recommendation to the Secretary regarding a new Motor Carrier Safety Assistance Program allocation formula.

(5) FACA EXEMPTION.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the working group established under this subsection.

(6) PUBLICATION.—The Administrator of the Federal Motor Carrier Safety Administration shall publish on a public website summaries of its meetings, and the final recommendation provided to the Secretary.

(b) NOTICE OF PROPOSED RULEMAKING.—After receiving the recommendation under subsection (a)(4), the Secretary shall publish in the Federal Register a notice seeking public comment on a new allocation formula for the motor carrier safety assistance program under section 31102 of title 49, United States Code.

(c) BASIS FOR FORMULA.—The Secretary shall ensure that the new allocation formula is based on factors that reflect, at a minimum—

(1) the relative needs of the States to comply with section 31102 of title 49, United States Code;

(2) the relative administrative capacities of and challenges faced by States in complying with section 31102 of title 49, United States Code;

(3) the average of each State's new entrant motor carrier inventory for the 3-year period prior to the date of enactment of this Act;

(4) the number of international border inspection facilities and border crossings by commercial vehicles in each State; and

(5) any other factors the Secretary considers appropriate.

(d) FUNDING AMOUNTS PRIOR TO DEVELOPMENT OF A NEW ALLOCATION FORMULA.—

(1) INTERIM FORMULA.—Prior to the development of the new allocation formula, the Secretary may calculate the interim funding amounts for the motor carrier safety assistance program in fiscal year 2017 (and later fiscal years, as necessary) under section 31104(a)(1) of title 49, United States Code, as amended by section 32502 of this Act, by the following methodology:

(A) The Secretary shall calculate the funding amount using the allocation formula the Secretary used to award motor carrier safety assistance program funding in fiscal year 2016 under section 2507 of this Act.

(B) The Secretary shall average the funding awarded or other equitable amounts to a State in fiscal years 2013, 2014, and 2015 for border enforcement grants awarded under section 32603(c) of MAP-21 (126 Stat. 807; Public Law 112—141) and new entrant audit grants awarded under that section, or other equitable amounts.

(C) The Secretary shall add the amounts calculated in subparagraphs (A) and (B).

(2) ADJUSTMENTS.—Subject to the availability of funding and notwithstanding fluctuations in the data elements used by the Secretary, the initial amounts resulting from the calculation described in paragraph (1) shall be adjusted to ensure that, for each State, the amount shall not be less than 97 percent of the average amount of funding received or other equitable amounts in fiscal years 2013, 2014, and 2015 for—

(A) motor carrier safety assistance program funds awarded under section 32603(a) of MAP-21 (126 Stat. 807; Public Law 112–141);

(B) border enforcement grants awarded under section 32603(a) of MAP-21 (126 Stat. 807; Public Law 112–141); and

(C) new entrant audit grants awarded under section 32603(a) of MAP-21 (126 Stat. 807; Public Law 112–141).

(3) IMMEDIATE RELIEF.—In developing the new allocation formula, the Secretary shall provide immediate relief for at least 3 fiscal years to all States currently subject to the withholding provisions of Motor Carrier Safety Assistance Program funds for matters of noncompliance.

(4) FUTURE WITHHOLDINGS.—Beginning on the date that the new allocation formula is implemented, the Secretary shall impose all future withholdings in accordance with section 31102(k) of title 49, United States Code, as amended by section 32502 of this Act.

(e) TERMINATION OF EFFECTIVENESS.—This section expires upon the implementation of a new Motor Carrier Safety Assistance Program Allocation Formula.

SEC. 32509. MAINTENANCE OF EFFORT CALCULATION.

(a) BEFORE NEW ALLOCATION FORMULA.—

(1) FISCAL YEAR 2017.—If a new allocation formula has not been established for fiscal year 2017, then, for fiscal year 2017, the Secretary of Transportation shall calculate the maintenance of effort required under section 31102(f) of title 49, United States Code, as amended by section 32502 of this Act, by averaging the expenditures for fiscal years 2004 and 2005 required by section 32601(a)(5) of MAP-21 (Public Law 112—141), as that section was in effect on the day before the date of enactment of this Act.

(2) SUBSEQUENT FISCAL YEARS.—The Secretary may use the methodology for calculating the maintenance of effort for fiscal year 2017 and each fiscal year thereafter if a new allocation formula has not been established.

(b) BEGINNING WITH NEW ALLOCATION FORMATION.—

(1) IN GENERAL.—Subject to paragraphs (2) and (3)(B), beginning on the date that a new allocation formula is established under section 2508, upon the request of a State, the Secretary may modify the baseline maintenance of effort required by section 31102(e) of title 49, United States Code, as amended by section 32502 of this Act, for the purpose of establishing a new baseline maintenance of effort if the Secretary determines that a waiver or modification—

(A) is equitable due to reasonable circumstances;

(B) will ensure the continuation of commercial motor vehicle enforcement activities in the State; and

(C) is necessary to ensure that the total amount of State maintenance of effort and matching expenditures required under sections 31102 and 31104 of title 49, United States Code, as amended by section 32502 of this Act, does not exceed a sum greater than the average of the total amount of State maintenance of effort and matching expenditures for the 3 fiscal years prior to the date of enactment of this Act.

(2) ADJUSTMENT METHODOLOGY.—If requested by a State, the Secretary may modify the maintenance of effort baseline according to the following methodology:

(A) The Secretary shall establish the maintenance of effort using the average of fiscal years 2004 and 2005, as required by section 32601(a)(5) of MAP-21 (Public Law 112—141).

(B) The Secretary shall calculate the average required match by a lead State commercial motor vehicle safety agency for fiscal years 2013, 2014, and 2015 for motor carrier safety assistance grants established at 20 percent by section 31103 of title 49, United States Code, as that section was in effect on the day before the date of enactment of this Act.

(C) The Secretary shall calculate the estimated match required under section 31104(b) of title 49, United States Code, as amended by section 32502 of this Act.

(D) The Secretary will subtract the amount in subparagraph (B) from the amount in subparagraph (C) and—

(i) if the number is greater than 0, then the Secretary shall subtract the number from the amount in subparagraph (A); or

(ii) if the number is not greater than 0, then the Secretary shall calculate the maintenance of effort using the methodology in subparagraph (A).

(3) MAINTENANCE OF EFFORT AMOUNT.—

(A) IN GENERAL.—The Secretary shall use the amount calculated in paragraph (2) as the baseline maintenance of effort required in section 31102(f) of title 49, United States Code, as amended by section 32502 of this Act.

(B) DEADLINE.—If a State does not request a waiver or modification under this subsection before September 30 during the first fiscal year that the Secretary implements the new allocation formula under section 32508, the Secretary shall calculate the maintenance of effort using the methodology in paragraph (2)(A) of this subsection.

(4) MAINTENANCE OF EFFORT DESCRIBED.—The maintenance of effort calculated under this section is the amount required under section 31102(f) of title 49, United States Code, as amended by section 32502 of this Act.

(c) TERMINATION OF EFFECTIVENESS.—The authority under this section terminates effective on the date that the new maintenance of effort is calculated based on the new allocation formula implemented under section 32508.

Subtitle F—Miscellaneous Provisions

SEC. 32601. WINDSHIELD TECHNOLOGY.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall revise the regulations in section 393.60(e) of title 49, Code of Federal Regulations (relating to the prohibition on obstructions to the driver's field of view) to exempt from that section the voluntary mounting on a windshield of vehicle safety technology likely to achieve a level of safety that is equivalent to or greater than the level of safety that would be achieved absent the exemption.

(b) DEFINITION OF VEHICLE SAFETY TECHNOLOGY.—In this section, ''vehicle safety technology'' includes fleet-related incident management system, performance or behavior management system, speed management system, lane departure warning system, forward collision warning or mitigation system, active cruise control system, and any other technology that the Secretary considers applicable.

(c) RULE OF CONSTRUCTION.—For purposes of this section, any windshield mounted technology with a short term exemption under part 381 of title 49, Code of Federal Regulations, on the day before the date of enactment of this Act, shall be considered likely to achieve a level of safety that is equivalent to or greater than the level of safety that would be achieved absent an exemption under subsection (a).

SEC. 32602. ELECTRONIC LOGGING DEVICES REQUIREMENTS.

Section 31137(b) is amended—

(1) in paragraph (1)(C), by striking ''apply to'' and inserting ''except as provided in paragraph (3), apply to''; and

(2) by adding at the end the following:

''(3) EXCEPTION.—A motor carrier, when transporting a motor home or recreation vehicle trailer within the definition of 'driveaway-towaway operation' (as defined in section 390.5 of title 49, Code of Federal Regulations) may comply with the hours of service requirements by requiring each driver to use—

''(A) a paper record of duty status form; or

''(B) an electronic logging device.''.

SEC. 32603. LAPSE OF REQUIRED FINANCIAL SECURITY; SUSPENSION OF REGISTRATION.

Section 13906(e) is amended by inserting ''or suspend'' after ''revoke''.

SEC. 32604. ACCESS TO NATIONAL DRIVER REGISTER.

Section 30305(b) is amended by adding at the end the following:

''(13) The Administrator of the Federal Motor Carrier Safety Administration may request the chief driver licensing official of a State to provide information under subsection (a) of this section about an individual in connection with a safety investigation under the Administrator's jurisdiction.''.

SEC. 32605. STUDY ON COMMERCIAL MOTOR VEHICLE DRIVER COMMUTING.

(a) EFFECTS OF COMMUTING.—The Administrator of the Federal Motor Carrier Safety Administration shall conduct a study of the effects of motor carrier operator commutes exceeding 150 minutes commuting time on safety and commercial motor vehicle driver fatigue.

(b) STUDY.—In conducting the study, the Administrator shall consider—

(1) the prevalence of driver commuting in the commercial motor vehicle industry, including the number and percentage of drivers who commute;

(2) the distances traveled, time zones crossed, time spent commuting, and methods of transportation used;

(3) research on the impact of excessive commuting on safety and commercial motor vehicle driver fatigue;

(4) the commuting practices of commercial motor vehicle drivers and policies of motor carriers;

(5) the Federal Motor Carrier Safety Administration regulations, policies, and guidance regarding driver commuting; and

(6) any other matters the Administrator considers appropriate.

(c) REPORT.—Not later than 18 months after the date of enactment of this Act, the Administrator shall submit to Congress a report containing the findings under the study and any recommendations for legislative action concerning driver commuting.

SEC. 32606. HOUSEHOLD GOODS CONSUMER PROTECTION WORKING GROUP.

(a) WORKING GROUP.—The Secretary shall establish a working group for the purpose of developing recommendations on how to best convey to inexperienced consumers the information such consumers need to know with respect to the Federal laws concerning the interstate transportation of household goods by motor carrier.

(b) MEMBERSHIP.—The Secretary shall ensure that the working group is comprised of individuals with expertise in consumer affairs, educators with expertise in how people learn most effectively, and representatives of the household goods moving industry.

(c) RECOMMENDATIONS.—

(1) CONTENTS.—The recommendations developed by the working group shall include, at a minimum, recommendations on—

(A) condensing publication ESA 03005 of the Federal Motor Carrier Safety Administration into a format that is more easily used by consumers;

(B) using state-of-the-art education techniques and technologies, including optimizing the use of the Internet as an educational tool; and

(C) reducing and simplifying the paperwork required of motor carriers and shippers in interstate transportation.

(2) DEADLINE.—Not later than one year after the date of enactment of this Act, the working group shall make the recommendations described in paragraph (1) which the Secretary shall publish on a public website.

(d) REPORT.—Not later than 1 year after the date on which the working group makes its recommendations, the Secretary shall issue a report to Congress on the implementation of such recommendations.

(e) FEDERAL ADVISORY COMMITTEE ACT EXEMPTION.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the working group established under this section.

(f) TERMINATION.—The working group shall terminate 2 years after the date of enactment of this Act.

SEC. 32607. INTERSTATE VAN OPERATIONS.

Section 4136 of SAFETEA-LU (Public Law 109–59; 119 Stat. 1745; 49 U.S.C. 3116 note) is amended by inserting ''with the exception of commuter vanpool operations, which shall remain exempt'' before the period at the end.

SEC. 32608. REPORT ON DESIGN AND IMPLEMENTATION OF WIRELESS ROADSIDE INSPECTION SYSTEMS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report regarding the design, development, testing, and implementation of wireless roadside inspection systems.

(b) ELEMENTS.—The report required under subsection (a) shall include a determination as to whether wireless roadside inspection systems—

(1) conflict with existing non-Federal electronic screening systems, or create capabilities already available;

(2) require additional statutory authority to incorporate generated inspection data into the safety measurement system or the safety fitness determinations program; and

(3) provide appropriate restrictions to specifically address privacy concerns of affected motor carriers and operators.

SEC. 32609. MOTORCOACH HOURS OF SERVICE STUDY.

(a) REQUIREMENT BEFORE IMPLEMENTING NEW RULES.—

(1) IN GENERAL.—The Secretary may not amend, adjust, or revise the driver hours of service regulations for motor carriers of passengers, by rulemaking or any other means, until the Secretary conducts a formal study that properly accounts for operational differences and variances in crash data for drivers in intercity motorcoach service and interstate property carrier operations and between segments of the intercity motorcoach industry.

(2) CONTENTS.—The study required under paragraph (1) shall include—

(A) the impact of the current hours of service regulations for motor carriers of passengers on fostering safe operation of intercity motorcoaches;

(B) the separation of the failures of the current passenger carrier hours-of-service regulations and the lack of enforcement of the current regulations by Federal and State agencies;

(C) the correlation of noncompliance with current passenger carrier hours of service rule to passenger carrier accidents using data from 2000 through 2013; and

(D) how passenger carrier crashes could have been mitigated by any changes to passenger carrier hours of service rules.

(b) EMERGENCY REGULATIONS.—Nothing in this section may be construed to affect the Secretary's existing authority to provide relief from the hours of service regulations in the event of an emergency under section 390.232 of title 49, Code of Federal Regulations.

SEC. 32610. GAO REVIEW OF SCHOOL BUS SAFETY.

Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit, to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives, a review of the following:

(1) Existing Federal and State rules and guidance, as of the date of the review, concerning school bus transportation of elementary school and secondary school students engaging in home-to-school transport or other transport determined by the Comptroller General to be a routine part of kindergarten through grade 12 education, including regulations and guidance regarding driver training programs, capacity requirements, programs for special needs students, inspection standards, vehicle age requirements, best practices, and public access to inspection results and crash records.

(2) Any correlation between public or private school bus fleet operators whose vehicles are involved in an accident as defined by section 390.5 of title 49, Code of Federal Regulations, and each of the following:

(A) A failure by those same operators of State or local safety inspections.

(B) The average age or odometer readings of the school buses in the fleets of such operators.

(C) Violations of Federal laws administered by the Department of Transportation, or of State law equivalents of such laws.

(D) Violations of State or local law relating to illegal passing of a school bus.

(3) A regulatory framework comparison of public and private school bus operations.

(4) Expert recommendations on best practices for safe and reliable school bus transportation, including driver training programs, inspection standards, school bus age and odometer reading maximums for retirement, the percentage of buses in a local bus fleet needed as spare buses, and capacity levels per school bus for different age groups.

SEC. 32611. USE OF HAIR TESTING FOR PREEMPLOYMENT AND RANDOM CONTROLLED SUBSTANCES TESTS.

(a) SHORT TITLE.—This section may be cited as the ''Drug Free Commercial Driver Act of 2015''.

(b) AUTHORIZATION OF HAIR TESTING AS AN ACCEPTABLE PROCEDURE FOR PREEMPLOYMENT AND RANDOM CONTROLLED SUBSTANCE TESTS.—Section 31306 is amended—

(1) in subsection (b)(1)—

(A) by redesignating subparagraph (B) as subparagraph (C); and

(B) in subparagraph (A), by striking ''The regulations shall permit such motor carriers to conduct preemployment testing of such employees for the use of alcohol.'' and inserting the following:

''(B) The regulations prescribed under subparagraph (A) shall permit motor carriers—

''(i) to conduct preemployment testing of commercial motor vehicle operators for the use of alcohol; and

''(ii) to use hair testing as an acceptable alternative to urinalysis—

''(I) in conducting preemployment screening for the use of a controlled substance; and

''(II) in conducting random screening for the use of a controlled substance by individuals who were subject to preemployment screening.''; and

(2) in subsection (c)(2)—

(A) in subparagraph (B), by striking ''and'' at the end;

(B) in subparagraph (C), by inserting ''and'' after the semicolon; and

(C) by adding at the end the following:

''(D) laboratory protocols and cut-off levels for hair testing to detect the use of a controlled substance;''.

(c) EXEMPTION FROM MANDATORY URINALYSIS.—

(1) IN GENERAL.—Any motor carrier that demonstrates, to the satisfaction of the Administrator of the Federal Motor Carrier Safety Administration, in consultation with the Department of Health and Human Services, that it can carry out an applicable hair testing program, consistent with generally accepted industry standards, to detect the use of a controlled substance by commercial motor vehicle operators, may apply to the Administrator for an exemption from the mandatory urinalysis testing requirements set forth in subpart C of part 382 of title 49, Code of Federal Regulations until a final rule is issued implementing the amendments made by subsection (b).

(2) EVALUATION OF APPLICATIONS.—

(A) IN GENERAL.—In evaluating applications for an exemption under paragraph (1), the Administrator, in consultation with the Department of Health and Human Services, shall determine if the applicant's testing program employs procedures and protections similar to fleets that have carried out hair testing programs for at least 1 year.

(B) REQUIREMENTS.—A testing program may not receive an exemption under paragraph (1) unless the applicable testing laboratories—

(i) have obtained laboratory accreditation specific to hair testing from an accrediting body, compliant with international or other Federal standards, as appropriate, such as the College of American Pathologists; and

(ii) utilize hair testing assays that have been cleared by the Food and Drug Administration under section 510(k) of the Federal Food, Drug and Cosmetic Act (21 U.S.C. 360(k)).

(3) DEADLINE FOR DECISIONS.—Not later than 90 days after receiving an application from a motor carrier under this subsection, the Administrator, in consultation with the Secretary of Health and Human Services, shall determine whether the motor carrier is exempt from the testing requirements described in paragraph (1).

(4) REPORTING REQUIREMENT.—Any motor carrier that is granted an exemption under paragraph (1) shall submit records to the national clearinghouse established under section 31306a of title 49, United States Code, relating to all positive test results and test refusals from the hair testing program described in that paragraph.

(d) GUIDELINES FOR HAIR TESTING.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Health and Human Services shall issue scientific and technical guidelines for hair testing as a method of detecting the use of a controlled substance for purposes of section 31306 of title 49, United States Code, as amended by subsection (b). When issuing the scientific and technical guidelines, the Secretary of Health and Human Services may consider differentiating between exposure to, and usage of, various controlled substances.

(e) ANNUAL REPORT TO CONGRESS.—The Secretary shall submit an annual report to Congress that—

(1) summarizes the results of preemployment and random drug testing using both hair testing and urinalysis;

(2) evaluates the efficacy of each method; and

(3) determines which method provides the most accurate means of detecting the use of controlled substances over time.

TITLE XXXIII—HAZARDOUS MATERIALS

SEC. 33101. ENDORSEMENTS.

(a) EXCLUSIONS.—Section 5117(d)(1) is amended—

(1) in subparagraph (B), by striking ''and'' at the end;

(2) in subparagraph (C), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(D) a service vehicle (as defined in section 33101 of the Comprehensive Transportation and Consumer Protection Act of 2015) carrying diesel fuel in quantities of 3,785 liters (1,000 gallons) or less that is—

''(i) driven by a class A commercial driver's license holder who is a custom harvester, an agricultural retailer, an agricultural business employee, an agricultural cooperative employee, or an agricultural producer; and

''(ii) clearly marked with a placard reading 'Diesel Fuel'.''.

(b) HAZARDOUS MATERIALS ENDORSEMENT EXEMPTION.—The Secretary shall exempt all class A commercial driver's license holders who are custom harvesters, agricultural retailers, agricultural business employees, agricultural cooperative employees, or agricultural producers from the requirement to obtain a hazardous materials endorsement under part 383 of title 49, Code of Federal Regulations, while operating a service vehicle carrying diesel fuel in quantities of 3,785 liters (1,000 gallons) or less if the tank containing such fuel is clearly marked with a placard reading ''Diesel Fuel''.

(c) DEFINITION OF SERVICE VEHICLE.—In this section, the term ''service vehicle'' means a vehicle carrying diesel fuel that will be deductible as a profit-seeking activity—

(1) under section 162 of the Internal Revenue Code of 1986 as a business expense; or

(2) under section 212 of the Internal Revenue Code of 1986 as a production of income expense.

SEC. 33102. ENHANCED REPORTING.

Section 5121(h) is amended by striking ''transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate'' and inserting ''post on the Department of Transportation public website''.

SEC. 33103. HAZARDOUS MATERIAL INFORMATION.

(a) DERAILMENT DATA.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall revise the form for reporting a rail equipment accident or incident under section 225.21 of title 49, Code of Federal Regulations (Form FRA F 6180.54, Rail Equipment Accident/Incident Report), including to its instructions, to require additional data concerning rail cars carrying crude oil or ethanol that are involved in a reportable rail equipment accident or incident under part 225 of that title.

(2) CONTENTS.—The data under subsection (a) shall include—

(A) the number of rail cars carrying crude oil or ethanol;

(B) the number of rail cars carrying crude oil or ethanol damaged or derailed; and

(C) the number of rail cars releasing crude oil or ethanol.

(3) DIFFERENTIATION.—The data described in paragraph (2) shall be reported separately for crude oil and for ethanol.

(b) DATABASE CONNECTIVITY.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall implement information management practices to ensure that the Pipeline and Hazardous Materials Safety Administration Hazardous Materials Incident Reports Database (referred to in this section as ''Incident Reports Database'') and the Federal Railroad Administration Railroad Safety Information System contain accurate and consistent data on a reportable rail equipment accident or incident under part 225 of title 49, Code of Federal Regulations, involving the release of hazardous materials.

(2) IDENTIFIERS.—The Secretary shall ensure that the Incident Reports Database uses a searchable Federal Railroad Administration report number, or other applicable unique identifier that is linked to the Federal Railroad Safety Information System, for each reportable rail equipment accident or incident under part 225 of title 49, Code of Federal Regulations, involving the release of hazardous materials.

(c) EVALUATION.—

(1) IN GENERAL.—The Department of Transportation Inspector General shall—

(A) evaluate the accuracy of information in the Incident Reports Database, including determining whether any inaccuracies exist in—

(i) the type of hazardous materials released;

(ii) the quantity of hazardous materials released;

(iii) the location of hazardous materials released;

(iv) the damages or effects of hazardous materials released; and

(v) any other data contained in the database; and

(B) considering the requirements in subsection (b), evaluate the consistency and accuracy of data involving accidents or incidents reportable to both the Pipeline and Hazardous Materials Safety Administration and the Federal Railroad Administration, including whether the Incident Reports Database uses a searchable identifier described in subsection (b)(2).

(2) REPORT.—Not later than 18 months after the date of enactment of this Act, the Department of Transportation Inspector General shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report of the findings under subparagraphs (A) and (B) of paragraph (1) and recommendations for resolving any inconsistencies or inaccuracies.

(d) SAVINGS CLAUSE.—Nothing in this section may be construed to prohibit the Secretary from requiring other commodity-specific information for any reportable rail equipment accident or incident under part 225 of title 49, Code of Federal Regulations.

SEC. 33104. NATIONAL EMERGENCY AND DISASTER RESPONSE.

(a) PURPOSE.—Section 5101 is amended by inserting and ''and to facilitate the safe movement of hazardous materials during national emergencies'' after ''commerce''.

(b) GENERAL REGULATORY AUTHORITY.—Section 5103 is amended—

(1) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

(2) by inserting after subsection (b) the following:

''(c) FEDERALLY DECLARED DISASTER AND EMERGENCY AREAS.—The Secretary, in consultation with the Secretary of Homeland Security, may prescribe standards to facilitate the safe movement of hazardous materials into, from, and within a federally declared disaster area or a national emergency area.''.

SEC. 33105. AUTHORIZATION OF APPROPRIATIONS.

Section 5128 is amended to read as follows:

''§ 5128. Authorization of appropriations

''(a) IN GENERAL.—There are authorized to be appropriated to the Secretary to carry out this chapter (except sections 5107(e), 5108(g)(2), 5113, 5115, 5116, and 5119)—

''(1) $43,660,000 for fiscal year 2016;

''(2) $44,577,000 for fiscal year 2017;

''(3) $45,513,000 for fiscal year 2018;

''(4) $46,469,000 for fiscal year 2019;

''(5) $47,445,000 for fiscal year 2020; and

''(6) $48,441,000 for fiscal year 2021.

''(b) HAZARDOUS MATERIALS EMERGENCY PREPAREDNESS FUND.—From the Hazardous Materials Emergency Preparedness Fund established under section 5116(i), the Secretary may expend, during each of fiscal years 2016 through 2021—

''(1) $188,000 to carry out section 5115;

''(2) $21,800,000 to carry out subsections (a) and (b) of section 5116, of which not less than $13,650,000 shall be available to carry out section 5116(b);

''(3) $150,000 to carry out section 5116(f);

''(4) $625,000 to publish and distribute the Emergency Response Guidebook under section 5116(i)(3); and

''(5) $1,000,000 to carry out section 5116(j).

''(c) HAZARDOUS MATERIALS TRAINING GRANTS.—From the Hazardous Materials Emergency Preparedness Fund established pursuant to section 5116(i), the Secretary may expend $4,000,000 for each of the fiscal years 2016 through 2021 to carry out section 5107(e).

''(d) CREDITS TO APPROPRIATIONS.—

''(1) EXPENSES.—In addition to amounts otherwise made available to carry out this chapter, the Secretary may credit amounts received from a State, Indian tribe, or other public authority or private entity for expenses the Secretary incurs in providing training to the State, authority, or entity.

''(2) AVAILABILITY OF AMOUNTS.—Amounts made available under this section shall remain available until expended.''.

TITLE XXXIV—HIGHWAY AND MOTOR VEHICLE SAFETY

Subtitle A—Highway Traffic Safety

PART I—HIGHWAY SAFETY

SEC. 34101. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—The following sums are authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account):

(1) HIGHWAY SAFETY PROGRAMS.—For carrying out section 402 of title 23, United States Code—

(A) $243,526,500 for fiscal year 2016;

(B) $252,267,972 for fiscal year 2017;

(C) $261,229,288 for fiscal year 2018;

(D) $270,415,429 for fiscal year 2019;

(E) $279,831,482 for fiscal year 2020; and

(F) $289,482,646 for fiscal year 2021.

(2) HIGHWAY SAFETY RESEARCH AND DEVELOPMENT.—For carrying out section 403 of title 23, United States Code—

(A) $137,835,000 for fiscal year 2016;

(B) $140,729,535 for fiscal year 2017;

(C) $143,684,855 for fiscal year 2018;

(D) $146,702,237 for fiscal year 2019;

(E) $149,782,984 for fiscal year 2020; and

(F) $152,928,427 for fiscal year 2021.

(3) NATIONAL PRIORITY SAFETY PROGRAMS.—For carrying out section 405 of title 23, United States Code—

(A) $274,720,000 for fiscal year 2016;

(B) $277,467,200 for fiscal year 2017;

(C) $280,241,872 for fiscal year 2018;

(D) $283,044,291 for fiscal year 2019;

(E) $285,874,734 for fiscal year 2020; and

(F) $288,733,481 for fiscal year 2021.

(4) NATIONAL DRIVER REGISTER.—For the National Highway Traffic Safety Administration to carry out chapter 303 of title 49, United States Code—

(A) $5,105,000 for fiscal year 2016;

(B) $5,212,205 for fiscal year 2017;

(C) $5,321,661 for fiscal year 2018;

(D) $5,433,416 for fiscal year 2019;

(E) $5,547,518 for fiscal year 2020; and

(F) $5,664,016 for fiscal year 2021.

(5) HIGH VISIBILITY ENFORCEMENT PROGRAM.—For carrying out section 2009 of SAFETEA–LU (23 U.S.C. 402 note)—

(A) $29,290,000 for fiscal year 2016;

(B) $29,582,900 for fiscal year 2017;

(C) $29,878,729 for fiscal year 2018;

(D) $30,177,516 for fiscal year 2019;

(E) $30,479,291 for fiscal year 2020; and

(F) $30,784,084 for fiscal year 2021.

(6) ADMINISTRATIVE EXPENSES.—For administrative and related operating expenses of the National Highway Traffic Safety Administration in carrying out chapter 4 of title 23, United States Code, and this subtitle—

(A) $25,755,000 for fiscal year 2016;

(B) $26,012,550 for fiscal year 2017;

(C) $26,272,676 for fiscal year 2018;

(D) $26,535,402 for fiscal year 2019;

(E) $26,800,756 for fiscal year 2020; and

(F) $27,068,764 for fiscal year 2021.

(b) PROHIBITION ON OTHER USES.—Except as otherwise provided in chapter 4 of title 23, United States Code, in this subtitle, and in the amendments made by this subtitle, the amounts made available from the Highway Trust Fund (other than the Mass Transit Account) for a program under such chapter—

(1) shall only be used to carry out such program; and

(2) may not be used by States or local governments for construction purposes.

(c) APPLICABILITY OF TITLE 23.—Except as otherwise provided in chapter 4 of title 23, United States Code, and in this subtitle, amounts made available under subsection (a) for fiscal years 2016 through 2021 shall be available for obligation in the same manner as if such funds were apportioned under chapter 1 of title 23, United States Code.

(d) REGULATORY AUTHORITY.—Grants awarded under this subtitle shall be in accordance with regulations issued by the Secretary.

(e) STATE MATCHING REQUIREMENTS.—If a grant awarded under this subtitle requires a State to share in the cost, the aggregate of all expenditures for highway safety activities made during any fiscal year by the State and its political subdivisions (exclusive of Federal funds) for carrying out the grant (other than planning and administration) shall be available for the purpose of crediting the State during such fiscal year for the non-Federal share of the cost of any project under this subtitle (other than planning or administration) without regard to whether such expenditures were actually made in connection with such project.

(f) GRANT APPLICATION AND DEADLINE.—To receive a grant under this subtitle, a State shall submit an application, and the Secretary shall establish a single deadline for such applications to enable the award of grants early in the next fiscal year.

(g) TRANSFERS.—Section 405(a)(1)(G) of title 23, United States Code, is amended to read as follows:

''(G) TRANSFERS.—Notwithstanding subparagraphs (A) through (F), the Secretary shall reallocate, before the last day of any fiscal year, any amounts remaining available of the amounts allocated to carry out any of the activities described in subsections (b) through (g) to increase the amount made available to carry out section 402, in order to ensure, to the maximum extent possible, that all such amounts are obligated during such fiscal year.''.

SEC. 34102. HIGHWAY SAFETY PROGRAMS.

(a) RESTRICTION.—Section 402(g) of title 23, United States Code, is amended to read as follows:

''(g) RESTRICTION.—Nothing in this section may be construed to authorize the appropriation or expenditure of funds for highway construction, maintenance, or design (other than design of safety features of highways to be incorporated into guidelines).''.

(b) USE OF FUNDS.—

(1) HIGHWAY SAFETY PROGRAMS.—Section 402(c)(2) of title 23, United States Code, is amended by inserting ''A State may provide the funds apportioned under this section to a political subdivision of a State, including Indian tribal governments.'' after ''neighboring States.''.

(2) NATIONAL PRIORITY SAFETY PROGRAMS.—Section 405(a)(1) is amended by adding at the end the following:

''(I) POLITICAL SUBDIVISIONS.—A State may provide the funds awarded under this section to a political subdivision of a State, including Indian tribal governments.''.

(c) TRACKING PROCESS.—Section 412 of title 23, United States Code, is amended by adding at the end the following:

''(f) TRACKING PROCESS.—The Secretary shall develop a process to identify and mitigate possible systemic issues across States and regional offices by reviewing oversight findings and recommended actions identified in triennial State management reviews.''.

(d) HIGHWAY SAFETY PLANS.—Section 402(k)(5)(A) of title 23, United States Code, is amended by striking ''60'' and inserting ''45''.

(e) MAINTENANCE OF EFFORT.—Section 405(a)(1)(H) of title 23, United States Code, is amended to read as follows:

''(H) MAINTENANCE OF EFFORT CERTIFICATION.—As part of the grant application required in section 402(k)(3)(F), a State receiving a grant in any fiscal year under subsection (b), subsection (c), or subsection (d) of this section shall provide certification that the lead State agency responsible for programs described in any of those sections is maintaining aggregate expenditures at or above the average level of such expenditures in the 2 fiscal years prior to the date of enactment of the Comprehensive Transportation and Consumer Protection Act of 2015.''.

SEC. 34103. GRANTS FOR ALCOHOL-IGNITION INTERLOCK LAWS AND 24–7 SOBRIETY PROGRAMS.

Section 405(d) of title 23, United States Code, is amended—

(1) in paragraph (6)—

(A) by amending the heading to read as follows: ''ADDITIONAL GRANTS.—'';

(B) in subparagraph (A), by amending the heading to read as follows: ''GRANTS TO STATES WITH ALCOHOL-IGNITION INTERLOCK LAWS.—'';

(C) by redesignating subparagraphs (B) through (D) as subparagraphs (C) through (E), respectively;

(D) by inserting after subparagraph (A), the following:

''(B) GRANTS TO STATES WITH 24–7 SOBRIETY PROGRAMS.—The Secretary shall make a separate grant under this subsection to each State that—

''(i) adopts and is enforcing a law that requires all individuals convicted of driving under the influence of alcohol or of driving while intoxicated to receive a restriction on driving privileges; and

''(ii) provides a 24–7 sobriety program.'';

(E) in subparagraph (C), as redesignated, by inserting ''and subparagraph (B)'' after ''subparagraph (A)'';

(F) in subparagraph (D), as redesignated, by inserting ''and subparagraph (B)'' after ''subparagraph (A)'';

(G) by amending subparagraph (E), as redesignated, to read as follows:

''(E) FUNDING.—

''(i) FUNDING FOR GRANTS TO STATES WITH ALCOHOL-IGNITION INTERLOCK LAWS.—Not more than 12 percent of the amounts made available to carry out this subsection in a fiscal year shall be made available by the Secretary for making grants under subparagraph (A).

''(ii) FUNDING FOR GRANTS TO STATES WITH 24–7 SOBRIETY PROGRAMS.—Not more than 3 percent of the amounts made available to carry out this subsection in a fiscal year shall be made available by the Secretary for making grants under subparagraph (B).''; and

(H) by adding at the end the following:

''(F) EXCEPTIONS.—A State alcohol-ignition interlock law under subparagraph (A) may include exceptions for the following circumstances:

''(i) The individual is required to operate an employer's motor vehicle in the course and scope of employment and the business entity that owns the vehicle is not owned or controlled by the individual.

''(ii) The individual is certified by a medical doctor as being unable to provide a deep lung breath sample for analysis by an ignition interlock device.''; and

(2) in paragraph (7)(A)—

(A) in the matter preceding clause (i)—

(i) by striking ''or a State agency'' and inserting ''or an agency with jurisdiction''; and

(ii) by inserting ''bond,'' before ''sentence'';

(B) in clause (i), by striking ''who plead guilty or'' and inserting ''who was arrested, plead guilty, or''; and

(C) in clause (ii), by inserting ''at a testing location'' after ''per day''.

SEC. 34104. REPEAT OFFENDER CRITERIA.

Section 164(a) of title 23, United States Code, is amended—

(1) by redesignating paragraphs (1) through (4) as paragraphs (2) through (5), respectively;

(2) by inserting before paragraph (2), as redesignated, the following:

''(1) 24–7 SOBRIETY PROGRAM.—The term '24–7 sobriety program' has the meaning given the term in section 405(d)(7)(A).'';

(3) in paragraph (5), as redesignated—

(A) in the matter preceding subparagraph (A), by inserting ''or combination of laws or programs'' after ''State law''; and

(B) by amending subparagraph (A) to read as follows:

''(A) receive, for a period of not less than 1 year—

''(i) a suspension of all driving privileges;

''(ii) a restriction on driving privileges that limits the individual to operating only motor vehicles with an ignition interlock device installed, unless a special exception applies;

''(iii) a restriction on driving privileges that limits the individual to operating motor vehicles only if participating in, and complying with, a 24-7 sobriety program; or

''(iv) any combination of clauses (i) through (iii);'';

(C) by striking subparagraph (B);

(D) by redesignating subparagraphs (C) and (D) as subparagraphs (B) and (C), respectively; and

(E) in subparagraph (C), as redesignated—

(i) in clause (i)—

(I) in subclause (I), by striking ''; or'' and inserting a semicolon;

(II) in subclause (II), by striking ''; and''; and inserting ''; or''; and

(III) by adding at the end the following:

''(III) the State certifies that the general practice is that such an individual will be incarcerated; and''; and

(ii) in clause (ii)—

(I) in subclause (I), by striking ''; or'' and inserting a semicolon;

(II) in subclause (II), by striking ''; and''; and inserting ''; or''; and

(III) by adding at the end the following:

''(III) the State certifies that the general practice is that such an individual will receive approximately 10 days of incarceration.''; and

(4) by adding at the end—

''(6) SPECIAL EXCEPTION.—The term 'special exception' means an exception under a State alcohol-ignition interlock law for the following circumstances:

''(A) The individual is required to operate an employer's motor vehicle in the course and scope of employment and the business entity that owns the vehicle is not owned or controlled by the individual.

''(B) The individual is certified by a medical doctor as being unable to provide a deep lung breath sample for analysis by an ignition interlock device.''.

SEC. 34105. STUDY ON THE NATIONAL ROADSIDE SURVEY OF ALCOHOL AND DRUG USE BY DRIVERS.

Not later than 180 days after the date that the Comptroller General reviews and reports on the overall value of the National Roadside Survey to researchers and other public safety stakeholders, the differences between a National Roadside Survey site and typical

law enforcement checkpoints, and the effectiveness of the National Roadside Survey methodology at protecting the privacy of the driving public, as requested by the Committee on Appropriations of the Senate on June 5, 2014 (Senate Report 113–182), the Secretary shall report to Congress on the National Highway Traffic Safety Administration's progress toward reviewing that report and implementing any recommendations made in that report.

SEC. 34106. INCREASING PUBLIC AWARENESS OF THE DANGERS OF DRUG-IMPAIRED DRIVING.

(a) ADDITIONAL ACTIONS.—The Administrator of the National Highway Traffic Safety Administration, in consultation with the White House Office of National Drug Control Policy, the Secretary of Health and Human Services, State highway safety offices, and other interested parties, as determined by the Administrator, shall identify and carry out additional actions that should be undertaken by the Administration to assist States in their efforts to increase public awareness of the dangers of drug-impaired driving, including the dangers of driving while under the influence of heroin or prescription opioids.

(b) REPORT.—Not later than 60 days after the date of enactment of this Act, the Administrator shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that describes the additional actions undertaken by the Administration pursuant to subsection (a).

SEC. 34107. IMPROVEMENT OF DATA COLLECTION ON CHILD OCCUPANTS IN VEHICLE CRASHES.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall revise the crash investigation data collection system of the National Highway Traffic Safety Administration to include the collection of the following data in connection with vehicle crashes whenever a child restraint system was in use in a vehicle involved in a crash:

(1) The type or types of child restraint systems in use during the crash in any vehicle involved in the crash, including whether a five-point harness or belt-positioning booster.

(2) If a five-point harness child restraint system was in use during the crash, whether the child restraint system was forward-facing or rear-facing in the vehicle concerned.

(b) CONSULTATION.—In implementing subsection (a), the Secretary shall work with law enforcement officials, safety advocates, the medical community, and research organizations to improve the recordation of data described in subsection (a) in police and other applicable incident reports.

(c) REPORT.—Not later than 3 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on child occupant crash data collection in the crash investigation data collection system of the National Highway Traffic Safety Administration pursuant to the revision required by subsection (a).

PART II—STOP MOTORCYCLE CHECKPOINT FUNDING ACT

SEC. 34121. SHORT TITLE.

This part may be cited as the ''Stop Motorcycle Checkpoint Funding Act''.

SEC. 34122. GRANT RESTRICTION.

Notwithstanding section 153 of title 23, United States Code, the Secretary may not provide a grant or any funds to a State, county, town, township, Indian tribe, municipality, or other local government that may be used for any program—

(1) to check helmet usage; or

(2) to create checkpoints that specifically target motorcycle operators or motorcycle passengers.

PART III—IMPROVING DRIVER SAFETY ACT OF 2015

SEC. 34131. SHORT TITLE.

This part may be cited as the ''Improving Driver Safety Act of 2015''.

SEC. 34132. DISTRACTED DRIVING INCENTIVE GRANTS.

Section 405(e) of title 23, United States Code, is amended—

(1) in paragraph (1), by inserting ''includes distracted driving issues as part of the State's driver's license examination and'' after ''any State that'';

(2) in paragraph (2)—

(A) in subparagraph (B), by striking ''and'' at the end;

(B) by amending subparagraph (C) to read as follows:

''(C) establishes a minimum fine for a violation of the statute; and''; and

(C) by adding at the end the following:

''(D) does not provide for an exception that specifically allows a driver to use a personal wireless communications device for texting while stopped in traffic.'';

(3) in paragraph (3)—

(A) by amending subparagraph (A) to read as follows:

''(A) prohibits the use of a personal wireless communications device while driving for drivers—

''(i) younger than 18 years of age; or

''(ii) in the learner's permit and intermediate license stages;''; and

(B) by striking subparagraphs (C) and (D) and inserting the following:

''(C) establishes a minimum fine for a violation of the statute; and

''(D) does not provide for an exception that specifically allows a driver to text through a personal wireless communications device while stopped in traffic.''; and

(4) in paragraph (4)—

(A) in subparagraph (B)(ii), by striking ''and'' at the end;

(B) in subparagraph (C)—

(i) by striking ''section 31152'' and inserting ''section 31136''; and

(ii) by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(D) any additional exceptions determined by the Secretary through the rulemaking process.'';

(5) by amending paragraph (6) to read as follows:

''(6) ADDITIONAL DISTRACTED DRIVING GRANTS.—

''(A) IN GENERAL.—Notwithstanding paragraph (1), the Secretary shall use up to 50 percent of the amounts available for grants under this subsection to award grants to any State that—

''(i) in fiscal year 2017—

''(I) certifies that it has enacted a basic text messaging statute that—

''(aa) is applicable to drivers of all ages; and

''(bb) makes violation of the basic text messaging statute a primary offense or secondary enforcement action as allowed by State statute; and

''(II) is otherwise ineligible for a grant under this subsection; and

''(ii) in fiscal year 2018—

''(I) meets the requirements under clause (i);

''(II) imposes fines for violations; and

''(III) has a statute that prohibits drivers who are younger than 18 years of age from using a personal wireless communications device while driving.

''(B) USE OF GRANT FUNDS.—

''(i) IN GENERAL.—Notwithstanding paragraph (5) and subject to clauses (ii) and (iii) of this subparagraph, amounts received by a State under subparagraph (A) may be used for activities related to the enforcement of distracted driving laws, including for public information and awareness purposes.

''(ii) FISCAL YEAR 2017.—In fiscal year 2017, up to 15 percent of the amounts received by a State under subparagraph (A) may be used for any eligible project or activity under section 402.

''(iii) FISCAL YEAR 2018.—In fiscal year 2018, up to 25 percent of the amounts received by a State under subparagraph (A) may be used for any eligible project or activity under section 402.''; and

(6) in paragraph (9)(A)(i), by striking '', including operation while temporarily stationary because of traffic, a traffic light or stop sign, or otherwise''.

SEC. 34133. BARRIERS TO DATA COLLECTION REPORT.

Not later than 180 days after the date of the enactment of this Act, the Administrator of the National Highway Traffic Safety Administration shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Energy and Commerce of the House of Representatives, and the Committee on Transportation and Infrastructure of the House of Representatives that—

(1) identifies any legal and technical barriers to capturing adequate data on the prevalence of the use of wireless communications devices while driving; and

(2) provides recommendations on how to address such barriers.

SEC. 34134. MINIMUM REQUIREMENTS FOR STATE GRADUATED DRIVER LICENSING INCENTIVE GRANT PROGRAM.

Section 405(g)(2) of title 23, United States Code, is amended—

(1) in subparagraph (A), by striking ''21'' and inserting ''18''; and

(2) by amending subparagraph (B) to read as follows:

''(B) LICENSING PROCESS.—A State is in compliance with the 2-stage licensing process described in this subparagraph if the State's driver's license laws include—

''(i) a learner's permit stage that—

''(I) is at least 6 months in duration;

''(II) contains a prohibition on the driver using a personal wireless communications device (as defined in subsection (e)) while driving except under an exception permitted under paragraph (4) of that subsection, and makes a violation of the prohibition a primary offense;

''(III) requires applicants to successfully pass a vision and knowledge assessment prior to receiving a learner's permit;

''(IV) requires that the driver be accompanied and supervised at all times while the driver is operating a motor vehicle by a licensed driver who is at least 21 years of age or is a State-certified driving instructor;

''(V) has a requirement that the driver—

''(aa) complete a State-certified driver education or training course; or

''(bb) obtain at least 50 hours of behind-the-wheel training, with at least 10 hours at night, with a licensed driver;

''(VI) remains in effect until the driver—

''(aa) reaches 16 years of age and enters the intermediate stage; or

''(bb) reaches 18 years of age;

''(ii) an intermediate stage that—

''(I) commences immediately after the expiration of the learner's permit stage and successful completion of a driving skills assessment;

''(II) is at least 6 months in duration;

''(III) prohibits the driver from using a personal wireless communications device (as defined in subsection (e)) while driving except under an exception permitted under paragraph (4) of that subsection, and makes a violation of the prohibition a primary offense;

''(IV) for the first 6 month of the intermediate stage, restricts driving at night between the hours of 10:00 p.m. and 5:00 a.m. when not supervised by a licensed driver 21 years of age or older, excluding transportation to work, school, religious activities, or emergencies;

''(V) prohibits the driver from operating a motor vehicle with more than 1 nonfamilial passenger younger than 21 years of age unless a licensed driver who is at least 21 years of age is in the motor vehicle; and

''(VI) remains in effect until the driver reaches 17 years of age; and

''(iii) a learner's permit and intermediate stage that require, in addition to any other penalties imposed by State law, the granting of an unrestricted driver's license be automatically delayed for any individual who, during the learner's permit or intermediate stage, is convicted of a driving-related offense during the first 6 months, including—

''(I) driving while intoxicated;

''(II) misrepresentation of the individual's age;

''(III) reckless driving;

''(IV) driving without wearing a seat belt;

''(V) speeding; or

''(VI) any other driving-related offense, as determined by the Secretary.''.

PART IV—TECHNICAL AND CONFORMING AMENDMENTS

SEC. 34141. TECHNICAL CORRECTIONS TO THE MOTOR VEHICLE AND HIGHWAY SAFETY IMPROVEMENT ACT OF 2012.

(a) HIGHWAY SAFETY PROGRAMS.—Section 402 of title 23, United States Code is amended—

(1) in subsection (b)(1)(C), by striking ''except as provided in paragraph (3),'';

(2) in subsection (b)(1)(E)—

(A) by striking ''in which a State'' and inserting ''for which a State''; and

(B) by striking ''subsection (f)'' and inserting ''subsection (k)''; and

(3) in subsection (k)(4), by striking ''paragraph (2)(A)'' and inserting ''paragraph (3)(A)''.

(b) HIGHWAY SAFETY RESEARCH AND DEVELOPMENT.—Section 403(e) of title 23, United States Code is amended by inserting ''of title 49'' after ''chapter 301''.

(c) NATIONAL PRIORITY SAFETY PROGRAMS.—Section 405 of title 23, United States Code is amended—

(1) in subsection (d)(5), by striking ''section 402(c)'' and inserting ''section 402''; and

(2) in subsection (f)(4)(A)(iv), by striking ''developed under subsection (g)''.

Subtitle B—Vehicle Safety

SEC. 34201. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—Subject to subsection (b), there is authorized to be appropriated to the Secretary to carry out chapter 301 of title 49, and part C of subtitle VI of title 49, United States Code, amounts as follows:

(1) $132,730,000 for fiscal year 2016.

(2) $135,517,330 for fiscal year 2017.

(3) $138,363,194 for fiscal year 2018.

(4) $141,268,821 for fiscal year 2019.

(5) $144,235,466 for fiscal year 2020.

(6) $147,264,411 for fiscal year 2021.

(b) ADDITIONAL AUTHORIZATION OF APPROPRIATIONS IF A CERTIFICATION IS MADE.—

(1) IN GENERAL.—In addition to the amounts authorized to be appropriated under subsection (a) to carry out chapter 301 of title 49, and part C of subtitle VI of title 49, United States Code, if the certification described in paragraph (2) is made during a fiscal year there is authorized to be appropriated to the Secretary for that purpose for that fiscal year and subsequent fiscal years an additional amount as follows:

(A) $46,270,000 for fiscal year 2016.

(B) $51,537,670 for fiscal year 2017.

(C) $57,296,336 for fiscal year 2018.

(D) $62,999,728 for fiscal year 2019.

(E) $69,837,974 for fiscal year 2020.

(F) $76,656,407 for fiscal year 2021.

(2) CERTIFICATION DESCRIBED.—The certification described in this paragraph is a certification made by the Secretary and submitted to Congress that the National Highway Traffic Safety Administration has implemented all of the recommendations in the Office of Inspector General Audit Report issued June 18, 2015 (ST-2015-063). As part of the certification, the Secretary shall review the actions the National Highway Traffic Safety Administration has taken to implement the recommendations and issue a report to Congress detailing how the recommendations were implemented. The Secretary shall not delegate or assign the responsibility under this paragraph.

SEC. 34202. INSPECTOR GENERAL RECOMMENDATIONS.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, and periodically thereafter until the completion date, the Department of Transportation Inspector General shall report to the appropriate committees of Congress on whether and what progress has been made to implement the recommendations in the Office of Inspector General Audit Report issued June 18, 2015 (ST-2015-063).

(b) IMPLEMENTATION PROGRESS.—The Administrator of the National Highway Traffic Safety Administration shall—

(1) not later than 90 days after the date of enactment of this Act, and periodically thereafter until the completion date, provide a briefing to the appropriate committees of Congress on the actions the Administrator has taken to implement the recommendations in the audit report described in subsection (a), including a plan for implementing any remaining recommendations; and

(2) not later than 1 year after the date of enactment of this Act, issue a final report to the appropriate committees of Congress on the implementation of all of the recommendations in the audit report described in subsection (a).

(c) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives.

(2) COMPLETION DATE.—The term ''completion date'' means the date that the National Highway Traffic Safety Administration has implemented all of the recommendations in the Office of Inspector General Audit Report issued June 18, 2015 (ST-2015-063).

SEC. 34203. IMPROVEMENTS IN AVAILABILITY OF RECALL INFORMATION.

(a) VEHICLE RECALL INFORMATION.—Not later than 2 years after the date of enactment of this Act, the Secretary shall implement current information technology, web design trends, and best practices that will help ensure that motor vehicle safety recall information available to the public on the Federal website is readily accessible and easy to use, including—

(1) by improving the organization, availability, readability, and functionality of the website;

(2) by accommodating high-traffic volume; and

(3) by establishing best practices for scheduling routine website maintenance.

(b) GOVERNMENT ACCOUNTABILITY OFFICE PUBLIC AWARENESS REPORT.—

(1) IN GENERAL.—The Comptroller General shall study the current use by consumers, dealers, and manufacturers of the safety recall information made available to the public, including the usability and content of the Federal and manufacturers' websites and the National Highway Traffic Safety Administration's efforts to publicize and educate consumers about safety recall information.

(2) REPORT.—Not later than 2 years after the date of enactment of this Act, the Comptroller General shall issue a report with the findings of the study under paragraph (1), including recommending any actions the Secretary can take to improve public awareness and use of the websites for safety recall information.

(c) PROMOTION OF PUBLIC AWARENESS.—Section 31301(c) of the Moving Ahead for Progress in the 21st Century Act (49 U.S.C. 30166 note) is amended to read as follows:

''(c) PROMOTION OF PUBLIC AWARENESS.—The Secretary shall improve public awareness of safety recall information made publicly available by periodically updating the method of conveying that information to consumers, dealers, and manufacturers, such as through public service announcements.''.

(d) CONSUMER GUIDANCE.—Not later than 1 year after the date of enactment of this Act, the Secretary shall make available to the public on the Internet detailed guidance for consumers submitting safety complaints, including—

(1) a detailed explanation of what information a consumer should include in a complaint; and

(2) a detailed explanation of the possible actions the National Highway Traffic Safety Administration can take to address a complaint and respond to the consumer, including information on—

(A) the consumer records, such as photographs and police reports, that could assist with an investigation; and

(B) the length of time a consumer should retain the records described in subparagraph (A).

(e) VIN SEARCH.—

(1) IN GENERAL.—The Secretary, in coordination with industry, including manufacturers and dealers, shall study—

(A) the feasibility of searching multiple vehicle identification numbers at a time to retrieve motor vehicle safety recall information; and

(B) the feasibility of making the search mechanism described under subparagraph (A) publicly available.

(2) CONSIDERATIONS.—In conducting the study under paragraph (1), the Secretary

shall consider the potential costs, and potential risks to privacy and security in implementing such a search mechanism.

SEC. 34204. RECALL PROCESS.

(a) NOTIFICATION IMPROVEMENT.—

(1) IN GENERAL.—Not later than 270 days after the date of enactment of this Act, the Secretary shall prescribe a final rule revising the regulations under section 577.7 of title 49, Code of Federal Regulations, to include notification by electronic means in addition to notification by first class mail.

(2) DEFINITION OF ELECTRONIC MEANS.—In this subsection, the term ''electronic means'' includes electronic mail and may include such other means of electronic notification, such as social media or targeted online campaigns, as determined by the Secretary.

(b) NOTIFICATION BY MANUFACTURER.—Section 30118(c) is amended by inserting ''or electronic mail'' after ''certified mail''.

(c) RECALL COMPLETION RATES REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and biennially thereafter for 4 years, the Secretary shall—

(A) conduct an analysis of vehicle safety recall completion rates to assess potential actions by the National Highway Traffic Safety Administration to improve vehicle safety recall completion rates; and

(B) submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on the results of the analysis.

(2) CONTENTS.—Each report shall include—

(A) the annual recall completion rate by manufacturer, model year, component (such as brakes, fuel systems, and air bags), and vehicle type (passenger car, sport utility vehicle, passenger van, and pick-up truck) for each of the 5 years before the year the report is submitted;

(B) the methods by which the Secretary has conducted analyses of these recall completion rates to determine trends and identify risk factors associated with lower recall rates; and

(C) the actions the Secretary has planned to improve recall completion rates based on the results of this data analysis.

(d) INSPECTOR GENERAL AUDIT OF VEHICLE RECALLS.—

(1) IN GENERAL.—The Department of Transportation Inspector General shall conduct an audit of the National Highway Traffic Safety Administration's management of vehicle safety recalls.

(2) CONTENTS.—The audit shall include a determination of whether the National Highway Traffic Safety Administration—

(A) appropriately monitors recalls to ensure the appropriateness of scope and adequacy of recall completion rates and remedies;

(B) ensures manufacturers provide safe remedies, at no cost to consumers;

(C) is capable of coordinating recall remedies and processes; and

(D) can improve its policy on consumer notice to combat effects of recall fatigue.

SEC. 34205. PILOT GRANT PROGRAM FOR STATE NOTIFICATION TO CONSUMERS OF MOTOR VEHICLE RECALL STATUS.

(a) IN GENERAL.—Not later than October 1, 2016, the Secretary shall implement a 2-year pilot program to evaluate the feasibility and effectiveness of a State process for informing consumers of open motor vehicle recalls at the time of motor vehicle registration in the State.

(b) GRANTS.—To carry out this program, the Secretary may make a grant to each eligible State, but not more than 6 eligible States in total, that agrees to comply with the requirements under subsection (c). Funds made available to a State under this section shall be used by the State for the pilot program described in subsection (a).

(c) ELIGIBILITY.—To be eligible for a grant, a State shall—

(1) submit an application in such form and manner as the Secretary prescribes;

(2) agree to notify, at the time of registration, each owner or lessee of a motor vehicle presented for registration in the State of any open recall on that vehicle;

(3) provide the open motor vehicle recall information at no cost to each owner or lessee of a motor vehicle presented for registration in the State; and

(4) provide such other information as the Secretary may require.

(d) AWARDS.—In selecting an applicant for an award under this section, the Secretary shall consider the State's methodology for determining open recalls on a motor vehicle, for informing consumers of the open recalls, and for determining performance.

(e) PERFORMANCE PERIOD.—Each grant awarded under this section shall require a 2-year performance period.

(f) REPORT.—Not later than 90 days after the completion of the performance period under subsection (e), a grantee shall provide to the Secretary a report of performance containing such information as the Secretary considers necessary to evaluate the extent to which open recalls have been remedied.

(g) EVALUATION.—Not later than 180 days after the completion of the pilot program, the Secretary shall evaluate the extent to which open recalls identified have been remedied.

(h) DEFINITIONS.—In this section:

(1) CONSUMER.—The term ''consumer'' includes owner and lessee.

(2) MOTOR VEHICLE.—The term ''motor vehicle'' has the meaning given the term under section 30102(a) of title 49, United States Code.

(3) OPEN RECALL.—The term ''open recall'' means a recall for which a notification by a manufacturer has been provided under section 30119 of title 49, United States Code, and that has not been remedied under section 30120 of that title.

(4) REGISTRATION.—The term ''registration'' means the process for registering motor vehicles in the State.

(5) STATE.—The term ''State'' has the meaning given the term under section 101(a) of title 23, United States Code.

SEC. 34206. RECALL OBLIGATIONS UNDER BANKRUPTCY.

Section 30120A is amended by striking ''chapter 11 of title 11,'' and inserting ''chapter 7 or chapter 11 of title 11''.

SEC. 34207. DEALER REQUIREMENT TO CHECK FOR OPEN RECALL.

Section 30120(f) is amended—

(1) by inserting ''(1) IN GENERAL.—'' before ''A manufacturer'' and indenting appropriately;

(2) in paragraph (1), as redesignated, by striking the period at the end and inserting the following: ''if—

''(A) at the time of providing service for each of the manufacturer's motor vehicles it services, the dealer notifies the owner or the individual requesting the service of any open recall; and

''(B) the notification requirement under subparagraph (A) is specified in a franchise, operating, or other agreement between the dealer and the manufacturer.''; and

(3) by adding at the end the following:

''(2) DEFINITION OF OPEN RECALL.—In this subsection, the term 'open recall' means a recall for which a notification by a manufacturer has been provided under section 30119 and that has not been remedied under this section.''.

SEC. 34208. EXTENSION OF TIME PERIOD FOR REMEDY OF TIRE DEFECTS.

Section 30120(b) of title 49, United States Code, is amended—

(1) in paragraph (1), by striking ''60 days'' and inserting ''180 days''; and

(2) in paragraph (2), by striking ''60-day'' each place it appears and inserting ''180-day''.

SEC. 34209. RENTAL CAR SAFETY.

(a) SHORT TITLE.—This section may be cited as the ''Raechel and Jacqueline Houck Safe Rental Car Act of 2015''.

(b) DEFINITIONS.—Section 30102(a) is amended—

(1) by redesignating paragraphs (10) and (11) as paragraphs (12) and (13), respectively;

(2) by redesignating paragraphs (1) through (9) as paragraphs (2) through (10), respectively;

(3) by inserting before paragraph (2), as redesignated, the following:

''(1) 'covered rental vehicle' means a motor vehicle that—

''(A) has a gross vehicle weight rating of 10,000 pounds or less;

''(B) is rented without a driver for an initial term of less than 4 months; and

''(C) is part of a motor vehicle fleet of 5 or more motor vehicles that are used for rental purposes by a rental company.''; and

(4) by inserting after paragraph (10), as redesignated, the following:

''(11) 'rental company' means a person who—

''(A) is engaged in the business of renting covered rental vehicles; and

''(B) uses for rental purposes a motor vehicle fleet of 5 or more covered rental vehicles.''.

(c) REMEDIES FOR DEFECTS AND NONCOMPLIANCE.—Section 30120(i) is amended—

(1) in the subsection heading, by adding '', OR RENTAL'' at the end;

(2) in paragraph (1)—

(A) by striking ''(1) If notification'' and inserting the following:

''(1) IN GENERAL.—If notification'';

(B) by indenting subparagraphs (A) and (B) four ems from the left margin;

(C) by inserting ''or the manufacturer has provided to a rental company notification about a covered rental vehicle in the company's possession at the time of notification'' after ''time of notification'';

(D) by striking ''the dealer may sell or lease,'' and inserting ''the dealer or rental company may sell, lease, or rent''; and

(E) in subparagraph (A), by striking ''sale or lease'' and inserting ''sale, lease, or rental agreement'';

(3) by amending paragraph (2) to read as follows:

''(2) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed to prohibit a dealer or rental company from offering the vehicle or equipment for sale, lease, or rent.''; and

(4) by adding at the end the following:

''(3) SPECIFIC RULES FOR RENTAL COMPANIES.—

''(A) IN GENERAL.—Except as otherwise provided under this paragraph, a rental company shall comply with the limitations on sale, lease, or rental set forth in subparagraph (C) and paragraph (1) as soon as practicable, but not later than 24 hours after the

earliest receipt of the notice to owner under subsection (b) or (c) of section 30118 (including the vehicle identification number for the covered vehicle) by the rental company, whether by electronic means or first class mail.

''(B) SPECIAL RULE FOR LARGE VEHICLE FLEETS.—Notwithstanding subparagraph (A), if a rental company receives a notice to owner covering more than 5,000 motor vehicles in its fleet, the rental company shall comply with the limitations on sale, lease, or rental set forth in subparagraph (C) and paragraph (1) as soon as practicable, but not later than 48 hours after the earliest receipt of the notice to owner under subsection (b) or (c) of section 30118 (including the vehicle identification number for the covered vehicle) by the rental company, whether by electronic means or first class mail.

''(C) SPECIAL RULE FOR WHEN REMEDIES NOT IMMEDIATELY AVAILABLE.—If a notification required under subsection (b) or (c) of section 30118 indicates that the remedy for the defect or noncompliance is not immediately available and specifies actions to temporarily alter the vehicle that eliminate the safety risk posed by the defect or noncompliance, the rental company, after causing the specified actions to be performed, may rent (but may not sell or lease) the motor vehicle. Once the remedy for the rental vehicle becomes available to the rental company, the rental company may not rent the vehicle until the vehicle has been remedied, as provided in subsection (a).

''(D) INAPPLICABILITY TO JUNK AUTOMOBILES.—Notwithstanding paragraph (1), this subsection does not prohibit a rental company from selling a covered rental vehicle if such vehicle—

''(i) meets the definition of a junk automobile under section 201 of the Anti-Car Theft Act of 1992 (49 U.S.C. 30501);

''(ii) is retitled as a junk automobile pursuant to applicable State law; and

''(iii) is reported to the National Motor Vehicle Information System, if required under section 204 of such Act (49 U.S.C. 30504).''.

(d) MAKING SAFETY DEVICES AND ELEMENTS INOPERATIVE.—Section 30122(b) is amended by inserting ''rental company,'' after ''dealer,'' each place such term appears.

(e) INSPECTIONS, INVESTIGATIONS, AND RECORDS.—Section 30166 is amended—

(1) in subsection (c)(2), by striking ''or dealer'' each place such term appears and inserting ''dealer, or rental company'';

(2) in subsection (e), by striking ''or dealer'' each place such term appears and inserting ''dealer, or rental company''; and

(3) in subsection (f), by striking ''or to owners'' and inserting '', rental companies, or other owners''.

(f) RESEARCH AUTHORITY.—The Secretary of Transportation may conduct a study of—

(1) the effectiveness of the amendments made by this section; and

(2) other activities of rental companies (as defined in section 30102(a)(11) of title 49, United States Code) related to their use and disposition of motor vehicles that are the subject of a notification required under section 30118 of title 49, United States Code.

(g) STUDY.—

(1) ADDITIONAL REQUIREMENT.—Section 32206(b)(2) of the Moving Ahead for Progress in the 21st Century Act (Public Law 112–141; 126 Stat. 785) is amended—

(A) in subparagraph (E), by striking ''and'' at the end;

(B) by redesignating subparagraph (F) as subparagraph (G); and

(C) by inserting after subparagraph (E) the following:

''(F) evaluate the completion of safety recall remedies on rental trucks; and''.

(2) REPORT.—Section 32206(c) of such Act is amended—

(A) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively;

(B) by striking ''REPORT.—Not later'' and inserting the following:

''(c) REPORTS.—

''(1) INITIAL REPORT.—Not later'';

(C) in paragraph (1), by striking ''subsection (b)'' and inserting ''subparagraphs (A) through (E) and (G) of subsection (b)(2)''; and

(D) by adding at the end the following:

''(2) SAFETY RECALL REMEDY REPORT.—Not later than 1 year after the date of the enactment of the 'Raechel and Jacqueline Houck Safe Rental Car Act of 2015', the Secretary shall submit a report to the congressional committees set forth in paragraph (1) that contains—

''(A) the findings of the study conducted pursuant to subsection (b)(2)(F); and

''(B) any recommendations for legislation that the Secretary determines to be appropriate.''.

(h) PUBLIC COMMENTS.—The Secretary shall solicit comments regarding the implementation of this section from members of the public, including rental companies, consumer organizations, automobile manufacturers, and automobile dealers.

(i) RULE OF CONSTRUCTION.—Nothing in this section or the amendments made by this section—

(1) may be construed to create or increase any liability, including for loss of use, for a manufacturer as a result of having manufactured or imported a motor vehicle subject to a notification of defect or noncompliance under subsection (b) or (c) of section 30118 of title 49, United States Code; or

(2) shall supersede or otherwise affect the contractual obligations, if any, between such a manufacturer and a rental company (as defined in section 30102(a) of title 49, United States Code).

(j) RULEMAKING.—The Secretary may promulgate rules, as appropriate, to implement this section and the amendments made by this section.

(k) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date that is 180 days after the date of enactment of this Act.

SEC. 34210. INCREASE IN CIVIL PENALTIES FOR VIOLATIONS OF MOTOR VEHICLE SAFETY.

(a) INCREASE IN CIVIL PENALTIES.—Section 30165(a) is amended—

(1) in paragraph (1)—

(A) by striking ''$5,000'' and inserting ''$21,000''; and

(B) by striking ''$35,000,000'' and inserting ''$105,000,000''; and

(2) in paragraph (3)—

(A) by striking ''$5,000'' and inserting ''$21,000''; and

(B) by striking ''$35,000,000'' and inserting ''$105,000,000''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) of this section take effect on the date that the Secretary certifies to Congress that the National Highway Traffic Safety Administration has issued the final rule required by section 31203(b) of the Moving Ahead for Progress In the 21st Century Act (Public Law 112-141; 126 Stat. 758; 49 U.S.C. 30165 note).

(c) PUBLICATION OF EFFECTIVE DATE.—The Secretary shall publish notice of the effective date under subsection (b) of this section in the Federal Register.

SEC. 34211. ELECTRONIC ODOMETER DISCLOSURES.

Section 32705(g) is amended—

(1) by inserting ''(1)'' before ''Not later than'' and indenting appropriately; and

(2) by adding at the end the following:

''(2) Notwithstanding paragraph (1) and subject to paragraph (3), a State, without approval from the Secretary under subsection (d), may allow for written disclosures or notices and related matters to be provided electronically if—

''(A) in compliance with—

''(i) the requirements of subchapter 1 of chapter 96 of title 15; or

''(ii) the requirements of a State law under section 7002(a) of title 15; and

''(B) the disclosures or notices otherwise meet the requirements under this section, including appropriate authentication and security measures.

''(3) Paragraph (2) ceases to be effective on the date the regulations under paragraph (1) become effective.''.

SEC. 34212. CORPORATE RESPONSIBILITY FOR NHTSA REPORTS.

Section 30166(o) is amended—

(1) in paragraph (1), by striking ''may'' and inserting ''shall''; and

(2) by adding at the end the following:

''(3) DEADLINE.—Not later than 1 year after the date of enactment of the Comprehensive Transportation and Consumer Protection Act of 2015, the Secretary shall issue a final rule under paragraph (1).''.

SEC. 34213. DIRECT VEHICLE NOTIFICATION OF RECALLS.

(a) RECALL NOTIFICATION REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall issue a report on the feasibility of a technical system that would operate in each new motor vehicle to indicate when the vehicle is subject to an open recall.

(b) DEFINITION OF OPEN RECALL.—In this section the term ''open recall'' means a recall for which a notification by a manufacturer has been provided under section 30119 of title 49, United States Code, and that has not been remedied under section 30120 of that title.

SEC. 34214. UNATTENDED CHILDREN WARNING.

Section 31504(a) of the Moving Ahead for Progress in the 21st Century Act (49 U.S.C. 30111 note) is amended by striking ''may'' and inserting ''shall''.

SEC. 34215. TIRE PRESSURE MONITORING SYSTEM.

(a) PROPOSED RULE.—Not later than 1 year after the date of enactment of this Act, the Secretary shall publish a proposed rule that updates the standards pertaining to tire pressure monitoring systems to ensure that a tire pressure monitoring system that is installed in a new motor vehicle after the effective date of the revised standards cannot, to a level other than a safe pressure level, be—

(1) overridden;

(1) reset; or

(1) recalibrated.

(b) SAFE PRESSURE LEVEL.—For the purposes of subsection (a), the term ''safe pressure level'' shall mean a pressure level consistent with the TPMS detection requirements contained in S4.2(a) of section 571.138 of title 49, Code of Federal Regulations, or any corresponding similar regulation or ruling.

(c) FINAL RULE.—Not later than 2 years after the date of enactment of this Act, after providing the public with sufficient opportunity for notice and comment on the proposed rule published under subsection (a),

the Secretary shall issue a final rule on the subject described in subsection (a).

Subtitle C—Research and Development and Vehicle Electronics

SEC. 34301. REPORT ON OPERATIONS OF THE COUNCIL FOR VEHICLE ELECTRONICS, VEHICLE SOFTWARE, AND EMERGING TECHNOLOGIES.

Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives a report regarding the operations of the Council for Vehicle Electronics, Vehicle Software, and Emerging Technologies established under section 31401 of the Moving Ahead for Progress in the 21st Century Act (49 U.S.C. 105 note). The report shall include information about the accomplishments of the Council, the role of the Council in integrating and aggregating electronic and emerging technologies expertise across the National Highway Traffic Safety Administration, the role of the Council in coordinating with other Federal agencies, and the priorities of the Council over the next 5 years.

SEC. 34302. COOPERATION WITH FOREIGN GOVERNMENTS.

(a) TITLE 49 AMENDMENT.—Section 30182(b) is amended—

(1) in paragraph (4), by striking ''; and'' and inserting a semicolon;

(2) in paragraph (5), by striking the period at the end and inserting ''; and''; and

(3) by inserting after paragraph (5) the following:

''(6) in coordination with Department of State, enter into cooperative agreements and collaborative research and development agreements with foreign governments.''.

(b) TITLE 23 AMENDMENT.—Section 403 of title 23, United States Code, is amended—

(1) in subsection (b)(2)(C), by inserting ''foreign government (in coordination with the Department of State)'' after ''institution,''; and

(2) in subsection (c)(1)(A), by inserting ''foreign governments,'' after ''local governments,''.

(c) AUDIT.—The Department of Transportation Inspector General shall conduct an audit of the Secretary of Transportation's management and oversight of cooperative agreements and collaborative research and development agreements, including any cooperative agreements between the Secretary of Transportation and foreign governments under section 30182(b)(6) of title 49, United States Code, and subsections (b)(2)(C) and (c)(1)(A) of title 23, United States Code.

Subtitle D—Miscellaneous Provisions

PART I—DRIVER PRIVACY ACT OF 2015

SEC. 34401. SHORT TITLE.

This part may be cited as the ''Driver Privacy Act of 2015''.

SEC. 34402. LIMITATIONS ON DATA RETRIEVAL FROM VEHICLE EVENT DATA RECORDERS.

(a) OWNERSHIP OF DATA.—Any data retained by an event data recorder (as defined in section 563.5 of title 49, Code of Federal Regulations), regardless of when the motor vehicle in which it is installed was manufactured, is the property of the owner, or, in the case of a leased vehicle, the lessee of the motor vehicle in which the event data recorder is installed.

(b) PRIVACY.—Data recorded or transmitted by an event data recorder described in subsection (a) may not be accessed by a person other than an owner or a lessee of the motor vehicle in which the event data recorder is installed unless—

(1) a court or other judicial or administrative authority having jurisdiction—

(A) authorizes the retrieval of the data; and

(B) to the extent that there is retrieved data, the data is subject to the standards for admission into evidence required by that court or other administrative authority;

(2) an owner or a lessee of the motor vehicle provides written, electronic, or recorded audio consent to the retrieval of the data for any purpose, including the purpose of diagnosing, servicing, or repairing the motor vehicle, or by agreeing to a subscription that describes how data will be retrieved and used;

(3) the data is retrieved pursuant to an investigation or inspection authorized under section 1131(a) or 30166 of title 49, United States Code, and the personally identifiable information of an owner or a lessee of the vehicle and the vehicle identification number is not disclosed in connection with the retrieved data, except that the vehicle identification number may be disclosed to the certifying manufacturer;

(4) the data is retrieved for the purpose of determining the need for, or facilitating, emergency medical response in response to a motor vehicle crash; or

(5) the data is retrieved for traffic safety research, and the personally identifiable information of an owner or a lessee of the vehicle and the vehicle identification number is not disclosed in connection with the retrieved data.

SEC. 34403. VEHICLE EVENT DATA RECORDER STUDY.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator of the National Highway Traffic Safety Administration shall submit to Congress a report that contains the results of a study conducted by the Administrator to determine the amount of time event data recorders installed in passenger motor vehicles should capture and record for retrieval vehicle-related data in conjunction with an event in order to provide sufficient information to investigate the cause of motor vehicle crashes.

(b) RULEMAKING.—Not later than 2 years after submitting the report required under subsection (a), the Administrator of the National Highway Traffic Safety Administration shall promulgate regulations to establish the appropriate period during which event data recorders installed in passenger motor vehicles may capture and record for retrieval vehicle-related data to the time necessary to provide accident investigators with vehicle-related information pertinent to crashes involving such motor vehicles.

PART II—SAFETY THROUGH INFORMED CONSUMERS ACT OF 2015

SEC. 34421. SHORT TITLE.

This part may be cited as the ''Safety Through Informed Consumers Act of 2015''.

SEC. 34422. PASSENGER MOTOR VEHICLE INFORMATION.

Section 32302 is amended by inserting after subsection (b) the following:

''(c) CRASH AVOIDANCE.—Not later than 1 year after the date of enactment of the Safety Through Informed Consumers Act of 2015, the Secretary shall promulgate a rule to ensure that crash avoidance information is indicated next to crashworthiness information on stickers placed on motor vehicles by their manufacturers.''.

PART III—TIRE EFFICIENCY, SAFETY, AND REGISTRATION ACT OF 2015

SEC. 34431. SHORT TITLE.

This part may be cited as the ''Tire Efficiency, Safety, and Registration Act of 2015'' or the ''TESR Act''.

SEC. 34432. TIRE FUEL EFFICIENCY MINIMUM PERFORMANCE STANDARDS.

Section 32304A is amended—

(1) in the section heading, by inserting ''**AND STANDARDS**'' after ''**CONSUMER TIRE INFORMATION**'';

(2) in subsection (a)—

(A) in the heading, by striking ''RULEMAKING'' and inserting ''CONSUMER TIRE INFORMATION''; and

(B) in paragraph (1), by inserting ''(referred to in this section as the 'Secretary')'' after ''Secretary of Transportation'';

(3) by redesignating subsections (b) through (e) as subsections (e) though (h), respectively; and

(4) by inserting after subsection (a) the following:

''(b) PROMULGATION OF REGULATIONS FOR TIRE FUEL EFFICIENCY MINIMUM PERFORMANCE STANDARDS.—

''(1) IN GENERAL.—The Secretary, after consultation with the Secretary of Energy and the Administrator of the Environmental Protection Agency, shall promulgate regulations for tire fuel efficiency minimum performance standards for—

''(A) passenger car tires with a maximum speed capability equal to or less than 149 miles per hour or 240 kilometers per hour; and

''(B) passenger car tires with a maximum speed capability greater than 149 miles per hour or 240 kilometers per hour.

''(2) TIRE FUEL EFFICIENCY MINIMUM PERFORMANCE STANDARDS.—

''(A) STANDARD BASIS AND TEST PROCEDURES.—The minimum performance standards promulgated under paragraph (1) shall be expressed in terms of the rolling resistance coefficient measured using the test procedure specified in section 575.106 of title 49, Code of Federal Regulations (as in effect on the date of enactment of this Act).

''(B) NO DISPARATE EFFECT ON HIGH PERFORMANCE TIRES.—The Secretary shall ensure that the minimum performance standards promulgated under paragraph (1) will not have a disproportionate effect on passenger car high performance tires with a maximum speed capability greater than 149 miles per hour or 240 kilometers per hour.

''(C) APPLICABILITY.—

''(i) IN GENERAL.—This subsection applies to new pneumatic tires for use on passenger cars.

''(ii) EXCEPTIONS.—This subsection does not apply to light truck tires, deep tread tires, winter-type snow tires, space-saver or temporary use spare tires, or tires with nominal rim diameters of 12 inches or less.

''(c) PROMULGATION OF REGULATIONS FOR TIRE WET TRACTION MINIMUM PERFORMANCE STANDARDS.—

''(1) IN GENERAL.—The Secretary shall promulgate regulations for tire wet traction minimum performance standards to ensure that passenger tire wet traction capability is not reduced to achieve improved tire fuel efficiency.

''(2) TIRE WET TRACTION MINIMUM PERFORMANCE STANDARDS.—

''(A) BASIS OF STANDARD.—The minimum performance standards promulgated under paragraph (1) shall be expressed in terms of peak coefficient of friction.

''(B) TEST PROCEDURES.—Any test procedure promulgated under this subsection shall

be consistent with any test procedure promulgated under subsection (a).

''(C) BENCHMARKING.—The Secretary shall conduct testing to benchmark the wet traction performance of tire models available for sale in the United States as of the date of enactment of this Act to ensure that the minimum performance standards promulgated under paragraph (1) are tailored to—

''(i) tires sold in the United States; and

''(ii) the needs of consumers in the United States.

''(D) APPLICABILITY.—

''(i) IN GENERAL.—This subsection applies to new pneumatic tires for use on passenger cars.

''(ii) EXCEPTIONS.—This subsection does not apply to light truck tires, deep tread tires, winter-type snow tires, space-saver or temporary use spare tires, or tires with nominal rim diameters of 12 inches or less.

''(d) COORDINATION AMONG REGULATIONS.—

''(1) COMPATIBILITY.—The Secretary shall ensure that the test procedures and requirements promulgated under subsections (a), (b), and (c) are compatible and consistent.

''(2) COMBINED EFFECT OF RULES.—The Secretary shall evaluate the regulations promulgated under subsections (b) and (c) to ensure that compliance with the minimum performance standards promulgated under subsection (b) will not diminish wet traction performance of affected tires.

''(3) RULEMAKING DEADLINES.—The Secretary shall promulgate —

''(A) the regulations under subsections (b) and (c) not later than 24 months after the date of enactment of this Act; and

''(B) the regulations under subsection (c) not later than the date of promulgation of the regulations under subsection (b).''.

SEC. 34433. TIRE REGISTRATION BY INDEPENDENT SELLERS.

Section 30117(b) is amended by striking paragraph (3) and inserting the following:

''(3) RULEMAKING.—

''(A) IN GENERAL.—The Secretary shall initiate a rulemaking to require a distributor or dealer of tires that is not owned or controlled by a manufacturer of tires to maintain records of—

''(i) the name and address of tire purchasers and lessors and information identifying the tire that was purchased or leased; and

''(ii) any additional records the Secretary considers appropriate.

''(B) ELECTRONIC TRANSMISSION.—The rulemaking carried out under subparagraph (A) shall require a distributor or dealer of tires that is not owned or controlled by a manufacturer of tires to electronically transmit the records described in clauses (i) and (ii) of subparagraph (A) to the manufacturer of the tires or the designee of the manufacturer by secure means at no cost to tire purchasers or lessors.

''(C) SATISFACTION OF REQUIREMENTS.—A regulation promulgated under subparagraph (A) may be considered to satisfy the requirements of paragraph (2)(B).''.

SEC. 34434. TIRE RECALL DATABASE.

(a) IN GENERAL.—The Secretary shall establish a publicly available and searchable electronic database of tire recall information that is reported to the Administrator of the National Highway Traffic Safety Administration.

(b) TIRE IDENTIFICATION NUMBER.—The database established under subsection (a) shall be searchable by Tire Identification Number (TIN) and any other criteria that assists consumers in determining whether a tire is subject to a recall.

TITLE XXXV—RAILROAD REFORM, ENHANCEMENT, AND EFFICIENCY

SEC. 35001. SHORT TITLE.

This title may be cited as the ''Railroad Reform, Enhancement, and Efficiency Act''.

SEC. 35002. PASSENGER TRANSPORTATION; DEFINITIONS.

Section 24102 is amended—

(1) by redesignating paragraphs (5) through (9) as paragraphs (6) through (10), respectively;

(2) by inserting after paragraph (4), the following:

''(5) 'long-distance route' means a route described in paragraph (6)(C).'';

(3) by amending paragraph (6)(A), as redesignated, to read as follows:

''(A) the Northeast Corridor main line between Boston, Massachusetts and the Virginia Avenue interlocking in the District of Columbia, and the facilities and services used to operate and maintain that line;'';

(4) in paragraph (7), as redesignated, by striking the period at the end and inserting '', except that the term 'Northeast Corridor' for the purposes of chapter 243 means the main line between Boston, Massachusetts and the Virginia Avenue interlocking in the District of Columbia, and the facilities and services used to operate and maintain that line.''; and

(5) by adding at the end the following:

''(11) 'state-of-good-repair' means a condition in which physical assets, both individually and as a system, are—

''(A) performing at a level at least equal to that called for in their as-built or as-modified design specification during any period when the life cycle cost of maintaining the assets is lower than the cost of replacing them; and

''(B) sustained through regular maintenance and replacement programs.

''(12) 'State-supported route' means a route described in paragraph (6)(B) or paragraph (6)(D), or in section 24702(a).''.

Subtitle A—Authorization of Appropriations

SEC. 35101. AUTHORIZATION OF GRANTS TO AMTRAK.

(a) IN GENERAL.—There are authorized to be appropriated to the Secretary for the use of Amtrak for deposit into the accounts established under section 24319(a) of title 49, United States Code, the following amounts:

(1) For fiscal year 2016, $1,450,000,000.

(2) For fiscal year 2017, $1,550,000,000.

(3) For fiscal year 2018, $1,700,000,000.

(4) For fiscal year 2019, $1,900,000,000.

(b) PROJECT MANAGEMENT OVERSIGHT.—The Secretary may withhold up to one half of 1 percent of the amount appropriated under subsection (a) for the costs of management oversight of Amtrak.

(c) COMPETITION.—In administering grants to Amtrak under section 24318 of title 49, United States Code, the Secretary may withhold, from amounts that would otherwise be made available to Amtrak, such sums as are necessary from the amount appropriated under subsection (a) of this section to cover the operating subsidy described in section 24711(b)(1)(E)(ii) of title 49, United States Code.

(d) STATE-SUPPORTED ROUTE COMMITTEE.—The Secretary may withhold up to $2,000,000 from the amount appropriated in each fiscal year under subsection (a) of this section for the use of the State-Supported Route Committee established under section 24712 of title 49, United States Code.

(e) NORTHEAST CORRIDOR COMMISSION.—The Secretary may withhold up to $5,000,000 from the amount appropriated in each fiscal year under subsection (a) of this section for the use of the Northeast Corridor Commission established under section 24905 of title 49, United States Code.

SEC. 35102. NATIONAL INFRASTRUCTURE AND SAFETY INVESTMENTS.

(a) IN GENERAL.—There are authorized to be appropriated to the Secretary for grants under chapter 244 of title 49, United States Code, the following amounts:

(1) For fiscal year 2016, $350,000,000.

(2) For fiscal year 2017, $430,000,000.

(3) For fiscal year 2018, $600,000,000.

(4) For fiscal year 2019, $900,000,000.

(b) PROJECT MANAGEMENT OVERSIGHT.—The Secretary may withhold up to 1 percent from the amount appropriated under subsection (a) of this section for the costs of project management oversight of grants carried out under chapter 244 of title 49, United States Code.

SEC. 35103. AUTHORIZATION OF APPROPRIATIONS FOR NATIONAL TRANSPORTATION SAFETY BOARD RAIL INVESTIGATIONS.

(a) IN GENERAL.—Notwithstanding any other provision of law, there are authorized to be appropriated to the National Transportation Safety Board to carry out railroad accident investigations under section 1131(a)(1)(C) of title 49, United States Code, the following amounts:

(1) For fiscal year 2016, $6,300,000.

(2) For fiscal year 2017, $6,400,000.

(3) For fiscal year 2018, $6,500,000.

(4) For fiscal year 2019, $6,600,000.

(b) INVESTIGATION PERSONNEL.—Amounts appropriated under subsection (a) of this section shall be available to the National Transportation Safety Board for personnel, in regional offices and in Washington, DC, whose duties involve railroad accident investigations.

SEC. 35104. AUTHORIZATION OF APPROPRIATIONS FOR AMTRAK OFFICE OF INSPECTOR GENERAL.

There are authorized to be appropriated to the Office of Inspector General of Amtrak the following amounts:

(1) For fiscal year 2016, $20,000,000.

(2) For fiscal year 2017, $20,500,000.

(3) For fiscal year 2018, $21,000,000.

(4) For fiscal year 2019, $21,500,000.

SEC. 35105. NATIONAL COOPERATIVE RAIL RESEARCH PROGRAM.

(a) IN GENERAL.—Section 24910 is amended—

(1) in subsection (b)—

(A) in paragraph (12), by striking ''and'';

(B) in paragraph (13), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(14) to improve the overall safety of intercity passenger and freight rail operations.''; and

(2) by amending subsection (e) to read as follows:

''(e) ALLOCATION.—At least $5,000,000 of the amounts appropriated to the Secretary for a fiscal year to carry out railroad research and development programs shall be available to carry out this section.''.

Subtitle B—Amtrak Reform

SEC. 35201. AMTRAK GRANT PROCESS.

(a) REQUIREMENTS AND PROCEDURES.—Chapter 243 is amended by adding at the end the following:

''§ 24317. Costs and revenues

''(a) ALLOCATION.—Not later than 180 days after the date of enactment of the Railroad Reform, Enhancement, and Efficiency Act, Amtrak shall establish and maintain internal controls to ensure Amtrak's costs, revenues, and other compensation are appropriately and proportionally allocated to its

Northeast Corridor train services or infrastructure, its State-supported routes, its long-distance routes, and its other national network activities.

''(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to limit the ability of Amtrak to enter into an agreement with 1 or more States to allocate operating and capital costs under section 209 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note).

''§ 24318. Grant process

''(a) PROCEDURES FOR GRANT REQUESTS.—Not later than 90 days after the date of enactment of the Railroad Reform, Enhancement, and Efficiency Act, the Secretary of Transportation shall establish and transmit to the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate and the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives substantive and procedural requirements, including schedules, for grant requests under this section.

''(b) GRANT REQUESTS.—Amtrak shall transmit grant requests for Federal funds appropriated to the Secretary of Transportation for the use of Amtrak to—

''(1) the Secretary; and

''(2) the Committee on Commerce, Science, and Transportation, the Committee on Appropriations, and the Committee on the Budget of the Senate and the Committee on Transportation and Infrastructure, the Committee on Appropriations, and the Committee on the Budget of the House of Representatives.

''(c) CONTENTS.—A grant request under subsection (b) shall—

''(1) describe projected operating and capital costs for the upcoming fiscal year for Northeast Corridor train services and infrastructure, Amtrak's State-supported routes, and Amtrak's long-distance routes, and Amtrak's other national network activities, as applicable, in comparison to prior fiscal year actual financial performance;

''(2) describe the capital projects to be funded, with cost estimates and an estimated timetable for completion of the projects covered by the request;

''(3) assess Amtrak's financial condition;

''(4) be displayed on Amtrak's Web site within a reasonable timeframe following its transmission under subsection (b); and

''(5) describe how the funding requested in a grant will be allocated to the accounts established under section 24319(a), considering the projected operating losses or capital costs for services and activities associated with such accounts over the time period intended to be covered by the grants.

''(d) REVIEW AND APPROVAL.—

''(1) THIRTY-DAY APPROVAL PROCESS.—

''(A) IN GENERAL.—Not later than 30 days after the date that Amtrak submits a grant request under this section, the Secretary of Transportation shall complete a review of the request and provide notice to Amtrak that—

''(i) the request is approved; or

''(ii) the request is disapproved, including the reason for the disapproval and an explanation of any incomplete or deficient items.

''(B) GRANT AGREEMENT.—If a grant request is approved, the Secretary shall enter into a grant agreement with Amtrak that allocates the grant funding to 1 of the 4 accounts established under section 24319(a).

''(2) FIFTEEN-DAY MODIFICATION PERIOD.—Not later than 15 days after the date of the notice under paragraph (1)(A)(ii), Amtrak shall submit a modified request for the Secretary's review.

''(3) MODIFIED REQUESTS.—Not later than 15 days after the date that Amtrak submits a modified request under paragraph (2), the Secretary shall either approve the modified request, or, if the Secretary finds that the request is still incomplete or deficient, the Secretary shall identify in writing to the Committee on Commerce, Science, and Transportation, the Committee on Appropriations, and the Committee on the Budget of the Senate and the Committee on Transportation and Infrastructure, the Committee on Appropriations, and the Committee on the Budget of the House of Representatives the remaining deficiencies and recommend a process for resolving the outstanding portions of the request.

''(e) PAYMENTS TO AMTRAK.—

''(1) IN GENERAL.—A grant agreement entered into under subsection (d) shall specify the operations, services, and other activities to be funded by the grant. The grant agreement shall include provisions, consistent with the requirements of this chapter, to measure Amtrak's performance and ensure accountability in delivering the operations, services, or activities to be funded by the grant.

''(2) SCHEDULE.—Except as provided in paragraph (3), in each fiscal year for which amounts are appropriated to the Secretary for the use of Amtrak, and for which the Secretary and Amtrak have entered into a grant agreement under subsection (d), the Secretary shall disburse grant funds to Amtrak on the following schedule:

''(A) 50 percent on October 1.

''(B) 25 percent on January 1.

''(C) 25 percent on April 1.

''(3) EXCEPTIONS.—The Secretary may make a payment to Amtrak of appropriated funds—

''(A) more frequently than the schedule under paragraph (2) if Amtrak, for good cause, requests more frequent payment before the end of a payment period; or

''(B) with a different frequency or in different percentage allocations in the event of a continuing resolution or in the absence of an appropriations Act for the duration of a fiscal year.

''(f) AVAILABILITY OF AMOUNTS AND EARLY APPROPRIATIONS.—Amounts appropriated to the Secretary for the use of Amtrak shall remain available until expended. Amounts for capital acquisitions and improvements may be appropriated for a fiscal year before the fiscal year in which the amounts will be obligated.

''(g) LIMITATIONS ON USE.—Amounts appropriated to the Secretary for the use of Amtrak may not be used to cross-subsidize operating losses or capital costs of commuter rail passenger or freight rail transportation.

''§ 24319. Accounts

''(a) ESTABLISHMENT OF ACCOUNTS.—Beginning not later than October 1, 2016, Amtrak, in consultation with the Secretary of Transportation, shall define and establish—

''(1) a Northeast Corridor investment account, including subaccounts for Amtrak train services and infrastructure;

''(2) a State-supported account;

''(3) a long-distance account; and

''(4) an other national network activities account.

''(b) NORTHEAST CORRIDOR INVESTMENT ACCOUNT.—

''(1) DEPOSITS.—Amtrak shall deposit in the Northeast Corridor investment account established under subsection (a)(1)—

''(A) a portion of the grant funds appropriated under the authorization in section 35101(a) of the Railroad Reform, Enhancement, and Efficiency Act, or any subsequent Act appropriating funds for the use of Amtrak, as specified in a grant agreement entered into under section 24318;

''(B) any compensation received from commuter rail passenger transportation providers for such providers' share of capital costs on the Northeast Corridor provided to Amtrak under section 24905(c);

''(C) any operating surplus of the Northeast Corridor train services or infrastructure, as allocated under section 24317; and

''(D) any other net revenue received in association with the Northeast Corridor, including freight access fees, electric propulsion, and commercial development.

''(2) USE OF NORTHEAST CORRIDOR INVESTMENT ACCOUNT.—Except as provided in subsection (f), amounts deposited in the Northeast Corridor investment account shall be made available for the use of Amtrak for its share of—

''(A) capital projects described in section 24904(a)(2)(E)(i), and developed under the planning process established under that section, to bring Northeast Corridor infrastructure to a state-of-good-repair;

''(B) capital projects described in clauses (ii) and (iv) of section 24904(a)(2)(E) that are developed under the planning process established under that section intended to increase corridor capacity, improve service reliability, and reduce travel time on the Northeast Corridor;

''(C) capital projects to improve safety and security;

''(D) capital projects to improve customer service and amenities;

''(E) acquiring, rehabilitating, manufacturing, remanufacturing, overhauling, or improving equipment and associated facilities used for intercity rail passenger transportation by Northeast Corridor train services;

''(F) retirement of principal and payment of interest on loans for capital projects described in this paragraph or for capital leases for equipment and related to the Northeast Corridor;

''(G) participation in public-private partnerships, joint ventures, and other mechanisms or arrangements that result in the completion of capital projects described in this paragraph; and

''(H) indirect, common, corporate, or other costs directly incurred by or allocated to the Northeast Corridor.

''(c) STATE-SUPPORTED ACCOUNT.—

''(1) DEPOSITS.—Amtrak shall deposit in the State-supported account established under subsection (a)(2)—

''(A) a portion of the grant funds appropriated under the authorization in section 35101(a) of the Railroad Reform, Enhancement, and Efficiency Act, or any subsequent Act appropriating funds for the use of Amtrak, as specified in a grant agreement entered into under section 24318;

''(B) any compensation received from States provided to Amtrak under section 209 of the Passenger Rail Investment and Improvement Act of 2008 (42 U.S.C. 24101 note); and

''(C) any operating surplus from its State-supported routes, as allocated under section 24317.

''(2) USE OF STATE-SUPPORTED ACCOUNT.—Except as provided in subsection (f), amounts deposited in the State-supported account shall be made available for the use of Amtrak for capital expenses and operating costs, including indirect, common, corporate, or other costs directly incurred by or allocated to State-supported routes, of its State-supported routes and retirement of

principal and payment of interest on loans or capital leases attributable to its State-supported routes.

''(d) LONG-DISTANCE ACCOUNT.—

''(1) DEPOSITS.—Amtrak shall deposit in the long-distance account established under subsection (a)(3)—

''(A) a portion of the grant funds appropriated under the authorization in section 35101(a) of the Railroad Reform, Enhancement, and Efficiency Act, or any subsequent Act appropriating funds for the use of Amtrak, as specified in a grant agreement entered into under section 24318;

''(B) any compensation received from States provided to Amtrak for costs associated with its long-distance routes; and

''(C) any operating surplus from its long-distance routes, as allocated under section 24317.

''(2) USE OF LONG-DISTANCE ACCOUNT.—Except as provided in subsection (f), amounts deposited in the long-distance account shall be made available for the use of Amtrak for capital expenses and operating costs, including indirect, common, corporate, or other costs directly incurred by or allocated to long-distance routes, of its long-distance routes and retirement of principal and payment of interest on loans or capital leases attributable to the long-distance routes.

''(e) OTHER NATIONAL NETWORK ACTIVITIES ACCOUNT.—

''(1) DEPOSITS.—Amtrak shall deposit in the other national network activities account established under subsection (a)(4)—

''(A) a portion of the grant funds appropriated under the authorization in section 35101(a) of the Railroad Reform, Enhancement, and Efficiency Act, or any subsequent Act appropriating funds for the use of Amtrak, as specified in a grant agreement entered into under section 24318;

''(B) any compensation received from States provided to Amtrak for costs associated with its other national network activities; and

''(C) any operating surplus from its other national network activities.

''(2) USE OF OTHER NATIONAL NETWORK ACTIVITIES ACCOUNT.—Except as provided in subsection (f), amounts deposited into the other national network activities account shall be made available for the use of Amtrak for capital and operating costs not allocated to the Northeast Corridor investment account, State-supported account, or long-distance account, and retirement of principal and payment of interest on loans or capital leases attributable to other national network activities.

''(f) TRANSFER AUTHORITY.—

''(1) AUTHORITY.—Amtrak may transfer any funds appropriated under the authorization in section 35101(a) of the Railroad Reform, Enhancement, and Efficiency Act, or any subsequent Act appropriating funds for the use of Amtrak for deposit into the accounts described in that section, or any surplus generated by operations, between the Northeast Corridor, State-supported, long-distance, and other national network activities accounts—

''(A) upon the expiration of 10 days after the date that Amtrak notifies the Amtrak Board of Directors, including the Secretary, of the planned transfer; and

''(B) with the approval of the Secretary.

''(2) REPORT.—Not later than 5 days after the date that Amtrak notifies the Amtrak Board of Directors of a planned transfer under paragraph (1), Amtrak shall transmit to the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate and the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives a report that includes—

''(A) the amount of the transfer; and

''(B) a detailed explanation of the reason for the transfer, including—

''(i) the effects on Amtrak services funded by the account from which the transfer is drawn, in comparison to a scenario in which no transfer was made; and

''(ii) the effects on Amtrak services funded by the account receiving the transfer, in comparison to a scenario in which no transfer was made.

''(3) NOTIFICATIONS.—

''(A) STATE-SUPPORTED ACCOUNT.—Not later than 5 days after the date that Amtrak notifies the Amtrak Board of Directors of a planned transfer under paragraph (1) of funds to or from the State-supported account, Amtrak shall transmit to each State that sponsors a State-supported route a letter that includes the information described under subparagraphs (A) and (B) of paragraph (2).

''(B) NORTHEAST CORRIDOR ACCOUNT.—Not later than 5 days after the date that Amtrak notifies the Amtrak Board of Directors of a planned transfer under paragraph (1) of funds to or from the Northeast Corridor account, Amtrak shall transmit to the Northeast Corridor Commission a letter that includes the information described under subparagraphs (A) and (B) of paragraph (2).

''(g) ENFORCEMENT.—The Secretary shall enforce the provisions of each grant agreement under section 24318(d), including any deposit into an account under this section.

''(h) LETTERS OF INTENT.—

''(1) REQUIREMENT.—The Secretary may issue a letter of intent to Amtrak announcing an intention to obligate, for a major capital project described in clauses (ii) and (iv) of section 24904(a)(2)(E), an amount from future available budget authority specified in law that is not more than the amount stipulated as the financial participation of the Secretary in the project.

''(2) NOTICE TO CONGRESS.—At least 30 days before issuing a letter under paragraph (1), the Secretary shall notify in writing the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate and the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives of the proposed letter. The Secretary shall include with the notice a copy of the proposed letter, the criteria used for selecting the project for a grant award, and a description of how the project meets the criteria under this section.

''(3) CONTINGENT NATURE OF OBLIGATION OR COMMITMENT.—An obligation or administrative commitment may be made only when amounts are appropriated. The letter of intent shall state that the contingent commitment is not an obligation of the Federal Government, and is subject to the availability of appropriations under Federal law and to Federal laws in force or enacted after the date of the contingent commitment.''.

(b) CONFORMING AMENDMENTS.—The table of contents for chapter 243 is amended by adding at the end the following:

''24317. Costs and revenues.
''24318. Grant process.
''24319. Accounts.''.

(c) REPEALS.—

(1) ESTABLISHMENT OF GRANT PROCESS.—Section 206 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note) and the item relating to that section in the table of contents of that Act are repealed.

(2) AUTHORIZATION OF APPROPRIATIONS.—Section 24104 and the item relating to that section in the table of contents of chapter 241 are repealed.

SEC. 35202. 5-YEAR BUSINESS LINE AND ASSETS PLANS.

(a) AMTRAK 5-YEAR BUSINESS LINE AND ASSET PLANS.—Chapter 243, as amended by section 35201 of this Act, is further amended by inserting after section 24319 the following:

''§ 24320. Amtrak 5-year business line and asset plans

''(a) IN GENERAL.—

''(1) FINAL PLANS.—Not later than February 15 of each year, Amtrak shall submit to Congress and the Secretary final 5-year business line plans and 5-year asset plans prepared in accordance with this section. These final plans shall form the basis for Amtrak's general and legislative annual report to the President and Congress required by section 24315(b).

''(2) FISCAL CONSTRAINT.—Each plan prepared under this section shall be based on funding levels authorized or otherwise available to Amtrak in a fiscal year. In the absence of an authorization or appropriation of funds for a fiscal year, the plans shall be based on the amount of funding available in the previous fiscal year, plus inflation. Amtrak may include an appendix to the asset plan required in subsection (c) that describes any capital funding requirements in excess of amounts authorized or otherwise available to Amtrak in a fiscal year for capital investment.

''(b) AMTRAK 5-YEAR BUSINESS LINE PLANS.—

''(1) AMTRAK BUSINESS LINES.—Amtrak shall prepare a 5-year business line plan for each of the following business lines and services:

''(A) Northeast Corridor train services.

''(B) State-supported routes operated by Amtrak.

''(C) Long-distance routes operated by Amtrak.

''(D) Ancillary services operated by Amtrak, including commuter operations and other revenue generating activities as determined by the Secretary in consultation with Amtrak.

''(2) CONTENTS OF 5-YEAR BUSINESS LINE PLANS.—The 5-year business line plan for each business line shall include, at a minimum—

''(A) a statement of Amtrak's vision, goals, and service plan for the business line, coordinated with any entities that are contributing capital or operating funding to support passenger rail services within those business lines, and aligned with Amtrak's Strategic Plan and 5-year asset plans under subsection (c);

''(B) all projected revenues and expenditures for the business line, including identification of revenues and expenditures incurred by—

''(i) passenger operations;

''(ii) non-passenger operations that are directly related to the business line; and

''(iii) governmental funding sources, including revenues and other funding received from States;

''(C) projected ridership levels for all passenger operations;

''(D) estimates of long-term and short-term debt and associated principal and interest payments (both current and forecasts);

''(E) annual profit and loss statements and forecasts and balance sheets;

''(F) annual cash flow forecasts;

''(G) a statement describing the methodologies and significant assumptions underlying estimates and forecasts;

''(H) specific performance measures that demonstrate year over year changes in the results of Amtrak's operations;

''(I) financial performance for each route within each business line, including descriptions of the cash operating loss or contribution and labor productivity for each route;

''(J) specific costs and savings estimates resulting from reform initiatives;

''(K) prior fiscal year and projected equipment reliability statistics; and

''(L) an identification and explanation of any major adjustments made from previously-approved plans.

''(3) 5-YEAR BUSINESS LINE PLANS PROCESS.—In meeting the requirements of this section, Amtrak shall—

''(A) coordinate the development of the business line plans with the Secretary;

''(B) for the Northeast Corridor business line plan, coordinate with the Northeast Corridor Commission and transmit to the Commission the final plan under subsection (a)(1), and consult with other entities, as appropriate;

''(C) for the State-supported route business line plan, coordinate with the State-Supported Route Committee established under section 24712;

''(D) for the long-distance route business line plan, coordinate with any States or Interstate Compacts that provide funding for such routes, as appropriate;

''(E) ensure that Amtrak's annual budget request to Congress is consistent with the information in the 5-year business line plans; and

''(F) identify the appropriate Amtrak officials that are responsible for each business line.

''(4) STANDARDS TO PROMOTE FINANCIAL STABILITY.—In meeting the requirements under this subsection, Amtrak shall use the categories specified in the financial accounting and reporting system developed under section 203 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note) when preparing its 5-year business line plans.

''(c) AMTRAK 5-YEAR ASSET PLANS.—

''(1) ASSET CATEGORIES.—Amtrak shall prepare a 5-year asset plan for each of the following asset categories:

''(A) Infrastructure, including all Amtrak-controlled Northeast Corridor assets and other Amtrak-owned infrastructure, and the associated facilities that support the operation, maintenance, and improvement of those assets.

''(B) Passenger rail equipment, including all Amtrak-controlled rolling stock, locomotives, and mechanical shop facilities that are used to overhaul equipment.

''(C) Stations, including all Amtrak-controlled passenger rail stations and elements of other stations for which Amtrak has legal responsibility or intends to make capital investments.

''(D) National assets, including national reservations, security, training and training centers, and other assets associated with Amtrak's national passenger rail transportation system.

''(2) CONTENTS OF 5-YEAR ASSET PLANS.—Each asset plan shall include, at a minimum—

''(A) a summary of Amtrak's 5-year strategic plan for each asset category, including goals, objectives, any relevant performance metrics, and statutory or regulatory actions affecting the assets;

''(B) an inventory of existing Amtrak capital assets, to the extent practicable, including information regarding shared use or ownership, if applicable;

''(C) a prioritized list of proposed capital investments that—

''(i) categorizes each capital project as being primarily associated with—

''(I) normalized capital replacement;

''(II) backlog capital replacement;

''(III) improvements to support service enhancements or growth;

''(IV) strategic initiatives that will improve overall operational performance, lower costs, or otherwise improve Amtrak's corporate efficiency; or

''(V) statutory, regulatory, or other legal mandates;

''(ii) identifies each project or program that is associated with more than 1 category described in clause (i); and

''(iii) describes the anticipated business outcome of each project or program identified under this subparagraph, including an assessment of—

''(I) the potential effect on passenger operations, safety, reliability, and resilience;

''(II) the potential effect on Amtrak's ability to meet regulatory requirements if the project or program is not funded; and

''(III) the benefits and costs; and

''(D) annual profit and loss statements and forecasts and balance sheets for each asset category.

''(3) 5-YEAR ASSET PLAN PROCESS.—In meeting the requirements of this subsection, Amtrak shall—

''(A) coordinate with each business line described in subsection (b)(1) in the preparation of each 5-year asset plan and ensure integration of each 5-year asset plan with the 5-year business line plans;

''(B) as applicable, coordinate with the Northeast Corridor Commission, the State-Supported Route Committee, and owners of assets affected by 5-year asset plans; and

''(C) identify the appropriate Amtrak officials that are responsible for each asset category.

''(4) EVALUATION OF NATIONAL ASSETS COSTS.—The Secretary shall—

''(A) evaluate the costs and scope of all national assets; and

''(B) determine the activities and costs that are—

''(i) required in order to ensure the efficient operations of a national passenger rail system;

''(ii) appropriate for allocation to 1 of the other Amtrak business lines; and

''(iii) extraneous to providing an efficient national passenger rail system or are too costly relative to the benefits or performance outcomes they provide.

''(5) DEFINITION OF NATIONAL ASSETS.—In this section, the term 'national assets' means the Nation's core rail assets shared among Amtrak services, including national reservations, security, training and training centers, and other assets associated with Amtrak's national passenger rail transportation system.

''(6) RESTRUCTURING OF NATIONAL ASSETS.—Not later than 1 year after the date of completion of the evaluation under paragraph (4), the Administrator of the Federal Railroad Administration, in consultation with the Amtrak Board of Directors, the governors of each relevant State, and the Mayor of the District of Columbia, or their designees, shall restructure or reallocate, or both, the national assets costs in accordance with the determination under that section, including making appropriate updates to Amtrak's cost accounting methodology and system.''.

(b) EFFECTIVE DATE.—The requirements for Amtrak to submit final 5-year business line plans and 5-year asset plans under section 24320 of title 49, United States Code, shall take effect 1 year after the date of enactment of this Act.

(c) CONFORMING AMENDMENTS.—The table of contents for chapter 243, as amended by section 35201 of this Act, is further amended by adding at the end the following:

''24320. Amtrak 5-year business line and asset plans.''.

(d) REPEAL OF 5-YEAR FINANCIAL PLAN.—Section 204 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note), and the item relating to that section in the table of contents of that Act, are repealed.

(e) IDENTIFICATION OF DUPLICATIVE REPORTING REQUIREMENTS.—Not later than 1 year after the date of enactment of this Act, the Secretary shall—

(1) review existing Amtrak reporting requirements and identify where the existing requirements are duplicative with the business line and capital plans required by section 24320 of title 49, United States Code;

(2) if the duplicative reporting requirements are administrative, the Secretary shall eliminate the duplicative requirements; and

(3) submit to Congress a report with any recommendations for repealing any other duplicative Amtrak reporting requirements.

SEC. 35203. STATE-SUPPORTED ROUTE COMMITTEE.

(a) AMENDMENT.—Chapter 247 is amended by adding at the end the following:

''§ 24712. State-supported routes operated by Amtrak

''(a) STATE-SUPPORTED ROUTE COMMITTEE.—

''(1) ESTABLISHMENT.—Not later than 180 days after the date of enactment of the Railroad Reform, Enhancement, and Efficiency Act, the Secretary of Transportation shall establish the State-Supported Route Committee (referred to in this section as the 'Committee') to promote mutual cooperation and planning pertaining to the rail operations of Amtrak and related activities of trains operated by Amtrak on State-supported routes and to further implement section 209 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note).

''(2) MEMBERSHIP.—

''(A) IN GENERAL.—The Committee shall consist of—

''(i) members representing Amtrak;

''(ii) members representing the Department of Transportation, including the Federal Railroad Administration; and

''(iii) members representing States.

''(B) NON-VOTING MEMBERS.—The Committee may invite and accept other non-voting members to participate in Committee activities, as appropriate.

''(3) DECISIONMAKING.—The Committee shall establish a bloc voting system under which, at a minimum—

''(A) there are 3 separate voting blocs to represent the Committee's voting members, including—

''(i) 1 voting bloc to represent the members described in paragraph (2)(A)(i);

''(ii) 1 voting bloc to represent the members described in paragraph (2)(A)(ii); and

''(iii) 1 voting bloc to represent the members described in paragraph (2)(A)(iii);

''(B) each voting bloc has 1 vote;

''(C) the vote of the voting bloc representing the members described in paragraph (2)(A)(iii) requires the support of at least two-thirds of that voting bloc's members; and

''(D) the Committee makes decisions by unanimous consent of the 3 voting blocs.

''(4) MEETINGS; RULES AND PROCEDURES.—The Committee shall convene a meeting and shall define and implement the rules and procedures governing the Committee's proceedings not later than 180 days after the date of establishment of the Committee by the Secretary. The rules and procedures shall—

''(A) incorporate and further describe the decisionmaking procedures to be used in accordance with paragraph (3); and

''(B) be adopted in accordance with such decisionmaking procedures.

''(5) COMMITTEE DECISIONS.—Decisions made by the Committee in accordance with the Committee's rules and procedures, once established, are binding on all Committee members.

''(6) COST ALLOCATION METHODOLOGY.—

''(A) IN GENERAL.—Subject to subparagraph (B), the Committee may amend the cost allocation methodology required and previously approved under section 209 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note).

''(B) PROCEDURES FOR CHANGING METHODOLOGY.—The rules and procedures implemented under paragraph (4) shall include procedures for changing the cost allocation methodology.

''(C) REQUIREMENTS.—The cost allocation methodology shall—

''(i) ensure equal treatment in the provision of like services of all States and groups of States; and

''(ii) allocate to each route the costs incurred only for the benefit of that route and a proportionate share, based upon factors that reasonably reflect relative use, of costs incurred for the common benefit of more than 1 route.

''(b) INVOICES AND REPORTS.—Not later than February 15, 2016, and monthly thereafter, Amtrak shall provide to each State that sponsors a State-supported route a monthly invoice of the cost of operating such route, including fixed costs and third-party costs. The Committee shall determine the frequency and contents of the financial and performance reports that Amtrak shall provide to the States, as well as the planning and demand reports that the States shall provide to Amtrak.

''(c) DISPUTE RESOLUTION.—

''(1) REQUEST FOR DISPUTE RESOLUTION.—If a dispute arises with respect to the rules and procedures implemented under subsection (a)(4), an invoice or a report provided under subsection (b), implementation or compliance with the cost allocation methodology developed under section 209 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note) or amended under subsection (a)(6) of this section, either Amtrak or the State may request that the Surface Transportation Board conduct dispute resolution under this subsection.

''(2) PROCEDURES.—The Surface Transportation Board shall establish procedures for resolution of disputes brought before it under this subsection, which may include provision of professional mediation services.

''(3) BINDING EFFECT.—A decision of the Surface Transportation Board under this subsection shall be binding on the parties to the dispute.

''(4) OBLIGATION.—Nothing in this subsection shall affect the obligation of a State to pay an amount not in dispute.

''(d) ASSISTANCE.—

''(1) IN GENERAL.—The Secretary may provide assistance to the parties in the course of negotiations for a contract for operation of a State-supported route.

''(2) FINANCIAL ASSISTANCE.—From among available funds, the Secretary shall—

''(A) provide financial assistance to Amtrak or 1 or more States to perform requested independent technical analysis of issues before the Committee; and

''(B) reimburse Members for travel expenses, including per diem in lieu of subsistence, in accordance with section 5703 of title 5.

''(e) PERFORMANCE METRICS.—In negotiating a contract for operation of a State-supported route, Amtrak and the State or States that sponsor the route shall consider including provisions that provide penalties and incentives for performance.

''(f) STATEMENT OF GOALS AND OBJECTIVES.—

''(1) IN GENERAL.—The Committee shall develop a statement of goals, objectives, and associated recommendations concerning the future of State-supported routes operated by Amtrak. The statement shall identify the roles and responsibilities of Committee members and any other relevant entities, such as host railroads, in meeting the identified goals and objectives, or carrying out the recommendations. The Committee may consult with such relevant entities, as the Committee considers appropriate, when developing the statement.

''(2) TRANSMISSION OF STATEMENT OF GOALS AND OBJECTIVES.—Not later than 2 years after the date of enactment of the Railroad Reform, Enhancement, and Efficiency Act the Committee shall transmit the statement developed under paragraph (1) to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

''(g) RULE OF CONSTRUCTION.—The decisions of the Committee—

''(1) shall pertain to the rail operations of Amtrak and related activities of trains operated by Amtrak on State-sponsored routes; and

''(2) shall not pertain to the rail operations or related activities of services operated by other rail passenger carriers on State-supported routes.

''(h) FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Committee.

''(i) DEFINITION OF STATE.—In this section, the term 'State' means any of the 50 States, the District of Columbia, or a public entity that sponsor the operation of trains by Amtrak on a State-supported route.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—The table of contents for chapter 247 is amended by adding at the end the following:

''24712. State-supported routes operated by Amtrak.''.

SEC. 35204. ROUTE AND SERVICE PLANNING DECISIONS.

Section 208 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note) is amended to read as follows:

''SEC. 208. METHODOLOGIES FOR AMTRAK ROUTE AND SERVICE PLANNING DECISIONS.

''(a) METHODOLOGY DEVELOPMENT.—Not later than 180 days after the date of enactment of the Railroad Reform, Enhancement, and Efficiency Act, as a condition of receiving a grant under section 101 of that Act, Amtrak shall obtain the services of an independent entity to develop and recommend objective methodologies for Amtrak to use in determining what intercity rail passenger transportation routes and services it should provide, including the establishment of new routes, the elimination of existing routes, and the contraction or expansion of services or frequencies over such routes.

''(b) CONSIDERATIONS.—Amtrak shall require the independent entity, in developing the methodologies described in subsection (a), to consider—

''(1) the current and expected performance and service quality of intercity rail passenger transportation operations, including cost recovery, on-time performance, ridership, on-board services, stations, facilities, equipment, and other services;

''(2) the connectivity of a route with other routes;

''(3) the transportation needs of communities and populations that are not well served by intercity rail passenger transportation service or by other forms of intercity transportation;

''(4) the methodologies of Amtrak and major intercity rail passenger transportation service providers in other countries for determining intercity passenger rail routes and services;

''(5) the financial and operational effects on the overall network, including the effects on indirect costs;

''(6) the views of States and the recommendations described in State rail plans, rail carriers that own infrastructure over which Amtrak operates, Interstate Compacts established by Congress and States, Amtrak employee representatives, stakeholder organizations, and other interested parties; and

''(7) the funding levels that will be available under authorization levels that have been enacted into law.

''(c) RECOMMENDATIONS.—Not later than 1 year after the date of enactment of the Railroad Reform, Enhancement, and Efficiency Act, Amtrak shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives recommendations developed by the independent entity under subsection (a).

''(d) CONSIDERATION OF RECOMMENDATIONS.—Not later than 90 days after the date the recommendations are transmitted under subsection (c), Amtrak shall consider the adoption of each recommendation and transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report explaining the reasons for adopting or not adopting each recommendation.''.

SEC. 35205. COMPETITION.

(a) ALTERNATE PASSENGER RAIL SERVICE PILOT PROGRAM.—Section 24711 is amended to read as follows:

''§ 24711. Alternate passenger rail service pilot program

''(a) IN GENERAL.—Not later than 18 months after the date of enactment of the Railroad Reform, Enhancement, and Efficiency Act, the Secretary of Transportation shall promulgate a rule to implement a pilot program for competitive selection of rail carriers for long-distance routes (as defined in section 24102).

''(b) PILOT PROGRAM REQUIREMENTS.—

''(1) IN GENERAL.—The pilot program shall—

''(A) allow a party described in paragraph (2) to petition the Secretary to provide intercity rail passenger transportation over a long-distance route in lieu of Amtrak for an operations period of 4 years from the date of commencement of service by the winning bidder and, at the option of the Secretary, consistent with the rule promulgated under subsection (a), allow the contract to be renewed for an additional operations period of 4 years, but not to exceed a total of 3 operations periods;

''(B) require the Secretary to—

''(i) notify the petitioner and Amtrak of receipt of the petition under subparagraph (A) and to publish in the Federal Register a notice of receipt not later than 30 days after the date of receipt; and

''(ii) establish a deadline, of not more than 120 days after the notice of receipt is published in the Federal Register under clause (i), by which both the petitioner and Amtrak, if Amtrak chooses to do so, would be required to submit a complete bid to provide intercity rail passenger transportation over the applicable route;

''(C) require that each bid—

''(i) describe the capital needs, financial projections, and operational plans, including staffing plans, for the service, and such other factors as the Secretary considers appropriate; and

''(ii) be made available by the winning bidder to the public after the bid award;

''(D) for a route that receives funding from a State or States, require that for each bid received from a party described in paragraph (2), other than a State, the Secretary have the concurrence of the State or States that provide funding for that route;

''(E) for a winning bidder that is not or does not include Amtrak, require the Secretary to execute a contract not later than 270 days after the deadline established under subparagraph (B)(ii) and award to the winning bidder—

''(i) subject to paragraphs (3) and (4), the right and obligation to provide intercity rail passenger transportation over that route subject to such performance standards as the Secretary may require; and

''(ii) an operating subsidy, as determined by the Secretary, for—

''(I) the first year at a level that does not exceed 90 percent of the level in effect for that specific route during the fiscal year preceding the fiscal year in which the petition was received, adjusted for inflation; and

''(II) any subsequent years at the level calculated under subclause (I), adjusted for inflation; and

''(F) for a winning bidder that is or includes Amtrak, award to that bidder an operating subsidy, as determined by the Secretary, over the applicable route that will not change during the fiscal year in which the bid was submitted solely as a result of the winning bid.

''(2) ELIGIBLE PETITIONERS.—The following parties are eligible to submit petitions under paragraph (1):

''(A) A rail carrier or rail carriers that own the infrastructure over which Amtrak operates a long-distance route.

''(B) A rail passenger carrier with a written agreement with the rail carrier or rail carriers that own the infrastructure over which Amtrak operates a long-distance route and that host or would host the intercity rail passenger transportation.

''(C) A State, group of States, or State-supported joint powers authority or other sub-State governance entity responsible for provision of intercity rail passenger transportation with a written agreement with the rail carrier or rail carriers that own the infrastructure over which Amtrak operates a long-distance route and that host or would host the intercity rail passenger transportation.

''(D) A State, group of States, or State-supported joint powers authority or other sub-State governance entity responsible for provision of intercity rail passenger transportation and a rail passenger carrier with a written agreement with the rail carrier or rail carriers that own the infrastructure over which Amtrak operates a long-distance route and that host or would host the intercity rail passenger transportation.

''(3) PERFORMANCE STANDARDS.—If the winning bidder under paragraph (1)(E)(i) is not or does not include Amtrak, the performance standards shall be consistent with the performance required of or achieved by Amtrak on the applicable route during the last fiscal year.

''(4) AGREEMENT GOVERNING ACCESS ISSUES.—Unless the winning bidder already has applicable access agreements in place or includes a rail carrier that owns the infrastructure used in the operation of the route, the winning bidder under paragraph (1)(E)(i) shall enter into a written agreement governing access issues between the winning bidder and the rail carrier or rail carriers that own the infrastructure over which the winning bidder would operate and that host or would host the intercity rail passenger transportation.

''(c) ACCESS TO FACILITIES; EMPLOYEES.—If the Secretary awards the right and obligation to provide rail passenger transportation over a route under this section to an entity in lieu of Amtrak—

''(1) the Secretary shall require Amtrak to provide access to the Amtrak-owned reservation system, stations, and facilities directly related to operations of the awarded routes to the rail passenger carrier awarded a contract under this section, in accordance with subsection (g), as necessary to carry out the purposes of this section;

''(2) an employee of any person, except for a freight railroad or a person employed or contracted by a freight railroad, used by such rail passenger carrier in the operation of a route under this section shall be considered an employee of that rail passenger carrier and subject to the applicable Federal laws and regulations governing similar crafts or classes of employees of Amtrak; and

''(3) the winning bidder shall provide hiring preference to qualified Amtrak employees displaced by the award of the bid, consistent with the staffing plan submitted by the bidder, and shall be subject to the grant conditions under section 24405.

''(d) CESSATION OF SERVICE.—If a rail passenger carrier awarded a route under this section ceases to operate the service or fails to fulfill an obligation under the contract required under subsection (b)(1)(E), the Secretary shall take any necessary action consistent with this title to enforce the contract and ensure the continued provision of service, including—

''(1) the installment of an interim rail passenger carrier;

''(2) providing to the interim rail passenger carrier under paragraph (1) an operating subsidy necessary to provide service; and

''(3) rebidding the contract to operate the rail passenger transportation.

''(e) BUDGET AUTHORITY.—

''(1) IN GENERAL.—The Secretary shall provide to a winning bidder that is not or does not include Amtrak and that is selected under this section any appropriations withheld under section 35101(c) of the Railroad Reform, Enhancement, and Efficiency Act, or any subsequent appropriation for the same purpose, necessary to cover the operating subsidy described in subsection (b)(1)(E)(ii).

''(2) AMTRAK.—If the Secretary selects a winning bidder that is not or does not include Amtrak, the Secretary may provide to Amtrak an appropriate portion of the appropriations under section 35101(a) of the Railroad Reform, Enhancement, and Efficiency Act, or any subsequent appropriation for the same purpose, to cover any cost directly attributable to the termination of Amtrak service on the route and any indirect costs to Amtrak imposed on other Amtrak routes as a result of losing service on the route operated by the winning bidder. Any amount provided by the Secretary to Amtrak under this paragraph shall not be deducted from or have any effect on the operating subsidy described in subsection (b)(1)(E)(ii).

''(f) DEADLINE.—If the Secretary does not promulgate the final rule and implement the program before the deadline under subsection (a), the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a letter, signed by the Secretary and Administrator of the Federal Railroad Administration, each month until the rule is complete, including—

''(1) the reasons why the rule has not been issued;

''(2) an updated staffing plan for completing the rule as soon as feasible;

''(3) the contact information of the official that will be overseeing the execution of the staffing plan; and

''(4) the estimated date of completion of the rule.

''(g) DISPUTES.—If Amtrak and the rail passenger carrier awarded a route under this section cannot agree upon terms to carry out subsection (c)(1), and the Surface Transportation Board finds that access to Amtrak's facilities or equipment, or the provision of services by Amtrak, is necessary under subsection (c)(1) and that the operation of Amtrak's other services will not be impaired thereby, the Surface Transportation Board shall issue an order that the facilities and equipment be made available, and that services be provided, by Amtrak, and shall determine reasonable compensation, liability, and other terms for use of the facilities and equipment and provision of the services.

''(h) LIMITATION.—Not more than 3 long-distance routes may be selected under this section for operation by a winning bidder that is not or does not include Amtrak.

''(i) PRESERVATION OF RIGHT TO COMPETITION ON STATE-SUPPORTED ROUTES.—Nothing in this section shall be construed as prohibiting a State from introducing competition for intercity rail passenger transportation or services on its State-supported route or routes.''.

(b) REPORT.—Not later than 4 years after the date of implementation of the pilot program under section 24711 of title 49, United States Code, and quadrennially thereafter until the pilot program is discontinued, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the results on the pilot program to date and any recommendations for further action.

SEC. 35206. ROLLING STOCK PURCHASES.

(a) IN GENERAL.—Prior to entering into any contract in excess of $100,000,000 for rolling stock and locomotive procurements Amtrak shall submit a business case analysis to the Secretary, the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate and the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives, on the utility of such procurements.

(b) CONTENTS.—The business case analysis shall—

(1) include a cost and benefit comparison that describes the total lifecycle costs and the anticipated benefits related to revenue, operational efficiency, reliability, and other factors;

(2) set forth the total payments by fiscal year;

(3) identify the specific source and amounts of funding for each payment, including Federal funds, State funds, Amtrak profits, Federal, State, or private loans or loan guarantees, and other funding;

(4) include an explanation of whether any payment under the contract will increase Amtrak's grant request, as required under section 24318 of title 49, United States Code, in that particular fiscal year; and

(5) describe how Amtrak will adjust the procurement if future funding is not available.

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as requiring Amtrak to disclose confidential information regarding a potential vendor's proposed pricing or other sensitive business information prior to contract execution.

SEC. 35207. FOOD AND BEVERAGE POLICY.

(a) IN GENERAL.—Chapter 243, as amended in section 35202 of this Act, is further amended by adding after section 24320 the following:

"§ 24321. Food and beverage reform

''(a) PLAN.—Not later than 90 days after the date of enactment of the Railroad Reform, Enhancement, and Efficiency Act, Amtrak shall develop and begin implementing a plan to eliminate, not later than 4 years after the date of enactment of that Act, the operating loss associated with providing food and beverage service on board Amtrak trains.

''(b) CONSIDERATIONS.—In developing and implementing the plan under subsection (a), Amtrak shall consider a combination of cost management and revenue generation initiatives, including—

''(1) scheduling optimization;

''(2) onboard logistics;

''(3) product development and supply chain efficiency;

''(4) training, awards, and accountability;

''(5) technology enhancements and process improvements; and

''(6) ticket revenue allocation.

''(c) SAVINGS CLAUSE.—Amtrak shall ensure that no Amtrak employee holding a position as of the date of enactment of the Railroad Reform, Enhancement, and Efficiency Act is involuntarily separated because of—

''(1) the development and implementation of the plan required under subsection (a); or

''(2) any other action taken by Amtrak to implement this section.

''(d) NO FEDERAL FUNDING FOR OPERATING LOSSES.—Beginning on the date that is 4 years after the date of enactment of the Railroad Reform, Enhancement, and Efficiency Act, no Federal funds may be used to cover any operating loss associated with providing food and beverage service on a route operated by Amtrak or an alternative passenger rail service provider that operates a route in lieu of Amtrak under section 24711.

''(e) REPORT.—Not later than 120 days after the date of enactment of the Railroad Reform, Enhancement, and Efficiency Act, and annually thereafter for a period of 4 years, Amtrak shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the plan developed under subsection (a) and a description of progress in the implementation of the plan.''.

(b) CONFORMING AMENDMENT.—The table of contents for chapter 243, as amended in section 35202 of this Act, is amended by adding at the end the following:

''24321. Food and beverage reform.''.

SEC. 35208. LOCAL PRODUCTS AND PROMOTIONAL EVENTS.

(a) IN GENERAL.—Not later than 6 months after the date of enactment of this Act, Amtrak shall establish a pilot program for a State or States that sponsor a State-supported route operated by Amtrak to facilitate—

(1) onboard purchase and sale of local food and beverage products; and

(2) partnerships with local entities to hold promotional events on trains or in stations.

(b) PROGRAM DESIGN.—The pilot program under paragraph (1) shall allow a State or States—

(1) to nominate and select a local food and beverage products supplier or suppliers or local promotional event partner;

(2) to charge a reasonable price or fee for local food and beverage products or promotional events and related activities to help defray the costs of program administration and State-supported routes; and

(3) a mechanism to ensure that State products can effectively be handled and integrated into existing food and beverage services, including compliance with all applicable regulations and standards governing such services.

(c) PROGRAM ADMINISTRATION.—The pilot program shall—

(1) for local food and beverage products, ensure the products are integrated into existing food and beverage services, including compliance with all applicable regulations and standards;

(2) for promotional events, ensure the events are held in compliance with all applicable regulations and standards, including terms to address insurance requirements; and

(3) require an annual report that documents revenues and costs and indicates whether the products or events resulted in a reduction in the financial contribution of a State or States to the applicable State-supported route.

(d) REPORT.—Not later than 4 years after the date of establishment of the pilot programs under this section, Amtrak shall report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on which States have participated in the pilot programs under this section. The report shall summarize the financial and operational outcomes of the pilot programs.

(e) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed as limiting Amtrak's ability to operate special trains in accordance with section 216 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24308 note).

SEC. 35209. RIGHT-OF-WAY LEVERAGING.

(a) REQUEST FOR PROPOSALS.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, Amtrak shall issue a Request for Proposals seeking qualified persons or entities to utilize right-of-way and real estate owned, controlled, or managed by Amtrak for telecommunications systems, energy distribution systems, and other activities considered appropriate by Amtrak.

(2) CONTENTS.—The Request for Proposals shall provide sufficient information on the right-of-way and real estate assets to enable respondents to propose an arrangement that will monetize or generate additional revenue from such assets through revenue sharing or leasing agreements with Amtrak, to the extent possible.

(b) CONSIDERATION OF PROPOSALS.—Not later than 180 days following the deadline for the receipt of proposals under subsection (a), Amtrak shall review and consider each qualified proposal. Amtrak may enter into such agreements as are necessary to implement any qualified proposal.

(c) REPORT.—Not later than 270 days following the deadline for the receipt of proposals under subsection (a), Amtrak shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the Request for Proposals required by this section, including summary information of any proposals submitted to Amtrak and any proposals accepted by Amtrak.

(d) SAVINGS CLAUSE.—Nothing in this section shall be construed to limit Amtrak's ability to utilize right-of-way or real estate assets that it currently owns, controls, or manages or constrain Amtrak's ability to enter into agreements with other parties to utilize such assets.

SEC. 35210. STATION DEVELOPMENT.

(a) REPORT ON DEVELOPMENT OPTIONS.—Not later than 1 year after the date of the enactment of this Act, Amtrak shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that describes—

(1) options to enhance economic development and accessibility of and around Amtrak stations and terminals, for the purposes of—

(A) improving station condition, functionality, capacity, and customer amenities;

(B) generating additional investment capital and development-related revenue streams;

(C) increasing ridership and revenue;

(D) complying with the applicable sections of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.); and

(E) strengthening multimodal connections, including transit, intercity buses, roll-on and roll-off bicycles, and airports, as appropriate; and

(2) options for additional Amtrak stops that would have a positive incremental financial impact to Amtrak, based on Amtrak feasibility studies that demonstrate a financial benefit to Amtrak by generating additional revenue that exceeds any incremental costs.

(b) REQUEST FOR INFORMATION.—Not later than 90 days after the date the report is transmitted under subsection (a), Amtrak shall issue a Request of Information for 1 or

more owners of stations served by Amtrak to formally express an interest in completing the requirements of this section.

(c) PROPOSALS.—

(1) REQUEST FOR PROPOSALS.—Not later than 180 days after the date the Request for Information is issued under subsection (a), Amtrak shall issue a Request for Proposals from qualified persons, including small business concerns owned and controlled by socially and economically disadvantaged individuals and veteran-owned small businesses, to lead, participate, or partner with Amtrak, a station owner that responded under subsection (b), and other entities in enhancing development in and around such stations and terminals using applicable options identified under subsection (a) at facilities selected by Amtrak.

(2) CONSIDERATION OF PROPOSALS.—Not later than 1 year after the date the Request for Proposals are issued under paragraph (1), Amtrak shall review and consider qualified proposals submitted under paragraph (1). Amtrak or a station owner that responded under subsection (b) may enter into such agreements as are necessary to implement any qualified proposal.

(d) REPORT.—Not later than 3 years after the date of enactment of this Act, Amtrak shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the Request for Proposals process required under this section, including summary information of any qualified proposals submitted to Amtrak and any proposals acted upon by Amtrak or a station owner that responded under subsection (b).

(e) DEFINITIONS.—In this section, the terms ''small business concern'', ''socially and economically disadvantaged individual'', and ''veteran-owned small business'' have the meanings given the terms in section 304(c) of this Act.

(f) SAVINGS CLAUSE.—Nothing in this section shall be construed to limit Amtrak's ability to develop its stations, terminals, or other assets, to constrain Amtrak's ability to enter into and carry out agreements with other parties to enhance development at or around Amtrak stations or terminals, or to affect any station development initiatives ongoing as of the date of enactment of this Act.

SEC. 35211. AMTRAK DEBT.

Section 205 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note) is amended—

(1) by striking ''as of the date of enactment of this Act'' each place it appears;

(2) in subsection (a)—

(A) by inserting '', to the extent provided in advance in appropriations Acts'' after ''Amtrak's indebtedness''; and

(B) by striking the second sentence;

(3) in subsection (b), by striking ''The Secretary of the Treasury, in consultation'' and inserting ''To the extent amounts are provided in advance in appropriations Acts, the Secretary of the Treasury, in consultation'';

(4) in subsection (d), by inserting '', to the extent provided in advance in appropriations Acts'' after ''as appropriate'';

(5) in subsection (e)—

(A) in paragraph (1), by striking ''by section 102 of this division''; and

(B) in paragraph (2), by striking ''by section 102'' and inserting ''for Amtrak'';

(6) in subsection (g), by inserting '', unless that debt receives credit assistance, including direct loans and loan guarantees, under chapter 6 of title 23, United States Code or title V of the Railroad Revitalization and Regulatory Act of 1976 (45 U.S.C. 821 et seq.)'' after ''Secretary''; and

(7) by striking subsection (h).

SEC. 35212. AMTRAK PILOT PROGRAM FOR PASSENGERS TRANSPORTING DOMESTICATED CATS AND DOGS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, Amtrak shall develop a pilot program that allows passengers to transport domesticated cats or dogs on certain trains operated by Amtrak.

(b) PET POLICY.—In developing the pilot program required under subsection (a), Amtrak shall—

(1) in the case of a passenger train that is comprised of more than 1 car, designate, where feasible, at least 1 car in which a ticketed passenger may transport a domesticated cat or dog in the same manner as carry-on baggage if—

(A) the cat or dog is contained in a pet kennel;

(B) the pet kennel complies with Amtrak size requirements for carriage of carry-on baggage;

(C) the passenger is traveling on a train operating on a route described in subparagraph (A), (B), or (D) of section 24102(6) of title 49, United States Code; and

(D) the passenger pays a fee described in paragraph (3);

(2) allow a ticketed passenger to transport a domesticated cat or dog on a train in the same manner as cargo if—

(A) the cat or dog is contained in a pet kennel;

(B) the pet kennel is stowed in accordance with Amtrak requirements for cargo stowage;

(C) the passenger is traveling on a train operating on a route described in subparagraph (A), (B), or (D) of section 24102(6) of title 49, United States Code;

(D) the cargo area is temperature controlled in a manner protective of cat and dog safety and health; and

(E) the passenger pays a fee described in paragraph (3); and

(3) collect fees for each cat or dog transported by a ticketed passenger in an amount that, in the aggregate and at a minimum, covers the full costs of the pilot program.

(c) REPORT.—Not later than 1 year after the pilot program required under subsection (a) is first implemented, Amtrak shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report containing an evaluation of the pilot program.

(d) LIMITATION ON STATUTORY CONSTRUCTION.—

(1) SERVICE ANIMALS.—The pilot program under subsection (a) shall be separate from and in addition to the policy governing Amtrak passengers traveling with service animals. Nothing in this section may be interpreted to limit or waive the rights of passengers to transport service animals.

(2) ADDITIONAL TRAIN CARS.—Nothing in this section may be interpreted to require Amtrak to add additional train cars or modify existing train cars.

(3) FEDERAL FUNDS.—No Federal funds may be used to implement the pilot program required under this section.

SEC. 35213. AMTRAK BOARD OF DIRECTORS.

(a) IN GENERAL.—Section 24302(a) is amended to read as follows:

''(a) COMPOSITION AND TERMS.—

''(1) IN GENERAL.—The Amtrak Board of Directors (referred to in this section as the 'Board') is composed of the following 9 directors, each of whom must be a citizen of the United States:

''(A) The Secretary of Transportation.

''(B) The President of Amtrak.

''(C) 7 individuals appointed by the President of the United States, by and with the advice and consent of the Senate, with general business and financial experience, experience or qualifications in transportation, freight and passenger rail transportation, travel, hospitality, or passenger air transportation businesses, or representatives of employees or users of passenger rail transportation or a State government.

''(2) SELECTION.—In selecting individuals described in paragraph (1)(C) for nominations for appointments to the Board, the President shall consult with the Speaker of the House of Representatives, the minority leader of the House of Representatives, the majority leader of the Senate, and the minority leader of the Senate. The individuals appointed to the Board under paragraph (1)(C) shall be composed of the following;

''(A) 2 individuals from the Northeast Corridor.

''(B) 4 individuals from regions of the country outside of the Northeast Corridor and geographically distributed with—

''(i) 2 individuals from States with long-distance routes operated by Amtrak; and

''(ii) 2 individuals from States with State-supported routes operated by Amtrak.

''(C) 1 individual from the Northeast Corridor or a State with long-distance or State-supported routes.

''(3) TERM.—An individual appointed under paragraph (1)(C) shall be appointed for a term of 5 years. The term may be extended until the individual's successor is appointed and qualified. Not more than 4 individuals appointed under paragraph (1)(C) may be members of the same political party.

''(4) CHAIRPERSON AND VICE CHAIRPERSON.—The Board shall elect a chairperson and vice chairperson, other than the President of Amtrak, from among its membership. The vice chairperson shall serve as chairperson in the absence of the chairperson.

''(5) SECRETARY'S DESIGNEE.—The Secretary may be represented at Board meetings by the Secretary's designee.''.

(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as affecting the term of any director serving on the Amtrak Board of Directors under section 24302(a)(1)(C) of title 49, United States Code, on the day preceding the date of enactment of this Act.

SEC. 35214. AMTRAK BOARDING PROCEDURES.

(a) REPORT.—Not later than 6 months after the date of enactment of this Act, the Amtrak Office of Inspector General shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that—

(1) evaluates Amtrak's boarding procedures for passengers, including passengers using or transporting nonmotorized transportation, such as wheelchairs and bicycles, at its 15 stations through which the most people pass;

(2) compares Amtrak's boarding procedures to—

(A) commuter railroad boarding procedures at stations shared with Amtrak;

(B) international intercity passenger rail boarding procedures; and

(C) fixed guideway transit boarding procedures; and

(3) makes recommendations, as appropriate, in consultation with the Transportation Security Administration, to improve Amtrak's boarding procedures, including recommendations regarding the queuing of passengers and free-flow of all station users and facility improvements needed to achieve the recommendations.

(b) CONSIDERATION OF RECOMMENDATIONS.—Not later than 6 months after the report is submitted under subsection (a), Amtrak shall consider each recommendation provided under subsection (a)(3) for implementation at appropriate locations across the Amtrak system.

Subtitle C—Intercity Passenger Rail Policy

SEC. 35301. COMPETITIVE OPERATING GRANTS.

(a) IN GENERAL.—Chapter 244 is amended—

(1) by striking section 24406; and

(2) by inserting after section 24405 the following:

"§ 24406. Competitive operating grants

''(a) APPLICANT DEFINED.—In this section, the term 'applicant' means—

''(1) a State;

''(2) a group of States;

''(3) an Interstate Compact;

''(4) a public agency or publicly chartered authority established by 1 or more States and having responsibility for providing intercity rail passenger transportation or commuter rail passenger transportation;

''(5) a political subdivision of a State;

''(6) Amtrak or another rail passenger carrier that provides intercity rail passenger transportation;

''(7) Any rail carrier in partnership with at least 1 of the entities described in paragraphs (1) through (5); and

''(8) any combination of the entities described in paragraphs (1) through (7).

''(b) GRANTS AUTHORIZED.—The Secretary of Transportation shall develop and implement a program for issuing 3-year operating assistance grants to applicants, on a competitive basis, for the purpose of initiating, restoring, or enhancing intercity rail passenger service.

''(c) APPLICATION.—An applicant for a grant under this section shall submit to the Secretary—

''(1) a capital and mobilization plan that—

''(A) describes any capital investments, service planning actions (such as environmental reviews), and mobilization actions (such as qualification of train crews) required for initiation of service; and

''(B) includes the timeline for undertaking and completing each of the investments and actions referred to in subparagraph (A);

''(2) an operating plan that describes the planned operation of the service, including—

''(A) the identity and qualifications of the train operator;

''(B) the identity and qualifications of any other service providers;

''(C) service frequency;

''(D) the planned routes and schedules;

''(E) the station facilities that will be utilized;

''(F) projected ridership, revenues, and costs;

''(G) descriptions of how the projections under subparagraph (F) were developed;

''(H) the equipment that will be utilized, how such equipment will be acquired or refurbished, and where such equipment will be maintained; and

''(I) a plan for ensuring safe operations and compliance with applicable safety regulations;

''(3) a funding plan that—

''(A) describes the funding of initial capital costs and operating costs for the first 3 years of operation;

''(B) includes a commitment by the applicant to provide the funds described in subparagraph (A) to the extent not covered by Federal grants and revenues; and

''(C) describes the funding of operating costs and capital costs, to the extent necessary, after the first 3 years of operation; and

''(4) a description of the status of negotiations and agreements with—

''(A) each of the railroads or regional transportation authorities whose tracks or facilities would be utilized by the service;

''(B) the anticipated rail passenger carrier, if such entity is not part of the applicant group; and

''(C) any other service providers or entities expected to provide services or facilities that will be used by the service, including any required access to Amtrak systems, stations, and facilities if Amtrak is not part of the applicant group.

''(d) PRIORITIES.—In awarding grants under this section, the Secretary shall give priority to applications—

''(1) for which planning, design, any environmental reviews, negotiation of agreements, acquisition of equipment, construction, and other actions necessary for initiation of service have been completed or nearly completed;

''(2) that would restore service over routes formerly operated by Amtrak, including routes with international connections;

''(3) that would provide daily or daytime service over routes where such service did not previously exist;

''(4) that include private funding (including funding from railroads), and funding or other significant participation by State, local, and regional governmental and private entities;

''(5) that include a funding plan that demonstrates the intercity rail passenger service will be financially sustainable beyond the 3-year grant period;

''(6) that would provide service to regions and communities that are underserved or not served by other intercity public transportation;

''(7) that would foster economic development, particularly in rural communities and for disadvantaged populations;

''(8) that would provide other non-transportation benefits; and

''(9) that would enhance connectivity and geographic coverage of the existing national network of intercity passenger rail service.

''(e) LIMITATIONS.—

''(1) DURATION.—Federal operating assistance grants authorized under this section for any individual intercity rail passenger transportation route may not provide funding for more than 3 years and may not be renewed.

''(2) LIMITATION.—Not more than 6 of the operating assistance grants awarded pursuant to subsection (b) may be simultaneously active.

''(3) MAXIMUM FUNDING.—Grants described in paragraph (1) may not exceed—

''(A) 80 percent of the projected net operating costs for the first year of service;

''(B) 60 percent of the projected net operating costs for the second year of service; and

''(C) 40 percent of the projected net operating costs for the third year of service.

''(f) USE WITH CAPITAL GRANTS AND OTHER FEDERAL FUNDING.—A recipient of an operating assistance grant under subsection (b) may use that grant in combination with other grants awarded under this chapter or any other Federal funding that would benefit the applicable service.

''(g) AVAILABILITY.—Amounts appropriated for carrying out this section shall remain available until expended.

''(h) COORDINATION WITH AMTRAK.—If the Secretary awards a grant under this section to a rail passenger carrier other than Amtrak, Amtrak may be required under section 24711(c)(1) of this title to provide access to its reservation system, stations, and facilities that are directly related to operations to such carrier, to the extent necessary to carry out the purposes of this section. The Secretary may award an appropriate portion of the grant to Amtrak as compensation for this access.

''(i) CONDITIONS.—

''(1) GRANT AGREEMENT.—The Secretary shall require grant recipients under this section to enter into a grant agreement that requires them to provide similar information regarding the route performance, financial, and ridership projections, and capital and business plans that Amtrak is required to provide, and such other data and information as the Secretary deems necessary.

''(2) INSTALLMENTS; TERMINATION.—The Secretary may—

''(A) award grants under this section in installments, as the Secretary considers appropriate; and

''(B) terminate any grant agreement upon—

''(i) the cessation of service; or

''(ii) the violation of any other term of the grant agreement.

''(3) GRANT CONDITIONS.—Except as specifically provided in this section, the use of any amounts appropriated for grants under this section shall be subject to the requirements under this chapter.

''(j) REPORT.—Not later than 4 years after the date of enactment of the Railroad Reform, Enhancement, and Efficiency Act, the Secretary, after consultation with grant recipients under this section, shall submit a report to Congress that describes—

''(1) the implementation of this section;

''(2) the status of the investments and operations funded by such grants;

''(3) the performance of the routes funded by such grants;

''(4) the plans of grant recipients for continued operation and funding of such routes; and

''(5) any legislative recommendations.''.

(b) CONFORMING AMENDMENTS.—Chapter 244 is amended—

(1) in the table of contents, by inserting after the item relating to section 24405 the following:

''24406. Competitive operating grants.'';

(2) in the chapter title, by striking ''**INTERCITY PASSENGER RAIL SERVICE CORRIDOR CAPITAL**'' and inserting ''**RAIL CAPITAL AND OPERATING**'';

(3) in section 24401, by striking paragraph (1);

(4) in section 24402, by striking subsection (j) and inserting the following:

''(j) APPLICANT DEFINED.—In this section, the term 'applicant' means a State (including the District of Columbia), a group of States, an Interstate Compact, a public agency or publicly chartered authority established by 1 or more States and having responsibility for providing intercity rail passenger transportation, or a political subdivision of a State.''; and

(5) in section 24405—

(A) in subsection (b)—

(i) by inserting '', or for which an operating grant is issued under section 24406,'' after ''chapter''; and

(ii) in paragraph (2), by striking ''(43'' and inserting ''(45'';

(B) in subsection (d)(1), in the matter preceding subparagraph (A), by inserting ''or unless Amtrak ceased providing intercity passenger railroad transportation over the affected route more than 3 years before the commencement of new service'' after ''unless such service was provided solely by Amtrak to another entity'';

(C) in subsection (f), by striking ''under this chapter for commuter rail passenger transportation, as defined in section 24012(4) of this title.'' and inserting ''under this chapter for commuter rail passenger transportation (as defined in section 24102(3)).''; and

(D) by adding at the end the following:

''(g) SPECIAL TRANSPORTATION CIRCUMSTANCES.—In carrying out this chapter, the Secretary shall allocate an appropriate portion of the amounts available under this chapter to provide grants to States—

''(1) in which there is no intercity passenger rail service, for the purpose of funding freight rail capital projects that are on a State rail plan developed under chapter 227 that provide public benefits (as defined in chapter 227), as determined by the Secretary; or

''(2) in which the rail transportation system is not physically connected to rail systems in the continental United States or may not otherwise qualify for a grant under this section due to the unique characteristics of the geography of that State or other relevant considerations, for the purpose of funding transportation-related capital projects.''.

SEC. 35302. FEDERAL-STATE PARTNERSHIP FOR STATE OF GOOD REPAIR.

(a) AMENDMENT.—Chapter 244 is amended by inserting after section 24406, as added by section 5301 of this Act, the following:

''§ 24407. Federal-State partnership for state of good repair

''(a) DEFINITIONS.—In this section:

''(1) APPLICANT.—The term 'applicant' means—

''(A) a State (including the District of Columbia);

''(B) a group of States;

''(C) an Interstate Compact;

''(D) a public agency or publicly chartered authority established by 1 or more States that has responsibility for providing intercity rail passenger transportation or commuter rail passenger transportation;

''(E) a political subdivision of a State;

''(F) Amtrak, acting on its own behalf or under a cooperative agreement with 1 or more States; or

''(G) any combination of the entities described in subparagraphs (A) through (F).

''(2) CAPITAL PROJECT.—The term 'capital project' means—

''(A) a project primarily intended to replace, rehabilitate, or repair major infrastructure assets utilized for providing intercity passenger rail service, including tunnels, bridges, stations, and other assets, as determined by the Secretary; or

''(B) a project primarily intended to improve intercity passenger rail performance, including reduced trip times, increased train frequencies, higher operating speeds, and other improvements, as determined by the Secretary.

''(3) NORTHEAST CORRIDOR.—The term 'Northeast Corridor' means—

''(A) the main rail line between Boston, Massachusetts and the Virginia Avenue interlocking in the District of Columbia; and

''(B) the branch rail lines connecting to Harrisburg, Pennsylvania, Springfield, Massachusetts, and Spuyten Duyvil, New York.

''(4) QUALIFIED RAILROAD ASSET.—The term 'qualified railroad asset' means infrastructure, equipment, or a facility that—

''(A) is owned or controlled by an eligible applicant; and

''(B) was not in a state of good repair on the date of enactment of the Railroad Reform, Enhancement, and Efficiency Act.

''(b) GRANT PROGRAM AUTHORIZED.—The Secretary of Transportation shall develop and implement a program for issuing grants to applicants, on a competitive basis, to fund capital projects that reduce the state of good repair backlog on qualified railroad assets.

''(c) ELIGIBLE PROJECTS.—Projects eligible for grants under this section include capital projects to replace or rehabilitate qualified railroad assets, including—

''(1) capital projects to replace existing assets in-kind;

''(2) capital projects to replace existing assets with assets that increase capacity or provide a higher level of service; and

''(3) capital projects to ensure that service can be maintained while existing assets are brought to a state of good repair.

''(d) PROJECT SELECTION CRITERIA.—In selecting an applicant for a grant under this section, the Secretary shall—

''(1) give preference to eligible projects—

''(A) that are consistent with the goals, objectives, and policies defined in any regional rail planning document that is applicable to a project proposal; and

''(B) for which the proposed Federal share of total project costs does not exceed 50 percent; and

''(2) take into account—

''(A) the cost-benefit analysis of the proposed project, including anticipated private and public benefits relative to the costs of the proposed project, including—

''(i) effects on system and service performance;

''(ii) effects on safety, competitiveness, reliability, trip or transit time, and resilience;

''(iii) efficiencies from improved integration with other modes; and

''(iv) ability to meet existing or anticipated demand;

''(B) the degree to which the proposed project's business plan considers potential private sector participation in the financing, construction, or operation of the proposed project;

''(C) the applicant's past performance in developing and delivering similar projects, and previous financial contributions;

''(D) whether the applicant has, or will have—

''(i) the legal, financial, and technical capacity to carry out the project;

''(ii) satisfactory continuing control over the use of the equipment or facilities; and

''(iii) the capability and willingness to maintain the equipment or facilities;

''(E) if applicable, the consistency of the project with planning guidance and documents set forth by the Secretary or required by law; and

''(F) any other relevant factors, as determined by the Secretary.

''(e) PLANNING REQUIREMENTS.—A project is not eligible for a grant under this section unless the project is specifically identified—

''(1) on a State rail plan prepared in accordance with chapter 227; or

''(2) if the project is located on the Northeast Corridor, on the Northeast Corridor Capital Investment Plan developed pursuant to section 24904(a).

''(f) NORTHEAST CORRIDOR PROJECTS.—

''(1) COMPLIANCE WITH USAGE AGREEMENTS.—Grant funds may not be provided under this section to an eligible recipient for an eligible project located on the Northeast Corridor unless Amtrak and the public authorities providing commuter rail passenger transportation on the Northeast Corridor are in compliance with section 24905(c)(2).

''(2) CAPITAL INVESTMENT PLAN.—When selecting projects located on the Northeast Corridor, the Secretary shall consider the appropriate sequence and phasing of projects as contained in the Northeast Corridor Capital Investment Plan developed pursuant to section 24904(a).

''(g) FEDERAL SHARE OF TOTAL PROJECT COSTS.—

''(1) TOTAL PROJECT COST.—The Secretary shall estimate the total cost of a project under this section based on the best available information, including engineering studies, studies of economic feasibility, environmental analyses, and information on the expected use of equipment or facilities.

''(2) FEDERAL SHARE.—The Federal share of total costs for a project under this subsection shall not exceed 80 percent.

''(3) TREATMENT OF AMTRAK REVENUE.—If Amtrak or another rail passenger carrier is an applicant under this section, Amtrak or the other rail passenger carrier, as applicable, may use ticket and other revenues generated from its operations and other sources to satisfy the non-Federal share requirements.

''(h) LETTERS OF INTENT.—

''(1) IN GENERAL.—The Secretary may issue a letter of intent to a grantee under this section that—

''(A) announces an intention to obligate, for a major capital project under this section, an amount from future available budget authority specified in law that is not more than the amount stipulated as the financial participation of the Secretary in the project; and

''(B) states that the contingent commitment—

''(i) is not an obligation of the Federal Government; and

''(ii) is subject to the availability of appropriations under Federal law and to Federal laws in force or enacted after the date of the contingent commitment.

''(2) CONGRESSIONAL NOTIFICATION.—

''(A) IN GENERAL.—Not later than 30 days before issuing a letter under paragraph (1), the Secretary shall submit written notification to—

''(i) the Committee on Commerce, Science, and Transportation of the Senate;

''(ii) the Committee on Appropriations of the Senate;

''(iii) the Committee on Transportation and Infrastructure of the House of Representatives; and

''(iv) the Committee on Appropriations of the House of Representatives.

''(B) CONTENTS.—The notification submitted pursuant to subparagraph (A) shall include—

''(i) a copy of the proposed letter or agreement;

''(ii) the criteria used under subsection (d) for selecting the project for a grant award; and

''(iii) a description of how the project meets such criteria.

''(3) APPROPRIATIONS REQUIRED.—An obligation or administrative commitment may be made under this section only when amounts are appropriated for such purpose.

''(i) AVAILABILITY.—Amounts appropriated for carrying out this section shall remain available until expended.

''(j) GRANT CONDITIONS.—Except as specifically provided in this section, the use of any amounts appropriated for grants under this section shall be subject to the requirements under this chapter.''.

(b) CONFORMING AMENDMENT.—The table of contents for chapter 244 is amended by inserting after the item relating to section 24406 the following:

''24407. Federal-State partnership for state of good repair.''.

SEC. 35303. LARGE CAPITAL PROJECT REQUIREMENTS.

Section 24402 is amended by adding at the end the following:

''(m) LARGE CAPITAL PROJECT REQUIREMENTS.—

''(1) IN GENERAL.—For a grant awarded under this chapter for an amount in excess of $1,000,000,000, the following conditions shall apply:

''(A) The Secretary of Transportation may not obligate any funding unless the applicant demonstrates, to the satisfaction of the Secretary, that the applicant has committed, and will be able to fulfill, the non-Federal share required for the grant within the applicant's proposed project completion timetable.

''(B) The Secretary may not obligate any funding for work activities that occur after the completion of final design unless—

''(i) the applicant submits a financial plan to the Secretary that generally identifies the sources of the non-Federal funding required for any subsequent segments or phases of the corridor service development program covering the project for which the grant is awarded;

''(ii) the grant will result in a useable segment, a transportation facility, or equipment, that has operational independence or is financially sustainable; and

''(iii) the intercity passenger rail benefits anticipated to result from the grant, such as increased speed, improved on-time performance, reduced trip time, increased frequencies, new service, safety improvements, improved accessibility, or other significant enhancements, are detailed by the grantee and approved by the Secretary.

''(C)(i) The Secretary shall ensure that the project is maintained to the level of utility that is necessary to support the benefits approved under subparagraph (B)(iii) for a period of 20 years from the date on which the useable segment, transportation facility, or equipment described in subparagraph (B)(ii) is placed in service.

''(ii) If the project property is not maintained as required under clause (i) for a 12-month period, the grant recipient shall refund a pro-rata share of the Federal contribution, based upon the percentage remaining of the 20-year period that commenced when the project property was placed in service.

''(2) EARLY WORK.—The Secretary may allow a grantee subject to this subsection to engage in at-risk work activities subsequent to the conclusion of final design if the Secretary determines that such work activities are reasonable and necessary.''.

SEC. 35304. SMALL BUSINESS PARTICIPATION STUDY.

(a) STUDY.—The Secretary shall conduct a nationwide disparity and availability study on the availability and use of small business concerns owned and controlled by socially and economically disadvantaged individuals and veteran-owned small businesses in publicly funded intercity passenger rail service projects.

(b) REPORT.—Not later than 4 years after the date of enactment of this Act, the Secretary shall submit a report containing the results of the study conducted under subsection (a) to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

(c) DEFINITIONS.—In this section:

(1) SMALL BUSINESS CONCERN.—The term ''small business concern'' has the meaning given such term in section 3 of the Small Business Act (15 U.S.C. 632), except that the term does not include any concern or group of concerns controlled by the same socially and economically disadvantaged individual or individuals that have average annual gross receipts during the preceding 3 fiscal years in excess of $22,410,000, as adjusted annually by the Secretary for inflation.

(2) SOCIALLY AND ECONOMICALLY DISADVANTAGED INDIVIDUAL.—The term ''socially and economically disadvantaged individual'' has the meaning given such term in section 8(d) of the Small Business Act (15 U.S.C. 637(d)) and relevant subcontracting regulations issued pursuant to such Act, except that women shall be presumed to be socially and economically disadvantaged individuals for purposes of this section.

(3) VETERAN-OWNED SMALL BUSINESS.—The term ''veteran-owned small business'' has the meaning given the term ''small business concern owned and controlled by veterans'' in section 3(q)(3) of the Small Business Act (15 U.S.C. 632(q)(3)), except that the term does not include any concern or group of concerns controlled by the same veterans that have average annual gross receipts during the preceding 3 fiscal years in excess of $22,410,000, as adjusted annually by the Secretary for inflation.

SEC. 35305. GULF COAST RAIL SERVICE WORKING GROUP.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary shall convene a working group to evaluate the restoration of intercity rail passenger service in the Gulf Coast region between New Orleans, Louisiana, and Orlando, Florida.

(b) MEMBERSHIP.—The working group convened pursuant to subsection (a) shall consist of representatives of—

(1) the Federal Railroad Administration, which shall serve as chair of the working group;

(2) Amtrak;

(3) the States along the proposed route or routes;

(4) regional transportation planning organizations and metropolitan planning organizations, municipalities, and communities along the proposed route or routes, which shall be selected by the Administrator;

(5) the Southern Rail Commission;

(6) freight railroad carriers whose tracks may be used for such service; and

(7) other entities determined appropriate by the Secretary, which may include independent passenger rail operators that express an interest in Gulf Coast service.

(c) RESPONSIBILITIES.—The working group shall—

(1) evaluate all options for restoring intercity rail passenger service in the Gulf Coast region, including options outlined in the report transmitted to Congress pursuant to section 226 of the Passenger Rail Investment and Improvement Act of 2008 (division B of Public Law 110–432);

(2) select a preferred option for restoring such service;

(3) develop a prioritized inventory of capital projects and other actions required to restore such service and cost estimates for such projects or actions; and

(4) identify Federal and non-Federal funding sources required to restore such service, including options for entering into public-private partnerships to restore such service.

(d) REPORT.—Not later than 9 months after the date of enactment of this Act, the working group shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that includes—

(1) the preferred option selected under subsection (c)(2) and the reasons for selecting such option;

(2) the information described in subsection (c)(3);

(3) the funding sources identified under subsection (c)(4);

(4) the costs and benefits of restoring intercity rail passenger transportation in the region; and

(5) any other information the working group determines appropriate.

SEC. 35306. INTEGRATED PASSENGER RAIL WORKING GROUP.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall convene a working group to review issues relating to—

(1) the potential operation of State-supported routes by rail passenger carriers other than Amtrak; and

(2) their role in establishing an integrated intercity passenger rail network in the United States.

(b) MEMBERSHIP.—The working group shall consist of a balanced representation of—

(1) the Federal Railroad Administration, who shall chair the Working Group;

(2) States that fund State-sponsored routes;

(3) independent passenger rail operators, including those that carry at least 5,000,000 passengers annually in United States or international rail service;

(4) Amtrak;

(5) railroads that host intercity State-supported routes;

(6) employee representatives from railroad unions and building trade unions with substantial engagement in railroad rights of way construction and maintenance; and

(7) other entities determined appropriate by the Secretary.

(c) RESPONSIBILITIES.—The working group shall evaluate options for improving State-supported routes and may make recommendations, as appropriate, regarding—

(1) best practices for State or State authority governance of State-supported routes;

(2) future sources of Federal and non-Federal funding sources for State-supported routes;

(3) best practices in obtaining passenger rail operations and services on a competitive basis with the objective of creating the highest quality service at the lowest cost to the taxpayer;

(4) ensuring potential interoperability of State-supported routes as a part of a national network with multiple providers providing integrated services including ticketing, scheduling, and route planning; and

(5) the interface between State-supported routes and connecting commuter rail operations, including maximized intra-modal and intermodal connections and common sources of funding for capital projects.

(d) MEETINGS.—Not later than 60 days after the establishment of the working group by the Secretary under subsection (a), the working group shall convene an organizational meeting outside of the District of Columbia and shall define the rules and procedures governing the proceedings of the working group. The working group shall hold at least 3 meetings per year in States that fund State-supported routes.

(e) REPORTS.—

(1) PRELIMINARY REPORT.—Not later than 1 year after the date the working group is established, the working group shall submit a preliminary report to the Secretary, the Governors of States funding State-supported routes, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives that includes—

(A) administrative recommendations that can be implemented by a State and State authority or by the Secretary; and

(B) preliminary legislative recommendations.

(2) FINAL LEGISLATIVE RECOMMENDATIONS.—Not later than 2 years after the date the working group is established, the working group shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that includes final legislative recommendations.

SEC. 35307. SHARED-USE STUDY.

(a) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Secretary, in consultation with Amtrak, commuter rail authorities, and other passenger rail operators, railroad carriers that own rail infrastructure over which both passenger and freight trains operate, States, the Surface Transportation Board, the Northeast Corridor Commission established under section 24905, the State-Supported Route Committee established under section 24712, and groups representing rail passengers and customers, as appropriate, shall complete a study that evaluates—

(1) the shared use of right-of-way by passenger and freight rail systems; and

(2) the operational, institutional, and legal structures that would best support improvements to the systems referred to in paragraph (1).

(b) AREAS OF STUDY.—In conducting the study under subsection (a), the Secretary shall evaluate—

(1) the access and use of railroad right-of-way by a rail carrier that does not own the right-of-way, such as passenger rail services that operate over privately-owned right-of-way, including an analysis of—

(A) access agreements;

(B) costs of access; and

(C) the resolution of disputes relating to such access or costs;

(2) the effectiveness of existing contractual, statutory, and regulatory mechanisms for establishing, measuring, and enforcing train performance standards, including—

(A) the manner in which passenger train delays are recorded;

(B) the assignment of responsibility for such delays; and

(C) the use of incentives and penalties for performance;

(3) strengths and weaknesses in the existing mechanisms described in paragraph (2) and possible approaches to address the weaknesses;

(4) mechanisms for measuring and maintaining public benefits resulting from publicly funded freight or passenger rail improvements, including improvements directed towards shared-use right-of-way by passenger and freight rail;

(5) approaches to operations, capacity, and cost estimation modeling that—

(A) allows for transparent decisionmaking; and

(B) protects the proprietary interests of all parties;

(6) liability requirements and arrangements, including—

(A) whether to expand statutory liability limits to additional parties;

(B) whether to revise the current statutory liability limits;

(C) whether current insurance levels of passenger rail operators are adequate and whether to establish minimum insurance requirements for such passenger rail operators; and

(D) whether to establish a liability regime modeled after section 170 of the Atomic Energy Act of 1954 (42 U.S.C. 2210);

(7) the effect on rail passenger services, operations, liability limits and insurance levels of the assertion of sovereign immunity by a State; and

(8) other issues identified by the Secretary.

(c) REPORT.—Not later than 60 days after the study under subsection (a) is complete, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that includes—

(1) the results of the study; and

(2) any recommendations for further action, including any legislative proposals consistent with such recommendations.

(d) IMPLEMENTATION.—The Secretary shall integrate the recommendations submitted under subsection (c) into its financial assistance programs under subtitle V of title 49, United States Code, and section 502 of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 822), as appropriate.

SEC. 35308. NORTHEAST CORRIDOR COMMISSION.

(a) COMPOSITION.—Section 24905(a) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by inserting '', infrastructure investments,'' after ''rail operations'';

(B) by amending subparagraph (B) to read as follows:

''(B) members representing the Department of Transportation, including the Office of the Secretary, the Federal Railroad Administration, and the Federal Transit Administration;''; and

(C) in subparagraph (D) by inserting ''and commuter'' after ''freight''; and

(2) by amending paragraph (6) to read as follows:

''(6) The members of the Commission shall elect co-chairs consisting of 1 member described in paragraph (1)(B) and 1 member described in paragraph (1)(C).''.

(b) STATEMENT OF GOALS AND RECOMMENDATIONS.—Section 24905(b) is amended—

(1) in paragraph (1), by inserting ''and periodically update'' after ''develop'';

(2) in paragraph (2)(A), by striking ''beyond those specified in the state of good repair plan under section 211 of the Passenger Rail Investment and Improvement Act of 2008''; and

(3) by adding at the end the following:

''(3) SUBMISSION OF STATEMENT OF GOALS, RECOMMENDATIONS, AND PERFORMANCE REPORTS.—The Commission shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives—

''(A) any updates made to the statement of goals developed under paragraph (1) not later than 60 days after such updates are made; and

''(B) annual performance reports and recommendations for improvements, as appropriate, issued not later than March 31 of each year, for the prior fiscal year, which summarize—

''(i) the operations and performance of commuter, intercity, and freight rail transportation along the Northeast Corridor; and

''(ii) the delivery of the capital plan described in section 24904.''.

(c) COST ALLOCATION POLICY.—Section 24905(c) is amended—

(1) in the subsection heading, by striking ''ACCESS COSTS'' and inserting ''ALLOCATION OF COSTS'';

(2) in paragraph (1)—

(A) in the paragraph heading, by striking ''FORMULA'' and inserting ''POLICY'';

(B) in the matter preceding subparagraph (A), by striking ''Within 2 years after the date of enactment of the Passenger Rail Investment and Improvement Act of 2008, the Commission'' and inserting ''The Commission'';

(C) in subparagraph (A), by striking ''formula'' and inserting ''policy''; and

(D) by striking subparagraph (B) through (D) and inserting the following:

''(B) develop a proposed timetable for implementing the policy;

''(C) submit the policy and timetable developed under subparagraph (B) to the Surface Transportation Board, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives;

''(D) not later than October 1, 2015, adopt and implement the policy in accordance with the timetable; and

''(E) with the consent of a majority of its members, the Commission may petition the Surface Transportation Board to appoint a mediator to assist the Commission members through nonbinding mediation to reach an agreement under this section.'';

(3) in paragraph (2)—

(A) by striking ''formula proposed in'' and inserting ''policy developed under''; and

(B) in the second sentence—

(i) by striking ''the timetable, the Commission shall petition the Surface Transportation Board to'' and inserting ''paragraph (1)(D) or fail to comply with the policy thereafter, the Surface Transportation Board shall''; and

(ii) by striking ''amounts for such services in accordance with section 24904(c) of this title'' and inserting ''for such usage in accordance with the procedures and procedural schedule applicable to a proceeding under section 24903(c), after taking into consideration the policy developed under paragraph (1)(A), as applicable'';

(4) in paragraph (3), by striking ''formula'' and inserting ''policy''; and

(5) by adding at the end the following:

''(4) REQUEST FOR DISPUTE RESOLUTION.—If a dispute arises with the implementation of, or compliance with, the policy developed under paragraph (1), the Commission, Amtrak, or public authorities providing commuter rail passenger transportation on the Northeast Corridor may request that the Surface Transportation Board conduct dispute resolution. The Surface Transportation Board shall establish procedures for resolution of disputes brought before it under this

paragraph, which may include the provision of professional mediation services.''.

(d) CONFORMING AMENDMENTS.—Section 24905 is amended—

(1) by striking subsection (d);

(2) by redesignating subsections (e) and (f) as subsections (d) and (e), respectively;

(3) in subsection (d), as redesignated, by striking ''to the Commission such sums as may be necessary for the period encompassing fiscal years 2009 through 2013 to carry out this section'' and inserting ''to the Secretary for the use of the Commission and the Northeast Corridor Safety Committee such sums as may be necessary to carry out this section during fiscal year 2016 through 2019, in addition to amounts withheld under section 35101(e) of the Railroad Reform, Enhancement, and Efficiency Act''; and

(4) in subsection (e)(2), as redesignated, by striking ''on the main line.'' and inserting ''on the main line and meet annually with the Commission on the topic of Northeast Corridor safety and security.''.

(e) NORTHEAST CORRIDOR PLANNING.—

(1) AMENDMENT.—Chapter 249 is amended—

(A) by redesignating section 24904 as section 24903; and

(B) by inserting after section 24903, as redesignated, the following:

''§ 24904. Northeast Corridor planning

''(a) NORTHEAST CORRIDOR CAPITAL INVESTMENT PLAN.—

''(1) REQUIREMENT.—Not later than May 1 of each year, the Northeast Corridor Commission established under section 24905 (referred to in this section as the 'Commission') shall—

''(A) develop a capital investment plan for the Northeast Corridor main line between Boston, Massachusetts, and the Virginia Avenue interlocking in the District of Columbia, and the Northeast Corridor branch lines connecting to Harrisburg, Pennsylvania, Springfield, Massachusetts, and Spuyten Duyvil, New York, including the facilities and services used to operate and maintain those lines; and

''(B) submit the capital investment plan to the Secretary of Transportation and the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

''(2) CONTENTS.—The capital investment plan shall—

''(A) reflect coordination and network optimization across the entire Northeast Corridor;

''(B) integrate the individual capital and service plans developed by each operator using the methods described in the cost allocation policy developed under section 24905(c);

''(C) cover a period of 5 fiscal years, beginning with the first fiscal year after the date on which the plan is completed;

''(D) notwithstanding section 24902(b), identify, prioritize, and phase the implementation of projects and programs to achieve the service outcomes identified in the Northeast Corridor service development plan and the asset condition needs identified in the Northeast Corridor asset management plans, once available, and consider—

''(i) the benefits and costs of capital investments in the plan;

''(ii) project and program readiness;

''(iii) the operational impacts; and

''(iv) funding availability;

''(E) categorize capital projects and programs as primarily associated with;

''(i) normalized capital replacement and basic infrastructure renewals;

''(ii) replacement or rehabilitation of major Northeast Corridor infrastructure assets, including tunnels, bridges, stations, and other assets;

''(iii) statutory, regulatory, or other legal mandates;

''(iv) improvements to support service enhancements or growth; or

''(v) strategic initiatives that will improve overall operational performance or lower costs;

''(F) identify capital projects and programs that are associated with more than 1 category described in subparagraph (E);

''(G) describe the anticipated outcomes of each project or program, including an assessment of—

''(i) the potential effect on passenger accessibility, operations, safety, reliability, and resiliency;

''(ii) the ability of infrastructure owners and operators to meet regulatory requirements if the project or program is not funded; and

''(iii) the benefits and costs; and

''(H) include a financial plan.

''(3) FINANCIAL PLAN.—The financial plan under paragraph (2)(H) shall—

''(A) identify funding sources and financing methods;

''(B) identify the expected allocated shares of costs pursuant to the cost allocation policy developed under section 24905(c);

''(C) identify the projects and programs that the Commission expects will receive Federal financial assistance; and

''(D) identify the eligible entity or entities that the Commission expects will receive the Federal financial assistance described under subparagraph (C).

''(b) FAILURE TO DEVELOP A CAPITAL INVESTMENT PLAN.—If a capital investment plan has not been developed by the Commission for a given fiscal year, then the funds assigned to the account established under section 24319(b) for that fiscal year may be spent only on—

''(1) capital projects described in clause (i) or (iii) of subsection (a)(2)(E) of this section; or

''(2) capital projects described in subsection (a)(2)(E)(iv) of this section that are for the sole benefit of Amtrak.

''(c) NORTHEAST CORRIDOR ASSET MANAGEMENT.—

''(1) CONTENTS.—With regard to its infrastructure, Amtrak and each State and public transportation entity that owns infrastructure that supports or provides for intercity rail passenger transportation on the Northeast Corridor shall develop an asset management system and develop and update, as necessary, a Northeast Corridor asset management plan for each service territory described in subsection (a) that—

''(A) are consistent with the Federal Transit Administration process, as authorized under section 5326, when implemented; and

''(B) include, at a minimum—

''(i) an inventory of all capital assets owned by the developer of the asset management plan;

''(ii) an assessment of asset condition;

''(iii) a description of the resources and processes necessary to bring or maintain those assets in a state of good repair, including decision-support tools and investment prioritization methods; and

''(iv) a description of changes in asset condition since the previous version of the plan.

''(2) TRANSMITTAL.—Each entity described in paragraph (1) shall transmit to the Commission—

''(A) not later than 2 years after the date of enactment of the Railroad Reform, Enhancement, and Efficiency Act, its Northeast Corridor asset management plan developed under paragraph (1); and

''(B) at least biennial thereafter, an update to its Northeast Corridor asset management plan.

''(d) NORTHEAST CORRIDOR SERVICE DEVELOPMENT PLAN UPDATES.—Not less frequently than once every 10 years, the Commission shall update the Northeast Corridor service development plan.''.

(2) CONFORMING AMENDMENTS.—

(A) NOTE AND MORTGAGE.—Section 24907(a) is amended by striking ''section 24904 of this title'' and inserting ''section 24903''.

(B) TABLE OF CONTENTS AMENDMENT.—The table of contents for chapter 249 is amended—

(i) by redesignating the item relating to section 24904 as relating to section 24903; and

(ii) by inserting after the item relating to section 24903, as redesignated, the following: ''24904. Northeast Corridor planning.''.

(3) REPEAL.—Section 211 of the Passenger Rail Investment and Improvement Act of 2008 (division B of Public Law 110–432; 49 U.S.C. 24902 note) is repealed.

SEC. 35309. NORTHEAST CORRIDOR THROUGH-TICKETING AND PROCUREMENT EFFICIENCIES.

(a) THROUGH-TICKETING STUDY.—

(1) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Northeast Corridor Commission established under section 24905(a) of title 49, United States Code (referred to in this section as the ''Commission''), in consultation with Amtrak and the commuter rail passenger transportation providers along the Northeast Corridor shall complete a study on the feasibility of and options for permitting through-ticketing between Amtrak service and commuter rail services on the Northeast Corridor.

(2) CONTENTS.—In completing the study under paragraph (1), the Northeast Corridor Commission shall—

(A) examine the current state of intercity and commuter rail ticketing technologies, policies, and other relevant aspects on the Northeast Corridor;

(B) consider and recommend technology, process, policy, or other options that would permit through-ticketing to allow intercity and commuter rail passengers to purchase, in a single transaction, travel that utilizes Amtrak and connecting commuter rail services;

(C) consider options to expand through-ticketing to include local transit services;

(D) summarize costs, benefits, opportunities, and impediments to developing such through-ticketing options; and

(E) develop a proposed methodology, including cost and schedule estimates, for carrying out a pilot program on through-ticketing on the Northeast Corridor.

(3) REPORT.—Not later than 60 days after the date the study under paragraph (1) is complete, the Commission shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that includes—

(A) the results of the study; and

(B) any recommendations for further action.

(b) JOINT PROCUREMENT STUDY.—

(1) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Secretary, in cooperation with the Commission, Amtrak, and commuter rail transportation authorities on the Northeast Corridor

shall complete a study of the potential benefits resulting from Amtrak and such authorities undertaking select joint procurements for common materials, assets, and equipment when expending Federal funds for such purchases.

(2) CONTENTS.—In completing the study under paragraph (1), the Secretary shall consider—

(A) the types of materials, assets, and equipment that are regularly purchased by Amtrak and such authorities that are similar and could be jointly procured;

(B) the potential benefits of such joint procurements, including lower procurement costs, better pricing, greater market relevancy, and other efficiencies;

(C) the potential costs of such joint procurements;

(D) any significant impediments to undertaking joint procurements, including any necessary harmonization and reconciliation of Federal and State procurement or safety regulations or standards and other requirements; and

(E) whether to create Federal incentives or requirements relating to considering or carrying out joint procurements when expending Federal funds.

(3) TRANSMISSION.—Not later than 60 days after completing the study required under this subsection, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that includes—

(A) the results of the study; and

(B) any recommendations for further action.

(c) NORTHEAST CORRIDOR.—In this section, the term ''Northeast Corridor'' means the Northeast Corridor main line between Boston, Massachusetts, and the Virginia Avenue interlocking in the District of Columbia, and the Northeast Corridor branch lines connecting to Harrisburg, Pennsylvania, Springfield, Massachusetts, and Spuyten Duyvil, New York, including the facilities and services used to operate and maintain those lines.

SEC. 35310. DATA AND ANALYSIS.

(a) DATA.—Not later than 3 years after the date of enactment of this Act, the Secretary, in consultation with the Surface Transportation Board, Amtrak, freight railroads, State and local governments, and regional business, tourism and economic development agencies shall conduct a data needs assessment—

(1) to support the development of an efficient and effective intercity passenger rail network;

(2) to identify the data needed to conduct cost-effective modeling and analysis for intercity passenger rail development programs;

(3) to determine limitations to the data used for inputs;

(4) to develop a strategy to address such limitations;

(5) to identify barriers to accessing existing data;

(6) to develop recommendations regarding whether the authorization of additional data collection for intercity passenger rail travel is warranted; and

(7) to determine which entities will be responsible for generating or collecting needed data.

(b) BENEFIT-COST ANALYSIS.—Not later than 180 days after the date of enactment of this Act, the Secretary shall enhance the usefulness of assessments of benefits and costs, for intercity passenger rail and freight rail projects—

(1) by providing ongoing guidance and training on developing benefit and cost information for rail projects;

(2) by providing more direct and consistent requirements for assessing benefits and costs across transportation funding programs, including the appropriate use of discount rates;

(3) by requiring applicants to clearly communicate the methodology used to calculate the project benefits and costs, including nonproprietary information on—

(A) assumptions underlying calculations;

(B) strengths and limitations of data used; and

(C) the level of uncertainty in estimates of project benefits and costs; and

(4) by ensuring that applicants receive clear and consistent guidance on values to apply for key assumptions used to estimate potential project benefits and costs.

(c) CONFIDENTIAL DATA.—The Secretary shall protect sensitive or confidential to the greatest extent permitted by law. Nothing in this section shall require any entity to provide information to the Secretary in the absence of a voluntary agreement.

SEC. 35311. PERFORMANCE-BASED PROPOSALS.

(a) SOLICITATION OF PROPOSALS.—

(1) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Secretary shall issue a request for proposals for projects for the financing, design, construction, operation, and maintenance of an intercity passenger rail system, including—

(A) the Northeast Corridor;

(B) the California Corridor;

(C) the Empire Corridor;

(D) the Pacific Northwest Corridor;

(E) the South Central Corridor;

(F) the Gulf Coast Corridor;

(G) the Chicago Hub Network;

(H) the Florida Corridor;

(I) the Keystone Corridor;

(J) the Northern New England Corridor; and

(K) the Southeast Corridor.

(2) SUBMISSION.—Proposals shall be submitted to the Secretary not later than 180 days after the publication of such request for proposals under paragraph (1).

(3) PERFORMANCE STANDARD.—Proposals submitted under paragraph (2) shall meet any standards established by the Secretary. For corridors with existing intercity passenger rail service, proposals shall also be designed to achieve a reduction of existing minimum intercity rail service trip times between the main corridor city pairs by a minimum of 25 percent. In the case of a proposal submitted with respect to paragraph (1)(A), the proposal shall be designed to achieve a 2-hour or less express service between Washington, District of Columbia, and New York City, New York.

(4) CONTENTS.—A proposal submitted under this subsection shall include—

(A) the names and qualifications of the persons submitting the proposal and the entities proposed to finance, design, construct, operate, and maintain the railroad, railroad equipment, and related facilities, stations, and infrastructure;

(B) a detailed description of the proposed rail service, including possible routes, required infrastructure investments and improvements, equipment needs and type, train frequencies, peak and average operating speeds, and trip times;

(C) a description of how the project would comply with all applicable Federal rail safety and security laws, orders, and regulations;

(D) the locations of proposed stations, which maximize the usage of existing infrastructure to the extent possible, and the populations such stations are intended to serve;

(E) the type of equipment to be used, including any technologies, to achieve trip time goals;

(F) a description of any proposed legislation needed to facilitate all aspects of the project;

(G) a financing plan identifying—

(i) projected revenue, and sources thereof;

(ii) the amount of any requested public contribution toward the project, and proposed sources;

(iii) projected annual ridership projections for the first 10 years of operations;

(iv) annual operations and capital costs;

(v) the projected levels of capital investments required both initially and in subsequent years to maintain a state-of-good-repair necessary to provide the initially proposed level of service or higher levels of service;

(vi) projected levels of private investment and sources thereof, including the identity of any person or entity that has made or is expected to make a commitment to provide or secure funding and the amount of such commitment; and

(vii) projected funding for the full fair market compensation for any asset, property right or interest, or service acquired from, owned, or held by a private person or Federal entity that would be acquired, impaired, or diminished in value as a result of a project, except as otherwise agreed to by the private person or entity;

(H) a description of how the project would contribute to the development of the intercity passenger rail system and an intermodal plan describing how the system will facilitate convenient travel connections with other transportation services;

(I) a description of how the project will ensure compliance with Federal laws governing the rights and status of employees associated with the route and service, including those specified in section 24405 of title 49, United States Code;

(J) a description of how the design, construction, implementation, and operation of the project will accommodate and allow for future growth of existing and projected intercity, commuter, and freight rail service;

(K) a description of how the project would comply with Federal and State environmental laws and regulations, of what environmental impacts would result from the project, and of how any adverse impacts would be mitigated; and

(L) a description of the project's impacts on highway and aviation congestion, energy consumption, land use, and economic development in the service area.

(b) DETERMINATION AND ESTABLISHMENT OF COMMISSIONS.—Not later than 90 days after receipt of the proposals under subsection (a), the Secretary shall—

(1) make a determination as to whether any such proposals—

(A) contain the information required under paragraphs (3) and (4) of subsection (a);

(B) are sufficiently credible to warrant further consideration;

(C) are likely to result in a positive impact on the Nation's transportation system; and

(D) are cost-effective and in the public interest;

(2) establish a commission under subsection (c) for each corridor with 1 or more proposals that the Secretary determines satisfy the requirements of paragraph (1); and

(3) forward to each commission established under paragraph (2) the applicable proposals for review and consideration.

(c) COMMISSIONS.—

(1) MEMBERS.—Each commission established under subsection (b)(2) shall include—

(A) the governors of the affected States, or their respective designees;

(B) mayors of appropriate municipalities with stops along the proposed corridor, or their respective designees;

(C) a representative from each freight railroad carrier using the relevant corridor, if applicable;

(D) a representative from each transit authority using the relevant corridor, if applicable;

(E) representatives of nonprofit employee labor organizations representing affected railroad employees; and

(F) the President of Amtrak or his or her designee.

(2) APPOINTMENT AND SELECTION.—The Secretary shall appoint the members under paragraph (1). In selecting each commission's members to fulfill the requirements under subparagraphs (B) and (E) of paragraph (1), the Secretary shall consult with the Chairperson and Ranking Member of the Committee on Commerce, Science, and Transportation of the Senate and of the Committee on Transportation and Infrastructure of the House of Representatives.

(3) CHAIRPERSON AND VICE-CHAIRPERSON SELECTION.—The Chairperson and Vice-Chairperson shall be elected from among members of each commission.

(4) QUORUM AND VACANCY.—

(A) QUORUM.—A majority of the members of each commission shall constitute a quorum.

(B) VACANCY.—Any vacancy in each commission shall not affect its powers and shall be filled in the same manner in which the original appointment was made.

(5) APPLICATION OF LAW.—Except where otherwise provided by this section, the Federal Advisory Committee Act (5 U.S.C. App.) shall apply to each commission created under this section.

(d) COMMISSION CONSIDERATION.—

(1) IN GENERAL.—Each commission established under subsection (b)(2) shall be responsible for reviewing the proposal or proposals forwarded to it under that subsection and not later than 90 days after the establishment of the commission, shall transmit to the Secretary a report, including—

(A) a summary of each proposal received;

(B) services to be provided under each proposal, including projected ridership, revenues, and costs;

(C) proposed public and private contributions for each proposal;

(D) the advantages offered by the proposal over existing intercity passenger rail services;

(E) public operating subsidies or assets needed for the proposed project;

(F) possible risks to the public associated with the proposal, including risks associated with project financing, implementation, completion, safety, and security;

(G) a ranked list of the proposals recommended for further consideration under subsection (e) in accordance with each proposal's projected positive impact on the Nation's transportation system;

(H) an identification of any proposed Federal legislation that would facilitate implementation of the projects and Federal legislation that would be required to implement the projects; and

(I) any other recommendations by the commission concerning the proposed projects.

(2) VERBAL PRESENTATION.—Proposers shall be given an opportunity to make a verbal presentation to the commission to explain their proposals.

(3) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary for the use of each commission established under subsection (b)(2) such sums as are necessary to carry out this section.

(e) SELECTION BY SECRETARY.—

(1) IN GENERAL.—Not later than 60 days after receiving the recommended proposals of the commissions established under subsection (b)(2), the Secretary shall—

(A) review such proposals and select any proposal that provides substantial benefits to the public and the national transportation system, is cost-effective, offers significant advantages over existing services, and meets other relevant factors determined appropriate by the Secretary; and

(B) submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report containing any proposal with respect to subsection (a)(1)(A) that is selected by the Secretary under subparagraph (A) of this paragraph, all the information regarding the proposal provided to the Secretary under subsection (d), and any other information the Secretary considers relevant.

(2) SUBSEQUENT REPORT.—Following the submission of the report under paragraph (1)(B), the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report containing any proposal with respect to subparagraphs (B) through (K) of subsection (a)(1) that are selected by the Secretary under paragraph (1) of this subsection, all the information regarding the proposal provided to the Secretary under subsection (d), and any other information the Secretary considers relevant.

(3) LIMITATION ON REPORT SUBMISSION.—The report required under paragraph (2) shall not be submitted by the Secretary until the report submitted under paragraph (1)(B) has been considered through a hearing by the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on the report submitted under paragraph (1)(B).

(f) NO ACTIONS WITHOUT ADDITIONAL AUTHORITY.—No Federal agency may take any action to implement, establish, facilitate, or otherwise act upon any proposal submitted under this section, other than those actions specifically authorized by this section, without explicit statutory authority enacted after the date of enactment of this Act.

(g) DEFINITIONS.—In this section:

(1) INTERCITY PASSENGER RAIL.—The term ''intercity passenger rail'' means intercity rail passenger transportation as defined in section 24102 of title 49, United States Code.

(2) STATE.—The term ''State'' means any of the 50 States or the District of Columbia.

SEC. 35312. AMTRAK INSPECTOR GENERAL.

(a) AUTHORITY.—

(1) IN GENERAL.—The Inspector General of Amtrak shall have the authority available to other Inspectors General, as necessary in carrying out the duties specified in the Inspector General Act of 1978 (5 U.S.C. App.), to investigate any alleged violation of sections 286, 287, 371, 641, 1001, 1002 and 1516 of title 18, United States Code.

(2) AGENCY.—For purposes of sections 286, 287, 371, 641, 1001, 1002, and 1516 of title 18, United States Code, Amtrak and the Amtrak Office of Inspector General, shall be considered a corporation in which the United States has a proprietary interest as set forth in section 6 of that title.

(b) ASSESSMENT.—The Inspector General of Amtrak shall—

(1) not later than 60 days after the date of enactment of this Act, initiate an assessment to determine whether current expenditures or procurements involving Amtrak's fulfillment of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) utilize competitive, market-driven provisions that are applicable throughout the entire term of such related expenditures or procurements; and

(2) not later than 6 months after the date of enactment of this Act, transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives the assessment under paragraph (1).

(c) LIMITATION.—The authority provided by subsections (a) and (b) shall be effective only with respect to a fiscal year for which Amtrak receives a Federal subsidy.

SEC. 35313. MISCELLANEOUS PROVISIONS.

(a) TITLE 49 AMENDMENTS.—

(1) CONTINGENT INTEREST RECOVERIES.—Section 22106(b) is amended by striking ''interest thereof'' and inserting ''interest thereon''.

(2) AUTHORITY.—Section 22702(b)(4) is amended by striking ''5 years for reapproval by the Secretary'' and inserting ''4 years for acceptance by the Secretary''.

(3) CONTENTS OF STATE RAIL PLANS.—Section 22705(a) is amended by striking paragraph (12).

(4) MISSION.—Section 24101(b) is amended by striking ''of subsection (d)'' and inserting ''set forth in subsection (c)''.

(5) TABLE OF CONTENTS AMENDMENT.—The table of contents for chapter 243 is amended by striking the item relating to section 24316 and inserting the following:

''24316. Plans to address the needs of families of passengers involved in rail passenger accidents.''.

(6) UPDATE.—Section 24305(f)(3) is amended by striking ''$1,000,000'' and inserting ''$5,000,000''.

(7) AMTRAK.—Chapter 247 is amended—

(A) in section 24702(a), by striking ''not included in the national rail passenger transportation system'';

(B) in section 24706—

(i) in subsection (a)—

(I) in paragraph (1), by striking ''a discontinuance under section 24704 or or''; and

(II) in paragraph (2), by striking ''section 24704 or''; and

(ii) in subsection (b), by striking ''section 24704 or''; and

(C) in section 24709, by striking ''The Secretary of the Treasury and the Attorney General,'' and inserting ''The Secretary of Homeland Security,''.

(b) PASSENGER RAIL INVESTMENT AND IMPROVEMENT ACT AMENDMENTS.—Section 305(a) of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note) is amended by inserting ''nonprofit organizations representing employees who perform overhaul and maintenance of passenger railroad equipment,'' after ''equipment manufacturers,''.

Subtitle D—Rail Safety

PART I—SAFETY IMPROVEMENT

SEC. 35401. HIGHWAY-RAIL GRADE CROSSING SAFETY.

(a) MODEL STATE HIGHWAY-RAIL GRADE CROSSING ACTION PLAN.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall develop a model of a State-specific highway-rail grade crossing action plan and distribute the model plan to each State.

(2) CONTENTS.—The plan developed under paragraph (1) shall include—

(A) methodologies, tools, and data sources for identifying and evaluating highway-rail grade crossing safety risks, including the public safety risks posed by blocked highway-rail grade crossings due to idling trains;

(B) best practices to reduce the risk of highway-rail grade crossing accidents or incidents and to alleviate the blockage of highway-rail grade crossings due to idling trains, including strategies for—

(i) education, including model stakeholder engagement plans or tools;

(ii) engineering, including the benefits and costs of different designs and technologies used to mitigate highway-rail grade crossing safety risks; and

(iii) enforcement, including the strengths and weaknesses associated with different enforcement methods;

(C) for each State, a customized list and data set of the highway-rail grade crossing accidents or incidents in that State over the past 3 years, including the location, number of deaths, and number of injuries for each accident or incident; and

(D) contact information of a Department of Transportation safety official available to assist the State in adapting the model plan to satisfy the requirements under subsection (b).

(b) STATE HIGHWAY-RAIL GRADE CROSSING ACTION PLANS.—

(1) REQUIREMENTS.—Not later than 18 months after the Secretary develops and distributes the model plan under subsection (a), the Secretary shall promulgate a rule that requires—

(A) each State, except the 10 States identified under section 202 of the Rail Safety Improvement Act of 2008 (49 U.S.C. 22501 note), to develop and implement a State highway-rail grade crossing action plan; and

(B) each State that was identified under section 202 of the Rail Safety Improvement Act of 2008 (49 U.S.C. 22501 note), to update its State action plan under that section and submit to the Secretary the updated State action plan and a report describing what the State did to implement its previous State action plan under that section and how it will continue to reduce highway-rail grade crossing safety risks.

(2) CONTENTS.—Each State plan required under this subsection shall—

(A) identify highway-rail grade crossings that have experienced recent highway-rail grade crossing accidents or incidents, or are at high-risk for accidents or incidents;

(B) identify specific strategies for improving safety at highway-rail grade crossings, including highway-rail grade crossing closures or grade separations; and

(C) designate a State official responsible for managing implementation of the State plan under subparagraph (A) or (B) of paragraph (1), as applicable.

(3) ASSISTANCE.—The Secretary shall provide assistance to each State in developing and carrying out, as appropriate, the State plan under this subsection.

(4) PUBLIC AVAILABILITY.—Each State shall submit its final State plan under this subsection to the Secretary for publication. The Secretary shall make each approved State plan publicly available on an official Internet Web site.

(5) CONDITIONS.—The Secretary may condition the awarding of a grant to a State under chapter 244 of title 49, United States Code, on that State submitting an acceptable State plan under this subsection.

(6) REVIEW OF ACTION PLANS.—Not later than 60 days after the date of receipt of a State plan under this subsection, the Secretary shall—

(A) if the State plan is approved, notify the State and publish the State plan under paragraph (4); and

(B) if the State plan is incomplete or deficient, notify the State of the specific areas in which the plan is deficient and allow the State to complete the plan or correct the deficiencies and resubmit the plan under paragraph (1).

(7) DEADLINE.—Not later than 60 days after the date of a notice under paragraph (6)(B), a State shall complete the plan or correct the deficiencies and resubmit the plan.

(8) FAILURE TO COMPLETE OR CORRECT PLAN.—If a State fails to meet the deadline under paragraph (7), the Secretary shall post on the Web site under paragraph (4) a notice that the State has an incomplete or deficient highway-rail grade crossing action plan.

(c) RAILWAY-HIGHWAY CROSSINGS FUNDS.—The Secretary may use funds made available to carry out section 130 of title 23, United States Code, to provide States with funds to develop a State highway-rail grade crossing action plan under subsection (b)(1)(A) of this section or to update a State action plan under subsection (b)(1)(B) of this section.

(d) DEFINITIONS.—In this section:

(1) HIGHWAY-RAIL GRADE CROSSING.—The term ''highway-rail grade crossing'' means a location within a State, other than a location where 1 or more railroad tracks cross 1 or more railroad tracks at grade, where—

(A) a public highway, road, or street, or a private roadway, including associated sidewalks and pathways, crosses 1 or more railroad tracks either at grade or grade-separated; or

(B) a pathway explicitly authorized by a public authority or a railroad carrier that is dedicated for the use of non-vehicular traffic, including pedestrians, bicyclists, and others, that is not associated with a public highway, road, or street, or a private roadway, crosses 1 or more railroad tracks either at grade or grade-separated.

(2) STATE.—The term ''State'' means a State of the United States or the District of Columbia.

SEC. 35402. SPEED LIMIT ACTION PLANS.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, each railroad carrier providing intercity rail passenger transportation or commuter rail passenger transportation, in consultation with any applicable host railroad carrier, shall survey its entire system and identify each main track location where there is a reduction of more than 20 miles per hour from the approach speed to a curve or bridge and the maximum authorized operating speed for passenger trains at that curve or bridge.

(b) ACTION PLANS.—Not later than 120 days after the date that the survey under subsection (a) is complete, a rail passenger carrier shall submit to the Secretary an action plan that—

(1) identifies each main track location where there is a reduction of more than 20 miles per hour from the approach speed to a curve or bridge and the maximum authorized operating speed for passenger trains at that curve or bridge;

(2) describes appropriate actions, including modification to automatic train control systems, if applicable, other signal systems, increased crew size, improved signage, or other practices, including increased crew communication, to enable warning and enforcement of the maximum authorized speed for passenger trains at each location identified under paragraph (1);

(3) contains milestones and target dates for implementing each appropriate action described under paragraph (2); and

(4) ensures compliance with the maximum authorized speed at each location identified under paragraph (1).

(c) APPROVAL.—Not later than 90 days after the date an action plan is submitted under subsection (a), the Secretary shall approve, approve with conditions, or disapprove the action plan.

(d) ALTERNATIVE SAFETY MEASURES.—The Secretary may exempt from the requirements of this section each segment of track for which operations are governed by a positive train control system certified under section 20157 of title 49, United States Code, or any other safety technology or practice that would achieve an equivalent or greater level of safety in reducing derailment risk.

(e) REPORT.—Not later than 6 months after the date of the enactment of this Act, the Secretary shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that describes—

(1) the actions the railroad carriers have taken in response to Safety Advisory 2013–08, entitled ''Operational Tests and Inspections for Compliance With Maximum Authorized Train Speeds and Other Speed Restrictions'';

(2) the actions the railroad carriers have taken in response to Safety Advisory 2015–03, entitled ''Operational and Signal Modifications for Compliance with Maximum Authorized Passenger Train Speeds and Other Speed Restrictions''; and

(3) the actions the Federal Railroad Administration has taken to evaluate or incorporate the information and findings arising from the safety advisories referred to in paragraphs (1) and (2) into the development of regulatory action and oversight activities.

(f) SAVINGS CLAUSE.—Nothing in this section shall prohibit the Secretary from applying the requirements of this section to other segments of track at high risk of overspeed derailment.

SEC. 35403. SIGNAGE.

(a) IN GENERAL.—The Secretary shall promulgate such regulations as the Secretary considers necessary to require each railroad carrier providing intercity rail passenger transportation or commuter rail passenger transportation, in consultation with any applicable host railroad carrier, to install signs to warn train crews before the train approaches a location that the Secretary identifies as having high risk of overspeed derailment.

(b) ALTERNATIVE SAFETY MEASURES.—The Secretary may exempt from the requirements of this section each segment of track for which operations are governed by a positive train control system certified under section 20157 of title 49, United States Code, or any other safety technology or practice that would achieve an equivalent or greater level of safety in reducing derailment risk.

SEC. 35404. ALERTERS.

(a) IN GENERAL.—The Secretary shall promulgate a rule to require a working alerter in the controlling locomotive of each passenger train in intercity rail passenger transportation (as defined in section 24102 of title 49, United States Code) or commuter rail passenger transportation (as defined in section 24102 of title 49, United States Code).

(b) RULEMAKING.—

(1) IN GENERAL.—The Secretary may promulgate a rule to specify the essential functionalities of a working alerter, including the manner in which the alerter can be reset.

(2) ALTERNATE PRACTICE OR TECHNOLOGY.—The Secretary may require or allow a technology or practice in lieu of a working alerter if the Secretary determines that the technology or practice would achieve an equivalent or greater level of safety in enhancing or ensuring appropriate locomotive control.

SEC. 35405. SIGNAL PROTECTION.

(a) IN GENERAL.—The Secretary shall promulgate regulations to require, not later than 18 months after the date of the enactment of this Act, that on-track safety regulations, whenever practicable and consistent with other safety requirements and operational considerations, include requiring implementation of redundant signal protection, such as shunting or other practices and technologies that achieve an equivalent or greater level of safety, for maintenance-of-way work crews who depend on a train dispatcher to provide signal protection.

(b) ALTERNATIVE SAFETY MEASURES.—The Secretary may exempt from the requirements of this section each segment of track for which operations are governed by a positive train control system certified under section 20157 of title 49, United States Code, or any other safety technology or practice that would achieve an equivalent or greater level of safety in providing additional signal protection.

SEC. 35406. TECHNOLOGY IMPLEMENTATION PLANS.

Section 20156(e) is amended—

(1) in paragraph (4)—

(A) in subparagraph (A), by striking ''and'' at the end; and

(B) in subparagraph (B), by striking the period at the end and inserting ''; and''; and

(2) by adding at the end the following:

''(C) each railroad carrier required to submit such a plan, until the implementation of a positive train control system by the railroad carrier, shall analyze and, as appropriate, prioritize technologies and practices to mitigate the risk of overspeed derailments.''.

SEC. 35407. COMMUTER RAIL TRACK INSPECTIONS.

(a) IN GENERAL.—The Secretary shall evaluate track inspection regulations to determine if a railroad carrier providing commuter rail passenger transportation on high density commuter railroad lines should be required to inspect the lines in the same manner as currently required for other commuter railroad lines.

(b) RULEMAKING.—Considering safety, including railroad carrier employee and contractor safety, and system capacity, the Secretary may promulgate a rule for high density commuter railroad lines. If, after the evaluation under subsection (a), the Secretary determines that it is necessary to promulgate a rule, the Secretary shall specifically consider the following regulatory requirements for high density commuter railroad lines:

(1) At least once every 2 weeks—

(A) traverse each main line by vehicle; or

(B) inspect each main line on foot.

(2) At least once each month, traverse and inspect each siding by vehicle or by foot.

(c) REPORT.—If, after the evaluation under subsection (a), the Secretary determines it is not necessary to revise the regulations under this section, the Secretary, not later than 18 months after the date of enactment of this Act, shall transmit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives explaining the reasons for not revising the regulations.

(d) CONSTRUCTION.—Nothing in this section may be construed to limit the authority of the Secretary to promulgate regulations or issue orders under any other law.

SEC. 35408. EMERGENCY RESPONSE.

(a) IN GENERAL.—The Secretary, in consultation with railroad carriers, shall conduct a study to determine whether limitations or weaknesses exist in the emergency response information carried by train crews transporting hazardous materials.

(b) CONTENTS.—In conducting the study under subsection (a), the Secretary shall evaluate the differences between the emergency response information carried by train crews transporting hazardous materials and the emergency response guidance provided in the Emergency Response Guidebook issued by the Department of Transportation.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report of the findings of the study under subsection (a) and any recommendations for legislative action.

SEC. 35409. PRIVATE HIGHWAY-RAIL GRADE CROSSINGS.

(a) IN GENERAL.—The Secretary, in consultation with railroad carriers, shall conduct a study—

(1) to determine whether limitations or weaknesses exist regarding the availability and usefulness for safety purposes of data on private highway-rail grade crossings; and

(2) to evaluate existing engineering practices on private highway-rail grade crossings.

(b) CONTENTS.—In conducting the study under subsection (a), the Secretary shall make recommendations as necessary to improve—

(1) the utility of the data on private highway-rail grade crossings; and

(2) the implementation of private highway-rail crossing safety measures, including signage and warning systems.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report of the findings of the study and any recommendations for further action.

SEC. 35410. REPAIR AND REPLACEMENT OF DAMAGED TRACK INSPECTION EQUIPMENT.

(a) IN GENERAL.—Subchapter I of chapter 201 is amended by inserting after section 20120 the following:

''§ 20121. Repair and replacement of damaged track inspection equipment

''The Secretary of Transportation may receive and expend cash, or receive and utilize spare parts and similar items, from non-United States Government sources to repair damages to or replace United States Government owned automated track inspection cars and equipment as a result of third-party liability for such damages, and any amounts collected under this section shall be credited directly to the Railroad Safety and Operations account of the Federal Railroad Administration, and shall remain available until expended for the repair, operation, and maintenance of automated track inspection cars and equipment in connection with the automated track inspection program.''.

(b) CONFORMING AMENDMENT.—The table of contents for subchapter I of chapter 201 is amended by adding after section 21020 the following:

''20121. Repair and replacement of damaged track inspection equipment.''.

SEC. 35411. RAIL POLICE OFFICERS.

(a) IN GENERAL.—Section 28101 is amended—

(1) by striking ''employed by'' each place it appears and inserting ''directly employed by or contracted by'';

(2) in subsection (b), by inserting ''or agent, as applicable,'' after ''an employee''; and

(3) by adding at the end the following:

''(c) TRANSFERS.—

''(1) IN GENERAL.—If a railroad police officer directly employed by or contracted by a rail carrier and certified or commissioned as a police officer under the laws of a State transfers primary employment or residence from the certifying or commissioning State to another State or jurisdiction, the railroad police officer, not later than 1 year after the date of transfer, shall apply to be certified or commissioned as a police office under the laws of the State of new primary employment or residence.

''(2) INTERIM PERIOD.—During the period beginning on the date of transfer and ending 1 year after the date of transfer, a railroad police officer directly employed by or contracted by a rail carrier and certified or commissioned as a police officer under the laws of a State may enforce the laws of the new jurisdiction in which the railroad police officer resides, to the same extent as provided in subsection (a).

''(d) TRAINING.—

''(1) IN GENERAL.—A State shall recognize as meeting that State's basic police officer certification or commissioning requirements for qualification as a rail police officer under this section any individual who successfully completes a program at a State-recognized police training academy in another State or at a Federal law enforcement training center and who is certified or commissioned as a police officer by that other State.

''(2) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed as superseding or affecting any unique State training requirements related to criminal law, criminal procedure, motor vehicle code, or State-mandated comparative or annual in-service training academy or Federal law enforcement training center.''.

(b) REGULATIONS.—Not later than 1 year after the date of enactment of this Act, the Secretary shall revise the regulations in part 207 of title 49, Code of Federal Regulations (relating to railroad police officers), to permit a railroad to designate an individual, who is commissioned in the individual's State of legal residence or State of primary employment and directly employed by or contracted by a railroad to enforce State laws for the protection of railroad property, personnel, passengers, and cargo, to serve in

the States in which the railroad owns property.

(c) CONFORMING AMENDMENTS.—

(1) AMTRAK RAIL POLICE.—Section 24305(e) is amended—

(A) by striking ''may employ'' and inserting ''may directly employ or contract with'';

(B) by striking ''employed by'' and inserting ''directly employed by or contracted by''; and

(C) by striking ''employed without'' and inserting ''directly employed or contracted without''.

(2) SECURE GUN STORAGE OR SAFETY DEVICE; EXCEPTIONS.—Section 922(z)(2)(B) of title 18 is amended by striking ''employed by'' and inserting ''directly employed by or contracted by''.

SEC. 35412. OPERATION DEEP DIVE; REPORT.

(a) PROGRESS REPORTS.—Not later than 60 days after the date of the enactment of this Act, and quarterly thereafter until the completion date, the Administrator of the Federal Railroad Administration shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that describes the progress of Metro-North Commuter Railroad in implementing the directives and recommendations issued by the Federal Railroad Administration in its March 2014 report to Congress titled ''Operation Deep Dive Metro-North Commuter Railroad Safety Assessment''.

(b) FINAL REPORT.—Not later than 30 days after the completion date, the Administrator of the Federal Railroad Administration shall submit a final report on the directives and recommendations to Congress.

(c) DEFINED TERM.—In this section, the term ''completion date'' means the date on which Metro-North Commuter Railroad has completed all of the directives and recommendations referred to in subsection (a).

SEC. 35413. POST-ACCIDENT ASSESSMENT.

(a) IN GENERAL.—The Secretary of Transportation, in cooperation with the National Transportation Safety Board and the National Railroad Passenger Corporation (referred to in this section as ''Amtrak''), shall conduct a post-accident assessment of the Amtrak Northeast Regional Train #188 crash on May 12, 2015.

(b) ELEMENTS.—The assessment conducted pursuant to subsection (a) shall include—

(1) a review of Amtrak's compliance with the plan for addressing the needs of the families of passengers involved in any rail passenger accident, which was submitted pursuant to section 24316 of title 49, United States Code;

(2) a review of Amtrak's compliance with the emergency preparedness plan required under section 239.101(a) of title 49, Code of Federal Regulations;

(3) a determination of any additional action items that should be included in the plans referred to in paragraphs (1) and (2) to meet the needs of the passengers involved in the crash and their families, including—

(A) notification of emergency contacts;

(B) dedicated and trained staff to manage family assistance;

(C) the establishment of a family assistance center at the accident locale or other appropriate location;

(D) a system for identifying and recovering items belonging to passengers that were lost in the crash; and

(E) the establishment of a single customer service entity within Amtrak to coordinate the response to the needs of the passengers involved in the crash and their families;

(4) recommendations for any additional training needed by Amtrak staff to better implement the plans referred to in paragraphs (1) and (2), including the establishment of a regular schedule for training drills and exercises.

(c) REPORT TO CONGRESS.—Not later than 1 year after the date of the enactment of this Act, Amtrak shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that describes—

(1) its plan to achieve the recommendations referred to in subsection (b)(4); and

(2) steps that have been taken to address any deficiencies identified through the assessment.

SEC. 35414. TECHNICAL AND CONFORMING AMENDMENTS.

(a) ASSISTANCE TO FAMILIES OF PASSENGERS INVOLVED IN RAIL PASSENGER ACCIDENTS.—Section 1139 is amended—

(1) in subsection (a)(1), by striking ''phone number'' and inserting ''telephone number'';

(2) in subsection (a)(2), by striking ''post trauma communication with families'' and inserting ''post-trauma communication with families''; and

(3) in subsection (j), by striking ''railroad passenger accident'' each place it appears and inserting ''rail passenger accident''.

(b) SOLID WASTE RAIL TRANSFER FACILITY LAND-USE EXEMPTION.—Section 10909 is amended—

(1) in subsection (b), in the matter preceding paragraph (1), by striking ''Clean Railroad Act of 2008'' and inserting ''Clean Railroads Act of 2008''; and

(2) in subsection (e), by striking ''Upon the granting of petition from the State'' and inserting ''Upon the granting of a petition from the State''.

(c) RULEMAKING PROCESS.—Section 20116 is amended—

(1) by inserting ''(2)'' before ''the code, rule, standard, requirement, or practice has been subject to notice and comment under a rule or order issued under this part.'' and indenting accordingly;

(2) by inserting ''(1)'' before ''unless'' and indenting accordingly;

(3) in paragraph (1), as redesignated, by striking ''order, or'' and inserting ''order; or''; and

(4) in the matter preceding paragraph (1), as redesignated, by striking ''unless'' and inserting ''unless—''.

(d) ENFORCEMENT REPORT.—Section 20120(a) is amended—

(1) in the matter preceding paragraph (1), by striking ''website'' and inserting ''Web site'';

(2) in paragraph (1), by striking ''accident and incidence reporting'' and inserting ''accident and incident reporting'';

(3) in paragraph (2)(G), by inserting ''and'' at the end; and

(4) in paragraph (5)(B), by striking ''Administrative Hearing Officer or Administrative Law Judge'' and inserting ''administrative hearing officer or administrative law judge''.

(e) RAILROAD SAFETY RISK REDUCTION PROGRAM.—Section 20156 is amended—

(1) in subsection (c), by inserting a comma after ''In developing its railroad safety risk reduction program''; and

(2) in subsection (g)(1)—

(A) by inserting a comma after ''good faith''; and

(B) by striking ''non-profit'' and inserting ''nonprofit''.

(f) ROADWAY USER SIGHT DISTANCE AT HIGHWAY-RAIL GRADE CROSSINGS.—Section 20159 is amended by striking ''the Secretary'' and inserting ''the Secretary of Transportation''.

(g) NATIONAL CROSSING INVENTORY.—Section 20160 is amended—

(1) in subsection (a)(1), by striking ''concerning each previously unreported crossing through which it operates or with respect to the trackage over which it operates'' and inserting ''concerning each previously unreported crossing through which it operates with respect to the trackage over which it operates''; and

(2) in subsection (b)(1)(A), by striking ''concerning each crossing through which it operates or with respect to the trackage over which it operates'' and inserting ''concerning each crossing through which it operates with respect to the trackage over which it operates''.

(h) MINIMUM TRAINING STANDARDS AND PLANS.—Section 20162(a)(3) is amended by striking ''railroad compliance with Federal standards'' and inserting ''railroad carrier compliance with Federal standards''.

(i) DEVELOPMENT AND USE OF RAIL SAFETY TECHNOLOGY.—Section 20164(a) is amended by striking ''after enactment of the Railroad Safety Enhancement Act of 2008'' and inserting ''after the date of enactment of the Rail Safety Improvement Act of 2008''.

(j) RAIL SAFETY IMPROVEMENT ACT OF 2008.—

(1) TABLE OF CONTENTS.—Section 1(b) of division A of the Rail Safety Improvement Act of 2008 (Public Law 110–432; 122 Stat. 4848) is amended—

(A) in the item relating to section 307, by striking ''website'' and inserting ''Web site'';

(B) in the item relating to title VI, by striking ''solid waste facilities'' and inserting ''solid waste rail transfer facilities''; and

(C) in the item relating to section 602, by striking ''solid waste transfer facilities'' and inserting ''solid waste rail transfer facilities''.

(2) DEFINITIONS.—Section 2(a)(1) of division A of the Rail Safety Improvement Act of 2008 (Public Law 110–432; 122 Stat. 4849) is amended in the matter preceding subparagraph (A), by inserting a comma after ''at grade''.

(3) RAILROAD SAFETY STRATEGY.—Section 102(a)(6) of title I of division A of the Rail Safety Improvement Act of 2008 (49 U.S.C. 20101 note) is amended by striking ''Improving the safety of railroad bridges, tunnels, and related infrastructure to prevent accidents, incidents, injuries, and fatalities caused by catastrophic failures and other bridge and tunnel failures.'' and inserting ''Improving the safety of railroad bridges, tunnels, and related infrastructure to prevent accidents, incidents, injuries, and fatalities caused by catastrophic and other failures of such infrastructure.''.

(4) OPERATION LIFESAVER.—Section 206(a) of title II of division A of the Rail Safety Improvement Act of 2008 (49 U.S.C. 22501 note) is amended by striking ''Public Service Announcements'' and inserting ''public service announcements''.

(5) UPDATE OF FEDERAL RAILROAD ADMINISTRATION'S WEB SITE.—Section 307 of title III of division A of the Rail Safety Improvement Act of 2008 (49 U.S.C. 103 note) is amended—

(A) in the heading by striking ''**FEDERAL RAILROAD ADMINISTRATION'S WEBSITE**'' and inserting ''Federal Railroad Administration Web site'';

(B) by striking ''website'' each place it appears and inserting ''Web site''; and

(C) by striking ''website's'' and inserting ''Web site's''.

(6) ALCOHOL AND CONTROLLED SUBSTANCE TESTING FOR MAINTENANCE-OF-WAY EMPLOYEES.—Section 412 of title IV of division A of the Rail Safety Improvement Act of 2008 (49 U.S.C. 20140 note) is amended by striking ''Secretary of Transportation'' and inserting ''Secretary''.

(7) TUNNEL INFORMATION.—Section 414 of title IV of division A of the Rail Safety Improvement Act of 2008 (49 U.S.C. 20103 note) is amended—

(A) by striking ''parts 171.8, 173.115'' and inserting ''sections 171.8, 173.115''; and

(B) by striking ''part 1520.5'' and inserting ''section 1520.5''.

(8) SAFETY INSPECTIONS IN MEXICO.—Section 416 of title IV of division A of the Rail Safety Improvement Act of 2008 (49 U.S.C. 20107 note) is amended—

(A) in the matter preceding paragraph (1), by striking ''Secretary of Transportation'' and inserting ''Secretary''; and

(B) in paragraph (4), by striking ''subsection'' and inserting ''section''.

(9) HEADING OF TITLE VI.—The heading of title VI of division A of the Rail Safety Improvement Act of 2008 (122 Stat. 4900) is amended by striking ''**SOLID WASTE FACILITIES**'' and inserting ''**SOLID WASTE RAIL TRANSFER FACILITIES**''.

(10) HEADING OF SECTION 602.—Section 602 of title VI of division A of the Rail Safety Improvement Act of 2008 (122 Stat. 4900) is amended by striking ''**solid waste transfer facilities**'' and inserting ''**solid waste rail transfer facilities**''.

SEC. 35415. GAO STUDY ON USE OF LOCOMOTIVE HORNS AT HIGHWAY-RAIL GRADE CROSSINGS.

The Comptroller General of the United States shall submit a report to Congress containing the results of a study evaluating the effectiveness of the Federal Railroad Administration's final rule on the use of locomotive horns at highway-rail grade crossings, which was published in the Federal Register on August 17, 2006 (71 Fed. Reg. 47614).

SEC. 35416. BRIDGE INSPECTION REPORTS.

Section 417(d) of the Rail Safety Improvement Act of 2008 (49 U.S.C. 20103 note) is amended—

(1) by striking ''The Secretary'' and inserting the following:

''(1) IN GENERAL.—The Secretary''; and

(2) by adding at the end the following:

''(2) AVAILABILITY OF BRIDGE INSPECTION REPORTS.—The Administrator of the Federal Railroad Administration shall—

''(A) maintain a copy of the most recent bridge inspection reports prepared in accordance with section (b)(5); and

''(B) provide copies of the reports described in subparagraph (A) to appropriate State and local government transportation officials, upon request.''.

PART II—CONSOLIDATED RAIL INFRASTRUCTURE AND SAFETY IMPROVEMENTS

SEC. 35421. CONSOLIDATED RAIL INFRASTRUCTURE AND SAFETY IMPROVEMENTS.

(a) IN GENERAL.—Chapter 244, as amended by section 35302 of this Act, is further amended by adding at the end the following:

''§ 24408. Consolidated rail infrastructure and safety improvements

''(a) GENERAL AUTHORITY.—The Secretary may make grants under this section to an eligible recipient to assist in financing the cost of improving passenger and freight rail transportation systems in terms of safety, efficiency, or reliability.

''(b) ELIGIBLE RECIPIENTS.—The following entities are eligible to receive a grant under this section:

''(1) A State.

''(2) A group of States.

''(3) An Interstate Compact.

''(4) A public agency or publicly chartered authority established by 1 or more States and having responsibility for providing intercity rail passenger, commuter rail passenger, or freight rail transportation service.

''(5) A political subdivision of a State.

''(6) Amtrak or another rail passenger carrier that provides intercity rail passenger transportation (as defined in section 24102) or commuter rail passenger transportation (as defined in section 24102).

''(7) A Class II railroad or Class III railroad (as those terms are defined in section 20102).

''(8) Any rail carrier or rail equipment manufacturer in partnership with at least 1 of the entities described in paragraphs (1) through (5).

''(9) Any entity established to procure, manage, or maintain passenger rail equipment under section 305 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note).

''(10) An organization that is actively involved in the development of operational and safety-related standards for rail equipment and operations or the implementation of safety-related programs.

''(11) The Transportation Research Board and any entity with which it contracts in the development of rail-related research, including cooperative research programs.

''(12) A University transportation center actively engaged in rail-related research.

''(13) A non-profit labor organization representing a class or craft of employees of railroad carriers or railroad carrier contractors.

''(c) ELIGIBLE PROJECTS.—The following projects are eligible to receive grants under this section:

''(1) Deployment of railroad safety technology, including positive train control and rail integrity inspection systems.

''(2) A capital project as defined in section 24401, except that a project shall not be required to be in a State rail plan developed under chapter 227.

''(3) A capital project identified by the Secretary as being necessary to address congestion challenges affecting rail service.

''(4) A highway-rail grade crossing improvement, including grade separations, private highway-rail grade crossing improvements, and safety engineering improvements to reduce risk in quiet zones or potential quiet zones.

''(5) A rail line relocation project.

''(6) A capital project to improve short-line or regional railroad infrastructure.

''(7) Development of public education, awareness, and targeted law enforcement activities to reduce violations of traffic laws at highway-rail grade crossings and to help prevent and reduce injuries and fatalities along railroad rights-of-way.

''(8) The preparation of regional rail and corridor service development plans and corresponding environmental analyses.

''(9) Any project that the Secretary considers necessary to enhance multimodal connections or facilitate service integration between rail service and other modes, including between intercity rail passenger transportation and intercity bus service.

''(10) The development of rail-related capital, operations, and safety standards.

''(11) The implementation and operation of a safety program or institute designed to improve rail safety culture and rail safety performance.

''(12) Any research that the Secretary considers necessary to advance any particular aspect of rail-related capital, operations, or safety improvements.

''(13) Workforce development activities, coordinated to the extent practicable with the existing local training programs supported by the Department of Transportation, Department of Labor, and Department of Education.

''(d) APPLICATION PROCESS.—The Secretary shall prescribe the form and manner of filing an application under this section.

''(e) PROJECT SELECTION CRITERIA.—

''(1) IN GENERAL.—In selecting a recipient of a grant for an eligible project, the Secretary shall—

''(A) give preference to a proposed project for which the proposed Federal share of total project costs does not exceed 50 percent; and

''(B) after factoring in preference to projects under subparagraph (A), select projects that will maximize the net benefits of the funds appropriated for use under this section, considering the cost-benefit analysis of the proposed project, including anticipated private and public benefits relative to the costs of the proposed project and factoring in the other considerations described in paragraph (2).

''(2) OTHER CONSIDERATIONS.—The Secretary shall also consider the following:

''(A) The degree to which the proposed project's business plan considers potential private sector participation in the financing, construction, or operation of the project;

''(B) The recipient's past performance in developing and delivering similar projects, and previous financial contributions;

''(C) Whether the recipient has or will have the legal, financial, and technical capacity to carry out the proposed project, satisfactory continuing control over the use of the equipment or facilities, and the capability and willingness to maintain the equipment or facilities;

''(D) If applicable, the consistency of the proposed project with planning guidance and documents set forth by the Secretary or required by law or State rail plans developed under chapter 227;

''(E) If applicable, any technical evaluation ratings that proposed project received under previous competitive grant programs administered by the Secretary; and

''(F) Such other factors as the Secretary considers relevant to the successful delivery of the project.

''(3) BENEFITS.—The benefits described in paragraph (1)(B) may include the effects on system and service performance, including measures such as improved safety, competitiveness, reliability, trip or transit time, resilience, efficiencies from improved integration with other modes, and ability to meet existing or anticipated demand.

''(f) PERFORMANCE MEASURES.—The Secretary shall establish performance measures for each grant recipient to assess progress in achieving strategic goals and objectives. The Secretary may require a grant recipient to periodically report information related to such performance measures.

''(g) RURAL AREAS.—

''(1) IN GENERAL.—Of the amounts appropriated under this section, at least 25 percent shall be available for projects in rural areas. The Secretary shall consider a project to be in a rural area if all or the majority of the project (determined by the geographic location or locations where the majority of the project funds will be spent) is located in a rural area.

''(2) DEFINITION OF RURAL AREA.—In this subsection, the term 'rural area' means any area not in an urbanized area, as defined by the Census Bureau.

''(h) FEDERAL SHARE OF TOTAL PROJECT COSTS.—

''(1) TOTAL PROJECT COSTS.—The Secretary shall estimate the total costs of a project under this subsection based on the best available information, including engineering studies, studies of economic feasibility, environmental analyses, and information on the expected use of equipment or facilities.

''(2) FEDERAL SHARE.—The Federal share of total project costs under this subsection shall not exceed 80 percent.

''(3) TREATMENT OF PASSENGER RAIL REVENUE.—If Amtrak or another rail passenger carrier is an applicant under this section, Amtrak or the other rail passenger carrier, as applicable, may use ticket and other revenues generated from its operations and other sources to satisfy the non-Federal share requirements.

''(i) APPLICABILITY.—Except as specifically provided in this section, the use of any amounts appropriated for grants under this section shall be subject to the requirements of this chapter.

''(j) AVAILABILITY.—Amounts appropriated for carrying out this section shall remain available until expended.''.

(b) CONFORMING AMENDMENT.—The table of contents of chapter 244, as amended by section 35302 of this Act, is amended by adding after the item relating to section 24407 the following:

''24408. Consolidated rail infrastructure and safety improvements.''.

PART III—HAZARDOUS MATERIALS BY RAIL SAFETY AND OTHER SAFETY ENHANCEMENTS

SEC. 35431. REAL-TIME EMERGENCY RESPONSE INFORMATION.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary, in consultation with the Secretary of Homeland Security, shall promulgate regulations—

(1) to require a Class I railroad transporting hazardous materials—

(A) to generate accurate, real-time, and electronic train consist information, including—

(i) the identity, quantity, and location of hazardous materials on a train;

(ii) the point of origin and destination of the train;

(iii) any emergency response information or resources required by the Secretary; and

(iv) an emergency response point of contact designated by the Class I railroad; and

(B) to enter into a memorandum of understanding with each applicable fusion center to provide that fusion center with secure and confidential access to the electronic train consist information described in subparagraph (A) for each train transporting hazardous materials in that fusion center's jurisdiction;

(2) to require each applicable fusion center to provide the electronic train consist information described in paragraph (1)(A) to first responders, emergency response officials, and law enforcement personnel that are involved in the response to or investigation of an incident, accident, or public health or safety emergency involving the rail transportation of hazardous materials and that request such electronic train consist information;

(3) upon the request of each State, political subdivision of a State, or public agency responsible for emergency response or law enforcement, to require each applicable fusion center to provide advance notice for each high-hazard flammable train traveling through the jurisdiction of each State, political subdivision of a State, or public agency, which notice shall include the electronic train consist information described in paragraph (1)(A) for the high-hazard flammable train, and to the extent practicable, for requesting States, political subdivisions, or public agencies, to ensure that the fusion center shall provide at least 12 hours of advance notice for a high-hazard flammable train that will be traveling through the jurisdiction of the State, political subdivision of a State, or public agency, and include within the notice its best estimate of the time the train will enter the jurisdiction;

(4) to prohibit any railroad, employee, or agent from withholding, or causing to be withheld the train consist information from first responders, emergency response officials, and law enforcement personnel described in paragraph (2) in the event of an incident, accident, or public health or safety emergency involving the rail transportation of hazardous materials;

(5) to establish security and confidentiality protections to prevent the release of the electronic train consist information to unauthorized persons; and

(6) to allow each Class I railroad to enter into a memorandum of understanding with any Class II or Class III railroad that operates trains over the Class I railroad's line to incorporate the Class II or Class III railroad's train consist information within the existing framework described in paragraph (1).

(b) DEFINITIONS.—In this section:

(1) APPLICABLE FUSION CENTER.—The term ''applicable fusion center'' means a fusion center with responsibility for a geographic area in which a Class I railroad operates.

(2) CLASS I RAILROAD.—The term ''Class I railroad'' has the meaning given the term in section 20102 of title 49, United States Code.

(3) FUSION CENTER.—The term ''fusion center'' has the meaning given the term in section 124h(j) of title 6, United States Code.

(4) HAZARDOUS MATERIALS.—The term ''hazardous materials'' means material designated as hazardous by the Secretary of Transportation under chapter 51 of the United States Code.

(5) HIGH-HAZARD FLAMMABLE TRAIN.—The term ''high-hazard flammable train'' means a single train transporting 20 or more tank cars loaded with a Class 3 flammable liquid in a continuous block or a single train transporting 35 or more tank cars loaded with a Class 3 flammable liquid throughout the train consist.

(6) TRAIN CONSIST.—The term ''train consist'' includes, with regard to a specific train, the number of rail cars and the commodity transported by each rail car.

(c) SAVINGS CLAUSE.—

(1) Nothing in this section may be construed to prohibit a Class I railroad from voluntarily entering into a memorandum of understanding, as described in subsection (a)(1)(B), with a State emergency response commission or an entity representing or including first responders, emergency response officials, and law enforcement personnel.

(2) Nothing in this section may be construed to amend any requirement for a railroad to provide a State Emergency Response Commission, for each State in which it operates trains transporting 1,000,000 gallons or more of Bakken crude oil, notification regarding the expected movement of such trains through the counties in the State.

SEC. 35432. THERMAL BLANKETS.

(a) REQUIREMENTS.—Not later than 180 days after the date of enactment of this Act, the Secretary shall promulgate such regulations as are necessary to require each tank car built to meet the DOT-117 specification and each non-jacketed tank car modified to meet the DOT-117R specification—

(1) to be equipped with a thermal blanket; or

(2) to have sufficient thermal resistance so that there will be no release of any lading within the tank car, except release through the pressure relief device, when subjected to a pool fire for 200 minutes and a torch fire for 30 minutes.

(b) DEFINITION OF THERMAL BLANKET.—In this section, the term ''thermal blanket'' means an insulating blanket that is applied between the outer surface of a tank car tank and the inner surface of a tank car jacket and that has thermal conductivity no greater than 2.65 Btu per inch, per hour, per square foot, and per degree Fahrenheit at a temperature of 2000 degrees Fahrenheit, plus or minus 100 degrees Fahrenheit.

(c) SAVINGS CLAUSE.—

(1) PRESSURE RELIEF DEVICES.—Nothing in this section may be construed to affect or prohibit any requirement to equip with appropriately sized pressure relief devices a tank car built to meet the DOT-117 specification or a non-jacketed tank car modified to meet the DOT-117R specification.

(2) HARMONIZATION.—Nothing in this section may be construed to require or allow the Secretary to prescribe an implementation deadline or authorization end date for the requirement under subsection (a) that is earlier than the applicable implementation deadline or authorization end date for other tank car modifications necessary to meet the DOT-117R specification.

SEC. 35433. COMPREHENSIVE OIL SPILL RESPONSE PLANS.

(a) REQUIREMENTS.—Not later than 120 days after the date of enactment of this Act, the Secretary shall issue a notice of proposed rulemaking to require each railroad carrier transporting a Class 3 flammable liquid to maintain a comprehensive oil spill response plan.

(b) CONTENTS.—The regulations under subsection (a) shall require each rail carrier described in that subsection—

(1) to include in the comprehensive oil spill response plan procedures and resources for responding, to the maximum extent practicable, to a worst-case discharge;

(2) to ensure the comprehensive oil spill response plan is consistent with the National Contingency Plan and each applicable Area Contingency Plan;

(3) to include in the comprehensive oil spill response plan appropriate notification and training procedures;

(4) to review and update its comprehensive oil spill response plan as appropriate; and

(5) to provide the comprehensive oil spill response plan for acceptance by the Secretary.

(c) SAVINGS CLAUSE.—Nothing in the section may be construed as prohibiting the Secretary from promulgating different comprehensive oil response plan standards for Class I, Class II, and Class III railroads.

(d) DEFINITIONS.—In this section:

(1) AREA CONTINGENCY PLAN.—The term ''Area Contingency Plan'' has the meaning given the term in section 311(a) of the Federal Water Pollution Control Act (33 U.S.C. 1321(a)).

(2) CLASS 3 FLAMMABLE LIQUID.—The term ''Class 3 flammable liquid'' has the meaning

given the term in section 173.120(a) of title 49, Code of Federal Regulations.

(3) CLASS I RAILROAD, CLASS II RAILROAD, AND CLASS III RAILROAD.—The terms ''Class I railroad'', ''Class II railroad'' and ''Class III railroad'' have the meanings given the terms in section 20102 of title 49, United States Code.

(4) NATIONAL CONTINGENCY PLAN.—The term ''National Contingency Plan'' has the meaning given the term in section 1001 of the Oil Pollution Act of 1990 (33 U.S.C. 2701).

(5) RAILROAD CARRIER.—The term ''railroad carrier'' has the meaning given the term in section 20102 of title 49, United States Code.

(6) WORST-CASE DISCHARGE.—The term ''worst-case discharge'' means a railroad carrier's calculation of its largest foreseeable discharge in the event of an accident or incident.

SEC. 35434. HAZARDOUS MATERIALS BY RAIL LIABILITY STUDY.

(a) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Secretary shall initiate a study on the levels and structure of insurance for a railroad carrier transporting hazardous materials.

(b) CONTENTS.—In conducting the study under subsection (a), the Secretary shall evaluate—

(1) the level and structure of insurance, including self-insurance, available in the private market against the full liability potential for damages arising from an accident or incident involving a train transporting hazardous materials;

(2) the level and structure of insurance that would be necessary and appropriate—

(A) to efficiently allocate risk and financial responsibility for claims; and

(B) to ensure that a railroad carrier transporting hazardous materials can continue to operate despite the risk of an accident or incident;

(3) the potential applicability to trains transporting hazardous materials of—

(A) a liability regime modeled after section 170 of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2210); and

(B) a liability regime modeled after subtitle 2 of title XXI of the Public Health Service Act (42 U.S.C. 300aa–10 et seq.).

(c) REPORT.—Not later than 1 year after the date the study under subsection (a) is initiated, the Secretary shall submit a report containing the results of the study and recommendations for addressing liability issues with rail transportation of hazardous materials to—

(1) the Committee on Commerce, Science, and Transportation of the Senate; and

(2) the Committee on Transportation and Infrastructure of the House of Representatives.

(d) DEFINITIONS.—In this section:

(1) HAZARDOUS MATERIAL.—The term ''hazardous material'' means a substance or material the Secretary designates under section 5103(a) of title 49, United States Code.

(2) RAILROAD CARRIER.—The term ''railroad carrier'' has the meaning given the term in section 20102 of title 49, United States Code.

SEC. 35435. STUDY AND TESTING OF ELECTRONICALLY-CONTROLLED PNEUMATIC BRAKES.

(a) GOVERNMENT ACCOUNTABILITY OFFICE STUDY.—

(1) IN GENERAL.—The Government Accountability Office shall complete an independent evaluation of ECP brake systems pilot program data and the Department of Transportation's research and analysis on the effects of ECP brake systems.

(2) STUDY ELEMENTS.—In completing the independent evaluation under paragraph (1), the Government Accountability Office shall examine the following issues related to ECP brake systems:

(A) Data and modeling results on safety benefits relative to conventional brakes and to other braking technologies or systems, such as distributed power and 2-way end-of-train devices.

(B) Data and modeling results on business benefits, including the effects of dynamic braking.

(C) Data on costs, including up-front capital costs and on-going maintenance costs.

(D) Analysis of potential operational challenges, including the effects of potential locomotive and car segregation, technical reliability issues, and network disruptions.

(E) Analysis of potential implementation challenges, including installation time, positive train control integration complexities, component availability issues, and tank car shop capabilities.

(F) Analysis of international experiences with the use of advanced braking technologies.

(3) DEADLINE.—Not later than 18 months after the date of enactment of this Act, the Government Accountability Office shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the results of the independent evaluation under paragraph (1).

(b) EMERGENCY BRAKING APPLICATION TESTING.—

(1) IN GENERAL.—The Secretary of Transportation shall enter into an agreement with the NCRRP Board—

(A) to complete testing of ECP brake systems during emergency braking application, including more than 1 scenario involving the uncoupling of a train with 70 or more DOT 117-specification or DOT 117R-specification tank cars; and

(B) to transmit, not later than 18 months after the date of enactment of this Act, to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the results of the testing.

(2) INDEPENDENT EXPERTS.—In completing the testing under paragraph (1), the NCRRP Board may contract with 1 or more engineering or rail experts, as appropriate, with relevant experience in conducting railroad safety technology tests or similar crash tests.

(3) TESTING FRAMEWORK.—In completing the testing under paragraph (1), the NCRRP Board and each contractor described in paragraph (2) shall ensure that the testing objectively, accurately, and reliably measures the performance of ECP brake systems relative to other braking technologies or systems, such as distributed power and 2-way end-of-train devices, including differences in—

(A) the number of cars derailed;

(B) the number of cars punctured;

(C) the measures of in-train forces; and

(D) the stopping distance.

(4) FUNDING.—The Secretary shall require, as part of the agreement under paragraph (1), that the NCRRP Board fund the testing required under this section—

(A) using such sums made available under section 24910 of title 49, United States Code; and

(B) to the extent funding under subparagraph (A) is insufficient or unavailable to fund the testing required under this section, using such sums as are necessary from the amounts appropriated to the Office of the Secretary.

(5) EQUIPMENT.—The NCRRP Board and each contractor described in paragraph (2) may receive or use rolling stock, track, and other equipment or infrastructure from a private entity for the purposes of conducting the testing required under this section.

(c) EVIDENCE-BASED APPROACH.—

(1) ANALYSIS.—The Secretary shall—

(A) not later than 90 days after the report date, fully incorporate and reflect the findings from both reports into a draft updated regulatory impact analysis of the effects of the applicable ECP brake system requirements;

(B) as soon as practicable after completion of the draft updated analysis under subparagraph (A), solicit public comment on the analysis for a period of not more than 30 days; and

(C) not later than 60 days after the end of the public comment period, post the final updated regulatory impact analysis on the Department of Transportation Web site.

(2) DETERMINATION.—Not later than 180 days after the report date, the Secretary shall—

(A) determine, based on whether the final regulatory impact analysis described in paragraph (1)(C) demonstrates that the benefits, including safety benefits, of the applicable ECP brake system requirements exceed their costs, whether the applicable ECP brake system requirements are justified; and

(B)(i) if the applicable ECP brake system requirements are justified, publish in the Federal Register the determination with the reasons for it; or

(ii) if the Secretary does not publish the determination under clause (i), repeal the applicable ECP brake system requirements.

(d) DEFINITIONS.—In this section:

(1) APPLICABLE ECP BRAKE SYSTEM REQUIREMENTS.—The term ''applicable brake system requirements'' means sections 174.310(a)(3)(ii), 174.310(a)(3)(iii), 174.310(a)(5)(v), 179.102-10, 179.202-12(g), and 179.202-13(i) of title 49, Code of Federal Regulations, and any other regulation in effect on the date of enactment of this Act requiring the installation of ECP brakes or operation in ECP brake mode.

(2) CLASS 3 FLAMMABLE LIQUID.—The term ''Class 3 flammable liquid'' has the meaning given the term in section 173.120(a) of title 49, Code of Federal Regulations.

(3) ECP.—The term ''ECP'' means electronically-controlled pneumatic when applied to a brake or brakes.

(4) ECP BRAKE MODE.—The term ''ECP brake mode'' includes any operation of a rail car or an entire train using an ECP brake system.

(5) ECP BRAKE SYSTEM.—

(A) IN GENERAL.—The term ''ECP brake system'' means a train power braking system actuated by compressed air and controlled by electronic signals from the locomotive or an ECP-EOT to the cars in the consist for service and emergency applications in which the brake pipe is used to provide a constant supply of compressed air to the reservoirs on each car but does not convey braking signals to the car.

(B) INCLUSIONS.—The term ''ECP brake system'' includes dual mode and stand-alone ECP brake systems.

(6) HIGH-HAZARD FLAMMABLE UNIT TRAIN.—The term ''high-hazard flammable unit train'' means a single train transporting 70 or more loaded tank cars containing Class 3 flammable liquid.

(7) NCRRP BOARD.—The term ''NCRRP Board'' means the independent governing board of the National Cooperative Rail Research Program.

(8) RAILROAD CARRIER.—The term ''railroad carrier'' has the meaning given the term in section 20102 of title 49, United States Code.

(9) REPORT DATE.—The term ''report date'' means the date that both the report under subsection (a)(3) and the report under subsection (b)(1)(B) have been transmitted under those subsections.

SEC. 35436. RECORDING DEVICES.

(a) IN GENERAL.—Subchapter II of chapter 201 is amended by adding after section 20167 the following:

''§ 20168. Installation of audio and image recording devices

''(a) IN GENERAL.—Not later than 2 years after the date of enactment of the Railroad Reform, Enhancement, and Efficiency Act, the Secretary of Transportation shall promulgate regulations to require each rail carrier that provides regularly scheduled intercity rail passenger or commuter rail passenger transportation to the public to install inward- and outward-facing image recording devices in all controlling locomotive cabs and cab car operating compartments in such passenger trains.

''(b) DEVICE STANDARDS.—Each inward- and outward-facing image recording device shall—

''(1) have a minimum 12-hour continuous recording capability;

''(2) have crash and fire protections for any in-cab image recordings that are stored only within a controlling locomotive cab or cab car operating compartment; and

''(3) have recordings accessible for review during an accident investigation.

''(c) REVIEW.—The Secretary shall establish a process to review and approve or disapprove an inward- or outward-facing recording device for compliance with the standards described in subsection (b).

''(d) USES.—A rail carrier that has installed an inward- or outward-facing image recording device approved under subsection (c) may use recordings from that inward- or outward-facing image recording device for the following purposes:

''(1) Verifying that train crew actions are in accordance with applicable safety laws and the rail carrier's operating rules and procedures.

''(2) Assisting in an investigation into the causation of a reportable accident or incident.

''(3) Carrying out efficiency testing and system-wide performance monitoring programs.

''(4) Documenting a criminal act or monitoring unauthorized occupancy of the controlling locomotive cab or car operating compartment.

''(5) Other purposes that the Secretary considers appropriate.

''(e) VOLUNTARY IMPLEMENTATION.—

''(1) IN GENERAL.—Each rail carrier operating freight rail service may implement any inward- or outward-facing image recording devices approved under subsection (c).

''(2) AUTHORIZED USES.—Notwithstanding any other provision of law, each rail carrier may use recordings from an inward- or outward-facing image recording device approved under subsection (c) for any of the purposes described in subsection (d).

''(f) DISCRETION.—

''(1) IN GENERAL.—The Secretary may—

''(A) require in-cab audio recording devices for the purposes described in subsection (d); and

''(B) define in appropriate technical detail the essential features of the devices required under subparagraph (A).

''(2) EXEMPTIONS.—The Secretary may exempt any rail passenger carrier or any part of a rail passenger carrier's operations from the requirements under subsection (a) if the Secretary determines that the rail passenger carrier has implemented an alternative technology or practice that provides an equivalent or greater safety benefit or is better suited to the risks of the operation.

''(g) TAMPERING.—A rail carrier may take appropriate enforcement or administrative action against any employee that tampers with or disables an audio or inward- or outward-facing image recording device installed by the rail carrier.

''(h) PRESERVATION OF DATA.—Each rail passenger carrier subject to the requirements of subsection (a) shall preserve recording device data for 1 year after the date of a reportable accident or incident.

''(i) INFORMATION PROTECTIONS.—The Secretary may not disclose publicly any part of an in-cab audio or image recording or transcript of oral communications by or among train employees or other operating employees responsible for the movement and direction of the train, or between such operating employees and company communication centers, related to an accident investigated by the Secretary. However, the Secretary shall make public any part of a transcript or any written depiction of visual information that the Secretary decides is relevant to the accident at the time a majority of the other factual reports on the accident are released to the public.

''(j) PROHIBITED USE.—An in-cab audio or image recording obtained by a rail carrier under this section may not be used to retaliate against an employee.

''(k) SAVINGS CLAUSE.—Nothing in this section may be construed as requiring a rail carrier to cease or restrict operations upon a technical failure of an inward- or outward-facing image recording device. Such rail carrier shall repair or replace the failed inward- or outward-facing image recording device as soon as practicable.''.

(b) CONFORMING AMENDMENT.—The table of contents for subchapter II of chapter 201 is amended by adding at the end the following:

''20168. Installation of audio and image recording devices.''.

SEC. 35437. RAIL PASSENGER TRANSPORTATION LIABILITY.

(a) LIMITATIONS.—Section 28103(a) is amended—

(1) in paragraph (2), by striking ''$200,000,000'' and inserting ''$295,000,000, except as provided in paragraph (3).''; and

(2) by adding at the end the following:

''(3) The liability cap under paragraph (2) shall be adjusted every 5 years by the Secretary of Transportation to reflect changes in the Consumer Price Index-All Urban Consumers.

''(4) The Federal Government shall have no financial responsibility for any claims described in paragraph (2).''.

(b) DEFINITION OF RAIL PASSENGER TRANSPORTATION.—Section 28103(e) is amended—

(1) in the heading, by striking ''DEFINITION.—'' and inserting ''DEFINITIONS.—'';

(2) in paragraph (2), by striking ''; and'' and inserting a semicolon;

(3) in paragraph (3), by striking the period at the end and inserting ''; and''; and

(4) by adding at the end the following:

''(4) the term 'rail passenger transportation' includes commuter rail passenger transportation (as defined in section 24102).''.

(c) PROHIBITION.—No Federal funds may be appropriated for the purpose of paying for the portion of an insurance premium attributable to the increase in allowable awards under the amendments made by subsection (a).

(d) EFFECTIVE DATE.—The amendments made by subsection (a) shall be effective for any passenger rail accident or incident occurring on or after May 12, 2015.

SEC. 35438. MODIFICATION REPORTING.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall implement a reporting requirement to monitor industry-wide progress toward modifying tank cars used in high-hazard flammable train service by the applicable deadlines or authorization end dates set in regulation.

(b) TANK CAR DATA.—The Secretary shall collect data from shippers and tank car owners on—

(1) the total number of tank cars modified to meet the DOT-117R specification, or equivalent, specifying—

(A) the type or specification of each tank car before it was modified, including non-jacketed DOT-111, jacketed DOT-111, non-jacketed DOT-111 meeting the CPC-1232 standard, or jacketed DOT-111 meeting the CPC-1232 standard; and

(B) the identification number of each Class 3 flammable liquid carried by each tank car in the past year;

(2) the total number of tank cars built to meet the DOT-117 specification, or equivalent; and

(3) the total number of tank cars used or likely to be used in high-hazard flammable train service that have not been modified, specifying—

(A) the type or specification of each tank car not modified, including the non-jacketed DOT-111, jacketed DOT-111, non-jacketed DOT-111 meeting the CPC-1232 standard, or jacketed DOT-111 meeting the CPC-1232 standard; and

(B) the identification number of each Class 3 flammable liquid carried by each tank car in the past year.

(c) TANK CAR SHOP DATA.—The Secretary shall conduct a survey of tank car facilities modifying tank cars to the DOT-117R specification, or equivalent, or building new tank cars to the DOT-117 specification, or equivalent, to generate statistically-valid estimates of the expected number of tank cars those facilities expect to modify to DOT-117R specification, or equivalent, or build to the DOT-117 specification, or equivalent.

(d) FREQUENCY.—The Secretary shall collect the data under subsection (b) and conduct the survey under subsection (c) annually until May 1, 2025.

(e) INFORMATION PROTECTIONS.—

(1) IN GENERAL.—The Secretary shall only report data in industry-wide totals and shall treat company-specific information as confidential business information.

(2) LEVEL OF CONFIDENTIALITY.—The Secretary shall ensure the data collected under subsection (b) and the survey data under subsection (c) have the same level of confidentiality as contained in the Confidential Information Protection and Statistical Efficiency Act of 2002 (44 U.S.C. 3501 note), as administered by the Bureau of Transportation Statistics.

(3) DESIGNEE.—The Secretary may designate the Director of the Bureau of Transportation Statistics to collect data under subsection (b) and the survey data under subsection (c) and direct the Director to ensure the confidentially of company-specific information to the maximum extent permitted by law.

(f) REPORT.—Each year, not later than 60 days after the date that both the collection of the data under subsection (b) and the survey under subsection (c) are complete, the

Secretary shall report on the aggregate results, without company-specific information, to—

(1) the Committee on Commerce, Science, and Transportation of the Senate; and

(2) the Committee on Transportation and Infrastructure of the House of Representatives.

(g) DEFINITIONS.—In this section:

(1) CLASS 3 FLAMMABLE LIQUID.—The term ''Class 3 flammable liquid'' has the meaning given the term in section 173.120(a) of title 49, Code of Federal Regulations.

(2) HIGH-HAZARD FLAMMABLE TRAIN.—The term ''high-hazard flammable train'' means a single train transporting 20 or more tank cars loaded with a Class 3 flammable liquid in a continuous block or a single train transporting 35 or more tank cars loaded with a Class 3 flammable liquid throughout the train consist.

SEC. 35439. REPORT ON CRUDE OIL CHARACTERISTICS RESEARCH STUDY.

Not later than 180 days after the research completion of the comprehensive Crude Oil Characteristics Research Sampling, Analysis, and Experiment (SAE) Plan study at Sandia National Laboratories, the Secretary of Energy, in cooperation with the Secretary of Transportation, shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Energy and Natural Resources of the Senate, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Energy and Commerce of the House of Representatives that contains—

(1) the results of the comprehensive Crude Oil Characteristics Research Sampling, Analysis, and Experiment (SAE) Plan study; and

(2) recommendations, based on the findings of the study, for—

(A) regulations that should be prescribed by the Secretary of Transportation or the Secretary of Energy to improve the safe transport of crude oil; and

(B) statutes that should be enacted by Congress to improve the safe transport of crude oil.

PART IV—POSITIVE TRAIN CONTROL

SEC. 35441. COORDINATION OF SPECTRUM.

(a) ASSESSMENT.—The Secretary, in coordination with the Chairman of the Federal Communications Commission, shall assess spectrum needs and availability for implementing positive train control systems (as defined in section 20157(i)(3) of title 49, United States Code). The Secretary and the Chairman may consult with external stakeholders in carrying out this section.

(b) REPORT.—Not later than 120 days after the date of enactment of this Act, the Secretary shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that contains the results of the assessment conducted under subsection (a).

SEC. 35442. UPDATED PLANS.

(a) IMPLEMENTATION.—Section 20157(a) is amended to read as follows:

''(a) IMPLEMENTATION.—

''(1) PLAN REQUIRED.—Each Class I railroad carrier and each entity providing regularly scheduled intercity or commuter rail passenger transportation shall develop and submit to the Secretary of Transportation a plan for implementing a positive train control system by December 31, 2015, governing operations on—

''(A) its main line over which intercity rail passenger transportation or commuter rail passenger transportation (as defined in section 24102) is regularly provided;

''(B) its main line over which poison- or toxic-by-inhalation hazardous materials (as defined in sections 171.8, 173.115, and 173.132 of title 49, Code of Federal Regulations) are transported; and

''(C) such other tracks as the Secretary may prescribe by regulation or order.

''(2) INTEROPERABILITY AND PRIORITIZATION.—The plan shall describe how the railroad carrier or other entity subject to paragraph (1) will provide for interoperability of the positive train control systems with movements of trains of other railroad carriers over its lines and shall, to the extent practical, implement the positive train control systems in a manner that addresses areas of greater risk before areas of lesser risk.

''(3) SECRETARIAL REVIEW OF UPDATED PLANS.—

''(A) SUBMISSION OF UPDATED PLANS.—Notwithstanding the deadline set forth in paragraph (1), not later than 90 days after the date of enactment of the Railroad Reform, Enhancement, and Efficiency Act, each Class I railroad carrier or other entity subject to paragraph (1) may submit to the Secretary an updated plan that amends the plan submitted under paragraph (1) with an updated implementation schedule (as described in paragraph (4)(B)) and milestones or metrics (as described in paragraph (4)(A)) that demonstrate that the railroad carrier or other entity will implement a positive train control system as soon as practicable, if implementing in accordance with the updated plan will not introduce operational challenges or risks to full, successful, and safe implementation.

''(B) REVIEW OF UPDATED PLANS.—Not later than 150 days after receiving an updated plan under subparagraph (A), the Secretary shall review the updated plan and approve or disapprove it. In determining whether to approve or disapprove the updated plan, the Secretary shall consider whether the railroad carrier or other entity submitting the plan—

''(i)(I) has encountered technical or programmatic challenges identified by the Secretary in the 2012 report transmitted to Congress pursuant to subsection (d); and

''(II) the challenges referred to in subclause (I) have negatively affected the successful implementation of positive train control systems;

''(ii) has demonstrated due diligence in its effort to implement a positive train control system;

''(iii) has included in its plan milestones or metrics that demonstrate the railroad carrier or other entity will implement a positive train control system as soon as practicable, if implementing in accordance with the milestones or metrics will not introduce operational challenges or risks to full, successful, and safe implementation; and

''(iv) has set an implementation schedule in its plan that shows the railroad will comply with paragraph (7), if implementing in accordance with the implementation schedule will not introduce operational challenges or risks to full, successful, and safe implementation.

''(C) MODIFICATION OF UPDATED PLANS.—(i) If the Secretary has not approved an updated plan under subparagraph (B) within 60 days of receiving the updated plan under subparagraph (A), the Secretary shall immediately—

''(I) provide a written response to the railroad carrier or other entity that identifies the reason for not approving the updated plan and explains any incomplete or deficient items;

''(II) allow the railroad carrier or other entity to submit, within 30 days of receiving the written response under subclause (I), a modified version of the updated plan for the Secretary's review; and

''(III) approve or issue final disapproval for a modified version of the updated plan submitted under subclause (II) not later than 60 days after receipt.

''(ii) During the 60-day period described in clause (i)(III), the railroad or other entity that has submitted a modified version of the updated plan under clause (i)(II) may make additional modifications, if requested by the Secretary, for the purposes of correcting incomplete or deficient items to receive approval.

''(D) PUBLIC AVAILABILITY.—Not later than 30 days after approving an updated plan under this paragraph, the Secretary shall make the updated plan available on the website of the Federal Railroad Administration.

''(E) PENDING REVIEWS.—For an applicant that submits an updated plan under subparagraph (A), the Secretary shall extend the deadline for implementing a positive train control system at least until the date the Secretary approves or issues final disapproval for the updated plan with an updated implementation schedule (as described in paragraph (4)(B)).

''(F) DISAPPROVAL.—A railroad carrier or other entity that has its modified version of its updated plan disapproved by the Secretary under subparagraph (C)(i)(III), and that has not implemented a positive train control system by the deadline in subsection (a)(1), is subject to enforcement action authorized under subsection (e).

''(4) CONTENTS OF UPDATED PLAN.—

''(A) MILESTONES OR METRICS.—Each updated plan submitted under paragraph (3) shall describe the following milestones or metrics:

''(i) The total number of components that will be installed with positive train control by the end of each calendar year until positive train control is fully implemented, with totals separated by each component category.

''(ii) The number of employees that will receive the training, as required under the applicable positive train control system regulations, by the end of each calendar year until positive train control is fully implemented.

''(iii) The calendar year or years in which spectrum will be acquired and will be available for use in all areas that it is needed for positive train control implementation, if such spectrum is not already acquired and ready for use.

''(B) IMPLEMENTATION SCHEDULE.—Each updated plan submitted under paragraph (3) shall include an implementation schedule that identifies the dates by which the railroad carrier or other entity will—

''(i) fully implement a positive train control system;

''(ii) complete all component installation, consistent with the milestones or metrics described in subparagraph (A)(i);

''(iii) complete all employee training required under the applicable positive train control system regulations, consistent with the milestones or metrics described in subparagraph (A)(ii);

''(iv) acquire all necessary spectrum, consistent with the milestones or metrics in subparagraph (A)(iii); and

''(v) activate its positive train control system.

''(C) ADDITIONAL INFORMATION.—Each updated plan submitted under paragraph (3) shall include—

''(i) the total number of positive train control components required for implementation, with totals separated by each major component category;

''(ii) the total number of employees requiring training under the applicable positive train control system regulations;

''(iii) a summary of the remaining challenges to positive train control system implementation, including—

''(I) testing issues;

''(II) interoperability challenges;

''(III) permitting issues; and

''(IV) certification challenges.

''(D) DEFINED TERM.—In this paragraph, the term 'component' means a locomotive apparatus, a wayside interface unit (including any associated legacy signal system replacements), back office system hardware, a base station radio, a wayside radio, or a locomotive radio.

''(5) PLAN IMPLEMENTATION.—The Class I railroad carrier or other entity subject to paragraph (1) shall implement a positive train control system in accordance with its plan, including any amendments made to the plan by its updated plan approved by the Secretary under paragraph (3), and subject to section 35443 of the Railroad Reform, Enhancement, and Efficiency Act.

''(6) PROGRESS REPORT.—Each Class I railroad carrier or other entity with an approved updated plan shall submit an annual report to the Secretary that describes the progress made on positive train control implementation, including—

''(A) the extent to which the railroad carrier or other entity met or exceeded the metrics or milestones described in paragraph (4)(A);

''(B) the extent to which the railroad carrier or other entity complied with its implementation schedule under paragraph (4)(B); and

''(C) any update to the information provided under paragraph (4)(C).

''(7) CONSTRAINT.—Each updated plan shall reflect that the railroad carrier or other entity subject to paragraph (1) will, not later than December 31, 2018—

''(A) complete component installation and spectrum acquisition; and

''(B) activate its positive train control system without undue delay.''.

(b) ENFORCEMENT.—Section 20157(e) is amended to read as follows:

''(e) ENFORCEMENT.—The Secretary is authorized to assess civil penalties pursuant to chapter 213 for the failure to submit or comply with a plan for implementing positive train control under subsection (a), including any amendments to the plan made by an updated plan (including milestones or metrics and an updated implementation schedule) approved by the Secretary under paragraph (3) of such subsection, subject to section 35443 of the Railroad Reform, Enhancement, and Efficiency Act.''.

(c) DEFINITIONS.—Section 20157(i) is amended—

(1) by redesignating paragraphs (1) through (3) as paragraphs (2) through (4), respectively; and

(2) by inserting before paragraph (2), as redesignated, the following:

''(1) ACTIVATE.—The term 'activate' means to initiate the use of a positive train control system in every subdivision or district where the railroad carrier or other entity is prepared to do so safely, reliably, and successfully, and proceed with revenue service demonstration as necessary for system testing and certification, prior to full implementation.''.

(d) CONFORMING AMENDMENT.—Section 20157(g) is amended—

(1) by striking ''The Secretary'' and inserting the following:

''(1) IN GENERAL.—The Secretary''; and

(2) by adding at the end the following:

''(2) CONFORMING REGULATORY AMENDMENTS.—Immediately after the date of the enactment of the Railroad Reform, Enhancement, and Efficiency Act, the Secretary—

''(A) shall remove or revise any references to specified dates in the regulations or orders implementing this section to the extent necessary to conform with the amendments made by such Act; and

''(B) may not enforce any such date-specific deadlines or requirements that are inconsistent with the amendments made by such Act.''.

(e) SAVINGS PROVISIONS.—

(1) RESUBMISSION OF INFORMATION.—Nothing in the amendments made by this section may be construed to require a Class I railroad carrier or other entity subject to section 20157(a) of title 49, United States Code, to resubmit in its updated plan information from its initial implementation plan that is not changed or affected by the updated plan. The Secretary shall consider an updated plan submitted pursuant to paragraph (3) of that section to be an addendum that makes amendments to the initial implementation plan.

(2) SUBMISSION OF NEW PLAN.—Nothing in the amendments made by this section may be construed to require a Class I railroad carrier or other entity subject to section 20157(a) of title 49, United States Code, to submit a new implementation plan pursuant to the deadline set forth in that section.

(3) APPROVAL.—A railroad carrier or other entity subject to section 20157(a) of title 49, United States Code, that has its updated plan, including a modified version of the updated plan, approved by the Secretary under subparagraph (B) or subparagraph (C) of paragraph (3) of that section shall not be required to implement a positive train control system by the deadline under paragraph (1) of that section.

SEC. 35443. EARLY ADOPTION AND INTEROPERABILITY.

(a) EARLY ADOPTION.—During the 1-year period beginning on the date on which the last railroad carrier's or other entity's positive train control system, subject to section 20157(a) of title 49, United States Code, is certified by the Secretary under subsection (h) of such section and implemented on all of that railroad carrier's or other entity's lines required to have operations governed by a positive train control system, any railroad carrier or other entity shall not be subject to the operational restrictions set forth in subpart I of part 236 of title 49, Code of Federal Regulations, that would otherwise apply in the event of a positive train control system component failure.

(b) INTEROPERABILITY PROCEDURE.—If multiple railroad carriers operate on a single railroad line through a trackage or haulage agreement, each railroad carrier operating on the railroad line shall not be subject to the operating restrictions set forth in subpart I of part 236 of title 49, Code of Federal Regulations, with respect to the railroad line, until the Secretary certifies that—

(1) each Class I railroad carrier and each entity providing regularly scheduled intercity or commuter rail passenger transportation that operates on the railroad line is in compliance with its positive train control requirements under section 20157(a) of title 49, United States Code;

(2) each Class II or Class III railroad that operates on the railroad line is in compliance with the applicable regulatory requirements to equip locomotives operating in positive train control territory; and

(3) the implementation of any and all positive train control systems are interoperable and operational on the railroad line in conformance with each approved implementation plan so that each freight and passenger railroad can operate on the line with that freight or passenger railroad's positive train control equipment.

(c) SMALL RAILROADS.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall amend section 236.1006(b)(4)(iii)(B) of title 49, Code of Federal Regulations (relating to equipping locomotives for applicable Class II and Class III railroads operating in positive train control territory) to extend each deadline by 3 years.

(d) ENFORCEMENT.—

(1) IN GENERAL.—Subject to paragraph (2), nothing in subsection (a) may be construed to prohibit the Secretary from enforcing the metrics and milestones under section 20157(a)(4)(A) of title 49, United States Code, as amended by section 35442 of this Act.

(2) ACTIVATION.—Beginning on the date in which a railroad carrier or other entity subject to section 20157(a) of title 49, United States Code, as amended by section 35442 of this Act, has activated its positive train control system, the railroad carrier or other entity shall not be in violation of its plan, including its updated plan, approved under this Act if implementing such plan introduces operational challenges or risks to full, successful, and safe implementation.

SEC. 35444. POSITIVE TRAIN CONTROL AT GRADE CROSSINGS EFFECTIVENESS STUDY.

(a) STUDY.—After the Secretary certifies that each Class I railroad carrier and each entity providing regularly scheduled intercity or commuter rail passenger transportation is in compliance with the positive train control requirements under section 20157(a) of title 49, United States Code, the Secretary shall enter into an agreement with the National Cooperative Rail Research Program Board—

(1) to conduct a study of the possible effectiveness of positive train control and related technologies on reducing collisions at highway-rail grade crossings; and

(2) to submit a report containing the results of the study conducted under paragraph (1) to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

(b) FUNDING.—The Secretary may require, as part of the agreement under subsection (a), that the National Cooperative Rail Research Program Board fund the study required under this section using such sums as may be necessary out of the amounts made available under section 24910 of title 49, United States Code.

Subtitle E—Project Delivery

SEC. 35501. SHORT TITLE.

This subtitle may be cited as the ''Track, Railroad, and Infrastructure Network Act''.

SEC. 35502. PRESERVATION OF PUBLIC LANDS.

(a) HIGHWAYS.—Section 138 of title 23, United States Code, is amended—

(1) in subsection (b)(2)(A)(i), by inserting '', taking into consideration any avoidance,

minimization, and mitigation or enhancement measures incorporated into the program or project'' after ''historic site''; and

(2) by adding at the end the following:

''(c) RAIL AND TRANSIT.—Improvements to, or the maintenance, rehabilitation, or operation of, railroad or rail transit lines or elements of such lines, with the exception of stations, that are in use or were historically used for the transportation of goods or passengers, shall not be considered a use of an historic site under subsection (a), regardless of whether the railroad or rail transit line or element of such line is listed on, or eligible for listing on, the National Register of Historic Places.''.

(b) TRANSPORTATION PROJECTS.—Section 303 is amended—

(1) in subsection (c), by striking ''subsection (d)'' and inserting ''subsections (d) and (e)'';

(2) in subsection (d)(2)(A)(i), by inserting '', taking into consideration any avoidance, minimization, and mitigation or enhancement measures incorporated into the program or project'' after ''historic site''; and

(3) by adding at the end the following:

''(e) RAIL AND TRANSIT.—Improvements to, or the maintenance, rehabilitation, or operation of, railroad or rail transit lines or elements of such lines, with the exception of stations, that are in use or were historically used for the transportation of goods or passengers, shall not be considered a use of an historic site under subsection (c), regardless of whether the railroad or rail transit line or element of such line is listed on, or eligible for listing on, the National Register of Historic Places.''.

SEC. 35503. EFFICIENT ENVIRONMENTAL REVIEWS.

(a) IN GENERAL.—Section 304 is amended—

(1) in the heading, by striking ''**FOR MULTIMODAL PROJECTS**'' and inserting ''**AND INCREASING THE EFFICIENCY OF ENVIRONMENTAL REVIEWS**''; and

(2) by adding at the end the following:

''(e) EFFICIENT ENVIRONMENTAL REVIEWS.—

''(1) IN GENERAL.—The Secretary of Transportation shall apply the project development procedures, to the greatest extent feasible, described in section 139 of title 23, United States Code, to any rail project that requires the approval of the Secretary of Transportation under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

''(2) REGULATIONS AND PROCEDURES.—The Secretary of Transportation shall incorporate such project development procedures into the agency regulations and procedures pertaining to rail projects.

''(f) APPLICABILITY OF NEPA DECISIONS.—

''(1) IN GENERAL.—A Department of Transportation operating administration may apply a categorical exclusion designated by another Department of Transportation operating administration under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

''(2) FINDINGS.—A Department of Transportation operating administration may adopt, in whole or in part, another Department of Transportation operating administration's Record of Decision, Finding of No Significant Impact, and any associated evaluations, determinations, or findings demonstrating compliance with any law related to environmental review or historic preservation.''.

SEC. 35504. ADVANCE ACQUISITION.

(a) IN GENERAL.—Chapter 241 is amended by inserting after section 24105 the following—

''§ 24106. Advance acquisition

''(a) RAIL CORRIDOR PRESERVATION.—The Secretary may assist a recipient of funding in acquiring right-of-way and adjacent real property interests before or during the completion of the environmental reviews for any project receiving funding under subtitle V of title 49, United States Code, that may use such property interests if the acquisition is otherwise permitted under Federal law, and the recipient requesting Federal funding for the acquisition certifies, with the concurrence of the Secretary, that—

''(1) the recipient has authority to acquire the right-of-way or adjacent real property interest; and

''(2) the acquisition of the right-of-way or adjacent real property interest—

''(A) is for a transportation or transportation-related purpose;

''(B) will not cause significant adverse environmental impact;

''(C) will not limit the choice of reasonable alternatives for the proposed project or otherwise influence the decision of the Secretary on any approval required for the proposed project;

''(D) does not prevent the lead agency for the review process from making an impartial decision as to whether to accept an alternative that is being considered;

''(E) complies with other applicable Federal law, including regulations;

''(F) will be acquired through negotiation and without the threat of condemnation; and

''(G) will not result in the elimination or reduction of benefits or assistance to a displaced person under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601 et seq.) and title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.).

''(b) ENVIRONMENTAL REVIEWS.—

''(1) COMPLETION OF NEPA REVIEW.—Before authorizing any Federal funding for the acquisition of a real property interest that is the subject of a grant or other funding under this subtitle, the Secretary shall complete, if required, the review process under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) with respect to the acquisition.

''(2) COMPLETION OF SECTION 106.—An acquisition of a real property interest involving an historic site shall not occur unless the section 106 process, if required, under the National Historic Preservation Act (54 U.S.C. 306108) is complete.

''(3) TIMING OF ACQUISITIONS.—A real property interest acquired under subsection (a) may not be developed in anticipation of the proposed project until all required environmental reviews for the project have been completed.''.

(b) CONFORMING AMENDMENT.—The table of contents of chapter 241 is amended by inserting after the item relating to section 24105 the following:

''24106. Advance acquisition.''.

SEC. 35505. RAILROAD RIGHTS-OF-WAY.

Section 306108 of title 54, United States Code, is amended—

(1) by inserting ''(b) OPPORTUNITY TO COMMENT.—'' before ''The head of the Federal agency shall afford'' and indenting accordingly;

(2) in the matter before subsection (b), by inserting ''(a) IN GENERAL.—'' before ''The head of any Federal agency having direct'' and indenting accordingly; and

(3) by adding at the end the following:

''(c) EXEMPTION FOR RAILROAD RIGHTS-OF-WAY.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of the Track, Railroad, and Infrastructure Network Act, the Secretary of Transportation shall submit a proposed exemption of railroad rights-of-way from the review under this chapter to the Council for its consideration, consistent with the exemption for interstate highways approved on March 10, 2005 (70 Fed. Reg. 11,928).

''(2) FINAL EXEMPTION.—Not later than 180 days after the date that the Secretary submits the proposed exemption under paragraph (1) to the Council, the Council shall issue a final exemption of railroad rights-of-way from review under this chapter, consistent with the exemption for interstate highways approved on March 10, 2005 (70 Fed. Reg. 11,928).''.

SEC. 35506. SAVINGS CLAUSE.

Nothing in this title, or any amendment made by this title, shall be construed as superceding, amending, or modifying the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) or affect the responsibility of any Federal officer to comply with or enforce any such statute.

SEC. 35507. TRANSITION.

Nothing in this title, or any amendment made by this title, shall affect any existing environmental review process, program, agreement, or funding arrangement approved by the Secretary under title 49, United States Code, as that title was in effect on the day preceding the date of enactment of this subtitle.

Subtitle F—Financing

SEC. 35601. SHORT TITLE; REFERENCES.

(a) SHORT TITLE.—This subtitle may be cited as the ''Railroad Infrastructure Financing Improvement Act''.

(b) REFERENCES TO THE RAILROAD REVITALIZATION AND REGULATORY REFORM ACT OF 1976.—Except as otherwise expressly provided, wherever in this subtitle an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Railroad Revitalization and Regulatory Reform Act of 1976, as amended (45 U.S.C. 801 et seq.).

SEC. 35602. DEFINITIONS.

Section 501 (45 U.S.C. 821) is amended—

(1) by redesignating paragraph (8) as paragraph (10);

(2) by redesignating paragraphs (6) and (7) as paragraphs (7) and (8), respectively;

(3) by inserting after paragraph (5) the following:

''(6) The term 'investment-grade rating' means a rating of BBB minus, Baa 3, bbb minus, BBB(low), or higher assigned by a rating agency.'';

(4) by inserting after paragraph (8), as redesignated, the following:

''(9) The term 'master credit agreement' means an agreement to make 1 or more direct loans or loan guarantees at future dates for a program of related projects on terms acceptable to the Secretary.''; and

(5) by adding at the end the following:

''(11) The term 'project obligation' means a note, bond, debenture, or other debt obligation issued by a borrower in connection with the financing of a project, other than a direct loan or loan guarantee under this title.

''(12) The term 'railroad' has the meaning given the term 'railroad carrier' in section 20102 of title 49, United States Code.

''(13) The term 'rating agency' means a credit rating agency registered with the Securities and Exchange Commission as a nationally recognized statistical rating organization (as defined in section 3(a) of the Securities Exchange Act of 1934 (15 U.S.C. 78c(a))).

''(14) The term 'substantial completion' means—

''(A) the opening of a project to passenger or freight traffic; or

''(B) a comparable event, as determined by the Secretary and specified in the direct loan.''.

SEC. 35603. ELIGIBLE APPLICANTS.

Section 502(a) (45 U.S.C. 822(a)) is amended—

(1) in paragraph (5), by striking ''one railroad; and'' and inserting ''1 of the entities described in paragraph (1), (2), (3), (4), or (6);''; and

(2) by amending paragraph (6) to read as follows:

''(6) solely for the purpose of constructing a rail connection between a plant or facility and a rail carrier, limited option freight shippers that own or operate a plant or other facility; and''.

SEC. 35604. ELIGIBLE PURPOSES.

Section 502(b)(1) (45 U.S.C. 822(b)(1)) is amended—

(1) in subparagraph (A), by inserting '', and costs related to these activities, including pre-construction costs'' after ''shops'';

(2) in subparagraph (B), by striking ''subparagraph (A); or'' and inserting ''subparagraph (A) or (C);'';

(3) in subparagraph (C), by striking the period at the end and inserting a semicolon; and

(4) by adding at the end the following:

''(D) reimburse planning and design expenses relating to projects described in subparagraph (A) or (C).''.

SEC. 35605. PROGRAM ADMINISTRATION.

(a) APPLICATION PROCESSING PROCEDURES.—Section 502(i) (45 U.S.C. 822(i)) is amended to read as follows:

''(i) APPLICATION PROCESSING PROCEDURES.—

''(1) APPLICATION STATUS NOTICES.—Not later than 30 days after the date that the Secretary receives an application under this section, the Secretary shall provide the applicant written notice as to whether the application is complete or incomplete.

''(2) INCOMPLETE APPLICATIONS.—If the Secretary determines that an application is incomplete, the Secretary shall—

''(A) provide the applicant with a description of all of the specific information or material that is needed to complete the application; and

''(B) allow the applicant to resubmit the information and material described under subparagraph (A) to complete the application.

''(3) APPLICATION APPROVALS AND DISAPPROVALS.—

''(A) IN GENERAL.—Not later than 60 days after the date the Secretary notifies an applicant that an application is complete under paragraph (1), the Secretary shall provide the applicant written notice as to whether the Secretary has approved or disapproved the application.

''(B) ACTIONS BY THE OFFICE OF MANAGEMENT AND BUDGET.—In order to enable compliance with the time limit under subparagraph (A), the Office of Management and Budget shall take any action required with respect to the application within that 60-day period.

''(4) EXPEDITED PROCESSING.—The Secretary shall implement procedures and measures to economize the time and cost involved in obtaining an approval or a disapproval of credit assistance under this title.

''(5) DASHBOARD.—The Secretary shall post on the Department of Transportation's public Web site a monthly report that includes for each application—

''(A) the name of the applicant or applicants;

''(B) the location of the project;

''(C) a brief description of the project, including its purpose;

''(D) the requested direct loan or loan guarantee amount;

''(E) the date on which the Secretary provided application status notice under paragraph (1); and

''(F) the date that the Secretary provided notice of approval or disapproval under paragraph (3).''.

(b) ADMINISTRATION OF DIRECT LOANS AND LOAN GUARANTEES.—Section 503 (45 U.S.C. 823) is amended—

(1) in subsection (a), by striking the period at the end and inserting '', including a program guide and standard term sheet and specific timetables.'';

(2) by redesignating subsections (c) through (l) as subsections (d) through (m), respectively;

(3) by striking ''(b) ASSIGNMENT OF LOAN GUARANTEES.—'' and inserting ''(c) ASSIGNMENT OF LOAN GUARANTEES.—'';

(4) in subsection (d), as redesignated—

(A) in paragraph (1), by striking ''; and'' and inserting a semicolon;

(B) in paragraph (2), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(3) the modification cost has been covered under section 502(f).''; and

(5) by amending subsection (l), as redesignated, to read as follows:

''(l) CHARGES AND LOAN SERVICING.—

''(1) PURPOSES.—The Secretary may collect and spend from each applicant, obligor, or loan party a reasonable charge for—

''(A) the cost of evaluating the application, amendments, modifications, and waivers, including for evaluating project viability, applicant creditworthiness, and the appraisal of the value of the equipment or facilities for which the direct loan or loan guarantee is sought, and for making necessary determinations and findings;

''(B) the cost of award management and project management oversight;

''(C) the cost of services from expert firms, including counsel, and independent financial advisors to assist in the underwriting, auditing, servicing, and exercise of rights with respect to direct loans and loan guarantees; and

''(D) the cost of all other expenses incurred as a result of a breach of any term or condition or any event of default on a direct loan or loan guarantee.

''(2) STANDARDS.—The Secretary may charge different amounts under this subsection based on the different costs incurred under paragraph (1).

''(3) SERVICER.—

''(A) IN GENERAL.—The Secretary may appoint a financial entity to assist the Secretary in servicing a direct loan or loan guarantee under this section.

''(B) DUTIES.—A servicer appointed under subparagraph (A) shall act as the agent of the Secretary in serving a direct loan or loan guarantee under this section.

''(C) FEES.—A servicer appointed under subparagraph (A) shall receive a servicing fee from the obligor or other loan party, subject to approval by the Secretary.

''(4) SAFETY AND OPERATIONS ACCOUNT.—Amounts collected under this subsection shall—

''(A) be credited directly to the Safety and Operations account of the Federal Railroad Administration; and

''(B) remain available until expended to pay for the costs described in this subsection.''.

SEC. 35606. LOAN TERMS AND REPAYMENT.

(a) PREREQUISITES FOR ASSISTANCE.—Section 502(g)(1) (45 U.S.C. 822(g)(1)) is amended by striking ''35 years from the date of its execution'' and inserting ''the lesser of 35 years after the date of substantial completion of the project or the estimated useful life of the rail equipment or facilities to be acquired, rehabilitated, improved, developed, or established''.

(b) REPAYMENT SCHEDULES.—Section 502(j) (45 U.S.C. 822(j)) is amended—

(1) in paragraph (1), by striking ''the sixth anniversary date of the original loan disbursement'' and inserting ''5 years after the date of substantial completion''; and

(2) by adding at the end the following:

''(3) DEFERRED PAYMENTS.—

''(A) IN GENERAL.—If at any time after the date of substantial completion the project is unable to generate sufficient revenues to pay the scheduled loan repayments of principal and interest on the direct loan, the Secretary, subject to subparagraph (B), may allow, for a maximum aggregate time of 1 year over the duration of the direct loan, the obligor to add unpaid principal and interest to the outstanding balance of the direct loan.

''(B) INTEREST.—A payment deferred under subparagraph (A) shall—

''(i) continue to accrue interest under paragraph (2) until the loan is fully repaid; and

''(ii) be scheduled to be amortized over the remaining term of the loan.

''(4) PREPAYMENTS.—

''(A) USE OF EXCESS REVENUES.—Any excess revenues that remain after satisfying scheduled debt service requirements on the project obligations and direct loan and all deposit requirements under the terms of any trust agreement, bond resolution, or similar agreement securing project obligations may be applied annually to prepay the direct loan without penalty.

''(B) USE OF PROCEEDS OF REFINANCING.—The direct loan may be prepaid at any time without penalty from the proceeds of refinancing from non-Federal funding sources.''.

(c) SALE OF DIRECT LOANS.—Section 502 (45 U.S.C. 822) is amended by adding at the end the following:

''(k) SALE OF DIRECT LOANS.—

''(1) IN GENERAL.—Subject to paragraph (2) and as soon as practicable after substantial completion of a project, the Secretary, after notifying the obligor, may sell to another entity or reoffer into the capital markets a direct loan for the project if the Secretary determines that the sale or reoffering has a high probability of being made on favorable terms.

''(2) CONSENT OF OBLIGOR.—In making a sale or reoffering under paragraph (1), the Secretary may not change the original terms and conditions of the secured loan without the prior written consent of the obligor''.

(d) NONSUBORDINATION.—Section 502 (45 U.S.C. 822), as amended in subsection (c), is further amended by adding at the end the following:

''(l) NONSUBORDINATION.—

''(1) IN GENERAL.—Except as provided in paragraph (2)(B), a direct loan shall not be subordinated to the claims of any holder of project obligations in the event of bankruptcy, insolvency, or liquidation of the obligor.

''(2) PREEXISTING INDENTURES.—

''(A) IN GENERAL.—The Secretary may waive the requirement under paragraph (1)

for a public agency borrower that is financing ongoing capital programs and has outstanding senior bonds under a preexisting indenture if—

''(i) the direct loan is rated in the A category or higher;

''(ii) the direct loan is secured and payable from pledged revenues not affected by project performance, such as a tax-based revenue pledge or a system-backed pledge of project revenues; and

''(iii) the program share, under this title, of eligible project costs is 50 percent or less.

''(B) LIMITATION.—The Secretary may impose limitations for the waiver of the nonsubordination requirement under this paragraph if the Secretary determines that such limitations would be in the financial interest of the Federal Government.''.

SEC. 35607. CREDIT RISK PREMIUMS.

Section 502(f) (45 U.S.C. 822(f)) is amended—

(1) in paragraph (1), by amending the first sentence to read as follows: ''In lieu of or in combination with appropriations of budget authority to cover the costs of direct loans and loan guarantees as required under section 504(b)(1) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661c(b)(1)), including the cost of a modification thereof, the Secretary may accept on behalf of an applicant for assistance under this section a commitment from a non-Federal source, including a State or local government or agency or public benefit corporation or public authority thereof, to fund in whole or in part credit risk premiums and modification costs with respect to the loan that is the subject of the application or modification.'';

(2) in paragraph (2)—

(A) in subparagraph (D), by adding ''and'' after the semicolon;

(B) by striking subparagraph (E); and

(C) by redesignating subparagraph (F) as subparagraph (E);

(3) by striking paragraph (4);

(4) by redesignating paragraph (3) as paragraph (4);

(5) by inserting after paragraph (2) the following:

''(3) CREDITWORTHINESS.—An applicant may propose and the Secretary may accept as a basis for determining the amount of the credit risk premium under paragraph (2) any of the following in addition to the value of any tangible asset:

''(A) The net present value of a future stream of State or local subsidy income or other dedicated revenues to secure the direct loan or loan guarantee.

''(B) Adequate coverage requirements to ensure repayment, on a non-recourse basis, from cash flows generated by the project or any other dedicated revenue source, including—

''(i) tolls;

''(ii) user fees; or

''(iii) payments owing to the obligor under a public-private partnership.

''(C) An investment-grade rating on the direct loan or loan guarantee, as applicable, except that if the total amount of the direct loan or loan guarantee is greater than $75,000,000, the applicant shall have an investment-grade rating from at least 2 rating agencies on the direct loan or loan guarantee.''; and

(6) in paragraph (4), as redesignated, by striking ''amounts'' and inserting ''amounts (and in the case of a modification, before the modification is executed), to the extent appropriations are not available to the Secretary to meet the costs of direct loans and loan guarantees, including costs of modifications thereof''.

SEC. 35608. MASTER CREDIT AGREEMENTS.

Section 502 (45 U.S.C. 822), as amended by subsections (c) and (d) of section 35606 of this Act, is further amended by adding at the end the following:

''(m) MASTER CREDIT AGREEMENTS.—

''(1) IN GENERAL.—Subject to section 502(d) and paragraph (2) of this subsection, the Secretary may enter into a master credit agreement that is contingent on all of the conditions for the provision of a direct loan or loan guarantee, as applicable, under this title and other applicable requirements being satisfied prior to the issuance of the direct loan or loan guarantee.

''(2) CONDITIONS.—Each master credit agreement shall—

''(A) establish the maximum amount and general terms and conditions of each applicable direct loan or loan guarantee;

''(B) identify 1 or more dedicated non-Federal revenue sources that will secure the repayment of each applicable direct loan or loan guarantee;

''(C) provide for the obligation of funds for the direct loans or loan guarantees contingent on and after all requirements have been met for the projects subject to the master credit agreement; and

''(D) provide 1 or more dates, as determined by the Secretary, before which the master credit agreement results in each of the direct loans or loan guarantees or in the release of the master credit agreement.''.

SEC. 35609. PRIORITIES AND CONDITIONS.

(a) PRIORITY PROJECTS.—Section 502(c) (45 U.S.C. 822(c)) is amended—

(1) in paragraph (1), by inserting '', including projects for the installation of a positive train control system (as defined in section 20157(i) of title 49, United States Code)'' after ''public safety'';

(2) by redesignating paragraphs (2) and (3) as paragraphs (3) and (2), respectively;

(3) in paragraph (5), by inserting ''or chapter 227 of title 49'' after ''section 135 of title 23'';

(4) by redesignating paragraphs (6) through (8) as paragraphs (7) through (9), respectively; and

(5) by inserting after paragraph (5) the following:

''(6) improve railroad stations and passenger facilities and increase transit-oriented development;''.

(b) CONDITIONS OF ASSISTANCE.—Section 502(h) (45 U.S.C. 822(h)) is amended in paragraph (2), by inserting '', if applicable'' after ''project''.

SEC. 35610. SAVINGS PROVISION.

(a) IN GENERAL.—Except as provided in subsection (b), this subtitle, and the amendments made by this subtitle, shall not affect any direct loan (or direct loan obligation) or an outstanding loan guarantee (or loan guarantee commitment) that was in effect prior to the date of enactment of this Act. Any such transaction entered into before the date of enactment of this Act shall be administered until completion under its terms as if this Act were not enacted.

(b) MODIFICATION COSTS.—At the discretion of the Secretary, the authority to accept modification costs on behalf of an applicant under section 502(f) of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 822(f)), as amended by section 35607 of this Act, may apply with respect to any direct loan (or direct loan obligation) or an outstanding loan guarantee (or loan guarantee commitment) that was in effect prior to the date of enactment of this Act.

DIVISION D—FREIGHT AND MAJOR PROJECTS

TITLE XLI—FREIGHT POLICY

SEC. 41001. ESTABLISHMENT OF FREIGHT CHAPTER.

(a) FREIGHT.—Subtitle III of title 49, United States Code, is amended by inserting after chapter 53 the following:

''CHAPTER 54—FREIGHT

''5401. Definitions.
''5402. National multimodal freight policy.
''5403. National multimodal freight network.
''5404. National freight strategic plan.
''5405. State freight advisory committees.
''5406. State freight plans.
''5407. Transportation investment planning and data tools.
''5408. Savings provision.
''5409. Assistance for freight projects.

''§ 5401. Definitions

''In this chapter:

''(1) ECONOMIC COMPETITIVENESS.—The term 'economic competitiveness' means the ability of the economy to efficiently move freight and people, produce goods, and deliver services, including—

''(A) reductions in the travel time of freight;

''(B) reductions in the congestion caused by the movement of freight;

''(C) improvements to freight travel time reliability; and

''(D) reductions in freight transportation costs due to congestion and insufficient infrastructure.

''(2) FREIGHT.—The term 'freight' means the commercial transportation of cargo, including agricultural, manufactured, retail, or other goods by vessel, vehicle, pipeline, or rail.

''(3) FREIGHT TRANSPORTATION MODES.—The term 'freight transportation modes' means—

''(A) the infrastructure supporting any mode of transportation that moves freight, including highways, ports, waterways, rail facilities, and pipelines; and

''(B) any vehicles or equipment transporting goods on such infrastructure.

''(4) NATIONAL HIGHWAY FREIGHT NETWORK.—The term 'national highway freight network' means the network established under section 167 of title 23.

''(5) NATIONAL MULTIMODAL FREIGHT NETWORK.—The term 'national multimodal freight network' means the network established under section 5403.

''(6) NATIONAL MULTIMODAL FREIGHT STRATEGIC PLAN.—The term 'national multimodal freight strategic plan' means the strategic plan developed under section 5404.

''(7) SECRETARY.—The term 'Secretary' means the Secretary of Transportation.

''(8) STATE.—The term 'State' means a State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, Guam, American Samoa, and the United States Virgin Islands.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of chapters for subtitle III of title 49, United States Code, is amended by inserting after the item relating to chapter 53 the following:

''54. Freight ..... 5401''.

SEC. 41002. NATIONAL MULTIMODAL FREIGHT POLICY.

Chapter 54 of subtitle III of title 49, United States Code, as added by section 41001, is amended by adding after section 5401 the following:

''§ 5402. National multimodal freight policy

''(a) POLICY.—It is the policy of the United States—

''(1) to support investment to maintain and improve the condition and performance of the national multimodal freight network;

''(2) to ensure that the United States maximizes its competitiveness in the global economy by increasing the overall productivity and connectivity of the national freight system; and

''(3) to pursue the goals described in subsection (b).

''(b) GOALS.—The national multimodal freight policy has the following goals:

''(1) To enhance the economic competitiveness of the United States by investing in infrastructure improvements and implementing operational improvements on the freight network of the United States that achieve 1 or more of the following:

''(A) Strengthen the contribution of the national freight network to the economic competitiveness of the United States.

''(B) Reduce congestion and relieve bottlenecks in the freight transportation system.

''(C) Reduce the cost of freight transportation.

''(D) Improve the reliability of freight transportation.

''(E) Increase productivity, particularly for domestic industries and businesses that create jobs.

''(2) To improve the safety, security, efficiency, and resiliency of freight transportation in rural and urban areas.

''(3) To improve the condition of the national freight network.

''(4) To use advanced technology to improve the safety and efficiency of the national freight network.

''(5) To incorporate concepts of performance, innovation, competition, and accountability into the operation and maintenance of the national freight network.

''(6) To improve the efficiency and productivity of the national freight network.

''(7) To pursue these goals in a manner that is not burdensome to State and local governments.

''(c) STRATEGIES.—The United States may achieve the goals described in subsection (b) by—

''(1) providing funding to maintain and improve freight infrastructure facilities;

''(2) implementing appropriate safety, environmental, energy and other transportation policies;

''(3) utilizing advanced technology and innovation;

''(4) promoting workforce development; and

''(5) using performance management activities.

''(d) IMPLEMENTATION.—The Under Secretary for Policy, who shall be responsible for the oversight and implementation of the national multimodal freight policy, shall—

''(1) assist with the coordination of modal freight planning;

''(2) ensure consistent, expedited review of multimodal freight projects;

''(3) review the project planning and approval processes at each modal administration to identify modeling and metric inconsistencies, approvals, and terminology differences that could hamper multimodal project approval;

''(4) identify interagency data sharing opportunities to promote freight planning and coordination;

''(5) identify multimodal efforts and connections;

''(6) designate the lead agency for multimodal freight projects;

''(7) develop recommendations for State incentives for multimodal planning efforts, which may include—

''(A) reducing the State cost share; or

''(B) expediting the review of agreements for multimodal or freight specific projects;

''(8) explore opportunities within existing legal authorities to reduce project delays by issuing categorical exclusions or allowing self-certifications of right-of-way acquisitions for freight projects; and

''(9) submit a report to the Committee on Commerce, Science, and Transportation and the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that identifies required reports, statutory requirements, and other limitations on efficient freight project delivery that could be streamlined or consolidated.''.

SEC. 41003. NATIONAL MULTIMODAL FREIGHT NETWORK.

Chapter 54 of subtitle III of title 49, United States Code, as amended by section 41002, is amended by adding after section 5402 the following:

''§ 5403. National multimodal freight network

''(a) IN GENERAL.—The Secretary shall establish a national freight network, in accordance with this section—

''(1) to assist States in strategically directing resources toward improved system performance for the efficient movement of freight on transportation networks;

''(2) to inform freight transportation planning;

''(3) to assist in the prioritization of Federal investment; and

''(4) to assess and support Federal investments to achieve the national multimodal freight policy goals described in section 5402(b) of this title and in section 150(b) of title 23.

''(b) NETWORK COMPONENTS.—The national multimodal freight network established under this section shall consist of all connectors, corridors, and facilities in all freight transportation modes that are the most critical to the current and future movement of freight, including the national highway freight network, to achieve the national multimodal freight policy goals described in section 5402(b) of this title and in section 150(b) of title 23.

''(c) INITIAL DESIGNATION OF PRIMARY FREIGHT SYSTEM.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of the DRIVE Act, the Secretary, after soliciting input from stakeholders, including multimodal freight system users, transport providers, metropolitan planning organizations, local governments, ports, airports, railroads, and States, through a public process to identify critical freight facilities and corridors that are vital to achieve the national multimodal freight policy goals described in section 5402(b) of this title and in section 150(b) of title 23, and after providing notice and opportunity for comment on a draft system, shall designate a primary freight system with the goal of—

''(A) improving network and intermodal connectivity; and

''(B) using measurable data as part of the assessment of the significance of freight movement, including the consideration of points of origin, destination, and linking components of domestic and international supply chains.

''(2) FACTORS.—In designating or redesignating a primary freight system, the Secretary shall consider—

''(A) origins and destinations of freight movement within, to, and from the United States;

''(B) volume, value, tonnage, and the strategic importance of freight;

''(C) access to border crossings, airports, seaports, and pipelines;

''(D) economic factors, including balance of trade;

''(E) access to major areas for manufacturing, agriculture, or natural resources;

''(F) access to energy exploration, development, installation, and production areas;

''(G) intermodal links and intersections that promote connectivity;

''(H) freight choke points and other impediments contributing to significant measurable congestion, delay in freight movement, or inefficient modal connections;

''(I) impacts on all freight transportation modes and modes that share significant freight infrastructure;

''(J) elements and transportation corridors identified by a multi-State coalition, a State, a State advisory committee, or a metropolitan planning organization, using national or local data, as having critical freight importance to the region;

''(K) intermodal connectors, major distribution centers, inland intermodal facilities, and first- and last-mile facilities;

''(L) the annual average daily truck traffic on principal arterials; and

''(M) the significance of goods movement, including consideration of global and domestic supply chains.

''(3) REQUIREMENTS FOR DESIGNATION.—A designation may be made under this subsection if the freight transportation facility or infrastructure being considered—

''(A) is in an urbanized area, regardless of population;

''(B) has been designated under subsection (d) as a critical rural freight corridor;

''(C) connects an intermodal facility to—

''(i) the primary freight network; or

''(ii) an intermodal freight facility;

''(D)(i) is located within a corridor of a route on the primary freight network; and

''(ii) provides an alternative option important to goods movement;

''(E) serves a major freight generator, logistic center, agricultural region, or manufacturing, warehouse, or industrial land; or

''(F) is important to the movement of freight within a State or metropolitan region, as determined by the State or the metropolitan planning organization.

''(4) CONSIDERATIONS.—In designating or redesignating the primary freight system under subsection (e), the Secretary shall—

''(A) use, to the extent practicable, measurable data to assess the significance of goods movement, including the consideration of points of origin, destination, and linking components of the United States global and domestic supply chains;

''(B) consider—

''(i) the factors described in subsection (c)(2); and

''(ii) any changes in the economy or freight transportation network demand; and

''(C) provide the States with an opportunity to submit proposed designations in accordance with paragraph (5).

''(5) STATE INPUT.—

''(A) IN GENERAL.—Each State that proposes increased designations on the primary freight system shall—

''(i) consider nominations for additional designations from metropolitan planning organizations and State freight advisory committees within the State;

''(ii) consider nominations for the additional designations from owners and operators of port, rail, pipeline, and airport facilities; and

''(iii) ensure that additional designations are consistent with the State Transportation Improvement Program or freight plan.

''(B) REVISIONS.—States may revise routes certified under section 4006 of the Intermodal Surface Transportation Efficiency Act of 1991 (Public Law 102–240; 105 Stat. 2148) to conform with the designated freight system under this section.

''(C) SUBMISSION AND CERTIFICATION.—Each State shall submit to the Secretary—

''(i) a list of the additional designations added under this subsection; and

''(ii) certification that—

''(I) the State has satisfied the requirements under subparagraph (A); and

''(II) the designations referred to in clause (i) address the factors for redesignation described in subsection (c)(3).

''(d) CRITICAL RURAL FREIGHT CORRIDORS.—A State may designate freight transportation infrastructure or facilities within the borders of the State as a critical rural freight corridor if the public road or facility—

''(1) is a rural principal arterial roadway or facility;

''(2) provides access or service to energy exploration, development, installation, or production areas;

''(3) provides access or service to—

''(A) a grain elevator;

''(B) an agricultural facility;

''(C) a mining facility;

''(D) a forestry facility; or

''(E) an intermodal facility;

''(4) connects to an international port of entry;

''(5) provides access to significant air, rail, water, or other freight facilities in the State; or

''(6) has been determined by the State to be vital to improving the efficient movement of freight of importance to the economy of the State.

''(e) REDESIGNATION OF PRIMARY FREIGHT SYSTEM.—Beginning on the date that is 5 years after the initial designation under subsection (c), and every 5 years thereafter, the Secretary, using the designation factors described in subsection (c)(3), shall redesignate the primary freight system.''.

TITLE XLII—PLANNING

SEC. 42001. NATIONAL FREIGHT STRATEGIC PLAN.

Chapter 54 of subtitle III of title 49, United States Code (as amended by title XLI), is amended by adding at the end the following:

''§ 5404. National freight strategic plan

''(a) INITIAL DEVELOPMENT OF NATIONAL FREIGHT STRATEGIC PLAN.—Not later than 3 years after the date of enactment of the DRIVE Act, the Secretary, in consultation with State departments of transportation, metropolitan planning organizations, and other appropriate public and private transportation stakeholders, shall develop, after providing opportunity for notice and comment on a draft national freight strategic plan, and post on the public website of the Department of Transportation a national freight strategic plan that includes—

''(1) an assessment of the condition and performance of the national multimodal freight network;

''(2) an identification of bottlenecks on the national multimodal freight network that create significant freight congestion based on a quantitative methodology developed by the Secretary, which shall, at a minimum, include—

''(A) information from the Freight Analysis Framework of the Federal Highway Administration; and

''(B) to the maximum extent practicable, an estimate of the cost of addressing each bottleneck and any operational improvements that could be implemented;

''(3) a forecast of freight volumes, based on the most recent data available, for—

''(A) the 5-year period beginning in the year during which the plan is issued; and

''(B) if practicable, for the 10- and 20-year period beginning in the year during which the plan is issued;

''(4) an identification of major trade gateways and national freight corridors that connect major economic corridors, population centers, trade gateways, and other major freight generators for current and forecasted traffic and freight volumes, the identification of which shall be revised, as appropriate, in subsequent plans;

''(5) an assessment of statutory, regulatory, technological, institutional, financial, and other barriers to improved freight transportation performance (including opportunities for overcoming the barriers);

''(6) an identification of routes providing access to energy exploration, development, installation, or production areas;

''(7) routes for providing access to major areas for manufacturing, agriculture, or natural resources;

''(8) best practices for improving the performance of the national freight network;

''(9) best practices to mitigate the impacts of freight movement on communities;

''(10) a process for addressing multistate projects and encouraging jurisdictions to collaborate on multistate projects;

''(11) identification of locations or areas with congestion involving freight traffic, and strategies to address those issues;

''(12) strategies to improve freight intermodal connectivity; and

''(13) best practices for improving the performance of the national multimodal freight network and rural and urban access to critical freight corridors.

''(b) UPDATES TO NATIONAL FREIGHT STRATEGIC PLAN.—Not later than 5 years after the date of completion of the first national multimodal freight strategic plan under subsection (a) and every 5 years thereafter, the Secretary shall update and repost on the public website of the Department of Transportation a revised national freight strategic plan.''.

SEC. 42002. STATE FREIGHT ADVISORY COMMITTEES.

Chapter 54 of subtitle III of title 49, United States Code (as amended by section 42001), is amended by adding at the end the following:

''§ 5405. State freight advisory committees

''(a) IN GENERAL.—Each State shall establish a freight advisory committee consisting of a representative cross-section of public and private sector freight stakeholders, including representatives of ports, third party logistics providers, shippers, carriers, freight-related associations, the freight industry workforce, the transportation department of the State, and local governments.

''(b) ROLE OF COMMITTEE.—A freight advisory committee of a State described in subsection (a) shall—

''(1) advise the State on freight-related priorities, issues, projects, and funding needs;

''(2) serve as a forum for discussion for State transportation decisions affecting freight mobility;

''(3) communicate and coordinate regional priorities with other organizations;

''(4) promote the sharing of information between the private and public sectors on freight issues; and

''(5) participate in the development of the freight plan of the State described in section 5406.''.

SEC. 42003. STATE FREIGHT PLANS.

Chapter 54 of subtitle III of title 49, United States Code (as amended by section 42002), is amended by adding at the end the following:

''§ 5406. State freight plans

''(a) IN GENERAL.—Each State shall develop a freight plan that provides a comprehensive plan for the immediate and long-range planning activities and investments of the State with respect to freight.

''(b) PLAN CONTENTS.—A freight plan described in subsection (a) shall include, at a minimum—

''(1) an identification of significant freight system trends, needs, and issues with respect to the State;

''(2) a description of the freight policies, strategies, and performance measures that will guide the freight-related transportation investment decisions of the State;

''(3) when applicable, a listing of critical rural and urban freight corridors designated within the State under section 5403 of this title or section 167 of title 23;

''(4) a description of how the plan will improve the ability of the State to meet the national freight goals established under section 5402(b) of this title and section 150(b) of title 23;

''(5) a description of how innovative technologies and operational strategies, including freight intelligent transportation systems, that improve the safety and efficiency of freight movement, were considered;

''(6) in the case of roadways on which travel by heavy vehicles (including mining, agricultural, energy cargo or equipment, and timber vehicles) is projected to substantially deteriorate the condition of roadways, a description of improvements that may be required to reduce or impede the deterioration;

''(7) an inventory of facilities with freight mobility issues, such as bottlenecks, within the State, and where the facilities are State owned or operated, a description of the strategies the State is employing to address those freight mobility issues;

''(8) consideration of any significant congestion or delay caused by freight movements and any strategies to mitigate that congestion or delay; and

''(9) a freight investment plan that, subject to subsection (c)(2), includes a list of priority projects and describes how funds made available to carry out section 167 of title 23 would be invested and matched.

''(c) RELATIONSHIP TO LONG-RANGE PLAN.—

''(1) INCORPORATION.—A State freight plan described in subsection (a) may be developed separately from or incorporated into the statewide strategic long-range transportation plan required by section 135 of title 23.

''(2) FISCAL CONSTRAINT.—The freight investment plan component of a freight plan shall include a project, or an identified phase of a project, only if funding for completion of the project can reasonably be anticipated to be available for the project within the time period identified in the freight investment plan.

''(d) PLANNING PERIOD.—The freight plan shall address a 5-year forecast period.

''(e) UPDATES.—

''(1) IN GENERAL.—A State shall update the freight plan not less frequently than once every 5 years.

''(2) FREIGHT INVESTMENT PLAN.—A State may update the freight investment plan more frequently than is required under paragraph (1).''.

SEC. 42004. FREIGHT DATA AND TOOLS.

Chapter 54 of subtitle III of title 49, United States Code (as amended by section 42003), is amended by adding at the end the following:

''§ 5407. Transportation investment data and planning tools

''(a) IN GENERAL.—Not later than 1 year after the date of enactment of the DRIVE Act, the Secretary shall—

''(1) begin development of new tools and improvement of existing tools to support an outcome-oriented, performance-based approach to evaluate proposed freight-related and other transportation projects, including—

''(A) methodologies for systematic analysis of benefits and costs on a national or regional basis;

''(B) tools for ensuring that the evaluation of freight-related and other transportation projects could consider safety, economic competitiveness, urban and rural access, environmental sustainability, and system condition in the project selection process;

''(C) improved methods for data collection and trend analysis;

''(D) encouragement of public-private partnerships to carry out data sharing activities while maintaining the confidentiality of all proprietary data; and

''(E) other tools to assist in effective transportation planning;

''(2) identify transportation-related model data elements to support a broad range of evaluation methods and techniques to assist in making transportation investment decisions; and

''(3) at a minimum, in consultation with other relevant Federal agencies, consider any improvements to existing freight flow data collection efforts that could reduce identified freight data gaps and deficiencies and help improve forecasts of freight transportation demand.

''(b) CONSULTATION.—The Secretary shall consult with Federal, State, and other stakeholders to develop, improve, and implement the tools and collect the data described in subsection (a).''.

SEC. 42005. SAVINGS PROVISION.

Chapter 54 of subtitle III of title 49, United States Code (as amended by section 42004), is amended by adding at the end the following:

''§ 5408. Savings provision

''Nothing in this chapter provides additional authority to regulate or direct private activity on freight networks designated by this chapter.''.

TITLE XLIII—FORMULA FREIGHT PROGRAM

SEC. 43001. NATIONAL HIGHWAY FREIGHT PROGRAM.

(a) IN GENERAL.—Section 167 of title 23, United States Code, is amended to read as follows:

''§ 167. National highway freight program

''(a) ESTABLISHMENT.—

''(1) IN GENERAL.—It is the policy of the United States to improve the condition and performance of the national highway freight network to ensure that the national freight network provides the foundation for the United States to compete in the global economy and achieve each goal described in subsection (b).

''(2) ESTABLISHMENT.—In support of the goals described in subsection (b), the Federal Highway Administrator (referred to in this section as the 'Administrator') shall establish a national highway freight program in accordance with this section to improve the efficient movement of freight on the national highway freight network.

''(b) GOALS.—The goals of the national highway freight program are—

''(1) to invest in infrastructure improvements and to implement operational improvements on the highways of the United States that—

''(A) strengthen the contribution of the national highway freight network to the economic competitiveness of the United States;

''(B) reduce congestion and relieve bottlenecks in the freight transportation system;

''(C) reduce the cost of freight transportation;

''(D) improve the reliability of freight transportation; and

''(E) increase productivity, particularly for domestic industries and businesses that create high-value jobs;

''(2) to improve the safety, security, efficiency, and resiliency of freight transportation in rural and urban areas;

''(3) to improve the state of good repair of the national highway freight network;

''(4) to use advanced technology to improve the safety and efficiency of the national highway freight network;

''(5) to incorporate concepts of performance, innovation, competition, and accountability into the operation and maintenance of the national highway freight network;

''(6) to improve the efficiency and productivity of the national highway freight network; and

''(7) to reduce the environmental impacts of freight movement.

''(c) ESTABLISHMENT OF A NATIONAL HIGHWAY FREIGHT NETWORK.—

''(1) IN GENERAL.—The Administrator shall establish a national highway freight network in accordance with this section to assist States in strategically directing resources toward improved system performance for efficient movement of freight on highways.

''(2) NETWORK COMPONENTS.—The national highway freight network shall consist of—

''(A) the primary highway freight system, as designated under subsection (d);

''(B) critical rural freight corridors established under subsection (e);

''(C) critical urban freight corridors established under subsection (f); and

''(D) the portions of the Interstate System not designated as part of the primary highway freight system, including designated future Interstate System routes as of the date of enactment of the DRIVE Act.

''(d) DESIGNATION AND REDESIGNATION OF THE PRIMARY HIGHWAY FREIGHT SYSTEM.—

''(1) INITIAL DESIGNATION OF PRIMARY HIGHWAY FREIGHT SYSTEM.—The initial designation of the primary highway freight system shall be—

''(A) the network designated by the Secretary under section 167(d) of title 23, United States Code, as in effect on the day before the date of enactment of the DRIVE Act; and

''(B) all National Highway System freight intermodal connectors.

''(2) REDESIGNATION OF PRIMARY HIGHWAY FREIGHT SYSTEM.—

''(A) IN GENERAL.—Beginning on the date that is 1 year after the date of enactment of the DRIVE Act and every 5 years thereafter, using the designation factors described in subparagraph (E), the Administrator shall redesignate the primary highway freight system (including any additional mileage added to the primary highway freight system under this paragraph as of the date on which the redesignation process is effective).

''(B) MILEAGE.—

''(i) FIRST REDESIGNATION.—In redesignating the primary highway freight system on the date that is 1 year after the date of enactment of the DRIVE Act, the Administrator shall limit the system to 30,000 centerline miles, without regard to the connectivity of the primary highway freight system.

''(ii) SUBSEQUENT REDESIGNATIONS.—Each redesignation after the redesignation described in clause (i), the Administrator may increase the primary highway freight system by up to 5 percent of the total mileage of the system, without regard to the connectivity of the primary highway freight system.

''(C) CONSIDERATIONS.—

''(i) IN GENERAL.—In redesignating the primary highway freight system, to the maximum extent practicable, the Administrator shall use measurable data to assess the significance of goods movement, including consideration of points of origin, destination, and linking components of the United States global and domestic supply chains.

''(ii) INTERMODAL CONNECTORS.—In redesignating the primary highway freight system, the Administrator shall include all National Highway System freight intermodal connectors.

''(D) INPUT.—In addition to the process provided to State freight advisory committees under paragraph (3), in redesignating the primary highway freight system, the Administrator shall provide an opportunity for State freight advisory committees to submit additional miles for consideration.

''(E) FACTORS FOR REDESIGNATION.—In redesignating the primary highway freight system, the Administrator shall consider—

''(i) the origins and destinations of freight movement in, to, and from the United States;

''(ii) land and water ports of entry;

''(iii) access to energy exploration, development, installation, or production areas;

''(iv) proximity of access to other freight intermodal facilities, including rail, air, water, and pipelines;

''(v) the total freight tonnage and value moved via highways;

''(vi) significant freight bottlenecks, as identified by the Administrator;

''(vii) the annual average daily truck traffic on principal arterials; and

''(viii) the significance of goods movement on principal arterials, including consideration of global and domestic supply chains.

''(3) STATE FLEXIBILITY FOR ADDITIONAL MILES ON PRIMARY HIGHWAY FREIGHT SYSTEM.—

''(A) IN GENERAL.—Not later than 1 year after each redesignation conducted by the Administrator under paragraph (2), each State, under the advisement of the State freight advisory committee, as developed and carried out in accordance with subsection (l), may increase the number of miles designated as part of the primary highway freight system in that State by not more than 10 percent of the miles designated in that State under this subsection if the additional miles—

''(i) close gaps between primary highway freight system segments;

''(ii) establish connections of the primary highway freight system critical to the efficient movement of goods, including ports, international border crossings, airports, intermodal facilities, logistics centers, warehouses, and agricultural facilities; or

''(iii) designate critical emerging freight routes.

''(B) CONSIDERATIONS.—Each State, under the advisement of the State freight advisory committee that increases the number of miles on the primary highway freight system under subparagraph (A) shall—

''(i) consider nominations for the additional miles from metropolitan planning organizations within the State;

''(ii) ensure that the additional miles are consistent with the freight plan of the State; and

''(iii) review the primary highway freight system of the State designated under paragraph (1) and redesignate miles in a manner that is consistent with paragraph (2).

''(C) SUBMISSION.—Each State, under the advisement of the State freight advisory committee shall—

''(i) submit to the Administrator a list of the additional miles added under this subsection; and

''(ii) certify that—

''(I) the additional miles meet the requirements of subparagraph (A); and

''(II) the State, under the advisement of the State freight advisory committee, has satisfied the requirements of subparagraph (B).

''(e) CRITICAL RURAL FREIGHT CORRIDORS.—A State may designate a public road within the borders of the State as a critical rural freight corridor if the public road—

''(1) is a rural principal arterial roadway and has a minimum of 25 percent of the annual average daily traffic of the road measured in passenger vehicle equivalent units from trucks (Federal Highway Administration vehicle class 8 to 13);

''(2) provides access to energy exploration, development, installation, or production areas;

''(3) connects the primary highway freight system, a roadway described in paragraph (1) or (2), or the Interstate System to facilities that handle more than—

''(A) 50,000 20-foot equivalent units per year; or

''(B) 500,000 tons per year of bulk commodities;

''(4) provides access to—

''(A) a grain elevator;

''(B) an agricultural facility;

''(C) a mining facility;

''(D) a forestry facility; or

''(E) an intermodal facility;

''(5) connects to an international port of entry;

''(6) provides access to significant air, rail, water, or other freight facilities in the State; or

''(7) is, in the determination of the State, vital to improving the efficient movement of freight of importance to the economy of the State.

''(f) CRITICAL URBAN FREIGHT CORRIDORS.—

''(1) URBANIZED AREA WITH POPULATION OF 500,000 OR MORE.—In an urbanized area with a population of 500,000 or more individuals, the representative metropolitan planning organization, in consultation with the State, may designate a public road within the borders of that area of the State as a critical urban freight corridor.

''(2) URBANIZED AREA WITH A POPULATION LESS THAN 500,000.—In an urbanized area with a population of less than 500,000 individuals, the State, in consultation with the representative metropolitan planning organization, may designate a public road within the borders of that area of the State as a critical urban freight corridor.

''(3) REQUIREMENTS FOR DESIGNATION.—A designation may be made under paragraphs (1) or (2) if the public road—

''(A) is in an urbanized area, regardless of population; and

''(B)(i) connects an intermodal facility to—

''(I) the primary highway freight network;

''(II) the Interstate System; or

''(III) an intermodal freight facility;

''(ii) is located within a corridor of a route on the primary highway freight network and provides an alternative highway option important to goods movement;

''(iii) serves a major freight generator, logistic center, or manufacturing and warehouse industrial land; or

''(iv) is important to the movement of freight within the region, as determined by the metropolitan planning organization or the State.

''(g) DESIGNATION AND CERTIFICATION.—

''(1) DESIGNATION.—States and metropolitan planning organizations may designate corridors under subsections (e) and (f) and submit the designated corridors to the Administrator on a rolling basis.

''(2) CERTIFICATION.—Each State or metropolitan planning organization that designates a corridor under subsection (e) or (f) shall certify to the Administrator that the designated corridor meets the requirements of the applicable subsection.

''(h) HIGHWAY FREIGHT TRANSPORTATION CONDITIONS AND PERFORMANCE REPORTS.—Not later than 2 years after the date of enactment of the DRIVE Act and biennially thereafter, the Administrator shall prepare and submit to Congress a report that describes the conditions and performance of the national highway freight network in the United States.

''(i) USE OF APPORTIONED FUNDS.—

''(1) IN GENERAL.—A State shall obligate funds apportioned to the State under section 104(b)(5) to improve the movement of freight on the national highway freight network.

''(2) FORMULA.—The Administrator shall calculate for each State the proportion that—

''(A) the total mileage in the State designated as part of the primary highway freight system; bears to

''(B) the total mileage of the primary highway freight system in all States.

''(3) USE OF FUNDS.—

''(A) STATES WITH HIGH PRIMARY HIGHWAY FREIGHT SYSTEM MILEAGE.—If the proportion of a State under paragraph (2) is greater than or equal to 3 percent, the State may obligate funds apportioned to the State under section 104(b)(5) for projects on—

''(i) the primary highway freight system;

''(ii) critical rural freight corridors; and

''(iii) critical urban freight corridors.

''(B) STATES WITH LOW PRIMARY HIGHWAY FREIGHT SYSTEM MILEAGE.—If the proportion of a State under paragraph (2) is less than 3 percent, the State may obligate funds apportioned to the State under section 104(b)(5) for projects on any component of the national highway freight network.

''(4) FREIGHT PLANNING.—Notwithstanding any other provision of law, effective beginning 2 years after the date of enactment of the DRIVE Act, a State may not obligate funds apportioned to the State under section 104(b)(5) unless the State has—

''(A) established a freight advisory committee in accordance with section 5405 of title 49; and

''(B) developed a freight plan in accordance with section 5406 of title 49, except that the multimodal component of the plan may be incomplete before an obligation may be made under this section.

''(5) ELIGIBILITY.—

''(A) IN GENERAL.—Except as provided in this subsection, for a project to be eligible for funding under this section the project shall—

''(i) contribute to the efficient movement of freight on the national highway freight network; and

''(ii) be consistent with a freight investment plan included in a freight plan of the State that is in effect.

''(B) OTHER PROJECTS.—A State may obligate not more than 10 percent of the total apportionment of the State under section 104(b)(5) for projects—

''(i) within the boundaries of public and private freight rail, water facilities (including ports), and intermodal facilities; and

''(ii) that provide surface transportation infrastructure necessary to facilitate direct intermodal interchange, transfer, and access into and out of the facility.

''(C) ELIGIBLE PROJECTS.—Funds apportioned to the State under section 104(b)(5) for the national highway freight program may be obligated to carry out 1 or more of the following:

''(i) Development phase activities, including planning, feasibility analysis, revenue forecasting, environmental review, preliminary engineering and design work, and other preconstruction activities.

''(ii) Construction, reconstruction, rehabilitation, acquisition of real property (including land relating to the project and improvements to land), construction contingencies, acquisition of equipment, and operational improvements directly relating to improving system performance.

''(iii) Intelligent transportation systems and other technology to improve the flow of freight, including intelligent freight transportation systems.

''(iv) Efforts to reduce the environmental impacts of freight movement.

''(v) Environmental and community mitigation of freight movement.

''(vi) Railway-highway grade separation.

''(vii) Geometric improvements to interchanges and ramps.

''(viii) Truck-only lanes.

''(ix) Climbing and runaway truck lanes.

''(x) Adding or widening of shoulders.

''(xi) Truck parking facilities eligible for funding under section 1401 of MAP–21 (23 U.S.C. 137 note; Public Law 112–141).

''(xii) Real-time traffic, truck parking, roadway condition, and multimodal transportation information systems.

''(xiii) Electronic screening and credentialing systems for vehicles, including weigh-in-motion truck inspection technologies.

''(xiv) Traffic signal optimization, including synchronized and adaptive signals.

''(xv) Work zone management and information systems.

''(xvi) Highway ramp metering.

''(xvii) Electronic cargo and border security technologies that improve truck freight movement.

''(xviii) Intelligent transportation systems that would increase truck freight efficiencies inside the boundaries of intermodal facilities.

''(xix) Additional road capacity to address highway freight bottlenecks.

''(xx) A highway project, other than a project described in clauses (i) through (xix), to improve the flow of freight on the national highway freight network.

''(xxi) Any other surface transportation project to improve the flow of freight into and out of a facility described in subparagraph (B).

''(6) OTHER ELIGIBLE COSTS.—In addition to the eligible projects identified in paragraph (5), a State may use funds apportioned under section 104(b)(5) for—

''(A) carrying out diesel retrofit or alternative fuel projects under section 149 for class 8 vehicles; and

''(B) the necessary costs of—

''(i) conducting analyses and data collection related to the national highway freight program;

''(ii) developing and updating performance targets to carry out this section; and

''(iii) reporting to the Administrator to comply with section 150.

''(7) APPLICABILITY OF PLANNING REQUIREMENTS.—Programming and expenditure of funds for projects under this section shall be consistent with the requirements of sections 134 and 135.

''(j) STATE PERFORMANCE TARGETS.—If the Administrator determines that a State has not met or made significant progress toward meeting the performance targets related to freight movement of the State established under section 150(d) by the date that is 2 years after the date of the establishment of the performance targets, until the date on which the Administrator determines that the State has met or has made significant progress towards meeting the performance targets, the State shall submit to the Administrator, on a biennial basis, a freight performance improvement plan that includes—

''(1) an identification of significant freight system trends, needs, and issues within the State;

''(2) a description of the freight policies and strategies that will guide the freight-related transportation investments of the State;

''(3) an inventory of freight bottlenecks within the State and a description of the ways in which the State is allocating the national highway freight program funds to improve those bottlenecks; and

''(4) a description of the actions the State will undertake to meet the performance targets of the State.

''(k) STUDY OF MULTIMODAL PROJECTS.—Not later than 2 years after the date of enactment of the DRIVE Act, the Administrator shall submit to Congress a report that contains—

''(1) a study of freight projects identified in State freight plans under section 5406 of title 49; and

''(2) an evaluation of multimodal freight projects included in the State freight plans, or otherwise identified by States, that are subject to the limitation of funding for such projects under this section.

''(l) STATE FREIGHT ADVISORY COMMITTEES.—A State freight advisory committee shall be carried out as described in section 5405 of title 49.

''(m) STATE FREIGHT PLANS.—A State freight plan shall be carried out as described in section 5406 of title 49.

''(n) INTELLIGENT FREIGHT TRANSPORTATION SYSTEM.—

''(1) DEFINITION OF INTELLIGENT FREIGHT TRANSPORTATION SYSTEM.—In this section, the term 'intelligent freight transportation system' means—

''(A) an innovative or intelligent technological transportation system, infrastructure, or facilities, including electronic roads, driverless trucks, elevated freight transportation facilities, and other intelligent freight transportation systems; and

''(B) a communications or information processing system used singly or in combination for dedicated intelligent freight lanes and conveyances that improve the efficiency, security, or safety of freight on the Federal-aid highway system or that operate to convey freight or improve existing freight movements.

''(2) LOCATION.—An intelligent freight transportation system shall be located—

''(A)(i) along existing Federal-aid highways; or

''(ii) in a manner that connects ports-of-entry to existing Federal-aid highways; and

''(B) in proximity to, or within, an existing right-of-way on a Federal-aid highway.

''(3) OPERATING STANDARDS.—The Administrator of the Federal Highway Administration shall determine the need for establishing operating standards for intelligent freight transportation systems.

''(o) TREATMENT OF FREIGHT PROJECTS.—Notwithstanding any other provision of law, a freight project carried out under this section shall be treated as if the project were on a Federal-aid highway.''.

(b) CONFORMING AMENDMENTS.—

(1) The analysis for chapter 1 of title 23, United States Code, is amended by adding at the end the following:

''167. National highway freight program.''

(2) Sections 1116, 1117, and 1118 of MAP–21 (23 U.S.C. 167 note; Public Law 112–141) are repealed.

TITLE XLIV—GRANTS

SEC. 44001. PURPOSE; DEFINITIONS; ADMINISTRATION.

(a) IN GENERAL.—The purpose of the grants described in the amendments made by section 44002 is to assist in funding critical high-cost transportation infrastructure projects that—

(1) are difficult to complete with existing Federal, State, local, and private funds; and

(2) will achieve 1 or more of—

(A) generation of national or regional economic benefits and an increase in the global economic competitiveness of the United States;

(B) reduction of congestion and the impacts of congestion;

(C) improvement of facilities vital to agriculture, manufacturing, or national energy security;

(D) improvement of the efficiency, reliability, and affordability of the movement of freight;

(E) improvement of transportation safety;

(F) improvement of existing and designated future Interstate System routes; or

(G) improvement of the movement of people through improving rural connectivity and metropolitan accessibility.

(b) DEFINITIONS.—In this section and for purposes of the grant programs established under the amendments made by section 44002:

(1) ELIGIBLE APPLICANT.—The term ''eligible applicant'' means—

(A) a State (or a group of States);

(B) a local government (or a group of local governments);

(C) a tribal government (or a consortium of tribal governments);

(D) a transit agency (or a group of transit agencies);

(E) a special purpose district or a public authority with a transportation function;

(F) a port authority (or a group of port authorities);

(G) a political subdivision of a State or local government;

(H) a Federal land management agency, jointly with the applicable State; or

(I) a multistate or multijurisdictional group of entities described in subparagraphs (A) through (H).

(2) RURAL AREA.—The term ''rural area'' means an area that is outside of an urbanized area with a population greater than 150,000 individuals, as determined by the Bureau of the Census.

(3) RURAL STATE.—The term ''rural State'' means a State that has a population density of 80 or fewer persons per square mile, based on the most recent decennial census.

(c) APPLICATIONS.—

(1) IN GENERAL.—An eligible applicant shall submit to the Secretary or the Federal Highway Administrator (referred to in this section as the ''Administrator''), as appropriate, an application in such form and containing such information as the Secretary or Administrator, as appropriate, determines necessary, including the total amount of the grant requested.

(2) CONTENTS.—Each application submitted under this paragraph shall include data on the most recent system performance, to the extent practicable, and estimated system improvements that will result from completion of the eligible project, including projections for improvements 5 and 10 years after completion of the project.

(3) RESUBMISSION OF APPLICATIONS.—An eligible applicant whose project is not selected may resubmit an application in a subsequent solicitation with an addendum indicating changes to the project application.

(d) ACCOUNTABILITY MEASURES.—The Secretary and the Administrator shall establish accountability measures for the management of the grants described in this section—

(1) to establish clear procedures for addressing late-arriving applications;

(2) to publicly communicate decisions to accept or reject applications; and

(3) to document major decisions in the application evaluation and project selection process through a decision memorandum or similar mechanism that provides a clear rationale for decisions.

(e) GEOGRAPHIC DISTRIBUTION.—In awarding grants, the Secretary or Administrator, as appropriate, shall take measures to ensure, to the maximum extent practicable—

(1) an equitable geographic distribution of amounts; and

(2) an appropriate balance in addressing the needs of rural and urban communities.

(f) REPORTS.—

(1) IN GENERAL.—The Secretary or the Administrator, as appropriate, shall make available on the website of the Department at the end of each fiscal year an annual report that lists each project for which a grant has been provided under this section during that fiscal year.

(2) COMPTROLLER GENERAL.—

(A) ASSESSMENT.—The Comptroller General of the United States shall conduct an assessment of the administrative establishment, solicitation, selection, and justification process with respect to the funding of grants described in this title.

(B) REPORT.—Not later than 1 year after the initial awarding of grants described in this section, the Comptroller General of the United States shall submit to the Committee on Environment and Public Works of the Senate, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives a report that describes—

(i) the adequacy and fairness of the process by which each project was selected, if applicable;

(ii) the justification and criteria used for the selection of each project, if applicable.

SEC. 44002. GRANTS.

(a) IN GENERAL.—Chapter 1 of title 23, United States Code, is amended by adding at the end the following:

''§ 171. Assistance for major projects program

''(a) PURPOSE OF PROGRAM.—The purpose of the assistance for major projects program

shall be the purpose described in section 44001 of the DRIVE Act.

''(b) DEFINITIONS.—In this section—

''(1) the terms defined in section 44001 of the DRIVE Act shall apply; and

''(2) the following definitions shall apply:

''(A) ADMINISTRATOR.—The term 'Administrator' means the Administrator of the Federal Highway Administration.

''(B) ELIGIBLE PROJECT.—

''(i) IN GENERAL.—The term 'eligible project' means a surface transportation project, or a program of integrated surface transportation projects closely related in the function the projects perform, that—

''(I) is a capital project that is eligible for Federal financial assistance under—

''(aa) this title; or

''(bb) chapter 53 of title 49; and

''(II) except as provided in clause (ii), has eligible project costs that are reasonably anticipated to equal or exceed the lesser of—

''(aa) $350,000,000; and

''(bb)(AA) for a project located in a single State, 25 percent of the amount of Federal-aid highway funds apportioned to the State for the most recently completed fiscal year;

''(BB) for a project located in a single rural State with a population density of 80 or fewer persons per square mile based on the most recent decennial census, 10 percent of the amount of Federal-aid highway funds apportioned to the State for the most recently completed fiscal year; or

''(CC) for a project located in more than 1 State, 75 percent of the amount of Federal-aid highway funds apportioned to the participating State that has the largest apportionment for the most recently completed fiscal year.

''(ii) FEDERAL LAND TRANSPORTATION FACILITY.—In the case of a Federal land transportation facility, the term 'eligible project' means a Federal land transportation facility that has eligible project costs that are reasonably anticipated to equal or exceed $150,000,000.

''(C) ELIGIBLE PROJECT COSTS.—The term 'eligible project costs' means the costs of—

''(i) development phase activities, including planning, feasibility analysis, revenue forecasting, environmental review, preliminary engineering and design work, and other preconstruction activities; and

''(ii) construction, reconstruction, rehabilitation, and acquisition of real property (including land related to the project and improvements to land), environmental mitigation, construction contingencies, acquisition of equipment directly related to improving system performance, and operational improvements.

''(c) ESTABLISHMENT OF PROGRAM.—The Administrator shall establish a program in accordance with this section to provide grants for projects that will have a significant impact on a region or the Nation.

''(d) SOLICITATIONS AND APPLICATIONS.—

''(1) GRANT SOLICITATIONS.—The Administrator shall conduct a transparent and competitive national solicitation process to review eligible projects for funding under this section.

''(2) APPLICATIONS.—An eligible applicant shall submit an application to the Administrator in such form as described in and in accordance with section 44001 of the DRIVE Act.

''(e) CRITERIA FOR PROJECT EVALUATION AND SELECTION.—

''(1) IN GENERAL.—The Administrator may select a project for funding under this section only if the Administrator determines that the project—

''(A) is consistent with the national goals described in section 150(b);

''(B) will significantly improve the performance of the national surface transportation network, nationally or regionally;

''(C) is based on the results of preliminary engineering;

''(D) is consistent with the long-range statewide transportation plan;

''(E) cannot be readily and efficiently completed without Federal financial assistance;

''(F) is justified based on the ability of the project to achieve 1 or more of—

''(i) generation of national economic benefits that reasonably exceed the costs of the project;

''(ii) reduction of long-term congestion, including impacts on a national, regional, and statewide basis;

''(iii) an increase in the speed, reliability, and accessibility of the movement of people or freight; or

''(iv) improvement of transportation safety, including reducing transportation accident and serious injuries and fatalities; and

''(G) is supported by a sufficient amount of non-Federal funding, including evidence of stable and dependable financing to construct, maintain, and operate the infrastructure facility.

''(2) ADDITIONAL CONSIDERATIONS.—In evaluating a project under this section, in addition to the criteria described in paragraph (1), the Administrator shall consider the extent to which the project—

''(A) leverages Federal investment by encouraging non-Federal contributions to the project, including contributions from public-private partnerships;

''(B) is able to begin construction by the date that is not later than 18 months after the date on which the project is selected;

''(C) incorporates innovative project delivery and financing to the maximum extent practicable;

''(D) helps maintain or protect the environment;

''(E) improves roadways vital to national energy security;

''(F) improves or upgrades designated future Interstate System routes;

''(G) uses innovative technologies, including intelligent transportation systems, that enhance the efficiency of the project;

''(H) helps to improve mobility and accessibility; and

''(I) address the impact of population growth on the movement of people and freight.

''(f) GEOGRAPHIC DISTRIBUTION.—In awarding grants under this section, the Administrator shall take measures as described in section 44001 of the DRIVE Act.

''(g) FUNDING REQUIREMENTS.—

''(1) IN GENERAL.—Except in the case of projects described in paragraph (2), the amount of a grant under this section shall be at least $50,000,000.

''(2) RURAL PROJECTS.—The amounts made available for a fiscal year under this section for eligible projects located in rural areas or in rural States shall not be—

''(A) less than 20 percent of the amount made available for the fiscal year under this section; and

''(B) subject to paragraph (1).

''(3) LIMITATION OF FUNDS.—Not more than 20 percent of the funds made available for a fiscal year to carry out this section shall be allocated for projects eligible under section 167(i)(5)(B) or chapter 53 of title 49.

''(4) STATE CAP.—

''(A) IN GENERAL.—Not more than 20 percent of the funds made available for a fiscal year to carry out this section may be awarded to projects in a single State.

''(B) EXCEPTION FOR MULTISTATE PROJECTS.—For purposes of the limitation described in subparagraph (A), funds awarded for a multistate project shall be considered to be distributed evenly to each State.

''(5) TIFIA PROGRAM.—On the request of an eligible applicant under this section, the Administrator may use amounts awarded to the entity to pay subsidy and administrative costs necessary to provide the entity Federal credit assistance under chapter 6 with respect to the project for which the grant was awarded.

''(h) GRANT REQUIREMENTS.—

''(1) APPLICABILITY OF PLANNING REQUIREMENTS.—The programming and expenditure of funds for projects under this section shall be consistent with the requirements of sections 134 and 135.

''(2) DETERMINATION OF APPLICABLE MODAL REQUIREMENTS.—If an eligible project that receives a grant under this section has a crossmodal component, the Administrator—

''(A) shall determine the predominant modal component of the project; and

''(B) may apply the applicable requirements of that predominant modal component to the project.

''(i) REPORT TO THE ADMINISTRATOR.—For each project funded under this section, the project sponsor shall evaluate system performance and submit to the Administrator a report not later than 5, 10, and 20 years after completion of the project to assess whether the project outcomes have met preconstruction projections.

''(j) ADMINISTRATIVE SELECTION.—The Administrator shall award grants to eligible projects in a fiscal year based on the criteria described in subsection (e).

''(k) REPORTS.—

''(1) IN GENERAL.—The Administrator shall provide an annual report as described in section 44001 of the DRIVE Act.

''(2) COMPTROLLER GENERAL.—The Comptroller General of the United States shall conduct an assessment as described in section 44001 of the DRIVE Act.''.

(b) ASSISTANCE FOR FREIGHT PROJECTS.—Chapter 54 of subtitle III of title 49, United States Code, as amended by section 42005, is amended by adding after section 5408 the following:

''§ 5409. Assistance for freight projects

''(a) ESTABLISHMENT.—The Secretary shall establish and implement an assistance for freight projects grant program for capital investments in major freight transportation infrastructure projects to improve the movement of goods through the transportation network of the United States.

''(b) CRITERIA FOR PROJECT EVALUATION AND SELECTION.—

''(1) IN GENERAL.—The Secretary may select a project for funding under this section only if the Secretary determines that the project—

''(A) is consistent with the goals described in section 5402(b);

''(B) will significantly improve the national or regional performance of the freight transportation network;

''(C) is based on the results of preliminary engineering;

''(D) is consistent with the long-range statewide transportation plan;

''(E) cannot be readily and efficiently completed without Federal financial assistance;

''(F) is justified based on the ability of the project—

''(i) to generate national economic benefits that reasonably exceed the costs of the project;

''(ii) to reduce long-term congestion, including impacts on a regional and statewide basis; or

''(iii) to increase the speed, reliability, and accessibility of the movement of freight; and

''(G) is supported by a sufficient amount of non-Federal funding, including evidence of stable and dependable financing to construct, maintain, and operate the infrastructure facility.

''(2) ADDITIONAL CONSIDERATIONS.—In evaluating a project under this section, in addition to the criteria described in paragraph (1), the Secretary shall consider the extent to which the project—

''(A) leverages Federal investment by encouraging non-Federal contributions to the project, including contributions from public-private partnerships;

''(B) is able to begin construction by the date that is not later than 1 year after the date on which the project is selected;

''(C) incorporates innovative project delivery and financing to the maximum extent practicable;

''(D) improves freight facilities vital to agricultural or national energy security;

''(E) improves or upgrades current or designated future Interstate System routes;

''(F) uses innovative technologies, including intelligent transportation systems, that enhance the efficiency of the project;

''(G) helps to improve mobility and accessibility; and

''(H) improves transportation safety, including reducing transportation accident and serious injuries and fatalities.

''(c) ELIGIBLE PROJECTS.—

''(1) IN GENERAL.—A project is eligible for a grant under this section if the project—

''(A) is difficult to complete with existing Federal, State, local, and private funds;

''(B)(i) enhances the economic competitiveness of the United States; or

''(ii) improves the flow of freight or reduces bottlenecks in the freight infrastructure of the United States; and

''(C) will advance 1 or more of the following objectives:

''(i) Generate regional or national economic benefits and an increase in the global economic competitiveness of the United States.

''(ii) Improve transportation resources vital to agriculture or national energy security.

''(iii) Improve the efficiency, reliability, and affordability of the movement of freight.

''(iv) Improve existing freight infrastructure projects.

''(v) Improve the movement of people by improving rural and metropolitan freight routes.

''(2) EXAMPLES.—Eligible projects for grant funding under this section shall include—

''(A) a freight intermodal facility, including—

''(i) an intermodal facility serving a seaport;

''(ii) an intermodal or cargo access facility serving an airport;

''(iii) an intermodal facility serving a port on the inland waterways;

''(iv) a bulk intermodal/transload facility; or

''(v) a highway/rail intermodal facility;

''(B) a highway or bridge project eligible under title 23;

''(C) a public transportation project that reduces congestion on freight corridors and is eligible under chapter 53;

''(D) a freight rail transportation project (including rail-grade separations); and

''(E) a port infrastructure investment (including inland port infrastructure).

''(d) REQUIREMENTS.—

''(1) CONSIDERATIONS.—In selecting projects to receive grant funding under this section, the Secretary shall—

''(A) consider—

''(i) projected freight volumes; and

''(ii) how projects will enhance economic efficiency, productivity, and competitiveness;

''(iii) population growth and the impact on freight demand; and

''(B) give priority to projects dedicated to—

''(i) improving freight infrastructure facilities;

''(ii) reducing travel time for freight projects;

''(iii) reducing freight transportation costs; and

''(iv) reducing congestion caused by rapid population growth on freight corridors.

''(2) MULTIMODAL DISTRIBUTION OF FUNDS.—In distributing funding for grants under this section, the Secretary shall take such measures as the Secretary determines necessary to ensure the investment in a variety of transportation modes.

''(3) AMOUNT.—

''(A) IN GENERAL.—Except as provided in subparagraph (B)(i), a grant under this section shall be in an amount that is not less than $10,000,000 and not greater than $100,000,000.

''(B) PROJECTS IN RURAL AREAS.—If a grant awarded under this section is for a project located in a rural area—

''(i) the amount of the grant shall be at least $1,000,000; and

''(ii) the Secretary may increase the Federal share of costs to greater than 80 percent.

''(4) FEDERAL SHARE.—Except as provided under paragraph (3)(B)(ii), the Federal share of the costs for a project receiving a grant under this section shall be up to 80 percent.

''(5) PRIORITY.—The Secretary shall give priority to projects that require a contribution of Federal funds in order to complete an overall financing package.

''(6) RURAL AREAS.—Not less than 25 percent of the funding provided under this section shall be used to make grants for projects located in rural areas.

''(7) NEW COMPETITION.—The Secretary shall conduct a new competition each fiscal year to select the grants and credit assistance awarded under this section.

''(e) CONSULTATION.—The Secretary shall consult with the Secretary of Energy when considering projects that facilitate the movement of energy resources.

''(f) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—There is authorized to be appropriated from the general fund of the Treasury, $200,000,000 for each of fiscal years 2016 through 2021 to carry out this section.

''(2) ADMINISTRATIVE AND OVERSIGHT COSTS.—The Secretary may retain up to 0.5 percent of the amounts appropriated pursuant to paragraph (1)—

''(A) to administer the assistance for freight projects grant program; and

''(B) to oversee eligible projects funded under this section.

''(3) ADMINISTRATION OF FUNDS.—Amounts appropriated pursuant to this subsection shall be available for obligation until expended.

''(g) CONGRESSIONAL NOTIFICATION.—Not later than 72 hours before public notification of a grant awarded under this section, the Secretary shall notify the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Environment and Public Works of the Senate, the Committee on Banking, Housing, and Urban Affairs of the Senate, the Committee on Appropriations of the Senate, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Appropriations of the House of Representatives of such award.

''(h) ACCOUNTABILITY MEASURES.—The Secretary shall provide to Congress documentation of major decisions in the application evaluation and project selection process, which shall include a clear rationale for decisions—

''(1) to advance for senior review applications other than those rated as highly recommended;

''(2) to not advance applications rated as highly recommended; and

''(3) to change the technical evaluation rating of an application.''.

(c) CONFORMING AMENDMENT.—The analysis for chapter 1 of title 23, United States Code, is amended by adding at the end the following:

''171. Assistance for major projects program.''.

DIVISION E—FINANCE

SEC. 50001. SHORT TITLE.

This division may be cited as the ''Transportation Funding Act of 2015''.

TITLE LI—HIGHWAY TRUST FUND AND RELATED TAXES

Subtitle A—Extension of Trust Fund Expenditure Authority and Related Taxes

SEC. 51101. EXTENSION OF TRUST FUND EXPENDITURE AUTHORITY.

(a) HIGHWAY TRUST FUND.—Section 9503 of the Internal Revenue Code of 1986, as amended by division G, is amended—

(1) by striking ''October 1, 2015'' in subsections (b)(6)(B), (c)(1), and (e)(3) and inserting ''October 1, 2021'', and

(2) by striking ''Surface Transportation Extension Act of 2015'' in subsections (c)(1) and (e)(3) and inserting ''DRIVE Act''.

(b) SPORT FISH RESTORATION AND BOATING TRUST FUND.—Section 9504 of the Internal Revenue Code of 1986, as amended by division G is amended—

(1) by striking ''Surface Transportation Extension Act of 2015'' each place it appears in subsection (b)(2) and inserting ''DRIVE Act'', and

(2) by striking ''October 1, 2015'' in subsection (d)(2) and inserting ''October 1, 2021''.

(c) LEAKING UNDERGROUND STORAGE TANK TRUST FUND.—Paragraph (2) of section 9508(e) of the Internal Revenue Code of 1986, as amended by division G, is amended by striking ''October 1, 2015'' and inserting ''October 1, 2021''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on August 1, 2015.

SEC. 51102. EXTENSION OF HIGHWAY-RELATED TAXES.

(a) IN GENERAL.—

(1) Each of the following provisions of the Internal Revenue Code of 1986 is amended by striking ''September 30, 2016'' and inserting ''September 30, 2023'':

(A) Section 4041(a)(1)(C)(iii)(I).

(B) Section 4041(m)(1)(B).

(C) Section 4081(d)(1).

(2) Each of the following provisions of such Code is amended by striking ''October 1, 2016'' and inserting ''October 1, 2023'':

(A) Section 4041(m)(1)(A).

(B) Section 4051(c).

(C) Section 4071(d).

(D) Section 4081(d)(3).

(b) EXTENSION OF TAX, ETC., ON USE OF CERTAIN HEAVY VEHICLES.—Each of the following

provisions of the Internal Revenue Code of 1986 is amended by striking ''2017'' each place it appears and inserting ''2024'':

(1) Section 4481(f).

(2) Subsections (c)(4) and (d) of section 4482.

(c) FLOOR STOCKS REFUNDS.—Section 6412(a)(1) of the Internal Revenue Code of 1986 is amended—

(1) by striking ''October 1, 2016'' each place it appears and inserting ''October 1, 2023'',

(2) by striking ''March 31, 2017'' each place it appears and inserting ''March 31, 2024'', and

(3) by striking ''January 1, 2017'' and inserting ''January 1, 2024''.

(d) EXTENSION OF CERTAIN EXEMPTIONS.—

(1) Section 4221(a) of the Internal Revenue Code of 1986 is amended by striking ''October 1, 2016'' and inserting ''October 1, 2023''.

(2) Section 4483(i) of such Code is amended by striking ''October 1, 2017'' and inserting ''October 1, 2024''.

(e) EXTENSION OF TRANSFERS OF CERTAIN TAXES.—

(1) IN GENERAL.—Section 9503 of the Internal Revenue Code of 1986 is amended—

(A) in subsection (b)—

(i) by striking ''October 1, 2016'' each place it appears in paragraphs (1) and (2) and inserting ''October 1, 2023'',

(ii) by striking ''OCTOBER 1, 2016'' in the heading of paragraph (2) and inserting ''OCTOBER 1, 2023'',

(iii) by striking ''September 30, 2016'' in paragraph (2) and inserting ''September 30, 2023'', and

(iv) by striking ''July 1, 2017'' in paragraph (2) and inserting ''July 1, 2024'', and

(B) in subsection (c)(2), by striking ''July 1, 2017'' and inserting ''July 1, 2024''.

(2) MOTORBOAT AND SMALL-ENGINE FUEL TAX TRANSFERS.—

(A) IN GENERAL.—Paragraphs (3)(A)(i) and (4)(A) of section 9503(c) of such Code are each amended by striking ''October 1, 2016'' and inserting ''October 1, 2023''.

(B) CONFORMING AMENDMENTS TO LAND AND WATER CONSERVATION FUND.—Section 200310 of title 54, United States Code, is amended—

(i) by striking ''October 1, 2017'' each place it appears and inserting ''October 1, 2024'', and

(ii) by striking ''October 1, 2016'' and inserting ''October 1, 2023''.

(f) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2016.

Subtitle B—Additional Transfers to Highway Trust Fund

SEC. 51201. FURTHER ADDITIONAL TRANSFERS TO TRUST FUND.

Subsection (f) of section 9503 of the Internal Revenue Code of 1986 is amended by redesignating paragraph (7) as paragraph (9) and by inserting after paragraph (6) the following new paragraphs:

''(7) FURTHER TRANSFERS TO TRUST FUND.—Out of money in the Treasury not otherwise appropriated, there is hereby appropriated—

''(A) $34,600,000,000 to the Highway Account (as defined in subsection (e)(5)(B)) in the Highway Trust Fund; and

''(B) $11,015,000,000 to the Mass Transit Account in the Highway Trust Fund.

''(8) ADDITIONAL INCREASE IN FUND BALANCE.—There is hereby transferred to the Highway Account (as defined in subsection (e)(5)(B)) in the Highway Trust Fund amounts appropriated from the Leaking Underground Storage Tank Trust Fund under section 9508(c)(4).''.

SEC. 51202. TRANSFER TO HIGHWAY TRUST FUND OF CERTAIN MOTOR VEHICLE SAFETY PENALTIES.

(a) IN GENERAL.—Paragraph (5) of section 9503(b) of the Internal Revenue Code of 1986 is amended—

(1) by striking ''There are hereby'' and inserting the following:

''(A) IN GENERAL.—There are hereby'', and

(2) by adding at the end the following new paragraph:

''(B) PENALTIES RELATED TO MOTOR VEHICLE SAFETY.—

''(i) IN GENERAL.—There are hereby appropriated to the Highway Trust Fund amounts equivalent to covered motor vehicle safety penalty collections.

''(ii) COVERED MOTOR VEHICLE SAFETY PENALTY COLLECTIONS.—For purposes of this subparagraph, the term 'covered motor vehicle safety penalty collections' means any amount collected in connection with a civil penalty under section 30165 of title 49, United States Code, reduced by any award authorized by the Secretary of Transportation to be paid to any person in connection with information provided by such person related to a violation of chapter 301 of such title which is a predicate to such civil penalty.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to amounts collected after the date of the enactment of this Act.

SEC. 51203. APPROPRIATION FROM LEAKING UNDERGROUND STORAGE TANK TRUST FUND.

(a) IN GENERAL.—Subsection (c) of section 9508 of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(4) ADDITIONAL TRANSFER TO HIGHWAY TRUST FUND.—Out of amounts in the Leaking Underground Storage Tank Trust Fund there is hereby appropriated—

''(A) on the date of the enactment of the DRIVE Act, $100,000,000,

''(B) on October 1, 2016, $100,000,000, and

''(C) on October 1, 2017, $100,000,000,

to be transferred under section 9503(f)(8) to the Highway Account (as defined in section 9503(e)(5)(B)) in the Highway Trust Fund.''.

(b) CONFORMING AMENDMENT.—Section 9508(c)(1) of the Internal Revenue Code of 1986 is amended by striking ''paragraphs (2) and (3)'' and inserting ''paragraphs (2), (3), and (4)''.

TITLE LII—OFFSETS

Subtitle A—Tax Provisions

SEC. 52101. CONSISTENT BASIS REPORTING BETWEEN ESTATE AND PERSON ACQUIRING PROPERTY FROM DECEDENT.

(a) PROPERTY ACQUIRED FROM A DECEDENT.—

(1) IN GENERAL.—Section 1014 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

''(f) BASIS MUST BE CONSISTENT WITH ESTATE TAX VALUE.—

''(1) IN GENERAL.—The basis under subsection (a) of any property shall not exceed—

''(A) in the case of property the value of which has been finally determined for purposes of the tax imposed by chapter 11 on the estate of such decedent, such value, and

''(B) in the case of property not described in subparagraph (A) and with respect to which a statement has been furnished under section 6035(a) identifying the value of such property, such value.

''(2) DETERMINATION.—For purposes of paragraph (1), the value of property has been finally determined for purposes of the tax imposed by chapter 11 if—

''(A) the value of such property is shown on a return under section 6018 and such value is not contested by the Secretary before the expiration of the time for assessing a tax under chapter 11,

''(B) in a case not described in subparagraph (A), the value is specified by the Secretary and such value is not timely contested by the executor of the estate, or

''(C) the value is determined by a court or pursuant to a settlement agreement with the Secretary.

''(3) REGULATIONS.—The Secretary may by regulations provide exceptions to the application of this subsection.''.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall apply to property with respect to which an estate tax return is filed after the date of the enactment of this Act.

(b) INFORMATION REPORTING.—

(1) IN GENERAL.—Subpart A of part III of subchapter A of chapter 61 of the Internal Revenue Code of 1986 is amended by inserting after section 6034A the following new section:

''SEC. 6035. BASIS INFORMATION TO PERSONS ACQUIRING PROPERTY FROM DECEDENT.

''(a) INFORMATION WITH RESPECT TO PROPERTY ACQUIRED FROM DECEDENTS.—

''(1) IN GENERAL.—The executor of any estate required to file a return under section 6018(a) shall furnish to the Secretary and to each person acquiring any interest in property included in the decedent's gross estate for Federal estate tax purposes a statement identifying the value of each interest in such property as reported on such return and such other information with respect to such interest as the Secretary may prescribe.

''(2) STATEMENTS BY BENEFICIARIES.—Each person required to file a return under section 6018(b) shall furnish to the Secretary and to each other person who holds a legal or beneficial interest in the property to which such return relates a statement identifying the information described in paragraph (1).

''(3) TIME FOR FURNISHING STATEMENT.—

''(A) IN GENERAL.—Each statement required to be furnished under paragraph (1) or (2) shall be furnished at such time as the Secretary may prescribe, but in no case at a time later than the earlier of—

''(i) the date which is 30 days after the date on which the return under section 6018 was required to be filed (including extensions, if any), or

''(ii) the date which is 30 days after the date such return is filed.

''(B) ADJUSTMENTS.—In any case in which there is an adjustment to the information required to be included on a statement filed under paragraph (1) or (2) after such statement has been filed, a supplemental statement under such paragraph shall be filed not later than the date which is 30 days after such adjustment is made.

''(b) REGULATIONS.—The Secretary shall prescribe such regulations as necessary to carry out this section, including regulations relating to—

''(1) the extension of this section to property of estates not required to file an estate tax return, and

''(2) situations in which the surviving joint tenant or other recipient may have better information than the executor regarding the basis or fair market value of the property.''.

(2) PENALTY FOR FAILURE TO FILE.—

(A) RETURN.—Section 6724(d)(1) of such Code is amended by striking ''and'' at the

end of subparagraph (B), by striking the period at the end of subparagraph (C) and inserting '', and'', and by adding at the end the following new subparagraph:

''(D) any statement required to be filed with the Secretary under section 6035.''.

(B) STATEMENT.—Section 6724(d)(2) of such Code is amended by striking ''or'' at the end of subparagraph (GG), by striking the period at the end of subparagraph (HH) and inserting '', or'', and by adding at the end the following new subparagraph:

''(II) section 6035 (other than a statement described in paragraph (1)(D)).''.

(3) CLERICAL AMENDMENT.—The table of sections for subpart A of part III of subchapter A of chapter 61 of such Code is amended by inserting after the item relating to section 6034A the following new item:

''SEC. 6035. BASIS INFORMATION TO PERSONS ACQUIRING PROPERTY FROM DECEDENT.''.

(4) EFFECTIVE DATE.—The amendments made by this subsection shall take effect on the date of the enactment of this Act.

(c) PENALTY FOR INCONSISTENT REPORTING.—

(1) IN GENERAL.—Subsection (b) of section 6662 of the Internal Revenue Code of 1986 is amended by inserting after paragraph (7) the following new paragraph:

''(8) Any inconsistent estate basis.''.

(2) INCONSISTENT BASIS REPORTING.—Section 6662 of such Code is amended by adding at the end the following new subsection:

''(k) INCONSISTENT ESTATE BASIS REPORTING.—For purposes of this section, there is an 'inconsistent estate basis' if the basis of property (determined without regard to adjustments to basis during the period the property was held by the taxpayer) claimed on a return exceeds the basis as determined under section 1014(f).''.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to returns filed after the date of the enactment of this Act.

SEC. 52102. REVOCATION OR DENIAL OF PASSPORT IN CASE OF CERTAIN UNPAID TAXES.

(a) IN GENERAL.—Subchapter D of chapter 75 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

''SEC. 7345. REVOCATION OR DENIAL OF PASSPORT IN CASE OF CERTAIN TAX DELINQUENCIES.

''(a) IN GENERAL.—If the Secretary receives certification by the Commissioner of Internal Revenue that any individual has a seriously delinquent tax debt in an amount in excess of $50,000, the Secretary shall transmit such certification to the Secretary of State for action with respect to denial, revocation, or limitation of a passport pursuant to section 52102(d) of the Transportation Funding Act of 2015.

''(b) SERIOUSLY DELINQUENT TAX DEBT.—For purposes of this section, the term 'seriously delinquent tax debt' means an outstanding debt under this title for which a notice of lien has been filed in public records pursuant to section 6323 or a notice of levy has been filed pursuant to section 6331, except that such term does not include—

''(1) a debt that is being paid in a timely manner pursuant to an agreement under section 6159 or 7122, and

''(2) a debt with respect to which collection is suspended because a collection due process hearing under section 6330, or relief under subsection (b), (c), or (f) of section 6015, is requested or pending.

''(c) ADJUSTMENT FOR INFLATION.—In the case of a calendar year beginning after 2016, the dollar amount in subsection (a) shall be increased by an amount equal to—

''(1) such dollar amount, multiplied by

''(2) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year, determined by substituting 'calendar year 2015' for 'calendar year 1992' in subparagraph (B) thereof.

If any amount as adjusted under the preceding sentence is not a multiple of $1,000, such amount shall be rounded to the next highest multiple of $1,000.''.

(b) CLERICAL AMENDMENT.—The table of sections for subchapter D of chapter 75 of the Internal Revenue Code of 1986 is amended by adding at the end the following new item:

''Sec. 7345. Revocation or denial of passport in case of certain tax delinquencies.''.

(c) AUTHORITY FOR INFORMATION SHARING.—

(1) IN GENERAL.—Subsection (l) of section 6103 of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(23) DISCLOSURE OF RETURN INFORMATION TO DEPARTMENT OF STATE FOR PURPOSES OF PASSPORT REVOCATION UNDER SECTION 7345.—

''(A) IN GENERAL.—The Secretary shall, upon receiving a certification described in section 7345, disclose to the Secretary of State return information with respect to a taxpayer who has a seriously delinquent tax debt described in such section. Such return information shall be limited to—

''(i) the taxpayer identity information with respect to such taxpayer, and

''(ii) the amount of such seriously delinquent tax debt.

''(B) RESTRICTION ON DISCLOSURE.—Return information disclosed under subparagraph (A) may be used by officers and employees of the Department of State for the purposes of, and to the extent necessary in, carrying out the requirements of section 52102(d) of the Transportation Funding Act of 2015.''.

(2) CONFORMING AMENDMENT.—Paragraph (4) of section 6103(p) of such Code is amended by striking ''or (22)'' each place it appears in subparagraph (F)(ii) and in the matter preceding subparagraph (A) and inserting ''(22), or (23)''.

(d) AUTHORITY TO DENY OR REVOKE PASSPORT.—

(1) DENIAL.—

(A) IN GENERAL.—Except as provided under subparagraph (B), upon receiving a certification described in section 7345 of the Internal Revenue Code of 1986 from the Secretary of the Treasury, the Secretary of State shall not issue a passport to any individual who has a seriously delinquent tax debt described in such section.

(B) EMERGENCY AND HUMANITARIAN SITUATIONS.—Notwithstanding subparagraph (A), the Secretary of State may issue a passport, in emergency circumstances or for humanitarian reasons, to an individual described in such subparagraph.

(2) REVOCATION.—

(A) IN GENERAL.—The Secretary of State may revoke a passport previously issued to any individual described in paragraph (1)(A).

(B) LIMITATION FOR RETURN TO UNITED STATES.—If the Secretary of State decides to revoke a passport under subparagraph (A), the Secretary of State, before revocation, may—

(i) limit a previously issued passport only for return travel to the United States; or

(ii) issue a limited passport that only permits return travel to the United States.

(3) HOLD HARMLESS.—The Secretary of the Treasury and the Secretary of State shall not be liable to an individual for any action with respect to a certification by the Commissioner of Internal Revenue under section 7345 of the Internal Revenue Code of 1986.

(e) REVOCATION OR DENIAL OF PASSPORT IN CASE OF INDIVIDUAL WITHOUT SOCIAL SECURITY ACCOUNT NUMBER.—

(1) DENIAL.—

(A) IN GENERAL.—Except as provided under subparagraph (B), upon receiving an application for a passport from an individual that either—

(i) does not include the social security account number issued to that individual, or

(ii) includes an incorrect or invalid social security number willfully, intentionally, negligently, or recklessly provided by such individual,

the Secretary of State is authorized to deny such application and is authorized to not issue a passport to the individual.

(B) EMERGENCY AND HUMANITARIAN SITUATIONS.—Notwithstanding subparagraph (A), the Secretary of State may issue a passport, in emergency circumstances or for humanitarian reasons, to an individual described in subparagraph (A).

(2) REVOCATION.—

(A) IN GENERAL.—The Secretary of State may revoke a passport previously issued to any individual described in paragraph (1)(A).

(B) LIMITATION FOR RETURN TO UNITED STATES.—If the Secretary of State decides to revoke a passport under subparagraph (A), the Secretary of State, before revocation, may—

(i) limit a previously issued passport only for return travel to the United States; or

(ii) issue a limited passport that only permits return travel to the United States.

(f) EFFECTIVE DATE.—The provisions of, and amendments made by, this section shall take effect on January 1, 2016.

SEC. 52103. CLARIFICATION OF 6-YEAR STATUTE OF LIMITATIONS IN CASE OF OVERSTATEMENT OF BASIS.

(a) IN GENERAL.—Subparagraph (B) of section 6501(e)(1) of the Internal Revenue Code of 1986 is amended—

(1) by striking ''and'' at the end of clause (i), by redesignating clause (ii) as clause (iii), and by inserting after clause (i) the following new clause:

''(ii) An understatement of gross income by reason of an overstatement of unrecovered cost or other basis is an omission from gross income; and'',

(2) by inserting ''(other than in the case of an overstatement of unrecovered cost or other basis)'' in clause (iii) (as so redesignated) after ''In determining the amount omitted from gross income'', and

(3) by inserting ''AMOUNT OMITTED FROM'' after ''DETERMINATION OF'' in the heading thereof.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to—

(1) returns filed after the date of the enactment of this Act, and

(2) returns filed on or before such date if the period specified in section 6501 of the Internal Revenue Code of 1986 (determined without regard to such amendments) for assessment of the taxes with respect to which such return relates has not expired as of such date.

SEC. 52104. ADDITIONAL INFORMATION ON RETURNS RELATING TO MORTGAGE INTEREST.

(a) IN GENERAL.—Paragraph (2) of section 6050H(b) of the Internal Revenue Code of 1986 is amended by striking ''and'' at the end of subparagraph (C), by redesignating subparagraph (D) as subparagraph (G), and by inserting after subparagraph (C) the following new subparagraphs:

''(D) the amount of outstanding principal on the mortgage as of the beginning of such calendar year,

''(E) the address of the property securing such mortgage,

''(F) the date of the origination of such mortgage, and''.

(b) PAYEE STATEMENTS.—Subsection (d) of section 6050H of the Internal Revenue Code of 1986 is amended by striking ''and'' at the end of paragraph (1), by striking the period at the end of paragraph (2) and inserting '', and'', and by inserting after paragraph (2) the following new paragraph:

''(3) the information required to be included on the return under subparagraphs (D), (E), and (F) of subsection (b)(2).''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to returns and statements the due date for which (determined without regard to extensions) is after December 31, 2016.

SEC. 52105. RETURN DUE DATE MODIFICATIONS.

(a) NEW DUE DATE FOR PARTNERSHIP FORM 1065, S CORPORATION FORM 1120S, AND C CORPORATION FORM 1120.—

(1) PARTNERSHIPS.—

(A) IN GENERAL.—Section 6072 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

''(f) RETURNS OF PARTNERSHIPS.—Returns of partnerships under section 6031 made on the basis of the calendar year shall be filed on or before the 15th day of March following the close of the calendar year, and such returns made on the basis of a fiscal year shall be filed on or before the 15th day of the third month following the close of the fiscal year.''.

(B) CONFORMING AMENDMENT.—Section 6072(a) of such Code is amended by striking ''6017, or 6031'' and inserting ''or 6017''.

(2) S CORPORATIONS.—

(A) IN GENERAL.—So much of subsection (b) of section 6072 of the Internal Revenue Code of 1986 as precedes the second sentence thereof is amended to read as follows:

''(b) RETURNS OF CERTAIN CORPORATIONS.—Returns of S corporations under sections 6012 and 6037 made on the basis of the calendar year shall be filed on or before the 31st day of March following the close of the calendar year, and such returns made on the basis of a fiscal year shall be filed on or before the last day of the third month following the close of the fiscal year.''.

(B) CONFORMING AMENDMENTS.—

(i) Section 1362(b) of such Code is amended—

(I) by striking ''15th'' each place it appears and inserting ''last'',

(II) by striking ''2½'' each place it appears in the headings and the text and inserting ''3'', and

(III) by striking ''2 months and 15 days'' in paragraph (4) and inserting ''3 months''.

(ii) Section 1362(d)(1)(C)(i) of such Code is amended by striking ''15th'' and inserting ''last''.

(iii) Section 1362(d)(1)(C)(ii) of such Code is amended by striking ''such 15th day'' and inserting ''the last day of the 3d month thereof''.

(3) CONFORMING AMENDMENTS RELATING TO C CORPORATIONS.—

(A) Section 170(a)(2)(B) of such Code is amended by striking ''third month'' and inserting ''4th month''.

(B) Section 563 of such Code is amended by striking ''third month'' each place it appears and inserting ''4th month''.

(C) Section 1354(d)(1)(B)(i) of such Code is amended by striking ''3d month'' and inserting ''4th month''.

(D) Subsection (a) and (c) of section 6167 of such Code are each amended by striking ''third month'' and inserting ''4th month''.

(E) Section 6425(a)(1) of such Code is amended by striking ''third month'' and inserting ''4th month''.

(F) Section 6655 of such Code is amended—

(i) by striking ''3rd month'' each place it appears in subsections (b)(2)(A), (g)(3), and (h)(1) and inserting ''4th month'', and

(ii) in subsection (g)(4), by redesignating subparagraph (E) as subparagraph (F) and by inserting after subparagraph (D) the following new subparagraph:

''(E) Subsection (b)(2)(A) shall be applied by substituting 'the last day of the 3rd month' for 'the 15th day of the 4th month'.''.

(4) EFFECTIVE DATES.—

(A) IN GENERAL.—Except as otherwise provided in this paragraph, the amendments made by this subsection shall apply to returns for taxable years beginning after December 31, 2015.

(B) CONFORMING AMENDMENTS RELATING TO S CORPORATIONS.—The amendments made by paragraph (2)(B) shall apply with respect to elections for taxable years beginning after December 31, 2015.

(C) CONFORMING AMENDMENTS RELATING TO C CORPORATIONS.—The amendments made by paragraph (3) shall apply to taxable years beginning after December 31, 2015.

(5) SPECIAL RULE FOR CERTAIN C CORPORATION IN 2025.—In the case of a taxable year of a C Corporation ending on June 30, 2025, section 6072(a) of the Internal Revenue Code of 1986 shall be applied by substituting ''third month'' for ''fourth month''.

(b) MODIFICATION OF DUE DATES BY REGULATION.—In the case of returns for any taxable period beginning after December 31, 2015, the Secretary of the Treasury or the Secretary's delegate shall modify appropriate regulations to provide as follows:

(1) The maximum extension for the returns of partnerships filing Form 1065 shall be a 6-month period beginning on the due date for filing the return (without regard to any extensions).

(2) The maximum extension for the returns of trusts and estates filing Form 1041 shall be a 5½-month period beginning on the due date for filing the return (without regard to any extensions).

(3) The maximum extension for the returns of employee benefit plans filing Form 5500 shall be an automatic 3½-month period beginning on the due date for filing the return (without regard to any extensions).

(4) The maximum extension for the Forms 990 (series) returns of organizations exempt from income tax shall be an automatic 6-month period beginning on the due date for filing the return (without regard to any extensions).

(5) The maximum extension for the returns of organizations exempt from income tax that are required to file Form 4720 returns of excise taxes shall be an automatic 6-month period beginning on the due date for filing the return (without regard to any extensions).

(6) The maximum extension for the returns of trusts required to file Form 5227 shall be an automatic 6-month period beginning on the due date for filing the return (without regard to any extensions).

(7) The maximum extension for filing Form 6069, Return of Excise Tax on Excess Contributions to Black Lung Benefit Trust Under Section 4953 and Computation of Section 192 Deduction, shall be an automatic 6-month period beginning on the due date for filing the return (without regard to any extensions).

(8) The maximum extension for a taxpayer required to file Form 8870 shall be an automatic 6-month period beginning on the due date for filing the return (without regard to any extensions).

(9) The due date of Form 3520–A, Annual Information Return of a Foreign Trust with a United States Owner, shall be the 15th day of the 3rd month after the close of the trust's taxable year, and the maximum extension shall be a 6-month period beginning on such day.

(10) The due date of FinCEN Form 114 (relating to Report of Foreign Bank and Financial Accounts) shall be April 15 with a maximum extension for a 6-month period ending on October 15, and with provision for an extension under rules similar to the rules of 26 C.F.R. 1.6081–5. For any taxpayer required to file such form for the first time, the Secretary of the Treasury may waive any penalty for failure to timely request or file an extension.

(11) Taxpayers filing Form 3520, Annual Return to Report Transactions with Foreign Trusts and Receipt of Certain Foreign Gifts, shall be allowed to extend the time for filing such form separately from the income tax return of the taxpayer, for an automatic 6-month period beginning on the due date for filing the return (without regard to any extensions).

(c) CORPORATIONS PERMITTED STATUTORY AUTOMATIC 6-MONTH EXTENSION OF INCOME TAX RETURNS.—

(1) IN GENERAL.—Section 6081(b) of the Internal Revenue Code of 1986 is amended by striking ''3 months'' and inserting ''6 months''.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall apply to returns for taxable years beginning after December 31, 2015.

(3) SPECIAL RULE FOR CERTAIN C CORPORATIONS IN 2024.—In the case of any taxable year of a C corporation ending on December 31, 2024, subsections (a) and (b) of section 6081 of the Internal Revenue Code of 1986 shall each be applied to returns of income taxes under subtitle A by substituting ''5 months'' for ''6 months''.

SEC. 52106. REFORM OF RULES RELATING TO QUALIFIED TAX COLLECTION CONTRACTS.

(a) REQUIREMENT TO COLLECT CERTAIN INACTIVE TAX RECEIVABLES UNDER QUALIFIED TAX COLLECTION CONTRACTS.—Section 6306 of the Internal Revenue Code of 1986 is amended by redesignating subsections (c) through (f) as subsections (d) through (g), respectively, and by inserting after subsection (b) the following new subsection:

''(c) COLLECTION OF INACTIVE TAX RECEIVABLES.—

''(1) IN GENERAL.—Notwithstanding any other provision of law, the Secretary shall enter into one or more qualified tax collection contracts for the collection of all outstanding inactive tax receivables.

''(2) INACTIVE TAX RECEIVABLES.—For purposes of this section—

''(A) IN GENERAL.—The term 'inactive tax receivable' means any tax receivable if—

''(i) at any time after assessment, the Internal Revenue Service removes such receivable from the active inventory for lack of resources or inability to locate the taxpayer,

''(ii) more than ⅓ of the period of the applicable statute of limitation has lapsed and such receivable has not been assigned for collection to any employee of the Internal Revenue Service, or

''(iii) in the case of a receivable which has been assigned for collection, more than 365

days have passed without interaction with the taxpayer or a third party for purposes of furthering the collection of such receivable.

''(B) TAX RECEIVABLE.—The term 'tax receivable' means any outstanding assessment which the Internal Revenue Service includes in potentially collectible inventory.''.

(b) CERTAIN TAX RECEIVABLES NOT ELIGIBLE FOR COLLECTION UNDER QUALIFIED TAX COLLECTION CONTRACTS.—Section 6306 of the Internal Revenue Code of 1986, as amended by subsection (a), is amended by redesignating subsections (d) through (g) as subsections (e) through (h), respectively, and by inserting after subsection (c) the following new subsection:

''(d) CERTAIN TAX RECEIVABLES NOT ELIGIBLE FOR COLLECTION UNDER QUALIFIED TAX COLLECTIONS CONTRACTS.—A tax receivable shall not be eligible for collection pursuant to a qualified tax collection contract if such receivable—

''(1) is subject to a pending or active offer-in-compromise or installment agreement,

''(2) is classified as an innocent spouse case,

''(3) involves a taxpayer identified by the Secretary as being—

''(A) deceased,

''(B) under the age of 18,

''(C) in a designated combat zone, or

''(D) a victim of tax-related identity theft,

''(4) is currently under examination, litigation, criminal investigation, or levy, or

''(5) is currently subject to a proper exercise of a right of appeal under this title.''.

(c) CONTRACTING PRIORITY.—Section 6306 of the Internal Revenue Code of 1986, as amended by the preceding provisions of this section, is amended by redesignating subsection (h) as subsection (i) and by inserting after subsection (g) the following new subsection:

''(h) CONTRACTING PRIORITY.—In contracting for the services of any person under this section, the Secretary shall utilize private collection contractors and debt collection centers on the schedule required under section 3711(g) of title 31, United States Code, including the technology and communications infrastructure established therein, to the extent such private collection contractors and debt collection centers are appropriate to carry out the purposes of this section.''.

(d) DISCLOSURE OF RETURN INFORMATION.—Section 6103(k) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(11) QUALIFIED TAX COLLECTION CONTRACTORS.—Persons providing services pursuant to a qualified tax collection contract under section 6306 may, if speaking to a person who has identified himself or herself as having the name of the taxpayer to which a tax receivable (within the meaning of such section) relates, identify themselves as contractors of the Internal Revenue Service and disclose the business name of the contractor, and the nature, subject, and reason for the contact. Disclosures under this paragraph shall be made only in such situations and under such conditions as have been approved by the Secretary.''.

(e) TAXPAYERS AFFECTED BY FEDERALLY DECLARED DISASTERS.—Section 6306 of the Internal Revenue Code of 1986, as amended by the preceding provisions of this section, is amended by redesignating subsection (i) as subsection (j) and by inserting after subsection (h) the following new subsection:

''(i) TAXPAYERS IN PRESIDENTIALLY DECLARED DISASTER AREAS.—The Secretary may prescribe procedures under which a taxpayer determined to be affected by a Federally declared disaster (as defined by section 165(i)(5)) may request—

''(1) relief from immediate collection measures by contractors under this section, and

''(2) a return of the inactive tax receivable to the inventory of the Internal Revenue Service to be collected by an employee thereof.''.

(f) REPORT TO CONGRESS.—

(1) IN GENERAL.—Section 6306 of the Internal Revenue Code of 1986, as amended by the preceding provisions of this section, is amended by redesignating subsection (j) as subsection (k) and by inserting after subsection (i) the following new subsection:

''(j) REPORT TO CONGRESS.—Not later than 90 days after the last day of each fiscal year (beginning with the first such fiscal year ending after the date of the enactment of this subsection), the Secretary shall submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate a report with respect to qualified tax collection contracts under this section which shall include—

''(1) annually, with respect to such fiscal year—

''(A) the total number and amount of tax receivables provided to each contractor for collection under this section,

''(B) the total amounts collected (and amounts of installment agreements entered into under subsection (b)(1)(B)) with respect to each contractor and the collection costs incurred (directly and indirectly) by the Internal Revenue Service with respect to such amounts,

''(C) the impact of such contracts on the total number and amount of unpaid assessments, and on the number and amount of assessments collected by Internal Revenue Service personnel after initial contact by a contractor,

''(D) the amount of fees retained by the Secretary under subsection (e) and a description of the use of such funds, and

''(E) a disclosure safeguard report in a form similar to that required under section 6103(p)(5), and

''(2) biannually (beginning with the second report submitted under this subsection)—

''(A) an independent evaluation of contractor performance, and

''(B) a measurement plan that includes a comparison of the best practices used by the private collectors to the collection techniques used by the Internal Revenue Service and mechanisms to identify and capture information on successful collection techniques used by the contractors that could be adopted by the Internal Revenue Service.''.

(2) REPEAL OF EXISTING REPORTING REQUIREMENTS WITH RESPECT TO QUALIFIED TAX COLLECTION CONTRACTS.—Section 881 of the American Jobs Creation Act of 2004 is amended by striking subsection (e).

(g) EFFECTIVE DATES.—

(1) IN GENERAL.—The amendments made by subsections (a) and (b) shall apply to tax receivables identified by the Secretary after the date of the enactment of this Act.

(2) CONTRACTING PRIORITY.—The Secretary shall begin entering into contracts and agreements as described in the amendment made by subsection (c) within 3 months after the date of the enactment of this Act.

(3) DISCLOSURES.—The amendment made by subsection (d) shall apply to disclosures made after the date of the enactment of this Act.

(4) PROCEDURES; REPORT TO CONGRESS.—The amendments made by subsections (e) and (f) shall take effect on the date of the enactment of this Act.

SEC. 52107. SPECIAL COMPLIANCE PERSONNEL PROGRAM.

(a) IN GENERAL.—Subsection (e) of section 6306 of the Internal Revenue Code of 1986, as redesignated by section 52106, is amended by striking ''for collection enforcement activities of the Internal Revenue Service'' in paragraph (2) and inserting ''to fund the special compliance personnel program account under section 6307''.

(b) SPECIAL COMPLIANCE PERSONNEL PROGRAM ACCOUNT.—Subchapter A of chapter 64 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

''SEC. 6307. SPECIAL COMPLIANCE PERSONNEL PROGRAM ACCOUNT.

''(a) ESTABLISHMENT OF A SPECIAL COMPLIANCE PERSONNEL PROGRAM ACCOUNT.—The Secretary shall establish an account within the Department for carrying out a program consisting of the hiring, training, and employment of special compliance personnel, and shall transfer to such account from time to time amounts retained by the Secretary under section 6306(e)(2).

''(b) RESTRICTIONS.—The program described in subsection (a) shall be subject to the following restrictions:

''(1) No funds shall be transferred to such account except as described in subsection (a).

''(2) No other funds from any other source shall be expended for special compliance personnel employed under such program, and no funds from such account shall be expended for the hiring of any personnel other than special compliance personnel.

''(3) Notwithstanding any other authority, the Secretary is prohibited from spending funds out of such account for any purpose other than for costs under such program associated with the employment of special compliance personnel and the retraining and reassignment of current noncollections personnel as special compliance personnel, and to reimburse the Internal Revenue Service or other government agencies for the cost of administering qualified tax collection contracts under section 6306.

''(c) REPORTING.—Not later than March of each year, the Commissioner of Internal Revenue shall submit a report to the Committees on Finance and Appropriations of the Senate and the Committees on Ways and Means and Appropriations of the House of Representatives consisting of the following:

''(1) For the preceding fiscal year, all funds received in the account established under subsection (a), administrative and program costs for the program described in such subsection, the number of special compliance personnel hired and employed under the program, and the amount of revenue actually collected by such personnel.

''(2) For the current fiscal year, all actual and estimated funds received or to be received in the account, all actual and estimated administrative and program costs, the number of all actual and estimated special compliance personnel hired and employed under the program, and the actual and estimated revenue actually collected or to be collected by such personnel.

''(3) For the following fiscal year, an estimate of all funds to be received in the account, all estimated administrative and program costs, the estimated number of special compliance personnel hired and employed under the program, and the estimated revenue to be collected by such personnel.

''(d) DEFINITIONS.—For purposes of this section—

''(1) SPECIAL COMPLIANCE PERSONNEL.—The term 'special compliance personnel' means

individuals employed by the Internal Revenue Service as field function collection officers or in a similar position, or employed to collect taxes using the automated collection system or an equivalent replacement system.

''(2) PROGRAM COSTS.—The term 'program costs' means—

''(A) total salaries (including locality pay and bonuses), benefits, and employment taxes for special compliance personnel employed or trained under the program described in subsection (a), and

''(B) direct overhead costs, salaries, benefits, and employment taxes relating to support staff, rental payments, office equipment and furniture, travel, data processing services, vehicle costs, utilities, telecommunications, postage, printing and reproduction, supplies and materials, lands and structures, insurance claims, and indemnities for special compliance personnel hired and employed under this section.

For purposes of subparagraph (B), the cost of management and supervision of special compliance personnel shall be taken into account as direct overhead costs to the extent such costs, when included in total program costs under this paragraph, do not represent more than 10 percent of such total costs.''.

(c) CLERICAL AMENDMENT.—The table of sections for subchapter A of chapter 64 of the Internal Revenue Code of 1986 is amended by inserting after the item relating to section 6306 the following new item:

''Sec. 6307. Special compliance personnel program account.''.

(d) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to amounts collected and retained by the Secretary after the date of the enactment of this Act.

SEC. 52108. TRANSFERS OF EXCESS PENSION ASSETS TO RETIREE HEALTH ACCOUNTS.

(a) IN GENERAL.—Section 420(b)(4) of the Internal Revenue Code of 1986 is amended by striking ''December 31, 2021'' and inserting ''December 31, 2025''.

(b) CONFORMING ERISA AMENDMENTS.—

(1) Sections 101(e)(3), 403(c)(1), and 408(b)(13) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1021(e)(3), 1103(c)(1), 1108(b)(13)) are each amended by striking ''MAP-21'' and inserting ''DRIVE Act''.

(2) Section 408(b)(13) of such Act (29 U.S.C. 1108(b)(13)) is amended by striking ''January 1, 2022'' and inserting ''January 1, 2026''.

Subtitle B—Fees and Receipts

SEC. 52201. EXTENSION OF DEPOSITS OF SECURITY SERVICE FEES IN THE GENERAL FUND.

Section 44940(i)(4) of title 49, United States Code, is amended by adding at the end the following:

''(K) $1,750,000,000 for each of fiscal years 2024 and 2025.''.

SEC. 52202. ADJUSTMENT FOR INFLATION OF FEES FOR CERTAIN CUSTOMS SERVICES.

(a) IN GENERAL.—Section 13031 of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c) is amended by adding at the end the following:

''(1) ADJUSTMENT OF FEES FOR INFLATION.—

''(1) IN GENERAL.—The Secretary of the Treasury shall adjust the fees established under subsection (a), and the limitations on such fees under paragraphs (2), (3), (5), (6), (8), and (9) of subsection (b), on October 1, 2015, and annually thereafter, to reflect the percentage (if any) of the increase in the average of the Consumer Price Index for the preceding 12-month period compared to the Consumer Price Index for fiscal year 2014.

''(2) SPECIAL RULES FOR CALCULATION OF ADJUSTMENT.—In adjusting under paragraph (1) the amount of the fees established under subsection (a), and the limitations on such fees under paragraphs (2), (3), (5), (6), (8), and (9) of subsection (b), the Secretary—

''(A) shall round the amount of any increase in the Consumer Price Index to the nearest dollar; and

''(B) may ignore any such increase of less than 1 percent.

''(3) CONSUMER PRICE INDEX DEFINED.—For purposes of this subsection, the term 'Consumer Price Index' means the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor.''.

(b) DEPOSITS INTO CUSTOMS USER FEE ACCOUNT.—Section 13031(f) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(f)) is amended—

(1) in paragraph (1), in the matter preceding subparagraph (A), by striking ''all fees collected under subsection (a)'' and inserting ''the amount of fees collected under subsection (a) (determined without regard to any adjustment made under subsection (l))''; and

(2) in paragraph (3)(A), in the matter preceding clause (i)—

(A) by striking ''fees collected'' and inserting ''amount of fees collected''; and

(B) by striking ''), each appropriation'' and inserting '', and determined without regard to any adjustment made under subsection (l)), each appropriation''.

(c) CONFORMING AMENDMENTS.—Section 13031 of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c), as amended by subsections (a) and (b), is further amended—

(1) in subsection (a), in the matter preceding paragraph (1), by inserting ''(subject to adjustment under subsection (l))'' after ''following fees''; and

(2) in subsection (b)—

(A) in paragraph (2), by inserting ''(subject to adjustment under subsection (l))'' after ''in fees'';

(B) in paragraph (3), by inserting ''(subject to adjustment under subsection (l))'' after ''in fees'';

(C) in paragraph (5)(A), by inserting ''(subject to adjustment under subsection (l))'' after ''in fees'';

(D) in paragraph (6), by inserting ''(subject to adjustment under subsection (l))'' after ''in fees'';

(E) in paragraph (8)(A)—

(i) in clause (i), by inserting ''or (l)'' after ''subsection (a)(9)(B)''; and

(ii) in clause (ii), by inserting ''(subject to adjustment under subsection (l))'' after ''$3''; and

(F) in paragraph (9)—

(i) in subparagraph (A)—

(I) in the matter preceding clause (i), by inserting ''and subject to adjustment under subsection (l)'' after ''Tariff Act of 1930''; and

(II) in clause (ii)(I), by inserting ''(subject to adjustment under subsection (l))'' after ''bill of lading''; and

(ii) in subparagraph (B)(i), by inserting ''(subject to adjustment under subsection (l))'' after ''bill of lading''.

SEC. 52203. DIVIDENDS AND SURPLUS FUNDS OF RESERVE BANKS.

Section 7(a)(1)(A) of the Federal Reserve Act (12 U.S.C. 289(a)(1)(A)) is amended by striking ''6 percent'' and inserting ''6 percent (1.5 percent in the case of a stockholder having total consolidated assets of more than $1,000,000,000 (determined as of September 30 of the preceding fiscal year))''.

SEC. 52204. STRATEGIC PETROLEUM RESERVE DRAWDOWN AND SALE.

(a) DRAWDOWN AND SALE.—

(1) IN GENERAL.—Notwithstanding section 161 of the Energy Policy and Conservation Act (42 U.S.C. 6241), except as provided in subsection (b), the Secretary of Energy shall drawdown and sell from the Strategic Petroleum Reserve—

(A) 4,000,000 barrels of crude oil during fiscal year 2018;

(B) 5,000,000 barrels of crude oil during fiscal year 2019;

(C) 8,000,000 barrels of crude oil during fiscal year 2020;

(D) 8,000,000 barrels of crude oil during fiscal year 2021;

(E) 10,000,000 barrels of crude oil during fiscal year 2022;

(F) 16,000,000 barrels of crude oil during fiscal year 2023;

(G) 25,000,000 barrels of crude oil during fiscal year 2024; and

(H) 25,000,000 barrels of crude oil during fiscal year 2025.

(2) DEPOSIT OF AMOUNTS RECEIVED FROM SALE.—Amounts received from a sale under paragraph (1) shall be deposited in the general fund of the Treasury during the fiscal year in which the sale occurs.

(b) EMERGENCY PROTECTION.—In any 1 fiscal year described in subsection (a)(1), the Secretary of Energy shall not drawdown and sell crude oil under this section in quantities that would result in a Strategic Petroleum Reserve that contains an inventory of petroleum products representing fewer than 90 days of emergency reserves, based on the average daily level of net imports of crude oil and petroleum products in the calendar year preceding that fiscal year.

SEC. 52205. EXTENSION OF ENTERPRISE GUARANTEE FEE.

Section 1327(f) of the Housing and Community Development Act of 1992 (12 U.S.C. 4547(f)) is amended by striking ''October 1, 2021'' and inserting ''October 1, 2025''.

Subtitle C—Outlays

SEC. 52301. INTEREST ON OVERPAYMENT.

Section 111 of the Federal Oil and Gas Royalty Management Act of 1982 (30 U.S.C. 1721) is amended—

(1) by striking subsections (h) and (i);

(2) by redesignating subsections (j) through (l) as subsections (h) through (j), respectively; and

(3) in subsection (h) (as so redesignated), by striking the fourth sentence.

DIVISION F—MISCELLANEOUS

TITLE LXI—FEDERAL PERMITTING IMPROVEMENT

SEC. 61001. DEFINITIONS.

In this title:

(1) AGENCY.—The term ''agency'' has the meaning given the term in section 551 of title 5, United States Code.

(2) AGENCY CERPO.—The term ''agency CERPO'' means the chief environmental review and permitting officer of an agency, as designated by the head of the agency under section 61002(b)(2)(A)(iii)(I).

(3) AUTHORIZATION.—The term ''authorization'' means any license, permit, approval, finding, determination, or other administrative decision issued by an agency that is required or authorized under Federal law in order to site, construct, reconstruct, or commence operations of a covered project, whether administered by a Federal or State agency.

(4) COOPERATING AGENCY.—The term ''cooperating agency'' means any agency with—

(A) jurisdiction under Federal law; or

(B) special expertise as described in section 1501.6 of title 40, Code of Federal Regulations (as in effect on the date of enactment of this Act).

(5) COUNCIL.—The term ''Council'' means the Federal Infrastructure Permitting Improvement Steering Council established under section 61002(a).

(6) COVERED PROJECT.—

(A) IN GENERAL.—The term ''covered project'' means any activity in the United States that requires authorization or environmental review by a Federal agency involving construction of infrastructure for renewable or conventional energy production, electricity transmission, surface transportation, aviation, ports and waterways, water resource projects, broadband, pipelines, manufacturing, or any other sector as determined by a majority vote of the Council that—

(i)(I) is subject to NEPA;

(II) is likely to require a total investment of more than $200,000,000; and

(III) does not qualify for abbreviated authorization or environmental review processes under any applicable law; or

(ii) is subject to NEPA and the size and complexity of which, in the opinion of the Council, make the project likely to benefit from enhanced oversight and coordination, including a project likely to require—

(I) authorization from or environmental review involving more than 2 Federal agencies; or

(II) the preparation of an environmental impact statement under NEPA.

(B) EXCLUSION.—The term ''covered project'' does not include—

(i) any project subject to section 139 of title 23, United States Code; or

(ii) any project subject to section 2045 of the Water Resources Development Act of 2007 (33 U.S.C. 2348).

(7) DASHBOARD.—The term ''Dashboard'' means the Permitting Dashboard required under section 61003(b).

(8) ENVIRONMENTAL ASSESSMENT.—The term ''environmental assessment'' means a concise public document for which a Federal agency is responsible under section 1508.9 of title 40, Code of Federal Regulations (or successor regulations).

(9) ENVIRONMENTAL DOCUMENT.—

(A) IN GENERAL.—The term ''environmental document'' means an environmental assessment, finding of no significant impact, notice of intent, environmental impact statement, or record of decision.

(B) INCLUSIONS.—The term ''environmental document'' includes—

(i) any document that is a supplement to a document described in subparagraph (A); and

(ii) a document prepared pursuant to a court order.

(10) ENVIRONMENTAL IMPACT STATEMENT.—The term ''environmental impact statement'' means the detailed written statement required under section 102(2)(C) of NEPA.

(11) ENVIRONMENTAL REVIEW.—The term ''environmental review'' means the agency procedures and processes for applying a categorical exclusion or for preparing an environmental assessment, an environmental impact statement, or other document required under NEPA.

(12) EXECUTIVE DIRECTOR.—The term ''Executive Director'' means the Executive Director appointed by the President under section 61002(b)(1)(A).

(13) FACILITATING AGENCY.—The term ''facilitating agency'' means the agency that receives the initial notification from the project sponsor required under section 61003(a).

(14) INVENTORY.—The term ''inventory'' means the inventory of covered projects established by the Executive Director under section 61002(c)(1)(A).

(15) LEAD AGENCY.—The term ''lead agency'' means the agency with principal responsibility for an environmental review of a covered project under NEPA and parts 1500 through 1508 of title 40, Code of Federal Regulations (or successor regulations).

(16) NEPA.—The term ''NEPA'' means the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(17) PARTICIPATING AGENCY.—The term ''participating agency'' means an agency participating in an environmental review or authorization for a covered project in accordance with section 61003.

(18) PROJECT SPONSOR.—The term ''project sponsor'' means an entity, including any private, public, or public-private entity, seeking an authorization for a covered project.

SEC. 61002. FEDERAL PERMITTING IMPROVEMENT COUNCIL.

(a) ESTABLISHMENT.—There is established the Federal Permitting Improvement Steering Council.

(b) COMPOSITION.—

(1) CHAIR.—The Executive Director shall—

(A) be appointed by the President; and

(B) serve as Chair of the Council.

(2) COUNCIL MEMBERS.—

(A) IN GENERAL.—

(i) DESIGNATION BY HEAD OF AGENCY.—Each individual listed in subparagraph (B) shall designate a member of the agency in which the individual serves to serve on the Council.

(ii) QUALIFICATIONS.—A councilmember described in clause (i) shall hold a position in the agency of deputy secretary (or the equivalent) or higher.

(iii) SUPPORT.—

(I) IN GENERAL.—Consistent with guidance provided by the Director of the Office of Management and Budget, each individual listed in subparagraph (B) shall designate 1 or more appropriate members of the agency in which the individual serves to serve as an agency CERPO.

(II) REPORTING.—In carrying out the duties of the agency CERPO under this title, an agency CERPO shall report directly to a deputy secretary (or the equivalent) or higher.

(B) HEADS OF AGENCIES.—The individuals that shall each designate a councilmember under this subparagraph are as follows:

(i) The Secretary of Agriculture.

(ii) The Secretary of the Army.

(iii) The Secretary of Commerce.

(iv) The Secretary of the Interior.

(v) The Secretary of Energy.

(vi) The Secretary of Transportation.

(vii) The Secretary of Defense.

(viii) The Administrator of the Environmental Protection Agency.

(ix) The Chairman of the Federal Energy Regulatory Commission.

(x) The Chairman of the Nuclear Regulatory Commission.

(xi) The Secretary of Homeland Security.

(xii) The Secretary of Housing and Urban Development.

(xiii) The Chairman of the Advisory Council on Historic Preservation.

(xiv) Any other head of a Federal agency that the Executive Director may invite to participate as a member of the Council.

(3) ADDITIONAL MEMBERS.—In addition to the members listed in paragraphs (1) and (2), the Chairman of the Council on Environmental Quality and the Director of the Office of Management and Budget shall also be members of the Council.

(c) DUTIES.—

(1) EXECUTIVE DIRECTOR.—

(A) INVENTORY DEVELOPMENT.—The Executive Director, in consultation with the Council, shall—

(i) not later than 180 days after the date of enactment of this Act, establish an inventory of covered projects that are pending the environmental review or authorization of the head of any Federal agency;

(ii)(I) categorize the projects in the inventory as appropriate, based on sector and project type; and

(II) for each category, identify the types of environmental reviews and authorizations most commonly involved; and

(iii) add a covered project to the inventory after receiving a notice described in section 61003(a)(1).

(B) FACILITATING AGENCY DESIGNATION.—The Executive Director, in consultation with the Council, shall—

(i) designate a facilitating agency for each category of covered projects described in subparagraph (A)(ii); and

(ii) publish the list of designated facilitating agencies for each category of projects in the inventory on the Dashboard in an easily accessible format.

(C) PERFORMANCE SCHEDULES.—

(i) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Executive Director, in consultation with the Council, shall develop recommended performance schedules, including intermediate and final completion dates, for environmental reviews and authorizations most commonly required for each category of covered projects described in subparagraph (A)(ii).

(ii) REQUIREMENTS.—

(I) IN GENERAL.—The performance schedules shall reflect employment of the use of the most efficient applicable processes.

(II) LIMIT.—

(aa) IN GENERAL.—The final completion dates in any performance schedule for the completion of an environmental review or authorization under clause (i) shall not exceed the average time to complete an environmental review or authorization for a project within that category.

(bb) CALCULATION OF AVERAGE TIME.—The average time referred to in item (aa) shall be calculated on the basis of data from the preceding 2 calendar years and shall run from the period beginning on the date on which the Executive Director must make a specific entry for the project on the Dashboard under section 61003(b)(2) (except that, for projects initiated before that duty takes effect, the period beginning on the date of filing of a completed application), and ending on the date of the issuance of a record of decision or other final agency action on the review or authorization.

(cc) COMPLETION DATE.—Each performance schedule shall specify that any decision by an agency on an environmental review or authorization must be issued not later than 180 days after the date on which all information needed to complete the review or authorization (including any hearing that an agency holds on the matter) is in the possession of the agency.

(iii) REVIEW AND REVISION.—Not later than 2 years after the date on which the performance schedules are established under this subparagraph, and not less frequently than once every 2 years thereafter, the Executive Director, in consultation with the Council, shall review and revise the performance schedules.

(D) GUIDANCE.—The Executive Director, in consultation with the Council, may recommend to the Director of the Office of Management and Budget or to the Council on Environmental Quality, as appropriate, that guidance be issued as necessary for agencies—

(i) to carry out responsibilities under this title; and

(ii) to effectuate the adoption by agencies of the best practices and recommendations of the Council described in paragraph (2).

(2) COUNCIL.—

(A) RECOMMENDATIONS.—

(i) IN GENERAL.—The Council shall make recommendations to the Executive Director with respect to the designations under paragraph (1)(B) and the performance schedules under paragraph (1)(C).

(ii) UPDATE.—The Council may update the recommendations described in clause (i).

(B) BEST PRACTICES.—Not later than 1 year after the date of enactment of this Act, and not less frequently than annually thereafter, the Council shall issue recommendations on the best practices for—

(i) enhancing early stakeholder engagement, including fully considering and, as appropriate, incorporating recommendations provided in public comments on any proposed covered project;

(ii) ensuring timely decisions regarding environmental reviews and authorizations, including through the development of performance metrics;

(iii) improving coordination between Federal and non-Federal governmental entities, including through the development of common data standards and terminology across agencies;

(iv) increasing transparency;

(v) reducing information collection requirements and other administrative burdens on agencies, project sponsors, and other interested parties;

(vi) developing and making available to applicants appropriate geographic information systems and other tools;

(vii) creating and distributing training materials useful to Federal, State, tribal, and local permitting officials; and

(viii) addressing other aspects of infrastructure permitting, as determined by the Council.

(3) AGENCY CERPOS.—An agency CERPO shall—

(A) advise the respective agency councilmember on matters related to environmental reviews and authorizations;

(B) provide technical support, when requested to facilitate efficient and timely processes for environmental reviews and authorizations for covered projects under the jurisdictional responsibility of the agency, including supporting timely identification and resolution of potential disputes within the agency or between the agency and other Federal agencies;

(C) analyze agency environmental review and authorization processes, policies, and authorities and make recommendations to the respective agency councilmember for ways to standardize, simplify, and improve the efficiency of the processes, policies, and authorities, including by implementing guidance issued under paragraph (1)(D) and other best practices, including the use of information technology and geographic information system tools within the agency and across agencies, to the extent consistent with existing law; and

(D) review and develop training programs for agency staff that support and conduct environmental reviews or authorizations.

(d) ADMINISTRATIVE SUPPORT.—The Director of the Office of Management and Budget shall designate a Federal agency, other than an agency that carries out or provides support for projects that are not covered projects, to provide administrative support for the Executive Director, and the designated agency shall, as reasonably necessary, provide support and staff to enable the Executive Director to fulfill the duties of the Executive Director under this title.

SEC. 61003. PERMITTING PROCESS IMPROVEMENT.

(a) PROJECT INITIATION AND DESIGNATION OF PARTICIPATING AGENCIES.—

(1) NOTICE.—

(A) IN GENERAL.—A project sponsor of a covered project shall submit to the Executive Director and the facilitating agency notice of the initiation of a proposed covered project.

(B) DEFAULT DESIGNATION.—If, at the time of submission of the notice under subparagraph (A), the Executive Director has not designated a facilitating agency under section 61002(c)(1)(B) for the categories of projects noticed, the agency that receives the notice under subparagraph (A) shall be designated as the facilitating agency.

(C) CONTENTS.—Each notice described in subparagraph (A) shall include—

(i) a statement of the purposes and objectives of the proposed project;

(ii) a concise description, including the general location of the proposed project and a summary of geospatial information, if available, illustrating the project area and the locations, if any, of environmental, cultural, and historic resources;

(iii) a statement regarding the technical and financial ability of the project sponsor to construct the proposed project;

(iv) a statement of any Federal financing, environmental reviews, and authorizations anticipated to be required to complete the proposed project; and

(v) an assessment that the proposed project meets the definition of a covered project under section 61001 and a statement of reasons supporting the assessment.

(2) INVITATION.—

(A) IN GENERAL.—Not later than 45 days after the date on which the Executive Director must make a specific entry for the project on the Dashboard under subsection (b)(2)(A), the facilitating agency or lead agency, as applicable, shall—

(i) identify all Federal and non-Federal agencies and governmental entities likely to have financing, environmental review, authorization, or other responsibilities with respect to the proposed project; and

(ii) invite all Federal agencies identified under clause (i) to become a participating agency or a cooperating agency, as appropriate, in the environmental review and authorization management process described in section 61005.

(B) DEADLINES.—Each invitation made under subparagraph (A) shall include a deadline for a response to be submitted to the facilitating or lead agency, as applicable.

(3) PARTICIPATING AND COOPERATING AGENCIES.—

(A) IN GENERAL.—An agency invited under paragraph (2) shall be designated as a participating or cooperating agency for a covered project, unless the agency informs the facilitating or lead agency, as applicable, in writing before the deadline under paragraph (2)(B) that the agency—

(i) has no jurisdiction or authority with respect to the proposed project; or

(ii) does not intend to exercise authority related to, or submit comments on, the proposed project.

(B) CHANGED CIRCUMSTANCES.—On request and a showing of changed circumstances, the Executive Director may designate an agency that has opted out under subparagraph (A)(ii) to be a participating or cooperating agency, as appropriate.

(4) EFFECT OF DESIGNATION.—The designation described in paragraph (3) shall not—

(A) give the participating agency authority or jurisdiction over the covered project; or

(B) expand any jurisdiction or authority a cooperating agency may have over the proposed project.

(5) LEAD AGENCY DESIGNATION.—

(A) IN GENERAL.—On establishment of the lead agency, the lead agency shall assume the responsibilities of the facilitating agency under this title.

(B) REDESIGNATION OF FACILITATING AGENCY.—If the lead agency assumes the responsibilities of the facilitating agency under subparagraph (A), the facilitating agency may be designated as a cooperative or participating agency.

(6) CHANGE OF FACILITATING OR LEAD AGENCY.—

(A) IN GENERAL.—On the request of a participating agency or project sponsor, the Executive Director may designate a different agency as the facilitating or lead agency, as applicable, for a covered project, if the facilitating or lead agency or the Executive Director receives new information regarding the scope or nature of a covered project that indicates that the project should be placed in a different category under section 61002(c)(1)(B).

(B) RESOLUTION OF DISPUTE.—The Executive Director shall resolve any dispute over designation of a facilitating or lead agency for a particular covered project.

(b) PERMITTING DASHBOARD.—

(1) REQUIREMENT TO MAINTAIN.—

(A) IN GENERAL.—The Executive Director, in coordination with the Administrator of General Services, shall maintain an online database to be known as the ''Permitting Dashboard'' to track the status of Federal environmental reviews and authorizations for any covered project in the inventory described in section 61002(c)(1)(A).

(B) SPECIFIC AND SEARCHABLE ENTRY.—The Dashboard shall include a specific and searchable entry for each covered project.

(2) ADDITIONS.—

(A) IN GENERAL.—

(i) EXISTING PROJECTS.—Not later than 14 days after the date on which the Executive Director adds a project to the inventory under section 61002(c)(1)(A), the Executive Director shall create a specific entry on the Dashboard for the covered project.

(ii) NEW PROJECTS.—Not later than 14 days after the date on which the Executive Director receives a notice under subsection (a)(1), the Executive Director shall create a specific entry on the Dashboard for the covered project, unless the Executive Director, facilitating agency, or lead agency, as applicable, determines that the project is not a covered project.

(B) EXPLANATION.—If the facilitating agency or lead agency, as applicable, determines that the project is not a covered project, the project sponsor may submit a further explanation as to why the project is a covered project not later than 14 days after the date of the determination under subparagraph (A).

(C) FINAL DETERMINATION.—Not later than 14 days after receiving an explanation described in subparagraph (B), the Executive Director shall—

(i) make a final and conclusive determination as to whether the project is a covered project; and

(ii) if the Executive Director determines that the project is a covered project, create a specific entry on the Dashboard for the covered project.

(3) POSTINGS BY AGENCIES.—

(A) IN GENERAL.—For each covered project added to the Dashboard under paragraph (2), the facilitating or lead agency, as applicable, and each cooperating and participating agency shall post to the Dashboard—

(i) a hyperlink that directs to a website that contains, to the extent consistent with applicable law—

(I) the notification submitted under subsection (a)(1);

(II)(aa) where practicable, the application and supporting documents, if applicable, that have been submitted by a project sponsor for any required environmental review or authorization; or

(bb) a notice explaining how the public may obtain access to such documents;

(III) a description of any Federal agency action taken or decision made that materially affects the status of a covered project;

(IV) any significant document that supports the action or decision described in subclause (III); and

(V) a description of the status of any litigation to which the agency is a party that is directly related to the project, including, if practicable, any judicial document made available on an electronic docket maintained by a Federal, State, or local court; and

(ii) any document described in clause (i) that is not available by hyperlink on another website.

(B) DEADLINE.—The information described in subparagraph (A) shall be posted to the website made available by hyperlink on the Dashboard not later than 5 business days after the date on which the Federal agency receives the information.

(4) POSTINGS BY THE EXECUTIVE DIRECTOR.—The Executive Director shall publish to the Dashboard—

(A) the permitting timetable established under subparagraph (A) or (C) of subsection (c)(2);

(B) the status of the compliance of each agency with the permitting timetable;

(C) any modifications of the permitting timetable;

(D) an explanation of each modification described in subparagraph (C); and

(E) any memorandum of understanding established under subsection (c)(3)(B).

(c) COORDINATION AND TIMETABLES.—

(1) COORDINATED PROJECT PLAN.—

(A) IN GENERAL.—Not later than 60 days after the date on which the Executive Director must make a specific entry for the project on the Dashboard under subsection (b)(2)(A), the facilitating or lead agency, as applicable, in consultation with each coordinating and participating agency, shall establish a concise plan for coordinating public and agency participation in, and completion of, any required Federal environmental review and authorization for the project.

(B) REQUIRED INFORMATION.—The Coordinated Project Plan shall include the following information and be updated by the facilitating or lead agency, as applicable, at least once per quarter:

(i) A list of, and roles and responsibilities for, all entities with environmental review or authorization responsibility for the project.

(ii) A permitting timetable, as described in paragraph (2), setting forth a comprehensive schedule of dates by which all environmental reviews and authorizations, and to the maximum extent practicable, State permits, reviews and approvals must be made.

(iii) A discussion of potential avoidance, minimization, and mitigation strategies, if required by applicable law and known.

(iv) Plans and a schedule for public and tribal outreach and coordination, to the extent required by applicable law.

(C) MEMORANDUM OF UNDERSTANDING.—The coordinated project plan described in subparagraph (A) may be incorporated into a memorandum of understanding.

(2) PERMITTING TIMETABLE.—

(A) ESTABLISHMENT.—

(i) IN GENERAL.—As part of the coordination project plan under paragraph (1), the facilitating or lead agency, as applicable, in consultation with each cooperating and participating agency, the project sponsor, and any State in which the project is located, shall establish a permitting timetable that includes intermediate and final completion dates for action by each participating agency on any Federal environmental review or authorization required for the project.

(ii) CONSENSUS.—In establishing a permitting timetable under clause (i), each agency shall, to the maximum extent practicable, make efforts to reach a consensus.

(B) FACTORS FOR CONSIDERATION.—In establishing the permitting timetable under subparagraph (A), the facilitating or lead agency shall follow the performance schedules established under section 61002(c)(1)(C), but may vary the timetable based on relevant factors, including—

(i) the size and complexity of the covered project;

(ii) the resources available to each participating agency;

(iii) the regional or national economic significance of the project;

(iv) the sensitivity of the natural or historic resources that may be affected by the project;

(v) the financing plan for the project; and

(vi) the extent to which similar projects in geographic proximity to the project were recently subject to environmental review or similar procedures under State law.

(C) DISPUTE RESOLUTION.—

(i) IN GENERAL.—The Executive Director, in consultation with appropriate agency CERPOs and the project sponsor, shall, as necessary, mediate any disputes regarding the permitting timetable established under subparagraph (A).

(ii) DISPUTES.—If a dispute remains unresolved 30 days after the date on which the dispute was submitted to the Executive Director, the Director of the Office of Management and Budget, in consultation with the Chairman of the Council on Environmental Quality, shall facilitate a resolution of the dispute and direct the agencies party to the dispute to resolve the dispute by the end of the 60-day period beginning on the date of submission of the dispute to the Executive Director.

(iii) FINAL RESOLUTION.—Any action taken by the Director of the Office of Management and Budget in the resolution of a dispute under clause (ii) shall—

(I) be final and conclusive; and

(II) not be subject to judicial review.

(D) MODIFICATION AFTER APPROVAL.—

(i) IN GENERAL.—The facilitating or lead agency, as applicable, may modify a permitting timetable established under subparagraph (A) only if—

(I) the facilitating or lead agency, as applicable, and the affected cooperating agencies, after consultation with the participating agencies, agree to a different completion date; and

(II) the facilitating agency or lead agency, as applicable, or the affected cooperating agency provides a written justification for the modification.

(ii) COMPLETION DATE.—A completion date in the permitting timetable may not be modified within 30 days of the completion date.

(E) CONSISTENCY WITH OTHER TIME PERIODS.—A permitting timetable established under subparagraph (A) shall be consistent with any other relevant time periods established under Federal law and shall not prevent any cooperating or participating agency from discharging any obligation under Federal law in connection with the project.

(F) CONFORMING TO PERMITTING TIMETABLES.—

(i) IN GENERAL.—Each Federal agency shall conform to the completion dates set forth in the permitting timetable established under subparagraph (A), or with any completion date modified under subparagraph (D).

(ii) FAILURE TO CONFORM.—If a Federal agency fails to conform with a completion date for agency action on a covered project or is at significant risk of failing to conform with such a completion date, the agency shall—

(I) promptly submit to the Executive Director for publication on the Dashboard an explanation of the specific reasons for failing or significantly risking failing to conform to the completion date and a proposal for an alternative completion date;

(II) in consultation with the facilitating or lead agency, as applicable, establish an alternative completion date; and

(III) each month thereafter until the agency has taken final action on the delayed authorization or review, submit to the Executive Director for posting on the Dashboard a status report describing any agency activity related to the project.

(G) ABANDONMENT OF COVERED PROJECT.—

(i) IN GENERAL.—If the facilitating or lead agency, as applicable, has a reasonable basis to doubt the continuing technical or financial ability of the project sponsor to construct the covered project, the facilitating or lead agency may request the project sponsor provide an updated statement regarding the ability of the project sponsor to complete the project.

(ii) FAILURE TO RESPOND.—If the project sponsor fails to respond to a request described in clause (i) by the date that is 30 days after receiving the request, the lead or facilitating agency, as applicable, shall notify the Executive Director, who shall publish an appropriate notice on the Dashboard.

(iii) PUBLICATION TO DASHBOARD.—On publication of a notice under clause (ii), the completion dates in the permitting timetable shall be tolled and agencies shall be relieved of the obligation to comply with subparagraph (F) until such time as the project sponsor submits to the facilitating or lead agency, as applicable, an updated statement regarding the technical and financial ability of the project sponsor to construct the project.

(3) COOPERATING STATE, LOCAL, OR TRIBAL GOVERNMENTS.—

(A) STATE AUTHORITY.—If the Federal environmental review is being implemented within the boundaries of a State, the State,

consistent with State law, may choose to participate in the environmental review and authorization process under this subsection and to make subject to the process all State agencies that—

(i) have jurisdiction over the covered project;

(ii) are required to conduct or issue a review, analysis, opinion, or statement for the covered project; or

(iii) are required to make a determination on issuing a permit, license, or other approval or decision for the covered project.

(B) COORDINATION.—To the maximum extent practicable under applicable law, the facilitating or lead agency, as applicable, shall coordinate the Federal environmental review and authorization processes under this subsection with any State, local, or tribal agency responsible for conducting any separate review or authorization of the covered project to ensure timely and efficient completion of environmental reviews and authorizations.

(C) MEMORANDUM OF UNDERSTANDING.—

(i) IN GENERAL.—Any coordination plan between the facilitating or lead agency, as applicable, and any State, local, or tribal agency shall, to the maximum extent practicable, be included in a memorandum of understanding.

(ii) SUBMISSION TO EXECUTIVE DIRECTOR.—The facilitating or lead agency, as applicable, shall submit to the Executive Director each memorandum of understanding described in clause (i).

(d) EARLY CONSULTATION.—The facilitating or lead agency, as applicable, shall provide an expeditious process for project sponsors to confer with each cooperating and participating agency involved and, not later than 60 days after the date on which the project sponsor submits a request under this subsection, to have each such agency provide to the project sponsor information concerning—

(1) the availability of information and tools, including pre-application toolkits, to facilitate early planning efforts;

(2) key issues of concern to each agency and to the public; and

(3) issues that must be addressed before an environmental review or authorization can be completed.

(e) COOPERATING AGENCY.—

(1) IN GENERAL.—A lead agency may designate a participating agency as a cooperating agency in accordance with part 1501 of title 40, Code of Federal Regulations (or successor regulations).

(2) EFFECT ON OTHER DESIGNATION.—The designation described in paragraph (1) shall not affect any designation under subsection (a)(3).

(3) LIMITATION ON DESIGNATION.—Any agency not designated as a participating agency under subsection (a)(3) shall not be designated as a cooperating agency under paragraph (1).

(f) REPORTING STATUS OF OTHER PROJECTS ON DASHBOARD.—

(1) IN GENERAL.—On request of the Executive Director, the Secretary and the Secretary of the Army shall use best efforts to provide information for inclusion on the Dashboard on projects subject to section 139 of title 23, United States Code, and section 2045 of the Water Resources Development Act of 2007 (33 U.S.C. 2348) likely to require—

(A) a total investment of more than $200,000,000; and

(B) an environmental impact statement under NEPA.

(2) EFFECT OF INCLUSION ON DASHBOARD.—Inclusion on the Dashboard of information regarding projects subject to section 139 of title 23, United States Code, or section 2045 of the Water Resources Development Act of 2007 (33 U.S.C. 2348) shall not subject those projects to any requirements of this title.

SEC. 61004. INTERSTATE COMPACTS.

(a) IN GENERAL.—The consent of Congress is given for 3 or more contiguous States to enter into an interstate compact establishing regional infrastructure development agencies to facilitate authorization and review of covered projects, under State law or in the exercise of delegated permitting authority described under section 61006, that will advance infrastructure development, production, and generation within the States that are parties to the compact.

(b) REGIONAL INFRASTRUCTURE.—For the purpose of this title, a regional infrastructure development agency referred to in subsection (a) shall have the same authorities and responsibilities of a State agency.

SEC. 61005. COORDINATION OF REQUIRED REVIEWS.

(a) CONCURRENT REVIEWS.—To integrate environmental reviews and authorizations, each agency shall, to the maximum extent practicable—

(1) carry out the obligations of the agency with respect to a covered project under any other applicable law concurrently, and in conjunction with, other environmental reviews and authorizations being conducted by other cooperating or participating agencies, including environmental reviews and authorizations required under NEPA, unless the agency determines that doing so would impair the ability of the agency to carry out the statutory obligations of the agency; and

(2) formulate and implement administrative, policy, and procedural mechanisms to enable the agency to ensure completion of the environmental review process in a timely, coordinated, and environmentally responsible manner.

(b) ADOPTION, INCORPORATION BY REFERENCE, AND USE OF DOCUMENTS.—

(1) STATE ENVIRONMENTAL DOCUMENTS; SUPPLEMENTAL DOCUMENTS.—

(A) USE OF EXISTING DOCUMENTS.—

(i) IN GENERAL.—On the request of a project sponsor, a lead agency shall consider and, as appropriate, adopt or incorporate by reference, the analysis and documentation that has been prepared for a covered project under State laws and procedures as the documentation, or part of the documentation, required to complete an environmental review for the covered project, if the analysis and documentation were, as determined by the lead agency in consultation with the Council on Environmental Quality, prepared under circumstances that allowed for opportunities for public participation and consideration of alternatives and environmental consequences that are substantially equivalent to what would have been available had the documents and analysis been prepared by a Federal agency pursuant to NEPA.

(ii) GUIDANCE BY CEQ.—The Council on Environmental Quality may issue guidance to carry out this subsection.

(B) NEPA OBLIGATIONS.—An environmental document adopted under subparagraph (A) or a document that includes documentation incorporated under subparagraph (A) may serve as the documentation required for an environmental review or a supplemental environmental review required to be prepared by a lead agency under NEPA.

(C) SUPPLEMENTATION OF STATE DOCUMENTS.—If the lead agency adopts or incorporates analysis and documentation described in subparagraph (A), the lead agency shall prepare and publish a supplemental document if the lead agency determines that during the period after preparation of the analysis and documentation and before the adoption or incorporation—

(i) a significant change has been made to the covered project that is relevant for purposes of environmental review of the project; or

(ii) there has been a significant circumstance or new information has emerged that is relevant to the environmental review for the covered project.

(D) COMMENTS.—If a lead agency prepares and publishes a supplemental document under subparagraph (C), the lead agency shall solicit comments from other agencies and the public on the supplemental document for a period of not more than 45 days, beginning on the date on which the supplemental document is published, unless—

(i) the lead agency, the project sponsor, and any cooperating agency agree to a longer deadline; or

(ii) the lead agency extends the deadline for good cause.

(E) NOTICE OF OUTCOME OF ENVIRONMENTAL REVIEW.—A lead agency shall issue a record of decision or finding of no significant impact, as appropriate, based on the document adopted under subparagraph (A) and any supplemental document prepared under subparagraph (C).

(c) ALTERNATIVES ANALYSIS.—

(1) PARTICIPATION.—As early as practicable during the environmental review, but not later than the commencement of scoping for a project requiring the preparation of an environmental impact statement, the lead agency, in consultation with each cooperating agency, shall determine the range of reasonable alternatives to be considered for a covered project.

(2) RANGE OF ALTERNATIVES.—

(A) IN GENERAL.—Following participation under paragraph (1) and subject to subparagraph (B), the lead agency shall determine the range of reasonable alternatives for consideration in any document that the lead agency is responsible for preparing for the covered project.

(B) ALTERNATIVES REQUIRED BY LAW.—In determining the range of alternatives under subparagraph (A), the lead agency shall include all alternatives required to be considered by law.

(3) METHODOLOGIES.—

(A) IN GENERAL.—The lead agency shall determine, in collaboration with each cooperating agency at appropriate times during the environmental review, the methodologies to be used and the level of detail required in the analysis of each alternative for a covered project.

(B) ENVIRONMENTAL REVIEW.—A cooperating agency shall use the methodologies referred to in subparagraph (A) when conducting any required environmental review, to the extent consistent with existing law.

(4) PREFERRED ALTERNATIVE.—With the concurrence of the cooperating agencies with jurisdiction under Federal law and at the discretion of the lead agency, the preferred alternative for a project, after being identified, may be developed to a higher level of detail than other alternatives to facilitate the development of mitigation measures or concurrent compliance with other applicable laws if the lead agency determines that the development of the higher level of detail will not prevent—

(A) the lead agency from making an impartial decision as to whether to accept another alternative that is being considered in the environmental review; and

(B) the public from commenting on the preferred and other alternatives.

(d) ENVIRONMENTAL REVIEW COMMENTS.—

(1) COMMENTS ON DRAFT ENVIRONMENTAL IMPACT STATEMENT.—For comments by an agency or the public on a draft environmental impact statement, the lead agency shall establish a comment period of not less than 45 days and not more than 60 days after the date on which a notice announcing availability of the environmental impact statement is published in the Federal Register, unless—

(A) the lead agency, the project sponsor, and any cooperating agency agree to a longer deadline; or

(B) the lead agency, in consultation with each cooperating agency, extends the deadline for good cause.

(2) OTHER REVIEW AND COMMENT PERIODS.—For all other review or comment periods in the environmental review process described in parts 1500 through 1508 of title 40, Code of Federal Regulations (or successor regulations), the lead agency shall establish a comment period of not more than 45 days after the date on which the materials on which comment is requested are made available, unless—

(A) the lead agency, the project sponsor, and any cooperating agency agree to a longer deadline; or

(B) the lead agency extends the deadline for good cause.

(e) ISSUE IDENTIFICATION AND RESOLUTION.—

(1) COOPERATION.—The lead agency and each cooperating and participating agency shall work cooperatively in accordance with this section to identify and resolve issues that could delay completion of an environmental review or an authorization required for the project under applicable law or result in the denial of any approval under applicable law.

(2) LEAD AGENCY RESPONSIBILITIES.—

(A) IN GENERAL.—The lead agency shall make information available to each cooperating and participating agency and project sponsor as early as practicable in the environmental review regarding the environmental, historic, and socioeconomic resources located within the project area and the general locations of the alternatives under consideration.

(B) SOURCES OF INFORMATION.—The information described in subparagraph (A) may be based on existing data sources, including geographic information systems mapping.

(3) COOPERATING AND PARTICIPATING AGENCY RESPONSIBILITIES.—Each cooperating and participating agency shall—

(A) identify, as early as practicable, any issues of concern regarding any potential environmental impacts of the covered project, including any issues that could substantially delay or prevent an agency from completing any environmental review or authorization required for the project; and

(B) communicate any issues described in subparagraph (A) to the project sponsor.

(f) CATEGORIES OF PROJECTS.—The authorities granted under this section may be exercised for an individual covered project or a category of covered projects.

SEC. 61006. DELEGATED STATE PERMITTING PROGRAMS.

(a) IN GENERAL.—If a Federal statute permits a Federal agency to delegate to or otherwise authorize a State to issue or otherwise administer a permit program in lieu of the Federal agency, the Federal agency with authority to carry out the statute shall—

(1) on publication by the Council of best practices under section 61002(c)(2)(B), initiate a national process, with public participation, to determine whether and the extent to which any of the best practices are generally applicable on a delegation- or authorization-wide basis to permitting under the statute; and

(2) not later than 2 years after the date of enactment of this Act, make model recommendations for State modifications of the applicable permit program to reflect the best practices described in section 61002(c)(2)(B), as appropriate.

(b) BEST PRACTICES.—Lead and cooperating agencies may share with State, tribal, and local authorities best practices involved in review of covered projects and invite input from State, tribal, and local authorities regarding best practices.

SEC. 61007. LITIGATION, JUDICIAL REVIEW, AND SAVINGS PROVISION.

(a) LIMITATIONS ON CLAIMS.—

(1) IN GENERAL.—Notwithstanding any other provision of law, a claim arising under Federal law seeking judicial review of any authorization issued by a Federal agency for a covered project shall be barred unless—

(A) the action is filed not later than 2 years after the date of publication in the Federal Register of the final record of decision or approval or denial of a permit, unless a shorter time is specified in the Federal law under which judicial review is allowed; and

(B) in the case of an action pertaining to an environmental review conducted under NEPA—

(i) the action is filed by a party that submitted a comment during the environmental review or a party that lacked a reasonable opportunity to submit a comment; and

(ii) a party filed a sufficiently detailed comment so as to put the lead agency on notice of the issue on which the party seeks judicial review.

(2) NEW INFORMATION.—

(A) IN GENERAL.—The head of a lead agency or participating agency shall consider new information received after the close of a comment period if the information satisfies the requirements under regulations implementing NEPA.

(B) SEPARATE ACTION.—If Federal law requires the preparation of a supplemental environmental impact statement or other supplemental environmental document, the preparation of such document shall be considered a separate final agency action and the deadline for filing a claim for judicial review of the agency action shall be 2 years after the date on which a notice announcing the final agency action is published in the Federal Register, unless a shorter time is specified in the Federal law under which judicial review is allowed.

(3) RULE OF CONSTRUCTION.—Nothing in this subsection creates a right to judicial review or places any limit on filing a claim that a person has violated the terms of an authorization.

(b) PRELIMINARY INJUNCTIVE RELIEF.—In addition to considering any other applicable equitable factors, in any action seeking a temporary restraining order or preliminary injunction against an agency or a project sponsor in connection with review or authorization of a covered project, the court shall—

(1) consider the effects on public health, safety, and the environment, the potential for significant job losses, and other economic harm resulting from an order or injunction; and

(2) not presume that the harms described in paragraph (1) are reparable.

(c) JUDICIAL REVIEW.—Except as provided in subsection (a), nothing in this title affects the reviewability of any final Federal agency action in a court of competent jurisdiction.

(d) SAVINGS CLAUSE.—Nothing in this title—

(1) supersedes, amends, or modifies any Federal statute or affects the responsibility of any Federal officer to comply with or enforce any statute; or

(2) creates a presumption that a covered project will be approved or favorably reviewed by any agency.

(e) LIMITATIONS.—Nothing in this section preempts, limits, or interferes with—

(1) any practice of seeking, considering, or responding to public comment; or

(2) any power, jurisdiction, responsibility, or authority that a Federal, State, or local governmental agency, metropolitan planning organization, Indian tribe, or project sponsor has with respect to carrying out a project or any other provisions of law applicable to any project, plan, or program.

SEC. 61008. REPORT TO CONGRESS.

(a) IN GENERAL.—Not later than April 15 of each year for 10 years beginning on the date of enactment of this Act, the Executive Director shall submit to Congress a report detailing the progress accomplished under this title during the previous fiscal year.

(b) CONTENTS.—The report described in subsection (a) shall assess the performance of each participating agency and lead agency based on the best practices described in section 61002(c)(2)(B).

(c) OPPORTUNITY TO INCLUDE COMMENTS.—Each councilmember, with input from the respective agency CERPO, shall have the opportunity to include comments concerning the performance of the agency in the report described in subsection (a).

SEC. 61009. FUNDING FOR GOVERNANCE, OVERSIGHT, AND PROCESSING OF ENVIRONMENTAL REVIEWS AND PERMITS.

(a) IN GENERAL.—The heads of agencies listed in section 61002(b)(2)(B), with the guidance of the Director of the Office of Management and Budget and in consultation with the Executive Director, may, after public notice and opportunity for comment, issue regulations establishing a fee structure for project proponents to reimburse the United States for reasonable costs incurred in conducting environmental reviews and authorizations for covered projects.

(b) REASONABLE COSTS.—As used in this section, the term ''reasonable costs'' shall include costs to implement the requirements and authorities required under sections 61002 and 61003, including the costs to agencies and the costs of operating the Council.

(c) FEE STRUCTURE.—The fee structure established under subsection (a) shall—

(1) be developed in consultation with affected project proponents, industries, and other stakeholders;

(2) exclude parties for which the fee would impose an undue financial burden or is otherwise determined to be inappropriate; and

(3) be established in a manner that ensures that the aggregate amount of fees collected for a fiscal year is estimated not to exceed 20 percent of the total estimated costs for the fiscal year for the resources allocated for the conduct of the environmental reviews and authorizations covered by this title, as determined by the Director of the Office of Management and Budget.

(d) ENVIRONMENTAL REVIEW AND PERMITTING IMPROVEMENT FUND.—

(1) IN GENERAL.—All amounts collected pursuant to this section shall be deposited into a separate fund in the Treasury of the United States to be known as the ''Environmental Review Improvement Fund'' (referred to in this section as the ''Fund'').

(2) AVAILABILITY.—Amounts in the Fund shall be available to the Executive Director, without appropriation or fiscal year limitation, solely for the purposes of administering, implementing, and enforcing this title, including the expenses of the Council.

(3) TRANSFER.—The Executive Director, with the approval of the Director of the Office of Management and Budget, may transfer amounts in the Fund to other agencies to facilitate timely and efficient environmental reviews and authorizations for proposed covered projects.

(e) EFFECT ON PERMITTING.—The regulations adopted pursuant to subsection (a) shall ensure that the use of funds accepted under subsection (d) will not impact impartial decision-making with respect to environmental reviews or authorizations, either substantively or procedurally.

(f) TRANSFER OF APPROPRIATED FUNDS.—

(1) IN GENERAL.—The heads of agencies listed in section 61002(b)(2)(B) shall have the authority to transfer, in accordance with section 1535 of title 31, United States Code, funds appropriated to those agencies and not otherwise obligated to other affected Federal agencies for the purpose of implementing the provisions of this title.

(2) LIMITATION.—Appropriations under title 23, United States Code and appropriations for the civil works program of the Army Corps of Engineers shall not be available for transfer under paragraph (1).

SEC. 61010. APPLICATION.

This title applies to any covered project for which—

(1) a notice is filed under section 61003(a)(1); or

(2) an application or other request for a Federal authorization is pending before a Federal agency 90 days after the date of enactment of this Act.

SEC. 61011. GAO REPORT.

Not later than 3 years after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report that includes an analysis of whether the provisions of this title could be adapted to streamline the Federal permitting process for smaller projects that are not covered projects.

TITLE LXII—ADDITIONAL PROVISIONS

SEC. 62001. HIRE MORE HEROES.

(a) SHORT TITLE.—This section may be cited as the ''Hire More Heroes Act of 2015''.

(b) EMPLOYEES WITH HEALTH COVERAGE UNDER TRICARE OR THE VETERANS ADMINISTRATION NOT TAKEN INTO ACCOUNT IN DETERMINING EMPLOYERS TO WHICH THE EMPLOYER MANDATE APPLIES UNDER PATIENT PROTECTION AND AFFORDABLE CARE ACT.—Section 4980H(c)(2) of the Internal Revenue Code of 1986 is amended by adding at the end the following:

''(F) EXEMPTION FOR HEALTH COVERAGE UNDER TRICARE OR THE VETERANS ADMINISTRATION.—Solely for purposes of determining whether an employer is an applicable large employer under this paragraph for any month, an individual shall not be taken into account as an employee for such month if such individual has medical coverage for such month under—

''(i) chapter 55 of title 10, United States Code, including coverage under the TRICARE program, or

''(ii) under a health care program under chapter 17 or 18 of title 38, United States Code, as determined by the Secretary of Veterans Affairs, in coordination with the Secretary of Health and Human Services and the Secretary.''.

(c) EFFECTIVE DATE.—The amendment made by subsection (b) shall apply to months beginning after December 31, 2013.

DIVISION G—SURFACE TRANSPORTATION EXTENSION

SEC. 70001. SHORT TITLE.

This division may cited as the ''Surface Transportation Extension Act of 2015''.

TITLE LXXI—EXTENSION OF FEDERAL-AID HIGHWAY PROGRAMS

SEC. 71001. EXTENSION OF FEDERAL-AID HIGHWAY PROGRAMS.

(a) IN GENERAL.—Section 1001 of the Highway and Transportation Funding Act of 2014 (Public Law 113–159; 128 Stat. 1840; 129 Stat. 219) is amended—

(1) in subsection (a), by striking ''July 31, 2015'' and inserting ''September 30, 2015'';

(2) in subsection (b)(1)—

(A) by striking ''July 31, 2015'' and inserting ''September 30, 2015''; and

(B) by striking ''304/365'' and inserting ''365/365''; and

(3) in subsection (c)—

(A) in paragraph (1)—

(i) by striking ''July 31, 2015'' and inserting ''September 30, 2015''; and

(ii) by striking ''304/365'' and inserting ''365/365''; and

(B) in paragraph (2)(B), by striking ''by this subsection''.

(b) OBLIGATION CEILING.—Section 1102 of MAP–21 (23 U.S.C. 104 note; Public Law 112–141) is amended—

(1) in subsection (a)(3)—

(A) by striking ''$33,528,284,932'' and inserting ''$40,256,000,000''; and

(B) by striking ''July 31, 2015'' and inserting ''September 30, 2015'';

(2) in subsection (b)(12)—

(A) by striking ''July 31, 2015'' and inserting ''September 30, 2015''; and

(B) by striking ''304/365'' and inserting ''365/365'';

(3) in subsection (c)—

(A) in the matter preceding paragraph (1), by striking ''July 31, 2015'' and inserting ''September 30, 2015''; and

(B) in paragraph (2)—

(i) by striking ''July 31, 2015'' and inserting ''September 30, 2015''; and

(ii) by striking ''304/365'' and inserting ''365/365''; and

(4) in subsection (f)(1), in the matter preceding subparagraph (A), by striking ''July 31, 2015'' and inserting ''September 30, 2015''.

(c) TRIBAL HIGH PRIORITY PROJECTS PROGRAM.—Section 1123(h)(1) of MAP-21 (23 U.S.C. 202 note; Public Law 112–141) is amended—

(1) by striking ''$24,986,301'' and inserting ''$30,000,000''; and

(2) by striking ''July 31, 2015'' and inserting ''September 30, 2015''.

SEC. 71002. ADMINISTRATIVE EXPENSES.

(a) AUTHORIZATION OF CONTRACT AUTHORITY.—Section 1002(a) of the Highway and Transportation Funding Act of 2014 (Public Law 113–159; 128 Stat. 1842; 129 Stat. 220) is amended—

(1) by striking ''$366,465,753'' and inserting ''$440,000,000''; and

(2) by striking ''July 31, 2015'' and inserting ''September 30, 2015''.

(b) CONTRACT AUTHORITY.—Section 1002(b)(2) of the Highway and Transportation Funding Act of 2014 (Public Law 113–159; 128 Stat. 1842; 129 Stat. 220) is amended by striking ''July 31, 2015'' and inserting ''September 30, 2015''.

TITLE LXXII—TEMPORARY EXTENSION OF PUBLIC TRANSPORTATION PROGRAMS

SEC. 72001. FORMULA GRANTS FOR RURAL AREAS.

Section 5311(c)(1) of title 49, United States Code, is amended—

(1) in subparagraph (A), by striking ''ending before'' and all that follows through ''July 31, 2015,''; and

(2) in subparagraph (B), by striking ''ending before'' and all that follows through ''July 31, 2015,''.

SEC. 72002. APPORTIONMENT OF APPROPRIATIONS FOR FORMULA GRANTS.

Section 5336(h)(1) of title 49, United States Code, is amended by striking ''before October 1, 2014'' and all that follows through ''July 31, 2015,'' and inserting ''before October 1, 2015''.

SEC. 72003. AUTHORIZATIONS FOR PUBLIC TRANSPORTATION.

(a) FORMULA GRANTS.—Section 5338(a) of title 49, United States Code, is amended—

(1) in paragraph (1), by striking ''for fiscal year 2014'' and all that follows and inserting ''for fiscal year 2014, and $8,595,000,000 for fiscal year 2015.'';

(2) in paragraph (2)—

(A) in subparagraph (A), by striking ''$107,274,521 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''$128,800,000 for fiscal year 2015'';

(B) in subparagraph (B), by striking ''2013 and 2014 and $8,328,767 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''2013, 2014, and 2015'';

(C) in subparagraph (C), by striking ''$3,713,505,753 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''$4,458,650,000 for fiscal year 2015'';

(D) in subparagraph (D), by striking ''$215,132,055 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''$258,300,000 for fiscal year 2015'';

(E) in subparagraph (E)—

(i) by striking ''$506,222,466 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''$607,800,000 for fiscal year 2015'';

(ii) by striking ''$24,986,301 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''$30,000,000 for fiscal year 2015''; and

(iii) by striking ''$16,657,534 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''$20,000,000 for fiscal year 2015'';

(F) in subparagraph (F), by striking ''2013 and 2014 and $2,498,630 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''2013, 2014, and 2015'';

(G) in subparagraph (G), by striking ''2013 and 2014 and $4,164,384 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''2013, 2014, and 2015'';

(H) in subparagraph (H), by striking ''2013 and 2014 and $3,206,575 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''2013, 2014, and 2015'';

(I) in subparagraph (I), by striking ''$1,803,927,671 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''$2,165,900,000 for fiscal year 2015'';

(J) in subparagraph (J), by striking ''$356,304,658 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''$427,800,000 for fiscal year 2015''; and

(K) in subparagraph (K), by striking ''$438,009,863 for the period beginning on October 1, 2014, and ending on July 31, 2015,''

and inserting ''$525,900,000 for fiscal year 2015''.

(b) RESEARCH, DEVELOPMENT DEMONSTRATION AND DEPLOYMENT PROJECTS.—Section 5338(b) of title 49, United States Code, is amended by striking ''$58,301,370 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''$70,000,000 for fiscal year 2015''.

(c) TRANSIT COOPERATIVE RESEARCH PROGRAM.—Section 5338(c) of title 49, United States Code, is amended by striking ''$5,830,137 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''$7,000,000 for fiscal year 2015''.

(d) TECHNICAL ASSISTANCE AND STANDARDS DEVELOPMENT.—Section 5338(d) of title 49, United States Code, is amended by striking ''$5,830,137 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''$7,000,000 for fiscal year 2015''.

(e) HUMAN RESOURCES AND TRAINING.—Section 5338(e) of title 49, United States Code, is amended by striking ''$4,164,384 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''$5,000,000 for fiscal year 2015''.

(f) CAPITAL INVESTMENT GRANTS.—Section 5338(g) of title 49, United States Code, is amended by striking ''$1,558,295,890 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''$1,907,000,000 for fiscal year 2015''.

(g) ADMINISTRATION.—Section 5338(h) of title 49, United States Code, is amended—

(1) in paragraph (1), by striking ''$86,619,178 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''$104,000,000 for fiscal year 2015'';

(2) in paragraph (2), by striking ''2013 and 2014 and not less than $4,164,384 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''2013, 2014, and 2015''; and

(3) in paragraph (3), by striking ''2013 and 2014 and not less than $832,877 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''2013, 2014, and 2015''.

SEC. 72004. BUS AND BUS FACILITIES FORMULA GRANTS.

Section 5339(d)(1) of title 49, United States Code, is amended—

(1) by striking ''2013 and 2014 and $54,553,425 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''2013, 2014, and 2015'';

(2) by striking ''and $1,041,096 for such period''; and

(3) by striking ''and $416,438 for such period''.

TITLE LXXIII—EXTENSION OF HIGHWAY SAFETY PROGRAMS

Subtitle A—Extension of Highway Safety Programs

SEC. 73101. EXTENSION OF NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION HIGHWAY SAFETY PROGRAMS.

(a) EXTENSION OF PROGRAMS.—

(1) HIGHWAY SAFETY PROGRAMS.—Section 31101(a)(1)(C) of MAP–21 (126 Stat. 733) is amended to read as follows:

''(C) $235,000,000 for fiscal year 2015.''.

(2) HIGHWAY SAFETY RESEARCH AND DEVELOPMENT.—Section 31101(a)(2)(C) of MAP–21 (126 Stat. 733) is amended to read as follows:

''(C) $113,500,000 for fiscal year 2015.''.

(3) NATIONAL PRIORITY SAFETY PROGRAMS.—Section 31101(a)(3)(C) of MAP–21 (126 Stat. 733) is amended to read as follows:

''(C) $272,000,000 for fiscal year 2015.''.

(4) NATIONAL DRIVER REGISTER.—Section 31101(a)(4)(C) of MAP–21 (126 Stat. 733) is amended to read as follows:

''(C) $5,000,000 for fiscal year 2015.''.

(5) HIGH VISIBILITY ENFORCEMENT PROGRAM.—

(A) AUTHORIZATION OF APPROPRIATIONS.—Section 31101(a)(5)(C) of MAP–21 (126 Stat. 733) is amended to read as follows:

''(C) $29,000,000 for fiscal year 2015.''.

(B) LAW ENFORCEMENT CAMPAIGNS.—Section 2009(a) of SAFETEA–LU (23 U.S.C. 402 note) is amended—

(i) in the first sentence, by striking ''and 2014 and in the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''through 2015''; and

(ii) in the second sentence, by striking ''and 2014 and in the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''through 2015''.

(6) ADMINISTRATIVE EXPENSES.—Section 31101(a)(6)(C) of MAP–21 (126 Stat. 733) is amended to read as follows:

''(C) $25,500,000 for fiscal year 2015.''.

(b) COOPERATIVE RESEARCH AND EVALUATION.—Section 403(f)(1) of title 23, United States Code, is amended by striking ''under subsection 402(c) in each fiscal year ending before October 1, 2014, and $2,082,192 of the total amount available for apportionment to the States for highway safety programs under section 402(c) in the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''under section 402(c) in each fiscal year ending before October 1, 2015,''.

(c) APPLICABILITY OF TITLE 23.—Section 31101(c) of MAP–21 (126 Stat. 733) is amended by striking ''fiscal years 2013 and 2014 and for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''each of fiscal years 2013 through 2015''.

SEC. 73102. EXTENSION OF FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION PROGRAMS.

(a) MOTOR CARRIER SAFETY GRANTS.—Section 31104(a)(10) of title 49, United States Code, is amended to read as follows:

''(10) $218,000,000 for fiscal year 2015.''.

(b) ADMINISTRATIVE EXPENSES.—Section 31104(i)(1)(J) of title 49, United States Code, is amended to read as follows:

''(J) $259,000,000 for fiscal year 2015.''.

(c) GRANT PROGRAMS.—

(1) COMMERCIAL DRIVER'S LICENSE PROGRAM IMPROVEMENT GRANTS.—Section 4101(c)(1) of SAFETEA–LU (119 Stat. 1715) is amended by striking ''each of fiscal years 2013 and 2014 and $24,986,301 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''each of fiscal years 2013 through 2015''.

(2) BORDER ENFORCEMENT GRANTS.—Section 4101(c)(2) of SAFETEA–LU (119 Stat. 1715) is amended by striking ''each of fiscal years 2013 and 2014 and $26,652,055 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''each of fiscal years 2013 through 2015''.

(3) PERFORMANCE AND REGISTRATION INFORMATION SYSTEM MANAGEMENT GRANT PROGRAM.—Section 4101(c)(3) of SAFETEA–LU (119 Stat. 1715) is amended by striking ''each of fiscal years 2013 and 2014 and $4,164,384 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''each of fiscal years 2013 through 2015''.

(4) COMMERCIAL VEHICLE INFORMATION SYSTEMS AND NETWORKS DEPLOYMENT PROGRAM.—Section 4101(c)(4) of SAFETEA–LU (119 Stat. 1715) is amended by striking ''each of fiscal years 2013 and 2014 and $20,821,918 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''each of fiscal years 2013 through 2015''.

(5) SAFETY DATA IMPROVEMENT GRANTS.—Section 4101(c)(5) of SAFETEA–LU (119 Stat. 1715) is amended by striking ''each of fiscal years 2013 and 2014 and $2,498,630 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''each of fiscal years 2013 through 2015''.

(d) HIGH-PRIORITY ACTIVITIES.—Section 31104(k)(2) of title 49, United States Code, is amended by striking ''each of fiscal years 2006 through 2014 and up to $12,493,151 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''each of fiscal years 2006 through 2015''.

(e) NEW ENTRANT AUDITS.—Section 31144(g)(5)(B) of title 49, United States Code, is amended by striking ''per fiscal year and up to $26,652,055 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''per fiscal year''.

(f) OUTREACH AND EDUCATION.—Section 4127(e) of SAFETEA–LU (119 Stat. 1741) is amended by striking ''each of fiscal years 2013 and 2014 and $3,331,507 to the Federal Motor Carrier Safety Administration for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''each of fiscal years 2013 through 2015''.

(g) GRANT PROGRAM FOR COMMERCIAL MOTOR VEHICLE OPERATORS.—Section 4134(c) of SAFETEA–LU (49 U.S.C. 31301 note) is amended by striking ''each of fiscal years 2005 through 2014 and $832,877 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''each of fiscal years 2005 through 2015''.

SEC. 73103. DINGELL-JOHNSON SPORT FISH RESTORATION ACT.

Section 4 of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777c) is amended—

(1) in subsection (a), in the matter preceding paragraph (1) by striking ''each fiscal year through 2014 and for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''each fiscal year through 2015''; and

(2) in subsection (b)(1)(A) by striking ''for each fiscal year ending before October 1, 2014, and for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''for each fiscal year ending before October 1, 2015''.

Subtitle B—Hazardous Materials

SEC. 73201. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—Section 5128(a)(3) of title 49, United States Code, is amended to read as follows:

''(3) $42,762,000 for fiscal year 2015.''.

(b) HAZARDOUS MATERIALS EMERGENCY PREPAREDNESS FUND.—Section 5128(b)(2) of title 49, United States Code, is amended to read as follows:

''(2) FISCAL YEAR 2015.—From the Hazardous Materials Emergency Preparedness Fund established under section 5116(i), the Secretary may expend during fiscal year 2015—

''(A) $188,000 to carry out section 5115;

''(B) $21,800,000 to carry out subsections (a) and (b) of section 5116, of which not less than $13,650,000 shall be available to carry out section 5116(b);

''(C) $150,000 to carry out section 5116(f);

''(D) $625,000 to publish and distribute the Emergency Response Guidebook under section 5116(i)(3); and

''(E) $1,000,000 to carry out section 5116(j).''.

(c) HAZARDOUS MATERIALS TRAINING GRANTS.—Section 5128(c) of title 49, United States Code, is amended by striking ''each of fiscal years 2013 and 2014 and $3,331,507 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''each of fiscal years 2013 through 2015''.

TITLE LXXIV—REVENUE PROVISIONS

SEC. 74001. EXTENSION OF TRUST FUND EXPENDITURE AUTHORITY.

(a) HIGHWAY TRUST FUND.—Section 9503 of the Internal Revenue Code of 1986 is amended—

(1) by striking ''August 1, 2015'' in subsections (b)(6)(B), (c)(1), and (e)(3) and inserting ''October 1, 2015'', and

(2) by striking ''Highway and Transportation Funding Act of 2015'' in subsections (c)(1) and (e)(3) and inserting ''Surface Transportation Extension Act of 2015''.

(b) SPORT FISH RESTORATION AND BOATING TRUST FUND.—Section 9504 of the Internal Revenue Code of 1986 is amended—

(1) by striking ''Highway and Transportation Funding Act of 2015'' each place it appears in subsection (b)(2) and inserting ''Surface Transportation Extension Act of 2015'', and

(2) by striking ''August 1, 2015'' in subsection (d)(2) and inserting ''October 1, 2015''.

(c) LEAKING UNDERGROUND STORAGE TANK TRUST FUND.—Paragraph (2) of section 9508(e) of the Internal Revenue Code of 1986 is amended by striking ''August 1, 2015'' and inserting ''October 1, 2015''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on August 1, 2015.

DIVISION H—BUDGETARY EFFECTS

SEC. 80001. BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go-Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

SEC. 80002. MAINTENANCE OF HIGHWAY TRUST FUND CASH BALANCE.

(a) DEFINITIONS.—In this section:

(1) HIGHWAY ACCOUNT.—The term ''Highway Account'' has the meaning given the term in section 9503(e)(5)(B) of the Internal Revenue Code of 1986.

(2) HIGHWAY TRUST FUND.—The term ''Highway Trust Fund'' means the Highway Trust Fund established by section 9503(a) of the Internal Revenue Code of 1986.

(3) MASS TRANSIT ACCOUNT.—The term ''Mass Transit Account'' means the Mass Transit Account established by section 9503(e)(1) of the Internal Revenue Code of 1986.

(b) RESTRICTION ON OBLIGATIONS.—If the Secretary, in consultation with the Secretary of the Treasury, determines under the test or reevaluation described under subsection (c) or (d) that the projected cash balances of either the Highway Account or the Mass Transit Account of the Highway Trust Fund will fall below the levels described in subparagraph (A) or (B) of subsection (c)(2) at any time during the fiscal year for which that determination applies, the Secretary shall not approve any obligation of funds authorized out of the Highway Account or the Mass Transit Account of the Highway Trust Fund during that fiscal year.

(c) CASH BALANCE TEST.—On July 15 prior to the beginning of each of fiscal years 2019 through 2021, the Secretary, in consultation with the Secretary of the Treasury, shall—

(1) based on data available for the midsession review described under section 1106 of title 31, United States Code, estimate the projected cash balances of the Highway Account and the Mass Transit Account of the Highway Trust Fund for the upcoming fiscal year; and

(2) determine if those cash balances—

(A) are projected to fall below the amount of $4,000,000,000 at any time during that upcoming fiscal year in the Highway Account of the Highway Trust Fund; or

(B) are projected to fall below the amount of $1,000,000,000 at any time during that upcoming fiscal year in the Mass Transit Account of the Highway Trust Fund.

(d) REEVALUATION.—The Secretary shall conduct the test described under subsection (c) again during a respective fiscal year—

(1) if a law is enacted that provides additional revenues, deposits, or transfers to the Highway Trust Fund; or

(2) when the President submits to Congress under section 1105(a) of title 31, United States Code, updated outlay estimates or revenue projections related to the Highway Trust Fund.

(e) NOTIFICATION.—Not later than 15 days after a determination is made under subsection (c) or (d), the Secretary shall provide notification of the determination to—

(1) the Committee on Environment and Public Works of the Senate;

(2) the Committee on Transportation and Infrastructure of the House of Representatives;

(3) the Committee on Banking, Housing, and Urban Affairs of the Senate;

(4) the Committee on Commerce, Science, and Transportation of the Senate; and

(5) State transportation departments and designated recipients.

(f) EXCEPTIONS.—Notwithstanding subsection (b), the Secretary shall approve obligations in every fiscal year for—

(1) administrative expenses of the Federal Highway Administration, including any administrative expenses funded under—

(A) section 104(a) of title 23, United States Code;

(B) the tribal transportation program under section 202(a)(6), of title 23, United States Code;

(C) the Federal lands transportation program under section 203 of title 23, United States Code; and

(D) chapter 6 of title 23, United States Code;

(2) funds for the national highway performance program under section 119 of title 23, United States Code, that are exempt from the limitation on obligations;

(3) the emergency relief program under section 125 of title 23, United States Code;

(4) the administrative expenses of the National Highway Traffic Safety Administration in carrying out chapter 4 of title 23, United States Code;

(5) the highway safety programs under section 402 of title 23, United States Code, and national priority safety programs under section 405 of title 23, United States Code;

(6) the high visibility enforcement program under section 2009 of SAFETEA-LU (23 U.S.C. 402 note; Public Law 109–59);

(7) the highway safety research and development program under section 403 of title 23, United States Code;

(8) the national driver register under chapter 303 of title 49, United States Code;

(9) the motor carrier safety assistance program under section 31102 of title 49, United States Code;

(10) the administrative expenses of the Federal Motor Carrier Safety Administration under section 31110 of title 49, United States Code; and

(11) the administrative expenses of the Federal Transit Administration funded under section 5338(h) of title 49, United States Code, to carry out section 5329 of title 49, United States Code.

SEC. 80003. PROHIBITION ON RESCISSIONS OF CERTAIN CONTRACT AUTHORITY.

For purposes of the enforcement of a point of order established under the Congressional Budget Act of 1974 (2 U.S.C. 621 et seq.), the determination of levels under the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 et seq.) or the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 931 et seq.), and the enforcement of a point of order established under or the determination of levels under a concurrent resolution on the budget, the rescission of contract authority that is provided under this Act or an amendment made by this Act for fiscal year 2019, 2020, or 2021 shall not be counted.

SA 2422. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE __—ADDITIONAL TRANSPORTATION FUNDING

SEC. ___101 MOVE AMERICA BONDS.

(a) IN GENERAL.—

(1) MOVE AMERICA BONDS.—Subpart A of part IV of subchapter B of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting after section 142 the following new section:

''SEC. 142A. MOVE AMERICA BONDS.

''(a) IN GENERAL.—

''(1) TREATMENT AS EXEMPT FACILITY BOND.—Except as otherwise provided in this section, a Move America bond shall be treated for purposes of this part as an exempt facility bond.

''(2) EXCEPTIONS.—

''(A) NO GOVERNMENT OWNERSHIP REQUIREMENT.—Paragraph (1) of section 142(b) shall not apply to any Move America bond.

''(B) SPECIAL RULES FOR HIGH-SPEED RAIL BONDS.—Paragraphs (2) and (3) of section 142(i) shall not apply to any Move America bond described in subsection (b)(4).

''(C) SPECIAL RULES FOR HIGHWAY AND SURFACE TRANSPORTATION FACILITIES.—Paragraphs (2), (3), and (4) of section 142(m) shall not apply to any Move America bond described in subsection (b)(5).

''(b) MOVE AMERICA BOND.—For purposes of this part, the term 'Move America bond' means any bond issued as part of an issue—

''(1) which is issued before January 1, 2022, and

''(2) 95 percent or more of the net proceeds of which are used to provide—

''(A) airports,

''(B) docks and wharves, including—

''(i) waterborne mooring infrastructure,

''(ii) dredging in connection with a dock or wharf, and

''(iii) any associated rail and road infrastructure for the purpose of integrating modes of transportation,

''(C) mass commuting facilities,

''(D) railroads (as defined in section 20102 of title 49, United States Code) and any associated rail and road infrastructure for the

purpose of integrating modes of transportation,

''(E) any—

''(i) surface transportation project which is eligible for Federal assistance under title 23, United States Code (as in effect on the date of the enactment of this section),

''(ii) project for an international bridge or tunnel for which an international entity authorized under Federal or State law is responsible and which is eligible Federal assistance under title 23, United States Code (as so in effect), or

''(iii) facility for the transfer of freight from truck to rail or rail to truck (including any temporary storage facilities directly related to such transfers) which is eligible for Federal assistance under either title 23 or title 49, United States Code (as so in effect),

''(F) flood diversions, or

''(G) inland waterways, including construction and rehabilitation expenditures for navigation on any inland or intracoastal waterways of the United States (within the meaning of section 4042(d)(2)).

''(c) FLOOD DIVERSIONS.—For purposes of this section, the term 'flood diversion' means any flood damage risk reduction project authorized under any Act for authorizing water resources development projects.

''(d) MOVE AMERICA VOLUME CAP.—

''(1) IN GENERAL.—The aggregate face amount of Move America bonds issued pursuant to an issue, when added to the aggregate face amount of Move America bonds previously issued by the issuing authority, shall not exceed such issuing authority's Move America volume cap.

''(2) MOVE AMERICA VOLUME CAP.—For purposes of this subsection—

''(A) IN GENERAL.—The Move America volume cap shall be equal to the amount elected by the State under paragraph (3).

''(B) ALLOCATION OF VOLUME CAP.—Each State may allocate the Move America volume cap of such State among governmental units (or other authorities) in such State having authority to issue private activity bonds.

''(3) ELECTION TO CONVERT PRIVATE ACTIVITY BOND VOLUME CAP.—

''(A) IN GENERAL.—If a State makes an election under this paragraph, the Move America volume cap determined under paragraph (1) shall be equal to the sum of—

''(i) the amount of private activity bond volume cap for State agencies authorized to issue tax-exempt private activity bonds for calendar year 2016 under section 146(b) which is specified in such election, plus

''(ii) the amount of private activity bond volume cap carryforwards available to all State agencies authorized to issue tax-exempt private activity bonds for calendar year 2016 under section 146(f) which is specified in such election.

''(B) EFFECT OF ELECTION.—In the case of any election under this subparagraph by a State—

''(i) the volume cap under section 146(b) for State agencies authorized to issue tax-exempt private activity bonds for calendar year 2016 shall be reduced by the amount specified under subparagraph (A)(i), and

''(ii) the amount of carryforwards under section 146(f) for State agencies authorized to issue tax-exempt private activity bonds shall be reduced by the amount specified under subparagraph (A)(ii).

Rules similar to the rules of section 146(f)(3)(B) shall apply for the purposes of any amount reduced under clause (ii).

''(C) ELECTION.—An election under this subparagraph shall be made before January 1, 2017, and be in such form and manner as specified by the Secretary.

''(e) APPLICABILITY OF CERTAIN FEDERAL LAWS.—An issue shall not be treated as an issue under subsection (b) unless the facility for which the proceeds of such issue are used would be subject to the requirements of any Federal law (including titles 23, 40, and 49 of the United States Code) which would otherwise apply to similar projects.

''(f) SPECIAL RULE FOR ENVIRONMENTAL REMEDIATION COSTS FOR DOCKS AND WHARVES.—For purposes of this section, amounts used for working capital expenditures relating to environmental remediation required under State or Federal law at or near a facility described in subsection (b)(2)(B) (including environmental remediation in the riverbed and land within or adjacent to the federal navigation channel used to access such facility) shall be treated as an amount used to provide for such a facility.

''(g) REGULATIONS.—The Secretary shall prescribe such regulations as may be necessary to carry out the purposes of this section.''.

(2) CONFORMING AMENDMENT.—The table of sections for subpart A of part IV of subchapter B of chapter 1 of such Code is amended by inserting after the item relating to section 142 the following new item:

''Sec. 142A. Move America bonds.''.

(b) APPLICATION OF OTHER PRIVATE ACTIVITY BOND RULES.—

(1) TREATMENT UNDER PRIVATE ACTIVITY BOND VOLUME CAP.—Subsection (g) of section 146 of the Internal Revenue Code of 1986 is amended by striking ''and'' at the end of paragraph (3), by striking the period at the end of paragraph (4) and inserting '', and'', and by inserting after paragraph (4) the following new paragraph:

''(5) any Move America bond.''.

(2) RULE FOR FACILITIES LOCATED OUTSIDE THE STATE.—Paragraph (2) of section 146(k) of the Internal Revenue Code of 1986 is amended by inserting ''or to any Move America bond'' after ''section 142(a)''.

(3) SPECIAL RULE ON USE FOR LAND ACQUISITION.—Subparagraph (A) of section 147(c)(1) of the Internal Revenue Code of 1986 is amended by inserting ''(50 percent in the case of any issue of Move America bonds)'' after ''25 percent''.

(4) SPECIAL RULES FOR REHABILITATION EXPENDITURES.—

(A) INCLUSION OF CERTAIN EXPENDITURES.—Subparagraph (B) of section 147(d)(3) of the Internal Revenue Code of 1986 is amended by inserting '', except that, in the case of any Move America bond, such term shall include any expenditure described in clause (iii) or (v) thereof'' before the period at the end.

(B) PERIOD FOR EXPENDITURES.—Subparagraph (C) of section 147(d)(3) of such Code is amended by inserting ''(5 years, in the case of any Move America bond)'' after ''2 years''.

(c) TREATMENT UNDER THE ALTERNATIVE MINIMUM TAX.—Subparagraph (C) of section 57(a)(5) of the Internal Revenue Code of 1986 is amended by adding at the end the following new clause:

''(vii) EXCEPTION FOR MOVE AMERICA BONDS.—For purposes of clause (i), the term 'private activity bond' shall not include any Move America bond (as defined in section 142A).''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to obligations issued in calendar years beginning after the date of the enactment of this Act.

SEC. ___102. MOVE AMERICA TAX CREDITS.

(a) IN GENERAL.—Subpart B of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

''SEC. 30E. MOVE AMERICA CREDIT.

''(a) ALLOWANCE OF CREDIT.—In the case of a Move America credit certificate purchased by the taxpayer, there shall be allowed as a credit against the tax imposed by this chapter for any taxable year in the credit period an amount equal to 10 percent of the value of such certificate.

''(b) CREDIT PERIOD.—For purposes of this section, the term 'credit period' means, with respect to any Move America credit certificate, the period of 10 taxable years beginning with the first taxable year that begins in the calendar year in which the qualified project to which such certificate relates is placed in service.

''(c) MOVE AMERICA CREDIT CERTIFICATE.—For purposes of this section—

''(1) MOVE AMERICA CREDIT CERTIFICATE.—The term 'Move America credit certificate' means any certificate that—

''(A) is sold to the taxpayer under a qualified Move America credit program by a State or by a project sponsor to whom the State has allocated such certificate for sale under paragraph (2)(B)(ii)(I),

''(B) is designated by the State as relating to a qualified project,

''(C) the proceeds of the sale of which are used to finance the qualified project designated under subparagraph (B),

''(D) specifies—

''(i) the value of the certificate and the purchase price, and

''(ii) the qualified project to which it relates,

''(E) is sold no later than the end of the calendar year in which the project is placed in service, and

''(F) is in such form as the Secretary may prescribe.

''(2) QUALIFIED MOVE AMERICA CREDIT PROGRAM.—

''(A) IN GENERAL.—The term 'qualified Move America credit program' means any program—

''(i) which is established by a State for any calendar year for which it is authorized to issue Move America bonds (as defined in section 142A),

''(ii) under which the State exchanges (in such manner as the Secretary may prescribe) an amount of the Move America bonds (as so defined) which it may otherwise issue during such calendar year for the ability to sell Move America credit certificates, and

''(iii) under which the State is obligated to repay to the Secretary an amount equal to the recapture amount, if applicable, with respect to any Move America credit certificate.

''(B) ALLOCATION OF CERTIFICATES TO PROJECT SPONSORS.—

''(i) IN GENERAL.—A State that has established a qualified Move America credit program under subparagraph (A) may allocate any Move America credit certificate that is eligible to be sold by such State to the project sponsor of the qualified project to which such certificate relates.

''(ii) SALE OR USE.—A project sponsor to whom any Move America certificate is allocated under clause (i) may—

''(I) sell such certificate, or

''(II) claim the credit under this section with respect to such certificate as if the project sponsor had purchased the certificate from the State.

''(3) VALUE.—

''(A) IN GENERAL.—The aggregate value of the Move America credit certificates sold or allocated by a State in a calendar year shall

equal 25 percent of the value of Move America bonds exchanged by the State under paragraph (2)(A)(ii).

''(B) LIMITATION RELATING TO QUALIFIED PROJECT COST.—The aggregate value of the Move America credit certificates sold or allocated by a State and designated by the State as relating to any qualified project shall not exceed the lesser of—

''(i) 20 percent of the estimated cost of the project, or

''(ii) 50 percent of the total amount of private equity invested in the project.

''(4) CERTIFICATE NONTRANSFERABLE.—A Move America credit certificate, once purchased from a State or a project sponsor to whom the State has allocated such certificate for sale under paragraph (2)(B)(ii)(I), may not be sold or transferred to any other person.

''(d) DEFINITIONS AND SPECIAL RULES.—For purposes of this section—

''(1) QUALIFIED PROJECT.—The term 'qualified project' means a project which—

''(A) would be subject to the same requirements of any Federal law (including titles 23, 40, and 49 of the United States Code) which would otherwise apply to similar projects, and

''(B) is for the construction of a facility described in section 142A(b)(2), but only if such project, upon completion, will be generally available for public use.

''(2) RECAPTURE AMOUNT.—

''(A) IN GENERAL.—In the case of any Move America credit certificate, if the project to which the certificate is designated under subsection (c)(1)(B) as relating—

''(i) is never placed in service, or

''(ii) ceases to be a qualified project at any time during the credit period,

the recapture amount is the amount determined under subparagraph (B).

''(B) AMOUNT DETERMINED.—The amount determined under this subparagraph is—

''(i) in the case of a project to which subparagraph (A)(i) applies, the value of the Move America credit certificate, and

''(ii) in the case of a project to which subparagraph (A)(ii) applies, the product of—

''(I) an amount equal to 10 percent of the value of the Move America credit certificate, and

''(II) the number of calendar years in the credit period beginning with the calendar year in which the project ceases to be a qualified project.

''(3) SPECIAL RULE FOR PROJECTS NOT PLACED IN SERVICE.—For purposes of subsection (a), if the project to which a Move America credit certificate is designated under subsection (c)(1)(B) as relating is never placed in service, the first taxable year that begins in the calendar year in which the State certifies (at such time and in such manner as may be prescribed by the Secretary) that the project will not be placed in service shall be treated as the year in which the project was placed in service.

''(e) APPLICATION WITH OTHER CREDITS.—

''(1) BUSINESS CREDIT TREATED AS PART OF GENERAL BUSINESS CREDIT.—Except as provided in paragraph (2), the credit which would be allowed under subsection (a) for any taxable year (determined without regard to this subsection) shall be treated as a credit listed in section 38(b) for such taxable year (and not allowed under subsection (a)).

''(2) PERSONAL CREDIT.—For purposes of this title, in the case of an individual, the credit allowed under subsection (a) for any taxable year shall be treated as a credit allowable under subpart A for such taxable year.''.

(b) CREDIT MADE PART OF GENERAL BUSINESS CREDIT.—Subsection (b) of section 38 of the Internal Revenue Code of 1986 is amended—

(1) by striking ''plus'' at the end of paragraph (35),

(2) by striking the period at the end of paragraph (36) and inserting '', plus'', and

(3) by adding at the end the following new paragraph:

''(37) the portion of the Move America credit to which section 30E(e)(1) applies.''.

(c) CLERICAL AMENDMENT.—The table of sections for subpart B of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new item:

''Sec. 30E. Move America credit.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

(e) REPORTING.—A State that sells any Move America credit certificate shall report, at such time and in such manner as the Secretary of the Treasury shall require—

(1) to the Secretary of the Treasury—

(A) the value of the Move America bonds otherwise allowed to be issued by the State which are exchanged under section 30E(c)(2)(A)(ii) of the Internal Revenue Code of 1986 for the ability to sell such Move America credit certificates, and

(B) the number of Move America credit certificates sold by the State or allocated to project sponsors, the value of each such certificate, and to whom it was sold (including the name of the purchaser and any other identifying information as the Secretary of the Treasury shall require), and

(2) to the Secretary of the Treasury and the purchaser of any Move America credit certificate—

(A) the placed in service date of the qualified project to which the certificate is designated under section 30E(c)(1)(B) of the Internal Revenue Code of 1986 as relating, or

(B) that the State has made a certification under section 30E(d)(3) of such Code that such project will not be placed in service.

For purposes of this subsection, any term used in this subsection that is also used in section 30E or 142A of the Internal Revenue Code of 1986 has the same meaning as when used in such section.

SA 2423. Mr. NELSON submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 577, strike lines 6 through 17, and insert the following:

(a) INCREASE IN CIVIL PENALTIES.—Section 30165(a) is amended—

(1) in paragraph (1)—

(A) by striking ''$5,000'' and inserting ''$21,000''; and

(B) by striking ''$35,000,000'' and inserting ''$105,000,000''; and

(2) in paragraph (3)—

(A) by striking ''$5,000'' and inserting ''$21,000''; and

(B) by striking ''$35,000,000'' and inserting ''$105,000,000''.

SA 2424. Mr. CARPER submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of division F, add the following:

TITLE LXII—FUEL TAXES

SEC. 62001. INCREASE IN TAX ON GASOLINE.

(a) PHASED-IN INCREASE.—

(1) IN GENERAL.—Clause (i) of section 4081(a)(2)(A) of the Internal Revenue Code of 1986 is amended by striking ''aviation gasoline,'' and all that follows and inserting ''aviation gasoline—

''(I) 22.3 cents per gallon in the case of gasoline removed, entered, or sold in calendar year 2016,

''(II) 26.3 cents per gallon in the case of gasoline removed, entered, or sold in calendar year 2017,

''(III) 30.3 cents per gallon in the case of gasoline removed, entered, or sold in calendar year 2018, and

''(IV) 34.3 cents per gallon in the case of gasoline removed, entered, or sold in calendar years beginning after December 31, 2018,''.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to gasoline removed, entered, or sold on or after the first day of the first calendar quarter beginning not less than 60 days after the date of the enactment of this Act.

(b) ADJUSTMENT FOR INFLATION.—

(1) IN GENERAL.—Paragraph (2) of section 4081(a) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

''(E) ADJUSTMENT FOR INFLATION.—

''(i) IN GENERAL.—In the case of gasoline removed, entered, or sold in a calendar year after 2019, the 34.3 cents amount in subparagraph (A)(i)(IV) shall be increased by an amount equal to—

''(I) such cents amount, multiplied by

''(II) the cost-of-living adjustment determined under section 1(f)(3) for such calendar year by substituting 'calendar year 2018' for 'calendar year 1992' in subparagraph (B) thereof.

''(ii) ROUNDING.—If the amount as increased under clause (i) is not a multiple of 0.1 cents, such amount shall be rounded to the nearest multiple of 0.1 cents.''.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to gasoline removed, entered, or sold after December 31, 2018.

(c) CONFORMING AMENDMENT RELATING TO TAX ON COMPRESSED NATURAL GAS.—

(1) IN GENERAL.—The second sentence of subparagraph (A) of section 4041(a)(3) of the Internal Revenue Code of 1986 is amended by striking ''18.3 cents'' and inserting ''equal to the rate of tax in effect under section 4081(a)(2)(A)(i) for the calendar year in which such gas is sold or used,''.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to compressed natural gas sold or used on or after

the first day of the first calendar quarter beginning not less than 60 days after the date of the enactment of this Act.

(d) CONFORMING AMENDMENT RELATING TO TAX ON METHANOL AND ETHANOL.—

(1) IN GENERAL.—Paragraph (1) of section 4041(m) of the Internal Revenue Code of 1986 is amended by striking ''shall be—'' and all that follows and inserting ''shall be equal to 61.7 percent of the rate of tax in effect under section 4081(a)(2)(A)(i) for the calendar year in which such fuel is sold or used.''.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to methanol and ethanol fuel sold or used on or after the first day of the first calendar quarter beginning not less than 60 days after the date of the enactment of this Act.

SEC. 62002. INCREASE IN TAX ON DIESEL FUEL AND KEROSENE.

(a) IN GENERAL.—Clause (iii) of section 4081(a)(2)(A) of the Internal Revenue Code of 1986 is amended by striking ''kerosene'' and all that follows and inserting ''kerosene—

''(I) 28.3 cents per gallon in the case of diesel fuel or kerosene removed, entered, or sold in calendar year 2016,

''(II) 32.3 cents per gallon in the case of diesel fuel or kerosene removed, entered, or sold in calendar year 2017,

''(III) 36.3 cents per gallon in the case of diesel fuel or kerosene removed, entered, or sold in calendar year 2018, and

''(IV) 40.3 cents per gallon in the case of diesel fuel or kerosene removed, entered, or sold in calendar years beginning after December 31, 2018,''.

(b) ADJUSTMENT FOR INFLATION.—Subparagraph (E) of section 4081(a)(2) of the Internal Revenue Code of 1986, as added by this title, is amended—

(1) by redesignating clause (ii) as clause (iii),

(2) by striking ''If the amount as increased under clause (i)'' in clause (iii), as so redesignated, and inserting ''If any amount as increased under clause (i) or (ii)'',

(3) by striking ''IN GENERAL'' in the heading of clause (i) and inserting ''TAX ON GASOLINE'', and

(4) by inserting after clause (i) the following new clause:

''(ii) TAX ON DIESEL FUEL OR KEROSENE.—In the case of diesel fuel or kerosene removed, entered, or sold in a calendar year after 2019, the 40.3 cents amount in subparagraph (A)(iii)(IV) shall be increased by an amount equal to—

''(I) such cents amount, multiplied by

''(II) the cost-of-living adjustment determined under section 1(f)(3) for such calendar year by substituting 'calendar year 2018' for 'calendar year 1992' in subparagraph (B) thereof.''.

(c) CONFORMING AMENDMENT RELATING TO TAX ON DIESEL-WATER FUEL EMULSIONS.—Subparagraph (D) of section 4081(a)(2) of the Internal Revenue Code of 1986 is amended by striking ''subparagraph (A)(iii) shall be applied by substituting '19.7 cents' for '24.3 cents''' and inserting ''the rate of tax shall be equal to 81 percent of the rate of tax in effect under subparagraph (A)(iii) for the calendar year in which such emulsion is removed, entered, or sold''.

(d) CONFORMING AMENDMENT RELATING TO TAX ON CERTAIN ALTERNATIVE FUELS.—Clause (ii) of section 4041(a)(2)(B) of the Internal Revenue Code of 1986 is amended by striking ''24.3 cents per gallon'' and inserting ''the rate of tax specified in section 4081(a)(2)(A)(iii) which is in effect at the time of such sale or use''.

(e) CONFORMING AMENDMENT RELATING TO RATE OF TAX ON BUSES.—

(1) IN GENERAL.—Subparagraph (A) of section 6427(b)(2) of the Internal Revenue Code of 1986 is amended by striking ''7.4 cents per gallon less'' and all that follows and inserting ''the aggregate rate at which tax was imposed on such fuel by section 4041(a) or 4081, as the case may be, reduced by the amount determined under subparagraph (E).''.

(2) AMOUNT DETERMINED.—Paragraph (2) of section 6427(b) of such Code is amended by adding at the end the following new subparagraph:

''(E) AMOUNT DETERMINED.—

''(i) IN GENERAL.—For purposes of subparagraph (A), the amount determined under this paragraph is—

''(I) 8.62 cents per gallon in the case of fuel used in calendar year 2016,

''(II) 9.84 cents per gallon in the case of fuel used in calendar year 2017,

''(III) 11.05 cents per gallon in the case of fuel used in calendar year 2018, and

''(IV) 12.27 cents per gallon in the case of fuel used in calendar years beginning after December 31, 2018.

''(ii) ADJUSTMENT FOR INFLATION.—In the case of fuel used in a calendar year after 2019, the 12.27 cents amount in clause (i)(IV) shall be increased by an amount equal to—

''(I) such cents amount, multiplied by

''(II) the cost-of-living adjustment determined under section 1(f)(3) for such calendar year by substituting 'calendar year 2018' for 'calendar year 1992' in subparagraph (B) thereof.''.

(f) EFFECTIVE DATE.—The amendments made by this section shall apply to diesel fuel, kerosene, and diesel-water fuel emulsions removed, entered, or sold on or after the first day of the first calendar quarter beginning not less than 60 days after the date of the enactment of this Act.

SEC. 62003. ALLOCATION IN ACCOUNTS IN HIGHWAY TRUST FUND.

(a) IN GENERAL.—Subparagraph (A) of section 9503(e)(2) of the Internal Revenue Code of 1986 is amended to read as follows:

''(A) except as otherwise provided in this sentence—

''(i) 2.86 cents per gallon with respect to taxes imposed during calendar year 2015,

''(ii) 3.66 cents per gallon with respect to taxes imposed during calendar year 2016,

''(iii) 4.46 cents per gallon with respect to taxes imposed during calendar year 2017,

''(iv) 5.26 cents per gallon with respect to taxes imposed during calendar year 2018, and

''(v) 6.06 cents per gallon with respect to taxes imposed during any calendar year after 2018,''.

(b) ADJUSTMENT FOR INFLATION.—Section 9503(e) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(6) ADJUSTMENT FOR INFLATION.—

''(A) IN GENERAL.—In the case of any calendar year beginning after 2019, the amount in clause (v) of paragraph (2)(A) shall be increased by an amount equal to—

''(i) such amount, multiplied by

''(ii) the cost-of-living adjustment determined under section 1(f)(3) for such calendar year by substituting 'calendar year 2018' for 'calendar year 1992' in subparagraph (B) thereof.

''(B) ROUNDING.—Any increase under subparagraph (A) shall be rounded to the nearest 0.1 cents.''.

SEC. 62004. FLOOR STOCKS TAXES.

(a) IMPOSITION OF TAX.—In the case of any taxable fuel which is held on the floor stocks tax date by any person, there is hereby imposed a floor stocks tax equal to the excess of the tax which would be imposed on such fuel under section 4041 or 4081 of the Internal Revenue Code of 1986 had the taxable event occurred on the floor stocks tax date over the tax paid under any such section on such fuel.

(b) LIABILITY FOR TAX AND METHOD OF PAYMENT.—

(1) LIABILITY FOR TAX.—A person holding a fuel on the floor stocks tax date to which the tax imposed by subsection (a) applies shall be liable for such tax.

(2) METHOD OF PAYMENT.—The tax imposed by subsection (a) shall be paid in such manner as the Secretary shall prescribe.

(3) TIME OF PAYMENT.—The tax imposed by subsection (a) shall be paid on or before the date which is 6 months after the floor stocks tax date.

(c) DEFINITIONS.—For purposes of this section—

(1) HELD BY A PERSON.—A fuel shall be considered as held by a person if title thereto has passed to such person (whether or not delivery to the person has been made).

(2) TAXABLE FUEL.—The term ''taxable fuel'' means—

(A) gasoline (other than aviation gasoline), diesel fuel, kerosene (other than aviation-grade kerosene), and diesel-water fuel emulsions;

(B) fuel taxed under section 4041(a)(2) of the Internal Revenue Code of 1986 (including methanol and ethanol to which section 4041(m) of such Code applies); and

(C) compressed natural gas.

(3) FLOOR STOCKS DATE.—The term ''floor stocks tax date'' means January 1 of any calendar year beginning after the date of the enactment of this Act on which a rate of tax under section 4041 or 4081 of such Code increases pursuant to an amendment made by section 62001 or 62002.

(4) SECRETARY.—The term ''Secretary'' means the Secretary of the Treasury.

(d) EXCEPTION FOR EXEMPT USES.—The tax imposed by subsection (a) shall not apply to taxable fuel held by any person exclusively for any use to the extent a credit or refund of the tax imposed by a section of such Code is allowable for such use.

(e) EXCEPTION FOR FUEL HELD IN VEHICLE TANK.—No tax shall be imposed by subsection (a) on taxable fuel held in the tank of a motor vehicle or motorboat.

(f) EXCEPTION FOR CERTAIN AMOUNTS OF FUEL.—

(1) IN GENERAL.—No tax shall be imposed by subsection (a) on any fuel held on the floor stocks tax date by any person if the aggregate amount of fuel held by such person on such date does not exceed 2,000 gallons. The preceding sentence shall apply only if such person submits to the Secretary (at the time and in the manner required by the Secretary) such information as the Secretary shall require for purposes of this paragraph.

(2) EXEMPT FUEL.—For purposes of paragraph (1), there shall not be taken into account fuel held by any person which is exempt from the tax imposed by subsection (a) by reason of subsection (d) or (e).

(3) CONTROLLED GROUPS.—For purposes of this section—

(A) CORPORATIONS.—

(i) IN GENERAL.—All persons treated as a controlled group shall be treated as 1 person.

(ii) CONTROLLED GROUP.—The term ''controlled group'' has the meaning given to such term by subsection (a) of section 1563 of such Code; except that for such purposes the phrase ''more than 50 percent'' shall be substituted for the phrase ''at least 80 percent'' each place it appears in such subsection.

(B) NONINCORPORATED PERSONS UNDER COMMON CONTROL.—Under regulations prescribed

by the Secretary, principles similar to the principles of clause (i) shall apply to a group of persons under common control where one or more of such persons is not a corporation.

(g) OTHER LAWS APPLICABLE.—All provisions of law, including penalties, applicable with respect to the taxes imposed by chapter 31 or 32 of such Code shall, insofar as applicable and not inconsistent with the provisions of this section, apply with respect to the floor stock taxes imposed by subsection (a) to the same extent as if such taxes were imposed by such chapter.

SA 2425. Mr. CARPER submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of division F, add the following:

TITLE LXII—FUEL TAXES

SEC. 62001. ADJUSTING TAX ON GASOLINE FOR INFLATION.

(a) ADJUSTMENT FOR INFLATION.—

(1) IN GENERAL.—Paragraph (2) of section 4081(a) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

''(E) ADJUSTMENT FOR INFLATION.—

''(i) IN GENERAL.—In the case of gasoline removed, entered, or sold in a calendar year after 2015, the 18.3 cents amount in subparagraph (A)(i) shall be increased by an amount equal to—

''(I) such cents amount, multiplied by

''(II) the cost-of-living adjustment determined under section 1(f)(3) for such calendar year by substituting 'calendar year 2014' for 'calendar year 1992' in subparagraph (B) thereof.

''(ii) ROUNDING.—If the amount as increased under clause (i) is not a multiple of 0.1 cents, such amount shall be rounded to the nearest multiple of 0.1 cents.''.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to gasoline removed, entered, or sold after December 31, 2015.

(b) CONFORMING AMENDMENT RELATING TO TAX ON COMPRESSED NATURAL GAS.—

(1) IN GENERAL.—The second sentence of subparagraph (A) of section 4041(a)(3) of the Internal Revenue Code of 1986 is amended by striking ''18.3 cents'' and inserting ''equal to the rate of tax in effect under section 4081(a)(2)(A)(i) for the calendar year in which such gas is sold or used,''.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to compressed natural gas sold or used on or after the first day of the first calendar quarter beginning not less than 60 days after the date of the enactment of this Act.

(c) CONFORMING AMENDMENT RELATING TO TAX ON METHANOL AND ETHANOL.—

(1) IN GENERAL.—Paragraph (1) of section 4041(m) of the Internal Revenue Code of 1986 is amended by striking ''shall be—'' and all that follows and inserting ''shall be equal to 61.7 percent of the rate of tax in effect under section 4081(a)(2)(A)(i) for the calendar year in which such fuel is sold or used.''.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to methanol and ethanol fuel sold or used on or after the first day of the first calendar quarter beginning not less than 60 days after the date of the enactment of this Act.

SEC. 62002. ADJUSTING TAX ON DIESEL FUEL AND KEROSENE FOR INFLATION.

(a) ADJUSTMENT FOR INFLATION.—Subparagraph (E) of section 4081(a)(2) of the Internal Revenue Code of 1986, as added by this title, is amended—

(1) by redesignating clause (ii) as clause (iii),

(2) by striking ''If the amount as increased under clause (i)'' in clause (iii), as so redesignated, and inserting ''If any amount as increased under clause (i) or (ii)'',

(3) by striking ''IN GENERAL'' in the heading of clause (i) and inserting ''TAX ON GASOLINE'', and

(4) by inserting after clause (i) the following new clause:

''(ii) TAX ON DIESEL FUEL OR KEROSENE.—In the case of diesel fuel or kerosene removed, entered, or sold in a calendar year after 2015, the 24.3 cents amount in subparagraph (A)(iii) shall be increased by an amount equal to—

''(I) such cents amount, multiplied by

''(II) the cost-of-living adjustment determined under section 1(f)(3) for such calendar year by substituting 'calendar year 2014' for 'calendar year 1992' in subparagraph (B) thereof.''.

(b) CONFORMING AMENDMENT RELATING TO TAX ON DIESEL-WATER FUEL EMULSIONS.—Subparagraph (D) of section 4081(a)(2) of the Internal Revenue Code of 1986 is amended by striking ''subparagraph (A)(iii) shall be applied by substituting '19.7 cents' for '24.3 cents' '' and inserting ''the rate of tax shall be equal to 81 percent of the rate of tax in effect under subparagraph (A)(iii) for the calendar year in which such emulsion is removed, entered, or sold''.

(c) CONFORMING AMENDMENT RELATING TO TAX ON CERTAIN ALTERNATIVE FUELS.—Clause (ii) of section 4041(a)(2)(B) of the Internal Revenue Code of 1986 is amended by striking ''24.3 cents per gallon'' and inserting ''the rate of tax specified in section 4081(a)(2)(A)(iii) which is in effect at the time of such sale or use''.

(d) CONFORMING AMENDMENT RELATING TO RATE OF TAX ON BUSES.—Paragraph (2) of section 6427(b) of such Code is amended by adding at the end the following new subparagraph:

''(E) ADJUSTMENT FOR INFLATION.—In the case of fuel used in a calendar year after 2015, the 7.4 cents amount in subparagraph (A) shall be increased by an amount equal to—

''(i) such cents amount, multiplied by

''(ii) the cost-of-living adjustment determined under section 1(f)(3) for such calendar year by substituting 'calendar year 2014' for 'calendar year 1992' in subparagraph (B) thereof.''.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to diesel fuel, kerosene, and diesel-water fuel emulsions removed, entered, or sold on or after the first day of the first calendar quarter beginning not less than 60 days after the date of the enactment of this Act.

SEC. 62003. ALLOCATION IN ACCOUNTS IN HIGHWAY TRUST FUND.

Section 9503(e) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(6) ADJUSTMENT FOR INFLATION.—

''(A) IN GENERAL.—In the case of any calendar year beginning after 2015, the amount in subparagraph (A) of paragraph (2) shall be increased by an amount equal to—

''(i) such amount, multiplied by

''(ii) the cost-of-living adjustment determined under section 1(f)(3) for such calendar year by substituting 'calendar year 2014' for 'calendar year 1992' in subparagraph (B) thereof.

''(B) ROUNDING.—Any increase under subparagraph (A) shall be rounded to the nearest 0.1 cents.''.

SEC. 62004. FLOOR STOCKS TAXES.

(a) IMPOSITION OF TAX.—In the case of any taxable fuel which is held on the floor stocks tax date by any person, there is hereby imposed a floor stocks tax equal to the excess of the tax which would be imposed on such fuel under section 4041 or 4081 of the Internal Revenue Code of 1986 had the taxable event occurred on the floor stocks tax date over the tax paid under any such section on such fuel.

(b) LIABILITY FOR TAX AND METHOD OF PAYMENT.—

(1) LIABILITY FOR TAX.—A person holding a fuel on the floor stocks tax date to which the tax imposed by subsection (a) applies shall be liable for such tax.

(2) METHOD OF PAYMENT.—The tax imposed by subsection (a) shall be paid in such manner as the Secretary shall prescribe.

(3) TIME OF PAYMENT.—The tax imposed by subsection (a) shall be paid on or before the date which is 6 months after the floor stocks tax date.

(c) DEFINITIONS.—For purposes of this section—

(1) HELD BY A PERSON.—A fuel shall be considered as held by a person if title thereto has passed to such person (whether or not delivery to the person has been made).

(2) TAXABLE FUEL.—The term ''taxable fuel'' means—

(A) gasoline (other than aviation gasoline), diesel fuel, kerosene (other than aviation-grade kerosene), and diesel-water fuel emulsions;

(B) fuel taxed under section 4041(a)(2) of the Internal Revenue Code of 1986 (including methanol and ethanol to which section 4041(m) of such Code applies); and

(C) compressed natural gas.

(3) FLOOR STOCKS DATE.—The term ''floor stocks tax date'' means January 1 of any calendar year beginning after the date of the enactment of this Act on which a rate of tax under section 4041 or 4081 of such Code increases pursuant to an amendment made by section 62001 or 62002.

(4) SECRETARY.—The term ''Secretary'' means the Secretary of the Treasury.

(d) EXCEPTION FOR EXEMPT USES.—The tax imposed by subsection (a) shall not apply to taxable fuel held by any person exclusively for any use to the extent a credit or refund of the tax imposed by a section of such Code is allowable for such use.

(e) EXCEPTION FOR FUEL HELD IN VEHICLE TANK.—No tax shall be imposed by subsection (a) on taxable fuel held in the tank of a motor vehicle or motorboat.

(f) EXCEPTION FOR CERTAIN AMOUNTS OF FUEL.—

(1) IN GENERAL.—No tax shall be imposed by subsection (a) on any fuel held on the floor stocks tax date by any person if the aggregate amount of fuel held by such person on such date does not exceed 2,000 gallons. The preceding sentence shall apply only if such person submits to the Secretary (at the time and in the manner required by the Secretary) such information as the Secretary shall require for purposes of this paragraph.

(2) EXEMPT FUEL.—For purposes of paragraph (1), there shall not be taken into account fuel held by any person which is exempt from the tax imposed by subsection (a) by reason of subsection (d) or (e).

(3) CONTROLLED GROUPS.—For purposes of this section—

(A) CORPORATIONS.—

(i) IN GENERAL.—All persons treated as a controlled group shall be treated as 1 person.

(ii) CONTROLLED GROUP.—The term ''controlled group'' has the meaning given to such term by subsection (a) of section 1563 of such Code; except that for such purposes the phrase ''more than 50 percent'' shall be substituted for the phrase ''at least 80 percent'' each place it appears in such subsection.

(B) NONINCORPORATED PERSONS UNDER COMMON CONTROL.—Under regulations prescribed by the Secretary, principles similar to the principles of clause (i) shall apply to a group of persons under common control where one or more of such persons is not a corporation.

(g) OTHER LAWS APPLICABLE.—All provisions of law, including penalties, applicable with respect to the taxes imposed by chapter 31 or 32 of such Code shall, insofar as applicable and not inconsistent with the provisions of this section, apply with respect to the floor stock taxes imposed by subsection (a) to the same extent as if such taxes were imposed by such chapter.

SA 2426. Mr. CARPER submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 870, line 16, strike ''A'' and insert ''Except as provided in subparagraph (C), a''.

On page 871, between lines 2 and 3, insert the following:

''(C) EXCEPTION.—With the approval of the Secretary, a State may obligate an amount in excess of the limitation described in subparagraph (B) if the State certifies that the multimodal project is justified based on the list of priority projects of the State identified in a freight investment plan of the State that is in effect.

On page 871, line 3, strike ''(C)'' and insert ''(D)''.

SA 2427. Mr. CARPER submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

Beginning on page 870, strike line 16 and all that follows through page 871, line 2.

On page 871, line 3, strike ''(C)'' and insert ''(B)''.

On page 873, lines 17 and 18, strike ''a facility described in subparagraph (B)'' and insert ''private freight rail facilities, water facilities (including ports), and intermodal facilities''.

SA 2428. Mr. CARPER submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 870, line 20, insert ''adjacent to or'' before ''within''.

On page 871, line 1, strike ''direct''.

SA 2429. Mr. CARPER (for himself, Mr. WARNER, and Mr. MENENDEZ) submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 883, strike lines 19 through 22 and insert the following:

''(A) ELIGIBLE PROJECT.—

On page 885, line 19, strike ''(C)'' and insert ''(B)''.

On page 886, between lines 10 and 11, insert the following:

''(C) SECRETARY.—The term 'Secretary' means the Secretary of Transportation.

On page 886, lines 11 and 12, strike ''Administrator'' and insert ''Secretary''.

On page 886, lines 16 and 17, strike ''Administrator'' and insert ''Secretary''.

On page 886, line 21, strike ''Administrator'' and insert ''Secretary''.

On page 887, line 1, strike ''Administrator'' and insert ''Secretary''.

On page 887, line 3, strike ''Administrator'' and insert ''Secretary''.

On page 888, lines 12 and 13, strike ''Administrator'' and insert ''Secretary''.

On page 889, line 15, strike ''Administrator'' and insert ''Secretary''.

On page 890, strike lines 7 through 12 and insert the following:

''(3) STATE CAP.—

On page 890, line 22, strike ''(5)'' and insert ''(4)''.

On page 890, lines 23 and 24, strike ''Administrator'' and insert ''Secretary''.

On page 891, line 13, strike ''Administrator'' and insert ''Secretary''.

On page 891, line 19, strike ''ADMINISTRATOR'' and insert ''SECRETARY''.

On page 891, lines 21 and 22, strike ''Administrator'' and insert ''Secretary''.

On page 892, lines 1 and 2, strike ''Administrator'' and insert ''Secretary''.

On page 892, line 5, strike ''Administrator'' and insert ''Secretary''.

SA 2430. Mr. CARPER submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 40, line 11, strike ''and'' at the end.

On page 40, strike line 13 and insert the following:

at the end; and

(C) by adding at the end the following:

''(27) Capital costs of facilities, infrastructure, and equipment necessary to provide or improve intercity passenger rail transportation.'';

SA 2431. Mr. CARPER submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 190, line 7, insert ''scalability, evolution of technologies, flexibility for policy adaptations,'' after ''acceptance,''.

On page 190, line 17, insert ''and cost'' after ''ease''.

SA 2432. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 1003, striking line 19, and all that follows through page 1004, line 4, and insert the following:

employee for such month if such individual is eligible for medical coverage for such month under—

''(i) chapter 55 of title 10, United States Code, including coverage under the TRICARE program, or

''(ii) under a health care program under chapter 17 or 18 of title 38, United States Code, as determined by the Secretary of Veterans Affairs, in coordination with the Secretary of Health and Human Services and the Secretary.''.

(c) PROHIBITION ON CONSIDERATION OF ELIGIBILITY FOR HEALTH COVERAGE IN EMPLOYMENT DECISIONS.—No employer may consider the eligibility status of a veteran in a health care program provided through the Department of Veterans Affairs or TRICARE in making a decision regarding hiring, re-employment, or retention of an employee.

SA 2433. Mr. DONNELLY (for himself and Mr. FLAKE) submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under

TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 38, strike lines 1 through 11 and insert the following:

''(ii) ADJUSTMENTS TO AMOUNTS.—

''(I) IN GENERAL.—The initial amounts resulting from the calculation under clause (i) shall be adjusted to ensure that, for each State, the amount of combined apportionments for the programs shall not be less than an amount equal to—

''(aa) 95 percent of the applicable percentage; multiplied by

''(bb) the total amount of funds available for apportionment.

''(II) APPLICABLE PERCENTAGE.—For purposes of this clause, the applicable percentage shall be an amount, expressed as a percentage, equal to the quotient of—

''(aa) the estimated tax payments attributable to highway users in the State that were paid into the Highway Trust Fund (other than the Mass Transit Account) for the fiscal year described in subclause (I); divided by

''(bb) the estimated total tax payments attributable to users in all States that were paid into the Highway Trust Fund (other than the Mass Transit Account) for that fiscal year.

SA 2434. Mr. DONNELLY submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 246, strike lines 6 through 9 and insert the following:

(9) in subsection (k), by striking paragraph (3) and inserting the following:

''(3) CONGESTION MANAGEMENT PROCESS.—

''(A) IN GENERAL.—Within a metropolitan planning area serving a transportation management area, the transportation planning process under this section shall address congestion management through a process that provides for effective management and operation, based on a cooperatively developed and implemented metropolitan-wide strategy of new and existing transportation facilities eligible for funding under this title and chapter 53 of title 49 through the use of travel demand reduction, employer-based commuting programs, job access projects, shared-use projects, and operational management strategies.

''(B) SCHEDULE.—The Secretary shall establish an appropriate phase-in schedule for compliance with the requirements of this section but not sooner than 1 year after the identification of a transportation management area.

''(C) CONGESTION MANAGEMENT PLAN.—

''(i) DEVELOPMENT.—A metropolitan planning organization with a transportation management area shall develop a congestion management plan in accordance with the requirements of clause (ii) that includes projects and strategies that shall be considered in the transportation improvement program for the metropolitan planning organization.

''(ii) REQUIREMENTS.—A plan developed under clause (i) shall—

''(I) develop regional goals to reduce vehicle miles traveled during peak commuting hours and to improve transportation connections between areas with high job concentration and areas with high concentrations of low-income households;

''(II) identify existing public transportation services, employer-based commuter programs, and other existing transportation services that support access to jobs in the region; and

''(III) identify proposed projects and programs to reduce congestion and increase job access opportunities

''(D) PARTICIPATION.—In conducting the process under subparagraph (A) and developing the plan under subparagraph (C) a metropolitan planning organization shall include employers, private and nonprofit providers of public transportation, transportation management organizations, and organizations that provide job access, reverse commute projects, or job-related services to low-income individuals to assist in the planning process and the development of the plan.'';

SA 2435. Mr. DONNELLY submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

Beginning on page 49, strike line 24 and all that follows through page 50, line 2, and insert the following:

(9) in subsection (k), by striking paragraph (3) and inserting the following:

''(3) CONGESTION MANAGEMENT PROCESS.—

''(A) IN GENERAL.—Within a metropolitan planning area serving a transportation management area, the transportation planning process under this section shall address congestion management through a process that provides for effective management and operation, based on a cooperatively developed and implemented metropolitan-wide strategy of new and existing transportation facilities eligible for funding under this title and chapter 53 of title 49 through the use of travel demand reduction, employer-based commuting programs, job access projects, shared-use projects, and operational management strategies.

''(B) SCHEDULE.—The Secretary shall establish an appropriate phase-in schedule for compliance with the requirements of this section but not sooner than 1 year after the identification of a transportation management area.

''(C) CONGESTION MANAGEMENT PLAN.—

''(i) DEVELOPMENT.—A metropolitan planning organization with a transportation management area shall develop a congestion management plan in accordance with the requirements of clause (ii) that includes projects and strategies that shall be considered in the transportation improvement program for the metropolitan planning organization.

''(ii) REQUIREMENTS.—A plan developed under clause (i) shall—

''(I) develop regional goals to reduce vehicle miles traveled during peak commuting hours and to improve transportation connections between areas with high job concentration and areas with high concentrations of low-income households;

''(II) identify existing public transportation services, employer-based commuter programs, and other existing transportation services that support access to jobs in the region; and

''(III) identify proposed projects and programs to reduce congestion and increase job access opportunities

''(D) PARTICIPATION.—In conducting the process under subparagraph (A) and developing the plan under subparagraph (C) a metropolitan planning organization shall include employers, private and nonprofit providers of public transportation, transportation management organizations, and organizations that provide job access, reverse commute projects, or job-related services to low-income individuals to assist in the planning process and the development of the plan.'';

On page 246, strike lines 6 through 9 and insert the following:

(9) in subsection (k), by striking paragraph (3) and inserting the following:

''(3) CONGESTION MANAGEMENT PROCESS.—

''(A) IN GENERAL.—Within a metropolitan planning area serving a transportation management area, the transportation planning process under this section shall address congestion management through a process that provides for effective management and operation, based on a cooperatively developed and implemented metropolitan-wide strategy of new and existing transportation facilities eligible for funding under this title and chapter 53 of title 49 through the use of travel demand reduction, employer-based commuting programs, job access projects, shared-use projects, and operational management strategies.

''(B) SCHEDULE.—The Secretary shall establish an appropriate phase-in schedule for compliance with the requirements of this section but not sooner than 1 year after the identification of a transportation management area.

''(C) CONGESTION MANAGEMENT PLAN.—

''(i) DEVELOPMENT.—A metropolitan planning organization with a transportation management area shall develop a congestion management plan in accordance with the requirements of clause (ii) that includes projects and strategies that shall be considered in the transportation improvement program for the metropolitan planning organization.

''(ii) REQUIREMENTS.—A plan developed under clause (i) shall—

''(I) develop regional goals to reduce vehicle miles traveled during peak commuting hours and to improve transportation connections between areas with high job concentration and areas with high concentrations of low-income households;

''(II) identify existing public transportation services, employer-based commuter programs, and other existing transportation services that support access to jobs in the region; and

''(III) identify proposed projects and programs to reduce congestion and increase job access opportunities

''(D) PARTICIPATION.—In conducting the process under subparagraph (A) and developing the plan under subparagraph (C) a metropolitan planning organization shall include employers, private and nonprofit providers of public transportation, transportation management organizations, and organizations that provide job access, reverse commute projects, or job-related services to low-income individuals to assist in the planning process and the development of the plan.'';

SA 2436. Mr. DONNELLY submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

Beginning on page 49, strike line 24 and all that follows through page 50, line 2, and insert the following:

(9) in subsection (k), by striking paragraph (3) and inserting the following:

''(3) CONGESTION MANAGEMENT PROCESS.—

''(A) IN GENERAL.—Within a metropolitan planning area serving a transportation management area, the transportation planning process under this section shall address congestion management through a process that provides for effective management and operation, based on a cooperatively developed and implemented metropolitan-wide strategy of new and existing transportation facilities eligible for funding under this title and chapter 53 of title 49 through the use of travel demand reduction, employer-based commuting programs, job access projects, shared-use projects, and operational management strategies.

''(B) SCHEDULE.—The Secretary shall establish an appropriate phase-in schedule for compliance with the requirements of this section but not sooner than 1 year after the identification of a transportation management area.

''(C) CONGESTION MANAGEMENT PLAN.—

''(i) DEVELOPMENT.—A metropolitan planning organization with a transportation management area shall develop a congestion management plan in accordance with the requirements of clause (ii) that includes projects and strategies that shall be considered in the transportation improvement program for the metropolitan planning organization.

''(ii) REQUIREMENTS.—A plan developed under clause (i) shall—

''(I) develop regional goals to reduce vehicle miles traveled during peak commuting hours and to improve transportation connections between areas with high job concentration and areas with high concentrations of low-income households;

''(II) identify existing public transportation services, employer-based commuter programs, and other existing transportation services that support access to jobs in the region; and

''(III) identify proposed projects and programs to reduce congestion and increase job access opportunities

''(D) PARTICIPATION.—In conducting the process under subparagraph (A) and developing the plan under subparagraph (C) a metropolitan planning organization shall include employers, private and nonprofit providers of public transportation, transportation management organizations, and organizations that provide job access, reverse commute projects, or job-related services to low-income individuals to assist in the planning process and the development of the plan.'';

SA 2437. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 1003, line 19, strike ''has'' and insert ''is eligible for''.

SA 2438. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 1004, between lines 4 and 5, insert the following:

(c) PROHIBITION ON CONSIDERATION OF ELIGIBILITY IN HEALTH COVERAGE IN EMPLOYMENT DECISIONS.—No employer may consider the eligibility status of a veteran in a health care program provided through the Department of Veterans Affairs or TRICARE in making a decision regarding hiring, re-employment, or retention of an employee.

SA 2439. Mr. REID (for Mr. SANDERS) submitted an amendment intended to be proposed by Mr. REID to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place in division F, insert the following:

SEC. _____. REINSTATEMENT OF JULY 1, 2012 SERVICE STANDARDS.

During the 3-year period beginning on the date of enactment of this Act, the United States Postal Service shall apply and comply with the service standards for first-class mail and periodicals under part 121 of title 39, Code of Federal Regulations, that were in effect on July 1, 2012.

SA 2440. Mr. REID (for Mr. SANDERS) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

Strike title LII of division E and insert the following:

TITLE LII—OFFSETS

Subtitle A—Tax Provisions

SEC. 52101. CONSISTENT BASIS REPORTING BETWEEN ESTATE AND PERSON ACQUIRING PROPERTY FROM DECEDENT.

(a) PROPERTY ACQUIRED FROM A DECEDENT.—

(1) IN GENERAL.—Section 1014 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

''(f) BASIS MUST BE CONSISTENT WITH ESTATE TAX VALUE.—

''(1) IN GENERAL.—The basis under subsection (a) of any property shall not exceed—

''(A) in the case of property the value of which has been finally determined for purposes of the tax imposed by chapter 11 on the estate of such decedent, such value, and

''(B) in the case of property not described in subparagraph (A) and with respect to which a statement has been furnished under section 6035(a) identifying the value of such property, such value.

''(2) DETERMINATION.—For purposes of paragraph (1), the value of property has been finally determined for purposes of the tax imposed by chapter 11 if—

''(A) the value of such property is shown on a return under section 6018 and such value is not contested by the Secretary before the expiration of the time for assessing a tax under chapter 11,

''(B) in a case not described in subparagraph (A), the value is specified by the Secretary and such value is not timely contested by the executor of the estate, or

''(C) the value is determined by a court or pursuant to a settlement agreement with the Secretary.

''(3) REGULATIONS.—The Secretary may by regulations provide exceptions to the application of this subsection.''.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall apply to property with respect to which an estate tax return is filed after the date of the enactment of this Act.

(b) INFORMATION REPORTING.—

(1) IN GENERAL.—Subpart A of part III of subchapter A of chapter 61 of the Internal Revenue Code of 1986 is amended by inserting after section 6034A the following new section:

''SEC. 6035. BASIS INFORMATION TO PERSONS ACQUIRING PROPERTY FROM DECEDENT.

''(a) INFORMATION WITH RESPECT TO PROPERTY ACQUIRED FROM DECEDENTS.—

''(1) IN GENERAL.—The executor of any estate required to file a return under section 6018(a) shall furnish to the Secretary and to each person acquiring any interest in property included in the decedent's gross estate for Federal estate tax purposes a statement identifying the value of each interest in such property as reported on such return and such other information with respect to such interest as the Secretary may prescribe.

''(2) STATEMENTS BY BENEFICIARIES.—Each person required to file a return under section

6018(b) shall furnish to the Secretary and to each other person who holds a legal or beneficial interest in the property to which such return relates a statement identifying the information described in paragraph (1).

''(3) TIME FOR FURNISHING STATEMENT.—

''(A) IN GENERAL.—Each statement required to be furnished under paragraph (1) or (2) shall be furnished at such time as the Secretary may prescribe, but in no case at a time later than the earlier of—

''(i) the date which is 30 days after the date on which the return under section 6018 was required to be filed (including extensions, if any), or

''(ii) the date which is 30 days after the date such return is filed.

''(B) ADJUSTMENTS.—In any case in which there is an adjustment to the information required to be included on a statement filed under paragraph (1) or (2) after such statement has been filed, a supplemental statement under such paragraph shall be filed not later than the date which is 30 days after such adjustment is made.

''(b) REGULATIONS.—The Secretary shall prescribe such regulations as necessary to carry out this section, including regulations relating to—

''(1) the extension of this section to property of estates not required to file an estate tax return, and

''(2) situations in which the surviving joint tenant or other recipient may have better information than the executor regarding the basis or fair market value of the property.''.

(2) PENALTY FOR FAILURE TO FILE.—

(A) RETURN.—Section 6724(d)(1) of such Code is amended by striking ''and'' at the end of subparagraph (B), by striking the period at the end of subparagraph (C) and inserting '', and'', and by adding at the end the following new subparagraph:

''(D) any statement required to be filed with the Secretary under section 6035.''.

(B) STATEMENT.—Section 6724(d)(2) of such Code is amended by striking ''or'' at the end of subparagraph (GG), by striking the period at the end of subparagraph (HH) and inserting '', or'', and by adding at the end the following new subparagraph:

''(II) section 6035 (other than a statement described in paragraph (1)(D)).''.

(3) CLERICAL AMENDMENT.—The table of sections for subpart A of part III of subchapter A of chapter 61 of such Code is amended by inserting after the item relating to section 6034A the following new item:

''SEC. 6035. BASIS INFORMATION TO PERSONS ACQUIRING PROPERTY FROM DECEDENT.''.

(4) EFFECTIVE DATE.—The amendments made by this subsection shall take effect on the date of the enactment of this Act.

(c) PENALTY FOR INCONSISTENT REPORTING.—

(1) IN GENERAL.—Subsection (b) of section 6662 of the Internal Revenue Code of 1986 is amended by inserting after paragraph (7) the following new paragraph:

''(8) Any inconsistent estate basis.''.

(2) INCONSISTENT BASIS REPORTING.—Section 6662 of such Code is amended by adding at the end the following new subsection:

''(k) INCONSISTENT ESTATE BASIS REPORTING.—For purposes of this section, there is an 'inconsistent estate basis' if the basis of property (determined without regard to adjustments to basis during the period the property was held by the taxpayer) claimed on a return exceeds the basis as determined under section 1014(f).''.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to returns filed after the date of the enactment of this Act.

SEC. 52102. REVOCATION OR DENIAL OF PASSPORT IN CASE OF CERTAIN UNPAID TAXES.

(a) IN GENERAL.—Subchapter D of chapter 75 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

''SEC. 7345. REVOCATION OR DENIAL OF PASSPORT IN CASE OF CERTAIN TAX DELINQUENCIES.

''(a) IN GENERAL.—If the Secretary receives certification by the Commissioner of Internal Revenue that any individual has a seriously delinquent tax debt in an amount in excess of $50,000, the Secretary shall transmit such certification to the Secretary of State for action with respect to denial, revocation, or limitation of a passport pursuant to section 52102(d) of the Transportation Funding Act of 2015.

''(b) SERIOUSLY DELINQUENT TAX DEBT.—For purposes of this section, the term 'seriously delinquent tax debt' means an outstanding debt under this title for which a notice of lien has been filed in public records pursuant to section 6323 or a notice of levy has been filed pursuant to section 6331, except that such term does not include—

''(1) a debt that is being paid in a timely manner pursuant to an agreement under section 6159 or 7122, and

''(2) a debt with respect to which collection is suspended because a collection due process hearing under section 6330, or relief under subsection (b), (c), or (f) of section 6015, is requested or pending.

''(c) ADJUSTMENT FOR INFLATION.—In the case of a calendar year beginning after 2016, the dollar amount in subsection (a) shall be increased by an amount equal to—

''(1) such dollar amount, multiplied by

''(2) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year, determined by substituting 'calendar year 2015' for 'calendar year 1992' in subparagraph (B) thereof.

If any amount as adjusted under the preceding sentence is not a multiple of $1,000, such amount shall be rounded to the next highest multiple of $1,000.''.

(b) CLERICAL AMENDMENT.—The table of sections for subchapter D of chapter 75 of the Internal Revenue Code of 1986 is amended by adding at the end the following new item:

''Sec. 7345. Revocation or denial of passport in case of certain tax delinquencies.''.

(c) AUTHORITY FOR INFORMATION SHARING.—

(1) IN GENERAL.—Subsection (l) of section 6103 of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(23) DISCLOSURE OF RETURN INFORMATION TO DEPARTMENT OF STATE FOR PURPOSES OF PASSPORT REVOCATION UNDER SECTION 7345.—

''(A) IN GENERAL.—The Secretary shall, upon receiving a certification described in section 7345, disclose to the Secretary of State return information with respect to a taxpayer who has a seriously delinquent tax debt described in such section. Such return information shall be limited to—

''(i) the taxpayer identity information with respect to such taxpayer, and

''(ii) the amount of such seriously delinquent tax debt.

''(B) RESTRICTION ON DISCLOSURE.—Return information disclosed under subparagraph (A) may be used by officers and employees of the Department of State for the purposes of, and to the extent necessary in, carrying out the requirements of section 52102(d) of the Transportation Funding Act of 2015.''.

(2) CONFORMING AMENDMENT.—Paragraph (4) of section 6103(p) of such Code is amended by striking ''or (22)'' each place it appears in subparagraph (F)(ii) and in the matter preceding subparagraph (A) and inserting ''(22), or (23)''.

(d) AUTHORITY TO DENY OR REVOKE PASSPORT.—

(1) DENIAL.—

(A) IN GENERAL.—Except as provided under subparagraph (B), upon receiving a certification described in section 7345 of the Internal Revenue Code of 1986 from the Secretary of the Treasury, the Secretary of State shall not issue a passport to any individual who has a seriously delinquent tax debt described in such section.

(B) EMERGENCY AND HUMANITARIAN SITUATIONS.—Notwithstanding subparagraph (A), the Secretary of State may issue a passport, in emergency circumstances or for humanitarian reasons, to an individual described in such subparagraph.

(2) REVOCATION.—

(A) IN GENERAL.—The Secretary of State may revoke a passport previously issued to any individual described in paragraph (1)(A).

(B) LIMITATION FOR RETURN TO UNITED STATES.—If the Secretary of State decides to revoke a passport under subparagraph (A), the Secretary of State, before revocation, may—

(i) limit a previously issued passport only for return travel to the United States; or

(ii) issue a limited passport that only permits return travel to the United States.

(3) HOLD HARMLESS.—The Secretary of the Treasury and the Secretary of State shall not be liable to an individual for any action with respect to a certification by the Commissioner of Internal Revenue under section 7345 of the Internal Revenue Code of 1986.

(e) REVOCATION OR DENIAL OF PASSPORT IN CASE OF INDIVIDUAL WITHOUT SOCIAL SECURITY ACCOUNT NUMBER.—

(1) DENIAL.—

(A) IN GENERAL.—Except as provided under subparagraph (B), upon receiving an application for a passport from an individual that either—

(i) does not include the social security account number issued to that individual, or

(ii) includes an incorrect or invalid social security number willfully, intentionally, negligently, or recklessly provided by such individual,

the Secretary of State is authorized to deny such application and is authorized to not issue a passport to the individual.

(B) EMERGENCY AND HUMANITARIAN SITUATIONS.—Notwithstanding subparagraph (A), the Secretary of State may issue a passport, in emergency circumstances or for humanitarian reasons, to an individual described in subparagraph (A).

(2) REVOCATION.—

(A) IN GENERAL.—The Secretary of State may revoke a passport previously issued to any individual described in paragraph (1)(A).

(B) LIMITATION FOR RETURN TO UNITED STATES.—If the Secretary of State decides to revoke a passport under subparagraph (A), the Secretary of State, before revocation, may—

(i) limit a previously issued passport only for return travel to the United States; or

(ii) issue a limited passport that only permits return travel to the United States.

(f) EFFECTIVE DATE.—The provisions of, and amendments made by, this section shall take effect on January 1, 2016.

SEC. 52103. CLARIFICATION OF 6-YEAR STATUTE OF LIMITATIONS IN CASE OF OVERSTATEMENT OF BASIS.

(a) IN GENERAL.—Subparagraph (B) of section 6501(e)(1) of the Internal Revenue Code of 1986 is amended—

(1) by striking ''and'' at the end of clause (i), by redesignating clause (ii) as clause (iii), and by inserting after clause (i) the following new clause:

''(ii) An understatement of gross income by reason of an overstatement of unrecovered cost or other basis is an omission from gross income; and'',

(2) by inserting ''(other than in the case of an overstatement of unrecovered cost or other basis)'' in clause (iii) (as so redesignated) after ''In determining the amount omitted from gross income'', and

(3) by inserting ''AMOUNT OMITTED FROM'' after ''DETERMINATION OF'' in the heading thereof.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to—

(1) returns filed after the date of the enactment of this Act, and

(2) returns filed on or before such date if the period specified in section 6501 of the Internal Revenue Code of 1986 (determined without regard to such amendments) for assessment of the taxes with respect to which such return relates has not expired as of such date.

SEC. 52104. ADDITIONAL INFORMATION ON RETURNS RELATING TO MORTGAGE INTEREST.

(a) IN GENERAL.—Paragraph (2) of section 6050H(b) of the Internal Revenue Code of 1986 is amended by striking ''and'' at the end of subparagraph (C), by redesignating subparagraph (D) as subparagraph (G), and by inserting after subparagraph (C) the following new subparagraphs:

''(D) the unpaid balance with respect to such mortgage at the close of the calendar year,

''(E) the address of the property securing such mortgage,

''(F) the date of the origination of such mortgage, and''.

(b) PAYEE STATEMENTS.—Subsection (d) of section 6050H of the Internal Revenue Code of 1986 is amended by striking ''and'' at the end of paragraph (1), by striking the period at the end of paragraph (2) and inserting '', and'', and by inserting after paragraph (2) the following new paragraph:

''(3) the information required to be included on the return under subparagraphs (D), (E), and (F) of subsection (b)(2).''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to returns and statements the due date for which (determined without regard to extensions) is after December 31, 2016.

SEC. 52105. RETURN DUE DATE MODIFICATIONS.

(a) NEW DUE DATE FOR PARTNERSHIP FORM 1065, S CORPORATION FORM 1120S, AND C CORPORATION FORM 1120.—

(1) PARTNERSHIPS.—

(A) IN GENERAL.—Section 6072 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

''(f) RETURNS OF PARTNERSHIPS.—Returns of partnerships under section 6031 made on the basis of the calendar year shall be filed on or before the 15th day of March following the close of the calendar year, and such returns made on the basis of a fiscal year shall be filed on or before the 15th day of the third month following the close of the fiscal year.''.

(B) CONFORMING AMENDMENT.—Section 6072(a) of such Code is amended by striking ''6017, or 6031'' and inserting ''or 6017''.

(2) S CORPORATIONS.—

(A) IN GENERAL.—So much of subsection (b) of section 6072 of the Internal Revenue Code of 1986 as precedes the second sentence thereof is amended to read as follows:

''(b) RETURNS OF CERTAIN CORPORATIONS.—Returns of S corporations under sections 6012 and 6037 made on the basis of the calendar year shall be filed on or before the 31st day of March following the close of the calendar year, and such returns made on the basis of a fiscal year shall be filed on or before the last day of the third month following the close of the fiscal year.''.

(B) CONFORMING AMENDMENTS.—

(i) Section 1362(b) of such Code is amended—

(I) by striking ''15th'' each place it appears and inserting ''last'',

(II) by striking ''2½'' each place it appears in the headings and the text and inserting ''3'', and

(III) by striking ''2 months and 15 days'' in paragraph (4) and inserting ''3 months''.

(ii) Section 1362(d)(1)(C)(i) of such Code is amended by striking ''15th'' and inserting ''last''.

(iii) Section 1362(d)(1)(C)(ii) of such Code is amended by striking ''such 15th day'' and inserting ''the last day of the 3d month thereof''.

(3) CONFORMING AMENDMENTS RELATING TO C CORPORATIONS.—

(A) Section 170(a)(2)(B) of such Code is amended by striking ''third month'' and inserting ''4th month''.

(B) Section 563 of such Code is amended by striking ''third month'' each place it appears and inserting ''4th month''.

(C) Section 1354(d)(1)(B)(i) of such Code is amended by striking ''3d month'' and inserting ''4th month''.

(D) Subsection (a) and (c) of section 6167 of such Code are each amended by striking ''third month'' and inserting ''4th month''.

(E) Section 6425(a)(1) of such Code is amended by striking ''third month'' and inserting ''4th month''.

(F) Section 6655 of such Code is amended—

(i) by striking ''3rd month'' each place it appears in subsections (b)(2)(A), (g)(3), and (h)(1) and inserting ''4th month'', and

(ii) in subsection (g)(4), by redesignating subparagraph (E) as subparagraph (F) and by inserting after subparagraph (D) the following new subparagraph:

''(E) Subsection (b)(2)(A) shall be applied by substituting 'the last day of the 3rd month' for 'the 15th day of the 4th month'.''.

(4) EFFECTIVE DATES.—

(A) IN GENERAL.—Except as otherwise provided in this paragraph, the amendments made by this subsection shall apply to returns for taxable years beginning after December 31, 2015.

(B) CONFORMING AMENDMENTS RELATING TO S CORPORATIONS.—The amendments made by paragraph (2)(B) shall apply with respect to elections for taxable years beginning after December 31, 2015.

(C) CONFORMING AMENDMENTS RELATING TO C CORPORATIONS.—The amendments made by paragraph (3) shall apply to taxable years beginning after December 31, 2015.

(5) SPECIAL RULE FOR CERTAIN C CORPORATION IN 2025.—In the case of a taxable year of a C Corporation ending on June 30, 2025, section 6072(a) of the Internal Revenue Code of 1986 shall be applied by substituting ''third month'' for ''fourth month''.

(b) MODIFICATION OF DUE DATES BY REGULATION.—In the case of returns for any taxable period beginning after December 31, 2015, the Secretary of the Treasury or the Secretary's delegate shall modify appropriate regulations to provide as follows:

(1) The maximum extension for the returns of partnerships filing Form 1065 shall be a 6-month period beginning on the due date for filing the return (without regard to any extensions).

(2) The maximum extension for the returns of trusts and estates filing Form 1041 shall be a 5½-month period beginning on the due date for filing the return (without regard to any extensions).

(3) The maximum extension for the returns of employee benefit plans filing Form 5500 shall be an automatic 3½-month period beginning on the due date for filing the return (without regard to any extensions).

(4) The maximum extension for the Forms 990 (series) returns of organizations exempt from income tax shall be an automatic 6-month period beginning on the due date for filing the return (without regard to any extensions).

(5) The maximum extension for the returns of organizations exempt from income tax that are required to file Form 4720 returns of excise taxes shall be an automatic 6-month period beginning on the due date for filing the return (without regard to any extensions).

(6) The maximum extension for the returns of trusts required to file Form 5227 shall be an automatic 6-month period beginning on the due date for filing the return (without regard to any extensions).

(7) The maximum extension for filing Form 6069, Return of Excise Tax on Excess Contributions to Black Lung Benefit Trust Under Section 4953 and Computation of Section 192 Deduction, shall be an automatic 6-month period beginning on the due date for filing the return (without regard to any extensions).

(8) The maximum extension for a taxpayer required to file Form 8870 shall be an automatic 6-month period beginning on the due date for filing the return (without regard to any extensions).

(9) The due date of Form 3520–A, Annual Information Return of a Foreign Trust with a United States Owner, shall be the 15th day of the 3rd month after the close of the trust's taxable year, and the maximum extension shall be a 6-month period beginning on such day.

(10) The due date of FinCEN Form 114 (relating to Report of Foreign Bank and Financial Accounts) shall be April 15 with a maximum extension for a 6-month period ending on October 15, and with provision for an extension under rules similar to the rules of 26 C.F.R. 1.6081–5. For any taxpayer required to file such form for the first time, the Secretary of the Treasury may waive any penalty for failure to timely request or file an extension.

(11) Taxpayers filing Form 3520, Annual Return to Report Transactions with Foreign Trusts and Receipt of Certain Foreign Gifts, shall be allowed to extend the time for filing such form separately from the income tax return of the taxpayer, for an automatic 6-month period beginning on the due date for filing the return (without regard to any extensions).

(c) CORPORATIONS PERMITTED STATUTORY AUTOMATIC 6-MONTH EXTENSION OF INCOME TAX RETURNS.—

(1) IN GENERAL.—Section 6081(b) of the Internal Revenue Code of 1986 is amended by striking ''3 months'' and inserting ''6 months''.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall apply to returns for taxable years beginning after December 31, 2015.

(3) SPECIAL RULE FOR CERTAIN C CORPORATIONS IN 2024.—In the case of any taxable year of a C corporation ending on December 31, 2024, subsections (a) and (b) of section 6081 of the Internal Revenue Code of 1986 shall each be applied to returns of income taxes under subtitle A by substituting ''5 months'' for ''6 months''.

SEC. 52106. SPECIAL COMPLIANCE PERSONNEL PROGRAM.

(a) IN GENERAL.—Subsection (c) of section 6306 of the Internal Revenue Code of 1986 is amended by striking ''for collection enforcement activities of the Internal Revenue Service'' in paragraph (2) and inserting ''to fund the special compliance personnel program account under section 6307''.

(b) SPECIAL COMPLIANCE PERSONNEL PROGRAM ACCOUNT.—Subchapter A of chapter 64 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

''SEC. 6307. SPECIAL COMPLIANCE PERSONNEL PROGRAM ACCOUNT.

''(a) ESTABLISHMENT OF A SPECIAL COMPLIANCE PERSONNEL PROGRAM ACCOUNT.—The Secretary shall establish an account within the Department for carrying out a program consisting of the hiring, training, and employment of special compliance personnel, and shall transfer to such account from time to time amounts retained by the Secretary under section 6306(c)(2).

''(b) RESTRICTIONS.—The program described in subsection (a) shall be subject to the following restrictions:

''(1) No funds shall be transferred to such account except as described in subsection (a).

''(2) No other funds from any other source shall be expended for special compliance personnel employed under such program, and no funds from such account shall be expended for the hiring of any personnel other than special compliance personnel.

''(3) Notwithstanding any other authority, the Secretary is prohibited from spending funds out of such account for any purpose other than for costs under such program associated with the employment of special compliance personnel and the retraining and reassignment of current noncollections personnel as special compliance personnel, and to reimburse the Internal Revenue Service or other government agencies for the cost of administering qualified tax collection contracts under section 6306.

''(c) REPORTING.—Not later than March of each year, the Commissioner of Internal Revenue shall submit a report to the Committees on Finance and Appropriations of the Senate and the Committees on Ways and Means and Appropriations of the House of Representatives consisting of the following:

''(1) For the preceding fiscal year, all funds received in the account established under subsection (a), administrative and program costs for the program described in such subsection, the number of special compliance personnel hired and employed under the program, and the amount of revenue actually collected by such personnel.

''(2) For the current fiscal year, all actual and estimated funds received or to be received in the account, all actual and estimated administrative and program costs, the number of all actual and estimated special compliance personnel hired and employed under the program, and the actual and estimated revenue actually collected or to be collected by such personnel.

''(3) For the following fiscal year, an estimate of all funds to be received in the account, all estimated administrative and program costs, the estimated number of special compliance personnel hired and employed under the program, and the estimated revenue to be collected by such personnel.

''(d) DEFINITIONS.—For purposes of this section—

''(1) SPECIAL COMPLIANCE PERSONNEL.—The term 'special compliance personnel' means individuals employed by the Internal Revenue Service as field function collection officers or in a similar position, or employed to collect taxes using the automated collection system or an equivalent replacement system.

''(2) PROGRAM COSTS.—The term 'program costs' means—

''(A) total salaries (including locality pay and bonuses), benefits, and employment taxes for special compliance personnel employed or trained under the program described in subsection (a), and

''(B) direct overhead costs, salaries, benefits, and employment taxes relating to support staff, rental payments, office equipment and furniture, travel, data processing services, vehicle costs, utilities, telecommunications, postage, printing and reproduction, supplies and materials, lands and structures, insurance claims, and indemnities for special compliance personnel hired and employed under this section.

For purposes of subparagraph (B), the cost of management and supervision of special compliance personnel shall be taken into account as direct overhead costs to the extent such costs, when included in total program costs under this paragraph, do not represent more than 10 percent of such total costs.''.

(c) CLERICAL AMENDMENT.—The table of sections for subchapter A of chapter 64 of the Internal Revenue Code of 1986 is amended by inserting after the item relating to section 6306 the following new item:

''Sec. 6307. Special compliance personnel program account.''.

(d) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to amounts collected and retained by the Secretary after the date of the enactment of this Act.

SEC. 52107. TRANSFERS OF EXCESS PENSION ASSETS TO RETIREE HEALTH ACCOUNTS.

(a) IN GENERAL.—Section 420(b)(4) of the Internal Revenue Code of 1986 is amended by striking ''December 31, 2021'' and inserting ''December 31, 2025''.

(b) CONFORMING ERISA AMENDMENTS.—

(1) Sections 101(e)(3), 403(c)(1), and 408(b)(13) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1021(e)(3), 1103(c)(1), 1108(b)(13)) are each amended by striking ''MAP-21'' and inserting ''DRIVE Act''.

(2) Section 408(b)(13) of such Act (29 U.S.C. 1108(b)(13)) is amended by striking ''January 1, 2022'' and inserting ''January 1, 2026''.

Subtitle B—Fees and Receipts

SEC. 52201. EXTENSION OF DEPOSITS OF SECURITY SERVICE FEES IN THE GENERAL FUND.

Section 44940(i)(4) of title 49, United States Code, is amended by adding at the end the following:

''(K) $1,750,000,000 for each of fiscal years 2024 and 2025.''.

SEC. 52202. ADJUSTMENT FOR INFLATION OF FEES FOR CERTAIN CUSTOMS SERVICES.

(a) IN GENERAL.—Section 13031 of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c) is amended by adding at the end the following:

''(l) ADJUSTMENT OF FEES FOR INFLATION.—

''(1) IN GENERAL.—The Secretary of the Treasury shall adjust the fees established under subsection (a), and the limitations on such fees under paragraphs (2), (3), (5), (6), (8), and (9) of subsection (b), on October 1, 2015, and annually thereafter, to reflect the percentage (if any) of the increase in the average of the Consumer Price Index for the preceding 12-month period compared to the Consumer Price Index for fiscal year 2014.

''(2) SPECIAL RULES FOR CALCULATION OF ADJUSTMENT.—In adjusting under paragraph (1) the amount of the fees established under subsection (a), and the limitations on such fees under paragraphs (2), (3), (5), (6), (8), and (9) of subsection (b), the Secretary—

''(A) shall round the amount of any increase in the Consumer Price Index to the nearest dollar; and

''(B) may ignore any such increase of less than 1 percent.

''(3) CONSUMER PRICE INDEX DEFINED.—For purposes of this subsection, the term 'Consumer Price Index' means the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor.''.

(b) DEPOSITS INTO CUSTOMS USER FEE ACCOUNT.—Section 13031(f) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(f)) is amended—

(1) in paragraph (1), in the matter preceding subparagraph (A), by striking ''all fees collected under subsection (a)'' and inserting ''the amount of fees collected under subsection (a) (determined without regard to any adjustment made under subsection (l))''; and

(2) in paragraph (3)(A), in the matter preceding clause (i)—

(A) by striking ''fees collected'' and inserting ''amount of fees collected''; and

(B) by striking '', each appropriation'' and inserting '', and determined without regard to any adjustment made under subsection (l)), each appropriation''.

(c) CONFORMING AMENDMENTS.—Section 13031 of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c), as amended by subsections (a) and (b), is further amended—

(1) in subsection (a), in the matter preceding paragraph (1), by inserting ''(subject to adjustment under subsection (l))'' after ''following fees''; and

(2) in subsection (b)—

(A) in paragraph (2), by inserting ''(subject to adjustment under subsection (l))'' after ''in fees'';

(B) in paragraph (3), by inserting ''(subject to adjustment under subsection (l))'' after ''in fees'';

(C) in paragraph (5)(A), by inserting ''(subject to adjustment under subsection (l))'' after ''in fees'';

(D) in paragraph (6), by inserting ''(subject to adjustment under subsection (l))'' after ''in fees'';

(E) in paragraph (8)(A)—

(i) in clause (i), by inserting ''or (l)'' after ''subsection (a)(9)(B)''; and

(ii) in clause (ii), by inserting ''(subject to adjustment under subsection (l))'' after ''$3''; and

(F) in paragraph (9)—

(i) in subparagraph (A)—

(I) in the matter preceding clause (i), by inserting ''and subject to adjustment under subsection (l)'' after ''Tariff Act of 1930''; and

(II) in clause (ii)(I), by inserting ''(subject to adjustment under subsection (l))'' after ''bill of lading''; and

(ii) in subparagraph (B)(i), by inserting ''(subject to adjustment under subsection (l))'' after ''bill of lading''.

SEC. 52203. DIVIDENDS AND SURPLUS FUNDS OF RESERVE BANKS.

Section 7(a)(1)(A) of the Federal Reserve Act (12 U.S.C. 289(a)(1)(A)) is amended by striking ''6 percent'' and inserting ''6 percent (1.5 percent in the case of a stockholder having total consolidated assets of more than $1,000,000,000 (determined as of September 30 of the preceding fiscal year))''.

SEC. 52204. STRATEGIC PETROLEUM RESERVE DRAWDOWN AND SALE.

(a) DRAWDOWN AND SALE.—

(1) IN GENERAL.—Notwithstanding section 161 of the Energy Policy and Conservation Act (42 U.S.C. 6241), except as provided in subsection (b), the Secretary of Energy shall drawdown and sell from the Strategic Petroleum Reserve—

(A) 4,000,000 barrels of crude oil during fiscal year 2018;

(B) 5,000,000 barrels of crude oil during fiscal year 2019;

(C) 8,000,000 barrels of crude oil during fiscal year 2020;

(D) 8,000,000 barrels of crude oil during fiscal year 2021;

(E) 10,000,000 barrels of crude oil during fiscal year 2022;

(F) 16,000,000 barrels of crude oil during fiscal year 2023;

(G) 25,000,000 barrels of crude oil during fiscal year 2024; and

(H) 25,000,000 barrels of crude oil during fiscal year 2025.

(2) DEPOSIT OF AMOUNTS RECEIVED FROM SALE.—Amounts received from a sale under paragraph (1) shall be deposited in the general fund of the Treasury during the fiscal year in which the sale occurs.

(b) EMERGENCY PROTECTION.—In any 1 fiscal year described in subsection (a)(1), the Secretary of Energy shall not drawdown and sell crude oil under this section in quantities that would result in a Strategic Petroleum Reserve that contains an inventory of petroleum products representing fewer than 90 days of emergency reserves, based on the average daily level of net imports of crude oil and petroleum products in the calendar year preceding that fiscal year.

Subtitle C—Outlays

SEC. 52301. INTEREST ON OVERPAYMENT.

Section 111 of the Federal Oil and Gas Royalty Management Act of 1982 (30 U.S.C. 1721) is amended—

(1) by striking subsections (h) and (i);

(2) by redesignating subsections (j) through (l) as subsections (h) through (j), respectively; and

(3) in subsection (h) (as so redesignated), by striking the fourth sentence.

Subtitle D—Corporate Tax Dodging Prevention

SEC. 52401. DEFERRAL OF ACTIVE INCOME OF CONTROLLED FOREIGN CORPORATIONS.

Section 952 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

''(e) SPECIAL APPLICATION OF SUBPART.—

''(1) IN GENERAL.—For taxable years beginning after December 31, 2015, notwithstanding any other provision of this subpart, the term 'subpart F income' means, in the case of any controlled foreign corporation, the income of such corporation derived from any foreign country.

''(2) APPLICABLE RULES.—Rules similar to the rules under the last sentence of subsection (a) and subsection (d) shall apply to this subsection.''.

SEC. 52402. MODIFICATIONS OF FOREIGN TAX CREDIT RULES APPLICABLE TO LARGE INTEGRATED OIL COMPANIES WHICH ARE DUAL CAPACITY TAXPAYERS.

(a) IN GENERAL.—Section 901 of the Internal Revenue Code of 1986 is amended by redesignating subsection (n) as subsection (o) and by inserting after subsection (m) the following new subsection:

''(n) SPECIAL RULES RELATING TO LARGE INTEGRATED OIL COMPANIES WHICH ARE DUAL CAPACITY TAXPAYERS.—

''(1) GENERAL RULE.—Notwithstanding any other provision of this chapter, any amount paid or accrued by a dual capacity taxpayer which is a large integrated oil company to a foreign country or possession of the United States for any period shall not be considered a tax—

''(A) if, for such period, the foreign country or possession does not impose a generally applicable income tax, or

''(B) to the extent such amount exceeds the amount (determined in accordance with regulations) which—

''(i) is paid by such dual capacity taxpayer pursuant to the generally applicable income tax imposed by the country or possession, or

''(ii) would be paid if the generally applicable income tax imposed by the country or possession were applicable to such dual capacity taxpayer.

Nothing in this paragraph shall be construed to imply the proper treatment of any such amount not in excess of the amount determined under subparagraph (B).

''(2) DUAL CAPACITY TAXPAYER.—For purposes of this subsection, the term 'dual capacity taxpayer' means, with respect to any foreign country or possession of the United States, a person who—

''(A) is subject to a levy of such country or possession, and

''(B) receives (or will receive) directly or indirectly a specific economic benefit (as determined in accordance with regulations) from such country or possession.

''(3) GENERALLY APPLICABLE INCOME TAX.—For purposes of this subsection—

''(A) IN GENERAL.—The term 'generally applicable income tax' means an income tax (or a series of income taxes) which is generally imposed under the laws of a foreign country or possession on income derived from the conduct of a trade or business within such country or possession.

''(B) EXCEPTIONS.—Such term shall not include a tax unless it has substantial application, by its terms and in practice, to—

''(i) persons who are not dual capacity taxpayers, and

''(ii) persons who are citizens or residents of the foreign country or possession.

''(4) LARGE INTEGRATED OIL COMPANY.—For purposes of this subsection, the term 'large integrated oil company' means, with respect to any taxable year, an integrated oil company (as defined in section 291(b)(4)) which—

''(A) had gross receipts in excess of $1,000,000,000 for such taxable year, and

''(B) has an average daily worldwide production of crude oil of at least 500,000 barrels for such taxable year.''.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall apply to taxes paid or accrued in taxable years beginning after the date of the enactment of this Act.

(2) CONTRARY TREATY OBLIGATIONS UPHELD.—The amendments made by this section shall not apply to the extent contrary to any treaty obligation of the United States.

SEC. 52403. REINSTITUTION OF PER COUNTRY FOREIGN TAX CREDIT.

(a) IN GENERAL.—Subsection (a) of section 904 of the Internal Revenue Code of 1986 is amended to read as follows:

''(a) LIMITATION.—The amount of the credit in respect of the tax paid or accrued to any foreign country or possession of the United States shall not exceed the same proportion of the tax against which such credit is taken which the taxpayer's taxable income from sources within such country or possession (but not in excess of the taxpayer's entire taxable income) bears to such taxpayer's entire taxable income for the same taxable year.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2015.

SEC. 52404. TREATMENT OF FOREIGN CORPORATIONS MANAGED AND CONTROLLED IN THE UNITED STATES AS DOMESTIC CORPORATIONS.

(a) IN GENERAL.—Section 7701 of the Internal Revenue Code of 1986 is amended by redesignating subsection (p) as subsection (q) and by inserting after subsection (o) the following new subsection:

''(p) CERTAIN CORPORATIONS MANAGED AND CONTROLLED IN THE UNITED STATES TREATED AS DOMESTIC FOR INCOME TAX.—

''(1) IN GENERAL.—Notwithstanding subsection (a)(4), in the case of a corporation described in paragraph (2) if—

''(A) the corporation would not otherwise be treated as a domestic corporation for purposes of this title, but

''(B) the management and control of the corporation occurs, directly or indirectly, primarily within the United States,

then, solely for purposes of chapter 1 (and any other provision of this title relating to chapter 1), the corporation shall be treated as a domestic corporation.

''(2) CORPORATION DESCRIBED.—

''(A) IN GENERAL.—A corporation is described in this paragraph if—

''(i) the stock of such corporation is regularly traded on an established securities market, or

''(ii) the aggregate gross assets of such corporation (or any predecessor thereof), including assets under management for investors, whether held directly or indirectly, at any time during the taxable year or any preceding taxable year is $50,000,000 or more.

''(B) GENERAL EXCEPTION.—A corporation shall not be treated as described in this paragraph if—

''(i) such corporation was treated as a corporation described in this paragraph in a preceding taxable year,

''(ii) such corporation—

''(I) is not regularly traded on an established securities market, and

''(II) has, and is reasonably expected to continue to have, aggregate gross assets (including assets under management for investors, whether held directly or indirectly) of less than $50,000,000, and

''(iii) the Secretary grants a waiver to such corporation under this subparagraph.

''(3) MANAGEMENT AND CONTROL.—

''(A) IN GENERAL.—The Secretary shall prescribe regulations for purposes of determining cases in which the management and control of a corporation is to be treated as occurring primarily within the United States.

''(B) EXECUTIVE OFFICERS AND SENIOR MANAGEMENT.—Such regulations shall provide that—

''(i) the management and control of a corporation shall be treated as occurring primarily within the United States if substantially all of the executive officers and senior

management of the corporation who exercise day-to-day responsibility for making decisions involving strategic, financial, and operational policies of the corporation are located primarily within the United States, and

''(ii) individuals who are not executive officers and senior management of the corporation (including individuals who are officers or employees of other corporations in the same chain of corporations as the corporation) shall be treated as executive officers and senior management if such individuals exercise the day-to-day responsibilities of the corporation described in clause (i).

''(C) CORPORATIONS PRIMARILY HOLDING INVESTMENT ASSETS.—Such regulations shall also provide that the management and control of a corporation shall be treated as occurring primarily within the United States if—

''(i) the assets of such corporation (directly or indirectly) consist primarily of assets being managed on behalf of investors, and

''(ii) decisions about how to invest the assets are made in the United States.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning on or after the date which is 2 years after the date of the enactment of this Act.

SEC. 52405. RESTRICTIONS ON DEDUCTION FOR INTEREST EXPENSE OF MEMBERS OF FINANCIAL REPORTING GROUPS WITH EXCESS DOMESTIC INDEBTEDNESS.

(a) IN GENERAL.—Section 163 of the Internal Revenue Code of 1986 is amended by redesignating subsection (n) as subsection (o) and by inserting after subsection (m) the following new subsection:

''(n) RESTRICTION ON DEDUCTION FOR INTEREST EXPENSE OF MEMBERS OF FINANCIAL REPORTING GROUPS WITH EXCESS DOMESTIC INDEBTEDNESS.—

''(1) IN GENERAL.—In the case of any corporation which is a member of an applicable financial reporting group the common parent of which is a foreign corporation, the deduction allowed under this chapter for interest paid or accrued by the corporation during the taxable year shall not exceed the applicable limitation for the taxable year.

''(2) CARRYFORWARD.—Any amount disallowed under paragraph (1) for any taxable year shall be treated as interest paid or accrued in the succeeding taxable year.

''(3) APPLICABLE LIMITATION.—For purposes of this subsection—

''(A) IN GENERAL.—The applicable limitation with respect to a taxpayer for any taxable year is the sum of—

''(i) the greater of—

''(I) the taxpayer's allocable share of the applicable financial reporting group's net interest expense for the taxable year, or

''(II) 10 percent of the taxpayer's adjusted taxable income for the taxable year, plus

''(ii) the excess limitation carryforwards to the taxable year from any preceding taxable year.

''(B) LIMITATION NOT LESS THAN INCLUDIBLE INTEREST.—The applicable limitation under subparagraph (A) for any taxable year shall not be less than the amount of interest includible in the gross income of the taxpayer for the taxable year.

''(C) EXCESS LIMITATION CARRYFORWARD.—If the applicable limitation of a taxpayer for any taxable year (determined without regard to carryforwards under subparagraph (A)(ii)) exceeds the interest paid or accrued by the taxpayer during the taxable year, such excess shall be an excess limitation carryforward to the 1st succeeding taxable year and the 2nd and 3rd succeeding taxable years to the extent not previously taken into account under this paragraph.

''(4) ALLOCABLE SHARE OF NET INTEREST EXPENSE.—For purposes of this subsection—

''(A) IN GENERAL.—A taxpayer's allocable share of an applicable financial reporting group's net interest expense for any taxable year shall be the amount (not less than zero) which bears the same ratio to such net interest expense as—

''(i) the net earnings of the taxpayer, bears to

''(ii) the aggregate net earnings of all members of the applicable financial reporting group.

''(B) NET EARNINGS.—The term 'net earnings' means, with respect to any taxpayer, the earnings of the taxpayer—

''(i) computed without regard to any reduction allowable for—

''(I) net interest expense,

''(II) taxes, or

''(III) depreciation, amortization, or depletion, and

''(ii) computed with such other adjustments as the Secretary may by regulations prescribe.

''(C) BURDEN ON TAXPAYER.—If a taxpayer elects not to compute its allocable share, or fails to establish to the satisfaction of the Secretary the amount of its allocable share, for any taxable year, the allocable share shall be zero.

''(5) NET INTEREST EXPENSE AND NET EARNINGS DETERMINATIONS.—For purposes of this subsection—

''(A) NET INTEREST EXPENSE.—Any determination of net interest expense for any taxable year shall be made—

''(i) on the basis of the applicable financial statement of the applicable financial reporting group for the last financial reporting year ending with or within the taxable year, and

''(ii) under United States tax principles.

''(B) NET EARNINGS.—Any determination of net earnings for any taxable year shall be made on the basis of the applicable financial statement of the applicable financial reporting group for the last financial reporting year ending with or within the taxable year.

''(C) APPLICABLE FINANCIAL STATEMENT.—The term 'applicable financial statement' means a statement for financial reporting purposes which is made on the basis of—

''(i) generally accepted accounting principles,

''(ii) international financial reporting standards, or

''(iii) any other method specified by the Secretary in regulations.

A statement under clause (ii) or (iii) may be used as an applicable financial statement by a group only if there is no statement of the group under any preceding clause.

''(6) APPLICABLE FINANCIAL REPORTING GROUP.—For purposes of this subsection—

''(A) IN GENERAL.—The term 'applicable financial reporting group' means, with respect to any corporation, a group of which such corporation is a member and which files an applicable financial statement.

''(B) EXCEPTION FOR GROUPS WITH MINIMAL DOMESTIC NET INTEREST EXPENSE.—Such term shall not include a group if the aggregate net interest expense for which a deduction is allowable to all members of the group under this chapter (determined without regard to this subsection or any other limitation on deductibility of interest under this chapter) is less than $5,000,000.

''(C) EXCEPTION FOR CERTAIN FINANCIAL ENTITIES.—A corporation which is described in section 864(f)(4)(B), or is treated as described in section 864(f)(4)(B) by reason of paragraph (4)(C) or (5)(A) of section 864(f) (without regard to whether an election is made under such paragraph (5)(A)), shall not be treated as a member of an applicable financial reporting group of which it is otherwise a member and this subsection shall not apply to such corporation.

''(7) OTHER DEFINITIONS AND RULES.—For purposes of this subsection—

''(A) ADJUSTED TAXABLE INCOME.—The term 'adjusted taxable income' has the meaning given such term by subsection (j)(6)(A).

''(B) NET INTEREST EXPENSE.—The term 'net interest expense' has the meaning given such term by subsection (j)(6)(B).

''(C) TREATMENT OF AFFILIATED GROUP.—All members of the same affiliated group (within the meaning of section 1504(a)) shall be treated as 1 taxpayer.

''(8) REGULATIONS.—The Secretary shall prescribe such regulations as may be necessary to carry out the purposes of this section, including regulations providing—

''(A) for the coordination of the application of this subsection and other provisions of this chapter relating to the deductibility of interest,

''(B) for the waiver of certain adjustments required under United States tax principles in appropriate cases for purposes of applying this subsection,

''(C) for the determination of which financial institutions are eligible for the exception from membership in an applicable financial reporting group under paragraph (6)(C) and the application of this subsection to the other members of the group which are not so excepted, and

''(D) for the application of this subsection in the case of pass thru entities and for the treatment of pass thru entities as corporations in cases where necessary to prevent the avoidance of the purposes of this subsection.''.

(b) COORDINATION WITH LIMITATION ON RELATED PARTY INDEBTEDNESS.—Paragraph (2) of section 163(j) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

''(D) COORDINATION WITH LIMITATION ON EXCESS DOMESTIC INDEBTEDNESS.—This subsection shall not apply to any corporation for any taxable year to which subsection (n) applies to such corporation.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2015.

SEC. 52406. MODIFICATIONS TO RULES RELATING TO INVERTED CORPORATIONS.

(a) IN GENERAL.—Subsection (b) of section 7874 of the Internal Revenue Code of 1986 is amended to read as follows:

''(b) INVERTED CORPORATIONS TREATED AS DOMESTIC CORPORATIONS.—

''(1) IN GENERAL.—Notwithstanding section 7701(a)(4), a foreign corporation shall be treated for purposes of this title as a domestic corporation if—

''(A) such corporation would be a surrogate foreign corporation if subsection (a)(2) were applied by substituting '80 percent' for '60 percent', or

''(B) such corporation is an inverted domestic corporation.

''(2) INVERTED DOMESTIC CORPORATION.—For purposes of this subsection, a foreign corporation shall be treated as an inverted domestic corporation if, pursuant to a plan (or a series of related transactions)—

''(A) the entity completes after May 8, 2014, the direct or indirect acquisition of—

''(i) substantially all of the properties held directly or indirectly by a domestic corporation, or

''(ii) substantially all of the assets of, or substantially all of the properties constituting a trade or business of, a domestic partnership, and

''(B) after the acquisition, more than 50 percent of the stock (by vote or value) of the entity is held—

''(i) in the case of an acquisition with respect to a domestic corporation, by former shareholders of the domestic corporation by reason of holding stock in the domestic corporation, or

''(ii) in the case of an acquisition with respect to a domestic partnership, by former partners of the domestic partnership by reason of holding a capital or profits interest in the domestic partnership.

''(3) EXCEPTION FOR CORPORATIONS WITH SUBSTANTIAL BUSINESS ACTIVITIES IN FOREIGN COUNTRY OF ORGANIZATION.—A foreign corporation described in paragraph (2) shall not be treated as an inverted domestic corporation if after the acquisition the expanded affiliated group which includes the entity has substantial business activities in the foreign country in which or under the law of which the entity is created or organized when compared to the total business activities of such expanded affiliated group. For purposes of subsection (a)(2)(B)(iii) and the preceding sentence, the term 'substantial business activities' shall have the meaning given such term under regulations in effect on May 8, 2014, except that the Secretary may issue regulations increasing the threshold percent in any of the tests under such regulations for determining if business activities constitute substantial business activities for purposes of this paragraph.''.

(b) CONFORMING AMENDMENTS.—

(1) Clause (i) of section 7874(a)(2)(B) of the Internal Revenue Code of 1986 is amended by striking ''after March 4, 2003,'' and inserting ''after March 4, 2003, and before May 9, 2014,''.

(2) Subsection (c) of section 7874 of such Code is amended—

(A) in paragraph (2)—

(i) by striking ''subsection (a)(2)(B)(ii)'' and inserting ''subsections (a)(2)(B)(ii) and (b)(2)(B)'', and

(ii) by inserting ''or (b)(2)(A)'' after ''(a)(2)(B)(i)'' in subparagraph (B),

(B) in paragraph (3), by inserting ''or (b)(2)(B), as the case may be,'' after ''(a)(2)(B)(ii)'',

(C) in paragraph (5), by striking ''subsection (a)(2)(B)(ii)'' and inserting ''subsections (a)(2)(B)(ii) and (b)(2)(B)'', and

(D) in paragraph (6), by inserting ''or inverted domestic corporation, as the case may be,'' after ''surrogate foreign corporation''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years ending after May 8, 2014.

TITLE LIII—ADDITIONAL SPENDING AUTHORIZATION

SEC. 53101. ADDITIONAL SPENDING AUTHORIZATION.

Notwithstanding any provision of this Act or any amendment made by this Act, any amount authorized to be expended under this Act or any amendment made by this Act shall be increased by 50 percent of such amount.

SA 2441. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 2327 submitted by Mr. KIRK (for himself, Mr. GRAHAM, Mr. BLUNT, Ms. AYOTTE, Ms. HEITKAMP, Mr. MANCHIN, Mr. DONNELLY, Mr. WARNER, Ms. KLOBUCHAR, and Ms. CANTWELL) to the amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle D of the amendment, add the following:

SEC. ___43. MODIFICATIONS TO AUTHORITY OF EXPORT-IMPORT BANK OF THE UNITED STATES.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Export-Import Bank of the United States should be a lender of last resort and should take appropriate measures to ensure it does not compete with any private United States entity.

(b) DEFINITIONS OF SMALL BUSINESS CONCERN.—Section 2(b)(1)(E) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(1)(E)) is amended by adding at the end the following:

''(xi) In this Act, the terms 'small business' and 'small business concern' mean a small business concern (as defined under section 3 of the Small Business Act (15 U.S.C. 632)).''.

(c) PROHIBITION ON FINANCING FOR STATE-OWNED ENTITIES.—Section 2 of the Export-Import Bank Act of 1945 (12 U.S.C. 635) is amended by adding at the end the following:

''(k) PROHIBITION ON FINANCING FOR STATE-OWNED ENTITIES.—The Bank may not guarantee, insure, extend credit for, or participate in an extension of credit for a transaction for an entity that is owned or controlled by the government of a foreign country.''.

(d) LIMITATION ON LOAN GUARANTEES.—Section 2 of the Export-Import Bank Act of 1945 (12 U.S.C. 635), as amended by subsection (c), is further amended by adding at the end the following:

''(l) LIMITATION ON LOAN GUARANTEES.—

''(1) IN GENERAL.—Except as provided by paragraph (2), loan guarantees provided by the Bank may not—

''(A) cover default for commercial risk; or

''(B) cover more than 50 percent of a loss.

''(2) EXCEPTION FOR SMALL BUSINESS CONCERNS.—The limitations in paragraph (1) shall not apply with respect to loan guarantees for the exportation of goods or services produced by an entity that is a small business concern and is organized under the laws of the United States or any jurisdiction within the United States.''.

(e) PROHIBITION ON FINANCING FOR HIGH-INCOME COUNTRIES.—Section 2 of the Export-Import Bank Act of 1945 (12 U.S.C. 635), as amended by subsections (c) and (d), is further amended by adding at the end the following:

''(m) PROHIBITION ON FINANCING FOR HIGH-INCOME COUNTRIES.—The Bank may not guarantee, insure, extend credit for, or participate in an extension of credit for the exportation of goods or services to a country that has a high-income economy, as determined by the World Bank Group, unless the producer of the goods or services is a small business concern and is organized under the laws of the United States or any jurisdiction within the United States.''.

(f) PROHIBITION ON PROVISION OF DIRECT LOANS.—Section 2 of the Export-Import Bank Act of 1945 (12 U.S.C. 635), as amended by subsections (c), (d), and (e), is further amended by adding at the end the following:

''(n) PROHIBITION ON PROVISION OF DIRECT LOANS.—Notwithstanding any other provision of this Act or any other provision of law, the Bank may not provide direct loans for the exportation of goods or services unless the producer of the goods or services is a small business concern and is organized under the laws of the United States or any jurisdiction within the United States.''.

SA 2442. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 2327 submitted by Mr. KIRK (for himself, Mr. GRAHAM, Mr. BLUNT, Ms. AYOTTE, Ms. HEITKAMP, Mr. MANCHIN, Mr. DONNELLY, Mr. WARNER, Ms. KLOBUCHAR, and Ms. CANTWELL) to the amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle D of the amendment, add the following:

SEC. ___43. MODIFICATION OF DEFINITION OF SMALL BUSINESS CONCERN USED BY THE EXPORT-IMPORT BANK OF THE UNITED STATES.

Section 2(b)(1)(E) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(1)(E)) is amended by adding at the end the following:

''(xi) In this Act, the terms 'small business' and 'small business concern' mean a small business concern (as defined under section 3 of the Small Business Act (15 U.S.C. 632)).''.

SA 2443. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 2327 submitted by Mr. KIRK (for himself, Mr. GRAHAM, Mr. BLUNT, Ms. AYOTTE, Ms. HEITKAMP, Mr. MANCHIN, Mr. DONNELLY, Mr. WARNER, Ms. KLOBUCHAR, and Ms. CANTWELL) to the amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle E of the amendment, add the following:

SEC. ___54. PROHIBITION ON BANK FINANCING FOR STATE-OWNED ENTITIES.

Section 2 of the Export-Import Bank Act of 1945 (12 U.S.C. 635), as amended by section ___51, is further amended by adding at the end the following:

''(l) PROHIBITION ON FINANCING FOR STATE-OWNED ENTITIES.—The Bank may not guarantee, insure, extend credit for, or participate in an extension of credit for a transaction for an entity that is owned or controlled by the government of a foreign country.''.

SA 2444. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 2327 submitted by Mr. KIRK (for himself, Mr. GRAHAM, Mr. BLUNT, Ms. AYOTTE, Ms. HEITKAMP, Mr. MANCHIN, Mr. DONNELLY, Mr. WARNER, Ms. KLOBUCHAR, and Ms. CANTWELL) to the amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle E of the amendment, add the following:

SEC. ___54. LIMITATION ON LOAN GUARANTEES.

Section 2 of the Export-Import Bank Act of 1945 (12 U.S.C. 635), as amended by section ___51, is further amended by adding at the end the following:

''(l) LIMITATION ON LOAN GUARANTEES.—

''(1) IN GENERAL.—Except as provided by paragraph (2), loan guarantees provided by the Bank may not—

''(A) cover default for commercial risk; or

''(B) cover more than 50 percent of a loss.

''(2) EXCEPTION FOR SMALL BUSINESS CONCERNS.—The limitations in paragraph (1) shall not apply with respect to loan guarantees for the exportation of goods or services produced by an entity that is a small business concern (as defined under section 3 of the Small Business Act (15 U.S.C. 632)) and is organized under the laws of the United States or any jurisdiction within the United States.''.

SA 2445. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 2327 submitted by Mr. KIRK (for himself, Mr. GRAHAM, Mr. BLUNT, Ms. AYOTTE, Ms. HEITKAMP, Mr. MANCHIN, Mr. DONNELLY, Mr. WARNER, Ms. KLOBUCHAR, and Ms. CANTWELL) to the amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle E of the amendment, add the following:

SEC. ___54. PROHIBITION ON BANK FINANCING FOR HIGH-INCOME ECONOMIES.

Section 2 of the Export-Import Bank Act of 1945 (12 U.S.C. 635), as amended by section ___51, is further amended by adding at the end the following:

''(l) PROHIBITION ON FINANCING FOR HIGH-INCOME ECONOMIES.—The Bank may not guarantee, insure, extend credit for, or participate in an extension of credit for the exportation of goods or services to a country that has a high-income economy, as determined by the World Bank Group, unless the producer of the goods or services is a small business concern (as defined under section 3 of the Small Business Act (15 U.S.C. 632)) and is organized under the laws of the United States or any jurisdiction within the United States.''.

SA 2446. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 2327 submitted by Mr. KIRK (for himself, Mr. GRAHAM, Mr. BLUNT, Ms. AYOTTE, Ms. HEITKAMP, Mr. MANCHIN, Mr. DONNELLY, Mr. WARNER, Ms. KLOBUCHAR, and Ms. CANTWELL) to the amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle E of the amendment, add the following:

SEC. ___54. PROHIBITION ON PROVISION OF DIRECT LOANS.

Section 2 of the Export-Import Bank Act of 1945 (12 U.S.C. 635), as amended by section ___51, is further amended by adding at the end the following:

''(l) PROHIBITION ON PROVISION OF DIRECT LOANS.—Notwithstanding any other provision of this Act or any other provision of law, the Bank may not provide direct loans for the exportation of goods or services unless the producer of the goods or services is a small business concern (as defined under section 3 of the Small Business Act (15 U.S.C. 632)) and is organized under the laws of the United States or any jurisdiction within the United States.''.

SA 2447. Mr. PORTMAN submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. DIRECT FEDERAL-AID HIGHWAY PROGRAM.

(a) IN GENERAL.—Chapter 1 of title 23, United States Code, is amended by inserting after section 610 the following:

''§ 611. Direct Federal-aid highway program

''(a) ELECTION BY STATE NOT TO PARTICIPATE.—Notwithstanding any other provision of law, a State may elect not to participate in any Federal program relating to highways, including a Federal highway program under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (Public Law 109–59; 119 Stat. 1144), the Moving Ahead for Progress in the 21st Century Act (Public Law 112–141; 126 Stat. 405), the DRIVE Act, this title, or title 49.

''(b) DIRECT FEDERAL-AID HIGHWAY PROGRAM.—

''(1) IN GENERAL.—Beginning in fiscal year 2015, the Secretary shall carry out a direct Federal-aid highway program in accordance with the requirements of this section under which the legislature of a State may elect, not fewer than 90 days before the beginning of a fiscal year—

''(A) to waive the right of the State to receive amounts apportioned or allocated to the State under the Federal-aid highway program for the fiscal year to which the election relates; and

''(B) to receive an amount for that fiscal year that is determined in accordance with subsection (e) for that fiscal year.

''(2) EFFECT.—On making an election under paragraph (1), a State—

''(A) assumes all Federal obligations relating to each program that is the subject of the election; and

''(B) shall fulfill those obligations using the amounts transferred to the State under subsection (e).

''(c) STATE RESPONSIBILITY.—

''(1) IN GENERAL.—The Governor of a State making an election under subsection (b) shall—

''(A) agree to maintain the Interstate System in accordance with the current Interstate System program;

''(B) submit a plan to the Secretary describing—

''(i) the purposes, projects, and uses to which amounts received under the program will be put; and

''(ii) which programmatic requirements of this title the State elects to continue;

''(C) agree to obligate or expend amounts received under the direct Federal-aid highway program exclusively for projects that would be eligible for funding under section 133(b) if the State was not participating in the program; and

''(D) agree to report annually to the Secretary on the use of amounts received under the direct Federal-aid highway program and to make the report available to the public in an easily accessible format.

''(2) NO FEDERAL LIMITATION ON USE OF FUNDS.—Except as provided in paragraph (1), the expenditure or obligation of funds received by a State under the direct Federal-aid highway program shall not be subject to any Federal regulation under this title (except for this section), title 49, or any other Federal law.

''(3) ELECTION IRREVOCABLE.—An election under subsection (b) shall be irrevocable during the applicable fiscal year.

''(d) EFFECT ON PREEXISTING COMMITMENTS.—The making of an election under subsection (b) shall not affect any responsibility or commitment of the State under this title for any fiscal year with respect to—

''(1) a project or program funded under this title (other than under this section); or

''(2) any project or program funded under this title in any fiscal year for which an election under subsection (b) is not in effect.

''(e) TRANSFERS.—

''(1) IN GENERAL.—The amount to be transferred to a State under the direct Federal-aid highway program for a fiscal year shall be the portion of the taxes appropriated to the Highway Trust Fund under section 9503 of the Internal Revenue Code of 1986, other than for the Mass Transit Account, for that fiscal year that is attributable to highway users in that State during that fiscal year, reduced by a pro rata share withheld by the Secretary to fund contract authority for programs of the National Highway Traffic Safety Administration and the Federal Motor Carrier Safety Administration.

''(2) TRANSFERS UNDER PROGRAM.—

''(A) IN GENERAL.—Transfers under the program—

''(i) shall be made at the same time as deposits to the Highway Trust Fund are made by the Secretary of the Treasury; and

''(ii) shall be made on the basis of estimates by the Secretary, in consultation with the Secretary of the Treasury, based on the most recent data available, and proper adjustments shall be made in amounts subsequently transferred to the extent prior estimates were in excess of, or less than, the amounts required to be transferred.

''(B) LIMITATION.—

''(i) IN GENERAL.—An adjustment under subparagraph (A)(ii) to any transfer may not exceed 5 percent of the transferred amount to which the adjustment relates.

''(ii) ADJUSTMENT GREATER THAN 5 PERCENT.—If the adjustment required under subparagraph (A)(ii) exceeds the percentage described in clause (i), the excess shall be taken into account in making subsequent adjustments under subparagraph (A)(ii).

''(f) APPLICATION WITH OTHER AUTHORITY.—Any contract authority under this chapter (and any obligation limitation) authorized for a State for a fiscal year for which an election by that State is in effect under subsection (b)—

''(1) shall be rescinded or canceled; and

''(2) shall not be reallocated or distributed to any other State under the Federal-aid highway program.

''(g) MAINTENANCE OF EFFORT.—

''(1) IN GENERAL.—Not later than 30 days after the date on which an amount is distributed to a State or State agency under the State Highway Flexibility Act or an amendment made by that Act, the Governor of the State shall certify to the Secretary that the State will maintain the effort of the State with regard to State funding for the types of projects that are funded by the amounts.

''(2) AMOUNTS.—As part of the certification, the Governor shall submit to the Secretary a statement identifying the amount of funds the State plans to expend from State sources during the covered period, for the types of projects that are funded by the amounts.

''(h) TREATMENT OF GENERAL REVENUES.—For purposes of this section, any general revenue funds appropriated to the Highway Trust Fund shall be transferred to a State under the program in the manner described in subsection (e)(1).''.

(b) CONFORMING AMENDMENT.—The analysis for title 23, United States Code, is amended by inserting after the item relating to section 610 the following:

''611. Direct Federal-aid highway program.''.

SEC. _____. ALTERNATIVE FUNDING OF PUBLIC TRANSPORTATION PROGRAMS.

(a) IN GENERAL.—Chapter 53 of title 49, United States Code, is amended by adding at the end the following:

''§ 5341. Alternative funding of public transportation programs

''(a) DEFINITIONS.—In this section—

''(1) ALTERNATIVE FUNDING PROGRAM.—The term 'alternative funding program' means the program established under subsection (c).

''(2) COVERED PROGRAMS.—The term 'covered programs' means the programs authorized under—

''(A) sections 5305, 5307, 5309, 5310, 5311, 5335, 5339, and 5340; and

''(B) section 3038 of the Federal Transit Act of 1998 (49 U.S.C. 5310 note).

''(b) ELECTION BY STATE NOT TO PARTICIPATE.—

''(1) IN GENERAL.—Notwithstanding any other provision of law, a State may elect not to participate in all Federal programs relating to public transportation funded under the Mass Transit Account of the Highway Trust Fund, including the Federal public transportation programs under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (Public Law 109–59; 119 Stat. 1144), the Moving Ahead for Progress in the 21st Century Act (Public Law 112–141; 126 Stat. 405), the DRIVE Act, title 23, or this title.

''(2) EFFECT.—On making an election under paragraph (1), a State—

''(A) assumes all Federal obligations relating to each program that is the subject of the election; and

''(B) shall fulfill those obligations using the amounts transferred to the State under subsection (e).

''(c) PUBLIC TRANSPORTATION PROGRAM.—

''(1) PROGRAM ESTABLISHED.—Beginning in fiscal year 2015, the Secretary shall carry out an alternative funding program under which the legislature of a State may elect, not fewer than 90 days before the beginning of a fiscal year—

''(A) to waive the right of the State to receive amounts apportioned or allocated to the State under the covered programs for the fiscal year to which the election relates; and

''(B) to receive an amount for that fiscal year that is determined in accordance with subsection (e).

''(2) PROGRAM REQUIREMENTS.—

''(A) IN GENERAL.—The Governor of a State that participates in the alternative funding program shall—

''(i) submit a plan to the Secretary describing—

''(I) the purposes, projects, and uses to which amounts received under the alternative funding program will be put; and

''(II) which programmatic requirements of this title the State elects to continue;

''(ii) agree to obligate or expend amounts received under the alternative funding program exclusively for projects that would be eligible for funding under the covered programs if the State was not participating in the alternative funding program; and

''(iii) submit to the Secretary an annual report on the use of amounts received under the alternative funding program, and to make the report available to the public in an easily accessible format.

''(B) NO FEDERAL LIMITATION ON USE OF FUNDS.—Except as provided in subparagraph (A), the expenditure or obligation of funds received by a State under the alternative funding program shall not be subject to the provisions of this title (except for this section), title 23, or any other Federal law.

''(3) ELECTION IRREVOCABLE.—An election under paragraph (1) shall be irrevocable during the applicable fiscal year.

''(d) EFFECT ON PREEXISTING COMMITMENTS.—Participation in the alternative funding program shall not affect any responsibility or commitment of the State under this title for any fiscal year with respect to—

''(1) a project or program funded under this title (other than under this section); or

''(2) any project or program funded under this title in any fiscal year for which the State elects not to participate in the alternative funding program.

''(e) TRANSFERS.—

''(1) IN GENERAL.—The amount to be transferred to a State under the alternative funding program for a fiscal year shall be the portion of the taxes transferred to the Mass Transit Account of the Highway Trust Fund under section 9503(e) of the Internal Revenue Code of 1986, for that fiscal year, that is attributable to highway users in that State during that fiscal year.

''(2) TRANSFERS.—

''(A) IN GENERAL.—Transfers under the program—

''(i) shall be made at the same time as transfers to the Mass Transit Account of the Highway Trust Fund are made by the Secretary of the Treasury; and

''(ii) shall be made on the basis of estimates by the Secretary, in consultation with the Secretary of the Treasury, based on the most recent data available, and proper adjustments shall be made in amounts subsequently transferred, to the extent prior estimates were in excess of, or less than, the amounts required to be transferred.

''(B) LIMITATION.—

''(i) IN GENERAL.—An adjustment under subparagraph (A)(ii) to any transfer may not exceed 5 percent of the transferred amount to which the adjustment relates.

''(ii) ADJUSTMENT GREATER THAN 5 PERCENT.—If the adjustment required under subparagraph (A)(ii) exceeds the percentage described in clause (i), the excess shall be taken into account in making subsequent adjustments under subparagraph (A)(ii).

''(f) CONTRACT AUTHORITY.—There shall be rescinded or canceled any contract authority under this chapter (and any obligation limitation) authorized for a State for a fiscal year for which the State elects to participate in the alternative funding program.

''(g) MAINTENANCE OF EFFORT.—

''(1) IN GENERAL.—Not later than 30 days after the date on which an amount is distributed to a State or State agency under the State Highway Flexibility Act or an amendment made by that Act, the Governor of the State shall certify to the Secretary that the State will maintain the effort of the State with regard to State funding for the types of projects that are funded by the amounts.

''(2) AMOUNTS.—The certification under paragraph (1) shall include a statement identifying the amount of funds the State plans to expend from State sources for projects funded under the alternative funding program, during the fiscal year for which the State elects to participate in the alternative funding program.

''(h) TREATMENT OF GENERAL REVENUES.—For purposes of this section, any general revenue funds appropriated to the Highway Trust Fund shall be transferred to a State under the program in the manner described in subsection (e).''.

(b) CONFORMING AMENDMENT.—The analysis for title 49, United States Code, is amended by inserting after the item relating to section 5340 the following:

''5341. Alternative funding of public transportation programs.''.

SA 2448. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. NATIONAL SECURITY SCREENING SYSTEM FOR ALIENS FROM HIGH RISK COUNTRIES.

(a) DEFINITIONS.—In this section:

(1) COVERED ALIEN.—The term ''covered alien'' means an alien who is seeking entry or who has entered the United States under any provision of the Immigration and Nationality Act (8 U.S.C. 1101 et seq.) and who is a national of a following country:

(A) Afghanistan.
(B) Algeria.
(C) Bahrain.
(D) Bangladesh.
(E) Egypt.
(F) Eritrea.
(G) Indonesia.
(H) Iran.
(I) Iraq.
(J) Jordan.
(K) Kuwait.
(L) Lebanon.
(M) Libya.
(N) Morocco.
(O) Nigeria.
(P) North Korea.
(Q) Oman.
(R) Palestinian Territories.
(S) Pakistan.
(T) Qatar.
(U) Russia.
(V) Saudi Arabia.
(W) Somalia.
(X) Sudan.
(Y) Syria.
(Z) Tunisia.
(AA) United Arab Emirates.
(BB) Yemen.

(2) DEPARTMENT.—The term ''Department'' means the Department of Homeland Security.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of Homeland Security.

(4) SYSTEM.—The term ''System'' means the National Security Screening System established under subsection (b).

(b) HIGH RISK NATIONAL SECURITY SCREENING SYSTEM.—

(1) ESTABLISHMENT.—The Secretary shall establish a National Security Screening System.

(2) INFORMATION.—The System shall include information about each covered alien in the United States.

(3) REGISTRATION.—The Secretary shall notify each covered alien who is a new applicant that the covered alien, not later than 30 days prior to entering the United States, shall—

(A) register with the System, as part of the visa application or other entry process; and

(B) be interviewed and fingerprinted by an official of the Department.

(4) BACKGROUND CHECK.—The Secretary shall perform a background check on each covered alien to ensure that such alien does not present a national security risk to the United States.

(5) MONITORING.—The Secretary shall establish a procedure for monitoring the status of each covered alien in the United States in relation to matters of national security.

(c) PROHIBITION ON ENTRY.—No covered alien may enter the United States until after the date that the Secretary certifies to Congress that the System is fully implemented.

(d) REPORTS.—

(1) CERTIFICATION AND NATIONAL SECURITY REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to Congress a report that—

(A) certifies that the System has been implemented; and

(B) describes the specific steps that have been taken to prevent national security failures in screening out terrorists from using visas to gain entry into the United States.

(2) ANNUAL REPORT.—The Secretary shall submit to Congress an annual report that—

(A) describes the effectiveness with which the Department is screening covered aliens through the System;

(B) indicates whether the System has been implemented in an appropriate manner and does not result in the deportation of individuals with no reasonable link to a national security threat or perceived threat; and

(C) contains—

(i) the number of individuals screened and registered under the System during the previous year, broken down by country of nationality;

(ii) the number of individuals deported during the past year as a result of information gathered during the interviews and background checks conducted pursuant to section 3, broken down by country of nationality; and

(iii) the number of individuals denied entry to the United States based on a national security determination reached through the System.

SA 2449. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. PROHIBITION ON ASSISTANCE TO FOREIGN GOVERNMENTS THAT VIOLATE HUMAN RIGHTS WITH RESPECT TO RELIGION.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a list of each foreign government that the President determines, based on credible information, enforces a death sentence or life imprisonment on the basis of—

(1) anti-apostasy laws that explicitly prohibit the disaffiliation from a particular religion;

(2) anti-blasphemy laws; or

(3) laws prohibiting marriage between individuals of different religious faiths.

(b) PROHIBITION ON ASSISTANCE.—No amounts may be obligated or expended to provide United States assistance to the government of a country identified in the report submitted by the President under subsection (a).

(c) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Foreign Relations and the Committee on Appropriations of the Senate; and

(2) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.

SA 2450. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. PROHIBITION ON FOREIGN ASSISTANCE.

(a) IN GENERAL.—Except as provided under subsection (b) and notwithstanding any other provision of law, no amounts may be obligated or expended to provide any direct United States assistance, loan guarantee, or debt relief to the Palestinian Authority, or any affiliated governing entity or leadership organization.

(b) EXCEPTION.—The prohibition under subsection (a) shall have no effect for a fiscal year if the President certifies to Congress during that fiscal year that the Palestinian Authority has—

(1) formally recognized the right of Israel to exist as a Jewish state;

(2) publicly recognized the state of Israel;

(3) renounced terrorism;

(4) purged all individuals with terrorist ties from security services;

(5) terminated funding of anti-American and anti-Israel incitement;

(6) publicly pledged to not engage in war with Israel; and

(7) honored previous diplomatic agreements.

SA 2451. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE ___—FEDERAL RESERVE TRANSPARENCY

SEC. _01. SHORT TITLE.

This title may be cited as the ''Federal Reserve Transparency Act of 2015''.

SEC. _02. AUDIT REFORM AND TRANSPARENCY FOR THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM.

(a) IN GENERAL.—Notwithstanding section 714 of title 31, United States Code, or any other provision of law, an audit of the Board of Governors of the Federal Reserve System and the Federal reserve banks under subsection (b) of such section 714 shall be completed within 12 months of the date of enactment of this Act.

(b) REPORT.—

(1) IN GENERAL.—A report on the audit required under subsection (a) shall be submitted by the Comptroller General to the Congress before the end of the 90-day period beginning on the date on which such audit is completed and made available to the Speaker of the House, the majority and minority leaders of the House of Representatives, the majority and minority leaders of the Senate, the Chairman and Ranking Member of the

committee and each subcommittee of jurisdiction in the House of Representatives and the Senate, and any other Member of Congress who requests it.

(2) CONTENTS.—The report under paragraph (1) shall include a detailed description of the findings and conclusion of the Comptroller General with respect to the audit that is the subject of the report, together with such recommendations for legislative or administrative action as the Comptroller General may determine to be appropriate.

(c) REPEAL OF CERTAIN LIMITATIONS.—Subsection (b) of section 714 of title 31, United States Code, is amended by striking all after ''in writing.''.

(d) TECHNICAL AND CONFORMING AMENDMENT.—Section 714 of title 31, United States Code, is amended by striking subsection (f).

SEC. __03. AUDIT OF LOAN FILE REVIEWS REQUIRED BY ENFORCEMENT ACTIONS.

(a) IN GENERAL.—The Comptroller General of the United States shall conduct an audit of the review of loan files of homeowners in foreclosure in 2009 or 2010, required as part of the enforcement actions taken by the Board of Governors of the Federal Reserve System against supervised financial institutions.

(b) CONTENT OF AUDIT.—The audit carried out pursuant to subsection (a) shall consider, at a minimum—

(1) the guidance given by the Board of Governors of the Federal Reserve System to independent consultants retained by the supervised financial institutions regarding the procedures to be followed in conducting the file reviews;

(2) the factors considered by independent consultants when evaluating loan files;

(3) the results obtained by the independent consultants pursuant to those reviews;

(4) the determinations made by the independent consultants regarding the nature and extent of financial injury sustained by each homeowner as well as the level and type of remediation offered to each homeowner; and

(5) the specific measures taken by the independent consultants to verify, confirm, or rebut the assertions and representations made by supervised financial institutions regarding the contents of loan files and the extent of financial injury to homeowners.

(c) REPORT.—Not later than the end of the 6-month period beginning on the date of the enactment of this Act, the Comptroller General shall issue a report to the Congress containing all findings and determinations made in carrying out the audit required under subsection (a).

SA 2452. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 62002. FREE CHOICE TO JOIN, FORM, OR ASSIST LABOR ORGANIZATIONS.

(a) AMENDMENTS TO THE NATIONAL LABOR RELATIONS ACT.—

(1) RIGHTS OF EMPLOYEES.—Section 7 of the National Labor Relations Act (29 U.S.C. 157) is amended by striking ''except to'' and all that follows through ''authorized in section 8(a)(3)''.

(2) UNFAIR LABOR PRACTICES.—Section 8 of the National Labor Relations Act (29 U.S.C. 158) is amended—

(A) in subsection (a)(3), by striking '': Provided, That'' and all that follows through ''retaining membership'';

(B) in subsection (b)—

(i) in paragraph (2), by striking ''or to discriminate'' and all that follows through ''retaining membership''; and

(ii) in paragraph (5), by striking ''covered by an agreement authorized under subsection (a)(3)''; and

(C) in subsection (f), by striking clause (2) and redesignating clauses (3) and (4) as clauses (2) and (3), respectively.

(b) AMENDMENT TO THE RAILWAY LABOR ACT.—Section 2 of the Railway Labor Act (45 U.S.C. 152) is amended by striking paragraph Eleven.

SA 2453. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. LIMITATION ON FEDERAL FUNDS TO SANCTUARY CITIES.

(a) IN GENERAL.—

(1) IN GENERAL.—Section 642 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373) is amended by adding at the end the following:

''(d) LIMITATION ON FEDERAL FUNDS TO SANCTUARY CITIES.—

''(1) SANCTUARY CITY DEFINED.—In this section, the term 'sanctuary city' means a State or subdivision of a State that the Attorney General determines—

''(A) has in effect a statute, policy, or practice that is not in compliance with subsection (a) or (b); or

''(B) does not have a statute, policy, or practice that requires law enforcement officers—

''(i) to notify the U.S. Immigration and Customs Enforcement if the State or unit has custody of an alien without lawful status in the United States and detain the alien for no more than six hours for no other purpose than to determine whether or not U.S. Immigration and Customs Enforcement will issue a detainer request; and

''(ii) to maintain custody of such an alien for a period of not less than 48 hours (excluding Saturdays, Sundays, and holidays) if U.S. Immigration and Customs Enforcement issues a detainer for such alien.

''(2) LIMITATION ON GRANTS.—A sanctuary city shall not be eligible to receive, for a minimum period of at least 1 year, any funds pursuant to—

''(A) the Edward Byrne Memorial Justice Assistance Grant Program established pursuant to subpart 1 of part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3750 et seq.);

''(B) the 'Cops' program under part Q of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd et seq.);

''(C) the Urban Area Security Initiative authorized under section 2003 of the Homeland Security Act of 2002 (6 U.S.C. 604);

''(D) the State Homeland Security Grant Program authorized under section 2004 of the Homeland Security Act of 2002 (6 U.S.C. 605);

''(E) the port security grant program authorized under section 70107 of title 46, United States Code;

''(F) the State Criminal Alien Assistance Program under section 241(i) of the Immigration and Nationality Act (8 U.S.C. 1231(i)); or

''(G) any other non-disaster preparedness grant program administered by the Federal Emergency Management Agency.

''(3) TERMINATION OF INELIGIBILITY.—A jurisdiction that is found to be a sanctuary city shall only become eligible to receive funds under a program set out under paragraph (1) after the Attorney General certifies that the jurisdiction is no longer a sanctuary city.''.

(2) CLERICAL AMENDMENTS.—Section 642 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373) is amended by striking ''Immigration and Naturalization Service'' each place that term appears and inserting ''Department of Homeland Security''.

(b) TRANSFER OF ALIENS FROM BUREAU OF PRISONS CUSTODY.—

(1) TRANSFER TO U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT.—The Attorney General shall prioritize a request from the Secretary of Homeland Security to transfer a covered alien to the custody of U.S. Immigration and Customs Enforcement before a request from the appropriate official of a State or a subdivision of a State to transfer the covered alien to the custody of such State or subdivision.

(2) COVERED ALIEN DEFINED.—In this subsection, the term ''covered alien'' means an alien who—

(A) is without lawful status in the United States; and

(B) is in the custody of the Bureau of Prisons.

SA 2454. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

DIVISION I—INTELLIGENCE OVERSIGHT AND SURVEILLANCE REFORM ACT

SEC. 90001. SHORT TITLE.

This division may be cited as the ''Intelligence Oversight and Surveillance Reform Act''.

TITLE XCI—ACCESS TO CERTAIN BUSINESS RECORDS FOR FOREIGN INTELLIGENCE AND INTERNATIONAL TERRORISM INVESTIGATIONS

SEC. 91001. END OF GOVERNMENT BULK COLLECTION OF BUSINESS RECORDS.

(a) PRIVACY PROTECTIONS FOR SECTION 215 BUSINESS RECORDS ORDERS.—

(1) IN GENERAL.—Section 501(b) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861(b)) is amended—

(A) in paragraph (1)(B), by striking ''and'' at the end;

(B) in paragraph (2), by striking subparagraphs (A) and (B) and inserting the following:

''(A) a statement of facts showing that there are reasonable grounds to believe that the records or other things sought—

''(i) are relevant to an authorized investigation (other than a threat assessment) conducted in accordance with subsection (a)(2) to obtain foreign intelligence information not concerning a United States person or to protect against international terrorism or clandestine intelligence activities; and

''(ii) pertain to—

''(I) a foreign power or an agent of a foreign power;

''(II) the activities of a suspected agent of a foreign power who is the subject of such authorized investigation; or

''(III) an individual in contact with, or known to, a suspected agent of a foreign power; and

''(B) a statement of proposed minimization procedures; and''; and

(C) by adding at the end the following:

''(3) if the applicant is seeking a nondisclosure requirement described in subsection (d), shall include—

''(A) a statement of specific and articulable facts providing reason to believe that disclosure of particular information about the existence or contents of the order requiring the production of tangible things under this section during the applicable time period will result in—

''(i) endangering the life or physical safety of any person;

''(ii) flight from prosecution;

''(iii) destruction of or tampering with evidence;

''(iv) intimidation of potential witnesses;

''(v) interference with diplomatic relations; or

''(vi) otherwise seriously endangering the national security of the United States by alerting a target, an associate of a target, or the foreign power of which the target is an agent, of the interest of the Government in the target;

''(B) an explanation of how the harm identified under subparagraph (A) is related to the authorized investigation to which the tangible things sought are relevant;

''(C) an explanation of how the nondisclosure requirement is narrowly tailored to address the specific harm identified under subparagraph (A); and

''(D) the time period during which the Government believes the nondisclosure requirement should apply.''.

(2) ORDER.—Section 501(c) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861(c)) is amended—

(A) in paragraph (1)—

(i) by striking ''subsections (a) and (b),'' and inserting ''subsection (a) and paragraphs (1) and (2) of subsection (b) and that the proposed minimization procedures meet the definition of minimization procedures under subsection (g),''; and

(ii) by striking the last sentence and inserting the following: ''If the judge finds that the requirements of subsection (b)(3) have been met, such order shall include a nondisclosure requirement, which may apply for not longer than 1 year, unless the facts justify a longer period of nondisclosure, subject to the principles and procedures described in subsection (d).''; and

(B) in paragraph (2)—

(i) in subparagraph (C), by striking ''(d);'' and inserting ''(d), if applicable;'';

(ii) in subparagraph (D), by striking ''and'' at the end;

(iii) in subparagraph (E), by striking the period at the end and inserting ''; and''; and

(iv) by adding at the end the following:

''(F) shall direct that the minimization procedures be followed.''.

(3) NONDISCLOSURE.—Section 501(d) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861(d)) is amended to read as follows:

''(d) NONDISCLOSURE.—

''(1) IN GENERAL.—No person who receives an order under subsection (c) that contains a nondisclosure requirement shall disclose to any person the particular information specified in the nondisclosure requirement during the time period to which the requirement applies.

''(2) EXCEPTION.—

''(A) DISCLOSURE.—A person who receives an order under subsection (c) that contains a nondisclosure requirement may disclose information otherwise subject to any applicable nondisclosure requirement to—

''(i) those persons to whom disclosure is necessary in order to comply with an order under this section;

''(ii) an attorney in order to obtain legal advice or assistance regarding the order; or

''(iii) other persons as permitted by the Director of the Federal Bureau of Investigation or the designee of the Director.

''(B) APPLICATION.—A person to whom disclosure is made under subparagraph (A) shall be subject to the nondisclosure requirements applicable to a person to whom an order is directed under this section in the same manner as the person to whom the order is directed.

''(C) NOTIFICATION.—Any person who discloses to a person described in subparagraph (A) information otherwise subject to a nondisclosure requirement shall notify the person of the applicable nondisclosure requirement.

''(3) EXTENSION.—The Director of the Federal Bureau of Investigation, or a designee of the Director (whose rank shall be no lower than Assistant Special Agent in Charge), may apply for renewals of the prohibition on disclosure of particular information about the existence or contents of an order requiring the production of tangible things under this section for additional periods of not longer than 1 year, unless the facts justify a longer period of nondisclosure. A nondisclosure requirement shall be renewed if a court having jurisdiction under paragraph (4) determines that the application meets the requirements of subsection (b)(3).

''(4) JURISDICTION.—An application for a renewal under this subsection shall be made to—

''(A) a judge of the court established under section 103(a); or

''(B) a United States Magistrate Judge under chapter 43 of title 28, United States Code, who is publicly designated by the Chief Justice of the United States to have the power to hear applications and grant orders for the production of tangible things under this section on behalf of a judge of the court established under section 103(a).''.

(4) MINIMIZATION.—Section 501(g) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861(g)) is amended—

(A) in paragraph (1), by striking ''Not later than'' and all that follows and inserting ''At or before the end of the period of time for the production of tangible things under an order approved under this section or at any time after the production of tangible things under an order approved under this section, a judge may assess compliance with the minimization procedures by reviewing the circumstances under which information concerning United States persons was acquired, retained, or disseminated.''; and

(B) in paragraph (2)(A), by inserting ''acquisition and'' after ''to minimize the''.

(b) JUDICIAL REVIEW OF SECTION 215 ORDERS.—Section 501(f)(2) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861(f)(2)) is amended—

(1) in subparagraph (A)(i)—

(A) by striking ''that order'' and inserting ''such production order or any nondisclosure order imposed in connection with such production order''; and

(B) by striking the second sentence;

(2) by striking subparagraph (C) and inserting the following new subparagraph:

''(C) A judge considering a petition to modify or set aside a nondisclosure order shall grant such petition unless the court determines that—

''(i) there is reason to believe that disclosure of the information subject to the nondisclosure requirement during the applicable time period will result in—

''(I) endangering the life or physical safety of any person;

''(II) flight from prosecution;

''(III) destruction of or tampering with evidence;

''(IV) intimidation of potential witnesses;

''(V) interference with diplomatic relations; or

''(VI) otherwise seriously endangering the national security of the United States by alerting a target, an associate of a target, or the foreign power of which the target is an agent, of the interest of the Government in the target;

''(ii) the harm identified under clause (i) relates to the authorized investigation to which the tangible things sought are relevant; and

''(iii) the nondisclosure requirement is narrowly tailored to address the specific harm identified under clause (i).''; and

(3) by adding at the end the following new subparagraph:

''(E) If a judge denies a petition to modify or set aside a nondisclosure order under this paragraph, no person may file another petition to modify or set aside such nondisclosure order until the date that is one year after the date on which such judge issues the denial of such petition.''.

SEC. 91002. EMERGENCY AUTHORITY FOR ACCESS TO CALL DATA RECORDS.

(a) IN GENERAL.—Section 403 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1843) is amended by adding at the end the following:

''(e)(1) Notwithstanding any other provision of this subsection, the Attorney General may require the production of call data records by the provider of a wire or electronic communication service on an emergency basis if—

''(A) such records—

''(i) are relevant to an authorized investigation (other than a threat assessment) conducted in accordance with section 402 or 501, as appropriate, to obtain foreign intelligence information not concerning a United States person or to protect against international terrorism or clandestine intelligence activities; and

''(ii) pertain to—

''(I) a foreign power or an agent of a foreign power;

''(II) the activities of a suspected agent of a foreign power who is the subject of such authorized investigation; or

''(III) an individual in contact with, or known to, a suspected agent of a foreign power;

''(B) the Attorney General reasonably determines—

''(i) an emergency requires the production of such records before an order requiring such production can with due diligence be obtained under section 402 or 501, as appropriate; and

''(ii) the factual basis for issuance of an order under section 402 or 501, as appropriate, to require the production of such records exists;

''(C) a judge referred to in section 402(b) or 501(b)(1), as appropriate, is informed by the Attorney General at the time of the required production of such records that the decision has been made to require such production on an emergency basis; and

''(D) an application in accordance with section 402 or 501, as appropriate, is made to such judge as soon as practicable, but not more than 7 days after the date on which the Attorney General requires the production of such records under this subsection.

''(2)(A) In the absence of an order issued under section 402 or 501, as appropriate, to approve the emergency required production of call data records under paragraph (1), the authority to require the production of such records shall terminate at the earlier of—

''(i) when the information sought is obtained;

''(ii) when the application for the order is denied under section 402 or 501, as appropriate; or

''(iii) 7 days after the time of the authorization by the Attorney General.

''(B) If an application for an order applied for under section 402 or 501, as appropriate, for the production of call data records required to be produced pursuant to paragraph (1) is denied, or in any other case where the emergency production of call data records under this section is terminated and no order under section 402 or 501, as appropriate, is issued approving the required production of such records, no information obtained or evidence derived from such records shall be received in evidence or otherwise disclosed in any trial, hearing, or other proceeding in or before any court, grand jury, department, office, agency, regulatory body, legislative committee, or other authority of the United States, a State, or political subdivision thereof, and no information concerning any United States person acquired from such records shall subsequently be used or disclosed in any other manner by Federal officers or employees without the consent of such person, except with the approval of the Attorney General if the information indicates a threat of death or serious bodily harm to any person.''.

(b) TERMINATION OF SECTION 501 REFERENCES.—On the date that section 102(b)(1) of the USA PATRIOT Improvement and Reauthorization Act of 2005 (Public Law 109–177; 50 U.S.C. 1805 note) takes effect, subsection (e) of section 403 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1843), as added by paragraph (1), is amended—

(1) by striking ''or section 501, as appropriate,'' each place that term appears;

(2) in paragraph (1)—

(A) in subparagraph (B), by striking ''or 501, as appropriate;'' and by inserting a semicolon; and

(B) in subparagraph (C), by striking ''or 501(b)(1), as appropriate,''; and

(3) in paragraph (2)(A)(ii), by striking ''or 501, as appropriate;'' and by inserting a semicolon.

SEC. 91003. CHALLENGES TO GOVERNMENT SURVEILLANCE.

(a) IN GENERAL.—Title V of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861 et seq.) is amended by adding at the end the following:

''SEC. 503. CHALLENGES TO ORDERS TO PRODUCE CERTAIN BUSINESS RECORDS.

''(a) APPEAL.—

''(1) IN GENERAL.—A person who is required to produce any tangible thing pursuant to an order issued under section 501 may appeal the order to a United States court of appeals on the basis that the order violates the Constitution of the United States.

''(2) VENUE.—An appeal filed pursuant to paragraph (1) may be filed—

''(A) in the United States court of appeals for a circuit embracing a judicial district in which venue would be proper for a civil action under section 1391 of title 28, United States Code; or

''(B) United States Court of Appeals for the District of Columbia.

''(b) SUPREME COURT REVIEW.—A person may seek a writ of certiorari from the Supreme Court of the United States for review of a decision of an appeal filed under subsection (a)(1).''.

(b) TABLE OF CONTENTS AMENDMENT.—The table of contents in the first section of the Foreign Intelligence Surveillance Act of 1978 is amended by adding after the item relating to section 502 the following:

''Sec. 503. Challenges to orders to produce certain business records.''.

TITLE XCII—PRIVACY PROTECTIONS FOR PEN REGISTERS AND TRAP AND TRACE DEVICES

SEC. 92001. PRIVACY PROTECTIONS FOR PEN REGISTERS AND TRAP AND TRACE DEVICES.

(a) APPLICATION.—Section 402(c) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1842(c)) is amended—

(1) in paragraph (1), by striking ''and'' at the end; and

(2) by striking paragraph (2) and inserting the following new paragraphs:

''(2) a statement of facts showing that there are reasonable grounds to believe that the records sought—

''(A) are relevant to an authorized investigation to obtain foreign intelligence information not concerning a United States person or to protect against international terrorism or clandestine intelligence activities (other than a threat assessment), provided that such investigation of a United States person is not conducted solely upon the basis of activities protected by the first amendment to the Constitution; and

''(B) pertain to—

''(i) a foreign power or an agent of a foreign power;

''(ii) the activities of a suspected agent of a foreign power who is the subject of such authorized investigation; or

''(iii) an individual in contact with, or known to, a suspected agent of a foreign power; and

''(3) a statement of proposed minimization procedures.''.

(b) MINIMIZATION.—

(1) DEFINITION.—Section 401 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1841) is amended by adding at the end the following:

''(4) The term 'minimization procedures' means—

''(A) specific procedures that are reasonably designed in light of the purpose and technique of an order for the installation and use of a pen register or trap and trace device, to minimize the acquisition and retention, and prohibit the dissemination, of nonpublicly available information concerning unconsenting United States persons consistent with the need of the United States to obtain, produce, and disseminate foreign intelligence information;

''(B) procedures that require that nonpublicly available information, which is not foreign intelligence information, as defined in section 101(e)(1), shall not be disseminated in a manner that identifies any United States person, without such person's consent, unless such person's identity is necessary to understand foreign intelligence information or assess its importance; and

''(C) notwithstanding subparagraphs (A) and (B), procedures that allow for the retention and dissemination of information that is evidence of a crime which has been, is being, or is about to be committed and that is to be retained or disseminated for law enforcement purposes.''.

(2) PEN REGISTERS AND TRAP AND TRACE DEVICES.—Section 402 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1842) is amended—

(A) in subsection (d)—

(i) in paragraph (1), by inserting '', and that the proposed minimization procedures meet the definition of minimization procedures under this title'' before the period at the end; and

(ii) in paragraph (2)(B)—

(I) in clause (ii)(II), by striking ''and'' after the semicolon; and

(II) by adding at the end the following:

''(iv) the minimization procedures be followed; and''; and

(B) by adding at the end the following:

''(h) At or before the end of the period of time for which the installation and use of a pen register or trap and trace device is approved under an order or an extension under this section, the judge may assess compliance with the minimization procedures by reviewing the circumstances under which information concerning United States persons was acquired, retained, or disseminated.''.

(3) EMERGENCIES.—Section 403 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1843), as amended by section 102(a), is further amended—

(A) by redesignating subsection (c) as (d); and

(B) by inserting after subsection (b) the following:

''(c) If the Attorney General authorizes the emergency installation and use of a pen register or trap and trace device under this section, the Attorney General shall require that minimization procedures required by this title for the issuance of a judicial order be followed.''.

(4) USE OF INFORMATION.—Section 405(a)(1) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1845(a)(1)) is amended by striking the period at the end and inserting ''and the minimization procedures required under the order approving such pen register or trap and trace device.''.

TITLE XCIII—PROCEDURES FOR TARGETING CERTAIN PERSONS OUTSIDE THE UNITED STATES OTHER THAN UNITED STATES PERSONS

SEC. 93001. CLARIFICATION ON PROHIBITION ON SEARCHING OF COLLECTIONS OF COMMUNICATIONS TO CONDUCT WARRANTLESS SEARCHES FOR THE COMMUNICATIONS OF UNITED STATES PERSONS.

Section 702(b) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881a(b)) is amended—

(1) by redesignating paragraphs (1) through (5) as subparagraphs (A) through (E), respectively, and indenting such subparagraphs, as so redesignated, an additional two ems from the left margin;

(2) by striking ''An acquisition'' and inserting the following:

''(1) IN GENERAL.—An acquisition''; and

(3) by adding at the end the following:

''(2) CLARIFICATION ON PROHIBITION ON SEARCHING OF COLLECTIONS OF COMMUNICATIONS OF UNITED STATES PERSONS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), no officer or employee of the United States may conduct a search of a collection of communications acquired under this section in an effort to find communications of a particular United States person (other than a corporation).

''(B) CONCURRENT AUTHORIZATION AND EXCEPTION FOR EMERGENCY SITUATIONS.—Subparagraph (A) shall not apply to a search for communications related to a particular United States person if—

''(i) such United States person is the subject of an order or emergency authorization authorizing electronic surveillance or physical search under section 105, 304, 703, 704, or 705 of this Act, or under title 18, United States Code, for the effective period of that order;

''(ii) the entity carrying out the search has a reasonable belief that the life or safety of such United States person is threatened and the information is sought for the purpose of assisting that person; or

''(iii) such United States person has consented to the search.''.

SEC. 93002. PROTECTION AGAINST COLLECTION OF WHOLLY DOMESTIC COMMUNICATIONS NOT CONCERNING TERRORISM UNDER FISA AMENDMENTS ACT.

(a) IN GENERAL.—Section 702 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881a) is amended—

(1) in subsection (d)(1)—

(A) in subparagraph (A), by striking ''and'' at the end;

(B) in subparagraph (B), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following new subparagraph:

''(C) limit the acquisition of the contents of any communication to communications to which any party is a target of the acquisition or communications that refer to the target of the acquisition, if such communications are acquired to protect against international terrorism.''; and

(2) in subsection (i)(2)(B)—

(A) in clause (i), by striking ''and'' at the end;

(B) in clause (ii), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following new clause:

''(iii) limit the acquisition of the contents of any communication to communications to which any party is a target of the acquisition or communications that refer to the target of the acquisition, if such communications are acquired to protect against international terrorism.''.

(b) CONFORMING AMENDMENT.—Section 701(a) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881(a)) is amended by inserting ''`international terrorism','' after ''`foreign power','.

SEC. 93003. PROHIBITION ON REVERSE TARGETING UNDER FISA AMENDMENTS ACT.

Section 702 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881a), as amended by sections 93001 and 93002 of this Act, is further amended—

(1) in paragraph (1)(B) of subsection (b), as redesignated by section 301, by striking ''the purpose'' and inserting ''a significant purpose'';

(2) in subsection (d)(1)(A)—

(A) by striking ''ensure that'' and inserting the following: ''ensure—

''(i) that''; and

(B) by adding at the end the following:

''(ii) that an application is filed under title I, if otherwise required, when a significant purpose of an acquisition authorized under subsection (a) is to acquire the communications of a particular, known person reasonably believed to be located in the United States; and'';

(3) in subsection (g)(2)(A)(i)(I)—

(A) by striking ''ensure that'' and inserting the following: ''ensure—

''(aa) that''; and

(B) by adding at the end the following:

''(bb) that an application is filed under title I, if otherwise required, when a significant purpose of an acquisition authorized under subsection (a) is to acquire the communications of a particular, known person reasonably believed to be located in the United States; and''; and

(4) in subsection (i)(2)(B)(i)—

(A) by striking ''ensure that'' and inserting the following: ''ensure—

''(I) that''; and

(B) by adding at the end the following:

''(II) that an application is filed under title I, if otherwise required, when a significant purpose of an acquisition authorized under subsection (a) is to acquire the communications of a particular, known person reasonably believed to be located in the United States; and''.

SEC. 93004. LIMITS ON USE OF UNLAWFULLY OBTAINED INFORMATION UNDER FISA AMENDMENTS ACT.

Section 702(i)(3) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881a(i)(3)) is amended by striking subparagraph (B) and inserting the following:

''(B) CORRECTION OF DEFICIENCIES.—

''(i) IN GENERAL.—If the Court finds that a certification required by subsection (g) does not contain all of the required elements, or that the procedures required by subsections (d) and (e) are not consistent with the requirements of those subsections or the fourth amendment to the Constitution of the United States, the Court shall issue an order directing the Government to, at the Government's election and to the extent required by the order of the Court—

''(I) correct any deficiency identified by the order of the Court not later than 30 days after the date on which the Court issues the order; or

''(II) cease, or not begin, the implementation of the authorization for which such certification was submitted.

''(ii) LIMITATION ON USE OF INFORMATION.—

''(I) IN GENERAL.—Except as provided in subclause (II), no information obtained or evidence derived from an acquisition pursuant to a certification or targeting or minimization procedures subject to an order under clause (i) concerning any United States person shall be received in evidence or otherwise disclosed in any trial, hearing, or other proceeding in or before any court, grand jury, department, office, agency, regulatory body, legislative committee, or other authority of the United States, a State, or political subdivision thereof, and no information concerning any United States person acquired from the acquisition shall subsequently be used or disclosed in any other manner by Federal officers or employees without the consent of the United States person, except with the approval of the Attorney General if the information indicates a threat of death or serious bodily harm to any person.

''(II) EXCEPTION.—If the Government corrects any deficiency identified by the order of the Court under clause (i), the Court may permit the use or disclosure of information acquired before the date of the correction under such minimization procedures as the Court shall establish for purposes of this clause.''.

SEC. 93005. CHALLENGES TO GOVERNMENT SURVEILLANCE.

Section 702 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881a), as amended by this title, is further amended by adding at the end the following new subsection:

''(m) CHALLENGES TO GOVERNMENT SURVEILLANCE.—

''(1) INJURY IN FACT.—In any claim in a civil action brought in a court of the United States relating to surveillance conducted under this section, the person asserting the claim has suffered an injury in fact if the person—

''(A) has a reasonable basis to believe that the person's communications will be acquired under this section; and

''(B) has taken objectively reasonable steps to avoid surveillance under this section.

''(2) REASONABLE BASIS.—A person shall be presumed to have demonstrated a reasonable basis to believe that the communications of the person will be acquired under this section if the profession of the person requires the person regularly to communicate foreign intelligence information with persons who—

''(A) are not United States persons; and

''(B) are located outside the United States.

''(3) OBJECTIVE STEPS.—A person shall be presumed to have taken objectively reasonable steps to avoid surveillance under this section if the person demonstrates that the steps were taken in reasonable response to rules of professional conduct or analogous professional rules.''.

TITLE XCIV—FOREIGN INTELLIGENCE SURVEILLANCE COURT REFORMS

SEC. 94001. DEFINITIONS.

In this title:

(1) CONSTITUTIONAL ADVOCATE.—The term ''Constitutional Advocate'' means the Constitutional Advocate appointed under section 402(b).

(2) DECISION.—The term ''decision'' means a decision, order, or opinion issued by the FISA Court or the FISA Court of Review.

(3) FISA.—The term ''FISA'' means the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.).

(4) FISA COURT.—The term ''FISA Court'' means the court established under section 103(a) of FISA (50 U.S.C. 1803(a)).

(5) FISA COURT OF REVIEW.—The term ''FISA Court of Review'' means the court of review established under section 103(b) of FISA (50 U.S.C. 1803(b)).

(6) OFFICE.—The term ''Office'' means the Office of the Constitutional Advocate established under section 402(a).

(7) PETITION REVIEW POOL.—The term ''petition review pool'' means the petition review pool established by section 103(e) of FISA (50 U.S.C. 1803(e)) or any member of that pool.

(8) SIGNIFICANT CONSTRUCTION OR INTERPRETATION OF LAW.—The term ''significant construction or interpretation of law'' means a significant construction or interpretation of a provision, as that term is construed under section 601(c) of FISA (50 U.S.C. 1871(c)).

SEC. 94002. OFFICE OF THE CONSTITUTIONAL ADVOCATE.

(a) ESTABLISHMENT.—There is established within the judicial branch of the United States an Office of the Constitutional Advocate.

(b) CONSTITUTIONAL ADVOCATE.—

(1) IN GENERAL.—The head of the Office is the Constitutional Advocate.

(2) APPOINTMENT AND TERM.—

(A) APPOINTMENT.—The Chief Justice of the United States shall appoint the Constitutional Advocate from the list of candidates submitted under subparagraph (B).

(B) CANDIDATES.—

(i) LIST OF CANDIDATES.—The Privacy and Civil Liberties Oversight Board shall submit to the Chief Justice a list of not less than 5 qualified candidates to serve as a Constitutional Advocate.

(ii) SELECTION OF CANDIDATES.—In preparing a list described in clause (i), the Privacy and Civil Liberties Oversight Board shall select candidates the Board believes will be zealous and effective advocates in defense of civil liberties and consider each potential candidate's—

(I) litigation and other professional experience;

(II) experience with the areas of law the Constitutional Advocate is likely to encounter in the course of the Advocate's duties; and

(III) demonstrated commitment to civil liberties.

(C) SECURITY CLEARANCE.—An individual may be appointed Constitutional Advocate without regard to whether the individual possesses a security clearance on the date of the appointment.

(D) TERM AND DISMISSAL.—A Constitutional Advocate shall be appointed for a term of 3 years and may be fired only for good cause shown, including the demonstrated inability to qualify for an adequate security clearance.

(E) REAPPOINTMENT.—There shall be no limit to the number of consecutive terms served by a Constitutional Advocate. The reappointment of a Constitutional Advocate shall be made in the same manner as appointment of a Constitutional Advocate.

(F) ACTING CONSTITUTIONAL ADVOCATE.—If the position of Constitutional Advocate is vacant, the Chief Justice may appoint an Acting Constitutional Advocate from among the qualified employees of the Office. If there are no such qualified employees, the Chief Justice may appoint an Acting Constitutional Advocate from the most recent list of candidates provided by the Privacy and Civil Liberties Oversight Board pursuant to subparagraph (B). The Acting Constitutional Advocate shall have all of the powers of a Constitutional Advocate and shall serve until a Constitutional Advocate is appointed.

(3) EMPLOYEES.—The Constitutional Advocate is authorized, without regard to the civil service laws and regulations, to appoint and terminate employees of the Office.

(c) SECURITY CLEARANCES.—The appropriate departments, agencies, and elements of the executive branch shall cooperate with the Office, to the extent possible under existing procedures and requirements, to expeditiously provide the Constitutional Advocate and appropriate employees of the Office with the security clearances necessary to carry out the duties of the Constitutional Advocate.

(d) DUTIES AND AUTHORITIES OF THE CONSTITUTIONAL ADVOCATE.—

(1) IN GENERAL.—The Constitutional Advocate—

(A) shall review each application to the FISA Court by the Attorney General;

(B) shall review each decision of the FISA Court, the petition review pool, or the FISA Court of Review issued after the date of the enactment of this Act and all documents and other material relevant to such decision in a complete, unredacted form;

(C) may participate in a proceeding before the petition review pool if such participation is requested by a party in such a proceeding or by the petition review pool;

(D) shall consider any request from a provider who has been served with an order, certification, or directive compelling the provider to provide assistance to the Government or to release customer information to assist that provider in a proceeding before the FISA Court or the petition review pool, including a request—

(i) to oppose the Government on behalf of the private party in such a proceeding; or

(ii) to provide guidance to the private party if the private party is considering compliance with an order of the FISA Court;

(E) shall participate in a proceeding before the FISA Court if appointed to participate by the FISA Court under section 403(a) and may participate in a proceeding before the petition review pool if authorized under section 404(a);

(F) may request to participate in a proceeding before the FISA Court or the petition review pool;

(G) shall participate in such a proceeding if such request is granted;

(H) may request reconsideration of a decision of the FISA Court under section 403(b);

(I) may appeal or seek review of a decision of the FISA Court, the petition review pool, or the FISA Court of Review, as permitted by this title; and

(J) shall participate in such appeal or review.

(2) ADVOCACY.—The Constitutional Advocate shall protect individual rights by vigorously advocating before the FISA Court, the petition review pool, or the FISA Court of Review, as appropriate, in support of legal interpretations that minimize the scope of surveillance and the extent of data collection and retention.

(3) UTILIZATION OF OUTSIDE COUNSEL.—The Constitutional Advocate—

(A) may delegate to a competent outside counsel any duty or responsibility of the Constitutional Advocate with respect to participation in a matter before the FISA Court, the FISA Court of Review, or the Supreme Court of the United States; and

(B) may not delegate to outside counsel any duty or authority set out in subparagraph (A), (B), (D), (F), (H), or (I) of paragraph (1).

(4) AVAILABILITY OF DOCUMENTS AND MATERIAL.—The FISA Court, the petition review pool, or the FISA Court of Review, as appropriate, shall order any agency, department, or entity to make available to the Constitutional Advocate, or appropriate outside counsel if utilized by the Constitutional Advocate under paragraph (3), any documents or other material necessary to carry out the duties described in paragraph (1).

SEC. 94003. ADVOCACY BEFORE THE FISA COURT.

(a) APPOINTMENT TO PARTICIPATE.—

(1) IN GENERAL.—The FISA Court may appoint the Constitutional Advocate to participate in a FISA Court proceeding.

(2) STANDING.—If the Constitutional Advocate is appointed to participate in a FISA Court proceeding pursuant to paragraph (1), the Constitutional Advocate shall have standing as a party before the FISA Court in that proceeding.

(b) RECONSIDERATION OF A FISA COURT DECISION.—

(1) AUTHORITY TO MOVE FOR RECONSIDERATION.—The Constitutional Advocate may move the FISA Court to reconsider any decision of the FISA Court made after the date of the enactment of this Act by petitioning the FISA Court not later than 30 days after the date on which all documents and materials relevant to the decision are made available to the Constitutional Advocate.

(2) DISCRETION OF THE FISA COURT.—The FISA Court shall have discretion to grant or deny a motion for reconsideration made pursuant to paragraph (1).

(c) AMICUS CURIAE PARTICIPATION.—

(1) MOTION BY THE CONSTITUTIONAL ADVOCATE.—The Constitutional Advocate may file a motion with the FISA Court to permit and facilitate participation of amicus curiae, including participation in oral argument if appropriate, in any proceeding. The FISA Court shall have the discretion to grant or deny such a motion.

(2) FACILITATION BY THE FISA COURT.—The FISA Court may, sua sponte, permit and facilitate participation by amicus curiae, including participation in oral argument if appropriate, in proceedings before the FISA Court.

(3) REGULATIONS.—Not later than 180 days after the date of the enactment of this Act, the FISA Court shall promulgate rules to provide the public with information sufficient to allow interested parties to participate as amicus curiae.

SEC. 94004. ADVOCACY BEFORE THE PETITION REVIEW POOL.

(a) AUTHORITY TO PARTICIPATE.—The petition review pool or any party to a proceeding before the petition review pool may authorize the Constitutional Advocate to participate in a petition review pool proceeding.

(b) RECONSIDERATION OF A PETITION REVIEW POOL DECISION.—

(1) AUTHORITY TO MOVE FOR RECONSIDERATION.—The Constitutional Advocate may move the petition review pool to reconsider any decision of the petition review pool made after the date of the enactment of this Act by petitioning the petition review pool not later than 30 days after the date on which all documents and materials relevant to the decision are made available to the Constitutional Advocate.

(2) DISCRETION OF THE PETITION REVIEW POOL.—The petition review pool shall have discretion to grant or deny a motion for reconsideration made pursuant to paragraph (1).

(c) AMICUS CURIAE PARTICIPATION.—

(1) MOTION BY THE CONSTITUTIONAL ADVOCATE.—The Constitutional Advocate may file a motion with the petition review pool to permit and facilitate participation of amicus curiae, including participation in oral argument if appropriate, in any proceeding. The petition review pool shall have the discretion to grant or deny such a motion.

(2) FACILITATION BY THE FISA COURT.—The petition review pool may, sua sponte, permit

and facilitate participation by amicus curiae, including participation in oral argument if appropriate, in proceedings before the petition review pool.

(3) REGULATIONS.—Not later than 180 days after the date of the enactment of this Act, the petition review pool shall promulgate rules to provide the public with information sufficient to allow interested parties to participate as amicus curiae.

SEC. 94005. APPELLATE REVIEW.

(a) APPEAL OF FISA COURT DECISIONS.—

(1) AUTHORITY TO APPEAL.—The Constitutional Advocate may appeal any decision of the FISA Court or the petition review pool issued after the date of the enactment of this Act not later than 90 days after the date the decision is issued, unless it would be apparent to all reasonable jurists that such decision is dictated by statute or by precedent handed down after such date of enactment.

(2) STANDING AS APPELLANT.—If the Constitutional Advocate appeals a decision of the FISA Court or the petition review pool pursuant to paragraph (1), the Constitutional Advocate shall have standing as a party before the FISA Court of Review in such appeal.

(3) MANDATORY REVIEW.—The FISA Court of Review shall review any FISA Court or petition review pool decision appealed by the Constitutional Advocate and issue a decision in such appeal.

(4) STANDARD OF REVIEW.—The standards for a mandatory review of a FISA Court or petition review pool decision pursuant to paragraph (3) shall be—

(A) de novo with respect to issues of law; and

(B) clearly erroneous with respect to determination of facts.

(5) AMICUS CURIAE PARTICIPATION.—

(A) IN GENERAL.—The FISA Court of Review shall accept amicus curiae briefs from interested parties in all mandatory reviews pursuant to paragraph (3) and shall provide for amicus curiae participation in oral argument if appropriate.

(B) REGULATIONS.—Not later than 180 days after the date of the enactment of this Act, the FISA Court of Review shall promulgate rules to provide the public with information sufficient to allow interested parties to participate as amicus curiae.

(b) REVIEW OF FISA COURT OF REVIEW DECISIONS.—

(1) AUTHORITY.—The Constitutional Advocate may seek a writ of certiorari from the Supreme Court of the United States for review of any decision of the FISA Court of Review.

(2) STANDING.—In any proceedings before the Supreme Court of the United States relating to a petition of certiorari filed under paragraph (1) and any proceedings in a matter for which certiorari is granted, the Constitutional Advocate shall have standing as a party.

SEC. 94006. DISCLOSURE.

(a) REQUIREMENT TO DISCLOSE.—The Attorney General shall publicly disclose—

(1) all decisions issued by the FISA Court, the petition review pool, or the FISA Court of Review after July 10, 2003, that include a significant construction or interpretation of law;

(2) any decision of the FISA Court or the petition review pool appealed by the Constitutional Advocate pursuant to this title; and

(3) any FISA Court of Review decision that is issued after an appeal by the Constitutional Advocate.

(b) DISCLOSURE DESCRIBED.—For each disclosure required by subsection (a) with respect to a decision, the Attorney General shall make available to the public documents sufficient—

(1) to identify with particularity each legal question addressed by the decision and how such question was resolved;

(2) to describe in general terms the context in which the matter arises;

(3) to describe the construction or interpretation of any statute, constitutional provision, or other legal authority relied on by the decision; and

(4) to indicate whether the decision departed from any prior decision of the FISA Court, the petition review pool, or the FISA Court of Review.

(c) DOCUMENTS DESCRIBED.—The Attorney General shall satisfy the disclosure requirements in subsection (b) by—

(1) releasing a FISA Court, petition review pool, or FISA Court of Review decision in its entirety or as redacted;

(2) releasing a summary of a FISA Court, petition review pool, or FISA Court of Review decision; or

(3) releasing an application made to the FISA Court, a petition made to the petition review pool, briefs filed before the FISA Court, the petition review pool, or the FISA Court of Review, or other materials, in full or as redacted.

(d) EXTENSIVE DISCLOSURE.—The Attorney General shall release as much information regarding the facts and analysis contained in a decision described in subsection (a) or documents described in subsection (c) as is consistent with legitimate national security concerns.

(e) TIMING OF DISCLOSURE.—

(1) DECISIONS ISSUED PRIOR TO ENACTMENT.—A decision issued prior to the date of the enactment of this Act that is required to be disclosed under subsection (a)(1) shall be disclosed not later than 180 days after the date of the enactment of this Act.

(2) FISA COURT AND PETITION REVIEW POOL DECISIONS.—The Attorney General shall release FISA Court or petition review pool decisions appealed by the Constitutional Advocate not later than 30 days after the date the appeal is filed.

(3) FISA COURT OF REVIEW DECISIONS.—The Attorney General shall release FISA Court of Review decisions appealed by the Constitutional Advocate not later than 90 days after the date the appeal is filed.

(f) PETITION BY THE CONSTITUTIONAL ADVOCATE.—

(1) AUTHORITY TO PETITION.—The Constitutional Advocate may petition the FISA Court, the petition review pool, or the FISA Court of Review to order—

(A) the public disclosure of a decision of such a Court or review pool, and documents or other material relevant to such a decision, previously designated as classified information; or

(B) the release of an unclassified summary of such decisions and documents.

(2) CONTENTS OF PETITION.—Each petition filed under paragraph (1) shall contain a detailed declassification proposal or a summary of the decision and documents that the Constitutional Advocate proposes to have released publicly.

(3) ROLE OF THE ATTORNEY GENERAL.—

(A) COPY OF PETITION.—The Constitutional Advocate shall provide to the Attorney General a copy of each petition filed under paragraph (1).

(B) OPPOSITION.—The Attorney General may oppose a petition filed under paragraph (1) by submitting any objections in writing to the FISA Court, the petition review pool, or the FISA Court of Review, as appropriate, not later than 90 days after the date such petition was submitted.

(4) PUBLIC AVAILABILITY.—Not less than 91 days after receiving a petition under paragraph (1), and taking into account any objections from the Attorney General made under paragraph (3)(B), the FISA Court, the petition review pool, or the FISA Court of Review, as appropriate, shall declassify and make readily available to the public any decision, document, or other material requested in such petition, to the greatest extent possible, consistent with legitimate national security considerations.

(5) EFFECTIVE DATE.—The Constitutional Advocate may not file a petition under paragraph (1) until 181 days after the date of the enactment of this Act, except with respect to a decision appealed by the Constitutional Advocate.

SEC. 94007. ANNUAL REPORT TO CONGRESS.

(a) REQUIREMENT FOR ANNUAL REPORT.—The Constitutional Advocate shall submit to Congress an annual report on the implementation of this title.

(b) CONTENTS.—Each annual report submitted under subsection (a) shall—

(1) detail the activities of the Office;

(2) provide an assessment of the effectiveness of this title; and

(3) propose any new legislation to improve the functioning of the Office or the operation of the FISA Court, the petition review pool, or the FISA Court of Review.

SEC. 94008. PRESERVATION OF RIGHTS.

Nothing in this title shall be construed—

(1) to provide the Attorney General with authority to prevent the FISA Court, the petition review pool, or the FISA Court of Review from declassifying decisions or releasing information pursuant to this title; and

(2) to eliminate the public's ability to secure information under section 552 of title 5, United States Code (commonly known as the ''Freedom of Information Act'') or any other provision of law.

TITLE XCV—NATIONAL SECURITY LETTER REFORMS

SEC. 95001. NATIONAL SECURITY LETTER AUTHORITY.

(a) NATIONAL SECURITY LETTER AUTHORITY FOR COMMUNICATIONS SUBSCRIBER RECORDS.—

(1) IN GENERAL.—Section 2709(b) of title 18, United States Code, is amended by amending paragraphs (1) and (2) to read as follows:

''(1) request the name, address, length of service, and local and long distance toll billing records of a person or entity if the Director (or the Director's designee) certifies in writing to the wire or electronic communication service provider to which the request is made that—

''(A) the name, address, length of service, and toll billing records sought are relevant to an authorized investigation to protect against international terrorism or clandestine intelligence activities, provided that such an investigation of a United States person is not conducted solely on the basis of activities protected by the first amendment to the Constitution of the United States; and

''(B) there are specific and articulable facts showing that there are reasonable grounds to believe that the name, address, length of service, and toll billing records sought—

''(i) pertain to a foreign power or agent of a foreign power;

''(ii) are relevant to the activities of a suspected agent of a foreign power who is the subject of such authorized investigation; or

''(iii) pertain to an individual in contact with, or known to, a suspected agent; and

''(2) request the name, address, and length of service of a person or entity if the Director (or the Director's designee) certifies in writing to the wire or electronic communication service provider to which the request is made that—

''(A) the information sought is relevant to an authorized investigation to protect against international terrorism or clandestine intelligence activities, provided that such an investigation of a United States person is not conducted solely upon the basis of activities protected by the first amendment to the Constitution of the United States; and

''(B) there are specific and articulable facts showing that there are reasonable grounds to believe that the information sought pertains to—

''(i) a foreign power or agent of a foreign power;

''(ii) the activities of a suspected agent of a foreign power who is the subject of such authorized investigation; or

''(iii) an individual in contact with, or known to, a suspected agent.''.

(b) NATIONAL SECURITY LETTER AUTHORITY FOR CERTAIN FINANCIAL RECORDS.—Section 1114 of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3414) is amended to read as follows:

''SEC. 1114. NATIONAL SECURITY LETTER FOR CERTAIN FINANCIAL RECORDS.

''(a) AUTHORIZATION.—

''(1) IN GENERAL.—The Director of the Federal Bureau of Investigation, or a designee of the Director whose rank shall be no lower than Deputy Assistant Director at Bureau headquarters or Special Agent in Charge in a Bureau field office, or the Director of the United States Secret Service may issue in writing and cause to be served on a financial institution, a National Security Letter requiring the production of—

''(A) the name of a customer of the financial institution;

''(B) the address of a customer of the financial institution;

''(C) the length of time during which a person has been, or was, a customer of the financial institution (including the start date) and the type of service provided by the institution to the customer; and

''(D) any account number or other unique identifier associated with a customer of the financial institution.

''(2) LIMITATION.—A National Security Letter issued under this subsection may not require the production of records or information not listed in paragraph (1).

''(b) NATIONAL SECURITY LETTER REQUIREMENTS.—

''(1) IN GENERAL.—A National Security Letter issued under subsection (a) shall—

''(A) be subject to the requirements of subsections (b) through (f) of section 2709 of title 18, United States Code, in the same manner and to the same extent as those provisions apply with respect to a request under section 2709(b) of title 18, United States Code, to a wire or electronic communication service provider;

''(B)(i) in the case of a National Security Letter issued by the Director of the Federal Bureau of Investigation or the Director's designee, include a statement of facts showing that there are reasonable grounds to believe that the records or other things sought—

''(I) are relevant to an authorized investigation (other than a threat assessment) to obtain foreign intelligence information not concerning a United States person or to protect against international terrorism or clandestine intelligence activities; and

''(II) pertain to—

''(aa) a foreign power or an agent of a foreign power;

''(bb) the activities of a suspected agent of a foreign power who is the subject of such authorized investigation; or

''(cc) an individual in contact with, or known to, a suspected agent of a foreign power; and

''(ii) in the case of a National Security Letter issued by the Director of the United States Secret Service, include a statement of facts showing that there are reasonable grounds to believe that the records or other things sought are relevant to the conduct of the protective functions of the United States Secret Service.

''(2) REPORTING.—On a semiannual basis the Director of the Federal Bureau of Investigation and the Director of the United States Secret Service shall fully inform the Select Committee on Intelligence, the Committee on the Judiciary, and the Committee on Banking, Housing, and Urban Affairs of the Senate and the Permanent Select Committee on Intelligence, the Committee on the Judiciary, and the Committee on Financial Services of the House of Representatives, concerning all requests made under subsection (a).

''(3) DEFINITIONS.—For purposes of this subsection, the terms 'agent of a foreign power', 'international terrorism', 'foreign intelligence information', and 'United States person' have the same meanings as in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801).

''(c) DEFINITION OF 'FINANCIAL INSTITUTION'.—For purposes of this section (and sections 1115 and 1117, insofar as the sections relate to the operation of this section), the term 'financial institution' has the same meaning as in subsections (a)(2) and (c)(1) of section 5312 of title 31, United States Code, except that the term shall include only a financial institution any part of which is located inside any State or territory of the United States, the District of Columbia, Puerto Rico, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, or the United States Virgin Islands.''.

(c) NATIONAL SECURITY LETTER AUTHORITY FOR CERTAIN CONSUMER REPORT RECORDS.—

(1) IN GENERAL.—Section 626 of the Fair Credit Reporting Act (15 U.S.C. 1681u) is amended—

(A) by striking the section heading and inserting the following:

''§ 626. National Security Letters for certain consumer report records'';

(B) by striking subsections (a) through (d) and inserting the following:

''(a) AUTHORIZATION.—

''(1) IN GENERAL.—The Director of the Federal Bureau of Investigation, or a designee of the Director whose rank shall be no lower than Deputy Assistant Director at Bureau headquarters or Special Agent in Charge in a Bureau field office, may issue in writing and cause to be served on a consumer reporting agency a National Security Letter requiring the production of—

''(A) the name of a consumer;

''(B) the current and former address of a consumer;

''(C) the current and former places of employment of a consumer; and

''(D) the name and address of any financial institution (as that term is defined in section 1101 of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3401)) at which a consumer maintains or has maintained an account, to the extent that the information is in the files of the consumer reporting agency.

''(2) LIMITATION.—A National Security Letter issued under this subsection may not require the production of a consumer report.

''(b) NATIONAL SECURITY LETTER REQUIREMENTS.—

''(1) IN GENERAL.—A National Security Letter issued under subsection (a) shall—

''(A) be subject to the requirements of subsections (b) through (f) of section 2709 of title 18, United States Code, in the same manner and to the same extent as those provisions apply with respect to a request under section 2709(b) of title 18, United States Code, to a wire or electronic communication service provider; and

''(B) include a statement of facts showing that there are reasonable grounds to believe that the records or other things sought—

''(i) are relevant to an authorized investigation (other than a threat assessment) to obtain foreign intelligence information not concerning a United States person or to protect against international terrorism or clandestine intelligence activities; and

''(ii) pertain to—

''(I) a foreign power or an agent of a foreign power;

''(II) the activities of a suspected agent of a foreign power who is the subject of such authorized investigation; or

''(III) an individual in contact with, or known to, a suspected agent of a foreign power.

''(2) REPORTING.—On a semiannual basis the Director of the Federal Bureau of Investigation shall fully inform the Select Committee on Intelligence, the Committee on the Judiciary, and the Committee on Banking, Housing, and Urban Affairs of the Senate and the Permanent Select Committee on Intelligence, the Committee on the Judiciary, and the Committee on Financial Services of the House of Representatives, concerning all requests made under subsection (a).

''(3) DEFINITIONS.—For purposes of this subsection, the terms 'agent of a foreign power', 'international terrorism', 'foreign intelligence information', and 'United States person' have the same meanings as in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801).'';

(C) by striking subsections (f) through (h); and

(D) by redesignating subsections (e) and (i) through (m) as subsections (c) through (h), respectively.

(2) REPEAL.—Section 627 of the Fair Credit Reporting Act (15 U.S.C. 1681v) is repealed.

(d) TECHNICAL AND CONFORMING AMENDMENT.—

(1) TABLE OF SECTIONS AMENDMENT.—The table of sections for the Fair Credit Reporting Act (15 U.S.C. 1681 et seq.) is amended by striking the items relating to sections 626 and 627 and inserting the following:

''626. National Security Letters for certain consumer report records.

''627. [Repealed].''.

(2) CONFORMING AMENDMENTS.—

(A) NOTICE REQUIREMENTS.—Section 1109 of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3409) is amended by striking subsection (c).

(B) TITLE 18, UNITED STATES CODE.—Title 18, United States Code, is amended—

(i) in section 1510(e), by striking ''section 626(d)(1) or 627(c)(1) of the Fair Credit Reporting Act (15 U.S.C. 1681u(d)(1) or 1681v(c)(1)), section 1114(a)(3)(A) or 1114(a)(5)(D)(i) of the Right to Financial Privacy Act (12 U.S.C. 3414(a)(3)(A) or 3414(a)(5)(D)(i)),'' and inserting ''section 626 of the Fair Credit Reporting Act (15 U.S.C.

1681u), section 1114 of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3414),''; and

(ii) in section 3511—

(I) by striking ''section 1114(a)(5)(A) of the Right to Financial Privacy Act,'' each place that term appears and inserting ''section 1114 of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3414),''; and

(II) by striking ''or section 627(a)'' each place that term appears.

(C) NATIONAL SECURITY ACT OF 1947.—Section 507(b) of the National Security Act of 1947 (50 U.S.C. 3106(b)) is amended—

(i) in paragraph (2), by striking ''section 626(h)(2) of the Fair Credit Reporting Act (15 U.S.C. 1681u(h)(2)).'' and inserting ''section 626(b)(2) of the Fair Credit Reporting Act (15 U.S.C. 1681u(b)(2)).''; and

(ii) in paragraph (3), by striking ''section 1114(a)(5)(C) of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3414(a)(5)(C)).'' and inserting ''section 1114(b)(2) of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3414(b)(2)).''.

(D) USA PATRIOT ACT.—

(i) SECTION 118.—Section 118 of the USA PATRIOT Improvement and Reauthorization Act of 2005 (Public Law 109–177; 18 U.S.C. 3511 note) is amended—

(I) in subsection (c)(1)—

(aa) in subparagraph (C), by inserting ''and'' at the end;

(bb) in subparagraph (D), by striking ''; and'' and inserting a period; and

(cc) by striking subparagraph (E); and

(II) in subsection (d)—

(aa) in paragraph (2), by striking ''Section 1114(a)(5)(A) of the Right to Financial Privacy Act (12 U.S.C. 3414(a)(5)(A))'' and inserting ''Section 1114 of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3414)''; and

(bb) by striking paragraph (5).

(ii) SECTION 119.—Section 119(g) of the USA PATRIOT Improvement and Reauthorization Act of 2005 (Public Law 109–177; 120 Stat. 219) is amended—

(I) in paragraph (2), by striking ''Section 1114(a)(5)(A) of the Right to Financial Privacy Act (12 U.S.C. 3414(a)(5)(A))'' and inserting ''Section 1114 of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3414)''; and

(II) by striking paragraph (5).

SEC. 95002. PUBLIC REPORTING ON NATIONAL SECURITY LETTERS.

Section 118(c) of the USA PATRIOT Improvement and Reauthorization Act of 2005 (Public Law 109–177; 18 U.S.C. 3511 note), as amended by section 501(d)(2)(D)(i), is further amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking ''concerning different United States persons''; and

(B) in subparagraph (A), by striking '', excluding the number of requests for subscriber information'';

(2) by redesignating paragraph (2) as paragraph (3); and

(3) by inserting after paragraph (1) the following:

''(2) CONTENT.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), each report required under this subsection shall include the total number of requests described in paragraph (1) requiring disclosure of information concerning—

''(i) United States persons;

''(ii) persons who are not United States persons;

''(iii) persons who are the subjects of authorized national security investigations; or

''(iv) persons who are not the subjects of authorized national security investigations.

''(B) EXCEPTION.—With respect to the number of requests for subscriber information under section 2709 of title 18, United States Code, a report required under this subsection need not provide information separated into each of the categories described in subparagraph (A).''.

TITLE XCVI—REPORTING FISA ORDERS AND NATIONAL SECURITY LETTERS

SEC. 96001. THIRD-PARTY REPORTING OF FISA ORDERS AND NATIONAL SECURITY LETTERS.

(a) IN GENERAL.—Each electronic service provider may report information to the public in accordance with this section about requests and demands for information made by any Government entity under a surveillance law, and is exempt in accordance with subsection (d) from liability with respect to that report, even if such provider would otherwise be prohibited by a surveillance law from reporting that information.

(b) PERIODIC AGGREGATE REPORTS.—An electronic service provider may report such information not more often than quarterly and only to the following extent:

(1) ESTIMATE OF NUMBERS OF DEMANDS AND REQUESTS MADE.—The report may reveal an estimate of the number of such demands and requests made during the period to which the report pertains.

(2) ESTIMATE OF NUMBERS OF DEMANDS AND REQUESTS COMPLIED WITH.—The report may reveal an estimate of the numbers of such demands and requests the service provider complied with during the period to which the report pertains, regardless of when the demands or requests were made.

(3) ESTIMATE OF NUMBER OF USERS OR ACCOUNTS.—The report may reveal an estimate of the numbers of users or accounts, or both, of the service provider, for which information was demanded, requested, or provided during the period to which the report pertains.

(c) SPECIAL RULES FOR REPORTS.—

(1) LEVEL OF DETAIL BY AUTHORIZING SURVEILLANCE LAW.—Any estimate disclosed under this section may be an overall estimate or broken down by categories of authorizing surveillance laws or by provisions of authorizing surveillance laws.

(2) LEVEL OF DETAIL BY NUMERICAL RANGE.—Each estimate disclosed under this section shall be rounded to the nearest 100. If an estimate is zero, an electronic service provider may report the estimate as zero.

(3) REPORT MAY BE BROKEN DOWN BY PERIODS NOT LESS THAN CALENDAR QUARTERS.—For any reporting period, the provider may break down the report by calendar quarters or any other time periods greater than a calendar quarter.

(d) LIMITATION ON LIABILITY.—An electronic service provider making a report that the provider reasonably believes in good faith is authorized by this section is not criminally or civilly liable in any court for making that report.

(e) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to prohibit disclosures other than those authorized by this section.

(f) DEFINITIONS.—In this section:

(1) The term ''electronic service provider'' means a provider of an electronic communications service (as that term is defined in section 2510 of title 18, United States Code) or a provider of a remote computing service (as that term is defined in section 2711 of title 18, United States Code).

(2) The term ''surveillance law'' means any provision of any of the following:

(A) The Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.).

(B) Section 802(a) of the National Security Act of 1947 (50 U.S.C. 3162(a)).

(C) Section 2709 of title 18, United States Code.

(D) Section 1114 of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3414).

(E) Subsections (a) or (b) of section 626 of the Fair Credit Reporting Act (15 U.S.C. 1681u).

SEC. 96002. GOVERNMENT REPORTING OF FISA ORDERS.

(a) ELECTRONIC SURVEILLANCE.—Section 107 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1807) is amended—

(1) by redesignating subsections (a) and (b) as paragraphs (1) and (2), respectively;

(2) in the matter preceding paragraph (1) (as redesignated by paragraph (1) of this subsection)—

(A) by striking ''In April'' and inserting ''(a) In April''; and

(B) by striking ''Congress'' and inserting ''the Select Committee on Intelligence and the Committee on the Judiciary of the Senate and the Permanent Select Committee on Intelligence and the Committee on the Judiciary of the House of Representatives'';

(3) in subsection (a) (as designated by paragraph (2) of this subsection)—

(A) in paragraph (1) (as redesignated by paragraph (1) of this subsection), by striking ''and'' at the end;

(B) in paragraph (2) (as so redesignated), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following new paragraphs:

''(3) the total number of individuals who were subject to electronic surveillance conducted under an order entered under this title, rounded to the nearest 100; and

''(4) the total number of United States persons who were subject to electronic surveillance conducted under an order entered under this title, rounded to the nearest 100.''; and

(4) by adding at the end the following new subsection:

''(b)(1) Each report required under subsection (a) shall be submitted in unclassified form.

''(2) Not later than 7 days after a report is submitted under subsection (a), the Attorney General shall make such report publicly available.''.

(b) PEN REGISTER AND TRAP AND TRACE DEVICES.—Section 406 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1846) is amended—

(1) in subsection (b)—

(A) in paragraph (2), by striking ''and'' at the end;

(B) in paragraph (3), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following new paragraphs:

''(4) a good faith estimate of the total number of individuals whose electronic or wire communications information was obtained through the use of pen register or trap and trace devices authorized under an order entered under this title, rounded to the nearest 100; and

''(5) a good faith estimate of the total number of United States persons whose electronic or wire communications information was obtained through the use of a pen register or trap and trace devices authorized under an order entered under this title, rounded to the nearest 100.''; and

(2) by adding at the end the following new subsection:

''(c)(1) Each report required under subsection (b) shall be submitted in unclassified form.

''(2) Not later than 7 days after a report is submitted under subsection (b), the Attorney General shall make such report publicly available.''.

(c) ACCESS TO CERTAIN BUSINESS RECORDS.—Section 502 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1862) is amended—

(1) in subsection (b)(3), by adding at the end the following new subparagraphs:

''(F) Records concerning electronic communications.

''(G) Records concerning wire communications.''; and

(2) in subsection (c)—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking ''and'' at the end;

(ii) in subparagraph (B), by striking the period at the end and inserting a semicolon; and

(iii) by adding at the end the following new subparagraphs:

''(C) a good faith estimate of the total number of individuals whose tangible things were produced under an order entered under section 501, rounded to the nearest 100; and

''(D) a good faith estimate of the total number of United States persons whose tangible things were produced under an order entered under section 501, rounded to the nearest 100.''; and

(B) by adding at the end the following new paragraph:

''(3) Not later than 7 days after the date on which a report is submitted under paragraph (1), the Attorney General shall make such report publicly available.''.

(d) ADDITIONAL PROCEDURES REGARDING CERTAIN PERSONS OUTSIDE THE UNITED STATES.—Section 707 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881f) is amended by adding at the end the following new subsection:

''(c) ADDITIONAL ANNUAL REPORT.—

''(1) REPORT REQUIRED.—In April of each year, the Attorney General shall submit to the congressional intelligence committees and the Committees on the Judiciary of the House of Representatives and the Senate a report setting forth with respect to the preceding year—

''(A) the total number of—

''(i) directives issued under section 702;

''(ii) orders granted under section 703; and

''(iii) orders granted under section 704;

''(B) good faith estimates of the total number of individuals, rounded to the nearest 100, whose electronic or wire communications or communications records were collected pursuant to—

''(i) an order granted under section 703; and

''(ii) an order granted under section 704; and

''(C) good faith estimates of the total number, rounded to the nearest 100, of United States persons whose electronic or wire communications or communications records were collected pursuant to—

''(i) an order granted under section 703; and

''(ii) an order granted under section 704.

''(2) FORM.—Each report required under paragraph (1) shall be submitted in unclassified form.

''(3) PUBLIC AVAILABILITY.—Not later than 7 days after the date on which a report is submitted under paragraph (1), the Attorney General shall make such report publicly available.''.

TITLE XCVII—OTHER MATTERS

SEC. 97001. PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD SUBPOENA AUTHORITY.

Section 1061(g) of the Intelligence Reform and Terrorism Prevention Act of 2004 (42 U.S.C. 2000ee(g)) is amended—

(1) in paragraph (1)(D), by striking ''submit a written request to the Attorney General of the United States that the Attorney General'';

(2) by striking paragraph (2); and

(3) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3).

SEC. 97002. SCOPE OF LIABILITY PROTECTION FOR PROVIDING ASSISTANCE TO THE GOVERNMENT.

Section 802 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1885a) is amended—

(1) in subsection (a), in the matter preceding paragraph (1), by inserting ''and except as provided in subsection (j),'' after ''law,''; and

(2) by adding at the end the following:

''(j) VIOLATION OF USER AGREEMENTS.—Subsection (a) shall not apply to assistance provided by a person if the provision of assistance violates a user agreement, including any privacy policy associated with the user agreement, in effect at the time the assistance is provided between the person and the person relating to whom the assistance was provided.''.

SA 2455. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

Beginning on page 888, strike line 10 and all that follows through page 889, line 13, and insert the following:

''(2) ADDITIONAL CONSIDERATIONS.—In evaluating a project under this section, in addition to the criteria described in paragraph (1), the Administrator shall consider—

''(A) the difference between—

''(i) the estimated volume of traffic that uses an applicable road or bridge after a project is completed; and

''(ii) the volume of traffic that existing road or bridge was designed to accommodate;

''(B) the national significance (rather than the regional significance) of the project; and

''(C) the extent to which the project—

''(i) leverages Federal investment by encouraging non-Federal contributions to the project, including contributions from public-private partnerships;

''(ii) is able to begin construction by the date that is not later than 18 months after the date on which the project is selected;

''(iii) incorporates innovative project delivery and financing to the maximum extent practicable;

''(iv) helps maintain or protect the environment;

''(v) improves roadways vital to national energy security;

''(vi) improves or upgrades designated future Interstate System routes;

''(vii) uses innovative technologies, including intelligent transportation systems, that enhance the efficiency of the project;

''(viii) helps to improve mobility and accessibility;

''(ix) addresses the impact of population growth on the movement of people and freight;

''(x) would have a positive impact on 1 or more highways on the Interstate System;

''(xi) would repair or replace a road or bridge that—

''(I) has been determined to be structurally or functionally obsolete; and

''(II) poses a risk to public safety;

''(xii) would have a positive impact on interstate commerce, as demonstrated by an examination of economic indicators, including—

''(I) the impact of the project on shipping and trucking commerce;

''(II) the nexus of the project to other States; and

''(III) the availability of alternative routes, as compared to the routes affected by the project; and

''(xiii) would receive additional funding from a State or local government.

SA 2456. Mr. MORAN (for himself, Mr. DONNELLY, Mr. BLUNT, Mrs. MURRAY, Mr. UDALL, Mr. BURR, and Ms. CANTWELL) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 338, beginning on line 9, strike ''$180,000,000 for each of fiscal years 2016 and 2017, $185,000,000 for fiscal year 2018, and $190,000,000 for each of fiscal years 2019 through 2021'' and insert the following: ''$464,125,375 for fiscal year 2016, $470,176,693 for fiscal year 2017, $476,550,713 for fiscal year 2018, $483,453,719 for fiscal year 2019, $490,856,089 for fiscal year 2020, and $498,464,138 for fiscal year 2021''.

On page 338, beginning on line 18, strike ''$533,262,600 for fiscal year 2016, $545,034,372 for fiscal year 2017, $557,433,904 for fiscal year 2018, $586,907,438 for fiscal year 2019, $601,712,178 for fiscal year 2020, and $616,928,276 for fiscal year 2021'' and insert the following: ''$274,125,375 for fiscal year 2016, $280,176,692 for fiscal year 2017, $286,550,712 for fiscal year 2018, $293,453,719 for fiscal year 2019, $300,856,089 for fiscal year 2020, and $308,464,138 for fiscal year 2021''.

On page 350, line 19, strike ''15 percent'' and insert ''4 percent''.

SA 2457. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health care coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

Beginning on page 784, strike line 24 and all that follows through page 785, line 3, and insert the following:

''(i) INFORMATION PROTECTIONS.—The Secretary may not disclose publicly any part of an in-cab audio or image recording or transcript of oral communications by or among train employees or other operating employees responsible for the movement and direction of the train, or between such operating employees and company communication centers, related to an accident investigated by the Secretary. However, the Secretary shall make public any part of a transcript or any written depiction of visual information that the Secretary decides is relevant to the accident at the time a majority of the other factual reports on the accident are released to the public.''.

SA 2458. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 789, strike line 9 and all that follows through ''(4) DESIGNEE.—'' on line 14, and insert the following:

(3) DESIGNEE.—

SA 2459. Mr. VITTER submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health care coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. AUTOCYCLE SAFETY.

(a) SHORT TITLE.—This section may be cited as the ''Autocycle Safety Act''.

(b) MOTOR VEHICLE SAFETY STANDARDS.—

(1) DEFINED TERM.—Section 30102(a) of title 49, United States Code, is amended—

(A) by redesignating paragraphs (1) through (11) as paragraphs (2) through (12), respectively; and

(B) by inserting before paragraph (2), as redesignated, the following:

''(1) 'autocycle' means a motor vehicle with 3 wheels, a fully enclosed occupant compartment, and a steering wheel, which is subject to applicable Federal motor vehicle safety standards, as determined necessary by the Secretary of Transportation through regulation.''.

(2) APPLICABILITY OF MOTOR VEHICLE SAFETY STANDARDS TO AUTOCYCLES.—Chapter 301 of title 49, United States Code, is amended—

(A) in the table of sections, by striking the items relating to sections 30113 and 30114 and inserting the following:

''30113. Exemptions.
''30114. Autocycles.'';

(B) in section 30113, by amending the section heading to read as follows:

''§ 30113. Exemptions'';

(C) by redesignating section 30114 as subsection (i) of section 30113; and

(D) by inserting after section 30113, as amended by subparagraph (C), the following:

''§ 30114. Autocycles

''(a) INTERIM SAFETY STANDARDS FOR AUTOCYCLES.—During the period beginning on the date of the enactment of the Autocycle Safety Act and ending on the effective date of the rules issued pursuant to subsection (c), a person satisfies the requirements set forth in section 30112(a) with regard to an autocycle if the autocycle—

''(1) complies with the motor vehicle safety standards for passenger cars with gross vehicle weight ratings of 10,000 pounds or less, as set forth in part 571 of title 49, Code of Federal Regulations, relating to—

''(A) seating systems (FMVSS 207);

''(B) belted occupant crash protection (FMVSS 208);

''(C) seat belt assemblies (FMVSS 209);

''(D) seat belt assembly anchorages (FMVSS 210);

''(E) child restraint systems (FMVSS 213);

''(F) roof crush resistance (FMVSS 216);

''(G) child restraint anchorage systems (FMVSS 225); and

''(H) flammability of interior materials (FMVSS 302);

''(2) meets the performance criteria relating to upper interior impact set forth in FMVSS 201 to the extent possible to reach the target points;

''(3) is equipped with a steering wheel air bag, 2 curtain side impact air bags, anti-lock brakes, and electronic stability control; and

''(4) complies with the motor vehicle safety standards for motorcycles, as set forth in part 571 of title 49, Code of Federal Regulations, relating to—

''(A) brake hoses (FMVSS 106);

''(B) lamps, reflective devices, and associated equipment (FMVSS 108);

''(C) rearview mirrors (FMVSS 111);

''(D) motor vehicle brake fluids (FMVSS 116);

''(E) new pneumatic tires (FMVSS 119);

''(F) tire selection and rims (FMVSS 120);

''(G) motorcycle brake systems (FMVSS 122);

''(H) motorcycle controls and displays (FMVSS 123); and

''(I) glazing materials (FMVSS 205).

''(b) APPLICABILITY.—In determining which motor vehicle safety standards are applicable to autocycles, the Secretary of Transportation shall—

''(1) apply motorcycle safety standards to those aspects of an autocycle's performance regulated through the motor vehicle safety standards applicable to motorcycles; and

''(2) apply passenger car safety standards to those aspects of an autocycle's performance regulated through motor vehicle safety standards that are not otherwise regulated through a motorcycle standard.

''(c) RULEMAKING.—

''(1) IN GENERAL.—Not later than 3 years after the date of the enactment of the Autocycle Safety Act, the Secretary shall issue such final rules, interpretations, and test procedures in accordance with subsection (b) as may be necessary for a person to satisfy the requirements set forth in section 30112(a) with regard to an autocycle.

''(2) RULEMAKING.—In issuing rules to preserve autocycle safety pursuant to paragraph (1), the Secretary shall—

''(A) provide autocycle manufacturers with appropriate lead time to comply with the safety standards set forth in such rules; and

''(B) comply with the requirements and considerations set forth in subsections (a) and (b) of section 30111.''.

(c) AUTOCYCLE FUEL ECONOMY.—Section 32901(a) of title 49, United States Code, is amended—

(1) by redesignating paragraphs (3) through (19) as paragraphs (4) through (20), respectively;

(2) by inserting after paragraph (2) the following:

''(3) 'autocycle' means a passenger automobile with 3 wheels, a fully enclosed occupant compartment, and a steering wheel, which meets applicable Federal motor vehicle safety standards, as determined under chapter 301.'';

(3) in paragraph (4), as redesignated, by inserting ''or an autocycle'' after ''a 4-wheeled vehicle''; and

(4) in paragraph (19), as redesignated, by inserting ''(including an autocycle)'' after ''means an automobile''.

SA 2460. Mr. VITTER submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health care coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place in division C, insert the following:

SEC. 3____. AUTOCYCLE FUEL ECONOMY.

Section 32901(a) is amended—

(1) by redesignating paragraphs (3) through (19) as paragraphs (4) through (20), respectively;

(2) by inserting after paragraph (2) the following:

''(3) 'autocycle' means a passenger automobile with 3 wheels, a fully enclosed occupant compartment, and a steering wheel, which meets applicable Federal motor vehicle safety standards, as determined under chapter 301.'';

(3) in paragraph (4), as redesignated, by inserting ''or an autocycle'' after ''a 4-wheeled vehicle''; and

(4) in paragraph (19), as redesignated, by inserting ''(including an autocycle)'' after ''means an automobile''.

SA 2461. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 580, strike lines 2 through 13, and insert the following:

(a) PROPOSED RULE.—Not later than 1 year after the date of enactment of this Act, the Secretary shall publish a proposed rule that

updates the standards pertaining to tire pressure monitoring systems to ensure that a tire pressure monitoring system that is installed in a new motor vehicle after the effective date of the revised standards cannot, to a level other than a safe pressure level, be—

(1) overridden;

(2) reset; or

(3) recalibrated.

(b) SAFE PRESSURE LEVEL.—For the purposes of subsection (a), the term ''safe pressure level'' shall mean a pressure level consistent with the TPMS detection requirements contained in S4.2(a) of section 571.138 of title 49, Code of Federal Regulations, or any corresponding similar regulation or ruling.

(c) FINAL RULE.—Not later than 2 years after the date of enactment of this Act, after providing the public with sufficient opportunity for notice and comment on the proposed rule published under subsection (a), the Secretary shall issue a final rule on the subject described in subsection (a).

SA 2462. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 536, strike line 3 and insert the following:

by striking ''60'' and inserting ''45''.

SA 2463. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 539, strike lines 20 and 21, and insert the following:

(C) in clause (ii), by inserting ''at a testing location'' after ''per day''.

SA 2464. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 577, strike lines 6 through 17, and insert the following:

(a) INCREASE IN CIVIL PENALTIES.—Section 30165(a) is amended—

(1) in paragraph (1)—

(A) by striking ''$5,000'' and inserting ''$21,000''; and

(B) by striking ''$35,000,000'' and inserting ''$105,000,000''; and

(2) in paragraph (3)—

(A) by striking ''$5,000'' and inserting ''$21,000''; and

(B) by striking ''$35,000,000'' and inserting ''$105,000,000''.

SA 2465. Ms. KLOBUCHAR submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health care coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 111, after line 20, add the following:

SEC. 11030. LOCAL ROAD SAFETY IMPROVEMENT.

(a) SHORT TITLE.—This section may be cited as the ''Local Road Safety Act of 2015''.

(b) HIGHWAY SAFETY IMPROVEMENT PROGRAM.—

(1) STATE STRATEGIC HIGHWAY SAFETY PLAN.—Section 148(a)(11) of title 23, United States Code, as redesignated by section 11011(1)(B), is amended—

(A) in subparagraph (A)—

(i) in clause (ix) by striking ''and'' at the end;

(ii) by redesignating clause (x) as clause (xi); and

(iii) by inserting after clause (ix) the following:

''(x) private sector experts in the field of roadway safety infrastructure; and''; and

(B) in subparagraph (E), by inserting '', including the results of any strategic highway safety plan developed by a county or local government entity or regional transportation planning organization'' after ''processes''.

(2) SPECIAL RULES.—Section 148(g) of such title is amended by adding at the end the following:

''(3) COUNTY AND LOCAL TRANSPORTATION AGENCIES.—From amounts apportioned to each State under section 104(b)(3) in each fiscal year, each State shall provide financial assistance to county and local transportation agencies in an amount that the State determines to be sufficient to assist such agencies to address significant safety needs and high fatality segments identified in a State strategic highway safety plan—

''(A) non-State-owned public roads; and

''(B) roads on tribal land.''.

SA 2466. Ms. KLOBUCHAR submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health care coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 529, line 18, add at the end the following: ''In addition to other amounts made available to carry out subsections (a) and (b) of section 5116, the Secretary may use prior year recoveries recognized in the current year to develop a blended training (direct and web-based) hazardous materials response training curriculum, particularly emergency response activities for the transportation of crude oil, ethanol, and other flammable liquids by rail, consistent with National Fire Protection Association standards.''.

SA 2467. Mr. BLUMENTHAL (for himself and Ms. CANTWELL) submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health care coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place in title XXXII of division C, insert the following:

SEC. ___. PROHIBITING CELL PHONE USAGE BY COMMERCIAL MOTOR VEHICLE OPERATORS.

(a) PROHIBITION.—Not later than 18 months after the date of the enactment of this Act, the Secretary of Transportation shall promulgate regulations that—

(1) prohibit the use of a personal wireless communications device, including those using hands-free technology, while operating a commercial motor vehicle, including a marked pilot car that is escorting an oversize vehicle; and

(2) prohibit the use of a personal wireless communications device, including those using hands-free technology, while transporting hazardous materials.

(b) DEFINITION.—In this section the term ''personal wireless communications device''—

(1) means a device through which personal wireless services (as defined in section 332(c)(7)(C)(i) of the Communications Act of 1934 (47 U.S.C. 332(c)(7)(C)(i))) are transmitted; and

(2) does not include a global navigation satellite system receiver used for positioning, emergency notification, or navigation purposes.

SA 2468. Mr. BLUMENTHAL (for himself and Mr. NELSON) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health care coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

Strike section 32003 (relating to data certification).

Strike section 32005 (relating to accident report information).

SA 2469. Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health care coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

SEC. 11210. HABITAT CONNECTIVITY.

(a) DEFINITIONS.—Section 101(a) of title 23, United States Code, is amended—

(1) by redesignating paragraphs (11) through (34) as paragraphs (12) through (35), respectively; and

(2) by inserting after paragraph (10) the following:

''(11) HABITAT CONNECTIVITY.—The term 'habitat connectivity' means the preservation, restoration, and improvement of aquatic organism passage and wildlife movement, passage and migration.''.

(b) METROPOLITAN TRANSPORTATION PLANNING.—Section 134(h)(1)(E) of title 23, United States Code, is amended by inserting ''including habitat connectivity,'' after ''environment,''.

(c) STATEWIDE AND NONMETROPOLITAN TRANSPORTATION PLANNING.—Section 135(d)(1)(E) of title 23, United States Code, is amended by inserting ''including habitat connectivity,'' after ''environment,''.

On page 229, lines 16 and 17, strike ''Section 101(a)(29) of title 23, United States Code,'' and insert ''Paragraph (30) of section 101(a) of title 23, United States Code (as redesignated by section 11210(a)),''.

SA 2470. Mr. BOOKER (for himself, Mr. SANDERS, Mr. MARKEY, Mr. CARPER, and Mr. MENENDEZ) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

SEC. 11210. RESILIENCE FOR TRANSPORTATION SYSTEMS.

(a) DEFINITIONS.—Section 101(a) of title 23, United States Code, is amended—

(1) by redesignating paragraphs (22) through (34) as paragraphs (23) through (35), respectively;

(2) by inserting after paragraph (21) the following:

''(22) RESILIENCE.—The term 'resilience' means the ability to use durable and sustainable materials and resilient structural and nonstructural techniques that—

''(A) allow a transportation infrastructure project —

''(i) to resist hazards due to a major disaster; and

''(ii) to continue to serve the primary function of the transportation infrastructure project following a major disaster;

''(B) reduce the magnitude or duration of a disruptive event to a transportation infrastructure project; and

''(C) have the absorptive capacity, adaptive capacity, and recoverability to withstand a potentially disruptive event, to decrease transportation project infrastructure vulnerability.'';

(3) in paragraph (31) (as redesignated by paragraph (1))—

(A) in subparagraph (A), by inserting ''resilience,'' after ''safety,''; and

(B) in subparagraph (B)(ii), by inserting ''resilience,'' after ''reliability,''; and

(4) by adding at the end the following:

''(36) VULNERABILITY.—The term 'vulnerability' means the degree to which existing or planned infrastructure is subject to and is susceptible to extreme weather events based on the character, magnitude, and rate of a disruptive event to which a system is exposed, and the sensitivity and resilience of the system.''.

(b) NATIONAL HIGHWAY PERFORMANCE PROGRAM.—Section 119 of title 23, United States Code, is amended—

(1) in subsection (d)(2), by adding at the end the following:

''(Q) Construction, reconstruction, resurfacing, restoration, rehabilitation, and preservation of, and operational improvements for, enhancing resilience.''; and

(2) in subsection (e)(4)—

(A) by redesignating subparagraphs (E) and (F) as subparagraphs (F) and (G), respectively; and

(B) by inserting after subparagraph (D) the following:

''(E) measures to reduce vulnerability and ensure system resilience;''.

(c) HIGHWAY SAFETY IMPROVEMENT PROGRAM.—Section 148(a)(4) of title 23, United States Code (as amended by section 11011), is amended—

(1) in clause (i) of subparagraph (A), by inserting ''or vulnerable'' after ''hazardous''; and

(2) in clause (xxiv) of subparagraph (B), by inserting '', including measures to improve resilience'' after ''improvements''.

(d) NATIONAL GOALS AND PERFORMANCE MANAGEMENT MEASURES.—Section 150(b) of title 23, United States Code, is amended by adding at the end the following:

''(8) RESILIENCE.—To increase the resilience of transportation systems under the jurisdiction of a State, regional or metropolitan planning organization, as applicable.''.

On page 229, lines 16 and 17, strike ''Section 101(a)(29) of title 23, United States Code,'' and insert ''Paragraph (30) of section 101(a) of title 23, United States Code (as redesignated by section 11210(a)),''.

SA 2471. Mr. BOOKER (for himself, Mr. CARPER, and Mr. MENENDEZ) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 35, strike lines 13 through 22 and insert the following:

''(C) STATE SHARE.—Of the total amount described in subparagraph (B) for a fiscal year, the Secretary shall allocate to each State for the fiscal year, based on the most recent year data from the freight analysis framework—

''(i) 40 percent based on the ratio that—

''(I) the tonnage of rail, waterborne, highway, airport, and pipeline freight moved in the State; bears to

''(II) the tonnage of that freight moved in all States;

''(ii) 40 percent based on the ratio that—

''(I) the value of rail, waterborne, highway, airport, and pipeline freight moved in the State; bears to

''(II) the value of that freight moved in all States;

''(iii) 10 percent based on the ratio that—

''(I) the value of international product freight moved in the State; bears to

''(II) the value of that freight moved in all States; and

''(iv) 10 percent based on the ratio that—

''(I) the tonnage of international product freight moved in the State; bears to

''(II) the value of that freight moved in all States.

On page 871, strike lines 4 through line 15.

On page 871, line 16, strike ''(C)'' and insert ''(B)''.

SA 2472. Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

Beginning on page 429, strike line 23 and all that follows through page 434, line 18, and insert the following:

SEC. 32201. MINIMUM INSURANCE COVERAGE.

(a) TRANSPORTING PROPERTY.—

(1) IN GENERAL.—Section 31139(b) is amended—

(A) in paragraph (2), by striking ''$750,000'' and inserting ''$1,500,000''; and

(B) by adding at the end the following:

''(3) The minimum level of financial responsibility under paragraph (2) shall be adjusted annually by the Secretary to reflect changes in the Consumer Price Index—All Urban Consumers.''.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect on the date that is 1 year after the date of the enactment of this Act.

(b) RULEMAKING.—The Secretary, by regulation, shall increase any minimum level of financial responsibility required under section 31138 or section 31139 if, after an opportunity for notice and comment, the Secretary determines that the current amount is insufficient to satisfy liability amounts covering the claims described in section 31138 or section 31139, as applicable.

SA 2473. Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken

into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 172, lines 12 and 13, strike ''to, and enter into cooperative agreements and contracts with,'' and insert '', which may include (but may not require, consistent with the objective to expand and diversify the grantee pool to include independent research efforts by private entities as a mechanism to most effectively leverage limited Federal funds and avoid duplication) entering into cooperative agreements and contracts with''.

On page 174, strike lines 22 through 24 and insert the following:

deployment of ITS band, cellular communication, and autonomous vehicle technologies, as well as the operation, systems management, intermodal integration, and interoperability of the ITS spectrum band technologies—

On page 176, line 13, insert '', cellular communication, and autonomous vehicle'' after ''ITS''.

On page 177, line 15, insert '', cellular communications, and autonomous vehicle'' after ''ITS''.

On page 177, strike line 16 and insert the following:

''(F) if deployed in the ITS spectrum band, a plan to ensure interoperability of the

On page 178, line 22, insert '', cellular communications, and autonomous vehicle technologies'' after ''of ITS''.

On page 179, strike lines 22 through 25 and insert the following:

''(E) the implementation of intelligent transportation systems and other technologies that improve highway safety through information and communications systems onboard the vehicle or linking vehicles,

On page 180, line 24, insert ''based on a comparative cost-benefit analysis of ITS band, cellular communications, and autonomous vehicle technologies'' before the period at the end.

On page 184, line 9, insert '', cellular communications, and autonomous vehicle'' after ''ITS''.

On page 475, line 15, insert ''and safety'' after ''information''.

On page 475, line 21, insert '', advanced driver assistance systems, and autonomous vehicle technologies'' after ''applications''.

On page 477, line 9, insert '', advanced driver assistance systems, autonomous vehicle technologies,'' before ''and commercial''.

On page 477, line 13, insert ''of ITS band technologies'' after ''interoperability''.

On page 477, line 17, insert ''only for ITS operations in the ITS spectrum (5.9 MHz) band'' after ''tests''.

On page 478, lines 4 and 5, strike ''information systems and networks'' and insert ''and safety information systems and networks, including advanced driver assistance systems and autonomous vehicle technologies''.

SA 2474. Mr. BOOKER (for himself, Mr. NELSON, Mr. CASEY, Mr. MARKEY, Mr. BLUMENTHAL, Mr. CARPER, Mr. COONS, Mr. MURPHY, Mr. MENENDEZ, and Mr. WARNER) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 40, strike lines 8 through 13, and insert the following:

(1) in subsection (b)—

(A) in paragraph (5), by inserting '', and for intercity passenger rail projects eligible for assistance under chapter 244 of title 49'' after ''by bus'';

(B) in paragraph (10), by inserting '', including emergency evacuation plans'' after ''programs''; and

(C) in paragraph (13), by adding a period at the end;

SA 2475. Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 522, between lines 7 and 8, insert the following:

SEC. 32612. COLLISION AVOIDANCE TECHNOLOGIES.

(a) IN GENERAL.—Not later than 24 months after the date of the enactment of this Act, the Secretary shall initiate a rulemaking to establish a Federal motor vehicle safety standard that requires any motor vehicle with a gross vehicle weight rating greater than 26,000 pounds to be equipped with a crash avoidance and mitigation system, such as—

(1) a forward collision warning system;

(2) a forward collision automatic braking system; and

(3) a lane departure warning system.

(b) PERFORMANCE AND STANDARDS.—The regulations prescribed under subsection (a) shall establish performance requirements and standards to prevent collisions with moving vehicles and stopped vehicles.

(c) FINAL RULE; EFFECTIVE DATE.—Not later than 2 years after the date of the enactment of this Act, the Secretary shall issue a final rule under subsection (a). The rule prescribed by the Secretary under this subsection shall take effect on the date that is 2 years after the date on which the rule is published.

SA 2476. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 111, after line 20, add the following:

SEC. 11030. WAIVER OF LIMITATIONS ON CERTAIN SAFETEA–LU FUNDS.

(a) DEFINITION OF CLOSED PROJECT.—In this section, the term ''closed project'' means a project that—

(1) received funds under section 1702 or 1934 of SAFETEA–LU (Public Law 109–59; 119 Stat. 1256, 119 Stat. 1485); and

(2)(A) cannot be completed; or

(B) has been completed and for which there are funds remaining unspent or unobligated.

(b) REQUEST FOR WAIVER.—

(1) IN GENERAL.—Subject to paragraph (2), a State or unit of local government may submit to the appropriate division office of the Federal Highway Administration a request for a waiver that would allow the State or unit of local government to use funds specifically made available for a closed project for 1 or more projects in the State eligible under title 23, United States Code.

(2) CERTIFICATION.—In making a request under paragraph (1), the State or unit of local government shall certify—

(A) that the closed project for which the funds were specifically made available—

(i) cannot be completed, including the reasons that the closed project cannot be completed; or

(ii) has been completed and funds remain unspent or unobligated; and

(B) the 1 or more projects in the State eligible under title 23, United States Code, for which the funds described in subparagraph (A) shall be used.

(c) DETERMINATION BY DIVISION OFFICE.—Not later than 60 days after receipt of a request for a waiver under subsection (b), the division office of the Federal Highway Administration shall—

(1) notwithstanding any other provision of law, grant the waiver;

(2) deny the waiver; or

(3) request additional information, not later than 60 days after receipt of which the division office shall grant or deny the waiver.

(d) NOTIFICATION.—Not later than 30 days after issuance or denial of a waiver under subsection (c), the Secretary shall notify Congress in writing of the issuance or denial.

SA 2477. Mr. BROWN (for himself, Mr. REED, Mr. MENENDEZ, and Mr. MERKLEY) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 356, strike line 14.

On page 357, strike line 13 and all that follows through the end of the matter between lines 16 and 17.

SA 2478. Mr. BROWN (for himself, Mr. REED, Mr. MENENDEZ, and Mr. MERKLEY) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under

TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 244, line 2, strike ''(2)(B)'' and insert ''(2)''.

SA 2479. Mr. BROWN (for himself, Mr. REED, Mr. MENENDEZ, and Mr. MERKLEY) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 47, line 17, strike ''(2)(B)'' and insert ''(2)''.

SA 2480. Mr. BROWN (for himself, Mr. REED, and Mr. MENENDEZ) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 324, line 15, strike ''and'' and insert ''or''.

SA 2481. Mr. BROWN (for himself, Mr. REED, Mr. MENENDEZ, and Mr. MERKLEY) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

Beginning on page 262, strike line 13 and all that follows through page 285, line 3.

SA 2482. Mr. BROWN (for himself, Mr. REED, Mr. MENENDEZ, and Mr. MERKLEY) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 256, strike lines 9 through 13.

SA 2483. Mr. BROWN (for himself, Mr. REED, and Mr. MENENDEZ) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 256, strike lines 6 through 8 and insert the following:

(A) in subparagraph (C), by inserting ''consistent with Federal requirements, including requirements under section 5326'' after ''equipment and facilities'';

SA 2484. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

Strike section 52205.

SA 2485. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 348, strike lines 11 through 18 and insert the following:

''(1) IN GENERAL.—

''(A) AUTHORITY.—The Secretary may make grants under this subsection to eligible recipients to assist in the financing of bus and bus facilities capital projects, including—

''(i) replacing, rehabilitating, purchasing, or leasing buses or related equipment; and

''(ii) rehabilitating, purchasing, constructing, or leasing bus-related facilities.

''(B) ELIGIBLE RECIPIENTS AND SUBRECIPIENTS.—

''(i) RECIPIENTS.—An eligible recipient under this subsection is—

''(I) a designated recipient that allocates funds to a fixed route bus operator; or

''(II) a State or local governmental entity that operates fixed route bus service.

''(ii) SUBRECIPIENTS.—An eligible recipient that receives a grant under this subsection may allocate amounts of the grant to a subrecipient that is a public agency or private nonprofit organization engaged in public transportation.

SA 2486. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 22, line 9, insert ''and division B'' before ''of this Act''.

SA 2487. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 301, before line 6, insert the following:

(c) DETERMINATION OF SCOPE OF PUBLIC TRANSPORTATION RESEARCH BY THE FEDERAL TRANSIT ADMINISTRATOR.—

(1) IN GENERAL.—For research conducted with assistance under section 5312 of title 49, United States Code, the Federal Transit Administrator shall determine—

(A) the scope of research to be conducted;

(B) whether research to be conducted has unique benefits for public transportation; and

(C) whether any research duplicates the research efforts of any other modal administration.

(2) LIMITATION ON ASSISTANT SECRETARY FOR RESEARCH AND TECHNOLOGY.—Notwithstanding section 31202 of this Act, the Assistant Secretary for Research and Technology of the Department—

(A) shall honor a determination made by the Federal Transit Administrator under paragraph (1) of this subsection;

(B) may not deny a modal plan or other submission by the Federal Transit Administrator based on a determination described in subparagraph (A); and

(C) may not limit the expenditure of funds authorized to carry out carry section 5312 of title 49, United States Code.

SA 2488. Mr. BROWN (for himself, Mr. REED, Mr. MENENDEZ, and Mr. MERKLEY) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers

to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 323, line 13, strike the quotation marks and the second period and insert the following:

''(u) DISADVANTAGED BUSINESS ENTERPRISES.—

''(1) FINDINGS.—Congress finds that—

''(A) while significant progress has occurred due to the establishment of the disadvantaged business enterprise program, discrimination and related barriers continue to pose significant obstacles for minority- and women-owned businesses seeking to do business in federally assisted surface transportation markets across the United States;

''(B) the continuing barriers described in subparagraph (A) merit the continuation of the disadvantaged business enterprise program;

''(C) Congress has received and reviewed testimony and documentation of race and gender discrimination from numerous sources, including congressional hearings and roundtables, scientific reports, reports issued by public and private agencies, news stories, reports of discrimination by organizations and individuals, and discrimination lawsuits, which show that race- and gender-neutral efforts alone are insufficient to address the problem;

''(D) the testimony and documentation described in subparagraph (C) demonstrate that discrimination across the United States poses a barrier to full and fair participation in surface transportation-related businesses of women business owners and minority business owners and has impacted firm development and many aspects of surface transportation-related business in the public and private markets; and

''(E) the testimony and documentation described in subparagraph (C) provide a strong basis that there is a compelling need for the continuation of the disadvantaged business enterprise program to address race and gender discrimination in surface transportation-related business.

''(2) DEFINITIONS.—In this subsection, the following definitions apply:

''(A) SMALL BUSINESS CONCERN.—

''(i) IN GENERAL.—The term 'small business concern' means a small business concern (as the term is used in section 3 of the Small Business Act (15 U.S.C. 632)).

''(ii) EXCLUSIONS.—The term 'small business concern' does not include any concern or group of concerns controlled by the same socially and economically disadvantaged individual or individuals that have average annual gross receipts during the preceding 3 fiscal years in excess of $22,410,000, as adjusted annually by the Secretary for inflation.

''(B) SOCIALLY AND ECONOMICALLY DISADVANTAGED INDIVIDUALS.—The term 'socially and economically disadvantaged individuals' has the meaning given the term in section 8(d) of the Small Business Act (15 U.S.C. 637(d)) and relevant subcontracting regulations issued pursuant to that Act, except that women shall be presumed to be socially and economically disadvantaged individuals for purposes of this subsection.

''(3) AMOUNTS FOR SMALL BUSINESS CONCERNS.—Except to the extent that the Secretary determines otherwise, not less than 10 percent of the amounts made available for any program under this chapter shall be expended through small business concerns owned and controlled by socially and economically disadvantaged individuals.

''(4) ANNUAL LISTING OF DISADVANTAGED BUSINESS ENTERPRISES.—Each State shall annually—

''(A) survey and compile a list of the small business concerns referred to in paragraph (2) in the State, including the location of the small business concerns in the State; and

''(B) notify the Secretary, in writing, of the percentage of the small business concerns that are controlled by—

''(i) women;

''(ii) socially and economically disadvantaged individuals (other than women); and

''(iii) individuals who are women and are otherwise socially and economically disadvantaged individuals.

''(5) UNIFORM CERTIFICATION.—

''(A) IN GENERAL.—The Secretary shall establish minimum uniform criteria for use by State governments in certifying whether a concern qualifies as a small business concern for the purpose of this subsection.

''(B) INCLUSIONS.—The minimum uniform criteria established under subparagraph (A) shall include, with respect to a potential small business concern—

''(i) on-site visits;

''(ii) personal interviews with personnel;

''(iii) issuance or inspection of licenses;

''(iv) analyses of stock ownership;

''(v) listings of equipment;

''(vi) analyses of bonding capacity;

''(vii) listings of work completed;

''(viii) examination of the resumes of principal owners;

''(ix) analyses of financial capacity; and

''(x) analyses of the type of work preferred.

''(6) REPORTING.—The Secretary shall establish minimum requirements for use by State governments in reporting to the Secretary—

''(A) information concerning disadvantaged business enterprise awards, commitments, and achievements; and

''(B) such other information as the Secretary determines to be appropriate for the proper monitoring of the disadvantaged business enterprise program.

''(7) COMPLIANCE WITH COURT ORDERS.—Nothing in this subsection limits the eligibility of an individual or entity to receive funds made available under this chapter if the individual or entity is prevented, in whole or in part, from complying with paragraph (2) because a Federal court issues a final order in which the court finds that a requirement or the implementation of paragraph (2) is unconstitutional.''.

SA 2489. Mr. MENENDEZ (for himself and Mr. BOOKER) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 170, after line 24, add the following:

SEC. 11210. CLEAN POWER PLAN HIGHWAY SANCTION.

(a) STATE FAILURE.—For any implementation plan or plan revision required under section 111(d) of the Clean Air Act (42 U.S.C. 7411(d)), or any regulations promulgated pursuant to that section, if the Administrator of the Environmental Protection Agency (referred to in this section as the ''Administrator'') makes a determination described in subsection (b) or disapproves the submission of an implementation plan based on the failure of the implementation plan to meet 1 or more elements required for the implementation plan, a sanction described in subsection (c) shall, except as provided in subsection (d), apply to the State until the date on which the Administrator determines that the State is in compliance.

(b) REQUIRED DETERMINATION.—A determination referred to in subsection (a) is a determination by the Administrator that—

(1) a State failed to submit an implementation plan or 1 or more of the elements of the implementation plan; or

(2) any requirement of an approved implementation plan (or approved portion of an implementation plan) is not being implemented.

(c) HIGHWAY SANCTION.—

(1) IN GENERAL.—The Administrator may impose a prohibition, applicable to a State effective on the date on which the prohibition is imposed, on the approval by the Secretary of any projects or the awarding by the Secretary of any grants under title 23, United States Code, other than with respect to a project or grant described in paragraph (2).

(2) LIMITATION.—A prohibition imposed under paragraph (1) shall not apply to a project or grant for public transportation or for safety with respect to which the Secretary determines, based on accident or other appropriate data submitted by the State, that the principal purpose of the project or public transportation grant is an improvement in safety to resolve a demonstrated safety problem and would likely result in a significant reduction in, or avoidance of, accidents.

(d) EXCEPTION.—A sanction shall not be imposed under this section if the Administrator determines that the deficiency identified by the Administrator under subsection (a) or (b) has been corrected not later than 18 months after the date on which the implementation plan is disapproved in accordance with subsection (a) or a determination is made under subsection (b) with respect to the implementation plan.

SA 2490. Mr. MENENDEZ (for himself and Mr. BOOKER) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 50, strike lines 9 through 17 and insert the following:

(11) in subsection (p), by striking ''set aside under section 104(f)'' and inserting ''apportioned under paragraphs (5)(D) and (6) of section 104(b)'' ; and

(12) by adding at the end the following:

''(r) TREATMENT OF LAKE TAHOE REGION.—

On page 246, strike lines 16 through 24 and insert the following:

(11) in subsection (o), by striking ''set aside under section 104(f) of title 23'' and inserting

''apportioned under paragraphs (5)(D) and (6) of section 104(b) of title 23''; and

(12) by adding at the end the following:

''(r) TREATMENT OF LAKE TAHOE REGION.—

SA 2491. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 807, after line 22, insert the following:

PART V—TOXICS BY RAIL ACCOUNTABILITY

SEC. 35451. SHORT TITLE.

This part may be cited as the ''Toxics by Rail Accountability and Community Knowledge Act of 2015'' or the ''TRACK Act''.

SEC. 35452. CHEMICAL EXPOSURE RIGHT-TO-KNOW.

(a) DEFINITIONS.—In this section:

(1) LONG-LASTING OR IRREVERSIBLE HEALTH CONSEQUENCES.—The term ''long-lasting or irreversible health consequences'' means those health consequences occurring at the exposure threshold defined in the Acute Exposure Guideline Level AEGL–2 or AEGL–3, as established by the National Advisory Committee for the Development of Acute Exposure Guideline Levels for Hazardous Substances.

(2) POST-ACCIDENT PUBLIC HEALTH ASSESSMENT.—The term ''post-accident public health assessment'' means a scientific assessment of the impacts of a hazardous material release on public health made by a qualified entity.

(3) QUALIFIED ENTITY.—The term ''qualified entity'' means a Federal, State, or other governmental entity responsible for emergency response, public health, chemical safety or transportation, or environmental protection.

(b) RIGHT-TO-KNOW PROTECTIONS.—Beginning 180 days after the date of the enactment of this Act, railroad carriers that are found to be at fault by an administrative, judicial, or investigatory process for an accident or incident during calendar year 2010 or later that led to an unintended release of hazardous materials shall—

(1) periodically review any post-accident public health assessments regarding the extent to which individuals exposed to the hazardous material that was released could experience long-lasting or irreversible health consequences;

(2) timely inform individuals exposed to the hazardous material of any health information, including information regarding long-lasting or irreversible health consequences, included in such reports; and

(3) offer to renegotiate any legal settlements made to individuals impacted by a hazardous material release for which additional information about the potential for long-lasting or irreversible health consequences has been later disclosed in a post-accident public health assessment.

(c) ENFORCEMENT.—Any railroad carrier violating subsection (b)(3), or a regulation prescribed pursuant to subsection (b)(3), shall be liable to the Federal Government for a civil penalty for each violation or for each day the violation continues, as follows:

(1) A railroad carrier that has annual carrier operating revenues that meet the threshold amount for Class I carriers, as determined by the Surface Transportation Board under section 1201.1–1 of title 49, Code of Federal Regulations, shall be liable for a civil penalty of not less than $100,000 and not more than $1,000,000.

(2) A railroad carrier that has annual carrier operating revenues that meet the threshold amount for Class II carriers, as determined by the Surface Transportation Board under section 1201.1–1 of title 49, Code of Federal Regulations, shall be liable for a civil penalty of not less than $25,000 and not more than $250,000.

(3) A railroad carrier that has annual carrier operating revenues that meet the threshold amount for Class III carriers, as determined by the Surface Transportation Board under section 1201.1–1 of title 49, Code of Federal Regulations, shall be liable for a civil penalty of not less than $10,000 and not more than $100,000.

SEC. 35453. COMMODITY FLOW TRANSPARENCY.

(a) RULEMAKING.—Not later than 2 years after the date of the enactment of this Act, the Secretary shall prescribe regulations requiring a railroad carrier transporting a hazardous material—

(1) to provide first responders, emergency response officials, and law enforcement personnel in the communities through which the hazardous material is transported with accurate and current commodity flow data; and

(2) to assist with the development of emergency operations and response plans designed to protect public health and community safety in the event of a railroad accident or incident involving the hazardous material.

(b) CONSIDERATIONS.—In prescribing regulations under subsection (a), the Secretary may consider which hazardous materials or classes of hazardous materials are most relevant to be included within commodity flow information based on factors such as—

(1) the volume of the hazardous material transported; and

(2) the threat to public health and community safety posed by each hazardous material.

SEC. 35454. MOVEABLE BRIDGE INSPECTION BEFORE TRAIN MOVEMENT.

(a) PROCEDURE REQUIRED.—Not later than 18 months after the date of the enactment of this Act, the Secretary shall prescribe regulations establishing a procedure for a railroad carrier to permit a train to pass a red signal aspect protecting a moveable bridge.

(b) TRAINING AND QUALIFICATIONS.—

(1) TRAINING PROGRAM.—The procedure established pursuant to subsection (a) shall require a railroad carrier that operates across a moveable bridge to have an active program to train and qualify its employees to determine whether a train can safely travel across a moveable bridge when a signal protecting the bridge is displaying a red signal aspect.

(2) REQUIRED QUALIFICATIONS.—A railroad carrier described in paragraph (1) shall ensure that only an individual qualified under the railroad carrier's training program is given responsibility for determining whether a train can safely travel across a moveable bridge when a signal protecting the bridge is displaying a red signal aspect.

(c) ENFORCEMENT.—Any railroad carrier violating this section, or a regulation prescribed pursuant to this section, shall be liable to the Federal Government for a civil penalty for each violation or for each day the violation continues, as follows:

(1) A railroad carrier that has annual carrier operating revenues that meet the threshold amount for Class I carriers, as determined by the Surface Transportation Board under section 1201.1–1 of title 49, Code of Federal Regulations, shall be liable for a civil penalty of not less than $100,000 and not more than $1,000,000.

(2) A railroad carrier that has annual carrier operating revenues that meet the threshold amount for Class II carriers, as determined by the Surface Transportation Board under section 1201.1–1 of title 49, Code of Federal Regulations, shall be liable for a civil penalty of not less than $25,000 and not more than $250,000.

(3) A railroad carrier that has annual carrier operating revenues that meet the threshold amount for Class III carriers, as determined by the Surface Transportation Board under section 1201.1–1 of title 49, Code of Federal Regulations, shall be liable for a civil penalty of not less than $10,000 and not more than $100,000.

SEC. 35455. ROUTE RISK ASSESSMENT.

(a) ROUTE RISK ASSESSMENT TOOLS.—The Secretary, in collaboration with the Secretary of Homeland Security and the American Short Line and Regional Railroad Association, shall develop a route risk assessment tool for the use of short line and regional railroad carriers that—

(1) addresses any known limitations of the Rail Corridor Risk Management Safety software tool for short line and regional railroad carriers; and

(2) allows for safety and security risk assessments to be performed by short line and regional railroad carriers when alternative routes are not available.

(b) ROUTE RISK ASSESSMENT AUDITS.—The Secretary, in collaboration with the Secretary of Homeland Security and the American Short Line and Regional Railroad Association, shall conduct audits of short line and regional railroads to ensure that proper route risk assessments that identify safety and security vulnerabilities are being performed and are incorporated into a safety management system program.

SEC. 35456. RAILROAD SAFETY RISK REDUCTION PROGRAM AMENDMENTS.

(a) SAFETY MANAGEMENT SYSTEMS.—Section 20156(d)(1) is amended—

(1) in subparagraph (A), by striking ''and'' at the end;

(2) in subparagraph (B), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(C) the use of safety management systems and their associated key principles, including top-down ownership and policies, analysis of operational incidents and accidents, and continuous evaluation and improvement programs.''.

(b) SENSE OF CONGRESS.—It is the sense of Congress that, under the Railroad Safety Risk Reduction Program under section 20156 of title 49, United States Code, the Secretary of Transportation should include within the definition of ''a railroad carrier that has an inadequate safety performance'' any railroad carrier that is at fault for an incident, accident, or emergency involving hazardous materials that has led to a fatality or personal injury, an evacuation, or environmental damage within the last 5 years.

SEC. 35457. FIRST RESPONDER RIGHT-TO-KNOW.

(a) REAL-TIME EMERGENCY RESPONSE NOTIFICATION.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall prescribe regulations that—

(1) require a railroad carrier transporting a hazardous material—

(A) to have the capability to generate, maintain, retrieve, and promptly deliver accurate and real-time consists that include the identity and location of the hazardous material on the train; and

(B) to provide such information promptly to first responders, emergency response officials, and law enforcement personnel in the event of an incident, accident, or emergency, or as required by such entities to protect public health and community safety; and

(2) prohibit a railroad carrier, employee, or agent from withholding, or a railroad carrier from instructing its employees or agents to withhold, a train consist or a real-time train consist from first responders, emergency response officials, and law enforcement personnel in the event of an incident, accident, or emergency involving the transportation of hazardous materials by railroad that threatens public health or safety.

(b) EMERGENCY RESPONSE STANDARDIZATION.—The Secretary, in consultation with railroad carriers, shall ensure that emergency response information carried by train crews transporting hazardous materials is consistent with, and is at least as protective as, the emergency response guidance provided in the Emergency Response Guidebook issued by the Department.

(c) ENFORCEMENT.—Any railroad carrier violating subsection (a)(2) or a regulation prescribed pursuant to subsection (a)(2) shall be liable to the Federal Government for a civil penalty for each violation or each day the violation continues, as follows:

(1) A railroad carrier that has annual carrier operating revenues that meet the threshold amount for Class I carriers, as determined by the Surface Transportation Board under section 1201.1–1 of title 49, Code of Federal Regulations, shall be liable for a civil penalty of not less than $100,000 and not more than $1,000,000.

(2) A railroad carrier that has annual carrier operating revenues that meet the threshold amount for Class II carriers as determined by the Surface Transportation Board under section 1201.1–1 of title 49, Code of Federal Regulations, shall be liable for a civil penalty of not less than $25,000 and not more than $250,000.

(3) A railroad carrier that has annual carrier operating revenues that meet the threshold amount for Class III carriers as determined by the Surface Transportation Board under section 1201.1–1 of title 49, Code of Federal Regulations, shall be liable for a civil penalty of not less than $10,000 and not more than $100,000.

SEC. 35458. PUBLIC EDUCATION.

Not later than 1 year after the date of the enactment of this Act, the Secretary shall prescribe regulations requiring railroad carriers transporting hazardous materials to develop, implement, and periodically evaluate a public education program for the communities along railroad hazardous materials routes, which may include—

(1) procedures for reporting the release of a hazardous material;

(2) physical indications of a release of a hazardous material, including a focus on hazardous materials that are most commonly transported in or near a given community;

(3) methods of communication that will be used to alert the community in the event of a railroad incident, accident, or emergency involving a hazardous material;

(4) steps that should be taken by community residents to ensure public health and safety in the event of a hazardous material release; and

(5) a discussion of possible public health and safety concerns associated with an unintended release of a hazardous material, including a focus on hazardous materials that are most commonly transported in or near a given community.

SEC. 35459. INFLATION ADJUSTMENTS.

The Secretary shall issue a statement of agency policy adjusting the penalty schedules for violations outlined in this part as necessary to account for inflation, each time the Secretary is required by law to review the minimum and maximum civil monetary penalty for inflation under the Federal Civil Penalties Inflation Adjustment Act of 1990 (Public Law 101–410; 28 U.S.C. 2461 note). The Secretary may subject the statement of agency policy to notice and comment, as the Secretary considers appropriate.

SA 2492. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health care coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 285, between lines 3 and 4, insert the following:

(c) STATE OF GOOD REPAIR ELIGIBILITY FOR NEW STARTS.—Section 5309(a) of title 49, United States Code, as amended by subsection (a), is amended in paragraph (2) by striking the second sentence and inserting the following: ''The term may include project elements designed to aid the existing fixed guideway system in making substantial progress toward achieving a state of good repair.''.

SA 2493. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health care coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 334, strike lines 6 through 21 and insert the following:

''(1) IN GENERAL.—There shall be available from the Mass Transit Account of the Highway Trust Fund to carry out sections 5305, 5307, 5310, 5311, 5312, 5314, 5318, 5322(b), 5322(d), 5335, 5337, 5339, and 5340, section 20005(b) of the Federal Public Transportation Act of 2012, and sections 21007(b) and 21021 of the Federal Public Transportation Act of 2015—

''(A) $9,214,747,400 for fiscal year 2016;

''(B) $9,410,039,349 for fiscal year 2017;

''(C) $9,715,745,744 for fiscal year 2018;

''(D) $10,131,051,238 for fiscal year 2019;

''(E) $10,381,763,806 for fiscal year 2020; and

''(F) $10,639,442,553 for fiscal year 2021.

On page 335, line 5, strike ''$10,000,000'' and insert ''$20,000,000''.

On page 339, line 2, strike ''and''.

On page 339, strike line 5 and insert the following:

out section 5322(b); and

''(Q) $20,000,000 for each of fiscal years 2016 through 2021 shall be available to carry out section 21021 of the Federal Public Transportation Act of 2015.

On page 358, between lines 7 and 8, insert the following:

SEC. 21021. PILOT PROGRAM FOR VALUE CAPTURE.

The Secretary shall establish and implement a pilot program to demonstrate whether transit agencies can use value capture as a tool to promote transit-oriented or sustainable development and as a flexible source of revenue.

SA 2494. Mr. MENENDEZ (for himself, and Mr. BOOKER, and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health care coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 339, strike lines 19 through 21 and insert the following:

''(e) EMERGENCY RELIEF PROGRAM.—There shall be available from the Mass Transit Account of the Highway Trust Fund to carry out section 5324, $25,000,000 for each of fiscal years 2016 through 2021.

SA 2495. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health care coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 334, strike lines 14 through 21 and insert the following:

''(A) $11,582,715,170 for fiscal year 2016;

''(B) $11,776,421,893 for fiscal year 2017;

''(C) $12,714,493,869 for fiscal year 2018;

''(D) $14,185,318,182 for fiscal year 2019;

''(E) $14,535,815,066 for fiscal year 2020; and

''(F) $14,899,779,981 for fiscal year 2021.

Beginning on page 335, strike line 9 and all that follows through page 336, line 2, and insert the following:

''(C) $6,366,060,470 for fiscal year 2016, $6,465,042,500 for fiscal year 2017, $7,090,591,095 for fiscal year 2018, $8,086,207,640 for fiscal year 2019, $8,289,967,945 for fiscal year 2020, and $8,499,970,360 for fiscal year 2021 shall be allocated in accordance with section 5336 to provide financial assistance for urbanized areas under section 5307;

''(D) $368,800,740 for fiscal year 2016, $374,535,000 for fiscal year 2017, $410,774,490 for fiscal year 2018, $468,452,880 for fiscal year 2019, $480,257,190 for fiscal year 2020, and $492,423,120 for fiscal year 2021 shall be available to provide financial assistance for services for the enhanced mobility of seniors and

individuals with disabilities under section 5310;

On page 336, strike lines 8 through 16 and insert the following:

''(F) $867,816,840 for fiscal year 2016, $881,310,000 for fiscal year 2017, $966,584,340 for fiscal year 2018, $1,102,306,080 for fiscal year 2019, $1,130,082,540 for fiscal year 2020, and $1,158,709,920 for fiscal year 2021 shall be available to provide financial assistance for rural areas under section 5311, of which not less than—

Beginning on page 338, strike line 18 and all that follows through page 339, line 2, and insert the following:

''(O) $750,880,020 for fiscal year 2016, $762,555,000 for fiscal year 2017, $836,338,770 for fiscal year 2018, $956,769,870 for fiscal year 2019, $977,805,870 for fiscal year 2020, and $1,002,575,760 for fiscal year 2021 shall be allocated in accordance with section 5340 to provide financial assistance for urbanized areas under section 5307 and rural areas under section 5311; and

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SA 2496. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health care coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 334, strike lines 14 through 21 and insert the following:

''(A) $9,848,876,920 for fiscal year 2016;
''(B) $10,040,853,688 for fiscal year 2017;
''(C) $10,596,296,753 for fiscal year 2018;
''(D) $11,436,615,554 for fiscal year 2019;
''(E) $11,723,436,139 for fiscal year 2020; and
''(F) $12,018,508,186 for fiscal year 2021.

On page 337, strike lines 19 through 25 and insert the following:

''(L) $3,092,472,020 for fiscal year 2016, $3,140,555,000 for fiscal year 2017, $3,444,430,770 for fiscal year 2018, $3,928,076,240 for fiscal year 2019, $4,027,057,870 for fiscal year 2020, and $4,129,071,760 for fiscal year 2021 shall be available to carry out section 5337;

SA 2497. Mr. CASEY (for himself and Ms. CANTWELL) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health care coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

Strike part IV of subtitle D of title XXXV and insert the following:

PART IV—POSITIVE TRAIN CONTROL

SEC. 35441. POSITIVE TRAIN CONTROL GRANT PROGRAM.

Section 20157 is amended—

(1) by redesignating subsection (i) as subsection (j); and

(2) by inserting after subsection (h) the following:

''(i) GRANT PROGRAM.—

''(1) ESTABLISHMENT.—The Secretary of Transportation, in consultation with the Administrator of the Federal Railroad Administration, shall establish a grant program through which passenger railroad carriers are awarded grants to implement a positive train control system in accordance with the plan submitted pursuant to subsection (a).

''(2) TRANSFER OF FUNDS.—There shall be available from the general fund of the Treasury $500,000,000 for the 6-year period beginning on the first day of fiscal year 2016 to carry out the grant program established under this section.''.

SA 2498. Mr. CASEY submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 791, between lines 16 and 17, insert the following:

SEC. 35440. EMERGENCY RESPONSE RESOURCE INVENTORY AND GAP ANALYSIS.

(a) IN GENERAL.—To facilitate the rapid deployment of resources needed to reduce damage to life, property, and the environment resulting from accidents involving tank cars transporting crude oil and other flammable liquids, the Secretary shall collaborate with rail carriers to develop an inventory of emergency response resources available along routes over which a high volume of high-hazard trains operate.

(b) CONTENTS.—The inventory developed under subsection (a) shall include a description of—

(1) the type and quantity of private emergency response resources, including equipment and fire suppression agents needed to respond to a fire or explosion;

(2) locations of the emergency response equipment; and

(3) the availability of trained emergency response personnel.

(c) GAP ANALYSIS.—Upon completing the inventory under subsection (a), the Secretary shall—

(1) conduct a gap analysis identifying the additional emergency response needs of the communities along routes over which a large volume of high-hazard trains operate; and

(2) develop a plan to close the gap identified pursuant to paragraph (1).

SA 2499. Mr. CASEY submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 337, line 10, strike ''$3,000,000'' and insert ''$4,000,000''.

SA 2500. Mr. UDALL (for himself and Mr. FRANKEN) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

Beginning on page 14, strike line 19 and all that follows through page 15, line 4 and insert the following:

(i) $520,000,000 for fiscal year 2016;
(ii) $540,000,000 for fiscal year 2017;
(iii) $550,000,000 for fiscal year 2018;
(iv) $570,000,000 for fiscal year 2019;
(v) $580,000,000 for fiscal year 2020; and
(vi) $600,000,000 for fiscal year 2021.

SA 2501. Mr. UDALL submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 401, between lines 10 and 11, insert the following:

SEC. 31209. STUDY ON SAFETY IMPACT IN AREAS OF HIGH ENERGY GROWTH.

As soon as practicable after the date of enactment of this Act, the Secretary, in collaboration with the Secretary of Energy, shall—

(1) conduct a study of the safety impact of increased heavy traffic in areas of high energy growth; and

(2) submit to Congress a report that—

(A) describes the actions that the Department and the Department of Energy have taken to improve safety outcomes in the areas studied; and

(B) provides recommendations with respect to the areas studied.

SA 2502. Mr. UDALL submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 609, line 21, add at the end the following: ''Amtrak may set aside up to $2,000,000 of the amounts deposited in the long-distance account for infrastructure upgrades on long-distance trains.''.

SA 2503. Mr. BROWN submitted an amendment intended to be proposed to

amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 17, strike lines 5 through 10 and insert the following:

(A) $750,000,000 for fiscal year 2016;
(B) $800,000,000 for fiscal year 2017;
(C) $850,000,000 for fiscal year 2018;
(D) $900,000,000 for fiscal year 2019;
(E) $900,000,000, for fiscal year 2020; and
(F) $900,000,000 for for fiscal year 2021.

Beginning on page 899, strike line 23 and all that follows through page 900, line 2, and insert the following:

''(f) FUNDING.—

''(1) IN GENERAL.—On October 1, 2017, and on each October 1 thereafter through October 1, 2022, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary to carry out this section $400,000,000, to remain available until expended.

On page 943, between lines 6 and 7 insert the following:

SEC. 52109. FAIR PLAYING FIELD ACT.

(a) SHORT TITLE.—This section may be cited as the ''Fair Playing Field Act of 2015''.

(b) FINDINGS.—Congress makes the following findings:

(1) In 1978, Congress was concerned that lack of clarity as to the proper classification of some workers, increased IRS enforcement activity, and retroactive application by IRS of interpretations that were arguably new had caused hardships for some small businesses and other taxpayers and confusion as to the applicable rules.

(2) To allow time to develop a comprehensive approach to the problem, Congress enacted section 530 of the Revenue Act of 1978 as an interim measure protecting taxpayers from liability for misclassification if the taxpayer has a reasonable basis for classifying a worker as an independent contractor and meets certain other conditions. In addition, the Act prohibited the Secretary of the Treasury from publishing regulations or revenue rulings on workers' employment tax status pending the expected near-term enactment of clarifying legislation.

(3) During the ensuing 33 years, Congress made section 530 of the Revenue Act of 1978 permanent; however, changes in working relationships and the continued prohibition on new guidance have increased the uncertainty as to the proper classification of workers.

(4) Many workers are properly classified as independent contractors. In other instances, workers who are employees are being treated as independent contractors. Such misclassification for tax purposes contributes to inequities in the competitive positions of businesses and to the Federal and State tax gap, and may also result in misclassification for other purposes, such as denial of unemployment benefits, workplace health and safety protections, and retirement or other benefits or protections available to employees.

(5) Workers, businesses, and other taxpayers will benefit from clear guidance regarding employment tax status. In the interest of fairness and in view of many service recipients' reliance on current section 530, such guidance should apply only prospectively.

(c) PURPOSES.—The purposes of this section are to permit the Secretary of the Treasury to provide guidance allowing workers and businesses to clearly understand the proper Federal tax classification of workers and to provide relief allowing an orderly transition to new rules designed to increase certainty and uniformity of treatment.

(d) AUTHORITY TO ISSUE GUIDANCE CLARIFYING EMPLOYMENT STATUS FOR PURPOSES OF EMPLOYMENT TAXES.—Chapter 25 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

''SEC. 3512. AUTHORITY TO ISSUE GUIDANCE CLARIFYING EMPLOYMENT STATUS.

''(a) IN GENERAL.—The Secretary shall issue such regulations or other guidance as the Secretary determines to be necessary or appropriate to clarify the proper employment status of individuals for purposes of any tax imposed by this subtitle.

''(b) PROHIBITION ON RETROACTIVE ASSESSMENTS.—

''(1) IN GENERAL.—Except as provided in paragraph (2), if—

''(A) for purposes of any tax imposed by this subtitle, the taxpayer did not treat an individual as an employee for any period before the reclassification date with respect to such individual, and

''(B) in the case of periods after December 31, 1978, and before such reclassification date, all Federal tax returns (including information returns) required to be filed by the taxpayer with respect to such individual for such period are filed on a basis consistent with the taxpayer's treatment of such individual as not being an employee,

then, for purposes of applying such taxes for such period before such reclassification date with respect to the taxpayer, the individual shall be deemed not to be an employee unless the taxpayer had no reasonable basis for not treating such individual as an employee.

''(2) PROFESSIONAL SERVICES.—

''(A) IN GENERAL.—In the case of an individual who performs professional services, if—

''(i) for purposes of any tax imposed by this subtitle, the taxpayer did not treat the individual as an employee for any period, and

''(ii) in the case of periods after December 31, 1978, all Federal tax returns (including information returns) required to be filed by the taxpayer with respect to such individual for such period are filed on a basis consistent with the taxpayer's treatment of such individual as not being an employee,

then, for purposes of applying such taxes for such period with respect to the taxpayer, the individual shall be deemed not be an employee unless the taxpayer had no reasonable basis for not treating such individual as an employee. For purposes of this subparagraph, professional services means services performed in the fields of health, law, engineering, architecture, accounting, actuarial science, consulting, or financial services.

''(B) APPLICATION TO FULL-TIME LIFE INSURANCE SALESMEN.—For purposes of this subtitle (with the exception of chapter 21), an individual shall not excluded from the application of subparagraph (A) due solely to treatment of such individual by the taxpayer as an employee, including for purposes of tax returns, to the extent required under section 3121(d)(3)(B).

''(3) STATUTORY STANDARDS PROVIDING ONE METHOD OF SATISFYING THE REQUIREMENTS OF PARAGRAPHS (1) AND (2).—For purposes of paragraphs (1) and (2), a taxpayer shall in any case be treated as having a reasonable basis for not treating an individual as an employee for a period if the taxpayer's treatment of such individual for such period was in reasonable reliance on any of the following:

''(A) Judicial precedent, published rulings, technical advice with respect to the taxpayer, or a letter ruling to the taxpayer.

''(B) A past Internal Revenue Service audit of the taxpayer in which there was no assessment attributable to the treatment (for purposes of any tax imposed by this subtitle) of the individuals holding positions substantially similar to the position held by such individual.

''(C) Long-standing recognized practice of a significant segment of the industry in which such individual was engaged.

''(4) CONSISTENCY REQUIRED IN THE CASE OF PRIOR TAX TREATMENT.—Paragraph (1) shall not apply with respect to the treatment of any individual (hereafter in this paragraph referred to as the reclassified individual) for purposes of any tax imposed by this subtitle for any period ending after December 31, 1978, if the taxpayer (or a predecessor) has treated any individual holding a substantially similar position as an employee for purposes of any tax imposed by this subtitle for any period beginning after December 31, 1977, and ending before the reclassification date with respect to such reclassified individual.

''(c) DEFINITIONS.—For purposes of this section—

''(1) RECLASSIFICATION DATE.—

''(A) IN GENERAL.—The term 'reclassification date' means, with respect to any individual, the earlier of—

''(i) the first day of the first calendar quarter beginning more than 180 days after the date of an employee classification determination with respect to such individual, or

''(ii) the effective date of the first applicable final regulation issued by the Secretary under subsection (a) with respect to such individual (or, if later, the first day of the first calendar quarter beginning more than 180 days after such regulation is issued).

''(B) EMPLOYEE CLASSIFICATION DETERMINATION.—The term 'employee classification determination' means, with respect to any individual, a determination by the Secretary, in connection with an audit of the taxpayer which is described in section 7436 and which commences after the date which is 1 year after the date of the enactment of this section, that a class of individuals holding positions with such taxpayer which are substantially similar to the position held by such individual are employees.

''(C) FIRST APPLICABLE FINAL REGULATION.—The term 'first applicable final regulation' means, with respect to any individual, the first final regulation (or other guidance of general applicability) which sets forth the factors for determining the employment status of a class of individuals holding positions substantially similar to the position held by such individual.

''(2) EMPLOYMENT STATUS.—The term 'employment status' means the status of an individual, under the usual common law rules applicable in determining the employer-employee relationship, as an employee or as an independent contractor (or other individual who is not an employee).

''(d) CONTINUATION OF CERTAIN SPECIAL RULES.—

''(1) EXCEPTION FOR CERTAIN SKILLED WORKERS.—Subsection (b) shall not apply in the case of an individual who, pursuant to an arrangement between the taxpayer and another person, provides services for such other

person as an engineer, designer, drafter, computer programmer, systems analyst, or other similarly skilled worker engaged in a similar line of work.

''(2) NOTICE OF AVAILABILITY OF SECTION.—An officer or employee of the Internal Revenue Service shall, before or at the commencement of any audit inquiry relating to the employment status of one or more individuals who perform services for the taxpayer, provide the taxpayer with a written notice of the provisions of this section.

''(3) RULES RELATING TO STATUTORY STANDARDS.—For purposes of subsection (b)(3)—

''(A) a taxpayer may not rely on an audit commenced after December 31, 1996, for purposes of subparagraph (B) thereof unless such audit included an examination for purposes of any tax imposed by this subtitle whether the individual involved (or any individual holding a position substantially similar to the position held by the individual involved) should be treated as an employee of the taxpayer,

''(B) in no event shall the significant segment requirement of subparagraph (C) thereof be construed to require a reasonable showing of the practice of more than 25 percent of the industry (determined by not taking into account the taxpayer), and

''(C) in applying the long-standing recognized practice requirement of subparagraph (C) thereof—

''(i) such requirement shall not be construed as requiring the practice to have continued for more than 10 years, and

''(ii) a practice shall not fail to be treated as long-standing merely because such practice began after 1978.

''(4) AVAILABILITY OF SAFE HARBORS.—Nothing in this section shall be construed to provide that subsection (b) only applies where the individual involved is otherwise an employee of the taxpayer.

''(5) BURDEN OF PROOF.—

''(A) IN GENERAL.—If—

''(i) a taxpayer establishes a prima facie case that it was reasonable not to treat an individual as an employee for purposes of subsection (b), and

''(ii) the taxpayer has fully cooperated with reasonable requests from the Secretary, then the burden of proof with respect to such treatment shall be on the Secretary.

''(B) EXCEPTION FOR OTHER REASONABLE BASIS.—In the case of any issue involving whether the taxpayer had a reasonable basis not to treat an individual as an employee for purposes of subsection (b), subparagraph (A) shall only apply for purposes of determining whether the taxpayer meets the requirements of subparagraph (A), (B), or (C) of subsection (b)(3).

''(6) PRESERVATION OF PRIOR PERIOD SAFE HARBOR.—If—

''(A) an individual would (but for the treatment referred to in subparagraph (B)) be deemed not to be an employee of the taxpayer under subsection (b) for any prior period, and

''(B) such individual is treated by the taxpayer as an employee for purposes of the taxes imposed by this subtitle for any subsequent period,

then, for purposes of applying such taxes for such prior period with respect to the taxpayer, the individual shall be deemed not to be an employee.

''(7) SUBSTANTIALLY SIMILAR POSITION.—For purposes of subsection (b) and this subsection, the determination as to whether an individual holds a position substantially similar to a position held by another individual shall include consideration of the relationship between the taxpayer and such individuals.

''(8) TREATMENT OF TEST ROOM SUPERVISORS AND PROCTORS WHO ASSIST IN THE ADMINISTRATION OF COLLEGE ENTRANCE AND PLACEMENT EXAMS.—

''(A) IN GENERAL.—In the case of an individual described in subparagraph (B) who is providing services as a test proctor or room supervisor by assisting in the administration of college entrance or placement examinations, subsection (b) shall be applied to such services performed after December 31, 2006 (and remuneration paid for such services) without regard to paragraph (4) thereof.

''(B) APPLICABILITY.—An individual is described in this subparagraph if the individual—

''(i) is providing the services described in subsection (b) to an organization described in section 501(c) and exempt from tax under section 501(a), and

''(ii) is not otherwise treated as an employee of such organization for purposes of this subtitle.

''(9) TREATMENT OF SECURITIES BROKER DEALERS.—In determining for purposes of this title whether a registered representative of a securities broker-dealer is an employee (as defined in section 3121(d)), no weight shall be given to instructions from the service recipient which are imposed only in compliance with investor protection standards imposed by the Federal Government, any State government, or a governing body pursuant to a delegation by a Federal or State agency.

''(e) STATEMENTS TO INDEPENDENT CONTRACTORS.—

''(1) IN GENERAL.—Each person who contracts for the services of an independent contractor on a regular and ongoing basis, within the scope of such person's trade or business, shall provide a written statement to such independent contractor notifying such independent contractor of the Federal tax obligations of an independent contractor, the labor and employment law protections that do not apply to independent contractors, and the right of such independent contractor to seek a status determination from the Internal Revenue Service.

''(2) INDEPENDENT CONTRACTOR.—For purposes of this subsection, the term 'independent contractor' means any individual who is not treated as an employee by the person receiving the services referred to in paragraph (1).

''(3) TIMING OF STATEMENT.—Except as otherwise provided by the Secretary, the statement required under paragraph (1) shall be provided within a reasonable period before or after entering into the arrangement for services referred to in paragraph (1).

''(4) DEVELOPMENT OF MODEL STATEMENT.—The Secretary shall develop model materials for providing the statement required under paragraph (1).''.

(e) REDUCED PENALTY NOT APPLICABLE IN CASES OF NONCOMPLIANCE WITH GUIDANCE WITHOUT REASONABLE BASIS.—Subsection (c) of section 3509 of the Internal Revenue Code of 1986 is amended—

(1) by striking ''if such liability'' and inserting ''if—

''(1) such liability'', and

(2) by striking the period at the end and inserting '', or

''(2) such liability relates to an individual who is treated as an employee under regulations or other guidance issued by the Secretary under section 3512(a) and the taxpayer lacks a reasonable basis for treating the individual as other than an employee.

In the case of a taxpayer which has received a final written determination from the Internal Revenue Service holding that the individual referred to in paragraph (2) (or another individual who holds a position with the taxpayer substantially similar to the position held by such individual) is an employee, such taxpayer shall be treated for purposes of paragraph (2) as lacking a reasonable basis for treating such individual as other than an employee with respect to periods beginning on and after the first day of the first calendar quarter beginning more than 180 days after the date of such written determination unless the taxpayer establishes by clear and convincing evidence that the taxpayer has a reasonable basis for such treatment.''.

(f) CONFORMING AMENDMENTS.—

(1) Paragraph (2) of section 6724(d) of the Internal Revenue Code of 1986 is amended by striking ''or'' at the end of subparagraph (GG), by striking the period at the end of subparagraph (HH) and inserting '', or'', and by inserting after subparagraph (HH) the following new subparagraph:

''(II) section 3512(e) (relating to statements to independent contractors).''.

(2) Paragraph (2) of section 7436(a) of such Code is amended by striking ''subsection (a) of section 530 of the Revenue Act of 1978'' and inserting ''section 3512(b)''.

(3) The table of sections for chapter 25 of such Code is amended by adding at the end the following new item:

''Sec. 3512. Authority to issue guidance clarifying employment status.''.

(g) TERMINATION OF SECTION 530 OF THE REVENUE ACT OF 1978.—The Revenue Act of 1978 is amended by striking section 530.

(h) REPORTS ON WORKER MISCLASSIFICATION.—Beginning with the first fiscal year beginning after the date the first regulation or other guidance is issued for public comment under section 3512(a) of the Internal Revenue Code of 1986 (as added by this section), the Commissioner of the Internal Revenue Service shall issue the following reports:

(1) A report each fiscal year on worker classification which shall include the total number of examinations of employers initiated because of suspected worker classification issues, the total number of examinations that included determinations on worker classification issues, the amount of additional tax liabilities associated with worker classification enforcement actions, the number of workers reclassified as a result of these actions, the number of requests for Determination of Worker Status (Form SS–8), and technical guidance on how to understand the data provided in the report.

(2) A report each fiscal year in which new statistically valid data is compiled and interpreted on worker classification, prepared on the basis of information gathered during an Employment Tax Study conducted by the National Research Program (NRP) of the Internal Revenue Service. Such report shall provide statistical estimates of the number of employers misclassifying workers, the number of workers misclassified, the industries involved, data interpretations and conclusions, and a description of the impact of improper worker classification on the employment tax gap.

(i) TERMINATION OF SECTION 921 OF THE TAXPAYER RELIEF ACT OF 1997.—The Taxpayer Relief Act of 1997 is amended by striking section 921.

(j) EFFECTIVE DATES.—

(1) DELAYED EFFECTIVE DATE OF REGULATIONS AND GUIDANCE.—Any regulation or

other guidance issued under section 3512(a) of the Internal Revenue Code of 1986, as added by this section, shall not apply to services rendered before the date which is 1 year after the date of the enactment of this Act.

(2) AUTHORITY TO ISSUE REGULATIONS AND GUIDANCE IMMEDIATELY.—So much of the amendment made by subsection (g) as relates to subsection (b) of section 530 of the Revenue Act of 1978 shall take effect on the date of the enactment of this Act.

(3) DELAYED TERMINATION OF REMAINDER OF SECTION 530 OF THE REVENUE ACT OF 1978.—Except as provided in paragraph (2), the amendment made by subsection (g) shall apply to services rendered on or after the date which is 1 year after the date of the enactment of this Act.

(4) STATEMENTS TO INDEPENDENT CONTRACTORS.—Subsection (e) of section 3512 of the Internal Revenue Code of 1986, as added by this section, and the amendments made by subsection (f)(1) of this section shall apply to arrangements for services entered into after December 31, 2015.

(5) APPLICATION OF REDUCED PENALTY.—The amendments made by subsection (e) shall apply to any calendar year beginning after the date of the enactment of this Act.

SA 2504. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 406, after the undesignated matter following line 24, add the following:

SEC. 31304. FIRE-RETARDANT MATERIALS EXEMPTION.

Section 3503 of title 46, United States Code, is amended—

(1) in subsection (a), by striking ''2008, this section'' and inserting ''2028, this subsection''; and

(2) in subsection (b)(1)—

(A) in the matter preceding subparagraph (A), by striking ''of this section'' and inserting ''under subsection (a)'';

(B) in subparagraph (A), by inserting ''and crew'' after ''prospective passengers'';

(C) in subparagraph (B), by inserting ''or crew member'' after ''passenger'';

(D) in subparagraph (C), by striking ''and'' at the end; and

(E) by striking subparagraph (D) and inserting the following:

''(D) the owner or managing operator of the vessel shall—

''(i) make annual structural alterations to not less than 10 percent of the areas of the vessel that are not constructed of fire-retardant materials;

''(ii) provide advance notice to the Coast Guard regarding the alterations made pursuant to clause (i); and

''(iii) comply with any noncombustible material requirements prescribed by the Coast Guard; and

''(E) the requirements referred to in subparagraph (D)(iii) shall, to the extent practicable, be consistent with the preservation of the historic integrity of the vessel in areas carrying or accessible to passengers or generally visible to the public.''.

SA 2505. Mr. MCCONNELL submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

Beginning on page 901, strike line 15 and all that follows through page 949, line 5, and insert the following:

DIVISION E—FINANCE

SEC. 50001. SHORT TITLE.

This division may be cited as the ''Transportation Funding Act of 2015''.

TITLE LI—HIGHWAY TRUST FUND AND RELATED TAXES

Subtitle A—Extension of Trust Fund Expenditure Authority and Related Taxes

SEC. 51101. EXTENSION OF TRUST FUND EXPENDITURE AUTHORITY.

(a) HIGHWAY TRUST FUND.—Section 9503 of the Internal Revenue Code of 1986, as amended by division G, is amended—

(1) by striking ''October 1, 2015'' in subsections (b)(6)(B), (c)(1), and (e)(3) and inserting ''October 1, 2021'', and

(2) by striking ''Surface Transportation Extension Act of 2015'' in subsections (c)(1) and (e)(3) and inserting ''DRIVE Act''.

(b) SPORT FISH RESTORATION AND BOATING TRUST FUND.—Section 9504 of the Internal Revenue Code of 1986, as amended by division G is amended—

(1) by striking ''Surface Transportation Extension Act of 2015'' each place it appears in subsection (b)(2) and inserting ''DRIVE Act'', and

(2) by striking ''October 1, 2015'' in subsection (d)(2) and inserting ''October 1, 2021''.

(c) LEAKING UNDERGROUND STORAGE TANK TRUST FUND.—Paragraph (2) of section 9508(e) of the Internal Revenue Code of 1986, as amended by division G, is amended by striking ''October 1, 2015'' and inserting ''October 1, 2021''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on August 1, 2015.

SEC. 51102. EXTENSION OF HIGHWAY-RELATED TAXES.

(a) IN GENERAL.—

(1) Each of the following provisions of the Internal Revenue Code of 1986 is amended by striking ''September 30, 2016'' and inserting ''September 30, 2023'':

(A) Section 4041(a)(1)(C)(iii)(I).

(B) Section 4041(m)(1)(B).

(C) Section 4081(d)(1).

(2) Each of the following provisions of such Code is amended by striking ''October 1, 2016'' and inserting ''October 1, 2023'':

(A) Section 4041(m)(1)(A).

(B) Section 4051(c).

(C) Section 4071(d).

(D) Section 4081(d)(3).

(b) EXTENSION OF TAX, ETC., ON USE OF CERTAIN HEAVY VEHICLES.—Each of the following provisions of the Internal Revenue Code of 1986 is amended by striking ''2017'' each place it appears and inserting ''2024'':

(1) Section 4481(f).

(2) Subsections (c)(4) and (d) of section 4482.

(c) FLOOR STOCKS REFUNDS.—Section 6412(a)(1) of the Internal Revenue Code of 1986 is amended—

(1) by striking ''October 1, 2016'' each place it appears and inserting ''October 1, 2023'',

(2) by striking ''March 31, 2017'' each place it appears and inserting ''March 31, 2024'', and

(3) by striking ''January 1, 2017'' and inserting ''January 1, 2024''.

(d) EXTENSION OF CERTAIN EXEMPTIONS.—

(1) Section 4221(a) of the Internal Revenue Code of 1986 is amended by striking ''October 1, 2016'' and inserting ''October 1, 2023''.

(2) Section 4483(i) of such Code is amended by striking ''October 1, 2017'' and inserting ''October 1, 2024''.

(e) EXTENSION OF TRANSFERS OF CERTAIN TAXES.—

(1) IN GENERAL.—Section 9503 of the Internal Revenue Code of 1986 is amended—

(A) in subsection (b)—

(i) by striking ''October 1, 2016'' each place it appears in paragraphs (1) and (2) and inserting ''October 1, 2023'',

(ii) by striking ''OCTOBER 1, 2016'' in the heading of paragraph (2) and inserting ''OCTOBER 1, 2023'',

(iii) by striking ''September 30, 2016'' in paragraph (2) and inserting ''September 30, 2023'', and

(iv) by striking ''July 1, 2017'' in paragraph (2) and inserting ''July 1, 2024'', and

(B) in subsection (c)(2), by striking ''July 1, 2017'' and inserting ''July 1, 2024''.

(2) MOTORBOAT AND SMALL-ENGINE FUEL TAX TRANSFERS.—

(A) IN GENERAL.—Paragraphs (3)(A)(i) and (4)(A) of section 9503(c) of such Code are each amended by striking ''October 1, 2016'' and inserting ''October 1, 2023''.

(B) CONFORMING AMENDMENTS TO LAND AND WATER CONSERVATION FUND.—Section 200310 of title 54, United States Code, is amended—

(i) by striking ''October 1, 2017'' each place it appears and inserting ''October 1, 2024'', and

(ii) by striking ''October 1, 2016'' and inserting ''October 1, 2023''.

(f) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2016.

Subtitle B—Additional Transfers to Highway Trust Fund

SEC. 51201. FURTHER ADDITIONAL TRANSFERS TO TRUST FUND.

Subsection (f) of section 9503 of the Internal Revenue Code of 1986 is amended by redesignating paragraph (7) as paragraph (9) and by inserting after paragraph (6) the following new paragraphs:

''(7) FURTHER TRANSFERS TO TRUST FUND.—Out of money in the Treasury not otherwise appropriated, there is hereby appropriated—

''(A) $33,159,000,000 to the Highway Account (as defined in subsection (e)(5)(B)) in the Highway Trust Fund; and

''(B) $10,556,000,000 to the Mass Transit Account in the Highway Trust Fund.

''(8) ADDITIONAL INCREASE IN FUND BALANCE.—There is hereby transferred to the Highway Account (as defined in subsection (e)(5)(B)) in the Highway Trust Fund amounts appropriated from the Leaking Underground Storage Tank Trust Fund under section 9508(c)(4).''.

SEC. 51202. TRANSFER TO HIGHWAY TRUST FUND OF CERTAIN MOTOR VEHICLE SAFETY PENALTIES.

(a) IN GENERAL.—Paragraph (5) of section 9503(b) of the Internal Revenue Code of 1986 is amended—

(1) by striking ''There are hereby'' and inserting the following:

''(A) IN GENERAL.—There are hereby'', and

(2) by adding at the end the following new paragraph:

''(B) PENALTIES RELATED TO MOTOR VEHICLE SAFETY.—

''(i) IN GENERAL.—There are hereby appropriated to the Highway Trust Fund amounts equivalent to covered motor vehicle safety penalty collections.

''(ii) COVERED MOTOR VEHICLE SAFETY PENALTY COLLECTIONS.—For purposes of this subparagraph, the term 'covered motor vehicle safety penalty collections' means any amount collected in connection with a civil penalty under section 30165 of title 49, United States Code, reduced by any award authorized by the Secretary of Transportation to be paid to any person in connection with information provided by such person related to a violation of chapter 301 of such title which is a predicate to such civil penalty.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to amounts collected after the date of the enactment of this Act.

SEC. 51203. APPROPRIATION FROM LEAKING UNDERGROUND STORAGE TANK TRUST FUND.

(a) IN GENERAL.—Subsection (c) of section 9508 of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(4) ADDITIONAL TRANSFER TO HIGHWAY TRUST FUND.—Out of amounts in the Leaking Underground Storage Tank Trust Fund there is hereby appropriated—

''(A) on the date of the enactment of the DRIVE Act, $100,000,000,

''(B) on October 1, 2016, $100,000,000, and

''(C) on October 1, 2017, $100,000,000,

to be transferred under section 9503(f)(8) to the Highway Account (as defined in section 9503(e)(5)(B)) in the Highway Trust Fund.''.

(b) CONFORMING AMENDMENT.—Section 9508(c)(1) of the Internal Revenue Code of 1986 is amended by striking ''paragraphs (2) and (3)'' and inserting ''paragraphs (2), (3), and (4)''.

TITLE LII—OFFSETS

Subtitle A—Tax Provisions

SEC. 52101. CONSISTENT BASIS REPORTING BETWEEN ESTATE AND PERSON ACQUIRING PROPERTY FROM DECEDENT.

(a) PROPERTY ACQUIRED FROM A DECEDENT.—

(1) IN GENERAL.—Section 1014 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

''(f) BASIS MUST BE CONSISTENT WITH ESTATE TAX VALUE.—

''(1) IN GENERAL.—The basis under subsection (a) of any property shall not exceed—

''(A) in the case of property the value of which has been finally determined for purposes of the tax imposed by chapter 11 on the estate of such decedent, such value, and

''(B) in the case of property not described in subparagraph (A) and with respect to which a statement has been furnished under section 6035(a) identifying the value of such property, such value.

''(2) DETERMINATION.—For purposes of paragraph (1), the value of property has been finally determined for purposes of the tax imposed by chapter 11 if—

''(A) the value of such property is shown on a return under section 6018 and such value is not contested by the Secretary before the expiration of the time for assessing a tax under chapter 11,

''(B) in a case not described in subparagraph (A), the value is specified by the Secretary and such value is not timely contested by the executor of the estate, or

''(C) the value is determined by a court or pursuant to a settlement agreement with the Secretary.

''(3) REGULATIONS.—The Secretary may by regulations provide exceptions to the application of this subsection.''.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall apply to property with respect to which an estate tax return is filed after the date of the enactment of this Act.

(b) INFORMATION REPORTING.—

(1) IN GENERAL.—Subpart A of part III of subchapter A of chapter 61 of the Internal Revenue Code of 1986 is amended by inserting after section 6034A the following new section:

''SEC. 6035. BASIS INFORMATION TO PERSONS ACQUIRING PROPERTY FROM DECEDENT.

''(a) INFORMATION WITH RESPECT TO PROPERTY ACQUIRED FROM DECEDENTS.—

''(1) IN GENERAL.—The executor of any estate required to file a return under section 6018(a) shall furnish to the Secretary and to each person acquiring any interest in property included in the decedent's gross estate for Federal estate tax purposes a statement identifying the value of each interest in such property as reported on such return and such other information with respect to such interest as the Secretary may prescribe.

''(2) STATEMENTS BY BENEFICIARIES.—Each person required to file a return under section 6018(b) shall furnish to the Secretary and to each other person who holds a legal or beneficial interest in the property to which such return relates a statement identifying the information described in paragraph (1).

''(3) TIME FOR FURNISHING STATEMENT.—

''(A) IN GENERAL.—Each statement required to be furnished under paragraph (1) or (2) shall be furnished at such time as the Secretary may prescribe, but in no case at a time later than the earlier of—

''(i) the date which is 30 days after the date on which the return under section 6018 was required to be filed (including extensions, if any), or

''(ii) the date which is 30 days after the date such return is filed.

''(B) ADJUSTMENTS.—In any case in which there is an adjustment to the information required to be included on a statement filed under paragraph (1) or (2) after such statement has been filed, a supplemental statement under such paragraph shall be filed not later than the date which is 30 days after such adjustment is made.

''(b) REGULATIONS.—The Secretary shall prescribe such regulations as necessary to carry out this section, including regulations relating to—

''(1) the extension of this section to property of estates not required to file an estate tax return, and

''(2) situations in which the surviving joint tenant or other recipient may have better information than the executor regarding the basis or fair market value of the property.''.

(2) PENALTY FOR FAILURE TO FILE.—

(A) RETURN.—Section 6724(d)(1) of such Code is amended by striking ''and'' at the end of subparagraph (B), by striking the period at the end of subparagraph (C) and inserting '', and'', and by adding at the end the following new subparagraph:

''(D) any statement required to be filed with the Secretary under section 6035.''.

(B) STATEMENT.—Section 6724(d)(2) of such Code is amended by striking ''or'' at the end of subparagraph (GG), by striking the period at the end of subparagraph (HH) and inserting '', or'', and by adding at the end the following new subparagraph:

''(II) section 6035 (other than a statement described in paragraph (1)(D)).''.

(3) CLERICAL AMENDMENT.—The table of sections for subpart A of part III of subchapter A of chapter 61 of such Code is amended by inserting after the item relating to section 6034A the following new item:

''SEC. 6035. BASIS INFORMATION TO PERSONS ACQUIRING PROPERTY FROM DECEDENT.''.

(4) EFFECTIVE DATE.—The amendments made by this subsection shall take effect on the date of the enactment of this Act.

(c) PENALTY FOR INCONSISTENT REPORTING.—

(1) IN GENERAL.—Subsection (b) of section 6662 of the Internal Revenue Code of 1986 is amended by inserting after paragraph (7) the following new paragraph:

''(8) Any inconsistent estate basis.''.

(2) INCONSISTENT BASIS REPORTING.—Section 6662 of such Code is amended by adding at the end the following new subsection:

''(k) INCONSISTENT ESTATE BASIS REPORTING.—For purposes of this section, there is an 'inconsistent estate basis' if the basis of property (determined without regard to adjustments to basis during the period the property was held by the taxpayer) claimed on a return exceeds the basis as determined under section 1014(f).''.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to returns filed after the date of the enactment of this Act.

SEC. 52102. REVOCATION OR DENIAL OF PASSPORT IN CASE OF CERTAIN UNPAID TAXES.

(a) IN GENERAL.—Subchapter D of chapter 75 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

''SEC. 7345. REVOCATION OR DENIAL OF PASSPORT IN CASE OF CERTAIN TAX DELINQUENCIES.

''(a) IN GENERAL.—If the Secretary receives certification by the Commissioner of Internal Revenue that any individual has a seriously delinquent tax debt in an amount in excess of $50,000, the Secretary shall transmit such certification to the Secretary of State for action with respect to denial, revocation, or limitation of a passport pursuant to section 52102(d) of the Transportation Funding Act of 2015.

''(b) SERIOUSLY DELINQUENT TAX DEBT.—For purposes of this section, the term 'seriously delinquent tax debt' means an outstanding debt under this title for which a notice of lien has been filed in public records pursuant to section 6323 or a notice of levy has been filed pursuant to section 6331, except that such term does not include—

''(1) a debt that is being paid in a timely manner pursuant to an agreement under section 6159 or 7122, and

''(2) a debt with respect to which collection is suspended because a collection due process hearing under section 6330, or relief under subsection (b), (c), or (f) of section 6015, is requested or pending.

''(c) ADJUSTMENT FOR INFLATION.—In the case of a calendar year beginning after 2016, the dollar amount in subsection (a) shall be increased by an amount equal to—

''(1) such dollar amount, multiplied by

''(2) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year, determined by substituting 'calendar year 2015' for 'calendar year 1992' in subparagraph (B) thereof.

If any amount as adjusted under the preceding sentence is not a multiple of $1,000, such amount shall be rounded to the next highest multiple of $1,000.''.

(b) CLERICAL AMENDMENT.—The table of sections for subchapter D of chapter 75 of the

Internal Revenue Code of 1986 is amended by adding at the end the following new item:

''Sec. 7345. Revocation or denial of passport in case of certain tax delinquencies.''.

(c) AUTHORITY FOR INFORMATION SHARING.—

(1) IN GENERAL.—Subsection (l) of section 6103 of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(23) DISCLOSURE OF RETURN INFORMATION TO DEPARTMENT OF STATE FOR PURPOSES OF PASSPORT REVOCATION UNDER SECTION 7345.—

''(A) IN GENERAL.—The Secretary shall, upon receiving a certification described in section 7345, disclose to the Secretary of State return information with respect to a taxpayer who has a seriously delinquent tax debt described in such section. Such return information shall be limited to—

''(i) the taxpayer identity information with respect to such taxpayer, and

''(ii) the amount of such seriously delinquent tax debt.

''(B) RESTRICTION ON DISCLOSURE.—Return information disclosed under subparagraph (A) may be used by officers and employees of the Department of State for the purposes of, and to the extent necessary in, carrying out the requirements of section 52102(d) of the Transportation Funding Act of 2015.''.

(2) CONFORMING AMENDMENT.—Paragraph (4) of section 6103(p) of such Code is amended by striking ''or (22)'' each place it appears in subparagraph (F)(ii) and in the matter preceding subparagraph (A) and inserting ''(22), or (23)''.

(d) AUTHORITY TO DENY OR REVOKE PASSPORT.—

(1) DENIAL.—

(A) IN GENERAL.—Except as provided under subparagraph (B), upon receiving a certification described in section 7345 of the Internal Revenue Code of 1986 from the Secretary of the Treasury, the Secretary of State shall not issue a passport to any individual who has a seriously delinquent tax debt described in such section.

(B) EMERGENCY AND HUMANITARIAN SITUATIONS.—Notwithstanding subparagraph (A), the Secretary of State may issue a passport, in emergency circumstances or for humanitarian reasons, to an individual described in such subparagraph.

(2) REVOCATION.—

(A) IN GENERAL.—The Secretary of State may revoke a passport previously issued to any individual described in paragraph (1)(A).

(B) LIMITATION FOR RETURN TO UNITED STATES.—If the Secretary of State decides to revoke a passport under subparagraph (A), the Secretary of State, before revocation, may—

(i) limit a previously issued passport only for return travel to the United States; or

(ii) issue a limited passport that only permits return travel to the United States.

(3) HOLD HARMLESS.—The Secretary of the Treasury and the Secretary of State shall not be liable to an individual for any action with respect to a certification by the Commissioner of Internal Revenue under section 7345 of the Internal Revenue Code of 1986.

(e) REVOCATION OR DENIAL OF PASSPORT IN CASE OF INDIVIDUAL WITHOUT SOCIAL SECURITY ACCOUNT NUMBER.—

(1) DENIAL.—

(A) IN GENERAL.—Except as provided under subparagraph (B), upon receiving an application for a passport from an individual that either—

(i) does not include the social security account number issued to that individual, or

(ii) includes an incorrect or invalid social security number willfully, intentionally, negligently, or recklessly provided by such individual,

the Secretary of State is authorized to deny such application and is authorized to not issue a passport to the individual.

(B) EMERGENCY AND HUMANITARIAN SITUATIONS.—Notwithstanding subparagraph (A), the Secretary of State may issue a passport, in emergency circumstances or for humanitarian reasons, to an individual described in subparagraph (A).

(2) REVOCATION.—

(A) IN GENERAL.—The Secretary of State may revoke a passport previously issued to any individual described in paragraph (1)(A).

(B) LIMITATION FOR RETURN TO UNITED STATES.—If the Secretary of State decides to revoke a passport under subparagraph (A), the Secretary of State, before revocation, may—

(i) limit a previously issued passport only for return travel to the United States; or

(ii) issue a limited passport that only permits return travel to the United States.

(f) EFFECTIVE DATE.—The provisions of, and amendments made by, this section shall take effect on January 1, 2016.

SEC. 52103. CLARIFICATION OF 6-YEAR STATUTE OF LIMITATIONS IN CASE OF OVERSTATEMENT OF BASIS.

(a) IN GENERAL.—Subparagraph (B) of section 6501(e)(1) of the Internal Revenue Code of 1986 is amended—

(1) by striking ''and'' at the end of clause (i), by redesignating clause (ii) as clause (iii), and by inserting after clause (i) the following new clause:

''(ii) An understatement of gross income by reason of an overstatement of unrecovered cost or other basis is an omission from gross income; and'',

(2) by inserting ''(other than in the case of an overstatement of unrecovered cost or other basis)'' in clause (iii) (as so redesignated) after ''In determining the amount omitted from gross income'', and

(3) by inserting ''AMOUNT OMITTED FROM'' after ''DETERMINATION OF'' in the heading thereof.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to—

(1) returns filed after the date of the enactment of this Act, and

(2) returns filed on or before such date if the period specified in section 6501 of the Internal Revenue Code of 1986 (determined without regard to such amendments) for assessment of the taxes with respect to which such return relates has not expired as of such date.

SEC. 52104. ADDITIONAL INFORMATION ON RETURNS RELATING TO MORTGAGE INTEREST.

(a) IN GENERAL.—Paragraph (2) of section 6050H(b) of the Internal Revenue Code of 1986 is amended by striking ''and'' at the end of subparagraph (C), by redesignating subparagraph (D) as subparagraph (G), and by inserting after subparagraph (C) the following new subparagraphs:

''(D) the amount of outstanding principal on the mortgage as of the beginning of such calendar year,

''(E) the address of the property securing such mortgage,

''(F) the date of the origination of such mortgage, and''.

(b) PAYEE STATEMENTS.—Subsection (d) of section 6050H of the Internal Revenue Code of 1986 is amended by striking ''and'' at the end of paragraph (1), by striking the period at the end of paragraph (2) and inserting '', and'', and by inserting after paragraph (2) the following new paragraph:

''(3) the information required to be included on the return under subparagraphs (D), (E), and (F) of subsection (b)(2).''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to returns and statements the due date for which (determined without regard to extensions) is after December 31, 2016.

SEC. 52105. RETURN DUE DATE MODIFICATIONS.

(a) NEW DUE DATE FOR PARTNERSHIP FORM 1065, S CORPORATION FORM 1120S, AND C CORPORATION FORM 1120.—

(1) PARTNERSHIPS.—

(A) IN GENERAL.—Section 6072 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

''(f) RETURNS OF PARTNERSHIPS.—Returns of partnerships under section 6031 made on the basis of the calendar year shall be filed on or before the 15th day of March following the close of the calendar year, and such returns made on the basis of a fiscal year shall be filed on or before the 15th day of the third month following the close of the fiscal year.''.

(B) CONFORMING AMENDMENT.—Section 6072(a) of such Code is amended by striking ''6017, or 6031'' and inserting ''or 6017''.

(2) S CORPORATIONS.—

(A) IN GENERAL.—So much of subsection (b) of section 6072 of the Internal Revenue Code of 1986 as precedes the second sentence thereof is amended to read as follows:

''(b) RETURNS OF CERTAIN CORPORATIONS.—Returns of S corporations under sections 6012 and 6037 made on the basis of the calendar year shall be filed on or before the 31st day of March following the close of the calendar year, and such returns made on the basis of a fiscal year shall be filed on or before the last day of the third month following the close of the fiscal year.''.

(B) CONFORMING AMENDMENTS.—

(i) Section 1362(b) of such Code is amended—

(I) by striking ''15th'' each place it appears and inserting ''last'',

(II) by striking ''2½'' each place it appears in the headings and the text and inserting ''3'', and

(III) by striking ''2 months and 15 days'' in paragraph (4) and inserting ''3 months''.

(ii) Section 1362(d)(1)(C)(i) of such Code is amended by striking ''15th'' and inserting ''last''.

(iii) Section 1362(d)(1)(C)(ii) of such Code is amended by striking ''such 15th day'' and inserting ''the last day of the 3d month thereof''.

(3) CONFORMING AMENDMENTS RELATING TO C CORPORATIONS.—

(A) Section 170(a)(2)(B) of such Code is amended by striking ''third month'' and inserting ''4th month''.

(B) Section 563 of such Code is amended by striking ''third month'' each place it appears and inserting ''4th month''.

(C) Section 1354(d)(1)(B)(i) of such Code is amended by striking ''3d month'' and inserting ''4th month''.

(D) Subsection (a) and (c) of section 6167 of such Code are each amended by striking ''third month'' and inserting ''4th month''.

(E) Section 6425(a)(1) of such Code is amended by striking ''third month'' and inserting ''4th month''.

(F) Section 6655 of such Code is amended—

(i) by striking ''3rd month'' each place it appears in subsections (b)(2)(A), (g)(3), and (h)(1) and inserting ''4th month'', and

(ii) in subsection (g)(4), by redesignating subparagraph (E) as subparagraph (F) and by

inserting after subparagraph (D) the following new subparagraph:

''(E) Subsection (b)(2)(A) shall be applied by substituting 'the last day of the 3rd month' for 'the 15th day of the 4th month'.''.

(4) EFFECTIVE DATES.—

(A) IN GENERAL.—Except as otherwise provided in this paragraph, the amendments made by this subsection shall apply to returns for taxable years beginning after December 31, 2015.

(B) CONFORMING AMENDMENTS RELATING TO S CORPORATIONS.—The amendments made by paragraph (2)(B) shall apply with respect to elections for taxable years beginning after December 31, 2015.

(C) CONFORMING AMENDMENTS RELATING TO C CORPORATIONS.—The amendments made by paragraph (3) shall apply to taxable years beginning after December 31, 2015.

(5) SPECIAL RULE FOR CERTAIN C CORPORATION IN 2025.—In the case of a taxable year of a C Corporation ending on June 30, 2025, section 6072(a) of the Internal Revenue Code of 1986 shall be applied by substituting ''third month'' for ''fourth month''.

(b) MODIFICATION OF DUE DATES BY REGULATION.—In the case of returns for any taxable period beginning after December 31, 2015, the Secretary of the Treasury or the Secretary's delegate shall modify appropriate regulations to provide as follows:

(1) The maximum extension for the returns of partnerships filing Form 1065 shall be a 6-month period beginning on the due date for filing the return (without regard to any extensions).

(2) The maximum extension for the returns of trusts and estates filing Form 1041 shall be a 5½-month period beginning on the due date for filing the return (without regard to any extensions).

(3) The maximum extension for the returns of employee benefit plans filing Form 5500 shall be an automatic 3½-month period beginning on the due date for filing the return (without regard to any extensions).

(4) The maximum extension for the Forms 990 (series) returns of organizations exempt from income tax shall be an automatic 6-month period beginning on the due date for filing the return (without regard to any extensions).

(5) The maximum extension for the returns of organizations exempt from income tax that are required to file Form 4720 returns of excise taxes shall be an automatic 6-month period beginning on the due date for filing the return (without regard to any extensions).

(6) The maximum extension for the returns of trusts required to file Form 5227 shall be an automatic 6-month period beginning on the due date for filing the return (without regard to any extensions).

(7) The maximum extension for filing Form 6069, Return of Excise Tax on Excess Contributions to Black Lung Benefit Trust Under Section 4953 and Computation of Section 192 Deduction, shall be an automatic 6-month period beginning on the due date for filing the return (without regard to any extensions).

(8) The maximum extension for a taxpayer required to file Form 8870 shall be an automatic 6-month period beginning on the due date for filing the return (without regard to any extensions).

(9) The due date of Form 3520–A, Annual Information Return of a Foreign Trust with a United States Owner, shall be the 15th day of the 3rd month after the close of the trust's taxable year, and the maximum extension shall be a 6-month period beginning on such day.

(10) The due date of FinCEN Form 114 (relating to Report of Foreign Bank and Financial Accounts) shall be April 15 with a maximum extension for a 6-month period ending on October 15, and with provision for an extension under rules similar to the rules of 26 C.F.R. 1.6081–5. For any taxpayer required to file such form for the first time, the Secretary of the Treasury may waive any penalty for failure to timely request or file an extension.

(11) Taxpayers filing Form 3520, Annual Return to Report Transactions with Foreign Trusts and Receipt of Certain Foreign Gifts, shall be allowed to extend the time for filing such form separately from the income tax return of the taxpayer, for an automatic 6-month period beginning on the due date for filing the return (without regard to any extensions).

(c) CORPORATIONS PERMITTED STATUTORY AUTOMATIC 6-MONTH EXTENSION OF INCOME TAX RETURNS.—

(1) IN GENERAL.—Section 6081(b) of the Internal Revenue Code of 1986 is amended by striking ''3 months'' and inserting ''6 months''.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall apply to returns for taxable years beginning after December 31, 2015.

(3) SPECIAL RULE FOR CERTAIN C CORPORATIONS IN 2024.—In the case of any taxable year of a C corporation ending on December 31, 2024, subsections (a) and (b) of section 6081 of the Internal Revenue Code of 1986 shall each be applied to returns of income taxes under subtitle A by substituting ''5 months'' for ''6 months''.

SEC. 52106. REFORM OF RULES RELATING TO QUALIFIED TAX COLLECTION CONTRACTS.

(a) REQUIREMENT TO COLLECT CERTAIN INACTIVE TAX RECEIVABLES UNDER QUALIFIED TAX COLLECTION CONTRACTS.—Section 6306 of the Internal Revenue Code of 1986 is amended by redesignating subsections (c) through (f) as subsections (d) through (g), respectively, and by inserting after subsection (b) the following new subsection:

''(c) COLLECTION OF INACTIVE TAX RECEIVABLES.—

''(1) IN GENERAL.—Notwithstanding any other provision of law, the Secretary shall enter into one or more qualified tax collection contracts for the collection of all outstanding inactive tax receivables.

''(2) INACTIVE TAX RECEIVABLES.—For purposes of this section—

''(A) IN GENERAL.—The term 'inactive tax receivable' means any tax receivable if—

''(i) at any time after assessment, the Internal Revenue Service removes such receivable from the active inventory for lack of resources or inability to locate the taxpayer,

''(ii) more than ⅓ of the period of the applicable statute of limitation has lapsed and such receivable has not been assigned for collection to any employee of the Internal Revenue Service, or

''(iii) in the case of a receivable which has been assigned for collection, more than 365 days have passed without interaction with the taxpayer or a third party for purposes of furthering the collection of such receivable.

''(B) TAX RECEIVABLE.—The term 'tax receivable' means any outstanding assessment which the Internal Revenue Service includes in potentially collectible inventory.''.

(b) CERTAIN TAX RECEIVABLES NOT ELIGIBLE FOR COLLECTION UNDER QUALIFIED TAX COLLECTION CONTRACTS.—Section 6306 of the Internal Revenue Code of 1986, as amended by subsection (a), is amended by redesignating subsections (d) through (g) as subsections (e) through (h), respectively, and by inserting after subsection (c) the following new subsection:

''(d) CERTAIN TAX RECEIVABLES NOT ELIGIBLE FOR COLLECTION UNDER QUALIFIED TAX COLLECTIONS CONTRACTS.—A tax receivable shall not be eligible for collection pursuant to a qualified tax collection contract if such receivable—

''(1) is subject to a pending or active offer-in-compromise or installment agreement,

''(2) is classified as an innocent spouse case,

''(3) involves a taxpayer identified by the Secretary as being—

''(A) deceased,

''(B) under the age of 18,

''(C) in a designated combat zone, or

''(D) a victim of tax-related identity theft,

''(4) is currently under examination, litigation, criminal investigation, or levy, or

''(5) is currently subject to a proper exercise of a right of appeal under this title.''.

(c) CONTRACTING PRIORITY.—Section 6306 of the Internal Revenue Code of 1986, as amended by the preceding provisions of this section, is amended by redesignating subsection (h) as subsection (i) and by inserting after subsection (g) the following new subsection:

''(h) CONTRACTING PRIORITY.—In contracting for the services of any person under this section, the Secretary shall utilize private collection contractors and debt collection centers on the schedule required under section 3711(g) of title 31, United States Code, including the technology and communications infrastructure established therein, to the extent such private collection contractors and debt collection centers are appropriate to carry out the purposes of this section.''.

(d) DISCLOSURE OF RETURN INFORMATION.—Section 6103(k) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(11) QUALIFIED TAX COLLECTION CONTRACTORS.—Persons providing services pursuant to a qualified tax collection contract under section 6306 may, if speaking to a person who has identified himself or herself as having the name of the taxpayer to which a tax receivable (within the meaning of such section) relates, identify themselves as contractors of the Internal Revenue Service and disclose the business name of the contractor, and the nature, subject, and reason for the contact. Disclosures under this paragraph shall be made only in such situations and under such conditions as have been approved by the Secretary.''.

(e) TAXPAYERS AFFECTED BY FEDERALLY DECLARED DISASTERS.—Section 6306 of the Internal Revenue Code of 1986, as amended by the preceding provisions of this section, is amended by redesignating subsection (i) as subsection (j) and by inserting after subsection (h) the following new subsection:

''(i) TAXPAYERS IN PRESIDENTIALLY DECLARED DISASTER AREAS.—The Secretary may prescribe procedures under which a taxpayer determined to be affected by a Federally declared disaster (as defined by section 165(i)(5)) may request—

''(1) relief from immediate collection measures by contractors under this section, and

''(2) a return of the inactive tax receivable to the inventory of the Internal Revenue Service to be collected by an employee thereof.''.

(f) REPORT TO CONGRESS.—

(1) IN GENERAL.—Section 6306 of the Internal Revenue Code of 1986, as amended by the preceding provisions of this section, is

amended by redesignating subsection (j) as subsection (k) and by inserting after subsection (i) the following new subsection:

''(j) REPORT TO CONGRESS.—Not later than 90 days after the last day of each fiscal year (beginning with the first such fiscal year ending after the date of the enactment of this subsection), the Secretary shall submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate a report with respect to qualified tax collection contracts under this section which shall include—

''(1) annually, with respect to such fiscal year—

''(A) the total number and amount of tax receivables provided to each contractor for collection under this section,

''(B) the total amounts collected (and amounts of installment agreements entered into under subsection (b)(1)(B)) with respect to each contractor and the collection costs incurred (directly and indirectly) by the Internal Revenue Service with respect to such amounts,

''(C) the impact of such contracts on the total number and amount of unpaid assessments, and on the number and amount of assessments collected by Internal Revenue Service personnel after initial contact by a contractor,

''(D) the amount of fees retained by the Secretary under subsection (e) and a description of the use of such funds, and

''(E) a disclosure safeguard report in a form similar to that required under section 6103(p)(5), and

''(2) biannually (beginning with the second report submitted under this subsection)—

''(A) an independent evaluation of contractor performance, and

''(B) a measurement plan that includes a comparison of the best practices used by the private collectors to the collection techniques used by the Internal Revenue Service and mechanisms to identify and capture information on successful collection techniques used by the contractors that could be adopted by the Internal Revenue Service.''.

(2) REPEAL OF EXISTING REPORTING REQUIREMENTS WITH RESPECT TO QUALIFIED TAX COLLECTION CONTRACTS.—Section 881 of the American Jobs Creation Act of 2004 is amended by striking subsection (e).

(g) EFFECTIVE DATES.—

(1) IN GENERAL.—The amendments made by subsections (a) and (b) shall apply to tax receivables identified by the Secretary after the date of the enactment of this Act.

(2) CONTRACTING PRIORITY.—The Secretary shall begin entering into contracts and agreements as described in the amendment made by subsection (c) within 3 months after the date of the enactment of this Act.

(3) DISCLOSURES.—The amendment made by subsection (d) shall apply to disclosures made after the date of the enactment of this Act.

(4) PROCEDURES; REPORT TO CONGRESS.—The amendments made by subsections (e) and (f) shall take effect on the date of the enactment of this Act.

SEC. 52107. SPECIAL COMPLIANCE PERSONNEL PROGRAM.

(a) IN GENERAL.—Subsection (e) of section 6306 of the Internal Revenue Code of 1986, as redesignated by section 52106, is amended by striking ''for collection enforcement activities of the Internal Revenue Service'' in paragraph (2) and inserting ''to fund the special compliance personnel program account under section 6307''.

(b) SPECIAL COMPLIANCE PERSONNEL PROGRAM ACCOUNT.—Subchapter A of chapter 64 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

''SEC. 6307. SPECIAL COMPLIANCE PERSONNEL PROGRAM ACCOUNT.

''(a) ESTABLISHMENT OF A SPECIAL COMPLIANCE PERSONNEL PROGRAM ACCOUNT.—The Secretary shall establish an account within the Department for carrying out a program consisting of the hiring, training, and employment of special compliance personnel, and shall transfer to such account from time to time amounts retained by the Secretary under section 6306(e)(2).

''(b) RESTRICTIONS.—The program described in subsection (a) shall be subject to the following restrictions:

''(1) No funds shall be transferred to such account except as described in subsection (a).

''(2) No other funds from any other source shall be expended for special compliance personnel employed under such program, and no funds from such account shall be expended for the hiring of any personnel other than special compliance personnel.

''(3) Notwithstanding any other authority, the Secretary is prohibited from spending funds out of such account for any purpose other than for costs under such program associated with the employment of special compliance personnel and the retraining and reassignment of current noncollections personnel as special compliance personnel, and to reimburse the Internal Revenue Service or other government agencies for the cost of administering qualified tax collection contracts under section 6306.

''(c) REPORTING.—Not later than March of each year, the Commissioner of Internal Revenue shall submit a report to the Committees on Finance and Appropriations of the Senate and the Committees on Ways and Means and Appropriations of the House of Representatives consisting of the following:

''(1) For the preceding fiscal year, all funds received in the account established under subsection (a), administrative and program costs for the program described in such subsection, the number of special compliance personnel hired and employed under the program, and the amount of revenue actually collected by such personnel.

''(2) For the current fiscal year, all actual and estimated funds received or to be received in the account, all actual and estimated administrative and program costs, the number of all actual and estimated special compliance personnel hired and employed under the program, and the actual and estimated revenue actually collected or to be collected by such personnel.

''(3) For the following fiscal year, an estimate of all funds to be received in the account, all estimated administrative and program costs, the estimated number of special compliance personnel hired and employed under the program, and the estimated revenue to be collected by such personnel.

''(d) DEFINITIONS.—For purposes of this section—

''(1) SPECIAL COMPLIANCE PERSONNEL.—The term 'special compliance personnel' means individuals employed by the Internal Revenue Service as field function collection officers or in a similar position, or employed to collect taxes using the automated collection system or an equivalent replacement system.

''(2) PROGRAM COSTS.—The term 'program costs' means—

''(A) total salaries (including locality pay and bonuses), benefits, and employment taxes for special compliance personnel employed or trained under the program described in subsection (a), and

''(B) direct overhead costs, salaries, benefits, and employment taxes relating to support staff, rental payments, office equipment and furniture, travel, data processing services, vehicle costs, utilities, telecommunications, postage, printing and reproduction, supplies and materials, lands and structures, insurance claims, and indemnities for special compliance personnel hired and employed under this section.

For purposes of subparagraph (B), the cost of management and supervision of special compliance personnel shall be taken into account as direct overhead costs to the extent such costs, when included in total program costs under this paragraph, do not represent more than 10 percent of such total costs.''.

(c) CLERICAL AMENDMENT.—The table of sections for subchapter A of chapter 64 of the Internal Revenue Code of 1986 is amended by inserting after the item relating to section 6306 the following new item:

''Sec. 6307. Special compliance personnel program account.''.

(d) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to amounts collected and retained by the Secretary after the date of the enactment of this Act.

SEC. 52108. TRANSFERS OF EXCESS PENSION ASSETS TO RETIREE HEALTH ACCOUNTS.

(a) IN GENERAL.—Section 420(b)(4) of the Internal Revenue Code of 1986 is amended by striking ''December 31, 2021'' and inserting ''December 31, 2025''.

(b) CONFORMING ERISA AMENDMENTS.—

(1) Sections 101(e)(3), 403(c)(1), and 408(b)(13) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1021(e)(3), 1103(c)(1), 1108(b)(13)) are each amended by striking ''MAP-21'' and inserting ''DRIVE Act''.

(2) Section 408(b)(13) of such Act (29 U.S.C. 1108(b)(13)) is amended by striking ''January 1, 2022'' and inserting ''January 1, 2026''.

Subtitle B—Fees and Receipts

SEC. 52201. EXTENSION OF DEPOSITS OF SECURITY SERVICE FEES IN THE GENERAL FUND.

Section 44940(i)(4) of title 49, United States Code, is amended by adding at the end the following:

''(K) $1,750,000,000 for each of fiscal years 2024 and 2025.''.

SEC. 52202. ADJUSTMENT FOR INFLATION OF FEES FOR CERTAIN CUSTOMS SERVICES.

(a) IN GENERAL.—Section 13031 of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c) is amended by adding at the end the following:

''(l) ADJUSTMENT OF FEES FOR INFLATION.—

''(1) IN GENERAL.—The Secretary of the Treasury shall adjust the fees established under subsection (a), and the limitations on such fees under paragraphs (2), (3), (5), (6), (8), and (9) of subsection (b), on October 1, 2015, and annually thereafter, to reflect the percentage (if any) of the increase in the average of the Consumer Price Index for the preceding 12-month period compared to the Consumer Price Index for fiscal year 2014.

''(2) SPECIAL RULES FOR CALCULATION OF ADJUSTMENT.—In adjusting under paragraph (1) the amount of the fees established under subsection (a), and the limitations on such fees under paragraphs (2), (3), (5), (6), (8), and (9) of subsection (b), the Secretary—

''(A) shall round the amount of any increase in the Consumer Price Index to the nearest dollar; and

''(B) may ignore any such increase of less than 1 percent.

''(3) CONSUMER PRICE INDEX DEFINED.—For purposes of this subsection, the term 'Consumer Price Index' means the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor.''.

(b) DEPOSITS INTO CUSTOMS USER FEE ACCOUNT.—Section 13031(f) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(f)) is amended—

(1) in paragraph (1), in the matter preceding subparagraph (A), by striking ''all fees collected under subsection (a)'' and inserting ''the amount of fees collected under subsection (a) (determined without regard to any adjustment made under subsection (l))''; and

(2) in paragraph (3)(A), in the matter preceding clause (i)—

(A) by striking ''fees collected'' and inserting ''amount of fees collected''; and

(B) by striking ''), each appropriation'' and inserting '', and determined without regard to any adjustment made under subsection (l)), each appropriation''.

(c) CONFORMING AMENDMENTS.—Section 13031 of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c), as amended by subsections (a) and (b), is further amended—

(1) in subsection (a), in the matter preceding paragraph (1), by inserting ''(subject to adjustment under subsection (l))'' after ''following fees''; and

(2) in subsection (b)—

(A) in paragraph (2), by inserting ''(subject to adjustment under subsection (l))'' after ''in fees'';

(B) in paragraph (3), by inserting ''(subject to adjustment under subsection (l))'' after ''in fees'';

(C) in paragraph (5)(A), by inserting ''(subject to adjustment under subsection (l))'' after ''in fees'';

(D) in paragraph (6), by inserting ''(subject to adjustment under subsection (l))'' after ''in fees'';

(E) in paragraph (8)(A)—

(i) in clause (i), by inserting ''or (l)'' after ''subsection (a)(9)(B)''; and

(ii) in clause (ii), by inserting ''(subject to adjustment under subsection (l))'' after ''$3''; and

(F) in paragraph (9)—

(i) in subparagraph (A)—

(I) in the matter preceding clause (i), by inserting ''and subject to adjustment under subsection (l)'' after ''Tariff Act of 1930''; and

(II) in clause (ii)(I), by inserting ''(subject to adjustment under subsection (l))'' after ''bill of lading''; and

(ii) in subparagraph (B)(i), by inserting ''(subject to adjustment under subsection (l))'' after ''bill of lading''.

SEC. 52203. DIVIDENDS AND SURPLUS FUNDS OF RESERVE BANKS.

Section 7(a)(1)(A) of the Federal Reserve Act (12 U.S.C. 289(a)(1)(A)) is amended by striking ''6 percent'' and inserting ''6 percent (1.5 percent in the case of a stockholder having total consolidated assets of more than $1,000,000,000 (determined as of September 30 of the preceding fiscal year))''.

SEC. 52204. STRATEGIC PETROLEUM RESERVE DRAWDOWN AND SALE.

(a) DRAWDOWN AND SALE.—

(1) IN GENERAL.—Notwithstanding section 161 of the Energy Policy and Conservation Act (42 U.S.C. 6241), except as provided in subsection (b), the Secretary of Energy shall drawdown and sell from the Strategic Petroleum Reserve—

(A) 4,000,000 barrels of crude oil during fiscal year 2018;

(B) 5,000,000 barrels of crude oil during fiscal year 2019;

(C) 8,000,000 barrels of crude oil during fiscal year 2020;

(D) 8,000,000 barrels of crude oil during fiscal year 2021;

(E) 10,000,000 barrels of crude oil during fiscal year 2022;

(F) 16,000,000 barrels of crude oil during fiscal year 2023;

(G) 25,000,000 barrels of crude oil during fiscal year 2024; and

(H) 25,000,000 barrels of crude oil during fiscal year 2025.

(2) DEPOSIT OF AMOUNTS RECEIVED FROM SALE.—Amounts received from a sale under paragraph (1) shall be deposited in the general fund of the Treasury during the fiscal year in which the sale occurs.

(b) EMERGENCY PROTECTION.—In any 1 fiscal year described in subsection (a)(1), the Secretary of Energy shall not drawdown and sell crude oil under this section in quantities that would result in a Strategic Petroleum Reserve that contains an inventory of petroleum products representing fewer than 90 days of emergency reserves, based on the average daily level of net imports of crude oil and petroleum products in the calendar year preceding that fiscal year.

SA 2506. Mr. BOOZMAN submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At end of subtitle A of title I, add the following:

SEC. 11030. INCREASED FEDERAL SHARE FOR INNOVATIVE ENGINEERING OR DESIGN APPROACHES.

Section 120(c)(3) of title 23, United States Code (as amended by section 11003(b)(2) and section 11028), is amended in subparagraph (B)—

(1) in clause (iv), by striking ''or'' at the end;

(2) in clause (v), by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(vi) contracts for engineering and design services, as described in section 112(b)(2).''.

SA 2507. Mr. BOOZMAN (for himself and Mr. COTTON) submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PROHIBITION ON EMINENT DOMAIN FOR CERTAIN PROJECTS.

Section 1222 of the Energy Policy Act of 2005 (42 U.S.C. 16421) is amended—

(1) by redesignating subsections (d) through (g) as subsections (f) through (i), respectively; and

(2) by inserting after subsection (c) the following:

''(d) PROHIBITION ON EMINENT DOMAIN.—Notwithstanding any other provision of law (including regulations), the Secretary, SWPA, and WAPA may not carry out any Project under this section through the use of eminent domain, unless the use of eminent domain is explicitly authorized by—

''(1) the Governor and the head of each applicable public utility commission or public service commission of the affected State; and

''(2) the head of the governing body of each Indian tribe the land of which would be affected.

''(e) SITING REQUIREMENT.—To the maximum extent practicable, a Project carried out under this section shall be sited on—

''(1) an existing Federal right-of-way; or

''(2) Federal land managed by—

''(A) the Bureau of Land Management;

''(B) the Forest Service;

''(C) the Bureau of Reclamation; or

''(D) the Corps of Engineers.''.

SA 2508. Mr. REID submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end, insert the following:

This Act shall become effective 1 day after enactment of this Act.

SA 2509. Mr. REID submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end, insert the following:

This Act shall become effective 1 day after enactment of this Act.

SA 2510. Mr. REID submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end, insert the following:

This Act shall become effective 1 day after enactment of this Act.

SA 2511. Mr. REID submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, strike ''1'' and insert ''2''.

SA 2512. Mr. REID submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, strike ''1'' and insert ''2''.

SA 2513. Mr. REID submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, strike ''2'' and insert ''3''.

SA 2514. Mr. REID submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, strike ''2'' and insert ''3''.

SA 2515. Mr. CARPER (for himself and Mr. MENENDEZ) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 870, line 17, strike ''10 percent'' and insert ''25 percent''.

SA 2516. Mr. DURBIN submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 818, strike lines 13 through 15 and insert the following:

''(D) reimburse planning and design expenses relating to projects described in subparagraph (A) or (C); or

''(E) finance economic development, including commercial and residential development, and related infrastructure and activities, that—

''(i) incorporates private investment;

''(ii) is physically or functionally related to a passenger rail station or multimodal station that includes rail service;

''(iii) has a high probability of the applicant commencing the contracting process for construction not later than 90 days after the date on which the direct loan or loan guarantee is obligated for the project under this title; and

''(iv) has a high probability of reducing the need for financial assistance under any other Federal program for the relevant passenger rail station or service by increasing ridership, tenant lease payments, or other activities that generate revenue exceeding costs.''.

On page 823, line 11, strike ''(4)'' and insert the following:

''(4) USE OF OTHER FEDERAL FUNDS.—Notwithstanding any other provision of law, an applicant may use grants under chapter 244 of title 49, United States Code, to pay any charge under this subsection.

''(5)

SA 2517. Mr. DURBIN submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 662, between lines 18 and 19, insert the following:

SEC. 35215. PASSENGER TRAIN PERFORMANCE.

(a) ON-TIME PERFORMANCE INCENTIVE PAYMENTS.—Section 207(c) of the Passenger Rail Investment and Improvement Act (49 U.S.C. 24101 note; division B of Public Law 110–432) is amended—

(1) by striking ''To the extent practicable'' and inserting the following:

''(2) IN GENERAL.—To the extent practicable''; and

(2) by adding at the end the following:

''(2) QUALITY OF SERVICE PAYMENTS.—Except as provided in paragraph (1), Amtrak shall make a payment to a host railroad for quality of service for an individual route only if host-responsible minutes of delay on that route on that host railroad do not exceed 900 minutes per 10,000 Amtrak train-miles during a month, as calculated by Amtrak in accordance with its delay reporting procedures.

''(3) TEMPORARY HIGHER DELAY LIMITS.—Amtrak and a host railroad may agree in advance in writing to a temporary higher delay limit than that specified under paragraph (2) for a specific route for a specific time period for a specific purpose, such as scheduled major maintenance of way work.''.

(b) INVESTIGATION; FINES AND DAMAGES; TEMPORARY INJUNCTIONS.—Section 24308(f) is amended—

(1) in paragraph (1)—

(A) by striking ''2 consecutive calendar quarters'' each place such phrase appears and inserting ''4 consecutive calendar quarters''; and

(B) by striking ''may initiate'' and inserting ''shall initiate'';

(2) by striking paragraphs (2) and (3) and inserting the following:

''(2) PROBLEMS CAUSED BY HOST RAIL CARRIER.—If the Board determines that delays or failures to achieve minimum standards investigated under paragraph (1) are attributable to a rail carrier's failure to provide preference to Amtrak over freight transportation in accordance with subsection (c), the Board shall award damages and other relief against the host rail carrier pursuant to paragraph (3).

''(3) DAMAGES AND RELIEF.—In awarding damages and prescribing other relief under this paragraph, the Board shall—

''(A) award damages sufficient to make Amtrak whole for the financial loss it suffers as a result of host rail carrier delays or failure to achieve minimum standards; and

''(B) award additional relief in an amount sufficient to deter future actions, which may reasonably be expected to be likely to result in delays to Amtrak on the route involved, but in no event less than $10,000 per day during which the host rail failed to provide preference to Amtrak over freight transportation in accordance with subsection (c).''; and

(3) by adding at the end the following:

''(5) JUDICIAL RELIEF.—Upon the initiation of an investigation under paragraph (1), the General Counsel of the Board may petition an appropriate United States district court for appropriate temporary relief or a restraining order. Upon the receipt of any such petition, the court shall notify the person against whom the relief is sought of such petition and is authorized to grant to the Board such temporary relief or restraining order as the court finds just and proper while the Board conducts an investigation in accordance with under paragraph (1).''.

SA 2518. Mr. KIRK submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care

Act; which was ordered to lie on the table; as follows:

On page 14, line 11, strike ''$300,000,000'' and insert ''$295,000,000''.

Beginning on page 817, strike line 13 and all that follows through page 818, line 15, and insert the following:

SEC. 35603. ELIGIBLE APPLICANTS.

Section 502(a) of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 822(a)) is amended—

(1) in paragraph (5), by striking ''one railroad; and'' and inserting ''1 of the entities described in paragraph (1), (2), (3), (4), (6), or (7);'' and

(2) by striking paragraph (6) and inserting the following:

''(6) solely for the purpose of constructing a rail connection between a plant or facility and a rail carrier, limited option freight shippers that own or operate a plant or other facility;

''(7) any obligor, as designated by an entity otherwise eligible to receive a direct loan or loan guarantee under this section, including a special purpose entity receiving user fees or other payments or revenues from dedicated sources for debt service and maintenance of the equipment or facilities to be acquired or improved; and

''(8) a public-private or private partnership between at least 1 other entity listed in any of paragraphs (1) through (7) and a consortium that specializes in real estate development.''.

SEC. 35604. ELIGIBLE PURPOSES.

Section 502(b)(1) of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 822(b)(1)) is amended—

(1) in subparagraph (A), by inserting '', and costs related to these activities, including preconstruction costs'' after ''shops'';

(2) in subparagraph (B), by striking ''subparagraph (A); or'' and inserting ''subparagraph (A) or (C);'';

(3) in subparagraph (C), by striking the period at the end and inserting a semicolon; and

(4) by adding at the end the following:

''(D) reimburse planning and design expenses relating to projects described in subparagraph (A) or (C); or

''(E) finance economic development, including commercial and residential development, and related infrastructure and activities, that—

''(i) incorporates private investment;

''(ii) is physically or functionally related to a passenger rail station or multimodal station that includes rail service;

''(iii) has a high probability of the applicant commencing the contracting process for construction not later than 90 days after the date on which the direct loan or loan guarantee is obligated for the project under this title; and

''(iv) has a high probability of reducing the need for financial assistance under any other Federal program for the relevant passenger rail station or service by increasing ridership, tenant lease payments, or other activities that generate revenue exceeding costs.''.

SA 2519. Mr. KIRK submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 332, line 23, strike ''$100,000,000'' and insert ''$95,000,000''.

Beginning on page 817, strike line 13 and all that follows through page 818, line 15, and insert the following:

SEC. 35603. ELIGIBLE APPLICANTS.

Section 502(a) of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 822(a)) is amended—

(1) in paragraph (5), by striking ''one railroad; and'' and inserting ''1 of the entities described in paragraph (1), (2), (3), (4), (6), or (7);'' and

(2) by striking paragraph (6) and inserting the following:

''(6) solely for the purpose of constructing a rail connection between a plant or facility and a rail carrier, limited option freight shippers that own or operate a plant or other facility;

''(7) any obligor, as designated by an entity otherwise eligible to receive a direct loan or loan guarantee under this section, including a special purpose entity receiving user fees or other payments or revenues from dedicated sources for debt service and maintenance of the equipment or facilities to be acquired or improved; and

''(8) a public-private or private partnership between at least 1 other entity listed in any of paragraphs (1) through (7) and a consortium that specializes in real estate development.''.

SEC. 35604. ELIGIBLE PURPOSES.

Section 502(b)(1) of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 822(b)(1)) is amended—

(1) in subparagraph (A), by inserting '', and costs related to these activities, including preconstruction costs'' after ''shops'';

(2) in subparagraph (B), by striking ''subparagraph (A); or'' and inserting ''subparagraph (A) or (C);'';

(3) in subparagraph (C), by striking the period at the end and inserting a semicolon; and

(4) by adding at the end the following:

''(D) reimburse planning and design expenses relating to projects described in subparagraph (A) or (C); or

''(E) finance economic development, including commercial and residential development, and related infrastructure and activities, that—

''(i) incorporates private investment;

''(ii) is physically or functionally related to a passenger rail station or multimodal station that includes rail service;

''(iii) has a high probability of the applicant commencing the contracting process for construction not later than 90 days after the date on which the direct loan or loan guarantee is obligated for the project under this title; and

''(iv) has a high probability of reducing the need for financial assistance under any other Federal program for the relevant passenger rail station or service by increasing ridership, tenant lease payments, or other activities that generate revenue exceeding costs.''.

SA 2520. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle A of title XXXI of division C, add the following:

SEC. 31108. AUTHORIZATION OF GRANTS FOR POSITIVE TRAIN CONTROL.

(a) AUTHORIZATION OF APPROPRIATIONS.—There shall be available from the Mass Transit Account of the Highway Trust Fund to carry out this section $250,000,000 for each of fiscal 2016 and 2017 to assist in financing the installation of positive train control systems.

(b) PROGRAMS.—The amounts made available under subsection (a) of this section may be used to assist in financing the installation of positive train control systems through—

(1) grants made under the rail safety technology grants program under section 20158 of title 49, United States Code;

(2) grants made under the consolidated rail infrastructure and safety investments program under section 24408 of title 49, United States Code; and

(3) funding the cost of direct loans and loan guarantees under sections 502 through 504 of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 801 et seq.).

(c) ELIGIBLE RECIPIENTS.—The amounts made available under subsection (a) of this section may be used only to assist a designated recipient (as defined under section 5302 of title 49, United States Code) through the programs described in subsection (b).

(d) PROJECT MANAGEMENT OVERSIGHT.—The Secretary may withhold up to 1 percent from the amounts made available under subsection (a) of this section for the costs of project management oversight of grants authorized under that subsection.

(e) SAVINGS CLAUSE.—Nothing in this section may be construed as authorizing the amounts appropriated under subsection (a) to be used for any purpose other than financing the installation of positive train control systems.

(f) SUNSET.—This section shall remain in effect until September 30, 2017.

SA 2521. Mr. THUNE submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. EXTENSION AND SIMPLIFICATION OF RESEARCH CREDIT.

(a) IN GENERAL.—Subsection (a) of section 41 of the Internal Revenue Code of 1986 is amended to read as follows:

''(a) IN GENERAL.—For purposes of section 38, the research credit determined under this section for the taxable year shall be an amount equal to the sum of—

''(1) 20 percent of so much of the qualified research expenses for the taxable year as exceeds 50 percent of the average qualified research expenses for the 3 taxable years preceding the taxable year for which the credit is being determined,

''(2) 20 percent of so much of the basic research payments for the taxable year as exceeds 50 percent of the average basic research payments for the 3 taxable years preceding the taxable year for which the credit is being determined, plus

''(3) 20 percent of the amounts paid or incurred by the taxpayer in carrying on any trade or business of the taxpayer during the taxable year (including as contributions) to an energy research consortium for energy research.''.

(b) SPECIAL RULES AND TERMINATION OF BASE AMOUNT CALCULATION.—

(1) IN GENERAL.—Subsection (c) of section 41 of the Internal Revenue Code of 1986 is amended to read as follows:

''(c) SPECIAL RULES.—

''(1) SPECIAL RULE IN CASE OF NO QUALIFIED RESEARCH EXPENSES IN ANY OF 3 PRECEDING TAXABLE YEARS.—In the case of a taxpayer that has no qualified research expenses in any one of the 3 taxable years preceding the taxable year for which the credit is being determined—

''(A) the amount of the credit under this section for such taxable year relating to qualified research expenses shall be determined under this paragraph and not under subsection (a)(1), and

''(B) such credit shall be equal to 10 percent of the qualified research expenses for the taxable year.

''(2) SPECIAL RULE IN CASE OF NO BASIC RESEARCH PAYMENTS IN ANY OF 3 PRECEDING TAXABLE YEARS.—In the case of a taxpayer that has no basic research payments in any one of the 3 taxable years preceding the taxable year for which the credit is being determined—

''(A) the credit under this section for such taxable year relating to basic research payments shall be determined under this paragraph and not under subsection (a)(2), and

''(B) such credit shall be equal to 10 percent of the basic research payments for the taxable year.

''(3) CONSISTENT TREATMENT OF EXPENSES.—

''(A) IN GENERAL.—Notwithstanding whether the period for filing a claim for credit or refund has expired for any taxable year taken into account in determining the average qualified research expenses or average basic research payments for purposes of subsection (a), the qualified research expenses and basic research payments taken into account in determining such averages shall be determined on a basis consistent with the determination of qualified research expenses and basic research payments, respectively, for the credit year.

''(B) PREVENTION OF DISTORTIONS.—The Secretary may prescribe regulations to prevent distortions in calculating a taxpayer's qualified research expenses or basic research payments caused by a change in accounting methods used by such taxpayer between the current year and a year taken into account in determining the average qualified research expenses or average basic research payments for purposes of subsection (a).''.

(2) SIMPLIFICATION OF BASIC RESEARCH PAYMENTS CALCULATION.—Subsection (e) of section 41 of such Code is amended—

(A) by striking all that precedes paragraph (6) and inserting the following:

''(e) BASIC RESEARCH PAYMENTS.—For purposes of this section—

''(1) IN GENERAL.—The term 'basic research payment' means, with respect to any taxable year, any amount paid in cash during such taxable year by a corporation to any qualified organization for basic research but only if—

''(A) such payment is pursuant to a written agreement between such corporation and such qualified organization, and

''(B) such basic research is to be performed by such qualified organization.

''(2) EXCEPTION TO REQUIREMENT THAT RESEARCH BE PERFORMED BY THE ORGANIZATION.—In the case of a qualified organization described in subparagraph (C) or (D) of paragraph (3), subparagraph (B) of paragraph (1) shall not apply.'',

(B) by redesignating paragraphs (6) and (7) as paragraphs (3) and (4), respectively, and

(C) in paragraph (4) (as so redesignated), by striking subparagraphs (B) and (C) and by redesignating subparagraphs (D) and (E) as subparagraphs (B) and (C), respectively.

(3) INCLUSION OF QUALIFIED RESEARCH EXPENSES OF AN ACQUIRED PERSON.—

(A) PARTIAL INCLUSION OF PRE-ACQUISITION EXPENDITURES.—Subparagraph (A) of section 41(f)(3) of such Code is amended to read as follows:

''(A) ACQUISITIONS.—

''(i) IN GENERAL.—If a person acquires the major portion of a trade or business of another person (hereinafter in this paragraph referred to as the 'predecessor') or the major portion of a separate unit of a trade or business of a predecessor, then the amount of qualified research expenses or basic research payments paid or incurred by the acquiring person during the 3 taxable years preceding the taxable year in which the credit under this section is determined shall be increased by—

''(I) for purposes of applying this section for the taxable year in which such acquisition is made, the amount determined under clause (ii), and

''(II) for purposes of applying this section for any taxable year after the taxable year in which such acquisition is made, so much of the qualified research expenses or basic research payments paid or incurred by the predecessor with respect to the acquired trade or business during the portion of the measurement period that is part of the 3-taxable-year period preceding the taxable year for which the credit is determined as is attributable to the portion of such trade or business or separate unit acquired by such person.

''(ii) AMOUNT DETERMINED.—The amount determined under this clause is the amount equal to the product of—

''(I) so much of the qualified research expenses or basic research payments paid or incurred by the predecessor with respect to the acquired trade or business during the 3 taxable years before the taxable year in which the acquisition is made as is attributable to the portion of such trade or business or separate unit acquired by the acquiring person, and

''(II) the number of months in the period beginning on the date of the acquisition and ending on the last day of the taxable year in which the acquisition is made,

divided by 12.

''(iii) SPECIAL RULES FOR COORDINATING TAXABLE YEARS.—In the case of an acquiring person and a predecessor whose taxable years do not begin on the same date—

''(I) each reference to a taxable year in clauses (i) and (ii) shall refer to the appropriate taxable year of the acquiring person,

''(II) the qualified research expenses or basic research payments paid or incurred by the predecessor during each taxable year of the predecessor any portion of which is part of the measurement period shall be allocated equally among the months of such taxable year, and

''(III) the amount of such qualified research expenses or basic research payments taken into account under clauses (i) and (ii) with respect to a taxable year of the acquiring person shall be equal to the total of the expenses attributable under subclause (II) to the months occurring during such taxable year.

''(iv) MEASUREMENT PERIOD.—For purposes of this subparagraph, the term 'measurement period' means the taxable year of the acquiring person in which the acquisition is made and the 3 taxable years of the acquiring person preceding such taxable year.

''(v) SEPARATION OF EXPENDITURES.—This subparagraph shall be applied separately with respect to qualified research expenses and basic research payments.''.

(B) EXPENSES OF A PREDECESSOR.—Subparagraph (B) of section 41(f)(3) of such Code is amended to read as follows:

''(B) DISPOSITIONS.—If the predecessor furnished to the acquiring person such information as is necessary for the application of subparagraph (A), then, for purposes of applying this section for any taxable year ending after such disposition, the amount of qualified research expenses or basic research payments paid or incurred by the predecessor during the 3 taxable years preceding such taxable year shall be reduced—

''(i) in the case of the taxable year in which such disposition is made, by an amount equal to the product of—

''(I) the amount of qualified research expenses or basic research payments paid or incurred during such 3 taxable years with respect to the acquired business, and

''(II) the number of days in the period beginning on the date of acquisition (as determined for purposes of subparagraph (A)(ii)(II)) and ending on the last day of the taxable year of the predecessor in which the disposition is made,

divided by the number of days in the taxable year of the predecessor, and

''(ii) in the case of any taxable year ending after the taxable year in which such disposition is made, the amount described in clause (i)(I).

This subparagraph shall be applied separately with respect to qualified research expenses and basic research payments.''.

(C) CONFORMING AMENDMENTS.—

(i) Paragraph (3) of section 41(f) of such Code is amended by striking subparagraph (C).

(ii) Paragraph (4) of section 41(f) of such Code is amended by striking ''gross receipts'' and inserting ''basic research payments''.

(c) PERMANENT EXTENSION.—

(1) Section 41 of the Internal Revenue Code of 1986 is amended by striking subsection (h).

(2) Paragraph (1) of section 45C(b) of such Code is amended by striking subparagraph (D).

(d) CROSS-REFERENCES.—

(1) Paragraph (2) of section 45C(c) of the Internal Revenue Code of 1986 is amended—

(A) by striking ''base period research expenses'' and inserting ''average qualified research expenses'', and

(B) by striking ''BASE PERIOD RESEARCH EXPENSES'' in the heading and inserting ''AVERAGE QUALIFIED RESEARCH EXPENSES''.

(2) Subsection (c) of section 280C of such Code is amended—

(A) by striking ''basic research expenses (as defined in section 41(e)(2))'' in paragraph (1) and inserting ''basic research payments (as defined in section 41(e)(1))'', and

(B) by striking ''basic research expenses'' in paragraph (2)(B) and inserting ''basic research payments''.

(e) CREDIT ALLOWED AGAINST ALTERNATIVE MINIMUM TAX IN CASE OF ELIGIBLE SMALL BUSINESS.—Section 38(c)(4)(B) of the Internal Revenue Code of 1986 is amended by redesignating clauses (ii) through (ix) as clauses (iii) through (x), respectively, and by inserting after clause (i) the following new clause:

''(ii) the credit determined under section 41 for the taxable year with respect to an eligible small business (as defined in paragraph (5)(C), after application of rules similar to the rules of paragraph (5)(D)),''.

(f) TECHNICAL CORRECTIONS.—Section 409 of the Internal Revenue Code of 1986 is amended—

(1) by inserting '', as in effect before the enactment of the Tax Reform Act of 1986)'' after ''section 41(c)(1)(B)'' in subsection (b)(1)(A),

(2) by inserting '', as in effect before the enactment of the Tax Reform Act of 1986'' after ''relating to the employee stock ownership credit'' in subsection (b)(4),

(3) by inserting ''(as in effect before the enactment of the Tax Reform Act of 1986)'' after ''section 41(c)(1)(B)'' in subsection (i)(1)(A), and

(4) by striking '', or subparagraph (A) or (B) of section 48(n)(1)'' in subsection (m) and inserting ''(as in effect before the enactment of the Tax Reform Act of 1986)''.

(g) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraphs (2) and (3), the amendments made by this section shall apply to taxable years beginning after December 31, 2014.

(2) PERMANENT EXTENSION.—The amendments made by subsection (c) shall apply to amounts paid or incurred after December 31, 2014.

(3) TECHNICAL CORRECTIONS.—The amendments made by subsection (f) shall take effect on the date of the enactment of this Act.

SEC. _____. RULE ALLOWING CERTAIN TAX-FREE DISTRIBUTIONS FROM INDIVIDUAL RETIREMENT ACCOUNTS FOR CHARITABLE PURPOSES MADE PERMANENT.

(a) IN GENERAL.—Section 408(d)(8) of the Internal Revenue Code of 1986 is amended by striking subparagraph (F).

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to distributions made in taxable years beginning after December 31, 2014.

SEC. _____. EXTENSION AND EXPANSION OF CHARITABLE DEDUCTION FOR CONTRIBUTIONS OF FOOD INVENTORY.

(a) PERMANENT EXTENSION.—Section 170(e)(3)(C) of the Internal Revenue Code of 1986 is amended by striking clause (iv).

(b) INCREASE IN LIMITATION.—Section 170(e)(3)(C) of the Internal Revenue Code of 1986, as amended by subsection (a), is amended by striking clause (ii), by redesignating clause (iii) as clause (iv), and by inserting after clause (i) the following new clauses:

''(ii) LIMITATION.—The aggregate amount of such contributions for any taxable year which may be taken into account under this section shall not exceed—

''(I) in the case of any taxpayer other than a C corporation, 15 percent of the taxpayer's aggregate net income for such taxable year from all trades or businesses from which such contributions were made for such year, computed without regard to this section, and

''(II) in the case of a C corporation, 15 percent of taxable income (as defined in subsection (b)(2)(D)).

''(iii) RULES RELATED TO LIMITATION.—

''(I) CARRYOVER.—If such aggregate amount exceeds the limitation imposed under clause (ii), such excess shall be treated (in a manner consistent with the rules of subsection (d)) as a charitable contribution described in clause (i) in each of the 5 succeeding taxable years in order of time.

''(II) COORDINATION WITH OVERALL CORPORATE LIMITATION.—In the case of any charitable contribution allowable under clause (ii)(II), subsection (b)(2)(A) shall not apply to such contribution, but the limitation imposed by such subsection shall be reduced (but not below zero) by the aggregate amount of such contributions. For purposes of subsection (b)(2)(B), such contributions shall be treated as allowable under subsection (b)(2)(A).''.

(c) DETERMINATION OF BASIS FOR CERTAIN TAXPAYERS.—Section 170(e)(3)(C) of the Internal Revenue Code of 1986, as amended by subsections (a) and (b), is amended by adding at the end the following new clause:

''(v) DETERMINATION OF BASIS FOR CERTAIN TAXPAYERS.—If a taxpayer—

''(I) does not account for inventories under section 471, and

''(II) is not required to capitalize indirect costs under section 263A,

the taxpayer may elect, solely for purposes of subparagraph (B), to treat the basis of any apparently wholesome food as being equal to 25 percent of the fair market value of such food.''.

(d) DETERMINATION OF FAIR MARKET VALUE.—Section 170(e)(3)(C) of the Internal Revenue Code of 1986, as amended by subsections (a), (b), and (c), is amended by adding at the end the following new clause:

''(vi) DETERMINATION OF FAIR MARKET VALUE.—In the case of any such contribution of apparently wholesome food which cannot or will not be sold solely by reason of internal standards of the taxpayer, lack of market, or similar circumstances, or by reason of being produced by the taxpayer exclusively for the purposes of transferring the food to an organization described in subparagraph (A), the fair market value of such contribution shall be determined—

''(I) without regard to such internal standards, such lack of market, such circumstances, or such exclusive purpose, and

''(II) by taking into account the price at which the same or substantially the same food items (as to both type and quality) are sold by the taxpayer at the time of the contribution (or, if not so sold at such time, in the recent past).''.

(e) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the amendments made by this section shall apply to contributions made after the date of the enactment of this Act, in taxable years ending after such date.

(2) LIMITATION; APPLICABILITY TO C CORPORATIONS.—The amendments made by subsection (b) shall apply to contributions made in taxable years ending after the date of the enactment of this Act.

SEC. _____. SPECIAL RULE FOR QUALIFIED CONSERVATION CONTRIBUTIONS MADE PERMANENT.

(a) IN GENERAL.—

(1) INDIVIDUALS.—Subparagraph (E) of section 170(b)(1) of the Internal Revenue Code of 1986 (relating to contributions of qualified conservation contributions) is amended by striking clause (vi).

(2) CORPORATIONS.—Subparagraph (B) of section 170(b)(2) of such Code (relating to qualified conservation contributions) is amended by striking clause (iii).

(b) CONTRIBUTIONS OF CAPITAL GAIN REAL PROPERTY MADE FOR CONSERVATION PURPOSES BY NATIVE CORPORATIONS.—

(1) IN GENERAL.—Section 170(b)(2) of the Internal Revenue Code of 1986 is amended by redesignating subparagraph (C) as subparagraph (D), and by inserting after subparagraph (B) the following new subparagraph:

''(C) QUALIFIED CONSERVATION CONTRIBUTIONS BY CERTAIN NATIVE CORPORATIONS.—

''(i) IN GENERAL.—Any qualified conservation contribution (as defined in subsection (h)(1)) which—

''(I) is made by a Native Corporation, and

''(II) is a contribution of property which was land conveyed under the Alaska Native Claims Settlement Act,

shall be allowed to the extent that the aggregate amount of such contributions does not exceed the excess of the taxpayer's taxable income over the amount of charitable contributions allowable under subparagraph (A).

''(ii) CARRYOVER.—If the aggregate amount of contributions described in clause (i) exceeds the limitation of clause (i), such excess shall be treated (in a manner consistent with the rules of subsection (d)(2)) as a charitable contribution to which clause (i) applies in each of the 15 succeeding taxable years in order of time.

''(iii) NATIVE CORPORATION.—For purposes of this subparagraph, the term 'Native Corporation' has the meaning given such term by section 3(m) of the Alaska Native Claims Settlement Act.''.

(2) CONFORMING AMENDMENTS.—

(A) Section 170(b)(2)(A) of such Code is amended by striking ''subparagraph (B) applies'' and inserting ''subparagraph (B) or (C) applies''.

(B) Section 170(b)(2)(B)(ii) of such Code is amended by striking ''15 succeeding years'' and inserting ''15 succeeding taxable years''.

(3) VALID EXISTING RIGHTS PRESERVED.—Nothing in this subsection (or any amendment made by this subsection) shall be construed to modify the existing property rights validly conveyed to Native Corporations (within the meaning of section 3(m) of the Alaska Native Claims Settlement Act) under such Act.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to contributions made in taxable years beginning after December 31, 2014.

SEC. _____. EXPENSING CERTAIN DEPRECIABLE BUSINESS ASSETS FOR SMALL BUSINESS.

(a) IN GENERAL.—

(1) DOLLAR LIMITATION.—Section 179(b)(1) of the Internal Revenue Code of 1986 is amended by striking ''shall not exceed—'' and all that follows and inserting ''shall not exceed $500,000.''.

(2) REDUCTION IN LIMITATION.—Section 179(b)(2) of such Code is amended by striking ''exceeds—'' and all that follows and inserting ''exceeds $2,000,000.''.

(b) COMPUTER SOFTWARE.—Section 179(d)(1)(A)(ii) of the Internal Revenue Code of 1986 is amended by striking '', to which section 167 applies, and which is placed in service in a taxable year beginning after 2002 and before 2015'' and inserting ''and to which section 167 applies''.

(c) ELECTION.—Section 179(c)(2) of the Internal Revenue Code of 1986 is amended—

(1) by striking ''may not be revoked'' and all that follows through ''and before 2015''; and

(2) by striking ''IRREVOCABLE'' in the heading thereof.

(d) AIR CONDITIONING AND HEATING UNITS.—Section 179(d)(1) of the Internal Revenue Code of 1986 is amended by striking ''and shall not include air conditioning or heating units''.

(e) QUALIFIED REAL PROPERTY.—Section 179(f) of the Internal Revenue Code of 1986 is amended—

(1) by striking ''beginning after 2009 and before 2015'' in paragraph (1); and

(2) by striking paragraphs (3) and (4).

(f) INFLATION ADJUSTMENT.—Section 179(b) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(6) INFLATION ADJUSTMENT.—

''(A) IN GENERAL.—In the case of any taxable year beginning after 2015, the dollar amounts in paragraphs (1) and (2) shall each be increased by an amount equal to—

''(i) such dollar amount, multiplied by

''(ii) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, determined by substituting 'calendar year 2014' for 'calendar year 1992' in subparagraph (B) thereof.

''(B) ROUNDING.—The amount of any increase under subparagraph (A) shall be rounded to the nearest multiple of $10,000.''.

(g) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2014.

SEC. _____. REDUCED RECOGNITION PERIOD FOR BUILT-IN GAINS OF S CORPORATIONS MADE PERMANENT.

(a) IN GENERAL.—Paragraph (7) of section 1374(d) of the Internal Revenue Code of 1986 is amended to read as follows:

''(7) RECOGNITION PERIOD.—

''(A) IN GENERAL.—The term 'recognition period' means the 5-year period beginning with the first day of the first taxable year for which the corporation was an S corporation. For purposes of applying this section to any amount includible in income by reason of distributions to shareholders pursuant to section 593(e), the preceding sentence shall be applied without regard to the phrase '5-year'.

''(B) INSTALLMENT SALES.—If an S corporation sells an asset and reports the income from the sale using the installment method under section 453, the treatment of all payments received shall be governed by the provisions of this paragraph applicable to the taxable year in which such sale was made.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2014.

SEC. _____. PERMANENT RULE REGARDING BASIS ADJUSTMENT TO STOCK OF S CORPORATIONS MAKING CHARITABLE CONTRIBUTIONS OF PROPERTY.

(a) IN GENERAL.—Section 1367(a)(2) of the Internal Revenue Code of 1986 is amended by striking the last sentence.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to contributions made in taxable years beginning after December 31, 2014.

SEC. _____. PERMANENT EXTENSION OF DEDUCTION OF STATE AND LOCAL GENERAL SALES TAXES.

(a) IN GENERAL.—Section 164(b)(5) of the Internal Revenue Code of 1986 is amended by striking subparagraph (I).

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2014.

SA 2522. Mr. THUNE submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. EXTENSION AND EXPANSION OF CHARITABLE DEDUCTION FOR CONTRIBUTIONS OF FOOD INVENTORY.

(a) PERMANENT EXTENSION.—Section 170(e)(3)(C) of the Internal Revenue Code of 1986 is amended by striking clause (iv).

(b) INCREASE IN LIMITATION.—Section 170(e)(3)(C) of the Internal Revenue Code of 1986, as amended by subsection (a), is amended by striking clause (ii), by redesignating clause (iii) as clause (iv), and by inserting after clause (i) the following new clauses:

''(ii) LIMITATION.—The aggregate amount of such contributions for any taxable year which may be taken into account under this section shall not exceed—

''(I) in the case of any taxpayer other than a C corporation, 15 percent of the taxpayer's aggregate net income for such taxable year from all trades or businesses from which such contributions were made for such year, computed without regard to this section, and

''(II) in the case of a C corporation, 15 percent of taxable income (as defined in subsection (b)(2)(D)).

''(iii) RULES RELATED TO LIMITATION.—

''(I) CARRYOVER.—If such aggregate amount exceeds the limitation imposed under clause (ii), such excess shall be treated (in a manner consistent with the rules of subsection (d)) as a charitable contribution described in clause (i) in each of the 5 succeeding years in order of time.

''(II) COORDINATION WITH OVERALL CORPORATE LIMITATION.—In the case of any charitable contribution allowable under clause (ii)(II), subsection (b)(2)(A) shall not apply to such contribution, but the limitation imposed by such subsection shall be reduced (but not below zero) by the aggregate amount of such contributions. For purposes of subsection (b)(2)(B), such contributions shall be treated as allowable under subsection (b)(2)(A).''.

(c) DETERMINATION OF BASIS FOR CERTAIN TAXPAYERS.—Section 170(e)(3)(C) of the Internal Revenue Code of 1986, as amended by subsections (a) and (b), is amended by adding at the end the following new clause:

''(v) DETERMINATION OF BASIS FOR CERTAIN TAXPAYERS.—If a taxpayer—

''(I) does not account for inventories under section 471, and

''(II) is not required to capitalize indirect costs under section 263A,

the taxpayer may elect, solely for purposes of subparagraph (B), to treat the basis of any apparently wholesome food as being equal to 25 percent of the fair market value of such food.''.

(d) DETERMINATION OF FAIR MARKET VALUE.—Section 170(e)(3)(C) of the Internal Revenue Code of 1986, as amended by subsections (a), (b), and (c), is amended by adding at the end the following new clause:

''(vi) DETERMINATION OF FAIR MARKET VALUE.—In the case of any such contribution of apparently wholesome food which cannot or will not be sold solely by reason of internal standards of the taxpayer, lack of market, or similar circumstances, or by reason of being produced by the taxpayer exclusively for the purposes of transferring the food to an organization described in subparagraph (A), the fair market value of such contribution shall be determined—

''(I) without regard to such internal standards, such lack of market, such circumstances, or such exclusive purpose, and

''(II) by taking into account the price at which the same or substantially the same food items (as to both type and quality) are sold by the taxpayer at the time of the contribution (or, if not so sold at such time, in the recent past).''.

(e) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the amendments made by this section shall apply to contributions made after December 31, 2014, in taxable years ending after such date.

(2) LIMITATION; APPLICABILITY TO C CORPORATIONS.—The amendments made by subsection (b) shall apply to contributions made in taxable years beginning after December 31, 2014.

SEC. _____. RULE ALLOWING CERTAIN TAX-FREE DISTRIBUTIONS FROM INDIVIDUAL RETIREMENTS ACCOUNTS FOR CHARITABLE PURPOSES MADE PERMANENT.

(a) IN GENERAL.—Section 408(d)(8) of the Internal Revenue Code of 1986 is amended by striking subparagraph (F).

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to distributions made in taxable years beginning after December 31, 2014.

SEC. _____. SPECIAL RULE FOR QUALIFIED CONSERVATION CONTRIBUTIONS MODIFIED AND MADE PERMANENT.

(a) MADE PERMANENT.—

(1) INDIVIDUALS.—Subparagraph (E) of section 170(b)(1) of the Internal Revenue Code of 1986 is amended by striking clause (vi).

(2) CORPORATIONS.—Subparagraph (B) of section 170(b)(2) of such Code is amended by striking clause (iii).

(b) CONTRIBUTIONS OF CAPITAL GAIN REAL PROPERTY MADE FOR CONSERVATION PURPOSES BY NATIVE CORPORATIONS.—

(1) IN GENERAL.—Paragraph (2) of section 170(b) of the Internal Revenue Code of 1986 is amended by redesignating subparagraph (C) as subparagraph (D), and by inserting after subparagraph (B) the following new subparagraph:

''(C) QUALIFIED CONSERVATION CONTRIBUTIONS BY CERTAIN NATIVE CORPORATIONS.—

''(i) IN GENERAL.—Any qualified conservation contribution (as defined in subsection (h)(1)) which—

''(I) is made by a Native Corporation, and

''(II) is a contribution of property which was land conveyed under the Alaska Native Claims Settlement Act,

shall be allowed to the extent that the aggregate amount of such contributions does not exceed the excess of the taxpayer's taxable income over the amount of charitable contributions allowable under subparagraph (A).

''(ii) CARRYOVER.—If the aggregate amount of contributions described in clause (i) exceeds the limitation of clause (i), such excess shall be treated (in a manner consistent with the rules of subsection (d)(2)) as a charitable contribution to which clause (i) applies in each of the 15 succeeding years in order of time.

''(iii) NATIVE CORPORATION.—For purposes of this subparagraph, the term 'Native Corporation' has the meaning given such term by section 3(m) of the Alaska Native Claims Settlement Act.''.

(2) CONFORMING AMENDMENT.—Section 170(b)(2)(A) of such Code is amended by striking ''subparagraph (B) applies'' and inserting ''subparagraph (B) or (C) applies''.

(3) VALID EXISTING RIGHTS PRESERVED.—Nothing in this subsection (or any amendment made by this subsection) shall be construed to modify the existing property rights validly conveyed to Native Corporations (within the meaning of section 3(m) of the Alaska Native Claims Settlement Act) under such Act.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to contributions made in taxable years beginning after December 31, 2014.

SEC. _____. EXTENSION OF TIME FOR MAKING CHARITABLE CONTRIBUTIONS.

(a) IN GENERAL.—Subsection (a) of section 170 of the Internal Revenue Code of 1986 is amended by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively, and by inserting after paragraph (1) the following new paragraph:

''(2) TREATMENT OF CHARITABLE CONTRIBUTIONS MADE BY INDIVIDUALS BEFORE DUE DATE OF RETURN.—If any charitable contribution is made by an individual after the close of a taxable year but not later than the due date (determined without regard to extensions) for the return of tax for such taxable year, then the taxpayer may elect to treat such charitable contribution as made in such taxable year. Such election shall be made at such time and in such manner as the Secretary may provide. For purposes of this paragraph, an individual's distributive share of a partnership's charitable contribution, and an individual's pro rata share of an S corporation's charitable contribution, shall not be treated as charitable contributions made by such individual.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to elections made with respect to taxable years beginning after December 31, 2014.

SEC. _____. MODIFICATION OF THE TAX RATE FOR THE EXCISE TAX ON INVESTMENT INCOME OF PRIVATE FOUNDATIONS.

(a) IN GENERAL.—Section 4940(a) of the Internal Revenue Code of 1986 is amended by striking ''2 percent'' and inserting ''1 percent''.

(b) ELIMINATION OF REDUCED TAX WHERE FOUNDATION MEETS CERTAIN DISTRIBUTION REQUIREMENTS.—Section 4940 of the Internal Revenue Code of 1986 is amended by striking subsection (e).

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

SA 2523. Mr. THUNE (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PERMANENT MORATORIUM ON INTERNET ACCESS TAXES AND MULTIPLE AND DISCRIMINATORY TAXES ON ELECTRONIC COMMERCE.

(a) IN GENERAL.—Section 1101(a) of the Internet Tax Freedom Act (47 U.S.C. 151 note), as amended by section 624 of the Consolidated and Further Continuing Appropriations Act, 2015 (Public Law 113–235), is amended by striking ''during the period beginning November 1, 2003, and ending October 1, 2015''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxes imposed after the date of the enactment of this Act.

SA 2524. Mr. THUNE (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. EXTENSION OF MORATORIUM ON INTERNET ACCESS TAXES AND MULTIPLE AND DISCRIMINATORY TAXES ON ELECTRONIC COMMERCE.

(a) IN GENERAL.—Section 1101(a) of the Internet Tax Freedom Act (47 U.S.C. 151 note), as amended by section 624 of the Consolidated and Further Continuing Appropriations Act, 2015 (Public Law 113–235), is amended by striking ''October 1, 2015'' and inserting ''October 1, 2021''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxes imposed after the date of the enactment of this Act.

SA 2525. Mr. HATCH (for himself and Mr. SCHATZ) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 66, between lines 14 and 15, insert the following:

''(xxviii) Education, as part of an approved State strategic highway safety plan, except that the total amount of funds used by a State for projects under this clause shall be equal to not greater than 10 percent of the amount of funds allocated to the State for the program under this section for each fiscal year, after the set-asides to carry out section 134 and the congestion mitigation and air quality improvement program under section 149.

On page 66, line 15, strike ''(xxviii)'' and insert ''(xxix)''.

On page 66, line 17, strike ''(xxvii)'' and insert ''(xxviii)''.

SA 2526. Mr. HATCH (for himself, Mr. BURR, and Mr. TILLIS) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of subtitle A of title I, add the following:

SEC. 11030. CONSOLIDATED FUNDING PILOT PROGRAM.

(a) IN GENERAL.—Chapter 1 of title 23, United States Code (as amended by section 44002(a)), is amended by adding at the end the following:

''§ 172. Consolidated funding pilot program

''(a) IN GENERAL.—The Secretary shall carry out a consolidated funding pilot program (referred to in this section as the 'program') in each of the States of Utah, North Carolina, and a third State—

''(1) to transform the Federal-aid highway program to a performance- and outcome-based program that refocuses investment of resources on transportation projects that make progress toward the achievement of the national goals described in paragraphs (1) through (7) of section 150(b); and

''(2) to continue advancements made under MAP–21 (Public Law 112–141; 126 Stat. 405) to streamline program categories by demonstrating how additional flexibility would enable States to make investment decisions that better achieve State and national goals while advancing accountability and transparency of the Federal-aid highway program.

''(b) IMPLEMENTATION.—

''(1) IN GENERAL.—In carrying out the program, of those funds apportioned to a participating eligible State and after suballocations, set-asides, and pass-throughs made within each State to entities other than the transportation department of the State (including a metropolitan planning organization and a regional transportation planning organization), the Secretary shall treat the apportionments remaining with the State transportation department under the individual apportionment programs described in section 104 as a single, consolidated apportionment.

''(2) ELIGIBLE ACTIVITIES.—Activities eligible under the program shall include all activities eligible for the individual apportionment programs described in section 104.

''(c) ELIGIBILITY.—To be eligible to participate in the program—

''(1) a State referred to in subsection (a) shall—

''(A) demonstrate that well-established performance management systems are in place in the State for the national goals for—

''(i) safety described in section 150(b)(1); and

''(ii) infrastructure condition described in section 150(b)(2);

''(B) demonstrate that the performance management systems in place in the State include a system of metrics and performance measures that guide the State in using program funds and prioritizing projects—

''(i) to ensure an effective use of resources; and

''(ii) to further the objectives of the program;

''(C) demonstrate progress made toward achieving measurable performance of national goals for—

''(i) congestion reduction described in section 150(b)(3);

''(ii) system reliability described in section 150(b)(4);

''(iii) freight movement and economic vitality described in section 150(b)(5);

''(iv) environmental sustainability described in section 150(b)(6); and

''(v) reduced project delivery delays described in section 150(b)(7); and

''(2) the head of the State agency with primary jurisdiction over highways shall enter into a written agreement with the division administrator of the field office of the Federal Highway Administration located in the State and any metropolitan planning organization located in the State, which shall specify which individual apportionment programs or portions of programs referred to in subsection (b) shall be included in the program in that State.

''(d) TERM.—The Secretary shall carry out the program for a term of not fewer than 6 years.

''(e) TERMINATION.—The Secretary may terminate the participation of a State in the program if—

''(1) the Secretary determines that the State is not adequately carrying out the responsibilities assigned to the State under the program;

''(2) the Secretary provides to the State—

''(A) notification of the determination of noncompliance under paragraph (1); and

''(B) a period of not less than 30 days during which the State may take such corrective action as the Secretary determines necessary to comply with the program; and

''(3) after the notification of noncompliance and the expiration of the period under paragraph (2), the State has not taken satisfactory corrective action, as determined by the Secretary.

''(f) REPORTS.—

''(1) STATE REPORTING REQUIREMENTS.—Participating eligible States shall submit to the Secretary an annual report—

''(A) demonstrating how performance management systems were used to guide the decisionmaking process of the State in the development of the statewide transportation improvement program of the State under section 135; and

''(B) describing the results of the program based on performance measures that demonstrate progress toward the achievement of performance goals.

''(2) REPORT TO CONGRESS.—The Secretary shall submit to Congress an annual report that describes the administration of the program.''.

(b) CONFORMING AMENDMENT.—The analysis for chapter 1 of title 23, United States Code (as amended by section 44002(c)), is amended by inserting after the item relating to section 171 the following:

''172. Consolidated funding pilot program.''.

SA 2527. Mr. INHOFE submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 1006, line 25, strike ''$440,000,000'' and insert ''$439,999,999''.

ORDERS FOR MONDAY, JULY 27, 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 2 p.m., Monday, July 27; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following leader remarks, the Senate resume consideration of H.R. 22; finally, that all time during the adjournment of the Senate count postcloture on the Kirk amendment No. 2327.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

ADJOURNMENT UNTIL 2 P.M. TOMORROW

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 4:34 p.m., adjourned until Monday, July 27, 2015, at 2 p.m.

HOUSE OF REPRESENTATIVES—*Monday, July 27, 2015*

The House met at noon and was called to order by the Speaker pro tempore (Mr. CURBELO of Florida).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
July 27, 2015.

I hereby appoint the Honorable CARLOS CURBELO to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 6, 2015, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 1:50 p.m.

TEXANS IN THE FORGOTTEN WAR: KOREA

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. POE) for 5 minutes.

Mr. POE of Texas. Mr. Speaker, an armistice was signed 62 years ago today to signify the official end of the Korean war. It was July 27, 1953.

This first conflict of the cold war occurred when communist North Korea invaded South Korea 3 years earlier.

The defense of South Korea was supposedly a U.N. action, but as history shows, the United States, unprepared for this war, took the brunt of the fighting, along with the South Koreans.

In the end, the war resulted in a cease-fire until both sides could ''find a peaceful settlement.'' No settlement has ever occurred.

This war has been referred to as ''the forgotten war.'' It is barely mentioned in our textbooks. Over 50,000 Americans were killed; 1,700 of them were from Texas.

Thirteen Texans went above and beyond the call of duty in Korea. They received the Congressional Medal of Honor for their valor. Ten of them were killed in combat.

Major George Andrew Davis, Jr., United States Air Force. While flying his F–86 Sabrejet, he and his wingman attacked 12 MIGs to protect a squadron of U.S. bombers.

After shooting down two MIGs, he continued the fight until he was killed. His actions resulted in the U.S. bombers successfully completing their mission.

Staff Sergeant Ambrosio Guillen, United States Marine Corps, was killed 2 days before the cease-fire. He turned an overwhelming enemy attack into a disorderly retreat while supervising the defense of his position, the treatment and evacuation of the wounded.

Private First Class Jack G. Hanson, United States Army. While covering the withdrawal of his fellow soldiers, Hanson, alone, manned his machinegun to stop the enemy attack. He was later found surrounded by 22 of the enemy dead. His machinegun and pistol were empty and his hand clutched his machete.

Hospital Corpsman John E. Kilmer, United States Navy. In helping defend a vital hill position during an assault, he braved enemy fire to aid the wounded and was killed while shielding a wounded marine with his own body.

Corporal Benito Martinez. Electing to remain at his post during an attack, he inflicted numerous casualties against an enemy onslaught and refused to be rescued because of the danger involved to his other fellow troops. His stand enabled troops to attack and regain the terrain. He was in the United States Army.

First Lieutenant Frank N. Mitchell, United States Marine Corps, led a hand-to-hand struggle to repel the enemy, led a party to search for the wounded, and singlehandedly covered the withdrawal of his men before being fatally shot.

Private First Class Whitt L. Moreland, United States Marine Corps. During an attempt to neutralize an enemy bunker, he covered an oncoming grenade with his own body. His self-sacrifice saved the lives of his fellow Marines.

Second Lieutenant George H. O'Brien, Jr., United States Marine Corps. While wounded during an attack against a hostile enemy, he refused to be evacuated and continued in the assault. He set up a defense, aided the wounded, and covered the withdrawal so no one was left behind.

Corporal Charles F. Pendleton, United States Army. He was mortally wounded by a mortar burst while heroically manning a machinegun and carbine during multiple waves of enemy attacks.

First Lieutenant James L. Stone, United States Army, led his troops in a last-ditch stand of a vital outpost. He exposed himself to enemy fire to direct his platoon. When the final overwhelming assault swept over their position, a mortally wounded Lieutenant Stone urged his men to continue the fight.

Master Sergeant Travis E. Watkins, United States Army, led 30 men of his unit when surrounded by the enemy. Through his leadership, a small force of those 30 men destroyed nearly 500 of the enemy before abandoning their position. A paralyzed Sergeant Watkins refused his evacuation, as his condition would slow down his comrades.

Corporal Victor Espinoza, United States Army. During an attack, he singlehandedly destroyed an enemy machinegun, mortar position, two bunkers, and tunnel, taking a heavy toll on the enemy, with at least 14 dead and 11 others wounded.

Master Sergeant Mike C. Pena, United States Army. After ordering his men to fall back during a fierce attack, he manned a machinegun to cover their withdrawal. He singlehandedly held back the enemy until the next morning, when his position was overrun and he was killed.

Mr. Speaker, 62 years later, on this day, we remember the sacrifices of these Texas Medal of Honor recipients and other Americans in the forgotten war.

The Korean War Memorial down the street appropriately depicts 38 uniformed Americans moving silently in the brutal cold and rough terrain in some forgotten place, in a forgotten war, in Korea. Mr. Speaker, let us forget this unforgettable war no more.

And that is just the way it is.

CHAPLAIN CORPS' 240TH ANNIVERSARY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Georgia (Mr. COLLINS) for 5 minutes.

Mr. COLLINS of Georgia. Mr. Speaker, I rise today to commemorate the 240th birthday of the military Chaplain Corps.

During the early days of the Revolutionary War that led to our great Nation's independence, General George Washington called for the establishment of the Chaplain Corps to minister to the men who braved harsh conditions and incredible odds to fight for

the freedom of their families and their Nation.

On July 29, 1775, the Continental Congress responded to that call. The initial Army Chaplain Corps would later expand to every branch of America's armed services.

The very existence of the Chaplain Corps and its persistence over the last 240 years says much about our Nation's view of the fighting force.

From the beginning, America has understood that our warfighters are not only soldiers, but whole human beings whose hearts and souls need just as much care as their bodies.

Chaplains have served in all of America's conflicts and major wars and engagements, from the colonial era to the battlefields in Afghanistan and Iraq. Hundreds of chaplains have laid down their lives for our Nation.

Chaplains are not simply people of faith who decide to minister in the military. Chaplains are professionals who have had extensive religious education as well as experience walking with people through the challenges of life.

Candidates for chaplain must receive an ecclesiastical endorsement from their faith group that testifies to his or her spiritual, moral, intellectual, and emotional preparedness to serve as a chaplain. They must possess a graduate degree in theological or religious studies.

Furthermore, each potential chaplain must demonstrate their commitment to a free exercise of religion by all military personnel while, at the same time, adhering to all military standards of conduct and physical training.

In a very real sense, chaplains serve on the front lines in the battle to ensure religious liberty in our pluralistic society.

Chaplains are there for those of faith and for those of no faith. Chaplains are there for the people who serve us.

In war and peace, chaplains provide our servicemembers and their families with prayer, counsel, guidance, sacraments, and sometimes just simply a shoulder to cry on.

The Chaplain Corps and its vital role in the United States Armed Forces is a matter near and dear to my heart for, since 2002, I have had the privilege of serving the United States Air Force Reserve as a military chaplain.

I volunteered to serve the men and women of the U.S. Air Force Reserve as a chaplain because I believe the calling of all is to serve how we can in the best way we can. The freedoms of our country have asked no less of us.

Chaplains have the honor of serving every member of the Armed Forces who might cross their path. We see the military from a very unique perspective.

We hear young enlisted soldiers and seasoned officers ask similar questions of faith and family. They speak of all-too-familiar family challenges and the struggles that they, too, go through.

As members of the military ourselves, chaplains certainly are not blind to rank. But given our focus on the unseen, our care for the soul, we do have a tendency to see more of what binds our fighting force together as fellow sojourners in this life than anything that might separate them.

You see, our challenges take us from the very war rooms and the very inner circles of commanders preparing for battle to the very newest who serve just on a guard.

As I did in Iraq back in 2008, it was my privilege to see some of our best and brightest serving at night in the middle of a land far away from home. One in particular sticks out.

When she came, I first met her. She was there, arriving late.

When she got there, I was sort of wondering: Why did you come late from your unit?

She said: Well, sir, I had a little bit of a delay.

And I said: Well, what was that?

I was just curious.

She said: Well, just a few months ago, I had my little baby girl.

And I thought for just a moment.

She said: But I was wanting to be here because I have trained and I didn't want to let my fellow members down.

So for the rest of that time, I was there with her. Over those next few months, we explored and I saw through pictures the life of a mother separated from her young child, but watching the experiences of growth as she not only served her country, but she served as a mom.

It has been a tremendous blessing to see and to honor the commitment of our fellow chaplains, chaplains who go when they are told to go. They commit themselves to serving when others are in need.

And those are the kinds of stories that the Chaplain Corps' birthday celebrates for me. It is seeing men and women who take their faith seriously, but also take the Constitution seriously when religious liberties are protected. Those are things worth standing up for. It is truly a blessing.

The men and women who have poured their lives into the servicemembers and their families over the last 240 years have made a profound impact on our military and our entire Nation.

It is with that thought in mind that I wish every member of the Chaplain Corps the very best on this special occasion.

Chaplains, wherever you are today, as one who serves with you, you serve a vital role. Keep it up. Keep protecting our Constitution, and keep taking care of the Nation, who sends their best young men and young women to protect us for the very privilege of sitting in this Chamber, speaking today, and being a part of it.

May the Chaplain Corps continue to provide a strong spiritual, moral, and ethical compass for the United States Army and Armed Forces for many centuries to come. And as one who serves, may I just say, bless them all in peace as they go about their work.

MIAMI-DADE COUNTY SCHOOL DISCIPLINE

The SPEAKER pro tempore (Mr. POE of Texas). The Chair recognizes the gentleman from Florida (Mr. CURBELO) for 5 minutes.

Mr. CURBELO of Florida. Mr. Speaker, today I rise to recognize leaders of Miami-Dade County Public Schools for attending a recent meeting at the White House to discuss school discipline.

The purpose of the discussion was to determine alternatives to common school disciplinary measures to keep students focused on learning.

Exclusionary discipline has become far too common, often exacerbating the problems for students who struggle in school. This leads kids down a path where they fall behind other students and sometimes end up in the juvenile justice system.

A change in school discipline procedures is long overdue. Rather than promoting an atmosphere of compounding punishments, we need to help our students get back on a positive track and help them succeed while also maintaining the safety of their classmates and teachers.

Prior to being elected to Congress, I served for 4 years as a board member of Miami-Dade County Public Schools. I have seen firsthand the bold efforts to reform disciplinary tactics and reverse the trend that plagues so many school districts.

For example, Miami-Dade has created sites across the county for suspended children to attend rather than forcing them to waste their time out of school.

I applaud the board, led by Chair Perla Tabares Hantman, and Superintendent Alberto Carvalho for their leadership on this issue and their willingness to participate in this important discussion.

I look forward to working with them to promote proper and safe school discipline that benefits the students, their parents, and their teachers.

STEM EDUCATION

Mr. CURBELO of Florida. Mr. Speaker, I rise today to discuss the importance of science, technology, engineering, and mathematics education and also recognize the great work being done in the 26th District of Florida to encourage these classes.

□ 1215

It is no secret that jobs that require a STEM-related background are projected to outpace other fields as many

companies struggle to hire qualified candidates. We need to encourage our students to pursue these fields early on in school and ensure that our educators have the necessary tools to help cultivate an interest in STEM classes for our students.

In an effort to reach the goal of graduating more STEM students, Miami-Dade County has launched an innovative new training and certification program for teachers in collaboration with Florida International University.

FIU has developed a program that promotes STEM teacher training for first-year college students, where they are paired with Miami-Dade County public school teachers to give them firsthand experience in the classroom. The goal is to encourage more STEM majors to go into teaching.

I applaud the work being done in Florida's 26th District and look forward to further promoting STEM education in south Florida's classroom.

Congratulations, again, to FIU and to Miami-Dade County public schools.

STARTUP DAY ACROSS AMERICA

Mr. CURBELO of Florida. Mr. Speaker, I rise to recognize Wednesday, August 19, as Startup Day all across America, and I encourage everyone to visit at least one small business in your community on this day.

Startups are quickly developing right before our eyes. Throughout our country, there are countless small businesses that range from retail to health care, and these companies are changing the workforce as we know it. Entrepreneurs are leading the way to a brighter future by using innovative solutions and reinventing the way we look at small businesses.

Our local businesses employ our friends and neighbors, helping them to pay their bills and provide a better life for themselves and their families. As a member of the Small Business Committee, I recommend that we never forget the vital role that our local businesses play in keeping our neighborhoods strong and prosperous.

Again, I encourage everyone to participate in Startup Day across America on Wednesday, August 19, and help these small businesses continue to grow.

225TH BIRTHDAY OF THE U.S. COAST GUARD

Mr. CURBELO of Florida. Mr. Speaker, I rise to celebrate August 4 as the 225th birthday of the United States Coast Guard.

The Coast Guard is one of our Nation's five branches of the armed services and can trace its origins back to August 4, 1790, when the first U.S. Congress appropriated the funds to construct 10 vessels. These ships were designated with enforcing tariff and trade laws, while also preventing smuggling and protecting the collection of Federal revenue.

Mr. Speaker, I am particularly proud to represent Coast Guard Sector Key West, a base located in south Florida that covers 55,000 square miles. The coasties stationed at Sector Key West are tasked with the same responsibilities as their predecessors and also have the crucial job of combating drug smuggling from the Caribbean and South America. This is no easy task, but I am proud of the work the Coast Guard continues to do to stifle drugs from entering our communities.

Semper Paratus—Always Ready—this is the motto of our beloved Coast Guard, and our Nation owes a sincere debt of gratitude to the coasties and all those who protect our great country.

RECESS

The SPEAKER pro tempore (Mr. COLLINS of Georgia). Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 18 minutes p.m.), the House stood in recess.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. EMMER of Minnesota) at 2 p.m.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

We give You thanks, O God, for giving us another day.

You speak as one who whispers to a beloved. You speak to the heart, but through the ages, people have not and do not listen. You give us Your Word as a gift, filled with promise; yet time and again, Your Word goes unheeded.

Encourage the Members of this House to listen carefully to Your Word and, rather than play with numbers or spin on language, face the truth straightforwardly, studying with honesty long and hard, and with humble attention remain completely open to Your impelling spirit.

And in the midst of complex and conflicting situations, may each Member, with confidence, be able to say to You: ''Speak, Lord. Your servant is listening.''

May all that is done within the people's House be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Michigan (Mr. KILDEE) come forward and lead the House in the Pledge of Allegiance.

Mr. KILDEE led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

IN MEMORY OF STAFF SERGEANT DAVID WYATT

(Mr. WOMACK asked and was given permission to address the House for 1 minute.)

Mr. WOMACK. Mr. Speaker, I rise today to honor the memory of Staff Sergeant David Wyatt, who was taken much too soon from his family and friends on July 16. David, a marine and loving father, was born November 7, 1979, in Morganton, North Carolina.

David was a graduate of Russellville High School in Russellville, Arkansas, my alma mater. He was a veteran of both Iraq and Afghanistan. For his service, Staff Sergeant Wyatt earned numerous medals and commendations for exemplary service in the infantry. He was a dedicated marine.

While performing his duties on July 16 as the battery operations chief, 3rd Battalion, 14th Marine Regiment, 4th Marine Division, Staff Sergeant Wyatt was gunned down during the tragic Chattanooga shooting that killed him, along with three other marines and a Navy sailor.

It is devastating that this decorated marine was taken in the homeland that he served so valiantly overseas to protect. His death shook the Arkansas River Valley in yet another senseless act of violence that can never be explained, justified, or tolerated.

The Russellville and Adkins communities and the entire Third District of Arkansas mourn the loss of my fellow Russellville Cyclone and his fellow servicemen. My prayers are with his wife, Lorri; his two children, Rebecca and Heath; and his parents, Lew Wyatt of St. Augustine, Florida, and Deborah Boen of Atkins, Arkansas.

May God bless those he leaves behind, as they search for peace and understanding through this terrible tragedy.

LONG-TERM SURFACE TRANSPORTATION BILL

(Mr. KILDEE asked and was given permission to address the House for 1 minute.)

Mr. KILDEE. Mr. Speaker, House Republicans have had more than 4½ years to craft a long-term surface transportation bill. Their dysfunction and inability to govern is starting to have a real impact on hard-working Americans and on our communities.

They continue to lurch from crisis to crisis; meanwhile, our Nation's crumbling roads and bridges—and our economy—suffer as a result. It is like deja vu all over again, another highway deadline this week.

Mr. Speaker, no more short-term month-to-month fixes. Enough is enough. In the last decade, Congress has passed 11 short-term funding bills to keep the highway trust fund solvent. If we are going to pass a long-term solution to rebuild our roads and bridges, it is going to take the courage of our convictions; it is going to take us working together across the aisle to get this done.

Our Nation's roads, bridges, and rails are in an urgent state of repair. One-third of America's roads are in poor or mediocre condition. One out of every four bridge is in need of significant repair.

The House Republican leadership needs to get serious and find a long-term fix to the highway trust fund. Our country relies on it.

FARM FAMILIES—LINKING THE PAST TO THE FUTURE

(Mr. EMMER of Minnesota asked and was given permission to address the House for 1 minute.)

Mr. EMMER of Minnesota. Mr. Speaker, I rise today in order to recognize the importance of farm families throughout the great State of Minnesota.

The University of Minnesota recently recognized the 2015 Minnesota Farm Families from across the State, and I am proud to represent five of these families who call the Sixth Congressional District home.

These farm families include the Bruce Bacon Garden Farm in Anoka County, the Scapanski Dairy in Benton County, the Buckentine Family Dairy in Carver County, the Reuter Family Farm in Washington County, and the Bernings' Green Waves Farm, Inc., in Wright County.

For many Minnesotans, farming isn't just a profession; it is a way of life. Family farms link the past to the future with each generation passing their work ethic, land, and traditions to the next. These farms make up the heartland of America and exemplify what makes Minnesota's agriculture industry great, which is why they should be celebrated.

Congratulations to the 2015 Minnesota Farm Families, and thank you so much for everything that you do.

REFORM OUR JUSTICE SYSTEM

(Mr. JOHNSON of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JOHNSON of Georgia. Mr. Speaker, a few weeks ago, I came to the floor and said it felt like open season on Black men in America. People around the country agree that the police killings undermine the efforts of good police and break the trust between police and their communities.

Black women and girls face the same threats and many more. Unsettling video of a police officer in Texas manhandling an unarmed 15-year-old girl in a bathing suit served as a wake-up call to all of us.

The arrest and death of Sandra Bland reminds us that the fight for equal justice under the law continues.

Black women also face a unique and, too often, unreported violence: sexual assault. In Oklahoma, an officer is on trial for sexually assaulting eight Black women. Tragically, this story is not unique. The challenges Black men face are real, but I was humbled to learn how unequal justice affects Black women.

Black women are the fastest growing prison population, and their stories must be told if we are going to break this trend.

Mr. Speaker, it is open season on all Americans.

FLOOD INSURANCE

(Mr. BILIRAKIS asked and was given permission to address the House for 1 minute.)

Mr. BILIRAKIS. Mr. Speaker, I rise today to underscore a serious problem in Pasco County, Florida, this week that is devastating homeowners—flooding—after days of continuous rain.

After Tropical Storm Debby in 2012, the Army Corps of Engineers worked with county officials to implement some measures to mitigate flooding, but more needs to be done.

For instance, Pasco County officials have been working for 19 years to extend Ridge Road. One of the main justifications for the Ridge Road extension is a matter of safety. An extension is a much-needed evacuation route in the case of natural disasters, like flooding or hurricanes.

As of today, an evacuation issued for Elfers, Florida, in my district, is ongoing. The Ridge Road extension needs to be approved. Nineteen years is far too long. The Army Corps must stop dragging its feet.

The serious flood this week demonstrates the need for action. I hope that the Corps gets the message.

PRESERVE AND STRENGTHEN MEDICARE

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to remind my colleagues of our responsibility to preserve and strengthen the Medicare Program for future generations.

Last week, the Centers for Medicare and Medicaid Services released its annual Medicare trustees report, an update on the long-term solvency and effectiveness of this vastly important health insurance program.

While the report projected that the trust fund that finances Medicare's hospital insurance coverage will remain solvent until 2030, it also cautioned that a high number of Medicare beneficiaries could see their Medicare part B premiums sharply increase in January of 2016.

As a former healthcare professional and nursing home administrator, I understand the importance of providing access to quality care at a realistic cost. One of the ways we can make Medicare services more affordable is by targeting waste and abuse within the program.

With this in mind, I have consistently worked with my colleagues to introduce and support legislation aimed at reducing fraud and increasing administrative effectiveness.

I look forward to continuing these efforts and urge my colleagues to join me in finding new ways to safeguard and sustain Medicare.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore (Mr. EMMER of Minnesota) laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 24, 2015.

Hon. JOHN A. BOEHNER,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on July 24, 2015 at 10:19 a.m.:

That the Senate passed with an amendment H.R. 23.

That the Senate passed with an amendment H.R. 2499.

That the Senate passed without an amendment H.R. 1626.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 3 p.m. today.

Accordingly (at 2 o'clock and 12 minutes p.m.), the House stood in recess.

□ 1500

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. POE of Texas) at 3 p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

SAWTOOTH NATIONAL RECREATION AREA AND JERRY PEAK WILDERNESS ADDITIONS ACT

Mrs. RADEWAGEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1138) to establish certain wilderness areas in central Idaho and to authorize various land conveyances involving National Forest System land and Bureau of Land Management land in central Idaho, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1138

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Sawtooth National Recreation Area and Jerry Peak Wilderness Additions Act''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Definitions.

TITLE I—WILDERNESS DESIGNATIONS

Sec. 101. Additions to National Wilderness Preservation System in the State of Idaho.
Sec. 102. Administration.
Sec. 103. Water rights.
Sec. 104. Military overflights.
Sec. 105. Adjacent management.
Sec. 106. Native American cultural and religious uses.
Sec. 107. Acquisition of land and interests in land.
Sec. 108. Wilderness review.

TITLE II—LAND CONVEYANCES FOR PUBLIC PURPOSES

Sec. 201. Short title.
Sec. 202. Blaine County, Idaho.
Sec. 203. Custer County, Idaho.
Sec. 204. City of Challis, Idaho.
Sec. 205. City of Clayton, Idaho.
Sec. 206. City of Stanley, Idaho.
Sec. 207. Terms and conditions of permits or land conveyances.

SEC. 2. DEFINITIONS.

In this Act:

(1) SECRETARY.—The term ''Secretary'' means—

(A) the Secretary of Agriculture, with respect to land administered by the Forest Service; or

(B) the Secretary of the Interior, with respect to land administered by the Bureau of Land Management.

(2) WILDERNESS AREA.—The term ''wilderness area'' means any of the areas designated as a component of the National Wilderness Preservation System by section 101.

TITLE I—WILDERNESS DESIGNATIONS

SEC. 101. ADDITIONS TO NATIONAL WILDERNESS PRESERVATION SYSTEM IN THE STATE OF IDAHO.

(a) HEMINGWAY-BOULDERS WILDERNESS.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), certain Federal lands in the Sawtooth and Challis National Forests in the State of Idaho, comprising approximately 67,998 acres, as generally depicted on the map entitled ''Hemingway/Boulders Wilderness Area-Proposed'' and dated February 25, 2015, are designated as wilderness and as a component of the National Wilderness Preservation System, which shall be known as the ''Hemingway-Boulders Wilderness''.

(b) WHITE CLOUDS WILDERNESS.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), certain Federal lands in the Sawtooth and Challis National Forests in the State of Idaho, comprising approximately 90,769 acres, as generally depicted on the map entitled ''White Clouds Wilderness Area-Proposed'' and dated March 13, 2014, are designated as wilderness and as a component of the National Wilderness Preservation System, which shall be known as the ''White Clouds Wilderness''.

(c) JIM MCCLURE-JERRY PEAK WILDERNESS.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), certain Federal lands in the Challis National Forest and Challis District of the Bureau of Land Management in the State of Idaho, comprising approximately 116,898 acres, as generally depicted on the map entitled ''Jim McClure-Jerry Peak Wilderness'' and dated February 21, 2015, are designated as wilderness and as a component of the National Wilderness Preservation System, which shall be known as the ''Jim McClure-Jerry Peak Wilderness''.

(d) MAPS AND LEGAL DESCRIPTIONS.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a map and legal description for each wilderness area.

(2) EFFECT.—Each map and legal description submitted under paragraph (1) shall have the same force and effect as if included in this Act, except that the Secretary may correct minor errors in the map or legal description.

(3) AVAILABILITY.—Each map and legal description submitted under paragraph (1) shall be available in the appropriate offices of the Forest Service or the Bureau of Land Management.

SEC. 102. ADMINISTRATION.

(a) IN GENERAL.—Subject to valid existing rights, each wilderness area shall be administered by the Secretary in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), except that—

(1) any reference in that Act to the effective date shall be considered to be a reference to the date of enactment of this Act; and

(2) with respect to wilderness areas that are administered by the Secretary of the Interior, any reference in the Wilderness Act to the Secretary of Agriculture shall be considered to be a reference to the Secretary of the Interior.

(b) CONSISTENT INTERPRETATION.—The Secretary of Agriculture and the Secretary of the Interior shall seek to ensure that the wilderness areas are interpreted for the public as an overall complex linked by—

(1) common location in the Boulder-White Cloud Mountains; and

(2) common identity with the natural and cultural history of the State of Idaho and the Native American and pioneer heritage of the State.

(c) COMPREHENSIVE WILDERNESS MANAGEMENT PLAN.—Not later than 3 years after the date of enactment of this Act, the Secretary of Agriculture and the Secretary of the Interior shall collaboratively develop wilderness management plans for the wilderness areas.

(d) FIRE, INSECTS, AND DISEASE.—Within the wilderness areas, the Secretary may take such measures as the Secretary determines to be necessary for the control of fire, insects, and disease in accordance with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1131(d)(1)).

(e) LIVESTOCK.—

(1) IN GENERAL.—Within the wilderness areas, the grazing of livestock in which grazing is established before the date of enactment of this Act shall be allowed to continue, subject to such reasonable regulations, policies, and practices as the Secretary determines to be necessary, in accordance with—

(A) section 4(d)(4) of the Wilderness Act (16 U.S.C. 1131(d)(4));

(B) with respect to wilderness areas administered by the Secretary of Agriculture, the guidelines described in House Report 96–617 of the 96th Congress; and

(C) with respect to wilderness areas administered by the Secretary of the Interior, the guidelines described in appendix A of House Report 101–405 of the 101st Congress.

(2) DONATION OF GRAZING PERMITS AND LEASES.—

(A) ACCEPTANCE BY SECRETARY.—

(i) IN GENERAL.—The Secretary shall accept the donation of any valid existing leases or permits authorizing grazing on public land or National Forest System land, all or a portion of which are within the area depicted as the ''Boulder White Clouds Grazing Area'' on the map entitled ''Boulder White Clouds Grazing Area Map'' and dated January 27, 2010.

(ii) PARTIAL DONATION.—A person holding a valid grazing permit or lease for a grazing allotment partially within the area described in clause (i) may elect to donate only the portion of the grazing permit or lease that is within the area.

(B) TERMINATION.—With respect to each permit or lease donated under subparagraph (A), the Secretary shall—

(i) terminate the grazing permit or lease or portion of the permit or lease; and

(ii) except as provided in subparagraph (C), ensure a permanent end to grazing on the land covered by the permit or lease or portion of the permit or lease.

(C) COMMON ALLOTMENTS.—

(i) IN GENERAL.—If the land covered by a permit or lease donated under subparagraph (A) is also covered by another valid grazing permit or lease that is not donated, the Secretary shall reduce the authorized level on the land covered by the permit or lease to reflect the donation of the permit or lease under subparagraph (A).

(ii) AUTHORIZED LEVEL.—To ensure that there is a permanent reduction in the level of grazing on the land covered by the permit or lease donated under subparagraph (A), the Secretary shall not allow grazing use to exceed the authorized level established under clause (i).

(D) PARTIAL DONATION.—If a person holding a valid grazing permit or lease donates less than the full amount of grazing use authorized under the permit or lease, the Secretary shall—

(i) reduce the authorized grazing level to reflect the donation; and

(ii) modify the permit or lease to reflect the revised level or area of use.

(f) OUTFITTING AND GUIDE ACTIVITIES.—In accordance with section 4(d)(5) of the Wilderness Act (16 U.S.C. 1133(d)(5)), commercial services (including authorized outfitting and guide activities) within the wilderness areas are authorized to the extent necessary for activities which are proper for realizing the recreational or other wilderness purposes of the wilderness areas.

(g) FISH AND WILDLIFE.—Nothing in this title affects the jurisdiction of the State of Idaho with respect to the management of fish and wildlife on public land in the State, including the regulation of hunting, fishing, and trapping within the wilderness areas.

(h) ACCESS.—In accordance with section 5(a) of the Wilderness Act (16 U.S.C. 1134(a)), the Secretary shall provide the owner of State or private property within the boundary of a wilderness area adequate access to the property.

SEC. 103. WATER RIGHTS.

(a) STATUTORY CONSTRUCTION.—Nothing in this title—

(1) shall constitute either an express or implied reservation by the United States of any water rights with respect to the wilderness areas designated by section 101;

(2) affects any water rights—

(A) in the State of Idaho existing on the date of enactment of this Act, including any water rights held by the United States; or

(B) decreed in the Snake River Basin Adjudication, including any stipulation approved by the court in such adjudication between the United States and the State of Idaho with respect to such water rights; or

(3)(A) establishes a precedent with regard to any future wilderness designations; or

(B) limits, alters, modifies, or amends section 9 of the Sawtooth National Recreation Area Act (16 U.S.C. 460aa–8).

(b) NEW PROJECTS.—

(1) PROHIBITION.—Except as otherwise provided in this Act, on and after the date of the enactment of this Act, neither the President nor any other officer, employee, or agent of the United States shall fund, assist, authorize, or issue a license or permit for the development of any new water resource facility inside any of the wilderness areas designated by section 101.

(2) DEFINITION.—In this subsection, the term ''water resource facility'' means irrigation and pumping facilities, reservoirs, water conservation works, aqueducts, canals, ditches, pipelines, wells, hydropower projects, and transmission and other ancillary facilities, and other water diversion, storage, and carriage structures.

SEC. 104. MILITARY OVERFLIGHTS.

Nothing in this title restricts or precludes—

(1) low-level overflights of military aircraft over the wilderness areas, including military overflights that can be seen or heard within the wilderness areas;

(2) flight testing and evaluation; or

(3) the designation or creation of new units of special use airspace, or the establishment of military flight training routes, over the wilderness areas.

SEC. 105. ADJACENT MANAGEMENT.

(a) IN GENERAL.—Nothing in this title creates a protective perimeter or buffer zone around a wilderness area.

(b) ACTIVITIES OUTSIDE WILDERNESS AREA.—The fact that an activity or use on land outside a wilderness area can be seen or heard within the wilderness area shall not preclude the activity or use outside the boundary of the wilderness area.

SEC. 106. NATIVE AMERICAN CULTURAL AND RELIGIOUS USES.

Nothing in this title diminishes the treaty rights of any Indian tribe.

SEC. 107. ACQUISITION OF LAND AND INTERESTS IN LAND.

(a) ACQUISITION.—

(1) IN GENERAL.—The Secretary may acquire any land or interest in land within the boundaries of the wilderness areas by donation, exchange, or purchase from a willing seller.

(2) LAND EXCHANGE.—Not later than 3 years after the date of enactment of this Act, the Secretary shall seek to complete an exchange for State land located within the boundaries of the wilderness areas designated by this title.

(b) INCORPORATION IN WILDERNESS AREA.—Any land or interest in land located inside the boundary of a wilderness area that is acquired by the United States after the date of enactment of this Act shall be added to, and administered as part of the, wilderness area.

SEC. 108. WILDERNESS REVIEW.

(a) NATIONAL FOREST SYSTEM LAND.—Section 5 of Public Law 92–400 (16 U.S.C. 460aa–4) is repealed.

(b) PUBLIC LAND.—

(1) FINDING.—Congress finds that, for purposes of section 603 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782), the public land administered by the Bureau of Land Management in the following wilderness study areas have been adequately studied for wilderness designation:

(A) Jerry Peak Wilderness Study Area.

(B) Jerry Peak West Wilderness Study Area.

(C) Corral-Horse Basin Wilderness Study Area.

(D) Boulder Creek Wilderness Study Area.

(2) RELEASE.—Any public land within the areas described in paragraph (1) that is not designated as wilderness by this title—

(A) shall not be subject to section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)); and

(B) shall be managed in accordance with land management plans adopted under section 202 of that Act (43 U.S.C. 1712).

TITLE II—LAND CONVEYANCES FOR PUBLIC PURPOSES

SEC. 201. SHORT TITLE.

This title may be cited as the ''Central Idaho Economic Development and Recreation Act''.

SEC. 202. BLAINE COUNTY, IDAHO.

The Secretary of Agriculture shall issue a special use permit or convey to Blaine County, Idaho, without consideration, not to exceed one acre of land for use as a school bus turnaround, as generally depicted on the map entitled ''Blaine County Conveyance—Eagle Creek Parcel—Proposed'' and dated October 1, 2006.

SEC. 203. CUSTER COUNTY, IDAHO.

(a) PARK AND CAMPGROUND.—The Secretary of the Interior shall convey to Custer County, Idaho (in this section referred to as the ''County''), without consideration, approximately 114 acres of land depicted as ''Parcel A'' on the map entitled ''Custer County and City of Mackay Conveyances'' and dated April 6, 2010, for use as a public park and campground, consistent with uses allowed under the Act of June 14, 1926 (commonly known as the Recreation and Public Purposes Act; 43 U.S.C. 869 et seq.).

(b) FIRE HALL.—The Secretary of the Interior shall convey to the County, without consideration, approximately 10 acres of land depicted as ''Parcel B'' on the map entitled ''Custer County and City of Mackay Conveyances'' and dated April 6, 2010, for use as a fire hall, consistent with uses allowed under the Act of June 14, 1926 (commonly known as the Recreation and Public Purposes Act; 43 U.S.C. 869 et seq.).

(c) WASTE TRANSFER SITE.—The Secretary of the Interior shall convey to the County, without consideration, approximately 80 acres of land depicted as ''Parcel C'' on the map entitled ''Custer County and City of Mackay Conveyances'' and dated April 6, 2010, to be used for a waste transfer site, consistent with uses allowed under the Act of June 14, 1926 (commonly known as the Recreation and Public Purposes Act; 43 U.S.C. 869 et seq.).

(d) FOREST SERVICE ROAD.—

(1) CONVEYANCE.—The Secretary of Agriculture shall convey to the County, without consideration, the Forest Service road that passes through the parcel of National Forest System land to be conveyed to the City of Stanley, Idaho, under section 206 from the junction of the road with Highway 75 to the junction with Valley Creek Road at the City of Stanley boundary.

(2) RELOCATION.—The conveyance under paragraph (1) is subject to the condition that the County agree to relocate the portion of the road that passes through the section 206 conveyance parcel to the southeast along the boundary of the conveyance parcel.

SEC. 204. CITY OF CHALLIS, IDAHO.

The Secretary of the Interior shall convey to the City of Challis, Idaho, without consideration, approximately 460 acres of land within the area generally depicted as ''Parcel B'' on the map entitled ''Custer County and City of Challis Conveyances'' and dated February 2, 2010, to be used for public purposes consistent with uses allowed under the Act of June 14, 1926 (commonly known as the Recreation and Public Purposes Act; 43 U.S.C. 869 et seq.).

SEC. 205. CITY OF CLAYTON, IDAHO.

(a) CEMETERY.—The Secretary of the Interior shall convey to the City of Clayton, Idaho (in this section referred to as the ''City''), without consideration, approximately 23 acres of land depicted as ''Parcel A'' on the map entitled ''City of Clayton Conveyances'' and dated April 6, 2010, for use as a public cemetery.

(b) PARK.—The Secretary of the Interior shall convey to the City, without consideration, approximately two acres of land depicted as ''Parcel B'' on the map entitled ''City of Clayton Conveyances'' and dated April 6, 2010, for use as a public park or other public purpose consistent with uses allowed under the Act of June 14, 1926 (commonly known as the Recreation and Public Purposes Act; 43 U.S.C. 869 et seq.).

(c) WATER TOWER.—The Secretary of the Interior shall convey to the City, without consideration, approximately two acres of land depicted as ''Parcel C'' on the map entitled ''City of Clayton Conveyances'' and dated April 6, 2010, for location of a water tower, consistent with uses allowed under the Act of June 14, 1926 (commonly known as the Recreation and Public Purposes Act; 43 U.S.C. 869 et seq.).

(d) WASTEWATER TREATMENT FACILITY.—The Secretary of the Interior shall convey to the City, without consideration, approximately six acres of land depicted as ''Parcel D'' on the map entitled ''City of Clayton Conveyances'' and dated April 6, 2010 (including any necessary access right-of-way across the river), for use as a wastewater treatment

facility, consistent with uses allowed under the Act of June 14, 1926 (commonly known as the Recreation and Public Purposes Act; 43 U.S.C. 869 et seq.).

(e) FIRE HALL.—The Secretary of the Interior shall convey to the City, without consideration, approximately two acres of land depicted as ''Parcel E'' on the map entitled ''City of Clayton Conveyances'' and dated April 6, 2010, for use as a fire hall and related purposes, consistent with uses allowed under the Act of June 14, 1926 (commonly known as the Recreation and Public Purposes Act; 43 U.S.C. 869 et seq.).

SEC. 206. CITY OF STANLEY, IDAHO.

(a) WORKFORCE HOUSING.—The Secretary of Agriculture shall convey to the City of Stanley, Idaho (in this section referred to as the ''City''), without consideration, a parcel of National Forest System land within the Sawtooth National Recreation Area, but outside the area managed by the Sawtooth Interpretative and Historical Association under special use permit with the Secretary, that consists of approximately four acres as indicated on the map entitled ''Custer County and City of Stanley Conveyance Parcel-Proposed'' and dated February 24, 2015, for the purpose of permitting the City to develop the parcel to provide workforce housing for persons employed in the City or its environs.

(b) NUMBER AND CONSTRUCTION OF HOUSING.—The City will construct up to 20 apartment units on the parcel conveyed under subsection (a). The actual design and configuration of the apartment units will be determined by the City in consultation with the Secretary and other interested parties, except that units may not exceed two stories and must be located near or against the hillside to blend in with the terrain.

(c) RECREATION AREA PRIVATE LAND USE REGULATIONS.—The private land use regulations of the Sawtooth National Recreation Area shall not apply to the parcel conveyed under subsection (a), including with regard to the number and type of apartments units to be constructed on the parcel.

(d) REMOVAL OF EXISTING STRUCTURE.—The Secretary shall be responsible for the removal of the barn located, as of the date of the enactment of this Act, on the parcel to be conveyed under subsection (a). The Secretary may remove the barn either before the conveyance of the parcel or at such later date as the City may request.

(e) RELATION TO REQUIRED REVERSIONARY INTEREST.—Consistent with the reversionary interest required by section 207(b), the City may contract for the development and management of the apartment units constructed on the parcel conveyed under subsection (a) so long as the City retains ownership of the parcel in perpetuity.

SEC. 207. TERMS AND CONDITIONS OF PERMITS OR LAND CONVEYANCES.

(a) TERMS AND CONDITIONS.—The issuance of a special use permit or the conveyance of land under this title shall be subject to any terms and conditions that the Secretary determines to be appropriate.

(b) REVERSIONARY INTEREST.—If any parcel of land conveyed under this title ceases to be used for the public purpose for which the parcel was conveyed, the parcel shall, at the discretion of the Secretary, based on a determination that reversion is in the best interests of the United States, revert to the United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from American Samoa (Mrs. RADEWAGEN) and the gentlewoman from Guam (Ms. BORDALLO) each will control 20 minutes.

The Chair recognizes the gentlewoman from American Samoa.

GENERAL LEAVE

Mrs. RADEWAGEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from American Samoa?

There was no objection.

Mrs. RADEWAGEN. Mr. Speaker, I yield myself such time as I may consume.

H.R. 1138, introduced by my good friend, Congressman MICHAEL SIMPSON of Idaho, would establish new recreation and wilderness areas and release 154,000 acres of wilderness study areas back to multiple use in central Idaho.

This area, which is predominantly Bureau of Land Management and U.S. Forest Service land, is home to world-class scenery and attracts thousands of outdoor recreationists, including snowmobilers, hunters, backpackers, hikers, mountain bikers, outfitters, and campers. The bill also conveys several Federal parcels to local counties and cities to be used for a variety of municipal purposes.

Congressman SIMPSON has worked tirelessly on this issue for the last decade. I encourage my colleagues to vote ''yes'' on H.R. 1138.

I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON NATURAL RESOURCES,
Washington, DC, June 9, 2015.

Hon. BILL SHUSTER,
Chairman, Committee on Transportation and Infrastructure, Washington, DC.

DEAR MR. CHAIRMAN: On April 30, 2015, the Committee on Natural Resources ordered favorably reported without amendment H.R. 774, the Illegal, Unreported, and Unregulated Fishing Enforcement Act of 2015, by unanimous consent. The bill was referred primarily to the Committee on Natural Resources, with an additional referral to the Committee on Transportation and Infrastructure.

I ask that you allow the Committee on Transportation and Infrastructure to be discharged from further consideration of the bill so that it may be scheduled by the Majority Leader. This discharge in no way affects your jurisdiction over the subject matter of the bill, and it will not serve as precedent for future referrals. I understand that our staffs have worked out some additional language that affects provisions in your jurisdiction for the Floor, and I pledge to incorporate this language when we get to that point in the process. In addition, should a conference on the bill be necessary, I would support having the Committee on Transportation and Infrastructure represented on the conference committee. Finally, I would be pleased to include this letter and any response in the bill report filed by the Committee on Natural Resources to memorialize our understanding.

Thank you for your consideration of my request, and for your continued strong cooperation between our committees.

Sincerely,

ROB BISHOP,
Chairman, Committee on Natural Resources.

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, HOUSE OF REPRESENTATIVES,
Washington, DC, June 19, 2015.

Hon. ROB BISHOP,
Chairman, Committee on Natural Resources, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 774, the Illegal, Unreported, and Unregulated Fishing Enforcement Act of 2015, as ordered reported by the Committee on Natural Resources on April 30, 2015. I appreciate your inclusion of changes requested by the Committee on Transportation and Infrastructure as this bill moves forward.

I agree to allow the Committee on Transportation and Infrastructure to be discharged from consideration of H.R. 774 with the understanding that this discharge does not affect the Committee's jurisdiction over the subject matter of the bill, and does not serve as precedent for future referrals. In addition, I expect the negotiated text to be the text considered on the floor. Finally, as stated in your letter, should a conference on the bill be necessary, I fully expect the Committee on Transportation and Infrastructure to be represented on the conference committee.

Thank you for your assistance in this matter and for agreeing to include a copy of this letter in the bill report filed by the Committee on Natural Resources, as well as in the Congressional Record during floor consideration.

Sincerely,

BILL SHUSTER,
Chairman.

Ms. BORDALLO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 1138. This bill adds over 275,000 acres of wilderness to the Sawtooth National Recreational Area and Jerry Peak Wilderness in Idaho's Boulder-White Cloud Mountains.

The Boulder-White Clouds region in central Idaho is the largest contiguous roadless area in the 48 States, and it deserves the permanent protection provided by this bill. The region contains over 150 mountains that are over 10,000 feet and provides critical habitat for numerous fish and wildlife species. It is also a popular recreation destination that attracts people who hunt, fish, ski, and hike along the pristine shores of the alpine lakes and the ridges of the rugged mountains.

This bill will leave a lasting legacy of conservation, and I applaud my colleague from Idaho for all of his work and determination. Mr. Speaker, I also thank the committee for their work on this bill.

I reserve the balance of my time.

Mrs. RADEWAGEN. Mr. Speaker, I yield such time as he may consume to the gentleman from Idaho (Mr. SIMPSON) the author of the bill.

Mr. SIMPSON. I thank the gentlewoman for yielding.

Mr. Speaker, I want to thank Leader MCCARTHY and Chairman BISHOP for bringing H.R. 1138 to the floor today, which we refer to as SNRA+. I also want to thank Ranking Member GRIJALVA of the full committee, Chairman MCCLINTOCK of the subcommittee, and Ranking Member TSONGAS of the subcommittee.

In 2005, we had the first congressional hearing on the Boulder-White Clouds on what then was a bill called CIEDRA. CIEDRA was a complicated 60-page bill that tried to do a lot of things for a lot of different people.

Today, we have a simplified 20-page bill we call SNRA+ that brings management certainty—and that is an important aspect—to the Boulder-White Clouds. It does this by making the determination about which parts of the current wilderness study area will in fact become wilderness and which parts will be released for multiple use.

There will be three new wilderness areas totaling 275,665 acres: Hemmingway-Boulders Wilderness, with 67,998 acres; White Clouds Wilderness, with 90,769 acres; and in honor of the late Senator Jim McClure, we have the James A. McClure-Jerry Peak Wilderness, with 116,898 acres. The bill also releases wilderness study areas back to multiple use, totaling 153,883 acres.

So this not only makes the determination of what is going to be wilderness, it releases the other wilderness study areas for multiple use.

It is important to note in this bill that we do not close any motorized roads or trails in this bill. Ranchers with allotments on the SNRA would be allowed to voluntarily retire their grazing permits and be eligible for compensation from a third party. Any retired grazing permits would be permanently closed.

There is a provision that nothing in the bill affects the jurisdiction of the State of Idaho with respect to the management of fish and wildlife on public land in the State, including the regulation of hunting, fishing, and trapping within the wilderness areas.

Individual parcels of land will be conveyed to Custer and Blaine Counties and rural communities for public purposes, including workforce housing, cemeteries, water towers, and waste transfer sites.

As part of this process, grants have been provided to the SNRA for trail maintenance and improvements, including maintenance and improvements of existing motorized trails and two existing trials to provide primitive wheelchair access and for acquiring the land to build a mechanized bike/snowmobile access trail between Redfish Lake and Stanley.

Mr. Speaker, this bill meets the needs of today's users and resolves longstanding debates over the management of the Boulder-White Clouds. It will end the discussion of monuments and wilderness in the Boulder-White Clouds, and secures the future for generations of Idahoans who want to continue using and enjoying our beautiful Boulder-White Clouds.

Finally, I am proud of the wide array of support we now have for this bill. We have the support of the Idaho Recreation Council, whose members include ATVers, motorcyclists, motorized and nonmotorized boaters, rafters, backcountry pilots, RVers, rock hounds, recreational miners, and snowmobilers in the Idaho State Snowmobile Association.

We also have the support of the Sawtooth Society, the Custer County Commissioners, East Fork Ranchers, the Idaho Farm Bureau, the Idaho Cattle Association, Idaho Outfitters and Guides, the Idaho Conservation League, and the Idaho Wilderness Society.

This is a broad array of users and conservation groups, and it demonstrates how far we have come with this bill and how widely it is supported.

This is an Idaho bill—crafted by Idahoans over the past 15 years—to address some of the most contentious land management issues in one of the most beautiful places on Earth so that we can both use and enjoy it and preserve it for future generations. It is, by any definition, a ''compromise'' by all stakeholders, and I urge my colleagues to pass this bill.

Mr. Speaker, I have a list of people I want to thank who helped support this bill over the years and have worked very diligently on this bill.

Mr. Speaker, I would like to thank the following people who have worked with me during most or part of the last 15 years. They each played a role in their own way.

From the Conservation Community I want to thank Rick Johnson, who has become a true friend and honest broker in this long journey. I also want to thank Tim Mahoney, Marcia Argust, Craig Gehrke, Brad Brooks, Mike Matz, John Gilroy, Linn Kincannon, Lynne Stone, Tom Pomeroy, Bart Koehler, Kai Anderson, Athan Manuel, Chris Wood, Erik Schultz, Dani Mazzotta, and Myke Bybee.

I want to thank the Custer County Commissioners Wayne Butts, Lin Hintze, Doyle Lamb and Cliff Hansen. They stood by us throughout and made sure their concerns were heard and taken care of.

I want to thank current and former Blaine County Commissioners including Sarah Michael and also Larry Schoen who signed a joint letter with Commissioner Butts of Custer County.

Additionally, I need to thank Stanley City Council President Steve Botti and Mayor Herb Mumford and former mayor Hannah Stauts.

I want to thank the East Fork Ranchers Wayne and Melody Baker, Gary and Jackie Ingram, Doug, Cheryl and Sarah Baker and Junior and Lura Baker. They stood by me through thick and thin. They were the reason we started this process, and we are going to make sure their livelihoods on the East Fork continue for future generations.

At the Sawtooth Society, I need to thank former executive director Bob Hayes, current executive director Gary O'Malley, Hans Carstensen and the current President Paul Hill.

From the Idaho Recreation Council who represent motorized users I want to thank Brett Madron, Steve Frisbie and Gary Cvecich. I want to also thank their leader Sandra Mitchell. She is an incredible woman who represents her members very, very well.

I want to thank Grant Simonds and Louise and Mike Stark who represent the outfitters and guides.

At the Forest Service, I need to thank Ed Cannady for answering the hundreds of questions we asked over the years on uses and map boundaries. He knows the area better than anyone and he cares even more about them. He also took me, my staff and even the Forest Service Chief into the White Clouds on various trips so I could get a better understanding of the area. Ed has become a very good friend throughout this process.

Additionally, at the Forest Service I want to thank Kit Mullen, Ruth Monahan, David Stockdale, Brenda Geesey, Bonnie Luckman, Barbara Garcia, Julie Thomas, Jennifer Blake, and Beckie Wagoner.

At the BLM, Laurie Sedlmayr and Lara Douglas were a great help throughout this process.

I want to thank Erica Rhoad who started working on this bill with Chairman Pombo and is finishing it with Chairman BISHOP. She is very good at her job.

I want to thank Gregory Kostka at Legislative Counsel. He drafted and redrafted countless versions of this bill over the years. He is a true professional.

I want to thank Laurel Sayer who was on my staff and is now working in the conservation community. She attended many meetings and did terrific ground work for me throughout the process.

I want to thank Senator RISCH who when I spoke to him last year about one last try before a monument proclamation he said ''I think we can do this, MIKE.'' The Senator and his staff John Sandy and Darren Parker have done a great job helping us get to the finish line.

Finally, I want to thank my staff, Lindsay Slater, Malisah Small, Nathan Greene, Sarah Cannon, James Neill, Emilee Henshaw, Solara Linehan, Billy Valderrama, John Revier and Nikki Wallace. They have each helped in many different ways.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I rise to express my disappointment that yesterday the House approved H.R. 1138, the Sawtooth National Recreation Area and Jerry Peak Wilderness Additions Act, by voice vote.

Throughout my career in Congress, I have strongly supported protection of America's wilderness, and applaud efforts to bring new lands into the National Wilderness Preservation System. However, provisions of this bill that will divide large tracts of roadless National Forest land give me great concern. While this legislation made important improvements over previous versions, motorized/mechanized corridors including at Germania Creek divide one of the nation's most pristine wilderness areas

and reduces the habitat available to vulnerable wildlife.

In order to provide stronger protection for pristine wilderness in Idaho and other parts of the Northern Rockies, I have introduced the Northern Rockies Ecosystem Protection Act (NREPA)—which would designate 23 million acres of roadless lands as permanent wilderness. This bill would protect vulnerable habitats, connect biological corridors, and restore habitats that have been damaged by road construction and clear cutting.

I am pleased to see Congress turn its attention to the Northern Rockies, but hope that Members will recognize the significant shortfalls of H.R. 1138. As it is considered in the Senate, this legislation should be amended to preserve one of the largest roadless wilderness areas in the lower 48 states, as well as grant protection to additional areas in the Northern Rockies identified in NREPA.

Mr. SIMPSON. Mr. Speaker, I would also like to recognize one of America's greatest conservation writers, Rocky Barker of the Idaho Statesman. Rocky has provided unparalleled depth and insight to the readers of Idaho and the United States throughout the 15 years I have been working on CIEDRA and SNRA+. He has hiked throughout these mountains and understands every nuance and aspect of the area and this bill. I want to thank him for covering this story fairly and accurately all of these years. I also want to thank former Blaine County Commissioner Tom Bowman for all of the great help he has provided. Thank you, Mr. Speaker.

Ms. BORDALLO. Mr. Speaker, again, I want to thank my colleague, Mr. SIMPSON, for sponsoring this very important piece of legislation.

I ask my colleagues to help support H.R. 1138, and I yield back the balance of my time.

Mrs. RADEWAGEN. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from American Samoa (Mrs. RADEWAGEN) that the House suspend the rules and pass the bill, H.R. 1138.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

ILLEGAL, UNREPORTED, AND UNREGULATED FISHING ENFORCEMENT ACT OF 2015

Mrs. RADEWAGEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 774) to strengthen enforcement mechanisms to stop illegal, unreported, and unregulated fishing, to amend the Tuna Conventions Act of 1950 to implement the Antigua Convention, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 774

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Illegal, Unreported, and Unregulated Fishing Enforcement Act of 2015''.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

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TITLE I—STRENGTHENING FISHERIES ENFORCEMENT MECHANISMS

SEC. 101. AMENDMENTS TO THE HIGH SEAS DRIFTNET FISHING MORATORIUM PROTECTION ACT.

(a) ADMINISTRATION AND ENFORCEMENT.—

(1) IN GENERAL.—Section 606 of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826g) is amended by inserting before the first sentence the following:

''(a) IN GENERAL.—The Secretary and the Secretary of the department in which the Coast Guard is operating shall enforce this Act, and the Acts to which this section applies, in accordance with this section. Each such Secretary may, by agreement, on a reimbursable basis or otherwise, utilize the personnel services, equipment (including aircraft and vessels), and facilities of any other Federal agency, and of any State agency, in the performance of such duties.

''(b) ACTS TO WHICH SECTION APPLIES.—This section applies to—

''(1) the Pacific Salmon Treaty Act of 1985 (16 U.S.C. 3631 et seq.);

''(2) the Dolphin Protection Consumer Information Act (16 U.S.C. 1385);

''(3) the Tuna Conventions Act of 1950 (16 U.S.C. 951 et seq.);

''(4) the North Pacific Anadromous Stocks Act of 1992 (16 U.S.C. 5001 et seq.);

''(5) the Atlantic Tunas Convention Act of 1975 (16 U.S.C. 971 et seq.);

''(6) the Northwest Atlantic Fisheries Convention Act of 1995 (16 U.S.C. 5601 et seq.);

''(7) the Western and Central Pacific Fisheries Convention Implementation Act (16 U.S.C. 6901 et seq.); and

''(8) the Antigua Convention Implementing Act of 2015.

''(c) ADMINISTRATION AND ENFORCEMENT.—

''(1) IN GENERAL.—The Secretary shall prevent any person from violating this Act, or any Act to which this section applies, in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though sections 308 through 311 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1858 through 1861) were incorporated into and made a part of and applicable to this Act and each such Act.

''(2) INTERNATIONAL COOPERATION.—The Secretary may, subject to appropriations and in the course of carrying out the Secretary's responsibilities under the Acts to which this section applies, engage in international cooperation to help other nations combat illegal, unreported, and unregulated fishing and achieve sustainable fisheries.

''(d) SPECIAL RULES.—

''(1) ADDITIONAL ENFORCEMENT AUTHORITY.—In addition to the powers of officers authorized pursuant to subsection (c), any officer who is authorized by the Secretary, or the head of any Federal or State agency that has entered into an agreement with the Secretary under subsection (a), may enforce the provisions of any Act to which this section applies, with the same jurisdiction, powers, and duties as though section 311 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1861) were incorporated into and made a part of each such Act.

''(2) DISCLOSURE OF ENFORCEMENT INFORMATION.—

''(A) IN GENERAL.—The Secretary, subject to the data confidentiality provisions in section 402 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1881a), may disclose, as necessary and appropriate, information, including information collected under joint authority of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.) and the Atlantic Tunas Convention Act of 1975 (16 U.S.C. 71 et seq.) or the Western and Central Pacific Fisheries Convention Implementation Act (16 U.S.C. 6901 et seq.) or other

statutes implementing international fishery agreements, to any other Federal or State government agency, the Food and Agriculture Organization of the United Nations, the secretariat or equivalent of an international fishery management organization or arrangement made pursuant to an international fishery agreement, or a foreign government, if—

''(i) such government, organization, or arrangement has policies and procedures to protect such information from unintended or unauthorized disclosure; and

''(ii) such disclosure is necessary—

''(I) to ensure compliance with any law or regulation enforced or administered by the Secretary;

''(II) to administer or enforce any international fishery agreement to which the United States is a party;

''(III) to administer or enforce a binding conservation measure adopted by any international organization or arrangement to which the United States is a party;

''(IV) to assist in any investigative, judicial, or administrative enforcement proceeding in the United States; or

''(V) to assist in any law enforcement action undertaken by a law enforcement agency of a foreign government, or in relation to a legal proceeding undertaken by a foreign government to the extent the enforcement action is consistent with rules and regulations of a regional fisheries management organization (as that term is defined by the United Nation's Food and Agriculture Organization Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing) of which the United States is a member, or the Secretary has determined that the enforcement action is consistent with the requirements under Federal law for enforcement actions with respect to illegal, unreported, and unregulated fishing.

''(B) DATA CONFIDENTIALITY PROVISIONS NOT APPLICABLE.—The data confidentiality provisions of section 402 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1881a) shall not apply with respect to this Act with respect to—

''(i) any obligation of the United States to share information under a regional fisheries management organization (as that term is defined by the United Nation's Food and Agriculture Organization Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing) of which the United States is a member; or

''(ii) any information collected by the Secretary regarding foreign vessels.

''(e) PROHIBITED ACTS.—It is unlawful for any person—

''(1) to violate any provision of this Act or any regulation or permit issued pursuant to this Act;

''(2) to refuse to permit any officer authorized to enforce the provisions of this Act to board, search, or inspect a vessel, subject to such person's control for the purposes of conducting any search, investigation, or inspection in connection with the enforcement of this Act, any regulation promulgated under this Act, or any Act to which this section applies;

''(3) to forcibly assault, resist, oppose, impede, intimidate, or interfere with any such authorized officer in the conduct of any search, investigation, or inspection described in paragraph (2);

''(4) to resist a lawful arrest for any act prohibited by this section or any Act to which this section applies;

''(5) to interfere with, delay, or prevent, by any means, the apprehension, arrest, or detection of an other person, knowing that such person has committed any act prohibited by this section or any Act to which this section applies; or

''(6) to forcibly assault, resist, oppose, impede, intimidate, sexually harass, bribe, or interfere with—

''(A) any observer on a vessel under this Act or any Act to which this section applies; or

''(B) any data collector employed by the National Marine Fisheries Service or under contract to any person to carry out responsibilities under this Act or any Act to which this section applies.

''(f) CIVIL PENALTY.—Any person who commits any act that is unlawful under subsection (e) shall be liable to the United States for a civil penalty, and may be subject to a permit sanction, under section 308 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1858).

''(g) CRIMINAL PENALTY.—Any person who commits an act that is unlawful under subsection (e)(2), (e)(3), (e)(4), (e)(5), or (e)(6) is deemed to be guilty of an offense punishable under section 309(b) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1859(b)).

''(h) UTILIZATION OF FEDERAL AGENCY ASSETS.—''.

(2) CONFORMING AMENDMENT.—Section 308(a) of the Antarctic Marine Living Resources Convention Act of 1984 (16 U.S.C. 2437(a)) is amended to read as follows:

''(a) IN GENERAL.—Any person who commits an act that is unlawful under section 306 shall be liable to the United States for a civil penalty, and may be subject to a permit sanction, under section 308 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1858).''.

(b) ACTIONS TO IMPROVE THE EFFECTIVENESS OF INTERNATIONAL FISHERY MANAGEMENT ORGANIZATIONS.—Section 608 of such Act (16 U.S.C. 1826i) is amended by—

(1) inserting before the first sentence the following: ''(a) IN GENERAL.—'';

(2) in subsection (a) (as designated by paragraph (1) of this subsection) in the first sentence, inserting '', or arrangements made pursuant to an international fishery agreement,'' after ''organizations''; and

(3) adding at the end the following new subsections:

''(b) DISCLOSURE OF INFORMATION.—

''(1) IN GENERAL.—The Secretary, subject to the data confidentiality provisions in section 402 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1881a) except as provided in paragraph (2), may disclose, as necessary and appropriate, information, including information collected under joint authority of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.) and the Atlantic Tunas Convention Act of 1975 (16 U.S.C. 71 et seq.), the Western and Central Pacific Fisheries Convention Implementation Act (16 U.S.C. 6901 et seq.), any other statute implementing an international fishery agreement, to any other Federal or State government agency, the Food and Agriculture Organization of the United Nations, or the secretariat or equivalent of an international fishery management organization or arrangement made pursuant to an international fishery agreement, if such government, organization, or arrangement, respectively, has policies and procedures to protect such information from unintended or unauthorized disclosure.

''(2) EXCEPTIONS.—The data confidentiality provisions in section 402 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1881a) shall not apply with respect to this Act—

''(A) for obligations of the United States to share information under a regional fisheries management organization (as that term is defined by the United Nation's Food and Agriculture Organization Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing) of which the United States is a member; or

''(B) to any information collected by the Secretary regarding foreign vessels.

''(c) IUU VESSEL LISTS.—The Secretary may—

''(1) develop, maintain, and make public a list of vessels and vessel owners engaged in illegal, unreported, or unregulated fishing or fishing-related activities in support of illegal, unreported, or unregulated fishing, including vessels or vessel owners identified by an international fishery management organization or arrangement made pursuant to an international fishery agreement, that—

''(A) the United States is party to; or

''(B) the United States is not party to, but whose procedures and criteria in developing and maintaining a list of such vessels and vessel owners are substantially similar to such procedures and criteria adopted pursuant to an international fishery agreement to which the United States is a party; and

''(2) take appropriate action against listed vessels and vessel owners, including action against fish, fish parts, or fish products from such vessels, in accordance with applicable United States law and consistent with applicable international law, including principles, rights, and obligations established in applicable international fishery management agreements and trade agreements.

''(d) REGULATIONS.—The Secretary may promulgate regulations to implement this section.''.

(c) NOTIFICATION REGARDING IDENTIFICATION OF NATIONS.—Section 609(b) of such Act (166 U.S.C. 1826j(b)) is amended to read as follows:

''(b) NOTIFICATION.—The Secretary shall notify the President and that nation of such an identification.''.

(d) NATIONS IDENTIFIED UNDER SECTION 610.—Section 610(b)(1) of such Act (16 U.S.C. 1826k(b)(1)) is amended to read as follows:

''(1) notify, as soon as possible, the President and nations that have been identified under subsection (a), and also notify other nations whose vessels engage in fishing activities or practices described in subsection (a), about the provisions of this section and this Act;''.

(e) EFFECT OF CERTIFICATION UNDER SECTION 609.—Section 609(d)(3)(A)(i) of such Act (16 U.S.C. 1826j(d)(3)(A)(i)) is amended by striking ''that has not been certified by the Secretary under this subsection, or''.

(f) EFFECT OF CERTIFICATION UNDER SECTION 610.—Section 610(c)(5) of such Act (16 U.S.C. 1826k(c)(5)) is amended by striking ''that has not been certified by the Secretary under this subsection, or''.

(g) IDENTIFICATION OF NATIONS.—

(1) SCOPE OF IDENTIFICATION FOR ACTIONS OF FISHING VESSELS.—Section 609(a) of such Act (16 U.S.C. 1826j(a)) is amended—

(A) in the matter preceding paragraph (1)—

(i) by inserting '', based on a cumulative compilation and analysis of data collected and provided by international fishery management organizations and other nations and organizations,'' after ''shall''; and

(ii) by striking ''2 years'' and inserting ''3 years'';

(B) in paragraph (1), by inserting ''that undermines the effectiveness of measures required by an international fishery management organization, taking into account whether'' after ''(1)''; and

(C) in paragraph (1), by striking ''vessels of''.

(2) ADDITIONAL GROUNDS FOR IDENTIFICATION.—Section 609(a) of such Act (16 U.S.C. 1826j(a)) is further amended—

(A) by redesignating paragraphs (1) and (2) in order as subparagraphs (A) and (B) (and by moving the margins of such subparagraphs 2 ems to the right);

(B) by inserting before the first sentence the following:

''(1) IDENTIFICATION FOR ACTIONS OF FISHING VESSELS.—''; and

(C) by adding at the end the following:

''(2) IDENTIFICATION FOR ACTIONS OF NATION.—Taking into account the factors described under section 609(a)(1), the Secretary shall also identify, and list in such report, a nation—

''(A) if it is violating, or has violated at any point during the preceding three years, conservation and management measures required under an international fishery management agreement to which the United States is a party and the violations undermine the effectiveness of such measures; or

''(B) if it is failing, or has failed in the preceding 3-year period, to effectively address or regulate illegal, unreported, or unregulated fishing in areas described under paragraph (1)(B).

''(3) APPLICATION TO OTHER ENTITIES.—Where the provisions of this Act are applicable to nations, they shall also be applicable, as appropriate, to other entities that have competency to enter into international fishery management agreements.''.

(3) PERIOD OF FISHING PRACTICES SUPPORTING IDENTIFICATION.—Section 610(a)(1) of such Act (16 U.S.C. 1826k(a)(1)) is amended by striking ''calendar year'' and inserting ''3 years''.

(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary of Commerce $450,000 for each of fiscal years 2016 through 2020 to implement the amendments made by subsections (b) and (g).

(i) TECHNICAL CORRECTIONS.—

(1) Section 607(2) of such Act (16 U.S.C. 1826h(2)) is amended by striking ''whose vessels'' and inserting ''that''.

(2) Section 609(d)(1) of such Act (16 U.S.C. 1826j(d)(1)) is amended by striking ''of its fishing vessels''.

(3) Section 609(d)(1)(A) of such Act (16 U.S.C. 1826j(d)(1)(A)) is amended by striking ''of its fishing vessels''.

(4) Section 609(d)(2) of such Act (16 U.S.C. 1826j(d)(2)) is amended—

(A) by striking ''for certification'' and inserting ''to authorize'';

(B) by inserting ''the importation'' after ''or other basis'';

(C) by striking ''harvesting''; and

(D) by striking ''not certified under paragraph (1)'' and inserting ''issued a negative certification under paragraph (1)''.

(5) Section 610 of such Act (16 U.S.C. 1826k) is amended as follows:

(A) In subsection (a)(1), by striking ''practices;'' and inserting ''practices—''.

(B) In subsection (c)(4), by striking all preceding subparagraph (B) and inserting the following:

''(4) ALTERNATIVE PROCEDURE.—The Secretary may establish a procedure to authorize, on a shipment-by-shipment, shipper-by-shipper, or other basis the importation of fish or fish products from a vessel of a nation issued a negative certification under paragraph (1) if the Secretary determines that such imports were harvested by practices that do not result in bycatch of a protected marine species, or were harvested by practices that—

''(A) are comparable to those of the United States, taking into account different conditions; and''.

SEC. 102. AMENDMENTS TO THE HIGH SEAS DRIFTNET FISHERIES ENFORCEMENT ACT.

(a) NEGATIVE CERTIFICATION EFFECTS.—Section 101 of the High Seas Driftnet Fisheries Enforcement Act (16 U.S.C. 1826a) is amended—

(1) in subsection (a)(2), by striking ''recognized principles of'' after ''in accordance with'';

(2) in subsection (a)(2)(A), by inserting ''or, as appropriate, for fishing vessels of a nation that receives a negative certification under section 609(d) or section 610(c) of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826)'' after ''(1)'';

(3) in subsection (a)(2)(B), by inserting before the period the following: '', except for the purposes of inspecting such vessel, conducting an investigation, or taking other appropriate enforcement action'';

(4) in subsection (b)(1)(A)(i), by striking ''or illegal, unreported, or unregulated fishing'' after ''driftnet fishing'';

(5) in subsection (b)(1)(B) and subsection (b)(2), by striking ''or illegal, unreported, or unregulated fishing'' after ''driftnet fishing'' each place it appears;

(6) in subsection (b)(3)(A)(i), by inserting ''or a negative certification under section 609(d) or section 610(c) of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826j(d), 1826k(c))'' after ''(1)(A)'';

(7) in subsection (b)(4)(A), by inserting ''or issues a negative certification under section 609(d) or section 610(c) of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826j(d), 1826k(c))'' after ''paragraph (1)'';

(8) in subsection (b)(4)(A)(i), by striking ''or illegal, unreported, or unregulated fishing'' after ''driftnet fishing''; and

(9) in subsection (b)(4)(A)(i), by inserting '', or to address the offending activities for which a nation received a negative certification under section 609(d) or 610(c) of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826j(d), 1826k(c))'' after ''beyond the exclusive economic zone of any nation''.

(b) DURATION OF NEGATIVE CERTIFICATION EFFECTS.—Section 102 of such Act (16 U.S.C. 1826b) is amended by—

(1) striking ''or illegal, unreported, or unregulated fishing''; and

(2) inserting ''or effectively addressed the offending activities for which the nation received a negative certification under 609(d) or 610(c) of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826j(d), 1826k(c))'' before the period at the end.

SEC. 103. AMENDMENTS TO NORTH PACIFIC ANADROMOUS STOCKS ACT OF 1992.

(a) UNLAWFUL ACTIVITIES.—Section 810 of the North Pacific Anadromous Stocks Act of 1992 (16 U.S.C. 5009) is amended—

(1) in paragraph (5), by inserting '', investigation,'' after ''search''; and

(2) in paragraph (6), by inserting '', investigation,'' after ''search''.

(b) ADDITIONAL PROHIBITIONS AND ENFORCEMENT.—Section 811 of the Northern Pacific Anadromous Stocks Act of 1992 (16 U.S.C. 5010) is amended to read as follows:

''SEC. 811. ADDITIONAL PROHIBITIONS AND ENFORCEMENT.

''For additional prohibitions relating to this Act and enforcement of this Act, see section 606 of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826g).''.

SEC. 104. AMENDMENTS TO THE PACIFIC SALMON TREATY ACT OF 1985.

Section 8 of the Pacific Salmon Treaty Act of 1985 (16 U.S.C. 3637) is amended—

(1) in subsection (a)(2)—

(A) by inserting '', investigation,'' after ''search''; and

(B) by striking ''this title;'' and inserting ''this Act;'';

(2) in subsection (a)(3)—

(A) by inserting '', investigation,'' after ''search''; and

(B) by striking ''subparagraph (2);'' and inserting ''paragraph (2);'';

(3) in subsection (a)(5), by striking ''this title; or'' and inserting ''this Act;''; and

(4) by striking subsections (b) through (f) and inserting the following:

''(b) ADDITIONAL PROHIBITIONS AND ENFORCEMENT.—For additional prohibitions relating to this Act and enforcement of this Act, see section 606 of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826g).''.

SEC. 105. AMENDMENTS TO THE WESTERN AND CENTRAL PACIFIC FISHERIES CONVENTION IMPLEMENTATION ACT.

The Western and Central Pacific Fisheries Convention Implementation Act (title V of Public Law 109–479) is amended—

(1) by amending section 506(c) (16 U.S.C. 6905(c)) to read as follows:

''(c) ADDITIONAL PROHIBITIONS AND ENFORCEMENT.—For additional prohibitions relating to this Act and enforcement of this Act, see section 606 of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826g).''; and

(2) in section 507(a)(2) (16 U.S.C. 6906(a)(2)) by striking ''suspension, on'' and inserting ''suspension, of''.

SEC. 106. AMENDMENTS TO THE ANTARCTIC MARINE LIVING RESOURCES CONVENTION ACT.

The Antarctic Marine Living Resources Convention Act of 1984 is amended—

(1) in section 306 (16 U.S.C. 2435)—

(A) in paragraph (3), by striking ''which he knows, or reasonably should have known, was'';

(B) in paragraph (4), by inserting '', investigation,'' after ''search''; and

(C) in paragraph (5), by inserting '', investigation,'' after ''search''; and

(2) in section 307 (16 U.S.C. 2436)—

(A) by inserting ''(a) IN GENERAL.—'' before the first sentence; and

(B) by adding at the end the following:

''(b) REGULATIONS TO IMPLEMENT CONSERVATION MEASURES.—

''(1) IN GENERAL.—Notwithstanding subsections (b), (c), and (d) of section 553 of title 5, United States Code, the Secretary of Commerce may publish in the Federal Register a final regulation to implement any conservation measure for which the Secretary of State notifies the Commission under section 305(a)(1)—

''(A) that has been in effect for 12 months or less;

''(B) that is adopted by the Commission; and

''(C) with respect to which the Secretary of State does not notify Commission in accordance with section 305(a)(1) within the time period allotted for objections under Article IX of the Convention.

''(2) ENTERING INTO FORCE.—Upon publication of such regulation in the Federal Register, such conservation measure shall enter into force with respect to the United States.''.

SEC. 107. AMENDMENTS TO THE ATLANTIC TUNAS CONVENTION ACT.

The Atlantic Tunas Convention Act of 1975 is amended—

(1) in section 6(c)(2) (16 U.S.C. 971d(c)(2)(2))—

(A) by striking ''(A)'' and inserting ''(i)'';

(B) by striking ''(B)'' and inserting ''(ii)'';

(C) by inserting ''(A)'' after ''(2)''; and

(D) by adding at the end the following:

''(B) Notwithstanding the requirements of subparagraph (A) and subsections (b) and (c) of section 553 of title 5, United States Code, the Secretary may issue final regulations to implement Commission recommendations referred to in paragraph (1) concerning trade restrictive measures against nations or fishing entities.'';

(2) in section 7 (16 U.S.C. 971e) by striking subsections (e) and (f) and redesignating subsection (g) as subsection (e);

(3) in section 8 (16 U.S.C. 971f)—

(A) by striking subsections (a) and (c); and

(B) by inserting before subsection (b) the following:

''(a) For additional prohibitions relating to this Act and enforcement of this Act, see section 606 of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826g).'';

(4) in section 8(b) by striking ''the enforcement activities specified in section 8(a) of this Act'' each place it appears and inserting ''enforcement activities with respect to this Act that are otherwise authorized by law''; and

(5) by striking section 11 (16 U.S.C. 971j) and redesignating sections 12 and 13 as sections 11 and 12, respectively.

SEC. 108. AMENDMENTS TO THE HIGH SEAS FISHING COMPLIANCE ACT OF 1965.

Section 104(f) of the High Seas Fishing Compliance Act of 1995 (16 U.S.C. 5503(f)) is amended to read as follows:

''(f) VALIDITY.—A permit issued under this section for a vessel is void if—

''(1) any other permit or authorization required for the vessel to fish is expired, revoked, or suspended; or

''(2) the vessel is no longer documented under the laws of the United States or eligible for such documentation.''.

SEC. 109. AMENDMENTS TO THE DOLPHIN PROTECTION CONSUMER INFORMATION ACT.

The Dolphin Protection Consumer Information Act (16 U.S.C. 1385) is amended by amending subsection (e) to read as follows:

''(e) ADDITIONAL PROHIBITIONS AND ENFORCEMENT.—For additional prohibitions relating to this Act and enforcement of this Act, see section 606 of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826g).''.

SEC. 110. AMENDMENTS TO THE NORTHERN PACIFIC HALIBUT ACT OF 1982.

Section 7 of the Northern Pacific Halibut Act of 1982 (16 U.S.C. 773e) is amended—

(1) in subsection (a) by redesignating paragraphs (1) through (6) as subparagraphs (A) through (F);

(2) by redesignating subsections (a) and (b) as paragraphs (1) and (2), respectively;

(3) in paragraph (1)(B), as so redesignated, by inserting '', investigation,'' before ''or inspection'';

(4) in paragraph (1)(C), as so redesignated, by inserting '', investigation,'' before ''or inspection'';

(5) in paragraph (1)(E), as so redesignated, by striking ''or'' after the semicolon; and

(6) in paragraph (1)(F), as so redesignated, by striking ''section.'' and inserting ''section; or''.

SEC. 111. AMENDMENTS TO THE NORTHWEST ATLANTIC FISHERIES CONVENTION ACT OF 1995.

Section 207 of the Northwest Atlantic Fisheries Convention Act of 1995 (16 U.S.C. 5606) is amended—

(1) in the section heading, by striking ''**AND PENALTIES**'' and inserting ''**AND ENFORCEMENT**'';

(2) in subsection (a)(2), by inserting '', investigation,'' before ''or inspection'';

(3) in subsection (a)(3), by inserting '', investigation,'' before ''or inspection''; and

(4) by striking subsections (b) through (f) and inserting the following:

''(b) ADDITIONAL PROHIBITIONS AND ENFORCEMENT.—For additional prohibitions relating to this Act and enforcement of this Act, see section 606 of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826g).''.

SEC. 112. AMENDMENT TO THE MAGNUSON-STEVENS FISHERY CONSERVATION AND MANAGEMENT ACT.

Section 307(1)(Q) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1857(1)(Q)) is amended by inserting before the semicolon the following: ''or any treaty or in contravention of any binding conservation measure adopted by an international agreement or organization to which the United States is a party''.

TITLE II—IMPLEMENTATION OF THE ANTIGUA CONVENTION

SEC. 201. SHORT TITLE.

This title may be cited as the ''Antigua Convention Implementing Act of 2015''.

SEC. 202. AMENDMENT OF THE TUNA CONVENTIONS ACT OF 1950.

Except as otherwise expressly provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Tuna Conventions Act of 1950 (16 U.S.C. 951 et seq.).

SEC. 203. DEFINITIONS.

Section 2 (16 U.S.C. 951) is amended to read as follows:

''SEC. 2. DEFINITIONS.

''In this Act:

''(1) ANTIGUA CONVENTION.—The term 'Antigua Convention' means the Convention for the Strengthening of the Inter-American Tropical Tuna Commission Established by the 1949 Convention Between the United States of America and the Republic of Costa Rica, signed at Washington, November 14, 2003.

''(2) COMMISSION.—The term 'Commission' means the Inter-American Tropical Tuna Commission provided for by the Convention.

''(3) CONVENTION.—The term 'Convention' means—

''(A) the Convention for the Establishment of an Inter-American Tropical Tuna Commission, signed at Washington, May 31, 1949, by the United States of America and the Republic of Costa Rica;

''(B) the Antigua Convention, upon its entry into force for the United States, and any amendments thereto that are in force for the United States; or

''(C) both such Conventions, as the context requires.

''(4) PERSON.—The term 'person' means an individual, partnership, corporation, or association subject to the jurisdiction of the United States.

''(5) UNITED STATES.—The term 'United States' includes all areas under the sovereignty of the United States.

''(6) UNITED STATES COMMISSIONERS.—The term 'United States commissioners' means the individuals appointed in accordance with section 3(a).''.

SEC. 204. COMMISSIONERS; NUMBER, APPOINTMENT, AND QUALIFICATIONS.

Section 3 (16 U.S.C. 952) is amended to read as follows:

''SEC. 3. COMMISSIONERS.

''(a) COMMISSIONERS.—The United States shall be represented on the Commission by 4 United States Commissioners. The President shall appoint individuals to serve on the Commission. The United States Commissioners shall be subject to supervision and removal by the Secretary of State, in consultation with the Secretary. In making the appointments, the President shall select United States Commissioners from among individuals who are knowledgeable or experienced concerning highly migratory fish stocks in the eastern tropical Pacific Ocean, one of whom shall be an officer or employee of the Department of Commerce. Not more than 2 United States Commissioners may be appointed who reside in a State other than a State whose vessels maintain a substantial fishery in the area of the Convention.

''(b) ALTERNATE COMMISSIONERS.—The Secretary of State, in consultation with the Secretary, may designate from time to time and for periods of time deemed appropriate Alternate United States Commissioners to the Commission. Any Alternate United States Commissioner may exercise, at any meeting of the Commission or of the General Advisory Committee or Scientific Advisory Subcommittee established pursuant to section 4(b), all powers and duties of a United States Commissioner in the absence of any United States Commissioner appointed pursuant to subsection (a) of this section for whatever reason. The number of such Alternate United States Commissioners that may be designated for any such meeting shall be limited to the number of United States Commissioners appointed pursuant to subsection (a) of this section who will not be present at such meeting.

''(c) ADMINISTRATIVE MATTERS.—

''(1) EMPLOYMENT STATUS.—Individuals serving as United States Commissioners, other than officers or employees of the United States Government, shall not be considered Federal employees except for the purposes of injury compensation or tort claims liability as provided in chapter 81 of title 5, United States Code, and chapter 171 of title 28, United States Code.

''(2) COMPENSATION.—The United States Commissioners or Alternate Commissioners, although officers of the United States while so serving, shall receive no compensation for their services as United States Commissioners or Alternate Commissioners.

''(3) TRAVEL EXPENSES.—

''(A) The Secretary of State shall pay the necessary travel expenses of United States Commissioners and Alternate United States Commissioners to meetings of the Inter-American Tropical Tuna Commission and other meetings the Secretary of State deems necessary to fulfill their duties, in accordance with the Federal Travel Regulations and sections 5701, 5702, 5704 through 5708, and 5731 of title 5, United States Code.

''(B) The Secretary may reimburse the Secretary of State for amounts expended by the Secretary of State under this subsection.''.

SEC. 205. GENERAL ADVISORY COMMITTEE AND SCIENTIFIC ADVISORY SUBCOMMITTEE.

Section 4 (16 U.S.C. 953) is amended—

(1) by striking subsection (a) and inserting the following:

''(a) GENERAL ADVISORY COMMITTEE.—

''(1) APPOINTMENTS; PUBLIC PARTICIPATION; COMPENSATION.—

''(A) The Secretary, in consultation with the Secretary of State, shall appoint a General Advisory Committee which shall consist of not more than 25 individuals who shall be representative of the various groups concerned with the fisheries covered by the Convention, including nongovernmental conservation organizations, providing to the maximum extent practicable an equitable balance among such groups. Members of the General Advisory Committee will be eligible to participate as members of the United States delegation to the Commission and its working groups to the extent the Commission rules and space for delegations allow.

''(B) The chair of the Pacific Fishery Management Council's Advisory Subpanel for Highly Migratory Fisheries and the chair of the Western Pacific Fishery Management Council's Advisory Committee shall be ex-officio members of the General Advisory Committee by virtue of their positions in those Councils.

''(C) Each member of the General Advisory Committee appointed under subparagraph (A) shall serve for a term of 3 years and is eligible for reappointment.

''(D) The General Advisory Committee shall be invited to attend all non-executive meetings of the United States delegation and at such meetings shall be given opportunity to examine and to be heard on all proposed programs of investigation, reports, recommendations, and regulations of the Commission.

''(E) The General Advisory Committee shall determine its organization, and prescribe its practices and procedures for carrying out its functions under this title, the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.), and the Convention. The General Advisory Committee shall publish and make available to the public a statement of its organization, practices and procedures. Meetings of the General Advisory Committee, except when in executive session, shall be open to the public, and prior notice of meetings shall be made public in timely fashion. The General Advisory Committee shall not be subject to the Federal Advisory Committee Act (5 U.S.C. App.).

''(2) INFORMATION SHARING.—The Secretary and the Secretary of State shall furnish the General Advisory Committee with relevant information concerning fisheries and international fishery agreements.

''(3) ADMINISTRATIVE MATTERS.—

''(A) The Secretary shall provide to the General Advisory Committee in a timely manner such administrative and technical support services as are necessary for its effective functioning.

''(B) Individuals appointed to serve as a member of the General Advisory Committee—

''(i) shall serve without pay, but while away from their homes or regular places of business to attend meetings of the General Advisory Committee shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed expenses under section 5703 of title 5, United States Code; and

''(ii) shall not be considered Federal employees except for the purposes of injury compensation or tort claims liability as provided in chapter 81 of title 5, United States Code, and chapter 171 of title 28, United States Code.'';

(2) by striking so much of subsection (b) as precedes paragraph (2) and inserting the following:

''(b) SCIENTIFIC ADVISORY SUBCOMMITTEE.—(1) The Secretary, in consultation with the Secretary of State, shall appoint a Scientific Advisory Subcommittee of not less than 5 nor more than 15 qualified scientists with balanced representation from the public and private sectors, including nongovernmental conservation organizations.''; and

(3) in subsection (b)(3), by striking ''General Advisory Subcommittee'' and inserting ''General Advisory Committee''.

SEC. 206. RULEMAKING.

Section 6 (16 U.S.C. 955) is amended to read as follows:

''SEC. 6. RULEMAKING.

''(a) REGULATIONS.—The Secretary, in consultation with the Secretary of State and, with respect to enforcement measures, the Secretary of the Department in which the Coast Guard is operating, may promulgate such regulations as may be necessary to carry out the United States international obligations under the Convention and this Act, including recommendations and decisions adopted by the Commission. In cases where the Secretary has discretion in the implementation of one or more measures adopted by the Commission that would govern fisheries under the authority of a Regional Fishery Management Council, the Secretary may, to the extent practicable within the implementation schedule of the Convention and any recommendations and decisions adopted by the Commission, promulgate such regulations as may be necessary to carry out the United States international obligations under the Convention and this Act, in accordance with the procedures established by the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.).

''(b) JURISDICTION.—The Secretary may promulgate regulations as may be necessary to carry out the United States international obligations under the Convention and this Act, applicable to all vessels and persons subject to the jurisdiction of the United States, including vessels documented under chapter 121 of title 46, United States Code, wherever they may be operating, on such date as the Secretary shall prescribe.''.

SEC. 207. PROHIBITED ACTS.

Section 8 (16 U.S.C. 957) is amended—

(1) by striking ''section 6(c) of this Act'' each place it appears and inserting ''section 6''; and

(2) by adding at the end the following:

''(i) ADDITIONAL PROHIBITIONS AND ENFORCEMENT.—For prohibitions relating to this Act and enforcement of this Act, see section 606 of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826g).''.

SEC. 208. ENFORCEMENT.

Section 10 (16 U.S.C. 959) is amended to read as follows:

''SEC. 10. ENFORCEMENT.

''For enforcement of this Act, see section 606 of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826g).''.

SEC. 209. REDUCTION OF BYCATCH.

Section 15 (16 U.S.C. 962) is amended by striking ''vessel'' and inserting ''vessels''.

SEC. 210. REPEAL OF EASTERN PACIFIC TUNA LICENSING ACT OF 1984.

The Eastern Pacific Tuna Licensing Act of 1984 (16 U.S.C. 972 et seq.) is repealed.

TITLE III—AGREEMENT ON PORT STATE MEASURES TO PREVENT, DETER AND ELIMINATE ILLEGAL, UNREPORTED AND UNREGULATED FISHING

SEC. 301. SHORT TITLE.

This title may be cited as the ''Port State Measures Agreement Act of 2015''.

SEC. 302. PURPOSE.

The purpose of this title is to implement the Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing.

SEC. 303. DEFINITIONS.

As used in this title:

(1) The term ''Agreement'' means the Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing, done at the Food and Agriculture Organization of the United Nations, in Rome, Italy, November 22, 2009, and signed by the United States November 22, 2009.

(2) The term ''IUU fishing'' means any activity set out in paragraph 3 of the 2001 FAO International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing.

(3) The term ''listed IUU vessel'' means a vessel that is included in a list of vessels having engaged in IUU fishing or fishing-related activities in support of IUU fishing that has been adopted by a regional fisheries management organization of which the United States is a member, or a list adopted by a regional fisheries management organization of which the United States is not a member if the Secretary determines the criteria used by that organization to create the IUU list is comparable to criteria adopted by RFMOs of which the United States is a member for identifying IUU vessels and activities.

(4) The term ''Magnuson-Stevens Act'' means the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.).

(5) The term ''person'' has the same meaning as that term has in section 3 of the Magnuson-Stevens Act (16 U.S.C. 1802).

(6) The terms ''RFMO'' and ''regional fisheries management organization'' mean a regional fisheries management organization (as that term is defined by the United Nation's Food and Agriculture Organization Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing) that is recognized by the United States.

(7) The term ''Secretary'' means the Secretary of Commerce or his or her designee.

(8) The term ''vessel'' means any vessel, ship of another type, or boat used for, equipped to be used for, or intended to be used for, fishing or fishing-related activities, including container vessels that are carrying fish that have not been previously landed.

(9) The term ''fish'' means finfish, mollusks, crustaceans, and all other forms of marine animal and plant life other than marine mammals and birds.

(10) The term ''fishing''—

(A) except as provided in subparagraph (B), means—

(i) the catching, taking, or harvesting of fish;

(ii) the attempted catching, taking, or harvesting of fish;

(iii) any other activity which can reasonably be expected to result in the catching, taking, or harvesting of fish; or

(iv) any operations at sea in support of, or in preparation for, any activity described in clauses (i) through (iii); and

(B) does not include any scientific research activity that is conducted by a scientific research vessel.

SEC. 304. DUTIES AND AUTHORITIES OF THE SECRETARY.

(a) REGULATIONS.—The Secretary may, as needed, promulgate such regulations—

(1) in accordance with section 553 of title 5, United States Code;

(2) consistent with provisions of the title; and

(3) with respect to enforcement measures, in consultation with the Secretary of the department in which the Coast Guard is operating;

as may be necessary to carry out the purposes of this title, to the extent that such regulations are not already promulgated.

(b) PORTS OF ENTRY.—The Secretary, in consultation with the Secretary of the department in which the Coast Guard is operating, may designate and publicize the ports to which vessels may seek entry. No port may be designated under this section that has not also been designated as a port of entry for customs reporting purposes pursuant to section 1433 of title 19, United States Code, or that is not specified under an existing international fisheries agreement.

(c) NOTIFICATION.—The Secretary shall provide notification of the denial of port entry or the use of port services for a vessel under section 305, the withdrawal of the denial of port services for a foreign vessel, the taking of enforcement action pursuant to section 306 with respect to a foreign vessel, or the results of any inspection of a foreign vessel conducted pursuant to this title to the flag nation of the vessel and, as appropriate, to the nation of which the vessel's master is a national, relevant coastal nations, RFMOs, the Food and Agriculture Organization of the United Nations, and other relevant international organizations.

(d) CONFIRMATION THAT FISH WERE TAKEN IN ACCORDANCE WITH CONSERVATION AND MANAGEMENT MEASURES.—The Secretary may request confirmation from the flag state of a foreign vessel that the fish on board a foreign vessel in a port subject to the jurisdiction of the United States were taken in accordance with applicable RFMO conservation and management measures.

SEC. 305. AUTHORIZATION OR DENIAL OF PORT ENTRY.

(a) SUBMISSION OF INFORMATION REQUIRED UNDER AGREEMENT.—

(1) IN GENERAL.—A vessel described in paragraph (2) seeking entry to a port that is subject to the jurisdiction of the United States must submit to the Secretary of the department in which the Coast Guard is operating information as required under the Agreement in advance of its arrival in port. The Secretary of the department in which the Coast Guard is operating shall provide that information to the Secretary.

(2) COVERED VESSELS.—A vessel referred to in paragraph (1) is any vessel that—

(A) is not documented under chapter 121 of title 46, United States Code; and

(B) is not numbered under chapter 123 of that title.

(b) DECISION TO AUTHORIZE OR DENY PORT ENTRY.—

(1) DECISION.—The Secretary shall decide, based on the information submitted under subsection (a), whether to authorize or deny port entry by the vessel, and shall communicate such decision to—

(A) the Secretary of the department in which the Coast Guard is operating; and

(B) the vessel or its representative.

(2) AUTHORIZATION OR DENIAL OF ENTRY.—The Secretary of the department in which the Coast Guard is operating shall authorize or deny entry to vessels to which such a decision applies.

(3) VESSELS TO WHICH ENTRY MAY BE DENIED.—The Secretary of the department in which the Coast Guard is operating may deny entry to any vessel to which such a decision applies—

(A) that is described in subsection (a)(2); and

(B) that—

(i) is a listed IUU vessel; or

(ii) the Secretary of Commerce has reasonable grounds to believe—

(I) has engaged in IUU fishing or fishing-related activities in support of such fishing; or

(II) has violated this title.

(c) DENIAL OF USE OF PORT.—If a vessel described in subsection (a)(2) is in a port that is subject to the jurisdiction of the United States, the Secretary of the department in which the Coast Guard is operating, at the request of the Secretary, shall deny such vessel the use of the port for landing, transshipment, packaging and processing of fish, refueling, resupplying, maintenance, and drydocking, if—

(1) the vessel entered without authorization under subsection (b);

(2) the vessel is a listed IUU vessel;

(3) the vessel is not documented under the laws of another nation;

(4) the flag nation of the vessel has failed to provide confirmation requested by the Secretary that the fish on board were taken in accordance with applicable RFMO conservation and management measures; or

(5) the Secretary has reasonable grounds to believe—

(A) the vessel lacks valid authorizations to engage in fishing or fishing-related activities as required by its flag nation or the relevant coastal nation;

(B) the fish on board were taken in violation of foreign law or in contravention of any RFMO conservation and management measure; or

(C) the vessel has engaged in IUU fishing or fishing-related activities in support of such fishing, including in support of a listed IUU vessel, unless it can establish that—

(i) it was acting in a manner consistent with applicable RFMO conservation and management measures; or

(ii) in the case of the provision of personnel, fuel, gear, and other supplies at sea, the vessel provisioned was not, at the time of provisioning, a listed IUU vessel.

(d) EXCEPTIONS.—Notwithstanding subsections (b) and (c), the Secretary of the department in which the Coast Guard is operating may allow port entry or the use of port services—

(1) if they are essential to the safety or health of the crew or safety of the vessel;

(2) to allow, where appropriate, for the scrapping of the vessel; or

(3) pursuant to an inspection or other enforcement action.

SEC. 306. INSPECTIONS.

The Secretary, and the Secretary of the department in which the Coast Guard is operating, shall conduct foreign vessel inspections in ports subject to the jurisdiction of the United States as necessary to achieve the purposes of the Agreement and this title. If, following an inspection, the Secretary has reasonable grounds to believe that a foreign vessel has engaged in IUU fishing or fishing-related activities in support of such fishing, the Secretary may take enforcement action under this title or other applicable law, and shall deny the vessel the use of port services, in accordance with section 305.

SEC. 307. PROHIBITED ACTS.

It is unlawful for any person subject to the jurisdiction of the United States—

(1) to violate any provision of this title or the regulations issued under this title;

(2) to refuse to permit any authorized officer to board, search, or inspect a vessel that is subject to the person's control in connection with the enforcement of this title or the regulations issued under this title;

(3) to submit false information pursuant to any requirement under this title or the regulations issued under this title; or

(4) to commit any offense enumerated in paragraph (4), (5), (7), or (9) of section 707(a) of the Western and Central Pacific Fisheries Convention Implementation Act (16 U.S.C. 6906(a)).

SEC. 308. ENFORCEMENT.

(a) EXISTING AUTHORITIES AND RESPONSIBILITIES.—

(1) AUTHORITIES AND RESPONSIBILITIES.—The authorities and responsibilities under subsections (a), (b), and (c) of section 311 and subsection (f) of section 308 of the Magnuson-Stevens Act (16 U.S.C. 1861, 1858) and paragraphs (2), (3), and (7) of section 310(b) of the Antarctic Marine Living Resources Convention Act of 1984 (16 U.S.C. 2439(b)) shall apply with respect to enforcement of this title.

(2) INCLUDED VESSELS.—For purposes of enforcing this title, any reference in such paragraphs and subsections to a ''vessel'' or ''fishing vessel'' includes all vessels as defined in section 303(8) of this title.

(3) APPLICATION OF OTHER PROVISIONS.—Such paragraphs and subsections apply to violations of this title and any regulations promulgated under this title.

(b) CIVIL ENFORCEMENT.—

(1) CIVIL ADMINISTRATIVE PENALTIES.—

(A) IN GENERAL.—Any person who is found by the Secretary (after notice and opportunity for a hearing in accordance with section 554 of title 5, United States Code) to have committed an act prohibited under section 307 shall be liable to the United States for a civil penalty. The amount of the civil penalty shall be consistent with the amount under section 308(a) of the Magnuson-Stevens Act (16 U.S.C. 1858(a)).

(B) COMPROMISE OR OTHER ACTION BY SECRETARY.—The Secretary shall have the same authority as provided in section 308(e) of the Magnuson-Stevens Act (16 U.S.C. 1858(e)) with respect to a violation of this Act.

(2) IN REM JURISDICTION.—For purposes of this title, the conditions for in rem liability shall be consistent with section 308(d) of the Magnuson-Stevens Act (16 U.S.C. 1858(d)).

(3) ACTION UPON FAILURE TO PAY ASSESSMENT.—If any person fails to pay an assessment of a civil penalty under this title after it has become a final and unappealable order, or after the appropriate court has entered final judgment in favor of the Secretary, the Secretary shall refer the matter to the Attorney General, who shall recover the amount assessed in any appropriate district court of the United States. In such action, the validity and appropriateness of the final order imposing the civil penalty shall not be subject to review.

(c) FORFEITURE.—

(1) IN GENERAL.—Any foreign vessel (including its fishing gear, furniture, appurtenances, stores, and cargo) used, and any fish (or the fair market value thereof) imported or possessed in connection with or as

result of the commission of any act prohibited by section 307 of this title shall be subject to forfeiture under section 310 of the Magnuson-Stevens Act (16 U.S.C. 1860).

(2) APPLICATION OF THE CUSTOMS LAWS.—All provisions of law relating to seizure, summary judgment, and judicial forfeiture and condemnation for violation of the customs laws, the disposition of the property forfeited or condemned or the proceeds from the sale thereof, the remission or mitigation of such forfeitures, and the compromise of claims shall apply to seizures and forfeitures incurred, or alleged to have been incurred, under the provisions of this title, insofar as applicable and not inconsistent with the provisions hereof. For seizures and forfeitures of property under this section by the Secretary, such duties as are imposed upon the customs officer or any other person with respect to the seizure and forfeiture of property under the customs law may be performed by such officers as are designated by the Secretary or, upon request of the Secretary, by any other agency that has authority to manage and dispose of seized property.

(3) PRESUMPTION.—For the purposes of this section there is a rebuttable presumption that all fish, or components thereof, found on board a vessel that is used or seized in connection with a violation of this title (including any regulation promulgated under this Act) were taken, obtained, or retained as a result of IUU fishing or fishing-related activities in support of IUU fishing.

(d) CRIMINAL ENFORCEMENT.—Any person (other than a foreign government agency, or entity wholly owned by a foreign government) who knowingly commits an act prohibited by section 307 of this title shall be subject to subsections (b) and (c) of section 309 of the Magnuson-Stevens Act (16 U.S.C. 1859).

(e) PAYMENT OF STORAGE, CARE, AND OTHER COSTS.—Any person assessed a civil penalty for, or convicted of, any violation of this title (including any regulation promulgated under this title) and any claimant in a forfeiture action brought for such a violation, shall be liable for the reasonable costs incurred by the Secretary in storage, care, and maintenance of any property seized in connection with the violation.

SEC. 309. INTERNATIONAL COOPERATION AND ASSISTANCE.

(a) ASSISTANCE TO DEVELOPING NATIONS AND INTERNATIONAL ORGANIZATIONS.—Consistent with existing authority and the availability of funds, the Secretary shall provide appropriate assistance to developing nations and international organizations of which such nations are members to assist those nations in meeting their obligations under the Agreement.

(b) PERSONNEL, SERVICES, EQUIPMENT, AND FACILITIES.—In carrying out subsection (a), the Secretary may, by agreement, on a reimbursable or nonreimbursable basis, utilize the personnel, services, equipment, and facilities of any Federal, State, local, or foreign government or any entity of any such government.

SEC. 310. RELATIONSHIP TO OTHER LAWS.

(a) IN GENERAL.—Nothing in this title shall be construed to displace any requirements imposed by the customs laws of the United States or any other laws or regulations enforced or administered by the Secretary of Homeland Security. Where more stringent requirements regarding port entry or access to port services exist under other Federal law, those more stringent requirements shall apply. Nothing in this title shall affect a vessel's entry into port, in accordance with international law, for reasons of force majeure or distress.

(b) UNITED STATES OBLIGATIONS UNDER INTERNATIONAL LAW.—This title shall be interpreted and applied in accordance with United States obligations under international law.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from American Samoa (Mrs. RADEWAGEN) and the gentlewoman from Guam (Ms. BORDALLO) each will control 20 minutes.

The Chair recognizes the gentlewoman from American Samoa.

GENERAL LEAVE

Mrs. RADEWAGEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from American Samoa?

There was no objection.

Mrs. RADEWAGEN. Mr. Speaker, I yield myself such time as I may consume.

As the Congresswoman from American Samoa, I can confidently say that fishing and the jobs it provides are one of the biggest issues of our territory. It is a way of life. It has shaped our culture, our customs, and our traditions, and that must continue. It is for that reason that I am a cosponsor of H.R. 774, the Illegal, Unreported, and Unregulated Fishing Enforcement Act of 2015.

Sometimes referred to as ''pirate fishing,'' illegal, unreported, and unregulated—or IUU—fishing is a wide range of fishing activities that fail to comply with national, regional, or global fisheries, conservation, and management requirements. These unlawful practices impact various sectors of our seafood industry, which is certainly true in respect to our tuna industry in American Samoa.

By nature, the impact of IUU fishing is difficult to quantify, though some estimates suggest that it results in economic losses between $10 billion to $23 billion worldwide annually. The effects of IUU fishing aren't only felt on the decks of our fishing boats, the impacts that we are talking about here can be felt all the way to your dinner plate.

The intent of H.R. 774 is to ensure that the fishermen that I represent can operate on a level playing field with foreign nation vessels. Specifically, the bill aims to identify and regulate illegal foreign fishing vessels that are hurting our fishermen's ability to provide for their families.

I do have to say that, while I am a cosponsor of this legislation, I wish that we would have been able to come to an agreement on language that I had proposed specific to the actions and regulations administered by the Western and Central Pacific Fisheries Commission, of which American Samoa is a participating territory.

The intent of my language was to ensure that the Commission could not act in a manner that would hurt our fishermen more than those of other participating foreign nations. All I want is for our fishermen in American Samoa to be on a level playing field with foreign nation vessels to be able to provide for their families.

While we were not able to reach consensus on my proposed language, I look forward to working with my fellow committee colleagues toward a solution to help the fishing industry in American Samoa.

Remaining fair and true to our fishermen is so important in the territory that I represent because the fishing industry is the economic driver of many of our communities. While I will continue to work on those ideas legislatively in another vehicle, this is a good bill, and I urge my colleagues to support it.

I reserve the balance of my time.

Ms. BORDALLO. Mr. Speaker, I yield myself such time as I may consume.

Today, I rise to urge my colleagues to support passage of H.R. 774, a bill that I sponsored. It is the Illegal, Unreported, and Unregulated Fishing Enforcement Act of 2015.

H.R. 774 would strengthen enforcement mechanisms to combat IUU fishing, which threatens the economic and social infrastructure of our fishing communities and industry. IUU fishing also threatens the security of the United States and our allies. Countries like Australia, Papua New Guinea, and Palau have led the way in combating IUU fishing. I appreciate that the House is finally taking action that will help to demonstrate U.S. leadership on this important issue.

IUU fishing costs our fishing industry over tens of billions of dollars over the years. This tremendous impact on fishing economies undermines their financial security and can destabilize regions. Additionally, in some cases, we have seen IUU fishing facilitates illegal human and wildlife trafficking. IUU is bad for our national security, and we must give U.S. authorities the tools to combat this illegal activity.

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The bill would provide NOAA and the Coast Guard with much-needed tools to fight foreign illegal fishing. It would also implement the Agreement on Port State Measures to Prevent, Deter and Eliminate IUU fishing, a treaty ratified by the Senate that would set international standards for denying port entry and services to vessels that have engaged in illegal fishing.

I am proud to note that H.R. 774 is a truly bipartisan effort, a result of the hard work of both Democratic and Republican staff, the cosponsorships of

both Republican and Democratic Members, and the leadership of the Natural Resources Committee, as well as the Transportation and Infrastructure Committee.

I want to thank Matt Strickler and Jean Flemma, the Natural Resources Committee staff, for their tireless work to move this forward.

I would also like to acknowledge the International Conservation Caucus Foundation, the Gulf Coast Leadership Conference, and the countless recreational and commercial fishing businesses across the country for their full-fledged support of this bill.

I urge my colleagues to vote ''yes'' on H.R. 774, to ensure that the U.S. remains a leader in ensuring the economic security of our Nation and our allies.

Mr. Speaker, today I rise to urge my colleagues to support H.R. 774, the Illegal Unreported and Unregulated (IUU) Fishing Enforcement Act of 2015. H.R. 774 would strengthen enforcement mechanisms to stop IUU fishing, which threatens the economic and social infrastructure of our fishing communities and industry, as well as the security of the United States and our allies.

While it is difficult to fully track IUU fishing, it is estimated to have a global value of $10 billion to $23.5 billion, representing between 11 million and 26 million tons of fish. Not only does this kind of fishing harm marine ecosystems and deplete fish stocks around the world, it also causes significant economic harm to U.S. fishermen. For example, the $700 million worth of king crab harvested illegally from Russian waters alone undercuts the prices Alaskan king crab fishermen get for their catch, hurting the bottom line of a fishery that has become a model for sustainable harvest. IUU fishing in Pacific Ocean waters accounts for approximately 33 percent of total catch from those fisheries. IUU fishing on highly migratory stocks like tuna leaves fewer fish in the water for U.S. fishermen who play by the rules, and frustrates our efforts to manage far-ranging stocks responsibly. If stocks fail to recover, additional restrictions may be placed on U.S. fishermen, forcing economic losses and undermining confidence in the fairness of the management system.

In addition to depressing job opportunities and income in the U.S. fishing industry, IUU fishing is also a matter of national and regional security for the U.S. and our allies. IUU fishing is closely associated with various trafficking activities that are highly likely to operate from the same foreign vessels that engage in IUU fishing activities. A 2011 report issued by the United Nations Office on Drugs and Crime documented the link between illegal fishing and transnational organized crime including human trafficking, drug smuggling, gun running, terrorism, and even slave labor. Especially given that 91 percent of seafood consumed in the United States is imported, it is critical to ensure that the purchases of unsuspecting Americans are not supporting these activities.

We often view security issues through the traditional prism of hard power, but we need to shift that paradigm, particularly in the Asia-Pacific region. IUU fishing has become a significant issue that has caused conflicts between countries and threatens regional stability such as that in the Asia-Pacific region. IUU fishing is a threat to regional security, and we must take steps to address the matter. Banyan Analytics released a report in 2014 that talks about security in the Pacific Island nations, and IUU fishing or food security was a major issue for this region. As we rebalance to the Asia-Pacific region, we cannot ignore these types of issues.

Just as importantly, the problem of IUU fishing is not unique to the Western Pacific. Many American communities, from Alaska and the Pacific Northwest to the Gulf Coast and up and down the Atlantic seaboard, face similar challenges that threaten local economies as well as our national food security.

The United States has become a world leader in sustainable management of marine fisheries, in great part due to the Magnuson-Stevens Act. In other parts of the world, however, poor fisheries management is more common, and stocks are overharvested—the direct result of IUU fishing.

The National Oceanic and Atmospheric Administration (NOAA) recently reported that no federally-managed fisheries are subject to overfishing. However, that is not the case for many stocks managed by other nations, as well as those managed by several countries through regional fishery management organizations (RFM0s). Over seventy percent of major global marine fish stocks are fully exploited, overexploited, depleted, or recovering from depletion, driven in part by the persistence of IUU fishing.

Our allies and partners have already taken the lead on this issue. The EU Fisheries Council has implemented trade restrictions on countries who do not cooperate in combating IUU fishing. Our partners like Australia, Palau, and Papua New Guinea have all taken action to curb IUU fishing in their own EEZs. We cannot continue to lead from behind on IUU fishing enforcement The United States must take our leadership role in this important national security matter seriously.

I commend the work of the Presidential Task Force on IUU Fishing and Seafood Fraud, which is the culmination and continuation of the many years of effort on the part of leaders and stakeholders in our fishing communities, in the seafood sector, and in our conservation community. However, we must continue to do more. Moreover, H.R. 774 includes provisions that were specifically requested by the Task Force that would enhance the United States' ability to combat IUU fishing.

H.R. 774 is the product of extensive negotiations between Democratic and Republican staff in the last Congress, and I commend the Natural Resources Committee staff, particularly Matt Strickler and former staff Jean Flemma, for their work in moving this legislation forward. It is also supported by a broad coalition that includes the U.S. State Department, fishing industry interests, and conservation groups. I also thank Mr. YOUNG of Alaska and his staff for working with us on this legislation, and for his continued leadership on an issue that impacts many of his Alaska constituents.

I am proud to note that H.R. 774 was introduced with—and quickly gained—strong bipartisan support, which included Mr. DON YOUNG of Alaska; Mr. PETER DEFAZIO, Ranking Member of the Transportation and Infrastructure Committee; Mr. ROB WITTMAN, Chair of the Subcommittee on Readiness in the Armed Services Committee; Mr. DUNCAN HUNTER and Mr. JOHN GARAMENDI, respectively Chair and Ranking Member of the Coast Guard and Maritime Transportation Subcommittee of the Transportation and Infrastructure Subcommittee; Mr. ED ROYCE, Chair of the Foreign Affairs Committee; and Mr. MICHAEL MCCAUL, Chair of the Homeland Security Committee.

I also acknowledge and thank the leadership of Chairman ROB BISHOP and Ranking Member RAÚL GRIJALVA of the Natural Resources Committee. H.R. 774 passed the Natural Resources Committee by unanimous consent on April 30, 2015.

I would also like to thank the International Conservation Caucus Foundation, the Gulf Coast Leadership Conference, and the countless recreational and commercial fishing businesses across the country for their full-fledged support of this bill.

It will continue to take a collective effort to prevent IUU fishing, from stakeholders, the White House, and Congress, so I urge my colleagues to vote yes on H.R. 774, so that the U.S. remains a leader in ensuring the economic security of our nation and our allies.

Mr. Speaker, I have no further speakers, so I yield back the balance of my time.

Mrs. RADEWAGEN. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from American Samoa (Mrs. RADEWAGEN) that the House suspend the rules and pass the bill, H.R. 774, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

EVIDENCE-BASED POLICYMAKING COMMISSION ACT OF 2015

Mr. CHAFFETZ. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1831) to establish the Commission on Evidence-Based Policymaking, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1831

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Evidence-Based Policymaking Commission Act of 2015''.

SEC. 2. ESTABLISHMENT.

There is established in the executive branch a commission to be known as the ''Commission on Evidence-Based Policymaking'' (in this Act referred to as the ''Commission'').

SEC. 3. MEMBERS OF THE COMMISSION.

(a) NUMBER AND APPOINTMENT.—The Commission shall be comprised of 15 members as follows:

(1) Three shall be appointed by the President, of whom—

(A) one shall be an academic researcher, data expert, or have experience in administering programs;

(B) one shall have expertise in database management, confidentiality, and privacy matters; and

(C) one shall be the Director of the Office of Management and Budget (or the Director's designee).

(2) Three shall be appointed by the Speaker of the House of Representatives, of whom—

(A) two shall be academic researchers, data experts, or have experience in administering programs; and

(B) one shall have expertise in database management, confidentiality, and privacy matters.

(3) Three shall be appointed by the Minority Leader of the House of Representatives, of whom—

(A) two shall be academic researchers, data experts, or have experience in administering programs; and

(B) one shall have expertise in database management, confidentiality, and privacy matters.

(4) Three shall be appointed by the Majority Leader of the Senate, of whom—

(A) two shall be academic researchers, data experts, or have experience in administering programs; and

(B) one shall have expertise in database management, confidentiality, and privacy matters.

(5) Three shall be appointed by the Minority Leader of the Senate, of whom—

(A) two shall be academic researchers, data experts, or have experience in administering programs; and

(B) one shall have expertise in database management, confidentiality, and privacy matters.

(b) EXPERTISE.—In making appointments under this section, consideration should be given to individuals with expertise in economics, statistics, program evaluation, data security, confidentiality, or database management.

(c) CHAIRPERSON AND CO-CHAIRPERSON.—The President shall select the chairperson of the Commission and the Speaker of the House of Representatives shall select the co-chairperson.

(d) TIMING OF APPOINTMENTS.—Appointments to the Commission shall be made not later than 45 days after the date of enactment of this Act.

(e) TERMS; VACANCIES.—Each member shall be appointed for the duration of the Commission. Any vacancy in the Commission shall not affect its powers, and shall be filled in the manner in which the original appointment was made.

(f) COMPENSATION.—Members of the Commission shall serve without pay.

(g) TRAVEL EXPENSES.—Each member of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

SEC. 4. DUTIES OF THE COMMISSION.

(a) STUDY OF DATA.—The Commission shall conduct a comprehensive study of the data inventory, data infrastructure, and statistical protocols related to Federal policymaking and the agencies responsible for maintaining that data to—

(1) determine the optimal arrangement for which administrative data on Federal programs and tax expenditures, survey data, and related statistical data series may be integrated and made available to facilitate program evaluation, continuous improvement, policy-relevant research, and cost-benefit analyses by qualified researchers and institutions;

(2) make recommendations on how data infrastructure and statistical protocols should be modified to best fulfill the objectives identified in paragraph (1); and

(3) make recommendations on how best to incorporate outcomes measurement, institutionalize randomized controlled trials, and rigorous impact analysis into program design.

(b) CLEARINGHOUSE.—In undertaking the study required by subsection (a), the Commission shall consider whether a clearinghouse for program and survey data should be established and how to create such a clearinghouse. The Commission shall evaluate—

(1) what administrative data and survey data are relevant for program evaluation and Federal policy-making and should be included in a potential clearinghouse;

(2) which survey data the administrative data identified in paragraph (1) may be linked to, in addition to linkages across administrative data series;

(3) what are the legal and administrative barriers to including or linking these data series;

(4) what data-sharing infrastructure should be used to facilitate data merging and access for research purposes;

(5) how a clearinghouse could be self-funded;

(6) which types of researchers, officials, and institutions should have access to data and what their qualifications should be;

(7) what limitations should be placed on the use of data provided;

(8) how to protect information and ensure individual privacy and confidentiality;

(9) how data and results of research can be used to inform program administrators and policymakers to improve program design; and

(10) what incentives may facilitate interagency sharing of information to improve programmatic effectiveness and enhance data accuracy and comprehensiveness.

(c) REPORT.—Upon the affirmative vote of at least three-quarters of the members of the Commission, the Commission shall submit to the President and Congress a detailed statement of its findings and conclusions as a result of the activities required by subsections (a) and (b), together with its recommendations for such legislation or administrative actions as the Commission considers appropriate in light of the results of the study.

(d) DEADLINE.—The report under subsection (c) shall be submitted not later than the date that is 15 months after the date a majority of the members of the Commission are appointed pursuant to section 3.

(e) DEFINITION.—In this section, the term ''administrative data'' means data—

(1) held by an agency or a contractor or grantee of an agency (including a State or unit of local government); and

(2) collected for other than statistical purposes.

SEC. 5. OPERATION AND POWERS OF THE COMMISSION.

(a) EXECUTIVE BRANCH ASSISTANCE.—The heads of the following agencies shall advise and consult with the Commission on matters within their respective areas of responsibility:

(1) The Bureau of the Census.

(2) The Internal Revenue Service.

(3) The Department of Health and Human Services.

(4) The Department of Agriculture.

(5) The Department of Housing and Urban Development.

(6) The Social Security Administration.

(7) The Department of Education.

(8) The Department of Justice.

(9) The Office of Management and Budget.

(10) The Bureau of Economic Analysis.

(11) The Bureau of Labor Statistics.

(12) Any other agency, as determined by the Commission.

(b) MEETINGS.—The Commission shall meet not later than 30 days after the date upon which a majority of its members have been appointed and at such times thereafter as the chairperson or co-chairperson shall determine.

(c) RULES OF PROCEDURE.—The chairperson and co-chairperson shall, with the approval of a majority of the members of the Commission, establish written rules of procedure for the Commission, which shall include a quorum requirement to conduct the business of the Commission.

(d) HEARINGS.—The Commission may, for the purpose of carrying out this Act, hold hearings, sit and act at times and places, take testimony, and receive evidence as the Commission considers appropriate.

(e) CONTRACTS.—The Commission may contract with and compensate government and private agencies or persons for any purpose necessary to enable it to carry out this Act.

(f) MAILS.—The Commission may use the United States mails in the same manner and under the same conditions as other agencies of the Federal Government.

(g) GIFTS.—The Commission may accept, use, and dispose of gifts or donations of services or property.

SEC. 6. FUNDING.

(a) IN GENERAL.—Subject to subsection (b) and the availability of appropriations—

(1) at the request of the Director of the Census, the agencies identified as ''Principal Statistical Agencies'' in the report, published by the Office of Management and Budget, entitled ''Statistical Programs of the United States Government, Fiscal Year 2015'' shall transfer funds, as specified in advance in appropriations Acts and in a total amount not to exceed $3,000,000, to the Bureau of the Census for purposes of carrying out the activities of the Commission as provided in this Act; and

(2) the Bureau of the Census shall provide administrative support to the Commission, which may include providing physical space at, and access to, the headquarters of the Bureau of the Census, located in Suitland, Maryland.

(b) PROHIBITION ON NEW FUNDING.—No additional funds are authorized to be appropriated to carry out this Act. This Act shall be carried out using amounts otherwise available for the Bureau of the Census or the agencies described in subsection (a)(1).

SEC. 7. PERSONNEL.

(a) DIRECTOR.—The Commission shall have a Director who shall be appointed by the chairperson with the concurrence of the co-chairperson. The Director shall be paid at a rate of pay established by the chairperson and co-chairperson, not to exceed the annual rate of basic pay payable for level V of the Executive Schedule (section 5316 of title 5, United States Code).

(b) STAFF.—The Director may appoint and fix the pay of additional staff as the Director considers appropriate.

(c) EXPERTS AND CONSULTANTS.—The Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals which do not to exceed the daily equivalent of the annual rate of basic pay for a comparable position paid under the General Schedule.

SEC. 8. TERMINATION.

The Commission shall terminate not later than 18 months after the date of enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. CHAFFETZ) and the gentlewoman from Michigan (Mrs. LAWRENCE) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. CHAFFETZ. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. CHAFFETZ. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 1831, as amended, introduced by the gentleman from Wisconsin (Mr. RYAN), my friend, the chairman of the Ways and Means Committee.

H.R. 1831 establishes a commission to study data across the Federal Government in order to approve policymaking. Under the bill, the President and the congressional leaders will appoint 15 leading researchers, program administrators, and data and privacy experts who will have 18 months to complete their work.

The commission will determine the best way to make the data accessible they need to make informed policy decisions. It will consider whether or not a clearinghouse would be a more prudent method of coordinating and protecting data.

The commission will also make recommendations on how to incorporate outcome data when designing Federal programs. It will help ensure the taxpayer can track the value of the program from the very first dollar that is spent. Chairman PAUL RYAN has tackled many important issues in this bill, ensuring access to existing Federal data to improve public policy decisionmaking.

The Government Accountability Office repeatedly calls for more and better data for both GAO and agencies to effectively analyze Federal programs. Policymakers need access to data for decisionmaking so the Federal Government can be an effective steward of the taxpayers' money and resources.

The Federal Government administers more than 1,500 different programs, and the Congressional Budget Office estimates the annual Federal spending will exceed $4 trillion in just 2 years' time.

We know that some programs are duplicative or wasteful, but what about all the others? Are they working? Do they make taxpayers' lives better? For the most part, we simply do not know and have the analytics to back it up.

According to two former Office of Management and Budget Directors—OMB Directors—Mr. Jim Nussle and Mr. Peter Orszag, less than 1 percent of Federal spending is based on such evidence.

The first step in ensuring evidence-based policy is to understand what data the Federal Government already has. From there, we can make an informed plan on how to protect the data while ensuring greater access for decisionmakers and a more informed public.

I want to thank Chairman PAUL RYAN for his work to give policymakers and the taxpayer access to the data needed to improve program results.

Senator PATTY MURRAY has introduced the companion bill in the United States Senate, and President Obama has called for an emphasis on evidence-based policies in his budget as well.

I want to thank, again, Chairman RYAN for his leadership and work on the bill, and I urge my colleagues to support H.R. 1831.

Mr. Speaker, I reserve the balance of my time.

Mrs. LAWRENCE. Mr. Speaker, I yield myself such time as I may consume.

The Evidence-Based Policymaking Commission Act was introduced in the House by Representative PAUL RYAN and in the Senate by Senator PATTY MURRAY on April 16, 2015. The Committee on Oversight and Government Reform ordered the bill reported by voice vote on May 19, 2015.

The bill, as amended, will create a 15-member commission to study ways to improve the use of administrative data on Federal programs and tax expenditures. The commission would also consider whether to establish a clearinghouse for information collected by Federal agencies.

Federal agencies collect a large amount of data on existing programs, and they are also the beneficiaries of those programs. Too often, however, Federal agencies do not share data with other agencies or with private researchers in a way that can help determine what is working and what is not.

The administration called for greater use of evidence to improve Federal programs, especially in the areas of education, health, and international development programs. The authors of this bill have worked with the administration in drafting this legislation.

In examining ways to better use administrative data, it is critical to ensure that the privacy of individuals continues to be protected. That is why the members of this commission would be required to have expertise not only in economics and statistics, but also in data security and confidentiality.

This bill is supported by a wide range of private sector organizations, from The Heritage Foundation to the Urban Institute.

I believe an evidence-based policymaking commission would help us improve the way the Federal Government works. I urge my colleagues to support this bill, and I reserve the balance of my time.

Mr. CHAFFETZ. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I wanted to highlight the President's budget, on page 65, where it says: ''The Budget also embraces Representative PAUL RYAN and Senator PATTY MURRAY's proposal to create a commission that would make recommendations about how to fully realize the potential of administrative data to improve Federal programs. The proposal exemplifies the high-level and bipartisan momentum for doing more to tap this important resource.''

It is important that we come together. In this case, I want to thank members on both sides of the aisle, there in the Oversight and Government Reform Committee.

I am somewhat resistant to creating another commission or board; it seems like we have an awful lot of these, but here, we see some good thinking in a bipartisan way with some support from not only the House of Representatives and the United States Senate, but also the President of the United States.

I see fit to pass this out of our committee. It sailed through, and I believe that it is a good bill and would urge our Members to vote ''aye'' in favor of this piece of legislation.

Mr. Speaker, I reserve the balance of my time.

Mrs. LAWRENCE. Mr. Speaker, I yield myself such time as I may consume.

I want to state that being a Member of Congress, a freshman, that it is refreshing to be able to stand here today on a bipartisan bill and be supportive.

I do want the RECORD to reflect that the bill would require the President and four congressional leaders to each appoint three commission members. One of the President's appointees will be the Director of the Office of Management and Budget or a designee.

Some members would have to have experience as academic researchers, data experts, or program administrators. Other members would be required to have experience with database management confidentiality and privacy matters. Individuals with expertise in economics, statistics, program, and evaluation will also be considered.

It is important that we understand that there are currently so many of our

agencies that are collecting data and that now we have understood and in the spirit of being efficient and being progressive in our government, that this commission will satisfy that.

I am very much in support of this and urge my colleagues, and I yield back the balance of my time.

Mr. CHAFFETZ. Mr. Speaker, I yield myself such time as I may consume.

Again, I appreciate the gentlewoman's comments and agree that this is a place where we can come together and work together.

This 15-member commission would be directed to determine the best structure for information that is collected and maintained by Federal agencies.

One of the things that we will all have to be cognizant about is not only making this information available to congressional researchers and people at the GAO or OMB, but also making sure that the public has access to this information for they are, ultimately, the ones that have paid for it, and they should be able to consume it.

In this data-driven age, we should be able to find new methods, whether it is some new app or some other new way to collectively bring this information and have that information that is then passed on and accessible by the public.

I also look forward to Congress receiving the recommendations and would highlight one of the things that I think is good about the structure of this bill is that it expires 18 months after its enactment, so there is a built-in exit here. This does not continue on in perpetuity. It is something that has an expiration date, which we should probably look at on a more frequent basis.

Again, I would urge my colleagues to vote in favor of H.R. 1831.

Mr. Speaker, I yield back the balance of my time.

Mr. RYAN of Wisconsin. Mr. Speaker, I just want to say a few words about what we're trying to do here.

We're trying to change the mindset in Washington.

Right now, when we're making policy, we focus on inputs . . . on effort—like how much money we're spending, how many people we're serving, how many programs we're creating.

What we need to do is focus on outcomes . . . on results—like how many people we're getting out of poverty.

Creating this commission is the first step in a long-term effort.

We're going to bring together the best minds on data collection and figure out how we can up our game.

Let's use the data we're already collecting to improve how government works.

How can we use data to evaluate policy?

How can we protect people's privacy?

How can we get the best results for the American people?

If we do this right, we'll stop having debates over what's Republican and what's Democrat . . . or what's liberal and conservative . . .

And we'll start having debates over what works and what doesn't work.

Those are the kinds of debates we need to have. So I urge all my colleagues to support his bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. CHAFFETZ) that the House suspend the rules and pass the bill, H.R. 1831, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

□ 1530

HIRE MORE HEROES ACT OF 2015

Mr. RYAN of Wisconsin. Mr. Speaker, I move to suspend the rules and pass the joint resolution (H.J. Res. 61) amending the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

The Clerk read the title of the joint resolution.

The text of the joint resolution is as follows:

H.J. RES. 61

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This joint resolution may be cited as the ''Hire More Heroes Act of 2015''.

SEC. 2. EMPLOYEES WITH HEALTH COVERAGE UNDER TRICARE OR THE VETERANS ADMINISTRATION NOT TAKEN INTO ACCOUNT IN DETERMINING EMPLOYERS TO WHICH THE EMPLOYER MANDATE APPLIES UNDER PATIENT PROTECTION AND AFFORDABLE CARE ACT.

(a) IN GENERAL.—Section 4980H(c)(2) of the Internal Revenue Code of 1986 is amended by adding at the end the following:

''(F) EXEMPTION FOR HEALTH COVERAGE UNDER TRICARE OR THE VETERANS ADMINISTRATION.—Solely for purposes of determining whether an employer is an applicable large employer under this paragraph for any month, an individual shall not be taken into account as an employee for such month if such individual has medical coverage for such month under—

''(i) chapter 55 of title 10, United States Code, including coverage under the TRICARE program, or

''(ii) under a health care program under chapter 17 or 18 of title 38, United States Code, as determined by the Secretary of Veterans Affairs, in coordination with the Secretary of Health and Human Services and the Secretary.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to months beginning after December 31, 2013.

SEC. 3. BUDGETARY EFFECTS; STATUTORY PAY-AS-YOU-GO (PAYGO) SCORECARDS.

The budgetary effects of this joint resolution shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 933(d)).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. RYAN) and the gentleman from Michigan (Mr. LEVIN) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin.

GENERAL LEAVE

Mr. RYAN of Wisconsin. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.J. Res. 61 currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois (Mr. RODNEY DAVIS), the author of this legislation, for the purposes of explaining what it does.

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I am proud to rise in support of my bill, the Hire More Heroes Act.

This commonsense legislation will help small businesses hire more of our veterans by exempting veterans who are already receiving health care through the DOD or the VA from being counted towards the 50-employee limit for the employer mandate under the Affordable Care Act.

On opening day, the House passed H.R. 22, the Hire More Heroes Act, by an overwhelming bipartisan vote of 412–0.

I especially want to thank my colleague from Hawaii, TULSI GABBARD, for working together on this issue. And I also want to take this time, Mr. Speaker, to thank Chairman PAUL RYAN and his entire Ways and Means Committee for ensuring that this very important issue is addressed in this Congress.

In order to maximize the chances for this important legislation to be implemented into law this session, we are again considering the Hire More Heroes Act, which I reintroduced last week as H.J. Res. 61.

H.J. Res. 61 is an example of how Washington is supposed to work. I say this because this idea didn't come from Washington. It came from a member of my Veterans Advisory Board in Madison County, Illinois.

After explaining ObamaCare to veterans throughout southwestern Illinois and how it impacts their VA benefits, this advisory board member, Brad Lavite, began wondering why they were subject to the employer mandate if they were not even in need of health insurance coverage.

His concern was raised with me at one of my Veterans Advisory Board meetings, and shortly thereafter we began work on this Hire More Heroes Act.

This bill will help small businesses, those with less than 50 employees, hire more of our Nation's veterans by making a commonsense change to ObamaCare.

We continue to see this law's lingering impact on our economy, as many small businesses delay hiring, cut hours and, in some cases, reduce payroll.

In fact, the National Small Business Association found that 91 percent of small businesses have seen increases in their healthcare costs, and two-thirds of their members listed the Affordable Care Act as a reason for holding off on investing in people.

Mr. Speaker, when a small business invests in people, that is how America creates jobs.

In my home State of Illinois, it is estimated this year that Affordable Care Act premium increases will rise as much as 30 percent.

By making this commonsense change to the law, we will not only help provide small businesses much-needed relief, but also—the main goal—help veterans, our heroes, find more work.

Despite receiving some of the best training in the world, post-9/11 veterans are consistently faced with higher unemployment rates than that of other veterans.

So as more and more of our veterans return home, the Hire More Heroes Act will give these veterans a boost in this very competitive job market.

Again, Mr. Speaker, this bill passed earlier this year 412–0. I am asking all of my colleagues to support this commonsense, bipartisan policy that will help American businesses hire more of our heroes.

Mr. Speaker, I again want to thank Chairman RYAN.

Mr. LEVIN. Mr. Speaker, I yield myself such time as I may consume.

I rise in active support of this bill. It encourages veteran employment as well as the growth of mid-sized businesses.

The unemployment rate for veterans of recent times has gone down, but it still remains too high. That is especially true for those women who have served in our armed services.

As I talk to veterans at home, the challenge they face continues in terms of employment. In Macomb County, for example, there is a particularly active part of the Vietnam veterans.

That post works day and night to try to get employment for their membership, but there remains a major challenge. This bill will help.

This bill continues to be part of our national commitment to help the veterans who have served this Nation and who deserve the chance as they return to find full-time employment.

So let's all of us, as we did before, vote unanimously for this bill.

I reserve the balance of my time.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield myself such time as I may consume.

I, too, want to echo the sentiment here, which is this is just a no-brainer. What I particularly like about this bill is this is just the gentleman from Illinois (Mr. RODNEY DAVIS) doing his job as a Member of Congress, getting a very constructive idea from a constituent veteran who pointed out a flaw in the law so he went and spoke to his Member of Congress.

His Member of Congress looked at the law, saw that it needed to be changed, and here we are making this change.

This is democracy. This is how this Republic is supposed to work. So I am very pleased to see that we are here doing this on a bipartisan basis.

I was, unfortunately, unavoidably detained for the last bill. I wanted to make just a couple of points on the last suspension that just passed that the gentleman from Utah (Mr. CHAFFETZ) brought to the floor, H.R. 1831, Evidence-Based Policymaking Commission Act of 2015.

Right now we spend so much of our time here in Congress and in the Federal Government focusing on measuring success of our policies based on measuring inputs, not outcomes, how many programs are we creating, how much money are we spending, not are these programs working or not.

So we have bipartisan legislation that just passed to create a commission to take a look at the data that we already collect and see if we can give access to academics and use this data more effectively so we can better measure outcomes of our policies.

We want to make sure that we can use our data to evaluate better policy. We want to make sure that we do it in a way that ensures people's privacy.

But we want to move the kind of debate we have been having here from liberal versus conservative or Republican versus Democrat to what works and what doesn't work.

Nowhere is this more crucial than in our efforts to fight poverty, to try to make a difference, to move people from being dependent, from being stuck in poverty, from being frozen in their current station of life, to reigniting the notion of upward mobility and more successfully targeting and going at the root cause of poverty so that we can actually have programs that are measured based on success and outcomes, which is, are we actually getting people out of poverty.

The purpose of the bill that just passed is to reorient our entire way of looking at things so that we can focus on these outcomes. So I just wanted to lend my statement on that.

I want to congratulate the gentleman from Illinois (Mr. RODNEY DAVIS) for bringing this issue with our veterans to our attention. I urge adoption.

Mr. Speaker, I yield 1 minute to the gentlewoman from Kansas (Ms. JENKINS), a member of the Ways and Means Committee.

Ms. JENKINS of Kansas. I thank the chairman. And I thank the gentleman from Illinois (Mr. RODNEY DAVIS) for his leadership on this issue.

Mr. Speaker, I am pleased to come to the floor today again as a supporter of the Hire More Heroes Act. This bill is as commonsense as they come. It exempts our heroes, those veterans and Active-Duty military from counting towards the President's employer mandate penalty tax.

These veterans and Active-Duty military already receive health insurance through the VA and TRICARE. So requiring these employers to provide them with health insurance is redundant and could also have the unintended effect of discouraging employers from hiring these folks.

This part of the President's healthcare law is clearly not drafted in a thoughtful manner.

I urge my colleagues again today to vote in favor of this bill that would eliminate the unnecessary confusion and encourage businesses to hire more heroes.

Finally, I urge the Senate to pass this legislation so that it can finally get to the President's desk.

Mr. LEVIN. Mr. Speaker, I yield back the balance of my time.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield such time as he may consume to the gentleman from Illinois (Mr. RODNEY DAVIS) for the purpose of closing.

Mr. RODNEY DAVIS of Illinois. I again thank the chairman.

Thank you to Ranking Member LEVIN and all of my colleagues on both sides of the aisle for looking at this very important issue, this correction that needed to be made so that our veterans get the opportunities they deserve.

I would like to thank my colleague from Kansas (Ms. JENKINS) for coming to the floor today to talk about how important this issue is.

I urge all of my colleagues to listen to everybody on the floor today and the bipartisan consensus to, once again, pass this commonsense piece of legislation.

I also want to thank the veterans that I have the honor to serve in Illinois. This idea came from one of them, a constituent who saw the flaw.

Now we have the chance to, once again, correct it. I hope this bill can get to the President's desk.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. RYAN) that the House suspend the rules and pass the joint resolution, H.J. Res. 61.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the joint resolution was passed.

A motion to reconsider was laid on the table.

□ 1545

NEED-BASED EDUCATIONAL AID ACT OF 2015

Mr. GOODLATTE. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1482) to improve and reauthorize provisions relating to the application of the antitrust laws to the award of need-based educational aid.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 1482

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Need-Based Educational Aid Act of 2015''.

SEC. 2. EXTENSION RELATING TO THE APPLICATION OF THE ANTRITRUST LAWS TO THE AWARD OF NEED-BASED EDUCATIONAL AID.

Section 568 of the Improving America's Schools Act of 1994 (15 U.S.C. 1 note) is amended—

(1) in subsection (a)—

(A) in paragraph (2), by inserting ''or'' after the semicolon;

(B) in paragraph (3), by striking ''; or'' and inserting a period at the end; and

(C) by striking paragraph (4); and

(2) in subsection (d), by striking ''2015'' and inserting ''2022''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. GOODLATTE) and the gentleman from Georgia (Mr. JOHNSON) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous materials on the bill currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. GOODLATTE. Mr. Speaker, I yield myself such time as I may consume.

S. 1482, the Need-Based Educational Aid Act of 2015, continues an antitrust exemption that is set to expire on September 30, 2015. The exemption allows participating colleges and universities to collaborate on a set of criteria to determine applicants' needs for private financial aid.

To be clear, this exemption does not apply to Federal financial aid, only to aid directly provided by the participating colleges and universities.

The Antitrust Modernization Commission generally cautioned against antitrust exemptions and recommended that Congress closely examine any proposed antitrust immunities.

The antitrust exemption continued by S. 1482 has been in place since 1992. Over the past 23 years, Congress has extended the antitrust exemption on four separate occasions, each time with broad, bipartisan support.

Additionally, the Government Accountability Office conducted a study to determine whether the exemption adversely impacted the affordability of college and concluded that it did not.

While S. 1482 continues the existing antitrust exemption, it also narrows it in recognition of the fact that one of the practices allowed by that exemption has not been utilized by participating colleges and universities. Accordingly, the legislation limits the scope of antitrust exemption to those activities that colleges and universities truly need and use.

Given the lengthy legislative record, the narrowed scope of the exemption, the GAO study on the effects of the bill, and the 7-year sunset included in the bill, I believe that S. 1482 proposes a safe extension of a reasonable and worthwhile antitrust exemption.

I thank the former chairman of the Judiciary Committee, Congressman SMITH, for introducing the House version of this legislation, H.R. 2604, which the Judiciary Committee ordered favorably reported without amendment.

I urge my colleagues to support this bill, and I reserve the balance of my time.

Mr. JOHNSON of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, S. 1482, the Need-Based Educational Aid Act of 2015, would extend an exemption to the Federal antitrust laws that permits some of our Nation's most prestigious colleges and universities to agree to admit students on a need-blind basis and award financial aid to students with the most demonstrated need.

I am pleased to serve as the lead Democratic cosponsor of the House companion to this bipartisan legislation. S. 1482 allows colleges and universities that admit students on a need-blind basis to collaborate on the formula they use to determine how much families can pay for college.

This exemption was first enacted in 1992, and since then, Congress has reauthorized it four times without opposition, most recently in 2008.

In addition to allowing collaboration on a common formula for calculating an applicant's ability to pay for college, the exemption also allows academic institutions to agree to award aid only on the basis of financial need.

In other words, this exemption ensures that the most qualified students may attend some of our Nation's most prestigious schools, regardless of family income. This is especially important for low-income students, who should not be forced to choose between academic institutions on the basis of financial need or financial aid alone.

While I think we could do more to empower students through better funding of higher education, this legislation is critical to preserving a level playing field for students at these institutions through a need-blind admissions process.

The 568 Presidents' Group, a coalition of 23 prestigious colleges and universities that support need-based financial aid, strongly supports this bill.

In a letter sent to the Judiciary Committee earlier this year, the 568 Presidents' Group stated that the exemption allows institutions to maximize the allocation of financial aid to ''ensure that those funds are targeted to benefit the students with the greatest financial need and to reduce or, in some cases, eliminate debt loads on graduation.''

Similarly, the presidents of Duke and Cornell have written in support of this legislation, stating that the exemption ''makes a real difference for our students'' and is essential to developing the ''best practices to calculate institutional aid awards.''

We should move quickly to adopt this legislation and ensure that this important exemption does not expire.

In closing, I thank my colleague Congressman LAMAR SMITH, the former chairman of the Judiciary Committee, for his steadfast leadership on this bill since the 105th Congress and during this Congress.

I also thank my Senate colleagues, Senate Judiciary Chairman LEAHY and Ranking Member GRASSLEY, for their leadership on the bill.

I encourage my colleagues to support S. 1482, and I reserve the balance of my time.

Mr. GOODLATTE. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. SMITH), the chairman of the Science Committee, the former chairman of the Judiciary Committee, and the chief sponsor of the House version of this legislation.

Mr. SMITH of Texas. Mr. Speaker, let me thank my friend from Virginia, the chairman of the Judiciary Committee, BOB GOODLATTE, for yielding me time and also for bringing this bill to the House floor.

I support S. 1482, the Need-Based Educational Aid Act. As the author of the identical House bill, I am pleased that we are considering it today.

The Need-Based Educational Aid Act extends the current antitrust exemptions set to expire on September 30 for another 7 years. It allows a limited number of private universities that admit students on need-blind basis to award financial aid from the schools' own funds, based entirely on students' demonstrated financial need.

This bill authorizes these institutions of higher education to use common principles to assess students' financial need, and it allows the schools to use a common financial aid application form.

It also permits multiple schools that have accepted the same student to

award the same assistance. This ensures that the student selects the college that is the best fit, rather than the school that offered the most financial aid.

This issue has long been of interest to me personally, having worked on three previous extensions. Common treatment of this narrow category of educational aid makes sense. A Government Accountability Office study previously found that there has been no abuse of the antitrust exemption and that tuition has not gone up as a result.

The Need-Based Educational Aid Act helps ensure that financial aid is available to students solely on the basis of demonstrated need. Students who otherwise qualify should not be denied the opportunity to access higher education due to limited financial means. S. 1482 protects this need-based aid and need-blind admissions.

Mr. Speaker, I would like to thank the gentleman from Georgia, HANK JOHNSON, a member of the Judiciary Committee, for being the original co-author of the identical House bill and for his leadership on this particular issue.

I urge my colleagues to support the Need-Based Educational Aid Act.

Again, I thank the chairman of the Judiciary Committee for bringing it to the House floor.

Mr. JOHNSON of Georgia. Mr. Speaker, I yield myself such time as I may consume.

I would, at this time, like to thank my chairman, BOB GOODLATTE, of the Judiciary Committee, for his expeditious bringing of this legislation to the committee and now to the floor.

Mr. Speaker, I yield back the balance of my time.

Mr. GOODLATTE. Mr. Speaker, I yield myself such time as I may consume.

I want to thank the gentleman from Georgia; the gentleman from Texas (Mr. SMITH); the ranking member, Mr. CONYERS; and others for this very bipartisan legislation.

I urge my colleagues to support it, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. GOODLATTE) that the House suspend the rules and pass the bill, S. 1482.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. GOODLATTE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

SECRET SERVICE IMPROVEMENTS ACT OF 2015

Mr. GOODLATTE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1656) to provide for additional resources for the Secret Service, and to improve protections for restricted areas, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1656

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Secret Service Improvements Act of 2015''.

SEC. 2. PRESIDENTIAL APPOINTMENT OF DIRECTOR OF THE SECRET SERVICE.

Section 3056 of title 18, United States Code, is amended by adding at the end:

''(h) The Director of the Secret Service shall be appointed by the President, by and with the advice and consent of the Senate. The Director of the Secret Service is the head of the Secret Service.''.

SEC. 3. RESTRICTED BUILDING OR GROUNDS.

Section 1752(a) of title 18, United States Code, is amended—

(1) in paragraph (3), by striking ''or'' at the end;

(2) in paragraph (4), by inserting ''or'' at the end; and

(3) by inserting after paragraph (4) the following:

''(5) knowingly, and with the intent to enter a restricted building or grounds, causes any object to enter any restricted building or grounds, when, or so that, such object, in fact, impedes or disrupts the orderly conduct of government business or official functions;''.

SEC. 4. THREATS AGAINST FORMER VICE PRESIDENTS.

Section 879(a)(4) of title 18, United States Code, is amended by striking ''section 3056(a)(6)'' and inserting ''paragraph (6) or (8) of section 3056(a)''.

SEC. 5. INCREASED TRAINING.

Beginning in the first full fiscal year after the date of enactment of this Act, the Director of the Secret Service shall increase the annual number of hours spent training by officers and agents of the Secret Service, including officers of the United States Secret Service Uniformed Division established under section 3056A of title 18, United States Code and agents operating pursuant to section 3056 of title 18, United States Code, including joint training between the two.

SEC. 6. TRAINING FACILITIES.

The Director of the Secret Service is authorized to construct facilities at the Rowley Training Center necessary to improve the training of officers of the United States Secret Service Uniformed Division established under section 3056A of title 18, United States Code and agents of the United States Secret Service, operating pursuant to section 3056 of title 18, United States Code.

SEC. 7. HIRING OF ADDITIONAL OFFICERS AND AGENTS.

The Director of the Secret Service is authorized to hire not fewer than—

(1) 200 additional officers for the United States Secret Service Uniformed Division established under section 3056A of title 18, United States Code; and

(2) 85 additional agents for the United States Secret Service Presidential Protective Detail, operating pursuant to section 3056 of title 18, United States Code.

SEC. 8. EVALUATION OF VULNERABILITIES AND THREATS.

(a) IN GENERAL.—The Director of the Secret Service shall devise and adopt improved procedures for evaluating vulnerabilities in the security of the White House and threats to persons protected by the Secret Service, including threats posed by unmanned aerial systems or explosive devices.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Director of the Secret Service shall report on the implementation of subsection (a) to—

(1) the Committee on the Judiciary of the House of Representatives;

(2) the Committee on the Judiciary of the Senate;

(3) the Committee on Homeland Security of the House of Representatives;

(4) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(5) the Committee on Oversight and Government Reform of the House of Representatives.

SEC. 9. EVALUATION OF USE OF TECHNOLOGY.

(a) IN GENERAL.—The Director of the Secret Service, in consultation with the Under Secretary for Science and Technology of the Department of Homeland Security, and other experts, shall devise and adopt improved procedures for—

(1) evaluating the ways in which technology may be used to improve the security of the White House and the response to threats to persons protected by the Secret Service; and

(2) retaining evidence pertaining to the duties referred to in paragraph (1) for an extended period of time.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Director of the Secret Service shall report on the implementation of subsection (a) to—

(1) the Committee on the Judiciary of the House of Representatives;

(2) the Committee on the Judiciary of the Senate;

(3) the Committee on Homeland Security of the House of Representatives;

(4) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(5) the Committee on Oversight and Government Reform of the House of Representatives.

SEC. 10. EVALUATION OF USE OF ADDITIONAL WEAPONRY.

The Director of the Secret Service shall evaluate the practicability of equipping agents and officers with weapons other than those provided to officers and agents of the Secret Service as of the date of enactment of this Act, including nonlethal weapons.

SEC. 11. SECURITY COSTS FOR SECONDARY RESIDENCES.

(a) IN GENERAL.—The Presidential Protection Assistance Act of 1976 (18 U.S.C. 3056 note) is amended by striking section 4 and inserting the following:

''SEC. 4. NOTIFICATION REGARDING EXPENDITURES ON NON-GOVERNMENTAL PROPERTIES.

''The Secret Service shall notify the Committees on Appropriations of the House and Senate of any expenditures for permanent facilities, equipment, and services to secure any non-Governmental property in addition to the one non-Governmental property designated by each protectee under subsection (a) or (b) of section 3.''.

(b) CONFORMING AMENDMENTS.—The Presidential Protection Assistance Act of 1976 (18 U.S.C. 3056 note), as amended by this Act, is further amended—

(1) in section 3(b), by striking ''any expenditures by the Secret Service'' and all that

follows through ''imposed under section 4'' and inserting ''any expenditures by the Secret Service for permanent facilities, equipment, and services to secure the non-Governmental property previously designated under subsection (a) are subject to the requirements set forth in section 4''; and

(2) in section 5(c), by striking ''within the limitations imposed under section 4''.

SEC. 12. ESTABLISHMENT OF ETHICS PROGRAM OFFICE.

Subject to the oversight of the Office of Chief Counsel of the United States Secret Service, the Director of the Secret Service shall establish an Ethics Program Office, consisting of a minimum of 2 employees, to administer the provisions of the Ethics in Government Act of 1978, as amended, and to provide increased training to employees of the United States Secret Service.

SEC. 13. SENSE OF CONGRESS.

It is the sense of Congress that an assessment made by the Secretary of Homeland Security or the Director of the Secret Service with regard to physical security of the White House and attendant grounds, and any security-related enhancements thereto should be accorded substantial deference by the National Capital Planning Commission, the Commission of Fine Arts, and any other relevant entities.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. GOODLATTE) and the gentleman from Georgia (Mr. JOHNSON) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous materials on the bill currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. GOODLATTE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the Secret Service has two primary missions: criminal investigations and protection of the President, Vice President, and other dignitaries. As a result, the Secret Service is entrusted with protecting some of our most valuable assets. This is an extremely difficult, high-profile mission, in an environment with zero margin for error.

The Secret Service is comprised of many outstanding and upstanding men and women who do excellent work; however, over the last few years, a series of embarrassing scandals, security failures, and instances of poor judgment have rocked the Secret Service. These incidents range from agents' use of prostitutes while on official travel to Colombia; to an incident in the Netherlands involving intoxicated agents; to the agency's failure to initially apprehend fence jumper Omar Gonzalez, who was later arrested inside the White House.

Following these incidents, the President appointed a new director of the Secret Service, Joseph Clancy, who has implemented a number of reforms. The President also appointed a panel of experts to recommend changes to the Secret Service. Through this committee's oversight and the recommendations of the panel, it is clear that, despite Director Clancy's initiatives, legislative action is still necessary.

We must ensure that the agency's officers and agents are properly trained in order to successfully identify potential threats and prevent them from materializing, as well as to ensure that the agency has the tools it needs to carry out its mission.

H.R. 1656, the Secret Service Improvements Act of 2015, is bipartisan legislation introduced to provide much-needed resources to the agency and implement many of the U.S. Secret Service Protective Mission Panel's recommendations for improvements for the agency. I am pleased to have worked on this legislation with Judiciary Committee Ranking Member CONYERS, Crime Subcommittee Chairman SENSENBRENNER, and Ranking Member JACKSON LEE.

This bill makes much-needed improvements to the Secret Service. These improvements strengthen the security of the President, other protectees, and the White House complex; enhance Secret Service officers' and agents' training; and increase the agency's manpower.

This legislation also improves transparency and accountability within the agency by requiring Senate confirmation of the Director of the Secret Service. The person entrusted to not only protect the President, but to also head a $1.5 billion Federal law enforcement agency, should be subject to the same process of advice and consent of the Senate as his counterparts at other comparable agencies.

Finally, this legislation creates an ethics office within the office of the general counsel in order to respond to rectify and help prevent misconduct at the agency.

The resources and improvements provided by this legislation will help to reform the Secret Service and to restore the trust that Congress, the President, and the American people must have in the vital tasks that the Secret Service carries out every single day.

This bill passed unanimously from the Judiciary Committee, and I urge my House colleagues to join me in support of the legislation.

I reserve the balance of my time.

□ 1600

Mr. JOHNSON of Georgia. Mr. Speaker, I yield myself such time as I may consume.

H.R. 1656, the Secret Service Improvements Act, will assist the Secret Service with its critical mission of protecting the President and Vice President and other dignitaries as well as with its investigative role in protecting our Nation's financial infrastructure against criminal threats.

This important bill was introduced by the bipartisan leadership of the Judiciary Committee: Chairman BOB GOODLATTE, Ranking Member JOHN CONYERS, Crime Subcommittee Chairman JIM SENSENBRENNER, and Crime Subcommittee Ranking Member SHEILA JACKSON LEE.

H.R. 1656 was developed to address shortcomings related to the Secret Service that have come to light in recent years.

Unfortunately, the image of this once revered agency has been tarnished both because of the misbehavior of agents and of the performance issues that have resulted in security lapses. Last fall, the Judiciary Committee held an important oversight hearing to review the operation of this vitally important agency.

Then-Acting Director Joseph Clancy, who has since taken on the job on a more permanent basis, came before the committee to discuss the mission of the agency and issues relating to recent lapses in security that could have jeopardized the individuals the agency is sworn to protect. In particular, the committee engaged in a frank discussion about the unacceptable incident last September in which a man was able to jump over the White House's fence, run past Secret Service officers, and enter the White House.

We learned that, while there were performance errors made by some of the officers that day, the protective mission of the Secret Service has been jeopardized largely because the agency has been allowed to fall into a state of disrepair. Personnel levels are unacceptably low; the long hours on duty leave little time for training; equipment and technological systems are not upgraded or integrated sufficiently; and the culture of the agency has suffered from poor leadership.

These conclusions were confirmed and expanded upon by the review panel established by Department of Homeland Security Secretary Jeh Johnson in the wake of the White House's intrusion last year. H.R. 1656 was introduced to address several categories of these challenges to the mission of the Secret Service: leadership, resources, training, authorities, and personal conduct:

With respect to leadership, the bill requires the position of Director of the Secret Service to be confirmed by the Senate after the Presidential nomination;

With respect to resources, the bill authorizes the hiring of additional personnel and requires a review of the agency's use of technology, an area of concern based on past security lapses;

With respect to training, the bill requires more training for agents and Uniformed Division officers, and it also authorizes the construction of better training facilities;

With respect to authorities, the bill allows the agency to investigate threats against former Vice Presidents in the same way it investigates threats against former Presidents;

With respect to personal conduct, the bill establishes an Ethics Program Office that will emphasize the need for agency personnel to conduct themselves according to established ethical standards.

The goal of this bill is to prevent future security lapses similar to what the agency has experienced in recent years and to protect against even more sophisticated threats that could result in far more harm.

This is a strong, bipartisan bill that, I hope, will soon become law. Therefore, I urge my colleagues to vote in favor of it today.

I reserve the balance of my time.

Mr. GOODLATTE. Mr. Speaker, I reserve the balance of my time.

Mr. JOHNSON of Georgia. Mr. Speaker, I yield 3 minutes to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Speaker, I certainly appreciate my good friend from Georgia for yielding to me to speak on this Secret Service reform bill and on the work of the chairman of the committee, Mr. GOODLATTE from Virginia, on this bill.

Our Oversight and Government Reform Committee held several hearings on Secret Service reform, and much of the content, I am pleased to say, is reflected in H.R. 1656. There, of course, have been an increasing number of fence jumpers in recent years, but it took a stunning penetration to the very interior of the White House by Omar Gonzalez last year to make it clear that the reform of the Secret Service was urgent.

At hearings, we learned that there had never been—not once—a top-to-bottom review of the Secret Service in its more than 100 years of existence. This was, clearly, urgently needed; so Secretary Jeh Johnson appointed the first independent review panel. What it found was, across the board, weakness and flaws in the United States Secret Service.

Although its mission has expanded greatly over the years, today, the Secret Service simply does not reflect the post-9/11 experience, much less that of today's ISIL and domestic terrorism. The fence jumpers had already shown that the Secret Service could not be expected to meet its zero failure mission.

Today's bill shows that Congress takes the reform of the Secret Service very seriously. The funding, which is usually missing from such reform these days, is authorized, and the bill adopts much of the independent review's recommendations:

Instead of blaming overworked uniformed Secret Service and agents who have been working 6 and 7 days a week for 12 hours a day because of no additional personnel, the bill authorizes the addition of 80 agents and 200 Uniformed Division personnel, which is virtually what the independent review panel recommended;

The bill increases the number of hours of training to meet the Secret Service's expanded mission;

It faces the need to make greater use of technology, and it even takes note of a post-fence jumper phenomenon, the unmanned drones that have become a new form of fence jumping.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. JOHNSON of Georgia. Mr. Speaker, I yield the gentlewoman an additional 1 minute.

Ms. NORTON. I appreciate that.

Mr. Speaker, the space in front of the White House is a First Amendment park. I was invited down to a commemoration by citizens, who come every Monday to urge the reform of our gun laws.

To respond to fence jumping, some had talked of making it difficult for the public to come to that space in front of Pennsylvania Avenue. At hearings, I was assured that that was not necessary; and this bill backs that up. Spikes have been added for the fence jumpers, making it difficult to jump over, but Mr. Speaker, I was pleased to see today that the public continues to use Pennsylvania Avenue as the First Amendment space it has always been.

Mr. JOHNSON of Georgia. Mr. Speaker, I yield back the balance of my time.

Mr. GOODLATTE. Mr. Speaker, again, I thank the gentleman from Georgia and the ranking member of the committee, Mr. CONYERS, as well as Mr. SENSENBRENNER and the ranking member of the subcommittee, Ms. JACKSON LEE.

I urge my colleagues to support this bipartisan legislation.

Mr. Speaker, I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I rise today in strong support of H.R. 1656, the ''Secret Service Improvements Act of 2015.''

The ''Secret Service Improvements Act,'' is important because it will provide vital resources and strengthen protections of this important agency.

The Secret Service agency is one of the most elite law enforcement organizations in the world and has earned this reputation by providing 140 years of unparalleled service to this nation.

However, the Secret Service is facing a number of challenges, including the need for more resources, better training, better use of technology, and a better understanding of emerging threats.

This bill addresses each of these needs.

I am particularly pleased that Section 14 of this bill incorporates my amendment to create an Ethics Program Office to fully and effectively implement and administer the ethics laws, regulations, and policies governing Secret Service employees.

In recent years, the image of this once-revered agency has been tarnished—both because of misbehavior of agents and performance issues that resulted in security lapses.

Much of the negative attention on the personal behavior of Secret Service agents was initially prompted by the revelations in 2012 involving the solicitation of prostitutes by agents of the Secret Service in Cartagena, Colombia.

At the time, it was reported that a dozen Secret Service agents engaged the services of prostitutes before a presidential visit to Colombia for the Summit of the Americas.

I attended that Summit and was appalled to have learned of the behavior of some of the agents.

In my capacity as Ranking Member of the Judiciary's Subcommittee on Crime and Senior Member of the Committee on Homeland Security, I examined the Cartagena incident, and met with then-Director Mark Sullivan to express my concern and press for strong corrective action.

In fact, I have engaged in persistent oversight with respect to issues involving the Secret Service, ranging from the intrusion into the White House last year to the 2009 incident in which a couple evaded security to attend a state dinner at the White House honoring the Prime Minister of India.

I have met with Directors of the Secret Service on multiple occasions over the past several years to discuss and address performance and misconduct issues.

Agent misconduct of the sorts that have taken place in recent years is unacceptable.

It is more than offensive—it jeopardizes the ability of the agency to carry out its core mission.

To address misconduct issues and ethical lapses by Secret Service personnel, the manager's amendment includes a provision I developed, in cooperation with the Secret Service, that will help elevate the issue of ethical conduct at the agency through the creation of an Ethics Program Office.

With respect to other issues related to the protection provided by the Secret Service, it is clear that the agency has been operating at an unacceptable level of resources.

The agency is understaffed at the agent and Uniform Division levels, resulting in shifts that are too long and which leave inadequate time for training.

The agency also needs to better use state-of-the-art technology and communications equipment.

All of these deficiencies contributed to the security breakdowns that allowed a man to climb over the White House fence, evade Secret Service officers while running across the White House lawn, and then run into the White House itself.

The goal of H.R. 1656 is to prevent future such incidents—and to protect against even more sophisticated threats that could result in far more harm.

This bill also would require that future directors of the Secret Service, after nomination by the President, be subject to Senate confirmation.

The current Director, Joseph Clancy, appears to be doing a good job in reinvigorating that agency, and we do not propose this as a criticism of him, or the President's selection of him, in any way.

However, this position—as is the case with the directors of the other law enforcement components of the Department of Homeland Security—should be Senate-confirmed, reinforcing the need to appoint the most highly-qualified candidates and elevating the position in stature.

With the consideration of this legislation today, we recognize that it is unfortunately the case that the Secret Service has recently failed to live up to its high standards with respect to the protection it provides our President and others.

By adopting the ''Secret Service Improvements Act,'' we can help restore the agency so that it will be better prepared to achieve its mission.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. GOODLATTE) that the House suspend the rules and pass the bill, H.R. 1656, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. GOODLATTE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

BORDER SECURITY TECHNOLOGY ACCOUNTABILITY ACT OF 2015

Ms. MCSALLY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1634) to strengthen accountability for deployment of border security technology at the Department of Homeland Security, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1634

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Border Security Technology Accountability Act of 2015''.

SEC. 2. BORDER SECURITY TECHNOLOGY ACCOUNTABILITY.

(a) IN GENERAL.—Subtitle C of title IV of the Homeland Security Act of 2002 (6 U.S.C. 231 et seq.) is amended by adding at the end the following new section:

''SEC. 434. BORDER SECURITY TECHNOLOGY PROGRAM MANAGEMENT.

''(a) PLANNING DOCUMENTATION.—For each border security technology acquisition program of the Department that is determined to be a major acquisition program, the Secretary shall—

''(1) ensure that each such program has a written acquisition program baseline approved by the relevant acquisition decision authority;

''(2) document that each such program is meeting cost, schedule, and performance thresholds as specified in such baseline, in compliance with relevant departmental acquisition policies and the Federal Acquisition Regulation; and

''(3) have a plan for meeting program implementation objectives by managing contractor performance.

''(b) ADHERENCE TO STANDARDS.—The Secretary, acting through the Under Secretary for Management and the Commissioner of U.S. Customs and Border Protection, shall ensure border security technology acquisition program managers who are responsible for carrying out this section adhere to relevant internal control standards identified by the Comptroller General of the United States. The Commissioner shall provide information, as needed, to assist the Under Secretary in monitoring proper program management of border security technology acquisition programs under this section.

''(c) PLAN.—The Secretary, acting through the Under Secretary for Management, in coordination with the Under Secretary for Science and Technology and the Commissioner of U.S. Customs and Border Protection, shall submit to the appropriate congressional committees a plan for testing and evaluation, as well as the use of independent verification and validation resources, for border security technology so that new border security technologies are evaluated through a series of assessments, processes, and audits to ensure compliance with relevant departmental acquisition policies and the Federal Acquisition Regulation, as well as the effectiveness of taxpayer dollars.

''(d) MAJOR ACQUISITION PROGRAM DEFINED.—In this section, the term 'major acquisition program' means a Department acquisition program that is estimated by the Secretary to require an eventual total expenditure of at least $300,000,000 (based on fiscal year 2015 constant dollars) over its life cycle cost.''.

(b) CLERICAL AMENDMENT.—The table of contents of the Homeland Security Act of 2002 is amended by inserting after the item relating to section 433 the following new item:

''Sec. 434. Border security technology program management.''.

SEC. 3. PROHIBITION ON ADDITIONAL AUTHORIZATION OF APPROPRIATIONS.

No additional funds are authorized to be appropriated to carry out this Act and the amendments made by this Act. This Act and such amendments shall be carried out using amounts otherwise available for such purposes.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Arizona (Ms. MCSALLY) and the gentleman from Texas (Mr. VELA) each will control 20 minutes.

The Chair recognizes the gentlewoman from Arizona.

GENERAL LEAVE

Ms. MCSALLY. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include any extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Arizona?

There was no objection.

Ms. MCSALLY. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of H.R. 1634, the Border Security Technology Accountability Act, which I introduced earlier this year.

This bill seeks to provide the improved management of border security technology projects, safeguarding taxpayer dollars and increasing accountability for some of the Department of Homeland Security's largest acquisition programs.

The constituents I represent in southern Arizona are demanding better border security, and they expect us to do it through cost-effective and efficient means. They know that wasting taxpayer dollars on poorly managed border technology projects does little to actually secure the border or to improve our strategy. That is why this bill is so important.

The GAO has repeatedly included DHS acquisition management activities on its high-risk list, demonstrating that these programs are highly susceptible to waste, fraud, abuse, or mismanagement. The Secure Border Initiative, also known as SBInet, is a prime example of acquisition mismanagement at DHS. Initial plans developed in 2005 and 2006 called for the SBInet to extend across the entire U.S.-Mexico land border. However, SBInet deployment in my home State of Arizona was fraught with management problems, including a failure to adequately set requirements so the system would meet the needs of its users—our border patrol agents. After spending nearly $1 billion of the taxpayers' money with minimal results, DHS canceled SBInet in 2011.

SBInet is not the only example, as DHS does not seem to be learning its lesson. The Government Accountability Office recently reported to the Committee on Homeland Security that Customs and Border Protection's Strategic Air and Marine Plan—or StAMP—initiated in 2006, with a cost of $1.8 billion to date, still does not have an approved acquisition program baseline. This means that, despite CBP's plans to acquire boats and aircraft through 2035, they have not yet estimated how much it would cost to operate and maintain these systems.

How can we ensure programs like StAMP are on time, on budget, and are fiscally sound if DHS fails to follow sound management procedures?

We cannot afford to waste another minute or another dollar. We must put in place strong, effective technology programs to secure our borders. This bill requires that border security technology programs at the Department have an acquisition program baseline—a critical document that lays out what a program will do, what it will cost, and when it will be completed.

□ 1615

The bill also requires programs to adhere to internal control standards and have a plan for testing and evaluation as well as the use of independent verification and validation resources.

My district includes over 80 miles of our U.S. border with Mexico, and I have spent countless hours at the border meeting with border residents and our Border Patrol.

I know firsthand that, when our border technology project lacks the proper oversight and accountability, it is bad for the taxpayers, those who defend our border and those who live along our border.

The Committee on Homeland Security approved my legislation by a unanimous voice vote last month. I urge all Members to join me in supporting robust, responsible secure technology along our border.

I reserve the balance of my time.

Mr. VELA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 1634, the Border Security Technology Accountability Act of 2015.

Over the past several years, the Government Accountability Office has examined the various Department of Homeland Security programs and concluded that DHS has not followed standard best practices for acquisitions management.

Though DHS has taken steps to improve its performance, specific deficiencies in how the Department carries out major acquisitions remain.

When a DHS acquisition program falls short in terms of effectiveness or efficiency, it not only risks undermining that program, but also risks wasting limited Homeland Security dollars.

For example, DHS spent hundreds of millions of dollars on the SBInet border security program before it was ultimately canceled. No doubt, this funding could have been put to far better use along our Nation's border.

The Border Security Technology Accountability Act would require each of the Department's major acquisitions for border security technology to have written documentation reflecting a baseline approved by the relevant acquisition decision authority and demonstrate that the program is meeting agreed-upon cost, schedule, and performance thresholds before moving into the next phase of the acquisition cycle.

The bill also requires the Under Secretary for Management, in coordination with the Commissioner of Customs and Border Protection, to submit to Congress a plan for testing and evaluation as well as the use of independent verification and validation resources for border security technology.

There is need for improving acquisitions management at the Department of Homeland Security as a whole, and addressing border security technology acquisitions is an important step. We owe it to the American taxpayers to make sure we are managing these investments wisely and preventing wasteful spending.

Mr. Speaker, H.R. 1634 aims to focus and improve the way we invest in and manage border security technology by providing a specific framework for accountability and oversight on behalf of the American taxpayer.

I thank Congresswoman MCSALLY for her leadership in bringing this bill forward, and I urge my colleagues to support this bill.

I yield back the balance of my time.

Ms. MCSALLY. Mr. Speaker, I yield myself such time as I may consume.

I want to thank my colleague, Mr. VELA, for his support and all of my colleagues on our committee for support for this bill.

I once again urge my colleagues to support transparency, accountability, and efficiency of vital border security technology projects.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Arizona (Ms. MCSALLY) that the House suspend the rules and pass the bill, H.R. 1634, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

PRECLEARANCE AUTHORIZATION ACT OF 2015

Mrs. MILLER of Michigan. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 998) to establish the conditions under which the Secretary of Homeland Security may establish preclearance facilities, conduct preclearance operations, and provide customs services outside the United States, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 998

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Preclearance Authorization Act of 2015''.

SEC. 2. DEFINITION.

In this Act, the term ''appropriate congressional committees'' means the Committee on Homeland Security and the Committee on Ways and Means of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on Finance of the Senate.

SEC. 3. ESTABLISHMENT OF PRECLEARANCE OPERATIONS.

Pursuant to section 1629 of title 19, United States Code, and subject to section 5, the Secretary of Homeland Security may establish U.S. Customs and Border Protection preclearance operations in a foreign country to—

(1) prevent terrorists, instruments of terrorism, and other security threats from entering the United States;

(2) prevent inadmissible persons from entering the United States;

(3) ensure merchandise destined for the United States complies with applicable laws;

(4) ensure the prompt processing of persons eligible to travel to the United States; and

(5) accomplish such other objectives as the Secretary determines necessary to protect the United States.

SEC. 4. NOTIFICATION AND CERTIFICATION TO CONGRESS.

(a) NOTIFICATION.—Not later than 180 days before entering into an agreement with the government of a foreign country to establish U.S. Customs and Border Protection preclearance operations in such foreign country, the Secretary of Homeland Security shall provide to the appropriate congressional committees the following:

(1) A copy of the proposed agreement to establish such preclearance operations, including an identification of the foreign country with which U.S. Customs and Border Protection intends to enter into a preclearance agreement, the location at which such preclearance operations will be conducted, and the terms and conditions for U.S. Customs and Border Protection personnel operating at the location.

(2) An estimate of the date on which U.S. Customs and Border Protection intends to establish preclearance operations under such agreement.

(3) The anticipated funding sources for preclearance operations under such agreement, and other funding sources considered.

(4) An assessment of the impact such preclearance operations will have on legitimate trade and travel, including potential impacts on passengers traveling to the United States.

(5) A homeland security threat assessment for the country in which such preclearance operations are to be established.

(6) An assessment of the impacts such preclearance operations will have on U.S. Customs and Border Protection domestic port of entry staffing.

(7) Information on potential economic, competitive, and job impacts on United States air carriers associated with establishing such preclearance operations.

(8) Information on the anticipated homeland security benefits associated with establishing such preclearance operations.

(9) Information on potential security vulnerabilities associated with commencing such preclearance operations, and mitigation plans to address such potential security vulnerabilities.

(10) A U.S. Customs and Border Protection staffing model for such preclearance operations, and plans for how such positions would be filled.

(11) Information on the anticipated costs over the next five fiscal years associated with commencing such preclearance operations.

(12) A copy of the agreement referred to in subsection (a) of section 5.

(13) Other factors that the Secretary of Homeland Security determines to be necessary for Congress to comprehensively assess the appropriateness of commencing such preclearance operations.

(b) CERTIFICATIONS RELATING TO PRECLEARANCE OPERATIONS ESTABLISHED AT AIRPORTS.—In the case of an airport, in addition to the notification requirements under subsection (a), not later than 90 days before entering into an agreement with the government of a foreign country to establish U.S. Customs and Border Protection preclearance operations at an airport in such foreign country, the Secretary of Homeland Security shall provide to the appropriate congressional committees the following:

(1) A certification that preclearance operations under such preclearance agreement would provide homeland security benefits to the United States.

(2) A certification that preclearance operations within such foreign country will be established under such agreement only if—

(A) at least one United States passenger carrier operates at such airport; and

(B) the access of all United States passenger carriers to such preclearance operations is the same as the access of any non-United States passenger carrier.

(3) A certification that the Secretary of Homeland Security has considered alternative options to preclearance operations and has determined that such options are not the most effective means of achieving the objectives specified in section 3.

(4) A certification that the establishment of preclearance operations in such foreign country will not significantly increase customs processing times at United States airports.

(5) An explanation of other objectives that will be served by the establishment of preclearance operations in such foreign country.

(6) A certification that representatives from U.S. Customs and Border Protection consulted publically with interested parties, including providers of commercial air service in the United States, employees of such providers, security experts, and such other parties as the Secretary determines to be appropriate, before entering into such an agreement with such foreign government.

(7) A report detailing the basis for the certifications referred to in paragraphs (1) through (6).

(c) MODIFICATION OF EXISTING AGREEMENTS.—Not later than 30 days before substantially modifying a preclearance agreement with the government of a foreign country in effect as of the date of the enactment of this Act, the Secretary of Homeland Security shall provide to the appropriate congressional committees a copy of the proposed agreement, as modified, and the justification for such modification.

(d) REMEDIATION PLAN.—

(1) IN GENERAL.—The Commissioner of U.S. Customs and Border Protection shall monthly measure the average customs processing time to enter the 25 United States airports that support the highest volume of international travel (as determined by available Federal passenger data) and provide to the appropriate congressional committees such measurements.

(2) ASSESSMENT.—Based on the measurements described in paragraph (1), the Commissioner of U.S. Customs and Border Protection shall quarterly assess whether the average customs processing time referred to in such paragraph significantly exceeds the average customs processing time to enter the United States through a preclearance operation.

(3) SUBMISSION.—Based on the assessment conducted under paragraph (2), if the Commissioner of U.S. Customs and Border Protection determines that the average customs processing time referred to in paragraph (1) significantly exceeds the average customs processing time to enter the United States through a preclearance operation described in paragraph (2), the Commissioner shall, not later than 60 days after making such determination, provide to the appropriate congressional committees a remediation plan for reducing such average customs processing time referred to in paragraph (1).

(4) IMPLEMENTATION.—Not later than 30 days after submitting the remediation plan referred to in paragraph (3), the Commissioner of United States Customs and Border Protection shall implement those portions of such plan that can be carried out using existing resources, excluding the transfer of personnel.

(5) SUSPENSION.—If the Commissioner of U.S. Customs and Border Protection does not submit the remediation plan referred to in paragraph (3) within 60 days in accordance with such paragraph, the Commissioner may not, until such time as such remediation plan is submitted, conduct any negotiations relating to preclearance operations at an airport in any country or commence any such preclearance operations.

(6) STAKEHOLDER RECOMMENDATIONS.—The remediation plan described in paragraph (3) shall consider recommendations solicited from relevant stakeholders.

(e) CLASSIFIED REPORT.—The assessment required pursuant to subsection (a)(5) and the report required pursuant to subsection (b)(7) may be submitted in classified form if the Secretary of Homeland Security determines that such is appropriate.

SEC. 5. AVIATION SECURITY SCREENING AT PRECLEARANCE AIRPORTS.

(a) AVIATION SECURITY STANDARDS AGREEMENT.—Prior to the commencement of preclearance operations at an airport in a foreign country under this Act, the Administrator of the Transportation Security Administration shall enter into an agreement with the government of such foreign country that delineates and requires the adoption of aviation security screening standards that are determined by the Administrator to be comparable to those of the United States.

(b) AVIATION SECURITY RESCREENING.—If the Administrator of the Transportation Security Administration determines that the government of a foreign country has not maintained security standards and protocols comparable to those of the United States at airports at which preclearance operations have been established in accordance with an agreement entered into pursuant to subsection (a), the Administrator shall require the rescreening in the United States by the Transportation Security Administration of passengers and their property before such passengers may deplane into sterile areas of airports in the United States.

(c) SELECTEES.—Any passenger who is determined to be a selectee based on a check against a terrorist watch list and arrives on a flight originating from a foreign airport at which preclearance operations have been established in accordance with an agreement entered into pursuant to subsection (a), shall be required to undergo security rescreening by the Transportation Security Administration before being permitted to board a domestic flight in the United States.

SEC. 6. LOST AND STOLEN PASSPORTS.

The Secretary of Homeland Security may not enter into or renew an agreement with the government of a foreign country to establish or maintain U.S. Customs and Border Protection preclearance operations at an airport in such foreign country unless such government certifies—

(1) that it routinely submits information about lost and stolen passports of its citizens and nationals to INTERPOL's Stolen and Lost Travel Document database; or

(2) makes available to the United States Government such information through another comparable means of reporting.

SEC. 7. EFFECTIVE DATE.

Except for subsection (c) of section 4, this Act shall apply only to the establishment of preclearance operations in a foreign country in which no preclearance operations have been established as of the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Michigan (Mrs. MILLER) and the gentleman from Texas (Mr. VELA) each will control 20 minutes.

The Chair recognizes the gentlewoman from Michigan.

GENERAL LEAVE

Mrs. MILLER from Michigan. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include any extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Michigan?

There was no objection.

Mrs. MILLER from Michigan. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 998. Few issues actually have kept the CBP leadership busier over the last year than preclearance.

Failure to properly consult with stakeholders on preclearance expansion at Abu Dhabi caused a lot of consternation on Capitol Hill and certainly in the Homeland Security Committee last Congress.

This lack of appropriate congressional coordination and notification troubled many Members as well as the affected stakeholders, specifically, the airline industry.

We now hope that the Department will keep Congress fully abreast of future plans, especially in light of their recent announcement of the intention to expand preclearance to ten additional locations.

This bill, we believe, sets the groundwork for greater oversight and coordination on future preclearance operations.

I certainly want to thank Mr. MEEHAN from Pennsylvania, who was actually a former member on the Homeland Security Committee, who raised concerns with the Department of Homeland Security preclearance operations early in the Abu Dhabi agreement process.

His leadership has really been very, very important to the success of the legislation that we are considering today, Mr. Speaker.

Certainly we support preclearance where it makes sense as well as other CBP efforts to push out the border, if you will.

Preclearance has been an effective security screening and trade facilitation tool since the early 1950s, actually. Of course, since 9/11, the security value of these operations has only been heightened.

However, the mistakes of the Abu Dhabi agreement cannot be repeated. Expansion of preclearance must be done in such a way that it supports our security and does not disadvantage our domestic airlines.

This bill was very carefully crafted after several oversight hearings and

numerous consultations with the Department, the airline industry, and Members from both parties. It is a bipartisan bill.

This bill sets the contours for future preclearance operations and incorporates a series of notifications and certifications, including a justification that outlines the Homeland Security benefit and impact to domestic staffing and wait times of any new preclearance operations.

As well, this bill requires that Congress be notified in the event that Department of Homeland Security modifies or changes an existing agreement at any one of the 17 existing preclearance locations.

Most importantly, we think, this bill makes very clear the Department of Homeland Security cannot establish new locations without conducting the due diligence that we in Congress expect.

Mr. Speaker, we need to balance security operations and economic impact here at home.

Finally, I would certainly like to thank Chairman PAUL RYAN of the Ways and Means Committee and his staff for working to bring this important bill to the floor.

Mr. Speaker, I reserve the balance of my time.

COMMITTEE ON WAYS AND MEANS,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 16, 2015.

Hon. MICHAEL MCCAUL,
Chairman, Committee on Homeland Security, Ford House Office Building, Washington, DC.

DEAR CHAIRMAN MCCAUL, I am writing with respect to H.R. 998, the ''Preclearance Authorization Act of 2015.'' As a result of your having consulted with us on provisions in H.R. 998 that fall within the Rule X jurisdiction of the Committee on Ways and Means, I agree to waive consideration of this bill so that it may proceed expeditiously to the House floor.

The Committee on Ways and Means takes this action with the mutual understanding that by forgoing consideration of H.R. 998 at this time, we do not waive any jurisdiction over the subject matter contained in this or similar legislation, and the Committee will be appropriately consulted and involved as the bill or similar legislation moves forward so that we may address any remaining issues that fall within our Rule X jurisdiction. The Committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and requests your support for such request.

Finally, I would appreciate your response to this letter confirming this understanding, and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during floor consideration thereof.

Sincerely,

PAUL D. RYAN,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
Washington, DC, July 20, 2015.

Hon. PAUL RYAN,
Chairman, Committee on Ways and Means, Longworth House Office Building, Washington, DC.

DEAR CHAIRMAN RYAN, Thank you for your letter regarding H.R. 998, the ''Preclearance Authorization Act of 2015.'' I appreciate your support in bringing this legislation before the House of Representatives, and accordingly, understand that the Committee on Ways and Means will forego consideration of the bill.

The Committee on Homeland Security concurs with the mutual understanding that by foregoing consideration on this bill at this time, the Committee on Ways and Means does not waive any jurisdiction over the subject matter contained in this bill or similar legislation in the future. In addition, should a conference on this bill be necessary, I would support a request by the Committee on Ways and Means for conferees on those provisions within your jurisdiction.

I will insert copies of this exchange in the Congressional Record during consideration of this bill on the House floor. I thank you for your cooperation in this matter.

Sincerely,

MICHAEL T. MCCAUL,
Chairman.

Mr. VELA. Mr. Speaker, I yield myself such time as I may consume.

I rise in strong support of H.R. 998, the Preclearance Authorization Act of 2015.

This bipartisan bill would authorize the Secretary of Homeland Security to establish U.S. Customs and Border Protection preclearance operations with 180 days' prior notification and certification to Congress that certain specified conditions exist.

These conditions include that there are Homeland Security benefits for establishment of the preclearance location, a U.S. air carrier service serves the location, and establishment of the location will not significantly increase customs processing wait times in the United States.

The bill would require all countries with preclearance locations to routinely submit information about lost and stolen passports of their citizens to INTERPOL's stolen and lost travel document database or make such information available to the U.S. through other means.

H.R. 998 is intended to address many of the shortcomings in DHS' deployment of preclearance to Abu Dhabi last year and ensure that Congress receives appropriate notice prior to future expansion of the program to new locations.

Similar legislation was passed by the House under suspension of the rules in July 2014, but no action was taken by the Senate. I urge my colleagues to support H.R. 998, sending it to the Senate for consideration in the 114th Congress.

H.R. 998 will help ensure that expansion of the Department of Homeland Security's preclearance program enhances our Nation's security, facilitates legitimate travel to the United States, and does not disadvantage domestic air carriers or United States ports of entry.

I thank Congresswoman MILLER, the chairman of the Border and Maritime Security Subcommittee, for all of her efforts in bringing all these bills forward and for her strong bipartisan leadership.

I urge my colleagues to support this bill, and I yield back the balance of my time.

Mrs. MILLER from Michigan. Mr. Speaker, I, too, want to again indicate that these are bipartisan bills, the Homeland Security Committee bills that are coming forward on the floor.

I really have appreciated the opportunity and look forward to continuing to work with my ranking member, Mr. VELA, shoulder to shoulder on so many of these important issues before our country today.

So, Mr. Speaker, I would once again urge my colleagues to support this very strong bipartisan piece of legislation.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Michigan (Mrs. MILLER of Michigan) that the House suspend the rules and pass the bill, H.R. 998, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

IMPROVED SECURITY VETTING FOR AVIATION WORKERS ACT OF 2015

Mr. KATKO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2750) to reform programs of the Transportation Security Administration, streamline transportation security regulations, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2750

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Improved Security Vetting for Aviation Workers Act of 2015''.

SEC. 2. AVIATION SECURITY.

(a) IN GENERAL.—Subtitle A of title XVI of the Homeland Security Act of 2002 (6 U.S.C. 561 et seq.) is amended by adding after section 1601 the following new section:

''SEC. 1602. VETTING OF AVIATION WORKERS.

''(a) IN GENERAL.—By not later than December 31, 2015, the Administrator, in coordination with the Assistant Secretary for Policy of the Department, shall request from the Director of National Intelligence access to additional data from the Terrorist Identities Datamart Environment (TIDE) data and

any or other terrorism-related information to improve the effectiveness of the Administration's credential vetting program for individuals with unescorted access to sensitive areas of airports.

''(b) SECURITY INSPECTION.—By not later than December 31, 2015, the Administrator shall issue guidance for Transportation Security Inspectors to annually review airport badging office procedures for applicants seeking access to sensitive areas of airports. Such guidance shall include a comprehensive review of applicants' Criminal History Records Check (CHRC) and work authorization documentation during the course of an inspection.

''(c) INFORMATION SHARING.—By not later than December 31, 2015, the Administrator may conduct a pilot program of the Rap Back Service, in coordination with the Director of the Federal Bureau of Investigation, to determine the feasibility of full implementation of a service through which the Administrator would be notified of a change in status of an individual holding a valid credential granting unescorted access to sensitive areas of airports across eligible Administration-regulated populations.

''(d) PROCEDURES.—The pilot program under subsection (c) shall evaluate whether information can be narrowly tailored to ensure that the Administrator only receives notification of a change with respect to a disqualifying offense under the credential vetting program under subsection (a), as specified in 49 C.F.R. 1542.209, and in a manner that complies with current regulations for fingerprint-based criminal history records checks. The pilot program shall be carried out in a manner so as to ensure that, in the event that notification is made through the Rap Back Service of a change but a determination of arrest status or conviction is in question, the matter will be handled in a manner that is consistent with current regulations. The pilot program shall also be carried out in a manner that is consistent with current regulations governing an investigation of arrest status, correction of Federal Bureau of Investigation records and notification of disqualification, and corrective action by the individual who is the subject of an inquiry.

''(e) DETERMINATION AND SUBMISSION.—If the Administrator determines that full implementation of the Rap Back Service is feasible and can be carried out in a manner that is consistent with current regulations for fingerprint-based criminal history checks, including the rights of individuals seeking credentials, the Administrator shall submit such determination, in writing, to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on Commerce, Science, and Transportation of the Senate, together with information on the costs associated with such implementation, including the costs incurred by the private sector. In preparing this determination, the Administrator shall consult with the Chief Civil Rights and Civil Liberties Officer of the Department to ensure that protocols are in place to align the period of retention of personally identifiable information and biometric information, including fingerprints, in the Rap Back Service with the period in which the individual who is the subject of an inquiry has a valid credential.

''(f) CREDENTIAL SECURITY.—By not later than September 30, 2015, the Administrator shall issue guidance to airports mandating that all federalized airport badging authorities place an expiration date on airport credentials commensurate with the period of time during which an individual is lawfully authorized to work in the United States.

''(g) AVIATION WORKER LAWFUL STATUS.—By not later than December 31, 2015, the Administrator shall review the denial of credentials due to issues associated with determining an applicant's lawful status in order to identify airports with specific weaknesses and shall coordinate with such airports to mutually address such weaknesses, as appropriate.

''(h) REPORTS TO CONGRESS.—Upon completion of the determinations and reviews required under this section, the Administrator shall brief the Committee on Homeland Security and the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on Commerce, Science, and Transportation of the Senate on the results of such determinations and reviews.''.

(b) CLERICAL AMENDMENT.—The table of contents of the Homeland Security Act of 2002 is amended by inserting after the item relating to section 1601 the following new item:

''Sec. 1602. Vetting of aviation workers.''.

SEC. 3. STATUS UPDATE ON RAP BACK SERVICE PILOT PROGRAM.

Not later than 60 days after the date of the enactment of this Act, the Administrator of the Transportation Security Administration shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on Commerce, Science, and Transportation of the Senate a report on the status of plans to conduct a pilot program in coordination with the Federal Bureau of Investigation of the Rap Back Service in accordance with subsection (c) of section 1602 of the Homeland Security Act of 2002, as added by section 2 of this Act. The report shall include details on the business, technical, and resource requirements for the Transportation Security Administration and pilot program participants, and provide a timeline and goals for the pilot program.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. KATKO) and the gentlewoman from New York (Miss RICE) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. KATKO. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include any extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KATKO. Mr. Speaker, I yield myself such time as I may consume.

Today we will consider four bipartisan bills that address security vulnerabilities and improvements to the Transportation Security Administration.

I am proud of the bipartisan work this subcommittee has done and will continue to do to address the issue. I would like to thank Chairman MCCAUL, Ranking Member THOMPSON of the Homeland Security Committee, as well as my colleague, Ranking Member RICE, from the Subcommittee on Transportation Security for their leadership.

These four bills being on the floor today demonstrate that, when we work together, we can get things done. I look forward to continuing to work together on these issues.

Mr. Speaker, today I rise in strong support of H.R. 2750, the Improved Security Vetting for Aviation Workers Act of 2015.

In June of this year, the Department of Homeland Security inspector general released a report that found a stunning 73 aviation workers that had possible ties to terrorism.

The findings of this report were indeed alarming, and 14 years after 9/11 findings like this are simply unacceptable.

This vital piece of bipartisan legislation will strengthen the vetting of these workers, close these security gaps, and ensure the safety and security of our Nation's aviation system.

The inspector general's June report found that TSA does not have access to all the data it may need to thoroughly check an aviation worker's potential ties to terrorism.

However, what is even more alarming is that a memo was sent to the TSA Administrator noting the need for additional information and TSA has still yet to resolve this gap.

The report also found that airports do not match the expiration date of an employee's credential to the expiration of their legal work authorization in the United States.

□ 1630

Again, while TSA stated they are working to resolve this issue by the end of the year, it raises serious concern that this gap exists in the first place. That is why this legislation is so critical, in order to guarantee that TSA addresses these known vulnerabilities.

Since the start of this Congress, as chairman of the Subcommittee on Transportation Security of the Committee on Homeland Security, I have actively examined a number of alarming aspects related to TSA's operations, policies, and procedures. Through hearings, oversight inquiries, and legislation, I have been working to get to the bottom of these issues and raise awareness of the urgent need to fix them.

Unfortunately, these findings by the inspector general are not an anomaly. In May, the inspector general released a report that found that TSA did not have the appropriate controls in place to ensure that screening equipment has necessary maintenance work performed, an issue that Miss RICE's bill, H.R. 2770, addresses.

Last month, news outlets reported test results showing that screeners failed to detect prohibited threat items 96 percent of the time—96 percent.

These more recent findings come on the heels of revelations earlier this year of security breaches by employees at major airports across this country involving a nationwide gun smuggling ring and an employee of the FAA bypassing security and flying with a loaded firearm using his SIDA badge, and this month, four airport workers from Dallas were arrested for exploiting their access to aircraft to smuggle what they believed to be cocaine and other drugs.

All of these findings individually are concerning and, in the aggregate, shake public's confidence and only further display the need for this legislation.

Aviation workers are supposed to be thoroughly vetted due to their continuing access to sensitive areas of airports and the fact that they hold a position of trust within the transportation system. However, the findings by the inspector general and the dozens of arrests of aviation workers this year demonstrate that the status quo is not working.

The insider threat is the hardest threat to combat, and while this bill will not eliminate this threat, H.R. 2750 will indeed give TSA and the airports the ability to more thoroughly vet these employees and have a better understanding of whom we are granting secured access to.

The reality is that, in this post-9/11 world, the terrorist threat is metastasizing; and we, as a Nation, must remain responsive to any holes in the security of our transportation systems and ensure that protocols keep place with the ever-evolving threat landscape.

Improving the vetting of the aviation workers who have access to sensitive areas of airports can help close another backdoor vulnerability at our Nation's airports.

I would like to thank Chairman MCCAUL, Ranking Member RICE, Congresswoman MCSALLY, Congressman KEATING, and Congressman PAYNE for joining me as cosponsors of this bill. I urge my other colleagues to join me in supporting this critical piece of legislation.

I reserve the balance of my time.

Miss RICE of New York. Mr. Speaker, I yield myself such time as I may consume.

I rise in strong support of H.R. 2750, the Improved Security Vetting for Aviation Workers Act of 2015.

Mr. Speaker, a recent review by the Department of Homeland Security's inspector general found that, although TSA's multilayered process for vetting airport workers is generally effective, there were instances where the process did not detect airport workers with potential links to terrorism.

In total, the inspector general identified 73 aviation workers with possible links to terrorism after running data against the so-called TIDE database, which is maintained by the National Counterterrorism Center.

TSA does not have access to this database under current interagency watch listing policies. Chairman KATKO introduced H.R. 2750 to rectify this situation, and I am proud to be an original cosponsor of this bipartisan bill.

H.R. 2750 will put TSA on a path to accessing terrorism-related data in order to more effectively vet employees who work in our Nation's airports. In addition, this bill will require TSA to conduct an annual review of the procedures for issuing security credentials to employees seeking to work in highly sensitive, secure areas of our airports.

Lastly, under H.R. 2750, TSA is authorized to pilot the FBI's Rap Back Service, which provides near real-time information about changes in an airport worker's criminal history. The possibility of someone with ties to terrorism getting a job in an American airport is a very real threat, one of many that we live with every day and one that we must do everything in our power to prevent. H.R. 2750 will help neutralize that threat. I urge my colleagues to give it their full support.

Mr. Speaker, in closing, together with Chairman KATKO, I am proud of the work that we have done on the Subcommittee on Transportation Security to address this and other pressing transportation security issues within TSA in a constructive, bipartisan way.

The four bipartisan TSA bills that we are considering today are a testament to that effort and to what we can accomplish when we work together to solve real problems. I hope that we will continue to make progress together, and I urge my colleagues to support H.R. 2750.

Mr. Speaker, I yield back the balance of my time.

Mr. KATKO. Mr. Speaker, I yield myself such time as I may consume to close.

Mr. Speaker, I once again urge my colleagues to support this strong, bipartisan piece of legislation.

I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I rise in strong support of H.R. 2750, the Improved Security Vetting for Aviation Workers Act, which directs the Transportation Security Administrator to annually review airport badging office procedures for applicants seeking access to sensitive areas of airports.

I commend the bipartisan work of Chairman MCSALLY and Ranking Member PAYNE for their work on this bill.

The bill would direct the Transportation Security Administrator to coordinate with the Secretary of Homeland Security and consult with the Federal Bureau of Investigation to conduct a pilot program of the Rap Back Service in preparation for possible full implementation.

The Administrator is further directed to determine the lawful status of aviation workers in order to identify airports with specific weaknesses.

The Administrator will brief the House Committees on Homeland Security and Transportation and Infrastructure as well as the Senate Committees on Homeland Security and Government Affairs and Commerce, Science, and Transportation on the results of the determinations and reviews.

This is a good step forward in support of security at our nation's airports.

As the Committee charged with the responsibility of improving security at our nation's airports this forward looking bill will allow a pilot program to determine if there are better resources for assuring the security of the traveling public.

I ask my colleagues to join me in voting in favor of H.R. 2750.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. KATKO) that the House suspend the rules and pass the bill, H.R. 2750, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

KEEPING OUR TRAVELERS SAFE AND SECURE ACT

Mr. KATKO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2770) to amend the Homeland Security Act of 2002 to require certain maintenance of security-related technology at airports, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2770

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Keeping our Travelers Safe and Secure Act''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) The Administrator of the Transportation Security Administration has stated that the maintenance of security-related technology such as x-rays, explosive trace detection systems, explosive detection systems, liquid scanners, and enhanced walk-through metal detectors, is central to the execution of Transportation Security Administration's mission to protect United States transportation systems.

(2) Preventive and corrective maintenance is essential to ensuring and extending the service lives of security-related technology.

(3) In May 2015, the Inspector General of the Department of Homeland Security, reporting on the results of a performance audit conducted between December 2013 and November 2014, concluded that because the Transportation Security Administration did not properly manage the maintenance of its security-related technology deployed to airports, it cannot be assured that routine preventive maintenance is performed or that

equipment is repaired and ready for operational use.

(4) Specifically, the Inspector General found that the Transportation Security Administration did not issue adequate policies and procedures to document, track, and maintain preventive maintenance actions at the airport level and oversight of contractor-performed maintenance needed to be strengthened.

(5) According to the Inspector General, if the equipment is not fully operational, the Transportation Security Administration may have to use other screening measures that may be less effective at detecting dangerous items, thereby potentially jeopardizing passenger safety and security.

SEC. 3. MAINTENANCE OF SECURITY-RELATED TECHNOLOGY.

(a) IN GENERAL.—Title XVI of the Homeland Security Act of 2002 (6 U.S.C. 561 et seq.) is amended by adding at the end the following:

''Subtitle C—Maintenance of Security-Related Technology

''SEC. 1621. MAINTENANCE VALIDATION AND OVERSIGHT.

''(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this subtitle, the Administrator shall develop and implement a preventive maintenance validation process for security-related technology deployed to airports.

''(b) MAINTENANCE BY ADMINISTRATION PERSONNEL AT AIRPORTS.—For maintenance to be carried out by Administration personnel at airports, the process referred to in subsection (a) shall include the following:

''(1) Guidance to Administration personnel, equipment maintenance technicians, and other personnel at airports specifying how to conduct and document preventive maintenance actions.

''(2) Mechanisms for the Administrator to verify compliance with the guidance issued pursuant to paragraph (1).

''(c) MAINTENANCE BY CONTRACTORS AT AIRPORTS.—For maintenance to be carried out by a contractor at airports, the process referred to in subsection (a) shall require the following:

''(1) Provision of monthly preventive maintenance schedules to appropriate Administration personnel at each airport that includes information on each action to be completed by a contractor.

''(2) Notification to appropriate Administration personnel at each airport when maintenance action is completed by a contractor.

''(3) A process for independent validation by a third party of contractor maintenance.

''(d) PENALTIES FOR NONCOMPLIANCE.—The Administrator shall require maintenance contracts for security-related technology deployed to airports to include penalties for noncompliance when it is determined that either preventive or corrective maintenance has not been completed according to contractual requirements and manufacturers' specifications.''.

(b) CLERICAL AMENDMENT.—The table of contents of the Homeland Security Act of 2002 is amended by inserting after the item relating to section 1616 the following:

''Subtitle C—Maintenance of Security-Related Technology

''Sec. 1621. Maintenance validation and oversight.''.

SEC. 4. INSPECTOR GENERAL ASSESSMENT.

Not later than one year after the date of the enactment of this Act, the Inspector General of the Department of Homeland Security shall assess implementation of the requirements under this Act and the amendments made by this Act, and provide findings and recommendations with respect to the provision of training to Administration personnel, equipment maintenance technicians, and other personnel under section 1621 of the Homeland Security Act of 2002 (as added by section 3 of this Act) and the availability and utilization of equipment maintenance technicians employed by the Administration.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. KATKO) and the gentlewoman from New York (Miss RICE) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. KATKO. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include any extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KATKO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 2770, the Keeping Our Travelers Safe and Secure Act, sponsored by my colleague, Miss RICE. This legislation will strengthen TSA's management of its screening equipment maintenance contracts and related maintenance activities.

The Department of Homeland Security Office of Inspector General released a report in May that found that TSA is not properly managing the maintenance of its critical airport screening equipment. Because TSA does not adequately oversee this equipment, it cannot be assured that the routine preventive maintenance is performed or that equipment is repaired and ready for operational use.

This bill codifies the three recommendations made by the IG, all of which TSA concurred with. I am pleased to join Miss RICE; Mr. THOMPSON; my fellow New York delegation members Mr. KING, Mr. DONOVAN, and Mr. HIGGINS; along with Mr. PAYNE; Mr. KEATING; and Mr. RICHMOND as cosponsors of this important legislation.

I urge my other colleagues to join me in supporting H.R. 2770.

I reserve the balance of my time.

Miss RICE of New York. Mr. Speaker, I yield myself such time as I may consume, and I rise in strong support of H.R. 2770, the Keeping Our Travelers Safe and Secure Act.

Mr. Speaker, last May, the Department of Homeland Security inspector general released a report with a blunt and revealing title: ''The Transportation Security Administration Does Not Properly Manage Its Airport Screening Equipment Maintenance Program.''

The report revealed that TSA lacks strict policies and procedures for maintaining critical screening technology, including x-ray machines and explosive detection equipment. The consequences of this deficiency could be severe.

First, as the inspector general's report noted, the lack of regular maintenance reduces the life of screening equipment, which means TSA would have to incur the cost of new equipment. That is a problem for American taxpayers.

Even more importantly, the inspector general also noted that, if screening equipment becomes less than fully operational, TSA will be forced to rely on alternative screening measures that may not be as effective at detecting dangerous items. That creates serious risks for passengers, risks that we can and must eliminate.

As threats to our homeland evolve, particularly threats to our commercial aviation sector, we cannot afford to be complacent about maintaining screening equipment.

This legislation, which I introduced with Ranking Member THOMPSON, Chairman KATKO, and Representative PAYNE, requires TSA to get serious about maintaining security-related technology in our Nation's airports.

Specifically, it requires TSA, within 180 days of enactment, to develop and implement a comprehensive preventive maintenance validation process. This process must include strict maintenance schedules, clear guidance for TSA personnel and contractors on how to conduct and document maintenance actions, mechanisms to ensure compliance, and penalties for noncompliance.

These measures are common sense. This is a threat that we can neutralize. I urge my colleagues to do so by supporting this bipartisan legislation.

Mr. Speaker, in closing, I would like to thank members of the Committee on Homeland Security for supporting this legislation. There was truly a constructive bipartisan effort to make this legislation what it is today, and because of it, the commercial aviation sector will be more secure.

I once again urge all of my colleagues to support this legislation. I thank Chairman KATKO for his support.

I yield back the balance of my time.

Mr. KATKO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I once again urge my colleagues to support this strong, bipartisan piece of legislation.

I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I rise in support to H.R. 2770, the ''Keeping Our Travelers Safe and Secure Act of 2015'', which would amend the Homeland Security Act of 2002 to require improvements in the maintenance of security-related technology located at airports.

I commend my colleague's bill, which would outline specific requirements and procedures that the Transportation Security Administration (TSA) must follow in maintaining security-related technology deployed at airports.

I strongly support the measures that would be implemented in this bill in light of the Homeland Security Department's Inspector General Examination of the Transportation Security Administration's (TSA's) airport screening equipment maintenance program, which determined that adequate policies and procedures had not been implemented.

Mr. Speaker, as a senior Member of the Homeland Security Committee and former chair of the Subcommittee on Transportation Security, I strongly support measures to improve aviation security.

The Inspector General, report focused on concerns in the security technologies maintenance processes of our airports.

The report said that TSA did not have sufficient policies to oversee whether routine preventative maintenance was accomplished.

Mr. Speaker, in my hometown of Houston, nearly 40 million passengers traveled through Bush International Airport (IAH) and an additional 10 million traveled through William P. Hobby (HOU).

This makes my city one of the busiest traveled cities in the country, and as TSA is the first line of defense in safeguarding transportation throughout the nation, we as a Congress should make sure we do all we can to support their needs.

This bill will ensure that these imperative steps in the upkeep of TSA equipment are not overlooked any more, as the agency must provide a monthly preventive maintenance schedule to appropriate airport personnel, streamlining the communication process amongst contractors and the airports themselves.

Also, this bill requires that the TSA must impose penalties for noncompliance when preventative and/or corrective maintenance does not meet contractual requirements or manufacturer specifications.

Mr. Speaker, we must provide the guidance and tools needed by the TSA to ensure the safety of the millions that travel through our nation's airports.

H.R. 2770, the "Keeping Our Travelers Safe and Secure Act of 2015" is a positive step forward in handling the issues raised by the Inspector General's report on our country's airports security systems.

I urge my colleagues to join me in voting in support of H.R. 2770.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. KATKO) that the House suspend the rules and pass the bill, H.R. 2770, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. KATKO. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

TSA PRECHECK EXPANSION ACT

Mr. KATKO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2843) to require certain improvements in the Transportation Security Administration's PreCheck expedited screening program, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2843

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''TSA PreCheck Expansion Act''.

SEC. 2. DEFINITIONS.

In this Act:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Transportation Security Administration.

(2) DEPARTMENT.—The term ''Department'' means the Department of Homeland Security.

(3) TSA.—The term ''TSA'' means the Transportation Security Administration.

SEC. 3. ENROLLMENT EXPANSION.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Administrator shall publish PreCheck application enrollment standards to add multiple private sector application capabilities for the TSA PreCheck program to increase the public's enrollment access to such program, including standards that allow the use of secure technologies, including online enrollment, kiosks, tablets, or staffed laptop stations at which individuals can apply for entry into such program.

(b) REQUIREMENTS.—Upon publication of the PreCheck program application enrollment standards pursuant to subsection (a), the Administrator shall—

(1) coordinate with interested parties to deploy TSA-approved ready-to-market private sector solutions that meet the TSA PreCheck application enrollment standards described in paragraph (1), make available additional PreCheck enrollment capabilities, and offer secure online and mobile enrollment opportunities;

(2) partner with the private sector to collect biographic and biometric identification information via kiosks, mobile devices, or other mobile enrollment platforms to reduce the number of instances in which passengers need to travel to enrollment centers;

(3) ensure that the kiosks, mobile devices, or other mobile enrollment platforms referred to in paragraph (3) are certified as secure and not vulnerable to data breaches;

(4) ensure that any biometric and biographic information is collected in a manner which is comparable with the National Institute of Standards and Technology standards and ensures privacy and data security protections, including that applicants' personally identifiable information is collected, retained, used, and shared in a manner consistent with section 552a of title 5, United States Code (commonly known as ''Privacy Act of 1974''), and agency regulations;

(5) ensure that an individual who wants to enroll in the PreCheck program and has started an application with a single identification verification at one location will be able to save such individual's application on any kiosk, personal computer, mobile device, or other mobile enrollment platform and be able to return within a reasonable time to submit a second identification verification; and

(6) ensure that any enrollment expansion using a private sector risk assessment instead of a fingerprint-based criminal history records check is determined, by the Secretary of Homeland Security, to be equivalent to a fingerprint-based criminal history records check conducted through the Federal Bureau of Investigation.

(c) MARKETING OF PRECHECK PROGRAM.—Upon publication of PreCheck program application enrollment standards pursuant to subsection (a), the Administrator shall—

(1) in accordance with the standards described in paragraph (1) of subsection (a), develop and implement—

(A) a process, including an associated timeframe, for approving private sector marketing of the TSA PreCheck program; and

(B) a strategy for partnering with the private sector to encourage enrollment in such program; and

(2) submit to Congress a report on any PreCheck fees collected in excess of the costs of administering such program, including recommendations for using such amounts to support marketing of such program under this subsection.

(d) IDENTITY VERIFICATION ENHANCEMENT.—Not later than 90 days after the date of the enactment of this Act, the Administrator shall—

(1) coordinate with the heads of appropriate components of the Department to leverage Department-held data and technologies to verify the citizenship of individuals enrolling in the TSA PreCheck program; and

(2) partner with the private sector to use advanced biometrics and standards comparable with National Institute of Standards and Technology standards to facilitate enrollment in such program.

(e) PRECHECK LANE OPERATION.—The Administrator shall—

(1) ensure that TSA PreCheck screening lanes are open and available during peak and high-volume travel times at airports to individuals enrolled in the PreCheck program; and

(2) make every practicable effort to provide expedited screening at standard screening lanes during times when PreCheck screening lanes are closed to individuals enrolled in such program in order to maintain operational efficiency.

(f) VETTING FOR PRECHECK PARTICIPANTS.—Not later than 90 days after the date of the enactment of this Act, the Administrator shall initiate an assessment of the security vulnerabilities in the vetting process for the PreCheck program that includes an evaluation of whether subjecting PreCheck participants to recurrent fingerprint-based criminal history records checks, in addition to recurrent checks against the terrorist watchlist, could be done in a cost-effective manner to strengthen the security of the PreCheck program.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. KATKO) and the gentlewoman from New York (Miss RICE) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. KATKO. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include any extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KATKO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 2843, the TSA PreCheck Expansion Act. This piece of legislation serves as an important driving force to advance risk-based security and better secure our Nation's aviation sector.

TSA's PreCheck program, which grants expedited security screening to passengers at airports nationwide, has been an incredibly popular tool used by the Agency to improve the traveling public's airport screening experience, while moving away from a one-size-fits-all approach to security screening by identifying trusted travelers.

Risk-based security hinges on the ability to deploy our resources on those passengers whom we have not thoroughly vetted. However, the effectiveness and integrity of this program depends on TSA's ability to better market this program and increase passenger enrollment.

As the Agency has become overly dependent on alternate methods of expedited screening, such as managed inclusion, a problem addressed by Ranking Member THOMPSON's bill, which I cosponsored, H.R. 2127, TSA has become ineffective in prioritizing enrollment and partnering with the private sector.

Only the level of innovation found in the private sector will be able to assist TSA in driving continued enrollment in PreCheck. That being said, it is important that any expansion of the PreCheck program be conducted in a secure and responsible manner, which ensures the public's security and privacy.

This bill before the Congress right now does just that. Specifically, this legislation directs TSA to partner with the private sector to find technological solutions for expanding enrollment in PreCheck and requires the Agency to develop a comprehensive marketing strategy for PreCheck.

Additionally, H.R. 2843 mandates that the Administrator coordinate with other Department of Homeland Security components to leverage existing data and technologies while also encouraging TSA to develop alternative recurrent vetting capabilities for those enrolled in PreCheck in order to maintain the program's security effectiveness.

□ 1645

Every day, TSA screens 2 million passengers. By expanding known traveler programs such as PreCheck, we can ensure that TSA is focusing its resources on those passengers who are unknown and therefore pose a greater risk.

I would like to thank Chairman MCCAUL and Congressman ROGERS for joining me as cosponsors of this important piece of legislation. I urge my other colleagues to do the same, and I look forward to continuing our efforts to expand PreCheck in a secure and effective manner.

I reserve the balance of my time.

Miss RICE of New York. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 2843, the TSA PreCheck Expansion Act.

A decade after Congress directed the establishment of a trusted passenger program, TSA announced its PreCheck pilot program in 2011. Initially, PreCheck participants were frequent flyers of major airlines, Active Duty military members, and participants in other Department of Homeland Security known traveler programs.

Over the past 4 years, PreCheck participation has expanded significantly and now encompasses over 1 million Americans who submitted biographic and biometric information and paid a fee to participate in the program.

While I am pleased that TSA has reached the milestone of enrolling 1 million people, there are 650 million people who fly in the U.S. every year, and we must keep working to bring more of them into the program.

Enrolling in PreCheck is a win-win for passengers and for airport security. Passengers get the benefit of expedited screening, and we get the benefit of an expanded universe of passengers who have undergone extensive vetting and are known to be low risk, and that allows TSA to focus its limited resources on passengers who are unknown and may be higher risk.

We can expand PreCheck participation by streamlining the enrollment process to make it more convenient and more accessible. H.R. 2843 seeks to do just that by requiring enrollment standards to include secure technologies such as kiosks and tablets that can collect biographic and biometric information.

Additionally, this bills directs TSA to more aggressively market the PreCheck program. Getting the word out about the merits of PreCheck is vital to ensuring that the program continues to grow.

To keep Congress engaged in its progress, this bill requires that TSA report any fees in excess of administration costs.

This is also an opportunity for the private sector to work together with the Federal Government to expand PreCheck participation, and this partnership will continue to push the program in the right direction.

I support this commonsense legislation, and I congratulate my partner on the Transportation Security Subcommittee, Chairman KATKO, for authoring it.

I urge my colleagues to support H.R. 2843, and I yield back the balance of my time.

Mr. KATKO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I once again urge my colleagues to support this strong, bipartisan piece of legislation. Miss RICE is absolutely correct: it is common sense. It is common sense that a program that has been with TSA for a while now and that has not been expanded on by TSA despite its popularity and it is common sense with respect to risk-based security that this should be passed. I urge passage of it, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. KATKO) that the House suspend the rules and pass the bill, H.R. 2843, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

SECURING EXPEDITED SCREENING ACT

Mr. KATKO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2127) to direct the Administrator of the Transportation Security Administration to limit access to expedited airport security screening at an airport security checkpoint to participants of the PreCheck program and other known low-risk passengers, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2127

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Securing Expedited Screening Act''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) The Aviation and Transportation Security Act (Public Law 107–71) authorized the Transportation Security Administration to ''establish requirements to implement trusted passenger programs and use available technologies to expedite the security screening of passengers who participate in such programs, thereby allowing security screening personnel to focus on those passengers who should be subject to more extensive screening.''.

(2) In October 2011, the Transportation Security Administration began piloting the PreCheck program in which a limited number of passengers who were participants in the frequent flyer programs of domestic air carriers were directed to special screening lanes for expedited security screening.

(3) In December 2013, the Transportation Security Administration opened the PreCheck program to eligible passengers who submit biographic and biometric information for a security risk assessment.

(4) Today, expedited security screening is provided to passengers who, in general, are members of populations identified by the Administrator of the Transportation Security Administration as presenting a low risk to

aviation security, including members of populations known and vetted by the Administrator or through another Department of Homeland Security trusted traveler program, and to passengers who are selected by expedited screening on a case-by-case basis through the Transportation Security Administration's Managed Inclusion process and other procedures.

(5) According to the Transportation Security Administration, the Managed Inclusion process ''combines the use of multiple layers of security to indirectly conduct a real-time assessment of passengers'' through the use of Passenger Screening Canine teams, Behavior Detection Officers, Explosives Trace Detection (ETD) machines, and other activities.

(6) In December 2014, the Comptroller General of the United States concluded in a report entitled ''Rapid Growth in Expedited Passenger Screening Highlights Need to Plan Effective Security Assessments'' that ''it will be important for TSA to evaluate the security effectiveness of the Managed Inclusion process as a whole, to ensure that it is functioning as intended and that passengers are being screened at a level commensurate with their risk''.

(7) On March 16, 2015, the Inspector General of the Department of Homeland Security released a report entitled ''Allegation of Granting Expedited Screening through TSA PreCheck Improperly'', in which the Inspector General determined that the Transportation Security Administration granted expedited security screening at a PreCheck security lane to a passenger who had served time in prison for felonies committed as a member of a domestic terrorist group and who was not a participant in the PreCheck program.

SEC. 3. LIMITATION; PRECHECK OPERATIONS MAINTAINED; ALTERNATE METHODS.

(a) IN GENERAL.—Except as provided in subsection (d), not later than 180 days after the date of the enactment of this Act, the Administrator of the Transportation Security Administration shall direct that access to expedited airport security screening at an airport security checkpoint be limited to only the following:

(1) A passenger who voluntarily submits biographic and biometric information for a security risk assessment and whose application for the PreCheck program has been approved, or a passenger who is a participant in another trusted or registered traveler program of the Department of Homeland Security.

(2) A passenger traveling pursuant to section 44903 of title 49, United States Code (as established under the Risk-Based Security for Members of the Armed Forces Act (Public Law 112–86)), section 44927 of such title (as established under the Helping Heroes Fly Act (Public Law 113–27)), or section 44928 of such title (as established under the Honor Flight Act (Public Law 113–221)).

(3) A passenger who did not voluntarily submit biographic and biometric information for a security risk assessment but is a member of a population designated by the Administrator of the Transportation Security Administration as known and low-risk and who may be issued a unique, known traveler number by the Administrator determining that such passenger is a member of a category of travelers designated by the Administrator as known and low-risk.

(b) PRECHECK OPERATIONS MAINTAINED.—In carrying out subsection (a), the Administrator of the Transportation Security Administration shall ensure that expedited airport security screening remains available to passengers at or above the level that exists on the day before the date of the enactment of this Act.

(c) MINORS AND SENIORS.—The Administrator of the Transportation Security Administration may provide access to expedited airport security screening at an airport security checkpoint to a passenger who is—

(1) 75 years old or older; or

(2) 12 years old or under and who is traveling with a parent or guardian who is a participant in the PreCheck program.

(d) FREQUENT FLIERS.—If the Administrator of the Transportation Security Administration determines that such is appropriate, the date specified in subsection (a) may be extended by up to one year to implement such subsection with respect to the population of passengers who did not voluntarily submit biographic and biometric information for security risk assessments but who nevertheless receive expedited airport security screening because such passengers are designated as frequent fliers by air carriers. If the Administrator uses the authority provided by this subsection, the Administrator shall notify the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on Commerce, Science, and Transportation of the Senate of such phased-in implementation.

(e) ALTERNATE METHODS.—The Administrator of the Transportation Security Administration may provide access to expedited airport security screening to additional passengers pursuant to an alternate method upon the submission to the Committee on Homeland Security of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate of an independent assessment of the security effectiveness of such alternate method that is conducted by an independent entity that determines that such alternate method is designed to—

(1) reliably and effectively identify passengers who likely pose a low risk to the United States aviation system;

(2) mitigate the likelihood that a passenger who may pose a security threat to the United States aviation system is selected for expedited security screening; and

(3) address known and evolving security risks to the United States aviation system.

(f) INFORMATION SHARING.—The Administrator of the Transportation Security Administration shall provide to the entity conducting the independent assessment under subsection (c) effectiveness testing results that are consistent with established evaluation design practices, as identified by the Comptroller General of the United States.

SEC. 4. REPORTING.

Not later than three months after the date of the enactment of this Act and annually thereafter, the Administrator of the Transportation Security Administration shall report to the Committee on Homeland Security of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the percentage of all passengers who are provided expedited security screening, and of such passengers so provided, the percentage who are participants in the PreCheck program (who have voluntarily submitted biographic and biometric information for security risk assessments), the percentage who are participants in another trusted traveler program of the Department of Homeland Security, the percentage who are participants in the PreCheck program due to the Administrator's issuance of known traveler numbers, and for the remaining percentage of passengers granted access to expedited security screening in PreCheck security lanes, information on the percentages attributable to each alternative method utilized by the Transportation Security Administration to direct passengers to expedited airport security screening at PreCheck security lanes.

SEC. 5. RULE OF CONSTRUCTION.

Nothing in this Act may be construed to—

(1) authorize or direct the Administrator of the Transportation Administration to reduce or limit the availability of expedited security screening at an airport; or

(2) limit the authority of the Administrator to use technologies and systems, including passenger screening canines and explosives trace detection, as a part of security screening operations.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. KATKO) and the gentlewoman from New York (Miss RICE) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. KATKO. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include any extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KATKO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 2127, the Securing Expedited Screening Act. This important piece of legislation directs TSA to suspend the use of alternative methods for granting passengers access to PreCheck expedited screening unless the agency can prove the security effectiveness of such methods.

Specifically, this bill requires that expedited screening be limited to passengers who have successfully enrolled in the PreCheck program or who are eligible for PreCheck by being part of an already identified low-risk population.

Managed Inclusion is intended to conduct a ''real-time'' threat assessment to identify passengers who are eligible for TSA PreCheck on a flight-by-flight basis through the use of already present layers of security at the airports. However, travelers who experience expedited screening through Managed Inclusion are not subject to a criminal history background check, have not paid for TSA PreCheck—unlike other passengers—are often unaware of the reason they are receiving expedited screening, and are generally not encouraged to enroll in TSA PreCheck during the experience.

While Managed Inclusion may help reduce wait times and increase utilization of TSA PreCheck lanes, it has not been tested or proven to improve the

experience of travelers or, more importantly, reduce the security risks to aviation.

On the contrary, passengers who go through the TSA PreCheck enrollment process and pay $85 for expedited screening are not seeing the benefits that were promised to them. This is because passengers who did not enroll, have not submitted to a background check, and are unfamiliar with TSA PreCheck are being ushered into those expedited screening lanes.

This bill, along with a piece of legislation that I introduced, H.R. 2843, the TSA PreCheck Expansion Act, will ensure that we are providing expedited screening in a manner that is both deliberate and secure, and that we are expanding the known traveler population so that we can focus our resources on unknown travelers.

I am very pleased to join my colleagues Mr. THOMPSON and Miss RICE as a cosponsor of this important legislation. I urge my other colleagues to join me in supporting H.R. 2127, and I reserve the balance of my time.

Miss RICE of New York. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 2127, the Securing Expedited Screening Act.

The Transportation Security Administration is charged with the great responsibility of keeping commercial aviation passengers safe and keeping criminals, terrorists, and dangerous objects off of flights. They do so using limited resources, relying on a risk-based approach that focuses those resources on the passengers about whom we know the least. The PreCheck program is a key element of this approach, granting expedited screening to trusted or ''known'' passengers who have undergone an extensive vetting process.

But even as TSA expanded the PreCheck program, it was also granting expedited screening to other supposedly ''low-risk'' passengers through the Managed Inclusion process—passengers who hadn't gone through the PreCheck application process, hadn't been vetted, and were not known to be low risk.

Numerous classified reports from both the Department of Homeland Security inspector general and the Government Accountability Office have detailed the security risks created by the Managed Inclusion process. We must take action to eliminate this vulnerability, and we can do so by passing H.R. 2127.

Ranking Member THOMPSON's bipartisan legislation will require TSA to limit expedited screening to the population for which it was intended: those travelers who have been vetted and are known to be low risk.

In closing, I would like to again thank Members for supporting this legislation. H.R. 2127 will eliminate a significant gap in our aviation security and ensure that each passenger who boards a commercial flight receives the appropriate level of screening.

I urge all my colleagues to join us in supporting this legislation, and I yield back the balance of my time.

Mr. KATKO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I once again urge my colleagues to support this strong, bipartisan piece of legislation.

H.R. 2843, which we just spoke about, and H.R. 2127, this bill, work side by side with each other, and it is a good example of the bipartisan nature which permeates this committee. One bill deals with the expansion of PreCheck; the other one deals with the constriction on the other side of PreCheck, and that is the Managed Inclusion, which none of us think is a good idea, long term, for security purposes.

I am proud to be part of this legislation. I am proud of the bipartisan work we are doing on this committee, and I look forward to much more production moving forward.

I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, as a senior member of the Homeland Security Committee, I rise in strong support of H.R. 2127, the "Securing Expedited Screening Act."

I support this bipartisan legislation because it addresses a major issue with the implementation of security measures and the impact of those measures on the traveling public while in our nation's airports.

I want to thank my colleague, Congressman BENNIE THOMPSON of Mississippi for introducing this thoughtful and necessary legislation that will assist the Transportation Security Administration and the public.

The "Securing Expedited Screening Act" will allow the Transportation Security Administration (TSA) to expedite security screening of passengers who participate in this program and allow the security agency to focus its resources on screening individuals who may need more extensive screening.

This legislation limits the categories of airline passengers who may receive expedited airport screening by the TSA, allowing such screening only for passengers who are members of a TSA trusted traveler program such as PreCheck.

This legislation will also include individuals who are a part of the United States Military.

The TSA may also provide expedited screenings to passengers who are 75 years of age or older; or 12 years of age and younger if their parent or guardian is a participant in the PreCheck program.

This legislation also allows for the TSA to have the freedom to determine if there is another group of individuals who may be included in the PreCheck program.

Though the TSA must allow for Congress to provide an individual assessment to include new groups into the program.

Trusted programs like PreCheck that allow for the TSA officers to remain vigilant of potential threats.

With the recent news of the low pass rate of the TSA in the news, this legislation assists those officers in focusing on those individuals who were not prechecked before they attempt to enter the airport terminals.

Mr. Speaker, this is why I join with my colleagues in working to strengthen the programs that assist the TSA in protecting our commercial airports throughout this country.

I urge all of colleagues in the House to support H.R. 2127 "Securing Expedited Screening Act."

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. KATKO) that the House suspend the rules and pass the bill, H.R. 2127, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

FIRST RESPONDER ANTHRAX PREPAREDNESS ACT

Mr. KING of New York. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1300) to direct the Secretary of Homeland Security to make anthrax vaccines and antimicrobials available to emergency response providers, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1300

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''First Responder Anthrax Preparedness Act''.

SEC. 2. PRE-EVENT ANTHRAX VACCINATION PROGRAM FOR EMERGENCY RESPONSE PROVIDERS.

(a) ANTHRAX PREPAREDNESS.—

(1) IN GENERAL.—Title V of the Homeland Security Act of 2002 (Public Law 107–296; 6 U.S.C. 311 et seq.) is amended by adding at the end the following new section:

''SEC. 526. ANTHRAX PREPAREDNESS.

''(a) PRE-EVENT ANTHRAX VACCINATION PROGRAM FOR EMERGENCY RESPONSE PROVIDERS.—For the purpose of domestic preparedness for and collective response to terrorism, the Secretary, in coordination with the Secretary of Health and Human Services, shall establish a program to provide anthrax vaccines from the strategic national stockpile under section 319F–2(a) of the Public Health Service Act (42 U.S.C. 247d–6b(a)) that will be nearing the end of their labeled dates of use at the time such vaccines are to be administered to emergency response providers who are at high risk of exposure to anthrax and who voluntarily consent to such administration, and shall—

''(1) establish any necessary logistical and tracking systems to facilitate making such vaccines so available;

''(2) distribute disclosures regarding associated benefits and risks to end users; and

''(3) conduct outreach to educate emergency response providers about the voluntary program.

''(b) THREAT ASSESSMENT.—The Secretary shall—

''(1) support homeland security-focused risk analysis and risk assessments of the

threats posed by anthrax from an act of terror;

''(2) leverage existing and emerging homeland security intelligence capabilities and structures to enhance prevention, protection, response, and recovery efforts with respect to an anthrax terror attack; and

''(3) share information and provide tailored analytical support on threats posed by anthrax to State, local, and tribal authorities, as well as other national biosecurity and biodefense stakeholders.''.

(2) CLERICAL AMENDMENT.—The table of contents in section 1(b) of such Act is amended by inserting at the end of the items relating to title V the following new item:

''Sec. 526. Anthrax preparedness.''.

(b) PILOT PROGRAM.—

(1) IN GENERAL.—In carrying out the preevent vaccination program authorized in section 526(a) of the Homeland Security Act of 2002, as added by subsection (a), the Secretary of Homeland Security, in coordination with the Secretary of Health and Human Services, shall carry out a pilot program to provide anthrax vaccines to emergency response providers as so authorized. The duration of the pilot program shall be 24 months from the date the initial vaccines are administered to participants.

(2) PRELIMINARY REQUIREMENTS.—By not later than one year after the date of the enactment of this Act, and prior to implementing the pilot program under paragraph (1), the Secretary of Homeland Security shall—

(A) establish a communication platform for the pilot program;

(B) establish education and training modules for the pilot program;

(C) conduct economic analysis of the pilot program; and

(D) create a logistical platform for the anthrax vaccine request process under the pilot program.

(3) LOCATION.—In carrying out the pilot program under this subsection, the Secretary of Homeland Security shall select emergency response providers based in at least two States for participation in the pilot program.

(4) DISTRIBUTION OF INFORMATION.—The Secretary of Homeland Security shall provide to each emergency response provider who participates in the pilot program under this subsection disclosures and educational materials regarding the associated benefits and risks of any vaccine provided under the pilot program and of exposure to anthrax.

(5) REPORT.—Not later than one year after the date of the enactment of this Act, and annually thereafter until one year after the completion of the pilot program, the Secretary of Homeland Security shall submit to the Committee on Homeland Security and the Committee on Energy and Commerce of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report on the progress and results of the pilot program, including the percentage of eligible emergency response providers, as determined by each pilot location, that volunteer to participate, the degree to which participants obtain necessary vaccinations, as appropriate, and recommendations to improve initial and recurrent participation in the pilot program. The report shall include a plan under which the Secretary plans to continue the program to provide vaccines to emergency response providers under section 526(a) of the Homeland Security Act of 2002, as added by subsection (a).

(6) DEADLINE FOR IMPLEMENTATION.—The Secretary of Homeland Security shall begin implementing the pilot program under this subsection by not later than the date that is one year after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. KING) and the gentlewoman from New York (Miss RICE) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. KING of New York. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include any extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KING of New York. Mr. Speaker, I yield myself such time as I may consume.

I rise in strong support of H.R. 1300, the First Responder Anthrax Preparedness Act, which I introduced along with my good friend and colleague from New Jersey, BILL PASCRELL. This important, bipartisan legislation will ensure that emergency response providers have access to preevent anthrax vaccines.

An anthrax attack is a serious mass casualty threat. Our national response capability to a wide-area anthrax attack would be greatly enhanced by having prevaccinated responders able to deploy immediately and confidently, knowing that they have been afforded as much protection as possible.

To achieve that goal, this legislation establishes a preevent anthrax vaccination program to provide surplus anthrax vaccines from the Strategic National Stockpile to emergency response providers on a voluntary basis. In advance of the full vaccination program, the bill directs the Secretary of DHS to carry out a pilot program. Both the preevent vaccination program and the pilot program are required to have robust communication, education, and training for program participants.

The bill requires a report on the progress of the pilot and directs the Department of Homeland Security to conduct risk assessments regarding anthrax terror attacks and to share threat information with State and local law enforcement.

The Department has been working for over 3 years on establishing a preevent vaccination effort for first responders, but the project has been continually stalled. I am encouraged that DHS has hired a vaccination expert from the Department of Defense to take over the effort, and I believe that the mandates in this legislation will ensure that the pilot program moves forward.

I would like to thank Committee on Homeland Security Chairman MCCAUL and Ranking Member THOMPSON, along with Chairman MCSALLY and Ranking Member DON PAYNE of the committee's Subcommittee on Emergency Preparedness, Response, and Communications for their leadership on this issue and their work to advance this bill to the floor. I also want to thank Homeland Security Committee staff Kerry Kinirons, Kate Nichols, and Rosanna Muno.

And this is significant, Mr. Speaker. I want to thank Chairman UPTON and his staff at Energy and Commerce, Carly McWilliams and Karen Christian, for working with us on this bill. This bill is a great example of how committees can and should work together to advance commonsense legislation and not get involved in turf battles.

I will include the letters exchanged by Chairman MCCAUL and Chairman UPTON on H.R. 1300 in the RECORD.

H.R. 1300 has 50 bipartisan cosponsors and is supported by the International Association of Fire Chiefs, the International Association of EMS Chiefs, and the Alliance for Biosecurity.

I urge all Members to join me in supporting this bill, which will help to ''protect our protectors,'' and I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, July 21, 2015.

Hon. MICHAEL T. MCCAUL,
Chairman, Committee on Homeland Security, Washington, DC.

DEAR CHAIRMAN MCCAUL: I write in regard to H.R. 1300, First Responder Anthrax Preparedness Act, which was ordered to be reported by the Committee on Homeland Security on May 20, 2015. As you are aware, the bill also was referred to the Committee on Energy and Commerce. I wanted to notify you that the Committee on Energy and Commerce will forgo action on H.R. 1300 so that it may proceed expeditiously to the House floor for consideration.

This is done with the understanding that the Committee on Energy and Commerce's jurisdictional interests over this and similar legislation are in no way diminished or altered. In addition, the Committee reserves the right to seek conferees on H.R. 1300 and requests your support when such a request is made.

I would appreciate your response confirming this understanding with respect to H.R. 1300 and ask that a copy of our exchange of letters on this matter be included in the Congressional Record during consideration of the bill on the House floor.

Sincerely,

FRED UPTON,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
Washington, DC, July 22, 2015.

Hon. FRED UPTON,
Chairman, Committee on Energy and Commerce, Washington, DC.

DEAR CHAIRMAN UPTON, Thank you for your letter regarding H.R. 1300, the ''First Responder Anthrax Preparedness Act.'' I appreciate your support in bringing this legislation before the House of Representatives,

and accordingly, understand that the Committee on Energy and Commerce will forego consideration of the bill.

The Committee on Homeland Security concurs with the mutual understanding that by foregoing consideration on this bill at this time, the Committee on Energy and Commerce does not waive any jurisdiction over the subject matter contained in this bill or similar legislation in the future. In addition, should a conference on this bill be necessary, I would support a request by the Committee on Energy and Commerce for conferees on those provisions within your jurisdiction.

I will insert copies of this exchange in the Congressional Record during consideration of this bill on the House floor. I thank you for your cooperation in this matter.

Sincerely,

MICHAEL T. MCCAUL,
Chairman.

□ 1700

Miss RICE of New York. Mr. Speaker, I yield myself such time as I may consume, and I rise in strong support of H.R. 1300, the First Responder Anthrax Preparedness Act.

Mr. Speaker, I want to begin by commending my colleague from New York, my good friend, Mr. KING, for working to make sure we are prepared to respond to an event involving a weapon of mass destruction.

For nearly a decade, Mr. KING and Mr. PASCRELL have partnered to improve our ability to prevent, prepare for, and respond to WMD incidents; and I am pleased to be here today to help advance part of that agenda.

As the Capitol Hill community witnessed just over a decade ago, even a relatively small-scale anthrax attack can be devastating. An anthrax attack on a larger scale would not only result in more sick people, but would also demand a larger response effort that could stretch our emergency response capabilities.

Although we typically think about our WMD policies at the national level, it is important to remember that the initial response to an anthrax event is local. We have an obligation to make sure that those who are called upon to respond to an anthrax attack can do so without jeopardizing their own health in the process.

As a member of the Emergency Preparedness Subcommittee, I have heard from emergency responders about what they need to effectively respond to an anthrax attack.

I have also had conversations with first responders in my own district, and what I have heard repeatedly is that first responders need access to preevent vaccinations so that, if and when the time comes, they can respond swiftly without fear for their own health.

These are the men and women we will rely on in the event of a WMD incident, the men and women we will call on to risk their lives, as they do every day; and they deserve every layer of protection we can provide.

H.R. 1300 would direct the Secretary of Homeland Security to establish a program to provide surplus anthrax vaccines and antimicrobials to emergency response providers, on a voluntary basis, before an attack occurs.

This legislation has the support of the International Association of Fire Chiefs, the International Association of Emergency Medical Services Chiefs, and the Alliance for Biosecurity.

In my opinion, a program like this is long overdue, and I want to thank Mr. KING and Mr. PASCRELL for their leadership in working to make it a reality.

I urge my colleagues to support the First Responder Anthrax Preparedness Act, and I reserve the balance of my time.

Mr. KING of New York. Mr. Speaker, I reserve the balance of my time.

Miss RICE of New York. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Mr. Speaker, I want to say to my brother, PETER KING, we wouldn't be here except for you. We have talked about this thing for 10 years; more than that, PETER, through the chair, and we have insisted. I am proud to introduce this legislation with my friend, Congressman KING.

It is critical that first responders have access to stockpiled vaccines so that they can respond quickly and confidently in the event of a biological threat.

Just weeks ago, we were reminded of the grave danger that anthrax poses and the need for an effective response—a strategy—when live anthrax was mistakenly shipped to dozens of labs all over the place.

This is not a hypothetical danger, Mr. Speaker. Some of us remember when anthrax was mailed to some of our colleagues' offices in 2001. Several staffers were impacted. We shut down the Longworth House Office Building to decontaminate it. Packages were sent to other locations. Twenty-two Americans were infected; 5 were killed, and here we are, 14 years later.

For over a decade, Congressman KING and I have been fighting to develop a comprehensive national strategy to counter the grave threat that weapons of mass destruction pose to our Nation.

According to the former chief medical officer and assistant secretary of the Office of Health Affairs at the Department of Homeland Security, Alexander Garza:

> A successful anthrax attack could potentially expose hundreds of thousands of people, cause illness, death, panic, economic losses . . . making this a weapon of mass disruption as well as destruction.

By passing this legislation, we will expand our national response capability by administering surpluses and expiring anthrax vaccines and antimicrobials to emergency first responders on a voluntary basis.

Making expiring anthrax vaccines from the Strategic National Stockpile available to emergency first responders provides a cost-effective solution.

It is important that we pass this legislation. I want to thank all of those who made it possible to get here today; and hopefully, in a few weeks, when we get back, we will have a big WMD legislation on this floor.

Mr. KING of New York. Mr. Speaker, I have no more speakers. If Miss RICE has no further speakers, I am prepared to close after she closes.

I reserve the balance of my time.

Miss RICE of New York. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we have a responsibility to protect the men and women we call on to protect the public when disaster strikes. H.R. 1300 is commonsense legislation. It will provide emergency responders with anthrax vaccines from the Strategic National Stockpile that are approaching their expiration.

Certainly, our hope is that our emergency responders will never have to respond to an anthrax attack, but they deserve to know that, if that call ever does come, they can respond without fear for their own safety.

Once again, I would like to congratulate my colleagues from New York and New Jersey on this legislation. I urge my colleagues to support this legislation.

Mr. Speaker, I yield back the balance of my time.

Mr. KING of New York. Mr. Speaker, I once again urge my colleagues to support this bipartisan legislation. Let me emphasize the bipartisan nature of it.

BILL PASCRELL has been there from the start. He referenced the anthrax attacks here in the Capitol back in 2001. None of us who was here at that time will ever, ever forget that. That should have been a wakeup call then. Unfortunately, not enough action was taken. Now, finally, after all these years, we are taking this first major step.

I want to thank BILL PASCRELL for being there. I want to thank Miss RICE for the whole tone of the debate here this afternoon.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. HOLDING). The question is on the motion offered by the gentleman from New York (Mr. KING) that the House suspend the rules and pass the bill, H.R. 1300, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. KING of New York. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

STATE WIDE INTEROPERABLE COMMUNICATIONS ENHANCEMENT ACT

Mr. KING of New York. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2206) to amend the Homeland Security Act of 2002 to require recipients of State Homeland Security Grant Program funding to preserve and strengthen interoperable emergency communications capabilities, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2206

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''State Wide Interoperable Communications Enhancement Act'' or the ''SWIC Enhancement Act''.

SEC. 2. MINIMUM CONTENTS OF APPLICATION FOR CERTAIN HOMELAND SECURITY GRANT FUNDS.

(a) IN GENERAL.—Paragraph (2) of section 2004(b) of the Homeland Security Act of 2002 (6 U.S.C. 605(b)) is amended by—

(1) redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D), respectively; and

(2) inserting after subparagraph (A) the following new subparagraph:

''(B)(i) certification that the Governor of the State has designated a Statewide Interoperability Coordinator, including identification in such certification of the individual so designated, who shall be responsible for—

''(I) coordinating the daily operations of the State's interoperability efforts;

''(II) coordinating State interoperability and communications projects and grant applications for such projects;

''(III) establishing and maintaining working groups to develop and implement key interoperability initiatives; and

''(IV) coordinating and updating, as necessary, a Statewide Communications Interoperability Plan that specifies the current status of State efforts to enhance communications interoperability within the State, including progress, modifications, or setbacks, and future goals for communications interoperability among emergency response agencies in the State; or

''(ii) if a Statewide Interoperability Coordinator has not been designated in accordance with clause (i)—

''(I) certification that the State is performing in another manner the functions described in subclauses (I) through (IV) of such clause; and

''(II) identification in such certification of an individual who has been designated by the State as the primary point of contact for performance of such functions;''.

(b) LIMITATION ON APPLICATION.—The amendment made by subsection (a) shall not apply with respect to any grant for which an application was submitted under the State Homeland Security Grant Program before the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. KING) and the gentlewoman from New York (Miss RICE) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. KING of New York. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include any extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KING of New York. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me just say at the outset, it is great to have two New Yorkers running a debate. It doesn't happen often that we run the House; so, KATHLEEN, let's take advantage of it while we can. Any motions you can think of we can make?

Mr. Speaker, I rise today in strong support of H.R. 2206, the State Wide Interoperable Communications Enhancement Act, which was introduced by the ranking member of the Committee on Homeland Security's Subcommittee on Emergency Preparedness, Response, and Communications, the gentleman from New Jersey (Mr. PAYNE). This bill recognizes the important role played by Statewide Interoperability Coordinators, SWICs.

We have all witnessed the communications failures during the response to the September 11 terrorist attacks and Hurricane Katrina. Interoperability is vital during disaster response.

However, despite investing more than $5 billion in grant funding to enhance communications capability over the past 10 years, interoperability remains a challenge. To address this challenge, States have appointed SWICs to ensure emergency response providers in their States have the ability to communicate.

SWICs complete Statewide Interoperable Communications Plans, ensure grant investments are coordinated statewide, and oversee communications projects. Many SWICs also serve as the State point of contact to FirstNet for the design and construction of the Public Safety Broadband Network.

H.R. 2206 requires Governors to certify, as part of their applications for State Homeland Security grant programs, that they have designated a person to serve as the SWIC or, if not, that the functions of a SWIC are being carried out in another manner.

The Committee on Homeland Security approved H.R. 2206 in May by a bipartisan voice vote. I urge Members to join me in supporting this bill.

Mr. Speaker, I reserve the balance of my time.

Miss RICE of New York. Mr. Speaker, I yield myself such time as I may consume, and I rise in strong support of H.R. 2206, the State Wide Interoperable Communications Enhancement Act.

Mr. Speaker, it is a great privilege to be here with my colleague and friend from New York. This legislation, introduced by Congressman DONALD PAYNE, will help prevent Federal grant dollars from being spent on communications equipment that will not advance the goal of interoperability.

After the September 11 attack, interoperable communications failures were identified as a factor that complicated first responders' efforts. In the immediate aftermath, Congress appropriated millions of dollars in grant funds to address national response capability gaps, including interoperable communications.

Unfortunately, millions of dollars were invested on interoperable communications equipment before State and local governments had developed the strategies, plans, and governance structures to ensure that the investments would actually advance their interoperability goals.

Nearly 10 years ago, when interoperability challenges plagued the Hurricane Katrina response, one of the major takeaways was that spending millions of dollars on the interoperability problem does not yield results unless there are mechanisms in place for coordination.

In response to that tough lesson, Congress, in 2006, authorized the creation of the Office of Emergency Communications within the Department of Homeland Security and tasked the office with developing a National Emergency Communications Plan.

The first plan, which was released in 2008, set as a milestone for every State the designation of a full-time Statewide Interoperability Coordinator. This was a major recommendation from first responders across the Nation.

States initially met the goal of appointing full-time SWICs, and we saw the benefits firsthand during the response to the Boston Marathon bombings.

In the years and months leading up to that day, the Massachusetts SWIC had engaged in significant planning activities and had coordinated with organizations at the Federal, State, and local levels to exercise the emergency communications capabilities.

As a result of the high performance of the emergency communications systems, lives were saved that day in Boston.

Due to recent budgetary pressures, however, the number of States that maintain dedicated full-time SWICs has dwindled. SWICs are charged with overseeing the daily operation of the State's interoperability efforts, coordinating interoperability and communications projects, maintaining governance structures, and implementing Statewide Communications Interoperability Plans.

H.R. 2206 seeks to maintain the governance structures and coordination

activities that have helped guide interoperable communications investments since Hurricane Katrina.

Nationwide, over $13 billion of Federal money has been spent on developing robust interoperable communications capabilities, and the goal still has not been achieved.

But we have made progress, and we cannot fall backwards by losing the governance and coordination that ensures we are making sound investments in emergency communications.

H.R. 2206 requires that States, in some way, are overseeing emergency communications investments to ensure that the systems are interoperable.

On behalf of the Emergency Preparedness Subcommittee Ranking Member PAYNE, I would like to thank full Committee Chairman MIKE MCCAUL, Ranking Member THOMPSON, and Subcommittee Chairman MCSALLY for supporting this measure and for helping to bring it to the floor today.

Mr. Speaker, H.R. 2206 will protect the progress we have made toward achieving nationwide interoperable emergency communications and prevent money from being wasted on investments that will not advance that goal.

SWICs play a critical role in coordinating emergency communications investments and policies at the State level, and it is important that this work continue.

I urge my colleagues to support this important legislation, and I yield back the balance of my time.

Mr. KING of New York. Mr. Speaker, I want to commend Ranking Member PAYNE and Chairman MARTHA MCSALLY for their efforts on this.

I, again, urge my colleagues to support H.R. 2206, and I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I rise in strong support of H.R. 2206, the State Wide Interoperable Communications Enhancement Act, which would establish a grant program to preserve and strengthen interoperable emergency communications capabilities for local and state first responders.

The bill requires a state to include in its application for State Homeland Security Grant Program funding a certification:

That the governor of the state has designated a Statewide Interoperability Coordinator; or

Indicating that the state is performing the functions of such a Coordinator in another manner and identifying the primary point of contact for performance of such functions.

The bill would establish the role of State Interoperability Coordinator as:

Overseeing the daily operations of the state's interoperability efforts;

Coordinating state interoperability and communications projects and grant applications for such projects;

Establishing and maintaining working groups to develop and implement key interoperability initiatives; and

Implementing and updating a Statewide Communications Interoperability Plan that specifies the current status of state efforts to enhance communications interoperability within the state, including future goals for communications interoperability among emergency response agencies in the state.

The bill would formalize the role of the State Wide Interoperability Coordinator to ensure that there was a single point of contact in each state.

The bill will assist in establishing a single point of contact for Statewide interoperability for state and local first responders; Second, the legislation is necessary to create a seamless level of communication between the Department of Homeland Security and states to ensure that communications regarding terrorist attacks, natural or manmade disasters are managed appropriately.

As a senior member of the House Committee on Homeland Security, I am well aware, as are many of my colleagues, of the essential and lifesaving role of communications during a crisis.

Because the tragedy of September 11, 2001, was compounded by communication failures among the brave first responders who entered the burning towers that comprised the World Trade Center it has been an imperative of the Homeland Security Committee to address first responder communication interoperability challenges.

The number of first responders lost on that single day was the greatest loss of first responders at any single event in U.S. History: 343 New York City Fire Department firefighters; 23 New York City Police Department Officers; 37 Port Authority Police Department officers, 15 EMTs and 3 court officers were casualties of the attacks.

The need for this bill authored by Congressman PAYNE is evident.

The City of Houston covers over a 1,000 square mile region in Southeast Texas. It has a night-time population of nearly two million people, which peaks with over three million daytime inhabitants.

The city of Houston's 9–1–1 Emergency Center manages nearly 9,000 emergency calls per day. The volume of emergency calls can easily double during times of inclement weather or special City social/sporting events like Hurricanes Ike in September 2008; and Katrina as well as Rita, which occurred in September and October of 2005.

Annually, one out of every ten citizens uses EMS.

There are over 200,000 EMS incidents involving over 225,000 patients or potential patients annually. On the average, EMS responds to a citizen every 3 minutes. Each EMS response is made by one of 88 City of Houston EMS vehicles.

In 2013, the City of Houston's fire Department lost Captain EMT Matthew Renaud, Engineer Operator EMT Robert Bebee, Firefighter EMT Robert Garner and Probationary Firefighter Anne Sullivan when they responded to a hotel fire.

Each member of the House of Representatives knows of the loss of a first responder who was going to the aid of those in harm's way.This bill will offer additional resources to the first responders of the Department of Homeland Security.

This bill will ensure that a critical communication element for our nation's first responders and the role of the Department of Homeland Security in providing them with support is addressed.

I ask my colleagues to join me in voting in favor of H.R. 2206.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. KING) that the House suspend the rules and pass the bill, H.R. 2206, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

□ 1715

VETERANS ENTREPRENEURSHIP ACT OF 2015

Mr. CHABOT. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 2499) to amend the Small Business Act to increase access to capital for veteran entrepreneurs, to help create jobs, and for other purposes.

The Clerk read the title of the bill.

The text of the Senate amendment is as follows:

Senate amendment:

At the end, add the following:

SEC. 4. BUSINESS LOANS PROGRAM.

(a) SECTION 7(a) FUNDING LEVELS.—The third proviso under the heading ''BUSINESS LOANS PROGRAM ACCOUNT'' under the heading ''SMALL BUSINESS ADMINISTRATION'' under title V of division E of the Consolidated and Further Continuing Appropriations Act, 2015 (Public Law 113–235; 128 Stat. 2371) is amended by striking ''$18,750,000,000'' and inserting ''$23,500,000,000''.

(b) LOAN LIMITATIONS.—Section 7(a)(1) of the Small Business Act (15 U.S.C. 636(a)(1)) is amended—

(1) in subparagraph (A)—

(A) by striking ''No financial assistance'' and inserting the following:

''(i) IN GENERAL.—No financial assistance''; and

(B) by adding at the end the following:

''(ii) LIQUIDITY.—On and after October 1, 2015, the Administrator may not guarantee a loan under this subsection if the lender determines that the borrower is unable to obtain credit elsewhere solely because the liquidity of the lender depends upon the guaranteed portion of the loan being sold on the secondary market.''; and

(2) by adding at the end the following:

''(C) LENDING LIMITS OF LENDERS.—On and after October 1, 2015, the Administrator may not guarantee a loan under this subsection if the sole purpose for requesting the guarantee is to allow the lender to exceed the legal lending limit of the lender.''.

(c) REPORTING.—

(1) DEFINITIONS.—In this subsection—

(A) the term ''Administrator'' means the Administrator of the Small Business Administration;

(B) the term ''business loan'' means a loan made or guaranteed under section 7(a) of the Small Business Act (15 U.S.C. 636(a));

(C) the term ''cancellation'' means that the Administrator approves a proposed business loan, but the prospective borrower determines not to take the business loan; and

(D) the term ''net dollar amount of business loans'' means the difference between the total dollar amount of business loans and the total dollar amount of cancellations.

(2) REQUIREMENT.—During the 3-year period beginning on the date of enactment of this Act, the Administrator shall submit to Committee on Small Business and Entrepreneurship and the Committee on Appropriations of the Senate and the Committee on Small Business and the Committee on Appropriations of the House of Representatives a quarterly report regarding the loan programs carried out under section 7(a) of the Small Business Act (15 U.S.C. 636(a)), which shall include—

(A) for the fiscal year during which the report is submitted and the 3 fiscal years before such fiscal year—

(i) the weekly total dollar amount of business loans;

(ii) the weekly total dollar amount of cancellations;

(iii) the weekly net dollar amount of business loans—

(I) for all business loans; and

(II) for each category of loan amount described in clause (i), (ii), or (iii) of section 7(a)(18) of the Small Business Act (15 U.S.C. 636(a)(18));

(B) for the fiscal year during which the report is submitted—

(i) the amount of remaining authority for business loans, in dollar amount and as a percentage; and

(ii) estimates of the date on which the net dollar amount of business loans will reach the maximum for such business loans based on daily net lending volume and extrapolations based on year to date net lending volume, quarterly net lending volume, and quarterly growth trends;

(C) the number of early defaults (as determined by the Administrator) during the quarter covered by the report;

(D) the total amount paid by borrowers in early default during the quarter covered by the report, as of the time of purchase of the guarantee;

(E) the number of borrowers in early default that are franchisees;

(F) the total amount of guarantees purchased by the Administrator during the quarter covered by the report; and

(G) a description of the actions the Administrator is taking to combat early defaults administratively and any legislative action the Administrator recommends to address early defaults.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. CHABOT) and the gentlewoman from New York (Ms. VELÁZQUEZ) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio.

GENERAL LEAVE

Mr. CHABOT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their legislative remarks and include extraneous materials in the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. CHABOT. Mr. Speaker, I yield myself such time as I may consume.

Two weeks ago, on July 13, this Chamber overwhelmingly passed H.R. 2499. This legislation provides greater assistance to our veteran entrepreneurs by making Small Business Administration, SBA, loans more affordable for veterans.

It permanently waives the up-front fee charged by the SBA to borrowers through the agency's 7(a) Express loan program without imposing any additional costs on taxpayers.

As my colleagues are aware, the SBA's 7(a) loan guarantee program is vital for small businesses to get the capital needed for growth of the American economy. As the economic outlook begins to brighten, more small businesses than ever before are taking advantage of this program.

Despite a significant increase in demand over the past several months, Congress was not notified until June 25 that the program was dangerously close to its authorized lending authority of $18.75 billion and might surpass it prior to the end of the fiscal year.

Such eleventh hour notification makes it difficult for Congress to act. Yet, Congress is acting swiftly to help America's small businesses, businesses that no longer could get SBA-guaranteed loans as of noon on July 23, when the SBA reached its authorized limit.

I want to thank my counterparts in the other body for working quickly to resolve this matter and offering an amendment to H.R. 2499, the veterans bill.

This amendment ensures that the SBA will have sufficient authority to guarantee loans through the end of the fiscal year. This increase comes at no cost to the taxpayer. Let me repeat that. At no cost to the taxpayer.

That is because the fees paid by the users of the program—not taxpayers—cover the costs of the program. This is a win-win situation, as this will allow banks to continue offering 7(a) loans.

Further, this amendment also ensures that, from now on, Congress will be informed on a regular basis about the status of a loan program and lending authority limits.

This will ensure that Congress can address the situation in a timelier manner and inquire of the SBA what steps it might use administratively to ameliorate a situation in which the agency might exceed its lending authorization level.

The amendment ensures that we do not repeat the experience of the previous 2 years, where Congress at the eleventh hour had to scramble for a solution because it wasn't notified by the SBA of its problem until the last minute.

This is truly a time-sensitive issue that needs to be corrected today. Between noon and 2:30 on July 23, the SBA stated that it had 315 new loans totaling $220 million waiting in the queue. These are small firms who need the money in hand now to grow their companies and create jobs.

I want to take the time to highlight that this legislation would not have come together without extraordinary bipartisan, bicameral efforts.

I would like to thank Senator VITTER, the chairman of the Senate Committee on Small Business and Entrepreneurship, for his leadership on this issue.

He worked tirelessly over the past few weeks to develop a solution that would be acceptable to the Senate and to the House.

I would also like to thank Senators RISCH, SHAHEEN, PETERS, and COONS, who each cosponsored the amendment.

Further, on this side of the Capitol, I would be remiss if I did not mention the efforts of the gentleman from Florida (Mr. CRENSHAW), who will be speaking here soon, and the gentleman from New York (Mr. SERRANO) and their expertise and assistance in resolving this matter.

And I wanted to offer a special thanks to our committee's ranking member, the gentlewoman from New York (Ms. VELÁZQUEZ), for her insight and leadership.

In addition to offering the bill H.R. 3132, to increase the lending authority, she was steadfast in her efforts to repeatedly warn the SBA that continuing to issue 7(a) loan guarantees for the maximum amount allowed by statute, yet failing to take administrative action to manage loan guarantees as the SBA crept closer to its lending authority, could result in a cessation of the lending.

The ranking member and her staff were extremely helpful in bringing this matter to a resolution and are to be commended for helping to craft a strong, bipartisan product, which is what we are dealing with here today.

This legislation, as amended by the Senate, provides two critical items for the 7(a) program. It allows us to support veteran entrepreneurs for years to come at no cost by waiving fees, and it ensures that the program continues to run, since waiving fees on a program that can no longer offer loans doesn't help anyone. It is a smart, commonsense approach which passed the Senate by unanimous consent.

I urge my colleagues to concur in the Senate amendment to the bill H.R. 2499, as amended, by the Senate.

I reserve the balance of my time.

Ms. VELÁZQUEZ. Mr. Speaker, I yield myself such time as I may consume.

For the past 4 years, our Nation has faced economic headwinds, but was able to break through and strengthen considerably.

In that time, over 12 million jobs have been created, the stock market has come roaring back, and optimism in the small business sector has returned to prerecession levels.

As we all know, small businesses are the driving force in our Nation's economy, creating two out of three new jobs and producing roughly 50 percent

of our GDP. In order to fulfill that role, they need capital.

One option is SBA's 7(a) Loan Program, which has been very popular over the past 2 years. In 2014, the program made over 52,000 loans, totaling $19 billion, one of its best years since 2007. SBA carried that momentum into 2015, growing another 20 percent overall, which brings us to today.

Due to this unexpected robust lending activity, SBA learned it will reach its $18.75 billion lending cap before the end of the year, cutting off thousands of borrowers.

The chairman is totally correct when he talks about the issue of SBA not notifying Congress in the proper time.

Last week I introduced H.R. 3132 to raise the cap to $23.5 billion, giving SBA over $4 billion in additional authority to provide capital to deserving small businesses. Unfortunately, the cap was reached on Thursday before we could get that bill to the floor.

Today's bill includes my language to raise the lending cap to $23.5 billion. It will mean a significant capital infusion into the economy.

With these types of loans flowing again, small companies will have more resources to expand their facilities, reinvest in their operations, and create jobs.

When a small manufacturer can access these loans, they can build additional warehouse space, creating both short-term and long-term employment opportunities.

Restaurants and retailers can use this capital to pay vendors, freeing up funding to keep employees on their payrolls, and potentially hire more workers.

This bill does require additional reporting requirements and other changes at SBA. While I would have liked to have seen a clean increase in the authorization level, we all recognize the critical role the 7(a) program plays. This compromise will turn the spigot back on, helping entrepreneurs grow and create jobs.

I want to thank Senators VITTER and SHAHEEN, Leader PELOSI, Ranking SERRANO, and especially Chairman CHABOT for working in a bipartisan manner to bring this bill to the floor.

I reserve the balance of my time.

Mr. CHABOT. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida (Mr. CRENSHAW), who is the chairman of the Subcommittee on Financial Services and General Government of the Committee on Appropriations.

Mr. CRENSHAW. I thank the gentleman for yielding the time.

Mr. Speaker, as has been pointed out, this is legislation that is the result of the hard work of the Small Business Committee here in the House, the Appropriations Committee here in the House, along with the United States Senate.

What this does, as has been pointed out, is simply allows the 7(a) lending program to continue on. It is a program that doesn't cost the taxpayers any money, and, yet, it allows the Small Business Administration to lend money to thousands of small businesses all across this country to keep the economy growing, to keep jobs being created.

And as chairman of the subcommittee that oversees and funds this program, the SBA, let me assure my colleagues that this will not require any additional appropriations this year.

It would simply lift the cap, as has been pointed out, let this continue on, and, again, do the good job that the SBA does.

So I urge my colleagues to support this. I thank everyone involved that has worked in such a timely manner to make this happen so quickly so that we don't interrupt the lending that goes on.

Ms. VELÁZQUEZ. Mr. Speaker, I yield 3 minutes to the gentlewoman from Michigan (Mrs. LAWRENCE).

Mrs. LAWRENCE. Mr. Speaker, I rise today in support of H.R. 2499, the Veterans Entrepreneurship Act of 2015.

The Small Business Administration 7(a) Loan Program is a critical source of capital for America's entrepreneurs and is SBA's largest and most important program in terms of the number of loans and programs supported.

My home State of Michigan, where I am proud to serve as the congressional Representative, has benefited greatly from the SBA 7(a) Loan Program.

In fiscal year 2013, the SBA guaranteed nearly 2,000 loans to Michigan small businesses through the 7(a) Loan Program for more than $500 million. Michigan ranked second in the Nation that year for all SBA loans.

Even better, in fiscal year 2014, the SBA guaranteed more than 2,000 loans to Michigan small businesses, for more than $600 million. This was an increase of 17 percent over the previous fiscal year.

This immensely successful program continues to show strong success, with loan volume up 20 percent this year over last year.

Unfortunately, the lending cap established in the 2015 omnibus appropriations bills of about $18 billion was reached last week.

That means that roughly $3 billion in loan programs needed for small American businesses have been stalled, putting America's entrepreneurs at a serious financial risk.

H.R. 2499 will reopen the crucially needed 7(a) Loan Program for America's small businesses and provide a fee waiver for our Nation's veterans who are seeking new careers after service to our country.

I am proud to be a cosponsor of this bill that would raise the cap of 7(a) loans to over $23 billion.

I want to thank the chairman and the ranking member for their leadership on this issue. I strongly urge my colleagues to join me in supporting the underlying bill.

Mr. CHABOT. Mr. Speaker, at this time I have no additional speakers, and I reserve the balance of my time.

Ms. VELÁZQUEZ. Mr. Speaker, I yield 3 minutes to the gentleman from Hawaii (Mr. TAKAI), the ranking member on the Contracting and Workforce Subcommittee.

Mr. TAKAI. Mr. Speaker, first of all, I would like to thank Chairman CHABOT and Ranking Member VELÁZQUEZ for this opportunity.

Mr. Speaker, on Friday, the 7(a) program reached its loan guarantee program limit for the year. As a result, the Small Business Administration was forced to suspend its 7(a) small business lending until the start of the new fiscal year or until such time as the 7(a) program is reauthorized or increased by Congress.

□ 1730

Over 20 of my colleagues joined me in sending a letter to Speaker BOEHNER asking to bring this legislation to the floor to raise this limit before Congress goes on its August work period break.

While I am thankful that we are finally doing this, it only speaks to the pattern of inaction that has plagued us here in Congress. Right now, because of this inaction, small businesses across the country are facing the uncertainty of where their next loan will come from.

Lenders use the 7(a) program to fund working capital and other critical needs to small businesses, and the SBA provides a backstop by guaranteeing this loan in case the borrower defaults.

Due to restrictive marketing conditions, SBA programs like the 7(a) loan program have seen an increase in usage by small businesses, making it more imperative that the lending limit be increased for this program. As you know, Mr. Speaker, over 90 percent of the American businesses are considered small and make up the backbone of our Nation's economy.

It is critical to note that the 7(a) program is funded entirely by guarantee fees paid by the program beneficiaries, not taxpayer dollars. Increasing this loan limit will not increase our national debt or deficit, but it will mean that small businesses can get access to the credit they need to expand and create jobs in our communities. Without SBA loan options, millions of small businesses will have to resort to practices not in their best interest.

I came to Congress assuring my constituents that we would break this pattern of crisis and do our jobs. This shouldn't be a last-minute issue. Let's be sure our small businesses have the resources they need to continue being the engine of our economy.

Mr. CHABOT. Mr. Speaker, I reserve the balance of my time.

Ms. VELÁZQUEZ. Mr. Speaker, I yield myself the balance of my time.

Evidence points to an economy that is slowly but surely on the mend. The Federal Reserve reports banks are more willing to lend and small business demand is clearly picking up at an accelerated pace. This month alone, SBA has guaranteed over $3 billion in the 7(a) program—an all-time record.

Providing the Agency with additional lending authority will ensure creditworthy firms will continue to have access to low cost capital for the rest of the fiscal year.

I want to again thank Chairman CHABOT for working with me to bring this bill to the floor.

I ask my colleagues to support this bill, and I yield back the balance of my time.

Mr. CHABOT. Mr. Speaker, I yield myself such time as I may consume to close.

Mr. Speaker, I again want to thank the gentlewoman from New York (Ms. VELÁZQUEZ), our ranking member on the Small Business Committee, for her cooperation and her hard work in making sure that we resolve this sticky issue and that small businesses across the country who need access to capital will get that access. So I definitely want to make sure that it is recognized that we have been working on this in a bipartisan and cooperative effort.

I again want to stress that it is critical that we pass H.R. 2499 today for the benefit of both our veterans and also the benefit of the entire small business community, which right now is unable to obtain loans from the flagship SBA 7(a) lending program since last Friday.

I would also note that there are reforms in this bill so that the SBA has to bring notice to Congress to let us know up front next time and not wait until the eleventh hour to notify Congress that they are in trouble. Hopefully, this will resolve this so that we don't see this in the future, that we will get notification on a fairly regular basis and not put the elected representatives of the American people in this kind of dilemma where we have to act at the last minute and that we basically put small businesses all across the country in jeopardy of not having access to loans.

As we know, by pushing this forward along with the veterans bill, which, in essence, waived the fee that they would have had to pay so that veterans have access to loans that they need to grow a business or to create businesses since they have worn the uniform of our country, we certainly need to do everything we can to help them, and this bill does that as well.

As has been mentioned by Mr. TAKAI and others, this does not cost the taxpayers any additional dollars because the money for this is generated from the fees of those who take advantage of the program, so it is a win-win all around.

I urge my colleagues to vote to concur on the Senate amendment to H.R. 2499, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. CHABOT) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 2499.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the Senate amendment was concurred in.

A motion to reconsider was laid on the table.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 5 o'clock and 36 minutes p.m.), the House stood in recess.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HULTGREN) at 6 o'clock and 30 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

S. 1482, by the yeas and nays;

H.R. 1656, by the yeas and nays;

H.R. 2770, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

NEED-BASED EDUCATIONAL AID ACT OF 2015

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (S. 1482) to improve and reauthorize provisions relating to the application of the antitrust laws to the award of need-based educational aid, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. GOODLATTE) that the House suspend the rules and pass the bill.

The vote was taken by electronic device, and there were—yeas 378, nays 0, not voting 55, as follows:

[Roll No. 467]

YEAS—378

Abraham
Adams
Aderholt
Aguilar
Allen
Amash
Ashford
Babin
Barletta
Barr
Barton
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Bustos
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Gallego
Garamendi
Garrett
Gibson
Gohmert
Goodlatte
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Gene
Griffith
Grijalva
Grothman
Guinta
Guthrie
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins
Hill
Himes
Holding
Honda
Hoyer
Hudson
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Kaptur
Katko
Keating
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Kuster
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Lowenthal
Lowey
Lucas
Luetkemeyer
Luján, Ben Ray (NM)
Lummis
Lynch
MacArthur
Maloney, Carolyn
Marchant
Marino
Massie
Matsui
McCarthy
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nunes
O'Rourke
Olson
Palazzo
Pallone
Palmer
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Pompeo

Posey
Price (NC)
Price, Tom
Quigley
Ratcliffe
Reed
Reichert
Ribble
Rice (NY)
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Ross
Rothfus
Rouzer
Royce
Ruiz
Ruppersberger
Russell
Ryan (OH)
Ryan (WI)
Salmon
Sánchez, Linda T.
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sherman
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stutzman
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (PA)
Thornberry
Titus
Tonko
Torres
Trott
Tsongas
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walberg
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—55

Amodei
Bass
Beatty
Becerra
Blum
Brady (PA)
Butterfield
Carter (TX)
Clawson (FL)
Cleaver
Cohen
Conyers
Fudge
Gabbard
Gibbs
Gosar
Green, Al
Gutiérrez
Hinojosa
Huelskamp
Jackson Lee
Johnson, E. B.
Joyce
Kelly (IL)
Kirkpatrick
Labrador
Lee
Lieu, Ted
Love
Lujan Grisham (NM)
Maloney, Sean
McNerney
Meeks
Meng
Moore
Nugent
Pittenger
Rangel
Renacci
Richmond
Roskam
Roybal-Allard
Rush
Sanchez, Loretta
Sewell (AL)
Sires
Slaughter
Stewart
Stivers
Thompson (MS)
Tiberi
Tipton
Turner
Wagner
Walden

□ 1857

Ms. MCCOLLUM changed her vote from ''nay'' to ''yea.''

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MOMENT OF SILENCE FOR LAFAYETTE SHOOTING VICTIMS

(Mr. BOUSTANY asked and was given permission to address the House for 1 minute.)

Mr. BOUSTANY. Mr. Speaker, I rise today with a heavy heart in the aftermath of a terrible and horrific act of violence that killed two innocent victims and injured nine others in my hometown of Lafayette, Louisiana, last Thursday night.

Lafayette, my hometown, is known for its joie de vivre. We work together. We play hard together. It is a great community, close-knit, and has been recognized as the happiest city in America by an organization.

But last Thursday our community was shaken to the core as a man, a lone gunman, opened fire at the Grand Theatre on Johnston Street, killing Jillian Johnson, a 31-year-old musician, local artist, and local businesswoman, and Mayci Breaux, 21, a radiology student. Nine others were injured in this attack; senseless, horrible violence.

It would have been a lot worse if not for the heroics of our law enforcement, who moved promptly on the scene and got control of the situation.

But I want to relay one other instance of heroic activity. One schoolteacher jumped in front of another schoolteacher to save her life and literally did. Both were injured. One of them had the wherewithal to hit the alarm to signal that something bad was happening.

Last night I attended a vigil for the victims at the Cathedral of St. John the Evangelist, where our community took time to reflect upon the lives that were lost.

Now, as our community tries to make sense and come to grips with what happened, I just simply ask my colleagues to stand with me and my colleagues from our Louisiana delegation and with the community of Lafayette for a moment of silence.

The SPEAKER pro tempore. Members will please stand and observe a moment of silence.

SECRET SERVICE IMPROVEMENTS ACT OF 2015

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 1656) to provide for additional resources for the Secret Service, and to improve protections for restricted areas, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. GOODLATTE) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 365, nays 16, not voting 52, as follows:

[Roll No. 468]

YEAS—365

Abraham
Adams
Aderholt
Aguilar
Allen
Ashford
Barletta
Barr
Barton
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Buck
Bucshon
Bustos
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duffy
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Gallego
Garamendi
Garrett
Gibson
Gohmert
Goodlatte
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Gene
Griffith
Grijalva
Guinta
Guthrie
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins
Hill
Himes
Holding
Honda
Hoyer
Hudson
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, Sam
Jolly
Jordan
Joyce
Kaptur
Katko
Keating
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Kuster
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Lowenthal
Lowey
Lucas
Luetkemeyer
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Matsui
McCarthy
McCaul
McCollum
McDermott
McGovern
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nunes
O'Rourke
Olson
Palazzo
Pallone
Palmer
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Ratcliffe
Reed
Reichert
Ribble
Rice (NY)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Ross
Rothfus
Rouzer
Royce
Ruiz
Ruppersberger
Russell
Ryan (OH)
Ryan (WI)
Salmon
Sánchez, Linda T.
Sarbanes
Scalise
Schakowsky
Schiff
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sherman
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik

Stutzman
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (PA)
Thornberry
Titus
Tonko
Torres
Trott
Tsongas
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walberg
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Webster (FL)
Welch
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—16

Amash
Babin
Burgess
Duncan (SC)
Duncan (TN)
Engel
Grothman
Jones
Lummis
Massie
McClintock
Mulvaney
Rice (SC)
Sanford
Weber (TX)
Yoho

NOT VOTING—52

Amodei
Bass
Beatty
Becerra
Blum
Brady (PA)
Butterfield
Carter (TX)
Clawson (FL)
Cleaver
Cohen
Conyers
Fudge
Gabbard
Gibbs
Gosar
Green, Al
Gutiérrez
Hinojosa
Huelskamp
Jackson Lee
Johnson, E. B.
Kelly (IL)
Kirkpatrick
Labrador
Lee
Lieu, Ted
Love
Lujan Grisham (NM)
McNerney
Meeks
Moore
Nugent
Pittenger
Rangel
Renacci
Richmond
Roskam
Roybal-Allard
Rush
Sanchez, Loretta
Sewell (AL)
Sires
Slaughter
Stewart
Stivers
Thompson (MS)
Tiberi
Tipton
Turner
Wagner
Walden

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1902

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

KEEPING OUR TRAVELERS SAFE AND SECURE ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 2770) to amend the Homeland Security Act of 2002 to require certain maintenance of security-related technology at airports, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. KATKO) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 380, nays 0, not voting 53, as follows:

[Roll No. 469]

YEAS—380

Abraham
Adams
Aderholt
Aguilar
Allen
Amash
Ashford
Babin
Barletta
Barr
Barton
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Bustos
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Gallego
Garamendi
Garrett
Gibson
Gohmert
Goodlatte
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Gene
Griffith
Grijalva
Grothman
Guinta
Guthrie
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins
Hill
Himes
Holding
Honda
Hoyer
Hudson
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jeffries
Jenkins (KS)
Johnson (GA)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kaptur
Katko
Keating
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Kuster
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Lowenthal
Lowey
Lucas
Luetkemeyer
Luján, Ben Ray (NM)
Lummis
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Massie
Matsui
McCarthy
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nunes
O'Rourke
Olson
Palazzo
Pallone
Palmer
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Ratcliffe
Reed
Reichert
Ribble
Rice (NY)
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Ross
Rothfus
Rouzer
Royce
Ruiz
Ruppersberger
Russell
Ryan (OH)
Ryan (WI)
Salmon
Sánchez Linda T.
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sherman
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stutzman
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (PA)
Thornberry
Titus
Tonko
Torres
Trott
Tsongas
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walberg
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—53

Amodei
Bass
Beatty
Becerra
Blum
Brady (PA)
Butterfield
Carter (TX)
Clawson (FL)
Cleaver
Cohen
Conyers
Fudge
Gabbard
Gibbs
Gosar
Green, Al
Gutiérrez
Hinojosa
Huelskamp
Jackson Lee
Jenkins (WV)
Johnson, E. B.
Kelly (IL)
Kirkpatrick
Labrador
Lee
Lieu, Ted
Love
Lujan Grisham (NM)
McNerney
Meeks
Moore
Nugent
Pittenger
Rangel
Renacci
Richmond
Roskam
Roybal-Allard
Rush
Sanchez, Loretta
Sewell (AL)
Sires
Slaughter
Stewart
Stivers
Thompson (MS)
Tiberi
Tipton
Turner
Wagner
Walden

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. DOLD) (during the vote). There are 2 minutes remaining.

□ 1915

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. AL GREEN of Texas. Mr. Speaker, today I missed the following votes: S. 1482—Need-Based Educational Aid Act of 2015. Had I been present, I would have voted "yes" on this bill; H.R. 1656—Secret Service Improvements Act of 2015, as amended. Had I been present, I would have voted "yes" on this bill; and H.R. 2770—Keeping our Travelers Safe and Secure Act, as amended. Had I been present, I would have voted "yes" on this bill.

PERSONAL EXPLANATION

Ms. SEWELL of Alabama. Mr. Speaker, during the votes on S. 1482, H.R. 1656 and H.R. 2770, I was inescapably detained and away handling important matters related to my District and the State of Alabama. If I had been

present, I would have voted "yes" on all of the aforementioned bills.

PERSONAL EXPLANATION

Mr. TIBERI. Mr. Speaker, on rollcall Nos. 467 (On Motion to Suspend the Rules and Pass S. 1482), 468 (On Motion to Suspend the Rules and Pass, as Amended, H.R. 1656), 469 (On Motion to Suspend the Rules and Pass, as Amended, H.R. 2270), I was unavoidably detained and did not cast my vote. Had I been present, I would have voted, "yea" on all three votes.

PERSONAL EXPLANATION

Mr. HUELSKAMP. Mr. Speaker, today, July 27, 2015, I was not present for rollcall votes Nos. 467, 468, or 469 due to weather-related travel delays. If I had been in attendance, I would have voted "yes" on rollcall vote 467, "no" on rollcall vote 468, and "yes" on rollcall vote 469.

PERSONAL EXPLANATION

Mr. GUTIÉRREZ. Mr. Speaker, I was unavoidably absent in the House chamber for votes on July 27, 2015. Had I been present, I would have voted "yea" on rollcall votes 467, 468, and 469.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 427, REGULATIONS FROM THE EXECUTIVE IN NEED OF SCRUTINY ACT OF 2015; PROVIDING FOR PROCEEDINGS DURING THE PERIOD FROM JULY 30, 2015, THROUGH SEPTEMBER 7, 2015; AND FOR OTHER PURPOSES

Mr. COLLINS of Georgia, from the Committee on Rules, submitted a privileged report (Rept. No. 114–230) on the resolution (H. Res. 380) providing for consideration of the bill (H.R. 427) to amend Chapter 8 of Title 5, United States Code, to provide that major rules of the executive branch shall have no force or effect unless a joint resolution of approval is enacted into law; providing for proceedings during the period from July 30, 2015, through September 7, 2015; and for other purposes, which was referred to the House Calendar and ordered to be printed.

AUTHORIZING THE USE OF EMANCIPATION HALL IN THE CAPITOL VISITOR CENTER FOR A CEREMONY TO PRESENT THE CONGRESSIONAL GOLD MEDAL TO THE MONUMENTS MEN

Mr. HARPER. Mr. Speaker, I ask unanimous consent that the Committee on House Administration be discharged from further consideration of House Concurrent Resolution 64, and ask for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The text of the concurrent resolution is as follows:

H. CON. RES. 64

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. USE OF EMANCIPATION HALL FOR CEREMONY TO PRESENT CONGRESSIONAL GOLD MEDAL TO THE MONUMENTS MEN.

Emancipation Hall in the Capitol Visitor Center is authorized to be used on October 22, 2015, for a ceremony to present the Congressional Gold Medal to the Monuments Men collectively, in recognition of their heroic role in the preservation, protection, and restitution of monuments, works of art, and artifacts of cultural importance during and following World War II. Physical preparations for the conduct of the ceremony shall be carried out in accordance with such conditions as the Architect of the Capitol may prescribe.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 836

Mr. DENT. Mr. Speaker, I ask unanimous consent that Representative CLARK of Massachusetts be removed as a cosponsor of H.R. 836.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

VETERANS' COMPENSATION COST-OF-LIVING ADJUSTMENT ACT OF 2015

Mr. MILLER of Florida. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 675) to increase, effective as of December 1, 2015, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 675

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Veterans' Compensation Cost-of-Living Adjustment Act of 2015''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—COMPENSATION COST-OF-LIVING ADJUSTMENT

Sec. 101. Increase in rates of disability compensation and dependency and indemnity compensation.

Sec. 102. Publication of adjusted rates.

TITLE II—UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

Sec. 201. Extending temporary expansion of United States Court of Appeals for Veterans Claims.

Sec. 202. Recall of retired judges of United States Court of Appeals for Veterans Claims.

Sec. 203. Life insurance program relating to judges of United States Court of Appeals for Veterans Claims.

Sec. 204. Voluntary contributions to enlarge survivors' annuity.

Sec. 205. Salaries of judges of United States Court of Appeals for Veterans Claims.

Sec. 206. Selection of chief judge of United States Court of Appeals for Veterans Claims.

TITLE III—IMPROVEMENT OF CLAIMS PROCESSING

Sec. 301. Interim payments of compensation benefits under laws administered by the Secretary of Veterans Affairs.

Sec. 302. Claims processors training.

Sec. 303. Notice of average times for processing claims and percentage of claims approved.

TITLE IV—OTHER MATTERS

Sec. 401. Clarification of eligible recipients of certain accrued benefits upon death of beneficiary.

Sec. 402. Observance of Veterans Day.

TITLE I—COMPENSATION COST-OF-LIVING ADJUSTMENT

SEC. 101. INCREASE IN RATES OF DISABILITY COMPENSATION AND DEPENDENCY AND INDEMNITY COMPENSATION.

(a) RATE ADJUSTMENT.—Effective on December 1, 2015, the Secretary of Veterans Affairs shall increase, in accordance with subsection (c), the dollar amounts in effect on November 30, 2015, for the payment of disability compensation and dependency and indemnity compensation under the provisions specified in subsection (b).

(b) AMOUNTS TO BE INCREASED.—The dollar amounts to be increased pursuant to subsection (a) are the following:

(1) WARTIME DISABILITY COMPENSATION.—Each of the dollar amounts under section 1114 of title 38, United States Code.

(2) ADDITIONAL COMPENSATION FOR DEPENDENTS.—Each of the dollar amounts under section 1115(1) of such title.

(3) CLOTHING ALLOWANCE.—The dollar amount under section 1162 of such title.

(4) DEPENDENCY AND INDEMNITY COMPENSATION TO SURVIVING SPOUSE.—Each of the dollar amounts under subsections (a) through (d) of section 1311 of such title.

(5) DEPENDENCY AND INDEMNITY COMPENSATION TO CHILDREN.—Each of the dollar amounts under sections 1313(a) and 1314 of such title.

(c) DETERMINATION OF INCREASE.—

(1) PERCENTAGE.—Except as provided in paragraph (2), each dollar amount described in subsection (b) shall be increased by the same percentage as the percentage by which benefit amounts payable under title II of the Social Security Act (42 U.S.C. 401 et seq.) are increased effective December 1, 2015, as a result of a determination under section 215(i) of such Act (42 U.S.C. 415(i)).

(2) ROUNDING.—Each dollar amount increased under paragraph (1), if not a whole dollar amount, shall be rounded to the next lower whole dollar amount.

(d) SPECIAL RULE.—The Secretary of Veterans Affairs may adjust administratively, consistent with the increases made under subsection (a), the rates of disability compensation payable to persons under section 10 of Public Law 85–857 (72 Stat. 1263) who have not received compensation under chapter 11 of title 38, United States Code.

SEC. 102. PUBLICATION OF ADJUSTED RATES.

The Secretary of Veterans Affairs shall publish in the Federal Register the amounts specified in section 101(b), as increased under that section, not later than the date on which the

matters specified in section 215(i)(2)(D) of the Social Security Act (42 U.S.C. 415(i)(2)(D)) are required to be published by reason of a determination made under section 215(i) of such Act during fiscal year 2016.

TITLE II—UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

SEC. 201. EXTENDING TEMPORARY EXPANSION OF UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS.

Section 7253(i)(2) of title 38, United States Code, is amended by striking ''January 1, 2013'' and inserting ''January 1, 2020''.

SEC. 202. RECALL OF RETIRED JUDGES OF UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS.

Paragraph (1) of section 7257(b) of title 38, United States Code, is amended to read as follows:

''(1)(A) The chief judge may recall for further service on the Court a recall-eligible retired judge in accordance with this section. Such a recall shall be made upon written certification by the chief judge that substantial service is expected to be performed by the retired judge for such period, not to exceed 90 days (or the equivalent), as determined by the chief judge to be necessary to meet the needs of the Court.

''(B)(i) A recall-eligible judge may request that the chief judge recall the recall-eligible judge for a period of service of not less than 90 days (or the equivalent).

''(ii) The chief judge shall approve a request made by a recall-eligible judge pursuant to clause (i) unless the chief judge certifies, in writing, that the Court does not have—

''(I) sufficient work to assign such recall-eligible judge during the period of recalled service; or

''(II) sufficient resources to provide to such recall-eligible judge appropriate administrative and office support.

''(iii) At any time during the period of recalled service of a judge who is recalled pursuant to clause (i), the chief judge may terminate such recalled service if the chief judge makes a written certification described in clause (ii).''.

SEC. 203. LIFE INSURANCE PROGRAM RELATING TO JUDGES OF UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS.

(a) IN GENERAL.—Section 7281 of title 38, United States Code, is amended by adding at the end the following:

''(j) For purposes of chapter 87 of title 5, a judge who is in regular active service and a judge who is retired under section 7296 of this title or under chapter 83 or 84 of title 5 shall be treated as an employee described in section 8701(a)(5) of title 5.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to any payment made on or after the first day of the first applicable pay period beginning on or after the date of the enactment of this Act.

SEC. 204. VOLUNTARY CONTRIBUTIONS TO ENLARGE SURVIVORS' ANNUITY.

Section 7297 of title 38, United States Code, is amended by adding at the end the following new subsection:

''(p)(1) A covered judge who makes an election under subsection (b) may purchase, in three-month increments, up to an additional year of service credit for each year of Federal judicial service completed, under the terms set forth in this section.

''(2) In this subsection, the term 'covered judge' means any of the following:

''(A) A judge in regular active service.

''(B) A retired judge who is a recall-eligible retired judge pursuant to subsection (a) of section 7257 of this title.

''(C) A retired judge who would be a recall-eligible retired judge pursuant to subsection (a) of section 7257 but for—

''(i) meeting the aggregate recall service requirements under subsection (b)(3) of such section; or

''(ii) being permanently disabled as described by subsection (b)(4) of such section.''.

SEC. 205. SALARIES OF JUDGES OF UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS.

Section 7253(e) of title 38, United States Code, is amended by striking ''district courts'' and inserting ''courts of appeals''.

SEC. 206. SELECTION OF CHIEF JUDGE OF UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS.

Section 7253(d) of title 38, United States Code, is amended—

(1) in paragraph (1)—

(A) in subparagraph (A), by striking ''and'';

(B) by redesignating subparagraph (B) as subparagraph (C); and

(C) by inserting after subparagraph (A) the following new subparagraph (B):

''(B) are 64 years of age or under and have at least three years remaining in term of office; and''; and

(2) by amending paragraph (2) to read as follows:

''(2)(A) In any case in which there is no judge of the Court in regular active service who meets the requirements under paragraph (1), the judge of the Court in regular active service who is senior in commission and meets subparagraph (A) or (B) and subparagraph (C) of paragraph (1) shall act as the chief judge.

''(B) In any case under subparagraph (A) of this paragraph in which there is no judge of the Court in regular active service who meets subparagraph (A) or (B) and subparagraph (C) of paragraph (1), the judge of the Court in regular active service who is senior in commission and meets subparagraph (C) shall act as the chief judge.''.

TITLE III—IMPROVEMENT OF CLAIMS PROCESSING

SEC. 301. INTERIM PAYMENTS OF COMPENSATION BENEFITS UNDER LAWS ADMINISTERED BY THE SECRETARY OF VETERANS AFFAIRS.

(a) IN GENERAL.—Subchapter III of chapter 51 of title 38, United States Code, is amended by adding at the end the following new section:

''§ 5127. Interim payments of compensation benefits

''(a) IN GENERAL.—In the case of a claim described in subsection (b), prior to adjudicating the claim, the Secretary shall make interim payments of monetary benefits to the claimant based on any disability for which the Secretary has made a decision or, with respect to such a disability that is not compensable, notify the claimant of the rating relating to such disability. Upon the adjudication of the claim, the Secretary shall pay to the claimant any monetary benefits awarded to the claimant for the period of payment under section 5111 of this title less the amount of such benefits paid to the claimant under this section.

''(b) CLAIM DESCRIBED.—A claim described in this subsection is a claim for disability compensation under chapter 11 of this title (including a claim regarding an increased rating)—

''(1) the adjudication of which requires the Secretary to make decisions with respect to two or more disabilities; and

''(2) for which, before completing the adjudication of the claim, the Secretary makes a decision with respect to a disability that would result in the payment of monetary benefits to the claimant upon the adjudication of the claim.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end of the items relating to such subchapter the following new item:

''5127. Interim payments of compensation benefits.''.

SEC. 302. CLAIMS PROCESSORS TRAINING.

(a) ESTABLISHMENT.—The Secretary of Veterans Affairs shall establish a training program to provide newly hired claims processors of the Department of Veterans Affairs with training for a period of not less than two years. In carrying out such program, the Secretary shall identify successful claims processors of the Department who can assist in the training of newly hired claims processors.

(b) ABILITY TO PROCESS CLAIMS.—The Secretary shall carry out the training program established under subsection (a) without increasing the amount of time in which claims are processed by the Department.

(c) EFFECTIVE DATE.—This section shall take effect on the date that is one year after the date of the enactment of this Act.

SEC. 303. NOTICE OF AVERAGE TIMES FOR PROCESSING CLAIMS AND PERCENTAGE OF CLAIMS APPROVED.

(a) PUBLIC NOTICE.—The Secretary of Veterans Affairs shall post the information described in subsection (c)—

(1) in a conspicuous place in each regional office and claims intake facilities of the Department of Veterans Affairs; and

(2) on the Internet Web site of the Department.

(b) NOTICE TO APPLICANTS.—

(1) IN GENERAL.—The Secretary shall provide to each person who submits a claim for benefits under the laws administered by the Secretary before the person submits such claim—

(A) notice of the information described in subsection (c); and

(B) notice that the person is eligible to receive up to an extra year of benefits payments if the person files a claim that is fully developed.

(2) ACKNOWLEDGMENT OF RECEIPT OF NOTICE.—Each person who submits a claim for benefits under the laws administered by the Secretary shall include in such application a signed form acknowledging that the person received the information described in subsection (c).

(c) INFORMATION DESCRIBED.—

(1) IN GENERAL.—The information described in this subsection is the following:

(A) The average processing time of the claims described in paragraph (2) and the percentage of such submitted claims for which benefits are awarded.

(B) The percentage of each of the following types of submitted claims for benefits under the laws administered by the Secretary of Veterans Affairs for which benefits are awarded:

(i) Claims filed by veterans who authorized a veterans service organization to act on the veterans' behalf under a durable power of attorney.

(ii) Claims filed by veterans who authorized a person other than a veterans service organization to act on the veterans' behalf under a durable power of attorney.

(iii) Claims filed by veterans who did not authorize a person to act on the veterans' behalf under a durable power of attorney.

(2) CLAIMS DESCRIBED.—The claims described in this paragraph are each of the following types of claims for benefits under the laws administered by the Secretary of Veterans Affairs:

(A) A fully developed claim that is submitted in standard electronic form.

(B) A fully developed claim that is submitted in standard paper form.

(C) A claim that is not fully developed that is submitted in standard electronic form.

(D) A claim that is not fully developed that is submitted in standard paper form.

(E) A claim that is not fully developed that is submitted in non-standard paper form.

(3) UPDATE OF INFORMATION.—The information described in this subsection shall be updated not less frequently than once each fiscal quarter.

TITLE IV—OTHER MATTERS

SEC. 401. CLARIFICATION OF ELIGIBLE RECIPIENTS OF CERTAIN ACCRUED BENEFITS UPON DEATH OF BENEFICIARY.

(a) ELIGIBILITY OF ESTATE.—Section 5121(a)(2) of title 38, United States Code, is amended—

(1) in the matter preceding subparagraph (A), by inserting '', or estate,'' after ''person''; and

(2) by adding at the end the following new subparagraph:

''(D) The estate of the veteran (unless the estate will escheat).''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to the death of an individual on or after the date that is two years after the date of the enactment of this Act.

SEC. 402. OBSERVANCE OF VETERANS DAY.

(a) TWO MINUTES OF SILENCE.—Chapter 1 of title 36, United States Code, is amended by adding at the end the following new section:

''§ 145. Veterans Day

''The President shall issue each year a proclamation calling on the people of the United States to observe two minutes of silence on Veterans Day in honor of the service and sacrifice of veterans throughout the history of the Nation, beginning at—

''(1) 3:11 p.m. Atlantic standard time;

''(2) 2:11 p.m. eastern standard time;

''(3) 1:11 p.m. central standard time;

''(4) 12:11 p.m. mountain standard time;

''(5) 11:11 a.m. Pacific standard time;

''(6) 10:11 a.m. Alaska standard time; and

''(7) 9:11 a.m. Hawaii-Aleutian standard time.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 1 of title 36, United States Code, is amended by adding at the end the following new item:

''145. Veterans Day.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. MILLER) and the gentlewoman from Nevada (Ms. TITUS) each will control 20 minutes.

The Chair recognizes the gentleman from Florida.

GENERAL LEAVE

Mr. MILLER of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to add extraneous material on H.R. 675, as amended.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. MILLER of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I urge all Members to support H.R. 675, as amended. The bill includes several important provisions that would help our Nation's veterans, including the annual COLA increase, changes to the Court of Appeals for Veterans Claims, requirements for VA to pay accrued benefits to the estate of a deceased veteran, improvements to claims processing, and would encourage Americans to observe 2 minutes of silence to honor our Nation's heroes on Veterans Day.

Mr. Speaker, many disabled veterans and their families depend on VA benefits to pay for their housing, their food, and other necessities. Therefore, it is absolutely essential that VA benefits keep pace with the rate of inflation so that our Nation's heroes are able to make ends meet.

The original text of H.R. 675, introduced by the chairman of the Subcommittee on Disability Assistance and Memorial Affairs, Dr. Abraham, would authorize the annual COLA increase to veterans disability compensation rates and other benefits.

The amount of the increase will be determined by the Consumer Price Index, which also establishes the COLA for Social Security beneficiaries.

H.R. 675, as amended, would also incorporate legislation that was originally introduced by Representative COSTELLO that would modernize our Court of Appeals for Veterans Claims, or CAVC, to ensure that the CAVC is able to meet the anticipated increase in the number of appeals that are coming over the next few years.

To address this problem, the bill would extend the temporary expansion of the CAVC from seven to nine judges through 2020. The bill would also authorize the chief judge to recall retired judges to serve more than 90 days, if necessary. These two changes would help ensure that the CAVC is able to continue deciding cases in a timely fashion.

Additionally, H.R. 675, as amended, would revise the qualifications for the chief judge and make CAVC judges eligible for the same salaries, life insurance programs, and retirement service credit benefits that are offered to other Federal appellate court judges.

H.R. 675, as amended, also includes provisions introduced by Representative TITUS that would help veterans who seek disability benefits for more than one medical condition. VA would be required to make interim payments for disabilities found to be service connected while the Department makes determinations with respect to claims for individual conditions that have yet to be adjudicated.

Additionally, this bill would require VA to establish a 2-year training program that would help ensure claims processors have the skills necessary to accurately decide claims for beneficiaries.

The bill would also address another serious problem for veterans and their families, which is that many veterans die before the VA is able to decide their claim for benefits.

Processing a claim for benefits can often take years, and if a veteran dies before VA completes adjudication of the claim, VA currently pays any accrued benefits to qualifying family members, such as spouses, dependent children, and dependent parents. However, if the veteran dies without any surviving qualifying family member, VA simply keeps the benefits.

This legislation, however, includes language authorized by Representative ZELDIN to fix this problem by requiring that VA pay any accrued benefits to the estate of the veteran, unless the estate would escheat. This would ensure that adult children and other beneficiaries of the veteran's estate will receive the benefits to which the veteran was legally entitled.

Finally, Mr. Speaker, this bill incorporates a bill by my friend Representative LYNCH that would help remind the American public of the true meaning of Veterans Day.

H.R. 675, as amended, would direct the President to issue an annual proclamation calling on the people of the United States to observe a 2-minute moment of silence in honor of our Nation's veterans' service and their sacrifice.

Mr. Speaker, I reserve the balance of my time.

Ms. TITUS. Mr. Speaker, I yield myself such time as I may consume.

I, too, rise in support of H.R. 675, as amended, which serves to provide an increase in the benefit payments for our veterans, as well as for their families and survivors.

I thank the chairman and Ranking Member BROWN for their help and their work on this important legislation.

Since 1976, Congress has consistently increased the rates of basic compensation for disabled veterans and the rates of dependency and indemnity compensation, DIC, for their survivors and dependents. This is in order to keep pace with inflation.

However, unlike Social Security cost-of-living adjustments, known commonly as COLAs, Congress must act each year to provide veterans with the benefit adjustments they deserve. This legislation will bring COLA increases for veterans to the same level as Social Security recipients for this year.

This action is very important in the short term, but I look forward to the House also considering H.R. 677, the American Heroes COLA Act of 2015, which I introduced, along with Chairman ABRAHAM. This would eliminate the possibility of congressional gridlock ensnaring the yearly COLA adjustments by making the increases automatic, just like they are for Social Security.

I would like to highlight an additional provision included in H.R. 675 that will also help ensure our veterans receive the benefits they have earned in a more timely fashion. Title 3 of this legislation is the text of H.R. 1414, the Pay As You Rate Act, which I introduced earlier this year.

The VA pays veterans when their complete claim has been reviewed and processed. The Pay as You Rate Act would expedite the benefit claims process for veterans by requiring the VA to pay benefits to veterans as individual components of their claims are reviewed, rather than at the completion of the entire claim.

The average benefits claim for our Iraq and Afghanistan veterans contained over eight separate components. Each medical condition is individually adjudicated, but the veteran only begins receiving benefits when the entire claim has been processed.

The Pay as You Rate Act is a commonsense change that will help reduce the backlog and provide veteran families much-needed financial support. I am pleased it has been included as part of H.R. 675.

This legislation also includes H.R. 2139, introduced by Representative O'ROURKE, which requires the VA to inform veterans of the expected turnaround for VA's various methods of filing a benefits claim. The intent of this legislation is to aid veterans as they determine the most appropriate manner for filing their benefits claim.

Lastly, included in this bill is H.R. 995, introduced by Representative LYNCH. This legislation would honor our veterans by formalizing a Veterans Day moment of silence across the Nation.

Again, I thank the chairman and subcommittee Chairman ABRAHAM for their work on behalf of our Nation's heroes, and I look forward to continuing to work with them in a bipartisan fashion to ensure that all our Nation's veterans are receiving the benefits they have earned and they deserve.

I reserve the balance of my time.

Mr. MILLER of Florida. Mr. Speaker, I am happy at this time to yield 4 minutes to the gentleman from Pennsylvania (Mr. COSTELLO), from the Sixth District of Pennsylvania, who is a member of our committee.

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I rise today in support of H.R. 675, the Veterans' Compensation Cost of Living Adjustment Act of 2015. I applaud Chairman MILLER, subcommittee Chairman ABRAHAM, and our committee staff for bringing this commonsense legislation to the floor today.

First, Mr. Speaker, this bill would take a commonsense step to ensure that veterans disability benefits are eligible for cost-of-living adjustments, much like our seniors are eligible for Social Security benefit adjustments.

Next, Mr. Speaker, this bill would take steps towards ensuring that our veterans are able to receive more timely and prompt review of their benefit appeals.

This legislation contains my legislation that I introduced earlier this year, H.R. 1067, the U.S. Court of Appeals for Veterans Claims Reform Act.

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This measure is a proactive step to ensure that the U.S. Court of Appeals for Veterans Claims, known as the CAVC, is able to meet the growing demand for review of veterans' claims benefits.

Not only would H.R. 675 ensure that we have an adequate number of appellate judges to handle current and future demand, but it would also ensure that we continue to attract qualified and capable individuals to serve our veterans on this critical panel.

Mr. Speaker, as you know, particularly from my vantage point, the Philadelphia VA regional office has been plagued with claims backlogs, data manipulation, and excessive wait times. It is not only happening at this VA facility. As we continue to fix this mess, we need to make sure that we do all we can to promote and support efficiency within the VA and to ensure that there is no additional interruption in the benefits review process and service provided to our veterans.

To provide a little background, in November 1988, President Ronald Reagan signed the Veterans' Judicial Review Act into law, which established the CAVC as a court of record within the Federal judiciary. The court has exclusive appellate jurisdiction over decisions of the Board of Veterans' Appeals, and it plays a critical role in ensuring the timely and accurate review of veterans' claims.

Currently, the court is authorized to have seven permanent judges and two temporary additional judges; but absent legislative action, the court is expected to revert back to its permanent seven judges without the two additional temporary judges. In order to handle the increase in claims, this legislation would enable the court to maintain nine judges through 2020.

As we continue to see reports of mismanagement, data manipulation, excessive wait times, and lost claims, it is imperative that this measure, as included in H.R. 675, is passed to proactively address potential complications that could hinder the effectiveness and efficiency of the CAVC to review and process veterans' claims. I encourage my colleagues to pass H.R. 675.

I thank the gentleman from Louisiana for introducing the legislation and for working with members of the committee to get this well-rounded, commonsense legislation to the floor.

Ms. TITUS. Mr. Speaker, I reserve the balance of my time.

Mr. MILLER of Florida. Mr. Speaker, I yield 3 minutes to the gentleman from the Fifth District of Louisiana (Mr. ABRAHAM), the chairman of a very critical subcommittee on our Veterans' Affairs Committee.

Mr. ABRAHAM. I thank the chairman.

Mr. Speaker, as chairman of the Disability Assistance and Memorial Affairs Subcommittee, I would like to thank the Veterans' Affairs Committee as a whole and leadership on their role in getting this important bill to the floor.

I am proud to have introduced the Veterans' Compensation Cost-of-Living Adjustment Act of 2015, which is also known as COLA.

The bill provides a cost-of-living adjustment increase to the veterans' disability compensation and other veterans' benefits for 2016. The amount of the increase is the same given to Social Security beneficiaries.

We all understand how important it is for the VA benefits to keep pace with the rate of inflation, and our Nation's veterans depend on these benefits to pay for housing, food, and other necessities. Congress has previously passed similar increases with wide bipartisan support because both parties see the need in making sure that our American heroes are cared for, which they most markedly deserve.

I would also like to thank the ranking member, Representative TITUS, for her support as an original cosponsor of H.R. 675.

These benefits are instrumental in supporting those who have honorably served our Nation. Passing the Veterans' Compensation Cost-of-Living Adjustment Act of 2015 provides our veterans with much-needed peace of mind so that they know their benefits will be secure each year.

We must demand the highest protection of our veterans and their financial security. Our veterans are our Nation's heroes; and this bill, which enjoys bipartisan support, gives Congress a chance to give back to those who have already given so much. I urge the full passage of this bill, H.R. 675.

Ms. TITUS. Mr. Speaker, I reserve the balance of my time.

Mr. MILLER of Florida. Mr. Speaker, I yield 2 minutes to the gentleman from the First District of the State of New York (Mr. ZELDIN), another valued member of our committee.

Mr. ZELDIN. I thank the chairman for his leadership on the Veterans' Affairs Committee and for his unyielding passion toward always putting veterans first.

I thank the great staff as well on both sides of the aisle with the Veterans' Affairs Committee. It is a pleasure to serve with all of them.

Mr. Speaker, I rise this evening in support of H.R. 675, which has been amended to include my bill, H.R. 1569, the Veterans Estate Transfer to Survivors Act, or the VETS Act.

I am honored to represent the First Congressional District of New York, which is located on the east end of Long Island. My district is in the County of Suffolk, which has the largest veterans population of any county in New York and the second highest in the entire country. With so many veterans in my home county, I am extremely proud to serve on the House Veterans' Affairs Committee.

With the passage of H.R. 675, the Veterans' Compensation Cost-of-Living Adjustment Act of 2015, which has been amended to include my bill, H.R. 1569, veterans are securing a big victory here in the Halls of Congress.

The VETS Act is a commonsense reform to the VA benefit payouts that will help veterans and their families on Long Island and across the country as my legislation would require the Department of Veterans Affairs to pay certain benefits that were earned by a veteran to the veteran's estate.

Under current law, if a veteran passes away while the VA is still reviewing a claim, the VA no longer has to award the earned benefits. Currently, only a veteran's spouse, minor child, or dependent parent is eligible to collect the accrued benefits. By adding the estate to the current list of beneficiaries, adult children can now also receive the benefits earned should there be no other qualifying family members.

My bill ensures our veteran families, who rightfully earned and deserve their benefits, actually receive their benefits even after the veteran passes away. I encourage all of my colleagues to support H.R. 675.

Ms. TITUS. Mr. Speaker, I have no further requests for time. I simply urge my colleagues to support the passage of H.R. 675, as amended.

I yield back the balance of my time.

Mr. MILLER of Florida. Mr. Speaker, I also urge the passage of H.R. 675, as amended.

I yield back the balance of my time.

Mr. LYNCH. Mr. Speaker, I rise today in support of H.R. 675, the Veterans' Compensation Cost of Living Adjustment Act and urge my colleagues to vote in favor of it.

This is an important bill that provides a critical cost-of-living increase for the service-connected disability compensation that our disabled veterans need and deserve. In addition, it makes other needed changes to a number of programs administered by the VA to ensure that they better meet the needs of our veterans and their families.

I am pleased that H.R. 675, as amended by the Veterans Affairs Committee, includes the text of my bill, H.R. 995, the ''Veterans Day Moment of Silence Act.'' This bipartisan legislation calls for two minutes of silence every Veterans Day. Its set time of 2:11 p.m., Eastern Standard Time, allows all Americans from coast to coast and Puerto Rico to come together to reflect on the service of our veterans, past and present. Generations of brave men and women have served our nation with honor: risking their lives to keep us safe and free. They deserve our support and, most of all our gratitude.

Mr. Speaker, there are few words that can do justice to the magnitude of what our servicemembers have done throughout our history, and continue to do for us every day. They leave their families and loved ones behind, and go to some of the world's most dangerous places. They risk their health and their lives to serve and defend the nation we all love. I have had the honor and pleasure of meeting with some of them in my travels abroad and I am always moved by their dedication, their professionalism, and their courage.

I would like to thank Veterans Affairs Committee Chairman MILLER and Ranking Member BROWN for including the language of ''The Veterans Day Moment of Silence Act'' to this bill. I also wish to recognize and thank the Bendetson family who first approached me with the concept of this tribute. Daniel and Michael Bendetson, along with their father, Dr. Peter Bendetson, have worked tirelessly for years to bring this proposal to fruition. Finally, I would most like to thank all the veterans in my district and across America, in whose honor I am proud to have introduced this legislation.

Once again, I urge my colleagues to support and pass H.R. 675.

Ms. SEWELL of Alabama. Mr. Speaker, today, the House voted on H.R. 675, the Veterans' Compensation Cost-of-Living Adjustment Act of 2015, a bipartisan bill that protects veterans' benefits from inflation. I was unavoidably detained; however, if I had been present, I would have voted in favor of this much needed legislation.

Veterans and their families have sacrificed greatly for our country, and it is unacceptable that so many military families are struggling every day to make ends meet. These brave individuals should never be faced with the difficult choice of either paying their bills or feeding their families. As the greatest country in the world, we have a moral obligation to fix this situation and provide veterans with the compensation and support they deserve. I believe this bill is a strong first step in the right direction.

Today, I applaud my colleagues in Congress for voting in favor of struggling veterans, disabled former service members, and their families by supporting the Veterans' Compensation Cost-of-Living Adjustment Act of 2015. Moreover, I ask my fellow Members of Congress to continue advocating for our veterans by encouraging companies to hire vets while also addressing the systemic problems within the VA healthcare system.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. MILLER) that the House suspend the rules and pass the bill, H.R. 675, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. MILLER of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

RUTH MOORE ACT OF 2015

Mr. MILLER of Florida. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1607) to amend title 38, United States Code, to improve the disability compensation evaluation procedure of the Secretary of Veterans Affairs for veterans with mental health conditions related to military sexual trauma, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1607

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Ruth Moore Act of 2015''.

SEC. 2. REPORTS ON CLAIMS FOR DISABILITIES INCURRED OR AGGRAVATED BY MILITARY SEXUAL TRAUMA.

(a) ANNUAL REPORTS.—

(1) IN GENERAL.—Subchapter VI of chapter 11 of title 38, United States Code, is amended by adding at the end the following new section:

''§ 1164. Reports on claims for disabilities incurred or aggravated by military sexual trauma

''(a) REPORTS.—Not later than December 1, 2015, and each year thereafter through 2019, the Secretary shall submit to Congress a report on covered claims submitted during the previous fiscal year.

''(b) ELEMENTS.—Each report under subsection (a) shall include the following:

''(1) The number of covered claims submitted to or considered by the Secretary during the fiscal year covered by the report.

''(2) Of the covered claims listed under paragraph (1), the number and percentage of such claims—

''(A) submitted by each sex;

''(B) that were approved, including the number and percentage of such approved claims submitted by each sex; and

''(C) that were denied, including the number and percentage of such denied claims submitted by each sex.

''(3) Of the covered claims listed under paragraph (1) that were approved, the number and percentage, listed by each sex, of claims assigned to each rating percentage.

''(4) Of the covered claims listed under paragraph (1) that were denied—

''(A) the three most common reasons given by the Secretary under section 5104(b)(1) of this title for such denials; and

''(B) the number of denials that were based on the failure of a veteran to report for a medical examination.

''(5) The number of covered claims that, as of the end of the fiscal year covered by the report, are pending and, separately, the number of such claims on appeal.

''(6) For the fiscal year covered by the report, the average number of days that covered claims take to complete beginning on the date on which the claim is submitted.

''(7) A description of the training that the Secretary provides to employees of the Veterans Benefits Administration specifically with respect to covered claims, including the frequency, length, and content of such training.

''(c) DEFINITIONS.—In this section:

''(1) The term 'covered claims' means claims for disability compensation submitted to the Secretary based on a covered mental health condition alleged to have been incurred or aggravated by military sexual trauma.

''(2) The term 'covered mental health condition' means post-traumatic stress disorder, anxiety, depression, or other mental health diagnosis described in the current version of the Diagnostic and Statistical Manual of Mental Disorders published by the American Psychiatric Association that the Secretary determines to be related to military sexual trauma.

''(3) The term 'military sexual trauma' means, with respect to a veteran, psychological trauma, which in the judgment of a mental health professional, resulted from a physical assault of a sexual nature, battery of a sexual nature, or sexual harassment which occurred during active military, naval, or air service.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''1164. Reports on claims for disabilities incurred or aggravated by military sexual trauma.''.

(3) INITIAL REPORT.—The Secretary of Veterans Affairs shall submit to Congress an initial report described in section 1164 of title 38, United States Code, as added by paragraph (1), by not later than 90 days after the date of the enactment of this Act. Such initial report shall be in addition to the annual reports required under such section beginning in December 2015.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of Veterans Affairs should update and improve the regulations of the Department of Veterans Affairs with respect to military sexual trauma by—

(1) ensuring that military sexual trauma is specified as an in-service stressor in determining the service-connection of post-traumatic stress disorder by including military sexual trauma as a stressor described in section 3.304(f)(3) of title 38, Code of Federal Regulations; and

(2) recognizing the full range of physical and mental disabilities (including depression, anxiety, and other disabilities as indicated in the Diagnostic and Statistical Manual of Mental Disorders published by the American Psychiatric Association) that can result from military sexual trauma.

(c) PROVISION OF INFORMATION.—During the period beginning on the date that is 15 months after the date of the enactment of this Act and ending on the date on which the Secretary updates and improves regulations as described in subsection (b), the Secretary shall—

(1) provide to each veteran who has submitted a covered claim or been treated for military sexual trauma at a medical facility of the Department with a copy of the report under subsection (a)(3) or section 1164 of title 38, United States Code, as added by subsection (a)(1), that has most recently been submitted to Congress;

(2) provide on a monthly basis to each veteran who has submitted any claim for disability compensation or been treated at a medical facility of the Department information that includes—

(A) the date that the Secretary plans to complete such updates and improvements to such regulations;

(B) the number of covered claims that have been granted or denied during the month covered by such information;

(C) a comparison to such rate of grants and denials with the rate for other claims regarding post-traumatic stress disorder;

(D) the three most common reasons for such denials;

(E) the average time for completion of covered claims;

(F) the average time for processing covered claims at each regional office; and

(G) any information the Secretary determines relevant with respect to submitting a covered claim;

(3) in addition to providing to veterans the information described in paragraph (2), the Secretary shall make available on a monthly basis such information on a conspicuous location of the Internet website of the Department; and

(4) submit to Congress on a monthly basis a report that includes—

(A) a list of all adjudicated covered claims, including ancillary claims, during the month covered by the report;

(B) the outcome with respect to each medical condition included in the claim; and

(C) the reason given for any denial of such a claim.

(d) MILITARY SEXUAL TRAUMA DEFINED.—In this section:

(1) The term ''covered claim'' has the meaning given that term in section 1164(c)(1) of title 38, United States Code, as added by subsection (a)(1).

(2) The term ''military sexual trauma'' has the meaning given that term in section 1164(c)(3) of title 38, United States Code, as added by subsection (a)(1).

SEC. 3. LIMITATION ON AWARDS AND BONUSES PAID TO SENIOR EXECUTIVE EMPLOYEES OF DEPARTMENT OF VETERANS AFFAIRS.

Section 705 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 38 U.S.C. 703 note) is amended by striking the period at the end and inserting the following: '', of which, during fiscal years 2016 through 2018, not more than an aggregate amount of $2,000,000 in each such fiscal year may be paid to employees of the Department of Veterans Affairs who are members of the Senior Executive Service.''.

The SPEAKER pro tempore (Mr. COSTELLO of Pennsylvania). Pursuant to the rule, the gentleman from Florida (Mr. MILLER) and the gentlewoman from Nevada (Ms. TITUS) each will control 20 minutes.

The Chair recognizes the gentleman from Florida.

GENERAL LEAVE

Mr. MILLER of Florida. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and to add any extraneous material that they may have on H.R. 1607, as amended.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. MILLER of Florida. Mr. Speaker, I yield myself such time as I may consume.

I urge all Members to support H.R. 1607, as amended, which would help veterans who are seeking benefits for conditions that arose as a result of military sexual trauma, or MST.

Tragically, MST has been a serious problem in the U.S. military; although, in recent years, the DOD has been taking steps to reduce these assaults. We owe it to our veterans who are subject to personal assaults during their military service to ensure that the VA expeditiously and accurately processes mental health claims for conditions related to MST, such as depression, anxiety, or PTSD.

Several factors complicate the process for veterans who seek disability compensation for mental health conditions that might arise from MST. The vast majority of sexual assaults in the military are not reported, and even fewer cases are actually prosecuted. As a result, many veterans find it hard to prove that the assaults actually occurred; therefore, service connection is often difficult to establish.

H.R. 1607, as amended, which was introduced by Representative PINGREE, would also express the sense of Congress that the VA should update and improve its regulations with respect to MST.

Although current VA regulations purport to reduce the burden of proof for veterans who file claims for PTSD, in practice, the VA claims processors do not use the broader standard of evidence when adjudicating claims related to MST. Moreover, these regulations do not address mental health conditions, with the exception of PTSD, that might arise as a result of military sexual trauma.

To help Congress conduct better oversight of the VA's processing of MST claims, H.R. 1607, as amended, would require the VA to submit annual reports through 2019. These reports would provide certain data, including the number of military sexual trauma claims approved. The VA would also be required to provide the three most common reasons the Department denies such claims.

Until the VA updates and improves its regulations with respect to MST claims, the Department would be required to provide each veteran who has submitted an MST claim or has been treated for MST with a copy of the report most recently submitted to Congress. The VA would have to provide monthly updates on the status of the changes to the regulations to both Congress and the veterans who are affected.

Finally, H.R. 1607, as amended, would limit awards and bonuses paid to the VA employees who are members of the Senior Executive Service to not more than an aggregate of $2 million for each of the next 3 years.

I reserve the balance of my time.

Ms. TITUS. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 1607, as amended, the Ruth Moore Act of 2015.

This very important legislation, which was introduced by my friend, Representative CHELLIE PINGREE of Maine, seeks to improve services for the men and women who have been the victims of military sexual trauma. In particular, this legislation sends a loud and clear message to the VA by requiring the Department to update its regulations to better serve veterans affected by MST.

Current VA regulations related to MST are outdated and do not reflect the needs of those who have lived through such awful experiences. The VA's existing policy is to update regulations periodically as they see fit. However, information we have received indicates that the VA needs to do more for these veterans.

Recently, the VA revised their regulations in order to do the right thing for veterans exposed to Agent Orange on aircraft, which will result in better health care and benefits for those veterans who are suffering from exposure to the toxin. We now expect the VA to do the same thing for the men and women affected by military sexual trauma. They, too, deserve the proper health care and adequate benefits. They deserve them today, not tomorrow.

As we provide for the victims of MST, however, we must also work on ways to both eliminate it from our armed services and change the culture of the military.

I reserve the balance of my time.

Mr. MILLER of Florida. Mr. Speaker, I have no further requests for time, and I reserve the balance of my time.

Ms. TITUS. Mr. Speaker, I yield 3 minutes to the gentlewoman from Maine (Ms. PINGREE).

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Ms. PINGREE. Mr. Speaker, I thank the gentlewoman for yielding and for her great work on this issue.

I also want to thank Chairman MILLER, Chairman ABRAHAM, Ranking Member BROWN, and my good friend, Ranking Member TITUS, for all their work on this piece of bipartisan legislation. I think it is clear this committee is truly working for our Nation's veterans.

Mr. Speaker, almost every day I hear from another veteran who is the survivor of sexual assault in the military, men and women of all ages and from every branch of the service.

I have heard from survivors of sexual assault from World War II, the war in Afghanistan, and every conflict in every era in between. There are veterans who are suffering from PTSD because they were sexually assaulted, and they are not being treated fairly.

With this bill, we are fighting to hold the VA accountable and making sure that they are following through on their promises.

The VA has acknowledged that PTSD from combat is a real injury and needs to be treated that way, and it should be the same for those who suffer from PTSD from sexual assault.

A Pentagon report showed 19,000 women and men were sexually assaulted in the military just last year, but only about a quarter of those assaults were reported and even fewer ended up with a prosecution.

I am glad the Defense Department and the VA has increased training and prevention efforts around rape and harassment, but let me be clear. As you have already heard, the problem is not fixed.

Survivors of sexual assault have been blamed and harassed, crimes have been covered up, and survivors themselves have been the subject of further harassment and recrimination. In the latest Pentagon report, 62 percent of the individuals who reported sexual assault have also reported retaliation.

Mr. Speaker, I want to talk for a minute about a very brave woman, Ruth Moore, a veteran from Maine and the person who we named this bill for.

Ruth fought for 23 years before she was finally given the benefits we owed her. When I met her in my office in Maine 4 years ago, she could barely tell her story.

Bit by bit, she has rebuilt her trust of people in positions of responsibility to the point where she is able to tell her story publicly. There are thousands and thousands of Ruth Moores out there who have been fighting for their benefits for years or even decades.

The Ruth Moore Act of 2015 is an important next step in ensuring that the VA treats these veterans fairly. To be clear, this bill does not create any new benefits for survivors of sexual assault or give special treatment to the survivors of sexual assault. This bill just tries to level the playing field, to hold the VA accountable, and ensure these veterans are treated fairly.

We were able to pass this bill in the last Congress, and I urge my colleagues to do so again this time around. This issue is too important. It cannot be ignored.

Mr. MILLER of Florida. I reserve the balance of my time.

Ms. TITUS. Mr. Speaker, I yield 3 minutes to the gentlewoman from Massachusetts (Ms. TSONGAS).

Ms. TSONGAS. Mr. Speaker, I rise in support of the Ruth Moore Act. In 2012, 1 in 5 female and 1 in 100 male veterans told the VA that they had experienced sexual abuse while serving in the military.

Yet, despite egregious prevalence of sexual abuse in the military, it remains difficult for veterans to receive disability benefits as a result of their military sexual trauma.

In 2013, the Service Women's Action Network, the Yale Law School Veterans Legal Services Clinic, the ACLU, and the ACLU of Connecticut released a report that shows that veterans who experienced sexual assault have their benefits claims denied more often than veterans with other types of PTSD claims.

The report also found the rate of granting these claims varied greatly, depending upon the VA regional office.

The St. Paul, Minnesota, office granted only 26 percent of the MST claims they received, while the office in Los Angeles granted more than 88 percent of the claims they received.

Last year the U.S. Government Accountability Office backed up these findings. GAO found approval rates ranged from 14 percent to 88 percent at different regional offices.

The GAO also found that some medical examiners examining these claims required more evidence than others to establish these claims.

The Ruth Moore Act we are considering today would require that the VA report data on military sexual trauma claims to Congress.

While this reporting is a good step forward and could lead to more consistency and transparency in claims processing, I am disappointed that we are not considering Representative PINGREE's original bill, which would have also made it easier for survivors of military sexual trauma to make their case and made the claims process more uniform.

This bill is named after Ruth Moore, a Maine constituent of Representative PINGREE who spent more than 20 years fighting for her own benefits. Other survivors should not be made to repeat her battle.

I urge passage of this bill.

Mr. MILLER of Florida. I reserve the balance of my time.

Ms. TITUS. Mr. Speaker, I have no further speakers at this time. So I would just simply urge my colleagues to support passage of the Ruth Moore Act of 2015, H.R. 1607, as amended, and to provide support to the victims of MST who have so bravely served our Nation.

I yield back the balance of my time.

Mr. MILLER of Florida. Mr. Speaker, I urge all Members to support H.R. 1607, as amended.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. MILLER) that the House suspend the rules and pass the bill, H.R. 1607, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 876. An act to amend title XVIII of the Social Security Act to require hospitals to provide certain notifications to individuals classified by such hospitals under observation status rather than admitted as inpatients of such hospitals.

AMERICANS WITH DISABILITIES ACT

(Mr. DOLD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DOLD. Mr. Speaker, yesterday was the 25th anniversary of the Americans with Disability Act. I rise to thank the members of the Lake County Board for issuing a resolution designating July 26, 2015, as Americans with Disabilities Act Awareness Day.

The Americans with Disabilities Act was in response to an appalling problem, widespread discrimination against people with disabilities.

Over the past 25 years, the ADA has had a profound impact across our country, requiring accessibility and banning discrimination all across America.

In Lake County, we are fortunate to have many great organizations that provide resources to people with disabilities and their families.

I particularly want to recognize the Lake County Center for Independent Living, an organization that provides free life skills training, employment training, and advocacy services to disabled individuals in our community.

Mr. Speaker, I am pleased to join with the Lake County Board to celebrate the Americans with Disabilities Act, and I remain committed to working for policies that prohibit discrimination of all kinds.

MEDICARE'S FIFTIETH ANNIVERSARY

(Mr. TONKO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TONKO. Mr. Speaker, access to affordable, quality health care is a fundamental value, and Medicare and Medicaid have helped millions of Americans live with economic security and dignity for 50 years.

President Lyndon Johnson signed Medicare and Medicaid into law in 1965 on the basic principles that access to health care is a right, not a privilege, and certainly no one should be forced into poverty because of healthcare costs.

Thirty-four percent of those in New York's capital region that I represent depends on these programs, and we must do everything we can here in the House to strengthen Medicare and Medicaid.

No programs have changed the lives of Americans more over the last 50 years. We cannot strengthen these programs. We cannot ensure the long-term survival of these programs by passing budgets that turn Medicaid into block grants or Medicare into a voucher system.

Medicare and Medicaid save lives, help people live longer, and provide the peace of mind that comes with affordable health care that is there when you need it most.

Moving forward, I hope the House breaks with its recent tradition and works together to pass meaningful legislation that boosts these programs, like the Affordable Care Act.

Happy 50th birthday, Medicare. Happy 50th birthday, Medicaid. Here's to many, many more.

QUESTIONS FROM TEXANS ABOUT THE IRANIAN DEAL

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Mr. Speaker, I have asked people on my Facebook page what they think about the Iranian deal. Here are a few of the 300 responses.

Tammy says: Why were our hostages left out of the negotiation? Why even trust Iran at all to live up to the deal when they hate America?

John says: Why are there no American inspectors? Why no instant inspections?

Jacob says: Why are they doing a deal with the world's number one state sponsor of terrorism? This used to be called treason.

Carlos says: Ask them if they remember who Neville Chamberlain was and his policy toward Nazi Germany. Giving into Iran has a very similar overtone to what Chamberlain and the world did back then.

Adam says: 24 days' notice, no USA inspectors, no prisoners coming home? No inspection of their most lucrative site? China and Russia can sell them weapons?

Mr. Speaker, the American public wants some candid answers. Tomorrow Mr. Kerry will testify before our Foreign Affairs Committee. Time for some frank, no-double-talk answers from the administration on this Iranian deal.

And that is just the way it is.

RECOVERING MISSING CHILDREN ACT

(Mr. PAULSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAULSEN. Mr. Speaker, one out of four child abductions in the United States are not committed by a stranger, but instead are perpetrated by a relative.

An inspector general's report has found that tax filings can help locate these missing children nearly half of the time because new addresses can be identified, but law enforcement can't access this critical information.

We owe it to these children to give law enforcement the tools they need in order to find the more than 200,000 children that are kidnapped by family members every year here in the United States.

That is why Congressman COURTNEY and I have introduced the bipartisan Recovering Missing Children Act, which will allow law enforcement, with a court order, to access tax filings that could aid in the search for abducted children.

This legislation has been endorsed by the Fraternal Order of Police, the National Association of Police Organizations, the Major County Sheriffs' Association, and the Sergeants Benevolent Association.

Mr. Speaker, this is a zero-cost, commonsense way to cut red tape and help law enforcement bring these missing children home.

RESILIENT FEDERAL FOREST ACT OF 2015

(Mr. LAMALFA asked and was given permission to address the House for 1 minute.)

Mr. LAMALFA. Mr. Speaker, well, we have yet another reminder why we need for the Senate to take up H.R. 2647, the Resilient Federal Forest Act of 2015. We need to bring active management back to our forests.

Why is this important? Because now in California as well as the rest of the Western States the fire season is upon us.

In my district, the Lowell fire is burning near Alto, California. It has already consumed over 1,700 acres since Saturday, and it is only 20 percent contained. This is one of 12 fires burning in California. It is unknown how many throughout the West.

Sadly, four firefighters have already been injured in this blaze, two from the State and two from the Federal level. Thankfully, three of the men have been released, though one is still hospitalized with severe burns. Thankfully, they are nonlife-threatening.

Nonetheless, the nonmanagement of our forests are roadblocks that get thrown up by a few environmental groups to the type of wise management we need, especially in the time of drought, especially in the time we have millions of dead trees in the Western States and in California.

They should be thinned. They should be managed. We should have a forest where it will be better for the habitat, better for everybody, and better for everything involved. Instead, we have roadblocks.

We need this bill. We need a much better attitude on managing our forests because, again, this is hurting our firefighters, putting them at unnecessary risk, as well as the homeowners in the area, the wildlife, the habitat, and the economy that used to come from those areas.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CLAWSON of Florida (at the request of Mr. MCCARTHY) for today and for the balance of the week on account of a family emergency.

Mr. COHEN (at the request of Ms. PELOSI) for today on account of a flight delay due to weather.

Ms. GABBARD (at the request of Ms. PELOSI) for today on account of a flight delay.

Mr. AL GREEN of Texas (at the request of Ms. PELOSI) for today and tomorrow on account of official business.

Ms. EDDIE BERNICE JOHNSON of Texas (at the request of Ms. PELOSI) for today through July 29 on account of official business.

Ms. ROYBAL-ALLARD (at the request of Ms. PELOSI) for today.

Ms. SLAUGHTER (at the request of Ms. PELOSI) for today on account of travel complications.

ENROLLED BILLS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 1626. An act to reduce duplication of information technology at the Department of Homeland Security, and for other purposes.

H.R. 2499. An act to amend the Small Business Act to increase access to capital for veteran entrepreneurs, to help create jobs, and for other purposes.

ADJOURNMENT

Mr. LAMALFA. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, July 28, 2015, at 10 a.m. for morning-hour debate.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for Official Foreign Travel during the first and second quarters of 2015, pursuant to Public Law 95–384, are as follows:

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO LATVIA, EXPENDED BETWEEN JUNE 26 AND JUNE 29, 2015

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Mario Diaz-Balart	6/27	6/29	Latvia		470.00		12,543.00				13,013.00
Hon. Jim Costa	6/26	6/29	Latvia		470.00		11,132.00				11,602.00
Hon. Eliot Engel	6/27	6/29	Latvia		470.00		5,833.00				6,303.00
Hon. Darrell Issa	6/27	6/29	Latvia		470.00		9,356.00				9,826.00
Hon. Robert Latta	6/27	6/29	Latvia		212.00		4,685.00				4,897.00
Hon. Gregory Meeks	6/27	6/29	Latvia		470.00		9,203.00				9,673.00
Hon. Mike Turner	6/27	6/29	Latvia		470.00		3,684.00				4,154.00
Hon. George Holding	6/27	6/29	Latvia		470.00		3,264.00				3,734.00
Brady Howell	6/27	6/29	Latvia		470.00		6,528.00				6,998.00
Janice Robinson	6/26	6/29	Latvia		695.00		6,528.00				7,223.00
Kyle Parker	6/27	6/29	Latvia		470.00		6,528.00				6,998.00
Phil Bednarczyk	6/27	6/29	Latvia		470.00		6,528.00				6,998.00
Committee total					5,607.00		85,812.00				91,419.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. MARIO DIAZ-BALART, July 17, 2015.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ETHICS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2015

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
HOUSE COMMITTEES											
Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☒											

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. CHARLES W. DENT, Chairman, July 8, 2015.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2015

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
HOUSE COMMITTEES											
Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☒											

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. LAMAR SMITH, Chairman, July 10, 2015.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON SMALL BUSINESS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2015

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
HOUSE COMMITTEES											
Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☒											

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. STEVE CHABOT, Chairman, July 10, 2015.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

2292. A letter from the Farm Service Agency Regulatory Review Director, Department of Agriculture, transmitting the Department's interim rule — Conservation Reserve Program (RIN: 0560-AI30) received July 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Agriculture.

2293. A letter from the Comptroller, Under Secretary of Defense, Department of Defense, transmitting a report of a violation of the Antideficiency Act, Army case number 15-01, as required by 31 U.S.C. 1351; to the Committee on Appropriations.

2294. A letter from the Counsel, Legal Division, Bureau of Consumer Financial Protection, transmitting the Bureau's final rule — 2013 Integrated Mortgage Disclosures Rule Under the Real Estate Settlement Procedures Act (Regulation X) and the Truth in Lending Act (Regulation Z) and Amendments; Delay of Effective Date [Docket No.: CFPB-2015-0029] (RIN: 3170-AA48) received July 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Financial Services.

2295. A letter from the Associate General Counsel for Legislation and Regulations, Office of the Secretary, Department of Housing and Urban Development, transmitting the Department's final rule — Affirmatively Furthering Fair Housing [Docket No.: FR-5173-F-04] (RIN: 2501-AD33) received July 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Financial Services.

2296. A letter from the Deputy Director, Administration for Community Living, Department of Health and Human Services, transmitting the Department's final rule — Developmental Disabilities Program (RIN: 0970-AB11) received July 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2297. A letter from the Associate Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting the Commission's final rule — Lifeline and Link Up Reform and Modernization; Telecommunications Carriers Eligible for Universal Service Support; Connect America Fund [WC Docket No.: 11-42] [WC Docket No.: 09-197] [WC Docket No.: 10-90] received July 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2298. A letter from the Director, Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting the Department's final rule — Food Labeling; Nutrition Labeling of Standard Menu Items in Restaurants and Similar Retail Food Establishments; Extension of Compliance Date [Docket No.: FDA-2011-F-0172] (RIN: 0910-AG57) received July 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2299. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries Off West Coast States; Coastal Pelagic Species Fisheries; Annual Specifications [Docket No.: 150428405-5539-02] (RIN: 0648-XD927) received July 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

2300. A letter from the Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — International Fisheries; Pacific Tuna Fisheries; 2015 and 2016 Commercial Fishing Restrictions for Pacific Bluefin Tuna in the Eastern Pacific Ocean [Docket No.: 141222999-5561-02] (RIN: 0648-BE71) received July 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

2301. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Snapper-Grouper Fishery of the South Atlantic; 2015 Recreational Accountability Measures and Closure for South Atlantic Snowy Grouper [Docket No.: 0907271173-0629-03] (RIN: 0648-XE014) received July 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

2302. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Re-Opening of Commercial Sector for Atlantic Dolphin [Docket No.: 130403322-4454-02] (RIN: 0648-XE017) received July 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

2303. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Gulf of Mexico Highly Migratory Species; Commercial Blacknose Sharks and Non-Blacknose Small Coastal Sharks in the Gulf of Mexico Region [Docket No.: 140429387-4971-02] (RIN: 0648-XD954) received July 23, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

2304. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final regulations — Claims for Credit or Refund [TD 9727] (RIN: 1545-BI36) received July 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Ways and Means.

2305. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Applicable Federal Rates — August 2015 (Rev. Rule. 2015-16) received July 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Ways and Means.

2306. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Revisions to the Employee Plans Determination Letter Program (Announcement 2015-19) received July 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Ways and Means.

2307. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a letter and attachments satisfying all requirements of Sec. 135(a) of the Atomic Energy Act of 1954, as amended by the Iran Nuclear Agreement Review Act of 2015 (Pub. L. 114-17), as received July 19, 2015; jointly to the Committees on Foreign Affairs, Financial Services, the Judiciary, Oversight and Government Reform, and Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MILLER of Florida: Committee on Veterans' Affairs. Supplemental report on H.R. 1994. A bill to amend title 38, United States Code, to provide for the removal or demotion of employees of the Department of Veterans Affairs based on performance or misconduct, and for other purposes (Rept. 114–225, Pt. 2). Referred to the Committee on the Whole House on the state of the Union.

Mr. MCCAUL: Committee on Homeland Security. H.R. 1634. A bill to strengthen accountability for deployment of border security technology at the Department of Homeland Security, and for other purposes; with an amendment (Rept. 114–226). Referred to the Committee on the Whole House on the state of the Union.

Mr. MCCAUL: Committee on Homeland Security. H.R. 2750. A bill to reform programs of the Transportation Security Administration, streamline transportation security regulations, and for other purposes; with an amendment (Rept. 114–227). Referred to the Committee on the Whole House on the state of the Union.

Mr. GOODLATTE: Committee on the Judiciary. H.R. 348. A bill to provide for improved coordination of agency actions in the preparation and adoption of environmental documents for permitting determinations, and for other purposes (Rept. 114–228, Pt. 1). Ordered to be printed.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 1138. A bill to establish certain wilderness areas in central Idaho and to authorize various land conveyances involving National Forest System land and Bureau of Land Management land in central Idaho, and for other purposes (Rept. 114–229). Referred to the Committee of the Whole House on the state of the Union.

Mr. COLLINS of Georgia: Committee on Rules. House Resolution 380. Resolution providing for consideration of the bill (H.R. 427) to amend chapter 8 of title 5, United States Code, to provide that major rules of the executive branch shall have no force or effect unless a joint resolution of approval is enacted into law; providing for proceedings during the period from July 30, 2015, through September 7, 2015; and for other purposes (Rept. 114–230). Referred to the House Calendar.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII, the following action was taken by the Speaker:

H.R. 348. Referral to the Committee on Natural Resources extended for a period ending not later than September 11, 2015.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following

titles were introduced and severally referred, as follows:

By Mr. HUNTER (for himself, Mr. YOUNG of Alaska, Mr. DEFAZIO, Mr. GARAMENDI, Mr. LARSEN of Washington, and Mr. GRAVES of Louisiana):

H.R. 3214. A bill to amend title 14, United States Code, to establish the National Icebreaker Fund to pay the costs of construction, alteration, renovation, lease, or charter of icebreakers for the Coast Guard, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LAMBORN:

H.R. 3215. A bill to prohibit any person from soliciting or knowingly acquiring, receiving, or accepting a donation of human fetal tissue for any purpose other than disposal of the tissue if the donation affects interstate commerce and the tissue will be or is obtained pursuant to an induced abortion; to the Committee on Energy and Commerce.

By Mr. NEWHOUSE (for himself, Mr. BOUSTANY, Ms. BORDALLO, and Mr. LATTA):

H.R. 3216. A bill to amend title 38, United States Code, to clarify the emergency hospital care furnished by the Secretary of Veterans Affairs to certain veterans; to the Committee on Veterans' Affairs.

By Mrs. BUSTOS (for herself, Mr. LOEBSACK, Ms. DUCKWORTH, and Mr. FARR):

H.R. 3217. A bill to require the Secretary of Transportation to conduct a study on the adequacy of motor vehicle refueling assistance to individuals with disabilities, to promulgate regulations in accordance with the results of such study, and for other purposes; to the Committee on the Judiciary.

By Mrs. CAPPS (for herself, Mr. AGUILAR, Ms. BASS, Mr. BECERRA, Mr. BERA, Ms. BROWNLEY of California, Mr. CALVERT, Mr. CÁRDENAS, Ms. JUDY CHU of California, Mr. COOK, Mr. COSTA, Mrs. DAVIS of California, Mr. DENHAM, Mr. DESAULNIER, Ms. ESHOO, Mr. FARR, Mr. GARAMENDI, Ms. HAHN, Mr. HONDA, Mr. HUFFMAN, Mr. HUNTER, Mr. ISSA, Mr. KNIGHT, Mr. LAMALFA, Ms. LEE, Mr. TED LIEU of California, Ms. LOFGREN, Mr. LOWENTHAL, Ms. MATSUI, Mr. MCCLINTOCK, Mr. MCNERNEY, Mrs. NAPOLITANO, Mr. NUNES, Mr. PETERS, Mr. ROHRABACHER, Ms. ROYBAL-ALLARD, Mr. ROYCE, Mr. RUIZ, Ms. LINDA T. SÁNCHEZ of California, Ms. LORETTA SANCHEZ of California, Mr. SCHIFF, Mr. SHERMAN, Ms. SPEIER, Mr. SWALWELL of California, Mr. TAKANO, Mr. THOMPSON of California, Mrs. TORRES, Mr. VALADAO, Mr. VARGAS, Mrs. MIMI WALTERS of California, and Ms. MAXINE WATERS of California):

H.R. 3218. A bill to designate the facility of the United States Postal Service located at 836 Anacapa Street, Santa Barbara, California as the ''Special Warfare Operator Master Chief Petty Officer (SEAL) Louis 'Lou' J. Langlais Post Office Building''; to the Committee on Oversight and Government Reform.

By Mr. CICILLINE:

H.R. 3219. A bill to amend title 39, United States Code, to provide that post offices shall comply with public accommodation standards under the Americans with Disabilities Act of 1990, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. ROSKAM (for himself, Mr. BLUMENAUER, Mr. DOLD, Mr. BRENDAN F. BOYLE of Pennsylvania, and Mr. COSTELLO of Pennsylvania):

H.R. 3220. A bill to establish a smart card pilot program under the Medicare program; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. CLARK of Massachusetts (for herself, Mr. MARINO, Mr. THOMPSON of Pennsylvania, Mr. BARLETTA, Mr. MULLIN, Mr. FRANKS of Arizona, Mrs. LAWRENCE, Ms. BASS, and Mr. LANGEVIN):

H.R. 3221. A bill to amend the Elementary and Secondary Education Act of 1965 to require States to include information on the academic progress of homeless children and children in foster care in annual State report cards; to the Committee on Education and the Workforce.

By Mr. TOM PRICE of Georgia (for himself, Mr. BILIRAKIS, Mr. BROOKS of Alabama, Mr. CARTER of Georgia, Mr. CARTER of Texas, Mr. DESJARLAIS, Mr. DUNCAN of South Carolina, Mr. FINCHER, Mr. GOSAR, Mr. HARDY, Mrs. HARTZLER, Mr. HENSARLING, Mr. HUDSON, Mr. HUELSKAMP, Mr. KING of Iowa, Mr. LAMALFA, Mrs. LOVE, Mr. MCCLINTOCK, Mr. MESSER, Mr. MILLER of Florida, Mr. MULVANEY, Mr. NUGENT, Mr. POMPEO, Mr. ROONEY of Florida, Mr. ROUZER, Mr. SCHWEIKERT, Mr. STEWART, Mr. WESTMORELAND, Mr. WILSON of South Carolina, Mr. YOHO, and Mr. WOODALL):

H.R. 3222. A bill to provide protections for workers with respect to their right to select or refrain from selecting representation by a labor organization; to the Committee on Education and the Workforce.

By Mr. RODNEY DAVIS of Illinois:

H.R. 3223. A bill to award a Congressional Gold Medal to Timothy Nugent, in recognition of his pioneering work on behalf of people with disabilities, including disabled veterans; to the Committee on Financial Services.

By Mr. ENGEL (for himself and Mr. GRIJALVA):

H.R. 3224. A bill to regulate the sale of cases and covers that resemble firearms, to amend the Consumer Product Safety Improvement Act of 2008 with respect to the regulation of toy, look-alike, and imitation firearms, and to provide penalties for a violation of such regulations; to the Committee on Energy and Commerce.

By Mr. GRAVES of Missouri (for himself and Mr. LOEBSACK):

H.R. 3225. A bill to amend titles XVIII and XIX of the Social Security Act to provide for enhanced payments to rural health care providers under the Medicare and Medicaid programs, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. CAROLYN B. MALONEY of New York (for herself and Mr. SMITH of New Jersey):

H.R. 3226. A bill to amend the Securities Exchange Act of 1934 to require certain companies to disclose information describing any measures the company has taken to identify and address conditions of forced labor, slavery, human trafficking, and the worst forms of child labor within the company's supply chains; to the Committee on Financial Services.

By Mr. RUSSELL:

H.R. 3227. A bill to protect the Second Amendment rights of members of the Armed Forces and civilian employees of the Department of Defense trained in the use of firearms to carry officially-issued or personally-owned firearms on military installations in the United States; to the Committee on Armed Services, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SENSENBRENNER:

H.R. 3228. A bill to require that until a comprehensive study is completed, the volume of cellulosic biofuel mandated under the renewable fuel program be limited to what is commercially available, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ZELDIN:

H.R. 3229. A bill to amend title XVIII of the Social Security Act to provide for the non-application of Medicare competitive acquisition rates to complex rehabilitative wheelchairs and accessories; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BENISHEK:

H. Res. 381. A resolution to refer H.R. 3133, a bill making congressional reference to the United States Court of Federal Claims pursuant to sections 1492 and 2509 of title 28, United States Code, of certain Indian land-related takings claims of the Grand Traverse Band of Ottawa and Chippewa Indians of Michigan and its individual members; to the Committee on the Judiciary.

By Mr. CÁRDENAS:

H. Res. 382. A resolution expressing the need to eliminate life without parole for children; to the Committee on the Judiciary.

By Mr. FLEISCHMANN (for himself, Mrs. BLACK, Mrs. BLACKBURN, Mr. COOPER, Mr. COHEN, Mr. DESJARLAIS, Mr. DUNCAN of Tennessee, Mr. FINCHER, Mr. ROE of Tennessee, Mr. FRELINGHUYSEN, Mr. TOM PRICE of Georgia, Mr. FARENTHOLD, Mr. LOBIONDO, Mr. WESTMORELAND, Mr. GRAVES of Georgia, Mr. GRAVES of Missouri, Mr. ROUZER, Mr. WHITFIELD, Ms. JACKSON LEE, Mr. YOUNG of Iowa, Mr. MEEHAN, Mr. CONNOLLY, Mr. HURD of Texas, Mr. LOUDERMILK, Mr. BYRNE, Mr. WALKER, Mr. POE of Texas, Mr. WILSON of South Carolina, Mr. AMODEI, Mr. ROONEY of Florida, Mr. GRIFFITH, Mr. SHIMKUS, Mr. CURBELO of Florida, Mr. POLIQUIN, Mr. JONES, Mr. LAMALFA, Mr. DENT,

Mr. THOMPSON of California, Mr. HARDY, Mr. ADERHOLT, Mr. SESSIONS, Mr. HUNTER, Mr. OLSON, Mr. RODNEY DAVIS of Illinois, Mr. COLLINS of New York, Mr. BILIRAKIS, Mr. PIERLUISI, Mr. HARPER, Mr. WEBER of Texas, Mr. DUNCAN of South Carolina, Mr. TED LIEU of California, Mr. DONOVAN, Mr. MEADOWS, Mr. RYAN of Ohio, Ms. GABBARD, Mr. GOHMERT, Mrs. MILLER of Michigan, Mr. BROOKS of Alabama, Mr. WALBERG, Mr. BARLETTA, Mr. ASHFORD, Mr. JODY B. HICE of Georgia, Mr. GIBBS, Mr. KATKO, Mr. SAM JOHNSON of Texas, Mr. HUIZENGA of Michigan, Mr. AUSTIN SCOTT of Georgia, Mr. KING of Iowa, Mr. MCCAUL, Mr. NEWHOUSE, Mr. LATTA, Mr. PEARCE, and Mr. MCGOVERN):

H. Res. 383. A resolution expressing the sense of the House of Representatives regarding the appropriate award of the Purple Heart to the Marines and Sailors killed or wounded in the recent attack at the Navy Operational Support Center and Marine Corps Reserve Center and the Armed Forces Career Center in Chattanooga, Tennessee; to the Committee on Armed Services.

By Mr. RANGEL (for himself, Mr. CONYERS, and Mr. SAM JOHNSON of Texas):

H. Res. 384. A resolution calling for a formal end of the Korean War; to the Committee on Foreign Affairs, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. RYAN of Ohio introduced a bill (H.R. 3230) for the relief of Erdal Dede; which was referred to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. HUNTER:

H.R. 3214.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. LAMBORN:

H.R. 3215.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of Section 8 of Article 1 of the Constitution states that Congress has the authority to ''regulate Commerce with foreign nations, and among the several states.''

By Mr. NEWHOUSE:

H.R. 3216.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the United States Constitution

By Mrs. BUSTOS:

H.R. 3217.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.

By Mrs. CAPPS:

H.R. 3218.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 7 of the United States Constitution, which reads: ''The Congress shall have Power . . . To establish Post Offices and post Roads''

Article 1, Section 8, Clause 18 of the United States Constitution, which reads: ''The Congress shall have Power . . . To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States or in any Department or Officer thereof''

By Mr. CICILLINE:

H.R. 3219.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. ROSKAM:

H.R. 3220.

Congress has the power to enact this legislation pursuant to the following:

(a) Article I, Section 1, to exercise the legislative powers vested in Congress as granted in the Constitution; and

(a) Article I, Section 8, Clause 18, which gives Congress the authority ''To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof''.

By Ms. CLARK of Massachusetts:

H.R. 3221.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States

By Mr. TOM PRICE of Georgia:

H.R. 3222.

Congress has the power to enact this legislation pursuant to the following:

the authority enumerated in Clause 3 of Section 8 of Article I of the United States Constitution.

By Mr. RODNEY DAVIS of Illinois:

H.R. 3223.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 5 of the Constitution

By Mr. ENGEL:

H.R. 3224.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. Art. I §8.

By Mr. GRAVES of Missouri:

H.R. 3225.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 (General Welfare) and Article 1, Section 8, Clause 3 (Commerce) of the Constitution.

The bill makes several changes to the way hospitals are regulated by the Centers for Medicare and Medicaid Services (CMS). This includes transaction between hospitals, CMS, and third parties, which constitutes commerce. Further, Medicare is considered to be constitutional as part of providing for the general welfare and therefore any changes to Medicare would fall under this provision as well.

By Mrs. CAROLYN B. MALONEY of New York:

H.R. 3226.

Congress has the power to enact this legislation pursuant to the following:

Amendment 13 to the U.S. Constitution—Abolition of Slavery ''Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.''

By Mr. RUSSELL:

H.R. 3227.

Congress has the power to enact this legislation pursuant to the following:

Amendment 2: A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

By Mr. SENSENBRENNER:

H.R. 3228.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the Constitution of the United States

By Mr. ZELDIN:

H.R. 3229.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Mr. RYAN of Ohio:

H.R. 3230.

Congress has the power to enact this legislation pursuant to the following:

''The Congress enacts this bill pursuant to Clause 18 of Section 8 of Article I of the United States Constitution.''

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 27: Mr. THOMPSON of Pennsylvania.
H.R. 93: Mr. CONAWAY.
H.R. 167: Mr. RUIZ and Mr. CULBERSON.
H.R. 419: Mr. BISHOP of Utah.
H.R. 499: Mr. SHUSTER.
H.R. 546: Mr. COURTNEY.
H.R. 592: Mr. NEUGEBAUER, Mr. WEBSTER of Florida, Mr. FOSTER, and Ms. ADAMS.
H.R. 665: Mr. HANNA.
H.R. 676: Mrs. LAWRENCE.
H.R. 699: Mr. BRIDENSTINE.
H.R. 702: Mrs. MIMI WALTERS of California.
H.R. 707: Mr. PALAZZO and Mr. NUGENT.
H.R. 721: Mr. FLORES and Mr. SMITH of Missouri.
H.R. 729: Ms. TSONGAS.
H.R. 744: Mr. CUMMINGS.
H.R. 748: Mr. HIGGINS.
H.R. 757: Mr. VEASEY.
H.R. 774: Mr. CICILLINE and Mr. GRIJALVA.
H.R. 775: Mr. ROONEY of Florida.
H.R. 776: Mr. CHAFFETZ and Mrs. ELLMERS of North Carolina.
H.R. 789: Mr. HANNA.
H.R. 815: Mr. HUIZENGA of Michigan and Mr. ROUZER.
H.R. 816: Mr. DENHAM, Mr. KELLY of Mississippi, and Mr. CONAWAY.
H.R. 825: Mr. FRELINGHUYSEN.
H.R. 829: Ms. JUDY CHU of California.
H.R. 840: Mr. BLUMENAUER.
H.R. 842: Mr. COURTNEY.
H.R. 864: Mr. DESAULNIER.
H.R. 865: Mr. KINZINGER of Illinois.
H.R. 902: Mr. BRADY of Pennsylvania.
H.R. 911: Ms. TSONGAS.
H.R. 918: Mr. GOODLATTE.
H.R. 920: Ms. DUCKWORTH.
H.R. 985: Ms. ADAMS and Mr. COHEN.
H.R. 1019: Mr. BRENDAN F. BOYLE of Pennsylvania and Mr. CULBERSON.

H.R. 1027: Mr. NOLAN.
H.R. 1062: Mr. GRIFFITH, Mr. BARLETTA, Mr. HUIZENGA of Michigan, and Mr. DENHAM.
H.R. 1100: Ms. BONAMICI.
H.R. 1107: Mr. POCAN.
H.R. 1151: Mr. RODNEY DAVIS of Illinois.
H.R. 1185: Mr. ROE of Tennessee.
H.R. 1188: Ms. SPEIER.
H.R. 1211: Mrs. KIRKPATRICK and Ms. PINGREE.
H.R. 1222: Ms. DUCKWORTH.
H.R. 1226: Mr. WALBERG.
H.R. 1321: Ms. STEFANIK and Ms. SCHAKOWSKY.
H.R. 1336: Mr. CARSON of Indiana, Mrs. BROOKS of Indiana, Mr. BARR, and Mr. CARNEY.
H.R. 1342: Mr. PERLMUTTER and Mr. KING of New York.
H.R. 1356: Ms. SLAUGHTER, Ms. GRANGER, Mr. SCOTT of Virginia, Ms. BONAMICI, Mr. BEYER, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Ms. JENKINS of Kansas, Mr. CARSON of Indiana, and Mr. POCAN.
H.R. 1384: Mr. CONAWAY, Ms. LINDA T. SÁNCHEZ of California, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. CARSON of Indiana, and Ms. KUSTER.
H.R. 1391: Mr. COHEN and Mr. CÁRDENAS.
H.R. 1401: Ms. ROS-LEHTINEN.
H.R. 1422: Ms. NORTON.
H.R. 1434: Mrs. KIRKPATRICK.
H.R. 1475: Mr. ZINKE, Ms. PLASKETT, Mr. RIGELL, and Mr. CARNEY.
H.R. 1478: Mr. HARRIS.
H.R. 1515: Mr. TAKANO.
H.R. 1516: Mr. HIGGINS and Mr. FARR.
H.R. 1550: Mr. SHERMAN.
H.R. 1559: Mr. CARTER of Georgia and Mr. DOLD.
H.R. 1567: Mr. MESSER.
H.R. 1594: Mr. FITZPATRICK, Mr. DESANTIS, Ms. BONAMICI, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. CARSON of Indiana, Ms. JENKINS of Kansas, and Mr. POCAN.
H.R. 1604: Mr. ROSS and Mr. ABRAHAM.
H.R. 1608: Ms. SPEIER and Mr. DENT.
H.R. 1624: Mr. BENISHEK, Mr. DESAULNIER, Mr. PEARCE, Mr. BERA, Mr. CULBERSON, Mr. SAM JOHNSON of Texas, Ms. DUCKWORTH, Mr. EMMER of Minnesota, Mr. MCHENRY, Mr. MOOLENAAR, Mr. MESSER, Mr. DENT, and Mr. GOSAR.
H.R. 1628: Mr. POCAN and Mr. JONES.
H.R. 1655: Mr. BENISHEK and Ms. GABBARD.
H.R. 1684: Mr. POCAN.
H.R. 1716: Mr. MASSIE.
H.R. 1721: Mr. TAKANO.
H.R. 1737: Mr. O'ROURKE.
H.R. 1839: Mr. SCHWEIKERT.
H.R. 1901: Mr. WESTMORELAND.
H.R. 1937: Mrs. HARTZLER.
H.R. 1942: Miss RICE of New York, Ms. HAHN, Mr. CARSON of Indiana, and Mr. COOPER.
H.R. 1967: Mr. KING of New York, Mrs. CAPPS, Mr. HUFFMAN, and Ms. PINGREE.
H.R. 1974: Mr. VAN HOLLEN.
H.R. 1977: Ms. TSONGAS.
H.R. 2017: Mr. LAMALFA, Mr. ROUZER, Mr. BRIDENSTINE, and Mr. JOYCE.
H.R. 2025: Mr. DESAULNIER.
H.R. 2026: Mr. WILSON of South Carolina and Mr. TAKANO.
H.R. 2063: Ms. JACKSON LEE.
H.R. 2096: Mr. HUIZENGA of Michigan.
H.R. 2102: Ms. MCSALLY.
H.R. 2147: Mr. CONYERS and Mr. PALLONE.
H.R. 2205: Mr. MURPHY of Florida.
H.R. 2209: Ms. NORTON.
H.R. 2243: Mr. POSEY.
H.R. 2315: Mr. CONAWAY, Mr. PETERS, Mr. BRAT, and Mr. ROSKAM.
H.R. 2320: Ms. DUCKWORTH.
H.R. 2328: Mr. WALBERG.
H.R. 2342: Mr. PEARCE and Mr. HECK of Nevada.
H.R. 2369: Mr. GOSAR.
H.R. 2403: Mr. RICHMOND.
H.R. 2404: Ms. CLARKE of New York.
H.R. 2410: Ms. DELBENE.
H.R. 2494: Mr. ZELDIN.
H.R. 2513: Mr. WOMACK and Mr. WESTERMAN.
H.R. 2530: Ms. TSONGAS.
H.R. 2540: Mr. TONKO.
H.R. 2557: Mr. REED.
H.R. 2567: Mr. SMITH of Missouri.
H.R. 2595: Mr. POCAN.
H.R. 2602: Mrs. KIRKPATRICK, Ms. MENG, and Mr. MCNERNEY.
H.R. 2624: Ms. JACKSON LEE.
H.R. 2643: Mr. CURBELO of Florida and Mr. STIVERS.
H.R. 2646: Mr. SALMON and Mr. COFFMAN.
H.R. 2653: Mr. JOHNSON of Ohio, Mr. MARCHANT, Mrs. BLACK, and Mrs. ROBY.
H.R. 2663: Mr. ROKITA.
H.R. 2669: Mr. COLLINS of New York.
H.R. 2680: Mr. BRADY of Pennsylvania.
H.R. 2689: Mr. NUNES, Mr. TED LIEU of California, Mr. BERA, and Mr. TAKANO.
H.R. 2769: Ms. NORTON.
H.R. 2775: Mr. ROONEY of Florida.
H.R. 2793: Mr. GRAVES of Louisiana.
H.R. 2802: Mr. CULBERSON and Mr. KLINE.
H.R. 2805: Ms. STEFANIK.
H.R. 2811: Mr. HONDA, Mr. DESAULNIER, and Mr. POCAN.
H.R. 2824: Mr. RANGEL and Ms. SCHAKOWSKY.
H.R. 2844: Mr. VEASEY and Mr. MCDERMOTT.
H.R. 2847: Mr. LEWIS.
H.R. 2849: Mr. WELCH, Mr. QUIGLEY, and Mr. VAN HOLLEN.
H.R. 2903: Mr. WALBERG, Mr. POE of Texas, Mr. HUIZENGA of Michigan, Mrs. BUSTOS, Mr. TAKAI, Mr. CHABOT, Mr. BOUSTANY, and Mr. TROTT.
H.R. 2911: Ms. LORETTA SANCHEZ of California, Mr. NUNES, Mr. BLUMENAUER, and Mr. MARCHANT.
H.R. 2915: Mr. JONES, Mr. LANGEVIN, Mr. COFFMAN, and Ms. KUSTER.
H.R. 2920: Mr. PRICE of North Carolina, Mr. FRELINGHUYSEN, and Ms. BROWNLEY of California.
H.R. 2963: Mr. GARAMENDI, Mrs. BUSTOS, Ms. JUDY CHU of California, and Ms. KAPTUR.
H.R. 2973: Mr. JONES.
H.R. 2979: Ms. TSONGAS.
H.R. 2984: Mr. GUTHRIE.
H.R. 2992: Mr. RENACCI.
H.R. 3018: Mr. ROE of Tennessee.
H.R. 3029: Mr. RYAN of Ohio.
H.R. 3036: Mr. GIBSON and Ms. JACKSON LEE.
H.R. 3039: Mr. SMITH of Texas.
H.R. 3040: Ms. BORDALLO.
H.R. 3071: Ms. TSONGAS.
H.R. 3106: Mr. BILIRAKIS.
H.R. 3108: Mr. POCAN.
H.R. 3114: Mrs. KIRKPATRICK and Mr. JONES.
H.R. 3118: Mr. BLUM, Mr. NEWHOUSE, and Mr. RUSSELL.
H.R. 3132: Mr. HIGGINS, Ms. MAXINE WATERS of California, Mrs. BEATTY, Mr. BERA, Mr. COURTNEY, Mr. RICHMOND, and Mr. TED LIEU of California.
H.R. 3136: Mr. LUETKEMEYER and Mr. YOHO.
H.R. 3137: Mr. KLINE, Mr. COOK, Mr. DENHAM, and Mr. HONDA.
H.R. 3163: Mr. MCGOVERN.
H.R. 3171: Mr. BROOKS of Alabama.
H.R. 3183: Ms. BORDALLO.
H.R. 3189: Mr. EMMER of Minnesota, Mr. FINCHER, Mr. MESSER, Mr. WILLIAMS, and Mr. STUTZMAN.
H.R. 3193: Mrs. LOWEY.
H.R. 3199: Mr. PERRY and Mr. BROOKS of Alabama.
H.R. 3209: Ms. MOORE.
H.J. Res. 2: Mr. ZINKE.
H.J. Res. 9: Mr. FLEMING.
H.J. Res. 51: Mr. GALLEGO.
H.J. Res. 55: Mr. JONES, Mr. POSEY, Mr. DUNCAN of South Carolina, Mr. ROHRABACHER, Mr. SANFORD, Mr. HARRIS, Mr. LABRADOR, Mr. RIGELL, Mr. YOHO, Mr. GOWDY, Mr. STUTZMAN, Mr. MESSER, Mr. GIBSON, Mr. PALAZZO, Mr. WEBSTER of Florida, Mr. WESTERMAN, Mr. SENSENBRENNER, Mrs. LOVE, Mr. MOOLENAAR, and Mr. GROTHMAN.
H.J. Res. 61: Ms. GABBARD and Mr. CURBELO of Florida.
H. Con. Res. 40: Mr. GRIJALVA, Mr. COOK, Mr. YOUNG of Alaska, Mr. GRAYSON, Ms. LOFGREN, Mr. HIGGINS, and Mr. MILLER of Florida.
H. Con. Res. 50: Mr. RUSH, Mr. DELANEY, Mr. YOUNG of Alaska, Mr. HONDA, Mr. GIBSON, and Mr. RUSSELL.
H. Res. 12: Mr. JEFFRIES.
H. Res. 110: Mr. CRENSHAW.
H. Res. 220: Mrs. MCMORRIS RODGERS.
H. Res. 289: Mr. GRIJALVA and Mr. VAN HOLLEN.
H. Res. 294: Mr. RIBBLE and Ms. JUDY CHU of California.
H. Res. 354: Mr. JORDAN, Mr. COFFMAN, and Ms. FRANKEL of Florida.
H. Res. 367: Mr. RYAN of Wisconsin, Ms. GRANGER, Mr. GOODLATTE, Mr. BUCK, Mr. MCCAUL, Mr. GRIFFITH, Mr. ROHRABACHER, Mr. TROTT, Mrs. LUMMIS, Mr. KATKO, Mr. CULBERSON, Mr. CRENSHAW, Mr. SIMPSON, Mr. MICA, Mr. NUGENT, Mr. SMITH of Missouri, Mr. GRAVES of Missouri, Mr. DUFFY, and Mr. GUTHRIE.
H. Res. 379: Mr. BABIN, Mr. PERRY, Mr. MEADOWS, Mr. COSTELLO of Pennsylvania, Mr. COOK, and Mr. RIBBLE.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolution, as follows:

H.R. 836: Ms. CLARK of Massachusetts.

PETITIONS, ETC.

Under clause 3 of rule XII,

18. The SPEAKER presented a petition of Mr. Gregory D. Watson, a Citizen of Austin, TX, relative to urging Congress to propose, for ratification by special conventions held within the individual states, an amendment to the United States Constitution which would establish a procedure by which the President of the United States may be removed from office by means of a nationwide recall election; which was referred to the Committee on the Judiciary.

SENATE—*Monday, July 27, 2015*

The Senate met at 2 p.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, incline Your ear and hear our prayer, for without Your presence and power, our striving is in vain. Preserve us with Your loving providence, guiding us through each season of life's sojourn.

Lord, teach our lawmakers Your way, illuminating their path with the lamp and light of Your truth. Remind them that true greatness comes through service, as they remember to esteem others as better than themselves.

You, O Lord, are a God full of compassion. You are gracious, long-suffering, and abundant in mercy and truth.

We praise Your matchless Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. JOHNSON). The majority leader is recognized.

THE HIGHWAY BILL

Mr. MCCONNELL. Mr. President, ''there is no such thing as a Republican road or a Democrat road.'' That is what Chairman INHOFE said a few days ago, and he is absolutely right. No wonder Republicans and Democrats continue to rally around a bipartisan, multiyear highway measure that is fiscally responsible and will not raise taxes.

The bill before us would streamline regulations, advance research and innovation in transportation, modernize infrastructure and transportation systems, and inject new accountability measures so Americans can get a better handle on how their tax money is actually being spent.

This multiyear bill also reverses the trend of short-term temporary patches, giving State and local Governments the certainty and the stability they need to better plan road and bridge projects. On top of that, the bill would also provide State and local Governments with more flexible options for stretching those transportation dollars.

So this is a good bill for our country. Substantial numbers of Republicans and Democrats continue to support it. But time is running out to get this bill through Congress. We are up against a deadline at the end of the week. Jobs are on the line. Important infrastructure projects are too. So we have to get the job done—and we are.

We have had to navigate some especially difficult political terrain to get this far already. It hasn't always been easy, but we are now nearing completion of the Senate's work on this bill.

If the bipartisan coalition supporting this fiscally responsible, multiyear bill continues to cooperate and work hard, I know we can get there.

I want to thank every colleague who has worked so hard already on this bill, particularly Chairman INHOFE and Senator BOXER, who have really done magnificent work to get us to this point. Let's hope we can all get it across the finish line.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

ORDER OF BUSINESS

Mr. REID. Mr. President, I choose not to speak today. So I would ask the Chair to announce the business of the day.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

HIRE MORE HEROES ACT OF 2015

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 22, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (H.R. 22) to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

Pending:

McConnell modified amendment No. 2266, in the nature of a substitute.

McConnell (for Kirk) amendment No. 2327 (to amendment No. 2266), to reauthorize and reform the Export-Import Bank of the United States.

McConnell amendment No. 2328 (to amendment No. 2327), to repeal the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act of 2010 entirely.

McConnell amendment No. 2329 (to the language proposed to be stricken by amendment No. 2266), of a perfecting nature.

McConnell amendment No. 2330 (to amendment No. 2329), to change the enactment date.

The PRESIDING OFFICER. The Senator from Illinois.

25TH ANNIVERSARY OF THE AMERICANS WITH DISABILITIES ACT

Mr. DURBIN. Mr. President, there are no ideas more central to America's democracy and identity than liberty and equality. The Declaration of Independence lists liberty among mankind's inalienable rights and states: ''All men are created equal.'' But it wasn't until 1870 that the 15th Amendment to the Constitution was ratified, extending the vote to African-American men, and women were not given the right to vote in America until 1920, when the 19th Amendment was ratified.

America's democracy has indeed been imperfect, but throughout our history, we have sought to address our imperfections. After all, the story of America is not the story of a perfect nation. It is the story of a nation in pursuit of a more perfect nation.

So it is sobering but not surprising that it took us nearly to the end of the 20th century to expand and acknowledge the rights of another group of Americans who suffered discrimination through history—people with disabilities.

This Sunday we mark the 25th anniversary of one of the most important civil rights victories in our nation's history—the enactment of the Americans with Disabilities Act. The Americans with Disabilities Act set forth four great goals for people with disabilities: equal opportunity, full participation, independent living, and economic self-sufficiency. But the fundamental goal of the ADA is simple. In the words of one activist, the ADA is about securing for people with disabilities the most fundamental of rights: ''the right to live in the world.''

It is worth remembering that this was a bipartisan victory. Senator Bob Dole, a Republican and a veteran wounded by German machine gun fire in World War II, and Tom Harkin, a Democrat from Iowa, teamed up to get this done.

When President George H.W. Bush signed the ADA into law, he said: ''Today's legislation brings us closer to that day when no Americans will ever again be deprived of their basic guarantee of life, liberty, and the pursuit of happiness.''

Tom Harkin called the day the ADA passed the proudest day of his legislative career. I remember a story he told the Senate a few years ago. When he was first elected to the Senate, his whole family came for the swearing-in ceremony. They sat up in the gallery right behind me. He even arranged a sign language interpreter for his older brother Frank, who was deaf. But he was told by the guard outside of the gallery door that the interpreter was not allowed to stand in the gallery and interpret.

Tom Harkin could not believe it. He came down to the floor and told the majority leader, Bob Dole, the situation. Senator Dole said: ''I will take care of it.'' And he did. It was the first thing they did together. It sure wasn't the last. Five years later they watched President Bush sign the ADA into law.

I want to give credit to some tireless advocates who helped make that a reality: Justin Dart, the ''Father of the ADA,'' who has passed on, and my great friend from Chicago, Marca Bristo, President and CEO of Access Living.

In 1977, Marca had a serious accident and broke her neck, leaving her paralyzed from the chest down. She lost her job, her house, and her health insurance. A lot of people would have given up—but not Marca Bristo. She led an army of people who could not see, hear, walk, and talk to mobilize and pass the most comprehensive civil rights law since the Civil Rights Act of 1964.

Marca is a force of nature. Every day, Marca and her team are on the frontlines helping people with disabilities. They help people such as Michael Grice. He uses a power wheelchair and has been involved with disability activism for many years. He has a bright personality that draws many people to him.

He speaks with passion and compassion. He calls himself a very active person. He was living on his own in an apartment in Hyde Park on the South Side of Chicago until health complications led him into a group home, where he lived for more than a year. His health continued to deteriorate, and he moved into a nursing home.

Michael and the group home staff planned for him to stay at the nursing home for 6 to 8 weeks and then move back on his own. Those 6 to 8 weeks became nearly 3 years. Michael grew more frustrated. That is when Marca Bristo and Access Living came to the rescue, and they helped Michael find a new place so he could live on his own. Last year Michael was able to move from the nursing home into his own apartment.

I am proud of activists such as Michael and Marca and the folks at Access Living. We owe them a debt of gratitude for helping America realize our full potential.

It is hard to imagine, but before the Americans with Disabilities Act, people with disabilities were denied the opportunity to participate fully in society. Back then, very few transit systems had buses or trains equipped for wheelchairs. If you needed a haircut or to see a doctor or just wanted to meet a friend for a cup of coffee, you probably had to rely on family and friends or a social service agency.

The Americans with Disabilities Act has changed that. The Americans with Disabilities Act has changed America. Every day you can see how far we have come as you walk down the street—with curb cuts, ramps, braille signs, and assisted listening devices. Because of the ADA, thousands of Americans with disabilities get to go to school, get a good education, and enter the workforce.

We still have a long way to go. The unemployment rate for people with disabilities is still too high. Most people with disabilities want to work and have to work. When they do work, that can impact our communities in ways that are hard to imagine.

Let me tell you about the late Bob Greenberg, a legendary sportscaster at WBEZ radio in Chicago. For his loyal Chicago radio audience, Bob described sporting events that they couldn't see. But Bob's story is unique because Bob couldn't see them either. Bob Greenberg was blind. But that didn't stop him from achieving his dreams.

In the early 1980s, Hall of Fame basketball player Kareem Abdul-Jabbar was taking questions from reporters after a hard game. He turned to Bob, who was holding a white cane and a microphone and he said: How did you get here?

It wasn't hard, Bob said. He then explained how he knew the exact number of steps from his home to the Lake Street ''L,'' how he felt for the right combination of coins to put in the turnstile, and then how he knew the exact number of steps to take along West Madison to Chicago Stadium.

Kareem Abdul-Jabbar paused to take that in and finally said: Ask your question, sir.

It was clear. Bob Greenberg worked hard to get where he was.

There is no doubt that laws such as the ADA helped Bob. I just wish we had passed it sooner. Maybe Bob's road to achieving his dream could have been a little smoother.

Let me close by noting this. I wonder if the Americans with Disabilities Act were called before the Senate today, if it would pass. We know how great it is. We know what it has done for America. But there were also always voices then—and there are voices now—that question whether Government ought to have that big a say, that big a role, that big a voice in our private lives and our public lives. Thank goodness Bob Dole, a Republican, and Tom Harkin, a Democrat, put together a coalition that realized that at some moments in history we have to move together as an American family to solve a problem. We use our Government to achieve that goal.

The day the ADA passed, Senator Harkin stood at this podium in the Chamber and gave his entire speech in sign language. Afterward, he said it was the first time anyone ever gave a long-winded speech on the Senate floor and no one ever heard him. He was wrong. His brother Frank heard him. Marca Bristo heard him, Michael Grice heard him, Bob Greenberg heard him, and millions of others with disabilities heard that speech.

Before leaving the Senate, Senator Harkin taught me a wonderful sign for the word ''America.'' It is this: All ten fingers joined together, rotating in a circle around your chest. That is sign language for ''America.'' That is the America that we all are striving to become, a place where no one is left out, where we are all included within the circle of equal opportunity. That is how we honor our Constitution and our great Nation—with liberty and justice for all.

SYRIAN SAFE ZONE ANNOUNCEMENT

Mr. President, I recently spoke on the floor about the terrible humanitarian crisis in Syria. If you had to pick out one place in the world today where more innocent people are dying, it is hard to think of any place that matches Syria. Over 200,000 people have died during the course of the Syrian war, and up to 12 million Syrians have been displaced.

I have a friend of mine in Chicago. He is a Syrian American doctor, Dr. Sahloul, who comes to see me regularly and brings photos back from Syria. They are heartbreaking photos.

Dr. Sahloul and his friends literally sneak across the border into Syria to treat the casualties in this war. He shows me pictures of surgeries performed on the floors of schools and on card tables, and he shows me those who have been maimed and killed by the barrel bombs of Bashar Assad and by the ravages of war.

We will be judged as a generation as to whether we have responded properly to this humanitarian challenge.

In April, Senators KAINE, GRAHAM, and MCCAIN joined me on a letter to President Obama urging him to work with other world leaders to create no-fly zones within Syria where modern medical treatment can be provided and displaced persons can safely escape.

I have raised this with many involved in this extremely difficult issue, including Gen. John Allen, Retired, U.N. Special Envoy for Syria Staffan de

Mistura, the Turkish Ambassador, and National Security Advisor Susan Rice.

So, I was heartened today—in fact, exhilarated—to read in the morning paper that the United States is now working with Turkey and other countries to establish a humanitarian safe zone in the northern part of Syria to try to find one patch of real estate in that war-ravaged country where these children, their mothers, families, elderly people, and those who have been hurt can go and safely—safely—be treated and live.

We have to do this. The Turks are going to lead the way. We are going to support them, but it is a challenge not just to our two countries—to us and to Turkey—but to the world to step up and put an end to this bloody, terrible, ruthless war.

There have been so many casualties. The United States—our good people who reach out to help those around the world—should stand and be counted when it comes to the establishment of this humanitarian zone to try to bring some peace to some part of the population living in war-torn Syria.

This won't solve the larger crisis right away, which ultimately will require a political transition in Syria. Without a political dialogue, there is no long-term hope for Syria, only short-term relief.

But this announcement does have the possibility to bring the Syrian civil war one step closer to an end.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. WICKER. Mr. President, I once again come to the floor to talk about a Feinstein-Wicker amendment to this Transportation bill, which I hope we can have a vote on and dispose of and let the U.S. Senate work its will on, either late tonight or perhaps tomorrow after the pending business is taken care of.

I would begin by quoting from an editorial that was in yesterday's Post-Gazette, the daily newspaper in Pittsburgh, where it says: ''The tractor-trailer roaring by you on the highway could be 9 feet longer next year.'' It could be this long, as shown on this chart I have in the Chamber. It could be mandated by this Congress on 39 States that do not want it.

The editorial goes on to point out there is legislation pending that would force these longer trucks on these 39 States—on all 50 States—11 of them already allow it, but 39 do not. Unless we act and adopt the Feinstein-Wicker amendment on this bill, a provision in the Transportation appropriations bill will go forward and is likely to be signed into law requiring this. This will have been done, I might add, without a full debate, without a hearing being held in any committee of the Senate on this issue.

So what are we talking about? I have in the Chamber a poster that says: ''Would You Feel Safe Driving Next to a Double 33?'' As shown here, this is the size of the proposed new longer trucks that we would mandate on all 50 States. As you can see on the chart, here is the size of a typical passenger car. Here is the comparative size of a motorcycle, a bicycle, and, of course, here is a defenseless pedestrian. Compared to the pedestrian down to the passenger car, this Federal mandate that I am trying to at least give a timeout to would mandate on States that they allow these twin 33 trailers, and they would be driving along next to this car that my kids are going to be driving in and my grandchildren are going to be riding in. I do not think it is a good idea.

But I would point out, if a State does think it is a good idea, I am not going to stand in their way. Some 11 States have decided they are willing to take this risk—many of them out in the wide-open spaces of the West. But it is worth saying that these 39 States do not allow longer tandem trucks, and we should ask ourselves whether Congress knows better than these States.

These States do not allow them: Alabama, Alaska, Arkansas, California, Colorado, Connecticut, Delaware, Georgia, Hawaii, and Illinois. As a matter of fact, we have a unanimous resolution from the Illinois State Senate, a bipartisan, unanimous resolution from the Illinois State Senate, saying: Do not mandate these double 33s on us. I go on: Kansas, Kentucky, Louisiana, Maine, Maryland, Michigan, Minnesota, my home State of Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Vermont, Virginia, Washington, West Virginia, and Wisconsin, Mr. President. None of those States allows twin 33s now, but there is a proposal I am trying to stop that would mandate that these States must allow for the longer and, I believe, more dangerous trucks.

The editorial goes on to quote the former head of the National Highway Traffic Safety Administration, who ''likens the massive trucks to 'trains on highways' that would damage roads and endanger motorists.'' I think it makes a lot of sense. I think it would damage roads. I think it would endanger motorists.

Now, if my State of Mississippi, with the considered judgment of the Mississippi Department of Transportation and their commission, the Mississippi Sheriffs' Association, the Mississippi Association of Chiefs of Police—if all of those people are advising us against this, why should we as a Congress tell these States that we know better than they do?

I will just quote one final statement from the editorial before I ask it be printed in the RECORD. The editorial concludes: ''With its bridges already in the worst shape in the nation, Pennsylvania doesn't need longer trucks on its roads.''

Mr. President, I ask unanimous consent that this editorial be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Pittsburgh Post-Gazette, July 26, 2015]

BIGGER'S NOT BETTER: LONGER TRACTOR-TRAILERS SPELL TROUBLE ON THE ROAD

(By the Editorial Board)

The tractor-trailer roaring by you on the highway could be 9 feet longer next year if Congress approves a measure backed by FedEx and other shippers, who want bigger trucks so they can haul more stuff. It's a bad idea everywhere in the nation, but particularly in Pennsylvania with its poorly maintained roads and bridges.

The legislation would force states to allow ''twin 33s''—trucks that pull two trailers, each 33 feet long. Only 11 states allow them now, and Pennsylvania is not among them. Double trailers here cannot be more than 28 feet, 6 inches, and single trailers can be no more than 53 feet long.

Supporters say the change would eliminate 6 million trips each year, improve the environment and cut down on crashes. But anyone who has ever held his breath as a massive truck comes within inches of his car while making a turn would be hard to convince that bigger is better.

The former head of the National Highway Traffic Safety Administration likens massive trucks to ''trains on highways'' that would damage roads and endanger motorists. Trucks weigh 20 to 30 times more than cars, and they take longer than cars to come to a stop, particularly on wet and slippery roads. A U.S. Department of Transportation study found that the twin 33s require 22 more feet for braking than the current trucks on the road. In 2013, 3,964 people died in crashes involving large trucks.

Pennsylvania Sen. Bob Casey, a Democrat who is crusading against the change, says longer trucks would cause more than $2 billion in damage to the nation's roads and bridges. With it bridges already in the worst shape in the nation, Pennsylvania doesn't need longer trucks on its roads.

Mr. WICKER. Once again, I stress the point, this is Pennsylvania specific. Pennsylvania has made a considered decision not to allow these. I think it ill-behooves us as a Congress to say we know better about the roads and the condition of the bridges in the State of Pennsylvania than the local authorities do.

So in the interest of deferring to the States, I think we should adopt the Feinstein-Wicker amendment not to mandate these longer trucks on States that do not want them.

Also, I do want to stress a few things. If this goes forward, it will have been done with no hearings in this Congress in any committee. The Appropriations Committee, which voted on this, did not have a hearing. The transportation committee, which I serve on, did not have a hearing. The commerce committee, which is another committee of

jurisdiction on this matter, never had a hearing about this. Wouldn't it be a good idea—before we tell States they have to do this—to get proponents of this Federal mandate before us to answer questions about it—perhaps opponents of this Federal mandate to come and give us their considered opinion, experts about the safety issues, experts about what this will do to bridges, about what it will do to tear up our highways. Wouldn't that be a good idea before we decide in our wisdom inside the beltway in Washington, DC, that we know better than 39 States? I think it would be a good idea.

We might want to hear from AAA. We might want to hear from officials of the State of Missouri who have memorialized this Congress not to mandate this on the very people whom they are trying to represent on a State-by-State basis. I would like to get the Mississippi Trucking Association here. They have come out against this Federal mandate. They are in favor of the Feinstein-Wicker amendment to continue to leave this up to the States. I would like to get them before a hearing and hear them out. Perhaps Members of Congress and members of the various committees could be convinced, as I have become convinced, that they are correct.

Why would any trucker be opposed to this? I will simply tell you, a lot of truckers are small businesspeople. We honor small business people. We know they are the engine of job creation in the United States of America. Many of the small truckers have told me—and they make up organizations like the Mississippi Trucking Association—they cannot compete in an environment in which this becomes the norm. The big guys can easily move to the tandem 33 trailers, but the small business people cannot. It is much harder for them to get a loan. It is much harder for them to come up with the capital expenditure of moving to this, and many of them feel as though they will be put out of business.

So I think we should be very careful about saying we are going to run over the considered opinion of people in 39 States, we are going to disregard the Mississippi Association of Chiefs of Police and a host of other State chiefs of police associations, we are going to disregard the Mississippi Sheriffs' Association and a laundry list of other sheriffs associations from all around the United States of America.

I think the better approach is the Feinstein approach, which lost on a tie vote in the Appropriations Committee. The Feinstein approach says: Let's make sure we have a full and comprehensive study about this and get back to us, and if we implement it, let's do it in the normal course of events with the rulemaking process and comments from all sides.

So all this Feinstein-Wicker amendment does is say we cannot mandate this this year. Instead, we are going to ask the leading experts in this city to come back to us and tell us if, in their opinion, this is safe, to tell us, in their opinion, what this will do to bridges and infrastructure. I think that is the better approach.

There were 30 members of the Appropriations Committee who voted on this issue—exactly 30. Let me make sure I am precise. The Feinstein amendment lost on a vote of 15 to 15. Now, should that go forward as the policy of this U.S. Senate? I do not think so. I think we owe it to the American people, on an issue that involves safety, on an issue that involves infrastructure, and on an issue that involves deferring to the States to make the best decisions for their people—I think we owe it to them to have a full vote and not let something go forward on a virtual tie vote.

The provision that is now in the appropriations bill was adopted 16 to 14 in the Appropriations Committee with no hearings. I simply ask my colleagues, is that the way to make a major safety decision, an infrastructure decision for the American people?

So we are nearing the time when supporters of the Feinstein-Wicker amendment are hoping for a vote. I was heartened to hear the conversation of the majority leader yesterday that he certainly hoped we would be able to have votes on germane amendments like this. I appreciate the efforts of the ranking member of the committee, a friend of mine from California, in saying she is going to do whatever she can to get us a vote on this. So I do appreciate it.

I would say to Members listening today, it is time to get informed on this issue. It is time to find out what the facts are, to realize this appropriations decision that I am trying to reverse and put the brakes on, to a certain extent, is not permissive in nature. It is a requirement. If it goes through, we will be telling 39 States they are wrong, somehow we are right here in Washington, DC.

So I hope, first of all, we can get an amendment on the floor, and I hope Members will search their consciences and decide that indeed this is something which at least ought to be thoroughly studied. We ought to have all of the facts. More than that, this is something where we don't need to run over the 39 States that happen to feel otherwise.

I thank the Presiding Officer and yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I appreciate the presentation by my friend. He is absolutely right and my colleague Senator FEINSTEIN is absolutely right on this point.

I think the American truckers are saying, I say to my friend from Mississippi, that this is a modest extension, a 5-feet extension, but it is 5 times 2, as my staff pointed out, so this is a 10-foot extension. And many of our States are already in trouble. Many of our bridges are structurally obsolete. So the American truckers are pushing hard for this. But I think my friend is right. I think States ought to be able to decide the condition of their roads, the condition of their bridges, and if they feel this type of increase is going to jeopardize safety, I don't think Uncle Sam ought to be telling them what to do.

Mr. WICKER. If my friend will yield briefly.

Mrs. BOXER. Yes.

Mr. WICKER. I know she wants to talk about the larger issue. If it is, in fact, a modest and relatively harmless extension of the size, then I think perhaps States might want to make that decision themselves. They may very well conclude—39 have not made that decision, but 11 States have made that decision. And even though some may consider this a modest extension, I think modesty and the length of the trucks and the safety thereof is really in the eye of the beholder, and the State of Mississippi might feel very different than one of the wide-open Western States.

I thank my friend for her comments.

Mrs. BOXER. I thank my friend, and I agree with him. If each of us had written the bill that is before us, it wouldn't look the way it looks. Clearly, if my friend had written it, this wouldn't be in there. If I had written it, this wouldn't be in there and a lot of other things would.

I am so happy Chairman INHOFE has arrived. I am the ranking member on the Environment and Public Works Committee. Our title is responsible for 70 percent of the spending in this legislation. We knew that everyone had a wish list. We knew that if one Senator got everything he or she wanted, we wouldn't have a bill, and if I got everything I wanted, we wouldn't have a bill. We had to meet in the middle, and we had to withhold on some of the items on our wish list. Frankly, I think that is the story of legislating a huge and important bill such as this, and it is an important bill.

Before I came over here, I say to my friend Senator INHOFE, I read that the whip over in the House, who comes from California, said: The Senate should not send the bill over to the House.

My response to that is, if we have a bill, we are sending it.

He said: We are leaving, and that is it.

If the House chooses to go out on vacation, a work period, or whatever they do, that is their business, but it is our job to fix the problems we are facing.

With the help of my friend Chairman INHOFE, I have a couple of pictures to show everyone.

The first picture is my photograph of the bridge collapse on Interstate 10 at the Arizona-California border. Years ago they said this bridge was functionally obsolete. In other words, when it was built, nobody thought so much traffic would be traveling on it. Later they gave it an A, but it was determined to be obsolete.

The reason bridges like this aren't getting fixed is we just haven't had enough funds to do it. In this bill, it is true—we stayed away from a tax gas increase, and we found a way to get enough for what I consider to be a very solid funding bill.

I will show everyone some other bridges that have collapsed, and there are so many. Here is Washington State. The Skagit River Bridge collapsed. Look at this. It is unbelievable. There are cars down below that have crashed. This is pathetic. This isn't a third-world Nation; this is America, and a Washington State bridge collapsed. How are we going to get the money for it? We need to pass a long-term bill.

If we pass a 5-month bill the way some of our opponents are calling for here and in the House, we won't have a dime to fix any bridge. All we are doing is, at the bare minimum, extending the program. Nobody is going to undertake any type of long-term fix on these bridges.

This is the Arlington Memorial Bridge. It was built in 1932. We know about it; it is right here. It is deteriorating. It is in trouble. We are trying to avoid a collapse. We need this bill to do that.

So when I talk about this bill—these bridges are in trouble.

Here is a picture of another bridge that actually did collapse. This is in Minnesota. This started the whole thing, and it was in 2007. It was unbelievable what happened there, and we can see the devastation. This is why Senator INHOFE is doing this. It is the reason I am doing this. It is the reason Senator MCCONNELL is doing this. It is the reason DICK DURBIN is doing this. It is the reason so many of our colleagues on both sides of the aisle are willing to admit that while this isn't a perfect bill, we cannot sustain this. Either bridges are crumbling or they are collapsing.

There are other examples. I will keep up the California bridge collapse so everybody can see it. It is the one I know the best because it is in my State. As I have said, and I ask rhetorically, how much business are we losing when we have cars and cargo having to go 400 miles out of the way to get from California to Arizona or Arizona to California? This is a nightmare.

As I understand it, we found some emergency funds, and so now we need to try to figure this out. Should we close part of it down or keep part of it open? It is not that safe to do, and there is no reason why we should have a situation such as this.

It may surprise everyone to hear how many bridges are deficient and in need of repair. In Kentucky, the Brent Spence Bridge; in Louisiana, the Calcasieu River Bridge; in Maine, the Piscataqua River Bridge; in Maryland, the Chesapeake Bay Bridge; in Massachusetts, the I–95 Bridge in Middlesex; in Michigan, the I–75 Rouge River Bridge; in Minnesota, the I–35 East Bridge over Pennsylvania Avenue; in Mississippi, the Vicksburg Bridge; in Missouri, the I–270 East Bridge over Conway Road; in Nevada, the Virginia Street Bridge in Reno; in New Hampshire, the I–293 Bridge in Hillsborough.

When I am done reading this, I will have the whole list printed in the RECORD.

In New Jersey, the Garden State Parkway in Union County; in New Mexico, the Main Street Bridge; in New York, the Brooklyn Bridge.

These are iconic structures, and they need to be fixed. They are deficient.

In North Carolina, the Greensboro Bridge; in Ohio, the John Roebling Suspension Bridge; in Oklahoma, the I–40 Bridge over Crooked Oak Creek; in Oregon, the Columbia River Crossing; in Pennsylvania, the Benjamin Franklin Bridge.

Do you think we ought to fix the Benjamin Franklin Bridge?

In Rhode Island, the I–95 Viaduct in Providence; in South Carolina, the I–85 Bridge in Greenville; in Texas, the I–45 Bridge; in Utah, the I–15 Bridge; in Washington, the Evergreen Point River Bridge; in Wisconsin, the US–41 Bridge; Alabama; Arizona; Arkansas; and California.

The Golden Gate Bridge is the hallmark and one of the landmarks of my State, and it is deficient and in need of repair.

Colorado; Connecticut; the District of Columbia. I showed everybody the Memorial Bridge. Florida; Georgia; Hawaii, the Halona Street Bridge in Honolulu County; Illinois, the Poplar Street Bridge; Indiana, the I–65 Bridge over the CSX Railroad; in Iowa, the Centennial Bridge.

Mr. President, I ask unanimous consent that the list of deficient bridges in need of repair be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

STATE EXAMPLES OF DEFICIENT HIGHWAY BRIDGES IN NEED OF REPAIR

Alabama—I–65 Bridge over US–11 in Jefferson County
Arizona—I–17 Bridge over 19th Avenue in Maricopa County
Arkansas—I–30 Bridge over the UP Railroad in Pulaski County
California—Golden Gate Bridge
Colorado—I–70 Bridge in Denver
Connecticut—West River Bridge in New Haven
District of Columbia—Memorial Bridge
Florida—Pensacola Bay Bridge
Georgia—I–285 Bridge in Fulton County
Hawaii—Halona Street Bridge in Honolulu County
Illinois—Poplar Street Bridge connecting with St. Louis, MO
Indiana—I–65 Bridge over the CSX railroad
Iowa—Centennial Bridge
Kentucky—Brent Spence Bridge
Louisiana—Calcasieu River Bridge
Maine—Piscataqua River Bridge
Maryland—Chesapeake Bay Bridge
Massachusetts—I–95 Bridge in Middlesex
Michigan—I–75 Rouge River Bridge
Minnesota—I–35 E Bridge over Pennsylvania Avenue
Mississippi—Vicksburg Bridge
Missouri—I–270 E Bridge over Conway Road
Nevada—Virginia Street Bridge in Reno
New Hampshire—I–293 Bridge in Hillsborough
New Jersey—Garden State Parkway in Union County
New Mexico—Main Street Bridge
New York—Brooklyn Bridge
North Carolina—Greensboro Bridge
Ohio—John Roebling Suspension Bridge
Oklahoma—I–40 Bridge over Crooked Oak Creek
Oregon—Columbia River Crossing
Pennsylvania—Benjamin Franklin Bridge
Rhode Island—I–95 Viaduct in Providence
South Carolina—I–85 Bridge in Greenville
Texas—I–45 Bridge over White Oak Bayou
Utah—I–15 Bridge over SR 93 in Davis County
Washington—Evergreen Point Floating Bridge
Wisconsin—US–41 Bridge over the Menomonee River

Mrs. BOXER. Mr. President, if ever there were a bipartisan issue, it is this one. When Republican President Dwight Eisenhower was running for office, he was shocked at the condition of our roads and the fact that we really didn't have roads that were in good shape connecting one State to the next.

This is the United States of America. We are a large and sprawling nation. He said that ''a network of modern roads is as necessary to defense as it is to our national economy and our personal safety.'' This is Dwight Eisenhower. ''A network of modern roads is as necessary to defense as it is to our national economy and our personal safety.'' He was referring to the fact that we really couldn't move easily between the States if there was some type of national emergency.

I was a little girl when Eisenhower ran, and my father was a lifelong Democrat, but he was for Ike. One of the reasons he was for Ike was because he knew we needed this kind of network. It appealed to him. He knew how important it was.

If we look at the groups that are supporting us in this effort, I will just say they represent America. They are everyone from the U.S. Conference of Mayors to the Brotherhood of Carpenters; from the Chamber of Commerce to the International Union of Operating Engineers; from AAA—and most of us belong to AAA because we are worried something is going to happen on one of these bridges or one of

these roadways that are filled with obstacles and we could get in a crash. People belong to the AAA, and they support us. Also, the Laborers' International Union, Mothers Against Drunk Driving, the American Council of Engineering Companies.

Let's put up some more. Again, these are unusual allies. Usually they are fighting each other. The National Association of Counties agrees with the National Association of Manufacturers, and they agree with the Truck Stop Operators and the National Governors Association. The National League of Cities agrees with the National Ready Mixed Concrete Association; the National Stone, Sand, and Gravel Association; the Owner-Operator Independent Drivers Association; the Portland Cement Association; and the retail industry leaders. Why did they come together for this? If you are in the retail business and people cannot get to your store, you will not be there for very long. They may say it is just not worth it and will buy online.

The fact is that we need to fix our roads.

The American Highway Users Alliance agrees with the American Society of Civil Engineers and the Associated General Contractors.

I want to make a point. On Tuesday the Associated General Contractors—the AGC—put out a very important and alarming study. Construction employment declined in 25 States between May and June. They went on to explain to the press that there were monthly construction employment declines as Congress continued to search for ways to pay for new highway and transit investments. The monthly construction employment figures are troubling.

Investing in transportation infrastructure will make it easier for many firms involved in highway and transit construction to add new jobs.

There are certain States that are worse than others. Illinois lost 2.2 percent of its construction jobs—they shed so many jobs—followed by New Jersey. New Jersey had the second-most shedding of jobs, 4,600; Ohio shed 3,700 jobs; Florida, 3,100 jobs; Rhode Island, 700 jobs.

I heard my colleagues say: Well, Vermont lost 500 jobs. Here is the situation. I have heard my colleagues say: We don't like the way this is paid for. We have better ideas. I agree with them. I have better ideas too. I have 10 or 11 or 12, but I am not the only one putting this together. We have to find that magic sweet spot where we can get 60 votes here in the Senate.

I am thinking if they vote no on this but it passes, when they go to meet one of these workers and the worker says: Thank you so much; we got this job because we got a 3-year funding bill, what are they going to say? I didn't vote for it because I didn't think the funding was right? I wanted it to be done a different way? I am sure the worker would say, I appreciate that, but I am working. I am working. I am feeding my family.

I understand why people want a better source of funding, and we have tried. As my chairman knows, we have tried so hard. I know he wants to speak now, so I will close down my time with this—

Mr. INHOFE. Madam President, will the Senator yield?

Mrs. BOXER. I will yield.

(Mrs. ERNST assumed the Chair.)

Mr. INHOFE. I am not attempting to get the floor. I think what the Senator from California has said is very significant.

I think people realize—and I have said several times that the Senator from California and I are about as far apart philosophically as any two people can be. She is a very proud liberal. I am a very proud conservative. We disagree on a lot of issues on the committee which the Senator from California used to chair when the Democrats were in the majority and which I chair now, but during all that time and up to the present time, we have agreed on this.

When I see people saying they don't want—I am very disturbed by what the House is doing right now. If we don't have a long-term bill, then we will go right back to what we have done since 2009.

The Senator from California and I remember when we passed the 2005 transportation authorization. That was huge. We have had things that have happened in Oklahoma now as a result of that legislation that are saving lives. As I have mentioned before, remember the bridge when a chunk of concrete fell off and killed a mother of three. That happened right up toward the 2005 bill.

I can't imagine we are going to be in a position where we go back to increase the number of short-term—we have had 33 short-term extensions since 2009. I can't imagine we will go back to that. If we do that, we don't get the reforms. A lot of the reforms, I say to my friend from California, were reforms where she had a hard sell. She had a hard time doing it. There are a lot of things—I wanted to change the 80–20 federal share. In some areas it was 60–40, and then 70–30. We couldn't do it. We compromised. I remember there was quite a bit said about that, so that was one of my losses that wasn't necessarily one of the Senator's gains.

The bottom line is we have a bill that is going to be before the people who have a chance to vote on it. This is the last chance we have to get off of the part-time extensions.

I would ask my good friend from California if she is observing the same circumstances that I am.

Mrs. BOXER. Madam President, I am observing it exactly the same way. I said before that we have a very honest relationship in terms of where we can find that common ground, and it is in this arena.

As the Senator from Oklahoma has pointed out, he reads the Constitution and I read the Constitution. He has said many times—and he has addressed people who have heard the Senator say this—that this is a constitutional responsibility to make sure we have roads, bridges, highways, and we can move interstate commerce. From my perspective, not only do I agree with that, but I also think it is a very important way while we are taking care of the people to see that people have good, decent jobs, and that businesses prosper.

We have never had a problem working together on this. I hope our working together brings liberals, conservatives, moderates, and everybody in between to tonight's votes.

I don't know what the vote is going to be, I would say to my dear friend, but I do know this. The House is saying through their whip that they are leaving. Well, that is up to them. We all know, from the Association of General Contractors, it is stated right here that in 25 States we are seeing layoffs right now in the construction arena because we have not acted.

Madam President, I ask unanimous consent that their statement be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Associated General Contractors, July 21, 2015]

CONSTRUCTION EMPLOYMENT DECLINES IN HALF OF THE STATES BETWEEN MAY AND JUNE AS CONGRESS SEEKS NEW WAY TO PAY FOR NEEDED TRANSPORTATION UPGRADES

Illinois and Rhode Island Have Biggest Declines for the Month, Delaware and New York Have Largest Gains between May and June; Ohio and West Virginia Have Biggest Annual Declines, Idaho and California Add Most.

Construction employment declined in 25 states between May and June even as 39 states and the District of Columbia added construction jobs between June 2014 and June 2015, according to an analysis today of Labor Department data by the Associated General Contractors of America. Association officials noted that the monthly construction employment declines come as Congress continues to search for ways to pay for new highway and transit investments.

''While the year-over-year totals remains relatively positive, the monthly construction employment figures are troubling,'' said Ken Simonson, the association's chief economist. ''Investing in transportation infrastructure will make it easier for many firms involved in highway and transit construction to add new staff.''

Illinois (−4,700 jobs, −2.2 percent) shed more construction jobs during the past month than any other state, followed by New Jersey (−4,600 jobs, −3.0 percent); Ohio (−3,700 jobs, −1.9 percent) and Florida (−3,100 jobs, −0.7 percent). Rhode Island (−4.5 percent, −700 jobs) list the highest percentage of construction jobs between May

and June, followed by Vermont (−3.3 percent, −500 jobs); New Jersey and New Mexico (−2.7 percent, −1,100 jobs).

Twenty-four states added construction jobs between May and June, while construction employment was unchanged in Wyoming and the District of Columbia. New York (3,300 jobs, 0.9 percent) added the most construction jobs. Other states adding a high number of construction jobs included Minnesota (2,600 jobs, 2.4 percent) and Connecticut (2,200 jobs, 3.8 percent). Delaware (4.3 percent, 900 jobs) added the highest percentage of construction jobs during the past month followed by Connecticut, Hawaii (3.7 percent, 1,200 jobs) and Arkansas (3.5 percent, 1,700 jobs).

Eleven states shed construction jobs during the past 12 months with West Virginia (−12.8 percent, −4,300 jobs) losing the highest percent of construction jobs. Other states that lost a high percentage of jobs for the year included Rhode Island (−9.6 percent, −1,600 jobs); Mississippi (−7.9 percent, −3,900 jobs) and Ohio (−7.9 percent, −3,900 jobs). The largest job losses occurred in Ohio, West Virginia and Mississippi.

California added more new construction jobs (47,000 jobs, 7.0 percent) between June 2014 and June 2015 than any other state. Other states adding a high number of new construction jobs for the past 12 months included Florida (25,200 jobs, 6.4 percent), Texas (18,900 jobs, 2.9 percent), Washington (15,300 jobs, 9.7 percent) and Michigan (14,000 jobs, 9.8 percent). Idaho (12.9 percent, 4,600 jobs) added the highest percentage of new construction jobs during the past year, followed by Nevada (11.1 percent, 7,000 jobs); Michigan; Arkansas (9.7 percent, 4,400 jobs) and North Carolina.

Association officials said one of the challenges facing the construction industry is uncertainty about future federal funding levels for highway and transit repairs and improvements. Noting that the Senate is expected to vote on a new long-term surface transportation bill later today, they urged members of both parties to work together to address growing problems with the country's aging transportation infrastructure.

''Passing a long-term highway and transit bill will provide the kind of funding certainty many construction firms need to expand payrolls and invest in new equipment,'' said Stephen E. Sandherr, the association's chief executive officer. ''The series of short-term transportation funding extensions Congress has passed has clearly had a negative impact on the construction industry's recovery.''

Mrs. BOXER. That is tragic. What happens when people are laid off? We know what happens. We are getting out of this tough recession, and none of us wants to walk down the path of a short-term solution.

So I say to my friend, I am going to finish my remarks in about 2 minutes and when I yield the floor to him, I look forward to hearing his remarks.

We have work to do tonight. We have to get 60 votes.

Mr. INHOFE. Madam President, if the Senator from California will yield, let me make one statement, and then I will be coming back later to talk about some of these amendments that will be coming up.

One issue we need to clarify with our people on our side is that the conservative position is to support this. Our good friend, our mutual friend Gary Ridley, said that the extensions cost about 30 percent off the top—30 percent. In fact, I will say this, after our 27-month bill, we went over it in the House, and I had requested an audience with the entire—all 33 Republicans on the appropriate committees, and all 33 agreed that it was a conservative position. All 33 voted for the bill. I think we have the opportunity to make that happen again.

Mrs. BOXER. Madam President, reclaiming my time, my friend is right. This is an area where conservatives, progressives, liberals, moderates—what we call ourselves doesn't matter. We need to have a good, strong highway system. We need to fix the bridges. We need transportation. That is what we do here.

In closing, I wish to make this point. Each of our States has relied on the highway trust fund since Eisenhower was President. I have a list, and I think I put it in the RECORD yesterday so I don't have to put it in the RECORD again, but it shows how much each State relies on the highway trust fund. I will pull out a few States because it is interesting. I know my own State is 49 percent. We raise the rest of the money, but that 49 percent is huge, and if it were to disappear, we simply could not do what we need to do. So my State is about 50 percent.

Here are some of the States: Rhode Island, 100 percent of its program is funded by the Federal highway trust fund. Alaska, 93 percent is funded by the Federal highway trust fund. Vermont, 86 percent is funded by the Federal highway trust fund. South Carolina, 79 percent; Hawaii, 79 percent; North Dakota, 78 percent; South Dakota, 71 percent; Connecticut, 71 percent; New Mexico, 70 percent.

Now, from that list—that is, everybody who is 70 percent and over—those are red States, those are blue States, those are purple States.

My point is exactly what Senator INHOFE said yesterday. The fact is, there is no such thing as a Democratic road or a Republican road or an Independent road or a progressive road or a liberal road or a conservative road. We all use the roads, unfortunately, increasingly, at our peril—at our peril.

Idaho, 68 percent; Alabama, 68 percent; New Hampshire, 68 percent; Missouri, 65 percent; Minnesota, 64 percent; Oklahoma, 63 percent; Georgia, 62 percent; Iowa, 59 percent; Ohio, 58 percent; Virginia, 57 percent; Wisconsin, 55 percent; Oregon, 54 percent, and it goes on.

Every single one of our States is waiting. The lowest, as I understand it, looks to be New Jersey at 35 percent, but the fact is whether it is 35 percent or 45 percent or 90 percent or 100 percent, they all rely on the Federal highway trust fund. All of our people pay into it through the gas tax.

We have a responsibility. We are moving forward if we get the votes tonight. Again, we don't know that we will get them. We are working hard to get them. Hopefully, we will move forward with a good transportation bill and, for the first time in 10 years, we will have a long-term bill.

Now, the Washington Post did an interesting editorial. They don't adore this bill. They found problems with it, as we all do, but they said it is a sensible plan by Senators BOXER and INHOFE—if we worked it out—that it provides 3 years of guaranteed funding, that it would be a significant improvement from what we have done in Congress for the past decade. They said lawmakers fumbled from short-term funding patch to short-term funding patch—a nonstrategy that often relied on budget gimmicks and made it difficult for transportation officials to conduct long-term planning.

The New York Times said on Tuesday what I said before: Construction employment fell in 25 States this summer as State agencies awaited word from Congress on the future of the highway and transit spending. We also know there are well over one-half million unemployed construction workers—one-half million. Now they are starting to get laid off again.

I don't know what else to say to Members. The biggest reason they are voting no that I heard is they would like to find a better funding source. Well, all of us would, and if we had our way—the Presiding Officer would come up with her funding source. I love mine, which is a refundable gas tax increase, but I can't get a lot of votes for that. People won't give me the votes for that. So what do I do, throw up my hands and say we will have another short-term extension? No. I sat down with Senator INHOFE, I sat down with Senator DURBIN, I talked to Senator REID and Senator SCHUMER, of course, and all of my leadership over here, and I did my best. I think everyone has to understand, it is either this way or we will have to do a short-term patch.

I will predict—right now, seven States have shut down their program completely. If we don't find a solution, we are going to be looking at each other in a month, 2 months, and we are going to see programs shut down. I often use this analogy, so if my colleagues have heard it before, I apologize in advance. But if you go to the bank, you want to buy a house; they say: Great news, you qualify, and they only give you a 5-month mortgage. Are you going to buy the house? Of course you are not. Are our States going to build a highway if all they have is funding for 5 months? No. That is why the private sector that gets this money from the States—that is why they are laying people off.

Now, I want to say, working with Senator INHOFE, we were able to create

a new National Freight Program and a new program called Assistance for Major Projects. This means that every one of our States would be eligible. It is exciting to have those kinds of programs. The freight program will provide funds for all States. All States are going to get part of this formula to improve their goods movement, to reduce the costs, and improve performance for business. It expands flexibility for rural and urban areas to designate key freight corridors. This is exciting. The program is supported by the Coalition for America's Gateways and Trade Corridors, as well as business groups such as the National Association of Manufacturers.

Now, under the Assistance for Major Programs, this was something Senator WHITEHOUSE of Rhode Island worked very hard on. The bill provides support for major projects of high importance to a community, a region, or the Nation, through a competitive grant program. It includes a set-aside for rural areas and ensures an equitable geographic distribution of funds along with strong transparency provisions.

Now, these programs are exciting news. Whether one is from Iowa or California, we are all going to get these funds and locally, we will decide how to spend them.

Our bill passed the committee 20 to 0. What a great moment that was, and the reason is we knew we had to compromise. So the part of this bill from EPW was a compromise. The part of the bill from the commerce committee was a little bit trickier because it did come out on a partisan vote, but we have been working—Senator NELSON and Senator THUNE, Senator BLUMENTHAL, and others—on that to make it a better title. And I think it is moving in that direction. As to the banking bill, Senator BROWN's staff worked very hard on this with Senator SHELBY's staff, and I believe it has clearly been improved since it was first released. The Finance Committee was tough. Senator WYDEN tried hard. I put some ideas out there. It was tough to get them done. But somehow we have managed to put together the funding. It does clear the CBO. We are in surplus for 3 years in the highway trust fund. We haven't done that. It has been 10 years since we had more than a 2-year extension. This is real.

I just say to my friends from the House that I know you want to get out of town. Everybody does. It is August, and we have plans. A lot of us are going to go around the world and do our job that way, have community meetings, and take a week of vacation with our families as every family wants to do. But we are staying an extra week in August. You can stay an extra week in August. That is not such a terrible thing.

I get an announcement from the whip over there, Representative MCCARTHY from my State. He says: Don't send us a bill because we are going home.

Well, that is their choice.

There are so many good organizations. I am going to put this list up again and share it because I think it is so important. It is tough to put together a bill that the U.S. Chamber of Commerce supports, along with the International Union of Operating Engineers, the Laborers' International Union of North America, the U.S. Conference of Mayors, and AAA, not to mention Mothers Against Drunk Driving.

I will show you some others. It is exciting to see the National Association of Counties. I started off as a county supervisor. I was in local government. You know, to have us agree with the National Association of Manufacturers, the truckstop operators, the National Governors Association, the National League of Cities, the concrete people, and the gravel people—there is one more here—what you see is that everybody supports this—the American Public Transportation Association, the American Trucking Association, the Associated General Contractors of America. The Associated General Contractors of America has warned us if we don't get this done, it is going to be a real problem.

So for the sake of every single person in America, I hope we have the 60 votes we need tonight, and I hope we get this moving. There are a lot of people who are slowing this bill down. I understand they are upset about everything. Look, we each can be upset. I mean every day we can be upset, but we have to try to find common ground. Sometimes it is very hard to find it.

Certainly, Senator WICKER was here. He and Senator FEINSTEIN have an amendment. I support it. It is unfortunate that Senator WICKER's opinion didn't hold sway in the Appropriations Committee. It is hard. It is difficult. I personally think he is right. He didn't win in the Appropriations Committee. So now we are trying to fix the problem. We may not have the votes, but what we do have before us—and I will conclude with this—is a solid bill with increases so we can fix these bridges.

I want you to see the last image, which is the collapse of this bridge in California. It just happened a few weeks ago or less. What we had here was a bridge that was called functionally obsolete. What they said was that when it was built there was very little comment on it. But now it is a very important bridge because we have to take the goods from Arizona over to California and from California over to Arizona, and it has collapsed.

Senator INHOFE and I talk a lot about why we do what we do. He had a devastating bridge collapse—a devastating bridge collapse where a mother of three was killed just walking by the bridge. That is when he and I said enough is enough. We simply cannot handle it. It is our job.

Once I was told this when I was a county supervisor. If you know there is a problem and people are in danger—this is what they told us way back in the day because we had an earthquake problem with the building we were in and the county council said to the five supervisors: You know this is a problem. If you don't fix it, there is an argument to be made that you are personally liable. Now, I am not suggesting at all that Senators be held personally liable for a bridge collapse, but I am talking about the moral issue. We do know we have problems. We were fortunate that no one was killed in this collapse, and it was kind of a miracle. But we do know there is a problem. So while we don't have a legal obligation to step up to the plate—and I know Senator INHOFE agrees with me—we believe there is a moral obligation.

There is this list of bridges. There are three pages of bridges that we know are in trouble. We know that 50 percent of our roads are deficient. Isn't that enough for us to come together tonight—it will probably be late in the evening, I expect—and vote to move forward with this bill and get it done, send it to the House, and hopefully, they will decide in the same session and decide to pass it? There will be a celebration across this Nation. It will be a celebration by workers who want to fix these problems, by businesses who want to fix these problems, by people who drive who want to see these problems fixed. It is a win-win for our Nation.

I thank you so much, Madam President.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HOEVEN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HOEVEN. Madam President, I ask unanimous consent to speak as in morning business for up to 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

VOLUNTARY COUNTRY OF ORIGIN LABELING AND TRADE ENHANCEMENT ACT

Mr. HOEVEN. Madam President, I come to the floor this afternoon to talk about a program called Product of Canada. Product of Canada, you might ask what it is. The Product of Canada Program is the voluntary food labeling program they have in Canada. So no one has to participate in this program in Canada, but if they want to, they can. It is just that, a voluntary food labeling program they call Product of Canada.

What does that mean? Well, just taking from one of the Web sites where we

looked it up, the ''Product of Canada'' label can only be applied to animals that are born, raised, and slaughtered in Canada with some exceptions. Now, they also have labeling as far as prepacked products. That is actually mandatory labeling. Under their mandatory labeling it says: All prepackaged food products sold in Canada must be labeled with the name and address of the company. Also, it says: If manufactured outside of Canada, the label must reflect it is imported. It is mandatory to state the country of origin on some specific imported prepackaged products such as wine and brandy, dairy products, honey, fish, and seafood products, fresh fruit and vegetables, eggs shelled, eggs processed, meat products, maple products, processed fruits and vegetables.

The program goes on, but the important point I want to make is they have some mandatory aspects to their prepackaged products and their prepackaged products program as I mentioned. But the Product of Canada Program and the ''Product of Canada'' label, that is a voluntary program. It is animals that are born, raised, and slaughtered in Canada. Why do I come to the floor of the Senate to point out that Canada has a voluntary meat labeling program, a Product of Canada Program? For the simple reason that we are and have been engaged in what do we do about COOL, the Country of Origin Labeling Program in the United States.

I have offered bipartisan legislation, legislation with Senator DEBBIE STABENOW of Michigan, who is the lead Democrat on the legislation, bipartisan legislation that includes a majority of the agricultural committee in the Senate. So what we are trying to do is solve the country-of-origin labeling dispute or disagreement by creating bipartisanship and passing a bill that addresses the underlying problem. So what is the problem?

The problem is that the WTO court, the World Trade Organization court has determined that a mandatory food labeling program, COOL, does not meet the WTO requirements. So the House of Representatives, led by the agriculture chairman, MIKE CONAWAY, who is an outstanding ag chairman in the House, passed a bill that repeals mandatory COOL.

You know what. We took that bill and we have included it in our legislation which we call the Voluntary Country of Origin Labeling and Trade Enhancement Act of 2015—we took the very same legislation, and we are trying to pass it here. We are trying to pass the same—we did not take anything out of Representative CONAWAY's bill, passed in the House. We took that bill. We are trying to pass it here to address the issue of mandatory food labeling, mandatory COOL.

But we also added a voluntary program, just as Canada has a voluntary Product of Canada Program. So there are just a few basic logical questions I would ask. First, we are repealing the mandatory program. So when somebody says: Well, you have to repeal mandatory COOL, and you cannot have anything else, we have to repeal mandatory COOL, that is exactly what we do. We pass the Conaway bill. We repeal mandatory COOL. That is a fact. Facts are stubborn things. So let's be clear on that. We do. We pass the House bill, and we add to it a voluntary program, similar to the Product of Canada Program because there are people in this country who want voluntary labeling. They want a voluntary country-of-origin labeling program. They want a program, which as Canada has—Product of Canada is a voluntary program.

At the end of the day, to get this done, to avoid any countervailing duty or tariffs under the WTO ruling, we need to repeal mandatory COOL, which we do, and we put in place the voluntary COOL, which we need to do to get bipartisan support in the Senate and the House and pass the legislation we need to pass. We need to do it in that way in order to get it done timely—certainly before we go on the August recess.

So this is a clear opportunity to come together in a bipartisan way and solve a problem and solve it in a way that makes sense. We reach out to our House counterparts. We reach out to our counterparts in the House and we say: You did good work. You did hard work. You passed a repeal of mandatory COOL.

That is fine. We are passing your bill. At the same time, because there are advocates for labeling, we pass a voluntary program so we can actually move the bill through the Senate, get into conference with the House, and get their work done now rather than waiting. The voluntary program is the same thing Canada does. So how can our very good friends in Canada say to us: Well, it is OK for Canada to have a voluntary program and, yes, we get that you are fully repealing mandatory COOL, but, gee, even though we in Canada have a voluntary program, gosh, we don't think you ought to have one in the United States. It does not make sense.

Come on. Let's get together. Let's find a way to get together in a bipartisan way, move this legislation, get together with the House and get this done. That is all we are asking. We have a good start on this bill. We have a majority on our ag committee. Sponsoring the legislation along with Senator STABENOW and me are Senator JOHN THUNE, Republican; Senator AMY KLOBUCHAR, Democrat; Senator CHUCK GRASSLEY, Republican; Senator HEIDI HEITKAMP, Democrat; Senator MIKE ENZI, Republican; Senator SHERROD BROWN, a Democrat. That is bipartisan. It is common sense.

It is a simple solution. We are saying: OK. We get it. Canada won in the WTO court. We cannot have a mandatory program. We follow the House's lead. We pass their legislation. At the same time, we put in place a voluntary program similar to Canada's. We are reaching out to our friends and neighbors in Canada and saying: Hey, we want to work with you. Please work with us. That is what we do in this legislation.

So I hope Senators will join together with us in a bipartisan—I emphasize that again—in a bipartisan way. That is what it takes in the Senate. It takes 60 votes to pass legislation. You cannot do it with just one party or the other. It takes 60 votes. You have to have bipartisan legislation.

I call on my colleagues to get together with us. Let's move this legislation. Let's get together with the House and our friends from Canada and get this done. We can do it. We can do it now in a timely way, and we can make sure we not only don't have any countervailing duty or tariffs on our exports, but we can also have a voluntary labeling program which many in this country want: consumers, producers, our farmers, our ranchers, retailers, some processors.

But you know what. If somebody does not want to participate, that is fine, hence the word ''voluntary.'' That is the American way. I have had the good fortune to work with Representative CONAWAY. I certainly appreciate him and his hard work. I have also had the opportunity to work with our good friends north of the border. We have no better friend and ally than Canada. We should be able to get together with our Canadian friends and say: Look, we are absolutely doing what the WTO court requires. We are repealing mandatory COOL. We are passing the House bill.

But at the same time, there are a lot of people in this country whom we have to be fair to who want a voluntary program. There is no reason in the world to hold up solving this problem by not allowing them to have a voluntary program, similar to the voluntary program Canada has, Product of Canada.

I also would note that my cosponsor on the legislation is on the floor. I greet her and thank her for her hard, bipartisan work to solve this challenge in a very commonsense way.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Madam President, first, let me say that it is always a pleasure to work with the senior Senator from North Dakota. We partnered on a number of different things, including efforts on the farm bill.

So it is with great pleasure that I am partnering with him again to solve this problem and to make sure that we eliminate any possibility of retaliation on our businesses and solve a problem

in a way that meets our trade obligations and also makes sure that we are standing up for our farmers and our consumers in America. That is really the goal.

I appreciate Senator HOEVEN's leadership and commonsense approach to actually solving the problem. It is always great to be with the Senator.

As Senator HOEVEN did say, we have put together a thoughtful and bipartisan bill, the voluntary COOL and trade enforcement act. We are very ''COOL'' here in the country of origin labeling act.

I also thank our cosponsors. We have Senators GRASSLEY, HEITKAMP, KLOBUCHAR, THUNE, BROWN, ENZI, CASEY, ROUNDS, MURRAY, BALDWIN, and WYDEN, and we are adding more people every day. So we are pleased to have the majority of the Agriculture Committee standing with us on this bipartisan effort.

Let me start by saying as well that while I disagree with the WTO's conclusion and I am disappointed at the final outcome of the case, I respect the decision and acknowledge that we have to act. We have to act in a responsible way to address this and live up to our trade allegations.

The potential impact on the economy and other industries demands that we give this issue our full attention, and that is what we are doing. Our legislation offers something that is common sense. It is trade compliant, and it is a path forward.

First, the bill repeals mandatory country-of-origin labeling. This is what we have to do to meet our trade obligations to Canada and Mexico. There is no way around it, certainly on beef and pork, in order to come together to be able to address this quickly. In fact, we have in our bill the same language as in the House. So we have the same language as the House and the same language as the amendment put forward by our chairman, Senator ROBERTS, and others.

No. 1, we all agree on what it takes to address the trade case and get that off the table.

No. 2, now it becomes this: What do we want to do as Americans? What do we want to do? This is not a realm where Canada or Mexico really has a voice. Once we meet the trade obligation, we have met the test. What do we want to do?

I remember during the farm bill, when we were talking about changes we needed to make to address the Brazil case on cotton, where they won a case against us, and I asked folks: Well, what do the Brazilians think?

I was told by members of the committee, many of whom are now saying we have to give Canada veto power or Mexico veto power, that Brazil can't have veto power over the United States on cotton and that is up to the United States.

We proceeded with a path that we believed met WTO rules and met the needs of American producers. Now we have some of the same folks saying: Oh, no, we can't do anything unless this is something that Mexico likes or Canada likes. So I would argue that we deal with that—with the trade decision in WTO—in all three bills. Now the question is this: What do we want to do for our consumers and to support American farmers?

So, second, we establish a voluntary ''Product of the United States'' label defined as born, raised, and slaughtered in the United States. So you can have whatever labels are appropriate to have, but if you want to have a label that says ''Product of the United States,'' you have to meet the integrity of that label.

If the consumer is seeking to purchase a product of the United States, a packer is willing to provide it, and they decide they want to do that—farmers want to do that; they want to provide that—then there should be an accurate label. They can look at all the pros and cons of doing that. Then they should be able to do that on a voluntary basis. That is all we are saying.

Anyone who has watched this issue over the years knows that both sides have become very entrenched, and we understand that. But our approach is to say now that we will agree with the House, we will agree with those who always opposed a mandatory country-of-origin labeling, and we will agree on repeal. However, we need to make sure, on behalf of American consumers, that for American farmers and processors it would give them a tool—a voluntary tool—they can use if they wish to do that.

Now, what is very interesting is the fact that back when the mandatory country-of-origin labeling bill was on floor and was being passed by the House and the Senate, the people who opposed that at the time introduced S. 1333, the Meat Promotion Act, which would ''establish a voluntary program for country of origin labeling of meat.'' It was introduced by the same people who are now saying we cannot do that—Senators CORNYN, ROBERTS, HATCH, ALEXANDER, and others—all of whom were arguing that we should have a voluntary program, not a mandatory program.

So now here we are. You would think this would be easy. You would think this would be a slam dunk. What we are suggesting, in fact, is something that was in a bill—a voluntary ''Product of the United States'' label for meat from animals born, raised, and slaughtered in the United States. At the time, it was broadly supported by the meatpacking industry as well as the largest organization of cattlemen in the United States. At the same time, they argued they thought this proposal was a smart way to promote U.S. meat products while also supporting international trade—the same people who are now working against us.

In fact, as it turns out, they were in the spot where we are now understanding we need to land. But instead of agreeing and saying to us that it is about time you got here, embracing it and saying let's do this very quickly so we can put other businesses where may face retaliation in a position of confidence so that is not going to happen—we thought this would be a no-brainer; take the bill that was already introduced, and take the language passed by the House—now we are seeing that, in fact, the same people who wanted S. 1333 are now saying that in the world it will start a trade war and all kinds of other things.

But let's talk about that for a moment. Even as recently as last August, Canadian officials openly discussed a voluntary COOL program as a way to address their trade concerns, and they said: ''If you do a voluntary label, which we do in Canada under product of Canada, you don't have that trade sanctioned problem.'' That was in August of 2014, Gerry Ritz, Agriculture Minister of Canada.

Next, in 2012, the WTO Appellate Body report quoted both Canada and Mexico, suggesting that the United States switch from a mandatory to a voluntary labeling program to move ''beyond the dispute.'' So, again, this was from Canada: ''Expanded as required to meet consumer interest, voluntary labelling can provide as much consumer information on origin to interested consumers as the COOL measure.'' That was in 2012, suggesting that was the tool that the United States should use.

Then, this is from our Mexican friends:

> Mexico submits that there are at least four alternative measures. . . . The first alternative is a voluntary country of origin labelling scheme, which in Mexico's view, could maintain the same labelling criteria on origin as the COOL measure—that is, born, raised, and slaughtered [in the United States].

That is 2012, Mexico.

So we clearly know that both Canada and Mexico have considered voluntarily labeling as the responsible approach. In fact, they have suggested we do that. So while both countries have been vocal, it still does not change the fact that Canada and Mexico are not entitled to veto what the Congress of the United States of America chooses to do with our laws, as long as we are compliant with our trade obligations.

Clearly, I understand politics—Lord knows we do. We understand politics, we understand elections, and we understand negotiations. We understand. If you can put the United States in a position to voluntarily stand down and not let consumers know on a voluntary basis what is a product of the United States, that is great for competition, if

you are Canada or Mexico. And if they can bully us into doing that—well, shame on us if they can bully us into doing that.

The fact of the matter is our legislation, which I believe clearly has the majority of votes in the Senate and certainly on the agriculture committee, not only meets the trade requirements of the dispute—which we lost, we know it, and we have to address it—but stands up for American consumers, American farmers, and processors who choose to use the tool of a voluntary label.

WTO rules are very clear that a country should not proceed with retaliation if the underlying law has been made WTO-consistent. So folks can stomp around and threaten. We understand negotiations. We all negotiate with people who stomp around a lot.

But the reality is that if we take that away and we are now trade compliant, they no longer can legally proceed. The Office of the U.S. Trade Representative has also stated that our approach would be just as WTO-consistent as the repeal bills alone: ''We believe both options—repealing the mandatory labeling scheme or repealing the mandatory labeling regime and replacing it with a voluntary labeling system—have the potential to constitute compliance with U.S. WTO obligations.''

There is no difference—no difference. And this is a few days ago—July 23, 2015.

It really comes down to the fact that if Canada has its own voluntary label for meat produced in Canada, how in the world can they argue with the United States of America that our farmers and consumers should not have the same label?

I think what it boils down to is competition. I do, because it starts as a trade case. We meet our trade obligations. We address what we have to do legally. Now the question is this: Can they bully us into a position to actually stand down so we cannot brag about the great meat that we have in this country and let consumers know about it?

I understand that the Canadians are afraid to compete head-to-head with products that are 100-percent born, raised, and harvested here in the United States. We do a pretty good job. Our farmers and our ranchers do a very good job, actually. After all, there is no safer, more abundant food supply produced anywhere in the world than in the United States. The American public deserves to know if they choose to look for that label and purchase that label. They should have the opportunity to do that. Certainly, when our friends in Canada—and they are our friends; we work on many issues together in a wonderful way. But on this one, I have to say I think this is very much about competition. And we need to be able to compete economically with them in the same way they compete with us. If they have a ''Made in Canada'' label, we need to be able to have a ''Product of the United States'' label.

So I would ask that we stop with all the rhetoric on the floor by folks who sponsored a voluntary label with the same definition a few years ago; stop the rhetoric by our friends from Canada and Mexico about how the world will come to an end if the United States has a voluntary program that meets our trade obligations. We need to just take a deep breath and make sure that we solve the trade case, that we do what we need to do and then have the USDA in America—the U.S. Department of Agriculture—allow all of us to decide what we want to do about voluntary labeling of our meat—or anything else, for that matter.

We are not interested in starting a trade war, and it seems pretty silly when I hear the hot rhetoric that tries to claim that. What we are wanting to do is solve a problem that relates to international trade that we all agree needs to be resolved. We must resolve it, we must make sure those not involved in the dispute don't somehow pay a penalty through retaliation, and then respect our own consumers enough—our own families, our own farmers, our own processors enough—to give them a tool, if they decide they wish to use it, to have the integrity of a product of the United States labeled.

It would be a sad day and I believe irresponsible on our part if we move back to the days prior to COOL where we were labeling meat that was born in a foreign country and spent most of its life in the foreign country but then could somehow come in and be harvested here and be called a product of the United States. Talk about something that is a problem—that is a problem. That is a problem. And American consumers deserve better than that. Our own processors and farmers who are competing with those in other countries deserve better than that.

We have the opportunity to embrace a proposal that, frankly, in my judgment, should be a no-brainer for us given all of the information and the case for why this works.

So, Madam President, I am looking forward to working with colleagues on both sides of the aisle to actually get this done. We should get it done quickly so that we can move on to a whole series of issues that need to be addressed.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Madam President, I ask unanimous consent to address the Senate as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

FEDERAL ENVIRONMENTAL REGULATIONS

Mr. MCCAIN. Madam President, all Americans but especially Arizonans should be concerned about the crushing wall of Federal environmental regulations that President Obama has been announcing is coming our way.

Politico recently noted, ''Two years [after the President originally announced his intent to take executive action on climate change], scarcely a week goes by without the administration unveiling a new climate change initiative.'' Common among all these regulations is their complete disregard for how businesses really operate and how they will adversely affect those businesses and their consumers.

According to a report recently released by the American Action Forum, just the 18 ''economically significant'' regulations the White House announced before Memorial Day will saddle the Nation's slowly recovering economy with more than $110 billion in potential cost, with billions more in unknown burdens. If left uncorrected, these regulations will unfairly impact Arizona consumers and businesses and, in the view of the Arizona Chamber of Commerce, ''cause significant economic harm to our state.''

One of the most alarming of these new regulations is the Environmental Protection Agency's so-called clean water rule or waters of the United States rule—a Federal regulation of almost unprecedented scope. The EPA has claimed this rule would just let it stop construction activities that disturb small, environmentally sensitive streams and wetlands, but when you dive into the rule's 299 pages, you will find it actually expands EPA's authority to roughly 60 percent of all ''waters of the United States,'' including irrigation ditches, stock ponds, and even dry desert washes.

This is bad news for Arizona agriculture and homebuilding sectors, which combined account for most of all economic activity in my State. If a farmer wants to build or repair a canal, the EPA could block it. A community that wants to build a school or a church near a dry wash will have to beg for EPA's permission. The EPA can even go after property owners if the Agency thinks water historically flowed across their land, even when there is no visible evidence.

Ultimately, water is the last thing the EPA will be worried about once their clean water rule becomes effective; they will be drowning in lawsuits.

Another proposed rule by the EPA—the ''Clean Power Plan rule''—would place new limits on greenhouse gas emissions that would prevent the use of coal and result in the elimination of 36 percent of Arizona's electric power generation. Of course, the billions of dollars that would be needed to comply with the plan would be passed on to consumers. Estimates are that utility rates could increase up to 13 percent in Arizona. If you are a small business owner and you don't have the luxury to

pass on these costs, this dramatic increase in your utility bill could prevent replacing old equipment or hiring new employees or otherwise expanding your business.

In addition to being a job killer, this rule will impact Arizona's water supply, which in many cases is moved through the State by energy derived from coal-fired plants, negatively affecting consumers and commerce throughout the State.

This rule also threatens default on hundreds of millions of dollars in taxpayer-backed USDA rural utility service loans around the country which are critical to providing rural residents with affordable energy and reliable, good-paying jobs.

Another rule, which would revise ozone regulations, may also disproportionately impact Arizona, especially her rural communities. Failing to acknowledge qualities unique to Arizona regarding ozone concentrations in the State—for example, altitude, topography, lightning, and wildfires—this rule would undermine the State's continuing attractiveness to business by creating construction restrictions, permitting delays, and reduced Federal transportation funding.

So what can be done about all of this? Well, that depends. For those rules that have been finalized, we can start looking at legislatively repealing them, as a bill Senator FLAKE and I recently sponsored would do with the clean water rule, or we can pass resolutions of disapproval under the Congressional Review Act to help bring public attention to them. For those rules that haven't been finalized yet, we can consider including riders in appropriations bills to disrupt their implementation.

Madam President, we need to be very clear on what is going on here. These regulations don't represent a good-faith effort by President Obama to work with Congress to legislate transparently with care and acuity to help the States ensure the health, welfare, and safety of our citizens; rather, like the President's Executive order on immigration, they are an example of his insistence on using his ''pen and phone'' to unconstitutionally and unilaterally forge a legacy—a legacy that will, in fact, have a chilling impact on economic growth and prosperity.

The fact is, after years of economic recession, the Arizona economy is showing signs of recovery. But with Arizona's growing slower than the rest of the country, with only a 1.1-percent increase in real gross State product compared to 2.2 nationwide and 65,500 fewer people working in Arizona compared to 8 years ago, Washington has to be focused on doing everything it can to unburden small business owners and promote entrepreneurialism. These regulations would do just the opposite.

For these reasons, it will be important for all Arizonans and all affected Americans to make their concern and outrage heard. For Arizona, Senator FLAKE and I join our colleagues representing other affected States and will continue to exercise our constitutional oversight prerogative to keep the Executive in check and help educate the American people about what is coming and how it will affect all of us.

Madam President, I ask unanimous consent to have printed in the RECORD the Arizona Republic's editorials on this issue that appeared yesterday and on June 30, 2015; the op-ed from me and Senator FLAKE in the Arizona Republic entitled ''We're standing up against regulation-happy Obama''; the two oversight letters we recently sent relevant Agency heads on the Clean Power Plan rule and the clean water rule; and the op-ed from Arizona Chamber of Commerce president Glenn Hamer in the Yuma Sun entitled ''List of examples of federal overregulation is way too long.''

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From The Republic, July 26, 2015]

NEW EPA CLEAN-AIR RULES THREATEN RURAL POWER CO-OPS

(By the Editorial Board)

OUR VIEW: COAL IS ON THE WAY OUT, BUT THE FEDS NEED TO ACKNOWLEDGE ECONOMICS.

By this fall, the federal Environmental Protection Agency is expected to march the nation's energy consumers into new territory on the frontier of controlling carbon emissions.

Representatives of the big power companies are flooding Washington, D.C., in a desperate effort to mitigate the impact of the EPA's venture, known as the Clean Power Plan.

Debates between environmental activists and politicians over its implications are heating up.

But few have looked at the EPA's new carbon plan with quite the riveted sense of alarm as small utility companies that serve rural customers.

The president of a small cooperative serving rural customers in Arizona, New Mexico and Nevada is blunt about that impact:

''The people throughout rural Arizona that we serve will be screwed more than anybody else in the country,'' Patrick Ledger, CEO of the Arizona Generation and Transmission Cooperatives, told the Environment and Energy news service.

Unless the EPA's plan includes substantial revisions. Ledger is not exaggerating.

His energy co-op, serving some 500,000 rural customers, operates one natural-gas-fired and two coal-fired units at the Apache Generating Station in southeastern Arizona.

One of the coal-fired units is scheduled to convert to gas in 2018 to accommodate recent EPA rules governing haze. But under the draft plan proposed by the EPA, the co-op would be forced to shutter its coal-fired unit altogether, stranding around $230 million in recent upgrades and investment.

In addition, the co-op would have to take on between $450 million and $600 million in additional debt to rebuild capacity to serve its customers.

All told, that would push the price of the energy Ledger's cooperative sells to distributive cooperatives to 38 percent above market rates. And that, says Ledger, spells the end.

''We will be put out of business,'' Ledger told the Republic editorial board last week. We go into bankruptcy.''

Arizona Generation's debt is owed to another federal agency. Repeat this story with multiple rural co-ops, and taxpayers will be stuck with an enormous bill.

Ledger and his colleagues understand that coal's future is limited, so they are lobbying the EPA to give the nation's 100 smallest utilities more flexibility in meeting the carbon goals.

Ledger doesn't hold much hope for that, so he's also working with Arizona's other utilities. This state faced the most ambitious goal to reduce carbon under the draft plan; utilities are urging the EPA to give them a longer glide path to ease the transition away from coal.

Concerns over enormous amounts of stranded debt is a near-universal one as the Clean Power Plan approaches.

Arizona's major utility companies, including Salt River Project and Arizona Public Service Co., recently invested hundreds of millions of dollars to bring their coal-fired plants into compliance with existing EPA regulations.

Much of that investment will be lost if the EPA does not revise the draconian carbon reductions written into the Clean Power Plan, much of which the agency expects to occur no later than 2020.

A battle among giants, the debate over the Clean Power Plan is scarcely considering the dire consequences for little-guy energy providers like the Arizona Generation and Transmission Cooperatives.

It needs to start.

[From The Republic, June 30, 2015]

WE HAVE THE RIGHT TO KNOW COST OF NEW EPA RULES

(By the Editorial Board)

OUR VIEW: HOW MUCH WILL NEW CARBON RULES COST YOU? THE SUPREME COURT SAYS TAXPAYERS SHOULD BE ABLE TO FIND OUT

Within months, maybe weeks, the Environmental Protection Agency will release new rules governing carbon dioxide emissions from energy plants.

The rules will constitute the most sweeping assertion ever of the EPA's regulatory power. And it is only the beginning. The EPA in the fall is expected to alter its standard for what constitutes unhealthy ground-level ozone pollution, which would require significant, economy-wide investment in ozone-pollution control measures.

That's a lot of unprecedented action. This would be a good time for an honest talk about the balance between the costs of these policies and their benefits.

The Supreme Court is strongly suggesting that conversation take place.

In a 5–4 vote, the high court on Monday said the EPA must reconsider a rule governing mercury emissions, mostly from coal-fired power plants, because it did not weigh the costs and benefits of the rule change before issuing it. The rule is estimated to cost $9.6 billion annually.

The decision is considered a setback for the Obama administration's all-but acknowledged mission to retire the majority of the nation's coal-fired electric plants.

But not necessarily a major setback. The court's decision does not throw out the mercury-emissions standards. It just requires the agency to recalculate the rule while considering more closely the price tag of implementing it.

Most importantly, it leaves the EPA in charge of determining anticipated costs and benefits.

In the coming debate over the EPA's Clean Power Plan mandates, Arizonans deserve to know exactly what environmental benefits they are getting and whether the costs of implementing these new emissions standards are reasonable.

The EPA's self-analysis of the costs and benefits of its mercury-pollution rule, however, suggests an honest report may not be in the cards.

According to the EPA, its mercury emissions rule would cost the energy industry (which is to say, consumers) $9.6 billion annually. That figure, however, doesn't take into account significant factors like the higher costs of additional borrowing the industry would have to incur, or the potential economic drag.

NERA Economic Consulting of Washington, D.C., calculated the rule's annual cost at $16 billion.

However, the EPA gets really creative in naming the ledger's benefits.

According to the EPA's figures, the mercury rule generates a direct economic benefit of less than $7 million annually. Part of that is derived from the 15 percent of pregnant women in Wisconsin the agency assumes catch and eat at least 300 pounds of lake fish per year.

The EPA also calculated that secondary impacts of the mercury rule—infinitely more malleable ''improvements to the public health''—would boost it's ''economic'' value to between $24 billion and $80 billion per year.

Bingo. Economic justification.

We are talking about a significant financial investment to achieve far less impressive results.

As long as the EPA is in control of economically certifying its own rules, it will be impossible to seriously judge whether the upcoming Clean Power Plan emissions rules are justified. That stands in opposition to the court's direction.

In Monday's Michigan vs. EPA decision, the high court's majority concluded that federal administrative agencies ''are required to engage in 'reasoned decision-making.' ''

That means honestly assessing costs.

[From The Republic, July 11, 2015]

WE'RE STANDING UP AGAINST REGULATION-HAPPY OBAMA

(By John McCain and Jeff Flake)

SENATORS: THIS ADMINISTRATION INTENDS TO REWRITE ENVIRONMENTAL POLICY WITH NO THOUGHT TO THE COSTS

A few days ago, the U.S. Supreme Court delivered a victory for businesses and consumers when it turned back the Obama administration's regulate-at-all-cost proposal for controlling power plant emissions.

In Michigan v. Environmental Protection Agency, the court held that the EPA failed to consider the potentially exorbitant cost its regulation would impose on the economy. The EPA's rationale? The costs are ''irrelevant'' to the decision to regulate.

We strongly disagree.

This is one of several new regulations the White House has imposed over the past two years with no regard for how businesses really operate. According to the American Action Forum, 37 major regulations the White House recently announced it is planning on releasing will saddle the nation's recovering economy with more than $110 billion in potential costs—hardly ''irrelevant.''

If left unchecked, those regulations will unfairly impact Arizonans and, according to the Arizona Chamber of Commerce, ''cause significant economic harm to our state.''

One of the most alarming new regulations is the Environmental Protection Agency's so-called Waters of the United States Rule. The EPA claims the rule protects only waters that ''have historically been covered by the Clean Water Act'' and that it ''protects clean water without getting in the way of farming, ranching, and forestry.''

But, dive into the rules 299 pages and you'll find it actually enshrines the EPA's authority to regulate nearly everything that is considered a ''tributary,'' including irrigation ditches and dry desert washes.

While this rule was supposed to be based on science, there are glaring omissions in how Arizona's arid landscape was considered. An analysis of U.S. Geological Survey stream maps projects that Arizona would see a 200 percent increase in river miles subject to the EPA's jurisdiction.

This is bad news for Arizona's agriculture and home-building sectors, which are vital to the state's economy. The federal government could block farmers from building or repairing canals, communities from building schools or churches near dry washes, or even private property owners from developing on their own land if the agency believes water historically flowed there, despite no visible evidence that it still does.

When this massive regulatory expansion becomes effective, Arizonans will be drowning in consultants' fees and lawyers bills. We have introduced legislation halting this rule until the scientific analysis of intermittent and ephemeral streams is complete.

We are also pushing back against the federal government's water grab in other ways. Recently, the Forest Service formally withdrew its groundwater directive, something we asked it to do last October. For now, at least, private property rights that could have been impacted by that rule are safe.

But another proposed rule by the EPA, the ''Clean Power Plan,'' would place new limits on greenhouse gas emissions, including preventing the use of coal, which produces 36 percent of Arizona's electric power generation. The billions of dollars necessary to comply with this plan would be passed on to consumers through increased utility rates.

This rule will most negatively impact those least able to afford such a rate hike. Likewise, small-business owners who don't have the luxury of passing on dramatic utility-price increases could have trouble replacing old equipment or hiring employees.

These regulations are not intended to bolster our economy or get Arizonans back to work. They are an assertion of executive power by a president intent on rewriting environmental policy, not a thoughtful attempt to help states ensure the health, welfare and safety of their citizens.

It is essential that those of us who represent Arizona in Congress exercise our constitutional oversight prerogative to keep the executive branch in check, and to help educate Americans about what's coming and how it will affect us all.

Given what is at stake here, we certainly will.

U.S. SENATE,
Washington, DC, July 8, 2015.

Hon. GINA MCCARTHY,
Administrator, Environmental Protection Agency, Washington, DC.

Hon. TOM VILSACK,
Secretary, U.S. Department of Agriculture, Washington, DC.

Hon. SHAUN DONOVAN,
Director, Office of Management and Budget, Washington, DC.

DEAR ADMINISTRATOR MCCARTHY, SECRETARY VILSACK, AND DIRECTOR DONOVAN, We write to express deep concern with President Obama's attempt to bypass Congress and commandeer the state regulatory process to impose unduly burdensome carbon-emissions regulations at existing power plants; the so-called Clean Power Plan (CPP). Our fear is that the CPP would create significant technological and economic challenges that disproportionately affect Arizonans.

As proposed, the CPP would force Arizona, unlike almost any other state, to achieve a 52% reduction in its carbon-emissions by 2030, with nearly 90% of that reduction (equivalent to re-dispatching all of Arizona's coal-fired baseload generation) coming within five years. The plan effectively ignores Arizona's zero-emission nuclear asset, Palo Verde Generating Station, and gives little credit for the widespread deployment of renewable technology throughout the state. Instead, the plan charges head long toward dictating Arizona's resource portfolio and regulating beyond the fence line.

Shrouded by the veil of choice, EPA contends that Arizona can use a combination of options (aka ''building blocks'') to achieve these targets. In reality, the CPP treats Arizona so harshly that it would be compelled to maximize the use of all its building block ''options'' just to comply with the rule. This is hardly a choice. Rather, as explained by Harvard law professor Laurence Tribe, the proposed plan would effectively dictate the energy mix in each state, allowing a federal commandeering of state governments and violating principles of federalism that are basic to our constitutional order.

As an example, EPA expects Arizona to redispatch coal-fired generation almost entirely with increased natural gas generation. Yet, EPA ignores that more than half of the state's existing natural gas capacity is merchant capacity, not owned by Arizona utilities. Moreover, Arizona's natural gas generating units are often used to manage the diverse energy portfolio, including renewable supplies, meaning that increased baseload use of those resources limits their ability to assist with intermittent generation. Mistakenly, EPA assumes that Arizona can quickly transition from coal generation to natural gas generation by making greater use of existing natural gas facilities. The EPA is not taking into consideration the peak customer energy demands the state requires in the summer months or the current natural gas infrastructure in place.

Converting coal resources to natural gas will also leave millions of dollars in stranded assets in which plants are forced to close before their useful life. As you are well aware, utilities throughout the state have recently retrofitted a number of these units to comply with other EPA regulations, such as the regional haze rule. It is unreasonable for EPA to compel utilities and their ratepayers to comply with one rule, only to render those investments wasted just a couple of years later under a different rule.

Utilities and pipeline providers would, therefore, be forced to spend billions of dollars on new energy infrastructure which could take years to plan, implement, and negotiate. The state's year-round energy needs simply cannot be replaced by natural gas-fired plants in time for the CPP's 2020 interim deadline.

As the Supreme Court recently found, these types of economic issues are not ''irrelevant'' to the rulemaking process. They must be considered, rather than marginalized. And, in this case, it is not simply the stranded cost of investing in new emissions technology or the increased rates;

it is also the impact on other areas of the state's economy, such as water deliveries that depend on energy. An increase in water-delivery costs, particularly during the ongoing drought, will only serve to further harm consumers.

This situation is no doubt exacerbated by the possibility that taxpayers could also pay more for this rule, as it threatens to cause default on over $250 million in taxpayer-backed Rural Utilities Service (RUS) loans in Arizona. But, Arizona's coal plants, including those with expensive air pollution controls, will not operate long enough under the CPP to pay these loans back. Shuttering Arizona's coal plants before their useful life is completed will challenge rural electric cooperative's ability to pay back those loans.

In an effort to address many of these concerns, on December 1, 2014, the Arizona Department of Environmental Quality (ADEQ) in concert with the Arizona Utility Group, proposed a compliance plan that would work for Arizona. They suggested narrowly modifying EPA's CPP to allow newer, more efficient coal-fired power plants to continue to fully operate after 2030. This more gradual plan would ensure that investments in expensive emission control technologies will not be stranded and that the CPP's impact on Arizonans will be mitigated.

With the proposed final rule currently pending before OMB, we would appreciate your consideration of the Arizona Utility Group proposal and our concerns, as well as a written response to the following questions no later than July 27, 2015:

1. What cost-benefit analysis was conducted in connection with the Administration's decision to go forward with this rule? Specifically, what is the expected aggregate economic impact of this rule on Arizona businesses and consumers?

2. The USDA has indicated that $254.8 million is held through RUS loans in Arizona. What is the value of these loans that USDA holds nationally?

3. Is the OMB taking the significant loss of taxpayer investment in these loans into consideration of the EPA's final rule?

4. If the rule is approved and Arizona's rural energy providers are forced out of business, what happens to the existing loans?

Thank you for your attention to this matter, I look forward to your response.

Sincerely,

JOHN MCCAIN.
JEFF FLAKE.

U.S. SENATE,
Washington, DC, July 23, 2015.

Hon. GINA MCCARTHY,
Administrator, Environmental Protection Agency, Pennsylvania Ave. NW., Washington, DC.

DEAR ADMINISTRATOR MCCARTHY: I'm writing concerning the Environmental Protection Agency's (EPA) Clean Water Rule that was signed on May 27, 2015. As you know, I've written you before opposing the rule and I've cosponsored several bills in the Senate to block it because of the damage it will inflict on job creation and economic recovery in Arizona.

The Clean Water Rule will extend Clean Water Act jurisdiction to roughly 60-percent of all ''waters of the United States,'' effectively allowing EPA to regulate small streams like it currently does large rivers. But the rule can also apply to ephemeral streams, irrigation ditches, stock ponds, and even dry desert washes that are common in Arizona. As such, the rule disproportionately impacts Arizona farmers, cattlemen, developers and other key sectors of Arizona's economy historically and moving forward into the 21st century. Please bear in mind that agriculture makes up about 30-percent of the economy in my home state, and that construction jobs account for roughly 13-percent of new jobs created in Arizona during the economic recovery.

In recent years, the EPA has, unfortunately, succeeded in building a track record of unilaterally reinventing federal statutes, like the Clean Air Act and Clean Water Act, to advance politically-sensational regulations. What follows is not genuine environmental protection, which is vitally important, but a stigmatization of EPA and its restrictive regulations, which are criticized and then litigated for their blatant disregard for their economic harmfulness. This pattern recently forced the hand of the Supreme Court in Michigan et al. v Environmental Protection Agency, in which it rejected EPA's new rule on mercury and air toxic Standards because the agency had not justified the economic cost-benefit of the rule.

Against this backdrop, I respectfully request that you respond to the following questions:

1. Explain on what basis the EPA has concluded that its economic-impact analysis for the final Clean Water Rule determined that this rule is ''appropriate and necessary?''

2. What economic-impact analysis, if any, did the EPA conduct in connection with the Clean Water Rule that took into account Arizona businesses and consumers in particular?

3. Following the Supreme Court's ruling in Michigan et al. v EPA, do you believe EPA sufficiently calculated the rule's cost considering that the Small Business Administration's Office of Advocacy's requested that the EPA withdraw the rule because it ''will have a direct and potentially costly impact on small business'' and requested further review by the SBA? Please explain your answer.

Thank you for your attention to this request.

Sincerely,

JOHN MCCAIN,
United States Senator.

[From the Yuma Sun: Opinion, June 24, 2015]

GUEST COLUMN: LIST OF EXAMPLES OF FEDERAL OVERREGULATION IS WAY TOO LONG

(By Glenn Hamer)

During an address before a joint session of the Indiana State Legislature, Ronald Reagan once quipped, ''If the Federal Government had been around when the Creator was putting His hand to this State, Indiana wouldn't be here. It'd still be waiting for an environmental impact statement.'' These remarks were from a speech given in 1982, and although tongue-in-cheek, their meaning unfortunately still rings true 33 years later.

The federal government continues to roll out rules and regulations that are often overly burdensome and unnecessary. This has a particularly chilling effect on business and economic growth. What's more, the Arizona business community is increasingly concerned that the regulatory agenda of the current administration unfairly impacts Arizona, and has the potential to cause significant economic harm to our state.

Last week I sent a letter to Sen. John McCain outlining five federal rules, primarily driven by the Environmental Protection Agency (EPA), that illustrate this concern:

First up, the EPA's carbon emission rule for electric power plants. In this proposed rule, the EPA has assigned Arizona one of the most stringent reduction goals in the country—52 percent carbon emission reduction by 2030, with an aggressive interim goal to achieve more than three-quarters of that reduction by 2020. Arizona's utilities would need to retire a majority of the coal-fired generating facilities in the state to meet this goal, This transition is not economically feasible and would threaten the reliability of Arizona's electricity supply.

Next, the EPA and the U.S. Army Corps of Engineers (USACE) issued a final rule changing the definition of ''waters of the United States,'' under the Clean Water Act. This brings vast swaths of land under the federal government's jurisdiction and disproportionately impacts Arizona as a result of our unique landscape and infrastructure. For example, Arizona's canal systems, drainage systems, ditches, and private property will be subject to federal government control, which limits our ability to manage water allocation and usage locally. According to a recent economic analysis, our system of canals is responsible for 30 percent of Arizona's gross state product, yet the EPA found the definitional change would ''not have a significant economic impact.''

The EPA is also considering a rule that would lower the air quality standard for ozone. Under the EPA's proposed range, the entire state of Arizona stands to be classified as a non-attainment area. Such a designation brings significant consequences, including permitting delays, restrictions on construction, and threats to our federal transportation funding, all of which will undoubtedly make it more difficult for Arizona to attract and retain businesses.

Arizona is further disadvantaged by these environmental regulations because of the cost of proving so-called ''exceptional events'' and their frequency in our state. As we all know, Arizona is home to frequent dust storms during the summer months. These exceptional events occur regularly in Arizona and contribute to artificially poor air quality readings. Under the EPA's current Exceptional Events Rule, a state can be subject to a non-attainment designation and other significant consequences unless it can prove that a poor air quality reading is the result of an exceptional event.

Finally, the federal Endangered Species Act lists hundreds of species as endangered or threatened, many dozens in Arizona. This results in high costs to industry by hindering development and economic growth and imposing exorbitant compliance costs even when the designation does not give an accurate picture of the species' status.

Government regulation and oversight serves an important purpose. However, the federal government has a responsibility to ensure the regulations it promulgates are fair, equally applied, and result in an articulable benefit. Recent environmental regulations demonstrate a failure to recognize the limits of federal authority and to meaningfully engage the states to develop regulatory schemes that safeguard public health and safety, acknowledge the unique qualities of the individual states, and support a robust and growing economy.

Mr. MCCAIN. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CASSIDY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

HONORING THE MEMORY AND LEGACY OF THE TWO LOUISIANA CITIZENS WHO LOST THEIR LIVES IN THE ATTACK OF JULY 23, 2015, IN LAFAYETTE, LOUISIANA

Mr. CASSIDY. Madam President, last week a terrible tragedy occurred in Lafayette, LA, when a mentally ill gunman opened fire in a movie theater filled with innocent people.

Jillian Johnson was a talented artist, successful entrepreneur, and an active member of the Lafayette community. Jillian played in a local all-female band, co-owned a gift and toy shop, and often organized community projects that benefited all. She was a kind and charitable soul, described by her husband as a loving friend, daughter, sister, and wife.

Mayci Breaux was an incredible young lady with a bright future ahead of her. A student of Louisiana State University, Mayci was studying to be a medical radiology technician and was engaged to her high school sweetheart, planning to marry after she graduated. Mayci worked at a local fashion boutique, where her customers and coworkers remember her generous smile and wonderful optimism.

These two women exemplify the kindness and essence of the Lafayette community. Although they were taken from us far too quickly, their memories live on.

Let's also take a moment to thank the heroes in this tragedy—the Lafayette police, Acadian Ambulance, the employees of the Grand 16 movie theater, and other first responders who acted bravely and quickly to stop the shooter and aid the injured. We are grateful for their service, and we honor them today.

I also acknowledge by name Jena Meaux and Ali Martin. Their quick thinking and courageousness saved lives when they crawled across the movie theater floor to pull the fire alarm to alert authorities.

Lafayette and Louisiana are resilient. In times of tragedy and pain, we come together to support and care for one another. The love we have for each other, even in the darkest of times, will help Lafayette, our State, and our community recover.

The events that transpired in Lafayette last week are a reminder of the long road we must take to reform our mental health system. Too many innocent lives are being taken from us in senseless attacks in movie theaters, schools, churches, and other places where we should feel safe. The common denominator in these tragedies is all too often untreated mental illness.

As public servants, we should seek to keep the public safe, but our mental health system is badly broken and fails to do so, and reforms are coming too slowly. It doesn't make sense that parents caring for a mentally ill child cannot be part of medical decisionmaking that could prevent horrendous tragedies like these. I can go down the list of reforms that need to be made to improve our mental health system. I am working with my good friend Senator CHRIS MURPHY on legislation that will help reform our mental health system and make it easier for those in need to get the help that could potentially avert a future tragedy like this.

I finish by saying once more that our thoughts and prayers are with the families and loved ones of Jillian and Mayci and all those wounded who are suffering. May they know God's comfort at a time when it may be otherwise impossible for them to feel comforted.

I yield to my fellow Senator and good friend, Senator VITTER.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Madam President, I come to the Senate floor sadly, in light of this tragedy, to join my colleague Senator CASSIDY in expressing these heartfelt thoughts. We rise today to express our deepest sympathy for the victims of this horrible shooting in Lafayette. The hearts of all of Lafayette and Louisiana go out to all of the families involved in this tragic incident.

As Senator CASSIDY suggested, we lost two enormously talented, unique, and irreplaceable individuals, and we certainly pay tribute to them.

As Senator CASSIDY suggested, Mayci was a student at Louisiana State University, full of life, full of hope, full of promise. She was studying to become an ultrasound and radiology technician. She was scheduled to begin her training just a few days after her tragic death. She was at the movies with her boyfriend, Matthew Rodriguez, who was among the nine wounded.

Jillian was the owner of Parish Ink, a T-shirt printing company specializing in old Acadiana verities. She and her husband also owned the Red Arrow Workshop, a gift and toy shop in Lafayette. She also was full of life, full of talent, full of vigor and happiness. She played the ukulele and guitar for The Figs, an all-female sextet from Lafayette.

These are two individuals who are completely irreplaceable, and they will be sorely missed.

I also join Senator CASSIDY in recognizing and thanking the heroic actions of those two teachers from Jeanerette High School in Iberia Parish, Jena Meaux and Ali Martin. According to several reports, Ali jumped in front of Jena to shield her from the shooting, very likely saving her life; it caused the bullet to hit Jena's leg instead of Ali's head. Ali was shot in the leg in the process. Despite her injuries, Jena courageously pulled the fire alarm, alerting the whole movie theater and certainly saving lives. So we pay tribute and remember them as well.

We also pause and remember and continue praying for the recovery of nine other individuals who were wounded in that horrible incident: I mentioned Matthew Rodriguez, the boyfriend of Mayci Breaux; Morgan Julia Egedahl; Dwight ''Bo'' Ramsey and his wife Gerry—cousins of Congressman BOUSTANY, by the way, and good friends of mine and Senator CASSIDY's; Ali Viator Martin, an English teacher at Jeanerette Senior High School, and Jena Legnon Meaux, whom I mentioned as true heroes in this incident.

On Saturday evening, Lafayette residents gathered downtown to honor particularly the two victims who lost their lives. During the vigil, one Lafayette resident certainly stated it well:

We can't let evil win. We as a community have to rise above that and move forward.

Well, we do, but as we do, Senator CASSIDY and I rise today to honor the victims, to remember them—particularly Mayci and Jillian—and to certainly recommit ourselves to the important work at hand, including regarding mental illness, as Senator CASSIDY suggested.

We have prepared a Senate resolution commemorating the victims of this horrible event.

Madam President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 231, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 231) honoring the memory and legacy of the two Louisiana citizens who lost their lives, recognizing the heroism of first responders and those on the scene, and condemning the attack of July 23, 2015, in Lafayette, Louisiana.

There being no objection, the Senate proceeded to consider the resolution.

Mr. VITTER. Madam President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 231) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

Mr. VITTER. Madam President, again, we all hold these families, particularly the two victims and their families, in our prayers and our continuing thoughts and our love. It was a horrible incident. But I know the community of Lafayette well, I know the State well, and it certainly will not stop with the pure tragedy. Certainly

folks will hold up these families in love and support and prayer and work toward far better resolution of issues involved, as the one Senator CASSIDY mentioned.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. INHOFE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

HIRE MORE HEROES ACT OF 2015—Continued

Mr. INHOFE. Madam President, I see there is kind of a lull here. We are waiting around for a vote to take place at 10 or 10:30 tonight, I think it is, and I thought I would share.

There are still some uncertainties on the bill, the Transportation reauthorization bill. It is one I am very proud to be the author of. In fact, I was privileged to be the author the last long-term reauthorization in 2005. At that time, I was working very closely with someone, with a fellow Member who is the least likely to be working with me on anything. By her own admission, Senator BOXER is a very proud liberal and I am a very proud conservative, but we do agree there is that old, worn-out document that nobody reads anymore called the Constitution, and it tells us what we are supposed to be doing here. It says, defend America and build our roads and bridges. That is what we are doing. That is what this is all about.

We received a disturbing message from the House about an hour ago saying they would not take up our bill. We are going to pass this bill, but they say they are not going to take it up. That means there is a dilemma because at the end of this month, there is no longer any money in the highway trust fund, and things will stop.

I don't know whether their intention is to give a short-term extension and go home or—of course, I am still thinking brighter minds will prevail and they will realize we have a long-term, 6-year highway authorization bill because the things you can't do in this country, you can't do with the short-term extensions.

Yesterday, I listed many of the bridges that were in terrible shape and the fact that we could not address those problems unless we pass a long-term highway reauthorization bill. I mentioned also that someone I knew—it was right around the 2005 bill—a mother and three children were driving under a bridge in Oklahoma City. It was far out of its extended life, its warranty period, if you will, and a chunk of concrete fell off and killed her. This is happening all over America. We saw what happened in Minnesota when that disaster occurred, all the pictures of the people who died and were injured.

We are going to be looking at a lot of amendments. I heard there is one amendment that Senator MANCHIN along with Senator BOOZMAN are putting together to adopt the Pilot's Bill of Rights 2, which is appropriate. It may not be as germane as we would like it to be, but it is still transportation.

The Pilot's Bill of Rights 1 was passed 2 years ago. In fact, they would not even take it up in committee, but I had 67 cosponsors to the bill. I was very thankful at that time. Of course, the Democrats were in the majority. I went to HARRY REID's office and said: It doesn't seem fair to me that we have 67 cosponsors, and they will not even take it up in the committee.

He said: Well, that isn't right.

We came down to the floor, we rule XIV'd it, and passed it. It does show that sometimes when things get really outrageous, people tend to work together. That was on an issue that just a handful of people are aware of, but anyone who is a licensed pilot knows, in their minds, that was the most significant thing that was going on.

I have been flying for a lot more years than most people in this Chamber have been alive. Because I have been an active pilot—I have been in aviation for many years—the people who have problems with the FAA would come to me to help them with their problems. I found this to be true back when I was mayor of Tulsa. We had a police force, a very good police force. There are a few bad guys who get in there. The same thing is true with the FAA. You have a few people who take advantage of the power they have and take licenses away from people.

I remember 10 years ago, Bob Hoover—I bet none of you ever heard of Bob Hoover. Bob Hoover was arguably the best pilot in the history of aviation. He had a Shrike. A Shrike is a twin-engine Aero Commander. He would put a glass of water on the dash, and he would start doing barrel rolls and would not spill his glass of water. I would do barrel rolls, but I would spill my glass of water. This guy was really good.

There was an inspection in the field, and Bob Hoover lost his pilot's license. There was no reason for it. In order to get it back, I actually had to go to the floor, and it took a year to pass legislation that would stop that abuse from going on. That has continued. I have always helped people until it happened to me, and then that had a whole new feeling because people who are involved in aviation—the one thing they don't want to lose is their pilot's license.

For many years, I was a builder and developer in South Padre Island, TX. We are on the east coast now. Nobody knows where Texas is here. They think there is no such thing as a nice coast with beaches and all of that unless it is on the east coast, but there is the Padre Island area of Texas. It has beautiful beaches.

I was in the building business. We built condos and townhouses, and I always enjoyed that. Keep in mind this is the southern tip of Texas. It is just as far south as Key West, FL, is, but it is in the middle of the country. We would go down there. I would fly my plane probably once a week for quite a number of years. I went down, and I was making a normal landing. It is not a controlled field. You have your approach controls that control it. The approach control from valley approach—I am getting a little technical here, but I have a reason for telling this story.

He said: All right, you are clear to land on runway 1–3 in Cameron County. I went up to land. Just before I touched down, with six passengers—so it was too late for a go-around—I saw that there were a bunch of people working on the runway. There wasn't a big X on the runway, which is required. They claimed there was. They quickly painted one on right after that.

Everyone started criticizing me. I remember there was a front-page cartoon in the New York Times. Everyone was having a good time with that. The bottom line is, I didn't do anything. They claimed there was a NOTAM. That is short for Notice to Airmen. The Notice to Airmen says that if you check your notice before you land on the field, you will find out if there is construction on the runway, if lights are out or something else. Of course, we did that. There was no NOTAM. They claimed there was a NOTAM—the FAA did. They never could find it.

Anyway, to bring us up-to-date, I introduced and we passed the Pilot's Bill of Rights. In our system, our legal holdout was where you are guilty until you are proven innocent if you are a pilot. That is the last—because one man's accusation can turn into the revocation of a license, so we introduced the Pilot's Bill of Rights. We gave an opportunity, if they disagree with the FAA, if an accusation is made—or the NTSB—they can go to the Federal district court. That seemed to work out.

The bill forced the FAA to put NOTAMs in one secure place where everybody would have access to it, and all of these complaints that were made were dealt with, but a lot of the things we wanted to happen wouldn't happen.

In case you are wondering—I will take it off now since there is no reason to keep it on. Do you know what that is? That is the pass to get into Oshkosh. The Chair knows this because the Chair's husband has an FBO operation in Western Iowa. Anyway, I have gone to the largest aviation event worldwide in Oshkosh. It is the last weekend of July of every year. I have been to every

one of those, along with my sons, for 36 years. I never missed one. I didn't miss one last week either. Some things are really important.

I went there with the idea that we have the Pilot's Bill of Rights 2 in order to correct the areas where the FAA is either not complying with the intent of the law or even the Federal district courts are not accepting cases. We are going to correct that.

First of all, if it happens that Senator MANCHIN and Senator BOOZMAN offer their amendments, then I will be supporting their amendments. I am going to go over why it is important, but if as a result of the announcement that was made by the House of Representatives 2 hours ago we are not going to be having amendments, it is still introduced as a freestanding bill. I have 56 cosponsors. That is a lot of cosponsors. If that happens, I want to mention a couple of things that are on here.

There is a problem with the third-class medical. So 10 years ago, a decision was made, and it was a good decision. They took the light aircraft, and they said if you can drive a car, you can fly an airplane. They went ahead, and we have had 10 years' experience now without a third-class medical certificate. There has not been one accident in 10 years where it was due to the fact that they didn't have any third-class medical certificates.

In this bill, we are taking that up to include a larger number of pilots, and to include airplanes as heavy as 6,000 pounds, carrying six passengers, not exceeding 250 knots, and several requirements like that in giving them the same opportunities the pilots of the light aircraft have. That is a part of this bill. I know there are a lot of people in this Chamber because I have talked with them, not a whole lot because we have 56 cosponsors, but there are a lot of them who really believe that would somehow be dangerous. For that purpose, we have made several exceptions to it. I will outline these because I know there are some Members of this body that if this comes up as an amendment, they need to know this.

First of all, on a third-class medical, we have the requirement for an online medical education course every 2 years. This will make sure the pilots coming up for renewal of their certificate are up-to-date on all of the new things that have transpired since the last time in the new medical requirements.

The second thing it does is anyone who is a new pilot just coming on, he has to have a thorough examination that now you have to have every couple of years. That hasn't changed.

And then the third would be the self-certification that takes place every 5 years, which could actually be done with your own doctor. Those are some of the changes that have been made to make it a little bit easier for some Senators who will be voting on this legislation.

The second area where the Pilot's Bill of Rights did not—they addressed it, but there are two Federal judges. You are supposed to be able to go from the FAA to the NTSB, the National Transportation Safety Board, and then to the Federal District Court. What has happened in the past is that the NTSB has rubberstamped anything the FAA does, so really the FAA is making those decisions without proper due course which other people are entitled to.

What we have done with this is—there are a couple of Federal judges who said they are not going to take a case on a pilot until they have exhausted all of the administrative remedies that come from the FAA and the NTSB. We have a solution to that in this bill so this actually explicitly states the pilots will have an option to appeal the FAA enforcement action directly to the Federal courts for a guaranteed de novo trial. De novo means, instead of taking the conclusions of the investigation from the FAA and risking rubber stamping it, they have to have a trial from the beginning. That is a very significant change we are making.

The other thing we neglected to do is include certificate holders other than pilots. You could be a mechanic, a flight attendant, or any number of things, and not be included in these legal opportunities, so the Pilot's Bill of Rights 2 allows all certificate holders to have this.

The third area is the access to the flight records. In my case, I could not get access as to what the FAA was accusing me of. We thought we had this corrected in the Pilot's Bill of Rights, but it still needs to be strengthened, so we have a section in the Pilot's Bill of Rights 2 that requires the FAA to notify a certificate holder that he is being investigated and clarify the incident being used to begin enforcement proceedings so that person will know what he has been accused of and can address it.

The fourth area has to do with document requests. The FAA has retaliated against pilots because the Pilot's Bill of Rights 1 requested broad documents from them, which can be very time consuming and very costly, and it is not necessary at all. The solution to that is that we explicitly rein in the ability of the FAA to initiate the expansive document request and limit them to the pertinent issues being investigated by the FAA. That should correct that.

We have several other items too. If somebody has a minor infraction in a car, then after 90 days, or so many days, it would be taken from their record. That is the way it used to be prior to 1996 when they had the Pilot Records Improvement Act of 1996, and now we will go back to where we were before that.

Many of these issues that were problems before and weren't corrected with the Pilot Bill of Rights are corrected, and I feel very comfortable with it.

The reason I have all of this in my mind now is that I just came back from Oshkosh. Although I was there only 2 days, I was able to give 10 presentations, and there were a little less than a half-million pilots there at the time, so I am sure I got to all half-million of those pilots collectively with all of those events that we had.

It is kind of interesting because for someone who is a pilot, that is the most important thing. We are not talking about Democrats, Republicans, or things that are controversial. It is just that when you go to Oshkosh and you see what people have accomplished through experimentation and the technology that has developed—it used to be that all planes had to be made out of aluminum, and this all changed with new types of things that were discovered at Oshkosh. People are building planes behind their garages.

Well, anyway, so much for that. We have a good solution for all of these problems, and I will say to the 56 members that they are certainly very popular among the pilots and the group I spent the last 2 days with.

I mentioned that only because in the event that they change the rules around here, and we are allowed to have amendments that are not germane, that would be one of the amendments that I would offer, and I want to be sure that we are at least getting things into the RECORD so people are aware of it. While there are no Members here right now, the staff is monitoring everything that is going on, so I want to make sure people know that is an issue we may or may not be dealing with.

It would be a surprise to me if the House of Representatives said: Well, we are just going to go home, and we are not going to pass this bill after we go through all of the trouble of passing it. I think there are ample votes to pass this legislation. Long-term reauthorization is a very important thing back in the States.

The coalitions which are coming together on this legislation include the Department of Transportation for every State, along with the labor unions. They are supporting this legislation because it will provide a lot of jobs. The Chambers of Commerce are all involved; the farmers are all involved. This has the most popular support of anything that we will deal with all year long, so we really need to have this bill. I am having a hard time believing that if we go through the trouble of having a reauthorization bill, the House is not going to take it up, but that statement was made 2 hours ago, and that may be the situation.

I can remember in the earlier days when the highway trust fund had one big problem: They always had a surplus. They had too much money, but that has changed with the increased efficiency of cars. Electric vehicles are using highways, but they are not paying the gas tax. Consequently, we have a real problem with funding this legislation.

If we take the total amount of revenues that come from the gas tax, let's say over the next 6 years because this is a 6-year bill, each year falls short by $15 billion. So we are looking at being short $90 billion over a 6-year period.

I can say this because I think I may be ranked as the most conservative Member for a longer period of time than anybody else in the Senate. I can talk about this because this is a conservative position. The conservative position is to have a long-term bill because if we do short-term fixes, it costs—and this is irrefutable and no one disagrees with this—an additional 30 percent off the top if we do short-term extensions, and that is what we have been doing. We have had 33 short-term extensions since the 2005 bill that we passed expired in 2009, and that has used a very large amount of the money that was there to take care of the problems with the roads and the highways.

We do have problems out there, and it is going to take a long-term bill to take care of it. I have a feeling, since the money runs out on the last day of this month, that the House, if they are not going to take up our bill, they may just pass a short-term extension and then go home. That is not the way I think it should be done, we have to get this long-term bill.

This is something that doesn't happen very often, but now and then it does. We went through the same thing with the other big bill, which was the Defense authorization bill over the last 3 or 4 years, and they didn't bring it up as they should have early in the year. I remember 2 years ago we passed our Defense authorization bill in June, and the leadership didn't bring it up until December. If we hadn't brought it up, then the kids who are out there risking their lives would lose their reenlistment bonuses, their hazard pay, and a lot of things would have happened. Just before the end of December, we were able to get it done. It is not the way things are supposed to be done around here. I certainly don't want that done with the highway reauthorization bill, but that is what very likely could happen if the House does what they say they are going to do.

With that, I do want to come back and go over some of the larger problems that cannot be addressed unless we pass a long-term highway reauthorization bill.

I will say this: There is a very fine FBO operation in Western Iowa called Red Oak. It just so happens that my son just left Red Oak on his way back from Oshkosh. It also happens that Red Oak is owned by the husband of a very prominent Senator in this body who happens to be presiding now.

With that, I will come back later, and we will be talking about these things because I understand the next thing we are going to do is a vote at 10 tonight, unless some time is yielded back. I hope they will yield back their time. They are not down here talking, so there is no reason not to yield back time. If time is not yielded back, I will talk about some of the projects that will not be done unless we have a long-term reauthorization bill.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. JOHNSON. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

HONORING MARINE SERGEANT CARSON HOLMQUIST

Mr. JOHNSON. Madam President, I come to the floor to pay tribute to one of America's sons who has fallen in the line of duty. Sgt Carson Holmquist was a 25-year-old marine from Grantsburg, WI, who lost his life tragically as a result of the heinous act committed by a terrorist on July 16 in Chattanooga.

Sergeant Holmquist was one of the finest among us. He gave his life to preserve the liberties upon which America was founded. He was a son, a husband, a father, and a very proud marine.

He also must have been a great friend to all the people he knew and a man who was respected by many people he didn't know.

I was honored to attend his funeral this past Saturday, and I was witness to a tremendous outpouring of support. I saw a line—probably about 2 blocks long, three or four people wide—of citizens from all across Wisconsin and from several other States.

Some of these people were Sergeant Holmquist's relatives, some were his friends, many were brothers-in-arms, both past and present. Still others were citizens who had no personal connection to Sergeant Holmquist. They came simply to pay their respects to a man who swore to support and defend the Constitution of the United States.

They came to honor a man who so loved America that he chose to serve in faraway lands. He revered freedom, so he sacrificed his own freedom that we may be free. He defended our right to live as individuals by yielding his own individuality in that noble cause. He valued life. Yet he bravely readied himself to lay down his own life in humble service to his comrades-in-arms, to his family, and to his Nation.

For 239 years, our service men and women have served as guardians of our freedom. The cost of that vigilance has been high. Since the Revolutionary War, more than 42 million men and women have served in our military, and more than 1 million of those selfless heroes have given their lives. Wisconsin has borne its share of that sacrifice. Since statehood, more than 27,000 of Wisconsin's sons and daughters have died in military service. Statistics cannot possibly convey the weight of these losses. Statistics are merely numbers that could never fully communicate the qualities of promising lives which were cut far too short. Statistics say nothing of unfulfilled hopes and dreams.

So instead of numbers such as 1 million or 27,000, I ask everyone to think for a moment about a much smaller but yet even more staggering number—simply the number one. Sergeant Holmquist was one man, loved and cherished by family and friends. He was one man whose loss is a tremendous blow to Wisconsin and to this great Nation.

He was one man, but his sacrifice was not his alone. His parents Thomas and LaBrenda, his wife Jasmine, his son Wyatt, and every other relative and friend left behind are experiencing profound loss and grief. But tragedy multiplies. It is not contained. For those left behind, the pain may slowly subside, but the wound will never heal.

The Holmquist family loved Carson dearly, and our hearts go out to them. I pray they will find peace and comfort amid overwhelming tragic loss.

The torch of freedom burns brightly because of men like Sergeant Holmquist. May God bless and comfort the sergeant's loved ones. May He watch over those who have answered the Nation's call. May God bless America.

I yield the floor.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. COATS). Without objection, it is so ordered.

TRAFFICKING IN PERSONS REPORT

Mr. MENENDEZ. Mr. President, I rise because I am deeply and profoundly disappointed in this year's ''Trafficking in Persons Report'' that was released today. By upgrading Malaysia and Cuba, which were at tier 3—the worst tier at which any country could be considered—the administration has turned its back on the victims of trafficking and turned a blind eye to the facts and politicized the report, and they completely ignored the calls from Congress, from leading human rights advocates, from the realities on the

ground in Cuba, and from Malaysian Government officials themselves to preserve the integrity of this exceedingly important report. They have succeeded in elevating political considerations and political goals above the most fundamental principles of basic human rights.

I heard Secretary Kerry, in his presentation of the report, say something to the extent that we should not put a price on our fellow human beings' freedom. Well, it seems we have in this case. In arbitrarily upgrading Malaysia and Cuba, they are clearly politicizing the report, giving an undeserved stamp of approval to countries that have failed to take the basic actions that would merit this upgrade. This flies in the face of what Malaysians themselves want. In Malaysia, members of the Parliament, the legal profession, and human rights activists have urged the United States to support their efforts to maintain the tier 3 ranking they tell us Malaysia deserves. Today we have failed them.

In Cuba, adults and children are subjected to sex trafficking, and the government continues perpetrating abusive practices of forced labor. The administration's decision to upgrade Cuba defies common sense. In the State Department's own words, Cuba is a source country where adults and children—children—are subjected to sex trafficking and forced labor.

In the case of forced labor, the Castro regime itself is the single greatest perpetrator of forced labor in Cuba. Every year the Cuban Government coerces tens of thousands of its own doctors and medical professionals to serve in foreign missions under conditions that violate international norm. The Castro regime restricts the movement of its doctors while they are overseas, takes their passports from them, and often prevents family visits. Additionally, the Cuban Government garnishes its doctors' wages by more than 70 percent, using what should be a humanitarian mission as a means to fill its own coffers.

This gross violation of international standards is so bad that the United States has a specific parole program for Cuban doctors who have been subjected to forced labor conditions by the Castro regime. We have our own special parole program for Cuban doctors who have been subjected to forced labor conditions by the Castro regime. Thousands of Cuban doctors have come to the United States as a result.

So at a time when these doctors are being received into the United States on humanitarian parole, we are going to turn a blind eye to the fact that the Castro regime is the sole responsible actor. This raises one question. Is this yet another emerging detail of something that the administration and the Cuban Government have been discussing in recent months, another demand of the Castro regime that the United States had to agree to in the name of normalizing the relations? They are willing to look the other way on human rights in order to normalize relations? As the State Department's own report recognizes, there has been no progress—no progress—on forced labor in Cuba. Given that reality, any upgrade of the country's ranking challenges common sense.

So I intend to use all the tools at my disposal—from hearings, to a call for investigations, to legislation—to challenge these upgrades. The credibility and commitment of the United States to fighting the scourge of modern-day slavery is on the line. We spent an enormous amount of time in this Senate on the legislation Senator CORNYN had, along with others, on modern-day slavery, spent a lot of time on it in the Foreign Relations Committee on which I am privileged to serve under Senator CORKER, who had his own legislation about how we deal with human trafficking in the world—modern-day slavery, as he calls it. So we need to make clear that the ''Trafficking in Persons Report'' must not be subjected to political manipulation.

I am utterly dismayed at the administration's decision to upgrade Malaysia and Cuba under these circumstances. It represents a bastardization of the trafficking-in-persons ranking process and calls into question the credibility of the ''Trafficking in Persons Report,'' and it takes away the power to incentivize real progress. The administration's upgrade of Malaysia as well as Cuba compromises American values in the interest of promoting a trade agenda with a country that has consistently failed to uphold human rights. One can only characterize this action as a cynical maneuver to get around the clear intent of Congress with no regard for the effect on a key measurement tool of a country's human trafficking record. This not only represents the latest release of the ''Trafficking in Persons Report'' in the history of its publication—nearly a full 2 months' overdue—but calls into question this administration's commitment to uphold human rights.

We all know that the Malaysian Government has not undertaken a consistent, serious effort that would warrant an upgrade.

As I have noted before on other occasions, on April 17 of this year, the U.S. Ambassador to Malaysia—our Ambassador to Malaysia—said that the Malaysian Government needs to show greater political will in prosecuting human traffickers and protecting their victims if the country hopes to improve on its current lowest ranking in the ''Trafficking In Persons Report.'' This is the person on the ground in Malaysia representing the U.S. Government who has eyes on what is happening, and he said on April 17 that, in fact, the Malaysian Government needs to show greater political will in prosecuting human traffickers and protecting their victims if the country wanted to rise from tier 3 to a better tier 2 standard.

On June 1, the Assistant Secretary of State for Population, Migration and Refugees, Anne Richard, reaffirmed that ''this year's report covers up to March 2015, which means Malaysia's handling of the Rohingya refugee crisis will only be reflected in the 2016 report.'' According to the Assistant Secretary, then, actions taken after March of this year, good or bad, should certainly not be reflected in this year's evaluation.

Well, if you are not going to reflect the mass graves of Rohingya Muslims and what the Government of Malaysia did or did not do—the holding pens of humans—because it came after the reporting period, then you can't claim that the government's action to pass a law that has no teeth, no enforcement, and that hasn't even been put into effect after the date—the same date that you say you cannot consider the plight of hundreds who lost their lives—then you can't consider the passage of a hollow bill. It doesn't work both ways.

Even the Malaysian Bar, the Malaysian association of legal professionals, stated in a letter last week: ''If there is any lesson to be learnt from recent experience, it must be that the government has an excellent record of drafting written plans, but a less than satisfactory record of implementing them. As such, the upgrade of Malaysia, if it were to occur, would be premature and undeserved.''

The fact is, by the admission of the ''Trafficking in Persons Report,'' the Malaysian Government had only three human rights convictions in 2014—a two-thirds decrease from the last report. So compared to the last ''Trafficking in Persons Report,'' they had a two-thirds decrease in their convictions of human rights abuses. Yet they get an upgrade. Wow. That is a surefire way to send a message across the world that we are serious about human trafficking. Frankly, that is beyond comprehension and common sense.

There can be no clearer statement nor a more compelling statement that we have lowered the bar on human trafficking and lessened the value of the one report the world relies on to evaluate the behavior of nations. The events of recent months have clearly shown that the Malaysian Government has not even begun to adequately address its human trafficking problem. Thousands of victims continue to be exploited through sex trafficking and forced labor. And it was unnecessary to do this, having passed an amendment that said tier 3 countries in the ''Trafficking in Persons Report'' of the State Department would not be allowed preferential access to the U.S. market unless they cleaned up their record,

which had strong bipartisan support of the members of the Senate Finance Committee and ultimately was incorporated in the TPA, the trade promotion authority legislation that passed the Senate and was sent to the House. In good faith, because of concerns that maybe that would undermine the Trans-Pacific Partnership, in good faith I negotiated an amendment—a provision to change it in the amendment that would have said you could still negotiate with Malaysia, but they had to clean up their act if you concluded that negotiation and they were part of TPP. They had to clean up their act on human trafficking before they got the preferential access to U.S. markets. I thought it was a significant give on my part, considering the vote of the Senate, but it was a good-faith effort. So this wasn't even necessary to do unless you just want to give Malaysia a pass. The goal was to take the full weight of the TPP deal off of the ''Trafficking in Persons Report'' process.

Instead of choosing the route we worked out together, requiring the President to testify in writing that Malaysia has taken concrete steps to deal with its very serious human trafficking problem, the administration backed out. I therefore see no reason why the comprehensive ban on fast-track for tier 3 human traffickers should now be amended. I see no reason why my willingness to accommodate should be amended.

This underscores the need for further oversight of the trafficking in persons process, both legislatively and through the noble work of human rights groups here in Washington and out in the field.

I plan to work with my colleagues to advance my amendment to the State authorization bill passed by the Senate Foreign Relations Committee last month which requires the State Department to notify Congress of all trafficking in persons upgrades and downgrades 30 days prior to the release of the report.

I am looking forward to speaking to the chairman of the Senate Foreign Relations Committee to see if he, within a very busy schedule because we have all of the Iran nuclear review—but it seems to me this merits a congressional hearing to determine what went on here. If I, for some reason, cannot achieve that, then I may very well turn to the inspector general of the Department to seek a report as to what went on.

Despite the clear will of Congress, this administration has made a mistake and will now have to answer questions as to its ability to objectively evaluate global human trafficking. The hard-working, committed NGOs that labor in the field to fight human trafficking and the countless victims who continue to suffer deserve an honest reflection of American values, not an arbitrary determination based upon expediency in achieving a limited political objective rather than a real solution.

I look forward to working with all of the groups that have been instrumental in shining a light on the continued human rights abuses that take place in Malaysia, in Cuba, and elsewhere, to ensure that the integrity of the ''Trafficking in Persons Report'' is restored.

Thousands and thousands of men, women, and children around the world who are the victims of human trafficking—it is on their behalf that I come to the floor. It is in their interest and in the interest of responsible trade policy that recognizes there can be no reward to nations that ignore those types of trafficking in persons and do nothing to end the scourge of what amounts to modern-day slavery, one of the great moral challenges of our time.

It is for the world's 50 million refugees and displaced people—the largest number since World War II, many of whom are targets of traffickers. Because they are displaced, have nowhere to go, they are preyed upon. We have the largest number since World War II of refugees in the world. It is for the 36 million women and 5 million children around the world subjected to involuntary labor or sexual exploitation. For the victims of these crimes, the term ''modern slavery'' more starkly describes what is happening around the world.

I will continue to fight against human trafficking in all its forms. I intend to fight for the integrity of a report that is a critical tool for us to be able to not only cast the light upon human trafficking in the world but to get countries to understand they must meet this great moral challenge and change the course of events in their country. That is why I come so incredibly upset to the Senate floor on something I never thought would have happened, but it has. We need to change it and change the course of events.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DAINES. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CYBER SECURITY

Mr. DAINES. Mr. President, today I rise to speak about the Nation's cyber security. Prior to being elected to the Senate, I spent nearly 12 years working at a cloud computing company. This is a company we started from virtually nothing. We took the company public, and we grew to over 1,000 employees. It became a leading cloud computing company in the customer experience sector. I have seen firsthand the opportunities created by advances in technology, but I have also seen the power Big Data holds because our information becomes currency for both companies and for hackers.

These risks are even greater when they impact our children, and as the daddy of four children, I know the importance of maintaining a close relationship between the parents and their children's school. Today, student electronic records are used in schools across the country, and updates can be easily made and can follow a student from one school to another. This more accurately reflects the nature of students' movements within the school system.

But at a time when overseas hackers are fighting to gain access to any information they can, these technological gains also come with some risks. Securing students' digital information is critical to ensuring that our kids' privacy is protected. That is why I am grateful and proud to announce that I joined Senator BLUMENTHAL in introducing the SAFE KIDS Act.

The Safeguarding American Families from Exposure by Keeping Information and Data Secure—the SAFE KIDS Act—protects student privacy by establishing clear parameters for third-party operators when using data collected from students. This bipartisan legislation empowers parents to control access to their children's information because keeping personally identifiable information secure will lead to a uniform way to secure our students' data. By placing that power back in the hands of the students, in the hands of the parents, and in the hands of the schools, we can make progress toward protecting the privacy of our children because our schools and our kids aren't the only ones at risk for a serious breach.

This week we are debating ways to provide the certainty and resources needed to improve our Nation's infrastructure—our roads, our bridges, our ports, our highways—but recent news reminds us that we must also consider the security of the cars that are driving on our roadways. In fact, just in the past week, news broke that Fiat Chrysler announced a recall of 1.4 million vehicles due to a vulnerability that could allow hackers to disable the vehicles on the highways. In fact, through the radio of a Jeep Cherokee, hackers disabled the vehicle's transmission as a driver drove onto a public highway in St. Louis. This episode is telling in that cyber hacks can affect every sector of our economy, from the financial sector to our automotive manufacturers.

Our military installations across the globe are also vulnerable to an attack, according to a new report from the GAO. In fact, our utility systems that provide water, electricity, and other

essential services to our military installations worldwide have limited defenses against cyber attacks. Report details that the industrial control system—ICS—the computers that monitor or operate physical utility infrastructure, ''have very little in the way of security controls and cybersecurity measures in place.'' In fact, in a recent July 25 Military Times article, they cite: ''An example of a successful cyber-physical attack through an ICS was the 'Stuxnet.''' It was a computer virus that was used to attack Iranian centrifuges in 2010. By hacking the Iranian nuclear facility's ICS, the centrifuges were made to operate incorrectly, causing extensive damage.

The fears of a massive cyber security breach don't only rest in the Pentagon. Just yesterday, Attorney General Loretta Lynch said on ABC's ''This Week'' that a cyber attack by the Islamic State is one of the terrorist group's biggest emerging threats to our country. In fact, during the interview, Attorney General Lynch noted that the terrorist group now boasts over 20,000 English language Twitter followers. Our country's most sensitive data can be in the hands of our enemies at the mere click of a button or press of a screen.

As I speak today, we have yet to obtain answers from the Obama administration on the scope and the perpetrators from the massive hack at the Office of Personnel Management. This attack has paralyzed the Obama administration. They haven't put in place any real, meaningful reforms at OPM. I have called for Chief Information Officer Donna Seymour's resignation since June 24. Yet she still remains in her post and we still don't have any concrete answers for the 21 million-plus Federal employees who were victims of this attack.

We must do more. We must act more quickly and more nimbly than those seeking to wage a terror attack on our Nation's cyber security infrastructure.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. THUNE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. THUNE. Mr. President, I rise to speak about the freight division of the DRIVE Act, the highway transportation bill that is under consideration before us at the moment.

The freight provisions represent the combined efforts of both the Commerce Committee, which I have the honor of chairing, and the Committee on Environment and Public Works. To create this division, we incorporate a number of provisions from legislation offered by Senator CANTWELL, Senator MARKEY, Senator BOOKER, Senator MURRAY, and the administration's GROW AMERICA Act proposal. We worked very hard to incorporate and make this a bipartisan product. We took into consideration suggestions that were made by our colleagues, many of whom serve on the Commerce Committee and some who don't, but we got to a point where we feel as if we had a good product that incorporates the best ideas—not everything, obviously, that everybody wanted but that addressed many of the issues that pertained to our particular part of this legislation.

The language included in the Commerce Committee's freight program also drew from recommendations made by the Department of Transportation's nonpartisan National Freight Advisory Committee—another entity we looked to and consulted with respect to these particular provisions of the bill.

Because of our Nation's vast transportation network, freight can move by rail, it can move by aircraft, it can move by truck, and it can move by ship. It is multimodal. Under the bipartisan legislation before the Senate, freight-planning efforts will be concentrated under the Secretary of Transportation. This is to reflect the multimodal nature of how goods are transported and to ensure the involvement of various agencies which regulate different forms of transportation is properly coordinated.

Because freight moves from truck to rail to port, freight planning must consider these connections, and it must include the development of a strategy to expand capacity and to increase efficiency to meet growing demand. This is especially true when it comes to focusing infrastructure investment decisions. Growing demand indicates and fuels a growing economy. We need a plan to handle the significant growth of freight traffic we expect in the coming years.

The Department of Transportation notes that, by 2040, our transportation system is projected to haul an additional 9 billion tons of freight. That represents a 45 percent increase over what we move today. As our economy recovers and continues to grow, we will continue to need additional freight infrastructure. The freight network serves our import and export needs and is a critical element of our economic competitiveness.

Bottlenecks and delays have significant economic cost. Freight is, by nature, not just a highway problem. Airports, ports, and railroads connect farms, manufacturing centers, and the markets they serve.

Freight needs are not just urban issues. They are also very important for rural America. Advancing agricultural freight projects is necessary for the economies of many States, so ensuring planning and funding for these projects is also critical. Keeping freight transportation costs low keeps American farmers competitive in the global marketplace.

In the winter of 2014, South Dakota faced significant challenges moving grain from the State due to congestion in the rail network. When the freight couldn't move, farmers weren't getting paid. Commodities faced spoilage due to a lack of available storage space.

Agriculture is the leading driver of South Dakota's economy. Delays and the significant increased costs of moving grain by rail negatively impacted the pocketbooks of many of the farmers in my State. This, in turn, reduced Main Street's bottom line as well.

More recently, the West Coast port slowdowns delayed shipments to and from stores in South Dakota and across the country. Agricultural products for export were delayed, and imports of products from lumber, medical supplies, and automobiles to basic retail goods were delayed. This was an unforced error that harmed our economy for way too many months.

This labor strife underscored the interconnected nature of our transportation system and how vital our freight infrastructure is to each and to every State in this country. In fact, the resulting strife was widely cited as a contributing cause of the U.S. economy actually shrinking in the first quarter of 2015.

Protecting our competitiveness is at the core of this legislation's freight program that was developed between the Commerce, Science, and Transportation Committee and my colleagues on the Environment and Public Works Committee.

Planning for and fixing our freight network will create and maintain jobs over the long term. Reducing delays and lowering the price of freight transportation serves the entire supply chain and, ultimately, the American consumer.

That is why the freight division in the DRIVE Act is so important. The bill improves the planning process, engaging States and stakeholders to help plan for future freight needs. States will provide a forward-looking plan to address these freight needs step by step. These plans will develop investment strategies and prioritize projects for funding.

The bill's consolidated strategy that plans for both highway projects and multimodal projects is a significant improvement over what we have today—or the status quo. In addition, the Environment and Public Works Committee developed a highway trust fund formula program that will support critical projects in every State. In the first year alone, the bill provides $450 million of grant funding to assist with these critical investments.

Projects to improve rail grade crossings, port facilities, and connections

between freight modes of transportation will have access to these new resources. This will reduce the time and the cost of moving goods.

The Coalition for America's Gateways and Trade Corridors noted that the planning and strategy outlined in the bill is ''a significant step forward for multimodal freight planning and policy.'' The American Association of Port Authorities says: ''Elevating a policy for freight within your legislation sends a strong message that freight must continue to be a priority and that planning, funding, and the establishment of a multimodal freight network are critical for the economic growth of our nation.''

Mr. President, I ask unanimous consent to have printed in the RECORD the full statements of these two organizations I just mentioned.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Coalition for America's Gateways and Trade Corridors, July 16, 2015]

GOODS MOVEMENT COALITION APPLAUDS COMMERCE FREIGHT POLICY, CALLS FOR FREIGHT FUNDING

(By Executive Director Elaine Nessle)

WASHINGTON, DC.—Yesterday the Senate Committee on Commerce, Science, and Transportation approved a six-year transportation bill, the Comprehensive Transportation and Consumer Protection Act of 2015, S 1732. Included in the bill is a freight chapter, providing a focus on multimodal freight planning and policy.

The Comprehensive Transportation and Consumer Protection Act of 2015 is a significant step forward for multimodal freight planning and policy. I commend Chairman Thune and the Committee members for developing policy that incorporates the many modes of transportation that move freight. The proposal contains several policy objectives held by the Coalition for America's Gateways and Trade Corridors, including creation of a multimodal national freight policy and the call for designation of a multimodal national freight network to inform transportation planning and improve investment decision making.

While this proposal is a step in the right direction, dedicated freight funding is necessary to make targeted system improvements. The Coalition has long called for a minimum annual investment of $2 billion in addition to current programs of funding. A freight investment grant program, with multimodal project eligibility that distributes funding on a competitive basis, is needed to make strategic investments. Businesses and agricultural producers rely on our national multimodal freight system to move goods to market and support growth. To remain competitive in the global market place, we must invest in the system that moves our nation's commerce.''

Demonstrating the large number of projects that stand to benefit from a competitive grant approach, CAGTC published in April a booklet titled ''Freight Can't Wait.'' The booklet contains a sampling of significant freight infrastructure projects that could be realized with federal resources, like funding distributed through a competitive freight investment grant program.

AMERICAN ASSOCIATION OF PORT AUTHORITIES,
ALEXANDRIA, VA, JULY 23, 2015.

Hon. JOHN THUNE,
Chairman, Committee on Commerce, Science and Transportation, U.S. Senate, Washington, DC.

Hon. JAMES M. INHOFE,
Chairman, Committee on Environment and Public Works, U.S. Senate, Washington, DC.

Hon. BILL NELSON,
Ranking Member, Committee on Commerce, Science and Transportation, U.S. Senate, Washington, DC.

Hon. BARBARA BOXER,
Ranking Minority Member, Committee on Environment and Public Works, U.S. Senate, Washington, DC.

DEAR CHAIRMAN THUNE, CHAIRMAN INHOFE, RANKING MEMBER NELSON AND RANKING MINORITY MEMBER BOXER: On behalf of the American Association of Port Authorities (AAPA) I want to thank you for your leadership on the freight policy and funding provisions included in Division D of the DRIVE Act (H.R. 22) that will be considered on the Senate floor over the next week.

AAPA is the unified and collective voice of the seaport industry in the Americas. AAPA empowers port authorities, maritime industry partners and service providers to serve their global customers and create economic and social value for their communities. Our activities, resources and partnerships connect, inform and unify seaport leaders and maritime professionals in all segments of the industry around the western hemisphere. This letter is on behalf of our U.S. members.

The approach of grouping the Environment and Public Works and Commerce Committees' jurisdictions into one division within the DRIVE Act is a positive step forward. This grouping reinforces a top AAPA priority—that freight policy must be integrated as well as intermodal in order to be efficient, safe and secure. In the past, freight policy and funding measures have been fragmented. Elevating a policy for freight within your legislation sends a strong message that freight must continue to be a priority and that planning funding and the establishment of a multimodal freight network are critical for the economic growth of our nation.

We look forward to continuing to work with you on building the freight provisions in the DRIVE Act as the legislation moves forward.

Sincerely,

KURT NAGLE,
President and CEO.

Mr. THUNE. Mr. President, the legislation before the Senate is a critically important part of addressing our Nation's current and future transportation investments. As Senator CANTWELL often says: Freight can't wait.

The DRIVE Act includes these critical freight provisions that will help our economy and lead to job creation. Strengthening our freight program is yet one more reason to support this legislation.

Mr. President, I hope before all is said and done in the Senate we will complete action on this legislation this week and get many of these provisions, which are so important to our economy, so important to jobs, and so important to America's competitiveness, passed into law.

Of course, first we have to get action by the House of Representatives in order to get it to the President's desk, but the work that has gone into this is the product of a lot of various Members and committees, those from the stakeholder community offering their input and consultation to get us to the point we are today where I think we have a product we can be proud of and that we can say actually will help address the freight challenges and the needs we have across this country and make our economy even more competitive.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PORTMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 2327

Mr. PORTMAN. Mr. President, I rise today with regard to one of the parts of the highway bill we are talking about, and that is the Export-Import Bank, otherwise known as Ex-Im.

I rise today as somebody who feels strongly we need to have a long-term highway bill. I am glad we are on the floor with that because it is about jobs and crumbling infrastructure. I am also pleased that within this bill there is some regulatory reform on the permitting process, and I thank the authors for including my permitting reform bill. But I also am pleased by the fact we also voted to add as an amendment the reauthorization of this Bank called the Export-Import Bank.

If I may, let me talk about why this is so important to Ohio jobs and to jobs around this country and to keeping our economy from falling behind. Some people say: Well, why do we need the government involved in this business of providing financing or credit to companies that do business overseas? Well, frankly, it is because often these are relatively high-risk ventures, so companies cannot get the credits, the guarantees or the loans from private-sector companies.

I will give a few examples of this in a minute, but it is also because of the fact that other countries all over the world have these export credit subsidies. In fact, we are pikers. We have a lot less than our competitors. On average, our competitors do a lot more in terms of supporting their exports than we do.

So we need to have this in order to ensure that we don't lose jobs in this country. By our unilaterally saying we are not going to help our companies to export, we are shooting ourselves in the foot.

Now, if these other countries around the world were to say, you know what, we are going to back off on our export financing, that would be great. When I was U.S. Trade Representative back in

the Bush administration, that is what I pushed for. I think we should be getting rid of these subsidies.

By the way, also in terms of agriculture subsidies and others, if there were a level playing field, where our competitors were not doing this, it would be a different world. I will note one thing I like about the amendment that was adopted—or at least the cloture vote here and the amendment that is likely to be adopted to this bill on the Export-Import Bank—is that it requires, as one of the reforms—and, yes, I think it should be reformed—that the administration begin the process of an international negotiation to get rid of these export subsidies all over the world.

In the meantime, if we as the United States of America say unilaterally that we are going to stop these export subsidies through this financing mechanism, we are going to lose jobs. It is not just we are not going to create jobs that would be otherwise created by these projects, it is the fact that some companies will actually move overseas to take advantage of the export subsidies in other countries. They have told me this, and I am sure they have told other Senators this, and Senators know this.

I view this in pretty simple terms: No. 1, this program actually puts money back into the coffers every year rather than taking money out. I think it added about $650 million or so to our surplus last year. Over time it has added billions of dollars, so it is not costing taxpayer money. It brought $7 million in profits to the U.S. Treasury since 1992. Last year it generated $675 million in profits, and by the way, it created 164,000 jobs and $27 billion in exports. So No. 1, it is not one of these government programs that is costing the taxpayer.

No. 2, other countries are doing it, and if we don't do it, they will continue to do it and we will lose out on jobs, on contracts. I am told, for instance, that right now, while this program is in flux—where we are not sure whether it will go forward or not because it has already technically expired—there are 100 transactions sitting in the pipeline worth more than $9 billion, and those transactions won't go forward unless we take action. So again, this is one where the United States of America would be shooting itself in the foot by saying we are not going to expand exports to the detriment of our workers.

Then No. 3, yes, we ought to get busy on reforms to the Export-Import Bank, to make it more transparent. I think that is good. One of the reforms in here, as I said earlier, is to ensure the President submits a strategy for ending government supported export subsidies internationally. The Obama administration should be more aggressive at that. I believe that is appropriate, and they should be doing it.

By the way, it also creates a risk management committee to oversee the Bank's risk exposure. It also sets up a new nonpolitical chief ethics officer to provide oversight with regard to the ethics practices of Bank employees. That is all important, and I support all those reforms. I could probably support some more, too, but let us not shoot ourselves in the foot and lose these good-paying jobs we have in this country.

I view it frankly a lot like the trade debate we just had. What we want to do in trade is have a balance, where we are sending more exports overseas, creating more jobs in this country—in my State of Ohio, in the Presiding Officer's State of Indiana, and other States around this country—at the same time leveling the playing field by increasing our enforcement and stopping the unfair imports from other countries—the dumping and the subsidies.

In the trade bill—we talked a lot about this over the last month—we actually got in place a new amendment to help companies be able to deal with unfairly traded imports, to get a remedy right away, and it is already working. SHERROD BROWN, my colleague from Ohio, and I put together an amendment. It is part of the trade bill that was passed. Already, tire workers in Ohio, United Steelworkers union employees in Ohio have been able to take advantage of that because they got a positive determination from the International Trade Commission, in part because we gave them better tools. We improved the law to be able to more easily show they have been injured by these unfairly traded imports that are sold below cost or dumped or subsidized and so that they can get the relief needed to avoid losing so many jobs that they go out of business.

That is one thing we ought to be doing to expand exports—more trade. Another thing we ought to be doing is ensuring we aren't pulling back on this export financing—again, it doesn't cost the taxpayers anything—at a time when we are under-exporting compared to what we should be doing as a country.

When we look at our exports per capita in the United States of America, I think we are somewhere between Tonga and Ethiopia in terms of our exports per capita. Other countries depend a lot more on trade than we do.

We need to export more. Why? It creates good jobs—jobs that pay 13 percent to 15 percent more on average and offer better benefits. The last thing we want to do is to pull the rug out from under these exporters by saying we are going to change the law to make it even harder to export and put American workers at a disadvantage vis-a-vis the rest of the world.

It is the same thing with regard to trade policy, generally. Let's expand exports by opening up markets for our products through good trade agreements, and let's enforce the laws and increase the enforcement, as we did with regard to the amendment I talked about earlier. That makes it easier for those tire workers at Cooper Tire in Ohio and around the country to be able to say: This isn't fair. The Chinese tires—in this case—are coming in under cost and are being subsidized. We want our government to stand up for us so we can compete and so we can export more of our product.

So if we were not to allow this Export-Import Bank to continue, it would be running counter to everything we just did in the trade bill. We want more exports.

The final thing I have to say, again, is if we don't allow American companies to compete globally as American workers making products here in America, some of these companies are going to go overseas. A lot of them already have production overseas. Let's be honest. A lot of these U.S. multinational companies make things all over the world on two, three, four continents. They can shift production overseas, and then they take advantage of the export guarantees in that country. That is what some of them have told me they are likely to do if we don't have an export guarantee in this country and we don't do anything about the international situation, where these other countries do more than we do.

That reminds me of another topic we ought to be taking up here on the floor of the Senate, and that is tax reform, because our Tax Code does the same thing. Our Tax Code says to an American company: You can't compete fairly. You have to compete with one hand tied behind your back. It is the American workers who are hurt by this because our tax rate is so high. Because of the way we tax internationally, we make it an advantage to be a foreign company. That is why so many U.S. companies are becoming foreign companies. Last year there were twice as many transactions in dollar terms—twice as many as the year before—of foreign companies taking over U.S. companies, driven largely by our inefficient and out-of-date Tax Code.

So if we combine all of these—if we combine what is going on with trade, if we combine what is going on with our tax system—we certainly don't want to put our workers at a further disadvantage by pulling the rug out from under them with regard to this export financing. Yes, let's try to get the rest of the world to do the right thing. But in the meantime, let's not shoot ourselves in the foot.

On many of these projects overseas, there is a de facto requirement that you have to have financing from a government. All these other countries provide it. So whether in Africa, Asia or in

some of these other emerging economies, they say: Where is your financing? This is why, as I said, there are about 100 projects in limbo right now.

Let me talk about some of the companies in Ohio that benefit from this Export-Import Bank—again, this bank that actually puts money back into the coffers every year. I have talked to these companies, and I have talked to the workers on the line whose jobs are at stake because of what we are going to decide here in this body.

One is U.S. Bridge. They are in Cambridge, OH. They have been manufacturing and building bridges in America and around the world for 81 years. They are quite a success story. Their global business depends on the financial guarantees of the Export-Import Bank. They can't compete in bidding for these projects around the world without it. Recently, they got a $100 million contract to build bridges in West Africa, but it was immediately put in jeopardy after they got it because Congress refused to move on the Ex-Im Bank one way or the other. We just allowed it to expire without even voting on it. That is one of those projects currently in limbo. They have 150 employees in a very small county with high unemployment in Eastern Ohio.

If they get this job we talked about to build bridges in West Africa, they say they can add up to 50 new manufacturing workers with this one contract. That is a big deal for a family-owned company that has been a cornerstone of the eastern part of Ohio in the small town of Cambridge, which has 10,000 people. That is 50 jobs right there, in a small town in an area of Ohio that has high unemployment, that are at stake if we don't move on Export-Import Bank.

Let me talk about McGregor Metalworking in Springfield, OH. I know a lot about the McGregor family because they are distant cousins of mine. My family was the McCullough family. They came to Springfield from Scotland.

The McGregors run a company that is a staple of the community. They are pillars in the community. They have skilled trade jobs. The workers there get good pay and good benefits. However, they are very concerned about what is going on with the Ex-Im Bank. More than 60 workers at McGregor work directly on products that depend on Ex-Im financing. That is about 16 percent of McGregor's sales. They are not a big company, but they are a really important company to that community, to those workers, and to their families.

So to the people who have stood up on this floor over the last couple of days and said this is not about jobs, this is about jobs, folks. This is not just about big businesses. Yes, it is about them, and that is important too. We want those jobs here as well. It is also about a lot of small businesses.

I recently spoke to some of the workers at McGregor. They told me there are a lot of manufacturing issues they just can't control—their health care costs, which are going up. ObamaCare has not helped. It has made it worse. In Ohio, they are told their costs are going to go up between 10 percent and 33 percent next year. That is what the insurance companies have told them. The price of steel goes up and down. Sometimes it is tough to get the skills to be able to compete and to get these jobs in places such as McGregor. Those are things that are out of their control. But Ex-Im is something they know we can control, and they are wondering why we are making it even more difficult and less predictable for them by not acting.

Let me talk about another small business in Hamilton, OH, called Kaivac. They employ 50 people. They manufacture commercial cleaning machines used to clean floors in schools, museums, stadiums, and airports. They are a kind of modern-day mop and pail.

With the help of Ex-Im, Kaivac grew its international sales by 60 percent last year, exporting their commercial cleaning machines all over the world. But as we have heard repeatedly, this is another company that said they can't do that in the future if they don't get this financing from Ex-Im.

So what will happen to these companies? For a lot of these smaller companies, they will just lose business, and they will lose jobs. They will lose the jobs they already have, and they won't be able to gain the jobs we have talked about today.

For some of the bigger companies, they will be OK. They will move overseas. Frankly, I am not worried about the companies. I am worried about the workers in Ohio—American workers who work hard, play by the rules, and do all the right things. We are going to pull the rug out from under them. That doesn't make any sense to me. We need to stand up for these American workers. Whether it is with regard to trade or whether it is with regard to taxes, as we talked about earlier, Washington is letting them down. We are not doing the basic things we ought to be doing to create the environment for success to allow them to be able to compete and to win.

Today we have the opportunity to stand with American workers. We have the opportunity to move forward—yes, with regard to trade, knocking down barriers to our exports, making sure there is a more level playing field, including the amendment we talked about earlier that allows us now to bring trade cases and get results and help American workers. We have to be sure that we do reform this Tax Code, because if we don't, more American companies and investments are going to go overseas. That is our job. We are letting the American worker down right now.

I see Senator SCHUMER here on the floor. Senator SCHUMER has been working on this international tax reform issue, and his point is a very simple one: We want the jobs and investments here. We are tired of seeing companies get taken over by foreign companies and move their jobs to those other countries. We saw this recently. A pharmaceutical company got bought by a foreign entity. By the way, the foreign company had just left America. They inverted to another country. They then came back and started buying American companies. One third of the workforce of that company bought by the foreign company is now gone—Raleigh, NC, to Canada.

So these are things we can do. It is within our control here in this body for us to pass these kinds of bills and, with regard to Ex-Im, to ensure that we are not shooting ourselves in the foot and shooting American workers in the foot by taking away their opportunity to, yes, win these bids, to win these competitions, to build that bridge in West Africa, to send those cleaning supplies all over the world, to be able to ensure, with regard to McGregor Industries, that the parts they put into those locomotive engines that get sent to developed countries and developing countries can continue to grow.

Our job here is not to make life harder for these workers and these small companies. It is to make it easier for them to compete and to win so that we can begin to bring back not just more jobs but better jobs.

Over the last 6 years, we have seen wages flatten out and on average go down. Economists tell me it is about a 6-percent reduction in real wages. Think about that. This at a time when health care costs are up, in part thanks to ObamaCare, which makes it harder, not easier, to get health care at a reasonable cost. Education costs are up. Electricity costs are going up, in part because of the regulations that the Obama administration is putting on the economy in my home State of Ohio and around the country. That is called the middle-class squeeze. Wages are flat and declining, and expenses going up. That is what the people I represent are experiencing.

Let's not make it more difficult for them. Let's stand up for American workers. Yes, let's tell the Obama administration, as this legislation does: You are required to put more pressure on the international community and other countries to reduce their export subsidies, their guarantees, their credit agencies. But in the meantime, let's be sure we are standing up for the people we represent and doing the right thing for the American worker.

I yield the floor.

Ms. MIKULSKI. Mr. President, I support the reauthorization of the Export-Import Bank and support American manufacturing, because a country that

doesn't make something can't make something of itself.

I have seen everything manufactured in Maryland, from crab cakes on Kent Island and ice cream in Laurel to commercial truck engines in Hagerstown and unmanned aircraft in Hunt Valley. I have met with innovative manufacturers who credit the Export-Import Bank with helping them grow their businesses by exporting to new markets overseas.

Through critical assistance, at no cost to taxpayers, these small and medium-sized businesses are able to sell American products around the world.

I visit businesses all over Maryland. I have visited bakeries, microbreweries, factories of small machine tool companies. I visited Main Street, small streets, rural communities. And I have talked with business owners and their employees.

These are ''good guy'' businesses. They work hard and play by the rules. They have jobs right here in the U.S. They want to expand. They want to hire. They need a government on their side and at their side.

Some business owners I met with said that the secure financing at the Export-Import bank helped them strengthen their business and grow.

Selling your products overseas isn't as simple as selling them locally. But getting secure credit insurance helped Maryland manufacturers that relied on cash-in-advance payments for exports expand their businesses by exporting to new markets.

Other business owners I met with said that the Export-Import Bank was a lifeline during a difficult economy. They told me that they relied on private financing before 2008, but during the credit crisis even safe investments couldn't get help from the private sector. The Export-Import Bank helped them weather the storm.

The Export-Import Bank provides critical direct loans and loan guarantees to foreign buyers of U.S.-made goods. The Export-Import Bank also provides working capital loans to small businesses that are exporting. And it provides insurance for exporters in case a foreign buyer fails to pay.

In all these cases the bank is filling gaps in the private market. It is an important tool for U.S. companies that are seeking to compete with foreign firms, and those foreign firms often get aggressive trade financing support from their own national governments.

On July 1, 2015, the authorization for the Export-Import Bank lapsed. Right now, the bank is unable to process applications or engage in new business. The bank cannot authorize any new transaction to do any new lending or help any businesses with any new exports. That puts American jobs at risk. American businesses and workers are missing new opportunities because they can't get the new financing they need to close the deal and make the sale abroad.

A vote to support the Export-Import Bank is a vote to support American manufacturing jobs. Reauthorizing the Export-Import Bank means Maryland will be able to export more, manufacture more, and create more jobs.

The Export-Import Bank helped over $27 billion in export sales in fiscal year 2014 and supported 164,000 jobs nationwide.

Nearly 90 percent of the transactions done by the Export-Import Bank directly supported small businesses.

From 2007 to 2015, the Export-Import Bank financed $2 billion in exports from Maryland.

The Export-Import Bank is about helping Main Street. It is about helping the entrepreneurs with a dream in their heart, with a small business underway, with the grit and determination to be able to create a job for themselves and for others.

I call upon my colleagues to think about where America is going in the 21st century. Where are we going to be? Are we going to create more opportunity? Are we going to create more jobs that pay good wages with good benefits?

I am proud to stand firm in my commitment to manufacturing jobs from Hagerstown to Stevensville and from Baltimore to Easton.

Mr. PORTMAN. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. LANKFORD). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SCHATZ. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHATZ. Mr. President, I ask unanimous consent to speak for up to 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLIMATE CHANGE

Mr. SCHATZ. Mr. President, the facts are undeniable. Climate change is real, it is caused by humans, it is happening now, and, it is solvable.

Today I would like to talk about a noncontroversial way to reduce 10 percent of the world's carbon pollution: fighting deforestation.

Of course, no single action will solve climate change, but stopping deforestation is underrated as a solution, with a high impact and a low cost. While we have been on this floor for years in an intense, often partisan, debate over pipelines and the EPA's rules on coal-fired powerplants, forest conservation is an area where we have always had strong bipartisan support.

As forests are cut down, two things happen. First, carbon stored in trees is released. Second, the trees stop absorbing carbon from the atmosphere.

Each year, the world loses forests the size of Ohio, and that rate is increasing. Unless we act, an area twice the size of Texas will be lost by the year 2030.

Of course, most deforestation is happening in tropical forests, in the Amazon, the Congo River Basin, and in Southeast Asia. But global demand, including demand from the United States, for palm oil, soy, beef, and timber products greatly contributes to forest loss in these regions.

This is why the United States has to lead in stopping deforestation. There are three things that we can do: First, we have to fully implement and fund the Lacey Act. This law prohibits the import of illegally harvested wood products but has only been in place since 2008. Congress hasn't given the USDA and other agencies the tools to fully implement it. We are good at catching raw products like lumber from illegally harvested forests, but we still need more tools to catch illegal wood, which is in processed products such as furniture.

Full enforcement of the Lacey Act could keep 27 million metric tons of carbon pollution out of the atmosphere each year. This is equivalent to the emissions from more than 5 million cars every year. The Lacey Act is also good for the U.S. timber industry because illegally harvested wood products undercut this industry by $1 billion in 2013 by reducing the competitive advantage of legal timber.

Second, we have to support private sector commitments to stopping deforestation. We have had some recent very good news in this space. Driven by consumer demand, 34 corporations recently committed to cutting deforestation from their products in half by 2020 and ending it by 2030. These are big companies—Walmart, McDonald's, and Unilever, among many others. These businesses were joined by 35 governments, 16 indigenous groups, and 45 NGOs. This was the first time that leaders from developed and developing countries have partnered around a timeline for ending deforestation.

One challenge in meeting these commitments is that we don't have a robust standard to verify that they are being met. Without this, we are merely taking everyone's word for it, but the United States can lead in monitoring and verifying these commitments. Publicly available satellite imagery from NASA and USGS has already allowed forest scientists to measure the magnitude of global deforestation, but we still need more accurate, real-time monitoring of the carbon content in forests, and the technologies do exist.

Finally, we have to provide forested countries with technical and financial support to protect and grow their forests. Absorbing carbon with trees is more cost-effective and more energy efficient than doing so from coal or gas

powerplants. This is because trees capture carbon using energy from the Sun and powerplants capture carbon using additional energy from a powerplant.

Despite the ability of forests to capture and store carbon, we can't just tell landowners to stop cutting down their trees. They are often in a very dire financial situation on a personal level. We have to share with them our expertise in sustainable forest management—how to prosper from a forest without cutting it down and moving on to the next stand. The State Department, USAID, and USDA bring soughtafter knowledge in this area from how to fight forest fires to how to combat illegal logging.

We also have to provide financial incentives for landowners to protect their forests. The economic benefit of forests is real. They store carbon, filter water, keep soil healthy, and protect against erosion.

The value of a forest's ecological services, not just its raw materials, must be recognized in the global economy. REDD-plus programs—shorthand for reducing emissions from deforestation and forest degradation—provide a mechanism for financially rewarding countries that reduce emissions from deforestation. If we want to lead in solving climate change, we have to contribute our fair share to these programs.

Thankfully, forests in the United States absorb more carbon than they release. However, the U.S. Forest Service estimates that the loss of forests through urban growth and wildfires could make our forests a source of carbon pollution as soon as 2030. We have to ensure that our forests continue to absorb more carbon than they release and work with our allies to protect our forests abroad.

We have solutions on climate change. Stopping deforestation is one of them, and it is one of the solutions I am most excited about because it is an opportunity for bipartisan work. We know what we need to do, and we know how to do it.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. MURKOWSKI. Mr. President, we have been discussing the value of having a multiyear transportation bill, a highway bill moving through the Senate. It is something that I, too, would like to see, but as with everything that we do around here, it is important how we do it. When you have a multiyear highway bill, it is important to ask the question, how are we paying for that?

One of the considerations that is in front of this body is to pay for $9 billion of this multiyear highway bill through a selloff of crude oil from our Strategic Petroleum Reserve—SPR.

I have come before this floor several times already during this debate to try to convince colleagues that this is exactly the wrong way to address our transportation priorities by selling off a national energy security priority; basically, an insurance policy that we have for this country, an insurance policy to ensure that at the time that we might be most vulnerable with our energy supplies, we have reserves, we have a safety net we can turn to in the event of an emergency brought about by a hurricane or natural disaster or whether it is a manmade disaster, war or something else that has caused global disruption.

In short, it boggles my mind that we would be willing, so willing and almost eager, to tap into this strategic asset for such short-term and limited gain. In the absence of supply disruption that justifies releasing oil from the SPR, selling our strategic reserves only worsens an existing competitive disadvantage for our American oil producers.

As you know, we have in place an outdated 40-year-old-plus ban on our ability to sell our domestic crude oil overseas. We are limited in our ability to export that. I think that is a wrong and outdated policy, and I am working with many, including the occupant of the chair, to lift this outdated policy. I have introduced legislation to do just that. We will actually have a bill before the banking committee tomorrow to, again, shed some light on the fact that it is so incredibly inconsistent from a policy perspective that we would be talking about lifting the sanctions on Iran, allowing Iran to access the broader global market so they can sell their oil reserves, so they can take advantage of the resources that will come to them to do who knows what mischief, while at the same time prohibiting, further prohibiting in this country our oil producers that opportunity to access the global market. By lifting the sanctions on Iran and keeping the oil export ban in place in this country, we are effectively sanctioning our own U.S. oil producers. That is wrong. Again, we are working to address that.

We are in a situation currently in which American companies cannot sell oil to the same countries that we let Iran sell its own oil to. Now, with this proposal in front of us to sell off some 101 million barrels of oil from the SPR, we are potentially going to saturate a market that is already oversupplied. Think about what that means to those in Oklahoma where the rig count in this country right now is down by half of what it was just last year. We are at a 5-year low with that. Our market is oversaturated.

This morning I introduced yet another white paper out of the energy committee. It is entitled ''A Turbulent World: In Defense of the Strategic Petroleum Reserve.'' This white paper outlines some of the history behind the SPR, why I feel so strongly and why I will continue to come to this floor to oppose the sale of 101 million barrels of oil from the SPR to pay for a portion of this highway bill.

Let's take a look at the history of when we have had emergency drawdowns. We have had exactly three emergency drawdowns ever. The Strategic Petroleum Reserve has been in place since the mid-1970s. We had a drawdown in 1991 with Desert Storm. We had a drawdown in 2005 when Hurricane Katrina hit and then in Libya in 2011 during their civil war.

This red right here is the 101 million barrels that this legislation seeks to sell off—101 million barrels. The total amount of sales from emergency drawdowns ever combined is 58.9 million barrels.

What we are talking about doing is, in one act, taking 101 million barrels and putting it out there on the market. In the 40 years that we have had access to reserves in the Strategic Petroleum Reserve, we have had three emergency drawdowns—one, a hurricane and, two, in the event of disruption for war, and together, all three of those totaled just shy of 60 million barrels. Yet this proposal is 101 million barrels.

We have exchanged oil out of the SPR a total of 12 times. This was in Hurricanes Isaac, Katrina, Lili, Ivan, Gustav, and Ike. We have created a home heating oil reserve. We have closed some ship channels for accidents. We have imported oil from Mexico. All of those exchanges, not drawdowns, but all of those totaled only 68.9 million barrels. Again, we are talking about a 101-million-barrel sale. We have also done test sales. We have done three test sales. In 1985, in 1990, and then in 2014. We have also closed down a reserve site—Weeks Island. We have sold off some barrels for that. The total for all of that activity was 15 million barrels for all four sales.

I have had people tell me: Oh, don't overreact here; don't overreact. This is no different than what we did with the two sales in 1996 for Federal deficit reduction.

Let's look at that chart. In 1996, we had a deficit reduction in May, which is shown in blue, and then in October we did further reductions, and that is shown in green. Both of those sales totaled 23 million barrels. Again, back in 1996, there was a total of 23 million, and what we are looking at with this legislation is, again, a selloff of 101 million barrels. That is not even a fair comparison. Selling 101 million barrels would be the equivalent of 60 percent of all of the oil that has ever left the SPR.

We have effectively taken out a total of 161 million barrels and moved that out of this SPR since it was created in 1975, about 40 years ago. We have had three emergency drawdowns, we have had the exchanges I talked about, we had test sales, and then we had the sales in 1996 with the Federal deficit reduction. If we take all of that together—everything in the history of the Strategic Petroleum Reserve that we ever sold off or exchanged—it brings us to 161 million barrels, and now we are talking about selling 101 million barrels, which is 60 percent.

I think it is important to put into context because this is a big fat deal. Yet we are acting like this is just another withdrawal from your ATM. Just go down, check the balance, there is enough money in there so it must be OK.

Let's talk about the strategic environment we are operating in right now. There is a nominal drawdown capacity of 4.4 million barrels per day. I mentioned this the last time I was on the floor. The drawdown capacity is subject to some discussion in terms of what we are actually able to pump out, and that is why we do test sales. It is to make sure it works as it was designed.

Secretary of Energy Moniz has suggested that our distribution rate—our ability to move this once we take it out—is significantly less than this nominal drawdown capacity of 4.4 million barrels due to congestion and changes in midstream infrastructure. This is one of the reasons I have been banging the lectern, and Senator CANTWELL, the ranking member on the energy committee, has also been joining me in saying that doing this is not appropriate. We have significant maintenance issues within the SPR that we need to address. There is somewhere between $1.5 billion and $2 billion that it is going to take to address some of the shortcomings we have in the SPR, some of the maintenance and operations aspect of it. As we speak, there is a study underway to determine the right size of the Strategic Petroleum Reserve. What do we need to do in terms of maintenance?

If we go ahead and sell off 60 percent of what we have done historically throughout the whole lifetime of the SPR to fund a highway bill for 6 years—again, it just causes one to wonder why we are doing this because of the strategic environment and the drawdown capacity we have.

We have a pretty volatile world out there, and I think we all know that. We have unplanned disruptions, unplanned production outages, if you will, in Saudi Arabia, Kuwait, Iraq, Nigeria, Libya, and Iran. These are around 2.5 to 3 million barrels per day. These are pretty tense regions of the world, and I don't think anyone would dispute that.

On the next chart what we see is our drawdown rate of 4.4 or thereabouts is greater than the daily production of Iran, Iraq, Venezuela, Nigeria, Algeria or Libya. I don't think anybody would suggest that any of these countries in blue exudes stability or security.

Look at the transit chokepoints. A drawdown rate of 4.4 million barrels per day is bigger, in fairness, than the capacity of some of the other areas that would be clearly noted as these chokepoints. We have the Panama Canal at the end, the Turkish or Danish Straits, and Bab el-Mandab off the coast of Yemen. If something went wrong in more than one of these critical parts of the supply chain at once, we could be overtaken by upheaval in the global oil market without much recourse and our ability to respond would be dramatically lessened. And 4.4 million barrels per day is less than the oil that transships the Suez Canal and its accompanying pipeline. It is a fraction of the oil that goes through the Strait of Malacca or Strait of Hormuz which moves 15 to 17 million barrels per day.

This my central point. Our Strategic Petroleum Reserve is a tremendous national security asset, and we need it because the world is just simply more turbulent. I have been told: Look at what is happening domestically. We are importing less and producing more; therefore, we don't really need all of this. We don't need this safety net. We cannot immunize ourselves from global events and just suggest that somehow or other we need it less. It is like you go to the doctor and get a clean bill of health and you go home and you say: OK. Now I don't need life insurance or health insurance because the doctor just said I am fine. You know what. The world is not fine, and we know that. At a time when spare capacity is low and the global threat environment is heightened, selling 101 million barrels of America's strategic reserve to pay for legislation that makes almost no contribution to improving our energy security, I think, is just a foolish error of historic proportions.

I will restate what we would be doing if we moved forward with the pay-for as has been outlined. We would be conducting the largest sale in the history of the Strategic Petroleum Reserve since it was created in 1975. It would be greater than all of the previous emergency drawdowns combined. We are going into hurricane season. We don't know what may be coming at us in the Middle East. Yet we are proposing to pay for a short-term fix to the highway trust fund with a buyout of unprecedented proportions.

Last time I was on the floor, I said this is like cashing out your homeowner's insurance to pave your driveway. It is not the right pay-for.

Again, I, too, want to make sure we do right by our transportation infrastructure. It is important. It is about jobs and the strength of our economy, but we are also obligated to make sure the decisions we make in this Senate—in this Congress—are there to provide for our security as a nation.

I want to know that if we need these ready resources, we haven't moved precipitously to sell them off. The last time I checked this morning, the price of oil was at about $50 a barrel. Is this really a good time to sell at $50 a barrel?

I thank the Presiding Officer for his attention. I think those of us who have been following this issue with great interest are concerned and are conflicted because we want to make sure we do right by our highway systems, but I also want to make sure we do right by our national energy security, and selling off 101 million barrels of Strategic Petroleum Reserve is foolhardy.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to executive session for the en bloc consideration of Executive Calendar Nos. 219 through 223, 225 through 231, and 233 through 247, and all nominations on the Secretary's desk in the Air Force, Army, Marine Corps, and Navy; that the nominations be confirmed, the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order; that any statements related to the nominations be printed in the RECORD; that the President be immediately notified of the Senate's actions, and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows:

IN THE AIR FORCE

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. John N. T. Shanahan

IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Michael X. Garrett

IN THE NAVY

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 156:

To be rear admiral (lower half)

Capt. Darse E. Crandall

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Rear Adm. Joseph E. Tofalo

IN THE AIR FORCE

The following named officer for appointment as the Vice Chairman of the Joint Chiefs of Staff and appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 154:

To be general

Gen. Paul J. Selva

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be general

Gen. Darren W. McDew

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. David J. Buck

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. Tod D. Wolters

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. Russell J. Handy

The following Air National Guard of the United States officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

To be brigadier general

Col. Frank H. Stokes

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. John W. Raymond

IN THE ARMY

The following Army National Guard of the United States officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

To be brigadier general

Col. James E. Porter, Jr.

The following named Army National Guard of the United States officer for appointment in the Reserve of the Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Daniel R. Hokanson

IN THE NAVY

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Rear Adm. Kevin D. Scott

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Rear Adm. Kevin M. Donegan

IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Michael H. Shields

The following Army National Guard of the United States officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

To be major general

Brig. Gen. Victor J. Braden

IN THE NAVY

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Rear Adm. Richard P. Breckenridge

IN THE AIR FORCE

The following Air National Guard of the United States officers for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

To be brigadier general

Colonel David W. Ashley
Colonel Jeremy O. Baenen
Colonel Stephen F. Baggerly
Colonel Samuel W. Black
Colonel Christine M. Burckle
Colonel David B. Burgy
Colonel Janus D. Butcher
Colonel John D. Caine
Colonel Craig A. Campbell
Colonel Joseph S. Chisolm
Colonel Floyd W. Dunstan
Colonel Douglas A. Farnham
Colonel Laurie M. Farris
Colonel Jerry L. Fenwick
Colonel Dawn M. Ferrell
Colonel Douglas E. Fick
Colonel Arthur J. Flora
Colonel Donald A. Furland
Colonel Timothy H. Gaasch
Colonel Kerry M. Gentry
Colonel Jerome M. Gouhin
Colonel Randy E. Greenwood
Colonel Robert J. Grey, Jr.
Colonel Edith M. Grunwald
Colonel Gregory M. Henderson
Colonel Elizabeth A. Hill
Colonel John S. Joseph
Colonel Jill A. Lannan
Colonel James M. LeFavor
Colonel Jeffrey A. Lewis
Colonel Timothy T. Lunderman
Colonel Eric W. Mann
Colonel Betty J. Marshall
Colonel Sherrie L. McCandless
Colonel Kevin T. McManaman
Colonel David J. Meyer
Colonel Steven S. Nordhaus
Colonel Scott W. Normandeau
Colonel Richard C. Oxner, Jr.
Colonel Kirk S. Pierce
Colonel Theresa B. Prince
Colonel David L. Romuald
Colonel Edward A. Sauley, III
Colonel Keith A. Schell
Colonel Brian M. Simpler
Colonel Charles G. Stevenson
Colonel Bradley A. Swanson
Colonel Dean A. Tremps
Colonel William M. Valentine
Colonel Richard W. Wedan

The following named officer for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

To be brigadier general

Col. Steven A. Schaick

IN THE ARMY

The following named officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., section 12203:

To be brigadier general

Col. Jeffrey A. Doll

IN THE AIR FORCE

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be general

Lt. Gen. Carlton D. Everhart, II

The following named officer for appointment as the Chief of Chaplains, United States Air Force, and appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 8039:

To be major general

Col. Dondi E. Costin

IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Stephen R. Lyons

IN THE NAVY

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Rear Adm. John C. Aquilino

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Vice Adm. Robert L. Thomas, Jr.

IN THE MARINE CORPS

The following named officer for appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Lawrence D. Nicholson

NOMINATIONS PLACED ON THE SECRETARY'S DESK

IN THE AIR FORCE

PN594 AIR FORCE nomination of Robert B. A. MacGregor, which was received by the Senate and appeared in the Congressional Record of June 22, 2015.

PN602 AIR FORCE nominations (18) beginning JANE E. BOOMER, and ending MATTHEW D. VAN DALEN, which nominations were received by the Senate and appeared in the Congressional Record of June 24, 2015.

PN604 AIR FORCE nominations (48) beginning AFSANA AHMED, and ending REGGIE D. YAGER, which nominations were received by the Senate and appeared in the Congressional Record of June 24, 2015.

PN605 AIR FORCE nominations (13) beginning JOHN C. ROCKWELL, and ending STEPHEN J. TORRES, which nominations were received by the Senate and appeared in the Congressional Record of June 24, 2015.

PN606 AIR FORCE nominations (2) beginning ANA M. APOLTAN, and ending ALDO TTINOCO, which nominations were received by the Senate and appeared in the Congressional Record of June 24, 2015.

PN607 AIR FORCE nominations (57) beginning BRIAN H. ADAMS, and ending MARY JEAN WOOD, which nominations were received by the Senate and appeared in the Congressional Record of June 24, 2015.

PN666 AIR FORCE nominations (91) beginning ALLEN KIPP ALBRIGHT, and ending BRADLEY DUNCAN WHITE, which nominations were received by the Senate and appeared in the Congressional Record of July 15, 2015.

IN THE ARMY

PN609 ARMY nomination of David G. Jones, which was received by the Senate and appeared in the Congressional Record of June 24, 2015.

PN610 ARMY nomination of Raymond L. Phua, which was received by the Senate and appeared in the Congressional Record of June 24, 2015.

PN611 ARMY nomination of John M. Bradford, which was received by the Senate and appeared in the Congressional Record of June 24, 2015.

PN612 ARMY nominations (5) beginning STEVE J. CHUN, and ending BENJAMIN R. SIEBERT, which nominations were received by the Senate and appeared in the Congressional Record of June 24, 2015.

PN613 ARMY nomination of Steven L. Isenhour, which was received by the Senate and appeared in the Congressional Record of June 24, 2015.

PN614 ARMY nomination of Joseph D. Gramling, which was received by the Senate and appeared in the Congressional Record of June 24, 2015.

PN615 ARMY nomination of Mark S. Snyder, which was received by the Senate and appeared in the Congressional Record of June 24, 2015.

PN616 ARMY nomination of Keith J. McVeigh, which was received by the Senate and appeared in the Congressional Record of June 24, 2015.

PN617 ARMY nomination of Lisa M. Stremel, which was received by the Senate and appeared in the Congressional Record of June 24, 2015.

PN618 ARMY nominations (2) beginning MICHAEL N. CLEVELAND, and ending MICHAEL W. SUMMERS, which nominations were received by the Senate and appeared in the Congressional Record of June 24, 2015.

PN619 ARMY nominations (2) beginning MATTHEW H. BROOKS, and ending JAY D. HANSON, which nominations were received by the Senate and appeared in the Congressional Record of June 24, 2015.

PN620 ARMY nominations (5) beginning GIL A. DIAZCRUZ, and ending SOLIMAN G. VALDEZ, which nominations were received by the Senate and appeared in the Congressional Record of June 24, 2015.

PN635 ARMY nominations (7) beginning NICHOLAS R. CABANO, and ending JAMES W. PRATT, which nominations were received by the Senate and appeared in the Congressional Record of July 8, 2015.

PN636 ARMY nominations (17) beginning KIMBERLY D. BRENDA, and ending CARRIE A. STORER, which nominations were received by the Senate and appeared in the Congressional Record of July 8, 2015.

PN637 ARMY nominations (90) beginning ERIC J. ANSORGE, and ending D011713, which nominations were received by the Senate and appeared in the Congressional Record of July 8, 2015.

PN638 ARMY nominations (65) beginning JOHN L. AMENT, and ending WENDY G. WOODALL, which nominations were received by the Senate and appeared in the Congressional Record of July 8, 2015.

PN639 ARMY nomination of Laura M. Hudson, which was received by the Senate and appeared in the Congressional Record of July 8, 2015.

PN667 ARMY nomination of Mark R. Read, which was received by the Senate and appeared in the Congressional Record of July 15, 2015.

IN THE MARINE CORPS

PN625 MARINE CORPS nomination of John R. Barclay, which was received by the Senate and appeared in the Congressional Record of June 24, 2015.

IN THE NAVY

PN621 NAVY nomination of Thomas F. Murphy, III, which was received by the Senate and appeared in the Congressional Record of June 24, 2015.

PN622 NAVY nominations (2) beginning ARSLAN S. CHAUDHRY, and ending ANDREW D. SILVESTRI, which nominations were received by the Senate and appeared in the Congressional Record of June 24, 2015.

PN623 NAVY nomination of Benjamin M. Boche, which was received by the Senate and appeared in the Congressional Record of June 24, 2015.

PN624 NAVY nomination of Michael J. Elliott, which was received by the Senate and appeared in the Congressional Record of June 24, 2015.

PN640 NAVY nominations (42) beginning CHRISTOPHER N. ANDREWS, and ending NICHOLAS J. VANDYKE, which nominations were received by the Senate and appeared in the Congressional Record of July 8, 2015.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

NOTICE ACT

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Finance be discharged from further consideration of H.R. 876 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 876) to amend Title XVIII of the Social Security Act to require hospitals to provide certain notifications to individuals classified by such hospitals under observation status rather than admitted as inpatients of such hospitals.

There being no objection, the Senate proceeded to consider the bill.

Mr. CARDIN. Mr. President, I applaud the Senate passage of H.R. 876, the Notice of Observation Treatment and Implication for Care Eligibility, NOTICE, Act. Representative LLOYD DOGGETT of Texas introduced H.R. 876. Senator ENZI and I introduced an identical companion bill in the Senate, S. 1349, which the Finance Committee reported unanimously by voice vote on June 24, 2015. This important legislation requires hospitals to give notice to Medicare beneficiaries who are classified as ''outpatient observation'' status for more than 24 hours rather than being admitted to the hospital as inpatients. Being classified as ''outpatient observation'' status may result in higher out-of-pocket costs for Medicare beneficiaries and makes those beneficiaries ineligible for Medicare coverage of post-acute care in a skilled nursing facility after they are discharged from the hospital.

The use of ''outpatient observation'' status has become more prevalent in recent years, and the duration of these ''outpatient observation'' stays has grown longer—meaning that an increasing number of Medicare beneficiaries are spending more and more time in the hospital without being admitted as inpatients. According to the Department of Health & Human Services's, HHS, inspector general, in 2012, Medicare beneficiaries had more than 600,000 ''outpatient observation'' stays that lasted 3 nights or more.

These ''outpatient observation'' stays can have serious financial consequences for seniors. Medicare beneficiaries classified as ''outpatient observation'' status are responsible for outpatient co-payments and prescription drug costs that they would not have had as an inpatient—and there is no out-of-pocket cap on these costs. Perhaps most importantly, Medicare will only cover post-acute care in a skilled nursing facility, SNF, if the beneficiary had 3 consecutive days of hospitalization as an inpatient—even though ''outpatient observation'' patients may spend multiple nights in the hospital and receive the same type and level of care as inpatients. This means Medicare beneficiaries classified as ''outpatient observation'' status who require skilled nursing care after discharge from the hospital must pay the entire cost themselves—an average out-of-pocket cost of more than $10,000 per beneficiary.

Understandably, Medicare beneficiaries spending several nights in the hospital often simply assume that they have been admitted as inpatients. Many seniors are unaware that they have actually been classified as ''outpatient observation'' status and what that means in terms of the financial consequences for them and their families. In some cases, these seniors only become aware of their ''outpatient observation'' status after they receive a bill from the nursing home for tens of thousands of dollars.

Under the NOTICE Act, within 36 hours or, if sooner, upon discharge, hospitals are required to provide written notice to the Medicare beneficiary explaining, No. 1, that he or she has been classified as an outpatient under observation status, instead of being admitted as an inpatient; No. 2, the reason for that classification; and, No. 3, the implications on cost-sharing and eligibility for Medicare coverage of post-acute care in a skilled nursing facility.

The NOTICE Act is a no-cost, commonsense approach that will help ensure our seniors are fully informed about their hospital status and the financial implications. I thank my colleagues for joining with me and Senator ENZI to support this important legislation.

Mr. MCCONNELL. Mr. President, I further ask unanimous consent that the bill be read a third time and passed and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 876) was ordered to a third reading, was read the third time, and passed.

RECESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate stand in recess until 9:15 p.m.; further, that all time during the recess count postcloture.

The PRESIDING OFFICER. Without objection, it is so ordered.

Thereupon, the Senate, at 6:57 p.m., recessed until 9:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. BOOZMAN).

HIRE MORE HEROES ACT OF 2015—Continued

QUORUM CALL

Mr. WICKER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll and the following Senators entered the Chamber and answered to their names:

[Quorum No. 6 Leg.]

Alexander	Durbin	Murphy
Barrasso	Fischer	Perdue
Boozman	Franken	Rounds
Boxer	Heinrich	Tillis
Cardin	Lee	Udall
Cornyn	McConnell	Whitehouse

The PRESIDING OFFICER (Mr. TILLIS). A quorum is not present.

The majority leader.

Mr. MCCONNELL. Mr. President, I move to instruct the Sergeant at Arms to request the presence of absent Senators, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the motion of the Senator from Kentucky.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Missouri (Mr. BLUNT), the Senator from Tennessee (Mr. CORKER), the Senator from Arizona (Mr. FLAKE), and the Senator from Florida (Mr. RUBIO).

Mr. DURBIN. I announce that the Senator from Delaware (Mr. COONS), the Senator from Massachusetts (Mr. MARKEY), and the Senator from Michigan (Mr. PETERS) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 79, nays 14, as follows:

[Rollcall Vote No. 255 Leg.]

YEAS—79

Alexander	Franken	Murray
Baldwin	Gardner	Nelson
Barrasso	Gillibrand	Portman
Bennet	Graham	Reed
Blumenthal	Grassley	Reid
Booker	Hatch	Risch
Boxer	Heinrich	Roberts
Brown	Heitkamp	Rounds
Burr	Hirono	Sanders
Cantwell	Hoeven	Sasse
Capito	Inhofe	Schatz
Cardin	Isakson	Schumer
Carper	Johnson	Scott
Casey	Kaine	Sessions
Cassidy	King	Shaheen
Coats	Kirk	Shelby
Cochran	Klobuchar	Stabenow
Cornyn	Leahy	Tester
Crapo	Lee	Thune
Cruz	Manchin	Tillis
Daines	McCaskill	Udall
Donnelly	McConnell	Warner
Durbin	Menendez	Warren
Enzi	Merkley	Whitehouse
Ernst	Mikulski	Wyden
Feinstein	Murkowski	
Fischer	Murphy	

NAYS—14

Ayotte	Lankford	Sullivan
Boozman	McCain	Toomey
Collins	Moran	Vitter
Cotton	Paul	Wicker
Heller	Perdue	

NOT VOTING—7

Blunt	Flake	Rubio
Coons	Markey	
Corker	Peters	

The motion was agreed to.

The PRESIDING OFFICER. A quorum is present.

The majority leader.

VOTE ON AMENDMENT NO. 2329

Mr. MCCONNELL. Mr. President, I move to table amendment No. 2329.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The Democratic leader.

AMENDMENT NO. 2328

Mr. REID. Mr. President, I raise a germaneness point of order against amendment No. 2328.

The PRESIDING OFFICER. The point of order is sustained, and the amendment falls.

VOTE ON AMENDMENT NO. 2327

The PRESIDING OFFICER. The question now occurs on agreeing to amendment No. 2327, offered by the Senator from Kentucky, Mr. MCCONNELL, for Mr. KIRK.

The yeas and nays were previously ordered.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Missouri (Mr. BLUNT), the Senator from Tennessee (Mr. CORKER), the Senator from Arizona (Mr. FLAKE), and the Senator from Florida (Mr. RUBIO).

Mr. DURBIN. I announce that the Senator from Delaware (Mr. COONS), the Senator from Massachusetts (Mr. MARKEY), and the Senator from Michigan (Mr. PETERS) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 64, nays 29, as follows:

[Rollcall Vote No. 256 Leg.]

YEAS—64

Alexander	Gillibrand	Murphy
Ayotte	Graham	Murray
Baldwin	Heinrich	Nelson
Bennet	Heitkamp	Portman
Blumenthal	Heller	Reed
Booker	Hirono	Reid
Boxer	Hoeven	Roberts
Brown	Isakson	Rounds
Burr	Johnson	Schatz
Cantwell	Kaine	Schumer
Cardin	King	Scott
Carper	Kirk	Shaheen
Casey	Klobuchar	Stabenow
Coats	Leahy	Tester
Cochran	Manchin	Udall
Collins	McCain	Warner
Donnelly	McCaskill	Warren
Durbin	Menendez	Whitehouse
Enzi	Merkley	Wicker
Ernst	Mikulski	Wyden
Feinstein	Moran	
Franken	Murkowski	

NAYS—29

Barrasso	Gardner	Sanders
Boozman	Grassley	Sasse
Capito	Hatch	Sessions
Cassidy	Inhofe	Shelby
Cornyn	Lankford	Sullivan
Cotton	Lee	Thune
Crapo	McConnell	Tillis
Cruz	Paul	Toomey
Daines	Perdue	Vitter
Fischer	Risch	

NOT VOTING—7

Blunt	Flake	Rubio
Coons	Markey	
Corker	Peters	

The amendment (No. 2327) was agreed to.

The PRESIDING OFFICER. The majority leader.

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the mandatory quorum call with respect to the cloture vote on the McConnell amendment No. 2266, as modified, be waived.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the McConnell amendment No. 2266, as modified.

Mitch McConnell, John Cornyn, Orrin G. Hatch, John Barrasso, Pat Roberts, Richard Burr, Thom Tillis, David Vitter, Lindsey Graham, Kelly Ayotte, Lamar Alexander, Daniel Coats, John Hoeven, James M. Inhofe, Roger F. Wicker, Susan M. Collins, John Thune.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on amendment No. 2266, as modified, offered by the Senator from Kentucky, Mr. MCCONNELL, to H.R. 22, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Tennessee (Mr. CORKER), the Senator from Arizona (Mr. FLAKE), and the Senator from Florida (Mr. RUBIO).

Mr. DURBIN. I announce that the Senator from Delaware (Mr. COONS), the Senator from Massachusetts (Mr. MARKEY), and the Senator from Michigan (Mr. PETERS) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 62, nays 32, as follows:

[Rollcall Vote No. 257 Leg.]

YEAS—62

Alexander	Cochran	Hatch
Ayotte	Collins	Heitkamp
Baldwin	Cornyn	Heller
Barrasso	Daines	Hoeven
Bennet	Durbin	Inhofe
Blunt	Enzi	Isakson
Boozman	Ernst	Johnson
Boxer	Feinstein	Kaine
Burr	Fischer	King
Cantwell	Franken	Kirk
Capito	Gardner	Klobuchar
Cassidy	Graham	Lankford
Coats	Grassley	Leahy
Manchin	Roberts	Sullivan
McCain	Rounds	Tester
McCaskill	Sanders	Thune
McConnell	Schatz	Tillis
Moran	Scott	Vitter
Murray	Sessions	Whitehouse
Nelson	Shaheen	Wicker
Portman	Stabenow	

NAYS—32

Blumenthal	Heinrich	Reid
Booker	Hirono	Risch
Brown	Lee	Sasse
Cardin	Menendez	Schumer
Carper	Merkley	Shelby
Casey	Mikulski	Toomey
Cotton	Murkowski	Udall
Crapo	Murphy	Warner
Cruz	Paul	Warren
Donnelly	Perdue	Wyden
Gillibrand	Reed	

NOT VOTING—6

Coons	Flake	Peters
Corker	Markey	Rubio

The PRESIDING OFFICER. On this vote, the yeas are 62, the nays are 32.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The majority leader.

AMENDMENT NO. 2421 TO AMENDMENT NO. 2266

(Purpose: Of a perfecting nature)

Mr. MCCONNELL. Mr. President, I call up amendment No. 2421.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 2421 to amendment No. 2266.

Mr. MCCONNELL. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The amendment is printed in the RECORD of July 26, 2015, under ''Text of Amendments.'')

Mr. MCCONNELL. I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 2533 TO AMENDMENT NO. 2421

(Purpose: To improve the amendment)

Mr. MCCONNELL. Mr. President, I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL], for Mr. INHOFE, proposes an amendment numbered 2533 to amendment No. 2421.

Mr. MCCONNELL. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

AMENDMENT NO. 2417

Mr. MCCONNELL. Mr. President, I have an amendment to the text of the underlying bill.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 2417 to the language proposed to be stricken by amendment No. 2266.

The amendment is as follows:

At the end add the following:

''This act shall be effective 1 day after enactment.''

Mr. MCCONNELL. I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 2418 TO AMENDMENT NO. 2417

Mr. MCCONNELL. Mr. President, I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 2418 to amendment No. 2417.

Mr. MCCONNELL. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On line 2, strike ''1 day'' and insert ''2 days.''

Mr. MCCONNELL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

MUNCIE, INDIANA 150TH ANNIVERSARY

Mr. DONNELLY. Mr. President, I wish to honor the city of Muncie on its 150th anniversary and to recognize the many contributions of Muncie's citizens to the great State of Indiana and to our country.

Muncie's history dates to the 1790s when the Lenape Native Americans settled the area and named it Wapicamikunk. As early European settlers moved into the area, it was named Munsee Town after the dialect of the Lenape Native Americans, who

spoke Munsee. When it was incorporated in 1865, Munsee Town became the city of Muncie.

The gas boom helped establish the city of Muncie as an important manufacturing center for the Nation. In 1880, the Ball brothers founded Ball Corporation where they specialized in manufacturing glass bottles. The company was moved from Buffalo, NY to Muncie in 1887 to take advantage of the ample amounts of available natural gas. The Ball Corporation provided jobs, local business funding, and philanthropy that propelled Muncie into a thriving city.

As business boomed for the Ball Corporation, new businesses opened and Muncie grew. In the early 1900s, manufacturing and industrial companies including Delco Battery, New Venture Gear, BorgWarner, and General Motors opened factories and businesses in Muncie. Muncie is also home to one of the famous early 20th century ''Middletown'' studies, which helped to measure social trends in the U.S.; Muncie is considered one of most studied communities in the country. Over the years, the city continued to grow and innovate with the addition of railroads, higher education institutions, and health care facilities.

Today, Muncie is one of the 10 largest cities in Indiana with a population of more than 70,000 citizens. Top attractions in the Muncie area include the North Walnut Street Fieldhouse, Emens Auditorium, historic downtown Muncie, the National Model Aviation Museum, the Cardinal Greenway trail system, Minnetrista Cultural Center, and Ball State University.

Ball State opened in 1899 as a small, private teacher training school. The university was founded in 1918. Ball State attracts students from around the Nation and 43 different countries, and is currently one of the top employers in the city of Muncie. Ball State is home to about 21,000 current students in undergraduate and graduate programs, and it recently experienced the largest 5-year increase in on-time graduation rates of any Indiana public institution of higher education. A report released by the Indiana Commission for Higher Education found that between 2009–2014, Ball State's 4-year graduation rates increased by 12.1 percentage points. Distinguished Ball State graduates include David Letterman, former host of CBS's Late Show and Jim Davis, creator of the iconic comic strip Garfield—recognized as the world's most widely-syndicated comic strip. With the addition of Ivy Technology Community College and Harrison College, Muncie has shown a continued commitment to higher education.

The city of Muncie reflects our Hoosier values, and its citizens serve as an example of how hard work and dedication lead to success, opportunity, and prosperity. It is a great honor to represent the city of Muncie in the Senate. On behalf of the State of Indiana, I congratulate each and every citizen of Muncie on the city's 150th anniversary and wish you continued success and prosperity in the future.

ADDITIONAL STATEMENTS

ORFORD, NEW HAMPSHIRE 250TH ANNIVERSARY

● Ms. AYOTTE. Mr. President, today I pay tribute to Orford, NH—a town in Grafton County celebrating the 250th anniversary of its founding. I am proud to join citizens across the Granite State in recognizing this historic occasion.

Orford village is the town's main population center and is situated along the Connecticut River. The town lies in the shadow of Sunday Mountain, Cottonstone Mountain, and Mount Cube—Orford's highest peak. The Appalachian Trail runs through the summit of Mount Cube, greatly contributing to the town's natural and scenic treasures.

The town of Orford is named for Robert Walpole, first earl of Orford, and England's first Prime Minister. It was originally chartered by Colonial Governor Benning Wentworth in 1761 and later settled in 1765.

The rich agricultural history of Orford is exemplified by the success of the Mt. Cube Sugar Farm. For over 60 years, the Thomson family has been producing its award-winning maple syrup from the groves located on the farm's namesake mountain.

Orford also boasts an impressive industrial past, including soapstone quarries, sawmills, a tannery, grist mill, and factories that manufactured starch, chairs, doors, boots and shoes. The town is known for its historic ''ridge'' homes and is credited with having one of the finest collections of federal-style houses in the Nation.

As innovators, statesmen and soldiers, Orford residents have been known throughout history for their commitment and sacrifice in the service of our great Nation. Early steamship pioneer Samuel Morey, U.S. Congressman Jeduthun Wilcox, Senators Gilman Marston and Leonard Wilcox, and most notably, New Hampshire's 73rd Governor Meldrim Thomson, Jr., all share ties to Orford.

On behalf of all Granite Staters, I am pleased to offer my congratulations to the citizens of Orford on reaching this special milestone, and I thank them for their many contributions to the life and spirit of New Hampshire.●

TRIBUTE TO RICHARD LAPOINT

● Ms. AYOTTE. Mr. President, today I wish to recognize the exceptional public service of my good friend, Pittsburg Police Chief Richard ''Dick'' Lapoint. Chief Lapoint has worked as a Pittsburg, NH law enforcement officer for more than 40 years. He is retiring on August 16, 2015, the day after Pittsburg's 175th Old Home Day celebration.

Chief Lapoint is a 1968 graduate of Pittsburg High School, and first began his law enforcement career as a part-time officer in August 1975. After working part-time for 11 years, he became a sergeant, and was later promoted to the department's full-time chief on January 16, 1987. Having held the position for more than 28 years, Chief Lapoint is one of the longest serving police chiefs in the Granite State.

Throughout his career, Chief Lapoint has established a reputation not only as a knowledgeable, respected, and compassionate public safety professional, but also as an engaged community member. Chief Lapoint knows that in a small town, public safety means wearing many hats. He was a member of the fire department for 36 years and an emergency medical technician for over 20 years. Known for his advocacy of cooperative North Country policing, he was a leader in uniting local, county, State, and Federal agencies to share information, train, and work together. He also served as the president of the Coos County Chiefs Association, and has built strong partnerships with colleagues throughout the public safety community.

During my time as New Hampshire's attorney general, it was my privilege to work directly with Chief Lapoint on many important law enforcement initiatives. He earned the respect and admiration of his peers across the State, and has been a thoughtful and effective leader in efforts to improve the criminal justice system throughout New Hampshire. Additionally, Chief Lapoint served on the executive board of the New Hampshire Association of Chiefs of Police, and has represented Coos County with professionalism and integrity throughout his entire membership. Making frequent trips to Concord and southern New Hampshire, he ensured that our Great Northern Woods had an important voice on public safety issues.

As Chief Lapoint celebrates his retirement, I want to commend him on a job well done, and ask my colleagues to join me in thanking him for his outstanding service and in wishing him the best in all his future endeavors.●

RECOGNIZING ACADIA DEATLEY

● Mr. BARRASSO. Mr. President, I wish to take the opportunity to express my appreciation to Acadia DeAtley for her hard work as an intern in my Washington, DC, office. I recognize her efforts and contributions to my office as well as to the State of Wyoming.

Acadia is a native of Cody, WY, and a graduate of Cody High School. She

currently attends the University of Wyoming. She has demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I thank Acadia for the dedication she has shown while working for me and my staff. It was a pleasure to have her as a part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey.●

RECOGNIZING ABBEY ENGEN

● Mr. BARRASSO. Mr. President, I wish to take the opportunity to express my appreciation to Abbey Engen for her hard work as an intern in my Casper office. I recognize her efforts and contributions to my office as well as to the State of Wyoming.

Abbey is a native of Casper, WY, and a graduate of Natrona County High School. She currently attends the University of Wyoming. She has demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I thank Abbey for the dedication she has shown while working for me and my staff. It was a pleasure to have her as a part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey.●

RECOGNIZING KAITLIN KRELL

● Mr. BARRASSO. Mr. President, I wish to take the opportunity to express my appreciation to Kaitlin Krell for her hard work as an intern in the Senate Republican Policy Committee. I recognize her efforts and contributions to my office as well as to the State of Wyoming.

Kaitlin is a native of Kemmerer, WY, and a graduate of Kemmerer High School. She currently attends the University of Wyoming. She has demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I thank Kaitlin for the dedication she has shown while working for me and my staff. It was a pleasure to have her as a part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey.●

RECOGNIZING OTTO MARTINEK

● Mr. BARRASSO. Mr. President, I wish to take the opportunity to express my appreciation to Otto Martinek for his hard work as an intern in the Senate Republican Policy Committee. I recognize his efforts and contributions to my office as well as to the State of Wyoming.

Otto is a native of Teton Village, WY, and a graduate of St. Mark's School of Texas. He currently attends the University of Texas at Austin. He has demonstrated a strong work ethic, which has made him an invaluable asset to our office. The quality of his work is reflected in his great efforts over the last several months.

I want to thank Otto for the dedication he has shown while working for me and my staff. It was a pleasure to have him as a part of our team. I know he will have continued success with all of his future endeavors. I wish him all my best on his next journey.●

RECOGNIZING SHELBY McREE

● Mr. BARRASSO. Mr. President, I wish to take the opportunity to express my appreciation to Shelby McRee for her hard work as an intern in my Casper office. I recognize her efforts and contributions to my office as well as to the State of Wyoming.

Shelby is a native of Casper, WY, and a graduate of Kelly Walsh High School. She currently attends Casper College. She has demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I thank Shelby for the dedication she has shown while working for me and my staff. It was a pleasure to have her as a part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey.●

RECOGNIZING ERIC MORALES

● Mr. BARRASSO. Mr. President, I wish to take the opportunity to express my appreciation to Eric Morales for his hard work as an intern in my Washington, DC, office. I recognize his efforts and contributions to my office as well as to the State of Wyoming.

Eric is a native of Casper, WY, and a graduate of Kelly Walsh High School. He currently attends Northwestern University. He has demonstrated a strong work ethic, which has made him an invaluable asset to our office. The quality of his work is reflected in his great efforts over the last several months.

I thank Eric for the dedication he has shown while working for me and my staff. It was a pleasure to have him as a part of our team. I know he will have continued success with all of his future endeavors. I wish him all my best on his next journey.●

RECOGNIZING MACKENZIE MUIRHEAD

● Mr. BARRASSO. Mr. President, I wish to take the opportunity to express my appreciation to Mackenzie Muirhead for her hard work as an intern in my Cheyenne office. I recognize her efforts and contributions to my office as well as to the State of Wyoming.

Mackenzie is a native of Cheyenne, WY, and a graduate of Cheyenne East High School. She currently attends the University of Wyoming. She has demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I thank Mackenzie for the dedication she has shown while working for me and my staff. It was a pleasure to have her as a part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey.●

RECOGNIZING ANDREW NEWBOLD

● Mr. BARRASSO. Mr. President, I wish to take the opportunity to express my appreciation to Andrew Newbold for his hard work as an intern in my Rock Springs office. I recognize his efforts and contributions to my office as well as to the State of Wyoming.

Andrew lives in Rock Springs, WY, and he currently attends Western Wyoming Community College. He has demonstrated a strong work ethic, which has made him an invaluable asset to our office. The quality of his work is reflected in his great efforts over the last several months.

I thank Andrew for the dedication he has shown while working for me and my staff. It was a pleasure to have him as a part of our team. I know he will have continued success with all of his future endeavors. I wish him all my best on his next journey.●

RECOGNIZING TESSA ROBINSON

● Mr. BARRASSO. Mr. President, I wish to take the opportunity to express my appreciation to Tessa Robinson for her hard work as an intern in my Sheridan office. I recognize her efforts and contributions to my office as well as to the State of Wyoming.

Tessa lives in Gillette and currently attends Northern Wyoming Community College. She has demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I thank Tessa for the dedication she has shown while working for me and my staff. It was a pleasure to have her as a part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey.●

RECOGNIZING KYLIE TAYLOR

● Mr. BARRASSO. Mr. President, I wish to take the opportunity to express

my appreciation to Kylie Taylor for her hard work as an intern in my Washington, DC, office. I recognize her efforts and contributions to my office as well as to the State of Wyoming.

Kylie is a native of Cheyenne, WY, and a graduate of Cheyenne East High School. She recently graduated from the University of Wyoming. She has demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I thank Kylie for the dedication she has shown while working for me and my staff. It was a pleasure to have her as a part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey.●

RECOGNIZING MORGAN TEMTE

● Mr. BARRASSO. Mr. President, I wish to take the opportunity to express my appreciation to Morgan Temte for her hard work as an intern in my Cheyenne office. I recognize her efforts and contributions to my office as well as to the State of Wyoming.

Morgan is a native of Cheyenne, WY, and a graduate of Cheyenne Central High School. She currently attends the University of Wyoming. She has demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I thank Morgan for the dedication she has shown while working for me and my staff. It was a pleasure to have her as a part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey.●

RECOGNIZING CASEY TERRELL

● Mr. BARRASSO. Mr. President, I wish to take the opportunity to express my appreciation to Casey Terrell for his hard work as an intern in my Cheyenne office. I recognize his efforts and contributions to my office as well as to the State of Wyoming.

Casey is a native of Pinedale, WY, and a graduate of Pinedale High School. He currently attends the University of Wyoming. He has demonstrated a strong work ethic, which has made him an invaluable asset to our office. The quality of his work is reflected in his great efforts over the last several months.

I thank Casey for the dedication he has shown while working for me and my staff. It was a pleasure to have him as a part of our team. I know he will have continued success with all of his future endeavors. I wish him all my best on his next journey.●

RECOGNIZING PETER VICENZI

● Mr. BARRASSO. Mr. President, I wish to take the opportunity to express my appreciation to Peter Vicenzi for his hard work as an intern in the U.S. Senate Committee on Indian Affairs. I recognize his efforts and contributions to my office as well as to the State of Wyoming.

Peter currently attends St. Mary's College in Maryland, where is he studying public policy and economics. He has demonstrated a strong work ethic, which has made him an invaluable asset to our office. The quality of his work is reflected in his great efforts over the last several months.

I thank Peter for the dedication he has shown while working for me and my staff. It was a pleasure to have him as a part of our team. I know he will have continued success with all of his future endeavors. I wish him all my best on his next journey.●

RECOGNIZING ALYSSA VOLLMER

● Mr. BARRASSO. Mr. President, I wish to take the opportunity to express my appreciation to Alyssa Vollmer for her hard work as an intern in my Casper office. I recognize her efforts and contributions to my office as well as to the State of Wyoming.

Alyssa is a graduate of Hanna Elk Mountain Junior/Senior High School. She currently attends Casper College. She has demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I thank Alyssa for the dedication she has shown while working for me and my staff. It was a pleasure to have her as a part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey.●

RECOGNIZING BRANDON WEDL

● Mr. BARRASSO. Mr. President, I wish to take the opportunity to express my appreciation to Brandon Wedl for his hard work as an intern in Senate Committee on Indian Affairs. I recognize his efforts and contributions to my office as well as to the State of Wyoming.

Brandon is a native of Cheyenne, WY, and a graduate of Cheyenne East High School. He currently attends the University of Wyoming. He has demonstrated a strong work ethic, which has made him an invaluable asset to our office. The quality of his work is reflected in his great efforts over the last several months.

I thank Brandon for the dedication he has shown while working for me and my staff. It was a pleasure to have him as a part of our team. I know he will have continued success with all of his future endeavors. I wish him all my best on his next journey.●

REMEMBERING JOHN JAMES WILDING

● Mr. CASEY. Mr. President, I wish to honor Patrolman John James Wilding, who passed away after being injured in the line of duty on July 12, 2015. The loss of Patrolman Wilding is a tragedy for the Commonwealth of Pennsylvania, but the legacy of his bravery and selfless service to the people of Scranton will live on.

Born in Scranton, Patrolman Wilding dedicated his career to protecting and serving others. Prior to joining the Scranton Police Department in 2014, he worked at St. Joseph's Center, Dunbar Armored and Lackawanna College, where he built personal connections throughout the community that greatly influenced his service on the police force. He was well-known for his compassionate demeanor, respectful leadership, and love of his community. He loved his family fiercely, taking every opportunity to spend time with his wife Kristen, and children Loa Mae and Sidney.

Though Patrolman Wilding's life and career in public safety were cut short, we are all grateful for his dedicated service to Pennsylvania. He set a wonderful example of community activism for his children and he will be remembered for his bravery and humility. My thoughts and prayers are with his family and friends during this difficult time.●

STENNIS CENTER PROGRAM FOR CONGRESSIONAL INTERNS

● Mr. COCHRAN. Mr. President, this summer marks the 13th year during which Congressional office interns have benefitted from a program operated by the John C. Stennis Center for Public Service Leadership. This 6-week program is designed to enhance the internship experience for exceptional college students by giving them an inside look at how Congress works and a deeper appreciation and understanding for the role that Congress plays in our democracy. Each week, the interns meet with senior congressional staff and other experts to discuss issues including the legislative process, the constitutional power of the purse, our government's separation of powers, the media, and other topics.

Interns are selected based on their college records, community service experience, and interest in a career in public service. This year, 30 outstanding interns participated in the program. Most of them are juniors and seniors in college who are working in Republican and Democratic offices in both the House and Senate, including one intern in my office, John Bartley Boykin of Meridian, MS.

I congratulate the interns for their completion of this special program. I also thank the Stennis Center and the Senior Stennis Fellows for providing a meaningful experience for these young leaders and for encouraging them to consider a future in public service.

I ask unanimous consent that a list of the 2015 Stennis Congressional Interns and the offices in which they work be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

David Banta, attending Brigham Young University, interning in the office of U.S. Representative Mia Love; Darius I. Baxter, attending Georgetown University, interning in the office of U.S. Delegate Eleanor Holmes Norton; Melissa Borom, attending Valparaiso Law School, interning on the House Committee on Appropriations; John Bartley Boykin, attending the University of Mississippi, interning in the office of U.S. Senator Thad Cochran; Erika Byun, attending Brown University, interning on the House Committee on Education and the Workforce Minority Staff.

Dushani De Silva, attending the University of California Santa Cruz, interning in the office of U.S. Representative Sam Farr; Bethel Domfeh, attending George Mason University, interning in the office of U.S. Representative C.A. ''Dutch'' Ruppersberger; Luke Drachenberg, attending the University of Wisconsin-Madison, interning on the Senate Committee on Agriculture, Nutrition and Forestry; Autumn Duguay, attending the University of Southern Maine, interning in the office of U.S. Senator Angus King; Alison Galetti, attending the University of Miami, interning in the office of U.S. Representative Derek Kilmer; Greta Gormley, attending Loyola University of Maryland, interning in the office of U.S. Representative Thomas Rooney.

Adam Gould, attending the University of Oregon, interning in the office of U.S. Representative Ted Lieu; Connor Hillard, attending Baylor University, interning in the office of U.S. Representative Rodney Davis; Sarah Hochman, attending the University of Illinois at Urbana-Champaign, interning on the Senate Committee on Agriculture, Nutrition and Forestry; Elise Johnson, attending the University of Rochester, interning in the office of U.S. Senator Orrin Hatch; Garrett Kays, attending Kansas State University, interning on the Senate Committee on Agriculture, Nutrition and Forestry; Iyesha Key, attending George Mason University, interning on the House Committee on Education and the Workforce Minority Staff; Carmel Mitchell, attending the University of California, Irvine, interning in the office of U.S. Representative Janice Hahn.

Andrew Morley, attending St. John's University, interning in the office of U.S. Representative Erik Paulsen; Kevin O'Regan, attending the University College Dublin, interning in the office of U.S. Representative Brendan Boyle; Anna Pham, attending the University of California, Hastings College of the Law, interning in the office of U.S. Representative Alan Lowenthal; Perez Pickney, attending Southern University A & M College, interning in the office of U.S. Representative Ralph Abraham; Gabrielle Rosenfeld, attending Middlebury College, interning in the office of U.S. Representative Ted Lieu; Grant Schauer, attending Texas A & M University, interning in the office of U.S. Senator Ted Cruz.

Patrick Sheehy, attending the University of Mary Washington, interning in the office of U.S. Representative John Shimkus; Colin Snider, attending Brigham Young University, interning in the office of U.S. Representative Adrian Smith; Edwin Torres, attending Saint John's University, interning in the office of U.S. Representative Janice Hahn; Alexandra Vangrow, attending Colgate University, interning in the office of U.S. Representative Alan Lowenthal; Katelyn Walker, attending George Washington University Law School, interning in the office of U.S. Representative Marcia Fudge; and Mai Tong Yang, attending the College of St. Benedict, interning in the office of U.S. Senator Al Franken.●

TRIBUTE TO CALEY CLARK

● Mr. DAINES. Mr. President, I wish to recognize Caley Clark, an educator from White Sulphur Springs, MT. Ms. Clark has recently been chosen from among more than 300 other applicants to participate this week in the Library of Congress' Teaching with Primary Sources Summer Teacher Institute.

Every year, the Library of Congress hosts five teacher institutes in Washington, DC for a select number of K–12 educators from across the Nation. During the Library's Teaching with Primary Sources Summer Teacher Institute, Ms. Clark will work with education specialists and subject-matter experts about how to best utilize primary sources in the classroom. In doing so, she will explore the world's largest online collection of historical artifacts, and will be able to access millions of unique primary source documents for her work as an educator.

Teaching with primary source documents is an effective way of educating students not just about the history that these firsthand sources give us, but also helps students to develop important skills like critical thinking. Ms. Clark will have the opportunity to bring what she has learned at the Library of Congress back to her students and colleagues at White Sulphur Springs School. I am proud to call Ms. Clark a fellow Montanan, and to recognize her achievement and her contribution to the students of our great State.●

TRIBUTE TO KATIE DECKER

● Mr. HELLER. Mr. President, today, I wish to recognize Principal Katie Decker for her unwavering dedication to the Clark County School District and to the Las Vegas community. Her contributions to the local school district have had tremendous positive impacts, which will be felt by future generations of Clark County students for years to come.

Throughout her 25 years in the district, Principal Decker has worked tirelessly to give students the best opportunity for success. She currently serves as principal of two different elementary schools, Walter Bracken STEAM Academy, Bracken, and Long Elementary School, splitting her days to spend time at each individual institution. Her work at Bracken has been recognized nationally, as Bracken has been named a 2015 Merit School of Excellence. Along with this outstanding achievement, Principal Decker was awarded the Magnet Schools of America Principal of the Year in 2013, the Terrel Bell Award for Outstanding Leadership, and locally by United Way Women's Leadership for commitment to financial stability in 2015. April 15 has also been named ''Katie Decker Day'' by the city of Las Vegas. No amount of recognition could adequately thank Principal Decker for all that she has done.

When Principal Decker initially began at Bracken, the elementary school was one of the lowest performing schools in the district. She worked to improve the climate and academics of the school, spearheading the development of unique magnet programs. Bracken is now a five-star Blue Ribbon magnet school and is one of the top schools offered in the Nation. Recently, a local initiative began to incorporate techniques from highly performing schools, also referred to as franchise schools, into poorly performing schools. Principals from franchise schools were selected to lead poorly performing schools, ultimately introducing successful programs into the curriculum. Principal Decker was one of two principals chosen to participate in the initiative and has been assigned to Long Elementary School, where she is working to bring consistency to the schools she leads and greater opportunity to all of her students. It is because of her consistent academic success with her students that the franchise initiative began. Her Piggy Bank Program was utilized at Bracken and will be expanded to her Franchise School Walter Long STEAM Academy in the fall. Principal Decker has also worked to bring improvement to schools across the district by providing mentoring and administrative help. She teaches student climate classes to administrators, counselors, and teachers and has shared her leadership experience at the State of Nevada Mega Conference. She has also presented her ideas on innovative programs to schools across the country for over 10 years. Her great list of accomplishments is legendary in the Clark County community and remains invaluable to local students.

As a father of four children who attended Nevada's public schools and as the husband of a life long teacher, I understand the important role that educational institutions play in enriching the lives of Nevada's students. Ensuring that America's youth are prepared to compete in the 21st century is critical for the future of our country. The State of Nevada is fortunate to be

home to an educator like Principal Decker, whose mission is to prepare our children for their futures.

I ask my colleagues and all Nevadans to join me in thanking Principal Decker for her dedication to enriching the lives of Nevada's students and congratulating her on her many achievements.●

CONGRATULATING KEN FURLONG

● Mr. HELLER. Mr. President, today, I wish to congratulate Carson City sheriff Ken Furlong on being named the D.A.R.E Law Enforcement Executive of the Year. It gives me great pleasure to see him receive this prestigious award after years of hard work within the local community.

Sheriff Furlong was born and raised in Carson City. In 1975, he graduated from Carson High School and enlisted into the U.S. Air Force in 1978. Throughout his service, Sheriff Furlong earned associate degrees in political science and criminal justice, as well as a bachelor's degree in criminal justice administration. He retired from the U.S. Air Force, Office of Special Investigation in 1998 and began work with the Nevada Department of Public Safety, Investigations Division and Parole Probation. In 2003, he was elected to the Office of Sheriff and has continued to serve the local community in this role ever since.

The D.A.R.E Law Enforcement Executive of the Year is awarded each year by D.A.R.E America and the Drug Enforcement Agency to recognize law enforcement officers who go above and beyond in drug prevention and enforcement. Sheriff Furlong reinstated the D.A.R.E Program during his first term in office and has consistently worked to improve the initiative throughout his tenure, heavily involving local schools and the community. He has expanded the program to cover several topics pertaining to positive decisions in addition to substance abuse. His dedication and commitment to shaping positive futures for Carson City students is undeniable. The efforts made by Sheriff Furlong and the Carson City Sheriff's Office are truly admirable, standing as an example to neighboring communities. Along with the award, Sheriff Furlong will receive $1,000 that he has decided to put back towards the D.A.R.E America Program.

I also commend each contributing organization that has made this important program possible, including Grocery Outlet, the Emblem Club, Northern Nevada Coin, the Elks, the Eagles, and the Downtown Business Association, as well as the local schools that have facilitated the D.A.R.E Program. Through the help of local funding, students learn about peer pressure, resistance strategies, internet use, safety, bullying, violence prevention, and the value in making wise choices. The Carson City Sheriff's Office provides numerous activities and educational opportunities throughout the year to compliment the curriculum and further inform students. This initiative is truly a reflection of Carson City's strong and dedicated community.

Throughout his tenure, Sheriff Furlong has demonstrated professionalism, commitment to excellence, and dedication to the highest standards of the Carson City Sheriff's Department. This program could not have achieved its success without Sheriff Furlong's hard work. I am honored by his service and am proud to call him a fellow Nevadan. Today, I ask all of my colleagues to join me in congratulating Sheriff Furlong on receiving this award, and I give my deepest appreciation for all that he has done to educate our local students on these important topics. I offer him my best wishes on the D.A.R.E Program and in his role to keep Carson City safe for years to come.●

CONGRATULATING CARRIE HAIR AND JAN HRINDO

● Mr. HELLER. Mr. President, today I wish to congratulate Carrie Hair and Jan Hrindo on receiving the Presidential Awards for Excellence in Mathematics and Science Teaching. These awards are truly prestigious, attained by only the most influential educators across the country. The Silver State is fortunate to have both of these successful teachers working at local schools.

The Presidential Awards for Excellence in Mathematics and Science Teaching are considered the Nation's highest honor for kindergarten through high school mathematics and science educators. These teachers stand as role models to their colleagues and are dedicated to the success of Nevada's future generations, particularly in encouraging students to pursue science, technology, engineering, and math. The first teachers to receive these awards were selected in 1983, with 108 recognized annually. These educators go above and beyond in their local schools to implement unique, high-quality curriculum to help students excel in their learning. I am thankful to both Ms. Hair and Mrs. Hrindo for their invaluable educational contributions.

Mrs. Hrindo has been very influential in the lives of students, teaching for a total of 20 years. She has spent the last 15 years at Incline Elementary and Incline Middle School, teaching a variety of different science classes. She also taught at Sierra Nevada College for several years, serving as a mentor to preservice teachers. Mrs. Hrindo currently teaches sixth grade earth science, seventh grade life science, and eighth grade Spanish. Her vast range of knowledge is truly inspirational. She is most recognized for her hands-on labs and activities that provide students with a unique learning experience and for incorporating science into her students' lives outside the walls of the classroom. She has also administrated community science events and science fair workshops. Mrs. Hrindo's work is truly commendable.

Ms. Hair has been a mathematics teacher for 15 years. Her past 4 years have been spent teaching seventh and eighth grade students in Reno at Darrell C. Swope Middle School, a highly successful magnet school. Ms. Hair was a key contributor in developing the curriculum incorporated at several middle magnet schools in Washoe County School District, which aims to enrich student knowledge at an accelerated pace. Ms. Hair is also an active member in the Nevada Math Council and the Northern Nevada Math Council and presents workshops at regional conferences. Her work is greatly appreciated.

As a father of four children who attended Nevada's public schools, and as the husband of a life-long teacher, I understand the important role that teachers play in enriching the lives of Nevada's students. Ensuring that America's youth are prepared to compete in the 21st century is critical for the future of our country. The State of Nevada is fortunate to be home to educators like Ms. Hair and Mrs. Hrindo.

I ask my colleagues and all Nevadans to join me in thanking Ms. Hair and Mrs. Hrindo for their dedication to enriching the lives of Nevada's students and in congratulating them on receiving this incredible award. I wish them well in all of their future endeavors and in creating success for all students who enter their classrooms.●

RECOGNIZING THE NATIONAL WOMEN'S LAW CENTER

● Mrs. MURRAY. Mr. President, I wish to recognize the National Women's Law Center for its longtime leadership and tireless commitment to expanding opportunities for women, girls, and families. The law center's advocacy has made a difference in countless lives for more than 40 years, and I have been proud to work with its members on many issues during my time in the Senate.

On July 30, the Coalition on Human Needs will honor the law center as its 2015 Human Needs Hero, recognizing years of research, analysis, advocacy, and litigation on a wide range of issues at the State and Federal levels. Since its inception in 1972, the law center has been a tireless advocate for women, children, families, and those Americans most in need. It has been at the forefront of many important policy initiatives and a source of insightful information that is essential to promoting and enacting good public policy.

Over the years, I have been proud to work with the law center on important programs and policies—from affordable childcare to expanding tax credits for low- and moderate-income families, increasing the minimum wage, and narrowing the wage gap. The law center's outreach and hard work have educated grassroots advocates and helped convey their views to policymakers for over 40 years—it is truly an invaluable resource.

As a determined and committed defender of the needs of women and families, the law center has earned the admiration of fellow advocacy organizations, the respect of its ideological opponents, and the trust of members of this body, including myself. I congratulate the National Women's Law Center for receiving this important award recognizing its hard work and commitment to social justice. I look forward to continuing to work together for years to come.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

ENROLLED BILL SIGNED

At 5:42 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker signed the following enrolled bill:

H.R. 1626. An act to reduce duplication of information technology at the Department of Homeland Security, and for other purposes.

The enrolled bill was subsequently signed by the President pro tempore (Mr. HATCH).

At 5:56 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 1138. An act to establish certain wilderness areas in central Idaho and to authorize various land conveyances involving National Forest System land and Bureau of Land Management land in central Idaho, and for other purposes.

At 6:06 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House agrees to the amendment of the Senate to the bill (H.R. 2499) to amend the Small Business Act to increase access to capital for veteran entrepreneurs, to help create jobs, and for other purposes.

ENROLLED BILL SIGNED

At 7:11 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 2499. An act to amend the Small Business Act to increase access to capital for veteran entrepreneurs, to help create jobs, and for other purposes.

The enrolled bill was subsequently signed by the President pro tempore (Mr. HATCH).

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, without amendment:

S. 310. A bill to prohibit the use of Federal funds for the costs of painting portraits of officers and employees of the Federal Government (Rept. No. 114–93).

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, with amendments:

S. 1172. A bill to improve the process of presidential transition (Rept. No. 114–94).

S. 1576. A bill to amend title 5, United States Code, to prevent fraud by representative payees (Rept. No. 114–95).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. KIRK:

S. 1863. A bill to award a Congressional Gold Medal to Timothy Nugent, in recognition of his pioneering work on behalf of people with disabilities, including disabled veterans; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. JOHNSON (for himself, Mr. MCCAIN, and Mr. CORNYN):

S. 1864. A bill to improve national security by developing metrics to measure the effectiveness of security between ports of entry, at points of entry, and along the maritime border; to the Committee on Homeland Security and Governmental Affairs.

By Ms. KLOBUCHAR (for herself, Ms. AYOTTE, Mrs. CAPITO, and Ms. BALDWIN):

S. 1865. A bill to amend the Public Health Service Act with respect to eating disorders, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. VITTER (for himself and Mrs. SHAHEEN):

S. 1866. A bill to establish the veterans' business outreach center program, to improve the programs for veterans of the Small Business Administration, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. SHELBY (for himself, Ms. MIKULSKI, and Mr. KIRK):

S. 1867. A bill to protect children from exploitation by providing advance notice of intended travel by registered sex offenders outside the United States to the government of the country of destination, requesting foreign governments to notify the United States when a known sex offender is seeking to enter the United States, and for other purposes; to the Committee on Foreign Relations.

By Mr. CARPER:

S. 1868. A bill to extend by 15 years the authority of the Secretary of Commerce to conduct the quarterly financial report program; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CARPER (for himself and Mr. JOHNSON):

S. 1869. A bill to improve Federal network security and authorize and enhance an existing intrusion detection and prevention system for civilian Federal networks; to the Committee on Homeland Security and Governmental Affairs.

By Mr. MORAN (for himself and Mr. TESTER):

S. 1870. A bill to amend the Small Business Act to require the Administrator of the Small Business Administration to carry out a pilot program on issuing grants to eligible veterans to start or acquire qualifying businesses, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. KIRK (for himself and Mr. RUBIO):

S. 1871. A bill to establish a smart card pilot program under the Medicare program; to the Committee on Finance.

By Mr. BOOKER (for himself, Ms. HIRONO, Mr. FRANKEN, Ms. STABENOW, Mr. SCHUMER, Mr. KAINE, Ms. MIKULSKI, Mr. TESTER, Mr. MARKEY, Mr. MURPHY, Mr. SCHATZ, and Mr. MERKLEY):

S. 1872. A bill to amend the Higher Education Act of 1965 to require the Secretary to provide for the use of data from the second preceding tax year to carry out the simplification of applications for the estimation and determination of financial aid eligibility, to increase the income threshold to qualify for zero expected family contribution, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. KING (for himself, Ms. COLLINS, Mr. WHITEHOUSE, Mrs. SHAHEEN, Mr. REED, Ms. AYOTTE, and Mr. MURPHY):

S. Res. 230. A resolution designating September 25, 2015, as ''National Lobster Day''; to the Committee on the Judiciary.

By Mr. VITTER (for himself, Mr. CASSIDY, Mr. MCCONNELL, Mr. REID, Mr. ALEXANDER, Ms. AYOTTE, Ms. BALDWIN, Mr. BARRASSO, Mr. BENNET, Mr. BLUMENTHAL, Mr. BLUNT, Mr. BOOKER, Mr. BOOZMAN, Mrs. BOXER, Mr. BROWN, Mr. BURR, Ms. CANTWELL, Mrs. CAPITO, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. COATS, Mr. COCHRAN, Ms. COLLINS, Mr. COONS, Mr. CORKER, Mr. CORNYN, Mr. COTTON, Mr. CRAPO, Mr. CRUZ, Mr. DAINES, Mr. DONNELLY, Mr. DURBIN, Mr. ENZI, Mrs. ERNST, Mrs. FEINSTEIN, Mrs.

FISCHER, Mr. FLAKE, Mr. FRANKEN, Mr. GARDNER, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mr. HATCH, Mr. HEINRICH, Ms. HEITKAMP, Mr. HELLER, Ms. HIRONO, Mr. HOEVEN, Mr. INHOFE, Mr. ISAKSON, Mr. JOHNSON, Mr. KAINE, Mr. KING, Mr. KIRK, Ms. KLOBUCHAR, Mr. LANKFORD, Mr. LEAHY, Mr. LEE, Mr. MANCHIN, Mr. MARKEY, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Mr. MORAN, Ms. MURKOWSKI, Mr. MURPHY, Mrs. MURRAY, Mr. NELSON, Mr. PAUL, Mr. PERDUE, Mr. PETERS, Mr. PORTMAN, Mr. REED, Mr. RISCH, Mr. ROBERTS, Mr. ROUNDS, Mr. RUBIO, Mr. SANDERS, Mr. SASSE, Mr. SCHATZ, Mr. SCHUMER, Mr. SCOTT, Mr. SESSIONS, Mrs. SHAHEEN, Mr. SHELBY, Ms. STABENOW, Mr. SULLIVAN, Mr. TESTER, Mr. THUNE, Mr. TILLIS, Mr. TOOMEY, Mr. UDALL, Mr. WARNER, Ms. WARREN, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN):

S. Res. 231. A resolution honoring the memory and legacy of the two Louisiana citizens who lost their lives, recognizing the heroism of first responders and those on the scene, and condemning the attack of July 23, 2015, in Lafayette, Louisiana; considered and agreed to.

By Mr. BOOZMAN (for himself, Mr. ROBERTS, Mr. BROWN, Mr. TILLIS, Mr. PERDUE, Mrs. CAPITO, Mr. WARNER, Mr. CARDIN, Mr. WICKER, Mr. ISAKSON, Mr. SESSIONS, Mr. INHOFE, Mr. MANCHIN, Mr. COCHRAN, Mr. PORTMAN, Mr. COONS, Mr. CARPER, and Mr. COTTON):

S. Res. 232. A resolution expressing the sense of the Senate that August 30, 2015, be observed as ''1890 Land-Grant Institutions Quasquicentennial Recognition Day''; to the Committee on Agriculture, Nutrition, and Forestry.

ADDITIONAL COSPONSORS

S. 31

At the request of Ms. KLOBUCHAR, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 31, a bill to amend part D of title XVIII of the Social Security Act to require the Secretary of Health and Human Services to negotiate covered part D drug prices on behalf of Medicare beneficiaries.

S. 32

At the request of Mrs. FEINSTEIN, the names of the Senator from Texas (Mr. CORNYN), the Senator from New York (Mr. SCHUMER) and the Senator from New Hampshire (Ms. AYOTTE) were added as cosponsors of S. 32, a bill to provide the Department of Justice with additional tools to target extraterritorial drug trafficking activity, and for other purposes.

S. 51

At the request of Mr. VITTER, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 51, a bill to amend title X of the Public Health Service Act to prohibit family planning grants from being awarded to any entity that performs abortions, and for other purposes.

S. 235

At the request of Mr. WYDEN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 235, a bill to provide for wildfire suppression operations, and for other purposes.

S. 280

At the request of Mr. PORTMAN, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 280, a bill to improve the efficiency, management, and interagency coordination of the Federal permitting process through reforms overseen by the Director of the Office of Management and Budget, and for other purposes.

S. 314

At the request of Mr. GRASSLEY, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 314, a bill to amend title XVIII of the Social Security Act to provide for coverage under the Medicare program of pharmacist services.

S. 330

At the request of Mr. HELLER, the names of the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from California (Mrs. BOXER) were added as cosponsors of S. 330, a bill to amend the Internal Revenue Code of 1986 to make permanent the special rule for contributions of qualified conservation contributions, and for other purposes.

S. 491

At the request of Ms. KLOBUCHAR, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 491, a bill to lift the trade embargo on Cuba.

S. 512

At the request of Mr. HATCH, the names of the Senator from Washington (Mrs. MURRAY) and the Senator from Louisiana (Mr. VITTER) were added as cosponsors of S. 512, a bill to amend title 18, United States Code, to safeguard data stored abroad from improper government access, and for other purposes.

S. 564

At the request of Mr. MORAN, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. 564, a bill to amend title 38, United States Code, to include licensed hearing aid specialists as eligible for appointment in the Veterans Health Administration of the Department of Veterans Affairs, and for other purposes.

S. 571

At the request of Mr. INHOFE, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 571, a bill to amend the Pilot's Bill of Rights to facilitate appeals and to apply to other certificates issued by the Federal Aviation Administration, to require the revision of the third class medical certification regulations issued by the Federal Aviation Administration, and for other purposes.

S. 578

At the request of Ms. COLLINS, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 578, a bill to amend title XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program.

S. 598

At the request of Mr. CARDIN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 598, a bill to improve the understanding of, and promote access to treatment for, chronic kidney disease, and for other purposes.

S. 609

At the request of Mr. SCHUMER, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 609, a bill to amend the Internal Revenue Code of 1986 to extend and increase the exclusion for benefits provided to volunteer firefighters and emergency medical responders.

S. 624

At the request of Mr. BROWN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 624, a bill to amend title XVIII of the Social Security Act to waive coinsurance under Medicare for colorectal cancer screening tests, regardless of whether therapeutic intervention is required during the screening.

S. 628

At the request of Mr. KIRK, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. 628, a bill to amend the Public Health Service Act to provide for the designation of maternity care health professional shortage areas.

S. 683

At the request of Mr. BOOKER, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 683, a bill to extend the principle of federalism to State drug policy, provide access to medical marijuana, and enable research into the medicinal properties of marijuana.

S. 689

At the request of Mr. THUNE, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 689, a bill to provide protections for certain sports medicine professionals who provide certain medical services in a secondary State.

S. 706

At the request of Mrs. BOXER, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 706, a bill to amend the Higher Education Act of 1965 to require institutions of higher education to have an independent advocate for campus sexual assault prevention and response.

S. 776

At the request of Mrs. SHAHEEN, the names of the Senator from Massachusetts (Ms. WARREN) and the Senator

from Wisconsin (Ms. BALDWIN) were added as cosponsors of S. 776, a bill to amend title XVIII of the Social Security Act to improve access to medication therapy management under part D of the Medicare program.

S. 862

At the request of Ms. MIKULSKI, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 862, a bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes.

S. 898

At the request of Mr. KIRK, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 898, a bill to amend the Public Health Service Act to provide for the participation of optometrists in the National Health Service Corps scholarship and loan repayment programs, and for other purposes.

S. 993

At the request of Mr. FRANKEN, the names of the Senator from Oregon (Mr. WYDEN) and the Senator from New Mexico (Mr. HEINRICH) were added as cosponsors of S. 993, a bill to increase public safety by facilitating collaboration among the criminal justice, juvenile justice, veterans treatment services, mental health treatment, and substance abuse systems.

S. 1020

At the request of Mr. CARDIN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1020, a bill to amend title XVIII of the Social Security Act to ensure the continued access of Medicare beneficiaries to diagnostic imaging services, and for other purposes.

S. 1081

At the request of Mr. BOOKER, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 1081, a bill to end the use of body-gripping traps in the National Wildlife Refuge System.

S. 1121

At the request of Ms. AYOTTE, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 1121, a bill to amend the Horse Protection Act to designate additional unlawful acts under the Act, strengthen penalties for violations of the Act, improve Department of Agriculture enforcement of the Act, and for other purposes.

S. 1214

At the request of Mr. MENENDEZ, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 1214, a bill to prevent human health threats posed by the consumption of equines raised in the United States.

S. 1461

At the request of Mr. THUNE, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 1461, a bill to provide for the extension of the enforcement instruction on supervision requirements for outpatient therapeutic services in critical access and small rural hospitals through 2015.

S. 1498

At the request of Mr. WYDEN, the names of the Senator from California (Mrs. FEINSTEIN) and the Senator from New Mexico (Mr. HEINRICH) were added as cosponsors of S. 1498, a bill to amend title 10, United States Code, to require that military working dogs be retired in the United States, and for other purposes.

S. 1512

At the request of Mr. CASEY, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 1512, a bill to eliminate discrimination and promote women's health and economic security by ensuring reasonable workplace accommodations for workers whose ability to perform the functions of a job are limited by pregnancy, childbirth, or a related medical condition.

S. 1703

At the request of Mr. UDALL, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1703, a bill to direct the Administrator of the National Highway Traffic Safety Administration to carry out a collaborative research effort to prevent drunk driving injuries and fatalities, and for other purposes.

S. 1792

At the request of Mr. SCHUMER, the names of the Senator from Delaware (Mr. COONS) and the Senator from New Jersey (Mr. BOOKER) were added as cosponsors of S. 1792, a bill to amend the Internal Revenue Code of 1986 to equalize the exclusion from gross income of parking and transportation fringe benefits and to provide for a common cost-of-living adjustment, and for other purposes.

S. 1836

At the request of Mr. LANKFORD, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 1836, a bill to provide for a moratorium on Federal funding to Planned Parenthood Federation of America, Inc.

S. 1842

At the request of Mr. SESSIONS, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 1842, a bill to ensure State and local compliance with all Federal immigration detainers on aliens in custody and for other purposes.

S. 1857

At the request of Mrs. FISCHER, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 1857, a bill to amend the Small Business Act to provide for expanded participation in the microloan program, and for other purposes.

S. 1861

At the request of Mr. PAUL, the names of the Senator from Louisiana (Mr. CASSIDY) and the Senator from Kansas (Mr. MORAN) were added as cosponsors of S. 1861, a bill to prohibit Federal funding of Planned Parenthood Federation of America.

S. RES. 222

At the request of Mr. LEAHY, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. Res. 222, a resolution expressing the sense of the Senate that the Federation Internationale de Football Association should immediately eliminate gender pay inequity and treat all athletes with the same respect and dignity.

S. RES. 226

At the request of Mr. CRUZ, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. Res. 226, a resolution expressing the sense of the Senate that the street between the intersections of 16th Street, Northwest and Fuller Street, Northwest and 16th Street, Northwest and Euclid Street, Northwest in Washington, District of Columbia, should be designated as ''Oswaldo Paya Way''.

AMENDMENT NO. 2268

At the request of Mr. PAUL, the names of the Senator from Louisiana (Mr. CASSIDY) and the Senator from Kansas (Mr. MORAN) were added as cosponsors of amendment No. 2268 intended to be proposed to H.R. 22, a bill to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

AMENDMENT NO. 2272

At the request of Mr. TESTER, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of amendment No. 2272 intended to be proposed to H.R. 22, a bill to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

AMENDMENT NO. 2289

At the request of Mr. BOOKER, the names of the Senator from Michigan (Mr. PETERS) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of amendment No. 2289 intended to be proposed to H.R. 22, a bill to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken

into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

AMENDMENT NO. 2292

At the request of Mr. CRUZ, the names of the Senator from Utah (Mr. LEE) and the Senator from Oklahoma (Mr. LANKFORD) were added as cosponsors of amendment No. 2292 intended to be proposed to H.R. 22, a bill to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

AMENDMENT NO. 2336

At the request of Mr. BLUMENTHAL, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of amendment No. 2336 intended to be proposed to H.R. 22, a bill to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

AMENDMENT NO. 2337

At the request of Mr. BLUMENTHAL, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of amendment No. 2337 intended to be proposed to H.R. 22, a bill to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

AMENDMENT NO. 2353

At the request of Mr. MERKLEY, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of amendment No. 2353 intended to be proposed to H.R. 22, a bill to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

AMENDMENT NO. 2362

At the request of Ms. MURKOWSKI, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of amendment No. 2362 intended to be proposed to H.R. 22, a bill to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

AMENDMENT NO. 2363

At the request of Ms. MURKOWSKI, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of amendment No. 2363 intended to be proposed to H.R. 22, a bill to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

AMENDMENT NO. 2371

At the request of Mr. HOEVEN, the names of the Senator from South Dakota (Mr. ROUNDS), the Senator from Washington (Mrs. MURRAY) and the Senator from Wisconsin (Ms. BALDWIN) were added as cosponsors of amendment No. 2371 intended to be proposed to H.R. 22, a bill to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

AMENDMENT NO. 2397

At the request of Ms. HIRONO, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of amendment No. 2397 intended to be proposed to H.R. 22, a bill to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

AMENDMENT NO. 2406

At the request of Mr. LEAHY, the names of the Senator from Delaware (Mr. CARPER), the Senator from Massachusetts (Mr. MARKEY) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of amendment No. 2406 intended to be proposed to H.R. 22, a bill to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

AMENDMENT NO. 2414

At the request of Mr. REED, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of amendment No. 2414 intended to be proposed to H.R. 22, a bill to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

AMENDMENT NO. 2416

At the request of Mrs. MURRAY, the names of the Senator from New Jersey (Mr. BOOKER), the Senator from California (Mrs. FEINSTEIN) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of amendment No. 2416 intended to be proposed to H.R. 22, a bill to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

AMENDMENT NO. 2420

At the request of Ms. CANTWELL, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of amendment No. 2420 intended to be proposed to H.R. 22, a bill to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

AMENDMENT NO. 2456

At the request of Mr. MORAN, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of amendment No. 2456 intended to be proposed to H.R. 22, a bill to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

AMENDMENT NO. 2492

At the request of Mr. MENENDEZ, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of amendment No. 2492 intended to be proposed to H.R. 22, a bill to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

AMENDMENT NO. 2495

At the request of Mr. MENENDEZ, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of amendment No. 2495 intended to be proposed to H.R. 22, a bill to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into

account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

AMENDMENT NO. 2496

At the request of Mr. MENENDEZ, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of amendment No. 2496 intended to be proposed to H.R. 22, a bill to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

AMENDMENT NO. 2504

At the request of Mr. BROWN, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of amendment No. 2504 intended to be proposed to H.R. 22, a bill to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

AMENDMENT NO. 2516

At the request of Mr. DURBIN, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of amendment No. 2516 intended to be proposed to H.R. 22, a bill to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

AMENDMENT NO. 2518

At the request of Mr. KIRK, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of amendment No. 2518 intended to be proposed to H.R. 22, a bill to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

AMENDMENT NO. 2519

At the request of Mr. KIRK, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of amendment No. 2519 intended to be proposed to H.R. 22, a bill to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. KIRK:

S. 1863. A bill to award a Congressional Gold Medal to Timothy Nugent, in recognition of his pioneering work on behalf of people with disabilities, including disabled veterans; to the Committee on Banking, Housing, and Urban Affairs.

Mr. KIRK. Mr. President, today I wish to commemorate the 25th anniversary of the Americans with Disabilities Act, ADA, as well as Timothy Nugent, who has spent the past 70 years as a relentless innovator and tireless advocate for disabled people across the country. Together with Congressman RODNEY DAVIS, I have introduced a bill that would award Mr. Nugent with the Congressional Gold Medal. Mr. Nugent and the ADA have helped millions of Americans live better, more productive lives, improving the United States overall, and making us an example for the world to follow.

Timothy Nugent saw a need for services and accommodations for disabled servicemen when they came home from the battlefields of World War II. Mr. Nugent founded the first higher educational program for wounded and disabled soldiers in the world, and he confronted the bias of the general public by bringing students with disabilities into the mainstream of college campuses and societies. Because of Mr. Nugent's leadership and commitment, the University of Illinois built accommodations for the disabled veteran and created a hospitable environment for our Nation's greatest heroes, providing them the same educational opportunities as others. He also disproved many in the medical community who believed that either rehabilitation and sporting activities were harmful to individuals with severe disabilities or that education was not necessary because of the beliefs at the time was that the lifespan of persons with spinal cord injuries would be too short for them to benefit from college degrees.

Many of the architectural accessibility standards and laws of the United States, including the welcoming Americans with Disabilities Act, trace back directly to innovations created by Nugent. I know firsthand how important this law and Mr. Nugent's actions are to the University of Illinois and the community of 50 million Americans living with a disabilities. Laws like the Americans with Disabilities Act allow all Americans to live life on their own terms, and Mr. Nugent's work on behalf of these individuals is well-deserving of the Congressional Gold Medal.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 230—DESIGNATING SEPTEMBER 25, 2015, AS ''NATIONAL LOBSTER DAY''

Mr. KING (for himself, Ms. COLLINS, Mr. WHITEHOUSE, Mrs. SHAHEEN, Mr. REED, Ms. AYOTTE, and Mr. MURPHY) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 230

Whereas lobster from the United States is recognized around the world as a prized culinary delicacy;

Whereas lobster fishing has served as an economic engine and a family tradition in the United States for centuries;

Whereas thousands of families in the United States make their livelihoods from lobster fishing and processing;

Whereas more than 120,000,000 pounds of lobster are caught each year in waters of the United States, representing one of the Nation's most valuable catches;

Whereas the lobster industry is booming abroad, with profits climbing from $335,800,000 in 2009 to $738,600,000 in 2014;

Whereas historical lore notes that lobster likely joined turkey on the table at the very first Thanksgiving Day feast in 1621;

Whereas responsible lobstering practices, beginning in the 1600s, have created one of the world's most sustainable fisheries;

Whereas Lobster Newburg was featured on the menu at the inaugural dinner celebration for President John F. Kennedy;

Whereas lobsters are one of the most healthy and nutritious sources of protein;

Whereas the peak of the lobstering season in the United States occurs in the late summer;

Whereas lobster has become a culinary icon, with the lobster roll being featured at the 2015 World Food Expo in Milan, Italy; and

Whereas lobster is featured on more and more restaurant menus, growing by 35 percent from 2009 to 2013: Now, therefore, be it

Resolved, That the Senate—

(1) designates September 25, 2015, as ''National Lobster Day''; and

(2) encourages the people of the United States to observe the day with appropriate ceremonies and activities.

SENATE RESOLUTION 231—HONORING THE MEMORY AND LEGACY OF THE TWO LOUISIANA CITIZENS WHO LOST THEIR LIVES, RECOGNIZING THE HEROISM OF FIRST RESPONDERS AND THOSE ON THE SCENE, AND CONDEMNING THE ATTACK OF JULY 23, 2015, IN LAFAYETTE, LOUISIANA

Mr. VITTER (for himself, Mr. CASSIDY, Mr. MCCONNELL, Mr. REID, Mr. ALEXANDER, Ms. AYOTTE, Ms. BALDWIN, Mr. BARRASSO, Mr. BENNET, Mr. BLUMENTHAL, Mr. BLUNT, Mr. BOOKER, Mr. BOOZMAN, Mrs. BOXER, Mr. BROWN, Mr. BURR, Ms. CANTWELL, Mrs. CAPITO, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. COATS, Mr. COCHRAN, Ms. COLLINS, Mr. COONS, Mr. CORKER, Mr. CORNYN, Mr. COTTON, Mr. CRAPO, Mr. CRUZ, Mr.

DAINES, Mr. DONNELLY, Mr. DURBIN, Mr. ENZI, Mrs. ERNST, Mrs. FEINSTEIN, Mrs. FISCHER, Mr. FLAKE, Mr. FRANKEN, Mr. GARDNER, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mr. HATCH, Mr. HEINRICH, Ms. HEITKAMP, Mr. HELLER, Ms. HIRONO, Mr. HOEVEN, Mr. INHOFE, Mr. ISAKSON, Mr. JOHNSON, Mr. KAINE, Mr. KING, Mr. KIRK, Ms. KLOBUCHAR, Mr. LANKFORD, Mr. LEAHY, Mr. LEE, Mr. MANCHIN, Mr. MARKEY, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Mr. MORAN, Ms. MURKOWSKI, Mr. MURPHY, Mrs. MURRAY, Mr. NELSON, Mr. PAUL, Mr. PERDUE, Mr. PETERS, Mr. PORTMAN, Mr. REED, Mr. RISCH, Mr. ROBERTS, Mr. ROUNDS, Mr. RUBIO, Mr. SANDERS, Mr. SASSE, Mr. SCHATZ, Mr. SCHUMER, Mr. SCOTT, Mr. SESSIONS, Mrs. SHAHEEN, Mr. SHELBY, Ms. STABENOW, Mr. SULLIVAN, Mr. TESTER, Mr. THUNE, Mr. TILLIS, Mr. TOOMEY, Mr. UDALL, Mr. WARNER, Ms. WARREN, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN) submitted the following resolution; which was considered and agreed to:

S. RES. 231

Whereas on July 23, 2015, a gunman perpetrated a horrific attack at the Grand Theatre 16 movie theatre in Lafayette, Louisiana, killing two Louisiana citizens;

Whereas Jillian Johnson, of Lafayette, Louisiana, a Lafayette businesswoman, musician, and wife, who served her community with kindness and grace, was killed;

Whereas Mayci Breaux, of Franklin, Louisiana, a student preparing for a career as an ultrasound and radiology technician, who served her community with compassion and enthusiasm, was also killed;

Whereas nine Louisiana citizens were injured in the course of this senseless attack;

Whereas the swift and courageous response by those in the theater and law enforcement officers and first responders prevented additional loss of life; and

Whereas the people of the United States stand united with the community of Lafayette and the families of the victims to support all those affected and pray for healing and peace: Now therefore, be it

Resolved, That the Senate—

(1) condemns the attack of July 23, 2015, in Lafayette, Louisiana;

(2) honors the memory of the two Louisiana citizens who lost their lives;

(3) recognizes the skill and heroism of the law enforcement officers, members of the Armed Forces, and first responders who came to the aid of others;

(4) commends the efforts of those who are working to care for the injured and investigate this horrific incident;

(5) extends its heartfelt condolences and prayers to the families of the victims, and to all those affected in the community of Lafayette and in the United States; and

(6) pledges to continue to work together to prevent future attacks.

SENATE RESOLUTION 232—EXPRESSING THE SENSE OF THE SENATE THAT AUGUST 30, 2015, BE OBSERVED AS ''1890 LAND-GRANT INSTITUTIONS QUASQUICENTENNIAL RECOGNITION DAY''

Mr. BOOZMAN (for himself, Mr. ROBERTS, Mr. BROWN, Mr. TILLIS, Mr. PERDUE, Mrs. CAPITO, Mr. WARNER, Mr. CARDIN, Mr. WICKER, Mr. ISAKSON, Mr. SESSIONS, Mr. INHOFE, Mr. MANCHIN, Mr. COCHRAN, Mr. PORTMAN, Mr. COONS, Mr. CARPER, and Mr. COTTON) submitted the following resolution; which was referred to the Committee on Agriculture, Nutrition, and Forestry:

S. RES. 232

Whereas the Act of August 30, 1890 (7 U.S.C. 321 et seq.), popularly known as the ''Second Morrill Act'', led to the creation of 19 historically black Federal land-grant educational institutions;

Whereas the 19 historically black 1890 land-grant universities are identified as Lincoln University, Alcorn State University, the University of Arkansas at Pine Bluff, Alabama A&M University, Prairie View A&T University, Southern University, Virginia State University, Kentucky State University, the University of Maryland-Eastern Shore, Florida A&M University, Delaware State University, North Carolina A&T University, Fort Valley State University, South Carolina State University, Langston University, Tennessee State University, Tuskegee University, Central State University, and West Virginia State University;

Whereas the Act of May 8, 1914 (7 U.S.C. 341), popularly known as the ''Smith-Lever Act'', provided for the establishment of the Cooperative Extension Service within the Department of Agriculture for the dissemination, through Federal land-grant institutions, of information pertaining to agriculture and home economics; and

Whereas appropriate recognition should be given to the contributions made by the 19 historically black Federal land-grant institutions to the heritage, educational development, and agricultural strength of the United States: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) August 30, 2015, should be designated as ''1890 Land-Grant Institutions Quasquicentennial Recognition Day'';

(2) such day should be observed with appropriate ceremonies and activities to recognize the collective contributions that these institutions have made to the United States;

(3) the Second Morrill Act and the Smith-Lever Act have helped the United States develop agricultural leaders; and

(4) the Department of Agriculture and the National Institute of Food and Agriculture should remain committed to supporting the goals of the Second Morrill Act and the Smith-Lever Act.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2528. Mr. CASSIDY (for himself and Mr. MARKEY) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table.

SA 2529. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2530. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2531. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2532. Mr. INHOFE submitted an amendment intended to be proposed to amendment SA 2527 submitted by Mr. INHOFE and intended to be proposed to the amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2533. Mr. INHOFE submitted an amendment intended to be proposed to amendment SA 2421 proposed by Mr. MCCONNELL to the amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra.

SA 2534. Mr. KIRK (for himself, Mr. GRAHAM, Mr. BLUNT, Ms. AYOTTE, Ms. HEITKAMP, Mr. MANCHIN, Mr. DONNELLY, Mr. WARNER, Ms. CANTWELL, Ms. KLOBUCHAR, and Mr. CASEY) submitted an amendment intended to be proposed to amendment SA 2421 proposed by Mr. MCCONNELL to the amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2535. Mrs. FISCHER submitted an amendment intended to be proposed to amendment SA 2272 submitted by Mr. TESTER and intended to be proposed to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2536. Mr. MCCONNELL submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2537. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2528. Mr. CASSIDY (for himself and Mr. MARKEY) submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

Strike section 52204 and insert the following:

SEC. 52204. STRATEGIC PETROLEUM RESERVE DRAWDOWN AND SALE.

(a) DRAWDOWN AND SALE.—

(1) IN GENERAL.—Notwithstanding section 161 of the Energy Policy and Conservation Act (42 U.S.C. 6241), except as provided in subsections (b) and (c), the Secretary of Energy shall drawdown and sell from the Strategic Petroleum Reserve—

(A) the quantity of barrels of crude oil that the Secretary of Energy determines to be appropriate to maximize the financial return

to United States taxpayers for each of fiscal years 2016 and 2017;

(B) 4,000,000 barrels of crude oil during fiscal year 2018;

(C) 5,000,000 barrels of crude oil during fiscal year 2019;

(D) 8,000,000 barrels of crude oil during fiscal year 2020;

(E) 8,000,000 barrels of crude oil during fiscal year 2021;

(F) 10,000,000 barrels of crude oil during fiscal year 2022;

(G) 16,000,000 barrels of crude oil during fiscal year 2023;

(H) 25,000,000 barrels of crude oil during fiscal year 2024; and

(I) 25,000,000 barrels of crude oil during fiscal year 2025.

(2) DEPOSIT OF AMOUNTS RECEIVED FROM SALE.—Amounts received from a sale under paragraph (1) shall be deposited in the general fund of the Treasury during the fiscal year in which the sale occurs.

(b) EMERGENCY PROTECTION.—In any 1 fiscal year described in subsection (a)(1), the Secretary of Energy shall not drawdown and sell crude oil under this section in quantities that would result in a Strategic Petroleum Reserve that contains an inventory of petroleum products representing fewer than 90 days of emergency reserves, based on the average daily level of net imports of crude oil and petroleum products in the calendar year preceding that fiscal year.

(c) INCREASE; LIMITATION.—

(1) INCREASE.—The Secretary of Energy may increase the drawdown and sales under subparagraphs (A) through (I) of subsection (a)(1) as the Secretary of Energy determines to be appropriate to maximize the financial return to United States taxpayers.

(2) LIMITATION.—The Secretary of Energy shall not drawdown or conduct sales of crude oil under this section after the date on which a total of $9,050,000,000 has been deposited in the general fund of the Treasury from sales authorized under this section.

SA 2529. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. CLEARING TRAINS FROM GRADE CROSSINGS.

(a) SHORT TITLE.—This section may be cited as the ''Moving Obstructed Trains In-between Openings Now (MOTION) Act''.

(b) GRADE CROSSING EXCEPTION.—

(1) AMENDMENT.—Chapter 211 of title 49, United States Code, is amended by adding at the end the following:

''§ 21110. Grade crossing exception.

''Employees may be allowed to remain or go on duty for a period in excess of the limitations established under this chapter to the extent necessary to clear a blockage of vehicular traffic at a grade crossing.''.

(2) TABLE OF SECTIONS.—The table of sections for chapter 211 of such title is amended by adding at the end the following:

''21110. Grade crossing exception.''.

SA 2530. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. EXEMPTION FOR LOGGING VEHICLES IN WISCONSIN.

Section 127 of title 23, United States Code (as amended by section 11203), is amended by adding at the end the following:

''(n) LOGGING VEHICLES IN WISCONSIN.—No limit or other prohibition under this section, except the limit described in this subsection, shall apply to a vehicle with a gross weight of 98,000 pounds or less if the vehicle is—

''(1) transporting raw or unfinished forest product; and

''(2) operating on Interstate Route 39 in Wisconsin from mile marker 175.8 to mile marker 189.''.

SA 2531. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. MOTORCYCLIST ADVISORY COUNCIL.

(a) IN GENERAL.—The Secretary, acting through the Administrator of the Federal Highway Administration, in consultation with the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate, shall appoint a Motorcyclist Advisory Council to coordinate with and advise the Administrator on infrastructure issues of concern to motorcyclists, including—

(1) barrier design;

(2) road design, construction, and maintenance practices; and

(3) the architecture and implementation of intelligent transportation system technologies.

(b) COMPOSITION.—The Council shall consist of not more than 10 members of the motorcycling community with professional expertise in national motorcyclist safety advocacy, including—

(1) at least—

(A) 1 member recommended by a national motorcyclist association;

(B) 1 member recommended by a national motorcycle riders foundation;

(C) 1 representative of the National Association of State Motorcycle Safety Administrators;

(D) 2 members of State motorcyclists' organizations;

(E) 1 member recommended by a national organization that represents the builders of highway infrastructure;

(F) 1 member recommended by a national association that represents the traffic safety systems industry; and

(G) 1 member of a national safety organization; and

(2) at least 1, and not more than 2, motorcyclists who are traffic system design engineers or State transportation department officials.

SA 2532. Mr. INHOFE submitted an amendment intended to be proposed to amendment SA 2527 submitted by Mr. INHOFE and intended to be proposed to the amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

One line 2, strike ''$439,999,999'' and insert ''$439,999,998''.

SA 2533. Mr. INHOFE submitted an amendment intended to be proposed to amendment SA 2421 proposed by Mr. MCCONNELL to the amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; as follows:

In lieu of the matter proposed to be inserted, insert the following:

DIVISION A—FEDERAL-AID HIGHWAYS AND HIGHWAY SAFETY CONSTRUCTION PROGRAMS

TITLE I—FEDERAL-AID HIGHWAYS

Subtitle A—Authorizations and Programs

SEC. 11001. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—The following sums are authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account):

(1) FEDERAL-AID HIGHWAY PROGRAM.—For the national highway performance program under section 119 of title 23, United States Code, the surface transportation program under section 133 of that title, the highway safety improvement program under section 148 of that title, the congestion mitigation and air quality improvement program under section 149 of that title, the national freight program under section 167 of that title, the transportation alternatives program under section 213 of that title, and to carry out section 134 of that title—

(A) $39,579,500,000 for fiscal year 2016;

(B) $40,771,300,000 for fiscal year 2017;

(C) $42,127,100,000 for fiscal year 2018;

(D) $43,476,400,000 for fiscal year 2019;

(E) $44,570,700,000 for fiscal year 2020; and

(F) $45,691,900,000 for fiscal year 2021.

(2) TRANSPORTATION INFRASTRUCTURE FINANCE AND INNOVATION PROGRAM.—For credit

assistance under the transportation infrastructure finance and innovation program under chapter 6 of title 23, United States Code, $300,000,000 for each of fiscal years 2016 through 2021.

(3) FEDERAL LANDS AND TRIBAL TRANSPORTATION PROGRAMS.—

(A) TRIBAL TRANSPORTATION PROGRAM.—For the tribal transportation program under section 202 of title 23, United States Code—

(i) $465,000,000 for fiscal year 2016;

(ii) $475,000,000 for fiscal year 2017;

(iii) $485,000,000 for fiscal year 2018;

(iv) $495,000,000 for fiscal year 2019;

(v) $505,000,000 for fiscal year 2020; and

(vi) $515,000,000 for fiscal year 2021.

(B) FEDERAL LANDS TRANSPORTATION PROGRAM.—

(i) AUTHORIZATION.—For the Federal lands transportation program under section 203 of title 23, United States Code—

(I) $305,000,000 for fiscal year 2016;

(II) $310,000,000 for fiscal year 2017;

(III) $315,000,000 for fiscal year 2018;

(IV) $320,000,000 for fiscal year 2019;

(V) $325,000,000 for fiscal year 2020; and

(VI) $330,000,000 for fiscal year 2021.

(ii) SPECIAL RULE.—

(I) $240,000,000 of the amount made available for each fiscal year shall be the amount for the National Park Service; and

(II) $30,000,000 of the amount made available for each fiscal year shall be the amount for the United States Fish and Wildlife Service.

(C) FEDERAL LANDS ACCESS PROGRAM.—For the Federal lands access program under section 204 of title 23, United States Code—

(i) $250,000,000 for fiscal year 2016;

(ii) $255,000,000 for fiscal year 2017;

(iii) $260,000,000 for fiscal year 2018;

(iv) $265,000,000 for fiscal year 2019;

(v) $270,000,000 for fiscal year 2020; and

(vi) $275,000,000 for fiscal year 2021.

(4) TERRITORIAL AND PUERTO RICO HIGHWAY PROGRAM.—For the territorial and Puerto Rico highway program under section 165 of title 23, United States Code, $190,000,000 for each of fiscal years 2016 through 2021.

(5) ASSISTANCE FOR MAJOR PROJECTS PROGRAM.—For the assistance for major projects program under section 171 of title 23, United States Code—

(A) $250,000,000 for fiscal year 2016;

(B) $300,000,000 for fiscal year 2017;

(C) $350,000,000 for fiscal year 2018;

(D) $400,000,000 for fiscal year 2019;

(E) $400,000,000 for fiscal year 2020; and

(F) $400,000,000 for fiscal year 2021.

(b) RESEARCH, TECHNOLOGY, AND EDUCATION AUTHORIZATIONS.—

(1) IN GENERAL.—The following sums are authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account):

(A) HIGHWAY RESEARCH AND DEVELOPMENT PROGRAM.—To carry out the highway research and development program under section 503(b) of title 23, United States Code, $130,000,000 for each of fiscal years 2016 through 2021.

(B) TECHNOLOGY AND INNOVATION DEPLOYMENT PROGRAM.—To carry out the technology and innovation deployment program under section 503(c) of title 23, United States Code, $62,500,000 for each of fiscal years 2016 through 2021.

(C) TRAINING AND EDUCATION.—To carry out training and education under section 504 of title 23, United States Code, $24,000,000 for each of fiscal years 2016 through 2021.

(D) INTELLIGENT TRANSPORTATION SYSTEMS PROGRAM.—To carry out the intelligent transportation systems program under sections 512 through 518 of title 23, United States Code, $100,000,000 for each of fiscal years 2016 through 2021.

(E) UNIVERSITY TRANSPORTATION CENTERS PROGRAM.—To carry out the university transportation centers program under section 5505 of title 49, United States Code, $72,500,000 for each of fiscal years 2016 through 2021.

(2) BUREAU OF TRANSPORTATION STATISTICS.—There are authorized to be appropriated out of the general fund of the Treasury to carry out chapter 63 of title 49, United States Code, $26,000,000 for each of fiscal years 2016 through 2021.

(3) ADMINISTRATION.—The Federal Highway Administration shall administer the programs described in subparagraphs (D) and (E) of paragraph (1).

(4) APPLICABILITY OF TITLE 23, UNITED STATES CODE.—Funds authorized to be appropriated by paragraph (1) shall—

(A) be available for obligation in the same manner as if those funds were apportioned under chapter 1 of title 23, United States Code;

(B) remain available until expended; and

(C) not be transferable.

(c) DISADVANTAGED BUSINESS ENTERPRISES.—

(1) FINDINGS.—Congress finds that—

(A) while significant progress has occurred due to the establishment of the disadvantaged business enterprise program, discrimination and related barriers continue to pose significant obstacles for minority- and women-owned businesses seeking to do business in federally assisted surface transportation markets across the United States;

(B) the continuing barriers described in subparagraph (A) merit the continuation of the disadvantaged business enterprise program;

(C) Congress has received and reviewed testimony and documentation of race and gender discrimination from numerous sources, including congressional hearings and roundtables, scientific reports, reports issued by public and private agencies, news stories, reports of discrimination by organizations and individuals, and discrimination lawsuits, which show that race- and gender-neutral efforts alone are insufficient to address the problem;

(D) the testimony and documentation described in subparagraph (C) demonstrate that discrimination across the United States poses a barrier to full and fair participation in surface transportation-related businesses of women business owners and minority business owners and has impacted firm development and many aspects of surface transportation-related business in the public and private markets; and

(E) the testimony and documentation described in subparagraph (C) provide a strong basis that there is a compelling need for the continuation of the disadvantaged business enterprise program to address race and gender discrimination in surface transportation-related business.

(2) DEFINITIONS.—In this subsection, the following definitions apply:

(A) SMALL BUSINESS CONCERN.—

(i) IN GENERAL.—The term ''small business concern'' means a small business concern (as the term is used in section 3 of the Small Business Act (15 U.S.C. 632)).

(ii) EXCLUSIONS.—The term ''small business concern'' does not include any concern or group of concerns controlled by the same socially and economically disadvantaged individual or individuals that have average annual gross receipts during the preceding 3 fiscal years in excess of $23,980,000, as adjusted annually by the Secretary for inflation.

(B) SOCIALLY AND ECONOMICALLY DISADVANTAGED INDIVIDUALS.—The term ''socially and economically disadvantaged individuals'' has the meaning given the term in section 8(d) of the Small Business Act (15 U.S.C. 637(d)) and relevant subcontracting regulations issued pursuant to that Act, except that women shall be presumed to be socially and economically disadvantaged individuals for purposes of this subsection.

(3) AMOUNTS FOR SMALL BUSINESS CONCERNS.—Except to the extent that the Secretary determines otherwise, not less than 10 percent of the amounts made available for any program under divisions A and B of this Act and section 403 of title 23, United States Code, shall be expended through small business concerns owned and controlled by socially and economically disadvantaged individuals.

(4) ANNUAL LISTING OF DISADVANTAGED BUSINESS ENTERPRISES.—Each State shall annually—

(A) survey and compile a list of the small business concerns referred to in paragraph (2) in the State, including the location of the small business concerns in the State; and

(B) notify the Secretary, in writing, of the percentage of the small business concerns that are controlled by—

(i) women;

(ii) socially and economically disadvantaged individuals (other than women); and

(iii) individuals who are women and are otherwise socially and economically disadvantaged individuals.

(5) UNIFORM CERTIFICATION.—

(A) IN GENERAL.—The Secretary shall establish minimum uniform criteria for use by State governments in certifying whether a concern qualifies as a small business concern for the purpose of this subsection.

(B) INCLUSIONS.—The minimum uniform criteria established under subparagraph (A) shall include, with respect to a potential small business concern—

(i) on-site visits;

(ii) personal interviews with personnel;

(iii) issuance or inspection of licenses;

(iv) analyses of stock ownership;

(v) listings of equipment;

(vi) analyses of bonding capacity;

(vii) listings of work completed;

(viii) examination of the resumes of principal owners;

(ix) analyses of financial capacity; and

(x) analyses of the type of work preferred.

(6) REPORTING.—The Secretary shall establish minimum requirements for use by State governments in reporting to the Secretary—

(A) information concerning disadvantaged business enterprise awards, commitments, and achievements; and

(B) such other information as the Secretary determines to be appropriate for the proper monitoring of the disadvantaged business enterprise program.

(7) COMPLIANCE WITH COURT ORDERS.—Nothing in this subsection limits the eligibility of an individual or entity to receive funds made available under divisions A and B of this Act and section 403 of title 23, United States Code, if the individual or entity is prevented, in whole or in part, from complying with paragraph (2) because a Federal court issues a final order in which the court finds that a requirement or the implementation of paragraph (2) is unconstitutional.

(d) CONFORMING AMENDMENT.—Section 1101(b) of MAP–21 (Public Law 112–141; 126 Stat. 414) is repealed.

SEC. 11002. OBLIGATION CEILING.

(a) GENERAL LIMITATION.—Subject to subsection (e), and notwithstanding any other provision of law, the obligations for Federal-aid highway and highway safety construction programs shall not exceed—

(1) $41,625,500,000 for fiscal year 2016;

(2) $42,896,300,000 for fiscal year 2017;

(3) $44,331,100,000 for fiscal year 2018;

(4) $45,759,400,000 for fiscal year 2019;

(5) $46,882,700,000 for fiscal year 2020; and

(6) $48,032,900,000 for fiscal year 2021.

(b) EXCEPTIONS.—The limitations under subsection (a) shall not apply to obligations under or for—

(1) section 125 of title 23, United States Code;

(2) section 147 of the Surface Transportation Assistance Act of 1978 (23 U.S.C. 144 note; 92 Stat. 2714);

(3) section 9 of the Federal-Aid Highway Act of 1981 (95 Stat. 1701);

(4) subsections (b) and (j) of section 131 of the Surface Transportation Assistance Act of 1982 (96 Stat. 2119);

(5) subsections (b) and (c) of section 149 of the Surface Transportation and Uniform Relocation Assistance Act of 1987 (101 Stat. 198);

(6) sections 1103 through 1108 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2027);

(7) section 157 of title 23, United States Code (as in effect on June 8, 1998);

(8) section 105 of title 23, United States Code (as in effect for fiscal years 1998 through 2004, but only in an amount equal to $639,000,000 for each of those fiscal years);

(9) section 105 of title 23, United States Code (as in effect for fiscal years 2005 through 2012, but only in an amount equal to $639,000,000 for each of those fiscal years);

(10) Federal-aid highway programs for which obligation authority was made available under the Transportation Equity Act for the 21st Century (112 Stat. 107) or subsequent Acts for multiple years or to remain available until expended, but only to the extent that the obligation authority has not lapsed or been used;

(11) section 1603 of SAFETEA–LU (23 U.S.C. 118 note; 119 Stat. 1248), to the extent that funds obligated in accordance with that section were not subject to a limitation on obligations at the time at which the funds were initially made available for obligation;

(12) section 119 of title 23, United States Code (as in effect for fiscal years 2013 through 2015, but only in an amount equal to $639,000,000 for each of those fiscal years); and

(13) section 119 of title 23, United States Code (but, for each of fiscal years 2016 through 2021, only in an amount equal to $639,000,000 for each of those fiscal years).

(c) DISTRIBUTION OF OBLIGATION AUTHORITY.—For each of fiscal years 2016 through 2021, the Secretary shall—

(1) not distribute obligation authority provided by subsection (a) for the fiscal year for—

(A) amounts authorized for administrative expenses and programs by section 104(a) of title 23, United States Code; and

(B) amounts authorized for the Bureau of Transportation Statistics;

(2) not distribute an amount of obligation authority provided by subsection (a) that is equal to the unobligated balance of amounts—

(A) made available from the Highway Trust Fund (other than the Mass Transit Account) for Federal-aid highway and highway safety construction programs for previous fiscal years the funds for which are allocated by the Secretary (or apportioned by the Secretary under section 202 or 204 of title 23, United States Code); and

(B) for which obligation authority was provided in a previous fiscal year;

(3) determine the proportion that—

(A) an amount equal to the difference between—

(i) the obligation authority provided by subsection (a) for the fiscal year; and

(ii) the aggregate amount not distributed under paragraphs (1) and (2); bears to

(B) an amount equal to the difference between—

(i) the total of the sums authorized to be appropriated for the Federal-aid highway and highway safety construction programs (other than sums authorized to be appropriated for provisions of law described in paragraphs (1) through (12) of subsection (b) and sums authorized to be appropriated for section 119 of title 23, United States Code, equal to the amount referred to in subsection (b)(13) for the fiscal year); and

(ii) the aggregate amount not distributed under paragraphs (1) and (2);

(4) distribute the obligation authority provided by subsection (a), less the aggregate amount not distributed under paragraphs (1) and (2), for each of the programs (other than programs to which paragraph (1) applies) that are allocated by the Secretary under this Act and title 23, United States Code, or apportioned by the Secretary under section 202 or 204 of that title, by multiplying—

(A) the proportion determined under paragraph (3); by

(B) the amounts authorized to be appropriated for each such program for the fiscal year; and

(5) distribute the obligation authority provided by subsection (a), less the aggregate amount not distributed under paragraphs (1) and (2) and the amounts distributed under paragraph (4), for Federal-aid highway and highway safety construction programs that are apportioned by the Secretary under title 23, United States Code, (other than the amounts apportioned for the national highway performance program under section 119 of title 23, United States Code, that are exempt from the limitation under subsection (b)(13) and the amounts apportioned under sections 202 and 204 of that title) in the proportion that—

(A) amounts authorized to be appropriated for the programs that are apportioned under title 23, United States Code, to each State for the fiscal year; bears to

(B) the total of the amounts authorized to be appropriated for the programs that are apportioned under title 23, United States Code, to all States for the fiscal year.

(d) REDISTRIBUTION OF UNUSED OBLIGATION AUTHORITY.—Notwithstanding subsection (c), the Secretary shall, after August 1 of each of fiscal years 2016 through 2021—

(1) revise a distribution of the obligation authority made available under subsection (c) if an amount distributed cannot be obligated during that fiscal year; and

(2) redistribute sufficient amounts to those States able to obligate amounts in addition to those previously distributed during that fiscal year, giving priority to those States having large unobligated balances of funds apportioned under sections 144 (as in effect on the day before the date of enactment of MAP–21 (126 Stat. 405)) and 104 of title 23, United States Code.

(e) APPLICABILITY OF OBLIGATION LIMITATIONS TO TRANSPORTATION RESEARCH PROGRAMS.—

(1) IN GENERAL.—Except as provided in paragraph (2), obligation limitations imposed by subsection (a) shall apply to contract authority for transportation research programs carried out under chapter 5 of title 23, United States Code.

(2) EXCEPTION.—Obligation authority made available under paragraph (1) shall—

(A) remain available for a period of 4 fiscal years; and

(B) be in addition to the amount of any limitation imposed on obligations for Federal-aid highway and highway safety construction programs for future fiscal years.

(f) REDISTRIBUTION OF CERTAIN AUTHORIZED FUNDS.—

(1) IN GENERAL.—Not later than 30 days after the date of distribution of obligation authority under subsection (c) for each of fiscal years 2016 through 2021, the Secretary shall distribute to the States any funds (excluding funds authorized for the program under section 202 of title 23, United States Code) that—

(A) are authorized to be appropriated for the fiscal year for Federal-aid highway programs; and

(B) the Secretary determines will not be allocated to the States (or will not be apportioned to the States under section 204 of title 23, United States Code), and will not be available for obligation, for the fiscal year because of the imposition of any obligation limitation for the fiscal year.

(2) RATIO.—Funds shall be distributed under paragraph (1) in the same proportion as the distribution of obligation authority under subsection (c)(5).

(3) AVAILABILITY.—Funds distributed to each State under paragraph (1) shall be available for any purpose described in section 133(b) of title 23, United States Code.

SEC. 11003. APPORTIONMENT.

(a) IN GENERAL.—Section 104 of title 23, United States Code, is amended—

(1) in subsection (a)(1) by striking subparagraphs (A) and (B) and inserting the following:

''(A) $456,000,000 for fiscal year 2016;

''(B) $465,000,000 for fiscal year 2017;

''(C) $474,000,000 for fiscal year 2018;

''(D) $483,000,000 for fiscal year 2019;

''(E) $492,000,000 for fiscal year 2020; and

''(F) $501,000,000 for fiscal year 2021.'';

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking ''and the congestion mitigation and air quality improvement program'' and inserting ''the congestion mitigation and air quality improvement program, the national freight program'';

(B) in each of paragraphs (1), (2), and (3) by striking ''paragraphs (4) and (5)'' each place it appears and inserting ''paragraphs (4), (5), and (6), and section 213(a)'';

(C) in paragraph (1), by striking ''63.7 percent'' and inserting ''65 percent'';

(D) in paragraph (2), by striking ''29.3 percent'' and inserting ''29 percent'';

(E) in paragraph (3), by striking ''7 percent'' and inserting ''6 percent'';

(F) in paragraph (4), in the matter preceding subparagraph (A), by striking ''determined for the State under subsection (c)'' and inserting ''remaining under subsection (c) after making the set-asides in accordance with paragraph (5) and section 213(a)'';

(G) by redesignating paragraph (5) as paragraph (6);

(H) by inserting after paragraph (4) the following:

''(5) NATIONAL FREIGHT PROGRAM.—

''(A) IN GENERAL.—For the national freight program under section 167, the Secretary shall set aside from the amount determined for a State under subsection (c) an amount

determined for the State under subparagraphs (B) and (C).

''(B) TOTAL AMOUNT.—The total amount set aside for the national freight program for all States shall be—

''(i) $1,000,000,000 for fiscal year 2016;

''(ii) $1,450,000,000 for fiscal year 2017;

''(iii) $2,000,000,000 for fiscal year 2018;

''(iv) $2,300,000,000 for fiscal year 2019;

''(v) $2,400,000,000 for fiscal year 2020; and

''(vi) $2,500,000,000 for fiscal year 2021.

''(C) STATE SHARE.—The Secretary shall distribute among the States the total set-aside amount for the national freight program under subparagraph (B) so that each State receives an amount equal to the proportion that—

''(i) the total apportionment determined under subsection (c) for a State; bears to

''(ii) the total apportionments for all States.

''(D) METROPOLITAN PLANNING.—Of the amount set aside under this paragraph for a State, the Secretary shall use to carry out section 134 an amount determined by multiplying the set-aside amount by the proportion that—

''(i) the amount apportioned to the State to carry out section 134 for fiscal year 2009; bears to

''(ii) the total amount of funds apportioned to the State for that fiscal year for the programs referred to in section 105(a)(2), except for the high priority projects program referred to in section 105(a)(2)(H) (as in effect on the day before the date of enactment of MAP–21 (Public Law 112–141; 126 Stat. 405).''; and

(I) in paragraph (6) (as redesignated by subparagraph (G)), in the matter preceding subparagraph (A), by striking ''determined for the State under subsection (c)'' and inserting ''remaining under subsection (c) after making the set-asides in accordance with paragraph (5) and section 213(a)''; and

(3) in subsection (c) by adding at the end the following:

''(3) FOR FISCAL YEARS 2016 THROUGH 2021.—

''(A) STATE SHARE.—For each of fiscal years 2016 through 2021, the amount for each State of combined apportionments for the national highway performance program under section 119, the surface transportation program under section 133, the highway safety improvement program under section 148, the congestion mitigation and air quality improvement program under section 149, the national freight program under section 167, the transportation alternatives program under section 213, and to carry out section 134, shall be determined as follows:

''(i) INITIAL AMOUNT.—The initial amount for each State shall be determined by multiplying the total amount available for apportionment by the share for each State, which shall be equal to the proportion that—

''(I) the amount of apportionments that the State received for fiscal year 2014; bears to

''(II) the amount of those apportionments received by all States for that fiscal year.

''(ii) ADJUSTMENTS TO AMOUNTS.—The initial amounts resulting from the calculation under clause (i) shall be adjusted to ensure that, for each State, the amount of combined apportionments for the programs shall not be less than 95 percent of the estimated tax payments attributable to highway users in the State paid into the Highway Trust Fund (other than the Mass Transit Account) in the most recent fiscal year for which data are available.

''(B) STATE APPORTIONMENT.—For each of fiscal years 2016 through 2021, on October 1, the Secretary shall apportion the sum authorized to be appropriated for expenditure on the national highway performance program under section 119, the surface transportation program under section 133, the highway safety improvement program under section 148, the congestion mitigation and air quality improvement program under section 149, the national freight program under section 167, the transportation alternatives program under section 213, and to carry out section 134 in accordance with subparagraph (A).''.

(b) CONFORMING AMENDMENTS.—

(1) Section 104(d)(1)(A) of title 23, United States Code, is amended by striking ''subsection (b)(5)'' each place it appears and inserting ''paragraphs (5)(D) and (6) of subsection (b)''.

(2) Section 120(c)(3) of title 23, United States Code, is amended—

(A) in subparagraph (A), in the matter preceding clause (i), by striking ''or (5)'' and inserting ''(5)(D), or (6)''; and

(B) in subparagraph (C)(i), by striking ''and (5)'' and inserting ''(5)(D), and (6)''.

(3) Section 135(i) of title 23, United States Code, is amended by striking ''section 104(b)(5)'' and inserting ''paragraphs (5)(D) and (6) of section 104(b)''.

(4) Section 136(b) of title 23, United States Code, is amended in the first sentence by striking ''paragraphs (1) through (5) of section 104(b)'' and inserting ''paragraphs (1) through (6) of section 104(b)''.

(5) Section 141(b)(2) of title 23, United States Code, is amended by striking ''paragraphs (1) through (5) of section 104(b)'' and inserting ''paragraphs (1) through (6) of section 104(b)''.

(6) Section 505(a) of title 23, United States Code, is amended in the matter preceding paragraph (1) by striking ''through (4)'' and inserting ''through (5)''.

SEC. 11004. SURFACE TRANSPORTATION PROGRAM.

Section 133 of title 23, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (10), by inserting '', including emergency evacuation plans'' after ''programs''; and

(B) in paragraph (13), by adding a period at the end;

(2) in subsection (c)—

(A) in paragraph (1), by striking the semicolon at the end and inserting ''or for projects described in paragraphs (2), (4), (6), (7), (11), (20), (25), and (26) of subsection (b); and'';

(B) by striking paragraph (2); and

(C) by redesignating paragraph (3) as paragraph (2);

(3) in subsection (d)—

(A) in paragraph (1)—

(i) in subparagraph (A)—

(I) in the matter preceding clause (i), by striking ''50 percent'' and inserting ''55 percent''; and

(II) in clause (ii), by striking ''greater than 5,000'' and inserting ''of 5,000 or more''; and

(ii) in subparagraph (B), by striking ''50 percent'' and inserting ''45 percent''; and

(B) in paragraph (3)—

(i) by striking ''paragraph (1)(A)(ii)'' and inserting ''paragraph (1)(A)(iii)''; and

(ii) by striking ''greater than 5,000 and less than 200,000'' and inserting ''of 5,000 to 200,000'';

(4) in subsection (f)(1)—

(A) by striking ''104(b)(3)'' and inserting ''104(b)(2)''; and

(B) by striking ''the period of fiscal years 2011 through 2014'' and inserting ''each fiscal year'';

(5) by redesignating subsection (h) as subsection (i);

(6) in subsection (g)—

(A) by striking the subsection designation and heading and all that follows through paragraph (1) and inserting the following:

''(g) BRIDGES OFF THE NATIONAL HIGHWAY SYSTEM.—

''(1) DEFINITION OF OFF-NHS BRIDGE.—In this subsection, the term 'off-NHS bridge' means a highway bridge located on a public road, other than a bridge on the National Highway System.''; and

(B) in paragraph (2)—

(i) by striking subparagraph (A) and inserting the following:

''(A) SET-ASIDE.—Each State shall obligate for replacement (including replacement with fill material), rehabilitation, preservation, and protection (including scour countermeasures, seismic retrofits, impact protection measures, security countermeasures, and protection against extreme events) for off-NHS bridges an amount equal to the greater of—

''(i) 15 percent of the amount apportioned to the State under section 104(b)(2); and

''(ii) an amount equal to at least 110 percent of the amount of funds set aside for bridges not on Federal-aid highways in the State for fiscal year 2014.'';

(ii) in subparagraph (B), by striking ''off-system'' and inserting ''off-NHS''; and

(iii) by adding at the end the following:

''(C) SET-ASIDE FOR CERTAIN OFF-NHS BRIDGES.—Each State shall obligate an amount equal to not less than 50 percent of the amount set aside under subparagraph (A) for off-NHS bridges located on public roads that are not Federal-aid highways.''; and

(C) by redesignating paragraph (3) as subsection (h);

(7) in subsection (h) (as so redesignated)—

(A) by striking the heading and inserting ''CREDIT FOR BRIDGES NOT ON THE NATIONAL HIGHWAY SYSTEM.—'';

(B) by redesignating subparagraphs (A) and (B) as paragraphs (1) and (2), respectively, and indenting appropriately; and

(C) in the matter preceding paragraph (1) (as so redesignated)—

(i) by striking ''the replacement of a bridge or rehabilitation of''; and

(ii) by striking '', and is determined by the Secretary upon completion to be no longer a deficient bridge'';

(8) in subsection (i)(1) (as redesignated by paragraph (5)), by striking ''under subsection (d)(1)(A)(iii) for each of fiscal years 2013 through 2014'' and inserting ''under subsection (d)(1)(A)(ii) for each fiscal year''; and

(9) by adding at the end the following:

''(j) BORDER STATES.—

''(1) IN GENERAL.—After consultation with relevant transportation planning organizations, the Governor of a State that shares a land border with Canada or Mexico may designate for each fiscal year not more than 5 percent of funds made available to the State under subsection (d)(1)(B) for border infrastructure projects eligible under section 1303 of SAFETEA–LU (23 U.S.C. 101 note; Public Law 109–59).

''(2) USE OF FUNDS.—Funds designated under this subsection shall be available under the requirements of section 1303 of SAFETEA–LU (23 U.S.C. 101 note; Public Law 109–59).

''(3) CERTIFICATION.—Before making a designation under paragraph (1), the Governor shall certify that the designation is consistent with transportation planning requirements under this title.

''(4) NOTIFICATION.—Not later than 30 days after making a designation under paragraph

(1), the Governor shall submit to the relevant transportation planning organizations within the border region a written notification of any suballocated or distributed amount of funds available for obligation by jurisdiction.

''(5) LIMITATION.—This subsection applies only to funds apportioned to a State after the date of enactment of the DRIVE Act.

''(6) DEADLINE FOR DESIGNATION.—A designation under paragraph (1) shall—

''(A) be submitted to the Secretary not later than 30 days before the beginning of the fiscal year for which the designation is being made; and

''(B) remain in effect for the funds designated under paragraph (1) for a fiscal year until the Governor of the State notifies the Secretary of the termination of the designation.

''(7) UNOBLIGATED FUNDS AFTER TERMINATION.—On the date of a termination under paragraph (6)(B), all remaining unobligated funds that were designated under paragraph (1) for the fiscal year for which the designation is being terminated shall be made available to the State for the purposes described in subsection (d)(1)(B).''.

SEC. 11005. METROPOLITAN TRANSPORTATION PLANNING.

Section 134 of title 23, United States Code, is amended—

(1) in subsection (a)(1), by inserting ''resilient'' before ''surface transportation systems'';

(2) in subsection (c)(2), by striking ''and bicycle transportation facilities'' and inserting '', bicycle transportation facilities, intermodal facilities that support intercity transportation, including intercity buses and intercity bus facilities, and commuter vanpool providers'';

(3) in subsection (d)—

(A) by redesignating paragraphs (3) through (6) as paragraphs (4) through (7), respectively;

(B) by inserting after paragraph (2) the following:

''(3) REPRESENTATION.—

''(A) IN GENERAL.—Designation or selection of officials or representatives under paragraph (2) shall be determined by the metropolitan planning organization according to the bylaws or enabling statute of the organization.

''(B) PUBLIC TRANSPORTATION REPRESENTATIVE.—Subject to the bylaws or enabling statute of the metropolitan planning organization, a representative of a provider of public transportation may also serve as a representative of a local municipality.

''(C) POWERS OF CERTAIN OFFICIALS.—An official described in paragraph (2)(B) shall have responsibilities, actions, duties, voting rights, and any other authority commensurate with other officials described in paragraph (2)(B).''; and

(C) in paragraph (5) (as redesignated by subparagraph (A)), by striking ''paragraph (5)'' and inserting ''paragraph (6)'';

(4) in subsection (e)(4)(B), by striking ''subsection (d)(5)'' and inserting ''subsection (d)(6)'';

(5) in subsection (g)(3)(A), by inserting ''natural disaster risk reduction,'' after ''environmental protection,'';

(6) in subsection (h)—

(A) in paragraph (1)—

(i) in subparagraph (G), by striking ''and'' at the end;

(ii) in subparagraph (H), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(I) improve the resilience and reliability of the transportation system.''; and

(B) in paragraph (2)(A), by striking ''and in section 5301(c) of title 49'' and inserting ''and the general purposes described in section 5301 of title 49'';

(7) in subsection (i)—

(A) in paragraph (2)—

(i) in subparagraph (A)(i), by striking ''transit'' and inserting ''public transportation facilities, intercity bus facilities'';

(ii) in subparagraph (G)—

(I) by striking ''and provide'' and inserting '', provide''; and

(II) by inserting '', and reduce vulnerability due to natural disasters of the existing transportation infrastructure'' before the period at the end; and

(iii) in subparagraph (H), by inserting '', including consideration of the role that intercity buses may play in reducing congestion, pollution, and energy consumption in a cost-effective manner and strategies and investments that preserve and enhance intercity bus systems, including systems that are privately owned and operated'' before the period at the end;

(B) in paragraph (6)(A)—

(i) by inserting ''public ports,'' before ''freight shippers,''; and

(ii) by inserting ''(including intercity bus operators and commuter vanpool providers)'' after ''private providers of transportation''; and

(C) in paragraph (8), by striking ''(2)(C)'' each place it appears and inserting ''(2)(E)'';

(8) in subsection (j)(5)(A), by striking ''subsection (k)(4)'' and inserting ''subsection (k)(3)'';

(9) in subsection (k)—

(A) by striking paragraph (3); and

(B) by redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively;

(10) in subsection (*l*)—

(A) in paragraph (1), by adding a period at the end; and

(B) in paragraph (2)(D), by striking ''of less than 200,000'' and inserting ''with a population of 200,000 or less'';

(11) by striking subsection (n);

(12) by redesignating subsections (o) through (q) as subsections (n) through (p), respectively;

(13) in subsection (o) (as so redesignated), by striking ''set aside under section 104(f)'' and inserting ''apportioned under paragraphs (5)(D) and (6) of section 104(b)'' ; and

(14) by adding at the end the following:

''(q) TREATMENT OF LAKE TAHOE REGION.—

''(1) DEFINITION OF LAKE TAHOE REGION.—In this subsection, the term 'Lake Tahoe Region' has the meaning given the term 'region' in subsection (a) of Article II of the Lake Tahoe Regional Planning Compact (Public Law 96–551; 94 Stat. 3234).

''(2) TREATMENT.—For the purpose of this title, the Lake Tahoe Region shall be treated as—

''(A) a metropolitan planning organization;

''(B) a transportation management area under subsection (k); and

''(C) an urbanized area, which is comprised of a population of 145,000 in the State of California and a population of 65,000 in the State of Nevada.

''(3) SUBALLOCATED FUNDING.—

''(A) SECTION 133.—When determining the amount under subparagraph (A) of section 133(d)(1) that shall be obligated for a fiscal year in the States of California and Nevada under clauses (i), (ii), and (iii) of that subparagraph, the Secretary shall, for each of those States—

''(i) calculate the population under each of those clauses;

''(ii) decrease the amount under section 133(d)(1)(A)(iii) by the population specified in paragraph (2) of this subsection for the Lake Tahoe Region in that State; and

''(iii) increase the amount under section 133(d)(1)(A)(i) by the population specified in paragraph (2) of this subsection for the Lake Tahoe Region in that State.

''(B) SECTION 213.—When determining the amount under paragraph (1) of section 213(c) that shall be obligated for a fiscal year in the States of California and Nevada under subparagraphs (A), (B), and (C) of that paragraph, the Secretary shall, for each of those States—

''(i) calculate the population under each of those subparagraphs;

''(ii) decrease the amount under section 213(c)(1)(C) by the population specified in paragraph (2) of this subsection for the Lake Tahoe Region in that State; and

''(iii) increase the amount under section 213(c)(1)(A) by the population specified in paragraph (2) of this subsection for the Lake Tahoe Region in that State.''.

SEC. 11006. STATEWIDE AND NONMETROPOLITAN TRANSPORTATION PLANNING.

(a) IN GENERAL.—Section 135 of title 23, United States Code, is amended—

(1) in subsection (a)(2), by striking ''and bicycle transportation facilities'' and inserting '', bicycle transportation facilities, intermodal facilities that support intercity transportation, including intercity buses and intercity bus facilities, and commuter vanpool providers'';

(2) in subsection (d)—

(A) in paragraph (1)—

(i) in subparagraph (G), by striking ''and'' at the end;

(ii) in subparagraph (H), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(I) improve the resilience and reliability of the transportation system.''; and

(B) in paragraph (2)(A), by striking ''and in section 5301(c) of title 49'' and inserting ''and the general purposes described in section 5301 of title 49'';

(3) in subsection (e)(1), by striking ''subsection (m)'' and inserting ''subsection (l)'';

(4) in subsection (f)—

(A) in paragraph (2)(B)(i), by striking ''subsection (m)'' and inserting ''subsection (l)'';

(B) in paragraph (3)(A)—

(i) in clause (i), by striking ''subsection (m)'' and inserting ''subsection (l)''; and

(ii) in clause (ii), by inserting ''(including intercity bus operators and commuter vanpool providers)'' after ''private providers of transportation'';

(C) in paragraph (7), in the matter preceding subparagraph (A), by striking ''should'' and inserting ''shall''; and

(D) in paragraph (8), by inserting '', including consideration of the role that intercity buses may play in reducing congestion, pollution, and energy consumption in a cost-effective manner and strategies and investments that preserve and enhance intercity bus systems, including systems that are privately owned and operated'' before the period at the end;

(5) in subsection (g)—

(A) in paragraph (2)(B)(i), by striking ''subsection (m)'' and inserting ''subsection (l)'';

(B) in paragraph (3)—

(i) by inserting ''public ports,'' before ''freight shippers''; and

(ii) by inserting ''(including intercity bus operators),'' after ''private providers of transportation''; and

(C) in paragraph (6)(A), by striking ''subsection (m)'' and inserting ''subsection (l)'';

(6) by striking subsection (j); and

(7) by redesignating subsections (k) through (m) as subsections (j) through (l), respectively.

(b) CONFORMING AMENDMENTS.—Section 134(b)(5) of title 23, United States Code, is amended by striking ''section 135(m)'' and inserting ''section 135(l)''.

SEC. 11007. HIGHWAY USE TAX EVASION PROJECTS.

Section 143(b) of title 23, United States Code, is amended by striking paragraph (2)(A) and inserting the following:

''(A) IN GENERAL.—From administrative funds made available under section 104(a), the Secretary shall deduct such sums as are necessary, not to exceed $4,000,000 for each fiscal year, to carry out this section.''.

SEC. 11008. BUNDLING OF BRIDGE PROJECTS.

Section 144 of title 23, United States Code, is amended—

(1) in subsection (c)(2)(A), by striking ''the natural condition of the bridge'' and inserting ''the natural condition of the water'';

(2) by redesignating subsection (j) as subsection (k);

(3) by inserting after subsection (i) the following:

''(j) BUNDLING OF BRIDGE PROJECTS.—

''(1) PURPOSE.—The purpose of this subsection is to save costs and time by encouraging States to bundle multiple bridge projects as 1 project.

''(2) DEFINITION OF ELIGIBLE ENTITY.—In this subsection, the term 'eligible entity' means an entity eligible to carry out a bridge project under section 119 or 133.

''(3) BUNDLING OF BRIDGE PROJECTS.—An eligible entity may bundle 2 or more similar bridge projects that are—

''(A) eligible projects under section 119 or 133;

''(B) included as a bundled project in a transportation improvement program under section 134(j) or a statewide transportation improvement program under section 135, as applicable; and

''(C) awarded to a single contractor or consultant pursuant to a contract for engineering and design or construction between the contractor and an eligible entity.

''(4) ITEMIZATION.—Notwithstanding any other provision of law (including regulations), an eligible bridge project included in a bundle under this subsection may be listed as—

''(A) 1 project for purposes of sections 134 and 135; and

''(B) a single project within the applicable bundle.

''(5) FINANCIAL CHARACTERISTICS.—Projects bundled under this subsection shall have the same financial characteristics, including—

''(A) the same funding category or subcategory; and

''(B) the same Federal share.''; and

(4) in subsection (k)(2) (as redesignated by paragraph (2)), by striking ''104(b)(3)'' and inserting ''104(b)(2)''.

SEC. 11009. FLEXIBILITY FOR CERTAIN RURAL ROAD AND BRIDGE PROJECTS.

(a) AUTHORITY.—With respect to rural road and rural bridge projects eligible for funding under title 23, United States Code, subject to the provisions of this section and on request by a State, the Secretary may—

(1) exercise all existing flexibilities under and exceptions to—

(A) the requirements of title 23, United States Code; and

(B) other requirements administered by the Secretary, in whole or part; and

(2) otherwise provide additional flexibility or expedited processing with respect to the requirements described in paragraph (1).

(b) TYPES OF PROJECTS.—A rural road or rural bridge project under this section shall—

(1) be located in a county that, based on the most recent decennial census—

(A) has a population density of 80 or fewer persons per square mile of land area; or

(B) is the county that has the lowest population density of all counties in the State;

(2) be located within the operational right-of-way (as defined in section 1316(b) of MAP–21 (23 U.S.C. 109 note; 126 Stat. 549)) of an existing road or bridge; and

(3)(A) receive less than $5,000,000 of Federal funds; or

(B) have a total estimated cost of not more than $30,000,000 and Federal funds comprising less than 15 percent of the total estimated project cost.

(c) PROCESS TO ASSIST RURAL PROJECTS.—

(1) ASSISTANCE WITH FEDERAL REQUIREMENTS.—

(A) IN GENERAL.—For projects under this section, the Secretary shall seek to provide, to the maximum extent practicable, regulatory relief and flexibility consistent with this section.

(B) EXCEPTIONS, EXEMPTIONS, AND ADDITIONAL FLEXIBILITY.—Exceptions, exemptions, and additional flexibility from regulatory requirements may be granted if, in the opinion of the Secretary—

(i) the project is not expected to have a significant adverse impact on the environment;

(ii) the project is not expected to have an adverse impact on safety; and

(iii) the assistance would be in the public interest for 1 or more reasons, including—

(I) reduced project costs;

(II) expedited construction, particularly in an area where the construction season is relatively short and not granting the waiver or additional flexibility could delay the project to a later construction season; or

(III) improved safety.

(2) MAINTAINING PROTECTIONS.—Nothing in this subsection—

(A) waives the requirements of section 113 or 138 of title 23, United States Code;

(B) supersedes, amends, or modifies—

(i) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) or any other Federal environmental law; or

(ii) any requirement of title 23, United States Code; or

(C) affects the responsibility of any Federal officer to comply with or enforce any law or requirement described in this paragraph.

SEC. 11010. CONSTRUCTION OF FERRY BOATS AND FERRY TERMINAL FACILITIES.

(a) CONSTRUCTION OF FERRY BOATS AND FERRY TERMINAL FACILITIES.—Section 147 of title 23, United States Code, is amended—

(1) in subsection (a), by striking ''IN GENERAL'' and inserting ''PROGRAM'';

(2) by striking subsections (d) through (g) and inserting the following:

''(d) FORMULA.—Of the amounts allocated under subsection (c)—

''(1) 35 percent shall be allocated among eligible entities in the proportion that—

''(A) the number of ferry passengers, including passengers in vehicles, carried by each ferry system in the most recent calendar year for which data is available; bears to

''(B) the number of ferry passengers, including passengers in vehicles, carried by all ferry systems in the most recent calendar year for which data is available;

''(2) 35 percent shall be allocated among eligible entities in the proportion that—

''(A) the number of vehicles carried by each ferry system in the most recent calendar year for which data is available; bears to

''(B) the number of vehicles carried by all ferry systems in the most recent calendar year for which data is available; and

''(3) 30 percent shall be allocated among eligible entities in the proportion that—

''(A) the total route nautical miles serviced by each ferry system in the most recent calendar year for which data is available; bears to

''(B) the total route nautical miles serviced by all ferry systems in the most recent calendar year for which data is available.

''(e) REDISTRIBUTION OF UNOBLIGATED AMOUNTS.—The Secretary shall—

''(1) withdraw amounts allocated to an eligible entity under subsection (c) that remain unobligated by the end of the third fiscal year following the fiscal year for which the amounts were allocated; and

''(2) in the subsequent fiscal year, redistribute the funds referred to in paragraph (1) in accordance with the formula under subsection (d) among eligible entities for which no amounts were withdrawn under paragraph (1).

''(f) MINIMUM AMOUNT.—Notwithstanding subsection (c), a State with an eligible entity that meets the requirements of this section shall receive not less than $100,000 under this section for a fiscal year.

''(g) IMPLEMENTATION.—

''(1) DATA COLLECTION.—

''(A) NATIONAL FERRY DATABASE.—Amounts made available for a fiscal year under this section shall be allocated using the most recent data available, as collected and imputed in accordance with the national ferry database established under section 1801(e) of SAFETEA–LU (23 U.S.C. 129 note; 119 Stat. 1456).

''(B) ELIGIBILITY FOR FUNDING.—To be eligible to receive funds under subsection (c), data shall have been submitted in the most recent collection of data for the national ferry database under section 1801(e) of SAFETEA–LU (23 U.S.C. 129 note; 119 Stat. 1456) for at least 1 ferry service within the State.

''(2) ADJUSTMENTS.—On review of the data submitted under paragraph (1)(B), the Secretary may make adjustments to the data as the Secretary determines necessary to correct misreported or inconsistent data.

''(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) to carry out this section $80,000,000 for each of fiscal years 2016 through 2021.

''(i) PERIOD OF AVAILABILITY.—Notwithstanding section 118(b), funds made available to carry out this section shall remain available until expended.

''(j) APPLICABILITY.—All provisions of this chapter that are applicable to the National Highway System, other than provisions relating to apportionment formula and Federal share, shall apply to funds made available to carry out this section, except as determined by the Secretary to be inconsistent with this section.''.

(b) NATIONAL FERRY DATABASE.—Section 1801(e)(4) of SAFETEA–LU (23 U.S.C. 129 note; 119 Stat. 1456) is amended by striking subparagraph (D) and inserting the following:

''(D) make available, from the amounts made available for each fiscal year to carry out chapter 63 of title 49, not more than $500,000 to maintain the database.''.

(c) CONFORMING AMENDMENTS.—Section 129(c) of title 23, United States Code, is amended—

(1) in paragraph (2), in the first sentence, by inserting '', or on a public transit ferry eligible under chapter 53 of title 49'' after ''Interstate System'';

(2) in paragraph (3)—

(A) by striking ''(3) Such ferry'' and inserting ''(3)(A) The ferry''; and

(B) by adding at the end the following:

''(B) Any Federal participation shall not involve the construction or purchase, for private ownership, of a ferry boat, ferry terminal facility, or other eligible project under this section.'';

(3) in paragraph (4), by striking ''and repair,'' and inserting ''repair,''; and

(4) by striking paragraph (6) and inserting the following:

''(6) The ferry service shall be maintained in accordance with section 116.

''(7)(A) No ferry boat or ferry terminal with Federal participation under this title may be sold, leased, or otherwise disposed of, except in accordance with part 18 of title 49, Code of Federal Regulations (as in effect on December 18, 2014).

''(B) The Federal share of any proceeds from a disposition referred to in subparagraph (A) shall be used for eligible purposes under this title.''.

SEC. 11011. HIGHWAY SAFETY IMPROVEMENT PROGRAM.

Section 148 of title 23, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (4)(B)—

(i) in the matter preceding clause (i), by striking ''includes, but is not limited to,'' and inserting ''only includes''; and

(ii) by adding at the end the following:

''(xxv) Installation of vehicle-to-infrastructure communication equipment.

''(xxvi) Pedestrian hybrid beacons.

''(xxvii) Roadway improvements that provide separation between pedestrians and motor vehicles, including medians and pedestrian crossing islands.

''(xxviii) An infrastructure safety project not described in clauses (i) through (xxvii).''; and

(B) by striking paragraph (10) and redesignating paragraphs (11) through (13) as paragraphs (10) through (12), respectively;

(2) in subsection (c)(1)(A), by striking ''subsection (a)(12)'' and inserting ''subsection (a)(11)'';

(3) in subsection (d)(2)(B)(i), by striking ''subsection (a)(12)'' and inserting ''subsection (a)(11)''; and

(4) in subsection (g)(1)—

(A) by striking ''increases'' and inserting ''does not decrease''; and

(B) by inserting ''and exceeds the national fatality rate on rural roads,'' after ''available,''.

SEC. 11012. DATA COLLECTION ON UNPAVED PUBLIC ROADS.

Section 148 of title 23, United States Code, is amended by adding at the end the following:

''(k) DATA COLLECTION ON UNPAVED PUBLIC ROADS.—

''(1) IN GENERAL.—A State may elect not to collect fundamental data elements for the model inventory of roadway elements on public roads that are gravel roads or otherwise unpaved if—

''(A)(i) more than 45 percent of the public roads in the State are gravel roads or otherwise unpaved; and

''(ii) less than 10 percent of fatalities in the State occur on those unpaved public roads; or

''(B)(i) more than 70 percent of the public roads in the State are gravel roads or otherwise unpaved; and

''(ii) less than 25 percent of fatalities in the State occur on those unpaved public roads.

''(2) CALCULATION.—The percentages described in paragraph (1) shall be based on the average for the 5 most recent years for which relevant data is available.

''(3) USE OF FUNDS.—If a State elects not to collect data on a road described in paragraph (1), the State shall not use funds provided to carry out this section for a project on that road until the State completes a collection of the required model inventory of roadway elements for the road.''.

SEC. 11013. CONGESTION MITIGATION AND AIR QUALITY IMPROVEMENT PROGRAM.

Section 149 of title 23, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (1)(A)(i)(I), by inserting ''in the designated nonattainment area'' after ''air quality standard'';

(B) in paragraph (3), by inserting ''or maintenance'' after ''likely to contribute to the attainment'';

(C) in paragraph (4), by striking ''attainment of'' and inserting ''attainment or maintenance of the area of''; and

(D) in paragraph (8)(A)(ii)—

(i) in the matter preceding subclause (I), by inserting ''or port-related freight operations'' after ''construction projects''; and

(ii) in subclause (II), by inserting ''or chapter 53 of title 49'' after ''this title'';

(2) in subsection (c)(2), by inserting ''(giving priority to corridors designated under section 151)'' after ''at any location in the State'';

(3) in subsection (d)—

(A) in paragraph (2)—

(i) in subparagraph (A)—

(I) in the matter preceding clause (i), by inserting ''would otherwise be eligible under subsection (b) if the project were carried out in a nonattainment or maintenance area or'' after ''may use for any project that''; and

(II) in clause (i), by striking ''(excluding the amount of funds reserved under paragraph (1))''; and

(ii) in subparagraph (B)(i), by striking ''MAP–21t'' and inserting ''MAP–21''; and

(B) in paragraph (3), by inserting '', in a manner consistent with the approach that was in effect on the day before the date of enactment of MAP–21,'' after ''the Secretary shall modify'';

(4) in subsection (g)—

(A) in paragraph (2)(B), by striking ''not later that'' and inserting ''not later than'';

(B) in paragraph (3)—

(i) by striking ''States and metropolitan'' and inserting the following:

''(A) IN GENERAL.—States and metropolitan'';

(ii) by striking ''are proven to reduce'' and inserting ''reduce directly emitted''; and

(iii) by adding at the end the following:

''(B) USE OF PRIORITY FUNDING.—To the maximum extent practicable, PM2.5 priority funding shall be used on the most cost-effective projects and programs that are proven to reduce directly emitted fine particulate matter.'';

(5) in subsection (k)—

(A) in paragraph (1)—

(i) by striking ''that has a nonattainment or maintenance area'' and inserting ''that has 1 or more nonattainment or maintenance areas'';

(ii) by striking ''a nonattainment or maintenance area that are'' and inserting ''the nonattainment or maintenance areas that are'';

(iii) by striking ''such area'' both places it appears and inserting ''such areas''; and

(iv) by striking ''such fine particulate'' and inserting ''directly-emitted fine particulate'';

(B) in paragraph (2), by striking ''highway construction'' and inserting ''transportation construction''; and

(C) by adding at the end the following:

''(3) PM2.5 NONATTAINMENT AND MAINTENANCE IN LOW POPULATION DENSITY STATES.—

''(A) EXCEPTION.—In any State with a population density of 80 or fewer persons per square mile of land area, based on the most recent decennial census, the requirements under subsection (g)(3) and paragraphs (1) and (2) of this subsection shall not apply to a nonattainment or maintenance area in the State if—

''(i) the nonattainment or maintenance area does not have projects that are part of the emissions analysis of a metropolitan transportation plan or transportation improvement program; and

''(ii) regional motor vehicle emissions are an insignificant contributor to the air quality problem for PM2.5 in the nonattainment or maintenance area.

''(B) CALCULATION.—If subparagraph (A) applies to a nonattainment or maintenance area in a State, the percentage of the PM2.5 set-aside under paragraph (1) shall be reduced for that State proportionately based on the weighted population of the area in fine particulate matter nonattainment.

''(4) PORT-RELATED EQUIPMENT AND VEHICLES.—To meet the requirements under paragraph (1), a State or metropolitan planning organization may elect to obligate funds to the most cost-effective projects to reduce emissions from port-related landside nonroad or on-road equipment that is operated within the boundaries of a PM2.5 nonattainment or maintenance area.'';

(6) in subsection (*l*)(1)(B), by inserting ''air quality and traffic congestion'' before ''performance targets''; and

(7) in subsection (m), by striking ''section 104(b)(2)'' and inserting ''section 104(b)(4)''.

SEC. 11014. TRANSPORTATION ALTERNATIVES.

(a) IN GENERAL.—Section 213 of title 23, United States Code, is amended—

(1) by striking subsection (a) and inserting the following:

''(a) RESERVATION OF FUNDS.—

''(1) IN GENERAL.—On October 1 of each fiscal year, the Secretary shall set aside from the amount determined for a State under section 104(c) an amount determined for the State under paragraphs (2) and (3).

''(2) TOTAL AMOUNT.—The total amount set aside for the program under this section shall be $850,000,000 for each fiscal year.

''(3) STATE SHARE.—The Secretary shall distribute among the States the total set-aside amount under paragraph (2) so that each State receives an amount equal to the proportion that—

''(A) the amount apportioned to the State for the transportation enhancements program for fiscal year 2009 under section 133(d)(2), as in effect on the day before the date of enactment of MAP–21 (Public Law 112–141; 126 Stat. 405); bears to

''(B) the total amount of funds apportioned to all States for that fiscal year for the transportation enhancements program for fiscal year 2009.'';

(2) in subsection (c)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking ''Of the funds'' and all that follows through ''shall be obligated under this section'' in subparagraph (A) and inserting ''Funds reserved in a State under this section shall be obligated'';

(ii) by striking subparagraph (B);

(iii) by redesignating clauses (i) through (iii) as subparagraphs (A) through (C), respectively;

(iv) in subparagraph (B) (as so redesignated), by striking ''greater than 5,000'' and inserting ''of 5,000 or more''; and

(v) in subparagraph (C) (as so redesignated), by striking ''; and'' and inserting a period;

(B) in paragraph (2), by striking ''paragraph (1)(A)(i)'' and inserting ''paragraph (1)(A)'';

(C) in paragraph (3)(A)—

(i) by striking ''Except as provided in paragraph (1)(B), the'' and inserting ''The''; and

(ii) by striking ''paragraph (1)(A)(i)'' both places it appears and inserting ''paragraph (1)(A)'';

(D) in paragraph (4)(B)—

(i) in clause (vi), by striking ''and'' at the end;

(ii) by redesignating clause (vii) as clause (viii); and

(iii) by inserting after clause (vi) the following:

''(vii) a nonprofit entity responsible for the administration of local transportation safety programs; and''; and

(E) in paragraph (5)—

(i) by striking ''For funds reserved'' and inserting the following:

''(A) IN GENERAL.—For funds reserved'';

(ii) by striking ''paragraph (1)(A)(i)'' and inserting ''paragraph (1)(A)''; and

(iii) by adding at the end the following:

''(B) NO RESTRICTION ON SUBALLOCATION.—Nothing in this section prevents a metropolitan planning organization from further suballocating funds within the boundaries of the metropolitan planning area if a competitive process is implemented for the award of the suballocated funds.''; and

(3) by adding at the end the following:

''(h) ANNUAL REPORTS.—

''(1) IN GENERAL.—Each State or metropolitan planning organization responsible for carrying out the requirements of this section shall submit to the Secretary an annual report that describes—

''(A) the number of project applications received for each fiscal year, including—

''(i) the aggregate cost of the projects for which applications are received; and

''(ii) the types of project to be carried out (as described in subsection (b)), expressed as percentages of the total apportionment of the State under subsection (a); and

''(B) the number of projects selected for funding for each fiscal year, including the aggregate cost and location of projects selected.

''(2) PUBLIC AVAILABILITY.—The Secretary shall make available to the public, in a user-friendly format on the website of the Department, a copy of each annual report submitted under paragraph (1).

''(i) EXPEDITING INFRASTRUCTURE PROJECTS.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of this subsection, the Secretary shall develop regulations or guidance relating to the implementation of this section that encourages the use of the programmatic approaches to environmental reviews, expedited procurement techniques, and other best practices to facilitate productive and timely expenditure for projects that are small, low-impact, and constructed within an existing built environment.

''(2) STATE PROCESSES.—The Secretary shall work with State departments of transportation to ensure that any regulation or guidance developed under paragraph (1) is consistently implemented by States and the Federal Highway Administration to avoid unnecessary delays in implementing projects and to ensure the effective use of Federal dollars.''.

(b) CONFORMING AMENDMENT.—Section 126(b) of title 23, United States Code, is amended—

(1) by striking ''SET-ASIDES.—'' and all that follows through ''Funds that'' in paragraph (1) and inserting ''SET-ASIDES.—Funds that'';

(2) by striking ''sections 104(d) and 133(d)'' and inserting ''sections 104(d), 133(d), and 213(c)''; and

(3) by striking paragraph (2).

SEC. 11015. CONSOLIDATION OF PROGRAMS.

Section 1519(a) of MAP–21 (Public Law 112–141; 126 Stat. 574) is amended in the matter preceding paragraph (1) by striking ''fiscal years 2013 and 2014'' and inserting ''fiscal years 2013 through 2021''.

SEC. 11016. STATE FLEXIBILITY FOR NATIONAL HIGHWAY SYSTEM MODIFICATIONS.

(a) NATIONAL HIGHWAY SYSTEM FLEXIBILITY.—Not later than 90 days after the date of enactment of this Act, the Secretary shall issue guidance relating to working with State departments of transportation that request assistance from the division offices of the Federal Highway Administration—

(1) to review roads classified as principal arterials in the State that were added to the National Highway System as of October 1, 2012, so as to comply with section 103 of title 23, United States Code; and

(2) to identify any necessary functional classification changes to rural and urban principal arterials.

(b) ADMINISTRATIVE ACTIONS.—The Secretary shall direct the division offices of the Federal Highway Administration to work with the applicable State department of transportation that requests assistance under this section—

(1) to assist in the review of roads in accordance with guidance issued under subsection (a);

(2) to expeditiously review and facilitate requests from States to reclassify roads classified as principal arterials; and

(3) in the case of a State that requests the withdrawal of reclassified roads from the National Highway System under section 103(b)(3) of title 23, United States Code, to carry out that withdrawal if the inclusion of the reclassified road in the National Highway System is not consistent with the needs and priorities of the community or region in which the reclassified road is located.

(c) NATIONAL HIGHWAY SYSTEM MODIFICATION REGULATIONS.—The Secretary shall—

(1) review the National Highway System modification process described in appendix D of part 470 of title 23, Code of Federal Regulations (or successor regulations); and

(2) take any action necessary to ensure that a State may submit to the Secretary a request to modify the National Highway System by withdrawing a road from the National Highway System.

(d) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that includes a description of—

(1) each request for reclassification of National Highway System roads;

(2) the status of each request; and

(3) if applicable, the justification for the denial by the Secretary of a request.

(e) MODIFICATIONS TO THE NATIONAL HIGHWAY SYSTEM.—Section 103(b)(3)(A) of title 23, United States Code, is amended—

(1) in the matter preceding clause (i)—

(A) by striking '', including any modification consisting of a connector to a major intermodal terminal,''; and

(B) by inserting '', including any modification consisting of a connector to a major intermodal terminal or the withdrawal of a road from that system,'' after ''the National Highway System''; and

(2) in clause (ii)—

(A) by striking ''(ii) enhances'' and inserting ''(ii)(I) enhances'';

(B) by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following:

''(II) in the case of the withdrawal of a road, is reasonable and appropriate.''.

SEC. 11017. TOLL ROADS, BRIDGES, TUNNELS, AND FERRIES.

Section 129(a) of title 23, United States Code, is amended—

(1) in paragraph (1)—

(A) in subparagraph (B)—

(i) by striking ''(other than a highway on the Interstate System)''; and

(ii) by inserting ''non-HOV'' after ''toll-free'' each place it appears;

(B) by striking subparagraph (C); and

(C) by redesignating subparagraphs (D) through (I) as subparagraphs (C) through (H), respectively;

(2) by striking paragraph (4) and paragraph (6);

(3) by redesignating paragraphs (5), (7), (8), (9), and (10) as paragraphs (4), (5), (6), (7), and (9), respectively;

(4) in paragraph (4)(B) (as so redesignated), by striking ''the Federal-aid system'' and inserting ''Federal-aid highways''; and

(5) by inserting after paragraph (7) (as so redesignated) the following:

''(8) EQUAL ACCESS FOR MOTORCOACHES.—A private motorcoach that serves the public shall be provided access to a toll facility under the same rates, terms, and conditions as public transportation buses in the State.''.

SEC. 11018. HOV FACILITIES.

Section 166 of title 23, United States Code, is amended—

(1) in subsection (b)—

(A) by striking paragraph (4) and inserting the following:

''(4) HIGH OCCUPANCY TOLL VEHICLES.—

''(A) IN GENERAL.—The State agency may allow vehicles not otherwise exempt under this subsection to use the HOV facility if the operators of the vehicles pay a toll charged by the agency for use of the facility and the agency—

''(i) establishes a program that addresses how motorists can enroll and participate in the toll program;

''(ii) in the case of a high occupancy vehicle facility that affects a metropolitan area, submits to the Secretary a written statement that the metropolitan planning organization designated under section 134 for the area has been consulted concerning the placement and amount of tolls on the converted facility;

''(iii) develops, manages, and maintains a system that will automatically collect the toll; and

''(iv) establishes policies and procedures—

''(I) to manage the demand to use the facility by varying the toll amount that is charged;

''(II) to enforce violations of the use of the facility; and

''(III) to ensure that private motorcoaches that serve the public are provided access to

the facility under the same rates, terms, and conditions, as public transportation buses in the State.

''(B) EXEMPTION FROM TOLLS.—In levying a toll on a facility under subparagraph (A), a State agency may—

''(i) designate classes of vehicles that are exempt from the toll; and

''(ii) charge different toll rates for different classes of vehicles.'';

(B) in paragraph (5), by striking subparagraph (A) and inserting the following:

''(A) INHERENTLY LOW EMISSION VEHICLE.—If a State agency establishes procedures for enforcing the restrictions on the use of a HOV facility by vehicles described in clauses (i) and (ii), the State agency may allow the use of the HOV facility by—

''(i) alternative fuel vehicles; and

''(ii) any motor vehicle described in section 30D(d)(1) of the Internal Revenue Code of 1986.'';

(2) in subsection (c)—

(A) in paragraph (1)—

(i) by striking ''Tolls'' and inserting ''Notwithstanding section 301, tolls''; and

(ii) by striking ''notwithstanding section 301 and, except as provided in paragraphs (2) and (3)'';

(B) by striking paragraph (2); and

(C) by redesignating paragraph (3) as paragraph (2);

(3) in subsection (d)(1), by striking subparagraphs (D) and (E) and inserting the following:

''(D) MAINTENANCE OF OPERATING PERFORMANCE.—

''(i) SUBMISSION OF PLAN.—Not later than 180 days after the date on which a facility is degraded under paragraph (2), the State agency with jurisdiction over the facility shall submit to the Secretary for approval a plan that details the actions the State agency will take to bring the facility into compliance with the minimum average operating speed performance standard through changes to operation of the facility, including—

''(I) increasing the occupancy requirement for HOV lanes;

''(II) varying the toll charged to vehicles allowed under subsection (b) to reduce demand;

''(III) discontinuing allowing non-HOV vehicles to use HOV lanes under subsection (b); or

''(IV) increasing the available capacity of the HOV facility.

''(ii) NOTICE OF APPROVAL OR DISAPPROVAL.—Not later than 60 days after the date of receipt of a plan under clause (i), the Secretary shall provide to the State agency a written notice indicating whether the Secretary has approved or disapproved the plan based on a determination of whether the implementation of the plan will bring the HOV facility into compliance.

''(iii) BIANNUAL PROGRESS UPDATES.—Until the date on which the Secretary determines that the State agency has brought the HOV facility into compliance with this subsection, the State agency shall submit biannual updates that describe—

''(I) the actions taken to bring the HOV facility into compliance; and

''(II) the progress made by those actions.

''(E) COMPLIANCE.—The Secretary shall subject the State to appropriate program sanctions under section 1.36 of title 23, Code of Federal Regulations (or successor regulations), until the performance is no longer degraded, if—

''(i) the State agency fails to submit an approved action plan under subparagraph (D) to bring a degraded facility into compliance; or

''(ii) after the State submits and the Secretary approves an action plan under subparagraph (D), the Secretary determines that, on a date that is not earlier than 1 year after the approval of the action plan, the State agency is not making significant progress toward bringing the HOV facility into compliance with the minimum average operating speed performance standard.''; and

(4) in subsection (f)(1), in the matter preceding subparagraph (A), by inserting ''solely'' before ''operating''.

SEC. 11019. INTERSTATE SYSTEM RECONSTRUCTION AND REHABILITATION PILOT PROGRAM.

Section 1216(b) of the Transportation Equity Act for the 21st Century (Public Law 105–178; 112 Stat. 212) is amended—

(1) in paragraph (3)—

(A) in subparagraph (A), by striking ''the age, condition, and intensity of use of the facility'' and inserting ''an analysis demonstrating that the facility has a significant age, condition, or intensity of use to require expedited reconstruction or rehabilitation'';

(B) in subparagraph (D)(iii), by inserting '', and that demonstrates the capability of that agency to perform or oversee the building, operation, and maintenance of a toll expressway system meeting criteria for the Interstate System'' before the semicolon at the end; and

(C) by adding at the end the following:

''(E) An analysis showing how the State plan for implementing tolls on the facility takes into account the interests and use of local, regional, and interstate travelers.

''(F) An explanation of how the State will collect tolls using electronic toll collection, including at highway speeds, if practicable.

''(G) A plan describing the proposed location for the collection of tolls on the facility, including any locations in proximity to a State border.

''(H) Approved documentation that the project—

''(i) has received a categorical exclusion, a finding of no significant impact, or a record of decision under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

''(ii) complies with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601 et seq.).'';

(2) by striking paragraphs (4) and (6);

(3) by redesignating paragraph (5) as paragraph (4);

(4) in paragraph (4)(as so redesignated)—

(A) in the matter preceding subparagraph (A), by striking ''Before the Secretary may permit'' and inserting ''As a condition of permitting'';

(B) in subparagraph (A)—

(i) in the matter preceding clause (i), by striking ''for—'' and inserting ''for permissible uses described in section 129(a)(3) of title 23, United States Code; and''; and

(ii) by striking clauses (i) through (iii);

(5) by inserting after paragraph (4) (as so redesignated) the following:

''(5) APPLICATION PROCESSING PROCEDURE.—

''(A) IN GENERAL.—Not later than 60 days after receipt of an application under this subsection, the Secretary shall provide to the applicant a written notice informing the applicant whether—

''(i) the application is complete and meets all requirements under this subsection; or

''(ii) additional information or materials are needed—

''(I) to complete the application; or

''(II) to meet the eligibility requirements under paragraph (3).

''(B) ADDITIONAL INFORMATION OR MATERIALS.—

''(i) IN GENERAL.—Not later than 60 days after receipt of an application, the Secretary shall—

''(I) identify any additional information or materials that are needed under subparagraph (A)(ii); and

''(II) provide to the applicant written notice specifying the details of the additional required information or materials.

''(ii) AMENDED APPLICATION.—Not later than 60 days after receipt of the additional information under clause (i), the Secretary shall determine if the amended application is complete and meets all requirements under this subsection.

''(C) TECHNICAL ASSISTANCE.—On the request of a State, the Secretary shall provide technical assistance to facilitate the development of a complete application under this paragraph that is likely to satisfy the eligibility criteria under paragraph (3).

''(D) APPROVAL OF APPLICATION.—On written notice by the Secretary that the application is complete and meets all requirements of this subsection, the project is considered approved and shall be permitted to participate in the program under this subsection.

''(E) LIMITATION ON APPROVED APPLICATION.—

''(i) IN GENERAL.—For an application received under this subsection on or after the date of enactment of the DRIVE Act for the reconstruction or rehabilitation of a facility, a State shall—

''(I) not later than 1 year after the date on which the application is approved, issue a solicitation for a contract to provide for the reconstruction or rehabilitation of the facility; and

''(II) not later than 2 years after the date on which the application is approved, execute a contract for the reconstruction or rehabilitation of the facility.

''(ii) PRIOR APPLICATIONS.—For an application that received a conditional provisional approval under this subsection before the date of enactment of the DRIVE Act, for the reconstruction or rehabilitation of a facility, a State shall—

''(I) not later than 1 year after the date of enactment of the DRIVE Act, issue a solicitation for a contract to provide for the reconstruction or rehabilitation of the facility; and

''(II) not later than 2 years after the date of enactment of the DRIVE Act, execute a contract for the reconstruction or rehabilitation of the facility.

''(iii) CANCELLATION OR EXTENSION.—If an applicable deadline under clause (i) or (ii) is not met, the Secretary shall—

''(I) cancel the application approval; or

''(II) grant an extension of not more than 1 year for the applicable deadline, on the condition that—

''(aa) there has been demonstrable progress toward meeting the applicable requirements; and

''(bb) the requirements are likely to be met within 1 year.

''(6) LIMITATION ON THE USE OF NATIONAL HIGHWAY PERFORMANCE PROGRAM FUNDS.—During the term of the pilot program, funds apportioned for the national highway performance program under section 104(b)(1) of title 23, United States Code, may not be used for a facility for which tolls are being collected under the pilot program unless the funds are used for a maintenance purpose, as defined in section 101(a) of title 23, United States Code.'';

(6) by redesignating paragraphs (7) and (8) as paragraphs (8) and (9), respectively;

(7) by inserting after paragraph (6) the following:

''(7) WITHDRAWAL.—A State may elect to withdraw participation of the State in the pilot program at any time.''; and

(8) in paragraph (8) (as redesignated by paragraph (6)), by inserting ''after the date of enactment of the DRIVE Act'' after ''10 years''.

SEC. 11020. EMERGENCY RELIEF FOR FEDERALLY OWNED ROADS.

(a) ELIGIBILITY.—Section 125(d)(3) of title 23, United States Code, is amended—

(1) in subparagraph (A), by striking ''or'' at the end;

(2) in subparagraph (B), by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(C) projects eligible for assistance under this section located on tribal transportation facilities, Federal lands transportation facilities, or other federally owned roads that are open to public travel (as defined in subsection (e)(1)).''.

(b) DEFINITION.—Section 125(e) of title 23, United States Code, is amended by striking paragraph (1) and inserting the following:

''(1) DEFINITIONS.—In this subsection:

''(A) OPEN TO PUBLIC TRAVEL.—The term 'open to public travel' means, with respect to a road, that, except during scheduled periods, extreme weather conditions, or emergencies, the road—

''(i) is maintained;

''(ii) is open to the general public; and

''(iii) can accommodate travel by a standard passenger vehicle, without restrictive gates or prohibitive signs or regulations, other than for general traffic control or restrictions based on size, weight, or class of registration.

''(B) STANDARD PASSENGER VEHICLE.—The term 'standard passenger vehicle' means a vehicle with 6 inches of clearance from the lowest point of the frame, body, suspension, or differential to the ground.''.

SEC. 11021. BRIDGES REQUIRING CLOSURE OR LOAD RESTRICTIONS.

Section 144(h) of title 23, United States Code, is amended—

(1) by redesignating paragraphs (6) and (7) as paragraphs (7) and (8), respectively;

(2) by inserting after paragraph (5) the following:

''(6) BRIDGES REQUIRING CLOSURE OR LOAD RESTRICTIONS.—

''(A) BRIDGES OWNED BY FEDERAL AGENCIES OR TRIBAL GOVERNMENTS.—If a Federal agency or tribal government fails to ensure that any highway bridge that is open to public travel and located in the jurisdiction of the Federal agency or tribal government is properly closed or restricted to loads that the bridge can carry safely, the Secretary—

''(i) shall, on learning of the need to close or restrict loads on the bridge, require the Federal agency or tribal government to take action necessary—

''(I) to close the bridge within 48 hours; or

''(II) within 30 days, to restrict public travel on the bridge to loads that the bridge can carry safely; and

''(ii) may, if the Federal agency or tribal government fails to take action required under clause (i), withhold all funding authorized under this title for the Federal agency or tribal government.''.

''(B) OTHER BRIDGES.—If a State fails to ensure that any highway bridge, other than a bridge described in subparagraph (A), that is open to public travel and is located within the boundaries of the State is properly closed or restricted to loads the bridge can carry safely, the Secretary—

''(i) shall, on learning of the need to close or restrict loads on the bridge, require the State to take action necessary—

''(I) to close the bridge within 48 hours; or

''(II) within 30 days, to restrict public travel on the bridge to loads that the bridge can carry safely; and

''(ii) may, if the State fails to take action required under clause (i), withhold approval for Federal-aid projects in that State.''; and

(3) in paragraph (8) (as redesignated by paragraph (1)), by striking ''(6)'' and inserting ''(7)''.

SEC. 11022. NATIONAL ELECTRIC VEHICLE CHARGING AND NATURAL GAS FUELING CORRIDORS.

(a) IN GENERAL.—Chapter 1 of title 23, United States Code, is amended by inserting after section 150 the following:

''§ 151. National electric vehicle charging and natural gas fueling corridors

''(a) IN GENERAL.—Not later than 1 year after the date of enactment of the DRIVE Act, the Secretary shall designate national electric vehicle charging and natural gas fueling corridors that identify the near- and long-term need for, and location of, electric vehicle charging infrastructure and natural gas fueling infrastructure at strategic locations along major national highways to improve the mobility of passenger and commercial vehicles that employ electric and natural gas fueling technologies across the United States.

''(b) DESIGNATION OF CORRIDORS.—In designating the corridors under subsection (a), the Secretary shall—

''(1) solicit nominations from State and local officials for facilities to be included in the corridors;

''(2) incorporate existing electric vehicle charging and natural gas fueling corridors designated by a State or group of States; and

''(3) consider the demand for, and location of, existing electric vehicle charging and natural gas fueling infrastructure.

''(c) STAKEHOLDERS.—In designating corridors under subsection (a), the Secretary shall involve, on a voluntary basis, stakeholders that include—

''(1) the heads of other Federal agencies;

''(2) State and local officials;

''(3) representatives of—

''(A) energy utilities;

''(B) the electric and natural gas vehicle industries;

''(C) the freight and shipping industry;

''(D) clean technology firms;

''(E) the hospitality industry;

''(F) the restaurant industry; and

''(G) highway rest stop vendors; and

''(4) such other stakeholders as the Secretary determines to be necessary.

''(d) REDESIGNATION.—Not later than 5 years after the date of establishment of the corridors under subsection (a), and every 5 years thereafter, the Secretary shall update and redesignate the corridors.

''(e) REPORT.—During designation and redesignation of the corridors under this section, the Secretary shall issue a report that—

''(1) identifies electric vehicle charging and natural gas fueling infrastructure and standardization needs for electricity providers, natural gas providers, infrastructure providers, vehicle manufacturers, electricity purchasers, and natural gas purchasers; and

''(2) establishes an aspirational goal of achieving strategic deployment of electric vehicle charging and natural gas fueling infrastructure in those corridors by the end of fiscal year 2021.''.

(b) CONFORMING AMENDMENT.—The analysis of chapter 1 of title 23, United States Code, is amended by striking the item relating to section 151 and inserting the following:

''151. National Electric Vehicle Charging and Natural Gas Fueling Corridors.''.

SEC. 11023. ASSET MANAGEMENT.

(a) Section 119 of title 23, United States Code, is amended—

(1) in subsection (f)(2)—

(A) in subparagraph (A), by striking ''structurally deficient'' and inserting ''being in poor condition''; and

(B) in subparagraph (B), by striking ''structurally deficient'' and inserting ''being in poor condition''; and

(2) by adding at the end the following:

''(h) CRITICAL INFRASTRUCTURE.—

''(1) DEFINITION OF CRITICAL INFRASTRUCTURE.—In this subsection, the term 'critical infrastructure' means those facilities the incapacity or failure of which would have a debilitating impact on national or regional economic security, national or regional energy security, national or regional public health or safety, or any combination of those matters.

''(2) DESIGNATION.—The asset management plan of a State developed pursuant to subsection (e) may include a designation of a critical infrastructure network of facilities from among those facilities in the State that are eligible under subsection (c).

''(3) RISK REDUCTION.—A State may use funds apportioned under this section for projects intended to reduce the risk of failure of facilities designated as being on the critical infrastructure network of the State.''.

(b) Section 144 of title 23, United States Code, is amended—

(1) in subsection (a)(1)(B), by striking ''deficient''; and

(2) in subsection (b)(5), by striking ''each structurally deficient bridge'' and inserting ''each bridge in poor condition''.

(c) Section 202(d) of title 23, United States Code, is amended—

(1) in paragraph (1), by striking ''deficient'';

(2) in paragraph (2)(B), by striking ''deficient''; and

(3) in paragraph (3)—

(A) in subparagraph (A), by striking the semicolon at the end and inserting ''; and'';

(B) in subparagraph (B), by striking ''; and'' at the end and inserting a period; and

(C) by striking subparagraph (C).

SEC. 11024. TRIBAL TRANSPORTATION PROGRAM AMENDMENT.

Section 202 of title 23, United States Code, is amended—

(1) in subsection (a)(6), by striking ''6 percent'' and inserting ''5 percent''; and

(2) in subsection (d)(2), in the matter preceding subparagraph (A) by striking ''2 percent'' and inserting ''3 percent''.

SEC. 11025. NATIONALLY SIGNIFICANT FEDERAL LANDS AND TRIBAL PROJECTS PROGRAM.

(a) PURPOSE.—The Secretary shall establish a nationally significant Federal lands and tribal projects program (referred to in this section as the ''program'') to provide funding to construct, reconstruct, or rehabilitate nationally significant Federal lands and tribal transportation projects.

(b) ELIGIBLE APPLICANTS.—

(1) IN GENERAL.—Except as provided in paragraph (2), entities eligible to receive funds under sections 201, 202, 203, and 204 of title 23, United States Code, may apply for funding under the program.

(2) SPECIAL RULE.—A State, county, or unit of local government may only apply for funding under the program if sponsored by an eligible Federal land management agency or Indian tribe.

(c) ELIGIBLE PROJECTS.—An eligible project under the program shall be a single continuous project—

(1) on a Federal lands transportation facility, a Federal lands access transportation facility, or a Tribal transportation facility (as those terms are defined in section 101 of title 23, United States Code), except that such facility is not required to be included on an inventory described in sections 202 or 203 of title 23, United States Code;

(2) for which completion of activities required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) has been demonstrated through—

(A) a record of decision with respect to the project;

(B) a finding that the project has no significant impact; or

(C) a determination that the project is categorically excluded; and

(3) having an estimated cost, based on the results of preliminary engineering, equal to or exceeding $25,000,0000, with priority consideration given to projects with an estimated cost equal to or exceeding $50,000,000.

(d) ELIGIBLE ACTIVITIES.—

(1) IN GENERAL.—Subject to paragraph (2), an eligible applicant receiving funds under the program may only use the funds for construction, reconstruction, and rehabilitation activities.

(2) INELIGIBLE ACTIVITIES.—An eligible applicant may not use funds received under the program for activities relating to project design.

(e) APPLICATIONS.—Eligible applicants shall submit to the Secretary an application at such time, in such form, and containing such information as the Secretary may require.

(f) SELECTION CRITERIA.—In selecting a project to receive funds under the program, the Secretary shall consider the extent to which the project—

(1) furthers the goals of the Department, including state of good repair, environmental sustainability, economic competitiveness, quality of life, and safety;

(2) improves the condition of critical multimodal transportation facilities;

(3) needs construction, reconstruction, or rehabilitation;

(4) is included in or eligible for inclusion in the National Register of Historic Places;

(5) enhances environmental ecosystems;

(6) uses new technologies and innovations that enhance the efficiency of the project;

(7) is supported by funds, other than the funds received under the program, to construct, maintain, and operate the facility;

(8) spans 2 or more States; and

(9) serves land owned by multiple Federal agencies or Indian tribes.

(g) FEDERAL SHARE.—The Federal share of the cost of a project shall be 95 percent.

(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $150,000,000 for each of fiscal years 2016 through 2021, to remain available for a period of 3 fiscal years following the fiscal year for which the amounts were appropriated.

SEC. 11026. FEDERAL LANDS PROGRAMMATIC ACTIVITIES.

Section 201(c) of title 23, United States Code, is amended—

(1) in paragraph (6)(A)—

(A) by redesignating clauses (i) and (ii) as subclauses (I) and (II), respectively;

(B) in the matter preceding subclause (I) (as so redesignated), by striking ''The Secretaries'' and inserting the following:

''(i) IN GENERAL.—The Secretaries'';

(C) by inserting a period after ''tribal transportation program''; and

(D) by striking ''in accordance with'' and all that follows through ''including—'' and inserting the following:

''(ii) REQUIREMENT.—Data collected to implement the tribal transportation program shall be in accordance with the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.).

''(iii) INCLUSIONS.—Data collected under this paragraph includes—''; and

(2) by striking paragraph (7) and inserting the following—

''(7) COOPERATIVE RESEARCH AND TECHNOLOGY DEPLOYMENT.—The Secretary may conduct cooperative research and technology deployment in coordination with Federal land management agencies, as determined appropriate by the Secretary.

''(8) FUNDING.—

''(A) IN GENERAL.—To carry out the activities described in this subsection for Federal lands transportation facilities, Federal lands access transportation facilities, and other federally owned roads open to public travel (as that term is defined in section 125(e)), the Secretary shall combine and use not greater than 5 percent for each fiscal year of the funds authorized for programs under sections 203 and 204.

''(B) OTHER ACTIVITIES.—In addition to the activities described in subparagraph (A), funds described under that subparagraph may be used for—

''(i) bridge inspections on any federally owned bridge even if that bridge is not included on the inventory described under section 203; and

''(ii) transportation planning activities carried out by Federal land management agencies eligible for funding under this chapter.''.

SEC. 11027. FEDERAL LANDS TRANSPORTATION PROGRAM.

Section 203 of title 23, United States Code, is amended—

(1) in subsection (a)(1)—

(A) in subparagraph (B), by striking ''operation'' and inserting ''capital, operations,''; and

(B) in subparagraph (D), by striking ''subparagraph (A)(iv)'' and inserting ''subparagraph (A)(iv)(I)'';

(2) in subsection (b)—

(A) in paragraph (1)(B)—

(i) in clause (iv), by striking ''and'' at the end;

(ii) in clause (v), by striking the period at the end and inserting a semicolon; and

(iii) by adding at the end the following:

''(vi) the Bureau of Reclamation; and

''(vii) independent Federal agencies with natural resource and land management responsibilities.''; and

(B) in paragraph (2)(B), in the matter preceding clause (i), by inserting ''performance management, including'' after ''support''; and

(3) in subsection (c)(2)(B), by adding at the end the following:

''(vi) The Bureau of Reclamation.''.

SEC. 11028. INNOVATIVE PROJECT DELIVERY.

Section 120(c)(3) of title 23, United States Code, is amended—

(1) in subparagraph (A)(ii)—

(A) by inserting ''engineering or design approaches,'' after ''technologies,''; and

(B) by striking ''or contracting'' and inserting ''or contracting or project delivery''; and

(2) in subparagraph (B)(iii), by inserting ''and alternative bidding'' before the semicolon at the end.

SEC. 11029. OBLIGATION AND RELEASE OF FUNDS.

Section 118(c)(2) of title 23, United States Code, is amended—

(1) in the matter preceding subparagraph (A), by striking ''Any funds'' and inserting the following:

''(A) IN GENERAL.—Any funds'';

(2) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and indenting appropriately; and

(3) by adding at the end the following:

''(B) SAME CLASS OF FUNDS NO LONGER AUTHORIZED.—If the same class of funds described in subparagraph (A)(i) is no longer authorized in the most recent authorizing law, the funds may be credited to a similar class of funds, as determined by the Secretary.''.

Subtitle B—Acceleration of Project Delivery

SEC. 11101. CATEGORICAL EXCLUSION FOR PROJECTS OF LIMITED FEDERAL ASSISTANCE.

Section 1317 of MAP-21 (23 U.S.C. 109 note; Public Law 112–141) is amended—

(1) in the matter preceding paragraph (1), by striking ''Not later than'' and inserting the following:

''(a) IN GENERAL.—Not later than''; and

(2) by adding at the end the following:

''(b) INFLATIONARY ADJUSTMENT.—The dollar amounts described in subsection (a) shall be adjusted for inflation—

''(1) effective October 1, 2015, to reflect changes since July 1, 2012, in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor; and

''(2) effective October 1, 2016, and each succeeding October 1, to reflect changes for the preceding 12-month period in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor.''.

SEC. 11102. PROGRAMMATIC AGREEMENT TEMPLATE.

(a) IN GENERAL.—Section 1318 of MAP-21 (23 U.S.C. 109 note; Public Law 112–141) is amended by adding at the end the following:

''(e) PROGRAMMATIC AGREEMENT TEMPLATE.—

''(1) IN GENERAL.—The Secretary shall develop a template programmatic agreement described in subsection (d) that provides for efficient and adequate procedures for evaluating Federal actions described in section 771.117(c) of title 23, Code of Federal Regulations (as in effect on the date of enactment of this subsection).

''(2) USE OF TEMPLATE.—The Secretary—

''(A) on receipt of a request from a State, shall use the template programmatic agreement developed under paragraph (1) in carrying out this section; and

''(B) on consent of the applicable State, may modify the template as necessary to address the unique needs and characteristics of the State.

''(3) OUTCOME MEASUREMENTS.—The Secretary shall establish a method to verify that actions described in section 771.117(c) of title 23, Code of Federal Regulations (as in effect on the date of enactment of this subsection), are evaluated and documented in a consistent manner by the State that uses the template programmatic agreement under this subsection.''.

(b) CATEGORICAL EXCLUSION DETERMINATIONS.—Not later than 30 days after the date of enactment of this Act, the Secretary shall revise section 771.117(g) of title 23, Code of Federal Regulations, to allow a programmatic agreement under this section to include responsibility for making categorical exclusion determinations—

(1) for actions described in subsections (c) and (d) of section 771.117 of title 23, Code of Federal Regulations; and

(2) that meet the criteria for a categorical exclusion under section 1508.4 of title 40, Code of Federal Regulations (as in effect on the date of enactment of this Act), and are identified in the programmatic agreement.

SEC. 11103. AGENCY COORDINATION.

(a) ROLES AND RESPONSIBILITY OF LEAD AGENCY.—Section 139(c)(6) of title 23, United States Code, is amended—

(1) in subparagraph (A), by striking ''and'' at the end;

(2) in subparagraph (B), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(C) to consider and respond to comments received from participating agencies on matters within the special expertise or jurisdiction of the participating agencies.''.

(b) PARTICIPATING AGENCY RESPONSIBILITIES.—Section 139(d) of title 23, United States Code, is amended by adding at the end the following:

''(8) PARTICIPATING AGENCY RESPONSIBILITIES.—An agency participating in the collaborative environmental review process under this section shall—

''(A) provide comments, responses, studies, or methodologies on those areas within the special expertise or jurisdiction of the Federal participating or cooperating agency; and

''(B) use the process to address any environmental issues of concern to the participating or cooperating agency.''.

SEC. 11104. INITIATION OF ENVIRONMENTAL REVIEW PROCESS.

Section 139 of title 23, United States Code, is amended—

(1) in subsection (a), by striking paragraph (6) and inserting the following:

''(6) PROJECT.—

''(A) IN GENERAL.—The term 'project' means any highway project, public transportation capital project, or multimodal project that, if implemented as proposed by the project sponsor, would require approval by any operating administration or secretarial office within the Department.

''(B) CONSIDERATIONS.—For purposes of this paragraph, the Secretary shall take into account, if known, any sources of Federal funding or financing identified by the project sponsor, including discretionary grant, loan, and loan guarantee programs administered by the Department.'';

(2) in subsection (e)—

(A) in paragraph (1), by inserting ''(including any additional information that the project sponsor considers to be important to initiate the process for the proposed project)'' after ''location of the proposed project''; and

(B) by adding at the end the following:

''(3) REVIEW OF APPLICATION.—Not later than 45 days after the date on which an application is received by the Secretary under this subsection, the Secretary shall provide to the project sponsor a written response that, as applicable—

''(A) describes the determination of the Secretary—

''(i) to initiate the environmental review process, including a timeline and an expected date for the publication in the Federal Register of the relevant notice of intent; or

''(ii) to decline the application, including an explanation of the reasons for that decision; or

''(B) requests additional information, and provides to the project sponsor an accounting, regarding what is necessary to initiate the environmental review process.

''(4) REQUEST TO DESIGNATE A LEAD AGENCY.—

''(A) IN GENERAL.—Any project sponsor may submit a request to the Secretary to designate a specific operating administration or secretarial office within the Department of Transportation to serve as the Federal lead agency for a project.

''(B) PROPOSED SCHEDULE.—A request under subparagraph (A) may include a proposed schedule for completing the environmental review process.

''(C) SECRETARIAL ACTION.—

''(i) IN GENERAL.—If a request under subparagraph (A) is received, the Secretary shall respond to the request not later than 45 days after the date of receipt.

''(ii) REQUIREMENTS.—The response shall—

''(I) approve the request;

''(II) deny the request, with an explanation of the reasons; or

''(III) require the submission of additional information.

''(iii) ADDITIONAL INFORMATION.—If additional information is submitted in accordance with clause (ii)(III), the Secretary shall respond to that submission not later than 45 days after the date of receipt.''; and

(3) in subsection (f)(4), by adding at the end the following:

''(E) REDUCTION OF DUPLICATION.—

''(i) IN GENERAL.—In carrying out this paragraph, the lead agency shall reduce duplication, to the maximum extent practicable, between—

''(I) the evaluation of alternatives under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

''(II) the evaluation of alternatives in the metropolitan transportation planning process under section 134 of title 23, United States Code, or an environmental review process carried out under State law (referred to in this subparagraph as a 'State environmental review process').

''(ii) CONSIDERATION OF ALTERNATIVES.—The lead agency may eliminate from detailed consideration an alternative proposed in an environmental impact statement regarding a project if, as determined by the lead agency—

''(I) the alternative was considered in a metropolitan planning process or a State environmental review process by a metropolitan planning organization or a State or local transportation agency, as applicable;

''(II) the lead agency provided guidance to the metropolitan planning organization or State or local transportation agency, as applicable, regarding analysis of alternatives in the metropolitan planning process or State environmental review process, including guidance on the requirements under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and any other requirements of Federal law necessary for approval of the project;

''(III) the applicable metropolitan planning process or State environmental review process included an opportunity for public review and comment;

''(IV) the applicable metropolitan planning organization or State or local transportation agency rejected the alternative after considering public comments;

''(V) the Federal lead agency independently reviewed the alternative evaluation approved by the applicable metropolitan planning organization or State or local transportation agency; and

''(VI) the Federal lead agency has determined—

''(aa) in consultation with Federal participating or cooperating agencies, that the alternative to be eliminated from consideration is not necessary for compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); or

''(bb) with the concurrence of Federal agencies with jurisdiction over a permit or approval required for a project, that the alternative to be eliminated from consideration is not necessary for any permit or approval under any other Federal law.''.

SEC. 11105. IMPROVING COLLABORATION FOR ACCELERATED DECISION MAKING.

(a) COORDINATION AND SCHEDULING.—Section 139(g)(1)(B)(i) of title 23, United States Code, is amended—

(1) by striking ''The lead agency'' and inserting ''For a project requiring an environmental impact statement or environmental assessment, the lead agency''; and

(2) by striking ''may'' and inserting ''shall''.

(b) ISSUE IDENTIFICATION AND RESOLUTION.—Section 139(h) of title 23, United States Code, is amended—

(1) in paragraph (4)(C), by striking ''paragraph (5) and'' and inserting ''paragraph (5)'';

(2) in paragraph (5)(A)(ii)(I), by inserting '', including modifications to the project schedule'' after ''review process''; and

(3) in paragraph (6)(B), by striking clause (ii) and inserting the following:

''(ii) DESCRIPTION OF DATE.—The date referred to in clause (i) is 1 of the following:

''(I) The date that is 30 days after the date for rendering a decision as described in the project schedule established pursuant to subsection (g)(1)(B).

''(II) If no schedule exists, the later of—

''(aa) the date that is 180 days after the date on which an application for the permit, license or approval is complete; or

''(bb) the date that is 180 days after the date on which the Federal lead agency issues a decision on the project under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

''(III) A modified date consistent with subsection (g)(1)(D).''.

SEC. 11106. ACCELERATED DECISIONMAKING IN ENVIRONMENTAL REVIEWS.

(a) IN GENERAL.—Section 139 of title 23, United States Code, is amended by adding at the end the following:

''(n) ACCELERATED DECISIONMAKING IN ENVIRONMENTAL REVIEWS.—

''(1) IN GENERAL.—In preparing a final environmental impact statement under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), if the lead agency modifies the statement in response to comments that are minor and are confined to factual corrections or explanations regarding why the comments do not warrant additional agency response, the lead agency may write on errata sheets attached to the statement instead of rewriting the draft statement, subject to the condition that the errata sheets shall—

''(A) cite the sources, authorities, or reasons that support the position of the lead agency; and

''(B) if appropriate, indicate the circumstances that would trigger agency reappraisal or further response.

''(2) INCORPORATION.—To the maximum extent practicable, the lead agency shall expeditiously develop a single document that consists of a final environmental impact statement and a record of decision, unless—

''(A) the final environmental impact statement makes substantial changes to the proposed action that are relevant to environmental or safety concerns; or

''(B) there are significant new circumstances or information that—

''(i) are relevant to environmental concerns; and

''(ii) bear on the proposed action or the impacts of the proposed action.''.

(b) REPEAL.—Section 1319 of MAP–21 (42 U.S.C. 4332a) is repealed.

SEC. 11107. IMPROVING TRANSPARENCY IN ENVIRONMENTAL REVIEWS.

Section 139 of title 23, United States Code (as amended by section 11106(a)), is amended by adding at the end the following:

''(o) REVIEWS, APPROVALS, AND PERMITTING PLATFORM.—

''(1) IN GENERAL.—Not later than 2 years after the date of enactment of this subsection, the Secretary shall establish an online platform and, in coordination with agencies described in paragraph (2), issue reporting standards to make publicly available the status of reviews, approvals, and permits required for compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) or other applicable Federal laws for projects and activities requiring an environmental assessment or an environmental impact statement.

''(2) FEDERAL AGENCY PARTICIPATION.—A Federal agency of jurisdiction over a review, approval, or permit described in paragraph (1) shall provide status information in accordance with the standards established by the Secretary under paragraph (1).

''(3) STATE RESPONSIBILITIES.—A State that is assigned and assumes responsibilities under section 326 or 327 shall provide applicable status information in accordance with standards established by the Secretary under paragraph (1).''.

SEC. 11108. INTEGRATION OF PLANNING AND ENVIRONMENTAL REVIEW.

Section 168 of title 23, United States Code, is amended to read as follows:

''§ 168. Integration of planning and environmental review

''(a) DEFINITIONS.—In this section, the following definitions apply:

''(1) ENVIRONMENTAL REVIEW PROCESS.—The term 'environmental review process' means the process for preparing for a project an environmental impact statement, environmental assessment, categorical exclusion, or other document prepared under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

''(2) LEAD AGENCY.—The term 'lead agency' has the meaning given the term in section 139(a).

''(3) PLANNING PRODUCT.—The term 'planning product' means a decision, analysis, study, or other documented information that is the result of an evaluation or decision-making process carried out by a metropolitan planning organization or a State, as appropriate, during metropolitan or statewide transportation planning under section 134 or 135, respectively.

''(4) PROJECT.—The term 'project' has the meaning given the term in section 139(a).

''(b) ADOPTION OF PLANNING PRODUCTS FOR USE IN NEPA PROCEEDINGS.—

''(1) IN GENERAL.—Subject to subsection (d), the Federal lead agency for a project may adopt and use a planning product in proceedings relating to any class of action in the environmental review process of the project.

''(2) IDENTIFICATION.—If the Federal lead agency makes a determination to adopt and use a planning product, the Federal lead agency shall identify the agencies that participated in the development of the planning products.

''(3) PARTIAL ADOPTION OF PLANNING PRODUCTS.—The Federal lead agency may—

''(A) adopt an entire planning product under paragraph (1); or

''(B) select portions of a planning project under paragraph (1) for adoption.

''(4) TIMING.—A determination under paragraph (1) with respect to the adoption of a planning product may—

''(A) be made at the time the lead agencies decide the appropriate scope of environmental review for the project; or

''(B) occur later in the environmental review process, as appropriate.

''(c) APPLICABILITY.—

''(1) PLANNING DECISIONS.—The lead agency in the environmental review process may adopt decisions from a planning product, including—

''(A) whether tolling, private financial assistance, or other special financial measures are necessary to implement the project;

''(B) a decision with respect to general travel corridor or modal choice, including a decision to implement corridor or subarea study recommendations to advance different modal solutions as separate projects with independent utility;

''(C) the purpose and the need for the proposed action;

''(D) preliminary screening of alternatives and elimination of unreasonable alternatives;

''(E) a basic description of the environmental setting;

''(F) a decision with respect to methodologies for analysis; and

''(G) an identification of programmatic level mitigation for potential impacts of transportation projects, including—

''(i) measures to avoid, minimize, and mitigate impacts at a regional or national scale;

''(ii) investments in regional ecosystem and water resources; and

''(iii) a programmatic mitigation plan developed in accordance with section 169.

''(2) PLANNING ANALYSES.—The lead agency in the environmental review process may adopt analyses from a planning product, including—

''(A) travel demands;

''(B) regional development and growth;

''(C) local land use, growth management, and development;

''(D) population and employment;

''(E) natural and built environmental conditions;

''(F) environmental resources and environmentally sensitive areas;

''(G) potential environmental effects, including the identification of resources of concern and potential indirect and cumulative effects on those resources; and

''(H) mitigation needs for a proposed action, or for programmatic level mitigation, for potential effects that the Federal lead agency determines are most effectively addressed at a regional or national program level.

''(d) CONDITIONS.—The lead agency in the environmental review process may adopt and use a planning product under this section if the lead agency determines, with the concurrence of other participating agencies with relevant expertise and project sponsors, as appropriate, that the following conditions have been met:

''(1) The planning product was developed through a planning process conducted pursuant to applicable Federal law.

''(2) The planning product was developed in consultation with appropriate Federal and State resource agencies and Indian tribes.

''(3) The planning process included broad multidisciplinary consideration of systems-level or corridor-wide transportation needs and potential effects, including effects on the human and natural environment.

''(4) The planning process included public notice that the planning products produced in the planning process may be adopted during a subsequent environmental review process in accordance with this section.

''(5) During the environmental review process, the lead agency has—

''(A) made the planning documents available for public review and comment;

''(B) provided notice of the intention of the lead agency to adopt the planning product; and

''(C) considered any resulting comments.

''(6) There is no significant new information or new circumstance that has a reasonable likelihood of affecting the continued validity or appropriateness of the planning product.

''(7) The planning product has a rational basis and is based on reliable and reasonably current data and reasonable and scientifically acceptable methodologies.

''(8) The planning product is documented in sufficient detail to support the decision or the results of the analysis and to meet requirements for use of the information in the environmental review process.

''(9) The planning product is appropriate for adoption and use in the environmental review process for the project and is incorporated in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and section 1502.21 of title 40, Code of Federal Regulations (as in effect on the date of enactment of the DRIVE Act).

''(e) EFFECT OF ADOPTION.—Any planning product adopted by the Federal lead agency in accordance with this section may be—

''(1) incorporated directly into an environmental review process document or other environmental document; and

''(2) relied on and used by other Federal agencies in carrying out reviews of the project.

''(f) RULES OF CONSTRUCTION.—

''(1) IN GENERAL.—This section does not make the environmental review process applicable to the transportation planning process conducted under this title and chapter 53 of title 49.

''(2) TRANSPORTATION PLANNING ACTIVITIES.—Initiation of the environmental review process as a part of, or concurrently with, transportation planning activities does not subject transportation plans and programs to the environmental review process.

''(3) PLANNING PRODUCTS.—This section does not affect the use of planning products in the environmental review process pursuant to other authorities under any other provision of law or restrict the initiation of the environmental review process during planning.''.

SEC. 11109. USE OF PROGRAMMATIC MITIGATION PLANS.

Section 169(f) of title 23, United States Code, is amended—

(1) by striking ''may use'' and inserting ''shall consider''; and

(2) by inserting ''or other Federal environmental law'' before the period at the end.

SEC. 11110. ADOPTION OF DEPARTMENTAL ENVIRONMENTAL DOCUMENTS.

(a) IN GENERAL.—Title 49, United States Code, is amended by inserting after section 306 the following:

''§ 307. Adoption of Departmental environmental documents

''(a) IN GENERAL.—An operating administration or secretarial office within the Department may adopt any draft environmental impact statement, final environmental impact statement, environmental assessment, or any other document issued under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) by another operating administration or secretarial office within the Department—

''(1) without recirculating the document (except that a final environmental impact statement shall be recirculated prior to adoption); and

''(2) if the operating administration or secretarial office adopting the document certifies that the project is substantially the same as the project reviewed under the document to be adopted.

''(b) COOPERATING AGENCY.—An adopting operating administration or secretarial office that was a cooperating agency and certifies that the project is substantially the same as the project reviewed under the document to be adopted and that its comments and suggestions have been addressed may adopt a document described in subsection (a) without recirculating the document.''.

(b) CONFORMING AMENDMENT.—The analysis for chapter 3 of title 49, United States Code, is amended by striking the item relating to section 307 and inserting the following:

''Sec. 307. Adoption of Departmental environmental documents.''.

SEC. 11111. TECHNICAL ASSISTANCE FOR STATES.

Section 326 of title 23, United States Code, is amended—

(1) in subsection (c)—

(A) by redesignating paragraphs (2) through (4) as paragraphs (3) through (5), respectively; and

(B) by inserting after paragraph (1) the following:

''(2) ASSISTANCE TO STATES.—On request of a Governor of a State, the Secretary shall provide to the State technical assistance, training, or other support relating to—

''(A) assuming responsibility under subsection (a);

''(B) developing a memorandum of understanding under this subsection; or

''(C) addressing a responsibility in need of corrective action under subsection (d)(1)(B).''; and

(2) in subsection (d), by striking paragraph (1) and inserting the following:

''(1) TERMINATION BY SECRETARY.—The Secretary may terminate the participation of any State in the program, if—

''(A) the Secretary determines that the State is not adequately carrying out the responsibilities assigned to the State;

''(B) the Secretary provides to the State—

''(i) a notification of the determination of noncompliance;

''(ii) a period of not less than 120 days to take such corrective action as the Secretary determines to be necessary to comply with the applicable agreement; and

''(iii) on request of the Governor of the State, a detailed description of each responsibility in need of corrective action regarding an inadequacy identified under subparagraph (A); and

''(C) the State, after the notification and period described in clauses (i) and (ii) of subparagraph (B), fails to take satisfactory corrective action, as determined by the Secretary.''.

SEC. 11112. SURFACE TRANSPORTATION PROJECT DELIVERY PROGRAM.

Section 327(j) of title 23, United States Code, is amended by striking paragraph (1) and inserting the following:

''(1) TERMINATION BY SECRETARY.—The Secretary may terminate the participation of any State in the program if—

''(A) the Secretary determines that the State is not adequately carrying out the responsibilities assigned to the State;

''(B) the Secretary provides to the State—

''(i) a notification of the determination of noncompliance;

''(ii) a period of not less than 120 days to take such corrective action as the Secretary determines to be necessary to comply with the applicable agreement; and

''(iii) on request of the Governor of the State, a detailed description of each responsibility in need of corrective action regarding an inadequacy identified under subparagraph (A); and

''(C) the State, after the notification and period provided under subparagraph (B), fails to take satisfactory corrective action, as determined by the Secretary.''.

SEC. 11113. CATEGORICAL EXCLUSIONS FOR MULTIMODAL PROJECTS.

(a) MULTIMODAL PROJECT DEFINED.—Section 139(a) of title 23, United States Code, is amended by striking paragraph (5) and inserting the following:

''(5) MULTIMODAL PROJECT.—The term 'multimodal project' means a project that requires approval by more than 1 Department of Transportation operating administration or secretarial office.''.

(b) APPLICATION OF CATEGORICAL EXCLUSIONS FOR MULTIMODAL PROJECTS.—Section 304 of title 49, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking ''operating authority that is not the lead authority with respect to a project'' and inserting ''operating administration or secretarial office that has expertise but is not the lead authority with respect to a proposed multimodal project''; and

(B) by striking paragraph (2) and inserting the following:

''(2) LEAD AUTHORITY.—The term 'lead authority' means a Department of Transportation operating administration or secretarial office that has the lead responsibility for compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for a proposed multimodal project.'';

(2) in subsection (b), by striking ''under this title'' and inserting ''by the Secretary of Transportation'';

(3) in subsection (c)—

(A) in the matter preceding paragraph (1)—

(i) by striking ''a categorical exclusion designated under the implementing regulations or'' and inserting ''a categorical exclusion designated under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) implementing regulations or''; and

(ii) by striking ''other components of the'' and inserting ''a proposed multimodal''; and

(B) by striking paragraphs (1) through (5) and inserting the following:

''(1) the lead authority makes a determination, in consultation with the cooperating authority, on the applicability of a categorical exclusion to a proposed multimodal project;

''(2) the cooperating authority does not object to the determination of the lead authority of the applicability of a categorical exclusion;

''(3) the lead authority determines that the component of the proposed multimodal project to be covered by the categorical exclusion of the cooperating authority has independent utility; and

''(4) the lead authority determines that—

''(A) the proposed multimodal project does not individually or cumulatively have a significant impact on the environment; and

''(B) extraordinary circumstances do not exist that merit additional analysis and documentation in an environmental impact statement or environmental assessment required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).''; and

(4) by striking subsection (d) and inserting the following:

''(d) COOPERATIVE AUTHORITY EXPERTISE.—A cooperating authority shall provide expertise to the lead authority on aspects of the multimodal project in which the cooperating authority has expertise.''.

SEC. 11114. MODERNIZATION OF THE ENVIRONMENTAL REVIEW PROCESS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall examine ways to modernize, simplify, and improve the implementation of the National Environmental Policy Act of 1969 (42 U.S.C. 4231 et seq.) by the Department.

(b) INCLUSIONS.—In carrying out subsection (a), the Secretary shall consider—

(1) the use of technology in the process, such as—

(A) searchable databases;

(B) geographic information system mapping tools;

(C) integration of those tools with fiscal management systems to provide more detailed data; and

(D) other innovative technologies;

(2) ways to prioritize use of programmatic environmental impact statements;

(3) methods to encourage cooperating agencies to present analyses in a concise format; and

(4) any other improvements that can be made to modernize process implementation.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report describing the results of the review carried out under subsection (a).

SEC. 11115. SERVICE CLUB, CHARITABLE ASSOCIATION, OR RELIGIOUS SERVICE SIGNS.

Notwithstanding section 131 of title 23, United States Code, and part 750 of title 23, Code of Federal Regulations (or successor regulations), a State may allow the maintenance of a sign of a service club, charitable association, or religious service that was erected as of the date of enactment of this Act, the area of which is less than or equal to 32 square feet, if the State notifies the Federal Highway Administration.

SEC. 11116. SATISFACTION OF REQUIREMENTS FOR CERTAIN HISTORIC SITES.

(a) HIGHWAYS.—Section 138 of title 23, United States Code, is amended by adding at the end the following:

''(c) SATISFACTION OF REQUIREMENTS FOR CERTAIN HISTORIC SITES.—

''(1) IN GENERAL.—The Secretary shall—

''(A) align, to the maximum extent practicable, with the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4231 et seq.) and section 306108 of title 54, including implementing regulations; and

''(B) not later than 90 days after the date of enactment of this subsection, coordinate

with the Secretary of the Interior and the Executive Director of the Advisory Council on Historic Preservation (referred to in this subsection as the 'Council') to establish procedures to satisfy the requirements described in subparagraph (A) (including regulations).

''(2) AVOIDANCE ALTERNATIVE ANALYSIS.—

''(A) IN GENERAL.—If, in an analysis required under the National Environmental Policy Act of 1969 (42 U.S.C. 4231 et seq.), the Secretary determines that there is no feasible or prudent alternative to avoid use of an historic site, the Secretary may—

''(i) include the determination of the Secretary in the analysis required under that Act;

''(ii) provide a notice of the determination to—

''(I) each applicable State historic preservation officer and tribal historic preservation officer;

''(II) the Council, if the Council is participating in the consultation process under section 306108 of title 54; and

''(III) the Secretary of the Interior; and

''(iii) request from the applicable preservation officer, the Council, and the Secretary of the Interior a concurrence that the determination is sufficient to satisfy the requirement of subsection (a)(1).

''(B) CONCURRENCE.—If the applicable preservation officer, the Council, and the Secretary of the Interior each provide a concurrence requested under subparagraph (A)(iii), no further analysis under subsection (a)(1) shall be required.

''(C) PUBLICATION.—A notice of a determination, together with each relevant concurrence to that determination, under subparagraph (A) shall be—

''(i) included in the record of decision or finding of no significant impact of the Secretary; and

''(ii) posted on an appropriate Federal website by not later than 3 days after the date of receipt by the Secretary of all concurrences requested under subparagraph (A)(iii).

''(3) ALIGNING HISTORICAL REVIEWS.—

''(A) IN GENERAL.—If the Secretary, the applicable preservation officer, the Council, and the Secretary of the Interior concur that no feasible and prudent alternative exists as described in paragraph (2), the Secretary may provide to the applicable preservation officer, the Council, and the Secretary of the Interior notice of the intent of the Secretary to satisfy the requirements of subsection (a)(2) through the consultation requirements of section 306108 of title 54.

''(B) SATISFACTION OF CONDITIONS.—To satisfy the requirements of subsection (a)(2), each individual described in paragraph (2)(A)(ii) shall concur in the treatment of the applicable historic site described in the memorandum of agreement or programmatic agreement developed under section 306108 of title 54.''.

(b) PUBLIC TRANSPORTATION.—Section 303 of title 49, United States Code, is amended—

(1) in subsection (c), in the matter preceding paragraph (1), by striking ''subsection (d)'' and inserting ''subsections (d) and (e)''; and

(2) by adding at the end the following:

''(e) SATISFACTION OF REQUIREMENTS FOR CERTAIN HISTORIC SITES.—

''(1) IN GENERAL.—The Secretary shall—

''(A) align, to the maximum extent practicable, the requirements of this section with the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4231 et seq.) and section 306108 of title 54, including implementing regulations; and

''(B) not later than 90 days after the date of enactment of this subsection, coordinate with the Secretary of the Interior and the Executive Director of the Advisory Council on Historic Preservation (referred to in this subsection as the 'Council') to establish procedures to satisfy the requirements described in subparagraph (A) (including regulations).

''(2) AVOIDANCE ALTERNATIVE ANALYSIS.—

''(A) IN GENERAL.—If, in an analysis required under the National Environmental Policy Act of 1969 (42 U.S.C. 4231 et seq.), the Secretary determines that there is no feasible or prudent alternative to avoid use of an historic site, the Secretary may—

''(i) include the determination of the Secretary in the analysis required under that Act;

''(ii) provide a notice of the determination to—

''(I) each applicable State historic preservation officer and tribal historic preservation officer;

''(II) the Council, if the Council is participating in the consultation process under section 306108 of title 54; and

''(III) the Secretary of the Interior; and

''(iii) request from the applicable preservation officer, the Council, and the Secretary of the Interior a concurrence that the determination is sufficient to satisfy the requirement of subsection (c)(1).

''(B) CONCURRENCE.—If the applicable preservation officer, the Council, and the Secretary of the Interior each provide a concurrence requested under subparagraph (A)(iii), no further analysis under subsection (a)(1) shall be required.

''(C) PUBLICATION.—A notice of a determination, together with each relevant concurrence to that determination, under subparagraph (A) shall be—

''(i) included in the record of decision or finding of no significant impact of the Secretary; and

''(ii) posted on an appropriate Federal website by not later than 3 days after the date of receipt by the Secretary of all concurrences requested under subparagraph (A)(iii).

''(3) ALIGNING HISTORICAL REVIEWS.—

''(A) IN GENERAL.—If the Secretary, the applicable preservation officer, the Council, and the Secretary of the Interior concur that no feasible and prudent alternative exists as described in paragraph (2), the Secretary may provide to the applicable preservation officer, the Council, and the Secretary of the Interior notice of the intent of the Secretary to satisfy the requirements of subsection (c)(2) through the consultation requirements of section 306108 of title 54.

''(B) SATISFACTION OF CONDITIONS.—To satisfy the requirements of subsection (c)(2), the applicable preservation officer, the Council, and the Secretary of the Interior shall concur in the treatment of the applicable historic site described in the memorandum of agreement or programmatic agreement developed under section 306108 of title 54.''.

SEC. 11117. BRIDGE EXEMPTION FROM CONSIDERATION UNDER CERTAIN PROVISIONS.

(a) PRESERVATION OF PARKLANDS.—Section 138 of title 23, United States Code, as amended by section 11116, is amended by adding at the end the following:

''(d) BRIDGE EXEMPTION FROM CONSIDERATION.—A common post-1945 concrete or steel bridge or culvert (as described in 77 Fed. Reg. 68790) that is exempt from individual review under section 306108 of title 54, United States Code, shall be exempt from consideration under this section.''.

(b) POLICY ON LANDS, WILDLIFE AND WATERFOWL REFUGES, AND HISTORIC SITES.—Section 303 of title 49, United States Code, as amended by section 11116, is amended by adding at the end the following:

''(f) BRIDGE EXEMPTION FROM CONSIDERATION.—A common post-1945 concrete or steel bridge or culvert (as described in 77 Fed. Reg. 68790) that is exempt from individual review under section 306108 of title 54, United States Code, shall be exempt from consideration under this section.''.

SEC. 11118. ELIMINATION OF BARRIERS TO IMPROVE AT-RISK BRIDGES.

(a) TEMPORARY AUTHORIZATION.—

(1) IN GENERAL.—Until the Secretary of the Interior takes the action described in subsection (b), the take of nesting swallows to facilitate a construction project on a bridge eligible for funding under title 23, United States Code, with any component condition rating of 3 or less (as defined by the National Bridge Inventory General Condition Guidance issued by the Federal Highway Administration) is authorized under the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.) between April 1 and August 31.

(2) MEASURES TO MINIMIZE IMPACTS.—

(A) NOTIFICATION BEFORE TAKING.—Prior to the taking of nesting swallows authorized under paragraph (1), any person taking that action shall submit to the Secretary of the Interior a document that contains—

(i) the name of the person acting under the authority of paragraph (1) to take nesting swallows;

(ii) a list of practicable measures that will be undertaken to minimize or mitigate significant adverse impacts on the population of that species;

(iii) the time period during which activities will be carried out that will result in the taking of that species; and

(iv) an estimate of the number of birds, by species, to be taken in the proposed action.

(B) NOTIFICATION AFTER TAKING.—Not later than 60 days after the taking of nesting swallows authorized under paragraph (1), any person taking that action shall submit to the Secretary of the Interior a document that contains the number of birds, by species, taken in the action.

(b) AUTHORIZATION OF TAKE.—

(1) IN GENERAL.—The Secretary of the Interior, in consultation with the Secretary, shall promulgate a regulation under the authority of section 3 of the Migratory Bird Treaty Act (16 U.S.C. 704) authorizing the take of nesting swallows to facilitate bridge repair, maintenance, or construction—

(A) without individual permit requirements; and

(B) under terms and conditions determined to be consistent with treaties relating to migratory birds that protect swallow species occurring in the United States.

(2) TERMINATION.—On the effective date of a final rule under this subsection by the Secretary of the Interior, subsection (a) shall have no force or effect.

(c) SUSPENSION OR WITHDRAWAL OF TAKE AUTHORIZATION.—If the Secretary of the Interior, in consultation with the Secretary, determines that taking of nesting swallows carried out under the authority provided in subsection (a)(1) is having a significant adverse impact on swallow populations, the Secretary of the Interior may suspend that authority through publication in the Federal Register.

SEC. 11119. AT-RISK PROJECT PREAGREEMENT AUTHORITY.

(a) DEFINITION OF PRELIMINARY ENGINEERING.—In this section, the term ''preliminary

engineering'' means allowable preconstruction project development and engineering costs.

(b) AT-RISK PROJECT PREAGREEMENT AUTHORITY.—A recipient or subrecipient of Federal-aid funds under title 23, United States Code, may—

(1) incur preliminary engineering costs for an eligible project under title 23, United States Code, before receiving project authorization from the State, in the case of a subrecipient, and the Secretary to proceed with the project; and

(2) request reimbursement of applicable Federal funds after the project authorization is received.

(c) ELIGIBILITY.—The Secretary may reimburse preliminary engineering costs incurred by a recipient or subrecipient under subsection (b)—

(1) if the costs meet all applicable requirements under title 23, United States Code, at the time the costs are incurred and the Secretary concurs that the requirements have been met;

(2) in the case of a project located within a designated nonattainment or maintenance area for air quality, if the conformity requirements of the Clean Air Act (42 U.S.C. 7401 et seq.) have been met; and

(3) if the costs would have been allowable if incurred after the date of the project authorization by the Department.

(d) AT-RISK.—A recipient or subrecipient that elects to use the authority provided under this section shall—

(1) assume all risk for preliminary engineering costs incurred prior to project authorization; and

(2) be responsible for ensuring and demonstrating to the Secretary that all applicable cost eligibility conditions are met after the authorization is received.

(e) RESTRICTIONS.—Nothing in this section—

(1) allows a recipient or subrecipient to use the authority under this section to advance a project beyond preliminary engineering prior to the completion of the environmental review process;

(2) waives the applicability of Federal requirements to a project other than the reimbursement of preliminary engineering costs incurred prior to an authorization to proceed in accordance with this section; or

(3) guarantees Federal funding of the project or the eligibility of the project for future Federal-aid highway funding.

Subtitle C—Miscellaneous

SEC. 11201. CREDITS FOR UNTAXED TRANSPORTATION FUELS.

(a) DEFINITION OF QUALIFIED REVENUES.—In this section, the term ''qualified revenues'' means any amounts—

(1) collected by a State—

(A) for the registration of a vehicle that operates solely on a fuel that is not subject to a Federal tax; and

(B) not sooner than the second registration period following the purchase of the vehicle; and

(2) that do not exceed, for a vehicle described in paragraph (1), an annual amount determined by the Secretary to be equal to the annual amount paid for Federal motor fuels taxes on the fuel used by an average passenger car fueled solely by gasoline.

(b) CREDIT.—

(1) IN GENERAL.—Subject to paragraph (2), if a State contributes qualified revenues to cover not less than 5 percent of the total cost of a project eligible for assistance under this title, the Federal share payable for the project under this section may be increased by an amount that is—

(A) equal to the percent of the total cost of the project from contributed qualified revenues; but

(B) not more than 5 percent of the total cost of the project.

(2) EXPIRATION.—The authorization of an increased Federal share for a project pursuant to paragraph (1) expires on September 30, 2023.

(c) STUDY.—

(1) IN GENERAL.—Before the expiration date of the credit under subsection (b)(2), the Secretary, in coordination with other appropriate Federal agencies, shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that describes the most efficient and equitable means of taxing motor vehicle fuels not subject to a Federal tax as of the date of submission of the report.

(2) REQUIREMENT.—The means described in the report under paragraph (1) shall parallel, as closely as practicable, the structure of other Federal taxes on motor fuels.

SEC. 11202. JUSTIFICATION REPORTS FOR ACCESS POINTS ON THE INTERSTATE SYSTEM.

Section 111(e) of title 23, United States Code, is amended by inserting ''(including new or modified freeway-to-crossroad interchanges inside a transportation management area)'' after ''the Interstate System''.

SEC. 11203. EXEMPTIONS.

Section 127 of title 23, United States Code, is amended by adding at the end the following:

''(m) NATURAL GAS VEHICLES.—A vehicle, if operated by an engine fueled primarily by natural gas, may exceed any vehicle weight limit (up to a maximum gross vehicle weight of 82,000 pounds) under this section by an amount that is equal to the difference between—

''(1) the weight of the vehicle attributable to the natural gas tank and fueling system carried by that vehicle; and

''(2) the weight of a comparable diesel tank and fueling system.

''(n) EMERGENCY VEHICLES.—

''(1) DEFINITION OF EMERGENCY VEHICLE.—In this subsection, the term 'emergency vehicle' means a vehicle designed to be used under emergency conditions—

''(A) to transport personnel and equipment; and

''(B) to support the suppression of fires and mitigation of other hazardous situations.

''(2) EMERGENCY VEHICLE WEIGHT LIMIT.—Notwithstanding subsection (a), a State shall not enforce against an emergency vehicle a vehicle weight limit (up to a maximum gross vehicle weight of 86,000 pounds) of less than—

''(A) 24,000 pounds on a single steering axle;

''(B) 33,500 pounds on a single drive axle;

''(C) 62,000 pounds on a tandem axle; or

''(D) 52,000 pounds on a tandem rear drive steer axle.

''(o) OPERATION OF CERTAIN SPECIALIZED VEHICLES ON CERTAIN HIGHWAYS IN THE STATE OF ARKANSAS.—If any segment of United States Route 63 between the exits for highways 14 and 75 in the State of Arkansas is designated as part of the Interstate System—

''(1) a vehicle that could legally operate on the segment before the date of the designation at the posted speed limit may continue to operate on that segment; and

''(2) a vehicle that can only travel below the posted speed limit on the segment that could otherwise legally operate on the segment before the date of the designation may continue to operate on that segment during daylight hours.''.

SEC. 11204. HIGH PRIORITY CORRIDORS ON THE NATIONAL HIGHWAY SYSTEM.

Section 1105 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2031) is amended—

(1) in subsection (c) (105 Stat. 2032; 112 Stat. 190; 119 Stat. 1213)—

(A) by striking paragraph (13) and inserting the following:

''(13) Raleigh-Norfolk Corridor from Raleigh, North Carolina, through Rocky Mount, Williamston and Elizabeth City, North Carolina, to Norfolk, Virginia.'';

(B) in paragraph (18)(D)—

(i) in clause (ii), by striking ''and'' at the end;

(ii) in clause (iii), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(iv) include Texas State Highway 44 from United States Route 59 at Freer, Texas, to Texas State Highway 358.''; and

(C) by striking paragraph (68) and inserting the following:

''(68) The Washoe County Corridor and the Intermountain West Corridor shall generally follow:

''(A) in the case of the Washoe County Corridor, along Interstate Route 580/United States Route 95/United States Route 95A, from Reno, Nevada, to Las Vegas, Nevada; and

''(B) in the case of the Intermountain West Corridor, from the vicinity of Las Vegas extending north along United States Route 95, terminating at Interstate Route 80.''; and

(D) by adding at the end the following:

''(81) United States Route 117/Interstate Route 795 from United States Route 70 in Goldsboro, Wayne County, North Carolina, to Interstate Route 40 west of Faison, Sampson County, North Carolina.

''(82) United States Route 70 from its intersection with Interstate Route 40 in Garner, Wake County, North Carolina, to the Port at Morehead City, Carteret County, North Carolina.

''(83) The Central Texas Corridor commencing at the logical terminus of Interstate 10, and generally following portions of United States Route 190 eastward passing in the vicinity Fort Hood, Killeen, Belton, Temple, Bryan, College Station, Huntsville, Livingston, Woodville, and to the logical terminus of Texas Highway 63 at the Sabine River Bridge at Burrs Crossing.'';

(2) in subsection (e)(5)—

(A) in subparagraph (A) (109 Stat. 597; 118 Stat. 293; 119 Stat. 1213), in the first sentence—

(i) by inserting ''subsection (c)(13),'' after ''subsection (c)(9),'';

(ii) by striking ''subsections (c)(18)'' and all that follows through ''(c)(36)'' and inserting ''subsection (c)(18), subsection (c)(20), subparagraphs (A) and (B)(i) of subsection (c)(26), subsection (c)(36)'' ; and

(iii) by striking ''and subsection (c)(57)'' and inserting ''subsection (c)(57), subsection (c)(68)(B), subsection (c)(81), and subsection (c)(82)''; and

(B) in subparagraph (C)(i) (109 Stat. 598; 126 Stat. 427), by striking the last sentence and inserting ''The routes referred to in subparagraphs (A) and (B)(i) of subsection (c)(26) and in subsection (c)(68)(B) are designated as Interstate Route I–11.''.

SEC. 11205. REPEAT INTOXICATED DRIVER LAW.

Section 164(a)(4) of title 23, United States Code, is amended in the matter preceding subparagraph (A) by inserting ''or combination of laws'' after ''means a State law''.

SEC. 11206. VEHICLE-TO-INFRASTRUCTURE EQUIPMENT.

(a) NATIONAL HIGHWAY PERFORMANCE PROGRAM.—Section 119(d)(2)(L) of title 23, United States Code, is amended by inserting '', including the installation of interoperable vehicle-to-infrastructure communication equipment'' after ''capital improvements''.

(b) SURFACE TRANSPORTATION PROGRAM.—Section 133(b)(16) of title 23, United States Code, by inserting '', including the installation of interoperable vehicle-to-infrastructure communication equipment'' after ''capital improvements''.

SEC. 11207. RELINQUISHMENT.

A State transportation agency may relinquish park-and-ride lot facilities or portions of park-and-ride lot facilities to a local government agency for highway purposes if authorized to do so under State law.

SEC. 11208. TRANSFER AND SALE OF TOLL CREDITS.

(a) DEFINITIONS.—In this section, the following definitions apply:

(1) ELIGIBLE STATE.—The term ''eligible State'' means a State that—

(A) is eligible to use a credit under section 120(i) of title 23, United States Code; and

(B) has been selected by the Secretary under subsection (d)(2).

(2) RECIPIENT STATE.—The term ''recipient State'' means a State that receives a credit by transfer or by sale under this section from an eligible State.

(b) ESTABLISHMENT OF PILOT PROGRAM.—Not later than 1 year after the date of the establishment of a nationwide toll credit monitoring and tracking system under subsection (g), the Secretary shall establish and implement a toll credit marketplace pilot program in accordance with this section.

(c) PURPOSES.—The purposes of the pilot program established under subsection (b) are—

(1) to identify whether a monetary value can be assigned to toll credits;

(2) to identify the discounted rate of toll credits for cash;

(3) to determine if the purchase of toll credits by States provides the purchasing State budget flexibility to deal with funding issues, including off-system needs, transit systems with high operating costs, or cash flow issues; and

(4) to test the feasibility of expanding the toll credit market to allow all States to participate on a permanent basis.

(d) SELECTION OF ELIGIBLE STATES.—

(1) APPLICATION TO SECRETARY.—In order to participate in the pilot program established under subsection (b), a State shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

(2) SELECTION.—Of the States that submit an application under paragraph (1), the Secretary may select not more than 10 States to be designated as an eligible State.

(e) TRANSFER OR SALE OF CREDITS.—

(1) IN GENERAL.—In carrying out the pilot program established under subsection (b), the Secretary shall provide that an eligible State may transfer or sell to a recipient State a credit not used by the eligible State under section 120(i) of title 23, United States Code.

(2) USE OF CREDITS BY TRANSFEREE OR PURCHASER.—A recipient State may use a credit received under paragraph (1) toward the non-Federal share requirement for any funds made available to carry out title 23 or chapter 53 of title 49, United States Code.

(3) CONDITION ON TRANSFER OR SALE OF CREDITS.—To receive a credit under paragraph (1), a recipient State shall enter into an agreement with the Secretary described in section 120(i) of title 23, United States Code.

(f) USE OF PROCEEDS FROM SALE OF CREDITS.—An eligible State shall use the proceeds from the sale of a credit under subsection (e)(1) for any project in the eligible State that is eligible under the surface transportation program established under section 133 of title 23, United States Code.

(g) TOLL CREDIT MONITORING AND TRACKING.—Not later than 180 days after the enactment of this section, the Secretary shall establish a nationwide toll credit monitoring and tracking system that functions as a real-time database on the inventory and use of toll credits among all States (as defined in section 101(a) of title 23, United States Code).

(h) NOTIFICATION.—Not later than 30 days after the date on which a credit is transferred or sold under subsection (e)(1), the eligible State shall submit to the Secretary in writing a notification of the transfer or sale.

(i) REPORTING REQUIREMENTS.—

(1) INITIAL REPORT.—Not later than 180 days after the date of establishment of the pilot program under subsection (b), the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the progress of the pilot program.

(2) STATE REPORT.—

(A) REPORT BY ELIGIBLE STATE.—Not later than 30 days after a purchase or sale under subsection (e)(1), an eligible State shall submit to the Secretary a report that describes—

(i) information on the transaction;

(ii) the amount of cash received and the value of toll credits sold;

(iii) the intended use of the cash; and

(iv) an update on the remaining toll credit balance of the State.

(B) REPORT BY RECIPIENT STATE.—Not later than 30 days after a purchase or sale under subsection (e)(1), a recipient State shall submit to the Secretary a report that describes—

(i) the value of toll credits purchased;

(ii) the anticipated use of the toll credits; and

(iii) plans for maintaining maintenance of effort for spending on Federal-aid highways projects.

(3) ANNUAL REPORT.—Not later than 1 year after the date on which the pilot program under subsection (b) is established and each year thereafter that the pilot program is in effect, the Secretary shall—

(A) submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that—

(i) determines whether a toll credit marketplace is viable;

(ii) describes the buying and selling activities of the pilot program;

(iii) describes the monetary value of toll credits;

(iv) determines whether the pilot program could be expanded to more States or all States; and

(v) provides updated information on the toll credit balance accumulated by each State; and

(B) make the report described in subparagraph (A) publicly available on the website of the Department.

(j) TERMINATION.—The Secretary may terminate the program established under this section or the participation of any State in the program if the Secretary determines that the program is not serving a public benefit.

SEC. 11209. REGIONAL INFRASTRUCTURE ACCELERATOR DEMONSTRATION PROGRAM.

(a) IN GENERAL.—The Secretary shall establish a regional infrastructure demonstration program (referred to in this section as the ''program'') to assist entities in developing improved infrastructure priorities and financing strategies for the accelerated development of a project that is eligible for funding under the TIFIA program under chapter 6 of title 23, United States Code.

(b) DESIGNATION OF REGIONAL INFRASTRUCTURE ACCELERATORS.—In carrying out the program, the Secretary may designate regional infrastructure accelerators that will—

(1) serve a defined geographic area; and

(2) act as a resource in the geographic area to qualified entities in accordance with this section.

(c) APPLICATION.—To be eligible for a designation under subsection (b), a proposed regional infrastructure accelerator shall submit to the Secretary a proposal at such time, in such manner, and containing such information as the Secretary may require.

(d) CRITERIA.—In evaluating a proposal submitted under subsection (c), the Secretary shall consider—

(1) the need for geographic diversity among regional infrastructure accelerators; and

(2) the ability of the proposal to promote investment in covered infrastructure projects, which shall include a plan—

(A) to evaluate and promote innovative financing methods for local projects, including the use of the TIFIA program under chapter 6 of title 23, United States Code;

(B) to build capacity of State, local, and tribal governments to evaluate and structure projects involving the investment of private capital;

(C) to provide technical assistance and information on best practices with respect to financing the projects;

(D) to increase transparency with respect to infrastructure project analysis and using innovative financing for public infrastructure projects;

(E) to deploy predevelopment capital programs designed to facilitate the creation of a pipeline of infrastructure projects available for investment;

(F) to bundle smaller-scale and rural projects into larger proposals that may be more attractive for investment; and

(G) to reduce transaction costs for public project sponsors.

(e) ANNUAL REPORT.—Not less frequently than once each year, the Secretary shall submit to Congress a report that describes the findings and effectiveness of the program.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out the program $12,000,000, of which the Secretary shall use—

(1) $11,750,000 for initial grants to regional infrastructure accelerators under subsection (b); and

(2) $250,000 for administrative costs of carrying out the program.

SEC. 11210. SONORAN CORRIDOR INTERSTATE DEVELOPMENT.

(a) FINDINGS.—Congress finds that the designation of the Sonoran Corridor Interstate connecting Interstate 19 to Interstate 10 south of the Tucson International Airport as a future part of the Interstate System would—

(1) enhance direct linkage between major trading routes connecting growing ports, agricultural regions, infrastructure and manufacturing centers, and existing high priority corridors of the National Highway System; and

(2) significantly improve connectivity on the future Interstate 11 and the CANAMEX Corridor, a route directly linking the United States with Mexico and Canada.

(b) HIGH PRIORITY CORRIDORS ON NATIONAL HIGHWAY SYSTEM.—Section 1105(c) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2032; 119 Stat. 1210) (as amended by section 11204) is amended by adding at the end the following:

''(84) State Route 410, the Sonoran Corridor connecting Interstate 19 to Interstate 10 south of the Tucson International Airport.''.

(c) FUTURE PARTS OF INTERSTATE SYSTEM.—Section 1105(e)(5)(A) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2033; 119 Stat. 1213) (as amended by section 11204) is amended in the first sentence by striking ''and subsection (c)(82)'' and inserting ''subsection (c)(82), and subsection (c)(84)''.

TITLE II—TRANSPORTATION INNOVATION

Subtitle A—Research

SEC. 12001. RESEARCH, TECHNOLOGY, AND EDUCATION.

(a) HIGHWAY RESEARCH AND DEVELOPMENT PROGRAM.—Section 503(b)(3) of title 23, United States Code, is amended—

(1) in subparagraph (C)—

(A) in clause (xviii), by striking ''and'' at the end;

(B) in clause (xix), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

''(xx) accelerated mobile, highway-speed, bridge inspection methods that provide quantitative data-driven decisionmaking capabilities without requiring lane closures; and

''(xxi) innovative segmental wall technology for soil bank stabilization and roadway sound attenuation, and articulated technology for hydraulic sheer-resistant erosion control.''; and

(2) in subparagraph (D)(i), by inserting ''and section 119(e)'' after ''this subparagraph''.

(b) TECHNOLOGY AND INNOVATION DEPLOYMENT PROGRAM.—Section 503(c) of title 23, United States Code, is amended—

(1) in paragraph (1), in the matter preceding subparagraph (A), by striking ''carry out'' and inserting ''establish and implement'';

(2) in paragraph (2)—

(A) in subparagraph (B), by striking clause (i) and inserting the following:

''(i) use not less than 50 percent of the funds authorized to carry out this subsection to make grants to, and enter into cooperative agreements and contracts with, States, other Federal agencies, local governments, metropolitan planning organizations, institutions of higher education, private sector entities, and nonprofit organizations to carry out demonstration programs that will accelerate the deployment and adoption of transportation research activities;'';

(B) by redesignating subparagraph (C) as subparagraph (D); and

(C) by inserting after subparagraph (B) the following:

''(C) INNOVATION GRANTS.—

''(i) IN GENERAL.—In carrying out the program established under subparagraph (B)(i), the Secretary shall establish a transparent competitive process in which entities described in subparagraph (B)(i) may submit an application to receive a grant under this subsection.

''(ii) PUBLICATION OF APPLICATION PROCESS.—A description of the application process established by the Secretary shall—

''(I) be posted on a public website;

''(II) identify the information required to be included in the application; and

''(III) identify the criteria by which the Secretary shall select grant recipients.

''(iii) SUBMISSION OF APPLICATION.—To receive a grant under this paragraph, an entity described in subparagraph (B)(i) shall submit an application to the Secretary.

''(iv) SELECTION AND APPROVAL.—The Secretary shall select and approve an application submitted under clause (iii) based on whether the project described in the application meets the goals of the program described in paragraph (1).''; and

(3) in paragraph (3)(C), by striking ''each of fiscal years 2013 through 2014'' and inserting ''each fiscal year''.

(c) CONFORMING AMENDMENT.—Section 505(c)(1) of title 23, United States Code, is amended by striking ''section 503(c)(2)(C)'' and inserting ''section 503 (c)(2)(D)''.

SEC. 12002. INTELLIGENT TRANSPORTATION SYSTEMS.

(a) INTELLIGENT TRANSPORTATION SYSTEMS DEPLOYMENT.—Section 513 of title 23, United States Code, is amended by adding at the end the following:

''(d) SYSTEM OPERATIONS AND ITS DEPLOYMENT GRANT PROGRAM.—

''(1) ESTABLISHMENT.—The Secretary shall establish a competitive grant program to accelerate the deployment, operation, systems management, intermodal integration, and interoperability of the ITS program and ITS-enabled operational strategies—

''(A) to measure and improve the performance of the surface transportation system;

''(B) to reduce traffic congestion and the economic and environmental impacts of traffic congestion;

''(C) to minimize fatalities and injuries;

''(D) to enhance mobility of people and goods;

''(E) to improve traveler information and services; and

''(F) to optimize existing roadway capacity.

''(2) APPLICATION.—To be eligible for a grant under this subsection, an eligible entity shall submit an application to the Secretary that includes—

''(A) a plan to deploy and provide for the long-term operation and maintenance of intelligent transportation systems to improve safety, efficiency, system performance, and return on investment, such as—

''(i) autonomous vehicle communication technologies;

''(ii) vehicle-to-vehicle or vehicle-to-infrastructure communication technologies;

''(iii) real-time integrated traffic, transit, and multimodal transportation information;

''(iv) advanced traffic, freight, parking, and incident management systems;

''(v) advanced technologies to improve transit and commercial vehicle operations;

''(vi) synchronized, adaptive, and transit preferential traffic signals;

''(vii) advanced infrastructure condition assessment technologies; and

''(viii) other technologies to improve system operations, including ITS applications necessary for multimodal systems integration and for achieving performance goals;

''(B) quantifiable system performance improvements, including—

''(i) reductions in traffic-related crashes, congestion, and costs;

''(ii) optimization of system efficiency; and

''(iii) improvement of access to transportation services;

''(C) quantifiable safety, mobility, and environmental benefit projections, including data-driven estimates of the manner in which the project will improve the efficiency of the transportation system and reduce traffic congestion in the region;

''(D) a plan for partnering with the private sector, including telecommunications industries and public service utilities, public agencies (including multimodal and multijurisdictional entities), research institutions, organizations representing transportation and technology leaders, and other transportation stakeholders;

''(E) a plan to leverage and optimize existing local and regional ITS investments; and

''(F) a plan to ensure interoperability of deployed technologies with other tolling, traffic management, and intelligent transportation systems.

''(3) SELECTION.—

''(A) IN GENERAL.—Effective beginning not later than 1 year after the date of enactment of the DRIVE Act, the Secretary may provide grants to eligible entities under this subsection.

''(B) GEOGRAPHIC DIVERSITY.—In awarding a grant under this subsection, the Secretary shall ensure, to the maximum extent practicable, that grant recipients represent diverse geographical areas of the United States, including urban, suburban, and rural areas.

''(C) NON-FEDERAL SHARE.—In awarding a grant under the subsection, the Secretary shall give priority to grant recipients that demonstrate an ability to contribute a significant non-Federal share to the cost of carrying out the project for which the grant is received.

''(4) ELIGIBLE USES.—Projects for which grants awarded under this subsection may be used include—

''(A) the deployment of autonomous vehicle communication technologies;

''(B) the deployment of vehicle-to-vehicle or vehicle-to-infrastructure communication technologies;

''(C) the establishment and implementation of ITS and ITS-enabled operations strategies that improve performance in the areas of—

''(i) traffic operations;

''(ii) emergency response to surface transportation incidents;

''(iii) incident management;

''(iv) transit and commercial vehicle operations improvements;

''(v) weather event response management by State and local authorities;

''(vi) surface transportation network and facility management;

''(vii) construction and work zone management;

''(viii) traffic flow information;

''(ix) freight management; and

''(x) congestion management;

''(D) carrying out activities that support the creation of networks that link metropolitan and rural surface transportation systems into an integrated data network, capable of collecting, sharing, and archiving transportation system traffic condition and performance information;

''(E) the implementation of intelligent transportation systems and technologies that improve highway safety through information and communications systems linking vehicles, infrastructure, mobile devices, transportation users, and emergency responders;

''(F) the provision of services necessary to ensure the efficient operation and management of ITS infrastructure, including costs associated with communications, utilities, rent, hardware, software, labor, administrative costs, training, and technical services;

''(G) the provision of support for the establishment and maintenance of institutional relationships between transportation agencies, police, emergency medical services, private emergency operators, freight operators, shippers, public service utilities, and telecommunications providers;

''(H) carrying out multimodal and cross-jurisdictional planning and deployment of regional transportation systems operations and management approaches; and

''(I) performing project evaluations to determine the costs, benefits, lessons learned, and future deployment strategies associated with the deployment of intelligent transportation systems.

''(5) REPORT TO SECRETARY.—For each fiscal year that an eligible entity receives a grant under this subsection, not later than 1 year after receiving the grant, each recipient shall submit to the Secretary a report that describes how the project has met the expectations projected in the deployment plan submitted with the application, including information on—

''(A) how the program has helped reduce traffic crashes, congestion, costs, and other benefits of the deployed systems;

''(B) the effect of measuring and improving transportation system performance through the deployment of advanced technologies;

''(C) the effectiveness of providing real-time integrated traffic, transit, and multimodal transportation information to the public that allows the public to make informed travel decisions; and

''(D) lessons learned and recommendations for future deployment strategies to optimize transportation efficiency and multimodal system performance.

''(6) REPORT TO CONGRESS.—Not later than 2 years after the date on which the first grant is awarded under this subsection and annually thereafter for each fiscal year for which grants are awarded under this subsection, the Secretary shall submit to Congress a report that describes the effectiveness of the grant recipients in meeting the projected deployment plan goals, including data on how the grant program has—

''(A) reduced traffic-related fatalities and injuries;

''(B) reduced traffic congestion and improved travel-time reliability;

''(C) reduced transportation-related emissions;

''(D) optimized multimodal system performance;

''(E) improved access to transportation alternatives;

''(F) provided the public with access to real-time integrated traffic, transit, and multimodal transportation information to make informed travel decisions;

''(G) provided cost savings to transportation agencies, businesses, and the traveling public; and

''(H) provided other benefits to transportation users and the general public.

''(7) ADDITIONAL GRANTS.—If the Secretary determines, based on a report submitted under paragraph (5), that a grant recipient is not complying with the established grant criteria, the Secretary may—

''(A) cease payment to the recipient of any remaining grant amounts; and

''(B) redistribute any remaining amounts to other eligible entities under this section.

''(8) NON-FEDERAL SHARE.—The Federal share of the cost of a project for which a grant is provided under this subsection shall not exceed 50 percent of the cost of the project.

''(9) FUNDING.—Of the funds made available each fiscal year to carry out the intelligent transportation system program under sections 512 through 518, not less than $30,000,000 shall be used to carry out this subsection.''.

(b) INTELLIGENT TRANSPORTATION SYSTEMS GOALS AND PURPOSES.—Section 514(a) of title 23, United States Code, is amended—

(1) in paragraph (4), by striking ''and'' at the end; and

(2) by striking paragraph (5) and inserting the following:

''(5) improvement of the ability of the United States to respond to security-related or other manmade emergencies and natural disasters; and

''(6) enhancement of the freight system of the United States and support to freight policy goals by conducting heavy duty vehicle demonstration activities and accelerating adoption of ITS applications in freight operations.''.

(c) ITS ADVISORY COMMITTEE REPORT.—Section 515(h)(4) of title 23, United States Code, is amended in the matter preceding subparagraph (A) by striking ''February 1 of each year after the date of enactment of the Transportation Research and Innovative Technology Act of 2012'' and inserting ''May 1 of each year''.

SEC. 12003. FUTURE INTERSTATE STUDY.

(a) FINDINGS.—Congress finds that—

(1) a well-developed system of transportation infrastructure is critical to the economic well-being, health, and welfare of the people of the United States;

(2) the 47,000-mile national Interstate System is the backbone to that transportation infrastructure system; and

(3) as of the date of enactment of this Act—

(A) many segments of the approximately 60- year-old Interstate System are well beyond the 50-year design life of the System and yet these aging facilities are central to the transportation infrastructure system, carrying 25 percent of the vehicle traffic of the United States on just 1 percent of the total public roadway mileage;

(B) the need for ongoing maintenance, preservation, and reconstruction of the Interstate System has grown due to increasing and changing travel demands; and

(C) simple maintenance of the current condition and configuration of the Interstate System is insufficient for the System to fully serve the transportation needs of the United States for the next 50 years.

(b) FUTURE INTERSTATE SYSTEM STUDY.—Not later than 180 days after the date of enactment of this Act, the Secretary shall enter into an agreement with the Transportation Research Board of the National Academies to conduct a study on the actions needed to upgrade and restore the Dwight D. Eisenhower National System of Interstate and Defense Highways to its role as a premier system network that meets the growing and shifting demands of the 21st century and for the next 50 years (referred to in this section as the ''study'').

(c) METHODOLOGIES.—In conducting the study, the Transportation Research Board shall build on the methodologies examined and recommended in the report prepared for the American Association of State Highway and Transportation Officials entitled ''National Cooperative Highway Research Program Project 20–24(79): Specifications for a National Study of the Future 3R, 4R, and Capacity Needs of the Interstate System'' and dated December 2013.

(d) RECOMMENDATIONS.—The study—

(1) shall include specific recommendations regarding the features, standards, capacity needs, application of technologies, and intergovernmental roles to upgrade the Interstate System, including any revisions to law (including regulations) that the Transportation Research Board determines appropriate to achieve the goals; and

(2) is encouraged to build on the robust institutional knowledge in the highway industry in applying the techniques involved in implementing the study.

(e) CONSIDERATIONS.—In carrying out the study, the Transportation Research Board shall determine the need for reconstruction and improvement of the Interstate System by considering—

(1) future demands on transportation infrastructure determined for national planning purposes, including commercial and private traffic flows to serve future economic activity and growth;

(2) the expected condition of the current Interstate System over the next 50 years, including long-term deterioration and reconstruction needs;

(3) those National Highway System routes that should be added to the existing Interstate System to more efficiently serve national traffic flows;

(4) features that would take advantage of technological capabilities to address modern standards of construction, maintenance, and operations, for purposes of safety, and system management, taking into further consideration system performance and cost; and

(5) the resources necessary to maintain and improve the Interstate System, including the resources required to upgrade those National Highway System routes identified in paragraph (3) to Interstate standards.

(f) CONSULTATION.—In carrying out the study, the Transportation Research Board—

(1) shall convene and consult with a panel of national experts including current and future owners, operators, and users of the Interstate System and private sector stakeholders; and

(2) is encouraged to consult with—

(A) the Federal Highway Administration;

(B) States;

(C) planning agencies at the metropolitan, State, and regional levels;

(D) the motor carrier industry;

(E) freight shippers;

(F) highway safety groups; and

(G) other appropriate entities.

(g) REPORT.—Not later than 3 years after the date of enactment of this Act, the Transportation Research Board shall submit to the Secretary, the Committee on Environment and Public Works of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives a report on the results of the study conducted under this section.

(h) FUNDING.—From amounts authorized to carry out the Highway Research and Development Program, the Secretary shall use up to $5,000,000 for fiscal year 2016 to carry out this section.

SEC. 12004. RESEARCHING SURFACE TRANSPORTATION SYSTEM FUNDING ALTERNATIVES.

(a) IN GENERAL.—The Secretary shall promote the research of user-based alternative revenue mechanisms that preserve a user fee structure to maintain the long-term solvency of the Highway Trust Fund.

(b) OBJECTIVES.—The objectives of the research described in subsection (a) shall be—

(1) to study uncertainties relating to the design, acceptance, and implementation of 2 or more future user-based alternative revenue mechanisms;

(2) to define the functionality of those user-based alternative revenue mechanisms;

(3) to conduct or promote research activities to demonstrate and test those user-based alternative revenue mechanisms, including by conducting field trials, by partnering with individual States, groups of States, or other appropriate entities to conduct the research activities;

(4) to conduct outreach to increase public awareness regarding the need for alternative funding sources for surface transportation programs and provide information on possible approaches;

(5) to provide recommendations regarding adoption and implementation of those user-based alternative revenue mechanisms; and

(6) to minimize the administrative cost of any potential user-based alternative revenue mechanisms.

(c) GRANTS.—The Secretary shall provide grants to individual States, groups of States, or other appropriate entities to conduct research that addresses—

(1) the implementation, interoperability, public acceptance, and other potential hurdles to the adoption of a user-based alternative revenue mechanism;

(2) the protection of personal privacy;

(3) the use of independent and private third-party vendors to collect fees and operate the user-based alternative revenue mechanism;

(4) equity concerns, including the impacts of the user-based alternative revenue mechanism on differing income groups, various geographic areas, and the relative burdens on rural and urban drivers;

(5) ease of compliance for different users of the transportation system;

(6) the reliability and security of technology used to implement the user-based alternative revenue mechanism;

(7) the flexibility and choices of user-based alternative revenue mechanisms, including the ability of users to select from various technology and payment options;

(8) the cost of administering the user-based alternative revenue mechanism; and

(9) the ability of the administering entity to audit and enforce user compliance.

(d) ADVISORY COUNCIL.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary, in consultation with the Secretary of the Treasury, shall establish and lead a Surface Transportation Revenue Alternatives Advisory Council (referred to in this subsection as the ''Council'') to inform the selection and evaluation of user-based alternative revenue mechanisms.

(2) MEMBERSHIP.—

(A) IN GENERAL.—The members of the Council shall—

(i) be appointed by the Secretary; and

(ii) include, at a minimum—

(I) representatives with experience in user-based alternative revenue mechanisms, of which—

(aa) not fewer than 1 shall be from the Department;

(bb) not fewer than 1 shall be from the Department of the Treasury; and

(cc) not fewer than 2 shall be from State departments of transportation;

(II) representatives from applicable users of the surface transportation system; and

(III) appropriate technology and public privacy experts.

(B) GEOGRAPHIC CONSIDERATIONS.—The Secretary shall consider geographic diversity when selecting members under this paragraph.

(3) FUNCTIONS.—Not later than 1 year after the date on which the Council is established, the Council shall, at a minimum—

(A) define the functionality of 2 or more user-based alternative revenue mechanisms;

(B) identify technological, administrative, institutional, privacy, and other issues that—

(i) are associated with the user-based alternative revenue mechanisms; and

(ii) may be researched through research activities;

(C) conduct public outreach to identify and assess questions and concerns about the user-based alternative revenue mechanisms for future evaluation through research activities; and

(D) provide recommendations to the Secretary on the process and criteria used for selecting research activities under subsection (c).

(4) EVALUATIONS.—The Council shall conduct periodic evaluations of the research activities that have received assistance from the Secretary under this section.

(5) APPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.—The Council shall not be subject to the Federal Advisory Committee Act (5 U.S.C. App.).

(e) BIENNIAL REPORTS.—Not later than 2 years after the date of enactment of this Act, and every 2 years thereafter until the completion of the research activities under this section, the Secretary shall submit to the Secretary of the Treasury, the Committee on Finance and the Committee on Environment and Public Works of the Senate, and the Committee on Ways and Means and the Committee on Transportation and Infrastructure of the House of Representatives a report describing the progress of the research activities.

(f) FINAL REPORT.—On the completion of the research activities under this section, the Secretary and the Secretary of the Treasury, acting jointly, shall submit to the Committee on Finance and the Committee on Environment and Public Works of the Senate and the Committee on Ways and Means and the Committee on Transportation and Infrastructure of the House of Representatives a report describing the results of the research activities and any recommendations.

(g) FUNDING.—Of the funds authorized to carry out section 503(b) of title 23, United States Code—

(1) $15,000,000 shall be used to carry out this section in fiscal year 2016; and

(2) $20,000,000 shall be used to carry out this section in each of fiscal years 2017 through 2021.

Subtitle B—Data

SEC. 12101. TRIBAL DATA COLLECTION.

Section 201(c)(6) of title 23, United States Code, is amended by adding at the end the following:

''(C) TRIBAL DATA COLLECTION.—In addition to the data to be collected under subparagraph (A), not later than 90 days after the end of each fiscal year, any entity carrying out a project under the tribal transportation program under section 202 shall submit to the Secretary and the Secretary of Interior, based on obligations and expenditures under the tribal transportation program during the preceding fiscal year, the following data:

''(i) The names of projects or activities carried out by the entity under the tribal transportation program during the preceding fiscal year.

''(ii) A description of the projects or activities identified under clause (i).

''(iii) The current status of the projects or activities identified under clause (i).

''(iv) An estimate of the number of jobs created and the number of jobs retained by the projects or activities identified under clause (i).''.

SEC. 12102. PERFORMANCE MANAGEMENT DATA SUPPORT PROGRAM.

(a) PERFORMANCE MANAGEMENT DATA SUPPORT.—The Administrator of the Federal Highway Administration shall develop, use, and maintain data sets and data analysis tools to assist metropolitan planning organizations, States, and the Federal Highway Administration in carrying out performance management analyses (including the performance management requirements under section 150 of title 23, United States Code).

(b) INCLUSIONS.—The data analysis activities authorized under subsection (a) may include—

(1) collecting and distributing vehicle probe data describing traffic on Federal-aid highways;

(2) collecting household travel behavior data to assess local and cross-jurisdictional travel, including to accommodate external and through travel;

(3) enhancing existing data collection and analysis tools to accommodate performance measures, targets, and related data, so as to better understand trip origin and destination, trip time, and mode;

(4) enhancing existing data analysis tools to improve performance predictions and travel models in reports described in section 150(e) of title 23, United States Code; and

(5) developing tools—

(A) to improve performance analysis; and

(B) to evaluate the effects of project investments on performance.

(c) FUNDING.—From amounts authorized to carry out the Highway Research and Development Program, the Administrator may use up to $10,000,000 for each of fiscal years 2016 through 2021 to carry out this section.

Subtitle C—Transparency and Best Practices

SEC. 12201. EVERY DAY COUNTS INITIATIVE.

(a) IN GENERAL.—It is in the national interest for the Department, State departments of transportation, and all other recipients of Federal transportation funds—

(1) to identify, accelerate, and deploy innovation aimed at shortening project delivery, enhancing the safety of the roadways of the United States, and protecting the environment;

(2) to ensure that the planning, design, engineering, construction, and financing of transportation projects is done in an efficient and effective manner;

(3) to promote the rapid deployment of proven solutions that provide greater accountability for public investments and encourage greater private sector involvement; and

(4) to create a culture of innovation within the highway community.

(b) EVERY DAY COUNTS INITIATIVE.—To advance the policy described in subsection (a), the Administrator of the Federal Highway Administration (referred to in this section as the ''Administrator'') shall continue the Every Day Counts initiative to work with States, local transportation agencies, and industry stakeholders to identify and deploy proven innovative practices and products that—

(1) accelerate innovation deployment;

(2) shorten the project delivery process;

(3) improve environmental sustainability;

(4) enhance roadway safety; and

(5) reduce congestion.

(c) INNOVATION DEPLOYMENT.—

(1) IN GENERAL.—At least every 2 years, the Administrator shall work collaboratively with stakeholders to identify a new collection of innovations, best practices, and data to be deployed to highway stakeholders through case studies, webinars, and demonstration projects.

(2) REQUIREMENTS.—In identifying a collection described in paragraph (1), the Secretary shall take into account market readiness, impacts, benefits, and ease of adoption of the innovation or practice.

(d) PUBLICATION.—Each collection identified under subsection (c) shall be published by the Administrator on a publicly available website.

SEC. 12202. DEPARTMENT OF TRANSPORTATION PERFORMANCE MEASURES.

(a) PERFORMANCE MEASURES.—Not later than 1 year after the date of enactment of this Act, the Secretary, in coordination with the heads of other Federal agencies with responsibility for the review and approval of projects funded under title 23, United States Code, shall measure and report on—

(1) the progress made toward aligning Federal reviews of projects funded under title 23, United States Code, and the improvement of project delivery associated with those projects; and

(2) as applicable, the effectiveness of the Department in achieving the goals described in section 150(b) of title 23, United States Code, through discretionary programs.

(b) REPORT.—Not later than 2 years after the date of enactment of this Act and biennially thereafter, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report describing the results of the evaluation conducted under subsection (a).

(c) INSPECTOR GENERAL REPORT.—Not later than 3 years after the date of enactment of this Act, the Inspector General of the Department shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report describing the results of the evaluation conducted under subsection (a).

SEC. 12203. GRANT PROGRAM FOR ACHIEVEMENT IN TRANSPORTATION FOR PERFORMANCE AND INNOVATION.

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE ENTITY.—The term ''eligible entity'' includes—

(A) a State;

(B) a unit of local government;

(C) a tribal organization (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b)); and

(D) a metropolitan planning organization.

(2) STATE.—The term ''State'' means—

(A) a State;

(B) the District of Columbia;

(C) the Commonwealth of Puerto Rico; and

(D) any other territory (as defined in section 165(c)(1) of title 23, United States Code).

(b) ESTABLISHMENT OF PROGRAM.—The Secretary shall establish a competitive grant program to reward—

(1) achievement in transportation performance management; and

(2) the implementation of strategies that achieve innovation and efficiency in surface transportation.

(c) PURPOSE.—The purpose of the program under this section shall be to reward entities for the implementation of policies and procedures that—

(1) support performance-based management of the surface transportation system and improve transportation outcomes; or

(2) use innovative technologies and practices that improve the efficiency and performance of the surface transportation system.

(d) APPLICATION.—

(1) IN GENERAL.—An eligible entity may submit to the Secretary an application for a grant under this section.

(2) CONTENTS.—An application under paragraph (1) shall indicate the means by which the eligible entity has met the requirements and purpose of the program under this section, including by—

(A) establishing, and making progress toward achieving, performance targets that exceed the requirements of title 23, United States Code;

(B) using innovative techniques and practices that enhance the effective movement of people, goods, and services, such as technologies that reduce construction time, improve operational efficiencies, and extend the service life of highways and bridges; and

(C) employing transportation planning tools and procedures that improve transparency and the development of transportation investment strategies within the jurisdiction of the eligible entity.

(e) EVALUATION CRITERIA.—In awarding a grant under this section, the Secretary shall take into consideration the extent to which the application of the applicable eligible entity under subsection (d)—

(1) demonstrates performance in meeting the requirements of subsection (c); and

(2) promotes the national goals described in section 150(b) of title 23, United States Code.

(f) ELIGIBLE ACTIVITIES.—Amounts made available to carry out this section shall be used for projects eligible for funding under—

(1) title 23, United States Code; or

(2) chapter 53 of title 49, United States Code.

(g) LIMITATION.—The amount of a grant under this section shall be not more than $15,000,000.

(h) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated out of the general fund of the Treasury to carry out this section $150,000,000 for each of fiscal years 2016 through 2021, to remain available until expended.

(2) ADMINISTRATIVE COSTS.—The Secretary shall withhold a reasonable amount of funds made available under paragraph (1) for administration of the program under this section, not to exceed 3 percent of the amount appropriated for each applicable fiscal year.

(i) APPLICABILITY OF REQUIREMENTS.—Amounts made available under this section shall be administered as if the funds were apportioned under chapter 1 of title 23, United States Code.

SEC. 12204. HIGHWAY TRUST FUND TRANSPARENCY AND ACCOUNTABILITY.

(a) IN GENERAL.—Section 104 of title 23, United States Code, is amended by striking subsection (g) and inserting the following:

''(g) HIGHWAY TRUST FUND TRANSPARENCY AND ACCOUNTABILITY REPORT.—

''(1) PUBLICLY AVAILABLE REPORT.—Not later than 180 days after the date of enactment of the DRIVE Act and quarterly thereafter, the Secretary shall compile data in accordance with this subsection on the use of Federal-aid highway program funds made available under this title.

''(2) REQUIREMENTS.—The Secretary shall ensure that the reports required under this subsection are made available in a user-friendly manner on the public website of the Department of Transportation and can be searched and downloaded by users of the website.

''(3) CONTENTS OF REPORT.—

''(A) APPORTIONED AND ALLOCATED PROGRAMS.—For each fiscal year, the report shall include comprehensive data for each program, organized by State, that includes—

''(i) the total amount of funds available for obligation, identifying the unobligated balance of funds available at the end of the preceding fiscal year and new funding available for the current fiscal year;

''(ii) the total amount of funding obligated during the current fiscal year;

''(iii) the remaining amount of funds available for obligation;

''(iv) changes in the obligated, unexpended balance during the current fiscal year, including the obligated, unexpended balance at the end of the preceding fiscal year and current fiscal year expenditures; and

''(v) the percentage of the total amount of obligations for the current fiscal year used for construction and the total amount obligated during the current fiscal year for rehabilitation.

''(B) PROJECT DATA.—To the maximum extent practicable, the report shall include project-specific data, including data describing—

''(i) the specific location of a project;

''(ii) whether the project is located in an area of the State with a population of—

''(I) less than 5,000 individuals;

''(II) 5,000 or more individuals but less than 50,000 individuals; or

''(III) 50,000 or more individuals;

''(iii) the total cost of the project;

''(iv) the amount of Federal funding being used on the project;

''(v) the 1 or more programs from which Federal funds are obligated on the project;

''(vi) the type of improvement being made, such as categorizing the project as—

''(I) a road reconstruction project;

''(II) a new road construction project;

''(III) a new bridge construction project;

''(IV) a bridge rehabilitation project; or

''(V) a bridge replacement project; and

''(vii) the ownership of the highway or bridge.

''(C) TRANSFERS BETWEEN PROGRAMS.—The report shall include a description of the amount of funds transferred between programs by each State under section 126.''.

(b) CONFORMING AMENDMENT.—Section 1503 of MAP–21 (23 U.S.C. 104 note; Public Law 112–141) is amended by striking subsection (c).

SEC. 12205. REPORT ON HIGHWAY TRUST FUND ADMINISTRATIVE EXPENDITURES.

(a) INITIAL REPORT.—Not later than 150 days after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report describing the administrative expenses of the Federal Highway Administration funded from the Highway Trust Fund during the 3 most recent fiscal years.

(b) UPDATES.—Not later than 5 years after the date on which the report is submitted under subsection (a) and every 5 years thereafter, the Comptroller General shall submit to Congress a report that updates the information provided in the report under that subsection for the preceding 5-year period.

(c) INCLUSIONS.—Each report submitted under subsection (a) or (b) shall include a description of the—

(1) types of administrative expenses of programs and offices funded by the Highway Trust Fund;

(2) tracking and monitoring of administrative expenses;

(3) controls in place to ensure that funding for administrative expenses is used as efficiently as practicable; and

(4) flexibility of the Department to reallocate amounts from the Highway Trust Fund between full-time equivalent employees and other functions.

SEC. 12206. AVAILABILITY OF REPORTS.

(a) IN GENERAL.—The Secretary shall make available to the public on the website of the Department any report required to be submitted by the Secretary to Congress after the date of enactment of this Act.

(b) DEADLINE.—Each report described in subsection (a) shall be made available on the website not later than 30 days after the report is submitted to Congress.

SEC. 12207. PERFORMANCE PERIOD ADJUSTMENT.

(a) NATIONAL HIGHWAY PERFORMANCE PROGRAM.—Section 119 of title 23, United States Code, is amended—

(1) in subsection (e)(7), by striking ''for 2 consecutive reports submitted under this paragraph shall include in the next report submitted'' and inserting ''shall include as part of the performance target report under section 150(e)''; and

(2) in subsection (f)(1)(A), by striking ''If, during 2 consecutive reporting periods, the condition of the Interstate System, excluding bridges on the Interstate System, in a State falls'' and inserting ''If a State reports that the condition of the Interstate System, excluding bridges on the Interstate System, has fallen''.

(b) HIGHWAY SAFETY IMPROVEMENT PROGRAM.—Section 148(i) of title 23, United States Code, is amended—

(1) in the matter preceding paragraph (1), by striking ''performance targets of the State established under section 150(d) by the date that is 2 years after the date of the establishment of the performance targets'' and inserting ''safety performance targets of the State established under section 150(d)''; and

(2) in paragraphs (1) and (2), by inserting ''safety'' before ''performance targets'' each place it appears.

SEC. 12208. DESIGN STANDARDS.

(a) IN GENERAL.—Section 109 of title 23, United States Code, is amended—

(1) in subsection (c)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking ''may take into account'' and inserting ''shall consider''; and

(ii) in subparagraph (C), by striking ''access for'' and inserting ''access and safety for''; and

(B) in paragraph (2)—

(i) in subparagraph (C), by striking ''and'' at the end;

(ii) by redesignating subparagraph (D) as subparagraph (F); and

(iii) by inserting after subparagraph (C) the following:

''(D) the publication entitled 'Highway Safety Manual' of the American Association of State Highway and Transportation Officials;

''(E) the publication entitled 'Urban Street Design Guide' of the National Association of City Transportation Officials; and'';

(2) in subsection (f), by inserting ''pedestrian walkways,'' after ''bikeways,''; and

(3) by adding at the end the following:

''(s) SAFETY FOR MOTORIZED AND NONMOTORIZED USERS.—

''(1) IN GENERAL.—Not later than 2 years after the date of the enactment of this subsection, the Secretary shall establish standards to ensure that the design of Federal surface transportation projects provides for the safe and adequate accommodation (as determined by the State or other direct recipient of funds), in all phases of project planning, development, and operation, of all users of the transportation network, including motorized and nonmotorized users.

''(2) WAIVER FOR STATE LAW OR POLICY.—The Secretary may waive the application of standards established under paragraph (1) to a State that has adopted a law or policy that provides for the safe and adequate accommodation (as determined by the State or other direct recipient of funds), in all phases of project planning and development, of users of the transportation network on federally funded surface transportation projects.

''(3) COMPLIANCE.—

''(A) IN GENERAL.—Each State department of transportation shall submit a report to the Secretary, at such time, in such manner, and containing such information as the Secretary shall require, that describes measures implemented by the State to comply with this subsection.

''(B) DETERMINATION BY SECRETARY.—Upon the receipt of a report from a State under subparagraph (A), the Secretary shall determine whether the State is in compliance with this section.''.

(b) DESIGN STANDARD FLEXIBILITY.—Notwithstanding section 109(o) of title 23, United States Code, a local jurisdiction may use a roadway design guide that is different from the roadway design guide used by the State in which the local jurisdiction is located for the design of projects on all roadways under the ownership of the local jurisdiction (other than a highway on the Interstate System) if—

(1) the local jurisdiction is the project sponsor;

(2) the roadway design guide—

(A) is recognized by the Federal Highway Administration; and

(B) is adopted by the local jurisdiction; and

(3) the design complies with all other applicable Federal laws.

TITLE III—TRANSPORTATION INFRASTRUCTURE FINANCE AND INNOVATION ACT OF 1998 AMENDMENTS

SEC. 13001. TRANSPORTATION INFRASTRUCTURE FINANCE AND INNOVATION ACT OF 1998 AMENDMENTS.

(a) DEFINITIONS.—Section 601(a) of title 23, United States Code, is amended—

(1) in the matter preceding paragraph (1)—

(A) by striking ''In this chapter, the'' and inserting ''The''; and

(B) by inserting ''to sections 601 through 609'' after ''apply'';

(2) in paragraph (2)—

(A) in subparagraph (B), by striking ''and'' at the end;

(B) in subparagraph (C), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(D) capitalizing a rural projects fund using the proceeds of a secured loan made to a State infrastructure bank in accordance with sections 602 and 603, for the purpose of making loans to sponsors of rural infrastructure projects in accordance with section 610.'';

(3) in paragraph (3), by striking ''this chapter'' and inserting ''the TIFIA program'';

(4) in paragraph (10)—

(A) in the matter preceding subparagraph (A)—

(i) by inserting ''related'' before ''projects''; and

(ii) by striking ''(which shall receive an investment grade rating from a rating agency)'';

(B) in subparagraph (A), by striking ''subject to the availability of future funds being made available to carry out this chapter;'' and inserting ''subject to—

''(i) the availability of future funds being made available to carry out the TIFIA program; and

''(ii) the satisfaction of all of the conditions for the provision of credit assistance under the TIFIA program, including section 603(b)(1);''; and

(C) in subparagraph (D)—

(i) by redesignating clauses (ii) and (iii) as clauses (iii) and (iv), respectively;

(ii) by inserting after clause (i) the following:

''(ii) receiving an investment grade rating from a rating agency;'';

(iii) in clause (iii) (as so redesignated), by striking ''section 602(c)'' and inserting ''including sections 602(c) and 603(b)(1)''; and

(iv) in clause (iv) (as so redesignated), by striking ''this chapter'' and inserting ''the TIFIA program'';

(5) in paragraph (12)—

(A) in subparagraph (D)(iv), by striking the period at the end and inserting ''; and''; and

(B) by adding at the end the following:

''(E) a project to improve or construct public infrastructure that is located within walking distance of, and accessible to, a fixed guideway transit facility, passenger rail station, intercity bus station, or intermodal facility, including a transportation, public utility, and capital project described in section 5302(3)(G)(v) of title 49, and related infrastructure;

''(F) a project for the acquisition of plant and wildlife habitat pursuant to a conservation plan that—

''(i) has been approved by the Secretary of the Interior pursuant to section 10 of the Endangered Species Act of 1973 (16 U.S.C. 1539); and

''(ii) as determined by the Secretary of the Interior, would mitigate the environmental impacts of transportation infrastructure projects otherwise eligible for assistance under the TIFIA program; and

''(G) the capitalization of a rural projects fund by a State infrastructure bank with the proceeds of a secured loan made in accordance with sections 602 and 603, for the purpose of making loans to sponsors of rural infrastructure projects in accordance with section 610.'';

(6) in paragraph (15), by striking ''means'' and all that follows through the period at the end and inserting ''means a surface transportation infrastructure project located in an area that is outside of an urbanized area with a population greater than 150,000 individuals, as determined by the Bureau of the Census.'';

(7) by redesignating paragraphs (16), (17), (18), (19), and (20) as paragraphs (17), (18), (20), (21), and (22), respectively;

(8) by inserting after paragraph (15) the following:

''(16) RURAL PROJECTS FUND.—The term 'rural projects fund' means a fund—

''(A) established by a State infrastructure bank in accordance with section 610(d)(4);

''(B) capitalized with the proceeds of a secured loan made to the bank in accordance with sections 602 and 603; and

''(C) for the purpose of making loans to sponsors of rural infrastructure projects in accordance with section 610.'';

(9) by inserting after paragraph (18) (as redesignated) the following:

''(19) STATE INFRASTRUCTURE BANK.—The term 'State infrastructure bank' means an infrastructure bank established under section 610.''; and

(10) in paragraph (22) (as redesignated), by inserting ''established under sections 602 through 609'' after ''Department''.

(b) DETERMINATION OF ELIGIBILITY AND PROJECT SELECTION.—Section 602 of title 23, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1), in the matter preceding subparagraph (A), by striking ''this chapter'' and inserting ''the TIFIA program'';

(B) in paragraph (2)(A), by striking ''this chapter'' and inserting ''the TIFIA program'';

(C) in paragraph (3), by striking ''this chapter'' and inserting ''the TIFIA program'';

(D) in paragraph (5)—

(i) by striking the heading and inserting ''ELIGIBLE PROJECT COST PARAMETERS.—'';

(ii) in subparagraph (A)—

(I) in the matter preceding clause (i), by striking ''subparagraph (B), to be eligible for assistance under this chapter, a project'' and inserting ''subparagraphs (B) and (C), a project under the TIFIA program'';

(II) by striking clause (i) and inserting the following:

''(i) $50,000,000; and''; and

(III) in clause (ii), by striking ''assistance''; and

(iii) in subparagraph (B)—

(I) by striking the subparagraph designation and heading and all that follows through ''In the case'' and inserting the following:

''(B) EXCEPTIONS.—

''(i) INTELLIGENT TRANSPORTATION SYSTEMS.—In the case''; and

(II) by adding at the end the following:

''(ii) TRANSIT-ORIENTED DEVELOPMENT PROJECTS.—In the case of a project described in section 601(a)(12)(E), eligible project costs shall be reasonably anticipated to equal or exceed $10,000,000.

''(iii) RURAL PROJECTS.—In the case of a rural infrastructure project or a project capitalizing a rural projects fund, eligible project costs shall be reasonably anticipated to equal or exceed $10,000,000, but not to exceed $100,000,000.

''(iv) LOCAL INFRASTRUCTURE PROJECTS.—Eligible project costs shall be reasonably anticipated to equal or exceed $10,000,000 in the case of projects or programs of projects—

''(I) in which the applicant is a local government, public authority, or instrumentality of local government;

''(II) located on a facility owned by a local government; or

''(III) for which the Secretary determines that a local government is substantially involved in the development of the project.'';

(E) in paragraph (9), in the matter preceding subparagraph (A), by striking ''this chapter'' and inserting ''the TIFIA program''; and

(F) in paragraph (10)—

(i) by striking ''To be eligible'' and inserting the following:

''(A) IN GENERAL.—Except as provided in subparagraph (B), to be eligible'';

(ii) by striking ''this chapter'' each place it appears and inserting ''the TIFIA program'';

(iii) by striking ''not later than'' and inserting ''no later than''; and

(iv) by adding at the end the following:

''(B) RURAL PROJECTS FUND.—In the case of a project capitalizing a rural projects fund, the State infrastructure bank shall demonstrate, not later than 2 years after the date on which a secured loan is obligated for the project under the TIFIA program, that the bank has executed a loan agreement with a borrower for a rural infrastructure project in accordance with section 610. After the demonstration is made, the bank may draw upon the secured loan. At the end of the 2-year period, to the extent the bank has not used the loan commitment, the Secretary may extend the term of the loan or withdraw the loan commitment.'';

(2) in subsection (b), by striking paragraph (2) and inserting the following:

''(2) MASTER CREDIT AGREEMENTS.—

''(A) PROGRAM OF RELATED PROJECTS.—The Secretary may enter into a master credit agreement for a program of related projects secured by a common security pledge on terms acceptable to the Secretary.

''(B) ADEQUATE FUNDING NOT AVAILABLE.—If the Secretary fully obligates funding to eligible projects for a fiscal year and adequate funding is not available to fund a credit instrument, a project sponsor of an eligible project may elect to enter into a master credit agreement and wait to execute a credit instrument until the fiscal year for which additional funds are available to receive credit assistance.'';

(3) in subsection (c)(1), in the matter preceding subparagraph (A), by striking ''this chapter'' and inserting ''the TIFIA program''; and

(4) in subsection (e), by striking ''this chapter'' and inserting ''the TIFIA program''.

(c) SECURED LOAN TERMS AND LIMITATIONS.—Section 603(b) of title 23, United States Code, is amended—

(1) in paragraph (2)—

(A) by striking ''The amount of'' and inserting the following:

''(A) IN GENERAL.—Except as provided in subparagraph (B), the amount of''; and

(B) by adding at the end the following:

''(B) RURAL PROJECTS FUND.—In the case of a project capitalizing a rural projects fund, the maximum amount of a secured loan made to a State infrastructure bank shall be determined in accordance with section 602(a)(5)(B)(iii).'';

(2) in paragraph (3)(A)(i)—

(A) in subclause (III), by striking ''or'' at the end;

(B) in subclause (IV), by striking ''and'' at the end and inserting ''or''; and

(C) by adding at the end the following:

''(V) in the case of a secured loan for a project capitalizing a rural projects fund, any other dedicated revenue sources available to a State infrastructure bank, including repayments from loans made by the bank for rural infrastructure projects; and'';

(3) in paragraph (4)(B)—

(A) in clause (i), by striking ''under this chapter'' and inserting ''or a rural projects fund under the TIFIA program''; and

(B) in clause (ii), by inserting ''and rural project funds'' after ''rural infrastructure projects'';

(4) in paragraph (5)—

(A) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and indenting appropriately;

(B) in the matter preceding subparagraph (A), by striking ''The final'' and inserting the following:

''(A) IN GENERAL.—Except as provided in subparagraph (B), the final''; and

(C) by adding at the end the following:

''(B) RURAL PROJECTS FUND.—In the case of a project capitalizing a rural projects fund, the final maturity date of the secured loan shall not exceed 35 years after the date on which the secured loan is obligated.'';

(5) in paragraph (8), by striking ''this chapter'' and inserting ''the TIFIA program''; and

(6) in paragraph (9)—

(A) by striking ''The total Federal assistance provided on a project receiving a loan under this chapter'' and inserting the following:

''(A) IN GENERAL.—The total Federal assistance provided for a project receiving a loan under the TIFIA program''; and

(B) by adding at the end the following:

''(B) RURAL PROJECTS FUND.—A project capitalizing a rural projects fund shall satisfy clause (i) through compliance with the Federal share requirement described in section 610(e)(3)(B).''.

(d) PROGRAM ADMINISTRATION.—Section 605 of title 23, United States Code, is amended—

(1) by striking ''this chapter'' each place it appears and inserting ''the TIFIA program''; and

(2) by adding at the end the following:

''(f) ASSISTANCE TO SMALL PROJECTS.—

''(1) RESERVATION OF FUNDS.—Of the funds made available to carry out the TIFIA program for each fiscal year, and after the set-aside under section 608(a)(6), not less than $2,000,000 shall be made available for the Secretary to use in lieu of fees collected under subsection (b) for projects under the TIFIA program having eligible project costs that are reasonably anticipated not to equal or exceed $75,000,000.

''(2) RELEASE OF FUNDS.—Any funds not used under paragraph (1) shall be made available on October 1 of the following fiscal year to provide credit assistance to any project under the TIFIA program.''.

(e) STATE AND LOCAL PERMITS.—Section 606 of title 23, United States Code, is amended in the matter preceding paragraph (1) by striking ''this chapter'' and inserting ''the TIFIA program''.

(f) REGULATIONS.—Section 607 of title 23, United States Code, is amended by striking ''this chapter'' and inserting ''the TIFIA program''.

(g) FUNDING.—Section 608 of title 23, United States Code, is amended—

(1) by striking ''this chapter'' each place it appears and inserting ''the TIFIA program''; and

(2) in subsection (a)—

(A) in paragraph (2), by inserting ''of'' after ''504(f)'';

(B) in paragraph (3)—

(i) in subparagraph (A), by inserting ''or rural projects funds'' after ''rural infrastructure projects''; and

(ii) in subparagraph (B), by inserting ''or rural projects funds'' after ''rural infrastructure projects'';

(C) by striking paragraph (4) and redesignating paragraphs (5) and (6) as paragraphs (4) and (5), respectively; and

(D) in paragraph (5) (as so redesignated), by striking ''0.50 percent'' and inserting ''1.5 percent''.

(h) REPORTS TO CONGRESS.—Section 609 of title 23, United States Code, is amended by striking ''this chapter (other than section 610)'' each place it appears and inserting ''the TIFIA program''.

(i) STATE INFRASTRUCTURE BANK PROGRAM.—Section 610 of title 23, United States Code, is amended—

(1) in subsection (a), by adding at the end the following:

''(11) RURAL INFRASTRUCTURE PROJECT.—The term 'rural infrastructure project' has the meaning given the term in section 601.

''(12) RURAL PROJECTS FUND.—The term 'rural projects fund' has the meaning given the term in section 601.'';

(2) in subsection (d)—

(A) in paragraph (1)(A), by striking ''each of fiscal years'' and all that follows through

the end of subparagraph (A) and inserting ''each fiscal year under each of paragraphs (1), (2), and (5) of section 104(b); and'';

(B) in paragraph (2), by striking ''in each of fiscal years 2005 through 2009'' and inserting ''in each fiscal year'';

(C) in paragraph (3), by striking ''in each of fiscal years 2005 through 2009'' and inserting ''in each fiscal year'';

(D) by redesignating paragraphs (4) through (6) as paragraphs (5) through (7), respectively;

(E) by inserting after paragraph (3) the following:

''(4) RURAL PROJECTS FUND.—Subject to subsection (j), the Secretary may permit a State entering into a cooperative agreement under this section to establish a State infrastructure bank to deposit into the rural projects fund of the bank the proceeds of a secured loan made to the bank in accordance with section 602 and 603.''; and

(F) in paragraph (6) (as redesignated), by striking ''section 133(d)(3)'' and inserting ''section 133(d)(1)(A)(i)'';

(3) by striking subsection (e) and inserting the following:

''(e) FORMS OF ASSISTANCE FROM STATE INFRASTRUCTURE BANKS.—

''(1) IN GENERAL.—A State infrastructure bank established under this section may—

''(A) with funds deposited into the highway account, transit account, or rail account of the bank, make loans or provide other forms of credit assistance to a public or private entity to carry out a project eligible for assistance under this section; and

''(B) with funds deposited into the rural projects fund, make loans to a public or private entity to carry out a rural infrastructure project.

''(2) SUBORDINATION OF LOAN.—The amount of a loan or other form of credit assistance provided for a project described in paragraph (1) may be subordinated to any other debt financing for the project.

''(3) MAXIMUM AMOUNT OF ASSISTANCE.—A State infrastructure bank established under this section may—

''(A) with funds deposited into the highway account, transit account, or rail account, make loans or provide other forms of credit assistance to a public or private entity in an amount up to 100 percent of the cost of carrying out a project eligible for assistance under this section; and

''(B) with funds deposited into the rural projects fund, make loans to a public or private entity in an amount not to exceed 80 percent of the cost of carrying out a rural infrastructure project.

''(4) INITIAL ASSISTANCE.—Initial assistance provided with respect to a project from Federal funds deposited into a State infrastructure bank under this section may not be made in the form of a grant.'';

(4) in subsection (g)—

(A) in paragraph (1), by striking ''each account'' and inserting ''the highway account, the transit account, and the rail account''; and

(B) in paragraph (4), by inserting '', except that any loan funded from the rural projects fund of the bank shall bear interest at or below the interest rate charged for the TIFIA loan provided to the bank under section 603'' after ''feasible''; and

(5) in subsection (k), by striking ''For each of fiscal years 2005 through 2009'' and inserting ''For each fiscal year''.

TITLE IV—TECHNICAL CORRECTIONS

SEC. 14001. TECHNICAL CORRECTIONS.

(a) Section 101(a)(29) of title 23, United States Code, is amended—

(1) in subparagraph (B), by inserting a comma after ''disabilities''; and

(2) in subparagraph (F)(i), by striking ''133(b)(11)'' and inserting ''133(b)(14)''.

(b) Section 119(d)(1)(A) of title 23, United States Code, is amended by striking ''mobility,'' and inserting ''congestion reduction, system reliability,''.

(c) Section 126(b) of title 23, United States Code (as amended by section 11014(b)), is amended by striking ''133(d)'' and inserting ''133(d)(1)(A)''.

(d) Section 127(a)(3) of title 23, United States Code, is amended by striking ''118(b)(2) of this title'' and inserting ''118(b)''.

(e) Section 150(c)(3)(B) of title 23, United States Code, is amended by striking the semicolon at the end and inserting a period.

(f) Section 153(h)(2) of title 23, United States Code, is amended by striking ''paragraphs (1) through (3)'' and inserting ''paragraphs (1), (2), and (4)''.

(g) Section 163(f)(2) of title 23, United States Code, is amended by striking ''118(b)(2)'' and inserting ''118(b)''.

(h) Section 165(c)(7) of title 23, United States Code, is amended by striking ''paragraphs (2), (4), (7), (8), (14), and (19)'' and inserting ''paragraphs (2), (4), (6), (7), and (14)''.

(i) Section 202(b)(3) of title 23, United States Code, is amended—

(1) in subparagraph (A)(i), in the matter preceding subclause (I), by inserting ''(a)(6),'' after ''subsections''; and

(2) in subparagraph (C)(ii)(IV), by striking ''(III).]'' and inserting ''(III).''.

(j) Section 217(a) of title 23, United States Code, is amended by striking ''104(b)(3)'' and inserting ''104(b)(4)''.

(k) Section 327(a)(2)(B)(iii) of title 23, United States Code, is amended by striking ''(42 U.S.C. 13 4321 et seq.)'' and inserting ''(42 U.S.C. 4321 et seq.)''.

(l) Section 504(a)(4) of title 23, United States Code, is amended by striking ''104(b)(3)'' and inserting ''104(b)(2)''.

(m) Section 515 of title 23, United States Code, is amended by striking ''this chapter'' each place it appears and inserting ''sections 512 through 518''.

(n) Section 518(a) of title 23, United States Code, is amended by inserting ''a report'' after ''House of Representatives''.

(o) Section 6302(b)(3)(B)(vi)(III) of title 49, United States Code, is amended by striking ''6310'' and inserting ''6309''.

(p) Section 1301(*l*)(3) of SAFETEA–LU (23 U.S.C. 101 note; Public Law 109–59) is amended—

(1) in subparagraph (A)(i), by striking ''complied'' and inserting ''compiled''; and

(2) in subparagraph (B), by striking ''paragraph (1)'' and inserting ''subparagraph (A)''.

(q) Section 4407 of SAFETEA–LU (Public Law 109–59; 119 Stat. 1777), is amended by striking ''hereby enacted into law'' and inserting ''granted''.

(r) Section 51001(a)(1) of the Transportation Research and Innovative Technology Act of 2012 (126 Stat. 864) is amended by striking ''sections 503(b), 503(d), and 509'' and inserting ''section 503(b)''.

TITLE V—MISCELLANEOUS

SEC. 15001. APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM.

Section 1528 of MAP–21 (40 U.S.C. 14501 note; Public Law 112–141) is amended—

(1) by striking ''2021'' each place it appears and inserting ''2050''; and

(2) by striking ''shall be 100 percent'' each place it appears and inserting ''shall be up to 100 percent, as determined by the State''.

SEC. 15002. APPALACHIAN REGIONAL DEVELOPMENT PROGRAM.

(a) HIGH-SPEED BROADBAND DEVELOPMENT INITIATIVE.—

(1) IN GENERAL.—Subchapter I of chapter 145 of subtitle IV of title 40, United States Code, is amended by adding at the end the following:

''§ 14509. High-speed broadband deployment initiative

''(a) IN GENERAL.—The Appalachian Regional Commission may provide technical assistance, make grants, enter into contracts, or otherwise provide amounts to individuals or entities in the Appalachian region for projects and activities—

''(1) to increase affordable access to broadband networks throughout the Appalachian region;

''(2) to conduct research, analysis, and training to increase broadband adoption efforts in the Appalachian region;

''(3) to provide technology assets, including computers, smartboards, and video projectors to educational systems throughout the Appalachian region;

''(4) to increase distance learning opportunities throughout the Appalachian region;

''(5) to increase the use of telehealth technologies in the Appalachian region; and

''(6) to promote e-commerce applications in the Appalachian region.

''(b) LIMITATION ON AVAILABLE AMOUNTS.—Of the cost of any activity eligible for a grant under this section—

''(1) not more than 50 percent may be provided from amounts appropriated to carry out this section; and

''(2) notwithstanding paragraph (1)—

''(A) in the case of a project to be carried out in a county for which a distressed county designation is in effect under section 14526, not more than 80 percent may be provided from amounts appropriated to carry out this section; and

''(B) in the case of a project to be carried out in a county for which an at-risk designation is in effect under section 14526, not more than 70 percent may be provided from amounts appropriated to carry out this section.

''(c) SOURCES OF ASSISTANCE.—Subject to subsection (b), a grant provided under this section may be provided from amounts made available to carry out this section in combination with amounts made available—

''(1) under any other Federal program; or

''(2) from any other source.

''(d) FEDERAL SHARE.—Notwithstanding any provision of law limiting the Federal share under any other Federal program, amounts made available to carry out this section may be used to increase that Federal share, as the Appalachian Regional Commission determines to be appropriate.''.

(2) CONFORMING AMENDMENT.—The analysis for chapter 145 of title 40, United States Code, is amended by inserting after the item relating to section 14508 the following:

''14509. High-speed broadband deployment initiative.''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 14703 of title 40, United States Code, is amended—

(1) in subsection (a)(5), by striking ''fiscal year 2012'' and inserting ''each of fiscal years 2012 through 2021'';

(2) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

(3) by inserting after subsection (b) the following:

''(c) HIGH-SPEED BROADBAND DEPLOYMENT INITIATIVE.—Of the amounts made available under subsection (a), $10,000,000 shall be used

to carry out section 14509 for each of fiscal years 2016 through 2021.''.

(c) TERMINATION.—Section 14704 of title 40, United States Code, is amended by striking ''2012'' and inserting ''2021''.

(d) EFFECTIVE DATE.—This section and the amendments made by this section take effect on October 1, 2015.

SEC. 15003. WATER INFRASTRUCTURE FINANCE AND INNOVATION.

Section 3907(a) of title 33, United States Code, is amended—

(1) by striking paragraph (5); and

(2) by redesignating paragraphs (6) and (7) as paragraphs (5) and (6), respectively.

SEC. 15004. ADMINISTRATIVE PROVISIONS TO ENCOURAGE POLLINATOR HABITAT AND FORAGE ON TRANSPORTATION RIGHTS-OF-WAY.

(a) IN GENERAL.—Section 319 of title 23, United States Code, is amended—

(1) in subsection (a), by inserting ''(including the enhancement of habitat and forage for pollinators)'' before ''adjacent''; and

(2) by adding at the end the following:

''(c) ENCOURAGEMENT OF POLLINATOR HABITAT AND FORAGE DEVELOPMENT AND PROTECTION ON TRANSPORTATION RIGHTS-OF-WAY.—In carrying out any program administered by the Secretary under this title, the Secretary shall, in conjunction with willing States, as appropriate—

''(1) encourage integrated vegetation management practices on roadsides and other transportation rights-of-way, including reduced mowing; and

''(2) encourage the development of habitat and forage for Monarch butterflies, other native pollinators, and honey bees through plantings of native forbs and grasses, including noninvasive, native milkweed species that can serve as migratory way stations for butterflies and facilitate migrations of other pollinators.''.

(b) PROVISION OF HABITAT, FORAGE, AND MIGRATORY WAY STATIONS FOR MONARCH BUTTERFLIES, OTHER NATIVE POLLINATORS, AND HONEY BEES.—Section 329(a)(1) of title 23, United States Code, is amended by inserting ''provision of habitat, forage, and migratory way stations for Monarch butterflies, other native pollinators, and honey bees,'' before ''and aesthetic enhancement''.

SEC. 15005. STUDY ON PERFORMANCE OF BRIDGES.

(a) IN GENERAL.—Subject to subsection (c), the Administrator of the Federal Highway Administration (referred to in this section as the ''Administrator'') shall commission the Transportation Research Board of the National Academy of Sciences to conduct a study on the performance of bridges that received funding under the innovative bridge research and construction program (referred to in this section as the ''program'') under section 503(b) of title 23, United States Code (as in effect on the day before the date of enactment of SAFETEA–LU (Public Law 109–59; 119 Stat. 1144)) in meeting the goals of that program, which included—

(1) the development of new, cost-effective innovative material highway bridge applications;

(2) the reduction of maintenance costs and lifecycle costs of bridges, including the costs of new construction, replacement, or rehabilitation of deficient bridges;

(3) the development of construction techniques to increase safety and reduce construction time and traffic congestion;

(4) the development of engineering design criteria for innovative products and materials for use in highway bridges and structures;

(5) the development of cost-effective and innovative techniques to separate vehicle and pedestrian traffic from railroad traffic;

(6) the development of highway bridges and structures that will withstand natural disasters, including alternative processes for the seismic retrofit of bridges; and

(7) the development of new nondestructive bridge evaluation technologies and techniques.

(b) CONTENTS.—The study commissioned under subsection (a) shall include—

(1) an analysis of the performance of bridges that received funding under the program in meeting the goals described in paragraphs (1) through (7) of subsection (a);

(2) an analysis of the utility, compared to conventional materials and technologies, of each of the innovative materials and technologies used in projects for bridges under the program in meeting the needs of the United States in 2015 and in the future for a sustainable and low lifecycle cost transportation system;

(3) recommendations to Congress on how the installed and lifecycle costs of bridges could be reduced through the use of innovative materials and technologies, including, as appropriate, any changes in the design and construction of bridges needed to maximize the cost reductions; and

(4) a summary of any additional research that may be needed to further evaluate innovative approaches to reducing the installed and lifecycle costs of highway bridges.

(c) PUBLIC COMMENT.—Before commissioning the study under subsection (a), the Administrator shall provide an opportunity for public comment on the study proposal.

(d) DATA FROM STATES.—Each State that received funds under the program shall provide to the Transportation Research Board any relevant data needed to carry out the study commissioned under subsection (a).

(e) DEADLINE.—The Administrator shall submit to Congress the study commissioned under subsection (a) not later than 3 years after the date of enactment of this Act.

SEC. 15006. SPORT FISH RESTORATION AND RECREATIONAL BOATING SAFETY.

Section 4 of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777c), as amended by section 73103, is amended—

(1) in subsection (a), in the matter preceding paragraph (1) by striking ''2015'' and inserting ''2021''; and

(2) in subsection (b)(1)(A) by striking ''2015'' and inserting ''2021''.

DIVISION B—PUBLIC TRANSPORTATION

TITLE XXI—FEDERAL PUBLIC TRANSPORTATION ACT

SEC. 21001. SHORT TITLE.

This title may be cited as the ''Federal Public Transportation Act of 2015''.

SEC. 21002. DEFINITIONS.

Section 5302 of title 49, United States Code, is amended—

(1) in paragraph (1)(E), by striking ''bicycle storage facilities and installing equipment'' and inserting ''bicycle storage shelters and parking facilities and the installation of equipment'';

(2) in paragraph (3)—

(A) by striking subparagraph (F) and inserting the following:

''(F) leasing equipment or a facility for use in public transportation;'';

(B) in subparagraph (G)—

(i) in clause (iv), by adding ''and'' at the end;

(ii) in clause (v), by striking ''and'' at the end; and

(iii) by striking clause (vi);

(C) in subparagraph (K), by striking ''or'' at the end;

(D) in subparagraph (L), by striking the period at the end and inserting a semicolon; and

(E) by adding at the end the following:

''(M) associated transit improvements; or

''(N) technological changes or innovations to modify low or no emission vehicles (as defined in section 5339(c)) or facilities.''; and

(3) by adding at the end the following:

''(24) VALUE CAPTURE.—The term 'value capture' means recovering the increased value to property located near public transportation resulting from investments in public transportation.''.

SEC. 21003. METROPOLITAN TRANSPORTATION PLANNING.

Section 5303 of title 49, United States Code, is amended—

(1) in subsection (a)(1), by inserting ''resilient'' after ''development of'';

(2) in subsection (c)(2), by striking ''and bicycle transportation facilities'' and inserting '', bicycle transportation facilities, intermodal facilities that support intercity transportation, including intercity buses and intercity bus facilities, and commuter vanpool providers'';

(3) in subsection (d)—

(A) by redesignating paragraphs (3) through (6) as paragraphs (4) through (7), respectively;

(B) by inserting after paragraph (2) the following:

''(3) REPRESENTATION.—

''(A) IN GENERAL.—Designation or selection of officials or representatives under paragraph (2) shall be determined by the metropolitan planning organization according to the bylaws or enabling statute of the organization.

''(B) PUBLIC TRANSPORTATION REPRESENTATIVE.—Subject to the bylaws or enabling statute of the metropolitan planning organization, a representative of a provider of public transportation may also serve as a representative of a local municipality.

''(C) POWERS OF CERTAIN OFFICIALS.—An official described in paragraph (2)(B) shall have responsibilities, actions, duties, voting rights, and any other authority commensurate with other officials described in paragraph (2)(B).''; and

(C) in paragraph (5), as so redesignated, by striking ''paragraph (5)'' and inserting ''paragraph (6)'';

(4) in subsection (e)(4)(B), by striking ''subsection (d)(5)'' and inserting ''subsection (d)(6)'';

(5) in subsection (g)(3)(A), by inserting ''natural disaster risk reduction,'' after ''environmental protection,'';

(6) in subsection (h)(1)—

(A) in subparagraph (G), by striking ''and'' at the end;

(B) in subparagraph (H), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(I) improve the resilience and reliability of the transportation system.'';

(7) in subsection (i)—

(A) in paragraph (2)—

(i) in subparagraph (A)(i), by striking ''transit'' and inserting ''public transportation facilities, intercity bus facilities'';

(ii) in subparagraph (G)—

(I) by striking ''and provide'' and inserting '', provide''; and

(II) by inserting before the period at the end the following: '', and reduce vulnerability due to natural disasters of the existing transportation infrastructure''; and

(iii) in subparagraph (H), by inserting before the period at the end the following: '',

including consideration of the role that intercity buses may play in reducing congestion, pollution, and energy consumption in a cost-effective manner and strategies and investments that preserve and enhance intercity bus systems, including systems that are privately owned and operated'';

(B) in paragraph (6)(A)—

(i) by inserting ''public ports,'' before ''freight shippers''; and

(ii) by inserting ''(including intercity bus operators and commuter vanpool providers)'' after ''private providers of transportation''; and

(C) in paragraph (8), by striking ''paragraph (2)(C)'' each place that term appears and inserting ''paragraph (2)(E)'';

(8) in subsection (j)(5)(A), by striking ''subsection (k)(4)'' and inserting ''subsection (k)(3)'';

(9) in subsection (k)—

(A) by striking paragraph (3); and

(B) by redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively;

(10) in subsection (l)—

(A) in paragraph (1), by adding a period at the end; and

(B) in paragraph (2)(D), by striking ''of less than 200,000'' and inserting ''with a population of 200,000 or less'';

(11) by striking subsection (n);

(12) by redsignating subsections (o), (p), and (q) as subsections (n), (o), and (p), respectively;

(13) in subsection (o), as so redesignated, by striking ''set aside under section 104(f) of title 23'' and inserting ''apportioned under paragraphs (5)(D) and (6) of section 104(b) of title 23''; and

(14) by adding at the end the following:

''(q) TREATMENT OF LAKE TAHOE REGION.—

''(1) DEFINITION OF LAKE TAHOE REGION.—In this subsection, the term 'Lake Tahoe Region' has the meaning given the term 'region' in subsection (a) of Article II of the Lake Tahoe Regional Planning Compact (Public Law 96–551; 94 Stat. 3234).

''(2) TREATMENT.—For purposes of this title, the Lake Tahoe Region shall be treated as—

''(A) a metropolitan planning organization;

''(B) a transportation management area under subsection (k); and

''(C) an urbanized area, which is comprised of—

''(i) a population of 145,000 and 25 square miles of land area in the State of California; and

''(ii) a population of 65,000 and 12 square miles of land area in the State of Nevada.''.

SEC. 21004. STATEWIDE AND NONMETROPOLITAN TRANSPORTATION PLANNING.

(a) IN GENERAL.—Section 5304 of title 49, United States Code, is amended—

(1) in subsection (a)(2), by striking ''and bicycle transportation facilities'' and inserting '', bicycle transportation facilities, intermodal facilities that support intercity transportation, including intercity buses and intercity bus facilities, and commuter vanpool providers'';

(2) in subsection (d)—

(A) in paragraph (1)—

(i) in subparagraph (G), by striking ''and'' at the end;

(ii) in subparagraph (H), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(I) improve the resilience and reliability of the transportation system.''; and

(B) in paragraph (2)—

(i) in subparagraph (B)(ii), by striking ''urbanized areas with a population of fewer than 200,000 individuals, as calculated according to the most recent decennial census, and'' and inserting ''areas''; and

(ii) in subparagraph (C)—

(I) by striking ''title 23'' and inserting ''this chapter''; and

(II) by striking ''urbanized areas with a population of fewer than 200,000 individuals, as calculated according to the most recent decennial census, and'' and inserting ''areas'';

(3) in subsection (e)(1)—

(A) by striking '''In'' and inserting ''In''; and

(B) by striking ''subsection (l)'' and inserting ''subsection (k)'';

(4) in subsection (f)—

(A) in paragraph (2)(B)(i), by striking ''subsection (l)'' and inserting ''subsection (k)'';

(B) in paragraph (3)(A)—

(i) in clause (i), by striking ''subsection (l)'' and inserting ''subsection (k)''; and

(ii) in clause (ii), by inserting ''(including intercity bus operators and commuter vanpool providers)'' after ''private providers of transportation'';

(C) in paragraph (7), in the matter preceding subparagraph (A), by striking ''should'' and inserting ''shall''; and

(D) in paragraph (8), by inserting '', including consideration of the role that intercity buses may play in reducing congestion, pollution, and energy consumption in a cost-effective manner and strategies and investments that preserve and enhance intercity bus systems, including systems that are privately owned and operated'' before the period at the end;

(5) in subsection (g)—

(A) in paragraph (2)(B)(i), by striking ''subsection (l)'' and inserting ''subsection (k)'';

(B) in paragraph (3)—

(i) by inserting ''public ports,'' before ''freight shippers''; and

(ii) by inserting ''(including intercity bus operators)'' after ''private providers of transportation''; and

(C) in paragraph (6)(A), by striking ''subsection (l)'' and inserting ''subsection (k)'';

(6) by striking subsection (i); and

(7) by redesignating subsections (j), (k), and (l) as subsections (i), (j), and (k), respectively.

(b) CONFORMING AMENDMENT.—Section 5303(b)(5) of title 49, United States Code, is amended by striking ''section 5304(l)'' and inserting ''section 5304(k)''.

SEC. 21005. URBANIZED AREA FORMULA GRANTS.

Section 5307 of title 49, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (2), by inserting ''or general public demand response service'' before ''during'' each place that term appears; and

(B) by adding at the end the following:

''(3) EXCEPTION TO SPECIAL RULE.—Notwithstanding paragraph (2), if a public transportation system described in that paragraph executes a written agreement with 1 or more other public transportation systems within the urbanized area to allocate funds for the purposes described in that paragraph by a method other than by measuring vehicle revenue hours, each public transportation system that is a party to the written agreement may follow the terms of the written agreement without regard to measured vehicle revenue hours referred to in that paragraph.

''(4) TEMPORARY AND TARGETED ASSISTANCE.—

''(A) ELIGIBILITY.—The Secretary may make a grant under this section to finance the operating cost of equipment and facilities to a recipient for use in public transportation in an area that the Secretary determines has—

''(i) a population of not fewer than 200,000 individuals, as determined by the Bureau of the Census; and

''(ii) a 3-month unemployment rate, as reported by the Bureau of Labor Statistics, that is—

''(I) greater than 7 percent; and

''(II) at least 2 percentage points greater than the lowest 3-month unemployment rate for the area during the 5-year period preceding the date of the determination.

''(B) AWARD OF GRANT.—

''(i) IN GENERAL.—Except as otherwise provided in this subparagraph, the Secretary may make a grant under this paragraph for not more than 2 consecutive fiscal years.

''(ii) ADDITIONAL YEAR.—If, at the end of the second fiscal year following the date on which the Secretary makes a determination under subparagraph (A) with respect to an area, the Secretary determines that the 3-month unemployment rate for the area is at least 2 percentage points greater than the unemployment rate for the area at the time the Secretary made the determination under subparagraph (A), the Secretary may make a grant to a recipient in the area for 1 additional consecutive fiscal year.

''(iii) EXCLUSION PERIOD.—Beginning on the last day of the last consecutive fiscal year for which a recipient receives a grant under this paragraph, the Secretary may not make a subsequent grant under this paragraph to the recipient for a number of fiscal years equal to the number of consecutive fiscal years in which the recipient received a grant under this paragraph.

''(C) LIMITATION.—

''(i) FIRST FISCAL YEAR.—For the first fiscal year following the date on which the Secretary makes a determination under subparagraph (A) with respect to an area, not more than 25 percent of the amount apportioned to a designated recipient under section 5336 for the fiscal year shall be available for operating assistance for the area.

''(ii) SECOND AND THIRD FISCAL YEARS.—For the second and third fiscal years following the date on which the Secretary makes a determination under subparagraph (A) with respect to an area, not more than 20 percent of the amount apportioned to a designated recipient under section 5336 for the fiscal year shall be available for operating assistance for the area.

''(D) PERIOD OF AVAILABILITY FOR OPERATING ASSISTANCE.—Operating assistance awarded under this paragraph shall be available for expenditure to a recipient in an area until the end of the second fiscal year following the date on which the Secretary makes a determination under subparagraph (A) with respect to the area, after which time any unexpended funds shall be available to the recipient for other eligible activities under this section.

''(E) CERTIFICATION.—The Secretary may make a grant for operating assistance under this paragraph for a fiscal year only if the recipient certifies that—

''(i) the recipient will maintain public transportation service levels at or above the current service level, which shall be demonstrated by providing an equal or greater number of vehicle hours of service in the fiscal year than the number of vehicle hours of service provided in the preceding fiscal year;

''(ii) any non-Federal entity that provides funding to the recipient, including a State or local governmental entity, will maintain the tax rate or rate of allocations dedicated to public transportation at or above the rate for the preceding fiscal year;

''(iii) the recipient has allocated the maximum amount of funding under this section

for preventive maintenance costs eligible as a capital expense necessary to maintain the level and quality of service provided in the preceding fiscal year; and

''(iv) the recipient will not use funding under this section for new capital assets except as necessary for the existing system to maintain or achieve a state of good repair, assure safety, or replace obsolete technology.''; and

(2) in subsection (c)(1)—

(A) in subparagraph (C), by inserting ''in a state of good repair'' after ''equipment and facilities'';

(B) in subparagraph (J), by adding ''and'' at the end;

(C) by striking subparagraph (K); and

(D) by redesignating subparagraph (L) as subparagraph (K).

SEC. 21006. FIXED GUIDEWAY CAPITAL INVESTMENT GRANTS.

(a) IN GENERAL.—Section 5309 of title 49, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (3), by striking ''and weekend days'';

(B) in paragraph (6)—

(i) in subparagraph (A), by inserting '', small start projects,'' after ''new fixed guideway capital projects''; and

(ii) by striking subparagraph (B) and inserting the following:

''(B) 2 or more projects that are any combination of new fixed guideway capital projects, small start projects, and core capacity improvement projects.''; and

(C) in paragraph (7)—

(i) in subparagraph (A), by striking ''$75,000,000'' and inserting ''$100,000,000''; and

(ii) in subparagraph (B), by striking ''$250,000,000'' and inserting ''$300,000,000'';

(2) in subsection (d)—

(A) in paragraph (1)(B), by striking '', policies and land use patterns that promote public transportation,''; and

(B) in paragraph (2)(A)—

(i) in clause (iii), by adding ''and'' at the end;

(ii) by striking clause (iv); and

(iii) by redesignating clause (v) as clause (iv);

(3) in subsection (g)(2)(A)(i), by striking '', the policies and land use patterns that support public transportation,'';

(4) in subsection (i)—

(A) in paragraph (1), by striking ''subsection (d) or (e)'' and inserting ''subsection (d), (e), or (h)'';

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by inserting ''new fixed guideway capital project or core capacity improvement'' after ''federally funded'';

(ii) by striking subparagraph (D) and inserting the following:

''(D) the program of interrelated projects, when evaluated as a whole—

''(i) meets the requirements of subsection (d)(2), subsection (e)(2), or paragraphs (3) and (4) of subsection (h), as applicable, if the program is comprised entirely of—

''(I) new fixed guideway capital projects;

''(II) core capacity improvement projects; or

''(III) small start projects; or

''(ii) meets the requirements of subsection (d)(2) if the program is comprised of any combination of new fixed guideway projects, small start projects, and core capacity improvement projects;''; and

(iii) in subparagraph (F), by inserting ''or (h)(5), as applicable'' after ''subsection (f)''; and

(C) in paragraph (3), by striking subparagraph (A) and inserting the following:

''(A) PROJECT ADVANCEMENT.—A project receiving a grant under this section that is part of a program of interrelated projects may not advance—

''(i) in the case of a small start project, from the project development phase to the construction phase unless the Secretary determines that the program of interrelated projects meets the applicable requirements of this section and there is a reasonable likelihood that the program will continue to meet such requirements; or

''(ii) in the case of a new fixed guideway capital project or a core capacity improvement project, from the project development phase to the engineering phase, or from the engineering phase to the construction phase, unless the Secretary determines that the program of interrelated projects meets the applicable requirements of this section and there is a reasonable likelihood that the program will continue to meet such requirements.''; and

(5) by adding at the end the following:

''(p) JOINT PUBLIC TRANSPORTATION AND INTERCITY PASSENGER RAIL PROJECTS.—

''(1) IN GENERAL.—The Secretary may make grants for new fixed guideway capital projects and core capacity improvement projects that provide both public transportation and intercity passenger rail service.

''(2) ELIGIBLE COSTS.—Eligible costs for a project under this subsection shall be limited to the net capital costs of the public transportation costs attributable to the project based on projected use of the new segment or expanded capacity of the project corridor, not including project elements designed to achieve or maintain a state of good repair, as determined by the Secretary under paragraph (4).

''(3) PROJECT JUSTIFICATION AND LOCAL FINANCIAL COMMITMENT.—A project under this subsection shall be evaluated for project justification and local financial commitment under subsections (d), (e), (f), and (h), as applicable to the project, based on—

''(A) the net capital costs of the public transportation costs attributable to the project as determined under paragraph (4); and

''(B) the share of funds dedicated to the project from sources other than this section included in the unified finance plan for the project.

''(4) CALCULATION OF NET CAPITAL PROJECT COST.—The Secretary shall estimate the net capital costs of a project under this subsection based on—

''(A) engineering studies;

''(B) studies of economic feasibility;

''(C) the expected use of equipment or facilities; and

''(D) the public transportation costs attributable to the project.

''(5) GOVERNMENT SHARE OF NET CAPITAL PROJECT COST.—

''(A) GOVERNMENT SHARE.—The Government share shall not exceed 80 percent of the net capital cost attributable to the public transportation costs of a project under this subsection as determined under paragraph (4).

''(B) NON-GOVERNMENT SHARE.—The remainder of the net capital cost attributable to the public transportation costs of a project under this subsection shall be provided from an undistributed cash surplus, a replacement or depreciation cash fund or reserve, or new capital.''.

(b) EXPEDITED PROJECT DELIVERY FOR CAPITAL INVESTMENT GRANTS PILOT PROGRAM.—

(1) DEFINITIONS.—In this subsection, the following definitions shall apply:

(A) APPLICANT.—The term ''applicant'' means a State or local governmental authority that applies for a grant under this subsection.

(B) CAPITAL PROJECT; FIXED GUIDEWAY; LOCAL GOVERNMENTAL AUTHORITY; PUBLIC TRANSPORTATION; STATE; STATE OF GOOD REPAIR.—The terms ''capital project'', ''fixed guideway'', ''local governmental authority'', ''public transportation'', ''State'', and ''state of good repair'' have the meanings given those terms in section 5302 of title 49, United States Code.

(C) CORE CAPACITY IMPROVEMENT PROJECT.—The term ''core capacity improvement project''—

(i) means a substantial corridor-based capital investment in an existing fixed guideway system that increases the capacity of a corridor by not less than 10 percent; and

(ii) may include project elements designed to aid the existing fixed guideway system in making substantial progress towards achieving a state of good repair.

(D) CORRIDOR-BASED BUS RAPID TRANSIT PROJECT.—The term ''corridor-based bus rapid transit project'' means a small start project utilizing buses in which the project represents a substantial investment in a defined corridor as demonstrated by features that emulate the services provided by rail fixed guideway public transportation systems—

(i) including—

(I) defined stations;

(II) traffic signal priority for public transportation vehicles;

(III) short headway bidirectional services for a substantial part of weekdays; and

(IV) any other features the Secretary may determine support a long-term corridor investment; and

(ii) the majority of which does not operate in a separated right-of-way dedicated for public transportation use during peak periods.

(E) ELIGIBLE PROJECT.—The term ''eligible project'' means a new fixed guideway capital project, a small start project, or a core capacity improvement project that has not entered into a full funding grant agreement with the Federal Transit Administration before the date of enactment of this Act.

(F) FIXED GUIDEWAY BUS RAPID TRANSIT PROJECT.—The term ''fixed guideway bus rapid transit project'' means a bus capital project—

(i) in which the majority of the project operates in a separated right-of-way dedicated for public transportation use during peak periods;

(ii) that represents a substantial investment in a single route in a defined corridor or subarea; and

(iii) that includes features that emulate the services provided by rail fixed guideway public transportation systems, including—

(I) defined stations;

(II) traffic signal priority for public transportation vehicles;

(III) short headway bidirectional services for a substantial part of weekdays and weekend days; and

(IV) any other features the Secretary may determine are necessary to produce high-quality public transportation services that emulate the services provided by rail fixed guideway public transportation systems.

(G) NEW FIXED GUIDEWAY CAPITAL PROJECT.—The term ''new fixed guideway capital project'' means—

(i) a fixed guideway project that is a minimum operable segment or extension to an existing fixed guideway system; or

(ii) a fixed guideway bus rapid transit project that is a minimum operable segment or an extension to an existing bus rapid transit system.

(H) RECIPIENT.—The term ''recipient'' means a recipient of funding under chapter 53 of title 49, United States Code.

(I) SMALL START PROJECT.—The term ''small start project'' means a new fixed guideway capital project, a fixed guideway bus rapid transit project, or a corridor-based bus rapid transit project for which—

(i) the Federal assistance provided or to be provided under this subsection is less than $75,000,000; and

(ii) the total estimated net capital cost is less than $300,000,000.

(2) GENERAL AUTHORITY.—The Secretary may make grants under this subsection to States and local governmental authorities to assist in financing—

(A) new fixed guideway capital projects or small start projects, including the acquisition of real property, the initial acquisition of rolling stock for the system, the acquisition of rights-of-way, and relocation, for projects in the advanced stages of planning and design; and

(B) core capacity improvement projects, including the acquisition of real property, the acquisition of rights-of-way, double tracking, signalization improvements, electrification, expanding system platforms, acquisition of rolling stock associated with corridor improvements increasing capacity, construction of infill stations, and such other capacity improvement projects as the Secretary determines are appropriate to increase the capacity of an existing fixed guideway system corridor by not less than 10 percent. Core capacity improvement projects do not include elements to improve general station facilities or parking, or acquisition of rolling stock alone.

(3) GRANT REQUIREMENTS.—

(A) IN GENERAL.—The Secretary may make not more than 10 grants under this subsection for an eligible project if the Secretary determines that—

(i) the eligible project is part of an approved transportation plan required under sections 5303 and 5304 of title 49, United States Code;

(ii) the applicant has, or will have—

(I) the legal, financial, and technical capacity to carry out the eligible project, including the safety and security aspects of the eligible project;

(II) satisfactory continuing control over the use of the equipment or facilities;

(III) the technical and financial capacity to maintain new and existing equipment and facilities; and

(IV) advisors providing guidance to the applicant on the terms and structure of the project that are independent from investors in the project;

(iii) the eligible project is supported, or will be supported, in part, through a public-private partnership, provided such support is determined by local policies, criteria, and decisionmaking under section 5306(a) of title 49, United States Code;

(iv) the eligible project is justified based on findings presented by the project sponsor to the Secretary, including—

(I) mobility improvements attributable to the project;

(II) environmental benefits associated with the project;

(III) congestion relief associated with the project;

(IV) economic development effects derived as a result of the project; and

(V) estimated ridership projections; and

(v) the eligible project is supported by an acceptable degree of local financial commitment (including evidence of stable and dependable financing sources).

(B) CERTIFICATION.—An applicant that has submitted the certifications required under subparagraphs (A), (B), (C), and (H) of section 5307(c)(1) of title 49, United States Code, shall be deemed to have provided sufficient information upon which the Secretary may make the determinations required under this paragraph.

(C) TECHNICAL CAPACITY.—The Secretary shall use an expedited technical capacity review process for applicants that have recently and successfully completed not less than 1 new fixed guideway capital project, small start project, or core capacity improvement project, if—

(i) the applicant achieved budget, cost, and ridership outcomes for the project that are consistent with or better than projections; and

(ii) the applicant demonstrates that the applicant continues to have the staff expertise and other resources necessary to implement a new project.

(D) FINANCIAL COMMITMENT.—

(i) REQUIREMENTS.—In determining whether an eligible project is supported by an acceptable degree of local financial commitment and shows evidence of stable and dependable financing sources for purposes of subparagraph (A)(v), the Secretary shall require that—

(I) each proposed source of capital and operating financing is stable, reliable, and available within the proposed eligible project timetable; and

(II) resources are available to recapitalize, maintain, and operate the overall existing and proposed public transportation system, including essential feeder bus and other services necessary, without degradation to the existing level of public transportation services.

(ii) CONSIDERATIONS.—In assessing the stability, reliability, and availability of proposed sources of financing under clause (i), the Secretary shall consider—

(I) the reliability of the forecasting methods used to estimate costs and revenues made by the applicant and the contractors to the applicant;

(II) existing grant commitments;

(III) the degree to which financing sources are dedicated to the proposed eligible project;

(IV) any debt obligation that exists or is proposed by the applicant, for the proposed eligible project or other public transportation purpose; and

(V) private contributions to the eligible project, including cost-effective project delivery, management or transfer of project risks, expedited project schedule, financial partnering, and other public-private partnership strategies.

(E) LABOR STANDARDS.—The requirements under section 5333 of title 49, United States Code, shall apply to each recipient of a grant under this subsection.

(4) PROJECT ADVANCEMENT.—An applicant that desires a grant under this subsection and meets the requirements of paragraph (3) shall submit to the Secretary, and the Secretary shall approve for advancement, a grant request that contains—

(A) identification of an eligible project;

(B) a schedule and finance plan for the construction and operation of the eligible project;

(C) an analysis of the efficiencies of the proposed eligible project development and delivery methods and innovative financing arrangement for the eligible project, including any documents related to the—

(i) public-private partnership required under paragraph (3)(A)(iii); and

(ii) project justification required under paragraph (3)(A)(iv); and

(D) a certification that the existing public transportation system of the applicant or, in the event that the applicant does not operate a public transportation system, the public transportation system to which the proposed project will be attached, is in a state of good repair.

(5) WRITTEN NOTICE FROM THE SECRETARY.—

(A) IN GENERAL.—Not later than 120 days after the date on which the Secretary receives a grant request of an applicant under paragraph (4), the Secretary shall provide written notice to the applicant—

(i) of approval of the grant request; or

(ii) if the grant request does not meet the requirements under paragraph (4), of disapproval of the grant request, including a detailed explanation of the reasons for the disapproval.

(B) CONCURRENT NOTICE.—The Secretary shall provide concurrent notice of an approval or disapproval of a grant request under subparagraph (A) to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

(6) WAIVER.—The Secretary may grant a waiver to an applicant that does not comply with paragraph (4)(D) if—

(A) the eligible project meets the definition of a core capacity improvement project; and

(B) the Secretary certifies that the eligible project will allow the applicant to make substantial progress in achieving a state of good repair.

(7) SELECTION CRITERIA.—The Secretary may enter into a full funding grant agreement with an applicant under this subsection for an eligible project for which an application has been submitted and approved for advancement by the Secretary under paragraph (4), only if the applicant has completed the planning and activities required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(8) LETTERS OF INTENT AND FULL FUNDING GRANT AGREEMENTS.—

(A) LETTERS OF INTENT.—

(i) AMOUNTS INTENDED TO BE OBLIGATED.—The Secretary may issue a letter of intent to an applicant announcing an intention to obligate, for an eligible project under this subsection, an amount from future available budget authority specified in law that is not more than the amount stipulated as the financial participation of the Secretary in the eligible project. When a letter is issued for an eligible project under this subsection, the amount shall be sufficient to complete at least an operable segment.

(ii) TREATMENT.—The issuance of a letter under clause (i) is deemed not to be an obligation under section 1108(c), 1501, or 1502(a) of title 31, United States Code, or an administrative commitment.

(B) FULL FUNDING GRANT AGREEMENTS.—

(i) IN GENERAL.—Except as provided in clause (v), an eligible project shall be carried out under this subsection through a full funding grant agreement.

(ii) CRITERIA.—The Secretary shall enter into a full funding grant agreement, based the requirements of this subparagraph, with each applicant receiving assistance for an eligible project that has received a written notice of approval under paragraph (5)(A)(i).

(iii) TERMS.—A full funding grant agreement shall—

(I) establish the terms of participation by the Federal Government in the eligible project;

(II) establish the maximum amount of Federal financial assistance for the eligible project;

(III) include the period of time for completing construction of the eligible project, consistent with the terms of the public-private partnership agreement, even if that period extends beyond the period of an authorization; and

(IV) make timely and efficient management of the eligible project easier according to the law of the United States.

(iv) SPECIAL FINANCIAL RULES.—

(I) IN GENERAL.—A full funding grant agreement under this subparagraph obligates an amount of available budget authority specified in law and may include a commitment, contingent on amounts to be specified in law in advance for commitments under this subparagraph, to obligate an additional amount from future available budget authority specified in law.

(II) STATEMENT OF CONTINGENT COMMITMENT.—A full funding grant agreement shall state that the contingent commitment is not an obligation of the Federal Government.

(III) INTEREST AND OTHER FINANCING COSTS.—Interest and other financing costs of efficiently carrying out a part of the eligible project within a reasonable time are a cost of carrying out the eligible project under a full funding grant agreement, except that eligible costs may not be more than the cost of the most favorable financing terms reasonably available for the eligible project at the time of borrowing. The applicant shall certify, in a way satisfactory to the Secretary, that the applicant has shown reasonable diligence in seeking the most favorable financing terms.

(IV) COMPLETION OF OPERABLE SEGMENT.—The amount stipulated in an agreement under this subparagraph for a new fixed guideway capital project, core capacity improvement project, or small start project shall be sufficient to complete at least an operable segment.

(v) EXCEPTION.—

(I) IN GENERAL.—The Secretary, to the maximum extent practicable, shall provide Federal assistance under this subsection for a small start project in a single grant. If the Secretary cannot provide such a single grant, the Secretary may execute an expedited grant agreement in order to include a commitment on the part of the Secretary to provide funding for the project in future fiscal years.

(II) TERMS OF EXPEDITED GRANT AGREEMENTS.—In executing an expedited grant agreement under this clause, the Secretary may include in the agreement terms similar to those established under clause (iii).

(C) LIMITATION ON AMOUNTS.—

(i) IN GENERAL.—The Secretary may enter into full funding grant agreements under this paragraph for eligible projects that contain contingent commitments to incur obligations in such amounts as the Secretary determines are appropriate.

(ii) APPROPRIATION REQUIRED.—An obligation may be made under this paragraph only when amounts are appropriated for obligation.

(D) NOTIFICATION TO CONGRESS.—

(i) IN GENERAL.—Not later than 30 days before the date on which the Secretary issues a letter of intent or enters into a full funding grant agreement for an eligible project under this paragraph, the Secretary shall notify, in writing, the Committee on Banking, Housing, and Urban Affairs and the Committee on Appropriations of the Senate and the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives of the proposed letter of intent or full funding grant agreement.

(ii) CONTENTS.—The written notification under clause (i) shall include a copy of the proposed letter of intent or full funding grant agreement for the eligible project.

(9) GOVERNMENT SHARE OF NET CAPITAL PROJECT COST.—

(A) IN GENERAL.—A grant for an eligible project shall not exceed 25 percent of the net capital project cost.

(B) REMAINDER OF NET CAPITAL PROJECT COST.—The remainder of the net capital project cost shall be provided from an undistributed cash surplus, a replacement or depreciation cash fund or reserve, or new capital.

(C) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in this subsection shall be construed as authorizing the Secretary to require a non-Federal financial commitment for a project that is more than 75 percent of the net capital project cost.

(D) SPECIAL RULE FOR ROLLING STOCK COSTS.—In addition to amounts allowed pursuant to subparagraph (A), a planned extension to a fixed guideway system may include the cost of rolling stock previously purchased if the applicant satisfies the Secretary that only amounts other than amounts provided by the Federal Government were used and that the purchase was made for use on the extension. A refund or reduction of the remainder may be made only if a refund of a proportional amount of the grant of the Federal Government is made at the same time.

(E) FAILURE TO CARRY OUT PROJECT.—If an applicant does not carry out an eligible project for reasons within the control of the applicant, the applicant shall repay all Federal funds awarded for the eligible project from all Federal funding sources, for all eligible project activities, facilities, and equipment, plus reasonable interest and penalty charges allowable by law.

(F) CREDITING OF FUNDS RECEIVED.—Any funds received by the Federal Government under this paragraph, other than interest and penalty charges, shall be credited to the appropriation account from which the funds were originally derived.

(10) AVAILABILITY OF AMOUNTS.—

(A) IN GENERAL.—An amount made available for an eligible project shall remain available to that eligible project for 5 fiscal years, including the fiscal year in which the amount is made available. Any amounts that are unobligated to the eligible project at the end of the 5-fiscal-year period may be used by the Secretary for any purpose under this subsection.

(B) USE OF DEOBLIGATED AMOUNTS.—An amount available under this subsection that is deobligated may be used for any purpose under this subsection.

(11) ANNUAL REPORT ON EXPEDITED PROJECT DELIVERY FOR CAPITAL INVESTMENT GRANTS.—Not later than the first Monday in February of each year, the Secretary shall submit to the Committee on Banking, Housing, and Urban Affairs and the Committee on Appropriations of the Senate and the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives a report that includes a proposed amount to be available to finance grants for anticipated projects under this subsection.

(12) BEFORE AND AFTER STUDY AND REPORT.—

(A) STUDY REQUIRED.—Each recipient shall conduct a study that—

(i) describes and analyzes the impacts of the eligible project on public transportation services and public transportation ridership;

(ii) describes and analyzes the consistency of predicted and actual benefits and costs of the innovative project development and delivery methods or innovative financing for the eligible project; and

(iii) identifies reasons for any differences between predicted and actual outcomes for the eligible project.

(B) SUBMISSION OF REPORT.—Not later than 2 years after an eligible project that is selected under this subsection begins revenue operations, the recipient shall submit to the Secretary a report on the results of the study conducted under subparagraph (A).

(13) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to—

(A) require the privatization of the operation or maintenance of any project for which an applicant seeks funding under this subsection;

(B) revise the determinations by local policies, criteria, and decisionmaking under section 5306(a) of title 49, United States Code;

(C) alter the requirements for locally developed, coordinated, and implemented transportation plans under sections 5303 and 5304 of title 49, United States Code; or

(D) alter the eligibilities or priorities for assistance under this subsection or section 5309 of title 49, United States Code.

SEC. 21007. MOBILITY OF SENIORS AND INDIVIDUALS WITH DISABILITIES.

(a) COORDINATION OF PUBLIC TRANSPORTATION SERVICES WITH OTHER FEDERALLY ASSISTED LOCAL TRANSPORTATION SERVICES.—

(1) DEFINITIONS.—In this subsection—

(A) the term ''allocated cost model'' means a method of determining the cost of trips by allocating the cost to each trip purpose served by a transportation provider in a manner that is proportional to the level of transportation service that the transportation provider delivers for each trip purpose, to the extent permitted by applicable Federal requirements; and

(B) the term ''Council'' means the Interagency Transportation Coordinating Council on Access and Mobility established under Executive Order 13330 (49 U.S.C. 101 note).

(2) COORDINATING COUNCIL ON ACCESS AND MOBILITY STRATEGIC PLAN.—Not later than 2 years after the date of enactment of this Act, the Council shall publish a strategic plan for the Council that—

(A) outlines the role and responsibilities of each Federal agency with respect to local transportation coordination, including nonemergency medical transportation;

(B) identifies a strategy to strengthen interagency collaboration;

(C) addresses any outstanding recommendations made by the Council in the 2005 Report to the President relating to the implementation of Executive Order 13330, including—

(i) a cost-sharing policy endorsed by the Council; and

(ii) recommendations to increase participation by recipients of Federal grants in locally developed, coordinated planning processes; and

(D) to the extent feasible, addresses recommendations by the Comptroller General of the United States concerning local coordination of transportation services.

(3) DEVELOPMENT OF COST-SHARING POLICY IN COMPLIANCE WITH APPLICABLE FEDERAL REQUIREMENTS.—In establishing the cost-sharing policy required under paragraph (2), the Council may consider, to the extent practicable—

(A) the development of recommended strategies for grantees of programs funded by members of the Council, including strategies for grantees of programs that fund non-emergency medical transportation, to use the cost-sharing policy in a manner that does not violate applicable Federal requirements; and

(B) optional incorporation of an allocated cost model to facilitate local coordination efforts that comply with applicable requirements of programs funded by members of the Council, such as—

(i) eligibility requirements;

(ii) service delivery requirements; and

(iii) reimbursement requirements.

(b) PILOT PROGRAM FOR INNOVATIVE COORDINATED ACCESS AND MOBILITY.—

(1) DEFINITIONS.—In this subsection—

(A) the term ''eligible project'' has the meaning given the term ''capital project'' in section 5302 of title 49, United States Code; and

(B) the term ''eligible recipient'' means a recipient or subrecipient, as those terms are defined in section 5310 of title 49, United States Code.

(2) GENERAL AUTHORITY.—The Secretary may make grants under this subsection to eligible recipients to assist in financing innovative projects for the transportation disadvantaged that improve the coordination of transportation services and non-emergency medical transportation services, including—

(A) the deployment of coordination technology;

(B) projects that create or increase access to community One-Call/One-Click Centers; and

(C) such other projects as determined by the Secretary.

(3) APPLICATION.—An eligible recipient shall submit to the Secretary an application that, at a minimum, contains—

(A) a detailed description of the eligible project;

(B) an identification of all eligible project partners and their specific role in the eligible project, including—

(i) private entities engaged in the coordination of non-emergency medical transportation services for the transportation disadvantaged; or

(ii) nonprofit entities engaged in the coordination of non-emergency medical transportation services for the transportation disadvantaged;

(C) a description of how the eligible project would—

(i) improve local coordination or access to coordinated transportation services;

(ii) reduce duplication of service, if applicable; and

(iii) provide innovative solutions in the State or community; and

(D) specific performance measures the eligible project will use to quantify actual outcomes against expected outcomes.

(4) GOVERNMENT SHARE OF COSTS.—

(A) IN GENERAL.—The Government share of the cost of an eligible project carried out under this subsection shall not exceed 80 percent.

(B) NON-GOVERNMENT SHARE.—The non-Government share of the cost of an eligible project carried out under this subsection may be derived from in-kind contributions.

(5) RULE OF CONSTRUCTION.—For purposes of this subsection, non-emergency medical transportation services shall be limited to services eligible under Federal programs other than programs authorized under chapter 53 of title 49, United States Code.

(c) TECHNICAL CORRECTION.—Section 5310(a) of title 49, United States Code, is amended by striking paragraph (1) and inserting the following:

''(1) RECIPIENT.—The term 'recipient' means—

''(A) a designated recipient or a State that receives a grant under this section directly; or

''(B) a State or local governmental entity that operates a public transportation service.''.

SEC. 21008. FORMULA GRANTS FOR RURAL AREAS.

Section 5311 of title 49, United States Code, is amended—

(1) in subsection (c)(1), as amended by division G, by striking subparagraphs (A) and (B) and inserting the following:

''(A) $5,000,000 for each fiscal year shall be distributed on a competitive basis by the Secretary.

''(B) $30,000,000 for each fiscal year shall be apportioned as formula grants, as provided in subsection (j).''; and

(2) in subsection (j)(1)—

(A) in subparagraph (A)(iii), by striking ''(as defined by the Bureau of the Census)'' and inserting ''(American Indian Areas, Alaska Native Areas, and Hawaiian Home Lands, as defined by the Bureau of the Census)''; and

(B) by adding at the end the following:

''(E) ALLOCATION BETWEEN MULTIPLE INDIAN TRIBES.—If more than 1 Indian tribe provides public transportation service on tribal lands in a single Tribal Statistical Area, and the Indian tribes do not determine how to allocate the funds apportioned under clause (iii) of subparagraph (A) between the Indian tribes, the Secretary shall allocate the funds such that each Indian tribe shall receive an amount equal to the total amount apportioned under such clause (iii) multiplied by the ratio of the number of annual unlinked passenger trips provided by each Indian tribe, as reported to the National Transit Database, to the total unlinked passenger trips provided by all the Indian tribes in the Tribal Statistical Area.''.

SEC. 21009. RESEARCH, DEVELOPMENT, DEMONSTRATION, AND DEPLOYMENT PROGRAM.

(a) IN GENERAL.—Section 5312 of title 49, United States Code, is amended—

(1) in the section heading, by striking ''**projects**'' and inserting ''**program**'';

(2) in subsection (a), in the subsection heading, by striking ''PROJECTS'' and inserting ''PROGRAM'';

(3) in subsection (d)—

(A) in paragraph (3)—

(i) in the matter preceding subparagraph (A), by inserting ''demonstration, deployment, or evaluation'' before ''project that'';

(ii) in subparagraph (A), by striking ''and'' at the end;

(iii) in subparagraph (B), by striking the period at the end and inserting ''; or''; and

(iv) by adding at the end the following:

''(C) the deployment of low or no emission vehicles, zero emission vehicles, or associated advanced technology.''; and

(B) by striking paragraph (5) and inserting the following:

''(5) PROHIBITION.—The Secretary may not make grants under this subsection for the demonstration, deployment, or evaluation of a vehicle that is in revenue service unless the Secretary determines that the project makes significant technological advancements in the vehicle.

''(6) DEFINITIONS.—In this subsection—

''(A) the term 'direct carbon emissions' means the quantity of direct greenhouse gas emissions from a vehicle, as determined by the Administrator of the Environmental Protection Agency;

''(B) the term 'low or no emission vehicle' means—

''(i) a passenger vehicle used to provide public transportation that the Secretary determines sufficiently reduces energy consumption or harmful emissions, including direct carbon emissions, when compared to a comparable standard vehicle; or

''(ii) a zero emission vehicle used to provide public transportation; and

''(C) the term 'zero emission vehicle' means a low or no emission vehicle that produces no carbon or particulate matter.'';

(4) by redesignating subsections (e) and (f) as subsections (f) and (g), respectively;

(5) by inserting after subsection (d) the following:

''(e) LOW OR NO EMISSION VEHICLE COMPONENT ASSESSMENT.—

''(1) DEFINITIONS.—In this subsection—

''(A) the term 'covered institution of higher education' means an institution of higher education with which the Secretary enters into a contract or cooperative agreement, or to which the Secretary makes a grant, under paragraph (2)(B) to operate a facility designated under paragraph (2)(A);

''(B) the terms 'direct carbon emissions' and 'low or no emission vehicle' have the meanings given those terms in subsection (d)(6);

''(C) the term 'institution of higher education' has the meaning given the term in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002); and

''(D) the term 'low or no emission vehicle component' means an item that is separately installed in and removable from a low or no emission vehicle.

''(2) ASSESSING LOW OR NO EMISSION VEHICLE COMPONENTS.—

''(A) IN GENERAL.—The Secretary shall designate not more than 2 facilities to conduct testing, evaluation, and analysis of low or no emission vehicle components intended for use in low or no emission vehicles.

''(B) OPERATION AND MAINTENANCE.—

''(i) IN GENERAL.—The Secretary shall enter into a contract or cooperative agreement with, or make a grant to, not more than 2 institutions of higher education to each operate and maintain a facility designated under subparagraph (A).

''(ii) REQUIREMENTS.—An institution of higher education described in clause (i) shall have—

''(I) previous experience with transportation-related advanced component and vehicle evaluation;

''(II) laboratories capable of testing and evaluation;

''(III) direct access to or a partnership with a testing facility capable of emulating real-world circumstances in order to test low or no emission vehicle components installed on the intended vehicle;

''(IV) extensive knowledge of public-private partnerships in the transportation sector, with emphasis on development and evaluation of materials, products, and components;

''(V) the ability to reduce costs to partners by leveraging existing programs to provide complementary research, development, testing, and evaluation; and

''(VI) the means to conduct performance assessments on low or no emission vehicle components based on industry standards.

''(C) FEES.—A covered institution of higher education shall establish and collect fees, which shall be approved by the Secretary, for the assessment of low or no emission components at the applicable facility designated under subparagraph (A).

''(D) AVAILABILITY OF AMOUNTS TO PAY FOR ASSESSMENT.—The Secretary shall enter into a contract or cooperative agreement with, or make a grant to, each covered institution of higher education under which—

''(i) the Secretary shall pay 50 percent of the cost of assessing a low or no emission vehicle component at the applicable facility designated under subparagraph (A) from amounts made available to carry out this section; and

''(ii) the remaining 50 percent of such cost shall be paid from amounts recovered through the fees established and collected pursuant to subparagraph (C).

''(E) VOLUNTARY TESTING.—A manufacturer of a low or no emission vehicle component is not required to assess the low or no emission vehicle component at a facility designated under subparagraph (A).

''(F) COMPLIANCE WITH SECTION 5318.—Notwithstanding whether a low or no emission vehicle component is assessed at a facility designated under subparagraph (A), each new bus model shall comply with the requirements under section 5318.

''(G) SEPARATE FACILITY.—Each facility designated under subparagraph (A) shall be separate and distinct from the facility operated and maintained under section 5318.

''(3) LOW OR NO EMISSION VEHICLE COMPONENT PERFORMANCE REPORTS.—Not later than 2 years after the date of enactment of the Federal Public Transportation Act of 2015, and annually thereafter, the Secretary shall issue a report on low or no emission vehicle component assessments conducted at each facility designated under paragraph (2)(A), which shall include information related to the maintainability, reliability, performance, structural integrity, efficiency, and noise of those low or no emission vehicle components.

''(4) PUBLIC AVAILABILITY OF ASSESSMENTS.—Each assessment conducted at a facility designated under paragraph (2)(A) shall be made publically available, including to affected industries.

''(5) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to require—

''(A) a low or no emission vehicle component to be tested at a facility designated under paragraph (2)(A); or

''(B) the development or disclosure of a privately funded component assessment.'';

(6) in subsection (f), as so redesignated—

(A) in paragraph (2), by striking ''and'' at the end;

(B) by redesignating paragraph (3) as paragraph (4);

(C) by inserting after paragraph (2) the following:

''(3) a list of any projects that returned negative results in the preceding fiscal year and an analysis of such results; and''; and

(D) in paragraph (4), as so redesignated, by inserting before the period at the end the following: ''based on projects in the pipeline, ongoing projects, and anticipated research efforts necessary to advance certain projects to a subsequent research phase''; and

(7) by adding at the end the following:

''(h) COOPERATIVE RESEARCH PROGRAM.—

''(1) IN GENERAL.—The Secretary shall establish—

''(A) a public transportation cooperative research program under this subsection; and

''(B) an independent governing board for the program, which shall recommend public transportation research, development, and technology transfer activities the Secretary considers appropriate.

''(2) FEDERAL ASSISTANCE.—The Secretary may make grants to, and cooperative agreements with, the National Academy of Sciences to carry out activities under this subsection that the Secretary determines appropriate.

''(3) GOVERNMENT SHARE.—If there would be a clear and direct financial benefit to an entity under a grant or contract financed under this section, the Secretary shall establish a Government share consistent with that benefit.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) TITLE 49.—Chapter 53 of title 49, United States Code, is amended by striking section 5313.

(2) TABLE OF SECTIONS AMENDMENT.—The table of sections for chapter 53 of title 49, United States Code, is amended by striking the items relating to sections 5312 and 5313 and inserting the following:

''5312. Research, development, demonstration, and deployment program.
''[5313. Repealed.]''.

SEC. 21010. PRIVATE SECTOR PARTICIPATION.

(a) IN GENERAL.—Section 5315 of title 49, United States Code, is amended by adding at the end the following:

''(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to alter—

''(1) the eligibilities, requirements, or priority for assistance provided under this chapter; or

''(2) the requirements of section 5306(a).''.

(b) MAP-21 TECHNICAL CORRECTION.—Section 20013(d) of the Moving Ahead for Progress in the 21st Century Act (Public Law 112–141; 126 Stat. 694) is amended by striking ''5307(c)'' and inserting ''5307(b)''.

SEC. 21011. INNOVATIVE PROCUREMENT.

(a) IN GENERAL.—Chapter 53 of title 49, United States Code, is amended by inserting after section 5315 the following:

''§ 5316. Innovative procurement

''(a) DEFINITION.—In this section, the term 'grantee' means a recipient or subrecipient of assistance under this chapter.

''(b) COOPERATIVE PROCUREMENT.—

''(1) DEFINITIONS; GENERAL RULES.—

''(A) DEFINITIONS.—In this subsection—

''(i) the term 'cooperative procurement contract' means a contract—

''(I) entered into between a State government or eligible nonprofit and 1 or more vendors; and

''(II) under which the vendors agree to provide an option to purchase rolling stock and related equipment to multiple participants;

''(ii) the term 'eligible nonprofit entity' means—

''(I) a nonprofit entity that is not a grantee; or

''(II) a consortium of entities described in subclause (I);

''(iii) the terms 'lead nonprofit entity' and 'lead procurement agency' mean an eligible nonprofit entity or a State government, respectively, that acts in an administrative capacity on behalf of each participant in a cooperative procurement contract;

''(iv) the term 'participant' means a grantee that participates in a cooperative procurement contract; and

''(v) the term 'participate' means to purchase rolling stock and related equipment under a cooperative procurement contract using assistance provided under this chapter.

''(B) GENERAL RULES.—

''(i) PROCUREMENT NOT LIMITED TO INTRASTATE PARTICIPANTS.—A grantee may participate in a cooperative procurement contract without regard to whether the grantee is located in the same State as the parties to the contract.

''(ii) VOLUNTARY PARTICIPATION.—Participation by grantees in a cooperative procurement contract shall be voluntary.

''(iii) CONTRACT TERMS.—The lead procurement agency or lead nonprofit entity for a cooperative procurement contract shall develop the terms of the contract.

''(iv) DURATION.—A cooperative procurement contract—

''(I) subject to subclauses (II) and (III), may be for an initial term of not more than 2 years;

''(II) may include not more than 3 optional extensions for terms of not more than 1 year each; and

''(III) may be in effect for a total period of not more than 5 years, including each extension authorized under subclause (II).

''(v) ADMINISTRATIVE EXPENSES.—A lead procurement agency or lead nonprofit entity, as applicable, that enters into a cooperative procurement contract—

''(I) may charge the participants in the contract for the cost of administering, planning, and providing technical assistance for the contract in an amount that is not more than 1 percent of the total value of the contract; and

''(II) with respect to the cost described in subclause (I), may incorporate the cost into the price of the contract or directly charge the participants for the cost, but not both.

''(2) STATE COOPERATIVE PROCUREMENT SCHEDULES.—

''(A) AUTHORITY.—A State government may enter into a cooperative procurement contract with 1 or more vendors if—

''(i) the vendors agree to provide an option to purchase rolling stock and related equipment to the State government and any other participant; and

''(ii) the State government acts throughout the term of the contract as the lead procurement agency.

''(B) APPLICABILITY OF POLICIES AND PROCEDURES.—In procuring rolling stock and related equipment under a cooperative procurement contract under this subsection, a State government shall comply with the policies and procedures that apply to procurement by the State government when using non-Federal funds, to the extent that the policies and procedures are in conformance with applicable Federal law.

''(3) PILOT PROGRAM FOR NONPROFIT COOPERATIVE PROCUREMENTS.—

''(A) ESTABLISHMENT.—The Secretary shall establish and carry out a pilot program to demonstrate the effectiveness of cooperative procurement contracts administered by nonprofit entities.

''(B) DESIGNATION.—In carrying out the program under this paragraph, the Secretary shall designate not less than 1 eligible nonprofit entity to enter into a cooperative procurement contract under which the nonprofit entity acts throughout the term of the contract as the lead nonprofit entity.

''(C) NUMBER OF ENTITIES.—The Secretary may designate not more than 3 geographically diverse eligible nonprofit entities under subparagraph (B).

''(D) NOTICE OF INTENT TO PARTICIPATE.—At a time determined appropriate by the lead nonprofit entity, each participant in a cooperative procurement contract under this

paragraph shall submit to the lead nonprofit entity a nonbinding notice of intent to participate.

''(c) LEASING ARRANGEMENTS.—

''(1) CAPITAL LEASE DEFINED.—

''(A) IN GENERAL.—In this subsection, the term 'capital lease' means any agreement under which a grantee acquires the right to use rolling stock or related equipment for a specified period of time, in exchange for a periodic payment.

''(B) MAINTENANCE.—A capital lease may require that the lessor provide maintenance of the rolling stock or related equipment covered by the lease.

''(2) PROGRAM TO SUPPORT INNOVATIVE LEASING ARRANGEMENTS.—

''(A) AUTHORITY.—A grantee may use assistance provided under this chapter to enter into a capital lease if—

''(i) the rolling stock or related equipment covered under the lease is eligible for capital assistance under this chapter; and

''(ii) there is or will be no Federal interest in the rolling stock or related equipment covered under the lease as of the date on which the lease takes effect.

''(B) GRANTEE REQUIREMENTS.—A grantee that enters into a capital lease shall—

''(i) maintain an inventory of the rolling stock or related equipment acquired under the lease; and

''(ii) maintain on the accounting records of the grantee the liability of the grantee under the lease.

''(C) ELIGIBLE LEASE COSTS.—The costs for which a grantee may use assistance under this chapter, with respect to a capital lease, include—

''(i) the cost of the rolling stock or related equipment;

''(ii) associated financing costs, including interest, legal fees, and financial advisor fees;

''(iii) ancillary costs such as delivery and installation charges; and

''(iv) maintenance costs.

''(D) TERMS.—A grantee shall negotiate the terms of any lease agreement that the grantee enters into.

''(E) APPLICABILITY OF PROCUREMENT REQUIREMENTS.—

''(i) LEASE REQUIREMENTS.—Part 639 of title 49, Code of Federal Regulations, or any successor regulation, and implementing guidance applicable to leasing shall not apply to a capital lease.

''(ii) BUY AMERICA.—The requirements under section 5323(j) shall apply to a capital lease.

''(3) INCENTIVE PROGRAM FOR CAPITAL LEASING OF ROLLING STOCK.—

''(A) AUTHORITY.—The Secretary shall carry out an incentive program for capital leasing of rolling stock (referred to in this paragraph as the 'program').

''(B) SELECTION OF PARTICIPANTS.—

''(i) IN GENERAL.—The Secretary shall select not less than 6 grantees to participate in the program, which shall be—

''(I) geographically diverse; and

''(II) evenly distributed among grantees in accordance with clause (ii).

''(ii) POPULATION SIZE.—In selecting an even distribution of grantees under clause (i)(II), the Secretary shall select not less than—

''(I) 2 grantees that serve rural areas;

''(II) 2 grantees that serve urbanized areas with a population of fewer than 200,000 individuals, as determined by the Bureau of the Census; and

''(III) 2 grantees that serve urbanized areas with a population of 200,000 or more individuals, as determined by the Bureau of the Census.

''(iii) WAIVER.—The Secretary may waive a requirement under clause (ii) if an insufficient number of eligible grantees of a particular population size apply to participate in the program.

''(C) PARTICIPANT REQUIREMENTS.—

''(i) IN GENERAL.—A grantee that participates in the program shall—

''(I) enter into a capital lease for a period of not less than 5 years; and

''(II) replace not less than ¼ of the grantee's fleet through the capital lease.

''(ii) VEHICLE REQUIREMENTS.—The vehicles replaced under clause (i)(II), with respect to the fleet as constituted on the day before the date on which the capital lease is entered into, shall—

''(I) be the oldest vehicles in the fleet; or

''(II) produce the highest quantity of direct greenhouse gas emissions relative to the other vehicles in the fleet, as determined by the Administrator of the Environmental Protection Agency.

''(iii) WAIVER OF FEDERAL INTEREST REQUIREMENTS.—If a grantee participating in the program seeks to replace vehicles that have a remaining Federal interest, the Secretary shall—

''(I) evaluate the economic and environmental benefits of waiving the Federal interest, as demonstrated by the grantee;

''(II) if the grantee demonstrates a net economic or environmental benefit, grant an early disposition of the vehicles; and

''(III) publish each evaluation and final determination of the Secretary under this clause in a conspicuous location on the website of the Federal Transit Administration.

''(D) PARTICIPANT BENEFIT.—During the period during which a capital lease described in subparagraph (C)(i)(I), entered into by a grantee participating in the program, is in effect, the limit on the Government share of operating expenses under subsection (d)(2) of section 5307, subsection (d)(2) of section 5310, or subsection (g)(2) of section 5311 shall not apply with respect to any grant awarded to the grantee under the applicable section.

''(E) REPORTING REQUIREMENT.—Not later than 3 years after the date on which a grantee enters into a capital lease under the program, the grantee shall submit to the Secretary a report that contains—

''(i) an evaluation of the overall costs and benefits of leasing rolling stock;

''(ii) a cost comparison of leasing versus buying rolling stock;

''(iii) a comparison of the expected short-term and long-term maintenance costs of leasing versus buying rolling stock; and

''(iv) a projected budget showing the changes in overall operating and capital expenses due to the capital lease that the grantee entered into under the program.

''(4) INCENTIVE PROGRAM FOR CAPITAL LEASING OF CERTAIN ZERO EMISSION VEHICLE COMPONENTS.—

''(A) DEFINITIONS.—In this paragraph—

''(i) the term 'removable power source'—

''(I) means a power source that is separately installed in, and removable from, a zero emission vehicle; and

''(II) may include a battery, a fuel cell, an ultra-capacitor, or other advanced power source used in a zero emission vehicle; and

''(ii) the term 'zero emission vehicle' has the meaning given the term in section 5339(c).

''(B) LEASED POWER SOURCES.—Notwithstanding any other provision of law, for purposes of this subsection, the cost of a removable power source that is necessary for the operation of a zero emission vehicle shall not be treated as part of the cost of the vehicle if the removable power source is acquired using a capital lease.

''(C) ELIGIBLE CAPITAL LEASE.—A grantee may acquire a removable power source by itself through a capital lease.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) TABLE OF SECTIONS.—The table of sections for chapter 53 of title 49, United States Code, is amended by inserting after the item relating to section 5315 the following:

''5316. Innovative procurement.''.

(2) CONFORMING AMENDMENT.—Section 5325(e)(2) of title 49, United States Code, is amended by inserting after ''this subsection'' the following: '', section 5316,''.

SEC. 21012. HUMAN RESOURCES AND TRAINING.

Section 5322 of title 49, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (1), in the paragraph heading, by striking ''PROGRAM ESTABLISHED'' and inserting ''IN GENERAL'';

(B) by redesignating paragraph (2) as paragraph (3);

(C) by inserting after paragraph (1) the following:

''(2) PROGRAMS.—A program eligible for assistance under subsection (a) shall—

''(A) provide skills training, on-the-job training, and work-based learning;

''(B) offer career pathways that support the movement from initial or short-term employment opportunities to sustainable careers;

''(C) address current or projected workforce shortages;

''(D) replicate successful workforce development models; or

''(E) respond to such other workforce needs as the Secretary determines appropriate.'';

(D) in paragraph (3), as so redesignated—

(i) in subparagraph (G), by striking ''and'' at the end;

(ii) in subparagraph (H), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(I) give priority to minorities, women, individuals with disabilities, veterans, low-income populations, and other underserved populations.''; and

(E) by adding at the end the following:

''(4) COORDINATION.—A recipient of assistance under this subsection shall—

''(A) identify the workforce needs and commensurate training needs at the local level in coordination with entities such as local employers, local public transportation operators, labor union organizations, workforce development boards, State workforce agencies, State apprenticeship agencies (where applicable), university transportation centers, community colleges, and community-based organizations representing minorities, women, disabled individuals, veterans, and low-income populations; and

''(B) to the extent practicable, conduct local training programs in coordination with existing local training programs supported by the Secretary, the Department of Labor (including registered apprenticeship programs), and the Department of Education.

''(5) PROGRAM OUTCOMES.—A recipient of assistance under this subsection shall demonstrate outcomes for any program that includes skills training, on-the-job training, and work-based learning, including—

''(A) the impact on reducing public transportation workforce shortages in the area served;

''(B) the diversity of training participants;

''(C) the number of participants obtaining certifications or credentials required for specific types of employment;

''(D) employment outcomes, including job placement, job retention, and wages, using performance metrics established in consultation with the Secretary and the Secretary of Labor and consistent with metrics used by programs under the Workforce Innovation and Opportunity Act (29 U.S.C. 3101 et seq.); and

''(E) to the extent practical, evidence that the program did not preclude workers who are participating in skills training, on-the-job training, and work-based learning from being referred to, or hired on, projects funded under this chapter without regard to the length of time of their participation in the program.''; and

(2) in subsection (d), by striking paragraph (4) and inserting the following:

''(4) USE FOR TECHNICAL ASSISTANCE.—The Secretary may use not more than 1 percent of the amounts made available to carry out this section to provide technical assistance for activities and programs developed, conducted, and overseen under this subsection.

''(5) AVAILABILITY OF AMOUNTS.—

''(A) IN GENERAL.—Not more than 0.5 percent of the amounts made available to a recipient under sections 5307, 5337, and 5339 is available for expenditure by the recipient, with the approval of the Secretary, to pay not more than 80 percent of the cost of eligible activities under this subsection.

''(B) EXISTING PROGRAMS.—A recipient may use amounts made available under paragraph (A) to carry out existing local education and training programs for public transportation employees supported by the Secretary, the Department of Labor, or the Department of Education.''.

SEC. 21013. GENERAL PROVISIONS.

Section 5323 of title 49, United States Code, is amended—

(1) in subsection (j)—

(A) in paragraph (2), by striking subparagraph (C) and inserting the following:

''(C) when procuring rolling stock (including train control, communication, and traction power equipment, and rolling stock prototypes) under this chapter—

''(i) the cost of components and subcomponents produced in the United States—

''(I) for fiscal years 2016 and 2017, is more than 60 percent of the cost of all components of the rolling stock;

''(II) for fiscal years 2018 and 2019, is more than 65 percent of the cost of all components of the rolling stock; and

''(III) for fiscal year 2020 and each fiscal year thereafter, is more than 70 percent of the cost of all components of the rolling stock; and

''(ii) final assembly of the rolling stock has occurred in the United States; or'';

(B) by resdesignating paragraphs (5) through (9) as paragraphs (7) through (11), respectively;

(C) by inserting after paragraph (4) the following:

''(5) ROLLING STOCK FRAMES OR CAR SHELLS.—In carrying out paragraph (2)(C) in the case of a rolling stock procurement receiving assistance under this chapter in which the average cost of a rolling stock vehicle in the procurement is more than $300,000, if rolling stock frames or car shells are not produced in the United States, the Secretary shall include in the calculation of the domestic content of the rolling stock the cost of steel or iron used in the rolling stock frames or car shells if—

''(A) all manufacturing processes for the steel or iron occur in the United States; and

''(B) the amount of steel or iron used in the rolling stock frames or car shells is significant.

''(6) CERTIFICATION OF DOMESTIC SUPPLY AND DISCLOSURE.—

''(A) CERTIFICATION OF DOMESTIC SUPPLY.—If the Secretary denies an application for a waiver under paragraph (2), the Secretary shall provide to the applicant a written certification that—

''(i) the steel, iron, or manufactured goods, as applicable, (referred to in this subparagraph as the 'item') is produced in the United States in a sufficient and reasonably available amount;

''(ii) the item produced in the United States is of a satisfactory quality; and

''(iii) includes a list of known manufacturers in the United States from which the item can be obtained.

''(B) DISCLOSURE.—The Secretary shall disclose the waiver denial and the written certification to the public in an easily identifiable location on the website of the Department of Transportation.'';

(D) in paragraph (8), as so redesignated, by striking ''Federal Public Transportation Act of 2012'' and inserting ''Federal Public Transportation Act of 2015''; and

(E) by inserting after paragraph (11), as so redesignated, the following:

''(12) PRODUCTION IN UNITED STATES.—For purposes of this subsection, steel and iron may be considered produced in the United States if all the manufacturing processes, except metallurgical processes involving refinement of steel additives, took place in the United States.

''(13) DEFINITION OF SMALL PURCHASE.—For purposes of determining whether a purchase qualifies for a general public interest waiver under paragraph (2)(A) of this subsection, including under any regulation promulgated under that paragraph, the term 'small purchase' means a purchase of not more than $150,000.'';

(2) in subsection (q)(1), by striking the second sentence; and

(3) by adding at the end the following:

''(s) VALUE CAPTURE REVENUE ELIGIBLE FOR LOCAL SHARE.—Notwithstanding any other provision of law, a recipient of assistance under this chapter may use the revenue generated from value capture financing mechanisms as local matching funds for capital projects and operating costs eligible under this chapter.

''(t) VALUE ENGINEERING.—Nothing in this chapter shall be construed to authorize the Secretary to mandate the use of value engineering in projects funded under this chapter.''.

SEC. 21014. PROJECT MANAGEMENT OVERSIGHT.

Section 5327 of title 49, United States Code, is amended—

(1) in subsection (c), by striking ''section 5338(i)'' and inserting ''section 5338(h)''; and

(2) in subsection (d)—

(A) in paragraph (1)—

(i) by striking ''section 5338(i)'' and inserting ''section 5338(h)''; and

(ii) by striking ''and'' at the end; and

(B) by striking paragraph (2) and inserting the following:

''(2) a requirement that oversight—

''(A) begin during the project development phase of a project, unless the Secretary finds it more appropriate to begin the oversight during another phase of the project, to maximize the transportation benefits and cost savings associated with project management oversight; and

''(B) be limited to quarterly reviews of compliance by the recipient with the project management plan approved under subsection (b) unless the Secretary finds that the recipient requires more frequent oversight because the recipient has, for 2 consecutive quarterly reviews, failed to meet the requirements of such plan and the project is at risk of going over budget or becoming behind schedule; and

''(3) a process for recipients that the Secretary has found require more frequent oversight to return to quarterly reviews for purposes of paragraph (2)(B).''.

SEC. 21015. PUBLIC TRANSPORTATION SAFETY PROGRAM.

(a) IN GENERAL.—Section 5329 of title 49, United States Code, is amended—

(1) in subsection (b)(2)—

(A) in subparagraph (C), by striking ''and'' at the end;

(B) by redesignating subparagraph (D) as subparagraph (E); and

(C) by inserting after subparagraph (C) the following:

''(D) minimum safety standards to ensure the safe operation of public transportation systems that—

''(i) are not related to performance standards for public transportation vehicles developed under subparagraph (C); and

''(ii) to the extent practicable, take into consideration—

''(I) relevant recommendations of the National Transportation Safety Board;

''(II) best practices standards developed by the public transportation industry;

''(III) any minimum safety standards or performance criteria being implemented across the public transportation industry; and

''(IV) any additional information that the Secretary determines necessary and appropriate; and'';

(2) in subsection (f)(2), by inserting after ''public transportation system of a recipient'' the following: ''or the public transportation industry generally''; and

(3) in subsection (g)(1), in the matter preceding subparagraph (A), by striking ''an eligible State, as defined in subsection (e),'' and inserting ''a recipient''.

(b) REVIEW OF PUBLIC TRANSPORTATION SAFETY STANDARDS.—

(1) REVIEW REQUIRED.—

(A) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary shall commence a review of the safety standards and protocols used in rail fixed guideway public transportation systems in the United States that examines the efficacy of existing standards and protocols.

(B) CONTENTS OF REVIEW.—In conducting the review under this paragraph, the Secretary shall review—

(i) minimum safety performance standards developed by the public transportation industry;

(ii) safety performance standards, practices, or protocols in use by rail fixed guideway public transportation systems, including—

(I) written emergency plans and procedures for passenger evacuations;

(II) training programs to ensure public transportation personnel compliance and readiness in emergency situations;

(III) coordination plans with local emergency responders having jurisdiction over a rail fixed guideway public transportation system, including—

(aa) emergency preparedness training, drills, and familiarization programs for those first responders; and

(bb) the scheduling of regular field exercises to ensure appropriate response and effective radio and public safety communications;

(IV) maintenance, testing, and inspection programs to ensure the proper functioning of—

(aa) tunnel, station, and vehicle ventilation systems;

(bb) signal and train control systems, track, mechanical systems, and other infrastructure; and

(cc) other systems as necessary;

(V) certification requirements for train and bus operators and control center employees;

(VI) consensus-based standards, practices, or protocols available to the public transportation industry; and

(VII) any other standards, practices, or protocols the Secretary determines appropriate; and

(iii) vehicle safety standards, practices, or protocols in use by public transportation systems, concerning—

(I) bus design and the workstation of bus operators, as it relates to—

(aa) the reduction of blindspots that contribute to accidents involving pedestrians; and

(bb) protecting bus operators from the risk of assault; and

(II) scheduling fixed route bus service with adequate time and access for operators to use restroom facilities.

(2) EVALUATION.—After conducting the review under paragraph (1), the Secretary shall, in consultation with representatives of the public transportation industry, evaluate the need to establish Federal minimum public transportation safety standards, including—

(A) standards governing worker safety;

(B) standards for the operation of signals, track, on-track equipment, mechanical systems, and control systems; and

(C) any other areas the Secretary, in consultation with the public transportation industry, determines require further evaluation.

(3) REPORT.—Upon completing the review and evaluation required under paragraphs (1) and (2), respectively, and not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Transportation and Infrastructure of the of House of Representatives a report that includes—

(A) findings based on the review conducted under paragraph (1);

(B) the outcome of the evaluation conducted under paragraph (2);

(C) a comprehensive set of recommendations to improve the safety of the public transportation industry, including recommendations for legislative changes where applicable; and

(D) actions that the Secretary will take to address the recommendations provided under subparagraph (C), including, if necessary, the establishment of Federal minimum public transportation safety standards.

SEC. 21016. STATE OF GOOD REPAIR GRANTS.

Section 5337 of title 49, United States Code, is amended—

(1) in subsection (c)—

(A) by striking paragraph (1) and inserting the following:

''(1) IN GENERAL.—Of the amount authorized or made available for a fiscal year under section 5338(a)(2)(L)—

''(A) $100,000,000 shall be made available in accordance with this subsection; and

''(B) 97.15 percent of the remainder shall be apportioned to recipients in accordance with this subsection.''; and

(B) in paragraph (2)(B), by inserting ''the provisions of'' before ''section 5336(b)(1)'';

(2) in subsection (d)—

(A) in paragraph (2), by striking ''section 5338(a)(2)(I), 2.85 percent'' and inserting ''section 5338(a)(2)(L), the remainder after the application of subsection (c)(1)''; and

(B) by adding at the end the following:

''(5) USE OF FUNDS.—Amounts apportioned under this subsection may be used for any project that is an eligible project under subsection (b)(1).''; and

(3) by adding at the end the following:

''(e) GOVERNMENT SHARE OF COSTS.—

''(1) CAPITAL PROJECTS.—A grant for a capital project under this section shall be for 80 percent of the net project cost of the project. The recipient may provide additional local matching amounts.

''(2) REMAINING COSTS.—The remainder of the net project costs shall be provided from an undistributed cash surplus, a replacement or depreciation cash fund or reserve, or new capital.''.

SEC. 21017. AUTHORIZATIONS.

Section 5338 of title 49, United States Code, as amended by division G, is amended to read as follows:

''§ 5338. Authorizations

''(a) GRANTS.—

''(1) IN GENERAL.—There shall be available from the Mass Transit Account of the Highway Trust Fund to carry out sections 5305, 5307, 5310, 5311, 5312, 5314, 5318, 5322(b), 5322(d), 5335, 5337, 5339, and 5340, section 20005(b) of the Federal Public Transportation Act of 2012, and section 21007(b) of the Federal Public Transportation Act of 2015—

''(A) $9,184,747,400 for fiscal year 2016;

''(B) $9,380,039,349 for fiscal year 2017;

''(C) $9,685,745,744 for fiscal year 2018;

''(D) $10,101,051,238 for fiscal year 2019;

''(E) $10,351,763,806 for fiscal year 2020; and

''(F) $10,609,442,553 for fiscal year 2021.

''(2) ALLOCATION OF FUNDS.—Of the amounts made available under paragraph (1)—

''(A) $132,020,000 for fiscal year 2016, $134,934,342 for fiscal year 2017, $138,004,098 for fiscal year 2018, $141,328,616 for fiscal year 2019, $144,893,631 for fiscal year 2020, and $148,557,701 for fiscal year 2021 shall be available to carry out section 5305;

''(B) $10,000,000 for each of fiscal years 2016 through 2021 shall be available to carry out section 20005(b) of the Federal Public Transportation Act of 2012;

''(C) $4,538,905,700 for fiscal year 2016, $4,639,102,043 for fiscal year 2017, $4,794,641,615 for fiscal year 2018, $4,975,879,158 for fiscal year 2019, $5,101,395,710 for fiscal year 2020, and $5,230,399,804 for fiscal year 2021 shall be allocated in accordance with section 5336 to provide financial assistance for urbanized areas under section 5307;

''(D) $263,466,000 for fiscal year 2016, $269,282,012 for fiscal year 2017, $275,408,178 for fiscal year 2018, $288,264,292 for fiscal year 2019, $295,535,759 for fiscal year 2020, and $303,009,267 for fiscal year 2021 shall be available to provide financial assistance for services for the enhanced mobility of seniors and individuals with disabilities under section 5310;

''(E) $2,000,000 for each of fiscal years 2016 through 2021 shall be available for the pilot program for innovative coordinated access and mobility under section 21007(b) of the Federal Public Transportation Act of 2015;

''(F) $619,956,000 for fiscal year 2016, $633,641,529 for fiscal year 2017, $648,056,873 for fiscal year 2018, $678,308,311 for fiscal year 2019, $695,418,638 for fiscal year 2020, and $713,004,385 for fiscal year 2021 shall be available to provide financial assistance for rural areas under section 5311, of which not less than—

''(i) $35,000,000 for each of fiscal years 2016 through 2021 shall be available to carry out section 5311(c)(1); and

''(ii) $20,000,000 for each of fiscal years 2016 through 2021 shall be available to carry out section 5311(c)(2);

''(G) $30,000,000 for each of fiscal years 2016 through 2021 shall be available to carry out section 5312, of which—

''(i) $5,000,000 for each of fiscal years 2016 through 2021 shall be available to carry out section 5312(e); and

''(ii) $5,000,000 for each of fiscal years 2016 through 2021 shall be available to carry out section 5312(h);

''(H) $4,000,000 for each of fiscal years 2016 through 2021 shall be available to carry out section 5314;

''(I) $3,000,000 for each of fiscal years 2016 through 2021 shall be available for bus testing under section 5318;

''(J) $5,000,000 for each of fiscal years 2016 through 2021 shall be available for the national transit institute under section 5322(d);

''(K) $4,000,000 for each of fiscal years 2016 through 2021 shall be available to carry out section 5335;

''(L) $2,428,342,500 for fiscal year 2016, $2,479,740,661 for fiscal year 2017, $2,533,879,761 for fiscal year 2018, $2,592,511,924 for fiscal year 2019, $2,655,385,537 for fiscal year 2020, and $2,720,006,127 for fiscal year 2021 shall be available to carry out section 5337;

''(M) $430,794,600 for fiscal year 2016, $440,304,391 for fiscal year 2017, $495,321,316 for fiscal year 2018, $585,851,498 for fiscal year 2019, $605,422,352 for fiscal year 2020, and $625,536,993 for fiscal year 2021 shall be available for the bus and bus facilities program under section 5339(a);

''(N) $180,000,000 for each of fiscal years 2016 and 2017, $185,000,000 for fiscal year 2018, and $190,000,000 for each of fiscal years 2019 through 2021 shall be available for bus and bus facilities competitive grants under section 5339(b) and no or low emission grants under section 5339(c), of which $55,000,000 for each of fiscal years 2016 through 2021 shall be available to carry out section 5339(c);

''(O) $533,262,600 for fiscal year 2016, $545,034,372 for fiscal year 2017, $557,433,904 for fiscal year 2018, $586,907,438 for fiscal year 2019, $601,712,178 for fiscal year 2020, and $616,928,276 for fiscal year 2021 shall be allocated in accordance with section 5340 to provide financial assistance for urbanized areas under section 5307 and rural areas under section 5311; and

''(P) $4,000,000 for each of fiscal years 2019 through 2021 shall be available to carry out section 5322(b).

''(b) RESEARCH, DEVELOPMENT, DEMONSTRATION, AND DEPLOYMENT PROGRAM.—There are authorized to be appropriated to carry out section 5312, other than subsections (e) and (h) of that section, $20,000,000 for each of fiscal years 2016 through 2021.

''(c) TECHNICAL ASSISTANCE AND STANDARDS DEVELOPMENT.—There are authorized to be appropriated to carry out section 5314, $7,000,000 for each of fiscal years 2016 through 2021.

''(d) HUMAN RESOURCES AND TRAINING.—There are authorized to be appropriated to carry out subsections (a), (b), (c), and (e) of section 5322, $5,000,000 for each of fiscal years 2016 through 2021.

''(e) EMERGENCY RELIEF PROGRAM.—There are authorized to be appropriated such sums as are necessary to carry out section 5324.

''(f) CAPITAL INVESTMENT GRANTS.—There are authorized to be appropriated to carry out section 5309 of this title and section 21006(b) of the Federal Public Transportation Act of 2015, $2,301,785,760 for fiscal year 2016, $2,352,597,681 for fiscal year 2017, $2,406,119,278 for fiscal year 2018, $2,464,082,691 for fiscal year 2019, $2,526,239,177 for fiscal year 2020, and $2,590,122,713 for fiscal year 2021, of which $276,214,291 for fiscal year 2016, $282,311,722 for fiscal year 2017, $288,734,313 for fiscal year 2018, $295,689,923 for fiscal year 2019, $303,148,701 for fiscal year 2020, and $310,814,726 for fiscal year 2021 shall be available to carry out section 21006(b) of the Federal Public Transportation Act of 2015.

''(g) ADMINISTRATION.—

''(1) IN GENERAL.—There are authorized to be appropriated to carry out section 5334, $115,016,543 for fiscal year 2016, $117,555,533 for fiscal year 2017, $120,229,921 for fiscal year 2018, $123,126,260 for fiscal year 2019, $126,232,120 for fiscal year 2020, and $129,424,278 for fiscal year 2021.

''(2) SECTION 5329.—Of the amounts authorized to be appropriated under paragraph (1), not less than $8,000,000 for each of fiscal years 2016 through 2021 shall be available to carry out section 5329.

''(3) SECTION 5326.—Of the amounts made available under paragraph (2), not less than $2,000,000 for each of fiscal years 2016 through 2021 shall be available to carry out section 5326.

''(h) OVERSIGHT.—

''(1) IN GENERAL.—Of the amounts made available to carry out this chapter for a fiscal year, the Secretary may use not more than the following amounts for the activities described in paragraph (2):

''(A) 0.5 percent of amounts made available to carry out section 5305.

''(B) 0.75 percent of amounts made available to carry out section 5307.

''(C) 1 percent of amounts made available to carry out section 5309.

''(D) 1 percent of amounts made available to carry out section 601 of the Passenger Rail Investment and Improvement Act of 2008 (Public Law 110-432; 126 Stat. 4968).

''(E) 0.5 percent of amounts made available to carry out section 5310.

''(F) 0.5 percent of amounts made available to carry out section 5311.

''(G) 1 percent of amounts made available to carry out section 5337, of which not less than 0.25 percent shall be available to carry out section 5329.

''(H) 0.75 percent of amounts made available to carry out section 5339.

''(2) ACTIVITIES.—The activities described in this paragraph are as follows:

''(A) Activities to oversee the construction of a major capital project.

''(B) Activities to review and audit the safety and security, procurement, management, and financial compliance of a recipient or subrecipient of funds under this chapter.

''(C) Activities to provide technical assistance generally, and to provide technical assistance to correct deficiencies identified in compliance reviews and audits carried out under this section.

''(3) GOVERNMENT SHARE OF COSTS.—The Government shall pay the entire cost of carrying out a contract under this subsection.

''(4) AVAILABILITY OF CERTAIN FUNDS.—Funds made available under paragraph (1)(C) shall be made available to the Secretary before allocating the funds appropriated to carry out any project under a full funding grant agreement.

''(i) GRANTS AS CONTRACTUAL OBLIGATIONS.—

''(1) GRANTS FINANCED FROM HIGHWAY TRUST FUND.—A grant or contract that is approved by the Secretary and financed with amounts made available from the Mass Transit Account of the Highway Trust Fund pursuant to this section is a contractual obligation of the Government to pay the Government share of the cost of the project.

''(2) GRANTS FINANCED FROM GENERAL FUND.—A grant or contract that is approved by the Secretary and financed with amounts appropriated in advance from the General Fund of the Treasury pursuant to this section is a contractual obligation of the Government to pay the Government share of the cost of the project only to the extent that amounts are appropriated for such purpose by an Act of Congress.

''(j) AVAILABILITY OF AMOUNTS.—Amounts made available by or appropriated under this section shall remain available until expended.''.

SEC. 21018. GRANTS FOR BUS AND BUS FACILITIES.

(a) IN GENERAL.—Chapter 53 of title 49, United States Code, as amended by division G, is amended by striking section 5339 and inserting the following:

''§ 5339. Grants for bus and bus facilities

''(a) FORMULA GRANTS.—

''(1) DEFINITIONS.—In this subsection—

''(A) the term 'low or no emission vehicle' has the meaning given that term in subsection (c)(1);

''(B) the term 'State' means a State of the United States; and

''(C) the term 'territory' means the District of Columbia, Puerto Rico, the Northern Mariana Islands, Guam, American Samoa, and the United States Virgin Islands.

''(2) GENERAL AUTHORITY.—The Secretary may make grants under this subsection to assist eligible recipients described in paragraph (4)(A) in financing capital projects—

''(A) to replace, rehabilitate, and purchase buses and related equipment, including technological changes or innovations to modify low or no emissions vehicles or facilities; and

''(B) to construct bus-related facilities.

''(3) GRANT REQUIREMENTS.—The requirements of—

''(A) section 5307 shall apply to recipients of grants made in urbanized areas under this subsection; and

''(B) section 5311 shall apply to recipients of grants made in rural areas under this subsection.

''(4) ELIGIBLE RECIPIENTS AND SUBRECIPIENTS.—

''(A) RECIPIENTS.—Eligible recipients under this subsection are—

''(i) designated recipients that allocate funds to fixed route bus operators; or

''(ii) State or local governmental entities that operate fixed route bus service.

''(B) SUBRECIPIENTS.—A recipient that receives a grant under this subsection may allocate amounts of the grant to subrecipients that are public agencies or private nonprofit organizations engaged in public transportation.

''(5) DISTRIBUTION OF GRANT FUNDS.—Funds allocated under section 5338(a)(2)(M) shall be distributed as follows:

''(A) NATIONAL DISTRIBUTION.—$103,000,000 for each of fiscal years 2016 through 2021 shall be allocated to all States and territories, with each State receiving $2,000,000 for each such fiscal year and each territory receiving $500,000 for each such fiscal year.

''(B) DISTRIBUTION USING POPULATION AND SERVICE FACTORS.—The remainder of the funds not otherwise distributed under subparagraph (A) shall be allocated pursuant to the formula set forth in section 5336 other than subsection (b).

''(6) TRANSFERS OF APPORTIONMENTS.—

''(A) TRANSFER FLEXIBILITY FOR NATIONAL DISTRIBUTION FUNDS.—The Governor of a State may transfer any part of the State's apportionment under paragraph (5)(A) to supplement amounts apportioned to the State under section 5311(c) of this title or amounts apportioned to urbanized areas under subsections (a) and (c) of section 5336 of this title.

''(B) TRANSFER FLEXIBILITY FOR POPULATION AND SERVICE FACTORS FUNDS.—The Governor of a State may expend in an urbanized area with a population of less than 200,000 any amounts apportioned under paragraph (5)(B) that are not allocated to designated recipients in urbanized areas with a population of 200,000 or more.

''(7) GOVERNMENT SHARE OF COSTS.—

''(A) CAPITAL PROJECTS.—A grant for a capital project under this subsection shall be for 80 percent of the net capital costs of the project. A recipient of a grant under this subsection may provide additional local matching amounts.

''(B) REMAINING COSTS.—The remainder of the net project cost shall be provided—

''(i) in cash from non-Government sources other than revenues from providing public transportation services;

''(ii) from revenues derived from the sale of advertising and concessions;

''(iii) from an undistributed cash surplus, a replacement or depreciation cash fund or reserve, or new capital;

''(iv) from amounts received under a service agreement with a State or local social service agency or private social service organization; or

''(v) from revenues generated from value capture financing mechanisms.

''(8) PERIOD OF AVAILABILITY TO RECIPIENTS.—Amounts made available under this subsection may be obligated by a recipient for 3 fiscal years after the fiscal year in which the amount is apportioned. Not later than 30 days after the end of the 3-fiscal-year period described in the preceding sentence, any amount that is not obligated on the last day of that period shall be added to the amount that may be apportioned under this subsection in the next fiscal year.

''(b) BUS AND BUS FACILITIES COMPETITIVE GRANTS.—

''(1) IN GENERAL.—The Secretary may make grants under this subsection to designated recipients to assist in the financing of bus and bus facilities capital projects, including—

''(A) replacing, rehabilitating, purchasing, or leasing buses or related equipment; and

''(B) rehabilitating, purchasing, constructing, or leasing bus-related facilities.

''(2) GRANT CONSIDERATIONS.—In making grants under this subsection, the Secretary shall consider the age and condition of buses, bus fleets, related equipment, and bus-related facilities.

''(3) STATEWIDE APPLICATIONS.—A State may submit a statewide application on behalf of a public agency or private nonprofit organization engaged in public transportation in rural areas or other areas for which the State allocates funds. The submission of a statewide application shall not preclude the submission and consideration of any application under this subsection from other eligible recipients in an urbanized area in a State.

''(4) REQUIREMENTS FOR THE SECRETARY.—The Secretary shall—

''(A) disclose all metrics and evaluation procedures to be used in considering grant applications under this subsection upon issuance of the notice of funding availability in the Federal Register; and

''(B) publish a summary of final scores for selected projects, metrics, and other evaluations used in awarding grants under this subsection in the Federal Register.

''(5) RURAL PROJECTS.—Not less 10 percent of the amounts made available under this subsection in a fiscal year shall be distributed to projects in rural areas.

''(6) GRANT REQUIREMENTS.—

''(A) IN GENERAL.—A grant under this subsection shall be subject to the requirements of—

''(i) section 5307 for recipients of grants made in urbanized areas; and

''(ii) section 5311 for recipients of grants made in rural areas.

''(B) GOVERNMENT SHARE OF COSTS.—The Government share of the cost of an eligible project carried out under this subsection shall not exceed 80 percent.

''(7) AVAILABILITY OF FUNDS.—Any amounts made available to carry out this subsection—

''(A) shall remain available for 2 fiscal years after the fiscal year for which the amount is made available; and

''(B) that remain unobligated at the end of the period described in subparagraph (A) shall be added to the amount made available to an eligible project in the following fiscal year.

''(8) LIMITATION.—Of the amounts made available under this subsection, not more than 15 percent may be awarded to a single grantee.

''(c) LOW OR NO EMISSION GRANTS.—

''(1) DEFINITIONS.—In this subsection—

''(A) the term 'direct carbon emissions' means the quantity of direct greenhouse gas emissions from a vehicle, as determined by the Administrator of the Environmental Protection Agency;

''(B) the term 'eligible project' means a project or program of projects in an eligible area for—

''(i) acquiring low or no emission vehicles;

''(ii) leasing low or no emission vehicles;

''(iii) acquiring low or no emission vehicles with a leased power source;

''(iv) constructing facilities and related equipment for low or no emission vehicles;

''(v) leasing facilities and related equipment for low or no emission vehicles;

''(vi) constructing new public transportation facilities to accommodate low or no emission vehicles; or

''(vii) rehabilitating or improving existing public transportation facilities to accommodate low or no emission vehicles;

''(C) the term 'leased power source' means a removable power source, as defined in paragraph (4)(A) of section 5316(c), that is made available through a capital lease under that section;

''(D) the term 'low or no emission bus' means a bus that is a low or no emission vehicle;

''(E) the term 'low or no emission vehicle' means—

''(i) a passenger vehicle used to provide public transportation that the Secretary determines sufficiently reduces energy consumption or harmful emissions, including direct carbon emissions, when compared to a comparable standard vehicle; or

''(ii) a zero emission vehicle used to provide public transportation;

''(F) the term 'recipient' means a designated recipient, a local governmental authority, or a State that receives a grant under this subsection for an eligible project; and

''(G) the term 'zero emission vehicle' means a low or no emission vehicle that produces no carbon or particulate matter.

''(2) GENERAL AUTHORITY.—The Secretary may make grants to recipients to finance eligible projects under this subsection.

''(3) GRANT REQUIREMENTS.—

''(A) IN GENERAL.—A grant under this subsection shall be subject to the requirements of section 5307.

''(B) GOVERNMENT SHARE OF COSTS FOR CERTAIN PROJECTS.—Section 5323(i) applies to eligible projects carried out under this subsection, unless the recipient requests a lower grant percentage.

''(C) COMBINATION OF FUNDING SOURCES.—

''(i) COMBINATION PERMITTED.—An eligible project carried out under this subsection may receive funding under section 5307 or any other provision of law.

''(ii) GOVERNMENT SHARE.—Nothing in this subparagraph shall be construed to alter the Government share required under paragraph (7), section 5307, or any other provision of law.

''(4) COMPETITIVE PROCESS.—The Secretary shall—

''(A) not later than 30 days after the date on which amounts are made available for obligation under this subsection for a full fiscal year, solicit grant applications for eligible projects on a competitive basis; and

''(B) award a grant under this subsection based on the solicitation under subparagraph (A) not later than the earlier of—

''(i) 75 days after the date on which the solicitation expires; or

''(ii) the end of the fiscal year in which the Secretary solicited the grant applications.

''(5) CONSIDERATION.—In awarding grants under this subsection, the Secretary shall only consider eligible projects relating to the acquisition or leasing of low or no emission buses that—

''(A) make greater reductions in energy consumption and harmful emissions, including direct carbon emissions, than comparable standard buses or other low or no emission buses; and

''(B) are part of a long-term integrated fleet management plan for the recipient.

''(6) AVAILABILITY OF FUNDS.—Any amounts made available to carry out this subsection—

''(A) shall remain available to an eligible project for 2 fiscal years after the fiscal year for which the amount is made available; and

''(B) that remain unobligated at the end of the period described in subparagraph (A) shall be added to the amount made available to an eligible project in the following fiscal year.

''(7) GOVERNMENT SHARE OF COSTS.—

''(A) IN GENERAL.—The Federal share of the cost of an eligible project carried out under this subsection shall not exceed 80 percent.

''(B) NON-FEDERAL SHARE.—The non-Federal share of the cost of an eligible project carried out under this subsection may be derived from in-kind contributions.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 53 of title 49, United States Code, is amended by striking the item relating to section 5339 and inserting the following:

''5339. Grants for bus and bus facilities.''.

SEC. 21019. SALARY OF FEDERAL TRANSIT ADMINISTRATOR.

(a) IN GENERAL.—Section 5313 of title 5, United States Code, is amended by adding at the end the following:

''Federal Transit Administrator.''.

(b) CONFORMING AMENDMENT.—Section 5314 of title 5, United States Code, is amended by striking ''Federal Transit Administrator.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the first day of the first pay period beginning on or after the first day of the first fiscal year beginning after the date of enactment of this Act.

SEC. 21020. TECHNICAL AND CONFORMING AMENDMENTS.

(a) CHAPTER 53 OF TITLE 49, UNITED STATES CODE.—

(1) IN GENERAL.—Chapter 53 of title 49, United States Code, is amended—

(A) by striking section 5319;

(B) in section 5325—

(i) in subsection (e)(2), by striking ''at least two''; and

(ii) in subsection (h), by striking ''Federal Public Transportation Act of 2012'' and inserting ''Federal Public Transportation Act of 2015'';

(C) in section 5336—

(i) in subsection (a), by striking ''subsection (h)(4)'' and inserting ''subsection (h)(5)''; and

(ii) in subsection (h), as amended by division G—

(I) by striking paragraph (1) and inserting the following:

''(1) $30,000,000 for each fiscal year shall be set aside to carry out section 5307(h);''; and

(II) in paragraph (3), by striking ''1.5 percent'' and inserting ''2 percent''; and

(D) in section 5340(b), by striking ''section 5338(b)(2)(M)'' and inserting ''section 5338(a)(2)(O)''.

(2) TABLE OF SECTIONS.—The table of sections for chapter 53 of title 49, United States Code, is amended by striking the item relating to section 5319 and inserting the following:

''[5319. Repealed.]''.

(b) CHAPTER 105 OF TITLE 49, UNITED STATES CODE.—Section 10501(c) of title 49, United States Code, is amended—

(1) in paragraph (1)—

(A) in subparagraph (A)(i), by striking ''section 5302(a)'' and inserting ''section 5302''; and

(B) in subparagraph (B)—

(i) by striking ''mass transportation'' and inserting ''public transportation''; and

(ii) by striking ''section 5302(a)'' and inserting ''section 5302''; and

(2) in paragraph (2)(A), by striking ''mass transportation'' and inserting ''public transportation''.

DIVISION C—COMPREHENSIVE TRANSPORTATION AND CONSUMER PROTECTION ACT OF 2015

SEC. 31001. SHORT TITLE.

This division may be cited as the ''Comprehensive Transportation and Consumer Protection Act of 2015.''

SEC. 31002. REFERENCES TO TITLE 49, UNITED STATES CODE.

Except as otherwise expressly provided, wherever in this division an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 49, United States Code.

SEC. 31003. EFFECTIVE DATE.

Subtitle A of title XXXII, sections 33103, 34101(g), 34105, 34106, 34107, 34133, 34141, 34202, 34203, 34204, 34205, 34206, 34207, 34208, 34211, 34212, 34213, 34214, 34215, subtitles C and D of title XXXIV, and title XXXV take effect on the date of enactment of this Act.

TITLE XXXI—OFFICE OF THE SECRETARY

Subtitle A—Accelerating Project Delivery

SEC. 31101. DELEGATION OF AUTHORITY.

(a) IN GENERAL.—Chapter 1 is amended by adding at the end the following:

''§ 116. Administrations; acting officers

''No person designated to serve as the acting head of an administration in the department of transportation under section 3345 of title 5 may continue to perform the functions and duties of the office if the time limitations in section 3346 of that title would prevent the person from continuing to serve in a formal acting capacity.''.

(b) CONFORMING AMENDMENT.—The table of contents for chapter 1 is amended by inserting after the item relating to section 115 the following:

''116. Administrations; acting officers.''.

(c) APPLICATION.—The amendment under subsection (a) shall apply to any applicable office with a position designated for a Senate confirmed official.

SEC. 31102. INFRASTRUCTURE PERMITTING IMPROVEMENT CENTER.

(a) IN GENERAL.—Subchapter I of chapter 3, as amended by sections 31104 and 31106 of this Act, is further amended by adding after section 311 the following:

''§ 312. Interagency Infrastructure Permitting Improvement Center

''(a) IN GENERAL.—There is established in the Office of the Secretary an Interagency Infrastructure Permitting Improvement Center (referred to in this section as the 'Center').

''(b) ROLES AND RESPONSIBILITIES.—

''(1) GOVERNANCE.—The Center shall report to the chair of the Steering Committee described in paragraph (2) to ensure that the perspectives of all member agencies are represented.

''(2) INFRASTRUCTURE PERMITTING STEERING COMMITTEE.—An Infrastructure Permitting Steering Committee (referred to in this section as the 'Steering Committee') is established to oversee the work of the Center. The Steering Committee shall be chaired by the Federal Chief Performance Officer in consultation with the Chair of the Council on Environmental Quality and shall be comprised of Deputy-level representatives from the following departments and agencies:

''(A) The Department of Defense.

''(B) The Department of the Interior.

''(C) The Department of Agriculture.

''(D) The Department of Commerce.

''(E) The Department of Transportation.

''(F) The Department of Energy.

''(G) The Department of Homeland Security.

''(H) The Environmental Protection Agency.

''(I) The Advisory Council on Historic Preservation.

''(J) The Department of the Army.

''(K) The Department of Housing and Urban Development.

''(L) Other agencies the Chair of the Steering Committee invites to participate.

''(3) ACTIVITIES.—The Center shall support the Chair of the Steering Committee and undertake the following:

''(A) Coordinate and support implementation of priority reform actions for Federal agency permitting and reviews for areas as defined and identified by the Steering Committee.

''(B) Support modernization efforts at Federal agencies and interagency pilots for innovative approaches to the permitting and review of infrastructure projects.

''(C) Provide technical assistance and training to field and headquarters staff of Federal agencies on policy changes, innovative approaches to project delivery, and other topics as appropriate.

''(D) Identify, develop, and track metrics for timeliness of permit reviews, permit decisions, and project outcomes.

''(E) Administer and expand the use of online transparency tools providing for—

''(i) tracking and reporting of metrics;

''(ii) development and posting of schedules for permit reviews and permit decisions; and

''(iii) sharing of best practices related to efficient project permitting and reviews.

''(F) Provide reporting to the President on progress toward achieving greater efficiency in permitting decisions and review of infrastructure projects and progress toward achieving better outcomes for communities and the environment.

''(G) Meet not less frequently than annually with groups or individuals representing State, Tribal, and local governments that are engaged in the infrastructure permitting process.

''(4) INFRASTRUCTURE SECTORS COVERED.—The Center shall support process improvements in the permitting and review of infrastructure projects in the following sectors:

''(A) Surface transportation.

''(B) Aviation.

''(C) Ports and waterways.

''(D) Water resource projects.

''(E) Renewable energy generation.

''(F) Electricity transmission.

''(G) Broadband.

''(H) Pipelines.

''(I) Other sectors, as determined by the Steering Committee.

''(c) PERFORMANCE MEASURES.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of the Comprehensive Transportation and Consumer Protection Act of 2015, the Secretary, in coordination with the heads of other Federal agencies on the Steering Committee with responsibility for the review and approval of infrastructure projects sectors described in subsection (b)(4), shall evaluate and report on—

''(A) the progress made toward aligning Federal reviews of such projects and the improvement of project delivery associated with those projects; and

''(B) the effectiveness of the Center in achieving reduction of permitting time and project delivery time.

''(2) PERFORMANCE TARGETS.—Not later than 180 days after the date on which the Secretary of Transportation establishes performance measures in accordance with paragraph (1), the Secretary shall establish performance targets relating to each of the measures and standards described in subparagraphs (A) and (B) of paragraph (1).

''(3) REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of the Comprehensive Transportation and Consumer Protection Act of 2015 and biennially thereafter, the Secretary shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that describes—

''(A) the results of the evaluation conducted under paragraph (1); and

''(B) the progress towards achieving the targets established under paragraph (2).

''(4) INSPECTOR GENERAL REPORT.—Not later than 3 years after the date of enactment of the Comprehensive Transportation and Consumer Protection Act of 2015, the Inspector General of the Department of Transportation shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that describes—

''(A) the results of the evaluation conducted under paragraph (1); and

''(B) the progress towards achieving the targets established under paragraph (2).''.

(b) CONFORMING AMENDMENT.—The table of contents of chapter 3, as amended by sections 31104 and 31106 of this Act, is further amended by inserting after the item relating to section 311 the following:

''312. Interagency Infrastructure Permitting Improvement Center.''.

SEC. 31103. ACCELERATED DECISION-MAKING IN ENVIRONMENTAL REVIEWS.

(a) IN GENERAL.—Subchapter I of chapter 3 is amended by inserting after section 304 the following:

''§ 304a. Accelerated decision-making in environmental reviews

''(a) IN GENERAL.—In preparing a final environmental impact statement under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), if the Department of Transportation, when acting as lead agency, modifies the statement in response to comments that are minor and are confined to factual corrections or explanations of why the comments do not warrant additional Departmental response, the Department may write on errata sheets attached to the statement instead of rewriting the draft statement, subject to the condition that the errata sheets—

''(1) cite the sources, authorities, or reasons that support the position of the Department; and

''(2) if appropriate, indicate the circumstances that would trigger Departmental reappraisal or further response.

''(b) INCORPORATION.—To the maximum extent practicable, the Department shall expeditiously develop a single document that consists of a final environmental impact statement and a record of decision, unless—

''(1) the final environmental impact statement makes substantial changes to the proposed action that are relevant to environmental or safety concerns; or

''(2) there are significant new circumstances or information relevant to environmental concerns and that bear on the proposed action or the impacts of the proposed action.''.

(b) CONFORMING AMENDMENT.—The table of contents of chapter 3 is amended by inserting after the item relating to section 304 the following:

''304a. Accelerated decision-making in environmental reviews.''.

SEC. 31104. ENVIRONMENTAL REVIEW ALIGNMENT AND REFORM.

(a) IN GENERAL.—Subchapter I of chapter 3 is amended by inserting after section 309 the following:

''§ 310. Aligning Federal environmental reviews

''(a) COORDINATED AND CONCURRENT ENVIRONMENTAL REVIEWS.—Not later than 1 year after the date of enactment of the Comprehensive Transportation and Consumer Protection Act of 2015, the Department of Transportation, in coordination with the Steering Committee described in section 312 of this title, shall develop a coordinated and concurrent environmental review and permitting process for transportation projects when initiating an environmental impact statement under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et

seq.) (referred to in this section as 'NEPA'). The coordinated and concurrent environmental review and permitting process shall—

''(1) ensure that the Department of Transportation and Federal agencies of jurisdiction possess sufficient information early in the review process to determine a statement of a transportation project's purpose and need and range of alternatives for analysis that the lead agency and agencies of jurisdiction will rely upon for concurrent environmental reviews and permitting decisions required for the proposed project;

''(2) achieve early concurrence or issue resolution during the NEPA scoping process on the Department of Transportation's statement of a project's purpose and need and during development of the environmental impact statement on the range of alternatives for analysis that the lead agency and agencies of jurisdiction will rely upon for concurrent environmental reviews and permitting decisions required for the proposed project absent circumstances that require reconsideration in order to meet an agency of jurisdiction's legal obligations; and

''(3) achieve concurrence or issue resolution in an expedited manner if circumstances arise that require a reconsideration of the purpose and need or range of alternatives considered during any Federal agency's environmental or permitting review in order to meet an agency of jurisdiction's legal obligations.

''(b) ENVIRONMENTAL CHECKLIST.—The Secretary of Transportation and Federal agencies of jurisdiction likely to have substantive review or approval responsibilities on transportation projects, not later than 90 days after the date of enactment of the Comprehensive Transportation and Consumer Protection Act of 2015, shall jointly develop a checklist to help project sponsors identify potential natural, cultural, and historic resources in the area of a proposed project. The purpose of the checklist is—

''(1) to identify agencies of jurisdiction and cooperating agencies,

''(2) to develop the information needed for the purpose and need and alternatives for analysis; and

''(3) to improve interagency collaboration to help expedite the permitting process for the lead agency and Federal agencies of jurisdiction.

''(c) INTERAGENCY COLLABORATION.—Consistent with Federal environmental statutes and the priority reform actions for Federal agency permitting and reviews defined and identified by the Steering Committee established under section 312, the Secretary shall facilitate annual interagency collaboration sessions at the appropriate jurisdictional level to coordinate business plans and facilitate coordination of workload planning and workforce management. This engagement shall ensure agency staff is fully engaged and utilizing the flexibility of existing regulations, policies, and guidance and identifying additional actions to facilitate high quality, efficient, and targeted environmental reviews and permitting decisions. The sessions and the interagency collaborations they generate shall focus on how to work with State and local transportation entities to improve project planning, siting, and application quality and how to consult and coordinate with relevant stakeholders and Federal, tribal, State, and local representatives early in permitting processes.

''(d) PERFORMANCE MEASUREMENT.—Not later than 1 year after the date of enactment of the Comprehensive Transportation and Consumer Protection Act of 2015, the Secretary of Transportation, in coordination with the Steering Committee established under section 312 of this title, shall establish a program to measure and report on progress towards aligning Federal reviews as outlined in this section.''.

(b) CONFORMING AMENDMENT.—The table of contents of subchapter I of chapter 3 is amended by inserting after the item relating to section 309 the following:

''310. Aligning Federal environmental reviews.''.

SEC. 31105. MULTIMODAL CATEGORICAL EXCLUSIONS.

Section 304 is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking ''operating authority'' and inserting ''operating administration or secretarial office'';

(ii) by inserting ''has expertise but'' before ''is not the lead''; and

(iii) by inserting ''proposed multimodal'' before ''project'';

(B) by amending paragraph (2) to read as follows:

''(2) LEAD AUTHORITY.—The term 'lead authority' means a Department of Transportation operating administration or secretarial office that has the lead responsibility for a proposed multimodal project.''; and

(C) in paragraph (3), by striking ''has the meaning given the term in section 139(a) of title 23'' and inserting ''means an action by the Department of Transportation that involves expertise of 1 or more Department of Transportation operating administrations or secretarial offices'';

(2) in subsection (b), by striking ''under this title'' and inserting ''by the Secretary of Transportation'';

(3) in subsection (c)—

(A) in the matter preceding paragraph (1)—

(i) by striking ''a categorical exclusion designated under the implementing regulations or'' and inserting ''categorical exclusions designated under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) implementing''; and

(ii) by striking ''other components of the'' and inserting ''a proposed multimodal'';

(B) by amending paragraphs (1) and (2) to read as follows:

''(1) the lead authority makes a preliminary determination on the applicability of a categorical exclusion to a proposed multimodal project and notifies the cooperating authority of its intent to apply the cooperating authority categorical exclusion;

''(2) the cooperating authority does not object to the lead authority's preliminary determination of its applicability;'';

(C) in paragraph (3)—

(i) by inserting ''the lead authority determines that'' before ''the component of''; and

(ii) by inserting ''proposed multimodal'' before ''project to be covered''; and

(D) by amending paragraph (4) to read as follows:

''(4) the lead authority, with the concurrence of the cooperating authority—

''(A) follows implementing regulations or procedures under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

''(B) determines that the proposed multimodal project does not individually or cumulatively have a significant impact on the environment; and

''(C) determines that extraordinary circumstances do not exist that merit additional analysis and documentation in an environmental impact statement or environmental assessment required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).''; and

(4) by amending subsection (d) to read as follows:

''(d) COOPERATING AUTHORITY EXPERTISE.—A cooperating authority shall provide expertise to the lead authority on aspects of the multimodal project in which the cooperating authority has expertise.''.

SEC. 31106. IMPROVING TRANSPARENCY IN ENVIRONMENTAL REVIEWS.

(a) IN GENERAL.—Subchapter I of chapter 3, as amended by section 31104 of this Act, is further amended by inserting after section 310 the following:

''§ 311. Improving transparency in environmental reviews

''(a) IN GENERAL.—Not later than 2 years after the date of enactment of the Comprehensive Transportation and Consumer Protection Act of 2015, the Secretary of Transportation shall establish an online platform and, in coordination with Federal agencies described in subsection (b), issue reporting standards to make publicly available the status and progress with respect to compliance with applicable requirements under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and any other Federal approval required under applicable laws for projects and activities requiring an environmental assessment or an environmental impact statement.

''(b) FEDERAL AGENCY PARTICIPATION.—A Federal agency of jurisdiction over an approval required for a project under applicable laws shall provide information regarding the status and progress of the approval to the online platform, consistent with the standards established under subsection (a).

''(c) ASSIGNMENT OF RESPONSIBILITIES.—An entity with assigned authority for responsibilities under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), under section 326 or section 327 of title 23 shall be responsible for supplying project development and compliance status for all applicable projects.''.

(b) CONFORMING AMENDMENT.—The table of contents of subchapter I of chapter 3, as amended by section 31104 of this Act, is further amended by inserting after the item relating to section 310, the following:

''311. Improving transparency in environmental reviews.''.

SEC. 31107. LOCAL TRANSPORTATION INFRASTRUCTURE PROGRAM.

Section 610 of title 23, United States Code, is amended—

(1) in subsection (d)—

(A) in paragraph (1), by striking subparagraph (A) and inserting the following:

''(A) 10 percent of the funds apportioned to the State for each of fiscal years 2016 through 2021 under each of sections 104(b)(1), 104(b)(2), and 144; and'';

(B) in paragraph (2), by striking ''2005 through 2009'' and inserting ''2016 through 2021'';

(C) in paragraph (3), by striking ''2005 through 2009'' and inserting ''2016 through 2021''; and

(D) in paragraph (5), by striking ''section 133(d)(3)'' and inserting ''section 133(d)(4)''; and

(2) in subsection (k), by striking ''2005 through 2009'' and inserting ''2016 through 2021''.

SEC. 31108. AUTHORIZATION OF GRANTS FOR POSITIVE TRAIN CONTROL.

(a) IN GENERAL.—There shall be available from the Mass Transit Account of the Highway Trust Fund to carry out this section

$199,000,000 for fiscal year 2016 to assist in financing the installation of positive train control systems.

(b) PROGRAMS.—The amounts made available under subsection (a) of this section may be used to assist in financing the installation of positive train control systems through—

(1) grants made under the rail safety technology grants program under section 20158 of title 49, United States Code;

(2) grants made under the consolidated rail infrastructure and safety improvements program under section 24408 of title 49, United States Code; and

(3) funding the cost, including the subsidy cost or cost of credit risk premiums, of direct loans and loan guarantees under sections 502 through 504 of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 801 et seq.).

(c) ELIGIBLE RECIPIENTS.—The amounts made available under subsection (a) of this section may be used only to assist a recipient of funds under chapter 53 of title 49, United States Code, through the programs described in subsection (b).

(d) PROJECT MANAGEMENT OVERSIGHT.—The Secretary may withhold up to 1 percent from the amounts made available under subsection (a) of this section for the costs of project management oversight of grants authorized under that subsection.

(e) SAVINGS CLAUSE.—Nothing in this section may be construed as authorizing the amounts appropriated under subsection (a) to be used for any purpose other than financing the installation of positive train control systems.

(f) GRANTS FINANCED FROM HIGHWAY TRUST FUND.—A grant, contract, direct loan, or loan guarantee that is approved by the Secretary and financed with amounts made available from the Mass Transit Account of the Highway Trust Fund under this section is a contractual obligation of the Government to pay the Government share of the cost of the project.

(g) AVAILABILITY OF AMOUNTS.—Notwithstanding subsection (h), amounts made available under this section shall remain available until expended.

(h) SUNSET.—The Secretary of Transportation shall provide the grants, direct loans, and loan guarantees under subsection (b) by September 30, 2017.

Subtitle B—Research

SEC. 31201. FINDINGS.

Congress makes the followings findings:

(1) Federal transportation research planning and coordination—

(A) should occur within the Office of the Secretary; and

(B) should be, to the extent practicable, multi-modal and not occur solely within the subagencies of the Department of Transportation.

(2) Managing a multi-modal research portfolio within the Office of the Secretary will—

(A) help identify opportunities where research could be applied across modes; and

(B) prevent duplication of efforts and waste of limited Federal resources.

(3) An ombudsman for research at the Department of Transportation will—

(A) give stakeholders a formal opportunity to address concerns;

(B) ensure unbiased research; and

(C) improve the overall research products of the Department.

(4) Increasing transparency of transportation research efforts will—

(A) build stakeholder confidence in the final product; and

(B) lead to the improved implementation of research findings.

SEC. 31202. MODAL RESEARCH PLANS.

(a) IN GENERAL.—Not later than June 15 of the year preceding the research fiscal year, the head of each modal administration and joint program office of the Department of Transportation shall submit a comprehensive annual modal research plan to the Assistant Secretary for Research and Technology of the Department of Transportation (referred to in this subtitle as the ''Assistant Secretary'').

(b) REVIEW.—

(1) IN GENERAL.—Not later than October 1 of each year, the Assistant Secretary, for each plan submitted pursuant to subsection (a), shall—

(A) review the scope of the research; and

(B)(i) approve the plan; or

(ii) request that the plan be revised.

(2) PUBLICATIONS.—Not later than January 30 of each year, the Secretary shall publish each plan that has been approved under paragraph (1)(B)(i) on a public website.

(3) REJECTION OF DUPLICATIVE RESEARCH EFFORTS.—The Assistant Secretary may not approve any plan submitted by the head of a modal administration or joint program office pursuant to subsection (a) if such plan duplicates the research efforts of any other modal administration.

(c) FUNDING LIMITATIONS.—No funds may be expended by the Department of Transportation on research that has not previously been approved as part of a modal research plan approved by the Assistant Secretary unless—

(1) such research is required by an Act of Congress;

(2) such research was part of a contract that was funded before the date of enactment of this Act; or

(3) the Secretary of Transportation certifies to Congress that such research is necessary before the approval of a modal research plan.

(d) DUPLICATIVE RESEARCH.—

(1) IN GENERAL.—Except as provided in paragraph (2), no funds may be expended by the Department of Transportation on research projects that the Secretary identifies as duplicative under subsection (b)(3).

(2) EXCEPTIONS.—Paragraph (1) shall not apply to—

(A) updates to previously commissioned research;

(B) research commissioned to carry out an Act of Congress; or

(C) research commissioned before the date of enactment of this Act.

(e) CERTIFICATION.—

(1) IN GENERAL.—The Secretary shall annually certify to Congress that—

(A) each modal research plan has been reviewed; and

(B) there is no duplication of study for research directed, commissioned, or conducted by the Department of Transportation.

(2) CORRECTIVE ACTION PLAN.—If the Secretary, after submitting a certification under paragraph (1), identifies duplication of research within the Department of Transportation, the Secretary shall—

(A) notify Congress of the duplicative research; and

(B) submit a corrective action plan to Congress that will eliminate such duplicative research.

SEC. 31203. CONSOLIDATED RESEARCH PROSPECTUS AND STRATEGIC PLAN.

(a) PROSPECTUS.—

(1) IN GENERAL.—The Secretary shall annually publish, on a public website, a comprehensive prospectus on all research projects conducted by the Department of Transportation, including, to the extent practicable, research funded through University Transportation Centers.

(2) CONTENTS.—The prospectus published under paragraph (1) shall—

(A) include the consolidated modal research plans approved under section 1302;

(B) describe the research objectives, progress, and allocated funds for each research project;

(C) identify research projects with multimodal applications;

(D) specify how relevant modal administrations have assisted, will contribute to, or plan to use the findings from the research projects identified under paragraph (1);

(E) identify areas in which multiple modal administrations are conducting research projects on similar subjects or subjects which have bearing on multiple modes;

(F) describe the interagency and cross modal communication and coordination that has occurred to prevent duplication of research efforts within the Department of Transportation;

(G) indicate how research is being disseminated to improve the efficiency and safety of transportation systems;

(H) describe how agencies developed their research plans; and

(I) describe the opportunities for public and stakeholder input.

(b) FUNDING REPORT.—In conjunction with each of the President's annual budget requests under section 1105 of title 31, United States Code, the Secretary shall submit a report to appropriate committees of Congress that describes—

(1) the amount spent in the last completed fiscal year on transportation research and development; and

(2) the amount proposed in the current budget for transportation research and development.

(c) PERFORMANCE PLANS AND REPORTS.—In the plans and reports submitted under sections 1115 and 1116 of title 31, United States Code, the Secretary shall include—

(1) a summary of the Federal transportation research and development activities for the previous fiscal year in each topic area;

(2) the amount spent in each topic area;

(3) a description of the extent to which the research and development is meeting the expectations set forth in subsection (d)(3)(A); and

(4) any amendments to the strategic plan developed under subsection (d).

(d) TRANSPORTATION RESEARCH AND DEVELOPMENT STRATEGIC PLAN.—

(1) IN GENERAL.—The Secretary shall develop a 5-year transportation research and development strategic plan to guide future Federal transportation research and development activities.

(2) CONSISTENCY.—The strategic plan developed under paragraph (1) shall be consistent with—

(A) section 306 of title 5, United States Code;

(B) sections 1115 and 1116 of title 31, United States Code; and

(C) any other research and development plan within the Department of Transportation.

(3) CONTENTS.—The strategic plan developed under paragraph (1) shall—

(A) describe the primary purposes of the transportation research and development program, which shall include—

(i) promoting safety;

(ii) reducing congestion;

(iii) improving mobility;

(iv) preserving the existing transportation system;

(v) improving the durability and extending the life of transportation infrastructure; and

(vi) improving goods movement;

(B) for each of the purposes referred to in subparagraph (A), list the primary research and development topics that the Department of Transportation intends to pursue to accomplish that purpose, which may include—

(i) fundamental research in the physical and natural sciences;

(ii) applied research;

(iii) technology research; and

(iv) social science research intended for each topic; and

(C) for each research and development topic—

(i) identify the anticipated annual funding levels for the period covered by the strategic plan; and

(ii) include any additional information the Department of Transportation expects to discover at the end of the period covered by the strategic plan as a result of the research and development in that topic area.

(4) CONSIDERATIONS.—The Secretary shall ensure that the strategic plan developed under this section—

(A) reflects input from a wide range of stakeholders;

(B) includes and integrates the research and development programs of all the Department of Transportation's modal administrations, including aviation, transit, rail, and maritime; and

(C) takes into account how research and development by other Federal, State, private sector, and nonprofit institutions—

(i) contributes to the achievement of the purposes identified under paragraph (3)(A); and

(ii) avoids unnecessary duplication of such efforts.

(e) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) CHAPTER 5 OF TITLE 23.—Chapter 5 of title 23, United States Code, is amended—

(A) by striking section 508;

(B) in the table of contents, by striking the item relating to section 508;

(C) in section 502—

(i) in subsection (a)(9), by striking ''transportation research and technology development strategic plan developed under section 508'' and inserting ''transportation research and development strategic plan under section 31203 of the Comprehensive Transportation and Consumer Protection Act of 2015''; and

(ii) in subsection (b)(4), by striking ''transportation research and development strategic plan of the Secretary developed under section 508'' and inserting ''transportation research and development strategic plan under section 31203 of the Comprehensive Transportation and Consumer Protection Act of 2015''; ands

(D) in section 512(b), by striking ''as part of the transportation research and development strategic plan developed under section 508''.

(2) INTELLIGENT TRANSPORTATION SYSTEMS.—Section 5205 of the Intelligent Transportation Systems Act of 1998 (23 U.S.C. 502 note) is amended—

(A) in subsection (b), by striking ''as part of the Surface Transportation Research and Development Strategic Plan developed under section 508 of title 23, United States Code'' and inserting ''as part of the transportation research and development strategic plan under section 31203 of the Comprehensive Transportation and Consumer Protection Act of 2015''; and

(B) in subsection (e)(2)(A), by striking ''or the Surface Transportation Research and Development Strategic Plan developed under section 508 of title 23, United States Code'' and inserting ''or the transportation research and development strategic plan under section 31203 of the Comprehensive Transportation and Consumer Protection Act of 2015''.

(3) INTELLIGENT TRANSPORTATION SYSTEM RESEARCH.—Subtitle C of title V of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (23 U.S.C. 512 note) is amended—

(A) in section 5305(h)(3)(A), by striking ''the strategic plan under section 508 of title 23, United States Code'' and inserting ''the 5-year transportation research and development strategic plan under section 31203 of the Comprehensive Transportation and Consumer Protection Act of 2015''; and

(B) in section 5307(c)(2)(A), by striking ''or the surface transportation research and development strategic plan developed under section 508 of title 23, United States Code'' and inserting ''or the 5-year transportation research and development strategic plan under section 31203 of the Comprehensive Transportation and Consumer Protection Act of 2015''.

SEC. 31204. RESEARCH OMBUDSMAN.

(a) IN GENERAL.—Subtitle III is amended by inserting after chapter 63 the following:

''CHAPTER 65—RESEARCH OMBUDSMAN

''Sec.

''6501. Research ombudsman.

''§ 6501. Research ombudsman

''(a) ESTABLISHMENT.—The Assistant Secretary for Research and Technology shall appoint a career Federal employee to serve as Research Ombudsman. This appointment shall not diminish the authority of peer review of research.

''(b) QUALIFICATIONS.—The Research Ombudsman appointed under subsection (a), to the extent practicable—

''(1) shall have a background in academic research and a strong understanding of sound study design;

''(2) shall develop a working knowledge of the stakeholder communities and research needs of the transportation field; and

''(3) shall not have served as a political appointee of the Department.

''(c) RESPONSIBILITIES.—

''(1) ADDRESSING COMPLAINTS AND QUESTIONS.—The Research Ombudsman shall—

''(A) receive complaints and questions about—

''(i) significant alleged omissions, improprieties, and systemic problems; and

''(ii) excessive delays of, or within, a specific research project; and

''(B) evaluate and address the complaints and questions described in subparagraph (A).

''(2) PETITIONS.—

''(A) REVIEW.—The Research Ombudsman shall review petitions relating to—

''(i) conflicts of interest;

''(ii) the study design and methodology;

''(iii) assumptions and potential bias;

''(iv) the length of the study; and

''(v) the composition of any data sampled.

''(B) RESPONSE TO PETITIONS.—The Research Ombudsman shall—

''(i) respond to relevant petitions within a reasonable period;

''(ii) identify deficiencies in the petition's study design; and

''(iii) propose a remedy for such deficiencies to the administrator of the modal administration responsible for completing the research project.

''(C) RESPONSE TO PROPOSED REMEDY.—The administrator of the modal administration charged with completing the research project shall respond to the proposed research remedy.

''(3) REQUIRED REVIEWS.—The Research Ombudsman shall evaluate the study plan for all statutorily required studies and reports before the commencement of such studies to ensure that the research plan has an appropriate sample size and composition to address the stated purpose of the study.

''(d) REPORTS.—

''(1) IN GENERAL.—Upon the completion of each review under subsection (c), the Research Ombudsman shall—

''(A) submit a report containing the results of such review to—

''(i) the Secretary;

''(ii) the head of the relevant modal administration; and

''(iii) the study or research leader; and

''(B) publish such results on a public website, with the modal administration response required under subsection (c)(2)(C).

''(2) INDEPENDENCE.—Each report required under this section shall be provided directly to the individuals described in paragraph (1) without any comment or amendment from the Secretary, the Deputy Secretary of Transportation, the head of any modal administration of the Department, or any other officer or employee of the Department or the Office of Management and Budget.

''(e) REPORT TO INSPECTOR GENERAL.—The Research Ombudsman shall submit any evidence of misfeasance, malfeasance, waste, fraud, or abuse uncovered during a review under this section to the Inspector General for further review.

''(f) REMOVAL.—The Research Ombudsman shall be subject to adverse employment action for misconduct or good cause in accordance with the procedures and grounds set forth in chapter 75 of title 5.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of chapters for subtitle III is amended by inserting after the item relating to chapter 63 the following:

''65. Research ombudsman ..... 6501''.

SEC. 31205. SMART CITIES TRANSPORTATION PLANNING STUDY.

(a) IN GENERAL.—The Secretary shall conduct a study of digital technologies and information technologies, including shared mobility, data, transportation network companies, and on-demand transportation services—

(1) to understand the degree to which cities are adopting these technologies;

(2) to assess future planning, infrastructure and investment needs; and

(3) to provide best practices to plan for smart cities in which information and technology are used—

(A) to improve city operations;

(B) to grow the local economy;

(C) to improve response in times of emergencies and natural disasters; and

(D) to improve the lives of city residents.

(b) COMPONENTS.—The study conducted under subsection (a) shall—

(1) identify broad issues that influence the ability of the United States to plan for and invest in smart cities, including barriers to collaboration and access to scientific information; and

(2) review how the expanded use of digital technologies, mobile devices, and information may—

(A) enhance the efficiency and effectiveness of existing transportation networks;

(B) optimize demand management services;

(C) impact low-income and other disadvantaged communities;

(D) assess opportunities to share, collect, and use data;

(E) change current planning and investment strategies; and

(F) provide opportunities for enhanced coordination and planning.

(c) REPORTING.—Not later than 18 months after the date of enactment of this Act, the Secretary shall publish the report containing the results of the study required under subsection (a) to a public website.

SEC. 31206. BUREAU OF TRANSPORTATION STATISTICS INDEPENDENCE.

Section 6302 is amended by adding at the end the following:

''(d) INDEPENDENCE OF BUREAU.—

''(1) IN GENERAL.—The Director shall not be required—

''(A) to obtain the approval of any other officer or employee of the Department with respect to the collection or analysis of any information; or

''(B) prior to publication, to obtain the approval of any other officer or employee of the United States Government with respect to the substance of any statistical technical reports or press releases lawfully prepared by the Director.

''(2) BUDGET AUTHORITY.—The Director shall have a significant role in the disposition and allocation of the Bureau's authorized budget, including—

''(A) all hiring, grants, cooperative agreements, and contracts awarded by the Bureau to carry out this section; and

''(B) the disposition and allocation of amounts paid to the Bureau for cost-reimbursable projects.

''(3) EXCEPTIONS.—The Secretary shall direct external support functions, such as the coordination of activities involving multiple modal administrations.

''(4) INFORMATION TECHNOLOGY.—The Department Chief Information Officer shall consult with the Director to ensure decisions related to information technology guarantee the protection of the confidentiality of information provided solely for statistical purposes, in accordance with the Confidential Information Protection and Statistical Efficiency Act of 2002 (44 U.S.C. 3501 note).''.

SEC. 31207. CONFORMING AMENDMENTS.

(a) TITLE 49 AMENDMENTS.—

(1) ASSISTANT SECRETARIES; GENERAL COUNSEL.—Section 102(e) is amended—

(A) in paragraph (1), by striking ''5'' and inserting ''6''; and

(B) in paragraph (1)(A), by inserting ''an Assistant Secretary for Research and Technology,'' before ''and an Assistant Secretary''.

(2) OFFICE OF THE ASSISTANT SECRETARY FOR RESEARCH AND TECHNOLOGY OF THE DEPARTMENT OF TRANSPORTATION.—Section 112 is repealed.

(3) TABLE OF CONTENTS.—The table of contents of chapter 1 is amended by striking the item relating to section 112.

(4) RESEARCH CONTRACTS.—Section 330 is amended—

(A) in the section heading, by striking ''**contracts**'' and inserting ''**activities**'';

(B) in subsection (a), by inserting ''IN GENERAL.—'' before ''The Secretary'';

(C) in subsection (b), by inserting ''RESPONSIBILITIES.—'' before ''In carrying out'';

(D) in subsection (c), by inserting ''PUBLICATIONS.—'' before ''The Secretary''; and

(E) by adding at the end the following:

''(d) DUTIES.—The Secretary shall provide for the following:

''(1) Coordination, facilitation, and review of the Department's research and development programs and activities.

''(2) Advancement, and research and development, of innovative technologies, including intelligent transportation systems.

''(3) Comprehensive transportation statistics research, analysis, and reporting.

''(4) Education and training in transportation and transportation-related fields.

''(5) Activities of the Volpe National Transportation Systems Center.

''(e) ADDITIONAL AUTHORITIES.—The Secretary may—

''(1) enter into grants and cooperative agreements with Federal agencies, State and local government agencies, other public entities, private organizations, and other persons—

''(A) to conduct research into transportation service and infrastructure assurance; and

''(B) to carry out other research activities of the Department;

''(2) carry out, on a cost-shared basis, collaborative research and development to encourage innovative solutions to multimodal transportation problems and stimulate the deployment of new technology with—

''(A) non-Federal entities, including State and local governments, foreign governments, institutions of higher education, corporations, institutions, partnerships, sole proprietorships, and trade associations that are incorporated or established under the laws of any State;

''(B) Federal laboratories; and

''(C) other Federal agencies; and

''(3) directly initiate contracts, grants, cooperative research and development agreements (as defined in section 12 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a)), and other agreements to fund, and accept funds from, the Transportation Research Board of the National Research Council of the National Academy of Sciences, State departments of transportation, cities, counties, institutions of higher education, associations, and the agents of those entities to carry out joint transportation research and technology efforts.

''(f) FEDERAL SHARE.—

''(1) IN GENERAL.—Subject to paragraph (2), the Federal share of the cost of an activity carried out under subsection (e)(3) shall not exceed 50 percent.

''(2) EXCEPTION.—If the Secretary determines that the activity is of substantial public interest or benefit, the Secretary may approve a greater Federal share.

''(3) NON-FEDERAL SHARE.—All costs directly incurred by the non-Federal partners, including personnel, travel, facility, and hardware development costs, shall be credited toward the non-Federal share of the cost of an activity described in paragraph (1).

''(g) PROGRAM EVALUATION AND OVERSIGHT.—For fiscal years 2016 through 2021, the Secretary is authorized to expend not more than 1 and a half percent of the amounts authorized to be appropriated for necessary expenses for administration and operations of the Office of the Assistant Secretary for Research and Technology for the coordination, evaluation, and oversight of the programs administered under this section.

''(h) USE OF TECHNOLOGY.—The research, development, or use of a technology under a contract, grant, cooperative research and development agreement, or other agreement entered into under this section, including the terms under which the technology may be licensed and the resulting royalties may be distributed, shall be subject to the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3701 et seq.).

''(i) WAIVER OF ADVERTISING REQUIREMENTS.—Section 6101 of title 41 shall not apply to a contract, grant, or other agreement entered into under this section.''.

(5) TABLE OF CONTENTS.—The item relating to section 330 in the table of contents of chapter 3 is amended by striking ''Contracts'' and inserting ''Activities''.

(6) BUREAU OF TRANSPORTATION STATISTICS.—Section 6302(a) is amended to read as follows:

''(a) IN GENERAL.—There shall be within the Department the Bureau of Transportation Statistics.''.

(b) TITLE 5 AMENDMENTS.—

(1) POSITIONS AT LEVEL II.—Section 5313 of title 5, United States Code, is amended by striking ''Under Secretary of Transportation for Security.''.

(2) POSITIONS AT LEVEL III.—Section 5314 of title 5, United States Code, is amended by striking ''Administrator, Research and Innovative Technology Administration.''.

(3) POSITIONS AT LEVEL IV.—Section 5315 of title 5, United States Code, is amended by striking ''(4)'' in the undesignated item relating to Assistant Secretaries of Transportation and inserting ''(5)''.

(4) POSITIONS AT LEVEL V.—Section 5316 is amended by striking ''Associate Deputy Secretary, Department of Transportation.''.

SEC. 31208. REPEAL OF OBSOLETE OFFICE.

(a) IN GENERAL.—Section 5503 is repealed.

(b) TABLE OF CONTENTS.—The table of contents of chapter 55 is amended by striking the item relating to section 5503.

Subtitle C—Port Performance Act

SEC. 31301. SHORT TITLE.

This subtitle may be cited as the ''Port Performance Act''.

SEC. 31302. FINDINGS.

Congress finds the following:

(1) America's ports play a critical role in the Nation's transportation supply chain network.

(2) Reliable and efficient movement of goods through the Nation's ports ensures that American goods are available to customers throughout the world.

(3) Breakdowns in the transportation supply chain network, particularly at the Nation's ports, can result in tremendous economic losses for agriculture, businesses, and retailers that rely on timely shipments.

(4) A clear understanding of terminal and port productivity and throughput should help—

(A) to identify freight bottlenecks;

(B) to indicate performance and trends over time; and

(C) to inform investment decisions.

SEC. 31303. PORT PERFORMANCE FREIGHT STATISTICS PROGRAM.

(a) IN GENERAL.—Chapter 63 is amended by adding at the end the following:

''§ 6314. Port performance freight statistics program

''(a) IN GENERAL.—The Director shall establish, on behalf of the Secretary, a port performance statistics program to provide nationally consistent measures of performance of, at a minimum—

''(1) the Nation's top 25 ports by tonnage;

''(2) the Nation's top 25 ports by 20-foot equivalent unit; and

''(3) the Nation's top 25 ports by dry bulk.

''(b) ANNUAL REPORTS.—

''(1) PORT CAPACITY AND THROUGHPUT.—Not later than January 15 of each year, the Director shall submit an annual report to Congress that includes statistics on capacity and throughput at the ports described in subsection (a).

''(2) PORT PERFORMANCE MEASURES.—The Director shall collect monthly port performance measures for each of the United States ports referred to in subsection (a) that receives Federal assistance or is subject to Federal regulation to submit an annual report to the Bureau of Transportation Statistics that includes monthly statistics on capacity and throughput as applicable to the specific configuration of the port.

''(A) MONTHLY MEASURES.—The Director shall collect monthly measures, including—

''(i) the average number of lifts per hour of containers by crane;

''(ii) the average vessel turn time by vessel type;

''(iii) the average cargo or container dwell time;

''(iv) the average truck time at ports;

''(v) the average rail time at ports; and

''(vi) any additional metrics, as determined by the Director after receiving recommendations from the working group established under subsection (c).

''(B) MODIFICATIONS.—The Director may consider a modification to a metric under subparagraph (A) if the modification meets the intent of the section.

''(c) RECOMMENDATIONS.—

''(1) IN GENERAL.—The Director shall obtain recommendations for—

''(A) specifications and data measurements for the port performance measures listed in subsection (b)(2);

''(B) additionally needed data elements for measuring port performance; and

''(C) a process for the Department of Transportation to collect timely and consistent data, including identifying safeguards to protect proprietary information described in subsection (b)(2).

''(2) WORKING GROUP.—Not later than 60 days after the date of the enactment of the Port Performance Act, the Director shall commission a working group composed of—

''(A) operating administrations of the Department of Transportation;

''(B) the Coast Guard;

''(C) the Federal Maritime Commission;

''(D) U.S. Customs and Border Protection;

''(E) the Marine Transportation System National Advisory Council;

''(F) the Army Corps of Engineers;

''(G) the Saint Lawrence Seaway Development Corporation;

''(H) the Advisory Committee on Supply Chain Competitiveness;

''(I) 1 representative from the rail industry;

''(J) 1 representative from the trucking industry;

''(K) 1 representative from the maritime shipping industry;

''(L) 1 representative from a labor organization for each industry described in subparagraphs (I) through (K);

''(M) 1 representative from a port authority;

''(N) 1 representative from a terminal operator;

''(O) representatives of the National Freight Advisory Committee of the Department; and

''(P) representatives of the Transportation Research Board of the National Academies.

''(3) RECOMMENDATIONS.—Not later than 1 year after the date of the enactment of the Port Performance Act, the working group commissioned under this subsection shall submit its recommendations to the Director.

''(d) ACCESS TO DATA.—The Director shall ensure that the statistics compiled under this section are readily accessible to the public, consistent with applicable security constraints and confidentiality interests.''.

(b) PROHIBITION ON CERTAIN DISCLOSURES.—Section 6307(b)(1) is amended by inserting ''or section 6314(b)'' after ''section 6302(b)(3)(B)'' each place it appears.

(c) COPIES OF REPORTS.—Section 6307(b)(2)(A) is amended by inserting ''or section 6314(b)'' after ''section 6302(b)(3)(B)''.

(d) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents for chapter 63 is amended by adding at the end the following:

''6314. Port performance freight statistics program.''.

TITLE XXXII—COMMERCIAL MOTOR VEHICLE AND DRIVER PROGRAMS

Subtitle A—Compliance, Safety, and Accountability Reform

SEC. 32001. CORRELATION STUDY.

(a) IN GENERAL.—The Administrator of the Federal Motor Carrier Safety Administration (referred to in this subtitle as the ''Administrator'') shall commission the National Research Council of the National Academies to conduct a study of—

(1) the Safety Measurement System (referred to in this subtitle as ''SMS''); and

(2) the Compliance, Safety, Accountability program (referred to in this subtitle as the ''CSA program'').

(b) SCOPE OF STUDY.—In carrying out the study commissioned pursuant to subsection (a), the National Research Council—

(1) shall analyze—

(A) the accuracy with which the Behavior Analysis and Safety Improvement Categories (referred to in this subtitle as ''BASIC'') safety measures used by SMS—

(i) identify high risk drivers and carriers; and

(ii) predict or be correlated with future crash risk, crash severity, or other safety indicators for individual drivers, motor carriers, and the highest risk carriers;

(B) the methodology used to calculate BASIC percentiles and identify carriers for enforcement, including the weights assigned to particular violations, and the tie between crash risk and specific regulatory violations, in order to accurately identify and predict future crash risk for motor carriers;

(C) the relative value of inspection information and roadside enforcement data;

(D) any data collection gaps or data sufficiency problems that may exist and the impact of those data gaps and insufficiencies on the efficacy of the CSA program; and

(E) the accuracy of data processing; and

(2) should consider—

(A) whether the current SMS provides comparable precision and confidence for SMS alerts and percentiles for the relative crash risk of individual large and small motor carriers;

(B) whether alternative systems would identify high risk carriers or identify high risk drivers and motor carriers more accurately; and

(C) the recommendations and findings of the Comptroller General of the United States and the Inspector General, and independent review team reports issued before the date of the enactment of this Act.

(c) REPORT.—Not later than 18 months after the date of enactment of this Act, the Administrator shall submit a report containing the results of the completed study to—

(1) the Committee on Commerce, Science, and Transportation of the Senate;

(2) the Committee on Transportation and Infrastructure of the House of Representatives;

(3) the Inspector General of the Department of Transportation; and

(4) the Comptroller General of the United States.

(d) CORRECTIVE ACTION PLAN.—

(1) IN GENERAL.—Not later than 120 days after the Administrator submits a report under subsection (c) that identifies a deficiency or opportunity for improvement in the CSA program or in any element of SMS, the Administrator shall submit a corrective action plan to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that—

(A) responds to the concerns highlighted by the report;

(B) identifies how the Federal Motor Carrier Safety Administration will address such concerns; and

(C) provides an estimate of the cost, including changes in staffing, enforcement, and data collection necessary to implement the recommendations.

(2) PROGRAM REFORMS.—The corrective action plan submitted under paragraph (1) shall include an implementation plan that—

(A) includes benchmarks;

(B) includes programmatic reforms, revisions to regulations, or proposals for legislation; and

(C) shall be considered in any rulemaking by the Department of Transportation that relates to the CSA program, including the SMS data sets or analysis.

(e) INSPECTOR GENERAL REVIEW.—Not later than 120 days after the Administrator issues a corrective action plan under subsection (d), the Inspector General of the Department of Transportation shall—

(1) review the extent to which such plan implements—

(A) recommendations contained in the report submitted under subsection (c); and

(B) recommendations issued by the Comptroller General or the Inspector General before the date of enactment of this Act; and

(2) submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on the responsiveness of the corrective action plan to the recommendations described in paragraph (1).

(f) FISCAL LIMITATION.—The Administrator shall carry out the study required under this section using amounts appropriated to the Federal Motor Carrier Safety Administration and available for obligation and expenditure as of the date of the enactment of this Act.

SEC. 32002. SAFETY IMPROVEMENT METRICS.

(a) IN GENERAL.—The Administrator shall incorporate a methodology into the CSA program or establish a third-party process to allow recognition, including credit, improved score, or by establishing a safety BASIC in SMS for safety technology, tools, programs, and systems approved by the Administrator through the qualification process developed under subsection (b) that exceed regulatory requirements or are used to enhance safety performance, including—

(1) the installation of qualifying advanced safety equipment, such as—

(A) collision mitigation systems;

(B) lane departure warnings;

(C) speed limiters;

(D) electronic logging devices;

(E) electronic stability control;

(F) critical event recorders; and

(G) strengthening rear guards and sideguards for underride protection;

(2) the use of enhanced driver fitness measures that exceed current regulatory requirements, such as—

(A) additional new driver training;

(B) enhanced and ongoing driver training; and

(C) remedial driver training to address specific deficiencies as identified in roadside inspection or enforcement reports;

(3) the adoption of qualifying administrative fleet safety management tools technologies, driver performance and behavior management technologies, and programs; and

(4) technologies and measures identified through the process described in subsection (c).

(b) QUALIFICATION.—The Administrator, through a notice and comment process, shall develop technical or other performance standards for technology, advanced safety equipment, enhanced driver fitness measures, tools, programs, or systems used by motor carriers that will qualify for credit under this section.

(c) ADDITIONAL REQUIREMENTS.—In modifying the CSA program under subsection (a), the Administrator, through notice and comment, shall develop a process for identifying and reviewing other technology, advanced safety equipment, enhanced driver fitness measures, tools, programs, or systems used by motor carriers to improve safety performance that—

(1) provides for a petition for reviewing technology, advanced safety equipment, enhanced driver fitness measures, tools, programs, or systems;

(2) seeks input and participation from industry stakeholders, including drivers, technology manufacturers, vehicle manufacturers, motor carriers, enforcement communities, and safety advocates, and the Motor Carrier Safety Advisory Committee; and

(3) includes technology, advanced safety equipment, enhanced driver fitness measures, tools, programs, or systems with a date certain for future statutory or regulatory implementation.

(d) SAFETY IMPROVEMENT METRICS USE AND VERIFICATION.—The Administrator, through notice and comment process, shall develop a process for—

(1) providing recognition or credit within a motor carrier's SMS score for the installation and use of measures in paragraphs (1) through (4) of subsection (a);

(2) ensuring that the safety improvement metrics developed under this section are presented with other SMS data;

(3) verifying the installation or use of such technology, advanced safety equipment, enhanced driver fitness measures, tools, programs, or systems;

(4) modifying or removing recognition or credit upon verification of noncompliance with this section;

(5) ensuring that the credits or recognition referred to in paragraph (1) reflect the safety improvement anticipated as a result of the installation or use of the specific technology, advanced safety equipment, enhanced driver fitness measure, tool, program, or system;

(6) verifying the deployment and use of qualifying equipment or management systems by a motor carrier through a certification from the vehicle manufacturer, the system or service provider, the insurance carrier, or through documents submitted by the motor carrier to the Department of Transportation;

(7) annually reviewing the list of qualifying safety technology, advanced safety equipment, enhanced driver fitness measures, tools, programs, or systems; and

(8) removing systems mandated by law or regulation, or if such systems demonstrate a lack of efficacy, from the list of qualifying technologies, advanced safety equipment, enhanced driver fitness measures, tools, programs, or systems eligible for credit under the CSA program.

(e) DISSEMINATION OF INFORMATION.—The Administrator shall maintain a public website that contains information regarding—

(1) the technology, advanced safety equipment, enhanced driver fitness measures, tools, programs, or systems eligible for credit and improved scores;

(2) any petitions for study of the technology, advanced safety equipment, enhanced driver fitness measures, tools, programs, or systems; and

(3) statistics and information relating to the use of such technology, advanced safety equipment, enhanced driver fitness measures, tools, programs, or systems.

(f) PUBLIC REPORT.—Not later than 1 year after the establishment of the Safety Improvement Metrics System (referred to in this section as ''SIMS'') under this section, and annually thereafter, the Administrator shall publish, on a public website, a report that identifies—

(1) the types of technology, advanced safety equipment, enhanced driver fitness measures, tools, programs, or systems that are eligible for credit;

(2) the number of instances in which each technology, advanced safety equipment, enhanced driver fitness measure, tool, program, or system is used;

(3) the number of motor carriers, and a description of the carrier's fleet size, that received recognition or credit under the modified CSA program; and

(4) the pre- and post-adoption safety performance of the motor carriers described in paragraph (3).

(g) IMPLEMENTATION AND OVERSIGHT RESPONSIBILITY.—The Administrator shall ensure that the activities described in subsections (a) through (f) of this section are not required under section 31102 of title 49, United States Code, as amended by this Act.

(h) EVALUATION.—

(1) IN GENERAL.—Not later than 2 years after the implementation of SIMS under this section, the Administrator shall conduct an evaluation of the effectiveness of SIMS by reviewing the impacts of SIMS on—

(A) law enforcement, commercial drivers and motor carriers, and motor carrier safety; and

(B) safety and adoption of new technologies.

(2) REPORT.—Not later than 30 months after the implementation of the program, the Administrator shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that describes—

(A) the results of the evaluation conducted under paragraph (1); and

(B) the actions the Federal Motor Carrier Safety Administration plans to take to modify the demonstration program based on such results.

(i) USE OF ESTIMATES OF SAFETY EFFECTS.—In conducting regulatory impact analyses for rulemakings relating to the technology, advanced safety equipment, enhanced driver fitness measures, tools, programs, or systems selected for credit under the CSA program, the Administrator, to the extent practicable, shall use the data gathered under this section and appropriate statistical methodology, including sufficient sample sizes, composition, and appropriate comparison groups, including representative motor carriers of all sizes, to estimate the effects on safety performance and reduction in the number and severity of accidents with qualifying technology, advanced safety equipment, tools, programs, and systems.

(j) SAVINGS PROVISION.—Nothing in this section may be construed to provide the Administrator with additional authority to change the requirements for the operation of a commercial motor vehicle.

SEC. 32003. DATA CERTIFICATION.

(a) LIMITATION.—Beginning not later than 1 day after the date of enactment of this Act, none of the analysis of violation information, enforcement prioritization, not-at-fault crashes, alerts, or the relative percentile for each Behavioral Analysis and Safety Improvement Category developed through the CSA program may be made available to the general public, but violation and inspection information submitted by the States may be presented, until the Inspector General of the Department of Transportation certifies that—

(1) any deficiencies identified in the correlation study required under section 32001 have been addressed;

(2) the corrective action plan has been implemented and the concerns raised by the correlation study under section 32001 have been addressed;

(3) the Administrator has fully implemented or satisfactorily addressed the issues raised in the February 2014 GAO report entitled ''Modifying the Compliance, Safety, Accountability Program Would Improve the Ability to Identify High Risk Carriers'' (GAO–14–114), which called into question the accuracy and completeness of safety performance calculations;

(4) the study required under section 32001 has been published on a public website; and

(5) the CSA program has been modified in accordance with section 32002.

(b) LIMITATION ON USE OF CSA ANALYSIS.—The enforcement prioritization, alerts, or the relative percentile for each Behavioral Analysis and Safety Improvement Category developed through the CSA program within the SMS system may not be used for safety fitness determinations until the requirements under subsection (a) have been satisfied.

(c) CONTINUED PUBLIC AVAILABILITY OF DATA.—Inspection and violation information submitted to the Federal Motor Carrier Safety Administration by commercial motor vehicle inspectors and qualified law enforcement officials shall remain available for public viewing.

(d) EXCEPTIONS.—

(1) IN GENERAL.—Notwithstanding the limitations set forth in subsections (a) and (b)—

(A) the Federal Motor Carrier Safety Administration and State and local commercial motor vehicle enforcement agencies may only use the information referred to in subsection (a) for purposes of investigation and enforcement prioritization;

(B) motor carriers and commercial motor vehicle drivers may access information referred to in subsection (a) that relates directly to the motor carrier or driver, respectively; and

(C) the data analysis of motorcoach operators may be provided online, with a notation indicating that the ratings or alerts listed are not intended to imply any Federal safety rating of the carrier.

(2) NOTATION.—The notation described under paragraph (1)(C) shall include: ''Readers should not draw conclusions about a carrier's overall safety condition simply based

on the data displayed in this system. Unless a motor carrier has received an UNSATISFACTORY safety rating under part 385 of title 49, Code of Federal Regulations, or has otherwise been ordered to discontinue operations by the Federal Motor Carrier Safety Administration, it is authorized to operate on the Nation's roadways.''.

(3) LIMITATION.—Nothing in subparagraphs (A) and (B) of paragraph (1) may be construed to restrict the official use by State enforcement agencies of the data collected by State enforcement personnel.

(e) CERTIFICATION.—The certification process described in subsection (a) shall occur concurrently with the implementation of SIMS under section 32002.

(f) COMPLETION.—The Secretary shall modify the CSA program in accordance with section 32002 not later than 1 year after the date of completion of the report described in section 32001(c).

SEC. 32004. DATA IMPROVEMENT.

(a) FUNCTIONAL SPECIFICATIONS.—Not later than 180 days after the date of enactment of this Act, the Administrator shall develop functional specifications to ensure the consistent and accurate input of data into systems and databases relating to the CSA program.

(b) FUNCTIONALITY.—The specifications developed pursuant to subsection (a)—

(1) shall provide for the hardcoding and smart logic functionality for roadside inspection data collection systems and databases; and

(2) shall be made available to public and private sector developers.

(c) EFFECTIVE DATA MANAGEMENT.—The Administrator shall ensure that internal systems and databases accept and effectively manage data using uniform standards.

(d) CONSULTATION WITH THE STATES.—Before implementing the functional specifications described in subsection (a) or the standards described in subsection (c), the Administrator shall seek input from the State agencies responsible for enforcing section 31102 of title 49, United States Code.

SEC. 32005. ACCIDENT REPORT INFORMATION.

(a) REVIEW.—The Administrator shall initiate a demonstration program that allows motor carriers and drivers to request a review of crashes, and the removal of crash data for use in the Federal Motor Carrier Safety Administration's safety measurement system of crashes, and removal from any weighting, or carrier safety analysis, if the commercial motor vehicle was operated legally and another motorist in connection with the crash is found—

(1) to have been driving under the influence;

(2) to have been driving the wrong direction on a roadway;

(3) to have struck the commercial motor vehicle in the rear;

(4) to have struck the commercial motor vehicle which was legally stopped;

(5) by the investigating officer or agency to have been responsible for the crash; or

(6) to have committed other violations determined by the Administrator.

(b) DOCUMENTS.—As part of a request for review under subsection (a), the motor carrier or driver shall submit a copy of available police reports, crash investigations, judicial actions, insurance claim information, and any related court actions submitted by each party involved in the accident.

(c) SOLICITATION OF OTHER INFORMATION.—Following a notice and comment period, the Administrator may solicit other types of information to be collected under subsection (b) to facilitate appropriate reviews under this section.

(d) EVALUATION.—The Federal Motor Carrier Safety Administration shall review the information submitted under subsections (b) and (c).

(e) RESULTS.—Subject to subsection (h)(2), the results of the review under subsection (a)—

(1) shall be used to recalculate the motor carrier's crash BASIC percentile;

(2) if the carrier is determined not to be responsible for the crash incident, such information, shall be reflected on the website of the Federal Motor Carrier Safety Administration; and

(3) shall not be admitted as evidence or otherwise used in a civil action.

(f) FEE SYSTEM.—

(1) ESTABLISHMENT.—The Administrator may establish a fee system, in accordance with section 9701 of title 31, United States Code, in which a motor carrier is charged a fee for each review of a crash requested by such motor carrier under this section.

(2) DISPOSITION OF FEES.—Fees collected under this section—

(A) may be credited to the Department of Transportation appropriations account for purpose of carrying out this section; and

(B) shall be used to fully fund the operation of the review program authorized under this section.

(g) REVIEW AND REPORT.—Not earlier than 2 years after the establishment of the demonstration program under this section, the Administrator shall—

(1) conduct a review of the internal crash review program to determine if other crash types should be included; and

(2) submit a report to Congress that describes—

(A) the number of crashes reviewed;

(B) the number of crashes for which the commercial motor vehicle operator was determined not to be at fault; and

(C) relevant information relating to the program, including the cost to operate the program and the fee structure established.

(h) IMPLEMENTATION AND OVERSIGHT RESPONSIBILITY.—

(1) IN GENERAL.—The Administrator shall ensure that the activities described in subsections (a) through (d) of this section are not required under section 31102 of title 49, United States Code, as amended by this Act.

(2) REVIEWS INVOLVING FATALITIES.—If a review under subsection (a) involves a fatality, the Inspector General of the Department of Transportation shall audit and certify the review prior to making any changes under subsection (e).

SEC. 32006. POST-ACCIDENT REPORT REVIEW.

(a) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Secretary shall convene a working group—

(1) to review the data elements of post-accident reports, for tow-away accidents involving commercial motor vehicles, that are reported to the Federal Government; and

(2) to report to the Secretary its findings and any recommendations, including best practices for State post-accident reports to achieve the data elements described in subsection (c).

(b) COMPOSITION.—Not less than 51 percent of the working group should be composed of individuals representing the States or State law enforcement officials. The remaining members of the working group shall represent industry, labor, safety advocates, and other interested parties.

(c) CONSIDERATIONS.—The working group shall consider requiring additional data elements, including—

(1) the primary cause of the accident, if the primary cause can be determined;

(2) the physical characteristics of the commercial motor vehicle and any other vehicle involved in the accident, including—

(A) the vehicle configuration;

(B) the gross vehicle weight if the weight can be readily determined;

(C) the number of axles; and

(D) the distance between axles, if the distance can be readily determined; and

(3) any data elements that could contribute to the appropriate consideration of requests under section 32005.

(d) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall—

(1) review the findings of the working group;

(2) identify the best practices for State post-accident reports that are reported to the Federal Government, including identifying the data elements that should be collected following a tow-away commercial motor vehicle accident; and

(3) recommend to the States the adoption of new data elements to be collected following reportable commercial motor vehicle accidents.

SEC. 32007. RECOGNIZING EXCELLENCE IN SAFETY.

(a) IN GENERAL.—The Administrator shall establish a program to publicly recognize motor carriers and drivers whose safety records and programs exceed compliance with the Federal Motor Carrier Safety Administration's safety regulations and demonstrate clear and outstanding safety practices.

(b) RESTRICTION.—The program established under subsection (a) may not be deemed to be an endorsement of, or a preference for, motor carriers or drivers recognized under the program.

SEC. 32008. HIGH RISK CARRIER REVIEWS.

(a) IN GENERAL.—After the completion of the certification under section 32003 of this Act, and the establishment of the Safety Fitness Determination program, the Secretary shall ensure that a review is completed on each motor carrier that demonstrates through performance data that it poses the highest safety risk. At a minimum, a review shall be conducted whenever a motor carrier is among the highest risk carriers for 4 consecutive months.

(b) REPORT.—Not later than 180 days after the completion of the certification under section 32003 of this Act and the establishment of the Safety Fitness Determination program, the Secretary shall post on a public website a report on the actions the Secretary has taken to comply with this section, including the number of high risk carriers identified and the high risk carriers reviewed.

(c) CONFORMING AMENDMENT.—Section 4138 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (49 U.S.C. 31144 note) is repealed.

Subtitle B—Transparency and Accountability

SEC. 32201. PETITIONS FOR REGULATORY RELIEF.

(a) APPLICATIONS FOR REGULATORY RELIEF.—Notwithstanding subpart C of part 381 of title 49, Code of Federal Regulations, the Secretary shall allow an applicant representing a class or group of motor carriers to apply for a specific exemption from any provision of the regulations under part 395 of title 49, Code of Federal Regulations, for commercial motor vehicle drivers.

(b) REVIEW PROCESS.—

(1) IN GENERAL.—The Secretary shall establish the procedures for the application for

and the review of an exemption under subsection (a).

(2) PUBLICATION.—Not later than 30 days after the date of receipt of an application for an exemption, the Secretary shall publish the application in the Federal Register and provide the public with an opportunity to comment.

(3) PUBLIC COMMENT.—

(A) IN GENERAL.—Each application shall be available for public comment for a 30-day period, but the Secretary may extend the opportunity for public comment for up to 60 days if it is a significant or complex request.

(B) REVIEW.—Beginning on the date that the public comment period under subparagraph (A) ends, the Secretary shall have 60 days to review all of the comments received.

(4) DETERMINATION.—At the end of the 60-day period under paragraph (3)(B), the Secretary shall publish a determination in the Federal Register, including—

(A) the reason for granting or denying the application; and

(B) if the application is granted—

(i) the specific class of persons eligible for the exemption;

(ii) each provision of the regulations to which the exemption applies; and

(iii) any conditions or limitations applied to the exemption.

(5) CONSIDERATIONS.—In making a determination whether to grant or deny an application for an exemption, the Secretary shall consider the safety impacts of the request and may provide appropriate conditions or limitations on the use of the exemption.

(c) OPPORTUNITY FOR RESUBMISSION.—If an application is denied and the applicant can reasonably address the reason for the denial, the Secretary may allow the applicant to resubmit the application.

(d) PERIOD OF APPLICABILITY.—

(1) IN GENERAL.—Except as provided in paragraph (2) of this subsection and subsection (f), each exemption granted under this section shall be valid for a period of 5 years unless the Secretary identifies a compelling reason for a shorter exemption period.

(2) RENEWAL.—At the end of the 5-year period under paragraph (1)—

(A) the Secretary, at the Secretary's discretion, may renew the exemption for an additional 5-year period; or

(B) an applicant may apply under subsection (a) for a permanent exemption from each applicable provision of the regulations.

(e) LIMITATION.—No exemption under this section may be granted to or used by any motor carrier that has an unsatisfactory or conditional safety fitness determination.

(f) PERMANENT EXEMPTIONS.—

(1) IN GENERAL.—The Secretary shall make permanent the following limited exceptions:

(A) Department of Defense Military Surface Deployment and Distribution Command transport of weapons, munitions, and sensitive classified cargo as published in the Federal Register Volume 80 on April 16, 2015 (80 Fed. Reg. 20556).

(B) Department of Energy transport of security-sensitive radioactive materials as published in the Federal Register Volume 80 on June 22, 2015 (80 Fed. Reg. 35703).

(C) Motor carriers that transport hazardous materials shipments requiring security plans under regulations of the Pipeline and Hazardous Materials Safety Administration as published in the Federal Register Volume 80 on May 1, 2015 (80 Fed. Reg. 25004).

(D) Perishable construction products as published in the Federal Register Volume 80 on April 2, 2015 (80 Fed. Reg. 17819).

(E) Passenger vehicle record of duty status change as published in the Federal Register Volume 80 on June 4, 2015 (80 Fed. Reg. 31961).

(F) Transport of commercial bee hives as published in the Federal Register Volume 80 on June 19, 2018. (80 Fed. Reg. 35425).

(G) Specialized carriers and drivers responsible for transporting loads requiring special permits as published in the Federal Register Volume 80 on June 18, 2015 (80 Fed. Reg. 34957).

(H) Safe transport of livestock as published in the Federal Register Volume 80 on June 12, 2015 (80 Fed. Reg. 33584).

(2) ADDITIONAL EXEMPTIONS.—The Secretary may make any temporary exemption from any provision of the regulations under part 395 of title 49, Code of Federal Regulations, for commercial motor vehicle drivers that is in effect on the date of enactment of this Act permanent if the Secretary determines that the permanent exemption will not degrade safety. The Secretary shall provide public notice and comment on a list of the additional temporary exemptions to be made permanent under this paragraph.

(3) REVOCATION OF EXEMPTIONS.—The Secretary may revoke an exemption issued under this section if the Secretary can demonstrate that the exemption has had a negative impact on safety.

SEC. 32202. INSPECTOR STANDARDS.

Not later than 90 days after the date of enactment of this Act, the Administrator of the Federal Motor Carrier Safety Administration shall revise the regulations under part 385 of title 49, Code of Federal Regulations, as necessary, to incorporate by reference the certification standards for roadside inspectors issued by the Commercial Vehicle Safety Alliance.

SEC. 32203. TECHNOLOGY IMPROVEMENTS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Government Accountability Office shall conduct a comprehensive analysis on the Federal Motor Carrier Safety Administration's information technology and data collection and management systems.

(b) REQUIREMENTS.—The study conducted under subsection (a) shall—

(1) evaluate the efficacy of the existing information technology, data collection, processing systems, and data management systems and programs, including their interaction with each other and their efficacy in meeting user needs;

(2) identify any redundancies among the systems and programs described in paragraph (1);

(3) explore the feasibility of consolidating data collection and processing systems;

(4) evaluate the ability of the systems and programs described in paragraph (1) to meet the needs of—

(A) the Federal Motor Carrier Safety Administration, at both the headquarters and State level;

(B) the State agencies that implement the Motor Carrier Safety Assistance Program under section 31102 of title 49, United States Code; and

(C) other users;

(5) evaluate the adaptability of the systems and programs described in paragraph (1), in order to make necessary future changes to ensure user needs are met in an easier, timely, and more cost efficient manner;

(6) investigate and make recommendations regarding—

(A) deficiencies in existing data sets impacting program effectiveness; and

(B) methods to improve any and all user interfaces; and

(7) evaluate the appropriate role the Federal Motor Carrier Safety Administration should take with respect to software and information systems design, development, and maintenance for the purpose of improving the efficacy of the systems and programs described in paragraph (1).

Subtitle C—Trucking Rules Updated by Comprehensive and Key Safety Reform

SEC. 32301. UPDATE ON STATUTORY REQUIREMENTS.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, and every 90 days thereafter until a final rule has been issued for each of the requirements described under paragraphs (1) through (5), the Administrator of the Federal Motor Carrier Safety Administration shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the status of a final rule for—

(1) the minimum entry-level training requirements for an individual operating a commercial motor vehicle under section 31305(c) of title 49, United States Code;

(2) motor carrier safety fitness determinations;

(3) visibility of agricultural equipment under section 31601 of division C of the Moving Ahead for Progress in the 21st Century Act (49 U.S.C. 30111 note);

(4) regulations to require commercial motor vehicles in interstate commerce and operated by a driver subject to the hours of service and record of duty status requirements under part 395 of title 49, Code of Federal Regulations, be equipped with an electronic control module capable of limiting the maximum speed of the vehicle; and

(5) any outstanding commercial motor vehicle safety regulation required by law and incomplete for more than 2 years.

(b) CONTENTS.—Each report under subsection (a) shall include a description of the work plan, an updated rulemaking timeline, current staff allocations, any resource constraints, and any other details associated with the development of the rulemaking.

SEC. 32302. STATUTORY RULEMAKING.

The Administrator of the Federal Motor Carrier Safety Administration shall prioritize the use of Federal Motor Carrier Safety Administration resources for the completion of each outstanding statutory requirement for a rulemaking before beginning any new rulemaking unless the Secretary certifies to Congress that there is a significant need to move forward with a new rulemaking.

SEC. 32303. GUIDANCE REFORM.

(a) GUIDANCE.—

(1) POINT OF CONTACT.—Each guidance document, other than a regulatory action, issued by the Federal Motor Carrier Safety Administration shall have a date of publication or a date of revision, as applicable, and the name and contact information of a point of contact at the Federal Motor Carrier Safety Administration who can respond to questions regarding the general applicability of the guidance.

(2) PUBLIC ACCESSIBILITY.—

(A) IN GENERAL.—Each guidance document and interpretation issued by the Federal Motor Carrier Safety Administration shall be published on the Department of Transportation's public website on the date of issuance.

(B) REDACTION.—The Administrator of the Federal Motor Carrier Safety Administration may redact from a guidance document

or interpretation under subparagraph (A) any information that would reveal investigative techniques that would compromise Federal Motor Carrier Safety Administration enforcement efforts.

(3) RULEMAKING.—Not later than 5 years after the date that a guidance document is published under paragraph (2) or during the comprehensive review under subsection (c), whichever is earlier, the Secretary, in consultation with the Administrator, shall revise the applicable regulations to incorporate the guidance document to the extent practicable.

(4) REISSUANCE.—If a guidance document is not incorporated into the applicable regulations under paragraph (3), the Secretary shall—

(A) reissue an updated guidance document; and

(B) review and reissue an updated guidance document every 5 years during the comprehensive review process under subsection (c) until the date that the guidance document is removed or incorporated into the applicable regulations under paragraph (3) of this subsection.

(b) UPDATE.—Not later than 1 year after the date of enactment of this Act, the Secretary shall review regulations, guidance, and enforcement policies published on the Department of Transportation's public website to ensure the regulations, guidance, and enforcement policies are current, readily accessible to the public, and meet the standards under subsection (c)(1).

(c) REVIEW.—

(1) IN GENERAL.—Subject to paragraph (2), not less than once every 5 years, the Administrator of the Federal Motor Carrier Safety Administration shall conduct a comprehensive review of its guidance and enforcement policies to determine whether—

(A) the guidance and enforcement policies are consistent and clear;

(B) the guidance is uniformly and consistently enforceable; and

(C) the guidance is still necessary.

(2) NOTICE AND COMMENT.—Prior to beginning the review, the Administrator shall publish in the Federal Register a notice and request for comment soliciting input from stakeholders on which regulations should be updated or eliminated.

(3) PRIORITIZATION OF OUTSTANDING PETITIONS.—As part of the review under paragraph (1), the Administrator shall prioritize consideration of each outstanding petition (as defined in section 32304(b) of this Act) submitted by a stakeholder for rulemaking.

(4) REPORT.—

(A) IN GENERAL.—Not later than 60 days after the date that a review under paragraph (1) is complete, the Administrator shall publish on the Department of Transportation's public website a report detailing the review and a full inventory of guidance and enforcement policies.

(B) INCLUSIONS.—The report under subparagraph (A) of this paragraph shall include a summary of the response of the Federal Motor Carrier Safety Administration to each comment received under paragraph (2) indicating each request the Federal Motor Carrier Safety Administration is granting.

SEC. 32304. PETITIONS.

(a) IN GENERAL.—The Administrator of the Federal Motor Carrier Safety Administration shall—

(1) publish on the Department of Transportation's public website all petitions for regulatory action submitted;

(2) prioritize stakeholder petitions based on the likelihood of providing safety improvements;

(3) formally respond to each petition by indicating whether the Administrator will accept, deny, or further review, the petition not later than 180 days after the date the petition is published under paragraph (1);

(4) prioritize resulting actions consistent with an action's potential to reduce crashes, improve enforcement, and reduce unnecessary burdens; and

(5) not later than 60 days after the date of receipt, publish, and update as necessary, on the Department of Transportation's public website an inventory of the petitions described in paragraph (1), including any applicable disposition information for that petition.

(b) DEFINITION OF PETITION.—In this section, the term ''petition'' means a request for new regulations, regulatory interpretations or clarifications, or retrospective review of regulations to eliminate or modify obsolete, ineffective, or overly-burdensome rules.

SEC. 32305. REGULATORY REFORM.

(a) REGULATORY IMPACT ANALYSIS.—

(1) IN GENERAL.—Within each regulatory impact analysis of a proposed or final rule issued by the Federal Motor Carrier Safety Administration, the Secretary shall whenever practicable—

(A) consider effects of the proposed or final rule on a carrier with differing characteristics; and

(B) formulate estimates and findings on the best available science.

(2) SCOPE.—To the extent feasible and appropriate, and consistent with law, the analysis described in paragraph (1) shall—

(A) use data generated from a representative sample of commercial vehicle operators, motor carriers, or both, that will be covered under the proposed or final rule; and

(B) consider effects on commercial truck and bus carriers of various sizes and types.

(b) PUBLIC PARTICIPATION.—

(1) IN GENERAL.—Before promulgating a proposed rule under part B of subtitle VI of title 49, United States Code, if the proposed rule is likely to lead to the promulgation of a major rule the Secretary shall—

(A) issue an advance notice of proposed rulemaking; or

(B) determine to proceed with a negotiated rulemaking.

(2) REQUIREMENTS.—Each advance notice of proposed rulemaking issued under paragraph (1) shall—

(A) identify the compelling public concern for a potential regulatory action, such as failures of private markets to protect or improve the safety of the public, the environment, or the well-being of the American people;

(B) identify and request public comment on the best available science or technical information on the need for regulatory action and on the potential regulatory alternatives;

(C) request public comment on the benefits and costs of potential regulatory alternatives reasonably likely to be included or analyzed as part of the notice of proposed rulemaking; and

(D) request public comment on the available alternatives to direct regulation, including providing economic incentives to encourage the desired behavior.

(3) WAIVER.—This subsection shall not apply when the Secretary, for good cause, finds (and incorporates the finding and a brief statement of reasons for such finding in the proposed or final rule) an advance notice of proposed rulemaking impracticable, unnecessary, or contrary to the public interest.

(c) SAVINGS CLAUSE.—Nothing in this section may be construed to limit the contents of any Advance Notice of Proposed Rulemaking.

Subtitle D—State Authorities

SEC. 32401. EMERGENCY ROUTE WORKING GROUP.

(a) IN GENERAL.—

(1) ESTABLISHMENT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall establish a working group to determine best practices for expeditious State approval of special permits for vehicles involved in emergency response and recovery.

(2) MEMBERS.—The working group shall include representatives from—

(A) State highway transportation departments or agencies;

(B) relevant modal agencies within the Department of Transportation;

(C) emergency response or recovery experts;

(D) relevant safety groups; and

(E) persons affected by special permit restrictions during emergency response and recovery efforts.

(b) CONSIDERATIONS.—In determining best practices under subsection (a), the working group shall consider whether—

(1) hurdles currently exist that prevent the expeditious State approval for special permits for vehicles involved in emergency response and recovery;

(2) it is possible to pre-identify and establish emergency routes between States through which infrastructure repair materials could be delivered following a natural disaster or an emergency;

(3) a State could pre-designate an emergency route identified under paragraph (1) as a certified emergency route if a motor vehicle that exceeds the otherwise applicable Federal and State truck length or width limits may safely operate along such route during period of emergency recovery; and

(4) an online map could be created to identify each pre-designated emergency route under paragraph (2), including information on specific limitations, obligations, and notification requirements along that route.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the working group shall submit to the Secretary a report of its findings under this section and any recommendations for the implementation of the best practices for expeditious State approval of special permits for vehicles involved in emergency recovery. Upon receipt, the Secretary shall publish the report on a public website.

(d) FEDERAL ADVISORY COMMITTEE ACT EXEMPTION.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the working group established under this section.

SEC. 32402. ADDITIONAL STATE AUTHORITY.

Notwithstanding any other provision of law, not later than 180 days after the date of enactment of this Act, any State impacted by section 4006 of the Intermodal Surface Transportation Efficiency Act of 1991 (Public Law 102–240; 105 Stat. 2148) shall be provided the option to update the routes listed in the final list as long as the update shifts routes to divided highways or does not increase centerline miles by more than 5 percent and the change is expected to increase safety performance.

SEC. 32403. COMMERCIAL DRIVER ACCESS.

(a) INTERSTATE COMPACT PILOT PROGRAM.—

(1) IN GENERAL.—The Administrator of the Federal Motor Carrier Safety Administration may establish a 6-year pilot program to study the feasibility, benefits, and safety impacts of allowing a licensed driver between

the ages of 18 and 21 to operate a commercial motor vehicle in interstate commerce.

(2) INTERSTATE COMPACTS.—The Secretary shall allow States, including the District of Columbia, to enter into an interstate compact with contiguous States to allow a licensed driver between the ages of 18 and 21 to operate a motor vehicle across the applicable State lines. The Secretary shall approve as many as 3 interstate compacts, with no more than 4 States per compact participating in each interstate compact.

(3) MUTUAL RECOGNITION OF LICENSES.—A valid intrastate commercial driver's licenses issued by a State participating in an interstate compact under paragraph (2) shall be recognized as valid not more than 100 air miles from the border of the driver's State of licensure in each State that is participating in that interstate compact.

(4) STANDARDS.—In developing an interstate compact under this subsection, participating States shall provide for minimum licensure standards acceptable for interstate travel under this section, which may include, for a licensed driver between the ages of 18 and 21 participating in the pilot program—

(A) age restrictions;

(B) distance from origin (measured in air miles);

(C) reporting requirements; or

(D) additional hours of service restrictions.

(5) LIMITATIONS.—An interstate compact under paragraph (2) may not permit special configuration or hazardous cargo operations to be transported by a licensed driver under the age of 21.

(6) ADDITIONAL REQUIREMENTS.—The Secretary may—

(A) prescribe such additional requirements, including training, for a licensed driver between the ages of 18 and 21 participating in the pilot program as the Secretary considers necessary; and

(B) provide risk mitigation restrictions and limitations.

(b) APPROVAL.—An interstate compact under subsection (a)(2) may not go into effect until it has been approved by the governor of each State (or the Mayor of the District of Columbia, if applicable) that is a party to the interstate compact, after consultation with the Secretary of Transportation and the Administrator of the Federal Motor Carrier Safety Administration.

(c) DATA COLLECTION.—The Secretary shall collect and analyze data relating to accidents (as defined in section 390.5 of title 49, Code of Federal Regulations) in which a driver under the age of 21 participating in the pilot program is involved.

(d) REPORT.—Beginning 3 years after the date the first compact is established and approved, the Secretary shall submit to Congress a report containing the data collection and findings of the pilot program, a determination of whether a licensed driver between the ages of 18 and 21 can operate a commercial motor vehicle in interstate commerce with an equivalent level of safety, and the reasons for that determination. The Secretary may extend the air mileage requirements under subsection (a)(3) to expand operation areas and gather additional data for analysis.

(e) TERMINATION.—The Secretary may terminate the pilot program if the data collected under subsection (c) indicates that drivers under the age of 21 do not operate in interstate commerce with an equivalent level of safety of those drivers age 21 and over.

Subtitle E—Motor Carrier Safety Grant Consolidation

SEC. 32501. DEFINITIONS.

(a) IN GENERAL.—Section 31101 is amended—

(1) by redesignating paragraph (4) as paragraph (5); and

(2) by inserting after paragraph (3) the following:

''(4) 'Secretary' means the Secretary of Transportation.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Section 31101, as amended by subsection (a), is amended—

(1) in paragraph (1)(B), by inserting a comma after ''passengers''; and

(2) in paragraph (1)(C), by striking ''of Transportation''.

SEC. 32502. GRANTS TO STATES.

(a) MOTOR CARRIER SAFETY ASSISTANCE PROGRAM.—Section 31102 is amended to read as follows:

''§ 31102. Motor Carrier Safety Assistance Program

''(a) IN GENERAL.—The Secretary shall administer a motor carrier safety assistance program funded under section 31104.

''(b) GOAL.—The goal of the program is to ensure that the Secretary, States, local governments, other political jurisdictions, federally-recognized Indian tribes, and other persons work in partnership to establish programs to improve motor carrier, commercial motor vehicle, and driver safety to support a safe and efficient surface transportation system—

''(1) by making targeted investments to promote safe commercial motor vehicle transportation, including the transportation of passengers and hazardous materials;

''(2) by investing in activities likely to generate maximum reductions in the number and severity of commercial motor vehicle crashes and fatalities resulting from such crashes;

''(3) by adopting and enforcing effective motor carrier, commercial motor vehicle, and driver safety regulations and practices consistent with Federal requirements; and

''(4) by assessing and improving statewide performance by setting program goals and meeting performance standards, measures, and benchmarks.

''(c) STATE PLANS.—

''(1) IN GENERAL.—The Secretary shall prescribe procedures for a State to submit a multiple-year plan, and annual updates thereto, under which the State agrees to assume responsibility for improving motor carrier safety, adopting and enforcing compatible regulations, standards, and orders of the Federal Government on commercial motor vehicle safety and hazardous materials transportation safety.

''(2) CONTENTS.—The Secretary shall approve a plan if the Secretary determines that the plan is adequate to comply with the requirements of this section, and the plan—

''(A) implements performance-based activities, including deployment and maintenance of technology to enhance the efficiency and effectiveness of commercial motor vehicle safety programs;

''(B) designates a lead State commercial motor vehicle safety agency responsible for administering the plan throughout the State;

''(C) contains satisfactory assurances that the lead State commercial motor vehicle safety agency has or will have the legal authority, resources, and qualified personnel necessary to enforce the regulations, standards, and orders;

''(D) contains satisfactory assurances that the State will devote adequate resources to the administration of the plan and enforcement of the regulations, standards, and orders;

''(E) provides a right of entry and inspection to carry out the plan;

''(F) provides that all reports required under this section be available to the Secretary on request;

''(G) provides that the lead State commercial motor vehicle safety agency will adopt the reporting requirements and use the forms for recordkeeping, inspections, and investigations that the Secretary prescribes;

''(H) requires all registrants of commercial motor vehicles to demonstrate knowledge of applicable safety regulations, standards, and orders of the Federal Government and the State;

''(I) provides that the State will grant maximum reciprocity for inspections conducted under the North American Inspection Standards through the use of a nationally-accepted system that allows ready identification of previously inspected commercial motor vehicles;

''(J) ensures that activities described in subsection (h), if financed through grants to the State made under this section, will not diminish the effectiveness of the development and implementation of the programs to improve motor carrier, commercial motor vehicle, and driver safety as described in subsection (b);

''(K) ensures that the lead State commercial motor vehicle safety agency will coordinate the plan, data collection, and information systems with the State highway safety improvement program required under section 148(c) of title 23;

''(L) ensures participation in appropriate Federal Motor Carrier Safety Administration information technology and data systems and other information systems by all appropriate jurisdictions receiving Motor Carrier Safety Assistance Program funding;

''(M) ensures that information is exchanged among the States in a timely manner;

''(N) provides satisfactory assurances that the State will undertake efforts that will emphasize and improve enforcement of State and local traffic safety laws and regulations related to commercial motor vehicle safety;

''(O) provides satisfactory assurances in the plan that the State will address national priorities and performance goals, including—

''(i) activities aimed at removing impaired commercial motor vehicle drivers from the highways of the United States through adequate enforcement of regulations on the use of alcohol and controlled substances and by ensuring ready roadside access to alcohol detection and measuring equipment;

''(ii) activities aimed at providing an appropriate level of training to State motor carrier safety assistance program officers and employees on recognizing drivers impaired by alcohol or controlled substances; and

''(iii) when conducted with an appropriate commercial motor vehicle inspection, criminal interdiction activities, and appropriate strategies for carrying out those interdiction activities, including interdiction activities that affect the transportation of controlled substances (as defined under section 102 of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 802) and listed in part 1308 of title 21, Code of Federal Regulations, as updated and republished from time to time) by any occupant of a commercial motor vehicle;

''(P) provides that the State has established and dedicated sufficient resources to a program to ensure that—

''(i) the State collects and reports to the Secretary accurate, complete, and timely motor carrier safety data; and

''(ii) the State participates in a national motor carrier safety data correction system prescribed by the Secretary;

''(Q) ensures that the State will cooperate in the enforcement of financial responsibility requirements under sections 13906, 31138, and 31139 of this title, and regulations issued under these sections;

''(R) ensures consistent, effective, and reasonable sanctions;

''(S) ensures that roadside inspections will be conducted at locations that are adequate to protect the safety of drivers and enforcement personnel;

''(T) provides that the State will include in the training manuals for the licensing examination to drive both noncommercial motor vehicles and commercial motor vehicles information on best practices for driving safely in the vicinity of noncommercial and commercial motor vehicles;

''(U) provides that the State will enforce the registration requirements of sections 13902 and 31134 of this title by prohibiting the operation of any vehicle discovered to be operated by a motor carrier without a registration issued under those sections or to be operated beyond the scope of the motor carrier's registration;

''(V) provides that the State will conduct comprehensive and highly visible traffic enforcement and commercial motor vehicle safety inspection programs in high-risk locations and corridors;

''(W) except in the case of an imminent hazard or obvious safety hazard, ensures that an inspection of a vehicle transporting passengers for a motor carrier of passengers is conducted at a station, terminal, border crossing, maintenance facility, destination, or other location where adequate food, shelter, and sanitation facilities are available for passengers, and reasonable accommodations are available for passengers with disabilities;

''(X) ensures that the State will transmit to its roadside inspectors the notice of each Federal exemption granted under section 31315(b) of this title and sections 390.23 and 390.25 of title 49 of the Code of Federal Regulations and provided to the State by the Secretary, including the name of the person granted the exemption and any terms and conditions that apply to the exemption;

''(Y) except as provided in subsection (d), provides that the State—

''(i) will conduct safety audits of interstate and, at the State's discretion, intrastate new entrant motor carriers under section 31144(g) of this title; and

''(ii) if the State authorizes a third party to conduct safety audits under section 31144(g) on its behalf, the State verifies the quality of the work conducted and remains solely responsible for the management and oversight of the activities;

''(Z) provides that the State agrees to fully participate in the performance and registration information system management under section 31106(b) not later than October 1, 2020, by complying with the conditions for participation under paragraph (3) of that section;

''(AA) provides that a State that shares a land border with another country—

''(i) will conduct a border commercial motor vehicle safety program focusing on international commerce that includes enforcement and related projects; or

''(ii) will forfeit all funds calculated by the Secretary based on border-related activities if the State declines to conduct the program described in clause (i) in its plan; and

''(BB) provides that a State that meets the other requirements of this section and agrees to comply with the requirements established in subsection (l)(3) may fund operation and maintenance costs associated with innovative technology deployment under subsection (l)(3) with Motor Carrier Safety Assistance Program funds authorized under section 31104(a)(1).

''(3) PUBLICATION.—

''(A) IN GENERAL.—Subject to subparagraph (B), the Secretary shall publish each approved State multiple-year plan, and each annual update thereto, on the Department of Transportation's public website not later than 30 days after the date the Secretary approves the plan or update.

''(B) LIMITATION.—Before posting an approved State multiple-year plan or annual update under subparagraph (A), the Secretary shall redact any information identified by the State that, if disclosed—

''(i) would reasonably be expected to interfere with enforcement proceedings; or

''(ii) would reveal enforcement techniques or procedures that would reasonably be expected to risk circumvention of the law.

''(d) EXCLUSION OF U.S. TERRITORIES.—The requirement that a State conduct safety audits of new entrant motor carriers under subsection (c)(2)(Y) does not apply to a territory of the United States unless required by the Secretary.

''(e) INTRASTATE COMPATIBILITY.—The Secretary shall prescribe regulations specifying tolerance guidelines and standards for ensuring compatibility of intrastate commercial motor vehicle safety laws, including regulations, with Federal motor carrier safety regulations to be enforced under subsections (b) and (c). To the extent practicable, the guidelines and standards shall allow for maximum flexibility while ensuring a degree of uniformity that will not diminish motor vehicle safety.

''(f) MAINTENANCE OF EFFORT.—

''(1) BASELINE.—Except as provided under paragraphs (2) and (3) and in accordance with section 32508 of the Comprehensive Transportation and Consumer Protection Act of 2015, a State plan under subsection (c) shall provide that the total expenditure of amounts of the lead State commercial motor vehicle safety agency responsible for administering the plan will be maintained at a level each fiscal year at least equal to—

''(A) the average level of that expenditure for fiscal years 2004 and 2005; or

''(B) the level of that expenditure for the year in which the Secretary implements a new allocation formula under section 32508 of the Comprehensive Transportation and Consumer Protection Act of 2015.

''(2) ADJUSTED BASELINE AFTER FISCAL YEAR 2017.—At the request of a State, the Secretary may evaluate additional documentation related to the maintenance of effort and may make reasonable adjustments to the maintenance of effort baseline after the year in which the Secretary implements a new allocation formula under section 32508 of the Comprehensive Transportation and Consumer Protection Act of 2015, and this adjusted baseline will replace the maintenance of effort requirement under paragraph (1).

''(3) WAIVERS.—At the request of a State, the Secretary may waive or modify the requirements of this subsection for 1 fiscal year if the Secretary determines that a waiver or modification is reasonable, based on circumstances described by the State, to ensure the continuation of commercial motor vehicle enforcement activities in the State.

''(4) LEVEL OF STATE EXPENDITURES.—In estimating the average level of State expenditure under paragraph (1), the Secretary—

''(A) may allow the State to exclude State expenditures for Federally-sponsored demonstration and pilot programs and strike forces;

''(B) may allow the State to exclude expenditures for activities related to border enforcement and new entrant safety audits; and

''(C) shall require the State to exclude State matching amounts used to receive Federal financing under section 31104.

''(g) USE OF UNIFIED CARRIER REGISTRATION FEES AGREEMENT.—Amounts generated under section 14504a of this title and received by a State and used for motor carrier safety purposes may be included as part of the State's match required under section 31104 of this title or maintenance of effort required by subsection (f) of this section.

''(h) USE OF GRANTS TO ENFORCE OTHER LAWS.—When approved in the States' plan under subsection (c), a State may use Motor Carrier Safety Assistance Program funds received under this section—

''(1) if the activities are carried out in conjunction with an appropriate inspection of a commercial motor vehicle to enforce Federal or State commercial motor vehicle safety regulations, for—

''(A) enforcement of commercial motor vehicle size and weight limitations at locations, excluding fixed weight facilities, such as near steep grades or mountainous terrains, where the weight of a commercial motor vehicle can significantly affect the safe operation of the vehicle, or at ports where intermodal shipping containers enter and leave the United States; and

''(B) detection of and enforcement actions taken as a result of criminal activity, including the trafficking of human beings, in a commercial motor vehicle or by any occupant, including the operator, of the commercial motor vehicle;

''(2) for documented enforcement of State traffic laws and regulations designed to promote the safe operation of commercial motor vehicles, including documented enforcement of such laws and regulations relating to noncommercial motor vehicles when necessary to promote the safe operation of commercial motor vehicles, if—

''(A) the number of motor carrier safety activities, including roadside safety inspections, conducted in the State is maintained at a level at least equal to the average level of such activities conducted in the State in fiscal years 2004 and 2005; and

''(B) the State does not use more than 10 percent of the basic amount the State receives under a grant awarded under section 31104(a)(1) for enforcement activities relating to noncommercial motor vehicles necessary to promote the safe operation of commercial motor vehicles unless the Secretary determines that a higher percentage will result in significant increases in commercial motor vehicle safety; and

''(3) for the enforcement of household goods regulations on intrastate and interstate carriers if the State has adopted laws or regulations compatible with the Federal household goods regulations.

''(i) EVALUATION OF PLANS AND AWARD OF GRANTS.—

''(1) AWARDS.—The Secretary shall establish criteria for the application, evaluation, and approval of State plans under this section. Subject to subsection (j), the Secretary

may allocate the amounts made available under section 31104(a)(1) among the States.

''(2) OPPORTUNITY TO CURE.—If the Secretary disapproves a plan under this section, the Secretary shall give the State a written explanation of the reasons for disapproval and allow the State to modify and resubmit the plan for approval.

''(j) ALLOCATION OF FUNDS.—

''(1) IN GENERAL.—The Secretary, by regulation, shall prescribe allocation criteria for funds made available under section 31104(a)(1).

''(2) ANNUAL ALLOCATIONS.—On October 1 of each fiscal year, or as soon as practicable thereafter, and after making a deduction under section 31104(c), the Secretary shall allocate amounts made available in section 31104(a)(1) to carry out this section for the fiscal year among the States with plans approved under this section in accordance with the criteria under paragraph (1).

''(3) ELECTIVE ADJUSTMENTS.—Subject to the availability of funding and notwithstanding fluctuations in the data elements used by the Secretary to calculate the annual allocation amounts, after the creation of a new allocation formula under section 32508 of the Comprehensive Transportation and Consumer Protection Act of 2015 the Secretary may not make elective adjustments to the allocation formula that decrease a State's Federal funding levels by more than 3 percent in a fiscal year. The 3 percent limit shall not apply to the withholding provisions of subsection (k).

''(k) PLAN MONITORING.—

''(1) IN GENERAL.—On the basis of reports submitted by the lead State agency responsible for administering an approved State plan and an investigation by the Secretary, the Secretary shall periodically evaluate State implementation of and compliance with the State plan.

''(2) WITHHOLDING OF FUNDS.—

''(A) DISAPPROVAL.—If, after notice and an opportunity to be heard, the Secretary finds that the State plan previously approved is not being followed or has become inadequate to ensure enforcement of the regulations, standards, or orders, or the State is otherwise not in compliance with the requirements of this section, the Secretary may withdraw approval of the plan and notify the State. The plan is no longer in effect once the State receives notice, and the Secretary shall withhold all funding under this section.

''(B) NONCOMPLIANCE WITHHOLDING.—In lieu of withdrawing approval of the plan, the Secretary may, after providing notice and an opportunity to be heard, withhold funding from the State to which the State would otherwise be entitled under this section for the period of the State's noncompliance. In exercising this option, the Secretary may withhold—

''(i) up to 5 percent of funds during the fiscal year that the Secretary notifies the State of its noncompliance;

''(ii) up to 10 percent of funds for the first full fiscal year of noncompliance;

''(iii) up to 25 percent of funds for the second full fiscal year of noncompliance; and

''(iv) not more than 50 percent of funds for the third and any subsequent full fiscal year of noncompliance.

''(3) JUDICIAL REVIEW.—A State adversely affected by a determination under paragraph (2) may seek judicial review under chapter 7 of title 5. Notwithstanding the disapproval of a State plan under paragraph (2)(A) or the withholding under paragraph (2)(B), the State may retain jurisdiction in an administrative or a judicial proceeding that commenced before the notice of disapproval or withholding if the issues involved are not related directly to the reasons for the disapproval or withholding.

''(l) HIGH PRIORITY FINANCIAL ASSISTANCE PROGRAM.—

''(1) IN GENERAL.—The Secretary shall administer a high priority financial assistance program funded under section 31104 for the purposes described in paragraphs (2) and (3).

''(2) ACTIVITIES RELATED TO MOTOR CARRIER SAFETY.—The purpose of this paragraph is to make discretionary grants to and cooperative agreements with States, local governments, federally-recognized Indian tribes, other political jurisdictions as necessary, and any person to carry out high priority activities and projects that augment motor carrier safety activities and projects planned in accordance with subsections (b) and (c), including activities and projects that—

''(A) increase public awareness and education on commercial motor vehicle safety;

''(B) target unsafe driving of commercial motor vehicles and non-commercial motor vehicles in areas identified as high risk crash corridors;

''(C) support the enforcement of State household goods regulations on intrastate and interstate carriers if the State has adopted laws or regulations compatible with the Federal household good laws;

''(D) improve the safe and secure movement of hazardous materials;

''(E) improve safe transportation of goods and persons in foreign commerce;

''(F) demonstrate new technologies to improve commercial motor vehicle safety;

''(G) support participation in performance and registration information systems management under section 31106(b)—

''(i) for entities not responsible for submitting the plan under subsection (c); or

''(ii) for entities responsible for submitting the plan under subsection (c)—

''(I) before October 1, 2020, to achieve compliance with the requirements of participation; and

''(II) beginning on October 1, 2020, or once compliance is achieved, whichever is sooner, for special initiatives or projects that exceed routine operations required for participation;

''(H) conduct safety data improvement projects—

''(i) that complete or exceed the requirements under subsection (c)(2)(P) for entities not responsible for submitting the plan under subsection (c); or

''(ii) that exceed the requirements under subsection (c)(2)(P) for entities responsible for submitting the plan under subsection (c); and

''(I) otherwise improve commercial motor vehicle safety and compliance with commercial motor vehicle safety regulations.

''(3) INNOVATIVE TECHNOLOGY DEPLOYMENT GRANT PROGRAM.—

''(A) IN GENERAL.—The Secretary shall establish an innovative technology deployment grant program to make discretionary grants funded under section 31104(a)(2) to eligible States for the innovative technology deployment of commercial motor vehicle information systems and networks.

''(B) PURPOSES.—The purposes of the program shall be—

''(i) to advance the technological capability and promote the deployment of intelligent transportation system applications for commercial motor vehicle operations, including commercial motor vehicle, commercial driver, and carrier-specific information systems and networks; and

''(ii) to support and maintain commercial motor vehicle information systems and networks—

''(I) to link Federal motor carrier safety information systems with State commercial motor vehicle systems;

''(II) to improve the safety and productivity of commercial motor vehicles and drivers; and

''(III) to reduce costs associated with commercial motor vehicle operations and Federal and State commercial vehicle regulatory requirements.

''(C) ELIGIBILITY.—To be eligible for a grant under this paragraph, a State shall—

''(i) have a commercial motor vehicle information systems and networks program plan approved by the Secretary that describes the various systems and networks at the State level that need to be refined, revised, upgraded, or built to accomplish deployment of commercial motor vehicle information systems and networks capabilities;

''(ii) certify to the Secretary that its commercial motor vehicle information systems and networks deployment activities, including hardware procurement, software and system development, and infrastructure modifications—

''(I) are consistent with the national intelligent transportation systems and commercial motor vehicle information systems and networks architectures and available standards; and

''(II) promote interoperability and efficiency to the extent practicable; and

''(iii) agree to execute interoperability tests developed by the Federal Motor Carrier Safety Administration to verify that its systems conform with the national intelligent transportation systems architecture, applicable standards, and protocols for commercial motor vehicle information systems and networks.

''(D) USE OF FUNDS.—Grant funds may be used—

''(i) for deployment activities and activities to develop new and innovative advanced technology solutions that support commercial motor vehicle information systems and networks;

''(ii) for planning activities, including the development or updating of program or top level design plans in order to become eligible or maintain eligibility under subparagraph (C); and

''(iii) for the operation and maintenance costs associated with innovative technology.

''(E) SECRETARY AUTHORIZATION.—The Secretary is authorized to award a State funding for the operation, and maintenance costs associated with innovative technology deployment with funds made available under both sections 31104(a)(1) and 31104(a)(2) of this title.''.

(b) COMMERCIAL MOTOR VEHICLE OPERATORS GRANT PROGRAM.—Section 31103 is amended to read as follows:

''§ 31103. Commercial Motor Vehicle Operators Grant Program

''(a) IN GENERAL.—The Secretary shall administer a commercial motor vehicle operators grant program funded under section 31104.

''(b) PURPOSE.—The purpose of the grant program is to train individuals in the safe operation of commercial motor vehicles (as defined in section 31301).''.

(c) AUTHORIZATION OF APPROPRIATIONS.—Section 31104 is amended to read as follows:

''§ 31104. Authorization of appropriations

''(a) FINANCIAL ASSISTANCE PROGRAMS.—The following sums are authorized to be appropriated from the Highway Trust Fund for

the following Federal Motor Carrier Safety Administration Financial Assistance Programs:

''(1) MOTOR CARRIER SAFETY ASSISTANCE PROGRAM.—Subject to paragraph (2) of this subsection and subsection (c) of this section, to carry out section 31102—

''(A) $295,636,000 for fiscal year 2017;

''(B) $301,845,000 for fiscal year 2018;

''(C) $308,183,000 for fiscal year 2019;

''(D) $314,655,000 for fiscal year 2020; and

''(E) $321,263,000 for fiscal year 2021.

''(2) HIGH PRIORITY ACTIVITIES FINANCIAL ASSISTANCE PROGRAM.—Subject to subsection (c), to make grants and cooperative agreements under section 31102(l) of this title, the Secretary may set aside from amounts made available under paragraph (1) of this subsection up to—

''(A) $42,323,000 for fiscal year 2017;

''(B) $43,212,000 for fiscal year 2018;

''(C) $44,119,000 for fiscal year 2019;

''(D) $45,046,000 for fiscal year 2020; and

''(E) $45,992,000 for fiscal year 2021.

''(3) COMMERCIAL MOTOR VEHICLE OPERATORS GRANT PROGRAM.—To carry out section 31103—

''(A) $1,000,000 for fiscal year 2017;

''(B) $1,000,000 for fiscal year 2018;

''(C) $1,000,000 for fiscal year 2019;

''(D) $1,000,000 for fiscal year 2020; and

''(E) $1,000,000 for fiscal year 2021.

''(4) COMMERCIAL DRIVER'S LICENSE PROGRAM IMPLEMENTATION FINANCIAL ASSISTANCE PROGRAM.—Subject to subsection (c), to carry out section 31313—

''(A) $31,273,000 for fiscal year 2017;

''(B) $31,930,000 for fiscal year 2018;

''(C) $32,600,000 for fiscal year 2019;

''(D) $33,285,000 for fiscal year 2020; and

''(E) $33,984,000 for fiscal year 2021.

''(b) REIMBURSEMENT AND PAYMENT TO RECIPIENTS FOR GOVERNMENT SHARE OF COSTS.—

''(1) IN GENERAL.—Amounts made available under subsection (a) shall be used to reimburse financial assistance recipients proportionally for the Federal Government's share of the costs incurred.

''(2) REIMBURSEMENT AMOUNTS.—The Secretary shall reimburse a recipient, in accordance with a financial assistance agreement made under section 31102, 31103, or 31313, an amount that is at least 85 percent of the costs incurred by the recipient in a fiscal year in developing and implementing programs under these sections. The Secretary shall pay the recipient an amount not more than the Federal Government share of the total costs approved by the Federal Government in the financial assistance agreement. The Secretary shall include a recipient's in-kind contributions in determining the reimbursement.

''(3) VOUCHERS.—Each recipient shall submit vouchers at least quarterly for costs the recipient incurs in developing and implementing programs under section 31102, 31103, or 31313.

''(c) DEDUCTIONS FOR PARTNER TRAINING AND PROGRAM SUPPORT.—On October 1 of each fiscal year, or as soon after that date as practicable, the Secretary may deduct from amounts made available under paragraphs (1), (2), and (4) of subsection (a) for that fiscal year not more than 1.50 percent of those amounts for partner training and program support in that fiscal year. The Secretary shall use at least 75 percent of those deducted amounts to train non-Federal Government employees and to develop related training materials in carrying out these programs.

''(d) GRANTS AND COOPERATIVE AGREEMENTS AS CONTRACTUAL OBLIGATIONS.—The approval of a financial assistance agreement by the Secretary under section 31102, 31103, or 31313 is a contractual obligation of the Federal Government for payment of the Federal Government's share of costs in carrying out the provisions of the grant or cooperative agreement.

''(e) ELIGIBLE ACTIVITIES.—The Secretary shall establish criteria for eligible activities to be funded with financial assistance agreements under this section and publish those criteria in a notice of funding availability before the financial assistance program application period.

''(f) PERIOD OF AVAILABILITY OF FINANCIAL ASSISTANCE AGREEMENT FUNDS FOR RECIPIENT EXPENDITURES.—

''(1) IN GENERAL.—The period of availability for a recipient to expend a grant or cooperative agreement authorized under subsection (a) is as follows:

''(A) For grants made for carrying out section 31102, other than section 31102(l), for the fiscal year in which it is obligated and for the next fiscal year.

''(B) For grants or cooperative agreements made for carrying out section 31102(l)(2), for the fiscal year in which it is obligated and for the next 2 fiscal years.

''(C) For grants made for carrying out section 31102(l)(3), for the fiscal year in which it is obligated and for the next 4 fiscal years.

''(D) For grants made for carrying out section 31103, for the fiscal year in which it is obligated and for the next fiscal year.

''(E) For grants or cooperative agreements made for carrying out 31313, for the fiscal year in which it is obligated and for the next 4 fiscal years.

''(2) REOBLIGATION.—Amounts not expended by a recipient during the period of availability shall be released back to the Secretary for reobligation for any purpose under sections 31102, 31103, 31104, and 31313 in accordance with subsection (i) of this section.

''(g) CONTRACT AUTHORITY; INITIAL DATE OF AVAILABILITY.—Amounts authorized from the Highway Trust Fund by this section shall be available for obligation on the date of their apportionment or allocation or on October 1 of the fiscal year for which they are authorized, whichever occurs first.

''(h) AVAILABILITY OF FUNDING.—Amounts made available under this section shall remain available until expended.

''(i) TRANSFER OF OBLIGATION AUTHORITY.—

''(1) IN GENERAL.—Of the contract authority authorized for motor carrier safety grants, the Secretary shall have authority to transfer available unobligated contract authority and associated liquidating cash within or between Federal financial assistance programs authorized under this section and make new Federal financial assistance awards under this section.

''(2) COST ESTIMATES.—Of the funds transferred, the contract authority and associated liquidating cash or obligations and expenditures stemming from Federal financial assistance awards made with this contract authority shall not be scored as new obligations by the Office of Management and Budget or by the Secretary.

''(3) NO LIMITATION ON TOTAL OF OBLIGATIONS.—Notwithstanding any other provision of law, no limitation on the total of obligations for Federal financial assistance programs carried out by the Federal Motor Carrier Safety Administration under this section shall apply to unobligated funds transferred under this subsection.''.

(d) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) SAFETY FITNESS OF OWNERS AND OPERATOR; SAFETY REVIEWS OF NEW OPERATORS.—Section 31144(g) is amended by striking paragraph (5).

(2) INFORMATION SYSTEMS; PERFORMANCE AND REGISTRATION INFORMATION PROGRAM.—Section 31106(b) is amended by striking paragraph (4).

(3) BORDER ENFORCEMENT GRANTS.—Section 31107 is repealed.

(4) PERFORMANCE AND REGISTRATION INFORMATION SYSTEM MANAGEMENT.—Section 31109 is repealed.

(5) TABLE OF CONTENTS.—The table of contents of chapter 311 is amended—

(A) by striking the items relating to 31107 and 31109; and

(B) by striking the items relating to sections 31102, 31103, and 31104 and inserting the following:

''31102. Motor Carrier Safety Assistance Program.

''31103. Commercial Motor Vehicle Operators Grant Program.

''31104. Authorization of appropriations.''.

(6) GRANTS FOR COMMERCIAL DRIVER'S LICENSE PROGRAM IMPLEMENTATION.—Section 31313(a), as amended by section 32506 of this Act, is further amended by striking ''The Secretary of Transportation shall administer a financial assistance program for commercial driver's license program implementation for the purposes described in paragraphs (1) and (2)'' and inserting ''The Secretary of Transportation shall administer a financial assistance program for commercial driver's license program implementation funded under section 31104 of this title for the purposes described in paragraphs (1) and (2)''.

(7) COMMERCIAL VEHICLE INFORMATION SYSTEMS AND NETWORKS DEPLOYMENT.—Section 4126 of SAFETEA-LU (49 U.S.C. 31106 note) is repealed.

(8) SAFETY DATA IMPROVEMENT PROGRAM.—Section 4128 of SAFETEA-LU (49 U.S.C. 31100 note) is repealed.

(9) GRANT PROGRAM FOR COMMERCIAL MOTOR VEHICLE OPERATORS.—Section 4134 of SAFETEA-LU (49 U.S.C. 31301 note) is repealed.

(10) WINTER HOME HEATING OIL DELIVERY STATE FLEXIBILITY PROGRAM.—Section 346 of National Highway System Designation Act of 1995 (49 U.S.C. 31166 note) is repealed.

(11) MAINTENANCE OF EFFORT AS CONDITION ON GRANTS TO STATES.—Section 103(c) of the Motor Carrier Safety Improvement Act of 1999 (49 U.S.C. 31102 note) is repealed.

(12) STATE COMPLIANCE WITH CDL REQUIREMENTS.—Section 103(e) of the Motor Carrier Safety Improvement Act of 1999 (49 U.S.C. 31102 note) is repealed.

(13) BORDER STAFFING STANDARDS.—Section 218(d) of the Motor Carrier Safety Improvement Act of 1999 (49 U.S.C. 31133 note) is amended—

(A) in paragraph (1), by striking ''under section 31104(f)(2)(B) of title 49, United States Code'' and inserting ''section 31104(a)(1) of title 49, United States Code''; and

(B) by striking paragraph (3).

(e) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2016.

(f) TRANSITION.—Notwithstanding the amendments made by this section, the Secretary shall carry out sections 31102, 31103, 31104 of title 49, United States Code, and any sections repealed under subsection (d) of this section, as necessary, as those sections were in effect on the day before October 1, 2016, with respect to applications for grants, cooperative agreements, or contracts under those sections submitted before October 1, 2016.

SEC. 32503. NEW ENTRANT SAFETY REVIEW PROGRAM STUDY.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Office of Inspector General of the Department of Transportation shall report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure in the House of Representatives on its assessment of the new operator safety review program, required under section 31144(g) of title 49, United States Code, including the program's effectiveness in reducing commercial motor vehicles involved in crashes, fatalities, and injuries, and in improving commercial motor vehicle safety.

(b) REPORT.—Not later than 90 days after completion of the report under subsection (a), the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure in the House of Representatives a report on the actions the Secretary will take to address any recommendations included in the study under subsection (a).

(c) PAPERWORK REDUCTION ACT OF 1995; EXCEPTION.—The study and the Office of the Inspector General assessment shall not be subject to section 3506 or section 3507 of title 44, United States Code.

SEC. 32504. PERFORMANCE AND REGISTRATION INFORMATION SYSTEMS MANAGEMENT.

Section 31106(b) is amended in the heading by striking ''PROGRAM'' and inserting ''SYSTEMS MANAGEMENT''.

SEC. 32505. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—Subchapter I of chapter 311 is amended by adding at the end the following:

''§ 31110. Authorization of appropriations

''(a) ADMINISTRATIVE EXPENSES.—There are authorized to be appropriated from the Highway Trust Fund (other than the Mass Transit Account) for the Secretary of Transportation to pay administrative expenses of the Federal Motor Carrier Safety Administration—

''(1) $264,439,000 for fiscal year 2016;
''(2) $269,992,000 for fiscal year 2017;
''(3) $275,662,000 for fiscal year 2018;
''(4) $281,451,000 for fiscal year 2019;
''(5) $287,361,000 for fiscal year 2020; and
''(6) $293,396,000 for fiscal year 2021.

''(b) USE OF FUNDS.—The funds authorized by this section shall be used—

''(1) for personnel costs;
''(2) for administrative infrastructure;
''(3) for rent;
''(4) for information technology;
''(5) for programs for research and technology, information management, regulatory development, the administration of the performance and registration information systems management;
''(6) for programs for outreach and education under subsection (d);
''(7) to fund the motor carrier safety facility working capital fund established under subsection (c);
''(8) for other operating expenses;
''(9) to conduct safety reviews of new operators; and
''(10) for such other expenses as may from time to time become necessary to implement statutory mandates of the Federal Motor Carrier Safety Administration not funded from other sources.

''(c) MOTOR CARRIER SAFETY FACILITY WORKING CAPITAL FUND.—

''(1) IN GENERAL.—The Secretary may establish a motor carrier safety facility working capital fund.

''(2) PURPOSE.—Amounts in the fund shall be available for modernization, construction, leases, and expenses related to vacating, occupying, maintaining, and expanding motor carrier safety facilities, and associated activities.

''(3) AVAILABILITY.—Amounts in the fund shall be available without regard to fiscal year limitation.

''(4) FUNDING.—Amounts may be appropriated to the fund from the amounts made available in subsection (a).

''(5) FUND TRANSFERS.—The Secretary may transfer funds to the working capital fund from the amounts made available in subsection (a) or from other funds as identified by the Secretary.

''(d) OUTREACH AND EDUCATION PROGRAM.—

''(1) IN GENERAL.—The Secretary may conduct, through any combination of grants, contracts, cooperative agreements, or other activities, an internal and external outreach and education program to be administered by the Administrator of the Federal Motor Carrier Safety Administration.

''(2) FEDERAL SHARE.—The Federal share of an outreach and education program for which a grant, contract, or cooperative agreement is made under this subsection may be up to 100 percent of the cost of the grant, contract, or cooperative agreement.

''(3) FUNDING.—From amounts made available in subsection (a), the Secretary shall make available such sums as are necessary to carry out this subsection each fiscal year.

''(e) CONTRACT AUTHORITY; INITIAL DATE OF AVAILABILITY.—Amounts authorized from the Highway Trust Fund by this section shall be available for obligation on the date of their apportionment or allocation or on October 1 of the fiscal year for which they are authorized, whichever occurs first.

''(f) FUNDING AVAILABILITY.—Amounts made available under this section shall remain available until expended.

''(g) CONTRACTUAL OBLIGATION.—The approval of funds by the Secretary under this section is a contractual obligation of the Federal Government for payment of the Federal Government's share of costs.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) ADMINISTRATIVE EXPENSES; AUTHORIZATION OF APPROPRIATIONS.—Section 31104 is amended—

(A) by striking subsection (i); and

(B) by redesignating subsections (j) and (k) and subsections (i) and (j), respectively.

(2) USE OF AMOUNTS MADE AVAILABLE UNDER SUBSECTION (I).—Section 4116(d) of SAFETEA-LU (49 U.S.C. 31104 note) is amended by striking ''section 31104(i)'' and inserting ''section 31110''.

(3) INTERNAL COOPERATION.—Section 31161 is amended by striking ''31104(i)'' and inserting ''31110''.

(4) SAFETEA-LU; OUTREACH AND EDUCATION.—Section 4127 of SAFETEA-LU (119 Stat. 1741; Public Law 109–59) is repealed.

(5) TABLE OF CONTENTS.—The table of contents of subchapter I of chapter 311 is amended by adding at the end the following:

''31110. Authorization of appropriations.''.

SEC. 32506. COMMERCIAL DRIVER'S LICENSE PROGRAM IMPLEMENTATION.

(a) IN GENERAL.—Section 31313 is amended to read as follows:

''§ 31313. Commercial driver's license program implementation financial assistance program

''(a) IN GENERAL.—The Secretary of Transportation shall administer a financial assistance program for commercial driver's license program implementation for the purposes described in paragraphs (1) and (2).

''(1) STATE COMMERCIAL DRIVER'S LICENSE PROGRAM IMPLEMENTATION GRANTS.—The Secretary of Transportation may make a grant to a State agency in a fiscal year—

''(A) to comply with the requirements of section 31311;

''(B) in the case of a State that is making a good faith effort toward substantial compliance with the requirements of section 31311, to improve its implementation of its commercial driver's license program, including expenses—

''(i) for computer hardware and software;
''(ii) for publications, testing, personnel, training, and quality control;
''(iii) for commercial driver's license program coordinators; and
''(iv) to implement or maintain a system to notify an employer of an operator of a commercial motor vehicle of the suspension or revocation of the operator's commercial driver's license consistent with the standards developed under section 32303(b) of the Commercial Motor Vehicle Safety Enhancement Act of 2012 (49 U.S.C. 31304 note).

''(2) PRIORITY ACTIVITIES.—The Secretary may make a grant or cooperative agreement in a fiscal year to a State agency, local government, or any person for research, development or testing, demonstration projects, public education, or other special activities and projects relating to commercial driver's licensing and motor vehicle safety that—

''(A) benefit all jurisdictions of the United States;
''(B) address national safety concerns and circumstances;
''(C) address emerging issues relating to commercial driver's license improvements;
''(D) support innovative ideas and solutions to commercial driver's license program issues; or
''(E) address other commercial driver's license issues, as determined by the Secretary.

''(b) PROHIBITIONS.—A recipient may not use financial assistance funds awarded under this section to rent, lease, or buy land or buildings.

''(c) REPORT.—The Secretary shall issue an annual report on the activities carried out under this section.

''(d) APPORTIONMENT.—All amounts made available to carry out this section for a fiscal year shall be apportioned to a State or recipient described in subsection (a)(2) according to criteria prescribed by the Secretary.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—The table of contents of chapter 313 is amended by striking the item relating to section 31313 and inserting the following:

''31313. Commercial driver's license program implementation financial assistance program.''.

SEC. 32507. EXTENSION OF FEDERAL MOTOR CARRIER SAFETY PROGRAMS FOR FISCAL YEAR 2016.

(a) MOTOR CARRIER SAFETY ASSISTANCE PROGRAM GRANT EXTENSION.—Section 31104(a) is amended—

(1) in the matter preceding paragraph (1), by inserting ''and, for fiscal year 2016, sections 31102, 31107, and 31109 of this title and section 4128 of SAFETEA-LU (49 U.S.C. 31100 note)'' after ''31102'';

(2) in paragraph (9), by striking ''and'' at the end; and

(3) by striking paragraph (10) and inserting the following:

''(10) $218,000,000 for fiscal year 2015; and
''(11) '$259,000,000 for fiscal year 2016.''.

(b) EXTENSION OF GRANT PROGRAMS.—Section 4101(c) SAFETEA-LU (119 Stat. 1715; Public Law 109–59), is amended to read as follows:

''(c) GRANT PROGRAMS FUNDING.—There are authorized to be appropriated from the Highway Trust Fund the following sums for the following Federal Motor Carrier Safety Administration programs:

''(1) COMMERCIAL DRIVER'S LICENSE PROGRAM IMPROVEMENT GRANTS.—For carrying out the commercial driver's license program improvement grants program under section 31313 of title 49, United States Code, $30,000,000 for fiscal year 2016.

''(2) BORDER ENFORCEMENT GRANTS.—From amounts made available under section 31104(a) of title 49, United States Code, for border enforcement grants under section 31107 of that title, $32,000,000 for fiscal year 2016.

''(3) PERFORMANCE AND REGISTRATION INFORMATION SYSTEMS MANAGEMENT GRANT PROGRAMS.—From amounts made available under section 31104(a) of title 49, United States Code, for the performance and registration information systems management grant program under section 31109 of that title, $5,000,000 for fiscal year 2016.

''(4) COMMERCIAL VEHICLE INFORMATION SYSTEMS AND NETWORKS DEPLOYMENT.—For carrying out the commercial vehicle information systems and networks deployment program under section 4126 of this Act (the innovative technology deployment program), $25,000,000, for fiscal year 2016.

''(5) SAFETY DATA IMPROVEMENT GRANTS.—From amounts made available under section 31104(a) of title 49, United States Code, for safety data improvement grants under section 4128 of this Act, $3,000,000 for fiscal year 2016.''.

(c) HIGH-PRIORITY ACTIVITIES.—Section 31104(j)(2), as redesignated by section 32505 of this Act is amended by striking ''2015'' and inserting ''2016''.

(d) NEW ENTRANT AUDITS.—Section 31144(g)(5)(B) is amended to read as follows:

''(B) SET ASIDE.—The Secretary shall set aside from amounts made available by section 31104(a) up to $32,000,000 for fiscal year 2016 for audits of new entrant motor carriers conducted under this paragraph.''.

(e) GRANT PROGRAM FOR COMMERCIAL MOTOR VEHICLE OPERATORS.—Section 4134(c) of SAFETEA-LU (49 U.S.C. 31301 note) is amended to read as follows:

''(c) FUNDING.—From amounts made available under section 31110 of title 49, United States Code, the Secretary shall make available, $1,000,000 for fiscal year 2016 to carry out the commercial motor vehicle operators grant program.''.

(f) COMMERCIAL VEHICLE INFORMATION SYSTEMS AND NETWORKS DEPLOYMENT.—

(1) IN GENERAL.—Section 4126 of SAFETEA-LU (49 U.S.C. 31106 note; 119 Stat. 1738; Public Law 109–59) is amended—

(A) in subsection (c)—

(i) in paragraph (2), by adding at the end the following: ''Funds deobligated by the Secretary from previous year grants shall not be counted towards the $2,500,000 maximum aggregate amount for core deployment.''; and

(ii) in paragraph (3), by adding at the end the following: ''Funds may also be used for planning activities, including the development or updating of program or top level design plans.''; and

(B) in subsection (d)(4), by adding at the end the following: ''Funds may also be used for planning activities, including the development or updating of program or top level design plans.''.

(2) INNOVATIVE TECHNOLOGY DEPLOYMENT PROGRAM.—For fiscal year 2016, the commercial vehicle information systems and networks deployment program under section 4126 of SAFETEA-LU (119 Stat. 1738; Public Law 109—59) may also be referred to as the innovative technology deployment program.

SEC. 32508. MOTOR CARRIER SAFETY ASSISTANCE PROGRAM ALLOCATION.

(a) WORKING GROUP.—

(1) ESTABLISHMENT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish a motor carrier safety assistance program formula working group (referred to in this section as the ''working group''.

(2) MEMBERSHIP.—

(A) IN GENERAL.—Subject to subparagraph (B), the working group shall consist of representatives of the following:

(i) The Federal Motor Carrier Safety Administration.

(ii) The lead State commercial motor vehicle safety agencies responsible for administering the plan required by section 31102 of title 49, United States Code.

(iii) An organization representing State agencies responsible for enforcing a program for inspection of commercial motor vehicles.

(iv) Such other persons as the Secretary considers necessary.

(B) COMPOSITION.—Representatives of State commercial motor vehicle safety agencies shall comprise at least 51 percent of the membership.

(3) NEW ALLOCATION FORMULA.—The working group shall analyze requirements and factors for a new motor carrier safety assistance program allocation formula.

(4) RECOMMENDATION.—Not later than 1 year after the date the working group is established under paragraph (1), the working group shall make a recommendation to the Secretary regarding a new Motor Carrier Safety Assistance Program allocation formula.

(5) FACA EXEMPTION.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the working group established under this subsection.

(6) PUBLICATION.—The Administrator of the Federal Motor Carrier Safety Administration shall publish on a public website summaries of its meetings, and the final recommendation provided to the Secretary.

(b) NOTICE OF PROPOSED RULEMAKING.—After receiving the recommendation under subsection (a)(4), the Secretary shall publish in the Federal Register a notice seeking public comment on a new allocation formula for the motor carrier safety assistance program under section 31102 of title 49, United States Code.

(c) BASIS FOR FORMULA.—The Secretary shall ensure that the new allocation formula is based on factors that reflect, at a minimum—

(1) the relative needs of the States to comply with section 31102 of title 49, United States Code;

(2) the relative administrative capacities of and challenges faced by States in complying with section 31102 of title 49, United States Code;

(3) the average of each State's new entrant motor carrier inventory for the 3-year period prior to the date of enactment of this Act;

(4) the number of international border inspection facilities and border crossings by commercial vehicles in each State; and

(5) any other factors the Secretary considers appropriate.

(d) FUNDING AMOUNTS PRIOR TO DEVELOPMENT OF A NEW ALLOCATION FORMULA.—

(1) INTERIM FORMULA.—Prior to the development of the new allocation formula, the Secretary may calculate the interim funding amounts for the motor carrier safety assistance program in fiscal year 2017 (and later fiscal years, as necessary) under section 31104(a)(1) of title 49, United States Code, as amended by section 32502 of this Act, by the following methodology:

(A) The Secretary shall calculate the funding amount using the allocation formula the Secretary used to award motor carrier safety assistance program funding in fiscal year 2016 under section 2507 of this Act.

(B) The Secretary shall average the funding awarded or other equitable amounts to a State in fiscal years 2013, 2014, and 2015 for border enforcement grants awarded under section 32603(c) of MAP-21 (126 Stat. 807; Public Law 112—141) and new entrant audit grants awarded under that section, or other equitable amounts.

(C) The Secretary shall add the amounts calculated in subparagraphs (A) and (B).

(2) ADJUSTMENTS.—Subject to the availability of funding and notwithstanding fluctuations in the data elements used by the Secretary, the initial amounts resulting from the calculation described in paragraph (1) shall be adjusted to ensure that, for each State, the amount shall not be less than 97 percent of the average amount of funding received or other equitable amounts in fiscal years 2013, 2014, and 2015 for—

(A) motor carrier safety assistance program funds awarded under section 32603(a) of MAP-21 (126 Stat. 807; Public Law 112–141);

(B) border enforcement grants awarded under section 32603(a) of MAP-21 (126 Stat. 807; Public Law 112–141); and

(C) new entrant audit grants awarded under section 32603(a) of MAP-21 (126 Stat. 807; Public Law 112–141).

(3) IMMEDIATE RELIEF.—In developing the new allocation formula, the Secretary shall provide immediate relief for at least 3 fiscal years to all States currently subject to the withholding provisions of Motor Carrier Safety Assistance Program funds for matters of noncompliance.

(4) FUTURE WITHHOLDINGS.—Beginning on the date that the new allocation formula is implemented, the Secretary shall impose all future withholdings in accordance with section 31102(k) of title 49, United States Code, as amended by section 32502 of this Act.

(e) TERMINATION OF EFFECTIVENESS.—This section expires upon the implementation of a new Motor Carrier Safety Assistance Program Allocation Formula.

SEC. 32509. MAINTENANCE OF EFFORT CALCULATION.

(a) BEFORE NEW ALLOCATION FORMULA.—

(1) FISCAL YEAR 2017.—If a new allocation formula has not been established for fiscal year 2017, then, for fiscal year 2017, the Secretary of Transportation shall calculate the maintenance of effort required under section 31102(f) of title 49, United States Code, as amended by section 32502 of this Act, by averaging the expenditures for fiscal years 2004 and 2005 required by section 32601(a)(5) of MAP-21 (Public Law 112—141), as that section was in effect on the day before the date of enactment of this Act.

(2) SUBSEQUENT FISCAL YEARS.—The Secretary may use the methodology for calculating the maintenance of effort for fiscal year 2017 and each fiscal year thereafter if a new allocation formula has not been established.

(b) BEGINNING WITH NEW ALLOCATION FORMATION.—

(1) IN GENERAL.—Subject to paragraphs (2) and (3)(B), beginning on the date that a new allocation formula is established under section 2508, upon the request of a State, the

Secretary may modify the baseline maintenance of effort required by section 31102(e) of title 49, United States Code, as amended by section 32502 of this Act, for the purpose of establishing a new baseline maintenance of effort if the Secretary determines that a waiver or modification—

(A) is equitable due to reasonable circumstances;

(B) will ensure the continuation of commercial motor vehicle enforcement activities in the State; and

(C) is necessary to ensure that the total amount of State maintenance of effort and matching expenditures required under sections 31102 and 31104 of title 49, United States Code, as amended by section 32502 of this Act, does not exceed a sum greater than the average of the total amount of State maintenance of effort and matching expenditures for the 3 fiscal years prior to the date of enactment of this Act.

(2) ADJUSTMENT METHODOLOGY.—If requested by a State, the Secretary may modify the maintenance of effort baseline according to the following methodology:

(A) The Secretary shall establish the maintenance of effort using the average of fiscal years 2004 and 2005, as required by section 32601(a)(5) of MAP-21 (Public Law 112—141).

(B) The Secretary shall calculate the average required match by a lead State commercial motor vehicle safety agency for fiscal years 2013, 2014, and 2015 for motor carrier safety assistance grants established at 20 percent by section 31103 of title 49, United States Code, as that section was in effect on the day before the date of enactment of this Act.

(C) The Secretary shall calculate the estimated match required under section 31104(b) of title 49, United States Code, as amended by section 32502 of this Act.

(D) The Secretary will subtract the amount in subparagraph (B) from the amount in subparagraph (C) and—

(i) if the number is greater than 0, then the Secretary shall subtract the number from the amount in subparagraph (A); or

(ii) if the number is not greater than 0, then the Secretary shall calculate the maintenance of effort using the methodology in subparagraph (A).

(3) MAINTENANCE OF EFFORT AMOUNT.—

(A) IN GENERAL.—The Secretary shall use the amount calculated in paragraph (2) as the baseline maintenance of effort required in section 31102(f) of title 49, United States Code, as amended by section 32502 of this Act.

(B) DEADLINE.—If a State does not request a waiver or modification under this subsection before September 30 during the first fiscal year that the Secretary implements the new allocation formula under section 32508, the Secretary shall calculate the maintenance of effort using the methodology in paragraph (2)(A) of this subsection.

(4) MAINTENANCE OF EFFORT DESCRIBED.—The maintenance of effort calculated under this section is the amount required under section 31102(f) of title 49, United States Code, as amended by section 32502 of this Act.

(c) TERMINATION OF EFFECTIVENESS.—The authority under this section terminates effective on the date that the new maintenance of effort is calculated based on the new allocation formula implemented under section 32508.

Subtitle F—Miscellaneous Provisions

SEC. 32601. WINDSHIELD TECHNOLOGY.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall revise the regulations in section 393.60(e) of title 49, Code of Federal Regulations (relating to the prohibition on obstructions to the driver's field of view) to exempt from that section the voluntary mounting on a windshield of vehicle safety technology likely to achieve a level of safety that is equivalent to or greater than the level of safety that would be achieved absent the exemption.

(b) DEFINITION OF VEHICLE SAFETY TECHNOLOGY.—In this section, ''vehicle safety technology'' includes fleet-related incident management system, performance or behavior management system, speed management system, lane departure warning system, forward collision warning or mitigation system, active cruise control system, and any other technology that the Secretary considers applicable.

(c) RULE OF CONSTRUCTION.—For purposes of this section, any windshield mounted technology with a short term exemption under part 381 of title 49, Code of Federal Regulations, on the day before the date of enactment of this Act, shall be considered likely to achieve a level of safety that is equivalent to or greater than the level of safety that would be achieved absent an exemption under subsection (a).

SEC. 32602. ELECTRONIC LOGGING DEVICES REQUIREMENTS.

Section 31137(b) is amended—

(1) in paragraph (1)(C), by striking ''apply to'' and inserting ''except as provided in paragraph (3), apply to''; and

(2) by adding at the end the following:

''(3) EXCEPTION.—A motor carrier, when transporting a motor home or recreation vehicle trailer within the definition of 'driveaway-towaway operation' (as defined in section 390.5 of title 49, Code of Federal Regulations) may comply with the hours of service requirements by requiring each driver to use—

''(A) a paper record of duty status form; or

''(B) an electronic logging device.''.

SEC. 32603. LAPSE OF REQUIRED FINANCIAL SECURITY; SUSPENSION OF REGISTRATION.

Section 13906(e) is amended by inserting ''or suspend'' after ''revoke''.

SEC. 32604. ACCESS TO NATIONAL DRIVER REGISTER.

Section 30305(b) is amended by adding at the end the following:

''(13) The Administrator of the Federal Motor Carrier Safety Administration may request the chief driver licensing official of a State to provide information under subsection (a) of this section about an individual in connection with a safety investigation under the Administrator's jurisdiction.''.

SEC. 32605. STUDY ON COMMERCIAL MOTOR VEHICLE DRIVER COMMUTING.

(a) EFFECTS OF COMMUTING.—The Administrator of the Federal Motor Carrier Safety Administration shall conduct a study of the effects of motor carrier operator commutes exceeding 150 minutes commuting time on safety and commercial motor vehicle driver fatigue.

(b) STUDY.—In conducting the study, the Administrator shall consider—

(1) the prevalence of driver commuting in the commercial motor vehicle industry, including the number and percentage of drivers who commute;

(2) the distances traveled, time zones crossed, time spent commuting, and methods of transportation used;

(3) research on the impact of excessive commuting on safety and commercial motor vehicle driver fatigue;

(4) the commuting practices of commercial motor vehicle drivers and policies of motor carriers;

(5) the Federal Motor Carrier Safety Administration regulations, policies, and guidance regarding driver commuting; and

(6) any other matters the Administrator considers appropriate.

(c) REPORT.—Not later than 18 months after the date of enactment of this Act, the Administrator shall submit to Congress a report containing the findings under the study and any recommendations for legislative action concerning driver commuting.

SEC. 32606. HOUSEHOLD GOODS CONSUMER PROTECTION WORKING GROUP.

(a) WORKING GROUP.—The Secretary shall establish a working group for the purpose of developing recommendations on how to best convey to inexperienced consumers the information such consumers need to know with respect to the Federal laws concerning the interstate transportation of household goods by motor carrier.

(b) MEMBERSHIP.—The Secretary shall ensure that the working group is comprised of individuals with expertise in consumer affairs, educators with expertise in how people learn most effectively, and representatives of the household goods moving industry.

(c) RECOMMENDATIONS.—

(1) CONTENTS.—The recommendations developed by the working group shall include, at a minimum, recommendations on—

(A) condensing publication ESA 03005 of the Federal Motor Carrier Safety Administration into a format that is more easily used by consumers;

(B) using state-of-the-art education techniques and technologies, including optimizing the use of the Internet as an educational tool; and

(C) reducing and simplifying the paperwork required of motor carriers and shippers in interstate transportation.

(2) DEADLINE.—Not later than one year after the date of enactment of this Act, the working group shall make the recommendations described in paragraph (1) which the Secretary shall publish on a public website.

(d) REPORT.—Not later than 1 year after the date on which the working group makes its recommendations, the Secretary shall issue a report to Congress on the implementation of such recommendations.

(e) FEDERAL ADVISORY COMMITTEE ACT EXEMPTION.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the working group established under this section.

(f) TERMINATION.—The working group shall terminate 2 years after the date of enactment of this Act.

SEC. 32607. INTERSTATE VAN OPERATIONS.

Section 4136 of SAFETEA-LU (Public Law 109–59; 119 Stat. 1745; 49 U.S.C. 3116 note) is amended by inserting ''with the exception of commuter vanpool operations, which shall remain exempt'' before the period at the end.

SEC. 32608. REPORT ON DESIGN AND IMPLEMENTATION OF WIRELESS ROADSIDE INSPECTION SYSTEMS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report regarding the design, development, testing, and implementation of wireless roadside inspection systems.

(b) ELEMENTS.—The report required under subsection (a) shall include a determination as to whether wireless roadside inspection systems—

(1) conflict with existing non-Federal electronic screening systems, or create capabilities already available;

(2) require additional statutory authority to incorporate generated inspection data into the safety measurement system or the safety fitness determinations program; and

(3) provide appropriate restrictions to specifically address privacy concerns of affected motor carriers and operators.

SEC. 32609. MOTORCOACH HOURS OF SERVICE STUDY.

(a) REQUIREMENT BEFORE IMPLEMENTING NEW RULES.—

(1) IN GENERAL.—The Secretary may not amend, adjust, or revise the driver hours of service regulations for motor carriers of passengers, by rulemaking or any other means, until the Secretary conducts a formal study that properly accounts for operational differences and variances in crash data for drivers in intercity motorcoach service and interstate property carrier operations and between segments of the intercity motorcoach industry.

(2) CONTENTS.—The study required under paragraph (1) shall include—

(A) the impact of the current hours of service regulations for motor carriers of passengers on fostering safe operation of intercity motorcoaches;

(B) the separation of the failures of the current passenger carrier hours-of-service regulations and the lack of enforcement of the current regulations by Federal and State agencies;

(C) the correlation of noncompliance with current passenger carrier hours of service rule to passenger carrier accidents using data from 2000 through 2013; and

(D) how passenger carrier crashes could have been mitigated by any changes to passenger carrier hours of service rules.

(b) EMERGENCY REGULATIONS.—Nothing in this section may be construed to affect the Secretary's existing authority to provide relief from the hours of service regulations in the event of an emergency under section 390.232 of title 49, Code of Federal Regulations.

SEC. 32610. GAO REVIEW OF SCHOOL BUS SAFETY.

Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit, to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives, a review of the following:

(1) Existing Federal and State rules and guidance, as of the date of the review, concerning school bus transportation of elementary school and secondary school students engaging in home-to-school transport or other transport determined by the Comptroller General to be a routine part of kindergarten through grade 12 education, including regulations and guidance regarding driver training programs, capacity requirements, programs for special needs students, inspection standards, vehicle age requirements, best practices, and public access to inspection results and crash records.

(2) Any correlation between public or private school bus fleet operators whose vehicles are involved in an accident as defined by section 390.5 of title 49, Code of Federal Regulations, and each of the following:

(A) A failure by those same operators of State or local safety inspections.

(B) The average age or odometer readings of the school buses in the fleets of such operators.

(C) Violations of Federal laws administered by the Department of Transportation, or of State law equivalents of such laws.

(D) Violations of State or local law relating to illegal passing of a school bus.

(3) A regulatory framework comparison of public and private school bus operations.

(4) Expert recommendations on best practices for safe and reliable school bus transportation, including driver training programs, inspection standards, school bus age and odometer reading maximums for retirement, the percentage of buses in a local bus fleet needed as spare buses, and capacity levels per school bus for different age groups.

SEC. 32611. USE OF HAIR TESTING FOR PREEMPLOYMENT AND RANDOM CONTROLLED SUBSTANCES TESTS.

(a) SHORT TITLE.—This section may be cited as the ''Drug Free Commercial Driver Act of 2015''.

(b) AUTHORIZATION OF HAIR TESTING AS AN ACCEPTABLE PROCEDURE FOR PREEMPLOYMENT AND RANDOM CONTROLLED SUBSTANCE TESTS.—Section 31306 is amended—

(1) in subsection (b)(1)—

(A) by redesignating subparagraph (B) as subparagraph (C); and

(B) in subparagraph (A), by striking ''The regulations shall permit such motor carriers to conduct preemployment testing of such employees for the use of alcohol.'' and inserting the following:

''(B) The regulations prescribed under subparagraph (A) shall permit motor carriers—

''(i) to conduct preemployment testing of commercial motor vehicle operators for the use of alcohol; and

''(ii) to use hair testing as an acceptable alternative to urinalysis—

''(I) in conducting preemployment screening for the use of a controlled substance; and

''(II) in conducting random screening for the use of a controlled substance by individuals who were subject to preemployment screening.''; and

(2) in subsection (c)(2)—

(A) in subparagraph (B), by striking ''and'' at the end;

(B) in subparagraph (C), by inserting ''and'' after the semicolon; and

(C) by adding at the end the following:

''(D) laboratory protocols and cut-off levels for hair testing to detect the use of a controlled substance;''.

(c) EXEMPTION FROM MANDATORY URINALYSIS.—

(1) IN GENERAL.—Any motor carrier that demonstrates, to the satisfaction of the Administrator of the Federal Motor Carrier Safety Administration, in consultation with the Department of Health and Human Services, that it can carry out an applicable hair testing program, consistent with generally accepted industry standards, to detect the use of a controlled substance by commercial motor vehicle operators, may apply to the Administrator for an exemption from the mandatory urinalysis testing requirements set forth in subpart C of part 382 of title 49, Code of Federal Regulations until a final rule is issued implementing the amendments made by subsection (b).

(2) EVALUATION OF APPLICATIONS.—

(A) IN GENERAL.—In evaluating applications for an exemption under paragraph (1), the Administrator, in consultation with the Department of Health and Human Services, shall determine if the applicant's testing program employs procedures and protections similar to fleets that have carried out hair testing programs for at least 1 year.

(B) REQUIREMENTS.—A testing program may not receive an exemption under paragraph (1) unless the applicable testing laboratories—

(i) have obtained laboratory accreditation specific to hair testing from an accrediting body, compliant with international or other Federal standards, as appropriate, such as the College of American Pathologists; and

(ii) utilize hair testing assays that have been cleared by the Food and Drug Administration under section 510(k) of the Federal Food, Drug and Cosmetic Act (21 U.S.C. 360(k)).

(3) DEADLINE FOR DECISIONS.—Not later than 90 days after receiving an application from a motor carrier under this subsection, the Administrator, in consultation with the Secretary of Health and Human Services, shall determine whether the motor carrier is exempt from the testing requirements described in paragraph (1).

(4) REPORTING REQUIREMENT.—Any motor carrier that is granted an exemption under paragraph (1) shall submit records to the national clearinghouse established under section 31306a of title 49, United States Code, relating to all positive test results and test refusals from the hair testing program described in that paragraph.

(d) GUIDELINES FOR HAIR TESTING.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Health and Human Services shall issue scientific and technical guidelines for hair testing as a method of detecting the use of a controlled substance for purposes of section 31306 of title 49, United States Code, as amended by subsection (b). When issuing the scientific and technical guidelines, the Secretary of Health and Human Services may consider differentiating between exposure to, and usage of, various controlled substances.

(e) ANNUAL REPORT TO CONGRESS.—The Secretary shall submit an annual report to Congress that—

(1) summarizes the results of preemployment and random drug testing using both hair testing and urinalysis;

(2) evaluates the efficacy of each method; and

(3) determines which method provides the most accurate means of detecting the use of controlled substances over time.

TITLE XXXIII—HAZARDOUS MATERIALS

SEC. 33101. ENDORSEMENTS.

(a) EXCLUSIONS.—Section 5117(d)(1) is amended—

(1) in subparagraph (B), by striking ''and'' at the end;

(2) in subparagraph (C), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(D) a service vehicle (as defined in section 33101 of the Comprehensive Transportation and Consumer Protection Act of 2015) carrying diesel fuel in quantities of 3,785 liters (1,000 gallons) or less that is—

''(i) driven by a class A commercial driver's license holder who is a custom harvester, an agricultural retailer, an agricultural business employee, an agricultural cooperative employee, or an agricultural producer; and

''(ii) clearly marked with a placard reading 'Diesel Fuel'.''.

(b) HAZARDOUS MATERIALS ENDORSEMENT EXEMPTION.—The Secretary shall exempt all class A commercial driver's license holders who are custom harvesters, agricultural retailers, agricultural business employees, agricultural cooperative employees, or agricultural producers from the requirement to obtain a hazardous materials endorsement under part 383 of title 49, Code of Federal Regulations, while operating a service vehicle carrying diesel fuel in quantities of 3,785

liters (1,000 gallons) or less if the tank containing such fuel is clearly marked with a placard reading ''Diesel Fuel''.

(c) DEFINITION OF SERVICE VEHICLE.—In this section, the term ''service vehicle'' means a vehicle carrying diesel fuel that will be deductible as a profit-seeking activity—

(1) under section 162 of the Internal Revenue Code of 1986 as a business expense; or

(2) under section 212 of the Internal Revenue Code of 1986 as a production of income expense.

SEC. 33102. ENHANCED REPORTING.

Section 5121(h) is amended by striking ''transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate'' and inserting ''post on the Department of Transportation public website''.

SEC. 33103. HAZARDOUS MATERIAL INFORMATION.

(a) DERAILMENT DATA.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall revise the form for reporting a rail equipment accident or incident under section 225.21 of title 49, Code of Federal Regulations (Form FRA F 6180.54, Rail Equipment Accident/Incident Report), including to its instructions, to require additional data concerning rail cars carrying crude oil or ethanol that are involved in a reportable rail equipment accident or incident under part 225 of that title.

(2) CONTENTS.—The data under subsection (a) shall include—

(A) the number of rail cars carrying crude oil or ethanol;

(B) the number of rail cars carrying crude oil or ethanol damaged or derailed; and

(C) the number of rail cars releasing crude oil or ethanol.

(3) DIFFERENTIATION.—The data described in paragraph (2) shall be reported separately for crude oil and for ethanol.

(b) DATABASE CONNECTIVITY.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall implement information management practices to ensure that the Pipeline and Hazardous Materials Safety Administration Hazardous Materials Incident Reports Database (referred to in this section as ''Incident Reports Database'') and the Federal Railroad Administration Railroad Safety Information System contain accurate and consistent data on a reportable rail equipment accident or incident under part 225 of title 49, Code of Federal Regulations, involving the release of hazardous materials.

(2) IDENTIFIERS.—The Secretary shall ensure that the Incident Reports Database uses a searchable Federal Railroad Administration report number, or other applicable unique identifier that is linked to the Federal Railroad Safety Information System, for each reportable rail equipment accident or incident under part 225 of title 49, Code of Federal Regulations, involving the release of hazardous materials.

(c) EVALUATION.—

(1) IN GENERAL.—The Department of Transportation Inspector General shall—

(A) evaluate the accuracy of information in the Incident Reports Database, including determining whether any inaccuracies exist in—

(i) the type of hazardous materials released;

(ii) the quantity of hazardous materials released;

(iii) the location of hazardous materials released;

(iv) the damages or effects of hazardous materials released; and

(v) any other data contained in the database; and

(B) considering the requirements in subsection (b), evaluate the consistency and accuracy of data involving accidents or incidents reportable to both the Pipeline and Hazardous Materials Safety Administration and the Federal Railroad Administration, including whether the Incident Reports Database uses a searchable identifier described in subsection (b)(2).

(2) REPORT.—Not later than 18 months after the date of enactment of this Act, the Department of Transportation Inspector General shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report of the findings under subparagraphs (A) and (B) of paragraph (1) and recommendations for resolving any inconsistencies or inaccuracies.

(d) SAVINGS CLAUSE.—Nothing in this section may be construed to prohibit the Secretary from requiring other commodity-specific information for any reportable rail equipment accident or incident under part 225 of title 49, Code of Federal Regulations.

SEC. 33104. NATIONAL EMERGENCY AND DISASTER RESPONSE.

(a) PURPOSE.—Section 5101 is amended by inserting and ''and to facilitate the safe movement of hazardous materials during national emergencies'' after ''commerce''.

(b) GENERAL REGULATORY AUTHORITY.—Section 5103 is amended—

(1) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

(2) by inserting after subsection (b) the following:

''(c) FEDERALLY DECLARED DISASTER AND EMERGENCY AREAS.—The Secretary, in consultation with the Secretary of Homeland Security, may prescribe standards to facilitate the safe movement of hazardous materials into, from, and within a federally declared disaster area or a national emergency area.''.

SEC. 33105. AUTHORIZATION OF APPROPRIATIONS.

Section 5128 is amended to read as follows:

''§ 5128. Authorization of appropriations

''(a) IN GENERAL.—There are authorized to be appropriated to the Secretary to carry out this chapter (except sections 5107(e), 5108(g)(2), 5113, 5115, 5116, and 5119)—

''(1) $43,660,000 for fiscal year 2016;

''(2) $44,577,000 for fiscal year 2017;

''(3) $45,513,000 for fiscal year 2018;

''(4) $46,469,000 for fiscal year 2019;

''(5) $47,445,000 for fiscal year 2020; and

''(6) $48,441,000 for fiscal year 2021.

''(b) HAZARDOUS MATERIALS EMERGENCY PREPAREDNESS FUND.—From the Hazardous Materials Emergency Preparedness Fund established under section 5116(i), the Secretary may expend, during each of fiscal years 2016 through 2021—

''(1) $188,000 to carry out section 5115;

''(2) $21,800,000 to carry out subsections (a) and (b) of section 5116, of which not less than $13,650,000 shall be available to carry out section 5116(b);

''(3) $150,000 to carry out section 5116(f);

''(4) $625,000 to publish and distribute the Emergency Response Guidebook under section 5116(i)(3); and

''(5) $1,000,000 to carry out section 5116(j).

''(c) HAZARDOUS MATERIALS TRAINING GRANTS.—From the Hazardous Materials Emergency Preparedness Fund established pursuant to section 5116(i), the Secretary may expend $4,000,000 for each of the fiscal years 2016 through 2021 to carry out section 5107(e).

''(d) CREDITS TO APPROPRIATIONS.—

''(1) EXPENSES.—In addition to amounts otherwise made available to carry out this chapter, the Secretary may credit amounts received from a State, Indian tribe, or other public authority or private entity for expenses the Secretary incurs in providing training to the State, authority, or entity.

''(2) AVAILABILITY OF AMOUNTS.—Amounts made available under this section shall remain available until expended.''.

TITLE XXXIV—HIGHWAY AND MOTOR VEHICLE SAFETY

Subtitle A—Highway Traffic Safety

PART I—HIGHWAY SAFETY

SEC. 34101. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—The following sums are authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account):

(1) HIGHWAY SAFETY PROGRAMS.—For carrying out section 402 of title 23, United States Code—

(A) $243,526,500 for fiscal year 2016;

(B) $252,267,972 for fiscal year 2017;

(C) $261,229,288 for fiscal year 2018;

(D) $270,415,429 for fiscal year 2019;

(E) $279,831,482 for fiscal year 2020; and

(F) $289,482,646 for fiscal year 2021.

(2) HIGHWAY SAFETY RESEARCH AND DEVELOPMENT.—For carrying out section 403 of title 23, United States Code—

(A) $137,835,000 for fiscal year 2016;

(B) $140,729,535 for fiscal year 2017;

(C) $143,684,855 for fiscal year 2018;

(D) $146,702,237 for fiscal year 2019;

(E) $149,782,984 for fiscal year 2020; and

(F) $152,928,427 for fiscal year 2021.

(3) NATIONAL PRIORITY SAFETY PROGRAMS.—For carrying out section 405 of title 23, United States Code—

(A) $274,720,000 for fiscal year 2016;

(B) $277,467,200 for fiscal year 2017;

(C) $280,241,872 for fiscal year 2018;

(D) $283,044,291 for fiscal year 2019;

(E) $285,874,734 for fiscal year 2020; and

(F) $288,733,481 for fiscal year 2021.

(4) NATIONAL DRIVER REGISTER.—For the National Highway Traffic Safety Administration to carry out chapter 303 of title 49, United States Code—

(A) $5,105,000 for fiscal year 2016;

(B) $5,212,205 for fiscal year 2017;

(C) $5,321,661 for fiscal year 2018;

(D) $5,433,416 for fiscal year 2019;

(E) $5,547,518 for fiscal year 2020; and

(F) $5,664,016 for fiscal year 2021.

(5) HIGH VISIBILITY ENFORCEMENT PROGRAM.—For carrying out section 2009 of SAFETEA–LU (23 U.S.C. 402 note)—

(A) $29,290,000 for fiscal year 2016;

(B) $29,582,900 for fiscal year 2017;

(C) $29,878,729 for fiscal year 2018;

(D) $30,177,516 for fiscal year 2019;

(E) $30,479,291 for fiscal year 2020; and

(F) $30,784,084 for fiscal year 2021.

(6) ADMINISTRATIVE EXPENSES.—For administrative and related operating expenses of the National Highway Traffic Safety Administration in carrying out chapter 4 of title 23, United States Code, and this subtitle—

(A) $25,755,000 for fiscal year 2016;

(B) $26,012,550 for fiscal year 2017;

(C) $26,272,676 for fiscal year 2018;

(D) $26,535,402 for fiscal year 2019;

(E) $26,800,756 for fiscal year 2020; and

(F) $27,068,764 for fiscal year 2021.

(b) PROHIBITION ON OTHER USES.—Except as otherwise provided in chapter 4 of title 23,

United States Code, in this subtitle, and in the amendments made by this subtitle, the amounts made available from the Highway Trust Fund (other than the Mass Transit Account) for a program under such chapter—

(1) shall only be used to carry out such program; and

(2) may not be used by States or local governments for construction purposes.

(c) APPLICABILITY OF TITLE 23.—Except as otherwise provided in chapter 4 of title 23, United States Code, and in this subtitle, amounts made available under subsection (a) for fiscal years 2016 through 2021 shall be available for obligation in the same manner as if such funds were apportioned under chapter 1 of title 23, United States Code.

(d) REGULATORY AUTHORITY.—Grants awarded under this subtitle shall be in accordance with regulations issued by the Secretary.

(e) STATE MATCHING REQUIREMENTS.—If a grant awarded under this subtitle requires a State to share in the cost, the aggregate of all expenditures for highway safety activities made during any fiscal year by the State and its political subdivisions (exclusive of Federal funds) for carrying out the grant (other than planning and administration) shall be available for the purpose of crediting the State during such fiscal year for the non-Federal share of the cost of any project under this subtitle (other than planning or administration) without regard to whether such expenditures were actually made in connection with such project.

(f) GRANT APPLICATION AND DEADLINE.—To receive a grant under this subtitle, a State shall submit an application, and the Secretary shall establish a single deadline for such applications to enable the award of grants early in the next fiscal year.

(g) TRANSFERS.—Section 405(a)(1)(G) of title 23, United States Code, is amended to read as follows:

''(G) TRANSFERS.—Notwithstanding subparagraphs (A) through (F), the Secretary shall reallocate, before the last day of any fiscal year, any amounts remaining available of the amounts allocated to carry out any of the activities described in subsections (b) through (g) to increase the amount made available to carry out section 402, in order to ensure, to the maximum extent possible, that all such amounts are obligated during such fiscal year.''.

SEC. 34102. HIGHWAY SAFETY PROGRAMS.

(a) RESTRICTION.—Section 402(g) of title 23, United States Code, is amended to read as follows:

''(g) RESTRICTION.—Nothing in this section may be construed to authorize the appropriation or expenditure of funds for highway construction, maintenance, or design (other than design of safety features of highways to be incorporated into guidelines).''.

(b) USE OF FUNDS.—

(1) HIGHWAY SAFETY PROGRAMS.—Section 402(c)(2) of title 23, United States Code, is amended by inserting ''A State may provide the funds apportioned under this section to a political subdivision of a State, including Indian tribal governments.'' after ''neighboring States.''.

(2) NATIONAL PRIORITY SAFETY PROGRAMS.—Section 405(a)(1) is amended by adding at the end the following:

''(I) POLITICAL SUBDIVISIONS.—A State may provide the funds awarded under this section to a political subdivision of a State, including Indian tribal governments.''.

(c) TRACKING PROCESS.—Section 412 of title 23, United States Code, is amended by adding at the end the following:

''(f) TRACKING PROCESS.—The Secretary shall develop a process to identify and mitigate possible systemic issues across States and regional offices by reviewing oversight findings and recommended actions identified in triennial State management reviews.''.

(d) HIGHWAY SAFETY PLANS.—Section 402(k)(5)(A) of title 23, United States Code, is amended by striking ''60'' and inserting ''45''.

(e) MAINTENANCE OF EFFORT.—Section 405(a)(1)(H) of title 23, United States Code, is amended to read as follows:

''(H) MAINTENANCE OF EFFORT CERTIFICATION.—As part of the grant application required in section 402(k)(3)(F), a State receiving a grant in any fiscal year under subsection (b), subsection (c), or subsection (d) of this section shall provide certification that the lead State agency responsible for programs described in any of those sections is maintaining aggregate expenditures at or above the average level of such expenditures in the 2 fiscal years prior to the date of enactment of the Comprehensive Transportation and Consumer Protection Act of 2015.''.

SEC. 34103. GRANTS FOR ALCOHOL-IGNITION INTERLOCK LAWS AND 24–7 SOBRIETY PROGRAMS.

Section 405(d) of title 23, United States Code, is amended—

(1) in paragraph (6)—

(A) by amending the heading to read as follows: ''ADDITIONAL GRANTS.—'';

(B) in subparagraph (A), by amending the heading to read as follows: ''GRANTS TO STATES WITH ALCOHOL-IGNITION INTERLOCK LAWS.—'';

(C) by redesignating subparagraphs (B) through (D) as subparagraphs (C) through (E), respectively;

(D) by inserting after subparagraph (A), the following:

''(B) GRANTS TO STATES WITH 24–7 SOBRIETY PROGRAMS.—The Secretary shall make a separate grant under this subsection to each State that—

''(i) adopts and is enforcing a law that requires all individuals convicted of driving under the influence of alcohol or of driving while intoxicated to receive a restriction on driving privileges; and

''(ii) provides a 24–7 sobriety program.'';

(E) in subparagraph (C), as redesignated, by inserting ''and subparagraph (B)'' after ''subparagraph (A)'';

(F) in subparagraph (D), as redesignated, by inserting ''and subparagraph (B)'' after ''subparagraph (A)'';

(G) by amending subparagraph (E), as redesignated, to read as follows:

''(E) FUNDING.—

''(i) FUNDING FOR GRANTS TO STATES WITH ALCOHOL-IGNITION INTERLOCK LAWS.—Not more than 12 percent of the amounts made available to carry out this subsection in a fiscal year shall be made available by the Secretary for making grants under subparagraph (A).

''(ii) FUNDING FOR GRANTS TO STATES WITH 24–7 SOBRIETY PROGRAMS.—Not more than 3 percent of the amounts made available to carry out this subsection in a fiscal year shall be made available by the Secretary for making grants under subparagraph (B).''; and

(H) by adding at the end the following:

''(F) EXCEPTIONS.—A State alcohol-ignition interlock law under subparagraph (A) may include exceptions for the following circumstances:

''(i) The individual is required to operate an employer's motor vehicle in the course and scope of employment and the business entity that owns the vehicle is not owned or controlled by the individual.

''(ii) The individual is certified by a medical doctor as being unable to provide a deep lung breath sample for analysis by an ignition interlock device.''; and

(2) in paragraph (7)(A)—

(A) in the matter preceding clause (i)—

(i) by striking ''or a State agency'' and inserting ''or an agency with jurisdiction''; and

(ii) by inserting ''bond,'' before ''sentence'';

(B) in clause (i), by striking ''who plead guilty or'' and inserting ''who was arrested, plead guilty, or''; and

(C) in clause (ii), by inserting ''at a testing location'' after ''per day''.

SEC. 34104. REPEAT OFFENDER CRITERIA.

Section 164(a) of title 23, United States Code, is amended—

(1) by redesignating paragraphs (1) through (4) as paragraphs (2) through (5), respectively;

(2) by inserting before paragraph (2), as redesignated, the following:

''(1) 24–7 SOBRIETY PROGRAM.—The term '24–7 sobriety program' has the meaning given the term in section 405(d)(7)(A).'';

(3) in paragraph (5), as redesignated—

(A) in the matter preceding subparagraph (A), by inserting ''or combination of laws or programs'' after ''State law''; and

(B) by amending subparagraph (A) to read as follows:

''(A) receive, for a period of not less than 1 year—

''(i) a suspension of all driving privileges;

''(ii) a restriction on driving privileges that limits the individual to operating only motor vehicles with an ignition interlock device installed, unless a special exception applies;

''(iii) a restriction on driving privileges that limits the individual to operating motor vehicles only if participating in, and complying with, a 24-7 sobriety program; or

''(iv) any combination of clauses (i) through (iii);'';

(C) by striking subparagraph (B);

(D) by redesignating subparagraphs (C) and (D) as subparagraphs (B) and (C), respectively; and

(E) in subparagraph (C), as redesignated—

(i) in clause (i)—

(I) in subclause (I), by striking ''; or'' and inserting a semicolon;

(II) in subclause (II), by striking ''; and''; and inserting ''; or''; and

(III) by adding at the end the following:

''(III) the State certifies that the general practice is that such an individual will be incarcerated; and''; and

(ii) in clause (ii)—

(I) in subclause (I), by striking ''; or'' and inserting a semicolon;

(II) in subclause (II), by striking ''; and''; and inserting ''; or''; and

(III) by adding at the end the following:

''(III) the State certifies that the general practice is that such an individual will receive approximately 10 days of incarceration.''; and

(4) by adding at the end—

''(6) SPECIAL EXCEPTION.—The term 'special exception' means an exception under a State alcohol-ignition interlock law for the following circumstances:

''(A) The individual is required to operate an employer's motor vehicle in the course and scope of employment and the business entity that owns the vehicle is not owned or controlled by the individual.

''(B) The individual is certified by a medical doctor as being unable to provide a deep

lung breath sample for analysis by an ignition interlock device.''.

SEC. 34105. STUDY ON THE NATIONAL ROADSIDE SURVEY OF ALCOHOL AND DRUG USE BY DRIVERS.

Not later than 180 days after the date that the Comptroller General reviews and reports on the overall value of the National Roadside Survey to researchers and other public safety stakeholders, the differences between a National Roadside Survey site and typical law enforcement checkpoints, and the effectiveness of the National Roadside Survey methodology at protecting the privacy of the driving public, as requested by the Committee on Appropriations of the Senate on June 5, 2014 (Senate Report 113–182), the Secretary shall report to Congress on the National Highway Traffic Safety Administration's progress toward reviewing that report and implementing any recommendations made in that report.

SEC. 34106. INCREASING PUBLIC AWARENESS OF THE DANGERS OF DRUG-IMPAIRED DRIVING.

(a) ADDITIONAL ACTIONS.—The Administrator of the National Highway Traffic Safety Administration, in consultation with the White House Office of National Drug Control Policy, the Secretary of Health and Human Services, State highway safety offices, and other interested parties, as determined by the Administrator, shall identify and carry out additional actions that should be undertaken by the Administration to assist States in their efforts to increase public awareness of the dangers of drug-impaired driving, including the dangers of driving while under the influence of heroin or prescription opioids.

(b) REPORT.—Not later than 60 days after the date of enactment of this Act, the Administrator shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that describes the additional actions undertaken by the Administration pursuant to subsection (a).

SEC. 34107. IMPROVEMENT OF DATA COLLECTION ON CHILD OCCUPANTS IN VEHICLE CRASHES.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall revise the crash investigation data collection system of the National Highway Traffic Safety Administration to include the collection of the following data in connection with vehicle crashes whenever a child restraint system was in use in a vehicle involved in a crash:

(1) The type or types of child restraint systems in use during the crash in any vehicle involved in the crash, including whether a five-point harness or belt-positioning booster.

(2) If a five-point harness child restraint system was in use during the crash, whether the child restraint system was forward-facing or rear-facing in the vehicle concerned.

(b) CONSULTATION.—In implementing subsection (a), the Secretary shall work with law enforcement officials, safety advocates, the medical community, and research organizations to improve the recordation of data described in subsection (a) in police and other applicable incident reports.

(c) REPORT.—Not later than 3 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on child occupant crash data collection in the crash investigation data collection system of the National Highway Traffic Safety Administration pursuant to the revision required by subsection (a).

PART II—STOP MOTORCYCLE CHECKPOINT FUNDING ACT

SEC. 34121. SHORT TITLE.

This part may be cited as the ''Stop Motorcycle Checkpoint Funding Act''.

SEC. 34122. GRANT RESTRICTION.

Notwithstanding section 153 of title 23, United States Code, the Secretary may not provide a grant or any funds to a State, county, town, township, Indian tribe, municipality, or other local government that may be used for any program—

(1) to check helmet usage; or

(2) to create checkpoints that specifically target motorcycle operators or motorcycle passengers.

PART III—IMPROVING DRIVER SAFETY ACT OF 2015

SEC. 34131. SHORT TITLE.

This part may be cited as the ''Improving Driver Safety Act of 2015''.

SEC. 34132. DISTRACTED DRIVING INCENTIVE GRANTS.

Section 405(e) of title 23, United States Code, is amended—

(1) in paragraph (1), by inserting ''includes distracted driving issues as part of the State's driver's license examination and'' after ''any State that'';

(2) in paragraph (2)—

(A) in subparagraph (B), by striking ''and'' at the end;

(B) by amending subparagraph (C) to read as follows:

''(C) establishes a minimum fine for a violation of the statute; and''; and

(C) by adding at the end the following:

''(D) does not provide for an exception that specifically allows a driver to use a personal wireless communications device for texting while stopped in traffic.'';

(3) in paragraph (3)—

(A) by amending subparagraph (A) to read as follows:

''(A) prohibits the use of a personal wireless communications device while driving for drivers—

''(i) younger than 18 years of age; or

''(ii) in the learner's permit and intermediate license stages;''; and

(B) by striking subparagraphs (C) and (D) and inserting the following:

''(C) establishes a minimum fine for a violation of the statute; and

''(D) does not provide for an exception that specifically allows a driver to text through a personal wireless communications device while stopped in traffic.''; and

(4) in paragraph (4)—

(A) in subparagraph (B)(ii), by striking ''and'' at the end;

(B) in subparagraph (C)—

(i) by striking ''section 31152'' and inserting ''section 31136''; and

(ii) by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(D) any additional exceptions determined by the Secretary through the rulemaking process.'';

(5) by amending paragraph (6) to read as follows:

''(6) ADDITIONAL DISTRACTED DRIVING GRANTS.—

''(A) IN GENERAL.—Notwithstanding paragraph (1), the Secretary shall use up to 50 percent of the amounts available for grants under this subsection to award grants to any State that—

''(i) in fiscal year 2017—

''(I) certifies that it has enacted a basic text messaging statute that—

''(aa) is applicable to drivers of all ages; and

''(bb) makes violation of the basic text messaging statute a primary offense or secondary enforcement action as allowed by State statute; and

''(II) is otherwise ineligible for a grant under this subsection; and

''(ii) in fiscal year 2018—

''(I) meets the requirements under clause (i);

''(II) imposes fines for violations; and

''(III) has a statute that prohibits drivers who are younger than 18 years of age from using a personal wireless communications device while driving.

''(B) USE OF GRANT FUNDS.—

''(i) IN GENERAL.—Notwithstanding paragraph (5) and subject to clauses (ii) and (iii) of this subparagraph, amounts received by a State under subparagraph (A) may be used for activities related to the enforcement of distracted driving laws, including for public information and awareness purposes.

''(ii) FISCAL YEAR 2017.—In fiscal year 2017, up to 15 percent of the amounts received by a State under subparagraph (A) may be used for any eligible project or activity under section 402.

''(iii) FISCAL YEAR 2018.—In fiscal year 2018, up to 25 percent of the amounts received by a State under subparagraph (A) may be used for any eligible project or activity under section 402.''; and

(6) in paragraph (9)(A)(i), by striking '', including operation while temporarily stationary because of traffic, a traffic light or stop sign, or otherwise''.

SEC. 34133. BARRIERS TO DATA COLLECTION REPORT.

Not later than 180 days after the date of the enactment of this Act, the Administrator of the National Highway Traffic Safety Administration shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Energy and Commerce of the House of Representatives, and the Committee on Transportation and Infrastructure of the House of Representatives that—

(1) identifies any legal and technical barriers to capturing adequate data on the prevalence of the use of wireless communications devices while driving; and

(2) provides recommendations on how to address such barriers.

SEC. 34134. MINIMUM REQUIREMENTS FOR STATE GRADUATED DRIVER LICENSING INCENTIVE GRANT PROGRAM.

Section 405(g)(2) of title 23, United States Code, is amended—

(1) in subparagraph (A), by striking ''21'' and inserting ''18''; and

(2) by amending subparagraph (B) to read as follows:

''(B) LICENSING PROCESS.—A State is in compliance with the 2-stage licensing process described in this subparagraph if the State's driver's license laws include—

''(i) a learner's permit stage that—

''(I) is at least 6 months in duration;

''(II) contains a prohibition on the driver using a personal wireless communications device (as defined in subsection (e)) while driving except under an exception permitted under paragraph (4) of that subsection, and makes a violation of the prohibition a primary offense;

''(III) requires applicants to successfully pass a vision and knowledge assessment prior to receiving a learner's permit;

''(IV) requires that the driver be accompanied and supervised at all times while the driver is operating a motor vehicle by a licensed driver who is at least 21 years of age or is a State-certified driving instructor;

''(V) has a requirement that the driver—

''(aa) complete a State-certified driver education or training course; or

''(bb) obtain at least 50 hours of behind-the-wheel training, with at least 10 hours at night, with a licensed driver;

''(VI) remains in effect until the driver—

''(aa) reaches 16 years of age and enters the intermediate stage; or

''(bb) reaches 18 years of age;

''(ii) an intermediate stage that—

''(I) commences immediately after the expiration of the learner's permit stage and successful completion of a driving skills assessment;

''(II) is at least 6 months in duration;

''(III) prohibits the driver from using a personal wireless communications device (as defined in subsection (e)) while driving except under an exception permitted under paragraph (4) of that subsection, and makes a violation of the prohibition a primary offense;

''(IV) for the first 6 month of the intermediate stage, restricts driving at night between the hours of 10:00 p.m. and 5:00 a.m. when not supervised by a licensed driver 21 years of age or older, excluding transportation to work, school, religious activities, or emergencies;

''(V) prohibits the driver from operating a motor vehicle with more than 1 nonfamilial passenger younger than 21 years of age unless a licensed driver who is at least 21 years of age is in the motor vehicle; and

''(VI) remains in effect until the driver reaches 17 years of age; and

''(iii) a learner's permit and intermediate stage that require, in addition to any other penalties imposed by State law, the granting of an unrestricted driver's license be automatically delayed for any individual who, during the learner's permit or intermediate stage, is convicted of a driving-related offense during the first 6 months, including—

''(I) driving while intoxicated;

''(II) misrepresentation of the individual's age;

''(III) reckless driving;

''(IV) driving without wearing a seat belt;

''(V) speeding; or

''(VI) any other driving-related offense, as determined by the Secretary.''.

PART IV—TECHNICAL AND CONFORMING AMENDMENTS

SEC. 34141. TECHNICAL CORRECTIONS TO THE MOTOR VEHICLE AND HIGHWAY SAFETY IMPROVEMENT ACT OF 2012.

(a) HIGHWAY SAFETY PROGRAMS.—Section 402 of title 23, United States Code is amended—

(1) in subsection (b)(1)(C), by striking ''except as provided in paragraph (3),'';

(2) in subsection (b)(1)(E)—

(A) by striking ''in which a State'' and inserting ''for which a State''; and

(B) by striking ''subsection (f)'' and inserting ''subsection (k)''; and

(3) in subsection (k)(4), by striking ''paragraph (2)(A)'' and inserting ''paragraph (3)(A)''.

(b) HIGHWAY SAFETY RESEARCH AND DEVELOPMENT.—Section 403(e) of title 23, United States Code is amended by inserting ''of title 49'' after ''chapter 301''.

(c) NATIONAL PRIORITY SAFETY PROGRAMS.—Section 405 of title 23, United States Code is amended—

(1) in subsection (d)(5), by striking ''section 402(c)'' and inserting ''section 402''; and

(2) in subsection (f)(4)(A)(iv), by striking ''developed under subsection (g)''.

Subtitle B—Vehicle Safety

SEC. 34201. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—Subject to subsection (b), there is authorized to be appropriated to the Secretary to carry out chapter 301 of title 49, and part C of subtitle VI of title 49, United States Code, amounts as follows:

(1) $132,730,000 for fiscal year 2016.
(2) $135,517,330 for fiscal year 2017.
(3) $138,363,194 for fiscal year 2018.
(4) $141,268,821 for fiscal year 2019.
(5) $144,235,466 for fiscal year 2020.
(6) $147,264,411 for fiscal year 2021.

(b) ADDITIONAL AUTHORIZATION OF APPROPRIATIONS IF A CERTIFICATION IS MADE.—

(1) IN GENERAL.—In addition to the amounts authorized to be appropriated under subsection (a) to carry out chapter 301 of title 49, and part C of subtitle VI of title 49, United States Code, if the certification described in paragraph (2) is made during a fiscal year there is authorized to be appropriated to the Secretary for that purpose for that fiscal year and subsequent fiscal years an additional amount as follows:

(A) $46,270,000 for fiscal year 2016.
(B) $51,537,670 for fiscal year 2017.
(C) $57,296,336 for fiscal year 2018.
(D) $62,999,728 for fiscal year 2019.
(E) $69,837,974 for fiscal year 2020.
(F) $76,656,407 for fiscal year 2021.

(2) CERTIFICATION DESCRIBED.—The certification described in this paragraph is a certification made by the Secretary and submitted to Congress that the National Highway Traffic Safety Administration has implemented all of the recommendations in the Office of Inspector General Audit Report issued June 18, 2015 (ST-2015-063). As part of the certification, the Secretary shall review the actions the National Highway Traffic Safety Administration has taken to implement the recommendations and issue a report to Congress detailing how the recommendations were implemented. The Secretary shall not delegate or assign the responsibility under this paragraph.

SEC. 34202. INSPECTOR GENERAL RECOMMENDATIONS.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, and periodically thereafter until the completion date, the Department of Transportation Inspector General shall report to the appropriate committees of Congress on whether and what progress has been made to implement the recommendations in the Office of Inspector General Audit Report issued June 18, 2015 (ST-2015-063).

(b) IMPLEMENTATION PROGRESS.—The Administrator of the National Highway Traffic Safety Administration shall—

(1) not later than 90 days after the date of enactment of this Act, and periodically thereafter until the completion date, provide a briefing to the appropriate committees of Congress on the actions the Administrator has taken to implement the recommendations in the audit report described in subsection (a), including a plan for implementing any remaining recommendations; and

(2) not later than 1 year after the date of enactment of this Act, issue a final report to the appropriate committees of Congress on the implementation of all of the recommendations in the audit report described in subsection (a).

(c) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives.

(2) COMPLETION DATE.—The term ''completion date'' means the date that the National Highway Traffic Safety Administration has implemented all of the recommendations in the Office of Inspector General Audit Report issued June 18, 2015 (ST-2015-063).

SEC. 34203. IMPROVEMENTS IN AVAILABILITY OF RECALL INFORMATION.

(a) VEHICLE RECALL INFORMATION.—Not later than 2 years after the date of enactment of this Act, the Secretary shall implement current information technology, web design trends, and best practices that will help ensure that motor vehicle safety recall information available to the public on the Federal website is readily accessible and easy to use, including—

(1) by improving the organization, availability, readability, and functionality of the website;

(2) by accommodating high-traffic volume; and

(3) by establishing best practices for scheduling routine website maintenance.

(b) GOVERNMENT ACCOUNTABILITY OFFICE PUBLIC AWARENESS REPORT.—

(1) IN GENERAL.—The Comptroller General shall study the current use by consumers, dealers, and manufacturers of the safety recall information made available to the public, including the usability and content of the Federal and manufacturers' websites and the National Highway Traffic Safety Administration's efforts to publicize and educate consumers about safety recall information.

(2) REPORT.—Not later than 2 years after the date of enactment of this Act, the Comptroller General shall issue a report with the findings of the study under paragraph (1), including recommending any actions the Secretary can take to improve public awareness and use of the websites for safety recall information.

(c) PROMOTION OF PUBLIC AWARENESS.—Section 31301(c) of the Moving Ahead for Progress in the 21st Century Act (49 U.S.C. 30166 note) is amended to read as follows:

''(c) PROMOTION OF PUBLIC AWARENESS.—The Secretary shall improve public awareness of safety recall information made publicly available by periodically updating the method of conveying that information to consumers, dealers, and manufacturers, such as through public service announcements.''.

(d) CONSUMER GUIDANCE.—Not later than 1 year after the date of enactment of this Act, the Secretary shall make available to the public on the Internet detailed guidance for consumers submitting safety complaints, including—

(1) a detailed explanation of what information a consumer should include in a complaint; and

(2) a detailed explanation of the possible actions the National Highway Traffic Safety Administration can take to address a complaint and respond to the consumer, including information on—

(A) the consumer records, such as photographs and police reports, that could assist with an investigation; and

(B) the length of time a consumer should retain the records described in subparagraph (A).

(e) VIN SEARCH.—

(1) IN GENERAL.—The Secretary, in coordination with industry, including manufacturers and dealers, shall study—

(A) the feasibility of searching multiple vehicle identification numbers at a time to retrieve motor vehicle safety recall information; and

(B) the feasibility of making the search mechanism described under subparagraph (A) publicly available.

(2) CONSIDERATIONS.—In conducting the study under paragraph (1), the Secretary shall consider the potential costs, and potential risks to privacy and security in implementing such a search mechanism.

SEC. 34204. RECALL PROCESS.

(a) NOTIFICATION IMPROVEMENT.—

(1) IN GENERAL.—Not later than 270 days after the date of enactment of this Act, the Secretary shall prescribe a final rule revising the regulations under section 577.7 of title 49, Code of Federal Regulations, to include notification by electronic means in addition to notification by first class mail.

(2) DEFINITION OF ELECTRONIC MEANS.—In this subsection, the term ''electronic means'' includes electronic mail and may include such other means of electronic notification, such as social media or targeted online campaigns, as determined by the Secretary.

(b) NOTIFICATION BY MANUFACTURER.—Section 30118(c) is amended by inserting ''or electronic mail'' after ''certified mail''.

(c) RECALL COMPLETION RATES REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and biennially thereafter for 4 years, the Secretary shall—

(A) conduct an analysis of vehicle safety recall completion rates to assess potential actions by the National Highway Traffic Safety Administration to improve vehicle safety recall completion rates; and

(B) submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on the results of the analysis.

(2) CONTENTS.—Each report shall include—

(A) the annual recall completion rate by manufacturer, model year, component (such as brakes, fuel systems, and air bags), and vehicle type (passenger car, sport utility vehicle, passenger van, and pick-up truck) for each of the 5 years before the year the report is submitted;

(B) the methods by which the Secretary has conducted analyses of these recall completion rates to determine trends and identify risk factors associated with lower recall rates; and

(C) the actions the Secretary has planned to improve recall completion rates based on the results of this data analysis.

(d) INSPECTOR GENERAL AUDIT OF VEHICLE RECALLS.—

(1) IN GENERAL.—The Department of Transportation Inspector General shall conduct an audit of the National Highway Traffic Safety Administration's management of vehicle safety recalls.

(2) CONTENTS.—The audit shall include a determination of whether the National Highway Traffic Safety Administration—

(A) appropriately monitors recalls to ensure the appropriateness of scope and adequacy of recall completion rates and remedies;

(B) ensures manufacturers provide safe remedies, at no cost to consumers;

(C) is capable of coordinating recall remedies and processes; and

(D) can improve its policy on consumer notice to combat effects of recall fatigue.

SEC. 34205. PILOT GRANT PROGRAM FOR STATE NOTIFICATION TO CONSUMERS OF MOTOR VEHICLE RECALL STATUS.

(a) IN GENERAL.—Not later than October 1, 2016, the Secretary shall implement a 2-year pilot program to evaluate the feasibility and effectiveness of a State process for informing consumers of open motor vehicle recalls at the time of motor vehicle registration in the State.

(b) GRANTS.—To carry out this program, the Secretary may make a grant to each eligible State, but not more than 6 eligible States in total, that agrees to comply with the requirements under subsection (c). Funds made available to a State under this section shall be used by the State for the pilot program described in subsection (a).

(c) ELIGIBILITY.—To be eligible for a grant, a State shall—

(1) submit an application in such form and manner as the Secretary prescribes;

(2) agree to notify, at the time of registration, each owner or lessee of a motor vehicle presented for registration in the State of any open recall on that vehicle;

(3) provide the open motor vehicle recall information at no cost to each owner or lessee of a motor vehicle presented for registration in the State; and

(4) provide such other information as the Secretary may require.

(d) AWARDS.—In selecting an applicant for an award under this section, the Secretary shall consider the State's methodology for determining open recalls on a motor vehicle, for informing consumers of the open recalls, and for determining performance.

(e) PERFORMANCE PERIOD.—Each grant awarded under this section shall require a 2-year performance period.

(f) REPORT.—Not later than 90 days after the completion of the performance period under subsection (e), a grantee shall provide to the Secretary a report of performance containing such information as the Secretary considers necessary to evaluate the extent to which open recalls have been remedied.

(g) EVALUATION.—Not later than 180 days after the completion of the pilot program, the Secretary shall evaluate the extent to which open recalls identified have been remedied.

(h) DEFINITIONS.—In this section:

(1) CONSUMER.—The term ''consumer'' includes owner and lessee.

(2) MOTOR VEHICLE.—The term ''motor vehicle'' has the meaning given the term under section 30102(a) of title 49, United States Code.

(3) OPEN RECALL.—The term ''open recall'' means a recall for which a notification by a manufacturer has been provided under section 30119 of title 49, United States Code, and that has not been remedied under section 30120 of that title.

(4) REGISTRATION.—The term ''registration'' means the process for registering motor vehicles in the State.

(5) STATE.—The term ''State'' has the meaning given the term under section 101(a) of title 23, United States Code.

SEC. 34206. RECALL OBLIGATIONS UNDER BANKRUPTCY.

Section 30120A is amended by striking ''chapter 11 of title 11,'' and inserting ''chapter 7 or chapter 11 of title 11''.

SEC. 34207. DEALER REQUIREMENT TO CHECK FOR OPEN RECALL.

Section 30120(f) is amended—

(1) by inserting ''(1) IN GENERAL.—'' before ''A manufacturer'' and indenting appropriately;

(2) in paragraph (1), as redesignated, by striking the period at the end and inserting the following: ''if—

''(A) at the time of providing service for each of the manufacturer's motor vehicles it services, the dealer notifies the owner or the individual requesting the service of any open recall; and

''(B) the notification requirement under subparagraph (A) is specified in a franchise, operating, or other agreement between the dealer and the manufacturer.''; and

(3) by adding at the end the following:

''(2) DEFINITION OF OPEN RECALL.—In this subsection, the term 'open recall' means a recall for which a notification by a manufacturer has been provided under section 30119 and that has not been remedied under this section.''.

SEC. 34208. EXTENSION OF TIME PERIOD FOR REMEDY OF TIRE DEFECTS.

Section 30120(b) of title 49, United States Code, is amended—

(1) in paragraph (1), by striking ''60 days'' and inserting ''180 days''; and

(2) in paragraph (2), by striking ''60-day'' each place it appears and inserting ''180-day''.

SEC. 34209. RENTAL CAR SAFETY.

(a) SHORT TITLE.—This section may be cited as the ''Raechel and Jacqueline Houck Safe Rental Car Act of 2015''.

(b) DEFINITIONS.—Section 30102(a) is amended—

(1) by redesignating paragraphs (10) and (11) as paragraphs (12) and (13), respectively;

(2) by redesignating paragraphs (1) through (9) as paragraphs (2) through (10), respectively;

(3) by inserting before paragraph (2), as redesignated, the following:

''(1) 'covered rental vehicle' means a motor vehicle that—

''(A) has a gross vehicle weight rating of 10,000 pounds or less;

''(B) is rented without a driver for an initial term of less than 4 months; and

''(C) is part of a motor vehicle fleet of 5 or more motor vehicles that are used for rental purposes by a rental company.''; and

(4) by inserting after paragraph (10), as redesignated, the following:

''(11) 'rental company' means a person who—

''(A) is engaged in the business of renting covered rental vehicles; and

''(B) uses for rental purposes a motor vehicle fleet of 5 or more covered rental vehicles.''.

(c) REMEDIES FOR DEFECTS AND NONCOMPLIANCE.—Section 30120(i) is amended—

(1) in the subsection heading, by adding '', OR RENTAL'' at the end;

(2) in paragraph (1)—

(A) by striking ''(1) If notification'' and inserting the following:

''(1) IN GENERAL.—If notification'';

(B) by indenting subparagraphs (A) and (B) four ems from the left margin;

(C) by inserting ''or the manufacturer has provided to a rental company notification about a covered rental vehicle in the company's possession at the time of notification'' after ''time of notification'';

(D) by striking ''the dealer may sell or lease,'' and inserting ''the dealer or rental company may sell, lease, or rent''; and

(E) in subparagraph (A), by striking ''sale or lease'' and inserting ''sale, lease, or rental agreement'';

(3) by amending paragraph (2) to read as follows:

''(2) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed to prohibit

a dealer or rental company from offering the vehicle or equipment for sale, lease, or rent.''; and

(4) by adding at the end the following:

''(3) SPECIFIC RULES FOR RENTAL COMPANIES.—

''(A) IN GENERAL.—Except as otherwise provided under this paragraph, a rental company shall comply with the limitations on sale, lease, or rental set forth in subparagraph (C) and paragraph (1) as soon as practicable, but not later than 24 hours after the earliest receipt of the notice to owner under subsection (b) or (c) of section 30118 (including the vehicle identification number for the covered vehicle) by the rental company, whether by electronic means or first class mail.

''(B) SPECIAL RULE FOR LARGE VEHICLE FLEETS.—Notwithstanding subparagraph (A), if a rental company receives a notice to owner covering more than 5,000 motor vehicles in its fleet, the rental company shall comply with the limitations on sale, lease, or rental set forth in subparagraph (C) and paragraph (1) as soon as practicable, but not later than 48 hours after the earliest receipt of the notice to owner under subsection (b) or (c) of section 30118 (including the vehicle identification number for the covered vehicle) by the rental company, whether by electronic means or first class mail.

''(C) SPECIAL RULE FOR WHEN REMEDIES NOT IMMEDIATELY AVAILABLE.—If a notification required under subsection (b) or (c) of section 30118 indicates that the remedy for the defect or noncompliance is not immediately available and specifies actions to temporarily alter the vehicle that eliminate the safety risk posed by the defect or noncompliance, the rental company, after causing the specified actions to be performed, may rent (but may not sell or lease) the motor vehicle. Once the remedy for the rental vehicle becomes available to the rental company, the rental company may not rent the vehicle until the vehicle has been remedied, as provided in subsection (a).

''(D) INAPPLICABILITY TO JUNK AUTOMOBILES.—Notwithstanding paragraph (1), this subsection does not prohibit a rental company from selling a covered rental vehicle if such vehicle—

''(i) meets the definition of a junk automobile under section 201 of the Anti-Car Theft Act of 1992 (49 U.S.C. 30501);

''(ii) is retitled as a junk automobile pursuant to applicable State law; and

''(iii) is reported to the National Motor Vehicle Information System, if required under section 204 of such Act (49 U.S.C. 30504).''.

(d) MAKING SAFETY DEVICES AND ELEMENTS INOPERATIVE.—Section 30122(b) is amended by inserting ''rental company,'' after ''dealer,'' each place such term appears.

(e) INSPECTIONS, INVESTIGATIONS, AND RECORDS.—Section 30166 is amended—

(1) in subsection (c)(2), by striking ''or dealer'' each place such term appears and inserting ''dealer, or rental company'';

(2) in subsection (e), by striking ''or dealer'' each place such term appears and inserting ''dealer, or rental company''; and

(3) in subsection (f), by striking ''or to owners'' and inserting '', rental companies, or other owners''.

(f) RESEARCH AUTHORITY.—The Secretary of Transportation may conduct a study of—

(1) the effectiveness of the amendments made by this section; and

(2) other activities of rental companies (as defined in section 30102(a)(11) of title 49, United States Code) related to their use and disposition of motor vehicles that are the subject of a notification required under section 30118 of title 49, United States Code.

(g) STUDY.—

(1) ADDITIONAL REQUIREMENT.—Section 32206(b)(2) of the Moving Ahead for Progress in the 21st Century Act (Public Law 112–141; 126 Stat. 785) is amended—

(A) in subparagraph (E), by striking ''and'' at the end;

(B) by redesignating subparagraph (F) as subparagraph (G); and

(C) by inserting after subparagraph (E) the following:

''(F) evaluate the completion of safety recall remedies on rental trucks; and''.

(2) REPORT.—Section 32206(c) of such Act is amended—

(A) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively;

(B) by striking ''REPORT.—Not later'' and inserting the following:

''(c) REPORTS.—

''(1) INITIAL REPORT.—Not later'';

(C) in paragraph (1), by striking ''subsection (b)'' and inserting ''subparagraphs (A) through (E) and (G) of subsection (b)(2)''; and

(D) by adding at the end the following:

''(2) SAFETY RECALL REMEDY REPORT.—Not later than 1 year after the date of the enactment of the 'Raechel and Jacqueline Houck Safe Rental Car Act of 2015', the Secretary shall submit a report to the congressional committees set forth in paragraph (1) that contains—

''(A) the findings of the study conducted pursuant to subsection (b)(2)(F); and

''(B) any recommendations for legislation that the Secretary determines to be appropriate.''.

(h) PUBLIC COMMENTS.—The Secretary shall solicit comments regarding the implementation of this section from members of the public, including rental companies, consumer organizations, automobile manufacturers, and automobile dealers.

(i) RULE OF CONSTRUCTION.—Nothing in this section or the amendments made by this section—

(1) may be construed to create or increase any liability, including for loss of use, for a manufacturer as a result of having manufactured or imported a motor vehicle subject to a notification of defect or noncompliance under subsection (b) or (c) of section 30118 of title 49, United States Code; or

(2) shall supersede or otherwise affect the contractual obligations, if any, between such a manufacturer and a rental company (as defined in section 30102(a) of title 49, United States Code).

(j) RULEMAKING.—The Secretary may promulgate rules, as appropriate, to implement this section and the amendments made by this section.

(k) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date that is 180 days after the date of enactment of this Act.

SEC. 34210. INCREASE IN CIVIL PENALTIES FOR VIOLATIONS OF MOTOR VEHICLE SAFETY.

(a) INCREASE IN CIVIL PENALTIES.—Section 30165(a) is amended—

(1) in paragraph (1)—

(A) by striking ''$5,000'' and inserting ''$21,000''; and

(B) by striking ''$35,000,000'' and inserting ''$105,000,000''; and

(2) in paragraph (3)—

(A) by striking ''$5,000'' and inserting ''$21,000''; and

(B) by striking ''$35,000,000'' and inserting ''$105,000,000''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) of this section take effect on the date that the Secretary certifies to Congress that the National Highway Traffic Safety Administration has issued the final rule required by section 31203(b) of the Moving Ahead for Progress In the 21st Century Act (Public Law 112-141; 126 Stat. 758; 49 U.S.C. 30165 note).

(c) PUBLICATION OF EFFECTIVE DATE.—The Secretary shall publish notice of the effective date under subsection (b) of this section in the Federal Register.

SEC. 34211. ELECTRONIC ODOMETER DISCLOSURES.

Section 32705(g) is amended—

(1) by inserting ''(1)'' before ''Not later than'' and indenting appropriately; and

(2) by adding at the end the following:

''(2) Notwithstanding paragraph (1) and subject to paragraph (3), a State, without approval from the Secretary under subsection (d), may allow for written disclosures or notices and related matters to be provided electronically if—

''(A) in compliance with—

''(i) the requirements of subchapter 1 of chapter 96 of title 15; or

''(ii) the requirements of a State law under section 7002(a) of title 15; and

''(B) the disclosures or notices otherwise meet the requirements under this section, including appropriate authentication and security measures.

''(3) Paragraph (2) ceases to be effective on the date the regulations under paragraph (1) become effective.''.

SEC. 34212. CORPORATE RESPONSIBILITY FOR NHTSA REPORTS.

Section 30166(o) is amended—

(1) in paragraph (1), by striking ''may'' and inserting ''shall''; and

(2) by adding at the end the following:

''(3) DEADLINE.—Not later than 1 year after the date of enactment of the Comprehensive Transportation and Consumer Protection Act of 2015, the Secretary shall issue a final rule under paragraph (1).''.

SEC. 34213. DIRECT VEHICLE NOTIFICATION OF RECALLS.

(a) RECALL NOTIFICATION REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall issue a report on the feasibility of a technical system that would operate in each new motor vehicle to indicate when the vehicle is subject to an open recall.

(b) DEFINITION OF OPEN RECALL.—In this section the term ''open recall'' means a recall for which a notification by a manufacturer has been provided under section 30119 of title 49, United States Code, and that has not been remedied under section 30120 of that title.

SEC. 34214. UNATTENDED CHILDREN WARNING.

Section 31504(a) of the Moving Ahead for Progress in the 21st Century Act (49 U.S.C. 30111 note) is amended by striking ''may'' and inserting ''shall''.

SEC. 34215. TIRE PRESSURE MONITORING SYSTEM.

(a) PROPOSED RULE.—Not later than 1 year after the date of enactment of this Act, the Secretary shall publish a proposed rule that updates the standards pertaining to tire pressure monitoring systems to ensure that a tire pressure monitoring system that is installed in a new motor vehicle after the effective date of the revised standards cannot, to a level other than a safe pressure level, be—

(1) overridden;

(2) reset; or

(3) recalibrated.

(b) SAFE PRESSURE LEVEL.—For the purposes of subsection (a), the term ''safe pressure level'' shall mean a pressure level consistent with the TPMS detection requirements contained in S4.2(a) of section 571.138 of title 49, Code of Federal Regulations, or any corresponding similar regulation or ruling.

(c) FINAL RULE.—Not later than 2 years after the date of enactment of this Act, after providing the public with sufficient opportunity for notice and comment on the proposed rule published under subsection (a), the Secretary shall issue a final rule on the subject described in subsection (a).

Subtitle C—Research and Development and Vehicle Electronics

SEC. 34301. REPORT ON OPERATIONS OF THE COUNCIL FOR VEHICLE ELECTRONICS, VEHICLE SOFTWARE, AND EMERGING TECHNOLOGIES.

Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives a report regarding the operations of the Council for Vehicle Electronics, Vehicle Software, and Emerging Technologies established under section 31401 of the Moving Ahead for Progress in the 21st Century Act (49 U.S.C. 105 note). The report shall include information about the accomplishments of the Council, the role of the Council in integrating and aggregating electronic and emerging technologies expertise across the National Highway Traffic Safety Administration, the role of the Council in coordinating with other Federal agencies, and the priorities of the Council over the next 5 years.

SEC. 34302. COOPERATION WITH FOREIGN GOVERNMENTS.

(a) TITLE 49 AMENDMENT.—Section 30182(b) is amended—

(1) in paragraph (4), by striking ''; and'' and inserting a semicolon;

(2) in paragraph (5), by striking the period at the end and inserting ''; and''; and

(3) by inserting after paragraph (5) the following:

''(6) in coordination with Department of State, enter into cooperative agreements and collaborative research and development agreements with foreign governments.''.

(b) TITLE 23 AMENDMENT.—Section 403 of title 23, United States Code, is amended—

(1) in subsection (b)(2)(C), by inserting ''foreign government (in coordination with the Department of State)'' after ''institution,''; and

(2) in subsection (c)(1)(A), by inserting ''foreign governments,'' after ''local governments,''.

(c) AUDIT.—The Department of Transportation Inspector General shall conduct an audit of the Secretary of Transportation's management and oversight of cooperative agreements and collaborative research and development agreements, including any cooperative agreements between the Secretary of Transportation and foreign governments under section 30182(b)(6) of title 49, United States Code, and subsections (b)(2)(C) and (c)(1)(A) of title 23, United States Code.

Subtitle D—Miscellaneous Provisions

PART I—DRIVER PRIVACY ACT OF 2015

SEC. 34401. SHORT TITLE.

This part may be cited as the ''Driver Privacy Act of 2015''.

SEC. 34402. LIMITATIONS ON DATA RETRIEVAL FROM VEHICLE EVENT DATA RECORDERS.

(a) OWNERSHIP OF DATA.—Any data retained by an event data recorder (as defined in section 563.5 of title 49, Code of Federal Regulations), regardless of when the motor vehicle in which it is installed was manufactured, is the property of the owner, or, in the case of a leased vehicle, the lessee of the motor vehicle in which the event data recorder is installed.

(b) PRIVACY.—Data recorded or transmitted by an event data recorder described in subsection (a) may not be accessed by a person other than an owner or a lessee of the motor vehicle in which the event data recorder is installed unless—

(1) a court or other judicial or administrative authority having jurisdiction—

(A) authorizes the retrieval of the data; and

(B) to the extent that there is retrieved data, the data is subject to the standards for admission into evidence required by that court or other administrative authority;

(2) an owner or a lessee of the motor vehicle provides written, electronic, or recorded audio consent to the retrieval of the data for any purpose, including the purpose of diagnosing, servicing, or repairing the motor vehicle, or by agreeing to a subscription that describes how data will be retrieved and used;

(3) the data is retrieved pursuant to an investigation or inspection authorized under section 1131(a) or 30166 of title 49, United States Code, and the personally identifiable information of an owner or a lessee of the vehicle and the vehicle identification number is not disclosed in connection with the retrieved data, except that the vehicle identification number may be disclosed to the certifying manufacturer;

(4) the data is retrieved for the purpose of determining the need for, or facilitating, emergency medical response in response to a motor vehicle crash; or

(5) the data is retrieved for traffic safety research, and the personally identifiable information of an owner or a lessee of the vehicle and the vehicle identification number is not disclosed in connection with the retrieved data.

SEC. 34403. VEHICLE EVENT DATA RECORDER STUDY.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator of the National Highway Traffic Safety Administration shall submit to Congress a report that contains the results of a study conducted by the Administrator to determine the amount of time event data recorders installed in passenger motor vehicles should capture and record for retrieval vehicle-related data in conjunction with an event in order to provide sufficient information to investigate the cause of motor vehicle crashes.

(b) RULEMAKING.—Not later than 2 years after submitting the report required under subsection (a), the Administrator of the National Highway Traffic Safety Administration shall promulgate regulations to establish the appropriate period during which event data recorders installed in passenger motor vehicles may capture and record for retrieval vehicle-related data to the time necessary to provide accident investigators with vehicle-related information pertinent to crashes involving such motor vehicles.

PART II—SAFETY THROUGH INFORMED CONSUMERS ACT OF 2015

SEC. 34421. SHORT TITLE.

This part may be cited as the ''Safety Through Informed Consumers Act of 2015''.

SEC. 34422. PASSENGER MOTOR VEHICLE INFORMATION.

Section 32302 is amended by inserting after subsection (b) the following:

''(c) CRASH AVOIDANCE.—Not later than 1 year after the date of enactment of the Safety Through Informed Consumers Act of 2015, the Secretary shall promulgate a rule to ensure that crash avoidance information is indicated next to crashworthiness information on stickers placed on motor vehicles by their manufacturers.''.

PART III—TIRE EFFICIENCY, SAFETY, AND REGISTRATION ACT OF 2015

SEC. 34431. SHORT TITLE.

This part may be cited as the ''Tire Efficiency, Safety, and Registration Act of 2015'' or the ''TESR Act''.

SEC. 34432. TIRE FUEL EFFICIENCY MINIMUM PERFORMANCE STANDARDS.

Section 32304A is amended—

(1) in the section heading, by inserting ''**AND STANDARDS**'' after ''**CONSUMER TIRE INFORMATION**'';

(2) in subsection (a)—

(A) in the heading, by striking ''RULEMAKING'' and inserting ''CONSUMER TIRE INFORMATION''; and

(B) in paragraph (1), by inserting ''(referred to in this section as the 'Secretary')'' after ''Secretary of Transportation'';

(3) by redesignating subsections (b) through (e) as subsections (e) though (h), respectively; and

(4) by inserting after subsection (a) the following:

''(b) PROMULGATION OF REGULATIONS FOR TIRE FUEL EFFICIENCY MINIMUM PERFORMANCE STANDARDS.—

''(1) IN GENERAL.—The Secretary, after consultation with the Secretary of Energy and the Administrator of the Environmental Protection Agency, shall promulgate regulations for tire fuel efficiency minimum performance standards for—

''(A) passenger car tires with a maximum speed capability equal to or less than 149 miles per hour or 240 kilometers per hour; and

''(B) passenger car tires with a maximum speed capability greater than 149 miles per hour or 240 kilometers per hour.

''(2) TIRE FUEL EFFICIENCY MINIMUM PERFORMANCE STANDARDS.—

''(A) STANDARD BASIS AND TEST PROCEDURES.—The minimum performance standards promulgated under paragraph (1) shall be expressed in terms of the rolling resistance coefficient measured using the test procedure specified in section 575.106 of title 49, Code of Federal Regulations (as in effect on the date of enactment of this Act).

''(B) NO DISPARATE EFFECT ON HIGH PERFORMANCE TIRES.—The Secretary shall ensure that the minimum performance standards promulgated under paragraph (1) will not have a disproportionate effect on passenger car high performance tires with a maximum speed capability greater than 149 miles per hour or 240 kilometers per hour.

''(C) APPLICABILITY.—

''(i) IN GENERAL.—This subsection applies to new pneumatic tires for use on passenger cars.

''(ii) EXCEPTIONS.—This subsection does not apply to light truck tires, deep tread tires, winter-type snow tires, space-saver or temporary use spare tires, or tires with nominal rim diameters of 12 inches or less.

''(c) PROMULGATION OF REGULATIONS FOR TIRE WET TRACTION MINIMUM PERFORMANCE STANDARDS.—

''(1) IN GENERAL.—The Secretary shall promulgate regulations for tire wet traction minimum performance standards to ensure that passenger tire wet traction capability is not reduced to achieve improved tire fuel efficiency.

''(2) TIRE WET TRACTION MINIMUM PERFORMANCE STANDARDS.—

''(A) BASIS OF STANDARD.—The minimum performance standards promulgated under paragraph (1) shall be expressed in terms of peak coefficient of friction.

''(B) TEST PROCEDURES.—Any test procedure promulgated under this subsection shall be consistent with any test procedure promulgated under subsection (a).

''(C) BENCHMARKING.—The Secretary shall conduct testing to benchmark the wet traction performance of tire models available for sale in the United States as of the date of enactment of this Act to ensure that the minimum performance standards promulgated under paragraph (1) are tailored to—

''(i) tires sold in the United States; and

''(ii) the needs of consumers in the United States.

''(D) APPLICABILITY.—

''(i) IN GENERAL.—This subsection applies to new pneumatic tires for use on passenger cars.

''(ii) EXCEPTIONS.—This subsection does not apply to light truck tires, deep tread tires, winter-type snow tires, space-saver or temporary use spare tires, or tires with nominal rim diameters of 12 inches or less.

''(d) COORDINATION AMONG REGULATIONS.—

''(1) COMPATIBILITY.—The Secretary shall ensure that the test procedures and requirements promulgated under subsections (a), (b), and (c) are compatible and consistent.

''(2) COMBINED EFFECT OF RULES.—The Secretary shall evaluate the regulations promulgated under subsections (b) and (c) to ensure that compliance with the minimum performance standards promulgated under subsection (b) will not diminish wet traction performance of affected tires.

''(3) RULEMAKING DEADLINES.—The Secretary shall promulgate —

''(A) the regulations under subsections (b) and (c) not later than 24 months after the date of enactment of this Act; and

''(B) the regulations under subsection (c) not later than the date of promulgation of the regulations under subsection (b).''.

SEC. 34433. TIRE REGISTRATION BY INDEPENDENT SELLERS.

Section 30117(b) is amended by striking paragraph (3) and inserting the following:

''(3) RULEMAKING.—

''(A) IN GENERAL.—The Secretary shall initiate a rulemaking to require a distributor or dealer of tires that is not owned or controlled by a manufacturer of tires to maintain records of—

''(i) the name and address of tire purchasers and lessors and information identifying the tire that was purchased or leased; and

''(ii) any additional records the Secretary considers appropriate.

''(B) ELECTRONIC TRANSMISSION.—The rulemaking carried out under subparagraph (A) shall require a distributor or dealer of tires that is not owned or controlled by a manufacturer of tires to electronically transmit the records described in clauses (i) and (ii) of subparagraph (A) to the manufacturer of the tires or the designee of the manufacturer by secure means at no cost to tire purchasers or lessors.

''(C) SATISFACTION OF REQUIREMENTS.—A regulation promulgated under subparagraph (A) may be considered to satisfy the requirements of paragraph (2)(B).''.

SEC. 34434. TIRE RECALL DATABASE.

(a) IN GENERAL.—The Secretary shall establish a publicly available and searchable electronic database of tire recall information that is reported to the Administrator of the National Highway Traffic Safety Administration.

(b) TIRE IDENTIFICATION NUMBER.—The database established under subsection (a) shall be searchable by Tire Identification Number (TIN) and any other criteria that assists consumers in determining whether a tire is subject to a recall.

TITLE XXXV—RAILROAD REFORM, ENHANCEMENT, AND EFFICIENCY

SEC. 35001. SHORT TITLE.

This title may be cited as the ''Railroad Reform, Enhancement, and Efficiency Act''.

SEC. 35002. PASSENGER TRANSPORTATION; DEFINITIONS.

Section 24102 is amended—

(1) by redesignating paragraphs (5) through (9) as paragraphs (6) through (10), respectively;

(2) by inserting after paragraph (4), the following:

''(5) 'long-distance route' means a route described in paragraph (6)(C).'';

(3) by amending paragraph (6)(A), as redesignated, to read as follows:

''(A) the Northeast Corridor main line between Boston, Massachusetts and the Virginia Avenue interlocking in the District of Columbia, and the facilities and services used to operate and maintain that line;'';

(4) in paragraph (7), as redesignated, by striking the period at the end and inserting '', except that the term 'Northeast Corridor' for the purposes of chapter 243 means the main line between Boston, Massachusetts and the Virginia Avenue interlocking in the District of Columbia, and the facilities and services used to operate and maintain that line.''; and

(5) by adding at the end the following:

''(11) 'state-of-good-repair' means a condition in which physical assets, both individually and as a system, are—

''(A) performing at a level at least equal to that called for in their as-built or as-modified design specification during any period when the life cycle cost of maintaining the assets is lower than the cost of replacing them; and

''(B) sustained through regular maintenance and replacement programs.

''(12) 'State-supported route' means a route described in paragraph (6)(B) or paragraph (6)(D), or in section 24702(a).''.

Subtitle A—Authorization of Appropriations

SEC. 35101. AUTHORIZATION OF GRANTS TO AMTRAK.

(a) IN GENERAL.—There are authorized to be appropriated to the Secretary for the use of Amtrak for deposit into the accounts established under section 24319(a) of title 49, United States Code, the following amounts:

(1) For fiscal year 2016, $1,450,000,000.

(2) For fiscal year 2017, $1,550,000,000.

(3) For fiscal year 2018, $1,700,000,000.

(4) For fiscal year 2019, $1,900,000,000.

(b) PROJECT MANAGEMENT OVERSIGHT.—The Secretary may withhold up to one half of 1 percent of the amount appropriated under subsection (a) for the costs of management oversight of Amtrak.

(c) COMPETITION.—In administering grants to Amtrak under section 24318 of title 49, United States Code, the Secretary may withhold, from amounts that would otherwise be made available to Amtrak, such sums as are necessary from the amount appropriated under subsection (a) of this section to cover the operating subsidy described in section 24711(b)(1)(E)(ii) of title 49, United States Code.

(d) STATE-SUPPORTED ROUTE COMMITTEE.—The Secretary may withhold up to $2,000,000 from the amount appropriated in each fiscal year under subsection (a) of this section for the use of the State-Supported Route Committee established under section 24712 of title 49, United States Code.

(e) NORTHEAST CORRIDOR COMMISSION.—The Secretary may withhold up to $5,000,000 from the amount appropriated in each fiscal year under subsection (a) of this section for the use of the Northeast Corridor Commission established under section 24905 of title 49, United States Code.

SEC. 35102. NATIONAL INFRASTRUCTURE AND SAFETY INVESTMENTS.

(a) IN GENERAL.—There are authorized to be appropriated to the Secretary for grants under chapter 244 of title 49, United States Code, the following amounts:

(1) For fiscal year 2016, $350,000,000.

(2) For fiscal year 2017, $430,000,000.

(3) For fiscal year 2018, $600,000,000.

(4) For fiscal year 2019, $900,000,000.

(b) PROJECT MANAGEMENT OVERSIGHT.—The Secretary may withhold up to 1 percent from the amount appropriated under subsection (a) of this section for the costs of project management oversight of grants carried out under chapter 244 of title 49, United States Code.

SEC. 35103. AUTHORIZATION OF APPROPRIATIONS FOR NATIONAL TRANSPORTATION SAFETY BOARD RAIL INVESTIGATIONS.

(a) IN GENERAL.—Notwithstanding any other provision of law, there are authorized to be appropriated to the National Transportation Safety Board to carry out railroad accident investigations under section 1131(a)(1)(C) of title 49, United States Code, the following amounts:

(1) For fiscal year 2016, $6,300,000.

(2) For fiscal year 2017, $6,400,000.

(3) For fiscal year 2018, $6,500,000.

(4) For fiscal year 2019, $6,600,000.

(b) INVESTIGATION PERSONNEL.—Amounts appropriated under subsection (a) of this section shall be available to the National Transportation Safety Board for personnel, in regional offices and in Washington, DC, whose duties involve railroad accident investigations.

SEC. 35104. AUTHORIZATION OF APPROPRIATIONS FOR AMTRAK OFFICE OF INSPECTOR GENERAL.

There are authorized to be appropriated to the Office of Inspector General of Amtrak the following amounts:

(1) For fiscal year 2016, $20,000,000.

(2) For fiscal year 2017, $20,500,000.

(3) For fiscal year 2018, $21,000,000.

(4) For fiscal year 2019, $21,500,000.

SEC. 35105. NATIONAL COOPERATIVE RAIL RESEARCH PROGRAM.

(a) IN GENERAL.—Section 24910 is amended—

(1) in subsection (b)—

(A) in paragraph (12), by striking ''and'';

(B) in paragraph (13), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(14) to improve the overall safety of intercity passenger and freight rail operations.''; and

(2) by amending subsection (e) to read as follows:

''(e) ALLOCATION.—At least $5,000,000 of the amounts appropriated to the Secretary for a fiscal year to carry out railroad research and development programs shall be available to carry out this section.''.

Subtitle B—Amtrak Reform

SEC. 35201. AMTRAK GRANT PROCESS.

(a) REQUIREMENTS AND PROCEDURES.—Chapter 243 is amended by adding at the end the following:

"§ 24317. Costs and revenues

''(a) ALLOCATION.—Not later than 180 days after the date of enactment of the Railroad Reform, Enhancement, and Efficiency Act, Amtrak shall establish and maintain internal controls to ensure Amtrak's costs, revenues, and other compensation are appropriately and proportionally allocated to its Northeast Corridor train services or infrastructure, its State-supported routes, its long-distance routes, and its other national network activities.

''(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to limit the ability of Amtrak to enter into an agreement with 1 or more States to allocate operating and capital costs under section 209 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note).

"§ 24318. Grant process

''(a) PROCEDURES FOR GRANT REQUESTS.—Not later than 90 days after the date of enactment of the Railroad Reform, Enhancement, and Efficiency Act, the Secretary of Transportation shall establish and transmit to the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate and the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives substantive and procedural requirements, including schedules, for grant requests under this section.

''(b) GRANT REQUESTS.—Amtrak shall transmit grant requests for Federal funds appropriated to the Secretary of Transportation for the use of Amtrak to—

''(1) the Secretary; and

''(2) the Committee on Commerce, Science, and Transportation, the Committee on Appropriations, and the Committee on the Budget of the Senate and the Committee on Transportation and Infrastructure, the Committee on Appropriations, and the Committee on the Budget of the House of Representatives.

''(c) CONTENTS.—A grant request under subsection (b) shall—

''(1) describe projected operating and capital costs for the upcoming fiscal year for Northeast Corridor train services and infrastructure, Amtrak's State-supported routes, and Amtrak's long-distance routes, and Amtrak's other national network activities, as applicable, in comparison to prior fiscal year actual financial performance;

''(2) describe the capital projects to be funded, with cost estimates and an estimated timetable for completion of the projects covered by the request;

''(3) assess Amtrak's financial condition;

''(4) be displayed on Amtrak's Web site within a reasonable timeframe following its transmission under subsection (b); and

''(5) describe how the funding requested in a grant will be allocated to the accounts established under section 24319(a), considering the projected operating losses or capital costs for services and activities associated with such accounts over the time period intended to be covered by the grants.

''(d) REVIEW AND APPROVAL.—

''(1) THIRTY-DAY APPROVAL PROCESS.—

''(A) IN GENERAL.—Not later than 30 days after the date that Amtrak submits a grant request under this section, the Secretary of Transportation shall complete a review of the request and provide notice to Amtrak that—

''(i) the request is approved; or

''(ii) the request is disapproved, including the reason for the disapproval and an explanation of any incomplete or deficient items.

''(B) GRANT AGREEMENT.—If a grant request is approved, the Secretary shall enter into a grant agreement with Amtrak that allocates the grant funding to 1 of the 4 accounts established under section 24319(a).

''(2) FIFTEEN-DAY MODIFICATION PERIOD.—Not later than 15 days after the date of the notice under paragraph (1)(A)(ii), Amtrak shall submit a modified request for the Secretary's review.

''(3) MODIFIED REQUESTS.—Not later than 15 days after the date that Amtrak submits a modified request under paragraph (2), the Secretary shall either approve the modified request, or, if the Secretary finds that the request is still incomplete or deficient, the Secretary shall identify in writing to the Committee on Commerce, Science, and Transportation, the Committee on Appropriations, and the Committee on the Budget of the Senate and the Committee on Transportation and Infrastructure, the Committee on Appropriations, and the Committee on the Budget of the House of Representatives the remaining deficiencies and recommend a process for resolving the outstanding portions of the request.

''(e) PAYMENTS TO AMTRAK.—

''(1) IN GENERAL.—A grant agreement entered into under subsection (d) shall specify the operations, services, and other activities to be funded by the grant. The grant agreement shall include provisions, consistent with the requirements of this chapter, to measure Amtrak's performance and ensure accountability in delivering the operations, services, or activities to be funded by the grant.

''(2) SCHEDULE.—Except as provided in paragraph (3), in each fiscal year for which amounts are appropriated to the Secretary for the use of Amtrak, and for which the Secretary and Amtrak have entered into a grant agreement under subsection (d), the Secretary shall disburse grant funds to Amtrak on the following schedule:

''(A) 50 percent on October 1.

''(B) 25 percent on January 1.

''(C) 25 percent on April 1.

''(3) EXCEPTIONS.—The Secretary may make a payment to Amtrak of appropriated funds—

''(A) more frequently than the schedule under paragraph (2) if Amtrak, for good cause, requests more frequent payment before the end of a payment period; or

''(B) with a different frequency or in different percentage allocations in the event of a continuing resolution or in the absence of an appropriations Act for the duration of a fiscal year.

''(f) AVAILABILITY OF AMOUNTS AND EARLY APPROPRIATIONS.—Amounts appropriated to the Secretary for the use of Amtrak shall remain available until expended. Amounts for capital acquisitions and improvements may be appropriated for a fiscal year before the fiscal year in which the amounts will be obligated.

''(g) LIMITATIONS ON USE.—Amounts appropriated to the Secretary for the use of Amtrak may not be used to cross-subsidize operating losses or capital costs of commuter rail passenger or freight rail transportation.

"§ 24319. Accounts

''(a) ESTABLISHMENT OF ACCOUNTS.—Beginning not later than October 1, 2016, Amtrak, in consultation with the Secretary of Transportation, shall define and establish—

''(1) a Northeast Corridor investment account, including subaccounts for Amtrak train services and infrastructure;

''(2) a State-supported account;

''(3) a long-distance account; and

''(4) an other national network activities account.

''(b) NORTHEAST CORRIDOR INVESTMENT ACCOUNT.—

''(1) DEPOSITS.—Amtrak shall deposit in the Northeast Corridor investment account established under subsection (a)(1)—

''(A) a portion of the grant funds appropriated under the authorization in section 35101(a) of the Railroad Reform, Enhancement, and Efficiency Act, or any subsequent Act appropriating funds for the use of Amtrak, as specified in a grant agreement entered into under section 24318;

''(B) any compensation received from commuter rail passenger transportation providers for such providers' share of capital costs on the Northeast Corridor provided to Amtrak under section 24905(c);

''(C) any operating surplus of the Northeast Corridor train services or infrastructure, as allocated under section 24317; and

''(D) any other net revenue received in association with the Northeast Corridor, including freight access fees, electric propulsion, and commercial development.

''(2) USE OF NORTHEAST CORRIDOR INVESTMENT ACCOUNT.—Except as provided in subsection (f), amounts deposited in the Northeast Corridor investment account shall be made available for the use of Amtrak for its share of—

''(A) capital projects described in section 24904(a)(2)(E)(i), and developed under the planning process established under that section, to bring Northeast Corridor infrastructure to a state-of-good-repair;

''(B) capital projects described in clauses (ii) and (iv) of section 24904(a)(2)(E) that are developed under the planning process established under that section intended to increase corridor capacity, improve service reliability, and reduce travel time on the Northeast Corridor;

''(C) capital projects to improve safety and security;

''(D) capital projects to improve customer service and amenities;

''(E) acquiring, rehabilitating, manufacturing, remanufacturing, overhauling, or improving equipment and associated facilities used for intercity rail passenger transportation by Northeast Corridor train services;

''(F) retirement of principal and payment of interest on loans for capital projects described in this paragraph or for capital leases for equipment and related to the Northeast Corridor;

''(G) participation in public-private partnerships, joint ventures, and other mechanisms or arrangements that result in the completion of capital projects described in this paragraph; and

''(H) indirect, common, corporate, or other costs directly incurred by or allocated to the Northeast Corridor.

''(c) STATE-SUPPORTED ACCOUNT.—

''(1) DEPOSITS.—Amtrak shall deposit in the State-supported account established under subsection (a)(2)—

''(A) a portion of the grant funds appropriated under the authorization in section 35101(a) of the Railroad Reform, Enhancement, and Efficiency Act, or any subsequent Act appropriating funds for the use of Amtrak, as specified in a grant agreement entered into under section 24318;

''(B) any compensation received from States provided to Amtrak under section 209 of the Passenger Rail Investment and Improvement Act of 2008 (42 U.S.C. 24101 note); and

''(C) any operating surplus from its State-supported routes, as allocated under section 24317.

''(2) USE OF STATE-SUPPORTED ACCOUNT.—Except as provided in subsection (f), amounts

deposited in the State-supported account shall be made available for the use of Amtrak for capital expenses and operating costs, including indirect, common, corporate, or other costs directly incurred by or allocated to State-supported routes, of its State-supported routes and retirement of principal and payment of interest on loans or capital leases attributable to its State-supported routes.

''(d) LONG-DISTANCE ACCOUNT.—

''(1) DEPOSITS.—Amtrak shall deposit in the long-distance account established under subsection (a)(3)—

''(A) a portion of the grant funds appropriated under the authorization in section 35101(a) of the Railroad Reform, Enhancement, and Efficiency Act, or any subsequent Act appropriating funds for the use of Amtrak, as specified in a grant agreement entered into under section 24318;

''(B) any compensation received from States provided to Amtrak for costs associated with its long-distance routes; and

''(C) any operating surplus from its long-distance routes, as allocated under section 24317.

''(2) USE OF LONG-DISTANCE ACCOUNT.—Except as provided in subsection (f), amounts deposited in the long-distance account shall be made available for the use of Amtrak for capital expenses and operating costs, including indirect, common, corporate, or other costs directly incurred by or allocated to long-distance routes, of its long-distance routes and retirement of principal and payment of interest on loans or capital leases attributable to the long-distance routes.

''(e) OTHER NATIONAL NETWORK ACTIVITIES ACCOUNT.—

''(1) DEPOSITS.—Amtrak shall deposit in the other national network activities account established under subsection (a)(4)—

''(A) a portion of the grant funds appropriated under the authorization in section 35101(a) of the Railroad Reform, Enhancement, and Efficiency Act, or any subsequent Act appropriating funds for the use of Amtrak, as specified in a grant agreement entered into under section 24318;

''(B) any compensation received from States provided to Amtrak for costs associated with its other national network activities; and

''(C) any operating surplus from its other national network activities.

''(2) USE OF OTHER NATIONAL NETWORK ACTIVITIES ACCOUNT.—Except as provided in subsection (f), amounts deposited into the other national network activities account shall be made available for the use of Amtrak for capital and operating costs not allocated to the Northeast Corridor investment account, State-supported account, or long-distance account, and retirement of principal and payment of interest on loans or capital leases attributable to other national network activities.

''(f) TRANSFER AUTHORITY.—

''(1) AUTHORITY.—Amtrak may transfer any funds appropriated under the authorization in section 35101(a) of the Railroad Reform, Enhancement, and Efficiency Act, or any subsequent Act appropriating funds for the use of Amtrak for deposit into the accounts described in that section, or any surplus generated by operations, between the Northeast Corridor, State-supported, long-distance, and other national network activities accounts—

''(A) upon the expiration of 10 days after the date that Amtrak notifies the Amtrak Board of Directors, including the Secretary, of the planned transfer; and

''(B) with the approval of the Secretary.

''(2) REPORT.—Not later than 5 days after the date that Amtrak notifies the Amtrak Board of Directors of a planned transfer under paragraph (1), Amtrak shall transmit to the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate and the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives a report that includes—

''(A) the amount of the transfer; and

''(B) a detailed explanation of the reason for the transfer, including—

''(i) the effects on Amtrak services funded by the account from which the transfer is drawn, in comparison to a scenario in which no transfer was made; and

''(ii) the effects on Amtrak services funded by the account receiving the transfer, in comparison to a scenario in which no transfer was made.

''(3) NOTIFICATIONS.—

''(A) STATE-SUPPORTED ACCOUNT.—Not later than 5 days after the date that Amtrak notifies the Amtrak Board of Directors of a planned transfer under paragraph (1) of funds to or from the State-supported account, Amtrak shall transmit to each State that sponsors a State-supported route a letter that includes the information described under subparagraphs (A) and (B) of paragraph (2).

''(B) NORTHEAST CORRIDOR ACCOUNT.—Not later than 5 days after the date that Amtrak notifies the Amtrak Board of Directors of a planned transfer under paragraph (1) of funds to or from the Northeast Corridor account, Amtrak shall transmit to the Northeast Corridor Commission a letter that includes the information described under subparagraphs (A) and (B) of paragraph (2).

''(g) ENFORCEMENT.—The Secretary shall enforce the provisions of each grant agreement under section 24318(d), including any deposit into an account under this section.

''(h) LETTERS OF INTENT.—

''(1) REQUIREMENT.—The Secretary may issue a letter of intent to Amtrak announcing an intention to obligate, for a major capital project described in clauses (ii) and (iv) of section 24904(a)(2)(E), an amount from future available budget authority specified in law that is not more than the amount stipulated as the financial participation of the Secretary in the project.

''(2) NOTICE TO CONGRESS.—At least 30 days before issuing a letter under paragraph (1), the Secretary shall notify in writing the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate and the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives of the proposed letter. The Secretary shall include with the notice a copy of the proposed letter, the criteria used for selecting the project for a grant award, and a description of how the project meets the criteria under this section.

''(3) CONTINGENT NATURE OF OBLIGATION OR COMMITMENT.—An obligation or administrative commitment may be made only when amounts are appropriated. The letter of intent shall state that the contingent commitment is not an obligation of the Federal Government, and is subject to the availability of appropriations under Federal law and to Federal laws in force or enacted after the date of the contingent commitment.''.

(b) CONFORMING AMENDMENTS.—The table of contents for chapter 243 is amended by adding at the end the following:

''24317. Costs and revenues.
''24318. Grant process.
''24319. Accounts.''.

(c) REPEALS.—

(1) ESTABLISHMENT OF GRANT PROCESS.—Section 206 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note) and the item relating to that section in the table of contents of that Act are repealed.

(2) AUTHORIZATION OF APPROPRIATIONS.—Section 24104 and the item relating to that section in the table of contents of chapter 241 are repealed.

SEC. 35202. 5-YEAR BUSINESS LINE AND ASSETS PLANS.

(a) AMTRAK 5-YEAR BUSINESS LINE AND ASSET PLANS.—Chapter 243, as amended by section 35201 of this Act, is further amended by inserting after section 24319 the following:

''§ 24320. Amtrak 5-year business line and asset plans

''(a) IN GENERAL.—

''(1) FINAL PLANS.—Not later than February 15 of each year, Amtrak shall submit to Congress and the Secretary final 5-year business line plans and 5-year asset plans prepared in accordance with this section. These final plans shall form the basis for Amtrak's general and legislative annual report to the President and Congress required by section 24315(b).

''(2) FISCAL CONSTRAINT.—Each plan prepared under this section shall be based on funding levels authorized or otherwise available to Amtrak in a fiscal year. In the absence of an authorization or appropriation of funds for a fiscal year, the plans shall be based on the amount of funding available in the previous fiscal year, plus inflation. Amtrak may include an appendix to the asset plan required in subsection (c) that describes any capital funding requirements in excess of amounts authorized or otherwise available to Amtrak in a fiscal year for capital investment.

''(b) AMTRAK 5-YEAR BUSINESS LINE PLANS.—

''(1) AMTRAK BUSINESS LINES.—Amtrak shall prepare a 5-year business line plan for each of the following business lines and services:

''(A) Northeast Corridor train services.

''(B) State-supported routes operated by Amtrak.

''(C) Long-distance routes operated by Amtrak.

''(D) Ancillary services operated by Amtrak, including commuter operations and other revenue generating activities as determined by the Secretary in consultation with Amtrak.

''(2) CONTENTS OF 5-YEAR BUSINESS LINE PLANS.—The 5-year business line plan for each business line shall include, at a minimum—

''(A) a statement of Amtrak's vision, goals, and service plan for the business line, coordinated with any entities that are contributing capital or operating funding to support passenger rail services within those business lines, and aligned with Amtrak's Strategic Plan and 5-year asset plans under subsection (c);

''(B) all projected revenues and expenditures for the business line, including identification of revenues and expenditures incurred by—

''(i) passenger operations;

''(ii) non-passenger operations that are directly related to the business line; and

''(iii) governmental funding sources, including revenues and other funding received from States;

''(C) projected ridership levels for all passenger operations;

''(D) estimates of long-term and short-term debt and associated principal and interest payments (both current and forecasts);

''(E) annual profit and loss statements and forecasts and balance sheets;

''(F) annual cash flow forecasts;

''(G) a statement describing the methodologies and significant assumptions underlying estimates and forecasts;

''(H) specific performance measures that demonstrate year over year changes in the results of Amtrak's operations;

''(I) financial performance for each route within each business line, including descriptions of the cash operating loss or contribution and labor productivity for each route;

''(J) specific costs and savings estimates resulting from reform initiatives;

''(K) prior fiscal year and projected equipment reliability statistics; and

''(L) an identification and explanation of any major adjustments made from previously-approved plans.

''(3) 5-YEAR BUSINESS LINE PLANS PROCESS.—In meeting the requirements of this section, Amtrak shall—

''(A) coordinate the development of the business line plans with the Secretary;

''(B) for the Northeast Corridor business line plan, coordinate with the Northeast Corridor Commission and transmit to the Commission the final plan under subsection (a)(1), and consult with other entities, as appropriate;

''(C) for the State-supported route business line plan, coordinate with the State-Supported Route Committee established under section 24712;

''(D) for the long-distance route business line plan, coordinate with any States or Interstate Compacts that provide funding for such routes, as appropriate;

''(E) ensure that Amtrak's annual budget request to Congress is consistent with the information in the 5-year business line plans; and

''(F) identify the appropriate Amtrak officials that are responsible for each business line.

''(4) STANDARDS TO PROMOTE FINANCIAL STABILITY.—In meeting the requirements under this subsection, Amtrak shall use the categories specified in the financial accounting and reporting system developed under section 203 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note) when preparing its 5-year business line plans.

''(c) AMTRAK 5-YEAR ASSET PLANS.—

''(1) ASSET CATEGORIES.—Amtrak shall prepare a 5-year asset plan for each of the following asset categories:

''(A) Infrastructure, including all Amtrak-controlled Northeast Corridor assets and other Amtrak-owned infrastructure, and the associated facilities that support the operation, maintenance, and improvement of those assets.

''(B) Passenger rail equipment, including all Amtrak-controlled rolling stock, locomotives, and mechanical shop facilities that are used to overhaul equipment.

''(C) Stations, including all Amtrak-controlled passenger rail stations and elements of other stations for which Amtrak has legal responsibility or intends to make capital investments.

''(D) National assets, including national reservations, security, training and training centers, and other assets associated with Amtrak's national passenger rail transportation system.

''(2) CONTENTS OF 5-YEAR ASSET PLANS.—Each asset plan shall include, at a minimum—

''(A) a summary of Amtrak's 5-year strategic plan for each asset category, including goals, objectives, any relevant performance metrics, and statutory or regulatory actions affecting the assets;

''(B) an inventory of existing Amtrak capital assets, to the extent practicable, including information regarding shared use or ownership, if applicable;

''(C) a prioritized list of proposed capital investments that—

''(i) categorizes each capital project as being primarily associated with—

''(I) normalized capital replacement;

''(II) backlog capital replacement;

''(III) improvements to support service enhancements or growth;

''(IV) strategic initiatives that will improve overall operational performance, lower costs, or otherwise improve Amtrak's corporate efficiency; or

''(V) statutory, regulatory, or other legal mandates;

''(ii) identifies each project or program that is associated with more than 1 category described in clause (i); and

''(iii) describes the anticipated business outcome of each project or program identified under this subparagraph, including an assessment of—

''(I) the potential effect on passenger operations, safety, reliability, and resilience;

''(II) the potential effect on Amtrak's ability to meet regulatory requirements if the project or program is not funded; and

''(III) the benefits and costs; and

''(D) annual profit and loss statements and forecasts and balance sheets for each asset category.

''(3) 5-YEAR ASSET PLAN PROCESS.—In meeting the requirements of this subsection, Amtrak shall—

''(A) coordinate with each business line described in subsection (b)(1) in the preparation of each 5-year asset plan and ensure integration of each 5-year asset plan with the 5-year business line plans;

''(B) as applicable, coordinate with the Northeast Corridor Commission, the State-Supported Route Committee, and owners of assets affected by 5-year asset plans; and

''(C) identify the appropriate Amtrak officials that are responsible for each asset category.

''(4) EVALUATION OF NATIONAL ASSETS COSTS.—The Secretary shall—

''(A) evaluate the costs and scope of all national assets; and

''(B) determine the activities and costs that are—

''(i) required in order to ensure the efficient operations of a national passenger rail system;

''(ii) appropriate for allocation to 1 of the other Amtrak business lines; and

''(iii) extraneous to providing an efficient national passenger rail system or are too costly relative to the benefits or performance outcomes they provide.

''(5) DEFINITION OF NATIONAL ASSETS.—In this section, the term 'national assets' means the Nation's core rail assets shared among Amtrak services, including national reservations, security, training and training centers, and other assets associated with Amtrak's national passenger rail transportation system.

''(6) RESTRUCTURING OF NATIONAL ASSETS.—Not later than 1 year after the date of completion of the evaluation under paragraph (4), the Administrator of the Federal Railroad Administration, in consultation with the Amtrak Board of Directors, the governors of each relevant State, and the Mayor of the District of Columbia, or their designees, shall restructure or reallocate, or both, the national assets costs in accordance with the determination under that section, including making appropriate updates to Amtrak's cost accounting methodology and system.''.

(b) EFFECTIVE DATE.—The requirements for Amtrak to submit final 5-year business line plans and 5-year asset plans under section 24320 of title 49, United States Code, shall take effect 1 year after the date of enactment of this Act.

(c) CONFORMING AMENDMENTS.—The table of contents for chapter 243, as amended by section 35201 of this Act, is further amended by adding at the end the following:

''24320. Amtrak 5-year business line and asset plans.''.

(d) REPEAL OF 5-YEAR FINANCIAL PLAN.—Section 204 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note), and the item relating to that section in the table of contents of that Act, are repealed.

(e) IDENTIFICATION OF DUPLICATIVE REPORTING REQUIREMENTS.—Not later than 1 year after the date of enactment of this Act, the Secretary shall—

(1) review existing Amtrak reporting requirements and identify where the existing requirements are duplicative with the business line and capital plans required by section 24320 of title 49, United States Code;

(2) if the duplicative reporting requirements are administrative, the Secretary shall eliminate the duplicative requirements; and

(3) submit to Congress a report with any recommendations for repealing any other duplicative Amtrak reporting requirements.

SEC. 35203. STATE-SUPPORTED ROUTE COMMITTEE.

(a) AMENDMENT.—Chapter 247 is amended by adding at the end the following:

''§ 24712. State-supported routes operated by Amtrak

''(a) STATE-SUPPORTED ROUTE COMMITTEE.—

''(1) ESTABLISHMENT.—Not later than 180 days after the date of enactment of the Railroad Reform, Enhancement, and Efficiency Act, the Secretary of Transportation shall establish the State-Supported Route Committee (referred to in this section as the 'Committee') to promote mutual cooperation and planning pertaining to the rail operations of Amtrak and related activities of trains operated by Amtrak on State-supported routes and to further implement section 209 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note).

''(2) MEMBERSHIP.—

''(A) IN GENERAL.—The Committee shall consist of—

''(i) members representing Amtrak;

''(ii) members representing the Department of Transportation, including the Federal Railroad Administration; and

''(iii) members representing States.

''(B) NON-VOTING MEMBERS.—The Committee may invite and accept other non-voting members to participate in Committee activities, as appropriate.

''(3) DECISIONMAKING.—The Committee shall establish a bloc voting system under which, at a minimum—

''(A) there are 3 separate voting blocs to represent the Committee's voting members, including—

''(i) 1 voting bloc to represent the members described in paragraph (2)(A)(i);

''(ii) 1 voting bloc to represent the members described in paragraph (2)(A)(ii); and

''(iii) 1 voting bloc to represent the members described in paragraph (2)(A)(iii);

''(B) each voting bloc has 1 vote;

''(C) the vote of the voting bloc representing the members described in paragraph (2)(A)(iii) requires the support of at least two-thirds of that voting bloc's members; and

''(D) the Committee makes decisions by unanimous consent of the 3 voting blocs.

''(4) MEETINGS; RULES AND PROCEDURES.—The Committee shall convene a meeting and shall define and implement the rules and procedures governing the Committee's proceedings not later than 180 days after the date of establishment of the Committee by the Secretary. The rules and procedures shall—

''(A) incorporate and further describe the decisionmaking procedures to be used in accordance with paragraph (3); and

''(B) be adopted in accordance with such decisionmaking procedures.

''(5) COMMITTEE DECISIONS.—Decisions made by the Committee in accordance with the Committee's rules and procedures, once established, are binding on all Committee members.

''(6) COST ALLOCATION METHODOLOGY.—

''(A) IN GENERAL.—Subject to subparagraph (B), the Committee may amend the cost allocation methodology required and previously approved under section 209 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note).

''(B) PROCEDURES FOR CHANGING METHODOLOGY.—The rules and procedures implemented under paragraph (4) shall include procedures for changing the cost allocation methodology.

''(C) REQUIREMENTS.—The cost allocation methodology shall—

''(i) ensure equal treatment in the provision of like services of all States and groups of States; and

''(ii) allocate to each route the costs incurred only for the benefit of that route and a proportionate share, based upon factors that reasonably reflect relative use, of costs incurred for the common benefit of more than 1 route.

''(b) INVOICES AND REPORTS.—Not later than February 15, 2016, and monthly thereafter, Amtrak shall provide to each State that sponsors a State-supported route a monthly invoice of the cost of operating such route, including fixed costs and third-party costs. The Committee shall determine the frequency and contents of the financial and performance reports that Amtrak shall provide to the States, as well as the planning and demand reports that the States shall provide to Amtrak.

''(c) DISPUTE RESOLUTION.—

''(1) REQUEST FOR DISPUTE RESOLUTION.—If a dispute arises with respect to the rules and procedures implemented under subsection (a)(4), an invoice or a report provided under subsection (b), implementation or compliance with the cost allocation methodology developed under section 209 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note) or amended under subsection (a)(6) of this section, either Amtrak or the State may request that the Surface Transportation Board conduct dispute resolution under this subsection.

''(2) PROCEDURES.—The Surface Transportation Board shall establish procedures for resolution of disputes brought before it under this subsection, which may include provision of professional mediation services.

''(3) BINDING EFFECT.—A decision of the Surface Transportation Board under this subsection shall be binding on the parties to the dispute.

''(4) OBLIGATION.—Nothing in this subsection shall affect the obligation of a State to pay an amount not in dispute.

''(d) ASSISTANCE.—

''(1) IN GENERAL.—The Secretary may provide assistance to the parties in the course of negotiations for a contract for operation of a State-supported route.

''(2) FINANCIAL ASSISTANCE.—From among available funds, the Secretary shall—

''(A) provide financial assistance to Amtrak or 1 or more States to perform requested independent technical analysis of issues before the Committee; and

''(B) reimburse Members for travel expenses, including per diem in lieu of subsistence, in accordance with section 5703 of title 5.

''(e) PERFORMANCE METRICS.—In negotiating a contract for operation of a State-supported route, Amtrak and the State or States that sponsor the route shall consider including provisions that provide penalties and incentives for performance.

''(f) STATEMENT OF GOALS AND OBJECTIVES.—

''(1) IN GENERAL.—The Committee shall develop a statement of goals, objectives, and associated recommendations concerning the future of State-supported routes operated by Amtrak. The statement shall identify the roles and responsibilities of Committee members and any other relevant entities, such as host railroads, in meeting the identified goals and objectives, or carrying out the recommendations. The Committee may consult with such relevant entities, as the Committee considers appropriate, when developing the statement.

''(2) TRANSMISSION OF STATEMENT OF GOALS AND OBJECTIVES.—Not later than 2 years after the date of enactment of the Railroad Reform, Enhancement, and Efficiency Act the Committee shall transmit the statement developed under paragraph (1) to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

''(g) RULE OF CONSTRUCTION.—The decisions of the Committee—

''(1) shall pertain to the rail operations of Amtrak and related activities of trains operated by Amtrak on State-sponsored routes; and

''(2) shall not pertain to the rail operations or related activities of services operated by other rail passenger carriers on State-supported routes.

''(h) FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Committee.

''(i) DEFINITION OF STATE.—In this section, the term 'State' means any of the 50 States, the District of Columbia, or a public entity that sponsor the operation of trains by Amtrak on a State-supported route.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—The table of contents for chapter 247 is amended by adding at the end the following:

''24712. State-supported routes operated by Amtrak.''.

SEC. 35204. ROUTE AND SERVICE PLANNING DECISIONS.

Section 208 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note) is amended to read as follows:

''SEC. 208. METHODOLOGIES FOR AMTRAK ROUTE AND SERVICE PLANNING DECISIONS.

''(a) METHODOLOGY DEVELOPMENT.—Not later than 180 days after the date of enactment of the Railroad Reform, Enhancement, and Efficiency Act, as a condition of receiving a grant under section 101 of that Act, Amtrak shall obtain the services of an independent entity to develop and recommend objective methodologies for Amtrak to use in determining what intercity rail passenger transportation routes and services it should provide, including the establishment of new routes, the elimination of existing routes, and the contraction or expansion of services or frequencies over such routes.

''(b) CONSIDERATIONS.—Amtrak shall require the independent entity, in developing the methodologies described in subsection (a), to consider—

''(1) the current and expected performance and service quality of intercity rail passenger transportation operations, including cost recovery, on-time performance, ridership, on-board services, stations, facilities, equipment, and other services;

''(2) the connectivity of a route with other routes;

''(3) the transportation needs of communities and populations that are not well served by intercity rail passenger transportation service or by other forms of intercity transportation;

''(4) the methodologies of Amtrak and major intercity rail passenger transportation service providers in other countries for determining intercity passenger rail routes and services;

''(5) the financial and operational effects on the overall network, including the effects on indirect costs;

''(6) the views of States and the recommendations described in State rail plans, rail carriers that own infrastructure over which Amtrak operates, Interstate Compacts established by Congress and States, Amtrak employee representatives, stakeholder organizations, and other interested parties; and

''(7) the funding levels that will be available under authorization levels that have been enacted into law.

''(c) RECOMMENDATIONS.—Not later than 1 year after the date of enactment of the Railroad Reform, Enhancement, and Efficiency Act, Amtrak shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives recommendations developed by the independent entity under subsection (a).

''(d) CONSIDERATION OF RECOMMENDATIONS.—Not later than 90 days after the date the recommendations are transmitted under subsection (c), Amtrak shall consider the adoption of each recommendation and transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report explaining the reasons for adopting or not adopting each recommendation.''.

SEC. 35205. COMPETITION.

(a) ALTERNATE PASSENGER RAIL SERVICE PILOT PROGRAM.—Section 24711 is amended to read as follows:

''§ 24711. Alternate passenger rail service pilot program

''(a) IN GENERAL.—Not later than 18 months after the date of enactment of the Railroad Reform, Enhancement, and Efficiency Act, the Secretary of Transportation shall promulgate a rule to implement a pilot

program for competitive selection of rail carriers for long-distance routes (as defined in section 24102).

''(b) PILOT PROGRAM REQUIREMENTS.—

''(1) IN GENERAL.—The pilot program shall—

''(A) allow a party described in paragraph (2) to petition the Secretary to provide intercity rail passenger transportation over a long-distance route in lieu of Amtrak for an operations period of 4 years from the date of commencement of service by the winning bidder and, at the option of the Secretary, consistent with the rule promulgated under subsection (a), allow the contract to be renewed for an additional operations period of 4 years, but not to exceed a total of 3 operations periods;

''(B) require the Secretary to—

''(i) notify the petitioner and Amtrak of receipt of the petition under subparagraph (A) and to publish in the Federal Register a notice of receipt not later than 30 days after the date of receipt; and

''(ii) establish a deadline, of not more than 120 days after the notice of receipt is published in the Federal Register under clause (i), by which both the petitioner and Amtrak, if Amtrak chooses to do so, would be required to submit a complete bid to provide intercity rail passenger transportation over the applicable route;

''(C) require that each bid—

''(i) describe the capital needs, financial projections, and operational plans, including staffing plans, for the service, and such other factors as the Secretary considers appropriate; and

''(ii) be made available by the winning bidder to the public after the bid award;

''(D) for a route that receives funding from a State or States, require that for each bid received from a party described in paragraph (2), other than a State, the Secretary have the concurrence of the State or States that provide funding for that route;

''(E) for a winning bidder that is not or does not include Amtrak, require the Secretary to execute a contract not later than 270 days after the deadline established under subparagraph (B)(ii) and award to the winning bidder—

''(i) subject to paragraphs (3) and (4), the right and obligation to provide intercity rail passenger transportation over that route subject to such performance standards as the Secretary may require; and

''(ii) an operating subsidy, as determined by the Secretary, for—

''(I) the first year at a level that does not exceed 90 percent of the level in effect for that specific route during the fiscal year preceding the fiscal year in which the petition was received, adjusted for inflation; and

''(II) any subsequent years at the level calculated under subclause (I), adjusted for inflation; and

''(F) for a winning bidder that is or includes Amtrak, award to that bidder an operating subsidy, as determined by the Secretary, over the applicable route that will not change during the fiscal year in which the bid was submitted solely as a result of the winning bid.

''(2) ELIGIBLE PETITIONERS.—The following parties are eligible to submit petitions under paragraph (1):

''(A) A rail carrier or rail carriers that own the infrastructure over which Amtrak operates a long-distance route.

''(B) A rail passenger carrier with a written agreement with the rail carrier or rail carriers that own the infrastructure over which Amtrak operates a long-distance route and that host or would host the intercity rail passenger transportation.

''(C) A State, group of States, or State-supported joint powers authority or other sub-State governance entity responsible for provision of intercity rail passenger transportation with a written agreement with the rail carrier or rail carriers that own the infrastructure over which Amtrak operates a long-distance route and that host or would host the intercity rail passenger transportation.

''(D) A State, group of States, or State-supported joint powers authority or other sub-State governance entity responsible for provision of intercity rail passenger transportation and a rail passenger carrier with a written agreement with the rail carrier or rail carriers that own the infrastructure over which Amtrak operates a long-distance route and that host or would host the intercity rail passenger transportation.

''(3) PERFORMANCE STANDARDS.—If the winning bidder under paragraph (1)(E)(i) is not or does not include Amtrak, the performance standards shall be consistent with the performance required of or achieved by Amtrak on the applicable route during the last fiscal year.

''(4) AGREEMENT GOVERNING ACCESS ISSUES.—Unless the winning bidder already has applicable access agreements in place or includes a rail carrier that owns the infrastructure used in the operation of the route, the winning bidder under paragraph (1)(E)(i) shall enter into a written agreement governing access issues between the winning bidder and the rail carrier or rail carriers that own the infrastructure over which the winning bidder would operate and that host or would host the intercity rail passenger transportation.

''(c) ACCESS TO FACILITIES; EMPLOYEES.—If the Secretary awards the right and obligation to provide rail passenger transportation over a route under this section to an entity in lieu of Amtrak—

''(1) the Secretary shall require Amtrak to provide access to the Amtrak-owned reservation system, stations, and facilities directly related to operations of the awarded routes to the rail passenger carrier awarded a contract under this section, in accordance with subsection (g), as necessary to carry out the purposes of this section;

''(2) an employee of any person, except for a freight railroad or a person employed or contracted by a freight railroad, used by such rail passenger carrier in the operation of a route under this section shall be considered an employee of that rail passenger carrier and subject to the applicable Federal laws and regulations governing similar crafts or classes of employees of Amtrak; and

''(3) the winning bidder shall provide hiring preference to qualified Amtrak employees displaced by the award of the bid, consistent with the staffing plan submitted by the bidder, and shall be subject to the grant conditions under section 24405.

''(d) CESSATION OF SERVICE.—If a rail passenger carrier awarded a route under this section ceases to operate the service or fails to fulfill an obligation under the contract required under subsection (b)(1)(E), the Secretary shall take any necessary action consistent with this title to enforce the contract and ensure the continued provision of service, including—

''(1) the installment of an interim rail passenger carrier;

''(2) providing to the interim rail passenger carrier under paragraph (1) an operating subsidy necessary to provide service; and

''(3) rebidding the contract to operate the rail passenger transportation.

''(e) BUDGET AUTHORITY.—

''(1) IN GENERAL.—The Secretary shall provide to a winning bidder that is not or does not include Amtrak and that is selected under this section any appropriations withheld under section 35101(c) of the Railroad Reform, Enhancement, and Efficiency Act, or any subsequent appropriation for the same purpose, necessary to cover the operating subsidy described in subsection (b)(1)(E)(ii).

''(2) AMTRAK.—If the Secretary selects a winning bidder that is not or does not include Amtrak, the Secretary may provide to Amtrak an appropriate portion of the appropriations under section 35101(a) of the Railroad Reform, Enhancement, and Efficiency Act, or any subsequent appropriation for the same purpose, to cover any cost directly attributable to the termination of Amtrak service on the route and any indirect costs to Amtrak imposed on other Amtrak routes as a result of losing service on the route operated by the winning bidder. Any amount provided by the Secretary to Amtrak under this paragraph shall not be deducted from or have any effect on the operating subsidy described in subsection (b)(1)(E)(ii).

''(f) DEADLINE.—If the Secretary does not promulgate the final rule and implement the program before the deadline under subsection (a), the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a letter, signed by the Secretary and Administrator of the Federal Railroad Administration, each month until the rule is complete, including—

''(1) the reasons why the rule has not been issued;

''(2) an updated staffing plan for completing the rule as soon as feasible;

''(3) the contact information of the official that will be overseeing the execution of the staffing plan; and

''(4) the estimated date of completion of the rule.

''(g) DISPUTES.—If Amtrak and the rail passenger carrier awarded a route under this section cannot agree upon terms to carry out subsection (c)(1), and the Surface Transportation Board finds that access to Amtrak's facilities or equipment, or the provision of services by Amtrak, is necessary under subsection (c)(1) and that the operation of Amtrak's other services will not be impaired thereby, the Surface Transportation Board shall issue an order that the facilities and equipment be made available, and that services be provided, by Amtrak, and shall determine reasonable compensation, liability, and other terms for use of the facilities and equipment and provision of the services.

''(h) LIMITATION.—Not more than 3 long-distance routes may be selected under this section for operation by a winning bidder that is not or does not include Amtrak.

''(i) PRESERVATION OF RIGHT TO COMPETITION ON STATE-SUPPORTED ROUTES.—Nothing in this section shall be construed as prohibiting a State from introducing competition for intercity rail passenger transportation or services on its State-supported route or routes.''.

(b) REPORT.—Not later than 4 years after the date of implementation of the pilot program under section 24711 of title 49, United States Code, and quadrennially thereafter until the pilot program is discontinued, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of

the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the results on the pilot program to date and any recommendations for further action.

SEC. 35206. ROLLING STOCK PURCHASES.

(a) IN GENERAL.—Prior to entering into any contract in excess of $100,000,000 for rolling stock and locomotive procurements Amtrak shall submit a business case analysis to the Secretary, the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate and the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives, on the utility of such procurements.

(b) CONTENTS.—The business case analysis shall—

(1) include a cost and benefit comparison that describes the total lifecycle costs and the anticipated benefits related to revenue, operational efficiency, reliability, and other factors;

(2) set forth the total payments by fiscal year;

(3) identify the specific source and amounts of funding for each payment, including Federal funds, State funds, Amtrak profits, Federal, State, or private loans or loan guarantees, and other funding;

(4) include an explanation of whether any payment under the contract will increase Amtrak's grant request, as required under section 24318 of title 49, United States Code, in that particular fiscal year; and

(5) describe how Amtrak will adjust the procurement if future funding is not available.

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as requiring Amtrak to disclose confidential information regarding a potential vendor's proposed pricing or other sensitive business information prior to contract execution.

SEC. 35207. FOOD AND BEVERAGE POLICY.

(a) IN GENERAL.—Chapter 243, as amended in section 35202 of this Act, is further amended by adding after section 24320 the following:

"§ 24321. Food and beverage reform

''(a) PLAN.—Not later than 90 days after the date of enactment of the Railroad Reform, Enhancement, and Efficiency Act, Amtrak shall develop and begin implementing a plan to eliminate, not later than 4 years after the date of enactment of that Act, the operating loss associated with providing food and beverage service on board Amtrak trains.

''(b) CONSIDERATIONS.—In developing and implementing the plan under subsection (a), Amtrak shall consider a combination of cost management and revenue generation initiatives, including—

''(1) scheduling optimization;

''(2) onboard logistics;

''(3) product development and supply chain efficiency;

''(4) training, awards, and accountability;

''(5) technology enhancements and process improvements; and

''(6) ticket revenue allocation.

''(c) SAVINGS CLAUSE.—Amtrak shall ensure that no Amtrak employee holding a position as of the date of enactment of the Railroad Reform, Enhancement, and Efficiency Act is involuntarily separated because of—

''(1) the development and implementation of the plan required under subsection (a); or

''(2) any other action taken by Amtrak to implement this section.

''(d) NO FEDERAL FUNDING FOR OPERATING LOSSES.—Beginning on the date that is 4 years after the date of enactment of the Railroad Reform, Enhancement, and Efficiency Act, no Federal funds may be used to cover any operating loss associated with providing food and beverage service on a route operated by Amtrak or an alternative passenger rail service provider that operates a route in lieu of Amtrak under section 24711.

''(e) REPORT.—Not later than 120 days after the date of enactment of the Railroad Reform, Enhancement, and Efficiency Act, and annually thereafter for a period of 4 years, Amtrak shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the plan developed under subsection (a) and a description of progress in the implementation of the plan.''.

(b) CONFORMING AMENDMENT.—The table of contents for chapter 243, as amended in section 35202 of this Act, is amended by adding at the end the following:

''24321. Food and beverage reform.''.

SEC. 35208. LOCAL PRODUCTS AND PROMOTIONAL EVENTS.

(a) IN GENERAL.—Not later than 6 months after the date of enactment of this Act, Amtrak shall establish a pilot program for a State or States that sponsor a State-supported route operated by Amtrak to facilitate—

(1) onboard purchase and sale of local food and beverage products; and

(2) partnerships with local entities to hold promotional events on trains or in stations.

(b) PROGRAM DESIGN.—The pilot program under paragraph (1) shall allow a State or States—

(1) to nominate and select a local food and beverage products supplier or suppliers or local promotional event partner;

(2) to charge a reasonable price or fee for local food and beverage products or promotional events and related activities to help defray the costs of program administration and State-supported routes; and

(3) a mechanism to ensure that State products can effectively be handled and integrated into existing food and beverage services, including compliance with all applicable regulations and standards governing such services.

(c) PROGRAM ADMINISTRATION.—The pilot program shall—

(1) for local food and beverage products, ensure the products are integrated into existing food and beverage services, including compliance with all applicable regulations and standards;

(2) for promotional events, ensure the events are held in compliance with all applicable regulations and standards, including terms to address insurance requirements; and

(3) require an annual report that documents revenues and costs and indicates whether the products or events resulted in a reduction in the financial contribution of a State or States to the applicable State-supported route.

(d) REPORT.—Not later than 4 years after the date of establishment of the pilot programs under this section, Amtrak shall report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on which States have participated in the pilot programs under this section. The report shall summarize the financial and operational outcomes of the pilot programs.

(e) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed as limiting Amtrak's ability to operate special trains in accordance with section 216 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24308 note).

SEC. 35209. RIGHT-OF-WAY LEVERAGING.

(a) REQUEST FOR PROPOSALS.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, Amtrak shall issue a Request for Proposals seeking qualified persons or entities to utilize right-of-way and real estate owned, controlled, or managed by Amtrak for telecommunications systems, energy distribution systems, and other activities considered appropriate by Amtrak.

(2) CONTENTS.—The Request for Proposals shall provide sufficient information on the right-of-way and real estate assets to enable respondents to propose an arrangement that will monetize or generate additional revenue from such assets through revenue sharing or leasing agreements with Amtrak, to the extent possible.

(b) CONSIDERATION OF PROPOSALS.—Not later than 180 days following the deadline for the receipt of proposals under subsection (a), Amtrak shall review and consider each qualified proposal. Amtrak may enter into such agreements as are necessary to implement any qualified proposal.

(c) REPORT.—Not later than 270 days following the deadline for the receipt of proposals under subsection (a), Amtrak shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the Request for Proposals required by this section, including summary information of any proposals submitted to Amtrak and any proposals accepted by Amtrak.

(d) SAVINGS CLAUSE.—Nothing in this section shall be construed to limit Amtrak's ability to utilize right-of-way or real estate assets that it currently owns, controls, or manages or constrain Amtrak's ability to enter into agreements with other parties to utilize such assets.

SEC. 35210. STATION DEVELOPMENT.

(a) REPORT ON DEVELOPMENT OPTIONS.—Not later than 1 year after the date of the enactment of this Act, Amtrak shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that describes—

(1) options to enhance economic development and accessibility of and around Amtrak stations and terminals, for the purposes of—

(A) improving station condition, functionality, capacity, and customer amenities;

(B) generating additional investment capital and development-related revenue streams;

(C) increasing ridership and revenue;

(D) complying with the applicable sections of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.); and

(E) strengthening multimodal connections, including transit, intercity buses, roll-on and roll-off bicycles, and airports, as appropriate; and

(2) options for additional Amtrak stops that would have a positive incremental financial impact to Amtrak, based on Amtrak feasibility studies that demonstrate a financial benefit to Amtrak by generating additional revenue that exceeds any incremental costs.

(b) REQUEST FOR INFORMATION.—Not later than 90 days after the date the report is transmitted under subsection (a), Amtrak shall issue a Request of Information for 1 or more owners of stations served by Amtrak to formally express an interest in completing the requirements of this section.

(c) PROPOSALS.—

(1) REQUEST FOR PROPOSALS.—Not later than 180 days after the date the Request for Information is issued under subsection (a), Amtrak shall issue a Request for Proposals from qualified persons, including small business concerns owned and controlled by socially and economically disadvantaged individuals and veteran-owned small businesses, to lead, participate, or partner with Amtrak, a station owner that responded under subsection (b), and other entities in enhancing development in and around such stations and terminals using applicable options identified under subsection (a) at facilities selected by Amtrak.

(2) CONSIDERATION OF PROPOSALS.—Not later than 1 year after the date the Request for Proposals are issued under paragraph (1), Amtrak shall review and consider qualified proposals submitted under paragraph (1). Amtrak or a station owner that responded under subsection (b) may enter into such agreements as are necessary to implement any qualified proposal.

(d) REPORT.—Not later than 3 years after the date of enactment of this Act, Amtrak shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the Request for Proposals process required under this section, including summary information of any qualified proposals submitted to Amtrak and any proposals acted upon by Amtrak or a station owner that responded under subsection (b).

(e) DEFINITIONS.—In this section, the terms ''small business concern'', ''socially and economically disadvantaged individual'', and ''veteran-owned small business'' have the meanings given the terms in section 304(c) of this Act.

(f) SAVINGS CLAUSE.—Nothing in this section shall be construed to limit Amtrak's ability to develop its stations, terminals, or other assets, to constrain Amtrak's ability to enter into and carry out agreements with other parties to enhance development at or around Amtrak stations or terminals, or to affect any station development initiatives ongoing as of the date of enactment of this Act.

SEC. 35211. AMTRAK DEBT.

Section 205 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note) is amended—

(1) by striking ''as of the date of enactment of this Act'' each place it appears;

(2) in subsection (a)—

(A) by inserting '', to the extent provided in advance in appropriations Acts'' after ''Amtrak's indebtedness''; and

(B) by striking the second sentence;

(3) in subsection (b), by striking ''The Secretary of the Treasury, in consultation'' and inserting ''To the extent amounts are provided in advance in appropriations Acts, the Secretary of the Treasury, in consultation'';

(4) in subsection (d), by inserting '', to the extent provided in advance in appropriations Acts'' after ''as appropriate'';

(5) in subsection (e)—

(A) in paragraph (1), by striking ''by section 102 of this division''; and

(B) in paragraph (2), by striking ''by section 102'' and inserting ''for Amtrak'';

(6) in subsection (g), by inserting '', unless that debt receives credit assistance, including direct loans and loan guarantees, under chapter 6 of title 23, United States Code or title V of the Railroad Revitalization and Regulatory Act of 1976 (45 U.S.C. 821 et seq.)'' after ''Secretary''; and

(7) by striking subsection (h).

SEC. 35212. AMTRAK PILOT PROGRAM FOR PASSENGERS TRANSPORTING DOMESTICATED CATS AND DOGS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, Amtrak shall develop a pilot program that allows passengers to transport domesticated cats or dogs on certain trains operated by Amtrak.

(b) PET POLICY.—In developing the pilot program required under subsection (a), Amtrak shall—

(1) in the case of a passenger train that is comprised of more than 1 car, designate, where feasible, at least 1 car in which a ticketed passenger may transport a domesticated cat or dog in the same manner as carry-on baggage if—

(A) the cat or dog is contained in a pet kennel;

(B) the pet kennel complies with Amtrak size requirements for carriage of carry-on baggage;

(C) the passenger is traveling on a train operating on a route described in subparagraph (A), (B), or (D) of section 24102(6) of title 49, United States Code; and

(D) the passenger pays a fee described in paragraph (3);

(2) allow a ticketed passenger to transport a domesticated cat or dog on a train in the same manner as cargo if—

(A) the cat or dog is contained in a pet kennel;

(B) the pet kennel is stowed in accordance with Amtrak requirements for cargo stowage;

(C) the passenger is traveling on a train operating on a route described in subparagraph (A), (B), or (D) of section 24102(6) of title 49, United States Code;

(D) the cargo area is temperature controlled in a manner protective of cat and dog safety and health; and

(E) the passenger pays a fee described in paragraph (3); and

(3) collect fees for each cat or dog transported by a ticketed passenger in an amount that, in the aggregate and at a minimum, covers the full costs of the pilot program.

(c) REPORT.—Not later than 1 year after the pilot program required under subsection (a) is first implemented, Amtrak shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report containing an evaluation of the pilot program.

(d) LIMITATION ON STATUTORY CONSTRUCTION.—

(1) SERVICE ANIMALS.—The pilot program under subsection (a) shall be separate from and in addition to the policy governing Amtrak passengers traveling with service animals. Nothing in this section may be interpreted to limit or waive the rights of passengers to transport service animals.

(2) ADDITIONAL TRAIN CARS.—Nothing in this section may be interpreted to require Amtrak to add additional train cars or modify existing train cars.

(3) FEDERAL FUNDS.—No Federal funds may be used to implement the pilot program required under this section.

SEC. 35213. AMTRAK BOARD OF DIRECTORS.

(a) IN GENERAL.—Section 24302(a) is amended to read as follows:

''(a) COMPOSITION AND TERMS.—

''(1) IN GENERAL.—The Amtrak Board of Directors (referred to in this section as the 'Board') is composed of the following 9 directors, each of whom must be a citizen of the United States:

''(A) The Secretary of Transportation.

''(B) The President of Amtrak.

''(C) 7 individuals appointed by the President of the United States, by and with the advice and consent of the Senate, with general business and financial experience, experience or qualifications in transportation, freight and passenger rail transportation, travel, hospitality, or passenger air transportation businesses, or representatives of employees or users of passenger rail transportation or a State government.

''(2) SELECTION.—In selecting individuals described in paragraph (1)(C) for nominations for appointments to the Board, the President shall consult with the Speaker of the House of Representatives, the minority leader of the House of Representatives, the majority leader of the Senate, and the minority leader of the Senate. The individuals appointed to the Board under paragraph (1)(C) shall be composed of the following;

''(A) 2 individuals from the Northeast Corridor.

''(B) 4 individuals from regions of the country outside of the Northeast Corridor and geographically distributed with—

''(i) 2 individuals from States with long-distance routes operated by Amtrak; and

''(ii) 2 individuals from States with State-supported routes operated by Amtrak.

''(C) 1 individual from the Northeast Corridor or a State with long-distance or State-supported routes.

''(3) TERM.—An individual appointed under paragraph (1)(C) shall be appointed for a term of 5 years. The term may be extended until the individual's successor is appointed and qualified. Not more than 4 individuals appointed under paragraph (1)(C) may be members of the same political party.

''(4) CHAIRPERSON AND VICE CHAIRPERSON.—The Board shall elect a chairperson and vice chairperson, other than the President of Amtrak, from among its membership. The vice chairperson shall serve as chairperson in the absence of the chairperson.

''(5) SECRETARY'S DESIGNEE.—The Secretary may be represented at Board meetings by the Secretary's designee.''.

(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as affecting the term of any director serving on the Amtrak Board of Directors under section 24302(a)(1)(C) of title 49, United States Code, on the day preceding the date of enactment of this Act.

SEC. 35214. AMTRAK BOARDING PROCEDURES.

(a) REPORT.—Not later than 6 months after the date of enactment of this Act, the Amtrak Office of Inspector General shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that—

(1) evaluates Amtrak's boarding procedures for passengers, including passengers using or transporting nonmotorized transportation, such as wheelchairs and bicycles, at its 15 stations through which the most people pass;

(2) compares Amtrak's boarding procedures to—

(A) commuter railroad boarding procedures at stations shared with Amtrak;

(B) international intercity passenger rail boarding procedures; and

(C) fixed guideway transit boarding procedures; and

(3) makes recommendations, as appropriate, in consultation with the Transportation Security Administration, to improve Amtrak's boarding procedures, including recommendations regarding the queuing of passengers and free-flow of all station users and facility improvements needed to achieve the recommendations.

(b) CONSIDERATION OF RECOMMENDATIONS.—Not later than 6 months after the report is submitted under subsection (a), Amtrak shall consider each recommendation provided under subsection (a)(3) for implementation at appropriate locations across the Amtrak system.

Subtitle C—Intercity Passenger Rail Policy

SEC. 35301. COMPETITIVE OPERATING GRANTS.

(a) IN GENERAL.—Chapter 244 is amended—

(1) by striking section 24406; and

(2) by inserting after section 24405 the following:

''§ 24406. Competitive operating grants

''(a) APPLICANT DEFINED.—In this section, the term 'applicant' means—

''(1) a State;

''(2) a group of States;

''(3) an Interstate Compact;

''(4) a public agency or publicly chartered authority established by 1 or more States and having responsibility for providing intercity rail passenger transportation or commuter rail passenger transportation;

''(5) a political subdivision of a State;

''(6) Amtrak or another rail passenger carrier that provides intercity rail passenger transportation;

''(7) Any rail carrier in partnership with at least 1 of the entities described in paragraphs (1) through (5); and

''(8) any combination of the entities described in paragraphs (1) through (7).

''(b) GRANTS AUTHORIZED.—The Secretary of Transportation shall develop and implement a program for issuing 3-year operating assistance grants to applicants, on a competitive basis, for the purpose of initiating, restoring, or enhancing intercity rail passenger service.

''(c) APPLICATION.—An applicant for a grant under this section shall submit to the Secretary—

''(1) a capital and mobilization plan that—

''(A) describes any capital investments, service planning actions (such as environmental reviews), and mobilization actions (such as qualification of train crews) required for initiation of service; and

''(B) includes the timeline for undertaking and completing each of the investments and actions referred to in subparagraph (A);

''(2) an operating plan that describes the planned operation of the service, including—

''(A) the identity and qualifications of the train operator;

''(B) the identity and qualifications of any other service providers;

''(C) service frequency;

''(D) the planned routes and schedules;

''(E) the station facilities that will be utilized;

''(F) projected ridership, revenues, and costs;

''(G) descriptions of how the projections under subparagraph (F) were developed;

''(H) the equipment that will be utilized, how such equipment will be acquired or refurbished, and where such equipment will be maintained; and

''(I) a plan for ensuring safe operations and compliance with applicable safety regulations;

''(3) a funding plan that—

''(A) describes the funding of initial capital costs and operating costs for the first 3 years of operation;

''(B) includes a commitment by the applicant to provide the funds described in subparagraph (A) to the extent not covered by Federal grants and revenues; and

''(C) describes the funding of operating costs and capital costs, to the extent necessary, after the first 3 years of operation; and

''(4) a description of the status of negotiations and agreements with—

''(A) each of the railroads or regional transportation authorities whose tracks or facilities would be utilized by the service;

''(B) the anticipated rail passenger carrier, if such entity is not part of the applicant group; and

''(C) any other service providers or entities expected to provide services or facilities that will be used by the service, including any required access to Amtrak systems, stations, and facilities if Amtrak is not part of the applicant group.

''(d) PRIORITIES.—In awarding grants under this section, the Secretary shall give priority to applications—

''(1) for which planning, design, any environmental reviews, negotiation of agreements, acquisition of equipment, construction, and other actions necessary for initiation of service have been completed or nearly completed;

''(2) that would restore service over routes formerly operated by Amtrak, including routes with international connections;

''(3) that would provide daily or daytime service over routes where such service did not previously exist;

''(4) that include private funding (including funding from railroads), and funding or other significant participation by State, local, and regional governmental and private entities;

''(5) that include a funding plan that demonstrates the intercity rail passenger service will be financially sustainable beyond the 3-year grant period;

''(6) that would provide service to regions and communities that are underserved or not served by other intercity public transportation;

''(7) that would foster economic development, particularly in rural communities and for disadvantaged populations;

''(8) that would provide other non-transportation benefits; and

''(9) that would enhance connectivity and geographic coverage of the existing national network of intercity passenger rail service.

''(e) LIMITATIONS.—

''(1) DURATION.—Federal operating assistance grants authorized under this section for any individual intercity rail passenger transportation route may not provide funding for more than 3 years and may not be renewed.

''(2) LIMITATION.—Not more than 6 of the operating assistance grants awarded pursuant to subsection (b) may be simultaneously active.

''(3) MAXIMUM FUNDING.—Grants described in paragraph (1) may not exceed—

''(A) 80 percent of the projected net operating costs for the first year of service;

''(B) 60 percent of the projected net operating costs for the second year of service; and

''(C) 40 percent of the projected net operating costs for the third year of service.

''(f) USE WITH CAPITAL GRANTS AND OTHER FEDERAL FUNDING.—A recipient of an operating assistance grant under subsection (b) may use that grant in combination with other grants awarded under this chapter or any other Federal funding that would benefit the applicable service.

''(g) AVAILABILITY.—Amounts appropriated for carrying out this section shall remain available until expended.

''(h) COORDINATION WITH AMTRAK.—If the Secretary awards a grant under this section to a rail passenger carrier other than Amtrak, Amtrak may be required under section 24711(c)(1) of this title to provide access to its reservation system, stations, and facilities that are directly related to operations to such carrier, to the extent necessary to carry out the purposes of this section. The Secretary may award an appropriate portion of the grant to Amtrak as compensation for this access.

''(i) CONDITIONS.—

''(1) GRANT AGREEMENT.—The Secretary shall require grant recipients under this section to enter into a grant agreement that requires them to provide similar information regarding the route performance, financial, and ridership projections, and capital and business plans that Amtrak is required to provide, and such other data and information as the Secretary deems necessary.

''(2) INSTALLMENTS; TERMINATION.—The Secretary may—

''(A) award grants under this section in installments, as the Secretary considers appropriate; and

''(B) terminate any grant agreement upon—

''(i) the cessation of service; or

''(ii) the violation of any other term of the grant agreement.

''(3) GRANT CONDITIONS.—Except as specifically provided in this section, the use of any amounts appropriated for grants under this section shall be subject to the requirements under this chapter.

''(j) REPORT.—Not later than 4 years after the date of enactment of the Railroad Reform, Enhancement, and Efficiency Act, the Secretary, after consultation with grant recipients under this section, shall submit a report to Congress that describes—

''(1) the implementation of this section;

''(2) the status of the investments and operations funded by such grants;

''(3) the performance of the routes funded by such grants;

''(4) the plans of grant recipients for continued operation and funding of such routes; and

''(5) any legislative recommendations.''.

(b) CONFORMING AMENDMENTS.—Chapter 244 is amended—

(1) in the table of contents, by inserting after the item relating to section 24405 the following:

''24406. Competitive operating grants.'';

(2) in the chapter title, by striking ''**INTERCITY PASSENGER RAIL SERVICE CORRIDOR CAPITAL**'' and inserting ''**RAIL CAPITAL AND OPERATING**'';

(3) in section 24401, by striking paragraph (1);

(4) in section 24402, by striking subsection (j) and inserting the following:

''(j) APPLICANT DEFINED.—In this section, the term 'applicant' means a State (including the District of Columbia), a group of States, an Interstate Compact, a public agency or publicly chartered authority established by 1 or more States and having responsibility for providing intercity rail passenger transportation, or a political subdivision of a State.''; and

(5) in section 24405—

(A) in subsection (b)—

(i) by inserting '', or for which an operating grant is issued under section 24406,'' after ''chapter''; and

(ii) in paragraph (2), by striking ''(43'' and inserting ''(45'';

(B) in subsection (d)(1), in the matter preceding subparagraph (A), by inserting ''or unless Amtrak ceased providing intercity passenger railroad transportation over the affected route more than 3 years before the commencement of new service'' after ''unless such service was provided solely by Amtrak to another entity'';

(C) in subsection (f), by striking ''under this chapter for commuter rail passenger transportation, as defined in section 24012(4) of this title.'' and inserting ''under this chapter for commuter rail passenger transportation (as defined in section 24102(3)).''; and

(D) by adding at the end the following:

''(g) SPECIAL TRANSPORTATION CIRCUMSTANCES.—In carrying out this chapter, the Secretary shall allocate an appropriate portion of the amounts available under this chapter to provide grants to States—

''(1) in which there is no intercity passenger rail service, for the purpose of funding freight rail capital projects that are on a State rail plan developed under chapter 227 that provide public benefits (as defined in chapter 227), as determined by the Secretary; or

''(2) in which the rail transportation system is not physically connected to rail systems in the continental United States or may not otherwise qualify for a grant under this section due to the unique characteristics of the geography of that State or other relevant considerations, for the purpose of funding transportation-related capital projects.''.

SEC. 35302. FEDERAL-STATE PARTNERSHIP FOR STATE OF GOOD REPAIR.

(a) AMENDMENT.—Chapter 244 is amended by inserting after section 24406, as added by section 5301 of this Act, the following:

''§ 24407. Federal-State partnership for state of good repair

''(a) DEFINITIONS.—In this section:

''(1) APPLICANT.—The term 'applicant' means—

''(A) a State (including the District of Columbia);

''(B) a group of States;

''(C) an Interstate Compact;

''(D) a public agency or publicly chartered authority established by 1 or more States that has responsibility for providing intercity rail passenger transportation or commuter rail passenger transportation;

''(E) a political subdivision of a State;

''(F) Amtrak, acting on its own behalf or under a cooperative agreement with 1 or more States; or

''(G) any combination of the entities described in subparagraphs (A) through (F).

''(2) CAPITAL PROJECT.—The term 'capital project' means—

''(A) a project primarily intended to replace, rehabilitate, or repair major infrastructure assets utilized for providing intercity passenger rail service, including tunnels, bridges, stations, and other assets, as determined by the Secretary; or

''(B) a project primarily intended to improve intercity passenger rail performance, including reduced trip times, increased train frequencies, higher operating speeds, and other improvements, as determined by the Secretary.

''(3) NORTHEAST CORRIDOR.—The term 'Northeast Corridor' means—

''(A) the main rail line between Boston, Massachusetts and the Virginia Avenue interlocking in the District of Columbia; and

''(B) the branch rail lines connecting to Harrisburg, Pennsylvania, Springfield, Massachusetts, and Spuyten Duyvil, New York.

''(4) QUALIFIED RAILROAD ASSET.—The term 'qualified railroad asset' means infrastructure, equipment, or a facility that—

''(A) is owned or controlled by an eligible applicant; and

''(B) was not in a state of good repair on the date of enactment of the Railroad Reform, Enhancement, and Efficiency Act.

''(b) GRANT PROGRAM AUTHORIZED.—The Secretary of Transportation shall develop and implement a program for issuing grants to applicants, on a competitive basis, to fund capital projects that reduce the state of good repair backlog on qualified railroad assets.

''(c) ELIGIBLE PROJECTS.—Projects eligible for grants under this section include capital projects to replace or rehabilitate qualified railroad assets, including—

''(1) capital projects to replace existing assets in-kind;

''(2) capital projects to replace existing assets with assets that increase capacity or provide a higher level of service; and

''(3) capital projects to ensure that service can be maintained while existing assets are brought to a state of good repair.

''(d) PROJECT SELECTION CRITERIA.—In selecting an applicant for a grant under this section, the Secretary shall—

''(1) give preference to eligible projects—

''(A) that are consistent with the goals, objectives, and policies defined in any regional rail planning document that is applicable to a project proposal; and

''(B) for which the proposed Federal share of total project costs does not exceed 50 percent; and

''(2) take into account—

''(A) the cost-benefit analysis of the proposed project, including anticipated private and public benefits relative to the costs of the proposed project, including—

''(i) effects on system and service performance;

''(ii) effects on safety, competitiveness, reliability, trip or transit time, and resilience;

''(iii) efficiencies from improved integration with other modes; and

''(iv) ability to meet existing or anticipated demand;

''(B) the degree to which the proposed project's business plan considers potential private sector participation in the financing, construction, or operation of the proposed project;

''(C) the applicant's past performance in developing and delivering similar projects, and previous financial contributions;

''(D) whether the applicant has, or will have—

''(i) the legal, financial, and technical capacity to carry out the project;

''(ii) satisfactory continuing control over the use of the equipment or facilities; and

''(iii) the capability and willingness to maintain the equipment or facilities;

''(E) if applicable, the consistency of the project with planning guidance and documents set forth by the Secretary or required by law; and

''(F) any other relevant factors, as determined by the Secretary.

''(e) PLANNING REQUIREMENTS.—A project is not eligible for a grant under this section unless the project is specifically identified—

''(1) on a State rail plan prepared in accordance with chapter 227; or

''(2) if the project is located on the Northeast Corridor, on the Northeast Corridor Capital Investment Plan developed pursuant to section 24904(a).

''(f) NORTHEAST CORRIDOR PROJECTS.—

''(1) COMPLIANCE WITH USAGE AGREEMENTS.—Grant funds may not be provided under this section to an eligible recipient for an eligible project located on the Northeast Corridor unless Amtrak and the public authorities providing commuter rail passenger transportation on the Northeast Corridor are in compliance with section 24905(c)(2).

''(2) CAPITAL INVESTMENT PLAN.—When selecting projects located on the Northeast Corridor, the Secretary shall consider the appropriate sequence and phasing of projects as contained in the Northeast Corridor Capital Investment Plan developed pursuant to section 24904(a).

''(g) FEDERAL SHARE OF TOTAL PROJECT COSTS.—

''(1) TOTAL PROJECT COST.—The Secretary shall estimate the total cost of a project under this section based on the best available information, including engineering studies, studies of economic feasibility, environmental analyses, and information on the expected use of equipment or facilities.

''(2) FEDERAL SHARE.—The Federal share of total costs for a project under this subsection shall not exceed 80 percent.

''(3) TREATMENT OF AMTRAK REVENUE.—If Amtrak or another rail passenger carrier is an applicant under this section, Amtrak or the other rail passenger carrier, as applicable, may use ticket and other revenues generated from its operations and other sources to satisfy the non-Federal share requirements.

''(h) LETTERS OF INTENT.—

''(1) IN GENERAL.—The Secretary may issue a letter of intent to a grantee under this section that—

''(A) announces an intention to obligate, for a major capital project under this section, an amount from future available budget authority specified in law that is not more than the amount stipulated as the financial participation of the Secretary in the project; and

''(B) states that the contingent commitment—

''(i) is not an obligation of the Federal Government; and

''(ii) is subject to the availability of appropriations under Federal law and to Federal laws in force or enacted after the date of the contingent commitment.

''(2) CONGRESSIONAL NOTIFICATION.—

''(A) IN GENERAL.—Not later than 30 days before issuing a letter under paragraph (1), the Secretary shall submit written notification to—

''(i) the Committee on Commerce, Science, and Transportation of the Senate;

''(ii) the Committee on Appropriations of the Senate;

''(iii) the Committee on Transportation and Infrastructure of the House of Representatives; and

''(iv) the Committee on Appropriations of the House of Representatives.

''(B) CONTENTS.—The notification submitted pursuant to subparagraph (A) shall include—

''(i) a copy of the proposed letter or agreement;

''(ii) the criteria used under subsection (d) for selecting the project for a grant award; and

''(iii) a description of how the project meets such criteria.

''(3) APPROPRIATIONS REQUIRED.—An obligation or administrative commitment may be made under this section only when amounts are appropriated for such purpose.

''(i) AVAILABILITY.—Amounts appropriated for carrying out this section shall remain available until expended.

''(j) GRANT CONDITIONS.—Except as specifically provided in this section, the use of any amounts appropriated for grants under this section shall be subject to the requirements under this chapter.''.

(b) CONFORMING AMENDMENT.—The table of contents for chapter 244 is amended by inserting after the item relating to section 24406 the following:

''24407. Federal-State partnership for state of good repair.''.

SEC. 35303. LARGE CAPITAL PROJECT REQUIREMENTS.

Section 24402 is amended by adding at the end the following:

''(m) LARGE CAPITAL PROJECT REQUIREMENTS.—

''(1) IN GENERAL.—For a grant awarded under this chapter for an amount in excess of $1,000,000,000, the following conditions shall apply:

''(A) The Secretary of Transportation may not obligate any funding unless the applicant demonstrates, to the satisfaction of the Secretary, that the applicant has committed, and will be able to fulfill, the non-Federal share required for the grant within the applicant's proposed project completion timetable.

''(B) The Secretary may not obligate any funding for work activities that occur after the completion of final design unless—

''(i) the applicant submits a financial plan to the Secretary that generally identifies the sources of the non-Federal funding required for any subsequent segments or phases of the corridor service development program covering the project for which the grant is awarded;

''(ii) the grant will result in a useable segment, a transportation facility, or equipment, that has operational independence or is financially sustainable; and

''(iii) the intercity passenger rail benefits anticipated to result from the grant, such as increased speed, improved on-time performance, reduced trip time, increased frequencies, new service, safety improvements, improved accessibility, or other significant enhancements, are detailed by the grantee and approved by the Secretary.

''(C)(i) The Secretary shall ensure that the project is maintained to the level of utility that is necessary to support the benefits approved under subparagraph (B)(iii) for a period of 20 years from the date on which the useable segment, transportation facility, or equipment described in subparagraph (B)(ii) is placed in service.

''(ii) If the project property is not maintained as required under clause (i) for a 12-month period, the grant recipient shall refund a pro-rata share of the Federal contribution, based upon the percentage remaining of the 20-year period that commenced when the project property was placed in service.

''(2) EARLY WORK.—The Secretary may allow a grantee subject to this subsection to engage in at-risk work activities subsequent to the conclusion of final design if the Secretary determines that such work activities are reasonable and necessary.''.

SEC. 35304. SMALL BUSINESS PARTICIPATION STUDY.

(a) STUDY.—The Secretary shall conduct a nationwide disparity and availability study on the availability and use of small business concerns owned and controlled by socially and economically disadvantaged individuals and veteran-owned small businesses in publicly funded intercity passenger rail service projects.

(b) REPORT.—Not later than 4 years after the date of enactment of this Act, the Secretary shall submit a report containing the results of the study conducted under subsection (a) to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

(c) DEFINITIONS.—In this section:

(1) SMALL BUSINESS CONCERN.—The term ''small business concern'' has the meaning given such term in section 3 of the Small Business Act (15 U.S.C. 632), except that the term does not include any concern or group of concerns controlled by the same socially and economically disadvantaged individual or individuals that have average annual gross receipts during the preceding 3 fiscal years in excess of $22,410,000, as adjusted annually by the Secretary for inflation.

(2) SOCIALLY AND ECONOMICALLY DISADVANTAGED INDIVIDUAL.—The term ''socially and economically disadvantaged individual'' has the meaning given such term in section 8(d) of the Small Business Act (15 U.S.C. 637(d)) and relevant subcontracting regulations issued pursuant to such Act, except that women shall be presumed to be socially and economically disadvantaged individuals for purposes of this section.

(3) VETERAN-OWNED SMALL BUSINESS.—The term ''veteran-owned small business'' has the meaning given the term ''small business concern owned and controlled by veterans'' in section 3(q)(3) of the Small Business Act (15 U.S.C. 632(q)(3)), except that the term does not include any concern or group of concerns controlled by the same veterans that have average annual gross receipts during the preceding 3 fiscal years in excess of $22,410,000, as adjusted annually by the Secretary for inflation.

SEC. 35305. GULF COAST RAIL SERVICE WORKING GROUP.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary shall convene a working group to evaluate the restoration of intercity rail passenger service in the Gulf Coast region between New Orleans, Louisiana, and Orlando, Florida.

(b) MEMBERSHIP.—The working group convened pursuant to subsection (a) shall consist of representatives of—

(1) the Federal Railroad Administration, which shall serve as chair of the working group;

(2) Amtrak;

(3) the States along the proposed route or routes;

(4) regional transportation planning organizations and metropolitan planning organizations, municipalities, and communities along the proposed route or routes, which shall be selected by the Administrator;

(5) the Southern Rail Commission;

(6) freight railroad carriers whose tracks may be used for such service; and

(7) other entities determined appropriate by the Secretary, which may include independent passenger rail operators that express an interest in Gulf Coast service.

(c) RESPONSIBILITIES.—The working group shall—

(1) evaluate all options for restoring intercity rail passenger service in the Gulf Coast region, including options outlined in the report transmitted to Congress pursuant to section 226 of the Passenger Rail Investment and Improvement Act of 2008 (division B of Public Law 110–432);

(2) select a preferred option for restoring such service;

(3) develop a prioritized inventory of capital projects and other actions required to restore such service and cost estimates for such projects or actions; and

(4) identify Federal and non-Federal funding sources required to restore such service, including options for entering into public-private partnerships to restore such service.

(d) REPORT.—Not later than 9 months after the date of enactment of this Act, the working group shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that includes—

(1) the preferred option selected under subsection (c)(2) and the reasons for selecting such option;

(2) the information described in subsection (c)(3);

(3) the funding sources identified under subsection (c)(4);

(4) the costs and benefits of restoring intercity rail passenger transportation in the region; and

(5) any other information the working group determines appropriate.

SEC. 35306. INTEGRATED PASSENGER RAIL WORKING GROUP.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall convene a working group to review issues relating to—

(1) the potential operation of State-supported routes by rail passenger carriers other than Amtrak; and

(2) their role in establishing an integrated intercity passenger rail network in the United States.

(b) MEMBERSHIP.—The working group shall consist of a balanced representation of—

(1) the Federal Railroad Administration, who shall chair the Working Group;

(2) States that fund State-sponsored routes;

(3) independent passenger rail operators, including those that carry at least 5,000,000 passengers annually in United States or international rail service;

(4) Amtrak;

(5) railroads that host intercity State-supported routes;

(6) employee representatives from railroad unions and building trade unions with substantial engagement in railroad rights of way construction and maintenance; and

(7) other entities determined appropriate by the Secretary.

(c) RESPONSIBILITIES.—The working group shall evaluate options for improving State-supported routes and may make recommendations, as appropriate, regarding—

(1) best practices for State or State authority governance of State-supported routes;

(2) future sources of Federal and non-Federal funding sources for State-supported routes;

(3) best practices in obtaining passenger rail operations and services on a competitive basis with the objective of creating the highest quality service at the lowest cost to the taxpayer;

(4) ensuring potential interoperability of State-supported routes as a part of a national network with multiple providers providing integrated services including ticketing, scheduling, and route planning; and

(5) the interface between State-supported routes and connecting commuter rail operations, including maximized intra-modal and intermodal connections and common sources of funding for capital projects.

(d) MEETINGS.—Not later than 60 days after the establishment of the working group by the Secretary under subsection (a), the working group shall convene an organizational meeting outside of the District of Columbia and shall define the rules and procedures governing the proceedings of the working group. The working group shall hold at least 3 meetings per year in States that fund State-supported routes.

(e) REPORTS.—

(1) PRELIMINARY REPORT.—Not later than 1 year after the date the working group is established, the working group shall submit a preliminary report to the Secretary, the Governors of States funding State-supported routes, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives that includes—

(A) administrative recommendations that can be implemented by a State and State authority or by the Secretary; and

(B) preliminary legislative recommendations.

(2) FINAL LEGISLATIVE RECOMMENDATIONS.—Not later than 2 years after the date the working group is established, the working group shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that includes final legislative recommendations.

SEC. 35307. SHARED-USE STUDY.

(a) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Secretary, in consultation with Amtrak, commuter rail authorities, and other passenger rail operators, railroad carriers that own rail infrastructure over which both passenger and freight trains operate, States, the Surface Transportation Board, the Northeast Corridor Commission established under section 24905, the State-Supported Route Committee established under section 24712, and groups representing rail passengers and customers, as appropriate, shall complete a study that evaluates—

(1) the shared use of right-of-way by passenger and freight rail systems; and

(2) the operational, institutional, and legal structures that would best support improvements to the systems referred to in paragraph (1).

(b) AREAS OF STUDY.—In conducting the study under subsection (a), the Secretary shall evaluate—

(1) the access and use of railroad right-of-way by a rail carrier that does not own the right-of-way, such as passenger rail services that operate over privately-owned right-of-way, including an analysis of—

(A) access agreements;

(B) costs of access; and

(C) the resolution of disputes relating to such access or costs;

(2) the effectiveness of existing contractual, statutory, and regulatory mechanisms for establishing, measuring, and enforcing train performance standards, including—

(A) the manner in which passenger train delays are recorded;

(B) the assignment of responsibility for such delays; and

(C) the use of incentives and penalties for performance;

(3) strengths and weaknesses in the existing mechanisms described in paragraph (2) and possible approaches to address the weaknesses;

(4) mechanisms for measuring and maintaining public benefits resulting from publicly funded freight or passenger rail improvements, including improvements directed towards shared-use right-of-way by passenger and freight rail;

(5) approaches to operations, capacity, and cost estimation modeling that—

(A) allows for transparent decisionmaking; and

(B) protects the proprietary interests of all parties;

(6) liability requirements and arrangements, including—

(A) whether to expand statutory liability limits to additional parties;

(B) whether to revise the current statutory liability limits;

(C) whether current insurance levels of passenger rail operators are adequate and whether to establish minimum insurance requirements for such passenger rail operators; and

(D) whether to establish a liability regime modeled after section 170 of the Atomic Energy Act of 1954 (42 U.S.C. 2210);

(7) the effect on rail passenger services, operations, liability limits and insurance levels of the assertion of sovereign immunity by a State; and

(8) other issues identified by the Secretary.

(c) REPORT.—Not later than 60 days after the study under subsection (a) is complete, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that includes—

(1) the results of the study; and

(2) any recommendations for further action, including any legislative proposals consistent with such recommendations.

(d) IMPLEMENTATION.—The Secretary shall integrate the recommendations submitted under subsection (c) into its financial assistance programs under subtitle V of title 49, United States Code, and section 502 of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 822), as appropriate.

SEC. 35308. NORTHEAST CORRIDOR COMMISSION.

(a) COMPOSITION.—Section 24905(a) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by inserting '', infrastructure investments,'' after ''rail operations'';

(B) by amending subparagraph (B) to read as follows:

''(B) members representing the Department of Transportation, including the Office of the Secretary, the Federal Railroad Administration, and the Federal Transit Administration;''; and

(C) in subparagraph (D) by inserting ''and commuter'' after ''freight''; and

(2) by amending paragraph (6) to read as follows:

''(6) The members of the Commission shall elect co-chairs consisting of 1 member described in paragraph (1)(B) and 1 member described in paragraph (1)(C).''.

(b) STATEMENT OF GOALS AND RECOMMENDATIONS.—Section 24905(b) is amended—

(1) in paragraph (1), by inserting ''and periodically update'' after ''develop'';

(2) in paragraph (2)(A), by striking ''beyond those specified in the state of good repair plan under section 211 of the Passenger Rail Investment and Improvement Act of 2008''; and

(3) by adding at the end the following:

''(3) SUBMISSION OF STATEMENT OF GOALS, RECOMMENDATIONS, AND PERFORMANCE REPORTS.—The Commission shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives—

''(A) any updates made to the statement of goals developed under paragraph (1) not later than 60 days after such updates are made; and

''(B) annual performance reports and recommendations for improvements, as appropriate, issued not later than March 31 of each year, for the prior fiscal year, which summarize—

''(i) the operations and performance of commuter, intercity, and freight rail transportation along the Northeast Corridor; and

''(ii) the delivery of the capital plan described in section 24904.''.

(c) COST ALLOCATION POLICY.—Section 24905(c) is amended—

(1) in the subsection heading, by striking ''ACCESS COSTS'' and inserting ''ALLOCATION OF COSTS'';

(2) in paragraph (1)—

(A) in the paragraph heading, by striking ''FORMULA'' and inserting ''POLICY'';

(B) in the matter preceding subparagraph (A), by striking ''Within 2 years after the date of enactment of the Passenger Rail Investment and Improvement Act of 2008, the Commission'' and inserting ''The Commission'';

(C) in subparagraph (A), by striking ''formula'' and inserting ''policy''; and

(D) by striking subparagraph (B) through (D) and inserting the following:

''(B) develop a proposed timetable for implementing the policy;

''(C) submit the policy and timetable developed under subparagraph (B) to the Surface Transportation Board, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives;

''(D) not later than October 1, 2015, adopt and implement the policy in accordance with the timetable; and

''(E) with the consent of a majority of its members, the Commission may petition the Surface Transportation Board to appoint a mediator to assist the Commission members through nonbinding mediation to reach an agreement under this section.'';

(3) in paragraph (2)—

(A) by striking ''formula proposed in'' and inserting ''policy developed under''; and

(B) in the second sentence—

(i) by striking ''the timetable, the Commission shall petition the Surface Transportation Board to'' and inserting ''paragraph (1)(D) or fail to comply with the policy thereafter, the Surface Transportation Board shall''; and

(ii) by striking ''amounts for such services in accordance with section 24904(c) of this title'' and inserting ''for such usage in accordance with the procedures and procedural schedule applicable to a proceeding under section 24903(c), after taking into consideration the policy developed under paragraph (1)(A), as applicable'';

(4) in paragraph (3), by striking ''formula'' and inserting ''policy''; and

(5) by adding at the end the following:

''(4) REQUEST FOR DISPUTE RESOLUTION.—If a dispute arises with the implementation of, or compliance with, the policy developed under paragraph (1), the Commission, Amtrak, or public authorities providing commuter rail passenger transportation on the Northeast Corridor may request that the Surface Transportation Board conduct dispute resolution. The Surface Transportation Board shall establish procedures for resolution of disputes brought before it under this

paragraph, which may include the provision of professional mediation services.''.

(d) CONFORMING AMENDMENTS.—Section 24905 is amended—

(1) by striking subsection (d);

(2) by redesignating subsections (e) and (f) as subsections (d) and (e), respectively;

(3) in subsection (d), as redesignated, by striking ''to the Commission such sums as may be necessary for the period encompassing fiscal years 2009 through 2013 to carry out this section'' and inserting ''to the Secretary for the use of the Commission and the Northeast Corridor Safety Committee such sums as may be necessary to carry out this section during fiscal year 2016 through 2019, in addition to amounts withheld under section 35101(e) of the Railroad Reform, Enhancement, and Efficiency Act''; and

(4) in subsection (e)(2), as redesignated, by striking ''on the main line.'' and inserting ''on the main line and meet annually with the Commission on the topic of Northeast Corridor safety and security.''.

(e) NORTHEAST CORRIDOR PLANNING.—

(1) AMENDMENT.—Chapter 249 is amended—

(A) by redesignating section 24904 as section 24903; and

(B) by inserting after section 24903, as redesignated, the following:

''§ 24904. Northeast Corridor planning

''(a) NORTHEAST CORRIDOR CAPITAL INVESTMENT PLAN.—

''(1) REQUIREMENT.—Not later than May 1 of each year, the Northeast Corridor Commission established under section 24905 (referred to in this section as the 'Commission') shall—

''(A) develop a capital investment plan for the Northeast Corridor main line between Boston, Massachusetts, and the Virginia Avenue interlocking in the District of Columbia, and the Northeast Corridor branch lines connecting to Harrisburg, Pennsylvania, Springfield, Massachusetts, and Spuyten Duyvil, New York, including the facilities and services used to operate and maintain those lines; and

''(B) submit the capital investment plan to the Secretary of Transportation and the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

''(2) CONTENTS.—The capital investment plan shall—

''(A) reflect coordination and network optimization across the entire Northeast Corridor;

''(B) integrate the individual capital and service plans developed by each operator using the methods described in the cost allocation policy developed under section 24905(c);

''(C) cover a period of 5 fiscal years, beginning with the first fiscal year after the date on which the plan is completed;

''(D) notwithstanding section 24902(b), identify, prioritize, and phase the implementation of projects and programs to achieve the service outcomes identified in the Northeast Corridor service development plan and the asset condition needs identified in the Northeast Corridor asset management plans, once available, and consider—

''(i) the benefits and costs of capital investments in the plan;

''(ii) project and program readiness;

''(iii) the operational impacts; and

''(iv) funding availability;

''(E) categorize capital projects and programs as primarily associated with;

''(i) normalized capital replacement and basic infrastructure renewals;

''(ii) replacement or rehabilitation of major Northeast Corridor infrastructure assets, including tunnels, bridges, stations, and other assets;

''(iii) statutory, regulatory, or other legal mandates;

''(iv) improvements to support service enhancements or growth; or

''(v) strategic initiatives that will improve overall operational performance or lower costs;

''(F) identify capital projects and programs that are associated with more than 1 category described in subparagraph (E);

''(G) describe the anticipated outcomes of each project or program, including an assessment of—

''(i) the potential effect on passenger accessibility, operations, safety, reliability, and resiliency;

''(ii) the ability of infrastructure owners and operators to meet regulatory requirements if the project or program is not funded; and

''(iii) the benefits and costs; and

''(H) include a financial plan.

''(3) FINANCIAL PLAN.—The financial plan under paragraph (2)(H) shall—

''(A) identify funding sources and financing methods;

''(B) identify the expected allocated shares of costs pursuant to the cost allocation policy developed under section 24905(c);

''(C) identify the projects and programs that the Commission expects will receive Federal financial assistance; and

''(D) identify the eligible entity or entities that the Commission expects will receive the Federal financial assistance described under subparagraph (C).

''(b) FAILURE TO DEVELOP A CAPITAL INVESTMENT PLAN.—If a capital investment plan has not been developed by the Commission for a given fiscal year, then the funds assigned to the account established under section 24319(b) for that fiscal year may be spent only on—

''(1) capital projects described in clause (i) or (iii) of subsection (a)(2)(E) of this section; or

''(2) capital projects described in subsection (a)(2)(E)(iv) of this section that are for the sole benefit of Amtrak.

''(c) NORTHEAST CORRIDOR ASSET MANAGEMENT.—

''(1) CONTENTS.—With regard to its infrastructure, Amtrak and each State and public transportation entity that owns infrastructure that supports or provides for intercity rail passenger transportation on the Northeast Corridor shall develop an asset management system and develop and update, as necessary, a Northeast Corridor asset management plan for each service territory described in subsection (a) that—

''(A) are consistent with the Federal Transit Administration process, as authorized under section 5326, when implemented; and

''(B) include, at a minimum—

''(i) an inventory of all capital assets owned by the developer of the asset management plan;

''(ii) an assessment of asset condition;

''(iii) a description of the resources and processes necessary to bring or maintain those assets in a state of good repair, including decision-support tools and investment prioritization methods; and

''(iv) a description of changes in asset condition since the previous version of the plan.

''(2) TRANSMITTAL.—Each entity described in paragraph (1) shall transmit to the Commission—

''(A) not later than 2 years after the date of enactment of the Railroad Reform, Enhancement, and Efficiency Act, its Northeast Corridor asset management plan developed under paragraph (1); and

''(B) at least biennial thereafter, an update to its Northeast Corridor asset management plan.

''(d) NORTHEAST CORRIDOR SERVICE DEVELOPMENT PLAN UPDATES.—Not less frequently than once every 10 years, the Commission shall update the Northeast Corridor service development plan.''.

(2) CONFORMING AMENDMENTS.—

(A) NOTE AND MORTGAGE.—Section 24907(a) is amended by striking ''section 24904 of this title'' and inserting ''section 24903''.

(B) TABLE OF CONTENTS AMENDMENT.—The table of contents for chapter 249 is amended—

(i) by redesignating the item relating to section 24904 as relating to section 24903; and

(ii) by inserting after the item relating to section 24903, as redesignated, the following: ''24904. Northeast Corridor planning.''.

(3) REPEAL.—Section 211 of the Passenger Rail Investment and Improvement Act of 2008 (division B of Public Law 110–432; 49 U.S.C. 24902 note) is repealed.

SEC. 35309. NORTHEAST CORRIDOR THROUGH-TICKETING AND PROCUREMENT EFFICIENCIES.

(a) THROUGH-TICKETING STUDY.—

(1) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Northeast Corridor Commission established under section 24905(a) of title 49, United States Code (referred to in this section as the ''Commission''), in consultation with Amtrak and the commuter rail passenger transportation providers along the Northeast Corridor shall complete a study on the feasibility of and options for permitting through-ticketing between Amtrak service and commuter rail services on the Northeast Corridor.

(2) CONTENTS.—In completing the study under paragraph (1), the Northeast Corridor Commission shall—

(A) examine the current state of intercity and commuter rail ticketing technologies, policies, and other relevant aspects on the Northeast Corridor;

(B) consider and recommend technology, process, policy, or other options that would permit through-ticketing to allow intercity and commuter rail passengers to purchase, in a single transaction, travel that utilizes Amtrak and connecting commuter rail services;

(C) consider options to expand through-ticketing to include local transit services;

(D) summarize costs, benefits, opportunities, and impediments to developing such through-ticketing options; and

(E) develop a proposed methodology, including cost and schedule estimates, for carrying out a pilot program on through-ticketing on the Northeast Corridor.

(3) REPORT.—Not later than 60 days after the date the study under paragraph (1) is complete, the Commission shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that includes—

(A) the results of the study; and

(B) any recommendations for further action.

(b) JOINT PROCUREMENT STUDY.—

(1) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Secretary, in cooperation with the Commission, Amtrak, and commuter rail transportation authorities on the Northeast Corridor

shall complete a study of the potential benefits resulting from Amtrak and such authorities undertaking select joint procurements for common materials, assets, and equipment when expending Federal funds for such purchases.

(2) CONTENTS.—In completing the study under paragraph (1), the Secretary shall consider—

(A) the types of materials, assets, and equipment that are regularly purchased by Amtrak and such authorities that are similar and could be jointly procured;

(B) the potential benefits of such joint procurements, including lower procurement costs, better pricing, greater market relevancy, and other efficiencies;

(C) the potential costs of such joint procurements;

(D) any significant impediments to undertaking joint procurements, including any necessary harmonization and reconciliation of Federal and State procurement or safety regulations or standards and other requirements; and

(E) whether to create Federal incentives or requirements relating to considering or carrying out joint procurements when expending Federal funds.

(3) TRANSMISSION.—Not later than 60 days after completing the study required under this subsection, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that includes—

(A) the results of the study; and

(B) any recommendations for further action.

(c) NORTHEAST CORRIDOR.—In this section, the term ''Northeast Corridor'' means the Northeast Corridor main line between Boston, Massachusetts, and the Virginia Avenue interlocking in the District of Columbia, and the Northeast Corridor branch lines connecting to Harrisburg, Pennsylvania, Springfield, Massachusetts, and Spuyten Duyvil, New York, including the facilities and services used to operate and maintain those lines.

SEC. 35310. DATA AND ANALYSIS.

(a) DATA.—Not later than 3 years after the date of enactment of this Act, the Secretary, in consultation with the Surface Transportation Board, Amtrak, freight railroads, State and local governments, and regional business, tourism and economic development agencies shall conduct a data needs assessment—

(1) to support the development of an efficient and effective intercity passenger rail network;

(2) to identify the data needed to conduct cost-effective modeling and analysis for intercity passenger rail development programs;

(3) to determine limitations to the data used for inputs;

(4) to develop a strategy to address such limitations;

(5) to identify barriers to accessing existing data;

(6) to develop recommendations regarding whether the authorization of additional data collection for intercity passenger rail travel is warranted; and

(7) to determine which entities will be responsible for generating or collecting needed data.

(b) BENEFIT-COST ANALYSIS.—Not later than 180 days after the date of enactment of this Act, the Secretary shall enhance the usefulness of assessments of benefits and costs, for intercity passenger rail and freight rail projects—

(1) by providing ongoing guidance and training on developing benefit and cost information for rail projects;

(2) by providing more direct and consistent requirements for assessing benefits and costs across transportation funding programs, including the appropriate use of discount rates;

(3) by requiring applicants to clearly communicate the methodology used to calculate the project benefits and costs, including nonproprietary information on—

(A) assumptions underlying calculations;

(B) strengths and limitations of data used; and

(C) the level of uncertainty in estimates of project benefits and costs; and

(4) by ensuring that applicants receive clear and consistent guidance on values to apply for key assumptions used to estimate potential project benefits and costs.

(c) CONFIDENTIAL DATA.—The Secretary shall protect sensitive or confidential to the greatest extent permitted by law. Nothing in this section shall require any entity to provide information to the Secretary in the absence of a voluntary agreement.

SEC. 35311. PERFORMANCE-BASED PROPOSALS.

(a) SOLICITATION OF PROPOSALS.—

(1) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Secretary shall issue a request for proposals for projects for the financing, design, construction, operation, and maintenance of an intercity passenger rail system, including—

(A) the Northeast Corridor;

(B) the California Corridor;

(C) the Empire Corridor;

(D) the Pacific Northwest Corridor;

(E) the South Central Corridor;

(F) the Gulf Coast Corridor;

(G) the Chicago Hub Network;

(H) the Florida Corridor;

(I) the Keystone Corridor;

(J) the Northern New England Corridor; and

(K) the Southeast Corridor.

(2) SUBMISSION.—Proposals shall be submitted to the Secretary not later than 180 days after the publication of such request for proposals under paragraph (1).

(3) PERFORMANCE STANDARD.—Proposals submitted under paragraph (2) shall meet any standards established by the Secretary. For corridors with existing intercity passenger rail service, proposals shall also be designed to achieve a reduction of existing minimum intercity rail service trip times between the main corridor city pairs by a minimum of 25 percent. In the case of a proposal submitted with respect to paragraph (1)(A), the proposal shall be designed to achieve a 2-hour or less express service between Washington, District of Columbia, and New York City, New York.

(4) CONTENTS.—A proposal submitted under this subsection shall include—

(A) the names and qualifications of the persons submitting the proposal and the entities proposed to finance, design, construct, operate, and maintain the railroad, railroad equipment, and related facilities, stations, and infrastructure;

(B) a detailed description of the proposed rail service, including possible routes, required infrastructure investments and improvements, equipment needs and type, train frequencies, peak and average operating speeds, and trip times;

(C) a description of how the project would comply with all applicable Federal rail safety and security laws, orders, and regulations;

(D) the locations of proposed stations, which maximize the usage of existing infrastructure to the extent possible, and the populations such stations are intended to serve;

(E) the type of equipment to be used, including any technologies, to achieve trip time goals;

(F) a description of any proposed legislation needed to facilitate all aspects of the project;

(G) a financing plan identifying—

(i) projected revenue, and sources thereof;

(ii) the amount of any requested public contribution toward the project, and proposed sources;

(iii) projected annual ridership projections for the first 10 years of operations;

(iv) annual operations and capital costs;

(v) the projected levels of capital investments required both initially and in subsequent years to maintain a state-of-good-repair necessary to provide the initially proposed level of service or higher levels of service;

(vi) projected levels of private investment and sources thereof, including the identity of any person or entity that has made or is expected to make a commitment to provide or secure funding and the amount of such commitment; and

(vii) projected funding for the full fair market compensation for any asset, property right or interest, or service acquired from, owned, or held by a private person or Federal entity that would be acquired, impaired, or diminished in value as a result of a project, except as otherwise agreed to by the private person or entity;

(H) a description of how the project would contribute to the development of the intercity passenger rail system and an intermodal plan describing how the system will facilitate convenient travel connections with other transportation services;

(I) a description of how the project will ensure compliance with Federal laws governing the rights and status of employees associated with the route and service, including those specified in section 24405 of title 49, United States Code;

(J) a description of how the design, construction, implementation, and operation of the project will accommodate and allow for future growth of existing and projected intercity, commuter, and freight rail service;

(K) a description of how the project would comply with Federal and State environmental laws and regulations, of what environmental impacts would result from the project, and of how any adverse impacts would be mitigated; and

(L) a description of the project's impacts on highway and aviation congestion, energy consumption, land use, and economic development in the service area.

(b) DETERMINATION AND ESTABLISHMENT OF COMMISSIONS.—Not later than 90 days after receipt of the proposals under subsection (a), the Secretary shall—

(1) make a determination as to whether any such proposals—

(A) contain the information required under paragraphs (3) and (4) of subsection (a);

(B) are sufficiently credible to warrant further consideration;

(C) are likely to result in a positive impact on the Nation's transportation system; and

(D) are cost-effective and in the public interest;

(2) establish a commission under subsection (c) for each corridor with 1 or more proposals that the Secretary determines satisfy the requirements of paragraph (1); and

(3) forward to each commission established under paragraph (2) the applicable proposals for review and consideration.

(c) COMMISSIONS.—

(1) MEMBERS.—Each commission established under subsection (b)(2) shall include—

(A) the governors of the affected States, or their respective designees;

(B) mayors of appropriate municipalities with stops along the proposed corridor, or their respective designees;

(C) a representative from each freight railroad carrier using the relevant corridor, if applicable;

(D) a representative from each transit authority using the relevant corridor, if applicable;

(E) representatives of nonprofit employee labor organizations representing affected railroad employees; and

(F) the President of Amtrak or his or her designee.

(2) APPOINTMENT AND SELECTION.—The Secretary shall appoint the members under paragraph (1). In selecting each commission's members to fulfill the requirements under subparagraphs (B) and (E) of paragraph (1), the Secretary shall consult with the Chairperson and Ranking Member of the Committee on Commerce, Science, and Transportation of the Senate and of the Committee on Transportation and Infrastructure of the House of Representatives.

(3) CHAIRPERSON AND VICE-CHAIRPERSON SELECTION.—The Chairperson and Vice-Chairperson shall be elected from among members of each commission.

(4) QUORUM AND VACANCY.—

(A) QUORUM.—A majority of the members of each commission shall constitute a quorum.

(B) VACANCY.—Any vacancy in each commission shall not affect its powers and shall be filled in the same manner in which the original appointment was made.

(5) APPLICATION OF LAW.—Except where otherwise provided by this section, the Federal Advisory Committee Act (5 U.S.C. App.) shall apply to each commission created under this section.

(d) COMMISSION CONSIDERATION.—

(1) IN GENERAL.—Each commission established under subsection (b)(2) shall be responsible for reviewing the proposal or proposals forwarded to it under that subsection and not later than 90 days after the establishment of the commission, shall transmit to the Secretary a report, including—

(A) a summary of each proposal received;

(B) services to be provided under each proposal, including projected ridership, revenues, and costs;

(C) proposed public and private contributions for each proposal;

(D) the advantages offered by the proposal over existing intercity passenger rail services;

(E) public operating subsidies or assets needed for the proposed project;

(F) possible risks to the public associated with the proposal, including risks associated with project financing, implementation, completion, safety, and security;

(G) a ranked list of the proposals recommended for further consideration under subsection (e) in accordance with each proposal's projected positive impact on the Nation's transportation system;

(H) an identification of any proposed Federal legislation that would facilitate implementation of the projects and Federal legislation that would be required to implement the projects; and

(I) any other recommendations by the commission concerning the proposed projects.

(2) VERBAL PRESENTATION.—Proposers shall be given an opportunity to make a verbal presentation to the commission to explain their proposals.

(3) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary for the use of each commission established under subsection (b)(2) such sums as are necessary to carry out this section.

(e) SELECTION BY SECRETARY.—

(1) IN GENERAL.—Not later than 60 days after receiving the recommended proposals of the commissions established under subsection (b)(2), the Secretary shall—

(A) review such proposals and select any proposal that provides substantial benefits to the public and the national transportation system, is cost-effective, offers significant advantages over existing services, and meets other relevant factors determined appropriate by the Secretary; and

(B) submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report containing any proposal with respect to subsection (a)(1)(A) that is selected by the Secretary under subparagraph (A) of this paragraph, all the information regarding the proposal provided to the Secretary under subsection (d), and any other information the Secretary considers relevant.

(2) SUBSEQUENT REPORT.—Following the submission of the report under paragraph (1)(B), the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report containing any proposal with respect to subparagraphs (B) through (K) of subsection (a)(1) that are selected by the Secretary under paragraph (1) of this subsection, all the information regarding the proposal provided to the Secretary under subsection (d), and any other information the Secretary considers relevant.

(3) LIMITATION ON REPORT SUBMISSION.—The report required under paragraph (2) shall not be submitted by the Secretary until the report submitted under paragraph (1)(B) has been considered through a hearing by the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on the report submitted under paragraph (1)(B).

(f) NO ACTIONS WITHOUT ADDITIONAL AUTHORITY.—No Federal agency may take any action to implement, establish, facilitate, or otherwise act upon any proposal submitted under this section, other than those actions specifically authorized by this section, without explicit statutory authority enacted after the date of enactment of this Act.

(g) DEFINITIONS.—In this section:

(1) INTERCITY PASSENGER RAIL.—The term ''intercity passenger rail'' means intercity rail passenger transportation as defined in section 24102 of title 49, United States Code.

(2) STATE.—The term ''State'' means any of the 50 States or the District of Columbia.

SEC. 35312. AMTRAK INSPECTOR GENERAL.

(a) AUTHORITY.—

(1) IN GENERAL.—The Inspector General of Amtrak shall have the authority available to other Inspectors General, as necessary in carrying out the duties specified in the Inspector General Act of 1978 (5 U.S.C. App.), to investigate any alleged violation of sections 286, 287, 371, 641, 1001, 1002 and 1516 of title 18, United States Code.

(2) AGENCY.—For purposes of sections 286, 287, 371, 641, 1001, 1002, and 1516 of title 18, United States Code, Amtrak and the Amtrak Office of Inspector General, shall be considered a corporation in which the United States has a proprietary interest as set forth in section 6 of that title.

(b) ASSESSMENT.—The Inspector General of Amtrak shall—

(1) not later than 60 days after the date of enactment of this Act, initiate an assessment to determine whether current expenditures or procurements involving Amtrak's fulfillment of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) utilize competitive, market-driven provisions that are applicable throughout the entire term of such related expenditures or procurements; and

(2) not later than 6 months after the date of enactment of this Act, transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives the assessment under paragraph (1).

(c) LIMITATION.—The authority provided by subsections (a) and (b) shall be effective only with respect to a fiscal year for which Amtrak receives a Federal subsidy.

SEC. 35313. MISCELLANEOUS PROVISIONS.

(a) TITLE 49 AMENDMENTS.—

(1) CONTINGENT INTEREST RECOVERIES.—Section 22106(b) is amended by striking ''interest thereof'' and inserting ''interest thereon''.

(2) AUTHORITY.—Section 22702(b)(4) is amended by striking ''5 years for reapproval by the Secretary'' and inserting ''4 years for acceptance by the Secretary''.

(3) CONTENTS OF STATE RAIL PLANS.—Section 22705(a) is amended by striking paragraph (12).

(4) MISSION.—Section 24101(b) is amended by striking ''of subsection (d)'' and inserting ''set forth in subsection (c)''.

(5) TABLE OF CONTENTS AMENDMENT.—The table of contents for chapter 243 is amended by striking the item relating to section 24316 and inserting the following:

''24316. Plans to address the needs of families of passengers involved in rail passenger accidents.''.

(6) UPDATE.—Section 24305(f)(3) is amended by striking ''$1,000,000'' and inserting ''$5,000,000''.

(7) AMTRAK.—Chapter 247 is amended—

(A) in section 24702(a), by striking ''not included in the national rail passenger transportation system'';

(B) in section 24706—

(i) in subsection (a)—

(I) in paragraph (1), by striking ''a discontinuance under section 24704 or or''; and

(II) in paragraph (2), by striking ''section 24704 or''; and

(ii) in subsection (b), by striking ''section 24704 or''; and

(C) in section 24709, by striking ''The Secretary of the Treasury and the Attorney General,'' and inserting ''The Secretary of Homeland Security,''.

(b) PASSENGER RAIL INVESTMENT AND IMPROVEMENT ACT AMENDMENTS.—Section 305(a) of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note) is amended by inserting ''nonprofit organizations representing employees who perform overhaul and maintenance of passenger railroad equipment,'' after ''equipment manufacturers,''.

Subtitle D—Rail Safety

PART I—SAFETY IMPROVEMENT

SEC. 35401. HIGHWAY-RAIL GRADE CROSSING SAFETY.

(a) MODEL STATE HIGHWAY-RAIL GRADE CROSSING ACTION PLAN.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall develop a model of a State-specific highway-rail grade crossing action plan and distribute the model plan to each State.

(2) CONTENTS.—The plan developed under paragraph (1) shall include—

(A) methodologies, tools, and data sources for identifying and evaluating highway-rail grade crossing safety risks, including the public safety risks posed by blocked highway-rail grade crossings due to idling trains;

(B) best practices to reduce the risk of highway-rail grade crossing accidents or incidents and to alleviate the blockage of highway-rail grade crossings due to idling trains, including strategies for—

(i) education, including model stakeholder engagement plans or tools;

(ii) engineering, including the benefits and costs of different designs and technologies used to mitigate highway-rail grade crossing safety risks; and

(iii) enforcement, including the strengths and weaknesses associated with different enforcement methods;

(C) for each State, a customized list and data set of the highway-rail grade crossing accidents or incidents in that State over the past 3 years, including the location, number of deaths, and number of injuries for each accident or incident; and

(D) contact information of a Department of Transportation safety official available to assist the State in adapting the model plan to satisfy the requirements under subsection (b).

(b) STATE HIGHWAY-RAIL GRADE CROSSING ACTION PLANS.—

(1) REQUIREMENTS.—Not later than 18 months after the Secretary develops and distributes the model plan under subsection (a), the Secretary shall promulgate a rule that requires—

(A) each State, except the 10 States identified under section 202 of the Rail Safety Improvement Act of 2008 (49 U.S.C. 22501 note), to develop and implement a State highway-rail grade crossing action plan; and

(B) each State that was identified under section 202 of the Rail Safety Improvement Act of 2008 (49 U.S.C. 22501 note), to update its State action plan under that section and submit to the Secretary the updated State action plan and a report describing what the State did to implement its previous State action plan under that section and how it will continue to reduce highway-rail grade crossing safety risks.

(2) CONTENTS.—Each State plan required under this subsection shall—

(A) identify highway-rail grade crossings that have experienced recent highway-rail grade crossing accidents or incidents, or are at high-risk for accidents or incidents;

(B) identify specific strategies for improving safety at highway-rail grade crossings, including highway-rail grade crossing closures or grade separations; and

(C) designate a State official responsible for managing implementation of the State plan under subparagraph (A) or (B) of paragraph (1), as applicable.

(3) ASSISTANCE.—The Secretary shall provide assistance to each State in developing and carrying out, as appropriate, the State plan under this subsection.

(4) PUBLIC AVAILABILITY.—Each State shall submit its final State plan under this subsection to the Secretary for publication. The Secretary shall make each approved State plan publicly available on an official Internet Web site.

(5) CONDITIONS.—The Secretary may condition the awarding of a grant to a State under chapter 244 of title 49, United States Code, on that State submitting an acceptable State plan under this subsection.

(6) REVIEW OF ACTION PLANS.—Not later than 60 days after the date of receipt of a State plan under this subsection, the Secretary shall—

(A) if the State plan is approved, notify the State and publish the State plan under paragraph (4); and

(B) if the State plan is incomplete or deficient, notify the State of the specific areas in which the plan is deficient and allow the State to complete the plan or correct the deficiencies and resubmit the plan under paragraph (1).

(7) DEADLINE.—Not later than 60 days after the date of a notice under paragraph (6)(B), a State shall complete the plan or correct the deficiencies and resubmit the plan.

(8) FAILURE TO COMPLETE OR CORRECT PLAN.—If a State fails to meet the deadline under paragraph (7), the Secretary shall post on the Web site under paragraph (4) a notice that the State has an incomplete or deficient highway-rail grade crossing action plan.

(c) RAILWAY-HIGHWAY CROSSINGS FUNDS.—The Secretary may use funds made available to carry out section 130 of title 23, United States Code, to provide States with funds to develop a State highway-rail grade crossing action plan under subsection (b)(1)(A) of this section or to update a State action plan under subsection (b)(1)(B) of this section.

(d) DEFINITIONS.—In this section:

(1) HIGHWAY-RAIL GRADE CROSSING.—The term ''highway-rail grade crossing'' means a location within a State, other than a location where 1 or more railroad tracks cross 1 or more railroad tracks at grade, where—

(A) a public highway, road, or street, or a private roadway, including associated sidewalks and pathways, crosses 1 or more railroad tracks either at grade or grade-separated; or

(B) a pathway explicitly authorized by a public authority or a railroad carrier that is dedicated for the use of non-vehicular traffic, including pedestrians, bicyclists, and others, that is not associated with a public highway, road, or street, or a private roadway, crosses 1 or more railroad tracks either at grade or grade-separated.

(2) STATE.—The term ''State'' means a State of the United States or the District of Columbia.

SEC. 35402. SPEED LIMIT ACTION PLANS.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, each railroad carrier providing intercity rail passenger transportation or commuter rail passenger transportation, in consultation with any applicable host railroad carrier, shall survey its entire system and identify each main track location where there is a reduction of more than 20 miles per hour from the approach speed to a curve or bridge and the maximum authorized operating speed for passenger trains at that curve or bridge.

(b) ACTION PLANS.—Not later than 120 days after the date that the survey under subsection (a) is complete, a rail passenger carrier shall submit to the Secretary an action plan that—

(1) identifies each main track location where there is a reduction of more than 20 miles per hour from the approach speed to a curve or bridge and the maximum authorized operating speed for passenger trains at that curve or bridge;

(2) describes appropriate actions, including modification to automatic train control systems, if applicable, other signal systems, increased crew size, improved signage, or other practices, including increased crew communication, to enable warning and enforcement of the maximum authorized speed for passenger trains at each location identified under paragraph (1);

(3) contains milestones and target dates for implementing each appropriate action described under paragraph (2); and

(4) ensures compliance with the maximum authorized speed at each location identified under paragraph (1).

(c) APPROVAL.—Not later than 90 days after the date an action plan is submitted under subsection (a), the Secretary shall approve, approve with conditions, or disapprove the action plan.

(d) ALTERNATIVE SAFETY MEASURES.—The Secretary may exempt from the requirements of this section each segment of track for which operations are governed by a positive train control system certified under section 20157 of title 49, United States Code, or any other safety technology or practice that would achieve an equivalent or greater level of safety in reducing derailment risk.

(e) REPORT.—Not later than 6 months after the date of the enactment of this Act, the Secretary shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that describes—

(1) the actions the railroad carriers have taken in response to Safety Advisory 2013–08, entitled ''Operational Tests and Inspections for Compliance With Maximum Authorized Train Speeds and Other Speed Restrictions'';

(2) the actions the railroad carriers have taken in response to Safety Advisory 2015–03, entitled ''Operational and Signal Modifications for Compliance with Maximum Authorized Passenger Train Speeds and Other Speed Restrictions''; and

(3) the actions the Federal Railroad Administration has taken to evaluate or incorporate the information and findings arising from the safety advisories referred to in paragraphs (1) and (2) into the development of regulatory action and oversight activities.

(f) SAVINGS CLAUSE.—Nothing in this section shall prohibit the Secretary from applying the requirements of this section to other segments of track at high risk of overspeed derailment.

SEC. 35403. SIGNAGE.

(a) IN GENERAL.—The Secretary shall promulgate such regulations as the Secretary considers necessary to require each railroad carrier providing intercity rail passenger transportation or commuter rail passenger transportation, in consultation with any applicable host railroad carrier, to install signs to warn train crews before the train approaches a location that the Secretary identifies as having high risk of overspeed derailment.

(b) ALTERNATIVE SAFETY MEASURES.—The Secretary may exempt from the requirements of this section each segment of track for which operations are governed by a positive train control system certified under section 20157 of title 49, United States Code, or any other safety technology or practice that would achieve an equivalent or greater level of safety in reducing derailment risk.

SEC. 35404. ALERTERS.

(a) IN GENERAL.—The Secretary shall promulgate a rule to require a working alerter in the controlling locomotive of each passenger train in intercity rail passenger transportation (as defined in section 24102 of title 49, United States Code) or commuter rail passenger transportation (as defined in section 24102 of title 49, United States Code).

(b) RULEMAKING.—

(1) IN GENERAL.—The Secretary may promulgate a rule to specify the essential functionalities of a working alerter, including the manner in which the alerter can be reset.

(2) ALTERNATE PRACTICE OR TECHNOLOGY.—The Secretary may require or allow a technology or practice in lieu of a working alerter if the Secretary determines that the technology or practice would achieve an equivalent or greater level of safety in enhancing or ensuring appropriate locomotive control.

SEC. 35405. SIGNAL PROTECTION.

(a) IN GENERAL.—The Secretary shall promulgate regulations to require, not later than 18 months after the date of the enactment of this Act, that on-track safety regulations, whenever practicable and consistent with other safety requirements and operational considerations, include requiring implementation of redundant signal protection, such as shunting or other practices and technologies that achieve an equivalent or greater level of safety, for maintenance-of-way work crews who depend on a train dispatcher to provide signal protection.

(b) ALTERNATIVE SAFETY MEASURES.—The Secretary may exempt from the requirements of this section each segment of track for which operations are governed by a positive train control system certified under section 20157 of title 49, United States Code, or any other safety technology or practice that would achieve an equivalent or greater level of safety in providing additional signal protection.

SEC. 35406. TECHNOLOGY IMPLEMENTATION PLANS.

Section 20156(e) is amended—

(1) in paragraph (4)—

(A) in subparagraph (A), by striking ''and'' at the end; and

(B) in subparagraph (B), by striking the period at the end and inserting ''; and''; and

(2) by adding at the end the following:

''(C) each railroad carrier required to submit such a plan, until the implementation of a positive train control system by the railroad carrier, shall analyze and, as appropriate, prioritize technologies and practices to mitigate the risk of overspeed derailments.''.

SEC. 35407. COMMUTER RAIL TRACK INSPECTIONS.

(a) IN GENERAL.—The Secretary shall evaluate track inspection regulations to determine if a railroad carrier providing commuter rail passenger transportation on high density commuter railroad lines should be required to inspect the lines in the same manner as currently required for other commuter railroad lines.

(b) RULEMAKING.—Considering safety, including railroad carrier employee and contractor safety, and system capacity, the Secretary may promulgate a rule for high density commuter railroad lines. If, after the evaluation under subsection (a), the Secretary determines that it is necessary to promulgate a rule, the Secretary shall specifically consider the following regulatory requirements for high density commuter railroad lines:

(1) At least once every 2 weeks—

(A) traverse each main line by vehicle; or

(B) inspect each main line on foot.

(2) At least once each month, traverse and inspect each siding by vehicle or by foot.

(c) REPORT.—If, after the evaluation under subsection (a), the Secretary determines it is not necessary to revise the regulations under this section, the Secretary, not later than 18 months after the date of enactment of this Act, shall transmit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives explaining the reasons for not revising the regulations.

(d) CONSTRUCTION.—Nothing in this section may be construed to limit the authority of the Secretary to promulgate regulations or issue orders under any other law.

SEC. 35408. EMERGENCY RESPONSE.

(a) IN GENERAL.—The Secretary, in consultation with railroad carriers, shall conduct a study to determine whether limitations or weaknesses exist in the emergency response information carried by train crews transporting hazardous materials.

(b) CONTENTS.—In conducting the study under subsection (a), the Secretary shall evaluate the differences between the emergency response information carried by train crews transporting hazardous materials and the emergency response guidance provided in the Emergency Response Guidebook issued by the Department of Transportation.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report of the findings of the study under subsection (a) and any recommendations for legislative action.

SEC. 35409. PRIVATE HIGHWAY-RAIL GRADE CROSSINGS.

(a) IN GENERAL.—The Secretary, in consultation with railroad carriers, shall conduct a study—

(1) to determine whether limitations or weaknesses exist regarding the availability and usefulness for safety purposes of data on private highway-rail grade crossings; and

(2) to evaluate existing engineering practices on private highway-rail grade crossings.

(b) CONTENTS.—In conducting the study under subsection (a), the Secretary shall make recommendations as necessary to improve—

(1) the utility of the data on private highway-rail grade crossings; and

(2) the implementation of private highway-rail crossing safety measures, including signage and warning systems.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report of the findings of the study and any recommendations for further action.

SEC. 35410. REPAIR AND REPLACEMENT OF DAMAGED TRACK INSPECTION EQUIPMENT.

(a) IN GENERAL.—Subchapter I of chapter 201 is amended by inserting after section 20120 the following:

''§ 20121. Repair and replacement of damaged track inspection equipment

''The Secretary of Transportation may receive and expend cash, or receive and utilize spare parts and similar items, from non-United States Government sources to repair damages to or replace United States Government owned automated track inspection cars and equipment as a result of third-party liability for such damages, and any amounts collected under this section shall be credited directly to the Railroad Safety and Operations account of the Federal Railroad Administration, and shall remain available until expended for the repair, operation, and maintenance of automated track inspection cars and equipment in connection with the automated track inspection program.''.

(b) CONFORMING AMENDMENT.—The table of contents for subchapter I of chapter 201 is amended by adding after section 21020 the following:

''20121. Repair and replacement of damaged track inspection equipment.''.

SEC. 35411. RAIL POLICE OFFICERS.

(a) IN GENERAL.—Section 28101 is amended—

(1) by striking ''employed by'' each place it appears and inserting ''directly employed by or contracted by'';

(2) in subsection (b), by inserting ''or agent, as applicable,'' after ''an employee''; and

(3) by adding at the end the following:

''(c) TRANSFERS.—

''(1) IN GENERAL.—If a railroad police officer directly employed by or contracted by a rail carrier and certified or commissioned as a police officer under the laws of a State transfers primary employment or residence from the certifying or commissioning State to another State or jurisdiction, the railroad police officer, not later than 1 year after the date of transfer, shall apply to be certified or commissioned as a police office under the laws of the State of new primary employment or residence.

''(2) INTERIM PERIOD.—During the period beginning on the date of transfer and ending 1 year after the date of transfer, a railroad police officer directly employed by or contracted by a rail carrier and certified or commissioned as a police officer under the laws of a State may enforce the laws of the new jurisdiction in which the railroad police officer resides, to the same extent as provided in subsection (a).

''(d) TRAINING.—

''(1) IN GENERAL.—A State shall recognize as meeting that State's basic police officer certification or commissioning requirements for qualification as a rail police officer under this section any individual who successfully completes a program at a State-recognized police training academy in another State or at a Federal law enforcement training center and who is certified or commissioned as a police officer by that other State.

''(2) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed as superseding or affecting any unique State training requirements related to criminal law, criminal procedure, motor vehicle code, or State-mandated comparative or annual in-service training academy or Federal law enforcement training center.''.

(b) REGULATIONS.—Not later than 1 year after the date of enactment of this Act, the Secretary shall revise the regulations in part 207 of title 49, Code of Federal Regulations (relating to railroad police officers), to permit a railroad to designate an individual, who is commissioned in the individual's State of legal residence or State of primary employment and directly employed by or contracted by a railroad to enforce State laws for the protection of railroad property, personnel, passengers, and cargo, to serve in

the States in which the railroad owns property.

(c) CONFORMING AMENDMENTS.—

(1) AMTRAK RAIL POLICE.—Section 24305(e) is amended—

(A) by striking ''may employ'' and inserting ''may directly employ or contract with'';

(B) by striking ''employed by'' and inserting ''directly employed by or contracted by''; and

(C) by striking ''employed without'' and inserting ''directly employed or contracted without''.

(2) SECURE GUN STORAGE OR SAFETY DEVICE; EXCEPTIONS.—Section 922(z)(2)(B) of title 18 is amended by striking ''employed by'' and inserting ''directly employed by or contracted by''.

SEC. 35412. OPERATION DEEP DIVE; REPORT.

(a) PROGRESS REPORTS.—Not later than 60 days after the date of the enactment of this Act, and quarterly thereafter until the completion date, the Administrator of the Federal Railroad Administration shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that describes the progress of Metro-North Commuter Railroad in implementing the directives and recommendations issued by the Federal Railroad Administration in its March 2014 report to Congress titled ''Operation Deep Dive Metro-North Commuter Railroad Safety Assessment''.

(b) FINAL REPORT.—Not later than 30 days after the completion date, the Administrator of the Federal Railroad Administration shall submit a final report on the directives and recommendations to Congress.

(c) DEFINED TERM.—In this section, the term ''completion date'' means the date on which Metro-North Commuter Railroad has completed all of the directives and recommendations referred to in subsection (a).

SEC. 35413. POST-ACCIDENT ASSESSMENT.

(a) IN GENERAL.—The Secretary of Transportation, in cooperation with the National Transportation Safety Board and the National Railroad Passenger Corporation (referred to in this section as ''Amtrak''), shall conduct a post-accident assessment of the Amtrak Northeast Regional Train #188 crash on May 12, 2015.

(b) ELEMENTS.—The assessment conducted pursuant to subsection (a) shall include—

(1) a review of Amtrak's compliance with the plan for addressing the needs of the families of passengers involved in any rail passenger accident, which was submitted pursuant to section 24316 of title 49, United States Code;

(2) a review of Amtrak's compliance with the emergency preparedness plan required under section 239.101(a) of title 49, Code of Federal Regulations;

(3) a determination of any additional action items that should be included in the plans referred to in paragraphs (1) and (2) to meet the needs of the passengers involved in the crash and their families, including—

(A) notification of emergency contacts;

(B) dedicated and trained staff to manage family assistance;

(C) the establishment of a family assistance center at the accident locale or other appropriate location;

(D) a system for identifying and recovering items belonging to passengers that were lost in the crash; and

(E) the establishment of a single customer service entity within Amtrak to coordinate the response to the needs of the passengers involved in the crash and their families;

(4) recommendations for any additional training needed by Amtrak staff to better implement the plans referred to in paragraphs (1) and (2), including the establishment of a regular schedule for training drills and exercises.

(c) REPORT TO CONGRESS.—Not later than 1 year after the date of the enactment of this Act, Amtrak shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that describes—

(1) its plan to achieve the recommendations referred to in subsection (b)(4); and

(2) steps that have been taken to address any deficiencies identified through the assessment.

SEC. 35414. TECHNICAL AND CONFORMING AMENDMENTS.

(a) ASSISTANCE TO FAMILIES OF PASSENGERS INVOLVED IN RAIL PASSENGER ACCIDENTS.—Section 1139 is amended—

(1) in subsection (a)(1), by striking ''phone number'' and inserting ''telephone number'';

(2) in subsection (a)(2), by striking ''post trauma communication with families'' and inserting ''post-trauma communication with families''; and

(3) in subsection (j), by striking ''railroad passenger accident'' each place it appears and inserting ''rail passenger accident''.

(b) SOLID WASTE RAIL TRANSFER FACILITY LAND-USE EXEMPTION.—Section 10909 is amended—

(1) in subsection (b), in the matter preceding paragraph (1), by striking ''Clean Railroad Act of 2008'' and inserting ''Clean Railroads Act of 2008''; and

(2) in subsection (e), by striking ''Upon the granting of petition from the State'' and inserting ''Upon the granting of a petition from the State''.

(c) RULEMAKING PROCESS.—Section 20116 is amended—

(1) by inserting ''(2)'' before ''the code, rule, standard, requirement, or practice has been subject to notice and comment under a rule or order issued under this part.'' and indenting accordingly;

(2) by inserting ''(1)'' before ''unless'' and indenting accordingly;

(3) in paragraph (1), as redesignated, by striking ''order, or'' and inserting ''order; or''; and

(4) in the matter preceding paragraph (1), as redesignated, by striking ''unless'' and inserting ''unless—''.

(d) ENFORCEMENT REPORT.—Section 20120(a) is amended—

(1) in the matter preceding paragraph (1), by striking ''website'' and inserting ''Web site'';

(2) in paragraph (1), by striking ''accident and incidence reporting'' and inserting ''accident and incident reporting'';

(3) in paragraph (2)(G), by inserting ''and'' at the end; and

(4) in paragraph (5)(B), by striking ''Administrative Hearing Officer or Administrative Law Judge'' and inserting ''administrative hearing officer or administrative law judge''.

(e) RAILROAD SAFETY RISK REDUCTION PROGRAM.—Section 20156 is amended—

(1) in subsection (c), by inserting a comma after ''In developing its railroad safety risk reduction program''; and

(2) in subsection (g)(1)—

(A) by inserting a comma after ''good faith''; and

(B) by striking ''non-profit'' and inserting ''nonprofit''.

(f) ROADWAY USER SIGHT DISTANCE AT HIGHWAY-RAIL GRADE CROSSINGS.—Section 20159 is amended by striking ''the Secretary'' and inserting ''the Secretary of Transportation''.

(g) NATIONAL CROSSING INVENTORY.—Section 20160 is amended—

(1) in subsection (a)(1), by striking ''concerning each previously unreported crossing through which it operates or with respect to the trackage over which it operates'' and inserting ''concerning each previously unreported crossing through which it operates with respect to the trackage over which it operates''; and

(2) in subsection (b)(1)(A), by striking ''concerning each crossing through which it operates or with respect to the trackage over which it operates'' and inserting ''concerning each crossing through which it operates with respect to the trackage over which it operates''.

(h) MINIMUM TRAINING STANDARDS AND PLANS.—Section 20162(a)(3) is amended by striking ''railroad compliance with Federal standards'' and inserting ''railroad carrier compliance with Federal standards''.

(i) DEVELOPMENT AND USE OF RAIL SAFETY TECHNOLOGY.—Section 20164(a) is amended by striking ''after enactment of the Railroad Safety Enhancement Act of 2008'' and inserting ''after the date of enactment of the Rail Safety Improvement Act of 2008''.

(j) RAIL SAFETY IMPROVEMENT ACT OF 2008.—

(1) TABLE OF CONTENTS.—Section 1(b) of division A of the Rail Safety Improvement Act of 2008 (Public Law 110–432; 122 Stat. 4848) is amended—

(A) in the item relating to section 307, by striking ''website'' and inserting ''Web site'';

(B) in the item relating to title VI, by striking ''solid waste facilities'' and inserting ''solid waste rail transfer facilities''; and

(C) in the item relating to section 602, by striking ''solid waste transfer facilities'' and inserting ''solid waste rail transfer facilities''.

(2) DEFINITIONS.—Section 2(a)(1) of division A of the Rail Safety Improvement Act of 2008 (Public Law 110–432; 122 Stat. 4849) is amended in the matter preceding subparagraph (A), by inserting a comma after ''at grade''.

(3) RAILROAD SAFETY STRATEGY.—Section 102(a)(6) of title I of division A of the Rail Safety Improvement Act of 2008 (49 U.S.C. 20101 note) is amended by striking ''Improving the safety of railroad bridges, tunnels, and related infrastructure to prevent accidents, incidents, injuries, and fatalities caused by catastrophic failures and other bridge and tunnel failures.'' and inserting ''Improving the safety of railroad bridges, tunnels, and related infrastructure to prevent accidents, incidents, injuries, and fatalities caused by catastrophic and other failures of such infrastructure.''.

(4) OPERATION LIFESAVER.—Section 206(a) of title II of division A of the Rail Safety Improvement Act of 2008 (49 U.S.C. 22501 note) is amended by striking ''Public Service Announcements'' and inserting ''public service announcements''.

(5) UPDATE OF FEDERAL RAILROAD ADMINISTRATION'S WEB SITE.—Section 307 of title III of division A of the Rail Safety Improvement Act of 2008 (49 U.S.C. 103 note) is amended—

(A) in the heading by striking ''**FEDERAL RAILROAD ADMINISTRATION'S WEBSITE**'' and inserting ''Federal Railroad Administration Web site'';

(B) by striking ''website'' each place it appears and inserting ''Web site''; and

(C) by striking ''website's'' and inserting ''Web site's''.

(6) ALCOHOL AND CONTROLLED SUBSTANCE TESTING FOR MAINTENANCE-OF-WAY EMPLOYEES.—Section 412 of title IV of division A of the Rail Safety Improvement Act of 2008 (49 U.S.C. 20140 note) is amended by striking ''Secretary of Transportation'' and inserting ''Secretary''.

(7) TUNNEL INFORMATION.—Section 414 of title IV of division A of the Rail Safety Improvement Act of 2008 (49 U.S.C. 20103 note) is amended—

(A) by striking ''parts 171.8, 173.115'' and inserting ''sections 171.8, 173.115''; and

(B) by striking ''part 1520.5'' and inserting ''section 1520.5''.

(8) SAFETY INSPECTIONS IN MEXICO.—Section 416 of title IV of division A of the Rail Safety Improvement Act of 2008 (49 U.S.C. 20107 note) is amended—

(A) in the matter preceding paragraph (1), by striking ''Secretary of Transportation'' and inserting ''Secretary''; and

(B) in paragraph (4), by striking ''subsection'' and inserting ''section''.

(9) HEADING OF TITLE VI.—The heading of title VI of division A of the Rail Safety Improvement Act of 2008 (122 Stat. 4900) is amended by striking ''**SOLID WASTE FACILITIES**'' and inserting ''**SOLID WASTE RAIL TRANSFER FACILITIES**''.

(10) HEADING OF SECTION 602.—Section 602 of title VI of division A of the Rail Safety Improvement Act of 2008 (122 Stat. 4900) is amended by striking ''**SOLID WASTE TRANSFER FACILITIES**'' and inserting ''**SOLID WASTE RAIL TRANSFER FACILITIES**''.

SEC. 35415. GAO STUDY ON USE OF LOCOMOTIVE HORNS AT HIGHWAY-RAIL GRADE CROSSINGS.

The Comptroller General of the United States shall submit a report to Congress containing the results of a study evaluating the effectiveness of the Federal Railroad Administration's final rule on the use of locomotive horns at highway-rail grade crossings, which was published in the Federal Register on August 17, 2006 (71 Fed. Reg. 47614).

SEC. 35416. BRIDGE INSPECTION REPORTS.

Section 417(d) of the Rail Safety Improvement Act of 2008 (49 U.S.C. 20103 note) is amended—

(1) by striking ''The Secretary'' and inserting the following:

''(1) IN GENERAL.—The Secretary''; and

(2) by adding at the end the following:

''(2) AVAILABILITY OF BRIDGE INSPECTION REPORTS.—The Administrator of the Federal Railroad Administration shall—

''(A) maintain a copy of the most recent bridge inspection reports prepared in accordance with section (b)(5); and

''(B) provide copies of the reports described in subparagraph (A) to appropriate State and local government transportation officials, upon request.''.

PART II—CONSOLIDATED RAIL INFRASTRUCTURE AND SAFETY IMPROVEMENTS

SEC. 35421. CONSOLIDATED RAIL INFRASTRUCTURE AND SAFETY IMPROVEMENTS.

(a) IN GENERAL.—Chapter 244, as amended by section 35302 of this Act, is further amended by adding at the end the following:

''§ 24408. Consolidated rail infrastructure and safety improvements

''(a) GENERAL AUTHORITY.—The Secretary may make grants under this section to an eligible recipient to assist in financing the cost of improving passenger and freight rail transportation systems in terms of safety, efficiency, or reliability.

''(b) ELIGIBLE RECIPIENTS.—The following entities are eligible to receive a grant under this section:

''(1) A State.

''(2) A group of States.

''(3) An Interstate Compact.

''(4) A public agency or publicly chartered authority established by 1 or more States and having responsibility for providing intercity rail passenger, commuter rail passenger, or freight rail transportation service.

''(5) A political subdivision of a State.

''(6) Amtrak or another rail passenger carrier that provides intercity rail passenger transportation (as defined in section 24102) or commuter rail passenger transportation (as defined in section 24102).

''(7) A Class II railroad or Class III railroad (as those terms are defined in section 20102).

''(8) Any rail carrier or rail equipment manufacturer in partnership with at least 1 of the entities described in paragraphs (1) through (5).

''(9) Any entity established to procure, manage, or maintain passenger rail equipment under section 305 of the Passenger Rail Investment and Improvement Act of 2008 (49 U.S.C. 24101 note).

''(10) An organization that is actively involved in the development of operational and safety-related standards for rail equipment and operations or the implementation of safety-related programs.

''(11) The Transportation Research Board and any entity with which it contracts in the development of rail-related research, including cooperative research programs.

''(12) A University transportation center actively engaged in rail-related research.

''(13) A non-profit labor organization representing a class or craft of employees of railroad carriers or railroad carrier contractors.

''(c) ELIGIBLE PROJECTS.—The following projects are eligible to receive grants under this section:

''(1) Deployment of railroad safety technology, including positive train control and rail integrity inspection systems.

''(2) A capital project as defined in section 24401, except that a project shall not be required to be in a State rail plan developed under chapter 227.

''(3) A capital project identified by the Secretary as being necessary to address congestion challenges affecting rail service.

''(4) A highway-rail grade crossing improvement, including grade separations, private highway-rail grade crossing improvements, and safety engineering improvements to reduce risk in quiet zones or potential quiet zones.

''(5) A rail line relocation project.

''(6) A capital project to improve short-line or regional railroad infrastructure.

''(7) Development of public education, awareness, and targeted law enforcement activities to reduce violations of traffic laws at highway-rail grade crossings and to help prevent and reduce injuries and fatalities along railroad rights-of-way.

''(8) The preparation of regional rail and corridor service development plans and corresponding environmental analyses.

''(9) Any project that the Secretary considers necessary to enhance multimodal connections or facilitate service integration between rail service and other modes, including between intercity rail passenger transportation and intercity bus service.

''(10) The development of rail-related capital, operations, and safety standards.

''(11) The implementation and operation of a safety program or institute designed to improve rail safety culture and rail safety performance.

''(12) Any research that the Secretary considers necessary to advance any particular aspect of rail-related capital, operations, or safety improvements.

''(13) Workforce development activities, coordinated to the extent practicable with the existing local training programs supported by the Department of Transportation, Department of Labor, and Department of Education.

''(d) APPLICATION PROCESS.—The Secretary shall prescribe the form and manner of filing an application under this section.

''(e) PROJECT SELECTION CRITERIA.—

''(1) IN GENERAL.—In selecting a recipient of a grant for an eligible project, the Secretary shall—

''(A) give preference to a proposed project for which the proposed Federal share of total project costs does not exceed 50 percent; and

''(B) after factoring in preference to projects under subparagraph (A), select projects that will maximize the net benefits of the funds appropriated for use under this section, considering the cost-benefit analysis of the proposed project, including anticipated private and public benefits relative to the costs of the proposed project and factoring in the other considerations described in paragraph (2).

''(2) OTHER CONSIDERATIONS.—The Secretary shall also consider the following:

''(A) The degree to which the proposed project's business plan considers potential private sector participation in the financing, construction, or operation of the project;

''(B) The recipient's past performance in developing and delivering similar projects, and previous financial contributions;

''(C) Whether the recipient has or will have the legal, financial, and technical capacity to carry out the proposed project, satisfactory continuing control over the use of the equipment or facilities, and the capability and willingness to maintain the equipment or facilities;

''(D) If applicable, the consistency of the proposed project with planning guidance and documents set forth by the Secretary or required by law or State rail plans developed under chapter 227;

''(E) If applicable, any technical evaluation ratings that proposed project received under previous competitive grant programs administered by the Secretary; and

''(F) Such other factors as the Secretary considers relevant to the successful delivery of the project.

''(3) BENEFITS.—The benefits described in paragraph (1)(B) may include the effects on system and service performance, including measures such as improved safety, competitiveness, reliability, trip or transit time, resilience, efficiencies from improved integration with other modes, and ability to meet existing or anticipated demand.

''(f) PERFORMANCE MEASURES.—The Secretary shall establish performance measures for each grant recipient to assess progress in achieving strategic goals and objectives. The Secretary may require a grant recipient to periodically report information related to such performance measures.

''(g) RURAL AREAS.—

''(1) IN GENERAL.—Of the amounts appropriated under this section, at least 25 percent shall be available for projects in rural areas. The Secretary shall consider a project to be in a rural area if all or the majority of the project (determined by the geographic location or locations where the majority of the project funds will be spent) is located in a rural area.

''(2) DEFINITION OF RURAL AREA.—In this subsection, the term 'rural area' means any area not in an urbanized area, as defined by the Census Bureau.

''(h) FEDERAL SHARE OF TOTAL PROJECT COSTS.—

''(1) TOTAL PROJECT COSTS.—The Secretary shall estimate the total costs of a project under this subsection based on the best available information, including engineering studies, studies of economic feasibility, environmental analyses, and information on the expected use of equipment or facilities.

''(2) FEDERAL SHARE.—The Federal share of total project costs under this subsection shall not exceed 80 percent.

''(3) TREATMENT OF PASSENGER RAIL REVENUE.—If Amtrak or another rail passenger carrier is an applicant under this section, Amtrak or the other rail passenger carrier, as applicable, may use ticket and other revenues generated from its operations and other sources to satisfy the non-Federal share requirements.

''(i) APPLICABILITY.—Except as specifically provided in this section, the use of any amounts appropriated for grants under this section shall be subject to the requirements of this chapter.

''(j) AVAILABILITY.—Amounts appropriated for carrying out this section shall remain available until expended.''.

(b) CONFORMING AMENDMENT.—The table of contents of chapter 244, as amended by section 35302 of this Act, is amended by adding after the item relating to section 24407 the following:

''24408. Consolidated rail infrastructure and safety improvements.''.

PART III—HAZARDOUS MATERIALS BY RAIL SAFETY AND OTHER SAFETY ENHANCEMENTS

SEC. 35431. REAL-TIME EMERGENCY RESPONSE INFORMATION.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary, in consultation with the Secretary of Homeland Security, shall promulgate regulations—

(1) to require a Class I railroad transporting hazardous materials—

(A) to generate accurate, real-time, and electronic train consist information, including—

(i) the identity, quantity, and location of hazardous materials on a train;

(ii) the point of origin and destination of the train;

(iii) any emergency response information or resources required by the Secretary; and

(iv) an emergency response point of contact designated by the Class I railroad; and

(B) to enter into a memorandum of understanding with each applicable fusion center to provide that fusion center with secure and confidential access to the electronic train consist information described in subparagraph (A) for each train transporting hazardous materials in that fusion center's jurisdiction;

(2) to require each applicable fusion center to provide the electronic train consist information described in paragraph (1)(A) to first responders, emergency response officials, and law enforcement personnel that are involved in the response to or investigation of an incident, accident, or public health or safety emergency involving the rail transportation of hazardous materials and that request such electronic train consist information;

(3) upon the request of each State, political subdivision of a State, or public agency responsible for emergency response or law enforcement, to require each applicable fusion center to provide advance notice for each high-hazard flammable train traveling through the jurisdiction of each State, political subdivision of a State, or public agency, which notice shall include the electronic train consist information described in paragraph (1)(A) for the high-hazard flammable train, and to the extent practicable, for requesting States, political subdivisions, or public agencies, to ensure that the fusion center shall provide at least 12 hours of advance notice for a high-hazard flammable train that will be traveling through the jurisdiction of the State, political subdivision of a State, or public agency, and include within the notice its best estimate of the time the train will enter the jurisdiction;

(4) to prohibit any railroad, employee, or agent from withholding, or causing to be withheld the train consist information from first responders, emergency response officials, and law enforcement personnel described in paragraph (2) in the event of an incident, accident, or public health or safety emergency involving the rail transportation of hazardous materials;

(5) to establish security and confidentiality protections to prevent the release of the electronic train consist information to unauthorized persons; and

(6) to allow each Class I railroad to enter into a memorandum of understanding with any Class II or Class III railroad that operates trains over the Class I railroad's line to incorporate the Class II or Class III railroad's train consist information within the existing framework described in paragraph (1).

(b) DEFINITIONS.—In this section:

(1) APPLICABLE FUSION CENTER.—The term ''applicable fusion center'' means a fusion center with responsibility for a geographic area in which a Class I railroad operates.

(2) CLASS I RAILROAD.—The term ''Class I railroad'' has the meaning given the term in section 20102 of title 49, United States Code.

(3) FUSION CENTER.—The term ''fusion center'' has the meaning given the term in section 124h(j) of title 6, United States Code.

(4) HAZARDOUS MATERIALS.—The term ''hazardous materials'' means material designated as hazardous by the Secretary of Transportation under chapter 51 of the United States Code.

(5) HIGH-HAZARD FLAMMABLE TRAIN.—The term ''high-hazard flammable train'' means a single train transporting 20 or more tank cars loaded with a Class 3 flammable liquid in a continuous block or a single train transporting 35 or more tank cars loaded with a Class 3 flammable liquid throughout the train consist.

(6) TRAIN CONSIST.—The term ''train consist'' includes, with regard to a specific train, the number of rail cars and the commodity transported by each rail car.

(c) SAVINGS CLAUSE.—

(1) Nothing in this section may be construed to prohibit a Class I railroad from voluntarily entering into a memorandum of understanding, as described in subsection (a)(1)(B), with a State emergency response commission or an entity representing or including first responders, emergency response officials, and law enforcement personnel.

(2) Nothing in this section may be construed to amend any requirement for a railroad to provide a State Emergency Response Commission, for each State in which it operates trains transporting 1,000,000 gallons or more of Bakken crude oil, notification regarding the expected movement of such trains through the counties in the State.

SEC. 35432. THERMAL BLANKETS.

(a) REQUIREMENTS.—Not later than 180 days after the date of enactment of this Act, the Secretary shall promulgate such regulations as are necessary to require each tank car built to meet the DOT-117 specification and each non-jacketed tank car modified to meet the DOT-117R specification—

(1) to be equipped with a thermal blanket; or

(2) to have sufficient thermal resistance so that there will be no release of any lading within the tank car, except release through the pressure relief device, when subjected to a pool fire for 200 minutes and a torch fire for 30 minutes.

(b) DEFINITION OF THERMAL BLANKET.—In this section, the term ''thermal blanket'' means an insulating blanket that is applied between the outer surface of a tank car tank and the inner surface of a tank car jacket and that has thermal conductivity no greater than 2.65 Btu per inch, per hour, per square foot, and per degree Fahrenheit at a temperature of 2000 degrees Fahrenheit, plus or minus 100 degrees Fahrenheit.

(c) SAVINGS CLAUSE.—

(1) PRESSURE RELIEF DEVICES.—Nothing in this section may be construed to affect or prohibit any requirement to equip with appropriately sized pressure relief devices a tank car built to meet the DOT-117 specification or a non-jacketed tank car modified to meet the DOT-117R specification.

(2) HARMONIZATION.—Nothing in this section may be construed to require or allow the Secretary to prescribe an implementation deadline or authorization end date for the requirement under subsection (a) that is earlier than the applicable implementation deadline or authorization end date for other tank car modifications necessary to meet the DOT-117R specification.

SEC. 35433. COMPREHENSIVE OIL SPILL RESPONSE PLANS.

(a) REQUIREMENTS.—Not later than 120 days after the date of enactment of this Act, the Secretary shall issue a notice of proposed rulemaking to require each railroad carrier transporting a Class 3 flammable liquid to maintain a comprehensive oil spill response plan.

(b) CONTENTS.—The regulations under subsection (a) shall require each rail carrier described in that subsection—

(1) to include in the comprehensive oil spill response plan procedures and resources for responding, to the maximum extent practicable, to a worst-case discharge;

(2) to ensure the comprehensive oil spill response plan is consistent with the National Contingency Plan and each applicable Area Contingency Plan;

(3) to include in the comprehensive oil spill response plan appropriate notification and training procedures;

(4) to review and update its comprehensive oil spill response plan as appropriate; and

(5) to provide the comprehensive oil spill response plan for acceptance by the Secretary.

(c) SAVINGS CLAUSE.—Nothing in the section may be construed as prohibiting the Secretary from promulgating different comprehensive oil response plan standards for Class I, Class II, and Class III railroads.

(d) DEFINITIONS.—In this section:

(1) AREA CONTINGENCY PLAN.—The term ''Area Contingency Plan'' has the meaning given the term in section 311(a) of the Federal Water Pollution Control Act (33 U.S.C. 1321(a)).

(2) CLASS 3 FLAMMABLE LIQUID.—The term ''Class 3 flammable liquid'' has the meaning

given the term in section 173.120(a) of title 49, Code of Federal Regulations.

(3) CLASS I RAILROAD, CLASS II RAILROAD, AND CLASS III RAILROAD.—The terms ''Class I railroad'', ''Class II railroad'' and ''Class III railroad'' have the meanings given the terms in section 20102 of title 49, United States Code.

(4) NATIONAL CONTINGENCY PLAN.—The term ''National Contingency Plan'' has the meaning given the term in section 1001 of the Oil Pollution Act of 1990 (33 U.S.C. 2701).

(5) RAILROAD CARRIER.—The term ''railroad carrier'' has the meaning given the term in section 20102 of title 49, United States Code.

(6) WORST-CASE DISCHARGE.—The term ''worst-case discharge'' means a railroad carrier's calculation of its largest foreseeable discharge in the event of an accident or incident.

SEC. 35434. HAZARDOUS MATERIALS BY RAIL LIABILITY STUDY.

(a) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Secretary shall initiate a study on the levels and structure of insurance for a railroad carrier transporting hazardous materials.

(b) CONTENTS.—In conducting the study under subsection (a), the Secretary shall evaluate—

(1) the level and structure of insurance, including self-insurance, available in the private market against the full liability potential for damages arising from an accident or incident involving a train transporting hazardous materials;

(2) the level and structure of insurance that would be necessary and appropriate—

(A) to efficiently allocate risk and financial responsibility for claims; and

(B) to ensure that a railroad carrier transporting hazardous materials can continue to operate despite the risk of an accident or incident;

(3) the potential applicability to trains transporting hazardous materials of—

(A) a liability regime modeled after section 170 of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2210); and

(B) a liability regime modeled after subtitle 2 of title XXI of the Public Health Service Act (42 U.S.C. 300aa–10 et seq.).

(c) REPORT.—Not later than 1 year after the date the study under subsection (a) is initiated, the Secretary shall submit a report containing the results of the study and recommendations for addressing liability issues with rail transportation of hazardous materials to—

(1) the Committee on Commerce, Science, and Transportation of the Senate; and

(2) the Committee on Transportation and Infrastructure of the House of Representatives.

(d) DEFINITIONS.—In this section:

(1) HAZARDOUS MATERIAL.—The term ''hazardous material'' means a substance or material the Secretary designates under section 5103(a) of title 49, United States Code.

(2) RAILROAD CARRIER.—The term ''railroad carrier'' has the meaning given the term in section 20102 of title 49, United States Code.

SEC. 35435. STUDY AND TESTING OF ELECTRONICALLY-CONTROLLED PNEUMATIC BRAKES.

(a) GOVERNMENT ACCOUNTABILITY OFFICE STUDY.—

(1) IN GENERAL.—The Government Accountability Office shall complete an independent evaluation of ECP brake systems pilot program data and the Department of Transportation's research and analysis on the effects of ECP brake systems.

(2) STUDY ELEMENTS.—In completing the independent evaluation under paragraph (1), the Government Accountability Office shall examine the following issues related to ECP brake systems:

(A) Data and modeling results on safety benefits relative to conventional brakes and to other braking technologies or systems, such as distributed power and 2-way end-of-train devices.

(B) Data and modeling results on business benefits, including the effects of dynamic braking.

(C) Data on costs, including up-front capital costs and on-going maintenance costs.

(D) Analysis of potential operational challenges, including the effects of potential locomotive and car segregation, technical reliability issues, and network disruptions.

(E) Analysis of potential implementation challenges, including installation time, positive train control integration complexities, component availability issues, and tank car shop capabilities.

(F) Analysis of international experiences with the use of advanced braking technologies.

(3) DEADLINE.—Not later than 18 months after the date of enactment of this Act, the Government Accountability Office shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the results of the independent evaluation under paragraph (1).

(b) EMERGENCY BRAKING APPLICATION TESTING.—

(1) IN GENERAL.—The Secretary of Transportation shall enter into an agreement with the NCRRP Board—

(A) to complete testing of ECP brake systems during emergency braking application, including more than 1 scenario involving the uncoupling of a train with 70 or more DOT 117-specification or DOT 117R-specification tank cars; and

(B) to transmit, not later than 18 months after the date of enactment of this Act, to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the results of the testing.

(2) INDEPENDENT EXPERTS.—In completing the testing under paragraph (1), the NCRRP Board may contract with 1 or more engineering or rail experts, as appropriate, with relevant experience in conducting railroad safety technology tests or similar crash tests.

(3) TESTING FRAMEWORK.—In completing the testing under paragraph (1), the NCRRP Board and each contractor described in paragraph (2) shall ensure that the testing objectively, accurately, and reliably measures the performance of ECP brake systems relative to other braking technologies or systems, such as distributed power and 2-way end-of-train devices, including differences in—

(A) the number of cars derailed;

(B) the number of cars punctured;

(C) the measures of in-train forces; and

(D) the stopping distance.

(4) FUNDING.—The Secretary shall require, as part of the agreement under paragraph (1), that the NCRRP Board fund the testing required under this section—

(A) using such sums made available under section 24910 of title 49, United States Code; and

(B) to the extent funding under subparagraph (A) is insufficient or unavailable to fund the testing required under this section, using such sums as are necessary from the amounts appropriated to the Office of the Secretary.

(5) EQUIPMENT.—The NCRRP Board and each contractor described in paragraph (2) may receive or use rolling stock, track, and other equipment or infrastructure from a private entity for the purposes of conducting the testing required under this section.

(c) EVIDENCE-BASED APPROACH.—

(1) ANALYSIS.—The Secretary shall—

(A) not later than 90 days after the report date, fully incorporate and reflect the findings from both reports into a draft updated regulatory impact analysis of the effects of the applicable ECP brake system requirements;

(B) as soon as practicable after completion of the draft updated analysis under subparagraph (A), solicit public comment on the analysis for a period of not more than 30 days; and

(C) not later than 60 days after the end of the public comment period, post the final updated regulatory impact analysis on the Department of Transportation Web site.

(2) DETERMINATION.—Not later than 180 days after the report date, the Secretary shall—

(A) determine, based on whether the final regulatory impact analysis described in paragraph (1)(C) demonstrates that the benefits, including safety benefits, of the applicable ECP brake system requirements exceed their costs, whether the applicable ECP brake system requirements are justified; and

(B)(i) if the applicable ECP brake system requirements are justified, publish in the Federal Register the determination with the reasons for it; or

(ii) if the Secretary does not publish the determination under clause (i), repeal the applicable ECP brake system requirements.

(d) DEFINITIONS.—In this section:

(1) APPLICABLE ECP BRAKE SYSTEM REQUIREMENTS.—The term ''applicable brake system requirements'' means sections 174.310(a)(3)(ii), 174.310(a)(3)(iii), 174.310(a)(5)(v), 179.102-10, 179.202-12(g), and 179.202-13(i) of title 49, Code of Federal Regulations, and any other regulation in effect on the date of enactment of this Act requiring the installation of ECP brakes or operation in ECP brake mode.

(2) CLASS 3 FLAMMABLE LIQUID.—The term ''Class 3 flammable liquid'' has the meaning given the term in section 173.120(a) of title 49, Code of Federal Regulations.

(3) ECP.—The term ''ECP'' means electronically-controlled pneumatic when applied to a brake or brakes.

(4) ECP BRAKE MODE.—The term ''ECP brake mode'' includes any operation of a rail car or an entire train using an ECP brake system.

(5) ECP BRAKE SYSTEM.—

(A) IN GENERAL.—The term ''ECP brake system'' means a train power braking system actuated by compressed air and controlled by electronic signals from the locomotive or an ECP-EOT to the cars in the consist for service and emergency applications in which the brake pipe is used to provide a constant supply of compressed air to the reservoirs on each car but does not convey braking signals to the car.

(B) INCLUSIONS.—The term ''ECP brake system'' includes dual mode and stand-alone ECP brake systems.

(6) HIGH-HAZARD FLAMMABLE UNIT TRAIN.—The term ''high-hazard flammable unit train'' means a single train transporting 70 or more loaded tank cars containing Class 3 flammable liquid.

(7) NCRRP BOARD.—The term ''NCRRP Board'' means the independent governing board of the National Cooperative Rail Research Program.

(8) RAILROAD CARRIER.—The term ''railroad carrier'' has the meaning given the term in section 20102 of title 49, United States Code.

(9) REPORT DATE.—The term ''report date'' means the date that both the report under subsection (a)(3) and the report under subsection (b)(1)(B) have been transmitted under those subsections.

SEC. 35436. RECORDING DEVICES.

(a) IN GENERAL.—Subchapter II of chapter 201 is amended by adding after section 20167 the following:

''§ 20168. Installation of audio and image recording devices

''(a) IN GENERAL.—Not later than 2 years after the date of enactment of the Railroad Reform, Enhancement, and Efficiency Act, the Secretary of Transportation shall promulgate regulations to require each rail carrier that provides regularly scheduled intercity rail passenger or commuter rail passenger transportation to the public to install inward- and outward-facing image recording devices in all controlling locomotive cabs and cab car operating compartments in such passenger trains.

''(b) DEVICE STANDARDS.—Each inward- and outward-facing image recording device shall—

''(1) have a minimum 12-hour continuous recording capability;

''(2) have crash and fire protections for any in-cab image recordings that are stored only within a controlling locomotive cab or cab car operating compartment; and

''(3) have recordings accessible for review during an accident investigation.

''(c) REVIEW.—The Secretary shall establish a process to review and approve or disapprove an inward- or outward-facing recording device for compliance with the standards described in subsection (b).

''(d) USES.—A rail carrier that has installed an inward- or outward-facing image recording device approved under subsection (c) may use recordings from that inward- or outward-facing image recording device for the following purposes:

''(1) Verifying that train crew actions are in accordance with applicable safety laws and the rail carrier's operating rules and procedures.

''(2) Assisting in an investigation into the causation of a reportable accident or incident.

''(3) Carrying out efficiency testing and system-wide performance monitoring programs.

''(4) Documenting a criminal act or monitoring unauthorized occupancy of the controlling locomotive cab or car operating compartment.

''(5) Other purposes that the Secretary considers appropriate.

''(e) VOLUNTARY IMPLEMENTATION.—

''(1) IN GENERAL.—Each rail carrier operating freight rail service may implement any inward- or outward-facing image recording devices approved under subsection (c).

''(2) AUTHORIZED USES.—Notwithstanding any other provision of law, each rail carrier may use recordings from an inward- or outward-facing image recording device approved under subsection (c) for any of the purposes described in subsection (d).

''(f) DISCRETION.—

''(1) IN GENERAL.—The Secretary may—

''(A) require in-cab audio recording devices for the purposes described in subsection (d); and

''(B) define in appropriate technical detail the essential features of the devices required under subparagraph (A).

''(2) EXEMPTIONS.—The Secretary may exempt any rail passenger carrier or any part of a rail passenger carrier's operations from the requirements under subsection (a) if the Secretary determines that the rail passenger carrier has implemented an alternative technology or practice that provides an equivalent or greater safety benefit or is better suited to the risks of the operation.

''(g) TAMPERING.—A rail carrier may take appropriate enforcement or administrative action against any employee that tampers with or disables an audio or inward- or outward-facing image recording device installed by the rail carrier.

''(h) PRESERVATION OF DATA.—Each rail passenger carrier subject to the requirements of subsection (a) shall preserve recording device data for 1 year after the date of a reportable accident or incident.

''(i) INFORMATION PROTECTIONS.—The Secretary may not disclose publicly any part of an in-cab audio or image recording or transcript of oral communications by or among train employees or other operating employees responsible for the movement and direction of the train, or between such operating employees and company communication centers, related to an accident investigated by the Secretary. However, the Secretary shall make public any part of a transcript or any written depiction of visual information that the Secretary decides is relevant to the accident at the time a majority of the other factual reports on the accident are released to the public.

''(j) PROHIBITED USE.—An in-cab audio or image recording obtained by a rail carrier under this section may not be used to retaliate against an employee.

''(k) SAVINGS CLAUSE.—Nothing in this section may be construed as requiring a rail carrier to cease or restrict operations upon a technical failure of an inward- or outward-facing image recording device. Such rail carrier shall repair or replace the failed inward- or outward-facing image recording device as soon as practicable.''.

(b) CONFORMING AMENDMENT.—The table of contents for subchapter II of chapter 201 is amended by adding at the end the following:

''20168. Installation of audio and image recording devices.''.

SEC. 35437. RAIL PASSENGER TRANSPORTATION LIABILITY.

(a) LIMITATIONS.—Section 28103(a) is amended—

(1) in paragraph (2), by striking ''$200,000,000'' and inserting ''$295,000,000, except as provided in paragraph (3).''; and

(2) by adding at the end the following:

''(3) The liability cap under paragraph (2) shall be adjusted every 5 years by the Secretary of Transportation to reflect changes in the Consumer Price Index-All Urban Consumers.

''(4) The Federal Government shall have no financial responsibility for any claims described in paragraph (2).''.

(b) DEFINITION OF RAIL PASSENGER TRANSPORTATION.—Section 28103(e) is amended—

(1) in the heading, by striking ''DEFINITION.—'' and inserting ''DEFINITIONS.—'';

(2) in paragraph (2), by striking ''; and'' and inserting a semicolon;

(3) in paragraph (3), by striking the period at the end and inserting ''; and''; and

(4) by adding at the end the following:

''(4) the term 'rail passenger transportation' includes commuter rail passenger transportation (as defined in section 24102).''.

(c) PROHIBITION.—No Federal funds may be appropriated for the purpose of paying for the portion of an insurance premium attributable to the increase in allowable awards under the amendments made by subsection (a).

(d) EFFECTIVE DATE.—The amendments made by subsection (a) shall be effective for any passenger rail accident or incident occurring on or after May 12, 2015.

SEC. 35438. MODIFICATION REPORTING.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall implement a reporting requirement to monitor industry-wide progress toward modifying tank cars used in high-hazard flammable train service by the applicable deadlines or authorization end dates set in regulation.

(b) TANK CAR DATA.—The Secretary shall collect data from shippers and tank car owners on—

(1) the total number of tank cars modified to meet the DOT-117R specification, or equivalent, specifying—

(A) the type or specification of each tank car before it was modified, including non-jacketed DOT-111, jacketed DOT-111, non-jacketed DOT-111 meeting the CPC-1232 standard, or jacketed DOT-111 meeting the CPC-1232 standard; and

(B) the identification number of each Class 3 flammable liquid carried by each tank car in the past year;

(2) the total number of tank cars built to meet the DOT-117 specification, or equivalent; and

(3) the total number of tank cars used or likely to be used in high-hazard flammable train service that have not been modified, specifying—

(A) the type or specification of each tank car not modified, including the non-jacketed DOT-111, jacketed DOT-111, non-jacketed DOT-111 meeting the CPC-1232 standard, or jacketed DOT-111 meeting the CPC-1232 standard; and

(B) the identification number of each Class 3 flammable liquid carried by each tank car in the past year.

(c) TANK CAR SHOP DATA.—The Secretary shall conduct a survey of tank car facilities modifying tank cars to the DOT-117R specification, or equivalent, or building new tank cars to the DOT-117 specification, or equivalent, to generate statistically-valid estimates of the expected number of tank cars those facilities expect to modify to DOT-117R specification, or equivalent, or build to the DOT-117 specification, or equivalent.

(d) FREQUENCY.—The Secretary shall collect the data under subsection (b) and conduct the survey under subsection (c) annually until May 1, 2025.

(e) INFORMATION PROTECTIONS.—

(1) IN GENERAL.—The Secretary shall only report data in industry-wide totals and shall treat company-specific information as confidential business information.

(2) LEVEL OF CONFIDENTIALITY.—The Secretary shall ensure the data collected under subsection (b) and the survey data under subsection (c) have the same level of confidentiality as contained in the Confidential Information Protection and Statistical Efficiency Act of 2002 (44 U.S.C. 3501 note), as administered by the Bureau of Transportation Statistics.

(3) DESIGNEE.—The Secretary may designate the Director of the Bureau of Transportation Statistics to collect data under subsection (b) and the survey data under subsection (c) and direct the Director to ensure the confidentially of company-specific information to the maximum extent permitted by law.

(f) REPORT.—Each year, not later than 60 days after the date that both the collection of the data under subsection (b) and the survey under subsection (c) are complete, the

Secretary shall report on the aggregate results, without company-specific information, to—

(1) the Committee on Commerce, Science, and Transportation of the Senate; and

(2) the Committee on Transportation and Infrastructure of the House of Representatives.

(g) DEFINITIONS.—In this section:

(1) CLASS 3 FLAMMABLE LIQUID.—The term ''Class 3 flammable liquid'' has the meaning given the term in section 173.120(a) of title 49, Code of Federal Regulations.

(2) HIGH-HAZARD FLAMMABLE TRAIN.—The term ''high-hazard flammable train'' means a single train transporting 20 or more tank cars loaded with a Class 3 flammable liquid in a continuous block or a single train transporting 35 or more tank cars loaded with a Class 3 flammable liquid throughout the train consist.

SEC. 35439. REPORT ON CRUDE OIL CHARACTERISTICS RESEARCH STUDY.

Not later than 180 days after the research completion of the comprehensive Crude Oil Characteristics Research Sampling, Analysis, and Experiment (SAE) Plan study at Sandia National Laboratories, the Secretary of Energy, in cooperation with the Secretary of Transportation, shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Energy and Natural Resources of the Senate, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Energy and Commerce of the House of Representatives that contains—

(1) the results of the comprehensive Crude Oil Characteristics Research Sampling, Analysis, and Experiment (SAE) Plan study; and

(2) recommendations, based on the findings of the study, for—

(A) regulations that should be prescribed by the Secretary of Transportation or the Secretary of Energy to improve the safe transport of crude oil; and

(B) statutes that should be enacted by Congress to improve the safe transport of crude oil.

PART IV—POSITIVE TRAIN CONTROL

SEC. 35441. COORDINATION OF SPECTRUM.

(a) ASSESSMENT.—The Secretary, in coordination with the Chairman of the Federal Communications Commission, shall assess spectrum needs and availability for implementing positive train control systems (as defined in section 20157(i)(3) of title 49, United States Code). The Secretary and the Chairman may consult with external stakeholders in carrying out this section.

(b) REPORT.—Not later than 120 days after the date of enactment of this Act, the Secretary shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that contains the results of the assessment conducted under subsection (a).

SEC. 35442. UPDATED PLANS.

(a) IMPLEMENTATION.—Section 20157(a) is amended to read as follows:

''(a) IMPLEMENTATION.—

''(1) PLAN REQUIRED.—Each Class I railroad carrier and each entity providing regularly scheduled intercity or commuter rail passenger transportation shall develop and submit to the Secretary of Transportation a plan for implementing a positive train control system by December 31, 2015, governing operations on—

''(A) its main line over which intercity rail passenger transportation or commuter rail passenger transportation (as defined in section 24102) is regularly provided;

''(B) its main line over which poison- or toxic-by-inhalation hazardous materials (as defined in sections 171.8, 173.115, and 173.132 of title 49, Code of Federal Regulations) are transported; and

''(C) such other tracks as the Secretary may prescribe by regulation or order.

''(2) INTEROPERABILITY AND PRIORITIZATION.—The plan shall describe how the railroad carrier or other entity subject to paragraph (1) will provide for interoperability of the positive train control systems with movements of trains of other railroad carriers over its lines and shall, to the extent practical, implement the positive train control systems in a manner that addresses areas of greater risk before areas of lesser risk.

''(3) SECRETARIAL REVIEW OF UPDATED PLANS.—

''(A) SUBMISSION OF UPDATED PLANS.—Notwithstanding the deadline set forth in paragraph (1), not later than 90 days after the date of enactment of the Railroad Reform, Enhancement, and Efficiency Act, each Class I railroad carrier or other entity subject to paragraph (1) may submit to the Secretary an updated plan that amends the plan submitted under paragraph (1) with an updated implementation schedule (as described in paragraph (4)(B)) and milestones or metrics (as described in paragraph (4)(A)) that demonstrate that the railroad carrier or other entity will implement a positive train control system as soon as practicable, if implementing in accordance with the updated plan will not introduce operational challenges or risks to full, successful, and safe implementation.

''(B) REVIEW OF UPDATED PLANS.—Not later than 150 days after receiving an updated plan under subparagraph (A), the Secretary shall review the updated plan and approve or disapprove it. In determining whether to approve or disapprove the updated plan, the Secretary shall consider whether the railroad carrier or other entity submitting the plan—

''(i)(I) has encountered technical or programmatic challenges identified by the Secretary in the 2012 report transmitted to Congress pursuant to subsection (d); and

''(II) the challenges referred to in subclause (I) have negatively affected the successful implementation of positive train control systems;

''(ii) has demonstrated due diligence in its effort to implement a positive train control system;

''(iii) has included in its plan milestones or metrics that demonstrate the railroad carrier or other entity will implement a positive train control system as soon as practicable, if implementing in accordance with the milestones or metrics will not introduce operational challenges or risks to full, successful, and safe implementation; and

''(iv) has set an implementation schedule in its plan that shows the railroad will comply with paragraph (7), if implementing in accordance with the implementation schedule will not introduce operational challenges or risks to full, successful, and safe implementation.

''(C) MODIFICATION OF UPDATED PLANS.—(i) If the Secretary has not approved an updated plan under subparagraph (B) within 60 days of receiving the updated plan under subparagraph (A), the Secretary shall immediately—

''(I) provide a written response to the railroad carrier or other entity that identifies the reason for not approving the updated plan and explains any incomplete or deficient items;

''(II) allow the railroad carrier or other entity to submit, within 30 days of receiving the written response under subclause (I), a modified version of the updated plan for the Secretary's review; and

''(III) approve or issue final disapproval for a modified version of the updated plan submitted under subclause (II) not later than 60 days after receipt.

''(ii) During the 60-day period described in clause (i)(III), the railroad or other entity that has submitted a modified version of the updated plan under clause (i)(II) may make additional modifications, if requested by the Secretary, for the purposes of correcting incomplete or deficient items to receive approval.

''(D) PUBLIC AVAILABILITY.—Not later than 30 days after approving an updated plan under this paragraph, the Secretary shall make the updated plan available on the website of the Federal Railroad Administration.

''(E) PENDING REVIEWS.—For an applicant that submits an updated plan under subparagraph (A), the Secretary shall extend the deadline for implementing a positive train control system at least until the date the Secretary approves or issues final disapproval for the updated plan with an updated implementation schedule (as described in paragraph (4)(B)).

''(F) DISAPPROVAL.—A railroad carrier or other entity that has its modified version of its updated plan disapproved by the Secretary under subparagraph (C)(i)(III), and that has not implemented a positive train control system by the deadline in subsection (a)(1), is subject to enforcement action authorized under subsection (e).

''(4) CONTENTS OF UPDATED PLAN.—

''(A) MILESTONES OR METRICS.—Each updated plan submitted under paragraph (3) shall describe the following milestones or metrics:

''(i) The total number of components that will be installed with positive train control by the end of each calendar year until positive train control is fully implemented, with totals separated by each component category.

''(ii) The number of employees that will receive the training, as required under the applicable positive train control system regulations, by the end of each calendar year until positive train control is fully implemented.

''(iii) The calendar year or years in which spectrum will be acquired and will be available for use in all areas that it is needed for positive train control implementation, if such spectrum is not already acquired and ready for use.

''(B) IMPLEMENTATION SCHEDULE.—Each updated plan submitted under paragraph (3) shall include an implementation schedule that identifies the dates by which the railroad carrier or other entity will—

''(i) fully implement a positive train control system;

''(ii) complete all component installation, consistent with the milestones or metrics described in subparagraph (A)(i);

''(iii) complete all employee training required under the applicable positive train control system regulations, consistent with the milestones or metrics described in subparagraph (A)(ii);

''(iv) acquire all necessary spectrum, consistent with the milestones or metrics in subparagraph (A)(iii); and

''(v) activate its positive train control system.

''(C) ADDITIONAL INFORMATION.—Each updated plan submitted under paragraph (3) shall include—

''(i) the total number of positive train control components required for implementation, with totals separated by each major component category;

''(ii) the total number of employees requiring training under the applicable positive train control system regulations;

''(iii) a summary of the remaining challenges to positive train control system implementation, including—

''(I) testing issues;

''(II) interoperability challenges;

''(III) permitting issues; and

''(IV) certification challenges.

''(D) DEFINED TERM.—In this paragraph, the term 'component' means a locomotive apparatus, a wayside interface unit (including any associated legacy signal system replacements), back office system hardware, a base station radio, a wayside radio, or a locomotive radio.

''(5) PLAN IMPLEMENTATION.—The Class I railroad carrier or other entity subject to paragraph (1) shall implement a positive train control system in accordance with its plan, including any amendments made to the plan by its updated plan approved by the Secretary under paragraph (3), and subject to section 35443 of the Railroad Reform, Enhancement, and Efficiency Act.

''(6) PROGRESS REPORT.—Each Class I railroad carrier or other entity with an approved updated plan shall submit an annual report to the Secretary that describes the progress made on positive train control implementation, including—

''(A) the extent to which the railroad carrier or other entity met or exceeded the metrics or milestones described in paragraph (4)(A);

''(B) the extent to which the railroad carrier or other entity complied with its implementation schedule under paragraph (4)(B); and

''(C) any update to the information provided under paragraph (4)(C).

''(7) CONSTRAINT.—Each updated plan shall reflect that the railroad carrier or other entity subject to paragraph (1) will, not later than December 31, 2018—

''(A) complete component installation and spectrum acquisition; and

''(B) activate its positive train control system without undue delay.''.

(b) ENFORCEMENT.—Section 20157(e) is amended to read as follows:

''(e) ENFORCEMENT.—The Secretary is authorized to assess civil penalties pursuant to chapter 213 for the failure to submit or comply with a plan for implementing positive train control under subsection (a), including any amendments to the plan made by an updated plan (including milestones or metrics and an updated implementation schedule) approved by the Secretary under paragraph (3) of such subsection, subject to section 35443 of the Railroad Reform, Enhancement, and Efficiency Act.''.

(c) DEFINITIONS.—Section 20157(i) is amended—

(1) by redesignating paragraphs (1) through (3) as paragraphs (2) through (4), respectively; and

(2) by inserting before paragraph (2), as redesignated, the following:

''(1) ACTIVATE.—The term 'activate' means to initiate the use of a positive train control system in every subdivision or district where the railroad carrier or other entity is prepared to do so safely, reliably, and successfully, and proceed with revenue service demonstration as necessary for system testing and certification, prior to full implementation.''.

(d) CONFORMING AMENDMENT.—Section 20157(g) is amended—

(1) by striking ''The Secretary'' and inserting the following:

''(1) IN GENERAL.—The Secretary''; and

(2) by adding at the end the following:

''(2) CONFORMING REGULATORY AMENDMENTS.—Immediately after the date of the enactment of the Railroad Reform, Enhancement, and Efficiency Act, the Secretary—

''(A) shall remove or revise any references to specified dates in the regulations or orders implementing this section to the extent necessary to conform with the amendments made by such Act; and

''(B) may not enforce any such date-specific deadlines or requirements that are inconsistent with the amendments made by such Act.''.

(e) SAVINGS PROVISIONS.—

(1) RESUBMISSION OF INFORMATION.—Nothing in the amendments made by this section may be construed to require a Class I railroad carrier or other entity subject to section 20157(a) of title 49, United States Code, to resubmit in its updated plan information from its initial implementation plan that is not changed or affected by the updated plan. The Secretary shall consider an updated plan submitted pursuant to paragraph (3) of that section to be an addendum that makes amendments to the initial implementation plan.

(2) SUBMISSION OF NEW PLAN.—Nothing in the amendments made by this section may be construed to require a Class I railroad carrier or other entity subject to section 20157(a) of title 49, United States Code, to submit a new implementation plan pursuant to the deadline set forth in that section.

(3) APPROVAL.—A railroad carrier or other entity subject to section 20157(a) of title 49, United States Code, that has its updated plan, including a modified version of the updated plan, approved by the Secretary under subparagraph (B) or subparagraph (C) of paragraph (3) of that section shall not be required to implement a positive train control system by the deadline under paragraph (1) of that section.

SEC. 35443. EARLY ADOPTION AND INTEROPERABILITY.

(a) EARLY ADOPTION.—During the 1-year period beginning on the date on which the last railroad carrier's or other entity's positive train control system, subject to section 20157(a) of title 49, United States Code, is certified by the Secretary under subsection (h) of such section and implemented on all of that railroad carrier's or other entity's lines required to have operations governed by a positive train control system, any railroad carrier or other entity shall not be subject to the operational restrictions set forth in subpart I of part 236 of title 49, Code of Federal Regulations, that would otherwise apply in the event of a positive train control system component failure.

(b) INTEROPERABILITY PROCEDURE.—If multiple railroad carriers operate on a single railroad line through a trackage or haulage agreement, each railroad carrier operating on the railroad line shall not be subject to the operating restrictions set forth in subpart I of part 236 of title 49, Code of Federal Regulations, with respect to the railroad line, until the Secretary certifies that—

(1) each Class I railroad carrier and each entity providing regularly scheduled intercity or commuter rail passenger transportation that operates on the railroad line is in compliance with its positive train control requirements under section 20157(a) of title 49, United States Code;

(2) each Class II or Class III railroad that operates on the railroad line is in compliance with the applicable regulatory requirements to equip locomotives operating in positive train control territory; and

(3) the implementation of any and all positive train control systems are interoperable and operational on the railroad line in conformance with each approved implementation plan so that each freight and passenger railroad can operate on the line with that freight or passenger railroad's positive train control equipment.

(c) SMALL RAILROADS.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall amend section 236.1006(b)(4)(iii)(B) of title 49, Code of Federal Regulations (relating to equipping locomotives for applicable Class II and Class III railroads operating in positive train control territory) to extend each deadline by 3 years.

(d) ENFORCEMENT.—

(1) IN GENERAL.—Subject to paragraph (2), nothing in subsection (a) may be construed to prohibit the Secretary from enforcing the metrics and milestones under section 20157(a)(4)(A) of title 49, United States Code, as amended by section 35442 of this Act.

(2) ACTIVATION.—Beginning on the date in which a railroad carrier or other entity subject to section 20157(a) of title 49, United States Code, as amended by section 35442 of this Act, has activated its positive train control system, the railroad carrier or other entity shall not be in violation of its plan, including its updated plan, approved under this Act if implementing such plan introduces operational challenges or risks to full, successful, and safe implementation.

SEC. 35444. POSITIVE TRAIN CONTROL AT GRADE CROSSINGS EFFECTIVENESS STUDY.

(a) STUDY.—After the Secretary certifies that each Class I railroad carrier and each entity providing regularly scheduled intercity or commuter rail passenger transportation is in compliance with the positive train control requirements under section 20157(a) of title 49, United States Code, the Secretary shall enter into an agreement with the National Cooperative Rail Research Program Board—

(1) to conduct a study of the possible effectiveness of positive train control and related technologies on reducing collisions at highway-rail grade crossings; and

(2) to submit a report containing the results of the study conducted under paragraph (1) to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

(b) FUNDING.—The Secretary may require, as part of the agreement under subsection (a), that the National Cooperative Rail Research Program Board fund the study required under this section using such sums as may be necessary out of the amounts made available under section 24910 of title 49, United States Code.

Subtitle E—Project Delivery

SEC. 35501. SHORT TITLE.

This subtitle may be cited as the ''Track, Railroad, and Infrastructure Network Act''.

SEC. 35502. PRESERVATION OF PUBLIC LANDS.

(a) HIGHWAYS.—Section 138 of title 23, United States Code, is amended—

(1) in subsection (b)(2)(A)(i), by inserting '', taking into consideration any avoidance,

minimization, and mitigation or enhancement measures incorporated into the program or project'' after ''historic site''; and

(2) by adding at the end the following:

''(c) RAIL AND TRANSIT.—Improvements to, or the maintenance, rehabilitation, or operation of, railroad or rail transit lines or elements of such lines, with the exception of stations, that are in use or were historically used for the transportation of goods or passengers, shall not be considered a use of an historic site under subsection (a), regardless of whether the railroad or rail transit line or element of such line is listed on, or eligible for listing on, the National Register of Historic Places.''.

(b) TRANSPORTATION PROJECTS.—Section 303 is amended—

(1) in subsection (c), by striking ''subsection (d)'' and inserting ''subsections (d) and (e)'';

(2) in subsection (d)(2)(A)(i), by inserting '', taking into consideration any avoidance, minimization, and mitigation or enhancement measures incorporated into the program or project'' after ''historic site''; and

(3) by adding at the end the following:

''(e) RAIL AND TRANSIT.—Improvements to, or the maintenance, rehabilitation, or operation of, railroad or rail transit lines or elements of such lines, with the exception of stations, that are in use or were historically used for the transportation of goods or passengers, shall not be considered a use of an historic site under subsection (c), regardless of whether the railroad or rail transit line or element of such line is listed on, or eligible for listing on, the National Register of Historic Places.''.

SEC. 35503. EFFICIENT ENVIRONMENTAL REVIEWS.

(a) IN GENERAL.—Section 304 is amended—

(1) in the heading, by striking ''**for multimodal projects**'' and inserting ''**and increasing the efficiency of environmental reviews**''; and

(2) by adding at the end the following:

''(e) EFFICIENT ENVIRONMENTAL REVIEWS.—

''(1) IN GENERAL.—The Secretary of Transportation shall apply the project development procedures, to the greatest extent feasible, described in section 139 of title 23, United States Code, to any rail project that requires the approval of the Secretary of Transportation under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

''(2) REGULATIONS AND PROCEDURES.—The Secretary of Transportation shall incorporate such project development procedures into the agency regulations and procedures pertaining to rail projects.

''(f) APPLICABILITY OF NEPA DECISIONS.—

''(1) IN GENERAL.—A Department of Transportation operating administration may apply a categorical exclusion designated by another Department of Transportation operating administration under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

''(2) FINDINGS.—A Department of Transportation operating administration may adopt, in whole or in part, another Department of Transportation operating administration's Record of Decision, Finding of No Significant Impact, and any associated evaluations, determinations, or findings demonstrating compliance with any law related to environmental review or historic preservation.''.

SEC. 35504. ADVANCE ACQUISITION.

(a) IN GENERAL.—Chapter 241 is amended by inserting after section 24105 the following—

''§ 24106. Advance acquisition

''(a) RAIL CORRIDOR PRESERVATION.—The Secretary may assist a recipient of funding in acquiring right-of-way and adjacent real property interests before or during the completion of the environmental reviews for any project receiving funding under subtitle V of title 49, United States Code, that may use such property interests if the acquisition is otherwise permitted under Federal law, and the recipient requesting Federal funding for the acquisition certifies, with the concurrence of the Secretary, that—

''(1) the recipient has authority to acquire the right-of-way or adjacent real property interest; and

''(2) the acquisition of the right-of-way or adjacent real property interest—

''(A) is for a transportation or transportation-related purpose;

''(B) will not cause significant adverse environmental impact;

''(C) will not limit the choice of reasonable alternatives for the proposed project or otherwise influence the decision of the Secretary on any approval required for the proposed project;

''(D) does not prevent the lead agency for the review process from making an impartial decision as to whether to accept an alternative that is being considered;

''(E) complies with other applicable Federal law, including regulations;

''(F) will be acquired through negotiation and without the threat of condemnation; and

''(G) will not result in the elimination or reduction of benefits or assistance to a displaced person under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601 et seq.) and title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.).

''(b) ENVIRONMENTAL REVIEWS.—

''(1) COMPLETION OF NEPA REVIEW.—Before authorizing any Federal funding for the acquisition of a real property interest that is the subject of a grant or other funding under this subtitle, the Secretary shall complete, if required, the review process under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) with respect to the acquisition.

''(2) COMPLETION OF SECTION 106.—An acquisition of a real property interest involving an historic site shall not occur unless the section 106 process, if required, under the National Historic Preservation Act (54 U.S.C. 306108) is complete.

''(3) TIMING OF ACQUISITIONS.—A real property interest acquired under subsection (a) may not be developed in anticipation of the proposed project until all required environmental reviews for the project have been completed.''.

(b) CONFORMING AMENDMENT.—The table of contents of chapter 241 is amended by inserting after the item relating to section 24105 the following:

''24106. Advance acquisition.''.

SEC. 35505. RAILROAD RIGHTS-OF-WAY.

Section 306108 of title 54, United States Code, is amended—

(1) by inserting ''(b) OPPORTUNITY TO COMMENT.—'' before ''The head of the Federal agency shall afford'' and indenting accordingly;

(2) in the matter before subsection (b), by inserting ''(a) IN GENERAL.—'' before ''The head of any Federal agency having direct'' and indenting accordingly; and

(3) by adding at the end the following:

''(c) EXEMPTION FOR RAILROAD RIGHTS-OF-WAY.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of the Track, Railroad, and Infrastructure Network Act, the Secretary of Transportation shall submit a proposed exemption of railroad rights-of-way from the review under this chapter to the Council for its consideration, consistent with the exemption for interstate highways approved on March 10, 2005 (70 Fed. Reg. 11,928).

''(2) FINAL EXEMPTION.—Not later than 180 days after the date that the Secretary submits the proposed exemption under paragraph (1) to the Council, the Council shall issue a final exemption of railroad rights-of-way from review under this chapter, consistent with the exemption for interstate highways approved on March 10, 2005 (70 Fed. Reg. 11,928).''.

SEC. 35506. SAVINGS CLAUSE.

Nothing in this title, or any amendment made by this title, shall be construed as superceding, amending, or modifying the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) or affect the responsibility of any Federal officer to comply with or enforce any such statute.

SEC. 35507. TRANSITION.

Nothing in this title, or any amendment made by this title, shall affect any existing environmental review process, program, agreement, or funding arrangement approved by the Secretary under title 49, United States Code, as that title was in effect on the day preceding the date of enactment of this subtitle.

Subtitle F—Financing

SEC. 35601. SHORT TITLE; REFERENCES.

(a) SHORT TITLE.—This subtitle may be cited as the ''Railroad Infrastructure Financing Improvement Act''.

(b) REFERENCES TO THE RAILROAD REVITALIZATION AND REGULATORY REFORM ACT OF 1976.—Except as otherwise expressly provided, wherever in this subtitle an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Railroad Revitalization and Regulatory Reform Act of 1976, as amended (45 U.S.C. 801 et seq.).

SEC. 35602. DEFINITIONS.

Section 501 (45 U.S.C. 821) is amended—

(1) by redesignating paragraph (8) as paragraph (10);

(2) by redesignating paragraphs (6) and (7) as paragraphs (7) and (8), respectively;

(3) by inserting after paragraph (5) the following:

''(6) The term 'investment-grade rating' means a rating of BBB minus, Baa 3, bbb minus, BBB(low), or higher assigned by a rating agency.'';

(4) by inserting after paragraph (8), as redesignated, the following:

''(9) The term 'master credit agreement' means an agreement to make 1 or more direct loans or loan guarantees at future dates for a program of related projects on terms acceptable to the Secretary.''; and

(5) by adding at the end the following:

''(11) The term 'project obligation' means a note, bond, debenture, or other debt obligation issued by a borrower in connection with the financing of a project, other than a direct loan or loan guarantee under this title.

''(12) The term 'railroad' has the meaning given the term 'railroad carrier' in section 20102 of title 49, United States Code.

''(13) The term 'rating agency' means a credit rating agency registered with the Securities and Exchange Commission as a nationally recognized statistical rating organization (as defined in section 3(a) of the Securities Exchange Act of 1934 (15 U.S.C. 78c(a))).

''(14) The term 'substantial completion' means—

''(A) the opening of a project to passenger or freight traffic; or

''(B) a comparable event, as determined by the Secretary and specified in the direct loan.''.

SEC. 35603. ELIGIBLE APPLICANTS.

Section 502(a) (45 U.S.C. 822(a)) is amended—

(1) in paragraph (5), by striking ''one railroad; and'' and inserting ''1 of the entities described in paragraph (1), (2), (3), (4), or (6);''; and

(2) by amending paragraph (6) to read as follows:

''(6) solely for the purpose of constructing a rail connection between a plant or facility and a rail carrier, limited option freight shippers that own or operate a plant or other facility; and''.

SEC. 35604. ELIGIBLE PURPOSES.

Section 502(b)(1) (45 U.S.C. 822(b)(1)) is amended—

(1) in subparagraph (A), by inserting '', and costs related to these activities, including pre-construction costs'' after ''shops'';

(2) in subparagraph (B), by striking ''subparagraph (A); or'' and inserting ''subparagraph (A) or (C);'';

(3) in subparagraph (C), by striking the period at the end and inserting a semicolon; and

(4) by adding at the end the following:

''(D) reimburse planning and design expenses relating to projects described in subparagraph (A) or (C).''.

SEC. 35605. PROGRAM ADMINISTRATION.

(a) APPLICATION PROCESSING PROCEDURES.—Section 502(i) (45 U.S.C. 822(i)) is amended to read as follows:

''(i) APPLICATION PROCESSING PROCEDURES.—

''(1) APPLICATION STATUS NOTICES.—Not later than 30 days after the date that the Secretary receives an application under this section, the Secretary shall provide the applicant written notice as to whether the application is complete or incomplete.

''(2) INCOMPLETE APPLICATIONS.—If the Secretary determines that an application is incomplete, the Secretary shall—

''(A) provide the applicant with a description of all of the specific information or material that is needed to complete the application; and

''(B) allow the applicant to resubmit the information and material described under subparagraph (A) to complete the application.

''(3) APPLICATION APPROVALS AND DISAPPROVALS.—

''(A) IN GENERAL.—Not later than 60 days after the date the Secretary notifies an applicant that an application is complete under paragraph (1), the Secretary shall provide the applicant written notice as to whether the Secretary has approved or disapproved the application.

''(B) ACTIONS BY THE OFFICE OF MANAGEMENT AND BUDGET.—In order to enable compliance with the time limit under subparagraph (A), the Office of Management and Budget shall take any action required with respect to the application within that 60-day period.

''(4) EXPEDITED PROCESSING.—The Secretary shall implement procedures and measures to economize the time and cost involved in obtaining an approval or a disapproval of credit assistance under this title.

''(5) DASHBOARD.—The Secretary shall post on the Department of Transportation's public Web site a monthly report that includes for each application—

''(A) the name of the applicant or applicants;

''(B) the location of the project;

''(C) a brief description of the project, including its purpose;

''(D) the requested direct loan or loan guarantee amount;

''(E) the date on which the Secretary provided application status notice under paragraph (1); and

''(F) the date that the Secretary provided notice of approval or disapproval under paragraph (3).''.

(b) ADMINISTRATION OF DIRECT LOANS AND LOAN GUARANTEES.—Section 503 (45 U.S.C. 823) is amended—

(1) in subsection (a), by striking the period at the end and inserting '', including a program guide and standard term sheet and specific timetables.'';

(2) by redesignating subsections (c) through (l) as subsections (d) through (m), respectively;

(3) by striking ''(b) ASSIGNMENT OF LOAN GUARANTEES.—'' and inserting ''(c) ASSIGNMENT OF LOAN GUARANTEES.—'';

(4) in subsection (d), as redesignated—

(A) in paragraph (1), by striking ''; and'' and inserting a semicolon;

(B) in paragraph (2), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(3) the modification cost has been covered under section 502(f).''; and

(5) by amending subsection (l), as redesignated, to read as follows:

''(l) CHARGES AND LOAN SERVICING.—

''(1) PURPOSES.—The Secretary may collect and spend from each applicant, obligor, or loan party a reasonable charge for—

''(A) the cost of evaluating the application, amendments, modifications, and waivers, including for evaluating project viability, applicant creditworthiness, and the appraisal of the value of the equipment or facilities for which the direct loan or loan guarantee is sought, and for making necessary determinations and findings;

''(B) the cost of award management and project management oversight;

''(C) the cost of services from expert firms, including counsel, and independent financial advisors to assist in the underwriting, auditing, servicing, and exercise of rights with respect to direct loans and loan guarantees; and

''(D) the cost of all other expenses incurred as a result of a breach of any term or condition or any event of default on a direct loan or loan guarantee.

''(2) STANDARDS.—The Secretary may charge different amounts under this subsection based on the different costs incurred under paragraph (1).

''(3) SERVICER.—

''(A) IN GENERAL.—The Secretary may appoint a financial entity to assist the Secretary in servicing a direct loan or loan guarantee under this section.

''(B) DUTIES.—A servicer appointed under subparagraph (A) shall act as the agent of the Secretary in serving a direct loan or loan guarantee under this section.

''(C) FEES.—A servicer appointed under subparagraph (A) shall receive a servicing fee from the obligor or other loan party, subject to approval by the Secretary.

''(4) SAFETY AND OPERATIONS ACCOUNT.—Amounts collected under this subsection shall—

''(A) be credited directly to the Safety and Operations account of the Federal Railroad Administration; and

''(B) remain available until expended to pay for the costs described in this subsection.''.

SEC. 35606. LOAN TERMS AND REPAYMENT.

(a) PREREQUISITES FOR ASSISTANCE.—Section 502(g)(1) (45 U.S.C. 822(g)(1)) is amended by striking ''35 years from the date of its execution'' and inserting ''the lesser of 35 years after the date of substantial completion of the project or the estimated useful life of the rail equipment or facilities to be acquired, rehabilitated, improved, developed, or established''.

(b) REPAYMENT SCHEDULES.—Section 502(j) (45 U.S.C. 822(j)) is amended—

(1) in paragraph (1), by striking ''the sixth anniversary date of the original loan disbursement'' and inserting ''5 years after the date of substantial completion''; and

(2) by adding at the end the following:

''(3) DEFERRED PAYMENTS.—

''(A) IN GENERAL.—If at any time after the date of substantial completion the project is unable to generate sufficient revenues to pay the scheduled loan repayments of principal and interest on the direct loan, the Secretary, subject to subparagraph (B), may allow, for a maximum aggregate time of 1 year over the duration of the direct loan, the obligor to add unpaid principal and interest to the outstanding balance of the direct loan.

''(B) INTEREST.—A payment deferred under subparagraph (A) shall—

''(i) continue to accrue interest under paragraph (2) until the loan is fully repaid; and

''(ii) be scheduled to be amortized over the remaining term of the loan.

''(4) PREPAYMENTS.—

''(A) USE OF EXCESS REVENUES.—Any excess revenues that remain after satisfying scheduled debt service requirements on the project obligations and direct loan and all deposit requirements under the terms of any trust agreement, bond resolution, or similar agreement securing project obligations may be applied annually to prepay the direct loan without penalty.

''(B) USE OF PROCEEDS OF REFINANCING.—The direct loan may be prepaid at any time without penalty from the proceeds of refinancing from non-Federal funding sources.''.

(c) SALE OF DIRECT LOANS.—Section 502 (45 U.S.C. 822) is amended by adding at the end the following:

''(k) SALE OF DIRECT LOANS.—

''(1) IN GENERAL.—Subject to paragraph (2) and as soon as practicable after substantial completion of a project, the Secretary, after notifying the obligor, may sell to another entity or reoffer into the capital markets a direct loan for the project if the Secretary determines that the sale or reoffering has a high probability of being made on favorable terms.

''(2) CONSENT OF OBLIGOR.—In making a sale or reoffering under paragraph (1), the Secretary may not change the original terms and conditions of the secured loan without the prior written consent of the obligor''.

(d) NONSUBORDINATION.—Section 502 (45 U.S.C. 822), as amended in subsection (c), is further amended by adding at the end the following:

''(l) NONSUBORDINATION.—

''(1) IN GENERAL.—Except as provided in paragraph (2)(B), a direct loan shall not be subordinated to the claims of any holder of project obligations in the event of bankruptcy, insolvency, or liquidation of the obligor.

''(2) PREEXISTING INDENTURES.—

''(A) IN GENERAL.—The Secretary may waive the requirement under paragraph (1)

for a public agency borrower that is financing ongoing capital programs and has outstanding senior bonds under a preexisting indenture if—

''(i) the direct loan is rated in the A category or higher;

''(ii) the direct loan is secured and payable from pledged revenues not affected by project performance, such as a tax-based revenue pledge or a system-backed pledge of project revenues; and

''(iii) the program share, under this title, of eligible project costs is 50 percent or less.

''(B) LIMITATION.—The Secretary may impose limitations for the waiver of the nonsubordination requirement under this paragraph if the Secretary determines that such limitations would be in the financial interest of the Federal Government.''.

SEC. 35607. CREDIT RISK PREMIUMS.

Section 502(f) (45 U.S.C. 822(f)) is amended—

(1) in paragraph (1), by amending the first sentence to read as follows: ''In lieu of or in combination with appropriations of budget authority to cover the costs of direct loans and loan guarantees as required under section 504(b)(1) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661c(b)(1)), including the cost of a modification thereof, the Secretary may accept on behalf of an applicant for assistance under this section a commitment from a non-Federal source, including a State or local government or agency or public benefit corporation or public authority thereof, to fund in whole or in part credit risk premiums and modification costs with respect to the loan that is the subject of the application or modification.'';

(2) in paragraph (2)—

(A) in subparagraph (D), by adding ''and'' after the semicolon;

(B) by striking subparagraph (E); and

(C) by redesignating subparagraph (F) as subparagraph (E);

(3) by striking paragraph (4);

(4) by redesignating paragraph (3) as paragraph (4);

(5) by inserting after paragraph (2) the following:

''(3) CREDITWORTHINESS.—An applicant may propose and the Secretary may accept as a basis for determining the amount of the credit risk premium under paragraph (2) any of the following in addition to the value of any tangible asset:

''(A) The net present value of a future stream of State or local subsidy income or other dedicated revenues to secure the direct loan or loan guarantee.

''(B) Adequate coverage requirements to ensure repayment, on a non-recourse basis, from cash flows generated by the project or any other dedicated revenue source, including—

''(i) tolls;

''(ii) user fees; or

''(iii) payments owing to the obligor under a public-private partnership.

''(C) An investment-grade rating on the direct loan or loan guarantee, as applicable, except that if the total amount of the direct loan or loan guarantee is greater than $75,000,000, the applicant shall have an investment-grade rating from at least 2 rating agencies on the direct loan or loan guarantee.''; and

(6) in paragraph (4), as redesignated, by striking ''amounts'' and inserting ''amounts (and in the case of a modification, before the modification is executed), to the extent appropriations are not available to the Secretary to meet the costs of direct loans and loan guarantees, including costs of modifications thereof''.

SEC. 35608. MASTER CREDIT AGREEMENTS.

Section 502 (45 U.S.C. 822), as amended by subsections (c) and (d) of section 35606 of this Act, is further amended by adding at the end the following:

''(m) MASTER CREDIT AGREEMENTS.—

''(1) IN GENERAL.—Subject to section 502(d) and paragraph (2) of this subsection, the Secretary may enter into a master credit agreement that is contingent on all of the conditions for the provision of a direct loan or loan guarantee, as applicable, under this title and other applicable requirements being satisfied prior to the issuance of the direct loan or loan guarantee.

''(2) CONDITIONS.—Each master credit agreement shall—

''(A) establish the maximum amount and general terms and conditions of each applicable direct loan or loan guarantee;

''(B) identify 1 or more dedicated non-Federal revenue sources that will secure the repayment of each applicable direct loan or loan guarantee;

''(C) provide for the obligation of funds for the direct loans or loan guarantees contingent on and after all requirements have been met for the projects subject to the master credit agreement; and

''(D) provide 1 or more dates, as determined by the Secretary, before which the master credit agreement results in each of the direct loans or loan guarantees or in the release of the master credit agreement.''.

SEC. 35609. PRIORITIES AND CONDITIONS.

(a) PRIORITY PROJECTS.—Section 502(c) (45 U.S.C. 822(c)) is amended—

(1) in paragraph (1), by inserting '', including projects for the installation of a positive train control system (as defined in section 20157(i) of title 49, United States Code)'' after ''public safety'';

(2) by redesignating paragraphs (2) and (3) as paragraphs (3) and (2), respectively;

(3) in paragraph (5), by inserting ''or chapter 227 of title 49'' after ''section 135 of title 23'';

(4) by redesignating paragraphs (6) through (8) as paragraphs (7) through (9), respectively; and

(5) by inserting after paragraph (5) the following:

''(6) improve railroad stations and passenger facilities and increase transit-oriented development;''.

(b) CONDITIONS OF ASSISTANCE.—Section 502(h) (45 U.S.C. 822(h)) is amended in paragraph (2), by inserting '', if applicable'' after ''project''.

SEC. 35610. SAVINGS PROVISION.

(a) IN GENERAL.—Except as provided in subsection (b), this subtitle, and the amendments made by this subtitle, shall not affect any direct loan (or direct loan obligation) or an outstanding loan guarantee (or loan guarantee commitment) that was in effect prior to the date of enactment of this Act. Any such transaction entered into before the date of enactment of this Act shall be administered until completion under its terms as if this Act were not enacted.

(b) MODIFICATION COSTS.—At the discretion of the Secretary, the authority to accept modification costs on behalf of an applicant under section 502(f) of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 822(f)), as amended by section 35607 of this Act, may apply with respect to any direct loan (or direct loan obligation) or an outstanding loan guarantee (or loan guarantee commitment) that was in effect prior to the date of enactment of this Act.

DIVISION D—FREIGHT AND MAJOR PROJECTS

TITLE XLI—FREIGHT POLICY

SEC. 41001. ESTABLISHMENT OF FREIGHT CHAPTER.

(a) FREIGHT.—Subtitle III of title 49, United States Code, is amended by inserting after chapter 53 the following:

''CHAPTER 54—FREIGHT

''5401. Definitions.
''5402. National multimodal freight policy.
''5403. National multimodal freight network.
''5404. National freight strategic plan.
''5405. State freight advisory committees.
''5406. State freight plans.
''5407. Transportation investment planning and data tools.
''5408. Savings provision.
''5409. Assistance for freight projects.

''§ 5401. Definitions

''In this chapter:

''(1) ECONOMIC COMPETITIVENESS.—The term 'economic competitiveness' means the ability of the economy to efficiently move freight and people, produce goods, and deliver services, including—

''(A) reductions in the travel time of freight;

''(B) reductions in the congestion caused by the movement of freight;

''(C) improvements to freight travel time reliability; and

''(D) reductions in freight transportation costs due to congestion and insufficient infrastructure.

''(2) FREIGHT.—The term 'freight' means the commercial transportation of cargo, including agricultural, manufactured, retail, or other goods by vessel, vehicle, pipeline, or rail.

''(3) FREIGHT TRANSPORTATION MODES.—The term 'freight transportation modes' means—

''(A) the infrastructure supporting any mode of transportation that moves freight, including highways, ports, waterways, rail facilities, and pipelines; and

''(B) any vehicles or equipment transporting goods on such infrastructure.

''(4) NATIONAL HIGHWAY FREIGHT NETWORK.—The term 'national highway freight network' means the network established under section 167 of title 23.

''(5) NATIONAL MULTIMODAL FREIGHT NETWORK.—The term 'national multimodal freight network' means the network established under section 5403.

''(6) NATIONAL MULTIMODAL FREIGHT STRATEGIC PLAN.—The term 'national multimodal freight strategic plan' means the strategic plan developed under section 5404.

''(7) SECRETARY.—The term 'Secretary' means the Secretary of Transportation.

''(8) STATE.—The term 'State' means a State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, Guam, American Samoa, and the United States Virgin Islands.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of chapters for subtitle III of title 49, United States Code, is amended by inserting after the item relating to chapter 53 the following:

''54. Freight ..... 5401''.

SEC. 41002. NATIONAL MULTIMODAL FREIGHT POLICY.

Chapter 54 of subtitle III of title 49, United States Code, as added by section 41001, is amended by adding after section 5401 the following:

''§ 5402. National multimodal freight policy

''(a) POLICY.—It is the policy of the United States—

''(1) to support investment to maintain and improve the condition and performance of the national multimodal freight network;

''(2) to ensure that the United States maximizes its competitiveness in the global economy by increasing the overall productivity and connectivity of the national freight system; and

''(3) to pursue the goals described in subsection (b).

''(b) GOALS.—The national multimodal freight policy has the following goals:

''(1) To enhance the economic competitiveness of the United States by investing in infrastructure improvements and implementing operational improvements on the freight network of the United States that achieve 1 or more of the following:

''(A) Strengthen the contribution of the national freight network to the economic competitiveness of the United States.

''(B) Reduce congestion and relieve bottlenecks in the freight transportation system.

''(C) Reduce the cost of freight transportation.

''(D) Improve the reliability of freight transportation.

''(E) Increase productivity, particularly for domestic industries and businesses that create jobs.

''(2) To improve the safety, security, efficiency, and resiliency of freight transportation in rural and urban areas.

''(3) To improve the condition of the national freight network.

''(4) To use advanced technology to improve the safety and efficiency of the national freight network.

''(5) To incorporate concepts of performance, innovation, competition, and accountability into the operation and maintenance of the national freight network.

''(6) To improve the efficiency and productivity of the national freight network.

''(7) To pursue these goals in a manner that is not burdensome to State and local governments.

''(c) STRATEGIES.—The United States may achieve the goals described in subsection (b) by—

''(1) providing funding to maintain and improve freight infrastructure facilities;

''(2) implementing appropriate safety, environmental, energy and other transportation policies;

''(3) utilizing advanced technology and innovation;

''(4) promoting workforce development; and

''(5) using performance management activities.

''(d) IMPLEMENTATION.—The Under Secretary for Policy, who shall be responsible for the oversight and implementation of the national multimodal freight policy, shall—

''(1) assist with the coordination of modal freight planning;

''(2) ensure consistent, expedited review of multimodal freight projects;

''(3) review the project planning and approval processes at each modal administration to identify modeling and metric inconsistencies, approvals, and terminology differences that could hamper multimodal project approval;

''(4) identify interagency data sharing opportunities to promote freight planning and coordination;

''(5) identify multimodal efforts and connections;

''(6) designate the lead agency for multimodal freight projects;

''(7) develop recommendations for State incentives for multimodal planning efforts, which may include—

''(A) reducing the State cost share; or

''(B) expediting the review of agreements for multimodal or freight specific projects;

''(8) explore opportunities within existing legal authorities to reduce project delays by issuing categorical exclusions or allowing self-certifications of right-of-way acquisitions for freight projects; and

''(9) submit a report to the Committee on Commerce, Science, and Transportation and the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives that identifies required reports, statutory requirements, and other limitations on efficient freight project delivery that could be streamlined or consolidated.''.

SEC. 41003. NATIONAL MULTIMODAL FREIGHT NETWORK.

Chapter 54 of subtitle III of title 49, United States Code, as amended by section 41002, is amended by adding after section 5402 the following:

''§ 5403. National multimodal freight network

''(a) IN GENERAL.—The Secretary shall establish a national freight network, in accordance with this section—

''(1) to assist States in strategically directing resources toward improved system performance for the efficient movement of freight on transportation networks;

''(2) to inform freight transportation planning;

''(3) to assist in the prioritization of Federal investment; and

''(4) to assess and support Federal investments to achieve the national multimodal freight policy goals described in section 5402(b) of this title and in section 150(b) of title 23.

''(b) NETWORK COMPONENTS.—The national multimodal freight network established under this section shall consist of all connectors, corridors, and facilities in all freight transportation modes that are the most critical to the current and future movement of freight, including the national highway freight network, to achieve the national multimodal freight policy goals described in section 5402(b) of this title and in section 150(b) of title 23.

''(c) INITIAL DESIGNATION OF PRIMARY FREIGHT SYSTEM.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of the DRIVE Act, the Secretary, after soliciting input from stakeholders, including multimodal freight system users, transport providers, metropolitan planning organizations, local governments, ports, airports, railroads, and States, through a public process to identify critical freight facilities and corridors that are vital to achieve the national multimodal freight policy goals described in section 5402(b) of this title and in section 150(b) of title 23, and after providing notice and opportunity for comment on a draft system, shall designate a primary freight system with the goal of—

''(A) improving network and intermodal connectivity; and

''(B) using measurable data as part of the assessment of the significance of freight movement, including the consideration of points of origin, destination, and linking components of domestic and international supply chains.

''(2) FACTORS.—In designating or redesignating a primary freight system, the Secretary shall consider—

''(A) origins and destinations of freight movement within, to, and from the United States;

''(B) volume, value, tonnage, and the strategic importance of freight;

''(C) access to border crossings, airports, seaports, and pipelines;

''(D) economic factors, including balance of trade;

''(E) access to major areas for manufacturing, agriculture, or natural resources;

''(F) access to energy exploration, development, installation, and production areas;

''(G) intermodal links and intersections that promote connectivity;

''(H) freight choke points and other impediments contributing to significant measurable congestion, delay in freight movement, or inefficient modal connections;

''(I) impacts on all freight transportation modes and modes that share significant freight infrastructure;

''(J) elements and transportation corridors identified by a multi-State coalition, a State, a State advisory committee, or a metropolitan planning organization, using national or local data, as having critical freight importance to the region;

''(K) intermodal connectors, major distribution centers, inland intermodal facilities, and first- and last-mile facilities;

''(L) the annual average daily truck traffic on principal arterials; and

''(M) the significance of goods movement, including consideration of global and domestic supply chains.

''(3) REQUIREMENTS FOR DESIGNATION.—A designation may be made under this subsection if the freight transportation facility or infrastructure being considered—

''(A) is in an urbanized area, regardless of population;

''(B) has been designated under subsection (d) as a critical rural freight corridor;

''(C) connects an intermodal facility to—

''(i) the primary freight network; or

''(ii) an intermodal freight facility;

''(D)(i) is located within a corridor of a route on the primary freight network; and

''(ii) provides an alternative option important to goods movement;

''(E) serves a major freight generator, logistic center, agricultural region, or manufacturing, warehouse, or industrial land; or

''(F) is important to the movement of freight within a State or metropolitan region, as determined by the State or the metropolitan planning organization.

''(4) CONSIDERATIONS.—In designating or redesignating the primary freight system under subsection (e), the Secretary shall—

''(A) use, to the extent practicable, measurable data to assess the significance of goods movement, including the consideration of points of origin, destination, and linking components of the United States global and domestic supply chains;

''(B) consider—

''(i) the factors described in subsection (c)(2); and

''(ii) any changes in the economy or freight transportation network demand; and

''(C) provide the States with an opportunity to submit proposed designations in accordance with paragraph (5).

''(5) STATE INPUT.—

''(A) IN GENERAL.—Each State that proposes increased designations on the primary freight system shall—

''(i) consider nominations for additional designations from metropolitan planning organizations and State freight advisory committees within the State;

''(ii) consider nominations for the additional designations from owners and operators of port, rail, pipeline, and airport facilities; and

''(iii) ensure that additional designations are consistent with the State Transportation Improvement Program or freight plan.

''(B) REVISIONS.—States may revise routes certified under section 4006 of the Intermodal Surface Transportation Efficiency Act of 1991 (Public Law 102–240; 105 Stat. 2148) to conform with the designated freight system under this section.

''(C) SUBMISSION AND CERTIFICATION.—Each State shall submit to the Secretary—

''(i) a list of the additional designations added under this subsection; and

''(ii) certification that—

''(I) the State has satisfied the requirements under subparagraph (A); and

''(II) the designations referred to in clause (i) address the factors for redesignation described in subsection (c)(3).

''(d) CRITICAL RURAL FREIGHT CORRIDORS.—A State may designate freight transportation infrastructure or facilities within the borders of the State as a critical rural freight corridor if the public road or facility—

''(1) is a rural principal arterial roadway or facility;

''(2) provides access or service to energy exploration, development, installation, or production areas;

''(3) provides access or service to—

''(A) a grain elevator;

''(B) an agricultural facility;

''(C) a mining facility;

''(D) a forestry facility; or

''(E) an intermodal facility;

''(4) connects to an international port of entry;

''(5) provides access to significant air, rail, water, or other freight facilities in the State; or

''(6) has been determined by the State to be vital to improving the efficient movement of freight of importance to the economy of the State.

''(e) REDESIGNATION OF PRIMARY FREIGHT SYSTEM.—Beginning on the date that is 5 years after the initial designation under subsection (c), and every 5 years thereafter, the Secretary, using the designation factors described in subsection (c)(3), shall redesignate the primary freight system.''.

TITLE XLII—PLANNING

SEC. 42001. NATIONAL FREIGHT STRATEGIC PLAN.

Chapter 54 of subtitle III of title 49, United States Code (as amended by title XLI), is amended by adding at the end the following:

''§ 5404. National freight strategic plan

''(a) INITIAL DEVELOPMENT OF NATIONAL FREIGHT STRATEGIC PLAN.—Not later than 3 years after the date of enactment of the DRIVE Act, the Secretary, in consultation with State departments of transportation, metropolitan planning organizations, and other appropriate public and private transportation stakeholders, shall develop, after providing opportunity for notice and comment on a draft national freight strategic plan, and post on the public website of the Department of Transportation a national freight strategic plan that includes—

''(1) an assessment of the condition and performance of the national multimodal freight network;

''(2) an identification of bottlenecks on the national multimodal freight network that create significant freight congestion based on a quantitative methodology developed by the Secretary, which shall, at a minimum, include—

''(A) information from the Freight Analysis Framework of the Federal Highway Administration; and

''(B) to the maximum extent practicable, an estimate of the cost of addressing each bottleneck and any operational improvements that could be implemented;

''(3) a forecast of freight volumes, based on the most recent data available, for—

''(A) the 5-year period beginning in the year during which the plan is issued; and

''(B) if practicable, for the 10- and 20-year period beginning in the year during which the plan is issued;

''(4) an identification of major trade gateways and national freight corridors that connect major economic corridors, population centers, trade gateways, and other major freight generators for current and forecasted traffic and freight volumes, the identification of which shall be revised, as appropriate, in subsequent plans;

''(5) an assessment of statutory, regulatory, technological, institutional, financial, and other barriers to improved freight transportation performance (including opportunities for overcoming the barriers);

''(6) an identification of routes providing access to energy exploration, development, installation, or production areas;

''(7) routes for providing access to major areas for manufacturing, agriculture, or natural resources;

''(8) best practices for improving the performance of the national freight network;

''(9) best practices to mitigate the impacts of freight movement on communities;

''(10) a process for addressing multistate projects and encouraging jurisdictions to collaborate on multistate projects;

''(11) identification of locations or areas with congestion involving freight traffic, and strategies to address those issues;

''(12) strategies to improve freight intermodal connectivity; and

''(13) best practices for improving the performance of the national multimodal freight network and rural and urban access to critical freight corridors.

''(b) UPDATES TO NATIONAL FREIGHT STRATEGIC PLAN.—Not later than 5 years after the date of completion of the first national multimodal freight strategic plan under subsection (a) and every 5 years thereafter, the Secretary shall update and repost on the public website of the Department of Transportation a revised national freight strategic plan.''.

SEC. 42002. STATE FREIGHT ADVISORY COMMITTEES.

Chapter 54 of subtitle III of title 49, United States Code (as amended by section 42001), is amended by adding at the end the following:

''§ 5405. State freight advisory committees

''(a) IN GENERAL.—Each State shall establish a freight advisory committee consisting of a representative cross-section of public and private sector freight stakeholders, including representatives of ports, third party logistics providers, shippers, carriers, freight-related associations, the freight industry workforce, the transportation department of the State, and local governments.

''(b) ROLE OF COMMITTEE.—A freight advisory committee of a State described in subsection (a) shall—

''(1) advise the State on freight-related priorities, issues, projects, and funding needs;

''(2) serve as a forum for discussion for State transportation decisions affecting freight mobility;

''(3) communicate and coordinate regional priorities with other organizations;

''(4) promote the sharing of information between the private and public sectors on freight issues; and

''(5) participate in the development of the freight plan of the State described in section 5406.''.

SEC. 42003. STATE FREIGHT PLANS.

Chapter 54 of subtitle III of title 49, United States Code (as amended by section 42002), is amended by adding at the end the following:

''§ 5406. State freight plans

''(a) IN GENERAL.—Each State shall develop a freight plan that provides a comprehensive plan for the immediate and long-range planning activities and investments of the State with respect to freight.

''(b) PLAN CONTENTS.—A freight plan described in subsection (a) shall include, at a minimum—

''(1) an identification of significant freight system trends, needs, and issues with respect to the State;

''(2) a description of the freight policies, strategies, and performance measures that will guide the freight-related transportation investment decisions of the State;

''(3) when applicable, a listing of critical rural and urban freight corridors designated within the State under section 5403 of this title or section 167 of title 23;

''(4) a description of how the plan will improve the ability of the State to meet the national freight goals established under section 5402(b) of this title and section 150(b) of title 23;

''(5) a description of how innovative technologies and operational strategies, including freight intelligent transportation systems, that improve the safety and efficiency of freight movement, were considered;

''(6) in the case of roadways on which travel by heavy vehicles (including mining, agricultural, energy cargo or equipment, and timber vehicles) is projected to substantially deteriorate the condition of roadways, a description of improvements that may be required to reduce or impede the deterioration;

''(7) an inventory of facilities with freight mobility issues, such as bottlenecks, within the State, and where the facilities are State owned or operated, a description of the strategies the State is employing to address those freight mobility issues;

''(8) consideration of any significant congestion or delay caused by freight movements and any strategies to mitigate that congestion or delay; and

''(9) a freight investment plan that, subject to subsection (c)(2), includes a list of priority projects and describes how funds made available to carry out section 167 of title 23 would be invested and matched.

''(c) RELATIONSHIP TO LONG-RANGE PLAN.—

''(1) INCORPORATION.—A State freight plan described in subsection (a) may be developed separately from or incorporated into the statewide strategic long-range transportation plan required by section 135 of title 23.

''(2) FISCAL CONSTRAINT.—The freight investment plan component of a freight plan shall include a project, or an identified phase of a project, only if funding for completion of the project can reasonably be anticipated to be available for the project within the time period identified in the freight investment plan.

''(d) PLANNING PERIOD.—The freight plan shall address a 5-year forecast period.

''(e) UPDATES.—

''(1) IN GENERAL.—A State shall update the freight plan not less frequently than once every 5 years.

''(2) FREIGHT INVESTMENT PLAN.—A State may update the freight investment plan more frequently than is required under paragraph (1).''.

SEC. 42004. FREIGHT DATA AND TOOLS.

Chapter 54 of subtitle III of title 49, United States Code (as amended by section 42003), is amended by adding at the end the following:

''§ 5407. Transportation investment data and planning tools

''(a) IN GENERAL.—Not later than 1 year after the date of enactment of the DRIVE Act, the Secretary shall—

''(1) begin development of new tools and improvement of existing tools to support an outcome-oriented, performance-based approach to evaluate proposed freight-related and other transportation projects, including—

''(A) methodologies for systematic analysis of benefits and costs on a national or regional basis;

''(B) tools for ensuring that the evaluation of freight-related and other transportation projects could consider safety, economic competitiveness, urban and rural access, environmental sustainability, and system condition in the project selection process;

''(C) improved methods for data collection and trend analysis;

''(D) encouragement of public-private partnerships to carry out data sharing activities while maintaining the confidentiality of all proprietary data; and

''(E) other tools to assist in effective transportation planning;

''(2) identify transportation-related model data elements to support a broad range of evaluation methods and techniques to assist in making transportation investment decisions; and

''(3) at a minimum, in consultation with other relevant Federal agencies, consider any improvements to existing freight flow data collection efforts that could reduce identified freight data gaps and deficiencies and help improve forecasts of freight transportation demand.

''(b) CONSULTATION.—The Secretary shall consult with Federal, State, and other stakeholders to develop, improve, and implement the tools and collect the data described in subsection (a).''.

SEC. 42005. SAVINGS PROVISION.

Chapter 54 of subtitle III of title 49, United States Code (as amended by section 42004), is amended by adding at the end the following:

''§ 5408. Savings provision

''Nothing in this chapter provides additional authority to regulate or direct private activity on freight networks designated by this chapter.''.

TITLE XLIII—FORMULA FREIGHT PROGRAM

SEC. 43001. NATIONAL HIGHWAY FREIGHT PROGRAM.

(a) IN GENERAL.—Section 167 of title 23, United States Code, is amended to read as follows:

''§ 167. National highway freight program

''(a) ESTABLISHMENT.—

''(1) IN GENERAL.—It is the policy of the United States to improve the condition and performance of the national highway freight network to ensure that the national freight network provides the foundation for the United States to compete in the global economy and achieve each goal described in subsection (b).

''(2) ESTABLISHMENT.—In support of the goals described in subsection (b), the Federal Highway Administrator (referred to in this section as the 'Administrator') shall establish a national highway freight program in accordance with this section to improve the efficient movement of freight on the national highway freight network.

''(b) GOALS.—The goals of the national highway freight program are—

''(1) to invest in infrastructure improvements and to implement operational improvements on the highways of the United States that—

''(A) strengthen the contribution of the national highway freight network to the economic competitiveness of the United States;

''(B) reduce congestion and relieve bottlenecks in the freight transportation system;

''(C) reduce the cost of freight transportation;

''(D) improve the reliability of freight transportation; and

''(E) increase productivity, particularly for domestic industries and businesses that create high-value jobs;

''(2) to improve the safety, security, efficiency, and resiliency of freight transportation in rural and urban areas;

''(3) to improve the state of good repair of the national highway freight network;

''(4) to use advanced technology to improve the safety and efficiency of the national highway freight network;

''(5) to incorporate concepts of performance, innovation, competition, and accountability into the operation and maintenance of the national highway freight network;

''(6) to improve the efficiency and productivity of the national highway freight network; and

''(7) to reduce the environmental impacts of freight movement.

''(c) ESTABLISHMENT OF A NATIONAL HIGHWAY FREIGHT NETWORK.—

''(1) IN GENERAL.—The Administrator shall establish a national highway freight network in accordance with this section to assist States in strategically directing resources toward improved system performance for efficient movement of freight on highways.

''(2) NETWORK COMPONENTS.—The national highway freight network shall consist of—

''(A) the primary highway freight system, as designated under subsection (d);

''(B) critical rural freight corridors established under subsection (e);

''(C) critical urban freight corridors established under subsection (f); and

''(D) the portions of the Interstate System not designated as part of the primary highway freight system, including designated future Interstate System routes as of the date of enactment of the DRIVE Act.

''(d) DESIGNATION AND REDESIGNATION OF THE PRIMARY HIGHWAY FREIGHT SYSTEM.—

''(1) INITIAL DESIGNATION OF PRIMARY HIGHWAY FREIGHT SYSTEM.—The initial designation of the primary highway freight system shall be—

''(A) the network designated by the Secretary under section 167(d) of title 23, United States Code, as in effect on the day before the date of enactment of the DRIVE Act; and

''(B) all National Highway System freight intermodal connectors.

''(2) REDESIGNATION OF PRIMARY HIGHWAY FREIGHT SYSTEM.—

''(A) IN GENERAL.—Beginning on the date that is 1 year after the date of enactment of the DRIVE Act and every 5 years thereafter, using the designation factors described in subparagraph (E), the Administrator shall redesignate the primary highway freight system (including any additional mileage added to the primary highway freight system under this paragraph as of the date on which the redesignation process is effective).

''(B) MILEAGE.—

''(i) FIRST REDESIGNATION.—In redesignating the primary highway freight system on the date that is 1 year after the date of enactment of the DRIVE Act, the Administrator shall limit the system to 30,000 centerline miles, without regard to the connectivity of the primary highway freight system.

''(ii) SUBSEQUENT REDESIGNATIONS.—Each redesignation after the redesignation described in clause (i), the Administrator may increase the primary highway freight system by up to 5 percent of the total mileage of the system, without regard to the connectivity of the primary highway freight system.

''(C) CONSIDERATIONS.—

''(i) IN GENERAL.—In redesignating the primary highway freight system, to the maximum extent practicable, the Administrator shall use measurable data to assess the significance of goods movement, including consideration of points of origin, destination, and linking components of the United States global and domestic supply chains.

''(ii) INTERMODAL CONNECTORS.—In redesignating the primary highway freight system, the Administrator shall include all National Highway System freight intermodal connectors.

''(D) INPUT.—In addition to the process provided to State freight advisory committees under paragraph (3), in redesignating the primary highway freight system, the Administrator shall provide an opportunity for State freight advisory committees to submit additional miles for consideration.

''(E) FACTORS FOR REDESIGNATION.—In redesignating the primary highway freight system, the Administrator shall consider—

''(i) the origins and destinations of freight movement in, to, and from the United States;

''(ii) land and water ports of entry;

''(iii) access to energy exploration, development, installation, or production areas;

''(iv) proximity of access to other freight intermodal facilities, including rail, air, water, and pipelines;

''(v) the total freight tonnage and value moved via highways;

''(vi) significant freight bottlenecks, as identified by the Administrator;

''(vii) the annual average daily truck traffic on principal arterials; and

''(viii) the significance of goods movement on principal arterials, including consideration of global and domestic supply chains.

''(3) STATE FLEXIBILITY FOR ADDITIONAL MILES ON PRIMARY HIGHWAY FREIGHT SYSTEM.—

''(A) IN GENERAL.—Not later than 1 year after each redesignation conducted by the Administrator under paragraph (2), each State, under the advisement of the State freight advisory committee, as developed and carried out in accordance with subsection (l), may increase the number of miles designated as part of the primary highway freight system in that State by not more than 10 percent of the miles designated in that State under this subsection if the additional miles—

''(i) close gaps between primary highway freight system segments;

''(ii) establish connections of the primary highway freight system critical to the efficient movement of goods, including ports, international border crossings, airports, intermodal facilities, logistics centers, warehouses, and agricultural facilities; or

''(iii) designate critical emerging freight routes.

''(B) CONSIDERATIONS.—Each State, under the advisement of the State freight advisory committee that increases the number of miles on the primary highway freight system under subparagraph (A) shall—

''(i) consider nominations for the additional miles from metropolitan planning organizations within the State;

''(ii) ensure that the additional miles are consistent with the freight plan of the State; and

''(iii) review the primary highway freight system of the State designated under paragraph (1) and redesignate miles in a manner that is consistent with paragraph (2).

''(C) SUBMISSION.—Each State, under the advisement of the State freight advisory committee shall—

''(i) submit to the Administrator a list of the additional miles added under this subsection; and

''(ii) certify that—

''(I) the additional miles meet the requirements of subparagraph (A); and

''(II) the State, under the advisement of the State freight advisory committee, has satisfied the requirements of subparagraph (B).

''(e) CRITICAL RURAL FREIGHT CORRIDORS.—A State may designate a public road within the borders of the State as a critical rural freight corridor if the public road—

''(1) is a rural principal arterial roadway and has a minimum of 25 percent of the annual average daily traffic of the road measured in passenger vehicle equivalent units from trucks (Federal Highway Administration vehicle class 8 to 13);

''(2) provides access to energy exploration, development, installation, or production areas;

''(3) connects the primary highway freight system, a roadway described in paragraph (1) or (2), or the Interstate System to facilities that handle more than—

''(A) 50,000 20-foot equivalent units per year; or

''(B) 500,000 tons per year of bulk commodities;

''(4) provides access to—

''(A) a grain elevator;

''(B) an agricultural facility;

''(C) a mining facility;

''(D) a forestry facility; or

''(E) an intermodal facility;

''(5) connects to an international port of entry;

''(6) provides access to significant air, rail, water, or other freight facilities in the State; or

''(7) is, in the determination of the State, vital to improving the efficient movement of freight of importance to the economy of the State.

''(f) CRITICAL URBAN FREIGHT CORRIDORS.—

''(1) URBANIZED AREA WITH POPULATION OF 500,000 OR MORE.—In an urbanized area with a population of 500,000 or more individuals, the representative metropolitan planning organization, in consultation with the State, may designate a public road within the borders of that area of the State as a critical urban freight corridor.

''(2) URBANIZED AREA WITH A POPULATION LESS THAN 500,000.—In an urbanized area with a population of less than 500,000 individuals, the State, in consultation with the representative metropolitan planning organization, may designate a public road within the borders of that area of the State as a critical urban freight corridor.

''(3) REQUIREMENTS FOR DESIGNATION.—A designation may be made under paragraphs (1) or (2) if the public road—

''(A) is in an urbanized area, regardless of population; and

''(B)(i) connects an intermodal facility to—

''(I) the primary highway freight network;

''(II) the Interstate System; or

''(III) an intermodal freight facility;

''(ii) is located within a corridor of a route on the primary highway freight network and provides an alternative highway option important to goods movement;

''(iii) serves a major freight generator, logistic center, or manufacturing and warehouse industrial land; or

''(iv) is important to the movement of freight within the region, as determined by the metropolitan planning organization or the State.

''(g) DESIGNATION AND CERTIFICATION.—

''(1) DESIGNATION.—States and metropolitan planning organizations may designate corridors under subsections (e) and (f) and submit the designated corridors to the Administrator on a rolling basis.

''(2) CERTIFICATION.—Each State or metropolitan planning organization that designates a corridor under subsection (e) or (f) shall certify to the Administrator that the designated corridor meets the requirements of the applicable subsection.

''(h) HIGHWAY FREIGHT TRANSPORTATION CONDITIONS AND PERFORMANCE REPORTS.—Not later than 2 years after the date of enactment of the DRIVE Act and biennially thereafter, the Administrator shall prepare and submit to Congress a report that describes the conditions and performance of the national highway freight network in the United States.

''(i) USE OF APPORTIONED FUNDS.—

''(1) IN GENERAL.—A State shall obligate funds apportioned to the State under section 104(b)(5) to improve the movement of freight on the national highway freight network.

''(2) FORMULA.—The Administrator shall calculate for each State the proportion that—

''(A) the total mileage in the State designated as part of the primary highway freight system; bears to

''(B) the total mileage of the primary highway freight system in all States.

''(3) USE OF FUNDS.—

''(A) STATES WITH HIGH PRIMARY HIGHWAY FREIGHT SYSTEM MILEAGE.—If the proportion of a State under paragraph (2) is greater than or equal to 3 percent, the State may obligate funds apportioned to the State under section 104(b)(5) for projects on—

''(i) the primary highway freight system;

''(ii) critical rural freight corridors; and

''(iii) critical urban freight corridors.

''(B) STATES WITH LOW PRIMARY HIGHWAY FREIGHT SYSTEM MILEAGE.—If the proportion of a State under paragraph (2) is less than 3 percent, the State may obligate funds apportioned to the State under section 104(b)(5) for projects on any component of the national highway freight network.

''(4) FREIGHT PLANNING.—Notwithstanding any other provision of law, effective beginning 2 years after the date of enactment of the DRIVE Act, a State may not obligate funds apportioned to the State under section 104(b)(5) unless the State has—

''(A) established a freight advisory committee in accordance with section 5405 of title 49; and

''(B) developed a freight plan in accordance with section 5406 of title 49, except that the multimodal component of the plan may be incomplete before an obligation may be made under this section.

''(5) ELIGIBILITY.—

''(A) IN GENERAL.—Except as provided in this subsection, for a project to be eligible for funding under this section the project shall—

''(i) contribute to the efficient movement of freight on the national highway freight network; and

''(ii) be consistent with a freight investment plan included in a freight plan of the State that is in effect.

''(B) OTHER PROJECTS.—A State may obligate not more than 10 percent of the total apportionment of the State under section 104(b)(5) for projects—

''(i) within the boundaries of public and private freight rail, water facilities (including ports), and intermodal facilities; and

''(ii) that provide surface transportation infrastructure necessary to facilitate direct intermodal interchange, transfer, and access into and out of the facility.

''(C) ELIGIBLE PROJECTS.—Funds apportioned to the State under section 104(b)(5) for the national highway freight program may be obligated to carry out 1 or more of the following:

''(i) Development phase activities, including planning, feasibility analysis, revenue forecasting, environmental review, preliminary engineering and design work, and other preconstruction activities.

''(ii) Construction, reconstruction, rehabilitation, acquisition of real property (including land relating to the project and improvements to land), construction contingencies, acquisition of equipment, and operational improvements directly relating to improving system performance.

''(iii) Intelligent transportation systems and other technology to improve the flow of freight, including intelligent freight transportation systems.

''(iv) Efforts to reduce the environmental impacts of freight movement.

''(v) Environmental and community mitigation of freight movement.

''(vi) Railway-highway grade separation.

''(vii) Geometric improvements to interchanges and ramps.

''(viii) Truck-only lanes.

''(ix) Climbing and runaway truck lanes.

''(x) Adding or widening of shoulders.

''(xi) Truck parking facilities eligible for funding under section 1401 of MAP–21 (23 U.S.C. 137 note; Public Law 112–141).

''(xii) Real-time traffic, truck parking, roadway condition, and multimodal transportation information systems.

''(xiii) Electronic screening and credentialing systems for vehicles, including weigh-in-motion truck inspection technologies.

''(xiv) Traffic signal optimization, including synchronized and adaptive signals.

''(xv) Work zone management and information systems.

''(xvi) Highway ramp metering.

''(xvii) Electronic cargo and border security technologies that improve truck freight movement.

''(xviii) Intelligent transportation systems that would increase truck freight efficiencies inside the boundaries of intermodal facilities.

''(xix) Additional road capacity to address highway freight bottlenecks.

''(xx) A highway project, other than a project described in clauses (i) through (xix), to improve the flow of freight on the national highway freight network.

''(xxi) Any other surface transportation project to improve the flow of freight into and out of a facility described in subparagraph (B).

''(6) OTHER ELIGIBLE COSTS.—In addition to the eligible projects identified in paragraph (5), a State may use funds apportioned under section 104(b)(5) for—

''(A) carrying out diesel retrofit or alternative fuel projects under section 149 for class 8 vehicles; and

''(B) the necessary costs of—

''(i) conducting analyses and data collection related to the national highway freight program;

''(ii) developing and updating performance targets to carry out this section; and

''(iii) reporting to the Administrator to comply with section 150.

''(7) APPLICABILITY OF PLANNING REQUIREMENTS.—Programming and expenditure of funds for projects under this section shall be consistent with the requirements of sections 134 and 135.

''(j) STATE PERFORMANCE TARGETS.—If the Administrator determines that a State has not met or made significant progress toward meeting the performance targets related to freight movement of the State established under section 150(d) by the date that is 2 years after the date of the establishment of the performance targets, until the date on which the Administrator determines that the State has met or has made significant progress towards meeting the performance targets, the State shall submit to the Administrator, on a biennial basis, a freight performance improvement plan that includes—

''(1) an identification of significant freight system trends, needs, and issues within the State;

''(2) a description of the freight policies and strategies that will guide the freight-related transportation investments of the State;

''(3) an inventory of freight bottlenecks within the State and a description of the ways in which the State is allocating the national highway freight program funds to improve those bottlenecks; and

''(4) a description of the actions the State will undertake to meet the performance targets of the State.

''(k) STUDY OF MULTIMODAL PROJECTS.—Not later than 2 years after the date of enactment of the DRIVE Act, the Administrator shall submit to Congress a report that contains—

''(1) a study of freight projects identified in State freight plans under section 5406 of title 49; and

''(2) an evaluation of multimodal freight projects included in the State freight plans, or otherwise identified by States, that are subject to the limitation of funding for such projects under this section.

''(l) STATE FREIGHT ADVISORY COMMITTEES.—A State freight advisory committee shall be carried out as described in section 5405 of title 49.

''(m) STATE FREIGHT PLANS.—A State freight plan shall be carried out as described in section 5406 of title 49.

''(n) INTELLIGENT FREIGHT TRANSPORTATION SYSTEM.—

''(1) DEFINITION OF INTELLIGENT FREIGHT TRANSPORTATION SYSTEM.—In this section, the term 'intelligent freight transportation system' means—

''(A) an innovative or intelligent technological transportation system, infrastructure, or facilities, including electronic roads, driverless trucks, elevated freight transportation facilities, and other intelligent freight transportation systems; and

''(B) a communications or information processing system used singly or in combination for dedicated intelligent freight lanes and conveyances that improve the efficiency, security, or safety of freight on the Federal-aid highway system or that operate to convey freight or improve existing freight movements.

''(2) LOCATION.—An intelligent freight transportation system shall be located—

''(A)(i) along existing Federal-aid highways; or

''(ii) in a manner that connects ports-of-entry to existing Federal-aid highways; and

''(B) in proximity to, or within, an existing right-of-way on a Federal-aid highway.

''(3) OPERATING STANDARDS.—The Administrator of the Federal Highway Administration shall determine the need for establishing operating standards for intelligent freight transportation systems.

''(o) TREATMENT OF FREIGHT PROJECTS.—Notwithstanding any other provision of law, a freight project carried out under this section shall be treated as if the project were on a Federal-aid highway.''.

(b) CONFORMING AMENDMENTS.—

(1) The analysis for chapter 1 of title 23, United States Code, is amended by adding at the end the following:

''167. National highway freight program.''

(2) Sections 1116, 1117, and 1118 of MAP–21 (23 U.S.C. 167 note; Public Law 112–141) are repealed.

TITLE XLIV—GRANTS

SEC. 44001. PURPOSE; DEFINITIONS; ADMINISTRATION.

(a) IN GENERAL.—The purpose of the grants described in the amendments made by section 44002 is to assist in funding critical high-cost transportation infrastructure projects that—

(1) are difficult to complete with existing Federal, State, local, and private funds; and

(2) will achieve 1 or more of—

(A) generation of national or regional economic benefits and an increase in the global economic competitiveness of the United States;

(B) reduction of congestion and the impacts of congestion;

(C) improvement of facilities vital to agriculture, manufacturing, or national energy security;

(D) improvement of the efficiency, reliability, and affordability of the movement of freight;

(E) improvement of transportation safety;

(F) improvement of existing and designated future Interstate System routes; or

(G) improvement of the movement of people through improving rural connectivity and metropolitan accessibility.

(b) DEFINITIONS.—In this section and for purposes of the grant programs established under the amendments made by section 44002:

(1) ELIGIBLE APPLICANT.—The term ''eligible applicant'' means—

(A) a State (or a group of States);

(B) a local government (or a group of local governments);

(C) a tribal government (or a consortium of tribal governments);

(D) a transit agency (or a group of transit agencies);

(E) a special purpose district or a public authority with a transportation function;

(F) a port authority (or a group of port authorities);

(G) a political subdivision of a State or local government;

(H) a Federal land management agency, jointly with the applicable State; or

(I) a multistate or multijurisdictional group of entities described in subparagraphs (A) through (H).

(2) RURAL AREA.—The term ''rural area'' means an area that is outside of an urbanized area with a population greater than 150,000 individuals, as determined by the Bureau of the Census.

(3) RURAL STATE.—The term ''rural State'' means a State that has a population density of 80 or fewer persons per square mile, based on the most recent decennial census.

(c) APPLICATIONS.—

(1) IN GENERAL.—An eligible applicant shall submit to the Secretary or the Federal Highway Administrator (referred to in this section as the ''Administrator''), as appropriate, an application in such form and containing such information as the Secretary or Administrator, as appropriate, determines necessary, including the total amount of the grant requested.

(2) CONTENTS.—Each application submitted under this paragraph shall include data on the most recent system performance, to the extent practicable, and estimated system improvements that will result from completion of the eligible project, including projections for improvements 5 and 10 years after completion of the project.

(3) RESUBMISSION OF APPLICATIONS.—An eligible applicant whose project is not selected may resubmit an application in a subsequent solicitation with an addendum indicating changes to the project application.

(d) ACCOUNTABILITY MEASURES.—The Secretary and the Administrator shall establish accountability measures for the management of the grants described in this section—

(1) to establish clear procedures for addressing late-arriving applications;

(2) to publicly communicate decisions to accept or reject applications; and

(3) to document major decisions in the application evaluation and project selection process through a decision memorandum or similar mechanism that provides a clear rationale for decisions.

(e) GEOGRAPHIC DISTRIBUTION.—In awarding grants, the Secretary or Administrator, as appropriate, shall take measures to ensure, to the maximum extent practicable—

(1) an equitable geographic distribution of amounts; and

(2) an appropriate balance in addressing the needs of rural and urban communities.

(f) REPORTS.—

(1) IN GENERAL.—The Secretary or the Administrator, as appropriate, shall make available on the website of the Department at the end of each fiscal year an annual report that lists each project for which a grant has been provided under this section during that fiscal year.

(2) COMPTROLLER GENERAL.—

(A) ASSESSMENT.—The Comptroller General of the United States shall conduct an assessment of the administrative establishment, solicitation, selection, and justification process with respect to the funding of grants described in this title.

(B) REPORT.—Not later than 1 year after the initial awarding of grants described in this section, the Comptroller General of the United States shall submit to the Committee on Environment and Public Works of the Senate, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives a report that describes—

(i) the adequacy and fairness of the process by which each project was selected, if applicable;

(ii) the justification and criteria used for the selection of each project, if applicable.

SEC. 44002. GRANTS.

(a) IN GENERAL.—Chapter 1 of title 23, United States Code, is amended by adding at the end the following:

''§ 171. Assistance for major projects program

''(a) PURPOSE OF PROGRAM.—The purpose of the assistance for major projects program

shall be the purpose described in section 44001 of the DRIVE Act.

''(b) DEFINITIONS.—In this section—

''(1) the terms defined in section 44001 of the DRIVE Act shall apply; and

''(2) the following definitions shall apply:

''(A) ADMINISTRATOR.—The term 'Administrator' means the Administrator of the Federal Highway Administration.

''(B) ELIGIBLE PROJECT.—

''(i) IN GENERAL.—The term 'eligible project' means a surface transportation project, or a program of integrated surface transportation projects closely related in the function the projects perform, that—

''(I) is a capital project that is eligible for Federal financial assistance under—

''(aa) this title; or

''(bb) chapter 53 of title 49; and

''(II) except as provided in clause (ii), has eligible project costs that are reasonably anticipated to equal or exceed the lesser of—

''(aa) $350,000,000; and

''(bb)(AA) for a project located in a single State, 25 percent of the amount of Federal-aid highway funds apportioned to the State for the most recently completed fiscal year;

''(BB) for a project located in a single rural State with a population density of 80 or fewer persons per square mile based on the most recent decennial census, 10 percent of the amount of Federal-aid highway funds apportioned to the State for the most recently completed fiscal year; or

''(CC) for a project located in more than 1 State, 75 percent of the amount of Federal-aid highway funds apportioned to the participating State that has the largest apportionment for the most recently completed fiscal year.

''(ii) FEDERAL LAND TRANSPORTATION FACILITY.—In the case of a Federal land transportation facility, the term 'eligible project' means a Federal land transportation facility that has eligible project costs that are reasonably anticipated to equal or exceed $150,000,000.

''(C) ELIGIBLE PROJECT COSTS.—The term 'eligible project costs' means the costs of—

''(i) development phase activities, including planning, feasibility analysis, revenue forecasting, environmental review, preliminary engineering and design work, and other preconstruction activities; and

''(ii) construction, reconstruction, rehabilitation, and acquisition of real property (including land related to the project and improvements to land), environmental mitigation, construction contingencies, acquisition of equipment directly related to improving system performance, and operational improvements.

''(c) ESTABLISHMENT OF PROGRAM.—The Administrator shall establish a program in accordance with this section to provide grants for projects that will have a significant impact on a region or the Nation.

''(d) SOLICITATIONS AND APPLICATIONS.—

''(1) GRANT SOLICITATIONS.—The Administrator shall conduct a transparent and competitive national solicitation process to review eligible projects for funding under this section.

''(2) APPLICATIONS.—An eligible applicant shall submit an application to the Administrator in such form as described in and in accordance with section 44001 of the DRIVE Act.

''(e) CRITERIA FOR PROJECT EVALUATION AND SELECTION.—

''(1) IN GENERAL.—The Administrator may select a project for funding under this section only if the Administrator determines that the project—

''(A) is consistent with the national goals described in section 150(b);

''(B) will significantly improve the performance of the national surface transportation network, nationally or regionally;

''(C) is based on the results of preliminary engineering;

''(D) is consistent with the long-range statewide transportation plan;

''(E) cannot be readily and efficiently completed without Federal financial assistance;

''(F) is justified based on the ability of the project to achieve 1 or more of—

''(i) generation of national economic benefits that reasonably exceed the costs of the project;

''(ii) reduction of long-term congestion, including impacts on a national, regional, and statewide basis;

''(iii) an increase in the speed, reliability, and accessibility of the movement of people or freight; or

''(iv) improvement of transportation safety, including reducing transportation accident and serious injuries and fatalities; and

''(G) is supported by a sufficient amount of non-Federal funding, including evidence of stable and dependable financing to construct, maintain, and operate the infrastructure facility.

''(2) ADDITIONAL CONSIDERATIONS.—In evaluating a project under this section, in addition to the criteria described in paragraph (1), the Administrator shall consider the extent to which the project—

''(A) leverages Federal investment by encouraging non-Federal contributions to the project, including contributions from public-private partnerships;

''(B) is able to begin construction by the date that is not later than 18 months after the date on which the project is selected;

''(C) incorporates innovative project delivery and financing to the maximum extent practicable;

''(D) helps maintain or protect the environment;

''(E) improves roadways vital to national energy security;

''(F) improves or upgrades designated future Interstate System routes;

''(G) uses innovative technologies, including intelligent transportation systems, that enhance the efficiency of the project;

''(H) helps to improve mobility and accessibility; and

''(I) address the impact of population growth on the movement of people and freight.

''(f) GEOGRAPHIC DISTRIBUTION.—In awarding grants under this section, the Administrator shall take measures as described in section 44001 of the DRIVE Act.

''(g) FUNDING REQUIREMENTS.—

''(1) IN GENERAL.—Except in the case of projects described in paragraph (2), the amount of a grant under this section shall be at least $50,000,000.

''(2) RURAL PROJECTS.—The amounts made available for a fiscal year under this section for eligible projects located in rural areas or in rural States shall not be—

''(A) less than 20 percent of the amount made available for the fiscal year under this section; and

''(B) subject to paragraph (1).

''(3) LIMITATION OF FUNDS.—Not more than 20 percent of the funds made available for a fiscal year to carry out this section shall be allocated for projects eligible under section 167(i)(5)(B) or chapter 53 of title 49.

''(4) STATE CAP.—

''(A) IN GENERAL.—Not more than 20 percent of the funds made available for a fiscal year to carry out this section may be awarded to projects in a single State.

''(B) EXCEPTION FOR MULTISTATE PROJECTS.—For purposes of the limitation described in subparagraph (A), funds awarded for a multistate project shall be considered to be distributed evenly to each State.

''(5) TIFIA PROGRAM.—On the request of an eligible applicant under this section, the Administrator may use amounts awarded to the entity to pay subsidy and administrative costs necessary to provide the entity Federal credit assistance under chapter 6 with respect to the project for which the grant was awarded.

''(h) GRANT REQUIREMENTS.—

''(1) APPLICABILITY OF PLANNING REQUIREMENTS.—The programming and expenditure of funds for projects under this section shall be consistent with the requirements of sections 134 and 135.

''(2) DETERMINATION OF APPLICABLE MODAL REQUIREMENTS.—If an eligible project that receives a grant under this section has a crossmodal component, the Administrator—

''(A) shall determine the predominant modal component of the project; and

''(B) may apply the applicable requirements of that predominant modal component to the project.

''(i) REPORT TO THE ADMINISTRATOR.—For each project funded under this section, the project sponsor shall evaluate system performance and submit to the Administrator a report not later than 5, 10, and 20 years after completion of the project to assess whether the project outcomes have met preconstruction projections.

''(j) ADMINISTRATIVE SELECTION.—The Administrator shall award grants to eligible projects in a fiscal year based on the criteria described in subsection (e).

''(k) REPORTS.—

''(1) IN GENERAL.—The Administrator shall provide an annual report as described in section 44001 of the DRIVE Act.

''(2) COMPTROLLER GENERAL.—The Comptroller General of the United States shall conduct an assessment as described in section 44001 of the DRIVE Act.''.

(b) ASSISTANCE FOR FREIGHT PROJECTS.—Chapter 54 of subtitle III of title 49, United States Code, as amended by section 42005, is amended by adding after section 5408 the following:

''§ 5409. Assistance for freight projects

''(a) ESTABLISHMENT.—The Secretary shall establish and implement an assistance for freight projects grant program for capital investments in major freight transportation infrastructure projects to improve the movement of goods through the transportation network of the United States.

''(b) CRITERIA FOR PROJECT EVALUATION AND SELECTION.—

''(1) IN GENERAL.—The Secretary may select a project for funding under this section only if the Secretary determines that the project—

''(A) is consistent with the goals described in section 5402(b);

''(B) will significantly improve the national or regional performance of the freight transportation network;

''(C) is based on the results of preliminary engineering;

''(D) is consistent with the long-range statewide transportation plan;

''(E) cannot be readily and efficiently completed without Federal financial assistance;

''(F) is justified based on the ability of the project—

''(i) to generate national economic benefits that reasonably exceed the costs of the project;

''(ii) to reduce long-term congestion, including impacts on a regional and statewide basis; or

''(iii) to increase the speed, reliability, and accessibility of the movement of freight; and

''(G) is supported by a sufficient amount of non-Federal funding, including evidence of stable and dependable financing to construct, maintain, and operate the infrastructure facility.

''(2) ADDITIONAL CONSIDERATIONS.—In evaluating a project under this section, in addition to the criteria described in paragraph (1), the Secretary shall consider the extent to which the project—

''(A) leverages Federal investment by encouraging non-Federal contributions to the project, including contributions from public-private partnerships;

''(B) is able to begin construction by the date that is not later than 1 year after the date on which the project is selected;

''(C) incorporates innovative project delivery and financing to the maximum extent practicable;

''(D) improves freight facilities vital to agricultural or national energy security;

''(E) improves or upgrades current or designated future Interstate System routes;

''(F) uses innovative technologies, including intelligent transportation systems, that enhance the efficiency of the project;

''(G) helps to improve mobility and accessibility; and

''(H) improves transportation safety, including reducing transportation accident and serious injuries and fatalities.

''(c) ELIGIBLE PROJECTS.—

''(1) IN GENERAL.—A project is eligible for a grant under this section if the project—

''(A) is difficult to complete with existing Federal, State, local, and private funds;

''(B)(i) enhances the economic competitiveness of the United States; or

''(ii) improves the flow of freight or reduces bottlenecks in the freight infrastructure of the United States; and

''(C) will advance 1 or more of the following objectives:

''(i) Generate regional or national economic benefits and an increase in the global economic competitiveness of the United States.

''(ii) Improve transportation resources vital to agriculture or national energy security.

''(iii) Improve the efficiency, reliability, and affordability of the movement of freight.

''(iv) Improve existing freight infrastructure projects.

''(v) Improve the movement of people by improving rural and metropolitan freight routes.

''(2) EXAMPLES.—Eligible projects for grant funding under this section shall include—

''(A) a freight intermodal facility, including—

''(i) an intermodal facility serving a seaport;

''(ii) an intermodal or cargo access facility serving an airport;

''(iii) an intermodal facility serving a port on the inland waterways;

''(iv) a bulk intermodal/transload facility; or

''(v) a highway/rail intermodal facility;

''(B) a highway or bridge project eligible under title 23;

''(C) a public transportation project that reduces congestion on freight corridors and is eligible under chapter 53;

''(D) a freight rail transportation project (including rail-grade separations); and

''(E) a port infrastructure investment (including inland port infrastructure).

''(d) REQUIREMENTS.—

''(1) CONSIDERATIONS.—In selecting projects to receive grant funding under this section, the Secretary shall—

''(A) consider—

''(i) projected freight volumes; and

''(ii) how projects will enhance economic efficiency, productivity, and competitiveness;

''(iii) population growth and the impact on freight demand; and

''(B) give priority to projects dedicated to—

''(i) improving freight infrastructure facilities;

''(ii) reducing travel time for freight projects;

''(iii) reducing freight transportation costs; and

''(iv) reducing congestion caused by rapid population growth on freight corridors.

''(2) MULTIMODAL DISTRIBUTION OF FUNDS.—In distributing funding for grants under this section, the Secretary shall take such measures as the Secretary determines necessary to ensure the investment in a variety of transportation modes.

''(3) AMOUNT.—

''(A) IN GENERAL.—Except as provided in subparagraph (B)(i), a grant under this section shall be in an amount that is not less than $10,000,000 and not greater than $100,000,000.

''(B) PROJECTS IN RURAL AREAS.—If a grant awarded under this section is for a project located in a rural area—

''(i) the amount of the grant shall be at least $1,000,000; and

''(ii) the Secretary may increase the Federal share of costs to greater than 80 percent.

''(4) FEDERAL SHARE.—Except as provided under paragraph (3)(B)(ii), the Federal share of the costs for a project receiving a grant under this section shall be up to 80 percent.

''(5) PRIORITY.—The Secretary shall give priority to projects that require a contribution of Federal funds in order to complete an overall financing package.

''(6) RURAL AREAS.—Not less than 25 percent of the funding provided under this section shall be used to make grants for projects located in rural areas.

''(7) NEW COMPETITION.—The Secretary shall conduct a new competition each fiscal year to select the grants and credit assistance awarded under this section.

''(e) CONSULTATION.—The Secretary shall consult with the Secretary of Energy when considering projects that facilitate the movement of energy resources.

''(f) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—There is authorized to be appropriated from the general fund of the Treasury, $200,000,000 for each of fiscal years 2016 through 2021 to carry out this section.

''(2) ADMINISTRATIVE AND OVERSIGHT COSTS.—The Secretary may retain up to 0.5 percent of the amounts appropriated pursuant to paragraph (1)—

''(A) to administer the assistance for freight projects grant program; and

''(B) to oversee eligible projects funded under this section.

''(3) ADMINISTRATION OF FUNDS.—Amounts appropriated pursuant to this subsection shall be available for obligation until expended.

''(g) CONGRESSIONAL NOTIFICATION.—Not later than 72 hours before public notification of a grant awarded under this section, the Secretary shall notify the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Environment and Public Works of the Senate, the Committee on Banking, Housing, and Urban Affairs of the Senate, the Committee on Appropriations of the Senate, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Appropriations of the House of Representatives of such award.

''(h) ACCOUNTABILITY MEASURES.—The Secretary shall provide to Congress documentation of major decisions in the application evaluation and project selection process, which shall include a clear rationale for decisions—

''(1) to advance for senior review applications other than those rated as highly recommended;

''(2) to not advance applications rated as highly recommended; and

''(3) to change the technical evaluation rating of an application.''.

(c) CONFORMING AMENDMENT.—The analysis for chapter 1 of title 23, United States Code, is amended by adding at the end the following:

''171. Assistance for major projects program.''.

DIVISION E—FINANCE

SEC. 50001. SHORT TITLE.

This division may be cited as the ''Transportation Funding Act of 2015''.

TITLE LI—HIGHWAY TRUST FUND AND RELATED TAXES

Subtitle A—Extension of Trust Fund Expenditure Authority and Related Taxes

SEC. 51101. EXTENSION OF TRUST FUND EXPENDITURE AUTHORITY.

(a) HIGHWAY TRUST FUND.—Section 9503 of the Internal Revenue Code of 1986, as amended by division G, is amended—

(1) by striking ''October 1, 2015'' in subsections (b)(6)(B), (c)(1), and (e)(3) and inserting ''October 1, 2021'', and

(2) by striking ''Surface Transportation Extension Act of 2015'' in subsections (c)(1) and (e)(3) and inserting ''DRIVE Act''.

(b) SPORT FISH RESTORATION AND BOATING TRUST FUND.—Section 9504 of the Internal Revenue Code of 1986, as amended by division G is amended—

(1) by striking ''Surface Transportation Extension Act of 2015'' each place it appears in subsection (b)(2) and inserting ''DRIVE Act'', and

(2) by striking ''October 1, 2015'' in subsection (d)(2) and inserting ''October 1, 2021''.

(c) LEAKING UNDERGROUND STORAGE TANK TRUST FUND.—Paragraph (2) of section 9508(e) of the Internal Revenue Code of 1986, as amended by division G, is amended by striking ''October 1, 2015'' and inserting ''October 1, 2021''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on August 1, 2015.

SEC. 51102. EXTENSION OF HIGHWAY-RELATED TAXES.

(a) IN GENERAL.—

(1) Each of the following provisions of the Internal Revenue Code of 1986 is amended by striking ''September 30, 2016'' and inserting ''September 30, 2023'':

(A) Section 4041(a)(1)(C)(iii)(I).

(B) Section 4041(m)(1)(B).

(C) Section 4081(d)(1).

(2) Each of the following provisions of such Code is amended by striking ''October 1, 2016'' and inserting ''October 1, 2023'':

(A) Section 4041(m)(1)(A).

(B) Section 4051(c).

(C) Section 4071(d).

(D) Section 4081(d)(3).

(b) EXTENSION OF TAX, ETC., ON USE OF CERTAIN HEAVY VEHICLES.—Each of the following

provisions of the Internal Revenue Code of 1986 is amended by striking ''2017'' each place it appears and inserting ''2024'':

(1) Section 4481(f).

(2) Subsections (c)(4) and (d) of section 4482.

(c) FLOOR STOCKS REFUNDS.—Section 6412(a)(1) of the Internal Revenue Code of 1986 is amended—

(1) by striking ''October 1, 2016'' each place it appears and inserting ''October 1, 2023'',

(2) by striking ''March 31, 2017'' each place it appears and inserting ''March 31, 2024'', and

(3) by striking ''January 1, 2017'' and inserting ''January 1, 2024''.

(d) EXTENSION OF CERTAIN EXEMPTIONS.—

(1) Section 4221(a) of the Internal Revenue Code of 1986 is amended by striking ''October 1, 2016'' and inserting ''October 1, 2023''.

(2) Section 4483(i) of such Code is amended by striking ''October 1, 2017'' and inserting ''October 1, 2024''.

(e) EXTENSION OF TRANSFERS OF CERTAIN TAXES.—

(1) IN GENERAL.—Section 9503 of the Internal Revenue Code of 1986 is amended—

(A) in subsection (b)—

(i) by striking ''October 1, 2016'' each place it appears in paragraphs (1) and (2) and inserting ''October 1, 2023'',

(ii) by striking ''OCTOBER 1, 2016'' in the heading of paragraph (2) and inserting ''OCTOBER 1, 2023'',

(iii) by striking ''September 30, 2016'' in paragraph (2) and inserting ''September 30, 2023'', and

(iv) by striking ''July 1, 2017'' in paragraph (2) and inserting ''July 1, 2024'', and

(B) in subsection (c)(2), by striking ''July 1, 2017'' and inserting ''July 1, 2024''.

(2) MOTORBOAT AND SMALL-ENGINE FUEL TAX TRANSFERS.—

(A) IN GENERAL.—Paragraphs (3)(A)(i) and (4)(A) of section 9503(c) of such Code are each amended by striking ''October 1, 2016'' and inserting ''October 1, 2023''.

(B) CONFORMING AMENDMENTS TO LAND AND WATER CONSERVATION FUND.—Section 200310 of title 54, United States Code, is amended—

(i) by striking ''October 1, 2017'' each place it appears and inserting ''October 1, 2024'', and

(ii) by striking ''October 1, 2016'' and inserting ''October 1, 2023''.

(f) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2016.

Subtitle B—Additional Transfers to Highway Trust Fund

SEC. 51201. FURTHER ADDITIONAL TRANSFERS TO TRUST FUND.

Subsection (f) of section 9503 of the Internal Revenue Code of 1986 is amended by redesignating paragraph (7) as paragraph (9) and by inserting after paragraph (6) the following new paragraphs:

''(7) FURTHER TRANSFERS TO TRUST FUND.—Out of money in the Treasury not otherwise appropriated, there is hereby appropriated—

''(A) $34,401,000,000 to the Highway Account (as defined in subsection (e)(5)(B)) in the Highway Trust Fund; and

''(B) $11,214,000,000 to the Mass Transit Account in the Highway Trust Fund.

''(8) ADDITIONAL INCREASE IN FUND BALANCE.—There is hereby transferred to the Highway Account (as defined in subsection (e)(5)(B)) in the Highway Trust Fund amounts appropriated from the Leaking Underground Storage Tank Trust Fund under section 9508(c)(4).''.

SEC. 51202. TRANSFER TO HIGHWAY TRUST FUND OF CERTAIN MOTOR VEHICLE SAFETY PENALTIES.

(a) IN GENERAL.—Paragraph (5) of section 9503(b) of the Internal Revenue Code of 1986 is amended—

(1) by striking ''There are hereby'' and inserting the following:

''(A) IN GENERAL.—There are hereby'', and

(2) by adding at the end the following new paragraph:

''(B) PENALTIES RELATED TO MOTOR VEHICLE SAFETY.—

''(i) IN GENERAL.—There are hereby appropriated to the Highway Trust Fund amounts equivalent to covered motor vehicle safety penalty collections.

''(ii) COVERED MOTOR VEHICLE SAFETY PENALTY COLLECTIONS.—For purposes of this subparagraph, the term 'covered motor vehicle safety penalty collections' means any amount collected in connection with a civil penalty under section 30165 of title 49, United States Code, reduced by any award authorized by the Secretary of Transportation to be paid to any person in connection with information provided by such person related to a violation of chapter 301 of such title which is a predicate to such civil penalty.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to amounts collected after the date of the enactment of this Act.

SEC. 51203. APPROPRIATION FROM LEAKING UNDERGROUND STORAGE TANK TRUST FUND.

(a) IN GENERAL.—Subsection (c) of section 9508 of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(4) ADDITIONAL TRANSFER TO HIGHWAY TRUST FUND.—Out of amounts in the Leaking Underground Storage Tank Trust Fund there is hereby appropriated—

''(A) on the date of the enactment of the DRIVE Act, $100,000,000,

''(B) on October 1, 2016, $100,000,000, and

''(C) on October 1, 2017, $100,000,000,

to be transferred under section 9503(f)(8) to the Highway Account (as defined in section 9503(e)(5)(B)) in the Highway Trust Fund.''.

(b) CONFORMING AMENDMENT.—Section 9508(c)(1) of the Internal Revenue Code of 1986 is amended by striking ''paragraphs (2) and (3)'' and inserting ''paragraphs (2), (3), and (4)''.

TITLE LII—OFFSETS

Subtitle A—Tax Provisions

SEC. 52101. CONSISTENT BASIS REPORTING BETWEEN ESTATE AND PERSON ACQUIRING PROPERTY FROM DECEDENT.

(a) PROPERTY ACQUIRED FROM A DECEDENT.—

(1) IN GENERAL.—Section 1014 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

''(f) BASIS MUST BE CONSISTENT WITH ESTATE TAX VALUE.—

''(1) IN GENERAL.—The basis under subsection (a) of any property shall not exceed—

''(A) in the case of property the value of which has been finally determined for purposes of the tax imposed by chapter 11 on the estate of such decedent, such value, and

''(B) in the case of property not described in subparagraph (A) and with respect to which a statement has been furnished under section 6035(a) identifying the value of such property, such value.

''(2) DETERMINATION.—For purposes of paragraph (1), the value of property has been finally determined for purposes of the tax imposed by chapter 11 if—

''(A) the value of such property is shown on a return under section 6018 and such value is not contested by the Secretary before the expiration of the time for assessing a tax under chapter 11,

''(B) in a case not described in subparagraph (A), the value is specified by the Secretary and such value is not timely contested by the executor of the estate, or

''(C) the value is determined by a court or pursuant to a settlement agreement with the Secretary.

''(3) REGULATIONS.—The Secretary may by regulations provide exceptions to the application of this subsection.''.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall apply to property with respect to which an estate tax return is filed after the date of the enactment of this Act.

(b) INFORMATION REPORTING.—

(1) IN GENERAL.—Subpart A of part III of subchapter A of chapter 61 of the Internal Revenue Code of 1986 is amended by inserting after section 6034A the following new section:

''SEC. 6035. BASIS INFORMATION TO PERSONS ACQUIRING PROPERTY FROM DECEDENT.

''(a) INFORMATION WITH RESPECT TO PROPERTY ACQUIRED FROM DECEDENTS.—

''(1) IN GENERAL.—The executor of any estate required to file a return under section 6018(a) shall furnish to the Secretary and to each person acquiring any interest in property included in the decedent's gross estate for Federal estate tax purposes a statement identifying the value of each interest in such property as reported on such return and such other information with respect to such interest as the Secretary may prescribe.

''(2) STATEMENTS BY BENEFICIARIES.—Each person required to file a return under section 6018(b) shall furnish to the Secretary and to each other person who holds a legal or beneficial interest in the property to which such return relates a statement identifying the information described in paragraph (1).

''(3) TIME FOR FURNISHING STATEMENT.—

''(A) IN GENERAL.—Each statement required to be furnished under paragraph (1) or (2) shall be furnished at such time as the Secretary may prescribe, but in no case at a time later than the earlier of—

''(i) the date which is 30 days after the date on which the return under section 6018 was required to be filed (including extensions, if any), or

''(ii) the date which is 30 days after the date such return is filed.

''(B) ADJUSTMENTS.—In any case in which there is an adjustment to the information required to be included on a statement filed under paragraph (1) or (2) after such statement has been filed, a supplemental statement under such paragraph shall be filed not later than the date which is 30 days after such adjustment is made.

''(b) REGULATIONS.—The Secretary shall prescribe such regulations as necessary to carry out this section, including regulations relating to—

''(1) the extension of this section to property of estates not required to file an estate tax return, and

''(2) situations in which the surviving joint tenant or other recipient may have better information than the executor regarding the basis or fair market value of the property.''.

(2) PENALTY FOR FAILURE TO FILE.—

(A) RETURN.—Section 6724(d)(1) of such Code is amended by striking ''and'' at the

end of subparagraph (B), by striking the period at the end of subparagraph (C) and inserting '', and'', and by adding at the end the following new subparagraph:

''(D) any statement required to be filed with the Secretary under section 6035.''.

(B) STATEMENT.—Section 6724(d)(2) of such Code is amended by striking ''or'' at the end of subparagraph (GG), by striking the period at the end of subparagraph (HH) and inserting '', or'', and by adding at the end the following new subparagraph:

''(II) section 6035 (other than a statement described in paragraph (1)(D)).''.

(3) CLERICAL AMENDMENT.—The table of sections for subpart A of part III of subchapter A of chapter 61 of such Code is amended by inserting after the item relating to section 6034A the following new item:

''SEC. 6035. BASIS INFORMATION TO PERSONS ACQUIRING PROPERTY FROM DECEDENT.''.

(4) EFFECTIVE DATE.—The amendments made by this subsection shall take effect on the date of the enactment of this Act.

(c) PENALTY FOR INCONSISTENT REPORTING.—

(1) IN GENERAL.—Subsection (b) of section 6662 of the Internal Revenue Code of 1986 is amended by inserting after paragraph (7) the following new paragraph:

''(8) Any inconsistent estate basis.''.

(2) INCONSISTENT BASIS REPORTING.—Section 6662 of such Code is amended by adding at the end the following new subsection:

''(k) INCONSISTENT ESTATE BASIS REPORTING.—For purposes of this section, there is an 'inconsistent estate basis' if the basis of property (determined without regard to adjustments to basis during the period the property was held by the taxpayer) claimed on a return exceeds the basis as determined under section 1014(f).''.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to returns filed after the date of the enactment of this Act.

SEC. 52102. REVOCATION OR DENIAL OF PASSPORT IN CASE OF CERTAIN UNPAID TAXES.

(a) IN GENERAL.—Subchapter D of chapter 75 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

''SEC. 7345. REVOCATION OR DENIAL OF PASSPORT IN CASE OF CERTAIN TAX DELINQUENCIES.

''(a) IN GENERAL.—If the Secretary receives certification by the Commissioner of Internal Revenue that any individual has a seriously delinquent tax debt in an amount in excess of $50,000, the Secretary shall transmit such certification to the Secretary of State for action with respect to denial, revocation, or limitation of a passport pursuant to section 52102(d) of the Transportation Funding Act of 2015.

''(b) SERIOUSLY DELINQUENT TAX DEBT.—For purposes of this section, the term 'seriously delinquent tax debt' means an outstanding debt under this title for which a notice of lien has been filed in public records pursuant to section 6323 or a notice of levy has been filed pursuant to section 6331, except that such term does not include—

''(1) a debt that is being paid in a timely manner pursuant to an agreement under section 6159 or 7122, and

''(2) a debt with respect to which collection is suspended because a collection due process hearing under section 6330, or relief under subsection (b), (c), or (f) of section 6015, is requested or pending.

''(c) ADJUSTMENT FOR INFLATION.—In the case of a calendar year beginning after 2016, the dollar amount in subsection (a) shall be increased by an amount equal to—

''(1) such dollar amount, multiplied by

''(2) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year, determined by substituting 'calendar year 2015' for 'calendar year 1992' in subparagraph (B) thereof.

If any amount as adjusted under the preceding sentence is not a multiple of $1,000, such amount shall be rounded to the next highest multiple of $1,000.''.

(b) CLERICAL AMENDMENT.—The table of sections for subchapter D of chapter 75 of the Internal Revenue Code of 1986 is amended by adding at the end the following new item:

''Sec. 7345. Revocation or denial of passport in case of certain tax delinquencies.''.

(c) AUTHORITY FOR INFORMATION SHARING.—

(1) IN GENERAL.—Subsection (l) of section 6103 of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(23) DISCLOSURE OF RETURN INFORMATION TO DEPARTMENT OF STATE FOR PURPOSES OF PASSPORT REVOCATION UNDER SECTION 7345.—

''(A) IN GENERAL.—The Secretary shall, upon receiving a certification described in section 7345, disclose to the Secretary of State return information with respect to a taxpayer who has a seriously delinquent tax debt described in such section. Such return information shall be limited to—

''(i) the taxpayer identity information with respect to such taxpayer, and

''(ii) the amount of such seriously delinquent tax debt.

''(B) RESTRICTION ON DISCLOSURE.—Return information disclosed under subparagraph (A) may be used by officers and employees of the Department of State for the purposes of, and to the extent necessary in, carrying out the requirements of section 52102(d) of the Transportation Funding Act of 2015.''.

(2) CONFORMING AMENDMENT.—Paragraph (4) of section 6103(p) of such Code is amended by striking ''or (22)'' each place it appears in subparagraph (F)(ii) and in the matter preceding subparagraph (A) and inserting ''(22), or (23)''.

(d) AUTHORITY TO DENY OR REVOKE PASSPORT.—

(1) DENIAL.—

(A) IN GENERAL.—Except as provided under subparagraph (B), upon receiving a certification described in section 7345 of the Internal Revenue Code of 1986 from the Secretary of the Treasury, the Secretary of State shall not issue a passport to any individual who has a seriously delinquent tax debt described in such section.

(B) EMERGENCY AND HUMANITARIAN SITUATIONS.—Notwithstanding subparagraph (A), the Secretary of State may issue a passport, in emergency circumstances or for humanitarian reasons, to an individual described in such subparagraph.

(2) REVOCATION.—

(A) IN GENERAL.—The Secretary of State may revoke a passport previously issued to any individual described in paragraph (1)(A).

(B) LIMITATION FOR RETURN TO UNITED STATES.—If the Secretary of State decides to revoke a passport under subparagraph (A), the Secretary of State, before revocation, may—

(i) limit a previously issued passport only for return travel to the United States; or

(ii) issue a limited passport that only permits return travel to the United States.

(3) HOLD HARMLESS.—The Secretary of the Treasury and the Secretary of State shall not be liable to an individual for any action with respect to a certification by the Commissioner of Internal Revenue under section 7345 of the Internal Revenue Code of 1986.

(e) REVOCATION OR DENIAL OF PASSPORT IN CASE OF INDIVIDUAL WITHOUT SOCIAL SECURITY ACCOUNT NUMBER.—

(1) DENIAL.—

(A) IN GENERAL.—Except as provided under subparagraph (B), upon receiving an application for a passport from an individual that either—

(i) does not include the social security account number issued to that individual, or

(ii) includes an incorrect or invalid social security number willfully, intentionally, negligently, or recklessly provided by such individual,

the Secretary of State is authorized to deny such application and is authorized to not issue a passport to the individual.

(B) EMERGENCY AND HUMANITARIAN SITUATIONS.—Notwithstanding subparagraph (A), the Secretary of State may issue a passport, in emergency circumstances or for humanitarian reasons, to an individual described in subparagraph (A).

(2) REVOCATION.—

(A) IN GENERAL.—The Secretary of State may revoke a passport previously issued to any individual described in paragraph (1)(A).

(B) LIMITATION FOR RETURN TO UNITED STATES.—If the Secretary of State decides to revoke a passport under subparagraph (A), the Secretary of State, before revocation, may—

(i) limit a previously issued passport only for return travel to the United States; or

(ii) issue a limited passport that only permits return travel to the United States.

(f) EFFECTIVE DATE.—The provisions of, and amendments made by, this section shall take effect on January 1, 2016.

SEC. 52103. CLARIFICATION OF 6-YEAR STATUTE OF LIMITATIONS IN CASE OF OVERSTATEMENT OF BASIS.

(a) IN GENERAL.—Subparagraph (B) of section 6501(e)(1) of the Internal Revenue Code of 1986 is amended—

(1) by striking ''and'' at the end of clause (i), by redesignating clause (ii) as clause (iii), and by inserting after clause (i) the following new clause:

''(ii) An understatement of gross income by reason of an overstatement of unrecovered cost or other basis is an omission from gross income; and'',

(2) by inserting ''(other than in the case of an overstatement of unrecovered cost or other basis)'' in clause (iii) (as so redesignated) after ''In determining the amount omitted from gross income'', and

(3) by inserting ''AMOUNT OMITTED FROM'' after ''DETERMINATION OF'' in the heading thereof.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to—

(1) returns filed after the date of the enactment of this Act, and

(2) returns filed on or before such date if the period specified in section 6501 of the Internal Revenue Code of 1986 (determined without regard to such amendments) for assessment of the taxes with respect to which such return relates has not expired as of such date.

SEC. 52104. ADDITIONAL INFORMATION ON RETURNS RELATING TO MORTGAGE INTEREST.

(a) IN GENERAL.—Paragraph (2) of section 6050H(b) of the Internal Revenue Code of 1986 is amended by striking ''and'' at the end of subparagraph (C), by redesignating subparagraph (D) as subparagraph (G), and by inserting after subparagraph (C) the following new subparagraphs:

''(D) the amount of outstanding principal on the mortgage as of the beginning of such calendar year,

''(E) the address of the property securing such mortgage,

''(F) the date of the origination of such mortgage, and''.

(b) PAYEE STATEMENTS.—Subsection (d) of section 6050H of the Internal Revenue Code of 1986 is amended by striking ''and'' at the end of paragraph (1), by striking the period at the end of paragraph (2) and inserting '', and'', and by inserting after paragraph (2) the following new paragraph:

''(3) the information required to be included on the return under subparagraphs (D), (E), and (F) of subsection (b)(2).''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to returns and statements the due date for which (determined without regard to extensions) is after December 31, 2016.

SEC. 52105. RETURN DUE DATE MODIFICATIONS.

(a) NEW DUE DATE FOR PARTNERSHIP FORM 1065, S CORPORATION FORM 1120S, AND C CORPORATION FORM 1120.—

(1) PARTNERSHIPS.—

(A) IN GENERAL.—Section 6072 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

''(f) RETURNS OF PARTNERSHIPS.—Returns of partnerships under section 6031 made on the basis of the calendar year shall be filed on or before the 15th day of March following the close of the calendar year, and such returns made on the basis of a fiscal year shall be filed on or before the 15th day of the third month following the close of the fiscal year.''.

(B) CONFORMING AMENDMENT.—Section 6072(a) of such Code is amended by striking ''6017, or 6031'' and inserting ''or 6017''.

(2) S CORPORATIONS.—

(A) IN GENERAL.—So much of subsection (b) of section 6072 of the Internal Revenue Code of 1986 as precedes the second sentence thereof is amended to read as follows:

''(b) RETURNS OF CERTAIN CORPORATIONS.—Returns of S corporations under sections 6012 and 6037 made on the basis of the calendar year shall be filed on or before the 31st day of March following the close of the calendar year, and such returns made on the basis of a fiscal year shall be filed on or before the last day of the third month following the close of the fiscal year.''.

(B) CONFORMING AMENDMENTS.—

(i) Section 1362(b) of such Code is amended—

(I) by striking ''15th'' each place it appears and inserting ''last'',

(II) by striking ''2½'' each place it appears in the headings and the text and inserting ''3'', and

(III) by striking ''2 months and 15 days'' in paragraph (4) and inserting ''3 months''.

(ii) Section 1362(d)(1)(C)(i) of such Code is amended by striking ''15th'' and inserting ''last''.

(iii) Section 1362(d)(1)(C)(ii) of such Code is amended by striking ''such 15th day'' and inserting ''the last day of the 3d month thereof''.

(3) CONFORMING AMENDMENTS RELATING TO C CORPORATIONS.—

(A) Section 170(a)(2)(B) of such Code is amended by striking ''third month'' and inserting ''4th month''.

(B) Section 563 of such Code is amended by striking ''third month'' each place it appears and inserting ''4th month''.

(C) Section 1354(d)(1)(B)(i) of such Code is amended by striking ''3d month'' and inserting ''4th month''.

(D) Subsection (a) and (c) of section 6167 of such Code are each amended by striking ''third month'' and inserting ''4th month''.

(E) Section 6425(a)(1) of such Code is amended by striking ''third month'' and inserting ''4th month''.

(F) Section 6655 of such Code is amended—

(i) by striking ''3rd month'' each place it appears in subsections (b)(2)(A), (g)(3), and (h)(1) and inserting ''4th month'', and

(ii) in subsection (g)(4), by redesignating subparagraph (E) as subparagraph (F) and by inserting after subparagraph (D) the following new subparagraph:

''(E) Subsection (b)(2)(A) shall be applied by substituting 'the last day of the 3rd month' for 'the 15th day of the 4th month'.''.

(4) EFFECTIVE DATES.—

(A) IN GENERAL.—Except as otherwise provided in this paragraph, the amendments made by this subsection shall apply to returns for taxable years beginning after December 31, 2015.

(B) CONFORMING AMENDMENTS RELATING TO S CORPORATIONS.—The amendments made by paragraph (2)(B) shall apply with respect to elections for taxable years beginning after December 31, 2015.

(C) CONFORMING AMENDMENTS RELATING TO C CORPORATIONS.—The amendments made by paragraph (3) shall apply to taxable years beginning after December 31, 2015.

(5) SPECIAL RULE FOR CERTAIN C CORPORATION IN 2025.—In the case of a taxable year of a C Corporation ending on June 30, 2025, section 6072(a) of the Internal Revenue Code of 1986 shall be applied by substituting ''third month'' for ''fourth month''.

(b) MODIFICATION OF DUE DATES BY REGULATION.—In the case of returns for any taxable period beginning after December 31, 2015, the Secretary of the Treasury or the Secretary's delegate shall modify appropriate regulations to provide as follows:

(1) The maximum extension for the returns of partnerships filing Form 1065 shall be a 6-month period beginning on the due date for filing the return (without regard to any extensions).

(2) The maximum extension for the returns of trusts and estates filing Form 1041 shall be a 5½-month period beginning on the due date for filing the return (without regard to any extensions).

(3) The maximum extension for the returns of employee benefit plans filing Form 5500 shall be an automatic 3½-month period beginning on the due date for filing the return (without regard to any extensions).

(4) The maximum extension for the Forms 990 (series) returns of organizations exempt from income tax shall be an automatic 6-month period beginning on the due date for filing the return (without regard to any extensions).

(5) The maximum extension for the returns of organizations exempt from income tax that are required to file Form 4720 returns of excise taxes shall be an automatic 6-month period beginning on the due date for filing the return (without regard to any extensions).

(6) The maximum extension for the returns of trusts required to file Form 5227 shall be an automatic 6-month period beginning on the due date for filing the return (without regard to any extensions).

(7) The maximum extension for filing Form 6069, Return of Excise Tax on Excess Contributions to Black Lung Benefit Trust Under Section 4953 and Computation of Section 192 Deduction, shall be an automatic 6-month period beginning on the due date for filing the return (without regard to any extensions).

(8) The maximum extension for a taxpayer required to file Form 8870 shall be an automatic 6-month period beginning on the due date for filing the return (without regard to any extensions).

(9) The due date of Form 3520–A, Annual Information Return of a Foreign Trust with a United States Owner, shall be the 15th day of the 3rd month after the close of the trust's taxable year, and the maximum extension shall be a 6-month period beginning on such day.

(10) The due date of FinCEN Form 114 (relating to Report of Foreign Bank and Financial Accounts) shall be April 15 with a maximum extension for a 6-month period ending on October 15, and with provision for an extension under rules similar to the rules of 26 C.F.R. 1.6081–5. For any taxpayer required to file such form for the first time, the Secretary of the Treasury may waive any penalty for failure to timely request or file an extension.

(11) Taxpayers filing Form 3520, Annual Return to Report Transactions with Foreign Trusts and Receipt of Certain Foreign Gifts, shall be allowed to extend the time for filing such form separately from the income tax return of the taxpayer, for an automatic 6-month period beginning on the due date for filing the return (without regard to any extensions).

(c) CORPORATIONS PERMITTED STATUTORY AUTOMATIC 6-MONTH EXTENSION OF INCOME TAX RETURNS.—

(1) IN GENERAL.—Section 6081(b) of the Internal Revenue Code of 1986 is amended by striking ''3 months'' and inserting ''6 months''.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall apply to returns for taxable years beginning after December 31, 2015.

(3) SPECIAL RULE FOR CERTAIN C CORPORATIONS IN 2024.—In the case of any taxable year of a C corporation ending on December 31, 2024, subsections (a) and (b) of section 6081 of the Internal Revenue Code of 1986 shall each be applied to returns of income taxes under subtitle A by substituting ''5 months'' for ''6 months''.

SEC. 52106. REFORM OF RULES RELATING TO QUALIFIED TAX COLLECTION CONTRACTS.

(a) REQUIREMENT TO COLLECT CERTAIN INACTIVE TAX RECEIVABLES UNDER QUALIFIED TAX COLLECTION CONTRACTS.—Section 6306 of the Internal Revenue Code of 1986 is amended by redesignating subsections (c) through (f) as subsections (d) through (g), respectively, and by inserting after subsection (b) the following new subsection:

''(c) COLLECTION OF INACTIVE TAX RECEIVABLES.—

''(1) IN GENERAL.—Notwithstanding any other provision of law, the Secretary shall enter into one or more qualified tax collection contracts for the collection of all outstanding inactive tax receivables.

''(2) INACTIVE TAX RECEIVABLES.—For purposes of this section—

''(A) IN GENERAL.—The term 'inactive tax receivable' means any tax receivable if—

''(i) at any time after assessment, the Internal Revenue Service removes such receivable from the active inventory for lack of resources or inability to locate the taxpayer,

''(ii) more than ⅓ of the period of the applicable statute of limitation has lapsed and such receivable has not been assigned for collection to any employee of the Internal Revenue Service, or

''(iii) in the case of a receivable which has been assigned for collection, more than 365

days have passed without interaction with the taxpayer or a third party for purposes of furthering the collection of such receivable.

''(B) TAX RECEIVABLE.—The term 'tax receivable' means any outstanding assessment which the Internal Revenue Service includes in potentially collectible inventory.''.

(b) CERTAIN TAX RECEIVABLES NOT ELIGIBLE FOR COLLECTION UNDER QUALIFIED TAX COLLECTION CONTRACTS.—Section 6306 of the Internal Revenue Code of 1986, as amended by subsection (a), is amended by redesignating subsections (d) through (g) as subsections (e) through (h), respectively, and by inserting after subsection (c) the following new subsection:

''(d) CERTAIN TAX RECEIVABLES NOT ELIGIBLE FOR COLLECTION UNDER QUALIFIED TAX COLLECTIONS CONTRACTS.—A tax receivable shall not be eligible for collection pursuant to a qualified tax collection contract if such receivable—

''(1) is subject to a pending or active offer-in-compromise or installment agreement,

''(2) is classified as an innocent spouse case,

''(3) involves a taxpayer identified by the Secretary as being—

''(A) deceased,

''(B) under the age of 18,

''(C) in a designated combat zone, or

''(D) a victim of tax-related identity theft,

''(4) is currently under examination, litigation, criminal investigation, or levy, or

''(5) is currently subject to a proper exercise of a right of appeal under this title.''.

(c) CONTRACTING PRIORITY.—Section 6306 of the Internal Revenue Code of 1986, as amended by the preceding provisions of this section, is amended by redesignating subsection (h) as subsection (i) and by inserting after subsection (g) the following new subsection:

''(h) CONTRACTING PRIORITY.—In contracting for the services of any person under this section, the Secretary shall utilize private collection contractors and debt collection centers on the schedule required under section 3711(g) of title 31, United States Code, including the technology and communications infrastructure established therein, to the extent such private collection contractors and debt collection centers are appropriate to carry out the purposes of this section.''.

(d) DISCLOSURE OF RETURN INFORMATION.—Section 6103(k) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(11) QUALIFIED TAX COLLECTION CONTRACTORS.—Persons providing services pursuant to a qualified tax collection contract under section 6306 may, if speaking to a person who has identified himself or herself as having the name of the taxpayer to which a tax receivable (within the meaning of such section) relates, identify themselves as contractors of the Internal Revenue Service and disclose the business name of the contractor, and the nature, subject, and reason for the contact. Disclosures under this paragraph shall be made only in such situations and under such conditions as have been approved by the Secretary.''.

(e) TAXPAYERS AFFECTED BY FEDERALLY DECLARED DISASTERS.—Section 6306 of the Internal Revenue Code of 1986, as amended by the preceding provisions of this section, is amended by redesignating subsection (i) as subsection (j) and by inserting after subsection (h) the following new subsection:

''(i) TAXPAYERS IN PRESIDENTIALLY DECLARED DISASTER AREAS.—The Secretary may prescribe procedures under which a taxpayer determined to be affected by a Federally declared disaster (as defined by section 165(i)(5)) may request—

''(1) relief from immediate collection measures by contractors under this section, and

''(2) a return of the inactive tax receivable to the inventory of the Internal Revenue Service to be collected by an employee thereof.''.

(f) REPORT TO CONGRESS.—

(1) IN GENERAL.—Section 6306 of the Internal Revenue Code of 1986, as amended by the preceding provisions of this section, is amended by redesignating subsection (j) as subsection (k) and by inserting after subsection (i) the following new subsection:

''(j) REPORT TO CONGRESS.—Not later than 90 days after the last day of each fiscal year (beginning with the first such fiscal year ending after the date of the enactment of this subsection), the Secretary shall submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate a report with respect to qualified tax collection contracts under this section which shall include—

''(1) annually, with respect to such fiscal year—

''(A) the total number and amount of tax receivables provided to each contractor for collection under this section,

''(B) the total amounts collected (and amounts of installment agreements entered into under subsection (b)(1)(B)) with respect to each contractor and the collection costs incurred (directly and indirectly) by the Internal Revenue Service with respect to such amounts,

''(C) the impact of such contracts on the total number and amount of unpaid assessments, and on the number and amount of assessments collected by Internal Revenue Service personnel after initial contact by a contractor,

''(D) the amount of fees retained by the Secretary under subsection (e) and a description of the use of such funds, and

''(E) a disclosure safeguard report in a form similar to that required under section 6103(p)(5), and

''(2) biannually (beginning with the second report submitted under this subsection)—

''(A) an independent evaluation of contractor performance, and

''(B) a measurement plan that includes a comparison of the best practices used by the private collectors to the collection techniques used by the Internal Revenue Service and mechanisms to identify and capture information on successful collection techniques used by the contractors that could be adopted by the Internal Revenue Service.''.

(2) REPEAL OF EXISTING REPORTING REQUIREMENTS WITH RESPECT TO QUALIFIED TAX COLLECTION CONTRACTS.—Section 881 of the American Jobs Creation Act of 2004 is amended by striking subsection (e).

(g) EFFECTIVE DATES.—

(1) IN GENERAL.—The amendments made by subsections (a) and (b) shall apply to tax receivables identified by the Secretary after the date of the enactment of this Act.

(2) CONTRACTING PRIORITY.—The Secretary shall begin entering into contracts and agreements as described in the amendment made by subsection (c) within 3 months after the date of the enactment of this Act.

(3) DISCLOSURES.—The amendment made by subsection (d) shall apply to disclosures made after the date of the enactment of this Act.

(4) PROCEDURES; REPORT TO CONGRESS.—The amendments made by subsections (e) and (f) shall take effect on the date of the enactment of this Act.

SEC. 52107. SPECIAL COMPLIANCE PERSONNEL PROGRAM.

(a) IN GENERAL.—Subsection (e) of section 6306 of the Internal Revenue Code of 1986, as redesignated by section 52106, is amended by striking ''for collection enforcement activities of the Internal Revenue Service'' in paragraph (2) and inserting ''to fund the special compliance personnel program account under section 6307''.

(b) SPECIAL COMPLIANCE PERSONNEL PROGRAM ACCOUNT.—Subchapter A of chapter 64 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

''SEC. 6307. SPECIAL COMPLIANCE PERSONNEL PROGRAM ACCOUNT.

''(a) ESTABLISHMENT OF A SPECIAL COMPLIANCE PERSONNEL PROGRAM ACCOUNT.—The Secretary shall establish an account within the Department for carrying out a program consisting of the hiring, training, and employment of special compliance personnel, and shall transfer to such account from time to time amounts retained by the Secretary under section 6306(e)(2).

''(b) RESTRICTIONS.—The program described in subsection (a) shall be subject to the following restrictions:

''(1) No funds shall be transferred to such account except as described in subsection (a).

''(2) No other funds from any other source shall be expended for special compliance personnel employed under such program, and no funds from such account shall be expended for the hiring of any personnel other than special compliance personnel.

''(3) Notwithstanding any other authority, the Secretary is prohibited from spending funds out of such account for any purpose other than for costs under such program associated with the employment of special compliance personnel and the retraining and reassignment of current noncollections personnel as special compliance personnel, and to reimburse the Internal Revenue Service or other government agencies for the cost of administering qualified tax collection contracts under section 6306.

''(c) REPORTING.—Not later than March of each year, the Commissioner of Internal Revenue shall submit a report to the Committees on Finance and Appropriations of the Senate and the Committees on Ways and Means and Appropriations of the House of Representatives consisting of the following:

''(1) For the preceding fiscal year, all funds received in the account established under subsection (a), administrative and program costs for the program described in such subsection, the number of special compliance personnel hired and employed under the program, and the amount of revenue actually collected by such personnel.

''(2) For the current fiscal year, all actual and estimated funds received or to be received in the account, all actual and estimated administrative and program costs, the number of all actual and estimated special compliance personnel hired and employed under the program, and the actual and estimated revenue actually collected or to be collected by such personnel.

''(3) For the following fiscal year, an estimate of all funds to be received in the account, all estimated administrative and program costs, the estimated number of special compliance personnel hired and employed under the program, and the estimated revenue to be collected by such personnel.

''(d) DEFINITIONS.—For purposes of this section—

''(1) SPECIAL COMPLIANCE PERSONNEL.—The term 'special compliance personnel' means

individuals employed by the Internal Revenue Service as field function collection officers or in a similar position, or employed to collect taxes using the automated collection system or an equivalent replacement system.

''(2) PROGRAM COSTS.—The term 'program costs' means—

''(A) total salaries (including locality pay and bonuses), benefits, and employment taxes for special compliance personnel employed or trained under the program described in subsection (a), and

''(B) direct overhead costs, salaries, benefits, and employment taxes relating to support staff, rental payments, office equipment and furniture, travel, data processing services, vehicle costs, utilities, telecommunications, postage, printing and reproduction, supplies and materials, lands and structures, insurance claims, and indemnities for special compliance personnel hired and employed under this section.

For purposes of subparagraph (B), the cost of management and supervision of special compliance personnel shall be taken into account as direct overhead costs to the extent such costs, when included in total program costs under this paragraph, do not represent more than 10 percent of such total costs.''.

(c) CLERICAL AMENDMENT.—The table of sections for subchapter A of chapter 64 of the Internal Revenue Code of 1986 is amended by inserting after the item relating to section 6306 the following new item:

''Sec. 6307. Special compliance personnel program account.''.

(d) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to amounts collected and retained by the Secretary after the date of the enactment of this Act.

SEC. 52108. TRANSFERS OF EXCESS PENSION ASSETS TO RETIREE HEALTH ACCOUNTS.

(a) IN GENERAL.—Section 420(b)(4) of the Internal Revenue Code of 1986 is amended by striking ''December 31, 2021'' and inserting ''December 31, 2025''.

(b) CONFORMING ERISA AMENDMENTS.—

(1) Sections 101(e)(3), 403(c)(1), and 408(b)(13) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1021(e)(3), 1103(c)(1), 1108(b)(13)) are each amended by striking ''MAP-21'' and inserting ''DRIVE Act''.

(2) Section 408(b)(13) of such Act (29 U.S.C. 1108(b)(13)) is amended by striking ''January 1, 2022'' and inserting ''January 1, 2026''.

Subtitle B—Fees and Receipts

SEC. 52201. EXTENSION OF DEPOSITS OF SECURITY SERVICE FEES IN THE GENERAL FUND.

Section 44940(i)(4) of title 49, United States Code, is amended by adding at the end the following:

''(K) $1,750,000,000 for each of fiscal years 2024 and 2025.''.

SEC. 52202. ADJUSTMENT FOR INFLATION OF FEES FOR CERTAIN CUSTOMS SERVICES.

(a) IN GENERAL.—Section 13031 of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c) is amended by adding at the end the following:

''(1) ADJUSTMENT OF FEES FOR INFLATION.—

''(1) IN GENERAL.—The Secretary of the Treasury shall adjust the fees established under subsection (a), and the limitations on such fees under paragraphs (2), (3), (5), (6), (8), and (9) of subsection (b), on October 1, 2015, and annually thereafter, to reflect the percentage (if any) of the increase in the average of the Consumer Price Index for the preceding 12-month period compared to the Consumer Price Index for fiscal year 2014.

''(2) SPECIAL RULES FOR CALCULATION OF ADJUSTMENT.—In adjusting under paragraph (1) the amount of the fees established under subsection (a), and the limitations on such fees under paragraphs (2), (3), (5), (6), (8), and (9) of subsection (b), the Secretary—

''(A) shall round the amount of any increase in the Consumer Price Index to the nearest dollar; and

''(B) may ignore any such increase of less than 1 percent.

''(3) CONSUMER PRICE INDEX DEFINED.—For purposes of this subsection, the term 'Consumer Price Index' means the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor.''.

(b) DEPOSITS INTO CUSTOMS USER FEE ACCOUNT.—Section 13031(f) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(f)) is amended—

(1) in paragraph (1), in the matter preceding subparagraph (A), by striking ''all fees collected under subsection (a)'' and inserting ''the amount of fees collected under subsection (a) (determined without regard to any adjustment made under subsection (l))''; and

(2) in paragraph (3)(A), in the matter preceding clause (i)—

(A) by striking ''fees collected'' and inserting ''amount of fees collected''; and

(B) by striking ''), each appropriation'' and inserting '', and determined without regard to any adjustment made under subsection (l)), each appropriation''.

(c) CONFORMING AMENDMENTS.—Section 13031 of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c), as amended by subsections (a) and (b), is further amended—

(1) in subsection (a), in the matter preceding paragraph (1), by inserting ''(subject to adjustment under subsection (l))'' after ''following fees''; and

(2) in subsection (b)—

(A) in paragraph (2), by inserting ''(subject to adjustment under subsection (l))'' after ''in fees'';

(B) in paragraph (3), by inserting ''(subject to adjustment under subsection (l))'' after ''in fees'';

(C) in paragraph (5)(A), by inserting ''(subject to adjustment under subsection (l))'' after ''in fees'';

(D) in paragraph (6), by inserting ''(subject to adjustment under subsection (l))'' after ''in fees'';

(E) in paragraph (8)(A)—

(i) in clause (i), by inserting ''or (l)'' after ''subsection (a)(9)(B)''; and

(ii) in clause (ii), by inserting ''(subject to adjustment under subsection (l))'' after ''$3''; and

(F) in paragraph (9)—

(i) in subparagraph (A)—

(I) in the matter preceding clause (i), by inserting ''and subject to adjustment under subsection (l)'' after ''Tariff Act of 1930''; and

(II) in clause (ii)(I), by inserting ''(subject to adjustment under subsection (l))'' after ''bill of lading''; and

(ii) in subparagraph (B)(i), by inserting ''(subject to adjustment under subsection (l))'' after ''bill of lading''.

SEC. 52203. DIVIDENDS AND SURPLUS FUNDS OF RESERVE BANKS.

Section 7(a)(1)(A) of the Federal Reserve Act (12 U.S.C. 289(a)(1)(A)) is amended by striking ''6 percent'' and inserting ''6 percent (1.5 percent in the case of a stockholder having total consolidated assets of more than $1,000,000,000 (determined as of September 30 of the preceding fiscal year))''.

SEC. 52204. STRATEGIC PETROLEUM RESERVE DRAWDOWN AND SALE.

(a) DRAWDOWN AND SALE.—

(1) IN GENERAL.—Notwithstanding section 161 of the Energy Policy and Conservation Act (42 U.S.C. 6241), except as provided in subsections (b) and (c), the Secretary of Energy shall drawdown and sell from the Strategic Petroleum Reserve—

(A) the quantity of barrels of crude oil that the Secretary of Energy determines to be appropriate to maximize the financial return to United States taxpayers for each of fiscal years 2016 and 2017;

(B) 4,000,000 barrels of crude oil during fiscal year 2018;

(C) 5,000,000 barrels of crude oil during fiscal year 2019;

(D) 8,000,000 barrels of crude oil during fiscal year 2020;

(E) 8,000,000 barrels of crude oil during fiscal year 2021;

(F) 10,000,000 barrels of crude oil during fiscal year 2022;

(G) 16,000,000 barrels of crude oil during fiscal year 2023;

(H) 25,000,000 barrels of crude oil during fiscal year 2024; and

(I) 25,000,000 barrels of crude oil during fiscal year 2025.

(2) DEPOSIT OF AMOUNTS RECEIVED FROM SALE.—Amounts received from a sale under paragraph (1) shall be deposited in the general fund of the Treasury during the fiscal year in which the sale occurs.

(b) EMERGENCY PROTECTION.—In any 1 fiscal year described in subsection (a)(1), the Secretary of Energy shall not drawdown and sell crude oil under this section in quantities that would result in a Strategic Petroleum Reserve that contains an inventory of petroleum products representing fewer than 90 days of emergency reserves, based on the average daily level of net imports of crude oil and petroleum products in the calendar year preceding that fiscal year.

(c) INCREASE; LIMITATION.—

(1) INCREASE.—The Secretary of Energy may increase the drawdown and sales under subparagraphs (A) through (I) of subsection (a)(1) as the Secretary of Energy determines to be appropriate to maximize the financial return to United States taxpayers.

(2) LIMITATION.—The Secretary of Energy shall not drawdown or conduct sales of crude oil under this section after the date on which a total of $9,050,000,000 has been deposited in the general fund of the Treasury from sales authorized under this section.

SEC. 52205. EXTENSION OF ENTERPRISE GUARANTEE FEE.

Section 1327(f) of the Housing and Community Development Act of 1992 (12 U.S.C. 4547(f)) is amended by striking ''October 1, 2021'' and inserting ''October 1, 2025''.

Subtitle C—Outlays

SEC. 52301. INTEREST ON OVERPAYMENT.

Section 111 of the Federal Oil and Gas Royalty Management Act of 1982 (30 U.S.C. 1721) is amended—

(1) by striking subsections (h) and (i);

(2) by redesignating subsections (j) through (l) as subsections (h) through (j), respectively; and

(3) in subsection (h) (as so redesignated), by striking the fourth sentence.

DIVISION F—MISCELLANEOUS

TITLE LXI—FEDERAL PERMITTING IMPROVEMENT

SEC. 61001. DEFINITIONS.

In this title:

(1) AGENCY.—The term ''agency'' has the meaning given the term in section 551 of title 5, United States Code.

(2) AGENCY CERPO.—The term ''agency CERPO'' means the chief environmental review and permitting officer of an agency, as designated by the head of the agency under section 61002(b)(2)(A)(iii)(I).

(3) AUTHORIZATION.—The term ''authorization'' means any license, permit, approval, finding, determination, or other administrative decision issued by an agency that is required or authorized under Federal law in order to site, construct, reconstruct, or commence operations of a covered project, whether administered by a Federal or State agency.

(4) COOPERATING AGENCY.—The term ''cooperating agency'' means any agency with—

(A) jurisdiction under Federal law; or

(B) special expertise as described in section 1501.6 of title 40, Code of Federal Regulations (as in effect on the date of enactment of this Act).

(5) COUNCIL.—The term ''Council'' means the Federal Infrastructure Permitting Improvement Steering Council established under section 61002(a).

(6) COVERED PROJECT.—

(A) IN GENERAL.—The term ''covered project'' means any activity in the United States that requires authorization or environmental review by a Federal agency involving construction of infrastructure for renewable or conventional energy production, electricity transmission, surface transportation, aviation, ports and waterways, water resource projects, broadband, pipelines, manufacturing, or any other sector as determined by a majority vote of the Council that—

(i)(I) is subject to NEPA;

(II) is likely to require a total investment of more than $200,000,000; and

(III) does not qualify for abbreviated authorization or environmental review processes under any applicable law; or

(ii) is subject to NEPA and the size and complexity of which, in the opinion of the Council, make the project likely to benefit from enhanced oversight and coordination, including a project likely to require—

(I) authorization from or environmental review involving more than 2 Federal agencies; or

(II) the preparation of an environmental impact statement under NEPA.

(B) EXCLUSION.—The term ''covered project'' does not include—

(i) any project subject to section 139 of title 23, United States Code; or

(ii) any project subject to section 2045 of the Water Resources Development Act of 2007 (33 U.S.C. 2348).

(7) DASHBOARD.—The term ''Dashboard'' means the Permitting Dashboard required under section 61003(b).

(8) ENVIRONMENTAL ASSESSMENT.—The term ''environmental assessment'' means a concise public document for which a Federal agency is responsible under section 1508.9 of title 40, Code of Federal Regulations (or successor regulations).

(9) ENVIRONMENTAL DOCUMENT.—

(A) IN GENERAL.—The term ''environmental document'' means an environmental assessment, finding of no significant impact, notice of intent, environmental impact statement, or record of decision.

(B) INCLUSIONS.—The term ''environmental document'' includes—

(i) any document that is a supplement to a document described in subparagraph (A); and

(ii) a document prepared pursuant to a court order.

(10) ENVIRONMENTAL IMPACT STATEMENT.—The term ''environmental impact statement'' means the detailed written statement required under section 102(2)(C) of NEPA.

(11) ENVIRONMENTAL REVIEW.—The term ''environmental review'' means the agency procedures and processes for applying a categorical exclusion or for preparing an environmental assessment, an environmental impact statement, or other document required under NEPA.

(12) EXECUTIVE DIRECTOR.—The term ''Executive Director'' means the Executive Director appointed by the President under section 61002(b)(1)(A).

(13) FACILITATING AGENCY.—The term ''facilitating agency'' means the agency that receives the initial notification from the project sponsor required under section 61003(a).

(14) INVENTORY.—The term ''inventory'' means the inventory of covered projects established by the Executive Director under section 61002(c)(1)(A).

(15) LEAD AGENCY.—The term ''lead agency'' means the agency with principal responsibility for an environmental review of a covered project under NEPA and parts 1500 through 1508 of title 40, Code of Federal Regulations (or successor regulations).

(16) NEPA.—The term ''NEPA'' means the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(17) PARTICIPATING AGENCY.—The term ''participating agency'' means an agency participating in an environmental review or authorization for a covered project in accordance with section 61003.

(18) PROJECT SPONSOR.—The term ''project sponsor'' means an entity, including any private, public, or public-private entity, seeking an authorization for a covered project.

SEC. 61002. FEDERAL PERMITTING IMPROVEMENT COUNCIL.

(a) ESTABLISHMENT.—There is established the Federal Permitting Improvement Steering Council.

(b) COMPOSITION.—

(1) CHAIR.—The Executive Director shall—

(A) be appointed by the President; and

(B) serve as Chair of the Council.

(2) COUNCIL MEMBERS.—

(A) IN GENERAL.—

(i) DESIGNATION BY HEAD OF AGENCY.—Each individual listed in subparagraph (B) shall designate a member of the agency in which the individual serves to serve on the Council.

(ii) QUALIFICATIONS.—A councilmember described in clause (i) shall hold a position in the agency of deputy secretary (or the equivalent) or higher.

(iii) SUPPORT.—

(I) IN GENERAL.—Consistent with guidance provided by the Director of the Office of Management and Budget, each individual listed in subparagraph (B) shall designate 1 or more appropriate members of the agency in which the individual serves to serve as an agency CERPO.

(II) REPORTING.—In carrying out the duties of the agency CERPO under this title, an agency CERPO shall report directly to a deputy secretary (or the equivalent) or higher.

(B) HEADS OF AGENCIES.—The individuals that shall each designate a councilmember under this subparagraph are as follows:

(i) The Secretary of Agriculture.

(ii) The Secretary of the Army.

(iii) The Secretary of Commerce.

(iv) The Secretary of the Interior.

(v) The Secretary of Energy.

(vi) The Secretary of Transportation.

(vii) The Secretary of Defense.

(viii) The Administrator of the Environmental Protection Agency.

(ix) The Chairman of the Federal Energy Regulatory Commission.

(x) The Chairman of the Nuclear Regulatory Commission.

(xi) The Secretary of Homeland Security.

(xii) The Secretary of Housing and Urban Development.

(xiii) The Chairman of the Advisory Council on Historic Preservation.

(xiv) Any other head of a Federal agency that the Executive Director may invite to participate as a member of the Council.

(3) ADDITIONAL MEMBERS.—In addition to the members listed in paragraphs (1) and (2), the Chairman of the Council on Environmental Quality and the Director of the Office of Management and Budget shall also be members of the Council.

(c) DUTIES.—

(1) EXECUTIVE DIRECTOR.—

(A) INVENTORY DEVELOPMENT.—The Executive Director, in consultation with the Council, shall—

(i) not later than 180 days after the date of enactment of this Act, establish an inventory of covered projects that are pending the environmental review or authorization of the head of any Federal agency;

(ii)(I) categorize the projects in the inventory as appropriate, based on sector and project type; and

(II) for each category, identify the types of environmental reviews and authorizations most commonly involved; and

(iii) add a covered project to the inventory after receiving a notice described in section 61003(a)(1).

(B) FACILITATING AGENCY DESIGNATION.—The Executive Director, in consultation with the Council, shall—

(i) designate a facilitating agency for each category of covered projects described in subparagraph (A)(ii); and

(ii) publish the list of designated facilitating agencies for each category of projects in the inventory on the Dashboard in an easily accessible format.

(C) PERFORMANCE SCHEDULES.—

(i) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Executive Director, in consultation with the Council, shall develop recommended performance schedules, including intermediate and final completion dates, for environmental reviews and authorizations most commonly required for each category of covered projects described in subparagraph (A)(ii).

(ii) REQUIREMENTS.—

(I) IN GENERAL.—The performance schedules shall reflect employment of the use of the most efficient applicable processes.

(II) LIMIT.—

(aa) IN GENERAL.—The final completion dates in any performance schedule for the completion of an environmental review or authorization under clause (i) shall not exceed the average time to complete an environmental review or authorization for a project within that category.

(bb) CALCULATION OF AVERAGE TIME.—The average time referred to in item (aa) shall be calculated on the basis of data from the preceding 2 calendar years and shall run from the period beginning on the date on which the Executive Director must make a specific entry for the project on the Dashboard under section 61003(b)(2) (except that, for projects initiated before that duty takes effect, the period beginning on the date of filing of a completed application), and ending on the date of the issuance of a record of decision or other final agency action on the review or authorization.

(cc) COMPLETION DATE.—Each performance schedule shall specify that any decision by

an agency on an environmental review or authorization must be issued not later than 180 days after the date on which all information needed to complete the review or authorization (including any hearing that an agency holds on the matter) is in the possession of the agency.

(iii) REVIEW AND REVISION.—Not later than 2 years after the date on which the performance schedules are established under this subparagraph, and not less frequently than once every 2 years thereafter, the Executive Director, in consultation with the Council, shall review and revise the performance schedules.

(D) GUIDANCE.—The Executive Director, in consultation with the Council, may recommend to the Director of the Office of Management and Budget or to the Council on Environmental Quality, as appropriate, that guidance be issued as necessary for agencies—

(i) to carry out responsibilities under this title; and

(ii) to effectuate the adoption by agencies of the best practices and recommendations of the Council described in paragraph (2).

(2) COUNCIL.—

(A) RECOMMENDATIONS.—

(i) IN GENERAL.—The Council shall make recommendations to the Executive Director with respect to the designations under paragraph (1)(B) and the performance schedules under paragraph (1)(C).

(ii) UPDATE.—The Council may update the recommendations described in clause (i).

(B) BEST PRACTICES.—Not later than 1 year after the date of enactment of this Act, and not less frequently than annually thereafter, the Council shall issue recommendations on the best practices for—

(i) enhancing early stakeholder engagement, including fully considering and, as appropriate, incorporating recommendations provided in public comments on any proposed covered project;

(ii) ensuring timely decisions regarding environmental reviews and authorizations, including through the development of performance metrics;

(iii) improving coordination between Federal and non-Federal governmental entities, including through the development of common data standards and terminology across agencies;

(iv) increasing transparency;

(v) reducing information collection requirements and other administrative burdens on agencies, project sponsors, and other interested parties;

(vi) developing and making available to applicants appropriate geographic information systems and other tools;

(vii) creating and distributing training materials useful to Federal, State, tribal, and local permitting officials; and

(viii) addressing other aspects of infrastructure permitting, as determined by the Council.

(3) AGENCY CERPOS.—An agency CERPO shall—

(A) advise the respective agency councilmember on matters related to environmental reviews and authorizations;

(B) provide technical support, when requested to facilitate efficient and timely processes for environmental reviews and authorizations for covered projects under the jurisdictional responsibility of the agency, including supporting timely identification and resolution of potential disputes within the agency or between the agency and other Federal agencies;

(C) analyze agency environmental review and authorization processes, policies, and authorities and make recommendations to the respective agency councilmember for ways to standardize, simplify, and improve the efficiency of the processes, policies, and authorities, including by implementing guidance issued under paragraph (1)(D) and other best practices, including the use of information technology and geographic information system tools within the agency and across agencies, to the extent consistent with existing law; and

(D) review and develop training programs for agency staff that support and conduct environmental reviews or authorizations.

(d) ADMINISTRATIVE SUPPORT.—The Director of the Office of Management and Budget shall designate a Federal agency, other than an agency that carries out or provides support for projects that are not covered projects, to provide administrative support for the Executive Director, and the designated agency shall, as reasonably necessary, provide support and staff to enable the Executive Director to fulfill the duties of the Executive Director under this title.

SEC. 61003. PERMITTING PROCESS IMPROVEMENT.

(a) PROJECT INITIATION AND DESIGNATION OF PARTICIPATING AGENCIES.—

(1) NOTICE.—

(A) IN GENERAL.—A project sponsor of a covered project shall submit to the Executive Director and the facilitating agency notice of the initiation of a proposed covered project.

(B) DEFAULT DESIGNATION.—If, at the time of submission of the notice under subparagraph (A), the Executive Director has not designated a facilitating agency under section 61002(c)(1)(B) for the categories of projects noticed, the agency that receives the notice under subparagraph (A) shall be designated as the facilitating agency.

(C) CONTENTS.—Each notice described in subparagraph (A) shall include—

(i) a statement of the purposes and objectives of the proposed project;

(ii) a concise description, including the general location of the proposed project and a summary of geospatial information, if available, illustrating the project area and the locations, if any, of environmental, cultural, and historic resources;

(iii) a statement regarding the technical and financial ability of the project sponsor to construct the proposed project;

(iv) a statement of any Federal financing, environmental reviews, and authorizations anticipated to be required to complete the proposed project; and

(v) an assessment that the proposed project meets the definition of a covered project under section 61001 and a statement of reasons supporting the assessment.

(2) INVITATION.—

(A) IN GENERAL.—Not later than 45 days after the date on which the Executive Director must make a specific entry for the project on the Dashboard under subsection (b)(2)(A), the facilitating agency or lead agency, as applicable, shall—

(i) identify all Federal and non-Federal agencies and governmental entities likely to have financing, environmental review, authorization, or other responsibilities with respect to the proposed project; and

(ii) invite all Federal agencies identified under clause (i) to become a participating agency or a cooperating agency, as appropriate, in the environmental review and authorization management process described in section 61005.

(B) DEADLINES.—Each invitation made under subparagraph (A) shall include a deadline for a response to be submitted to the facilitating or lead agency, as applicable.

(3) PARTICIPATING AND COOPERATING AGENCIES.—

(A) IN GENERAL.—An agency invited under paragraph (2) shall be designated as a participating or cooperating agency for a covered project, unless the agency informs the facilitating or lead agency, as applicable, in writing before the deadline under paragraph (2)(B) that the agency—

(i) has no jurisdiction or authority with respect to the proposed project; or

(ii) does not intend to exercise authority related to, or submit comments on, the proposed project.

(B) CHANGED CIRCUMSTANCES.—On request and a showing of changed circumstances, the Executive Director may designate an agency that has opted out under subparagraph (A)(ii) to be a participating or cooperating agency, as appropriate.

(4) EFFECT OF DESIGNATION.—The designation described in paragraph (3) shall not—

(A) give the participating agency authority or jurisdiction over the covered project; or

(B) expand any jurisdiction or authority a cooperating agency may have over the proposed project.

(5) LEAD AGENCY DESIGNATION.—

(A) IN GENERAL.—On establishment of the lead agency, the lead agency shall assume the responsibilities of the facilitating agency under this title.

(B) REDESIGNATION OF FACILITATING AGENCY.—If the lead agency assumes the responsibilities of the facilitating agency under subparagraph (A), the facilitating agency may be designated as a cooperative or participating agency.

(6) CHANGE OF FACILITATING OR LEAD AGENCY.—

(A) IN GENERAL.—On the request of a participating agency or project sponsor, the Executive Director may designate a different agency as the facilitating or lead agency, as applicable, for a covered project, if the facilitating or lead agency or the Executive Director receives new information regarding the scope or nature of a covered project that indicates that the project should be placed in a different category under section 61002(c)(1)(B).

(B) RESOLUTION OF DISPUTE.—The Executive Director shall resolve any dispute over designation of a facilitating or lead agency for a particular covered project.

(b) PERMITTING DASHBOARD.—

(1) REQUIREMENT TO MAINTAIN.—

(A) IN GENERAL.—The Executive Director, in coordination with the Administrator of General Services, shall maintain an online database to be known as the ''Permitting Dashboard'' to track the status of Federal environmental reviews and authorizations for any covered project in the inventory described in section 61002(c)(1)(A).

(B) SPECIFIC AND SEARCHABLE ENTRY.—The Dashboard shall include a specific and searchable entry for each covered project.

(2) ADDITIONS.—

(A) IN GENERAL.—

(i) EXISTING PROJECTS.—Not later than 14 days after the date on which the Executive Director adds a project to the inventory under section 61002(c)(1)(A), the Executive Director shall create a specific entry on the Dashboard for the covered project.

(ii) NEW PROJECTS.—Not later than 14 days after the date on which the Executive Director receives a notice under subsection (a)(1), the Executive Director shall create a specific entry on the Dashboard for the covered project, unless the Executive Director, facilitating agency, or lead agency, as applicable,

determines that the project is not a covered project.

(B) EXPLANATION.—If the facilitating agency or lead agency, as applicable, determines that the project is not a covered project, the project sponsor may submit a further explanation as to why the project is a covered project not later than 14 days after the date of the determination under subparagraph (A).

(C) FINAL DETERMINATION.—Not later than 14 days after receiving an explanation described in subparagraph (B), the Executive Director shall—

(i) make a final and conclusive determination as to whether the project is a covered project; and

(ii) if the Executive Director determines that the project is a covered project, create a specific entry on the Dashboard for the covered project.

(3) POSTINGS BY AGENCIES.—

(A) IN GENERAL.—For each covered project added to the Dashboard under paragraph (2), the facilitating or lead agency, as applicable, and each cooperating and participating agency shall post to the Dashboard—

(i) a hyperlink that directs to a website that contains, to the extent consistent with applicable law—

(I) the notification submitted under subsection (a)(1);

(II)(aa) where practicable, the application and supporting documents, if applicable, that have been submitted by a project sponsor for any required environmental review or authorization; or

(bb) a notice explaining how the public may obtain access to such documents;

(III) a description of any Federal agency action taken or decision made that materially affects the status of a covered project;

(IV) any significant document that supports the action or decision described in subclause (III); and

(V) a description of the status of any litigation to which the agency is a party that is directly related to the project, including, if practicable, any judicial document made available on an electronic docket maintained by a Federal, State, or local court; and

(ii) any document described in clause (i) that is not available by hyperlink on another website.

(B) DEADLINE.—The information described in subparagraph (A) shall be posted to the website made available by hyperlink on the Dashboard not later than 5 business days after the date on which the Federal agency receives the information.

(4) POSTINGS BY THE EXECUTIVE DIRECTOR.—The Executive Director shall publish to the Dashboard—

(A) the permitting timetable established under subparagraph (A) or (C) of subsection (c)(2);

(B) the status of the compliance of each agency with the permitting timetable;

(C) any modifications of the permitting timetable;

(D) an explanation of each modification described in subparagraph (C); and

(E) any memorandum of understanding established under subsection (c)(3)(B).

(c) COORDINATION AND TIMETABLES.—

(1) COORDINATED PROJECT PLAN.—

(A) IN GENERAL.—Not later than 60 days after the date on which the Executive Director must make a specific entry for the project on the Dashboard under subsection (b)(2)(A), the facilitating or lead agency, as applicable, in consultation with each coordinating and participating agency, shall establish a concise plan for coordinating public and agency participation in, and completion of, any required Federal environmental review and authorization for the project.

(B) REQUIRED INFORMATION.—The Coordinated Project Plan shall include the following information and be updated by the facilitating or lead agency, as applicable, at least once per quarter:

(i) A list of, and roles and responsibilities for, all entities with environmental review or authorization responsibility for the project.

(ii) A permitting timetable, as described in paragraph (2), setting forth a comprehensive schedule of dates by which all environmental reviews and authorizations, and to the maximum extent practicable, State permits, reviews and approvals must be made.

(iii) A discussion of potential avoidance, minimization, and mitigation strategies, if required by applicable law and known.

(iv) Plans and a schedule for public and tribal outreach and coordination, to the extent required by applicable law.

(C) MEMORANDUM OF UNDERSTANDING.—The coordinated project plan described in subparagraph (A) may be incorporated into a memorandum of understanding.

(2) PERMITTING TIMETABLE.—

(A) ESTABLISHMENT.—

(i) IN GENERAL.—As part of the coordination project plan under paragraph (1), the facilitating or lead agency, as applicable, in consultation with each cooperating and participating agency, the project sponsor, and any State in which the project is located, shall establish a permitting timetable that includes intermediate and final completion dates for action by each participating agency on any Federal environmental review or authorization required for the project.

(ii) CONSENSUS.—In establishing a permitting timetable under clause (i), each agency shall, to the maximum extent practicable, make efforts to reach a consensus.

(B) FACTORS FOR CONSIDERATION.—In establishing the permitting timetable under subparagraph (A), the facilitating or lead agency shall follow the performance schedules established under section 61002(c)(1)(C), but may vary the timetable based on relevant factors, including—

(i) the size and complexity of the covered project;

(ii) the resources available to each participating agency;

(iii) the regional or national economic significance of the project;

(iv) the sensitivity of the natural or historic resources that may be affected by the project;

(v) the financing plan for the project; and

(vi) the extent to which similar projects in geographic proximity to the project were recently subject to environmental review or similar procedures under State law.

(C) DISPUTE RESOLUTION.—

(i) IN GENERAL.—The Executive Director, in consultation with appropriate agency CERPOs and the project sponsor, shall, as necessary, mediate any disputes regarding the permitting timetable established under subparagraph (A).

(ii) DISPUTES.—If a dispute remains unresolved 30 days after the date on which the dispute was submitted to the Executive Director, the Director of the Office of Management and Budget, in consultation with the Chairman of the Council on Environmental Quality, shall facilitate a resolution of the dispute and direct the agencies party to the dispute to resolve the dispute by the end of the 60-day period beginning on the date of submission of the dispute to the Executive Director.

(iii) FINAL RESOLUTION.—Any action taken by the Director of the Office of Management and Budget in the resolution of a dispute under clause (ii) shall—

(I) be final and conclusive; and

(II) not be subject to judicial review.

(D) MODIFICATION AFTER APPROVAL.—

(i) IN GENERAL.—The facilitating or lead agency, as applicable, may modify a permitting timetable established under subparagraph (A) only if—

(I) the facilitating or lead agency, as applicable, and the affected cooperating agencies, after consultation with the participating agencies, agree to a different completion date; and

(II) the facilitating agency or lead agency, as applicable, or the affected cooperating agency provides a written justification for the modification.

(ii) COMPLETION DATE.—A completion date in the permitting timetable may not be modified within 30 days of the completion date.

(E) CONSISTENCY WITH OTHER TIME PERIODS.—A permitting timetable established under subparagraph (A) shall be consistent with any other relevant time periods established under Federal law and shall not prevent any cooperating or participating agency from discharging any obligation under Federal law in connection with the project.

(F) CONFORMING TO PERMITTING TIMETABLES.—

(i) IN GENERAL.—Each Federal agency shall conform to the completion dates set forth in the permitting timetable established under subparagraph (A), or with any completion date modified under subparagraph (D).

(ii) FAILURE TO CONFORM.—If a Federal agency fails to conform with a completion date for agency action on a covered project or is at significant risk of failing to conform with such a completion date, the agency shall—

(I) promptly submit to the Executive Director for publication on the Dashboard an explanation of the specific reasons for failing or significantly risking failing to conform to the completion date and a proposal for an alternative completion date;

(II) in consultation with the facilitating or lead agency, as applicable, establish an alternative completion date; and

(III) each month thereafter until the agency has taken final action on the delayed authorization or review, submit to the Executive Director for posting on the Dashboard a status report describing any agency activity related to the project.

(G) ABANDONMENT OF COVERED PROJECT.—

(i) IN GENERAL.—If the facilitating or lead agency, as applicable, has a reasonable basis to doubt the continuing technical or financial ability of the project sponsor to construct the covered project, the facilitating or lead agency may request the project sponsor provide an updated statement regarding the ability of the project sponsor to complete the project.

(ii) FAILURE TO RESPOND.—If the project sponsor fails to respond to a request described in clause (i) by the date that is 30 days after receiving the request, the lead or facilitating agency, as applicable, shall notify the Executive Director, who shall publish an appropriate notice on the Dashboard.

(iii) PUBLICATION TO DASHBOARD.—On publication of a notice under clause (ii), the completion dates in the permitting timetable shall be tolled and agencies shall be relieved of the obligation to comply with subparagraph (F) until such time as the project sponsor submits to the facilitating or lead

agency, as applicable, an updated statement regarding the technical and financial ability of the project sponsor to construct the project.

(3) COOPERATING STATE, LOCAL, OR TRIBAL GOVERNMENTS.—

(A) STATE AUTHORITY.—If the Federal environmental review is being implemented within the boundaries of a State, the State, consistent with State law, may choose to participate in the environmental review and authorization process under this subsection and to make subject to the process all State agencies that—

(i) have jurisdiction over the covered project;

(ii) are required to conduct or issue a review, analysis, opinion, or statement for the covered project; or

(iii) are required to make a determination on issuing a permit, license, or other approval or decision for the covered project.

(B) COORDINATION.—To the maximum extent practicable under applicable law, the facilitating or lead agency, as applicable, shall coordinate the Federal environmental review and authorization processes under this subsection with any State, local, or tribal agency responsible for conducting any separate review or authorization of the covered project to ensure timely and efficient completion of environmental reviews and authorizations.

(C) MEMORANDUM OF UNDERSTANDING.—

(i) IN GENERAL.—Any coordination plan between the facilitating or lead agency, as applicable, and any State, local, or tribal agency shall, to the maximum extent practicable, be included in a memorandum of understanding.

(ii) SUBMISSION TO EXECUTIVE DIRECTOR.—The facilitating or lead agency, as applicable, shall submit to the Executive Director each memorandum of understanding described in clause (i).

(d) EARLY CONSULTATION.—The facilitating or lead agency, as applicable, shall provide an expeditious process for project sponsors to confer with each cooperating and participating agency involved and, not later than 60 days after the date on which the project sponsor submits a request under this subsection, to have each such agency provide to the project sponsor information concerning—

(1) the availability of information and tools, including pre-application toolkits, to facilitate early planning efforts;

(2) key issues of concern to each agency and to the public; and

(3) issues that must be addressed before an environmental review or authorization can be completed.

(e) COOPERATING AGENCY.—

(1) IN GENERAL.—A lead agency may designate a participating agency as a cooperating agency in accordance with part 1501 of title 40, Code of Federal Regulations (or successor regulations).

(2) EFFECT ON OTHER DESIGNATION.—The designation described in paragraph (1) shall not affect any designation under subsection (a)(3).

(3) LIMITATION ON DESIGNATION.—Any agency not designated as a participating agency under subsection (a)(3) shall not be designated as a cooperating agency under paragraph (1).

(f) REPORTING STATUS OF OTHER PROJECTS ON DASHBOARD.—

(1) IN GENERAL.—On request of the Executive Director, the Secretary and the Secretary of the Army shall use best efforts to provide information for inclusion on the Dashboard on projects subject to section 139 of title 23, United States Code, and section 2045 of the Water Resources Development Act of 2007 (33 U.S.C. 2348) likely to require—

(A) a total investment of more than $200,000,000; and

(B) an environmental impact statement under NEPA.

(2) EFFECT OF INCLUSION ON DASHBOARD.—Inclusion on the Dashboard of information regarding projects subject to section 139 of title 23, United States Code, or section 2045 of the Water Resources Development Act of 2007 (33 U.S.C. 2348) shall not subject those projects to any requirements of this title.

SEC. 61004. INTERSTATE COMPACTS.

(a) IN GENERAL.—The consent of Congress is given for 3 or more contiguous States to enter into an interstate compact establishing regional infrastructure development agencies to facilitate authorization and review of covered projects, under State law or in the exercise of delegated permitting authority described under section 61006, that will advance infrastructure development, production, and generation within the States that are parties to the compact.

(b) REGIONAL INFRASTRUCTURE.—For the purpose of this title, a regional infrastructure development agency referred to in subsection (a) shall have the same authorities and responsibilities of a State agency.

SEC. 61005. COORDINATION OF REQUIRED REVIEWS.

(a) CONCURRENT REVIEWS.—To integrate environmental reviews and authorizations, each agency shall, to the maximum extent practicable—

(1) carry out the obligations of the agency with respect to a covered project under any other applicable law concurrently, and in conjunction with, other environmental reviews and authorizations being conducted by other cooperating or participating agencies, including environmental reviews and authorizations required under NEPA, unless the agency determines that doing so would impair the ability of the agency to carry out the statutory obligations of the agency; and

(2) formulate and implement administrative, policy, and procedural mechanisms to enable the agency to ensure completion of the environmental review process in a timely, coordinated, and environmentally responsible manner.

(b) ADOPTION, INCORPORATION BY REFERENCE, AND USE OF DOCUMENTS.—

(1) STATE ENVIRONMENTAL DOCUMENTS; SUPPLEMENTAL DOCUMENTS.—

(A) USE OF EXISTING DOCUMENTS.—

(i) IN GENERAL.—On the request of a project sponsor, a lead agency shall consider and, as appropriate, adopt or incorporate by reference, the analysis and documentation that has been prepared for a covered project under State laws and procedures as the documentation, or part of the documentation, required to complete an environmental review for the covered project, if the analysis and documentation were, as determined by the lead agency in consultation with the Council on Environmental Quality, prepared under circumstances that allowed for opportunities for public participation and consideration of alternatives and environmental consequences that are substantially equivalent to what would have been available had the documents and analysis been prepared by a Federal agency pursuant to NEPA.

(ii) GUIDANCE BY CEQ.—The Council on Environmental Quality may issue guidance to carry out this subsection.

(B) NEPA OBLIGATIONS.—An environmental document adopted under subparagraph (A) or a document that includes documentation incorporated under subparagraph (A) may serve as the documentation required for an environmental review or a supplemental environmental review required to be prepared by a lead agency under NEPA.

(C) SUPPLEMENTATION OF STATE DOCUMENTS.—If the lead agency adopts or incorporates analysis and documentation described in subparagraph (A), the lead agency shall prepare and publish a supplemental document if the lead agency determines that during the period after preparation of the analysis and documentation and before the adoption or incorporation—

(i) a significant change has been made to the covered project that is relevant for purposes of environmental review of the project; or

(ii) there has been a significant circumstance or new information has emerged that is relevant to the environmental review for the covered project.

(D) COMMENTS.—If a lead agency prepares and publishes a supplemental document under subparagraph (C), the lead agency shall solicit comments from other agencies and the public on the supplemental document for a period of not more than 45 days, beginning on the date on which the supplemental document is published, unless—

(i) the lead agency, the project sponsor, and any cooperating agency agree to a longer deadline; or

(ii) the lead agency extends the deadline for good cause.

(E) NOTICE OF OUTCOME OF ENVIRONMENTAL REVIEW.—A lead agency shall issue a record of decision or finding of no significant impact, as appropriate, based on the document adopted under subparagraph (A) and any supplemental document prepared under subparagraph (C).

(c) ALTERNATIVES ANALYSIS.—

(1) PARTICIPATION.—As early as practicable during the environmental review, but not later than the commencement of scoping for a project requiring the preparation of an environmental impact statement, the lead agency, in consultation with each cooperating agency, shall determine the range of reasonable alternatives to be considered for a covered project.

(2) RANGE OF ALTERNATIVES.—

(A) IN GENERAL.—Following participation under paragraph (1) and subject to subparagraph (B), the lead agency shall determine the range of reasonable alternatives for consideration in any document that the lead agency is responsible for preparing for the covered project.

(B) ALTERNATIVES REQUIRED BY LAW.—In determining the range of alternatives under subparagraph (A), the lead agency shall include all alternatives required to be considered by law.

(3) METHODOLOGIES.—

(A) IN GENERAL.—The lead agency shall determine, in collaboration with each cooperating agency at appropriate times during the environmental review, the methodologies to be used and the level of detail required in the analysis of each alternative for a covered project.

(B) ENVIRONMENTAL REVIEW.—A cooperating agency shall use the methodologies referred to in subparagraph (A) when conducting any required environmental review, to the extent consistent with existing law.

(4) PREFERRED ALTERNATIVE.—With the concurrence of the cooperating agencies with jurisdiction under Federal law and at the discretion of the lead agency, the preferred alternative for a project, after being identified, may be developed to a higher level of

detail than other alternatives to facilitate the development of mitigation measures or concurrent compliance with other applicable laws if the lead agency determines that the development of the higher level of detail will not prevent—

(A) the lead agency from making an impartial decision as to whether to accept another alternative that is being considered in the environmental review; and

(B) the public from commenting on the preferred and other alternatives.

(d) ENVIRONMENTAL REVIEW COMMENTS.—

(1) COMMENTS ON DRAFT ENVIRONMENTAL IMPACT STATEMENT.—For comments by an agency or the public on a draft environmental impact statement, the lead agency shall establish a comment period of not less than 45 days and not more than 60 days after the date on which a notice announcing availability of the environmental impact statement is published in the Federal Register, unless—

(A) the lead agency, the project sponsor, and any cooperating agency agree to a longer deadline; or

(B) the lead agency, in consultation with each cooperating agency, extends the deadline for good cause.

(2) OTHER REVIEW AND COMMENT PERIODS.—For all other review or comment periods in the environmental review process described in parts 1500 through 1508 of title 40, Code of Federal Regulations (or successor regulations), the lead agency shall establish a comment period of not more than 45 days after the date on which the materials on which comment is requested are made available, unless—

(A) the lead agency, the project sponsor, and any cooperating agency agree to a longer deadline; or

(B) the lead agency extends the deadline for good cause.

(e) ISSUE IDENTIFICATION AND RESOLUTION.—

(1) COOPERATION.—The lead agency and each cooperating and participating agency shall work cooperatively in accordance with this section to identify and resolve issues that could delay completion of an environmental review or an authorization required for the project under applicable law or result in the denial of any approval under applicable law.

(2) LEAD AGENCY RESPONSIBILITIES.—

(A) IN GENERAL.—The lead agency shall make information available to each cooperating and participating agency and project sponsor as early as practicable in the environmental review regarding the environmental, historic, and socioeconomic resources located within the project area and the general locations of the alternatives under consideration.

(B) SOURCES OF INFORMATION.—The information described in subparagraph (A) may be based on existing data sources, including geographic information systems mapping.

(3) COOPERATING AND PARTICIPATING AGENCY RESPONSIBILITIES.—Each cooperating and participating agency shall—

(A) identify, as early as practicable, any issues of concern regarding any potential environmental impacts of the covered project, including any issues that could substantially delay or prevent an agency from completing any environmental review or authorization required for the project; and

(B) communicate any issues described in subparagraph (A) to the project sponsor.

(f) CATEGORIES OF PROJECTS.—The authorities granted under this section may be exercised for an individual covered project or a category of covered projects.

SEC. 61006. DELEGATED STATE PERMITTING PROGRAMS.

(a) IN GENERAL.—If a Federal statute permits a Federal agency to delegate to or otherwise authorize a State to issue or otherwise administer a permit program in lieu of the Federal agency, the Federal agency with authority to carry out the statute shall—

(1) on publication by the Council of best practices under section 61002(c)(2)(B), initiate a national process, with public participation, to determine whether and the extent to which any of the best practices are generally applicable on a delegation- or authorization-wide basis to permitting under the statute; and

(2) not later than 2 years after the date of enactment of this Act, make model recommendations for State modifications of the applicable permit program to reflect the best practices described in section 61002(c)(2)(B), as appropriate.

(b) BEST PRACTICES.—Lead and cooperating agencies may share with State, tribal, and local authorities best practices involved in review of covered projects and invite input from State, tribal, and local authorities regarding best practices.

SEC. 61007. LITIGATION, JUDICIAL REVIEW, AND SAVINGS PROVISION.

(a) LIMITATIONS ON CLAIMS.—

(1) IN GENERAL.—Notwithstanding any other provision of law, a claim arising under Federal law seeking judicial review of any authorization issued by a Federal agency for a covered project shall be barred unless—

(A) the action is filed not later than 2 years after the date of publication in the Federal Register of the final record of decision or approval or denial of a permit, unless a shorter time is specified in the Federal law under which judicial review is allowed; and

(B) in the case of an action pertaining to an environmental review conducted under NEPA—

(i) the action is filed by a party that submitted a comment during the environmental review or a party that lacked a reasonable opportunity to submit a comment; and

(ii) a party filed a sufficiently detailed comment so as to put the lead agency on notice of the issue on which the party seeks judicial review.

(2) NEW INFORMATION.—

(A) IN GENERAL.—The head of a lead agency or participating agency shall consider new information received after the close of a comment period if the information satisfies the requirements under regulations implementing NEPA.

(B) SEPARATE ACTION.—If Federal law requires the preparation of a supplemental environmental impact statement or other supplemental environmental document, the preparation of such document shall be considered a separate final agency action and the deadline for filing a claim for judicial review of the agency action shall be 2 years after the date on which a notice announcing the final agency action is published in the Federal Register, unless a shorter time is specified in the Federal law under which judicial review is allowed.

(3) RULE OF CONSTRUCTION.—Nothing in this subsection creates a right to judicial review or places any limit on filing a claim that a person has violated the terms of an authorization.

(b) PRELIMINARY INJUNCTIVE RELIEF.—In addition to considering any other applicable equitable factors, in any action seeking a temporary restraining order or preliminary injunction against an agency or a project sponsor in connection with review or authorization of a covered project, the court shall—

(1) consider the effects on public health, safety, and the environment, the potential for significant job losses, and other economic harm resulting from an order or injunction; and

(2) not presume that the harms described in paragraph (1) are reparable.

(c) JUDICIAL REVIEW.—Except as provided in subsection (a), nothing in this title affects the reviewability of any final Federal agency action in a court of competent jurisdiction.

(d) SAVINGS CLAUSE.—Nothing in this title—

(1) supersedes, amends, or modifies any Federal statute or affects the responsibility of any Federal officer to comply with or enforce any statute; or

(2) creates a presumption that a covered project will be approved or favorably reviewed by any agency.

(e) LIMITATIONS.—Nothing in this section preempts, limits, or interferes with—

(1) any practice of seeking, considering, or responding to public comment; or

(2) any power, jurisdiction, responsibility, or authority that a Federal, State, or local governmental agency, metropolitan planning organization, Indian tribe, or project sponsor has with respect to carrying out a project or any other provisions of law applicable to any project, plan, or program.

SEC. 61008. REPORT TO CONGRESS.

(a) IN GENERAL.—Not later than April 15 of each year for 10 years beginning on the date of enactment of this Act, the Executive Director shall submit to Congress a report detailing the progress accomplished under this title during the previous fiscal year.

(b) CONTENTS.—The report described in subsection (a) shall assess the performance of each participating agency and lead agency based on the best practices described in section 61002(c)(2)(B).

(c) OPPORTUNITY TO INCLUDE COMMENTS.—Each councilmember, with input from the respective agency CERPO, shall have the opportunity to include comments concerning the performance of the agency in the report described in subsection (a).

SEC. 61009. FUNDING FOR GOVERNANCE, OVERSIGHT, AND PROCESSING OF ENVIRONMENTAL REVIEWS AND PERMITS.

(a) IN GENERAL.—The heads of agencies listed in section 61002(b)(2)(B), with the guidance of the Director of the Office of Management and Budget and in consultation with the Executive Director, may, after public notice and opportunity for comment, issue regulations establishing a fee structure for project proponents to reimburse the United States for reasonable costs incurred in conducting environmental reviews and authorizations for covered projects.

(b) REASONABLE COSTS.—As used in this section, the term ''reasonable costs'' shall include costs to implement the requirements and authorities required under sections 61002 and 61003, including the costs to agencies and the costs of operating the Council.

(c) FEE STRUCTURE.—The fee structure established under subsection (a) shall—

(1) be developed in consultation with affected project proponents, industries, and other stakeholders;

(2) exclude parties for which the fee would impose an undue financial burden or is otherwise determined to be inappropriate; and

(3) be established in a manner that ensures that the aggregate amount of fees collected for a fiscal year is estimated not to exceed 20 percent of the total estimated costs for the fiscal year for the resources allocated for the conduct of the environmental reviews and

authorizations covered by this title, as determined by the Director of the Office of Management and Budget.

(d) ENVIRONMENTAL REVIEW AND PERMITTING IMPROVEMENT FUND.—

(1) IN GENERAL.—All amounts collected pursuant to this section shall be deposited into a separate fund in the Treasury of the United States to be known as the ''Environmental Review Improvement Fund'' (referred to in this section as the ''Fund'').

(2) AVAILABILITY.—Amounts in the Fund shall be available to the Executive Director, without appropriation or fiscal year limitation, solely for the purposes of administering, implementing, and enforcing this title, including the expenses of the Council.

(3) TRANSFER.—The Executive Director, with the approval of the Director of the Office of Management and Budget, may transfer amounts in the Fund to other agencies to facilitate timely and efficient environmental reviews and authorizations for proposed covered projects.

(e) EFFECT ON PERMITTING.—The regulations adopted pursuant to subsection (a) shall ensure that the use of funds accepted under subsection (d) will not impact impartial decision-making with respect to environmental reviews or authorizations, either substantively or procedurally.

(f) TRANSFER OF APPROPRIATED FUNDS.—

(1) IN GENERAL.—The heads of agencies listed in section 61002(b)(2)(B) shall have the authority to transfer, in accordance with section 1535 of title 31, United States Code, funds appropriated to those agencies and not otherwise obligated to other affected Federal agencies for the purpose of implementing the provisions of this title.

(2) LIMITATION.—Appropriations under title 23, United States Code and appropriations for the civil works program of the Army Corps of Engineers shall not be available for transfer under paragraph (1).

SEC. 61010. APPLICATION.

This title applies to any covered project for which—

(1) a notice is filed under section 61003(a)(1); or

(2) an application or other request for a Federal authorization is pending before a Federal agency 90 days after the date of enactment of this Act.

SEC. 61011. GAO REPORT.

Not later than 3 years after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report that includes an analysis of whether the provisions of this title could be adapted to streamline the Federal permitting process for smaller projects that are not covered projects.

TITLE LXII—ADDITIONAL PROVISIONS

SEC. 62001. HIRE MORE HEROES.

(a) SHORT TITLE.—This section may be cited as the ''Hire More Heroes Act of 2015''.

(b) EMPLOYEES WITH HEALTH COVERAGE UNDER TRICARE OR THE VETERANS ADMINISTRATION NOT TAKEN INTO ACCOUNT IN DETERMINING EMPLOYERS TO WHICH THE EMPLOYER MANDATE APPLIES UNDER PATIENT PROTECTION AND AFFORDABLE CARE ACT.—Section 4980H(c)(2) of the Internal Revenue Code of 1986 is amended by adding at the end the following:

''(F) EXEMPTION FOR HEALTH COVERAGE UNDER TRICARE OR THE VETERANS ADMINISTRATION.—Solely for purposes of determining whether an employer is an applicable large employer under this paragraph for any month, an individual shall not be taken into account as an employee for such month if such individual has medical coverage for such month under—

''(i) chapter 55 of title 10, United States Code, including coverage under the TRICARE program, or

''(ii) under a health care program under chapter 17 or 18 of title 38, United States Code, as determined by the Secretary of Veterans Affairs, in coordination with the Secretary of Health and Human Services and the Secretary.''.

(c) EFFECTIVE DATE.—The amendment made by subsection (b) shall apply to months beginning after December 31, 2013.

DIVISION G—SURFACE TRANSPORTATION EXTENSION

SEC. 70001. SHORT TITLE.

This division may cited as the ''Surface Transportation Extension Act of 2015''.

TITLE LXXI—EXTENSION OF FEDERAL-AID HIGHWAY PROGRAMS

SEC. 71001. EXTENSION OF FEDERAL-AID HIGHWAY PROGRAMS.

(a) IN GENERAL.—Section 1001 of the Highway and Transportation Funding Act of 2014 (Public Law 113–159; 128 Stat. 1840; 129 Stat. 219) is amended—

(1) in subsection (a), by striking ''July 31, 2015'' and inserting ''September 30, 2015'';

(2) in subsection (b)(1)—

(A) by striking ''July 31, 2015'' and inserting ''September 30, 2015''; and

(B) by striking ''304/365'' and inserting ''365/365''; and

(3) in subsection (c)—

(A) in paragraph (1)—

(i) by striking ''July 31, 2015'' and inserting ''September 30, 2015''; and

(ii) by striking ''304/365'' and inserting ''365/365''; and

(B) in paragraph (2)(B), by striking ''by this subsection''.

(b) OBLIGATION CEILING.—Section 1102 of MAP–21 (23 U.S.C. 104 note; Public Law 112–141) is amended—

(1) in subsection (a)(3)—

(A) by striking ''$33,528,284,932'' and inserting ''$40,256,000,000''; and

(B) by striking ''July 31, 2015'' and inserting ''September 30, 2015'';

(2) in subsection (b)(12)—

(A) by striking ''July 31, 2015'' and inserting ''September 30, 2015''; and

(B) by striking ''304/365'' and inserting ''365/365'';

(3) in subsection (c)—

(A) in the matter preceding paragraph (1), by striking ''July 31, 2015'' and inserting ''September 30, 2015''; and

(B) in paragraph (2)—

(i) by striking ''July 31, 2015'' and inserting ''September 30, 2015''; and

(ii) by striking ''304/365'' and inserting ''365/365''; and

(4) in subsection (f)(1), in the matter preceding subparagraph (A), by striking ''July 31, 2015'' and inserting ''September 30, 2015''.

(c) TRIBAL HIGH PRIORITY PROJECTS PROGRAM.—Section 1123(h)(1) of MAP-21 (23 U.S.C. 202 note; Public Law 112–141) is amended—

(1) by striking ''$24,986,301'' and inserting ''$30,000,000''; and

(2) by striking ''July 31, 2015'' and inserting ''September 30, 2015''.

SEC. 71002. ADMINISTRATIVE EXPENSES.

(a) AUTHORIZATION OF CONTRACT AUTHORITY.—Section 1002(a) of the Highway and Transportation Funding Act of 2014 (Public Law 113–159; 128 Stat. 1842; 129 Stat. 220) is amended—

(1) by striking ''$366,465,753'' and inserting ''$440,000,000''; and

(2) by striking ''July 31, 2015'' and inserting ''September 30, 2015''.

(b) CONTRACT AUTHORITY.—Section 1002(b)(2) of the Highway and Transportation Funding Act of 2014 (Public Law 113–159; 128 Stat. 1842; 129 Stat. 220) is amended by striking ''July 31, 2015'' and inserting ''September 30, 2015''.

TITLE LXXII—TEMPORARY EXTENSION OF PUBLIC TRANSPORTATION PROGRAMS

SEC. 72001. FORMULA GRANTS FOR RURAL AREAS.

Section 5311(c)(1) of title 49, United States Code, is amended—

(1) in subparagraph (A), by striking ''ending before'' and all that follows through ''July 31, 2015,''; and

(2) in subparagraph (B), by striking ''ending before'' and all that follows through ''July 31, 2015,''.

SEC. 72002. APPORTIONMENT OF APPROPRIATIONS FOR FORMULA GRANTS.

Section 5336(h)(1) of title 49, United States Code, is amended by striking ''before October 1, 2014'' and all that follows through ''July 31, 2015,'' and inserting ''before October 1, 2015''.

SEC. 72003. AUTHORIZATIONS FOR PUBLIC TRANSPORTATION.

(a) FORMULA GRANTS.—Section 5338(a) of title 49, United States Code, is amended—

(1) in paragraph (1), by striking ''for fiscal year 2014'' and all that follows and inserting ''for fiscal year 2014, and $8,595,000,000 for fiscal year 2015.'';

(2) in paragraph (2)—

(A) in subparagraph (A), by striking ''$107,274,521 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''$128,800,000 for fiscal year 2015'';

(B) in subparagraph (B), by striking ''2013 and 2014 and $8,328,767 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''2013, 2014, and 2015'';

(C) in subparagraph (C), by striking ''$3,713,505,753 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''$4,458,650,000 for fiscal year 2015'';

(D) in subparagraph (D), by striking ''$215,132,055 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''$258,300,000 for fiscal year 2015'';

(E) in subparagraph (E)—

(i) by striking ''$506,222,466 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''$607,800,000 for fiscal year 2015'';

(ii) by striking ''$24,986,301 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''$30,000,000 for fiscal year 2015''; and

(iii) by striking ''$16,657,534 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''$20,000,000 for fiscal year 2015'';

(F) in subparagraph (F), by striking ''2013 and 2014 and $2,498,630 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''2013, 2014, and 2015'';

(G) in subparagraph (G), by striking ''2013 and 2014 and $4,164,384 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''2013, 2014, and 2015'';

(H) in subparagraph (H), by striking ''2013 and 2014 and $3,206,575 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''2013, 2014, and 2015'';

(I) in subparagraph (I), by striking ''$1,803,927,671 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''$2,165,900,000 for fiscal year 2015'';

(J) in subparagraph (J), by striking ''$356,304,658 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''$427,800,000 for fiscal year 2015''; and

(K) in subparagraph (K), by striking ''$438,009,863 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''$525,900,000 for fiscal year 2015''.

(b) RESEARCH, DEVELOPMENT DEMONSTRATION AND DEPLOYMENT PROJECTS.—Section 5338(b) of title 49, United States Code, is amended by striking ''$58,301,370 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''$70,000,000 for fiscal year 2015''.

(c) TRANSIT COOPERATIVE RESEARCH PROGRAM.—Section 5338(c) of title 49, United States Code, is amended by striking ''$5,830,137 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''$7,000,000 for fiscal year 2015''.

(d) TECHNICAL ASSISTANCE AND STANDARDS DEVELOPMENT.—Section 5338(d) of title 49, United States Code, is amended by striking ''$5,830,137 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''$7,000,000 for fiscal year 2015''.

(e) HUMAN RESOURCES AND TRAINING.—Section 5338(e) of title 49, United States Code, is amended by striking ''$4,164,384 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''$5,000,000 for fiscal year 2015''.

(f) CAPITAL INVESTMENT GRANTS.—Section 5338(g) of title 49, United States Code, is amended by striking ''$1,558,295,890 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''$1,907,000,000 for fiscal year 2015''.

(g) ADMINISTRATION.—Section 5338(h) of title 49, United States Code, is amended—

(1) in paragraph (1), by striking ''$86,619,178 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''$104,000,000 for fiscal year 2015'';

(2) in paragraph (2), by striking ''2013 and 2014 and not less than $4,164,384 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''2013, 2014, and 2015''; and

(3) in paragraph (3), by striking ''2013 and 2014 and not less than $832,877 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''2013, 2014, and 2015''.

SEC. 72004. BUS AND BUS FACILITIES FORMULA GRANTS.

Section 5339(d)(1) of title 49, United States Code, is amended—

(1) by striking ''2013 and 2014 and $54,553,425 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''2013, 2014, and 2015'';

(2) by striking ''and $1,041,096 for such period''; and

(3) by striking ''and $416,438 for such period''.

TITLE LXXIII—EXTENSION OF HIGHWAY SAFETY PROGRAMS

Subtitle A—Extension of Highway Safety Programs

SEC. 73101. EXTENSION OF NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION HIGHWAY SAFETY PROGRAMS.

(a) EXTENSION OF PROGRAMS.—

(1) HIGHWAY SAFETY PROGRAMS.—Section 31101(a)(1)(C) of MAP–21 (126 Stat. 733) is amended to read as follows:

''(C) $235,000,000 for fiscal year 2015.''.

(2) HIGHWAY SAFETY RESEARCH AND DEVELOPMENT.—Section 31101(a)(2)(C) of MAP–21 (126 Stat. 733) is amended to read as follows:

''(C) $113,500,000 for fiscal year 2015.''.

(3) NATIONAL PRIORITY SAFETY PROGRAMS.—Section 31101(a)(3)(C) of MAP–21 (126 Stat. 733) is amended to read as follows:

''(C) $272,000,000 for fiscal year 2015.''.

(4) NATIONAL DRIVER REGISTER.—Section 31101(a)(4)(C) of MAP–21 (126 Stat. 733) is amended to read as follows:

''(C) $5,000,000 for fiscal year 2015.''.

(5) HIGH VISIBILITY ENFORCEMENT PROGRAM.—

(A) AUTHORIZATION OF APPROPRIATIONS.—Section 31101(a)(5)(C) of MAP–21 (126 Stat. 733) is amended to read as follows:

''(C) $29,000,000 for fiscal year 2015.''.

(B) LAW ENFORCEMENT CAMPAIGNS.—Section 2009(a) of SAFETEA–LU (23 U.S.C. 402 note) is amended—

(i) in the first sentence, by striking ''and 2014 and in the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''through 2015''; and

(ii) in the second sentence, by striking ''and 2014 and in the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''through 2015''.

(6) ADMINISTRATIVE EXPENSES.—Section 31101(a)(6)(C) of MAP–21 (126 Stat. 733) is amended to read as follows:

''(C) $25,500,000 for fiscal year 2015.''.

(b) COOPERATIVE RESEARCH AND EVALUATION.—Section 403(f)(1) of title 23, United States Code, is amended by striking ''under subsection 402(c) in each fiscal year ending before October 1, 2014, and $2,082,192 of the total amount available for apportionment to the States for highway safety programs under section 402(c) in the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''under section 402(c) in each fiscal year ending before October 1, 2015,''.

(c) APPLICABILITY OF TITLE 23.—Section 31101(c) of MAP–21 (126 Stat. 733) is amended by striking ''fiscal years 2013 and 2014 and for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''each of fiscal years 2013 through 2015''.

SEC. 73102. EXTENSION OF FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION PROGRAMS.

(a) MOTOR CARRIER SAFETY GRANTS.—Section 31104(a)(10) of title 49, United States Code, is amended to read as follows:

''(10) $218,000,000 for fiscal year 2015.''.

(b) ADMINISTRATIVE EXPENSES.—Section 31104(i)(1)(J) of title 49, United States Code, is amended to read as follows:

''(J) $259,000,000 for fiscal year 2015.''.

(c) GRANT PROGRAMS.—

(1) COMMERCIAL DRIVER'S LICENSE PROGRAM IMPROVEMENT GRANTS.—Section 4101(c)(1) of SAFETEA–LU (119 Stat. 1715) is amended by striking ''each of fiscal years 2013 and 2014 and $24,986,301 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''each of fiscal years 2013 through 2015''.

(2) BORDER ENFORCEMENT GRANTS.—Section 4101(c)(2) of SAFETEA–LU (119 Stat. 1715) is amended by striking ''each of fiscal years 2013 and 2014 and $26,652,055 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''each of fiscal years 2013 through 2015''.

(3) PERFORMANCE AND REGISTRATION INFORMATION SYSTEM MANAGEMENT GRANT PROGRAM.—Section 4101(c)(3) of SAFETEA–LU (119 Stat. 1715) is amended by striking ''each of fiscal years 2013 and 2014 and $4,164,384 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''each of fiscal years 2013 through 2015''.

(4) COMMERCIAL VEHICLE INFORMATION SYSTEMS AND NETWORKS DEPLOYMENT PROGRAM.—Section 4101(c)(4) of SAFETEA–LU (119 Stat. 1715) is amended by striking ''each of fiscal years 2013 and 2014 and $20,821,918 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''each of fiscal years 2013 through 2015''.

(5) SAFETY DATA IMPROVEMENT GRANTS.—Section 4101(c)(5) of SAFETEA–LU (119 Stat. 1715) is amended by striking ''each of fiscal years 2013 and 2014 and $2,498,630 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''each of fiscal years 2013 through 2015''.

(d) HIGH-PRIORITY ACTIVITIES.—Section 31104(k)(2) of title 49, United States Code, is amended by striking ''each of fiscal years 2006 through 2014 and up to $12,493,151 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''each of fiscal years 2006 through 2015''.

(e) NEW ENTRANT AUDITS.—Section 31144(g)(5)(B) of title 49, United States Code, is amended by striking ''per fiscal year and up to $26,652,055 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''per fiscal year''.

(f) OUTREACH AND EDUCATION.—Section 4127(e) of SAFETEA–LU (119 Stat. 1741) is amended by striking ''each of fiscal years 2013 and 2014 and $3,331,507 to the Federal Motor Carrier Safety Administration for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''each of fiscal years 2013 through 2015''.

(g) GRANT PROGRAM FOR COMMERCIAL MOTOR VEHICLE OPERATORS.—Section 4134(c) of SAFETEA–LU (49 U.S.C. 31301 note) is amended by striking ''each of fiscal years 2005 through 2014 and $832,877 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''each of fiscal years 2005 through 2015''.

SEC. 73103. DINGELL-JOHNSON SPORT FISH RESTORATION ACT.

Section 4 of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777c) is amended—

(1) in subsection (a), in the matter preceding paragraph (1) by striking ''each fiscal year through 2014 and for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''each fiscal year through 2015''; and

(2) in subsection (b)(1)(A) by striking ''for each fiscal year ending before October 1, 2014, and for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''for each fiscal year ending before October 1, 2015''.

Subtitle B—Hazardous Materials

SEC. 73201. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—Section 5128(a)(3) of title 49, United States Code, is amended to read as follows:

''(3) $42,762,000 for fiscal year 2015.''.

(b) HAZARDOUS MATERIALS EMERGENCY PREPAREDNESS FUND.—Section 5128(b)(2) of title 49, United States Code, is amended to read as follows:

''(2) FISCAL YEAR 2015.—From the Hazardous Materials Emergency Preparedness Fund established under section 5116(i), the Secretary may expend during fiscal year 2015—

''(A) $188,000 to carry out section 5115;

''(B) $21,800,000 to carry out subsections (a) and (b) of section 5116, of which not less than $13,650,000 shall be available to carry out section 5116(b);

''(C) $150,000 to carry out section 5116(f);

''(D) $625,000 to publish and distribute the Emergency Response Guidebook under section 5116(i)(3); and

''(E) $1,000,000 to carry out section 5116(j).''.

(c) HAZARDOUS MATERIALS TRAINING GRANTS.—Section 5128(c) of title 49, United States Code, is amended by striking ''each of fiscal years 2013 and 2014 and $3,331,507 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''each of fiscal years 2013 through 2015''.

TITLE LXXIV—REVENUE PROVISIONS

SEC. 74001. EXTENSION OF TRUST FUND EXPENDITURE AUTHORITY.

(a) HIGHWAY TRUST FUND.—Section 9503 of the Internal Revenue Code of 1986 is amended—

(1) by striking ''August 1, 2015'' in subsections (b)(6)(B), (c)(1), and (e)(3) and inserting ''October 1, 2015'', and

(2) by striking ''Highway and Transportation Funding Act of 2015'' in subsections (c)(1) and (e)(3) and inserting ''Surface Transportation Extension Act of 2015''.

(b) SPORT FISH RESTORATION AND BOATING TRUST FUND.—Section 9504 of the Internal Revenue Code of 1986 is amended—

(1) by striking ''Highway and Transportation Funding Act of 2015'' each place it appears in subsection (b)(2) and inserting ''Surface Transportation Extension Act of 2015'', and

(2) by striking ''August 1, 2015'' in subsection (d)(2) and inserting ''October 1, 2015''.

(c) LEAKING UNDERGROUND STORAGE TANK TRUST FUND.—Paragraph (2) of section 9508(e) of the Internal Revenue Code of 1986 is amended by striking ''August 1, 2015'' and inserting ''October 1, 2015''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on August 1, 2015.

DIVISION H—BUDGETARY EFFECTS

SEC. 80001. BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go-Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

SEC. 80002. MAINTENANCE OF HIGHWAY TRUST FUND CASH BALANCE.

(a) DEFINITIONS.—In this section:

(1) HIGHWAY ACCOUNT.—The term ''Highway Account'' has the meaning given the term in section 9503(e)(5)(B) of the Internal Revenue Code of 1986.

(2) HIGHWAY TRUST FUND.—The term ''Highway Trust Fund'' means the Highway Trust Fund established by section 9503(a) of the Internal Revenue Code of 1986.

(3) MASS TRANSIT ACCOUNT.—The term ''Mass Transit Account'' means the Mass Transit Account established by section 9503(e)(1) of the Internal Revenue Code of 1986.

(b) RESTRICTION ON OBLIGATIONS.—If the Secretary, in consultation with the Secretary of the Treasury, determines under the test or reevaluation described under subsection (c) or (d) that the projected cash balances of either the Highway Account or the Mass Transit Account of the Highway Trust Fund will fall below the levels described in subparagraph (A) or (B) of subsection (c)(2) at any time during the fiscal year for which that determination applies, the Secretary shall not approve any obligation of funds authorized out of the Highway Account or the Mass Transit Account of the Highway Trust Fund during that fiscal year.

(c) CASH BALANCE TEST.—On July 15 prior to the beginning of each of fiscal years 2019 through 2021, the Secretary, in consultation with the Secretary of the Treasury, shall—

(1) based on data available for the midsession review described under section 1106 of title 31, United States Code, estimate the projected cash balances of the Highway Account and the Mass Transit Account of the Highway Trust Fund for the upcoming fiscal year; and

(2) determine if those cash balances—

(A) are projected to fall below the amount of $4,000,000,000 at any time during that upcoming fiscal year in the Highway Account of the Highway Trust Fund; or

(B) are projected to fall below the amount of $1,000,000,000 at any time during that upcoming fiscal year in the Mass Transit Account of the Highway Trust Fund.

(d) REEVALUATION.—The Secretary shall conduct the test described under subsection (c) again during a respective fiscal year—

(1) if a law is enacted that provides additional revenues, deposits, or transfers to the Highway Trust Fund; or

(2) when the President submits to Congress under section 1105(a) of title 31, United States Code, updated outlay estimates or revenue projections related to the Highway Trust Fund.

(e) NOTIFICATION.—Not later than 15 days after a determination is made under subsection (c) or (d), the Secretary shall provide notification of the determination to—

(1) the Committee on Environment and Public Works of the Senate;

(2) the Committee on Transportation and Infrastructure of the House of Representatives;

(3) the Committee on Banking, Housing, and Urban Affairs of the Senate;

(4) the Committee on Commerce, Science, and Transportation of the Senate; and

(5) State transportation departments and designated recipients.

(f) EXCEPTIONS.—Notwithstanding subsection (b), the Secretary shall approve obligations in every fiscal year for—

(1) administrative expenses of the Federal Highway Administration, including any administrative expenses funded under—

(A) section 104(a) of title 23, United States Code;

(B) the tribal transportation program under section 202(a)(6), of title 23, United States Code;

(C) the Federal lands transportation program under section 203 of title 23, United States Code; and

(D) chapter 6 of title 23, United States Code;

(2) funds for the national highway performance program under section 119 of title 23, United States Code, that are exempt from the limitation on obligations;

(3) the emergency relief program under section 125 of title 23, United States Code;

(4) the administrative expenses of the National Highway Traffic Safety Administration in carrying out chapter 4 of title 23, United States Code;

(5) the highway safety programs under section 402 of title 23, United States Code, and national priority safety programs under section 405 of title 23, United States Code;

(6) the high visibility enforcement program under section 2009 of SAFETEA-LU (23 U.S.C. 402 note; Public Law 109–59);

(7) the highway safety research and development program under section 403 of title 23, United States Code;

(8) the national driver register under chapter 303 of title 49, United States Code;

(9) the motor carrier safety assistance program under section 31102 of title 49, United States Code;

(10) the administrative expenses of the Federal Motor Carrier Safety Administration under section 31110 of title 49, United States Code; and

(11) the administrative expenses of the Federal Transit Administration funded under section 5338(h) of title 49, United States Code, to carry out section 5329 of title 49, United States Code.

SEC. 80003. PROHIBITION ON RESCISSIONS OF CERTAIN CONTRACT AUTHORITY.

For purposes of the enforcement of a point of order established under the Congressional Budget Act of 1974 (2 U.S.C. 621 et seq.), the determination of levels under the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 et seq.) or the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 931 et seq.), and the enforcement of a point of order established under or the determination of levels under a concurrent resolution on the budget, the rescission of contract authority that is provided under this Act or an amendment made by this Act for fiscal year 2019, 2020, or 2021 shall not be counted.

DIVISION I—EXPORT-IMPORT BANK OF THE UNITED STATES

SEC. 90001. SHORT TITLE.

This division may be cited as the ''Export-Import Bank Reform and Reauthorization Act of 2015''.

TITLE XCI—TAXPAYER PROTECTION PROVISIONS AND INCREASED ACCOUNTABILITY

SEC. 91001. REDUCTION IN AUTHORIZED AMOUNT OF OUTSTANDING LOANS, GUARANTEES, AND INSURANCE.

Section 6(a) of the Export-Import Bank Act of 1945 (12 U.S.C. 635e(a)) is amended—

(1) by redesignating paragraph (3) as paragraph (4); and

(2) by striking paragraph (2) and inserting the following:

''(2) APPLICABLE AMOUNT DEFINED.—In this subsection, the term 'applicable amount', for each of fiscal years 2015 through 2019, means $135,000,000,000.

''(3) FREEZING OF LENDING CAP IF DEFAULT RATE IS 2 PERCENT OR MORE.—If the rate calculated under section 8(g)(1) is 2 percent or more for a quarter, the Bank may not exceed the amount of loans, guarantees, and insurance outstanding on the last day of that quarter until the rate calculated under section 8(g)(1) is less than 2 percent.''.

SEC. 91002. INCREASE IN LOSS RESERVES.

(a) IN GENERAL.—Section 6 of the Export-Import Bank Act of 1945 (12 U.S.C. 635e) is amended—

(1) by redesignating subsection (b) as subsection (c); and

(2) by inserting after subsection (a) the following:

''(b) RESERVE REQUIREMENT.—The Bank shall build to and hold in reserve, to protect against future losses, an amount that is not less than 5 percent of the aggregate amount of disbursed and outstanding loans, guarantees, and insurance of the Bank.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date that is one year after the date of the enactment of this Act.

SEC. 91003. REVIEW OF FRAUD CONTROLS.

Section 17(b) of the Export-Import Bank Reauthorization Act of 2012 (12 U.S.C. 635a–6(b)) is amended to read as follows:

''(b) REVIEW OF FRAUD CONTROLS.—Not later than 4 years after the date of the enactment of the Export-Import Bank Reform and Reauthorization Act of 2015, and every 4 years thereafter, the Comptroller General of the United States shall—

''(1) review the adequacy of the design and effectiveness of the controls used by the Export-Import Bank of the United States to prevent, detect, and investigate fraudulent applications for loans and guarantees and the compliance by the Bank with the controls, including by auditing a sample of Bank transactions; and

''(2) submit a written report regarding the findings of the review and providing such recommendations with respect to the controls described in paragraph (1) as the Comptroller General deems appropriate to—

''(A) the Committee on Banking, Housing, and Urban Affairs and the Committee on Appropriations of the Senate; and

''(B) the Committee on Financial Services and the Committee on Appropriations of the House of Representatives.''.

SEC. 91004. OFFICE OF ETHICS.

Section 3 of the Export-Import Bank Act of 1945 (12 U.S.C. 635a) is amended by adding at the end the following:

''(k) OFFICE OF ETHICS.—

''(1) ESTABLISHMENT.—There is established an Office of Ethics within the Bank, which shall oversee all ethics issues within the Bank.

''(2) HEAD OF OFFICE.—

''(A) IN GENERAL.—The head of the Office of Ethics shall be the Chief Ethics Officer, who shall report to the Board of Directors.

''(B) APPOINTMENT.—Not later than 180 days after the date of the enactment of the Export-Import Bank Reform and Reauthorization Act of 2015, the Chief Ethics Officer shall be—

''(i) appointed by the President of the Bank from among persons—

''(I) with a background in law who have experience in the fields of law and ethics; and

''(II) who are not serving in a position requiring appointment by the President of the United States before being appointed to be Chief Ethics Officer; and

''(ii) approved by the Board.

''(C) DESIGNATED AGENCY ETHICS OFFICIAL.—The Chief Ethics Officer shall serve as the designated agency ethics official for the Bank pursuant to the Ethics in Government Act of 1978 (5 U.S.C. App. 101 et seq.).

''(3) DUTIES.—The Office of Ethics has jurisdiction over all employees of, and ethics matters relating to, the Bank. With respect to employees of the Bank, the Office of Ethics shall—

''(A) recommend administrative actions to establish or enforce standards of official conduct;

''(B) refer to the Office of the Inspector General of the Bank alleged violations of—

''(i) the standards of ethical conduct applicable to employees of the Bank under parts 2635 and 6201 of title 5, Code of Federal Regulations;

''(ii) the standards of ethical conduct established by the Chief Ethics Officer; and

''(iii) any other laws, rules, or regulations governing the performance of official duties or the discharge of official responsibilities that are applicable to employees of the Bank;

''(C) report to appropriate Federal or State authorities substantial evidence of a violation of any law applicable to the performance of official duties that may have been disclosed to the Office of Ethics; and

''(D) render advisory opinions regarding the propriety of any current or proposed conduct of an employee or contractor of the Bank, and issue general guidance on such matters as necessary.''.

SEC. 91005. CHIEF RISK OFFICER.

Section 3 of the Export-Import Bank Act of 1945 (12 U.S.C. 635a), as amended by section 91004, is further amended by adding at the end the following:

''(l) CHIEF RISK OFFICER.—

''(1) IN GENERAL.—There shall be a Chief Risk Officer of the Bank, who shall—

''(A) oversee all issues relating to risk within the Bank; and

''(B) report to the President of the Bank.

''(2) APPOINTMENT.—Not later than 180 days after the date of the enactment of the Export-Import Bank Reform and Reauthorization Act of 2015, the Chief Risk Officer shall be—

''(A) appointed by the President of the Bank from among persons—

''(i) with a demonstrated ability in the general management of, and knowledge of and extensive practical experience in, financial risk evaluation practices in large governmental or business entities; and

''(ii) who are not serving in a position requiring appointment by the President of the United States before being appointed to be Chief Risk Officer; and

''(B) approved by the Board.

''(3) DUTIES.—The duties of the Chief Risk Officer are—

''(A) to be responsible for all matters related to managing and mitigating all risk to which the Bank is exposed, including the programs and operations of the Bank;

''(B) to establish policies and processes for risk oversight, the monitoring of management compliance with risk limits, and the management of risk exposures and risk controls across the Bank;

''(C) to be responsible for the planning and execution of all Bank risk management activities, including policies, reporting, and systems to achieve strategic risk objectives;

''(D) to develop an integrated risk management program that includes identifying, prioritizing, measuring, monitoring, and managing internal control and operating risks and other identified risks;

''(E) to ensure that the process for risk assessment and underwriting for individual transactions considers how each such transaction considers the effect of the transaction on the concentration of exposure in the overall portfolio of the Bank, taking into account fees, collateralization, and historic default rates; and

''(F) to review the adequacy of the use by the Bank of qualitative metrics to assess the risk of default under various scenarios.''.

SEC. 91006. RISK MANAGEMENT COMMITTEE.

(a) IN GENERAL.—Section 3 of the Export-Import Bank Act of 1945 (12 U.S.C. 635a), as amended by sections 91004 and 91005, is further amended by adding at the end the following:

''(m) RISK MANAGEMENT COMMITTEE.—

''(1) ESTABLISHMENT.—There is established a management committee to be known as the 'Risk Management Committee'.

''(2) MEMBERSHIP.—The membership of the Risk Management Committee shall be the members of the Board of Directors, with the President and First Vice President of the Bank serving as ex officio members.

''(3) DUTIES.—The duties of the Risk Management Committee shall be—

''(A) to oversee, in conjunction with the Office of the Chief Financial Officer of the Bank—

''(i) periodic stress testing on the entire Bank portfolio, reflecting different market, industry, and macroeconomic scenarios, and consistent with common practices of commercial and multilateral development banks; and

''(ii) the monitoring of industry, geographic, and obligor exposure levels; and

''(B) to review all required reports on the default rate of the Bank before submission to Congress under section 8(g).''.

(b) TERMINATION OF AUDIT COMMITTEE.—Not later than 180 days after the date of the enactment of this Act, the Board of Directors of the Export-Import Bank of the United States shall revise the bylaws of the Bank to terminate the Audit Committee established by section 7 of the bylaws.

SEC. 91007. INDEPENDENT AUDIT OF BANK PORTFOLIO.

(a) AUDIT.—The Inspector General of the Export-Import Bank of the United States shall conduct an audit or evaluation of the portfolio risk management procedures of the Bank, including a review of the implementation by the Bank of the duties assigned to the Chief Risk Officer under section 3(l) of the Export-Import Bank Act of 1945, as amended by section 91005.

(b) REPORT.—Not later than one year after the date of the enactment of this Act, and not less frequently than every 3 years thereafter, the Inspector General shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a written report containing all findings and determinations made in carrying out subsection (a).

SEC. 91008. PILOT PROGRAM FOR REINSURANCE.

(a) IN GENERAL.—Notwithstanding any provision of the Export-Import Bank Act of 1945 (12 U.S.C. 635 et seq.), the Export-Import Bank of the United States (in this section referred to as the ''Bank'') may establish a pilot program under which the Bank may enter into contracts and other arrangements to share risks associated with the provision of guarantees, insurance, or credit, or the participation in the extension of credit, by the Bank under that Act.

(b) LIMITATIONS ON AMOUNT OF RISK-SHARING.—

(1) PER CONTRACT OR OTHER ARRANGEMENT.—The aggregate amount of liability the Bank may transfer through risk-sharing pursuant to a contract or other arrangement entered into under subsection (a) may not exceed $1,000,000,000.

(2) PER YEAR.—The aggregate amount of liability the Bank may transfer through risk-sharing during a fiscal year pursuant to contracts or other arrangements entered into under subsection (a) during that fiscal year may not exceed $10,000,000,000.

(c) ANNUAL REPORTS.—Not later than one year after the date of the enactment of this Act, and annually thereafter through 2019, the Bank shall submit to Congress a written report that contains a detailed analysis of the use of the pilot program carried out under subsection (a) during the year preceding the submission of the report.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to affect, impede, or revoke any authority of the Bank.

(e) TERMINATION.—The pilot program carried out under subsection (a) shall terminate on September 30, 2019.

TITLE XCII—PROMOTION OF SMALL BUSINESS EXPORTS

SEC. 92001. INCREASE IN SMALL BUSINESS LENDING REQUIREMENTS.

(a) IN GENERAL.—Section 2(b)(1)(E)(v) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(1)(E)(v)) is amended by striking ''20 percent'' and inserting ''25 percent''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to fiscal year 2016 and each fiscal year thereafter.

SEC. 92002. REPORT ON PROGRAMS FOR SMALL AND MEDIUM-SIZED BUSINESSES.

(a) IN GENERAL.—Section 8 of the Export-Import Bank Act of 1945 (12 U.S.C. 635g) is amended by adding at the end the following:

''(k) REPORT ON PROGRAMS FOR SMALL AND MEDIUM-SIZED BUSINESSES.—The Bank shall include in its annual report to Congress under subsection (a) a report on the programs of the Bank for United States businesses with less than $250,000,000 in annual sales.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to the report of the Export-Import Bank of the United States submitted to Congress under section 8 of the Export-Import Bank Act of 1945 (12 U.S.C. 635g) for the first year that begins after the date of the enactment of this Act.

TITLE XCIII—MODERNIZATION OF OPERATIONS

SEC. 93001. ELECTRONIC PAYMENTS AND DOCUMENTS.

Section 2(b)(1) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(1)) is amended by adding at the end the following:

''(M) Not later than 2 years after the date of the enactment of the Export-Import Bank Reform and Reauthorization Act of 2015, the Bank shall implement policies—

''(i) to accept electronic documents with respect to transactions whenever possible, including copies of bills of lading, certifications, and compliance documents, in such manner so as not to undermine any potential civil or criminal enforcement related to the transactions; and

''(ii) to accept electronic payments in all of its programs.''.

SEC. 93002. REAUTHORIZATION OF INFORMATION TECHNOLOGY UPDATING.

Section 3(j) of the Export-Import Act of 1945 (12 U.S.C. 635a(j)) is amended—

(1) in paragraph (1), in the matter preceding subparagraph (A), by striking ''2012, 2013, and 2014'' and inserting ''2015 through 2019'';

(2) in paragraph (2)(B), by striking ''(I) the funds'' and inserting ''(i) the funds''; and

(3) in paragraph (3), by striking ''2012, 2013, and 2014'' and inserting ''2015 through 2019''.

TITLE XCIV—GENERAL PROVISIONS

SEC. 94001. EXTENSION OF AUTHORITY.

(a) IN GENERAL.—Section 7 of the Export-Import Bank Act of 1945 (12 U.S.C. 635f) is amended by striking ''2014'' and inserting ''2019''.

(b) DUAL-USE EXPORTS.—Section 1(c) of Public Law 103–428 (12 U.S.C. 635 note) is amended by striking ''September 30, 2014'' and inserting ''the date on which the authority of the Export-Import Bank of the United States expires under section 7 of the Export-Import Bank Act of 1945 (12 U.S.C. 635f)''.

(c) SUB-SAHARAN AFRICA ADVISORY COMMITTEE.—Section 2(b)(9)(B)(iii) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(9)(B)(iii)) is amended by striking ''September 30, 2014'' and inserting ''the date on which the authority of the Bank expires under section 7''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on the earlier of the date of the enactment of this Act or June 30, 2015.

SEC. 94002. CERTAIN UPDATED LOAN TERMS AND AMOUNTS.

(a) LOAN TERMS FOR MEDIUM-TERM FINANCING.—Section 2(a)(2)(A) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(a)(2)(A)) is amended—

(1) in clause (i), by striking ''; and'' and inserting a semicolon; and

(2) by adding at the end the following:

''(iii) with principal amounts of not more than $25,000,000; and''.

(b) COMPETITIVE OPPORTUNITIES RELATING TO INSURANCE.—Section 2(d)(2) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(d)(2)) is amended by striking ''$10,000,000'' and inserting ''$25,000,000''.

(c) EXPORT AMOUNTS FOR SMALL BUSINESS LOANS.—Section 3(g)(3) of the Export-Import Bank Act of 1945 (12 U.S.C. 635a(g)(3)) is amended by striking ''$10,000,000'' and inserting ''$25,000,000''.

(d) CONSIDERATION OF ENVIRONMENTAL EFFECTS.—Section 11(a)(1)(A) of the Export-Import Bank Act of 1945 (12 U.S.C. 635i–5(a)(1)(A)) is amended by striking ''$10,000,000 or more'' and inserting the following: ''$25,000,000 (or, if less than $25,000,000, the threshold established pursuant to international agreements, including the Common Approaches for Officially Supported Export Credits and Environmental and Social Due Diligence, as adopted by the Organisation for Economic Co-operation and Development Council on June 28, 2012, and the risk-management framework adopted by financial institutions for determining, assessing, and managing environmental and social risk in projects (commonly referred to as the 'Equator Principles')) or more''.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to fiscal year 2016 and each fiscal year thereafter.

TITLE XCV—OTHER MATTERS

SEC. 95001. PROHIBITION ON DISCRIMINATION BASED ON INDUSTRY.

Section 2 of the Export-Import Bank Act of 1945 (6 U.S.C. 635 et seq.) is amended by adding at the end the following:

''(k) PROHIBITION ON DISCRIMINATION BASED ON INDUSTRY.—

''(1) IN GENERAL.—Except as provided in this Act, the Bank may not—

''(A) deny an application for financing based solely on the industry, sector, or business that the application concerns; or

''(B) promulgate or implement policies that discriminate against an application based solely on the industry, sector, or business that the application concerns.

''(2) APPLICABILITY.—The prohibitions under paragraph (1) apply only to applications for financing by the Bank for projects concerning the exploration, development, production, or export of energy sources and the generation or transmission of electrical power, or combined heat and power, regardless of the energy source involved.''.

SEC. 95002. NEGOTIATIONS TO END EXPORT CREDIT FINANCING.

(a) IN GENERAL.—Section 11 of the Export-Import Bank Reauthorization Act of 2012 (12 U.S.C. 635a–5) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking ''Secretary of the Treasury (in this section referred to as the 'Secretary')'' and inserting ''President''; and

(B) in paragraph (1)—

(i) by striking ''(OECD)'' and inserting ''(in this section referred to as the 'OECD')''; and

(ii) by striking ''ultimate goal of eliminating'' and inserting ''possible goal of eliminating, before the date that is 10 years after the date of the enactment of the Export-Import Bank Reform and Reauthorization Act of 2015,'';

(2) in subsection (b), by striking ''Secretary'' each place it appears and inserting ''President''; and

(3) by adding at the end the following:

''(c) REPORT ON STRATEGY.—Not later than 180 days after the date of the enactment of the Export-Import Bank Reform and Reauthorization Act of 2015, the President shall submit to Congress a proposal, and a strategy for achieving the proposal, that the United States Government will pursue with other major exporting countries, including OECD members and non-OECD members, to eliminate over a period of not more than 10 years subsidized export-financing programs, tied aid, export credits, and all other forms of government-supported export subsidies.

''(d) NEGOTIATIONS WITH NON-OECD MEMBERS.—The President shall initiate and pursue negotiations with countries that are not OECD members to bring those countries into a multilateral agreement establishing rules and limitations on officially supported export credits.

''(e) ANNUAL REPORTS ON PROGRESS OF NEGOTIATIONS.—Not later than 180 days after the date of the enactment of the Export-Import Bank Reform and Reauthorization Act of 2015, and annually thereafter through calendar year 2019, the President shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report on the progress of any negotiations described in subsection (d).''.

(b) EFFECTIVE DATE.—The amendments made by paragraphs (1) and (2) of subsection (a) shall apply with respect to reports required to be submitted under section 11(b) of the Export-Import Bank Reauthorization Act of 2012 (12 U.S.C. 635a–5(b)) after the date of the enactment of this Act.

SEC. 95003. STUDY OF FINANCING FOR INFORMATION AND COMMUNICATIONS TECHNOLOGY SYSTEMS.

(a) ANALYSIS OF INFORMATION AND COMMUNICATIONS TECHNOLOGY INDUSTRY USE OF BANK PRODUCTS.—The Export-Import Bank of the United States (in this section referred to as the ''Bank'') shall conduct a study of the extent to which the products offered by the Bank are available and used by companies that export information and communications technology services and related goods.

(b) ELEMENTS.—In conducting the study required by subsection (a), the Bank shall examine the following:

(1) The number of jobs in the United States that are supported by the export of information and communications technology services and related goods, and the degree to which access to financing will increase exports of such services and related goods.

(2) The reduction in the financing by the Bank of exports of information and communications technology services from 2003 through 2014.

(3) The activities of foreign export credit agencies to facilitate the export of information and communications technology services and related goods.

(4) Specific proposals for how the Bank could provide additional financing for the exportation of information and communications technology services and related goods through risk-sharing with other export credit agencies and other third parties.

(5) Proposals for new products the Bank could offer to provide financing for exports of information and communications technology services and related goods, including—

(A) the extent to which the Bank is authorized to offer new products;

(B) the extent to which the Bank would need additional authority to offer new products to meet the needs of the information and communications technology industry;

(C) specific proposals for changes in law that would enable the Bank to provide increased financing for exports of information and communications technology services and related goods in compliance with the credit and risk standards of the Bank;

(D) specific proposals that would enable the Bank to provide increased outreach to the information and communications technology industry about the products the Bank offers; and

(E) specific proposals for changes in law that would enable the Bank to provide the financing to build information and communications technology infrastructure, in compliance with the credit and risk standards of the Bank, to allow for market access opportunities for United States information and communications technology companies to provide services on the infrastructure being financed by the Bank.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Bank shall submit to Congress a report that contains the results of the study required by subsection (a).

SA 2534. Mr. KIRK (for himself, Mr. GRAHAM, Mr. BLUNT, Ms. AYOTTE, Ms. HEITKAMP, Mr. MANCHIN, Mr. DONNELLY, Mr. WARNER, Ms. CANTWELL, Ms. KLOBUCHAR, and Mr. CASEY) submitted an amendment intended to be proposed to amendment SA 2421 proposed by Mr. MCCONNELL to the amendment SA 2266 proposed by Mr. MCCONNELL to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end, add the following:

DIVISION I—EXPORT-IMPORT BANK OF THE UNITED STATES

SEC. 90001. SHORT TITLE.

This division may be cited as the ''Export-Import Bank Reform and Reauthorization Act of 2015''.

TITLE XCI—TAXPAYER PROTECTION PROVISIONS AND INCREASED ACCOUNTABILITY

SEC. 91001. REDUCTION IN AUTHORIZED AMOUNT OF OUTSTANDING LOANS, GUARANTEES, AND INSURANCE.

Section 6(a) of the Export-Import Bank Act of 1945 (12 U.S.C. 635e(a)) is amended—

(1) by redesignating paragraph (3) as paragraph (4); and

(2) by striking paragraph (2) and inserting the following:

''(2) APPLICABLE AMOUNT DEFINED.—In this subsection, the term 'applicable amount', for each of fiscal years 2015 through 2019, means $135,000,000,000.

''(3) FREEZING OF LENDING CAP IF DEFAULT RATE IS 2 PERCENT OR MORE.—If the rate calculated under section 8(g)(1) is 2 percent or more for a quarter, the Bank may not exceed the amount of loans, guarantees, and insurance outstanding on the last day of that quarter until the rate calculated under section 8(g)(1) is less than 2 percent.''.

SEC. 91002. INCREASE IN LOSS RESERVES.

(a) IN GENERAL.—Section 6 of the Export-Import Bank Act of 1945 (12 U.S.C. 635e) is amended—

(1) by redesignating subsection (b) as subsection (c); and

(2) by inserting after subsection (a) the following:

''(b) RESERVE REQUIREMENT.—The Bank shall build to and hold in reserve, to protect against future losses, an amount that is not less than 5 percent of the aggregate amount of disbursed and outstanding loans, guarantees, and insurance of the Bank.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date that is one year after the date of the enactment of this Act.

SEC. 91003. REVIEW OF FRAUD CONTROLS.

Section 17(b) of the Export-Import Bank Reauthorization Act of 2012 (12 U.S.C. 635a–6(b)) is amended to read as follows:

''(b) REVIEW OF FRAUD CONTROLS.—Not later than 4 years after the date of the enactment of the Export-Import Bank Reform and Reauthorization Act of 2015, and every 4 years thereafter, the Comptroller General of the United States shall—

''(1) review the adequacy of the design and effectiveness of the controls used by the Export-Import Bank of the United States to prevent, detect, and investigate fraudulent applications for loans and guarantees and the compliance by the Bank with the controls, including by auditing a sample of Bank transactions; and

''(2) submit a written report regarding the findings of the review and providing such recommendations with respect to the controls described in paragraph (1) as the Comptroller General deems appropriate to—

''(A) the Committee on Banking, Housing, and Urban Affairs and the Committee on Appropriations of the Senate; and

''(B) the Committee on Financial Services and the Committee on Appropriations of the House of Representatives.''.

SEC. 91004. OFFICE OF ETHICS.

Section 3 of the Export-Import Bank Act of 1945 (12 U.S.C. 635a) is amended by adding at the end the following:

''(k) OFFICE OF ETHICS.—

''(1) ESTABLISHMENT.—There is established an Office of Ethics within the Bank, which shall oversee all ethics issues within the Bank.

''(2) HEAD OF OFFICE.—

''(A) IN GENERAL.—The head of the Office of Ethics shall be the Chief Ethics Officer, who shall report to the Board of Directors.

''(B) APPOINTMENT.—Not later than 180 days after the date of the enactment of the Export-Import Bank Reform and Reauthorization Act of 2015, the Chief Ethics Officer shall be—

''(i) appointed by the President of the Bank from among persons—

''(I) with a background in law who have experience in the fields of law and ethics; and

''(II) who are not serving in a position requiring appointment by the President of the United States before being appointed to be Chief Ethics Officer; and

''(ii) approved by the Board.

''(C) DESIGNATED AGENCY ETHICS OFFICIAL.—The Chief Ethics Officer shall serve as the designated agency ethics official for the Bank pursuant to the Ethics in Government Act of 1978 (5 U.S.C. App. 101 et seq.).

''(3) DUTIES.—The Office of Ethics has jurisdiction over all employees of, and ethics matters relating to, the Bank. With respect to employees of the Bank, the Office of Ethics shall—

''(A) recommend administrative actions to establish or enforce standards of official conduct;

''(B) refer to the Office of the Inspector General of the Bank alleged violations of—

''(i) the standards of ethical conduct applicable to employees of the Bank under parts 2635 and 6201 of title 5, Code of Federal Regulations;

''(ii) the standards of ethical conduct established by the Chief Ethics Officer; and

''(iii) any other laws, rules, or regulations governing the performance of official duties or the discharge of official responsibilities that are applicable to employees of the Bank;

''(C) report to appropriate Federal or State authorities substantial evidence of a violation of any law applicable to the performance of official duties that may have been disclosed to the Office of Ethics; and

''(D) render advisory opinions regarding the propriety of any current or proposed conduct of an employee or contractor of the Bank, and issue general guidance on such matters as necessary.''.

SEC. 91005. CHIEF RISK OFFICER.

Section 3 of the Export-Import Bank Act of 1945 (12 U.S.C. 635a), as amended by section 91004, is further amended by adding at the end the following:

''(l) CHIEF RISK OFFICER.—

''(1) IN GENERAL.—There shall be a Chief Risk Officer of the Bank, who shall—

''(A) oversee all issues relating to risk within the Bank; and

''(B) report to the President of the Bank.

''(2) APPOINTMENT.—Not later than 180 days after the date of the enactment of the Export-Import Bank Reform and Reauthorization Act of 2015, the Chief Risk Officer shall be—

''(A) appointed by the President of the Bank from among persons—

''(i) with a demonstrated ability in the general management of, and knowledge of and extensive practical experience in, financial risk evaluation practices in large governmental or business entities; and

''(ii) who are not serving in a position requiring appointment by the President of the United States before being appointed to be Chief Risk Officer; and

''(B) approved by the Board.

''(3) DUTIES.—The duties of the Chief Risk Officer are—

''(A) to be responsible for all matters related to managing and mitigating all risk to which the Bank is exposed, including the programs and operations of the Bank;

''(B) to establish policies and processes for risk oversight, the monitoring of management compliance with risk limits, and the management of risk exposures and risk controls across the Bank;

''(C) to be responsible for the planning and execution of all Bank risk management activities, including policies, reporting, and systems to achieve strategic risk objectives;

''(D) to develop an integrated risk management program that includes identifying, prioritizing, measuring, monitoring, and managing internal control and operating risks and other identified risks;

''(E) to ensure that the process for risk assessment and underwriting for individual transactions considers how each such transaction considers the effect of the transaction on the concentration of exposure in the overall portfolio of the Bank, taking into account fees, collateralization, and historic default rates; and

''(F) to review the adequacy of the use by the Bank of qualitative metrics to assess the risk of default under various scenarios.''.

SEC. 91006. RISK MANAGEMENT COMMITTEE.

(a) IN GENERAL.—Section 3 of the Export-Import Bank Act of 1945 (12 U.S.C. 635a), as

amended by sections 91004 and 91005, is further amended by adding at the end the following:

''(m) RISK MANAGEMENT COMMITTEE.—

''(1) ESTABLISHMENT.—There is established a management committee to be known as the 'Risk Management Committee'.

''(2) MEMBERSHIP.—The membership of the Risk Management Committee shall be the members of the Board of Directors, with the President and First Vice President of the Bank serving as ex officio members.

''(3) DUTIES.—The duties of the Risk Management Committee shall be—

''(A) to oversee, in conjunction with the Office of the Chief Financial Officer of the Bank—

''(i) periodic stress testing on the entire Bank portfolio, reflecting different market, industry, and macroeconomic scenarios, and consistent with common practices of commercial and multilateral development banks; and

''(ii) the monitoring of industry, geographic, and obligor exposure levels; and

''(B) to review all required reports on the default rate of the Bank before submission to Congress under section 8(g).''.

(b) TERMINATION OF AUDIT COMMITTEE.—Not later than 180 days after the date of the enactment of this Act, the Board of Directors of the Export-Import Bank of the United States shall revise the bylaws of the Bank to terminate the Audit Committee established by section 7 of the bylaws.

SEC. 91007. INDEPENDENT AUDIT OF BANK PORTFOLIO.

(a) AUDIT.—The Inspector General of the Export-Import Bank of the United States shall conduct an audit or evaluation of the portfolio risk management procedures of the Bank, including a review of the implementation by the Bank of the duties assigned to the Chief Risk Officer under section 3(l) of the Export-Import Bank Act of 1945, as amended by section 91005.

(b) REPORT.—Not later than one year after the date of the enactment of this Act, and not less frequently than every 3 years thereafter, the Inspector General shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a written report containing all findings and determinations made in carrying out subsection (a).

SEC. 91008. PILOT PROGRAM FOR REINSURANCE.

(a) IN GENERAL.—Notwithstanding any provision of the Export-Import Bank Act of 1945 (12 U.S.C. 635 et seq.), the Export-Import Bank of the United States (in this section referred to as the ''Bank'') may establish a pilot program under which the Bank may enter into contracts and other arrangements to share risks associated with the provision of guarantees, insurance, or credit, or the participation in the extension of credit, by the Bank under that Act.

(b) LIMITATIONS ON AMOUNT OF RISK-SHARING.—

(1) PER CONTRACT OR OTHER ARRANGEMENT.—The aggregate amount of liability the Bank may transfer through risk-sharing pursuant to a contract or other arrangement entered into under subsection (a) may not exceed $1,000,000,000.

(2) PER YEAR.—The aggregate amount of liability the Bank may transfer through risk-sharing during a fiscal year pursuant to contracts or other arrangements entered into under subsection (a) during that fiscal year may not exceed $10,000,000,000.

(c) ANNUAL REPORTS.—Not later than one year after the date of the enactment of this Act, and annually thereafter through 2019, the Bank shall submit to Congress a written report that contains a detailed analysis of the use of the pilot program carried out under subsection (a) during the year preceding the submission of the report.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to affect, impede, or revoke any authority of the Bank.

(e) TERMINATION.—The pilot program carried out under subsection (a) shall terminate on September 30, 2019.

TITLE XCII—PROMOTION OF SMALL BUSINESS EXPORTS

SEC. 92001. INCREASE IN SMALL BUSINESS LENDING REQUIREMENTS.

(a) IN GENERAL.—Section 2(b)(1)(E)(v) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(1)(E)(v)) is amended by striking ''20 percent'' and inserting ''25 percent''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to fiscal year 2016 and each fiscal year thereafter.

SEC. 92002. REPORT ON PROGRAMS FOR SMALL AND MEDIUM-SIZED BUSINESSES.

(a) IN GENERAL.—Section 8 of the Export-Import Bank Act of 1945 (12 U.S.C. 635g) is amended by adding at the end the following:

''(k) REPORT ON PROGRAMS FOR SMALL AND MEDIUM-SIZED BUSINESSES.—The Bank shall include in its annual report to Congress under subsection (a) a report on the programs of the Bank for United States businesses with less than $250,000,000 in annual sales.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to the report of the Export-Import Bank of the United States submitted to Congress under section 8 of the Export-Import Bank Act of 1945 (12 U.S.C. 635g) for the first year that begins after the date of the enactment of this Act.

TITLE XCIII—MODERNIZATION OF OPERATIONS

SEC. 93001. ELECTRONIC PAYMENTS AND DOCUMENTS.

Section 2(b)(1) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(1)) is amended by adding at the end the following:

''(M) Not later than 2 years after the date of the enactment of the Export-Import Bank Reform and Reauthorization Act of 2015, the Bank shall implement policies—

''(i) to accept electronic documents with respect to transactions whenever possible, including copies of bills of lading, certifications, and compliance documents, in such manner so as not to undermine any potential civil or criminal enforcement related to the transactions; and

''(ii) to accept electronic payments in all of its programs.''.

SEC. 93002. REAUTHORIZATION OF INFORMATION TECHNOLOGY UPDATING.

Section 3(j) of the Export-Import Act of 1945 (12 U.S.C. 635a(j)) is amended—

(1) in paragraph (1), in the matter preceding subparagraph (A), by striking ''2012, 2013, and 2014'' and inserting ''2015 through 2019'';

(2) in paragraph (2)(B), by striking ''(I) the funds'' and inserting ''(i) the funds''; and

(3) in paragraph (3), by striking ''2012, 2013, and 2014'' and inserting ''2015 through 2019''.

TITLE XCIV—GENERAL PROVISIONS

SEC. 94001. EXTENSION OF AUTHORITY.

(a) IN GENERAL.—Section 7 of the Export-Import Bank Act of 1945 (12 U.S.C. 635f) is amended by striking ''2014'' and inserting ''2019''.

(b) DUAL-USE EXPORTS.—Section 1(c) of Public Law 103–428 (12 U.S.C. 635 note) is amended by striking ''September 30, 2014'' and inserting ''the date on which the authority of the Export-Import Bank of the United States expires under section 7 of the Export-Import Bank Act of 1945 (12 U.S.C. 635f)''.

(c) SUB-SAHARAN AFRICA ADVISORY COMMITTEE.—Section 2(b)(9)(B)(iii) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(9)(B)(iii)) is amended by striking ''September 30, 2014'' and inserting ''the date on which the authority of the Bank expires under section 7''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on the earlier of the date of the enactment of this Act or June 30, 2015.

SEC. 94002. CERTAIN UPDATED LOAN TERMS AND AMOUNTS.

(a) LOAN TERMS FOR MEDIUM-TERM FINANCING.—Section 2(a)(2)(A) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(a)(2)(A)) is amended—

(1) in clause (i), by striking ''; and'' and inserting a semicolon; and

(2) by adding at the end the following:

''(iii) with principal amounts of not more than $25,000,000; and''.

(b) COMPETITIVE OPPORTUNITIES RELATING TO INSURANCE.—Section 2(d)(2) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(d)(2)) is amended by striking ''$10,000,000'' and inserting ''$25,000,000''.

(c) EXPORT AMOUNTS FOR SMALL BUSINESS LOANS.—Section 3(g)(3) of the Export-Import Bank Act of 1945 (12 U.S.C. 635a(g)(3)) is amended by striking ''$10,000,000'' and inserting ''$25,000,000''.

(d) CONSIDERATION OF ENVIRONMENTAL EFFECTS.—Section 11(a)(1)(A) of the Export-Import Bank Act of 1945 (12 U.S.C. 635i–5(a)(1)(A)) is amended by striking ''$10,000,000 or more'' and inserting the following: ''$25,000,000 (or, if less than $25,000,000, the threshold established pursuant to international agreements, including the Common Approaches for Officially Supported Export Credits and Environmental and Social Due Diligence, as adopted by the Organisation for Economic Co-operation and Development Council on June 28, 2012, and the risk-management framework adopted by financial institutions for determining, assessing, and managing environmental and social risk in projects (commonly referred to as the 'Equator Principles')) or more''.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to fiscal year 2016 and each fiscal year thereafter.

TITLE XCV—OTHER MATTERS

SEC. 95001. PROHIBITION ON DISCRIMINATION BASED ON INDUSTRY.

Section 2 of the Export-Import Bank Act of 1945 (6 U.S.C. 635 et seq.) is amended by adding at the end the following:

''(k) PROHIBITION ON DISCRIMINATION BASED ON INDUSTRY.—

''(1) IN GENERAL.—Except as provided in this Act, the Bank may not—

''(A) deny an application for financing based solely on the industry, sector, or business that the application concerns; or

''(B) promulgate or implement policies that discriminate against an application based solely on the industry, sector, or business that the application concerns.

''(2) APPLICABILITY.—The prohibitions under paragraph (1) apply only to applications for financing by the Bank for projects concerning the exploration, development, production, or export of energy sources and the generation or transmission of electrical power, or combined heat and power, regardless of the energy source involved.''.

SEC. 95002. NEGOTIATIONS TO END EXPORT CREDIT FINANCING.

(a) IN GENERAL.—Section 11 of the Export-Import Bank Reauthorization Act of 2012 (12 U.S.C. 635a–5) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking ''Secretary of the Treasury (in this section referred to as the 'Secretary')'' and inserting ''President''; and

(B) in paragraph (1)—

(i) by striking ''(OECD)'' and inserting ''(in this section referred to as the 'OECD')''; and

(ii) by striking ''ultimate goal of eliminating'' and inserting ''possible goal of eliminating, before the date that is 10 years after the date of the enactment of the Export-Import Bank Reform and Reauthorization Act of 2015,'';

(2) in subsection (b), by striking ''Secretary'' each place it appears and inserting ''President''; and

(3) by adding at the end the following:

''(c) REPORT ON STRATEGY.—Not later than 180 days after the date of the enactment of the Export-Import Bank Reform and Reauthorization Act of 2015, the President shall submit to Congress a proposal, and a strategy for achieving the proposal, that the United States Government will pursue with other major exporting countries, including OECD members and non-OECD members, to eliminate over a period of not more than 10 years subsidized export-financing programs, tied aid, export credits, and all other forms of government-supported export subsidies.

''(d) NEGOTIATIONS WITH NON-OECD MEMBERS.—The President shall initiate and pursue negotiations with countries that are not OECD members to bring those countries into a multilateral agreement establishing rules and limitations on officially supported export credits.

''(e) ANNUAL REPORTS ON PROGRESS OF NEGOTIATIONS.—Not later than 180 days after the date of the enactment of the Export-Import Bank Reform and Reauthorization Act of 2015, and annually thereafter through calendar year 2019, the President shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report on the progress of any negotiations described in subsection (d).''.

(b) EFFECTIVE DATE.—The amendments made by paragraphs (1) and (2) of subsection (a) shall apply with respect to reports required to be submitted under section 11(b) of the Export-Import Bank Reauthorization Act of 2012 (12 U.S.C. 635a–5(b)) after the date of the enactment of this Act.

SEC. 95003. STUDY OF FINANCING FOR INFORMATION AND COMMUNICATIONS TECHNOLOGY SYSTEMS.

(a) ANALYSIS OF INFORMATION AND COMMUNICATIONS TECHNOLOGY INDUSTRY USE OF BANK PRODUCTS.—The Export-Import Bank of the United States (in this section referred to as the ''Bank'') shall conduct a study of the extent to which the products offered by the Bank are available and used by companies that export information and communications technology services and related goods.

(b) ELEMENTS.—In conducting the study required by subsection (a), the Bank shall examine the following:

(1) The number of jobs in the United States that are supported by the export of information and communications technology services and related goods, and the degree to which access to financing will increase exports of such services and related goods.

(2) The reduction in the financing by the Bank of exports of information and communications technology services from 2003 through 2014.

(3) The activities of foreign export credit agencies to facilitate the export of information and communications technology services and related goods.

(4) Specific proposals for how the Bank could provide additional financing for the exportation of information and communications technology services and related goods through risk-sharing with other export credit agencies and other third parties.

(5) Proposals for new products the Bank could offer to provide financing for exports of information and communications technology services and related goods, including—

(A) the extent to which the Bank is authorized to offer new products;

(B) the extent to which the Bank would need additional authority to offer new products to meet the needs of the information and communications technology industry;

(C) specific proposals for changes in law that would enable the Bank to provide increased financing for exports of information and communications technology services and related goods in compliance with the credit and risk standards of the Bank;

(D) specific proposals that would enable the Bank to provide increased outreach to the information and communications technology industry about the products the Bank offers; and

(E) specific proposals for changes in law that would enable the Bank to provide the financing to build information and communications technology infrastructure, in compliance with the credit and risk standards of the Bank, to allow for market access opportunities for United States information and communications technology companies to provide services on the infrastructure being financed by the Bank.

(c) REPORT.—Not later than 120 days after the date of the enactment of this Act, the Bank shall submit to Congress a report that contains the results of the study required by subsection (a).

SA 2535. Mrs. FISCHER submitted an amendment intended to be proposed to amendment SA 2272 submitted by Mr. TESTER and intended to be proposed to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 1, line 2, strike ''$10,000,000,000'' and insert ''$20,000,000,000''.

SA 2536. Mr. MCCONNELL submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end add the following:

''This act shall be effective 2 days after enactment.''

SA 2537. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 1004, between lines 7 and 8, insert the following:

SEC. 62002. EXCLUSION OF ORPHAN DRUG SALES.

(a) IN GENERAL.—Paragraph (3) of section 9008(e) of the Patient Protection and Affordable Care Act (26 U.S.C. 4001 note prec.; Public Law 111–148) is amended to read as follows:

''(3) EXCLUSION OF ORPHAN DRUG SALES.—The term 'branded prescription drug sales' shall not include sales of any drug or biological product with respect to which a credit was allowable for any taxable year under section 45C of the Internal Revenue Code of 1986, regardless of whether such credit was claimed and received. The preceding sentence shall not apply with respect to any such drug or biological product after the date on which such drug or biological product is approved by the Food and Drug Administration for marketing for any indication other than the treatment of the rare disease or condition with respect to which such credit was allowable.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect as if included in section 9008 of the Patient Protection and Affordable Care Act (26 U.S.C. 4001 note prec.; Public Law 111–148).

ORDERS FOR TUESDAY, JULY 28, 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 11 a.m., Tuesday, July 28; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following leader remarks, the Senate resume consideration of H.R. 22; and finally, that all time during the adjournment of the Senate count postcloture on the McConnell substitute amendment No. 2266, as modified.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 11 A.M. TOMORROW

Mr. MCCONNELL. If there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 11:13 p.m., adjourned until Tuesday, July 28, 2015, at 11 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF ENERGY

VICTORIA MARIE BAECHER WASSMER, OF ILLINOIS, TO BE UNDER SECRETARY OF ENERGY, VICE KRISTINA M. JOHNSON, RESIGNED.

TENNESSEE VALLEY AUTHORITY

RICHARD CAPEL HOWORTH, OF MISSISSIPPI, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE TENNESSEE VALLEY AUTHORITY FOR A TERM EXPIRING MAY 18, 2020. (REAPPOINTMENT)

DEPARTMENT OF STATE

HARRY K. THOMAS, JR., OF NEW YORK, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF ZIMBABWE.

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO SERVE AS DIRECTOR OF THE COAST GUARD RESERVE PURSUANT TO TITLE 14, U.S.C., SECTION 53(B) IN THE GRADE INDICATED:

To be rear admiral

REAR ADM. KURT B. HINRICHS

CONFIRMATIONS

Executive nominations confirmed by the Senate July 27, 2015:

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. JOHN N. T. SHANAHAN

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. MICHAEL X. GARRETT

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 156:

To be rear admiral (lower half)

CAPT. DARSE E. CRANDALL

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. JOSEPH E. TOFALO

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS THE VICE CHAIRMAN OF THE JOINT CHIEFS OF STAFF AND APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 154:

To be general

GEN. PAUL J. SELVA

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

GEN. DARREN W. MCDEW

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. DAVID J. BUCK

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. TOD D. WOLTERS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. RUSSELL J. HANDY

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be brigadier general

COL. FRANK H. STOKES

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. JOHN W. RAYMOND

IN THE ARMY

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be brigadier general

COL. JAMES E. PORTER, JR.

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. DANIEL R. HOKANSON

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. KEVIN D. SCOTT

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. KEVIN M. DONEGAN

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. MICHAEL H. SHIELDS

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be major general

BRIG. GEN. VICTOR J. BRADEN

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. RICHARD P. BRECKENRIDGE

IN THE AIR FORCE

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be brigadier general

COLONEL DAVID W. ASHLEY
COLONEL JEREMY O. BAENEN
COLONEL STEPHEN F. BAGGERLY
COLONEL SAMUEL W. BLACK
COLONEL CHRISTINE M. BURCKLE
COLONEL DAVID B. BURGY
COLONEL JANUS D. BUTCHER
COLONEL JOHN D. CAINE
COLONEL CRAIG A. CAMPBELL
COLONEL JOSEPH S. CHISOLM
COLONEL FLOYD W. DUNSTAN
COLONEL DOUGLAS A. FARNHAM
COLONEL LAURIE M. FARRIS
COLONEL JERRY L. FENWICK
COLONEL DAWN M. FERRELL
COLONEL DOUGLAS E. FICK
COLONEL ARTHUR J. FLORU
COLONEL DONALD A. FURLAND
COLONEL TIMOTHY H. GAASCH
COLONEL KERRY M. GENTRY
COLONEL JEROME M. GOUHIN
COLONEL RANDY E. GREENWOOD
COLONEL ROBERT J. GREY, JR.
COLONEL EDITH M. GRUNWALD
COLONEL GREGORY M. HENDERSON
COLONEL ELIZABETH A. HILL
COLONEL JOHN S. JOSEPH
COLONEL JILL A. LANNAN
COLONEL JAMES M. LEFAVOR
COLONEL JEFFREY A. LEWIS
COLONEL TIMOTHY T. LUNDERMAN
COLONEL ERIC W. MANN
COLONEL BETTY J. MARSHALL
COLONEL SHERRIE L. MCCANDLESS
COLONEL KEVIN T. MCMANAMAN
COLONEL DAVID J. MEYER
COLONEL STEVEN S. NORDHAUS
COLONEL SCOTT W. NORMANDEAU
COLONEL RICHARD C. OXNER, JR.
COLONEL KIRK S. PIERCE
COLONEL THERESA B. PRINCE
COLONEL DAVID L. ROMUALD
COLONEL EDWARD A. SAULEY III
COLONEL KEITH A. SCHELL
COLONEL BRIAN M. SIMPLER
COLONEL CHARLES G. STEVENSON
COLONEL BRADLEY A. SWANSON
COLONEL DEAN A. TREMPS
COLONEL WILLIAM M. VALENTINE
COLONEL RICHARD W. WEDAN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. STEVEN A. SCHAICK

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. JEFFREY A. DOLL

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

LT. GEN. CARLTON D. EVERHART II

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS THE CHIEF OF CHAPLAINS, UNITED STATES AIR FORCE, AND APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 8039:

To be major general

COL. DONDI E. COSTIN

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. STEPHEN R. LYONS

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. JOHN C. AQUILINO

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

VICE ADM. ROBERT L. THOMAS, JR.

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. LAWRENCE D. NICHOLSON

IN THE AIR FORCE

AIR FORCE NOMINATION OF ROBERT B. A. MACGREGOR, TO BE MAJOR.

AIR FORCE NOMINATIONS BEGINNING WITH JANE E. BOOMER AND ENDING WITH MATTHEW D. VAN DALEN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 24, 2015.

AIR FORCE NOMINATIONS BEGINNING WITH AFSANA AHMED AND ENDING WITH REGGIE D. YAGER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 24, 2015.

AIR FORCE NOMINATIONS BEGINNING WITH JOHN C. ROCKWELL AND ENDING WITH STEPHEN J. TORRES, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 24, 2015.

AIR FORCE NOMINATIONS BEGINNING WITH ANA M. APOLTAN AND ENDING WITH ALDO TTINOCO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 24, 2015.

AIR FORCE NOMINATIONS BEGINNING WITH BRIAN H. ADAMS AND ENDING WITH MARY JEAN WOOD, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 24, 2015.

AIR FORCE NOMINATIONS BEGINNING WITH ALLEN KIPP ALBRIGHT AND ENDING WITH BRADLEY DUNCAN WHITE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 15, 2015.

IN THE ARMY

ARMY NOMINATION OF DAVID G. JONES, TO BE COLONEL.

ARMY NOMINATION OF RAYMOND L. PHUA, TO BE COLONEL.

ARMY NOMINATION OF JOHN M. BRADFORD, TO BE MAJOR.

ARMY NOMINATIONS BEGINNING WITH STEVE J. CHUN AND ENDING WITH BENJAMIN R. SIEBERT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 24, 2015.

ARMY NOMINATION OF STEVEN L. ISENHOUR, TO BE COLONEL.

ARMY NOMINATION OF JOSEPH D. GRAMLING, TO BE COLONEL.

ARMY NOMINATION OF MARK S. SNYDER, TO BE COLONEL.

ARMY NOMINATION OF KEITH J. MCVEIGH, TO BE COLONEL.

ARMY NOMINATION OF LISA M. STREMEL, TO BE MAJOR.

ARMY NOMINATIONS BEGINNING WITH MICHAEL N. CLEVELAND AND ENDING WITH MICHAEL W. SUMMERS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 24, 2015.

ARMY NOMINATIONS BEGINNING WITH MATTHEW H. BROOKS AND ENDING WITH JAY D. HANSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 24, 2015.

ARMY NOMINATIONS BEGINNING WITH GIL A. DIAZCRUZ AND ENDING WITH SOLIMAN G. VALDEZ, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 24, 2015.

ARMY NOMINATIONS BEGINNING WITH NICHOLAS R. CABANO AND ENDING WITH JAMES W. PRATT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 8, 2015.

ARMY NOMINATIONS BEGINNING WITH KIMBERLY D. BRENDA AND ENDING WITH CARRIE A. STORER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 8, 2015.

ARMY NOMINATIONS BEGINNING WITH ERIC J. ANSORGE AND ENDING WITH D011713, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 8, 2015.

ARMY NOMINATIONS BEGINNING WITH JOHN L. AMENT AND ENDING WITH WENDY G. WOODALL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 8, 2015.

ARMY NOMINATION OF LAURA M. HUDSON, TO BE MAJOR.

ARMY NOMINATION OF MARK R. READ, TO BE COLONEL.

IN THE MARINE CORPS

MARINE CORPS NOMINATION OF JOHN R. BARCLAY, TO BE LIEUTENANT COLONEL.

IN THE NAVY

NAVY NOMINATION OF THOMAS F. MURPHY III, TO BE CAPTAIN.

NAVY NOMINATIONS BEGINNING WITH ARSLAN S. CHAUDHRY AND ENDING WITH ANDREW D. SILVESTRI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 24, 2015.

NAVY NOMINATION OF BENJAMIN M. BOCHE, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATION OF MICHAEL J. ELLIOTT, TO BE CAPTAIN.

NAVY NOMINATIONS BEGINNING WITH CHRISTOPHER N. ANDREWS AND ENDING WITH NICHOLAS J. VANDYKE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 8, 2015.

EXTENSIONS OF REMARKS

IN RECOGNITION OF THE 25TH ANNIVERSARY OF THE AMERICANS WITH DISABILITIES ACT

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 27, 2015

Mr. KEATING. Mr. Speaker, I rise today in recognition of the 25th anniversary of the Americans with Disabilities Act.

The Americans with Disabilities Act (ADA) was the nation's first comprehensive civil rights law addressing the needs of people with disabilities. The roots of this historic Act date back to the Civil Rights Movement of the 1960s. It began in towns and cities across the United States. It began with parents, families and friends of those living with disabilities challenging the societal barriers that excluded their fellow Americans from fair employment, access to public services and deserved accommodations.

Over the decades, the disability rights movement continued to grow and gain momentum. When ADA was enacted on July 26, 1990, it was regarded as a momentous bill that would break down barriers to education, employment and technology—and it has not disappointed. The Americans with Disabilities Act has markedly increased the quality of life for the over 55 million people living with a disability in the United States today. The ADA is viewed as responsible for a 75% increase in access to public facilities and transportation services for people with disabilities. In fact, over 20 cities across the United States including Boston, Massachusetts now use rail systems that are accessible to people with disabilities.

The ADA has also given greater voice to those faced with mental and physical challenges. This law requires that people with disabilities be given access to a right that every American is constitutionally guaranteed, the right to vote. Between 1996 and 2004, implementation of the ADA increased voter turnout amongst the men and women with disabilities by 10% compared to an overall increase of only 2%.

While a significant disparity in income and poverty rates remains for those living with disabilities, the Americans with Disabilities Act was a historic stepping stone that has decidedly improved the lives of millions.

Mr. Speaker, please join me in commemorating this 25th anniversary of the Americans with Disabilities Act. I ask that my colleagues rise and join me in recognizing the importance of this legislation.

HONORING THE LIFE AND LEGACY OF NORTHWEST FLORIDA'S BELOVED WILLIAM H. ''COTTON'' BYROM

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 27, 2015

Mr. MILLER of Florida. Mr. Speaker, I rise to recognize the life and legacy of Northwest Florida's beloved William H. "Cotton" Byrom. Cotton was a friend and a lifelong resident of the Gulf Coast, a successful business owner, and a leader in civil society. All of Northwest Florida mourns his passing.

Born and raised in Milton, Florida, Cotton graduated from Milton High School in the midst of World War II, and, at the age of 17, he answered the call of duty, serving with honor and distinction in the Navy during the war. Following his military service, Cotton attended Florida State University, cementing a passion for FSU football that would continue for the rest of his life. At FSU, Cotton displayed the leadership skills that would come to be a hallmark of his service to Northwest Florida, serving as founding president of Phi Kappa Tau Fraternity.

After receiving his degree in finance, Cotton returned to his beloved Milton, starting the Byrom Insurance/Real Estate Agency, which he led for nearly four decades. Despite the rigors of running a successful small business, Cotton was also dedicated to serving the people of Milton, and this commitment to service saw him elected to various important positions. Among the many offices he held, Cotton served as Mayor of Milton, City Police Director, and City Judge, and he also served a term in the Florida Legislature. Cotton also served in many other capacities, including more than 30 years on the Board of Directors for SunTrust Bank, nearly 20 years as Chairman of the Santa Rosa Beach Administration, and more than a decade as Santa Rosa County Civil Defense Director. In addition, Cotton was a member of the "Coffee Crew," which gathered at 9:00 a.m. each morning in Milton to discuss politics and current affairs. When I attended, I always enjoyed visiting with Cotton and was deeply humbled to receive his counsel and guidance.

Cotton was also a deeply religious man and a longtime member of First United Methodist Church. In fact, as a child, Cotton began saving the money that he earned to help rebuild the church following a fire that destroyed the church in 1932.

To some, Cotton Byrom will be remembered as a dedicated public servant and patriot, who answered the call during one of our Nation's toughest hours and came back home to continue leading and serving the people of Northwest Florida; to others he will be remembered as a successful businessman and civic leader; to his friends and family he will best be remembered as a loving husband, father, grandfather, and great-grandfather.

Mr. Speaker, on behalf of the United States Congress, I am privileged to recognize the life and legacy of William H. "Cotton" Byrom. My wife Vicki and I send our deepest prayers and condolences to his wife Geraldine "Geri" Byrom; four daughters: Priscilla (Pete) Sanstead, Barbara (Terry) Johnson, Jennifer (Alan) Byrom; Julie (Guy) Byrom; grandchildren: Betsy Cooley, Leslie (Josh) Sparr, Tyler Sparr, Caroline Sanstead, and Gracie Stewart; great-grandchildren: Sarah Cooley, Brooke Baker, William Baker, Ben White and Jayden White; stepchildren, Matt (Tonya) Lawrence and Laura (Shaine) Garrison; stepgrandchildren: Seth Lawrence, Grant Garrison, Colin Garrison and Emma Garrison; nephew, Jack (Betty) Williamson; special relative, Paul (Laurie) Green; and the entire Byrom family.

TRIBUTE TO BRIAN MORRISON

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 27, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Brian Morrison of Creston, Iowa for being named the Class 3A Region 2 Coach of the Year by the Iowa Football Coaches Association.

With a record of 10–3 the Panthers finished the season second place in their district, earning their first berth to the class 3A state football playoffs after beating first place Dallas Center-Grimes in the district championship. Coach Morrison displayed a knack for leading these young men and rallying them around a single goal. Although they fell short of the ultimate goal, this team, and their coaching staff, had an excellent season and deserve to be commended.

Mr. Speaker, it is with great respect that I stand here today and recognize Coach Morrison for his accomplishments. It is role models like Brian that help mold our future generations. I know my colleagues in the U.S. House of Representatives join me in congratulating him on this outstanding achievement and wish him nothing but continued success moving forward.

TRIBUTE TO RALPH LENTS

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 27, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Ralph Lents of Greenfield, Iowa for being selected as

Adair County's 2015 inductee into the Iowa 4–H Hall of Fame.

Ralph's 4–H career started off quickly when he joined the Eureka Eagles showing cattle and hogs and participating in livestock judging. His leadership abilities were evident as he served as club treasurer, vice president, and was elected boys county 4–H president in 1968. He enjoyed attending the Adair-Union 4–H Winter Camp at Madrid, the State 4–H Conservation Camp and the State 4–H Conference. Ralph was a member of one of the top livestock judging teams at the Adair County Fair and later coached a team competing at the American Royal Livestock Show in Kansas City. Ralph received the Danforth leadership award as a senior 4–H'er.

Ralph served three four-year terms on the Adair County Extension Council: four years as chairman, and eight years as treasurer. He served on the Adams County Extension Council for four years, the Iowa Association of County Extension Councils Board of Directors, and represented southwest Iowa on several state Extension Committees. Ralph was club leader of the Way Out Walnuts for eight years, continuing in that role after his daughter, Katie, had graduated. He continues to serve as county fair beef superintendent.

Mr. Speaker, it is with great pride that I stand here today and recognize Ralph for his many years of service and dedication. His efforts embody the Iowa spirit and I am honored to represent him, and Iowans like him, in the United States Congress. I know that all of my colleagues in the United States House of Representatives will join me in congratulating Ralph for his achievements and wish him nothing but continued success.

TRIBUTE CELEBRATING PIKEVILLE INDEPENDENT'S 100TH ANNIVERSARY

HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, July 27, 2015

Mr. ROGERS of Kentucky. Mr. Speaker, I rise today to pay tribute to the Pikeville Independent School District in celebration of 100 years of education and service in the coalfields of Eastern Kentucky.

Pikeville Independent Schools have attained notable achievements across the board, including accreditation from the Southern Association of Colleges and Schools for Pikeville Elementary and High Schools. The educators in this school system go the extra mile to prepare students for the next level, earning an impressive second place ranking in the state for college and career readiness. Currently, at the high school, 45% of junior and seniors are taking one or more dual credit courses through the University of Pikeville and annual National Merit semi-finalists. Juniors at Pikeville High also consistently rank among Kentucky's top ten districts for ACT composite scores. Not only are individual students succeeding, but the entire student body of each class is raising the bar for achievement. Pikeville High and Junior High Schools have earned recognition as schools of distinction, while also ranking among the top ten in the state for KPREP scores as a district. The founders of this private school district clearly laid firm cornerstones that continue to support the success of its students in its centennial year of education.

Today, every Pikeville Panther has access to new, innovative opportunities like state-of-the-art science labs and online courses, as well as basic support like tutoring and full time teachers for humanities in every school. However, educators are often faced with helping students through far more daunting challenges than tests and essays in the classroom. At Pikeville Independent, students are taught the value of respect and growth in every area of student life, from academics to extra-curricular activities, thereby inspiring the development of a well-rounded student with a good moral compass. With an average attendance rate surpassing 95%, parents and students clearly understand the importance of education in the new global economy.

Mr. Speaker, I ask my colleagues to join me in celebrating 100 years of educational achievement in the heart of coal country. When our students succeed, the future of this great Nation gets much brighter. Congratulations to Pikeville Independent Schools. Go Panthers.

HONORING THE LIFE OF PHILIPP MISSFELDER

HON. RICHARD HUDSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 27, 2015

Mr. HUDSON. Mr. Speaker, I rise today to honor Philipp Missfelder, a member of the German parliament who passed away unexpectedly on July 13, 2015, after suffering from an apparent pulmonary embolism. We send our prayers and sincerest condolences to his wife, Ann-Christin, and their two daughters.

Born on August 25, 1979, Mr. Missfelder dedicated his life to public service. After receiving a degree in history from the Technical University of Berlin, Mr. Missfelder rooted his commitment to public service in conservative principles. He served as a member of Germany's lower house of parliament, the Bundestag, since 2005 and then became the foreign policy spokesman of Chancellor Angela Merkel's Christian Democrats in 2009.

Mr. Missfelder was a dynamic foreign policy expert and respected leader committed to improving international relations and Germany's transatlantic ties. He garnered a reputation from his colleagues for being a champion of pro-life policy and for his strong support of our common ally, Israel.

When I first met Mr. Missfelder, I was immediately struck by his outgoing and friendly personality, genuine nature, passion for his beliefs, and his desire to serve the citizens of Germany. It was with deep sadness that I learned of his passing.

Mr. Speaker, please join me today in commemorating the life of Philipp Missfelder for his public service to Germany, his commitment to democratic values, and the example he set for other public officials around the world.

TRIBUTE TO AARON DEMORY

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 27, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and honor Aaron Demory of North Liberty, Iowa, for receiving the 2015 Youth Human Rights Award for his volunteer work in Guatemala.

Each year the Iowa City Human Rights Commission recognizes youth who demonstrate passion and commitment towards bettering society through their service to others with a Youth Human Rights Award.

Aaron Demory was granted this prestigious award for voluntarily traveling to Guatemala to build houses over the summer. Aaron's hard work and dedication to assisting others truly embodies our Iowa values.

Mr. Speaker, it is a great honor to represent future leaders like Aaron Demory in the United States Congress and it is with great pride that I applaud his service to others today. I know my colleagues in the House will join me in congratulating him for receiving this award. I wish him and his family all the best moving forward.

RECOGNIZING THE CNY UNITED POWER SOCCER TEAM

HON. JOHN KATKO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 27, 2015

Mr. KATKO. Mr. Speaker, I rise today to recognize the victory of the CNY United Power Soccer team in the latest National Power Soccer Tournament in Tampa, Florida. CNY United defeated the Arizona Sun Devil's Power Soccer Club by a score of 3–2 in the championship game.

The CNY United Power Soccer program was formed in 2005 at Champions for Life in Auburn, New York. In 2007, CNY United became a member of the US Power Soccer Association, an organization of over 60 teams across the country. Since their first tournament in 2007, the CNY United team has practiced and trained vigorously to solidify themselves as a contender at the national level of power soccer. CNY United received the national title during the recent MK Battery 2015 Premiere Cup due to the commitment and hard work of: Drew Cunningham, Tony Reuter, Ryan Charboneau, Peyton Sefick, Pat Coggins, Joel Maldonado, Brad Smith, Scott Laffen, and coach, Jim Sefick.

Power soccer is a rapidly growing adaptive sport specifically designed for people in power wheelchairs. I am proud to recognize these athletes as stewards of this sport, advocates for increased opportunities for individuals with disabilities in Central New York, and nationally titled athletes.

IN HONOR OF DARRELL BLACKWELDER'S CAREER

HON. RICHARD HUDSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 27, 2015

Mr. HUDSON. Mr. Speaker, I rise today to honor County Extension Director Darrell Blackwelder for his faithful service to the state of North Carolina.

In 1979, Darrell Blackwelder began his career with the North Carolina Extension Service as an Agricultural Extension Agent in charge of educational programs in Rowan County. In 1989, after a brief stint in the private sector, he returned to the Extension Service in Davie County as an agent in charge of horticulture, pesticide management, and community resource development. He then returned to Rowan County in 1993 as an Agricultural Extension Agent in charge of horticulture, forestry, and community and resource development.

Mr. Blackwelder performed on-going educational programs for commercial vegetable producers, and was in charge of the Extension Master Gardener Volunteer Program. His exemplary work in all of these positions led to his hiring as the Rowan County Extension Director in 2011.

Mr. Blackwelder has received many awards throughout his career including the ''Young Agriculture Agent of the Southwest District'' in 1986, the ''State Winner-Website'' in 2006, and the ''NC Agriculture Agent Distinguished Service Award'' in 2015. Equally as impressive to these accolades was his will to become a better agent. Mr. Blackwelder diligently worked to become a Certified Public Pesticide Operator and a Certified Plant Professional.

He has had the opportunity to travel and consult for producers and agents in tomato production regions of the Middle East and Central Asia. Mr. Blackwelder has also been a valuable member of the community, and has served on the board of directors for the Salisbury Farmers Market, Rowan County Vocational Workshop, and American Cancer Society in Rowan County.

Mr. Speaker, please join me today in thanking Darrell Blackwelder for his esteemed service to our community and congratulating him on his retirement.

TRIBUTE TO THE CLARINDA REGIONAL HEALTH CENTER RELAY FOR LIFE TEAM

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 27, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and honor the Clarinda Regional Health Center Relay for Life Team of Clarinda, Iowa, for receiving the 2015 Relay for Life Traveling Trophy.

Each year the Relay for Life Traveling Trophy is awarded to the team donating the most money to Relay for Life in their counties. The Clarinda Regional Health Center Relay for Life Team was given this prestigious award for donating $5,000 to aid cancer research and awareness. Their hard work and dedication to assisting others truly embodies our Iowa values.

Mr. Speaker, it is a great honor to represent the members of the Clarinda Regional Health Center Relay for Life team in the United States Congress, and it is with great pride that I congratulate them today. I know my colleagues in the House will join me in congratulating them for receiving this award and thanking them for their commitment to helping others. I wish the team and employees at Clarinda Regional Health Center all the best moving forward.

HONORING JIM BARBOUR, NAPA COUNTY AGRICULTURALIST OF THE YEAR

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 27, 2015

Mr. THOMPSON of California. Mr. Speaker, I rise today to honor Jim Barbour, my longtime friend, and the recipient of the Napa County Farm Bureau's 2014 Agriculturalist of the Year Award. Mr. Barbour has been, and continues to be, a tireless advocate and fierce supporter of agriculture in the Napa Valley. It is therefore appropriate that we recognize and thank Mr. Barbour today for his relentless dedication to his craft and effort to promote agriculture in Napa County.

Jim Barbour was born in San Francisco, moved to the Napa Valley as a child and grew up in Rutherford on his family's ranch along Highway 29. His education in agriculture began at an early age; the family grew prunes on their 30-acre property as well as Gamay, Mondeuse and Petit Bouschet wine grapes. He attended UC Davis where he acquired a bachelor's degree in viticulture and embarked on a lifelong career in plant science.

In the span of nearly four decades, Jim Barbour has planted and managed some of the Napa Valley's most highly regarded vineyards, collaborating with its leading winemakers and playing a crucial role in the creation of some of its finest wines. As proprietor of Barbour Vineyards Management and Development he has been able to craft, shape and produce exceptional vintages, as well as his own Barbour Wines.

Mr. Barbour has made a lifelong commitment to his craft as an advocate for responsible and sustainable farming practices. He is a longtime donor to Family House of San Francisco, the Make-A-Wish Foundation and the local community schools within Napa Valley. Mr. Barbour was also chairman of Napa Farm Bureau's ''Shaken, not deterred!'' rebuilding campaign after the South Napa Earthquake of August 2014.

Mr. Speaker, Jim Barbour's leadership in the wine industry and viticultural advancement is greatly appreciated by the entire Napa community and we wish him further success in an already distinguished career.

IN RECOGNITION OF THE 101ST BIRTHDAY OF GERALDINE (JERRY) EMMETT

HON. KYRSTEN SINEMA

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 27, 2015

Ms. SINEMA. Mr. Speaker, I rise today to recognize Mrs. Geraldine Emmett, who celebrated her 101st birthday on July 18, 2015. Affectionately known as Jerry by everyone, she is one of Arizona's oldest living Democrats, a beloved educator and the founder of the Democratic Women of Prescott Area (DWPA).

Jerry graduated from Northern Arizona University Teacher's College in 1937 and for 45 years taught in communities throughout Arizona, including the Navajo Reservation, the small town of Seligman along Route 66, Tombstone, Scottsdale and Phoenix, before retiring and moving to Prescott 25 years ago. Then, at the age of 75, Jerry launched the DWPA and helped build it into the dynamic grassroots program that it is today.

Jerry has been a vital asset to every school and community she has touched throughout the years, and I proudly count myself among the many who have been inspired by her tenacity, vision and sincere belief in Arizona's greatness. Members, I ask you to join me in wishing Jerry Emmett a Happy 101st Birthday and thank her for all that she had done for Arizona and our nation.

TRIBUTE TO CLINT SPURRIER

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 27, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Clint Spurrier of Mount Ayr, Iowa for receiving a 2015 Governor's Volunteer Award. Starting in 1983, the Governor's office began awarding state employees who displayed a commitment to volunteerism by helping with various projects or programs within their communities. Since its implementation the award has expanded to any member of the public that displays the necessary attributes for receiving this award.

Clint is a prime example of the dedication and commitment to service that Iowans are known for. He selflessly gives his time to programs like the South Central Iowa Community Foundation, which aims to improve the quality of life all across the south central region of Iowa through the implementation of charitable funds. Each year, they donate more than $1 million to various organizations in the region.

Mr. Speaker, it is with great pride that I stand here today and recognize Clint for his many years of service and dedication to others in his community. His volunteerism embodies the Iowa spirit and I am honored to represent him, and Iowans like him, in the United States Congress. I know that all of my colleagues in the United States House of Representatives will join me in congratulating Clint for his achievements and wish him nothing but continued success.

IN MEMORY OF THE FALLEN KOREAN WAR SOLDIERS FROM QUEENS

HON. GRACE MENG

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 27, 2015

Ms. MENG. Mr. Speaker, I rise with The Honorable JOSEPH CROWLEY, The Honorable STEVE ISRAEL, The Honorable HAKEEM JEFFRIES, The Honorable CAROLYN MALONEY, and The Honorable GREGORY MEEKS, on the 62nd anniversary of the Korean War Armistice, to recognize the brave soldiers from Queens who were killed or missing in action during the Korean War. Many of these valiant soldiers are memorialized on a statue in Kissena Park, in my district.

The Korean War was a grueling conflict that brought the Cold War into Asia. The Korean War lasted three years, and approximately five million soldiers and civilians were killed.

In this tragic three-year period, one hundred and eighty-three soldiers from Queens died to protect our country and the democratic ideals that we hold dear. It is important to honor their memory and ensure their sacrifices are not forgotten. I wish to submit their names for the CONGRESSIONAL RECORD:

Dominick M. Ambrosino, Thomas W. August, Joseph Banks, Gilbert E. Barnard, George Barrell, Reginald J. Batten, Salvatore T. Bellavia, Joseph P. Bertani, Robert S. Bick, Robert H. Black, Edward R. Bosch, Walter J. Bradicich, Harry M. Bringes, Charles J. Brown, Jr., Thomas J. Burke.

Nicola Cafaro, Joseph S. Campo, Joseph J. Carey, Jr., Robert J. Carpenter, Patrick F. Carr, Peter F. Casey, Donald M. Chapple, Leroy R. Coleman, William Collins, Josephs Colonna, Frederick A. Conti, Mario Contiliano, John R. Coogan, Edward T. Cooney, Ernest J. Corin, Anthony E. Costa, Donald J. Cunniffe, Daniel V. Curley, Peter J. Cusumano, Benito Dalleva, Jerome M. Daly, William Davis, John A. De Franchesi, Trinidad De La Fuente, Joseph De Pietro, Richard P. Delligatti, Fiore J. Di Giorgio, Joseph E. Doherty, Mortimer Domroe, Charles A. Dow, Matthew R. Downs, Richard T. Dwyer.

Edward A. Edni, Lewis Fabrizio, James F. Farrell, Dominick J. Fazio, Milton Fedchisin, David E. Feldmeth, Eugene H. Firnges, Thomas F. Fisher, Thomas E. Flanagan, Douglas L. Flannery, James L. Forenza, Niel M. Freeman, Frank T. Frey, Raymond X. Gallagher, Fred J. Giangrasso, John Gieseking, Gilbert G. Goepel, Fred Goldstein, Walter F. Gross, Leon Gurfein.

Robert W. Hamblin, Robert Hanley, Daniel M. Healy, John J. Hegarty III, Adolf F. Heissler, Paul O. Herman, Thomas D. Herr, Thomas Hicks, Edmond Hitziger, Marti F. Hochenberger, Martin J. Hoffman, Edgar G. Holmes, Edward M. Howard, Raymond P. Jenner, Elmer J. Kallmeyer, John J. Kane, Edward Kazmierczak, George C. Klaussner, Kenneth W. Kinsey, Kingdon R. Knapp, Paul J. Kruk.

Salvatore T. La Rocca, Edward F. Lamers, Meredith L. Lehman, Jr., Billy Liolin, Ernest Little, Sr., George J. Mabin, Guy A. Maclaury, Michael F. Maher, Daniel D. Maletta, George H. Mammes, Philip V. Mandra, John S. Maniatty, Anthony Marcatante, Jason Maschist, Marshall McCook, James C. McEvoy, James J. F. McGoey, Hugh P. McKenna, John P. McKenna, John P. McLaughlin, Joseph E. McLaughlin, Robert J. McLoughlin, John P. McQuade, John C. Mendel, Henry Mezzatesta, Jr., Theodore Milczarczyk, Gus E. Miller, Robert F. Miller, John G. Mitchell, Curtis L. Smith, Ralph R. Mitola, William W. Monaghan, Gunther T. Muller.

Adolphus Nava, Charles V. Nejedly, Dennis J. Nyhan, Edward O'Donnell, Vincent W. O'Neill, Michael J. O'Sullivan, Anthony E. Pagano, Raphael J. Paparillo, Jr., Elmiro Patitucci, Jr., Frederick Perrotta, Alfred P. Perry, John Pointeck, Jr., Frank P. Ragone, Benjamin Rand, George H. Redding, Michael D. Restaino, Roy T. Riggs, Thomas M. Robb, Edward J. Rock, Daniel F. Rogers, Louis H. Roman, James J. Rone, Hector P. Rosa, George J. Rothenberger, John J. Ryan.

Bernard J. Sabin, John W. Salerno, Columbus Samuels, Edward F. Santora, Francis Scherman, William D. Scott, Henry Scotti, Frederick M. Scribner, Jr., Warren Sears, Ronald E. Shaddock, John J. Shay, Jr., James R. Silk, George E. Simmons, Nichol L. Siniscalchi, Stephen J. Smallbone, Curtis L. Smith, Dewitt R. Smith, Ernest A. Sobeck, Jr., Ronald C. Sparks, Raymond A. Staats, Anthony G. Steinhauser, Jr., James A. Sullivan, Jr., George F. Troy, Curt W. Ulrich, Leonard J. Vanata, James Void, Richard H. Volz, Robert A. Vradenburgh, Martin J. Wahl, William R. Walsh, Allan J. Waterman, Gerhardt H. Weber, Arthur A. Weigand, Melvin Weiss, Chester W. Wierzbicki, Gerald F. Williams, Richard E. Willoughby, Walter J. Yuszkiewics.

As representatives of Queens, it is our honor to recognize the fallen soldiers who called Queens their home, and gave their lives in service to our country. I would like to thank the National Archives and the NYC Department of Parks and Recreation for providing the names of the deceased.

TRIBUTE TO PAYTON WEEHLER

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 27, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Mr. Payton Weehler of Maloy, Iowa, for qualifying for nationals at the Memorial Day State Junior High Rodeo Tournament. Payton is the son of Neil and Jill Weehler.

Payton won the break-away roping competition and received the Rookie of the Year award. His success reflects his hard work and dedication to his craft. He will compete at the National Junior High Rodeo Tournament in Des Moines, Iowa, later in the summer.

Mr. Speaker, it is with great pride that I represent Iowans like Payton in the U.S. House of Representatives. I invite my colleagues to join me in congratulating Payton on a job well done, and wishing him nothing but continued success at the National Junior High Rodeo Tournament and in his future career.

HONORING BETTY RHODES

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 27, 2015

Mr. THOMPSON of California. Mr. Speaker, I rise today to thank Betty Rhodes, who is leaving after 15 years of dedicated service to the Napa County Commission on Aging.

Ms. Betty Rhodes served in several vital capacities on the Napa County Commission on Aging, most important as Chair for two terms beginning in 2001. Throughout the years, she has been a consistent and committed benefactor to the community through her patronage and support of innumerable causes in Napa County. Her commitments include writing the ''Senior Corner'' in the St. Helena Star, serving on the Board of Directors of Napa, becoming a member of the Senior Advisory Committee for the City of Napa, and becoming co-host of Seniors Rule!, a new local television series. Ms. Rhodes fully embraced her numerous leadership positions and has been an important advocate for the elderly community.

One of her major contributions to the local community is the award winning protective measure known as the Caregiver Permit Ordinance. This measure mandates fingerprinting and criminal background checks for every individual and business providing in-home care for the elderly and disabled in the Napa Valley. Ms. Rhodes was also named ''Outstanding Booster of the Year'' by the Napa Chamber of Commerce in 2009, signifying the lasting positive impacts that she has had on the community.

Ms. Rhodes' success in working with the elder community stems from her ability to truly understand their needs as well as their value in the community. Through her dedication and determination, she has proven to be an influential leading advocate for older adults.

Mr. Speaker, Ms. Rhodes has a long and distinguished career of service to others, most notably to the senior community in Napa County. It is therefore appropriate that we acknowledge Ms. Rhodes today and wish her well as she departs the Napa County Commission on Aging.

IN RECOGNITION OF THE 25TH ANNIVERSARY OF THE SIGNING OF THE AMERICANS WITH DISABILITIES ACT

HON. MATT CARTWRIGHT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 27, 2015

Mr. CARTWRIGHT. Mr. Speaker, I rise to celebrate the 25th anniversary of the signing of the Americans with Disabilities Act. On July 26, 1990, President George H.W. Bush signed into law and codified the prohibition of discrimination against people with disabilities in all areas of public life, including jobs, schools, transportation, and public and private places that are open to the general public.

An individual with a disability is a person who has a physical or mental impairment that

substantially limits one or more major life activities, has a record of such impairment, or is regarded as having such impairment. Approximately 112,158 individuals of the population living within the 17th Congressional District have a disability. I am proud to represent them and to speak out today on a law that transformed our country.

As a nation, America took another step on the pathway toward true equality during the late 1980s when the concept of federal legislation with the single, worthy goal of expanding civil rights protections to millions of Americans with disabilities gained bipartisan support.

I applauded those advocates, such as former Senator Tom Harkin of Iowa, who first introduced the legislation on May 8, 1988. Those great people brought to life a vision of inclusion, access, and dignity. It is my hope we can today follow in their likeness and continue to protect the rights of all people.

TRIBUTE TO HANK BOHLING

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 27, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Hank Bohling of Greenfield, Iowa, for receiving a state 4–H citizenship project award. Hank is the son of Lynn and Elaine Bohling of Greenfield, Iowa.

A state 4–H project award is the highest achievement one can receive in the 4–H project work category. Project awards are given to youth who demonstrate leadership, communication, and volunteerism in certain project areas. A total of 152 youth from 55 counties competed for these project awards on the state level. Achieving this honor is a true testament to Hank's commitment to serving others, and I commend him for his hard work.

Mr. Speaker, it is a great honor to represent future leaders like Hank Bohling in the United States Congress, and it is with great pride that I applaud his award today. I know that all of my colleagues in the United States House of Representatives will join me in congratulating Hank on his achievement. I wish him and his family nothing but continued success.

HONORING THE CITI OPEN TENNIS TOURNAMENT AND TENNIS WEEK IN THE DISTRICT OF COLUMBIA

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 27, 2015

Ms. NORTON. Mr. Speaker, I rise today to ask the House of Representatives to honor the Citi Open Tennis Tournament, taking place August 1–9, 2015, in Rock Creek Park, and to recognize these dates as ''Tennis Week'' in the District of Columbia. All are invited to attend the 47th installment of this Washington tennis tradition, a cultural, economic, and community staple in the region.

The Washington tennis tournament, now known as the Citi Open Tennis Tournament, was founded in 1969 by tennis legend and Hall of Famer Donald Dell, along with business partner John Harris, and with the support of Arthur Ashe. Ashe declared he would participate in the inaugural tournament under two conditions: the tournament would take place in a naturally integrated neighborhood, and it would be played on public land where all people could come together, enjoy the sport, and share the experience. Today, the tournament remains in its original location on 16th & Kennedy Streets NW, in Rock Creek Park.

In 1972, Donald Dell gave the tournament charter to the Washington Tennis & Education Foundation (then called the Washington Area Tennis Patrons Foundation), a nonprofit organization supporting local education causes for children.

The Citi Open Tennis Tournament draws the best players in the world, making D.C. a global tennis destination. The tournament is also seen on television in 182 countries. A 2014 economic impact study found that the estimated total gross impact of the Citi Open on the regional economy is more than $26 million. The tournament is the only Association of Tennis Professionals 500 level event in the United States, and it is one of only four professional tennis tournaments combining men's and women's events.

Mr. Speaker, I ask the House of Representatives to join me in recognizing ''Tennis Week in the District of Columbia'' for the Citi Open Tennis Tournament, celebrated August 1–9, as well as the Washington Tennis & Education Foundation for their outstanding efforts to run a world-class sporting event and contributions to D.C. youth.

IN HONOR OF FELIX PELLETIER

HON. JAMES R. LANGEVIN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, July 27, 2015

Mr. LANGEVIN. Mr. Speaker, I would like to express my sincere appreciation to Rhode Island resident Felix Pelletier, not only for his courageous service in the Army during World War II, but also his continuous service to the men and women of the armed services long after he honorably completed his tour of duty.

For years now, Mr. Pelletier has dedicated hours each day to making life more comfortable for our service members. Using his trusted Singer sewing machine, he has created neck coolers to help provide relief for the Soldiers, Airmen, Sailors, and Marines from the heat endured while defending our freedom. At age 90, Mr. Pelletier has sewn over 50,000 of these devices and continues to craft them one stitch at a time.

I commend Mr. Pelletier for his devotion to serving our country for over 70 years, from the shores of Normandy to our home state of Rhode Island. We are proud to have him as one of our own, and I thank him for his selfless commitment to helping our service members to this day.

TRIBUTE TO HOUSTON STEPHENS

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 27, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Mr. Houston Stephens for qualifying for nationals at the Memorial Day State Junior High Rodeo Tournament. Houston is the son of Jamie and Brad Stephens of Glenwood, Iowa.

Houston received the reserve champion award in the break-away roping competition and placed second in the team roping competition. His success reflects his dedication to the event, as well as his work ethic and competitive spirit. He will compete at the National Junior High Rodeo Tournament in Des Moines, Iowa, later this summer.

Mr. Speaker, it is with great pride that I represent Iowans like Houston in the U.S. House of Representatives. I invite my colleagues to join me in congratulating him on a job well done, and wishing him nothing but the best at the National Junior High Rodeo Tournament and in his future rodeo career.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, July 27, 2015

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was $10,626,877,048,913.08.

Today, it is $18,151,903,780,340.35. We've added $7,525,026,731,427.27 to our debt in 6 years. This is over $7.5 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

COACH ROBERT HALE

HON. ROGER WILLIAMS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 27, 2015

Mr. WILLIAMS. Mr. Speaker, I rise today to honor Coach Robert Hale, a Texas coaching legend in his own right, for his exemplary achievements and positive impact on his students, players, community and the great state of Texas.

In 1968 Coach Hale began his coaching career at Leonard Middle School in Fort Worth, Texas. He went on to become the head coach at 9 different Texas high schools including; Seymore, Dalhart, Lewisville, Burleson, Everman, Pampa, Weatherford, Azle and Crowley. As a coach, he lead his teams to historic victories, including winning the Class 4A state title at Pampa High School in 1996 and defeating defending state champ Fort Worth Dunbar in 2004. In all, Coach Hale amassed a UIL career record of 753–377 and an overall record of 806–387.

Coach Hale has been influential both on and off the basketball court. He taught his students and players life lessons that they could carry with them into adulthood. He took the time to truly influence those around him, and his admirable service has left a lasting mark on his community. I speak on behalf of his son, Colby, when I say he is looked up to by his family and those closest to him.

Today I am proud to say Coach Hale's work has earned him the well-deserved honor of being inducted into the Texas High School Coaches Association's Hall of Honor.

I couldn't be prouder of Coach Hale, and it is my pleasure to recognize his efforts and achievements before the House of Representatives.

TRIBUTE TO THE SIDNEY IOWA CHAMPIONSHIP RODEO

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 27, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate a great Iowa institution, the Sidney Championship Rodeo. On August 8th, the Sidney Rodeo will be inducted into the 2015 Pro Rodeo Hall of Fame. The Sidney Rodeo is among the oldest and most prestigious events in the United States. This year, they are celebrating their 92nd year in operation.

The Sidney Championship Rodeo began in 1923 when Earl and Henry Tackett decided to entertain guests of the Old Soldiers Reunion. Members of the Sidney American Legion Post 128 quickly assumed sponsorship and made it an annual event. After 92 years in operation, the Sidney Rodeo arena is one of the best in the country with loyal visitors who travel from near and far for the event. The City of Sidney has 1,150 residents, but during the Rodeo the population swells to 38,000.

For the past 92 years the Sidney Championship Rodeo has accomplished a great deal and is a true testament of hard work and dedication. I commend the Sidney Championship Rodeo for a job well done. I know that my colleagues in the U.S. House of Representatives join me in honoring the Sidney Rodeo for this great achievement. I wish them nothing but continued success moving forward.

INTRODUCTION OF THE ''BUSINESS SUPPLY CHAIN TRANSPARENCY ON TRAFFICKING AND SLAVERY ACT OF 2015''

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 27, 2015

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I am pleased to introduce bipartisan legislation along with my fellow co-chair on the Human Trafficking Caucus, Rep. CHRIS SMITH.

Very few Americans are aware that many of the goods they use everyday are tainted by human trafficking or the worst forms of child labor. According to the U.S. Department of Labor's 2014 List of Goods Produced by Child Labor or Forced Labor, 136 goods from 74 countries were made by forced and child labor. This bill will require businesses to disclose policies and practices they employ to eliminate human trafficking from operations and product development.

The Business Supply Chain Transparency on Trafficking and Slavery Act doesn't tell businesses what to do, but rather informs consumers what they are doing to eliminate human slavery from their supply chains.

This legislation would help inform consumers where and how their goods are made. While there are good actors, there are businesses operating in parts of the world that rely on enslaved humans to produce their products. We believe American consumers have a right to know who these companies are.

This legislation creates a market-based solution rather than relying on prescriptive action by the federal government. Large global companies already reporting to the Securities and Exchange Commission (SEC) simply need to include what they are doing to rid their supply chains of human slavery and post this information on their company websites. Consumers will be empowered to make their purchasing decisions based on the information provided. Very simply, this bill creates an incentive to improve practices to end slavery.

Human trafficking is 21st century slavery. The International Labor Organization estimates that nearly 21 million people are working in some form of forced labor worldwide. We must use every tool available to help these men, women, and children around the world who are enslaved.

TRIBUTE TO SUE BECK

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 27, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Sue Beck of Kellerton, Iowa for receiving a 2015 Governor's Volunteer Award. Starting in 1983, the Governor's office began awarding state employees who displayed a commitment to volunteerism by helping with various projects or programs within their communities. Since its implementation the award has expanded to any member of the public that displays the necessary attributes for receiving this award.

Sue is a prime example of the dedication and commitment to service that Iowans are known for. She selflessly gives her time to programs like the South Central Iowa Community Foundation, which aims to improve the quality of life all across the south central region of Iowa through the implementation of charitable funds. Each year, they donate more than $1 million to various organizations in the region.

Mr. Speaker, it is with great pride that I stand here today and recognize Sue for her many years of service and dedication to others in her community. Her volunteerism embodies the Iowa spirit and I am honored to represent her, and Iowans like her, in the United States Congress. I know that all of my colleagues in the United States House of Representatives will join me in congratulating Sue for her achievements and wish her nothing but continued success.

RECOGNIZING THE SERVICE OF COLONEL D. SCOTT BRENTON

HON. JOHN KATKO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 27, 2015

Mr. KATKO. Mr. Speaker, I rise today to honor the career of Colonel D. Scott Brenton. Col. Brenton has 27 years of dedicated service with the United States Air Force and the New York Air National Guard. Col. Brenton has been decorated with numerous medals, awards, and service distinctions. It is my honor to recognize such a distinguished citizen and airman.

Col. Brenton began his military career in the Air Force in 1988 at Columbus Air Force Base, Mississippi and finished his training in 1990 at MacDill Air Force Base in Florida. Following his training, Col. Brenton served for one year as an F–16C Pilot and as an Assistant Weapons Officer in the Republic of South Korea. In 1991, Col. Brenton was deployed to Germany where he served as an F–16C Instructor Pilot and Evaluator Pilot until 1995.

In 1995, Col. Brenton was trained in a USAF Fighter Weapons Instructor Course at Nellis Air Force Base, Nevada. For the next three years Col. Brenton was an F–16CJ Instructor, Evaluator, Weapons Officer, and Flight Commander at Shaw Air Force Base, South Carolina. He then returned to Nellis Air Force Base, working as an F–16CG, CJ, CM instructor, and Flight Commander at the USAF Fighter Weapons School from 1998 to 2000. From 2000 to 2001, Col. Brenton served as the Chief Wing Airspace Range Scheduler within the Department of Energy Liaison of the 57th Wing at Nellis Air Force Base. Col. Brenton then became an Assistant Operations Officer, Evaluator, and Program Manager at the USAF Fighter Weapons School for one year at Nellis Air Force Base.

In 2002, Col. Brenton transitioned to Hancock Field Air National Guard Base in Syracuse, New York, where he has since served. From 2002–2005, he served as the Chief of Weapons and Tactics for the 138th Fighter Squadron and then served as their Director of Operations until 2008. Col. Brenton then became the 174th Operations Support Flight Commander for three years. Concluding his 27 years of service, from 2011 to present day, Col. Brenton has served as the 174th Operations Group Commander at Hancock Field.

Throughout his military career, Col. Brenton has logged a total of over 4,800 flying hours, including over 350 combat missions in various contingencies to include Operations Northern and Southern Watch in Iraq, Operations Deny Flight and Deliberate Force in Bosnia, Operation Noble Eagle, Operation Iraqi Freedom and Operation Enduring Freedom in Afghanistan.

During his career, Col. Brenton has displayed honorable character and service to the

United States Air Force, the New York Air National Guard, and our country. His military decorations and unit awards include: the Meritorious Service Medal with one device; Air Medal with six devices; Aerial Achievement Medal with five devices; Air Force Commendation Medal; Air Force Achievement Medal; Joint Meritorious Unit Award; Meritorious Unit Award with one device; and the Air Force Outstanding Unit Award with four devices.

Col. Brenton's effective dates of promotion are: Second Lieutenant, October 1987; First Lieutenant, October 1989; Captain, October 1991; Major, August 1998; Lieutenant Colonel, September 2003; Colonel, July 2012.

In his civilian capacity, Col. Brenton graduated from the University of Notre Dame with a Bachelor of Science degree in Mechanical Engineering and was commissioned through the ROTC program in 1987. He then went on to receive a Master of Science degree in Aerospace Science and Aeronautics from Embry-Riddle University. During his service to our nation, Col. Brenton graduated from the NATO Tactical Leadership Programme in Belgium, Squadron Officer School, Air Command and Staff College, Air War College, and the Joint Task Force Commander Training Course within USNORTHCOM at Peterson Air Force Base, Colorado.

Without question Mr. Speaker, Col. Brenton is a very special person. He willingly served his nation, exuding loyalty and pride. For his unrelenting service, Col. Brenton can retire knowing he has earned such a status. I would like to wish him well in his retirement years; Col. Brenton, thank you for all of your years of hard work, dedication, and service to our country.

IN HONOR OF TIMOTHY ANDREWS ON WINNING THE GOLD MEDAL AT THE 2015 JUNIOR U.S. OPEN INTERNATIONAL JUDO CHAMPIONSHIP IN FORT LAUDERDALE, FLORIDA

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 27, 2015

Mr. HASTINGS. Mr. Speaker, I rise today to congratulate Mr. Timothy Andrews for winning the Gold Medal for his weight division at the 2015 Junior U.S. Open International Judo Championship in Fort Lauderdale, Florida. This remarkable young man has risen from an immensely challenging childhood to become an icon for his community and peers. Timothy has been featured in the Westside Gazette and South Florida Sun Sentinel for his athletic wins and inspirational triumphs over adversity. As a mark of good character, he has shown only gratitude and humbleness to those who have helped him in his life.

I would be remiss not to mention the Broward County-based organization Helping Abused, Neglected, Disadvantaged Youth (HANDY, Inc.) for the role that it has played in Timothy's ascent into adolescence and adulthood. HANDY, Inc. has worked with Timothy since the age of 12 to help him prioritize his life and realize his dreams to one day represent the United States in the Olympic Games. Timothy has also shown tremendous appreciation to his Sensei, Mr. Ghalib Carmichael of the Onikusu Judo Club in Fort Lauderdale.

Mr. Speaker, please join me in honoring Mr. Timothy Andrews for all that he has accomplished. His story is one of inspiration and demonstrates that all children have incredible potential to do great things and give back to their communities. I bid him good luck as he trains and remains steadfast in reaching his dreams.

INTRODUCTION OF THE VETERANS EMERGENCY TREATMENT ACT

HON. DAN NEWHOUSE

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, July 27, 2015

Mr. NEWHOUSE. Mr. Speaker, I rise today to introduce my legislation, the Veterans Emergency Treatment Act. This important and necessary legislation would ensure that every enrolled veteran is afforded the highest level of emergency care at every emergency-capable medical facility under the jurisdiction of the Department of Veterans' Affairs (VA). It would accomplish this by applying the statutory requirements of the Emergency Treatment and Labor Act (EMTALA) to emergency care furnished by the VA to enrolled veterans.

EMTALA, designed to prevent hospitals from transferring, or ''dumping,'' uninsured patients at public hospitals requires 1) a hospital to conduct a medical examination to determine if an emergency medical condition exists; 2) if such condition exists, the hospital must either stabilize the patient or comply with the statutory requirements of a proper transfer; and 3) if an emergency medical condition exists and has not been stabilized, the hospital may not transfer the patient unless the patient, after being made aware of the risks, makes a transfer request in writing or a physician certifies that the medical benefits of a transfer outweigh the risks.

EMTALA grants every individual a right to emergency care. While a 2007 Veterans Health Administration (VHA) directive indicates that the VA complies with the intent of the EMTALA requirements, VA hospitals are ''nonparticipating'' hospitals and are therefore not obligated to fulfill EMTALA requirements. It has become abundantly clear that the VA is not fulfilling the EMTALA directive. All too frequently, the policy is to turn down those who try to access an emergency room. It happened to my constituent, 64-year-old Army veteran Donald Siefken, when the Seattle VA refused to assist him from his car into the emergency room. Last year in New Mexico, a veteran died when the VA refused to transport him the 500 yards to the emergency room. This is not a new issue. These incidents have been documented as far back as 2006, yet the VA has yet to change their policy, and Congress must act.

Put simply, my commonsense and straightforward legislation would ensure that every enrolled veteran who arrives at the emergency department of a VA medical facility and indicates an emergency condition exists, is assessed and treated in an effort to prevent further injury or death.

I urge all members to join me in supporting this legislation. This is common sense legislation to ensure our veterans are treated fairly.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, July 28, 2015 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JULY 29

9 a.m.

Committee on Health, Education, Labor, and Pensions

To hold hearings to examine reauthorizing the Higher Education Act, focusing on combating campus sexual assault.

SH–216

9:30 a.m.

Committee on Foreign Relations

Business meeting to consider S. 284, to impose sanctions with respect to foreign persons responsible for gross violations of internationally recognized human rights, S. 1632, to require a regional strategy to address the threat posed by Boko Haram, and the nominations of Michele Thoren Bond, to be an Assistant Secretary of State (Consular Affairs), and Sarah Elizabeth Mendelson, to be Representative of the United States of America on the Economic and Social Council of the United Nations, with the rank of Ambassador, and to be an Alternate Representative of the United States of America to the Sessions of the General Assembly of the United Nations, both of the District of Columbia, Sheila Gwaltney, of California, to be Ambassador to the Kyrgyz Republic, Perry L. Holloway, of South Carolina, to be Ambassador to the Co-operative Republic of Guyana, Laura Farnsworth Dogu, of Texas, to be Ambassador to the Republic of Nicaragua, and Peter F. Mulrean, of Massachusetts, to be Ambassador to the Republic of Haiti, all of the Department of State.

SD–419

Committee on Small Business and Entrepreneurship
Business meeting to consider S. 1400, to amend the Small Business Act to direct the task force of the Office of Veterans Business Development to provide access to and manage the distribution of excess or surplus property to veteran-owned small businesses, S. 1756, to help small businesses take advantage of energy efficiency, S. 1857, to amend the Small Business Act to provide for expanded participation in the microloan program, S. 1866, to establish the veterans' business outreach center program, to improve the programs for veterans of the Small Business Administration, an original bill entitled, ''A Sense of the Committee on the Small Business Tax Compliance Relief Act of 2015'', and an original bill entitled, ''Veterans Entrepreneurial Transition Act of 2015''.
SR–428A

9:45 a.m.
Committee on Armed Services
To hold hearings to examine the impacts of the Joint Comprehensive Plan of Action (JCPOA) on United States interests and the military balance in the Middle East.
SD–G50

10 a.m.
Committee on Banking, Housing, and Urban Affairs
Subcommittee on Financial Institutions and Consumer Protection
To hold hearings to examine the role of bankruptcy reform in addressing too-big-to-fail.
SD–538

Committee on Foreign Relations
To hold hearings to examine the Joint Comprehensive Plan of Action.
SD–419

Committee on Homeland Security and Governmental Affairs
Business meeting to consider an original bill entitled, ''Department of Homeland Security Border Security Metrics Act of 2015'', an original bill entitled, ''Critical Infrastructure Protection Act of 2015'', an original bill entitled, ''EINSTEIN Act of 2015'', S. 1073, to amend the Improper Payments Elimination and Recovery Improvement Act of 2012, including making changes to the Do Not Pay initiative, for improved detection, prevention, and recovery of improper payments to deceased individuals, an original bill entitled, ''Quarterly Financial Reporting Reauthorization Act of 2015'', S. 1607, to affirm the authority of the President to require independent regulatory agencies to comply with regulatory analysis requirements applicable to executive agencies, S. 1526, to amend title 10 and title 41, United States Code, to improve the manner in which Federal contracts for construction and design services are awarded, to prohibit the use of reverse auctions for design and construction services procurements, to amend title 31 and 41, United States Code, to improve the payment protections available to construction contractors, subcontractors, and suppliers for work performed, S. 1820, to require agencies to publish an advance notice of proposed rule making for major rules, S. 1817, to improve the effectiveness of major rules in accomplishing their regulatory objectives by promoting retrospective review, S. 1808, to require the Secretary of Homeland Security to conduct a Northern Border threat analysis, S. 779, to provide for Federal agencies to develop public access policies relating to research conducted by employees of that agency or from funds administered by that agency, S. Res. 104, to express the sense of the Senate regarding the success of Operation Streamline and the importance of prosecuting first time illegal border crossers, S. 708, to establish an independent advisory committee to review certain regulations, S. 1170, to amend title 39, United States Code, to extend the authority of the United States Postal Service to issue a semipostal to raise funds for breast cancer research, H.R. 1531, to amend title 5, United States Code, to provide a pathway for temporary seasonal employees in Federal land management agencies to compete for vacant permanent positions under internal merit promotion procedures, an original bill to designate the facility of the United States Postal Service located at 99 West 2nd Street in Fond du Lac, Wisconsin, as the ''Lieutenant Colonel James 'Maggie' Megellas Post Office'', S. 1596, to designate the facility of the United States Postal Service located at 2082 Stringtown Road in Grove City, Ohio, as the ''Specialist Joseph W. Riley Post Office Building'', and the nomination of Denise Turner Roth, of North Carolina, to be Administrator of General Services.
SD–342

10:30 a.m.
Committee on Commerce, Science, and Transportation
To hold hearings to examine wireless broadband and the future of spectrum policy.
SR–253

2 p.m.
Committee on Foreign Relations
Subcommittee on Europe and Regional Security Cooperation
To hold hearings to examine the financial crisis in Greece, focusing on implications and lessons learned.
SD–419

Committee on the Judiciary
Subcommittee on Oversight, Agency Action, Federal Rights and Federal Courts
To hold hearings to examine IRS targeting, focusing on progress of agency reforms and congressional options.
SD–106

2:15 p.m.
Committee on Indian Affairs
Business meeting to consider S. 383, to provide for Indian trust asset management reform, and S. 732, to amend the Act of June 18, 1934, to reaffirm the authority of the Secretary of the Interior to take land into trust for Indian tribes, to be immediately followed by an oversight hearing to examine the true costs of alcohol and drug abuse in Native communities.
SD–628

2:30 p.m.
Committee on Armed Services
Subcommittee on Readiness and Management Support
To hold hearings to examine best practices at public and private shipyards.
SR–232A

Committee on Veterans' Affairs
To hold hearings to examine ending veteran homelessness.
SR–418

JULY 30

9:30 a.m.
Committee on Armed Services
To hold hearings to examine the nomination of Admiral John M. Richardson, USN, to be Chief of Naval Operations.
SD–G50

Committee on Homeland Security and Governmental Affairs
Permanent Subcommittee on Investigations
To hold hearings to examine the impact of the United States tax code on the market for corporate control and jobs.
SD–342

10 a.m.
Committee on Foreign Relations
To hold hearings to examine sanctions and the Joint Comprehensive Plan of Action.
SD–419

Committee on the Judiciary
Business meeting to consider S. 1814, to withhold certain Federal funding from sanctuary cities, and S. 32, to provide the Department of Justice with additional tools to target extraterritorial drug trafficking activity.
SD–226

10:30 a.m.
Committee on Appropriations
Subcommittee on Military Construction and Veterans Affairs, and Related Agencies
To hold hearings to examine whistleblower claims at the Department of Veterans Affairs.
SD–124

2 p.m.
Committee on Foreign Relations
To hold hearings to examine the nominations of Lucy Tamlyn, of New York, to be Ambassador to the Republic of Benin, Jeffrey J. Hawkins, Jr., of California, to be Ambassador to the Central African Republic, David R. Gilmour, of Texas, to be Ambassador to the Togolese Republic, and Daniel H. Rubinstein, of Virginia, to be Ambassador to the Republic of Tunisia, all of the Department of State.
SD–419

2:30 p.m.
Select Committee on Intelligence
To receive a closed briefing on certain intelligence matters.
SH–219

AUGUST 4

10 a.m.
Committee on Energy and Natural Resources
To hold hearings to examine the back-end of the nuclear fuel cycle and related legislation, including S. 854, to establish a new organization to manage nuclear waste, provide a consensual process for siting nuclear waste facilities, ensure adequate funding for managing nuclear waste.
SD–366

3 p.m.
Select Committee on Intelligence
To hold closed hearings to examine certain intelligence matters.
SH–219

AUGUST 6

2:30 p.m.
Select Committee on Intelligence
To receive a closed briefing on certain intelligence matters.
SH–219

POSTPONEMENTS

JULY 29

10 a.m.
Committee on Foreign Relations
To hold hearings to examine the North Korea threat and United States policy.
SD–419

SENATE—*Tuesday, July 28, 2015*

The Senate met at 11 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Most gracious God, we rejoice in the visible manifestation of Your love. You save us from ourselves, opening to us paths of deliverance from narcissistic detours. When we go astray, You see and save us. You came to our world to free us from sin's shackles, providing us with the rights to life, liberty, and the pursuit of happiness. Great and marvelous is Your love.

Lord, permit our Senators this day to reflect Your love. Use them to bring Your light and truth to our Nation and world. May they do justly, love mercy, and walk humbly with You. Inspire them to dwell so fully in the mystery of Your heavenly love that they will love others as You have first loved them.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mrs. FISCHER). The majority leader is recognized.

ORDER FOR RECESS

Mr. MCCONNELL. Madam President, I ask unanimous consent that the Senate recess from 12:30 p.m. until 2:15 p.m. today to allow for the weekly conference meetings; further, that the time during the recess count postcloture on the McConnell amendment No. 2266, as modified.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

THE HIGHWAY BILL

Mr. MCCONNELL. Madam President, the Senate continues to move closer and closer to passage of a bipartisan, multiyear highway bill. The legislation we advanced again last night is fiscally responsible. It will not raise taxes by a penny. It will give State and local governments the kind of stability they need to plan longer term projects for America's roads and bridges.

The bill couldn't have advanced as far as it has already without a lot of very hard work from a lot of dedicated Members. I want to thank each of them. Doing the right thing for the American people has meant taking some bruises. But the American people sent us here to do some challenging things. They deserve our best efforts on their behalf. I am proud to see the Senate continue along this difficult but promising road.

Success was never assured at the beginning of this process. It wasn't assured even yesterday, and we are not done yet. The important thing is that the Senate is now on the verge of passing a multiyear highway bill. The Senate is now positioned to pass another important piece of legislation for the American people. With cooperation, the Senate may still be able to consider more germane ideas to improve the bill even further. But the bottom line is this: If Republicans and Democrats resolve to keep working hard for the American people, we will get this done.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

BLACK WOMEN'S EQUAL PAY DAY

Mr. REID. Madam President, in the western part of the United States, it is now 8:05 in the morning. I am sure as one of these young girls is rushing to go out to school—let's assume she is an African-American girl—she is telling her mother, her dad or her teacher what she wants to be when she grows up. Maybe she wants to be a veterinarian, a teacher, a nurse, maybe even President of the United States or maybe run some company.

The little girl is going to be shocked if her parents said: You can do it—any of those jobs—but remember that you will have to work twice as hard—at least twice as hard—to earn the same amount of money that your male colleagues do or your brother does or Billy, the neighbor, does. How would that little girl respond? She would probably exclaim: That is not fair. She would be right. It isn't fair. It is an injustice.

Earlier this spring—April 14 to be exact—we recognized Equal Pay Day, marking how far into this year the average woman has to work to earn what a man, for the exact same job, earned last year. This pay disparity between men and women doing the same work is known as the wage gap. On average, an American woman makes 77 cents for every dollar that their male colleague makes for doing the exact same work. As bad as that is, the wage gap is even much worse if you are a woman of color.

Today is Black Women's Equal Pay Day, a day that symbolizes how far into 2015 African-American women must work to earn what their male counterparts earned in 2014. What this means is she worked all of last year and now up until this day to basically earn the same that her male counterpart did.

Let's think about that for just a second. A woman must work a full year plus an additional 6 months and 28 days just to make what her male coworkers made in 1 year. That is 208 days more than a man must work for the exact same salary.

The average African-American woman working full time year-round will make 64 cents for every dollar that her White male counterpart makes. It is unconscionable that in the 21st century we have not resolved this income disparity.

For millions of African-American women struggling to make ends meet to put food on the table, the wage gap puts the American dream out of reach. To give these women a fair shot—an equal shot—at prosperity, Congress must take action.

We have to ensure that all women, African American and otherwise, are empowered to ensure that they are receiving equal pay for equal work. But that is not all. We should raise the minimum wage.

I could do a quiz in this room, and I think everyone would miss it by quite a long mark, of how many Black women are earning minimum wage, what percentage of Black women are earning minimum wage in this country. Of 100 percent of people earning the minimum wage, what percentage is Black women? Almost 25 percent. Black women are almost 25 percent of everyone drawing the minimum wage. To be exact, it is a little over 23 percent.

An increase in the Federal minimum wage would mean more money for their families. It would be maybe to buy groceries or for an extra pair of shoes for their children—or a pair of shoes for their children—or maybe to help with

their education in some way, and importantly, for more time to spend at home.

No woman should make less money than a man doing the same exact work. African-American women deserve better. So do my daughters and my granddaughters. That is why I remain committed to ensuring that American women receive equal pay for equal work.

I encourage all Republicans, especially the leader, to take up Senator MURRAY's Paycheck Fairness Act, which would help close the wage disparity for African-American women.

That may be a tall order to expect from today's Senate Republicans. After all, five times in 5 years, Republicans have blocked equal pay for women. How? By filibustering. Five times in 5 years Republicans have told their very own sisters, daughters, and wives that they are not interested in fixing this income disparity. It is unfair. I can't understand it.

Who here can explain the concept of pay inequality to their daughter or granddaughter without shuddering? How do you tell a little girl—a little girl with big dreams—that in America today her life's work will not be compensated like a man's. It is not right. It is not fair.

Today, as we recognize Black Women's Equal Pay Day, I hope my Republican colleagues will finally understand that it is unfair to continue the way we are, and we should finally come to our senses. I hope that the Republican leader will make the necessary moves to allow us to address this injustice that hurts millions of American families. Twenty-three percent of people drawing the minimum wage are African-American women. All women deserve equal pay for equal work.

Would the Chair be good enough to tell the Senate what the business of the day is.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

HIRE MORE HEROES ACT OF 2015

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 22, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 22) to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

Pending:

McConnell modified amendment No. 2266, in the nature of a substitute.

McConnell amendment No. 2421 (to amendment No. 2266), of a perfecting nature.

McConnell (for Inhofe) amendment No. 2533 (to amendment No. 2421), relating to Federal-aid highways and highway safety construction programs.

McConnell amendment No. 2417 (to the language proposed to be stricken by amendment No. 2266), to change the enactment date.

McConnell amendment No. 2418 (to amendment No. 2417), of a perfecting nature.

The PRESIDING OFFICER. The assistant Democratic leader.

Mr. DURBIN. Madam President, the business before the Senate is the construction of highways and bridges and the operation of mass transit and buses across America. How important is that to our economy? I know in my home State it is critically important, but I think it is important across the Nation.

Our infrastructure, our roads, and bridges are critical for business to operate profitably and for people to have good-paying jobs. We all know the tragedies that occur when bridges collapse or are closed, and we know that thousands across this country need repair.

When it comes to mass transit, come on down to the Loop in Chicago in the morning and stand with me and watch the folks streaming out of the train stations and off the CTA and off the buses, headed to work every day. It is essential to the economy of Chicago and Illinois, the State I represent.

The fact is that on Friday the authorization to build these highways and bridges and maintain mass transit and buses expires. It is the 33rd short-term extension of the highway trust fund—the 33rd. There was a time when we would pass with regularity and predictability a 5- or 6-year highway bill on a bipartisan basis, and we are anxious to do it.

There was a time when Members of the House and Senate knew the needs back home and knew that the Federal Government played a critical role in filling those needs, and so they voted for the highway trust fund reauthorization.

In my State of Illinois, 80 percent of the highway construction is paid for by the Federal Government. When the Federal Government stops paying, folks stop working. You have seen it; haven't you—the potholes, the highways that aren't finished? You wonder why in the heck did they put all those blockades up and slow down the traffic and nobody is working.

The problem has to do with the way we are currently funding our highway program. We are doing it in bits and pieces. My colleague and friend from California, Senator BOXER, draws a pretty interesting analogy. She said that if you were setting out to buy a home and went to the bank, and the bank said that, of course, we will offer you a mortgage, and here is a 60-day mortgage to buy your home, you would say: Wait a minute; I am not going to make an investment such as buying a home if I can only get a loan for 60 days. That is what has happened to the highway trust fund. The expiration of this temporary authorization on Friday is the end of a 60-day mortgage which we have offered to America to build highways.

Well, several Members of the Senate decided to do something unique—not totally unique but unusual, let's say—to try to find a bipartisan compromise that can move this country forward, try to break through some of the rhetoric and debate on the highway trust fund and find something that works.

I wish to especially salute Senator BARBARA BOXER of California for leading this effort on the Democratic side and joining with Senator MITCH MCCONNELL, the Republican majority leader, and Senator INHOFE from Oklahoma, who is the chairman of the Environment and Public Works Committee.

This is indeed an odd couple, BARBARA BOXER and MITCH MCCONNELL, but they have come up with a plan—a compromise—to solve a problem.

When I go home to Illinois, what I hear over and over from the people I represent is, Senator, when are you folks in Washington going to stop squabbling? When are you going to stop fighting? Can you basically sit down and reach an agreement to solve a problem we face? That is what Senator BOXER and Senator MCCONNELL have done, and I have joined in the effort. Here is what they are proposing: Instead of a 60-day extension of the trust fund, it would be a 3-year extension. Six years of authorization but 3 years where the money is on the table. I wish it was longer, but at this point I will jump at that. It has been more than 10 years since we have had a highway bill that long. So it is for 3 years. There is a modest growth each year in spending. I wish it was more. It ultimately is going to give the resources back to the States and localities so they can start building the infrastructure America needs to be successful and to compete.

We have worked long and hard on it. It is controversial. It has divided caucuses. There are 46 Democrats in the Senate and 21 of us voted last night to move forward on this bill. So even within our ranks, there is a difference of opinion. I am glad the Senator from California is here to keep me on my toes. She said 22 Democrats last night voted to move forward. I wish all of them were on board, but some of them have their own legitimate concerns for not being there.

The point I am getting to is that when it came to the necessary vote, we needed 60; we had 62. I have to check with Senator BOXER to make sure I am correct. There were 62 votes to move forward and 22 were Democrats. We stepped up and made the difference to help move this process forward.

So here we are. We are close to the finish line. We are not quite there. Because of the procedures of the Senate, we can't do it as quickly as we would like because we have to follow the rules. The rules tell us we are likely to get this wrapped up perhaps tomorrow—I hope as soon as tomorrow—and then we say thank goodness. With a Friday deadline, we will get something done this week before we go home for the August recess. I would say from the Senate point of view, that is exactly right. It means I can say to not only the mayors back home but also to the Governor, the contractors, the workers: OK. Here are the resources to move forward for 3 years. I can also say we have done what we were sent to do, to solve a problem and to do it on a bipartisan basis.

There is a problem. The problem we have is that Senate action alone is not enough. We need the House of Representatives to take the same action. There was an announcement yesterday from a Congressman from California that the House is not going to take up this measure. They want to go home. They want to start their August recess earlier than any other August recess has been started in 10 years. They want to leave. The Republican majority has decided they don't want to take up this bill; they just want to leave, and that is truly unfortunate.

This is our chance to solve a problem for America on a bipartisan basis. This is our chance to invest in our country and put people to work building roads and bridges and expanding mass transit, buying the buses we need to serve our communities. This is our chance. Yet what we hear from the Republican side in the House of Representatives is, Sorry, we are going home. We will see you in September.

Mr. WHITEHOUSE. Madam President, will the Senator yield for a question?

Mr. DURBIN. I will be happy to yield to my colleague from Rhode Island for a question.

Mr. WHITEHOUSE. The Senator from Illinois has just said the House is planning to bug out this week before the Friday deadline when the highway trust fund collapses for the August recess.

May I ask the Senator from Illinois, through the Chair, the following question: Is it even August? Isn't it July 28 today?

Mr. DURBIN. I would like to take judicial notice that according to the Calendar of Business, it is still July; Tuesday, July 28, 2015.

Mr. WHITEHOUSE. In the past, have we not worked into the early week or weeks of August before taking the so-called August recess?

Mr. DURBIN. For the past 10 years, the August recess has started in August. The House of Representatives wishes to start it in July.

Mr. WHITEHOUSE. And Friday is when the funding for our highways comes to an end. It appears to be the intention of the House to have gotten out of Dodge by then in order to, I guess, dodge any consequence for not having met us on bipartisan terms with a bipartisan 6-year bill.

Mr. DURBIN. Apparently, they need a rest and they want to go home for that purpose, but I wish they would stay and finish this business before they go.

Mr. INHOFE. Madam President, will the Senator yield for a question?

Mr. DURBIN. Of course. I yield to the senior Senator from Oklahoma.

Mr. INHOFE. Madam President, I would observe, after just walking in, that we are talking about the actions that have not been taken formally but that several Members of the House have talked about—we are going to bail out of here.

My feeling is this—and I am asking a question through the Chair if the Senator from Illinois would agree with my observation. One of the reasons I think those statements have been made in the House is because they never believed we were going to be able pass a 6-year highway reauthorization bill in the Senate.

Now, once that realization is there—and I am going to make an appeal to whoever is trying to string out this debate to shorten the time so we can have the vote that is pending right now take place and get on with the last and final vote, so we would actually have that ready while the House is still in session. They could very well take it up at that time.

Now, if the individuals have placed themselves in a corner so that is not going to happen, I don't know. But is it worth a try? That is my question.

Mr. DURBIN. Madam President, through the Chair, let me respond to my colleague from Oklahoma, to first thank him for his bipartisan leadership on the committee. He and Senator BOXER are an outstanding example of bipartisanship when it comes to this issue. They have produced a 6-year authorization, and though I may not agree with some of the particulars, I thank him for that leadership on his side on a bipartisan basis.

As far as the efforts of the Senator from Oklahoma to speed up the vote in the Senate so we can catch our House colleagues before they leave, I would support it completely, but the Senator from Oklahoma and I both know that any single Senator can divert and stop that effort. I will support the Senator in bringing this forward as quickly as possible.

Mr. INHOFE. I appreciate that. The only other question I have is the second part that I will ask. There is time to do this. I am going to personally make every effort—and I think Senator BOXER shares my anxiety over getting this bill into a position so we can vote.

All we have to do is move this up so we are not going to be voting at the expiring time of 4 o'clock in the morning, when that could just as easily be tonight, and that would give us time to allow the House to look at it and perhaps come up with a better judgment than they have expressed so far.

Mr. DURBIN. I would just say through the Chair to the Senator from Oklahoma, we have to appeal to the better angels of our colleagues' nature, and a cooperative effort would be somewhat miraculous but worth a try. I am happy to support him in that effort.

Let me just close and yield the floor to whoever would like to speak. This is a chance to do what America expects us to do. Why were we sent here? Why did we get elected? I am proud to represent Illinois, but I was sent to solve problems, make life better, and create an economy that is growing.

There is nothing more bipartisan and more important than the infrastructure of this country. If people wonder about that, go visit China and look at what is going on there. There are building cranes in every direction. Highway and train routes are being built in every direction because they are preparing their Chinese economy for the 21st century. Is America? I don't think so. What we are doing is passing short-term extensions of the highway trust fund. We cannot patch our way to prosperity. We cannot, on a short-term basis, have a long-term plan to build America's economy. Because of the hard work on both sides of the aisle, compromises being made, we are at a point where we can have a 3-year highway bill, and it is time for us to do it, no excuses.

I support what the Senator from Oklahoma said: Let's accelerate this in the Senate, if we can, and then pray that our colleagues in the House decide to hang around long enough to take up this bill, which I believe would be a worthy alternative to another short-term extension.

Mr. INHOFE. Madam President, will the Senator yield for one last question?

Mr. DURBIN. I am happy to yield.

Mr. INHOFE. Would the Senator join me in reaching out to try to see if we can get unanimous consent to go ahead and move forward? I know what we are doing is more significant than other things that are going on. If they don't like the bill for some reason, that is one thing, but bring it forward so this can be done. I am inclined to hope we could encourage any of those who are just killing time right now to join us in doing this.

It is my intention to go ahead and make that request, and I will ask if the Senator from Illinois would join me in that effort.

Mr. DURBIN. Madam President, through the Chair, I would say to my colleague from Oklahoma, let's sit

down and put this UC together. Then, the Senator from Oklahoma can take it, as we do by custom, to his cloakroom and I will take it to mine and let's see if we can get this moving forward. I wish to protect the rights of Members, but I think many of them would like to join us in accelerating this process so there is activity on the floor which is productive. I am happy to work with the Senator from Oklahoma.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Madam President, let me thank the Senator from Illinois and the Senator from Oklahoma for their efforts on the floor today. I think this continued progress toward a bipartisan 6-year deal to make sure our highways and bridges are funded and repaired is a very important piece of the work.

I wish to join the Senator from Illinois in saluting the efforts of my ranking member, Senator BOXER, who has worked so hard through the Environment and Public Works Committee to get to a place where we now have a Senate bipartisan compromise for a 6-year bill, with 3 years fully funded, and the prospect for all of our State departments of transportation to be able to take on big projects, knowing that funding is out there.

We are taking up this conversation while our own American Society of Civil Engineers gives our American roads the grade of a D. I don't know about the Presiding Officer, but if my kids came home with a D, I would not be amused and pleased about that. So when our own engineers tell us our roads are a D and our Federal highway program has limped along, 2 months, 6 months—these tiny, little steps forward—and now we have a chance to put a serious slug of money on the table so our departments of transportation can do the work our roads so desperately need, why not go forward with that? Across this country, Americans pay more than $500 a year in car repairs as a result of our terrible roads—so $500 out of their pockets getting their wheels realigned or their tires repaired because they have been banged by potholes and bad roads hurting their vehicles. There is a real pocketbook consequence for Americans if we fail to act.

We have a bipartisan compromise. We should push it forward. What the House is doing is not helpful. I hope, as the distinguished Senator from Oklahoma, my chairman on the Environment and Public Works Committee said, they come up with a better judgment than they have expressed so far. I think that under these circumstances, bugging out and starting the August recess before this problem is solved—indeed, before it is even August—is a pretty serious misjudgment.

So let's hope we can keep after this. We do have strong support for getting this done. Whether it is the American Association of General Contractors, whether it is the National Association of Manufacturers, whether it is the U.S. Chamber of Commerce, there are a lot of organizations that customarily support the Republican side that want to get this done. I hope they will be having conversations with Speaker BOEHNER and with Majority Leader MCCARTHY to ask them to have better judgment about what to do in this circumstance, other than to bug out for an August recess before it is even August and leave Americans high and dry without a bipartisan 6-year bill that is being fashioned in the Senate right now.

Again, I wish to express my appreciation to my Ranking Member BARBARA BOXER, who has worked so hard to bring us to this point and our chairman, Senator INHOFE.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Madam President, I rise to speak in favor of the DRIVE Act. I was a supporter of this bill from the first vote we had in the last week. There were some changes made immediately that I thought were important. I think this long-term bill is incredibly important to our country's future. Time and again, we have had these short-term extensions, and that is what the House of Representatives is talking about again.

We have an opportunity here. Americans, as we know, can't fix a road in 2 months. In a State such as Minnesota, where we have two seasons, one road construction season and one winter, citizens cannot plan ahead and our State cannot plan ahead when we continue to have these short-term extensions. They also want to do bigger things and better things for transportation in our State, and this funding and this bill will allow them to do that, instead of this Mickey Mouse short-term extension time after time after time.

As we have heard from my colleagues, ranking member Senator BOXER, our chairman, Senator INHOFE, Senator DURBIN, and Senator WHITEHOUSE today, I think it is incredibly important that we move forward with this bill.

This Senator came to this issue in a very tragic way; that is, when a bridge fell down in the middle of a summer day. The anniversary of this bridge collapse is coming up in just a few days. It was a beautiful summer day, rush hour, and there were tons of traffic going over one of the most heavily traveled bridges in our State. This wasn't just a bridge; this was an eight-lane highway. It was something you wouldn't even notice as a bridge because there were so many cars on it. It was the I–35W bridge.

On that day, I was in Washington. I remember trying to call some people in Minnesota. The cell phone services wouldn't work, and I was wondering what was wrong with the cell phone service. What I found about 5 minutes later is that people were calling, panicked about their loved ones because tens of thousands of people were traveling near that bridge that day. In fact, when that bridge collapsed, tragically, 13 people died and dozens of cars were submerged.

Heroes who came to the front that day didn't run away from that bridge. They ran toward it. No one will forget the off-duty firefighter Shanna Hanson, who was going in and out, in and out on a rope tethered to the side of the bridge, trying to get people, trying to find people in the murky water. The fact that 13 people died—tragic as it was—was something of a miracle, given how many people were injured. Over 100 people were injured in the collapse.

A schoolbus sat precariously on the edge of the bridge. A Tasty truckdriver literally veered out so the schoolbus wouldn't go over the edge and ended up tragically dying himself when the truck caught on fire. The schoolbus was labeled the ''miracle bus'' because youth workers on the bus had the presence of mind to take these little kids who were on the bus going out for a summer outing and get them out the back and to safety. That happened. All of that happened on August 1.

As I said that day, a bridge just shouldn't fall down in the middle of America—not an eight-lane highway, not a bridge which is literally 8 blocks from my house and which I drive on every day with my family, with my daughter. That is the bridge that fell down.

So what did we do in Minnesota? In 13 months, we rebuilt that bridge. On a bipartisan basis, just like you see with this bill with the DRIVE Act, we worked together across the aisle. We got the Federal funding, and we rebuilt that bridge, but that is not where the story ends.

Because of what happened, because of the design defect that caused that bridge to fall, in addition to two other issues NHTSA found, which are that there weren't adequate inspections and they also found there were problems with construction guides because there was construction work going on—but the bottom cause was a design defect.

If we had adequate highway funding, adequate inspections, and we were able to go back in and look at bridges, as we did after the fact in Minnesota, and found that others had the same defect and that they had to be replaced—our State put more money into infrastructure, which helped us—I should add for my colleagues in this Chamber that it was one of the major reasons CNBC rated Minnesota as one of the best States to do business in the country,

the best State to do business in, followed by Texas, Georgia, and Colorado. Two of the major factors they looked at were the quality of life and infrastructure.

After this collapse occurred, we invested, and that is what this bill is about. It is about making a safer America. As Senator WHITEHOUSE just outlined, our country is getting D's for infrastructure. It is about a safer America. It is about reducing congestion, but it is also about our economy, as shown by what has happened in Minnesota since the bridge collapse. It is about building our economy. When we are building our economy based on exports, we have to have a way to get goods to market. The way you do that is to upgrade railways and upgrade locks and dams, as we did in an earlier bill last year when we updated highways and we updated bridges.

I am very excited about this bill. I love the fact that this leads us to a 21st century transportation system. I love the fact that we were able to get my distracted driving provisions in there, with the help of Senator THUNE, Senator NELSON, and I had worked on them with Senator HOEVEN.

Distracted driving is a major safety risk in this country that we are finally going to be able to find a way to get the money out to the States so it is not just sitting and piling up and going nowhere, so States can start educating people about distracted driving.

There is the work in the bill on graduated driving that I worked on so hard, on licenses as well as drunk driving. There are a lot of good measures in this bill.

Mostly this bill is about the long term. It is about looking at the long-term economy and looking at the long-term safety issues, instead of just putting on a bandaid every 2 months, every 3 months, every 6 months. This is an opportunity that can't be missed.

I ask my colleagues for their strong support. We have strong support for this as well as the Ex-Im Bank. I ask my colleagues across the way in the House to support this bill, do the right thing, and come up with a long-term solution.

Mr. INHOFE. Will the Senator yield for a question from the chairman?

Ms. KLOBUCHAR. Yes.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. I ask the Senator, How many people were killed in that bridge collapse?

Ms. KLOBUCHAR. There were 13 people killed that day.

Mr. INHOFE. Is the Senator aware that around the same time that happened, in my State of Oklahoma, we were in the process of the last long-term bill in 2005. A mother with three children was driving below a bridge in Oklahoma City. Some concrete dropped off and killed the mother. We corrected that in the 2005 bill.

But the question I would ask you is, Why do we wait until people die before this happens? I have a list of bridges that are in need of attention, and later today I will read it for the third time. We can avoid things such as this from happening, but if we don't do something, if we are not going to do it, then large projects cannot be done with short-term extensions. My question is, Why do we wait until death is at our door?

Ms. KLOBUCHAR. I appreciate that question from the Senator from Oklahoma. I thank the chairman for his work on this bill, for his chairmanship on the committee, and his willingness to work across the aisle on this bill.

I would say this is a major problem. If we do just a short-term extension, then maybe a project gets funded here and there, but we don't do the long-term maintenance, which is never as glamorous as building new projects.

This is about long-term maintenance and work that needs to be done on our existing roads and bridges as well as exciting new opportunities. But when we don't have that kind of clear funding source for our States to see that we have a window, as the Presiding Officer knows with her leadership in the State of Nebraska, you just can't do projects in a State when the funding is not going to be there 3 months later. One is not able to invest in the maintenance and long-term work that needs to be done, and that is why this Senator thanks the chairman and the ranking member, Senator BOXER, for her incredible work on this bill as well because this is about long-term funding for planning, for safety, and also for our economy.

Mrs. BOXER. Will the Senator yield for another question?

Ms. KLOBUCHAR. Yes.

Mrs. BOXER. I thank my friend because she has been such a leader. I was listening to every word she said, as well as Senator INHOFE talking about the mother who was killed because of a bridge collapse. This touches our hearts as family members. Yes, as Senators, but as family members we know those families will never be the same—the family, the children of that mother, the families of those who are grieving the loss of their relatives.

I ask my friend, who was so early on a supporter, is she aware that seven States have either canceled projects or completely shut down their highway and transit spending? Is she aware of that?

Ms. KLOBUCHAR. Yes, I am.

Mrs. BOXER. I wanted to say that I have a chart here that shows the States that have either canceled or delayed highway projects. These projects are valued at over $1.6 billion. Think about the jobs and the businesses that are suffering. They are in Arkansas, Delaware, Georgia, Montana, Tennessee, Utah, and Wyoming.

I have a further question. I know my friend has heard me say this. Is my friend aware that the Associated General Contractors of America came out with a new study? They were just in the New York Times stating that because of our, I will use the word ''dithering''—because we haven't come up with the long-term bill, which we are now attempting to do—25 States have lost construction jobs just in the last month. Is my friend aware of this study?

Ms. KLOBUCHAR. Yes, I have heard of that study, and I think it mimics what we have seen in other studies. If we don't plan ahead, people will start cutting off the work.

Mrs. BOXER. I will just say before I yield that the States that lost construction jobs last month, according to the general contractors, are Alaska, Arizona, California, Florida, Georgia, Illinois, Maryland, Mississippi, Missouri, Montana, Nebraska, New Hampshire, New Jersey, New Mexico, North Carolina, Ohio, Oregon, Pennsylvania, Rhode Island, Tennessee, Utah, Vermont, Washington, West Virginia, and Wisconsin. I wanted to read those off.

I will talk about that later, but I wish to thank my friend because the point—when she talked about what happened on this bridge, my friend didn't have to read one word of any statement. This was a heartbreaking memory she will always have. We all go through this in our time here, when there are earthquakes, floods, fires, and bridge collapses.

I would ask my friend this last question: Does the Senator think this is important enough that the House should stay an extra week or even a few days to take up our bill, pass it or if they don't like it, amend it, send it back, and let's get this done for the American people.

Ms. KLOBUCHAR. I say to Senator BOXER and Senator INHOFE, I think that is why we are here today, to talk about the fact that we have come together across party lines with people from completely different political ideologies to agree that we need a long-term fix to our transportation problem.

As the Senator mentioned the people, I think sometimes people think about transportation as bricks and mortar or something very esoteric, but it is not; it is about the people who use the system. Senator INHOFE talked about the people who died in the bridge collapse in his State. There is a memorial for the 13 people who died in our State. I would suggest, if you ever come to the Twin Cities, come and look at it because it shows—as Senator INHOFE knows—everyone uses the roads and bridges. These people came from vastly different backgrounds. They were young people. There was a man who died. He and his wife had just decided they wanted to have a baby. Of all

things, after he died, she decided to adopt children by herself, and she decided to adopt them from Haiti. Then the tragedy happened in Haiti, and we actually helped her get these children home. These are people who worked all kinds of different jobs. Some were coming home from work, some were students, some were moms busy in their car. Those are the people who died. They were America. America uses our bridges and roads and trains. We have to remember this is about the people who work construction, this is about the people who use the roads and bridges, and this is about our economy moving forward.

Sometimes we get so into facts and figures and what one House does and what the other House does that we forget why we are spending money on our bridges and our roads and what this means for our future economy.

I thank the leaders of this bill for what they have done, their willingness to take a lot of heat for working across the aisle, for making sure that what we are using to pay for this bill are things that make sense for our country and continue to allow us to move forward, and also for making changes to the bill when other Members had problems with it. That is why they are gaining so much momentum, and I am sure our friends over in the House are looking at this bill. They have examined the pay-fors—they have now had weeks to do that—and they have also looked at the safety provisions and other things in the bill.

So at some point they are going to have the ability to decide if they are for this bill or against it or, as Senator BOXER mentioned, if they want to make some changes. But the key is that we have a good base bill which has brought people together from across the country, from different ideologies, which they can use and look at. If they just want to do another one of these short-term fixes—it is never going to get us where we need to be so we don't have another one of these bridges collapse on August 1, in the middle of a summer day. That happened in this country in this century. It will happen again if we keep this up.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Madam President, before the Senator leaves the floor, I would like to thank her again. What I want to say to her is something she has said to me over and over; that is, the importance of finding common ground when we can. We all know we cannot give up our principles, but we have to search for common ground.

And everyone knows—and Senator INHOFE and I kind of joke about it—we could not be different in terms of our ideology. We really could not. But on this one, on this piece, the need to have a strong infrastructure, we are as one, as progressives, as conservatives.

Frankly, I think everyone in the Senate and in the House should come together around the principle that you cannot have a strong economy if you cannot move goods. That is why my friend Senator INHOFE put together a great new freight title in our bill this time, part of the formula. It is hugely important. If we cannot move goods, if we cannot move people, we are going to fall behind.

Clearly, when bridges collapse, there is devastation. I have shown this particular bridge collapse, along with the one on which Senator KLOBUCHAR was so eloquent. This is a bridge in my great State. We have 40 million people. We take in about 40 to 50 percent of all the imports into our Nation; they go into trucks and trains and planes. They use our roads, and they go across the country to deliver goods to everyone.

Well, the bridge that collapsed in California a few days ago—maybe a week or two ago now—was deemed to be obsolete because it was built for very light traffic. It is the bridge between California and Arizona. There was very little traffic at the time it was built. Now we have a huge amount of traffic. This bridge collapsed. Thank the Lord no one died, so I can stand up here and say that.

This, to me, is the poster child of the work we are doing together. This is the poster child. There is a list of bridges—there are more than 60,000 deficient bridges in America. This is America. They are deficient—some worse than others, but they are deficient.

I have listed just a few here—just a few: Alabama, Arizona, Arkansas, California, Colorado, Connecticut, the District of Columbia, Florida, Georgia, Hawaii, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, Texas, Utah, Washington, Wisconsin. This is just a handful—a couple of handfuls of the 60,000-plus bridges that are deficient.

Senator INHOFE, in your State we have listed as an example the I–40 bridge over Crooked Oak Creek. As I was saying yesterday, when I was a country supervisor a very long time ago, we found out as supervisors—and we were a very bipartisan group—that our civic center was at risk of collapse in an earthquake. In those years, we did not know that much about how to reinforce. It was just coming to light. It is a Frank Lloyd Wright building, a gorgeous building, a historic building. We were told that if we did not fix it, there was a possibility that we could be held personally liable if something happened.

Clearly, no one here is going to be personally held liable if a bridge collapses, but morally we need to understand that now that we know we have 60,000-plus bridges in bad condition and that 50 percent of our roads are not up to par, we have an obligation to fix it. It is very clear that we must do so.

I am proud that almost half of the Democratic caucus has come together with a larger percentage of the Republican caucus to put together a transportation bill. I am proud of that. It is on the road to passage. Last night, at a crucial moment late in the evening, we got 62 votes. That was not an easy thing to do because, as the Presiding Officer knows, there were things she wanted in that bill, and there were more things I wanted. I wanted things out of the bill and other things added. Each one of us, of course—we are people who are passionate about these issues. We would have written the bill differently. I would say that anyone in America, having the chance, would write it differently. But the art of compromise is something we should not be afraid of. You are not compromising your principles; you are seeing where you can find a sweet spot. I believe we did that.

I am urging the House not to leave on their summer break and to stay and work on this bill. We have done a lot of the heavy lifting. We have done a lot of the heavy compromising. They can do more. They can take out things they do not like, add things they want. We can sit down in a conference. We can get this done.

My opinion: They should take it and pass it. When a bill has 62 votes here, that is pretty darn good. If they want to tweak it, they can do it. But I think they need to stay.

I served proudly with my friend Senator INHOFE in the House. I served for 10 years. It has been 10 years since the House has had this long of a break. They have not left before August for the August recess. I think they should stay. They should stay.

You know, the average American, when they are about to go on their summer break, the boss says: Clean up your desk, please. Finish your work, please. Don't just pile everything on one side of the table, please. Take care of it.

The House ought to finish its work. Take up our bill, amend it, send it back, and we will get it done. Most of the work is done. Most Americans have to tie up loose ends before they take a long break. I might add, I think it is a 5-week break—a 5-week break. Do your work. Maybe you can only go on a 4-week break. That would still be twice the time most Americans get. Do your work.

When I say bridges are in poor condition, that is not hyperbole, that is fact. This is not some study put out by a Democrat or a Republican; it is put out by the engineers. Our infrastructure is rated—I believe it is a D overall. If our child came home and said ''Mom, I

have a D,'' we would not be happy. Well, taxpayers are not happy that our infrastructure is rated a D.

So I ask the House: Please stay and do your job. Roll up your sleeves. We will work with you. We can resolve these things. You have had time to look at our bill.

I will close with just two more points. I want to give the highlights of our Transportation bill on which we worked so hard across party lines—Senator INHOFE; myself; the Banking Committee, chairman and ranking; the Commerce Committee, chairman and ranking; the Finance Committee, which paid for this bill.

Some people are voting against it because they do not like the way it is paid for. They say it is better to find some long-term answer in international tax reform. Personally, I think that is a great idea, but you have time to pay for the last 3 years in that fashion. We have paid for 3 years; this bill is 6 years. Pay for the last 3 years.

As for me, I am a lonely voice here. There are about five of us who say: A penny a month for 10 months on the gas tax. We don't have the votes. So what do I do? Go in my corner and cry? I don't have the votes. No, we have to put a bill together. So this is a $50 billion-a-year bill for 6 years. Three years are paid for. Every State gets more formula funding for both highways and transit. There are two new programs: a formula freight program that my friend Senator INHOFE, working with Republicans and Democrats, put together; and a new grant program for major projects called the AMP Program. Senator WHITEHOUSE worked across the aisle for that program. All of our States are eligible.

It includes the McCaskill bill. It is the McCaskill-Schumer bill that says rental car companies cannot lease out cars that are under recall. I think this is important because we see a lot of the problems with the Takata air bags.

Because Senator NELSON has worked so hard on that, we have tripled NHTSA fines. We have used that money in the bill to help put positive train control on the commuter rails. This is important. People are dying because we do not have positive train control.

Is the bill the perfect bill on safety? In my view, it is not. In somebody else's view it is. It is a compromise. But I think, overall, it is solid. Every State will see an increase in their highway dollars, in their transit dollars.

In closing, I wish to thank Senators on both sides of the aisle, including the Presiding Officer because we did work together. We did a good job. It was hard to do. I know my friend had one provision she wanted. She had to scale it back. It is hard to do that. I had a program I wanted. It got scaled back. We all have to give and take, but that is what the people expect of us. Whether they are Democrats, Republicans, Independents, it does not matter—they want us to get something done.

I am proud of the Senate. We are not done yet. We still need some more votes on this, so everyone stay tuned. But if the House will stay an extra few days and take up our bill, we can get this done for the American people. We can save businesses, we can save jobs, we can keep this recovery going, and we can feel proud that we fixed our bridges, that we fixed our highways, and that we did the work we are supposed to do.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Madam President, well, I am going to have to disagree with my partner over here on one thing; that is, the insistence that the House stay. In my opinion, they are not going to stay. That is done. But this can still be done with their targeted adjournment date for them. The way that can happen is for us to right now—we are waiting out the vote. If nobody yields back—it is on the Inhofe substitute. That is what we are doing right now. That vote can take place at 5 o'clock in the morning. If you moved that up—and right now we are asking unanimous consent to do that. If we are able to do that, that could happen this afternoon. That means we could have the next step, which would be to move to the bill. That could be done while they are still here.

What I do not want to happen is to have them—you know, we are successful and done with our bill and then send it over to the House and they are gone. So I think we can still do it while the House is still here.

I have to say—and I am not sure the ranking member of my committee, Senator BOXER, agrees with this, but I think they never believed we would be able to get the bill done. That being the case, they staked out early and said they—for any number of reasons, they are going to be gone. Well, we can do it. All we have to do is to move this up and to get time yielded back. We can do the same thing then on final passage. We could have the bill over there in good enough time—Wednesday; that is tomorrow—that they could still act on the bill. That would be my goal on this because I think that is the only way.

Mrs. BOXER. Will the Senator yield for a question?

Mr. INHOFE. I will yield.

Mrs. BOXER. I would love to get this done in 5 minutes. So let me be clear about where I stand. But has my friend received confirmation from Speaker BOEHNER that he would take up the bill tomorrow? My understanding is that they moved up their—this is what I heard. I can't swear to it, I don't know exactly, but what I heard is they are actually moving up their adjournment from Thursday to Wednesday so they can escape from having to take up our bill.

Does my friend believe that if we could get this bill done, they would stay 24 hours and deal with our bill?

Mr. INHOFE. Reclaiming my time, I don't know what they would do, how long they would stay. If we don't finish it until they already are gone, then we know that.

Mrs. BOXER. OK.

Mr. INHOFE. But I still think that can be done. There is this urgency. We have worked long and hard. People say they haven't had time to get into this thing. We passed our bill. They have had 5 or 6 weeks to absorb this. And this argument that we have a 6-year bill with only 3 years of funding—this is kind of a phony argument because we have a valve that doesn't exist anywhere else that if we go through and start a 6-year bill, that would allow us to get into the major projects which the Senator from Minnesota was talking about and which the Senator and I have been talking about that you cannot get into with short-term extensions.

Mrs. BOXER. That is right.

(Mr. CRUZ assumed the Chair.)

Mr. INHOFE. We all understand that. So we can start those projects. Given 3 years, I can assure you that we would have the opportunity to find offsets that would be acceptable. We were operating under the gun before. This would take that away. We can go ahead and accept the fact that we have 3 years funded.

For those individuals—and I am speaking now of my colleagues on this side of the aisle—who are conservative who have had the argument that we will then have to borrow money in order to finish the 6 years.

We can really have it both ways. We start the projects, and then there will be enough pressure on and we will be able to do—incidentally, I have to keep reminding my friends that there is a conservative position, and that is to pass this bill.

You know, I get so tired of people—there are a lot of people out there who actually voted for the $800 billion—way back at the beginning of the Obama administration—the $800 billion stimulus bill that didn't stimulate. We tried to put an amendment on there. I know the Senator from California and I cosponsored amendments. They were all rejected.

Then along came the $700 billion bailout, and a lot of my Republican friends voted for that.

Now they complain that the money isn't there. Well, the money can be there. And if it hadn't been for those two things, we wouldn't be having this conversation today. But the money can be there. We need time to let that happen. Certainly, as we pass this bill, start the major projects that are going

on, then we will be in a position to do that. The key to making that happen, to allowing that to happen—I am not going to give up because the House hasn't left yet. They say they are going to leave tomorrow afternoon. Well, if we go ahead and yield back enough time to get this vote this afternoon, we could do the same thing on the final vote.

By the way, those individuals who want to have amendments, you can still have germane amendments that would not be treated as an amendment, but we would consider putting those into the managers' amendment. If that happens, that would become part of the vote we would be voting on tomorrow. To allow that to happen, we have to go ahead and yield back time so that we can have this vote take place and start working on those amendments that are germane to see which of those we are going to be in a position to consider.

Anyway, that is what I am hoping will happen. I think there is an opportunity.

Again, people who make statements—and I have a lot of friends in the House. I spent 8 years in the House. These individuals who are speaking now—one of them made kind of an off-the-cuff statement about, you know, we are just not going to consider it. Well, I really believe most of them over there felt we weren't going to be successful in passing a bill. So it is still possible we can do that. We do have the time left, and we know what we have to do to do that.

Let me talk a little bit about the sense of urgency.

First, I appreciate the fact that this conversation took place. The Senator from Minnesota had some pretty graphic pictures of what happened that took the lives of 13 people, a bridge falling down.

The DRIVE Act contains some other key provisions outside of prioritizing bridge safety and stability.

Today, the National Highway System carries more than 55 percent of the Nation's highway traffic and 97 percent of the truck freight traffic.

We have never had a freight provision. This is my sixth bill that I have worked on—actually going all the way back to the House days—and we have never had a freight provision to take care of this problem.

Of the 4 million miles of public road, the National Highway System represents 5.5 percent of the Nation's most heavily traveled miles of road. Americans depend upon a well-maintained National Highway System that provides critical connections between urban and rural communities. American businesses pay an estimated $27 billion a year in extra freight transportation costs due to the poor condition of public roads.

Look at it. Look at that. How many lanes are there on this one? There are six lanes, all of them stopped. What happens when they stop? The engines keep going. The air is polluted. Gasoline costs a lot of money, and the freight cannot go through. Well, that is why we have this.

Recognizing that it is the foundation of the Nation's economy and the key to the Nation's ability to compete in the global economy, it is essential that we focus efforts to improve freight movement on the National Highway System. Incidentally, if we don't pass this bill and if we go back to extensions, that ain't going to happen. It can't happen.

I always have to pause to remind my conservative friends—and I can say this because I have had the ranking of the most conservative Member probably more than anybody else has—the Constitution tells us what we are supposed to be doing. We are doing a lot of things the Constitution never contemplated. It says in article I, section 8 that we in the House and the Senate are supposed to be defending America and roads and bridges. That is what we are supposed to be doing. So I would just say I have to remind people that the conservative position in the Constitution is to go ahead and do what we are trying to do with the DRIVE Act today.

The DRIVE Act includes two new programs to help the States deliver projects that promote the safe movement of consumer goods and products.

The first new program is the National Freight Program. That is what we are talking about right now.

That is what is bogged down in traffic right here.

It is distributed by a formula that will provide funds to all States to enhance the movement of goods, reduce costs, and improve the performances of businesses. The program would expand flexibility for both rural and urban areas.

A lot of the reason this hasn't been handled before is that States send in their priorities. You know, one of the few things in government that do work is what we are going through right now. When we set up a formula, we take into consideration what the people at home want, what the people in my State of Oklahoma think is the most important thing in terms of roads, bridges, highways, and maintenance. There are some liberals here in Washington who think there has never been a good decision unless it came out of Washington. But we always emphasize what they consider to be the greatest concern within their States.

The reason that freight doesn't often get the high priority it should is because a lot of the freight moves in and out of a State and the States don't evaluate that as an economic benefit. That is shortsighted because States on either side provide that kind of traffic, and it does add to the economy of the State, it is just not direct the way the rest of the projects are.

So we have this type of congestion taking place.

Secondly, it will improve efforts to identify projects with a high return on investment through State freight plans and State advisory committees.

The second new program is the Assistance for Major Projects Program, which creates a competitive grant program to provide funds for major projects of high importance to a community, a region, or to the Nation. The program includes a set-aside for rural areas and it ensures an equitable geographic distribution of the funds. The State of Oklahoma is a rural State, so that is very important.

One thing you cannot do with the short-term extensions—keep in mind, the last time we had a long-term bill, the reauthorization bill, was 2005. By the time 2009 got here, we were working on just the short-term extensions—33 short-term extensions. So you can't do those major projects that have to be done sooner or later in our country.

In Chicago, IL, the I–290 and the I–90/I–94 intersection is the intersection we have been looking at with the congestion. It is the No. 1 worst freight bottleneck in the United States. The average speed slows down to 29 miles an hour. Morning and evening rush hour speeds have been known to drop below 20 miles an hour. It carries about 300,000 vehicles a day. That is the Chicago I–29.

Houston, TX, the I–45 at U.S. 59—and certainly the occupier of the chair is fully aware of this and I am sure has been bogged down in traffic many times on the Texas I–45 at U.S. 59 exchange. Houston, TX, is the home of 5 of the top 20 freight bottlenecks in the Nation. Texas is home to 9 of the top 25 freight bottlenecks. Freight bottlenecks cost the freight industry in Texas $671 million annually and 8.8 million hours of delay.

This is what we are looking at, looking at Houston. It happens that I was stopped there going there one time. That is why I always fly down to South Texas rather than drive—to avoid that.

So I–45 at the intersection is ranked third in the Nation by the congestion index. It is the same I–45 at 610 North that is ranked 15. There is an average speed slowdown to 39 miles per hour, and there they are, out there wasting valuable time.

Fort Lee, NJ. The I–95 you are looking at right now connects Fort Lee, NJ, to New York City. It is the second worst freight bottleneck by congestion index in the Nation. The average speed slows to 29 miles an hour. Rush hour speeds in the morning and evening slow down to about 15 miles an hour.

The nearby I–95 Cross-Bronx Expressway is the most congested corridor in the country. By the way, anyone from here in Washington who is going up to anyplace along the coast, Connecticut on up North, has to go through that,

and I have had to do that. I had an occasion just the other day to give a commencement talk up at the Coast Guard Academy. To get up there, I had to go all the way across that bridge, and it almost made me late. So that is one that is well known.

The George Washington Bridge is the world's busiest motor vehicle bridge, carrying over 106 million cars a year.

Anyway, that is what we have right now. We have a freight program to alleviate this type of congestion and increase America's ability to conduct commerce on our highways.

We have another talk that we have given several times where we go over all of the bridges. The Senator from Minnesota was talking about the tragedy of the bridges. But if you look and you see, it is not just confined to the east coast. If you look and you see, in my State of Oklahoma, in the northeastern section, we have more deficient bridges—probably ranked No. 3 in the Nation, I would say—and those bridges are not going to be addressed until we have a chance to do it.

Simply look at this Eisenhower quote, a republican president who understood the need for federal investment in our military and our highways. I always like this because I chair the Environment and Public Works Committee and have been ranking member of the Senate Armed Forces committee. I think it is deplorable, what President Obama has done to our military. I call it the disarming of America.

Yet the guy who started this whole thing—I don't think even the Chair is aware of the fact that the reason Eisenhower started this way back in 1956 was to defend our Nation. He said: As it is right now, we don't have any type of a system where you can take goods and services and move them across either coast to be sent out in the defense of this country.

So I am hoping that we all realize the need to reauthorize this long-term bill. Right now, we are in the middle of not doing anything, not getting done, but it is a 30-hour delay. If we can just move that up so that instead of voting on that at 5 o'clock in the morning, we can vote on it this afternoon—which would be just as easy to do, and I am going to ask unanimous consent that we be able to do that—then we could move on and do the same thing as we move toward the bill.

Now, if that happens, for those individuals—and I would hope the staff is listening to this—who have germane amendments, we can't take up amendments after passage. This is going to pass. We know this is going to pass, but is it going to pass this afternoon or is it going to pass tomorrow morning? If so, we then would not be in a position to do anything if the House has already adjourned.

If this happens, if Members will bring amendments down, we will consider germane amendments. We still have the managers' amendment we will be able to put these in, and so we will consider these. So there is an opportunity for that to take place, and I wouldn't want anyone voting to deny this opportunity to finish this bill and let the House at least look at it, thinking they will not be able to get their amendments in.

We haven't had an opportunity to get amendments in for a long time. I always hasten to say this because how long has it been now. It has been 6 weeks since we passed this out of our committee and it passed unanimously—every Democrat and every Republican. I have to say the Republicans on the committee I chair are among the most conservative Republicans and the Democrats are among the most liberal Democrats. That is a holdover from when the Democrats had control of the Senate, and the Environment and Public Works Committee was chaired by my colleague, who refers to herself as a very proud progressive, which means liberal, and I am a very proud conservative. So we all have this in common.

Just to have this opportunity to have this up so we can consider it, we would have to move this up and get this vote today instead of tonight. So I am hoping that will still be the case. We are making our case on that. Again, that would allow us to get this done in a way—or at least to let the House look at this and see whether it is an option they may want to pursue. I know several have painted themselves into a corner, but nonetheless we could do this if we can hurry this up.

I know there are other speakers on the floor, so I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. THUNE. Mr. President, I want to compliment the Senator from Oklahoma for his great work on this legislation. He has been a fierce advocate for transportation funding, for doing highway bills on more than a short-term basis. As he has mentioned numerous times, since 2009 we have had 33 short-term extensions—patches, if you will—which make it very difficult to run a highway program.

The Senator from Oklahoma has been, as I said, a fierce and persistent advocate that one of the responsibilities we have around here is to make sure we are building the infrastructure in this country that keeps our economy competitive, that allows people and freight to move in an efficient way and to ensure our economy is strong and vibrant.

I can tell you, as someone who represents a rural State in the middle of the country, the supply chain we have between our highways and bridges, our railroads, our ports, is critically important for us to get our products, the things we raise and grow in South Dakota, to the marketplace. Agriculture is our No. 1 industry. It drives our economy. It is incredibly dependent upon transportation. So a strong, vibrant, robust economy depends upon transportation.

Obviously, we want to have a system that is safe, and that is one of the issues I want to speak to with regard to this bill as well. I appreciate the great work Senator INHOFE and his team, working with Senator BOXER, have done on this bill.

We are going to continue to debate this. I hope we can bring it to a close. As the Senator from Oklahoma pointed out, if we did that, we would have an opportunity to at least put it before the House and give them a chance to act on it, whether they choose to or not. I would certainly hope the House of Representatives would take a hard look at this bill and consider taking it up and moving it because there has been a lot of work that has gone into it. We have a deadline ahead of us, and if we don't do this, we are going to be stuck with yet another—the 34th—short-term extension, which just kicks the can down the road and makes it more difficult for those who are in the position of having to make decisions about planning and designing our infrastructure in this country to do that.

Obviously, there are a lot of people and a lot of jobs that depend upon the decisions that come out of Washington with regard to this bill. So I, too, encourage our colleagues in the Senate to move as quickly as we can to complete action on the Senate bill and to allow the House of Representatives to take a chance at considering it and perhaps getting this issue resolved and a long-term bill in place.

These bills are nothing new in the Senate. The bill before us today is notable because it is the first Transportation bill, as I mentioned, in almost a decade to provide more than 2 years of funding for our Nation's infrastructure needs. Since 2009, Congress has passed more than 33 short-term funding extensions. That is an average of approximately five funding extensions a year. That is not a good way to manage our Nation's infrastructure and it wastes an incredible amount of money.

Around the country, hundreds of thousands of people and hundreds of thousands of jobs depend on funding contained in transportation bills. When Congress fails to provide the necessary certainty about the way transportation funding is going to be allocated, States and local governments are left without the certainty they need to authorize projects to make long-term plans for transportation infrastructure. That means essential construction projects get deferred, necessary repairs may not get made, and the jobs that depend on transportation are put in jeopardy.

My home State of South Dakota has been forced to defer important construction projects thanks to the lack of

funding certainty. No individual or business would start building a house or an office building if it could only promise a contractor 3 months of funding. In the same way, Congress can't expect a State to begin construction of a new bridge or highway without the certainty that their project is going to be fully funded.

The highway bill before us—the DRIVE Act—reauthorizes transportation programs for 6 years and provides 3 years of guaranteed funding. All 3 years of funding have been paid for without raising the gas tax and without adding a dime to the deficit. This bill will give States and local governments the certainty they need to plan for and commit to key infrastructure projects.

The bill will also help to strengthen our Nation's transportation system by increasing transparency in the allocation of transportation dollars, streamlining the permitting and environmental review processes and cutting redtape.

Mr. President, over the past few years of Democratic control, the public has grown increasingly skeptical of Congress being able to function. When Republicans took the majority in January, we promised the American people we would get the Senate working again, and we have been delivering on that promise.

This Transportation bill is another major legislative achievement and the result of hard work by several committees that put together key provisions to spur important infrastructure investment and safety improvements. Republicans and Democrats alike got to make their voices heard in this process, and the resulting bill is stronger because of it.

As chairman of the Committee on Commerce, Science, and Transportation, I had the opportunity to work on the commerce section of the bill. Our focus was on enhancing the safety of our Nation's cars, trucks, and railroads, and the bill we produced makes key reforms that will enhance transport safety around the country.

Over the past year, the commerce committee has spent a lot of time focused on motor vehicle safety efforts. Last year was a record year for auto problems, with more than 63 million vehicles recalled.

Two of the defects that have spurred recent auto recalls—the faulty General Motors ignition switch and the defective airbag inflators from Takata—are responsible for numerous unnecessary deaths and injuries, at least 8 reported deaths in the case of Takata and more than 100 deaths in the case of General Motors. Indications point to the Takata recalls as being among the largest and most complex set of auto-related recalls in our Nation's history, with more than 30 million cars affected.

Given the seriousness of these recalls, when it came time to draft the highway bill, one of our priorities in the commerce committee was addressing auto safety issues and promoting greater consumer awareness and corporate responsibility. The commerce section of the DRIVE Act now triples the civil penalties the National Highway Traffic Safety Administration can impose on automakers for a series of related safety violations—from a cap of $35 million to a cap of $105 million—which should provide a stronger deterrent against auto safety violations such as those that occurred in the case of the faulty ignition switches at General Motors.

Our portion of the bill also improves notification methods to ensure that consumers are made aware of recalls.

In the wake of the recall over the GM ignition switch defect, the inspector general at the Department of Transportation published a scathing report identifying serious lapses of the National Highway Traffic Safety Administration, or NHTSA, the government agency responsible for overseeing safety in our Nation's cars and trucks.

The concerns raised included questions about the agency's ability to properly identify and investigate safety problems—a concern that is further underscored, I might add, by the circumstances surrounding the Takata recalls.

In addition to targeting violations by automakers, our portion of the highway bill also addresses the lapses at the National Highway Traffic Safety Administration identified in the inspector general's report.

In its typical fashion, the Obama administration claimed NHTSA's problems could be solved by simply throwing more money at the agency, but based on the expert testimony from the inspector general, it is clear money alone is not going to solve the problem. We need to ensure that the agency fixes what is broken before we provide a significant increase in funding authorization with taxpayer dollars.

Our bill makes additional funding increases for NHTSA's vehicle safety efforts contingent on that agency's implementation of reforms called for by the inspector general, ensuring that this agency will be in a better position to address vehicle safety problems in the future.

I appreciate that NHTSA's current administration and Administrator have pledged to implement all of these recommendations.

Another big focus of the commerce committee this year has been rail safety. Nearly half of the commerce section of the DRIVE Act is made up of a bipartisan rail safety bill put together by the Republican junior Senator from Mississippi and the Democratic junior Senator from New Jersey. Their work on important rail and Amtrak reform was almost ready for a committee markup at the beginning of May, but after the tragic train derailment in Philadelphia, these two Senators opted to delay the markup and then added even more safety provisions to the bill they crafted.

Their bill, which passed the committee with unanimous support from committee members of both parties, include provisions to strengthen our Nation's rail infrastructure and smooths the way for the implementation of new safety technologies.

Our transportation infrastructure keeps our economy and our Nation going. Our Nation's farmers depend on our rail system to move their crops to the market. Manufacturers rely on our Interstate Highway System to distribute their goods to stores across the United States. All of us—all of us—depend on our Nation's roads and bridges to get around every single day. For too long, transportation has been the subject of short-term legislation that leaves those responsible for building and for maintaining our Nation's transportation system without the certainty and the predictability they need to keep our roads and highways thriving.

I am proud of the bill we have on the floor before us. I hope we can pass this legislation as soon as possible and work with the House to develop a final bill that will allow us to fund our Nation's transportation priorities on a long-term basis. We can't afford to continue this path we have been on of passing short-term extensions—33 already in the last 5 years, more than 5 a year—and all the uncertainty that comes with that. That jeopardizes jobs across this country that are related to construction of these projects. It jeopardizes the planning and engineering and design work that our departments of transportation across the country do, and it puts at risk all of the transportation infrastructure that moves the freight, that moves people across this country, which our economy depends on.

So I simply want to say that as a Member who represents a rural State, South Dakota—where we have 77,000 square miles, home to 800,000 people—we depend heavily on roads and bridges to get to and from our destinations. We have people who drive long distances to work. We have people who come into our State every single year.

This time of the year we will have a million or so people descend upon a little town in South Dakota called Sturgis, which will be the place where the annual motorcycle rally is hosted. We have people who come by the thousands to our State every single year to visit the Black Hills and Mount Rushmore. We depend upon a good, viable, robust transportation system.

As I mentioned earlier, we are an agricultural economy which drives the

jobs in our State that keeps our Main Streets going. That agricultural economy depends upon getting those things we raise and grow to the marketplace. That means good highways, railroads, ports—all the things that are essential to make sure our agricultural producers can get the things they raise and grow to the places and destinations they need to get to.

This is truly important work we are doing. I thank the Senator from Oklahoma for his hard work. I certainly hope we can push this across the finish line soon, so we will be able to present it to the House of Representatives, notwithstanding the statements that have been made there. Perhaps they can look at this body of work and think, as we do, that this gives us an opportunity to put something on the books, the longest term bill we have had literally now in 10 years, and do something important for our economy and for jobs.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, first, I appreciate the comments made by the Senator from South Dakota, emphasizing what can't be done on short terms. I think we have been talking about that all morning.

Last week, 100 mayors from across the Nation wrote to the Senate leaders urging for a long-term transportation bill. They said, ''If the status quo continues, deficient transportation infrastructure will cost American businesses $430 billion by 2020.''

Then there are the 31 construction and transportation groups that sent a harsh reminder to Congress that ''past extensions have not led to a lasting solution to the Highway Trust Fund's repeated revenue shortfalls.''

I remember because I have been around here for a while, and I have been through six of these transportation reauthorization bills. In the interim, we always end up with short-term extensions. People don't realize we can't do major projects with short-term extensions.

Now, I hear the argument sometimes that in this one we have a 6-year bill, but we are paying for only 3 years. That is fine. Make the argument. But there is something unique in the transportation system, which is that in the event we get through halfway—even though it is a 6-year bill—and the funds are not available to the existing shortages of what we have added, then all projects stop. Not a penny can be spent. This isn't true anyplace else in our government, and I think people have to realize that if we are going to do it.

When the Senator from Minnesota was talking and showing these very graphic pictures of the bridge that collapsed killing 13 people, that really sends something home. We can't wait until that happens before we do the responsible thing.

I have to remind my conservative friends it is our constitutional duty. When we were sworn into office, we swore to uphold the Constitution of the United States. The Constitution in article I, section 8 tells us what we are supposed to be doing: We are supposed to be defending America, including our bridges and roads. That is what we are supposed to be doing.

There is a way. I hope the people who—unless they just don't want to take care of these big, serious problems and want to continue with the short-term extensions, there is a way we can do this. We will be asking for unanimous consent to go ahead and make a vote on what we are voting on right now and considering. If all time has to expire, it would be 5 a.m. tomorrow on the Inhofe substitute for the bill. That means we then wouldn't get around to having this bill passed until Thursday, and Thursday would be after the House is gone. So it is over. That is it. This would be a very easy thing to do.

Again, I am going to remind people that while we don't have the chance for amendments after this vote takes place, we can still have the manager's amendment, where I personally will consider every one of the amendments that comes forth. I am hoping that will happen.

That is what we are faced with right now.

Mr. President, I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:35 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

HIRE MORE HEROES ACT OF 2015—Continued

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, this Friday, July 31, the authorization for the highway trust fund will expire and the fund itself will be nearly out of money. That means that unless Congress acts, projects in New Hampshire and across the country will grind to an abrupt halt. In the face of this, the House has passed yet another short-term, stopgap bill. The Senate is now debating and amending a long-term highway bill.

My clear preference is for a long-term bill. I think it would be a terrible mistake to pass yet another short-term extension without at the same time taking action on a long-term bill like the Senate is currently doing. Only passing another short-term extension—which would be the 34th since 2008—without taking steps toward a multiyear bill would be kicking the can down the road, and in this case the road is overwhelmed by traffic, badly in need of modernization, and filled with patches and potholes. If you have driven around on the roads in the District of Columbia, sometimes you wonder where you are because they are so bad, so filled with potholes. For a country that seeks to remain competitive in the 21st century, as we do in America, this is totally dysfunctional and destructive.

There are few more basic and necessary functions of government than providing for modernized highways, bridges, and other transportation infrastructure. Yet in Congress we have been grossly neglecting this responsibility. China spends about 9 percent of gross domestic product on infrastructure. Brazil spends about 8 percent. Even in Europe they are spending about 4 percent. But infrastructure spending in the United States has fallen to just 2 percent of GDP.

Our highways and bridges face an $800 billion backlog of investment needs, including nearly half a trillion dollars in critical repair work. Americans spend a staggering 5.5 billion hours stuck in traffic each year. Yet in early May we saw a budget pass out of this Congress supported by the majority party that slashed Federal funding for transportation by 40 percent over the next decade.

I am especially concerned about disrepair and decay among our Nation's bridges. That is why I filed an amendment which is a bill I have introduced in previous Congresses called the SAFE Bridges Act. The Federal Highway Administration has identified more than 145,000—145,000—structurally deficient or functionally obsolete bridges. That is more than 20 percent of all the bridges in the United States. In New Hampshire it is actually a higher percentage.

In May, I went with the mayor and city manager of Concord—New Hampshire's State capital—to inspect the rusted-out and now-closed Sewalls Falls Bridge, which is one of the three critical bridges in Concord across the Merrimack River. I worked very hard with the city—our office did—to get necessary approvals from the U.S. Department of Transportation to replace this bridge. In fact, it is a replacement project that started back in 1994. The city of Concord lined up all the permits and approvals—and then nothing. Because of uncertainty about Federal funding for the project, it was stopped dead in its tracks.

My amendment, the SAFE Bridges Act, would authorize an additional $2 billion annually for the next 3 years to enable States to repair and replace their structurally deficient or functionally obsolete bridges. States would

get funding based on their share of deficient bridges nationwide, and the additional funding is fully paid for by closing a corporate tax loophole.

As the Senate continues to debate the Transportation bill, I hope we do get an opportunity to vote on relevant amendments like my SAFE Bridges Act.

The neglect of our transportation infrastructure is creating congestion and gridlock on our roads. It is hurting our economy and our global competitiveness. It is also killing jobs—especially in the construction trades, where employment has yet to recover from the great recession.

According to a Duke University study, providing Federal funding to meet the U.S. Department of Transportation's infrastructure requests would create nearly 2.5 million new jobs. So our investment in this industry, which is one of the slowest recovering from the recession, would create millions of new jobs.

Several months ago, I joined in a bipartisan group of eight Senators who had previously served as Governors—Senators KING, ROUNDS, KAINE, HOEVEN, WARNER, CARPER, MANCHIN, and myself. We sent a letter to our Senate colleagues urging that we commit to fully funding national infrastructure priorities and that we put a stop to the dysfunctional short-term fixes that have become routine in recent years.

I know the Presiding Officer appreciates that it was a visionary Republican President, Dwight Eisenhower, who championed the Interstate Highway System in this country. The National Interstate and Defense Highways Act of 1956—I think it is critical to think about the title of that bill which was not just about commerce, but it was also about defense. It was about the security of our country. It ensured dedicated Federal funding to build a network that today encompasses more than 46,000 miles of roadways. That system has transformed our economy and created countless millions of jobs, but it is now six decades old. Its dedicated funding mechanism, the highway trust fund, is chronically underfunded and just days from becoming insolvent. It is time for Congress to come together on a bipartisan basis to break the cycle of patchwork fixes.

The bill before us is not perfect. There are a number of provisions included that I don't agree with, if I had been writing the bill, but it is a compromise measure, and it was ably negotiated by the leadership of the Environment and Public Works Committee, Senator INHOFE and Senator BOXER, along with numerous others in this body.

We have the opportunity to pass a 6-year authorization bill with 3 years of funding. Yet what is happening in the House today? The House is passing another short-term extension. They are getting ready to leave town. They are not even going to stay and take up the long-term bill that is going to come out of the Senate. They are going to give us another short-term bill that is going to leave States such as New Hampshire up in the air, with thousands of people who are not sure if they are going to have a job next week when the money runs out, who aren't sure what the future is going to hold, companies that can't plan because they don't know if we have a long-term highway funding bill.

It is now time for Congress to pass a fully funded, multiyear highway bill that will allow governments at all levels to plan long-term capital investment projects and to build a 21st-century transportation system that meets the needs of our 21st-century economy.

I hope that we in the Senate will be able to pass this bill and that our House colleagues will recognize they need to stay here and get this work done.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. HOEVEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HOEVEN. Mr. President, I ask unanimous consent to speak as in morning business for up to 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

KEYSTONE PIPELINE AND OIL SANCTIONS ON IRAN

Mr. HOEVEN. Mr. President, I am here to speak about energy, both lower cost energy and who is going to supply it.

One might say: Why today? Well, because sources tell me that after almost 7 years, President Obama is going to turn down the Keystone Pipeline project—7 years. This is an application that was filed by the TransCanada company in September 2008. So here we are in year 6, and in September it will be 7 years that the application has been pending. The administration has still not made a decision—defeat through delay. So the question is, Why then is he going to turn down the project now? It is because he will wait until Congress is out of session in August. Then he will turn down the project while Congress is not in session to have less pushback, less criticism, of his decision if he makes it under the radar. That timing is understandable because he is making a political decision rather than a decision based on the merits.

As we know, Congress overwhelmingly supports the project. The House overwhelmingly passed approval of the Keystone Pipeline project. In the Senate, we had 62 votes in favor of the measure. We were actually missing some of our Members or we would have had 63, but there was strong overwhelming bipartisan support in both the House and the Senate. We sent the bill to the President and he vetoed it, but he still has not made a decision. He vetoed it saying it was up to him to make a decision, not the Congress. Congress went on record overwhelmingly in support of the project. Congress approved the project, but he vetoed the bill.

It is the President's decision to make. Now we hear he is going to make it and turn down the project, but the Congress overwhelmingly supports it. The States on the Keystone Pipeline route overwhelmingly support it. There are six States on the route and every single State has approved the project: Montana, South Dakota, Nebraska, Kansas, Oklahoma, and Texas. They all approved the project. Congress supports it, the States support it, but most importantly the American people support it. In poll after poll, the American people have overwhelmingly shown support for the project—65 to 70 percent—strong, overwhelming support for the project.

Why do they support it? This is what it is all about: the merits of the project. They support it on the merits because it means more energy for this country that is produced in this country, in Canada, in my home State of North Dakota, and in Montana. There are 830,000 barrels of oil a day produced in Canada and the United States that can be refined in our refineries and can be used right here, rather than getting it from some other country such as OPEC, Russia, Venezuela, you name it. It is energy we produce here at home. First and foremost, Americans support it because they want our energy produced at home. They want us to be energy secure. It is about jobs. It is about jobs.

This is a multibillion-dollar investment that creates good construction jobs. It is about economic growth, growing our economy here at home, working with our closest friend and ally, Canada. It is also about national security through energy security—not having to depend on the Middle East or OPEC for our energy. It doesn't cost the Federal Government a penny—not a penny. This is, as I say, a multibillion-dollar project that is completely built with private investment that would generate hundreds of millions of dollars in local, State, and Federal tax revenue. It would not cost the Federal Government one penny, generating hundreds of millions of dollars in cash revenues at the local, State, and Federal levels.

But maybe the greatest irony of all is this: At the same time the President is making it harder to produce energy

here at home in our country and get energy from our closest friend and ally Canada, he wants to make it easier to produce oil in Iran. Think about that. Right now the President is pressing Congress to approve an agreement with Iran that would remove the sanctions on oil production and exports in Iran. Under the proposed agreement that the President has submitted to this Congress, he includes releasing the U.S. sanctions put in place by Congress that limit and restrict Iran's ability to produce and export oil. These include energy sanctions that limit Iran's sale of crude oil, which was specifically passed by Congress. Also, he wants to remove the sanctions on investment in Iran's oil, gas, petrochemical, and automotive sectors—again, sanctions passed by Congress. He wants to remove sanctions on the energy sector equipment and gasoline sanctions that were passed by Congress. In essence, what the President is doing is allowing Iran to export its oil, he is allowing investment to help them produce more oil, and he is allowing the export to Iran of technology that will help them produce more oil and gas. At the same time, by turning down Keystone, the President is making it harder for us to produce and transport oil and gas in our country and work with our strongest ally, Canada. So what is the net effect of that? The net effect of that is it helps put OPEC back in the driver's seat.

If you don't believe me, let's just take a look at the numbers. The numbers don't lie. Prior to 2012, before we put the Kirk-Menendez congressional sanctions in place as part of the National Defense Authorization Act at the end of 2011, during that year, at that time in 2011, Iran was producing 2.6 million barrels of oil a day. By 2013, after the Kirk-Menendez sanctions had been in effect, Iran was down to exporting only 1.1 million barrels a day. Iran had gone from 2.6 million barrels a day down to 1.1 million barrels a day of oil they were producing, exporting, and getting paid for. We cut that by more than half.

My State of North Dakota alone produces 1.2 million barrels a day. That is more than Iran is exporting right now, but if all these sanctions come off, Iran gets to go back up to that 2.6 million and beyond. One million barrels at $50 a barrel is $50 million a day. One can see this means hundreds of millions and billions of dollars to Iran. This is certainly something to think about, going from 2.6 million barrels a day and having put sanctions in place, knocking it down to 1.1 million barrels—and that is with exceptions the President has allowed to the sanctions. That is without the sanctions being fully implemented. It shows that the sanctions are very effective. It also shows that if we release them, Iran will get incredible amounts of money—not only dollars that have been held from them, but dollars they are going to generate every day from increased oil production.

So the President wants us to relieve these sanctions at the same time he, in essence, impedes our oil and our growth in energy development in this country.

The simple question I have is, How does that make sense? How does that make sense? How do we get into a situation where we are enabling Iran to produce more oil, but the U.S. produces less? That makes no sense, but that is the impact of the President's decision.

The President will make an argument that is based on environmental factors. He will say he is making that decision for environmental reasons. He doesn't want the oil produced in Canada. He usually just doesn't talk about the light sweet crude that is produced in the Bakken area of North Dakota and Montana, which is the lightest, sweetest crude I know of. He tries to make the argument that he doesn't like oil that is produced in Canada for environmental reasons.

Remember I said this has been pending now for almost 7 years. We are in year 6. In the President's own Department of State, the environmental impact statement says the Keystone will have no significant environmental impact. It will be interesting to see when Congress is out of session—in August when the President turns this down, trying to get under the radar—what he has to say about how he is going to address the State Department's clear environmental impact statement, finding no significant environmental impact, but we will see what it is. At the same time, the President will work to convince Americans that all sanctions should be lifted from Iran so they can produce more oil and bring more money into their country.

There is an old saying. Essentially it goes like this: Those who fail to heed the lessons of history are destined to repeat them. President Obama is not breaking our dependence on foreign oil, he is reinstating it. The President is not strengthening our energy future, he is weakening it, and I urge him to reconsider.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. LANKFORD). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BARRASSO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BARRASSO. I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

OBAMACARE

Mr. BARRASSO. Mr. President, every day it seems as though Americans are hearing more and more news about how badly ObamaCare is failing. Some of the latest headlines have had to do with just how expensive health insurance is going to be next year under the President's health care law. The price increases that are being reported are truly staggering. Insurance companies are planning to raise rates 20 percent, 30 percent, even 40 percent on some of their plans, and they say it is because of the health care law.

The New York Times had an article just a couple of weeks ago. It quoted one lead advocate in the State of Oregon saying specifically that some people may ''start wondering if insurance is affordable, or if it's worth the money.''

Well, a lot of Americans have been wondering if the entire health care law is actually worth the money. Now, some Democrats have said that these outrageous price increases will not affect everyone. Well, they sure affect a lot of people. You know, my colleagues on the other side of the aisle say that the increases will not be as large as they are going to be, if you are willing to switch plans every year or if you accept less access to doctors or even less access to medications.

Well, the argument makes the same mistake that President Obama made from the beginning about the health care law, and it confuses coverage with actual care. In Connecticut, some insurance companies say they have come up with ways to slow down the increase in their premiums. What they are doing is they are actually cutting access to care. One company decided that it could save some money by reducing the use of specialty drugs. So some people who have this insurance may not be getting the drugs they used to get.

Another company in Connecticut decided that it could charge a little less by limiting the number of doctors that the patients could see. Instead of raising rates by 12.5 percent next year as they had planned, they said the company will now just be raising rates 11.5 percent. That is the kind of situation that hard-working families are facing—higher premiums, less access to care.

These narrow networks of hospitals and doctors are not just hurting people in Connecticut. They are turning up in ObamaCare plans all across the country. There was a study that came out this month. It found that plans offered through ObamaCare insurance exchanges across the country covered 34 percent fewer doctors than the average plan sold outside the exchanges.

Now, it is even worse for some specialists. According to the report, exchange plans include 42 percent fewer oncology and cardiac specialists. That is cancer doctors. That is heart doctors. So if you have cancer or if you have a heart condition, there is a much lower chance that your doctor is covered by your ObamaCare insurance.

People are paying outrageously high premiums, copays, and deductibles, and they are left with insurance coverage that may not cover their care. So a lot of people have decided they just cannot afford the Affordable Care Act. They would rather pay a tax penalty to the IRS than spend hard-earned money on this limited and expensive ObamaCare insurance. According to the IRS, last year 7.5 million hard-working taxpayers paid that tax penalty. That is 1 out of 17 taxpayers. Another 12 million people could not afford ObamaCare insurance or did not want it, and they filed a form saying they should not have to pay the penalty at all because it was unaffordable. There were only 6 million people who actually signed up for ObamaCare exchange plans last year. Almost 20 million people rejected ObamaCare because it was too expensive and it was not right for them and their families.

Now, President Obama has said repeatedly that the health care law is working—he said even better than he expected. Is this what he is talking about—even better than he expected? More Americans are rejecting ObamaCare than are signing up for it on the Federal exchange. Is that better than the President expected? Does President Obama think that the Federal insurance exchange is working better than he expected?

There were headlines about this recently as well and how Washington has failed to protect taxpayer dollars. The Government Accountability Office set up a test of healthcare.gov, the President's Web site, the one that failed so miserably. What they did is they created 12 fraudulent applications in order to see if they could actually get health insurance subsidies using fraudulent applications, and 11 of those 12 phony applications were approved last year. Now, here we are a year later. It turns out that the Washington bureaucrats—you cannot believe it—reviewed these policies and renewed the taxpayer-funded subsidies for all 11 of these phony applicants. Some of them even got higher subsidies this year than they did last year.

So what does the Government Accountability Office say about it? Well, the chief investigator looked at it. He said: There still appears to be no system in place—no system in place—to catch missing or fabricated documentation. It is incredible and it is disturbing, and it is no surprise that taxpayers are offended.

Finally, we are also seeing more news about one of the taxes that the Democrats included in their health care law. There was a headline in the New York Times last Wednesday: ''Concern Grows on Health Tax.'' That was on Wednesday, July 22, first page of the business section. ''Concern Grows on Health Tax.'' Now, this is about the new 40-percent tax on so-called Cadillac health insurance plans. These are the plans that employers offer to their workers. These are the plans that Washington says are too generous.

The article tells the story of Kurt Gallow, who works at a paper mill in Longview, WA. When you follow over, it says: Concern grows over excise tax's effect on health care plans. There are a number of people working and talking at this location in Longview, WA. But the story of Kurt is also about his wife, Brenda. She has diabetes. The article says that Kurt and Brenda are ''worrying about his company's proposed new health care plan, which would require workers to pay as much as $6,000 toward their family's medical bills.''

Now, that is a huge amount of money for anyone. But it is a huge amount of money for some of these very hard-working families. Now, these are changes that their employer has to make because of the President's health care law. You know what. This is not even an ObamaCare plan. This is not something they are buying through the exchange. These are people who get their insurance through work. Now, President Obama said that if you get your insurance through your job, ''nothing in this plan will require you or your employer to change the coverage or the doctor you have.''

Well, millions of Americans across the country are finding out that was just one more expensive broken promise made by the President. ObamaCare continues to be a complicated and costly mess. Republicans have offered good ideas about how to lower health care costs, how to improve access, and how to help Americans lead healthier lives. We all have ideas that will get rid of some of the ridiculous Washington-imposed mandates that are driving up costs and forcing so many Americans to go without insurance and certainly without care.

Six years ago, the American people were unhappy with health care in this country. They did not think the solution was higher prices, less access to care, and higher taxes as well. The American people are not satisfied with these constant headlines about all of the problems with the President's health care law.

Congress should not be satisfied with the current state of health care in this country either or with the disastrous side effects of the President's health care law. It is time for the President to admit the health care law is causing pain and problems all across the country. It is time to start anew, to give people the care they need from a doctor they choose at lower costs.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CORNYN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CORNYN. Mr. President, we all know the Chamber is engaged in the passage of a multiyear highway bill—not just highways, but this deals with mass transit, transportation infrastructure in general. To me, the most important thing about what we are doing is the fact we are not going to do another temporary patch—which we have done, I am told, 33 times—but we actually are going to pass a 3-year highway bill.

To me, the best news, I would say to the Presiding Officer, is now it looks as if we have the House thoroughly engaged, so it is not just a question of this bill or nothing. Perhaps, if experience is any guide, we can come up with something even better by collaborating with our House colleagues.

I wanted to come to the floor and talk a little bit about the impact of this bill on my State, the State of Texas, because we are a fast-growing State. We have about 27 million people there now. People are moving from around the country to Texas because our economy is growing. Last year, our economy grew at the rate of 5.2 percent. To compare that to the Nation, last year the Nation's economy grew at 2.2 percent. What does that mean? That means there are a lot more jobs and a lot more opportunities, so people are literally voting with their feet, leaving the States where there are limited opportunities and coming to States such as Texas where there are more opportunities. But that means more congestion, more traffic, and more challenges when it comes to our roadways, our rural freight routes, and it means challenges for our economy.

Many States, of course, would be delighted to have the problems we are having because, frankly, people are moving away from many States, not to many States. I know the Presiding Officer's State of Oklahoma is experiencing economic growth and job growth too because we share a common interest and sector of our economy, the energy economy, which the rest of the country would do well to learn from the examples in Oklahoma and Texas as part of our economic success story.

As others have mentioned, one of the chief reasons this bill has so much enthusiasm behind it is because it gives freedom and flexibility to the States to plan for infrastructure needs in the future. It perhaps should go without saying, but a 6-month patch, if we were to kick this over until December, doesn't give anybody any certainty to plan these long-term infrastructure projects which take literally not months but years.

As I said, for a State such as Texas that is growing rapidly—by some estimates 600 people a day are moving to the State—improving our roadways and bridges is vitally important for the

continued growth of our economy and increased prosperity for our people, and we have the practical challenge of handling a growing number of cars and trucks on our roads. One way this bill gives added freedom and flexibility to the States is through a provision that would help Texas and other border States meet their growing infrastructure needs, particularly at the southern border, with improvements that are not only necessary to get us and goods from point A to point B, but to keep us safe as well.

Frequently, when we talk about the border, we talk about border security. That is a very important consideration and, frankly, we have not committed the Federal resources we should to border security to make sure we know who is coming into the country and why they are here. Of course, we know that recently, even in the news, people have continued to penetrate our border, even those with criminal records, causing havoc and, indeed, committing crimes against innocent people such as occurred recently in the terrible incident that happened in San Francisco.

Our border, border infrastructure, and border security are the front lines of our defense, to keep our people safe, to regulate who comes into the country, and to make sure that only legitimate people can enter.

The question is—as one law professor recently testified before the Senate Judiciary Committee, when it comes to immigration, there is really only one question: Are you going to have controlled immigration or uncontrolled immigration? It is basically that simple.

I am on the floor to talk about transportation and the importance of this bill in terms of the border infrastructure when it comes to trade and commerce, but as I mentioned, it also is an important frontline when it comes to the safety and security of the American people.

We are fortunate in Texas to be the top exporting State in the Nation. That is one of the reasons our economy has grown faster than the rest of the country. The agricultural products that are grown there, the livestock that is raised, and the manufactured goods that are made are exported to markets all around the world, which creates good jobs, well-paying jobs at home.

It also takes good infrastructure to move more than $100 billion in exported goods from Texas to Mexico each year, supporting hundreds of thousands of jobs in Texas alone. It is estimated, when you look at the Nation as a whole, that binational trade between Mexico and the United States supports as many as 6 million American jobs. That is something we frequently overlook when we talk about our relationship with our neighbor south of the border and immigration, and that is there are many benefits to legal trade, traffic, controlled legal immigration, and, indeed, as I mentioned, $100 billion of exported goods from Texas to Mexico each year supporting hundreds of thousands of jobs.

In this bill, by allowing Texas and other border States more flexibility in long-term planning of border projects, consumers and workers can benefit as goods are shipped more efficiently back and forth. Our border infrastructure is essential to moving massive amounts of trade, which travel through our ports of entry every day. For Texas and the United States to remain competitive, the border region must have the quality infrastructure to truck, train, and ship billions of dollars' worth of goods efficiently and safely.

Doing nothing to invest in transportation at the border is not a viable option. A recent report from the Texas State Legislature found that $116 million in U.S. economic output is lost or forfeited every single minute. The trucks sit idle at the border with Mexico. They are literally frozen in place because they are bottlenecked because of archaic, antiquated infrastructure and lack of appropriate staffing at the border.

Infrastructure on the border also plays another important role, preventing things such as illicit drugs and merchandise from entering the country. In many respects, as I said, our border crossings, the technology employed there, and the professionals who work there—they are the first line of defense against bad actors who want to get into the country illegally or get contraband goods through our ports.

In Texas, better roads and bridges at the border region mean better economic opportunity and quality of life for our growing border communities. Fortunately, the border infrastructure provision in this highway bill would give the Governor in Texas and all other border States the freedom to assess the biggest transportation problems facing those States and would also provide essential tools to address them.

By dedicating funds to invest in border infrastructure projects at the discretion of State Governors, we can make sure our States have the resources they need to enhance trade and travel and to keep us safe at the same time.

This is not, of course, a new notion. Throughout my time in the Senate, I have worked with folks in Texas and elsewhere, people on both sides of the aisle and on both ends of the Capitol, to try to find ways to facilitate greater levels of legitimate commerce and travel at our Nation's ports of entry and throughout the border region.

I am thankful for making this progress in this legislation. I commend my Texas colleagues—Congressmen WILL HURD and HENRY CUELLAR, among others—for working with us and for introducing similar legislation on border infrastructure in their Chamber. Hopefully, as we now move from a Senate bill to a House bill that can then be reconciled in a conference committee, these important improvements will be retained and be part of a conference report.

The bottom line is that quality infrastructure and making sure our border is safe and effective is a bipartisan, bicameral issue, and one that clearly unites people in my State and across the border region of our southern States.

I am thankful to see this provision included, and I hope it gets passed soon to give our States the opportunity to dedicate even more necessary resources to the border.

This provision is an important example of the overall theme of this bill, giving the States a reliable way forward to plan for their long-term infrastructure needs. More than anything else, I believe this legislation is an investment in our future and the next generation.

I thank all of our colleagues for working with us to get this bill moving forward. We have an important vote tomorrow morning, and then we have another final passage vote, I believe, on Thursday. In the meantime, the House is going to send us a 3-month bill, which will give us the necessary time for the House then to consider their own transportation bill and then to get us to a conference where we can reconcile the differences.

As the Presiding Officer and I have discussed before in the past, if that is any indication, that will give us even greater ability to influence the ultimate outcome in a way that improves this product in a bicameral and bipartisan sort of way.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. COATS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PLANNED PARENTHOOD

Mr. COATS. Mr. President, in recent weeks, the American people have learned the shocking story of the barbaric practices Planned Parenthood uses to terminate life and to harvest organs of innocent human life. In a video released earlier this month that has gone viral—as it should have—the senior director of medical research at Planned Parenthood explained the process by which she harvests aborted body parts to be provided for medical research. I quote her:

We've been very good at getting heart, lung, liver, because we know that, so I'm not

gonna crush that part, I'm gonna basically crush below, I'm gonna crush above, and I'm gonna to see if I can get it all intact.

Additional videos have been released—I am told more are to come—with Planned Parenthood officials discussing the organ harvesting of fetuses. Unborn children. Beating hearts on the sonogram, on the screen. Human beings.

Despite the stunning impact and outrage of millions of Americans, Planned Parenthood's response to the release of these videos is this: Blame the messenger or the videographer, but let's not address the practice of harvesting aborted body parts.

Ross Douthat writes for the New York Times. I urge every Senator to read his July 25, 2015, column, entitled ''Looking Away From Abortion.''

Mr. President, I ask unanimous consent that this article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Times, July 25, 2015]

LOOKING AWAY FROM ABORTION

(By Ross Douthat)

In an essay in his 1976 collection, ''Mortal Lessons,'' the physician Richard Selzer describes a strange suburban scene. People go outside in the morning in his neighborhood, after the garbage trucks have passed, and find ''a foreignness upon the pavement,'' a softness underfoot.

Looking down, Selzer first thinks he sees oversize baby birds, then rubber baby dolls, until the realization comes that the street is littered with the tiny, naked, all-too-human bodies of aborted fetuses.

Later, the local hospital director speaks to Selzer, trying to impose order on the grisly scene. It was an accident, of course: The tiny corpses were accidentally ''mixed up with the other debris'' instead of being incinerated or interred. ''It is not an everyday occurrence. Once in a lifetime, he says.''

And Selzer tries to nod along: ''Now you see. It is orderly. It is sensible. The world is not mad. This is still a civilized society . . .

''But just this once, you know it isn't. You saw, and you know.''

Resolute abortion rights supporters would dismiss that claim of knowledge. Death and viscera are never pretty, they would say, but something can be disgusting without being barbaric. Just because it's awful to discover fetuses underfoot doesn't mean the unborn have a right to life.

And it's precisely this argument that's been marshaled lately in response to a new reminder of the fleshly realities of abortion: The conversations, videotaped covertly by pro-life activists posing as fetal organ buyers, in which officials from Planned Parenthood cheerfully discuss the procedures for extracting those organs intact during an abortion and the prices they command.

It may be disturbing to hear those procedures described: ''. . . we've been very good at getting heart, lung, liver, because we know that, so I'm not gonna crush that part, I'm gonna basically crush below, I'm gonna crush above, and I'm gonna see if I can get it all intact.''

It may be unseemly to hear a Planned Parenthood official haggle over pricing for those organs: ''Let me just figure out what others are getting, and if this is in the ballpark, then it's fine, if it's still low, then we can bump it up. I want a Lamborghini.''

But in the end, Planned Parenthood's defenders insist, listening to an abortionist discuss manipulating the ''calvarium'' (that is, the dying fetus's skull) so that it emerges research-ready from the womb is fundamentally no different than listening to a doctor discuss heart surgery or organ transplants. It's unsettling, yes, but just because it's gross doesn't prove it's wrong.

Which is true, but in this case not really true enough. Because real knowledge isn't purely theoretical; it's the fruit of experience, recognition, imagination, life itself.

And the problem these videos create for Planned Parenthood isn't just a generalized queasiness at surgery and blood.

It's a very specific disgust, informed by reason and experience—the reasoning that notes that it's precisely a fetus's humanity that makes its organs valuable, and the experience of recognizing one's own children, on the ultrasound monitor and after, as something more than just ''products of conception'' or tissue for the knife.

That's why Planned Parenthood's apologists have fallen back on complaints about ''deceptive editing'' (though full videos were released in both cases), or else simply asked people to look away. And it's why many of my colleagues in the press seem uncomfortable reporting on the actual content of the videos.

Because dwelling on that content gets you uncomfortably close to Selzer's tipping point—that moment when you start pondering the possibility that an institution at the heart of respectable liberal society is dedicated to a practice that deserves to be called barbarism.

That's a hard thing to accept. It's part of why so many people hover in the conflicted borderlands of the pro-choice side. They don't like abortion, they think its critics have a point . . . but to actively join our side would require passing too comprehensive a judgment on their coalition, their country, their friends, their very selves.

This reluctance is a human universal. It's why white Southerners long preferred Lost Cause mythology to slaveholding realities. It's why patriotic Americans rarely want to dwell too long on My Lai or Manzanar or Nagasaki. It's why, like many conservatives, I was loath to engage with the reality of torture in Bush-era interrogation programs.

But the reluctance to look closely doesn't change the truth of what there is to see. Those were dead human beings on Richard Selzer's street 40 years ago, and these are dead human beings being discussed on video today: Human beings that the nice, idealistic medical personnel at Planned Parenthood have spent their careers crushing, evacuating, and carving up for parts.

The pro-life sting was sweeping; there are reportedly 10 videos to go. You can turn away. But there will be plenty of chances to look, to see, to know.

Mr. COATS. I will share a couple of excerpts from his piece.

Writing in the New York Times, Ross Douthat says:

And the problem these videos create for Planned Parenthood isn't just a generalized queasiness at surgery and blood. It's a very specific disgust, informed by reason and experience—the reasoning that notes that it's precisely a fetus's humanity that makes its organs valuable, and the experience of recognizing one's own children, on the ultrasound monitor and after, as something more than just ''products of conception'' or tissue for the knife.

For those who defend the role of Planned Parenthood, Douthat writes that reflecting on the content of these videos ''gets you uncomfortably close to . . . that moment when you start pondering the possibility that an institution at the heart of respectable liberal society is dedicated to a practice that deserves to be called barbarism.''

I wish to repeat that again. He writes about the barbarity of what has taken place here and the videos of the response of Planned Parenthood—the description of what actually is happening to a child on the way to birth, seen in the ultrasound, hearing the beating of the heart, and then talking about the methods used so that certain parts of that body are not crushed and so that other parts of the body can be harvested for other purposes and sold—sold for money. That this is part of what Planned Parenthood is all about is just stunning.

Douthat said that even though people want to ignore it, even though they want to talk about it and blame the videographer—that he took things out of context—how can you take what is said and happened out of context and provide any rationale or justification for what is being done?

He said: But surely that is the moment when you start to ponder the possibility that an institution at the heart of respectable liberal society is actually dedicated to a practice that deserves to be called barbarism. That is a hard thing to accept, he said.

But, as difficult as that is, Douthat states that we must acknowledge that what is being discussed in these videos is human beings, and the nice, idealistic medical personnel at Planned Parenthood have spent their careers crushing, evacuating, and carving up that human life for parts to be sold on the market.

It is important that this body let Planned Parenthood know the American people do not support these inhumane practices. Congress should debate this issue. It should vote. It should vote soon. It should not leave here for our August recess until we send a clear message to Planned Parenthood that this is totally unacceptable, that the taxpayers of America will not fund with 1 cent of their tax dollars this barbaric practice, provided through an agency that pretends to be offering sound health care advice to pregnant mothers. Every Senator should have the opportunity to affirm that life is sacred and a precious gift, and it must be protected.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUPREME COURT DECISIONS

Mr. GRASSLEY. Mr. President, I come to the floor to give my analysis of the last year of Supreme Court decisions. There is a misconception that our Supreme Court is conservative, but in the term that just ended, the Supreme Court upheld a key provision of ObamaCare. It read the plain language of that ObamaCare statute that provided that health insurance subsidies apply only to exchanges established by the States and said that they are available on exchanges created by the Federal Government.

It ruled that fair housing discrimination cases can be brought even where there is no intent to discriminate. A harmful impact, then, is enough to bring a case.

It found that same-sex marriages are constitutionally required.

It expanded the reach of the Pregnancy Discrimination Act and made it easier to win cases under that law.

The Court decided that racial gerrymandering cases under section 5 of the Voting Rights Act must consider the effect on individual districts regardless of minority voting in the State as a whole. The Court said as well that in those cases, courts must look beyond the numbers when deciding whether minority voters have been packed into districts to dilute their influence on elections.

In fact, the Court reflected a very liberal bent in the last term. More worrisome, its liberalism derives not from the Constitution but the policy preferences of the Justices. Application of longstanding political science models shows that this year's Supreme Court rulings were the most liberal since the Warren Court years of the 1960s. As a UCLA professor stated, ''Shockingly, the Supreme Court may have been more liberal than the Obama Administration this term.''

The liberal Justices and the conservative Justices on the Supreme Court judge differently, and that is what I want to show to my colleagues. The conservative Justices acted as umpires, for the most part. They considered the facts and the law and decided the cases as they understood the Constitution. The liberal Justices prevailed so frequently because Justice Kennedy, Chief Justice Roberts, and—at least one time—Justice Thomas each voted with the liberals in at least two close, significant cases. As a University of Michigan professor commented, ''The chief justice really does take restraint seriously. At times, that is going to put a justice in contraposition to what his ideological preferences might be.''

By contrast, looking at the other end of the spectrum, there are no close cases in which even a single liberal Justice voted with conservative Justices to make a majority. Only two of the major cases were decided 5 to 4 in a conservative direction.

The New York Times identified the 10 most important cases of the term. The Washington Post selected 13 cases. Whichever list is consulted, liberal results predominated. In each of the cases, the four liberal Justices voted as a bloc for a—as you might expect—liberal result. I want to show why this isn't a coincidence. The liberal Justices act like players on the same team. Liberal Justices have actually admitted that they strategize in advance to vote as a bloc in support of liberal outcomes. Justice Ginsburg stated this last year: ''We have made a concerted effort to speak with one voice in important cases.'' I fear that this attitude and the votes of these Justices give rise to an appearance that their loyalties are to each other and to their preferred principles and policies rather than to the Constitution. Certainly, it is easier to make cases come out the way you want than to carefully consider the facts, precedent, text, and the arguments of the parties before reaching a decision that might run counter to your preferred outcome. And for those Justices, it is easier to do so if you know you have four votes in your pocket before you begin the task.

We accept the important role the Supreme Court plays in our constitutional system. The Constitution trumps the inconsistent policy choices of the American people enacted through their elected representatives. That is what we call the rule of law. But when Justices strike down laws based not on the Constitution but on their own policy preferences, that is the rule of judges. The Court in that instance acts as a superlegislature. Those rulings should, therefore, be questioned. At my town meeting Saturday in Iowa, they were being questioned. The Justices' personal policy views are entitled to no more respect than the policy views of the American people.

When Supreme Court nominees come before the Judiciary Committee for confirmation, they know better than to say they will enforce their own views. They don't say the Constitution is a living document with a meaning that changes over time. They know they wouldn't be confirmed if that is what they said. Instead, they say the text controls or if the text is unclear, the structure and the original intent of the Founders govern. They say constitutional interpretation is not about politics or good policy; they tell us it is ''law all the way down.'' But when they get on the bench, all bets seem to be off.

For instance, the text of the Constitution allows the government to deprive people of life if due process of law is provided. It makes references to capital—or death penalty—cases. It is therefore clear that the death penalty is constitutional. There may be some valid questions on when the death penalty would be legal. Nonetheless, last month Justice Breyer and another Justice wrote that they think it is very likely that the death penalty is unconstitutional in all cases—in other words, just throw out the words of the Constitution. That ought to be extremely disturbing to all of us. It is essentially a revival of the Warren Court, where the Justices' personal views trump the Constitution.

The Court also ruled this year on same-sex marriage. I support traditional marriage, as a sizable percentage of the American people still do. However, I do respect people of different views. The Constitution says nothing about whether same-sex marriage is required. That is for the people to decide through the democratic process. When the Supreme Court ruled otherwise, that prompted a significant portion of the populace to believe that the Justices were reading their own view into the Constitution. The decision was based on a doctrine called ''substantive due process.'' Substantive due process is really nothing more than an open invitation to Justices to read their own policy views into the Constitution.

This year, the Court ruled that the word ''liberty'' includes the right to define and express identity, individual autonomy, and dignity. Where do you find those words in the Constitution? In the past, the Court had narrowly construed substantive due process to protect only those rights established in light of objective history and their deep roots in society. The majority effectively then overturned those rules.

The Court now thinks the meaning of the clause does not turn on the text or the intentions of the Framers. Rather, the Court ruled that the meaning of due process changes as ''we''—the Justices—apply, as they would say, ''new insight'' that derives from, in their words, a ''better informed understanding of how constitutional imperatives define a liberty that remains urgent in our own era.''

In the view of the slim majority, the role of the Court is to make, in their words, ''new dimensions of freedom . . . apparent to new generations.''

This is the language of the doctrine of the living Constitution. It is the Justices, then, amending the Constitution without Congress and the States voting to do so. It is another Earl Warren deciding cases by asking what is just and what is fair, and that is in his mind and not what the Constitution and the laws require.

It is not law at all, never mind ''law all the way down.''

While the decision permits those who hold the traditional view of marriage to discuss their views, it said nothing about the real constitutional right to

freely exercise religion—with the emphasis upon ''exercise.''

Another of the Court's liberal decisions gave short shrift to another right protected by the Constitution: free speech. That decision treated as government speech what is actually private speech. It is an important distinction in the real world. Government must treat private speech neutrally. It cannot play favorites, but the government can discriminate against viewpoints it does not like when the speech is the government's speech. It can fund speech that discourages use of illegal drugs, for instance, without funding speech that encourages drug use.

As a result of the First Amendment ruling, the government may be able to deny many kinds of government benefits to those who dare to express views with which the government disagrees. This then would be an ominous development for everyone.

Specifically, the government may be able to deny tax exemptions and charitable deductions based on the free expression of the groups involved. That would make a scandal such as the IRS's denial of tax-exempt status to organizations based on their presumptive conservative policy stands constitutionally permissible.

Substantive due process has been used for the last 50 years only to invent new liberal constitutional rights. Conservatives have not used substantive due process to invent new conservative constitutional rights. In creating new such rights, liberal Justices never are hesitant to overturn conservative precedents, but those same Justices consider the liberal substantive due process precedents to be sacrosanct under stare decisis. In other words, they are effectively saying ''what is mine is mine and what is yours is negotiable.''

Conservatives issue legal rulings that produce liberal policy effects, but liberal Justices will not issue legal rulings that are conservative. So as I am trying to show to my colleagues, each side plays by different rules.

Is it any wonder that so many people in this country think the game is not on the level? A recent CNN poll—a media organization that no one would say is rightwing—found that 37 percent of those surveyed think the Court is too liberal. Only 20 percent characterized it as being too conservative. I am concerned about how that backlash could manifest itself.

Even if Justices abuse their power of judicial review by substituting their policy views for the Constitution, we need judicial independence to safeguard the actual Constitution. We should not do anything to undermine judicial independence, but if the Court does not give the public the confidence that the meaning of ''liberty'' in the due process clause means something other than the policy preferences of five Justices, the consequences could be serious for our constitutional order.

The Supreme Court, similar to a river flooding its banks, is not staying within its proper channel. I strongly encourage all Justices of the Court to exercise the self-restraint the Constitution demands and that its Framers anticipated.

Ultimately, that will be the only way the courts will retain their necessary powers to preserve the Constitution.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. AYOTTE). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. INHOFE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INHOFE. Madam President, while I would normally be coming down at this time to talk about the Transportation reauthorization bill, which is one of the most significant bills we will be considering—there are problems right now in getting it done before the House leaves, but we are going to make every effort to have it done by the end of this week. I think that is very important because, for all of the reasons we talked about, we can't continue to do part-time extensions that don't allow us to get to any of the real problems we have. However, that is not why I came to the floor this afternoon. I am here this afternoon to speak on a different topic.

(The remarks of Mr. INHOFE pertaining to the introduction of S. 1877 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. INHOFE. Madam President, I ask unanimous consent that Senators MCCAIN and ROUNDS be added as cosponsors to the S. 1877.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INHOFE. Madam President, right now we are in kind of a waiting period. We have made a request. It seems that request is being denied because it takes unanimous consent to come up with language that will allow us to waive time.

The time that is pending right now on the Inhofe amendment will not expire for 30 hours. Precloture will not expire until 5 a.m. tomorrow, so it looks like that will make it too late to get our bill passed prior to the time the House goes home.

This could always change. I think a lot of people are taking this position because they didn't think we would be able to pass the bill. I think we are going to pass it. I think we can pass it very likely on Thursday, and so even if the House is gone, we will be preparing to go in and handle that bill when we all come back after the recess.

I just want to mention this because I think it is very important for people to understand that we are going to be using this. We have gone through a lot of work on the bill.

The highway reauthorization bill was passed unanimously out of the committee I chaired, the Environment and Public Works Committee. Every Republican and Democrat voted for it. So it is one of the few bipartisan efforts to take place in a body that is often criticized for not getting anything done. This will be a major bill. It will become a reality.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Madam President, thank you. To the chair of the committee, congratulations, Mr. INHOFE, on the progress made so far with regard to the highway bill, indicating that we will pass something on Thursday and send it over to the House. It is important we address this issue. It is important we put people back to work. We have crumbling roads and bridges.

I hope everybody in this Chamber agrees that we need a highway bill and, specifically, we need one as long-term as possible in order to give people predictability and certainty to be able to plan projects and to be able to deal with what is an increasing problem in our country, which is a lack of funds in infrastructure.

I hear it back home in Ohio. What I am hearing is: Give us certainty. Let us know what the plan is. Congress, in doing these short-term extensions, is not creating a plan.

If we end up with a short-term extension because the House and Senate can't agree, then I hope we will make a commitment when we do that to say: OK. After whatever that short-term period is—I have heard the rumor of 3 months—that at that point we will come up with a long-term proposal together.

I happen to think one way we could find a longer term proposal is to have international tax reform. We should do it anyway. We should do it whether or not the highway trust fund is connected to it. There are ways to reform the Tax Code so companies that are overseas, that have revenues overseas, that won't bring them back now because our tax rates are so high might be willing to bring them back at a lower rate. If they bring those funds back and are taxed on those funds, there might be an opportunity to provide some funding for long-term solutions to the highway trust fund, perhaps in conjunction with some of the other pay-fors that are part of the bill we are talking about. International tax reform is necessary in and of itself. I didn't come to the floor to talk about that, although tomorrow we do have a hearing in the Permanent Subcommittee on Investigations on this very issue.

I will tell my colleagues and those who are listening, if we do not reform our Tax Code, update our currently noncompetitive Tax Code, we are going to see more and more jobs and investment going overseas. It is that simple.

We already see it. Last year, in dollar terms, there were twice as many foreign acquisitions of U.S. companies than there were the year before. Think about that. These are big companies with big names. One name you might know is Burger King, another is Budweiser. Another one that is thinking about it is Monsanto. These are big companies.

A lot of companies have already decided they are not going to stay in the United States because our Tax Code is so bad. It puts them at such a disadvantage vis-à-vis their competitors around the world that they can't survive. They have to become foreign entities in order to be competitive. We have to fix that. It is Washington that is creating the problem. Many criticize these companies. I say if there is any blame to show, it is right here in Washington, DC, by allowing the Tax Code that was written in the 1960s to continue when every other one of our competitors around the world has reformed their tax codes and lowered their rates. This is something we can and should do. There is bipartisan consensus around this—maybe not in the details but in a framework.

Senator SCHUMER, on the other side of the aisle, and I put together a report on this recently. We spent 3 or 4 months working on this, but it is a combination of a lot of different hearings and projects that have been undertaken over the last several years on this. We know what we have to do. We know we have to go to a competitive international system that allows us to be able to say to our workers in America: We are going to give you the tools to compete and win. We are not going to allow you to continue to have to compete with one hand tied behind your back, which is what is happening right now. The beneficiaries of this would be the American economy but specifically the American worker.

The folks in the boardrooms are going to be fine one way or the other. When you have these foreign acquisitions of U.S. companies or you have these so-called inversions where companies go overseas, the major executives in the company do just fine. The stock usually goes up. What happens is you lose workforce, you lose jobs here in America, salaries don't go up—they stay flat—and that is who is taking the brunt of this. So we have to fix that system, and I think we can do it perhaps in the next few months as part of this highway trust fund. That would be, I hope, an incentive to do it. Again, we should do it anyway, even if there is no highway trust fund need for us to find additional sources of funding.

In the meantime, I applaud the chairman and others who included in the highway trust fund legislation we are currently looking at. This is the legislation the chairman says we are likely to vote on Thursday. Included in that are a couple of other provisions that are quite helpful.

The one I want to talk about is with regard to regulations and permitting. When you think about it, we are struggling to find enough money to put into the highway trust fund to extend it as long as possible, right? Everybody is concerned about the fact that we have roads and bridges and can't put enough people back to work. One solution to this is to go to the taxpayers and say: We need more funding from the Federal tax base to go into this. That is what is happening, frankly. Another one is to say is there a better way to build these roads and bridges to save money so every tax dollar goes further, so we are telling the American people we are not only funding infrastructure, but we are doing it in the most cost-effective, efficient way. That is not happening now. One reason it is not happening now is because it is so darn hard to permit something, so hard to get the green light to go ahead and start construction on something.

I hear this all the time back home. I hear it with regard to commercial buildings, I hear it with regard to energy projects, and I hear it with regard to roads and bridges. You have so many hoops you have to go through, many of which are Federal, some of which are local, some of which are State—many of which are Federal, that it adds costs to the project. It adds delay to the project, and it makes it so you are always worried about a litigation risk because people can go back years after the project is completed and say: Aha. I am going to file a lawsuit because you didn't follow all of these Federal regulations and rules quite the way you should have. That adds cost that we should not be incurring.

Instead, as we pass this highway bill, we are going to pass something that is called permitting reform. The Federal permitting system is being reformed in this underlying bill. My colleagues ought to know about that. I am going to make a plea that regardless of what happens, whether it is a 6-year bill, which I think would be great, again adding predictability and certainty, or whether it is 3 years, which maybe we are going to pass on Thursday, or whether it is 3 months, which is what some are saying—the rumor is perhaps the House will send it back to the Senate—whatever the extension period is, let's include this legislation to make it easier to green-light a project to have America get back into the business of building things, not just roads and bridges—although it will help on this bill—but also other projects: energy projects, construction projects, commercial buildings, and so on.

Let me give you a really frightening statistic. There is a group that does an international assessment every year of all the countries in the world. It asks: How easy is it to do business in various countries? They compare the countries. One of the countries of course in the mix is us, the United States of America. You would hope we would be at the top of the list—the best place to invest—that we would be the country, since we are a capitalist free enterprise country where we value ingenuity and want to move forward with projects and get things done, that we would be at the top of the list. We are not. We are now No. 41 in the world in terms of the ease to get a construction permit to build something—No. 41 in the world.

Capital is global these days. It moves around the world, and certainly around the country, but around the world. So you go to a big city overseas, let's say London. You see all sorts of cranes. Why? Because actually in that city it is easier to build something than it is here in the United States. That is crazy. We should have a system here in the United States where you have to go for the proper regulations, you have to be sure you are building something that is safe and environmentally sound, but that it is easy to do it. You can do it quickly. We are now 41st in the world.

This drives investment out of the United States and puts that investment in other countries. This is why this legislation is so important. Again, for the roads and bridges it is important, but also in general to put people back to work.

Here is something interesting about this legislation. We have worked on this for almost 4 years—about 3.5 years now. My cosponsor is CLAIRE MCCASKILL, who is a Democrat, so we have a Republican and a Democrat doing this together. Over time we have been able to build support, slowly but surely, to the point that we now have a good group of bipartisan cosponsors, pretty evenly balanced between Republicans and Democrats, but we also have some support from the outside that is unusually balanced.

We have the Chamber of Commerce supporting this in the business community. That might be expected. A lot of them are interested in how to build something and build it more quickly, but we also have the AFL–CIO building trades council strongly in support of this. I appreciate that. Because they get it. This is about work and specifically about construction jobs. A lot of those jobs went away during the financial crisis of 2007, 2008, and 2009. They have been slow to come back. Unemployment is still relatively high among construction workers. Frankly, a lot of them have moved on to something else because they have not had jobs.

The AFL–CIO building trades council and the business community are together on this. They are working with us together to ensure that we can get this done in the highway bill and to move forward with not just something that will help on roads and bridges, but it will help on all kinds of projects.

I heard about this in the context of energy. When I first got elected, a company came to me. It is called American Municipal Power, AMP. AMP does small energy projects all over our State and some other States. They came to me and said: You know, Rob, we have been trying to put a powerplant on the Ohio River. Now, you might think that normally would be a coal plant or a gas plant, or even a nuclear plant—there are all those along the Ohio River. They said: No, we are actually trying to put a hydro plant. The Ohio River is not a particularly natural place for hydro, you would not think, but it turns out there is a nice flow in the Ohio River. It is a big river.

They had this great idea at the locks of the Ohio River to add a municipal powerplant, hydroplant, but they said: We cannot get through all of these Federal hoops. There are up to 35 different Federal licenses and permits you now have to get to do an energy project. Think about that. You have to get 35 different Federal licenses and permits in order to start construction and to move forward with an energy project.

That is what they found in the Ohio River. They came to me and said: What can you do to help? We started to look at it and figured out: My gosh. The right hand doesn't know what the left hand is doing. You have so many agencies involved, so many different interests involved, whether it is the Army Corps of Engineers, the USGS, whether it is EPA, whether it is again State and local regulations. I am just talking about the Federal side when I talk about the 35 permits and regulations.

What American Municipal Power wanted was to be able to get something done in a predictable way and have somebody be accountable. We liked that idea, so we moved forward with this legislation providing more accountability.

We also heard from Baard Energy. Baard had plans to build a $6 billion synthetic fuels plant in Wellsville, OH. This was a coal-to-liquid plant that would not only convert coal into clean diesel and jet fuel, it would also have created, we were told, up to 2,500 jobs. This is in a part of Eastern Ohio where these jobs are so valuable, so precious.

They couldn't do it at the end of the day because the permitting delays and the lawsuits they got so interfered with the project that their capital left. It wasn't patient enough to wait around for all the delays, all the potential lawsuits, all the problems. So, again, from them we learned: Well, let's have accountability, one agency responsible, but also let's look at this issue of not just lack of accountability, but the fact that these lawsuits continue to slow these projects down and make it more difficult to move forward.

Our legislation addresses all of these issues. It does so in a very thoughtful and, I think, reasonable way, in a way that is common sense. We have got support on both sides of the aisle. First of all, it strengthens coordination and deadline setting. We talked about having some accountability. One agency is now accountable, so instead of agencies being able to go: Well, you know, we are fine, but how about this other agency? Not our fault, their fault, pointing fingers. Now you have got one agency that is in charge.

Deadline setting. This creates an interagency council to best identify what the best practices are, but also set deadlines for reviews. Right now with no deadlines, the things often go on and on and on, in approvals of important infrastructure projects.

It also strengthens cooperation between the State and local permitting authorities, another problem. As I said earlier, there are local and State issues as well, and we try to avoid duplication and the delay that comes from that.

Second, the legislation facilitates greater transparency and greater public participation in the permitting process. It creates what we call an online dashboard where you can look at the dashboard—whether you are a company that is involved in this or whether you are a member of the public who is interested in this—you can look on that dashboard and see this is where the permit is. OK. It is at that agency. Well, why? You can see whether it has completed its review. And where are we on this?

It encourages not just the ability to track agency progress, which I think will have a very important effect—sunlight is the best disinfectant sometimes in bringing this out; making the transparency better is a good idea, but it also brings more input from stakeholders.

We also require in our legislation that the agencies accept comments from stakeholders early in the approval process. Why? Because another problem we found was that often the concerns come very late in the process, so you have an investment, you have workers working on this. All of a sudden a concern comes in, it stops everything, slows it down, and makes it very inefficient.

Instead we are saying: OK. Comments, they are very important, but let's accept those comments earlier in the process. Let's identify these important public concerns from the very start. Then finally, it institutes a set of litigation reforms that I think is very important. One I will mention, which I think is probably going to be surprising to a lot of people: Right now there is a statute of limitations on lawsuits that runs 6 years. This is after the environmental review, the NEPA review—6 years. Think about that. We limit that 6 years to 2 years. I would have liked to limit it even further to be frank.

In our original legislation we tried to limit it even further, but this again is a consensus-building project. We want to be sure we kept the bipartisan support, we kept support on the outside, including from groups like the Natural Resources Defense Council that have worked with us on this.

So we have accountability, transparency, litigation reforms, with the whole goal of saying: Let's take, in the case of these construction projects, the roads and bridges, the Federal dollars, and let's let them work in a more efficient way so every dollar goes further, so we can get these roads and bridges going, so we are not paying so much for delays and redtape, so we are not paying so much more for lawsuits, so we can actually get this thing moving. That is in this legislation.

I hope my colleagues who, like me, go back home and hear about regulatory reform and the need for us to streamline the process will strongly support this part of the legislation, even if they cannot support all of the legislation. I hope they will continue to push this Senate and the House of Representatives to pass this permitting reform legislation.

If we do that and it lands on the President's desk, I believe he will sign it. I believe that because we have worked with him closely and because frankly it will have such strong bipartisan support. It is the right thing to do. It enables us to say to the people we represent: You know what. We are not just asking for some more money for roads and bridges, which is important and will create more jobs and make our economy more efficient—we need to do that. The crumbling infrastructure is real.

It is also an opportunity for us to do it in a more efficient way. The President's job council, at the end of 2011, issued a report. You might remember that. President Obama selected Jeffrey Immelt, who is a very widely respected executive—GE CEO—to chair the jobs council. He came up with a bunch of recommendations, many of which I think were very constructive.

One was about this very issue. This is what they said. They said we ought to reform the permitting process because we should, as the President said, ''do everything we can to make it easier for folks to bring products to market, and to start and expand new businesses, and to grow and hire new workers.'' That was the President.

Sean McGarvey is the president of the North America's Building Trades Union. We talked about the AFL–CIO

building trades union. This is what Sean McGarvey has said: ''If there was ever an issue that could be considered a no-brainer for Congress, the Federal Permitting Improvement Act is it.''

I agree with Sean. This is a no-brainer. Let's get it done as part of the legislation we are going to pass this week. I believe we will pass it. If we do not pass the highway bill this week, let's ensure that we include the permitting reforms in whatever we do pass.

Again, whether it is a 3-month extension or a 6-year extension, we should be sure that we are removing unnecessary delays, bureaucratic hurdles, so that more Americans who are looking for a job can find a job, and so that tax dollars can go further. I want to thank CLAIRE MCCASKILL, the Senator from Missouri, who has been the cosponsor of this over the last few years. Sometimes it has not been easy working through this. She has taken some arrows, but it is the right thing to do. It is meaningful legislation that will actually help move our economy in the right direction and help us to be able to repair more of these roads and bridges because we will be doing it more efficiently.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CORKER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. GARDNER). Without objection, it is so ordered.

Mr. CORKER. Mr. President, I rise today to speak about the highway bill. I understand there will be a cloture vote tomorrow and then potentially, if that is achieved, final passage the day after. I want to say again that I appreciate the efforts of so many in various areas, that my comments today are not intended to be directed at any individual or either side of the aisle.

I was elected in 2006 and I came in during 2007, so I have been here roughly 8½ years. One of the reasons I ran for office was to deal with our Nation's fiscal issues. I was so concerned about the direction in which our country was going. As you know, just about every military leader we have will tell you that the greatest threat to our Nation's national security is us, those of us here in Congress, and the way we deal with our fiscal issues.

The simplest fiscal issue I know of to solve is the highway bill because it is simple math. It is not like Medicare, where all these actuarial issues have to be dealt with and you have to make assumptions about the impact on care and all those kinds of things. The highway bill is just simple math. It is so easy. There is money that comes in and there is money that goes out.

I think everybody in this body knows the highway bill was set up based on a user fee program where people who are using the highways pay for that through user fees and then the money would be there in a trust fund—a real trust fund—where, in fact, the money would go out. So we would have a system in our country where we would pay for our highways and other infrastructure in that regard. As a matter of fact, the State of Tennessee has zero road debt because that is exactly the way they handle their State portion.

I know a lot has been said about this Presidential race and what is driving some of the interesting anomalies that are occurring right now. People are saying: Well, certain candidates are receiving a lot of attention because of the anger people in America have toward Washington. I would just say that this bill—this is an outline of it—should be exhibit A as to why people in America are angry at Washington. Both sides of the aisle, both ends of the Capitol, this is exhibit A.

Again, I understand this was a combined effort with lots of people, but let me point out a few things.

No. 1, we have had five general fund transfers—in other words, taking money out of our general fund and sending it over to the highway trust fund. That has totaled $60 billion since 2008.

We have these wonderful young interns who come up here to learn about Washington. They come up here to experience Washington. They have read in their history books and other places—in civics—about this being the greatest deliberative body in the world. I would think that in most cases they probably look up to people here on the floor. Some of them may aspire to someday actually serve in the Senate. But what they are going to be witnessing should this bill become law is 100 folks in this room—not all of them but a number of people in this room—voting to basically steal money from them.

They are stealing money from you so that all of us can look good to our constituents and pass a highway bill. So we are going to steal money from you so that we don't have to deal with this issue. It is called generational theft.

So to the pages and to the people you have been working with for so long, just know—and I don't know any other way to describe this. Let me explain. This is a 3-year bill we are going to pay for over 10 years. One hundred percent of the spending, in other words, takes place between the years 2016 and 2018—100 percent of the spending—but 69 percent of the offsets, the money coming in, actually comes in—you heard me say 2016 to 2018—between 2022 and 2025. So that would be like your mother or father going to the grocery store and buying groceries and saying: Well, I am not going to pay for this today; I will pay for this in 7 or 8 or 9 years down the road. Every time they went to the grocery store, they did that. You can imagine how your household finances would operate if that is what they did. If this bill becomes law, that is what the people in this body will be doing to you. It is generational theft.

We use these tricky accounting rules around here where if we pay for something over 10 years even though we spend the money in 1 year, we count that, believe it or not, as paid for.

It is even worse on something like a highway trust bill. See, this is something where money is supposed to come in at the same rate money is going out. You can expect some aberrations on when money comes in and when money goes out on other kinds of programs—you can expect that—but not on the highway trust fund.

This is the kind of math, by the way, each of you probably knew about in the third or fourth grade, where you could figure out how much money is coming in and how much money is going out. But on both sides of the Capitol and on both sides of the aisle, since 2008, instead of dealing with this issue—which, by the way, means you have to make some tough choices. You could spend less money in the trust fund. That would be a way to make it add up. You could devolve some of the responsibilities back to States. By the way, so many roads are now becoming roads the Federal system pays for, there might be a good argument for that. There is a good argument for that. Or you could just increase revenues and make sure those who are driving on the roads in our country today pay more to do it. But that is not what is going to happen. We are going to pull a trick on the American people. And here I get back to that anger issue and the reason so many people are upset with Washington. Again, this is exhibit A.

As a matter of fact, only 9 percent of the money coming in over this 10-year period comes in during the period of time we are spending on the highway bill. Can you believe that? Yet we say it is paid for.

Let me tell you what else we are doing. This is fascinating to me. Congress, in its brilliance, has created a system where only Fannie and Freddie—remember the two behemoths that had $5 trillion in housing mortgages in our country, the big giants that failed back in 2008? What we have done in this bill—I am not going to do it, but if people vote for this bill, what they will be agreeing to do is to extend the guarantee fee on mortgages out, by the way, the last couple of years of this bill, so, again, money comes in way beyond the time we spend it.

So let's say you guys go to college. I know many of you will. When you get out, you decide to buy a home. Let me tell you how we, in our wisdom, have decided to pay for our highways. We

are going to make you pay more for your mortgage. You are not going to know that, by the way; we are going to hide it in your mortgage.

See, we want to make sure the American people don't really know how we are paying for these things. We try to hide these things from folks so that when we run for reelection, we don't create any ire amongst the public.

This one is hard for me to believe. Now, I can understand some people in this body supporting this, those who support Fannie and Freddie continuing on forever, because what we are really doing is now the Federal Government, in order to pay for our roads, is relying on Fannie and Freddie. So how could you do away with them? Think about it.

We have had so many people in this body talk big about winding down Fannie and Freddie and about how they are a threat to our Nation. I have actually written a bill to try to deal with that and had a lot of support from people on both sides of the aisle. We all talk big, but let me tell you what we are going to do. To pay for the highways, we are going to continue the policy of making sure that every time somebody gets a mortgage, they pay a little more for that mortgage—the entire time, by the way, that mortgage is in place. That generates about $2 billion. Of course, the American people won't know or see that, and so that, of course, makes it very popular.

Let me talk about another one. This is fascinating to me. The Federal Reserve System has been paying a dividend to member banks that invest in their regional Feds. Since 1930, that dividend rate has been 6 percent. I don't know if that is the right number.

By the way, some people are confusing this with a monetary policy issue, which is the amount that is being paid on the reserve. That is not what this is. This is something which has been in place since the 1930s. We never had a hearing on it, by the way, and I have no idea what we should be paying, OK? I have no idea. But just out of the blue, to generate $17 billion—without a hearing; never been a hearing; as a matter of fact, I would say most people in this body have never heard of this issue—to pay for our roads and again make sure we stay in great stead with our constituents back home so we don't have to make any tough choices, we are going to change that from 6 to 1.5 percent. That generates $17 billion. But, again, it keeps us from having to deal with this issue head on. By the way, a lot of that money comes in way beyond the period of time we are spending the money on the roadways.

This is the one that gets me. I love this one. I love this one. We are going to sell 101 million barrels of oil from something called the Strategic Petroleum Reserve from 2018 to 2025. We have a big Strategic Petroleum Reserve, which is in our national security interests. As a matter of fact, I would say that if President Obama were to propose this particular pay-for, most everyone on our side of the aisle would just raise unbelievable—I need to choose my words—would be very upset. It would be dead on arrival because what it does is it weakens our national security.

We have the Strategic Petroleum Reserve. In a time of crisis, we want to make sure the people in America have access to this Strategic Petroleum Reserve.

This is so grave. We are generating $9 billion, by the way, in the years 2018 through 2025—again, beyond the time of even paying for this highway measure. So again, it is generational theft—selling assets down the road to pay for things today. It generates $9 billion, and half of the sales occur in 2024 and 2025. So it is kicking the can down the road.

For America, please, please, be upset about this. Please, please, be angry about this.

Let me tell you what we are doing. We all make investments and pay attention to the markets a little bit. We hope we can save some money. Oil is selling today at under $50 a barrel. But let me tell you at what we have decided we are going to sell this oil. We are just going to make it up—at $89 a barrel. Think about that.

Congress in its wisdom has decided we are going to sell 101 million barrels of oil. We are so bright and we can anticipate the future so well that we know, by golly, that when we sell this oil between 2018 and 2025, it is going to be at $89 a barrel, even though it is under $50 a barrel today. But we know that because we represent America. We have been elected to the Senate.

So that is how we are generating it. By the way, if during that period of time oil happens to be selling at $74 a barrel, we break even. If it sells for anything under that, it is less. But by the way, there is $9 billion of made-up money just because we have decided that is what the price of oil is going to be at that time.

I just have to say that this is one of the most irresponsible pieces of legislation I have seen come this far in the Senate. Let me say this one more time. This has to be one of the most irresponsible pieces of legislation that I have seen make it this far in the Senate.

I am very disappointed with where we are. I am not directing that at anybody. People on both sides of the aisle are involved in getting it where it is today. People on both sides of the building have used these types of gimmicks and tricks to basically involve ourselves in abject generational theft, keeping us from making tough decisions today. They are not even tough, to be honest—just using our God-given common sense, the same thing that most Americans get up every day and have to deal with.

I have been so uplifted in my home State and by my home town of Chattanooga to watch how ordinary citizens with huge patriotism and large amounts of common sense have dealt with the tremendous tragedy in our hometown. I have just been overwhelmed by it. I wish all of America could see the response of people who wake up every day carrying out their ordinary duties, husbands and wives and sons and daughters. They care about our Nation. They care about its future. They care about our military. They care about people who protect us. I wish that somehow people could see that. I know people see it in all of their hometowns around the country. I know people see this greatness. Yet in this bill, I don't see any common sense. How could we pay for our highways utilizing this type of pay-for?

So I rise to say that I don't support this piece of legislation. I think that has been made clear. I hope that as people analyze the pay-fors—which, again, in my opinion could not be more ridiculous on something like a highway bill—this bill will go down, and we will figure out a way to deal with this in a more productive way. Again, the right way to deal with this, if you have a trust fund, is to have fees that come in and the same amount that go out.

I think in this minor conversation here, these pages probably get that. I think America gets that. I hope, again, this bill does not pass. I hope it does not become law, and I hope we can gather and figure out another way of dealing with this in a responsible way that doesn't use gimmicks, as this certainly uses.

I don't know how anybody could say: By the way, the Senate has assumed that in the years 2024 and 2025, oil will sell at $89 a barrel. Now, if the Senate was that good at giving financial advice—certainly, if we look at our balance sheets and the deficits we have been running, people would know that is anything but the truth.

The fact is that this bill should not become law and should not be supported. I intend to vote against it. I intend to encourage others to vote against it. I hope that at some point in my tenure here we will actually begin to deal with our fiscal issues head on, in a direct way that solves them for the long term and really doesn't sweep them under the rug for this generation, unfortunately, to have to clean up our mess.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, in poll after poll, the American people have told this Congress that it is time to wake up to the ever-growing threat from carbon pollution. Two-thirds of Americans support the Environmental Protection Agency's Clean Power Plan to cut emissions from powerplants and invest in energy efficiency and renewable energy. Even a majority of Republicans support action to reduce carbon pollution. But we do nothing.

So here I am again, for the 108th time, for a speech of which the Presiding Officer has become something of a frequent flyer, to urge that we listen to our constituents and do the job that we were sent here to do.

Sadly, Congress is stuck in the grip of the big polluters and their unlimited, unreported campaign spending. After the dreadful Citizens United Supreme Court decision of 2010, two things happened. One, corporate political spending poured into secretive unaccountable groups that now wield untold influence in our elections. Two, Republicans—particularly Republican voices in Congress—fell silent on carbon pollution and climate change. It was a stopper.

So despite the wishes of the American people and despite an overwhelming scientific consensus, the majority in the Senate has no plan whatsoever to address the catastrophic changes we see in our oceans and our atmosphere, in our farms and our forests.

Many of the Republican candidates for President, for fear of offending their fossil fuel billionaire donors, ignore not only the clear tide of public opinion and not only the warnings of our scientific and national security officials but ignore the climate disruptions in their own home States. They ignore the homegrown climate research of their own State's scientists and universities.

Earlier this year I came to the floor with my colleague and friend, Senator BALDWIN of Wisconsin, to consider the effects of carbon pollution in her Badger State. Senator BALDWIN is a fierce defender of Wisconsin families and businesses and is fighting to protect Wisconsin's climate, from the Great Lakes to the legendary dairy farms.

Wisconsin Governor Scott Walker, on the other hand, has gone another way. He has gone right down the fossil fuel industry rabbit hole. He pulled the plug on scientific and environmental functions in State government and he attacks environmental programs in the Federal Government.

Let's look at the facts in Wisconsin. According to the scientists at the University of Wisconsin-Madison, weather stations around Wisconsin measure that average temperatures in Wisconsin increased by about 1.1 degrees Fahrenheit between 1950 and 2006. During the same period, Wisconsin got wetter as well as warmer. Annual average precipitation in Wisconsin increased by almost 3 inches—again, measured.

As more and more carbon pollution piles up in the atmosphere, researchers at the University of Wisconsin-Madison estimate and project that by midcentury Wisconsin could warm by 4 to 9 degrees Fahrenheit. By the end of the century, the climate in Wisconsin may look more like that of present-day Missouri or Oklahoma, raising the prospect of dramatic shifts in the Wisconsin economy and way of life.

These changes would not be kind to Wisconsin's iconic badger. The Upper Midwest and Great Lakes Landscape Conservation Cooperative lists the Wisconsin badger as one of the region's species at risk from climate change. It has no apparent effect on Governor Walker, however.

There was the Wisconsin Initiative on Climate Change Impacts. The Wisconsin Initiative on Climate Change Impacts was formed in 2007 by the Wisconsin Department of Natural Resources and the University of Wisconsin Nelson Institute for Environmental Studies. The scientists and public officials in this program are studying how climate change will affect Wisconsin's wildlife, water resources, and public health, and important Wisconsin industries such as forestry, agriculture, and shipping and tourism on the Great Lakes.

Climate change threatens pillars of the Wisconsin economy. The initiative's agricultural working group reports that higher summer temperatures and increasing drought will create significant stress on livestock, even touching Wisconsin's famed cheese industry. Victor Cabrera, an assistant professor in the University of Wisconsin-Madison Dairy Science Department, says that this heat stress interferes with both fertility and milk production. Dairy cows could give as much as 10 percent less milk. Professor Cabrera in Wisconsin is not alone. He is not alone. The U.S. Department of Agriculture predicts that by 2030 climate change will cost the U.S. dairy sector between $79 million and $199 million per year in lost production. Does Governor Walker care? Apparently not, but the University of Wisconsin does. So it is leading a USDA-funded effort to identify practices that minimize greenhouse gases from milk production and make dairies more resilient to Wisconsin's changing climate. Some Wisconsin dairy farmers, for instance, are burning excess methane in enormous manure digesters to generate their own renewable electricity.

It is not just the farmers. Wisconsin has sportsmen. Wisconsin's sportsmen treasure Wisconsin's 10,000 miles of trout streams—some of the best trout fishing in the country. Trout Unlimited found that fishing in the Driftless Area of southwest Wisconsin and parts of Illinois, Minnesota, and Iowa adds over $1 billion per year to the surrounding economy. But the cold-water fish such as the brook trout are highly sensitive to temperature increases in streams.

Under the worst cases analyzed by the researchers at the University of Wisconsin-Madison and the Wisconsin Department of Natural Resources, ''brook trout are projected to be completely lost from Wisconsin streams.'' Even the best case scenarios see losses of as much as 44 percent of the Wisconsin brookies' current range by midcentury. That is Wisconsin's own Department of Natural Resources. Other cold water species such as the brown trout are not much better off than the brookies.

The Wisconsin Department of Natural Resources is not alone. It is not alone. The American Fly Fishing Trade Association said this in a recent public statement:

> Climate change is no longer a potential threat; it demands our attention now. . . . We call on our elected officials to put partisan politics aside and work quickly to enact federal policy to address the threats presented by global climate change.

On to Wisconsin's loggers, Wisconsin has a significant logging industry, and the loggers are having trouble getting to the timber when hard, frozen winter ground becomes too thawed and too soggy to hold up logging equipment. According to a study out of the University of Wisconsin, that frozen period for loggers to work has decreased by 2 to 3 weeks since 1948, shortening the working window for loggers before their gear bogs down.

In every corner of the State, Wisconsin's own scientists are seeing dramatic climate changes. Wisconsin's businesses and communities are already taking a hard hit. How does their Governor respond? You can probably see this coming: ''I am not a scientist''—the classic denier dodge.

Governor Walker, we know you are not a scientist, but it is OK because you have some of the top scientists right there at your own University of Wisconsin. You have teams of scientists working for you at your State agencies right in Wisconsin.

But do we expect that Scott Walker will listen to a scientist? No. No. He has a different plan—to eliminate more than 60 positions at the Wisconsin Department of Natural Resources, including dozens of scientific staff. That is one way to not have to listen to them.

Whom does Scott Walker listen to? Well, the Koch Brothers political network has said it plans on spending $900 million in the 2016 election cycle—$900 million. The President of one of the biggest Koch Brothers-backed organizations, Tim Phillips of a group called

Americans for Prosperity, has threatened publicly that any Republican candidate in the 2016 Presidential campaign who supported climate action ''would be at a severe disadvantage in the Republican nomination process.'' So they are going to throw $900 million at the election, and they have a ''severe disadvantage'' threat floating around. Nice little campaign you got here; be a shame if it was severely disadvantaged.

Well, it did not take Governor Walker long to sign that same Americans for Prosperity organization's no climate tax pledge—what do you know—vowing to oppose any legislation on climate change without an equivalent amount of tax cuts. It is amazing what waving around $900 million will do.

Whom else does Scott Walker listen to? Well, the majority leader recently called on all Governors to rebel against the EPA's Clean Power Plan. So far, only six took up the majority leader's call. One of them is—guess who—Scott Walker. In December he wrote to the EPA that their plan would be ''a blow to Wisconsin residents and business owners.'' In January he announced that he was planning to sue the Agency instead.

Maybe Governor Walker would think differently if he listened to Wisconsin's business owners. Lori Compas, executive director of the Wisconsin Business Alliance, endorsed the EPA's Clean Power Plan proposal as a boon, a benefit to the Wisconsin economy. Here is what she said:

> Encouraging renewable energy development will result in business growth, job creation, cleaner air, and a quicker path to energy independence.

That is what she wrote.

I will continue. She said:

> Our society does not have to decide whether our policies should favor jobs or the environment. We should look for opportunities for us to promote jobs and the environment and the Clean Power Plan is a great way to do that.

That is the Wisconsin Business Alliance speaking. Those Wisconsin businesses are not alone. They are not alone. Yesterday 13 of the largest corporations in America joined in President Obama's American Business Act on Climate Pledge, committing to reduce greenhouse gas emissions, invest in renewable energy sources, and promote sustainable practices across their respective markets and up their supply chains. These are some pretty big-time nameplate Americans companies: Alcoa, Apple, Bank of America, Berkshire Hathaway Energy, Cargill, Coca-Cola, General Motors, Goldman Sachs, Google, Microsoft, PepsiCo, UPS, and Walmart. That is a pretty broad spectrum of America's corporate hierarchy. Is it the Republican majority's position that they are all also in on the hoax?

The Republican majority has accused NASA's scientists, whose just flew a craft by Pluto and who are driving a rover around on the surface of Mars, of being in on a hoax; that climate change is a hoax and that NASA scientists are in on it. Is Walmart in on the hoax too? Do the Senators from Arkansas want to go home and tell the Walmart executives that they are in on a hoax? Do the Senators from Georgia want to go home and tell the CEO of Coca-Cola that they are in on a hoax? I don't think so. It is an untenable argument.

We have to move on. These leaders of American commerce declare, in a voice that Republicans should listen to:

> We recognize that delaying action on climate change will be costly in economic and human terms, while accelerating the transition to a low-carbon economy will produce multiple benefits with regard to sustainable economic growth, public health, resilience to natural disasters and the health of the global environment.

That is quite a crowd who signed off on that statement. More will come because other companies, such as VF Industries and Mars and Unilever, agree with them.

Our good Earth is sending us a clear message. The message our good Earth is sending us is that carbon pollution is driving unprecedented change. It is showing the change happening in the Earth around us. Voters too are sending us a clear message. They are speaking up to say that climate change is a problem and they want their leaders to take action and that it is time we got our heads out of the sand.

Unfortunately, there is a problem. The big polluters have a powerful political megaphone. They do not hesitate to use it. They back it up with big, dark money campaign spending that is distorting our democracy in disgraceful ways.

The result is that, like so many Republican candidates for the Presidency, Scott Walker of Wisconsin has no plan, will not listen to his home State scientists at his home State university, and ignores what his loggers and trout fishermen and businesses are all seeing and saying. But, oh my, does he listen to the big polluters.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO COLONEL THOMAS L'ESPERANCE

Mr. LEAHY. Mr. President, I want to recognize and commend Colonel Thomas L'Esperance for his noteworthy career with the Vermont State Police, which will conclude next month with his retirement. One of the strongest voices in Vermont law enforcement for the past 28 years, Colonel L'Esperance has dutifully served the public and sought to protect his fellow Vermonters as an invaluable member and leader in Vermont. He rose through the ranks of the Vermont State Police after beginning his career as a detective trooper with the Brattleboro barracks in 1987, and has since assumed new and challenging roles within the force. He has contributed to Vermont's public safety and helped to combat crime by serving as a detective trooper, the Southern Vermont Drug Task Force field supervisor, director of the Bureau of Criminal Investigations, and, since 2009, as the director of the Vermont State Police. Colonel L'Esperance has earned the respect and admiration of his colleagues throughout his career for his unwavering dedication and ability to empathize with those whom he serves and protects.

In recent years, Vermont has faced immeasurable challenges in combating the cycle of heroin and opioid abuse. In 2014, I called on Colonel L'Esperance to testify at a Senate Judiciary Committee field hearing in Rutland, VT, about this very challenge. Colonel L'Esperance graciously and with expertise provided testimony on the harmful effects of addiction in the State of Vermont, and on the challenges facing Vermont's law enforcement community in combating such abuse. His testimony was exemplary, not only because of his firsthand experience with this critical policing and public health issue, but also because of the colonel's personal commitment to eliminating this destructive epidemic from our State. I thank Colonel L'Esperance for his powerful testimony and for the great work he has done throughout his career in fighting criminal activity in our State.

While his retirement from the position of Vermont State Police director will be a loss for the force and for the State of Vermont, I am confident that Colonel L'Esperance will bring the same level of excellence to the next chapter of his career. Colonel L'Esperance will no doubt continue to serve others with integrity and with the highest regard for the public's safety. I am proud of Colonel L'Esperance for his exceptional work with the Vermont State Police, and I am grateful for all of his efforts in improving the safety and well-being of Vermonters.

INTELLIGENCE AUTHORIZATION BILL FOR FISCAL YEAR 2016

Mr. WYDEN. Mr. President, the Senate is being asked to approve the Intelligence authorization bill for fiscal year 2016 by unanimous consent. When this bill was reported by the Senate Intelligence Committee, I and other colleagues noted that it contained one provision that required further debate.

This provision, section 603, would require Internet and communications companies to make reports to the government if they become aware of ''terrorist activity.'' Over the past 3 weeks a number of Internet companies have raised very valid concerns about this provision. In particular, they note that this provision is quite vague, and does not specify how these companies should know what is and is not terrorist activity.

The Internet Association, which is comprised of dozens of leading technology companies, has warned that uncertainty about the meaning of this vague language will create ''an impossible compliance problem'' and lead to ''massive reporting of items that are not likely to be of material concern to public safety.'' That is obviously something that I think every Senator wants to avoid. Internet companies should not be subject to broad requirements to police the speech of their users.

There is no question that tracking terrorist activity and preventing online terrorist recruitment should be top priorities for law enforcement and intelligence agencies. And leading technology companies certainly have a role to play here. The Director of the FBI testified this month that technology companies are ''pretty good about telling us'' when they see something of serious concern. But I haven't yet heard any law enforcement or intelligence agencies suggest that this provision will actually help catch terrorists, and I take the concerns that have been raised about its breadth and vagueness seriously.

For these reasons, I object to this unanimous consent request. I look forward to working with my colleagues to revise or remove this provision so that the rest of the bill can proceed forward.

RECOGNIZING PRESIDENT DWIGHT D. EISENHOWER AND TAIWAN

Mr. ROBERTS. Mr. President, I wish to recognize an exceptional President and a true friend to the United States who cherishes that President's memory. Those of us from the great State of Kansas are justly proud of Dwight David Eisenhower, fondly known as ''Ike'' to his Abilene neighbors. The Republic of China, Taiwan, calls him a loyal friend.

In 1911, Eisenhower left his boyhood home in Kansas for the U.S. Military Academy at West Point. During World War II, Eisenhower was in charge of plans in the Pacific War and commanding general of the Army's European Theater. On June 6, 1944, General Eisenhower led the D-day invasion on the beaches of Normandy and liberated Europe. During this time, Taiwan stood as our ally in Asia, with the Flying Tigers in the Doolittle Raid and along the Burma Road. In 1951, President Truman asked Eisenhower to become the first Supreme Allied Commander in Europe. After a long and decorated military career, America's voters said, ''I like Ike,'' by overwhelmingly electing him as the 34th President of the United States in 1952.

Today, it is my privilege to serve as Chairman of the Eisenhower Memorial Commission. Because this memorial honors a Kansan, a war hero, and a President the world admires, our good friend and partner, the government and people of the Republic of China, has generously made a gift to ensure the memory of Dwight D. Eisenhower is preserved for generations to come.

It is fortunate for all that our Taiwanese friends have not forgotten President Eisenhower's staunch support for their security and his strong commitment to the U.S.-Taiwan relationship. In 1960, President Eisenhower made the first official U.S. visit to Taipei to meet with President Chiang Kai-shek. As Taiwan's Representative to the United States, Dr. Shen has told me, ''President Eisenhower holds a very special place in the hearts of the people of Taiwan.''

It was Eisenhower who signed the Sino-American Mutual Defense Treaty in 1954. The next year, on the occasion of the passage of the Formosa Resolution by the Congress, President Eisenhower further pledged to ''protect the territories in the Western Pacific under the jurisdiction of the Republic of China.'' It was also Eisenhower who dispatched the U.S. Seventh Fleet to patrol the Taiwan Strait in the 1950s, thus assuring that the people of Taiwan would remain secure from any external military threat. Deservedly, a significant portion of President Eisenhower's foreign policy legacy is maintaining peace and security in the Taiwan Strait.

In honoring a great general and President, Taiwan has demonstrated an unbroken bond of friendship, dating back to World War II. That enduring friendship is yet another key element of President Eisenhower's legacy.

WORLD WAR II VETERANS VISIT

Mr. GARDNER. Mr. President, today I honor the veterans of Honor Flight Northern Colorado that have made their 14th trip to Washington, DC to visit the memorials that stand in our Nation's Capital. This group includes veterans from various wars and generations, but all are linked by their service to our country.

Ten years ago, the Honor Flight was created to fly veterans that had served in World War II to Washington, DC so they could visit their memorial located in our Nation's Capital. Now, the Honor Flight welcomes veterans from all over the country to fly to Washington, DC, free of charge, to visit the memorials of the wars these heroic veterans fought. Of the 123 veterans on the most recent Honor Flight, 25 served in World War II, 59 served in Korea, and 39 served in Vietnam.

Few words are sufficient to show the gratitude and respect we all have for the courageous men and women who have fought for our country. They have preserved our rights to life, liberty, and the pursuit of happiness.

We stand here today to honor those who have risked their lives to protect the United States of America.

Please join me in honoring Earnest Adams, Paul Babish, Oliver Bashor, Russell Brady, Martin Bunker, Arthur Crosthwait, Michael DeJiacomo, N Kenneth Furlong, Francis Gallagher, Roland Garner, Harold Hubbard, Erling Johnson, Howard Johnston, William Karr, John Kennedy, Herbert Leis, Charles Linhart, Russell MacCachran, Ray Madsen, Harriet Martin, Fred McClory, David Meier, Ronald Smith, Donald Stonebraker, Leo Weaver, Charles Archibeque, Donald Anderson, William Bacon, Bobby Barker, Louis Barrientos, Virgil Beck, Jack Benham, Alfred Benson Jr., James Birdsell, George Blake, Thomas Bornhoft, Robert Brezee, Alfred Brophy, Ralph Carlson, Charles Campion, Lewis Carder, Richard Cella, Marinus Christensen, Kenneth Clements, Earnest Cummins, Robert Davenport, Donald Deboodt, Kenneth Doty, Joseph Eckert, James Hagihara, Norman Harpole, Richard Hecker, Bobby Jones, Roy Kipfinger Jr., Richard Korth, John Lebsack, Robert Lionberger, Donald Matula, Paul McDill, Lawrence McGlone, Raymond Miller, Clifford Morey, Richard Orton, Placido Pando, William Peebles, Lupe Rodriguez, Evaristo Sanchez, Michael Schaughency, James Schofield, Earl Simmons, Frederick Smith, Ralph Spellman, James Stallard, James Stewart, William Strunk, Wilbur Tritthardt, Henry Trujillo, Melvin Veldhuizen, Allan Walcker, Orlin Williams, Charles Wood Jr., Donald Wuertz, Clarke Wykert, Rudolph Younger, Larry Arndt, Bruce Axelrod, Marvin Bartholomew, Jim Biggs, Alexander Bless, Clyde Brewer II, Randy Brooks, Lanny Clary, Guy Coombes, Robert Cowan, Robert Chapman, Waldo Decker, David DeJiacomo, Terry Diedrich, Kenneth Gareis, Bonifacio Hernandez, Larry Huddle, David Jovola, Donald Ketels, Clarke Lambert, Gary Lebsack, Dewey Mattly, Lorrie McLaughlin, Calvin Melcher, Irving Morales, Bryan Morgan, Richard Orton, Norman Peterson, James Porth, James Ray, Stephen Ray, Dave Sloan,

Lawrence Stoddard, Harley Sullivan, Michael Torgerson, Andrew Valdez, Gregory Walent, Daryl Wiest, and Terry Wright.

ADDITIONAL STATEMENTS

TRIBUTE TO SHANE BINGER

● Mr. THUNE. Mr. President, today I recognize Shane Binger, an intern in my Washington, DC, office, for all of the hard work he has done for me, my staff, and the State of South Dakota.

Shane is a graduate of Hitchcock-Tulare High School in Tulare, SD. Currently, Shane is attending South Dakota State University, where he is majoring in business economics. Shane is a dedicated worker who has been committed to getting the most out of his experience.

I extend my sincere thanks and appreciation to Shane Binger for all of the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO SHELBY FERSTL

● Mr. THUNE. Mr. President, today I recognize Shelby Ferstl, an intern in my Washington, DC, office, for all of the hard work she has done for me, my staff, and the State of South Dakota.

Shelby is a graduate of Tartan High School in Oakdale, Minnesota. Currently, Shelby is attending the University of Minnesota Duluth, where she is majoring in financial markets. Shelby is a dedicated worker who has been committed to getting the most out of her experience.

I extend my sincere thanks and appreciation to Shelby Ferstl for all of the fine work she has done and wish her continued success in the years to come.●

TRIBUTE TO STEPHEN GEMAR

● Mr. THUNE. Mr. President, today I recognize Stephen Gemar, an intern in my Aberdeen office, for all of the hard work he has done for me, my staff, and the State of South Dakota.

Stephen is a graduate of Mobridge-Pollock High School in Mobridge, SD. Currently, Stephen is attending the University of South Dakota, where he is majoring in political science. Stephen is a dedicated worker who has been committed to getting the most out of his experience.

I extend my sincere thanks and appreciation to Stephen Gemar for all of the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO BRADY GLISSENDORF

● Mr. THUNE. Mr. President, today I recognize Brady Glissendorf, an intern in my Washington, DC, office, for all of the hard work he has done for me, my staff, and the State of South Dakota.

Brady is a graduate of St. Thomas More High School in Rapid City, SD. Currently, Brady is attending the University of Notre Dame, where he is majoring in political science and economics. Brady is a dedicated worker who been committed to getting the most out of his experience.

I extend my sincere thanks and appreciation to Brady Glissendorf for all of the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO COLE GUSTAFSON

● Mr. THUNE. Mr. President, today I recognize Cole Gustafson, an intern in my Rapid City office, for all of the hard work he has done for me, my staff, and the State of South Dakota.

Cole is a graduate of Sheridan High School in Sheridan, Wyoming. Cole is a recent graduate of Black Hills State University, where he majored in political science, and will begin at the University of Wyoming College of Law in August 2015. Cole is a dedicated worker who has been committed to getting the most out of his experience.

I extend my sincere thanks and appreciation to Cole Gustafson for all of the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO KATHERINE HICKEY

● Mr. THUNE. Mr. President, today I recognize Katherine Hickey, an intern in my Sioux Falls office, for all of the hard work she has done for me, my staff, and the State of South Dakota.

Katherine is a graduate of Roosevelt High School in Sioux Falls, SD. Currently, Katherine is attending Asbury University, where she is majoring in political science and sociology. Katherine is a dedicated worker who has been committed to getting the most out of her experience.

I extend my sincere thanks and appreciation to Katherine Hickey for all of the fine work she has done and wish her continued success in the years to come.●

TRIBUTE TO ERIC HURLEY

● Mr. THUNE. Mr. President, today I recognize Eric Hurley, an intern in my Aberdeen office, for all of the hard work he has done for me, my staff, and the State of South Dakota.

Eric is a graduate of Aberdeen Roncalli High School in Aberdeen, SD. Currently, Eric is attending the University of South Dakota, where he is majoring in business administration. Eric is a dedicated worker who has been committed to getting the most out of his experience.

I extend my sincere thanks and appreciation to Eric Hurley for all of the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO ROBERT PETERSON

● Mr. THUNE. Mr. President, today I recognize Robert Peterson, an intern in my Sioux Falls office, for all of the hard work he has done for me, my staff, and the State of South Dakota.

Robert is a graduate of Washington High School in Sioux Falls, SD. Currently, Robert is attending the University of South Dakota, where he is majoring in history and political science. Robert is a dedicated worker who has been committed to getting the most out of his experience.

I extend my sincere thanks and appreciation to Robert Peterson for all of the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO MATTHEW VANDER WOUDE

● Mr. THUNE. Mr. President, today I recognize Matthew Vander Woude, an intern in my Washington, DC, office, for all of the hard work he has done for me, my staff, and the State of South Dakota.

Matthew is a graduate of Lincoln High School in Sioux Falls, SD. Currently, Matthew is attending Pepperdine University, where he is majoring in economics. Matthew is a dedicated worker who has been committed to getting the most out of his experience.

I extend my sincere thanks and appreciation to Matthew Vander Woude for all of the fine work he has done and wish him continued success in the years to come.●

MESSAGES FROM THE HOUSE

At 12:15 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 1482. An act to improve and reauthorize provisions relating to the application of the antitrust laws to the award of need-based educational aid.

The message also announced that the House has passed the following bills and joint resolution, in which it requests the concurrence of the Senate:

H.R. 774. An act to strengthen enforcement mechanisms to stop illegal, unreported, and unregulated fishing, to amend the Tuna Conventions Act of 1950 to implement the Antigua Convention, and for other purposes.

H.R. 998. An act to establish the conditions under which the Secretary of Homeland Security may establish preclearance facilities, conduct preclearance operations, and provide customs services outside the United States, and for other purposes.

H.R. 1607. An act to amend title 38, United States Code, to improve the disability compensation evaluation procedure of the Secretary of Veterans Affairs for veterans with mental health conditions related to military sexual trauma, and for other purposes.

H.R. 1634. An act to strengthen accountability for deployment of border security technology at the Department of Homeland Security, and for other purposes.

H.R. 1656. An act to provide for additional resources for the Secret Service, and to improve protections for restricted areas.

H.R. 1831. An act to establish the Commission on Evidence-Based Policymaking, and for other purposes.

H.R. 2127. An act to direct the Administrator of the Transportation Security Administration to limit access to expedited airport security screening at an airport security checkpoint to participants of the PreCheck program and other known low-risk passengers, and for other purposes.

H.R. 2206. An act to amend the Homeland Security Act of 2002 to require recipients of State Homeland Security Grant Program funding to preserve and strengthen interoperable emergency communication capabilities, and for other purposes.

H.R. 2750. An act to reform programs of the Transportation Security Administration, streamline transportation security regulations, and for other purposes.

H.R. 2770. An act to amend the Homeland Security Act of 2002 to require certain maintenance of security-related technology at airports, and for other purposes.

H.R. 2843. An act to require certain improvements in the Transportation Security Administration's PreCheck expedited screening program, and for other purposes.

H.J. Res. 61. Joint resolution amending the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

The message further announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 64. Concurrent resolution authorizing the use of Emancipation Hall in the Capitol Visitor Center for a ceremony to present the Congressional Gold Medal to the Monuments Men.

ENROLLED BILLS SIGNED

At 4:31 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

S. 1482. An act to improve and reauthorize provisions relating to the application of the antitrust laws to the award of need-based educational aid.

H.R. 876. An act to amend title XVIII of the Social Security Act to require hospitals to provide certain notifications to individuals classified by such hospitals under observation status rather than admitted as inpatients of such hospitals.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 774. An act to strengthen enforcement mechanisms to stop illegal, unreported, and unregulated fishing, to amend the Tuna Conventions Act of 1950 to implement the Antigua Convention, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 998. An act to establish the conditions under which the Secretary of Homeland Security may establish preclearance facilities, conduct preclearance operations, and provide customs services outside the United States, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 1607. An act to amend title 38, United States Code, to improve the disability compensation evaluation procedure of the Secretary of Veterans Affairs for veterans with mental health conditions related to military sexual trauma, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 1634. An act to strengthen accountability for deployment of border security technology at the Department of Homeland Security, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 1656. An act to provide for additional resources for the Secret Service, and to improve protections for restricted areas; to the Committee on Homeland Security and Governmental Affairs.

H.R. 2127. An act to direct the Administrator of the Transportation Security Administration to limit access to expedited airport security screening at an airport security checkpoint to participants of the PreCheck program and other known low-risk passengers, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 2206. An act to amend the Homeland Security Act of 2002 to require recipients of State Homeland Security Grant Program funding to preserve and strengthen interoperable emergency communications capabilities, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 2750. An act to reform programs of the Transportation Security Administration, streamline transportation security regulations, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 2770. An act to amend the Homeland Security Act of 2002 to require certain maintenance of security-related technology at airports, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 2843. An act to require certain improvements in the Transportation Security Administration's PreCheck expedited screening program, and for other purposes; to the Committee on Commerce, Science, and Transportation.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 1881. A bill to prohibit Federal funding of Planned Parenthood Federation of America.

The following joint resolution was read the first time:

H.J. Res. 61. Joint resolution amending the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–2383. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Emerald Ash Borer; Quarantined Areas'' (Docket No. APHIS–2015–0028) received in the Office of the President of the Senate on July 23, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2384. A communication from the Director of the Regulatory Review Group, Farm Service Agency, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Conservation Reserve Program'' (RIN0560–AI30) received in the Office of the President of the Senate on July 22, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2385. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Sedaxane; Pesticide Tolerances'' (FRL No. 9930–84) received in the Office of the President of the Senate on July 22, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2386. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, a report relative to a violation of the Antideficiency Act that involved fiscal years 2012 and 2013 Operation and Maintenance, Army, funds, and was assigned Army case number 15–01; to the Committee on Appropriations.

EC–2387. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting the report of an officer authorized to wear the insignia of the grade of rear admiral (lower half) in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC–2388. A communication from the Regulatory Specialist of the Legislative and Regulatory Activities Division, Office of the Comptroller of the Currency, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Loans in Areas Having Special Flood Hazards'' (RIN1557–AD84) received in the Office of the President of the Senate on July 22, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC–2389. A communication from the Associate General Counsel for Legislation and Regulations, Office of the Secretary, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled ''Affirmatively Furthering Fair Housing'' (RIN2501–AD33) received in the Office of the President of the Senate on July 22, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC–2390. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Suspension of Community Eligibility'' ((44 CFR Part 64) (Docket No. FEMA–2015–0001)) received in the Office of the President of the Senate on July 22, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC–2391. A communication from the Counsel, Legal Division, Bureau of Consumer Financial Protection, transmitting, pursuant

to law, the report of a rule entitled ''2013 Integrated Mortgage Disclosures Rule Under the Real Estate Settlement Procedures Act (Regulation X) and the Truth In Lending Act (Regulation Z) and Amendments; Delay of Effective Date'' (RIN3170–AA46) received in the Office of the President of the Senate on July 24, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC–2392. A communication from the Director, Financial Crimes Enforcement Network, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Imposition of Special Measure against FBME Bank Ltd., formerly known as the Federal Bank of the Middle East Ltd., as a Financial Institution of Primary Money Laundering Concern'' (RIN1506–AB27) received in the Office of the President of the Senate on July 24, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC–2393. A joint communication from the Assistant Secretary of Defense for Operational Energy Plans and Programs and the Assistant Secretary for Energy Efficiency and Renewable Energy, Department of Energy, transmitting, pursuant to law, a report entitled ''Potential for the Use of Energy Savings Performance Contracts to Reduce Energy Consumption and Provide Energy and Cost Savings in Non-Building Applications''; to the Committee on Energy and Natural Resources.

EC–2394. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of State Implementation Plans; Oregon; Grants Pass Carbon Monoxide Limited Maintenance Plan'' (FRL No. 9931–13–Region 10) received in the Office of the President of the Senate on July 22, 2015; to the Committee on Environment and Public Works.

EC–2395. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Oregon; Grants Pass Second 10-Year PM10 Limited Maintenance Plan'' (FRL No. 9931–16–Region 10) received in the Office of the President of the Senate on July 22, 2015; to the Committee on Environment and Public Works.

EC–2396. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; New Mexico; Electronic Reporting Consistent With the Cross Media Electronic Reporting Rule'' (FRL No. 9931–09–Region 6) received in the Office of the President of the Senate on July 22, 2015; to the Committee on Environment and Public Works.

EC–2397. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans for the State of Alabama: Cross-State Air Pollution Rule'' (FRL No. 9931–24–Region 4) received in the Office of the President of the Senate on July 22, 2015; to the Committee on Environment and Public Works.

EC–2398. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; District of Columbia, Maryland, and Virginia; 2011 Base Year Emissions Inventories for the Washington DC–MD–VA Nonattainment Area for the 2008 Ozone National Ambient Air Quality Standard'' (FRL No. 9930–96–Region 3) received in the Office of the President of the Senate on July 22, 2015; to the Committee on Environment and Public Works.

EC–2399. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; MI, Belding; 2008 Lead Clean Data Determination'' (FRL No. 9930–81–Region 5) received in the Office of the President of the Senate on July 22, 2015; to the Committee on Environment and Public Works.

EC–2400. A communication from the Executive Analyst, Office of the Secretary, Department of Health and Human Services, transmitting, pursuant to law, a report relative to a vacancy in the position of Administrator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, received in the Office of the President of the Senate on July 22, 2015; to the Committee on Finance.

EC–2401. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Applicable Federal Rates—August 2015'' (Rev. Rul. 2015–16) received in the Office of the President of the Senate on July 24, 2015; to the Committee on Finance.

EC–2402. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Revisions to the Employee Plans Determination Letter Program'' (Announcement 2015–19) received in the Office of the President of the Senate on July 24, 2015; to the Committee on Finance.

EC–2403. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Claims for Credit or Refund'' ((RIN1545–BI36) (TD 9727)) received in the Office of the President of the Senate on July 24, 2015; to the Committee on Finance.

EC–2404. A communication from the Acting Commissioner of the Social Security Administration, transmitting, pursuant to law, reports entitled ''Annual Report of the Board of the Trustees of the Federal Old-Age and Survivors Insurance and Federal Disability Insurance Trust Funds'' and the ''Annual Report of the Boards of Trustees of the Federal Hospital Insurance and Federal Supplementary Medical Insurance Trust Funds''; to the Committee on Finance.

EC–2405. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2015–0077—2015–0079); to the Committee on Foreign Relations.

EC–2406. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled ''2013 Progress Report on Understanding the Long-Term Health Effects of Living Organ Donation''; to the Committee on Health, Education, Labor, and Pensions.

EC–2407. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled ''2012 Progress Report on Understanding the Long-Term Health Effects of Living Organ Donation''; to the Committee on Health, Education, Labor, and Pensions.

EC–2408. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled ''Report to Congress on the Nurse Education, Practice, Quality and Retention Program'' for fiscal years 2013 and 2014; to the Committee on Health, Education, Labor, and Pensions.

EC–2409. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled ''Fiscal Year 2013 Report on the Preventive Medicine and Public Health Training Grant and Integrative Medicine Programs''; to the Committee on Health, Education, Labor, and Pensions.

EC–2410. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled ''Report to Congress on the State Health Care Workforce Development (SHCWD) Grant Program''; to the Committee on Health, Education, Labor, and Pensions.

EC–2411. A communication from the Deputy Director, Administration for Community Living, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Developmental Disabilities Program'' (RIN0970–AB11) received in the Office of the President of the Senate on July 24, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC–2412. A communication from the Executive Analyst, Office of the Secretary, Department of Health and Human Services, transmitting, pursuant to law, a report relative to a vacancy in the position of Deputy Secretary, Department of Health and Human Services, received in the Office of the President of the Senate on July 22, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC–2413. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Performance Standards for Ionizing Radiation Emitting Products; Fluoroscopic Equipment; Correction; Confirmation of Effective Date'' (Docket No. FDA–2015–N–0828) received in the Office of the President of the Senate on July 24, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC–2414. A communication from the Chair of the Recovery Accountability and Transparency Board, transmitting, pursuant to law, the report of a rule entitled ''Removal of Recovery Accountability and Transparency Board Regulations'' (4 CFR Chapter II) received in the Office of the President of the Senate on July 24, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–2415. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled ''Prevailing Rate Systems; Redefinition of the Jacksonville, FL; Savannah, GA; Hagerstown-Martinsburg-Chambersburg, MD; Richmond, VA; and Roanoke, VA, Appropriated Fund Federal Wage System Wage Areas'' (RIN3206–AN15) received in the Office of the President of the Senate on July 22, 2015; to the Committee on Homeland Security and Governmental Affairs.

EC–2416. A communication from the Secretary, Judicial Conference of the United States, transmitting, a report of proposed legislation entitled ''Federal District Judgeship Act of 2015''; to the Committee on the Judiciary.

EC–2417. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled ''Debt Collection Recovery Activities of the Department of Justice for Civil Debts Referred for Collection Annual Report for Fiscal Year 2014''; to the Committee on the Judiciary.

EC–2418. A communication from the Associate Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Lifeline and Link Up Reform and Modernization, Telecommunications Carriers Eligible for Universal Service Support, Connect America Fund'' ((RIN3060–AF85) (FCC 15–71)) received in the Office of the President of the Senate on July 22, 2015; to the Committee on Commerce, Science, and Transportation.

EC–2419. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries Off West Coast States; Coastal Pelagic Species Fisheries; Annual Specifications'' (RIN0648–XD927) received in the Office of the President of the Senate on July 23, 2015; to the Committee on Commerce, Science, and Transportation.

EC–2420. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries Off West Coast States; Modifications of the West Coast Commercial Salmon Fisheries; Inseason Actions numbers 3, 4, 5, and 6'' (RIN0648–XD976) received in the Office of the President of the Senate on July 23, 2015; to the Committee on Commerce, Science, and Transportation.

EC–2421. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Standardized Bycatch Reporting Methodology Omnibus Amendment'' (RIN0648–BE50) received in the Office of the President of the Senate on July 22, 2015; to the Committee on Commerce, Science, and Transportation.

EC–2422. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer'' (RIN0648–XD985) received in the Office of the President of the Senate on July 22, 2015; to the Committee on Commerce, Science, and Transportation.

EC–2423. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Trimester Total Allowable Catch Area Closures for the Common Pool Fishery and Trip and Possession Limit Adjustment'' (RIN0648–XE006) received in the Office of the President of the Senate on July 22, 2015; to the Committee on Commerce, Science, and Transportation.

EC–2424. A communication from the Acting Director, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Atlantic Highly Migratory Species; Commercial Blacknose Sharks and Non-Blacknose Small Coastal Sharks in the Atlantic Region'' (RIN0648–XD980) received in the Office of the President of the Senate on July 22, 2015; to the Committee on Commerce, Science, and Transportation.

EC–2425. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''International Fisheries; Pacific Tuna Fisheries; 2015 and 2016 Commercial Fishing Restrictions for Pacific Bluefin Tuna in the Eastern Pacific Ocean'' (RIN0648–XD972) received in the Office of the President of the Senate on June 22, 2015; to the Committee on Commerce, Science, and Transportation.

EC–2426. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Snapper-Grouper Fishery of the South Atlantic; 2015 Recreational Accountability Measures and Closure for South Atlantic Snowy Grouper'' (RIN0648–XE014) received in the Office of the President of the Senate on July 23, 2015; to the Committee on Commerce, Science, and Transportation.

EC–2427. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Re-Opening of Commercial Sector for Atlantic Dolphin'' (RIN0648–XE017) received in the Office of the President of the Senate on July 23, 2015; to the Committee on Commerce, Science, and Transportation.

EC–2428. A communication from the Acting Director, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Atlantic Highly Migratory Species; Commercial Blacknose Sharks and Non-Blacknose Small Coastal Sharks in the Gulf of Mexico Region'' (RIN0648–XD954) received in the Office of the President of the Senate on July 23, 2015; to the Committee on Commerce, Science, and Transportation.

EC–2429. A communication from the Acting Director of Regulation Policy and Management, Veterans Benefits Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''Update to National Fire Protection Association Standards, Incorporation by Reference'' (RIN2900–AO90) received in the Office of the President of the Senate on July 24, 2015; to the Committee on Veterans' Affairs.

EC–2430. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled ''Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) Quarterly Report to Congress; Third Quarter of Fiscal Year 2015''; to the Committee on Veterans' Affairs.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–70. A concurrent resolution adopted by the Legislature of the State of Louisiana memorializing the United States Congress to take such actions as are necessary to regulate airline baggage fees and processes for consumers as it relates to transportation of passenger luggage and passenger delays resulting from lost, damaged, or delayed luggage; to the Committee on Commerce, Science, and Transportation.

HOUSE CONCURRENT RESOLUTION NO. 207

Whereas, deregulation of the airline industry in the United States began more than three decades ago in 1978; and

Whereas, a consequence of deregulation was the elimination of federal control over many airline business practices, including pricing and domestic route selection; and

Whereas, though deregulation limits federal control of airline business practices generally, the federal government continues to legislate and enforce certain consumer protections for airline passengers; and

Whereas, the United States Congress largely determines the degree to which certain rights of airline passengers are codified in law or developed through regulatory rulemaking; and

Whereas, since deregulation, the primary means of competition amongst airlines has progressively centered on price, not service; and

Whereas, certain concerns for passengers of airlines include increasing baggage fees and passenger delays resulting from lost, damaged, or delayed passenger luggage; and

Whereas, the airline industry began to charge passengers a checked baggage fee per bag to curtail rising jet fuel costs and to supplement marginal revenue during times of economic decline; and

Whereas, as a result of increasing airline baggage fees charged by airlines for checked luggage, passengers are encouraged to increase the contents of carry-on luggage to avoid the extra cost of baggage fees; and

Whereas, increased carry-on luggage of boarding airline passengers may be correlated to the claims of lost, damaged, or delayed passenger luggage, because passengers are oftentimes asked to check carry-on luggage at the boarding gate, which may require passengers to wait for such luggage after deboarding an aircraft, or luggage and contents may become damaged during the process of fitting carry-on luggage onto boarded aircrafts; and

Whereas, although checked luggage may be lost, damaged, or delayed for a variety of reasons, baggage handling systems, airline negligence, and the act of luggage offloading to accommodate extra fuel have also been discussed as reasons for lost, damaged, or delayed passenger luggage; and

Whereas, the aforementioned concerns of airline passengers are issues of consumer protection for which the United States Congress has the constitutional power to address and determine fair and reasonable solutions through codified law or regulatory rulemaking: Now, therefore, be it

Resolved, That the Legislature of Louisiana does hereby memorialize the United States Congress to take such actions as are necessary to regulate airline baggage fees and processes for consumers as it relates to transportation of passenger luggage and passenger delays resulting from lost, damaged, or delayed luggage; and be it further

Resolved, That a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM–71. A concurrent resolution adopted by the Legislature of the State of Louisiana

memorializing the United States Congress to take such actions as are necessary to amend the employer shared responsibility provisions regarding employee health coverage under Section 4980H of the Internal Revenue Code, as enacted by the Patient Protection and Affordable Care Act, to eliminate penalties on school districts; to the Committee on Finance.

HOUSE CONCURRENT RESOLUTION NO. 87

Whereas, a highly contentious aspect of the Patient Protection and Affordable Care Act (Public Law 111–148), referred to hereafter as ''the ACA'', is its imposition of financial penalties on employers known as ''employer shared responsibility''; and

Whereas, the employer shared responsibility penalty applies to certain businesses with fifty or more full-time employees that either do not offer insurance or offer coverage which does not meet minimum standards set forth in the ACA; and

Whereas, after nearly four years of delays and regulatory uncertainty regarding application of the employer shared responsibility penalty following enactment of the ACA in March of 2010, the Internal Revenue Service, in its final regulations on the penalty issued in February of 2014 (79 Fed. Reg. 8544 (February 22, 2014)), provided that there is no exclusion from the penalty for government entities; and

Whereas, for purposes of the penalty, a ''full-time employee'' is now defined as any employee working an average of more than thirty hours per week or one hundred thirty hours per month; and

Whereas, because many part-time and temporary school personnel count as ''full-time employees'' under the ACA, the school districts of this state now face crippling financial penalties, typically in the amount of two thousand dollars per employee who lacks health coverage, for not providing health coverage to personnel who traditionally have not been considered full-time employees: Now, therefore, be it

Resolved, That the Legislature of Louisiana does hereby memorialize the United States Congress to take such actions as are necessary to amend the employer shared responsibility provisions regarding employee health coverage under Section 4980H of the Internal Revenue Code, as enacted by the Patient Protection and Affordable Care Act, to eliminate penalties on school districts; and be it further

Resolved, That a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM–72. A resolution adopted by the Legislature of Rockland County, New York, urging the United States Congress and the New York State legislature to strengthen guidelines for the distribution of Medicaid services and to prevent Medicaid fraud, waste, and abuse; to the Committee on Finance.

POM–73. A communication from a citizen of the United States of Illinois memorializing the State of Illinois's petition to the United States Congress calling for a constitutional convention for the purpose of proposing amendments; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. THUNE, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 1334. A bill to strengthen enforcement mechanisms to stop illegal, unreported, and unregulated fishing, to amend the Tuna Conventions Act of 1950 to implement the Antigua Convention, and for other purposes.

EXECUTIVE REPORT OF COMMITTEE

The following executive report of a nomination was submitted:

By Ms. MURKOWSKI for the Committee on Energy and Natural Resources.

*Jonathan Elkind, of Maryland, to be an Assistant Secretary of Energy (International Affairs).

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. MCCAIN:

S. 1873. A bill to strengthen accountability for deployment of border security technology at the Department of Homeland Security, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. HATCH (for himself, Mr. ALEXANDER, Mr. MCCONNELL, Mr. MCCAIN, Mr. ENZI, Mr. CRUZ, Mr. WICKER, Mr. ISAKSON, Mr. COATS, Mr. JOHNSON, Mr. GARDNER, Mr. ROBERTS, Mr. RISCH, Mr. LANKFORD, Mr. CORNYN, Mr. COCHRAN, and Mr. PERDUE):

S. 1874. A bill to provide protections for workers with respect to their right to select or refrain from selecting representation by a labor organization; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MENENDEZ (for himself and Mr. CORKER):

S. 1875. A bill to support enhanced accountability for United States assistance to Afghanistan, and for other purposes; to the Committee on Foreign Relations.

By Mr. BLUMENTHAL (for himself, Mr. PORTMAN, Mr. MARKEY, Ms. STABENOW, Mrs. GILLIBRAND, Ms. BALDWIN, Ms. WARREN, Mr. REED, Mr. BENNET, Mr. SCHUMER, Mr. COONS, Mr. WHITEHOUSE, Mr. BOOZMAN, Ms. KLOBUCHAR, and Mr. FRANKEN):

S. 1876. A bill to rename the Office to Monitor and Combat Trafficking of the Department of State the Bureau to Monitor and Combat Trafficking in Persons and to provide for an Assistant Secretary to head such Bureau, and for other purposes; to the Committee on Foreign Relations.

By Mr. INHOFE (for himself, Mr. MCCAIN, and Mr. ROUNDS):

S. 1877. A bill to require the Attorney General to appoint a special prosecutor to investigate Planned Parenthood, and for other purposes; to the Committee on the Judiciary.

By Mr. CASEY (for himself and Mr. ISAKSON):

S. 1878. A bill to extend the pediatric priority review voucher program; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BARRASSO:

S. 1879. A bill to improve processes in the Department of the Interior, and for other purposes; to the Committee on Indian Affairs.

By Mr. ROBERTS:

S. 1880. A bill to amend the Internal Revenue Code of 1986 to prevent veterans from being disqualified from contributing to health savings accounts by reason of receiving medical care for service-connected disabilities under programs administered by the Department of Veterans Affairs; to the Committee on Finance.

By Mrs. ERNST (for herself, Mr. MCCONNELL, Mr. PAUL, Mr. LANKFORD, Mr. BLUNT, Mr. CORNYN, Mrs. FISCHER, Mr. SCOTT, Mr. ISAKSON, Mr. COATS, Mr. INHOFE, Mr. BOOZMAN, Mr. ENZI, Mr. JOHNSON, Mr. THUNE, Mr. SASSE, Mr. BARRASSO, Mr. ROBERTS, Mr. DAINES, and Mr. CRUZ):

S. 1881. A bill to prohibit Federal funding of Planned Parenthood Federation of America; read the first time.

By Mr. CARDIN (by request):

S.J. Res. 20. A joint resolution relating to the approval of the proposed Agreement for Cooperation Between the United States of America and the Government of the Republic of Korea Concerning Peaceful Uses of Nuclear Energy; to the Committee on Foreign Relations.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Ms. HIRONO (for herself, Mr. SCHUMER, and Mr. SCHATZ):

S. Res. 233. A resolution recognizing July 28, 2015, as ''World Hepatitis Day''; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HATCH (for himself, Mrs. MURRAY, Ms. AYOTTE, Ms. MURKOWSKI, Ms. COLLINS, Mr. KIRK, Mr. ROUNDS, Mr. COCHRAN, Mr. RUBIO, Mr. KAINE, Ms. BALDWIN, Ms. CANTWELL, Mrs. BOXER, Mr. BROWN, Ms. MIKULSKI, Mr. LEAHY, Mr. CASEY, Mr. DURBIN, Mr. SCHUMER, Mrs. FEINSTEIN, Mr. KING, Mrs. SHAHEEN, Mr. FRANKEN, Ms. KLOBUCHAR, Mr. MARKEY, Ms. HEITKAMP, Mr. BENNET, Mr. BLUMENTHAL, Mr. MENENDEZ, Ms. STABENOW, Ms. WARREN, Mr. ALEXANDER, Mr. WHITEHOUSE, Ms. HIRONO, Mr. REED, and Mr. CARDIN):

S. Con. Res. 20. A concurrent resolution recognizing and honoring the 25th anniversary of the date of enactment of the Americans with Disabilities Act of 1990; considered and agreed to.

ADDITIONAL COSPONSORS

S. 174

At the request of Mr. WHITEHOUSE, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 174, a bill to end offshore tax abuses, to preserve our national defense and protect American families and businesses from devastating cuts, and for other purposes.

S. 242

At the request of Mr. TESTER, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. 242, a bill to amend title 5, United States Code, to provide leave to any new Federal employee who is a veteran with a service-connected disability rated at 30 percent or more for purposes of undergoing medical treatment for such disability, and for other purposes.

S. 258

At the request of Mr. ROBERTS, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 258, a bill to amend title XVIII of the Social Security Act to remove the 96-hour physician certification requirement for inpatient critical access hospital services.

S. 271

At the request of Mr. REID, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 271, a bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation, and for other purposes.

S. 314

At the request of Mr. GRASSLEY, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 314, a bill to amend title XVIII of the Social Security Act to provide for coverage under the Medicare program of pharmacist services.

S. 338

At the request of Mr. BURR, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 338, a bill to permanently reauthorize the Land and Water Conservation Fund.

S. 498

At the request of Mr. CORNYN, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S. 498, a bill to allow reciprocity for the carrying of certain concealed firearms.

S. 539

At the request of Mr. CARDIN, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. 539, a bill to amend title XVIII of the Social Security Act to repeal the Medicare outpatient rehabilitation therapy caps.

S. 559

At the request of Mr. BURR, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 559, a bill to prohibit the Secretary of Education from engaging in regulatory overreach with regard to institutional eligibility under title IV of the Higher Education Act of 1965, and for other purposes.

S. 590

At the request of Mrs. MCCASKILL, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 590, a bill to amend the Higher Education Act of 1965 and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act to combat campus sexual violence, and for other purposes.

S. 598

At the request of Mr. CARDIN, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 598, a bill to improve the understanding of, and promote access to treatment for, chronic kidney disease, and for other purposes.

S. 637

At the request of Mr. CRAPO, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 637, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 661

At the request of Mrs. MURRAY, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 661, a bill to amend the Internal Revenue Code of 1986 to enhance the dependent care tax credit, and for other purposes.

S. 683

At the request of Mr. BOOKER, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 683, a bill to extend the principle of federalism to State drug policy, provide access to medical marijuana, and enable research into the medicinal properties of marijuana.

S. 689

At the request of Mr. THUNE, the name of the Senator from Arkansas (Mr. COTTON) was added as a cosponsor of S. 689, a bill to provide protections for certain sports medicine professionals who provide certain medical services in a secondary State.

S. 798

At the request of Mr. VITTER, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 798, a bill to provide for notice to, and input by, State insurance commissioners when requiring an insurance company to serve as a source of financial strength or when the Federal Deposit Insurance Corporation places a lien against an insurance company's assets, and for other purposes.

S. 799

At the request of Mr. MCCONNELL, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 799, a bill to combat the rise of prenatal opioid abuse and neonatal abstinence syndrome.

S. 804

At the request of Ms. COLLINS, the names of the Senator from Arkansas (Mr. BOOZMAN) and the Senator from Connecticut (Mr. MURPHY) were added as cosponsors of S. 804, a bill to amend title XVIII of the Social Security Act to specify coverage of continuous glucose monitoring devices, and for other purposes.

S. 812

At the request of Mr. MORAN, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of S. 812, a bill to enhance the ability of community financial institutions to foster economic growth and serve their communities, boost small businesses, increase individual savings, and for other purposes.

S. 890

At the request of Ms. CANTWELL, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 890, a bill to amend title 54, United States Code, to provide consistent and reliable authority for, and for the funding of, the Land and Water Conservation Fund to maximize the effectiveness of the Fund for future generations, and for other purposes.

S. 968

At the request of Mr. CASSIDY, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 968, a bill to require the Commissioner of Social Security to revise the medical and evaluation criteria for determining disability in a person diagnosed with Huntington's Disease and to waive the 24-month waiting period for Medicare eligibility for individuals disabled by Huntington's Disease.

S. 1000

At the request of Mr. RISCH, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. 1000, a bill to strengthen resources for entrepreneurs by improving the SCORE program, and for other purposes.

S. 1073

At the request of Mr. CARPER, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 1073, a bill to amend the Improper Payments Elimination and Recovery Improvement Act of 2012, including making changes to the Do Not Pay initiative, for improved detection, prevention, and recovery of improper payments to deceased individuals, and for other purposes.

S. 1086

At the request of Mr. HELLER, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 1086, a bill to establish an insurance policy advisory committee on international capital standards, and for other purposes.

S. 1089

At the request of Mr. HATCH, the names of the Senator from New Hampshire (Ms. AYOTTE) and the Senator from New Jersey (Mr. BOOKER) were added as cosponsors of S. 1089, a bill to

encourage and support partnerships between the public and private sectors to improve our Nation's social programs, and for other purposes.

S. 1099

At the request of Mrs. SHAHEEN, the names of the Senator from New York (Mr. SCHUMER) and the Senator from North Carolina (Mr. BURR) were added as cosponsors of S. 1099, a bill to amend the Patient Protection and Affordable Care Act to provide States with flexibility in determining the size of employers in the small group market.

S. 1190

At the request of Mrs. CAPITO, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. 1190, a bill to amend title XVIII of the Social Security Act to ensure equal access of Medicare beneficiaries to community pharmacies in underserved areas as network pharmacies under Medicare prescription drug coverage, and for other purposes.

S. 1212

At the request of Mr. CARDIN, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 1212, a bill to amend the Internal Revenue Code of 1986 and the Small Business Act to expand the availability of employee stock ownership plans in S corporations, and for other purposes.

S. 1345

At the request of Mrs. SHAHEEN, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 1345, a bill to amend title XVIII of the Social Security Act to improve access to diabetes self-management training by authorizing certified diabetes educators to provide diabetes self-management training services, including as part of telehealth services, under part B of the Medicare program.

S. 1358

At the request of Ms. MURKOWSKI, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 1358, a bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to inter in national cemeteries individuals who supported the United States in Laos during the Vietnam War era.

S. 1632

At the request of Ms. COLLINS, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 1632, a bill to require a regional strategy to address the threat posed by Boko Haram.

S. 1756

At the request of Mrs. SHAHEEN, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 1756, a bill to help small businesses take advantage of energy efficiency.

S. 1762

At the request of Mr. CRUZ, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 1762, a bill to amend the Immigration and Nationality Act to increase the penalties applicable to aliens who unlawfully reenter the United States after being removed.

S. 1812

At the request of Mr. GRASSLEY, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 1812, a bill to protect public safety by incentivizing State and local law enforcement to cooperate with Federal immigration law enforcement to prevent the release of criminal aliens into communities.

S. 1818

At the request of Mr. LANKFORD, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S. 1818, a bill to amend title 5, United States Code, to reform the rule making process of agencies.

S. 1820

At the request of Mr. LANKFORD, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S. 1820, a bill to require agencies to publish an advance notice of proposed rule making for major rules.

S. 1836

At the request of Mr. LANKFORD, the name of the Senator from Nebraska (Mr. SASSE) was added as a cosponsor of S. 1836, a bill to provide for a moratorium on Federal funding to Planned Parenthood Federation of America, Inc.

S. 1842

At the request of Mr. SESSIONS, the names of the Senator from South Carolina (Mr. SCOTT) and the Senator from Georgia (Mr. PERDUE) were added as cosponsors of S. 1842, a bill to ensure State and local compliance with all Federal immigration detainers on aliens in custody and for other purposes.

S. 1844

At the request of Mr. HOEVEN, the names of the Senator from Pennsylvania (Mr. CASEY), the Senator from Oregon (Mr. WYDEN), the Senator from Washington (Mrs. MURRAY), the Senator from Missouri (Mrs. MCCASKILL) and the Senator from Wisconsin (Ms. BALDWIN) were added as cosponsors of S. 1844, a bill to amend the Agricultural Marketing Act of 1946 to provide for voluntary country of origin labeling for beef, pork, and chicken.

S. 1857

At the request of Mrs. FISCHER, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 1857, a bill to amend the Small Business Act to provide for expanded participation in the microloan program, and for other purposes.

S. 1861

At the request of Mr. PAUL, the names of the Senator from South Dakota (Mr. ROUNDS) and the Senator from Nebraska (Mr. SASSE) were added as cosponsors of S. 1861, a bill to prohibit Federal funding of Planned Parenthood Federation of America.

S. 1863

At the request of Mr. KIRK, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1863, a bill to award a Congressional Gold Medal to Timothy Nugent, in recognition of his pioneering work on behalf of people with disabilities, including disabled veterans.

S. 1866

At the request of Mr. VITTER, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 1866, a bill to establish the veterans' business outreach center program, to improve the programs for veterans of the Small Business Administration, and for other purposes.

S. RES. 189

At the request of Mr. WHITEHOUSE, the names of the Senator from Alaska (Ms. MURKOWSKI) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. Res. 189, a resolution expressing the sense of the Senate regarding the 25th anniversary of democracy in Mongolia.

S. RES. 232

At the request of Mr. BOOZMAN, the names of the Senator from South Carolina (Mr. GRAHAM) and the Senator from South Carolina (Mr. SCOTT) were added as cosponsors of S. Res. 232, a resolution expressing the sense of the Senate that August 30, 2015, be observed as ''1890 Land-Grant Institutions Quasquicentennial Recognition Day'' .

AMENDMENT NO. 2287

At the request of Mr. MARKEY, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of amendment No. 2287 intended to be proposed to H.R. 22, a bill to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

AMENDMENT NO. 2288

At the request of Mr. MARKEY, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of amendment No. 2288 intended to be proposed to H.R. 22, a bill to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

AMENDMENT NO. 2289

At the request of Mr. BOOKER, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of amendment No. 2289 intended to be proposed to H.R. 22, a bill

to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

AMENDMENT NO. 2339

At the request of Mr. BLUMENTHAL, the names of the Senator from Wisconsin (Ms. BALDWIN) and the Senator from Hawaii (Ms. HIRONO) were added as cosponsors of amendment No. 2339 intended to be proposed to H.R. 22, a bill to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

AMENDMENT NO. 2340

At the request of Mr. BLUMENTHAL, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of amendment No. 2340 intended to be proposed to H.R. 22, a bill to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

AMENDMENT NO. 2407

At the request of Mr. SCHATZ, the names of the Senator from Hawaii (Ms. HIRONO) and the Senator from Florida (Mr. NELSON) were added as cosponsors of amendment No. 2407 intended to be proposed to H.R. 22, a bill to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

AMENDMENT NO. 2424

At the request of Mr. CARPER, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of amendment No. 2424 intended to be proposed to H.R. 22, a bill to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

AMENDMENT NO. 2425

At the request of Mr. CARPER, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of amendment No. 2425 intended to be proposed to H.R. 22, a bill to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

AMENDMENT NO. 2426

At the request of Mr. CARPER, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of amendment No. 2426 intended to be proposed to H.R. 22, a bill to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

AMENDMENT NO. 2427

At the request of Mr. CARPER, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of amendment No. 2427 intended to be proposed to H.R. 22, a bill to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

AMENDMENT NO. 2428

At the request of Mr. CARPER, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of amendment No. 2428 intended to be proposed to H.R. 22, a bill to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

AMENDMENT NO. 2467

At the request of Mr. BLUMENTHAL, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of amendment No. 2467 intended to be proposed to H.R. 22, a bill to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

AMENDMENT NO. 2472

At the request of Mr. BOOKER, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of amendment No. 2472 intended to be proposed to H.R. 22, a bill to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

AMENDMENT NO. 2478

At the request of Mr. BROWN, the names of the Senator from New York (Mr. SCHUMER) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of amendment No. 2478 intended to be proposed to H.R. 22, a bill to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

AMENDMENT NO. 2479

At the request of Mr. BROWN, the names of the Senator from New York (Mr. SCHUMER) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of amendment No. 2479 intended to be proposed to H.R. 22, a bill to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

AMENDMENT NO. 2480

At the request of Mr. BROWN, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of amendment No. 2480 intended to be proposed to H.R. 22, a bill to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

AMENDMENT NO. 2481

At the request of Mr. BROWN, the names of the Senator from New York (Mr. SCHUMER) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of amendment No. 2481 intended to be proposed to H.R. 22, a bill to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

AMENDMENT NO. 2483

At the request of Mr. BROWN, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of amendment No. 2483 intended to be proposed to H.R. 22, a bill to amend the Internal Revenue Code of

1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

AMENDMENT NO. 2488

At the request of Mr. BROWN, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of amendment No. 2488 intended to be proposed to H.R. 22, a bill to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. INHOFE (for himself, Mr. MCCAIN, and Mr. ROUNDS):

S. 1877. A bill to require the Attorney General to appoint a special prosecutor to investigage Planned Parenthood, and for other purposes; to the Committee on the Judiciary.

Mr. INHOFE. Mr. President, we have all been disturbed—just really outraged—about the things that have come from Planned Parenthood recently. We have seen the videos exposing their casual disregard of human life. It is unconscionable. It is very sad. We have known this for a long time. The junior Senator, Mr. LANKFORD, back when he was in the House of Representatives was introducing bills to defund Planned Parenthood, and that was before the most recent events that have happened.

The Center For Medical Progress spent 3 years investigating Planned Parenthood and produced at least three videos revealing what appears to be an intentional and illegal harvesting of body parts from aborted babies.

There are countries such as China that condone killing children, but our Nation should not be condoning the act of killing our own children or allowing these corrupt organizations to sell body parts for profit. There was a book that was written that I remember very well entitled ''Modernizing China'' by Anthony Kubek. This was 30 years ago, when there was still a separation between China and Taiwan. They talked about at that time having a limit on how many babies people could have. They would go in and find out that there was one more child than they should have had, and they would take that baby and kill it. Of course, the harvesting of body parts was taking place there. That was China. This is America. It is hard to believe this could be happening.

It is not about being pro-life or prochoice anymore; it is about our country's moral conscience. If Planned Parenthood has either profited from selling aborted babies' organs or they have modified procedures used to conduct an abortion for the purposes of obtaining body parts, then they have broken the law.

In fact, the National Institutes of Health Revitalization Act of 1993 states that ''no alteration of the timing, method or procedures used to terminate the pregnancy [may be] made solely for the purposes of obtaining tissue.'' That includes arms, legs, kidneys, and body parts, but this is exactly what Planned Parenthood has admitted to doing in these videos.

The Federal law also states it is unlawful to sell human fetal tissue. Title 42 of the U.S. Code, section 289g–2(a) states: ''It shall be unlawful for any person to knowingly acquire, receive, or otherwise transfer any human fetal tissue for valuable consideration if the transfer affects interstate commerce.'' Again, it is illegal.

Based on the evidence in these videos, particularly with the Planned Parenthood employees haggling and negotiating over prices, joking about it, and using the income of the dead babies' body parts to buy a Lamborghini—some kind of automobile—it seems as if it is commonplace. There is a total disregard for the babies or what they were doing.

My colleague Senator ERNST of Iowa and I, along with others in the Senate, wrote to the Department of Health and Human Services requesting answers to these questions.

One thing that is important to note is that Planned Parenthood receives $1.4 million of taxpayers' money every day. It is unthinkable that they are being supported by the taxpayers in the United States, according to their 2013–2014 annual report. They received 528.4 million taxpayer dollars and then performed and profited from illegal and immoral actions taking the lives of innocent babies. This is so incredibly evil it is even hard to talk about.

We are talking about women being manipulated into putting their health on the line for a government-funded organization to profit from harvesting their child's body. Vulnerable women are being coerced into having abortions and delaying the abortions until the baby has grown to the age within the womb that they would have fully developed body parts in order to sell. This is what is happening today.

Planned Parenthood fights to keep mothers from seeing the human value of their babies with an ultrasound. They don't want the mother to hear the baby inside their womb with an ultrasound, but they will use the same technology to guide them to more valuable organs as they perform abortions for monetary gain. These actions deserve to be fully investigated. Crimes have been committed. It is our moral obligation to fully prosecute any violations of the law.

Today I have introduced legislation that would require the appointment of a special prosecutor to investigate and prosecute these atrocities. To pay for this, the legislation would rescind all moneys that have been appropriated to Planned Parenthood and provide the special prosecutor with as much of this money to conduct the investigation as is necessary.

We have to protect innocent lives. Now that this has opened the door to a reality that has been suspected for so many years, this Senator wants America and the world to know that endangering women's health and profiting from killing children is not acceptable.

The video just released today shows a lab technician placing and celebrating the monetary value of a baby's arms, legs, kidneys, and spinal cord as they pulled apart its body.

The bill is S. 1877. We have gotten a lot of calls about it. I didn't want to let this opportunity go by without coming to the floor and getting something started to do something to stop the barbaric acts we are seeing on behalf of Planned Parenthood.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 233—RECOGNIZING JULY 28, 2015, AS ''WORLD HEPATITIS DAY''

Ms. HIRONO (for herself, Mr. SCHUMER, and Mr. SCHATZ) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 233

Whereas hepatitis B and hepatitis C, and the incidence of liver disease caused by these viruses, have become urgent problems of a global proportion;

Whereas an estimated 350,000,000 people worldwide live with chronic hepatitis B, and an estimated 780,000 people worldwide die each year due to hepatitis B;

Whereas an estimated 150,000,000 people worldwide are chronically infected with hepatitis C, and an estimated 500,000 people worldwide die each year due to a liver-related illness caused by hepatitis C;

Whereas an estimated 1,000,000 people worldwide die each year due to liver failure or primary liver cancer resulting from a chronic infection of hepatitis;

Whereas an estimated 5,300,000 people in the United States are infected with either hepatitis B or hepatitis C, including 1,400,000 people who are chronically infected with hepatitis B and 2,700,000 people who are chronically infected with hepatitis C;

Whereas the Centers for Disease Control and Prevention (referred to in this preamble as ''CDC'') estimated that there were 19,764 new hepatitis B infections and 29,718 new hepatitis C infections, respectively, in the United States in 2013;

Whereas the CDC has found significant increases in the transmission of new hepatitis

cases in the United States since 2010, including a 151 percent increase between 2010 and 2013 in new transmissions of hepatitis C in the United States;

Whereas chronic viral hepatitis claims thousands of lives each year in the United States, with 19,368 deaths due to hepatitis C in the United States in 2013;

Whereas, in 2014, $4,500,000,000 in Medicare funds were spent on hepatitis C treatments;

Whereas a person who has become chronically infected with hepatitis B or hepatitis C may not have symptoms for up to 40 years after the initial infection occurred;

Whereas African Americans, Asian Americans, Pacific Islanders, Latinos, Native Americans, Alaska Natives, gay and bisexual men, and persons who inject drugs intravenously all have higher rates of chronic viral hepatitis infections in the United States than other groups of people;

Whereas Asian Americans and Pacific Islanders bear the greatest burden of hepatitis B related deaths in the United States;

Whereas hepatitis C is 10 times more infectious than human immunodeficiency virus (referred to in this preamble as ''HIV'');

Whereas hepatitis B is 50 to 100 times more infectious than HIV;

Whereas an estimated 25 percent of people who live in the United States and are infected with HIV are also infected with hepatitis C;

Whereas life expectancies for persons infected with HIV have increased with antiretroviral treatment, and liver disease, much of which is related to hepatitis B and hepatitis C infections, has become the most common cause of death among this population that is not related to acquired immune deficiency syndrome;

Whereas, despite the fact that chronic viral hepatitis is the most common bloodborne infection in the United States, 65 percent of people living with hepatitis B and an estimated 75 percent of people living with hepatitis C are unaware of their infection;

Whereas hepatitis B is preventable through vaccination, and both hepatitis B and hepatitis C are preventable with proper public health interventions, including programs that offer access to sterile injection equipment for people who inject drugs intravenously;

Whereas effective and safe treatment is available for people living with hepatitis B and hepatitis C, including new curative treatments for hepatitis C; and

Whereas the goals of ''World Hepatitis Day'' on July 28, 2015, are to—

(1) highlight the global nature of chronic viral hepatitis epidemics;

(2) recognize that hepatitis can be prevented and eliminated in part through a comprehensive public education and awareness campaign designed to identify those at risk for, and living with, hepatitis;

(3) inform patients about new treatments that are available for hepatitis; and

(4) help increase the length and quality of life for people diagnosed with chronic hepatitis B and hepatitis C infections: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes July 28, 2015, as ''World Hepatitis Day'';

(2) supports broad access to hepatitis B and hepatitis C treatments;

(3) supports raising awareness of the risks and consequences of undiagnosed chronic hepatitis B and hepatitis C infections; and

(4) calls for a robust governmental and public health response to protect the health of the approximately 5,000,000 people in the United States and 400,000,000 people worldwide who suffer from chronic viral hepatitis.

SENATE CONCURRENT RESOLUTION 20—RECOGNIZING AND HONORING THE 25TH ANNIVERSARY OF THE DATE OF ENACTMENT OF THE AMERICANS WITH DISABILITIES ACT OF 1990

Mr. HATCH (for himself, Mrs. MURRAY, Ms. AYOTTE, Ms. MURKOWSKI, Ms. COLLINS, Mr. KIRK, Mr. ROUNDS, Mr. COCHRAN, Mr. RUBIO, Mr. KAINE, Ms. BALDWIN, Ms. CANTWELL, Mrs. BOXER, Mr. BROWN, Ms. MIKULSKI, Mr. LEAHY, Mr. CASEY, Mr. DURBIN, Mr. SCHUMER, Mrs. FEINSTEIN, Mr. KING, Mrs. SHAHEEN, Mr. FRANKEN, Ms. KLOBUCHAR, Mr. MARKEY, Ms. HEITKAMP, Mr. BENNET, Mr. BLUMENTHAL, Mr. MENENDEZ, Ms. STABENOW, Ms. WARREN, Mr. ALEXANDER, Mr. WHITEHOUSE, Ms. HIRONO, Mr. REED, and Mr. CARDIN) submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 20

Whereas, July 26, 2015, marks the 25th anniversary of the date of enactment of the Americans with Disabilities Act of 1990 (referred to in this preamble as the ''ADA'');

Whereas the ADA has been one of the most significant and effective civil rights laws passed by Congress;

Whereas, prior to the date of enactment of the ADA, individuals with disabilities were too often denied the opportunity to fully participate in society due to intolerance, misunderstanding, ignorance, or unfair stereotypes;

Whereas the dedicated efforts of passionate and courageous disability rights advocates served to awaken Congress and the people of the United States to the discrimination and prejudice that individuals with disabilities face;

Whereas Congress worked in a bipartisan manner to craft legislation to make discrimination against individuals with disabilities illegal;

Whereas Congress passed the ADA, and President George Herbert Walker Bush signed the ADA into law on July 26, 1990;

Whereas the purpose of the ADA is to fulfill the goals of opportunity, independent living, integration, and economic self-sufficiency for individuals with disabilities who live in the United States;

Whereas the ADA—

(1) prohibits employers from discriminating against qualified individuals with disabilities;

(2) requires that State and local governmental entities accommodate qualified individuals with disabilities;

(3) requires a place of public accommodation to take reasonable steps to ensure that the goods and services it provides are accessible to individuals with disabilities; and

(4) requires new trains and buses to be accessible to individuals with disabilities;

Whereas the ADA has played a historic role in allowing more than 55,000,000 individuals in the United States who have disabilities to better participate in society by removing barriers to employment, transportation, public services, telecommunications, and public accommodations;

Whereas the ADA has served as a model for disability rights in other countries;

Whereas every individual in the United States, not just those with disabilities, benefits from the accommodations that have become commonplace since the passage of the ADA, including curb cuts at street intersections, ramps for access to buildings, and other accommodations that provide access to public transportation, stadiums, telecommunications, voting machines, and websites;

Whereas, 25 years after the date of enactment of the ADA, it remains a crucial tool, as children and adults with disabilities still experience barriers that interfere with their full participation in mainstream life in the United States;

Whereas, 25 years after the date of enactment of the ADA, individuals in the United States who have disabilities are twice as likely to live in poverty than individuals without disabilities, and individuals with disabilities continue to experience high rates of unemployment and underemployment;

Whereas, 25 years after the date of enactment of the ADA and 16 years after the Supreme Court issued the decision in Olmstead v. L.C., many individuals with disabilities still live and work in segregated and institutional settings because of a lack of access to support services that would allow such individuals to live and work in their community;

Whereas, 25 years after the date of enactment of the ADA, the ADA remains a crucial tool for individuals with disabilities who experience barriers to accessability in telecommunications and information technologies; and

Whereas the United States has a responsibility to welcome back and create opportunities for the tens of thousands of working-age veterans who have been wounded in action or have suffered injuries or illnesses related to their service in the Global War on Terror: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) recognizes and honors the 25th anniversary of the date of enactment of the Americans with Disabilities Act of 1990;

(2) salutes everyone whose efforts contributed to the enactment of the Americans with Disabilities Act of 1990;

(3) encourages everyone in the United States to celebrate the advancement of freedom and the expansion of opportunity made possible by the enactment of the Americans with Disabilities Act of 1990; and

(4) pledges to continue to work on a bipartisan basis to support opportunity, independent living, economic self-sufficiency, and the full participation of individuals in the United States who have disabilities.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2538. Ms. BALDWIN submitted an amendment intended to be proposed by her to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table.

SA 2539. Ms. BALDWIN submitted an amendment intended to be proposed by her to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2540. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 22, supra; which was ordered to lie on the table.

SA 2541. Mr. MCCONNELL (for Mr. CARPER (for himself and Mr. JOHNSON)) proposed an amendment to the bill S. 614, to provide access to and use of information by Federal agencies in order to reduce improper payments, and for other purposes.

TEXT OF AMENDMENTS

SA 2538. Ms. BALDWIN submitted an amendment intended to be proposed by her to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 757, after line 21, add the following:

SEC. 35416. BRIDGE INSPECTION REPORTS.

Section 417(d) of the Rail Safety Improvement Act of 2008 (49 U.S.C. 20103 note) is amended—

(1) by striking ''The Secretary'' and inserting the following:

''(1) IN GENERAL.—The Secretary''; and

(2) by adding at the end the following:

''(2) AVAILABILITY OF BRIDGE INSPECTION REPORTS.—The Administrator of the Federal Railroad Administration shall—

''(A) maintain a copy of the most recent bridge inspection reports prepared in accordance with section (b)(5); and

''(B) provide copies of the reports described in subparagraph (A) to appropriate State and local government transportation officials, upon request.''.

SA 2539. Ms. BALDWIN submitted an amendment intended to be proposed by her to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 767, line 13, strike ''(3)'' and insert the following:

(3) upon the request of each State, political subdivision of a State, or public agency responsible for emergency response or law enforcement, to require each applicable fusion center to provide advance notice for each high-hazard flammable train traveling through the jurisdiction of each State, political subdivision of a State, or public agency, which notice shall include the electronic train consist information described in paragraph (1)(A) for the high-hazard flammable train, and to the extent practicable, for requesting States, political subdivisions, or public agencies, to ensure that the fusion center shall provide at least 12 hours of advance notice for a high-hazard flammable train that will be traveling through the jurisdiction of the State, political subdivision of a State, or public agency, and include within the notice its best estimate of the time the train will enter the jurisdiction;

(4)

SA 2540. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end of division F, add the following:

TITLE LXIII—TRANSPORTATION EMPOWERMENT ACT

SEC. 63001. SHORT TITLE.

This title may be cited as the ''Transportation Empowerment Act''.

SEC. 63002. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) the objective of the Federal highway program has been to facilitate the construction of a modern freeway system that promotes efficient interstate commerce by connecting all States;

(2) the objective described in paragraph (1) has been attained, and the Interstate System connecting all States is near completion;

(3) each State has the responsibility of providing an efficient transportation network for the residents of the State;

(4) each State has the means to build and operate a network of transportation systems, including highways, that best serves the needs of the State;

(5) each State is best capable of determining the needs of the State and acting on those needs;

(6) the Federal role in highway transportation has, over time, usurped the role of the States by taxing motor fuels used in the States and then distributing the proceeds to the States based on the perceptions of the Federal Government on what is best for the States;

(7) the Federal Government has used the Federal motor fuels tax revenues to force all States to take actions that are not necessarily appropriate for individual States;

(8) the Federal distribution, review, and enforcement process wastes billions of dollars on unproductive activities;

(9) Federal mandates that apply uniformly to all 50 States, regardless of the different circumstances of the States, cause the States to waste billions of hard-earned tax dollars on projects, programs, and activities that the States would not otherwise undertake; and

(10) Congress has expressed a strong interest in reducing the role of the Federal Government by allowing each State to manage its own affairs.

(b) PURPOSES.—The purposes of this title are—

(1) to provide a new policy blueprint to govern the Federal role in transportation once existing and prior financial obligations are met;

(2) to return to the individual States maximum discretionary authority and fiscal responsibility for all elements of the national surface transportation systems that are not within the direct purview of the Federal Government;

(3) to preserve Federal responsibility for the Dwight D. Eisenhower National System of Interstate and Defense Highways;

(4) to preserve the responsibility of the Department of Transportation for—

(A) design, construction, and preservation of transportation facilities on Federal public land;

(B) national programs of transportation research and development and transportation safety; and

(C) emergency assistance to the States in response to natural disasters;

(5) to eliminate to the maximum extent practicable Federal obstacles to the ability of each State to apply innovative solutions to the financing, design, construction, operation, and preservation of Federal and State transportation facilities; and

(6) with respect to transportation activities carried out by States, local governments, and the private sector, to encourage—

(A) competition among States, local governments, and the private sector; and

(B) innovation, energy efficiency, private sector participation, and productivity.

SEC. 63003. FUNDING LIMITATION.

Notwithstanding any other provision of law, if the Secretary of Transportation determines for any of fiscal years 2022 through 2026 that the aggregate amount required to carry out transportation programs and projects under this title and amendments made by this title exceeds the estimated aggregate amount in the Highway Trust Fund available for those programs and projects for the fiscal year, each amount made available for that program or project shall be reduced by the pro rata percentage required to reduce the aggregate amount required to carry out those programs and projects to an amount equal to that available for those programs and projects in the Highway Trust Fund for the fiscal year.

SEC. 63004. FUNDING FOR CORE HIGHWAY PROGRAMS.

(a) IN GENERAL.—

(1) AUTHORIZATION OF APPROPRIATIONS.—The following sums are authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account):

(A) FEDERAL-AID HIGHWAY PROGRAM, ETC.—For the national highway performance program under section 119 of title 23, United States Code, the surface transportation program under section 133 of that title, and the highway safety improvement program under section 148 of that title, for each of fiscal years 2022 through 2026, an aggregate amount not to exceed 10 percent of the balance of the Highway Trust Fund (other than such Mass Transit Account) as estimated (taking into account estimated revenues) at the beginning of each such fiscal year.

(B) EMERGENCY RELIEF.—For emergency relief under section 125 of title 23, United States Code, $100,000,000 for each of fiscal years 2022 through 2026.

(C) FEDERAL LANDS PROGRAMS.—

(i) FEDERAL LANDS TRANSPORTATION PROGRAM.—For the Federal lands transportation program under section 203 of title 23, United States Code, $300,000,000 for each of fiscal years 2022 through 2026, of which $240,000,000 of the amount made available for each fiscal year shall be the amount for the National Park Service and $30,000,000 of the amount made available for each fiscal year shall be the amount for the United States Fish and Wildlife Service.

(ii) FEDERAL LANDS ACCESS PROGRAM.—For the Federal lands access program under section 204 of title 23, United States Code, $250,000,000 for each of fiscal years 2022 through 2026.

(D) ADMINISTRATIVE EXPENSES.—Section 104(a) of title 23, United States Code, is amended by striking paragraph (1) and inserting the following:

''(1) AUTHORIZATION OF APPROPRIATIONS.—

''(A) IN GENERAL.—There are authorized to be appropriated from the Highway Trust

Fund (other than the Mass Transit Account) for each of fiscal years 2022 through 2026, to be made available to the Secretary for administrative expenses of the Federal Highway Administration, an amount equal to 1 percent of the balance of the Highway Trust Fund (other than such Mass Transit Account) as estimated (taking into account estimated revenues) at the beginning of each such fiscal year.

''(B)(i) Notwithstanding any other provision of law, it shall not be in order in the Senate or the House of Representatives to consider any measure that would make available for expenditure from the Highway Trust Fund (other than the Mass Transit Account) for a fiscal year an amount less than the amount authorized under subparagraph (A) for such fiscal year.

''(ii)(I) Clause (i) may be waived or suspended in the Senate only by the affirmative vote of ⅗ of the Members, duly chosen and sworn.

''(II) Debate on appeals in the Senate from the decisions of the Chair relating to subclause (I) shall be limited to 1 hour, to be equally divided between, and controlled by, the mover and the manager of the measure that would make available for expenditure from the Fund for a fiscal year an amount less than the amount described in subparagraph (A). An affirmative vote of ⅗ of the Members, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised in relation to subclause (I).

''(iii) This subparagraph is enacted by Congress—

''(I) as an exercise of the rulemaking power of the House of Representatives and the Senate, respectively, and as such it is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a joint resolution, and it supersedes other rules only to the extent that it is inconsistent with those rules; and

''(II) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner and to the same extent as in the case of any other rule of that House.''.

(2) TRANSFERABILITY OF FUNDS.—Section 104 of title 23, United States Code, is amended by striking subsection (f) and inserting the following:

''(f) TRANSFERABILITY OF FUNDS.—

''(1) IN GENERAL.—To the extent that a State determines that funds made available under this title to the State for a purpose are in excess of the needs of the State for that purpose, the State may transfer the excess funds to, and use the excess funds for, any surface transportation (including mass transit and rail) purpose in the State.

''(2) ENFORCEMENT.—If the Secretary determines that a State has transferred funds under paragraph (1) to a purpose that is not a surface transportation purpose as described in paragraph (1), the amount of the improperly transferred funds shall be deducted from any amount the State would otherwise receive from the Highway Trust Fund for the fiscal year that begins after the date of the determination.''.

(3) FEDERAL-AID SYSTEM.—

(A) IN GENERAL.—Section 103(a) of title 23, United States Code, is amended by striking ''the National Highway System, which includes''.

(B) CONFORMING AMENDMENTS.—Chapter 1 of title 23, United States Code, is amended—

(i) in section 103 by striking the section designation and heading and inserting the following:

''§ 103. Federal-aid system'';

and

(ii) in the analysis by striking the item relating to section 103 and inserting the following:

''103. Federal-aid system.''.

(4) CALCULATION OF STATE AMOUNTS.—Section 104(c)(2) of title 23, United States Code, is amended—

(A) in the paragraph heading by striking ''FOR FISCAL YEAR 2014'' and inserting ''SUBSEQUENT FISCAL YEARS''; and

(B) in subparagraph (A) by striking ''fiscal year 2014'' and inserting ''fiscal year 2022 and each subsequent fiscal year''.

(5) FEDERALIZATION AND DEFEDERALIZATION OF PROJECTS.—Notwithstanding any other provision of law, beginning on October 1, 2022—

(A) a highway construction or improvement project shall not be considered to be a Federal highway construction or improvement project unless and until a State expends Federal funds for the construction portion of the project;

(B) a highway construction or improvement project shall not be considered to be a Federal highway construction or improvement project solely by reason of the expenditure of Federal funds by a State before the construction phase of the project to pay expenses relating to the project, including for any environmental document or design work required for the project; and

(C)(i) a State may, after having used Federal funds to pay all or a portion of the costs of a highway construction or improvement project, reimburse the Federal Government in an amount equal to the amount of Federal funds so expended; and

(ii) after completion of a reimbursement described in clause (i), a highway construction or improvement project described in that clause shall no longer be considered to be a Federal highway construction or improvement project.

(6) REPORTING REQUIREMENTS.—No reporting requirement, other than a reporting requirement in effect as of the date of enactment of this Act, shall apply on or after October 1, 2022, to the use of Federal funds for highway projects by a public-private partnership.

(b) EXPENDITURES FROM HIGHWAY TRUST FUND.—

(1) EXPENDITURES FOR CORE PROGRAMS.—Section 9503(c) of the Internal Revenue Code of 1986 is amended—

(A) in paragraph (1), as amended by division G and section 51101(a)—

(i) by striking ''October 1, 2021'' and inserting ''October 1, 2026''; and

(ii) by striking ''DRIVE Act'' and inserting ''Transportation Empowerment Act'';

(B) in paragraph (2), as amended by section 51102(e)(1)(B), by striking ''July 1, 2024'' and inserting ''July 1, 2030''; and

(C) in paragraph (5), by striking ''October 1, 2011'' and inserting ''October 1, 2026''.

(2) AMOUNTS AVAILABLE FOR CORE PROGRAM EXPENDITURES.—Section 9503 of the Internal Revenue Code of 1986 is amended by adding at the end the following:

''(g) CORE PROGRAMS FINANCING RATE.—For purposes of this section—

''(1) IN GENERAL.—Except as provided in paragraph (2)—

''(A) in the case of gasoline and special motor fuels the tax rate of which is the rate specified in section 4081(a)(2)(A)(i), the core programs financing rate is—

''(i) after September 30, 2022, and before October 1, 2023, 18.3 cents per gallon,

''(ii) after September 30, 2023, and before October 1, 2024, 9.6 cents per gallon,

''(iii) after September 30, 2024, and before October 1, 2025, 6.4 cents per gallon,

''(iv) after September 30, 2025, and before October 1, 2026, 5.0 cents per gallon, and

''(v) after September 30, 2026, 3.7 cents per gallon, and

''(B) in the case of kerosene, diesel fuel, and special motor fuels the tax rate of which is the rate specified in section 4081(a)(2)(A)(iii), the core programs financing rate is—

''(i) after September 30, 2022, and before October 1, 2023, 24.3 cents per gallon,

''(ii) after September 30, 2023, and before October 1, 2024, 12.7 cents per gallon,

''(iii) after September 30, 2024, and before October 1, 2025, 8.5 cents per gallon,

''(iv) after September 30, 2025, and before October 1, 2026, 6.6 cents per gallon, and

''(v) after September 30, 2026, 5.0 cents per gallon.

''(2) APPLICATION OF RATE.—In the case of fuels used as described in paragraphs (3)(C), (4)(B), and (5) of subsection (c), the core programs financing rate is zero.''.

(c) TERMINATION OF MASS TRANSIT ACCOUNT.—Section 9503(e) of the Internal Revenue Code of 1986 is amended—

(1) in the first sentence of paragraph (2), by inserting '', and before October 1, 2022'' after ''March 31, 1983''; and

(2) by adding at the end the following:

''(6) TRANSFER TO HIGHWAY ACCOUNT.—On October 1, 2022, the Secretary shall transfer all amounts in the Mass Transit Account to the Highway Account.''.

(d) EFFECTIVE DATE.—The amendments and repeals made by this section shall take effect on October 1, 2023.

SEC. 63005. FEDERAL-AID HIGHWAY PROGRAM.

(a) NATIONAL HIGHWAY PERFORMANCE PROGRAM.—

(1) IN GENERAL.—Section 119(d)(2) of title 23, United States Code, is amended—

(A) by striking subparagraph (H);

(B) by striking subparagraph (M);

(C) by striking subparagraph (O); and

(D) by redesignating subparagraphs (I), (J), (K), (L), (N), and (P) as subparagraphs (H), (I), (J), (K), (L), and (M), respectively.

(2) REPEAL OF ENVIRONMENTAL MITIGATION PROVISIONS.—Section 119 of title 23, United States Code, is amended by striking subsection (g).

(b) SURFACE TRANSPORTATION PROGRAM.—

(1) IN GENERAL.—Section 133(b) of title 23, United States Code, is amended—

(A) in paragraph (6), by striking ''Carpool projects, fringe and corridor parking facilities and programs, including electric vehicle and natural gas infrastructure in accordance with section 137, bicycle transportation and pedestrian walkways in accordance with section 217, and the'' and inserting ''Any'';

(B) by striking paragraph (11);

(C) in paragraph (13), by adding a period at the end;

(D) by striking paragraph (14);

(E) by striking paragraph (17);

(F) in paragraph (24), by striking ''data collection, maintenance, and integration'' and inserting ''the maintenance and integration of data''; and

(G) by redesignating paragraphs (12), (13), (15), (16), (18), (19), (20), (21), (22), (23), (24), (25), and (26) as paragraphs (11), (12), (13), (14), (15), (16), (17), (18), (19), (20), (21), (22), and (23), respectively.

(2) REPEAL OF BRIDGES NOT ON FEDERAL-AID HIGHWAYS PROVISIONS.—Section 133 of title 23, United States Code, is amended—

(A) by striking subsection (g); and

(B) by redesignating subsection (h) as subsection (g).

(3) CONFORMING AMENDMENTS.—

(A) Section 101(a)(29)(F)(i) of title 23, United States Code, is amended by striking ''133(b)(11), 328(a),'' and inserting ''328(a)''.

(B) Section 133(c) of title 23, United States Code, is amended—

(i) by striking paragraph (1);

(ii) in paragraph (2), by striking ''(11), (20), (25), and (26)'' and inserting ''(17), (22), and (23)''; and

(iii) by redesignating paragraphs (2) and (3) as paragraphs (1) and (2), respectively.

(C) Section 165(c)(7) of title 23, United States Code, is amended by striking ''(14), and (19)'' and inserting ''and (16)''.

(c) METROPOLITAN TRANSPORTATION PLANNING.—

(1) IN GENERAL.—Section 134 of title 23, United States Code, is repealed.

(2) CONFORMING AMENDMENTS.—

(A) The chapter analysis for chapter 1 of title 23, United States Code, is amended by striking the item relating to section 134.

(B) Section 2864(d)(2) of title 10, United States Code, is amended by inserting ''(as in effect on the day before the date of enactment of the Transportation Empowerment Act)'' after ''title 23''.

(C) Section 103(b)(3) of title 23, United States Code, is amended by striking subparagraph (B) and inserting the following:

''(B) COOPERATION.—In proposing a modification under this paragraph, a State shall cooperate with local and regional officials.''.

(D) Section 104 of title 23, United States Code, is amended—

(i) in subsection (b)—

(I) in the matter preceding paragraph (1), by striking '', and to carry out section 134''; and

(II) by striking paragraph (5);

(ii) in subsection (d)(1)—

(I) by striking subparagraph (B);

(II) by striking ''(A) USE.—'';

(III) by redesignating clauses (i) and (ii) as subparagraphs (A) and (B), respectively, and indenting appropriately;

(IV) in subparagraph (A) (as so redesignated), by striking ''clause (ii)'' and inserting ''subparagraph (B)''; and

(V) in subparagraphs (A) and (B) (as so redesignated), by inserting ''(as in effect on the day before the date of enactment of the Transportation Empowerment Act)'' after ''subsection (b)(5)'' each place it appears; and

(iii) in subsection (d)(2)—

(I) by striking ''STATES.—'' and all that follows through ''The distribution'' in subparagraph (A), in the matter preceding clause (i), and inserting ''STATES.—The distribution'';

(II) in clause (ii), by striking ''to carry out section 134 and'';

(III) by striking subparagraph (B); and

(IV) by redesignating clauses (i) and (ii) as subparagraphs (A) and (B), respectively, and indenting appropriately.

(E) Section 106(h)(3)(C) of title 23, United States Code, is amended by striking ''sections 134 and 135'' and inserting ''section 135''.

(F) Section 108(d)(5)(A) of title 23, United States Code, is amended by striking ''sections 134 and 135'' and inserting ''section 135''.

(G) Section 119(d)(1)(B) of title 23, United States Code, is amended by striking ''sections 134 and 135'' and inserting ''section 135''.

(H) Section 133(d) of title 23, United States Code, is amended—

(i) by striking paragraph (2);

(ii) in paragraph (5), by striking ''sections 134 and 135'' and inserting ''section 135''; and

(iii) by redesignating paragraphs (3), (4), and (5) as paragraphs (2), (3), and (4), respectively.

(I) Section 135 of title 23, United States Code, is amended—

(i) in subsection (a)—

(I) in paragraph (1)—

(aa) by striking ''Subject to section 134, to'' and inserting ''To''; and

(bb) by inserting ''(as in effect on the day before the date of enactment of the Transportation Empowerment Act)'' after ''section 134(a)''; and

(II) in paragraph (3), by inserting ''(as in effect on the day before the date of enactment of the Transportation Empowerment Act)'' after ''section 134(a)'';

(ii) in subsection (b)(1), by striking ''with the transportation planning activities carried out under section 134 for metropolitan areas of the State and'';

(iii) in subsection (f)(2)—

(I) by striking subparagraph (A); and

(II) by redesignating subparagraphs (B), (C), and (D) as subparagraphs (A), (B), and (C), respectively;

(iv) in subsection (g)—

(I) in paragraph (2)—

(aa) by striking subparagraph (A); and

(bb) by redesignating subparagraphs (B) and (C) as subparagraphs (A) and (B), respectively; and

(II) in paragraph (8), by striking ''and section 134''; and

(v) in subsection (j), by striking ''and section 134'' each place it appears.

(J) Section 137 of title 23, United States Code, is amended—

(i) by striking subsection (e); and

(ii) by redesignating subsections (f) and (g) as subsections (e) and (f), respectively.

(K) Section 142 of title 23, United States Code, is amended—

(i) by striking subsection (d); and

(ii) by redesignating subsections (e) through (i) as subsections (d) through (h), respectively.

(L) Section 168(a)(2)(A) of title 23, United States Code, is amended by striking ''or a transportation plan developed under section 134''.

(M) Section 201(c)(1) of title 23, United States Code, is amended by striking ''sections 134 and 135'' and inserting ''section 135''.

(N) Section 217(g)(1) of title 23, United States Code, is amended in the first sentence by striking ''metropolitan planning organization and State in accordance with section 134 and 135, respectively'' and inserting ''State in accordance with section 135''.

(O) Section 327(a)(2)(B) of title 23, United States Code, is amended—

(i) in clause (iii), by striking ''42 U.S.C. 13'' and inserting ''42 U.S.C.''; and

(ii) in clause (iv)(I), by striking ''134 or''.

(P) Section 505 of title 23, United States Code, is amended—

(i) in subsection (a)(2)—

(I) by striking ''metropolitan and''; and

(II) by striking ''sections 134 and 135'' and inserting ''section 135''; and

(ii) in subsection (b)(2), by striking ''sections 134 and 135'' and inserting ''section 135''.

(Q) Section 602(a)(3) of title 23, United States Code, is amended by striking ''sections 134 and 135'' and inserting ''section 135''.

(R) Section 610(d)(5) of title 23, United States Code, is amended by striking ''section 133(d)(3)'' and inserting ''section 133(d)(2)''.

(S) Section 174 of the Clean Air Act (42 U.S.C. 7504) is amended—

(i) in the fourth sentence of subsection (a), by striking ''the metropolitan planning organization designated to conduct the continuing, cooperative and comprehensive transportation planning process for the area under section 134 of title 23, United States Code,'';

(ii) by striking subsection (b); and

(iii) by redesignating subsection (c) as subsection (b).

(T) Section 176(c) of the Clean Air Act (42 U.S.C. 7506(c)) is amended—

(i) in paragraph (7)(A), in the matter preceding clause (i), by striking ''section 134(i) of title 23, United States Code, or''; and

(ii) in paragraph (9), by striking ''section 134(i) of title 23, United States Code, or''.

(U) Section 182(c)(5) of the Clean Air Act (42 U.S.C. 7511a(c)(5)) is amended—

(i) by striking ''(A) Beginning'' and inserting ''Beginning''; and

(ii) in the last sentence by striking ''and with the requirements of section 174(b)''.

(V) Section 5304(i) of title 49, United States Code, is amended—

(i) by striking ''sections 134 and 135'' each place it appears and inserting ''section 135''; and

(ii) by striking ''this this'' and inserting ''this''.

(d) NATIONAL BRIDGE AND TUNNEL INVENTORY AND INSPECTION STANDARDS.—

(1) IN GENERAL.—Section 144 of title 23, United States Code, is amended—

(A) in subsection (e)(1) by inserting ''on the Federal-aid system'' after ''any bridge''; and

(B) in subsection (f)(1) by inserting ''on the Federal-aid system'' after ''construct any bridge''.

(2) REPEAL OF HISTORIC BRIDGES PROVISIONS.—Section 144(g) of title 23, United States Code, is repealed.

(e) HIGHWAY SAFETY IMPROVEMENT PROGRAM.—

(1) IN GENERAL.—Section 148 of title 23, United States Code, is amended—

(A) in subsection (a)—

(i) in paragraph (4)(B)—

(I) by striking clause (v); and

(II) by redesignating clauses (vi) through (xxiv) as clauses (v) through (xxiii), respectively;

(ii) in paragraph (8), by striking ''bicyclist,''; and

(iii) by striking paragraphs (11) through (13);

(B) by striking subsections (b), (c), (d), (e), (f), (g), (h), and (i); and

(C) by redesignating subsection (j) as subsection (b).

(2) CONFORMING AMENDMENTS.—

(A) Section 101(a)(27) of title 23, United States Code, is amended by inserting ''(as in effect on the day before the date of enactment of the Transportation Empowerment Act)'' after ''section 148(a)''.

(B) Section 402(b)(1)(F)(v) of title 23, United States Code, is amended by inserting ''(as in effect on the day before the date of enactment of the Transportation Empowerment Act)'' after ''section 148(a)''.

(f) REPEAL OF CONGESTION MITIGATION AND AIR QUALITY IMPROVEMENT PROGRAM.—

(1) IN GENERAL.—Section 149 of title 23, United States Code, is repealed.

(2) CONFORMING AMENDMENTS.—

(A) The chapter analysis for chapter 1 of title 23, United States Code, is amended by striking the item relating to section 149.

(B) Section 106(d) of title 23, United States Code, is amended in the matter preceding paragraph (1), by striking ''section, section

133, or section 149'' and inserting ''section or section 133''.

(C) Section 150 of title 23, United States Code, is amended—

(i) in subsection (c)—

(I) by striking paragraph (5); and

(II) by redesignating paragraph (6) as paragraph (5); and

(ii) in subsection (d), by striking ''(5), and (6)'' and inserting ''and (5)''.

(D) Section 322(h)(3) of title 23, United States Code, is amended by striking ''and the congestion mitigation and air quality improvement program under section 149''.

(E) Section 505(a)(3) of title 23, United States Code, is amended by striking ''149,''.

(g) REPEAL OF TRANSPORTATION ALTERNATIVES PROGRAM.—The following provisions are repealed:

(1) Section 213 of title 23, United States Code.

(2) The item relating to section 213 in the analysis for chapter 1 of title 23, United States Code.

(h) NATIONAL DEFENSE HIGHWAYS.—Section 311 of title 23, United States Code, is amended—

(1) in the first sentence, by striking ''under subsection (a) of section 104 of this title'' and inserting ''to carry out this section''; and

(2) by striking the second sentence.

SEC. 63006. FUNDING FOR HIGHWAY RESEARCH AND DEVELOPMENT PROGRAM.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) to carry out section 503(b) of title 23, United States Code, $115,000,000 for each of fiscal years 2022 through 2026.

(b) APPLICABILITY OF TITLE 23, UNITED STATES CODE.—Funds authorized to be appropriated by subsection (a) shall—

(1) be available for obligation in the same manner as if those funds were apportioned under chapter 1 of title 23, United States Code, except that the Federal share of the cost of a project or activity carried out using those funds shall be 80 percent, unless otherwise expressly provided by this Act (including the amendments by this Act) or otherwise determined by the Secretary; and

(2) remain available until expended and not be transferable.

SEC. 63007. RETURN OF EXCESS TAX RECEIPTS TO STATES.

(a) IN GENERAL.—Section 9503(c) of the Internal Revenue Code of 1986 is amended by adding at the end the following:

''(6) RETURN OF EXCESS TAX RECEIPTS TO STATES FOR SURFACE TRANSPORTATION PURPOSES.—

''(A) IN GENERAL.—On the first day of each of fiscal years 2023, 2024, 2025, and 2026, the Secretary, in consultation with the Secretary of Transportation, shall—

''(i) determine the excess (if any) of—

''(I) the amounts appropriated in such fiscal year to the Highway Trust Fund under subsection (b) which are attributable to the taxes described in paragraphs (1) and (2) thereof (after the application of paragraph (4) thereof) over the sum of—

''(II) the amounts so appropriated which are equivalent to—

''(aa) such amounts attributable to the core programs financing rate for such year, plus

''(bb) the taxes described in paragraphs (3)(C), (4)(B), and (5) of subsection (c), and

''(ii) allocate the amount determined under clause (i) among the States (as defined in section 101(a) of title 23, United States Code) for surface transportation (including mass transit and rail) purposes so that—

''(I) the percentage of that amount allocated to each State, is equal to

''(II) the percentage of the amount determined under clause (i)(I) paid into the Highway Trust Fund in the latest fiscal year for which such data are available which is attributable to highway users in the State.

''(B) ENFORCEMENT.—If the Secretary determines that a State has used amounts under subparagraph (A) for a purpose which is not a surface transportation purpose as described in subparagraph (A), the improperly used amounts shall be deducted from any amount the State would otherwise receive from the Highway Trust Fund for the fiscal year which begins after the date of the determination.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on October 1, 2022.

SEC. 63008. REDUCTION IN TAXES ON GASOLINE, DIESEL FUEL, KEROSENE, AND SPECIAL FUELS FUNDING HIGHWAY TRUST FUND.

(a) REDUCTION IN TAX RATE.—

(1) IN GENERAL.—Section 4081(a)(2)(A) of the Internal Revenue Code of 1986 is amended—

(A) in clause (i), by striking ''18.3 cents'' and inserting ''3.7 cents''; and

(B) in clause (iii), by striking ''24.3 cents'' and inserting ''5.0 cents''.

(2) CONFORMING AMENDMENTS.—

(A) Section 4081(a)(2)(D) of such Code is amended—

(i) by striking ''19.7 cents'' and inserting ''4.1 cents'', and

(ii) by striking ''24.3 cents'' and inserting ''5.0 cents''.

(B) Section 6427(b)(2)(A) of such Code is amended by striking ''7.4 cents'' and inserting ''1.5 cents''.

(b) ADDITIONAL CONFORMING AMENDMENTS.—

(1) Section 4041(a)(1)(C)(iii)(I) of the Internal Revenue Code of 1986, as amended by section 51102(a)(1)(A), is amended by striking ''7.3 cents per gallon (4.3 cents per gallon after September 30, 2023)'' and inserting ''1.4 cents per gallon (zero after September 30, 2028)''.

(2) Section 4041(a)(2)(B)(ii) of such Code is amended by striking ''24.3 cents'' and inserting ''5.0 cents''.

(3) Section 4041(a)(3)(A) of such Code is amended by striking ''18.3 cents'' and inserting ''3.7 cents''.

(4) Section 4041(m)(1) of such Code is amended—

(A) in subparagraph (A), as amended by section 51102(a)(2)(A), by striking ''2023'' and inserting ''2028,'';

(B) in subparagraph (A)(i), by striking ''9.15 cents'' and inserting ''1.8 cents'';

(C) in subparagraph (A)(ii), by striking ''11.3 cents'' and inserting ''2.3 cents''; and

(D) by striking subparagraph (B), as amended by section 51102(a)(1)(B), and inserting the following:

''(B) zero after September 30, 2028.''.

(5) Section 4081(d)(1) of such Code, as amended by section 51102(a)(1)(C), is amended by striking ''4.3 cents per gallon after September 30, 2023'' and inserting ''zero after September 30, 2028''.

(6) Section 9503(b) of such Code is amended—

(A) in paragraphs (1) and (2), as amended by section 51102(e)(1)(A)(i), by striking ''October 1, 2023'' both places it appears and inserting ''October 1, 2028'';

(B) in the heading of paragraph (2), as amended by section 51102(e)(1)(A)(ii), by striking ''OCTOBER 1, 2023'' and inserting ''OCTOBER 1, 2028'';

(C) in paragraph (2), as amended by section 51102(e)(1)(A), by striking ''after September 30, 2023, and before July 1, 2024'' and inserting ''after September 30, 2028, and before July 1, 2029''; and

(D) in paragraph (6)(B), as amended by division G, by striking ''October 1, 2015'' and inserting ''October 1, 2020''.

(c) FLOOR STOCK REFUNDS.—

(1) IN GENERAL.—If—

(A) before October 1, 2028, tax has been imposed under section 4081 of the Internal Revenue Code of 1986 on any liquid; and

(B) on such date such liquid is held by a dealer and has not been used and is intended for sale;

there shall be credited or refunded (without interest) to the person who paid such tax (in this subsection referred to as the ''taxpayer'') an amount equal to the excess of the tax paid by the taxpayer over the amount of such tax which would be imposed on such liquid had the taxable event occurred on such date.

(2) TIME FOR FILING CLAIMS.—No credit or refund shall be allowed or made under this subsection unless—

(A) claim therefor is filed with the Secretary of the Treasury before April 1, 2029; and

(B) in any case where liquid is held by a dealer (other than the taxpayer) on October 1, 2028—

(i) the dealer submits a request for refund or credit to the taxpayer before January 1, 2029; and

(ii) the taxpayer has repaid or agreed to repay the amount so claimed to such dealer or has obtained the written consent of such dealer to the allowance of the credit or the making of the refund.

(3) EXCEPTION FOR FUEL HELD IN RETAIL STOCKS.—No credit or refund shall be allowed under this subsection with respect to any liquid in retail stocks held at the place where intended to be sold at retail.

(4) DEFINITIONS.—For purposes of this subsection, the terms ''dealer'' and ''held by a dealer'' have the respective meanings given to such terms by section 6412 of such Code; except that the term ''dealer'' includes a producer.

(5) CERTAIN RULES TO APPLY.—Rules similar to the rules of subsections (b) and (c) of section 6412 and sections 6206 and 6675 of such Code shall apply for purposes of this subsection.

(d) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to fuel removed after September 30, 2023.

(2) CERTAIN CONFORMING AMENDMENTS.—

(A) The amendments made by subparagraphs (A), (B), and (C) of subsection (b)(6) shall take effect on October 1, 2023.

(B) The amendment made by subsection (b)(6)(D) shall take effect on October 1, 2022.

SEC. 63009. REPORT TO CONGRESS.

Not later than 180 days after the effective date of this title, after consultation with the appropriate committees of Congress, the Secretary of Transportation shall submit a report to Congress describing such technical and conforming amendments to titles 23 and 49, United States Code, and such technical and conforming amendments to other laws, as are necessary to bring those titles and other laws into conformity with the policy embodied in this title and the amendments made by this title.

SEC. 63010. EFFECTIVE DATE CONTINGENT ON CERTIFICATION OF DEFICIT NEUTRALITY.

(a) PURPOSE.—The purpose of this section is to ensure that—

(1) this title will become effective only if the Director of the Office of Management and Budget certifies that this title is deficit neutral;

(2) discretionary spending limits are reduced to capture the savings realized in devolving transportation functions to the State level pursuant to this title; and

(3) the tax reduction made by this title is not scored under pay-as-you-go and does not inadvertently trigger a sequestration.

(b) EFFECTIVE DATE CONTINGENCY.—Notwithstanding any other provision of this Act, this title and the amendments made by this title shall take effect on the later of—

(1)(A) the date on which the Director of the Office of Management and Budget (referred to in this section as the ''Director'') submits the report as required in subsection (c); and

(B) the report contains a certification by the Director that, based on the required estimates, the reduction in discretionary outlays resulting from the reduction in contract authority is at least as great as the reduction in revenues for each fiscal year through fiscal year 2026; or

(2) October 1, 2022.

(c) OMB ESTIMATES AND REPORT.—

(1) REQUIREMENTS.—Not later than 5 calendar days after the effective date of this title, the Director shall—

(A) estimate the net change in revenues resulting from this title for each fiscal year through fiscal year 2026;

(B) estimate the net change in discretionary outlays resulting from the reduction in contract authority under this title for each fiscal year through fiscal year 2026;

(C) determine, based on those estimates, whether the reduction in discretionary outlays is at least as great as the reduction in revenues for each fiscal year through fiscal year 2026; and

(D) submit to Congress a report setting forth the estimates and determination.

(2) APPLICABLE ASSUMPTIONS AND GUIDELINES.—

(A) REVENUE ESTIMATES.—The revenue estimates required under paragraph (1)(A) shall be predicated on the same economic and technical assumptions and score keeping guidelines that would be used for estimates made pursuant to section 252(d) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 902(d)).

(B) OUTLAY ESTIMATES.—The outlay estimates required under paragraph (1)(B) shall be determined by comparing the level of discretionary outlays resulting from this title with the corresponding level of discretionary outlays projected in the baseline under section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 907).

(d) BUDGETARY EFFECTS.—

(1) PAYGO SCORECARD.—The budgetary effects of this title shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 933(d)).

(2) SENATE PAYGO SCORECARD.—The budgetary effects of this title shall not be entered on any PAYGO scorecard maintained for purposes of section 201 of S. Con. Res. 21 (110th Congress).

(e) PAYGO INTERACTION.—On compliance with the requirements specified in subsection (b), no changes in revenues estimated to result from the enactment of this title shall be counted for the purposes of section 252(d) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 902(d)).

SA 2541. Mr. MCCONNELL (for Mr. CARPER (for himself and Mr. JOHNSON)) proposed an amendment to the bill S. 614, to provide access to and use of information by Federal agencies in order to reduce improper payments, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Federal Improper Payments Coordination Act of 2015''.

SEC. 2. AVAILABILITY OF THE DO NOT PAY INITIATIVE TO THE JUDICIAL AND LEGISLATIVE BRANCHES AND STATES.

Section 5 of the Improper Payments Elimination and Recovery Improvement Act of 2012 (31 U.S.C. 3321 note) is amended—

(1) in subsection (b)(3)—

(A) in the paragraph heading, by striking ''BY AGENCIES'';

(B) by striking ''For purposes'' and inserting the following:

''(A) IN GENERAL.—For purposes''; and

(C) by adding at the end the following:

''(B) OTHER ENTITIES.—States and any contractor, subcontractor, or agent of a State, and the judicial and legislative branches of the United States (as defined in paragraphs (2) and (3), respectively, of section 202(e) of title 18, United States Code), shall have access to, and use of, the Do Not Pay Initiative for the purpose of verifying payment or award eligibility for payments (as defined in section 2(g)(3) of the Improper Payments Information Act of 2002 (31 U.S.C. 3321 note)) when, with respect to a State, the Director of the Office of Management and Budget determines that the Do Not Pay Initiative is appropriately established for that State and any contractor, subcontractor, or agent of the State, and, with respect to the judicial and legislative branches of the United States, when the Director of the Office of Management and Budget determines that the Do Not Pay Initiative is appropriately established for the judicial branch or the legislative branch, as applicable.

''(C) CONSISTENCY WITH PRIVACY ACT OF 1974.—To ensure consistency with the principles of section 552a of title 5, United States Code (commonly known as the 'Privacy Act of 1974'), the Director of the Office of Management and Budget may issue guidance that establishes privacy and other requirements that shall be incorporated into Do Not Pay Initiative access agreements with States, including any contractor, subcontractor, or agent of a State, and the judicial and legislative branches of the United States.''; and

(2) in subsection (d)(2)—

(A) in subparagraph (B), by striking ''and'' after the semicolon;

(B) in subparagraph (C), by striking the period at the end and inserting ''; and''; and

(C) by inserting after subparagraph (C) the following:

''(D) may include States and their quasi-government entities, and the judicial and legislative branches of the United States (as defined in paragraphs (2) and (3), respectively, of section 202(e) of title 18, United States Code) as users of the system in accordance with subsection (b)(3).''.

SEC. 3. IMPROVING THE SHARING AND USE OF DATA BY GOVERNMENT AGENCIES TO CURB IMPROPER PAYMENTS.

The Improper Payments Elimination and Recovery Improvement Act of 2012 (31 U.S.C. 3321 note) is amended—

(1) in section 5(a)(2), by striking subparagraph (A) and inserting the following:

''(A) The death records maintained by the Commissioner of Social Security.''; and

(2) by adding at the end the following:

''SEC. 7. IMPROVING THE USE OF DATA BY GOVERNMENT AGENCIES FOR CURBING IMPROPER PAYMENTS.

''(a) PROMPT REPORTING OF DEATH INFORMATION BY THE DEPARTMENT OF STATE AND THE DEPARTMENT OF DEFENSE.—Not later than 1 year after the date of enactment of this section, the Secretary of State and the Secretary of Defense shall establish a procedure under which each Secretary shall, promptly and on a regular basis, submit information relating to the deaths of individuals to each agency for which the Director of the Office of Management and Budget determines receiving and using such information would be relevant and necessary.

''(b) GUIDANCE TO AGENCIES REGARDING DATA ACCESS AND USE FOR IMPROPER PAYMENTS PURPOSES.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of this section, the Director of the Office of Management and Budget, in consultation with the Council of the Inspectors General on Integrity and Efficiency, the heads of other relevant Federal, State, and local agencies, and Indian tribes and tribal organizations, as appropriate, shall issue guidance regarding implementation of the Do Not Pay Initiative under section 5 to—

''(A) the Department of the Treasury; and

''(B) each agency or component of an agency—

''(i) that operates or maintains a database of information described in section 5(a)(2); or

''(ii) for which the Director determines improved data matching would be relevant, necessary, or beneficial.

''(2) REQUIREMENTS.—The guidance issued under paragraph (1) shall—

''(A) address the implementation of subsection (a); and

''(B) include the establishment of deadlines for access to and use of the databases described in section 5(a)(2) under the Do Not Pay Initiative.''.

SEC. 4. DATA ANALYTICS.

Section 5 of the Improper Payments Elimination and Recovery Improvement Act of 2012 (31 U.S.C. 3321 note), is amended by adding at the end the following:

''(h) REPORT ON IMPROPER PAYMENTS DATA ANALYSIS.—Not later than 180 days after the date of enactment of the Federal Improper Payments Coordination Act of 2015, the Secretary of the Treasury shall submit to Congress a report which shall include a description of—

''(1) data analytics performed as part of the Do Not Pay Business Center operated by the Department of the Treasury for the purpose of detecting, preventing, and recovering improper payments through preaward, postaward prepayment, and postpayment analysis, which shall include a description of any analysis or investigations incorporating—

''(A) review and data matching of payments and beneficiary enrollment lists of State programs carried out using Federal funds for the purposes of identifying eligibility duplication, residency ineligibility, duplicate payments, or other potential improper payment issues;

''(B) review of multiple Federal agencies and programs for which comparison of data could show payment duplication; and

''(C) review of other information the Secretary of the Treasury determines could prove effective for identifying, preventing, or

recovering improper payments, which may include investigation or review of information from multiple Federal agencies or programs;

''(2) the metrics used in determining whether the analytic and investigatory efforts have reduced, or contributed to the reduction of, improper payments or improper awards; and

''(3) the target dates for implementing the data analytics operations performed as part of the Do Not Pay Business Center''.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. INHOFE. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on July 28, 2015, at 9:30 a.m. to conduct a hearing entitled ''Lifting The Crude Oil Export Ban.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. INHOFE. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on July 28, 2015, at 10 a.m., in room SD–366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. INHOFE. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on July 28, 2015, at 10 a.m. to conduct a hearing entitled ''Avoiding Duplication: An Examination of the State Department's Proposal to Construct a New Diplomatic Security Training Facility.''

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. INHOFE. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on July 28, 2015, at 11:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. INHOFE. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on July 28, 2015, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF PROCEDURE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that notwithstanding rule XXII, that at 10 a.m., tomorrow, Wednesday, July 29, all postcloture time on the McConnell amendment No. 2266 be considered expired; further, that if cloture is invoked on H.R. 22, then the postcloture time count as if cloture had been invoked at 6 a.m. on Wednesday, July 29.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that notwithstanding rule XXII, following the vote on the motion to invoke cloture on H.R. 22, the Senate proceed to executive session to consider the following nominations en bloc: Executive Calendar Nos. 6, 137, and 193; that the Senate proceed to vote without intervening action or debate; that the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nominations; that any statements related to the nominations be printed in the RECORD; that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to executive session for the consideration of Executive Calendar No. 232; that the nomination be confirmed; that the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order; that any statements related to the nomination be printed in the RECORD; that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nomination considered and confirmed is as follows:

IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Robert P. Ashley, Jr.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

FEDERAL IMPROPER PAYMENTS COORDINATION ACT OF 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 156, S. 614.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 614) to provide access to and use of information by Federal agencies in order to reduce improper payments, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. Mr. President, I further ask unanimous consent that the Carper amendment be agreed to; the bill, as amended, be read a third time and passed; and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 2541) in the nature of a substitute was agreed to, as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Federal Improper Payments Coordination Act of 2015''.

SEC. 2. AVAILABILITY OF THE DO NOT PAY INITIATIVE TO THE JUDICIAL AND LEGISLATIVE BRANCHES AND STATES.

Section 5 of the Improper Payments Elimination and Recovery Improvement Act of 2012 (31 U.S.C. 3321 note) is amended—

(1) in subsection (b)(3)—

(A) in the paragraph heading, by striking ''BY AGENCIES'';

(B) by striking ''For purposes'' and inserting the following:

''(A) IN GENERAL.—For purposes''; and

(C) by adding at the end the following:

''(B) OTHER ENTITIES.—States and any contractor, subcontractor, or agent of a State, and the judicial and legislative branches of the United States (as defined in paragraphs (2) and (3), respectively, of section 202(e) of title 18, United States Code), shall have access to, and use of, the Do Not Pay Initiative for the purpose of verifying payment or award eligibility for payments (as defined in section 2(g)(3) of the Improper Payments Information Act of 2002 (31 U.S.C. 3321 note)) when, with respect to a State, the Director of the Office of Management and Budget determines that the Do Not Pay Initiative is appropriately established for that State and any contractor, subcontractor, or agent of the State, and, with respect to the judicial and legislative branches of the United States, when the Director of the Office of Management and Budget determines that the Do Not Pay Initiative is appropriately established for the judicial branch or the legislative branch, as applicable.

''(C) CONSISTENCY WITH PRIVACY ACT OF 1974.—To ensure consistency with the principles of section 552a of title 5, United States Code (commonly known as the 'Privacy Act of 1974'), the Director of the Office of Management and Budget may issue guidance that establishes privacy and other requirements that shall be incorporated into Do Not Pay Initiative access agreements with

States, including any contractor, subcontractor, or agent of a State, and the judicial and legislative branches of the United States.''; and

(2) in subsection (d)(2)—

(A) in subparagraph (B), by striking ''and'' after the semicolon;

(B) in subparagraph (C), by striking the period at the end and inserting ''; and''; and

(C) by inserting after subparagraph (C) the following:

''(D) may include States and their quasi-government entities, and the judicial and legislative branches of the United States (as defined in paragraphs (2) and (3), respectively, of section 202(e) of title 18, United States Code) as users of the system in accordance with subsection (b)(3).''.

SEC. 3. IMPROVING THE SHARING AND USE OF DATA BY GOVERNMENT AGENCIES TO CURB IMPROPER PAYMENTS.

The Improper Payments Elimination and Recovery Improvement Act of 2012 (31 U.S.C. 3321 note) is amended—

(1) in section 5(a)(2), by striking subparagraph (A) and inserting the following:

''(A) The death records maintained by the Commissioner of Social Security.''; and

(2) by adding at the end the following:

''SEC. 7. IMPROVING THE USE OF DATA BY GOVERNMENT AGENCIES FOR CURBING IMPROPER PAYMENTS.

''(a) PROMPT REPORTING OF DEATH INFORMATION BY THE DEPARTMENT OF STATE AND THE DEPARTMENT OF DEFENSE.—Not later than 1 year after the date of enactment of this section, the Secretary of State and the Secretary of Defense shall establish a procedure under which each Secretary shall, promptly and on a regular basis, submit information relating to the deaths of individuals to each agency for which the Director of the Office of Management and Budget determines receiving and using such information would be relevant and necessary.

''(b) GUIDANCE TO AGENCIES REGARDING DATA ACCESS AND USE FOR IMPROPER PAYMENTS PURPOSES.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of this section, the Director of the Office of Management and Budget, in consultation with the Council of the Inspectors General on Integrity and Efficiency, the heads of other relevant Federal, State, and local agencies, and Indian tribes and tribal organizations, as appropriate, shall issue guidance regarding implementation of the Do Not Pay Initiative under section 5 to—

''(A) the Department of the Treasury; and

''(B) each agency or component of an agency—

''(i) that operates or maintains a database of information described in section 5(a)(2); or

''(ii) for which the Director determines improved data matching would be relevant, necessary, or beneficial.

''(2) REQUIREMENTS.—The guidance issued under paragraph (1) shall—

''(A) address the implementation of subsection (a); and

''(B) include the establishment of deadlines for access to and use of the databases described in section 5(a)(2) under the Do Not Pay Initiative.''.

SEC. 4. DATA ANALYTICS.

Section 5 of the Improper Payments Elimination and Recovery Improvement Act of 2012 (31 U.S.C. 3321 note), is amended by adding at the end the following:

''(h) REPORT ON IMPROPER PAYMENTS DATA ANALYSIS.—Not later than 180 days after the date of enactment of the Federal Improper Payments Coordination Act of 2015, the Secretary of the Treasury shall submit to Congress a report which shall include a description of—

''(1) data analytics performed as part of the Do Not Pay Business Center operated by the Department of the Treasury for the purpose of detecting, preventing, and recovering improper payments through preaward, postaward prepayment, and postpayment analysis, which shall include a description of any analysis or investigations incorporating—

''(A) review and data matching of payments and beneficiary enrollment lists of State programs carried out using Federal funds for the purposes of identifying eligibility duplication, residency ineligibility, duplicate payments, or other potential improper payment issues;

''(B) review of multiple Federal agencies and programs for which comparison of data could show payment duplication; and

''(C) review of other information the Secretary of the Treasury determines could prove effective for identifying, preventing, or recovering improper payments, which may include investigation or review of information from multiple Federal agencies or programs;

''(2) the metrics used in determining whether the analytic and investigatory efforts have reduced, or contributed to the reduction of, improper payments or improper awards; and

''(3) the target dates for implementing the data analytics operations performed as part of the Do Not Pay Business Center''.

The bill (S. 614), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

WOUNDED WARRIORS FEDERAL LEAVE ACT OF 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 160, S. 242.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 242) to amend title 5, United States Code, to provide leave to any new Federal employee who is a veteran with a service-connected disability rated at 30 percent or more for purposes of undergoing medical treatment for such disability, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. I ask unanimous consent that the bill be read a third time and passed, and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 242) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 242

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Wounded Warriors Federal Leave Act of 2015''.

SEC. 2. ADDITIONAL LEAVE FOR FEDERAL EMPLOYEES WHO ARE DISABLED VETERANS.

(a) IN GENERAL.—Subchapter II of chapter 63 of title 5, United States Code, is amended by adding at the end the following:

''§ 6329. Disabled veteran leave

''(a) DEFINITIONS.—In this section—

''(1) notwithstanding section 6301, the term 'employee'—

''(A) has the meaning given such term in section 2105; and

''(B) includes an officer or employee of the United States Postal Service or of the Postal Regulatory Commission;

''(2) the term 'service-connected' has the meaning given such term in section 101(16) of title 38; and

''(3) the term 'veteran' has the meaning given such term in section 101(2) of title 38.

''(b) LEAVE CREDITED.—During the 12-month period beginning on the first day of the employment of an employee who is a veteran with a service-connected disability rated as 30 percent or more disabling, the employee is entitled to leave, without loss or reduction in pay, for purposes of undergoing medical treatment for such disability for which sick leave could regularly be used.

''(c) LIMITATIONS.—

''(1) AMOUNT OF LEAVE.—The leave credited to an employee under subsection (b) may not exceed 104 hours.

''(2) NO CARRY OVER.—Any leave credited to an employee under subsection (b) that is not used during the 12-month period described in such subsection may not be carried over and shall be forfeited.

''(d) CERTIFICATION.—In order to verify that leave credited to an employee under subsection (b) is used for treating a service-connected disability, the employee shall submit to the head of the employing agency a certification, in such form and manner as the Director of the Office of Personnel Management may prescribe, that the employee used the leave for purposes of being furnished treatment for the disability by a health care provider.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 63 of title 5, United States Code, is amended by adding after the item relating to section 6328 the following:

''6329. Disabled veteran leave.''.

(c) APPLICATION.—The amendment made by subsection (a) shall apply with respect to an employee (as that term is defined in section 6329(a)(1) of title 5, United States Code, as added by subsection (a)) hired on or after the date that is 1 year after the date of enactment of this Act.

(d) REGULATIONS.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act—

(A) the Postmaster General shall prescribe regulations with respect to the leave provided under the amendment made by subsection (a) for employees of the United States Postal Service and the Postal Regulatory Commission; and

(B) the Director of the Office of Personnel Management shall prescribe regulations with respect to the leave provided under the amendment made by subsection (a) for all other employees.

(2) BRIEFING REQUIREMENT.—Not later than 3 months after the date of enactment of this Act, and every 3 months thereafter until the date on which the Director of the Office of Personnel Management prescribes final regulations under paragraph (1)(B), the Director shall brief the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and

Government Reform of the House of Representatives regarding the development of such regulations.

NATIONAL SEA GRANT COLLEGE PROGRAM AMENDMENTS ACT OF 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 161, S. 764.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 764) to reauthorize and amend the National Sea Grant College Program Act, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce, Science, and Transportation, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

S. 764

SECTION 1. SHORT TITLE.

This Act may be cited as the ''National Sea Grant College Program Amendments Act of 2015''.

SEC. 2. REFERENCES TO THE NATIONAL SEA GRANT COLLEGE PROGRAM ACT.

Except as otherwise expressly provided, wherever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the National Sea Grant College Program Act (33 U.S.C. 1121 et seq.).

SEC. 3. MODIFICATION OF DEAN JOHN A. KNAUSS MARINE POLICY FELLOWSHIP.

(a) IN GENERAL.—Section 208(b) (33 U.S.C. 1127(b)) is amended by striking ''may'' and inserting ''shall''.

(b) PLACEMENTS IN CONGRESS.—Such section is further amended—

(1) in the first sentence, by striking ''The Secretary'' and inserting the following:

''(1) IN GENERAL.—The Secretary''; and

(2) in paragraph (1), as designated by paragraph (1), in the second sentence, by striking ''A fellowship'' and inserting the following:

''(2) PLACEMENT PRIORITIES.—

''(A) IN GENERAL.—In each year in which the Secretary awards a legislative fellowship under this subsection, when considering the placement of fellows, the Secretary shall prioritize placement of fellows in the following:

''(i) Positions in offices of, or with members on, committees of Congress that have jurisdiction over the National Oceanic and Atmospheric Administration.

''(ii) Positions in offices of members of Congress that have a demonstrated interest in ocean, coastal, or Great Lakes resources.

''(B) EQUITABLE DISTRIBUTION.—In placing fellows in offices described in subparagraph (A), the Secretary shall ensure, to the maximum degree practicable, that placements are equitably distributed among the political parties.

''(3) DURATION.—A fellowship''.

(c) EFFECTIVE DATE.—The amendments made by subsection (b) shall apply with respect to the first calendar year beginning after the date of enactment of this Act.

(d) SENSE OF CONGRESS CONCERNING FEDERAL HIRING OF FORMER FELLOWS.—It is the sense of Congress that in recognition of the competitive nature of the fellowship under section 208(b) of the National Sea Grant College Program Act (33 U.S.C. 1127(b)), and of the exceptional qualifications of fellowship awardees, the Secretary of Commerce, acting through the Under Secretary of Commerce for Oceans and Atmosphere, should encourage participating Federal agencies to consider opportunities for fellowship awardees at the conclusion of their fellowship for workforce positions appropriate for their education and experience.

SEC. 4. MODIFICATION OF AUTHORITY OF SECRETARY OF COMMERCE TO ACCEPT DONATIONS FOR NATIONAL SEA GRANT COLLEGE PROGRAM.

(a) IN GENERAL.—Section 204(c)(4)(E) (33 U.S.C. 1123(c)(4)(E)) is amended to read as follows:

''(E) accept donations of money and, notwithstanding section 1342 of title 31, United States Code, of voluntary and uncompensated services;''.

(b) PRIORITIES.—The Secretary of Commerce, acting through the Under Secretary of Commerce for Oceans and Atmosphere, shall establish priorities for the use of donations accepted under section 204(c)(4)(E) of the National Sea Grant College Program Act (33 U.S.C. 1123(c)(4)(E)), and shall consider among those priorities the possibility of expanding the Dean John A. Knauss Marine Policy Fellowship's placement of additional fellows in relevant legislative offices under section 208(b) of that Act (33 U.S.C. 1127(b)), in accordance with the recommendations under subsection (c) of this section.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Director of the National Sea Grant College Program, in consultation with the National Sea Grant Advisory Board and the Sea Grant Association, shall—

(1) develop recommendations for the optimal use of any donations accepted under section 204(c)(4)(E) of the National Sea Grant College Program Act (33 U.S.C. 1123(c)(4)(E)); and

(2) submit to Congress a report on the recommendations developed under paragraph (1).

(d) CONSTRUCTION.—Nothing in this section shall be construed to limit or otherwise affect any other amounts available for marine policy fellowships under section 208(b) of the National Sea Grant College Program Act (33 U.S.C. 1127(b)), including amounts—

(1) accepted under section 204(c)(4)(F) of that Act (33 U.S.C. 1123(c)(4)(F)); or

(2) appropriated under section 212 of that Act (33 U.S.C. 1131).

SEC. 5. REPEAL OF REQUIREMENT FOR REPORT ON COORDINATION OF OCEANS AND COASTAL RESEARCH ACTIVITIES.

Section 9 of the National Sea Grant College Program Act Amendments of 2002 (33 U.S.C. 857–20) is repealed.

SEC. 6. REDUCTION IN FREQUENCY REQUIRED FOR NATIONAL SEA GRANT ADVISORY BOARD REPORT.

Section 209(b)(2) (33 U.S.C. 1128(b)(2)) is amended—

(1) in the heading, by striking ''BIENNIAL'' and inserting ''PERIODIC''; and

(2) in the first sentence, by striking ''The Board shall report to the Congress every two years'' and inserting ''Not less frequently than once every 3 years, the Board shall submit to Congress a report''.

SEC. 7. MODIFICATION OF ELEMENTS OF NATIONAL SEA GRANT COLLEGE PROGRAM.

Section 204(b) (33 U.S.C. 1123(b)) is amended, in the matter before paragraph (1), by inserting ''for research, education, extension, training, technology transfer, and public service'' after ''financial assistance''.

SEC. 8. DIRECT HIRE AUTHORITY; DEAN JOHN A. KNAUSS MARINE POLICY FELLOWSHIP.

(a) IN GENERAL.—During fiscal year 2016 and thereafter, the head of any Federal agency may appoint, without regard to the provisions of subchapter I of chapter 33 of title 5, United States Code, other than sections 3303 and 3328 of that title, a qualified candidate described in subsection (b) directly to a position with the Federal agency for which the candidate meets Office of Personnel Management qualification standards.

(b) DEAN JOHN A. KNAUSS MARINE POLICY FELLOWSHIP.—Subsection (a) applies with respect to a former recipient of a Dean John A. Knauss Marine Policy Fellowship under section 208(b) of the National Sea Grant College Program Act (33 U.S.C. 1127(b)) who—

(1) earned a graduate or post-graduate degree in a field related to ocean, coastal and Great Lakes resources or policy from an accredited institution of higher education; and

(2) successfully fulfilled the requirements of the fellowship within the executive or legislative branch of the United States Government.

(c) LIMITATION.—The direct hire authority under this section shall be exercised with respect to a specific qualified candidate not later than 2 years after the date that the candidate completed the fellowship.

SEC. 9. AUTHORIZATION OF APPROPRIATIONS FOR NATIONAL SEA GRANT COLLEGE PROGRAM.

(a) IN GENERAL.—Section 212(a) (33 U.S.C. 1131(a)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (E), by striking ''and'' at the end;

(B) in subparagraph (F), by striking the period at the end and inserting ''; ''; and

(C) by adding at the end the following:

''(G) $72,000,000 for fiscal year 2015;

''(H) $75,600,000 for fiscal year 2016;

''(I) $79,380,000 for fiscal year 2017;

''(J) $83,350,000 for fiscal year 2018;

''(K) $87,520,000 for fiscal year 2019;

''(L) $91,900,000 for fiscal year 2020; and

''(M) $96,500,000 for fiscal year 2021.'';

(2) in the heading for paragraph (2), by inserting ''FOR FISCAL YEARS 2009 THROUGH 2014'' after ''PRIORITY ACTIVITIES''; and

(3) by adding at the end the following:

''(3) PRIORITY ACTIVITIES FOR FISCAL YEARS 2015 THROUGH 2020.—In addition to the amounts authorized under paragraph (1), there is authorized to be appropriated $6,000,000 for each of fiscal years 2015 through 2020 for competitive grants for the following:

''(A) University research on the biology, prevention, and control of aquatic nonnative species.

''(B) University research on oyster diseases, oyster restoration, and oyster-related human health risks.

''(C) University research on the biology, prevention, and forecasting of harmful algal blooms.

''(D) University research, education, training, and extension services and activities focused on coastal resilience and U.S. working waterfronts and other regional or national priority issues identified in the strategic plan under section 204(c)(1).

''(E) University research on sustainable aquaculture techniques and technologies.

''(F) Fishery extension activities conducted by sea grant colleges or sea grant institutes to enhance, and not supplant, existing core program funding.''.

(b) MODIFICATION OF LIMITATIONS ON AMOUNTS FOR ADMINISTRATION.—Paragraph (1) of section 212(b) (33 U.S.C. 1131(b)) is amended to read as follows:

''(1) ADMINISTRATION.—

''(A) IN GENERAL.—There may not be used for administration of programs under this title in a fiscal year more than 5.5 percent of the lesser of—

''(i) the amount authorized to be appropriated under this title for the fiscal year; or

''(ii) the amount appropriated under this title for the fiscal year.

''(B) CRITICAL STAFFING REQUIREMENTS.—

''(i) IN GENERAL.—The Director shall use the authority under subchapter VI of chapter 33 of title 5, United States Code, to meet any critical staffing requirement while carrying out the activities authorized in this title.

''(ii) EXCEPTION FROM CAP.—For purposes of subparagraph (A), any costs incurred as a result of an exercise of authority as described in clause (i) shall not be considered an amount used for administration of programs under this title in a fiscal year.''.

(c) ALLOCATION OF FUNDING.—

(1) IN GENERAL.—Section 204(d)(3) (33 U.S.C. 1123(d)(3)) is amended—

(A) in the matter before subparagraph (A), by striking ''With respect to sea grant colleges and sea grant institutes'' and inserting ''With respect to sea grant colleges, sea grant institutes, sea grant programs, and sea grant projects''; and

(B) in subparagraph (B), in the matter before clause (i), by striking ''funding among sea grant colleges and sea grant institutes'' and inserting ''funding among sea grant colleges, sea grant institutes, sea grant programs, and sea grant projects''.

(2) REPEAL OF REQUIREMENTS CONCERNING DISTRIBUTION OF EXCESS AMOUNTS.—Section 212 (33 U.S.C. 1131) is amended—

(A) by striking subsection (c); and

(B) by redesignating subsections (d) and (e) as subsections (c) and (d), respectively.

SEC. 10. TECHNICAL CORRECTIONS.

The National Sea Grant College Program Act (33 U.S.C. 1121 et seq.) is amended—

(1) in section 204(d)(3)(B) (33 U.S.C. 1123(d)(3)(B)), by moving clause (vi) two ems to the right; and

(2) in section 209(b)(2) (33 U.S.C. 1128(b)(2)), as amended by section 6, in the third sentence, by striking ''The Secretary shall'' and inserting the following:

''(3) AVAILABILITY OF RESOURCES OF DEPARTMENT OF COMMERCE.—The Secretary shall''.

Mr. MCCONNELL. I ask unanimous consent that the committee-reported substitute be agreed to, the bill, as amended, be read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee-reported amendment in the nature of a substitute was agreed to.

The bill (S. 764), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

AUTHORIZING USE OF EMANCIPATION HALL

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H. Con. Res. 64, which is at the desk.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The senior assistant legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 64) authorizing the use of Emancipation Hall in the Capitol Visitor Center for a ceremony to present the Congressional Gold Medal to the Monuments Men.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. MCCONNELL. I ask unanimous consent that the concurrent resolution be agreed to and the motion to reconsider be laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (H. Con. Res. 64) was agreed to.

HONORING THE NATIONAL ASSOCIATION OF WOMEN BUSINESS OWNERS ON ITS 40TH ANNIVERSARY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of and the Senate now proceed to the consideration of S. Res. 225.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 225) honoring the National Association of Women Business Owners on its 40th anniversary.

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 225) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of July 21, 2015, under ''Submitted Resolutions.'')

RECOGNIZING AND HONORING THE 25TH ANNIVERSARY OF THE AMERICANS WITH DISABILITIES ACT OF 1990

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Con. Res. 20.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The senior assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 20) recognizing and honoring the 25th anniversary of the date of enactment of the Americans with Disabilities Act of 1990.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (S. Con. Res. 20) was agreed to.

The preamble was agreed to.

(The concurrent resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

MEASURES READ THE FIRST TIME—S. 1881 AND H.J. RES. 61

Mr. MCCONNELL. Mr. President, I understand that there is a bill and a joint resolution at the desk, and I ask for their first reading en bloc.

The PRESIDING OFFICER. The clerk will read the measures by title for the first time en bloc.

The senior assistant legislative clerk read as follows:

A bill (S. 1881) to prohibit Federal funding of Planned Parenthood Federation of America.

A joint resolution (H.J. Res. 61) amending the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

Mr. MCCONNELL. I now ask for a second reading, and I object to my own request, all en bloc.

The PRESIDING OFFICER. Objection having been heard, the measures will be read for the second time on the next legislative day.

ORDERS FOR WEDNESDAY, JULY 29, 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Wednesday, July 29; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following leader remarks, the Senate resume consideration of H.R. 22, under the previous order, with the time until 10 a.m. equally divided in the usual form.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 7:04 p.m., adjourned until Wednesday, July 29, 2015, at 9:30 a.m.

CONFIRMATION

Executive nomination confirmed by the Senate July 28, 2015:

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. ROBERT P. ASHLEY, JR.

HOUSE OF REPRESENTATIVES—*Tuesday, July 28, 2015*

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. VALADAO).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
July 28, 2015.

I hereby appoint the Honorable DAVID G. VALADAO to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 6, 2015, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

AFGHANISTAN

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. JONES) for 5 minutes.

Mr. JONES. Mr. Speaker, on July 22, The New York Times published an article titled ''Afghan Security Forces Struggle Just to Maintain Stalemate,'' by Joseph Goldstein.

Mr. Goldstein writes that, because of extremely high casualty rates in the Afghan security forces, there is also a high desertion rate. As a result, the Afghans are struggling to maintain adequate numbers in their security forces, meaning, it is becoming extremely difficult for them to keep the Taliban at bay.

The article is of great concern for those of us who have watched the fight against the Taliban since 2001. We have lost over 2,355 men and women in Afghanistan, with 20,000 wounded, and spent over $685 billion.

The history of Afghanistan has shown that no outside military force has ever changed it, from Alexander the Great, to the British, to the Russians. Yet, last year the Obama administration signed a 9-year agreement, committing American money and manpower in Afghanistan that was not voted on by the Congress.

That is so ironic. We are talking about voting on this agreement with Iran, but we did not vote to commit our troops and our money to Afghanistan for 9 more years.

As a member of the Armed Services Committee, I am concerned by Mr. Goldstein's report. Let me give two quotes from his article about the ability of the Afghan security forces to keep the Taliban at bay that I found very, very concerning.

First: ''A spokesman for the Afghan Defense Ministry . . . insisted that desertions remained rare and that there had been no effort to ban leaves or to stop rotations away from the front to cut down on the number of people going absent without leave.''

The second quote: ''But interviews with soldiers and police officers repeatedly countered the government's claims. One Army major said . . . 'Once the soldiers are taken for their breaks, they are unwilling to come back and join their duty.' ''

Once again, Mr. Speaker, the Afghan Government is untruthful and corrupt. Yet, we continue to spend billions of dollars at this losing cause.

It is not fair to the taxpayers of eastern North Carolina, the taxpayers of America, or anybody in this country that pays taxes that we will continue to send money there to build their infrastructure and rebuild their roads and then to have the Taliban blow them up. It makes no sense.

I can assure President Ghani, the President of Afghanistan, that the United States House continues to spend billions of dollars on Afghan reconstruction so the Taliban can continue to destroy what we send over there with the taxpayers' money to be built.

We in Congress should stop funding this rathole of a policy in Afghanistan, which has basically given the Afghan Government a blank check every year and will for the next 9 years.

History has proven that we will never change this tribal nation, and we should stop trying. Instead, let's focus on fixing our economy here in America.

God bless our troops, and God bless America.

RAISE THE GAS TAX ALREADY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, for the last 3 years, I have been coming to the floor, arguing against the folly of our attempting to pay for 2015 infrastructure with 1993 dollars.

We haven't adjusted the gas tax since 1993, and that is why we haven't given the American people a 6-year, robust reauthorization of the surface transportation system since 1998.

I find myself today in complete agreement with a column by James Surowiecki in the current issue of The New Yorker. It is entitled ''Raise the Gas Tax Already.''

He talks about how what is going on in the other body might be perceived as progress, might be a good thing, '' 'real progress,' except for one thing: their complicated, jury-rigged plan is only necessary because of the continued refusal by Congress to embrace the obvious, economically sensible solution to highway funding, namely raising the gas tax. The federal gas tax is, as it should be, a key source of funding for highway spending.'' Locked currently at 18.4 cents:

''The problem is that the funding mechanisms the plan relies on are as gimmicky and haphazard as ever. The bill would raise money by, among other things, lowering the dividend rate paid to banks in the Federal Reserve system, raising certain customs fees, increasing collection rates on unpaid taxes, and selling off a hundred and one million barrels of oil from the country's Strategic Petroleum Reserve.''

''If you're going to have a Strategic Petroleum Reserve, you should probably only sell oil from it for strategic reasons, not just because you want to raise some cash.''

''And, from an economic perspective, paying for operating expenses by selling off assets is not a good way to manage your money.''

''What's especially infuriating about the bill is that we already have, in the gas tax, an ideal tool for raising money to pay for highway repairs. It's a user tax: if you don't drive, you don't pay it, and if you drive less it costs you less.''

''That's why even conservative economists, like Gregory Mankiw . . . have been ardent advocates of gasoline taxes.''

''Indeed, the refusal of Congress to raise the gas tax is the ultimate expression of how reflexive and irrational the resistance to taxes has become. Opposition to higher income taxes has some theoretical justification: higher marginal rates discourage people from working more and investing. Seen in

one light, they're a penalty for success. But no such argument exists against the gas tax: all it does, in essence, is ask drivers to pay for the roads they use. It's not even fair to say that keeping this tax at its current level is a check on big government, since most federal highway spending now goes toward rebuilding and repairing roads—maintenance that even conservatives recognize we must do.

''Highway revenue has to be raised somehow. Congress should show some political spine, discard the Rube Goldberg funding schemes, and stop treating all taxes as bad ones.''

I couldn't agree more with that sentiment. Indeed, we have seen six Republican States already this year show some political spine. They have raised the gas tax in Idaho, Utah, Iowa, South Dakota, Nebraska, and Georgia.

It is time for us to assume our responsibilities, to rebuild and renew America, that used to have the finest infrastructure in the world, but now is locked into a downward spiral.

Renewing and rebuilding America, giving a 6-year, robust reauthorization bill will put hundreds of thousands of Americans to work in a matter of months all across the country, and it will make all our families safer, healthier, and more economically secure.

DRUG FREE AMERICA FOUNDATION CHAIR BETTY SEMBLER

The SPEAKER pro tempore. The Chair recognizes the gentleman from Florida (Mr. JOLLY) for 5 minutes.

Mr. JOLLY. Mr. Speaker, I rise today to recognize someone who has been described as a pioneer in national substance abuse policy and prevention and a woman whose dedication, drive, and compassion have made the world simply a better place.

Mr. Speaker, I rise today to honor Mrs. Betty Sembler of St. Petersburg, Florida, as she retires as chair of the Drug Free America Foundation after nearly 15 years of dedicated leadership.

Mrs. Sembler has actually dedicated the past three decades of her life to fighting the war on drugs. In 1976, she was 1 of 10 founding members of Straight, Inc., a nonprofit drug treatment program that successfully treated more than 12,000 young people with drug addiction in eight cities nationally, from Dallas to Boston.

Mrs. Sembler then turned her sights to establishing a national drug policy to reinforce the four critical fronts to combat drug abuse: education, treatment, interdiction, and law enforcement.

Mrs. Sembler helped form public policy in the United States' campaign against drugs through her participation in the White House Conference for a Drug Free America, as a member of the Florida Governor's Drug Policy Task Force, and as a board member of DARE Florida, a national organization that provides drug resistance education for elementary and middle school students.

Mrs. Sembler has continued her campaign against weakening drug policies and against legalization of drugs on an international basis. She serves on the board of DARE International as vice chairperson.

She accompanied her husband, Mel Sembler, on both of his missions as United States ambassador, first to Australia and then to Italy.

Mrs. Sembler is the founder and board chair of Save Our Society from Drugs and the Drug Free America Foundation.

Both organizations work to educate people about the effects on individuals, families, and communities, from legalizing and loosening restrictions on drugs while also fighting to reduce drug use, drug addiction, and drug-related illnesses and death.

Mrs. Sembler serves on the boards of the Republican Jewish Coalition, Operation PAR in Pinellas County, the Florida Holocaust Museum, the Florida Governor's Mansion Foundation, the Florida National Guard Multijurisdictional Counterdrug Training Advisory Board, the Jewish Policy Center, and St. Petersburg's Menorah Manor.

Mr. Speaker, in 2008, the DEA Museum Foundation presented its Lifetime Achievement Award to Mrs. Sembler for her 30 years of leadership and commitment to fighting drugs.

The Lifetime Achievement Award is the highest honor bestowed by the foundation and recognizes long and sustained commitments to supporting law enforcement, drug abuse treatment, and drug abuse education.

Mrs. Sembler was awarded honorary agent status by the DEA, only the second such designation to ever be given.

Mr. Speaker, the bottom line is Mrs. Betty Sembler and her work with the Drug Free America Foundation has positively impacted lives and families around the world and has, no doubt, saved lives around the world.

Mrs. Sembler, with her grace, friendship, and charm, has impacted each and every individual that she has touched throughout her life, including this Member of Congress.

Mr. Speaker, I urge my colleagues to join me in thanking Mrs. Betty Sembler for her selfless years of service and for her work leading the charge, pushing back against dangerous drug policies, and promoting public health and public safety.

PUERTO RICO'S DEBT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. GUTIÉRREZ) for 5 minutes.

Mr. GUTIÉRREZ. Mr. Speaker, I want to make an introduction. This is the beautiful island of Puerto Rico. We own it. It is ours. We are responsible for it.

The Congress of the United States governs this island. It is our colony, and we rule over it. It is $73 billion in debt.

The Supreme Court said: Puerto Rico is a territory . . . belonging to the United States, but not a part of the United States.

And, apparently, the responsibility to govern Puerto Rico falls to the Congress and not to the executive branch, because, for the last 6 months or more, I have talked with Obama administration officials at every level about Puerto Rico, and their response has been that they cannot or will not do anything. The message I received loud and clear was anything to help Puerto Rico had better happen in Congress.

But there is no sense of urgency in Congress or anywhere else in Washington for real solutions. Puerto Rico's problems are complicated.

I am here to say that the Puerto Rican people must begin putting direct pressure on this Congress for action because Puerto Rico's problems are mostly the creation of—you guessed it—Congress.

The Jones Act of 1917 made all Puerto Ricans citizens of the United States, just in time for World War I, when 18,000 new draftees were needed.

The Jones Act also says that Puerto Rico, unlike any State, can issue triple-exempt bonds, bonds that are free of Federal, State, and local taxes. Illinois can't do that. Neither can your State.

□ 1015

But Puerto Rico was specifically written out of U.S. bankruptcy laws by Congress. They cannot declare Chapter 9 or anything else because a special exemption was made. So Congress creates a tax-free bond haven and Wall Street jumps in to buy Puerto Rican debt decade after decade.

Puerto Rico has more than 15 times the median bond debt of all 50 States, and bankruptcy is not an option without an act of Congress. And get this: the Puerto Rican Constitution says bondholders must be paid before anything else.

Right now, Wall Street is circling the wounded animal like vultures waiting to get their piece; and they are fighting against a bill that would allow Puerto Rico, like any other jurisdiction, to declare bankruptcy because that could move decisions about who gets paid and in what order they get paid into a U.S. Federal court of law.

You see, the current situation favors the billionaires and hedge funds because they will get paid before the cops on the beat, the doctors in the hospitals, and the teachers in the schools. Oh, we can't investigate that crime or take down that drug dealer because we

have to pay the bondholders on Wall Street first.

Now, the same people who cash in on debt in places like Greece and Argentina are lining up to cash in in the Caribbean by stepping up their demands for austerity measures, privatization of utilities, and restructuring on their terms that will make them very, very rich at the expense of the Puerto Rican people.

Tomorrow, I will discuss how the Puerto Rican people are being distracted by the promises of statehood by every politician who travels to San Juan or needs the votes of Puerto Ricans in Orlando, Florida.

But today, I want to make clear that the sooner the people here realize that the people in this Chamber are the ones who need to take action, the sooner we can make real progress and not get distracted by politics and the pipe dreams of statehood.

So for my remaining minute, I want to address the people of Puerto Rico directly in the language they speak at home around the dinner table.

(English translation of the statement made in Spanish is as follows:)

It is time for everyone to put political divisions aside.

I have talked to the Obama Administration and they will do nothing to help Puerto Rico.

The bond-holders are lining up to get paid even if the rest of Puerto Rico collapses.

Wall Street is buying up Puerto Rican debt so that they can demand austerity measures, tax-breaks, and privatization of industries that will fill their pockets with even more money.

Whatever plan is invented in Washington or on Wall Street will not put the needs of the Puerto Rican people first—we all know that.

So what is a unified Puerto Rico's plan to move forward?

Boricuas must step up right now so that Puerto Rico has a plan for the economy that will create jobs and not just drive young people off of the island to the U.S. on Jet Blue.

The only place we can seek help is right here in Congress; we need to make this Congress act.

I will talk more about this and the Island's the distraction of the status question tomorrow.

But right now I want Puerto Ricans to put their ideas together.

Go to my Facebook page—''Rep. Gutierrez on Facebook''—and let's begin working on a plan to get Congress to act.

Ya es hora de que todos pongan a un lado divisiones políticas.

He hablado con la Administración de Obama y ellos no van a ayudar a Puerto Rico.

Los dueños de bonos están haciendo fila para recibir sus pagos aun cuando el resto de Puerto Rico se derrumba.

Wall Street está comprando la deuda de Puerto Rico para poder exigir medidas de austeridad, rebajes de impuestos, y la privatización de las industrias que llenarán sus bolsillos con más dinero.

Cualquiera que sea el plan de Washington o de Wall Street no pondrá las necesidades de la gente de Puerto Rico primero—todos sabemos eso.

Entonces, ¿Cuál es el plan de Puerto Rico unido para seguir adelante?

Los Boricuas deben involucrarse en este momento para que Puerto Rico tenga un plan de economía que pueda crear empleos y no seguir empujando a los jóvenes fuera de la isla para los Estados Unidos en Jet Blue.

El único lugar donde podemos buscar ayuda es aquí en el Congreso, tenemos que hacer que este Congreso cumpla.

Voy a hablar más sobre esto y de la distracción de la cuestión del estatus de la Isla mañana.

Pero por ahora quiero que los puertorriqueños pongan sus ideas en conjunto.

Vayan a mi página de Facebook—''Rep. Gutiérrez en Facebook''—y empecemos a organizar un plan para hacer que este Congreso cumpla.

The SPEAKER pro tempore. The gentleman from Illinois will provide a translation for the RECORD.

CONGRESS-BUNDESTAG YOUTH EXCHANGE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. THOMPSON) for 5 minutes.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, since 1983, tens of thousands of students have participated in the Congress-Bundestag Youth Exchange, or CBYX, program with Germany. This program allows young professionals from both the United States and Germany to spend a year abroad to intern and study a different culture while living with a host family.

During their experience, students from both countries develop a better understanding of foreign cultures and expand their knowledge and leadership potential exponentially. This fellowship provides extensive language training, strong courses of study at foreign universities, and the opportunity to be fully immersed in another culture, thereby culminating in a very unique experience.

Members of the German-Bundestag hold this program in especially high esteem as they hand select their nominees and build very strong personal relationships with them. While Members of the United States Congress are not as involved in the selection process of American participants, the American equivalent would include the prestige that congressional nominations for military academies carry.

Over the years, this program has shown tremendous success in fostering a stronger relationship between the United States and Germany, which is why I was particularly disappointed to see the Department of State cut its funding by half in 2015. These reductions of CBYX came despite Congress' continued bipartisan support over this program for decades.

To prevent the collapse of this program altogether, Germany graciously closed the gap in 2015 by authorizing additional funds to negate the funding cuts that the U.S. had implemented. However, they maintained this was not something that they would be able to continue, and without the U.S. restoring funding, the continuation of this program was in jeopardy.

To further emphasize the significance of CBYX, German Chancellor Angela Merkel highlighted her disappointment in the funding cuts to President Obama during her visit to the United States in 2015. During those deliberations, she said:

> We were not pleased . . . because we very much value this partnership program. And I believe that all of those who participated as young people have also had unforgettable experiences. Especially now, 25 years after German unification, we want to continue this program. Given the fact that there are no longer as many American soldiers experiencing Germany as in the past, it is even more important that young people learn as much as possible from one another.

In fact, the State Department's own U.S. Advisory Commission on Public Diplomacy countered the cutbacks during its 2014 annual report. In it, the Commission is quoted as saying:

> We believe that it is against our interest to invest less in our relations with the German public at a critical time when facing dual threats from Russia and countering violent extremism in Europe, while also trying to secure the Transatlantic Trade and Investment Partnership agreement with the European Union . . . the cutback of U.S. investment in the Congress-Bundestag exchange also sends a strong message to the German public and government that the U.S. does not value the relationship with a critical ally whose public is increasingly skeptical of the United States.

In response, the House German-American Caucus and those concerned about the prospect of the CBYX program being placed at a disadvantage, voiced our frustrations with both Secretary Kerry and our House colleagues to raise awareness and demand the restoration of full funding for CBYX. I was pleased that this effort amassed bipartisan support throughout the House.

Further, the House Subcommittee on State, Foreign Operations, and Related Agencies conveyed their concern in June 2015 by adding the following language:

> This program is integral for the continuation of a strong relationship between the United States and Germany . . . the committee does not support the proposed program reduction.

Ultimately, the committee included language to restore funding for fiscal year 2016. While this was good news,

the root of the problem still fell within the State Department's lack of support.

On July 17, 2015, the U.S. Ambassador to Germany, John Emerson, contacted the German Bundestag to emphasize the vital importance of this program and relayed the State Department's reversal on this issue and their decision to restore full funding for CBYX.

As co-chairman of the Congressional German-American Caucus, I was ecstatic to hear this news, and I am pleased that the United States is holding up our end in strengthening ties with our great European ally. Many thanks to the nonprofit exchange organizations here in the U.S. who administer CBYX, such as Cultural Vistas, AFS, Youth for Understanding, CIEE, ASSE, FLAG, and Nacel Open Door. They are important partners in the success of the CBYX program.

I would also like to thank my co-chair from across the aisle, Congressman KEATING, for the great efforts he showed throughout this process as well. This is a great step forward towards continuing our participation in this program and educating our future leaders through such an important fellowship.

SUMMER FOOD ROCKS TOUR

The SPEAKER pro tempore. The Chair recognizes the gentleman from Massachusetts (Mr. MCGOVERN) for 5 minutes.

Mr. MCGOVERN. Mr. Speaker, on July 17, I hosted my second annual Summer Food Rocks Tour in my district to bring attention to the importance of summer meals and USDA's Summer Food Service Program, which ensures that low-income children continue to receive nutritious meals when school is not in session.

I was honored to be joined on the tour by USDA Under Secretary for Food, Nutrition, and Consumer Services Kevin Concannon, as well as many local, State, Federal, and nonprofit partners.

Mr. Speaker, for millions of low-income students, summer break isn't as carefree as it should be. For these children, summer is a time of great uncertainty. During the school year, they have access to reliable, healthy school breakfasts and school lunches, but when school is out, these children and their families are often left scrambling to find enough to eat.

According to Share Our Strength, a leading national partner on summer meals, 43 percent of low-income families say it is harder to make ends meet during the summer, and they must budget an extra $300 a month for groceries when kids are home from school in the summer. For families already struggling to put food on the table, these can be daunting challenges.

Summer should not be a time of increased hunger among our children. That is where USDA's Summer Food Service Program comes in. It is a federally funded, State-administered program that reimburses providers who serve healthy meals to children and teens in low-income areas at no charge during the summer. Local sponsors serve meals at community sites on set days and times. Sites may be located in a variety of settings, such as schools, recreation centers, parks, community centers, day camps, housing projects, and Indian reservations.

My Summer Food Rocks Tour began at Koziol Elementary School in Ware, Massachusetts. We had the opportunity to serve breakfast and speak with kids and their families about the importance of summer meals, and Share Our Strength was there to distribute sunglasses to the children, which they all loved.

Our next stop was Fisher Hill Elementary School in Orange, Massachusetts. There, we met with children attending day camp at a school who receive breakfast through the summer meals program. We got a chance to play basketball with the kids. The kids were definitely better than us.

Then we were off to the Spanish American Center in Leominster, Massachusetts, where we were hosted by the center's executive director, Neddy Latimer. We participated in a roundtable discussion on the successes and challenges of the summer meals program. We then had the opportunity to tour the center's newly constructed kitchen and serve lunch to an enthusiastic group of children.

Our day ended at the Goddard School in my hometown of Worcester. Under Secretary Concannon led a roundtable discussion on national standards for the school lunch program. During the discussion, we were treated to a delicious lunch prepared by the Worcester Public Schools Nutrition Department.

We wrapped up our visit by touring two Worcester Public Schools food trucks and learning more about this innovative mobile meals program that runs throughout the city.

Mr. Speaker, I want to thank everyone who joined me and my Summer Food Rocks Tour, especially Under Secretary Concannon, the site sponsors and volunteers, and the children and families who reminded me of why summer meals are so really important.

A child's need for healthy, nutritious food doesn't just end when the school year does. We know that providing children access to healthy meals in the summer months has clear health, education, and economic benefits; and since summer meals must be served in a community setting, children have another incentive to participate in summer enrichment and recreation programs that, in turn, help them return to school ready to learn in the fall.

This summer, USDA plans to serve more than 200 million free meals to children 18 years and under at approved summer meals sites. I have no doubt that they will achieve this ambitious goal.

But there is still a lot of work to be done. USDA estimates that only one out of six students that gets a free or reduced price school meal during the school year receives a summer meal. As we consider the next Child Nutrition Reauthorization bill, we need to make sure that all students who are eligible for school meals have access to free summer meals and that States and local communities have the funding and resources they need to reach all eligible children.

An easy way to find a summer meals site near you is to text FOOD to 877–877, or visit USDA's Summer Food Rocks page online.

Over August recess, I encourage all of my colleagues to visit a summer meals site in your district. I know that you will be just as impressed as I was at the incredible work being done right in your own community to ensure that no child goes hungry in the summer.

Mr. Speaker, we can and we should do more to end hunger now.

□ 1030

OUT-OF-CONTROL SPENDING

The SPEAKER pro tempore. The Chair recognizes the gentleman from Alabama (Mr. BYRNE) for 5 minutes.

Mr. BYRNE. Mr. Speaker, I rise this morning to talk about one of the biggest problems facing our Nation, out-of-control spending.

At this very moment, the national debt sits at over $18 trillion. We have not arrived at this point because of the actions of one party or of one administration. Over the years, both parties have enacted programs that have increased our debt.

That said, we have reached a point at which we must get serious about reining in our out-of-control spending, or we may fall victim to a similar fate that many nations throughout history have experienced.

Here in the U.S., our spending problems are reaching a crisis level, and we are effectively leaving behind a catastrophe for the next generation. The basis of the American Dream is that, if you work hard, you can leave behind a better future for your children and grandchildren. That fundamentally American vision is in jeopardy due, in part, to our irresponsible spending.

I am a new and very proud grandfather. My grandson, MacGuire, is about to turn 1, and already, his share of the national debt before his first birthday is over $40,000. We cannot turn a blind eye to this problem and pretend that it will just get better. Let me explain why.

There are two basic forms of Federal spending, mandatory spending and discretionary spending.

Mr. Speaker, when most people think of the Federal Government, they are probably thinking about discretionary programs, which is money that goes to things like our military, highways, national parks, agriculture, and medical research.

The good thing about discretionary spending is that, each year, Congress has the ability to control these spending levels through the appropriations process. Since Republicans took control of the House in 2010, we have had some success in cutting funding to various Federal agencies. For example, agencies like the IRS and the EPA have seen their budgets cut in response to egregious executive overreach.

While it may seem like it covers the majority of government operations, discretionary spending actually only makes up about one-third of all Federal spending.

The other portion of spending is what we call mandatory spending. This, along with the interest on the national debt, makes up almost two-thirds of all Federal spending.

Now, here is the really bad part about mandatory spending: it is on autopilot. Unlike discretionary spending, mandatory spending does not require annual appropriations from Congress. Instead, as long as someone meets the requirements, these programs dole out money without any action from Congress. Within these mandatory spending programs are what we call ''means-based entitlement programs,'' including things like Medicaid, ObamaCare, food stamps, welfare, and the like.

For example, in fiscal year 2012, the Federal Government spent almost $800 billion on over 92 programs that were aimed at lifting Americans out of poverty. Despite that record spending, too many Americans simply stopped looking for work. The system is failing the very people it was designed to help.

While many of these means-based entitlement programs have good intentions, they aren't supposed to be permanent. These programs were created to help lift people out of poverty, not to keep them there. That is why it shouldn't be a surprise that, during the recent economic downturn, spending on these means-based entitlement programs ballooned.

What is surprising, however, is that, as the economy has improved, the spending on these programs has not gone down. In fact, the spending on some of these programs remains at all-time highs.

Now, Republicans and Democrats both agree that Americans shouldn't be stuck in poverty, and that is why we should put party politics aside and come together to address this dangerous cycle of government dependence.

We need to reform these means-based programs to put a real focus on workforce training to help connect Americans with the skills they need to get good-paying jobs that meet workforce demands.

We could block grant, through the appropriations process, money to State governments and allow them to craft poverty fighting programs based on each State's specific societal programs and economic needs.

I know that reforming these mandatory spending programs won't be easy, but I didn't run for Congress to come here and make easy decisions. I doubt my colleagues did either.

Before I leave this body, I want to be able to look at my grandson, MacGuire, and know that I have been part of a real effort to rein in spending and put our Nation on a fiscally stable path for the next generation.

Mr. Speaker, I call on my colleagues to join me in addressing our Nation's spending crisis. Let's come together and make the tough choices. Let's get our spending under control, and let's leave behind a better America for the next generation.

POSTPARTUM DEPRESSION

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Massachusetts (Ms. CLARK) for 5 minutes.

Ms. CLARK of Massachusetts. Mr. Speaker, I rise today to talk about a common medical condition that is too often masked by silence and stigma. It affects more women than diabetes or stroke or breast cancer. It is postpartum depression.

Here are some words from women who have suffered from postpartum depression.

From Maria: I was experiencing anger and rage, and I had suicidal thoughts. ''I don't know what's wrong, but I can't take care of the baby, and I'm miserable all of the time.''

From Jodi: My son was sick again, and I was crying so hard I could barely text my mom to have her come over immediately. I waited anxiously at the door, with a screaming, ill child, and greeted her by handing over my son, saying, ''I can't do this anymore.''

From Heather: Soon after the birth of my son, I knew something was wrong with me. I couldn't fall asleep, or if I did, I couldn't sleep for long. I also couldn't eat. I forced down every bite of food, and I spent most of my time crying.

These women are not alone. In 2013, there were more than 3.9 million live births in the United States, and of these births, one out of every seven mothers was affected by postpartum depression.

Women suffering from maternal depression often report overwhelming and isolating feelings of sadness, anxiety, fear, and guilt. This can include strong feelings of anger, thoughts of death or suicide, and even negative feelings towards their babies.

The children of mothers with postpartum depression can become withdrawn, have behavioral problems, and have a higher risk of anxiety disorders, depression, and toxic stress.

Even though this condition affects hundreds of thousands a year, many do not seek medical help. Many moms report that they are too embarrassed to admit their feelings or are worried they might be seen as failing or as being bad moms. It doesn't have to be this way. The good news is that treatment works. Ninety percent of women who are going through postpartum depression can be treated effectively.

That is why I am introducing a bill with Representative COSTELLO to make sure new moms are not on their own when it comes to dealing with postpartum depression. The Bringing Postpartum Depression Out of the Shadows Act will offer grants to States to screen and treat new and expecting moms for maternal depression.

States and professional groups have made great progress, and we need to support them as they move to increase awareness and consolidate resources. We need to help doctors recognize the signs of postpartum depression and provide access to appropriate treatment.

This is commonsense legislation to help the over 400,000 women annually who suffer from maternal depression. We need to stand up and tell moms they are not alone. Needing help does not make them bad mothers, and help is out there, but we need to make sure those who need it can get it.

I ask my colleagues to cosponsor our legislation and take this concrete step towards supporting healthy moms and healthy babies.

FAILING VA MEDICAL CENTER RECOVERY ACT

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Alabama (Mrs. ROBY) for 5 minutes.

Mrs. ROBY. Mr. Speaker, it has been almost a year since the director of the Central Alabama Veterans Health Care System was fired after numerous reports of mismanagement and malfeasance surfaced—the missing patient x rays, the falsified records, the employee who took a veteran to a crackhouse, and the utter lack of discipline and order.

The removal was possible under new authority granted under the VA reform law that we passed last year, and I was hopeful that this action was indicative of a new VA leadership that finally got it, that was willing to cut through the bureaucracy and make the decisions necessary to turn around failing medical centers.

I did hear a lot of nice promises—commitments to work through the system to make sure that the problems

were fixed—but, Mr. Speaker, the problems were not fixed.

Communication and coordination between various levels of management are still badly out of sync at a time when we can least afford it. It seems like, every time I think we are in a position to make real progress in central Alabama, something falls through the cracks, the ball gets dropped, an opportunity is missed. Every time, the VA leadership can point to the various layers of bureaucracy for why these problems exist—promises, excuses—but not action.

Mr. Speaker, I believe the problem is that we have been depending on a broken bureaucracy to fix itself. I believe the problem is that we have been asking the VA leaders to intervene in this troubled system rather than requiring them to. I believe it is time to change that by breaking through the bureaucracy to get results on behalf of our precious veterans.

What happens when a public school continues to fail to meet basic standards? The State Department of Education steps in to take over, and it takes charge of turning the place around.

It is a process that isn't pleasant, but everyone from principals and teachers to students and parents understand the consequences of the failure to improve. I believe we need a similar mechanism at the VA when medical centers continuously fail our veterans.

Today, I am filing legislation to compel the Department of Veterans Affairs officials to intervene and take over failing VA medical centers. It is called the Failing VA Medical Center Recovery Act.

It offers the VA new tools to turn around the worst of our healthcare centers, and it puts the responsibility for doing so squarely on the Secretary of the VA. The VA needs a team of leaders who is equipped with the expertise to identify solutions and the authority to execute them.

Under my bill, the VA will recruit teams of the best managers and medical professionals who can rapidly deploy to failing medical centers to take over and take charge. These takeover teams would be managed through the newly authorized office of failing medical centers and would have the new legal tools needed to make a difference at each location.

This is an antibureaucracy bill. This is the team that no complacent VA employees want to see coming because they know that the status quo is about to get shaken up.

Just like a failing school, this can serve as a motivation to keep performance from dropping off. Also very important is that the determination of a failing medical center will be based on data, not on the Secretary's whim or what media attention it is garnering. My bill sets up an automatic trigger that compels the VA to act under the law.

I am glad the Secretary used his authority to take control of the situation in Phoenix—but why not Montgomery? Why not Tuskegee? Why not come and take control of the worst and the second worst situations in our country, especially after we have repeatedly asked and have pleaded for him to do so? I am tired of asking, and that is why my bill requires the VA to step in and take charge.

Mr. Speaker, some might misperceive this as an attack on the VA, and it is not. It is actually a gift. Entrenched bureaucrats might hate this plan, but reform-minded leaders at the VA should welcome new tools and new resources to fix medical centers and help veterans access care.

I have spoken to many of my colleagues about this bill, and I am pleased as to how well it is being received. I look forward to working with Chairman MILLER and my colleagues on both sides of the aisle to move this legislation forward.

Let's have a real conversation about getting results on behalf of our veterans.

TRIBUTE TO THE PASSING OF MAJOR GENERAL ANDREW COOLEY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Colorado (Mr. COFFMAN) for 5 minutes.

Mr. COFFMAN. Mr. Speaker, today, I stand in recognition of the late Major General Andrew Cooley, a dear friend and a tremendous patriot who dedicated his life to serving our great Nation.

A true leader and a combat veteran, he faithfully served for 38 years, leading from the front and accomplishing much along the way. His career was marked by several tours of duty at home and abroad, including the command of an Army division, and he participated in combat operations in Korea, Vietnam, Lebanon, Somalia, Bosnia, Kosovo, and Angola.

In 1951, General Cooley enlisted in the United States Army at the age of 17, and he went on to receive his commission after having successfully completed Officer Candidate School at Fort Benning, Georgia, in 1955, as a second lieutenant.

Over the course of his career, he served in various staff and command positions, including as the principal representative of the Department of Defense to the Lebanese-Israeli negotiations and as commanding general of the 24th Infantry Division.

Upon retirement from the Army, General Cooley was instrumental in instituting a forward-focused, logistical infrastructure that remains instrumental to our Nation's defense.

□ 1045

Without a doubt, General Cooley's many accomplishments deserve to be honored. However, his accomplishments could only be realized with the support and commitment of his wife of 57 years, Joan, and their two children, Cathleen and Caroline.

Mr. Speaker, I stand here today humbled by the many accomplishments of a true patriot. It is my great honor to recognize the late Major General Andrew Cooley for his friendship and his service to our great Nation.

UNRESTRICTED ILLEGAL IMMIGRATION

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. LAMALFA) for 5 minutes.

Mr. LAMALFA. Mr. Speaker, just this past week a Federal district court in California found that facilities built to hold illegal immigrants while immigration officials determine whether their asylum claims are valid or not were not properly operated and ordered the release of thousands of illegal immigrants within 90 days.

The lawsuit alleged that, despite the fact that detention centers provide schooling for underage detainees, they still believe the facilities are insufficiently hospitable.

Despite brand-new facilities built to address the present surge in illegal immigration last year, advocates of illegal immigration will use any avenue to expand and promote policies that entice immigrants to make dangerous journeys and put themselves under the influence of smugglers and human traffickers.

The ruling gave the government until August 3 to submit a plan for releasing the illegal immigrants within 90 days.

Of course, the Department of Justice's own data tells us that what will happen when these illegal immigrants are released is fully 85 percent will never show up for their immigration court hearings.

The end result of this lawsuit will simply be the release of thousands of illegal immigrants who have not been vetted for criminal backgrounds, outstanding warrants, or any other characteristics that should prevent the release into our society.

The situation raises a number of questions: Why did illegal immigration advocates file a lawsuit in California rather than in Texas, where these detention facilities are located? We know why.

California is the lawsuit capital of the world and the home of courts like the Ninth Circuit, which most times is overturned, many times overturned at higher levels of court. They figure they could get a loose deal in California on immigration.

Why did these illegal immigration advocates file a lawsuit knowing full

well that the administration intends to release any detainees who provide a credible asylum request?

Is even the most cursory review of illegal immigrants to determine whether they are dangerous to Americans too much for these attorneys?

Will this administration appeal or does this ruling simply support their goal of unrestricted immigration and policies which ensure that the vast majority of illegal immigrants who are detained are released into our country almost immediately?

Mr. Speaker, I believe we already know the answer to these questions. Both the Obama administration and the lawyers who file these frivolous suits have but one interest: continued unrestricted illegal immigration that places both Americans and immigrants in danger and makes a farce of our rule of law.

JUDY WATERS RETIREMENT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Georgia (Mr. WOODALL) for 5 minutes.

Mr. WOODALL. Mr. Speaker, I come often to this floor to talk about community and service and the notion that, if we work to put a little less emphasis on figuring out how to control people from Washington, D.C., and a little more emphasis on trying to serve one another back home in our communities, that America will be moved in the right direction.

Mr. Speaker, I come today to have that same discussion and to put a face on that conversation. For me, in north Georgia, Mr. Speaker, that face is Judy Waters.

Mr. Speaker, in 1979, Judy Waters was known as the best hairdresser in all of Snellville. By the end of 1979, she was known as the first female ever elected to the Snellville City Council, and her path of service continued from there.

Mr. Speaker, for more than a decade, as Snellville grew into the first suburban-from-rural community in Gwinnett County, Judy helped to navigate those challenges. Her fingerprints are on absolutely everything that you see in the foundation that has allowed Snellville to become what it is today.

Mr. Speaker, after serving the City of Snellville, seeing that our county was going through some of those same challenges, in 1992, Judy answered the call to serve Gwinnett County.

She ran for the District 3 county commissioner seat and was sworn in in 1993 to that post. Over the 8 years that she served, Gwinnett County's population almost doubled to 600,000 people and her hand helped to guide that development.

Mr. Speaker, our motto in Gwinnett County is ''Gwinnett is great,'' and Judy's emphasis on ensuring that that was true absolutely every single day earned her the love and devotion of an entire community.

But her service does not either begin or end with these kinds of public roles, Mr. Speaker.

In 1992, she ran for that post. But, in 2004, she answered the call to serve the Community Foundation for Northeast Georgia. Mr. Speaker, the motto of the Community Foundation of Northeast Georgia is ''Connecting people who care with causes that matter.''

Mr. Speaker, this foundation, under Judy's leadership, grew its assets by more than $20 million. It has plowed back into service projects in our community more than $52 million since 1985.

Thousands upon thousands of lives in Gwinnett County have been impacted in no small part due to the love, devotion, and commitment of Judy Waters.

Mr. Speaker, it is my belief that all of the individual deeds we see in our lives are woven together to make us more than who we are.

Judy set out early in her life to make sure that no one would be giving back more than she did, and she exemplifies exactly the kind of person that I am surrounded by in my community absolutely every single day.

People ask, Mr. Speaker: How can you give away Washington's power and influence and return that to the community? My answer is Judy Waters.

Mr. Speaker, no matter how well-intentioned the folks in this building are, they will never care more about my community than folks like Judy Waters do, and Judy lived that commitment every single day.

Mr. Speaker, Judy retires from her service at the Community Foundation. Her official retirement is August 22. I want to add my heartfelt thanks to her for her decade upon decade upon decade of service.

Judy, we are all better off and grateful for all that you have done for our community.

But, Mr. Speaker, we are all better off and grateful just for the opportunity to have known her.

Mr. Speaker, there is no measurement of how many Judy Waters there are out there across the country, but there is a measure of what Judy Waters has done for our community.

You see it in the faces of the elderly and you see it in young families and you see it in the children in our community systems.

Thank you to Judy Waters for all that she has done for Gwinnett County.

PRATT & WHITNEY

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Connecticut (Ms. DELAURO) for 5 minutes.

Ms. DELAURO. Mr. Speaker, next week marks the 90th birthday of a great American business, Pratt & Whitney.

It all started with just 26 employees and 12 machines in an old car plant in Hartford, Connecticut. Nine decades later, Pratt & Whitney employs more than 9,000 people in Connecticut and ranks among my State's biggest employers.

Planes with Pratt & Whitney engines carried Charles Lindbergh across America, Amelia Earhart over the Atlantic, and Wiley Post around the world.

During World War II, the company powered half the U.S. aerial fleet. Later, Pratt & Whitney led the world in developing jet engines for iconic aircraft like the B–52, the Blackbird, and the Boeing 747. Its technology even helped power the Apollo 11 Moon lander.

This tradition of excellence continues today. Pratt & Whitney engines built in my district provide the beating heart of the F–35 Lightning II. The company remains a key player in an industry that helps to safeguard our national security.

It is my honor to congratulate Pratt & Whitney on 90 years of achievement. We thank you. To the men and women who work at Pratt & Whitney, we say again thank you for your service to our great country.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o'clock and 55 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Lord our God, thank You for giving us another day.

Be with the Members of this people's House in all their undertakings today. You know them through and through. You know how they relate with one another and know them as the American people do, as the 114th Congress of the United States of America.

Lord, help them to know You. As ultimate truth, send Your spirit upon them, that You might find a dwelling place among them, so that all Your people will place trust in them as leaders, as well as their Representatives.

May all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Arkansas (Mr. WOMACK) come forward and lead the House in the Pledge of Allegiance.

Mr. WOMACK led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

STOP FUNDING PLANNED PARENTHOOD

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Mr. Speaker, earlier today, a third Planned Parenthood video surfaced, with a small warning of graphic content, the content being video of a freshly aborted fetus being dissected on a dish while, once again, senior staff uses casual rhetoric to describe how they obtain and sell baby parts, stating:

I think a per-item thing works a little better, just because we can see how much we can get out of it.

Americans are horrified by this and other videos, which already prompted House and Senate committees, as well as eight States, to launch investigations into Planned Parenthood.

Faithful protestors nationwide are speaking out against this absolutely disgusting practice, including a rally occurring today in Sacramento; yet in that State, we have an attorney general actually, instead, leading a review of the group who filmed the videos.

Using unborn babies as human capital? That is totally fine. Journalists exercising their First Amendment rights to expose illegal and gruesome activities? The government must intervene.

Under Federal law and California State law, the sale or purchase of human fetal tissue is a Federal felony that carries a fine of up to $500,000, a number still less than the annual salary of Planned Parenthood's president.

Mr. Speaker, these are unborn babies we are talking about. At the very least, we need to put a stop to this organization until we can investigate fully.

CONGRATULATING PRATT & WHITNEY

(Ms. PINGREE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. PINGREE. Mr. Speaker, today, I rise to recognize one of the great companies in my district, Pratt & Whitney, who this week is celebrating their 90th anniversary.

Pratt & Whitney has a plant in North Berwick, Maine, and nearly 1,000 of the most skilled and dedicated workers in the aerospace industry work there to build and develop high-quality jet engines.

Pratt & Whitney has been a critical part in the history of aviation in this country, and even today, Pratt & Whitney is still at the forefront of shaping advances in aviation.

Their continued work on new technologies, like the geared turbofan engine, is advancing commercial aviation by reducing noise, fuel burn, and emissions like never before. I am very proud of the great work that has been done by those at Pratt & Whitney in my district for so many years.

Please join me in congratulating this great company and its employees for 90 years of impressive accomplishments and to thank them for their significant efforts and contributions.

PROTECTING LIFE AND TAXPAYERS ACT

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, last week, I joined 64 of my House colleagues in cosponsoring legislation that would permanently cut off taxpayer funding for abortion providers.

H.R. 3197, the Protecting Life and Taxpayers Act, would prohibit Federal funding to any entity unless it certifies that it will not perform abortions during the period for which funding is provided, and it will not provide any funds to entities that do perform abortions.

There are currently restrictions that prohibit the use of taxpayer dollars to fund elective abortion directly, but we all understand that money is fungible. It is clear that Federal funds are supporting organizations' entire operations and that those operations include performing elective abortions.

This legislation reflects the will of the American people and would prevent taxpayers from being forced to finance thousands of elective abortions.

Few things demean the sanctity of human life more than elective abortion, and we, as a Nation and as a Congress, must continue to confront the systematic extermination of an entire generation of the most vulnerable among us.

Mr. Speaker, I will enter into the RECORD a recent article by Charles Krauthammer: ''The Price of Fetal Parts.''

50TH ANNIVERSARY OF VOTING RIGHTS ACT

(Mr. KILDEE asked and was given permission to address the House for 1 minute.)

Mr. KILDEE. Mr. Speaker, August 6 marks the 50th anniversary of the signing of the Voting Rights Act, which is a landmark piece of legislation that expanded civil rights and protected one of our most fundamental democratic rights, and that is the right of every person to have the right to vote.

Unfortunately, though, 2 years ago, the Supreme Court gutted many of the Voting Rights Act's most important protections. Since then, despite some commitments right at that moment, since then, Republican leadership has refused to allow a strengthened Voting Rights Act to come to the floor.

Instead of working to ensure that every American has the right to vote, we have seen more efforts to suppress votes, disenfranchising hard-working Americans; yet on the floor, we have had, at the same time, our entire appropriations process held up because of the fear of the Republicans that they may have to cast a vote on whether or not we should display the Confederate battle flag in the year 2015.

We can't get a Voting Rights Act bill to the floor, but our entire appropriations process is held up over the Confederate battle flag—seriously? It is 2015. Let's bring the Voting Rights Act to the floor now.

FFA NORTH MIAMI

(Mrs. WALORSKI asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. WALORSKI. Mr. Speaker, I rise today to recognize the North Miami Future Farmers of America members for their dedication to aiding their fellow classmate, Evan Exmeyer.

As a student at North Miami High School, Evan was born with cerebral palsy. He lives on a hog and grain farm and relies on a wheelchair accessible van to transport him around his family's land. Unfortunately, the van can't travel to every corner of the farm, making parts of his own land inaccessible.

These outstanding FFA students, with the help of our generous Hoosier community, raised $20,000 in donations to purchase and modify a UTV Gator. Thanks to their hard work, Evan has the freedom to explore all that his farm has to offer.

The commitment to bettering the lives of others demonstrated by the North Miami FFA members makes me so proud to represent Indiana's Second District. Their dedication to public

service is something to be admired by Hoosiers everywhere.

Today, I thank the North Miami FFA members for serving as role models for our entire Hoosier community statewide.

MEDICARE-MEDICAID 50TH ANNIVERSARY

(Mr. GALLEGO asked and was given permission to address the House for 1 minute.)

Mr. GALLEGO. Mr. Speaker, I rise today to celebrate the 50th anniversary of Medicare and Medicaid.

For half a century, these critical programs have provided irreplaceable health and economic lifelines for countless Americans.

In my congressional district alone, over 250,000 Arizonans rely on Medicaid for access to quality, affordable health care, while nearly 60,000 seniors depend on Medicare to cover their healthcare costs. However, this anniversary isn't just a time for celebration; it is also an opportunity to recommit ourselves to strengthening America's social safety net.

Instead of dangerous cuts, we should be considering meaningful solutions to the serious problems that Americans of all ages are currently facing, from the rising costs of prescription drugs to the unmet needs of our caregivers.

Unfortunately, some prominent Republicans, including leading Presidential candidates, would have you believe that we need to phase out these important programs. That is nonsense.

Mr. Speaker, I can't imagine telling Latinos who rely on Medicare—half of them have incomes below $14,000—that we need to phase out their health care.

I am extremely proud to have fought for the Medicaid expansion in my home State of Arizona, and I look forward to continuing to work with my colleagues here in Congress to protect and improve Medicaid and Medicare for future generations.

PRATT & WHITNEY 90TH BIRTHDAY

(Mr. WOMACK asked and was given permission to address the House for 1 minute.)

Mr. WOMACK. Mr. Speaker, I rise today, like many of my colleagues, in celebration of the 90th birthday of Pratt & Whitney.

Since its humble beginnings in 1925 as an employer of 26, Pratt & Whitney has grown to employ more than 31,500 people worldwide, including some in my district, the Third District of Arkansas, at its PSD facility in Springdale.

Today, Pratt & Whitney is at the forefront of shaping aviation. They are not only developing breakthrough technologies, like the geared turbofan; but they are also producing critical technologies, like the F–35 engine, for our warfighters.

Mr. Speaker, aerospace is Arkansas' number one export. That industry employees over 10,000 Arkansans, and I can say, without hesitation, that the continued economic growth of our State depends on the work and innovation of companies like Pratt & Whitney.

Thank you, Pratt & Whitney, for the vitally important work you do in the Third District and worldwide; and happy 90th birthday.

TPP

(Ms. GABBARD asked and was given permission to address the House for 1 minute.)

Ms. GABBARD. Mr. Speaker, this week, trade ministers from 12 TPP countries are gathering on Maui in my district in what is expected to be the final negotiations of a massive trade agreement impacting 40 percent of the world's economy.

Not only were the American people shut out of this trade deal when Congress passed fast-track authority legislation, these negotiations continue, as we speak, in a shroud of secrecy, with the American people reliant on sites like WikiLeaks as they seek information about how this agreement will impact us.

The people of Hawaii and all Americans are rightfully concerned about how this trade deal will impact our jobs, our families, our economy, our environment, and our Nation's sovereignty.

We, the American people, deserve to know what is in this deal and to have a say in what happens. How can a genuine public debate occur on a deal as monumental as this when no one knows what is in it? It is hard to imagine a deal more demanding of transparency.

People from Hawaii and around the world are gathering tomorrow on Maui to protest this secret deal. They are sick and tired of multinational corporations benefiting on the broken backs of working class Americans, and they will not stop until their voices are heard.

RECOGNIZING JULIA LAKE

(Mr. COSTELLO of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I rise today to recognize a very valued member of my staff and the staff of my predecessor, Congressman Jim Gerlach, as she embarks on a new adventure in the private sector.

Since 2010, Julia Lake has served the constituents of Pennsylvania's Sixth Congressional District. By the time I was elected to serve in January, I knew well of her reputation as a tireless, impactful, and caring worker; and I was very grateful when she decided to continue her role in my office.

It is very common for me to meet constituents across my district and hear high praise for her work. Just recently, I received an email from Sandra in Glenmoore, who had this to say:

> Julia was very diligent in responding to me. I believe she went above and beyond normal responsibilities to resolve this issue for our family. Thanks to her and your office.

My predecessor, Congressman Gerlach, had this to say:

> Julia was an extremely hard-working staff member who worked diligently every day to solve constituents' difficult problems with the Federal bureaucracy. Her high level of skill, combined with her warm and cheerful personality, made her an indispensable part of our team.

Julz, while we are saddened in one respect by your departure, given your exemplary and effective constituent service, we deeply appreciate your service and are excited that an opportunity arose that will benefit you and your two children.

Best wishes to you.

□ 1215

NEVER-NEVER LAND

(Mr. COSTA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COSTA. Mr. Speaker, I rise today to talk about an imaginary world that many of my Republicans, I believe, are living in.

Peter Pan's Neverland is a place many of us think of with fond thoughts of our childhoods. It is an imaginary place where anything is possible and innocence lasts forever.

Mr. Speaker, sadly, I think the House is operating under some sort of a never-never land that neither reflects our best nor our brightest. It is a Neverland in which House leaders think we can build and reconstruct bridges, roads, and highways without the funding to do so. How do you do that? It sounds like never-never land to me.

How else do you explain 32 or—I forget—34 patches—short-term extensions—since the Federal authorization ran out 7 years ago, thus continuing to kick the can down the road? How is it possible to keep hard working individuals employed or to maintain the safety of our roads and transit systems if we are not providing the long-term funding to do so to match both State and local funding? It is not possible. Once again, we are going to see another patch for 2 months—kicking this can down the road.

This is a never-never land that the American public is frustrated with. This is America's Congress. We can, we must, and we should do better.

TRIBUTE TO JOHN K. COUTANT

(Mr. GIBSON asked and was given permission to address the House for 1 minute.)

Mr. GIBSON. Mr. Speaker, I rise to honor John K. Coutant, who passed away on June 19, 2015, at the young age of 69.

John was the quintessential community servant. Born in Kingston in 1945, he graduated from Kingston High School and Dutchess Community College. He worked in the automobile industry for several decades, including founding Kingston Auto Supply and being recognized twice for having the top sales in the country. Very active in the community, John also served in several organizations and on the town board.

It was as town supervisor that John left his greatest mark. His vision for a better town led to many accomplishments, including solar energy projects at the town hall and the landfill. John's outstanding reputation and popularity was a direct result of always being there for any constituent in need and of his inclusive style of governance of giving every citizen a voice.

I am proud to have had the opportunity to know and work with John. He leaves behind an impressive legacy of service that has made his community a better place to live. May God bless John Coutant and his entire family.

CAMERON TORNADO

(Mrs. BUSTOS asked and was given permission to address the House for 1 minute.)

Mrs. BUSTOS. Mr. Speaker, I rise today to thank the first responders and volunteers who worked tirelessly in a town called Cameron, Illinois—population, 600.

On July 16, a tornado devastated this small town that measures only six blocks by seven blocks. While the storm caused widespread property damage, good people from across the region rushed in to help Cameron recover.

I was able to thank many of them last week when I toured the damage. Their generosity, bravery, and willingness to help their neighbors gives me hope that this community will rebuild again and be stronger than ever. I spoke with one family whose home was damaged. There was a little child there whose bike had been swept away in the storm. A first responder, in seeing this small child crying, bought a bicycle to replace it for him.

My heart goes out to all of these families who were impacted by this terrible tornado; and I want to thank our brave and generous first responders and volunteers who have poured their time, energy, and love into this town called Cameron, Illinois.

DEFUND PLANNED PARENTHOOD

(Mr. WENSTRUP asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WENSTRUP. Mr. Speaker, Planned Parenthood must be defunded. Taxpayers should no longer fund inhumane actions.

Between sips of red wine, a top official with the organization shares the dark nature of their work of altering abortion procedures to better harvest body parts. In another, after talking about the price for body parts, an official muses of buying a Lamborghini. In yet another, human dissection, geared toward harvesting body parts, is exposed.

Such callousness.

Planned Parenthood resists the use of ultrasound during pregnancy when a mother considers abortion, yet uses ultrasound to guide the harvesting of body parts.

Such disregard for life.

I am not only disgusted but am very saddened, and so are millions of Americans. Is nothing off limits? Is nothing sacred? This is why I have long cosponsored legislation to defund Planned Parenthood, but we must do more. This body is obligated to investigate wrongdoings.

VOTER EMPOWERMENT ACT

(Mr. KENNEDY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KENNEDY. Mr. Speaker, the right to vote is the bedrock principle of our democracy. It is something to be cherished and held sacred.

Although it did not come without struggle or without sacrifice, the Voting Rights Act moved us step by step beyond the disenfranchisement that held entire segments of our population voiceless for far too long. But today, as we approach its 50th anniversary, the strides we have made through that historic legislation are at risk.

Two years ago, when the Supreme Court overturned a critical safeguard enacted in the VRA, many of our most vulnerable citizens—some who were on the front lines of this fight for decades—were again pushed to the sidelines of our democracy.

With each passing day of inaction in this Congress by House Republican leadership, we are not just standing passively by as the voices of voters go unheard; we are actively walking backwards along the march towards civil rights—step by step, day by day.

It is time to pass the Voter Empowerment Act and make good on our promise, one that has made us a model for young democracies around the world—that every vote counts, that every voice matters, and that all of our citizens have a right to vote.

PROTECTING CONSUMERS FROM THE CONSUMER FINANCIAL PROTECTION BUREAU

(Mr. GUINTA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GUINTA. Mr. Speaker, I rise today because I am outraged that government agencies like the Consumer Financial Protection Bureau have denied public participation to allow consumers and businessowners to comment on regulations that directly impact them.

In 2013, the CFPB implemented guidance that would prevent families and individuals from obtaining auto financing discounts. This guidance not only affects the American auto industry and the hundreds of hard working auto dealers in the Granite State, but it also affects Granite State families and individuals—for example, the young couple in Manchester who is struggling to afford a new minivan to accommodate a growing family or, for example, the startup logistics company in Conway that is wishing to add another truck to its fleet to grow its business.

Congress created the CFPB to protect consumers, not to hurt them. If the CFPB really cares about developing policies that are truly in the best interests of consumers, it should amend its guidance and be more transparent.

That is why I introduced H.R. 1737, a bipartisan bill to rein in the CFPB's overreach and to merely bring more transparency, accountability, and clarity to the formal rulemaking process. H.R. 1737 will reverse this misguided CFPB indirect auto financing guidance and will allow the public's voice to be heard.

THE EX-IM SAGA CONTINUES

(Mrs. CAROLYN B. MALONEY of New York asked and was given permission to address the House for 1 minute.)

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, the charter for the U.S. Export-Import Bank has been expired now for almost a month because Congress did not act.

Because of that, thousands of American small businesses have been unilaterally disarmed in the battle for export financed business. Meanwhile, 85 foreign export credit agencies continue to help companies from their countries finance their exports. They are helping their small businesses while ours are disadvantaged.

This body has also failed to act to increase the lending limits for the Small Business Administration. Without an increase, the 7(a) Loan Program will be suspended until the beginning of the next fiscal year, October 1; and the highway trust fund is set to expire, bringing vital construction work and jobs to a halt.

Mr. Speaker, if this body doesn't get to work, then we are going to needlessly hurt hundreds of thousands of American jobs. It is time to stop the political bickering and to pass these important bills.

IRAN NUCLEAR DEAL

(Mr. ROGERS of Alabama asked and was given permission to address the House for 1 minute.)

Mr. ROGERS of Alabama. Mr. Speaker, I rise today in strong opposition to any nuclear deal with Iran.

Iran has proven time and again it is a state that cannot be trusted. The current deal rewards its bad behavior while compromising our national and global security.

As a result of this deal, Iran will receive billions of dollars in sanctions relief that will, undoubtedly, be used to wreak havoc on its region of the world. This economic boost will make it much more likely that Iran will actually try and carry out its often repeated threat to wipe Israel off the map.

As a staunch supporter of Israel, I cannot support any deal that threatens its security. Just last weekend, Iranian Supreme Leader Ali Khamenei gave a speech that Iranians responded to with chants of ''death to America'' and ''death to Israel.'' How could anyone believe that Iran could be trusted to play by any agreed upon rules?

I stand by Israel. I am completely opposed to this deal, and I urge my colleagues to oppose it as well.

RAECHEL AND JACQUELINE HOUCK SAFE RENTAL CAR ACT

(Mrs. CAPPS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. CAPPS. Mr. Speaker, in 2004, Raechel and Jacqueline Houck were tragically killed in California when their rented Chrysler PT Cruiser crashed and caught fire due to a safety defect that was under recall.

A glaring safety gap in current law allows recalled cars to be rented without being repaired, which is why I have introduced H.R. 2198, the Raechel and Jacqueline Houck Safe Rental Car Act, so as to close this gap and prohibit the renting of vehicles that are subject to safety recalls.

The bill is supported by all major car rental companies and consumer safety groups as well as by General Motors and Honda, yet Chrysler and Ford continue to oppose this bill for unclear reasons. Chrysler's opposition is particularly troubling considering this week's announcement that NHTSA is imposing a record $105 million fine and vehicle buyback requirement on Chrysler for its failure to adequately fix recalled vehicles or to notify vehicle owners in a timely manner.

While H.R. 2198 wouldn't solve all of Chrysler's recall problems, it would at least ensure that American families who rent Chryslers this summer will know they are safe. This is a commonsense idea. I hope Chrysler voices its support for the bill and helps me bring it to the House floor soon for a vote.

PASS THE REINS ACT

(Mr. PAULSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAULSEN. Mr. Speaker, when I talk to small businesses in Minnesota about what their biggest challenges are, one of the top concerns they mention is of the regulations coming from Washington. For these small employers, unnecessary regulations and bureaucratic red tape make it difficult to expand and create jobs.

That is why I support the REINS Act, which the House will be voting on this afternoon. The concept is simple: If a government agency proposes a regulation that will have a significant economic impact, Congress should have to sign off on it. With an average of 10 new regulations a day, small-business owners are spending more time on paperwork and less time on their businesses.

Mr. Speaker, with our sluggish economic recovery and anemic growth, there is no doubt that we have to get the engine of our economy going and small businesses moving again. That means passing the REINS Act today.

PRATT AND WHITNEY'S 90TH ANNIVERSARY

(Mr. VEASEY asked and was given permission to address the House for 1 minute.)

Mr. VEASEY. Mr. Speaker, I rise today to congratulate Pratt & Whitney on its recent milestone of having been incorporated for over 90 years. This is truly a remarkable achievement.

I am proud to represent the employees of Pratt & Whitney's Dallas Airfoil Repair Operations facility in the city of Grand Prairie, and I am very proud to have those manufacturing jobs there. I am very proud that aviation has come a long way since Pratt & Whitney's development of the air-cooled Wasp engine in 1925. Its passion for excellence continues today as it produces the engine for the revolutionary F–35 Joint Strike Fighter.

The technological advancements in aviation that Pratt & Whitney have developed over the last 90 years have helped make our Nation stronger, and they have kept our men and women in uniform safer.

Congratulations on 90 years of service.

□ 1230

HELPING FAMILIES IN MENTAL HEALTH CRISIS ACT

(Mr. MURPHY of Pennsylvania asked and was given permission to address the House for 1 minute.)

Mr. MURPHY of Pennsylvania. Mr. Speaker, I stand here today mourning Mayci Breaux and Jillian Johnson, buried yesterday by their families following the horrific killings in Louisiana. Yesterday we had a moment of silence to convey our respect and our prayers.

But, as a House, we must break the silence because once again we have failed the American people with our broken mental health system. How many more people have to die before we take action?

A person with severe mental illness is 15 times less likely to be violent when receiving proper treatment. Over the last 10 years, we have more suicides, more drug overdose deaths.

We have replaced the hospital bed with a jail cell, the homeless shelter, and the cemetery. We cannot be silent anymore.

The Helping Families in Mental Health Crisis Act, H.R. 2646, provides treatment before tragedy through comprehensive reforms.

Let not our offer of comfort be mere silence, but let it move us to comprehensive action. Otherwise, our passivity makes us partners to these tragedies.

I urge our Nation to not be silent, but to speak up. I urge my colleagues to cosponsor H.R. 2646.

PRATT & WHITNEY

(Mr. LARSON of Connecticut asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LARSON of Connecticut. Mr. Speaker, I join my other colleagues from Arkansas, Maine, and Texas, who have stood here today in recognition of Pratt & Whitney aircraft.

I am proud to say, however, that the headquarters for Pratt & Whitney aircraft is in East Hartford, Connecticut, where we keep the eagle flying.

My father, my mother, during the Second World War, my brother, all worked at Pratt & Whitney aircraft. It continues to be not only the arsenal for democracy for this great Nation of ours, but a center of innovation and technology where we not only keep the eagle flying, but we also provide opportunities for jobs well beyond these 90 years.

Pratt & Whitney alone, as a corporation, provides an education for every single one of its employees and not only pays for that education, it buys them the books and provides the time off to study so they can continue to do what they have always done, build dependable engines and be an excellent

model of corporate behavior and continue to keep the eagle flying both in this country and around the globe.

BOB BREWSAUGH

(Mr. MESSER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MESSER. Mr. Speaker, I rise today to remember the life of one of the best men I have ever known, Bob Brewsaugh, who passed away over the weekend at the age of 76.

The Good Book says, in 2 Corinthians 9:6: He who sows sparingly will also reap sparingly, but he who sows bountifully will also reap bountifully.

Bob Brewsaugh lived this Scripture. He was a lifelong farmer and a loving father and grandfather. Most importantly, Bob Brewsaugh was a man of God.

He worked hard. He treated everyone with kindness and respect, whether as a Sunday School teacher at Sandusky United Methodist Church or as a county councilman or in his daily work on the farm.

Bob tilled the land. He sowed bountifully. As a consequence, he reaped a blessed and bountiful life.

My thoughts and prayers are with Bob's wife, Carolyn; his two kids, Scott and Mandy; my brother, Richie; all Bob's grandkids; and the entire extended Brewsaugh family.

SPECIAL OLYMPIC WORLD GAMES IN LOS ANGELES

(Ms. HAHN asked and was given permission to address the House for 1 minute.)

Ms. HAHN. Mr. Speaker, I rise in honor of the 2015 Special Olympic World Games and to pay tribute to all who are participating in this wonderful event happening right now in my hometown of Los Angeles.

The opening ceremonies were held Saturday in the Memorial Coliseum. I was honored to attend as a member of the Presidential Delegation, led by our First Lady Michelle Obama.

Over the next week, 6,500 athletes representing 165 countries will compete in 254 competitions, supported by 30,000 volunteers and an anticipated 500,000 spectators, making this the largest sports and humanitarian event anywhere in the world this year and the single biggest event in Los Angeles since we hosted the 1984 Olympic Games.

This is much more than a sporting event. For almost 50 years, the Special Olympics has showcased the skills and accomplishments of people with intellectual disability and helped foster the acceptance and inclusion of all people.

I congratulate and wish good luck to all of the participants in this 2015 World Games.

JACK CHALMERS

(Mr. JOLLY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JOLLY. Mr. Speaker, I rise today to remember a man who was a veteran, a volunteer, a devoted Christian, and a man who was dedicated to helping others. Mr. Speaker, I rise today to remember John Milton Chalmers, or ''Jack'' Chalmers, of Pinellas County, Florida.

Mr. Chalmers passed away quietly in his sleep on July 20 at the C.W. Bill Young VA Medical Center at the age of 81.

Born in Scotland, Mr. Chalmers came to the United States when he was 15 years old. He later graduated college with a degree in engineering and served in the U.S. Army.

An avid sailor, cyclist, and animal lover, Mr. Chalmers' life was marked by helping others. As a member of Northside Baptist Church, Mr. Chalmers volunteered in the food pantry and worked as a veterinarian assistant after retiring.

He was an active volunteer in the Central Pinellas Republican Club and a member of the Pinellas County Republican Executive Committee. With a brilliant mind and as someone who was always striving to give back, Mr. Chalmers was a man who led by example.

Mr. Speaker, I urge my colleagues to join me in remembering and honoring Jack Chalmers, a very dear and gentle soul, a dear friend of mine, and a man who will be missed by so many. May God forever bless Jack, and may God bless those who loved him dearly.

VOTER EMPOWERMENT ACT AND THE VOTING RIGHTS ADVANCEMENT ACT

(Mr. PALLONE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PALLONE. Mr. Speaker, August 6 will mark the 50th anniversary of the Voting Rights Act. It has stood for a half a century as the great guardian of America's right to vote.

However, 2 years ago the Supreme Court dismantled key protections within the act. Making matters worse since, Republicans in Congress have refused to restore the protections and bring up a renewed and strengthened Voting Rights Act.

Today the right to vote is under coordinated attack around the country. States and localities are passing laws that restrict the right to vote, making it harder for young people, disabled Americans, and people of color to participate in our democracy.

Mr. Speaker, I am proud to be a cosponsor of the Voter Empowerment Act and the Voting Rights Advancement Act. I call on my Republican colleagues to join Democrats and pass a renewed, strengthened VRA and ensure the ballot box belongs to every American.

GEORGIA MILITARY COLLEGE

(Mr. JODY B. HICE of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JODY B. HICE of Georgia. Mr. Speaker, I rise today to applaud the outstanding accomplishments of Georgia Military College, an outstanding academic institution in Milledgeville, Georgia, that recently achieved a 100 percent graduation rate and exceeded the State and national averages for the SAT and ACT.

Today I commend them for their commitment to deliver a high-quality education and for their support of all students to reach their true academic potential. They have an unprecedented 97 percent graduating class enrolled in post-secondary institutions.

Georgia Military College has also distinguished itself by improving its students' individual well-being and putting character above all.

GMC's impact extends far beyond higher test scores and academic performance. Students are more equipped to enter the workforce and are better prepared to contribute to society.

They have also excelled athletically, winning two State championships in varsity softball and varsity girls track this past year.

Mr. Speaker, I ask my colleagues to join me in congratulating Georgia Military College students, their faculty, staff, and president, Lieutenant General William B. Caldwell, for their remarkable scholastic and athletic achievements.

By instilling the values of duty, honor, and country, they empower students to reach new heights. I am deeply honored to have Georgia Military College in Georgia's 10th District.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. RODNEY DAVIS of Illinois). The Chair would remind Members to refrain from trafficking the well while another Member is under recognition.

DEPLOY AN EARLY WARNING SYSTEM FOR EARTHQUAKES

(Mr. DEFAZIO asked and was given permission to address the House for 1 minute.)

Mr. DEFAZIO. Mr. Speaker, today I am introducing legislation to direct the Administrator of the Federal Emergency Management Agency to fund the purchase, installation, and activation of an early warning system on

the Cascadia subduction zone off the Pacific Northwest.

The Cascadia fault has the prospect of unleashing a quake at any point that actually could exceed that off of Japan. As we know, in Japan, 15,000 people died, $300 billion in damages. In Oregon, our State expects thousands of deaths, $32 billion in infrastructure.

If the United States of America would deploy, like Japan and other countries are doing, an early warning system, thousands of lives could be saved.

Inland we could evacuate schools that are going to collapse. Up in Portland they could suspend the MAX service and get people off the bridges that are going to collapse. Manufacturing operations that are critical could be suspended.

We have the potential to save thousands of lives, tens of millions, billions, of dollars in excess damages, and it would just require the United States of America to do what other countries are doing: deploy an early warning system off the Pacific coast.

The technology is known. We just lack the will to fund it. So I am directing the Federal Emergency Management Agency to deploy such a system in the near future.

PRATT & WHITNEY

(Mr. WESTMORELAND asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WESTMORELAND. Mr. Speaker, I come before you today to congratulate Pratt & Whitney for their 90 years of excellence in aviation.

Because of those determined and innovative founders, Pratt & Whitney has become a leader in aviation innovation, such as their groundbreaking development of the air-cooled Wasp engine.

Their engines have produced the power for some of the most formidable military aircraft in American history. Even today the power behind Lockheed Martin's F–35 Lightning II aircraft comes from a Pratt & Whitney engine.

I am proud that Pratt & Whitney's engine center calls Columbus, Georgia, home, but more proud of the investment they have made in the community. The Columbus plant employs 1,026 highly skilled employees to refurbish jet engines and brings in over $750 million a year.

I have no doubt that Pratt & Whitney's impressive accomplishments and milestones will continue on for another 90 years. Their commitment to producing high-quality and dependable engines help keep our servicemen and -women in the air safe.

We are fortunate to have their support for our local economy and look forward to many more years of their business in our great State.

THREE WORTHWHILE OBJECTIVES

(Mr. HOYER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HOYER. Mr. Speaker, my colleagues, we have an opportunity in the next 48 hours to do three good things:

One, keep the highway system going. It is irresponsible, but we have not already done so.

Two, make sure that the Veterans Administration has sufficient funds to keep our VA hospitals serving our veterans.

Three, make sure that we are competitive with the rest of the world by adopting the Fincher amendment and providing for Ex-Im Bank's ability to create jobs and to make us competitive worldwide.

We ought to do all three of those things.

Mr. Speaker, you have said that you wanted to allow this House to work its will. Sixty-five Members of the United States Senate voted to keep the Ex-Im Bank in business for America and for American jobs.

There are, in my opinion, Mr. Speaker, at least 240 votes on this floor to pass the Fincher amendment, which is the Kirk-Heitkamp amendment in the Senate.

Let's do it. Let this House work its will. Let's keep America competitive with the rest of the world. Let's adopt the Export-Import Bank, send it to the Senate, have them send it to the President, and help save American jobs.

Who says it will save American jobs? Speaker BOEHNER, the Speaker of this House.

Let us do all three of those worthwhile objectives that the American people support.

□ 1245

PROVIDING FOR CONSIDERATION OF H.R. 427, REGULATIONS FROM THE EXECUTIVE IN NEED OF SCRUTINY ACT OF 2015; PROVIDING FOR PROCEEDINGS DURING THE PERIOD FROM JULY 30, 2015, THROUGH SEPTEMBER 7, 2015; AND FOR OTHER PURPOSES

Mr. COLLINS of Georgia. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 380 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 380

Resolved, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 427) to amend chapter 8 of title 5, United States Code, to provide that major rules of the executive branch shall have no force or effect unless a joint resolution of approval is enacted into law. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill modified by the amendment printed in part A of the report of the Committee on Rules accompanying this resolution. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part B of the report of the Committee on Rules. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. On any legislative day during the period from July 30, 2015, through September 7, 2015—

(a) the Journal of the proceedings of the previous day shall be considered as approved; and

(b) the Chair may at any time declare the House adjourned to meet at a date and time, within the limits of clause 4, section 5, article I of the Constitution, to be announced by the Chair in declaring the adjournment.

SEC. 3. The Speaker may appoint Members to perform the duties of the Chair for the duration of the period addressed by section 2 of this resolution as though under clause 8(a) of rule I.

SEC. 4. Each day during the period addressed by section 2 of this resolution shall not constitute a calendar day for purposes of section 7 of the War Powers Resolution (50 U.S.C. 1546).

SEC. 5. Each day during the period addressed by section 2 of this resolution shall not constitute a legislative day for purposes of clause 7 of rule XIII.

SEC. 6. It shall be in order at any time on the legislative day of July 30, 2015, for the Speaker to entertain motions that the House suspend the rules as though under clause 1 of rule XV. The Speaker or his designee shall consult with the Minority Leader or her designee on the designation of any matter for consideration pursuant to this section.

SEC. 7. The requirement of clause 6(a) of rule XIII for a two-thirds vote to consider a

report from the Committee on Rules on the same day it is presented to the House is waived with respect to any resolution reported through the legislative day of July 30, 2015.

SEC. 8. For purposes of the joint meeting to receive Pope Francis on September 24, 2015, only the following persons shall be admitted to the Hall of the House or rooms leading thereto:

(a) Members of Congress and Members-elect.

(b) The Delegates and the Resident Commissioner.

(c) The President and Vice President of the United States.

(d) Justices of the Supreme Court.

(e) Elected officers of the House.

(f) The Parliamentarian.

(g) The Architect of the Capitol.

(h) The Librarian of Congress.

(i) The Secretary and Sergeant-at-Arms of the Senate.

(j) Heads of departments.

(k) Other persons as designated by the Speaker.

The SPEAKER pro tempore. The gentleman from Georgia is recognized for 1 hour.

Mr. COLLINS of Georgia. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida, pending which I yield myself such time as I may consume. During consideration of this resolution, all time is yielded for the purpose of debate only.

GENERAL LEAVE

Mr. COLLINS of Georgia. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous materials on House Resolution 380, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. COLLINS of Georgia. Mr. Speaker, I am pleased to bring this rule forward on behalf of the Committee on Rules. This rule provides for a robust amendment debate on an issue of critical national importance. This rule provides for the consideration of H.R. 427, the Regulations from the Executive in Need of Scrutiny Act of 2015.

The Committee on Rules met on this measure yesterday evening and heard testimony from both the chairman and the ranking member of the Subcommittee on Regulatory Reform, Commercial, and Antitrust Law of the Committee on the Judiciary, in addition to receiving amendment testimony.

This rule brought forward by the committee is a structured rule. There were 18 amendments total submitted to the Committee on Rules. Of those submitted, I am pleased to say that the full House will debate and vote on 10 of those amendments.

This legislation also went through regular order in the committee. During the committee markup, eight amendments were debated and voted on, including one I offered and that the committee had actually agreed to.

This rule provides for 1 hour of general debate equally divided and controlled by the chair and the ranking member of the Committee on the Judiciary. I appreciate the hard work of the Committee on the Judiciary Chairman, BOB GOODLATTE, and his full committee and subcommittee staff in bringing forward H.R. 427.

I strongly support this rule and the underlying legislation because, when we reform our Nation's regulatory system, we will jump-start the engine of our economy; and when our economy gets up and going, our families flourish.

What does this administration produce more than 60 of every day? Here is a hint: It is not jobs. The answer lies in the heart of many woes facing small businesses and established industries.

What they produce every day is regulations. The goal of any regulation should be to achieve a benefit that would not be possible without it, designed in such a fashion that the achieved benefit far outweighs the cost, but our administration has lost sight of this goal, and America's economic engine is paying the price.

Our current Federal Government designs regulations that are often unnecessary and achieve little to no benefit, but at very high cost. The rules have become so skewed that this administration's regulators are at war with American businesses.

Industries such as manufacturing and technology are fighting to compete in a global market, but first, they must survive the regulatory beast that is strangling innovation and growth.

This administration is legislating through regulation yet decries the REINS Act and calls it an unprecedented requirement. When you circumvent Congress and exploit the rulemaking process in order to, one, make law and, two, make law in contradiction to the wishes and needs of the American people, you should expect unprecedented responses.

In just the first 7 days of 2015—just the first 7 days of 2015—the administration unveiled 300 new rules. Over the Memorial Day weekend, the administration quietly published the spring 2015 Unified Agenda of Federal Regulations. What it contained was so disheartening to the American people and so destructive to small business that it didn't go unnoticed.

The agenda showed that the Federal departments and agencies have 3,260 rules in the midst right now of the rulemaking process. Unfortunately, it is not just the sheer number of regulations that is astounding; it is also the oppressive cost.

One of these 3,260 rules I mentioned is predicted to be one of the costliest regulations ever put forward, the EPA's national ozone standard. A recent analysis found the cost of this one regulation to be upwards of $140 billion. It will cost my home State of Georgia over 11,000 jobs.

To add insult to injury, the first line of H.R. 427 Statement of Administration Policy states:

> The administration is committed to ensuring that regulations are smart and effective and tailored to further the statutory goals in the most cost-effective and efficient manner.

This is the statement from the administration on why they oppose H.R. 427.

I cannot believe that a single regulation promulgated by this administration with $140 billion of cost was put forward in the most cost-effective manner, and a regulation costing 11,000 jobs in Georgia alone is hardly smart. The Statement of Administration Policy also claims that the underlying legislation would create business uncertainty.

I encourage this administration to use the infamous pen and phone to actually ask businesses what creates uncertainty for them because, when small businesses across the country came to Congress last week as part of National Federation of Independent Business lobbying day, their top legislative priority was regulatory relief. These are small-business owners who sat with us and said: Here is what we are facing in trying to get people jobs.

The 3,000-plus regulations in the works by this administration create the uncertainty, not this body's effort to require agencies to submit the most costly regulations to Congress for approval. The underlying bill applies only to regulations with a $100 million impact or greater.

The American people do not elect this administration's regulators—or any administration's regulators for that matter. They elect us in this body to represent them. This bill allows us to do so properly.

The system is broken. The system has failed the American people. The REINS Act is the first step toward restoring proper order and even sanity toward our regulatory framework.

The administration states that Executive Order No. 13563 requires careful cost-benefit analysis, but they don't explain why only 7 rules out of the thousands had cost-benefit analysis in 2013 and only 14 rules had that in 2012.

This administration's regulators have stated publicly that they are not going to sit around and wait for Congress—so much for respecting the powers enshrined in our Constitution and, thus, the reason that we need this legislation and why this rule should be approved.

Mr. Speaker, I reserve the balance of my time.

Mr. HASTINGS. Mr. Speaker, I thank the gentleman from Georgia for yielding me the customary 30 minutes for debate, and I yield myself such time as I may consume.

Mr. Speaker, 2 legislative days—really a day-and-a-half now—remain before Congress recesses for 5 weeks. Here we are, yet again, considering a piece of partisan legislation designed to fill up floor time, which has little to no chance at all of becoming law.

It is unconscionable that the majority continues to waste legislators' and the American people's time with bills such as the Regulation from the Executive in Need of Scrutiny Act—they really do name things nice around here, the REINS Act—when critically important work is left to be done.

Just a few moments ago, the minority whip spoke to three issues; I include them in my commentary, but largely, one that all of us ought be interested in is the highway trust fund, which will become insolvent on August 1 if those of us sent here to Washington to govern do not come up with a solution.

Instead of focusing on priorities like eliminating corporate tax loopholes to ensure that we have the money to fund projects to repair our Nation's deteriorating roads and bridges, House Republicans passed yet another short-term patch that the Senate has refused to take up. The majority's dysfunction and inability to govern is having a real impact on hard-working Americans.

Today marks the 204th day of the Republican-led 114th Congress. In the nearly 6 months that have passed, the majority has compromised the financial security of American companies by failing to reauthorize the Export-Import Bank's charter; avoided passing a long-term transportation and infrastructure bill; passed pointless legislation designed to cut critical funding from local police departments and communities in lieu of taking up comprehensive immigration reform; refused, they did, to bring up the student loan refinancing bill; and perhaps most abhorrent to some of us, voted four times in support of the Confederate battle flag, a symbol of hate and intolerance that has no place on any of our public lands.

□ 1300

The days leading up to a month-long congressional recess should be spent debating and voting on the important issues that our constituents sent us here to address—as an example, restoring the Voting Rights Act, bolstering our economy through a long-term highway bill, and guaranteeing that jobs are created and sustained.

Mr. Speaker, H.R. 427 is yet another partisan measure that Republican leadership has selected for consideration, despite its clear constitutional violations and with the knowledge that it stands an almost certain Presidential veto.

It is, therefore, unclear to me why we are spending precious time on this bill. We already have the power to disapprove proposed rules; we have the power to limit delegations of authorities to agencies; we have the power to control the appropriations; and we have the power to stay the effect of specific rules and hold oversight hearings. It seems to me that, in addition to these tools being quite powerful, they also comply with the doctrine of separation of powers and, therefore, have the added benefit of being constitutional.

The REINS Act would require both Houses of Congress to approve every major rule, many of which are highly technical ones authored by experts such as scientists, physicians, engineers, and economists.

There simply isn't enough time for Congress to hold the hearings and conduct the research necessary to weigh in on these complicated matters. The individuals tasked with making these difficult regulatory decisions are certainly more qualified than most, if not all of us here in this room, and it is for this precise reason that Congress wisely delegated this regulatory authority to such experts.

Politicizing this process will not only permit industry representatives with deep pockets to have an overwhelming influence on whether major rules go into effect, it will make it nearly impossible for agencies to implement rules regulating consumer health and product safety, environmental protections, workplace safety, and financial services industry misconduct. The enactment of this legislation would, in my opinion, do immeasurable disservice to the American people.

Mr. Speaker, I reserve the balance of my time.

Mr. COLLINS of Georgia. Mr. Speaker, I am pleased to yield such time as he may consume to the good gentleman from Illinois (Mr. ROSKAM), a member of the Ways and Means Committee.

Mr. ROSKAM. I thank the gentleman for yielding.

Mr. Speaker, my friend from Florida asked a rhetorical question. He said: Why spend precious time on this? And here is the reply: Because our constituents' time is precious. Our constituents' time in trying to comply with regulations is precious.

Before I get there, let me just give you a little bit of a history, Mr. Speaker, about my understanding of the genesis of the REINS Act. It is interesting from a process point of view and a substance point of view.

From a process point of view, my understanding is that this came out of a townhall meeting that was hosted and sponsored by our former colleague, Congressman Geoff Davis from Kentucky. He gathered a group of people together and, as I understand the story, one of the constituents raised his hand and he posed this question. He said: Congressman, how is it possible that the Environmental Protection Agency is contemplating a rule that is so controversial it couldn't pass Congress? How is that even conceivable under our governance structure that unelected bureaucrats are able to accomplish something that the elected Representatives of the people have said ''no'' to?

Congressman Davis in a very thoughtful way began to take that in. Out of it, he began to work with other people and put together the REINS Act, Regulations From the Executive in Need of Scrutiny, that says this. It says that over the years, one of the weaknesses of Congress is that this institution has delegated too much responsibility to executive agencies. That is at the base of what we are talking about. This is an issue of delegated authority. And since it was Congress' mistake in terms of atrophying its authority over a period of time, the remedy then falls on Congress to reclaim that authority.

So the gentleman from Georgia is proposing that we support this rule around H.R. 427, and it says this: If there is a regulation that has more than a $100 million impact on the economy, then that regulation ought not be foisted on the economy without discussion and approval by elected Representatives in Congress.

Now, there is a straw man argument that is out there as it relates to this. I haven't heard it on the floor today, but I might hear it if we continue to listen to the debate, particularly during the amendment process and so forth.

Here is the straw man argument. The straw man argument is: If you are in favor of the REINS Act, then you don't want any regulations whatsoever. You want the Wild West, where only the strong survive. That is a straw man. That is ridiculous.

What the REINS Act says is, if you are going to have a regulation, it ought to be thoughtful, it ought to be well structured, it ought to be well debated, and it ought not be a bureaucrat sitting on the seventh floor of a gray building on Independence Avenue that is pursuing an agenda—and haven't we seen plenty of that, by the way—pursuing an agenda, an agenda that couldn't pass this place, an agenda that 218 Members of the House of Representatives and a majority of the Senate are not going to support, but an agenda that a bureaucrat with a political agenda and so forth is trying to move forward.

Now, these numbers are staggering. According to the Competitive Enterprise Institute, the annual cost of complying with government regulations is $1.8 trillion. Think about the downward pressure of that.

What the gentleman from Georgia is saying—and other supporters of this—is let's take President Obama's admonition to the Congress and his admonition to the public, and let's take those words at face value.

This is what the President said in an op-ed in The Wall Street Journal. He said that overregulation ''stifles innovation'' and has a ''chilling effect on growth and jobs.'' Absolutely, that is true. That statement is true.

President Obama said in his State of the Union address that same week that the op-ed was published in The Wall Street Journal, January 2011, ''To reduce barriers to growth and investment . . . when we find rules that put an unnecessary burden on business, we will fix them.''

Okay. Great news. We have got the remedy. We have got the way to fix that.

I will tell you, I represent a constituency, Mr. Speaker, in suburban Chicago, as you know, and so, with frequency, I am out talking to businesses, getting in there. I represent a lot of manufacturers. I represent a lot of financial services companies. I represent a lot of food production, transportation, insurance, and other things.

When you talk to folks and ask them what the nature of the challenge is, they will tell you. But what is interesting is the consistency of the feeling of pressure that they feel as it relates to a regulatory burden.

So the good news is we can do something about that, and the good news is we can vote ''aye'' on the rule and we can vote ''aye'' on H.R. 427, the REINS Act.

Mr. HASTINGS. Mr. Speaker, I am very pleased at this time to yield 3 minutes to the gentleman from Arizona (Mr. GRIJALVA), a very good friend of mine and the distinguished ranking member of the Committee on Natural Resources.

Mr. GRIJALVA. Mr. Speaker, I rise in opposition to the rule on H.R. 427, and I thank my friend for yielding.

This bill is the very definition of political legislation and serves absolutely no purpose in ensuring better rules. This legislation accomplishes nothing, aside from slowing down the administrative rulemaking process and giving Congress the power to shoot down any action that this majority doesn't like.

By requiring a joint resolution of congressional approval prior to enactment, the only surefire achievement of this legislation is a longer rulemaking process, not a better one.

Let me humor my Republican colleagues and try to give them the benefit of the doubt. They claim that this bill is about requiring Federal agencies to be more transparent in their actions. They want reports on how rules impact the Federal budget. But why should transparency only be limited to the budget? If transparency is the gold standard, why aren't we demanding reports on how these rules impact our most vulnerable and at-risk citizens? If we are striving for transparency, let's be transparent about all things.

Yesterday, I submitted an amendment to address this point. But unsurprisingly, this rule does not allow my amendment to be considered. This proves yet again that this Republican majority cares more about protecting industry than protecting our people or our planet.

My amendment was simple. It would have required the administration to report to Congress on the greenhouse gas emission impacts associated with any proposed rule and what any proposed rule's impacts are on low-income communities in this country.

The overwhelming scientific consensus is that climate change is real. No matter how often industry and many of my Republican colleagues try convince us that we have nothing to worry about, no matter how much manufactured science they gin up to create doubt, climate change is real.

If the administration is going to be forced to justify their rulemaking to Congress, let's make sure they include climate impacts in their justifications. The same goes for how the rules impact our poor communities. Why are people less important than Big Business?

My amendment aimed to remedy the negative impacts felt by these populations by changing the definition of what constitutes a major rule to include any rule that increases the health risks among low-income communities, period. But apparently those concerns don't warrant a vote on the House floor.

The majority's decision to block my amendment on climate change and environmental justice says more about the underlying legislation than any speech you will hear today.

This is not about good government. This is about House Republicans wanting to put their finger on the scale to benefit corporations at the expense of the health and safety of the American people and, yes, our planet.

This is a bad rule and it is protecting a bad bill, and both should be defeated.

Mr. COLLINS of Georgia. Mr. Speaker, I reserve the balance of my time.

Mr. HASTINGS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule to bring up H.R. 3064, a comprehensive, 6-year surface transportation bill that is partially paid for by restricting U.S. companies from using so-called inversion to shrink their tax obligations.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment in the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

The SPEAKER pro tempore (Mr. DENHAM). Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HASTINGS. Mr. Speaker, I won't belabor things by talking about that, but I have to say the previous question makes an awful lot of sense for us to do a 6-year plan. People in our States and in our localities are looking to us to give them some certainty. I hear this all the time from colleagues on both sides of the aisle. For us not to do that, to me, is extremely troubling; and, I believe, in the long haul, it is harmful to the economy of this country.

We need to pass a long-term surface transportation bill, and I genuinely believe most Members in the House of Representatives, Republican and Democrat, feel the same way.

The name of this bill at least flirts with being clever, I will give the majority that. But let me tell you that we really need to rein in around here. We need to rein in a Republican-led Congress that will no longer bring the remaining appropriations bills to the floor because it is more dedicated to seeing the Confederate flag fly high. I really don't understand that.

What happened here a few days ago, we had the Interior measure going forward. Someone complained, rightly, about the Confederate flag in public places.

□ 1315

All of a sudden, the Interior Appropriations and any other appropriations went away. I predict that we will probably wind up with a continuing resolution, rather than doing the work that the American people sent us here to do, and that is to complete the appropriations or remaining bills.

We need to be about the business of reining in a Republican-led Congress that says it wants to help small businesses and then makes sure to let the Export-Import Bank charter expire.

In the congressional district that I am privileged to serve, alone, $964,000 in lost business and lost jobs will occur with three companies that depend on the Export-Import Bank.

We need to rein in a Republican Congress that constantly attempts to undermine a healthcare law. I have forgotten now; most of us can't even remember how many times we have voted to repeal portions of or all of the Affordable Care provision which is in effect now—5 years—and we are still having these sideline votes that are going nowhere.

We undermine it, and it has provided millions of American citizens the opportunity to access affordable health care—and somebody please tell me what is wrong with that.

We are 50 years now into Medicare, and I remember, as if it were yesterday, that then President Ronald Reagan said that it would have a severe impact on the American economy—in other words, to paraphrase, that the sky was going to fall.

Well, 50 years out now with Medicare, we have seen the benefits to literally hundreds of millions of Americans who rely upon Medicare, and we demonstrably have seen its positive.

Yes, we are learning, even with the Affordable Care Act, that what is happening is Medicare is now having diminution of its costs, which is necessary to rein in the cost of health care in this country.

Mr. Speaker, I urge my colleagues to vote ''no'' and to defeat the previous question. Vote ''no'' on the rule.

I yield back the balance of my time.

Mr. COLLINS of Georgia. I yield myself such time as I may consume.

Mr. Speaker, it has been said—and we have moved beyond the old adage many times—if it moves, regulate it; or, if it exists, to regulate it.

It is an interesting paradigm today because it is time for Washington to focus on creating a regulatory system that is flexible, allowing the market to decide the optimal path to implementation.

Regulations should be expedient and unambiguous, seeking to minimize the uncertainty facing industries and small businesses, and we must encourage innovation and bringing new products and processes not only to market, but to office places everywhere. Outdated regulations should be cleared off of the books, especially those created by those unelected.

As we have been here today—and I have, listening to the arguments—what is amazingly—from our side, I have wanted to talk about regulation and the overreach of many of our branches; the gentleman from Illinois brought it up tremendously, and I have talked about this in the Ninth District of Georgia, where I am from—is that, for many years, I believe Congress decided, for whatever reason, it was much easier to give to agencies to promulgate rules and regulations. They said it is much easier.

In fact, I have even heard from the floor today that we don't have the expertise, and it is much better to do it offsite. I just tend to find that is wrong.

I think it is that Congress has the ability to listen to those experts, to listen to those opinions, and then provide something that unelected bureaucrats do not, and that is have the people who elect us, whom we face every time we go home—when I go to the grocery store, when I go to the ball games, when I go to my church, when I go to the places that I go to and they ask me questions, then they are holding their elected official accountable—then we take that, and we balance that to make good decisions for all, in our districts and in our country.

What is amazing to me today is many of the arguments made today have nothing to do—there are many things we could debate here today, but we are here to debate—by the way, I will just remind everybody—the rule for the REINS Act, not the plethora of other things that would be want to, could have done, should have done—we are here on the issue of regulatory reform. We are here on the REINS Act.

Frankly, if I was part of this administration who wants to create this sort of entrenched Federal bureaucracy, I wouldn't want to talk about regulatory reform either. I would want to talk about anything else. I would want to talk about anything else besides the burden that keeps crushing down from Washington on small-business owners.

Then, of course, as well, there is the argument that did come up, that if you really, really, really want this, undoubtedly, you are really, really, really just wanting to protect big businesses and make dirty—from our perspective, I have heard it before, decrease regulations so that people are put in harm's way or that the environment is worse off.

The reality is that is an old argument and really just needs to go away. I come from the Ninth District of Georgia, in my humble opinion, one of the prettiest places in all the world. Our farmers, our residents all enjoy the clean air. They enjoy the greatness of what we have and the businesses that are a part there and the regulations that, when rightly controlled, help us achieve that American Dream.

There is no one who, voting for this, or even talking against it, would want to actually say: I am voting for this because I want to actually pick up a glass of water that is tainted and drink it, or I want to make it worse for somebody else.

Mr. Speaker, this is a simple rule. It says let's bring forward some fiscal sanity and regulatory sanity. Let's put it back in perspective.

I believe the circle of government, when the Founders put it out there, was based on the fact of having the Executive to carry out the laws, the Congress to make those laws, and the judicial branch to interpret those laws. Our country works best when that is in alignment.

What we are asking for is let's bring it back into alignment. Let's take the REINS Act, let's take this step toward bringing some certainty for our businesses because, at the end of the day, when our businesses have certainty, it does affect the people.

It is not a nameless, faceless place on a brick wall somewhere, those business names that we want to talk about business. It is about those people who get in their cars in their neighborhoods and their apartments and their townhomes, and they drive to a place of work, or they walk to their place of work, and they make a paycheck; they earn a living so that they can do the things that I believe that they have wanted to prosper in and to take care of their families and to move that American Dream forward in their life.

It is up to this building to look after them. It is up to what the Republican majority is putting forward to say: We care about all Americans; we care about their ability to earn a living; we care about their growth, and we care about their safety.

Proper regulation done in the proper way is the way to do that. I will always stand on that side.

The material previously referred to by Mr. HASTINGS is as follows:

AN AMENDMENT TO H. RES. 380 OFFERED BY MR. HASTINGS OF FLORIDA

At the end of the resolution, add the following new sections:

SEC. 9. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3064) to authorize highway infrastructure and safety, transit, motor carrier, rail, and other surface transportation programs, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided among and controlled by the chair and ranking minority member of the Committee on Transportation and Infrastructure and the chair and ranking minority member of the Committee on Ways and Means. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 10. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 3064.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308–311), describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition.

Speaker Joseph G. Cannon (R–Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

The Republican majority may say ''the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: ''Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.''

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2) Section 21.3 continues: ''Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. COLLINS of Georgia. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HASTINGS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on adopting House Resolution 380, if ordered; and suspending the rules and passing H.R. 675.

The vote was taken by electronic device, and there were—yeas 240, nays 167, not voting 26, as follows:

[Roll No. 470]

YEAS—240

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Chabot
Chaffetz
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—167

Adams
Aguilar
Ashford
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Connolly
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jeffries
Johnson (GA)
Kaptur
Keating
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
Meng
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rice (NY)
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—26

Bass
Butterfield
Carter (TX)
Clawson (FL)
Cleaver
Conyers
Fudge
Graves (GA)
Green, Al
Jackson Lee
Johnson, E. B.
Kelly (IL)
Lee
Lieu, Ted
Lujan Grisham (NM)
McNerney
Meeks
Moore
Rangel
Ribble
Richmond
Royce
Sanchez, Loretta
Sewell (AL)
Thompson (MS)
Wasserman Schultz

□ 1353

Messrs. AGUILAR, FATTAH, and WELCH changed their vote from ''yea'' to ''nay.''

Mr. DIAZ-BALART and Mrs. BLACK changed their vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

MOMENT OF SILENCE IN REMEMBRANCE OF MEMBERS OF ARMED FORCES AND THEIR FAMILIES

The SPEAKER pro tempore. The Chair would ask all present to rise for the purpose of a moment of silence.

The Chair asks that the House now observe a moment of silence in remembrance of our brave men and women in uniform who have given their lives in the service of our Nation in Iraq and Afghanistan and their families, and of all who serve in our Armed Forces and their families.

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. HASTINGS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 240, noes 167, not voting 26, as follows:

[Roll No. 471]

AYES—240

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Chabot
Chaffetz
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zinke

NOES—167

Adams
Aguilar
Ashford
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Connolly
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jeffries
Johnson (GA)
Kaptur
Keating
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
Meng
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rice (NY)
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—26

Bass
Butterfield
Carter (TX)
Clawson (FL)
Cleaver
Conyers
Fudge
Graves (GA)
Green, Al
Jackson Lee
Johnson, E. B.
Kelly (IL)
Lee
Lieu, Ted
Lujan Grisham (NM)
McNerney
Meeks
Moore
Rangel
Richmond
Royce
Sanchez, Loretta
Sewell (AL)
Thompson (MS)
Wasserman Schultz
Zeldin

□ 1403

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

VETERANS' COMPENSATION COST-OF-LIVING ADJUSTMENT ACT OF 2015

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 675) to increase, effective as of December 1, 2015, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. MILLER) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 409, nays 0, not voting 24, as follows:

[Roll No. 472]

YEAS—409

Abraham
Adams
Aderholt
Aguilar
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Beatty
Becerra
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Bustos
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Gabbard
Gallego
Garamendi
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (LA)
Graves (MO)
Grayson
Green, Gene
Griffith
Grijalva
Grothman
Guinta
Guthrie
Gutiérrez
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins
Hill
Himes
Hinojosa
Holding
Honda
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kaptur
Katko
Keating
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster

Labrador
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Luján, Ben Ray (NM)
Lummis
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Massie
Matsui
McCarthy
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Pallone
Palmer
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pittenger
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Ryan (WI)
Salmon
Sánchez, Linda T.
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Stutzman
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—24

Bass
Butterfield
Carter (TX)
Clawson (FL)
Cleaver
Conyers
Fudge
Graves (GA)
Green, Al
Jackson Lee
Johnson, E. B.
Kelly (IL)
Lee
Lieu, Ted
Lujan Grisham (NM)
McNerney
Meeks
Moore
Rangel
Richmond
Sanchez, Loretta
Sewell (AL)
Thompson (MS)
Wasserman Schultz

□ 1409

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read: ''A bill to increase, effective as of December 1, 2015, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, to amend title 38, United States Code, to improve the United States Court of Appeals for Veterans Claims, to improve the processing of claims by the Secretary of Veterans Affairs, and for other purposes.''.

A motion to reconsider was laid on the table.

REGULATIONS FROM THE EXECUTIVE IN NEED OF SCRUTINY ACT OF 2015

GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous materials on H.R. 427.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 380 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 427.

The Chair appoints the gentleman from Texas (Mr. MARCHANT) to preside over the Committee of the Whole.

□ 1412

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 427) to amend chapter 8 of title 5, United States Code, to provide that major rules of the executive branch shall have no force or effect unless a joint resolution of approval is enacted into law, with Mr. MARCHANT in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Virginia (Mr. GOODLATTE) and the gentleman from Georgia (Mr. JOHNSON) each will control 30 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. GOODLATTE. Mr. Chairman, I yield myself such time as I may consume.

Regulatory reform plays a critical role in ensuring that our Nation finally achieves a full economic recovery and retains its competitive edge in the global marketplace. Congress must advance progrowth policies that create jobs and restore economic prosperity for families and businesses across the Nation, and it must make sure that the administration and its regulatory apparatus are held accountable to the American people.

America's small-business owners are suffering under mountains of endlessly growing, bureaucratic red tape; and the uncertainty about the cost of upcoming regulations discourages employers from hiring new employees and expanding their businesses. Excessive regulation means higher prices, lower wages, fewer jobs, less economic growth, and a less competitive America.

Today, Americans face a burden of over $3 trillion from Federal taxation and regulation. In fact, our Federal regulatory burden is larger than the 2014 gross domestic product of all but the top nine countries in the world. That burden adds up to $15,000 per American household, nearly 30 percent of the average household income in 2014.

□ 1415

Everyone knows it has been this way for far too long. But the Obama administration, instead of fixing the problem, knows only one response: increase taxes, increase spending, and increase regulation.

The results have painfully demonstrated a simple truth: America cannot tax, spend, and regulate its way to economic recovery, economic growth, and durable prosperity for the American people.

Consider just a few facts that reveal the economic weakness the Obama administration has produced. In the June 2015 jobs report, the number of unemployed workers, workers who can only find part-time jobs and workers who are now only marginally attached to the labor force, stood at 10.8 percent. They number over 16 million Americans.

America's labor force participation rate remains at lows not seen since the Carter administration, and the median household income still is below the level achieved before the financial crisis.

The contrast between America's current condition and the recovery Ronald Reagan achieved is particularly stark.

Four-and-a-half years after the recession began in 1981 the Reagan administration, through policies opposite to the Obama administration's, had achieved a recovery that created 7.8 million more jobs than when the recession began. Real per capita gross domestic product rose by $3,091. Real median household income rose by 7.7 percent.

To truly fix America's problems, the REINS Act is one of the simplest, clearest, and most powerful measures we can adopt. The level of new major regulation the Obama administration has issued and plans to issue is without modern precedent.

Testimony before the Judiciary Committee during recent Congresses has plainly shown the connection between skyrocketing levels of regulation and declining levels of jobs and growth.

The REINS Act responds by requiring an up-or-down vote by the people's representatives in Congress before any

new major regulation—defined in the bill generally as a rule that has an effect on the economy of at least $100 million—can be imposed on our economy.

It does not prohibit new major regulation. It simply establishes the principle ''No major regulation without representation.''

By requiring Congress, which is more directly accountable to the American people, to approve or deny major regulations proposed by the administration, the REINS Act provides Congress and, ultimately, the people with a much-needed tool to check the one-way cost ratchet that Washington's regulatory bureaucrats too often turn.

During the 113th and 112th Congresses, the REINS Act was passed by the full House of Representatives multiple times, each time on a bipartisan vote.

I thank Mr. YOUNG of Indiana for introducing this legislation. I urge all of my colleagues to vote for the REINS Act.

I reserve the balance of my time.

COMMITTEE ON RULES,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 20, 2015.

Hon. BOB GOODLATTE,
Chairman, Committee on the Judiciary, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: On April 15, 2015, the Committee on the Judiciary ordered H.R. 427, the ''Regulations From the Executive in Need of Scrutiny Act of 2015,'' reported to the House. As you know, the Committee on Rules was granted an additional referral upon the bill's introduction pursuant to the Committee's jurisdiction under rule X of the Rules of the House of Representatives over the rules of the House and special orders of business.

Because of your willingness to consult with my committee regarding this matter, I will waive consideration of the bill by the Rules Committee. By agreeing to waive its consideration of the bill, the Rules Committee does not waive its jurisdiction over H.R. 427. In addition, the Committee reserves its authority to seek conferees on any provisions of the bill that are within its jurisdiction during any House-Senate conference that may be convened on this legislation. I ask your commitment to support any request by the Rules Committee for conferees on H.R. 427 or related legislation.

I also request that you include our exchange of letters on this matter in the committee report to accompany H.R. 427 and in the Congressional Record during consideration of this legislation on the House floor. Thank you for your attention to these matters.

Sincerely,

PETE SESSIONS.

COMMITTEE ON THE JUDICIARY,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 20, 2015.

Hon. PETE SESSIONS,
Chairman, Committee on the Rules, Washington, DC.

DEAR CHAIRMAN SESSIONS, Thank you for your letter regarding H.R. 427, the ''Regulations from the Executive in Need of Scrutiny Act of 2015,'' which the Judiciary Committee ordered reported favorably, as amended, to the House on April 15, 2015.

As you noted, the Committee on Rules was granted an additional referral of the bill. I am most appreciative of your decision to forego further consideration of H.R. 427 so that it may proceed to the House floor. I acknowledge that although you are waiving formal consideration of the bill, the Committee on the Rules is in no way waiving its jurisdiction over the subject matter contained in those provisions of the bill that fall within your Rule X jurisdiction. In addition, if a conference is necessary on this legislation, I will support any request that your committee be represented therein.

Finally, I am pleased to include this letter and your letter in our committee's report as well as the Congressional Record during floor consideration of H.R. 427.

Sincerely,

BOB GOODLATTE,
Chairman.

COMMITTEE ON THE BUDGET,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 21, 2015.

Hon. BOB GOODLATTE,
Chairman, Committee on the Judiciary, House of Representatives, Washington, DC.

DEAR CHAIRMAN GOODLATTE, I am writing concerning H.R. 427, the Regulations From the Executive in Need of Scrutiny Act of 2015, which the Committee on the Judiciary ordered reported on April 15, 2015.

The bill amends section 257(b)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985 by providing that any rules which affect budget authority, outlays, or receipts that are subject to the congressional approval procedure outlined in section 802 of chapter 8 of title 5, U.S.C., are effective unless it is disapproved in accordance with such section. In order to expedite House consideration of H.R. 427, the Committee will forgo action on the bill. This is being done with the understanding that it does not in any way prejudice the Committee with respect to the appointment of conferees or its jurisdictional prerogatives on this or similar legislation.

I would appreciate your response to this letter, confirming this understanding with respect to H.R. 427 and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during Floor consideration.

Sincerely,

TOM PRICE, M.D.,
Chairman,
Committee on the Budget.

COMMITTEE ON THE JUDICIARY,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 22, 2015.

Hon. TOM PRICE,
Chairman, Committee on the Budget, Washington, DC.

DEAR CHAIRMAN PRICE, Thank you for your letter regarding H.R. 427, the ''Regulations from the Executive in Need of Scrutiny Act of 2015,'' which the Judiciary Committee ordered reported favorably, as amended, to the House on April 15, 2015.

As you noted, the Committee on the Budget was granted an additional referral of the bill. I am most appreciative of your decision to forego further consideration of H.R. 427 so that it may proceed to the House floor. I acknowledge that although you are waiving formal consideration of the bill, the Committee on the Budget is in no way waiving its jurisdiction over the subject matter contained in those provisions of the bill that fall within your Rule X jurisdiction. In addition, if a conference is necessary on this legislation, I will support any request that your committee be represented therein.

Finally, I am pleased to include this letter and your letter in the Congressional Record during floor consideration of H.R. 427.

Sincerely,

BOB GOODLATTE,
Chairman.

Mr. JOHNSON of Georgia. Mr. Chair, I yield myself such time as I may consume and rise in opposition to H.R. 427.

Mr. Chair, H.R. 427, the Regulations from the Executive in Need of Scrutiny Act of 2015, otherwise known as the REINS Act, would amend the Congressional Review Act to require that both Houses of Congress pass and the President sign a joint resolution of approval within 70 legislative days before any major rule issued by an agency can take effect.

Additionally, H.R. 427 imposes deadlines for the enactment of a joint resolution approving a major rule that could charitably be referred to as Byzantine.

Under new section 802, the House may only consider a major rule on the second and fourth Thursday of each month. Last year there were only 13 such days on the legislative calendar compared to the 80 major rules adopted in 2014.

Furthermore, under new section 801, Congress may only consider such resolutions within 70 legislative days of receiving a major rule. This process would constructively end rulemaking as we know it.

Now, Mr. Chair, the reason why my friends on the other side of the aisle contend that we need this kind of gumming-the-works legislation, which would result in the passage of no new regulations, is because these new regulations are stifling economic growth.

They point to the Obama administration and say that it is because of regulations enacted or promulgated and placed into operation under the Obama administration that has caused our economy to be at a point where they are saying we are not as economically vital as it should be.

What they are failing to tell the American people is that it was the George Bush Republican economic policies of the first part of this century that led to the Great Recession, the economic meltdown, the fact that there were not regulations that prohibited predatory lending, and other economic policies which contributed to the economic meltdown. They won't tell you it was because of the lack of regulation that caused that.

But, indeed, if you go back and talk to Alan Greenspan, who chaired the Federal Reserve and was a big antiregulatory capitalist, he had to come back after the Great Recession and admit that he was wrong.

His policies were those that contributed to the economic meltdown, which, despite horrendous opposition from the opposite side of the aisle against the

policies of Democrats and President Obama, they tried to obstruct those changes. But they were enacted and, as a result, America's economic recovery has been quite notable.

Corporate profits are up. Even though productivity is up and wages are steady, workers have not participated in the upswing in this election, even though jobs have been created for the last 65 straight months under the Obama administration.

But the wage growth has been stagnant, and it is because of the trickle-down Republican policies that have caused this. Now they want to blame the lack of monies in the pocketbooks and pockets of Americans, working people, on regulations.

Even if agencies reduce the number of major rules in contemplation of the bill's onerous requirements, Congress would still lack the expertise and policy justifications for refusing to adopt a major rule.

As over 80 of the Nation's leading professors on environmental and administrative law have noted in a letter to the Judiciary Committee earlier this year, without this expertise, any disapproval is, therefore, more likely to reflect the political power of special interests, a potential that would be magnified in light of the fast-track process.

Lastly, by upending the process for agency rulemaking so that Congress can simply void major rules through inaction, the REINS Act likely violates the presentment and bicameralism requirements of article I of the Constitution.

As Professor Ron Levin, a leading expert on administrative law, noted during the hearing on the REINS Act last Congress:

''The reality is that the act is intended to enable a single House of Congress to control the implementation of the laws through the rulemaking process. Such a scheme transgresses the very idea of separation of powers, under which the Constitution entrusts the writing of the laws to the legislative branch and the implementation of the laws to the executive branch.''

Indeed, as the Supreme Court noted in the landmark case INS v. Chada: ''The Constitution does not contemplate an active role for Congress in the supervision of officers charged with the execution of laws it enacts.''

The court also clarified that it was profound conviction of the Framers that the powers conferred on Congress were the powers to be most carefully circumscribed. By providing that no law could take effect without the concurrence of the prescribed majority of both Houses, the Framers reemphasized their belief that legislation should not be enacted unless it has been carefully and fully considered by the Nation's elected officials.

It defies credulity that so many of my Republican colleagues who so strongly oppose crony capitalism and hold the Framers' intent so dearly would support H.R. 427, which is a bald attempt by corporations and special interests to shield themselves from any oversight and, in the process, shred article I of the Constitution.

Furthermore, Speaker BOEHNER has also said that the Republican-led, do-nothing Congress, the most ineffective in modern history—and I will note that we are getting ready to adjourn tomorrow, a day early, for a 6-week adjournment with all of the work that remains for Congress to do.

Speaker BOEHNER also said that the Republican-led, do-nothing Congress, the most ineffective in modern history, should be judged by the number of laws it repeals, not the number of laws that it passes.

It therefore follows that this obstruct-at-any-cost approach would carry over to blocking the most critical agency rulemaking, thereby threatening agencies' ability to protect Americans' health, safety, well-being, and economic growth.

Who stands to gain from Republican obstructionism? Corporate giants that are holding our country hostage through a deregulatory agenda and political influence that would rival the industrial monopolies from the past century.

Unsurprisingly, it is many of the same corporations that are continuing to show record profit margins that are also pushing deregulation and fewer taxes because they have an ''obsession with short-term profits at the expense of long-term value creation,'' according to Henry Blodget, the CEO of Business Insider.

Unquestionably, H.R. 427 would be nothing short of a catastrophic event for the everyday Americans who stand to lose the most from the majority's myopic and reckless treatment of our Nation's regulatory system.

Mr. Chair, we need real solutions to help real people, not yet another thinly veiled handout to large corporations, not another messaging bill to take back to the district over the August recess.

We need legislation that creates middle class security and opportunity, and we need sensible regulations that protect American families from financial ruin, that encourage competition, that bring predatory financial practices to an end, legislation that brings the United States into conformity with the rest of the developed world's employment policies by guaranteeing paid sick and parental leave, legislation that increases our global competitiveness by creating an affordable higher education, and legislation that increases the minimum wage from a paltry $7.25 an hour.

I strongly urge my colleagues on both sides of the aisle to oppose H.R. 427, yet another deregulatory bill in the majority's business-focused, crony capitalist agenda.

I reserve the balance of my time.

Mr. COLLINS of Georgia. Mr. Chair, I have to agree with my friend from Georgia. I agree with him on his statement that this administration's recovery has been amazing. It has been amazingly bad.

I yield 2 minutes to the gentleman from Louisiana (Mr. SCALISE), the majority whip.

□ 1430

Mr. SCALISE. Mr. Chairman, if you look at what is happening in our economy right now, why the economy is struggling so badly through this Obama economy, it is because of radical regulations coming out of Washington.

Every time I go home and meet with small businesses in my district in southeast Louisiana, the common thread is that it is not the local business down the street that is the main threat to their business.

The main threat to small businesses throughout my district—and I hear it from my colleagues as well across the country—are the thousands and thousands of pages of these radical regulations that come out of these Federal agencies, unelected bureaucrats that are imposing, in essence, new law that is making it harder to create jobs in this country.

Hard-working taxpayers deserve a Federal Government that is more efficient, more effective, and more accountable; and that is what the REINS Act does, Mr. Chairman. The REINS Act forces real accountability in regulations that are coming out of Washington.

Whether it is the IRS or the EPA or the NLRB or HHS or CMS, the alphabet soup of Federal agencies that is crippling our economy with all of these regulations is what is holding our economy back.

Why not have a mechanism that says, if a rule is being proposed by a Federal agency by an unelected bureaucrat that is so important that it is going to have a major impact on our economy, shouldn't it at least go through the transparency of coming before the elected representatives of the people, Mr. Chairman?

Why not have these conversations on C–SPAN, not in the dark annals of some Federal bureaucratic agency in Washington, some unelected bureaucrat that is going to wake up one morning and say they are going to create a new law that is going to devastate our economy?

Shouldn't that at least go through public hearings? Shouldn't it have to be passed by the elected people in Congress who will be held accountable every 2 years for the consequences of those regulations?

Let's stop crippling our economy. Let's stop holding our economy back

with these radical regulations, Mr. Chairman. Let's pass the REINS Act and bring real accountability into the process of creating regulations in Washington.

Mr. JOHNSON of Georgia. Mr. Chairman, I yield 4 minutes to the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT of Virginia. Mr. Chairman, I rise in opposition to the bill. The REINS Act would create new obstacles to the promulgation of regulations designed to protect American workers' health and safety and to protect the environment.

It would jeopardize the economy by impeding regulations for financial services and throw sand in the gears of government efforts to address growing inequality and prevent discrimination.

Congress already has the right to disapprove any rule through the Congressional Review Act or through appropriations bills or other legislation. This bill would essentially impose a procedural chokehold by requiring that any major rule receive affirmative House and Senate approval within 70 legislative days.

As an example of the effect of this bill, we note that the Occupational Safety and Health Administration, OSHA, is in the process of updating a nearly 70-year-old standard to keep workers from contracting a progressive and frequently fatal lung disease called chronic beryllium disease.

In the 1940s, workers at the Atomic Energy Commission plants were contracting acute beryllium poisoning. To deal with the problem, two of their scientists sitting in the back of a taxicab on the way to a meeting agreed to set the beryllium exposure limit at 2 micrograms per cubic meter of air. Established back in 1948, that standard is still in place today and is often called ''the taxicab standard'' because there was no data supporting that number.

In 1975, the National Institute for Occupational Safety and Health advised OSHA to issue a new, more stringent protective standard. That effort faltered. Now, one cost of inaction is an estimated loss of 100 lives per year each year this new standard is delayed.

Another is the fact that we have to pay over $300 million in Federal compensation to workers and their survivors who have contracted chronic beryllium disease and who are employed by the Energy Department's contractors and vendors.

Today, over 100,000 workers are exposed to beryllium, and workers in my district are not alone in asking the government to be on their side. There is substantial stakeholder support from beryllium producers and labor representatives to cut the standard exposure limit by 90 percent.

Over the last 17 years, OSHA has worked to update that standard, based on numerous scientific studies and expert recommendations, and now, the new standard is working its way slowly through the regulatory process; and under the present laws and procedures, it still might be another year or two before the final rule is promulgated.

Despite overwhelming scientific evidence that this nearly 70-year-old standard fails to protect workers, there are still a few who object. By requiring a bicameral resolution of approval prior to the rule ever taking effect, this legislation will make it easier for a well-funded special interest group to block needed workplace protections.

The underlying bill does nothing but prioritize special interests above the protection of lives and limbs of American workers. I, therefore, urge a ''no'' vote on this bill.

Mr. COLLINS of Georgia. Mr. Chairman, I yield 5 minutes to the gentleman from Indiana (Mr. YOUNG), the author of this piece of legislation.

Mr. YOUNG of Indiana. Mr. Chairman, I would like to thank the leader and Chairman GOODLATTE for bringing H.R. 427 to the floor today.

I introduced the REINS Act because people in my home State of Indiana want to hold someone—someone—accountable for the job-killing rules and regulations coming out of Washington, D.C.

Each day, government agencies impose an average of 10 new regulations on America's businesses, both big and small. It is no surprise to discover that the costly, confusing government regulations that come out of this body—ObamaCare mandates, EPA regulations, or IRS tax penalties—are exciting some feedback from my constituents.

In fact, the collateral damage wrought by Federal Government regulations is consistently cited as one of the biggest barriers to business creation and expansion and growth in household income in this country.

One Indiana businessowner, who employs 16 family men and women in Floyd County, recently called my office. He wanted to know who had voted in support of a peculiar new IRS rule that is going to penalize him if he helps his employees pay for health insurance.

Now, this IRS rule can cost employers more than $36,000 per employee per year if they continue to offend the sensibilities of Washington's regulating class by reimbursing workers for healthcare coverage.

As the son of a small-business owner and someone who hears a lot from local businesses back in Indiana about their challenges, about their opportunities, I know how costly regulations impact the small company's bottom line.

While this broad, new IRS rule will undoubtedly have a major impact on smaller enterprises across the Nation, it was written by unelected, unaccountable regulators here in Washington, D.C. It never came before Congress for an up-or-down vote.

That is what the REINS Act is all about. It is about holding officials at Federal agencies and the Congress of the United States accountable for the harmful regulations drummed up each year, regulations which are laws in everything but name. They hurt American jobs and wages when they are implemented, and they need an additional filter of accountability here in the people's House.

Who should be held responsible, I would ask opponents of this legislation, for these rules that have a $100 million-plus impact on our economy if not the people's elected representatives in Congress? For too long, Congress has delegated much of its constitutional authority to executive agencies here in Washington, D.C. This has empowered unelected Federal officials to implement sweeping rules and regulations that are often ineffective, redundant, counterproductive, and costly.

Consider the impact of such rules on another business in my home district in Indiana. It is a local farming operation. When we add up the impact of county, State, and Federal regulations, these Hoosier farmers must meet hundreds of reporting requirements dictated by an alphabet soup of different government agencies—EPA, USDA, HHS, IRS, NLRB. It goes on and on and on. It is mind numbing, really.

The burden on their operation and its ability to grow and compete has been punishing. For example, one regulation alone requires them to treat water left over from cracking eggs like industrial waste. It costs hundreds of thousands of dollars each year for this business in consulting and equipment fees just in compliance costs.

Now, with the EPA assuming broad new authority over bodies of water in the United States, these farmers are taking more time and resources away from their farm to track these ill-defined WOTUS regulations coming down the pike.

Now, America's job creators will tell you the future is uncertain. Our rulemaking process is out of the people's control. It needs to be reined in. Wouldn't it make sense for small-business owners and farmers to have a larger voice, to be given a bigger say in the rulemaking process, especially when regulations can dictate whether their business succeeds or fails?

That is exactly what my legislation, the REINS Act, provides. It gives the job creators and the American people a voice. It injects a measure of accountability back into the democratic process. The REINS Act requires that Congress must approve any new major rule proposed by the executive branch before it can be enforced on the American people.

Remember, our small businesses are our Nation's economic engine. They represent 99.7 percent of all national employers, 56.1 million of our Nation's

private workforce. Small and family-owned businesses, new startups, and entrepreneurs create two-thirds of all job growth in the United States.

Meanwhile, small businesses spend an estimated $10,500 per employee to comply with Federal regulations. It is no wonder that, for the first time in 35 years, more American companies are being destroyed than they are being created each year.

The CHAIR. The time of the gentleman has expired.

Mr. COLLINS of Georgia. I yield an additional 1 minute to the gentleman.

Mr. YOUNG of Indiana. Compliance with costly Federal regulations leads to higher consumer costs, lower take-home pay, and even reduced hiring.

A businessowner who owns a parts manufacturing company in Wabash, Indiana, summed it up best. From his standpoint, when it comes to the vast array of rules and regulations his company must follow, they are not only onerous; they add zero value to his business, and they put him at a competitive disadvantage to foreign competition.

We could, frankly, spend a lot more time than today here on the floor going through each of the different challenges with our Federal regulation system, but in the end, Congress needs to be forced to account for the regulations resulting from our sweeping legislation like ObamaCare and Dodd-Frank.

The REINS Act accomplishes this objective. The REINS Act, like the Hoosiers I represent, demands accountability. I commend it to the consideration of all my colleagues.

Mr. JOHNSON of Georgia. Mr. Chairman, I yield myself such time as I may consume.

I often hear my colleagues on the other side of the aisle repeat false information, and it is unfortunate that it would be perpetrated that economic growth has been hurt because of an explosion of regulations during the Obama administration.

I will be the first to admit that, with the historic passage of the Affordable Care Act, which has enabled 16 million Americans to now have access to the healthcare system—16 million people—it could have been more if the policies had not been obstructed so much; if we hadn't had 50-plus votes to do away with the Affordable Care Act, we would have more people having access to the healthcare system in this country, but bringing that many people into the healthcare system and actually changing the healthcare system required new regulations, and so people have been trying, for 75 to 100 years, to establish health care for everyone in this country.

The Affordable Care Act was the closest that we could come to that ideal, but it was a transformational bill, and it did require new regulations to nurture it and to get it to this point, which has been a complete success, despite all opposition.

□ 1445

And then we had the Dodd-Frank legislation that was passed as a result of the Great Recession, which was caused by a lack of regulation.

So we had regulations that had to come forth as a result of the passage of that legislation to protect the health, safety, and financial well-being of everyday Americans. And so with that act having passed and controls put on excessive speculation in the financial services industry, we have seen economic growth. That is the bottom line. We had 64 straight months of private sector job growth. That is 12.8 million private sector jobs created amidst a regulatory system that is proworker, proenvironment, prohealth and prosafety, and proinnovation. That is a significant accomplishment.

I reserve the balance of my time.

Mr. COLLINS of Georgia. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio (Mr. CHABOT), the chairman of the Small Business Committee and a fighter for small businesses and the families that they represent.

Mr. CHABOT. Mr. Chairman, I thank the gentleman for yielding.

Before I get into my prepared remarks, I have to respond to my good friend from Georgia's comments about the Affordable Care Act, which many have come to start referring to as the ''Unaffordable Care Act'' or ''ObamaCare,'' as most people refer to it.

There certainly was a need to help some of those folks who didn't have insurance, and there were ways of doing that. By passage of this legislation, we have adversely, negatively impacted, I think, far more Americans than we have helped. We have seen Americans' rates go up, deductibles go up, premiums go up, and they are getting less quality health care for that. So it has been a disaster for many Americans, and a lot of it is still unfolding.

And then, on Dodd-Frank, which the gentleman also mentioned, what we have seen as a result of that—and I happen to be the chair of the Small Business Committee, as was mentioned—one of small businesses' greatest challenges is access to capital, getting money so that they can grow or start a business or grow an existing business and create more jobs.

Because of Dodd-Frank, we got a whole new army of bureaucrats looking over the shoulders of banks—and the smaller banks, too, like community banks, who had nothing to do with this so-called economic meltdown. Bureaucrats are looking over the shoulders of credit unions, making it tougher for them to make loans to small businesses.

So those two pieces of legislation, which many of my friends on the other side of the aisle are proud of, I think have been disastrous for this country.

Getting to this particular piece of legislation, half of America is employed by small businesses. In fact, 70 percent of the new jobs created in this economy are created by small businesses. Families rely on small businesses to put food on the table and a roof over their heads. They are very critical to the American community and to our American economy.

There is not a small-business owner I know who thinks that the government creates job, but they do know that government can keep them from creating jobs. It does it with one-size-fits-all regulations. It does it by perpetuating uncertainty and increasing barriers to success.

The CHAIR. The time of the gentleman has expired.

Mr. COLLINS of Georgia. I yield the gentleman an additional 1 minute.

Mr. CHABOT. Mr. Chairman, I thank the gentleman.

The REINS Act forces government to think before it acts. It protects the American people by ensuring that those that they elected get a say in major regulations—not all regulations, just regulations that would have a significant impact on the economy.

Some may falsely claim that this bill is about deregulation. It is not. It is about accountability. It is about making government think before it acts. And if it chooses to act, the American people can hold their elected representatives—us—accountable for making that decision, not some nameless, faceless bureaucracy, but their elected representatives. That is what this is all about. It is commonsense legislation.

I commend the gentleman from Indiana for offering this. I also want to thank the gentleman from Georgia for handling this on the floor today.

The REINS Act is a good piece of legislation. I urge my colleagues to support it.

Mr. JOHNSON of Georgia. I would inquire as to how much time remains on both sides.

The CHAIR. The gentleman from Georgia (Mr. JOHNSON) has 13 minutes remaining. The gentleman from Georgia (Mr. COLLINS) has 14 minutes remaining.

Mr. JOHNSON of Georgia. I reserve the balance of my time.

Mr. COLLINS of Georgia. I yield 2 minutes to the gentleman from Texas (Mr. FARENTHOLD), another fighter for his district and those who are affected by regulation.

Mr. FARENTHOLD. Mr. Chairman, the Constitution vests all legislative powers in Congress. Unfortunately, past Members of this institution have given away a lot of that power to government agencies like the EPA, the Department of Health and Human Services, and an alphabet soup of agencies. President Obama is using his pen and

telephone to talk to the ideologues who work in and run these agencies to change laws, to make laws without coming to Congress. Unelected, faceless Federal bureaucrats are making regulations that have the force of law, not elected representatives of the people.

There are reams of rules. There are so many rules out there, I bet the average person can't go a couple of hours without violating a rule or regulation they probably don't even know about.

The REINS Act is a great first step in reining in these job-killing regulations. The legislation before us is important to America. The REINS Act brings accountability back to the system.

When a regulation with an economic impact of more than $100 million comes out of one of these agencies, it has got to be approved by Congress. That is our job; the Constitution says so, the people who elected us to make laws. And the people will hold us accountable for those laws if they are bad laws.

How do you hold a faceless Federal bureaucrat accountable? We have seen through the VA that it is practically impossible to fire one of these bureaucrats. But every 2 years you have got the opportunity to fire somebody in this House, and every 6 years you have the opportunity to fire somebody on the other side.

Let Congress do the job the Founding Fathers intended. Put the people's representatives back in charge. Follow the Constitution.

The gentleman from Georgia (Mr. JOHNSON) made a great point when he was reading through the Supreme Court decision talking about the constitutional responsibility of this branch of government to make the laws. That is what the REINS Act does. It gives us back the power.

Another gentleman on the other side spoke about the taxicab standard, how it came up in a taxicab and how this random regulation has been law for years. If the REINS Act had been in effect, that would have come before Congress, and we could have asked the question: Where is the science behind that?

It would have worked then, and it will work when we pass it now.

Mr. JOHNSON of Georgia. Mr. Chairman, I reserve the balance of my time.

Mr. COLLINS of Georgia. Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania (Mr. ROTHFUS).

Mr. ROTHFUS. Mr. Chairman, I rise today in strong support of the REINS Act.

For far too long, Congress has allowed unelected Federal bureaucrats to take responsibility for the policymaking in this town. Too often, these unaccountable individuals in Washington make decisions that affect the daily lives of western Pennsylvanians with little regard for how they impact one's livelihood and family.

For instance, we learned a month ago in a Supreme Court decision that one agency, the EPA, failed to appropriately consider the costs and benefits of its MATS proposal, which is estimated to cost $9 billion, with a benefit of only $4 million to $6 million.

Solid, middle class jobs like those in some parts of the energy industry and in my district are being regulated right out of existence. More broadly, consider that in 2015, thus far, more than 150 regulations have been finalized, with total costs exceeding $60 billion and more than 10 million hours of paperwork.

It is this unaccountable culture that hinders the very job creation and economic growth we need in cities and towns across America that will provide opportunities for Americans to get back in the game and to get this country back on track.

There is a bigger issue here, Mr. Chairman, and that is what is represented in this bill. It goes to the constitutional structure of our government, where we are supposed to have an executive branch that is supposed to enforce the law, a legislative branch that makes the law, and a judicial branch that adjudicates the law.

For close to 100 years, this body has ceded responsibility for making laws to the executive branch. This bill is a start towards restoring the proper structure of government and accountability.

When regulations are passed that people don't agree with, there is no way to hold those regulators accountable; but if Congress had a say, you could hold Congress accountable. This is what self-government is all about.

I reflect on 34 years ago, when a certain gentleman spoke on the west front of this Capitol and had these words to say: ''From time to time we've been tempted to believe that society has become too complex to be managed by self-rule, that government by an elite group is superior to government for, by, and of the people. Well, if no one among us is capable of governing himself, then who among us has the capacity to govern someone else?''

I thank Mr. YOUNG and the committee for its work on the REINS Act.

I urge my colleagues to support this bill as a means to restoring the original, proper constitutional structure of who is responsible for the laws that come out of this town. You would think that Members of Congress would want to take credit for good regulations and protect people from bad regulations. Again, that is what this legislation does.

Mr. JOHNSON of Georgia. Mr. Chairman, I yield myself such time as I may consume.

The economic elites who are the patrons of many of my friends across the aisle believe in trickle-down economics, which George Herbert Walker Bush termed to be ''voodoo economics.''

My friends believe that when you put a quarter in the pocket of a rich man, there is a hole in that pocket and the quarter trickles down and falls out into nickles and dimes and is distributed to the waiting working class people of the country. They believe that is how the economy works: give the rich the money, let them operate in an unregulated environment, and then somehow, magically, the economy trickles down to those waiting at the bottom of the scale waiting for some kind of a handout.

That is not how our economy works. It works from the ground up. It works with people going to work, making a decent wage, delivering services for a period of time—8 hours a day, that is a regulation; 40 hours a week, that is a regulation. We didn't used to have those during times when people were predominantly poor, and the Nation was poor as a result; but due to these regulations like the minimum wage, the 40-hour workweek, the health and safety regulations on the job, we were able to build a middle class in this country that sustained us up until the time when Ronald Reagan won the Presidency and established the current climate of trickle-down economics.

We have seen during that time what has happened is the rich have gotten richer and the poor have gotten poorer. The working poor have had less to work with and the middle class has been squeezed so that there are not as many working middle class people as there were once before.

So the REINS Act is a gift to the economic elites who have had their way with the economy for the last 40 years. They want to stab the heart of the American economy now by passing this act, the REINS Act, which would not deregulate, but it would stop all future regulations from coming to the fore. That is something that America does not need.

So I am going to urge my colleagues at the appropriate time to oppose this legislation and oppose voodoo economics, oppose trickle-down economics.

I reserve the balance of my time.

□ 1500

Mr. GOODLATTE. Mr. Chairman, I yield myself 30 seconds to just say that the fact of the matter is we are not talking about voodoo economics here. We are talking about representative democracy.

The American people elect their Representatives from 435 congressional districts; 50 States elect their Senators, and they send us to Washington, D.C., to write the laws of the land.

The laws that the gentleman referred to were all written by the United States Congress, signed into law by various Presidents. Then those laws are turned into regulations, and that is where there is no more representative democracy.

The bureaucracy that writes the regulations has no accountability. They write regulations that cost too much, that strangle the job creation that we both—the gentleman from Georgia and I would like to see greater job creation and more jobs for the middle class in this country.

The CHAIR. The time of the gentleman has expired.

Mr. GOODLATTE. Mr. Chairman, I yield myself an additional 15 seconds.

This bill is about restoring representative democracy to the American people and fairness to the American people and protecting their economy and protecting their jobs by making sure that bureaucrats are held accountable and send those regulations back to the Congress for an up-or-down vote that, yes, those regulations comport with what the Congress intended when they wrote the law—or don't comport.

If they comport, they take effect; if they don't, they don't take effect.

Mr. Chairman, I yield 3 minutes to the gentleman from West Virginia (Mr. JENKINS).

Mr. JENKINS of West Virginia. Mr. Chairman, I stand today in strong support of the REINS Act of 2015.

The gentleman from Georgia said, in opposition to this bill just a few moments ago, that we should be opposed to it, because ''it would end rulemaking as we know it.''

What a great statement on why we should vote for the REINS Act because that is exactly what we are trying to do. We must end rulemaking as we know it.

I am proud to cosponsor this bill because I know, firsthand, how this administration's overbearing regulatory policies have devastated my State, West Virginia; its businesses; its workers; its fundamental way of life. The people of West Virginia's Third District deserve better. All West Virginians deserve better. All Americans deserve better.

The Economist recently estimated that Federal regulations cost our Nation more than $1.8 trillion per year. In West Virginia, for example, the EPA has implemented sweeping rules and regulations that have driven out thousands of good-paying jobs, reduced demand for West Virginia coal, and raised energy prices for all Americans.

This administration is out of touch with our Nation's hard-working families. This bill, the REINS Act, will protect our communities, small businesses, and workers from the administration's crushing regulatory onslaught.

I strongly urge my colleagues to vote in support.

Mr. JOHNSON of Georgia. Mr. Chairman, I yield myself such time as I may consume.

My colleagues have repeatedly argued to the fact that—or to the allegation that the rate of Federal regulations is growing, but a recent report by the nonpartisan Congressional Research Service reported that the length of the Code of Federal Regulations has no bearing on the scope or impact of Federal regulation.

In other words, just because the volume of paper is growing, they want to argue that this means that there is an onslaught, an explosion of Federal regulations.

As I pointed out earlier, yes, there have been new regulations having to do with Dodd-Frank, which protects us from another economic meltdown that we suffered under the Bush administration, and also the Affordable Care Act, which has enabled 16 million Americans to have access to the healthcare system who did not have it prior to the passage of the Affordable Care Act.

This argument that regulations are killing us is nonfactual.

I reserve the balance of my time.

Mr. GOODLATTE. Mr. Chairman, I have only one speaker remaining, and I reserve the balance of my time.

Mr. JOHNSON of Georgia. Mr. Chairman, I yield myself such time as I may consume.

I will close and just say that this debate has been about whether or not we need a law that would stop Federal rulemaking in its tracks.

This debate has been about whether or not, as we move forward into the future, as society advances, as technology takes us to places where we have never been before, as medical care and breakthroughs in the ability to keep people alive, as that explodes, as things change, as they do in the annals of human history, the question is whether or not we are going to have a Federal bureaucracy that keeps up with the change and keeps up with the need for an implementation regimen to enact or see that the laws that are enacted by Congress can, in fact, be accomplished.

With no regulations to support the measures that Congress passes—but I will note that this Congress doesn't pass much, but that is what we are here for, to keep up with change and to legislate, so that change is good for Americans, their health, safety, and well-being.

When we do that, if we have a regulatory regime that is gummed up and inoperable, then it hurts America's ability to compete in this global marketplace. It hurts America's economy to be an economy where all people can share in the prosperity of it.

This is what this debate has been about. Are we going to change America? Are we going to throw out the Administrative Procedure Act, which has been an orderly way and predictable way for regulations to be promulgated and placed into effect?

Are we going to do away with that and then subject that rulemaking process to a dysfunctional process like we have here in Congress today, where we can't even pass the Export-Import Bank legislation—which, by the way, you say, government does not create jobs, but there will be government jobs lost as a result of us going home early without having passed the Export-Import Bank reauthorization.

Government does create jobs, and we are going to lose tens of thousands of jobs because of our inability or our refusal to bring a measure to the floor which has the votes—bipartisan votes—to pass this Chamber and which has already passed the Senate in a transportation bill.

We are going to go home without having done that, and I will tell you we will go home without having—if this legislation passes, we will go home without passing a single regulation, and government will be gummed up. Who will prosper? It is the economic elites who make money, regardless.

I will call on my colleagues to oppose this legislation, and I yield back the balance of my time.

Mr. GOODLATTE. Mr. Chairman, I yield myself the balance of my time.

During this debate, my friends on the other side of the aisle have raised quite a few false alarms.

If this bill passes, why, all important regulations will stop, they say; but that is not true. All regulation that is worthy of Congress' approval will continue.

If this bill passes, why, expert decisionmaking will stop because Congress will have the final say on new major regulations, not Washington bureaucrats; but that is not true. Congress will have the benefit of the best evidence and arguments expert agencies can offer in support of their new regulations.

Congress is capable of determining whether that evidence and those arguments are good or not and deciding what finally will become law. That is the job our Founding Fathers entrusted to us in the Constitution. We should not shirk from it.

I will tell you, though, what will stop if this bill becomes law is the endless avalanche of new, major regulations that do not deserve Congress' approval because they impose massive, unjustified costs that crush jobs, crush wages, and crush the spirits of America's families and small-business owners.

Think about what that will mean to real Americans suffering the real burdens of the Obama administration's overreaching regulations. Let me tell you about some of them who have testified before the Judiciary Committee.

Think of Rob James, a city councilman from Avon Lake, Ohio, a small town that has faced devastation by ideologically driven, anti-fossil fuel power plant regulations.

These regulations were expected to destroy jobs in Avon Lake, harm Avon Lake's families, and make it even

harder for Avon Lake to find the resources to provide emergency services, quality schools, and help for its neediest citizens—all while doing comparatively little to control mercury emissions that were the stated target of the regulations.

The Supreme Court just invalidated those regulations, but not before multiple years of job-crushing compliance costs had to be borne by those who challenged the rules.

Think of Bob Sells, from my district. He runs a Virginia-based division of a heavy construction materials producer. His company and its workers were harmed by EPA cement kiln emission regulations that were technically unattainable and vastly changed from what the EPA proposed for public comment, other EPA emission regulations that were stricter than needed to protect health, gerrymandered to impose expensive controls on other types of emissions, and that prohibited commonsense uses of cheap and safe fuel that could eventually help the environment and the Department of Transportation regulations that, without increasing safety, vastly increased recordkeeping for ready-mix concrete drivers, unnecessarily limited their hours, and suppressed their wages.

This is what the REINS Act will stop: overreaching, unjustified, immensely costly regulation that, unless Congress stands up to protect the American people, this administration will continue to load on to the backs of struggling American families and small-business owners.

Support the American people. Support the REINS Act.

I yield back the balance of my time.

Mr. BABIN. Mr. Chair, as a cosponsor of H.R. 427 I rise in strong support of the REINS Act.

Our bill is imperative to ensuring that federal agencies, and those in the White House, are held accountable for the expensive and intrusive regulations they are imposing on the American people.

The REINS Act simply requires an up or down vote by Congress on any costly regulation proposed by a federal agency before it is allowed to take effect.

This is a common sense check on regulators who too often ignore the impact of their job-killing regulations.

The United States was founded on the principle of separation of powers, a system that exists to protect the people from the unchecked, unilateral actions of a faceless bureaucracy.

Unfortunately, the current Administration has issued regulations at record levels and ventured into new regulatory areas that go far beyond the originally authorized regulatory authority.

The non-partisan Congressional Budget Office estimates that over the last five years, the Obama Administration has issued 82 ''major rules''—or rules with more than $100 million in economic impact—each year.

Bureaucratic red tape and costly mandates have forced small businesses to close up shop, have resulted in other businesses laying off workers and have made U.S. businesses less competitive.

America's job-creators and small businesses are the lifeblood of our communities, and our economy, and we cannot stand by and let them be overrun by rules and regulations. It's time to rein in the regulators and bring some accountability to their unchecked power.

The American people deserve a government that is both accountable for their actions and one that operates under a structure meant to protect their freedoms.

I believe it's time that we stand up and put a stop to this abuse of power, and the REINS Act is a critical step towards the achievement of that goal.

I'm standing with hard-working Americans, the nation's small businesses and America's job-creators. Let's pass H.R. 427 and restore common sense in our government.

Mr. BLUM. Mr. Chair, I rise today support of H.R. 427, the Regulations from the Executive in Need of Scrutiny (REINS) Act of 2015.

In the two terms of the Obama Administration thus far, the Executive Branch has issued increasingly costly regulations on a variety of issues, without much thought to the devastating effects on the economy.

The REINS Act would give Congress, and therefore the people, the power to determine whether all major regulations that have an estimated economic impact of over $100 million, significant adverse effects on employment, or a major increase in costs for consumers take effect. This would return Congress to a proper role of oversight.

As a small businessman, I know firsthand the crippling impact of an overzealous federal government. The REINS Act would finally empower members of Congress to engage in the rulemaking process and return our regulatory scheme to a common sense one that promotes economic growth, creates jobs, and increases wages for working families in the First District of Iowa while protecting our natural resources, environment, and health.

I look forward to working with my colleagues in the Senate to enact this pro-growth legislation that assists job creators across my district and across America.

Ms. SEWELL of Alabama. Mr. Chair, yesterday, the House voted on H.R. 427, Regulations from the Executive in Need of Scrutiny Act of 2015. I was unavoidably detained, but if I had been present, I would have opposed this legislation. While the bill claims to accomplish well-meaning goals such as increasing ''accountability for and transparency in the federal regulatory process,'' it only threatens the historic separation of legislative and executive powers.

By requiring a joint resolution of approval from Congress before any ''major'' rules set forth by a federal agency come into effect, the REINS act attempts to undermine executive power and expand congressional regulatory authority. This partisan bill is a thinly vailed attempt to score political points by attacking the Obama Administration. And as Republican leaders take another ideological swipe at the Obama administration, a number of more pressing issues go unaddressed, especially as we leave for our District Work Period.

Second-guessing agency standards and rules that are supposed to be governed by Congressional laws is not only redundant but is reflective of the Republican's relentless pursuit of removing important and necessary regulations. Given that the bill also has a 70-day requirement to approve any new standards, the potential for delays in enacting public safeguards is steep, particularly if bipartisan coalitions can't quickly draft joint resolutions.

We have seen efforts to push this legislation through three times previously, and each time it has failed to pass both houses. I urge my fellow Members of Congress to reject this harmful piece of legislation once more.

Mr. VAN HOLLEN. Mr. Chair, I rise today in opposition to H.R. 427, the so-called ''Regulations from the Executive in Need of Scrutiny (REINS) Act of 2015.''

The REINS Act is yet another attempt by House Republicans to limit the ability of federal agencies to enforce commonsense rules and regulations. This legislation would require Congressional approval before an agency can issue any major new rule. Congress relies on agencies to promulgate rules, because they have expertise in a given area. However, this bill would require that congressional politics play a part in deciding complicated rules and regulations. As a result, this legislation is designed to protect special interests while undermining the ability of federal agencies from doing their jobs and working to ensure there are safeguards in place to protect the public's health and safety.

Moreover, Congress already has considerable power to review and reject the rules issued by executive agencies. For the past two decades, Congress has had the authority to pass a joint resolution disapproving any rule within 60 days of receiving the rule. If the President signs the resolution of disapproval, the regulation is not implemented. In addition, President Obama has implemented significant reforms to the rulemaking process. In January 2010, he signed an Executive Order requiring agencies to determine if the benefits of proposed rules are justified considering their cost to society.

At a time when Congress should be doing everything it can to create jobs and improve the economy, this bill is nothing but a distraction. I urge my colleagues to oppose this legislation.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule the amendment in the nature of a substitute recommended by the Committee on the Judiciary, printed in the bill, modified by the amendment printed in part A of House Report 114–230. That amendment in the nature of a substitute shall be considered as read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 427

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Regulations from the Executive in Need of Scrutiny Act of 2015''.

SEC. 2. PURPOSE.

The purpose of this Act is to increase accountability for and transparency in the Federal regulatory process. Section 1 of article I of the United States Constitution grants all legislative powers to Congress. Over time, Congress has excessively delegated its constitutional charge while failing to conduct appropriate oversight and retain accountability for the content of the laws it passes. By requiring a vote in Congress, the REINS Act will result in more carefully drafted and detailed legislation, an improved regulatory process, and a legislative branch that is truly accountable to the American people for the laws imposed upon them.

SEC. 3. CONGRESSIONAL REVIEW OF AGENCY RULEMAKING.

Chapter 8 of title 5, United States Code, is amended to read as follows:

"CHAPTER 8—CONGRESSIONAL REVIEW OF AGENCY RULEMAKING

''Sec.
''801. Congressional review.
''802. Congressional approval procedure for major rules.
''803. Congressional disapproval procedure for nonmajor rules.
''804. Definitions.
''805. Judicial review.
''806. Exemption for monetary policy.
''807. Effective date of certain rules.

"§ 801. Congressional review

''(a)(1)(A) Before a rule may take effect, the Federal agency promulgating such rule shall submit to each House of the Congress and to the Comptroller General a report containing—

''(i) a copy of the rule;

''(ii) a concise general statement relating to the rule;

''(iii) a classification of the rule as a major or nonmajor rule, including an explanation of the classification specifically addressing each criteria for a major rule contained within sections 804(2)(A), 804(2)(B), and 804(2)(C);

''(iv) a list of any other related regulatory actions intended to implement the same statutory provision or regulatory objective as well as the individual and aggregate economic effects of those actions; and

''(v) the proposed effective date of the rule.

''(B) On the date of the submission of the report under subparagraph (A), the Federal agency promulgating the rule shall submit to the Comptroller General and make available to each House of Congress—

''(i) a complete copy of the cost-benefit analysis of the rule, if any;

''(ii) the agency's actions pursuant to sections 603, 604, 605, 607, and 609 of this title;

''(iii) the agency's actions pursuant to sections 202, 203, 204, and 205 of the Unfunded Mandates Reform Act of 1995; and

''(iv) any other relevant information or requirements under any other Act and any relevant Executive orders.

''(C) Upon receipt of a report submitted under subparagraph (A), each House shall provide copies of the report to the chairman and ranking member of each standing committee with jurisdiction under the rules of the House of Representatives or the Senate to report a bill to amend the provision of law under which the rule is issued.

''(2)(A) The Comptroller General shall provide a report on each major rule to the committees of jurisdiction by the end of 15 calendar days after the submission or publication date. The report of the Comptroller General shall include an assessment of the agency's compliance with procedural steps required by paragraph (1)(B) and an assessment of whether the major rule imposes any new limits or mandates on private-sector activity.

''(B) Federal agencies shall cooperate with the Comptroller General by providing information relevant to the Comptroller General's report under subparagraph (A).

''(3) A major rule relating to a report submitted under paragraph (1) shall take effect upon enactment of a joint resolution of approval described in section 802 or as provided for in the rule following enactment of a joint resolution of approval described in section 802, whichever is later.

''(4) A nonmajor rule shall take effect as provided by section 803 after submission to Congress under paragraph (1).

''(5) If a joint resolution of approval relating to a major rule is not enacted within the period provided in subsection (b)(2), then a joint resolution of approval relating to the same rule may not be considered under this chapter in the same Congress by either the House of Representatives or the Senate.

''(b)(1) A major rule shall not take effect unless the Congress enacts a joint resolution of approval described under section 802.

''(2) If a joint resolution described in subsection (a) is not enacted into law by the end of 70 session days or legislative days, as applicable, beginning on the date on which the report referred to in section 801(a)(1)(A) is received by Congress (excluding days either House of Congress is adjourned for more than 3 days during a session of Congress), then the rule described in that resolution shall be deemed not to be approved and such rule shall not take effect.

''(c)(1) Notwithstanding any other provision of this section (except subject to paragraph (3)), a major rule may take effect for one 90-calendar-day period if the President makes a determination under paragraph (2) and submits written notice of such determination to the Congress.

''(2) Paragraph (1) applies to a determination made by the President by Executive order that the major rule should take effect because such rule is—

''(A) necessary because of an imminent threat to health or safety or other emergency;

''(B) necessary for the enforcement of criminal laws;

''(C) necessary for national security; or

''(D) issued pursuant to any statute implementing an international trade agreement.

''(3) An exercise by the President of the authority under this subsection shall have no effect on the procedures under section 802.

''(d)(1) In addition to the opportunity for review otherwise provided under this chapter, in the case of any rule for which a report was submitted in accordance with subsection (a)(1)(A) during the period beginning on the date occurring—

''(A) in the case of the Senate, 60 session days, or

''(B) in the case of the House of Representatives, 60 legislative days,

before the date the Congress is scheduled to adjourn a session of Congress through the date on which the same or succeeding Congress first convenes its next session, sections 802 and 803 shall apply to such rule in the succeeding session of Congress.

''(2)(A) In applying sections 802 and 803 for purposes of such additional review, a rule described under paragraph (1) shall be treated as though—

''(i) such rule were published in the Federal Register on—

''(I) in the case of the Senate, the 15th session day, or

''(II) in the case of the House of Representatives, the 15th legislative day,

after the succeeding session of Congress first convenes; and

''(ii) a report on such rule were submitted to Congress under subsection (a)(1) on such date.

''(B) Nothing in this paragraph shall be construed to affect the requirement under subsection (a)(1) that a report shall be submitted to Congress before a rule can take effect.

''(3) A rule described under paragraph (1) shall take effect as otherwise provided by law (including other subsections of this section).

"§ 802. Congressional approval procedure for major rules

''(a)(1) For purposes of this section, the term 'joint resolution' means only a joint resolution addressing a report classifying a rule as major pursuant to section 801(a)(1)(A)(iii) that—

''(A) bears no preamble;

''(B) bears the following title (with blanks filled as appropriate): 'Approving the rule submitted by _____ relating to _____.';

''(C) includes after its resolving clause only the following (with blanks filled as appropriate): 'That Congress approves the rule submitted by _____ relating to _____.'; and

''(D) is introduced pursuant to paragraph (2).

''(2) After a House of Congress receives a report classifying a rule as major pursuant to section 801(a)(1)(A)(iii), the majority leader of that House (or his or her respective designee) shall introduce (by request, if appropriate) a joint resolution described in paragraph (1)—

''(A) in the case of the House of Representatives, within three legislative days; and

''(B) in the case of the Senate, within three session days.

''(3) A joint resolution described in paragraph (1) shall not be subject to amendment at any stage of proceeding.

''(b) A joint resolution described in subsection (a) shall be referred in each House of Congress to the committees having jurisdiction over the provision of law under which the rule is issued.

''(c) In the Senate, if the committee or committees to which a joint resolution described in subsection (a) has been referred have not reported it at the end of 15 session days after its introduction, such committee or committees shall be automatically discharged from further consideration of the resolution and it shall be placed on the calendar. A vote on final passage of the resolution shall be taken on or before the close of the 15th session day after the resolution is reported by the committee or committees to which it was referred, or after such committee or committees have been discharged from further consideration of the resolution.

''(d)(1) In the Senate, when the committee or committees to which a joint resolution is referred have reported, or when a committee or committees are discharged (under subsection (c)) from further consideration of a joint resolution described in subsection (a), it is at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) for a motion to proceed to the consideration of the joint resolution, and all points of order against the joint resolution (and against consideration of the joint resolution) are waived. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is

agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the joint resolution is agreed to, the joint resolution shall remain the unfinished business of the Senate until disposed of.

''(2) In the Senate, debate on the joint resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 2 hours, which shall be divided equally between those favoring and those opposing the joint resolution. A motion to further limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the joint resolution is not in order.

''(3) In the Senate, immediately following the conclusion of the debate on a joint resolution described in subsection (a), and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the Senate, the vote on final passage of the joint resolution shall occur.

''(4) Appeals from the decisions of the Chair relating to the application of the rules of the Senate to the procedure relating to a joint resolution described in subsection (a) shall be decided without debate.

''(e) In the House of Representatives, if any committee to which a joint resolution described in subsection (a) has been referred has not reported it to the House at the end of 15 legislative days after its introduction, such committee shall be discharged from further consideration of the joint resolution, and it shall be placed on the appropriate calendar. On the second and fourth Thursdays of each month it shall be in order at any time for the Speaker to recognize a Member who favors passage of a joint resolution that has appeared on the calendar for at least 5 legislative days to call up that joint resolution for immediate consideration in the House without intervention of any point of order. When so called up a joint resolution shall be considered as read and shall be debatable for 1 hour equally divided and controlled by the proponent and an opponent, and the previous question shall be considered as ordered to its passage without intervening motion. It shall not be in order to reconsider the vote on passage. If a vote on final passage of the joint resolution has not been taken by the third Thursday on which the Speaker may recognize a Member under this subsection, such vote shall be taken on that day.

''(f)(1) If, before passing a joint resolution described in subsection (a), one House receives from the other a joint resolution having the same text, then—

''(A) the joint resolution of the other House shall not be referred to a committee; and

''(B) the procedure in the receiving House shall be the same as if no joint resolution had been received from the other House until the vote on passage, when the joint resolution received from the other House shall supplant the joint resolution of the receiving House.

''(2) This subsection shall not apply to the House of Representatives if the joint resolution received from the Senate is a revenue measure.

''(g) If either House has not taken a vote on final passage of the joint resolution by the last day of the period described in section 801(b)(2), then such vote shall be taken on that day.

''(h) This section and section 803 are enacted by Congress—

''(1) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such is deemed to be part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a joint resolution described in subsection (a) and superseding other rules only where explicitly so; and

''(2) with full recognition of the Constitutional right of either House to change the rules (so far as they relate to the procedure of that House) at any time, in the same manner and to the same extent as in the case of any other rule of that House.

''§ 803. Congressional disapproval procedure for nonmajor rules

''(a) For purposes of this section, the term 'joint resolution' means only a joint resolution introduced in the period beginning on the date on which the report referred to in section 801(a)(1)(A) is received by Congress and ending 60 days thereafter (excluding days either House of Congress is adjourned for more than 3 days during a session of Congress), the matter after the resolving clause of which is as follows: 'That Congress disapproves the nonmajor rule submitted by the _____ relating to _____, and such rule shall have no force or effect.' (The blank spaces being appropriately filled in).

''(b) A joint resolution described in subsection (a) shall be referred to the committees in each House of Congress with jurisdiction.

''(c) In the Senate, if the committee to which is referred a joint resolution described in subsection (a) has not reported such joint resolution (or an identical joint resolution) at the end of 15 session days after the date of introduction of the joint resolution, such committee may be discharged from further consideration of such joint resolution upon a petition supported in writing by 30 Members of the Senate, and such joint resolution shall be placed on the calendar.

''(d)(1) In the Senate, when the committee to which a joint resolution is referred has reported, or when a committee is discharged (under subsection (c)) from further consideration of a joint resolution described in subsection (a), it is at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) for a motion to proceed to the consideration of the joint resolution, and all points of order against the joint resolution (and against consideration of the joint resolution) are waived. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the joint resolution is agreed to, the joint resolution shall remain the unfinished business of the Senate until disposed of.

''(2) In the Senate, debate on the joint resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 10 hours, which shall be divided equally between those favoring and those opposing the joint resolution. A motion to further limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the joint resolution is not in order.

''(3) In the Senate, immediately following the conclusion of the debate on a joint resolution described in subsection (a), and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the Senate, the vote on final passage of the joint resolution shall occur.

''(4) Appeals from the decisions of the Chair relating to the application of the rules of the Senate to the procedure relating to a joint resolution described in subsection (a) shall be decided without debate.

''(e) In the Senate the procedure specified in subsection (c) or (d) shall not apply to the consideration of a joint resolution respecting a nonmajor rule—

''(1) after the expiration of the 60 session days beginning with the applicable submission or publication date, or

''(2) if the report under section 801(a)(1)(A) was submitted during the period referred to in section 801(d)(1), after the expiration of the 60 session days beginning on the 15th session day after the succeeding session of Congress first convenes.

''(f) If, before the passage by one House of a joint resolution of that House described in subsection (a), that House receives from the other House a joint resolution described in subsection (a), then the following procedures shall apply:

''(1) The joint resolution of the other House shall not be referred to a committee.

''(2) With respect to a joint resolution described in subsection (a) of the House receiving the joint resolution—

''(A) the procedure in that House shall be the same as if no joint resolution had been received from the other House; but

''(B) the vote on final passage shall be on the joint resolution of the other House.

''§ 804. Definitions

''For purposes of this chapter—

''(1) The term 'Federal agency' means any agency as that term is defined in section 551(1).

''(2) The term 'major rule' means any rule, including an interim final rule, that the Administrator of the Office of Information and Regulatory Affairs of the Office of Management and Budget finds has resulted in or is likely to result in—

''(A) an annual effect on the economy of $100,000,000 or more;

''(B) a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; or

''(C) significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic and export markets.

''(3) The term 'nonmajor rule' means any rule that is not a major rule.

''(4) The term 'rule' has the meaning given such term in section 551, except that such term does not include—

''(A) any rule of particular applicability, including a rule that approves or prescribes for the future rates, wages, prices, services, or allowances therefore, corporate or financial structures, reorganizations, mergers, or acquisitions thereof, or accounting practices or disclosures bearing on any of the foregoing;

''(B) any rule relating to agency management or personnel; or

''(C) any rule of agency organization, procedure, or practice that does not substantially affect the rights or obligations of nonagency parties.

''(5) The term 'submission date or publication date', except as otherwise provided in this chapter, means—

''(A) in the case of a major rule, the date on which the Congress receives the report submitted under section 801(a)(1); and

''(B) in the case of a nonmajor rule, the later of—

''(i) the date on which the Congress receives the report submitted under section 801(a)(1); and

''(ii) the date on which the nonmajor rule is published in the Federal Register, if so published.

''§ 805. Judicial review

''(a) No determination, finding, action, or omission under this chapter shall be subject to judicial review.

''(b) Notwithstanding subsection (a), a court may determine whether a Federal agency has completed the necessary requirements under this chapter for a rule to take effect.

''(c) The enactment of a joint resolution of approval under section 802 shall not be interpreted to serve as a grant or modification of statutory authority by Congress for the promulgation of a rule, shall not extinguish or affect any claim, whether substantive or procedural, against any alleged defect in a rule, and shall not form part of the record before the court in any judicial proceeding concerning a rule except for purposes of determining whether or not the rule is in effect.

''§ 806. Exemption for monetary policy

''Nothing in this chapter shall apply to rules that concern monetary policy proposed or implemented by the Board of Governors of the Federal Reserve System or the Federal Open Market Committee.

''§ 807. Effective date of certain rules

''Notwithstanding section 801—

''(1) any rule that establishes, modifies, opens, closes, or conducts a regulatory program for a commercial, recreational, or subsistence activity related to hunting, fishing, or camping; or

''(2) any rule other than a major rule which an agency for good cause finds (and incorporates the finding and a brief statement of reasons therefore in the rule issued) that notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest,

shall take effect at such time as the Federal agency promulgating the rule determines.''.

SEC. 4. BUDGETARY EFFECTS OF RULES SUBJECT TO SECTION 802 OF TITLE 5, UNITED STATES CODE.

Section 257(b)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended by adding at the end the following new subparagraph:

''(E) BUDGETARY EFFECTS OF RULES SUBJECT TO SECTION 802 OF TITLE 5, UNITED STATES CODE.—Any rules subject to the congressional approval procedure set forth in section 802 of chapter 8 of title 5, United States Code, affecting budget authority, outlays, or receipts shall be assumed to be effective unless it is not approved in accordance with such section.''.

SEC. 5. GOVERNMENT ACCOUNTABILITY OFFICE STUDY OF RULES.

(a) IN GENERAL.—The Comptroller General of the United States shall conduct a study to determine, as of the date of the enactment of this Act—

(1) how many rules (as such term is defined in section 804 of title 5, United States Code) were in effect;

(2) how many major rules (as such term is defined in section 804 of title 5, United States Code) were in effect; and

(3) the total estimated economic cost imposed by all such rules.

(b) REPORT.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit a report to Congress that contains the findings of the study conducted under subsection (a).

The CHAIR. No amendment to the amendment in the nature of a substitute shall be in order except those printed in part B of House Report 114–230. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. YOUNG OF IOWA

The CHAIR. It is now in order to consider amendment No. 1 printed in part B of House Report 114–230.

Mr. YOUNG of Iowa. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, line 3, insert after ''shall'' the following: ''publish in the Federal Register a list of information on which the rule is based, including data, scientific and economic studies, and cost-benefit analyses, and identify how the public can access such information online, and shall''.

The CHAIR. Pursuant to House Resolution 380, the gentleman from Iowa (Mr. YOUNG) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Iowa.

□ 1515

Mr. YOUNG of Iowa. Mr. Chairman, I want to thank the chairman of the Judiciary Committee, Chairman GOODLATTE, for his kindness in allowing me to come forward with an amendment here.

My amendment is quite simple, and I believe it should be bipartisan. My amendment, quite simply, requires agencies to make available on the Internet the data, the science, studies, and analyses that a major rule is based on.

This transparency allows everyone access to the source information and the same information so we can all be on the same page when we talk about these things. No one is left in the dark.

You know, Iowans ask me—and I am sure the same questions are asked to other Members when they are home—How do regulations come to these conclusions? How do these regulators get to where they get to when they do these regulations? What science or data do they use? Is it sound science?

They want to see the same data and science. They ask me: Well, can we see it, too? And I don't have a good answer for them at the time. But I want to make sure that they do.

So this amendment allows Americans to see that science that the regulators use. My amendment helps answer these questions by simply making this information available.

Federal regulations affect every aspect of a hard-working American's day, from the moment they wake up until they go to bed at night.

They affect America's job creators, big and small, with sometimes exorbitant costs in order to comply, but also devastating costs of lost opportunities to grow their businesses and create more jobs.

Federal regulations have an enormous, a giant, impact on the health of our national economy to the tune of $1.88 trillion in 2014. Federal regulation is a constantly growing entity.

The Code of Federal Regulations, as we know, is monstrous in size, cost and effect on our economy, and our job creators and on the bank accounts of hard-working Americans.

I have a real dedicated interest in tackling this issue of regulations because they affect our rights and the economy, and I am willing to work with anyone on these issues.

I have other ideas. I think we should know who these regulators are, who is writing these rules and regs, what is their background.

We, as Members, put our names on amendments and bills, but we don't know the names of the people who are writing these regulations. Those are ideas that I have, also.

We do financial disclosure reports here in Congress. Members do as well as our senior staff. I think we should consider the impact that this would have on those who do these regulations, making them do a financial disclosure report. These are just some of the ideas.

But today my amendment is about making sure the science and data that these regulators, what they come to a conclusion on, are made available to the public so we can all be on the same page and there is transparency and we are not left in the dark.

I reserve the balance of my time.

Ms. EDWARDS. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Iowa.

The CHAIR. The gentlewoman from Maryland is recognized for 5 minutes.

Ms. EDWARDS. Mr. Chairman, this Young amendment looks eerily familiar to the so-called Secret Science Reform Act, H.R. 1030, that the House passed in a partisan vote back in March, except the problem is that this bill is actually even worse.

H.R. 1030 would have applied these harmful restrictions to the EPA, but this amendment that we are looking at today would affect every single Federal agency.

Let's look. The amendment would require an agency, as part of its rulemaking process, to make all information used in the creation of a rule publicly accessible, including all of the data.

That would mean that any data that is considered confidential, such as

health information or business records, would most likely become off limits.

So, for example, an agency trying to create labeling requirements for toxic chemicals wouldn't be able to use a study that uses personal health data as long as that data is deemed confidential.

New scientific methods and data could be restricted because the information includes data protected by intellectual property laws.

When we passed the Secret Science Act on a partisan vote last March, I mentioned in my opposition that it would force the EPA to choose between protecting our health and environment and maintaining the privacy of patient medical records and the confidentiality of business records. And if that argument isn't enough, let's consider the costs.

When the House Science Committee was considering the bill that I mentioned previously, the Secret Science Act that does exactly the same thing that the Young amendment does, except to all Federal agencies, Democrats on the committee pointed out that the Congressional Budget Office estimated just for that one bill that it would cost the EPA $250 million to comply with the new regulations.

If that is how much it is going to cost the EPA for one regulatory requirement, imagine what the cost would be if you expand this mandate across every single Federal agency. The cost would be astronomical.

Between the cost and the harmful restrictions that this imposes on our Federal agencies, the amendment sets up an impossible hurdle for those agencies to overcome.

We are asking them to decide between compromising institutional review board ethics and doing their job to protect the American people.

It is very clear that the Young amendment and provisions like it are not, in fact, about transparency. It really is to block Federal agencies from doing their jobs, their jobs of protecting our air, giving us clean water, making sure that our food supply is safe, checking on medical devices so that they don't harm us, our prescription drugs so that they don't make us sick, our privacy safeguards for our workplace information, our workplace safety standards, protections against Wall Street and its predatory lending practices.

I would ask my colleagues to oppose this harmful and antiscience amendment, oppose the final bill, and oppose this amendment because of the restrictions that it would place on the American people.

I yield such time as he may consume to the gentleman from Georgia (Mr. JOHNSON).

Mr. JOHNSON of Georgia. Mr. Chair, how much time is left?

The CHAIR. The gentlewoman from Maryland has 2 minutes remaining.

Mr. JOHNSON of Georgia. Mr. Chair, this amendment I oppose. It would require agencies to publish in the Federal Register a list of information on which a rule is based, including data, scientific and economic studies, cost-benefit analyses, and where the public can access this information online.

While this amendment purports to make scientific information available that is used in developing a rule, the amendment does not define or limit what would actually constitute the term ''data.''

As a result, the term could include sensitive health data, classified data, confidential business information, and all other forms of information subject to a rulemaking by any Federal agency.

Especially in light of the recent disclosure that the personal and sensitive information of millions of Federal employees maintained by the Office of Personnel Management was hacked, Congress should be working to prevent Federal data breaches by reducing the accumulation and potential loss of sensitive data rather than requiring that the publication of such vast amounts of sensitive data be the rule of law.

We just simply cannot afford that in this day and time. In sum, this amendment would exacerbate the risk of identity theft and data breaches.

For those reasons, I must oppose this amendment. I urge my colleagues to do so as well.

Ms. EDWARDS. I yield back the balance of my time.

Mr. YOUNG of Iowa. Mr. Chairman, how much time do I have left?

The CHAIR. The gentleman has 2 minutes remaining.

Mr. YOUNG of Iowa. I yield 1 minute to the gentleman from Virginia (Mr. GOODLATTE).

Mr. GOODLATTE. I thank the gentleman for yielding. I support his amendment.

Mr. Chair, the REINS Act restores to Congress the accountability for regulatory decisions that impose major burdens on our economy. By doing that, it ultimately strengthens the ability of the people to hold Washington accountable.

There could hardly be a better way to ensure that Congress will exercise its authority under the bill soundly and that the people can hold Congress and Washington accountable than through the gentleman's amendment.

This amendment guarantees that, when agencies publish new regulations, they will let Congress and the people know immediately how to access online the key scientific, economic, and cost-benefit information on which the agencies base the regulations.

With this real-time access to information in hand, Congress will be better positioned to scrutinize the agencies' decisions, and the public will be better positioned to hold Congress accountable if Congress approves regulations that it shouldn't.

I urge my colleagues to support the amendment.

Mr. YOUNG of Iowa. Mr. Chairman, Americans deserve to know how they are being regulated and the science that is being used to affect our daily lives.

Right now we are left in the dark, Mr. Chairman. We need sunlight. Sunlight is the best disinfectant here. We are unable right now to challenge what we can't see, and that is a hard fight for the American people to put up against.

I am urging favorability for this amendment. I ask my colleagues to support it.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Iowa (Mr. YOUNG).

The question was taken; and the Chair announced that the ayes appeared to have it.

Ms. EDWARDS. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Iowa will be postponed.

AMENDMENT NO. 2 OFFERED BY MR. SMITH OF MISSOURI

The CHAIR. It is now in order to consider amendment No. 2 printed in part B of House Report 114–230.

Mr. SMITH of Missouri. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, beginning on line 12, strike ''sections 804(2)(A), 804(2)(B), and 804(2)(C)'' and insert ''clauses (i) through (iii) of section 804(2)(A) or within section 804(2)(B)''.

Page 18, beginning on line 11, strike ''the Administrator'', and insert ''—''

''(A) the Administrator''.

Page 18, line 15, by redesignating subparagraph (A) as clause (i).

Page 18, line 17, by redesignating subparagraph (B) as clause (ii).

Page 18, line 21, by redesignating subparagraph (C) as clause (iii).

Page 18, line 25, strike the period at the end and insert ''; or''.

Page 18, insert after line 25 the following:

''(B) is made under the Patient Protection and Affordable Care Act (Pub. Law 111-148).''.

The CHAIR. Pursuant to House Resolution 380, the gentleman from Missouri (Mr. SMITH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman.

Mr. SMITH of Missouri. Mr. Chairman, as I have traveled across the Eighth District of Missouri, one of the largest concerns I hear from my constituents is the uncertainty surrounding the Affordable Care Act.

Individuals are concerned about how the relationship with their doctor will change and how their healthcare costs are rising. Businesses are left with uncertainty as well.

They are afraid to hire folks because of the healthcare costs, which leaves them understaffed. Hospitals are consolidating, and insurers are merging as a result of the law.

The simple truth is that my constituents have fewer options. The Affordable Care Act is hurting health care and hurting jobs in Missouri and across the country.

That is why I am offering an amendment to protect families and job creators from the mounting uncertainty of the Affordable Care Act.

My amendment revises the definition of a major regulation to specifically include any regulation made under the Affordable Care Act. With over 3,000 pages of Federal regulations already issued and many more to follow, Congress must protect folks from this troublesome law and keep it from causing further damage to our healthcare system.

Mr. Chairman, there is a broad bipartisan concern to the Affordable Care Act. This administration has demonstrated its own uncertainty through the delays to several key provisions of the bill.

Congress must stand up for the folks back home and give the American people a voice. My amendment does just that.

I reserve the balance of my time.

Mr. JOHNSON of Georgia. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. JOHNSON of Georgia. Mr. Chairman, I oppose this amendment because it would make the REINS Act thoroughly problematic insofar as the Affordable Care Act is concerned.

One of my principal concerns about the REINS Act is it would jeopardize the health and safety of Americans by substantially delaying and possibly derailing critical regulations from ever going into effect.

As currently drafted, the REINS Act only applies to major regulations, that is, regulations having an annual effect of $100 million or more on the economy; regulations causing a major increase in prices or costs for consumers, individual industries, governmental agencies, or geographic regions; and regulations having a significant adverse impact on competition, employment, investment, and productivity.

This amendment, however, would subject all regulations, not just major regulations issued under the Affordable Care Act, to the REINS Act's burdensome requirements.

It is obvious that this amendment has a different purpose. It is yet another attempt by the majority to undermine the implementation of the comprehensive healthcare reform legislation that was enacted in 2010, the Affordable Care Act, which, I might remind my colleagues, has been upheld not once, but twice, by the United States Supreme Court.

We cannot allow the majority to do through this antiregulatory bill what it has repeatedly failed to do during the last 4 years, namely, to defeat healthcare reform. The REINS Act is a hopelessly flawed bill, and this amendment would only make it worse.

Accordingly, I must strenuously object to the amendment and oppose the amendment. I urge my colleagues to join me in voting against it.

With that, I yield back the balance of my time.

□ 1530

Mr. SMITH of Missouri. Mr. Chairman, I yield 2 minutes to the gentleman from Virginia (Mr. GOODLATTE), chairman of the Judiciary Committee.

Mr. GOODLATTE. Mr. Chairman, I thank the gentleman for yielding, and I support his amendment.

The REINS Act restores to Congress the accountability for regulatory decisions that impose major burdens on our economy. This amendment strengthens congressional accountability for regulations under the Patient Protection and Affordable Care Act, otherwise known as ObamaCare.

The PPACA was imposed over the will of the American people. Implementation of ObamaCare has demonstrated that the act imposes a detrimental and unworkable reform of the Nation's healthcare system; and one after the other, promises made to the American people by the act's supporters when the law was passed have been broken.

Moreover, the Obama administration's own actions to waive or suspend ObamaCare requirements have made clear that regulatory actions to implement the act form a ''seamless web.'' Too often, actions to avoid one adverse effect of the act's implementation send ripple effects of unfairness or other harmful consequences throughout the ObamaCare web, requiring adjustments of other aspects of implementation. This, too, justifies the amendment's requirement that Congress approve any new regulations promulgated under the act.

I urge my colleagues to support the amendment.

Mr. SMITH of Missouri. Mr. Chairman, this amendment protects the folks back home. It stops the Obama administration and unelected bureaucrats from issuing major new healthcare regulations, and it improves the role of congressional oversight.

I urge the adoption of this amendment, and I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Missouri (Mr. SMITH).

The question was taken; and the Chair announced that the ayes appeared to have it.

Mr. SMITH of Missouri. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Missouri will be postponed.

AMENDMENT NO. 3 OFFERED BY MR. RODNEY DAVIS OF ILLINOIS

The CHAIR. It is now in order to consider amendment No. 3 printed in part B of House Report 114–230.

Mr. RODNEY DAVIS of Illinois. Mr. Chairman, as the designee of the gentleman from Texas (Mr. SESSIONS), I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, line 24, insert before the semicolon the following: '', including an analysis of any jobs added or lost, differentiating between public and private sector jobs''.

The CHAIR. Pursuant to House Resolution 380, the gentleman from Illinois (Mr. RODNEY DAVIS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. RODNEY DAVIS of Illinois. Mr. Chairman, I yield myself such time as I may consume.

Excessive government regulations are a significant barrier to private sector job creation. This Congress has made job creation a priority and, therefore, we believe it is important to have a role in reviewing these regulations to ensure that their proposed benefits outweigh any potential economic harm.

The Sessions-Davis-Wenstrup-Barr amendment would require an agency's report to Congress to include an assessment of estimated jobs gained or lost as a result of the implementation of a rule. These agencies would also be required to specify whether those jobs will come from the public or private sector. This assessment will be part of the cost-benefit analysis required to be submitted to the Comptroller General and made available to each House of Congress prior to consideration of a rule.

Over the past 6 years, our Nation's cumulative regulatory burden has increased exponentially; and, unfortunately, this out-of-control administration has shown no signs of slowing down. The addition of 27 major new rules last year brought the administration's 6-year total to an astounding 184 new regulations. This has cost the country thousands of jobs and an estimated $80 billion annually.

When regulations are considered for approval under the REINS Act, it is imperative that Congress have a clear picture of their effect on jobs. This amendment will help us guard against job-killing regulations and will give Congress important oversight over the executive branch's regulatory agenda.

At this time, I reserve the balance of my time.

Mr. JOHNSON of Georgia. Mr. Chairman, I rise to oppose the amendment.

The Acting CHAIR (Mr. YODER). The gentleman from Georgia is recognized for 5 minutes.

Mr. JOHNSON of Georgia. Mr. Chairman, this amendment would mandate that the cost-benefit analysis for a proposed rule required by the REINS Act that is submitted to Congress include an analysis of any jobs added or lost as a result of the proposed rule, differentiating between public and private sector jobs.

I should be clear that there is absolutely no credible evidence proving that regulations depress job creation. In fact, one of the majority's own witnesses at a hearing held in a prior Congress before the House Judiciary Committee clearly debunked the myth that regulations stymie job growth and job creation. Christopher DeMuth of the American Enterprise Institute, a conservative think tank, stated in his prepared testimony that the ''focus on jobs . . . can lead to confusion in regulatory debates'' and that ''the employment effects of regulation, while important, are indeterminate.''

Even Bruce Bartlett, a senior policy analyst in the Reagan and George Herbert Walker Bush administrations, has refuted the claim that regulations undermine the economy or job growth. He explains that ''no hard evidence is offered for this claim; it is simply asserted as self-evident and repeated endlessly throughout the conservative echo chamber.''

While I appreciate the sensitivity that the author of this amendment has for employment and job development, I would encourage him to support my amendment, which would except from the REINS Act's onerous requirements all regulations that the Office of Management and Budget determines would result in net job development.

My amendment would ensure that job creating rules are not delayed or derailed as a result of the REINS Act's nearly impossible procedural hurdles.

Unfortunately, this amendment could add even more analytical burdens on agencies by forcing them to make a speculative assessment of whether a regulation will facilitate job creation or have a depressive effect.

Instead of trying to turn Congress into a superadministrative agency, which is what the REINS Act would do, we should be considering legislation that would actually create jobs, stimulate our Nation's economy, and help millions of struggling Americans regain their financial footing with meaningful ways to encourage full employment.

I reserve the balance of my time.

Mr. RODNEY DAVIS of Illinois. Mr. Chairman, may I inquire as to how much time I have remaining?

The Acting CHAIR. The gentleman from Illinois has 3½ minutes remaining. The gentleman from Georgia has 2 minutes remaining.

Mr. RODNEY DAVIS of Illinois. Mr. Chairman, at this point, I yield such time as he may consume to the gentleman from Virginia (Mr. GOODLATTE), my friend, the chairman of the House Judiciary Committee.

Mr. GOODLATTE. Mr. Chairman, I thank the gentleman for yielding, and I support his amendment.

The bill restores to Congress the accountability for regulatory decisions that impose major burdens on our economy. As Congress makes those decisions, one of the most important factors to consider is whether new regulations produce jobs or destroy them.

The bill requires that when agencies submit new regulations to Congress, they will also submit their cost-benefit analyses of the regulations. The amendment guarantees that each of those analyses will include a specific assessment of the jobs the regulations create and the jobs the regulations destroy, distinguishing between private sector and public sector jobs.

With that information, Congress will be in a better position to determine whether to approve the rules, and the American people will be in a better position to hold Congress accountable for its decisions.

I urge my colleagues to support the amendment.

Mr. JOHNSON of Georgia. Mr. Chairman, I yield back the balance of my time.

Mr. RODNEY DAVIS of Illinois. Mr. Chairman, I urge all of my colleagues to vote for this commonsense amendment. I think it is only right to require very costly and burdensome regulations being created by this administration's regulatory environment to actually show the taxpayers the cost benefit of what the executive branch's decision is going to be on the taxpayers of this country.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Illinois (Mr. RODNEY DAVIS).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. JOHNSON OF GEORGIA

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in part B of House Report 114–230.

Mr. JOHNSON of Georgia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 18, line 10, insert after ''means any rule'' the following: ''(other than a special rule)''.

Page 19, line 2, insert before the period at the end the following: '', and includes any special rule''.

Page 20, after line 8, insert the following:

''(6) The term 'special rule' means any rule that the Administrator of the Office of Information and Regulatory Affairs of the Office of Management and Budget determines would result in net job growth.''.

The Acting CHAIR. Pursuant to House Resolution 380, the gentleman from Georgia (Mr. JOHNSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman.

Mr. JOHNSON of Georgia. Mr. Chairman, my amendment would except from H.R. 427 all rules that the Office of Management and Budget determines would result in net job creation.

As with many other deregulatory bills we have considered this Congress, the proponents of H.R. 427 argue that it will grow the economy, create jobs, and increase America's competitiveness internationally.

But we cannot pretend that this politicized legislation is about economic growth or American prosperity.

As I have noted during the consideration of each of the antiregulatory bills that we have considered in the 114th Congress, there is simply no credible evidence in support of the majority's reiteration of ''job-killing'' regulations undermining economic growth—zero.

The tired rhetoric that my Republican colleagues have repeated again and again since the passage of the REINS Act in 2011 has not changed in light of the changing facts on the ground.

The latest report from the Bureau of Labor Statistics shows that unemployment has fallen to 5.3 percent. While there is more work to do to grow the economy and help our Nation's middle class, there have been 64 straight months of private sector job growth. That is 12.8 million private sector jobs created amidst a regulatory environment that is proworker, proenvironment, propublic health and prosafety, and proinnovation.

And to those who would brush aside these strong employment figures, the Department of Labor also reported last week that claims for unemployment benefits have dropped to the lowest levels in over 40 years, the lowest level since November of 1973.

Do these numbers mean that the major rules adopted during the Obama administration have decreased employment, grown the economy, or contributed to the drop in unemployment benefit claims?

While I would submit that regulations have a positive effect on sustainable economic growth, the reality is that there is little correlation between regulations and the economy.

Don't just take my word for it; take the word of the San Francisco and New York Federal Reserve Banks, which found zero correlation between employment and regulation.

Take the word of Bruce Bartlett, a senior policy analyst in the Reagan and George Herbert Walker Bush administrations, who strongly refuted

the claim that regulations undermine the economy or job growth, explaining that Republicans ''assert that Barack Obama has unleashed a tidal wave of new regulations, which has created uncertainty among businesses and prevents them from investing and hiring. No hard evidence is offered for this claim; it is simply asserted as self-evident and repeated endlessly throughout the conservative echo chamber.''

Take the word of the Washington Post, which gave ''two Pinnochios'' to industry estimates of the costs of regulations earlier this year.

Take the word of the nonpartisan Congressional Research Service, which debunked claims that regulations have a trillion dollar cost to the economy.

Mr. Chairman, we need real solutions to help real people, not yet another thinly veiled handout to large corporations and the economic elite.

I urge my colleagues to support my amendment and to oppose H.R. 427.

I reserve the balance of my time.

□ 1545

Mr. GOODLATTE. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. GOODLATTE. Mr. Chairman, the amendment carves out of the REINS Act's congressional approval procedures regulations that the Office of Management and Budget determines will lead to net job creation.

The danger in the amendment is the strong incentive it gives the OMB to manipulate its analysis of a major regulation's jobs impacts. Far too often, the OMB will be tempted to shade the analysis to skirt the bill's congressional approval requirement.

In addition, regulations alleged to create net new jobs often do so by destroying real, existing jobs and creating new, hoped-for jobs associated with regulatory compliance.

For example, some Environmental Protection Agency Clean Air Act rules will shut down existing power plants. The EPA and the OMB may attempt to justify that with claims that more new ''green'' jobs will be created as a result.

In the end, that is just another way in which government picks the jobs winners and the jobs losers, and there is no guarantee that all of the new ''green'' jobs will ever actually exist.

The REINS Act is not intended to force any particular outcome. It does not choose between clean air and dirty air. It does not choose between new jobs and old jobs. Instead, the REINS Act chooses between two ways of making laws. It chooses the way the Framers intended, in which accountability for laws with major economic impacts rests with the Congress—the elected Representatives of the people.

It rejects the way Washington has operated for too long, where there is no accountability because decisions are made by unelected agency officials.

The amendment would undermine that fundamental accountability, so I urge my colleagues to oppose the amendment.

I reserve the balance of my time.

Mr. JOHNSON of Georgia. Mr. Chairman, to the extent that a regulation would or would not present a choice between clean air and dirty air, I think we can all, in unison, conclude that we would come down in favor of clean air.

If the choice became whether or not a regulation would promote clean water or dirty water, then I am sure that most Americans would agree with me that we would want a regulation that would ensure clean drinking water.

Unfortunately, if the REINS Act passes, the jobs that will be created by the regulations which would enforce the requirement that air and water be clean will not come to pass. We would do without the jobs, and we would have dirty water and dirty air.

I would submit that my colleagues on the other side run to the support of my amendment.

I yield back the balance of my time.

Mr. GOODLATTE. Mr. Chairman, I urge my colleagues to support the underlying bill, which would be badly undermined by this amendment, which would remove from Congress the ability to determine which regulations make sense and which don't, which regulations comport with the underlying law that the Congress passed and which do not.

That is the key to this legislation, and it is the key to why Members should oppose this amendment. I urge them to do so.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. JOHNSON).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. JOHNSON of Georgia. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

AMENDMENT NO. 5 OFFERED BY MRS. CAPPS

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in part B of House Report 114–230.

Mrs. CAPPS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 18, line 10, insert after ''any rule'' the following: ''(other than a special rule)''.

Page 19, line 2, insert before the period at the end the following: '', and includes a special rule''.

Page 20, insert after line 8 the following:

''(6) The term 'special rule' means any rule intended to ensure the safety of natural gas or hazardous material pipelines or prevent, mitigate, or reduce the impact of spills from such pipelines.''.

The Acting CHAIR. Pursuant to House Resolution 380, the gentlewoman from California (Mrs. CAPPS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Mrs. CAPPS. Mr. Chairman, my amendment is simple and straightforward. It would ensure that oil and gas pipeline safety rules and pipeline spill prevention or mitigation rules are not considered ''major rules'' under this bill.

By design, the REINS Act would likely delay or stop virtually all future Federal rulemaking. We could spend hours listening to some of the countless health and safety problems that this bill would cause. I commend my colleagues for raising some of these issues in the other amendments that are being offered today and debated.

My amendment focuses on protecting oil and gas pipeline safety and spill mitigation rules from the needless and costly delays imposed by this bill. These rules are particularly important to me and to my constituents in the wake of the recent oil spill in my district.

On May 19, line 901 of the Plains All American pipeline ruptured just north of Santa Barbara, California; and it spewed over 100,000 gallons of crude oil onto Refugio State Beach and the surrounding areas. At least 20,000 gallons of the oil spilled into the Pacific Ocean and spread along nearly 100 miles of pristine California coastline, devastating local wildlife, covering our beaches in thick tar, and closing valuable fisheries.

One of the other tragedies of this spill is that it likely could have been prevented—or at least minimized—if the pipeline had been using state-of-the-art automatic shutoff and leak detection technologies.

These systems are available and are already in use in other pipelines in the area, but this pipeline does not have these technologies because its Federal regulator—the Pipeline and Hazardous Materials Safety Administration, or PHMSA—currently does not require the use of these safety systems.

Like many communities across the country, the central coast of California, which I represent, has called for action. The good news is that Congress, on a bipartisan basis, has listened and has demanded action to improve pipeline safety rules.

In 2011, we came together and unanimously passed the Pipeline Safety, Regulatory Certainty, and Job Creation Act, which required PHMSA to issue 42 new pipeline safety standards; yet, 4 years later, PHMSA has yet to

complete 16 of these requirements, including the rules to strengthen standards on automatic shutoff and leak detection systems.

This unacceptable delay has not been lost on this Congress. Just 2 weeks ago, we held a bipartisan hearing in the Energy and Commerce Committee on the long overdue implementation of these pipeline safety standards.

Both Republicans and Democrats chided PHMSA for dragging its feet because we all agree that these rules are long overdue and must be completed as soon as possible. It is baffling now that, just 2 weeks after this bipartisan hearing, we find ourselves considering a bill that would delay these pipeline rules even further.

Let's be clear. That is exactly what the REINS Act would do. My amendment would protect these important safety standards from the added layers of bureaucracy that the REINS Act would impose.

I hope that my colleagues will join me again today, as they did 2 weeks ago, in working to ensure that PHMSA is not further delayed in fulfilling its obligations. They can do this by voting for this amendment, which would simply ensure oil and gas pipeline safety rules are not considered ''major rules'' under the REINS Act. It would not exempt these rules from the main reporting requirements, but it would minimize the additional delays created by the bill.

If this bill were to become law as written, PHMSA's pipeline safety rules would not take effect until both the House and the Senate affirmatively voted to approve them, but both the House and the Senate already voted unanimously in 2011 to require PHMSA to write these rules. Going around and around in circles makes no sense.

Mr. Chairman, supporters of this bill claim that the REINS Act is all about more efficient and effective government. How is it more efficient or effective to require Congress to reconsider and reapprove rules that it has already voted unanimously to establish?

The simple truth is that the REINS Act is not about efficient or effective government. It is a partisan gimmick that will do nothing but gum up the works and needlessly delay important health and safety rules that our constituents depend on.

My amendment won't make this a good bill—and I intend to oppose its final passage—but my amendment would at least help to ensure that the REINS Act does not delay oil and gas pipeline safety standards any more than they already have been. This is something which, I hope, we can all agree on; so I urge my colleagues to stop the delays and support my amendment.

I reserve the balance of my time.

Mr. GOODLATTE. Mr. Chairman, I rise in opposition to the gentlewoman's amendment.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. GOODLATTE. Mr. Chairman, the amendment seeks to carve out from the REINS Act's reforms regulations that concern natural gas or hazardous materials pipeline safety or the prevention of oil spills and their adverse impacts.

We all support pipeline safety and the prevention of harm from pipeline spills, but there is no assurance that the amendment would guarantee the achievement of those goals.

On the contrary, the amendment would shield from congressional accountability procedures regulations that actually threaten to decrease safety. They also would shield from the bill's congressional approval requirements new, ideologically driven regulations intended to impede Americans' access to new sources of inexpensive, clean, and plentiful natural gas.

This amendment clearly says that the Congress can and has voted to have pipeline accountability and safety measures regulated but that the Congress doesn't care what those regulations are.

The Congress does care what the regulations are, and that is why they should come back here so that the Congress can confirm that the regulations written comport with the legislation already passed. I urge my colleagues to oppose this amendment.

I reserve the balance of my time.

Mrs. CAPPS. Mr. Chairman, as I stated earlier, this amendment is straightforward and common sense.

There is broad, bipartisan agreement that stronger oil and gas pipeline safety standards are long overdue. I hope there is similar agreement that further delaying these safety rules puts communities like mine in California and hundreds of communities across the country at risk.

My amendment would simply ensure that these safety rules are not subject to the needless, burdensome delays created by the REINS Act. I urge my colleagues to vote ''yes'' on this amendment.

I yield back the balance of my time.

Mr. GOODLATTE. Mr. Chairman, I urge my colleagues to oppose this amendment.

The REINS Act is intended to make sure that Federal Government regulations get it right—solve the problem intended to be solved by the Congress in the manner intended by the Congress. Supporting this amendment would defeat that purpose; so I oppose the amendment, and I urge my colleagues to do so.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from California (Mrs. CAPPS).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mrs. CAPPS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from California will be postponed.

AMENDMENT NO. 6 OFFERED BY MR. CICILLINE

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in part B of House Report 114–230.

Mr. CICILLINE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 18, line 10, insert after ''means any rule'' the following: ''(other than a special rule)''.

Page 19, line 2, insert before the period at the end the following: '', and includes any special rule''.

Page 20, after line 8, insert the following:

''(6) The term 'special rule' means any rule relating to protection of the public health or safety.''.

The Acting CHAIR. Pursuant to House Resolution 380, the gentleman from Rhode Island (Mr. CICILLINE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Rhode Island.

Mr. CICILLINE. Mr. Chairman, this amendment to H.R. 427 would exempt rules concerning public health or safety from the onerous requirements of this legislation.

It is simply an acknowledgment that, when a rule is necessary to protect public health and when it is beneficial and in the public interest, the rule be put into effect without unnecessary delay.

If this legislation is enacted without this amendment, it will create a regulatory environment that will make it nearly impossible for agencies to safeguard the public well-being.

For instance, the Department of Transportation implemented an economically significant rule for the implementation of positive train control systems on January 15, 2010. This safety feature is designed to correct operator errors and to slow or to stop a train in order to prevent train-to-train collisions and overspeed derailments.

Investigators from the National Transportation Safety Board have said that this technology is necessary to prevent accidents like the derailment of an Amtrak commuter train in Philadelphia on May 12 of 2015, which killed 7 people and injured 200 more; yet, under the REINS Act, this vital technology would require a joint congressional resolution, with an unrealistic timeline for implementation, before being mandated, needlessly putting the lives of millions of Americans at risk who ride Amtrak every year.

Proponents of this legislation may argue that H.R. 427 contains an emergency exemption which allows a major

rule to temporarily take effect following an executive order stating that there is an imminent threat to public health and safety.

However, as the positive train control system rule illustrates, not every threat to the public welfare will manifest itself overnight, and not every agency's rule is implemented as a reaction to a product recall or to a sudden tragedy.

Even when a threat is not imminent, the fundamental responsibility to protect the public health and well-being remains. This legislation would substantially hinder the ability of agencies to fulfill this obligation, placing Americans at greater risk for the benefit of corporate interests.

In its present form, the Coalition for Sensible Safeguards—an alliance of more than 150 consumer, labor, faith, and other public interest groups—has characterized the REINS Act as ''the most radical threat in generations to our government's ability to protect the public from harm.''

□ 1600

Echoing this analysis, 83 of our Nation's top administrative and environmental law professors describe this legislation as ''unnecessary to establish agency accountability and unwise as a matter of public policy because it undercuts the implementation of laws intended to protect people and the environment.''

While my amendment will not cure all the flaws in this legislation, it will address one of the most glaring problems and preserve the ability of agencies to protect public health and safety.

I ask my colleagues to support my amendment, and I reserve the balance of my time.

Mr. GOODLATTE. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. GOODLATTE. Mr. Chairman, this amendment exempts from the bill any rule pertaining to health or public safety.

Health and public safety regulation, done properly, serves important goals, and the bill does nothing to frustrate the effective achievement of those goals.

But Federal health and public safety regulation constitutes an immense part of total Federal regulation and has been the source of many of the most abusive, unnecessarily expensive, and job- and wage-destroying regulations.

To remove these areas of regulation from the bill would be to severely weaken the bill's important reforms to lower the crushing cumulative cost of Federal regulation and increase the accountability of our regulatory system to the people.

These include regulations such as the Environmental Protection Agency's multi-billion-dollar Utility MACT regulations. The Supreme Court recently invalidated those regulations, but not before the targets of the regulations had to spend multiple years' worth of compliance costs.

Had the REINS Act been in place, Congress could have refused to approve those regulations to begin with, saving billions of dollars in unnecessary cost.

I urge my colleagues to oppose the amendment.

I reserve the balance of my time.

Mr. CICILLINE. Mr. Chair, I just would say, in conclusion, that the amendment will, in fact, strengthen the ability of Federal agencies to protect the public health and well-being, and there are instances, as the example I just gave, where the failure to act will endanger the lives of Americans.

I urge my colleagues to support the amendment to improve a badly flawed piece of legislation.

I yield back the balance of my time.

Mr. GOODLATTE. Mr. Chair, I oppose the amendment, and I urge support for the legislation.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Rhode Island (Mr. CICILLINE).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. GOODLATTE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Rhode Island will be postponed.

AMENDMENT NO. 7 OFFERED BY MR. CICILLINE

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in part B of House Report 114–230.

Mr. CICILLINE. Mr. Chair, I rise to offer an amendment as the designee of my colleague, Congresswoman SHEILA JACKSON LEE, who regrettably is unable to be with us today.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 18, line 10, insert after ''any rule'' the following: ''(other than a special rule)''.

Page 19, line 2, insert before the period at the end the following: '', and includes a special rule''.

Page 20, insert after line 8 the following:

''(6) The term 'special rule' means any rule that pertains to the safety of any products specifically designed to be used or consumed by a child under the age of 2 years (including cribs, car seats, and infant formula).''.

The Acting CHAIR. Pursuant to House Resolution 380, the gentleman from Rhode Island (Mr. CICILLINE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Rhode Island.

Mr. CICILLINE. Mr. Chair, this amendment improves H.R. 427 by exempting those regulations that are critical to protecting the health and safety of infants.

More specifically, the Jackson Lee amendment provides a special rule pertaining to the safety of any product specifically designed to be used or consumed by a child under the age of 2 years, which includes cribs, car seats, and infant formula.

As a member of the House Judiciary Subcommittee on Regulatory Reform, Commercial and Antitrust Law, I am very concerned about the REINS Act and the complications and delays to the rulemaking process it would create regarding regulations that would protect the health and safety of children.

This legislation would amend the Congressional Review Act to prohibit a major rule from going into effect unless Congress enacts a joint resolution of approval within 70 legislative days. Otherwise, the rule does not go into effect.

Effectively, no regulations will ever be enacted because it is extremely difficult, if not impossible, to move any proposed legislation through Congress within 70 days.

Moreover, subjecting agencies to additional reporting requirements and congressional review, as mandated by H.R. 427, would not only be wasteful, it could be damaging or even deadly, especially when it comes to regulations designed to protect children and infants.

For example, much like the version of the bill that we debated in previous sessions, the REINS Act would delay product safety rules affecting family products like toys, cribs, and children's clothing.

In particular, restrictions put forth in H.R. 427 could result in further delay to agencies attempting to take action to protect children as it relates to harmful and deadly products, such as safety caps on medicine, flammable clothing, and tipping furniture, just to name a few.

Notably, the U.S. Consumer Product Safety Commission reports that a child dies every 2 weeks from furniture or TVs tipping over, and injuries from falling furniture occur every 24 minutes.

We cannot afford to put the lives and safety of infants, toddlers, and children at risk while Congress entangles any real possibility for immediate and preventive action.

The REINS Act is strongly opposed by many individuals and organizations all across the country, including opposition by more than 450,000 members and supporters of the Center for Science and Democracy at the Union of Concerned Scientist, as well as 83 academics in the field of administrative and environmental law, and an alliance of more than 150 consumer, labor, research, faith, and other public interest

groups representing the Coalition for Sensible Safeguards.

We should not hinder the democratic process and stymie regulatory agencies' ability to protect the safety and security of the American people, especially infants.

At a minimum, regulations promulgated to protect the safety of infants and children should not be subjected to the strictures of H.R. 427.

The Jackson Lee amendment protects children and infants. I urge all Members to support this amendment.

I reserve the balance of my time.

Mr. GOODLATTE. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. GOODLATTE. Mr. Chairman, the amendment seeks to carve out from the REINS Act's reforms regulations intended to protect young children and infants from harm.

Child safety is a goal all Members share, but to shield bureaucrats who write child safety regulations from accountability to Congress is no way to guarantee child safety.

The only thing that that would guarantee is less careful decisionmaking and more insulation of faceless bureaucrats from the public.

Congress needs a better mechanism to make sure that Washington bureaucrats make the right decision to protect child safety when we delegate legislative authority to regulatory agencies.

I urge my colleagues to oppose this bad amendment.

I reserve the balance of my time.

Mr. CICILLINE. Mr. Chair, no one is attempting to shield bureaucrats from anything. This amendment is designed to shield infants, to protect children.

I urge my colleagues to support the Jackson Lee amendment.

I yield back the balance of my time.

Mr. GOODLATTE. Mr. Chairman, the elected Representatives of the people are the best ones to be held accountable for the laws and regulations passed and adopted in this country, including those that protect children.

This would turn back to a situation where unelected bureaucrats can take whatever time they want to, write whatever regulation they want to, and then that would take effect without the Congress having to have the ability to say, yes, that truly will protect children or, no, that will not protect children.

We should have that responsibility. That is something that the American people expect from their elected representatives. For that reason, I oppose this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Rhode Island (Mr. CICILLINE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. CICILLINE. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Rhode Island will be postponed.

The Chair understands that amendment No. 8 will not be offered.

AMENDMENT NO. 9 OFFERED BY MR. NADLER

The Acting CHAIR. It is now in order to consider amendment No. 9 printed in part B of House Report 114–230.

Mr. NADLER. Mr. Chairman, I have an amendment at the desk made in order under the rule.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 18, line 10, insert after ''any rule'' the following: ''(other than a special rule)''.

Page 19, line 2, insert before the period at the end the following: '', and includes a special rule''.

Page 20, insert after line 8 the following:

''(6) The term 'special rule' means any rule pertaining to nuclear reactor safety standards.''.

The Acting CHAIR. Pursuant to House Resolution 380, the gentleman from New York (Mr. NADLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. NADLER. Mr. Chairman, I yield myself such time as I may consume.

This amendment would exempt any rule pertaining to nuclear reactor safety standards from the new onerous approval process created by the bill.

In other words, my amendment would allow the Nuclear Regulatory Commission, the NRC, to continue to issue rules under the current system, thereby making it easier to protect Americans from nuclear disaster.

Today's bill, in the name of so-called reform, adds new procedural hoops that agencies and departments must go through before regulation can be issued, including requiring a joint resolution of approval for every major rule.

The result is simply to impede, obstruct, and delay the attempt of government to accomplish one of its most basic functions: to protect the health and welfare of its citizens.

Not surprisingly, groups who care about protecting public health, safety, and environment, such as the Natural Resources Defense Council, Public Citizen, and the Union of Concerned Scientists, oppose this bill.

According to the Coalition for Sensible Safeguards, which represents a coalition of many such groups, this bill ''is nothing more than a back-door way to gut enforcement of existing legislation and future safeguards that big-money interests do not want. It would force Congress to refight its previous debates, wasting time and money, and paralyzing vital agency work.''

Americans should rightfully be scared that this bill will put their health and safety at risk. One example that highlights this fact is the subject of this amendment: nuclear power.

The risks and dangers of nuclear power were made all the more real by the nuclear disaster in Japan at Fukushima 4 years ago. We all watched in horror when that country was devastated by the earthquake and resulting tsunami.

That disaster then caused its own disaster: the meltdown of three reactors at the Fukushima nuclear power plant.

That led to the release of radioactive isotopes, the creation of a 20-kilometer exclusion zone around the power plant, and the displacement of 156,000 people. Inside the evacuation zone all farming has been abandoned.

In 2011, Virginia was struck by a relatively rare, but strong, earthquake, felt up and down the eastern seaboard. It caused a nuclear power plant near the epicenter to have to go offline.

For me, this concern hits close to home. A nuclear power plant, Indian Point, about which many people have had concerns for years, lies just less than 40 miles away from my New York City district.

There are 20 million people living within a 50-mile radius around the plant, the same radius used by the NRC as the basis for the evacuation zone recommended after the Fukushima disaster.

Indian Point also sits near two earthquake fault lines and, according to the NRC, is the most likely nuclear power plant in the country to experience core damage because of an earthquake.

To keep my constituents and, indeed, all Americans safe, I am offering this amendment today.

Because of the catastrophes that can result from disasters, be they natural or manmade, at nuclear power plants, prevention of meltdowns is the key.

Since Fukushima, the NRC has issued new rules designed to upgrade power plants to withstand severe events like earthquakes and to have enough backup power so as to avoid a meltdown for a significant length of time.

The NRC must have the ability and flexibility to issue new regulations to safeguard the health and well-being of all Americans.

However, H.R. 427 is intentionally designed so new and vital regulations will likely never be put in place. We cannot permit the NRC to never be able to create new regulations.

Therefore, I urge you to support the Nadler amendment to exempt the Nuclear Regulatory Commission from the onerous new requirements for rulemaking imposed by this bill. In that

way, the NRC would have the ability to safeguard public health and safety, as it should.

I reserve the balance of my time.

Mr. GOODLATTE. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. GOODLATTE. Mr. Chairman, the amendment carves out of the REINS Act congressional approval procedures all regulations that pertain to nuclear reactor safety standards.

REINS Act supporters believe in nuclear safety. We want to guarantee that regulatory decisions that pertain to nuclear reactor safety are the best decisions that can be made, but that is precisely why I oppose the amendment.

By its terms, the amendment shields from the REINS Act congressional approval procedures not only major regulations that would raise nuclear reactor safety standards, but, also, regulations that would lower them.

All major regulations pertaining to nuclear reactor safety standards, whether they raise or lower standards, should fall within the REINS Act.

That way, agencies with authority over nuclear reactor safety will know that Congress must approve their major regulations before they go into effect.

That provides a powerful incentive for the agencies to write the best possible regulations, ones that Congress can easily approve.

It is a solution that everyone should support because it makes Congress more accountable and ensures agencies will write better rules. All Americans will be safer for it.

I urge my colleagues to oppose the amendment.

I reserve the balance of my time.

Mr. NADLER. Mr. Chair, how much time do I have?

The Acting CHAIR. The gentleman from New York has 1½ minutes remaining, and the gentleman from Virginia has 4 minutes remaining.

Mr. NADLER. Mr. Chairman, this bill prohibits any major regulation from going into effect unless both the House and Senate pass and the President signs a joint resolution of approval within 70 legislative days.

If the President and the Congress fail to approve the regulation within the timeframe, it cannot take effect and a subsequent joint resolution for the same regulation cannot be considered for the remainder of the Congress.

Because of the unrealistic approval deadlines and the requirement that both Houses approve each and every major rule, as well as the President, this bill would effectively prevent the promulgation of many critical protections that ensure Americans' health, safety, and economic well-being.

The proponents say they support regulation when it makes sense. But this is a vast government. It is a vast economy. It is a vast socioeconomic system.

To demand that Congress pass in both Houses within 70 days and the President sign a resolution of approval for every one of the thousands of regulations means most will never be considered.

□ 1615

That is why this amendment, to say that at least where people's lives are at stake in large numbers, where safety regulations to prevent nuclear disasters or to mitigate their effects are in question, that it not be subject to the same restrictive requirements that this rule would put into place, which would say that most regulations would never get adequately considered.

In closing, I want to say that this amendment is absolutely necessary if we want to make sure that the next time there is an earthquake, God forbid, or some other disaster, or even just a power failure, that a nuclear reactor doesn't have a terrible situation, that we don't get a nuclear meltdown, and that if we do, regulations are in place to safeguard people's lives and health.

I think if we are going to pass this terrible bill, the least we can do is exempt nuclear safety from it. I urge all Members to support the amendment.

I yield back the balance of my time.

Mr. GOODLATTE. Mr. Chairman, in closing, the facts speak for themselves. During the course of the Obama administration, which I think most people would agree has been very aggressive at imposing new regulations upon our economy and on our society—it has averaged 81 a year, not thousands, but 81 per year.

I think many of us would agree that some of those regulations impose burdens that were not intended by the underlying legislation upon which those regulations are based, and therefore this is a very manageable way to make sure that regulations don't kill jobs and crush our economy. For that reason, I oppose the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. NADLER).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. NADLER. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York will be postponed.

AMENDMENT NO. 10 OFFERED BY MR. POCAN

The Acting CHAIR. It is now in order to consider amendment No. 10 printed in part B of House Report 114–230.

Mr. POCAN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 18, line 10, insert after ''any rule'' the following: ''(other than a special rule)''.

Page 19, line 2, insert before the period at the end the following: '', and includes a special rule''.

Page 20, insert after line 8 the following:

''(6) The term 'special rule' means any rule that ensures the availability of affordable medication and effective healthcare management for veterans.''.

The Acting CHAIR. Pursuant to House Resolution 380, the gentleman from Wisconsin (Mr. POCAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Wisconsin.

Mr. POCAN. Mr. Chairman, on behalf of myself and the gentlewoman from Wisconsin (Ms. MOORE), my colleague, I rise today to offer an amendment to prevent a spike in the copays that veterans pay for prescription drugs as a result of this misguided bill.

Every year, the Department of Veterans Affairs publishes a rule to ensure that veterans enrolled in the VA health program don't see as much as a 37.5 percent increase in their prescription drug copays. In this bill, the REINS Act, if it were signed into law, it would be very difficult, and perhaps impossible, for the VA to publish this rulemaking before January 1, 2016.

Let's face it, Congress doesn't exactly have a great track record on acting fast. I used to say, when I was in the Wisconsin Legislature, sometimes things move like a tortoise. In Congress, I explain they move more like an upside-down tortoise.

Under this bill, copayments for approximately 2.4 million veterans would increase significantly, causing economic hardship and health risks for many veterans struggling to make ends meet.

If this bill were to become law, veterans with a service-connected disability rating greater than 50 percent would see their prescription drug copays increase more than 11 times what they were paying last year. Veterans who are former prisoners of war or awarded a Purple Heart would see their copays go up nearly 38 percent. Veterans, who have been hit hardest economically after serving their country, would see their rates spike 22 percent.

We must ensure that those who bravely have served our country don't see Congress take money out of their pockets just to score political points. At this time, when we still have many veterans struggling to find a job, it is irresponsible for Congress to make it more difficult for the men and women who have served our country to pay more for the health care they deserve.

I urge my colleagues to support this amendment.

I reserve the balance of my time.

Mr. GOODLATTE. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. GOODLATTE. Mr. Chairman, this amendment carves out of the REINS Act's congressional approval procedures all regulations from the Department of Veterans Affairs that concern the availability of affordable medication and effective healthcare management for veterans.

Affordable medication and effective healthcare management for veterans are goals every Member of Congress can support, but every Member of Congress also knows the Department of Veterans Affairs' appalling recent incompetence and negligence in administering its programs. Rather than diminish the Department's accountability to Congress for regulatory decisions concerning veterans' health care, we should increase the Department's accountability. That is precisely what the REINS Act does.

Under the legislation, the Department will know that Congress must approve its major regulations concerning affordable medication and effective healthcare management before they go into effect. That provides a powerful incentive for the Department to write the best possible regulations, ones that Congress can easily approve.

I urge my colleagues to oppose the amendment.

I reserve the balance of my time.

Mr. POCAN. Mr. Chairman, how much time is remaining on both sides?

The Acting CHAIR. The gentleman from Wisconsin has 3 minutes remaining. The gentleman from Virginia has 4 minutes remaining.

Mr. POCAN. Mr. Chairman, I agree with much of what the gentleman has said. The only problem is, as much as we have had some problems in the VA—and we need to take actions, and we are, including in Wisconsin where we have had an action that, in a bipartisan way, we have been working together on—the only thing worse could be the performance of Congress.

There is a reason why the public currently rates cockroaches, head lice, traffic jams, zombies, and even the band Nickelback higher than Congress. Clearly, we do not have a performance record that shows if we pass this bill we can absolutely guarantee that a veteran won't be paying more, a spike as much as 38 percent, or 11 times what they are currently paying.

I am not going to bet on Congress, and I am guessing the American public won't bet on Congress, but we have the ability with this amendment to at least say we are going to make sure those who have served our country won't pay more for their prescription drugs if we don't get our work done, because they have seen that all too often.

Mr. Chairman, I urge my colleagues to support this amendment.

I yield back the balance of my time.

Mr. GOODLATTE. Mr. Chairman, what this amendment says is, because the Department of Veterans Affairs is doing a remarkably bad job of providing timely health care to citizens, we should carve out that Department's responsibility for providing medications and timely health care and exempt it from the accountability that Congress, the elected representatives of the people, who are very responsive to the needs of veterans, would impose.

With the REINS Act, Congress could instruct, with the passage of legislation to help veterans, and say, ''You must report back regulations within a certain time period,'' which the Congress could then act upon in a timely fashion, assuring themselves that not only have the regulations been done quickly, but also that they are going to address the problems in an effective way that we have all identified with what is going on in the Department of Veterans Affairs.

I urge my colleagues to oppose this amendment which will simply preserve the bad system we have now for helping our veterans through a Department of Veterans Affairs that is unaccountable. We should, instead, make them more accountable by passing the REINS Act.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Wisconsin (Mr. POCAN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. POCAN. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Wisconsin will be postponed.

Mr. GOODLATTE. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. GOODLATTE) having assumed the chair, Mr. YODER, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 427) to amend chapter 8 of title 5, United States Code, to provide that major rules of the executive branch shall have no force or effect unless a joint resolution of approval is enacted into law, had come to no resolution thereon.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the chair.

Accordingly (at 4 o'clock and 25 minutes p.m.), the House stood in recess.

□ 1655

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HOLDING) at 4 o'clock and 55 minutes p.m.

REGULATIONS FROM THE EXECUTIVE IN NEED OF SCRUTINY ACT OF 2015

The SPEAKER pro tempore. Pursuant to House Resolution 380 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 427.

Will the gentleman from Georgia (Mr. WESTMORELAND) kindly take the chair.

□ 1656

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 427) to amend chapter 8 of title 5, United States Code, to provide that major rules of the executive branch shall have no force or effect unless a joint resolution of approval is enacted into law, with Mr. WESTMORELAND (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole House rose earlier today, a request for a recorded vote on amendment No. 10 printed in part B of House Report 114–230 offered by the gentleman from Wisconsin (Mr. POCAN) had been postponed.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting Chair. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part B of House Report 114–230 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Mr. YOUNG of Iowa.

Amendment No. 2 by Mr. SMITH of Missouri.

Amendment No. 4 by Mr. JOHNSON of Georgia.

Amendment No. 5 by Mrs. CAPPS of California.

Amendment No. 6 by Mr. CICILLINE of Rhode Island.

Amendment No. 7 by Mr. CICILLINE of Rhode Island.

Amendment No. 9 by Mr. NADLER of New York.

Amendment No. 10 by Mr. POCAN of Wisconsin.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 1 OFFERED BY MR. YOUNG OF IOWA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Iowa (Mr. YOUNG) on

which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 250, noes 159, not voting 24, as follows:

[Roll No. 473]

AYES—250

Abraham
Aderholt
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Chabot
Chaffetz
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis (CA)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (LA)
Graves (MO)
Green, Gene
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peters
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—159

Adams
Aguilar
Beatty
Becerra
Bera
Beyer
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Bustos
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Connolly
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Gabbard
Gallego
Garamendi
Graham
Grayson
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jeffries
Johnson (GA)
Kaptur
Keating
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meng
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Pingree
Pocan
Polis
Price (NC)
Quigley
Rice (NY)
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—24

Bass
Butterfield
Carter (TX)
Clawson (FL)
Cleaver
Conyers
Fudge
Graves (GA)
Green, Al
Jackson Lee
Johnson, E. B.
Kelly (IL)
Lee
Levin
Lieu, Ted
Lowey
Lujan Grisham (NM)
Meeks
Moore
Rangel
Richmond
Sanchez, Loretta
Sewell (AL)
Thompson (MS)

□ 1727

Messrs. CICILLINE, CARSON of Indiana, COURTNEY, COSTA, and Ms. KAPTUR changed their vote from ''aye'' to ''no.''

Messrs. BRADY of Texas and MESSER changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

(By unanimous consent, Mr. CRENSHAW was allowed to speak out of order.)

14TH ANNUAL FIRST TEE CONGRESSIONAL CHALLENGE

Mr. CRENSHAW. Mr. Chairman, I would like to take this opportunity to update my colleagues on a competition that takes place each year between House Democrats and House Republicans. It is called The First Tee Congressional Challenge.

It is a golf match that is patterned after the Ryder Cup golf matches that you watch on television from time to time. It is sponsored by Roll Call. The winner of the event each year is entitled to keep for a year what has been known as the coveted Roll Call Cup. I want to announce to the Members that, this year, the Republican team won the competition, so we will keep the cup. This is the fourth year in a row that the Republicans have won the coveted cup.

Let me just say ''thank you'' to all of my teammates. I would like to congratulate my teammates for their fine work and fine play. I would like to congratulate the Democrats for their sportsmanship. We had a couple of rookies who played well. It is a spirited competition, Mr. Chairman. It is a chance for individuals to meet some folks across the aisle and to build friendships.

It is made more meaningful by the fact that the money that is raised each year goes to an organization called The First Tee. It is a group that is active in all 50 of our States, and it has touched the lives of over 10,000 young people. It uses the game of golf to teach values such as hard work, honesty, and integrity. It is a wonderful organization. Over the years, we have raised over $2 million for The First Tee, so that makes it even more meaningful.

Mr. Chairman, I yield to the gentleman from Kentucky (Mr. YARMUTH), my counterpart and the captain of the Democratic team.

Mr. YARMUTH. I thank my friend, and I congratulate him and the Republican team on a well-earned victory.

Mr. Chairman, as I have said many times in the last few years, elections have consequences. After we lost the majority, we also lost some of our advantage in terms of talented golfers. We need to do a better job of either electing good golfers or of recruiting some of the better ones we have.

The Republicans have a terrific team that is made up of truly honorable and wonderful people; and I think we all, on both sides of the aisle, get a great deal of enjoyment from this competition. We have made friends; and as Mr. CRENSHAW said, we have succeeded in raising an awful lot of money for a very, very good cause.

I thank the Republicans for a great competition, and I thank my teammates for their efforts, but they need

to be practicing for the next year a little more. I also want to thank the sponsors who actually contributed to this event and made the fundraising possible.

We won 6 years in a row, and the Republicans have now won 4 years in a row. It is interesting how the streaks come along with the majority, so we will give it another try next year.

Once again, congratulations to the Republicans. Even more importantly, congratulations to The First Tee for the work that they do.

AMENDMENT NO. 2 OFFERED BY MR. SMITH OF MISSOURI

The Acting CHAIR (Mr. CARTER of Georgia). Without objection, 2-minute voting will continue.

There was no objection.

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Missouri (Mr. SMITH) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 242, noes 167, not voting 24, as follows:

[Roll No. 474]

AYES—242

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Chabot
Chaffetz
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
Lipinski
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—167

Adams
Aguilar
Ashford
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Connolly
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Gabbard
Gallego
Garamendi
Gibson
Graham
Grayson
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jeffries
Johnson (GA)
Kaptur
Keating
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lewis
Loebsack
Lofgren
Lowenthal
Lowey
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meng
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Rice (NY)
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—24

Bass
Butterfield
Carter (TX)
Clawson (FL)
Cleaver
Conyers
Cramer
Fudge
Graves (GA)
Green, Al
Jackson Lee
Johnson, E. B.
Kelly (IL)
Lee
Levin
Lieu, Ted
Lujan Grisham (NM)
Meeks
Moore
Rangel
Richmond
Sanchez, Loretta
Sewell (AL)
Thompson (MS)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1736

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 4 OFFERED BY MR. JOHNSON OF GEORGIA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Georgia (Mr. JOHNSON) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 163, noes 246, not voting 24, as follows:

[Roll No. 475]

AYES—163

Adams
Aguilar
Ashford
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Connolly
Cooper
Costa
Courtney
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jeffries
Johnson (GA)
Kaptur
Keating
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney

Meng
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Rice (NY)
Roybal-Allard
Ruiz
Rush
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Scott (VA)
Scott, David
Serrano
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—246

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Chabot
Chaffetz
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Crowley
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Ruppersberger
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schrader
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—24

Bass
Butterfield
Carter (TX)
Clawson (FL)
Cleaver
Conyers
Fudge
Graves (GA)
Green, Al
Jackson Lee
Johnson, E. B.
Kelly (IL)
Lee
Levin
Lieu, Ted
Lujan Grisham (NM)
Meeks
Moore
Mullin
Rangel
Richmond
Sanchez, Loretta
Sewell (AL)
Thompson (MS)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1740

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Ms. EDWARDS. Mr. Chair, during rollcall vote No. 475 on H.R. 427, I mistakenly recorded my vote as "no" when I should have voted "yes."

AMENDMENT NO. 5 OFFERED BY MRS. CAPPS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from California (Mrs. CAPPS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 166, noes 244, not voting 23, as follows:

[Roll No. 476]

AYES—166

Adams
Aguilar
Ashford
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Connolly
Cooper
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jeffries
Johnson (GA)
Kaptur
Keating
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meng
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Rice (NY)
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—244

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Chabot
Chaffetz
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell

Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—23

Bass
Butterfield
Carter (TX)
Clawson (FL)
Cleaver
Conyers
Fudge
Graves (GA)
Green, Al
Jackson Lee
Johnson, E. B.
Kelly (IL)
Lee
Levin
Lieu, Ted
Lujan Grisham (NM)
Meeks
Moore
Rangel
Richmond
Sanchez, Loretta
Sewell (AL)
Thompson (MS)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1744

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 6 OFFERED BY MR. CICILLINE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Rhode Island (Mr. CICILLINE) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 166, noes 242, not voting 25, as follows:

[Roll No. 477]

AYES—166

Adams
Aguilar
Ashford
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Connolly
Cooper
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jeffries
Johnson (GA)
Kaptur
Keating
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meng
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Rice (NY)
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—242

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Chabot
Chaffetz
Coffman
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—25

Bass
Blackburn
Butterfield
Carter (TX)
Clawson (FL)
Cleaver
Cole
Conyers
Fudge
Graves (GA)
Green, Al
Jackson Lee
Johnson, E. B.
Kelly (IL)
Lee
Levin
Lieu, Ted
Lujan Grisham (NM)
Meeks
Moore
Rangel
Richmond
Sanchez, Loretta
Sewell (AL)
Thompson (MS)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1748

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 7 OFFERED BY MR. CICILLINE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Rhode Island (Mr. CICILLINE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 167, noes 243, not voting 23, as follows:

[Roll No. 478]

AYES—167

Adams
Aguilar
Ashford
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Connolly
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison

Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jeffries
Johnson (GA)
Kaptur
Keating
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meng
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmuter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Rice (NY)
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—243

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Chabot
Chaffetz
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—23

Bass
Butterfield
Carter (TX)
Clawson (FL)
Cleaver
Conyers
Fudge
Graves (GA)
Green, Al
Jackson Lee
Johnson, E. B.
Kelly (IL)
Lee
Levin
Lieu, Ted
Lujan Grisham (NM)
Meeks
Moore
Rangel
Richmond
Sanchez, Loretta
Sewell (AL)
Thompson (MS)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1752

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 9 OFFERED BY MR. NADLER

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. NADLER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 167, noes 241, not voting 25, as follows:

[Roll No. 479]

AYES—167

Adams
Aguilar
Ashford
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Connolly
Cooper
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Gene
Grijalva
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jeffries
Johnson (GA)
Kaptur
Keating
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lewis
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meng
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmuter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Rice (NY)
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Titus
Tonko
Torres
Tsongas
Upton
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—241

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Chabot
Chaffetz
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)

Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—25

Bass
Butterfield
Carter (TX)
Clawson (FL)
Cleaver
Conyers
Fudge
Graves (GA)
Green, Al
Gutiérrez
Huelskamp
Jackson Lee
Johnson, E. B.
Kelly (IL)
Lee
Levin
Lieu, Ted
Lujan Grisham (NM)
Meeks
Moore
Rangel
Richmond
Sanchez, Loretta
Sewell (AL)
Thompson (MS)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1755

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 10 OFFERED BY MR. POCAN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Wisconsin (Mr. POCAN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 167, noes 239, not voting 27, as follows:

[Roll No. 480]

AYES—167

Adams
Aguilar
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Connolly
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Gabbard
Gallego
Garamendi
Graham
Graves (MO)
Grayson
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jeffries
Johnson (GA)
Kaptur
Keating
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meng
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Rice (NY)
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—239

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Chabot
Chaffetz
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (LA)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—27

Ashford
Bass
Bridenstine
Butterfield
Carter (TX)
Clawson (FL)
Cleaver
Conyers
Fudge
Graves (GA)
Green, Al
Jackson Lee
Johnson, E. B.
Jordan
Kelly (IL)
Lee
Levin
Lieu, Ted
Lujan Grisham (NM)
Meeks
Moore
Rangel
Richmond
Sanchez, Loretta
Sewell (AL)
Thompson (MS)
Westmoreland

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1759

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR. The question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WOMACK) having assumed the chair, Mr. CARTER of Georgia, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 427) to amend chapter 8 of title 5, United States Code, to provide that major rules of the executive branch shall have no force or effect unless a joint resolution of approval is enacted into law, and, pursuant to House Resolution 380, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. NOLAN. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. NOLAN. Mr. Speaker, I am opposed in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Nolan moves to recommit the bill H.R. 427 to the Committee on the Judiciary, with instructions to report the same back to the House forthwith, with the following amendments:

Add, at the end of the bill, the following:

SEC. 6. PROTECTING GUARANTEED SOCIAL SECURITY AND MEDICARE.

The exemption from treatment as major rules for certain classes of such rules (known as ''special rules'', as such term is defined under section 804(6) of title 5, United States Code) is intended to protect rules that protect Social Security and Medicare benefits for seniors.

Page 18, line 10, insert after ''means any rule'' the following: ''(other than a special rule)''.

Page 19, line 2, insert before the period at the end the following: '', and includes any special rule''.

Page 20, insert after line 8 the following:

''(6) The term 'special rule' means any rule that would—

''(A) protect Social Security's earned benefits, and prevent cuts, including those caused by an increase in the retirement age; or

''(B) protect Medicare's guaranteed benefits, and prevent cuts, including those caused by a voucher system that forces beneficiaries to purchase health care in the private sector.''.

The SPEAKER pro tempore. The gentleman from Minnesota is recognized for 5 minutes.

Mr. NOLAN. Mr. Speaker, Members of the House, my amendment would see to it that nothing in this legislation does any harm to Social Security or Medicare. Why? It is because, first of all, they are not entitlements; they are earned benefits that people started paying for the first day, the first hour that they ever went to work.

Our seniors rely on their Social Security and Medicare. Nothing has done more to lift more people out of poverty and give them health and life expectancy than Social Security and Medicare.

Mr. Speaker, the underlying legislation that we are looking at here proposes to provide relief, but in fact, it proposes to emasculate and do away with the regulatory process and, in the process, do great harm and great damage to the things, the many things that have made this country the great Nation that it is.

I have got to tell you, as I look around this room here and the age of this Congress, make no mistake about it; many of you were there when I was there, when our rivers were running sewers, when our lakes were catching on fire, when our coal miners and boat workers were dying young in life from fiberglass lungs and coal dust in their lungs.

I spent time in the sawmills; I owned one. You couldn't find anyone that could count to 5 on their hands because they were either missing fingers, hands, arms, or legs or had lost their lives for want of a little ventilation, for want of a safety switch or a guard of some sort.

The simple truth is that these laws, these regulations turned all that around. That is right; they turned all that around. Guess what. They doubled our life expectancy—maybe one of the greatest accomplishments of all time. We went from our grandparents, where life expectancy was 47, to darn near 80—what an incredible accomplishment.

Now, the question is: Do we want to protect that progress? I hope so. Do we? Do we want to pay it forward? Or do we want to turn it back? I should hope not.

Do we really want to paralyze these laws and do away with the rules and regulations that gave us clean water that we can drink and clean air that we can breathe without getting sick? I should hope not. Is that really what we want to do?

Do we want to do away with the healthy, safe working conditions that extended life for people who worked hard to build a life for themselves and their families? Is that what we really want to do? Do we want to do away with food safety that protected us from the drugs and the chemicals that ended our lives prematurely? Is that what we want to do? I should hope not. No. No.

Do we want to do away with the Wall Street regulations, the billionaires who play so fast and loose with other people's money? Well, we sure as heck don't want to turn Social Security and Medicare over to them, do we? Imagine what they would do with Social Security and Medicare. It is devastating, and it is frightening.

Mr. Speaker, my amendment protects both. That is the least we can do. My amendment protects Social Security; it protects Medicare, and that is the least that we can do for a generation that gave us so much.

Last, but not least, had it not been for these regulations, had it not been for Social Security and Medicare, half of us wouldn't be here—that is right—because we increased the life expectancy from 47 to 80, so show some gratitude. Show some being grateful. Let's protect Social Security and Medicare.

I yield back the balance of my time.

Mr. GOODLATTE. Mr. Speaker, I claim the time in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Virginia is recognized for 5 minutes.

Mr. GOODLATTE. Mr. Speaker, on the floor of this House in 2011, the President of the United States promised the American people to reduce barriers to growth and investment: ''When we find rules that put an unnecessary burden on businesses, we will fix them.''

Mr. Speaker, those were just the President's words. His actions have been starkly different. Throughout the entire 6-plus years of the President's administration, a flood of new major regulations has been burying America's job creators and households at record levels.

To make matters worse, when Congress declines to legislate the President's misguided policies for him, he takes his pen and his cell phone, and he increasingly resorts to unilateral regulatory actions to legislate by executive fiat.

The REINS Act, in one fell swoop, puts a stop to that and ensures that Congress, the body which the Constitution assigns the power to legislate, will possess an additional check on the most significant legislative decisions imposed on the American people through regulation.

The motion to recommit seeks only to distract from the urgent needs to reform our regulatory system and reduce unnecessary burdens on the public. I think Americans are tired of the other party telling them that their bureaucrats know better than their own elected officials.

I urge my colleagues to support this bill, reject this motion to recommit, and show America that Congress can act for the good of American job creators and Americans who desperately want and need jobs.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. NOLAN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, this 5-minute vote on the motion to recommit will be followed by a 5-minute vote on passage of the bill, if ordered.

The vote was taken by electronic device, and there were—ayes 167, noes 241, not voting 25, as follows:

[Roll No. 481]

AYES—167

Adams
Aguilar
Ashford
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Connolly
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Huffman
Israel
Jeffries
Johnson (GA)
Jones
Kaptur
Keating
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meng
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rice (NY)
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—241

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Chabot
Chaffetz
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—25

Bass
Butterfield
Carter (TX)
Clawson (FL)
Cleaver
Conyers
Engel
Fudge
Graves (GA)
Green, Al
Hoyer
Jackson Lee
Johnson, E. B.
Kelly (IL)
Lee
Levin
Lieu, Ted
Lujan Grisham (NM)
Meeks
Moore
Rangel
Richmond
Sanchez, Loretta
Sewell (AL)
Thompson (MS)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1817

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. JOHNSON of Georgia. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 243, noes 165, not voting 25, as follows:

[Roll No. 482]

AYES—243

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Chabot
Chaffetz
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—165

Adams
Aguilar
Ashford
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)

Chu, Judy	Hinojosa	Peters
Cicilline	Honda	Pingree
Clark (MA)	Hoyer	Pocan
Clarke (NY)	Huffman	Polis
Clay	Israel	Price (NC)
Clyburn	Jeffries	Quigley
Cohen	Johnson (GA)	Rice (NY)
Connolly	Kaptur	Roybal-Allard
Cooper	Keating	Ruiz
Costa	Kennedy	Ruppersberger
Courtney	Kildee	Rush
Crowley	Kilmer	Ryan (OH)
Cummings	Kind	Sánchez, Linda T.
Davis (CA)	Kirkpatrick	Sarbanes
Davis, Danny	Kuster	Schakowsky
DeFazio	Langevin	Schiff
DeGette	Larsen (WA)	Schrader
Delaney	Larson (CT)	Scott (VA)
DeLauro	Lawrence	Scott, David
DelBene	Lewis	Serrano
DeSaulnier	Lipinski	Sherman
Deutch	Loebsack	Sinema
Dingell	Lofgren	Sires
Doggett	Lowenthal	Slaughter
Doyle, Michael F.	Lowey	Smith (WA)
Duckworth	Luján, Ben Ray (NM)	Speier
Edwards	Maloney, Carolyn	Swalwell (CA)
Ellison	Maloney, Sean	Takai
Engel	Matsui	Takano
Eshoo	McCollum	Thompson (CA)
Esty	McDermott	Titus
Farr	McGovern	Tonko
Fattah	McNerney	Torres
Foster	Meng	Tsongas
Frankel (FL)	Moulton	Van Hollen
Gabbard	Murphy (FL)	Vargas
Gallego	Nadler	Veasey
Garamendi	Napolitano	Vela
Graham	Neal	Velázquez
Grayson	Nolan	Visclosky
Green, Gene	Norcross	Walz
Grijalva	O'Rourke	Wasserman Schultz
Gutiérrez	Pallone	Waters, Maxine
Hahn	Pascrell	Watson Coleman
Hastings	Payne	Welch
Heck (WA)	Pelosi	Wilson (FL)
Higgins	Perlmutter	Yarmuth
Himes		

NOT VOTING—25

Bass	Jackson Lee	Lynch
Butterfield	Johnson, E. B.	Meeks
Carter (TX)	Kelly (IL)	Moore
Clawson (FL)	Lee	Rangel
Cleaver	Levin	Richmond
Conyers	Lieu, Ted	Sanchez, Loretta
Fudge	Lucas	Sewell (AL)
Graves (GA)	Lujan Grisham (NM)	Thompson (MS)
Green, Al		

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1824

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Ms. SEWELL of Alabama. Mr. Speaker, during the vote on H.R. 427 I was inescapably detained and away handling important matters related to my District and the State of Alabama. If I had been present, I would have voted "no" on final passage.

PERSONAL EXPLANATION

Mr. AL GREEN of Texas. Mr. Speaker, today I missed the following votes: Motion on Ordering the Previous Question on the Rule. Had I been present, I would have voted "no" on this motion. H. Res. 380, Rule providing for consideration of H.R. 427. Had I been present, I would have voted "no" on this resolution. H.R. 675, the Veterans' Compensation Cost-of-Living Adjustment Act of 2015. Had I been present, I would have voted "yes" on this bill. Young (IA) Amendment to H.R. 427. Had I been present, I would have voted "no" on this amendment. Smith (MO) Amendment to H.R. 427. Had I been present, I would have voted "no" on this amendment. Johnson (GA) Amendment to H.R. 427. Had I been present, I would have voted "yes" on this amendment. Capps Amendment to H.R. 427. Had I been present, I would have voted "yes" on this amendment. Cicilline Amendment #1 to H.R. 427. Had I been present, I would have voted "yes" on this amendment. Cicilline/Jackson Lee Amendment #2 to H.R. 427. Had I been present, I would have voted "yes" on this amendment. Nadler Amendment to H.R. 427. Had I been present, I would have voted "yes" on this amendment. Pocan/Moore Amendment to H.R. 427. Had I been present, I would have voted "yes" on this amendment. Motion to Recommit H.R. 427. Had I been present, I would have voted "yes" on the motion. H.R. 427, the Regulations from the Executive in Need of Scrutiny Act of 2015. Had I been present, I would have voted "no" on this bill.

PERSONAL EXPLANATION

Mr. GRAVES of Georgia. Mr. Speaker, I was absent today to attend the funeral services for U.S. Navy Petty Officer Second Class Randall Smith. Had I been present, on rollcall No. 470, I would have voted "yes," on rollcall No. 471, I would have voted "yes," on rollcall No. 472, I would have voted "yes," on rollcall No. 473, I would have voted "yes," on rollcall No. 474, I would have voted "yes," on rollcall No. 475, I would have voted "no," on rollcall No. 476, I would have voted "no," on rollcall No. 477, I would have voted "no," on rollcall No. 478, I would have voted "no," on rollcall No. 479, I would have voted "no," on rollcall No. 480, I would have voted "no," on rollcall No. 481, I would have voted "no," and on rollcall No. 482 (Passage of the Regulations from the Executive in Need of Scrutiny Act), I would have voted "yes."

ELECTING A MEMBER TO A CERTAIN STANDING COMMITTEE OF THE HOUSE OF REPRESENTATIVES

Mr. BECERRA. Mr. Speaker, by direction of the Democratic Caucus, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 387

Resolved, That the following named Member be and is hereby elected to the following standing committee of the House of Representatives:

(1) COMMITTEE ON NATURAL RESOURCES.—Mr. Clay.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ANNOUNCEMENT OF OFFICIAL OBJECTORS FOR PRIVATE CALENDAR FOR 114TH CONGRESS

The SPEAKER pro tempore. On behalf of the majority and minority leaderships, the Chair announces that the official objectors for the Private Calendar for the 114th Congress are as follows:

For the majority:
Mr. GOODLATTE, Virginia
Mr. SENSENBRENNER, Wisconsin
Mr. GOWDY, South Carolina
For the minority:
Mr. SERRANO, New York
Mr. NADLER, New York
Ms. BASS, California

RECOGNIZING THE HUNTINGDON COUNTY, PENNSYLVANIA, FAIR

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, in 1831, a tradition was started in Huntingdon County, Pennsylvania, which would go on to become a staple of the summertime agriculture expos.

This August 9, the Huntingdon County Fair is celebrating its 125th fair, located at their 69-acre site, which has evolved over the decades to boast hundreds of agricultural exhibits. Ranging from equine shows to wine tasting, the Huntingdon County Fair provides areas of interest for almost everyone.

Mr. Speaker, as a member of the House Committee on Agriculture, I am proud to rise today to congratulate the people of Huntingdon County and those countless volunteers and community members who have made this time-honored event a Pennsylvania tradition, including the parents and friends of 4–H, FAA youth members, and the Huntingdon County Agricultural Association.

Here's to wishing them 125 more successful fairs for the next generation and generations to come.

50TH ANNIVERSARY OF MEDICARE AND MEDICAID PROGRAMS

(Mr. GENE GREEN of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GENE GREEN of Texas. Mr. Speaker, I rise today to highlight the 50th anniversary of the Medicare and Medicaid programs. Since 1965, these landmark programs have provided affordable health insurance coverage and access to care for our Nation's seniors and most vulnerable populations. Few programs have improved the lives of Americans as significantly as Medicaid and Medicare.

Fifty years ago, almost half of elderly Americans lacked health insurance. Today, Medicare provides lifesaving insurance to nearly 100 percent of adults over 65.

Medicaid continues to be a lifeline for millions of children, pregnant women, people with disabilities, seniors, and low-income families. Over 70

million Americans currently rely on Medicaid for affordable health insurance. Medicaid covers more than one in three children, pays for nearly half of all births, and accounts for more than 40 percent of all long-term care.

On the anniversary of this historic law, we celebrate the successes of Medicaid and Medicare. We must renew our commitment to further strengthening them so they remain available in perpetuity for generations to come.

□ 1830

RECOGNIZING JEWISH COMMUNITY SERVICES OF SOUTH FLORIDA

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today to recognize Jewish Community Services of South Florida and its upcoming annual Milk & Honey event, which will take place on August 30 and starts at the Greater Miami Jewish Federation.

This tremendous, faith-based, nonprofit organization has worked to improve the lives of South Florida residents since 1920. It is one of our State's largest and most reliable social service organizations.

Among the many important services that the JCS of South Florida provides are those focused on supporting our elderly. This year's Milk & Honey event will, again, bring together hundreds of volunteers to assemble food baskets and hurricane preparedness kits for vulnerable South Florida seniors.

My community liaison, Harriet Carter, and I have participated in many events of the JCS of South Florida, and I thank all the volunteers who will make this year's Milk & Honey event a smashing success.

SUPPORTING DRAFT LEGISLATION CONCERNING THE VA BUDGET AND CHOICE FUNDING

(Ms. BROWN of Florida asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. BROWN of Florida. Mr. Speaker, yesterday, I participated in laying a wreath at the Arlington Cemetery to honor our fallen veterans and military members.

Today, we need to do more than a ceremony. We need to honor our veterans now by passing the VA budget legislation.

I support this draft legislation because it addresses the $3 billion shortfall for fiscal year 2015 that veterans had, and it keeps hospital and medical facilities open for our veterans through the end of the fiscal year.

This legislation allows the VA to use the dollars for health care provided to veterans and family members under the program provided by the non-VA provision. This bill allows VA to access this money. In addition, $500 million may be used for pharmaceutical expenses related to the treatment of hepatitis C at the VA.

This is a cure many of the veterans need, especially those who served in Vietnam; and I urge my colleagues to pass this legislation before we go home.

As the Army says, this is one team, one fight; and we need to look out for the VA and veterans.

SUPPORT MONTANA JOBS

(Mr. ZINKE asked and was given permission to address the House for 1 minute.)

Mr. ZINKE. Mr. Speaker, I rise in support of Montana jobs and to rally against this administration's war on American coal.

In Montana, coal means good-paying jobs. Those are blue collar, union jobs. Coal means economic opportunity. Coal means affordable utilities for families and manufacturers, and coal means Montana.

In the words of Crow Chairman Old Coyote:

> For the Crow people, there are no jobs that compare to the coal job. The wages and benefits exceed anything else that is available. A war on coal is a war on the Crow people.

Montana could lead the Nation in coal production; but, unfortunately, President Obama and his EPA are waging a more aggressive war on coal than they are against ISIS.

Montana alone, and our coal, produces $1.7 billion in royalty payments; and that pays for schools, bridges, and our infrastructure.

The EPA's Clean Power Plan will kill Montana jobs. Those are real jobs, like in the Rosebud mine in Colstrip, and across our State.

Mr. Speaker, I ask my colleagues to support Montana and support our Nation's energy independence through coal.

RENEW VOTING RIGHTS ACT

(Mr. PAYNE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAYNE. Mr. Speaker, nearly 50 years after the Voting Rights Act was signed into law, we still see efforts to weaken voter protections and suppress votes.

Discriminatory voting laws, such as strict photo ID requirements and reduced early voting, disproportionately impact minority voters in the name of preventing widespread voter fraud, a problem that simply does not exist.

Clearly, since the Supreme Court's decision 2 years ago to erode some of the VRA's most critical protections, including preclearance requirements that protect against disenfranchising laws, the Voting Rights Act is still needed more now than ever before; yet Republicans have refused to allow a renewed and strengthened Voting Rights Act to come to the floor.

This should concern everyone who believes the right to vote is one of the most fundamental to our democracy. It is time we renew and strengthen the Voting Rights Act.

HUMAN TRAFFICKING IS MODERN-DAY SLAVERY

(Mr. DOLD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DOLD. Mr. Speaker, I rise today because it is past time we call human trafficking what it really is: modern-day slavery.

Every year, up to 300,000 children are at risk of being sex-trafficked here in our country. On average, these children are first sold into sex slavery before their 13th birthday. As a father, I can't fathom anything more disgusting.

Earlier this year, I supported legislation that we successfully passed aimed at stopping sex trafficking, but the fight is far from over. Human trafficking generates $9.5 billion worldwide each and every year, and the criminals that profit off of sex trafficking aren't going to give in that easily.

For example, right now in my district, backpage.com, a disgusting Web site that facilitates online sex trafficking, is suing Cook County Sheriff Tom Dart because he stood up to the evil and corrupt people who profit off of the exploitation of minors.

It is our collective obligation to do everything that we can to put a definitive end to this atrocity. I commend Sheriff Dart for standing up for what is right, and I pledge to work with my colleagues here in this House, on both sides of the aisle, to stop this abhorrent crime.

A SURVIVOR'S STORY

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Mr. Speaker, Amanda Jones was kidnapped in Dallas, Texas. She was 15 years of age, and then she was sold for sex at the hands of human traffickers.

Children right here in the United States are bought and sold for sexual exploitation in urban, suburban, and rural areas. Their souls are stolen from them, and no community is immune.

Amanda was in slavery for 9 years. She eventually escaped with her daughter and, thankfully, found services through a new wonderful organization in Dallas, New Friends New Life. New Friends New Life is primarily funded by Dallas donors, and it provides services to victims to address their unique needs. It helps them rebuild their lives.

Amanda now helps other trafficked victims become survivors instead of victims. We need more programs like this one, where survivors help each other.

Now, through funding in the Justice for Victims of Trafficking Act, more services will be available to victims like Amanda. We can stop traffickers in their tracks because our children are not for sale, in our town, in our State, or in our country.

And that is just the way it is.

THANK YOU AND BEST WISHES TO MARK WELLMAN

(Mr. CHABOT asked and was given permission to address the House for 1 minute.)

Mr. CHABOT. Mr. Speaker, I would like to take a moment this evening to offer my appreciation and sincere best wishes to Mark Wellman, my chief of staff for the last 4 years, who is leaving us at the end of this week to accept an appointment as a professor of constitutional law at the United States Military Academy at West Point.

Mark has superbly served as a congressional staffer for more than two decades—first, with our late colleague, Congressman Paul Gillmor of Ohio; and then, following an earlier tour at West Point, in my office.

During all of those years, he has served with distinction in the National Guard, including a tour in Iraq, and has risen to the rank of colonel.

He is an outstanding individual, a gentleman of the first order, the world's most loyal Chicago Cubs fan, and a great American. He will be truly missed.

Good luck, Mark, and God bless you.

RECOGNIZING SEVERAL UNSUNG HEROES IN THE FOURTH CONGRESSIONAL DISTRICT OF TEXAS

(Mr. RATCLIFFE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RATCLIFFE. Mr. Speaker, I come to the floor to recognize several unsung heroes in the Fourth Congressional District of Texas.

Several counties in my district are just now beginning to recover from recent flooding at historic levels, so I appreciate the opportunity to thank all the sheriff and fire departments in communities across our district in Grayson, Fannin, Lamar, Red River, Bowie, Hopkins, Delta, and Cass Counties.

Emergency coordinators like C.J. Durbin-Higgins, Joyce and Steven Molder, and Robert Flowers in Grayson County; and Jim Roberts, Deborah Lann, and James Carlow in Bowie County, as well as so many others, are deserving of our gratitude.

While our first responders' efforts have been vital and, in some cases, heroic, many folks back home are still suffering. Mr. Speaker, I want my constituents to know that they can still reach out to my office if they need any assistance or help with any issues related to flooding.

COMMUNICATION FROM THE HONORABLE TOM MCCLINTOCK, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable TOM MCCLINTOCK, Member of Congress:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 28, 2015.

Hon. JOHN A. BOEHNER,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally pursuant to rule VIII of the Rules of the House of Representatives that I have been served with a non-party subpoena, issued by the Madera County Superior Court, Madera County, California, for documents in a civil case.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the precedents and privileges of the House.

Sincerely,

TOM MCCLINTOCK.

COMMUNICATION FROM THE DEMOCRATIC LEADER

The SPEAKER pro tempore laid before the House the following communication from the Honorable NANCY PELOSI, Democratic Leader:

JULY 28, 2015.

Hon. JOHN BOEHNER,
Speaker of the House, U.S. Capitol,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to section 202(a) of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146) I am pleased to appoint the following individual to the Commission on Care:

Mr. Michael Blecker of San Francisco, California

Thank you for your consideration of this appointment.

Best regards,

NANCY PELOSI,
Democratic Leader.

THE IMPACTS OF COAL

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentleman from West Virginia (Mr. MCKINLEY) is recognized for 60 minutes as the designee of the majority leader.

GENERAL LEAVE

Mr. MCKINLEY. Mr. Speaker, before I begin, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on the topics of this Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. MCKINLEY. Mr. Speaker, tonight, we want to talk about these three subjects as it relates to coal. You have already heard recent remarks made a few minutes ago about the war on coal, but we want to talk about the impacts of coal, the regulations, and the Clean Power Plan. That is what we are going to be talking about tonight are these three primary subjects.

I want to put things in perspective. We want to talk about how does this coal industry—you hear us, many of us that come from coal country, we have been fighting about coal, fighting for coal—why do we do that?

Look at the impact. For those of you that aren't coming from a coal community, now, we mine coal in 27 States, but just look at this, the impact, what it has—between coal mining at $58 billion a year and then the generation of power from coal totals $142 billion.

Now, maybe that doesn't mean a lot to a lot, but $142 billion, put that in context with the automobile industry. All of us are familiar with cars. We all hear the commercials on television. We know about the discussion about how you have got to have the latest car.

This is bigger than the car industry. The automobile industry is $130 billion. That is why many of us, all across this country, are concerned about this future of the coal industry. It is larger than the automobile industry. I want you to understand that. Everyone should make sure they grasp the impact of that.

This war on coal that many of us have been talking about for some time, I want to make sure that people understand how it affects us individually and affects a State like West Virginia.

□ 1845

Just 7 years ago the unemployment rate in West Virginia was the seventh best in the country. But after 7 years of a war on coal, after regulation after regulation after regulation, West Virginia's unemployment rate now has dropped and we are in the last place in the Nation.

Think about that impact for all of us. You go from number 7 to 50th in just 7 years. Combine that with the families of our coal miners. Just in the past 3 years, 45 percent of the coal miners in West Virginia have lost their jobs, 45 percent. These are people. These are real people. They are not statistics.

The gentleman from Illinois (Mr. SHIMKUS) uses this chart. He has shown us over the years—my 5 years in Congress—he showed us that these are the people we are talking about all over this country who are losing their jobs.

But in West Virginia, 45 percent of them have lost—in the coalfields of West Virginia, the unemployment rate is staggering, and that hasn't stopped the administration.

We are talking about unemployment rates in counties two and three times

the rate of the national figures: 13.5 percent, 13 percent, 12 percent, 10 percent. That is tough for a family, a community, a State, all to be able to survive.

We keep talking about mines shutting down. I want people to understand, when you shut down coal mines, you really affect a community. These people all have families. When these men lose their jobs, it affects other people.

The administration and the EPA can shut down our coal mining industry. Yes, they can. They are doing a pretty good job of it, if that was their intent, was to shut down and for people to lose their jobs.

But think about it. When these men lose their jobs, it is not just the coal miners who are losing their jobs. It is the other individuals in the community.

We are talking about the railroad workers, the barge operators, the trucking industry, all that come to pick up the coal at the mine to take it to the power plant.

The machinists, the concrete suppliers, the people that put the conveyor belts in, and the building that we have to do with it, all of them lose their jobs. The timber industry.

Then go outside and talk to the school board when the school boards are struggling to make ends meet because so many of their employers are gone and their tax base is eroded with it. But, also, go to the grocery store and find out that is the impact. Grocery stores, pharmacies, restaurants, apartment buildings.

We have got a map that shows, again, the impact of this as we get into this. We have got several speakers here tonight to talk more about it.

This is a location of all the power plants across America. There are over 500 coal-fired plants operating today around this country.

But just in the last month the Sierra Club, Bloomberg, Earthjustice, and all have been touting the fact that they want by the year 2017 to take one-third of those red dots off the map.

Almost a third of our capacity to generate electricity can be gone because of the rules and the way some of the environmental groups are pursuing this. One-third of them.

Now, in terms of grid reliability with this, you have to deal with what they have talked about. If we continue to shut down coal-fired power plants and don't replace them, whether that is with wind, solar, or gas, our grid reliability is going to be in question.

How many times are we going to lose our power? FERC has already said that, if we don't do something by 2017, they are saying the Midwest is going to start experiencing rolling blackouts. So let's be careful with this.

I am going to stop now. We have tried to frame some of the argument about this history of how we got to this point that you are seeing the frustration in Congress. But I wanted to put that again in context.

This industry is bigger than the automobile industry, but we don't have the big communities. We don't have the Detroits and the Grand Rapids. We just have Farmington, Lumberport, small towns that make up the backbone of rural America. That is what we are trying to fight for.

I yield to the gentleman from Ohio (Mr. JOHNSON) for his comments.

Mr. JOHNSON of Ohio. Thank you to my colleague for yielding.

You made a comment just a minute about, you know, we don't have the Detroits, we don't have the New Yorks, we don't have the big cities in coal country.

We may not have those big cities in coal country, but I guarantee you those big cities get some of their electricity from the coal that is produced by the coal miners that live in our region.

Over the past 5 years, the Office of Surface Mining Reclamation has spent more than $10 million of its budget to pursue a wholesale rewrite of one of the agency's regulatory programs.

Dubbed the ''stream protection rule'' by the agency, this massive regulatory undertaking has little to do with protecting streams and much more to do with riding roughshod over State regulatory programs.

This rule rewrite means more Americans will be out of work and that electricity bills of hard-working families could increase.

As OSM's related draft environmental impact statement indicates, the Appalachian Basin, home to thousands of Ohioans who depend on the coal industry for their livelihood, to put food on their table, to put clothes on their children, to send their children to school, could see as many as 450 production-related jobs lost per year, with potential adverse impacts of $37 million annually.

This appears to be of little concern to the administration, as Interior Secretary Sally Jewell was recently quoted as characterizing the job loss in coal country associated with this rule rewrite as ''minor.''

I invite Secretary Jewell to join me on a trip to any coal mine in Ohio and directly tell the hard-working miners—look them in the eye and tell them that this new rule has only minor impacts.

I will clear my schedule, and I will be available any day, anytime, to go with her if she wants to come there.

Furthermore, this regulation omits and ignores the relevant input from those stakeholders with the most expertise in regulating mining, the States who have been doing it for years.

In fact, 9 of the 10 States originally involved in the rules development have withdrawn their support due to OSM's exclusionary tactics.

This is unacceptable, and it is why I urge the House to consider H.R. 1644, the STREAM Act, as soon as possible.

Introduced by my colleague from West Virginia, ALEX MOONEY, the STREAM Act would direct the administration to conduct a comprehensive study of the effectiveness of the Stream Buffer Zone Rule that has been in place since 1983. We have been doing this for a long time and protecting streams in the process.

While this study occurs, a prohibition on the promulgation of new rules addressing the stream protection or stream buffers will be implemented to ensure that the Secretary incorporates the findings of the study into any future rulemaking.

This is just one example, Mr. MCKINLEY, of the regulatory overreach of this administration and its devastating impacts on coal miners, on families that depend on the coal industry for their livelihoods, and the businesses that depend on cost-affordable, reliable electricity across our country.

I appreciate you giving me the time to share that.

Mr. MCKINLEY. Thank you. You have been one of our stalwarts in pushing this legislation for all 5 years you have been here on this.

So I know people across this country recognize the work that you are doing on behalf of the coal miners and this whole industry.

Mr. JOHNSON of Ohio. I am proud to be on your team.

Mr. MCKINLEY. We have a host of other folks here to address the issue. We have got this chart up. Eventually, we are going to get to that in the next part of it.

But what we are talking about here is here are all the regulations. These are all the regulations that are affecting the coal industry, the manufacturing industry, all promulgated from the Clean Air Act. We will get to that in a minute. But, in the meantime, let's hear from some more individuals.

I yield to the gentleman from the Third District of West Virginia (Mr. JENKINS).

Mr. JENKINS of West Virginia. Congressman MCKINLEY, thank you for your leadership as chair of the Coal Caucus. It does great work. I am honored to be a part of it, and I am honored to work with you.

Mr. Speaker, as you well know and as the people of America need to know, we are at a critical point in this war on coal, and it truly is a war on coal.

Coal is vital to the people of West Virginia and to West Virginia's economy and to this country. Coal supports many crucial investments in southern West Virginia, in my congressional district.

Its revenues help support tourism, roads, and infrastructure. It will make

King Coal Highway a reality and make sure we do not have a bridge to nowhere, like we already have in southern West Virginia.

Coal puts food on the table. Coal pays the bills. Coal supports families. Coal generates the revenue that provides for our roads, our schools, our police, and our fire departments. Coal keeps the lights on.

But, sadly, this administration doesn't recognize the value of coal or of the people who work to mine it. They are proposing regulation after regulation to make it harder to mine coal, harder to burn coal, and harder to produce affordable energy from coal.

We have lost an estimated 43 percent of our coal jobs in just the last 6 years. While that is a sobering number, it is more than a statistic.

Each one of those employees has responsibilities. They have bills. They have families. They have rent or house payments. How will they provide for themselves and others without their coal jobs?

We must stand up for West Virginia jobs, West Virginia energy, and West Virginia coal. That is exactly what I am doing in Congress as a member of the House Appropriations Committee.

At one hearing, I did ask EPA Administrator Gina McCarthy to come to West Virginia and listen to us. She declined. So I brought Logan County coal miners to Washington to testify before Congress.

They shared how coal provides good paychecks to support their families and how they are worried overregulation will put them out of work.

I am working in Congress to ensure our miners will be able to provide for their families and that our State still has access to affordable domestic energy. I will continue to fight each and every day.

Thank you for your leadership.

Mr. MCKINLEY. Thank you for your comments.

Before we go to the gentleman from Pennsylvania, Congressman KELLY, I just wanted to add, because you talked about education, that the Duke Energy plant over in New Richmond, Ohio—the closure of that cost them $1.5 million out of their school system, out of their property taxes, with that.

You are absolutely right when we talk about the impact it is going to have on schools when we start depriving that.

But then you have FirstEnergy's Albright plant. They lost $380,000. The AEP plant over in Lockbourne, Ohio, is $406,000.

This is real money that is hurting the communities. It is depriving our school systems of money, all pushing an ideology. So thank you for joining this fight.

I yield now to the gentleman from Pennsylvania (Mr. KELLY).

Mr. KELLY of Pennsylvania. Mr. Speaker, it is about time. Time is running out. I think right now we look at what is happening in coal country and nothing could be more alarming than what is happening.

This is one promise the President kept. When he ran as a candidate, he said: You can continue to generate electric power by burning coal. But if you decide to go that way, we will bankrupt you. That is one promise he has kept.

Now, in Pennsylvania alone, coal is responsible for over 40,000 jobs and 40 percent of our electric power. The Associated Press calls it the workhorse of America's power system.

But the extreme overreach by the EPA is threatening jobs and forcing energy costs for families and manufacturers to skyrocket, which hurts every single American. That is something I think the general public has to understand.

While maybe they don't go down in those mines and while maybe they don't bring that precious product out from underneath the ground and while maybe they don't work in a coal-fired power plant, one thing they do know is, when they hit that switch to turn on the power, it is reliable because of coal.

Coal has always been the standard. Coal has always driven the fact that we not only have coal that is abundant, we have coal that is accessible and we have coal that is very affordable.

□ 1900

Why in the world would we go away from this workhorse of America's power system? That is one of the reasons we reintroduced the Coal Country Protection Act; that is H.R. 2637.

It is just a commonsense bill that would stop any EPA regulations from affecting America's power plants until four outcomes are achieved: number one, no job losses; number two, no loss in GDP or economic growth; number three, no higher electric rates; and, number four, no interruption in the reliable delivery of electrical energy. These are pretty commonsense goals.

Now, who would be able to verify that or who would certify? Well, the Secretary of Labor could do it; the Congressional Budget Office could do it; the Energy Information Administration could do it; the Federal Energy Regulatory Commission could do it, and the North American Electric Reliability Corporation could do it.

You said about time. It is about time, but it is time not just for the coal country people to stand up and fight for coal; it is time for the whole country to stand up and fight for coal. It is well past the midnight hour.

As we continue to shut down mines and lose jobs and shut down communities and raise people's electric rates and then people at home sit back and wonder: What are they doing in Washington? Why do they continue to hurt us at every turn?

The answer is the people making some of this policy have never done what you have done; they have never walked in your shoes; they have never had to do what we have done in coal country to protect electric power.

Why in the world would we do this now at a time when the country is looking for jobs, at a time when the country is looking for less dependence on foreign nations for energy? Why now? Why, Mr. President? Why continue to push in the direction you have been pushing?

The bottom line is this is just not about coal country; this is about our whole country.

Mr. MCKINLEY, I would like to thank you for fighting this fight. The 5 years we have been here together, this has been something we fought to go every day in every way and will continue to do.

It is time now for the people in America to also be heard. Please do not sit in silence and suffer in silence when your voices need to be heard. We need to have everybody standing up for coal, standing up for the production of electricity that is affordable and reliable, and we just need to look at where we are going and say: My goodness, the people we sent to represent us, the people we sent to protect us, it is time for them to stand up and do exactly what they took a pledge to do.

I thank you for all your efforts. I thank my colleagues for being here tonight. This is something we will never give up on, we will never walk away from. It has come to our shoulders. We can't ever walk away from it because it is not an option.

Mr. MCKINLEY. Mr. Speaker, I think one of the biggest shortcomings here is I don't think other Members of Congress and I don't think the American public understand the magnitude of this industry. That is why I started off with that chart, to show you that between the coal and the coal-fired electrical plants, it is larger than the automobile industry.

Now, just walk with me, just imagine that if we told the automobile industry that they had to cut back one-third of their capacity of cars, but that is okay, they are going to say, because what we do is people will ride bikes or they will take the train or the bus. That is not our culture in America. They would fight back, too.

You and I are fighting—and the rest of these people that represent our coal fields. We have enjoyed the cost of electricity coming from low cost because of coal. In America, all across, we showed 49 of the 50 States burn coal—49—and this administration wants to stop that, wants to cut back.

I would say, if you are going to cut back the coal industry, then look at the automobile industry as well; if you are going to go after one huge component of our economy, go after the automobile industry as well with it.

Thank you very much for what you said.

We talked about a lot. Now, let's continue on.

Mr. Speaker, I yield to the gentleman from Ohio (Mr. GIBBS).

I think Congressman GIBBS from Ohio, I think you had some remarks you wanted to make.

Mr. GIBBS. Mr. Speaker, I thank the gentleman for holding this Special Order on this very important topic.

In the very near future, this affects every Ohioan across the country, but very soon, the EPA is expected to release its Clean Power Plan. This is just another burdensome regulatory scheme that will increase energy costs.

The Energy Information Administration—that is the government agency dedicated to the impartial analysis of data—reported it will cause the price of electricity rates to rise for consumers.

Ohio families are already stretching their budgets as much as they can, struggling to make ends meet. Raising their monthly electric bills is just going to make their struggle worse.

Earlier this month, the House passed the Ratepayer Protection Act, as you know, to stop the implementation of a clean power plan while the courts address the legal challenges to the plan and give Ohioans a break from the EPA's heavy-handed regulations.

Sadly, the EPA's refusal to listen to the public and industry input is not without precedent. When considering the redefinition of waters of the United States rule, the agencies did not take into account the opinions of their State partners. Within hours, 27 States and countless organizations filed lawsuits challenging the rule.

Additionally, at the end of June, the Supreme Court found that the EPA failed to consider compliance costs when proposing new rules for power plants.

If the EPA continues to push forward with this plan, it will only hurt those who want reliable, affordable energy. It is time to set aside partisan agendas.

I encourage the EPA to start from scratch and work with the stakeholders and industry partners to create a commonsense plan that strengthens our energy infrastructure and safeguards our environment.

Again, Congressman MCKINLEY, I thank you for holding this Special Order today—and Mr. Speaker—because this affects a large region of our country. I know you talked about, what, 400 coal-fired plants across the country.

This is important to our economy, and you have to have reliable and affordable energy for businesses to grow and create jobs. This Clean Power Plan is going to lay around and strangle our businesses and put people out of work across the Midwest and across my State in Ohio.

I thank you for doing this tonight.

Mr. MCKINLEY. Thank you very much. Thank you for bringing up the Ratepayer Protection Act because, as you know, after we followed the MATS rule, after the Supreme Court ruled that unconstitutional, you didn't hear the President complain because they had effectively accomplished everything they wanted before that rule.

I am afraid that is why the importance of this Ratepayer Protection Act is because, if we continue to shut down our coal power plants and deprive our communities of taxpayer moneys to run our schools, then that winds up—if it is ruled unconstitutional later on, then how do we recover the moneys that we have lost? Can we reopen a school that was closed because a community lost its operation? Do we recover? How do we recover that? That is why it is important.

I am really glad you brought up the Ratepayer Protection Act because we need to make sure that the courts have ruled before the action is taken. You and I are going to be paying more for our utility bills as a result of that if and until it is ruled unconstitutional. We know it is coming; they know it is coming. Thank you for bringing that up.

Our next remarks we have are from one of our—I can't say one of our newest Members, but he is a Member from Kentucky that has been very outspoken. I appreciate very much Congressman BARR from Kentucky.

Can you share some thoughts tonight?

Mr. Speaker, I yield to the gentleman from Kentucky (Mr. BARR).

Mr. BARR. Mr. Speaker, I want to thank the gentleman, my colleague and friend, from West Virginia for his leadership in the Congressional Coal Caucus, to my colleagues from Pennsylvania and Ohio, and all over the country representing coal-producing States where good people—men and women—working in the coal mines literally power America.

They come from an industry—they work in the coal mines; they support the coal miners—an industry that provides affordable and reliable energy that powers the American economy and has been the backbone of the American economy.

Instead of celebrating that industry, instead of applauding the heroic work that these men and women do, day in and day out, underground and above ground, what is the response of the Federal Government over the last 6 years? It has been to singularly punish this industry.

I can't think of an administration from either party in the history of the United States that has singled out a single industry with the level of vindictiveness, frankly, and targeted a single industry and literally bankrupted many of these companies.

I don't understand it for a variety of reasons, but let me just share with you a little bit about the coal industry in Kentucky. We could very well be the poster child for demonstrating the tremendous negative impact and the consequences of this heartless, aggressive, anticoal policy from the EPA and from this administration's regulatory policy.

Since 2009, the Commonwealth of Kentucky has lost more than 8,000 coal mining jobs throughout our State. For every one coal mining job, three additional jobs are directly tied to every coal mining job. This is a direct result of the administration's war on coal.

Sure, there are competitive pressures from natural gas, and we celebrate the fracking boom and the result of discoveries in natural gas, but I can tell you what the coal industry says. It is not cheap natural gas that is the cause of these lost jobs; it is the fact that the Federal Government has put its heavy hand of regulatory power on the scales to make this industry noncompetitive.

Just to give you a sample of the problem, in the first quarter of 2015 alone, Kentucky's coal employment numbers dropped another 10½ percent.

What does that mean in total? Coal production in Kentucky has decreased to its lowest level since 1963. In 2015, production levels are currently half of what they were just two decades ago; yet demand for energy in the United States has suddenly increased.

There are more than just statistics, Mr. Speaker, when it comes to talking about the face of the war on coal. Many of my colleagues have shared these stories about what this really means, what all of these regulations really mean in the real world. It is not statistics on a page; it is not about coal production percentages on decline.

What it is really about, it is about Sally, the young woman in Wolfe County, Kentucky, that I met with tears in her eyes at the end of a townhall meeting.

She came to me as her Congressman and she said: Do they know what they are doing to our family? My husband lost his job because the coal mining employer that he works for didn't get a permit, and so now, he is out of work. Don't those people in Washington understand that I have got kids? We are going back to school; it is August, and I can't afford shoes for my kids. I had to go to Walmart and buy them flip-flops, just so they wouldn't be embarrassed to go back to school.

Now, I want the regulators in Washington, D.C., to come back to Kentucky, to eastern Kentucky, and meet Sally and look Sally in the eye and ask her to describe to them what the impact of this war on coal is for her.

What about Robert? Robert the coal miner from Wolfe County, Kentucky, in my district, he gets up at 3 a.m. every morning to commute an hour to go to work in the coal mines just to put food on the table.

Or what about James, who looks at me with an incredible expression and says: ANDY, don't they understand what they are doing? They are putting people out of work. They are making life harder on the American people. Surely, these are the people who say they are fighting for the working man. I am the working man. Congressman, what are they thinking?

Then you talk about Chris, Chris who says: Congressman, I don't know much about politics; I don't really care much about politics, but if you can go save my job, I am for you. Can't the politicians in Washington fight for people just to go to work and provide for their families? These are paychecks that these people depend on.

Finally, it is Curtis, Curtis who said to me that his father crawled on his belly for decades to take care of his family, and because of his father's hard work, he had opportunities.

This is more than statistics. This is about real people who have been victimized by bureaucrats in Washington who are out of touch—if the bureaucrats in Washington would at least just go to these places—West Virginia, Ohio, Pennsylvania, Kentucky—and look these people in the eye and ask them what they think about their policies.

Worst of all, it is all done in the name of the environment. We all love the environment. These coal miners love the environment. They come from a beautiful part of the country, in Appalachia.

It is not about not wanting to help the environment or environmental stewardship, but what is so sad is that these regulations aren't going to do a darn thing about global carbon emissions.

The Clean Power Plan rule that this administration has proposed would reduce global carbon emissions by less than 1 percent—for what, $8 billion in additional annual cost to our economy and thousands of American families without paychecks.

This is wrong. The Congress of the United States is right to stand up for these families. The Congress of the United States is right to stand up for jobs.

That is why I support all of the legislative work done by this House by these good Members—the STREAM Act from my colleague and friend from West Virginia; the coal residuals bill that the gentleman, the chairman, has championed and done a great job in supporting, my colleague, ED WHITFIELD, the chairman of the Energy Subcommittee on the Ratepayer Protection Act; the REINS Act, which we just voted for and passed out of this House, which would stop all of these costly regulations.

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Mr. Speaker, it is time for us to stand up for American jobs, for American energy, and for American-produced coal power. I thank the gentleman for his leadership.

Mr. MCKINLEY. Mr. Speaker, the gentleman touched on something that I don't know that our listeners or even the other Members of Congress quite grasp, but the gentleman touched on it in one statement he made. It is the claim that CO_2 emissions of the world are the target of our global warming issue.

I will just accept, for discussion purposes, that that is the basis of their war on coal, this ideological fight that we are involved in. I will use the United Nations' statistics—not the Republican caucus', not the coal country's numbers, but the United Nations'.

They say: Congressman BARR, if you were to stop all coal-fired capacity in every school, church, hospital, power station—if we were to stop all burning of coal in America in total so that there became no coal being consumed in America—you would reduce the CO_2 emissions of the world by two-tenths of 1 percent.

Mr. BARR. Will the gentleman yield?

Mr. MCKINLEY. I yield to the gentleman from Kentucky.

Mr. BARR. Mr. Speaker, I would also make this point that this is the United States of America.

In the United States of America, we solve problems through entrepreneurship, free enterprise, and innovation. We put a man on the Moon because we are Americans. We believe in freedom, and we believe in innovation.

If there is a problem with carbon emissions and climate change, then we should solve the problem the American way, through fossil energy research. What we should not do is supply a Soviet-style, command-and-control solution from Washington, which will not solve the problem.

What we need to be doing is exporting American technology to China and India and other countries that have inferior electricity-generating capabilities.

Mr. MCKINLEY. Mr. Speaker, I just wanted to touch base again before we go to our last speaker.

Again, these are all of the rules. This is the overwhelming number of rules that we are trying to deal with in America in dealing with fossil fuels, from ozone to new source performance standards. I could go on.

There is the regional haze and the greenhouse gas tailoring rule. We have to deal with those. Let me show the impact as already predicted is going to happen. It is that we are going to see higher utility bills. If we want to see that, just keep doing it because that is exactly what is going to happen.

This chart has been produced that shows, just in West Virginia 7 years ago—let's just say for discussion—you had a $100 bill for your monthly electric. Now, because of all of the rules, we are at $160. That is a 60 percent increase in the cost of utilities. Some might argue it is because of the cost of coal. No. The cost of coal has dropped.

The point here is that the power plants—the utilities—are having to put excessive money into the production of electricity to meet some of those rules that we talked about over there. It is coming out of our pockets. Someone is paying for that. You and I are paying for that.

In addition, we are already 60 percent up. Look at Arizona. They are suggesting that the increased cost in Arizona is going to go up 40 percent; in the State of Washington, 37 percent; in California, 24 percent. All we have to ask is: Is this what the consumers want?

Let me show you another chart here.

This talks about where coal is being used. Now, this administration has been very effective in shutting it off. You have heard the horror stories of what has happened in Kentucky. I have heard of some of it in West Virginia. In Ohio, it is the same story—in Indiana, in Illinois. The impact it is having on our industry is destructive. They are destroying the industry. The industry is on its knees now.

But what about overseas?

The International Energy Agency has already indicated that they have a voracious appetite for coal elsewhere outside of America. No one else is following the administration's lead on this idea of this war on coal.

They are still burning coal. They are burning coal every which way they can. Whether it is in China or in India—wherever they are—they are using coal. As a matter of fact, from the year 2000 to 2013, they increased their appetite for coal by 70 percent; but in America, we dropped. It is important to understand where this fight is and what we have to do to fight for the individuals.

Mr. Speaker, as we start to wrap up our discussion tonight about coal and its impact, about the Clean Power Plan and the effective regulations, I yield to the gentleman from the Second District of West Virginia (Mr. MOONEY), one of our newest Congressmen.

Mr. MOONEY of West Virginia. Mr. Speaker, I thank Congressman MCKINLEY for his leadership on this issue and in our great State of West Virginia. I thank Congressman BARR for his great comments and for his telling some personal stories about how this affects real Americans from different States.

Mr. Speaker, our great country is blessed with abundant natural resources. Unfortunately, President Obama has made a campaign commitment to destroy coal as a domestic energy source, and he is intent on fulfilling that promise.

Just 2 weeks ago, the Office of Surface Mining, under the Department of the Interior, released its latest set of

rules and regulations that will cripple the coal industry not only in West Virginia, but across the country. These new rules and regulations are over 2,500 pages in length.

If you do not know exactly what that looks like, here it is, ladies and gentlemen. It is six folders full of new regulations—2,500 pages. This is what it looks like, okay? The Department of the Interior has given us 60 days to go through this. It is a lot of work. At the very least, a 120-day extension is needed beyond the current 60-day comment period.

I have already joined Chairman BISHOP of the Natural Resources Committee, on which I serve, and 43 Members of Congress in sending a letter to the Obama administration, requesting a 120-day extension of the comment period for the recently announced job-killing stream buffer zone regulation right here.

My hard-working staff and I of the Second District of West Virginia have been going through this very hard over the last several days since it came out. We have been trying to look at all of the ridiculous regulations in this bill, and we have come across a couple of things that, I think, are worth pointing out so far.

For instance, on page 1201 of the proposed regulation, it reads:

> Ensure that electric power transmission lines and other transmission facilities that are used for or are incidental to surface mining activities on the permit area are designed and constructed to minimize electrocution hazards to raptors and other alien species with large wingspans.

The Office of Surface Mining is worried about protecting raptors and other birds from electrocution, so they have created a special regulation just to prevent that from happening. That is right. Here it is—required. We found on page 1201, buried within thousands of pages of regulations, that coal companies are to build special power lines to prevent ''raptors from getting zapped.''

I wonder if the environmentalists have the same concerns for their own projects. According to the Smithsonian, somewhere between 140,000 and 328,000 birds die each year from flying into wind turbines.

On page 1100 exactly, we have even more new rules here. It reads:

> You may not conduct any surface mining activity that is likely to jeopardize the continued existence of threatened or endangered species listed by the Secretary or proposed for listing by the Secretary or that is likely to result in the destruction or adverse modification of designated critical habitat in violation of the Endangered Species Act of 1973.

That is a long sentence with a lot of ''ors.'' This absurd regulation would prohibit mining near animals that the Director of the Interior has simply proposed for listing as endangered or as threatened.

It would be one thing to prevent mining operations around animals that are actually endangered, but this regulation goes far, far beyond protecting endangered species. This is a stunning regulatory power grab that an environmental extremist Secretary will use to put miners out of business.

Even more ridiculous is just the heart of this rulemaking, which is to fundamentally change the definition of a ''stream'' to include temporary streams. Temporary streams are, essentially, ditches that fill up with water when it rains, and the water goes away quickly. They are calling them ''streams'' now.

A recent study from the National Center for Mining estimates that these rules will destroy as many as 80,000 coal jobs across the country. My colleague Congressman ANDY BARR put some names to those stories of individuals who are losing their jobs. He just referred to them in his remarks, and I appreciate that.

These are hard-working American taxpayers who are simply trying to provide for their families; and these idealistic, extremist regulations are putting them out of work. It is harming families not only in our States of West Virginia and Kentucky, but across the country. These new regulations would be catastrophic to the coal industry and to all of the hard-working American families who depend on coal to keep their energy costs low.

The economy of the Appalachian Region and West Virginia, in particular, are uniquely threatened by these regulations because of our mountainous topography and abundance of small streams.

Industry estimates say this administrative action could mean 45 to 79 percent of the coal reserves in the Appalachia would no longer be usable. The damage from such a critical blow to the industry would create a ripple of hardship in our State.

I think my colleague Congressman MCKINLEY mentioned this already, but over 90 percent of the energy consumed in West Virginia is produced by coal power, and distress in the coal industry will raise home energy prices and business energy costs for everybody. Low-income folks are going to struggle with this.

Furthermore, approximately 60 percent of West Virginia State business tax revenue is derived from coal revenues. A significant decrease in these revenues would put a severe financial strain on the State budget, and it could potentially hurt crucial services in our State, like public schools, State-funded health clinics, and the funding of our law enforcement agencies.

I want to continue to work with my colleagues on the Natural Resources Committee, and I thank my colleague from West Virginia and my colleague from Kentucky for cosponsoring my bill, H.R. 1644. It is also known as the STREAM Act.

I want to first move it swiftly through committee before any real damage can be done by this harmful new rule. It is time that the administration wakes up and realizes that their regulations are hurting hard-working American taxpayers for no good reason.

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Mr. MCKINLEY. Mr. Speaker, I thank the gentleman for his comments on that and for bringing up also the Clean Power Plan as we were wrapping up with that.

Because I am intrigued—and maybe the rest of the Members should be as well—with the idea that is being promoted by the senior Senator from Kentucky, which is maybe we should not be so quick to jump on the Clean Power Plan.

The President may very well be overturned on this constitutionally. But if the States implement this voluntarily and impact our schools, our communities, our environment, our health care, our hospitals, by shutting down, we won't be able to recover from that.

So the Senator has come up with an intriguing concept, and that is just say no. It kind of reminds me of Barbara Bush a few years ago.

As a result of that, we already have several States that are either saying no or are deeply and seriously considering saying no.

States like Oklahoma, Indiana, Wisconsin, Texas, Louisiana, Alabama, and Mississippi are not going to jump on this legislation just yet.

The rule, they are coming from the administration because they have seen the strategy here, which is just to use a bullying tactic, push it through, knowing full well 5 or 6 years from now it is going to be overturned in the courts. But we will never get our jobs back.

Those individuals that you were talking about, Congressman BARR, those individuals that came up to you, they are not going to have a job.

They will have left Kentucky. They will have gone someplace else to try to find something else. They are going to be uprooted from their communities.

No, we have to fight. This is the fight now.

I yield to the gentleman from Kentucky (Mr. BARR).

Mr. BARR. I agree with you 100 percent.

I would just mention, too, it is not just about the coal mining jobs and the coal miners who will lose their jobs.

My district is mainly not a mining district. My district mainly is known for thoroughbred horses and bourbon distilleries and cattle, in addition to the University of Kentucky and the City of Lexington, but we do border the coal industry.

What I do know about those senior citizens on fixed incomes or low-income folks who live in those noncoal-

producing counties in my district is that their electricity bills are going to double or triple if this Clean Power Plan goes into effect.

I have talked to the utilities. Over 90 percent of the electricity in Kentucky comes from coal. Coal keeps the lights on. Coal provides affordable energy.

The estimates from the utilities is that, in a single year, folks who live below the poverty line are going to see their electricity bills increase by two times, maybe three times, and that is simply something that they can't afford.

So this is an assault on low-income Americans, not just coal-mining families, but, also, fixed-income seniors and other low-income Americans.

Mr. MCKINLEY. I do appreciate the gentleman's additional comments.

So as we leave here tonight, let's make sure that we go back over what we have talked about.

We have talked about the impact on coal. We have talked about the individuals, as you just referred to on their electric bills. We see the drama that is going to play out over this.

We have seen the numbers of regulations that are coming forth with this, with these bullying tactics, this hostility toward coal. We have seen this last result, the Clean Power Plan. These have to stop. America needs to wake up.

This is something that is happening, but we have the ability here to reach out and try to communicate to more people across West Virginia and the Nation, in Kentucky and Illinois, to Montana, to California, to demonstrate to them that you are already using coal. You are getting the advantages of coal.

Work with us to get the clean coal technology so that we can cut down our emissions. The idea of shutting off coal is short-sighted, and the rest of the world isn't following.

Someone said about leadership: You know, if no one is following you, then all you are doing is a man taking a walk.

So we have to find people that can lead. We have groups that are willing to take this on and fight for coal, fight for the jobs and the people that are affected by this.

So I thank you all for coming out here tonight.

I yield back the balance of my time, Mr. Speaker.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1994, VA ACCOUNTABILITY ACT OF 2015, AND PROVIDING FOR CONSIDERATION OF H.R. 3236, SURFACE TRANSPORTATION AND VETERANS HEALTH CARE CHOICE IMPROVEMENT ACT OF 2015

Mr. SESSIONS (during the Special Order of Mr. MCKINLEY) from the Committee on Rules, submitted a privileged report (Rept. No. 114–234) on the resolution (H. Res. 388) providing for consideration of the bill (H.R. 1994) to amend title 38, United States Code, to provide for the removal or demotion of employees of the Department of Veterans Affairs based on performance or misconduct, and for other purposes, and providing for consideration of the bill (H.R. 3236) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, to provide resource flexibility to the Department of Veterans Affairs for health care services, and for other purposes, which was referred to the House Calendar and ordered to be printed.

CALIFORNIA DROUGHT SOLUTION

The SPEAKER pro tempore (Mr. GRAVES of Louisiana). Under the Speaker's announced policy of January 6, 2015, the gentleman from California (Mr. GARAMENDI) is recognized for 60 minutes as the designee of the minority leader.

Mr. GARAMENDI. Mr. Speaker, we had a most interesting discussion on coal. Let's continue on with natural resources for a few moments here.

I represent a good portion of the State of California. I put this map up as an opportunity for interested parties to observe what is happening in the State of California.

We are well into the fourth year of our drought in California. You can see from this map, in 2003, we had a serious drought, the yellow.

We are now looking at July 1, 2014. The yellow is now just a small part of the State of California, meaning it is still serious.

It is mostly out in the delta, out in the desert and in southern California, Imperial Valley, part of San Diego, Riverside, and San Bernardino County.

And there is a little bit of drought up here in the far north, north coast area, in Del North County.

The red and the brown, that is really, really serious. So California is really in a very serious state of hurt at the moment.

The drought is severe. It is having an enormous impact not just in the San Joaquin Valley, but really throughout the entire State of California.

Twenty-five percent water reduction is mandated by the State for the entire State. And so, in southern California, central California, northern California, that dramatic reduction in the consumption of water is well underway.

I live here in the central part, in the delta of California, which I will talk about at some length.

Three weeks ago this House passed legislation to address this issue, the Valadao bill. What it really was all about was a relaxation of the environmental protections and, thereby, a mechanism to basically take what water remains in northern California here in the Sacramento Valley and transport it down into the San Joaquin Valley here.

It is basically the classic water grab, which we have seen so much of over the years.

While all of that talk is going on here in Washington, D.C., what is happening is that California is doing what it has done so very well, and that is mine not coal, which we heard about from our colleagues from the coal states, but, rather, mine water.

This map basically shows what is happening in the aquifers of California. In June of 2002, you see a lot of green. The aquifers, while still depleted, were thought to be in pretty good shape.

In 2008, as a result of expansion of agriculture in cities and communities throughout California, the mining of water was going on so much so that we are now beginning to see these yellow and brown areas show up.

As the drought continued on from 2008 to 2014, we are beginning to see the very severe overdraft of the aquifers of California. Will these aquifers rebound when the rains return? Perhaps.

But we also know that many of them will not. And the result of this extraordinary overdrafting of the aquifers in California will place in jeopardy many, many communities, agricultural communities as well as the human communities.

We know that down here in the San Joaquin Valley along the eastern side communities are simply out of water.

The aquifers have been mined, overdrafted, to the point where there is no more ability to draw from the aquifers, and these communities are out of water today.

Extraordinary efforts are underway to provide these communities, many of whom are low-income communities with very little resources of their own, unable to dig deeper wells to provide themselves with water.

So part of the bill that passed 3 weeks ago attempted to address this, but in a very insufficient way.

There are alternatives. There are ways that California can and must deal with the drought, and they basically are short term, immediate, and long term.

That legislation has been introduced. I draw the attention to the Huffman bill, which is a comprehensive effort to deal with California's both short-term and long-term efforts.

I also draw attention to the Napolitano bill and basically draw your attention to how it should not be done, which was the Valadao bill.

Now, action is underway in the Senate. Our Senator, DIANNE FEINSTEIN, is about to introduce legislation. We have not had a chance to see the full legislation.

We do know that some of the Huffman bill is introduced into it, and we know that some of the Napolitano bill is also introduced.

I want to deal with those opportunities that present themselves and, at the same time, suggest that the Valadao bill should not be passed.

There is no need to push aside the environmental laws. There is no need to waive the California constitution and the water rights system in the constitution as the Valadao bill does. It is hidden, but it is there.

So what I want to really talk about is how we can address the California water needs. I call this the little sip/big gulp strategy. It is a proposal that I made some 3 years ago and continue to work on. It is a water plan for all of California.

It is similar to a program put out by the California administration, not for tunnels, not the California water fix, not the BDCP—all of those programs are simply a way to transfer water—but, rather, what we call a water fix, a water plan, for all of California.

Basically, what it involves is a mechanism to provide water for the growing population of California for the agricultural areas, Sacramento and San Joaquin, called the Great Central Valley, for the urban regions here in the bay area and down in southern California.

I will go through it very, very quickly.

Let's talk about southern California. Basically, it now takes water from northern California from the Colorado River. It brings water into the southern California area, where it is consumed.

After being cleaned, it is consumed. It is cleaned yet again, and a great amount of water is dumped then into the Pacific Ocean.

You say: Wait a minute. You mean to tell me they are taking water from northern California 400 or 500 miles from the Colorado River, bringing it into southern California, cleaning it, using it once, and then dumping it into the ocean?

The answer is yes. That is exactly what has happened, so much so that what I think is probably the fifth biggest river on the West Coast of the Western Hemisphere is, in fact, the sanitation plants in southern California.

So the first option would be to recycle that water. That is very much a part of the Napolitano bill, as well as the Huffman bill: recycling. Use the water that is already there. Clean it and reuse it.

This is actually happening in Orange County down here. Orange County has one of the largest recycling programs anywhere in the United States. Good for them. But that much more can be done.

For maybe a billion dollars, a billion and a half dollars, you may be able to get 500,000 acre-feet of new water that is already in southern California.

So that is the recycling: San Diego, southern California, the great Los Angeles Basin, as well as the great San Francisco area.

Here in Sacramento a major recycling program is now underway by the Sacramento Regional Sanitation District. Good for them.

That water will be reused, some of it in the Sacramento area, the rest of it put back in the river as clean water and then available for environmental purposes in the bay as well as for the San Joaquin Valley and, indeed, all the way to Los Angeles.

So recycling is very, very much a part of the future of California.

A lot of people talk about desalinization. Yes, certainly there is now a desalinization plant that is opening that will be producing a significant amount of water down here in Carlsbad in San Diego County. There is also a desalinization plant in the Santa Barbara area.

□ 1945

Those are important. However, desalinization is far more expensive than recycling. The recycled water turns out to be quite cleaner than the ocean water. It doesn't have all the salts and other contaminants because it has already been significantly cleaned in the sanitation process—so recycling.

The most important and most immediate and, frankly, underway, as I said, 25 percent reduction in water consumption required in California now, that is called conservation. Clearly, conservation is the simplest, least expensive, and the largest source of water for the future.

Conservation is taking place by mandate now, but also a great deal of conservation is taking place in the agricultural areas up and down the coast as well as the agricultural areas in the Monterey Bay area and, actually, everywhere in California.

As much as has been done in the years leading to this moment, more can and must be done in conservation, both urban as well as agriculture. Perhaps estimates by the State government indicate somewhere between 3 and 5 million acre-feet of water can be saved through a very robust conservation program up and down the State.

Once again, this is in the Democratic legislation that has been put forth by Ms. NAPOLITANO as well as by Mr. HUFFMAN. A major and very, very important element in California water future is a continuation of this conservation program.

So you have recycling; you could do desalinization in certain places; and, thirdly, conservation, with conservation being the single biggest and the most inexpensive of all of the options.

There are things that need to be done. Money needs to be made available, Federal Government grants as well as State and local government, and participation by farmers and communities up and down the State.

Thirdly, we need to develop more storage. Here is where the twin tunnel concept that is being pushed by Governor Brown and the administration makes no sense at all. I want to put up a map that displays this a little better. I am going to go to the really big map here because this really needs to be understood.

This is a picture of the delta of California. It is an inland delta. It is the largest estuary on the West Coast of the Western Hemisphere. It is basically this entire region here. Sacramento is up here; Stockton is here; Contra Costa County, Pittsburg, Antioch down here; and then San Francisco Bay begins right in this area.

So what we have here is this inland delta. The San Joaquin River comes up from the south. The Sacramento River, the largest river in California, flows from the north all the way from the Oregon border, Mt. Shasta, flows down through the Sacramento Valley, past the city of Sacramento, and comes in and joins the San Joaquin River in the delta of California.

I have had the pleasure to live in this area for the last 40 years and represent this area for, well, since 1974 in one way or another. It is an extraordinary ecological system. The largest estuary, it is the nursery for dozens of different species of salmon and other fish. It is extremely important for the ecology not just of the delta, but also of the entire West Coast. It is from this area that the salmon go out to sea, providing thousands upon thousands of jobs and recreational opportunities—other species, in this area, of fish. It is also a major flyway for the waterfowl that migrate north and south through the area.

It is also a very rich agricultural area, several hundred thousand acres of agricultural land, and provides enormous recreational opportunities with more than a thousand miles of rivers, sloughs, and waterways of various kinds.

It is in trouble. It is in serious jeopardy because of the transfer of water from the north through the delta to the great pumps here at Tracy that could pump up to 15,000 cubic feet of water per second out of these pumps, sending that to the San Joaquin Valley here, and then on into Los Angeles.

This is the hub, and this is where the controversy exists. What the Governor wants to do is to start up here in one of the richest agricultural areas in all of America and basically create two, three intakes and two massive tunnels that come all the way down here to the pumps, in the process destroying a lot of the agricultural land. The pumps are big enough. These tunnels are capable of carrying 15,000 cubic feet of water

per second; and with intakes that are at 9,000, you add another intake, you can get the full 15,000.

Keep in mind, the Sacramento River flowing past Freeport, Sacramento, flows at somewhere around 15,000 cubic feet per second water into the Sacramento and into the delta. So this system that the Governor wants to build is big enough to literally drain the freshwater from the delta, destroying this extraordinary ecological system, the largest estuary on the West Coast of the Western Hemisphere.

So we say to the Governor, why would you build something that has such destructive capacity? A recent report that was done on the economic benefits of this—remember, it is about $15 billion to build these two tunnels and the intakes and the pumps that go with it, about $15 billion. The economic analysis that was recently published in the Sacramento Bee said, well, wait a minute, the total economic benefit of all of this is like $5 billion over the lifetime of the tunnels. That is 50 years. You are spending $15 billion in the next decade or so, and you are only going to get $5 billion of economic benefit? It doesn't make much sense.

The other thing that is so foolish about this proposal is there is no storage. There is no storage north of the delta. There is no storage south of the delta. There is no storage in the delta. So where are you going to put the water? It is really nonsense.

So what we are saying is don't waste $15 billion or $17 billion here. Don't set up a system that could destroy the ecology of the delta and the agriculture of the delta and put at risk the communities that rely upon the freshwater. Don't do that.

There is a better option that is available. We call that the little sip/big gulp.

First of all, fix the levees. Fix the levees, the key levees that allow for the transport of water through the delta that protect the communities of the delta, that protect the flow of water as well as the agriculture. Probably less than a billion dollars and you could armor these levees. You could upgrade those levees to maintain the current flow of water, when necessary, through the delta to the pumps, and at the same time protect communities such as Stockton and the communities down here in the Contra Costa area. That is the first thing. That gives you about half of the water that would be needed.

So where does the other half come from? The other half is what I call the little sip. I think you can see this on the map. This is the Sacramento deepwater shipping channel. It actually intersects the Sacramento River way up here in Sacramento, taking water, a little bit of water into the shipping channel and coming down here to a community called Rio Vista. About 40 percent of a system is already in existence.

If you were to put a fish screen here at the opening on the Sacramento River, allowing 3,000 cubic feet per second of water to flow into the shipping channel, down the shipping channel, capture that water way down here where the shipping channel ends, there are levees on either side of the channel. Capture the water there, and then bring the water across to Old River, which is right here. Bring that water across to Old River, and it goes then to the pumps here at Tracy.

So what you have here is a mechanism which we call the little sip, 3,000 cubic feet per second, big enough to be operated virtually every day of the year in a normal water year—not this year with the severe drought, but in a normal water year.

Oh, by the way, you could not operate the big tunnels, either. So this big project that the Governor wants to propose could not be used this year because there simply isn't water in the river.

But this little project in most every year, both the low flow as well as the high flow in the average year, could take that 3,000 cfs every day, bringing it down to the pumps here at Tracy, delivering 2 million acre-feet of water every year. That is the little sip.

When you have the big rain flows, which we hope to have in the future, and actually did have twice this year, you could turn the big pumps on down here, and you could take the rest of the 2 million or 2½ million acre-feet, giving you the 4½ million acre-feet that is desired to flow south to southern California and to the San Joaquin Valley. Little sip/big gulp.

You have, in fact, protected the delta because you are going to have to maintain the levees, bring them up to code so that they are 100-, 200-year flood levees, and you have set up a mechanism that could not destroy the delta because it is only 3,000 cubic feet per second coming out of the Sacramento River way up high. You avoid all of the destruction that would occur in the Clarksburg-Courtland area up here, that would occur as a result of the three intakes or four intakes that would be built on the Sacramento River, and all of the disruption that would occur as you build these two massive tunnels.

These tunnels are 40 feet in diameter. We are talking about, well, actually higher than this ceiling here in the Chamber. This is probably like 30 feet to the ceiling. But it would be 40 feet, two massive tunnels, 40 feet in diameter, that would be drilled down through the delta, through some of the most complex soils anywhere in the United States, disrupting all of this area and creating the opportunity for an existential threat to the delta because they are so big and can take so much water.

What would this cost? Maybe a third, maybe less than a third, maybe a quarter, because so much of it is already built. You already have the channel all the way down to here. You would have about a 10- to 12-mile pipeline across the delta into the Old River or a new canal built along the Old River to the pumps at Tracy. It makes a lot of sense.

The rest of the money, perhaps another $10 billion or $12 billion that would be otherwise spent on the massive twin tunnels could then be used for storage systems south of the delta.

Let me put this down for a second and put up the map of California. Where would those storage systems be?

Here is the delta once again. South of the delta there is a reservoir here called San Luis. It needs to be repaired because of earthquake potential. You can expand that. Just to the south, you have Los Banos Grandes Creek. That would be Los Banos Grandes Reservoir. There are numerous reservoirs that could be built along the California aqueduct as it comes into the Central Valley.

Most important of all are the aquifers. Remember this: The aquifers of the Central Valley are seriously overdrafted. These are the major storage reservoirs of California. So as water is brought out of the delta, we need to make sure that that water is put in surface storage reservoirs where possible, San Luis, maybe Los Banos Grandes. Los Vaqueros Reservoir here in Contra Costa County needs to be upgraded, added to. So you have these surface storage reservoirs that are certainly going to be necessary, and most important of all, you have got the aquifers.

As we look to the future, we need to figure out the hydrological systems to bring water through the canals when it is available and recharge the aquifers of the San Joaquin Valley. Some of them will not be able to be recharged. They are gone. Once you drain those aquifers, they may never be able to recover. But some could be recovered, and those are the ones we need to identify, and we need to recharge them.

Similarly, in the Sacramento Valley, north of the delta, there are several storage opportunities available to us. Some of these have been studied.

Way up here is the largest reservoir in California, the Shasta Reservoir. There is talk—and it has been studied—to raise the dam and increase the capacity perhaps by 130,000 acre-feet of yield here at Shasta. Further south, not on the river, but an off-river reservoir called Sites Reservoir, which my Republican colleague, Mr. LAMALFA, and I are authoring legislation to build Sites Reservoir, which would take water during the flood flows on the Sacramento off stream, pump it into this reservoir, a very large reservoir, about 1.9 million acre-feet, and that

water would then be available to be put back into the Sacramento River for export to the south or for salinity control, freshwater into the San Francisco Bay, and also would create the opportunity for the reoperation, that is, to work in conjunction with Folsom Reservoir here in Sacramento, the Feather River Reservoir, the Oroville Dam and Reservoir, and the reoperation of the Shasta as well as the Yuba reservoirs.

□ 2000

In other words, this would great flexibility to the way in which we would then be able to operate the Sacramento River system for the benefit of the environment, for the benefit of exports to the southern valley—San Joaquin Valley, as well as southern California—and for salinity control in the environment of the delta. At the same time, like the San Joaquin Valley, there are enormous aquifers here in the Sacramento Valley that need to be maintained and recharged so that what we could build, if we thought about it in this holistic way, we would build a system that would be conjunctive use, so that when there was a lot of water, we would store that water. We would store it in off-stream reservoirs. We would store in an expanded Shasta. We would store it in the underground aquifers of the San Joaquin Valley or in the reservoirs along the west side of the San Joaquin Valley, as well as in southern California.

When you recycle in southern California, you could then store that water in the aquifers that exist here in the Los Angeles and the southern California basin. These aquifers actually have greater capacity than the Shasta Reservoir.

So you have got the aquifer of the San Fernando. You have got the aquifer of the San Gabriel, the San Bernardino, Orange County, West Basin, and several other smaller aquifers in the Los Angeles Basin. Of course, there are others as you move south towards San Diego.

That is the storage system that you would then use in a conjunctive water management program. This is the holistic approach that we need to look at. I call it the little sip in the delta. Build a small facility—3,000 is not small—3,000 cubic feet per second facility, taking that water out of the Sacramento River at Sacramento; put it into the deepwater shipping channel—the Sacramento channel all the way down here just north of Rio Vista—take it across the delta, put it in a canal into Old River to the pumps, 3,000. The remaining water would be taken out of the Sacramento-San Joaquin Delta when it is available, when the delta smelt and other fish are not at the pumps, and turn the pumps on, sending that water south to be stored or used in the aquifers stored in new surface storage reservoirs along the way. Of course, north of the delta, you would have the surface storage reservoir at Sites and perhaps the enlargement of Shasta, then the ability to use it.

So why don't we do it? For the $15 billion that the Governor wants to spend on digging two tunnels that do not create 1 gallon of new water, but do create an existential threat to the largest estuary on the West Coast of the Western Hemisphere. Don't waste your money. Don't spend $15 billion on a $5 billion benefit—and that is over 50 years.

Why would you ever make that investment when you could do something that creates water, creates perhaps as much as 5 million acre-feet of new water for California's future, water that would be available from recycling and storage in southern California aquifers, available from storage north of the delta, the replenishment of the aquifers in the great Central Valley of California, and the creation of new storage surface reservoirs along the way? And most important, conservation—we have to conserve. It is mandated now. It is part of our future.

This is a water plan for all California. These ideas are not new. I didn't dream them up, although I put them together. And interestingly enough, 3½ years ago, when I made this first proposal, about a year later the Governor and the Department of Water Resources put forth a paper called a Water Action Plan for California, and it is exactly the same—without the tunnels.

Their Water Action Plan didn't speak to the tunnels. It did speak to storage north of the delta; it did speak to conservation; it did speak to the aquifers; it did speak to desalinization and recycling—all of those things that have been in the water plan for California for about 30 years.

This is not new. I have been involved in these issues since the 1970s, and I know that if we were to back away from the twin tunnel proposal, which is so destructive of the delta, and went to the little sip/big gulp strategy, using all of the various mechanisms available to California, we could create maybe 5 million acre-feet of new water. We could address the future drought that California will have again some day in the future.

Now, what about today's drought? I want to deal with that.

The people of California last November passed a $7 billion water bond. That water bond allows for conservation, replenishment of the aquifers, surface storage—perhaps Sites Reservoir, yet to be determined—and recycling, replenishment of the aquifers and, most important for now, today, money for those communities that are out of water and have no water at all so they can drill their wells deeper or bring in surface water from nearby rivers or communities that may be available.

That is a particular problem here in this area of the San Joaquin Valley and a few of the communities up here in the Sacramento Valley and up in the foothills. We need to provide that immediate relief for those areas, and we need to get on with conservation and some of the money that is necessary in order to do that. The water bond is available. That money is going to be coming out over the next 18 months or so as the State of California moves projects forward.

Immediately, and this is what I hope would be in the legislation that we should pass here in Washington is that we would use those Federal programs that exist today—and there are a multitude of Federal programs that already exist in Federal law, money that is already appropriated but not focused on the drought, not only in California, but throughout the West. And what I would suggest as we move legislation forward—perhaps this will be in Senator FEINSTEIN's bill. I would hope so. And if not there, as we hopefully all work together on solving the problem of drought in the West, particularly in California, that we focus our attention on the immediate opportunities that the Federal Government can presently present to solve problems.

The Environmental Protection Agency has the clean water grant programs. The Department of the Interior, the Bureau of Reclamation, has the WaterSMART program, which is conservation and recycling. We know that the Army Corps of Engineers has programs. There are other programs spread throughout the Federal Government that, if they were focused immediately on the needs of California and other States, that money could move to solve the community problems.

The clean water grant program could be used to provide water programs for those communities that are out of water—the recycling, conservation programs. All of those have money that is presently already appropriated but not focused; and if they focus that money so that it was in coordination, augmented, and supplemented and ahead of the California water bond programs, you could advance the water bond programs by as much as 18 months. It will take that long for California to move that money out of the bond.

So move the Federal Government in conjunction, in alignment with the programs that the State of California already is planning to do but doesn't yet have the money available. Put the Federal money there. Do the planning, the engineering, the environmental reviews, if necessary, and you advance so that today's drought can be dealt with. Now that is beginning to make sense.

I think we can do this. We need to push aside all of the fighting we have had over these many, many years. Don't take water from somebody, but work on programs to expand the water

potential for all California. Don't push aside the environmental laws, because it is, in fact, the environmental laws that protect this largest estuary on the West Coast of the Western Hemisphere—San Francisco Bay and the fishing industry up and down the coast, all the way to the Columbia River between Oregon and Washington.

Don't put us in a situation where we are destined to fight, but rather put us in a situation where we can work together. That is my plea to my Republican colleagues who pushed that bill through here basically on a party-line vote and now headed to the Senate. I ask Senator FEINSTEIN to work with those of us that represent the delta and that have worked for generations and decades on how to protect the delta.

There is a solution. I call it a little sip/big gulp. You can put any name you want to on it. In fact, the Natural Resources Defense Council came up with a similar program that they called a portfolio approach: conservation; recycling; desalinization, aquifers; storage systems, both large and small, surface and aquifer. It is all there. This is not new. This is working together to solve a major challenge to the largest economy in the United States, the seventh largest economy in the world, the largest population—35 million people. This is a challenge, but this is a challenge we can do.

So my plea to anybody that cares to work on water is to work with us. There are ways we can solve and mitigate the current drought and solve the problem for the future drought. It is there. It is not going to be any more expensive than the massive tunnel programs that the Governor is proposing.

In fact, if you took that $15 billion and you were to spend it on building Sites Reservoir, expanding reservoirs to the south, putting in the systems for the underground aquifer replenishment and recycling programs in southern California, how much progress could we make? Well, we could solve the problems for the next drought, and we could mitigate and reduce the harm of the current drought. That is what it is all about: working together, taking the best ideas of one group or another.

Mr. Speaker, I think I have covered this issue, hopefully making some sense of what is a very complex problem for California and, therefore, for the Nation.

I yield back the balance of my time.

NATIONAL SECURITY, THE RULE OF LAW, AND PLANNED PARENTHOOD VIDEOS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the Chair recognizes the gentleman from Iowa (Mr. KING) for 30 minutes.

Mr. KING of Iowa. Mr. Speaker, it is my privilege to be able to address you here on the floor of the House of Representatives and to speak some words here that hopefully will be picked up by the rest of the country that causes us to think a little more, think a little deeper, and think about the destiny of this country, Mr. Speaker.

I come to the floor to talk to you this evening about a couple of topics. One is national security, and the other is the rule of law. I will say the third thing that threads into that is the Planned Parenthood videos. We have now seen three of them, as they penetrate into our conscience.

Let me address first the Planned Parenthood videos. It has been now several weeks since the first video came out that showed the supposed doctor that worked for Planned Parenthood cavalierly discussing how to harvest the organs of innocent little unborn—aborted, though—babies, and the cavalier approach to that: sitting there over dinner, chatting away as if they were talking about a soccer game or maybe talking about spending the weekend with their family, having a glass of wine and talking about taking organs out of innocent little creatures that are created in God's image, as we all are, Mr. Speaker. That was video number one.

It should have shocked us to our core to see the attitude, but it didn't confirm decisively what was actually going on. It implied—and it was fairly strong evidence—but it didn't confirm.

The second video was the older lady sitting in a different restaurant, chatting along about how a transaction would be to harvest kidneys and lungs and livers and hearts and brains and body parts from innocent babies who just wanted a chance to live and love and laugh and learn; to worship, to grow, to enjoy life—to enjoy that first right, that right to life that comes before the right to liberty, which comes before the right to the pursuit of happiness, as our Founding Fathers prioritized those rights in the Declaration of Independence, Mr. Speaker.

□ 1915

That lady, in the second video, wanted enough out of that, that she—I will use that word again—''cavalierly'' said: I want a Lamborghini.

I am sure she would say to us: I was just joking.

Well, to joke about that topic in a setting like that, that told me it wasn't just a casual conversation. There was attention being paid to the business deal that was being negotiated, and it didn't seem like it was conclusive, but there was a direction and a course for that conversation.

Now, today, we see a third video, a video interviewing a young woman who has worked in a Planned Parenthood center whose task was to harvest the organs of little babies. The video shows the separation of that, shows the little feet, the little arms, the little hands.

It shows the kidneys; it shows the brain. It shows the pieces of that little baby that was perfect in every way until it was torn apart by the abortionist, using a technique, a methodology that is designed to preserve the most valuable organs so that they can be sold on the market to laboratories and for medical experiments, Mr. Speaker.

When I saw that video today and I saw each of the other two videos when they came out, the first day that one was available, and then I saw one, and I saw the second video as a preview before it came out to the public.

Either one of those, when I was listening to the verbiage, certainly told me that there is an evil, evil element within Planned Parenthood, a cavalier attitude, a ''this is the business we do'' attitude; not a human compassion was exposed in either one of those first two videos.

I have been in a lot of debates about abortion. I have read a lot of material about it. I have listened to a lot of testimony about it. Sitting on the Judiciary Committee, we moved legislation that put an end to partial-birth abortion or at least attempted to, and so we have had a lot of life-and-death debates in the Judiciary Committee here in the House of Representatives.

When I saw the video of the young woman talking about the task that she was given, pick up these forceps and begin to separate these organs and sort them out, and these are good, and the lab will take that, and essentially, these will bring good money, let's make sure we protect them, it sickened me.

It caused my gut to knot up, Mr. Speaker, in a way that reminded me of the first time I walked into a funeral home to see the dead body of a loved one. That is an experience in anybody's lifetime that you remember. Seeing this video is an experience that I will remember.

As I watch this Congress and I think how Congress is reacting, I am glad that there are investigations going on. I am glad that the Speaker has spoken up on this issue. I am glad that there is a pro-life movement in this country.

I am glad that there are people that are protesting and there are people that are making their positions known to the Supreme Court, to the United States Congress, to the President of the United States.

However intransigent the President will be on this, this is a subject that should have the immediate attention of the Department of Justice. This would be something that Loretta Lynch should be on now, should be conducting an investigation now, should be bringing about the evidence and preparing a prosecution against the people that have, essentially, admitted in the videos that they have committed a crime, perhaps multiple crimes.

This isn't about there is a piece or there is an argument on one side versus an argument on the other side.

Planned Parenthood says: Well, we don't do it for a profit. We just do this to get our money back out of the costs we have to preserve these organs and pass them along. After all, this poor mother is just making a contribution to science, and so we should appreciate that.

That is not what the Congress thought when they passed the laws against trading in little, unborn baby body parts, Mr. Speaker. It is about the law, and the law says thou shall not do such a thing.

No amount of excusing away; no amount of trying to explain that it was with a positive motive, instead of a profit motive; no amount of saying that, Well, that is just our costs, and we are recovering our cost; no amount of saying that the money that comes from the taxpayer into the pockets of Planned Parenthood doesn't ever go to abortion because it will be said now, hundreds of times, Mr. Speaker, in fact, thousands of times, it will be said: Money is fungible. Money is fungible. Money is fungible.

If you dump a half a billion dollars into Planned Parenthood's coffers—that is out of the pockets of the taxpayers. We hand them the debt, borrow the money from the Chinese, hand it over to Planned Parenthood, and Planned Parenthood then uses that to run their operation to free up some of their other operations that end up being what they call an operation, which is an abortion, that is snuffing out the lives—we are closing in on 60 million little babies since Roe v. Wade in 1973, closing in on 60 million.

At the same time, we have people that are arguing that we need to open up our borders and let an unlimited number of people come into America because our birthrate is not high enough to replace the people that are dying off as they reach the end of their life.

Rather than to say let's bring every one of these babies to birth, give them an opportunity to fill their lungs full of free air, give them an opportunity to live, to love, to learn, to laugh, give them an opportunity to contribute to this country, to this society, rather than do that, we abort the babies and bring in people from another culture and think we are making America a better place, when we have the sin of up to 60 million abortions on our country, on our heads, on our conscience, on our Supreme Court, Mr. Speaker, and on this Congress, to a degree, the House and Senate, and certainly on the President of the United States, who said he—and I will leave his family out of it, Mr. Speaker, but I think some know the thought that crossed my mind.

It is time for this Congress to step up to defund Planned Parenthood. I won't be satisfied with just a moratorium of waiting around for a year while we study this situation and put together maybe a select committee that can look at it for a while longer and hold some hearings in Congress. They are going to look at the videos and listen to the testimony on both sides.

All that does, Mr. Speaker, is give Planned Parenthood an opportunity to spend some of those millions of dollars, some percentage of the half a billion dollars that we send to them out of the taxpayers' pocket, borrowed from the Chinese, and indebted onto the children that are born, to lobby this Congress to tell us: Well, there is really some good there at Planned Parenthood after all, and so we should continue to fund them.

That is what we are faced with, Mr. Speaker.

The object is this: Shut off all funding to Planned Parenthood; they should not receive one dime of taxpayer dollars further.

There has been a strong movement on this over the years since the time I have been here, and the States want to move, too, Mr. Speaker. The States want to shut off funding to Planned Parenthood.

They are afraid that Congress, or the President of the United States, through one of his executive edicts, will order that the funding going to a State that would cut off the funding to Planned Parenthood would be cut off itself, that their Medicaid money might be stopped by this administration if a State would deign to cut off funding and no longer subsidize Planned Parenthood.

Mr. Speaker, this Congress needs to deal with this. We need to give the States all authority to cut off any funds, in the discretion of their own legislature and Governors, any funds that go to any organization that provides abortion. They will call it services or counseling.

If we do that, then we can restore a component of the culture of life in this country. If we do that, we begin to respect and appreciate innocent, unborn human life, we will see families that will grow. We will see children that are cherished. We will see more and more foundation of education and faith and wholesomeness in our country.

If we turn our backs on those innocent, unborn, little babies that are being systematically aborted, while we are subsidizing Planned Parenthood with borrowed tax dollars, under the guise of somehow they do some good, this is evil, Mr. Speaker. What is happening to these innocent babies and what is happening to the mothers is evil, and it is evil for profit. It is on video, and we have seen three of these videos, Mr. Speaker. We are not done yet.

This Congress should not just pledge to study this for a year. This Congress—and we go forward with funding for the fiscal year, next fiscal year, we have got the witching hour, September 30, at midnight.

It is likely to come as a continuing resolution. That continuing resolution has to have in it the language that will cut off the funding to Planned Parenthood. I will cut it off to any organization that provides abortion, as they say, services or counseling.

That subject is on the front of my mind, Mr. Speaker, and I wanted to get that off of my chest.

NATIONAL SECURITY

Mr. KING of Iowa. The next piece that I want to talk about is our national security. As we are watching presidential debates unfold—and our 16 or so candidates that are announced for President of the United States, I am grateful for every one of them.

I have never seen such a field of candidates that step up and want to serve this country from the Oval Office, the high quality of the character and the integrity that they have, the varied experience, and the success that they have demonstrated in their lives. There have been a lot of easier times to win the Republican nomination than there is now, Mr. Speaker.

As I look at the candidates that are out there—and I have been tuning my ear, encouraging them—I have yet to hear any of the candidates deliver a compact, inclusive approach to how to defeat Islamic jihad.

I listen to them speak, and I like the components that I hear from them. One of them says: We win; they lose.

I like that; but how are we going to do that? We need a strategy.

One of them says: If you attack us, we will kill you.

Okay. Well, let's kill them first. That is fine with me. They have declared war on us.

ISIS, for example, has established a caliphate. They declare it to be a caliphate. It is a caliphate. In northern Syria and in north and western Iraq, that real estate that they control is a caliphate, and they threaten all of the rest of the region, and they threaten us. They say that their black flag is going to fly over the White House. Well, some would say that will be a cold day, Mr. Speaker.

We have seen some dramatic changes in history over the last few years. I would say to the United States: We need to step up to this. We need to recognize our enemy. We need to defeat our enemies.

Our enemies are Islamic jihad, and Islamic jihad is comprised of the element within Islam that believes that their path to salvation is in killing us and that they can bring out some kind of worldwide revolution where, in the end, it will just be the purest of the pure of Islamists that are left on the planet. They will have killed everybody else; and all, whoever is left, must knuckle down to sharia law.

We need to defeat the ideology, Mr. Speaker, and when I say defeat the ideology, and I am speaking to a group of people, I will often see that look on their face, such as: Why do you think you can defeat an ideology? You can't defeat an ideology. You can't change a culture. You can't defeat ideology.

I recall one of those rebuttals that came to me, and I said, tell that to the Japanese. In fact, in World War II, in a 3½ year period of time, this country, with our allies, very powerfully, this country defeated three ideologies: the ideology of Japanese imperialism, the ideology of Italian fascism, and the ideology of German nazism.

All three of those ideologies went down in flames in a 3½ year period of time, in the face of—I will say this, Mr. Speaker—the superior culture.

The Western civilization, a superior culture that has a robust free enterprise, that has people that volunteer to engage in the economy, into the military, that reach out and pull each other up the ladder.

This robust United States of America, coupled with our allies, reaching across the map of Western civilization, rose up, rose up and defeated three ideologies in a 3½ year period of time in the Second World War; and then it took on a fourth ideology, which was the Russian version of communism. That took about 45 years. They were a little more tenacious.

It was not then just a kinetic operation. It wasn't just going up in flames. I am grateful that it wasn't. Instead, it was the economic and then political collapse of the Soviet Union brought about this way.

□ 2030

Ronald Reagan saw this. Margaret Thatcher saw it. Margaret Thatcher went to Ronald Reagan and said: With Mikhail Gorbachev, I have found a man with whom we can do business.

I don't quite understand the motive of Gorbachev, and he seems to have a little bit of revisionist history that comes out of him from time to time.

But I also know that Pope John Paul II traveled throughout areas of Europe and went into Poland and told them do not despair because they could be a free people.

The forces of the ideology of western civilization, western Christendom, as Churchill described it in his speech in Fulton, Missouri, are the forces that stood up against Russian communism.

In about 1984, when Jeane Kirkpatrick stepped down as Ambassador to the United Nations under Reagan, she made a statement upon her departure which was this.

She said: What is going on in this cold war—and that was near the height of the cold war—what is going on is Monopoly and chess on the same board. The United States and the Soviet Union are playing chess and Monopoly on the same board. It is just that the only question is: Will the United States of America bankrupt the Soviet Union economically before the Soviet Union checkmates the United States militarily?

That was the question. It was succinctly put. And I believe that will also show up on her Wikipedia page, but I happened to find it in the Des Moines Register back in that year, 1984.

Jeane Kirkpatrick was right. Five years later the Soviet Union imploded. On November 9 the wall went down in Berlin, and that was a symbol. Actually, I will say literally the Iron Curtain came crashing down throughout Berlin and the Iron Curtain all across Europe went crashing down.

People flowed freely back and forth. The free world had defeated the ideology of communism that was the Soviet version of it. For a time, freedom echoed all the way across Eastern Europe all the way to the Pacific Ocean. And it can be restored again, Mr. Speaker.

That is the foundation that we have that we work with. We are the people that—because of free enterprise, because we have idea people with good educations and a solid moral foundation and a good work ethic, this country has generated more patents than anybody else, created more inventions than anyone else, but cooperated with especially the western world and with the creativity that we have.

We have been able to rise up against ideology after ideology, defeat three of them during World War II and defeat Soviet communism in a 45-year period of the cold war.

Now we are faced with another ideology that rises up to challenges: Islamic jihad. If you go back to the time of Mohammed, about the last 20 years of his life and for 100 years after his death, there was a conquest going on of—shall I call them religious conversions by the sword? And, as the conquest was going on, Islam was invading and occupying most of the known world at the time.

By 732 AD, Mr. Speaker, the Islamists were outside the city of Tours in France when Charles Martel brought his infantry into the trees to face the cavalry charge of the Islamists.

And cavalries don't operate very well in the forest, Mr. Speaker, and that is how the Charles Martel, Charles The Hammer's infantry defeated them there and chased them out of Tours and across the plains and left their bones scattered a long ways back towards Spain. That was 732 AD.

And you can fast-forward again and again to catch some of the milestones: In 1571, the battle of Lepanto where an Islamist navy was sunk by the Holy League navy that went to meet them in the Aegean Sea.

You can go to 1683, when Vienna was surrounded by Islamists of the time. On July 14, they surrounded Vienna, and for more than 2 months—they besieged Vienna for roughly 2 months.

And then, on September 11, the three German infantries under three German kings and Jan Sobieski, the Polish king, brought his cavalry, they held a service at Kahlenberg Church, which was razed. It was in ruins at the hands of the Islamists.

But they held a service there in the evening of September 11 and prayed for God's deliverance of their battle the next day that it already enjoined on September 11 and the deliverance of Vienna, which happened, as in the famous battle of Vienna, September 11 and 12, 1683.

It goes on. Then September 11 became the date that lived in infamy for the people who attacked us on September 11, 2001—New York, Pentagon, and Pennsylvania—and then again on September 11, 2012, Benghazi.

That date means something to them. It ought to mean something to us. They have been fighting western civilization for 1,400 years, and they have been adapting themselves to the technology that is created in the western world, creating very little themselves, but borrowing our technology, Mr. Speaker.

And some of that technology that is now being borrowed is the Internet, the Internet that is being used to inspire and to recruit and to direct the Islamists that are attacking Americans and attacking people that are not in alignment with ISIS and with Islamic jihad.

That is the effort that is coming and the ability that they have to use the Internet to coordinate and communicate. They will say as high as 100,000 tweets and emails and communications a day are coming out of ISIS and Islamic jihad in the broader definition of it. As high as 100,000 a day.

We need to bring about warfare against them. And it means not just defensive warfare to protect ourselves, but offensive warfare to attack them through the same medium that they are using to attack us.

So here is the list. It is not just a kinetic war against them, which they have declared against us, the kinetic war.

We need to do cyber warfare, financial warfare, educational warfare against them. We need to build a strong alliance with especially the moderate Muslim countries in the Middle East, those who should be our allies but for being a—let's say given the short end of the stick from our State Department during this administration.

And I am speaking of countries like Egypt; the United Arab Emirates, for example; Jordan, to a lesser degree. But they are natural allies to the United States. They are natural allies. In fact, they are allies to Israel today.

They have been attacking our Islamist enemies in that part of the world.

The Egyptians allowed for planes to fly out of there, to fly into Yemen. And the Emirates sent some of their Air Force there. You have seen the Saudis do the same thing.

We can build an alliance in the Middle East with Saudi Arabia, whom I have got slightly less confidence in than I do in Egypt, and in the United Arab Emirates, with Jordan, and, also, working in cooperation with Israel.

When President el-Sisi of Egypt says to me that his relationship with Prime Minister Netanyahu is stronger with Egypt and Israel and President el-Sisi and Prime Minister Netanyahu stronger than it is with the United States, we should be troubled by that, Mr. Speaker.

We should be troubled by a foreign policy that has alienated the Egyptians, that has caused the UAE to wonder: What is America doing? Why are we paving the road to Damascus for our enemies? Why would we consider doing such a thing?

So this strategy, a strategy that I have put into an op-ed in the National Review, which was just published here in the last couple of days, Mr. Speaker, lays out a strategy to conduct cyber warfare, both offensive and defensive, and economic warfare to shut off the funds that are flowing to Islamic jihad wherever they might be flowing from, wherever they might be flowing through, whoever might be doing business with them and thinking they are going to profit.

We have got to turn that the other way. And then we need to shut down and shut off, if we can—and this is the most difficult component of the task—the educational system out there that is teaching this kind of hatred into the next generation. Build alliances with the moderate Muslim countries, as I have said, encourage them.

We need to be arming the Kurds with everything that we can get to the Kurds, everything the Kurds can use. And that doesn't mean send it through Baghdad to get the Baghdad stamp of approval. It means directly to the Kurds along with special operation forces that could be on the ground with the Kurds and call in airstrikes and support the Kurds as one jaw of the vice that will squeeze ISIS in Iraq and in Syria.

The other jaw of the vice is a natural. It is already there. It is Assad. And when those two jaws of the vice to come together and crush ISIS, by that point, we can take a look at Assad and decide how to approach the power that may be left in Syria at that point in time.

This is just a quick list, Mr. Speaker, of a strategy to defeat the ideology of Islamic jihad. The time has come for us to do that.

I want to see a Presidential candidate—or 16 of them, I hope—who can articulate a vision to bring about the defeat of this enemy that has been bringing battle against western civilization for 1,400 years, that targets the United States of America as the great Satan and the center of their efforts. They would like to destroy all of the United States of America.

And while this is going on, we have got a treaty proposal from the President of the United States with Iran. In the spring or summer of 2008, as a candidate, he said to Iran: Mr. Ahmadinejad, if you will unclench your fist, we will extend our hand. I would remind the public of that, Mr. Speaker.

Because that fist is still clenched in Iran. And the President is poised to hand over $150 billion to the Iranian economy that will juice that economy up.

It will allow them to bring conventional weaponry to bear. It will allow them to fund more Hezbollah. It will allow them to continue to develop the most recent version of centrifuges.

And even if they comply, in 10 years, the situation is set up where, rather than one weapon, it is 100 weapons, ICBMs sticking out of the sand in the Middle East, Mr. Speaker.

There is much to be done for this western civilization. We need to strengthen our culture. We need to believe in who we are. We need to sort the best things out of what we are and strengthen them. We need to cull out the weaknesses that we have. And we need a leader whom God will use to restore the soul of America.

Mr. Speaker, I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. GRAVES of Georgia (at the request of Mr. MCCARTHY) for today on account of attending the funeral services for U.S. Navy Petty Officer 2nd Class Randall Smith.

Ms. JACKSON LEE (at the request of Ms. PELOSI) for July 27 and today on account of official business.

Mr. LEVIN (at the request of Ms. PELOSI) for today after 4:30 p.m. and the balance of the week on account of official business at Trans Pacific Trade Partnership.

ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 876. An act to amend title XVIII of the Social Security Act to require hospitals to provide certain notifications to individuals classified by such hospitals under observation status rather than admitted as inpatients of such hospitals.

SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 1482. An act to improve and reauthorize provisions relating to the application of the antitrust laws to the award of need-based educational aid.

ADJOURNMENT

Mr. KING of Iowa. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 41 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, July 29, 2015, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

2308. A letter from the Acting Under Secretary, Personnel and Readiness, Department of Defense, transmitting a letter authorizing Captain John W. Korka to wear the insignia of the grade of rear admiral (lower half), in accordance with 10 U.S.C. 777; to the Committee on Armed Services.

2309. A letter from the Assistant General Counsel for Law and Policy, Legal Division, Consumer Financial Protection Bureau, transmitting the Bureau's final rule — 2013 Integrated Mortgage Disclosures Rule Under the Real Estate Settlement Procedures Act (Regulation X) and the Truth in Lending Act (Regulation Z) and Amendments; Delay of Effective Date [Docket No.: CFPB-2015-0029) (RIN: 3170-AA48) received July 27, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Financial Services.

2310. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility; Maine: Alna, Town of Lincoln County [Docket ID: FEMA-2015-0001] [Internal Agency Docket No.: FEMA-8387] received July 27, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Financial Services.

2311. A letter from the Director, Financial Crimes Enforcement Network, Department of the Treasury, transmitting the Department's final rule — Imposition of Special Measure against FBME Bank Ltd., formerly known as the Federal Bank of the Middle East Ltd., as a Financial Institution of Primary Money Laundering Concern (RIN: 1506-AB27) received July 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Financial Services.

2312. A letter from the Director, Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting the Department's direct final rule — Performance Standards for Ionizing Radiation Emitting Products; Fluoroscopic Equipment; Correction; Confirmation of Effective Date [Docket No.: FDA-2015-N-0828] received July 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2313. A letter from the General Counsel, Recovery Accountability and Transparency Board, transmitting the Board's final rule — Removal of Recovery Accountability and Transparency Board Regulations received July 27, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Oversight and Government Reform.

2314. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer [Docket No.: 140117052-4402-02] (RIN: 0648-XD985) received July 27, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

2315. A letter from the Secretary, Judicial Conference of the United States, transmitting draft legislation entitled ''Federal District Judgeship Act of 2015''; to the Committee on the Judiciary.

2316. A letter from the Acting Director, Regulation Policy and Management, Office of the General Counsel (02REG), Veterans Health Administration, Department of Veterans Affairs, transmitting the Department's final rule — Update to NFPA Standards, Incorporation by Reference (RIN: 2900-AO90) received July 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Veterans' Affairs.

2317. A letter from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting the Attorney General's Third Quarterly Report of FY 2015 on the Uniformed Services Employment and Reemployment Rights Act of 1994, pursuant to the Veterans' Benefits Improvement Act of 2008 (Pub. L. 110-389); jointly to the Committees on the Judiciary and Veterans' Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

(Omitted from the Record of July 27, 2015)

Mr. GOODLATTE: Committee on the Judiciary. H.R. 1656. A bill to provide for additional resources for the Secret Service, and to improve protections for restricted areas; with an amendment (Rept. 114–231). Referred to the Committee of the Whole House on the state or the Union.

(Filed on July 28, 2015)

Mr. MCCAUL: Committee on Homeland Security. H.R. 455. A bill to require the Secretary of Homeland Security to conduct a northern border threat analysis, and for other purposes; with an amendment (Rept. 114–232). Referred to the Committee of the Whole House on the state of the Union.

Mr. MCCAUL: Committee on Homeland Security. H.R. 2786. A bill to require the Commissioner of U.S. Customs and Border Protection to submit a report on cross-border rail security, and for other purposes (Rept. 114–233). Referred to the Committee of the Whole House on the state of the Union.

Mr. SESSIONS: Committee on Rules. House Resolution 388. Resolution providing for consideration of the bill (H.R. 1994) to amend title 38, United States Code, to provide for the removal or demotion of employees of the Department of Veterans Affairs based on performance or misconduct, and for other purposes, and providing for consideration of the bill (H.R. 3236) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, to provide resource flexibility to the Department of Veterans Affairs for health care services, and for other purposes (Rept. 114–234). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. CUMMINGS (for himself, Mr. SCOTT of Virginia, and Ms. MENG):

H.R. 3231. A bill to amend title 5, United States Code, to protect unpaid interns in the Federal government from workplace harassment and discrimination, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. CUMMINGS (for himself, Mr. SCOTT of Virginia, and Ms. MENG):

H.R. 3232. A bill to protect unpaid interns from workplace harassment and discrimination; to the Committee on Education and the Workforce.

By Mr. CUMMINGS (for himself, Mr. SCOTT of Virginia, and Ms. MENG):

H.R. 3233. A bill to amend the Congressional Accountability Act of 1995 to protect unpaid interns in the legislative branch from workplace harassment and discrimination, and for other purposes; to the Committee on House Administration.

By Mrs. ROBY:

H.R. 3234. A bill to amend title 38, United States Code, to establish within the Department of Veterans Affairs an Office of Failing Medical Center Recovery, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. CLARK of Massachusetts (for herself and Mr. COSTELLO of Pennsylvania):

H.R. 3235. A bill to amend the Public Health Service Act to authorize the Secretary of Health and Human Services, acting through the Administrator of the Health Resources and Services Administration, to make grants to States for screening and treatment for maternal depression; to the Committee on Energy and Commerce.

By Mr. SHUSTER (for himself, Mr. RYAN of Wisconsin, and Mr. MILLER of Florida):

H.R. 3236. A bill to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, to provide resource flexibility to the Department of Veterans Affairs for health care services, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Ways and Means, Energy and Commerce, Science, Space, and Technology, Natural Resources, Veterans' Affairs, Education and the Workforce, the Budget, and Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ELLISON:

H.R. 3237. A bill to authorize the Administrator of the Environmental Protection Agency to award grants for municipal solid waste prevention and recycling program development, and for other purposes; to the Committee on Energy and Commerce.

By Mr. EMMER of Minnesota (for himself, Ms. CASTOR of Florida, Mr. BOUSTANY, Mr. SANFORD, Mr. RIBBLE, Mr. ABRAHAM, Mr. AMASH, and Mr. JONES):

H.R. 3238. A bill to lift the trade embargo on Cuba, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Ways and Means, Financial Services, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. EMMER of Minnesota (for himself, Mr. KLINE, and Mr. FORTENBERRY):

H.R. 3239. A bill to provide enhanced security at Armed Forces recruitment centers through the installation of reinforced bullet-proof glass and entry doors; to the Committee on Armed Services.

By Mr. DEFAZIO:

H.R. 3240. A bill to direct the Administrator of the Federal Emergency Management Agency to carry out a plan for the purchase and installation of an earthquake early warning system for the Cascadia Subduction Zone, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. MCDERMOTT:

H.R. 3241. A bill to amend title I of the Patient Protection and Affordable Care Act to authorize the establishment of, and provide support for, State-based universal health care systems that provide comprehensive health benefits to State residents, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, Oversight and Government Reform, Armed Services, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. BROOKS of Indiana (for herself and Ms. ESTY):

H.R. 3242. A bill to require special packaging for liquid nicotine containers, and for other purposes; to the Committee on Energy and Commerce.

By Mr. SMITH of New Jersey (for himself, Mr. BLUMENAUER, Mr. BRADY of Texas, Mr. MCDERMOTT, Mr. BOUSTANY, Mr. PASCRELL, Mr. KELLY of Pennsylvania, Mr. TONKO, Mr. LANCE, Mr. BILIRAKIS, Mr. BARLETTA, Mr. COSTELLO of Pennsylvania, Mr. FITZPATRICK, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. LOBIONDO, Mr. MCGOVERN, Mr. HIGGINS, Mr. ROTHFUS, Mr. KENNEDY, and Mr. NEAL):

H.R. 3243. A bill to amend title XI of the Social Security Act to clarify waiver authority regarding programs of all-inclusive care for the elderly (PACE programs); to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MCMORRIS RODGERS (for herself, Mr. LARSON of Connecticut, Mr. REED, and Mr. SCHRADER):

H.R. 3244. A bill to amend title XVIII of the Social Security Act to establish a pilot program to improve care for the most costly

Medicare fee-for-service beneficiaries through the use of comprehensive and effective care management while reducing costs to the Federal Government for these beneficiaries, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BRIDENSTINE:

H.R. 3245. A bill to prohibit the Federal Government from contracting with entities that donate or match employee donations to Planned Parenthood Federation of America, Inc; to the Committee on Oversight and Government Reform.

By Ms. BROWN of Florida:

H.R. 3246. A bill to provide for the temporary use of Veterans Choice Funds for certain programs, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FLEISCHMANN (for himself and Mr. BRADY of Pennsylvania):

H.R. 3247. A bill to amend title 23, United States Code, to exempt covered heavy-duty tow and recovery vehicles from certain weight limitations, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. FORTENBERRY (for himself and Mr. GARAMENDI):

H.R. 3248. A bill to amend the Small Business Act to require the Administrator of the Small Business Administration to carry out a pilot program on issuing grants to eligible veterans to start or acquire qualifying businesses, and for other purposes; to the Committee on Small Business.

By Mr. HARPER (for himself, Mr. PALAZZO, and Mr. KELLY of Mississippi):

H.R. 3249. A bill to direct the Secretary of Agriculture to convey to the Pat Harrison Waterway District approximately 8,307 acres of National Forest System land within the Bienville National Forests in Mississippi, and for other purposes; to the Committee on Agriculture.

By Mr. JOHNSON of Ohio (for himself and Ms. MATSUI):

H.R. 3250. A bill to amend the Federal Food, Drug, and Cosmetic Act to prevent the abuse of dextromethorphan, and for other purposes; to the Committee on Energy and Commerce.

By Mr. KING of Iowa:

H.R. 3251. A bill to amend title XVIII of the Social Security Act to exclude coverage of advance care planning services under the Medicare program; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. KIRKPATRICK:

H.R. 3252. A bill to provide grants to eligible entities to develop and maintain or improve and expand before school, afterschool, and summer school programs for Indian and Alaska Native students, and for other purposes; to the Committee on Education and the Workforce.

By Mrs. KIRKPATRICK:

H.R. 3253. A bill to establish procedures for the expedited consideration by Congress of the recommendations set forth in the Cuts, Consolidations, and Savings report prepared by the Office of Management and Budget; to the Committee on the Budget, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MARINO:

H.R. 3254. A bill to amend the Dale Long Public Safety Officers' Benefits Improvements Act of 2012 to change the retroactive application of the Act to cover injuries sustained by rescue squad or ambulance crew members on or after December 1, 2007, rather than June 1, 2009; to the Committee on the Judiciary.

By Mr. MCCAUL (for himself, Mr. CUELLAR, and Mr. CONAWAY):

H.R. 3255. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income certain amounts realized on the disposition of property raised or produced by a student farmer, and for other purposes; to the Committee on Ways and Means.

By Mr. MCCAUL (for himself, Mr. COOK, Mr. LONG, Mr. WITTMAN, Mr. ALLEN, Mr. PALMER, Mr. BRAT, Mr. KATKO, and Mr. CULBERSON):

H.R. 3256. A bill to require each agency to repeal or revise 1 or more existing regulations before issuing a new regulation, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MEADOWS (for himself, Mr. POLIS, Mr. COOK, and Mrs. KIRKPATRICK):

H.R. 3257. A bill to amend section 6906 of title 31, United States Code, to provide funding for the payment in lieu of taxes program for an additional five years, to provide a five-year extension of the Secure Rural Schools and Community Self-Determination Act of 2000, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NORCROSS (for himself, Ms. SCHAKOWSKY, Mr. GARAMENDI, and Mrs. BUSTOS):

H.R. 3258. A bill to amend the Workforce Innovation and Opportunity Act to establish a scholarship program for dislocated workers or unemployed individuals transitioning into manufacturing employment; to the Committee on Education and the Workforce.

By Mr. ROHRABACHER:

H.R. 3259. A bill to grant authority to the President to detain non-diplomatic officials of the Government of Iran in the United States and non-diplomatic officials of the Government of Iran in certain other countries until all United States citizens held by the Government of Iran are released and returned to the United States, and for other purposes; to the Committee on Foreign Affairs.

By Ms. SCHAKOWSKY (for herself, Mr. CLAY, Mr. ELLISON, Ms. MOORE, Ms. NORTON, and Mr. RANGEL):

H.R. 3260. A bill to require all newly constructed, federally assisted, single-family houses and town houses to meet minimum standards of visitability for persons with disabilities; to the Committee on Financial Services.

By Ms. SCHAKOWSKY (for herself, Mr. GRIJALVA, Mr. FARR, Ms. PINGREE, Ms. CLARKE of New York, Ms. DEGETTE, and Mr. MCDERMOTT):

H.R. 3261. A bill to amend part D of title XVIII of the Social Security Act to deliver a meaningful benefit and lower prescription drug prices under the Medicare Program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SHIMKUS:

H.R. 3262. A bill to provide for the conveyance of land of the Illiana Health Care System of the Department of Veterans Affairs in Danville, Illinois; to the Committee on Veterans' Affairs.

By Mr. TAKANO:

H.R. 3263. A bill to make innovative technology loan guarantee support available for battery storage technologies; to the Committee on Energy and Commerce, and in addition to the Committee on Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. TITUS:

H.R. 3264. A bill to amend the Internal Revenue Code of 1986 to expand the Saver's credit, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WELCH:

H.R. 3265. A bill to simplify the process for determining the need and eligibility of students for financial assistance under the Higher Education Act of 1965, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WELCH (for himself and Mr. REED):

H.R. 3266. A bill to improve the productivity and energy efficiency of the manufacturing sector by directing the Secretary of Energy, in coordination with the National Academies and other appropriate Federal agencies, to develop a national smart manufacturing plan and to provide assistance to small- and medium-sized manufacturers in implementing smart manufacturing programs, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WILLIAMS:

H.R. 3267. A bill to amend the Internal Revenue Code of 1986 to reduce the rate of payroll and self-employment taxes, and for other purposes; to the Committee on Ways and Means.

By Mr. YOHO (for himself, Mr. SCHRADER, Mr. FITZPATRICK, Mr. COHEN, Mr. JOLLY, Ms. SCHAKOWSKY, Mr. BUCHANAN, Ms. SLAUGHTER, Mr. COLLINS of New York, Mr. YARMUTH, Mr.

LoBiondo, Ms. DelBene, Mr. Marino, Mr. Farr, Mr. Jones, Mr. Heck of Washington, Mr. Smith of New Jersey, Ms. DeLauro, Mr. Williams, Mrs. Kirkpatrick, Mr. Denham, Mr. Welch, Mr. Brat, Mr. Sarbanes, Mr. Smith of Texas, Mr. Blumenauer, Mr. Crenshaw, Ms. Jackson Lee, Mr. Gibson, Mr. Levin, Mr. Meadows, Ms. DeGette, Mr. Rodney Davis of Illinois, Mr. Ben Ray Luján of New Mexico, Mr. Barletta, Mr. Quigley, Mr. Mica, Mr. Deutch, Mr. Lance, Mr. Price of North Carolina, Mr. Posey, Ms. McCollum, Mr. Meehan, Mr. McGovern, Mr. Roskam, Mr. Vela, Mr. Costello of Pennsylvania, Mr. Keating, Mr. Joyce, Mrs. Lowey, Mr. Heck of Nevada, Mr. Vargas, Mr. Forbes, Mr. Connolly, Mr. Yoder, Mr. Peters, Mr. Hunter, Mr. Engel, Mr. Salmon, Ms. Michelle Lujan Grisham of New Mexico, Mr. Schweikert, Ms. Sinema, Mr. Chabot, Mr. Grijalva, Mr. Calvert, Mrs. Davis of California, Mr. Donovan, Ms. Pingree, Mrs. Walorski, Mr. Cartwright, Mr. Farenthold, Mr. Pocan, Mr. Ribble, Ms. Meng, Mr. Johnson of Ohio, Ms. Norton, Mr. Diaz-Balart, Mr. Walz, Mr. Hudson, Mr. Larsen of Washington, Mr. Hanna, Ms. Eshoo, Mr. Valadao, Mr. Van Hollen, Mr. Flores, Mr. Israel, Mr. Wittman, Ms. Frankel of Florida, Mr. Cook, Mr. Langevin, Mr. Turner, Ms. Wilson of Florida, Ms. McSally, Mr. Kilmer, Ms. Granger, Mr. Gutiérrez, Mr. Nugent, Ms. Bordallo, Mr. Perry, Mr. Grayson, Mr. King of New York, Mr. Sean Patrick Maloney of New York, Mr. Kelly of Pennsylvania, Mr. Pallone, Mr. Dold, Mr. Honda, Mr. Fortenberry, and Mrs. Beatty):

H.R. 3268. A bill to amend the Horse Protection Act to designate additional unlawful acts under the Act, strengthen penalties for violations of the Act, improve Department of Agriculture enforcement of the Act, and for other purposes; to the Committee on Energy and Commerce.

By Mr. YOUNG of Alaska:

H.R. 3269. A bill to implement the Convention on the Conservation and Management of the High Seas Fisheries Resources in the North Pacific Ocean, as adopted at Tokyo on February 24, 2012, and for other purposes; to the Committee on Natural Resources.

By Mr. YOUNG of Alaska:

H.R. 3270. A bill to amend the Federal Water Pollution Control Act to exempt Indian tribes from compensatory mitigation requirements in connection with certain discharges of dredged or fill material, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. YOUNG of Alaska:

H.R. 3271. A bill to amend the Federal Water Pollution Control Act to allow preservation leasing as a form of compensatory mitigation for discharges of dredged or fill material affecting State or Indian land, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. DeLAURO (for herself, Mrs. Dingell, Ms. Slaughter, Mr. Pascrell, Mr. Ryan of Ohio, and Mr. Pocan):

H. Con. Res. 65. Concurrent resolution expressing the sense of Congress regarding the upgrading of Malaysia on the 2015 Trafficking In Persons report; to the Committee on Foreign Affairs.

By Mr. LANGEVIN (for himself, Mr. Hoyer, Mrs. McMorris Rodgers, Mr. Upton, Mr. Harper, Mr. Scott of Virginia, Mr. Nadler, Mr. Cohen, Mr. Conyers, Ms. Duckworth, Ms. Norton, Mr. David Scott of Georgia, Mr. Tonko, Mr. Vargas, Ms. Wasserman Schultz, Ms. Edwards, Mr. Blum, Ms. Michelle Lujan Grisham of New Mexico, Mr. Kennedy, Mr. Ashford, Mr. Crenshaw, Mr. Lewis, Mr. Farr, Mr. Meeks, Ms. Slaughter, Mr. Rangel, Mr. Dent, Ms. DeGette, Mr. Sean Patrick Maloney of New York, Mr. Collins of Georgia, Mrs. Bustos, Ms. Hahn, Mr. Cicilline, Ms. Frankel of Florida, Mr. Smith of Washington, Mrs. Lawrence, Mr. Dold, Mr. Foster, Ms. Esty, Mr. Moulton, Mr. Serrano, Mr. Carter of Georgia, Ms. Jenkins of Kansas, Ms. Schakowsky, Ms. McCollum, Mr. Cummings, Ms. Linda T. Sánchez of California, Ms. Judy Chu of California, Mr. Beyer, and Ms. Brown of Florida):

H. Con. Res. 66. Concurrent resolution recognizing and honoring the 25th anniversary of the date of enactment of the Americans with Disabilities Act of 1990; to the Committee on Education and the Workforce, and in addition to the Committees on Transportation and Infrastructure, the Judiciary, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MEADOWS:

H. Res. 385. A resolution declaring the office of Speaker of the House of Representatives vacant; to the Committee on Rules.

By Ms. BONAMICI (for herself, Mr. Grijalva, Mr. Ellison, Mr. Scott of Virginia, Ms. Matsui, Ms. Frankel of Florida, Ms. DeLauro, Ms. Schakowsky, Mr. Conyers, Mr. Nadler, Mr. McDermott, Mr. Gallego, Mrs. Watson Coleman, Ms. Clark of Massachusetts, Mr. Pocan, Mrs. Lawrence, Mr. Ted Lieu of California, Ms. Hahn, Ms. Jackson Lee, Mr. Honda, Ms. Roybal-Allard, Ms. Norton, Ms. Brown of Florida, Ms. Lee, Mr. McGovern, Ms. Edwards, Mr. Danny K. Davis of Illinois, and Ms. Titus):

H. Res. 386. A resolution expressing the sense of the House of Representatives that the availability of high-quality child care for working parents should be increased; to the Committee on Education and the Workforce.

By Mr. BECERRA:

H. Res. 387. A resolution electing a Member to a certain standing committee of the House of Representatives; considered and agreed to.

By Mr. DELANEY (for himself, Mr. Peters, and Mr. Hanna):

H. Res. 389. A resolution amending the Rules of the House of Representatives to lower the threshold at which the gross budgetary effect of a piece of legislation requires the cost estimates provided for the legislation to incorporate macroeconomic variables resulting from the legislation, and to require the cost estimates provided for appropriation bills and joint resolutions to incorporate such variables; to the Committee on Rules.

By Mr. HONDA (for himself, Ms. Bordallo, Mr. Dent, Mr. Meeks, Mrs. Napolitano, Mr. Rangel, Ms. Speier, Mr. Grijalva, Mr. Johnson of Georgia, Ms. Norton, Mr. Takano, Ms. Wilson of Florida, Ms. Jackson Lee, Ms. Clarke of New York, Ms. Kelly of Illinois, Ms. Judy Chu of California, and Mr. Fattah):

H. Res. 390. A resolution recognizing July 28, 2015, as ''World Hepatitis Day''; to the Committee on Energy and Commerce.

By Ms. NORTON:

H. Res. 391. A resolution expressing support for designation of August 22, 2015, as national ''Chuck Brown Day'' and honoring his contributions to music and to the District of Columbia; to the Committee on Oversight and Government Reform.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. HUNTER introduced a bill (H.R. 3272) for the relief of Myles Newlove; which was referred to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. CUMMINGS:

H.R. 3231.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18

By Mr. CUMMINGS:

H.R. 3232.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18

By Mr. CUMMINGS:

H.R. 3233.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18

By Mrs. ROBY:

H.R. 3234.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution

By Ms. CLARK of Massachusetts:

H.R. 3235.

Congress has the power to enact this legislation pursuant to the following:

Under Article I of the United States Consitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. SHUSTER:

H.R. 3236.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution, specifically Clause 1 (related to laying and collecting Taxes, and providing for the common defense and general Welfare of the United States), Clause 3 (related to regulation of Commerce with foreign Nations, and among the several States, and with Indian Tribes), and Clause 7 (related to establishment of Post Offices and Post Roads).

By Mr. ELLISON:

H.R. 3237.

Congress has the power to enact this legislation pursuant to the following:

The Congress shall have the power to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.''

By Mr. EMMER of Minnesota:

H.R. 3238.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 to regulate Commerce with Foreign Nations.

By Mr. EMMER of Minnesota:

H.R. 3239.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United Sates, or in any Department or Officer thereof.

By Mr. DEFAZIO:

H.R. 3240.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution, specifically Clause 1 (relating to providing for the common defense and general welfare of the United States) and Clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress).

By Mr. MCDERMOTT:

H.R. 3241.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 and Article 1, Section 8, Clause 3

By Mrs. BROOKS of Indiana:

H.R. 3242.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution, specifically clause 1 (relating to providing for the general welfare of the United States) and cluase 18 (relating to the power to make all laws necessary and proper for the carrying out of the powers vested in Congress).

By Mr. SMITH of New Jersey:

H.R. 3243.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mrs. MCMORRIS RODGERS:

H.R. 3244.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional authority in which this bill rests is the power of the Congress to regulate Commerce as enumerated by Article I, Section 8, Clause 3 as applied to the Medicare program under Title 18 of the Social Security Act.

By Mr. BRIDENSTINE:

H.R. 3245.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 states that: ''The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, and to pay the Debts and provide for the common Defence and general Welfare of the United States.''

Article 1, Section 9 states that: ''No Money shall be drawn from the Treasury, but in Consequence of Appropriations by Law.''

These two clauses provide Congress with the ''power of the purse.'' Congress has the Constitutional authority regarding authorizing and appropriating Federal spending on Federal government contracts.

By Ms. BROWN of Florida:

H.R. 3246.

Congress has the power to enact this legislation pursuant to the following:

Pursuant to Article I, section 8 of the United States Constitution, this legislation is authorized by Congress' power to ''provide for the common defense and general welfare of the United States.''

By Mr. FLEISCHMANN:

H.R. 3247.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clauses 1, 3, 7 and 18 of the Constitution of the United States

By Mr. FORTENBERRY:

H.R. 3248.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority for this bill is pursuant to Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. HARPER:

H.R. 3249.

Congress has the power to enact this legislation pursuant to the following:

Property Regulation, Federal

Article IV, Section 3, Clause 2

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Mr. JOHNSON of Ohio:

H.R. 3250.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution

By Mr. KING of Iowa:

H.R. 3251.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1; Article I, Section 8, Clause 18

By Mrs. KIRKPATRICK:

H.R. 3252.

Congress has the power to enact this legislation pursuant to the following:

Article I. Section 1. All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

18. To make all Laws which shall be necessary and power for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mrs. KIRKPATRICK:

H.R. 3253.

Congress has the power to enact this legislation pursuant to the following:

Article I. Section 1. All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

18. To make all Laws which shall be necessary and power for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof

By Mr. MARINO:

H.R. 3254.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 (General Welfare Clause)—the Congress shall have Power to law and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the Common Defense and general Welfare of the United States; but all Duties, and Imposts and Excises shall be uniform throughout the United States.

Article 1, Section 8, Clause 18 (Necessary and Proper Clause)—the Congress shall have Power . . . to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. MCCAUL:

H.R. 3255.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. MCCAUL:

H.R. 3256.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. MEADOWS:

H.R. 3257.

Congress has the power to enact this legislation pursuant to the following:

Article I. Section 8, 18 To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.

By Mr. NORCROSS:

H.R. 3258.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the U.S. Constitution

By Mr. ROHRABACHER:

H.R. 3259.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Ms. SCHAKOWSKY:

H.R. 3260.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section VIII.

By Ms. SCHAKOWSKY:

H.R. 3261.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. SHIMKUS:

H.R. 3262.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution, specifically clause 1 (relating to providing for the general welfare of the United States) and clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and

Article IV, Section 3, Clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Mr. TAKANO:

H.R. 3263.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution of the United States.

By Ms. TITUS:

H.R. 3264.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article 1 of the United States Constitution

By Mr. WELCH:

H.R. 3265.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18: The Congress shall have Power To . . . make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. WELCH:

H.R. 3266.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18: The Congress shall have Power To . . . make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. WILLIAMS:

H.R. 3267.

Congress has the power to enact this legislation pursuant to the following:

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. YOHO:

H.R. 3268.

Congress has the power to enact this legislation pursuant to the following:

Clause 3, Section 8 of Article 1 of the United States Constitution which reads: ''The Congress shall have Power To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.''

By Mr. YOUNG of Alaska:

H.R. 3269.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3.

By Mr. YOUNG of Alaska:

H.R. 3270.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3.

By Mr. YOUNG of Alaska:

H.R. 3271.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3.

By Mr. HUNTER:

H.R. 3272.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4, which provides Congress the power to establish a uniform Rule of Naturalization.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 93: Mr. AUSTIN SCOTT of Georgia and Mr. BRENDAN F. BOYLE of Pennsylvania.

H.R. 132: Mr. MILLER of Florida.

H.R. 169: Mr. KINZINGER of Illinois and Mrs. BLACK.

H.R. 188: Ms. SCHAKOWSKY.

H.R. 220: Mrs. KIRKPATRICK.

H.R. 223: Mr. ELLISON.

H.R. 228: Mr. SWALWELL of California.

H.R. 244: Mr. ADERHOLT.

H.R. 275: Mr. TAKAI.

H.R. 303: Ms. BONAMICI, Mr. SCOTT of Virginia, Ms. GRANGER, Mr. BRIDENSTINE, Mr. CRENSHAW, Mrs. BUSTOS, Mr. POCAN, and Ms. MICHELLE LUJAN GRISHAM of New Mexico.

H.R. 320: Mr. TROTT.

H.R. 333: Mr. MURPHY of Florida, Mr. CARSON of Indiana, and Mr. CONYERS.

H.R. 348: Mr. BISHOP of Michigan.

H.R. 366: Mr. LYNCH.

H.R. 407: Ms. WASSERMAN SCHULTZ and Mrs. TORRES.

H.R. 425: Mr. DEFAZIO and Mr. SWALWELL of California.

H.R. 456: Ms. MCSALLY.

H.R. 478: Mrs. NAPOLITANO and Ms. MCCOLLUM.

H.R. 525: Mrs. LOWEY.

H.R. 556: Mr. WALZ and Mr. ROTHFUS.

H.R. 578: Mr. BRIDENSTINE.

H.R. 592: Mr. ADERHOLT.

H.R. 624: Mr. TED LIEU of California.

H.R. 699: Ms. BASS and Mr. ROSKAM.

H.R. 702: Mrs. LOVE, Mr. COSTA, and Mr. CULBERSON.

H.R. 757: Mr. WOODALL.

H.R. 765: Mrs. BLACK, Mrs. NOEM, Mr. MARCHANT, and Mr. THOMPSON of California.

H.R. 785: Mr. NOLAN.

H.R. 793: Mrs. MCMORRIS RODGERS.

H.R. 800: Mr. HURD of Texas.

H.R. 816: Mr. SHUSTER, Mr. SAM JOHNSON of Texas, Mr. RENACCI, and Mr. THOMPSON of Pennsylvania.

H.R. 836: Mrs. NOEM.

H.R. 842: Mr. DEUTCH and Mr. JOLLY.

H.R. 845: Mr. ROSKAM and Mr. WALDEN.

H.R. 868: Mr. JENKINS of West Virginia and Mr. ROSKAM.

H.R. 875: Mr. HURD of Texas.

H.R. 902: Mr. BRENDAN F. BOYLE of Pennsylvania.

H.R. 916: Ms. GABBARD, Mr. TED LIEU of California, Mr. MCDERMOTT, Mr. PASCRELL, Mr. PETERSON, Mr. RANGEL, Mr. SERRANO, Mr. TAKAI, Mr. KEATING, and Mrs. TORRES.

H.R. 940: Mr. BRIDENSTINE and Mr. HENSARLING.

H.R. 961: Mrs. NOEM.

H.R. 969: Mrs. MILLER of Michigan, Mr. SWALWELL of California, Ms. JENKINS of Kansas, and Ms. GRANGER.

H.R. 994: Mr. POLIS.

H.R. 997: Mr. PERRY.

H.R. 1061: Mr. YOUNG of Alaska, Mr. TAKAI, Mr. SMITH of Washington, Mr. RYAN of Ohio, Ms. PLASKETT, Ms. PINGREE, Mr. WELCH, Mrs. BEATTY, and Mr. POCAN.

H.R. 1062: Mr. HILL.

H.R. 1086: Mr. HUIZENGA of Michigan and Mr. KLINE.

H.R. 1100: Mr. AMODEI, Mr. MURPHY of Florida, Mr. MACARTHUR, Mr. ROTHFUS, Mr. CONYERS, and Ms. ROYBAL-ALLARD.

H.R. 1133: Ms. NORTON.

H.R. 1150: Mr. JODY B. HICE of Georgia, Ms. JUDY CHU of California, and Mr. DUFFY.

H.R. 1188: Mr. HONDA.

H.R. 1199: Mr. YOUNG of Iowa.

H.R. 1210: Mr. PITTENGER and Mr. WILLIAMS.

H.R. 1217: Mr. DONOVAN and Mrs. LOWEY.

H.R. 1220: Mr. ROGERS of Kentucky and Ms. CLARK of Massachusetts.

H.R. 1270: Mr. ROSKAM.

H.R. 1286: Mr. BRENDAN F. BOYLE of Pennsylvania.

H.R. 1301: Ms. ESTY.

H.R. 1312: Ms. KELLY of Illinois and Mr. COURTNEY.

H.R. 1340: Mr. KATKO, Mr. O'ROURKE, Mr. ZELDIN, and Mr. LOWENTHAL.

H.R. 1347: Mr. KIND.

H.R. 1354: Mr. COHEN.

H.R. 1371: Mr. GIBSON.

H.R. 1384: Mr. AUSTIN SCOTT of Georgia, Mr. AMODEI, Mr. MURPHY of Florida, Mr. CONYERS, Ms. ROYBAL-ALLARD, and Mr. RENACCI.

H.R. 1391: Ms. MAXINE WATERS of California.

H.R. 1401: Mr. RENACCI and Mr. RUIZ.

H.R. 1434: Mr. SHERMAN.

H.R. 1439: Mr. NORCROSS.

H.R. 1475: Ms. ESTY and Mr. ASHFORD.

H.R. 1479: Mrs. BLACK.

H.R. 1490: Mr. TAKANO.

H.R. 1505: Mr. JOLLY.

H.R. 1552: Ms. LEE.

H.R. 1553: Mr. GOSAR, Mr. PITTENGER, and Mr. HULTGREN.

H.R. 1559: Mr. NEAL.

H.R. 1603: Ms. SPEIER, Mr. ABRAHAM, and Mrs. KIRKPATRICK.

H.R. 1608: Mr. COURTNEY and Mr. YOUNG of Alaska.

H.R. 1610: Ms. HAHN.

H.R. 1624: Mr. HUIZENGA of Michigan, Mr. MACARTHUR, Mr. LOWENTHAL, Ms. LORETTA SANCHEZ of California, Ms. STEFANIK, and Mr. COOPER.

H.R. 1671: Mr. WITTMAN.

H.R. 1686: Mr. RYAN of Ohio and Mr. PETERS.

H.R. 1706: Ms. SLAUGHTER.

H.R. 1718: Mr. RUPPERSBERGER.

H.R. 1728: Ms. LOFGREN.

H.R. 1737: Mr. PITTENGER and Mrs. MCMORRIS RODGERS.

H.R. 1748: Mr. CURBELO of Florida, Mr. ROSS, and Mr. PASCRELL.

H.R. 1786: Ms. DELBENE.

H.R. 1814: Mr. JOLLY, Mr. JOHNSON of Georgia, and Mr. MCHENRY.

H.R. 1854: Mr. O'ROURKE.

H.R. 1877: Ms. PINGREE.

H.R. 1899: Mr. COHEN.

H.R. 1902: Mrs. LOWEY.

H.R. 1904: Mr. RUIZ.

H.R. 1905: Mr. RUIZ.

H.R. 1934: Ms. BROWN of Florida.

H.R. 2017: Mr. ROKITA and Mr. SIMPSON.

H.R. 2050: Mr. KENNEDY, Mrs. TORRES, Mr. JOYCE, and Mrs. WATSON COLEMAN.

H.R. 2058: Mr. WITTMAN and Mr. FORBES.

H.R. 2061: Mr. CULBERSON, Mr. CUELLAR, and Mr. TROTT.

H.R. 2067: Ms. ESTY.

H.R. 2071: Mr. CARTWRIGHT.

H.R. 2072: Mr. SCHIFF.

H.R. 2096: Mr. THOMPSON of Pennsylvania and Mr. PETERSON.

H.R. 2101: Ms. LOFGREN.

H.R. 2102: Mr. POLIS.

H.R. 2132: Ms. PINGREE.

H.R. 2156: Mr. GRIFFITH.

H.R. 2180: Ms. JUDY CHU of California.

H.R. 2216: Ms. MENG.

H.R. 2217: Mr. POLIS.

H.R. 2241: Mr. CONNOLLY.

H.R. 2254: Mr. ISRAEL.

H.R. 2258: Mr. ABRAHAM and Mr. MACARTHUR.

H.R. 2259: Mr. ZINKE.

H.R. 2285: Mr. BARLETTA.

H.R. 2287: Mr. JONES.

H.R. 2315: Mr. CULBERSON, Mr. COOPER, Mr. BRADY of Texas, Mr. CRAMER, and Mr. MESSER.

H.R. 2327: Mr. LANGEVIN and Mr. RIBBLE.

H.R. 2336: Mr. DOGGETT.

H.R. 2342: Ms. PINGREE and Mr. AGUILAR.

H.R. 2369: Mrs. HARTZLER.

H.R. 2400: Mr. BABIN, Mr. BARTON, Mr. CRAMER, Mr. FRANKS of Arizona, Mr. PEARCE, Mr. COLLINS of New York, Mr. FARENTHOLD, Mr. KELLY of Mississippi, Mr. LABRADOR, and Mr. STEWART.

H.R. 2404: Mrs. NOEM and Mr. GRIJALVA.

H.R. 2410: Ms. LOFGREN, Mr. BRENDAN F. BOYLE of Pennsylvania, and Mr. GUTIÉRREZ.

H.R. 2412: Mr. HIGGINS.

H.R. 2450: Mr. DESAULNIER.

H.R. 2460: Mr. PETERSON.
H.R. 2494: Mrs. BROOKS of Indiana and Mrs. LOWEY.
H.R. 2510: Mr. ROUZER.
H.R. 2514: Ms. JENKINS of Kansas and Mr. BRADY of Texas.
H.R. 2521: Ms. JACKSON LEE.
H.R. 2535: Mr. SEAN PATRICK MALONEY of New York.
H.R. 2536: Ms. STEFANIK.
H.R. 2602: Ms. JUDY CHU of California, Ms. EDWARDS, and Mr. DELANEY.
H.R. 2622: Mr. MCDERMOTT and Mr. PETERSON.
H.R. 2624: Mr. HASTINGS and Mrs. CAPPS.
H.R. 2638: Mr. KENNEDY and Ms. CASTOR of Florida.
H.R. 2646: Mr. PAULSEN, Mr. KELLY of Pennsylvania, Mr. SHUSTER, Mr. COSTELLO of Pennsylvania, Mr. FITZPATRICK, Mr. DENT, Mr. BENISHEK, Ms. TITUS, and Mrs. ROBY.
H.R. 2653: Mr. BILIRAKIS and Mr. SIMPSON.
H.R. 2661: Mr. VAN HOLLEN and Mr. DELANEY.
H.R. 2675: Mr. COHEN.
H.R. 2680: Mr. SMITH of Washington.
H.R. 2689: Mr. COOK.
H.R. 2698: Mr. MULVANEY and Mr. COLLINS of Georgia.
H.R. 2711: Mrs. BLACKBURN, Mr. NUNES, Mr. FLEISCHMANN, Mr. OLSON, Mr. SAM JOHNSON of Texas, and Mr. RENACCI.
H.R. 2713: Ms. PINGREE, Mr. PETERS, Ms. JUDY CHU of California, and Ms. FRANKEL of Florida.
H.R. 2715: Ms. LOFGREN, Ms. LEE, Ms. KAPTUR, Mr. VAN HOLLEN, and Mr. DEFAZIO.
H.R. 2721: Mr. RICHMOND.
H.R. 2739: Mr. YOUNG of Alaska and Mr. TAKAI.
H.R. 2742: Ms. SLAUGHTER.
H.R. 2752: Mr. DOLD, Mr. KIND, Mr. MEEHAN, and Mr. NOLAN.
H.R. 2769: Mrs. ROBY.
H.R. 2775: Mr. PRICE of North Carolina and Mr. WALZ.
H.R. 2799: Mr. BLUMENAUER.
H.R. 2802: Mr. BILIRAKIS, Mr. EMMER of Minnesota, and Mr. WEBSTER of Florida.
H.R. 2817: Ms. PINGREE.
H.R. 2820: Mr. LOEBSACK, Mr. HUDSON, and Ms. PINGREE.
H.R. 2823: Mr. DEUTCH.
H.R. 2849: Ms. JUDY CHU of California, Mrs. LOWEY, and Mr. POLIS.
H.R. 2863: Mrs. NAPOLITANO and Mr. RYAN of Ohio.
H.R. 2873: Mr. POLIS.
H.R. 2875: Mr. MEEKS.
H.R. 2892: Mr. BISHOP of Michigan and Mr. HUIZENGA of Michigan.
H.R. 2894: Ms. STEFANIK.
H.R. 2896: Mr. TIBERI.
H.R. 2903: Mr. PETERSON, Ms. DEGETTE, Mr. MARINO, Mr. JOYCE, Mr. LARSON of Connecticut, Mr. MCDERMOTT, and Mr. TURNER.
H.R. 2922: Mr. MOULTON.
H.R. 2942: Mr. CARTER of Georgia.
H.R. 2944: Mr. GUINTA and Ms. SLAUGHTER.
H.R. 2948: Mr. POLIS.
H.R. 2972: Mrs. BEATTY and Mrs. TORRES.
H.R. 2978: Mr. SCHIFF.
H.R. 2999: Mr. COSTA and Mr. BRENDAN F. BOYLE of Pennsylvania.
H.R. 3011: Mr. MILLER of Florida and Mr. CARTER of Georgia.
H.R. 3029: Mr. GENE GREEN of Texas.
H.R. 3037: Ms. STEFANIK and Mr. JOLLY.
H.R. 3040: Mr. NEAL and Mr. COHEN.
H.R. 3041: Ms. NORTON and Mr. HONDA.
H.R. 3052: Mr. CONAWAY.
H.R. 3064: Mr. DESAULNIER.
H.R. 3068: Mr. NOLAN and Mrs. LOWEY.
H.R. 3095: Mr. YOHO, Ms. CLARK of Massachusetts, Mr. HUFFMAN, Mrs. NOEM, and Mr. MCGOVERN.
H.R. 3106: Mr. COFFMAN.
H.R. 3110: Mr. GRAVES of Louisiana.
H.R. 3115: Mr. WALKER, Mr. CRAWFORD, Mr. SIMPSON, Mr. BABIN, Mr. LAMALFA, Mr. COLLINS of New York, Mr. ZINKE, Mr. JONES, Mr. PALMER, Mr. SMITH of Texas, Mr. GOODLATTE, Mr. THOMPSON of Pennsylvania, Mr. RIGELL, and Mrs. LOVE.
H.R. 3120: Mr. TROTT, Mr. MOOLENAAR, and Mr. BENISHEK.
H.R. 3126: Mr. CONAWAY, Mr. HANNA, Mr. HUDSON, Mr. YOUNG of Alaska, Mr. GRIFFITH, and Mr. BARR.
H.R. 3129: Mr. PETERSON, Mr. MULVANEY, and Mr. LONG.
H.R. 3132: Mrs. LOWEY and Ms. LOFGREN.
H.R. 3134: Mr. MULVANEY, Mr. NUGENT, Mr. WHITFIELD, Mrs. LOVE, Mr. CARTER of Texas, Mr. RIBBLE, Mr. LAMALFA, Mr. ROKITA, Mr. RUSSELL, Mr. CALVERT, Mr. MURPHY of Pennsylvania, and Mr. LATTA.
H.R. 3136: Mr. RUSSELL.
H.R. 3137: Mr. ROKITA.
H.R. 3139: Mr. KLINE, Mr. ALLEN, Mr. DOLD, Mr. SIMPSON, Mr. CURBELO of Florida, Mr. GUTHRIE, Mr. CONAWAY, Mr. RIGELL, and Mr. GOODLATTE.
H.R. 3150: Ms. CLARKE of New York, Mrs. NAPOLITANO, Ms. NORTON, Mr. SIRES, Mr. CÁRDENAS, Mr. HINOJOSA, Ms. SLAUGHTER, Mr. GENE GREEN of Texas, Mrs. WATSON COLEMAN, Mr. LOWENTHAL, Mr. LARSEN of Washington, Ms. EDWARDS, Mr. CONYERS, Mr. TAKANO, Mr. SMITH of Washington, Mrs. KIRKPATRICK, Mr. MCGOVERN, Mr. GALLEGO, Ms. MAXINE WATERS of California, and Ms. JACKSON LEE.
H.R. 3151: Mrs. ROBY.
H.R. 3155: Mr. POLIS, Ms. SEWELL of Alabama, and Ms. MOORE.
H.R. 3156: Mr. POLIS, Ms. SEWELL of Alabama, Ms. MOORE, and Mrs. LOVE.
H.R. 3158: Ms. SEWELL of Alabama and Ms. MOORE.
H.R. 3163: Mr. TAKANO.
H.R. 3165: Mr. CARTER of Georgia.
H.R. 3183: Mr. FRANKS of Arizona.
H.R. 3184: Mr. BRADY of Pennsylvania.
H.R. 3185: Mr. KIND, Mr. PERLMUTTER, and Ms. CLARKE of New York.
H.R. 3188: Mr. FRANKS of Arizona and Mr. KING of Iowa.
H.R. 3189: Mr. GARRETT and Mr. MULVANEY.
H.R. 3190: Mr. SCHIFF.
H.R. 3193: Mr. POLIS, Mr. SCHIFF, and Mr. HIMES.
H.R. 3197: Mr. AUSTIN SCOTT of Georgia, Mr. GOHMERT, Mr. FLEMING, Mrs. ROBY, and Mr. MOONEY of West Virginia.
H.R. 3209: Mr. RENACCI.
H.R. 3221: Mr. DESAULNIER, Mr. KELLY of Pennsylvania, Mr. TAKAI, Ms. NORTON, Mr. BRADY of Pennsylvania, Mr. ASHFORD, Mr. MCGOVERN, and Mr. NEAL.
H.J. Res. 9: Mr. ROUZER, Mr. COLE, and Mrs. HARTZLER.
H.J. Res. 59: Mr. PALAZZO, Mr. JODY B. HICE of Georgia, Mr. WESTERMAN, and Mr. SMITH of Missouri.
H. Con. Res. 19: Mr. LIPINSKI, Mr. MCGOVERN and Mr. FORTENBERRY.
H. Con. Res. 40: Ms. CLARK of Massachusetts.
H. Con. Res. 49: Mr. WOODALL.
H. Con. Res. 50: Mr. CRAMER, Mrs. RADEWAGEN, Mr. MCDERMOTT, and Mr. HIGGINS.
H. Res. 15: Ms. JACKSON LEE, Mr. RICHMOND, Mr. BRENDAN F. BOYLE of Pennsylvania, and Mr. FARR.
H. Res. 24: Mr. NORCROSS.
H. Res. 28: Mr. HIMES.
H. Res. 56: Mr. SCHWEIKERT.
H. Res. 110: Mr. COOPER.
H. Res. 130: Mr. JOHNSON of Georgia.
H. Res. 230: Ms. TSONGAS, Ms. PLASKETT, Mr. CAPUANO, and Mrs. WATSON COLEMAN.
H. Res. 263: Mr. RUIZ.
H. Res. 265: Mr. RODNEY DAVIS of Illinois, Mr. CRENSHAW, and Ms. BROWNLEY of California.
H. Res. 289: Mr. SCHIFF.
H. Res. 290: Mr. COHEN.
H. Res. 294: Ms. ADAMS, Mr. MCDERMOTT, Mrs. BEATTY, and Mr. LARSON of Connecticut.
H. Res. 318: Mr. ISRAEL.
H. Res. 327: Mr. SWALWELL of California and Mr. VEASEY.
H. Res. 339: Mr. ROSKAM.
H. Res. 348: Mr. POCAN.
H. Res. 354: Mr. FRANKS of Arizona, Mr. BYRNE, Mr. MCGOVERN, Mr. POLIS, Mr. NADLER, and Mr. MURPHY of Florida.
H. Res. 367: Mr. WALDEN, Mr. DIAZ-BALART, Mr. JOLLY, Mr. BARLETTA, Mr. FLEISCHMANN, Mr. MULLIN, and Mr. YOUNG of Alaska.
H. Res. 368: Ms. ADAMS, Mr. GUTIÉRREZ, Mr. VAN HOLLEN, Ms. LEE, Mr. HASTINGS, Ms. MAXINE WATERS of California, Mr. BISHOP of Georgia, Ms. EDWARDS, Mr. MEEKS, Mr. POCAN, and Mr. COHEN.
H. Res. 374: Mr. NEWHOUSE.
H. Res. 378: Mr. MCGOVERN, Mrs. COMSTOCK, and Mr. GRAVES of Louisiana.
H. Res. 383: Mr. HUDSON, Mr. UPTON, Mr. BARR, Mr. BABIN, Mr. SWALWELL of California, Mr. VALADAO, Mr. ROSS, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. VEASEY.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 or rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MR. BENISHEK

My amendment to be offered to H.R. 1994, the VA Accountability Act of 2015, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

OFFERED BY MR. BISHOP OF UTAH

The provisions that warranted a referral to the Committee on Natural Resources in H.R. 3236, the Surface Transportation and Veterans Health Care Choice Improvement Act of 2015, do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

OFFERED BY MR. KLINE

The provisions that warranted a referral to the Committee on Education and the Workforce in H.R. 3236 do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

OFFERED BY MR. MCCAUL

The provisions that warranted a referral to the Committee on Homeland Security in H.R. 3236 do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

OFFERED BY MR. MILLER OF FLORIDA

The provisions that warranted a referral to the Committee on Veterans Affairs in H.R. 3236 do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

OFFERED BY MR. TOM PRICE OF GEORGIA

The provisions that warranted a referral to the Committee on the Budget in H.R. 3236,

the Surface Transportation and Veterans Health Care Choice Improvement Act of 2015, do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

OFFERED BY MR. RYAN OF WISCONSIN

The provisions that warranted a referral to the Committee on Ways and Means in H.R. 3236, the ''Surface Transportation and Veterans Health Care Choice Improvement Act of 2015,'' do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI of the Rules of the House of Representatives.

OFFERED BY MR. SHUSTER

H.R. 3236, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

OFFERED BY MR. SMITH OF TEXAS

The provisions that warranted a referral to the Committee on Science, Space, and Technology in H.R. 3236, the ''Surface Transportation and Veterans Health Care Choice Improvement Act of 2015,'' do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

OFFERED BY MR. UPTON

The provisions that warranted a referral to the Committee on Energy and Commerce in H.R. 3236 do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

EXTENSIONS OF REMARKS

TARRANT COUNTY COLLEGE DISTRICT 50TH ANNIVERSARY

HON. KAY GRANGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2015

Ms. GRANGER. Mr. Speaker, I rise today to congratulate the Tarrant County College District on 50 years of making a difference in Tarrant County.

Fifty years ago, the citizens of Tarrant County came together to establish the Tarrant County Junior College District. Its creation marked the tradition of providing knowledge, skills and the hope for a better future to the people of Tarrant County.

At its founding, the College enrolled 4,272 students at its original South Campus. Within its first five years, the College created its curriculum, built and staffed two campuses and received full accreditation. Today, the Tarrant County College District includes 21st century curriculums for its students in fields as varied as healthcare, aviation and firefighting.

Because of the unbridled optimism of its leadership and the dedication to its mission, Tarrant County College District has seen its enrollment soar to more than 100,000 students each year. The original campus has been joined by five others that serve the community, and future growth is on the horizon.

Tarrant County College District is, has been and will continue to be, an integral part in the success of so many people in our community.

I offer my hearty congratulations to Chancellor Erma Johnson Hadley, the faculty, students and alumni of Tarrant County College District on this 50th Anniversary and look forward to their continued success.

IN RECOGNITION OF THE 50TH ANNIVERSARY OF THE NATIONAL COLLEGIATE HONORS COUNCIL

HON. STEVE RUSSELL

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2015

Mr. RUSSELL. Mr. Speaker, I rise today on the House floor to commemorate the 50th anniversary of the National Collegiate Honors Council. The NCHC, which is dedicated to achieving excellence in education in diverse subject and curriculum areas, currently represents over 800 colleges and universities around the country and over 325,000 students in honors programs. To recognize these achievements, I have sponsored House Resolution 360 which was introduced last Friday and was supported by my colleagues as original cosponsors, Reps. BOUSTANY, BENISHEK, BISHOP and COLE. H. Res. 360 commemorates the hard work that these students and their faculty and administrators have undertaken with the NCHC over the past five decades to maintain U.S. preeminence in education. As a member of the House Education and the Workforce Committee, I salute the NCHC and its officers for their valuable contribution to the high education of our young people.

I would also like to honor Southern Nazarene University, in my district, on their membership in the National Collegiate Honors Council. Having just completed their 7th year as an honors program, SNU's curriculum emphasizes service leadership and real-world application. As a part of the curriculum students in the Honors Program at SNU are required to write a grant on behalf of a local Title1 elementary school, where the first year honors students also mentor two children each throughout their first year of college. To date, the SNU Honors Program first year students have had just under $15,000-worth of their grants funded in the four years they have been doing this experience.

Most of the graduates of the SNU Honors Program continue on in their education, with the majority attending medical, professional, or graduate school directly after graduation from SNU.

HONORING JOEY MENDOZA

HON. JARED HUFFMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2015

Mr. HUFFMAN. Mr. Speaker, I rise today in honor of Joseph "Joey" Mendoza Jr., who passed away on July 23, 2015, surrounded by his family and friends. A third-generation member of a pioneering Point Reyes ranching family, Joey Mendoza was a very active leader within the local agricultural community and has been among the industry's most steadfast and passionate supporters.

Joey Mendoza was born on December 30, 1943, to Joe Sr. and Doris "Scotty" Mendoza and was raised on the family's historic working ranch in Point Reyes National Seashore, known as 'B' Ranch, where he also attended the one room school house located on that property. He went on to graduate from Tomales High School in 1961 before completing his education at California Polytechnic State University, San Luis Obispo.

During his long career as a dairyman and agricultural advocate, Joey Mendoza was dedicated to the success of his family business. He shared his leadership skills and comprehensive knowledge of the dairy industry by contributing to the boards and committees of numerous organizations, including the Western United Dairymen, the Dairymen's Feed Co-op, and the Marin County Farm Bureau, where he served as board president from 1982 to 1984. The California State Milk Pooling Board, the Point Reyes National Seashore Ranchers Association, the California Gold Co-op, the Redwood Empire Holstein Association, and the North Bay Dairy Herd Improvement Association also benefitted from his support.

Known for his keen sense of humor and his ability to balance the principles of environmental stewardship while advancing economic viability and protecting future success for the long-standing ranching legacy in Point Reyes National Seashore, Joey was a reliable friend to the agricultural community, the National Park Service, and the extended West Marin community alike. Able to forge consensus around vexing and controversial issues, his steady thoughtfulness, strength, and wit were a model for others and won't be soon forgotten. Even as he battled cancer in his final days, Joey was a force to be reckoned with and respected by all.

While he was an incredibly dedicated rancher throughout his life, Joey never missed an opportunity to participate in social gatherings, enjoy a hunt with his deer club, or support the San Francisco Giants, San Francisco 49ers, and his beloved Tomales Braves. His love for his family and friends was immense, and his passing leaves a void.

Mr. Speaker, Joey Mendoza's legacy is one of dedication to the local agriculture and broader West Marin ranching community. It is therefore appropriate to pay tribute to him today and express deepest condolences to his wife of thirty-five years, Linda Mendoza; brother, Jim Mendoza; daughter, Jolynn McClelland; son, Jarrod Mendoza; grandchildren, Collin and Luke McClelland and Layla Mendoza; in addition to his numerous nieces, nephews, extended family, and close friends.

CELEBRATION OF THE 25TH ANNIVERSARY OF ELASTEC/AMERICAN MARINE

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2015

Mr. SHIMKUS. Mr. Speaker, I rise today to acknowledge the celebration of the 25th Anniversary of Elastec/American Marine.

Elastec/American Marine is a company that manufactures pollution recovery systems, focusing in international oil spill recovery. The company has over 100 employees, and its headquarters are located in Carmi, Illinois, with another location in Fairfield, Illinois, that opened in 2012. The company has received numerous awards for not only its products, but its employees and operations as well.

Twenty-five years ago, CEO Donnie Wilson and VP Jeff Cantrell combined their skills to create a drum oil skimmer and established

Elastec. Over the years, with investors, Director Bill Harmon, the continuing development of systems and products, among other contributors, Elastec/American Marine has become a leader in manufacturing systems of pollution recovery. These systems and products reach over 145 countries.

I am honored to have a company that is recognized for such work within my district, and I look forward to hearing about its continued success.

TRIBUTE TO OFFICERS MICHAEL SMITH, CHRISTOPHER ROMANO, AND WILLIAM FOSTER

HON. JOHN KATKO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2015

Mr. KATKO. Mr. Speaker, I rise today to recognize Officers Michael Smith, Christopher Romano, and William Foster of the Syracuse New York Police Department. On July 1, 2015, Officers Smith and Romano responded to the scene of a dispute call when they observed smoke coming from the second floor windows of a neighboring building. After immediately notifying the 911 dispatch center, along with Officer Foster's arrival, the three officers sprung to action and entered the burning building in search of potential residents. Due to these officer's heroic actions, three occupants, including a pregnant mother and her child were saved, unscathed from the home.

Officer Smith was appointed to the Syracuse Police Department on September 5, 1997 and has since been assigned to the Patrol Division. Officer Romano was appointed on July 25, 2005 and was also assigned to the Patrol Division. Officer Foster was appointed to the Syracuse Police Department in 1986 and has since been assigned to the K9 unit.

Officers Smith, Romano and Foster have each bravely served the Syracuse New York Police Department for over ten years. I am proud to share in the recognition of Officers Smith, Romano, and Foster as first-rate officers, performing tremendous service to the people of Syracuse, New York.

IN RECOGNITION OF PRATT & WHITNEY ON THE OCCASION OF THE 90TH ANNIVERSARY OF THEIR INCORPORATION

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2015

Mr. BARLETTA. Mr. Speaker, I congratulate the great aerospace manufacturer Pratt & Whitney on the 90th anniversary of their incorporation. Beginning with the first 24 men and two women who reported to work in 1925, and continuing through today, Pratt & Whitney's main purpose has been to build ever newer and better aircraft engines.

Today, that small company has grown to employ more than 31,000 people, including many in my district, in well-paying jobs in careers they can be proud of. Pratt & Whitney employs 103 people in Middletown, Pennsylvania, and I'm proud to say that they are looking to expand to over 200. This is cutting edge technology that, in turn, is putting food on the table for folks back home.

In the last ninety years, there have been few innovations that have affected our daily lives as much as the jet engine. And Pratt & Whitney has been there every step of the way for every improvement and breakthrough in technology.

Mr. Speaker, Pratt & Whitney has defined aviation, and built dependable engines for nine decades. And I wish them all of the best for their next 90 years.

IN HONOR OF TOM GREER

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2015

Mr. FARR. Mr. Speaker, I rise today to honor the life and career of Tom Greer, an outstanding public servant on the occasion of his retirement as general manager of the Monterey Regional Airport. His exceptional career has spanned nearly five decades and included both military and civil service.

After graduating from Auburn University in Alabama in 1965 with a degree in aviation management, Tom joined the Marines and was sent to Officers Candidate School in Quantico, Virginia. Upon receipt of his wings as a Naval Flight Officer in March 1967, he was assigned to various Fighter/Attack squadrons flying F–4B Phantom in over 320 combat missions in Vietnam.

Following his release from active duty in March 1970, Tom was selected as Airport Director for Golden Triangle Regional Airport near Columbus, Missouri. Under his exceptional leadership, this new airport was constructed from the ground up, opening successfully in the fall of 1972. Tom then took his aviation management skills to Salt Lake City, where he served as Director of Operations for the Salt Lake City Airport Authority. His guidance allowed the airport to remain operational while undergoing major expansion programs to accommodate a new hub for Western Airlines, now Delta. He then served in various capacities for Burbank-Glendale-Pasadena Airport authority from 1984 until 1999. During his tenure, passenger traffic increased from two million to over five million, and a new terminal building was constructed for the 70 year old facility.

We have been blessed to have Tom serving as General Manager for the Monterey Peninsula Airport District since December of 2003. Some of his numerous accomplishments include the Terminal re-model, the TSA screening moved to a central location, a contract for Fire Services with the City of Monterey, and, currently, the Runway Safety Area Project and Airport Master Plan Project.

Throughout his extraordinary career, Tom has received numerous awards for his contributions to the profession. He was the recipient of the American Association of Airport Executives (AAAE) Leadership Award in 2000, served as AAAE chairman in 2003, received the Distinguished Service Award in 2005, and the Chair's Award for 2008. He was named Airport Manager of the Year in 1988 and received the Chapter's Award of Distinction in 2003.

Mr. Speaker, the Central Coast is exceptionally grateful to Tom for his service to the community, the aviation industry, and the country. I wish nothing but the best for Tom in his retirement, and I know he looks forward to spending more time with his wonderful family, including his five children and thirteen grandchildren.

ROBERT FISHER

HON. KATHY CASTOR

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2015

Ms. CASTOR of Florida. Mr. Speaker, I rise today to celebrate and to recognize Robert Fisher upon his recent election to the Board of Directors at the National Association of Federal Credit Unions.

Mr. Fisher has served as the President and CEO of Grow Financial Federal Credit Union for 23 years and his dedication to the community has been an outstanding asset to the Tampa Bay area. It is a testament to his leadership that Grow Financial is ranked as one of the best places to work in the Tampa Bay Times' employee survey of Top Workplaces.

Mr. Fisher has previously served on the Board of Directors of the Tampa Bay Partnership Regional Economic Development Group, the Federal Reserve Bank of Atlanta Jacksonville Branch, and he has chaired the Finance committee of the Greater Tampa Chamber of Commerce Board of Directors.

Mr. Fisher's knowledge and experience with serving his community and the financial services sector will undoubtedly benefit the National Association of Federal Credit Unions as he has a deep understanding of the challenges and issues that lie ahead with credit unions at both the state and federal level and I look forward to working with him in his new capacity.

Mr. Speaker, I join the Tampa Bay community in thanking Mr. Robert Fisher for his exceptional service, not only to our district, but to the State of Florida.

IN RECOGNITION OF MRS. ARLINE FRANCES DENNIS ON THE OCCASION OF HER 100TH BIRTHDAY

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2015

Mr. BARLETTA. Mr. Speaker, it is my honor to recognize my constituent, Mrs. Arline Frances Dennis, as she celebrates her 100th birthday. Arline presently resides with her son in Shickshinny, which I am proud to say is in my district. She has continually served our area through her involvement in the church and in the community as a whole.

Arline was born on November 23, 1915 in Reyburn, Pennsylvania. She grew up attending a one room school, and later went on to graduate from Shickshinny High School. Growing up, she belonged to the Reyburn Bible Church, where she was an active member of the congregation. As an avid piano player and energetic teacher, Arline taught Sunday school and helped to organize a number of the church's Christmas programs. She also dedicated her time to the church youth group, ''Christian Endeavor.''

In 1939, Arline married Charles Elmer Dennis, and the two were married for 63 years before Charles passed away in 2002. They have two sons together, Wayne Charles and Zane Elmer. The family attended Harmony Methodist Church, where Arline played the piano, directed the choir, and taught Sunday School, and Charles was the Sunday School superintendent. Later, the two went on to be founding members of the Woodland Bible Chapel. With her love for music and community, Arline continued to play the piano and teach Sunday school at this new house of worship. Though she no longer plays the piano or teaches, Arline continues to attend services at Woodland Bible Chapel.

Outside of church, Arline has served our community in a variety of roles. For 16 years, she proudly served as the Judge of Elections in Union Township, located in Luzerne County. Furthermore, in addition to giving private piano lessons to over 500 students until 2010, Arline also taught music at Muhlenburg Christian Academy for 22 years, touching the lives of many students until she retired at the age of 90. With a passion for travel, Arline also coordinated community bus trips to New Jersey and Florida. In fact, during their marriage, Arline and Charles visited every state in the continental US and also traveled to Hawaii and Israel.

Mr. Speaker, I wish to recognize Mrs. Arline Frances Dennis on this important milestone, and to thank her for her time spent serving our area. Arline's commitment to her faith, family, and community are admirable, and I wish her a happy and healthy 100th birthday celebration in the company of family and friends.

NATURAL GROCERS

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2015

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize Natural Grocers' efforts to promote healthy eating through their free educational outreach over the last 60 years.

Natural Grocers by Vitamin Cottage was founded by Margaret and Phillip Isely and is based in Lakewood, Colorado. In 2015, they were recognized as the 11th fastest growing Colorado public company. Their mission is to provide shoppers with an affordable, healthy lifestyle as well as empower them to take control of their own wellbeing.

Not only does Natural Grocers supply Coloradans with healthy food options, they also provide customers personalized nutrition information to help them meet their nutritional goals. Natural Grocers has provided Coloradans free nutrition education programs since 1955. Their health coaches organize nutritional outreach programs to numerous schools and businesses, as well as hold in-store cooking demonstrations and nutrition classes.

Additionally, I regularly hold my ''Government in the Grocery'' events at Natural Grocers stores around my district. These events give me the opportunity to visit with constituents in their communities on topics ranging from veterans issues, the economy and jobs to foreign policy.

Mr. Speaker, it is my privilege to congratulate Natural Grocers for their accomplishment in promoting healthy eating through educational outreach and I commend them for their dedication to providing extraordinary services to Colorado customers. I wish Natural Grocers all the best in their next 60 years of operation.

IRANIAN NUCLEAR STATE ''INEVITABLE'' UNDER FLAWED WEAPONS DEAL

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2015

Mr. SMITH of New Jersey. Mr. Speaker, President Obama continues to tell Congress and the American people that the Iran nuclear agreement is the best deal possible and advances peace. Such boasting collapses under scrutiny. What was previously unacceptable—an Iranian nuclear state—is now inevitable under the terms and conditions of what is officially known as the Joint Comprehensive Plan of Action.

Tragically, the deal is riddled with serious flaws, gaps, and huge concessions to Iran. Taken as a whole, the deal poses an existential threat to Israel, our allies in the region—and even poses significant risks to the United States, despite assurances from Secretary of State John Kerry in testimony before the House Foreign Affairs Committee today.

Not only is Iran now permitted to continue enriching uranium—a previous nonnegotiable redline was no enrichment whatsoever—but inspections are anything but ''anytime, anywhere''—the Obama Administration's previous pledge to the nation and the world.

And the key restriction on Iran's nuclear program—the ability to enrich at high levels—begins to expire in as little as 10 years. Once these restrictions expire, Iran could enrich on an industrial scale and the U.S. and its allies will be left with no effective measures to prevent Iran from initiating an accelerated nuclear program to produce the materials needed for a nuclear weapon.

On the inspections front, Iran's Supreme Leader Khamenei has stated that he will ''never'' permit inspectors to inspect Iran's military bases. Even after the agreement was signed, the Iranian Minister of Defense reportedly said that ''Tehran will not allow any foreigner to discover Iran's defensive and missile capabilities by inspecting the country's military sites.''

Given Iran's repeated cover-ups of its clandestine nuclear program, its refusal to give the International Atomic Energy Agency (IAEA) access to its Parchin military facility where Iran is believed to have tested detonators for nuclear warheads, and its stone-walling the IAEA concerning evidence that it had done extensive research and development on a nuclear explosive device, verification is fundamental to ensure that Iran is abiding by the agreement's terms. Secretary Kerry, after an Iranian history of refusal to allow inspections at Parchin, would only assure us of inspections there ''as appropriate,'' whatever that means.

Yet the agreement contains many limits on access by IAEA inspectors to suspected sites, including a 24-day period in which Iran is allowed to continue to refuse the IAEA's request to visit a facility followed by a very long process needed to increase pressure on Iran to permit access if it still blocks access by inspectors. During this period, Iran will have sufficient time to remove, cover up, or destroy any evidence. ''Managed access'' would be better called ''manipulated access'' as inspectors will get access to suspected sites only after consultations between the world powers and Iran, over as long as 24 days—or more.

Under Secretary of State Wendy Sherman has said that pledges by Obama Administration officials that the agreement would guarantee ''anywhere, anytime'' inspections of Iran's nuclear facilities were only ''rhetorical.'' Mere words without substance? Why would our allies in the region trust us if our word—and negotiating positions-are indeed only rhetorical flourish?

Congress recently discovered that the United States and other P5+1 members have left the IAEA and Iran to work out inspection details in secret, which could allow Iran to simply submit samples and make its own certification of compliance in lieu of actual inspection of facilities such as Parchin.

Mr. Speaker, the IAEA has uncovered significant evidence that Iran has engaged in activities related to the development of a nuclear weapon. Despite many agreements with the IAEA in which Iran has pledged to provide satisfactory information, the IAEA has repeatedly said that Iran has given it virtually nothing. Secretary of State Kerry has said that the U.S. has ''absolute knowledge'' of Iran's past military activities regarding its nuclear program, but Gen. Michael Hayden, the former Director of the CIA, recently testified to Congress that the U.S. did not have that capability.

Furthermore, as witnesses testified at a joint hearing this afternoon by three Foreign Affairs subcommittees, there is ample evidence that Iran has a longstanding nuclear collaboration with North Korea. In light of the abundant evidence they will present, what gives the Administration certainty that the Iranians won't at some point during this agreement acquire fissile material beyond what they are allowed to produce for themselves or actual warheads from North Korea?

Why was the Iran-North Korea nuclear collaboration not factored into the Iran nuclear agreement? Surely Secretary Kerry is aware of the Iran-North Korea nuclear linkage. Assistant Secretary of State for Public Affairs Douglas Frantz, previously a high-ranking Kerry Senate aide, wrote a 2003 article about Iran's ties to the North Korean nuclear program. Are we to believe Frantz and Kerry

never discussed this issue? He dodged the question at today's committee hearing.

Mr. Speaker, in March 2007, the UN Security Council unanimously adopted Resolution 1747 which, inter alia, established an embargo on the export from Iran of all arms and related materials, thereby banning all states and groups from purchasing or receiving arms from Iran. The resolution also called on all states to ''exercise vigilance and restraint'' in their supply of any items covered by the U.N. Register of Conventional Arms to Iran.

However, reports indicate that Russia is eager to sell massive amounts of military hardware to Iran. How will this shape other regional conflicts in which Iran is currently involved, including Iraq, Syria, and Yemen? After the conventional arms embargo is lifted in just 5 years, what limitations, if any, will there be on Iran's ability to export arms, specifically heavy weapons? Besides Russia, who else will sell weapons to Iran? China?

Moreover, the Administration and its supporters of the Iranian nuclear agreement downplay the possibility of Saudi Arabia, for example, producing a nuclear weapon as part of a Middle East arms race. However, the Saudis are building King Abdullah City for Atomic Renewable Energy to train nuclear scientists and already have greater science and mathematics capacity than Pakistan had when it developed nuclear weapons. Why couldn't and why wouldn't the Saudis join the nuclear arms race when faced with a more nuclear and conventionally armed Iran? Secretary Kerry would have us believe that the Saudis and others in the region would prefer the current agreement to an effort to achieve a more effective one and would agree not to pursue nuclear weapons even though Iran is on the path to develop or acquire its own.

Mr. Speaker, ballistic missiles are a central component of any country's nuclear weapons program as they allow for the quick, accurate delivery of nuclear weapons over long distances. While the agreement calls for Iran to abide by all U.N. Security Council resolutions—including the requirement that ''Iran shall not undertake any activity related to ballistic missiles capable of delivering nuclear weapons,'' Iranian Supreme leader Ayatollah Ali Khamenei's criticized the call for Iran to end its ballistic missile program, characterizing it as ''a stupid, idiotic expectation'' and claiming ''The Revolutionary Guards should definitely carry out their program and not be satisfied with the present level. They should mass produce.''

In an 11th hour concession by the Obama Administration and others, the agreement ''sunsets'' U.N. sanctions on Iran's ballistic missile program after 8 years, and also requires that the European Union do the same. U.S. intelligence estimates Iran to have the largest arsenal of ballistic missiles in the Middle East. Congress has heard testimony that ''no country that has not aspired to possess nuclear weapons has ever opted to sustain'' a costly, long-range missile program. Simply put, countries build ICBMs to deliver nukes.

Under this agreement, the Iranians have stated they are under no obligation to stop developing ballistic missiles. In fact, this agreement would allow them the two things they need to advance their program: money and foreign assistance.

Mr. Speaker, the agreement requires ''full implementation'' by October 15 of the commitments in the ''roadmap'' made by Iran to the IAEA in their 2011 agreement, following which the IAEA is to provide its ''final assessment on the resolution of all past and present outstanding issues.'' However, there is no stated penalty if Iran continues to refuse to provide sufficient information to fully answer the IAEA's questions, which Iran cannot do without admitting it had a secret nuclear weapons program.

Iran has repeatedly agreed to answer the IAEA's questions regarding extensive evidence that it had a secret research and development program regarding a nuclear device, including fitting it onto a ballistic missile. All that resulted was the Iranians stonewalling the inspectors.

Is the failure to resolve the possible military dimensions as required by the IAEA a violation of the agreement? Why would Iran provide any information now when there is nothing in the agreement to compel it to do so?

Finally, Mr. Speaker, Saeed Abedini is an American citizen. He was in Iran in 2012, visiting family and building an orphanage, when he was taken prisoner. Twelve years before, he had converted to Christianity and later was involved in the home church movement in Iran. Knowing about his conversion and earlier engagement with home churches, Iranian authorities approved his 2012 trip, approved his orphanage-building, and then imprisoned him. He has been in prison ever since then, and has suffered immensely, from beatings that have caused internal bleeding, death threats, solitary confinement, and more. His wife, Naghmeh, who is also an American and has been a heroic champion for her husband, and their two young children, have also suffered.

I and many other Members of Congress have been advocating on behalf of Pastor Abedini and the other Americans unjustly held in Iran: Amir Hekmati, Jason Rezaian, and Robert Levinson. After our constant appeals for action to secure their release, Secretary Kerry said today that the Administration is now focusing on their release. We shall see what happens.

Congress should vote down the Joint Comprehensive Plan of Action, reinstate comprehensive, robust sanctions and direct the executive branch to resume the struggle to craft an enforceable accord to ensure no nuclear weapons capability for Iran—ever. Congress did this with the SALT 1, SALT II and the Chemical Weapons Convention and ended up with stronger accords. Why not do so once again?

IN RECOGNITION OF COLONEL RICK HARNEY, JR. ON THE OCCASION OF HIS RETIREMENT FROM THE UNITED STATES ARMY

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2015

Mr. BARLETTA. Mr. Speaker, it is my honor to recognize Colonel Rick Harney, Jr. on the occasion of his retirement from the United States Army. Throughout his 37 year career, Col. Harney has selflessly served our country and community; namely, during the time he spent as Director of the United States Army Heritage and Education Center (USAHEC) at the Carlisle Barracks, which I am honored to represent. USAHEC is a tremendous institution within my congressional district charged with educating members of our Armed Forces and honoring soldiers—past and present.

Col. Harney enlisted in the Army in August of 1978. In 1987, after matriculating from the United States Officer Candidate School in Fort Benning, Georgia as a Distinguished Military Graduate, he received his commission as a Field Artillery Lieutenant. He has undertaken many notable assignments, including Assistant Commandant and Chief at the United States Army Quartermaster School in Fort Lee, Virginia, and Commander of the Defense Distribution Center at the Anniston Army Depot in Alabama. Such roles have enabled Col. Harney to positively influence his colleagues, as well as the future strategic leaders of our military.

A Magna Cum Laude graduate from Hawaii Pacific University with a Bachelor of Science in Business Administration, he also holds an impressive number of advanced degrees, including a Master of Business Administration from Webster University, a Master of Military Arts and Science from the United States Army Command and General Staff College, and a Master of Strategic Studies from the Air War College. In addition to his academic success, Col. Harney has received an extensive amount of awards and decorations. These include the Legion of Merit, Defense Meritorious Service Medal with two Oak Leaf Clusters, Army Meritorious Service Medal with Silver Oak Leaf Cluster, Joint Service Achievement Medal with two Oak Leaf Clusters, Army Achievement Medal with five Oak Leaf Clusters, Joint Meritorious Unit Award with Oak Leaf Cluster, Army Superior Unit Award, Master Parachutist Badge, Air Assault Badge, and Parachute Rigger Badge. Such accolades are indicative of the high caliber of his dedicated service to our nation.

On July 7th, 2014, Col. Harney assumed duties as the Director of the USAHEC at the Carlisle Barracks in my congressional district. As an instructor and educator, Col. Harney has significantly improved the experiences of his fellow instructors and students. The initiatives and programs he has implemented have shaped the lives of the future leaders of our military, and have enhanced the effectiveness of the United States Army War College. Even though he will no longer be present at USAHEC on a day-to-day basis, his legacy will inevitably carry on.

Mr. Speaker, I am humbled to congratulate Col. Harney on the culmination of a distinguished, 37-year career in the United States Army. I hope that he will celebrate the occasion in the company of his wife, Leslie, his children, Dominick, Aerin, Marc, and Ashley, and his grandchildren, Izumi, Eugene, Marc, Marvelo, Mecca, Ayrielle, and Ash'kelon. I wish him all the best in this next chapter of his life.

RECOGNIZING THE DEDICATED SERVICE OF CAPTAIN STEPHEN F. WILLIAMSON

HON. DEREK KILMER

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2015

Mr. KILMER. Mr. Speaker, I rise today to recognize the dedicated service of Captain Stephen F. Williamson. CAPT Williamson has served as the 48th Commanding Officer of Puget Sound Naval Shipyard and Intermediate Maintenance Facility at Naval Base Kitsap.

Since June of 2012, his steadfast leadership has helped guide the civil servants and sailors at PSNS & IMF through periods of tumult and uncertainty, unprecedented growth, and continued strife around the world. In addition, his positive influence has gone well beyond the fences of Naval Base Kitsap and into the surrounding communities of the Kitsap Peninsula.

Prior to assuming the role of Commanding Officer at PSNS & IMF, CAPT Williamson served as Business & Operations Officer, Production Resource Officer, and Operations Officer within the Command. Using experience from these roles, his stellar educational background, and multiple waterfront maintenance and surface warfare tours, CAPT Williamson was well-prepared to take on the challenges that the PSNS & IMF Command can present to its Commanding Officer.

To meet challenging expectations to maintain the fleet and support changing deployment schedules, CAPT Williamson made great strides in growing civilian employment at PSNS & IMF to meet readiness standards and help replace an aging workforce. In addition to hiring thousands of new employees, CAPT Williamson has built on the strong tradition of the PSNS & IMF Apprenticeship Program to help grow the necessary expertise and future civilian leaders at the Shipyard.

Outside of the deployments and work schedules, CAPT Williamson was forced to deal with a number of external factors that put his true leadership skills on display. Congressional dysfunction and budget uncertainty during his tenure as PSNS & IMF Commander forced CAPT Williamson to make difficult decisions in times of uncertainty. Regardless of what needed to be done, CAPT Williamson proved to be an open and effective communicator to the entire Command and ultimately put the needs of our Service Members and the Country first.

Mr. Speaker, CAPT Stephen F. Williamson's leadership was not only exhibited within the gates of PSNS & IMF, but outside of the fence line in communities like Bremerton, Silverdale, and Port Orchard. CAPT Williamson was a regular participant in community events like Armed Forces Day and Whaling Days and rarely missed an opportunity to join a fun-run or service oriented 5K Race. He invested his time in building strong relationships with local service clubs and support organizations like the Bremerton-Olympic Peninsula Navy League and the Puget Sound Naval Bases Association.

On behalf of the residents of the 6th Congressional District of Washington State I stand today, proudly, to honor the service of CAPT Stephen F. Williamson as Commanding Officer of Puget Sound Naval Shipyard & Intermediate Maintenance Facility. His recent nomination for the rank of Rear Admiral by President Obama is well-deserved and represents his impact on this community and our Country. Mr. Speaker, I humbly offer Admiral-Select Williamson and his family my sincere gratitude, and wish them fair winds and following seas.

HONORING THE KIWANIS CLUB OF THOUSAND OAKS

HON. JULIA BROWNLEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2015

Ms. BROWNLEY of California. Mr. Speaker, today I rise to recognize the Kiwanis Club of Thousand Oaks on the occasion of its 50th anniversary.

The Kiwanis Club of Thousand Oaks was founded in 1965 and is part of Kiwanis International, a global organization of steadfast volunteers dedicated to improving the world one child and one community at a time. For five decades, the ever-expanding Kiwanis Club of Thousand Oaks has served countless children and has held true to its mission of public service. It is through this service to community that the Kiwanis Club continues to make the Conejo Valley a better place to live, work, and raise a family.

Over the last half century, the organization has made a concerted effort to encourage members of the community of all ages to volunteer. With over 100 members across the Conejo Valley region, the Kiwanis Club of Thousand Oaks has quickly become an impressive success and annually dedicates thousands of volunteer hours to its cause.

In addition to its invaluable service to the community, the club provides support for several youth leadership programs such as KEY Clubs in local high schools and service learning organizations at both Pepperdine University and California Lutheran University. Furthermore, the Kiwanis Club has also focused on the Eliminate Project, an international program that works to end maternal and neonatal tetanus.

For its exceptional work towards building a better community and world, I am honored to recognize the Kiwanis Club of Thousand Oaks for 50 years of service. It is with sincere gratitude that I congratulate the organization on reaching this historic and momentous milestone.

RECOGNIZING THOMAS GRIFFIN

HON. GREG WALDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2015

Mr. WALDEN. Mr. Speaker, I rise today to recognize Thomas Griffin, a very intelligent, talented, and motivated member of my staff who transitions this week from my office to begin law school next month at the University of Oregon.

Hailing from Central Oregon, Thomas was born at Mountain View Hospital where his mom was a pharmacist. He was raised on a third generation family farm between Culver and Lake Billy Chinook and became involved in the family grass and vegetable seed company.

Thomas graduated from Culver High School, where he was a state champion in football, student body president, and valedictorian of his class of 54. He was also involved in the FFA, rising to be President of the state organization in March of his senior year in high school.

He spent the next year on the road, visiting more than 50 FFA chapters and facilitating agricultural leadership and awareness workshops for over 5,000 high school students. It was through FFA that Thomas made his first trip to Washington, D.C., and first met me during the state convention in La Grande in 2009.

After his dedicated leadership as FFA state president, Thomas started college at Oregon State in 2009. He followed in the footsteps of his parents, both proud Beaver alums. He graduated in 2012 with a degree in environmental economics, policy and management, and a minor in agricultural business management.

I originally hired Thomas as an intern in my office, and since then he has served in my office as a Legislative Correspondent and currently as a senior Legislative Assistant. When Thomas first applied for an internship, he was recommended to me by several top leaders in the agricultural community. Once he started, I quickly took note of Thomas's dedication, work ethic, and passion for serving constituents in Oregon's Second Congressional District. This led me to hire Thomas to work in my office full time after he graduated from Oregon State. In my office, he quickly acclimated to the multifaceted job he was hired to tackle.

Thomas has been assisting me primarily on issues related to federal agriculture, forestry, natural resources, and water policy. With 53 percent of the land in Oregon being owned and managed by the federal government, these issues are of critical importance to the economy and people in my congressional district. Thomas's good work and assistance helped me pass federal forestry reform legislation through the House of Representatives for the first time in nearly 10 years, in addition to several other pieces of legislation that were Oregon focused.

As Thomas proved that he was capable of handling more responsibility in my office, he has since added other issue areas to his legislative portfolio including education, trade, energy, and financial services. I have been impressed as Thomas has approached these new responsibilities with a can-do attitude, demonstrating a high level of commitment and integrity. Thomas has my complete confidence in his abilities, something I hear echoed from my Chief of Staff and others that he works with.

Now, Thomas is headed to the University of Oregon for law school. He plans to focus on environmental and business law to help ensure that our farmers, ranchers, and foresters can focus on what they do best: producing the best food, fiber, and fuel in the world.

On a personal note, as a dedicated Oregon Duck myself, I am eager to see Thomas—a

lifelong Oregon State Beaver—join our proud Duck community.

Thomas will be sorely missed by me and my team, but we plan to stay in close touch and will enjoy seeing his successes down the road. With that, Mr. Speaker, please join me in wishing Thomas the best of luck as he heads West and ''Go Ducks!''

PERSONAL EXPLANATION

HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2015

Ms. SLAUGHTER. Mr. Speaker, I was unavoidably detained and missed Roll Call vote numbers 467, 468, and 469. Had I been present, I would have voted aye on each.

HONORING CARL JENSEN

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2015

Mr. THOMPSON of California. Mr. Speaker, I rise today to honor the life of Dr. Carl Jensen, founder of Project Censored, who passed away on April 23, 2015.

Mr. Jensen was born in Brooklyn, N.Y., in 1929, the only child of Danish and Swedish immigrants. His family moved to Northern California at the outbreak of World War II, settling in Arcata in Humboldt County. Throughout his career and life, he lived many places including Europe, San Francisco, Los Angeles, Santa Barbara, and eventually to Cotati in 1973 where he met his wife Sandra while teaching at Sonoma State University. Prior to his time in academia Jensen served his country as an Air Force intelligence officer in Puerto Rico during the Korean War. In addition to his wife, he is survived by two sons, Sherman Jackson of Crescent City and John Jensen of Lucerne, and two daughters, Lisa Jensen of Monterey and Pia Jensen.

Mr. Jensen was a professor emeritus of Sociology and Communications Studies at Sonoma State University in California and author of Censored—The News That Didn't Make the News and Why (from 1976 to 1996), 20 Years of Censored News (1997), and Stories That Changed America: Muckrakers of the 20th Century (2000). He founded Project Censored, the internationally recognized media research project, in 1976.

Project Censored has remained a distinguishing aspect of the university's curriculum for 39 years. Jensen's pioneering program of hands-on student training in independent journalism has now been adopted at dozens of college and university campuses across the country and around the world. And today, Project Censored is the longest running research project on news media censorship. A true and lasting achievement to be sure.

His legacy is not fully encompassed by his published work. It also includes the hundreds of undergraduate students, at Sonoma State and in classrooms across the nation, who research news stories from the independent press to determine if those stories were censored in the corporate media. Mr. Jensen has had a profound and lasting impact on hundreds of students in the 5th District and around the country.

Mr. Speaker, it is appropriate at this time to acknowledge the life and accomplishments of Carl Jensen, a true leader, patriot, and defender of the first amendment. May he rest in peace.

PERSONAL EXPLANATION

HON. ROBERT PITTENGER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2015

Mr. PITTENGER. Mr. Speaker, on Roll Call Votes #467, 468 and 469, I am not recorded because I was absent from the U.S. House of Representatives. Had I been present, I would have voted in the following manner.

On Roll Call #467. Had I been present, I would have voted YEA.

On Roll Call #468. Had I been present, I would have voted YEA.

On Roll Call #469. Had I been present, I would have voted YEA.

COMMENDING MRS. GLENDA PITTMAN FOR HER INSTRUMENTAL ROLE IN THE COMPLETION OF ''THE HUB,'' THE NEW SENIOR CENTER IN COLVILLE, WASHINGTON

HON. CATHY McMORRIS RODGERS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2015

Mrs. McMORRIS RODGERS. Mr. Speaker, I rise today to congratulate Mrs. Glenda Pittman, of Colville, Washington for her tireless commitment to Eastern Washington. Starting in 2000, Mrs. Pittman began raising money for the ''Meals on Wheels'' program. Due to her widespread success feeding countless seniors, she offered her leadership to raise money for a new senior center. After years of fundraising, Glenda helped raise the funds necessary to purchase the land and on March 7, 2015, ''The Hub'' opened its doors to the community.

Glenda and her husband, Glen moved to Colville, Washington nearly 50 years ago. As local business owners, the Pittman's life-long dedication to their community began when they opened the first convenient store in Orient, Washington.

In March of 2006, Glenda began raising money for the new senior center. Glenda and her sister, JoAnna began hosting popular wine tasting galas. After an incredibly successful first gala, these events became an October tradition. Eventually, Glenda expanded her fund raising efforts to include an autumn pinochle tournament, bake sales, bingo, and a partnership with Schwan's Food Company.

Thanks to Mrs. Glenda Pittman's leadership, the senior community center broke ground in April of 2014, with an open house and dedication. Today, a brand new building valued at $1.1 million offers seniors meals, health and wellness activities, and recreational opportunities, including games and activities. ''The Hub'' is also used for weddings, parties, and meetings.

This effort took representatives from the entire Colville community, including local foundations, businesses, and a community block grant. The community effort is highlighted by Glenda's motto: We work as a ''TEAM''—Together Everyone Accomplishes More.

So today, I rise to acknowledge and thank Mrs. Glenda Pittman for her years of dedication and hard work. I also want to congratulate her—her leadership in Colville encouraged an entire community to band together, supporting Eastern Washington's seniors. Due to Glenda's genuine care and involvement in the community, Colville has a brand new building, ''The Hub'' that will unite their community together for generations to come.

THE PRICE OF FETAL PARTS

HON. VIRGINIA FOXX

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2015

Ms. FOXX. Mr. Speaker, I would like to submit the following:

[From the Washington Post, July 23, 2015]

(By Charles Krauthammer)

Planned Parenthood's reaction to the release of a clandestinely recorded conversation about the sale of fetal body parts was highly revealing. After protesting that it did nothing illegal, it apologized for the ''tone'' of one of its senior directors.

Her remarks lacked compassion, admitted Planned Parenthood President Cecile Richards. As if Dr. Deborah Nucatola's cold and casual discussion over salad and wine of how the fetal body can be crushed with forceps in a way that leaves valuable organs intact for sale is some kind of personal idiosyncrasy. On the contrary, it's precisely the kind of psychic numbing that occurs when dealing daily with industrial scale destruction of the growing, thriving, recognizably human fetus.

This was again demonstrated by the release this week of a second video showing another official sporting that same tone, casual and even jocular, while haggling over the price of an embryonic liver. ''If it's still low, then we can bump it up,'' she joked, ''I want a Lamborghini.''

Abortion critics have long warned that the problem is not only the obvious—what abortion does to the fetus—but also what it does to us. It's the same kind of desensitization that has occurred in the Netherlands with another mass exercise in life termination: assisted suicide. It began as a way to prevent the suffering of the terminally ill. It has now become so widespread and wanton that one-fifth of all Dutch assisted-suicide patients are euthanized without their explicit consent.

The Planned Parenthood revelations will have an effect. Perhaps not on government funding, given the Democratic Party's unwavering support and the president wishing it divine guidance. Planned Parenthood might escape legal jeopardy as well, given the loophole in the law banning the sale of

fetal parts that permits compensation for expenses (shipping and handling, as it were).

But these revelations will have an effect on public perceptions. Just as ultrasound altered feelings about abortion by showing the image, the movement, the vibrant livingness of the developing infant in utero, so too, I suspect, will these Planned Parenthood revelations, by throwing open the door to the backroom of the clinic where that being is destroyed.

It's an ugly scene. The issue is less the sale of body parts than how they are obtained. The nightmare for abortion advocates is a spreading consciousness of how exactly a healthy fetus is turned into a mass of marketable organs, how, in the words of a senior Planned Parenthood official, one might use ''a less crunchy technique''—crush the head, spare the organs—''to get more whole specimens.''

The effect on the public is a two-step change in sensibilities. First, when ultrasound reveals how human the living fetus appears. Next, when people learn, as in these inadvertent admissions, what killing the fetus involves.

Remember. The advent of ultrasound has coincided with a remarkable phenomenon: Of all the major social issues, abortion is the only one that has not moved toward increasing liberalization. While the legalization of drugs, the redefinition of marriage and other assertions of individual autonomy have advanced, some with astonishing rapidity, abortion attitudes have remained largely static. The country remains evenly split.

What will be the reaction to these Planned Parenthood revelations? Right now, to try to deprive it of taxpayer money. Citizens repelled by its activities should not be made complicit in them. But why not shift the focus from the facilitator to the procedure itself?

The House has already passed a bill banning abortion after 20 weeks. That's far more fruitful than trying to ban it entirely because, apart from the obvious constitutional issue, there is no national consensus about the moral status of the early embryo. There's more agreement on the moral status of the later-term fetus. Indeed, about two-thirds of Americans would ban abortion after the first trimester.

There is more division about the first trimester because one's views of the early embryo are largely a matter of belief, often religious belief. One's view of the later-term fetus, however, is more a matter of what might be called sympathetic identification—seeing the image of a recognizable human infant and, now, hearing from the experts exactly what it takes to ''terminate'' its existence.

The role of democratic politics is to turn such moral sensibilities into law. This is a moment to press relentlessly for a national ban on late-term abortions.

HONORING ADA'S LEGACY, BUILDING FOR ITS FUTURE

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2015

Mr. BLUMENAUER. Mr. Speaker, this past weekend our nation celebrated the 25th anniversary of the Americans with Disabilities Act (ADA). Since its enactment in 1990, this seminal law has not only benefited millions of persons with disabilities; it has benefited every American. Today, we are a stronger, more diverse, fairer, and more accessible society thanks to the ADA.

One part of our daily lives where the law's achievements are particularly visible is in public transportation. Mr. Michael P. Melaniphy, president and CEO of the American Public Transportation Association (APTA), captured the hope and promise of the ADA in an essay published this week in APTA's Passenger Transport newsmagazine. I commend APTA and the public transportation community for their efforts to help us move closer to an America, as Mr. Melaniphy states, ''With equal access for everyone, everywhere and at all times.'' I submit his essay.

(By Michael Melaniphy,
APTA President & CEO)

The history of public transportation is the story of American progress. Over decades of technological and social change, our industry has helped open frontiers, grow local economies, and improve the lives of millions.

This month's silver anniversary of the Americans with Disabilities Act (ADA) is a reminder of how mobility can change attitudes and break down barriers, both real and perceived.

When Congress in 1990 guaranteed equal opportunity for persons with disabilities, seminal changes were already writing the prelude for a new century focused on freedom and equity. It was the year that Nelson Mandela was released from a South African prison. East and West Germany were united. Tim Berners-Lee gave us the World Wide Web.

None of us could have foreseen what would emerge 25 years later, but we knew ADA would change the way our nation and our industry thought about access to public transportation.

It's been said that without struggle there can be no progress, and the early days of implementing this new law were challenging. The country had just entered a recession and many cash-strapped public transit agencies were politically and fiscally encumbered.

As a young general manager in Hamilton, Ohio, at the time, a dearth of resources for ADA compliance forced me to think differently about what equal access could mean for our community. We established a system-wide point deviation plan and introduced braille and tactile bus stop signs—both firsts in the nation that became models for other public transit organizations. The experience marked the beginning of a new personal passion to provide equal access to all.

To design practical solutions, we needed to gain a true understanding of the difficulties faced by persons with disabilities. While sitting in wheelchairs, our drivers, supervisors and I learned firsthand what it was like to navigate high floor buses and ride when incorrectly secured in a paratransit vehicle. We donned blackened goggles to experience a bus trip without visual clues to our location, and we discovered that ADA-mandated curb cuts didn't necessarily mean a sidewalk would take us to a desired destination once we left the bus. All of this helped us become better problem solvers, better thought leaders and better citizens.

Today the public transportation sector can take pride in how far we have come. Aspiration has replaced apprehension. From 1993 to 2013, the portion of accessible buses nearly doubled (from 51 percent to 99.8 percent), accessible light rail and streetcar fleets more than doubled (from 41 percent to 88 percent) and accessible commuter and hybrid rail fleets almost tripled (from 32 percent to 87 percent). Additionally, all of America's heavy rail and trolleybus fleets are 100 percent ADA compliant. Such advances in fixed route access have allowed tens of millions of people with disabilities to participate more fully in their communities.

For individuals who are unable to use these modes of public transit, our systems provided more than 230 million demand-response trips in 2013—from a starting point of 68 million in 1990, the year ADA was enacted.

The achievements of the past quarter century should encourage us to address any remaining challenges. Our industry must continue to build productive partnerships with the ADA community. Both physical and financial barriers persist for some legacy rail systems. And we need to find new, more cost-efficient ways to reach more people, especially through our fixed-route services.

In this 25th-anniversary year, there is good reason to be enthusiastic. Unlike 1990, today's technological innovations appear almost monthly, offering fresh ways to increase access and choice while reducing fear and complexity for new riders.

Still, an industry is made great not just by its newest machines, but by how it lives its values and meets its customers' greatest needs. Our work is about more than getting people to and from a workplace or doctor's office; it's about giving everyone the freedom, independence, and access to achieve their greatest potential.

ADA has taught our industry that progress is impossible without change. Our commitment to fulfilling the law's spirit has become a core tenet of who we are and what we do. Like so many of the people whose stories are told—and who are pictured—in this special publication, I am proud to have played a role in ADA's foundational years.

Thanks to ADA and the efforts of public transportation leaders, we move closer every day to a world with equal access for everyone, everywhere and at all times. It's a legacy that deserves to be celebrated.

HONORING THE SERVICE OF DR. GAYLE ALEXANDER

HON. ANDY BARR

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2015

Mr. BARR. Mr. Speaker, I rise today to recognize an outstanding individual, Dr. Gayle Alexander, of Lexington, Kentucky. Dr. Alexander, a part of the greatest generation, served our nation in the United States Army.

Alexander grew up with a love for airplanes. He got his pilot's license at the age of fifteen, after just a few lessons. Following the attack on Pearl Harbor, Alexander volunteered and was accepted immediately into the Army Air Corps as a pilot. He was assigned to be a flight instructor, training other pilots for combat flying.

After two years, Dr. Alexander finally got his wish to be a part of combat and was sent to England to fly B–24 and B–17 bombers that hit targets in Nazi-held Europe on a daily basis. He named his plane the ''Kentucky Kloudhopper''. Alexander spent much of the

time flying a ''Mickey ship'' equipped with special radar and led other bombers to their targets. On one mission, he and his crew barely made it back to England with 308 holes in their plane, two engines out, and part of the tail missing.

On his nineteenth mission, Dr. Alexander led one of the biggest raids of the war, with 1,200 bombers attacking a German oil plant. His plane was blown to bits just moments after dropping its bombs. Alexander struggled to deploy his parachute, reached the ground, and was immediately captured. He spent seven long months in German POW camps, where he received virtually no medical care and endured bedbugs, starvation, bitter cold, and long distance marches. He and his fellow POWs were finally liberated on April 29, 1945 by General George Patton and his troops. Dr. Alexander returned home on a hospital ship, weighing barely 113 pounds.

Dr. Alexander eventually recovered. He became a veterinarian and had a long and successful career in Lexington, Kentucky. Dr. Alexander has shared a video of his war memories, his uniform, and other memorabilia with the American Air Museum in Duxford, England.

The bravery of Dr. Alexander and his fellow men and women of the United States Army is heroic. Because of his courage and the courage of individuals from all across Kentucky and our great nation, our freedoms have been preserved for our generation and for future generations. He is truly an outstanding American, a patriot, and a hero to us all.

TRIBUTE TO BOB BREWSAUGH

HON. LUKE MESSER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2015

Mr. MESSER. Mr. Speaker, I rise today to remember the life of one of the best men I've ever known, Bob Brewsaugh who passed away over the weekend at the age of 76.

The good book says in 2 Corinthians 9:6, ''He who sows sparingly will also reap sparingly, and he who sows bountifully will also reap bountifully.''

Bob Brewsaugh lived this scripture.

Bob was a lifelong farmer, and a loving father and grandfather.

But, most importantly, Bob Brewsaugh was a man of God.

He worked hard. He treated everyone with kindness and respect.

Whether as a Sunday school teacher at Sandusky United Methodist Church or as a County Councilman or in his daily work on the farm . . . Bob tilled the land.

He sowed bountifully. And as a consequence, he reaped a blessed and bountiful life.

My thoughts and prayers are with Bob's wife Carolyn, his two kids Scott and Mandy, my brother Richie who is Bob's son-in-law, and Scott's wife Sarah.

I also pray for Bob's grandchildren, including my nephews Connor, Trey and Reid, and the entire extended Brewsaugh family.

RECOGNIZING MR. DUNCAN SHAW, CHAIRMAN EMERITUS, DEVIL PUPS

HON. JOSEPH J. HECK

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2015

Mr. HECK of Nevada. Mr. Speaker, I come to the floor today to honor the life of Mr. Duncan E. Shaw, a Korean War veteran and Chairman Emeritus of Devil Pups.

For more than 60 years, Duncan Shaw dedicated his time and talents to Devil Pups, a program started by his father in 1953 to provide teenagers with a life-changing opportunity to become better citizens and develop mentally, as well as physically, through Marine-inspired training.

Like his father, Duncan Shaw enlisted in the Marine Corps where he was assigned to Aviation and achieved the rank of Captain. He deployed to the combat zone during the Korean War and was proud to be given the opportunity to serve his country.

Following his service, Mr. Shaw got into the food business, eventually rising to the position of National Product Manager for the Carnation Company.

And while he was certainly successful in the business world, he will long be remembered for the lasting impact he had on the more than 50,000 teenagers who have completed the Devil Pup program to date.

As President, Chairman, and Chairman Emeritus of Devil Pups, Duncan Shaw was most known for his endless energy in promoting the program and giving thousands of hours of his own time to ensure the program's continued success.

Many Devil Pup graduates relate being recipients of a famous ''Duncan One-on-One,'' a conversation designed to guide and inspire an aspiring Pup.

Mr. Shaw's daughter Susan says that one of the most valuable lessons he taught was to be on time and always give 110%. Duncan Shaw lived that lesson throughout his life but most especially through his commitment to the Devil Pups.

PERSONAL EXPLANATION

HON. JAMES B. RENACCI

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2015

Mr. RENACCI. Mr. Speaker, on roll call no. 467 through 469 my flight from Cleveland, OH to Washington (DCA) was delayed. I landed in Washington at 7:00 p.m. versus scheduled landing at 4:30 p.m. If I was present I would have voted yes on all three. Had I been present, I would have voted Yes.

PERSONAL EXPLANATION

HON. XAVIER BECERRA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2015

Mr. BECERRA. Mr. Speaker, I was unavoidably detained and missed roll call votes 467, 468, and 469. If present, I would have voted ''yea'' on roll call 467, ''yea'' on roll call 468, and ''yea'' on roll call 469.

CONGRATULATING DC CENTRAL KITCHEN

HON. JAMES P. McGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2015

Mr. McGOVERN. Mr. Speaker, I rise today to congratulate DC Central Kitchen on the graduation of its 100th Culinary Job Training program. This is a remarkable milestone and I am truly inspired by the ''Class of 100.''

Since its inception 26 years ago, DC Central Kitchen has provided a path for nearly 1,500 people to rejoin their community, reunite with their families, contribute to our economy, and break the intergenerational cycle of hunger, homelessness, prison, and poverty. DC Central Kitchen doesn't just feed people who are hungry; it gives them the skills to feed themselves and their families, building lives of self-sufficiency.

The 14-week Culinary Job Training program prepares unemployed, underemployed, previously incarcerated persons, and homeless adults for careers in the food service industry. Upon completion of a month-long internship, the students are provided with job readiness skills and job placement assistance.

Graduates of the Culinary Job Training program have a 90% job placement rate, are 90% less likely to return to prison than other ex-offenders nationwide, and contribute upwards of $225,000 in payroll taxes back into the community each year.

But these impressive statistics are just one part of the Culinary Job Training program's success story. The program gives so much more to its students. It gives them the support they need to discover their own confidence and rebuild their lives.

In just the few weeks since graduation, more than half of the class has secured jobs, with the remaining graduates in the final stages of completing interviews and accepting jobs. That is extraordinary.

Mr. Speaker, I could not be prouder of the Class of 100. I wish them all the best in their culinary careers and in life. I can't wait to try their food at local restaurants.

And I offer my most heartfelt congratulations to founder Robert Egger, CEO Michael Curtin, and the wonderful staff and volunteers at DC Central Kitchen. You are an incredible example of what real leadership and innovative thinking looks like to end poverty in this country. Here's to another 100 classes of inspiring graduates.

PRIVATE CALENDAR

HON. BOB GOODLATTE

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2015

Mr. GOODLATTE. Mr. Speaker, my colleagues, F. JAMES SENSENBRENNER, TREY

GOWDY, JERROLD NADLER, JOSÉ SERRANO, KAREN BASS and I would like to take this opportunity to set forth some of the history behind, as well as describe the workings of the Private Calendar. I hope this might be of some value to the Members of this House, especially our newer colleagues.

Of the four House Calendars, the Private Calendar is the one to which all Private Bills are referred. Private Bills deal with specific individuals, corporations, institutions, and so forth, as distinguished from public bills which deal with classes only.

Of the 108 laws approved by the First Congress, only 5 were Private Laws. But their number quickly grew as the wars of the new Republic produced veterans and veterans' widows seeking pensions and as more citizens came to have private claims and demands against the Federal Government. The 49th Congress, 1885 to 1887, the first Congress for which complete workload and output data is available, passed 1,031 Private Laws, as compared with 434 Public Laws. At the turn of the century the 56th Congress passed 1,498 Private Laws and 443 Public Laws—a better than three to one ratio.

Private bills were referred to the Committee on the Whole House as far back as 1820, and a calendar of private bills was established in 1839. These bills were initially brought before the House by special orders, but the 62nd Congress changed this procedure by its rule XXIV, clause six which provided for the consideration of the Private Calendar in lieu of special orders. This rule was amended in 1932, and then adopted in its present form on March 27, 1935.

A determined effort to reduce the private bill workload of the Congress was made in the Legislative Reorganization Act of 1946. Section 131 of that Act banned the introduction or the consideration of four types of private bills; first, those authorizing the payment of money for pensions; second, for personal or property damages for which suit may be brought under the Federal tort claims procedure; third, those authorizing the construction of a bridge across a navigable stream, or fourth, those authorizing the correction of a military or naval record.

This ban afforded some temporary relief but was soon offset by the rising postwar and Cold War flood for private immigration bills. The 82nd Congress passed 1,023 Private Laws, as compared with 594 Public Laws. The 88th Congress passed 360 Private Laws compared with 666 Public Laws.

Under rule XV, clause five, the Private Calendar is called the first and third Tuesday of each month. The consideration of the Private Calendar bills on the first Tuesday is mandatory unless dispensed with by a two-thirds vote. On the third Tuesday, however, recognition for consideration of the Private Calendar is within the discretion of the Speaker and does not take precedence over other privileged business in the House.

On the first Tuesday of each month, after disposition of business on the Speaker's table for reference only, the Speaker directs the call of the Private Calendar. If a bill called is objected to by two or more Members, it is automatically recommitted to the committee reporting it. No reservation of objection is entertained Bills un-objected to are considered in the House in the Committee of the Whole.

On the third Tuesday of each month, the same procedure is followed with the exception that omnibus bills embodying bills previously rejected have preference and are in order regardless of objection.

Such omnibus bills are read by paragraph, and no amendments are entertained except to strike out or reduce amounts or provide limitations. Matters so stricken out shall not be again included in an omnibus bill during that session. Debate is limited to motions allowable under the rule and does not admit motions to strike out the last word or reservation of objections. The rules prohibit the Speaker from recognizing Members for statements or for requests for unanimous consent for debate. Omnibus bills so passed are thereupon resolved in their component bills, which are engrossed separately and disposed of as if passed separately.

Private Calendar bills unfinished on one Tuesday go over to the next Tuesday on which such bills are in order and are considered before the call of bills subsequently on the calendar. Omnibus bills follow the same procedure and go over to the next Tuesday on which that class of business is again in order.

Mr. Speaker, I would also like to describe to the newer Members the Official Objectors Committee, the system the House has established to deal with Private Bills.

The Majority Leader and the Minority Leader each appoint three Members to serve as Private Calendar Objectors during a Congress. The Objectors are on the Floor ready to object to any Private Bill which they feel is objectionable for any reason. Should any Member have a doubt or question about a particular Private Bill, he or she can get assistance from objectors, their staff, or from the Member who introduced the bill.

The amount of private bills and the desire to have an opportunity to study them carefully before they are called on the Private Calendar has caused the six objectors to agree upon certain ground rules. The rules limit consideration of bills placed on the Private Calendar only shortly before the calendar is called. With this agreement of July 28, 2015 the members of the Private Calendar Objectors Committee have agreed that during the 114th Congress, they will consider only those bills which have been on the Private Calendar for a period of seven (7) legislative days, excluding the day the bill is placed on the calendar and the day the calendar is called. Reports must be available to the Objectors for three (3) calendar days. It is agreed that the majority and minority clerks will not submit to the Objectors any bills which do not meet this requirement.

This policy will be strictly enforced except during the closing days of a session when the House rules are suspended.

This agreement was entered into by: The gentleman from Virginia (Mr. GOODLATTE), the gentleman from Wisconsin (Mr. SENSENBRENNER), the gentleman from South Carolina (Mr. GOWDY), the gentleman from New York (Mr. NADLER), the gentlewoman from California (Ms. BASS), and the gentleman from New York (Mr. SERRANO).

I feel confident that I speak for my colleagues when I request all Members to enable us to give the necessary advance considerations to private bills by not asking that we depart from the above agreement unless absolutely necessary.

Sincerely,

BOB GOODLATTE.
F. JAMES SENSENBRENNER.
TREY GOWDY.
JERROLD NADLER.
KAREN BASS.
JOSÉ SERRANO.

RECOGNIZING THE CITY OF SHAWNEE, KANSAS FOR RECEIVING THE ''2015 EMPLOYER SUPPORT FREEDOM AWARD''

HON. KEVIN YODER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2015

Mr. YODER. Mr. Speaker, I rise today to recognize the City of Shawnee, Kansas for receiving the ''2015 Employer Support Freedom Award.'' This distinction is the highest recognition given to employers by the United States Department of Defense and the nomination process is open to all Guard and Reserve personnel across the entire country. This year, there were nearly 3,000 employers that applied for the award, of which 15 were selected.

The City of Shawnee employs service members from the Army National Guard, Army Reserves, and the Kansas Air National Guard. As these heroes well know, the city goes above and beyond federal requirements in its support of employees on military leave. For example, the city offers a service member reintegration program to ease employees back into the workplace after deployment; assists family members with chores during deployment; sends care packages to service members; recognizes service members publicly during city council meetings when they return home; and also pays the entire premium for benefits such as medical, dental and vision while the employee is serving abroad. Based on these same merits, Shawnee has also received other awards from the Department of Defense, including the ''Above and Beyond Award'' in 2014 and the ''Employer Support of the Guard and Reserve Patriot Award'' in 2005.

All of these prestigious distinctions are a testament to the hospitality and level of dedication to our men and women in uniform and their families in Shawnee and throughout the entire Third District of Kansas. The 2015 Freedom Award will be presented on August 21st at the Pentagon by the Secretary of Defense. Thank you, Shawnee for your dedication to our troops and their service and sacrifice.

RECOGNIZING ASYA GONZALEZ

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2015

Mr. COFFMAN. Mr. Speaker, I rise today to recognize Asya Gonzalez of Centennial, Colorado. Asya is the winner of the 2015 Dan Danner Leadership Award at the National Federation of Independent Businesses (NFIB) Young

Entrepreneur Awards held July 23, 2015 in Washington, DC.

Asya is an exceptional young woman who started her own business, Stinky Feet Gurlz, at the age of fourteen. Stinky Feet Gurlz is a 1940's inspired apparel and accessories collection aimed at teen-aged girls and young women. She donates a portion of every sale to her charity ''She is Worth It,'' which brings preventative awareness and education of child sex trafficking. Aside from running a successful business and charity, Asya is a radio personality and preferred speaker for International Youth. As the recipient of the 2015 Dan Danner Leadership Award, Asya received a $15,000 Young Entrepreneur Foundation college scholarship, which she will be able to use as she enters her first year of college this fall.

Asya's entrepreneurial spirit and passion is truly inspiring to see at such a young age. I take great pride representing Asya Gonzalez in Colorado's Sixth Congressional District and I join her family, friends, and colleagues in congratulating her on this achievement. I wish her the very best of luck in all of her future endeavors.

IN HONOR OF PETER L. FISCHL

HON. NORMA J. TORRES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2015

Mrs. TORRES. Mr. Speaker, I rise today to honor Peter L. Fischl of Ontario, California for his life-long work dedicated to remembering the Holocaust. Having survived the heinous acts of violence and persecution brought about by Nazi Germany, Mr. Fischl turned the hardships he witnessed as a child into poetry that helps encapsulate the experience and honor the lives of the many who perished during this harrowing time.

Mr. Fischl was a young boy during the onset of World War II. The German invasion of Hungary in 1944 forced him to separate from his family and take refuge inside of a Budapest Catholic school. While in hiding, Mr. Fischl's father, a successful businessman prior to the war, was discovered by the Gestapo and disappeared. Mr. Fischl survived the Holocaust along with his mother and sister, and later relocated to the United States in 1957.

Years later, Mr. Fischl wrote a poem upon finding a picture in Life magazine of a young Polish child interned in the Warsaw concentration camp. ''To the Little Polish Boy Standing with His Arms Up'' is a poignant recollection of the horrors faced by many within the Jewish community during the Holocaust. It showcases the terror that many helpless civilians endured while also expressing a sense of frustration at the lack of intervention by the international community. Mr. Fischl's work forces us to confront the history of state-sponsored mass killings in hopes of encouraging us to work together to prevent future atrocities.

Mr. Speaker, it has come to my attention that later this month, Mr. Fischl will be a special guest attending the International Quilt Study Center & Museum at the University of Nebraska-Lincoln. Upon his arrival, a quilt square bearing his poem will be entered into the museum's collection. Mr. Speaker, I would like to congratulate Mr. Fischl for his honors and thank him for his contributions to remembering this important period of history.

TRIBUTE TO SANTANA SMITH

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Santana Smith of Madison County, Iowa, for qualifying for the National Junior High Rodeo Finals in ribbon roping and goat tying.

Each summer, approximately 1,000 youth competitors from across the country qualify to compete for scholarships and prizes at the National Junior High Rodeo Finals. I commend Santana for her hard work and dedication to achieving her goals. She is a phenomenal young role model for others who are aspiring to compete in this prestigious national event.

Mr. Speaker, it is with great pride that I represent Iowans like Santana in the United States House of Representatives. I invite my colleagues to join me in congratulating Santana on a job well done, and wishing her nothing but continued success.

PERSONAL EXPLANATION

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2015

Mr. COHEN. Mr. Speaker, on July 27, 2015, my flight was delayed and I was unable to vote on S. 1482, H.R. 1656 and H.R. 2770.

If present, I would have voted ''yea'' on S. 1482, ''yea'' on H.R. 1656, and ''yea'' on H.R. 2770.

HONORING BARBARA DUBLER

HON. LOIS FRANKEL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2015

Ms. FRANKEL of Florida. Mr. Speaker, I rise today to honor Barbara Dubler of Boynton Beach and to congratulate her on her retirement after forty years of dedicated service to the children of Florida.

A Bronx native, Mrs. Dubler moved to South Florida in 1960 and later became an educator after graduating from the University of Florida. Since then, she has worked tirelessly to inspire and educate her students. After nearly twenty years teaching in the Dade County Public Schools, she moved in 1993 to Palm Beach County to continue her work as a teacher, most recently at the Woodlands Middle School in Lake Worth, Florida. During her tenure at Woodlands, she primarily taught sixth and eighth grade English, and consistently produced some of the best-performing students in the county. Over the course of her career, Mrs. Dubler also served as the Chair of the English Department and ran a high school drama program, which she considers one of her fondest memories. Barbara's efforts have not gone unnoticed. In 2000, Mrs. Dubler was the recipient of the Social Studies Teacher of the Year Award for Palm Beach County.

Dedicated teachers like Mrs. Dubler are the backbone of the American education system. Throughout her career, she worked tirelessly to foster a positive class environment, while keeping her students engaged and eager to learn both inside and outside of the classroom. She truly serves as a model for other educators to emulate.

As a loving mother and wife, Barbara is still happily married after twenty-nine years to her husband Dr. Gary Dubler, and they have one son. In her free time, Barbara enjoys reading, traveling, and going to the theater.

In honor of her tireless work to educate our children, I am proud to recognize Barbara Dubler and to thank her for her forty years of service to our children. I wish her good health and a well-earned retirement.

TRIBUTE TO MAJOR GENERAL ANDREW COOLEY

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2015

Mr. COFFMAN. Mr. Speaker, today I stand in recognition of the late Major General Andrew Cooley; a dear friend and tremendous patriot who dedicated a life of service to this great nation. A true leader and a combat veteran, he faithfully served 38 years leading from the front and accomplishing much along the way. His career was marked by several tours at home and abroad, including the command of an Army Division, and was witness to combat in Vietnam, Korea, Lebanon, Somalia, Bosnia, Kosovo, and Angola.

In 1951 General Cooley enlisted in the army at the age of 17, and went on to receive his commission from Officer Candidate School at Ft. Benning in 1955. Over the course of his career he served in various staff and command positions including the principal representative of the Department of Defense to the Lebanese-Israeli negotiations and Commanding General of the 24th Infantry Division. Upon retirement from the Army, General Cooley was instrumental in instituting a forward focused logistical infrastructure that remains instrumental to our nation's defense.

Without a doubt General Cooley's many accomplishments should be honored. However, his accomplishments could only be realized with the support and commitment of his wife of 57 years, Joan and their two children, Cathleen and Caroline.

Mr. Speaker, I stand here today humbled by the many accomplishments of a true patriot and it is my great honor to recognize Major General Andrew Cooley for his friendship and his service to our great nation.

WE CARE ACT

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2015

Mr. OLSON. Mr. Speaker, I rise today to recognize Grace, Sharon, and Eric Li. Together, these siblings founded a group called We Care Act and have helped countless people around the world.

We Care Act began in response to the 2008 earthquake in the Sichuan Province of China. Since its founding, We Care Act has distributed goods to over 30,000 people while involving 30,000 donors and volunteers. Most recently, the group gathered donations for families affected by the Houston Memorial Day floods and the victims of the Nepal earthquake. They've donated everything from laptops to letters of condolences to countries from Nicaragua to Japan. Sharon, a recent Dawson High School graduate, is headed to Yale in the fall with a $10,000 scholarship from Kohl's and a $20,000 from the Coca-Cola Foundation. We are proud of how much these siblings have helped people all over the world.

On behalf of the Twenty-Second Congressional District of Texas, thank you to the Li siblings and We Care Act for all they do to help people at home and around the world.

TRIBUTE TO MAKENNA LILLY

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Makenna Lilly of Bridgewater, Iowa, for being chosen as a charter member for the 4–H Shooting Sports Ambassador Team. Makenna is the daughter of Rich and Brooke Lilly of Adair, Iowa.

Charter membership is given to youth who demonstrate exceptional leadership and communication skills. Through the program, ambassadors develop their skills in leadership, public presentation, citizenship, community service, public relations, and team building. The character and work ethic Makenna has displayed to achieve charter membership is a true example of Iowa spirit, and I commend her for her hard work.

Mr. Speaker, it is a great honor to represent future leaders of America like Makenna in the United States Congress. I know my colleagues in the United States House of Representatives join me in congratulating her on this outstanding achievement and wish her nothing but continued success moving forward.

RECOGNIZING ALYSSA BARTON

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2015

Mr. WILSON of South Carolina. Mr. Speaker, today I am grateful to welcome Alyssa Evelyn Barton on her visit to the U.S. Capitol. Alyssa will attend Lemon Road Elementary School in Falls Church, Virginia this fall.

A model student, Alyssa is frequently named to the Honor Roll. She is active in martial arts and dance, interested in politics, and her future career aspirations include being an attorney. I congratulate her parents, Darlene and Jacob Barton, on raising an impressive young lady, and I am confident in her future success.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2015

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was $10,626,877,048,913.08.

Today, it is $18,151,893,254,765.19. We've added $7,525,016,205,852.11 to our debt in 6 years. This is over $7.5 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

IN RECOGNITION OF THE COUNTRY DAY SCHOOL OF THE SACRED HEART

HON. PATRICK MEEHAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2015

Mr. MEEHAN. Mr. Speaker, I rise today to mark the 150th Anniversary of the Country Day School of the Sacred Heart in Bryn Mawr, Pennsylvania.

Today, the school remains committed to the philosophy envisioned by St. Madeline Sophie Barat, founder of the Sacred Heart school network, to provide young women with a challenging education, develop their faith, and promote a desire to help others.

The Country Day School of the Sacred Heart has a long tradition of fostering the growth of young women into scholars and leaders. By offering a strong liberal arts program, the Country Day School of the Sacred Heart has helped many young women reach their personal and scholastic potential. Students are able to develop academically, personally, spiritually and socially through the school's well-rounded curriculum.

I appreciate the dedication of the staff members who work around the clock to educate and guide the students. Their persistence has empowered generations of young women, helping them attain the skills and character to become the leaders that St. Madeline Sophie Barat imagined.

Mr. Speaker, the Country Day School of the Sacred Heart has been changing the lives of young women for the past 150 years. I congratulate the school and look forward to seeing the excellent work it will continue to do in the years to come.

TRIBUTE TO EMILY DOOLEY

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Emily Dooley of Madison County, Iowa, for qualifying for the National Junior High Rodeo Finals in the pole bending event.

Each summer, approximately 1,000 youth competitors from across the country qualify to compete for scholarships and prizes at the National Junior High Rodeo Finals. I commend Emily for her hard work and dedication to achieving her goals. She is a phenomenal young role model for others who are aspiring to compete in this prestigious national event.

Mr. Speaker, it is with great pride that I represent Iowans like Emily in the United States House of Representatives. I invite my colleagues to join me in congratulating Emily on a job well done, and wishing her nothing but continued success.

TRIBUTE TO MRS. RINIA SHELBY-CROOMS

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2015

Mr. CONYERS. Mr. Speaker, if there are three core qualities that make an exemplary public servant, they might be the following: integrity, energy, and compassion. Mrs. Rinia Shelby-Crooms, who is leaving my office after 13 years of extraordinary service, uniquely embodies each of these qualities.

Rinia is a woman of undeniable integrity. Her commitment to her family, her faith, and her focus on building a better world animate her to excellence in the workplace and beyond. Whether it's conducting legislative research to protect America's endangered honeybees or juggling a dozen or more urgent scheduling requests over the course of an afternoon, Rinia has always emphasized quality, honesty, and care in each and every one of her undertakings.

Rinia also possesses incredible energy. While caring for two precious young boys, she has written legislation, organized Congressional briefings, counseled and cared for her fellow staffers, managed my often hectic schedule, and ensured my timeliness in arriving at speaking engagements and on airplanes. She maintains an upbeat attitude and focused attention—even when called upon for complicated logistical requests in the wee hours of the morning.

Rinia is driven by deep compassion. Through her legislative portfolio, she has worked toward achieving progress in the areas most aligned with her life's mission: ensuring that foster children have access to safe and loving homes, guaranteeing Americans high-quality food, and defending the rights of Mother Nature. Rinia embodies compassion both big and small. She's not only committed to large-scale change in order to support and

protect people and the planet, but also committed to showing the utmost care and kindness to the people she encounters each and every day.

I am indebted to Rinia for her selfless service. But I am also indebted to her husband, Jeremiah, and her two young sons, Jayden and Jayee, who have also made important sacrifices as Rinia spent long hours, late nights, and weekends in service of our mission of advancing the causes of jobs, justice, and peace.

There is one consolation for me as I bid farewell to Rinia: This is only the beginning of her contributions to Southeast Michigan and to our nation. She and her family are returning to the Detroit Metropolitan Area, so that she can pursue work as a consultant focused on bringing new economic opportunity to our region.

Mr. Speaker, I salute Mrs. Rinia Shelby-Crooms for her 13 years of selfless service. I am deeply moved by her example of integrity, energy, and compassion.

TRIBUTE TO ELI KASAP

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Eli Kasap of the Earlham High School Track Team for winning the class IA Shuttle Hurdle State Championship.

Eli, along with his three teammates, finished the shuttle hurdle race in first place with a time of 1:00.23 at the 2015 Iowa IA State Track and Field Championships. Eli has dedicated his time and talents to achieving a single goal and I commend him for his hard work and determination. This group of young men came together to achieve great success.

Mr. Speaker, the example set by Eli and his teammates demonstrates the rewards of hard work, dedication and perseverance. I am honored to represent him in the United States Congress. I know all of my colleagues in the United States House of Representatives join me in congratulating Eli on a job well done, and wishing him nothing but continued success in all his future endeavors.

CONGRATULATIONS TO MR. GARY EASTERLING

HON. BILL HUIZENGA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2015

Mr. HUIZENGA of Michigan. Mr. Speaker, I rise today to congratulate Gary L. Easterling on his recent election to the Board of Directors at the National Association of Federal Credit Unions (NAFCU).

Since 2007, Mr. Easterling has served as the President and CEO of United Federal Credit Union headquartered in St. Joseph, Michigan. Under his leadership, the credit union has seen its assets more than double. United Federal Credit Union has over $1.8 billion in assets, serves over 130,000 members, and employs more than 900 people. With more than 32 years of credit union experience, Mr. Easterling will be an incredible federal advocate for credit unions.

Mr. Easterling served previously as CEO of Century Credit Union in Cleveland, Ohio, and with Wright Patt Credit Union in Fairborn, Ohio, where he held leadership roles in almost every functional area. He holds a Bachelor of Science degree in Computer Science from Capital University in Columbus, Ohio, as well as a Master's in Business Administration from Indiana Wesleyan University in Marion, Indiana. He currently serves on NAFCU's Legislative Committee. Mr. Easterling's deep knowledge of legislative and regulatory issues facing credit unions will give him tremendous expertise on the NAFCU Board, especially as the country continues to recover from the financial crisis.

I wish Mr. Easterling the best of luck in his new role on the NAFCU Board and I look forward to working with him in this capacity. I ask that my colleagues join me today in congratulating him on this special achievement.

WELCOME TO SCENIC SUGAR LAND, TEXAS

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2015

Mr. OLSON. Mr. Speaker, I rise today to congratulate my hometown of Sugar Land, Texas, for earning a Gold Level Scenic City Certification. Sugar Land residents know full well what a beautiful city we live in, and we are proud that everybody across Texas agrees.

Scenic Texas, a non-profit organization, awarded the Gold Level Scenic City Certification to Sugar Land for the next five years. The organization took note of our City's beautiful landscapes, tree-lined streets, and dedication to cultural arts. This certification further demonstrates Sugar Land's commitment to improving the quality of life for its residents. We are extremely proud of our growing city and are proud to call it home.

On behalf of the Twenty-Second District of Texas, congratulations to the City of Sugar Land. Thank you for keeping our little piece of Texas beautiful.

TRIBUTE TO BRIAN VANDERHEIDEN

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Brian Vanderheiden of the Earlham High School Track Team for winning the class 1A Shuttle Hurdle State Championship.

Brian, along with his three teammates, finished the shuttle hurdle race in first place with a time of 1:00.23 at the 2015 Iowa 1A State Track and Field Championships. Brian has dedicated his time and talents to achieving a single goal and I commend him for his hard work and determination. This group of young men came together to achieve great success.

Mr. Speaker, the example set by Brian and his teammates demonstrates the rewards of hard work, dedication and perseverance. I am honored to represent him in the United States Congress. I know all of my colleagues in the United States House of Representatives join me in congratulating him on a job well done, and wishing him nothing but continued success in all his future endeavors.

THE STATE-BASED UNIVERSAL HEALTH CARE ACT OF 2015

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2015

Mr. McDERMOTT. Mr. Speaker, I rise today to introduce legislation that will give states the tools they need to guarantee the health security of their citizens. The State-Based Universal Health Care Act of 2015 establishes a new procedure through which states may apply for a waiver of federal law in order to design and implement single-payer health care systems. This will allow states to achieve universal coverage and control costs by removing greed and inefficiency from the system.

One of the many achievements of the Affordable Care Act is its provisions that grant states the authority to innovate in their health care systems. Under Section 1332 of the law, a state may apply for a State Innovation Waiver that will provide it with control of federal dollars that otherwise would have been spent on premium tax credits and cost-sharing reductions for its residents. Through this waiver, a state may design a system to cover its residents, so long as benefits are at least as comprehensive and affordable as those offered by Qualified Health Plans available on the Exchanges.

However, even with this flexibility, numerous barriers limit states' ability to design true single-payer systems. Existing waivers are narrow in scope, requiring states to seek out imperfect and convoluted solutions to circumvent federal limitations. A sweeping preemption provision in the Employee Retirement Income Security Act (ERISA) denies states authority to regulate employer-sponsored health plans. And, due to the complexities of our existing federal health programs, it is essentially impossible for a state to design a single benefit package that can be administered simply and efficiently on behalf of all of its residents.

The State-Based Universal Health Care Act removes these barriers. It builds upon the ACA's State Innovation Waiver by offering states new tools that will allow them to truly innovate in health care. Under this legislation, a state may apply for a Universal Health Care Waiver that will grant it authority over federal health care dollars that otherwise would have been spent on the state's residents. To the extent necessary to design a universal system, a state may waive provisions of federal law relating to the following:

The rules governing premium tax credits and cost-sharing reductions, as provided for in existing waiver authority under Section 1332 of the ACA.

Provisions necessary for states to pool funds that otherwise would be spent on behalf of residents enrolled in Medicare, Medicaid, CHIP, TRICARE, and the Federal Employee Health Benefits Program.

ERISA's preemption clause, which currently forbids states from enacting legislation relating to employee health benefit programs.

Any state seeking a Universal Health Care Waiver must design a system that covers substantially all of its residents. The benefits that each citizen receives must be at least as comprehensive and no less affordable than what would have been provided under any federal health programs for which its residents otherwise would have been eligible. Once enacted, the state plan must be publicly administered, and it may not add to the federal deficit.

The Affordable Care Act was a landmark achievement and a strong first step toward achieving health security in this country. However, we still have a tremendous amount of work left to do. The United States spends by far the most per capita on health care, yet we fail to achieve superior outcomes or even guarantee coverage as a basic human right. Insurance companies are a powerful force in our economy, enjoying billions in profits and growing power in the marketplace. Meanwhile, hospitals are consolidating at an astonishing rate, raising new questions about the quality of patient care and the future of medicine. What's more, we have failed to make meaningful efforts to combat the skyrocketing costs of prescription drugs, threatening patient access to treatments and the financial sustainability of the entire system.

As we explore ways to build upon the successes of the ACA, it is critical that we look for creative solutions to the challenges that still exist. Granting states tools to design single-payer systems will help spur necessary innovation, achieve universal coverage, and control costs. It is time to take this next step as we continue to move forward in our historic effort to guarantee the health security of every American.

IN HONOR OF MR. JAMES A. McMULLEN, SR.

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2015

Mr. BISHOP of Georgia. Mr. Speaker, it is with a heavy heart that I rise today to pay tribute to a truly outstanding citizen of our community, Mr. James Allen McMullen, Sr. Mr. McMullen passed away on Sunday, July 26, 2015 at the age of 75 in his home in Columbus, Georgia. Funeral services will be held at 11:00 a.m. on Friday, July 31, 2015 at Beallwood Baptist Church in Columbus, Georgia.

A Georgia man through and through, Mr. McMullen was born in Columbus, Georgia and after graduating from Jordan Vocational High School in Columbus in 1958, he attended Georgia Southwestern College, now Georgia Southwestern State University, in Americus, Georgia. Following his graduation from college, he joined the United States Army and served in Germany.

Upon his return from Europe in 1961, Mr. McMullen began his career in funeral service, graduating from the Dallas Institute of Mortuary Science in Dallas, Texas in 1964. He worked locally for many years and in 1987, he and his family established the McMullen Funeral Home in Columbus.

For more than 50 years, Mr. McMullen served thousands of families in the Columbus area through the difficult time that follows the loss of a loved one. In order to provide the best service he could, Mr. McMullen was a member of Selected Independent Funeral Homes, the Georgia Funeral Directors Association, and the National Funeral Directors Association. Despite battling cancer for the last three years of his life, Mr. McMullen continued to work at the funeral home until a month before his passing. To him, this was not just his job, but an opportunity to serve others at a time when they need it the most.

A member of the Beallwood Baptist Church and the Lions Club for over 40 years, Mr. McMullen proved himself a leader in the community as well as in the workplace. He was named Lion of the Year in 1973, District 18–E governor of Lions International in 1976, and Chairman of the Georgia Sight Conservation Committee. His leadership extended to serving on the Board of Directors of the Georgia Lions Eye Bank and what is now known as the Chick-Fil-A Bowl. He also served for more than 36 years as chairman for the educational trip to Washington sponsored by the Lions Club. This annual trip has carried more than 40,000 fifth- and sixth-graders to the nation's capital, demonstrating once more the grand impact Mr. McMullen had on countless lives.

Dr. Maya Angelou once said, ''I've learned that people will forget what you said, people will forget what you did, but people will never forget how you made them feel.'' The people of Columbus will never forget how Mr. McMullen heartened the brokenhearted and consoled the inconsolable. We are once again confronted with the loss of a loved and respected leader in this community, but we are comforted by his great legacy of service, which will endure for years to come.

Mr. McMullen achieved much in his life but none of this would have been possible without the love and support of his wife of 52 years, Cecille; his children, Allen and Lisa; and his cherished grandchildren.

Mr. Speaker, I ask my colleagues to join me, my wife Vivian, and the Columbus community in honoring Mr. James A. McMullen, Sr. His leadership, wisdom, and skill aided thousands of people during the most difficult of times. Mr. McMullen was a truly outstanding individual and a blessing to the Columbus community. We extend our deepest sympathies to his family, friends and loved ones during this difficult time and we pray that they will be consoled and comforted by an abiding faith and the Holy Spirit in the days, weeks and months ahead.

TRIBUTE TO DEREK HENSLEY

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Derek Hensley of the Earlham High School Track Team for winning the class 1A Shuttle Hurdle State Championship.

Derek, along with his three teammates, finished the shuttle hurdle race in first place with a time of 1:00.23 at the 2015 Iowa IA State Track and Field Championships. Derek has dedicated his time and talents to achieving a single goal and I commend him for his hard work and determination. This group of young men came together to achieve great success.

Mr. Speaker, the example set by Derek and his teammates demonstrates the rewards of hard work, dedication and perseverance. I am honored to represent him in the United States Congress. I know all of my colleagues in the United States House of Representatives join me in congratulating Derek on a job well done, and wishing him nothing but continued success in all his future endeavors.

HONORING THE EXTRAORDINARY LIFE OF WAYNE TOWNSEND

HON. SUSAN W. BROOKS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2015

Mrs. BROOKS of Indiana. Mr. Speaker, I rise today to honor a beloved member of the Indiana community, Wayne Townsend. He was a well-known member of the Indiana legislature, an esteemed farmer, and a vigorous supporter of Purdue University. Sadly, Wayne passed away at the age of 89 on July 3, 2015. He will be dearly missed by the Hoosier community, but we will remember him forever through the spectacular legacy he left behind.

A lifelong Hoosier, Wayne was born on his family's farm in Grant County. He started school at Walnut Creek Elementary School and then went to Jefferson Township High School. While his parents did not attend college, they encouraged all six of their children to go to college. Wayne, like his older siblings, attended Purdue University and graduated with a bachelor's degree in Agriculture.

Wayne's professional life reveals his different avenues of interest. A few years after graduating from Purdue, Wayne entered military service, serving primarily in Washington, D.C. as a special agent in the Counter Intelligence Corps. He stayed in the Army for two years until he returned to his family farm with his wife, Helen. Wayne maintained a hog and grain farm in Blackford County his whole adult life, but he was also heavily involved in Indiana politics. Wayne began his political career when he was elected to the Indiana House of Representatives in 1958. He served in the Indiana House of Representatives for six years, serving on the House Ways and Means Committee, and in 1970 he was elected to the Indiana Senate, where he served on the Senate

Finance Committee. In the Senate, he is remembered for being the tie-breaking vote for Indiana to ratify the Equal Rights Amendment in 1977. Wayne was also selected as the Democratic nominee for Governor of Indiana in 1984, and he notably chose a female running mate, which was the first time in state history.

After 16 years in the Indiana Senate, Wayne retired from the legislature and started a new adventure serving on the Board of Trustees for Purdue for 15 years. His commitment to the Boilermakers was evident through his extensive involvement with the university. He served as the Director of the Purdue Research Foundation and sat on the Search Committee tasked with finding a new president when President Steven Beering retired. He was a member of the John Purdue Club for 35 years and a lifetime member of the Purdue Alumni Association. Wayne, an effective advocate for education, was also a Trustee of Earlham College in Richmond, Indiana.

In addition to his commitment to education, he was an active Quaker and served as a member and Trustee of the First Friends Church of Marion for 50 years.

On many occasions, Wayne was recognized for his impressive work. Four different governors from both sides of the aisle named Wayne the prestigious Sagamore of the Wabash. In 2014, he was honored with the Order of the Griffin, the highest honor bestowed by Purdue University. For his skill in farming, he was named a Master Farmer by Indiana Prairie Farmer and a Distinguished Purdue Agriculture Alumnus.

Wayne is survived by his wife, Helen Townsend, children Jay Townsend, Mark Townsend, Lisa McHone, Steve Townsend, and Alan Townsend, eighteen grandchildren, and many nieces and nephews. Wayne was a leader in the community who will always be remembered for his dedication to Indiana and the enduring benefits he created. Please join me in thanking Wayne's family for sharing this truly remarkable man with the Hoosier community.

HONORING DR. G. RICHARD OLDS ON HIS RETIREMENT AS DEAN OF THE UNIVERSITY OF CALIFORNIA RIVERSIDE SCHOOL OF MEDICINE

HON. RAUL RUIZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2015

Mr. RUIZ. Mr. Speaker, today I am honored to recognize and congratulate Dr. G. Richard Olds, Dean of the University of California Riverside School of Medicine, on his retirement.

Dean Olds has led a life of distinguished service as an educator, scientist, physician and founding dean of the UC Riverside School of Medicine. He has served as a full professor of medicine, molecular, and cell and development biology at Brown University, and professor and chairman of medicine at the MetroHealth Campus of Case Western Reserve University. Prior to joining the faculty at UC Riverside, Dean Olds was appointed professor and chair of medicine at the Medical College of Wisconsin. He has been an inspirational leader and adviser to hundreds of graduates. Among his many contributions to higher education, he also served as a tropical disease specialist on the World Health Organization expert committee on schistosomiasis, and has authored over 100 peer-reviewed articles, book chapters, and reviews.

Dean Olds came to UC Riverside to create a School of Medicine—the first public medical school in California in more than four decades. His drive and vision led to a school with the unique and special mission focusing on the needs of the surrounding communities and the future path of community-based, value-based health care. In an effort to address the severe doctor shortage in Inland Southern California, Dean Olds created a medical school that would expand and diversify the physician workforce and serve as a catalyst for improving the health of the community.

UC Riverside School of Medicine is accredited largely in part to Dean Olds. In 2011, the State of California eliminated pledged annual funding for the school, resulting in the denial of accreditation. Dean Olds' unrelenting determination fostered an ambitious year of fundraising and advocacy, in which the medical school raised $100 million to support the school for over ten years. The school was accredited and the doors opened in fall 2013—the first time in three decades that an American medical school was approved after previously having been denied accreditation.

I am proud to recognize Dean Olds on his years of service and congratulate him on his retirement from UC Riverside School of Medicine. I look forward to his forthcoming accomplishments and future success, wherever he begins his next journey. On behalf of the countless medical students, future doctors, and patients, whose lives you have changed and impacted, thank you for your service.

TRIBUTE TO JACK GENESER

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Jack Geneser of the Earlham High School Track Team for winning the class 1A Shuttle Hurdle State Championship.

Jack, along with his three teammates, finished the shuttle hurdle race in first place with a time of 1:00.23 at the 2015 Iowa 1A State Track and Field Championships. Jack has dedicated his time and talents to achieving a single goal and I commend him for his hard work and determination. This group of young men came together to achieve great success.

Mr. Speaker, the example set by Jack and his teammates demonstrates the rewards of hard work, dedication and perseverance. I am honored to represent him in the United States Congress. I know all of my colleagues in the United States House of Representatives join me in congratulating Jack on a job well done, and wishing him nothing but continued success in all his future endeavors.

IN HONOR OF JOHN F. HEGARTY, NATIONAL PRESIDENT OF THE POSTAL MAIL HANDLERS UNION

HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2015

Mr. NEAL. Mr. Speaker, I rise today in honor of John F. Hegarty, in recognition of his outstanding contributions to the National Postal Mail Handlers Union (NPMHU) and the United States Postal Service (USPS). John retired on May 1, 2015 and has moved back to his beloved Western Massachusetts.

The son of Charles and Ann Marie Hegarty, John was born on January 31, 1955 in Holyoke but grew up on Rupert Street in Springfield, before moving his family to Wilbraham, MA, where he currently resides.

Mr. Speaker, John Hegarty attended Commerce High School. After graduation like many of his contemporaries he sought work. He worked at Titeflex in Springfield and started his union career as a steward (Teamsters Union) representing his fellow workers. John left Titeflex in 1985 when the USPS called and he started his Postal career.

John was National President of the National Postal Mail Handlers Union from July 2002 to his retirement. He was re-elected to that position by acclamation of the delegates to the Union's National Conventions in 2004, 2008, and 2012. In this capacity, John is the chief spokesperson for the NPMHU in national bargaining with the USPS.

For the ten years prior to becoming National President, John served as Administrative Vice President for the General Mail Facility/Bulk Mail Center in Springfield, Massachusetts. He then became President of Local 301 in New England, one of the largest local unions affiliated with the NPMHU, covering six states. In addition, beginning in 1996, he also served on the NPMHU National Executive Board of the NPHMU's parent union, the Laborers' International Union of North America (LIUNA).

Mr. Speaker, John Hegarty is known for his generous spirit and kind heart. He has had the good fortune to be married to his wife, Constance, for thirty-three years. John and Connie are proud parents of two children, two grandchildren with a third on the way.

Mr. Speaker, it is my distinct honor to join with John Hegarty's family, friends, and contemporaries to thank him for his extraordinary service to the National Postal Mail Handlers and the United States Postal Service.

HONORING THE LIFE OF CAPT. RICHARD ''DICK'' CURRIER

HON. EARL L. "BUDDY" CARTER

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2015

Mr. CARTER of Georgia. Mr. Speaker, I rise today to honor and celebrate the life of retired Navy Captain Richard ''Dick'' Currier, the commanding officer who oversaw the construction of what was known then as Naval Submarine Support Base Kings Bay.

Captain Currier spent most of his Navy career in the submarine service during the transition from diesel to nuclear-powered submarines. He joined the Navy in 1954 and served upon four surface ships before becoming a submariner. As his first sea duty, Captain Currier served aboard the diesel powered submarine USS *Grampus*. After that tour of duty, he was sent to nuclear power school and was assigned to the nuclear submarine USS *Scorpion*. Five more submarine assignments followed, three of which he served as the commanding officer.

Captain Currier's last duty assignment started in 1983 as the commanding officer of Naval Submarine Base Kings Bay in St. Marys, Georgia. At the time of his arrival, only 100 people were assigned to the base. Kings Bay's pier was still under construction, a majority of roads were unpaved, and most buildings were still in the planning stages. Under Captain Currier's leadership Kings Bay developed into the Navy gem of Georgia's Golden Isles.

Captain Currier retired after 34 years of service and continued to be active in the St. Marys community where he served on the board of directors for the St. Mary's Submarine Museum among other roles.

Mr. Speaker, it is my privilege to recognize the service and life of Captain Richard ''Dick'' Currier, a pioneer of Kings Bay who will always be remembered.

TRIBUTE TO JHETT WILLIAMS

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Jhett Williams of Madison County, Iowa, for qualifying for the National Junior High Rodeo Finals in breakaway roping, team roping, and chute dogging.

Each summer, approximately 1,000 youth competitors from across the country qualify to compete for scholarships and prizes at the National Junior High Rodeo Finals. I commend Jhett for his hard work and dedication to achieving his goals. He is a phenomenal young role model for others who are aspiring to compete in this prestigious national event.

Mr. Speaker, it is with great pride that I represent Iowans like Jhett in the U.S. House of Representatives. I invite my colleagues to join me in congratulating Jhett on a job well done, and wishing him nothing but continued success.

PERSONAL EXPLANATION

HON. ROD BLUM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2015

Mr. BLUM. Mr. Speaker, on roll call no. 469, my flight was delayed due to inclement weather.

Had I been present, I would have voted yes.

TRIBUTE TO ANITA LYONS BOND, PH.D.

HON. WM. LACY CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2015

Mr. CLAY. Mr. Speaker, I rise today to pay tribute to a remarkable woman and long-time civic icon in St. Louis, Missouri, who has set a standard of excellence in academics, educational reform, social justice, community leadership and personal courage, Dr. Anita Lyons Bond.

Anita Lyons Bond has been making history for decades. As the first African American student to graduate with Latin Honors from Saint Louis University in 1949, she has devoted her life to opening up the doors of equal educational opportunity to all, especially those students in urban areas who are still striving to overcome difficult circumstances and persistent academic disparities.

In May of this year, as she presented an honorary doctorate to Mrs. Bond, Saint Louis University trustee Martha Uhlhorn recognized her ''extraordinary determination, her exemplary character, her exceptional commitment to education, her concerns for others, her fearless focus on social justice and her desire to provide equal access to education for all students.''

In 1965, Mrs. Bond challenged the Missouri Board of Education's elections. Her lawsuit, contending civil rights violations, went to the Missouri Supreme Court and ultimately resulted in changes in election procedures. Later that year, the Urban League of Metropolitan St. Louis honored her with the Argus Distinguished Public Service Award for her service to the city as a leader in education and in the community.

Mrs. Bond established the Citizens Education Task Force, an organization funded through the Danforth Foundation that functioned as an independent critical body of the Board of Education.

In 1974, she became president of the St. Louis Board of Education. She served the board in various roles and was instrumental in the Board of Education and the Higher Educational Council establishing Harris-Stowe as a state college, rather than a secondary school.

In 1981, U.S. District Judge James Meredith appointed her to serve on the committee that wrote the St. Louis public school desegregation plan. She also served on the boards of the YMCA, NAACP, Urban League, United Negro College Fund and others. The NAACP named her one of the ''Most Outstanding St. Louisans.''

Mrs. Bond has also served as a delegate to the U.S. Civil Rights Commission and is a nationally recognized educational expert in special techniques of speech correction for the culturally disadvantaged.

I have known Mrs. Bond, her late husband (the remarkable Dr. Leslie Bond), and her wonderful family since my earliest days growing up in St. Louis. Both she and her husband stood shoulder-to-shoulder with my father, former Congressman Bill Clay, as he led the historic Jefferson Bank protests which broke down the walls of segregation in our city.

Mr. Speaker, I urge Members of Congress to join me in honoring this great American who has helped so many and continues to inspire us to have courage, to work towards transformative change, and to confront injustice and inequality wherever it exists.

TRIBUTE TO THE ATTACK 121 VOLLEYBALL TEAM

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate the Attack 121 Volleyball Team of Council Bluffs, Iowa, for qualifying for the USA Volleyball Junior National Tournament. The competition began June 27th and ran through June 30th.

This team dedicated their time and talents to achieving a single goal and I commend them for their hard work and determination. They were able to come together to achieve great success.

Mr. Speaker, the example set by this group of young Iowans demonstrates the rewards of hard work, dedication and perseverance. I am honored to represent them in the United States Congress. I know all of my colleagues in the U.S. House of Representatives join me in congratulating the Attack 121 volleyball team on a job well done, and wishing them nothing but continued success as they continue their volleyball careers.

PERSONAL EXPLANATION

HON. ROD BLUM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2015

Mr. BLUM. Mr. Speaker, on roll call no. 468; my flight was delayed due to inclement weather. Had I been present, I would have voted yes.

HONORING TURLOCK CITY FIRE DEPARTMENT CHIEF TIM LOHMAN

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2015

Mr. DENHAM. Mr. Speaker, I rise today to acknowledge and honor Turlock City Fire Department Chief Tim Lohman, who announced his retirement after serving 35 years in the fire service.

Since the beginning of his career, Tim Lohman has always been dedicated to the Turlock City Fire Department. On July 1, 1980, he took his first step into the Department by becoming a Volunteer Firefighter. After only three years of hard work and perseverance, Tim Lohman succeeded in becoming a full-time Firefighter for the City of Turlock. There he worked at all levels of the department including Fire Engineer, Fire Captain, Battalion

Chief, Division Chief of Training, and Division Chief of Operations. On account of his commitment, professionalism, and integrity he had demonstrated throughout the years, Tim Lohman was awarded the high rank of Fire Chief four years ago.

Response times and personnel safety are a priority to Chief Lohman, and during his tenure as Fire Chief, he ensured many technological advances to the Turlock City Fire Department to achieve this goal. He oversaw the installation of Mobile Data Computers to each fire engine, which provided the crews with the most recent advances in mapping systems and programs. Furthermore, Chief Lohman oversaw the implementation of the 911 system and other additions that changed the landscape of emergency service response for the Fire Department.

Serving as a Firefighter was not the only calling for Chief Lohman, as he owns and operates his own almond farm in Ballico, California. In 1989, he purchased the 28 acre parcel from his grandparents, and has been growing and harvesting the land ever since. Chief Lohman has been familiar with the almond industry for some time, but will be experiencing a new challenge after his retirement from the Turlock City Fire Department. He will be beginning a new career as Chief Executive Officer with the almond cooperative Northern Merced Hulling Association. Chief Lohman's vast experience and leadership will ensure he thrives in his imminent position.

Chief Lohman has been recognized by colleagues with many awards and accolades. He is well respected by his community and fellow firefighters.

Mr. Speaker, please join me in honoring and commending the outstanding contributions made to fire service and the City of Turlock by Turlock City Fire Department Chief Tim Lohman and hereby wish him continued success in his future endeavors.

IN RECOGNITION OF THE DISTINGUISHED PUBLIC SERVICE CAREER OF CURTIS M. GRAVES

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2015

Mr. VAN HOLLEN. Mr. Speaker, I rise today to recognize the distinguished public service career of Curtis M. Graves.

Mr. Graves was one of the first African Americans elected to the Texas House of Representatives since the turn of the 20th century. A Democrat and political contemporary of Barbara Jordan, Mr. Graves served in the Texas legislature from 1967 to 1973, where he championed progressive legislation on issues ranging from gun control to criminal justice reform. Mr. Graves also spent many years actively participating in the Civil Rights Movement, fighting for equal rights of all Americans.

Mr. Graves was born August 26, 1938 in New Orleans, Louisiana. He is an alumnus of Texas Southern University and Princeton University. After serving in the Texas House of Representatives, Mr. Graves had a thirty year career at the National Aeronautic and Space Administration—first in NASA's Academic Affairs Division and ultimately as its Director for Civil Affairs.

On behalf of the people of Maryland's Eighth Congressional District, and in anticipation of his seventy-seventh birthday on August 26, 2015, I would like to thank Curtis M. Graves for his lifelong career of public service and for his many contributions to our nation. I wish him and his family all the best in the years to come.

EXPRESSING CONDOLENCES TO THE VICTIMS OF THE SENSELESS SHOOTING IN LAFAYETTE, LOUISIANA

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2015

Ms. JACKSON LEE. Mr. Speaker, it is with a heavy heart that I rise to speak out against the loss of innocent lives that resulted from yet another unimaginable act of violence in our great country.

I humbly ask the House to observe a moment of silence for the victims of the horrific tragedy that occurred in a movie theater in Lafayette, Louisiana, on July 23, 2015.

My thoughts and prayers are with these victims, the families, and the friends of those who lost loved ones in this horrific shooting.

From current reports, we know that the gunman unloaded over 13 rounds into the crowd at the movie theater late Thursday night.

The gunman inexplicably began his rampage by firing shots into the seats directly in front of him, and then took his own life.

His actions claimed the lives of two young women, Mayci Breaux and Jillian Johnson, and injured nine others at the Grand Multiplex Theater in Lafayette, Louisiana.

I want to commend the rapid response by the law enforcement personnel that arrived at the scene and acted with courage and skill, likely preventing any further loss of innocent lives.

Individuals who have a history of mental instability, as did this shooter, should never be allowed to possess a firearm.

This is why my colleagues and I co-sponsored, H.R. 226, the "Keeping Guns from High Risk Individuals Act", which prevents individuals with a history of mental illness from gaining access to firearms.

Tragic events such as this should not be a part of the American culture.

Yet, in 2015 alone, we have had 204 mass shootings where innocent lives have been senselessly taken from our communities.

No American should ever have to experience fear and violence when they are stepping out into their communities to participate in activities, such as going to the movies or attending a faith meeting.

Americans have proven time and time again that we are capable of tackling the tough issues that face our nation and culture.

Violent acts such as this highlight the need for serious and positive reforms to help enhance public safety.

Congress needs to work with the President to develop and enact sensible gun violence prevention legislation.

We cannot give up, no matter the obstacles placed before us.

We can no longer be complacent or passive; we need to enact policies that could save lives.

Mr. Speaker, I respectfully ask, how many more lives and incidents will it take before Congress acts to take on this pressing issue?

Are not the shootings in Aurora, Colorado; Sandy Hook, Connecticut; Charleston, South Carolina; Tucson, Arizona; Blacksburg, Virginia; and Chattanooga, Tennessee, or any of the other 200 mass shootings across the nation, enough to spur us to act?

Mr. Speaker, it does not have to be this way; there are many actions we can take to reduce gun violence in America.

All we have to do is summon the will.

HONORING KRISTIN WELSH-SIMPSON

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2015

Mr. DENHAM. Mr. Speaker, I rise today on behalf of this great institution and those who serve and work here to acknowledge and express appreciation to one of our long-tenured House employees, Kristin Welsh-Simpson—a Senior Employee Assistance Counselor with the Office of the Chief Administrative Officer (CAO)—who is departing the House following her fifteen years of service in the Office of Employee Assistance (OEA).

Kristin first came to the House in 1996 as a graduate student intern in the Office of Employee Assistance as part of her graduate studies at the National Catholic School of Social Services, at The Catholic University of America. Following the awarding of her Master's Degree in Social Work, she took a position in the private sector as an Employee Assistance Account Manager for an international EAP provider, and oversaw the employee assistance service contract for a large global health products company. Fortunately for the House, the CAO and OEA were able to permanently hire her in 2000 when she joined the Office of Employee Assistance as an Employee Assistance Counselor.

Almost immediately, Kristin began applying her special case management and organizational skills in service to the Members and employees of the House, the Congressional Budget Office and the United States Capitol Police. She has worked diligently and tirelessly to assist managers and employees in addressing the myriad of personal challenges, mental health and addiction problems, and other behavioral and work-life balance issues that potentially impact the performance and productivity of our workforce. With barely a year of service under her belt, Kristin and her 0EA colleagues found themselves in the uncharted territory of assisting House Leadership, Members, Officers, and employees through the emotional turmoil and psychological recovery following September 11th and

the anthrax crisis in October 2001. Specifically, she was part of both the OEA team's response to the emotional and psychological support needs of individual employees and work groups, and the CAO's larger communications effort managed by the (OEA. She served with the OEA as the critical informational link to the House workforce throughout the six weeks in which sections of the House campus were closed—keeping employees and families informed of the status of the remediation efforts and the staggered opening of offices as well as the availability of House services as sections of the House buildings were cleared for occupancy and resumption of operations. Unfortunately, with the realities of our world, these were not to be the only crises that Kristin and the employee assistance team would be called upon to assist us with and support us through. Kristin's skills and capabilities would be particularly helpful following the tragic shootings in Tucson in January 2011, beginning with her on-site support and assistance within hours of the incident.

In addition to being on the front lines in providing the support and services of the Office of Employee Assistance team to the House, CBO and Capitol Police communities in the aftermath of some of the most troubling events of the past fifteen years, Kristin has established a reputation as a go-to person. Kristin has been sought out for her day-to-day work in consulting with and coaching Members, managers and employees to assist them with the challenges presented when an employee's personal issues impact their performance or the effectiveness of the office. It is on this level that I personally became familiar with Kristin and her tremendous work ethic, insights and capabilities. She has worked with me and my staff for several years, helping to plan and facilitate our annual staff retreat and to incorporate some critical staff development into the process.

Whether providing the OEA's critical assessment, referral and follow-up services to an employee in crisis, consulting with a Member or Chief of Staff on strategies to effectively integrate communications and team development into an annual staff retreat, or conducting a training session for the general House workforce, Kristin has consistently brought compassion, competence, organizational insight, institutional sensitivity, and practical solutions to her work. It seems fitting that one of Kristin's major responsibilities in the Office of Employee Assistance this past year was serving as the office's Intern Field Placement Instructor for a graduate student from Catholic University—somewhat bringing her career with the House full circle.

As Kristin departs the House to assume the position of Employee Assistance Director for the United States Senate, I regret the House's loss but take comfort in knowing that the Congress will continue to benefit from her knowledge and experience. I join the Chief Administrative Officer, Ed Cassidy; the CAO's Acting Chief Human Resource Officer, Darnell Lee; and the entire OEA team—Bernard Beidel, Liz McBride-Chambers, Margot Hawkins-Green, and Paul Tewksbury—in thanking Kristin for her service to the Office of Employee Assistance and the House, and in wishing her well and much success as her employee assistance career takes her to new challenges and opportunities. As someone who has personally benefited from the assistance and support she has provided my staff and office, I am confident I speak for the many Members, employees and family members she has helped, assisted and supported over the past fifteen years. Well done and Godspeed, Kristin.

TRIBUTE TO TOM McMAHON

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Tom McMahon of Fairfield, Iowa, for receiving the 2015 Leadership for Iowa Award from the Iowa Association of Business and Industry Foundation.

Each year, the Iowa Association of Business and Industry Foundation selects one distinguished recipient to receive the Leadership for Iowa Award. The individual selected for this award must display a willingness and commitment in serving Iowa. They must also have occupied a leadership position in civic or professional organizations as well as displayed a knack for leading others on a wide-range of issues.

Tom was granted this prestigious award because of his involvement and leadership in his community. He demonstrated his willingness to serve through his time as a volunteer for Leadership Iowa, Leadership Iowa University and Business Horizons, along with his tenure on the ABI Board of Directors. Tom's commitment to mentoring future business leaders truly embodies our Iowa values.

Mr. Speaker, it is a great honor to represent Iowans like Tom in the United States Congress, and I applaud him for his commitment to service and giving back to the community. I know my colleagues in the United States House of Representatives will join me in congratulating him for receiving this award. I wish him all the best moving forward.

IN RECOGNITION OF TOM JAWETZ AND HIS SERVICE TO THE HOUSE OF REPRESENTATIVES

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2015

Mr. CONYERS. Mr. Speaker, I, along with Representative ZOE LOFGREN of California, would like to thank Tom Jawetz for more than six years of service to the House of Representatives. Throughout this time, Torn has served as a dedicated counsel to the Judiciary Committee under three Chairmen, including myself, Representative LAMAR SMITH, and Representative BOB GOODLATTE. For the past year, he has served as the Minority Chief Counsel to the Judiciary's Committee's Subcommittee on Immigration and Border Security.

A native of New York City, Tom graduated summa cum laude from Dartmouth College with a bachelor's degree in Philosophy and Government. Tom developed a passion for working with low-income communities through an AmeriCorps fellowship in Charleston, South Carolina. As an AmeriCorps fellow, Tom worked with community members and witnessed the myriad challenges faced by those suffering from chronic poverty. Tom took his passion for working with the disadvantaged to Yale Law School where he served as a student clerk in the Complex Federal Litigation Clinic and a Student Director in the Immigration Legal Services Clinic.

After graduating from Yale Law School, Tom clerked for the Honorable Kimba M. Wood in the United States District Court, Southern District of New York. He continued his immigration advocacy as an Arthur Liman Public Interest Fellow at the Washington Lawyers' Committee for Civil Rights and Urban Affairs where he represented asylum seekers and designed pro se programs for immigrants in removal proceedings.

In the aftermath of Hurricane Katrina, Tom began working with the National Prison Project of the American Civil Liberties Union. As a litigation fellow with the National Prison Project, Tom helped to produce a groundbreaking comprehensive report condemning the belated evacuation of the Orleans Parish Prison. Tom combined his experience investigating prison abuse in New Orleans with his immigration expertise when he was hired to be the Immigration Detention Staff Attorney for the National Prison Project. In that role, Tom raised attention and awareness to the deficient and abusive medical care practices in immigrant detention and assisted Francisco Castaneda in a landmark case of medical abuse in detention. Tom testified honorably before the Judiciary Committee on two occasions, once accompanied by two of his clients who shared their stories in an effort to improve conditions of confinement.

As counsel for the Judiciary Committee, Tom worked tirelessly to provide assistance to members and staff. He was always available for legal analysis, advice and good conversation. Tom was known to many members and staff as a leader on all things relating to immigration. Tom developed a reputation for being dependable and easily approachable. His energetic disposition and positive attitude were always appreciated by Members and staff on both sides of the aisle.

Tom played an important role in Comprehensive Immigration Reform negotiations, the reauthorization of the Violence Against Women Act, issues concerning the surge of unaccompanied children and families at the Southern border and enactment of several private immigration bills. Tom's absence will be felt on matters pertaining to immigration law and policy, but we are pleased to know that he will continue his efforts as the Vice President of Immigration Policy for the Center of American Progress.

Mr. Speaker, we applaud Tom's tireless, principled and loyal public service to the U.S. House of Representatives and the American people wish him every success in his future endeavors.

MRS. UNITED STATES 2015

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2015

Mr. OLSON. Mr. Speaker, I rise today to congratulate Pearland's Katie Garza for being crowned Mrs. United States 2015.

Mrs. Garza truly encompasses the qualities of this competition. She is an intelligent wife, mother, and professional and beautiful on the inside and out. During her reign as Mrs. United States, Katie will use her platform to benefit the Pumping for Preemies foundation. Her foundation helps save the lives of premature infants by providing donor milk to mothers who are unable to provide breast milk. As a mother to three premature children, this cause is near and dear to Katie's heart. We are proud of Katie for highlighting her personal cause on the national stage. She is an excellent role model who represents Pearland well.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Katie Garza for being crowned Mrs. United States 2015.

PRATT & WHITNEY 90TH ANNIVERSARY

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2015

Mr. BISHOP of Georgia. Mr. Speaker, I rise to congratulate Pratt & Whitney on their 90th anniversary. Back in my home state of Georgia, this American company has six major facilities, employing more than 2,000 Georgians. In my district in Middle and Southwest Georgia alone, Pratt & Whitney employs over 1,000 employees at their Engine Center in Columbus.

I remember the tour I took of Pratt & Whitney's Columbus Engine Center to get a firsthand account of the plant's operation and how it impacts the local economy. From what I could see, Pratt & Whitney's employees truly take customer service to a new level. For almost 30 years, Pratt & Whitney has been a driving force for job creation in the Columbus community, and have become good corporate citizens.

Mr. Speaker, I have said it before and I will say it again, Congress' first, second, and third priority must be job creation, as it is a crucial part to our continued economic recovery. For the past 90 years, Pratt & Whitney has also been focused on creating good jobs in Columbus and throughout the nation, and have succeeded through producing dependable engines and supporting great communities.

I congratulate Pratt & Whitney on this auspicious occasion.

RECOGNIZING THE SESQUICENTENNIAL ANNIVERSARY OF ANDERSON, INDIANA

HON. SUSAN W. BROOKS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2015

Mrs. BROOKS of Indiana. Mr. Speaker, I rise today to commemorate the 150th anniversary of the incorporation of the city of Anderson, Indiana. Anderson has played an integral role in the industrial development of Indiana and Hoosiers from every part of the state are thankful for the contributions of the men and women of Anderson.

The city of Anderson is celebrating 150 years, but the history of Anderson dates back further. Chief William Anderson of the Delaware tribe first settled in the area, giving it the name Anderson Town. Eventually the name was shortened to Anderson and in 1865, it was officially incorporated.

From its early origins, Anderson has been a model for other cities and towns to follow, through its continued dedication to building a welcoming community for residents and visitors alike. In the years since its first mayor, Robert Williams, who served from 1865–1866, Anderson has developed into a lively and thriving community, serving as a home for generations to families, businesses, professionals, churches, schools, and other organizations.

In 1887, the city saw a great influx in business due to the discovery of natural gas. This discovery is responsible for the initial spike in automotive, electric, and other manufacturing companies to settle in Anderson, most notably Delco Remy and Guide Lamp. Despite the downturn in the automotive industry in past decades, the city has exhibited resilience and welcomed new businesses such as, Nestle, Xerox, Greenville Technologies, Inc., Keihin North America, and Sirmax, to name only a few. In addition to its industries, the city is home to the Paramount Theatre, Mounds State Park, Anderson University, and Hoosier Park Racing & Casino.

Anderson, with all of its industry and attractions, is nothing without the people. The citizens have a clear passion and love for their city. I am proud to represent such an amazing city, one with a history of growth and prosperity as well as the promise of a prosperous future. Please join me in celebrating the sesquicentennial anniversary of the incorporation of the great city of Anderson, Indiana.

HONORING MS. GLORIA MARGARITA RODRIGUEZ ON THE OCCASION OF HER NEW POSITION AS A REPORTER FOR ABC 11 WTVD

HON. RAUL RUIZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2015

Mr. RUIZ. Mr. Speaker, today I am honored to recognize Ms. Gloria Margarita Rodriguez on her new position as a reporter for WTVD in Raleigh-Durham, North Carolina.

A native to the Coachella Valley, Ms. Rodriguez has served the community as KMIR Anchor, Reporter, and Producer for over 9 years. She has used her talent to cover several nationally recognized local events such as the Humana Challenge, Palm Springs International Film Festival, and the BNP Paribas Open. Additionally, she has interviewed celebrities and politicians, reported on numerous wildfires, and covered President Gerald Ford's death and state funeral. Ms. Rodriguez has used her reporting to shed light on important issues including working conditions of migrant workers, living conditions at Thermal mobile home parks, immigration at the U.S.-Mexico border, and LGBT equality rights.

After completing high school at Cathedral City, Ms. Rodriguez received her bachelor's degree in broadcast journalism and political science from the University of Southern California. She completed her master's degree program at the Columbia University School of Journalism in New York City, and then worked as a reporter for KNWA in Arkansas. She has written articles for The New York Times, The Boston Globe, the St. Paul Pioneer Press, and The Desert Sun. She returned to the desert in 2006, working as a weekend anchor and field reporter for KMIR/KPSE-TV. Most recently she has been the co-anchor of KMIR's two-hour Today Show.

In addition to her many contributions to journalism, Ms. Rodriguez has been a passionate advocate for access to higher education. Serving as both Executive Director with the Reynaldo J. Carreon Foundation and professor of media and public relations at the College of the Desert, she has been a strong voice, inspiring and empowering students to pursue and complete undergraduate degrees. In October 2010, Ms. Rodriguez was named one of Palm Spring Life's "40 Under 40" for contributions to the community.

Ms. Rodriguez will be reporting in one of the top 25 media markets in the country in her new position at WTVD, bringing her integrity and advocacy to an even larger audience. I am proud to recognize Ms. Rodriguez's contributions to Coachella Valley, and I look forward to her success and accomplishments at WTVD.

CELEBRATING CONGREGATION MICKVE ISRAEL'S 282ND ANNIVERSARY

HON. EARL L. "BUDDY" CARTER

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2015

Mr. CARTER of Georgia. Mr. Speaker, today I rise to celebrate the 282nd Anniversary of Congregation Mickve Israel, the third oldest Jewish Congregation in the United States of America, and the grand opening of their Lawrence and Nancy Gutstein Museum.

Five months after General James Oglethorpe founded the Georgia colony in 1733, Jewish refugees from the Iberian Peninsula landed in Savannah. These refugees started the Congregation Mickve Israel which has met in various locations ever since. The congregation is still operating under the same

charter which they received from Governor Edward Telfair in 1790. Using primary sources, the diaries of one of the first settlers and minute books from 1790–1851, a carefully constructed exhibit ties Mickve Israel and its members to events in Jewish history, in the life of the Savannah community, the country, and the world.

The new museum tells the Congregation's story through the American Revolution, the Civil War and today. Some of the artifacts on display include the oldest Torah scrolls in the United States from the 15th century, a scale model of the ship, William and Sarah, which brought over the founding members of the Congregation, and copies of letters written by Thomas Jefferson and James Madison. Others include contributions of its members with the early Girl Scout movement as well as leadership in the civic and cultural life of Savannah.

Mr. Speaker, I am honored to join the Savannah community in celebration of the opening of Congregation Mickve Israel's new museum and their 282nd Anniversary.

PERSONAL EXPLANATION

HON. ROD BLUM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2015

Mr. BLUM. Mr. Speaker, on roll call no. 467; my flight was delayed due to inclement weather. Had I been present, I would have voted yes.

FINANCIAL NET WORTH

HON. F. JAMES SENSENBRENNER, JR.

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 28, 2015

Mr. SENSENBRENNER. Mr. Speaker, through the following statement, I am making my financial net worth as of March 31, 2015, a matter of public record. I have filed similar statements for each of the thirty-six preceding years I have served in the Congress.

ASSETS

REAL PROPERTY

Single family residence at 609 Ft. Williams Parkway, City of Alexandria, Virginia, at assessed valuation. (Assessed at $1,372,549). Ratio of assessed to market value: 100% (Unencumbered): $1,372,549.00.

Condominium at N76 W14726 North Point Drive, Village of Menomonee Falls, Waukesha County, Wisconsin, at assessor's estimated market value. (Unencumbered): $136,600.00.

Undivided 25/44ths interest in single family Residence at N52 W32654 Maple Lane, Village of Chenequa, Waukesha County, Wisconsin, at 25/44ths of assessor's estimated market value of $1,552,500: $882,102.27.

Total real property: $2,391,251.27.

Common & preferred stock	# of shares	$ per share	Value
Abbott Laboratories, Inc.	12200	46.33	$565,226.00
AbbVie Inc.	10980	58.54	642,769.20
Alcatel-Lucent	135	3.73	503.55
Allstate Corporation	370	71.17	26,332.90
AT & T	7275	32.65	237,528.75
JP Morgan Chase	4539	60.58	274,972.62
Benton County Mining Company	333	0.00	0.00
BP PLC	3604	39.11	140,952.44
Centerpoint Energy	300	20.21	6,063.00
Chenequa Country Club Realty Co.	1	0.00	0.00
Comcast	634	56.47	35,801.98
Darden Restaurants, Inc.	2160	69.34	149,774.40
Discover Financial Services	156	56.35	8,790.60
Dun & Bradstreet, Inc.	1250	128.36	160,450.00
E.I. DuPont de Nemours Corp.	1200	71.47	85,764.00
Eastman Chemical Co.	540	69.26	37,400.40
Exxon Mobil Corp.	9728	85.00	826,880.00
Frontier Comm.	591	7.05	4,166.55
Gartner Inc.	651	83.85	54,586.35
General Electric Co.	15600	24.81	387,036.00
General Mills, Inc.	5760	56.60	326,016.00
NRG Energy	28	25.19	705.32
Hospira	1220	87.84	107,164.80
Imation Corp.	99	4.03	398.97
Kellogg Corp.	3200	65.95	211,040.00
3M Company	2000	164.95	329,900.00
Express Scripts	6656	86.77	577,541.12
Monsanto Company	2852.315	112.54	320,999.53
Moody's	5000	103.80	519,000.00
Morgan Stanley	312	35.69	11,135.28
NCR Corp.	68	29.51	2,006.68
Newell Rubbermaid	1676	39.07	65,481.32
PG & E Corp.	175	53.07	9,287.25
Pfizer	30415	34.79	1,058,137.85
Century Link	95	34.55	3,282.25
Tenneco Inc.	182	57.42	10,450.44
Unisys Corp.	16	23.21	371.36
US Bancorp	3081	43.67	134,547.27
Verizon	1918	48.63	93,272.34
Vodafone Group PLC	323	32.68	10,555.64
WEC Energy (Wisconsin Energy)	2044	49.50	101,178.00
Total common & preferred stocks & bonds			$7,537,470.16

Life insurance policies	Face $	Surrender $
Northwestern Mutual #00	12,000.00	$119,406.33
Northwestern Mutual #61	30,000.00	287,297.39
Massachusetts Mutual #75	10,000.00	17,203.64
Massachusetts Mutual #44	100,000.00	459,747.68
American General Life Ins. #59L	175,000.00	42,067.21
Total life insurance policies		$925,722.25

Bank & IRA accounts	Balance
JP Morgan Chase Bank, checking account	$51,830.86
JP Morgan Chase Bank, savings account	14,675.76
M&I Bank, checking account	6,112.65
Burke & Herbert Bank, Alexandria, VA, checking account	4,034.78
JP Morgan, IRA accounts	153,919.18
Total bank & IRA Accounts	$230,573.23

Miscellaneous	Value
2009 Ford Taurus	$8,002.00
2013 Ford Taurus	18,837.00
1996 Buick Regal	1,529.00
Office furniture & equipment (estimated)	1,000.00
Furniture, clothing & personal property (estimated)	180,000.00
Stamp collection (estimated)	190,000.00
Deposits in Congressional Retirement Fund	236,488.14
Deposits in Federal Thrift Savings Plan	527,709.81
Traveler's checks	7,800.00
17 ft. Boston Whaler boat & 70 hp Johnson outboard motor (estimated)	4,500.00
20 ft. Pontoon boat & 40 hp Mercury outboard motor (estimated)	7,500.00
Total miscellaneous	$1,183,365.95
Total assets	$12,268,382.86

Liabilities: None.

Total liabilities: $0.00.

Net worth: $12,268,382.86.

STATEMENT OF 2014 TAXES PAID

Federal Income Tax	$154,822.00
Wisconsin Income Tax	43,951.00
Menomonee Falls, WI Property Tax	2,321.00
Chenequa, WI Property Tax	21,036.00
Alexandria, VA Property Tax	14,381.00

I further declare that I am trustee of a trust established under the will of my late father, Frank James Sensenbrenner, Sr., for the benefit of my sister, Margaret A. Sensenbrenner, and of my two sons, F. James Sensenbrenner, III, and Robert Alan Sensenbrenner. I am further the direct beneficiary of five trusts, but have no control over the assets of either trust. My wife, Cheryl Warren Sensenbrenner, and I are trustees of separate trusts established for the benefit of each son.

Also, I am neither an officer nor a director of any corporation organized under the laws of the State of Wisconsin or of any other state or foreign country.

F. JAMES SENSENBRENNER, JR.,
Member of Congress.

SENATE—*Wednesday, July 29, 2015*

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Active and intervening God, we trust in You. Nothing can stop Your plan and Your purposes will prevail. Bless our lawmakers. Guide them on the right path so that they will be instruments of Your peace. Use them as salt and light to strengthen our Nation and world. Forgive them when they forget that You are still on Your throne and that the hearts of humanity are in Your hands. Help them to remember that Your power is far above any conceivable command, authority or control.

Lord, as our lawmakers strive to contribute to building a better world, bless those who support them in their work. Help us all to trust You without wavering.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. PAUL). The majority leader is recognized.

MEASURES PLACED ON THE CALENDAR—S. 1881 AND H.J. RES. 61

Mr. MCCONNELL. Mr. President, I understand there is a bill and a joint resolution due for a second reading.

The PRESIDING OFFICER. The clerk will read the measures by title for the second time.

The senior assistant legislative clerk read as follows:

A bill (S. 1881) to prohibit Federal funding of Planned Parenthood Federation of America.

A joint resolution (H.J. Res. 61) amending the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

Mr. MCCONNELL. In order to place the measures on the calendar under the provisions of rule XIV, I object to further proceedings en bloc.

The PRESIDING OFFICER. Objection having been heard, the measures will be placed on the calendar.

THE HIGHWAY BILL

Mr. MCCONNELL. Mr. President, late nights, vigorous legislating, and sometimes unpredictable outcomes may make some reach for the aspirin, but these are the hallmarks of a functioning Congress.

The push-and-pull between different parties, different Members, and different Chambers is all part of the democratic rhythm. That is especially true when you are talking about a measure as complicated and consequential as a multiyear highway bill.

I am pleased to see Republicans and Democrats continuing to hold together to pass the Senate's bipartisan highway legislation. We are on the verge of scoring another important victory for the American people.

Once the Senate completes its work on the bill, the House of Representatives will begin its work on a multiyear measure as well. A multiyear bill is now our joint goal. That is important for our country. We know it represents the best way to provide State and local governments with the kind of certainty they need to focus on longer term road and bridge projects.

Here is how Kentucky's main transportation advocacy group, Kentuckians for Better Transportation, put it: A longer term bill would ''provide an opportunity to plan for and implement projects that are important to Kentucky's citizens and Kentucky's economy—and to every other state in the nation.''

We will conference the legislation we pass with what the House passes and then send a unified bill to President Obama. In the meantime, we will work with our friends in the House to pass a measure that will give them the space they need to develop a multiyear highway bill. It is also a measure that would deliver some important relief to our veterans by covering unfunded requirements the administration failed to budget for. It would also extend a helping hand to heroes who need it.

I can't see a reason any Senator would vote against it. We will take up that bill once the House sends it to us. We will continue working in the interim to finish our own bipartisan, multiyear highway bill—a bill that is fiscally responsible and will not raise taxes by a penny.

PLANNED PARENTHOOD

Mr. MCCONNELL. Mr. President, on an entirely different matter, the ongoing revelations about Planned Parenthood are more than just disturbing. They literally shock the conscience. A Democratic colleague called them ''very troubling,'' ''extremely troubling,'' and ''highly troubling.''

Next week, every Member of his party will have a chance to join us in reaffirming the Senate's commitment to genuine compassion and to women's health. We introduced legislation last night that would ensure taxpayer dollars for women's health are spent on women's health, not a scandal-plagued political lobbying giant.

It is a simple choice: Senators can either vote to protect women's health or they can vote to protect subsidies for a political group mired in scandal.

I know Planned Parenthood's entrenched lobbyists have been close allies of Democrats in recent years, but this moment calls for Senators to rise higher and to think bigger.

Let's not filibuster women's health in order to protect special subsidies for one scandal-plagued political organization. Why don't we join together instead to bring something positive to the American people from a terrible situation.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

WOMEN'S HEALTH

Mr. REID. Mr. President, the Republican legislation to attack women's health is disguised as a way to help women. We have to look long and hard to find those people who are being taken care of across the country today because of programs that allow them to go to someone who knows what they are talking about when they are concerned about their fertility, they are concerned about birth control, and a myriad of other problems that happen as women go through life.

The Republican bill pretends to be for women's health, but it would prohibit Federal funds to go to an organization that is the health care backbone for American women during their lives. In fact, it is the only health care that a significant number of women get. For about 30 percent of women, that is their health care. You can disguise this by giving fancy titles to the legislation any way you want. This is an attack on women's health.

It is stunning to me that the 16 people who are running for President are out there going after immigration. They are going after not only immigration generally but specifically. These young men and women who came to America—and the face of this picture in Nevada is a woman by the name of Astrid Silva, who came here as a little girl with her mother in a boat across the Rio Grande River with her little doll and her rosary beads that she didn't understand—a little, little girl. She knew no other country. What do the Republicans want to do? They want to deport Astrid Silva, a woman who finally because of the courageous action of President Obama—because Republicans refused do anything on immigration—was allowed to get her driver's license, to fly in an airplane for the first time, to be able to go to the airport without fear of being arrested, and they want to do away with that. But that is not enough.

Most of them want to privatize Social Security; they want to change it in some significant way. It is led by one President's son, one President's brother who basically said we have to change Medicare, as he was speaking to the Koch brothers.

We are working, trying to get the Ex-Im Bank that affects the lives of 165,000 working Americans. Most of the Republicans want to get rid of that. Now the program is out of sync. It has expired.

The environment. Don't worry about it; it is fine. The icecaps are melting in the Arctic. Don't worry about it. We have the worst fires in the history of Alaska because of climate change. Don't worry about it; it is only 5 million acres that burned this summer so far. The droughts are affecting all of America but especially the West. It is so bad in the West that in the Sierras there are bears that don't even hibernate anymore. It is not cold enough. In New Hampshire, moose are dying. About one-third of them are dead because of fleas and ticks. Why? Because it is not cold enough to kill them anymore. These little pests are ravaging these huge animals.

I could go on, but I am going to stop, other than to say, in addition to all of that, now they are after women's health.

I hope they understand the pretty posters and the fancy words—no matter how you package it—are an attack on women. Indirectly, it is an attack on my daughter, my wife, and my grandchildren directly. I should say my granddaughters directly. I have a few of them.

APPROPRIATIONS

Mr. REID. Mr. President, the Constitution is very clear. It says the Government cannot spend a penny without an appropriations law—a law dealing with appropriations.

I am so fortunate, when I came to the Senate, I became a member of the Appropriations Committee. I loved working on the Appropriations Committee. Under John Stennis from Mississippi, Robert Byrd from West Virginia, and Dan Inouye from Hawaii, it was a wonderful process.

I have this job. I got off the committee, which was very hard for me to do because I loved that committee. We worked very hard every year to fund every one of those 12 appropriations bills. We did it because we were legislators. We compromised. We worked together to fund this government, but all of that is gone.

Republicans do not work with us on appropriations bills. We don't do them anymore. This season of Republicanism is more than I can hardly understand. I certainly don't appreciate it. No job is more important in the Constitution than exercising the power of the purse. That is our responsibility, but that has been taken away from us by convoluted methods.

I know my Republican colleagues will get up and say we have to do something about this terrible debt. Seated next to me in this august Chamber of the Senate is a man who is the senior Senator from Illinois. I have said this before, and I will say it again. The reason I mention his name is because I knew we needed to do something about the debt. I arranged a long trip—my first job as leader—to Central and South America, and I took Judd Gregg, a Republican from New Hampshire, who is an expert on the finances of this government, and a Democratic counterpart, Kent Conrad, who is just as good. They worked on that airplane side by side for 14 hours and worked up a plan. What they came up with was so brilliant. They said: What we are going to do is have a plan just like the base closings.

The base closing commissions that were set up—we did two rounds of them—got rid of military bases in the country that we were trying to get rid of prior to World War II. We were able to do that, and as a result, we saved the country billions and billions of dollars.

They introduced legislation that said that we are going to have a commission appointed. There will be legislators, and there will be people the President appoints and people from the outside. They will report to us, and there will be no filibusters, no amendments, and we will have an up-or-down vote. It was a great piece of legislation.

When I brought that legislation to the floor, seven Republican Senators who cosponsored the legislation refused to vote for it, and we weren't able to move forward on it. Now I get to my friend from Illinois. I had the ability to appoint three Members of my caucus to be on the Bowles-Simpson Commission. The President did that because what Judd Gregg and Kent Conrad tried to do failed. To his credit, he did that. I needed a liberal. My friend and I are not afraid to use that term—a progressive, if that makes people feel better. He didn't want to do that. He did it because it was the best thing for this institution. He sat through days and days of hearings and became a believer that we had to do something about the debt. He voted for something that Republicans didn't vote for—to do something about the debt.

I say to the Presiding Officer and to everybody within the sound of my voice: We have done something since then. We have reduced the debt of this country by $4 trillion. That doesn't mean we don't have a lot more to do. But what virtually all economists tell us is that we are at a point now where we have to start spending some money.

My friend from California has worked hard on this highway bill. It was hard for her to do that because the Republicans weren't allowing her to come up with any new revenue.

Anyway, my point is this: The Republicans are failing their most important job, and that is helping us come up with some spending programs. We called on the Republicans to get serious about budgeting. They have refused. We have pleaded with them to sit down and negotiate a long-term bipartisan plan to avoid another shutdown. From the start, it has been clear that Republicans are not serious about governing.

A party that is serious about governing does not do the things they have done. For example, in the wake of mass shootings by individuals—it is in every newspaper in the country, and it has been for weeks. There were new deaths in Tennessee and Colorado. It doesn't matter. I am sorry to say that we have lost track of where they all are.

Even after these mass shootings, Republicans still want to cut our funding for mental health services. Gee-whiz—how could they do that? The Republican bill cuts funding for substance abuse and mental health services. They blocked research for funding for the Centers for Disease Control to study the cause and effect of gun violence. They are cutting funding for counseling programs in elementary and secondary schools. That is only on one subject. A party that is serious about governing doesn't cut critical funding to our Nation's security. They have cut funding for the Bureau of Tobacco, Alcohol and Firearms, they cut funding to vital cyber-security upgrades and financial agencies. They cut funding for U.S. marshals, the brave men and women who helped to catch those two murderers who escaped from the prison in New York.

A party that is serious about governing doesn't wage war against our Nation's infrastructure. They have cut funding for the Nation's electric grid

by 40 percent, leaving our utilities susceptible to cyber attacks. Senate Republicans have cut transit projects all across this country. They have cut funding of the air traffic control system. The list is endless. There are cuts to education, women's health, agriculture, energy, and job training.

If the Republican leader and the Speaker wanted to get serious about governing, they would sit down with us and craft a bipartisan compromise to prevent another government shutdown.

On the bill before us, the Speaker of the House of Representatives has referred to that bill by using a very derogatory word which starts with the letter ''s.'' If the Republican leader and the Speaker want to get serious about governing, then they need to sit down with us so we can craft a bipartisan compromise to prevent another government shutdown. Instead they have already given up. Both the Speaker and the Republican leader have said that what we are going to do is abandon the appropriations process in favor of a continuing resolution, which is a buzzword for failure. Failure is another word for a government shutdown. It is another way to close our government.

By relying on a continuing resolution, it leaves in place sequester cuts and underfunds critical priorities for working American families. Republicans are neglecting their responsibilities. They are not showing up for work. It doesn't have to be this way. We have time to come up with a balanced solution to keep our government funded. We have 2 months to come together, but a CR will not work. Sequestration will kick in, and it will harm every agency in the government. It will especially hurt the middle class of our country. If they are serious about governing, they will work together with us on appropriations bills rather than ignore us.

Republicans need to sit down and get to work on their most important job, as is dictated by the Constitution.

I apologize to everyone for taking more time than I normally do, but it was brought about by my friend the Republican leader.

I ask the Chair to announce the business of the day.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

HIRE MORE HEROES ACT OF 2015

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 22, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (H.R. 22) to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

Pending:

McConnell modified amendment No. 2266, in the nature of a substitute.

McConnell amendment No. 2421 (to amendment No. 2266), of a perfecting nature.

McConnell (for Inhofe) amendment No. 2533 (to amendment No. 2421), relating to Federal-aid highways and highway safety construction programs.

McConnell amendment No. 2417 (to the language proposed to be stricken by amendment No. 2266), to change the enactment date.

McConnell amendment No. 2418 (to amendment No. 2417), of a perfecting nature.

The PRESIDING OFFICER. Under the previous order, the time until 10 a.m. will be divided in the usual form.

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. INHOFE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INHOFE. Mr. President, I had some time reserved, and I am halfway through that time now. So I will talk a little faster than usual because we have an Armed Services meeting right now, and we are trying get to the bottom of this side agreement that was apparently made with Iran.

I wish to applaud the Senate for taking another step, and that is what we are going to be doing in just a few minutes with the DRIVE Act in Congress with these votes, and tomorrow we expect to see a final vote for passage so we can send it to the House. This will be my sixth reauthorization over the past number of years. These bills are all about compromise. It is hard to do. There are a lot of Members of this body who didn't think they got what they wanted in this bill, and I have to say that I didn't get what I wanted. I suspect that the occupier of the chair didn't get what he wanted, and Senator BOXER didn't get what she wanted. That is not the way this works because this is a bill to get us away from the short-term extensions.

It has been obvious that Members of this body are opposed to moving to a 6-year reauthorization bill and are willing to use any procedural means to slow it down, and that is what happened. If we had not dragged on yesterday, and if we had yielded back some of the time, we could have had these votes that we are about to have now yesterday. If we had done that, we could have final passage today, and it would be sent over to the House before they leave. They are going to leave. That doesn't mean that this is not important. What we are doing today and tomorrow is passing this bill. Even though the House is going home, they all agree that we need a good, long-term bill as soon as they get back. That is why we have a motion before us for a short-term delay—so they will have time to do it.

We will have a good bill for them. We have worked on it for several months. It passed out of committee unanimously. Every Republican and every Democrat voted for it. We will have a chance to do that.

Also, I have State sheets on every State. I can read off how every State benefits from this 6-year reauthorization bill. All you have to do is talk to the Governors, mayors, and the departments of transportation across the country. They fully expected Congress only to deliver piecemeal extensions, as we have in the past.

We have to keep in mind that the last reauthorization bill that we had was in 2005. I remember that vividly because I was the author of the bill. When we passed it, everyone rejoiced. Yesterday the Senator from Minnesota was talking about the tragedy of the fallen bridge in Minnesota, where 13 people died. I told the story about how a bridge in Oklahoma City had a chunk of concrete fall off of it and hit a mother of three children and kill her. You don't want to wait until this happens.

We have bridges in this country—and we have talked about each one of them on the Senate floor during the discussion on this bill—that are deteriorating, and we have to do something about it.

If any Member or the staff of any Member—I know the staffs are all watching right now. We have every State listed on these sheets, and it shows what they will have and how they will benefit from the DRIVE Act, which will be before us in a moment. If we don't do it, there are consequences, and I have to remind everyone of that today as we approach a shutdown of the transit programs. I urge my colleagues to join in voting yes on this procedural hurdle today. If you vote no, you are reinforcing current laws and extensions, which is the worst possible outcome.

One area deals with big projects. We cannot do big projects with 3-month, 4-month or even 1-year extensions. We have gone through 33 short-term extensions since the SAFETEA–LU bill was passed.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. INHOFE. Mr. President, I ask unanimous consent that I be given 5 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INHOFE. We have the problem of not having any of the big projects, and everyone knows that is a problem. The reason big projects can't be done is due to the costs. But a study has been done

by Gary Ridley, who is one of the foremost authorities nationwide on this subject, and in that study he came to the conclusion that it costs an additional 30 percent off the top to do short-term extensions.

If there is anyone who is a conservative and wants to take the conservative position on this issue, the conservative position is to vote for a long-term reauthorization bill, and that is what is before us now. The current funding has no growth—not even for inflation. The DRIVE Act provides growth in the highway and transit systems in each State. For those who are interested, we have all of this listed State by State. The current law gives States and local governments no certainty. However, the certainty is there in the DRIVE Act. So we have every reason to do this.

Project delivery. We are going to be able to deliver the projects. We can't even start the projects on short-term extensions.

Freight. We have a freight section. We have never had a freight section before for moving freight across the country.

Transparency. Everything is there so that everyone can see every nickel that is used. This is the most transparent of all of the reauthorizations we have had.

Lastly, innovation. The DRIVE Act prepares our transportation system for the future. That is why it is so important that we get to it today.

I compliment the leaders for moving us forward and making every effort to get this done before the House goes home.

This will give them a good start on what to do during the recess.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

VOTE ON AMENDMENT NO. 2417

Mr. MCCONNELL. Mr. President, I move to table amendment No. 2417.

The PRESIDING OFFICER. The question is on agreeing to the motion to table.

The motion was agreed to.

VOTE ON AMENDMENT NO. 2533

The PRESIDING OFFICER. The question is on agreeing to the Inhofe amendment No. 2533.

The amendment (No. 2533) was agreed to.

VOTE ON AMENDMENT NO. 2421, AS AMENDED

Mr. MCCONNELL. Mr. President, I ask unanimous consent to vitiate the yeas and nays on amendment No. 2421.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The question is on agreeing to amendment No. 2421, as amended.

The amendment (No. 2421), as amended, was agreed to.

VOTE ON AMENDMENT NO. 2266, AS MODIFIED, AS AMENDED

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2266, as modified, as amended.

The yeas and nays were previously ordered.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

The result was announced—yeas 62, nays 38, as follows:

[Rollcall Vote No. 258 Leg.]

YEAS—62

Alexander	Feinstein	McConnell
Ayotte	Fischer	Moran
Baldwin	Franken	Murray
Barrasso	Gardner	Nelson
Bennet	Graham	Peters
Blunt	Grassley	Portman
Boozman	Hatch	Roberts
Boxer	Heitkamp	Rounds
Burr	Heller	Sanders
Cantwell	Hoeven	Schatz
Capito	Inhofe	Sessions
Cassidy	Isakson	Shaheen
Coats	Johnson	Stabenow
Cochran	Kaine	Sullivan
Collins	King	Tester
Coons	Kirk	Thune
Cornyn	Klobuchar	Tillis
Daines	Leahy	Vitter
Durbin	Manchin	Whitehouse
Enzi	McCain	Wicker
Ernst	McCaskill	

NAYS—38

Blumenthal	Heinrich	Reid
Booker	Hirono	Risch
Brown	Lankford	Rubio
Cardin	Lee	Sasse
Carper	Markey	Schumer
Casey	Menendez	Scott
Corker	Merkley	Shelby
Cotton	Mikulski	Toomey
Crapo	Murkowski	Udall
Cruz	Murphy	Warner
Donnelly	Paul	Warren
Flake	Perdue	Wyden
Gillibrand	Reed	

The amendment (No. 2266), as modified, as amended, was agreed to.

CLOTURE MOTION

Mr. CORNYN. Mr. President, I ask unanimous consent that the mandatory quorum call be waived.

The PRESIDING OFFICER (Mr. COTTON). Without objection, it is so ordered.

Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows.

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on H.R. 22, an act to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

Mitch McConnell, John Cornyn, Orrin G. Hatch, John Barrasso, Pat Roberts, Richard Burr, Thom Tillis, David Vitter, Lindsey Graham, Kelly Ayotte, Lamar Alexander, Daniel Coats, John Hoeven, James M. Inhofe, Roger F. Wicker, Susan M. Collins, John Thune.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on H.R. 22, an act to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act, as amended, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

The yeas and nays resulted—yeas 65, nays 35, as follows:

[Rollcall Vote No. 259 Leg.]

YEAS—65

Alexander	Fischer	McConnell
Ayotte	Flake	Moran
Baldwin	Franken	Murray
Barrasso	Gardner	Nelson
Bennet	Graham	Peters
Blunt	Grassley	Portman
Boozman	Hatch	Roberts
Boxer	Heitkamp	Rounds
Burr	Heller	Sanders
Cantwell	Hoeven	Schatz
Capito	Inhofe	Scott
Cassidy	Isakson	Sessions
Coats	Johnson	Shaheen
Cochran	Kaine	Stabenow
Collins	King	Sullivan
Coons	Kirk	Tester
Cornyn	Klobuchar	Thune
Daines	Lankford	Tillis
Durbin	Leahy	Vitter
Enzi	Manchin	Whitehouse
Ernst	McCain	Wicker
Feinstein	McCaskill	

NAYS—35

Blumenthal	Heinrich	Reid
Booker	Hirono	Risch
Brown	Lee	Rubio
Cardin	Markey	Sasse
Carper	Menendez	Schumer
Casey	Merkley	Shelby
Corker	Mikulski	Toomey
Cotton	Murkowski	Udall
Crapo	Murphy	Warner
Cruz	Paul	Warren
Donnelly	Perdue	Wyden
Gillibrand	Reed	

The PRESIDING OFFICER. On this vote, the yeas are 65, the nays are 35.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

EXECUTIVE SESSION

NOMINATION OF ALLISON BECK TO BE FEDERAL MEDIATION AND CONCILIATION DIRECTOR

NOMINATION OF JEFFREY MICHAEL PRIETO TO BE GENERAL COUNSEL OF THE DEPARTMENT OF AGRICULTURE

NOMINATION OF CAROL FORTINE OCHOA TO BE INSPECTOR GENERAL, GENERAL SERVICES ADMINISTRATION

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider

the following nominations, which the clerk will report.

The senior assistant legislative clerk read the nominations of Allison Beck, of the District of Columbia, to be Federal Mediation and Conciliation Director; Jeffrey Michael Prieto, of California, to be General Counsel of the Department of Agriculture; and Carol Fortine Ochoa, of Virginia, to be Inspector General, General Services Administration.

VOTE ON BECK NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Allison Beck, of the District of Columbia, to be Federal Mediation and Conciliation Director?

The nomination was confirmed.

VOTE ON PRIETO NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Jeffrey Michael Prieto, of California, to be General Counsel of the Department of Agriculture?

The nomination was confirmed.

VOTE ON OCHOA NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Carol Fortine Ochoa, of Virginia, to be Inspector General, General Services Administration?

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid upon the table and the President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

HIRE MORE HEROES ACT OF 2015—Continued

The PRESIDING OFFICER. The Democratic leader is recognized.

Mr. REID. Mr. President, I ask unanimous consent that the next 40 minutes be under the control of the Democratic side and that the time be equally divided among the following Senators: REID, BOXER, WHITEHOUSE, MARKEY, SCHATZ, and SCHUMER.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

CLIMATE CHANGE

Mr. REID. Mr. President, at virtually every caucus we have, every Tuesday caucus, I have Senators report on what is going on in the world as it relates to climate change.

I wish these were fun-filled presentations where people laughed, clapped, and smiled, but they are not. They are very downbeat because each Senator who makes a presentation—whether it is the senior Senator from New Hampshire, who talks about moose dying in her State because the fleas and ticks no longer die in the cold weather, she explained how about one-third of the moose are dead in New Hampshire, or whether it is the junior Senator from the State of Michigan talking about what is going on in that beautiful State of Michigan.

Without going through the list of Senators who have reported what is going on as they see it with climate change, everyone within the sound of my voice should rest assured things are not good. Our world is changing and has already changed drastically.

The Earth is undergoing a shift, a manmade climate change shift. We don't need to travel to the polar icecaps for proof, although if we did, we would see that too. There is evidence all around. Talking about the polar icecap, think about Alaska. Millions of acres are on fire as we speak—not a fire as we see in the forest or the range lands of Nevada, where you see fire flames flip up into the sky so high it is hard to believe sometimes. But this is burning underground at the permafrost. It is awful what is happening in Alaska.

But let's talk about Nevada. Nevada is an unusual State in many different ways. We have over 32 mountains more than 11,000 feet high. We have one mountain we share with California that is 14,000 feet high. We have beautiful, beautiful wilderness.

I have had the good fortune during my time in the Senate to legislate. When I came here, we had about 60,000 acres of wilderness. We are now approaching about 4 million acres of wilderness, and it is beautiful, beautiful country. There are beautiful mountains, antelope, and mountain sheep, of course. We even have mountain goats. It is a beautiful, beautiful State.

We share Lake Tahoe with California—beautiful, beautiful Lake Tahoe that Mark Twain said is the fairest place on all the Earth. The water level this summer is at a record low. Water we used to take for granted that would come out of the lake isn't coming out anymore.

Snowpack in the Sierra Nevada Mountains is a fraction of normal levels. A few decades ago, we used to have piles of snow that were unbelievable, tens and tens of feet of snow every winter—no longer. In fact, this past March, World Cup ski cross and snowboardcross races had to be cancelled. Why? We had no snow—no snow at a place where we had the Winter Olympics in Squaw Valley—no snow. They cancelled the races.

As I have said on the floor, because it is so traumatic as far as I am concerned, many of our black bears aren't even hibernating. It is not cold enough. This past June, a few weeks ago—Lake Mead at one time was the largest manmade lake in America. It isn't anymore because of Lake Powell, which overtook Nevada for the largest manmade lake in America. Lake Powell is on the road to being eliminated. It is part of the great Colorado River program that allows the States of California—all the upper Colorado States—Arizona, and Nevada, to survive.

This past June, Lake Mead water levels sunk to record lows—record lows. Towns that were buried with the making of the Boulder, Hoover Dam, we can see them again. St. Thomas is an example. An early Mormon settlement there was buried in the water—no longer. Now they are doing archeological work on what was buried under Lake Mead previously.

Now, that is only Nevada, and that is only a touch of what is happening in Nevada. Wildfires are devastating our State, wiping out native grasses and plants, causing endangered species that need to be listed as threatened or going extinct because, for example, if you have birds survive in our sagebrush, sagebrush is burned and no longer exists, you get these foreign species that come in, mainly cheatgrass, and it is no good for anything other than more fires. That is what we have in Nevada, devastating wildfires.

Around the United States, massive floods are destroying life around the globe. The poles are melting. By the year 2050, scientists estimate the sea level will rise in the world by 16 feet.

What will that do to Florida? Of all the major cities in the world, with virtually no exception, they are all in coastal areas. What coastal city in the world is going to be hit hardest in the world by this climate change, the rising of the seas? Miami, FL, the State of Florida.

Massive floods are destroying life around the globe. Poles are melting. I repeat, ocean resources are being exhausted.

Stunningly, Republicans in Congress are ignoring changes to our environment that we are all witnessing. They are here. They are in denial. They are in what I refer to as Koch denial because, remember, everybody, the two Koch brothers don't want us to do anything on climate change. Why? No. 1, it may prevent them from making more billions. They are heavily invested in tar sands in Canada, and, of course, their original fortunes were made in oil, gas, and coal in America. Republicans are in denial. They are in Koch denial.

Last month House Republicans passed legislation that would rescind President Obama's action addressing air pollution and climate change. That legislation is not going to happen over here, but that is the mindset of the Republicans. Not to be outdone, Republicans here in the Senate are trying the same thing with the Senate Interior and Environment appropriations bill,

filling it with policy riders that are dangerous to the planet, dangerous to America.

Republicans all know the planet is changing—I hope they do, but they don't. If a Republican knows this, they are a rare Republican and I am still waiting for them to step forward. Republicans don't admit it is a problem. Where is their solution? Well, they have none. They have no solution because they refuse to acknowledge there is a problem.

Let's not fool ourselves as to why Republicans reject climate change. I have already said why. It is the Koch challenge they all have. Every Presidential candidate has to be very careful. There are certain things, and I don't know them all because I am not in attendance at the meetings, but No. 1 is that the Ex-Im Bank has to stay dead. Those 165,000 people working in America, get rid of them. It is a government program, get rid of it—even though, as we speak right now, 40 other countries have working ex-im bank programs that are taking business away from American exporters. My Republican friends are unwilling to stand up to the oil barons who bring their filthy tar sands from Canada.

Republicans have offered no legislation nor have they offered a single idea that would protect our world from climate change. The closest they came was to try to be funny here on the floor when it snowed and they brought a snowball into the Chamber, saying: It couldn't be climate change; we have some snow today. Well, we did get some snow, but that doesn't mean we don't have climate change.

It is shameful to turn our back on the biggest dilemma the Earth faces. We must come together to arrest climate change.

I am very happy that my friend the junior Senator from Rhode Island is here because he is focused on all kinds of issues relating to climate, and he has been the driving force in recognizing that one of the places climate change is devastating our world is our oceans. We can't see that very well because the oceans are so massive, but in places our oceans are already dead—not dying but dead.

So it is shameful, I repeat, to turn our backs on the biggest dilemma the Earth faces probably in the history of our world. We must come together to address climate change.

There are solutions that involve, among other things, clean energy. Just a few weeks ago, a solar company announced it would build a 100-megawatt solar farm and sell the power to Nevada's utility. The electricity generated by that solar farm was described by the press as ''not only the cheapest solar—it may be the least expensive electricity in the entire country.'' That is what solar does now. Think about that. The cheapest power being built in America today is solar and it is inexhaustible. It doesn't have to be in the desert, where the Sun shines all the time; it can be used where the Sun doesn't shine all the time, and used well.

Solutions to address climate change are here. They are right here. Nevada has seen $5 billion in development with solar and geothermal and a little bit of wind. Solutions to address climate change are here, and they are affordable and become more so every day. They have created thousands of jobs. And I misspoke earlier. It is $6 billion in Nevada—not $5 billion—that has now been invested in clean energy.

Republicans should stop denying climate change. If they want to keep complaining about the solutions, they should offer their own solutions. But there can't be a solution if they do not see a problem, so I am not going to hold my breath that Republicans are going to change their ways.

This is the No. 1 issue facing our world. The Defense Department is concerned about the resources they are going to get for manpower. If you ask the people who run the government's military, the Chiefs of Staff, they will tell you they are concerned about what this means for the security of this Nation.

We cannot ignore this issue any longer. It is affecting the security of this Nation for lots of other reasons—namely, what it does to other countries that puts pressure on us.

I appreciate very much my colleagues joining in this discussion we are going to have today because it is a discussion we have to have because the world is in trouble because of the climate change.

The PRESIDING OFFICER (Mr. CASSIDY). The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, let me take a moment to commend the leadership of our minority leader on this issue. He has made it a priority in the caucus. He has seen its effects at home in Nevada, and he is an outstanding voice in this area. I am very grateful to him.

I also thank and recognize my chairman on the Environment and Public Works Committee, BARBARA BOXER, and no one is more forceful than she on the need that we have to address climate change and the carbon pollution we are emitting that is causing this.

Mr. President, we are here just after the 6-month anniversary of an interesting statement that was made by the Republican chairman of the energy committee, the Senator from Alaska. Six months ago—January 22, to be exact—she said: What I am hoping that we can do now is get beyond the discussion as to whether climate change is real and talk about what do we do.

That was January 22 on the Senate floor, 6 months ago. What have we seen from the majority party in the 6 months since their energy chairman said that we need to get to this question, we need to concede climate change is real, and that we need to address what to do? We have seen exactly nothing—that is to say nothing but complaints: Oh, the President's Clean Power Plan is no good. Oh, we should have massive resistance to the President's Clean Power Plan. Oh, we should defund the EPA.

These are the thoughts the Republican majority brings as we face this question.

So it is worth looking at some of the folks who are very clear that climate change is a real problem. Here is one—NASA, our scientists from NASA. They couldn't be clearer about the importance of climate change and about the role of carbon pollution. How smart are NASA scientists? They are driving a rover around on the surface of Mars, folks. They just shot a spacecraft by Pluto close enough to take pictures of it and send back data.

What does the Republican majority have to say about NASA's position on climate change? That they are in on a hoax. They basically accuse NASA scientists of being dishonest, even though they are the ones who put our country on the surface of Mars and who put an American vehicle close enough to Pluto to take pictures of it.

Look at Walmart. Just a moment ago, the junior Senator from Arkansas was presiding. Walmart joined with a dozen other companies yesterday at the White House to say climate change is real. These aren't leftwing companies. This was Walmart. This was Alcoa. This was GM. This was Coke. This was Pepsi. This was UPS.

We have to start taking this seriously. But is there anything out of the State of Arkansas—Walmart's home State—on climate? Nope. Not a single thing.

There was recently an article in Forbes magazine titled ''Climate Change Will Cause Increased Flooding in Coastal Cities.'' The picture is a satellite picture of the State of Florida. The little caption under the picture says: ''Flooding from climate change is threatening much of the coastline, including major cities in Florida.'' Yet we have two Presidential candidates from Florida on the Republican side, and what do they have to say about climate change? Nothing—nothing other than ''I don't know, I am not a scientist'' and all the usual dodges.

Pope Francis wrote an encyclical—an extraordinarily important article in the Catholic faith—about the reality and the effect of climate change. What do our Catholic Republican Senators have to say about that? Nothing. We are not going to listen to him; he is not a scientist. Well, actually, technically he is. He is a trained chemist. But that is the line—not a scientist.

What could possibly explain these strange anomalies? The biggest corporation in Arkansas knows climate change is a problem, and there is nothing from the Senators from Arkansas. The coastline of Florida is under immediate threat, according to Forbes magazine, the capitalist tool, and the Presidential candidates from Florida can't say a single thing about it. The Pope is calling on us——

The PRESIDING OFFICER. The Senator's time has expired.

Mr. WHITEHOUSE. I ask unanimous consent for a closing minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WHITEHOUSE. The last thing I will mention is that there is a common thread that links all of this, and it is money. The Koch brothers are putting hundreds of millions of dollars into this election. One of their organizations—one—said that it was going to spend $889 million in this election and that anybody who crossed them on climate change would be at ''a severe disadvantage.'' Nice little campaign you got here; I would hate to put it at a severe disadvantage with my $900 million. So what we have is secret money and we have threats related to it that are obliterating what had been a good Republican response on climate change and on other environmental issues.

We need to move on.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. SCHATZ. Mr. President, I want to talk a little about the particulars of the Clean Power Plan and address some of the questions that have been raised by some of the opponents.

I think the first premise has to be that carbon is an airborne pollutant; that the Clean Air Act doesn't just give the EPA the authority to regulate airborne pollutants, it actually requires that all airborne pollutants that can cause a public health risk get regulated. That is the basis of the Supreme Court decision. This doesn't give the EPA the discretion—this doesn't give the Obama administration the discretion to regulate carbon pollution, it requires that they do so. So the only question is not a legal one. The legal one has been settled. The EPA is required to regulate pollution under the Clean Air Act. The only question remaining is, Is carbon a pollutant? I don't think there is anybody credible in this Chamber who thinks carbon is not a pollutant.

Look, I think we are actually making progress. Over the last 6 to 12 months, we have seen a sea change among Republican Members of Congress who are increasingly concerned, I think, about being on the wrong side of history, about being on the wrong side of science, about being on the wrong side of a whole generation of young voters—Republican, Democratic, and Independent—who understands this is one of the great challenges of our generation. So we are seeing some movement. We are seeing some openness to at least concede that this problem, in fact, exists.

We have this incredible law in the Clean Air Act. We don't need to pass a new law. Of course, Senator WHITEHOUSE and I have been working very hard with Senator BOXER and others on a carbon fee, but we also have the tools at our disposal to regulate carbon pollution. Like methane and other airborne pollutants, it is causing environmental and health damage.

The Clean Power Plan is very simple. It is treating this as though it is the pollutant that it is. Originally, I think there were some legitimate concerns about how this thing was going to get administered. I will give a ''for example.''

If you are in a very small rural State and you are going to regulate not a State's total carbon emissions but an individual powerplant's carbon emissions, that is a very tough sell. There are instances where, because of legacy infrastructure, because of distance—for instance, in Hawaii we have remote and relatively small islands. So it is very difficult to ask the island of Lanai, which is running on diesel-fired generators, or the island of Molokai, to, at an individual powerplant level, reduce carbon emissions. That is tough. They can make improvements in efficiency, but they may not be able to meet the standard. So the idea is to allow all of it to aggregate.

What Hawaii did, we have a Hawaii Clean Energy Initiative, recognizing that there are going to be some places that will have incredible challenges economically and in terms of the financing of the projects, incredible challenges complying at the micro level, at the site level, at the power generation level, but if we provide flexibility to States—and I know in California with the Cap-and-Trade Program and the Northeast with the RGGI Program, there is a flexibility regionally or within States of energy systems to say that as long as you, in the aggregate, are making sufficient progress, we are going to allow you to figure out how to make that progress on your own. So we anticipate these rules will provide sufficient flexibility to allow economies to thrive.

I will make one final point on this before hearing from the great Senator from California; that is, all of the hue and cry, all of the panic, all of the heartburn about what is going to happen to our economy doesn't have to be an abstract question anymore. We have States currently exceeding the anticipated thresholds in the clean powerplants. So we don't have to imagine what is going to happen to various economies if we comply because we have States such as California, we have the Hawaii Clean Energy Initiative.

Two years ago, I was on the floor talking about the Hawaii Clean Energy Initiative with a 40-percent renewable portfolio standard, and the legislature in the last 3 or 4 months just passed the first 100 percent clean energy statute in the United States. Our unemployment rate is 4 percent, and we have exceeded our previous goals. California, with its Cap-and-Trade Program, and all the hue and cry and panic about what would happen to our economy—California is booming. Hawaii is doing well. People still have their economic challenges, but it is not because of our desire to drive an innovation economy and to try to solve this great challenge of our time.

We can create clean energy jobs. We can innovate into the future. America has an incredible opportunity to lead in this space. I am so pleased to be part of that innovation and part of that leadership. We are putting our marker down as a country. We understand this is going to take a global effort, but now America has the credibility to lead on climate.

Mr. President, I yield the floor to the great Senator from California.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, before the Senator from Hawaii leaves the floor, I just want to say what a breath of fresh air he is. That is something we say to compliment somebody, but in this case he is fighting for clean air. He is fighting for his kids and his grandkids. It has been an honor to work with him.

The world understands this, Americans understand this; that we are facing a serious threat to our Nation—dangerous climate change. We absolutely need to act now. The evidence is all around us.

I will highlight, in the brief time I have, some of the facts. These cannot be refuted.

The evidence of climate change is around us. NASA and NOAA found that 2014 was the hottest year around the globe since recordkeeping began 134 years ago. How my colleagues could come to the floor and dispute this—if we were to ask people do you respect NASA, I would say everyone from our kids to our grandmas would say, absolutely, they are scientists.

The American Meteorological Association, the society, reported that numerous key climate change indicators were at or near record levels. They found 2014 was the hottest year since recordkeeping began in 1880—2014 was the hottest year since 1880—and sea surface temperatures and sea levels were at record highs.

This is the problem: When we have these kinds of record temperatures, they come with a cost—a cost to wildlife, a cost to human life.

I don't have time to go into what we are beginning to see, but about 8 years

ago when I did take the gavel of the Environment and Public Works Committee, we held a hearing. Everything that was predicted by the scientists is coming true—everything.

Here is the good news. Here is the great news. My State of California is a true leader in this area. With the leadership of our State legislature, our Governor, Jerry Brown, and leading activists in our States, such as Tom Steyer and many others, we are seeing California stand up and address this issue. And what has happened? What has happened? All the gloom and doom: Oh, my God. If we try to move away from dirty energy, it is going to be terrible for everybody.

Let me tell you the good news. According to the Bureau of Labor Statistics, in 2011 California had over 360,000 green jobs, the most of any State, and in 2014 there were more than 2,094 solar companies at work throughout the value chain in California, employing 54,700 people. Let me say there are some days in California where we get half of our energy from the Sun—half of our energy from the Sun.

Here is the other thing we have to know: California households pay the ninth lowest electricity bills in the country. So all the doom and gloom, we are going to have to pay more and all the rest, is so much talk.

A long time ago, when I became aware of climate change, I looked at it and thought: Oh, my gosh. What are we going to do? But the longer I looked at it and the longer I studied it, the faster I recognized that if we address climate change in the right way, it will be a boon to our economy and it will be a boon to our health because we know for sure that asthma and respiratory ailments and cardiovascular disease are threats to our families, and they will go down—the risks will go down because when we clean up the carbon pollution, we clean up all the other pollutants that go along with it.

Just this week one of our great leaders whom I mentioned, who was the leader of NextGen, the president and founder Tom Steyer, said the following: Our country needs bold leaders who will lay out a plan to achieve more than 50 percent clean energy by 2030, putting us on a pathway to a completely clean energy economy by 2050 and millions of new jobs.

Mr. President, I ask unanimous consent that the fact sheet from NextGen Climate be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

FACT SHEET: POWERING AMERICA WITH MORE THAN 50 PERCENT CLEAN ENERGY BY 2030

NextGen Climate is calling on candidates and elected officials to tackle climate change—the defining issue of our time—by producing a plan to power America with more than 50 percent clean and carbon-free energy by 2030, putting us on a pathway to 100% clean energy by 2050. The transition to clean electricity is urgently needed, technologically achievable, economically beneficial, and politically popular.

CLIMATE CHANGE PUTS AMERICA'S ECONOMY AND SECURITY AT RISK

Left unchecked, climate change will have devastating effects on America's economy and security.

The International Panel for Climate Change (IPCC) conservatively estimates that, without action, 1–5% percent of global mean Gross Domestic Product is at risk due to climate change, and in some localized places the risks even higher.

Intensifying seasonal weather patterns, extreme weather events, rising sea levels, and increased illness and disease will cost the U.S. economy billions of dollars a year in property damage, increased costs, and lost productivity.

We are already feeling the effects of climate change at home. From 2010 to 2014 the United States experienced nearly 50 climate-related disasters with costs in excess of $1 billion each, and in 2013 alone the United States experienced $125 billion in expenses from climate-related events.

Climate change poses a grave national security risk as well. Just last year, 16 retired three- and four-star generals and admirals issued a report, National Security and the Accelerating Risks of Climate Change, identifying climate change as a ''catalyst for conflict.'' Additionally, the Pentagon's 2014 Quadrennial Defense Review laid out that climate change poses a serious threat and will aggravate stressors abroad.

TRANSITIONING TO A CLEAN ENERGY ECONOMY WILL PREVENT CLIMATE DISASTER

It is not too late to avoid the worst consequences of climate change—though time is running out. The longer the United States, and the global community, delay the transition to a clean energy economy the larger the economic impacts will be. In order to help prevent climate disaster, the United States must reduce carbon emissions by 83 percent economy-wide by 2050.

A plan to power America with more than 50 percent clean and carbon-free energy by 2030 will put us on the path to a 100 percent clean-energy economy by 2050, accomplishing the necessary carbon emissions reduction from the electricity sector.

MORE THAN 50 PERCENT CLEAN ENERGY BY 2030 IS A TECHNOLOGICALLY ACHIEVABLE GOAL

The transition to a clean energy economy is already underway. Clean energy technologies like wind and solar are increasingly competitive with outdated fossil fuels on cost, and are growing rapidly across America and around the world:

Installed solar capacity in the United States increased 34 percent between 2013 and 2014.

The U.S. has installed over 20,000 megawatts of solar enough to power more than 4 million average American homes—and that is expected to double in just the next two years.

Utility scale solar has reached cost parity with coal and gas in many regions and is projected to be cheaper than fossil fuels throughout most of the U.S. by 2017.

Combined with significant technological cost breakthroughs of clean energy technologies and the Obama Administration's historic steps to stop the unlimited dumping of carbon pollution into our air and water with the Clean Power Plan, the U.S. electricity sector is beginning to transform to one that is cleaner, cheaper, and more reliable.

The Energy Information Administration projects that the electricity mix in 2030 will be approximately 25% coal, 31% natural gas, 1% oil, 18% nuclear, 7% hydropower, 12% wind, 3+% solar, and 3% other renewable sources. This means that with no additional policies other than expected implementation of the Clean Power Plan, nearly 43% of the electricity produced is projected to be clean or carbon-free in 2030.

Though the transformation to a clean energy economy is already underway, and accomplishing more than 50 percent clean energy by 2030 is technologically possible, policymakers must do their part to push us over the top. The deck is currently stacked against clean energy, as subsidies and other preferential treatment prop up outdated fossil fuels, stifling American innovation and slowing the growth of modern renewable energy sources.

Our country needs bold leadership that accelerates the transition away from fossil fuels that cause climate change and towards America's clean energy future and the economic benefits it will bring. By fully implementing the Clean Power Plan and pursuing other policy solutions that will allow energy sources like solar and wind to compete against fossil fuels on a level playing field, our leaders can ensure we transition to clean energy in time to prevent climate disaster.

ACHIEVING MORE THAN 50 PERCENT CLEAN ENERGY BY 2030 WILL SPUR ECONOMIC GROWTH AND CREATE JOBS

Today, clean energy jobs are significantly outpacing fossil fuels jobs. In 2014, the number of people working in solar power surpassed the number of people employed as coal miners. As the technology landscape continues to change, clean energy has the opportunity to be a significant driver of employment in every city, state, and region. These jobs include installing and operating clean energy, performing energy retrofits, designing and researching new technologies, and operating the clean energy businesses of tomorrow.

Solar jobs are growing 20 times faster than the broader economy.

Solar energy creates eight times more jobs in construction, installation, operations, and maintenance, than coal and natural gas do across full project lifetimes.

There are more than 500 wind manufacturing facilities across the U.S. and there are currently more than 70,000 people employed in wind-related jobs.

In this global race for clean energy, the nation that leads on clean energy technology development will have a significant advantage in creating the millions of clean energy jobs that are up for grabs in this new energy revolution.

The United States is on the road to a clean energy economy. Technology and economics no longer limit our ability to realize this new energy system. With bold political leadership, we can accelerate America's transition to a clean energy economy, win this global clean energy race, strengthen our economy, and help mitigate potentially trillions of dollars of damages from climate change.

Mrs. BOXER. After stating their key findings, I will complete my presentation.

How many more minutes do I have?

The PRESIDING OFFICER. The Senator has consumed 5½ minutes.

Mrs. BOXER. I ask unanimous consent for 1 more minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. BOXER. Here is what NextGen found: Achieving more than 50 percent clean energy by 2030 will spur economic growth and create jobs.

I agree.

Second, most Americans support a goal of more than 50 percent clean energy by 2050.

I think the polls bear that out.

Third, climate change puts America's economy and security at risk.

I absolutely agree with that. We have been told that by the defense establishment.

Next, transitioning to a clean energy economy will prevent climate disaster.

That is true.

Lastly, they say 50 percent clean energy by 2030 is feasible.

Although I haven't studied this myself, I can say the Energy Information Administration estimates that this can happen if we take the kind of steps President Obama is recommending and a lot of us in the Senate support, putting a price on carbon that will save us from devastating climate change. It will provide jobs and will make us a healthier nation.

As I said, I rise today to talk about one of the most serious threats facing our Nation—dangerous climate change. We need to act now, but the Republican majority in Congress has no plan to address the threat posed to the American people.

The evidence of climate change is all around us. NASA and NOAA found that 2014 was the hottest year around the globe since recordkeeping began 134 years ago.

Earlier this month, the American Meteorological Society reported that numerous key climate change indicators were at or near record levels last year. 2014 was the hottest year since recordkeeping began in 1880; and sea surface temperatures and sea levels were at record high levels.

And it is continuing—NOAA reported that January through June 2015 has been the hottest first half of any year on record.

We must act now to address climate change by reducing dangerous carbon pollution from the biggest source—power plants.

The President's Clean Power Plan will help America lead the way to avert the worst impacts of climate change—such as sea level rise, dangerous heat waves, and economic disruption.

By reducing carbon pollution, we can also cut many types of air pollutants that threaten human health.

I often say, if people can't breathe, they can't go to work or school. According to EPA, the powerplant proposal will avoid up to 150,000 asthma attacks in children, 3,300 heart attacks, 6,600 premature deaths, and 490,000 missed days at school and work in 2030.

The Obama administration clearly gets it, and so do the American people. A Stanford University poll from earlier this year found that 83 percent of Americans, including 61 percent of Republicans, say if nothing is done to reduce carbon pollution, climate change will be a problem in the future. And 74 percent of Americans say the Federal Government should take action to combat climate change.

Our businesses also get it. On Monday, 13 of the largest American businesses gathered at the White House to launch the American Business Act on Climate Pledge. These companies, including California-based Google and Apple, pledged to take steps to address climate change.

But climate deniers in Congress still don't get it—they have made repeated attempts to block the Clean Power Plan and other commonsense steps.

Last year, the EPW Committee heard from four former EPA administrators who served under Republican Presidents, from Richard Nixon to George W. Bush, and they all agreed that climate change requires action now. This should not be a partisan issue.

President Obama has a plan, the American people want us to act, so I ask my Republican colleagues, what is your plan?

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. MARKEY. Mr. President, we are at a crossroads. We have a catastrophe that is looming for our planet. We have the world looking at the United States wondering if we are going to lead. We have the Pope coming to the United States and speaking out on this issue. We have the world gathering in Paris this November, this December, discussing this issue because it is now the focal point of the world; that is, the danger of ever-escalating, dangerous climate change, the warming of our planet, and the catastrophic consequences of the warming of our planet.

The tides are rising. Snows are melting. In other places, the snows are greater than they have ever been before. Climate change—dangerous climate change—that is what is happening.

What is the response from the Republican side of the aisle? We hear nothing. We hear denial. We hear essentially an argument that it is not our responsibility to deal with it, but the Pope is asking us to be the leader. The world is asking us to be the leader. The young people in our country, the green generation, are asking us to be the leader.

The United States is a technological giant. We have the capacity to invent the technologies that are going to radically reduce greenhouse gases, not only in our own country but around the world: new renewable energy technologies, new battery technologies, and new ways of generating electricity in the 21st century. We do not have to be tied to 19th century technologies—oil and coal. It is the 21st century.

In our country, in 2015 and 2016, we are going to generate 40,000 new megawatts of wind and solar. We ask, Well, what does that translate into? What are 40,000 megawatts? If we think of all the nuclear powerplants that have been constructed in our country over the last 70 years, we now have 100,000 megawatts of electricity coming from nuclear power. In these 2 years, 2015 to 2016, we are going to add 40,000 in wind and solar. The experts did not think this was possible 10 years ago. The experts would have said: Oh, wind and solar, that is nice, but it can't replace the coal that has always been relied upon to provide our electricity going back to the 19th century. Impossible, they said. No. This new generation is rising up. And what is doing it? Well, we have put tax breaks on the books now for wind and solar. We are giving them the same breaks we always gave oil, we always gave coal. But what do we hear from the Republican Party? Should we eliminate the coal and oil tax breaks? Oh, no. You can't touch those. But when we say, well, let's renew the tax breaks for wind and solar, they say it is time for us to now allow these new industries to go it alone. That has been the problem all along; there isn't a level playing field. What we have done over the last 7 years is create a level playing field, so the new energy technologies can compete against these old tax breaks for coal and oil that have been on the books for generations. We can do it. We can solve this problem, but we can't create an unlevel playing field.

The same thing is true with automotive technologies. All of that CO_2 coming out of automobiles, coming out of trucks, people said we just have to live with it. The average for vehicles that ordinary families drove in our country just 6 years ago was 25 miles a gallon, essentially the same as 1975. The green generation, the young people in our country, say let's do better, let's invent new technologies. Let's have electric cars. Let's have plug-in hybrids. Let's have a generation of hybrids. No, says the industry. It is too difficult. We can't figure it out. It will cripple our industry.

We pass new laws here on the Senate floor and on the House floor. What has happened? We have a revolution in automotive technology. We now have people driving around in computers on wheels. The dashboard looks like it is a spaceship. The cars are infinitely more efficient, and we are heading toward 54.5 miles per gallon. What did the experts say 10 years ago? Impossible. We cannot do it. These are the same people who said to President Kennedy that we cannot put a man on the moon in 8 years. President Kennedy said: ''We choose to go to the moon . . . and do other things, not because they are

easy, but because they are hard.'' We are the United States of America. We will invent the new propulsion systems. We will invent the new methods. We will invent all of the things we need so that America dominates the Soviet Union and not the opposite.

The whole world is looking at this generation, this Senate. We have a plan. President Obama has a plan to control emissions coming out of the powerplants of our country. Our plan is one that moves toward renewable energy and away from these smokestacks of CO2 going up into the atmosphere and creating a blanket that holds in the heat and continues to dangerously warm the planet. That is what the greenhouse effect is. It holds in the heat, all of this pollution.

When we move toward solar, when we move toward wind, when we move toward geothermal, when we move toward all the new technologies, the CO2 is cut radically and the planet is able to breathe, and breathe in a way that says to generations to come that we will have left this planet better than it was before.

That is what the Pope is going to come and talk to us about—dangerous climate change. That is what the Pope is going to come and ask the United States—to be the leader and not the lagger, to not allow the deniers of climate change to dominate our debate in the United States of America, to not allow the technologies of the 19th century dictate to the 21st century.

Just 18 years ago, a small percentage of all Americans had a wireless device in their pocket. Do you want to know why? The experts said it was impossible; you can't do it. Today everyone is walking around with one of these in their pocket, including 700 million people in Africa. We can do it.

In Kenya and in Ethiopia, they are moving toward geothermal, solar, and wind. They are skipping the landline delivery of telecommunication service in favor of wireless, and they are also skipping the landline system of generational electricity and moving to renewables. They are not relying on coal. They are moving on to the new. You can't eliminate it totally. You need some coal. You need some oil. But we can continue to reduce it year after year.

What is the plan we hear from the Republican Party? How do we reduce the amount of greenhouse gases we are going to be sending into the atmosphere? What is their plan? They say they don't like President Obama's plan. Where is their plan? What are they going to do? What are they going to tell the green generation—all these pages on the floor representing tens of millions across our country? They are asking the question: Where is the plan? How do we do this? How do we solve the problem? How do we invent the new technologies, as we did with wireless technology, and spread it across the planet? How do we do it for climate change as well? That is going to be the essential debate.

Shruggy says: I am not happy; I am sad.

Where is the Republican emoji? Where is the one who says: We can do it; we are America.

We are not going to allow the rest of the world to have a problem from which the United States is going to exempt itself because it is the only country that is denying climate change. The Senate has a great responsibility. We have an opportunity to be the global leader. We can save all of creation while engaging in massive job creation here in America. We now have 100,000 clean energy jobs in Massachusetts. It is a big job creator. It is an employer of Americans all across our country.

We have a chance to do something special. We can begin this transition in a much more serious way—away from coal, away from oil, and toward this renewable solar era of the 21st century.

Mr. President, I yield back the remainder of my time.

Mr. CARDIN. Mr. President, manmade climate change has evolved from a critical threat to an unavoidable reality. The reality of climate change has already shown its grim effects on our environment and our health.

Today, I would like to speak about the impacts of climate change on this country's economic engine: our businesses. As temperatures and sea levels rise and as weather patterns become more severe, the costs of doing business go up. Droughts and heat waves drive up energy costs and have put incredible pressure on global food production. On a warming planet, floods and other natural disasters damage infrastructure and private property, driving up insurance premiums and increasing the cost of doing business.

All of this creates uncertainty for investors, who increasingly want to know how climate change will affect the companies in which they invest. American companies are beginning to notice. General Mills' Chief Sustainability Officer Jerry Lynch said, ''The best available science tells us all the changes we are making to the planet as a human species are what's causing this.'' Last year, General Mills announced its commitment to increasing sustainability and reducing greenhouse gas emissions in its supply chains.

Even oil companies realize what is happening: ExxonMobil's William Colton, Vice President of Corporate Strategic Planning, said, ''The risk of climate change is clear and the risk warrants action.'' ExxonMobil officials subsequently announced the company would put $600 million into algae farms that would turn sunlight into automotive fuel. Its new focus shows that corporations across all economic sectors are realizing something vital: the negative effects of climate change hurt their bottom line.

This week, some of America's largest companies such as Apple, Coca-Cola, General Motors, Goldman Sachs, Google, PepsiCo, and Walmart are standing with the Obama Administration to launch the ''American Business Act on Climate Pledge''. By signing this pledge, companies demonstrate an ongoing commitment to having a climate action plan. The ongoing shift in official corporate climate policies from a burgeoning number of other large and small businesses demonstrates that taking action on climate makes strong economic sense. If these bastions of capitalism can develop and commit to climate action plans, why has not the Republican Party devised its own action plan? Denial simply will not cut it.

The involvement of American businesses in climate policy is a welcome development but they must move even further by disclosing the risks they face from climate change to investors. These risks, which are passed on to shareholders, hit nearly every industry imaginable, from obvious choices like the oil and gas sector, to healthcare and financial services and transportation and hospitality. Disclosing climate risk through the Securities & Exchange Commission's, SEC, corporate reporting measures enhances transparency and allows investors to make smarter decisions, ultimately protecting and increasing shareholder value.

As we continue to deplete our scarce natural resources and send their harmful byproducts back into our air, water and land, the cumulative impacts are changing the world. The rate of this change is accelerating; the status quo is untenable. By providing honest climate risk disclosure and establishing climate action policies to mitigate and reduce that risk, American companies are acting in everyone's best financial interests.

Profit-driven corporate superpowers like Apple, Coca-Cola, and Walmart are taking concrete steps to reduce the impact of climate change. The message they are sending is clear: adapt, or fall behind. Other companies now have the opportunity to join in what American businesses do best: innovating and leading the rest of the world by their example. It is increasingly obvious that taking action to combat climate change is economically prudent. But more important, it is also the morally correct thing to do. I encourage more in the business community to take a stand on the right side of human history.

The PRESIDING OFFICER. The majority whip.

Mr. CORNYN. Mr. President, we are continuing to make substantial progress on passing a multiyear highway bill. Thanks to the developments

of the recent day—I guess it was yesterday—we learned that the House is open to a conference committee to reconcile an authorization bill that they will likely take up soon and then to have a conference committee to reconcile those differences. Previously we had been told that the House would not take up the Senate bill and was insisting on a short-term patch to the December timeframe. I can tell you that I, for one, was reluctant do that because without a clear path forward after December, we would be looking at perhaps not just the 34th patch but the 35th patch and on and on.

What this country needs is a long-term transportation bill, and that is what the Senate will likely pass tomorrow—our own 3-year bill—and then work with our colleagues in the House, as we usually do when the two bodies don't necessarily agree on everything, to work those out.

I am thankful that the Members of this Chamber recognize how important this legislation is. I have to tell you, coming from Texas—a big, fast-growing State that needs this investment in our infrastructure—this is important for my constituents.

The highway legislation we are putting forward is actually a 6-year authorization, and that is something to be celebrated. As I mentioned, this avoids the sorts of temporary patches we have had in the past.

Although Chairman HATCH of the Senate Finance Committee came up with enough money—enough pay-fors in the jargon we use around here—to pay for this for 5 years, there was an attempt to work on a bipartisan consensus. Since all of those pay-fors were not acceptable to this consensus, we got enough pay-fors to pay for the first 3 years of this 6-year bill. But that doesn't mean the work will end on trying to find a way to, in a fiscally responsible way, pay for the back end of this 6-year bill.

There is a popular bumper sticker found on cars and trucks in Texas. I know people sometimes get a little tired of Texans who are so proud of their State, as I am. But one of those bumper stickers said: ''I wasn't born in Texas but I got here as fast as I could.'' Indeed, people have been voting with their feet, coming from parts of the country where, frankly, the policies—whether it is tax or regulatory policies—or just the lack of jobs have caused people to look elsewhere for jobs, for an opportunity to provide for their families and to pursue the American dream.

I have mentioned time and time again on this floor that our economy in Texas grew at a rate of 5.2 percent last year. Compare that to the national growth rate, which was 2.2 percent. So something is going on here, and I would argue that what is going on is that the policies that have been emanating from Washington, DC, have actually been a restraint or a wet blanket on job growth and economic growth. We ought to look to some of the States that have been successful laboratories of democracy for the kinds of policies that actually pay off. I am not just talking about for businesses; I am talking about for workers and families, particularly when it comes to wages and good jobs.

My State is a growing, diverse State. I know sometimes people are surprised. They know we have a large Hispanic population. Roughly 38 percent of Texas is Hispanic. But Vietnamese is the third most commonly spoken language in Texas. We have about a quarter of a million Vietnamese Americans. We are a very diverse State. Some estimates project our State to exceed 50 million people by the year 2050, potentially doubling our current population.

There is no time to lose when it comes to maintaining and expanding our transportation networks to meet the rising demands from more people and more vehicles on our roads. That is why this multiyear bill is so important.

For example, this legislation would help our State focus on improving roadways that impact the daily lives of Texans. That includes many of our interstates, such as Interstate 35. I don't know how many people in this Chamber have ever tried to drive down Interstate Highway 35 through Austin, but it is almost like a parking lot. It runs the length of our State, starting in Laredo, TX, which is the largest inland port in America, where we have a lot of trucks and a lot of commercial traffic coming across. It starts in Laredo, but it goes through multiple population centers, such as San Antonio—my hometown—Austin, and then Dallas and Fort Worth, which are some of the fastest growing cities in America, before going on to Oklahoma. The interstate is more than 400 miles long in Texas alone, and because of our growth, it is incredibly congested. In fact, 18 segments of the interstate rank in the top 100 most congested roadways across the State. That growth isn't projected to let up anytime soon. As a matter of fact, it is going to continue at high levels.

Employment levels in Central Texas alone—some of the fastest growing parts of the State—are projected to double or quadruple in the next 30 years.

We are not afraid of getting bigger. We are proud of our size, our growth, and the opportunity that provides to the people of Texas. But passing a long-term, well-funded highway bill becomes even more important when you come from a State such as mine with the sorts of transportation challenges we have now and will continue to have in the future.

Building a stronger transportation network for a stronger economy means strengthening not only Interstate Highway 35, which I mentioned a minute ago, but also the vast existing networks of other interstates and upgrading routes to higher standards. This is ultimately about public safety. We need to have transportation infrastructure, highways, and interstates that allow people to travel at relatively high speeds in a safe way. That is why this is important as well.

Because we understand the relationship between quality infrastructure and economic success, I introduced an amendment to the highway bill that would help our State connect more efficiently. I appreciate the bill managers for letting us take a close look at this and the potential benefit for my State and the transportation network as a whole.

This amendment will provide for much needed improvements to high priority corridors in Texas, such as Interstate Highway 69. Congress first designated future segments of I–69 in Texas nearly 25 years ago, after leaders from the gulf coast region and East Texas said the State needed a new route to increase connectivity between land and sea ports and our existing interstate system. Fortunately, this is also a route that improves emergency evacuation capabilities—something I know the Presiding Officer can appreciate coming from Louisiana—and one that delivers an interstate to the Rio Grande Valley, which is the largest population center in the country previously unserved by the Interstate Highway System.

Through years of outreach and public engagement—from Brownsville to Texarkana—we have identified upgrades and improvements to existing State corridors that could deliver a future I–69 throughout the State. We have made great progress since 2010. More than $1.3 billion has been expended toward corridor improvements throughout Texas, and since 2011, more than 200 miles of I–69 have been added to the Interstate Highway System, including the first segment in South Texas.

This is still a work in progress, and it costs money. Upgrades are needed for more than 1,000 miles of designated roadways to complete it. I am reminded of what the chairman of the Environment and Public Works Committee, Senator INHOFE, has said to me privately, which I know he has also said publicly as well, about the importance of infrastructure and the Federal Government's role. Now, I happen to be one who believes that the Federal Government needs to do a much better job when it comes to prioritizing Federal spending and spending within our means, which the Federal Government has not been doing. But when we talk about priorities and things that only the Federal Government can do that the States and local government cannot do, as Chairman INHOFE likes to

say, there are two things that the Federal Government should do, and that is national defense and infrastructure. He said pretty much everything else is a lower priority item. I think that makes a lot of sense.

When it comes to spending money, that is something that my constituents in Texas are leery of when it comes to the Federal Government. They realize that spending money on our infrastructure and the highway system just makes common sense. So with a multiyear highway bill such as the one before us, we can complete our interstate, I–69, and that will move us one step closer to reality. As I mentioned a moment ago, these and other modernization efforts also make our roads safer and help with more efficient freight movement, which means our businesses can deliver goods to customers across the State and throughout the country in a more expeditious fashion.

I must also point out that this bipartisan bill is fiscally responsible and the pay-fors are not phony pay-fors, which sometimes occurs here in the Congress. It doesn't increase taxes or add to the deficit. So from my perspective, it is a win-win.

I encourage all of our colleagues to continue reviewing it and to keep in mind the essential role infrastructure plays in our country and in our economy. Our economy, of course, is what produces jobs, and it allows people to find good work and provide for their families and pursue their dreams.

So far 2015 has been marked by real steps forward in this Chamber, including essential legislation, such as the Defense authorization bill and a bill that will combat human trafficking. This highway bill continues in the spirit of accomplishment. Perhaps it is not a grand-slam home run, but I would call them singles and doubles that we have been able to eke out so far this year. This bill will represent another solid accomplishment for the 114th Congress that we can be proud of on a bipartisan basis.

I encourage all of our colleagues to continue the momentum and to get this bill passed soon, hopefully no later than tomorrow.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CARPER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. ERNST). Without objection, it is so ordered.

Mr. CARPER. Madam President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

STRENGTHENING OUR ECONOMIC RECOVERY

Mr. CARPER. Madam President, colleagues, I want to hearken back to last November's election. I thought for some time—and the Presiding Officer has heard me say this once or twice—that for this Senator there are three takeaways from that election. No. 1, the American people want us to work together in the Senate here in Washington; the American people want us to get things done; and most especially, the American people want us to get things done that actually strengthen our economic recovery.

My own view is that one of the things we can do to strengthen our economic recovery is to increase exports. We work very hard in this Chamber, in the Senate and with the House and the President, to try to pave the way to create a large new trading block consisting of the United States and 11 other countries which, when put together, comprise about 40 percent of the world's customers. This is the trading block we call the Trans-Pacific Partnership. It is something that is sought by the President and is supported by myself, by Democrats, and by Republicans, and it is still being negotiated. But it is an important part in growing and strengthening our economic recovery.

One of the other related areas is how do we finance exports. One of the ways we have done that for years in this country is through the Export-Import Bank. We have reached a point where the authorization of the Export-Import Bank has expired. The legislation that has passed the Senate would renew that authorization, and my hope is that when we finally find our way through the transportation gauntlet, we will also reauthorize the Export-Import Bank to again make available financing for business—not for every business large and small, but for quite a few. Other nations with whom we compete help finance their exports, and for us not to do the same puts us at a competitive disadvantage.

Another thing we can do to strengthen our economic recovery is to better protect our international property—research and development—whether it is from cyber security attacks, data breaches, or whether it is through simply the way we combat patent trolling. Folks come up with ideas and they are delayed. They end up in court, and research and development is stymied in some cases as a result of all that.

We have worked in the Environment and Public Works Committee for years now on something called the Tax Exceptions Control Act which provides predictability and certainty for businesses, especially in the chemical industry, but also at the same time works to protect our health as human beings, especially among the most vulnerable—the young, the old—and at the same time it is good for the environment. That legislation may be coming before us as soon as next week.

Many of us have sought to provide some certainty for businesses on the tax side through international tax reform, which is an idea supported by the President, by the House Republican and Democratic leadership, and by the Finance Committee working group led by Senators PORTMAN and SCHUMER. It is not comprehensive tax reform, but it is a big piece of it that at least provides some certainty and predictability and would also provide, frankly, a couple hundred billion dollars over the next 10 years to be used for roads, highways, bridges, transit, rail, and so forth.

The last thing I will mention in terms of strengthening our economic recovery is transportation. There is an outfit called McKinsey which is a major consulting company. They have something called the McKinsey Global Institute. Not long ago they reported that if we were to make the kind of robust investment in infrastructure sought by the President and supported by House Republican and Democratic leadership, and supported by our bipartisan working group on the Finance Committee—if we were actually to do that, we would grow, according to McKinsey's employment estimates, by as much as 1.5 million jobs over the next several years. A lot of these jobs are for people who are either not working or are working part-time. They would like to build something or rebuild something, and they could work on highways, bridges, our transit systems, and so forth. The folks at the McKinsey Global Institute go even further to say that if we were to make this kind of robust investment in transportation at large, we would not only put a lot of people back to work, but we would grow our GDP by as much as 1.5 percent. That may not sound like a lot, but I think our GDP growth in the first quarter was zero. We struggled through a tough winter. It has bounced back nicely in the second quarter, but it is still only 2.5 percent. The idea of being able to add 1.5 percent to that would give us a 4-percent GDP growth, and that is as strong as we have seen in a while. It would translate into a lot more jobs for people other than just building highways, bridges, and roads in our country.

I have been asked, why would our GDP grow so much by making these investments in transportation? In one of several meetings I have had with industry groups, someone from a company said: We move a lot of our products overseas in order to sell our products. We don't export by air, but by ship. Most of the exports leaving this country go by way of ship. He went on to say: We send our products to ports and we have a narrow window of time. In his particular case it was a timeframe of 4 hours. The ships coming into this

particular port needed to pick up their goods and products within 4 hours. He said if they met that window, they were good. If they missed that window, they were not good. As it turns out, there are enormous delays in moving not just people in this country but in moving products and freight.

One of the great things about the Environment and Public Works Committee's 6-year transportation reauthorization legislation was a freight provision. I give a lot of credit to Senators BOXER and INHOFE for including—we were among the people who strongly recommended it—a strong freight provision in the Transportation bill in order to help grow GDP to help grow jobs.

As it turns out, part of the reason why it is difficult to get anything done around here on transportation is the issue of how we are going to pay for all these investments, although I have referenced some pretty good ideas. I mentioned one. One of the reasons it is difficult to pass legislation through is that multiple committees have jurisdiction over transportation. The Environment and Public Works Committee in which I serve is led by Senators INHOFE and BOXER. We have jurisdiction over roads, highways, and bridges. That is a big piece of our transportation system, but it is not all of it. The Banking Committee has jurisdiction over transit, which is significant. The Commerce Committee has jurisdiction over freight rail and interstate passenger rail and jurisdiction over safety in a lot of instances. They also have jurisdiction over a fair amount of what happens in the air for our country. Then the Finance Committee, which I am also privileged to serve on—which is called the Ways and Means Committee in the House—is heavily involved in how to pay for all the improvements we need to make—and how badly we need to make them.

As it turns out, there are some folks who actually study the amount of time that we are delayed either sitting in traffic or moving very slowly in this country. The folks at Texas A&M put out an annual report on congestion in our country. They found the average U.S. commuter wastes 38 hours every year because of traffic congestion. There is an industry group that has something called The Road Information Program. They estimate the average driver in the United States pays $377 each year in additional vehicle costs as a result of poor road conditions. The World Bank, in a related report, has found that when a road is allowed to deteriorate from good to poor, each dollar we fail to invest in road maintenance will increase vehicle operating costs by between $2 and $3. So among the many reasons we want to make these investments is No. 1, to grow employment for the many folks who are actually building and working on these projects—a lot of people. We want to grow our gross domestic product. We want to reduce the amount of time spent sitting in traffic or traveling very slowly in traffic. The 38 hours wasted in congestion are hours we lose in our lives every year. Lastly, we want to reduce the amount of money we spend on our own vehicles.

I know my own vehicle, my Chrysler Town and Country minivan, went over 400,000 miles this week as we were driving in from Delaware the day before last. We were coming across the Chesapeake Bay Bridge last week when it topped out at 400,000 miles. Along the way people have asked: How do you get a vehicle to go that many years and that far? I tell them that every other week we wash it. That is pretty much all I do. Well, I actually do a lot more than that. I have replaced a lot of tires. There are a lot of potholes, causing a lot of realignments, and it adds up. The average is almost $377 a year, but the money adds up for us as it does for other people as well.

I mentioned earlier that the Environment and Public Works Committee has jurisdiction over roads, highways, and bridges. The commerce committee has jurisdiction over ground transportation, including freight rail, passenger rail, and air; the banking committee has jurisdiction over transit; and the Finance Committee has jurisdiction over finance and how we actually finance these investments. That is one of the reasons it is difficult to put a package together with all the different pieces to find common ground and to come to an agreement on how to fund it.

One of the other difficulties is—and I am not a huge advocate of earmarks, but one of the reasons people were willing to vote year after year, decade after decade, for a 6-year transportation bill was because they could point to certain specific provisions in the Transportation bill which helped their congressional district or their State. It is more difficult now for a representative or Senator to say these are the specific provisions that are good for my State or my district, and this is one of the reasons why I am supporting this legislation. It doesn't mean we ought to go back to earmarks, but it is one of the reasons why it is harder to build a super majority to move legislation like this through the Senate.

So where are we? The House has passed legislation that says for the next 3 months we are going to fund transportation projects in this country—roads, highways, bridges, and transit. They have outlined a couple of ways to pay for that. They do not have enough money to pay for projects over the next 5 months. They have authorized the actual construction of those projects for the next 3 months. That is their bill, and I think they have pretty much passed it and said, kind of, take it or leave it. Previously, they said they wanted to extend for 5 months the authorization and the appropriations for roads, highways, bridges, and transit until sometime in December to give us time between now and December to come to agreement on the administration's earlier idea embraced by House Democratic and Republican leadership and embraced by the working group in the Senate Finance Committee about international tax reform, which some would deem repatriation.

We passed out of here today a different plan that I do not support but a plan that would appear to authorize projects for a 6-year transportation bill. As it turns out, the money is good for maybe 3 years, not for 6. It comes from a lot of different sources, some that I would deem inappropriate. Others may differ with that. It is not the way I think we should do business, but it is the way we have done business.

We passed a bill. We have different perspectives as to what we ought to do. My expectation is that the Senate will agree with the House-passed bill and we will, in the meantime, go back to the drawing board. One of the things that I think has value in the House-passed bill is it sets the stage for us to get serious about the administration's proposal, again embraced by the House Democratic and Republican leadership, and by our bipartisan working group in the Finance Committee. It gives us time to actually find out if we can do that.

There are some people who don't like that idea. Some people in pretty powerful positions around here don't like that idea, but there are others in equally high positions who think that is a very good idea. Among the benefits that it would provide—it doesn't address our transportation needs forever, but it certainly would provide a lot of money for the next 6 years.

Why might that be a good idea? I think ultimately—and while for years we have used user fees, gas taxes, diesel taxes, to fund most of our road construction at the national level and for our road repairs—to be honest with you, over time, our cars, trucks, and vans have been more energy efficient.

My Chrysler minivan that I mentioned earlier gets about 24 miles per gallon on the highway, but there are vehicles today, including minivans, including trucks, that do a whole lot better than that. We have smaller passenger cars that routinely get 40 and even 50 miles to the gallon. To say that the diesel tax and the gas tax are forever the sole solution is probably not realistic. We have some vehicles on the road that are pretty much all electric. They do not buy any gas. They do not buy any diesel fuel. When they need a refill, they pull up and recharge their batteries. We have some folks who buy vehicles that are powered by fuel cells.

They run on hydrogen or natural gas, methane.

So given the changing mix in the way we move ourselves and goods and services around the country, that sole reliance on user fees, by a gas tax and diesel tax, forever is not a good idea.

Among the other ideas that are out there is tolling. People who come through my State on I–95 pay a toll. A lot of them use E-ZPass. They can go through our State on the highway using E-ZPass so they don't have to sit in line and wait. Their credit card accounts get charged for their travel. We have a similar kind of arrangement on State Route 1, where a lot of people come through our State from I–95 heading south to our beaches or to Dover Air Force Base. We have highway-speed E-ZPass there too. So tolling is part of the future.

Another idea that is being experimented with by the States—it is referred to in different ways—but I think of it as vehicle miles traveled. Is there a way we can actually figure out how much, in terms of a true user—how many miles we are actually traveling in our vehicles and assess some kind of fee at the Federal level or maybe at the State level on those who are driving cars, trucks, and vans.

Folks in Oregon have been working on this the longest. I think they started this effort about 10 years ago. They call it a road user charge. That is another way of saying vehicle miles traveled. I think at the end of the day—not the end of the day but in 10, 15, 20 years, we will have figured out how to actually do vehicle miles traveled/road user charges in a cost-effective way that is protective of people's rights to privacy.

The other area that I think we will do a better job in is tolling, moving to more things like the highway-speed E-ZPass, so people who want to use a particular road will pay a toll and do so in a way that still expedites movement of traffic as we do through highway-speed E-ZPass. Having said that, if we are unable to come to an agreement at the end of this year, if we are unable to come to an agreement on some kind of international tax reform, the idea of using a lot of cats and dogs to fund transportation improvements for the next 2 or 3 years—I don't think that is a good outcome.

I am not a Congress of one. If I were, I would go back and say we should look at—at least for the next 6 years—user fees. We have been using user fees or taxing gas and diesel for a long time to provide for most of the Federal share for these transportation construction projects and improvements. I think the last time we raised the Federal gas tax was 1993. We raised it to 18.3 cents per gallon. We raised, at the same time, the diesel taxes to 24.3 cents per gallon. We have not raised either of those for over 22 years. Since that time, the cost of asphalt, the cost of concrete, the cost of labor, the cost of steel have all gone up, but the user fees, the gas tax and diesel tax, have not gone up at all.

George Voinovich—former Governor, former U.S. Senator—and I worked together about 5 or 6 years on the Bowles-Simpson Commission to suggest an increase in the gas and diesel tax by a penny every quarter, by a penny every 3 months, for about 15 quarters. We were roughly saying 3 or 4 cents a year for 4 years and then index the gas tax after that to the rate of inflation so we did not have to come back and re-address it every year or every 2 or 3 or 4 years.

That is an idea that was actually adopted in the Bowles-Simpson report, but much of what the Bowles-Simpson report included has not been enacted. One of the things I am going to be doing—and I hope colleagues in the House as well as in the Senate—in the next day or two is introducing an increase in the gas and diesel tax of 4 cents a year for the next 4 years—that will be 16 cents over the next 4 years—and then indexing the gas tax and diesel tax to the rate of inflation.

What would that cost the average family, the average driver in this country? On a weekly basis, it would be about $2, actually less than $2. I don't know what people pay for a cup of coffee, but I am told you can buy—I bought a cup of coffee today for $1.70. Some people buy it for less. Some people buy it for $2 or more. But for roughly a cup of coffee a week, we could have better roads, highways, bridges—a whole lot better.

By doing that, we would raise, over the next 10 years, $180 billion, maybe even more, to be able to provide for our construction needs, roads, highways, bridges, and transit. We have the system in place. We know how to do it. The price of gasoline—I bought gas the other day in Central Delaware, in Dover. I paid $2.53 a gallon. It was down by about 20 cents over the last month. If the Iran deal actually goes through and is approved, the Iranians are expected to add to a world already awash in oil. So the price of oil is coming down. The Iranians would add, I am told, about another half billion barrels of oil to the marketplace and probably continue to push down the price of oil.

I ask us to keep that in mind. Some people say we will never be able to get the votes for an increase in the gas or diesel tax, even if it is phased in for 4 cents a year for 4 years. But there were six States last year across the country—most of them with Republican Governors and Republican legislatures—that did something like this. They did not raise the gas tax by $1 or 50 cents or even 25 cents, but they raised it, in some cases, over several years.

The question is, Can State legislators or Members of the Congress actually vote to meet our transportation needs? Can they actually vote for this stuff and get reelected? As it turns out, 95 percent of the Republicans in these six States and State legislatures—95 percent of the Republican legislators who voted for these user fee increases won their primaries last year and they won their generals. They were reelected.

Among the Democrats who voted in those six States last year to raise user fees, 90 percent of them won their primaries, they won the general election. They were reelected. For people who say you cannot vote to do a tough thing and still get reelected, I would just say look at those six States from last year. Other States are going to follow in those footsteps this year as well.

So the long term—I will wrap it up at this point in time. I see Senator GRASSLEY is on the floor. But long term, the worst option is to do nothing. The worst option is to do nothing. I have a glass of water here. I am going to ask the pages to bring me a couple more glasses, just empty glasses, if they will quickly. Senator GRASSLEY is waiting to talk. Bear with me. This is show-and-tell on the Senate floor. I don't think this is against the rules, but if it is, maybe the Presiding Officer will cut me a break.

We will say this glass of water that is sitting right here is world capital markets, a lot of money, trillions of dollars. Some of it is from sovereign nations, some of it is from trust funds, pension funds, and so forth. This glass is empty. This is the U.S. transportation trust fund. It is empty.

When we run out of money and we don't raise taxes or revenues to fill it, we turn to the general fund. We say let's take money out of the general fund and put some of it into the transportation trust fund. This glass is empty too. Our debt is down, our deficit is down—our debt is not down—our deficit is down, but we still are running a big deficit. There is no money in the general fund to refill the transportation trust fund these days.

So what we do is we go out into the world capital markets—here, where there is a lot of money—and we borrow. We sell Treasury securities. So as it turns out, one of the best buyers for those Treasury securities is China. So we ask China: How about buying some of our Treasury securities? They do. Then when the Chinese turn around and start pushing around the Vietnamese or the Filipinos in the South China Sea, around the Spratly Islands and places I used to fly as a naval flight officer years ago—when the Chinese—and I don't think they are doing this so much anymore, but they manipulate their currency.

When the Chinese are trying to maybe dump some of their products in this country illegally and we say you can't do that, China, you can't do that, for the Chinese, it is very easy to say I

thought you wanted to borrow money, and it puts us in a very awkward position as a nation.

If things are worth having, they are worth paying for. I don't think the payfors that were used in the—not the 6-year authorization bill that passed here—the Transportation bill is really a 3-year. I don't think the idea of taking money away from Customs fees and different other sources to use for purposes for which it was never intended—for transportation purposes—I don't think that is the way to do this.

The good news is this: The House is in one place, the Senate is in another. We have several months to figure this out. I hope we use these several months to drill down real hard on the idea of international tax reform, the deemed repatriation, which will provide hundreds of millions of dollars for transportation over the next 6 years. If that does not work, I want us to look at some other alternatives. The worst alternative is to get to December and say: Well, let's just borrow some more money or let's come up with some cats and dogs and patch this and kick the can down the road again.

So I am going to work very hard as a member of the Finance Committee on the international tax reform piece. I know Senator GRASSLEY, if I am not mistaken, is the senior Republican on the Finance Committee and somebody who is a key participant in trying to find common ground. He is good at that. I look forward to working with him on that.

I will close with this. To me, the message from the American people in the elections from last November was threefold: People want us to work together. They want us to get important things done, and among the most important is to further strengthen an already strengthening economy. A big piece of that can be transportation. The American people expect us to make tough decisions. This is a tough negotiation, but it is one we have to have. We have to have a good outcome in the end.

With that, I thank my friend from Iowa for his patience.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

FALSE CLAIMS ACT

Mr. GRASSLEY. Madam President, I often come to the floor to honor whistleblowers but more importantly to talk about their very important role in making government function.

On July 30, 1778, the Continental Congress passed the very first whistleblower law in the United States. It read:

> [I]t is the duty of all persons in the service of the United States . . . to give the earliest information to Congress or other proper authority of any misconduct, frauds or misdemeanors committed by any officers or persons in the service of these states, which may come to their knowledge.

Probably for the last 6, 7 years, I have been referring to this around the time of July 30.

Going back to 1778, we have had recognition of the important role whistleblowers can play in making sure government is responsible. Whistleblowers have always been crucial in helping Congress and the Federal Government root out fraud and misconduct.

It is simple common sense to reward and protect whistleblowers who report waste of taxpayers' money, fraudulent use of taxpayers' money, and outright simple abuse. The False Claims Act does that. In fiscal year 2014 alone, the Federal Government recovered nearly $6 billion under the False Claims Act. That makes more than $22 billion since January 2009 and more than $42 billion since I got the legislation passed in 1986. These recoveries represent victories across a wide array of industries and government programs. Those programs include mortgage insurance, Federal student aid, Medicare and Medicaid, as well as defense contracts.

The Department of Justice credits whistleblowers for their important role in the success, for the money that has come back to the Federal Treasury, and for the carrying out of the False Claims Act. According to the Justice Department, whistleblowers accounted for $3 billion in recoveries under that act in just fiscal year 2014. In fact, over 80 percent of False Claims Act cases are initiated by whistleblowers.

Clearly, the False Claims Act is working very well. Of course, the act has no shortage of critics—typically in the groups where you find perpetrators of fraud. But we have learned our lesson that a weak False Claims Act is not in the taxpayers' best interests.

In 1943, Congress bowed to the pressure to undo the act's crucial qui tam provisions. Amendments passed in that era of World War II barred actions where the government already had knowledge of fraud. The result was to block nearly all private actions. Congress assumed—and now we can say assumed wrongly—that the Justice Department could do a good job prosecuting fraud all by itself. As I said, they were wrong. Between 1943 and 1986, when the False Claims Act was amended, fraud against the government skyrocketed. Most of those accused went unpunished.

A 1981 report by the Government Accountability Office said:

> For those who are caught committing fraud, the chances of being prosecuted and eventually going to jail are slim. . . . The sad truth is that crime against the Government often does pay.

So in 1986 I coauthored much needed amendments to the False Claims Act. The 1986 amendments once again gave citizens the ability to help the government go after fraud in a meaningful way. For example, the amendments provided protection for whistleblowers and eliminated the impossible government knowledge bar. Essentially, a relator's suit was only barred where the fraud had been publicly disclosed. The amendments also clarified that the act covers false claims made not just directly to a government agency; it also covers fraud against grantees, States, and other recipients of Federal funds, whether or not the fund obligation is fixed.

These provisions and others were intended to give the False Claims Act teeth again, and they did. However, as happens with a lot of legislation Congress passes, the courts chipped away at the heart of the False Claims Act and ignored the intent of Congress. The assault on the act came to a head in the Supreme Court's erroneous opinions in the well-known cases of Allison Engine and Totten. The Court held that the act required proof of intent that the government itself pay a claim and that a claim is presented directly to the government.

The problem with that logic is it creates a loophole big enough to drive a truck through. A third party paid with government money would get away with fraud because a contractor, not the government agency, paid the claim. So in 2009 we passed the Fraud Enforcement and Recovery Act and made very clear that was not consistent with the original intent of the 1986 False Claims Act. The act reaches false claims for government money or property, whether or not the wrongdoer deals directly with the Federal Government. It was never the intent of Congress to give a free pass to subcontractors or other parties receiving government funds. In fact, those folks are some of the biggest perpetrators of fraud today.

The inspector general for the Department of Health and Human Services has reported a 134-percent increase in complaints against Medicare Part D in just the last 5 years. By not stopping fraud against programs such as Medicare Part D, the government is hemorrhaging funds. Taxpayer money is taxpayer money. Fraud does not magically become OK just because a third party is involved.

Of course, the issue of presentment to government officials is not the only sticking point. There has been pushback in courts and from lobbyists about all sorts of issues, such as the ''public disclosure bar,'' settlement practices, and award shares for relators. Through it all, Congress has had to stay vigilant in keeping courts and Federal agencies generally true to our original legislative intent.

As an example, just recently the Justice Department tried to minimize a relator award in a Medicare and Medicaid fraud case. The relator contributed significantly to the case. The judge recognized that Congress intended that ''the only measuring stick'' for an award is ''the contribution of the relator.'' Those are the

words the judge use, and that judge was right.

Congress intended to empower, to protect, and to reward relators who identify fraud against the taxpayers. History teaches us that weakening the relator's rights weakens the government's ability to fight fraud. All that does is let wrongdoers off the hook, and it costs the taxpayers money. That is not the result we intended with the False Claims Act. And the Continental Congress, which was so concerned about identifying misconduct, fraud, and misdemeanors, would not have wanted those results I just talked about.

I want to remind my colleagues to stand strong for the effective tool that we have to combat fraud.

I yield the floor.

Mr. ENZI. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BROWN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

50TH ANNIVERSARY OF MEDICARE

Mr. BROWN. Madam President, I remind my colleagues that tomorrow marks the 50th anniversary of President Johnson traveling to Independence, MO, to be with President Truman, who in the 1940s had attempted to push through Congress legislation to expand the Social Security Act to include what we now call Medicare. When President Johnson went to Independence, MO, he signed the legislation.

The one we pay the most attention to is Medicare, which is health care for the elderly, but probably equally important and certainly very significant is the creation of Medicaid. Medicaid came out of several years of congressional debate where Congress understood that low-income people—especially low-income people who were working—didn't have insurance. It was for people who were poor, people in nursing homes, and it evolved for elderly people. Most of the money in Medicaid goes to take care of the elderly in nursing homes, and it has had such an impact on their lives.

But think about what Medicare has done. Prior to 1965, this social insurance program—this program we call Medicare today—provided health care to almost every senior. Prior to 1965, only about half of the senior citizens in the United States of America had health insurance—only about half. Huge numbers of the elderly lived in poverty. They lived in poverty partly because for a whole host of reasons they couldn't save enough and Social Security wasn't quite enough. Many lived in poverty because of their health care costs. They would go to the doctor and have to pay out of pocket. They barely could afford that and sometimes couldn't afford that.

So what Medicare does is it provides 50 million seniors today with health insurance. It wasn't easy. A majority of Republicans in the House and the Senate opposed the creation of Medicare. The John Birch Society—we know it today as the tea party—the John Birch Society in those days opposed the creation of Medicare. Insurance interests and the medical interests opposed Medicare. It was a huge struggle. As I said, a majority of Republicans voted against the creation of Medicare. Just like the Affordable Care Act—Republicans didn't like the Affordable Care Act and don't like the Affordable Care Act today. Republicans didn't like Medicare a generation and a half ago and opposed it. Bob Dole—then Congressman Dole, later Senator Dole, later Presidential candidate, Republican nominee Dole—bragged about opposing Medicare, saying it wouldn't work. He bragged about that for a couple of decades after it took effect. But we know social insurance works.

What is social insurance? Social insurance is where everybody pays into something. Whether it is Social Security, whether it is unemployment insurance, whether it is Medicare, people pay into a government program of some kind, and then when they need it, they get assistance. You pay into Social Security. If you become disabled, you get a benefit. Once you retire, you get a benefit. You paid into it. It is called social insurance.

You pay into Medicare all your working life, but when you turn 65, you receive a Medicare benefit. You get health insurance; you get hospitalization; you get a doctor's benefit.

You pay into unemployment insurance, which is another kind of social insurance. When you get laid off, you get assistance so you can continue to feed your family and go on with not as good a lifestyle but at least you will have enough to get along. That is why social insurance matters.

What is troubling about all of this is there are still people in this country—particularly conservative Republicans—who just don't like social insurance. They don't like Social Security. They don't like unemployment insurance. They don't like Medicare. They will tell you they do. Very few politicians running for office say they don't like Medicare. But we know that because if, in fact, they get elected, we know what they do when they are in office. They try to privatize Social Security, as President Bush did. They try to voucherize Medicare, as the Republican Vice Presidential nominee in 2012, PAUL RYAN, tried to do. And we know what so many Republicans—conservatives, the most conservative Republicans—thought about unemployment insurance when they tried to cut it back, when they tried to weaken it, and when they tried to undercut it.

So while government isn't close to solving all of our problems, social insurance sets a safety net that protects the public. It protects you in your old age with Medicare. It protects you if you are disabled with Social Security. It protects you if you are laid off with unemployment insurance.

That is why, when people hear my colleagues—particularly, again, the most conservative Republicans, who have never supported these programs—go after these programs, understand what privatization means and understand what vouchers mean. It means shifting costs of health care to seniors instead of this program taking care of those seniors. It means privatizing Social Security.

In my State of Ohio, half of the senior citizens rely on Social Security for more than half of their income. So think what would have happened if a decade and a half ago President Bush had actually been successful in trying to turn Social Security over to Wall Street, which is what he wanted to do. If he had been successful in turning Social Security over to Wall Street, think what would have happened to people's Social Security checks in 2007, in 2008, in 2009, in 2010, and in 2011, when the bottom fell out of Wall Street and our financial systems. That is why these social systems are so important.

That is why tomorrow, when we commemorate the 50th anniversary of President Johnson traveling to Independence, MO, to the home of President Truman and his signing the Medicare bill, and how much it has meant to generation after generation—my parents, my grandparents, and the parents and grandparents of so many of us in this body and in the gallery—that matters so much to us.

So I wanted to stop by the floor to say happy birthday to Medicare—happy 50th birthday. We want to see another 50 years where Medicare makes a huge difference in the lives of so many Americans.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. TILLIS). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Ms. COLLINS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. COLLINS. Mr. President, I rise in support of the multiyear surface transportation bill before the Senate. The current authorization is set to expire this Friday when the highway trust fund will be depleted to levels that can no longer fully reimburse States for construction that has already been completed. Unfortunately, it looks as though we are going to have yet another short-term extension, rather

than immediately enacting a longer term bill, as the House of Representatives is preparing to send the Senate a 3-month extension.

This is a critical time of year for many States, particularly for my home State of Maine, where peak construction work occurs during a very short construction season. It would be irresponsible for Congress not to pass a bipartisan bill this week and keep those projects moving forward.

I hope this fall we will finally be able to come together with our colleagues in the House to send to the President a multiyear surface transportation bill.

The State of Maine currently receives $170 million of Federal highway funds annually, and the Maine Department of Transportation needs and obligates every single dollar. Under the multiyear bill before the Senate, Maine would do even better and would receive nearly $190 million the first year, increasing to nearly $215 million. The legislation before us also prioritizes bridge reconstruction and safety. This funding is critical, as 364 of Maine's bridges have been rated as structurally deficient.

The commissioner of Maine's Department of Transportation tells me that if the highway trust fund is not fixed by July 31, the department will have to stop construction projects midstream within weeks. This would be devastating for the State's economy, for the people employed in these well-paying construction jobs, and for the transportation infrastructure in desperate need of repair and rehabilitation.

The lack of consistent multiyear funding for the highway trust fund makes it so difficult for States to plan, causes construction companies to delay hiring workers, and costs the government more in the long run due to the uncertainty of funding. According to the American Association of State Highway and Transportation Officials, the States of Arkansas, Georgia, Tennessee, Utah, and Wyoming are among those that have already postponed bidding on major transportation projects due to the uncertainty of Federal funding.

While I feel I have no choice but to support a short-term patch to prevent the highway trust fund from expiring later this week, this short-term approach is not the answer. It needs to stop being the norm. It epitomizes Congress's failure to govern sensibly—to govern in a cost-effective way, to govern in a way that allows for the creation of good jobs in this country, and the renovation, repair, and rehabilitation of our vital transportation system.

We in the Senate have the opportunity to pass a multiyear surface transportation bill that reauthorizes our highways, transit, rail, and safety programs, while keeping the highway trust fund solvent for the next 3 years. This legislation gives State departments of transportation the certainty they need to continue planning, investing, and constructing thousands of highway and infrastructure projects that the entire Nation relies upon. These investments create jobs, boost our Nation's economy, and keep us competitive in the global marketplace.

The legislation maintains the Federal-aid highway formula program structure. This funding is not only crucial for building new highways and bridges but also to maintain and repair our Nation's crumbling infrastructure, including, as I mentioned, the thousands of deficient bridges across the Nation.

With the consideration of this important bill, we are one step further to responsible investments, steady investments in infrastructure that millions of Americans count on every day. That is why I am so disappointed that instead we will do yet another short-term patch. We need to get away from that method of funding the highway trust fund.

I also wish to highlight today the importance of the national infrastructure investment grants, otherwise known as the TIGER program. While this program was not included in the underlying bill, Senators MURRAY, REED, and I have filed an amendment, along with Senators COCHRAN, SHELBY, and others, that would authorize this highly successful TIGER grant program. This program has been such an effective initiative. It has helped to advance critical transportation infrastructure projects across our great country. It is one of the most flexible transportation programs in which State and local authorities can apply for funding. Every Senator here has seen firsthand how TIGER projects create good jobs and support economic growth in our home States. The program has supported highway, bridge, port, rail, and transit projects from this highly competitive program.

In fact, let me give my colleagues some idea of the demand for the TIGER grants. To date, the TIGER program has received a total of $4.6 billion through appropriations from fiscal year 2009 through 2015, awarding 342 projects in all 50 States. Here is how many applications were submitted. Remember that 342 projects were actually funded. There were 6,700 applications that were received by the Department, totaling nearly $134 billion in funding requests. So my colleagues can see that the pent-up demand is just enormous. This demonstrates how oversubscribed the TIGER program is and how much it is needed by our State and local governments. I have received numerous letters of support for our amendment, some of which include Transportation for America and more than 150 elected officials, State departments of transportation, metropolitan planning organizations, and chambers of commerce. You name it; they have endorsed our amendment to authorize this important program.

This is just one of the many ways my colleagues and I would like to work to improve this bipartisan bill. Our TIGER grant amendment is widely supported on both sides of the aisle, and I believe it would pass were we able to get a vote.

It has been a privilege to work very closely with my colleagues, Senator MURRAY and Senator REED, both of whom I have worked with on the transportation-HUD subcommittee of the Appropriations Committee, as well as Republicans such as Senator COCHRAN and Senator SHELBY at the full committee level on this program. But, most of all, it is important that we act and act quickly to pass a multiyear surface transportation bill that will create jobs and on which our country can depend.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER (Mr. BOOZMAN).

The Senator from Washington.

Mrs. MURRAY. Mr. President, I am delighted to join the Senator from Maine on the floor today to speak about this critical infrastructure program called TIGER. She and I have worked together for many years on transportation infrastructure, and I so appreciate her leadership and her tremendous enthusiasm in making sure that our country does the right thing. It is a delight to be here today with her, as well as with my colleague from Rhode Island, who is now the ranking member on the transportation appropriations subcommittee. I thank them both for coming to the floor to speak about a program that we created several years ago and that has been so effective.

We all know that investing in our Nation's infrastructure is a critical part of broad-based and long-term economic growth. As we can see today, this is not a partisan issue. Democrats and Republicans agree that infrastructure investments get workers back on the job, help our economy grow in communities across this country, and make sure our transportation systems work in a 21st century economy. That is why I am so proud to be a strong supporter of this bipartisan amendment that we are offering today. It has 29 cosponsors from both sides of the aisle. What it does is it continues the popular competitive grant program known as TIGER.

TIGER grants have made an impact in every corner of this country, and they represent exactly the type of investment our country should be making—addressing our Nation's short-term and long-term transportation issues while creating good-paying

jobs—American jobs, I would add—and working to grow our economy from the middle out, not just the top down.

We have all seen firsthand the difference the TIGER program can make in our States. So that is why I fought, along with my colleagues, to get this amendment included in the final Transportation bill.

Since its creation, TIGER has awarded $4.1 billion directly to communities to support more than 340 innovative, multimodal projects in every State. For example, TIGER grants are increasing the flow of commerce and trade between Maine and New Hampshire because of improvements to the Memorial Bridge. In New Mexico, TIGER grants are being used to make critical safety improvements to a major trucking route where the fatality rate has been more than three times the State average. In my home State of Washington, $204 million has gone to 13 critical infrastructure projects across my State, from Seattle to Spokane to Vancouver.

Demand for TIGER funding is intense. Applications always exceed the amount of funding available, sometimes by as much as 20 to 1. It is clear that we can and should be doing so much more to help communities carry out these projects that make our transportation system safer and more efficient.

Though we hit some unfortunate and unnecessary barriers in passing the TIGER amendment, I know that Senator COLLINS and Senator REED are going to continue fighting along with me to support this critical program. I hope more of our colleagues will join with us in boosting regional economies and in improving our Nation's infrastructure, because this type of program is so important to our States and our local agencies as they work to tackle the complex transportation needs of our communities.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, let me begin by commending Senator COLLINS and Senator MURRAY for their extraordinary leadership on this TIGER program in particular but in so many different aspects, particularly with respect to transportation policy. They have done an extraordinary job, and today is no exception. I am delighted to be able to join them on their amendment to increase resources for TIGER grants.

I am disappointed, as are my colleagues, that this is merely, in some respects, a discussion amendment—we can't bring it up for a vote—because I think this is an effort, as Senator COLLINS pointed out, that would be supported strongly by both sides of the aisle.

Since 2009, the TIGER program has helped State and local governments make critical investments in their infrastructure all across this country. In many respects, it is the final piece of a puzzle of how we get needed, necessary infrastructure in place. It has been that catalyst that has brought private funds and State funds and local funds together to accomplish something that makes sense to our economy and to the efficiency and productivity of our States.

TIGER is able to leverage additional resources. It is a program that has been wildly popular to construct roads and bridges, public transit, ports, and passenger and freight railroads. It is very flexible. Its flexibility, its adaptability, and its ability to coalesce other resources has been remarkable. As a result, it has been extraordinarily popular.

Through the TIGER program, the U.S. Department of Transportation has supported more than 340 different projects in all 50 States and in the District of Columbia. These projects have improved safety, they have connected workers to jobs, and they have supported economic development. By the way, they put people to work right away in an economy that needs people to be working right now.

As Senator COLLINS pointed out, the demand has far outstripped the resources: 6,700 applications for the roughly 300 grants. We can do more. The appetite is there, the need is there, and the competitive process ensures that these needed resources are targeted to extraordinarily important programs. So for many of these reasons this is one of those programs that is just win-win-win. Unfortunately, we cannot bring it forward on this legislation. This funding is absolutely necessary.

I have seen in my home State of Rhode Island that without the TIGER grant we would not have been able to jump-start a project which is the Interstate 95 viaduct. It sounds interesting, but it is actually critical. It is the center of I–95 in Providence, RI, which is the major north-south highway in New England. If this viaduct project could not be funded, then essentially there would be a roadblock on I–95. TIGER has helped this project move forward. We have to do more, but it has helped to move this project forward.

It has helped ports in Providence and at Quonset Point. All of these are so necessary because they improve our economic competitiveness globally, regionally, nationally; they put people to work, and they prepare us for much more complicated issues in the world economy. As I said before, we are all disappointed that because of this process we can't have a debate and have a vote. We are also disappointed because we bypassed in this process the committees that typically do these things—the Banking Committee for transit, the Finance Committee for the pay-fors for this legislation. Again, I am disappointed we could not have done it the old fashioned way, through the committees and bring it to the floor. If we had that approach, we could have improved the offsets that we are using to pay for these programs. We could have considered amendments like this. We could have done a lot of things.

Now we all have additional amendments that we are filing, but we won't be able to take them up. I have got one in terms of pay-fors that would produce $55 billion over 10 years—robust funding for a score of highway programs—and it is by capping the deduction of publicly traded corporations for employee salaries over $1 million. I think most Americans would say if someone is getting over $1 million we shouldn't be subsidizing that with tax reimbursement. They very well may be worth that money, but that is a judgment the corporation should make, and if they think it is worthwhile, they are the ones who should put the money up, not with a subsidy from the tax code. That is just an example of some of the ways we could generate real resources.

Again, let me say how strongly I support this amendment, how much we really owe the determination, the vision, and the thoughtfulness of Senator COLLINS and Senator MURRAY. I must also thank Senator INHOFE and Senator BOXER for their work on getting us at least this far. We have got to go further, but they have got us at least this far.

It looks as if, given that the House is leaving, this bill will not be enacted this week. Certainly, we have got a template which I hope we can improve on as we spend the few months' extension that will be the ultimate result of this week. In that time I think one of the measures that will be improved is the TIGER program and other things that we can and must do.

Let me conclude where I began and thank very sincerely Senator COLLINS and Senator MURRAY.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I will yield 5 minutes to Senator LEAHY.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I thank the distinguished Senator from California. I am sure I won't take that long.

PLANNED PARENTHOOD

Mr. President, I will speak further on the efforts to defund health services for women later on, but I am concerned about those Senators who are attacking women's health with a renewed effort to eliminate health centers that thousands of Vermonters rely on every day. Across the country we have millions of low-income women who depend on Planned Parenthood health centers

for lifesaving preventive treatments and care, including annual exams, cervical and breast cancer screenings, and HIV screenings and counseling. These clinics are the primary source of health services for many women. Eliminating Federal funding for Planned Parenthood health centers would deny women access to these critical services. They will force women to find medical care elsewhere or, more devastatingly—or more probable—to simply go without.

The partisan bill that was introduced yesterday in the Senate is the latest attempt to score political points. It is bumper sticker politics at its worst. Needlessly jeopardizing the health care of millions of Americans who depend on these preventive care services is a bid to rally a base that is as irresponsible as it is offensive to this Senator. I know women in Vermont who tell me they go for their health care, their cancer screening, to the Planned Parenthood centers because they feel they have people they feel comfortable with. They can bring their daughters, their children there. They know they are going to be cared for. They know people will care for them. They don't care whether they are Republicans or Democrats, they are women who need health care, and I will strongly oppose the effort that is going to be before us in this body to cut off health care for women.

I yield the floor, and I thank the Senator from California.

The PRESIDING OFFICER (Mr. SCOTT). The Senator from California.

Mrs. BOXER. Mr. President, I thank the Senator from Vermont, the ranking member of the Judiciary Committee, for his remarks. I agree with him, and I will be speaking later on today on the same topic.

I want to go back to speaking about the Transportation bill. I want to thank my colleagues for the strong show of support we had on this bill. We had 65 colleagues voting to end debate and get to a vote. We do expect a good vote tomorrow, but I have to say that the reaction of the House Speaker took me aback. Remember that the bill we passed was totally bipartisan, with a majority of Democrats and a strong majority of Republicans. Senators INHOFE, MCCONNELL, BOXER, DURBIN, and a host of others worked very hard on this bill. Why would the Speaker of the House be so negative about it? As a matter of fact, his comments that were reported in the Politico online version today were such that I can't repeat what was said on the floor of the Senate because I would be breaking the rules. I will leave it up to everybody to see exactly what he said about our bipartisan bill. Actually, the name on the bill is that of the Republican leader of the U.S. Senate. Yet the Speaker of the House demeans our bill.

I want to be clear that I defend freedom of speech and I defend the right of Speaker BOEHNER to say whatever he wants; therefore, I can say whatever I want. What I would like to ask is why on Earth would you oppose a bill that is so bipartisan, that received 65 votes, and that the Republican leader has put his name to? Why would you do that?

Another question is this—and I put up this chart. Where is the House bill? One could argue that you don't like our bill. Where is your bill? What have you done? Where have they been?

We have known about this transportation crisis for a long, long time. The Presiding Officer and I have worked hard together on getting a strong bill, even though we disagree on so many things. The bill was voted out of the Environment and Public Works Committee 20 to 0. Yet the Republican Speaker of the House condemns the bill. Where is the House bill?

We are about to pass the third extension since the last Transportation bill expired in 2014. There have been dozens and dozens of extensions—more than 30. We know that when the highway trust fund is extended for just a couple of months at a time—and Senator INHOFE has taught me this because I was not aware—it is administratively very expensive to do, and on the ground what is happening is States are shutting down their projects.

Let's look at the seven States that have essentially canceled or delayed projects because there has been inaction. Arkansas has canceled or delayed highway projects, as well as Delaware, Georgia, Montana, Tennessee, Utah, and Wyoming. Why have these States done this? Because they are concerned that we don't have a long-term highway bill. That is why we are so excited about the bill that looks like it is on its way to passage because it is a 6-year authorization with a full 3 years of funding. Again, I ask the Speaker rhetorically what is it about the bill that he doesn't like?

Let's go to the highlights of the bipartisan Senate bill. I will discuss them. I would put up the chart which asks ''Where is the House bill?'' because that is the common question I want to ask today. It is easy to throw darts at someone else and say I don't like what you did. What you did wasn't good enough. Where is your answer? They have nothing—nothing but another paltry extension. Why did they do that? Either they don't have an idea in the world as to how to proceed or they want to go on a 5½-week break.

The American people—most of us—work. I ask rhetorically: How many people in America who hold down a job get a 5½-week break, which is called the August break, which begins in July, and they get that break without taking care of pressing business? I think your boss would say: You know what. You have a lot of problems here, so stay another couple of days. Oh, no, they want to get out of town. They originally were going to get out of town tomorrow. My understanding is they are trying to get out today. That gives them a 5½-week break without taking care of business.

I think anybody who is watching this who really cares about the highway trust fund, transportation, and bridges collapsing—let's look at this one that happened in California. This is a frightening view of a bridge that collapsed. We were so lucky. We thank God that nobody was killed. California now has a bridge that has collapsed, and people have to go 400 miles out of their way to go from California to Arizona or Arizona to California. We are hoping to fix it with emergency funds, but we can't rebuild the part that fell that quickly. We need a long-term bill.

I say to the Speaker: Don't go home. I say to the majority whip over there, my friend from California: Don't go home. Stay and do your job. The American people are not going to think very highly of you if you leave with this highway trust fund going broke on Friday.

The Senate has passed a bill. It is a good bill. The Speaker has used some words I cannot use on the floor to describe it.

I want to ask the Speaker what it is that he doesn't like. What is it that he doesn't like? Is it the $55 billion a year for 6 years, the first 3 years being fully paid for with every State getting more funding, including his State, for highways and transit? Does he not like that? Does he think we shouldn't spend funding on fixing up our bridges, roads, and highways? Does he not like the two new programs—the freight program, which would provide funds for States to improve the movement of goods? Does he not like the assistance for major projects, a program which is going to help our States when they know there is a real problem in their community and they want to build a project?

Does the Speaker not like the fact that we have tripled safety fines so when a Takata airbag problem happens the companies have to step up? Does he not like the fact that there is a new law in there that says consumers should be protected from renting a car that is under recall? We stopped that. Does he not like the first-ever commuter rail fund for positive train control, where we can actually help our computer railways put in positive train control so we will not have those tragedies that happened?

Why doesn't he like this bill? It has a long list of supporters. Let's look at the supporters. I guarantee you it is rare that you see the U.S. Chamber of Commerce agreeing with the International Union of Operating Engineers. It is rare that the Laborers' International Union of North America agrees with the AAA, which agrees with the Conference of Mayors, which agrees with the United Brotherhood of

Carpenters, which agrees with the Association of State Highway and Transit Officials, which agrees with the Mothers Against Drunk Driving, which agrees with the American Council of Engineering Companies. It goes on. It goes on. It is rare to see it. The American Highway Users Alliance, the American Public Transportation Association, the American Road & Transportation Builders, the Society of Civil Engineers, the trucking association, the equipment distributors, the general contractors, the equipment manufacturers, the Metropolitan Planning Organization, the National Asphalt Pavement Association. It goes on and on and on. This is America.

The National Association of Counties—I used to serve as a county supervisor. It is hard to get us to agree. They agree. Pass the bill. The National Association of Manufacturers, I understand they scored this vote. The National Association Of Truck Stop Operators, the National Governors Association, the League of Cities, the ready mixed concrete people, the stone, sand, and gravel people, the owner-operator independent drivers, the Portland Cement Association, the retail industry leaders.

The AFL–CIO sent a statement yesterday to the House: Take up this issue. If they do not love our bill, I—it is fine. I do not expect them to, but I do say: Where is your bill? Where is it? You can stand on the Capitol steps and say: I don't like this about it. I don't like that about it. I don't like the pay-fors. I don't like what is on page 50 or page 150. That is your right and I respect it. I support your right to say this is not a good bill, if you don't think so.

Where is your bill? Where is the House bill? Get it together. Do not go on vacation. Wait until you finish this job because I will tell you what happens when you do go on vacation. The first person in your State to see you who was laid off—because States are cutting back. We know from the Association of General Contractors that these States lost construction jobs last month because we have not acted on a long-term bill: Alaska, Arizona, California, Florida, Georgia, Illinois, Maryland, Mississippi, Missouri, Montana, Nebraska, New Hampshire, New Jersey, New Mexico, North Carolina, Ohio, Oregon, Pennsylvania, Rhode Island, Tennessee, Utah, Vermont, Washington, West Virginia, and Wisconsin.

Just last month the General Contractors told us that construction workers were laid off because we have not acted. I want to say to the Speaker, Ohio is on the list. You lost jobs in Ohio. What are you doing by just saying you don't like this bill? Stay in. Do your work. You have terrific people on both sides of the aisle on your Transportation and Infrastructure Committee. I had the privilege of working on both sides of the aisle with Chairman SHUSTER, with Ranking Member DEFAZIO, and many other members of that committee. I know the Speaker has told me he wants a 6-year bill. I believe him, but why put it off?

We have the Inhofe-Boxer McConnell-Durbin product. It passed overwhelmingly. Take it up. Here is what the Committee for a Responsible Federal Budget said: It is refreshing to see Congress focus on a multiyear solution instead of another short-term patch. They say of our bill: This is a fiscally responsible bill that relies on solid offsets.

Let me be clear. I did not love every offset. I see my friend from Maryland. He knows we tried desperately to get better offsets. There may be a lot of people in the House who don't like the offsets. Why don't you come together and figure out another way? Why don't you see if you can fully fund a 6-year bill? We fully funded a 3-year bill. So I ask the question of the Speaker: What is it about our bill that you don't like and where is your bill?

Yesterday Chairman SHUSTER over there issued a statement: The House also needs to make its voice heard and put forth its own priorities. He is right. So why are you going home for a 5½-week break when the Senate is going to be in session next week? Put off your little break here—or your long-term break here, 5½ weeks. I do not know too many American workers who get that kind of a break in the summer.

I say it is time to see your bill. I think we can get it done. I have a lot of faith in the people over there. I served in the House for 10 proud years. I know how things get done. It gets done a lot easier than over here because here we have rules that are very old, which can allow one person to hold up a bill for days and days, but they don't have it. They don't have that kind of situation. They can come together, go through the committee, come out with a rule, bring the bill to the floor, and get it done.

Let me quote from the Washington Post editorial:

> The Senate bill authorizes 6 years of spending on transportation projects under a sensible plan Senators Boxer and Inhofe worked out. The bill provides 3 years of guaranteed funding for the spending plan, raised from a variety of sources.

They basically say—they don't love the process, neither did any of us. But they say it is a ''significant improvement from what Congress has done for the past decade or so, as lawmakers fumbled from short-term funding patch to short-term funding patch, a nonstrategy that often relied on budget gimmicks and made it difficult for transportation officials to conduct long-term planning.''

So we have an opportunity. The Senate has worked its will. We have a good bill. Is it great? Is it perfect? No. Are the pay-fors great and perfect? No. Is every policy in it perfect? No. But as AMY KLOBUCHAR told me, we stood our ground, all of us, but we found common ground. That is important. We stood our ground, but we found common ground. That is how we are supposed to do things around here.

I look at my friend who is going to speak shortly from Maryland. I know he set the pace with Senator CORKER in working out some very difficult issues in the Foreign Relations Committee, on which I am so proud to serve and so proud of my leader on that committee, Senator CARDIN. They set the pace over there.

Then PATTY MURRAY, working with LAMAR ALEXANDER—they came out with an education bill. Then I worked with Senator INHOFE, and he worked with me. MITCH MCCONNELL worked with Senator DURBIN. We came out with a product that is supported by a majority of both caucuses. I am proud of the product. I know it is not perfect. I know if I had my way, I would have drawn up a very different bill. So would Senator INHOFE. So would Senator MCCONNELL. So would Senator DURBIN.

But here is what is at stake. I will show you the bridge again. This is what is at stake. This is the face of what we are doing. It is bigger than our egos. It is bigger than our taking a 5½-week break. I served as a county supervisor. We knew the building we were in was earthquake deficient. It is still beautiful, Frank Lloyd Wright's last built-out government building. I served in that gorgeous building. When I found out it could collapse in an earthquake and the five county supervisors found that out—we were told many, many years ago it was possible we could be held liable because we knew absolutely that this could crumble around us.

I am not saying for one second that any colleague is liable if something like this happens again, but I will tell you I think it is in fact a moral question for us. How long can we put this off? I guarantee you a 3-month patch is not going to give the States the confidence to enter into any long-term agreements to fix any of the 60,000-plus bridges that are deficient and 50 percent of the roads that are not up to par.

So I say to the House, if you don't stay here and you go home after passing a short-term extension and someone comes up to you and says, Congressman or Congresswoman, I just got laid off. I am a construction worker—I guarantee you are going to have a hard time explaining why you left and took a 5½-week break, August break, and you left before even August 1. It is the first time the House will have done that in 10 years. They have not left before August 1 in 10 years.

There is a lot on our plates. Instead, we are going to talk about Planned

Parenthood. Fine. I welcome the argument because to me it is the same old, same old argument about interfering with women's health. I will go there with you. I will be there with you. I will fight that battle for the people of America, the women of America. I don't mind that, but we have to do this. We have to do this in the House. We have to pass a bill.

So I hope the House will change its mind. The Republican leadership, they know they control the schedule. They should cancel their recess and stay in an extra week. In that extra week, we can work together. If the Speaker does not like our bill, he can write his own bill. We will go to conference, we will start working on it, and we will get that bill. That is my ask today. My ask is, Where is the House bill? I am asking the House in the nicest way I know how: Please don't leave tonight or tomorrow on a 5½-week break with your desk a mess with this issue. It is a mess with this issue.

The highway trust fund is going bust on Friday. If the best you can do after knowing about this for months and months and months is give us a paltry 3-month extension, then shame on you. The Senate has proven, on a very bipartisan basis, that we can do better—not a 3-month extension but 3 years of a paid-for bill, 6 years of an authorized bill. Surely you can meet us and we can get this done together.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, first I want to thank Senator BOXER. It is a privilege to serve on the Environment and Public Works Committee with Senator BOXER, under her and Senator INHOFE's leadership. The bill we reported out, a 6-year bill, is a bill that deals with the surface transportation needs in this country.

It was put together in a very bipartisan manner. It respected and reflected different views. I had certain views with regard to alternative transportation programs. Not everybody agreed, but we were able to come together on that issue so we can help local governments with their priorities.

We need a 6-year bill. The Senator is absolutely right. I must tell the Senator, I could not agree with her more. We have been talking since the last extension, the extension before that, and the extension before that, that we need to have a 6-year reauthorization. The Senator was able, working with Senator INHOFE, to deliver a bill that does that. We have yet to see a 6-year bill from the House of Representatives. We are prepared to make the hard decisions. We are prepared to sit down with our House colleagues and work out the differences, but we need a 6-year reauthorization, not another short-term extension. They are talking now about 3 months. Another short-term extension provides no predictability. I have programs in Maryland, and I know the Senator from California has programs in her State, that you cannot plan with a 3-month partnership with the Federal Government. You need to have the multiyear commitments.

What Senator BOXER was able to do in the Environment and Public Works Committee—we need to duplicate that and get this done and get a bill to the President's desk. It is more important than the recess. I thank my colleague for taking the floor and for her extraordinary work in that regard.

Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

50TH ANNIVERSARY OF MEDICARE AND MEDICAID

Mr. CARDIN. Mr. President, this week—tomorrow, to be precise—we will be celebrating the 50th anniversary of Medicare and Medicaid, which then-President Lyndon Baines Johnson signed into law on July 30, 1965.

I take great pride in the Medicare and Medicaid Programs, which fall under the Social Security Act, because they are so successful, but also because—as I think most of my colleagues know—the headquarters for both the Social Security Administration (SSA) and for CMS, the Centers for Medicare and Medicaid Services, are located in Maryland. The men and women who work at SSA and CMS are doing incredible service to carry out some of the most important programs in our country: Social Security, Medicare, and Medicaid.

For the past 50 years, our seniors and our most vulnerable citizens have been able to rely upon Medicare to provide access to affordable, high-quality health care.

Let me underscore how important Medicare is to our country, to our seniors and those who suffer with disabilities. It allows them to be able to get quality health coverage, affordable care, without having to deal with the difficulties of obtaining and paying for private insurance. Private insurance makes money by insuring people who make fewer claims. As you get older, your health care needs become more intense. Therefore, private insurance companies aren't exactly excited to have people who make a lot of claims in their health insurance pool. That is why we developed Medicare. We developed it so our seniors would be able to have quality coverage.

Before we had Medicare, one out of every two seniors had no health insurance. Our seniors are now able to get health care coverage. Today, only 2 percent of adults aged 65 and older lack health insurance. Before we had Medicare, nearly 60 percent of seniors' health care costs came out of their pockets. Today, that is down to 13 percent. So we have seen significant improvement over time. Before we had Medicare, 1 out of every 3 women aged 65 or older lived in poverty. Today, that number is 1 out of 10.

All of the indicators that we have show that Medicare, Medicaid, and Social Security have accomplished their objectives. Now we are celebrating the 50th anniversary of Medicare and Medicaid.

With regard to the Medicare Program, those seniors who have disabilities and who qualify are allowed to have full coverage—again without having to worry about being discriminated against in the private insurance marketplace. In Medicaid, 33 million children are covered, more than 1 out of every 3 in our Nation.

Over time we have improved these programs. The Medicaid program has been improved by the passage of the Children's Health Insurance Program, a bipartisan bill that was passed by this body. It significantly improved access to care for our children, particularly our low-income children.

We have also improved access to coverage through the passage of the Affordable Care Act. The Affordable Care Act has strengthened and improved Medicare and expanded Medicaid Programs to cover more low-income Americans. To date, thanks to the ACA, 9.4 million Medicare beneficiaries have saved more than $15 billion just on prescription drugs. In Maryland alone, our seniors have saved more than $230 million on their prescriptions.

I am particularly pleased that over the 50-year history of Medicare, we have changed the program, improved it, and built upon it over time. When it was first enacted, it was there mainly to cover seniors' needs when they were injured and ill. It was an insurance program for when they got sick or had an injury. Well, we have changed that focus to a wellness program to keep seniors healthy.

I am particularly proud that when I was in the House of Representatives, I authored the bill that expanded Medicare to cover preventive health care, including screenings for colorectal cancer, diabetes, and osteoporosis, and mammographies. Those tests were added in legislation that I authored in the House of Representatives. We have come a long way since then, culminating with the Affordable Care Act that eliminated all the copays for preventive health care.

Today, Medicare is keeping our senior population healthier. Seniors know that their preventive health care is covered and that they can detect diseases at an earlier stage and live healthier lives as a result.

Over the past five decades, our Nation has seen incredible, positive change as a result of the Medicare and Medicaid Programs. On the 50th anniversary of the passage of this landmark legislation, let us celebrate the

progress we have made and work together to try to find ways to build upon that progress by further improving our Nation's health care system to ensure that all Americans have access to affordable, high-quality health care and are able to live healthy, productive lives.

This is particularly timely because I believe next week we are going to see an attack on women's health care. I urge my colleagues to recognize the historical discrimination we have had against women's health care in this country. We dealt with that in the Affordable Care Act, some of the historical discriminations against women. But we need to be very careful about this because there is going to be an attack on Planned Parenthood. Planned Parenthood is particularly important for women's health care needs. Yes, it does deal with contraceptive services—that is very important for women—but it also deals with preventive health care, screenings, and primary health care. So many women get their health care needs met through Planned Parenthood.

As we celebrate the 50th anniversary of Medicare and Medicaid, as we celebrate how we have been able to make progress in providing affordable, quality health care to all Americans—whether they are our seniors, our disabled population, our children, those of low income, those groups who have been historically discriminated against—I urge that we look to try to build upon those programs and make them even stronger and not weaken the programs that are available.

President Johnson's Vice President, Hubert H. Humphrey, famously said that ''the moral test of government is how that government treats those who are in the dawn of life, the children; those who are in the twilight of life, the elderly; and those who are in the shadows of life, the sick, the needy, and the handicapped.'' While we still have work to do, we are closer to passing that moral test because of the creation of Medicare and Medicaid 50 years ago and, more recently, the enactment of the Affordable Care Act. Let's continue to make progress so that all Americans have accesses to affordable, quality health care.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. TOOMEY). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mrs. CAPITO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NUCLEAR AGREEMENT WITH IRAN

Mrs. CAPITO. Mr. President, I rise today to express my deep concerns with the nuclear agreement negotiated between the United States and other world powers and Iran.

In May, Congress acted in a bipartisan way to enact the Iran Nuclear Agreement Review Act. The Senate passed the legislation 98 to 1, and the House passed it 400 to 25. The bill was signed into law by President Obama.

This critically important legislation provides Congress, as the representatives of the American people, the ability to examine and vote on an agreement that will have tremendous impact on the future security of the Middle East and the world.

When the Senate passed the legislation in May, I said the bill would allow Congress to hold the administration accountable for negotiating an enforceable and verifiable agreement that would stop Iran's progress toward a nuclear weapon.

Negotiators have completed their work. Review of the agreement is underway. Committees are holding important hearings. We had one this morning. After the August recess, Congress will have the opportunity to vote on a resolution that approves or disapproves of the deal reached with Iran.

I believe the agreement is flawed in several ways. First, the agreement fails to provide for an inspections regime that is strong enough to prevent Iran from fulfilling its nuclear ambitions. Any agreement with Iran should include rigorous and immediate inspections of suspected nuclear sites. There has been much talk and hope of an anywhere, anytime inspection regime, but anywhere, anytime inspections are not what this agreement provides. Instead, under this agreement, it could take 24 days, and potentially longer under the Joint Commission process, before inspectors have access to a suspected nuclear site. It is obvious Iran could hide elements of a nuclear program, such as the construction of centrifuges, before inspectors could ever gain access to a suspected nuclear site.

Iran has already failed to meet the transparency requirements of the interim Joint Plan of Action. The International Atomic Energy Agency, or IAEA, consistently warned of Iran's failure to meet those standards of full transparency and in its June 2015 report stated that ''the Agency remains concerned about the possible existence in Iran of undisclosed nuclear-related activities involving military related organizations, including activities related to the development of a nuclear payload for a missile.''

Given Iran's lack of transparency, I believe the content of this agreement does not contain strong enough mechanisms to prevent Iran's clandestine development of a nuclear weapon.

Second, I find it more troubling that Congress—or even the administration—has not been given access to the understanding between Iran and the IAEA regarding how Iran's compliance with the agreement will be implemented. This has been the subject of great discussion.

Third, I am concerned the agreement will provide Iran with financial resources that they could use to continue to fund terrorist groups that put Americans and our allies at risk. We know they were doing it in the past. We know of their desire to do it in the future. It is troubling that when the sanctions against Iran are lifted, the nation will immediately receive approximately $150 billion in assets. As a designated state sponsor of terrorism for over 30 years, Iran has funded proxy wars across the region.

These wars range from Shia militias in Iraq to Houthis insurgents in Yemen. Iran further threatens our allies through funding Hezbollah and Hamas and propping up the regime of Bashar al-Assad, who continues to slaughter his own people.

While no one knows for sure how Iran will spend the signing bonus it receives from sanctions relief, the regime's prior behavior provides the best evidence of how it will act in the future. I hear the argument that the internal infrastructure of the country has fallen into disrepair because of the sanctions and because of the lack of the economic activities. Yet we have to look at Iran as still funding terrorist activity while allowing their own country's infrastructure to become failed and compromised.

What makes us think that with the new flush, $150 billion signing bonus, Iran is going to change their priorities all of a sudden? I personally have trouble with that.

Finally, I am worried the decision to lift the embargo on conventional arms and ballistic missiles sold to Iran will allow Iran to present a greater threat to its neighbors. In addition, it could precipitate a military buildup in the region, which will in turn increase volatility in an already volatile region. Despite these questions and concerns, the administration has argued that our only options are to accept the deal or to go forward with Iran.

To accept this binary choice is to say the American people should accept this deal, regardless of how one-sided it may be, in order to avoid a military conflict with Iran.

As a newspaper in my State, the Charleston Gazette-Mail, editorialized yesterday, this argument ''paint[s] a simplistic picture that allows [its proponents] to gloss over the very real problems with this deal.''

The Gazette-Mail continues:

> The deal's many critics have consistently made the case that there are other possible paths. The problem is that this administration doesn't want to take them.

Even the President's top general agrees that this is a false proposition. Just this morning, when asked if the choice was binary—accept the Iran agreement or go to war—GEN Martin Dempsey, Chair of the Joint Chiefs, said that ''we have a range of options and I always present them.''

All of us would prefer a diplomatic solution in Iran, but a good agreement with Iran is one that will truly cut off Iran's path to a nuclear weapon and improve the security situation in the Middle East.

The sanctions passed by this Congress, together with the sanctions that were built in concert with our foreign allies over the course of a decade, were what brought Iran to the negotiating tables in the first place. These sanctions should be kept in place and strengthened until Iran is forced to accept a deal that actually makes the region safer. I believe a better deal is possible than the leverage provided by sanctions, and I am not alone. A CNN poll released yesterday found that 52 percent of the American people want Congress to reject this deal, while only 44 percent believe the agreement should be approved.

A majority of Americans didn't say they oppose this agreement because they want war with Iran. Absolutely not. Instead, the poll reveals that a majority of Americans want a better deal, one that cuts off Iran's path to a nuclear weapon and makes the Middle East more secure.

There are legitimate arguments on both sides of the debate about the Iran deal. I accept that the President and his administration truly believe the deal they have negotiated is in America's best interest, but the claim that those who have a different view want war with Iran is an inappropriate attempt to short-circuit the legislative debate about this agreement.

Congress must stand up against a threat to national security and ensure that a monumental agreement contains the necessary verification and enforcement measures to protect future generations from a nuclear Iran. I stand with all of our allies in the region that have put their trust in America to negotiate a deal that will protect them indefinitely from the threat of Iranian nuclear weapons.

The posterity of our Nation and our allies depends on the critical policy decisions made by this Congress and this administration. Now is the time to carefully consider the nature of Iran's threat toward Israel and America, the history of Iranian-funded terrorism, and the consequences of nuclear proliferation in the Middle East. America does not have to accept a bad deal.

I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

WASTEFUL SPENDING

Mr. COATS. Mr. President, once again, I am on the floor for the ''Waste of the Week.'' Each week since February, I have come to the floor to discuss an issue of waste, fraud, and abuse—misspent taxpayer money identified by neutral agencies of the Federal Government that didn't have a partisan bone to pick in this or by inspectors general of various agencies or by the agencies themselves.

In February, I said I am going to come here every week throughout the duration of this session, and I am going to try to achieve a goal of $100 billion of waste. I wasn't sure we could reach that goal, but today is a very special day because we are going to highlight by the end of my speech over $100 billion of waste, fraud, and abuse that the taxpayer is covering with hard-earned pay at home.

Over the past several months, I have highlighted a variety of examples from the serious, such as the illegal procurement practices at the Veterans' Administration, to the ridiculous: taxpayer funding, under grants, for massages of rabbits to determine whether a massage after strenuous exercise made them feel better. I don't think we needed to gather a bunch of rabbits and pay, with a $387,000 grant to an organization to mechanically massage the backs of rabbits.

I think if you stop anybody on the street and ask: Do you think a good massage would make you feel a little bit better, especially after a strenuous exercise—I think the answer would be yes. Actually, I thought I might want to sign up for this until I found out that when the experiment was over, they killed the rabbits. So I didn't want to put myself in that position.

Then, from the young taxpayers who receive (improper and fraudulent child tax credit refunds) to the old, the active Social Security numbers that were assigned to individuals over the age of 112. Obviously there aren't too many people in the country, if any, over that age. These people had obviously died many years before—on and on it goes.

We are deluged with examples of waste, fraud, and abuse, which brings some chuckles and brings some ''Can you believe we are actually doing that?'' But the bottom line is that people are working hard every day to make ends meet to pay the mortgage, to buy the groceries, to save money to send the kids to school, and they are sending taxes to Washington and the bureaucracy is doing stuff like this.

It is a bad break for taxpayers, and it is shameful for government not to take measures to stop this waste, fraud, and abuse from happening. I am trying to disclose to the public this is how your taxpayer money is being spent so they will put pressure on their Members and say clean it up. Fortunately, we have been able to do some of that, but there is a long way to go.

Today I want to discuss errors with payments under the earned-income tax credit. Let me go back and explain this. The earned-income tax credit is a refundable tax credit that offsets income tax owed by low-income taxpayers. Congress originally approved the earned-income tax credit in 1975 to offset the burden of Social Security taxes for low-income workers and provide an incentive for them to work. It is a good motive. To some extent, it has worked. The way it works is this: When the credit exceeds the amount of taxes due, it provides a lump-sum payment, after you file your taxes, to those who qualify for the program.

People who work and earn less than a certain income level qualify for this refund from the government. According to the Congressional Research Service, this tax credit is the largest need-tested, antipoverty cash assistance program the Federal Government runs. So whether you think this is a right program or not, the questions are: How is it being run? And is it efficient and effective or is it making mistakes?

We are talking about Big Government. Mistakes are usually big mistakes, if there are some. In 2011, the IRS identified more than 6.6 million potentially erroneous earned-income tax credit claims that went to households that didn't qualify. Individuals were telling the government they are working and earning and therefore eligible for the earned-income tax credit bonus check, but at the same time they were telling other agencies, such as the Supplemental Social Security Program, that they are not earning that much or not working or don't have income. Some are getting double checks—one for which they're qualified and one for which they're not.

When we add all of that—the latest year that has been identified is 2013, and the tax credit costs to taxpayers during that year amounted to $60 billion. Of those, $14.5 billion were erroneously sent out checks by the agency, the IRS. If we can put in place measures that can provide accountability and verification to this program, we could save the taxpayer up to $14.5 billion a year. So with that, we add to our gauge an additional $14.5 billion.

As everyone can see on this chart, this gauge is climbing up each week. This chart shows the amount of money saved through the various programs we have identified. We have now eclipsed the $100 billion level, and we are just a little ways past the middle of the year.

I could take the charts, stick them in the back closet, and say: Thank you. I made it to my $100 billion mark, and I have made my point. But I will keep on going. Every week the Senate is in session for the remainder of this year, I will be back down here for the latest ''Waste of the Week'' so we can embarrass, disclose, and let agencies know that they are wasting taxpayers' dollars, and we, as a Congress, need to do something about that.

Some people may say that $100 billion in comparison with the total Federal budget is a drop in the bucket, but $100 billion is almost incomprehensible. Maybe Donald Trump understands what $100 billion is, but I don't. In terms of that magnitude of money, it is a small portion of what we spend here.

We can do so much more in terms of identifying issues and programs that will save the taxpayer money. Federal spending is out of control. We know that, and this highlights some of that. The real issue is much worse. While States such as mine, the State of Indiana, have created balanced budgets, eliminated debt, and provided surpluses, which they can use to return to the taxpayers or save for a rainy day, the Federal Government has not done that. This is a huge challenge in front of us. This is just a small piece of trying to identify some of the problems and challenges that we have, and by identifying them, we can save the taxpayer money by making reforms to these various programs.

With that, I will yield back the floor, but you can count on me being here every week for the rest of this session with the ''Waste of the Week'' for as long as the Congress and Senate are in session.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DAINES. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRAGEDY ON CROW RESERVATION

Mr. DAINES. Mr. President, I come to the floor today to share some remarks on what is going on with Planned Parenthood. Prior to sharing those remarks, I wish to inform my colleagues that we received some tragic news that has come out of Montana. I literally just got off the phone with Chairman Darrin Old Coyote with the Crow Tribe in Montana. I wish to take a moment to discuss the reports of a tragic shooting that has occurred on the Crow Reservation in Montana.

This afternoon we received word of a shooting in the community of Pryor, MT, on the Crow Reservation. I literally just got off the phone with Chairman Darrin Old Coyote before I got to the floor just to see how things were going and to be informed of the latest developments. There are two confirmed fatalities and at least one other injured individual who has been life-flighted to Billings.

My wife Cindy and I are deeply saddened by the news of today's tragic shootings in Pryor. Our thoughts and prayers go out to the Pryor community, and the families of all victims are in our prayers. I understand this was a couple who had children and grandchildren and are well known in Pryor.

I am staying in close contact with Crow leaders, with local law enforcement, Federal officials, and community leaders during this time. It is our understanding and it has been confirmed that the suspect has been apprehended and is in custody.

My staff and all of the staffs here in Washington stand ready to help those affected by this tragedy. Our hearts break for the victims and for their families.

I ask my Senate colleagues to join the Montana delegation and all Montanans in keeping the community, the victims, and their families in their thoughts and prayers.

PLANNED PARENTHOOD

Mr. President, 655,306 kidneys is more than $49 million, which equates to 256 Lamborghinis; 327,653 hearts is more than $24.5 million, which equates to 128 Lamborghinis; 1,310,612 arms and legs is $98 million, which equates to 512 Lamborghinis—this is the envisioned price tag were every one of Planned Parenthood's 327,653 abortions performed last year to provide body parts and organs to harvest.

The utter callousness of Planned Parenthood in discussing the price of baby parts, as if handing over a menu, is clear evidence of the culture of an organization enriched through ghoulish and disturbing practices. This is a culture which protects tissue over life and lays out harvested organs as financial milestones toward a new car.

Planned Parenthood has worked its way into the American lexicon, becoming synonymous with women's health but hiding its abortion practices.

Planned Parenthood received $528 million of Federal taxpayer money last year alone. And when asked on the street, so few even know that Planned Parenthood does abortions. But now the veil has been lifted, exposing inexcusable and unconscionable behavior.

This organization, Planned Parenthood, performs more abortions than any other organization in our country. But now our own calloused hearts—the heart of our Nation—are shocked out of apathy, and we have a choice. We cannot accept the destruction and the selling of our children, to stare clearly into the face of the appalling and do nothing. We can allow our consciences to be moved and then remove the public endorsement of these actions. We can remove Federal taxpayer funding of the organization that has perpetuated such horrific actions.

I am proud to join Senator JONI ERNST and Leader MCCONNELL, as well as 23 of my Senate colleagues, in the introduction of legislation to protect women's access to health services and defund Planned Parenthood. This bill ensures that funds allocated to Planned Parenthood will be redirected to other eligible entities to provide women's health care services.

Let me be very clear, so the information is clear about what this bill does and what it doesn't do. This bill ensures there is no reduction—not $1 of reduction—in overall Federal funding available to support women's health. This bill ensures the preservation of Federal funding for women's health services which include important services of relevant diagnostic, laboratory, and radiology services, for well-child care, for prenatal and post partum care, for immunization, for family planning services, including contraception, sexually transmitted disease testing, and cervical and breast cancer screenings. Let me say again, this bill ensures the preservation of Federal funding for these very important services for women. This bill does not reduce any funding for women's health services.

This bill does not allow any Federal funds to go toward Planned Parenthood to continue its practice of trafficking baby parts. We bristled when we heard of an abortion doctor that left babies born alive to die, and we sensed justice when that same doctor was sentenced in a court of law for his crimes. Similarly, we shuddered as parents. Cindy and I have been married for 29 years. We have four children, two boys and two girls. We shuddered as parents at the idea of baby parts being harvested and sold in the context of equating that value to purchasing a Lamborghini. Will we see this to the same end?

We are a society. We are a nation that values life so much that in our Declaration of Independence it is clearly articulated that all have the right to life. We Democrats, Republicans, and all Americans must stand strong in the defense of those who are most vulnerable. We must advocate and be a voice for those who do not have a voice, for the most vulnerable in our society, including the unborn.

Over the last year, we have cringed at terrible images coming out of the Middle East. We have seen horrible images coming across social media, and we have called loudly for action. That was on soil thousands and thousands of miles away from America.

Today we cringe at terrible images that have occurred on our own soil. Nothing, not even a Lamborghini, is worth the lives of our children. Planned Parenthood has clearly articulated the value they have placed on babies' organs and limbs, but what they have failed to acknowledge is the value the American people know full well, and that is the value of our children, which is priceless.

I yield the floor.

The PRESIDING OFFICER (Mr. GARDNER). The Senator from California.

PLANNED PARENTHOOD

Mrs. BOXER. Mr. President, thank you very much. It is so interesting, coming away from the Transportation bill where we saw such cooperation between the two sides, and now we are headed back to our corners with the vast majority of Republicans attacking an organization that helps millions of Americans get fundamental health care. It is the same old sides again.

My friend from Montana may not like Planned Parenthood, and he can tell his family and his friends not to go there, but he doesn't speak for the American people. They trust Planned Parenthood, an organization that has been around since 1916. Its founder was thrown in jail because she wanted to give birth control to people.

Let's be clear. My friend and those who are writing this legislation state that they are not attacking health care. Yet they try to defund the one organization in the country that people trust to deliver that health care. It is interesting because it is part of the attack on health care that we see from my friends on the other side of the aisle.

We celebrate the 50th anniversary of Medicare and Medicaid which have provided millions of Americans with accessible, affordable health care. This week we heard one of the leading Republican Presidential candidates talk about how it is time to end Medicare. This isn't a fringe candidate. I heard Newt Gingrich say years ago that Medicare will wither on the vine. They have been after Medicare forever and ever and ever. They don't like Medicaid. Some Republican governors are not providing their poor people with health care because they don't like Medicaid. These are lifelines that from their start have been attacked by Republicans. I have proof. I have spoken many times and quoted Republicans from past years going after Medicare, going after Medicaid, and now again going after Planned Parenthood and women's health care. This is an ideological attack, and it would put women's health and women's lives at risk. It is attacking women's reproductive health care, an issue that was resolved in 1973.

I want to say to my friends on the other side—and they are my friends—why don't you just keep moving us forward like you did on the Transportation bill. We set aside our differences and we are moving forward. Now you are reopening, again, the attacks on health care. You tried to repeal ObamaCare more than 55 times now in the House. It didn't work. You tried it here the other day; it didn't work. You have attacked Medicare. You have attacked Medicaid, and now you want to take away women's health care provided by an organization that is chosen by millions of women and men every single year for lifesaving and preventive services.

This legislation is being driven by an outrageous and potentially illegal act of an extremist group. It is just the latest chapter in the long history of attacks on Planned Parenthood and their health care providers who work there, and on the women and the men they serve.

Again, one can go back to the beginning of Planned Parenthood, when America's first birth control clinic opened before women could vote. We forget that women got the vote in 1920. If we have a woman in the White House in 2020—something that I personally hope will happen—we will celebrate the fact that 100 years after women got the right to vote there is a woman in the White House. The point is that on the very day the clinic opened 100 years ago, dozens of women waited in line. Do you know what they wanted? Lifesaving birth control information. They wanted to plan their families. They wanted to avoid unplanned pregnancies and the options that they would face if they had an unplanned pregnancy. What was the response? The clinic was raided, the clinic was shut down, and nine days later its founder was thrown in jail. Planned Parenthood has been a target of attacks by extremists since 1916, and that attack continues on the floor today.

Despite the effort of extremists, our country has come a long way since the days when a woman could be jailed for advocating birth control. We can't go back. We can't turn back the clock on women's health, and we still have people that are saying women shouldn't get free birth control through ObamaCare. They want it to go over the counter. We can't turn back the clock on women's health, but that is what is about to come.

With all the problems facing us—we still have work to do on transportation, we still have work to do to avoid sequester and all the deep cuts to our military and to our domestic programs such as the FBI, Homeland Security, food inspection, and border patrol. All of that is going to be cut, but, oh no, we don't turn to that to fix that. What do we turn to? Another attack on Planned Parenthood, another attack on women's health.

We know this extremist group went undercover and secretly taped people. That is what they did. If you approve of those tactics that is fine, but what I approve of is women getting health care. I think that when you scratch the surface, what you will find is that a lot of my colleagues don't think women should be able to plan their families. We are still debating birth control. You have got to be kidding.

You have to look at the work Planned Parenthood does: cancer screening, STD tests, and other lifesaving health care. They want to deny women this health care.

Do you know what I really find extreme? So many of my Republican friends tell me day after day, keep Uncle Sam out of our private lives. How true. I agree. Some of them even call themselves Libertarians. When you look up the meaning of Libertarian in Wikipedia, it is defined as one who ''seeks to maximize the autonomy and freedom of choice, emphasizes political freedom, voluntary association, and the primacy of individual judgment.'' The primacy of individual judgment—that is the definition of Libertarian. Yet my colleagues decided they don't like a certain organization so they should say to everybody in the country follow us. No. No. It is not right. Planned Parenthood is the safety net for women's health care, and it has been so. This attack on women's health care is the opposite of liberty.

I hope if this bill does come forward, we will debate it and debate it and debate it, because I don't think the people in this country want women's lives used as a political football. Women's health is not a game. It isn't something you should gain or lose votes on. Women's lives are not a game. We all have women in our lives, all of us, whom we adore regardless of our political party—our moms, our wives, our daughters, our sisters. Why would anyone in the Senate or anywhere else want to take away the health care that has benefitted one in five women in America, and more than 800,000 patients in my State every year? Why would anyone want to deny birth control to more than 600,000 Californians each year? Why would anyone want to deny women in my State 100,000 breast exams?

Instead of listening to these extreme voices, Republicans should listen to women in their States. I will tell you about a woman in my State, Nicole Sandoval of Pasadena, CA. Planned Parenthood was there for Nicole when she needed it most. When she was 23 years of age, she had no insurance before ObamaCare. Planned Parenthood caught her cervical cancer early enough to treat it and to save her life.

Instead of listening to these extreme voices, Republicans should listen to women such as Heather Penman of Concord, CA. Planned Parenthood was there for Heather when she needed it most, providing her with a cancer screening. They found precancerous cells, and it helped her get the lifesaving surgery she needed. She didn't say what my colleague said, standing up and attacking an organization that saved her life. She said, ''I might not be alive today'' without their help. She told me that a few years ago. She said, ''Planned Parenthood is about taking care of women's health and it shouldn't be reduced to some political argument.''

Imagine what would have happened if Planned Parenthood hadn't been there for Nicole or Heather. That is what Planned Parenthood does. There are millions of Nicoles and Heathers across America, each with her own story of how Planned Parenthood has been there for her. We are not going to allow Republicans to take away their health care. No, we are not. We are not going to allow Republicans to undermine the vital research that is helping treatments for Parkinson's, Alzheimer's,

multiple sclerosis, spinal cord injuries, HIV, and birth defects.

The research has led to public health breakthroughs, including vaccines for polio, chickenpox, rubella and shingles. Instead of attacking this research, we should be supporting it. That is something we should all agree on. Republicans are pushing an extreme, dangerous agenda—an agenda that is out of touch with most Americans.

We had a breather from that agenda when we had that Transportation bill. How excited was I. Then we turn around, we do this bill, we work together, and we are back in our corners again, with Republicans attacking women's health and Democrats defending women's health. A new poll released this week shows that a strong majority of Americans opposes defunding Planned Parenthood, even after these videos—these edited videos—have been put out.

The American people are paying attention to this story. Women are paying attention to this story. We know this is a political attack on women's health. We know the group went in and secretly filmed people for 3 years. We knew what their objective was—to hurt women's health, women's reproductive health. We know because that is where they stand.

They want Uncle Sam to tell a woman what her rights are. Well, I have to say that I am a Senator. I have strong views. I do not impose these views on anyone. I want people to choose the way they feel and make decisions between themselves, their family, their doctor, their God. That is up to them. I do not want any Senator in this body telling my family what to do or your families what to do because it is up to them. I respect their families. They will discuss it with their families.

This is a political attack on women's health. We know it is an attack on a group that saves lives every day. This is a fight they have picked before. They come out here with this, as if this were the first time they have ever attacked Planned Parenthood. Well, we won it before, and we will win it again. I heard my colleague, Senator MURRAY, recall that in 2011—she thought it was 2011—the Republicans threatened to shut down the government because they wanted to defund Planned Parenthood. They were going to shut down the government. She said: You know what; we are not going do this to women's health. If that is what you want to do, shut it down. We will take this case to the American people. They backed off. We won that fight. We will win this fight as well.

We are going to fight. We are going to fight to make sure that Nicole and Heather and women across America can continue to get the services they need: the birth control, the cancer screenings, STD screenings. That is what we are fighting for. We are going to make sure that Planned Parenthood is still there for the millions of women and families who depend upon it.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. THUNE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. THUNE. Mr. President, I want to speak to the highway bill today, legislation before us that hopefully by tomorrow we will report out of the Senate favorably and send it to the House of Representatives. My understanding is that the House will, sometime in September, report out their own version of the highway bill, hopefully a multiyear bill, in which case we would go to conference with them and hopefully get something we can get to the President on his desk that would be more than a short-term extension, but instead be something that provides the certainty that those who are involved in building roads and bridges and making sure that freight and people move across this country will have the infrastructure in place to do that, and that we can get about the process of creating jobs and growing our economy, which is what infrastructure is all about.

I want to speak specifically to some of the rail provisions in the legislation. I want to say that thanks to the leadership of Senators WICKER and BOOKER and the bipartisan contributions of the members of the Commerce, Science, and Transportation Committee, the legislation before the Senate today includes critically important provisions from the bipartisan Rail Reform, Enhancement, and Efficiency Act that our committee passed by voice vote last month.

This bill reauthorizes Amtrak through fiscal year 2019, while increasing rail safety, improving infrastructure, cutting redtape, and empowering local officials. Following the tragic May 12 derailment of Amtrak 188 in Philadelphia that resulted in eight fatalities, Senators WICKER and BOOKER added additional rail safety provisions that were approved by the committee.

The bipartisan rail bill that passed in committee and is included in the multiyear transportation bill before the Senate today would also advance the deployment of positive train control technology for averting accidents. I am proud to note that we recently amended the multiyear transportation legislation to expand this authorization. Never before has the Senate authorized robust, dedicated, and mandatory funding for positive train control implementation.

The amendment accepted by the Senate earlier today would authorize $199 million in PTC grants and loan financing for commuter railroads in fiscal year 2016. This is the highest single-year authorization for PTC ever. Using the Railroad Rehabilitation and Improvement Financing Program, commuter railroads will be able to leverage this funding for $2 billion in loans, necessary to cover the PTC capital needs.

In addition to advancing the deployment of PTC, the Wicker-Booker bill would require speed limit action plans for all passenger railroads to address automatic train control modifications, crew communication practices, and other measures to prevent overspeed derailments while positive train control is being implemented. It would also require grade crossing action plans to improve State grade crossing safety efforts, and it would consolidate grant programs to focus resources on critical safety and infrastructure needs.

Building on the work of the commerce committee's ranking member, Senator NELSON, the bill would increase the rail passenger liability cap for inflation from the $200 million level set in 1997 to $295 million, with inflation adjustments every 5 years. The bill applies a new higher cap retroactively to the date of the Amtrak accident in Philadelphia, thereby raising the potential compensation available to victims and their families.

This legislation also includes a measure from Senator PETERS to require a thorough examination of Amtrak's postaccident response following the Philadelphia derailment, ensuring a close look at whether Amtrak addressed the needs of families and passengers involved in tragedy.

Senator PETERS' work will make meaningful improvements to Amtrak's emergency preparedness going forward. As we worked on the legislation before our committee's adoption, I included a requirement for all passenger railroads in the Nation to install inward- and outward-facing cameras on their locomotives.

This fulfills an outstanding recommendation of the National Transportation Safety Board. These cameras will not only help with accident investigations, a need that we saw following the Philadelphia derailment, but they will help monitor each passenger railroad's compliance with critical safety requirements. Last week I received a letter from NTSB Chairman Christopher Hart stating:

> I applaud the recent passage of the passenger rail safety bill. I was pleased to see the inclusion of recommendations regarding inward and outward facing audio and image recorders. Thank you for your support of the NTSB.

The bill also includes extensive contributions from Senator BLUMENTHAL to improve passenger rail safety, including redundant signal protection to increase roadway worker safety, potentially preventing tragedies such as the one in West Haven, CT, in 2013.

Senator BLUMENTHAL also made important contributions on provisions covering alerters, signage, and track inspections. The bill includes his proposal for the Federal Railroad Administration to increase oversight of needed safety improvements at Metro-North.

I call my colleagues' attention to the following document: the Federal Railroad Administration's ''Operation Deep Dive Report'' outlining the safety concerns at Metro-North and setting forth specific directed actions. The bill before the Senate would require the FRA to follow up on that report and its recommendations.

I also call my colleagues' attention to Emergency Order No. 29, which was issued after terrible derailments in the Bronx, Bridgeport, CT, and West Haven, CT. This bill would apply the emergency order's speed limit action plan framework to the entire passenger rail network, reducing the risk of future overspeed derailments.

I would also like to include a statement from Senator BLUMENTHAL following the news that 13 current and former Metro-North employees had been accused of cheating on licensing exams. The statement reads: ''My amendment was accepted into the bill, which was voted out of the committee favorably, and I urge the Senate to take up the measure swiftly so we can ensure Metro-North is implementing true safety reforms.''

I echo Senator BLUMENTHAL's statement on Metro-North, and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

JUNE 30, 2015.

BLUMENTHAL STATEMENT ON METRO-NORTH CHEATING SCANDAL

HARTFORD, CT.—U.S. Senator Richard Blumenthal (D-Conn.) issued the following statement today regarding news that 13 current and former Metro-North employees have been accused of cheating on exams to become licensed conductors and engineers:

''The scale and scope of these revelations are sweeping and shocking—yet another searing indictment of Metro-North's safety training programs and procedures. Metro-North owes the public a better explanation to this apparent serious criminal conduct, and I will call for congressional hearings to compel them to do so.

Over a year ago, the Federal Railroad Administration conducted a Deep Dive investigation of Metro-North and found deeply disturbing flaws in Metro-North's training program. The news today that 13 employees have been indicted for cheating on a training exam raises more troubling questions about whether the training program at Metro-North remains weak, ineffective—or worse, susceptible to criminal conduct. These procedures must be improved and the flaws discovered by the FRA must be addressed. That is why I pushed last week for an amendment to a rail bill in the Commerce Committee that will require FRA to provide Congress with quarterly reports on the nearly 30 recommendations outlined in the Deep Dive report. My amendment was accepted into the bill, which was voted out of the committee favorably, and I urge the Senate to take up the measure swiftly so we can ensure Metro-North is implementing true safety reforms,'' Blumenthal said.

Mr. THUNE. I urge the Senate to ensure Metro-North and other railroads improve safety by voting in support of the bill before the Senate.

Working with Senator CANTWELL, who has been a strong advocate for crude-by-rail safety, we have also included in the bill new requirements for real-time train information to aid emergency response officials in the event of an accident. Senator BALDWIN worked last week to ensure emergency officials have advance notice of crude oil and ethanol unit trains traveling through their jurisdictions.

This bill also includes a provision for comprehensive oilspill response plans to ensure railroads are prepared and have resources positioned to respond to worst case scenarios, another priority from our colleague from Washington State, Senator CANTWELL.

Further, aiding emergency response efforts, Senators BOOKER and MENENDEZ included provisions that prohibit the withholding of train information from first responders. Their work will also examine the sufficiency of response information carried by train crews addressing issues raised in relation to the 2012 derailment in Paulsburo, NJ.

Senator MANCHIN worked to ensure tank car owners and shippers annually report on their compliance with the new tank requirements requiring stronger oversight for those important safety upgrades. In addition, Senator MANCHIN and I have agreed on the need for a real-world derailment test of electronically controlled pneumatic, or ECP, brakes. As this testing moves forward, the existing Department of Transportation requirements will be kept in place unless the real-world testing and evaluation show the requirement is not justified.

Enhancing the bill's grade crossing safety provisions, Senator GARDNER added stronger oversight of the Federal Railroad Administration's actions pertaining to the use of locomotive horns at highway-rail grade crossings.

Senator KLOBUCHAR included timely provisions to help address issues with the blocking of crossings as a result of idling trains. The bill also incorporates the work of Senator ROY BLUNT, whose TRAIN Act, cosponsored by Senators MANCHIN, HELLER, and myself, will streamline the permitting process for rail improvements, making our critical infrastructure dollars go even further.

Senator DAINES included provisions to improve Amtrak's operations through the study of new station development options where Amtrak would turn a profit, potentially increasing private sector investment in our Nation's passenger rail system. The reforms extend to project financing, and Senator BOOKER's embedded RRIF bill, cosponsored by Senators HELLER, CARPER, and KIRK, will create a faster and more flexible RRIF Program.

I also applaud Senator KIRK for his contributions to the RRIF reform bill, improving the loan process and facilitating more timely and transparent decisions. These RRIF loans can be used for safety improvements, including positive train control. It also explains why its inclusion in the broader surface transportation bill is strongly supported by Transportation for America, the States for Passenger Rail Coalition, the National Association of Railroad Passengers, the American Public Transportation Association, and the Southern Rail Commission.

I ask unanimous consent to have printed in the RECORD the statement from Transportation for America.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

TRANSPORTATION FOR AMERICA,
Washington, DC, July 14, 2015.

Hon. JOHN THUNE,
Chairman, Senate Commerce Committee, Washington, DC.

DEAR CHAIRMAN THUNE: We write to thank you for your leadership on the Comprehensive Transportation and Consumer Protection Act of 2015, which authorizes the federal passenger rail program with the transportation safety and freight provisions under the jurisdiction of the Commerce Committee through 2021.

The Comprehensive Transportation and Consumer Protection Act of 2015 authorizes the passenger rail program as part of the broader surface transportation program for the first time. The bill incorporates the Railroad Reform, Enhancement, and Efficiency Act (S. 1626) that already received unanimous approval from the Commerce Committee on June 25, 2015. The passenger rail bill would provide sustainable funding and enhancement opportunities for a unified national passenger rail program, while also improving the safety of the rail system. This is an important step in supporting a truly multimodal approach to providing people improved mobility and access to destinations.

The Comprehensive Transportation and Consumer Protection Act of 2015 also makes progress to improve the movement of freight and enhance U.S. economic competitiveness by improving freight transportation serving agriculture, manufacturing, energy, retail and other sectors. Freight movement is inherently multimodal and multi-jurisdictional. It requires a program with broad eligibilities and a competitive approach to guarantee that limited funding is targeted to the projects with the greatest impact. This proposal moves the federal transportation program in the right direction in addressing the nation's freight needs.

We look forward to working with you and your committee to address remaining concerns with the bill, such as the future of the TIGER program; however it is clear that passage of the Comprehensive Transportation and Consumer Protection Act of 2015 would be an important step forward in creating a transportation program that will boost the

nation's economy and ensure future prosperity.

Sincerely,

JAMES CORLESS,
Director.

Mr. THUNE. Transportation for America wrote that the committee-reported legislation would be an important step forward in creating a transportation program that will boost the Nation's economy and ensure future prosperity. It also stated that the bill would improve the safety of our Nation's rail system.

Building on the work of the commerce committee, the multiyear Transportation bill also includes a bipartisan extension to the PTC deadline. The bipartisan extension is a rigorous case-by-case approach, with enforceable milestones and metrics.

The Secretary of Transportation approves or disapproves of the dates in a railroad's updated implementation schedule, including the hard end date for implementation. Under no circumstances can the Secretary approve a date for full installation and activation that is later than 2018. The Secretary also has the authority to identify and require changes to deficient schedules that do not show safe and successful implementation as soon as practicable.

Multiple government reports, including from the Government Accountability Office, the DOT, and the FRA, have concluded that the vast majority of railroads will not meet the December 31, 2015, deadline for PTC implementation. This extension will not delay safe and successful implementation of positive train control technology. Rather, it offers a realistic approach to ensure this important technology is implemented as quickly as possible without risking shutdowns of rail service that will not meet the current deadline no matter what the law says. This proposal is not novel. Senate bill S. 1006, with original cosponsors BLUMENTHAL, SCHUMER, and GILLIBRAND, would extend the deadline to 2018 on a case-by-case basis in 1-year increments. Despite good-faith efforts from railroads, the Blumenthal extension recognizes the deadline in current law simply is not attainable.

Similarly, in its GROW AMERICA proposal, the administration requested giving the Secretary of Transportation discretion to extend the deadline on a case-by-case basis without any constraints on the dates the Secretary may approve.

We follow this model but add explicit constraints on installation and activation by 2018, while allowing the Secretary discretion in overseeing testing to ensure that PTC works as intended.

Recently, railroads from across the country explained the potential disruption caused by the current unattainable deadline. Virginia Railway Express, or VRE, wrote to me stating that ''VRE commuter rail operations could be suspended after December 31, 2015'' and has requested more time to ensure that PTC works as intended.

I ask unanimous consent to have printed in the RECORD the July 28, 2015, letter from Virginia Railway Express.

There being no objection, the material was ordered to be printed in the RECORD as follows:

VIRGINIA RAILWAY EXPRESS,
Alexandria, VA, July 28, 2015.

Hon. JOHN THUNE,
Chair,
Hon. BILL NELSON,
Ranking Member,
Committee on Commerce, Science and Transportation, U.S. Senate, Washington, DC.

Dear CHAIRMAN THUNE AND RANKING MEMBER NELSON: This letter supports the deadline extension for certification and interoperability of Positive Train Control (PTC) to December 31, 2018 being incorporated into the Surface Transportation Authorization bill (DRIVE Act) now being considered in the U.S. Senate. The Virginia Railway Express is concerned that without an extension to the PTC deadline, VRE commuter rail operations could be suspended after December 31, 2015 even though VRE has done everything in its control to comply with the requirements for PTC established in the Rail Safety Improvement Act of 2008.

The extension for PTC represents a common sense, bi-partisan approach and it allows sufficient time for VRE and it host railroads to test, commission and certify PTC for compliance. VRE is also supportive of the Rail Technical Grant program that provides $199 million to leverage financing and provide direct grants to install PTC or for interoperability between rail operators.

Approval of the PTC deadline extension to December 31, 2018 gives VRE assurance that commuter rail operations will not be disrupted. I ask that you please support its passage.

Sincerely,

DOUG ALLEN,
CEO.

Mr. THUNE. Burlington Northern Santa Fe Railway, one of the freight railroads that collectively have spent over $5 billion in private funds on implementation, recently sent a letter to the Surface Transportation Board that stated the possibility that ''if Congress has not extended the deadline for PTC operations, as of January 1, 2016, neither passenger nor freight traffic would operate on BNSF lines that are required by Federal law and regulation to have an interoperable PTC system as of that date.''

Critically, as I have noted, this extension is now paired with robust, dedicated, and mandatory funding for PTC implementation among commuter railroads. Recently, the American Public Transportation Association, or APTA, surveyed its commuter railroad members and found that over 50 percent were deferring maintenance to install PTC and only 29 percent had a shot at installation by the end of the year. That is why APTA, the National Association of Railroad Passengers, and rail labor support the inclusion of this critical funding in this underlying measure.

Mr. President, I ask unanimous consent to have printed in the RECORD the letter from the American Public Transportation Association.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

AMERICAN PUBLIC
TRANSPORTATION ASSOCIATION,
Washington, DC, July 28, 2015.

Hon. JOHN THUNE,
Chairman, Senate Committee on Commerce, Science and Transportation, Washington DC.

DEAR CHAIRMAN THUNE: We understand that the manager's amendment on the Commerce Committee title of the bill authorizes $199 million in funding that can be used by public commuter railroads for grants, or to leverage financing, for the implementation of positive train control (PTC) systems. These funds are of critical importance as commuter railroads address the $3.5 billion in costs associated with installing PTC systems under the new deadline and process also included in the bill. APTA appreciates the committee's effort to support implementation.

APTA's commuter railroads support the implementation of PTC on all commuter and intercity passenger rail lines, but we do not believe that PTC can be implemented on the entire system by the current statutory deadline, despite good faith efforts. The funds provided in the bill, in conjunction with the authority for the Secretary to oversee implementation of PTC systems by the end of 2018, will help ensure that PTC is safely installed as quickly as possible. We do not think it makes sense for commuter railroads to cease operations on January 1, 2016 because they were unable to install PTC by the current deadline, despite their best efforts to implement this new technology.

Thank you for consideration of our views. We remain committed to PTC implementation and we look forward to working with Congress as it advances this important transportation bill. If you have questions, please contact Brian Tynan of APTA's Government Affairs staff at btynan@apta.com or at (202) 496–4897.

Sincerely,

MICHAEL P. MELANIPHY,
President & CEO.

Mr. THUNE. APTA wrote: ''These funds are of critical importance as commuter railroads address the $3.5 billion in costs associated with installing PTC systems.''

The National Association of Railroad Passengers wrote: ''Just as important as the level of the authorization is the structure of the eligibility . . . RRIF could potentially be used to leverage the amount provided by the DRIVE Act by a factor of ten.''

The Senate has an important opportunity to advance deployment of positive train control and help commuter railroads get over the finish line.

In sum, this is a national rail safety and infrastructure improvement bill.

Amtrak provides service to over 30 million per year, with stops in over 500 communities and in 46 States. New York has about 6 million riders, Pennsylvania about 3 million, and States such as Florida, Virginia, and Washington all have over 1 million riders.

This bill also improves the safety of commuter railroads, which collectively have nearly 500 million boardings per year. Metro-North, serving New York, Connecticut, Long Island Railroad, and New Jersey Transit each have 80 million boardings per year. These passengers deserve the critical safety and infrastructure improvements put forward in this bipartisan legislation.

The failure to pass this bipartisan DRIVE Act, which includes these passenger rail investments and safety improvements, would be a significant loss to the traveling public who utilize passenger rail systems across the country.

I would simply conclude by adding that this is a copy of all the letters of support we have received regarding provisions in this legislation, regarding the legislation in its entirety, and I encourage Members of the Senate to support it.

In addition to the letters I have already included, there are literally probably hundreds of letters in here from organizations that are impacted, affected by, and benefit from provisions in the DRIVE Act.

So I hope when this comes to a final vote, which I believe it will sometime tomorrow, that we will demonstrate in a big bipartisan fashion our support for this legislation, not only for what it does for roads and bridges but what it does for freight transportation in this country and specifically many of the things I have just mentioned that we have included as part of the rail provisions in this bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

PLANNED PARENTHOOD

Mrs. MURRAY. Mr. President, I am on the floor this afternoon to talk about something I have had to talk about far too many times—extreme Republicans pandering to their extreme base by attacking women's health.

My Republican colleagues have picked this fight over spending bills, over the debt ceiling, and the list goes on. In fact, they even tried last week to attach political riders attacking Planned Parenthood to a bill that was supposed to help seriously wounded veterans start families. So we know how far they are willing to go to appeal to the tea party, and what we are discussing today is more of the same.

Republicans are using undercover attack videos, produced by a radical, rightwing organization dedicated to taking away a woman's right to choose, to once again on the floor try to defund Planned Parenthood and take away critical health services from women.

As Republicans try once again to get in between a woman and her health care, my colleagues are on the floor today to make one thing very clear: This bill is a nonstarter. We are standing up to be the voices for millions of men and women across the country and to say we are not going to let Republicans hurt women and take away their health care—not on our watch.

Mr. President, 2.7 women and men visit Planned Parenthood each year for health care. One in five women will visit Planned Parenthood at some point in her life. These women and their families are looking for everything from cancer screenings to birth control, to basic primary care, and the bill some of my Republican colleagues have introduced would take all of that away. It would leave women without the providers they know and the providers they trust.

I don't think women want the tea party making their health care decisions for them, but under this bill that is exactly what would happen and that is why it is not going anywhere. Republicans can go ahead and try for the umpteenth time to turn back the clock on women's health and score political points with their extreme base. They can pander to the tea party instead of working with us on the real challenges this country faces. We need to be creating jobs, growing our economy, and actually expanding access to health care.

We want them to know we are going to be right there as this comes to the floor, fighting back to make sure women come before politics and not the other way around. We have fought this battle before and again and again and again. Battles we all thought were settled, that women across the country thought they had won decades ago keep coming back. And each time we have made it clear: We are not going away.

Republicans can keep trying to attack women's health care, they can put new spins on old ideas, they can try talking about it in a different way, and they can look for any opportunity they want to bring this back up, but they should know we are not going to be fooled and they will not fool women across the country. Women in this country should be able to make their own decision about their own health care. Our government should be investing in women's health, helping more women get access to care, not moving in the opposite direction.

I very much hope Republicans finally learn their lesson and move on to the other things, but, if not, we need them to know we are going to be here ready to stand and fight for women in this country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I am proud to join my colleague from Washington State, a very distinguished and dedicated colleague, and others such as she who are championing this cause of defending Planned Parenthood. I am proud to stand with Planned Parenthood in advocating and championing the cause of women's health care in this country.

Planned Parenthood needs no defense and, indeed, this body should not be spending valuable time and energy in this attack on women's health care that is epitomized by an effort to defund Planned Parenthood.

Let's be very clear. Planned Parenthood provides countless women across this country with STD testing, breast cancer screening, funding research in strengthening women's health care, and contraception. None of these activities is involved in abortion. They are entirely unrelated to abortion. They are about women's health care. The effort to defund Planned Parenthood is, in fact, an attack on women's health care.

Planned Parenthood should need no defense from any of us because its activities immensely benefit women who depend on it and rely on its professionals for basic screening, testing, and other activities that protect them from the ravages of cancer and other kinds of diseases that will cost more to this Nation if we deny Planned Parenthood that funding.

Planned Parenthood is under attack. It is under siege from a sensationalistic and disingenuous kind of publicity that is based on undercover videos. People are offended by them, and Planned Parenthood has in fact spoken to the merits of them. I encourage Planned Parenthood to continue speaking to those videos. Another was released just yesterday.

Planned Parenthood needs no defense from us because the American people support it. American women do because they know the reality, which is different from what is depicted in those videos. The reality is that Planned Parenthood provides funding for women's health care. So the funding of women's health care by defunding Planned Parenthood should not be the goal or the effect of anything we do in this body.

I am proud to stand and urge my colleagues to reject this attack from the most extreme members of the anti-choice movement, which seeks to undermine critical access to health care through Planned Parenthood. My hope is that congressional opinion, like American public opinion, will continue to be, as we are, on the side of Planned Parenthood.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

VETERANS HEALTH CARE

Mr. ISAKSON. Mr. President, I will be joined on the floor by the distinguished Senator from Connecticut, Mr. BLUMENTHAL, who is the ranking member of the Veterans' Affairs Committee;

Senator MCCAIN of Arizona, who is the leader behind the Choice movement that took place last year in August; and Senator ROY BLUNT from Missouri.

As we speak, at this very moment the House is voting. They are voting on a 3-month extension of the highway bill. But more importantly to us on the Veterans' Affairs Committee and to our veterans, they are voting on a bill we have agreed to, to fix the problem at the VA with regard to the funding of our hospitals and health care, and to open up a new day in terms of Veterans Administration services to the veterans of our country.

I was pleased to be joined by Senator BLUMENTHAL at the VA a couple of weeks ago where we had a heart-to-heart, 4-hour meeting with Secretary McDonald, Sloan Gibson, and others about the false-intended press release that was sent out of the VA saying they were about to run out of money, health care was going to be stopped in certain places, and some hospitals might be closed. That was a misleading press release. It was meant to create a crisis that didn't really exist. The crisis was not in not having the money. The crisis was in addressing the money and having to organize it in such a way it could meet VA's needs. What is attached to the highway bill and coming over here is the following: redirection of $3.348 billion in the Choice money which was appropriated last year into a central fund for health care, just as the funds for non-VA health care and regular health care are. Now all of the money for veterans' benefits is in the same pie. And the limitations on the paying for benefits that were in the Choice bill are not going to be there any longer, so all the money can be used for what it was intended, and that is to pay for the benefits for our veterans who have earned them.

In addition, there will be an addition to the 40-mile rule to say that any veteran who lives further than 40 miles away, or inside of 40 miles but can't get the services they need for their health care, can use Choice to get to a health care provider of their choosing.

Choice was passed to react to the terrible crisis in the VA in Arizona when the Phoenix, AZ, hospital had veterans die because appointments weren't kept, veterans couldn't get services, and mental health issues couldn't be handled. The Choice Act was engineered by Senators BURR and MCCAIN, who did a good job.

We are proud to be modifying it in this highway extension to be sure we do not run out of funding and not appropriate an additional dime other than what we already have. For Members who are listening to these remarks and will vote tomorrow, I want them to understand quite clearly that when they read the bill it will show money as emergency funding. That doesn't mean it is new or additional money. It just means the money that was appropriated last year as emergency funding for VA Choice will be able to be used only for benefits for veterans in terms of health care no matter what program they are in—non-VA, regular VA or VA Choice.

We want to see to it that Choice is a force multiplier, Choice is the way we get our veterans' timely appointments, Choice is the way we utilize and maximize the ability of our country to meet the needs of our veterans and bring private sector participation into service for our veterans without diminishing or taking away the services our veterans get from the VA.

I appreciate Senator BLUMENTHAL and the contributions he made in the meeting 2 weeks ago. I want to commend Chairman MILLER and Ranking Member BROWN in the House for all the work they did, and Speaker BOEHNER, who was instrumental in making this come about.

I now yield to Senator BLUMENTHAL, then Senator MCCAIN, and then Senator BLUNT.

Mr. BLUMENTHAL. Mr. President, I thank the chairman of the Committee on Veterans' Affairs, who has correctly and appropriately stated what our goal is in seeking the transfer of funding—a goal that will be fulfilled by the bill coming to us from the House. It is, in fact, coming to us from the House, but as Chairman ISAKSON has very correctly stated, it is the result of an initiative that he—and I have been very proud to join him in this effort—initiated with the VA Secretary at our meeting last week. And the leadership of the House has joined in that effort.

I am proud and honored to be his partner in this effort, which is absolutely necessary to continue the VA's health care programs. This transfer of $3.4 billion is required by the fact that the community and care programs of the VA will in effect exhaust their revenue streams unless we enable the VA to use some of this Choice funding in this effort. It is necessary to permit VA programs and veterans to have access to money that is there. It is for the same purpose as the community and care programs. They are, in fact, identical programs in terms of their basic efforts and goals.

The meeting we had—that Chairman ISAKSON had last week—was very productive and important in reaching a consensus, a bipartisan consensus, and I urge my Democratic colleagues on this side of the aisle to join this effort to enable VA programs to go forward and to make sure we continue to keep faith with our veterans. We should leave no veteran behind when it comes to health care. We must make sure that we fulfill our obligation to all of our veterans in mental health care, in physical health care, in primary health care, and all the specialties that are served by this program.

I thank my very good friend from Georgia for his leadership in this effort. I am proud to be his partner in serving this goal.

I yield the floor, and I thank the Chair.

The PRESIDING OFFICER (Mr. LEE). The Senator from Arizona.

Mr. MCCAIN. Mr. President, I want to thank Senator BLUMENTHAL and also my friend from Georgia, the distinguished chairman of the Veterans' Affairs Committee, who is ensuring we continue strong oversight and accountability at the VA. It is much needed.

There are a lot of problems, but what the Senator from Georgia has done on a bipartisan basis is to continue the funding to add billions of dollars on top of the VA's request. We have approved of every single increase for funding that has been requested, and yet I am disappointed the administration is seeking to use funds originally allocated for the VA Choice card to pay for hospital and medical treatment needs.

Thanks to the work, though, of the Senator from Georgia and our other colleagues, including Chairman MILLER in the House of Representatives, we will ensure the VA health care will continue without any funding interruptions through the summer and into the new fiscal year. We will do this to ensure that our disabled veterans do not suffer from the VA bureaucracies' mistakes and mismanagement.

Mr. President, I ask unanimous consent to engage in a brief colloquy with the Senator from Georgia.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCAIN. I would ask the Senator from Georgia if he would agree the Choice card was really a major breakthrough in concept, in that at least a certain portion of our veteran population, rather than having to go a long distance in order to get VA care, would be able to go to a local provider?

I wonder if the Senator from Georgia would discuss for a moment, or comment on, whether that program has been viable, whether it is accepted or not accepted by our veterans population, and whether we need to make it permanent or not.

Mr. ISAKSON. Mr. President, I thank the Senator from Arizona for his question. It was the Senator from Arizona who initiated the Choice Act movement in August of last year when we had the terrible crisis in Phoenix where appointments weren't made for veterans in trouble and, in some cases, some of them died.

We created Choice to be sure if a veteran needed an appointment within 30 days, or immediately, if it was mental health or other things, and the VA medical facility couldn't provide it, they could use Choice to go to a local provider, either because of distance or service offered. That was initiated in November of last year, and it has

grown almost every single month in utility and use because it gives the VA a way, when they are backed up, to meet the needs of a veteran without just saying we cannot help. It is becoming more and more popular.

Not only is it helping veterans to get services on a timely basis, it is a force multiplier for the VA. Every time we can use a local Medicare-approved physician, which is what Choice does, we are saving the VA having to hire another physician, having to build another hospital room, and having to provide another service. Yet the VA has control of the services going to the veteran.

We have 6.5 million American veterans who have received Choice cards since November of last year. The numbers started out slow, but they are picking up every single month because veterans like the fact that they can go closer to home for what the VA can't offer, they can get the service they need if the VA can't offer it, and they can be served in a timely fashion.

I thank the Senator for his initiation of this whole movement last August and for being a part of getting this addition passed today.

Mr. MCCAIN. Mr. President, I thank the Senator from Georgia, and I would ask two more questions.

One is, how important is it that we make it permanent, and maybe even look towards expansion of eligibility for the card; and second of all, I know the Senator from Georgia has already discussed it, but when we have a $1.7 billion cost overrun on the construction of one VA hospital—and we see cost overruns literally everywhere throughout the VA on their construction projects—how do we fix that?

Mr. ISAKSON. Mr. President, we are fixing it, and I appreciate both questions.

On question No. 1, we need to repeal the sunset of Choice, which is in 2 years, and make it permanent. Choice is a force multiplier for the VA, which is good, and it is an added service for our veterans, which is also good. I commit to you as chairman that I am going to work towards eliminating the sunset so Choice is permanent in VA health services from now on.

As far as hospital cost overruns, the Senator is right. Denver was $1.732 billion—a 428-percent overrun—but look at Orlando, FL, and look at three other hospitals we have built, all of them being two or three times the original estimate. The VA needs to be taken out of the business of building hospitals, and we are doing that and transferring it to the Corps of Engineers, who are the people who know how to build something.

The VA needs to manage the health delivery system for our veterans. That is what they need to be providing. They do not need to be building buildings. They don't need to be keeping us out of their business. They need, instead, to find private sector solutions wherever they can and do what they were chartered to do, which is to provide services for veterans who fought and sacrificed for our country.

Mr. MCCAIN. In other words, from now on, if there is a new VA facility to be built, that will be supervised and constructed by the Corps of Engineers?

Mr. ISAKSON. Exactly. With one exception. If it is a modification to a CBOC or a clinic or something like that, that is a smaller allocation or a smaller appropriation. Maybe anything under $25 million, they might do, but anything over $25 million, such as a hospital, they won't do it. The Corps of Engineers will do it.

Mr. MCCAIN. Well, I am sure it is probably a dumb question, but has anybody been held accountable? I am sure that is a stupid question.

Mr. ISAKSON. It is the most intelligent question anybody can ask. The press questioned me in Denver, when I went there, along with Ranking Member BLUMENTHAL, and we looked at the situation firsthand. After looking at it and interviewing the VA people, we were asked by the Denver Post how we could explain this mess, and I asked them very simply if they knew what a camel was. They said no. I said that is a horse built by a committee. Well, the Denver hospital is a camel—a horse being built by a committee, most of whom have left and are not there to be held accountable anymore.

It is unconscionable and irresponsible for that hospital to be costing what it has cost. We have finally put our arms around it. We have finally put people in place with accountability, and the Corps of Engineers is now overseeing the completion of that hospital so we don't have more overruns like we had. It was a matter of nobody being in charge and everybody being in charge—too many chiefs and not enough Indians. We had people in charge of health care building buildings, and that wasn't what we needed.

Mr. MCCAIN. I think they must have gotten some of those bureaucrats from the Pentagon.

I want to thank both Senator BLUMENTHAL and you, Mr. Chairman, for the great work you are doing. As you know, this whole scandal began in Arizona at the Phoenix VA, where allegations remain that over 50 veterans died while awaiting care. Obviously all of us have an obligation to all of our veterans, but I know my colleagues can understand the special aspects of where this whole thing began.

I am very grateful, and on behalf of the veterans of my State, I thank both of you for your leadership and your commitment. I will be going back to my veterans community, and I will be having townhall meetings and meetings with them and ensuring them that at least we think we are taking measures that put us on the right track.

I thank the Senator from Missouri for his patience while we engaged in this colloquy.

Mr. ISAKSON. I want to acknowledge the fact that Choice would have never happened, and this would have never happened, had the Senator from Arizona not immediately responded when the crisis first started and fixed this. We appreciate his leadership, and we are glad to follow him.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I thank our friend from Arizona, the distinguished cosponsor with me of the Clay Hunt Suicide Prevention for American Veterans Act, for his great work in this area as well as on health care generally for our veterans. He has raised one of the most profoundly important as well as intelligent questions about accountability—accountability for the debacle and delays in health care and cooking the books that led to the Choice program, but also accountability for the cost overruns in the construction of the Aurora, CO, facility—$1 billion at least over budget, and months, if not years, of delays, as well as in other construction facilities.

I would just say to my friend from Arizona that the chairman and I are focused on the accountability issue, and we are working together in a bipartisan way on a legislative measure that will meet the test of constitutionality as well as effectiveness in holding accountable past and future officials at the VA for these kinds of mismanagement and in other areas. So I thank him for raising this issue.

I apologize to my colleague from Missouri for delaying him from taking the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BLUNT. Mr. President, I join Senator MCCAIN in thanking Senators ISAKSON and BLUMENTHAL for the package we are putting together and talking about. And I join them in thanking Senator MCCAIN for coming forward and giving reality to this idea that many of us have advocated for some time—more choices for veterans, more competition to see who serves veterans. I think the numbers Senator ISAKSON has used here today would indicate that every month veterans are embracing this idea of more choices.

It makes common sense that there are a few things the veterans health care system should be better at than anybody else. They should be better at post-traumatic stress, dealing with that unique battle situation so many of our veterans are facing right now. It is not a disorder; it is a problem veterans have because of what we ask them to do and where we ask them to do it. They should be better at IEDs, the explosive devices, dealing with the injuries that come from those kinds of attacks, eye injuries and others. They

should be better, in all likelihood, at dealing with prosthetics because in the history of military service, so many of our people who serve have lost arms and legs. The VA has been good at prosthetics because of that.

But, frankly, I don't know very much else we should argue that they should be better at than the place we probably drive by to get to their facility. There is absolutely no reason to think the Veterans' Administration should be a better place to get heart bypass surgery done or a better place to get renal cancer dealt with or a better place to do almost anything else. If, in fact, there is a unique VA location that has become better at those things than anybody else, that is a great place for veterans to go. But our goal should be to get veterans the choice they need to go to the location that works best for them.

In looking at veterans mental health, Senator STABENOW and I last year proposed the Excellence in Mental Health Act. Particularly young veterans want to have more choices. They want more choices that work better with work and work better with their families and let them access those kinds of facilities and that kind of assistance in an easier way.

Seeing the steps this bill begins to take is something we should all embrace.

We should also hold the VA accountable for doing everything they could—it appears to me—to resist the concept Congress wanted them to embrace. This bill addresses some of those obstacles.

I joined with Senator MORAN in a bill he had so the Veterans' Administration could no longer say: Well, the way we read the law, in the strictest possible sense, if you are within 40 miles of a facility—no matter whether your health care problem can be dealt with there or not—you don't meet the 40-mile criteria. Well, of course the intention of Congress wasn't that they meet a 40-mile criteria. This piece of legislation, with the help of Senator BLUMENTHAL, Senator ISAKSON, and Chairman MILLER in the House, begins to clarify that.

I had a bill the House passed some time ago—Hire More Heroes—that allows veterans to have some advantage with companies that hiring that are right at 50 employees, and because of the difficulties of the new health care requirements for employers, those employers don't want to get to more than 50. The Hire More Heroes provision of this will let veterans who have TRICARE—who have veteran-provided care of one kind or another—be hired by an employer and not count toward the 50 because they don't need to be counted in terms of who needs health care because they already have it. That is what this does.

So I would like to see a better job done. The Cochran facility in St. Louis—I think one of the more troubled facilities in the country right now—the big VA hospital there is about to get its eighth Interim Director in 2 years. Now, there is some serious management problem when one of our major facilities with some significant problems as an agency is now looking forward to its eighth Interim Director in 2 years. No problems are going to be solved by half a dozen Interim Directors. The head of the VA needs to understand that just like everybody else does.

The waiting list for getting a VA appointment is longer than 30 days and is more than 50 percent bigger than it was a year ago.

So the choice aspect of this—looking for more flexibility in how to apply the ability of veterans to get their health care where they want to get their health care—is a good thing.

I am certainly disappointed that we are looking at another short-term extension of the highway bill, but if we have to put something with that short-term extension of the highway bill that moves veterans choice and competing for who can provide health care to veterans in the best way, as this addition does, I think it is a great step in the right direction.

I certainly want to work with Senator BLUMENTHAL, and the chairman's pledge to do everything he can to make this competitive environment, where veterans can get their health care where they want in the best way, a permanent part of veterans health care—that is something I want to do.

One of my good friends introduced me at a meeting at a VA hospital about a year ago. He said: Senator BLUNT has been telling me for about 10 years that we need to have more choice. I have been telling him the VA could do the job. I am now convinced that more choice is what we need.

Many of our veterans and their families have had great experiences at Veterans' Administration facilities, but every one of them should have a great experience, the best possible experience at whatever facility they go to in gratitude of the service they provided us.

I am glad these additions are in the bill. I look forward to working with my colleagues as we try to make competition work better, as we try to ensure that it is permanent, and as we try to make the Veterans' Administration work for the veterans instead of being focused on working for the Veterans' Administration.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I thank my colleague for his support, and I appreciate the comments made by Senator ISAKSON and Senator MCCAIN. We had bipartisan support for this initiative to make sure our veterans continue to receive health care that is necessary because funds will be terminated at the end of August if we fail to act. It is, in effect, a short-term fix that is necessary because of the present structure of funding within the VA. I think we can take this step and leave for another day the question of how long the Choice Program should be extended, if it should be extended at all.

My hope is that accountability and funding will focus on making the VA even better than it is. The reason for accountability is to make sure VA hospitals and providers are giving our veterans world-class, first-class health care.

I welcome the focus of the Senator from Missouri on what the VA does well. I hope it does everything well that it is doing. From primary care, to women's health care, to all of the clinics that are, to the initiatives it is taking in telemedicine, the VA ought to be providing the best health care available in the world to our veterans. They need it and deserve it. We need to make sure we keep faith with those veterans.

I am proud we are taking this step on a bipartisan basis to address the short-term challenge of $3.4 billion that must be transferred from the Choice Program to other accounts in the VA and to make sure the money is available to provide this funding and keep health care going for our veterans.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PLANNED PARENTHOOD

Mrs. SHAHEEN. Mr. President, here we go again. Once again, Planned Parenthood is under attack. A bill is before the Senate that would once again attempt to defund Planned Parenthood. And once again, we are seeing the Republican majority putting their partisan agenda ahead of the health of women.

For 100 years, Planned Parenthood has been a trusted provider of health care services. Last year alone, Planned Parenthood of Northern New England served 12,000 women in New Hampshire. Most of them are low income. For many women in my State of New Hampshire, the full range of health services offered at Planned Parenthood is the most affordable and accessible way for them to get the care they need. Ninety-four percent of the services provided by Planned Parenthood in New Hampshire are prevention-related. We can see on this chart that it is well-women visits, cancer screenings, vaccinations, birth control, breast exams, and HIV tests. Planned Parenthood

provides the health care so many women need to ensure that they can live their lives in a way that gives them opportunities and gives them reassurance that they are going to have their health.

I oppose the legislation that has been introduced to defund Planned Parenthood. It would make it harder for millions of women—as I said, 12,000 in New Hampshire last year alone—to get the high-quality, affordable care they need.

This attack on women's health is politically motivated. It holds hostage the millions of women and families who depend on Planned Parenthood.

The highly edited videos that have been circulated are disturbing. Planned Parenthood has apologized, and the secretly taped videos and Planned Parenthood's practices are under review by the Department of Justice. That is appropriate. But make no mistake about it—the group who is responsible for these deceptive videos is motivated by a single purpose: to limit access to abortion services. Its three officers are prominent in the anti-abortion movement. They have ties to many other politically motivated groups who are working to take away a woman's right to choose. They have been tied to organizations that harass medical providers, doctors, and patients, try to limit access to women's health care clinics, and they actively work to limit the reproductive health care decisions a woman can make.

Federal dollars are already prohibited from being used to pay for abortion under the Hyde amendment except in cases of rape, incest, or when the health of the mother is threatened.

This is not a vote to defund abortion; this is a vote to defund preventive health care for women, the kinds of things that are outlined on this chart—the cancer screenings, the vaccinations, the breast exams, HIV tests, and birth control.

If you don't like abortion, then you should support family planning, which is one of the things Planned Parenthood does.

By targeting Planned Parenthood, this politically motivated attack on women's health will limit access to health care services that I think we all agree should be available, the kinds of services that are listed on this chart.

On behalf of the millions of women who are served by Planned Parenthood, and the thousands of women in New Hampshire, I oppose and I will continue to oppose any attempt to defund Planned Parenthood, an organization that is absolutely a critical component of women's health care.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PETERS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

VEHICLE TECHNOLOGY

Mr. PETERS. Mr. President, the United States is a world leader in new technological advancements, and in no sector is that better illustrated than the auto industry.

We find ourselves at a critical juncture in terms of vehicle technology. Advancements such as super-lightweight materials and vehicle-to-vehicle and vehicle-to-infrastructure communications are rapidly coming to market and changing the way Americans get to work, travel on vacation, and move goods and services across the country. With a shared goal in maximizing the potential of these technologies, we must get ahead of the curve and think strategically about how to seamlessly weave them together in a way that will best increase public safety, fuel efficiency, and vehicle performance. That is why I am excited to be leading two bills that will provide the tools researchers, engineers, manufacturers, and others need to create the next generation of cars and trucks built in Michigan and in States all across the country.

The Vehicle Innovation Act builds on the Department of Energy's innovative work to improve vehicle fuel economy and minimize petroleum use. The Vehicle Innovation Act is bipartisan, with strong support from my lead cosponsors, Senator ALEXANDER and Senator STABENOW. Thanks to a team effort, it passed as an amendment to a bipartisan energy bill in the Committee on Energy and Natural Resources yesterday by a vote of 20 to 2.

The need for this legislation is clear. Oil dependency is driven by transportation, particularly cars and trucks. Transportation is responsible for 66 percent of U.S. petroleum usage and 27 percent of greenhouse gas emissions. America's dependence on oil poses significant economic, energy, and environmental risks to the United States, and the Department of Defense has recognized that our reliance on oil puts our men and women in uniform at greater risk.

We have 240 million light-duty vehicles on the roads in the United States, and it will take decades of sustained effort to turn over that fleet.

It is absolutely critical that we develop the advanced technologies now in order to achieve fuel savings in the future and become truly energy independent. The Vehicle Innovation Act establishes a consistent and consolidated authority for the Department of Energy's Vehicle Technologies Program, which promotes partnerships with the public and private sector to improve fuel efficiency in vehicles. Through this program, the DOE will collaborate with light-duty automobile and medium- and heavy-duty commercial truck engineers, manufacturers, and suppliers to conduct cutting-edge research that will help us advance the future of fuel-efficient cars and trucks.

DOE's sustainable transportation initiatives are already making great strides in vehicle efficiency, and VIA will continue to strengthen those activities while providing new authorities to expand their work.

The SuperTruck Initiative is a great example of this. Industry partners have achieved and exceeded the program goal of a 50-percent improvement in overall freight efficiency on a heavy-duty, class 8 tractor-trailer. Some have even reached over a 100-percent improvement. My bill ensures that the DOE will be able to continue working with the industry on supertrucks.

Another example that the Vehicle Innovation Act will build on is the work on multimaterial, lightweight vehicles. Holistic vehicle and manufacturing design improvements for reducing vehicle weight can result in weight reduction and fuel economy gains of over 20 percent.

The Vehicle Innovation Act is technology neutral. It develops and strengthens the toolbox for auto experts without picking winners and losers. It also directs the Department of Energy to continue its investment into multiple transformational technologies, such as hydrogen and batteries. DOE research and development has cut costs for fuel cell systems by 50 percent since 2006. My bill will build on this success and expand DOE's focus into the near-term deployments that will result in major savings for the national fleet.

The Vehicle Innovation Act also includes new research authorities on vehicle-to-vehicle—or V2V—communications systems. This technology allows cars to talk to one another and recognize dangers that a vehicle's radar, cameras, and other sensors can't detect.

As we are working to develop these features in new vehicles, we must also ensure that we are keeping pace with technologies in our infrastructure.

Vehicle-to-vehicle infrastructure—or V2I—technology allows vehicles to communicate with the road and has the ability to help prevent collisions, relieve traffic congestion, and reduce unnecessary energy consumption. That is why I introduced another bill to promote investments in V2I technology by authorizing States to use existing surface and highway transportation funding to invest in V2I projects as they upgrade highway infrastructure.

An example of V2I in action is a monitor on a bridge that will tell approaching drivers if there is a dangerous ice buildup on it. Other examples include traffic signals that warn vehicles of stopped traffic or sensors that warn of nearby emergency vehicles for work zones.

In 2013 the National Highway Traffic Safety Administration found that more

than 32,000 people were killed in vehicle crashes. According to NTHSA, V2V and V2I—the two technologies being developed—will be able to eliminate up to 80 percent of vehicle accidents involving nonimpaired drivers once they are fully deployed.

I am pleased that my V2I legislation is included in the overall highway bill the Senate is considering this week, and I look forward to working in the fall during the conference to make sure this funding eligibility language remains in the bill.

V2V and V2I technologies are part of the auto industry's future, and these technologies will be readily available in the near term. That is why it is so important that we make these investments in our infrastructure now to ensure that we can start using these lifesaving technologies as they become available.

Taken together, these two bills represent the type of forward-thinking policymaking that Congress should be focused on every day. Investments in research and development have demonstrated the ability to transform our society for the better, and I am determined to make sure the United States is the country that is driving forward advanced technology instead of putting on the brakes and being left behind.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

PLANNED PARENTHOOD

Mrs. FEINSTEIN. Mr. President, I come to the floor to speak about the importance of protecting women's health and protecting their access to their health care, in other words, their choice. I strongly oppose what is becoming a major effort to defund Planned Parenthood. Planned Parenthood has ensured women receive the health care they need for almost 100 years now. That was before women even had the right to vote. Its founder was thrown in jail for making birth control available, and it has been under near-constant attack since then.

I think the Senate needs to stand up on behalf of millions of women across this country and vote no on any amendment that would defund Planned Parenthood. This organization is the primary health care provider for millions of American women. One in five women in this country has been to Planned Parenthood.

I have received hundreds of emails and calls from women in California about their support for and experiences at Planned Parenthood. They told me that doctors there listened to them, the nurses became their friends, and they felt valued as patients. Before they went to Planned Parenthood, they were worried about their health. They didn't know if they would be able to get the care they need, and they didn't have the information to make smart, healthy lifestyle choices.

One young woman from Santa Barbara told me about a health care scare she had when she was 20. Precancerous cells were discovered during her annual exam. Planned Parenthood didn't have the equipment to perform the followup procedure she needed, but that didn't keep the clinic staff from helping her. They connected her to the only OB/GYN in the city who accepted low-income patients, and she got the care she needed.

She said: ''Since that early detection and intervention, I've been healthy and would not be where I am today without Planned Parenthood.''

Another young woman from Victorville, CA, told me it was hard to get information about how to prevent pregnancy and sexually transmitted diseases and access contraception. Three girls she knew in high school became pregnant. It wasn't until she visited Planned Parenthood in college that she felt she could make responsible health care decisions.

Another young woman shared her abortion story. She was 19 when she became pregnant. She felt scared and alone. She said: ''During a time when a tough decision had been made and a million thoughts were running through my mind, it was relieving to know that I was in the hands of people whose only goal was to help me.'' And 4 years later, she still uses Planned Parenthood as her primary health care provider and encourages her friends and family to also use them.

I want to say just a little bit about the services Planned Parenthood provides and how it uses Federal funds. Nearly 80 percent of its patients are low income, making less than $18,000 a year. Without Planned Parenthood, many of these women could not access the most basic health care services. That bears repeating. Planned Parenthood is often the only option for women to get their annual checkup. It provides breast exams, contraception, prenatal care, cancer screenings, and testing for sexually transmitted diseases, including HIV. It also runs teen pregnancy prevention and health education programs that reach more than 1 million young people per year. This is what the Federal funding Planned Parenthood receives goes toward.

In 2013, Planned Parenthood used Federal funds to provide the following: nearly half a million breast exams, nearly 400,000 cervical cancer screenings, contraception for 2.2 million patients, and testing and treatment for sexually transmitted infections for 4.5 million patients.

In addition to serving predominately low-income women, Planned Parenthood operates in some of the most underserved communities in this country. For example, without Planned Parenthood, 13 of California's 58 counties would not have a single clinic to provide family planning services to low-income women through title X programs.

Attacks on Planned Parenthood are a concerted attack on access to safe, legal abortion services in this country. Make no mistake about it. The group behind this latest attack, the Center for Medical Progress, has longstanding ties to the anti-choice movement, including Operation Rescue, which is closely associated with clinic violence.

While abortion accounts for only 3 percent of the health care services provided by Planned Parenthood, it is often one of the only abortion providers in a State or a region. For example, there are 10 abortion clinics in Texas. Just a few years ago, there were 36 abortion clinics. Twenty-six clinics were forced to close after Texas passed a law aimed at ending abortion in the State. The Supreme Court has put some provisions of that law on hold pending further review. But the point is that laws such as the one in Texas force much-needed facilities to close. Just 10 clinics in Texas have met the unnecessary and burdensome new requirements, and 5 of those 10 clinics are Planned Parenthood clinics. If Planned Parenthood closes, Texas loses half of its remaining abortion providers in one fell swoop.

The goal of the groups pushing this effort is clear. It is to chip away bit by bit at a woman's ability to make her own health care decisions in consultation with her family and her doctor. That is their goal—no matter the cost to women across the country who rely on Planned Parenthood for cancer screenings, annual checkups, and other essential services—and in my view, this is simply wrong.

I am really troubled by the aggressive tactics used by anti-choice groups, such as the illegal filming of a medical procedure and the hacking of Planned Parenthood's records. This is disturbing. We all know the danger of leaking confidential information. We know the potential for serious violence.

In 1994, shortly after I came to the Senate, we passed the Freedom of Access to Clinic Entrances Act in response to a spate of violent episodes targeting women's health clinics. Two doctors, a clinic escort, and two receptionists at a Planned Parenthood facility in Boston were killed by anti-abortion activists during three separate attacks in 1993 and 1994.

This week, upon learning that her name and email address had been published, one Planned Parenthood staffer in California told my office that she refused to be intimidated because she knows that is the whole point.

I am concerned that the message being sent is that it is OK to commit crimes against Planned Parenthood, its employees, and its patients; and it is not. That sort of message can be taken up by extremists and become very dangerous for women and doctors across the country.

Whether you support the right to choose or not—and I very much do—we should all be very careful here. Doctors and clinic staff who provide constitutionally protected health care services and women who access these services should not be terrorized and threatened.

In closing, I will return to where I started. I believe that if there is a movement to withhold funding from Planned Parenthood, that movement will not be successful. I believe that will be defeated right here in the Senate. I do not understand why anyone would even try to do this at this time. This country has so many problems, not the least of which are things that I deal with every day in the intelligence community—the fear of extremists, the attacks by terrorists and those who want to strike our homeland. It seems to me that we do not need this fight now, particularly a fight where those who oppose Planned Parenthood, I believe, will be seriously defeated.

If a bill does come before us, I believe it is a mistake, and I would urge my colleagues to oppose it.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER (Mr. TILLIS). The Senator from Ohio.

Mr. BROWN. Mr. President, we know that our generation, people in the Senate and in the House—people in their forties, fifties, and sixties—inherited from their parents and grandparents the greatest infrastructure in the history of the world. From the 1940s, 1950s, 1960s, and 1970s into the Reagan years, when we decided we should invest less in infrastructure, we had this incredible infrastructure we inherited from our parents and grandparents. Yet, for whatever reason, we have allowed it to crumble. We haven't invested. We haven't modernized. We haven't even maintained it as well as we should.

The dismal state of our Nation's outdated roads and bridges and railways cost Ohioans and North Carolinians valuable time and money and energy.

The State legislature in my State and I know the State legislature in the Presiding Officer's State have been on a budget-cutting tear. My State legislature has decided to slice in half, and then some, local funding for many things, including infrastructure. As a result, the streets in any town in Ohio, virtually—not just big cities, not just suburbs, but more affluent communities, small towns, and rural areas—the streets and highways continue to crumble. It is because this body has been far too dysfunctional because of the pledges that many elected officials have made to a Washington lobbyist that they will never close tax loopholes and will continue to fail to fund infrastructure because of what State government has done in my State.

But instead of debating a long-term bill with that funding, we debate a hastily assembled bill, without an open process, without amendments, that no one expects will even be considered by the House of Representatives. The Speaker of the House, a fellow Ohioan, used a four-letter word to describe this legislation when or if—I assume when—it goes over to the House.

The Senate is considering a bill that doesn't do enough for infrastructure. It makes bad choices about how to pay for these investments. Yet, at the same time, President Obama proposed a 6-year, $478 billion transportation package that would provide a major expansion in investment. It is supported by all kinds of organizations—business, labor, contractors, AFL–CIO, manufacturers, steelmakers, concrete makers—businesses that want to have good infrastructure to get their goods to market and want their employees to be able to drive to work or take the bus to work without major damage to the axles of their cars when they hit the potholes on too many city streets. Instead, we are looking at a bill that pays for just 3 years and offers small increases over current spending levels.

Think about how we are doing this. This is a 6-year authorization, with funding for slightly less than 3 years but collecting the money by budget gimmicks over 10 years. What kind of game is this? Instead of funding infrastructure the way we used to when we would come together bipartisanly and fund infrastructure with real dollars and real investments, we are now playing games. That is why in the House of Representatives the Speaker of the House used a four-letter word to describe this bill. It is why so many are so dissatisfied in the House of Representatives.

It will pass with a majority. It will pass with cloture. It has already gotten 60 votes. But they are 60 pretty unhappy votes because nobody I know in this body thinks we are doing this anything close to the right way.

If we had considered amendments in the regular order as the majority leader promised, I would have offered a fully paid for proposal to boost the bill's investments and expand the major projects program. Let me talk about that for a second.

This amendment would fund projects such as the Brent Spence Bridge between Cincinnati and northern Kentucky. The Brent Spence Bridge, built in 1959, 1960, connects Cincinnati with northern Kentucky. I–75 running north and south goes from Cincinnati to Dayton. The Brent Spence Bridge includes I–75 and runs from Cincinnati, to Dayton, to Lima, to Toledo, to Detroit. I–71 also comes together right at the Brent Spence Bridge as it crosses into Ohio—Cincinnati, Columbus, Cleveland, not far from Akron.

So my colleague, the senior Senator from Oklahoma, Mr. INHOFE, who has played a major role in transportation and would like to do it right, has pointed out several times during this debate, the equivalent—get this—that one bridge—4 percent of our Nation's GDP crosses that bridge every day, every week, every month, every year. Four percent of our gross domestic product moves back and forth across that bridge; yet that bridge is about 55 years old. There has never been a serious accident with that bridge. There have been problems. There have been some safety issues. I don't think anybody expects it to fall down next year—I am not being an alarmist—but when are we going to do something to fix that bridge?

Senator MCCONNELL, the majority leader—that bridge, for curious historical reasons—the Ohio River, which separates there Ohio and Kentucky—almost the entire Ohio River is considered to be in Kentucky. So this bridge, which covers 4 percent of GDP, is in the home State of the majority leader, and yet the majority leader did not allow another Senator to offer an amendment that actually would take care of rebuilding and fixing up that historic bridge that is very crucial to our economy. Without the Federal Government, that bridge won't get replaced. The State government of Kentucky is not going to do it. Ohio is not going to do it. They should play a role. They could toll that bridge. Who knows. They should play a role.

Federal investment in highways was mapped out by President Roosevelt and started by President Eisenhower with the interstates. It was always bipartisan until the pledge by far too many Members of this body to special interest lobbyists who said we can't do that, we can't fund this infrastructure.

On the transit side, I would have sought to strike a pilot program that allows pilot projects with any private investment to ''skip the line'' of Federal funding, meaning these projects, which are often bad for workers that operate the new line, would have been in a special category that they surely didn't earn because they haven't served the same public purpose and gone through the same justification process, if you will, as a normal public transportation project.

When the majority leader brought a combined transportation bill to the floor last Tuesday, he used his privileged position to prevent any Senator from offering amendments. I remember the elections last fall when Senator MCCONNELL—then the minority leader—said that things will be different in the Senate. It didn't take long for Senator MCCONNELL to sort of trump his predecessor by doing it even worse—pardon the play on words with the verb there. This matters because bad process can lead to bad outcomes.

The Senate, given the opportunity to have a full debate on transportation, would be voting on a much stronger

proposal. As the Presiding Officer knows, this bill has improved over the last couple of weeks.

They have taken out—this bill originally was going to slice money out of the Social Security fund to pay for highways and bridges and transit. We have never done that before in this body.

We were going to take money out of money that was already promised and dedicated and about to be spent to help cities that have been particularly devastated by foreclosures. They were going to use money from that.

They were going to use money from community banks—they still are—in this proposal.

They are going to charge everybody who is getting a mortgage $50, $100, $300 at closing to help pay for transportation—what is that about?—instead of doing it right and funding transportation the way we used to, bipartisanly, back when Senate candidates and House candidates didn't sign pledges from special interest lobbyists where they tie their hands and are not able to come up with revenue for a transportation bill. If all the committees of jurisdiction over this bill held markups to actually discuss the bill, had hearings for the bill, had been able to amend the bill, it would have been a much stronger bill.

The chairman of the Environment and Public Works Committee did good bipartisan work on highways. I commend Senator INHOFE and Senator BOXER—one Republican and one Democrat—but their work is the exception. The banking committee, on which I serve as ranking member, traditionally developed the public transportation portion of this bill. It is done bipartisanly through the regular committee process. Not even a hint of that happened this year.

The Finance Committee, of which I am a member, has jurisdiction over much of the revenue that is used to offset funds going into the highway trust fund—no markups there either. As introduced, this bill would have robbed Social Security, as I said, taken money from the Hardest Hit Fund, as I said, for communities devastated by foreclosure crisis.

I invite the majority leader to come to Cleveland—I know he comes to Cleveland to fund-raise—but come to Cleveland and look at the neighborhood I live in. I live in ZIP Code 44105. My wife and I have lived there for a couple of years. In 2007, that ZIP Code had the highest number of foreclosures in the United States of America. That happened because of Wall Street greed, in large part, but the fact that it did happen means there is far too much blight in this neighborhood. The Hardest Hit Fund matters to clean up some of this neighborhood and enable people to get back on their feet.

The commerce committee, the third committee—first, there was banking and then Finance. Then there is the EPW that did it mostly right. The banking committee was excluded, the Finance Committee was excluded. The commerce committee, which is responsible for highway safety and rail safety, held a markup but not a single Democrat on the committee supported the language in the legislation because they did nothing about public safety. If my recollection is right, younger people are allowed to drive trucks—as if we want less truck safety. I say ''young people'' meaning 18-year-olds. I know I am getting older, but I don't really want 18-year-olds driving these rigs when they clearly don't have much experience and less training. It also did not fix some of the rail issues we should fix, having seen some of these terrible accidents. It was one thing after another.

For the past 2 weeks, a large part of the legislation was written in the Republican offices with little input from Democratic Senators. Even though the majority leader has said that times have changed, we are going to have a full committee process, an open amendment process, debate, and all of that, this didn't happen.

The greatest barrier of this bill, aside from the limited growth in investment, is this bill makes choices about revenue that this Senator thinks the Congress and the American people will regret. I have mentioned a couple of them. Let me talk about those that were a part of the banking committee, on which I sit, which I think I probably know the most about.

Despite opposition from consumer advocates and participants in the housing market, including bankers and realtors, the bill would increase the guaranty fees paid by homeowners that are charged to protect against losses to Fannie Mae and Freddie Mac. That means when going to a closing, you are going to be assessed a fee. It would increase the cost of homeownership by $4,000 for borrowers who have a 20-percent downpayment for the median home price and would increase even more for those who put less down. That is why a vote for this bill is a vote to increase the cost of homeownership for families across the country and puts taxpayers at greater risk. There is a history of opposition to the use of this fee for purposes other than housing. More recently, Senator CRAPO, a Republican, and Senator WARNER, a Democrat from Virginia, wrote a provision in this year's budget resolution to prevent this fee from being misused, and of course they are right.

This bill requires the IRS to use private debt collection agencies to collect taxes because the majority leader was looking for anything he could find that might produce revenue—it has nothing to do with transportation—but anyplace he could find in the government funds to produce revenue that then could be used to pay for a highway bill. Again, it is smoke and mirrors and just sort of funny money.

One of the ways he did this was to take money from the IRS—even as we cut the budget for IRS debt collection—to take some more of that money and give it to a private debt collection company to collect this debt. That was considered to be approximately a $2 billion revenue generator for reasons that aren't quite clear. It has been tried before and each time it has lost money and it has been repealed. The companies hired for these efforts were found to have frequently harassed low-income families and they violated the Fair Debt Collection Practices Act, but the majority leader needed that billion-plus dollars for his highway bill. People here didn't have the guts to stand up and say, no, we may have made this pledge to the special interest lobbyists and we can't come up with revenue, but instead let's actually do this right. No, they aren't going to do that. They take money from the Hardest Hit Fund, Social Security money, increase costs to middle-class people at a closing who are trying to get a mortgage, and privatize debt collection.

It is hard to see how these programs that hurt families—the Hardest Hit Fund, the debt collection, the Social Security money—how this makes sense to pay for investments for bridges and roads.

This bill would reduce the dividends paid to banks with over $1 billion in total assets that are members of the Federal Reserve System. That raises $17 billion. While it might make sense to reduce the dividend—you can argue that—I have heard people on both sides of that debate. If we exempted the smallest banks under $1 billion, there are plenty of community banks that are $2 to $3 billion in size. Most are smaller, but they will be paying more—hundreds of thousands of dollars—millions in some cases. All of the people who voted for this bill—voted for cloture, voted for this highway bill—are assessing a number of community banks in their States for this money. We don't know if the new rate of 1.5 percent that Senator MCCONNELL has decided on is fair. I appreciate the cutoff of the lower rate of $1 billion, but we should be working this out in committee, discussing it and hearing people on both sides. They started with every bank and arbitrarily cut it to set the $1 billion threshold. They arbitrarily dropped the percentage from 6 to 1.5. Nobody truly knows what I am talking about when I talk about this because nobody truly understands this program. Even people who are on the banking committee don't know it very well. Maybe we should have researched and discussed it and had hearings on it. Instead, the majority leader came around to these banks and to this committee and they thought, hey, we can

get $16 billion there by changing a program and nobody knows what it is anyway. Well, he has taken that money from a lot of community banks. More power to him. It is another reason I am not going to support this bill. It is ironic that on the fifth anniversary of Wall Street's Dodd-Frank reform this bill would undercut rules to help small banks.

Before I close I want to be fair and point out some of the good provisions in this bill. First, the Senate voted on a strong bipartisan basis to add an amendment to renew the U.S. Export-Import Bank. This Bank has helped 350 businesses in my home State, two-thirds of which are small businesses. It doesn't cost taxpayers a cent. Interestingly, the Export-Import Bank, begun by President Roosevelt in the 1930s, was always bipartisan. Its reauthorization, continuation, renewal, and update was always done by Congress on a bipartisan basis. My recollection—I am not quite sure this is precise, but my recollection is that only once was there ever a vote in the Senate for the reauthorization of the Export-Import Bank because there was no need to because everybody agreed with it. Yet because of the far right, the tea party—we used to call them the John Birch Society when they opposed Medicare and now they are called the tea party when they oppose the Affordable Care Act—has decided this Export-Import Bank, which helps businesses and companies, particularly small companies in Dayton, Toledo, Cleveland, Charlotte, Asheville, and Durham—helps small businesses export their products. They need some help sometimes.

Every other country in the world—every other major country, we think, has some kind of an export financing agency such as this, but we are not able, for political reasons, call it crony capitalism—the tea party weighed in and convinced a lot of Senate and House Republicans that it is not such a good idea. Right now the Ex-Im Bank is in this bill. Hopefully it will stay in over the process. I am hopeful. Because the Speaker used a four-letter word to describe this bill, I am hopeful when we get a short-term extension—I hate clichés but this is such a good one—when we kick this can down the road again for another 2 or 3 months, whatever it is going to be, I am hopeful the majority leader and the Speaker will include the Export-Import Bank reauthorization and make it long term, but it is not clear if they will.

I want to also point out that Chairman SHELBY, the chairman of my committee in banking, with whom I have a good relationship, included a number of proposals for transit policy that I think make good sense.

The mass transit account was created in 1983 under President Reagan. It was done right. Public transit has always received around 20 percent, sometimes a little more, of any new revenue that is dedicated to growth. We have a tradition in this country that for every $100 we are spending on the Transportation bill, $20 of that goes to small bus systems in Lorain, OH, it goes to RTA for trains and rail in Cleveland, it goes to major transit systems in New York or anywhere around the country. This bill initially was less than 20 percent. I appreciate Chairman SHELBY and the majority leader getting it back up to 20 percent.

There is a new program for competitive bus grants. It is underfunded at $190 million a year. This bill increases the amount of American-made steel and other components. That is a good thing.

With all my criticism on this bill in the way it was handled by the leadership in this House, there are some good things in this bill. I hope the Senate will move forward after today with a desire to revive the bipartisan process based on regular order when we address transportation issues.

I stand ready to work with my colleagues in both parties to deliver a robust 6-year transportation bill.

I yield the floor.

FOIA PROVISIONS

Mr. LEAHY. Mr. President, I ask unanimous consent to engage in a colloquy with Senator THUNE, chairman of the commerce committee, regarding the DRIVE Act and the Freedom of Information Act, FOIA.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY, I want to thank Chairman THUNE for working with me to remove four provisions in the DRIVE Act aimed at carving out information from disclosure under FOIA, three of which were in titles of the bill falling under the commerce committee's jurisdiction. The removal of these four provisions is reflected in the second-degree amendment filed by Senator INHOFE, amendment No. 2533, to the McConnell substitute amendment. FOIA is our Nation's premier open government law and the foundation on which all our sunshine and transparency policies rest. It remains an indispensable tool for Americans to obtain information affecting public policy, consumer safety, the environment, and public health. The Freedom of Information Act falls under the exclusive jurisdiction of the Senate Judiciary Committee, and changes affecting this law should not be enacted without full and careful consideration by the Judiciary Committee.

Mr. THUNE. I thank Senator LEAHY for his interest in these matters, and I am pleased we were able to work out an agreement to strike these provisions and move forward with consideration of the DRIVE Act. I look forward to working with you and Senator GRASSLEY, the chairman of the Judiciary Committee, on any future proposals to amend the Freedom of Information Act.

Mr. LEAHY. I also want to draw particular attention to Section 32003, related to the Federal Motor Carrier Safety Administration's, FMCSA's, compliance, safety, and accountability system, CSA. The CSA system is designed to evaluate the safety and compliance performance of motor carriers by using data from inspections, crashes, compliance reviews, and the Federal motor carrier census to come up with a safety measurement system, SMS, score for each motor carrier in seven behavior analysis and safety improvement categories, BASICs. It is my understanding that these scores are currently available to the public via FMCSA's Web site. It is also my understanding that, as originally drafted, this bill would have prohibited FMCSA from making these scores available to the general public via its Web site or via a FOIA request while FMCSA evaluates and reforms the methodology underlying these scores.

I have serious concerns about removing this information from public view, even for a short period of time. The safety score is one of the tools we give consumers and other stakeholders to help fully evaluate motor carriers. While I prefer that these scores remain easily accessible on FMSCA's Web site for the general public while the methodology is reviewed, it is critical that the scores remain available under FOIA. Even if the scores are removed from the Web site while the methodology is reviewed, under the provision, they will remain available to law enforcement and regulators for use in overseeing the industry. For this reason alone, as well as many others, we should not withhold that information from public scrutiny. Moreover, the Judiciary Committee did not review this new proposed exemption and has not had time to fully consider the potential effects of this exclusion.

I thank Senator THUNE for working with me to remove this FOIA exemption. Originally the bill language stated that none of the score information ''may be made available to the general public (including through requests under Section 552 of title 5, United States Code [the FOIA statute]).'' The Inhofe second degree amendment strikes the phrase ''including through requests under Section 552 of title 5, United States Code'' in its entirety. Under the OPEN FOIA Act of 2009, no new FOIA exemption under 5 U.S.C. 552(b)(3), is effective unless it specifically cites to 5 U.S.C. 552(b)(3). Removing the citation to the FOIA statute makes clear that, while the scores may no longer be routinely published and easily accessible to the general public via FMSCA's Web site until they have been reviewed and reformed, the scores are still subject to disclosure pursuant

to a FOIA request, unless an existing exemption is found to apply.

Mr. THUNE. For the reasons you stated, I agree that if enacted into law, nothing in Section 32003 exempts or is intended to exempt information under the Freedom of Information Act. I would, however, just offer two comments to explain to my colleague the rationale for and limits of the modified provision. First, the commerce committee has received information from several objective sources, including the Government Accountability Office, the Department of Transportation's Office of Inspector General, and the law enforcement community, identifying concerns with the accuracy of the scoring analysis performed by FMCSA as part of the CSA program. As noted by GAO, the manner in which scores are calculated under the program ''creates the likelihood that many SMS scores do not represent an accurate or precise safety assessment for a carrier.'' Accordingly, the bill proposes to withdraw this potentially misleading analysis from public review temporarily, until the program is reviewed and corrected. Nevertheless, as underscored by subsection 32003(c), the underlying ''[i]nspection and violation information'' submitted to FMCSA under the program ''shall remain available for public viewing.''

The PRESIDING OFFICER. The majority leader.

MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNIZING THE 100TH BIRTHDAY OF GERTRUDE SILVIA RUDIAK

Mr. REID. Mr. President, I rise today to acknowledge the 100th birthday of an incredible Nevadan, Gertrude Silvia Rudiak. For more than 70 years, Gertrude has been a leader in southern Nevada and has remained committed to her family, community, and faith.

Nearly a century ago, on August 2, 1915, Gertrude was born to Jewish immigrant parents in Dickinson, ND. As a child, her family moved from place to place across the country, but it was her parents' understanding of the value of higher education that brought them to the west coast. In California, she attended the University of California, Berkeley, where she received her bachelor's degree in music. Later, Gertrude built upon her skill set and earned credentials from the Business College of Oakland in office procedure. With undeniable tenacity and the knowledge she gained, she was able to work through the Great Depression.

In 1942, Gertrude met the love of her life, George Rudiak, and they married in September the same year. George was born in Moscow, Russia, and the experiences he and his family endured as they immigrated to the United States greatly shaped the man he became and the civil work he pursued later in his life.

George had received a law degree from the Boalt Hall School of Jurisprudence at the University of California, Berkeley, in 1940, but finding a job was a challenge. He was able to do some work for the State of California and the U.S. Employment Services; and in the midst of World War II, George enlisted in the U.S. Army Air Corps. The first place he was assigned was the Western Flying Training Command at Santa Ana. George was later transferred to the Las Vegas Gunnery School, which is now Nellis Air Force Base. Though the young couple was only stationed in Las Vegas for a short time, they fell in love with the city and moved back to plant their roots in the desert sand as soon as George was honorably discharged in 1946.

The Las Vegas of the 1940s was quite different from the Las Vegas of today. Approximately 21,000 people called the city home, and there was racial segregation. Some even referred to Las Vegas as the ''Mississippi of the West.'' As the first city attorney of North Las Vegas, a Nevada Legislator, and chairman of the Nevada Equal Rights Commission, George was committed to bringing equality to Nevada. Gertrude supported his efforts; and for more than 70 years, has made civic, religious, and humanitarian contributions of her own that have shaped our community. Today, all Las Vegans benefit from the compassionate work of Gertrude and George to make our community a better and more just place.

George Rudiak was a lawyer's lawyer. He was the lawyer we all looked to as the gold standard for an ethical, competent, experienced trial lawyer.

There are truly selfless people in the world, and Gertrude is one of these people. She is dedicated to her five children, their children, and their children's children and still finds time to improve her community. Over the past seven decades, she has filled traditionally male-held positions on community boards, including becoming the first female to serve on the board of Temple Beth Sholom, and has been a champion of secular and Jewish education in Las Vegas and Israel. Her efforts have been recognized by the Jewish National Fund, the United Jewish Appeal, and the Anti-Defamation League. Additionally, Mayor Carolyn Goodman presented Gertrude with the rare honor of a key to the city of Las Vegas in 2014. On more than one occasion, the city has declared August 2, Gertrude's birthday, Gertrude Rudiak Day in recognition of her long-standing commitment to Las Vegas.

I am grateful for Gertrude's contributions to our State, and I wish her a happy 100th birthday. May this year bring Gertrude and her family much health and happiness.

50TH ANNIVERSARY OF MEDICARE AND MEDICAID

Mr. DURBIN. Mr. President, in 1965, millions of Americans and nearly half the country's seniors couldn't afford basic health care. But that began to change 50 years ago today. President Lyndon Johnson signed into law the Medicare program for the elderly and the Medicaid program for low-income adults, children, pregnant women, and people with disabilities.

Although it was signed by President Johnson, it ''started with the man from Independence,'' . . . Harry S. Truman. In 1949, Truman became the first President to publically support a national health insurance program and sent a bill to Congress that would give health insurance to everyone age 65 and older. Critics called the idea ''socialized medicine,'' and the effort failed.

Sixteen years later, President Johnson believed ''the times had caught up with the idea.'' And he was right. Today, 46 million older adults and 9 million people with disabilities depend on Medicare for health care and economic security. In Illinois, 1.9 million people are enrolled in Medicare.

And because of the Affordable Care Act, the program has grown stronger. The Medicare Part A trust fund is now expected to be solvent for an additional 13 years because of the Affordable Care Act. The Affordable Care Act is also helping seniors with the cost of their prescription drugs. Since the passage of the ACA, people with Medicare in Illinois have saved over $554 million on prescription drugs, because we closed the donut hole. That is an average savings of $925 for each Illinois senior. The Affordable Care Act also expanded Medicare coverage of certain preventive services, such as mammograms or colonoscopies, without any cost sharing.

Let's not forget this is also the 50th Anniversary of Medicaid. Medicaid has been a lifeline for millions of people, especially children. My friends on the other side of the aisle find it easy to discredit a government program, but this isn't about a program. It is about the people who benefit from them.

Over 54 million people benefit from Medicaid. Before the Affordable Care Act, two out of three people on Medicaid were pregnant women and children. That is 36 million of our most vulnerable citizens. Medicaid also serves people with disabilities, including many low-income Americans with disabilities who would have nowhere else to turn.

Before the Affordable Care Act, almost 3 million people were covered by

Medicaid in Illinois and more than half of all births were covered by Medicaid. Now, anyone living below 133 percent of poverty can join Medicaid. That's a single person earning less than $15,654 a year, or a family of three bringing in $26,720. And for this population, the Federal Government picks up 100% of the cost. Because of the Affordable Care Act, more than 570,000 people in Illinois are now covered by Medicaid. I call that a success.

Just ask Christopher Greenwood if this law is making a difference. Christopher Greenwood is a community health and prevention coordinator for the City of Rockford working to help people sign up for health insurance. He helped a 50-year-old woman enroll in Medicaid, and she was excited to have coverage for preventive services like a mammogram.

According to Christopher:

People aren't realizing the benefits of the Affordable Care Act. It's all about prevention services. When we tell people they need to sign up, they think they don't need it. But when we start telling them the benefits, to see the looks on their faces, it's all really cool.

You know who else benefits from Medicaid? Providers, hospitals and doctors. Ask a provider back home: What would you prefer? Reimbursement by Medicaid or not be paid at all? The answer is obvious.

Medicare and Medicaid save lives. The programs provide high quality health care to millions of people. Yes, we owe something to Truman for this idea. We owe something to Johnson for signing it into law. And today, we should focus on further strengthening these programs so they can serve future generations.

Ms. MIKULSKI. Mr. President, this week, we commemorate the 50th anniversary of Medicare and Medicaid, programs that have made such a difference in the lives of so many.

Upon signing these programs into law 50 years ago, then-President Lyndon Johnson reminded us of a shared tradition within our great Nation—one that ''calls upon us never to be indifferent toward despair . . . commands us never to turn away from helplessness . . . directs us never to ignore or to spurn those who suffer untended in a land that is bursting with abundance.''

That deep-seated tradition—to lend a hand to our neighbors and friends and to honor our mothers and fathers—is what guided Congress and country to do the right thing so many years ago. With the stroke of his pen, President Johnson, and all those who fought before and alongside him, made sure that there would be care for the sick and serenity for the fearful.

I know just how important Medicare and Medicaid are for the people who rely upon them. In the 1960s, I was a young social worker in Baltimore for ''Operation REASON'' (Responding to the Elderly's Abilities & Sickness Otherwise Neglected). Our goal was to help Maryland seniors get the health care they needed. You have to remember, in those days, when you retired, you usually lost your health insurance, which meant that many seniors also lost access to their doctors and health care.

More than half of America's seniors had no health insurance. This meant that middle-class seniors were a heart attack away from bankruptcy, a cancer diagnosis away from destitution. It didn't matter if you were a senior of modest means or middle-class. Everyone was vulnerable.

But our job was to help. So, with teams led by social workers and nurses, we worked to help sick elderly people get health coverage and get to their doctor's office. We were focused on helping seniors who had neglected their chronic conditions because of inability to travel, ignorance of services available to them, fear of asserting their right to such services, or other barriers placed in their way.

I saw firsthand how hard Baltimore's seniors were struggling. They were foregoing medical care because they didn't have insurance, because they couldn't afford the bills, or simply because they didn't have transportation to get to doctor's office or hospital. I knew Medicare and Medicaid could help these seniors and all seniors.

So every single day I would go out to churches and senior citizen centers. I would inform people about their options, organize transportation for them, and help them fill out complicated forms. In those days, we didn't have computers or cell phones. We had to physically go meet seniors where they were. And it worked. After 4 months of operation, we had 103 clients with a variety of chronic diseases, and we helped them get the care they needed.

And Congress took notice of what we were doing. In 1966, I was invited to come testify before Congress in the Senate Subcommittee on Aging, which was chaired by Senator Kennedy. We told the committee what we were doing, told them who we were fighting for. We were fighting for people in need, people who lived in unsafe housing, had inadequate diet and clothing, a dearth of recreational opportunities, who were lonely and were in need of health care.

These people, our seniors and our families of modest means, were the reason Congress passed Medicare and Medicaid in the first place. And thank God we did.

Today, 55 million Americans—nearly every senior—has access to Medicare's guarantee. An additional 68 million of our Nation's most vulnerable have health care coverage thanks to Medicaid. Because of Medicare and Medicaid, more Americans have health insurance. Before Medicare, 48 percent of seniors had no insurance. Today, only 2 percent of seniors are uninsured. Out of pocket costs have decreased. Before Medicare, seniors paid 56 percent of health care expenses out of pocket. Today, seniors only pay 13 percent. Life expectancy is longer. Medicare has contributed to a 5-year increase in life expectancy after age 65. Deaths from heart disease have dropped by a third for people over age 65. Our elderly's poverty rate has declined dramatically, from 29 percent in 1966 to 10 percent today. Seniors have more affordable drugs. Since 2010, over 8 million seniors have saved more than $11 billion on prescription drugs. Kids are getting comprehensive early childhood screenings, and 32 million children nationwide now get needed childhood screenings.

In Maryland alone, Medicare ensures that 1 million Maryland seniors can get the health care they need at prices they can afford. And Medicaid ensures that 975,000 Marylanders can get the health care they need, including 478,000 Maryland kids—that is one in three of Maryland's children—149,000 Marylanders with disabilities, and 77,000 of our low-income seniors.

Over the past half century, we have seen Medicare and Medicaid prolong and enhance the lives of millions of Americans. Ensuring access to health care for America's most vulnerable ranks as one of our Nation's greatest public health accomplishments. That is why I am committed to doing everything within my power to keep Medicare and Medicaid strong, so that these programs can continue helping those who rely on them today, as well as those who will need them tomorrow.

That means fighting for reforms that keep Medicare solvent, as we did in the Affordable Care Act, where we extended Medicare's solvency by more than a decade. It means fighting for improvements that make Medicare stronger, as we did in the Affordable Care Act, where we closed the prescription drug ''donut hole,'' where we gave seniors free preventive services, where we put the focus on quality of care, not quantity of care.

And it means fighting to protect these vital programs from those who want to turn them from a guarantee into a voucher and political promise, as Republicans have repeatedly tried to do in their budget proposals.

Make no mistake, Republican proposals to privatize Medicare, to turn it into a voucher program, would end Medicare as we know it. I will not let that happen. I will fight side-by-side with those 1 million Maryland seniors and 55 million American seniors. We will fight to keep Medicare and Medicaid strong and healthy so that they can continue to provide for the health care needs of our citizens

As you can see, there is a lot to celebrate as we mark Medicare and Medicaid's 50th anniversary. For the past

five decades, these programs have accomplished their two main goals: ensuring access to health care for the elderly, for the disabled, and for those of modest means. And protecting people against the financial hardship of health care costs.

I consider it a great honor and privilege that I have been able to devote so much of my career to protecting, improving, and fighting on behalf of Medicare and Medicaid and all the people served by these programs. From my days as a young social worker helping seniors and families get the health care they needed, to my days in the House and Senate fighting against efforts to privatize Medicare or block grant Medicaid, to those years spent working to refresh and improve these programs through the Affordable Care Act, including closing the ''donut hole,'' expanding Medicaid eligibility, and ensuring seniors could get free preventive screenings.

I believe ''honor thy father and mother'' is a good commandment to live by and a good policy to govern by. That is why I have fought to save and strengthen Medicare and Medicaid to ensure that health care is affordable, accessible, reliable, and undeniable.

PLANNED PARENTHOOD

Mr. VITTER. Mr. President, I wish to take a moment to express my disdain for the reprehensible actions of Planned Parenthood and my support for the defense of all the unborn babies subject to this group's immoral practices.

Thanks to the Center for Medical Progress, the Nation has quickly been made aware that Planned Parenthood affiliates across the country have been modifying their abortion procedures for the specific purpose of preserving organs from the fetuses being aborted in exchange for compensation. In the video released this week, a former procurement technician explains how the procurement of certain body parts warrants a higher level of compensation, stating: ''If you can somehow procure a brain or a heart you're going to get more money than just [an . . .] umbilical cord.'' As a father of four, and a strong advocate for the sanctity of life, I am deeply disturbed by reports of these gruesome and inhumane actions.

However, Planned Parenthood currently continues to receive funding from hard-working taxpayers, many of whom also find their practices deplorable. Between fiscal year 2010 and fiscal year 2012, Planned Parenthood received an average of $500 million per year, totaling $1.5 billion. On top of these high levels of federal funding, Planned Parenthood has made a profit every year since 1987.

Given our current fiscal climate and all our talk of the need to cut excessive and wasteful spending, there is no justification for continuing to subsidize their profitable venture with taxpayer dollars. It is time for big abortion businesses like Planned Parenthood to be investigated and defunded, and I have taken several actions to do just that.

For the last three congresses, I have been the Senate sponsor of the title X Abortion Provider Prohibition Act. Title X is a grant program that has unfortunately become a large subsidy for abortion providers that claim to provide family planning and women's health care services. My bill, S. 51, would prohibit the Department of Health and Human Services (HHS) from providing this Federal funding to an entity or their affiliate that performs an abortion.

I have also signed on to two letters regarding needed investigations into this matter. In one letter, I joined 49 fellow senators to request that Department of Health and Human Services Secretary Sylvia Burwell immediately begin a ''thorough review of the compliance of the Department and Planned Parenthood—one of the Department's grantees—with all relevant and applicable Federal statutes, regulations, and other requirements.'' In a second letter, I joined 10 Senators in asking both Secretary Burwell and Attorney General Loretta Lynch to conduct a full investigation into Planned Parenthood to determine if the organization violated Federal law.

Lastly, I am supporting a bill introduced by Senator JONI ERNST that would prohibit Planned Parenthood, or any of its affiliates, subsidiaries, successors, or clinics, from receiving any Federal funds. Instead, funds that are currently offered to Planned Parenthood would be available to other eligible entities to provide women's health care services, including diagnostic laboratory and radiology services, well-child care, prenatal and postnatal care, immunizations, and cervical and breast cancer screenings.

The sanctity of human life is a principle that Congress should proclaim at every opportunity. The time has come to respect the wishes of the majority of Americans who adamantly oppose using taxpayer dollars for abortions by denying Federal funds to these abortion providers. I strongly encourage the support of my fellow Senators on efforts to defund Planned Parenthood and protect unborn babies from being the target of these gruesome practices.

INNOVATION

Mr. ALEXANDER. Mr. President, I ask unanimous consent that a copy of my remarks at the Senate Committee on Health, Education, Labor and Pensions hearing on Reauthorizing the Higher Education Act: Exploring Barriers and Opportunities within Innovation be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

INNOVATION

This is our sixth hearing during this Congress on the reauthorization of the Higher Education Act. This morning we are talking about innovation in higher education.

Ranking Member Murray and I will each have an opening statement, then we will introduce our panel of witnesses. After our witness testimony, senators will each have 5 minutes of questions.

Clark Kerr, the former president of the University of California, wrote in his 2001 book, ''The Uses of the University'' that of 85 human institutions founded before 1520 and largely unchanged today—about 70 are universities.

As for the other 15 institutions—well, among them are the Catholic Church, and the Isle of Man.

Kerr wrote: ''Universities are among the most conservative of all institutions in their methods of governance and conduct and are likely to remain so.''

If that's true, maybe we ought to pack up this hearing on innovation in higher education and head home?

Let's keep our seats for a minute.

The world around the universities is changing—especially the students who attend them.

First, there are more people attending.

Right around the end of World War II, only about 5% of the population 25 years old and up had earned a college degree.

When the first Higher Education Act was signed in 1965, only about 10% of this population had a college degree.

Now, about 32% of Americans 25 and up have a college degree.

Second, American colleges and universities are now serving the most diverse group of students ever—

40% are 25 years or older and come to college with experiences in the workforce.

Of the 21 million students in higher education, only one-third are full-time undergraduates under 22 years old.

Only 18.9 percent of first-time, full-time students live on a campus and students are increasingly coming from a wide array of backgrounds and are the first in their family to attend college.

Third, employers need workers with post-secondary degrees.

Labor economist Dr. Anthony Carnevale of Georgetown University tells us, if we don't change the trend, we'll be about 5 million short in 2020 of people who have the proper post-secondary skills.

Congress needs to help colleges and universities meet the needs of a growing population of today's students—one that has less time to earn their degree, wants flexibility in scheduling their classes, and needs to start earning an income sooner. And Congress may also need to consider new providers of education that don't fit the traditional mold.

I have two questions for today's hearing:

First, how can Congress help colleges find new ways to meet students' changing needs, and how can we end practices by the federal government that discourage colleges and universities from innovating?

And second, should the federal government be considering a new definition for the college or university? There are many new learning models that are entering the landscape, thanks to the internet. We need to consider what role they play in our higher education system, and whether federal financial aid ought to be available to students

who are learning outside our traditional institutions.

On the first question, how we can stop discouraging innovation, I want to focus one example of innovation—competency-based learning:

One of the most promising innovations that traditional colleges and universities are making is through something called competency-based learning.

These competency-based models allow students to progress through their studies as they demonstrate competency, enabling skilled and dedicated students to finish degrees more quickly and often at significantly less cost.

For example, a working mom studying at the University of Wisconsin has an associate's degree in nursing and wants to get her Bachelors in Nursing to increase her earning potential. Through the university's new Flexible Option, she's able to earn credits and finish tests and assignments on her own time, including between her shift and her son's baseball game. Because the degree program is based on her ability to demonstrate knowledge of the subjects—rather than her ability to sit through courses twice a week—she might finish a Biology course in 8 weeks, but take only 3 weeks to finish a Mathematics course.

But it's possible that government regulations may be stifling this new model of learning.

The report by the Task Force on Government Regulation, which was commissioned by a bipartisan group of four Senators on this Committee to examine higher education regulations, told us that ''government regulation is a barrier to innovation.''

And in one example, they cited a 2010 Department of Education regulation that established a federal definition of a credit hour as a minimum of 1 hour of classroom instruction and 2 hours of outside work.

The government relies upon this definition of ''credit hour'' in determining how to award grants and loans to students.

Concerning the credit hour definition, the Task Force wrote ''by relying on the concept of 'seat time,' the Department's definition has discouraged institutions from developing new and innovative methods for delivering and measuring education, such as competency-based models which don't rely on credit hours.''

When Kentucky Community and Technical College System began a competency-based program in 2009, federal time requirements related to the credit hour, which are building blocks of semesters and academic years, got in the way. Now when students finish within the last 5 weeks of the semester they have to wait till the following semester to continue their studies.

In 2005, Congress established a provision in the higher education law for competency-based education known as ''direct assessment.'' This provision permitted programs at colleges and universities to use ''direct assessment of student learning, in lieu of measuring student learning in credit hours'' as a way to distribute federal aid. The law said that each program had to be approved by the institution's accreditor and the Secretary of Education.

Despite this flexibility granted in the law, accreditors and the Education Department have given approval for receiving financial aid to just 6 institutions to offer one or more of these programs.

Shifting gears, a second barrier to innovation may be accreditation.

In this committee we have begun looking at the accreditation system, recognizing that it must improve, but that it also may be a barrier to innovation.

Accreditation is very old-fashioned in many ways—it is still regional, despite the fact that institutions compare themselves to peers across the country and may have little in common with those in closest proximity.

It also hasn't kept up with new ways students are learning and the new ways teachers are teaching. Today, some institutions are modifying a professor's traditional role in teaching and evaluating learning.

I'm sure there are many other examples of government discouraging institutions from innovating and I hope our witnesses can speak to some of these and ways to make policy more flexible for innovations to come.

On the second point—whether we should consider the role of new providers of higher education:

I have said that the American higher education system of today is like the American automobile industry of the 1970s.

First, it offers a remarkable number of choices of the best products in the world at a reasonable cost.

Second, it is not doing enough about challenges that will require major adjustments if, 20 years from now, it wants to be able to make that same claim of superior choices at a reasonable cost.

Like the Japanese auto manufacturers that ultimately brought the American auto industry to its knees for a time, there is an emerging market of new or upstart providers of affordable higher education.

These are organizations that aren't necessarily colleges, like we are accustomed to, but are providing higher education that may offer students a similarly high-quality education at a lower cost.

For example, students are learning technology, software-coding or product design in as little as 12 weeks at places like General Assembly, a school that hires industry experts from places like Apple and Cisco to teach adult students skills that today's employers value.

Or they're taking general education classes like college algebra from online organizations like StraighterLine under a monthly subscription fee with credentialed teachers, or attending a MOOC—a Massive Open Online Course that's free and delivered by professors at many traditional colleges.

Some organizations such as Mozilla Foundation are developing open-source ''digital badges'' that allow more types of organizations to identify and recognize an individual's subject matter mastery and competency.

But there's no place for any of these innovators in today's Higher Education Act or accreditation system. The definition of what is a college has largely remained consistent since 1965.

Some senators, the President and Secretary Duncan are interested in understanding how to enable an environment where these new providers of higher education can compete with traditional higher education and potentially offer students a lower cost, high quality education.

In 2013, President Obama said in documents accompanying his State of the Union that Congress should consider ''a new system . . . that would provide pathways for higher education models and colleges to receive federal student aid based on performance and results.''

What he and others are proposing is that students could use federal aid at these new organizations that aren't traditional colleges.

A bill from Senator Lee would allow states to create parallel accreditation pathways to broaden the kinds of classes students could attend while also receiving federal aid. Under the bill, students could receive aid for attending specialized programs, apprenticeships, professional certifications, competency tests, even individual courses. I believe Senators Bennet and Rubio are working on legislation that has a similar goal.

RECOGNIZING THE UDALL FOUNDATION

Mr. NELSON. Mr. President, I wish to call attention to a remarkable foundation that has benefited thousands of young Americans. The Morris K. Udall and Stewart L. Udall Foundation was established by Congress to honor the public service of the Udall brothers. During the past 20 years, the foundation has effectively leveraged modest Federal appropriations into unique learning experiences for over 3,000 young Americans who are committed to public service in natural resources, Native nations, and environmental areas.

The Udall Foundation has rewarded over 1,400 scholarships to college students in all 50 States, plus the District of Columbia, Puerto Rico, Guam, and 44 tribal nations, for their work in public service. One of the distinguished college students receiving a scholarship from the Udall Foundation comes from my home State of Florida. Ms. Steffanie Munguia is a junior at the University of South Florida and is receiving a scholarship for her dedication to environmental conservation.

Additionally, the Udall Foundation has provided more than 200 students, from 110 tribal nations, the opportunity to gain practical experience in the Federal legislative process, through their Native American Congressional Internship Program.

The foundation strives to educate underserved middle school youth to the joys of outdoor exploration through their Parks in Focus program. Thus far, it has introduced more than 1,500 youth to 22 national parks, monuments, and other natural areas.

The Udall Foundation benefits countless groups and many areas of our environment, and I would like to congratulate them on 20 outstanding years. The foundation has delivered real results for people in every State in the Nation since its establishment and has earned our continued support now and in the years ahead.

USHER SYNDROME AWARENESS

Mr. WYDEN. Mr. President, I wish to bring attention to a genetic condition known as Usher syndrome. Usher syndrome is the most common form of combined deafness and blindness in the United States, impacting as many as 50,000 Americans, not including their families, friends, and communities. It

is estimated that 82 percent of those afflicted by deaf-blindness are unemployed. In the United States, the annual economic cost of blindness alone is estimated at 145 billion dollars.

Usher syndrome results when there are mutations in genes that are important for the function of both photoreceptors in the retina and hair cells in the cochlea, or inner ear. To date, 11 genes have been identified that can cause different subtypes of Usher syndrome when mutations take place. These mutations usually lead to a deficiency of a protein that is critical for the health and function of the retina and cochlea. Usher type 1 individuals are born deaf and then learn, often before adolescence, that they are also losing their vision. Usher type 2 individuals are born with moderate to severe hearing loss and then in the prime of their adolescent lives are told that they are losing their vision. Usher type 3, usually diagnosed during adolescence, leads to the slow loss of both hearing and vision.

Life with Usher syndrome requires constant adaptation to the loss of vision, caused by retinitis pigmentosa. First is the loss of peripheral vision, when the rods are impacted resulting in the loss of night vision and the onset of tunnel vision, which shrinks over time to the size of a pinhole. Once the rods are gone, the cones atrophy. Color vision and the ability to read lips are lost, further impacting the hearing impaired Usher syndrome individual's ability to communicate with others. Often, central vision fades and the person is left completely blind.

During this time—for which there is no prediction of how long the decline to total blindness will take—individuals with Usher syndrome are constantly adapting to remain aurally and visually connected. For the hearing loss, hearing aids, cochlear implants, American Sign Language, closed captioning, assistive listening devices, and tactile sign language are among the adaptive strategies used. For the vision loss, glasses, magnification, high contrast on computer screens, screen readers, audio descriptive devices, braille, canes, and guide dogs are used to compensate for the increasing blindness.

To accelerate research, the Usher Syndrome Coalition is raising public knowledge by launching ''Usher Syndrome Awareness Day'' on the third Saturday in September. The theme centers on the autumnal equinox, which marks the start of days that contain more darkness than light—a powerful metaphor for the threat of Usher syndrome. This will be a global event that starts on one side of the world—Australia—and runs around the globe to the farthest point before the international dateline in Alaska.

Like many, I too have a personal connection with Usher syndrome. A former congressional fellow in my office, Moira Shea, has Usher syndrome. She, with her guide dog by her side, took the Metro and came to work every day. In addition, she wore hearing aids, read lips, and overcame whatever adversity came her way. Today, Moira has lost her sight but not her vision—of finding treatments and cures for Usher syndrome so that no other generation has to go through what she and tens of thousands of other Americans have.

With the acceleration of research, it may be possible for Moira and the thousands of others afflicted by this genetic disease to regain sight. The technology is there. The Casey Eye Institute at Oregon Health & Science University has started the first human study of gene therapy for Usher syndrome. I am proud that the first clinical trial for Usher syndrome is being conducted in the state that I am privileged to represent.

I am committed to working with my colleagues to raise awareness about this devastating disease, and I applaud the hard work of the Usher Syndrome Coalition to make Usher syndrome research a higher priority at the National Institutes of Health.

RECOGNIZING THE RETIREMENT OF EDWARD ''SANDY'' DAVIS

Mr. ENZI. Mr. President, along with my colleague, the ranking member of the Budget Committee, Senator SANDERS, we wish to honor and recognize Edward ''Sandy'' Davis on his retirement after 36 years of distinguished service to the Congress, including 20 years with the Congressional Budget Office and 16 years with the Congressional Research Service. Sandy is held in high esteem by both Republicans and Democrats for his insight, extensive knowledge of the legislative process, and unfailing graciousness in dealing with Members and staff over those many years.

Sandy started his career at CRS in 1979 and quickly became an expert in Federal budget procedures and practices. He prepared over 150 reports and memoranda on the budget process and on budget process reform proposals, analyzed and edited draft legislation, and prepared committee and conference report language on major budget process legislation in 1985, 1987, and 1990. A few of his key achievements involve the development of two reports that are still being published today: ''Points of Order under the Congressional Budget Act'' and a ''Manual on the Federal Budget Process.'' Sandy also coached CRS's softball team—another key achievement of his time there.

In 1995, Sandy joined the Congressional Budget Office, quickly employing his expertise in budget laws and in the history of the congressional budget process. He first worked in the Special Studies Division, where he authored an excellent report on the Line Item Veto Act. He then worked in the Projections Unit, where he helped prepare CBO's budget projections and continued his work on budget process issues; for example, he wrote a section in CBO's January 2003 Budget and Economic Outlook entitled ''The Expiration of Budget Enforcement Procedures: Issues and Options,'' which has often been cited in discussions on that topic.

Because of his extensive knowledge of the budget and his strong interpersonal skills, in 2003 Sandy was appointed CBO's first associate director for legislative affairs, to serve as the agency's key liaison with the Congress. In that capacity, he worked closely with many staff members of the House and Senate—fielding and clarifying questions, alerting them about a forthcoming CBO publication, keeping them apprised about CBO's progress in responding to a particular request, responding to concerns about a CBO analysis, and identifying potential CBO products that would aid the legislative process.

Sandy's professional accomplishments set him apart, but his personal ethic—his good cheer and thoughtful consideration of his colleagues at CBO and on congressional staffs—truly defines him. Whether giving someone a ''heads-up'' about a hot-button issue, helping Members or congressional staff track down a cost estimate, or just answering questions about the budget or CBO's analyses, Sandy has always been gracious, straightforward, and generous with his time and efforts.

In short, over the past 36 years, Sandy exemplified the dedication and high-quality work that is so critical to the Senate's deliberations. I know my colleagues join me in extending our thanks and appreciation to Sandy for his service to our Nation and our very best wishes for a happy and productive retirement.

I would like to now turn to my colleague, Senator SANDERS, for his remarks.

Mr. SANDERS. I thank Chairman ENZI and join him in commending Mr. DAVIS for his many years of dedicated and outstanding service to CBO, the Congress, and the American people. We wish him all the best.

We hope our colleagues will join us in thanking Mr. DAVIS—and really all of the hard-working employees at the Congressional Budget Office—for his and their service.

RECOGNIZING WAYNE AND KATHY TATMAN

Mr. ENZI. Mr. President, I wish to speak on behalf of Wayne and Kathy Tatman who will be inducted into the Wyoming Agriculture Hall of Fame at the 103rd Wyoming State Fair in August. Since 1992, Wyoming has recognized individuals each year who have

made substantial contributions to agriculture in our State. This year I have the honor of presenting this award to Wayne and Kathy with my colleague Senator BARRASSO.

Wyoming natives, the Tatmans have each contributed greatly to the agriculture industry and their home community of Lingle. Both have served as educators for the University of Wyoming Extension, a statewide program helping Wyoming citizens and communities address a wide range of issues through education and leadership. Wayne's career focused on production and economic issues while Kathy dedicated her efforts to consumers. Gary Stone, an extension educator for the University of Nebraska, nominated the couple, and said, ''they truly are the 'best of the best' when it comes to Wyoming agriculture.''

For more than 30 years, Wayne contributed to the UW Extension program working on livestock and crop production, invasive plants, agricultural research, and water issues. He worked to promote agriculture to Wyoming's youth through the 4–H leadership program.

Kathy joined the UW Extension Cent$ible Nutrition program in 2000. She focused on nutrition, food safety, and food economics, and worked with low income families to provide nutrition and meal planning. Kathy was also vital in developing a nutrition curriculum for the State of Wyoming.

Former UW President Tom Buchanan commented, ''Wayne and Kathy helped literally hundreds of Wyoming residents understand the impact of agriculture on so many facets of life.''

The Tatmans passed on their love of agriculture and way of life to their three sons, all of whom earned agricultural degrees from UW and are still involved in the industry. Their legacy extends beyond their family to their community, and the State as a whole.

I am proud to have the opportunity to recognize Wayne and Kathy's achievements with Senator BARRASSO as 2015 inductees into the Wyoming Agriculture Hall of Fame. Wyoming is well served by their lasting and continuing contributions to agriculture and education in our State.

RECOGNIZING SHAUN AND LACEE SIMS

Mr. BARRASSO. Mr. President, at the 103rd Wyoming State Fair, Senator ENZI and I will have the pleasure of introducing Shaun and Lacee Sims as 2015 inductees of the Wyoming Agriculture Hall of Fame. I am proud to say this dynamic husband and wife team exemplify the ideals of the Wyoming way of life and have made immense contributions to the State and national agricultural community.

The Sims family has demonstrated their deep-rooted commitment through five generations of involvement in stewardship of the land and production of high quality livestock. Shaun and Lacee have shared their passion for agriculture as parents, and now as grandparents, with their children and grandchildren.

Shaun and Lacee have shared their livelihood with countless local students who have toured their ranch and wind turbine facility. The students who visit their ranching operation gain valuable insight into the origin of their food and electricity. In addition to educating students, the Sims have also taught the teachers by hosting the Wyoming Ag in the Classroom Teacher Institute. As Amy Hendrickson, executive director of the Wyoming Wool Growers Association observed, ''They have served as educators, mentors, and leaders on a variety of important issues affecting Wyoming's agriculture industry, and their example of true leadership serves as a model for others.''

Shaun and Lacee have served in various capacities whenever they have been called upon. Shaun's service extends from his 14-year tenure with the Uinta County Conservation District Supervisors to his election on the National Association of Conservation Districts Executive Board. As president of the Wyoming Association of Conservation Districts, Shaun often sacrifices valuable time on his home ranch to attend all meetings for Uinta County and the State association. Shaun's dedication to the State and the industry has not gone unnoticed. He was recently appointed to a second term on the Wyoming Board of Agriculture.

Like her husband, Lacee has been an active agricultural advocate in Wyoming. Lacee received the Masters of Beef Advocacy certification through the National Cattlemen's Beef Association and was appointed by Wyoming Governor Matt Mead to serve on the statewide Wyoming Beef Council. Lacee has combined her passion for agriculture with her growing photography business to tell the story of agriculture through an artistic lens. By highlighting the beauty and importance of Wyoming agriculture, she is able to capture in photos what words often fail to convey. Patrick Zimmerer, with the Wyoming Board of Agriculture stated, ''Lacee tells and advocates the story of Wyoming agriculture through her lens as a photographer and through social media, telling and highlighting the importance of Wyoming agriculture to a broad audience of followers.''

Shaun and Lacee Sims represent every positive attribute of leaders in Wyoming agriculture. Together, side by side, they have represented Wyoming's interests with dedication and honor. It is because of people like them that the agricultural community in Wyoming has a bright and productive future. My wife, Bobbi, joins me in congratulating these outstanding individuals, Shaun and Lacee Sims, who are 2015 inductees into the Wyoming Agriculture Hall of Fame.

ADDITIONAL STATEMENTS

DUNBARTON, NEW HAMPSHIRE 250TH ANNIVERSARY

● Ms. AYOTTE. Mr. President, I honor Dunbarton, NH—a town in Merrimack County that is celebrating the 250th anniversary of its founding. I am proud to join citizens across the Granite State in recognizing this special milestone.

Dunbarton, previously known by many names, including Starkstown, was incorporated in 1765 by Colonial Governor Benning Wentworth and was officially renamed Dunbarton.

The town's population has grown since then to over 2,700 residents. With more than 1,600 acres of protected land, Dunbarton is located on the Merrimack River watershed and is rich in natural beauty. Based upon its latitude and longitude, Dunbarton is known as the true center of New England.

The patriotism and commitment of the people of Dunbarton is reflected in part by their record of service in defense of our Nation. Revolutionary War General John Stark, his wife Molly and son Caleb, all lived in Dunbarton. Another Dunbarton native was Robert Roger, famed Commander of Roger's Rangers during the French and Indian War who was instrumental in developing military tactics still used to this day. Additionally, John Ordway, who helped lead the Lewis and Clark Expedition, made his way back home to Dunbarton after the expedition had finished.

The spirit of community and volunteerism is strong in Dunbarton as evidenced by the hard work and dedication of all involved with the planning and celebration of the annual Old Home Day festival, as well as this special sestercentennial anniversary.

Dunbarton is a place that has greatly contributed to the life and spirit of New Hampshire. I am pleased to extend my warm regards to the people of Dunbarton as they celebrate this special day.●

TRIBUTE TO BRIAN MURPHY

● Ms. AYOTTE. Mr. President, I congratulate Brian Murphy of Dover, NH. On May 29, 2015, Brian reached an important career milestone by working his 250th National Hockey League playoff game as a linesman.

Born on December 13, 1964, Brian has been a lifelong resident of Dover. He graduated from Dover High School in 1982 and continued his education by attending the University of New Hampshire, where he earned a degree in business administration in 1986. Brian was

then hired by the NHL in September 1988. His first game was on October 7, 1988 between the Pittsburgh Penguins and the Washington Capitals.

Linesmen have a difficult and often thankless job. While referees officiate the game and call penalties, linesmen break up fights between players, drop the puck for face-offs and have to keep up with the pace of the game to make offside calls—all while avoiding interference. Brian has excelled in every aspect of his career and is one of only 13 U.S. born NHL officials. Most officials who work for the NHL are Canadian nationals who have relocated.

During Brian's 27 years as an on-ice official, he has worked 1713 regular season NHL games and the men's hockey games at the 2010 Vancouver Winter Olympics. More recently, Brian was selected for the 7th Stanley Cup Finals between the victorious Chicago Blackhawks and the Tampa Bay Lightning in June of this year.

As the former president of the National Hockey League Officials Association, Brian understands the sacrifices and hard work that are necessary to perform his job. I ask my colleagues to join me today in celebrating Brian's career as a linesman. I am delighted to congratulate him on reaching this important career milestone and I wish him many more years of success.●

RECOGNIZING THE ASSOCIATION FOR FACILITIES ENGINEERING

● Ms. AYOTTE. Mr. President, I wish to recognize the 100th anniversary of the Association for Facilities Engineering. The organization began in Framingham, MA when Henry ''Harry'' S. Dennison, president of the Factory Managers Association, saw a need for increased information-sharing within the engineering world. Because of this, Dennison invited a group of 25 mechanics and engineers from the greater Boston area to attend the organization's first informal meeting. On June 9, 1915, the organization's constitution was approved, their officers were elected and they began their history as a working, professional consortium for engineers and mechanics alike.

Years later in 1954, a group of engineering clubs associated with the organization came together and changed the organization's name to the American Institute of Plant Engineers, AIPE. AIPE became the hub for countless engineering societies in New England and elsewhere, including the New England Chapter of AIPE, comprised of New Hampshire and five other States. In May of 1996, AIPE's board of directors voted to change their name to the Association for Facilities Engineering or AFE, in an effort to include more than just plant engineers, and to focus on buildings and facilities as a whole.

Wayne Saya of Nashua serves among the leaders and board members of AFE. As AFE's executive director, Wayne is personally committed to furthering the message and continued success of the association. He believes that the chapters of AFE have the best tools for problem solving and often cites his motto during mediations: ''Chapters may not always be right, they are just never wrong!'' His continued advocacy is a vital tool for engineers, mechanics and buildings that might not otherwise have a say.

AFE is a non-profit, volunteer-based organization that considers the wellbeing of its chapters before all else. They recognize that a strong relationship with a chapter can mean more opportunities for all parties involved. With global reach, AFE is inventive and organized—it is the only association of its kind with a fully paperless online presence.

It is because of organizations like AFE that our country can continue to excel and innovate, while ensuring the needs of engineers are met. I urge my colleagues to join me in congratulating this exceptional organization for their unparalleled work and commitment. Congratulations to AFE for reaching this important milestone, and best wishes for the next 100 years.●

REMEMBERING ROGER VICKERS

● Mr. BOOZMAN. Mr. President, today I wish to recognize the life and legacy of Marion County Sheriff Roger Vickers who passed away on Thursday, July 23, 2015 following a battle with cancer.

Sheriff Vickers dedicated his life to law enforcement and protecting the community. With more than three decades of service with the Arkansas State Police, Sheriff Vickers was well respected in the law enforcement community by the time he retired from the State police in 2008 as lieutenant and assistant troop commander of Troop I in Harrison. During his time with the Arkansas State Police, he received numerous commendations, including the Valor Award, the highest honor bestowed by the State police.

His commitment to Marion County led him to run for sheriff. From the time he was elected in 2008, Sheriff Vickers fought tirelessly to improve his community. He was an advocate for building a new jail and his vision is starting to take shape with the Marion County Quorum Court recently approving purchasing land for the project.

Sheriff Vickers was a well-qualified law enforcement officer and also a true public servant. Prior to his career in law enforcement, he served as a marine during the Vietnam war, earning the Marine Corps Good Conduct Medal, Vietnam Campaign Medal, and a Presidential Unit Citation.

I am greatly appreciative for Sheriff Vickers' lifetime of service throughout the State of Arkansas. My prayers are with his wife Joan, and his family and friends during this trying time. I hope they find comfort knowing that he made a positive impact on his community.●

TRIBUTE TO AIDAN ANDREWS

● Mr. RUBIO. Mr. President, today I recognize Aidan Andrews, a 2015 summer intern in my Washington, DC, office, for all of the hard work he has done for me, my staff, and the people of the State of Florida.

Aidan is currently a student at the Taft School. He is a dedicated and diligent worker who has been devoted to getting the most out of his internship experience.

I would like to extend my sincere thanks and appreciation to Aidan for all the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO STEVEN BARBEE

● Mr. RUBIO. Mr. President, today I recognize Steven Barbee, a 2015 summer intern in my Washington, DC, office, for all of the hard work he has done for me, my staff, and the people of the State of Florida.

Steven is currently a student at Redondo Union High School. He is a dedicated and diligent worker who has been devoted to getting the most out of his internship experience.

I would like to extend my sincere thanks and appreciation to Steven for all the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO NINA BARBERO

● Mr. RUBIO. Mr. President, today I recognize Nina Barbero, a 2015 summer intern in my Washington, DC, office, for all of the hard work she has done for me, my staff, and the people of the State of Florida.

Nina is a student at Florida Gulf Coast University, where she is majoring in economics. She is a dedicated and diligent worker who has been devoted to getting the most out of her internship experience.

I would like to extend my sincere thanks and appreciation to Nina for all the fine work she has done and wish her continued success in the years to come.●

TRIBUTE TO ALEX FOGG

● Mr. RUBIO. Mr. President, today I recognize Alex Fogg, a 2015 summer intern in my Washington, DC, office, for all of the hard work he has done for me, my staff, and the people of the State of Florida.

Alex is a student at Princeton University, where he is majoring in chemistry. He is a dedicated and diligent

worker who has been devoted to getting the most out of his internship experience.

I would like to extend my sincere thanks and appreciation to Alex for all the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO THEODORE FURCHTGOTT

● Mr. RUBIO. Mr. President, today I recognize Theodore Furchtgott, a 2015 summer intern in my Washington, DC, office, for all of the hard work he has done for me, my staff, and the people of the State of Florida.

Theodore is a student at Princeton University, where he is majoring in history. He is a dedicated and diligent worker who has been devoted to getting the most out of his internship experience.

I would like to extend my sincere thanks and appreciation to Theodore for all the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO JORDAN GARSIDE

● Mr. RUBIO. Mr. President, today I recognize Jordan Garside, a 2015 summer intern in my Washington, DC, office, for all of the hard work he has done for me, my staff, and the people of the State of Florida.

Jordan is a law student at the University of Virginia. He is a dedicated and diligent worker who has been devoted to getting the most out of his internship experience.

I would like to extend my sincere thanks and appreciation to Jordan for all the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO HAYDEN GRAHL

● Mr. RUBIO. Mr. President, today I recognize Hayden Grahl, a 2015 summer intern in my Washington, DC, office, for all of the hard work he has done for me, my staff, and the people of the State of Florida.

Hayden is a student at the University of Massachusetts Amherst, where he is majoring in political science. He is a dedicated and diligent worker who has been devoted to getting the most out of his internship experience.

I would like to extend my sincere thanks and appreciation to Hayden for all the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO AMBER MARIANO

● Mr. RUBIO. Mr. President, today I recognize Amber Mariano, a 2015 summer intern in my Washington, DC, office, for all of the hard work she has done for me, my staff, and the people of the State of Florida.

Amber is a student at the University of Central Florida, where she is majoring in political science. She is a dedicated and diligent worker who has been devoted to getting the most out of her internship experience.

I would like to extend my sincere thanks and appreciation to Amber for all the fine work she has done and wish her continued success in the years to come.●

TRIBUTE TO LOGAN PERETZ

● Mr. RUBIO. Mr. President, today I recognize Logan Peretz, a 2015 summer intern in my Washington, DC, office, for all of the hard work he has done for me, my staff, and the people of the State of Florida.

Logan is a student at Northwestern University, where he is majoring in political science and economics. He is a dedicated and diligent worker who has been devoted to getting the most out of his internship experience.

I would like to extend my sincere thanks and appreciation to Logan for all the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO KATHERINE PERRY

● Mr. RUBIO. Mr. President, today I recognize Katherine Perry, a 2015 summer intern in my Washington, DC, office, for all of the hard work she has done for me, my staff, and the people of the State of Florida.

Katherine is a student at Colorado College, where she is majoring in political science. She is a dedicated and diligent worker who has been devoted to getting the most out of her internship experience.

I would like to extend my sincere thanks and appreciation to Katherine for all the fine work she has done and wish her continued success in the years to come. ●

TRIBUTE TO JAMES RULEY

● Mr. RUBIO. Mr. President, today I recognize James Ruley, a 2015 summer intern in my Washington, DC, office, for all of the hard work he has done for me, my staff, and the people of the State of Florida.

James is a law student at the Indiana University Mauerer School of Law. He is a dedicated and diligent worker who has been devoted to getting the most out of his internship experience.

I would like to extend my sincere thanks and appreciation to James for all the fine work he has done and wish him continued success in the years to come.●

MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGE REFERRED

As in executive session the Presiding Officer laid before the Senate a message from the President of the United States submitting nominations which were referred to the Committee on Armed Services.

(The message received today is printed at the end of the Senate proceedings.)

PRESIDENTIAL MESSAGE

REPORT ON THE CONTINUATION OF THE NATIONAL EMERGENCY THAT WAS ORIGINALLY DECLARED IN EXECUTIVE ORDER 13441 WITH RESPECT TO LEBANON—PM 22

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to Lebanon that was declared in Executive Order 13441 of August 1, 2007, is to continue in effect beyond August 1, 2015.

Certain ongoing activities, such as continuing arms transfers to Hizballah that include increasingly sophisticated weapons systems, undermine Lebanese sovereignty, contribute to political and economic instability in the region, and continue to constitute an unusual and extraordinary threat to the national security and foreign policy of the United States. For this reason, I have determined that it is necessary to continue the national emergency declared in Executive Order 13441 with respect to Lebanon.

BARACK OBAMA.
THE WHITE HOUSE, *July 29, 2015.*

MESSAGE FROM THE HOUSE

At 12:03 p.m., a message from the House of Representatives, delivered by

Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 427. An act to amend chapter 8 of title 5, United States Code, to provide that major rules of the executive branch shall have no force or effect unless a joint resolution of approval is enacted into law.

H.R. 675. An act to increase, effective as of December 1, 2015, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, to amend title 38, United States Code, to improve the United States Court of Appeals for Veterans Claims, to improve the processing of claims by the Secretary of Veterans Affairs, and for other purposes.

The message also announced that pursuant to section 202(a) of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146), the Democratic Leader appoints the following individual on the part of the House of Representatives to the Commission on Care: Mr. Michael Blecker of San Francisco, California.

ENROLLED BILLS SIGNED

The President pro tempore (Mr. HATCH) announced that on today, July 29, 2015, he signed the following enrolled bills, previously signed by the Speaker of the House:

S. 1482. An act to improve and reauthorize provisions relating to the application of the antitrust laws to the award of need-based educational aid.

H.R. 876. An act to amend title XVIII of the Social Security Act to require hospitals to provide certain notifications to individuals classified by such hospitals under observation status rather than admitted as inpatients of such hospitals.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 675. An act to increase, effective as of December 1, 2015, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, to amend title 38, United States Code, to improve the United States Court of Appeals for Veterans Claims, to improve the processing of claims by the Secretary of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

MEASURES PLACED ON THE CALENDAR

The following bill and joint resolution were read the second time, and placed on the calendar:

S. 1881. A bill to prohibit Federal funding of Planned Parenthood Federation of America.

H.J. Res. 61. Joint resolution amending the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, July 29, 2015, she had presented to the President of the United States the following enrolled bill:

S. 1482. An act to improve and reauthorize provisions relating to the application of the antitrust laws to the award of need-based educational aid.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–2431. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Zeta-cypermethrin; Pesticide Tolerances'' (FRL No. 9929–74) received in the Office of the President of the Senate on July 28, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2432. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Phosphoric Acid Manufacturing and Phosphate Fertilizer Production RTR and Standards of Performance for Phosphate Processing'' ((RIN2060–AQ20) (FRL No. 9931–01–OAR)) received in the Office of the President of the Senate on July 28, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2433. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Isofetamid; Pesticide Tolerances'' (FRL No. 9923–86) received in the Office of the President of the Senate on July 28, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2434. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Fluxapyroxad; Pesticide Tolerances'' (FRL No. 9930–73) received in the Office of the President of the Senate on July 28, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2435. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Ethanesulfonic acid, 2-hydroxy and the corresponding ammonium, sodium, potassium, calcium, magnesium, and zinc salts; Exemption from the Requirement of a Tolerance'' (FRL No. 9930–22) received in the Office of the President of the Senate on July 28, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2436. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Benalaxyl-M; Pesticide Tolerances'' (FRL No. 9927–63) received in the Office of the President of the Senate on July 28, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2437. A communication from the Chairman of the Commodity Futures Trading Commission, transmitting, pursuant to law, a report relative to a violation of the Antideficiency Act; to the Committee on Appropriations.

EC–2438. A communication from the Chairman of the Commodity Futures Trading Commission, transmitting, pursuant to law, a report relative to a violation of the Antideficiency Act; to the Committee on Appropriations.

EC–2439. A communication from the Principal Deputy Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of General Martin E. Dempsey, United States Army, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

EC–2440. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of General Raymond T. Odierno, United States Army, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

EC–2441. A communication from the Assistant Director for Legislative Affairs, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled ''2013 Integrated Mortgage Disclosures Rule Under the Real Estate Settlement Procedures Act (Regulation X) and the Truth In Lending Act (Regulation Z) and Amendments; Delay of Effective Date'' (RIN3170–AA48) received in the Office of the President of the Senate on July 27, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC–2442. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 12947 with respect to terrorists who threaten to disrupt the Middle East peace process; to the Committee on Banking, Housing, and Urban Affairs.

EC–2443. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 15–015); to the Committee on Foreign Relations.

EC–2444. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to sections 36(c) and 36(d) of the Arms Export Control Act (DDTC 15–048); to the Committee on Foreign Relations.

EC–2445. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 15–046); to the Committee on Foreign Relations.

EC–2446. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 15–066); to the Committee on Foreign Relations.

EC–2447. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Wyoming; Revisions to SO2 Ambient Standards'' (FRL No. 9931–38–Region 8) received in the Office of the President

of the Senate on July 28, 2015; to the Committee on Environment and Public Works.

EC–2448. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Washington: Interstate Transport of Fine Particulate Matter'' (FRL No. 9931–46–Region 10) received in the Office of the President of the Senate on July 28, 2015; to the Committee on Environment and Public Works.

EC–2449. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; North Carolina: Non-interference Demonstration for Federal Low-Reid Vapor Pressure Requirement for Gaston and Mecklenburg Counties'' (FRL No. 9931–27–Region 4) received in the Office of the President of the Senate on July 28, 2015; to the Committee on Environment and Public Works.

EC–2450. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Georgia: Revisions to Definitions and Ambient Air Quality Standards'' (FRL No. 9931–65–Region 4) received in the Office of the President of the Senate on July 28, 2015; to the Committee on Environment and Public Works.

EC–2451. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans and Designation of Areas; North Carolina; Redesignation of the Charlotte-Rock Hill, 2008 8-Hour Ozone Nonattainment Area to Attainment'' (FRL No. 9931–28–Region 4) received in the Office of the President of the Senate on July 28, 2015; to the Committee on Environment and Public Works.

EC–2452. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; West Virginia; 2011 Base Year Emissions Inventory for the Marshall, West Virginia Nonattainment Area for the 2010 1-Hour Sulfur Dioxide National Ambient Air Quality Standard'' (FRL No. 9931–56–Region 3) received in the Office of the President of the Senate on July 28, 2015; to the Committee on Environment and Public Works.

EC–2453. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Virginia; Consumer and Commercial Products and Mobile Equipment Repair and Refinishing Operations'' (FRL No. 9931–29–Region 3) received in the Office of the President of the Senate on July 28, 2015; to the Committee on Environment and Public Works.

EC–2454. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; State of Iowa; Revisions to Linn County Air Quality Ordinance'' (FRL No. 9931–33–Region 7) received in the Office of the President of the Senate on July 28, 2015; to the Committee on Environment and Public Works.

EC–2455. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Technical Amendments to Inadvertent Errors in Air Quality Designations for the 2006 24-hour Fine Particulate National Ambient Air Quality Standards (2006 24-hour PM2.5 NAAQS), 1997 Annual PM2.5 NAAQS, and 1987 Annual Coarse Particle (PM10) NAAQS'' (FRL No. 9929–97–OAR) received in the Office of the President of the Senate on July 28, 2015; to the Committee on Environment and Public Works.

EC–2456. A communication from the Regulations Specialist, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Subsistence Management Regulations for Public Lands in Alaska—2015–2016 and 2016–2017 Subsistence Taking of Fish Regulations'' (RIN1018–AZ67) received in the Office of the President of the Senate on July 28, 2015; to the Committee on Environment and Public Works.

EC–2457. A communication from the Chief of the Endangered Species Listing Branch, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Mount Charleston Blue Butterfly (Icaricia (Plebejus) shasta charlestonensis)'' (RIN1018–AZ91) received in the Office of the President of the Senate on July 28, 2015; to the Committee on Environment and Public Works.

EC–2458. A communication from the Chief of the Recovery and State Grants Branch, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Technical Corrections for 54 Wildlife and Plant Species on the List of Endangered and Threatened Wildlife and Plants'' (RIN1018–BA89) received in the Office of the President of the Senate on July 28, 2015; to the Committee on Environment and Public Works.

EC–2459. A communication from the Acting Chief of the Endangered Species Listing Branch, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Threatened Status for the Rufa Red Knot'' (RIN1018–AY17) received in the Office of the President of the Senate on July 28, 2015; to the Committee on Environment and Public Works.

EC–2460. A communication from the Acting Chief of the Foreign Species Branch, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Listing All Chimpanzees as Endangered Species; Final Rule'' (RIN1018–AZ52) received in the Office of the President of the Senate on July 28, 2015; to the Committee on Environment and Public Works.

EC–2461. A communication from the Chief of the Division of Environmental Review, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Interagency Cooperation—Endangered Species Act of 1973, as Amended; Incidental Take Statements'' (RIN1018–AX85) received in the Office of the President of the Senate on July 28, 2015; to the Committee on Environment and Public Works.

EC–2462. A communication from the Wildlife Biologist, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Migratory Bird Permits; Update of Falconry Permitting Reporting Address'' (RIN1018–BA90) received in the Office of the President of the Senate on July 28, 2015; to the Committee on Environment and Public Works.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. THUNE, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 373. A bill to provide for the establishment of nationally uniform and environmentally sound standards governing discharges incidental to the normal operation of a vessel (Rept. No. 114–96).

By Mr. CORKER, from the Committee on Foreign Relations, with an amendment:

S. 284. A bill to impose sanctions with respect to foreign persons responsible for gross violations of internationally recognized human rights, and for other purposes.

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, without amendment:

S. 1596. A bill to designate the facility of the United States Postal Service located at 2082 Stringtown Road in Grove City, Ohio, as the ''Specialist Joseph W. Riley Post Office Building''.

By Mr. CORKER, from the Committee on Foreign Relations, with an amendment in the nature of a substitute:

S. 1632. A bill to require a regional strategy to address the threat posed by Boko Haram.

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, without amendment:

S. 1826. A bill to designate the facility of the United States Postal Service located at 99 West 2nd Street in Fond du Lac, Wisconsin, as the Lieutenant Colonel James ''Maggie'' Megellas Post Office.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. CORKER for the Committee on Foreign Relations.

*Sheila Gwaltney, of California, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kyrgyz Republic.

Nominee: Sheila Gwaltney.

Post: Kyrgyz Republic.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: 0.

2. Spouse: N/A.

3. Children and Spouses: N/A.

4. Parents: Helen Gwaltney Rose—deceased 2002; Ralph Carl Gwaltney, Sr.—deceased 1971.

5. Grandparents: Ollie Tice Casey—deceased 1978 (est); Homer Tice—deceased in 1940s (est); William Gwaltney—deceased in 1960s (est); Father's mother—deceased in 1930s (est).

6. Brothers and Spouses: George Michael Gwaltney—Deceased in 1997; Ralph Carl Gwaltney, Jr., 0; Marjorie Gwaltney, 0; Dan Gwaltney, 0; Joann Gwaltney, 0; David Gwaltney, 0; Sue Gwaltney, 0; Steven Gwaltney, 0; Deborah Gwaltney, 0.

7. Sisters and Spouses: NA.

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*Perry L. Holloway, of South Carolina, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Cooperative Republic of Guyana.

Nominee: Perry Lee Holloway.

Post: Georgetown, Guyana.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: None.
2. Spouse: None.
3. Children and Spouses: None.
4. Parents: None.
5. Grandparents: None.
6. Brothers and Spouses: None.
7. Sisters and Spouses: None.

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*Kathleen Ann Doherty, of New York, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Cyprus.

Nominee: Kathleen Ann Doherty.

Post: Cyprus.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions: amount, date, and donee:

1. Self: None.
2. Spouse: Not applicable.
3. Children and Spouses: Not Applicable.
4. Parents: Marilyn Doherty: None. John Doherty: Deceased (2007).
5. Grandparents: Thomas Doherty (1944) Deceased; Edward Grimm (1956) Deceased; Eliza Jane Doherty (1990) Deceased; Helen Rita Grimm (1986) Deceased.
6. Brothers and Spouses: Robert Doherty and spouse Elizabeth Doherty; Friends of Jim Meffert: $99 10/2010; ACP Services PAC: Cumulative Total $1,000, 2/2011, 3/2012, 4/2013, 3/2014, Hope for Congress: Total $250, 2/2014, Spouse (Elizabeth Doherty): Obama Victory Fund: Cumulative Total Amount, $366, February, July, and September 2012.
7. Sisters and Spouses: Erin Doherty Rose and spouse Peter Rose: None; Patricia Doherty and spouse Robert Garber: Alan Grayson, Congressional Re-Election Campaign, $15.00, 9/2010; Bill Pascrell, Congressional Re-Election Campaign, $25.00, 9/2010; MoveOn.org, $5.00 9/2010; Alan Grayson, Congressional Re-Election Campaign, $15.00, 9/2012; Elizabeth Warren, Senatorial Election Campaign, $50.00, 9/2011; John Arvanites, Congressional Campaign, $50.00, 8/2012; Act Blue DSCC, $15.00, 2/2012; MoveOn.org, $5.00, 9/2012; Act Blue DCCC, $50.00, 9/20/13; Corey Booker, NJ Senatorial Election Campaign, $25.00, 8/2013; Barbara Buono, NJ Governor Election Campaign, $50.00, 8/2013.

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*Hans G. Klemm, of Michigan, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Romania.

Nominee: Hans G. Klemm.

Post: Romania.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: None.
2. Spouse: Mari Kano Klemm: None.
3. Children and Spouses: N/A.
4. Parents: Hans J. Klemm—deceased; Ingeborg K. S. Klemm—deceased.
5. Grandparents: Grandfather: Emil Klemm—deceased; Grandmother: Martha Klemm—deceased; Grandfather: Georg Schievelbein—deceased; Grandmother: Charlotte Schievelbein—deceased.
6. Brothers and Spouses: Steven Klemm, none; Eileen Klemm (spouse), none.
7. Sisters and Spouses: Lori Klemm, none; Sally Klemm, none.

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*James Desmond Melville, Jr., of New Jersey, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Estonia.

Nominee: James Desmond Melville, Jr.

Post: Tallinn, Republic of Estonia.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: None.
2. Spouse: None.
3. Children and Spouses: None.
4. Parents: None.
5. Grandparents: None.
6. Brothers and Spouses: None.
7. Sisters and Spouses: None.

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*Peter F. Mulrean, of Massachusetts, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Haiti.

Nominee: Peter Francis Mulrean.

Post: Port-au-Prince, Haiti.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: $250, 09/02/2012, Barack Obama.
2. Spouse: Corinne Beque: None.
3. Children and Spouses: Chloe Mulrean: None; Celine Mulrean: None.
4. Parents: Francis H. Mulrean—deceased, none; Ann S. Mulrean, None.
5. Grandparents: Francis X. Mulrean—deceased, None; Catherine Mulrean—deceased, None; William Mahoney—deceased, None; Margaret Mahoney—deceased, None.
6. Sisters and Spouses: Linda M. Mulrean, None; John G. Rowe, None; Diane J. Mulrean, None; Mary C. Mulrean, None; Robert P. Wiemann—None.

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*Laura Farnsworth Dogu, of Texas, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Nicaragua.

Nominee: Laura Farnsworth Dogu.

Post: Mexico City.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: None.
2. Spouse: None.
3. Children and Spouses: Derin Berk Dogu (son), none; Adem Akin Dogu (son) none.
4. Parents: Patricia F. Farnsworth, none; David Lee Farnsworth (deceased).
5. Grandparents: Agnes Fanning (deceased), Wallace Fanning (deceased).
6. Brothers and Spouses: Andrew Farnsworth (brother), none; Jennifer Farnsworth (spouse), none.
7. Sisters and Spouses: Katherine Farnsworth (sister), none.

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*Samuel D. Heins: of Minnesota, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of Norway.

Nominee: Samuel D. Heins.

Post: U.S. Ambassador to the Kingdom of Norway.

Nominated: May 14, 2015.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, Amount, Date, Donee:

1. Samuel D. Heins: Please see continuation pages.
2. Stacey Mills Heins: Please see continuation pages.
3. Children and Spouses: Madeleine Sarah Israelson (Heins): None; Brody Israelson: None; Nora Sarah Murray (Heins): None; Scott Murray: Please see continuation pages.
4. Parents: Maurice Heins: Please see continuation pages; Hadassa Wagman Heins: Please see continuation pages.
5. Grandparents: Alec Wagman: Deceased; Libby Wagman: Deceased; Samuel Heins: Deceased; Rose Heins: Deceased.
6. Brothers and Spouses: None.
7. Sisters and Spouses: Sulamith Heins Potter: None; Jack Potter: None.

Samuel D. Heins, 2,500, 10/19/2011, Barnes for Congress; 200, 12/13/2011, Chris Coleman for Congress; 30,800, 8/5/2011 (refunded on 8/12/2011), Democratic Senatorial Campaign Committee; 10,000, 8/12/2011, Franken MVPS; 2,500, 9/30/2011, Friends of Maria; 800, 2/2/2011, Klobuchar for Minnesota 2012; 1,000, 7/28/2011, McCollum for Congress; 2,500, 5/3/2011, Minnesota Democratic Farmer-Labor Party; 35,800, 8/17/2011 ($5,000 refund on 8/17/2011; $30,800 refunded from portion of contribution allocable to the Democratic Senatorial Campaign Committee on 3/29/2013), Minnesota Senate 2012; 10,000, 5/11/2011, Minnesota Senate Victory Committee 2012; 2,500, 9/13/2011, Montanans For Tester; 2,500, 9/13/2011, Montanans For Tester; 2,500, 4/4/2011, Obama For America; 2,500, 4/4/2011, Obama For America;

30,800, 10/11/2011, Obama Victory Fund 2012; 9,200, 12/16/2011, Swing State Victory Fund; 250, 3/31/2011, Tim Walz for US Congress; 2,250, 5/11/2011, Tim Walz for US Congress; 2,500, 5/12/2011, Tim Walz for US Congress; 5,000, 9/14/2011, Treasure State PAC; 2,500, 6/17/2011, Whitehouse for Senate; 35,800, 3/27/2012, Committee for Charlotte, NC; 10,000, 9/19/2012, Iowa Democratic Party (transferred to nonfederal account); 5,000, 3/2/2012, Minnesota Democratic Farmer-Labor Party; 2,000, 9/19/2012, Minnesota Democratic Farmer-Labor Party; 500, 11/29/2012, Minnesota Democratic Farmer-Labor Party; 500, 6/5/2013, Minnesota Democratic Farmer-Labor Party; 1,000, 3/4/2013, Minnesota Democratic Farmer-Labor Party; 5,000, 1/24/2013, Midwest Values PAC; 2,500, 4/3/2013, Follow the North Star Fund; 32,400, 2/28/2013, Democratic Senatorial Campaign Committee; 5,200, 5/19/2014, Alison Lundergan Grimes for US Senate; 5,000, 7/15/2014, Democratic Congressional Campaign Committee; 15,000, 2/20/2014, Democratic National Committee; 10,000, 8/07/2014, Minnesota Democratic Farmer-Labor Party; 1,000, 9/11/2014, Minnesota Democratic Farmer-Labor Party (transferred to nonfederal account on 10/18/2014); 10,000, 10/17/2014, Minnesota Democratic Farmer-Labor Party (transferred to nonfederal account on 10/18/2014); 5,000, 6/27/2014, Ready for Hillary PAC; 1,000, 7/8/2014, Tim Waltz for US Congress; 5,000, 7/7/2014, Win Minnesota Federal PAC.

Stacey Mills Heins, 2,500, 10/20/2011, Barnes for Congress; 10,000, 8/12/2011 ($5,000 refunded on 2/24/2013 from portion of contribution allocable to Midwest Values PAC), Franken MVPS; 200, 2/2/2011, Klobuchar for Minnesota 2012; 1,400, 2/2/2011, Klobuchar for Minnesota 2012; 300, 4/30/2011, Klobuchar for Minnesota 2012; 2,300 4/30/2011 ($200 refunded on 5/11/2011), Klobuchar for Minnesota 2012; 1,000, 7/27/2011 (refunded 2/11/2013,) Minnesota Democratic Farmer-Labor Party; 30,800, 10/11/2011, Obama Victory Fund 2012; 9,200, 12/16/2011, Swing State Victory Fund; 2,500, 8/31/2011, Tim Walz For US Congress; 300, 9/30/2012 (refunded on 4/30/2013), Democratic Party of Wisconsin; 2,500, 5/31/2012, Jim Graves for Congress; 2,500, 9/24/2012, Jim Graves for Congress; 5,000, 3/19/2012, Obama Victory Fund 2012; 30,800, 3/19/2012, Obama Victory Fund 2012; 2,500, 6/15/2012, Tim Walz for US Congress; 5,000, 1/24/2013 (refunded 2/24/2013), Midwest Values PAC; 500, 3/11/2013, Minnesota Democratic Farmer-Labor Party; 5,000, 1/14/2013, Presidential Inaugural Committee 2013; 5,000, 1/2/2013, Presidential Inaugural Committee 2013; 500, 6/18/2014, Minnesota Democratic Farmer-Labor Party.

Maurice Heins, 5,000, 8/8/2011, Democratic Senatorial Campaign Committee; 20,000, 9/14/2012, Obama Victory Fund 2012.

Hadassa Wagman Heins, 25,000, 10/27/2011, Obama Victory Fund 2012; 5,000, 5/21/2012, Obama Victory Fund 2012; 1,000, 7/23/2012, Democratic Senatorial Campaign Committee; 20,000, 9/14/2012, Obama Victory Fund 2012.

Scott Murray, 100, Sep 14, Mayday PAC.

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*Paul Wayne Jones, of Maryland, a Career Member of the Senior Foreign Service, Class of Career Minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Poland.

Nominee: Paul Wayne Jones.

Post: Poland.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: None.

2. Spouse: Catherine Cheremeteff Grove Jones, none.

3. Children and Spouses: Aleksandra Cheremeteff Jones, none; Hale Grove Jones, none.

4. Parents: Evelyn Jones (Mother), $175, 2014, DSCC; $175, 2013, DSCC; $150, 2012, DSCC; $50, 2012, Obama Victory Fund; $50, 2012, Obama for America; Father—deceased.

5. Grandparents: None living, none.

6. Brothers and Spouses: none.

7. Sisters and Spouses: Catherine Johnsen (Sister), none; Sigurd Johnsen (Her Spouse), none; Margaret Anne Wayne Jones (Sister), none.

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*Michele Thoren Bond, of the District of Columbia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be an Assistant Secretary of State (Consular Affairs).

*Sarah Elizabeth Mendelson, of the District of Columbia, to be Representative of the United States of America on the Economic and Social Council of the United Nations, with the rank of Ambassador.

*Sarah Elizabeth Mendelson, of the District of Columbia, to be an Alternate Representative of the United States of America to the Sessions of the General Assembly of the United Nations, during her tenure of service as Representative of the United States of America on the Economic and Social Council of the United Nations.

*Gayle Smith, of Ohio, to be Administrator of the United States Agency for International Development.

*Thomas O. Melia, of Maryland, to be an Assistant Administrator of the United States Agency for International Development.

Mr. CORKER. Mr. President, for the Committee on Foreign Relations I report favorably the following nomination list which was printed in the RECORD on the date indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that this nomination lie at the Secretary's desk for the information of Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

*Foreign Service nominations beginning with Maura Barry Boyle and ending with Anthony Wolak, which nominations were received by the Senate and appeared in the Congressional Record on June 10, 2015. (minus 3 nominees: Jeffries Blunt de Graffenried, Jr.; Debbie Patrice Jackson; Christopher Nairn Steel)

By Mr. INHOFE for the Committee on Environment and Public Works.

*Kristen Marie Kulinowski, of New York, to be a Member of the Chemical Safety and Hazard Investigation Board for a term of five years.

*Eric Martin Satz, of Tennessee, to be a Member of the Board of Directors of the Tennessee Valley Authority for a term expiring May 18, 2018.

*Vanessa Lorraine Allen Sutherland, of Virginia, to be a Member of the Chemical Safety and Hazard Investigation Board for a term of five years.

*Vanessa Lorraine Allen Sutherland, of Virginia, to be Chairperson of the Chemical Safety and Hazard Investigation Board for a term of five years.

*Gregory Guy Nadeau, of Maine, to be Administrator of the Federal Highway Administration.

By Mr. JOHNSON for the Committee on Homeland Security and Governmental Affairs.

*Denise Turner Roth, of North Carolina, to be Administrator of General Services.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. CARDIN (for himself and Mr. KIRK):

S. 1882. A bill to support the sustainable recovery and rebuilding of Nepal following the recent, devastating earthquakes near Kathmandu; to the Committee on Foreign Relations.

By Mr. REED (for himself and Mrs. CAPITO):

S. 1883. A bill to maximize discovery, and accelerate development and availability, of promising childhood cancer treatments, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DURBIN (for himself, Mr. WHITEHOUSE, Mr. REED, Mr. BROWN, Ms. BALDWIN, Mr. KING, and Ms. HIRONO):

S. 1884. A bill to amend title XVIII of the Social Security Act to deliver a meaningful benefit and lower prescription drug prices under the Medicare program; to the Committee on Finance.

By Mr. BLUMENTHAL (for himself, Mr. SANDERS, Mr. BROWN, and Ms. HIRONO):

S. 1885. A bill to amend title 38, United States Code, to improve the provision of assistance and benefits to veterans who are homeless, at risk of becoming homeless, or occupying temporary housing, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. WICKER (for himself and Ms. CANTWELL):

S. 1886. A bill to reauthorize the Integrated Coastal and Ocean Observation System Act of 2009 and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. CASEY (for himself, Mr. GRASSLEY, and Mr. PERDUE):

S. 1887. A bill to protect and preserve international cultural property at risk due to political instability, armed conflict, or natural or other disasters, and for other purposes; to the Committee on Foreign Relations.

By Mr. MCCAIN (for himself and Mr. ENZI):

S. 1888. A bill to reduce waste and implement cost savings and revenue enhancement for the Federal Government; to the Committee on Environment and Public Works.

By Ms. MIKULSKI:

S. 1889. A bill to make supplemental appropriations for fiscal year 2015; to the Committee on Appropriations.

By Mr. HATCH (for himself, Mr. COONS, Mr. FLAKE, Mr. DURBIN, Mr. TILLIS, and Ms. BALDWIN):

S. 1890. A bill to amend chapter 90 of title 18, United States Code, to provide Federal jurisdiction for the theft of trade secrets, and for other purposes; to the Committee on the Judiciary.

By Mr. WYDEN (for himself and Mr. UDALL):

S. 1891. A bill to amend the Mineral Leasing Act to improve coal royalties, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. HATCH (for himself and Mr. WARNER):

S. 1892. A bill to provide for loan repayment for teachers in high-need schools; to the Committee on Health, Education, Labor, and Pensions.

By Mr. ALEXANDER (for himself, Mrs. MURRAY, Mr. ENZI, Mr. FRANKEN, Mr. ISAKSON, Mr. BENNET, Mr. KIRK, Ms. BALDWIN, Mr. ROBERTS, Mr. MURPHY, Ms. AYOTTE, Mr. BLUMENTHAL, Mr. WICKER, Mr. CASEY, Mr. UDALL, Mr. DURBIN, Ms. MIKULSKI, Ms. HEITKAMP, and Mr. CASSIDY):

S. 1893. A bill to reauthorize and improve programs related to mental health and substance use disorders; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. FEINSTEIN (for herself and Mrs. BOXER):

S. 1894. A bill to provide short-term water supplies to drought-stricken California; to the Committee on Energy and Natural Resources.

By Mr. MCCAIN:

S. 1895. A bill to amend the Radiation Exposure Compensation Act for purposes of making claims under such Act based on exposure to atmospheric nuclear testing; to the Committee on the Judiciary.

By Mr. CASEY (for himself, Mr. FRANKEN, Mrs. MURRAY, Ms. WARREN, Mr. BROWN, and Mr. MERKLEY):

S. 1896. A bill to amend the Fair Labor Standards Act of 1938 to ensure that employees are not misclassified as non-employees, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SCOTT (for himself, Mr. GRAHAM, and Mr. BOOKER):

S. 1897. A bill to help keep law enforcement officers and communities safer by making grants to purchase body worn cameras for use by State, local, and tribal law enforcement officers; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CASSIDY:

S. 1898. A bill to establish a program to assist in the importation and care of abused, injured, or abandoned nonhuman primates; to the Committee on Health, Education, Labor, and Pensions.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BLUNT:

S. Res. 234. A resolution to authorize the printing of a collection of the rules of the committees of the Senate; considered and agreed to.

By Mr. RUBIO (for himself and Mr. NELSON):

S. Res. 235. A resolution designating September 2015 as ''National Spinal Cord Injury Awareness Month''; considered and agreed to.

ADDITIONAL COSPONSORS

S. 30

At the request of Ms. COLLINS, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. 30, a bill to amend the Internal Revenue Code of 1986 to modify the definition of full-time employee for purposes of the employer mandate in the Patient Protection and Affordable Care Act.

S. 31

At the request of Ms. KLOBUCHAR, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 31, a bill to amend part D of title XVIII of the Social Security Act to require the Secretary of Health and Human Services to negotiate covered part D drug prices on behalf of Medicare beneficiaries.

S. 141

At the request of Mr. CORNYN, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. 141, a bill to repeal the provisions of the Patient Protection and Affordable Care Act providing for the Independent Payment Advisory Board.

S. 149

At the request of Mr. HATCH, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. 149, a bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on medical devices.

S. 258

At the request of Mr. ROBERTS, the name of the Senator from Arkansas (Mr. COTTON) was added as a cosponsor of S. 258, a bill to amend title XVIII of the Social Security Act to remove the 96-hour physician certification requirement for inpatient critical access hospital services.

S. 330

At the request of Mr. HELLER, the name of the Senator from Arkansas (Mr. COTTON) was added as a cosponsor of S. 330, a bill to amend the Internal Revenue Code of 1986 to make permanent the special rule for contributions of qualified conservation contributions, and for other purposes.

S. 621

At the request of Mrs. FEINSTEIN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 621, a bill to amend the Federal Food, Drug, and Cosmetic Act to ensure the safety and effectiveness of medically important antimicrobials approved for use in the prevention and control of animal diseases, in order to minimize the development of antibiotic-resistant bacteria.

S. 637

At the request of Mr. CRAPO, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 637, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 700

At the request of Mr. DURBIN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 700, a bill to amend the Asbestos Information Act of 1988 to establish a public database of asbestos-containing products, to require public disclosure of information pertaining to the manufacture, processing, distribution, and use of asbestos-containing products in the United States, and for other purposes.

S. 709

At the request of Mr. ROBERTS, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. 709, a bill to amend the Internal Revenue Code of 1986 to repeal the amendments made by the Patient Protection and Affordable Care Act which disqualify expenses for over-the-counter drugs under health savings accounts and health flexible spending arrangements.

S. 804

At the request of Ms. COLLINS, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 804, a bill to amend title XVIII of the Social Security Act to specify coverage of continuous glucose monitoring devices, and for other purposes.

S. 925

At the request of Mrs. SHAHEEN, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 925, a bill to require the Secretary of the Treasury to convene a panel of citizens to make a recommendation to the Secretary regarding the likeness of a woman on the twenty dollar bill, and for other purposes.

S. 1110

At the request of Mr. ENZI, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1110, a bill to direct the Secretary of Agriculture to publish in the Federal Register a strategy to significantly increase the role of volunteers and partners in National Forest System trail maintenance, and for other purposes.

S. 1121

At the request of Ms. AYOTTE, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1121, a bill to amend the Horse Protection Act to designate additional unlawful acts under the Act, strengthen penalties for violations of the Act, improve Department of Agriculture enforcement of the Act, and for other purposes.

S. 1144

At the request of Mr. WHITEHOUSE, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 1144, a bill to amend title 5, United States Code, to provide for a corporate responsibility investment option under the Thrift Savings Plan.

S. 1212

At the request of Mr. CARDIN, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 1212, a bill to amend the Internal Revenue Code of 1986 and the Small Business Act to expand the availability of employee stock ownership plans in S corporations, and for other purposes.

S. 1312

At the request of Ms. MURKOWSKI, the name of the Senator from Arkansas (Mr. COTTON) was added as a cosponsor of S. 1312, a bill to modernize Federal policies regarding the supply and distribution of energy in the United States, and for other purposes.

S. 1345

At the request of Mrs. SHAHEEN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1345, a bill to amend title XVIII of the Social Security Act to improve access to diabetes self-management training by authorizing certified diabetes educators to provide diabetes self-management training services, including as part of telehealth services, under part B of the Medicare program.

S. 1382

At the request of Mrs. GILLIBRAND, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 1382, a bill to prohibit discrimination in adoption or foster care placements based on the sexual orientation, gender identity, or marital status of any prospective adoptive or foster parent, or the sexual orientation or gender identity of the child involved.

S. 1465

At the request of Mr. KIRK, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 1465, a bill to amend title XVIII of the Social Security Act to expand access to stroke telehealth services under the Medicare program.

S. 1489

At the request of Mr. RUBIO, the name of the Senator from Georgia (Mr. PERDUE) was added as a cosponsor of S. 1489, a bill to strengthen support for the Cuban people and prohibit financial transactions with the Cuban military, and for other purposes.

S. 1555

At the request of Ms. HIRONO, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1555, a bill to award a Congressional Gold Medal, collectively, to the Filipino veterans of World War II, in recognition of the dedicated service of the veterans during World War II.

S. 1659

At the request of Mr. LEAHY, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 1659, a bill to amend the Voting Rights Act of 1965 to revise the criteria for determining which States and political subdivisions are subject to section 4 of the Act, and for other purposes.

S. 1760

At the request of Mrs. GILLIBRAND, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1760, a bill to prevent gun trafficking.

S. 1789

At the request of Mr. RUBIO, the names of the Senator from Virginia (Mr. KAINE), the Senator from West Virginia (Mrs. CAPITO), the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. 1789, a bill to improve defense cooperation between the United States and the Hashemite Kingdom of Jordan.

S. 1812

At the request of Mr. GRASSLEY, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 1812, a bill to protect public safety by incentivizing State and local law enforcement to cooperate with Federal immigration law enforcement to prevent the release of criminal aliens into communities.

S. 1832

At the request of Mr. SANDERS, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 1832, a bill to provide for increases in the Federal minimum wage.

S. 1833

At the request of Mr. CASEY, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 1833, a bill to amend the Richard B. Russell National School Lunch Act to improve the child and adult care food program.

S. 1834

At the request of Mr. BLUMENTHAL, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 1834, a bill to amend title 18, United States Code, to protect more victims of domestic violence by preventing their abusers from possessing or receiving firearms, and for other purposes.

S. 1872

At the request of Mr. BOOKER, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 1872, a bill to amend the Higher Education Act of 1965 to require the Secretary to provide for the use of data from the second preceding tax year to carry out the simplification of applications for the estimation and determination of financial aid eligibility, to increase the income threshold to qualify for zero expected family contribution, and for other purposes.

S. 1875

At the request of Mr. MENENDEZ, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 1875, a bill to support enhanced accountability for United States assistance to Afghanistan, and for other purposes.

S. 1877

At the request of Mr. INHOFE, the name of the Senator from Georgia (Mr. PERDUE) was added as a cosponsor of S. 1877, a bill to require the Attorney General to appoint a special prosecutor to investigate Planned Parenthood, and for other purposes.

S. 1881

At the request of Mrs. ERNST, the names of the Senator from Georgia (Mr. PERDUE), the Senator from North Carolina (Mr. BURR), the Senator from Arkansas (Mr. COTTON), the Senator from Arizona (Mr. MCCAIN), the Senator from Louisiana (Mr. CASSIDY), the Senator from Ohio (Mr. PORTMAN), the Senator from North Carolina (Mr. TILLIS), the Senator from Florida (Mr. RUBIO), the Senator from Louisiana (Mr. VITTER), the Senator from South Dakota (Mr. ROUNDS), the Senator from Mississippi (Mr. WICKER), the Senator from Idaho (Mr. CRAPO) and the Senator from Utah (Mr. LEE) were added as cosponsors of S. 1881, a bill to prohibit Federal funding of Planned Parenthood Federation of America.

S. RES. 230

At the request of Mr. KING, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. Res. 230, a resolution designating September 25, 2015, as ''National Lobster Day''.

AMENDMENT NO. 2279

At the request of Mrs. FEINSTEIN, the names of the Senator from Pennsylvania (Mr. CASEY), the Senator from Illinois (Mr. DURBIN), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Maryland (Ms. MIKULSKI) and the Senator from New Mexico (Mr. UDALL) were added as cosponsors of amendment No. 2279 intended to be proposed to H.R. 22, a bill to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

AMENDMENT NO. 2416

At the request of Mrs. MURRAY, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of amendment No. 2416 intended to be proposed to H.R. 22, a bill to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

AMENDMENT NO. 2419

At the request of Ms. CANTWELL, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of amendment No. 2419 intended to be proposed to H.R. 22, a bill to amend the Internal Revenue Code of 1986 to exempt

employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

AMENDMENT NO. 2456

At the request of Mr. MORAN, the names of the Senator from Nevada (Mr. HELLER) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of amendment No. 2456 intended to be proposed to H.R. 22, a bill to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. REED (for himself and Mrs. CAPITO):

S. 1883. A bill to maximize discovery, and accelerate development and availability, of promising childhood cancer treatments, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. REED. Mr. President, I am pleased to be joined by Senator CAPITO in the introduction of the Childhood Cancer Survivorship, Treatment, Access, and Research, STAR, Act of 2015. This legislation is an extension of ongoing bipartisan efforts in the Senate over the past decade to get us closer to the goal of hopefully one day curing cancers in children, adolescents, and young adults. Representatives MCCAUL, VAN HOLLEN, and SPEIER are introducing the companion legislation in the other body.

I first started working on this issue after meeting the Haight family from Warwick, RI, in June of 2004. Nancy and Vincent lost their son, Ben, when he was just 9 years old to neuroblastoma, a very aggressive tumor in the brain.

The heart-wrenching story of Ben Haight highlights the importance of this legislation. It is my hope that one day Ben's story, and thousands of other children like him, will be one of survival. With the strong support of families like the Haights for increased research into the causes of childhood cancers and improved treatment options, I introduced bipartisan legislation that eventually was signed into law in 2008 as the Caroline Pryce Walker Conquer Childhood Cancer Act.

This was an important step. Yet, more work remains. With the STAR Act, we would take the next needed steps to advance pediatric cancer research and child-focused cancer treatments, while also improving childhood cancer surveillance and providing resources for survivors and those impacted by childhood cancer.

If a treatment is working, doctors elsewhere should know immediately. The same should happen if a treatment isn't working, or if other major medical events occur during the course of a particular treatment. It is critical that doctors, nurses, and other providers are able to effectively communicate information about the disease, the treatment process, and what other health and development impacts children can expect to experience.

As such, the STAR Act reauthorizes the Caroline Pryce Walker Conquer Childhood Cancer Act to help create a comprehensive children's cancer biorepository for researchers to use in searching for biospecimens to study and would improve surveillance of childhood cancer cases.

Additionally, this legislation includes provisions dealing with issues that arise for survivors of childhood cancer. Unfortunately, even after beating cancer, as many as two-thirds of childhood cancer survivors are likely to experience at least one late effect of treatment; as many as one-fourth experience a late effect that is serious or life-threatening, including second cancers and organ damage.

We must do more to ensure that children survive cancer and any late effects so they can live a long, healthy, and productive life. This legislation would enhance research on the late effects of childhood cancers, improve collaboration among providers so that doctors are better able to care for this population as they age, and establish a new pilot program to begin to explore improved models of care for childhood cancer survivors.

This legislation also provides some clarity for patients and their physicians attempting to access new drugs and therapies from pharmaceutical companies. When a patient has run out of other options, the last thing they and their families need is to spend months being given the run-around trying to access a potential treatment.

Lastly, this bill will ensure more pediatric expertise at the National Institutes of Health to better leverage the research investment to improve pediatric cancer research by requiring the inclusion of at least one pediatric oncologist on the National Cancer Advisory Board and improving childhood health reporting requirements to include pediatric cancer.

I am pleased that the Childhood Cancer STAR Act has the support of the American Cancer Society Cancer Action Network, St. Baldrick's Foundation, and Children's Oncology Group, among others. I look forward to working with these and other stakeholders, as well as Senator CAPITO to urge the rest of our colleagues to join us in supporting this crucial legislation.

By Mr. DURBIN (for himself, Mr. WHITEHOUSE, Mr. REED, Mr. BROWN, Ms. BALDWIN, Mr. KING, and Ms. HIRONO):

S. 1884. A bill to amend title XVIII of the Social Security Act to deliver a meaningful benefit and lower prescription drug prices under the Medicare program; to the Committee on Finance.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1884

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Medicare Prescription Drug Savings and Choice Act of 2015''.

SEC. 2. ESTABLISHMENT OF MEDICARE OPERATED PRESCRIPTION DRUG PLAN OPTION.

(a) IN GENERAL.—Subpart 2 of part D of title XVIII of the Social Security Act is amended by inserting after section 1860D–11 (42 U.S.C. 1395w–111) the following new section:

''MEDICARE OPERATED PRESCRIPTION DRUG PLAN OPTION

''SEC. 1860D–11A. (a) IN GENERAL.—Notwithstanding any other provision of this part, for each year (beginning with 2017), in addition to any plans offered under section 1860D–11, the Secretary shall offer one or more Medicare operated prescription drug plans (as defined in subsection (c)) with a service area that consists of the entire United States and shall enter into negotiations in accordance with subsection (b) with pharmaceutical manufacturers to reduce the purchase cost of covered part D drugs for eligible part D individuals who enroll in such a plan.

''(b) NEGOTIATIONS.—Notwithstanding section 1860D–11(i), for purposes of offering a Medicare operated prescription drug plan under this section, the Secretary shall negotiate with pharmaceutical manufacturers with respect to the purchase price of covered part D drugs in a Medicare operated prescription drug plan and shall encourage the use of more affordable therapeutic equivalents to the extent such practices do not override medical necessity as determined by the prescribing physician. To the extent practicable and consistent with the previous sentence, the Secretary shall implement strategies similar to those used by other Federal purchasers of prescription drugs, and other strategies, including the use of a formulary and formulary incentives in subsection (e), to reduce the purchase cost of covered part D drugs.

''(c) MEDICARE OPERATED PRESCRIPTION DRUG PLAN DEFINED.—For purposes of this part, the term 'Medicare operated prescription drug plan' means a prescription drug plan that offers qualified prescription drug coverage and access to negotiated prices described in section 1860D–2(a)(1)(A). Such a plan may offer supplemental prescription drug coverage in the same manner as other qualified prescription drug coverage offered by other prescription drug plans.

''(d) MONTHLY BENEFICIARY PREMIUM.—

''(1) QUALIFIED PRESCRIPTION DRUG COVERAGE.—The monthly beneficiary premium for qualified prescription drug coverage and

access to negotiated prices described in section 1860D–2(a)(1)(A) to be charged under a Medicare operated prescription drug plan shall be uniform nationally. Such premium for months in 2017 and each succeeding year shall be based on the average monthly per capita actuarial cost of offering the Medicare operated prescription drug plan for the year involved, including administrative expenses.

''(2) SUPPLEMENTAL PRESCRIPTION DRUG COVERAGE.—Insofar as a Medicare operated prescription drug plan offers supplemental prescription drug coverage, the Secretary may adjust the amount of the premium charged under paragraph (1).

''(e) USE OF A FORMULARY AND FORMULARY INCENTIVES.—

''(1) IN GENERAL.—With respect to the operation of a Medicare operated prescription drug plan, the Secretary shall establish and apply a formulary (and may include formulary incentives described in paragraph (2)(C)(ii)) in accordance with this subsection in order to—

''(A) increase patient safety;

''(B) increase appropriate use and reduce inappropriate use of drugs; and

''(C) reward value.

''(2) DEVELOPMENT OF INITIAL FORMULARY.—

''(A) IN GENERAL.—In selecting covered part D drugs for inclusion in a formulary, the Secretary shall consider clinical benefit and price.

''(B) ROLE OF AHRQ.—The Director of the Agency for Healthcare Research and Quality shall be responsible for assessing the clinical benefit of covered part D drugs and making recommendations to the Secretary regarding which drugs should be included in the formulary. In conducting such assessments and making such recommendations, the Director shall—

''(i) consider safety concerns including those identified by the Food and Drug Administration;

''(ii) use available data and evaluations, with priority given to randomized controlled trials, to examine clinical effectiveness, comparative effectiveness, safety, and enhanced compliance with a drug regimen;

''(iii) use the same classes of drugs developed by the United States Pharmacopeia for this part;

''(iv) consider evaluations made by—

''(I) the Director under section 1013 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003;

''(II) other Federal entities, such as the Secretary of Veterans Affairs; and

''(III) other private and public entities, such as the Drug Effectiveness Review Project and State plans under title XIX; and

''(v) recommend to the Secretary—

''(I) those drugs in a class that provide a greater clinical benefit, including fewer safety concerns or less risk of side-effects, than another drug in the same class that should be included in the formulary;

''(II) those drugs in a class that provide less clinical benefit, including greater safety concerns or a greater risk of side-effects, than another drug in the same class that should be excluded from the formulary; and

''(III) drugs in a class with same or similar clinical benefit for which it would be appropriate for the Secretary to competitively bid (or negotiate) for placement on the formulary.

''(C) CONSIDERATION OF AHRQ RECOMMENDATIONS.—

''(i) IN GENERAL.—The Secretary, after taking into consideration the recommendations under subparagraph (B)(v), shall establish a formulary, and formulary incentives, to encourage use of covered part D drugs that—

''(I) have a lower cost and provide a greater clinical benefit than other drugs;

''(II) have a lower cost than other drugs with the same or similar clinical benefit; and

''(III) have the same cost but provide greater clinical benefit than other drugs.

''(ii) FORMULARY INCENTIVES.—The formulary incentives under clause (i) may be in the form of one or more of the following:

''(I) Tiered copayments.

''(II) Reference pricing.

''(III) Prior authorization.

''(IV) Step therapy.

''(V) Medication therapy management.

''(VI) Generic drug substitution.

''(iii) FLEXIBILITY.—In applying such formulary incentives the Secretary may decide not to impose any cost-sharing for a covered part D drug for which—

''(I) the elimination of cost sharing would be expected to increase compliance with a drug regimen; and

''(II) compliance would be expected to produce savings under part A or B or both.

''(3) LIMITATIONS ON FORMULARY.—In any formulary established under this subsection, the formulary may not be changed during a year, except—

''(A) to add a generic version of a covered part D drug that entered the market;

''(B) to remove such a drug for which a safety problem is found; and

''(C) to add a drug that the Secretary identifies as a drug which treats a condition for which there has not previously been a treatment option or for which a clear and significant benefit has been demonstrated over other covered part D drugs.

''(4) ADDING DRUGS TO THE INITIAL FORMULARY.—

''(A) USE OF ADVISORY COMMITTEE.—The Secretary shall establish and appoint an advisory committee (in this paragraph referred to as the 'advisory committee')—

''(i) to review petitions from drug manufacturers, health care provider organizations, patient groups, and other entities for inclusion of a drug in, or other changes to, such formulary; and

''(ii) to recommend any changes to the formulary established under this subsection.

''(B) COMPOSITION.—The advisory committee shall be composed of 9 members and shall include representatives of physicians, pharmacists, and consumers and others with expertise in evaluating prescription drugs. The Secretary shall select members based on their knowledge of pharmaceuticals and the Medicare population. Members shall be deemed to be special Government employees for purposes of applying the conflict of interest provisions under section 208 of title 18, United States Code, and no waiver of such provisions for such a member shall be permitted.

''(C) CONSULTATION.—The advisory committee shall consult, as necessary, with physicians who are specialists in treating the disease for which a drug is being considered.

''(D) REQUEST FOR STUDIES.—The advisory committee may request the Agency for Healthcare Research and Quality or an academic or research institution to study and make a report on a petition described in subparagraph (A)(i) in order to assess—

''(i) clinical effectiveness;

''(ii) comparative effectiveness;

''(iii) safety; and

''(iv) enhanced compliance with a drug regimen.

''(E) RECOMMENDATIONS.—The advisory committee shall make recommendations to the Secretary regarding—

''(i) whether a covered part D drug is found to provide a greater clinical benefit, including fewer safety concerns or less risk of side-effects, than another drug in the same class that is currently included in the formulary and should be included in the formulary;

''(ii) whether a covered part D drug is found to provide less clinical benefit, including greater safety concerns or a greater risk of side-effects, than another drug in the same class that is currently included in the formulary and should not be included in the formulary; and

''(iii) whether a covered part D drug has the same or similar clinical benefit to a drug in the same class that is currently included in the formulary and whether the drug should be included in the formulary.

''(F) LIMITATIONS ON REVIEW OF MANUFACTURER PETITIONS.—The advisory committee shall not review a petition of a drug manufacturer under subparagraph (A)(i) with respect to a covered part D drug unless the petition is accompanied by the following:

''(i) Raw data from clinical trials on the safety and effectiveness of the drug.

''(ii) Any data from clinical trials conducted using active controls on the drug or drugs that are the current standard of care.

''(iii) Any available data on comparative effectiveness of the drug.

''(iv) Any other information the Secretary requires for the advisory committee to complete its review.

''(G) RESPONSE TO RECOMMENDATIONS.—The Secretary shall review the recommendations of the advisory committee and if the Secretary accepts such recommendations the Secretary shall modify the formulary established under this subsection accordingly. Nothing in this section shall preclude the Secretary from adding to the formulary a drug for which the Director of the Agency for Healthcare Research and Quality or the advisory committee has not made a recommendation.

''(H) NOTICE OF CHANGES.—The Secretary shall provide timely notice to beneficiaries and health professionals about changes to the formulary or formulary incentives.

''(f) INFORMING BENEFICIARIES.—The Secretary shall take steps to inform beneficiaries about the availability of a Medicare operated drug plan or plans including providing information in the annual handbook distributed to all beneficiaries and adding information to the official public Medicare website related to prescription drug coverage available through this part.

''(g) APPLICATION OF ALL OTHER REQUIREMENTS FOR PRESCRIPTION DRUG PLANS.—Except as specifically provided in this section, any Medicare operated drug plan shall meet the same requirements as apply to any other prescription drug plan, including the requirements of section 1860D–4(b)(1) relating to assuring pharmacy access.''.

(b) CONFORMING AMENDMENTS.—

(1) Section 1860D–3(a) of the Social Security Act (42 U.S.C. 1395w–103(a)) is amended by adding at the end the following new paragraph:

''(4) AVAILABILITY OF THE MEDICARE OPERATED PRESCRIPTION DRUG PLAN.—A Medicare operated prescription drug plan (as defined in section 1860D–11A(c)) shall be offered nationally in accordance with section 1860D–11A.''.

(2)(A) Section 1860D–3 of the Social Security Act (42 U.S.C. 1395w–103) is amended by adding at the end the following new subsection:

''(c) PROVISIONS ONLY APPLICABLE IN 2006 THROUGH 2016.—The provisions of this section shall only apply with respect to 2006 through 2016.''.

(B) Section 1860D–11(g) of such Act (42 U.S.C. 1395w–111(g)) is amended by adding at the end the following new paragraph:

''(8) NO AUTHORITY FOR FALLBACK PLANS AFTER 2016.—A fallback prescription drug plan shall not be available after December 31, 2016.''.

(3) Section 1860D–13(c)(3) of the Social Security Act (42 U.S.C. 1395w–113(c)(3)) is amended—

(A) in the heading, by inserting ''AND MEDICARE OPERATED PRESCRIPTION DRUG PLANS'' after ''FALLBACK PLANS''; and

(B) by inserting ''or a Medicare operated prescription drug plan'' after ''a fallback prescription drug plan''.

(4) Section 1860D–16(b)(1) of the Social Security Act (42 U.S.C. 1395w–116(b)(1)) is amended—

(A) in subparagraph (C), by striking ''and'' after the semicolon at the end;

(B) in subparagraph (D), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following new subparagraph:

''(E) payments for expenses incurred with respect to the operation of Medicare operated prescription drug plans under section 1860D–11A.''.

(5) Section 1860D–41(a) of the Social Security Act (42 U.S.C. 1395w–151(a)) is amended by adding at the end the following new paragraph:

''(19) MEDICARE OPERATED PRESCRIPTION DRUG PLAN.—The term 'Medicare operated prescription drug plan' has the meaning given such term in section 1860D–11A(c).''.

SEC. 3. IMPROVED APPEALS PROCESS UNDER THE MEDICARE OPERATED PRESCRIPTION DRUG PLAN.

Section 1860D–4(h) of the Social Security Act (42 U.S.C. 1305w–104(h)) is amended by adding at the end the following new paragraph:

''(4) APPEALS PROCESS FOR MEDICARE OPERATED PRESCRIPTION DRUG PLAN.—

''(A) IN GENERAL.—The Secretary shall develop a well-defined process for appeals for denials of benefits under this part under the Medicare operated prescription drug plan. Such process shall be efficient, impose minimal administrative burdens, and ensure the timely procurement of non-formulary drugs or exemption from formulary incentives when medically necessary. Medical necessity shall be based on professional medical judgment, the medical condition of the beneficiary, and other medical evidence. Such appeals process shall include—

''(i) an initial review and determination made by the Secretary; and

''(ii) for appeals denied during the initial review and determination, the option of an external review and determination by an independent entity selected by the Secretary.

''(B) CONSULTATION IN DEVELOPMENT OF PROCESS.—In developing the appeals process under subparagraph (A), the Secretary shall consult with consumer and patient groups, as well as other key stakeholders to ensure the goals described in subparagraph (A) are achieved.''.

By Mr. WYDEN (for himself and Mr. UDALL):

S. 1891. A bill to amend the Mineral Leasing Act to improve coal royalties, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. WYDEN. Mr. President, today, I am proud to stand up for fairness by introducing legislation with my Senate colleague, Senator TOM UDALL of New Mexico, to ensure American taxpayers receive the full value of coal produced on public lands.

The Coal Royalty Fairness Act would require the Interior Department to collect royalties for coal mined on Federal lands based on the actual market value of coal. This bill is based on current successful practices in Montana—the Nation's second largest Federal coal-producing State. Currently, some private mining companies sell coal to their own affiliated companies at a lower cost than market value, and pay Federal royalties based on the cheaper, first point of sale.

American taxpayers are getting ripped off by coal companies under the current, broken coal royalties system. I raised concerns about this 2 years ago, and today, Senator UDALL and I are introducing legislation to get the public every penny owed by companies that may be taking advantage of a loose system. Instead of subsidizing private coal companies, it is time to put this money back where it belongs—into rural communities and the pockets of taxpayers.

Our bill will require the Interior Department to collect royalties based on the actual market value of coal, not the below-market price they charge their own companies.

Our bill will also bring some much-needed transparency to the Federal coal program by requiring the Interior Department to publish more information and calling for Government Accountability Office to review the program every 3 years.

I urge my colleagues to join Senator UDALL and me by cosponsoring and ultimately passing this important bill.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1891

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Coal Royalty Fairness Act of 2015''.

SEC. 2. VALUATION OF COAL ROYALTIES.

Section 7 of the Mineral Leasing Act (30 U.S.C. 207) is amended—

(1) in subsection (a), by striking the fourth sentence; and

(2) by adding at the end the following:

''(d) ROYALTIES.—

''(1) DEFINITIONS.—In this subsection:

''(A) ASSESSMENT VALUE.—

''(i) IN GENERAL.—The term 'assessment value', with respect to Federal coal, means—

''(I) the price of Federal coal paid by the purchaser at final sale; or

''(II) a price imputed by the Secretary based on the coal price index.

''(ii) EXCLUSIONS.—The term 'assessment value' does not include, as determined and to the extent determined to be appropriate by the Secretary—

''(I) transportation costs, as determined in accordance with the transportation cost index; or

''(II) the cost of coal washing.

''(B) BROKER.—The term 'broker' means a person that resells Federal coal.

''(C) COAL PRICE INDEX.—The term 'coal price index' means the schedule of average market prices of Federal coal (in United States dollars) paid by the purchaser at final sale, based on the quality and type of the Federal coal, as determined by the Secretary, in consultation with the Administrator of the Energy Information Administration.

''(D) PURCHASER.—

''(i) IN GENERAL.—The term 'purchaser' means a person that—

''(I) purchases or contracts to purchase Federal coal—

''(aa) directly from a coal mine operator; or

''(bb) indirectly from a broker; and

''(II) uses that Federal coal in any industrial or energy conversion process.

''(ii) EXCLUSION.—The term 'purchaser' does not include—

''(I) a coal broker; or

''(II) any other third-party intermediary.

''(E) QUALITY.—The term 'quality', with respect to Federal coal, means the quality of Federal coal measured in British thermal units, sulfur, moisture, and other criteria determined to be appropriate by the Secretary.

''(F) SECRETARY.—The term 'Secretary' means the Secretary of the Interior.

''(G) TRANSPORTATION COST INDEX.—The term 'transportation cost index' means the transportation cost index established under paragraph (7).

''(H) TYPE.—The term 'type', with respect to Federal coal, means a general category of coal, such as metallurgical coal or steam coal, as determined by the Secretary.

''(2) PAYMENT RATE.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), a lease shall require payment of a royalty in such amount as the Secretary shall determine of not less than 12.5 percent of the assessment value of Federal coal, as determined under paragraph (3).

''(B) EXCEPTION.—In lieu of the royalty payment rate described in subparagraph (A), the Secretary may establish such lower royalty payment rate as the Secretary determines to be appropriate in the case of Federal coal recovered by an underground mining operation.

''(3) VALUATION FOR ROYALTIES.—Not later than 1 year after the date of enactment of this subsection, the Secretary shall establish, as the valuation for Federal coal royalties, the assessment value of Federal coal.

''(4) ADMINISTRATION.—

''(A) REPORTING.—The purchaser of Federal coal shall annually submit to the Secretary a report containing such information as the Secretary determines to be necessary to carry out this subsection.

''(B) AUDITS.—To carry out this subsection, the Secretary may examine the records of any person engaged in the purchase, sale, transportation, or marketing of Federal coal.

''(5) COAL PRICE INDEX.—

''(A) IN GENERAL.—The Secretary shall compile the assessment values of coal by type and quality of coal in a coal price index.

''(B) PUBLICATION.—Not less frequently than quarterly, the Secretary shall publish the coal price index, along with a methodological description, including—

''(i) the method of calculation;

''(ii) the data used to calculate the coal price index in an aggregate manner that does not reveal proprietary information; and

''(iii) any other information the Secretary considers appropriate to ensure transparency.

''(C) OTHER INFORMATION.—If a person believes that the coal price index significantly deviates from the assessment value of the coal produced by the person, the person may petition the Secretary to use information supplied by the person in lieu of the coal price index, including all information the Secretary requires to accurately determine the assessment value and audit the records of the person.

''(6) EXPORTS.—

''(A) IN GENERAL.—In assessing royalties for the export of Federal coal under this subsection, the Secretary may obtain from the exporter of the Federal coal such information as the Secretary determines to be necessary to carry out this subsection.

''(B) ASSESSMENT VALUE OF EXPORTED COAL.—Subject to subparagraph (C), in determining the assessment value of Federal coal that is exported, the Secretary shall—

''(i) use the price of coal free on board the marine vessel used to transport the coal overseas at the port of origin; and

''(ii) limit any deductions that apply to the assessment value of the Federal coal to costs incurred prior to being free onboard the vessel.

''(C) UNCERTAIN EXPORT PRICE.—If the Secretary cannot determine the value of exported coal in accordance with subparagraph (B), the Secretary shall—

''(i) assess royalties under this subsection based on the coal price index for coal of a similar quantity and type; and

''(ii) limit any deductions that apply to the assessment value of the Federal coal to costs incurred within the contiguous United States.

''(7) TRANSPORTATION COST INDEX.—

''(A) IN GENERAL.—Subject to the other provisions of this paragraph, the Secretary, in consultation with the Secretary of Energy and the Secretary of Transportation (in consultation with the Surface Transportation Board and others), shall—

''(i) compile in a transportation cost index the average costs of transporting coal; and

''(ii) determine the amount of any transportation cost deduction under this subsection, on the basis of the transportation cost index.

''(B) UNIT OF MEASUREMENT.—The transportation cost index shall be based on the average transportation costs per ton of coal or another unit of measurement determined by the Secretary.

''(C) DIFFERENCES IN TRANSPORTATION COSTS.—The transportation cost index shall take into consideration differences in the costs of transportation, as determined by the Secretary, based on—

''(i) the mode of transportation;

''(ii) the geographic region, and

''(iii) other characteristics of the transportation industry that the Secretary considers to be necessary to calculate a fair, transparent, and accurate transportation cost index.

''(D) EXCLUSIONS.—The transportation cost index shall not include costs associated with, as determined by the Secretary—

''(i) take-or-pay contract penalties;

''(ii) liquidated damages;

''(iii) the speculative aspects of transportation transactions; or

''(iv) any other costs that are not directly associated with moving Federal coal from 1 location to another location.

''(E) PUBLICATION.—Not less than twice annually, the Secretary shall publish the transportation cost index, along with a methodological description, including—

''(i) the method of calculation;

''(ii) the data used to calculate the transportation cost index, in an aggregate manner that does not reveal proprietary information; and

''(iii) any other information the Secretary considers to be appropriate to ensure transparency.

''(F) OTHER INFORMATION.—If a person believes that the transportation cost index significantly deviates from the transportation costs of the person, the person may petition the Secretary to use information supplied by the person (other than costs descried in subparagraph (D)) in lieu of the transportation cost index, including all information the Secretary requires to accurately determine cost and audit the records of the person.

''(8) REVIEWS.—

''(A) IN GENERAL.—To ensure a transparent, fair, and efficient administration of the Federal coal program, and to ensure that citizens of the United States receive a fair return on Federal coal, not later than 3 years after the date of enactment of this subsection and every 3 years thereafter during the 15-year period beginning on that date of enactment, the Comptroller General of the United States shall submit to Congress a report that describes a review of the Federal coal program, including the administration of this subsection.

''(B) CONSULTATION.—In conducting a review under this paragraph, the Comptroller General shall consult with—

''(i) the Secretary;

''(ii) the Director of the Bureau of Land Management;

''(iii) the Secretary of Transportation; and

''(iv) the Secretary of Energy.

''(C) INCLUSIONS.—A review under this paragraph shall include a review of—

''(i) the total volume of coal production from Federal land;

''(ii) the total volume of remaining coal reserves on Federal land;

''(iii) the total revenues generated from the Federal coal program, itemized by type of revenue, including lease bonus payments and royalties;

''(iv) market prices for coal;

''(v) market prices for transportation costs and any other deductible costs; and

''(vi) the appropriateness of royalty rates.

''(D) FORMAT.—The Comptroller General shall report information in a review under this paragraph—

''(i) in the aggregate for the United States; and

''(ii) categorized by State for at least the top 10 Federal coal-producing States, as determined by the Comptroller General.

''(9) APPLICATION.—This subsection—

''(A) applies to coal mined from Federal land; and

''(B) does not apply to coal mined from tribal land.''.

By Mrs. FEINSTEIN (for herself and Mrs. BOXER):

S. 1894. A bill to provide short-term water supplies to drought-stricken California; to the Committee on Energy and Natural Resources.

Mrs. FEINSTEIN. Mr. President, I rise today to speak about the historic drought that is devastating California and much of the West and to introduce the California Emergency Drought Relief Act along with Senator BOXER.

The toll on some of our most vulnerable communities is mounting.

As of July, 2,091 wells are already dry or will soon run out of water. This puts more than 10,000 people in jeopardy.

Rural and disadvantaged communities are some of the hardest hit.

Just this month, the Washington Post reported that arsenic had been found in wells serving St. Anthony's mobile home park in the Coachella Valley at twice the safe concentration.

In Porterville, Californians are bathing themselves with bottled water.

California is also suffering a massive loss of agriculture production.

A study from UC Davis estimates that farmers will fallow 563,000 acres in 2015, a 35 percent increase from last year when farmers fallowed 410,000 acres.

The State's agriculture sector stands to lose $1.8 billion in direct agricultural costs this year, on top of $1.5 billion last year.

The San Joaquin Valley is at the epicenter of the drought, and the possible damage to our nation's food supply is dire.

The Valley is home to 90 percent of the country's tomatoes, 74 percent of our lettuce, and 95 percent of our broccoli. The drought's effects on the Valley will extend far beyond California's borders.

But the devastating consequences of this drought aren't limited to a single region.

UC Davis also reports that California's economy will lose an estimated $2.7 billion in 2015, along with 18,600 jobs.

That is on top of $2.2 billion last year and 17,100 jobs lost.

Effects on the environment are also destructive.

Groundwater reserves in underground aquifers are being depleted, which is causing the surrounding land to sink.

Delta smelt are at their lowest levels since surveys first began in 1959, while Chinook salmon are imperiled by warmer water in the Sacramento River.

Saltwater from the San Francisco Bay threatens to contaminate freshwater in the Delta, imperiling an entire ecosystem, not to mention the ill effects on drinking water supplies and farmland.

Finally, we can't ignore the increasing threat of wildfires. Since January 1, the U.S. Forest Service reports more than 5,000 fires have burned on state and federal lands, a 10 percent increase over last year.

Despite the high likelihood of a strong El Niño this year, one wet season won't fix the problems. Experts estimate that California needs at least

three above-average precipitation years to cover the current 37 million acre-foot deficit.

Doing nothing is simply not an option.

In drafting the bill we're introducing today, we started with the bill that unanimously passed the Senate in 2014.

We then modified that bill, adding significant environmental protections and removing controversial provisions.

We also included a range of provisions to protect and restore threatened and endangered species, as well as a number of programs to support long-term infrastructure projects like desalination, water recycling and storage.

My staff and I have taken dozens of meetings since January.

We have met with Congressional Republicans and Democrats, environmental groups, water districts, and State and local officials.

My California staff has visited water projects throughout the State to collect ideas, and my staff in Washington has consulted closely with Federal agencies to ensure the bill adheres to environmental law.

By releasing a bill this summer, months before the rainy season, Congress and the public will have ample time to review, debate and, where necessary, suggest improvements.

I expect the bill will receive a committee hearing, allowing every member of Congress and the public to weigh in.

Let me briefly discuss how this bill will help.

Federal policy will be most effective if it is aligned with the State's goals and the State water bond.

This means expanding Federal efforts to include long-term solutions such as desalination, recycling and storage. We also must look at ways to help communities that are running out of water.

To help those communities, the bill includes a new program to assist areas that have suffered the brunt of the drought, communities like Porterville and others in Tulare County.

Providing emergency supplies like bottled water is a no-brainer, but it is a short-term fix.

We need to look beyond this emergency at ways we can shift these communities from vulnerable water sources like wells to more sustainable and resilient water systems.

We also need to take a close look at desalination and water recycling. These are two of the most promising technologies that may offer long-term solutions.

The bill identifies 26 desalination projects capable of producing more than 330,000 acre-feet of water.

It also identifies 105 recycling projects with the potential to produce about 854,000 acre-feet of water.

That is a total of 1.2 million acre-feet of clean water per year, enough for 2.4 million households.

But these projects aren't cheap. That is why the bill funds a loan-guarantee program and other financing mechanisms to help make these projects a reality.

Another area we should focus on is storage. This drought has showed that our reservoir capacity is insufficient.

Given the consensus that droughts will grow more severe, we have to increase how much water we can hold from wet to dry years.

The bill positions the Federal Government as a partner with California to build new reservoirs and expand existing reservoirs.

Conservation and groundwater recharge are two more promising areas. While cities and towns are doing their part, the bill also identifies areas where the Federal, state and local governments and the ag sector can do more.

Finally, the Federal Government can play a significant role in supporting research on promising technologies, from recapturing energy and improving membranes used in desalination to developing strategies to minimize environmental effects of smart-water strategies.

The bill also includes a number of short-term, low-cost proposals to protect and assist in the recovery of fish populations, including salmon and smelt.

This includes authorizations to implement the Endangered Species Act recovery plan for salmon; trap-and-barge fish and address predator species, two ways to reduce mortality rates; create additional spawning habitat for endangered and threatened species; and improving how water systems are managed using the latest science and technology.

The bill's short-term provisions build on legislation that unanimously passed the Senate in 2014, with added protections for environmental and water rights and the removal of several provisions to address environmental concerns.

The bill's short-term provisions will help move water efficiently to those areas where it is most needed.

Let me be clear—this language was carefully drafted to remain consistent with environmental laws, including the Endangered Species Act and the Clean Water Act, as well as all biological opinions.

Here are some examples of how the short-term section works.

First, by operating the water systems with more precision, we will be able to monitor for endangered species like the Delta Smelt and adjust pumping levels to avoid harming fish. By doing this, more water can be moved to the communities that need it while protecting endangered and threatened species.

The bill also directs agencies to open the Cross-Channel Gates on the Sacramento River during times when salmon are not migrating. This would allow thousands of acre feet of water to be moved without harming fish or water quality.

For water transfers in the Delta—where water sellers and buyers can help get water where it's needed—we included many additional protections. Every transfer will be reviewed to ensure it is consistent with environmental laws. The transfers, which can only occur in April and May, must include only additional water pumped into the Delta on top of the regular river flow.

Moving water more efficiently will help supply water to millions of Californians in urban areas, from Silicon Valley to Southern California.

It will also increase water allocations for family farms in the San Joaquin Valley. More than 15,000 small farms served by the Friant Water Authority—with an average size of just 83 acres—would benefit.

I have introduced many bills during my years in the Senate, and this may be the most difficult.

Nevertheless, the goal has remained constant: a bill that can get signed into law that benefits all regions of the State.

Congress worked together after Hurricane Katrina ravaged the Gulf Coast and Hurricane Sandy devastated the East Coast.

I think we now have a bill that will help the West survive this historic drought.

I look forward to a committee hearing on this bill and to public input to make it even better.

By Mr. MCCAIN:

S. 1895. A bill to amend the Radiation Exposure Compensation Act for purposes of making claims under such Act based on exposure to atmospheric nuclear testing; to the Committee on the Judiciary.

Mr. MCCAIN. Mr. President, I am pleased to introduce legislation that would amend the Radiation Exposure Compensation Act, RECA, by adding Mohave County, AZ, to the list of counties eligible for downwinder compensation. A similar proposal was introduced today by Congressman PAUL GOSAR. I am hopeful this bill will help close a painful chapter for those Arizonans who were arguably the most affected by nuclear weapons testing during the Cold War.

In 1990, Congress enacted the Radiation Exposure Compensation Act to compensate victims or their survivors who suffered certain illnesses caused by fallout exposure ''down wind'' of atmospheric nuclear weapons testing during the 1950's and 1960's. Among other requirements, eligibility is limited to individuals who can prove their physical presence in one of several affected counties. Astonishingly, despite

its close proximity to the Nevada Test Site, the original RECA law and its subsequent amendments never listed Mohave County proper as an affected area. I believe the people of Mohave County deserve to see righted this unjust policy which has obstructed their ability to qualify for compensation.

I understand that several of my colleagues have proposed similar RECA amendments in previous years. I would hope that these various RECA proposals give additional consideration to an April 2005 report by the National Academy of Sciences, NAS, that assessed, among other things, whether additional geographic areas should be added to the RECA program. The NAS study revealed a much wider area of radioactive fallout then originally identified when the RECA law was first written. The report also recommended replacing the geographic area criteria with a new science-based process for determining compensation eligibility, a method similar to what's used in the Radiation Exposed-Veterans Compensation Act and the Energy Employees Occupational Illness Compensation Program Act. I believe it is worthwhile for policy makers to consider the recommendations of the NAS report.

This bill is an expansion of the RECA program and thus I will be working with my colleagues to find funding offsets to ensure there is no net increase in government spending if this legislation were enacted. I encourage my colleagues to support this bill.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 234—TO AUTHORIZE THE PRINTING OF A COLLECTION OF THE RULES OF THE COMMITTEES OF THE SENATE

Mr. BLUNT submitted the following resolution; which was considered and agreed to:

S. RES. 234

Resolved, That a collection of the rules of the committees of the Senate, together with related materials, be printed as a Senate document, and that there be printed 250 additional copies of such document for the use of the Committee on Rules and Administration.

SENATE RESOLUTION 235—DESIGNATING SEPTEMBER 2015 AS ''NATIONAL SPINAL CORD INJURY AWARENESS MONTH''

Mr. RUBIO (for himself and Mr. NELSON) submitted the following resolution; which was considered and agreed to:

S. RES. 235

Whereas the estimated over 1,275,000 individuals in the United States who live with a spinal cord injury cost society billions of dollars in health care costs and lost wages;

Whereas an estimated 100,000 of those individuals are veterans who suffered a spinal cord injury while serving as members of the United States Armed Forces;

Whereas work-related accidents are the leading cause of spinal cord injuries;

Whereas motor vehicle crashes are the second leading cause of spinal cord injuries and traumatic brain injuries;

Whereas 70 percent of all spinal cord injuries that occur in children under the age of 18 are a result of a motor vehicle accident;

Whereas every 48 minutes a person will become paralyzed, underscoring the urgent need to develop new neuroprotection, pharmacological, and regeneration treatments to reduce, prevent, and reverse paralysis; and

Whereas increased education and investment in research are key factors in improving outcomes for victims of spinal cord injuries, improving the quality of life of victims, and ultimately curing paralysis: Now, therefore, be it

Resolved, That the Senate—

(1) designates September 2015 as ''National Spinal Cord Injury Awareness Month'';

(2) supports the goals and ideals of National Spinal Cord Injury Awareness Month;

(3) continues to support research to find better treatments and therapies, and a cure for spinal cord injuries;

(4) supports clinical trials for new therapies that offer promise and hope to individuals living with paralysis; and

(5) commends the dedication of national, regional, and local organizations, researchers, doctors, volunteers, and people across the United States that are working to improve the quality of life of people living with spinal cord injuries and their families.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on July 29, 2015, at 9:45 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on July 29, 2015, at 10:30 a.m., in room SR–253 of the Russell Senate Office Building to conduct a hearing entitled ''Wireless Broadband and the Future of Spectrum Policy.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on July 29, 2015, at 10:30 a.m., in room SD–366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on July 29, 2015, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on July 29, 2015, at 10 a.m., to conduct a hearing entitled ''The Joint Comprehensive Plan of Action.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate on July 29, 2015, at 9 a.m., in room SH–216 of the Hart Senate Office Building, to conduct a hearing entitled ''Reauthorizing the Higher Education Act: Combating Campus Sexual Assault.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on July 29, 2015, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON INDIAN AFFAIRS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on July 29, 2015, in room SD–628 of the Dirksen Senate Office Building, at 2:15 p.m., to conduct a hearing entitled ''Examining the True Costs of Alcohol and Drug Abuse in Native Communities.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on July 29, 2015, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS' AFFAIRS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on July 29, 2015, at 2:30 p.m., in room SR–418 of the Russell Senate Office Building, to conduct a hearing entitled ''Ending Veteran Homelessness.''

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON EUROPE AND REGIONAL SECURITY COOPERATION

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations Subcommittee on Europe and Regional Security Cooperation be authorized to meet during the session of the Senate on July 29, 2015, at 2 p.m., to conduct a hearing entitled ''Financial Crisis in Greece—Implications and Lessons Learned.''

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON FINANCIAL INSTITUTIONS AND CONSUMER PROTECTION

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs Subcommittee on Financial Institutions and Consumer Protection be authorized to meet during the session of the Senate on July 29, 2015, at 10 a.m., to conduct a hearing entitled ''The Role of Bankruptcy Reform in Addressing Too-Big-To Fail.''

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON OVERSIGHT, AGENCY ACTION, FEDERAL RIGHTS, AND FEDERAL COURTS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on Oversight, Agency Action, Federal Rights, and Federal Courts be authorized to meet during the session of the Senate on July 29, 2015, at 2 p.m., in room SD–106 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Revisiting IRS Targeting: Progress of Agency Reforms and Congressional Options.''

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON READINESS AND MANAGEMENT SUPPORT

Mr. CORNYN. Mr. President, I ask unanimous consent that the Subcommittee on Readiness and Management Support of the Committee on Armed Services be authorized to meet during the session of the Senate on July 29, 2015, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. ENZI. Mr. President, I ask unanimous consent that Budget Committee interns Flora Lipsky and Hannah be given floor privileges for the rest of the week.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to executive session for the consideration of Executive Calendar No. 224; that the nomination be confirmed, the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order; that any statements related to the nomination be printed in the RECORD; that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nomination considered and confirmed is as follows:

IN THE MARINE CORPS

The following named officer for appointment as the Chairman of the Joint Chiefs of Staff and appointment to the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 152 and 601:

To be general

Gen. Joseph F. Dunford, Jr.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

AUTHORIZING THE PRINTING OF A COLLECTION OF THE RULES OF THE COMMITTEES OF THE SENATE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 234, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 234) to authorize the printing of a collection of the rules of the committees of the Senate.

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to and the motion to reconsider be laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 234) was agreed to.

(The resolution is printed in today's RECORD under ''Submitted Resolutions.'')

NATIONAL SPINAL CORD INJURY AWARENESS MONTH

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 235, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 235) designating September 2015 as ''National Spinal Cord Injury Awareness Month.''

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 235) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

UNANIMOUS CONSENT AGREEMENT—H.R. 3236

Mr. MCCONNELL. Mr. President, I ask unanimous consent that if the Senate receives the papers for H.R. 3236, that at 1:45 p.m. on Thursday, July 30, the Senate proceed to the immediate consideration of H.R. 3236; that the bill be read three times and the Senate vote on passage of the bill with no intervening action or debate; that there be a 60-affirmative-vote threshold for passage of the bill; and that following passage of the bill, the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR THURSDAY, JULY 30, 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Thursday, July 30; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following leader remarks, the Senate resume consideration of H.R. 22, postcloture; further, that the time following leader remarks until 12 p.m. be equally divided in the usual form; finally, that all time during the adjournment of the Senate count postcloture on H.R. 22.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:28 p.m., adjourned until Thursday, July 30, 2015, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. SAMUEL D. COX

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. GINA M. GROSSO

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

VICE ADM. PAUL A. GROSKLAGS

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

RICHARD H. FILLMAN, JR.

IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

DEAN R. KLENZ
SYLVIA A. B. MILLER
JAMES J. RICHE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

RICHARD L. BAILEY
KENNETH S. SHEDAROWICH

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

WILLIAM ANDINO
ROBERT J. BLAESING
FREDA W. BREDY
ELESS D. BROWN
FORREST E. CHASE
BETTY J. DEMUS
ELIZABETH A. ENGLISH
RUSSELL A. FREEMAN
ROSEANN E. GROB
JEFFREY E. HAFNER
SANDRA I. HERSH
THOMAS S. HYSLIP
NATHAN G. LEWANDOSKI
LARRY J. LUEDEMAN
MARY M. MEADE
BRADLEY C. NINDL
MICHAEL J. PRESCOTT
JAMES R. ROBERTSON
CINDY M. SALADIN MUHAMMAD
JANE F. SCHILLACI
CHRISTOPHER P. WILLARD

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

DAVID B. ANDERSON
MATTHEW J. BARRY
STEVEN E. BATTLE
STEVEN J. BAUER
GLORIA Y. BROWNE
CHRISTINA CAWLEY
SHEMROCK O. CORDOVA
IVONNE M. DALY GUZMAN
TIMOTHY J. DICKASON
S. FOLLEY DUNNA
FRANK P. FAUSTUS
MICHAEL Q. FITE
ALEXANDER G. GARZA
BRIAN L. GLADWELL
TODD G. GOTTSCHALK
DAVID M. GOURLAY
LYLE B. HAM
GERALD D. HAUTMAN
VICTOR R. HERNANDEZPILLICH
FOSTER C. KORDISCH III
DUANE LUKE
DEBORAH S. LYON
ROBERT F. MARINO
MATTHEW L. MASTERSON
PETER MAZOLEWSKI
CRAIG C. MCFARLAND
CECILIA P. MIKITA
JAMES E. MILLER
TERRY L. MILLS
WILLIAM D. MURRELL
RICHARD A. NAHOURAII
PAZ C. NUANEZ
BIDEMI Y. OLANIYILEYIMU
WILLIAM H. PAULL
CLAUDE C. PERKINS
MARK D. PORTER
LUIS J. RAMOS SANTIAGO
ALAN L. RIVERA
LAWRENCE M. ROBERMAN
NORMAN A. SABIO
DON J. SARMIENTO
RICHARD A. SCHEURING
FRANK L. SCHMID
RAFAEL G. SEMIDEI
DOUGLAS G. SMITH
ANN M. STRAIGHT
CARL W. THURMOND

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

JERRY G. BAUMGARTNER
JOSE E. COLON
CARLOS J. MIRO
JOSEPH ROSENWALD
MAURI M. THOMAS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

ELIZABETH A. ANDERSON
MICHELLE M. BEACH
SCOTT L. BORCHARDT
JAMIE P. CHERRY
KATHLEEN A. CLARY
ONDINE CRABTREE
LACONNIA Y. DANDY
ZANDRA M. DAY
RANDY A. ESTES
LINDA S. FISHER
ANGELA S. GARNER
ALEXANDER GILSON
SHARON A. GREENAWAY
OK S. HODGES
WILLIAM R. KOGL
TERESA M. LONG
ALEXIOS A. LOUKAS
JOHN M. RINEHART
CARLISS L. TOWNS
KAREN H. WILLIAMS
RONALD D. WOODARD
MARGARET L. YOUNG

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

TONIA M. CROWLEY
CHRISTOPHER FOWLER
CLIFFORD D. GEHRKE
JAMES R. HILL
DONALD B. JONES
ERIK J. KIRCHEN
BONNIE S. LOWE
DOUGLAS R. MEDD
ROBERTO J. NOGUERAS
DENNIS J. RATLIFF
PEDER SWANSON
CHERYL M. K. ZEISE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

JENNIFER M. AHRENS
DEIDRE M. ANDERSON
JERALD N. CHESTER
BRENDA L. HAVELKA
GERALD D. HOLLEGER
TODD W. TRAVER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY DENTAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be lieutenant colonel

RAMIE K. BARFUSS
DAVID A. BELTRAN
JOHN F. DECKER
WALTER G. DIMALANTA
WILLIAM A. GILBERT
KEVIN R. GILLESPIE
JEFFERY B. HAMBRICE
JOSEPH W. IVORY
HARRY J. JACKSON
HWAHOON JEONG
ANITA M. KIMBROUGH
JOSEPH R. LOWE
EDWARD W. LUMPKINS
DAVID R. MAXWELL
AMANDA R. NELSON
JOEL M. NICHOLS
NATHAN C. PARRISH
RACHELLE A. RETOMA
CHRISTOPHER L. ROWE
CURTIS D. SCHMIDT
BRIAN W. STANCOVEN
MICHAEL J. STEWART
RUSSELL D. TAYLOR
DENTONIO WORRELL

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be lieutenant colonel

DAVID J. ADAM
BRIAN L. ADAMS
ERIC P. AHNFELDT
MICHAEL V. ARNETT
FARHAN S. AYUBI
BRIAN C. BELDOWICZ
BROCK A. BENEDICT
PAMELA BLAND
JOHN H. BODEN
ANTHONY C. BONFIGLIO
EDWARD E. BRIDGES II
SAMUEL E. BURKETT
TRAVIS C. BURNS
CRAIG M. BUSH
ROBERT W. BYRNE
MICHAEL S. CAHILL
BRIAN J. CARR
LAUDINO M. CASTILLOROJAS
MATTHEW S. CHAMBERS
MARCUS H. COLYER
ROBERT J. S. CORNFELD
MARK S. CRAIG
STEVEN H. CRAIG
KEVIN L. CUMMINGS
LAURENCE DAVIDSON
RACHEL S. DAWSON
MATTHEW L. DRAKE
DOUGLAS M. DUDEWICZ
MATTHEW J. ECKERT
EDUARDO ESCOBAR
MASSIMO D. FEDERICO
DORI M. FRANCO
MATTHEW D. GIVENS
CHRISTINE M. GOULD
YOLANDA N. GRAYDAVIS
ARTHUR F. GUERRERO
JORDAN M. HALL
NATHAN E. HARTVIGSEN
JODY N. HEFNER
CHRISTOPHER C. HIGGINS
HEATHER L. HIGGINS
MICAH HILL
THOMAS N. HOFFMANN
LUKE J. HOFMANN
JOHN D. HORTON
JAMES T. T. HSU
STEVEN J. HUDAK
KATHRYN JOHNSON
OWEN N. JOHNSON
NATHAN D. JONES
ANDREW KAGEL
ESTHER KIM
YOUNG W. KIM
MEGAN K. KLOETZEL
NICHOLAS J. LANGE
RYAN J. LARSON
DAVID S. LIDWELL
JEFFREY R. LIMJUCO
NICK M. LY
ANDREW W. MACK
EDWARD W. MALIN IV
ERIK S. MANNINEN
BRIAN P. MARKELZ
JOSEPH W. MAY
ALEX J. MCKINLAY
DANIEL F. MCLAUGHLIN
MARIA M. MOLINA
PATRICK D. MUNSON
KUWONG B. MWAMUKONDA
DARIUSZ G. MYDLARZ
DAYNE M. NELSON
BURTON T. NEWMAN
PHU T. NGUYEN
VU Q. NGUYEN
ANTHONY A. D. NOYA
NKEMAKONAM OKPOKWASILI
PAULA S. OLIVER
JOSHUA C. PACKARD
BENJAMIN N. PALMER
JOSEPH R. PARK
CARL R. PAVEL
MICHAEL D. PERREAULT
JASON T. PERRY
JAMES D. PHILLIPS
BRIAN L. PIENKOS
SAMUEL L. PRESTON III
LISA K. PRINCE
JEREMY T. REED
AMANDA B. REEDMALDONADO
SEAN C. REILLY
AMBER E. RITENOUR
JOSHUA S. RITENOUR

ROMAN D. ROSARIO
ANNE T. SALADYGA
JASON E. SAPP
RHIANA D. SAUNDERS
SEBASTIAN R. SCHNELLBACHER
DAVID C. SEMERAD II
ANDREW SENCHAK
DANIEL C. SESSIONS
JEFFREY E. SHERWOOD
JARETT T. SKINNER
BENJAMIN H. SMITH
GEORGE J. SMOLINSKI III
VANCE Y. SOHN
BRONWYN R. STALL
THEODORE R. STEFANI
JUSTINE E. TRIPP
CHRISTOPHER J. TUCKER
EVELYN R. VENTO
AMY E. VERTREES
MAURA WATSON
THOMAS A. WEBSTER
JENNIFER A. WHERLEY
SCOTT A. WHITWORTH
SCOTT G. WILLIAMS
DAVID A. WONDERLICH
YANG XIA
VICTOR Y. YU

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

APRIL CRITELLI
PETER W. HUNT
EDWARD A. JOHNSON
THERESA A. MELTZ
VON L. MILLER
SCOTT E. SALLAWAY
GREGG A. VIGEANT

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

THOMAS F. CALDWELL
VALPERSIA D. GAINERSHASUGLUW
DAN C. GODBEE
SCOTT M. HOVIS
JOHN M. MADDOX
MICHAEL PIESMAN
LAURIE A. SPRAGA
JAMES G. WAKEFIELD
BRONSON B. WHITE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

CAROL L. COPPOCK
REBECCA L. GIESE
MARIE N. WRIGHT

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

NORMAN S. CHUN
FRANK A. DEQUATTRO
HARRY W. HATCH

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

LAVETTA L. BENNETT
TIMOTHY J. DECKERT
ERIC E. GAMES
MICHAEL P. HANNON
ROBERT G. HILL III
THOMAS S. IVESTER
JEFFREY B. LOUGHLIN
ZOE M. OLLINGER
PATRICK J. SHANNON
RICHARD L. STITZER, JR.
CRAIG W. STRONG

CONFIRMATIONS

Executive nominations confirmed by the Senate July 29, 2015:

FEDERAL MEDIATION AND CONCILIATION SERVICES

ALLISON BECK, OF THE DISTRICT OF COLUMBIA, TO BE FEDERAL MEDIATION AND CONCILIATION DIRECTOR.

DEPARTMENT OF AGRICULTURE

JEFFREY MICHAEL PRIETO, OF CALIFORNIA, TO BE GENERAL COUNSEL OF THE DEPARTMENT OF AGRICULTURE.

GENERAL SERVICES ADMINISTRATION

CAROL FORTINE OCHOA, OF VIRGINIA, TO BE INSPECTOR GENERAL, GENERAL SERVICES ADMINISTRATION.

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS THE CHAIRMAN OF THE JOINT CHIEFS OF STAFF AND APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 152 AND 601:

To be general

GEN. JOSEPH F. DUNFORD, JR.

HOUSE OF REPRESENTATIVES—*Wednesday, July 29, 2015*

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. FLEISCHMANN).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
July 29, 2015.

I hereby appoint the Honorable CHARLES J. FLEISCHMANN to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 6, 2015, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m. morning-hour.

TRANSPORTATION FUNDING

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, predictably, Congress is sidestepping the transportation funding issue for the 34th time with yet another short-term extension, this one until the end of October.

No nation has become great building its infrastructure 3 months, 8 months, 10 months at a time. This is a symbol of the failure of Congress and the last two administrations to deal meaningfully with the need to rebuild and renew America.

Our country is falling apart as we fall behind. We all can remember the days when the United States had the finest infrastructure in the world. Well, those days have long since passed. By any objective measure, we are now down about 25th in the world, and we continue to fall further.

This failure has consequences for Americans every single day. The average damage to a car is over $500 a year in maintenance costs due to poor road conditions, more than $125 billion a year to the economy with congestion, being stuck in traffic.

Because of poor road conditions, infrastructure failures, and an inability to keep pace with growth, there are people being killed and injured every day across America. It doesn't have to be this way.

The failure to get a 6-year reauthorization, which we haven't had since 1998, is due to one simple fact: Congress is still trying to pay for 2015 infrastructure with 1993 dollars.

The solution is simple. Over three dozen Members of Congress have cosponsored legislation to raise the gas tax for the first time in 22 years, legislation that is supported by the U.S. Chamber of Commerce, AFL–CIO, local government, transit, environmentalists, contractors, the largest collection of groups supporting any major issue before Congress.

It is a solution that was advocated by President Ronald Reagan when he led the effort in his administration to raise the gas tax 125 percent. It is a solution that has been embraced by six red Republican States already this year.

The latest failure to slide into the end of October could actually be our salvation. I have personally lobbied President Obama to call for an end to this charade. The President believes in infrastructure and every year has offered up an approach from his perspective.

I would urge the Congress and all of us to draw one final red line. This October 31 deadline ought to be it. Let Congress stew. Let things grind to a halt if we don't do our job.

The gas tax legislation is already written and can be approved if the Ways and Means Committee and the Senate Finance Committee would deal with it for a week.

It is a simple one-page bill. It is not necessary to tie ourselves in knots. And then, if we give a number to the authorizing committee, in a matter of weeks, they can develop that 6-year bill that would make such a difference.

We could meet the President's deadline, have this done once and for all, put hundreds of thousands of people to work at family-wage jobs all across the country, improving the quality of life, making our communities more livable, our families safer, healthier, more economically secure, and stop playing with gimmicks that highlight our dysfunction.

Let's prove to the American public and, more importantly, to us that we can actually function the way things were designed, using a user fee that is perfectly attuned to road needs that have served us well for over half a century.

So, please, Mr. President, why don't you make it clear that you are going to call an end to this charade. Give Congress 3 more months to do our job. It doesn't need any more.

We operate from cliff to crisis. Deadlines are simply an alarm clock to get started. Well, this particular alarm clock could start ticking now if you are calling a halt to our continued irresponsibility.

The SPEAKER pro tempore. Members are reminded to direct their remarks to the Chair.

IRAN-NORTH KOREA

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Florida (Ms. ROS-LEHTINEN) for 5 minutes.

Ms. ROS-LEHTINEN. Mr. Speaker, a bad deal is a bad deal under a Republican President or a Democratic President. This Iran nuclear deal is a bad deal because we have seen this movie before. We know how it ends.

I have repeatedly stated that Iran has been following the North Korean playbook on exactly how to extract concessions from the United States and the international community while simultaneously continuing to improve its nuclear program, expand its infrastructure, and support its illicit activities.

Many analysts have made the same observations, including Alan Dershowitz in a Jerusalem Post article last week.

It is not just how the process unfolded and how the international community fell for the tricks of the rogue regimes that are so scary.

Because, obviously, Iran saw North Korea as having been the victors in its battle over its nuclear program; so, naturally, it would want to replicate that.

But it is alarming and striking just how similar the rhetoric is between President Clinton's announcement of a nuclear agreement with North Korea and President Obama's announcement of a nuclear agreement with Iran.

Let's look at the similarities that Mr. Dershowitz noted between President Clinton's remarks in 1994 and President Obama's from earlier this month. Then, Mr. Speaker, it will be easy to understand why so many of us oppose this nuclear deal.

In 1994, President Clinton said that the North Korea agreement will make the U.S., the Korean Peninsula, and the world safer. Earlier this month President Obama said that this deal will bring about change that makes the U.S. and the world safer and more secure.

In 1994, President Clinton assured the world that the North Korea deal ''does not rely on trust. Compliance will be certified by the International Atomic Energy Agency.''

Last week President Obama proclaimed, ''This deal is not built on trust. It is built on verification.''

President Clinton predicted—as we now are painfully aware, inaccurately—that the North Korea agreement would be ''a crucial step toward drawing North Korea into the global community'' and predicted the end of the rogue regime's isolation.

Similarly, last week's statement poses that the Iran deal ''offers an opportunity to move in a new direction'' because we have taken a different path that ''leads to more integration into the global economy, more engagement with the international community, and the ability of the Iranian people to prosper and thrive.''

And, of course, there was the spurious promise to an ally to assuage them that we didn't just put their national security in jeopardy.

First, President Clinton reaffirmed our commitment to protect South Korea. Now, President Obama, already knowing that Israel vehemently objects to this deal and feels as though this gives Iran—an existential threat to its existence and a regime that has promised to wipe the Jewish state off of the map—the ultimate weapon to achieve its goals, promises to ''continue our unprecedented effort to strengthen Israel's security, efforts that go beyond what any American administration has done before.''

Not only are these empty words, Mr. Speaker, but they are disingenuous to boot.

When the North Korea deal was reached, one of the most significant flaws was that it failed to dismantle any of North Korea's nuclear infrastructure.

The deal was designed merely to delay the North Korean bomb, not prevent it. That is what this nuclear deal with Iran is designed to do.

We saw what happened with North Korea, and we can be sure that Iran plans to follow suit.

The totality of this deal hinges on a bet by the administration and the rest of the P5+1 that the Iranian regime will see the error of its ways and wants to be part of the global community and forsake its support for terror and other illicit behavior.

That is a dangerous gamble to make with U.S. national security, and it is not a gamble that I or any one of us should be willing to take.

That is why, Mr. Speaker, we must reject this deal and demand a better deal or else reimpose the sanctions and use the only thing, the only tactic, that Iran understands—strength—to force it to abandon its nuclear ambitions.

PUERTO RICO

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. GUTIÉRREZ) for 5 minutes.

Mr. GUTIÉRREZ. Mr. Speaker, yesterday I spoke about Puerto Rico's debt crisis and how there must be a sense of urgency because, without action, bondholders will be paid, but teachers, cops, and nurses won't.

I want to continue today and make two points. Number one, let's not let bondholders bleed Puerto Rico at a discount. Number two, let's work together on what unites us, not what divides us.

Because the only way we will make any progress is if the people of Puerto Rico come together to make a plan and demand that the Congress of the United States work with Puerto Rico on Puerto Rico's plan.

Without consistent and persistent pressure from Puerto Rico, Washington will do nothing, as both the administration and the Congress are content to let the bondholders on Wall Street call the tune.

We all know Washington should start with H.R. 870, the bankruptcy bill. It is simply a bill that will allow Puerto Rico to declare bankruptcy and restructure its debt within the U.S. legal system.

This would allow an orderly and fair restructuring of the debt in a court of law. It is an important step, but will not solve all of Puerto Rico's problems.

What Puerto Rico should do right now is demand to know what Wall Street vulture capitalists are paying for the bonds.

We hear a report that the bonds are selling for 15 and 20 cents on the dollar, yet the bond owners want a full dollar's worth of interest.

I say Puerto Rico should pay interest based on the price the billionaires actually paid and that they should disclose this amount, just as a congressman does in this Congress every time we make an investment.

Then Puerto Rico can service its debt based on what was paid to buy the debt. I came here to protect people, not the profits of billionaires on Wall Street.

Secondly and most importantly, for the time being, we must set aside politics and get away from the smokescreen of the status issue in Puerto Rico.

Whether Puerto Rico should be a State, an independent nation, or remain a commonwealth cannot be the priority right now before this Congress.

If everyone leaves Puerto Rico—and they are leaving by 5,000 a month—it will not matter what kind of government is left behind.

Mr. Speaker, nobody should use the current debt crisis as an opportunity to score political points for their party.

At a time when the people of Puerto Rico must be clear, precise, and unified, the status issue divides Puerto Ricans.

I read in The New York Times the argument of the Resident Commissioner of the Statehood Party that the only solution to Puerto Rico's problems is to make it a State.

Really? That is going to solve the debt crisis? The power crisis? The public employees' pension gap crisis? The Medicare Advantage budget crisis?

We should be working together to figure out how Puerto Rico is going to pay teachers and honor their pensions, how we will make sure health care is delivered to all and bridges do not collapse. A statehood bill is not going to provide housing, create a job, or heal a sick child.

When Members of Congress ask me about Puerto Rico, they ask me: Which is it? Is it statehood? Do you want a bankruptcy bill? Do you want more Medicaid?

We have to prioritize. We have to be clear and put aside the status issue. Please, we need to work together.

I would like to use my remaining minute to restate my call to action in Spanish.

(English translation of the statement made in Spanish is as follows:)

Politics and divisions could destroy the chances of forcing Washington to help resolve Puerto Rico's debt crisis.

Puerto Rico must have a common plan that has support across all of the parties, and most importantly, across the Island.

The Governor must find a way to work with the Resident Commissioner and the Resident Commissioner cannot view this crisis as a campaign tool for higher office.

Puerto Rico will only be helped by this Congress if and when there is a consistent and persistent call on Congress by Puerto Ricans to act. And Puerto Ricans need to specify what they expect Congress to do.

The Bankruptcy Bill is only part of it. If we still have the Jones Act and the same economy and economic prospects as we have now, we will not advance.

The people must tell Wall Street that Puerto Rico is not some store to be looted and that the Puerto Rican people will not sit and starve as Wall Street counts its profits.

If Wall Street is buying bonds at a discount, they should be paid at a discount.

But most importantly, we have to work together for the betterment of Puerto Rico. And we cannot let political divisions over statehood divide us.

I commit to putting aside my own passionate feelings about Puerto Rico's

status and working with other Puerto Ricans in the Congress and other leaders in both Parties who will help us. But we must first come together, begin helping ourselves, and have a clear plan.

La política y las divisiones podrían destruir las posibilidades de obligar a Washington a ayudar a resolver la crisis de la deuda de Puerto Rico.

Puerto Rico debe de tener un plan común que cuente con el apoyo de todos los partidos y sobre todo, a través de la Isla.

El Gobernador debe encontrar una manera de trabajar con el Comisionado Residente y el Comisionado Residente no puede ver esta crisis como una herramienta en sus campañas para un puesto más alto.

El Congreso sólo ayudará a Puerto Rico siempre y cuando haya un llamado constante y persistente de los puertorriqueños exigiendo que el Congreso cumpla. Y los puertorriqueños tienen que indicar lo que esperan de parte del Congreso.

La Legislación de Bancarrota es sólo una parte. Pero si todavía tenemos la Ley Jones y la misma economía y perspectivas económicas que tenemos ahora no avanzaremos.

El pueblo debe decirle a Wall Street que Puerto Rico no es una tienda para ser pirateada y que el pueblo de Puerto Rico no esperará a morir de hambre mientras Wall Street cuenta sus ganancias.

Si Wall Street está comprando bonos con descuentos, deben ser pagados con descuentos.

Pero sobre todo, tenemos que trabajar juntos por el bien de Puerto Rico. Y no podemos dejar que las divisiones políticas sobre la estadidad nos dividan.

Me comprometo como siempre lo he hecho a poner a un lado mis propios sentimientos sobre el estatus de Puerto Rico y a trabajar con otros puertorriqueños en el Congreso y otros líderes en los dos Partidos que estén dispuestos a ayudarnos. Pero primero tenemos que unirnos, empezar a ayudarnos a nosotros mismos, y tener un plan claro.

The SPEAKER pro tempore. The gentleman from Illinois will provide a translation for the RECORD.

□ 1015

SOUTHERN PIPING COMPANY

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. HOLDING) for 5 minutes.

Mr. HOLDING. Mr. Speaker, I rise today to recognize an outstanding family business in my home State of North Carolina.

When Southern Piping Company opened in 1965, it had two employees and a loan from the Small Business Administration. The two employees were Peggy Williford and her husband, Buren, who was one of the first licensed mechanical contractors in North Carolina—SPC, a classic family business, with all three of Peggy and Buren's sons—Chris, Mark, and Tim—continuing to lead the company.

Since 1965, the Willifords and the SPC family have weathered recessions and hard times, and over the years, through good old-fashioned hard work, they have grown.

Starting with one office in Wilson, SPC has expanded their plumbing, heating, and air-conditioning business to four offices statewide, and their SPC trucks are a familiar sight on the roads across North Carolina, but the biggest story is the family they have built through SPC, today providing jobs to 450 people.

When it came to building the company, Buren Williford always had a commonsense philosophy. He said: ''Successful companies look for like-minded people to do business with.''

Today, Southern Piping Company is adopting a new name—SPC Mechanical—to more accurately describe its growth and success. The Williford family still practices the old-fashioned principles of integrity, safety, and giving back to their community, for example, by offering young employees scholarships to attend nearby Barton College.

This year represents a landmark for the Williford family. They have now been in business for 50 years. It is my pleasure today to recognize the accomplishments of Peggy and Buren Williford.

RECOGNIZING CONNIE JEAN HUMPHREY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. HINOJOSA) for 5 minutes.

Mr. HINOJOSA. Mr. Speaker, I am proud to rise to recognize my longtime chief of staff, Connie Jean Humphrey, who is retiring after a long and distinguished career on Capitol Hill.

It is an honor and a privilege to recognize Connie's many years of service and achievements. She has proven herself as a talented and dedicated public servant, who has made innumerable contributions in the service of my constituents residing in Texas' 15th Congressional District along the Rio Grande Valley.

Connie has compiled a long list of accomplishments throughout her career and as a senior member of my staff, and she has earned an impeccable reputation on Capitol Hill among her peers and my colleagues in the Texas congressional delegation with whom she has worked very closely in support of our mutual objectives for our great State of Texas.

Connie brought an array of talents and experience as my chief of staff. She has a thorough understanding of Federal policy, particularly in the areas of health care, education, transportation, the environment, and on women's issues.

She is fluent in many other policy areas important to my constituents in the valley, and she has been an invaluable source of guidance and counsel during my appointments on the House Education and the Workforce Committee, as well as on the Financial Services Committee.

Connie approaches her position as the leader of my office with the training and detail-oriented scrutiny of an attorney, who graduated from the University of Maryland, and with the policy expertise of a congressional aide who served in staff leadership positions for nearly three decades.

She was instrumental in helping me lead the Workforce Innovation and Opportunity Act of 2010, which is aiding organizations like Workforce Solutions, based in McAllen, Texas, and is committed to the success of the employers and workforce of the Rio Grande Valley by matching them with skilled, productive employees and upgrading the skills of their current workforce.

Connie has been particularly effective in helping me address urgent needs in deep south Texas. Latino students aspiring to attain the dream of a college education are that much closer to realizing their hopes, thanks to Connie's involvement, resulting in passage of the Higher Education Opportunity Act and the student loan and healthcare reconciliation bill of 2010, among the largest investments in higher education since the GI bill, particularly for Latino- and minority-serving higher education institutions in our country.

This crucial legislation also created an unprecedented healthcare system that complements the Patient Protection and Affordable Care Act of 2010 that Connie also played a major role in helping shepherd through the Education and the Workforce Committee, and that is now providing millions of Americans with affordable health care who previously had no coverage.

Mr. Speaker, it is with much more than coincidence that the high school graduation rate in my congressional district has accelerated—from 55 percent to 85 percent—during Connie's tenure as my chief of staff.

This sharp increase has lifted up a generation of young Latinos, who are making significant contributions to our communities and regional economy; and it is a direct result of Connie's advocacy and leadership contributing to the passage of each of these four aforementioned bills.

These public laws constitute my collection of framed legislation in my congressional office that I was very proud to pass as either chairman or

ranking member of the Higher Education and Workforce Training Subcommittee with Connie at the helm of my office.

I am also indebted to Connie for her tireless efforts in helping me facilitate two new international land bridges designed to stimulate commercial activity, economic growth, and stability to the Rio Grande Valley.

Her intimate knowledge of transportation policy was a key element in the process culminating in the approval of Presidential permits that paved the way to open the Donna-Rio Bravo and the Anzalduas International Bridges.

Similarly, Connie was influential in securing $300 million in Federal investments for floodway levee improvements along the Hidalgo County, Texas, and Mexican borders.

We still remember the impact of Hurricane Dolly in 2008 that brought between a foot and 15 inches of rain to the Valley. Hurricane Ike followed shortly thereafter, with storm surges as high as 20 feet and caused almost $20 billion in damages.

My district would have been more highly susceptible to damage and our residents even more imperiled if the levees were breached by a hurricane or heavy rains without this assistance. As a result, hundreds of millions of dollars' worth of property were spared during the landfall of Hurricane Alex in 2010, when the Rio Grande River crested to a record of 59 feet.

In the wake of economic crisis, Connie led my team in preparing our communities to apply for assistance that ultimately received over half a billion dollars for Hidalgo County alone under the ARRA.

Mr. Speaker, I am saddened to lose Connie as a trusted and beloved member of my staff, but I am happy for her as she embarks upon a new endeavor as the senior vice president of public and community relations and special counsel of the Doctors Hospital at Renaissance, where she will continue to serve my constituents and be uniquely positioned to help the hospital deliver and expand the reach of health care to underserved communities and economically disadvantaged families.

I wish to, again, thank Connie Humphrey for all of her hard work, steadfast commitment to the people of south Texas, and for her skillful management of my staff and congressional offices.

On behalf of the 15th Congressional District of Texas, I congratulate Connie for her excellent service and for a job very well done.

25TH ANNIVERSARY OF AMERICANS WITH DISABILITIES ACT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. COSTELLO) for 5 minutes.

Mr. COSTELLO of Pennsylvania. Mr. Speaker, this past Sunday was a special and historic day. It marked 25 years since the Americans with Disabilities Act was signed into law.

The ADA has had a profound impact on our country and its citizens. It speaks to the best about our country; toward forming a more perfect union, it aims to provide equal opportunity for those who have a disability.

This anniversary, I feel, allows us to reflect on something that unites us; that is it is estimated that one in five Americans is living with a disability. Disabilities affect individuals in every congressional district in this country, in every State, in every neighborhood. It touches the lives of everyone—race, gender, income. No demographic is exempt from disability.

This law provides hope for those who have a disability and offers promise that opportunities exist for self-fulfillment.

On both a philosophical and practical level, it stands for the proposition that providing reasonable accommodations to those with a disability is how a civil society addresses an imbalance borne through no fault of the individual.

The law and its legislative, regulatory, and judicial progeny enables us to address issues such as public transportation, housing, education, and social services in a more thoughtful, proactive, effective, and humane way. While there is no doubt that substantial progress has been made, I am not here on the House floor to say that our work is done—because it isn't.

Thanks to the law, about 50 million Americans have been helped, and that doesn't include their families and loved ones who can point to how laws do matter and can make a positive impact.

Let's focus on the challenges that we still confront that relate to access and opportunity on holding up the standard of self-sufficiency for individuals with a disability and looking at how public policy can be shaped to help achieve this standard for disabled Americans. The crux is often that time between ending in the classroom and looking for employment opportunity.

Just yesterday, I met with Abilities in Motion, a Berks County organization in my district that provides outstanding services to individuals and families in Berks County.

During our discussion, I heard from individuals and parents who, through grit and determination, were able—and are able—to navigate the complex maze of programs and services and funding streams to coordinate caregivers, transportation, and employment in the postacademic world.

Let's focus on streamlining and better integrating these programs and funding streams, and let's focus on encouraging job opportunities for disabled individuals who want to work and build a meaningful career.

□ 1030

Let's also focus on improving transportation options so that individuals who want to work are able to get to work without difficulty.

Let's continue to set forth and advance good policy, like the ABLE Act from the last Congress, which will encourage individuals and families to save tax-free dollars to help finance the costs associated with disabilities.

I am grateful for the tireless work of Abilities in Motion and other organizations that serve families and individuals in my district, such as the National Federation of the Blind, The Arc Alliance, the Disability Rights Network, and the Pennsylvania Statewide Independent Living Council. These organizations, their employees, and their volunteers work day in and day out to improve everyday lives.

Last, let's also thank the families who sacrifice for their loved ones who have disabilities, and let's recognize the courage and the hard work of those who have disabilities as they endure every day to become self-sufficient. It really speaks to what is great about this country.

Everyone out there who suffers from a disability and who wakes up every day with optimism and purpose, you are to be commended. You are the American success story.

Mr. Speaker, over the past 25 years, the ADA has increased accessibility and has empowered millions of Americans with disabilities. It is important to acknowledge the progress, but it is also important to recognize that there are still challenges that we should address from a public policy perspective. We must continue our efforts, in a bipartisan manner, to advance policy that keeps us a step ahead and that meets the needs of disabled Americans today and tomorrow.

RICKETY PATCHWORK

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from the District of Columbia (Ms. NORTON) for 5 minutes.

Ms. NORTON. Mr. Speaker, work on the Nation's bridges, highways, and transit has all but stopped because of 34 patch extensions that keep everything—except patchwork—on hold.

Today, the House is rushing out of town early, leaving a new 3-month patch. This time, though, the Republican House is scrambling out of the Capitol, literally, to get away from the Republican Senate, which had been trying for a 6-year bill. The Republican House's ''my way or the highway'' was addressed to the Republican Senate, and the public be damned—and it worked. The Republican Senate has given up on the Nation's infrastructure, too. The Republican Senate announced this morning that it will accept the House's 3-month patch. Six

months of control of the House and Senate by the Republicans has made Congress even more dysfunctional.

The new House 3-month patch has nothing to do with roads and bridges. Who knows what will get done this time? House Republicans see political goals at the end of their 3-month road, when the must-pass highway bill could serve their purposes, such as the usual, if dangerous, dispute over an extension of the debt ceiling.

Yet, Republican and Democratic States alike keep meeting their obligations under the State-Federal partnership. Eighteen States and the District of Columbia have raised their gas user fees, going as high as 10-cent increases in Iowa and in Wyoming; but the roads, bridges, and transit remain stalled because the Federal partner keeps dropping out. More than half of the funds for a nationwide system that connects our States with one another comes from the Federal trust fund.

During the 34 patch delays, not a lick of work on a final bill has been done except the Senate's current try at a 6-year bill. There have been no serious talks here on alternatives to the gas user fee, although it long ago was swallowed by today's hard-won fuel efficiency that leaves the transit trust fund thirsty for a refill after a year and a half or so.

Democrats, however, have offered four alternatives to the current user fee, which is the legacy of the Eisenhower years. House Republicans have offered none. Congress has refused to raise the Federal user fee since 1992, adding to the woes of the 1950's method we use to pay for our roads.

The Republican House runs out of town today to hide from the Republican Senate. As they run home, I can only hope they run into the arms of their own angry constituents on their own rickety roads. House Republicans can run, but they can't hide from the broken down bridges, roads, and transit they will use back home.

DEMAND FOR TRANSPARENCY IN THE REGULATORY AND RULEMAKING PROCESS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Nevada (Mr. HARDY) for 5 minutes.

Mr. HARDY. Mr. Speaker, I rise today in order to address a concern that anyone who has ever owned or has run a business truly understands—the negative effects of unchecked government regulations on our American economy.

No matter how large or small, Federal regulations are being added each day into law by the hundreds—and even sometimes by the thousands—most of which are not directly approved by Congress.

By allowing Washington bureaucrats to continue to stuff the overwhelming number of regulations into congressionally passed legislation, we are essentially handing over authority to the Federal agencies for them to legislate as they please. It is our job in Congress to oversee these regulations as they are being generated in order to provide that our constituents are not left behind.

During this Congress, we have made great strides in reforming the regulations process in order to help the economy grow. A great example of that occurred yesterday with the passage of the REINS Act. There should be no question that any regulation that makes an annual impact of $100 million on the economy should require congressional approval before it can become law.

As my colleagues are aware, a copy of the day's Federal Register is delivered to each of our offices daily. This book provides a hard copy of every new regulation that ranges from environmental protection to labor standards, to health guidelines, to restrictions on financial institutions.

Last year, the Federal Register contained over 77,000 pages, with 3,554 new regulations. Even though this large number of pages is absurd, it was only the sixth highest page count in the Federal Register's history. As of this morning, the 2015 Federal Register sits at over 45,000 pages.

It is unthinkable to me that the most important document—the Constitution—can fit on 39 pages, in this little book. In comparison, this is the July 13 edition of the Federal Register. It is 627 pages, and it is only one of three editions from that day alone.

Mr. Speaker, when is enough enough, and when does it become too much?

The continual expansion of our government through a vast number of regulations causes our economy to become as shaky and unstable as the Federal Registers that are stacked up in my office from this year, which is unacceptable and very concerning.

An even larger issue comes from how the general public is made aware of these proposed rules and the opportunity to voice one's concerns on the rules. While we are provided with a daily index of rules and new regulations through the Federal Register, the American taxpayers, for whom we work, are left in the dark.

Since these regulations do not take into account the economic impact that is placed on American businesses and families, each new regulation can lead to lower wages, job losses, and higher prices for goods. In 2014, Federal regulations cost American families an estimated $1.88 trillion in financial burden, representing, roughly, $15,000 per household. This cost is also larger than Canada's economy, is larger than Mexico's economy, and is larger than the economies of Australia, Russia, Spain, and South Korea, just to name a few. In fact, the economies of only nine nations in the world are larger than the cost of our regulations.

Although all sized businesses and industries feel the effects of government regulations, it is the small businesses that face greater adversity from regulations due to costs attributed to comply. In addition to compliance costs, limited comment periods, and a lack of information pertaining to how they make their opinions heard, business owners are usually those who end up being left out in the cold.

I ask my colleagues to join me in demanding more transparency in the regulatory and rulemaking process because it is our duty to our constituents.

GIVING SENIORS A MEDICARE BIRTHDAY PRESENT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Florida (Mr. GRAYSON) for 5 minutes.

Mr. GRAYSON. Mr. Speaker, 50 years ago this week, President Lyndon Johnson signed the law that created Medicare and Medicaid—the most important healthcare programs in our country's history prior to the Affordable Care Act. With one stroke of his pen, President Johnson guaranteed both poor Americans and older Americans the right to high-quality, affordable medical treatment.

Thanks to Medicare, for 50 years now, our seniors have received the health care they have needed to stay healthy and to live full lives; but despite the success, there are gaps in Medicare coverage that need to be closed. The most glaring gap is the fact that Medicare does not provide basic medical coverage for seniors' eyes, ears, and teeth. It is as though Medicare assumes that seniors don't need to see or to hear or to chew.

We are not talking about exotic, high-tech treatments. We are talking about no Medicare coverage for eyeglasses, eye exams, hearing aids, cavity fillings, and dentures. We are talking about no treatment for medical conditions that lead to blindness, deafness, lost teeth, and serious gum disease, which has been strongly linked to heart disease. It is unthinkable that we deny our seniors this elementary level of care.

There are 2.7 million seniors in America who are blind. How many of them would be able to see today if they had received simple annual eye exams as part of their Medicare coverage?

Medicare is a promise that we make to ourselves—the young to the old, one generation to the next. The promise is that, after you reach your 65th birthday, your medical needs will be met. To keep that promise, our seniors have paid into the system, in some cases for a half a century, before they receive a single earned benefit. They deserve the best care we can provide for them.

This week, to honor the 50th anniversary of this lifesaving program we call Medicare, I am introducing the Seniors Have Eyes, Ears, and Teeth Act. This bill will amend title XVIII—the Medicare provision of the Social Security Act—to repeal the arbitrary exclusion of eyeglasses, eye exams, hearing aids, hearing exams, and dental care from Medicare coverage. Two short lines in the U.S. Code have barred that coverage for 50 years. I simply delete those lines. I urge my congressional colleagues to enact this quick, easy, and necessary reform.

Medicare should provide health coverage for every part of your body, including eyes, ears, and teeth. Over 50 million Americans enjoy Medicare coverage. To celebrate the 50th anniversary of Medicare, let's guarantee to 50 million Americans the health care they need in order to look into the eyes of the ones they love, to see our Fourth of July fireworks each year, and to hear it when freedom rings.

□ 1045

EMBRACE TRADE OPPORTUNITIES WITH ASIA

The SPEAKER pro tempore. The Chair recognizes the gentleman from Minnesota (Mr. PAULSEN) for 5 minutes.

Mr. PAULSEN. Mr. Speaker, earlier this summer Democrats and Republicans came together to pass a trade authorization bill that set the standards for any trade deal that the United States negotiates with other countries.

It guarantees oversight by Congress, it guarantees transparency for the public, and it guarantees that our negotiators have the opportunity to get the best deal for our workers, our farmers, our ranchers, and our employers.

This week trade negotiators from 12 different countries around the Pacific Rim are meeting in Hawaii for negotiations with the Trans-Pacific Partnership. It is a deal that will open doors for American businesses to sell their products overseas and create jobs right here at home.

Mr. Speaker, the fact of the matter is this: 95 percent of the world's consumers live outside of the United States; 80 percent of the world's purchasing power is outside of the United States.

We need to allow our American companies to compete and to be able to sell their products and goods and services or we will fall behind.

In addition, these negotiations will allow America to act as a counterweight to the growing influence of China in the region.

If the United States doesn't write the rules for the global economy, China will step in and write them, and it won't be to the benefit of American workers and businesses.

Mr. Speaker, while Congress and the American people should and will vet any deal that results from the current Trans-Pacific Partnership negotiations, it is important to understand what a successful agreement will mean here at home.

For starters, it means boosting pay and higher wages. That is because jobs that rely on trade pay 18 percent higher than those jobs that don't. It also means boosting job growth right here in America. That is because one in five jobs are tied to trade.

In Minnesota, Mr. Speaker, 775,000 jobs are currently supported by trade, and new trade with Asia will enhance and support that opportunity to build on new success.

It also means boosting our country's small- and medium-sized businesses. In Minnesota, 90 percent of these small businesses are the companies that export goods and services.

Now, that being said, there is still a lot of work that needs to be done by our negotiators to make sure they reach an agreement that is best for the American people. We need cooperation from the other countries that are involved in these negotiations.

Canada needs to step up to the plate on tariff and quota issues dealing with their dairy and their egg industries. Japan needs to step up on agriculture issues.

Progress still needs to be made to ensure that American intellectual property is protected. However, with commitment from our trading partners, I am confident that we can overcome these remaining hurdles.

Mr. Speaker, we need trade deals where everyone benefits and everyone follows the rules. We live in an interconnected world, and we should be embracing opportunities that open more markets for American goods and services.

It is time to show the world that America will continue to lead the way in the 21st century global economy.

REMEMBERING DIRECTOR ROBERT PARKER OF MIAMI-DADE COUNTY POLICE DEPARTMENT

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Florida (Ms. WILSON) for 5 minutes.

Ms. WILSON of Florida. Mr. Speaker, I rise today with a heavy heart. I am deeply saddened by the death of former Miami-Dade County Police Director Robert Parker. I extend my sincerest sympathies to his family at this difficult time.

Director Parker was a friend and a true humanitarian. Throughout his career in law enforcement with the Miami-Dade County Police Department, he was committed to making south Florida a safer place to work, to live, and to visit. He was well respected and celebrated, and he fought to create opportunities for men and women of color.

As a longtime mentor and leader of the 5000 Role Models of Excellence Project, Director Parker worked closely with me to save at-risk minority boys and young men.

His impact is evident by the thousands of success stories of Role Model boys who, under his mentorship, have gone on to college and thriving careers. The 5000 Role Models of Excellence Project in south Florida owes Director Parker a huge debt of gratitude.

Director Parker testified before Congress on behalf of violence in the Black community. He testified before Congress about the tragic death of Trayvon Martin. He went on to be featured on CNN, MSNBC, and all of our local TV shows.

Because of his knowledge, he went on to serve as a consultant for cities all over this country. Our boys and our community were so very, very proud of this wonderful role model.

Mr. Speaker, Director Parker adored his family, his sweet, sweet grandchildren, his daughter, Kalika, his son, Robert, Jr., his son, Kyron, and his devoted wife and the love of his life, Veronica.

Our great Nation has lost a patriot who lived to embody the principles of equality, justice, and freedom upon which America is founded. To fully understand our loss, you must first understand the treasure that we all shared in Director Parker.

Director Parker showed a bright intellect and caring nature, growing up as a child in the rural community of Monticello, Florida.

He bravely served in the United States Army. He joined the Miami Police Department in 1976, when it was still known as the Dade County Police Safety Department. He was a bright and eager young officer who wanted to make his community safer.

Mr. Speaker, Director Parker was an officer's officer. He worked hard, and he made great sacrifices for his career through the love and support of his family.

He enjoyed a storied rise up the ladder of police leadership because of his determination to solve crimes. He was affectionately called ''Bobby'' by his friends and colleagues, but he was also nicknamed ''Marathon Man.''

He famously earned that name by giving a foot chase to catch one of the most notorious thieves in Miami-Dade County history.

The suspect had consistently eluded capture because he was too crafty and fast for most officers, but not too fast for Robert Parker.

His determination is what set him apart from others. He did not view his responsibility to his community as an adjective, something that was hard or tedious. However, he saw it as a verb. It was something that he had to do.

He was never concerned about the spotlight or awards, but his dutiful nature and bravery made it almost impossible to deny him recognition.

Mr. Speaker, Director Parker's service to south Florida and our Nation had an underlying theme that permeated everything he did: his love for his community.

He understood that the best police officers are not the police who wore the badges, but the best police officers were the people who paid their mortgages, who sent their kids to school, and who worked hard to build their community.

Residents were always quick to ignore the false notion of no snitching and gave Director Parker information that solved crimes.

His sense of community and respect eventually led to his promotion to director of the Miami-Dade Police Department in 2004. His appointment was historic by his being the very first African American to hold that post, and he opened the door for many others to follow.

Dade County has the largest police force in the southeast United States, leading over 4,700 sworn and civilian employees.

As director, he worked to create a more diverse agency and create opportunities for minorities and women. He was an exemplary leader and even earned the respect of the police union.

He retired in 2009 after 33 years. Our mentors look up to him. His absence will create a huge void.

Mr. Speaker, America has lost an iconic law enforcement officer. His legacy will live in the hearts of all of us forever. My remarks will be entered into the official CONGRESSIONAL RECORD, and they will then be permanently placed in the Library of Congress.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has agreed to without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 64. Concurrent resolution authorizing the use of Emancipation Hall in the Capitol Visitor Center for a ceremony to present the Congressional Gold Medal to the Monuments Men.

The message also announced that the Senate has passed bills and a concurrent resolution of the following titles in which the concurrence of the House is requested:

S. 242. An act to amend title 5, United States Code, to provide leave to any new Federal employee who is a veteran with a service-connected disability rated at 30 percent or more for purposes of undergoing medical treatment for such disability, and for other purposes.

S. 614 An act to provide access to and use of information by Federal agencies in order to reduce improper payments, and for other purposes.

S. 764. An act to reauthorize and amend the National Sea Grant College Program Act, and for other purposes.

S. Con. Res. 20. Concurrent resolution recognizing and honoring the 25th anniversary of the date of enactment of the Americans with Disabilities Act of 1990.

THE IMPROVING COAL COMBUSTION RESIDUALS REGULATION ACT OF 2015

The SPEAKER pro tempore (Mr. PAULSEN). The Chair recognizes the gentleman from Pennsylvania (Mr. THOMPSON) for 5 minutes.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, responsible use and recycle of coal ash has the ability to reduce waste, provide construction materials, and keep utility costs low.

This past April the EPA released yet another rule aimed at coal by mandating new standards for the disposal and storage of coal combustion residuals.

As a result of this proposal, the House considered and passed H.R. 1734, the Improving Coal Combustion Residuals Regulation Act of 2015. This legislation codifies the base standards of EPA's final proposed rule, while also giving flexibility to the States to implement.

Specifically, H.R. 1734 will allow States to create and enforce their own coal ash recycling permit programs. It also sets up enforceable State permit programs while utilizing the EPA's minimum requirements and will protect 316,000 jobs.

Mr. Speaker, States also have the option to make their requirements more stringent than the EPA's final rule if they choose. I strongly support and was happy to vote for H.R. 1734 and the responsible use of coal and coal ash.

PENNSYLVANIA HEMLOCKS AND THE WOOLLY ADELGID

Mr. THOMPSON of Pennsylvania. Mr. Speaker, recently I visited the Tionesta Research Natural Area of the Allegheny National Forest. This old-growth area is home to many 600-year-old hemlock trees.

During this visit, Mr. Speaker, I spoke to forestry officials about efforts to fight the woolly adelgid. I even applied a treatment designed to combat the invasive insect to one of these massive trees.

Mr. Speaker, many States are involved in the effort to fight the adelgid, which originated in Japan and was first found in the United States in the early 1950s. It can kill a hemlock tree within a few years after it becomes infested.

In 2012, I teamed with Federal researchers and those from my alma mater, Penn State University, at a forum I hosted to discuss efforts to save our State tree, the Eastern Hemlock.

As the chairman of the Conservation and Forestry Subcommittee, I am proud Pennsylvanians are among those leading the way in fighting this disease and protecting our forests and the economic stimulus that these forests provide both through timber and through tourism, making sure that these magnificent trees which have stood for centuries will stand tall for future generations.

SPECIAL NEEDS TRUST FAIRNESS ACT

Mr. THOMPSON of Pennsylvania. Mr. Speaker, on Sunday, July 26, we marked the 25th anniversary of the Americans with Disabilities Act.

The passage of this landmark legislation signified a commitment to eliminating barriers faced by millions of individuals with differing levels of disability.

It required businesses, buildings, transportation, and other services to accommodate those living with disabilities and guaranteed equal opportunities for workers with disabilities.

Mr. Speaker, 25 years later it is apparent that we have made tremendous strides in upholding the intent of this vastly important civil rights law.

Today countless Americans are empowered to shape their own lives and plan their own futures as they experience their daily obstacles decreasing over time. While we have so much to celebrate, there is always more progress to be made.

This Congress I introduced the Special Needs Trust Fairness Act with the goal of eliminating a current prohibition on a person with a disability to create his or her own special needs trust.

This long overdue legislative fix was recently passed by the Senate Finance Committee, and I am committed to working with my colleagues to guide this and similar measures through the legislative processes here in the House.

THE HIGHWAY TRUST FUND

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. LORETTA SANCHEZ) for 5 minutes.

Ms. LORETTA SANCHEZ of California. Mr. Speaker, we are on a dangerous path. First, my Republican colleagues pulled two critical appropriation bills from the floor simply because their party cannot come to an agreement on a flag that represents a very dark time in our Nation's history.

Second, my colleagues across the aisle, rather than focusing their energy on passing comprehensive immigration reform, passed a poisonous anti-immigrant bill in response to an isolated incident in the city of San Francisco, pulling money away from our law enforcement funding for public safety.

Then they refuse to reauthorize the Export-Import Bank, which helps ensure that Americans' businesses can compete with their global competitors.

And now the House Republicans refuse to come to the table yet again to

provide a robust, long-term funding bill for our decaying infrastructure system in America.

Why do we continue to refuse and cut services that our communities need? The American people need good-paying jobs, safe and modern infrastructure, and efficient transportation in order to provide a better life for themselves and for their families. We need to end these stopgap extensions.

□ 1100

How do we fix a broken bridge or a broken highway? Two months of highway funding will not do that. In my home State of California, 60 percent of our roads are in poor or mediocre condition; and, moreover, almost 30 percent of California's bridges have been recognized by the Department of Transportation as structurally deficient.

Just a little bit over a week ago, California residents experienced the real-life consequences of this statistic when the Interstate 10, which connects California and Arizona, collapsed, injuring a resident and shutting down the highway for several days. This highway is critical to our Southwest economy, which is already suffering from deficiencies because of our water infrastructure and the drought that we have going on.

With more than 60,000 bridges throughout the United States in need of drastic repairs, failing to provide Americans with a long-term highway bill, we are putting jobs at risk, and we are putting our lives at risk, which is why my fellow House Democrats have come together to provide a 6-year funding bill known as the GROW AMERICA Act. The bill will provide for $178 billion over 6 years, so that States and local municipalities can address critical infrastructure needs.

This commonsense legislation would help pay for the investments by ending an unfair tax loophole and limiting corporate inversions, meaning that big corporations, when they are renouncing their United States citizenship, they do that in order to avoid paying taxes.

Let's use that money for transportation investments here in America. Investing in local public transportation projects not only helps to improve our traffic flow, but it also helps create good jobs.

As we look for ways to put our economy back on track, we must be mindful of the services that we provide to the American people. We need to stop slashing, and we need to start providing. We need to get away from sequestration and patchwork funding mentality to actually fulfill our duty as public servants to the American people.

Our families, our roads, and our economy deserve a highway funding bill that will invest in America's future, invest in better infrastructure, and invest in bigger paychecks for our hardworking families who are trying to make it in America.

RESEARCH AND SCIENTIFIC INTEGRITY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Florida (Mr. POSEY) for 5 minutes.

Mr. POSEY. Mr. Speaker, I rise today on matters of research and scientific integrity.

To begin with, I am absolutely, resolutely provaccine. Advancements in medical immunization have saved countless lives and greatly benefited public health.

That being said, it is troubling to me that, in a recent Senate hearing on childhood vaccinations, it was never mentioned that our government has paid out over $3 billion through the National Vaccine Injury Compensation Program for children who have been injured by vaccinations.

Regardless of the subject matter, parents making decisions about their children's health deserve to have the best information available to them. They should be able to count on Federal agencies to tell them the truth.

For these reasons, I bring the following matter to the House floor. In August 2014, Dr. William Thompson, a senior scientist at the Centers for Disease Control and Prevention, worked with a whistleblower attorney to provide my office with documents related to a 2004 CDC study that examined the possibility of a relationship between the mumps, measles, and rubella vaccine and autism.

In a statement released in August 2014, Dr. Thompson stated: ''I regret that my coauthors and I omitted statistically significant information in our 2004 article published in the Journal Pediatrics.''

Mr. Speaker, also quoting Dr. Thompson:

My primary job duties while working in the immunization safety branch from 2000 to 2006 were to lead or colead three major vaccine safety studies. The MADDSP MMR-Autism Cases Control Study was being carried out in response to the Wakefield Lancet study that suggested an association between the MMR vaccine and an autism-like health outcome.

There were several major concerns among scientists and consumer advocates outside the CDC in the fall of 2000 regarding the execution of the Verstraeten study.

One of the important goals that was determined upfront in the spring of 2001 before any of these studies started was to have all three protocols vetted outside the CDC prior to the start of the analyses so that consumer advocates could not claim that we were presenting analyses that suited our own goals and biases.

We hypothesized that if we found statistically significant effects at either 18- or 36-month thresholds, we would conclude that vaccinating children early with MMR vaccine could lead to autism-like characteristics or features.

We all met and finalized the study protocol and analysis plan. The goal was to not deviate from the analysis plan to avoid the debacle that occurred with the Verstraeten Thimerosal study published in Pediatrics in 2003.

At the September 5 meeting, we discussed in detail how to code race for both the sample and the birth certificate sample. At the bottom of table 7, it also shows that for the nonbirth certificate sample, the adjusted race effect statistical significance was huge.

All the authors and I met and decided sometime between August and September 2002 not to report any race effects for the paper. Sometime soon after the meeting, where we decided to exclude reporting any race effects, the coauthors scheduled a meeting to destroy documents related to the study.

The remaining four coauthors all met and brought a big garbage can into the meeting room and reviewed and went through all the hard copy documents that we had thought we should discard and put them in a huge garbage can.

However, because I assumed it was illegal and would violate both FOIA and DOJ requests, I kept hard copies of all documents in my office, and I retained all associated computer files.

I believe we intentionally withheld controversial findings from the final draft of the Pediatrics paper.

Mr. Speaker, I believe it is our duty to ensure that the documents Dr. Thompson provided are not ignored; therefore, I will provide them to Members of Congress and the House committees upon request.

Considering the nature of the whistleblower's documents, as well as the involvement of the CDC, a hearing and a thorough investigation is warranted.

I ask, Mr. Speaker, I beg, I implore my colleagues on the Committee on Appropriations to please, please take such action.

THE REINS ACT

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. LAMALFA) for 5 minutes.

Mr. LAMALFA. Mr. Speaker, yesterday, the House passed a measure I cosponsored, H.R. 427, known as the REINS Act, to end this administration's disregard for the separation of powers.

The bill rightly reasserts Congress' proper role in writing our Nation's laws by requiring that any regulation written with a cumulative impact of over $100 million be reviewed and approved by Congress before going into effect, instead of the stifling of innovation that we have seen the effects of.

Too often, we have seen this administration attempt to use creative interpretation of the law or aggressive rulemaking that have had a massive negative impact on our State's economy, resulting in higher prices, thousands of dollars per cost additionally per family per year, lower wages, fewer working

hours, or complete loss of job opportunities altogether.

For example, the proposed waters of the United States regulation would insert the Environmental Protection Agency in local land use planning areas across the Nation.

Do we really need the Federal Government telling us how to landscape our own backyards? Is that even proper? I think not.

Do we really think the Federal Government should be regulating manmade ditches along country roads or fields or dry streambeds and puddles which hold water only during and immediately after rainstorms or irrigation and drainage ditches which wouldn't even exist if not created by water districts and the people involved?

What a giant leap of grab of power by the Federal Government in asserting itself over these private properties via these regulations written by bureaucrats and not overseen by Congress directly.

In my district, Federal bureaucrats are unilaterally deciding, with no evidence or science, that small depressions in fields are linked to distant waterways, placing vast areas of land out of production. Despite bipartisan congressional opposition, the administration is attempting to move forward with this aggressive regulation, waterways of the United States.

Mr. Speaker, the examples of this administration's aggressive and careless decisions, increasing costs, eliminating jobs are almost too numerous to count.

In 2014, Federal regulations cost our economy $1.88 trillion in higher prices for food, energy, and goods, averaging about $14,000 per U.S. household. This price tag has spiked, thanks to the President Obama administration, which added nearly 500 new regulations, 184 of which have combined to raise costs to Americans of about $80 billion. The result is 81 new major regulations per year.

Mr. Speaker, unelected bureaucrats shouldn't be imposing their will on the American people at a cost of billions of dollars each year. This is not the way to stop the difficult headwinds our economy faces. Indeed, this is causing more economic problems for us to recover from in this Nation.

It is time for the Senate to join the House and send H.R. 427, the REINS Act, and help with our job economy, with the boost we all need—that we have needed for so long during this last 6 years. The REINS Act is needed to indeed rein in an out-of-control government.

Even the President himself said in his State of the Union Address in January 2011:

> To reduce barriers to growth and investment . . . when we find rules that put an unnecessary burden on businesses, we need to fix them.

The REINS Act is that fix. Let's get it done. Let's get the Senate to get it done.

STORIES IN THE NEWS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Texas (Ms. JACKSON LEE) for 5 minutes.

Ms. JACKSON LEE. Mr. Speaker, it gives me great privilege, first of all, to speak about the first item of interest to America and to many of us as certainly when the President represents the United States of America overseas. I had the privilege of traveling with the President for a most dynamic, unique, and historic mission, and that was to Kenya and Ethiopia.

Let me congratulate him for a stupendous diplomatic success and interaction with a continent that will be the largest populated land area in the 21st century. What an amazing experience to be able to engage with businesses and see the opportunity for economic empowerment and cooperation between the United States and the many nation-states of the continent of Africa.

It was exciting to see new, young businesspersons seeking an opportunity to work in their countries, but work with the United States, eager to work with U.S. businesses, welcoming U.S. investment, creating jobs in Africa, creating jobs in America—in particular, a broadcasting company that had been there for 50 years creating jobs in the United States, creating jobs in Kenya.

Let me indicate what a success this story was. Along with the regional security issues, there was a commitment with the African Union to stand against Boko Haram and a commitment to establish civility and peace in South Sudan by demanding that there be a resolution of this by August 17—not the President standing alone, but working with the African Union, representing the tens upon tens of African nations, it was a resounding success, and I congratulate the President.

As I come home and as a member of the Committee on the Judiciary, I am reminded of the tragedy of a young woman who had all of her life before her, and that was Sandra Bland.

My commitment still is to offer my appreciation to the law enforcement officers across America and, as we all do, respect law and order; but in the instance where there is a tragic result, the death of this young woman, 28, with two undergraduate degrees and a master's degree, her death was the result of malfeasance.

□ 1115

We must walk together in a respectful manner with law enforcement and civilians. We have done it before. We must do it again.

I believe that it is crucial for the Department of Justice to take over this investigation on a number of aspects, including patting down and other practices of law enforcement in Waller County and Hempstead, and certainly the question of this young lady's civil rights.

I ask that they look seriously, because even though there are alleged good intentions by the local authorities in establishing committees to review this, this is not regular order, this is not a procedure that works. No one understands the decision of a district attorney—unless he yields to an independent prosecutor, which this district attorney in Waller County is not—to have a committee of individuals with no authority whatsoever review this matter.

People and families are in pain. Certainly, we can do better as law enforcement and civilians working together.

I also want to recognize that this is the 50th year of the Voting Rights Act. I join the leadership of NANCY PELOSI, Mr. HOYER, and Mr. CLYBURN in celebrating and acknowledging this exciting time that opened the doors of voting for everyone. One vote, one person.

On August 6, I call upon my community in the 18th Congressional District in Houston to have a voting day—registering people to vote in a nonpartisan manner, bringing them out and celebrating the right to vote, when many countries do not have it.

Let's make the Voting Rights reauthorization the cause of this Congress. Let's have Americans celebrate voting rights.

Finally, Mr. Speaker, let me say this. While I was in Africa, one of the headlines was the killing of Cecil, a beautiful lion. The nations I visited were falling to their knees because they believe in wildlife preservation. We enjoy it here in our Nation's zoos. We haven't had that privilege of seeing these wonderful animals—giraffes, lions, tigers, and a whole array—in the wild.

It was an American who killed this beautiful lion. What a disgrace. That individual is a disgrace. This individual had the responsibility for knowing of his guides and of the procedures of doing this kill for sport. He lured the animal out of the park.

America must stand with Kenya, Ethiopia, and the other African nations in showing its outrage. Sadly, it was a citizen of the United States who was more interested in his personal privilege and pleasure than he was in understanding this iconic lion—the last male species of this kind, with a black mane and a giant of a personality—and helping to preserve this species. He couldn't find any other joy than killing Cecil. I am saddened by this, and America should be saddened as well.

SKIP WELLS, A HERO

The SPEAKER pro tempore. The Chair recognizes the gentleman from Georgia (Mr. TOM PRICE) for 5 minutes.

Mr. TOM PRICE of Georgia. Mr. Speaker, sometimes the terrorism we witness in this day and age is a world away. Sometimes it occurs very close to home.

Two weeks ago, terror visited Chattanooga, Tennessee, and, in so doing, hit home for us in Georgia. One of the five servicemen murdered on July 16 in Chattanooga grew up in the Sixth District of Georgia. He graduated from Sprayberry High School in 2012. Skip Wells was a marine—a proud marine, a proud American, and a hero.

Last week, in Georgia, thousands gathered to honor the life of this patriot, Skip Wells, who lost his life in the terrorist attack in Chattanooga. Nothing we say will replace the loss, the heartbreak, and the pain of his family and friends, those who knew him best. But we can say how much heroes enlighten us—and inspire us—and strengthen the faith of our Nation and our lives.

Skip Wells is a hero. It has been said that ''a hero is someone who has given his life to something bigger than oneself.'' That is precisely what Skip did.

His closest friends said that Skip Wells felt called to serve, to protect. When asked why Skip joined the Marines, a friend of Skip's told folks simply that ''Skip just loved his country.'' He knew that freedom isn't free. He knew that liberty requires sacrifice. What an inspiration his dedication and his heroism are for all of us.

Chesterton said that ''the true soldier fights not because he hates what is in front of him, but because he loves what is behind him.'' Skip Wells loved his family, his friends, the Marines—oh, how he loved the Marines—and he loved his country.

His death in the service of this great Nation places him in the ranks of those with the greatest of valor. On behalf of all who represent this Nation, we send our deepest and heartfelt thanks and sympathy to Skip's family and friends on their tragic loss. We all—every single American—mourn for those who make the ultimate sacrifice for this great land.

The Bible says: ''Blessed are those who mourn, for they shall be comforted.'' In its broadest sense, this verse is so very, very true. In the book of John, we read: ''Greater love has no one than this, that one lay down his life for his friends.''

To his mom, Cathy, to his friends and family, you may be very, very proud of Skip and his ultimate sacrifice to our country. May God's grace comfort you in this difficult time. Please know that a grateful Nation loves you and mourns with you.

May we never, ever, forget Skip Wells and the great men and women who stand in harm's way every single day and protect this, the greatest Nation on Earth. May God bless us all, and may he continue to bless the United States of America.

HURRICANE ANDREW ANNIVERSARY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Florida (Mr. CURBELO) for 5 minutes.

Mr. CURBELO of Florida. Mr. Speaker, I rise today with a heavy heart to recognize the 24th of August as the 23rd anniversary of Hurricane Andrew. On this date in 1992, the category 5 storm made landfall on Elliott Key, and then Homestead, Florida, killing 26 immediately, with dozens more fatalities from injuries stemming from the storm's aftermath. We continue to mourn this loss of life.

The winds of Hurricane Andrew were calculated at 164 miles per hour and completely wiped out Homestead Air Force Base. Until Hurricane Katrina in 2005, Andrew was the costliest storm in U.S. history, totaling $43.7 billion when adjusted for inflation.

As officials assessed the damage, they noticed that much of the destruction was due to substandard construction methods. As a result, Florida now has the strongest building codes in the Nation. Furthermore, homes are now required to have storm shutters or impact-resistant glass.

While we will never be able to fully prevent damage from a serious storm, we can mitigate the damage caused and thus reduce the costs of rebuilding our neighborhoods.

The National Hurricane Center, located at Florida International University in my congressional district, provides important research on the effects these storms have on our coastlines and maintains a continuous watch on developing weather patterns that could become a tropical storm. I was able to tour this center earlier in the year, and I commend their efforts.

The memory of Andrew forces us to remain cautious and vigilant so our communities and homes are protected. In the midst of this hurricane season, I strongly encourage all those in the potential paths of these storms to have a plan already in place to secure property and protect loved ones. By taking the appropriate preventative measures, we can assure that our families and neighborhoods remain safe.

KEY WEST TERRORIST DETAINED

Mr. CURBELO of Florida. Mr. Speaker, I rise to offer my sincere gratitude to the brave law enforcement officials who prevented a terrorist plot from unfolding in Key West.

On July 28, it was announced that a Key West man was arrested and charged with attempting to use a weapon of mass destruction. Key West is the southernmost point of not only my congressional district, but the entire United States. Anyone who has visited the Keys knows how truly special this part of our country is, not just for its natural beauty, but for the welcoming and creative people who call the Keys home.

A terrorist attack occurring anywhere in the United States is a cause for serious alarm, and I am glad the efforts of one lone wolf were thwarted.

It is important to recognize the FBI, the U.S. Attorneys Office, the South Florida Joint Terrorism Task Force, the Key West Police Department, the Monroe County Sheriff's Office, and other law enforcement agencies for working together to neutralize this threat to Key West and our country. Because of their efforts, an untold number of lives were saved.

Unfortunately, this incident reminds us that we continue to be targeted by those who wish to do us harm. We must remain vigilant against these ongoing threats and ensure our law enforcement agencies continue to have the necessary resources to execute their critical mission.

MIAMI DADE COLLEGE/JOB FAIR

Mr. CURBELO of Florida. Mr. Speaker, I rise to thank all those who attended the job fair in my district office hosted last month for employers and workers in the Kendall area of south Florida. We were able to connect over 1,000 of our friends and neighbors who are looking for work with hundreds of businesses, agencies, and nonprofit organizations. The feedback was positive from countless participants who said they were able to collect resumes from well-qualified potential candidates for job opportunities.

One of my main priorities here in Congress is helping those who are most in need, and events like this job fair are an excellent way for our communities to come together and find opportunities for people with all sorts of different skill sets.

I would also like to give special thanks to Miami Dade College for hosting this terrific event. They provide excellent opportunities to south Florida residents who are looking to further their education and learn new skills to enhance their job credentials.

I am also very proud to note that Miami Dade College was recently named a ''great college to work for'' for the seventh consecutive year by the Chronicle of Higher Education.

South Florida is fortunate to have a strong network of business leaders who work closely with educational institutions to help people find work. Every job is an opportunity, and today we celebrate the constituents in my district who have found gainful new employment as a result of the job fair at Miami Dade College.

RECOGNIZING JENNA McGIVNEY, LOC TEACHER INSTITUTE

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Indiana (Mrs. WALORSKI) for 5 minutes.

Mrs. WALORSKI. Mr. Speaker, I rise today to recognize Jenna McGivney of Southwood Junior-Senior High School

for being selected to participate in the Library of Congress Teaching with Primary Sources Summer Teacher Institute. Her dedication to providing the highest quality of education to young Hoosiers is nothing short of remarkable.

Educators attending the teacher institute participate in and develop primary source-based teaching strategies that they can take back to their school districts, apply in the classroom, and share with their colleagues. This is an opportunity reserved for only the finest teachers in the country and is a testament to Ms. McGivney's success as an educator.

It is the work of passionate teachers like her that make me so grateful to represent Indiana's Second Congressional District. The future of Indiana's children lies in the hands of our educators. Because of that, they deserve our support and recognition.

Today, I congratulate Ms. McGivney and thank her for her dedication to educating young Hoosiers.

EMPLOYEE RIGHTS ACT

The SPEAKER pro tempore. The Chair recognizes the gentleman from South Carolina (Mr. WILSON) for 5 minutes.

Mr. WILSON of South Carolina. Mr. Speaker, I am grateful to cosponsor the Employee Rights Act, introduced by Chairman TOM PRICE, which establishes protections for American workers—to not join a union; to have a secret ballot; and, if they choose to join a union, to know how their dues are being spent. This legislation is critical to empowering American workers and shielding them from unfair treatment in the workplace.

South Carolina is a staunch defender of right-to-work protections, even when threatened by the National Labor Relations Board. For years, the NLRB has threatened to destroy jobs, particularly in the Charleston community. It has invaded employee privacy and encroached upon their rights.

I am grateful for Senator LINDSEY GRAHAM, Senator TIM SCOTT, Governor Nikki Haley, and South Carolina Attorney General Alan Wilson for their leadership in protecting our State's right-to-work laws.

Right-to-work States like South Carolina have seen firsthand that job creation and economic growth come from expanded freedoms. We need to expand commonsense reforms like those in the Employee Rights Act to protect American workers and create jobs.

In conclusion, God bless our troops, and may the President, by his actions, never forget September the 11th in the global war on terrorism.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 11 o'clock and 30 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WOMACK) at noon.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

God of our ancestors, thank You for giving us another day.

We pray You, O God, to be with the Members of this House today and as they return to their home districts during the August recess. Give them sound judgment and make them as practical as the American people who sent them here as their Representatives.

Help them to withstand open criticism when they know what is right before You and conscience. Often, they are characterized by half-truths and attributed motives that are far beneath them. Uphold them at such times with personal integrity and compassion for those most in need.

Having called them to serve others to the best of their abilities, lift them even higher by Your grace and power to live and work for Your greater honor and glory, both this day and throughout the remainder of the summer.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. WILSON of South Carolina. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER pro tempore. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. WILSON of South Carolina. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from New York (Mr. HIGGINS) come forward and lead the House in the Pledge of Allegiance.

Mr. HIGGINS led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

RECOGNIZING PLYMOUTH FIRE CHIEF RICHARD KLINE

(Mr. PAULSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAULSEN. Mr. Speaker, I rise today to recognize the service of Plymouth Fire Chief Richard Kline, who has announced that he will be retiring at the end of this year.

For over 20 years, Chief Kline has diligently served as the head of the Plymouth Fire Department during a period of tremendous growth and change.

Chief Kline has led the way when it comes to bringing firefighting into the 21st century by embracing new technology and equipment techniques not only locally, but also being involved at the national level through education and speaking engagements.

He also serves as chair of the Minnesota State Fire Chiefs Association Safety and Health Committee where his influence is felt throughout the State of Minnesota.

Mr. Speaker, I would like to thank Chief Kline for his service, for his dedication in leading our first responders, and keeping our community safe.

I know the Plymouth community will miss him, but Chief Kline's steadfast leadership leaves Plymouth on a firm foundation for the future.

25TH ANNIVERSARY OF THE AMERICANS WITH DISABILITIES ACT

(Mr. LANGEVIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LANGEVIN. Mr. Speaker, this past Sunday marked the 25th anniversary of the Americans with Disabilities Act. Since its enactment, the ADA has been a beacon of hope for millions of people with disabilities, both throughout the United States and around the world.

Many passionate advocates and champions fought for the rights and protections enshrined in this law. Thanks to their pioneering efforts, people with disabilities can participate in more aspects of society than ever before. Where barriers exist, so, too, do the opportunities to remove them, thanks to the protections and accommodations afforded under the ADA.

We have come far since the passage of the ADA, but we still have much more work ahead. As we commemorate the silver anniversary of the ADA, I hope everyone will join me in celebrating the strides we have made, while also committing our efforts to achieving the full equality and opportunity on which the ADA and our country were founded.

REMEMBERING TERRY STAMBAUGH

(Mr. WOMACK asked and was given permission to address the House for 1 minute.)

Mr. WOMACK. Mr. Speaker, I rise today with a heavy heart to remember the life of Terry Stambaugh of Harrison, Arkansas.

Terry died this week when his car was struck head on by a vehicle traveling at a high rate of speed, fleeing from police. It is heartbreaking to see the life of a community servant taken at the age of 61—or for any age, for that matter—under these circumstances.

Terry Stambaugh was chairman of the board of the Harrison, Arkansas, regional chamber of commerce; president of the Harrison Rotary Club; board member of the 14th judicial district's court appointed special advocates program; past president of the Harrison District Board of Realtors; and had a long history working in the trucking industry. In addition, he was a deacon at the First Christian Church of Harrison.

Mr. Speaker, Terry was a man of tremendous faith. While I know the entire Harrison community will forever mourn his loss, we take comfort in the fact that God is real, as Terry stated in his final Facebook posting, and that Terry is now at his side.

I stand in this well today, Mr. Speaker, to honor Terry for his many years of service to his faith, his family, and his beloved city of Harrison and say a final thank you to this dedicated community leader.

My prayers are with his wife, Carey; his children, Angela Keys, Sarah Stambaugh, and Hannah Lutz; and his stepchildren, Blake and Logan Cook, during this very difficult time for the family.

EDWARD A. THOMAS BUILDING

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE. Mr. Speaker, I rise with great excitement to congratulate the Houston City Council and our chief, Charles McClelland, for naming our beacon of law enforcement building after Edward Alfred Thomas, the longest serving and greatest patrol officer in the history of the Houston Police Department, so noted by fellow officers.

Edward Alfred Thomas was born in Shreveport, Louisiana, in 1920. He played football for Southern University. As well, he was drafted in World War II, where he saw action with the United States Army in Normandy, in northern Africa, and during the Battle of the Bulge.

After the war, with his honorable discharge, Edward Thomas became one of the first African American police officers in the city of Houston—when he started, he could not vote without a poll tax—where he worked for 63 years until his retirement on July 23, 2011. He worked for more than six decades, way before the civil rights movement.

His work was not without challenges. Because of his work and because of his race, Officer Thomas was not allowed to drive a squad car or arrest White suspects without obtaining permission from his supervisor.

At one point in his career, he was disciplined for speaking to a White meter maid, who asked him to walk with her in order to avoid the unwanted attention and advances of nearby construction workers, just extending himself and doing his job.

I am excited about him having his name on the 26-story headquarters building, and I would offer to say that, to this great leader, I will be coming home to present you with a number of resolutions and honor.

I know that he wants the Voting Rights Act reauthorized because he couldn't vote then, but now, he stands as the longest serving police officer and one of great service.

I salute you, Edward Alfred Thomas.

RECOGNIZING MILITARY CHAPLAINS

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, I am grateful to congratulate the Army Chaplain Corps on their 240th birthday.

Since their founding this day on July 29, 1775, by the Continental Congress, at the request of General George Washington, military chaplains have served with courage, honor, and selflessness.

I am grateful that Fort Jackson, located in the Midlands of South Carolina, serves as a training facility for this distinct group of individuals who do so much to fulfill the religious needs of our men and women in uniform.

It is home to the Chaplain Regimental Museum Association. This museum highlights those who have a shared desire to minister to soldiers and their families. I appreciate the president of the association, Chaplain Brigadier General Don Rutherford, and the board of directors for their dedicated service to our men and women in uniform.

I know firsthand of chaplains' extraordinary service to my and my son's National Guard duty. I appreciate Army Colonel Steve Shugart, who was my son Alan's roommate in Iraq. I am grateful to work with Air National Guard Chaplain Lieutenant Colonel Brian Bohlman, for his military family nonprofit foundation, Operation Thank You.

Congratulations to the Army Chaplain Corps on their 240th birthday. Chaplains make a difference helping servicemembers and military families have a more fulfilling life.

SUPPORT EACH WOMAN ACT

(Mr. QUIGLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. QUIGLEY. Mr. Speaker, for the past 40 years, antichoice politicians have convinced Congress to maintain Hyde amendment language while pushing for restricting access even further.

For four decades, the Hyde amendment has denied too many women their constitutional right to choose by prohibiting the use of Federal funds to pay for abortion services. The fact that this restriction discriminates against women with limited resources at the very time in which they need the support the most is unconscionable.

We have had enough of letting the majority restrict access to abortion services when the majority of Americans support a woman's right to choose. It is time to change course.

The EACH Woman Act ensures health coverage of these services for every woman, no matter how much she earns, how she is insured, or where she lives.

I urge my colleagues to be bold, end Hyde, and support the EACH Woman Act.

RECOGNIZING UNITED STATES MARINE PRIVATE FIRST CLASS ATTILIO M. LUPACCHINI

(Mr. FITZPATRICK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FITZPATRICK. Mr. Speaker, I rise today in recognition of the life and service of United States Marine Private First Class Attilio M. Lupacchini, who was laid to rest with full military honors this morning.

Private Lupacchini—a native of Yardley, Bucks County, in my district

in Pennsylvania—was just 2 years out of high school, when, on December 9, 1950, he made the ultimate sacrifice for his Nation in the mountains of North Korea while on a mission to rescue a group of fellow marines.

His platoon leader described Private Lupacchini as a true fighting marine who was small in stature but enormously courageous.

After more than 65 years, Private Lupacchini's spirit has returned home and now rests among our Nation's bravest at Arlington National Cemetery, forever providing a place of reflection and remembrance for generations of family members and grateful Americans.

From the bottom of my heart, I express my gratitude to Attilio Lupacchini for his membership in the internal ranks of those who sacrificed at freedom's altar.

BUFFALO, NEW YORK, RECLAIMED ITS FUTURE BY EMBRACING ITS PAST

(Mr. HIGGINS asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS. Mr. Speaker, visitors to the 1901 Pan-American Exposition, which was held in western New York, were so astounded with the electric light powered by Niagara Falls that Buffalo became known across the world as The City of Light.

Last week, The New York Times reported to the Nation Buffalo is back, due again to our investments in renewable energy.

In 2005, we won a Federal licensing settlement that directed $279 million from local hydropower proceeds to redevelop Buffalo's waterfront, a transformation that has attracted hundreds of millions of dollars in private investment.

Access to cheap, clean hydropower convinced Yahoo to locate its data and call center in Niagara County, again creating hundreds of jobs.

Meanwhile, the Steel Winds project has built 14 wind turbines along Lake Erie in Lackawanna, creating enough electricity to power 15,000 homes. Along the Buffalo River, the largest solar panel manufacturer in the Western Hemisphere is under construction, which will create 3,500 jobs in the solar industry.

At the turn of the 20th century, Buffalo led on energy innovation and thrived because of it. By embracing its past, Buffalo has reclaimed its future.

DEFUND PLANNED PARENTHOOD

(Mr. SAM JOHNSON of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SAM JOHNSON of Texas. Mr. Speaker, yesterday, a third Planned Parenthood video was released regarding the selling of aborted baby body parts and organs.

The fact that this is going on is just vile. Our Constitution protects the right to life, and it is unforgiveable for any organization to engage in this kind of trafficking.

To make matters worse, Planned Parenthood receives taxpayer dollars that ultimately help support these vile acts.

I fully support the House investigation into Planned Parenthood, and I am proud to support legislation that would stop all Federal funding for Planned Parenthood until these investigations are over.

That said, I believe Washington should follow Texas' lead and permanently defund Planned Parenthood.

All life is sacred, and I will continue to do all I can to protect the lives of the unborn.

□ 1215

50TH ANNIVERSARY OF MEDICARE AND MEDICAID

(Mr. CICILLINE asked and was given permission to address the House for 1 minute.)

Mr. CICILLINE. Mr. Speaker, tomorrow, July 30, marks the 50th anniversary of Lyndon Johnson's signing of the Social Security Act Amendments of 1965 into law and of creating Medicare and Medicaid in order to meet the healthcare needs of seniors, individuals with disabilities, and working families.

Today, 55 million Americans receive Medicare benefits, and 69 million Americans rely on the healthcare safety net that Medicaid provides. One in three American children receives his health insurance coverage through Medicaid. In Rhode Island's First District, which I am proud to represent, more than 92,000 individuals receive Medicare benefits, and almost 100,000 receive Medicaid coverage.

Mr. Speaker, health care is a necessity of life, and access to quality health care should be a right for everyone and never a privilege of the few. Over the last half century, Medicare and Medicaid have provided millions of Americans with access to quality, affordable health care. It is critical that we strengthen these essential programs, enhance benefits, and make sure that all Americans can live with healthcare security and dignity.

IRAN NUCLEAR DEAL

(Mr. HOLDING asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HOLDING. Mr. Speaker, The Washington Post reports that the President knew of two secret side deals in the agreement with Iran but failed to inform Congress. More troubling, The Washington Post reports that, while the President and the Secretary of State know the agreements exist, neither has seen them.

These agreements, which are between Iran and the U.N.'s International Atomic Energy Agency, govern the inspections of Iran's nuclear facilities. In its article, The Washington Post quotes the Deputy Director of the U.N. agency as saying, ''No American is ever going to get to see them,'' in speaking of these side agreements.

Mr. Speaker, no one believes we can deal with Iran with a gentlemanly handshake, so the linchpin to any agreement is inspections. Why on Earth would the President make an agreement that includes secret deals between Iran and the U.N. agency which is doing the inspections that no American, including him, will ever see?

It is beyond my comprehension. Congress needs to reject this bad deal.

25TH ANNIVERSARY OF THE AMERICANS WITH DISABILITIES ACT

(Ms. GRAHAM asked and was given permission to address the House for 1 minute.)

Ms. GRAHAM. Mr. Speaker, this past Sunday marked the 25th anniversary of the Americans with Disabilities Act.

This historic piece of legislation prohibits discrimination against those with disabilities, giving them greater access and protections; but the ADA does more than just open doors—it recognizes every individual's ability to succeed.

Yesterday, I met with Sarah Goldman, a young woman with cerebral palsy who is earning her master's degree at Florida State University. She visited my office to advocate on behalf of ADA protections. As Sarah said, we have made great progress in the last 25 years, but there is still so much more work to be done.

I urge the House to listen to Sarah's words and continue the fight to make sure all Americans are empowered to achieve their own American dreams.

FAREWELL TRIBUTE TO JOSH ZARKA

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today to bid farewell and good luck to Josh Zarka, who for the past 4 years has been the Minister for Congressional Affairs at the Embassy of Israel here in Washington, D.C.

Since 1991, Josh has had a long and distinguished career with the Ministry of Foreign Affairs, representing the Jewish State in Israel and, indeed, around the world.

During his time here in D.C., Josh has been a major influence in strengthening the U.S.-Israel relationship; and there is no doubt that his tireless work to promote and strengthen the ties between our two countries has contributed greatly to the safety and security of Israel, of its citizens, and of us here in the United States.

Josh can be proud of the work that he has done here; yet I know that what he values the most is his family—his wife, Esther, and their four children. I wish Josh and his family much success, especially as they prepare for his daughter, Adi's, upcoming wedding.

We will miss you, Josh. Stay in touch.

50TH ANNIVERSARY OF VOTING RIGHTS ACT

(Ms. JUDY CHU of California asked and was given permission to address the House for 1 minute.)

Ms. JUDY CHU of California. Mr. Speaker, 50 years ago, hundreds of courageous, unarmed men and women marched from Selma to Montgomery to call for the right to vote. They were met with violence, prejudice, and hate; but these brave men and women continued their push for equality. Because of their sacrifice and determination, the historic Voting Rights Act was passed.

For over 40 years, the Voting Rights Act was one of our best tools to combat historic discrimination. It provided critical voter protections to ensure that Americans of all backgrounds had equal access to the ballot box; but with the Supreme Court's Shelby County decision 2 years ago, key provisions were gutted from this act that must be restored.

As we commemorate the 50th anniversary of the Voting Rights Act, I urge my Republican colleagues to restore dignity to our electoral process and ensure that this is a democracy of the people and by the people. Allow us to vote on meaningful legislation to restore the Voting Rights Act.

RECOGNIZING AN UNSUNG HERO

(Mr. BOST asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BOST. Mr. Speaker, I would like to recognize an everyday hero from southern Illinois today—U.S. mail carrier Don Fix, who has worked his route in Belleville, Illinois, for over 20 years.

In May, Don felt something was wrong when he noticed mail piled high at a home in Swansea. Don knew both residents were elderly and had difficulty getting around, so he checked around to the back door and called out their names. He heard Mr. David Nelson yell back that he and his wife had fallen. Don immediately called the paramedics, who arrived on the scene and took the couple to the hospital.

I honor Don Fix's quick and caring action as he is more than just a neighborhood mailman. Don delivers more than just the mail to the residents he cares about—he also delivers compassion.

BRING GUN SAFETY LEGISLATION TO HOUSE FLOOR FOR A VOTE

(Ms. ESTY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ESTY. Mr. Speaker, in Connecticut, we know all too well the devastation caused by gun violence. We will never stop mourning the lives of the 26 people who were ripped from us by the horrific shootings in Newtown, but just as tragic are the deaths that don't make national headlines.

Mr. Speaker, we have a serious problem with gun violence in this country from which no person, no community is protected. This year alone, in the capital city of Hartford, gun violence has claimed 19 lives. Yet, today, this House is scheduled to adjourn for the next 5 weeks, refusing to bring this urgent public health matter to the House floor, refusing to address gun violence, which is hurting America.

I have joined with colleagues from across the aisle to propose a bipartisan bill to expand background checks to all commercial gun sales—legislation that, if enacted, would have prevented several of the most recent mass shootings.

I urge the leadership of this House to spend August thinking about the 30,000 Americans we lose each year to gun violence and to bring this urgent matter to the full House for a vote when we reconvene in September.

IN SUPPORT OF THE SOLDIER ACT

(Mr. NUGENT asked and was given permission to address the House for 1 minute.)

Mr. NUGENT. Mr. Speaker, I rise today to discuss a simple solution to a straightforward problem.

Eleven years after retiring from the military, one of my constituents received a bill for $1,500 for an alleged overpayment by the Department of Defense. This is more than a decade later, and the first she is hearing about it is in a letter, demanding payment. Moreover, the servicemember is expected to track down and find whatever receipts or documents may be relevant from 11 years ago.

This isn't an isolated case. This is happening to veterans across this Nation. Often, these bills are the result of DOD accounting or system errors. Certainly, if there were an error, whether it be the fault of the servicemember or of the DOD, steps should be taken to remedy that; but the government should not wait a decade before sending the first letter.

I am introducing a bill today that would place a statute of limitations on DOD's authority to initiate the collection process. This does not prevent the DOD from collecting debts; it simply says it must do it in a timely fashion. I urge my colleagues to join me in supporting the SOLDIER Act.

BIPARTISAN SOLUTIONS TO GROW U.S. ECONOMY

(Mr. ASHFORD asked and was given permission to address the House for 1 minute.)

Mr. ASHFORD. Mr. Speaker, when we return from our recess, we need to reauthorize the Export-Import Bank. Ex-Im has helped Nebraska businesses grow and export U.S.-made products overseas. In fact, last year, my district exported over $60 million of Nebraska manufactured goods all over the world. Growing U.S. exports mean growing jobs at home.

Secondly, we need to come together and pass a long-term transportation bill. According to a recent report, nearly a quarter of Nebraska's bridges are structurally unsound. Beyond safety, investments in infrastructure can create immediate jobs and long-term economic growth.

Lastly, we need to pass a responsible, comprehensive immigration reform bill. This would pull hard-working people out of the shadows, work to attract the best, talented people across the globe, and make our businesses more competitive in the world economy.

Upon our return, Mr. Speaker, let's commit ourselves to bipartisan solutions to these issues.

DEFUND PLANNED PARENTHOOD

(Mrs. BLACK asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BLACK. Mr. Speaker, I stand here profoundly disappointed that the House will leave town today without taking a vote on my legislation to defund Planned Parenthood.

Over the past 2 weeks, we have all seen the gruesome videos showing the heartless depravity of this organization. We have issued statements; we have made passionate floor speeches; and we have pledged action. Now our constituents would like to know when we are going to follow through on that promise.

Today, I am reminded of the words of Dietrich Bonhoeffer: ''Silence in the face of evil is itself evil. Not to speak is to speak. Not to act is to act.''

Mr. Speaker, we have a moral obligation to defund Planned Parenthood, and we must do it now—not when politicians and pundits think it is most politically expedient.

50TH ANNIVERSARY OF THE VOTING RIGHTS ACT OF 1965

(Ms. SEWELL of Alabama asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. SEWELL of Alabama. Mr. Speaker, today, I rise in recognition of the upcoming 50th anniversary of the signing of the Voting Rights Act of 1965.

Our Nation took an important step forward 50 years ago when, on August 6, 1965, President Johnson signed into law this landmark legislation. It was a moment that brave men and women, like our colleague JOHN LEWIS, marched for and were willing to die for as they dared to cross the Edmund Pettus Bridge in Selma, Alabama.

Unfortunately, 2 years ago, the Supreme Court struck down section 4, and preclearance and Federal protections for vulnerable communities went away. When the Supreme Court struck down section 4, it did not say that protections were not needed. Rather, it issued a challenge to us here in this House to come up with a modern day formula. I see that as a challenge for all of us in this great House—to come up with a modern day formula to provide protections for vulnerable communities.

On this 50th anniversary of the landmark Voting Rights Act, let us answer this call to action. It is a call worthy of all of our attention. On this recess, let us remark about how wonderful it was that we all came together on March 7, 1965, in order to do what was right. I ask all of you to please consider restoring the Voting Rights Act of 1965. It is important for all Americans.

□ 1230

MOTORCYCLES MEAN FREEDOM

(Mr. BURGESS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BURGESS. Mr. Speaker, I rise today to recognize the upcoming Sturgis motorcycle rally, which will be celebrating its 75th anniversary this year in Sturgis, South Dakota.

Since the rally's inception in 1938, Sturgis has grown from a single race to a weeklong event attended by hundreds of thousands from across the United States and, indeed, around the globe.

Each year more and more riders are using their motorcycles to go to the store, go to work, or just go for a ride.

This growing popularity is good for our Nation. Motorcyclists ease road congestion, reduce overall fuel consumption, and decrease wear and tear on our Nation's infrastructure.

As a cochairman of the Congressional Motorcycle Caucus, I offer my best wishes to the attendees of this year's event. Here is to good weather and safe travels while celebrating the freedom to ride.

BANGLADESH

(Ms. GABBARD asked and was given permission to address the House for 1 minute.)

Ms. GABBARD. Mr. Speaker, I rise today to discuss and raise the dire situation of religious minorities in Bangladesh.

Bangladesh is a country in turmoil. There are many concerns about the stability of the country, particularly since flawed elections were held last year and the political violence that has ensued.

I am particularly concerned over issues of religious freedom and, specifically, attacks against the minority Hindus, Christians, Buddhists, and others in Bangladesh.

All too often perpetrators of crimes against minorities go unpunished. It is up to the Government of Bangladesh to take action to stop those who incite and commit violence and to protect the rights of these minorities.

I am introducing a resolution today calling on the Government of Bangladesh to protect human rights of all its citizens, particularly its vulnerable minorities, strengthen democratic institutions and rule of law, and prevent the growth of extremist groups.

I ask my colleagues to support this resolution to help protect the religious freedoms of all people in Bangladesh.

MILITARY CHAPLAINS

(Mr. WESTERMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WESTERMAN. Mr. Speaker, I rise today, as did my colleague, the gentleman from South Carolina, to note that today marks the 240th birthday of the military Chaplain Corps, which was originally founded by the Continental Congress.

I stand today to honor the men and women who serve the spiritual needs of those in uniform. The military chaplains who serve and have served bravely go with their fellow soldiers into combat theaters not to fight, but to fill the role of pastor, counselor, and listener for our armed services.

Military chaplains are held in especially high regard within my own office, with Arkansas National Guard Captain David Wittee serving as an Army chaplain in addition to serving as my military affairs liaison and a field representative in the Fourth District of Arkansas.

I want to thank Captain Wittee and all military chaplains, both current and past, for their service to their fellow soldiers and for their service to our Nation.

RESTORE THE VOTING RIGHTS ACT

(Mr. JOHNSON of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JOHNSON of Georgia. Mr. Speaker, this Confederate flag, which is a symbol of systemic oppression and racial subjugation, was recently lowered in the State of South Carolina.

But this same flag, which symbolizes so many inequities in our country, is still flying high in a figurative sense over our country.

When the U.S. Supreme Court struck down the heart of the Voting Rights Act, it signaled that African American voting rights would no longer be protected.

Pretending that the legacy of poll taxes, literacy tests, and blatant discrimination was no longer taking place, the Supreme Court symbolically raised this flag when it gutted the Voting Rights Act.

Now that this flag has come down from the halls of South Carolina, it is time that we lower this flag from its perch over the voting rights of African Americans by passing the legislation in the U.S. Congress to restore the Voting Rights Act.

MORE SECRETS

(Mr. POE of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POE of Texas. Mr. Speaker, the IRS targeted, intimidated, and harassed many Americans because of their political philosophy. The people are still waiting for answers about why their government is engaged in this Soviet-style behavior.

First, 2 years of emails were lost. Now we learn that the IRS purposely used an internal messaging system—an office communication server—on the sly. They opted not to archive these messages and kept them secret from the eyes of the citizens and Congress. In one email Lois Lerner apparently was told the messaging system was not archived. Her response? ''Perfect.''

So we will never know what was in those messages that were intentionally scrubbed.

There is a pattern here.

The Secretary of State was conducting official business on her own untraceable secret email server, and the taxman used its own ''go dark system'' to evade transparency. It is just another day with the ''most transparent administration in history.''

Mr. Speaker, the public has a right to know and get answers to all these scandals. After years of stonewalling, it is painfully obvious that this administration will not investigate this administration.

And that is just the way it is.

MEDICARE AND MEDICAID

(Ms. MATSUI asked and was given permission to address the House for 1

minute and to revise and extend her remarks.)

Ms. MATSUI. Mr. Speaker, I rise today to recognize the 50th anniversary of Medicare and Medicaid.

When President Lyndon B. Johnson signed Medicare and Medicaid into law, he proclaimed that:

''No longer will older Americans be denied the healing miracle of modern medicine. No longer will illness crush and destroy the savings that they have so carefully put away over a lifetime so that they might enjoy dignity in their later years. No longer will young families see their own incomes and their own hopes eaten away simply because they are carrying out their deep moral obligations to their parents.''

We need to continue to keep these promises by protecting and expanding Medicare and Medicaid. Together, these two programs provide health coverage for our Nation's seniors, people with disabilities, and moms and families. We must ensure that these programs are here for now and for future generations.

EXECUTIVE REGULATORY OVERREACH

(Mr. ALLEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ALLEN. Mr. Speaker, before my time in Congress, if someone had told me that I would spend 90 percent of my time fighting executive regulatory overreach, nobody would have believed me, but it is the truth.

In the past 7 months, I have found out how out of control the overreach of this administration truly is. With rules such as the Waters of the United States and the Clean Power Plan from EPA, this administration continues to trample on the rights of our citizens and States while hurting our economy along the way.

That is why I was pleased to cosponsor and vote for the REINS Act. This important legislation requires Congress to have 70 legislative days to review any rules with an economic impact over $100 million and ensures Congress has oversight before any major rule goes to the President for a signature.

By allowing Congress to review these rules, we can restore accountability and the power of legislating to the legislative branch.

I thank my colleagues in the House for passing this important legislation and call on those in the Senate to take swift action to reduce regulatory overreach.

VOTING RIGHTS ACT

(Mr. GALLEGO asked and was given permission to address the House for 1 minute.)

Mr. GALLEGO. Mr. Speaker, on August 6, we will celebrate the 50th anniversary of the Voting Rights Act of 1965.

Mr. Speaker, this landmark law codified protections to guarantee every American's right to vote. For the past five decades, the Voting Rights Act has broken down barriers that discouraged or outright prohibited citizens from voting.

The VRA led to a more inclusive electoral system that increasingly reflected the diversity of the American people.

Mr. Speaker, the right to vote is central to who we are as Americans and to our democracy.

But this cornerstone of American civil rights is unfortunately being threatened today. In too many places across the country, we have seen new measures that create barriers that make it harder to register or vote.

On this 50th anniversary, we must redouble our commitment to strengthening the Voting Rights Act. We can start by restoring the Voting Rights Act to ensure that the rights of all Americans that go to the ballot box and cast a ballot are protected.

HONORING ADOLPH KIEFER OF WADSWORTH

(Mr. HULTGREN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HULTGREN. Mr. Speaker, I rise today to recognize the ''Father of Swimming,'' Adolph Kiefer, from Wadsworth, Illinois.

At age 17, Adolph became the 100-meter gold medal winner at the 1936 Berlin Olympics. In addition to earning 17 world records, Adolph was the first man in the world to swim the 100-yard backstroke in under a minute and invented a flip turn, still used today.

In 1947, Adolph founded his own company, inventing the first plastic kickboard and the first nylon swimsuit. Yet, he has considered teaching others his greatest success.

Upon joining the Navy, Adolph was shocked to learn many of his comrades couldn't swim. He designed a program to teach millions of recruits what he dubbed the victory backstroke.

As a youth fitness advocate, he served the Red Cross for 25 years, coordinating the learn-to-swim campaign for Chicago and overseeing lessons for thousands of children.

Mr. Kiefer just celebrated his 97th birthday and still swims every day.

I have submitted a letter of support for Mr. Kiefer for the Presidential Medal of Freedom. I urge our country to honor a great man from Illinois' 14th Congressional District.

UNFINISHED WORK

(Ms. PLASKETT asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. PLASKETT. Mr. Speaker, I am upset that the House is heading to August recess today with so much unfinished work in front of us.

We could be working to find a transportation bill that both we and the Senate can agree on, a bill that would begin to fix our broken roads, bridges, and highways. My district, the Virgin Islands, has been hit by nearly 6 years of substantially reduced Federal highway funding.

We could be working on an appropriations bill to fund important work for this country. In my district, the Virgin Islands, the Interior Appropriations bill is vitally important.

This funding would go toward the children in our schools. Right now the schools are not structurally sound and are decaying. In fact, a new school hasn't been built in my home district on the island of St. Croix or St. Thomas in the last two decades.

It is shameful to leave town without working on a Voting Rights Act. The ability and ease of access to voting must be expanded, not restricted. It must also be further expanded to include the 4 million Americans who do not have the right to vote for their President simply because they live in a territory.

These men and women love their country, they fight for their country, but they are excluded from the most basic democratic function.

We could be working to fix these and a myriad of other things, but, instead, we are leaving with these matters unattended. This is an embarrassment to this body and must not happen again.

PROVIDING FOR CONSIDERATION OF H.R. 1994, VA ACCOUNTABILITY ACT OF 2015, AND PROVIDING FOR CONSIDERATION OF H.R. 3236, SURFACE TRANSPORTATION AND VETERANS HEALTH CARE CHOICE IMPROVEMENT ACT OF 2015

Mr. SESSIONS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 388 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 388

Resolved, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1994) to amend title 38, United States Code, to provide for the removal or demotion of employees of the Department of Veterans Affairs based on performance or misconduct, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority

member of the Committee on Veterans' Affairs. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Veterans' Affairs now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. Upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 3236) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, to provide resource flexibility to the Department of Veterans Affairs for health care services, and for other purposes. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided among and controlled by the respective chairs and ranking minority members of the Committees on Transportation and Infrastructure, Ways and Means, and Veterans' Affairs; and (2) one motion to recommit.

□ 1245

The SPEAKER pro tempore (Mr. DUNCAN of Tennessee). The gentleman from Texas is recognized for 1 hour.

Mr. SESSIONS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Colorado (Mr. POLIS), my friend, pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. SESSIONS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SESSIONS. Mr. Speaker, we are here at the end of the work that we have done before our break home for the August recess, where we will have an opportunity to go back to the American people and talk with them as they are in our homes, our cities, our neighborhoods, our schools, our firehouses, and our places of worship; and we will have a chance to meet and talk with them about the great work that Republicans have achieved and done up here in Washington, D.C., during this first half of the year.

I am very pleased to know that today, as we are preparing to leave to go back home for our district work session, that we are going to be presenting several bills on the floor that are done to try and move forward not only thoughts and ideas that we have for the House of Representatives but, really, to work in the spirit of things with the other body, the United States Senate, so that we can make sure that the American people, their vision, their needs are before the American people. That is why I am here today.

Mr. Speaker, last year, the American people were shocked, once again, by the news that dozens of our Nation's veterans were left to die while they waited for medical care in the VA. The VA hospital, which is located in so many of our communities around this great Nation, has simply not performed well and, in several instances, has had shocking results. That is also why we are here today.

In response, Congress passed something called the Choice Act, which makes it easier to remove senior executives at the VA who had underperformed, who have not done their job properly on behalf of not just the taxpayers of this country, but on behalf of a grateful Nation who is serving the men and women who have given their very best years and lives to this country through their service to the United States military.

We believe that removing people who cannot make wise choices and decisions at the VA was the right thing to do. We were trying to put the President, his administration, the Secretary, and senior managers at the VA not only on notice that we would not tolerate bad behavior, poor decisions, and ineffective management, but that we were going to do something about it. By the way, we felt like they were underperforming to a deserving crowd, and that is our veterans.

Well, the President agreed with us, too. The bill was signed into law. We got that done last year, the Choice Act. It was a good decision by this body when we faced the times where we recognized in not only a public way, but in an outpouring of support from veterans who said this has to change. The Republican Congress did just that.

Our chairman of the Committee on Veterans' Affairs from Florida (Mr. MILLER) very quickly and clearly went and did an investigation on a bipartisan basis, looked at the VA, and made these decisions. That was what we did a year ago.

Since then, only two VA employees have been fired for their role in what is now known as the waiting list scandal. What is this waiting list scandal? The waiting list scandal is a way by which the VA denied veterans an opportunity to come and get the health care that they needed by stringing them out and then deceiving others—including themselves in the VA—about what the waiting times were. They deceived not only these people who were given these long dates; they deceived the management. They also deceived the United States Congress.

Well, as happens many times, people find out. Well, we did find out. This meant that the deaths that were covered up, the veterans that were neglected, and the statistics that were provided to us and others were altered.

One year later, the waiting list grows longer and longer and longer for everyone. No doubt, we gave the administration the tools that they asked for that they agree with. Only two people have been fired.

Mr. Speaker, we were sincere about what we did by giving them the authority and the responsibility. We expected them to clean it up. I look to not only our chairman, JEFF MILLER, but we look to the VA also to stand up and say they disagreed with that. Not much has happened—certainly not enough.

We are back here again. Poor performances and bad actors still continue to undermine the VA. They continue to undermine not only the scheduling, they undermine the service; they undermine the quality that should be available to our veterans. As a result of this, the ability that we think we are providing to our veterans is diminished. The care for our veterans, wounded and sick veterans, continues to lag.

Republicans are back at the table. Our young chairman, JEFF MILLER, has stayed at the table. He has stayed working on this issue on a bipartisan basis with the members of the Committee on Veterans' Affairs by knowing what is happening all across this country, learning more about not just the facts of the case, but the stories that come from the veterans themselves, the stories that may come from people who are inside the VA. They are important to us learning what is really happening.

Because the VA has a long and well-documented history of failing to hold employees accountable, we are back here today with another bill. That is right, another bill that we are going to

handle on the floor by this Republican House with Democrats on a bipartisan basis, to make it easier to remove or demote employees who do not do their job and who need to be out of that organization.

We are going to give this organization exactly what they are asking for again. We are going to give the VA and their new Veterans Secretary the ability to clean up their mess. We are trying our best to hold them accountable yet, at the same time, expect them to do the right thing.

Yesterday, in testimony, we had our chairman say he has confidence in the Secretary; he has confidence that the Secretary can adjust and make these changes, but the law needs to be updated and changed.

That is why we are here today, to give the VA the tools that they need—just like when I was a manager in the private sector, I needed the tools to run my organization properly and effectively—the ability to move employees that were not doing their job—perhaps it is a bad fit—or to get rid of employees or even fire them if they are not only not performing their job, but deceptively trying to harm patients in the process.

Mr. Speaker, this bill would send a clear message to employees of the VA, and we intend to do that today. We are going to send a very clear message to them that they either perform properly or, if they are harming our effort to help our veterans, it is time for them to leave. If they are not up to doing the task very well, this Department will be given the opportunity, the law, and the leverage to do just that.

This bill would send another important signal also. If you choose to demonstrate the moral courage necessary to stand up for veterans and to blow the whistle on those who are not, we want to make sure that you are protected, that you can come forth inside your own organization of the VA to report and root out bad behavior. We must fix this.

Mr. Speaker, too many times, the testimony yesterday revealed that these VA facilities in location after location after location around this country are deathtraps for our veterans.

These elder gentlemen, veterans who go to seek help, they know it is a deathtrap; and that is why we need to also address this, for the safety of men and women who have protected this great Nation.

Congress needs to make it clear—and we can today—that supervisors at the VA cannot retaliate against whistleblowers.

If there is somebody in the organization who is willing to tell the truth and come forward, you cannot retaliate against them because they are going to tell the truth about the poor service and responsibility toward aiding our veterans. It will not be tolerated.

Every Member of this body will have an equal opportunity today to say that is the right thing to do because this is what the Secretary is asking for.

Mr. Speaker, the American people deserve to know that, when our veterans are treated poorly, this bill would help them; when our VA employees understand that somebody who was going to turn a blind eye before now, we will no longer do that.

We are going to give the VA the tools to root out the problems, to make this better, so that we can honestly look at our men and women and say: Thank you for your service; this grateful Nation does care about you.

Mr. Speaker, it is time for sweeping cultural changes at the VA. It is time to remove the bureaucrats who will make excuses, who will hide things, and who will make circumstances dangerous and worse for our veterans.

It is time to hold senior executives accountable when the VA underperforms, and that is why I am joining the American Legion, the VFW, and other veterans associations in supporting H.R. 1994. That is what the testimony revealed yesterday at the Committee on Rules when we heard from not only the chairman of the committee, but others about the importance of this bill.

This rule would also provide for debate for H.R. 3236, the Surface Transportation and Veterans Health Care Choice Improvement Act of 2015. We have two specific purposes that we are here for: first, for the VA; and, second, to make sure that we authorize an extension for the Federal surface transportation program through October 29.

It is a well-known understanding that our young chairman, BILL SHUSTER, of the Committee on Transportation and Infrastructure has been working and working and working. We indicated last year in November and, again, in December that we would allow an extension to this date from last year; and Chairman SHUSTER said he thought he could have a deal by now.

Well, as it turned out, the United States Senate is debating that this week. They are going through a weeklong process to determine what they would like their transportation bill to be like. The bottom line is a thousand-page bill that has not yet passed, that we do not know the substance of, and we are not going to agree with sight unseen.

Our young chairman, BILL SHUSTER, has asked that we offer a very polite and reasonable option, and that is give us an opportunity to review this. They have done the hard work, the United States Senate. We will do the same, and we will get that done by October 29.

□ 1300

It would also avoid a shortfall that would keep the VA from closing hospitals across this country.

Mr. Speaker, this is the substance of what this rule and the underlying legislation is all about.

I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I thank the gentleman from Texas for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Mr. Speaker, I rise in opposition to the rule and the underlying bills, H.R. 3236, the Surface Transportation and Veterans Health Care Choice Improvement Act, and H.R. 1994, the VA Accountability Act.

Yet again, we have a grab bag rule that covers multiple bills on wildly different subjects—in this case, transportation and veterans care—in one bill; and yet we have a closed rule that is pushing through a last-minute deal that kicks the can down the road yet again on highway reauthorization when there is reason to believe that, if we simply stayed in town and worked another week, we might be able to work with the Senate to get to an end point with regard to a long-term reauthorization.

The closed rule here limits the discussion of alternatives on the issue of transportation funding. Even worse, the bill has two entirely unrelated aspects. I have never heard of a crazier name than the Surface Transportation and Veterans Health Care Choice Improvement Act.

This is part of the problem of this body over the last several years. Republican leadership has moved towards doing more and more omnibuses and minibuses. That means combining disparate bills—transportation, veterans—into one bill, which isn't healthy for the accountability of this body among the electorate.

If you vote against this bill, for instance, because you don't like the transportation provisions, does that mean you are against veterans? If you don't like the veterans provisions and you vote against this bill, does that mean you are against transportation? How easy it would be to simply have two votes on each of these bills so Members on both sides of the aisle can vote their conscience and our constituents can hold us accountable.

Of course, it is necessary to give the VA the authority to transfer $3.3 billion for healthcare services. There is strong agreement on both sides. We could run the bill through on suspension. We wouldn't even need to open it up for a rule. It would pass with more than a two-thirds vote. But there are problematic additions attached to that part of the bill. It is also combined with yet another temporary fix for our Nation's highway system, instead of trying to stay in town another week and work on a more permanent fix to help meet the needs of the transportation arteries of our country.

As you know, Mr. Speaker, 54 percent of our Nation's major roads and bridges

are rated poor or mediocre. Forty-five percent of Americans don't have access to public transit. Congestion produced by our legislative failures here wastes valuable time and money and detracts from the growth of the American economy. It is estimated Americans will lose 8.4 billion hours and 4.45 billion gallons of gas over a decade. That means the average consumer is wasting $800 a year and 5 full days of their life away from their kids, away from their family, simply sitting in traffic. Mr. Speaker, that is unacceptable.

My constituents are no strangers to traffic. If you have been to Fort Collins, one of the largest cities in my district and home to one of our great universities, you will find that on highway 25 my constituents endure gridlocked traffic at rush hour, doubling or tripling their commuting times.

Expansion of highway 25 and high-speed rail along highway 70 and highway 36 have been given completion dates of decades from now—60 years, in some cases. Try to imagine being told your doctor wants to slowly break down blockages in your arteries over a period of 60 years. You won't make it that far.

Our communities need to do something about traffic now. Tourism and commerce are the lifeblood of Fort Collins, Boulder, and our mountain communities like Vail, Frisco, and Breckenridge. For these towns to survive and thrive, we need to tackle our transportation funding needs head-on.

From our other speakers, you will hear a lot about the Export-Import Bank, the one item that somehow, with this grab bag that includes veterans and transportation, there is a strong bipartisan majority for reauthorizing the Export-Import Bank. In fact, 67 Senators in the Republican-led Senate voted to reauthorize the Export-Import Bank, and yet somehow that item didn't make the grab bag.

If Congress fails to act, one of the most important items is it will result concretely in the loss of tens of thousands of American jobs and make American companies less competitive for exports at a time when global competitiveness and the global economy is more important than ever, which was left out of this grab bag of bills.

I understand ideological issues with the Export-Import Bank. In a perfect world, I would agree with my colleagues who argue we shouldn't need to do this kind of effective subsidy for exporters; but if other countries are doing it and it is permissible under WTO and trade rules, we would truly be idiots to unilaterally disarm and not engage in a legal practice that facilitates the credit of American exporting businesses. Effectively, it would lead to the exporting of more jobs overseas and making American companies less competitive in selling their products.

So, by all means, let's have the discussion around multilateral adjustments to the type of credit facilities that countries can engage in with exporting countries, but let's not look at unilateral disarmament that makes America less competitive and destroys jobs.

You will hear a lot about how simple it would be, my colleagues would indicate, to simply get this done before we leave. Isn't it worth another week of our time to save tens of thousands of American jobs?

The second part of the rule, H.R. 1994, the VA Accountability Act, one of the main problems with it is it would create a culture of fear that would imperil the services our veterans need and deserve.

The tragedy in the Phoenix VA system is an example. It became known because of a few courageous whistleblowers. Had this legislation been in place, this tragedy could have been swept under the rug for many more years.

Without whistleblowers and strong whistleblower protections, the VA hospital debacle in my State of Colorado, in Aurora, could have even been a worse situation, if you can imagine that.

This legislation is not just bad for whistleblowers, it is also unconstitutional. Supreme Court case law has clearly outlined the due process that employees have before their jobs are taken away. This bill turns its back on due process and allows any VA employee to be fired on the spot for retribution.

The limited process provided in this legislation is far below the constitutional requirements, which is why the President has promised to veto this bill. All this bill is attempting to do is destroy the whistleblower and professional civil service system and, thus, the livelihood of thousands and the quality of service to our veterans.

The appropriate action is to get the VA to do their job through appropriate legislation which creates true accountability, which this bill fails to achieve, or discuss how we might reform the dollars we allocate to the VA to best serve our veterans, however possible.

We will debate an alternative today by my colleague, Mr. TAKANO of California, that would retain due process but allows the VA to immediately fire any employee who poses a health or safety risk to veterans. Additionally, it prevents employees from staying on paid administrative leave—even being bounced around the VA—by limiting the time to 2 weeks, a similarity to one of the positive aspects of the bill before us today.

Mr. TAKANO's legislation, for example, would have allowed the VA to immediately fire those responsible for the Phoenix scandal and kept in place the whistleblower protections that allowed us to find out about the Phoenix scandal.

Mr. Speaker, for these reasons, I oppose the rule and the underlying legislation, and I reserve the balance of my time.

Mr. SESSIONS. Mr. Speaker, I yield myself such time as I may consume.

I admire the gentleman very much. We work very well together. But I think it is a misstatement to say that this bill would allow people to be fired on the spot at the VA. That is certainly, I don't believe, true at all. I believe it would have to be with cause, and the VA would have to have a reason.

There is nothing in this legislation where we would empower people to do things that would not follow proper Federal law nor established rules of procedure for the employee to have the proper amount of protection. But what is stated and understood is, where an employee has been underperforming, misperforming, or has violated their oath of office, where they have a diligence to people under their care or where they have done intentional deeds and then tried to cover it up, that would be cause, and that is what this is about.

This is not about firing someone on the spot. I think it would be a misstatement to try and characterize this important legislation that has been well thought through, as well as worked out with the VA, as being from that perspective.

I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, if we defeat the previous question, I will offer an amendment to allow the House to vote on reauthorizing the Export-Import Bank, as proposed by Mr. FINCHER yesterday. It is the same exact language that passed the Senate by a vote of 67–29.

Mr. Speaker, the Export-Import Bank allows American businesses to compete in global markets and supports hundreds of thousands of jobs.

I yield 3 minutes to the distinguished gentleman from Maryland (Mr. HOYER), the Democratic whip, to discuss our proposal.

Mr. HOYER. I thank Mr. POLIS from Colorado for yielding.

I rise in opposition to this rule. This is our last day in session before we leave for 5 or 6 weeks. We then will have 13 days before the end of the fiscal year. We have a number of things that the American public expects us to do that enjoys almost universal support on this floor, one of which enjoys a significant majority of support on this floor.

Mr. Speaker, let me quote the Speaker of this House, JOHN BOEHNER. ''Above all else,'' he said as he assumed the Speakership, ''we will welcome the battle of ideas, encourage it, engage in it—openly, honestly, and respectfully.''

''As the Chamber,'' he went on to say, ''closest to the people, the House works best when it is allowed to work

its will.'' He then said, ''I ask all Members of this body to join me in recognizing this common truth.'' Al Gore, the former Vice-President of the United States, would observe, however, that is an inconvenient truth.

It is an inconvenient truth because the chairman of the Financial Services Committee, representing the minority of this House, is opposed to the Export-Import Bank. He has been opposed to it since we adopted it in 2012, with an overwhelming majority of votes from both sides of the aisle—as a matter of fact, a unanimous vote from the Democratic side of the aisle and over 140 Members from the Republican side of the aisle—just 3 years ago.

This rule makes in order, as the gentleman noticed, two bills, one of which I vigorously oppose but won't spend a lot of time on. While the gentleman is probably correct that it is not immediate firing, it is a substantial undermining of the Civil Service Act adopted so that we would not have a patronage, politically ridden system, but a civil service system based on merit.

This bill then makes in order an extension of the highway bill, which certainly we ought to do. It is somewhat ironic that we say it is a 3-month extension. We passed a 5-month extension. I voted for the 5-month extension. Everybody ought to know that we fund it for 5 months, of course. We call it a 3-month extension. I hope that will satisfy Senator MCCONNELL so that he can then pass it.

We then provide for $3.3 billion so that we will make sure our veterans hospitals and medical care stays in operation. Both of those could have been passed on this House floor by unanimous consent.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. POLIS. I yield the gentleman an additional 1 minute.

Mr. HOYER. I thank the gentleman.

We now leave for another month the Export-Import Bank, which is responsible for the creation and retaining of jobs in America.

We all talk about jobs in America, but the Speaker has said, again, that the failure to pass this bill is losing jobs right now. And yet my Republican friends, in tipping their hat to the chairman of the Financial Services Committee, say we are not going to consider that, as they did last month in July. I know we haven't gotten out of July yet, but we will go through August, and then we will go through September.

Mr. FINCHER tells me he thinks that bill will be brought to the floor in some form or another in September, but it will have cost us jobs and competitiveness overseas with the 60 countries that have an export-import bank that are making sure that the purchases of their goods made in their countries are cheaper than the goods sold in our country. That costs American jobs.

□ 1315

We ought to reject this rule, and we ought to do what the Speaker of the House said we ought to do; treat one another with respect, and let the House work its will.

There are 240-plus, maybe 250, maybe 260, maybe 270 votes. You only need 218 to pass the Export-Import Bank on this floor.

I will yield to anybody who says: No, Mr. HOYER, you are wrong; it doesn't have the majority vote.

The SPEAKER pro tempore. The time of the gentleman has again expired.

Mr. POLIS. I yield the gentleman an additional 30 seconds.

Mr. HOYER. I will yield to anybody on this floor who will say: Mr. HOYER, you are wrong.

Apparently, there is nobody on the floor who is going to suggest that the will of this House, as represented by a majority that would vote on this bill, would not be for extending the Export-Import Bank, saving American jobs, making sure that America is competitive in the international markets.

My colleagues, reject this rule. Exercise our responsibility to the American people and to American workers, and let's pass the Export-Import Bank today before we go home.

Mr. SESSIONS. Mr. Speaker, I yield myself such time as I may consume.

I want to thank the distinguished gentleman for not only his words and the spirit of what he said, but I want him to know that, several years ago, as he approached me as I became chairman of the Rules Committee, I assured the gentleman that I would do my very best, within my ability, and he has done also, as well as his team that also sits at the Rules Committee.

I want to thank the distinguished gentleman because part of what our job is, yes, to represent our Speaker and the things that are done, but also to make sure the spirit in which we do it is done properly, and I appreciate the gentleman. I think his spirit was good today.

I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield 2 minutes to the gentleman from Vermont (Mr. WELCH), a member of the Oversight and Government Reform committee and a former member of the Rules Committee.

Mr. WELCH. Mr. Speaker, two of the things a proud and confident and responsible nation will do—no matter how challenging—are, one, to invest in its future and, two, to care for its veterans. This bill pretends to do both. Actually, it does neither.

Yes, it will keep the highway bill on life support for another short-term extension. It used to be 5 months. Now, it is going to be 3 months.

Yes, it will allow the VA to make internal fund transfers to keep our hospitals open through September, but once again, in another act of serial irresponsibility, Congress is ignoring its duty to do its job of passing a long-term transportation bill.

It leaves our communities and States in suspension. It recklessly adds unnecessary construction costs to our taxpayers and lets potholes get deeper and bridges more dangerous. We need a long-term transportation bill—6 years, not 3 months.

Regarding the VA, do we meet our obligations to provide for the health care of our veterans through internal fund transfers? Our veterans and our VA need a fully funded budget. It needs funds, not fund transfers.

Veteran healthcare demand shot up 10 percent, but the budget is only up 2.8 percent, shackled by mindless and destructive sequester caps. We should end them.

Mr. Speaker, this bill is not written to address problems; it is designed to deny they exist.

Mr. Speaker, this bill is not an example of Congress doing its job; it is yet another example of Congress evading its responsibilities.

I will vote ''no.''

Mr. SESSIONS. Mr. Speaker, I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield 1½ minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Speaker, let me thank the gentleman from Colorado, and let me thank my good friend from Texas as well. Let me use a great philosopher's statement of a couple of decades ago: ''Can we all get along?''

As I stand here, on the Surface Transportation and Veterans Health Care Choice Improvement Act of 2015 that is now with the rule before us, it is obvious that we are trying to take a divergent pathway.

I was one of the first Members of Congress to go down in front of my veterans hospital to stand and to demand quality health care for our veterans, to ask that the system be fixed. I take no backseat, along with other Members, to ensuring that our veterans get what they need, and stand in line to make sure that they are not defaulted on by the American people.

H.R. 1994 eliminates the due process rights of whistleblowers who have been key to drawing attention to any manipulation or coverups taking place. They are bringing back to the floor this bill, calling it an accountability bill; but, in essence, it is to go after hard-working employees and fire them and eliminating their opportunity to explain or to have due process. That is not the American way.

This is not a bill that helps veterans. In fact, it takes away consistent, long-working employers who see something and say something, and so I am voting ''no'' on the bill and this rule.

Then the surface transportation had a wonderful opportunity to do a 6-year

bill, to look for pay-fors that Members could bring together and support; yet my metro, the Houston metro, will be suffering. Our highways and other surface transportation entities, safety will be suffering. Employees will not be paid.

Here we go again with a short-term opportunity. I remember doing a 6-year transportation bill, where I opened up the hike and bike trails of my community in Houston.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. POLIS. I yield the gentlewoman an additional 10 seconds.

Ms. JACKSON LEE. I would offer to say that a highway bill, 6 years, or a surface transportation bill for 6 years is a bipartisan American way to do things.

Why don't we do that for the American people and do it now? Vote ''no'' on the rule.

Mr. Speaker, as a senior member of the Homeland Security, I rise to speak on H.R. 3236, Surface Transportation and Veterans Health Care Choice Improvement Act of 2015,'' which reauthorizes federal-aid highway and transit programs for three months—through October 29, 2015—by transferring $8.1 billion from other federal funds to the Highway Trust Fund to cover projected trust fund shortfalls over that time period.

The bill also allows the Veterans Affairs Department (VA) to use $3.4 billion provided last year for the Veterans Choice health care program to pay for care provided since May 1 to veteran patients by non-VA providers under VA Care in the Community programs.

The bill also is intended to give the VA the funding flexibility needed to prevent the possible closure of some VA hospitals in coming weeks.

Mr. Speaker, instead of this 90-day temporary extension, I would have strongly preferred that we were debating a comprehensive, fair, equitable, and long-term transportation reauthorization bill the nation desperately needs. We have had two years to do so.

Democrats want such a bill as does the President, but apparently our friends across the aisle do not since they have spent the last two years wasting time on advocating policies wanted by no one except for the right-wing extremists of the Tea Party.

But I reluctantly support this emergency but temporary measure because as the Department of Transportation has reported, if we do not act now highway trust fund balances by the beginning of August will reach dangerously low levels and result in a reduction of payments to states by an average of 28 percent.

Many states have already begun to cancel or delay planned construction projects, threatening 700,000 thousands of jobs, including 106,100 jobs in my home state of Texas.

Mr. Speaker, the Highway Trust Fund was created in 1956 during the Eisenhower Administration to help finance construction of the Interstate Highway System, which modernized the nation's transportation infrastructure and was instrumental in making the United States the world's dominant economic power for two generations.

Our national leaders then understood that investing in our roads and bridges strengthened our economy, created millions of good-paying jobs, and improved the quality of life for all Americans.

It is currently composed of two accounts that fund federal-aid highway and transit projects built by states. Federal funding from the trust fund accounts for a major portion of state transportation spending.

The Highway Trust Fund is financed by gasoline and diesel taxes, which until the last decade produced a steady increase in revenues sufficient to accommodate increased levels of spending on highway and transit projects.

However, those tax rates—18.4 cents/gallon federal tax on gasoline and a 24.4 cents/gallon tax on diesel fuel—have remained unchanged since 1993 and were not indexed to inflation so the value of those revenues has eroded over the years, and, combined with the fact that vehicles have been getting increasingly better mileage, the revenues deposited into the Highway Trust Fund beginning last decade have not kept pace with highway and transit spending from the trust fund.

Consequently, since 2008, Congress has periodically had to transfer at the 11th hour general Treasury revenues into the trust fund to pay for authorized highway and transit spending levels and avoid a funding shortfall.

The total amount to date is more than $54 billion.

Obviously, this practice is economically inefficient and injects uncertainty in the highway construction plans, projects, and schedules of state and local transportation agencies, not to mention the anxiety it causes to workers and businesses whose economic livelihood is dependent on those projects.

Mr. Speaker, the last transportation authorized by Congress for 4 years or more, SAFETEA–LU, expired on September 30, 2009, at the end of FY 2009.

Because Congress and the Administration could not agree to a new reauthorization, it was necessary to resort to stop-gap temporary extensions on no less than eight occasions spanning a period of 910 days before Congress finally enacted the Moving Ahead for Progress in the 21st Century Act'' (MAP–21 Act) on July 6, 2012, which reauthorized highway and transportation programs through Fiscal Year 2014, a little more than two years, or until September 30, 2014.

MAP–21 was intended as a short-term measure to give Congress and the Administration breathing room to reach agreement on a long-term reauthorization bill.

Yet, as Mr. LEVIN, the Ranking Member of the Ways and Means Committee, has often pointed out, since gaining the majority in 2010, our Republican colleagues have failed to take any action to sustain the Highway Trust Fund over the long-term and shore up vital infrastructure projects and has not held even a single hearing on financing options for the Highway Trust Fund.

Instead, House Republicans have wasted the nation's time voting to repeal the Affordable Care Act at least 59 times, waging a War on Women, pursuing partisan investigations into Benghazi, the IRS, and the trying to overturn President Obama's executive actions that make our immigration enforcement laws less inhumane.

Instead of doing their job, House Republicans big new idea is to attack the President for doing his job.

Mr. Speaker, it is long past time for this Congress, and especially the House majority, to focus on the real problems and challenges facing the American people.

And one of the biggest of those challenges is ensuring that America has a transportation policy and the infrastructure needed to compete and win in the global economy of the 21st Century.

To do that we have to extend the reauthorization of current transportation programs and to authorize the transfer of the funds to the Highway Trust Fund needed to fund authorized construction projects and keep 700,000 workers, including 106,100 in Texas on the job.

But that is only a start and just a part of our job.

The real work that needs to be done in the remaining days of this Congress is to reach an agreement on a long-term highway and transportation bill that is fair, equitable, fiscally responsible, creates jobs and leads to sustained economic growth.

Mr. SESSIONS. Mr. Speaker, I continue to reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield 1¾ minutes to the gentlewoman from New York (Mrs. CAROLYN B. MALONEY), the ranking member of the Financial Services Subcommittee on Capital Markets and Government Sponsored Enterprises.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, this weekend, 64 Senators voted to renew the Export-Import Bank's charter, which expired on June 30. More than 240 Members are on record supporting the Bank, and according to The Wall Street Journal, there are many more.

As I quote, ''some Republicans estimated that as many as 300 of the 434 current House Members'' would support a measure similar to the one that passed the Senate; yet despite this overwhelming support, we have been denied a vote on the House of Representatives to renew the Export-Import Bank.

Last year, Ex-Im helped underwrite over $27 billion in U.S. exports. It supported thousands of small businesses and about 164,000 jobs across our country. Since 2009, the Bank has supported over 1.3 million jobs. The Bank does all of this at no cost—no cost—to the American taxpayer. In fact, the Ex-Im Bank sent over $675 million to the Treasury last year—actual dollars—to help pay down the deficit.

According to a letter sent by CBO just last week, using accounting standards, reauthorizing the Ex-Im would save taxpayers $2.3 billion over the next 5 years; yet American companies have been disadvantaged. They have been unilaterally disadvantaged of having the export assistance that over 60 different nations are providing their export-import banks.

Only 1 of the top 10 exporting countries in the world does not have an export credit agency now that can finance export deals—just one—and that is the United States of America. That is because this Congress failed to do what every other Congress has done since FDR, and that is to reauthorize the Export-Import Bank.

It creates jobs, creates money for the Treasury. It helps small businesses.

Vote ''no'' on the previous question, ''no'' on the rule. Let's bring it to the floor today for a vote.

[From the Wall Street Journal, July 28, 2015]

SMALL BUSINESSES BEAR BURDEN OF EX-IM BANK SHUTDOWN

(By Nick Timiraos and Kristina Peterson)

WASHINGTON.—Political opponents have managed to shut the U.S. Export-Import Bank for the most of the summer by arguing it rewards politically connected corporate giants.

But the bank and its supporters say the burden of the agency's shutdown for now will hit small businesses that lack the resources of industrial titans such as Boeing Co. and General Electric Co.

''Small businesses are the ones that are going to be hurt first and the most,'' said Rep. Denny Heck (D., Wash.), a proponent of reauthorizing the bank's charter.

The Ex-Im Bank, a federal agency that finances exports, stopped accepting new loans at the beginning of July after Congress allowed its charter to expire. While a majority of lawmakers in Congress support reauthorizing the 81-year-old agency in some form, conservative Republicans who control key leadership positions have so far prevented a vote in the House of Representatives.

Supporters had pinned their hopes on reopening the bank as part of a bill extending highway funding that expires Friday. But House and Senate leaders have had trouble agreeing on that transportation measure before their annual August recess that begins this week, which means they are likely to leave Washington without addressing the Ex-Im Bank.

The bank's backers have sought to rally support in recent weeks by highlighting the potential for lost sales at small businesses, a group that is both politically sympathetic and close to lawmakers in almost every congressional district.

President Barack Obama has called on Congress to reauthorize the agency, and most of the bank's supporters expect lawmakers to follow suit later this year. On Monday, 64 senators voted for an amendment to reopen the bank, and some Republicans estimated that at least 300 of the 434 current House lawmakers would vote similarly, given the chance.

''At some point we'll miss out on a business opportunity that will be of such magnitude that it will catch the attention of the public, and we'll respond,'' said Rep. Frank Lucas (R., Okla.), who supports the bank's reauthorization.

Additional opportunities to resuscitate the agency will arrive when Congress passes a spending measure needed to avoid a partial government shutdown by Oct. 1 or if the House and Senate negotiate a long-term highway bill in the fall.

Still, some lawmakers said the way in which the bank has missed multiple opportunities to stay open exposes the political challenges ahead. ''I wouldn't hold my breath that it's going to get funded in September,'' said Rep. Matt Salmon, an Arizona Republican who supports the bank.

Big businesses say closing the bank for good will leave them at enough of a disadvantage against European and Asian competitors, which benefit from export-credit agencies at home, that they will move production abroad. For now, they say they are getting along fine.

''This is not something that creates near-term financial risk for Boeing,'' said Dennis Muilenburg, the company's chief executive, on a conference call with reporters last week.

Indeed, one risk for the bank is that its absence hasn't had any immediate shock. ''The Export-Import Bank expired,'' said Sen. Ted Cruz (R., Texas), one of the bank's loudest critics, at a recent rally on Capitol Hill. ''You notice the sky hasn't fallen?''

Critics of the bank say Washington shouldn't be picking winners and losers, and that any hardship for businesses is part of a necessary recalibration.

The bank says that view is short-sighted. ''When our charter lapses, you won't read about massive layoffs in the paper. Small businesses don't put out press releases when they lose out on a sale,'' Fred Hochberg, chairman of the Ex-Im Bank who in the 1990s worked closely with entrepreneurs as an official at the Small Business Administration, said before the bank closed last month.

Around 90% of loans backed by Ex-Im Bank last year went to small businesses, the highest level in more than a decade. Small businesses represent a much smaller share of loans by dollar volume, around 25%, because Ex-Im backs expensive loans for aircraft and other industrial equipment makers.

Some businesses and their workers say that count overlooks firms that don't export directly but feed into supply chains. Yanke Machine Shop Inc. in Boise, Idaho, was one of 22 different U.S. companies that fulfilled an order for 150 pieces of construction equipment worth $37 million for a 2013 engineering project in Cameroon.

''What a lapse does is it kills opportunity. You've got to have opportunity before you have work on the floor,'' said Dirk Christison, who works in customer support for the heavy-steel fabrication company.

At risk could be deals like one that Ray Garcia Jr., the principal of an energy consulting firm that arranges investment for infrastructure projects in Latin America, has put together to export American equipment for a $300 million gas-to-liquid plant in Paraguay.

He said the project is one of three in South and Central America that is now in limbo. ''We have spent two years developing these projects just to have the rug pulled out from under us for political reasons,'' said Mr. Garcia, a self-described conservative Republican from Houston.

Mr. Garcia said that without Ex-Im, the deal would go to a foreign company or large multinational, leaving his U.S. manufacturers without contracts. ''Small businesses that do not have $1 billion in capital to facilitate projects like these do benefit and can compete on a global platform armed with Ex-Im Bank,'' he said.

Ex-Im's Bank limbo state stands in contrast to those of a similar agency. When the Small Business Administration last week stopped accepting new loans under its flagship program, which reached its borrowing limit on Thursday, the House and Senate quickly passed an extension.

Because existing loans aren't imperiled by the Ex-Im Bank's shutdown, the lapse created a ''soft landing'' for most customers, said Gary Mendell, president of Meridian Finance Group in Santa Monica, Calif., which arranges financing for exporters. ''We've been telling customers to see if you can stand tough until the end of July,'' he said.

As the prospect of Ex-Im Bank's reauthorization grows more distant, Mr. Mendell said more firms will run into difficulty as their working-capital loans or credit insurance expires. An overlooked casualty, he added, is that small businesses that have never exported have virtually no financing options right now.

''If the private sector were interested in doing this, they would be doing it by now,'' said Mr. Mendell.

Even the bank's critics have taken note of the potential plight of small firms. On the eve of the agency's shutdown last month, Sen. David Vitter (R., La.), expressed alarm that financing for thousands of small businesses might be at stake and said the agency should come up with a way for those companies to secure financing from the SBA.

Mr. SESSIONS. Mr. Speaker, I continue to reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield 1¾ minutes to the gentleman from Washington (Mr. HECK), a member of the Financial Services Committee and a leader in the effort to reauthorize the Export-Import Bank.

Mr. HECK of Washington. Mr. Speaker, I rise to ask the Chamber to reject the rule so that we might, indeed, offer an amendment to reauthorize the Export-Import Bank for three reasons.

One, it is the will of the United States Congress; two, it does good; three, if we don't do it, great harm will be visited upon the American economy.

It has already been, I think, very clearly demonstrated it is the will of this body, both in the Senate and here.

I do want to remind you that, for 81 years, 16 times, Democrats and Republicans, no matter how conservative or how liberal, the United States has reauthorized the Export-Import Bank. It does good. That is why they do it.

In fact, I would respectfully suggest that the votes were there in Rules Committee yesterday to allow this amendment. The good gentleman from Texas who chairs—and he is a gentleman; he is a good gentleman—opened up his comments by saying 9,000 jobs in and around his district in the State of Texas, attributable to the Export-Import Bank, they hang in the balance.

It does good—last year, 164,000 jobs supported by the Export-Import Bank, $675 million transferred to the Treasury. It reduces the deficit. It creates jobs. Why don't we want more of this? Call me crazy, I guess.

If we don't do it, harm will come to us. Read this morning's Wall Street Journal. Small businesses already—not prospectively—are already suffering job loss in States throughout this great country.

The fact of the matter is not reauthorizing does constitute unilateral disarmament. About 3 weeks ago, two

academics, one from Canada, one from New York, concluded the big winner if we fail to reauthorize. It is China. They are rubbing their hands. They are rubbing their hands.

Listen, this isn't about software or apples or film.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. POLIS. I yield an additional 30 seconds to the gentleman.

Mr. HECK of Washington. It is about our manufacturing base. Who says we don't need more good manufacturing jobs? We need more good manufacturing jobs.

Let me conclude on this note. Ominously, and without drama, hear me, from my heart to your ears. In the very near future, major manufacturers will announce that they are offshoring certain manufacturing capacity because they have to, to compete in a global economy. The global economy has increased fivefold since 1980.

Get in the game, people. Reauthorize the Export-Import Bank. Defeat the rule.

Mr. SESSIONS. Mr. Speaker, I want to thank the gentleman for his kind words, not only of truth, but also I want to thank him for coming up and being with several other Members who sat through hours' worth of debate and discussion.

Mr. HECK served honorably well yesterday, and he does again today, and I thank him very much.

I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I say to my colleague from Texas, we have so many speakers on our side of the aisle—in fact, both sides of the aisle—folks like Mr. FINCHER and others who want to reauthorize the Export-Import Bank.

If he has additional time, I know that our Members would also appreciate the opportunity to talk about it, as our time is running short.

Mr. Speaker, I yield 1¾ minutes to the gentleman from Michigan (Mr. KILDEE), a member of the Financial Services Committee.

Mr. KILDEE. Mr. Speaker, I thank my friend for yielding.

I urge a ''no'' vote on this rule so that we can bring up, as my colleagues have said, something that ought to be done in a bipartisan fashion, with little significant opposition, and that is the reauthorization of an entity that helps drive the American economy, put Americans to work, and helps us to compete in an increasingly competitive global environment, and that is the Export-Import Bank.

□ 1330

In 2012, Ex-Im was passed with 330 votes in the House, 78 in the Senate, 60 percent of Republicans in both bodies supporting the Export-Import Bank, joining Democrats in doing so.

There is so much partisanship that invades and infects this place. But when it comes to American jobs, supporting American manufacturers, putting hard-working Americans to work in jobs that have higher wages, we have great discussions here about the growing inequality in wages.

We don't all agree on the solutions. But one solution we ought to agree on is the reauthorization of the Export-Import Bank because we know export jobs pay higher wages. This ought to be a no-brainer.

There are 59,000 jobs in my own State of Michigan as a result of the Export-Import Bank and the work that they do. In the last 6 years, there have been $200 billion in exports.

We can have big disagreements on how we ought to deal with income inequality in this country, but we ought not have any disagreement when we see the Export-Import Bank, which delivers money to the Federal Treasury, helps us deal with that problem, puts Americans to work, and makes us more competitive. We ought to do this in a bipartisan fashion, and we ought to do it now.

Mr. SESSIONS. Mr. Speaker, I continue to reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield 2 minutes to the gentleman from Oregon (Mr. BLUMENAUER), a member of the Ways and Means Committee.

Mr. BLUMENAUER. I appreciate the gentleman's courtesy, and I appreciate the way he framed this rule debate.

Mr. Speaker, we have sort of a hodgepodge here of items that really deserve careful, sustained attention. There is no reason to lump this together. These are important items. And, sadly, the way it has been structured shuts down debate.

There is no room under this rule for the Ex-Im Bank. I appreciate person after person coming to the floor, acknowledging that there is broad bipartisan interest in the reauthorization of the Ex-Im Bank and no rational reason to reject it. It is going to have serious consequences, as my friend from Washington pointed out.

But there is another area that we are discussing here today that could also make a huge difference for our economy because we are dodging again our responsibilities to deal with a country that is falling apart as it is falling behind.

My friend from Texas was too polite. The reason we don't have a 6-year reauthorization is because the House has not met its responsibility to outline how we pay for it. We are still trying to pay for 2015 infrastructure with 1993 dollars.

Now we have got legislation that actually mirrors what Ronald Reagan did in 1982, when he called upon Congress to come back, raise the user fee 125 percent, and be able to put hundreds of thousands of Americans to work, and maintain our roads and bridges and transit. We are not doing that.

We have legislation in Ways and Means that has the broadest support of any major piece of legislation in Congress—organized labor, business, contractors, truckers, AAA, engineers—all committed to raising the user fee. They say: Charge us more so that we are going to be able to thrive.

My friend from Colorado pointed out that the American public is paying now in congestion, in damage to their cars.

The SPEAKER pro tempore (Mr. HOLDING). The time of the gentleman has expired.

Mr. POLIS. I yield the gentleman an additional 15 seconds.

Mr. BLUMENAUER. Work next week. Fund the transportation bill. Let the committee know what parameters they have and be able to revitalize and rebuild this country. It is time for us to step up.

Mr. SESSIONS. Mr. Speaker, our colleagues are making really, really good points about what we need to do.

The gentleman from Pennsylvania, BILL SHUSTER, and the Republican majority is committed to doing exactly what they have talked about: getting our work done.

In fairness, it has taken the United States Senate until this week, and they have a 1,000-page transportation bill that we are not simply going to say: Let's just agree to that.

It is going to come over to us after they have done their work. With great respect, we are trying to make sure that we are continuing the funding. We are using mechanisms that would be available.

The right thing to do is to measure three times and saw once. We are not going to accept, by unanimous consent or another agreement, a 1,000-page bill.

On the Republican side, we read bills before we pass them.

Mr. Speaker, I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield 2 minutes to the gentleman from Washington (Mr. HECK), a leader in the bipartisan efforts to reauthorize the Export-Import Bank and a member of the Financial Services Committee.

Mr. HECK of Washington. Mr. Speaker, I said earlier that the first, most immediate damage as a result of our failure to reauthorize the Export-Import Bank will be visited upon small businesses.

It occurs to me that a little bit of color in that regard would serve us well, giving the benefit of the doubt to those who are opposing our opposition to the rule so that we can reauthorize the Export-Import Bank.

Let me give you the data. The Export-Import Bank has approximately 90 percent of its transactions going to small businesses, about 90 percent.

Most of us tend to think about those as all direct loans, but they aren't. The fact of the matter is the bulk of them are what we would call accounts receivable insurance.

But there are also revolving lines of credit. There are also loan guarantees, not actual direct loans. And these, again, are small businesses.

These are businesses like Manhasset Specialty Company in Yakima, Washington, which makes music stands and has a global market. Thirty-five percent of its sales are exports, and a good portion of them are assisted by the Export-Import Bank.

In my district, Pexco in Fife, Washington, makes traffic control equipment. They are growing their export business with the assistance of the Export-Import Bank. So it is the small businesses that first will feel the damage.

But for those of you who say, yes, but the biggest share of the dollars go to big businesses, let's go back to Economics 101.

A lot of people point to Boeing. Ladies and gentlemen, Boeing does not manufacture airplanes. If that surprises you, please pay attention to what I am about to say.

Boeing does not manufacture airplanes. They design them. They assemble them with the assistance of 15,000 businesses in their supply chain, about half of whom are small businesses.

In the tiny town of Puyallup, relatively speaking, in my district, there are 17 businesses within the city limits whose principal customer is Boeing.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. POLIS. I yield the gentleman an additional 30 seconds.

Mr. HECK of Washington. Small businesses will be hurt first. Over the long term, big businesses will be hurt.

I did not say earlier lightly. I did not say earlier in hyperbole that we will have major announcements causing grievous damage to the manufacturing base of America. We cannot allow that to happen.

We simply must, for the sake of small businesses and for the sake of our manufacturing base, reauthorize the Export-Import Bank. It reduces the deficit. It creates jobs.

Mr. SESSIONS. Mr. Speaker, I will continue to reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield myself the remainder of my time.

Mr. Speaker, I ask unanimous consent to insert the text of my amendment in the RECORD along with extraneous material immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. POLIS. Mr. Speaker, I strongly urge my colleagues to vote ''no'' and defeat the previous question so we can bring forward the bipartisan effort to reauthorize the Export-Import Bank.

Now, again, I have a great deal of sympathy and respect for my colleagues who believe that these kinds of back-door subsidies have no place in a global trade regime. That is a reasonable and defensible viewpoint.

The proper avenue to advocate for that is multilaterally. There are a lot of ways that companies have and will and governments have and do try to give themselves a nationalistic advantage in international trade.

In the competition between Airbus and Boeing alone, books could be written about the efforts of both sides—whether it is our side through military contracts; whether it is their side, Europe—to give back-door allowable subsidies that put their own companies at an advantage.

If we unilaterally fail to reauthorize the Export-Import Bank, we are putting American exporters at a disadvantage because the dozens of other countries that engage in these allowable kinds of credit facilities will still do so to the detriment of American jobs and American businesses.

We recently had a debate in these very Chambers about trade promotion authority. Soon there will be discussions about TPP and T-TIP.

Where was that discussion around TPA in the instructions to the President about credit facilities and Export-Import Bank and what would and wouldn't be allowable?

These kinds of discussions need to be had multilaterally. To unilaterally disarm makes no sense.

Even if one ideologically believes that we should not be engaging in these efforts, surely what is more important and what trumps that is to make sure that this is not a part of the global trade regime.

So long as it is, for America not to engage in this allowable practice of credit facilities extended through the Export-Import Bank puts American jobs at a disadvantage, will lead to further outsourcing of American jobs and hurt American businesses.

Mr. Speaker, this rule covers two significant, but wholly unrelated, bills. We have heard arguments here in this limited time, this limited debate, about Federal highway funding, about veterans' care and VA workers, about the Export-Import Bank.

I am sure, Mr. Speaker, that many viewers are confused as to what we are even talking about or how is it even possible that, in 1 hour, we are covering the transportation needs of our country, the VA system, and a program allowable under trade rules that helps make American companies more competitive.

Unfortunately, rather than continuing our work next week, the majority has put several pieces of disparate legislation into a grab bag in a smoky backroom manner that, unfortunately, will continue to fail to address the most important transportation concerns or the already expiration of the Export-Import Bank before this body goes home for a month.

It is unfortunate that, under this rule, this institution is not even allowed to bring forward an amendment we know would pass to reauthorize the Export-Import Bank.

It is a shame that veterans' issues have somehow been combined with a highway issue and a minibus that detracts from transparency.

That is why I urge my colleagues to vote ''no'' and defeat the previous question. Vote ''no'' on the rule.

I yield back the balance of my time.

Mr. SESSIONS. Mr. Speaker, I yield myself the balance of my time.

I want to thank not only the gentleman from Colorado (Mr. POLIS), but also our colleagues on the Democratic side of the aisle who I thought most generously fought this battle today.

The bottom line is that they know and we know, Mr. Speaker, that we are addressing two vitally important issues that Congress must step up to the plate on.

One is a request that comes directly from the VA, for us to fund a gap of $3.4 billion that is necessary to fund hospitals of the VA to make sure that they are able to provide services to our veterans. It is critical. To vote against that I think is a mistake.

I think to vote for a chance where Republicans are trying to balance the needs through not only the appropriators—HAL ROGERS, our chairman, JEFF MILLER, our Veterans Committee chairman, are trying to come together, Mr. Speaker, to put together the money and the need to run the business based upon a reality discussion with the Secretary of Veterans Affairs of their need to run the business, to have the money, but also to have the managerial abilities to move their employees that are not performing satisfactorily, employees who do have an oath as healthcare providers to do their very best and to be honest about the scheduling and the proper procedures necessary to our veterans.

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What this rule is about and the underlying legislation is vital—vital—to our Nation's veterans. That is why we are here today.

Now, secondly, we are here because Republicans want to make sure that we are faithful. We understand that, in each of our congressional districts, that we are active and involved to try and ensure that the roads and bridges and railways and ports and all these activities that deal with infrastructure and transportation are continuing down a pathway without us getting frustrated, without us throwing up our hands and giving up, but actually to work with the existing chairman, who is doing an awesome job, BILL SHUSTER, to make sure that we are putting forth the money—PAUL RYAN, chairman of

the Ways and Means Committee—trying to find the money necessary, lots of hard work, hours of discussion, moving towards a correct target.

In this process, we have our colleagues on the other side of this wall—who are literally there now as they are working in the Rotunda—to move legislation; we are allowing them that time because they are moving a transportation bill as we speak, but it is a 1,000-page bill.

Mr. Speaker, I am not in favor and I think my colleagues in here are not in favor and BILL SHUSTER is not, which is really what matters, as the chairman, to say give me a shot at looking at the bill when they finish it.

Speaker BOEHNER is saying let's make sure we deal with the things that must be dealt with before we go on our work time back home for the month, where we go back home and deal with the American people, because we plan to do this. That is what we are doing.

This is not unusual; it is perfectly normal, but I think we are doing a heck of a job and the right thing to address the issues—veterans, straight up, money, the ability to run their business right, so that we know we have done what we can do; and, secondly, to move transportation.

I think every single Member of this body, Democrat and Republican, should support these because they are worthy ideas about moving us forward, our country. We can look at the American people straight on and say we have addressed two of the issues that were on our plate.

I urge adoption of the rule. I know that our colleagues want to get moving today, so I am going to look forward to debate that will follow. I urge support of the underlying legislation in the bills.

Mr. HINOJOSA. Mr. Speaker, I rise to oppose this rule and support the gentleman's motion to defeat the previous question—in order to allow for a vote on the Export-Import Bank reauthorization.

Re-authorizing the Export-Import Bank is an economic imperative and letting it lapse before Congress goes on Recess is completely irresponsible and inexcusable.

The bank is an unbridled, market-driven success story which has broad bipartisan support in both Houses of this Congress as well as support from the majority of Americans.

The bank supports hundreds of thousands of good paying jobs in this country. If we fail to act, we will shut off a lifeline for many of our small businesses and exporters.

In my District alone, the Bank has supported thousands of small business and manufacturing jobs. These are good jobs in a very high-need area that would not have been possible without the Bank, and which now are in danger.

Mr. Speaker, we should let the will of the people work its way and allow a vote on the Reauthorization of the Ex-Im Bank.

The material previously referred to by Mr. POLIS is as follows:

AN AMENDMENT TO H. RES. 388 OFFERED BY MR. POLIS OF COLORADO

Strike section 2 of the resolution and insert:

SEC. 2. Upon adoption of this resolution, it shall be in order to consider in the House the bill (H.R. 3236) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, to provide resource flexibility to the Department of Veterans Affairs for health care services, and for other purposes. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided among and controlled by the respective chairs and ranking minority members of the Committees on Transportation and Infrastructure, Ways and Means, and Veterans' Affairs; (2) the amendment specified in section 3 of this resolution, which shall be considered as pending following the conclusion of such debate, shall be in order without intervention of any point of order, shall be considered as read, shall be separately debatable for one hour equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services or their respective designees, shall not be subject to amendment, and shall not be subject to a demand for a division of the question; and (3) one motion to recommit with or without instructions.

SEC. 3. The amendment referred to in section 2 of this resolution is as follows:

Page 3, after the table of contents, insert the following:

TITLE V—EXPORT-IMPORT BANK

Sec. 5001. Short title.

Subtitle A—Taxpayer Protection Provisions and Increased Accountability

Sec. 5101. Reduction in authorized amount of outstanding loans, guarantees, and insurance.
Sec. 5102. Increase in loss reserves.
Sec. 5103. Review of fraud controls.
Sec. 5104. Office of Ethics.
Sec. 5105. Chief Risk Officer.
Sec. 5106. Risk Management Committee.
Sec. 5107. Independent audit of bank portfolio.
Sec. 5108. Pilot program for reinsurance.

Subtitle B—Promotion of Small Business Exports

Sec. 5201. Increase in small business lending requirements.
Sec. 5202. Report on programs for small and medium-sized businesses.

Subtitle C—Modernization of Operations

Sec. 5301. Electronic payments and documents.
Sec. 5302. Reauthorization of information technology updating.

Subtitle D—General Provisions

Sec. 5401. Extension of authority.
Sec. 5402. Certain updated loan terms and amounts.

Subtitle E—Other Matters

Sec. 5501. Prohibition on discrimination based on industry.
Sec. 5502. Negotiations to end export credit financing.
Sec. 5503. Study of financing for information and communications technology systems.

At the end of the bill, add the following:

TITLE V—EXPORT-IMPORT BANK

SECTION 5001. SHORT TITLE.

This title may be cited as the ''Export-Import Bank Reform and Reauthorization Act of 2015''.

Subtitle A—Taxpayer Protection Provisions and Increased Accountability

SEC. 5101. REDUCTION IN AUTHORIZED AMOUNT OF OUTSTANDING LOANS, GUARANTEES, AND INSURANCE.

Section 6(a) of the Export-Import Bank Act of 1945 (12 U.S.C. 635e(a)) is amended—

(1) by redesignating paragraph (3) as paragraph (4); and

(2) by striking paragraph (2) and inserting the following:

''(2) APPLICABLE AMOUNT DEFINED.—In this subsection, the term 'applicable amount', for each of fiscal years 2015 through 2019, means $135,000,000,000.

''(3) FREEZING OF LENDING CAP IF DEFAULT RATE IS 2 PERCENT OR MORE.—If the rate calculated under section 8(g)(1) is 2 percent or more for a quarter, the Bank may not exceed the amount of loans, guarantees, and insurance outstanding on the last day of that quarter until the rate calculated under section 8(g)(1) is less than 2 percent.''.

SEC. 5102. INCREASE IN LOSS RESERVES.

(a) IN GENERAL.—Section 6 of the Export-Import Bank Act of 1945 (12 U.S.C. 635e) is amended—

(1) by redesignating subsection (b) as subsection (c); and

(2) by inserting after subsection (a) the following:

''(b) RESERVE REQUIREMENT.—The Bank shall build to and hold in reserve, to protect against future losses, an amount that is not less than 5 percent of the aggregate amount of disbursed and outstanding loans, guarantees, and insurance of the Bank.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date that is one year after the date of the enactment of this Act.

SEC. 5103. REVIEW OF FRAUD CONTROLS.

Section 17(b) of the Export-Import Bank Reauthorization Act of 2012 (12 U.S.C. 635a–6(b)) is amended to read as follows:

''(b) REVIEW OF FRAUD CONTROLS.—Not later than 4 years after the date of the enactment of the Export-Import Bank Reform and Reauthorization Act of 2015, and every 4 years thereafter, the Comptroller General of the United States shall—

''(1) review the adequacy of the design and effectiveness of the controls used by the Export-Import Bank of the United States to prevent, detect, and investigate fraudulent applications for loans and guarantees and the compliance by the Bank with the controls, including by auditing a sample of Bank transactions; and

''(2) submit a written report regarding the findings of the review and providing such recommendations with respect to the controls described in paragraph (1) as the Comptroller General deems appropriate to—

''(A) the Committee on Banking, Housing, and Urban Affairs and the Committee on Appropriations of the Senate; and

''(B) the Committee on Financial Services and the Committee on Appropriations of the House of Representatives.''.

SEC. 5104. OFFICE OF ETHICS.

Section 3 of the Export-Import Bank Act of 1945 (12 U.S.C. 635a) is amended by adding at the end the following:

''(k) OFFICE OF ETHICS.—

''(1) ESTABLISHMENT.—There is established an Office of Ethics within the Bank, which shall oversee all ethics issues within the Bank.

''(2) HEAD OF OFFICE.—

''(A) IN GENERAL.—The head of the Office of Ethics shall be the Chief Ethics Officer, who shall report to the Board of Directors.

''(B) APPOINTMENT.—Not later than 180 days after the date of the enactment of the Export-Import Bank Reform and Reauthorization Act of 2015, the Chief Ethics Officer shall be—

''(i) appointed by the President of the Bank from among persons—

''(I) with a background in law who have experience in the fields of law and ethics; and

''(II) who are not serving in a position requiring appointment by the President of the United States before being appointed to be Chief Ethics Officer; and

''(ii) approved by the Board.

''(C) DESIGNATED AGENCY ETHICS OFFICIAL.—The Chief Ethics Officer shall serve as the designated agency ethics official for the Bank pursuant to the Ethics in Government Act of 1978 (5 U.S.C. App. 101 et seq.).

''(3) DUTIES.—The Office of Ethics has jurisdiction over all employees of, and ethics matters relating to, the Bank. With respect to employees of the Bank, the Office of Ethics shall—

''(A) recommend administrative actions to establish or enforce standards of official conduct;

''(B) refer to the Office of the Inspector General of the Bank alleged violations of—

''(i) the standards of ethical conduct applicable to employees of the Bank under parts 2635 and 6201 of title 5, Code of Federal Regulations;

''(ii) the standards of ethical conduct established by the Chief Ethics Officer; and

''(iii) any other laws, rules, or regulations governing the performance of official duties or the discharge of official responsibilities that are applicable to employees of the Bank;

''(C) report to appropriate Federal or State authorities substantial evidence of a violation of any law applicable to the performance of official duties that may have been disclosed to the Office of Ethics; and

''(D) render advisory opinions regarding the propriety of any current or proposed conduct of an employee or contractor of the Bank, and issue general guidance on such matters as necessary.''.

SEC. 5105. CHIEF RISK OFFICER.

Section 3 of the Export-Import Bank Act of 1945 (12 U.S.C. 635a), as amended by section 5104, is further amended by adding at the end the following:

''(l) CHIEF RISK OFFICER.—

''(1) IN GENERAL.—There shall be a Chief Risk Officer of the Bank, who shall—

''(A) oversee all issues relating to risk within the Bank; and

''(B) report to the President of the Bank.

''(2) APPOINTMENT.—Not later than 180 days after the date of the enactment of the Export-Import Bank Reform and Reauthorization Act of 2015, the Chief Risk Officer shall be—

''(A) appointed by the President of the Bank from among persons

''(i) with a demonstrated ability in the general management of, and knowledge of and extensive practical experience in, financial risk evaluation practices in large governmental or business entities; and

''(ii) who are not serving in a position requiring appointment by the President of the United States before being appointed to be Chief Risk Officer; and

''(B) approved by the Board.

''(3) DUTIES.—The duties of the Chief Risk Officer are—

''(A) to be responsible for all matters related to managing and mitigating all risk to which the Bank is exposed, including the programs and operations of the Bank;

''(B) to establish policies and processes for risk oversight, the monitoring of management compliance with risk limits, and the management of risk exposures and risk controls across the Bank;

''(C) to be responsible for the planning and execution of all Bank risk management activities, including policies, reporting, and systems to achieve strategic risk objectives;

''(D) to develop an integrated risk management program that includes identifying, prioritizing, measuring, monitoring, and managing internal control and operating risks and other identified risks;

''(E) to ensure that the process for risk assessment and underwriting for individual transactions considers how each such transaction considers the effect of the transaction on the concentration of exposure in the overall portfolio of the Bank, taking into account fees, collateralization, and historic default rates; and

''(F) to review the adequacy of the use by the Bank of qualitative metrics to assess the risk of default under various scenarios.''.

SEC. 5106. RISK MANAGEMENT COMMITTEE.

(a) IN GENERAL.—Section 3 of the Export-Import Bank Act of 1945 (12 U.S.C. 635a), as amended by sections 5104 and 5105, is further amended by adding at the end the following:

''(m) RISK MANAGEMENT COMMITTEE.—

''(1) ESTABLISHMENT—There is established a management committee to be known as the 'Risk Management Committee'.

''(2) MEMBERSHIP.—The membership of the Risk Management Committee shall be the members of the Board of Directors, with the President and First Vice President of the Bank serving as ex officio members.

''(3) DUTIES.—The duties of the Risk Management Committee shall be—

''(A) to oversee, in conjunction with the Office of the Chief Financial Officer of the Bank—

''(i) periodic stress testing on the entire Bank portfolio, reflecting different market, industry, and macroeconomic scenarios, and consistent with common practices of commercial and multilateral development banks; and

''(ii) the monitoring of industry, geographic, and obligor exposure levels; and

''(B) to review all required reports on the default rate of the Bank before submission to Congress under section 8(g).''.

(b) TERMINATION OF AUDIT COMMITTEE.—Not later than 180 days after the date of the enactment of this Act, the Board of Directors of the Export-Import Bank of the United States shall revise the bylaws of the Bank to terminate the Audit Committee established by section 7 of the bylaws.

SEC. 5107. INDEPENDENT AUDIT OF BANK PORTFOLIO.

(a) AUDIT.—The Inspector General of the Export-Import Bank of the United States shall conduct an audit or evaluation of the portfolio risk management procedures of the Bank, including a review of the implementation by the Bank of the duties assigned to the Chief Risk Officer under section 3(1) of the Export-Import Bank Act of 1945, as amended by section 5105.

(b) REPORT.—Not later than one year after the date of the enactment of this Act, and not less frequently than every 3 years thereafter, the Inspector General shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a written report containing all findings and determinations made in carrying out subsection (a).

SEC. 5108. PILOT PROGRAM FOR REINSURANCE.

(a) IN GENERAL.—Notwithstanding any provision of the Export-Import Bank Act of 1945 (12 U.S.C. 635 et seq.), the Export-Import Bank of the United States (in this section referred to as the ''Bank'') may establish a pilot program under which the Bank may enter into contracts and other arrangements to share risks associated with the provision of guarantees, insurance, or credit, or the participation in the extension of credit, by the Bank under that Act.

(b) LIMITATIONS ON AMOUNT OF RISK-SHARING.—

(1) PER CONTRACT OR OTHER ARRANGEMENT.—The aggregate amount of liability the Bank may transfer through risk-sharing pursuant to a contract or other arrangement entered into under subsection (a) may not exceed $1,000,000,000.

(2) PER YEAR.—The aggregate amount of liability the Bank may transfer through risk-sharing during a fiscal year pursuant to contracts or other arrangements entered into under subsection (a) during that fiscal year may not exceed $10,000,000,000.

(c) ANNUAL REPORTS.—Not later than one year after the date of the enactment of this Act, and annually thereafter through 2019, the Bank shall submit to Congress a written report that contains a detailed analysis of the use of the pilot program carried out under subsection (a) during the year preceding the submission of the report.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to affect, impede, or revoke any authority of the Bank.

(e) TERMINATION.—The pilot program carried out under subsection (a) shall terminate on September 30, 2019.

Subtitle B—Promotion of Small Business Exports

SEC. 5201. INCREASE IN SMALL BUSINESS LENDING REQUIREMENTS.

(a) IN GENERAL.—Section 2(b)(1)(E)(v) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(1)(E)(v)) is amended by striking ''20 percent'' and inserting ''25 percent''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to fiscal year 2016 and each fiscal year thereafter.

SEC. 5202. REPORT ON PROGRAMS FOR SMALL AND MEDIUM-SIZED BUSINESSES.

(a) IN GENERAL.—Section 8 of the Export-Import Bank Act of 1945 (12 U.S.C. 635g) is amended by adding at the end the following:

''(k) REPORT ON PROGRAMS FOR SMALL AND MEDIUM-SIZED BUSINESSES.—The Bank shall include in its annual report to Congress under subsection (a) a report on the programs of the Bank for United States businesses with less than $250,000,000 in annual sales.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to the report of the Export-Import Bank of the United States submitted to Congress under section 8 of the Export-Import Bank Act of 1945 (12 U.S.C. 635g) for the first year that begins after the date of the enactment of this Act.

Subtitle C—Modernization of Operations

SEC. 5301. ELECTRONIC PAYMENTS AND DOCUMENTS.

Section 2(b)(1) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(1)) is amended by adding at the end the following:

''(M) Not later than 2 years after the date of the enactment of the Export-Import Bank

Reform and Reauthorization Act of 2015, the Bank shall implement policies—

''(i) to accept electronic documents with respect to transactions whenever possible, including copies of bills of lading, certifications, and compliance documents, in such manner so as not to undermine any potential civil or criminal enforcement related to the transactions; and

''(ii) to accept electronic payments in all of its programs.''.

SEC. 5302. REAUTHORIZATION OF INFORMATION TECHNOLOGY UPDATING.

Section 3(j) of the Export-Import Act of 1945 (12 U.S.C. 635a(j)) is amended—

(1) in paragraph (1), in the matter preceding subparagraph (A), by striking ''2012, 2013, and 2014'' and inserting ''2015 through 2019'';

(2) in paragraph (2)(B), by striking ''(I) the funds'' and inserting ''(i) the funds''; and (3) in paragraph (3), by striking ''2012, 2013, and 2014'' and inserting ''2015 through 2019''.

Subtitle D—General Provisions

SEC. 5401. EXTENSION OF AUTHORITY.

(a) IN GENERAL.—Section 7 of the Export-Import Bank Act of 1945 (12 U.S.C. 635f) is amended by striking ''2014'' and inserting ''2019''.

(b) DUAL-USE EXPORTS.—Section 1(c) of Public Law 103–428 (12 U.S.C. 635 note) is amended by striking ''September 30, 2014'' and inserting ''the date on which the authority of the Export-Import Bank of the United States expires under section of the Export-Import Bank Act of 1945 (12 U.S.C. 635f)''.

(c) SUB-SAHARAN AFRICA ADVISORY COMMITTEE.—Section 2(b)(9)(B)(iii) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(9)(B)(iii)) is amended by striking ''September 30, 2014'' and inserting ''the date on which the authority of the Bank expires under section 7''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on the earlier of the date of the enactment of this Act or June 30, 2015.

SEC. 5402. CERTAIN UPDATED LOAN TERMS AND AMOUNTS.

(a) LOAN TERMS FOR MEDIUM-TERM FINANCING.—

Section 2(a)(2)(A) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(a)(2)(A)) is amended—

(1) in clause (i), by striking ''; and'' and inserting a semicolon; and

(2) by adding at the end the following:

''(iii) with principal amounts of not more than $25,000,000; and''.

(b) COMPETITIVE OPPORTUNITIES RELATING TO INSURANCE.—Section 2(d)(2) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(d)(2)) is amended by striking ''$10,000,000'' and inserting ''$25,000,000''.

(c) EXPORT AMOUNTS FOR SMALL BUSINESS LOANS.—Section 3(g)(3) of the Export-Import Bank Act of 1945 (12 U.S.C. 635a(g)(3)) is amended by striking ''$10,000,000'' and inserting ''$25,000,000''.

(d) CONSIDERATION OF ENVIRONMENTAL EFFECTS.—Section (a)(1)(A) of the Export-Import Bank Act of 1945 (12 U.S.C. 635i–5(a)(1)(A)) is amended by striking ''$10,000,000 or more'' and inserting the following: ''$25,000,000 (or, if less than $25,000,000, the threshold established pursuant to international agreements, including the Common Approaches for Officially Supported Export Credits and Environmental and Social Due Diligence, as adopted by the Organisation for Economic Co-operation and Development Council on June 28, 2012, and the risk-management framework adopted by financial institutions for determining, assessing, and managing environmental and social risk in projects (commonly referred to as the 'Equator Principles')) or more''.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to fiscal year 2016 and each fiscal year thereafter.

Subtitle E—Other Matters

SEC. 5501. PROHIBITION ON DISCRIMINATION BASED ON INDUSTRY.

Section 2 of the Export-Import Bank Act of 1945 (6 U.S.C. 635 et seq.) is amended by adding at the end the following:

''(k) PROHIBITION ON DISCRIMINATION BASED ON INDUSTRY.—

''(1) IN GENERAL.—Except as provided in this Act, the Bank may not—

''(A) deny an application for financing based solely on the industry, sector, or business that the application concerns; or

''(B) promulgate or implement policies that discriminate against an application based solely on the industry, sector, or business that the application concerns.

''(2) APPLICABILITY.—The prohibitions under paragraph (1) apply only to applications for financing by the Bank for projects concerning the exploration, development, production, or export of energy sources and the generation or transmission of electrical power, or combined heat and power, regardless of the energy source involved.''.

SEC. 5502. NEGOTIATIONS TO END EXPORT CREDIT FINANCING.

(a) IN GENERAL.—Section 11 of the Export-Import Bank Reauthorization Act of 2012 (12 U.S.C. 635a–5) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking ''Secretary of the Treasury (in this section referred to as the 'Secretary')'' and inserting ''President''; and

(B) in paragraph (1)—

(i) by striking ''(OECD)'' and inserting ''(in this section referred to as the 'OECD')''; and

(ii) by striking ''ultimate goal of eliminating'' and inserting ''possible goal of eliminating, before the date that is 10 years after the date of the enactment of the Export-Import Bank Reform and Reauthorization Act of 2015,'';

(2) in subsection (b), by striking ''Secretary'' each place it appears and inserting ''President''; and

(3) by adding at the end the following:

''(c) REPORT ON STRATEGY.—Not later than 180 days after the date of the enactment of the Export-Import Bank Reform and Reauthorization Act of 2015, the President shall submit to Congress a proposal, and a strategy for achieving the proposal, that the United States Government will pursue with other major exporting countries, including OECD members and non-OECD members, to eliminate over a period of not more than 10 years subsidized export-financing programs, tied aid, export credits, and all other forms of government-supported export subsidies.

''(d) NEGOTIATIONS WITH NON-OECD MEMBERS.—The President shall initiate and pursue negotiations with countries that are not OECD members to bring those countries into a multilateral agreement establishing rules 3 and limitations on officially supported export credits.

''(e) ANNUAL REPORTS ON PROGRESS OF NEGOTIATIONS.—Not later than 180 days after the date of the enactment of the Export-Import Bank Reform and Reauthorization Act of 2015, and annually thereafter through calendar year 2019, the President shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report on the progress of any negotiations described in subsection (d).''.

(b) EFFECTIVE DATE.—The amendments made by paragraphs (1) and (2) of subsection (a) shall apply with respect to reports required to be submitted under section 11(b) of the Export-Import Bank Reauthorization Act of 2012 (12 U.S.C. 635a–5(b)) after the date of the enactment of this Act.

SEC. 5503. STUDY OF FINANCING FOR INFORMATION AND COMMUNICATIONS TECHNOLOGY SYSTEMS.

(a) ANALYSIS OF INFORMATION AND COMMUNICATIONS TECHNOLOGY INDUSTRY USE OF BANK PRODUCTS.—The Export-Import Bank of the United States (in this section referred to as the ''Bank'') shall conduct a study of the extent to which the products offered by the Bank are available and used by companies that export information and communications technology services and related goods.

(b) ELEMENTS.—In conducting the study required by subsection (a), the Bank shall examine the following:

(1) The number of jobs in the United States that are supported by the export of information and communications technology services and related goods, and the degree to which access to financing will increase exports of such services and related goods.

(2) The reduction in the financing by the Bank of exports of information and communications technology services from 2003 through 2014.

(3) The activities of foreign export credit agencies to facilitate the export of information and communications technology services and related goods.

(4) Specific proposals for how the Bank could provide additional financing for the exportation of information and communications technology services and related goods through risk-sharing with other export credit agencies and other third parties.

(5) Proposals for new products the Bank could offer to provide financing for exports of information and communications technology services and related goods, including—

(A) the extent to which the Bank is authorized to offer new products;

(B) the extent to which the Bank would need additional authority to offer new products to meet the needs of the information and communications technology industry;

(C) specific proposals for changes in law that would enable the Bank to provide increased financing for exports of information and communications technology services and related goods in compliance with the credit and risk standards of the Bank;

(D) specific proposals that would enable the Bank to provide increased outreach to the information and communications technology industry about the products the Bank offers; and

(E) specific proposals for changes in law that would enable the Bank to provide the financing to build information and communications technology infrastructure, in compliance with the credit and risk standards of the Bank, to allow for market access opportunities for United States information and communications technology companies to provide services on the infrastructure being financed by the Bank.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Bank shall submit to Congress a report that contains the results of the study required by subsection (a).

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308–311), describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

The Republican majority may say ''the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: ''Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.''

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2) Section 21.3 continues: ''Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. SESSIONS. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. POLIS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on adopting the resolution, if ordered; and suspending the rules and passing H.R. 1300.

The vote was taken by electronic device, and there were—yeas 242, nays 180, not voting 11, as follows:

[Roll No. 483]

YEAS—242

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Chabot
Chaffetz
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—180

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Yarmuth

NOT VOTING—11

Carney
Carter (TX)
Clawson (FL)
Costa
Engel
Eshoo
Levin
Lujan Grisham (NM)
Pelosi
Price, Tom
Wilson (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1416

Mr. LOWENTHAL and Ms. KELLY of Illinois changed their vote from ''yea'' to ''nay.''

Mr. BARTON changed his vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated against:

Ms. ESHOO. Mr. Speaker, I was not present during rollcall vote No. 483. I would like to reflect that on rollcall vote No. 483 I would have voted ''no.''

(By unanimous consent, Mr. DENT was allowed to speak out of order.)

WASHINGTON KASTLES CHARITY CLASSIC

Mr. DENT. Mr. Speaker, I am gathered here today with some of my colleagues because we participated in the Washington Kastles Charity Classic. We had a wonderful time for charity.

I just wanted to mention this. The Washington Kastles, who were founded in 2008 and is the tennis team for the city of Washington, have made more than $1 million in charitable donations.

The Charity Classic is an extension of those efforts, with 100 percent of the ticket proceeds benefiting Tragedy Assistance Program for Survivors, or TAPS, the DC Public Education Fund, and Food & Friends.

Fans can choose which organization they support. It is a great cause.

We had a tennis match, Stars v. Stripes. I am sorry to report that the Stars defeated the Stripes, having been in the Stripes the last 3 years. They finally won one, but we are very excited for them. It is nice to be talking about something other than golf on the House floor.

I also wanted to acknowledge one person with us here today, Martina Hingis, who is in the audience. She is up there in the gallery. She just won Wimbledon Doubles Championship, women's and mixed doubles. She won both the women's doubles title and the mixed doubles title. She is on the Washington Kastles.

We just wanted to acknowledge all the folks who played: Representatives SCOTT, DOLD, YODER, BUSTOS and BEATTY. Where is JARED HUFFMAN with the big serve? He is back there.

We had a wonderful time. Senator FLAKE, Senator MERKLEY, and the rest of the Kastles could not be with us today. They are traveling. But we just wanted to thank them all for this wonderful effort. We need more tennis.

At this time we would like to present this trophy, this cup, from the Stripes to the Stars, who defeated us.

The SPEAKER pro tempore (Mr. FORTENBERRY). Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. POLIS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 243, noes 183, not voting 7, as follows:

[Roll No. 484]

AYES—243

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Chabot
Chaffetz
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—183

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—7

Carney
Carter (TX)
Clawson (FL)
Engel
Levin
Lujan Grisham (NM)
Price, Tom

□ 1427

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

FIRST RESPONDER ANTHRAX PREPAREDNESS ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 1300) to direct the Secretary of Homeland Security to make anthrax vaccines and antimicrobials available to emergency response providers, and

for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. KING) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 424, nays 0, not voting 9, as follows:

[Roll No. 485]

YEAS—424

Abraham
Adams
Aderholt
Aguilar
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carson (IN)
Carter (GA)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guinta
Guthrie
Gutiérrez
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins
Hill
Himes
Hinojosa
Holding
Honda
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Jordan
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Labrador
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lee
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Luján, Ben Ray (NM)
Lummis
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Massie
Matsui
McCarthy
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Pallone
Palmer
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pittenger
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price (NC)
Quigley
Rangel
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Ryan (WI)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Stutzman
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—9

Carney
Carter (TX)
Clawson (FL)
Engel
Foster
Jones
Levin
Lujan Grisham (NM)
Price, Tom

□ 1435

Mr. SANFORD changed his vote from ''nay'' to ''yea.''

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

VA ACCOUNTABILITY ACT OF 2015

GENERAL LEAVE

Mr. MILLER of Florida. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and add any extraneous material in the RECORD on H.R. 1994, as amended.

The SPEAKER pro tempore (Mrs. WALORSKI). Is there objection to the request of the gentleman from Florida?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 388 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 1994.

The Chair appoints the gentleman from Nebraska (Mr. FORTENBERRY) to preside over the Committee of the Whole.

□ 1538

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 1994) to amend title 38, United States Code, to provide for the removal or demotion of employees of the Department of Veterans Affairs based on performance or misconduct, and for other purposes, with Mr. FORTENBERRY in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Florida (Mr. MILLER) and the gentleman from California (Mr. TAKANO) each will control 30 minutes.

The Chair recognizes the gentleman from Florida.

Mr. MILLER of Florida. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, my bill would provide the Secretary of the Department of Veterans Affairs with yet another tool to instill accountability, much-needed accountability at the Department of Veterans Affairs, by allowing him or her to remove or demote any employee for poor performance or misconduct.

The bill also contains language to protect—and let me say that again to the Members here on the floor, to protect—whistleblowers by stipulating that an employee may not be removed under this new authority if they have an open claim at the Office of Special Counsel until that claim is closed.

Now, to add even more protections for those who blow the whistle at VA, my bill would also set up a new process to be used in addition to any other process that is currently allowed by law, which would protect whistleblowers from retaliation by removal while they bring issues to light up through their chain of command.

My bill also makes changes to the Senior Executive Service performance evaluation system. It also allows the Secretary to recoup a portion of an SES employee's retirement benefits if they are convicted of a felony related to their work performance and limits

paid administrative leave to 14 days within a 1-year timeframe for any VA employee. H.R. 1994, as amended, would also extend to 18 months the probationary period for all new VA employees to ensure a complete evaluation before offering permanent status.

Finally, Mr. Chairman, my bill requires that GAO do a study on time and space that is spent on union activities. I agree with all of my colleagues that a great majority of VA's employees are hard-working public servants who are dedicated to providing the quality health care and benefits that our veterans have earned, and I am sure that the majority of these employees who are dedicated to the mission of the Department are just as frustrated as most of us are that problem employees continue to be moved to new positions or placed in a corner as opposed to removing them from the payroll.

We have seen how the presence of poor performers and misconduct ranging from unethical practices to outright criminal behavior can spread like a cancer throughout the workforce. When the Secretary comes across this presence of poor performance or misconduct, as we have seen time and time again across our country, such as Phoenix, Denver, central Alabama, Philadelphia, Los Angeles, in my home State of Florida, and in many other places across our Nation, it is nearly impossible to remove that cancer in a reasonable amount of time due to current civil service rules.

This is not just my view. A recent GAO study found that it can take 6 months to a year, or sometimes significantly longer, Mr. Chairman, to fire poor performing government employees. More telling, last month, VA's Deputy Secretary Gibson sat before our Committee on Veterans' Affairs and admitted that it was too difficult to fire a substandard employee. We should all agree that it defies common sense for it to take many months or even years to fire a poor performing employee at VA.

We, as Members of Congress, and the American citizens appreciate the sacrifices that our veterans have made and always argue that they deserve nothing but the highest quality care and treatment, but in my view, bad employees mean bad customer service and an impediment to the quality services that our veterans have earned. If we truly want for our veterans to have the very best, then the status quo simply is no longer acceptable.

I know there are concerns that this bill will hurt the Department's ability to recruit and retain good employees and hurt employee morale, but I think nothing could be further from the truth. The best way to improve morale is to get rid of the causes of the dysfunction that we currently see at the VA. Nobody enjoys working for an organization that fails to hold poor performance accountable, and the only employees the VA should want to recruit are those who want to work in an environment where they know everyone is respected and can be held accountable for their actions.

Some have also said that this bill is not needed because VA fires employees all the time, but the raw numbers, Mr. Chairman, just don't tell that story. Following a year in which we witnessed the biggest scandal in VA history, only three—let me repeat, three—employees of a workforce of over 340,000 people have been successfully fired for wait time manipulation. These numbers, or lack thereof, make it clear that more work needs to be done to turn the tide at VA and change the culture within the Department.

□ 1445

That is why this legislation is not punitive but is necessary if we truly want the Secretary to make the changes this Congress, the American people, and, most importantly, our veterans expect to see made.

I know that the unions oppose this and continue to compare my bill to current law in an attempt to illustrate what they think my bill is lacking, in their opinion; but comparing my bill to current law ignores the far too often egregious effects of current civil service laws which have contributed to the scandals at VA.

Yes, the bill before us today is different from current law, because the current law needs to be changed, and that is what I and many of my colleagues are trying to accomplish with this legislation. Despite our attempts to reach a measure of common ground with the unions, they have made it clear from the beginning that pretty much anything but the status quo will not garner their support.

Well, we have proven that the status quo is not working. It is failing the mission of the Department of Veterans Affairs, and it is failing the veterans the VA is supposed to serve. Mr. Chairman, it is time for a change. The Secretary needs the ability to make real reforms, and he needs to be able to do it quicker than the current average timeline of 6 to 12 months to remove a single employee.

It has also come to my attention that the administration has recently come out saying that they strongly oppose the bill and could potentially veto it if it arrives at the President's desk; but this removal authority for all VA employees is modeled after the same authority provided in the Choice Act that was passed by the House and the Senate and signed by the President last summer, the same authority that, at the bill signing almost exactly this time last year, the President said: ''If you engage in an unethical practice, if you cover up a serious problem, you should be fired . . . It shouldn't be that difficult.''

Mr. Chair, I am not sure why the President has changed his position almost exactly a year later.

The voice of the unions should not be heard over the voice of our veterans. We need to continue to push for the same change we pushed for last year. Now is not the time to change our belief in the need for greater accountability within VA.

Our veterans still expect us to continue to advocate for them as more and more of VA's missteps are brought to light every single day, whether they are on the front page of the paper or not. We cannot continue to put the needs of employees whose performance or misconduct would not be tolerated in the private sector ahead of our Nation's veterans because we are scared of change or because we don't want to upset the unions.

Ladies and gentlemen, if we do not at least try to give the Secretary the tools he or she needs to hold VA employees accountable, then we as a Congress are just as culpable for any future VA failures as the antiquated civil service laws that foster those failures now.

There is not a doubt in my mind that all of my colleagues here today care for our Nation's veterans; but today, we can decide to stand with our veterans or we can decide to stand with the status quo, which I believe has failed them and the American public for far too long.

I reserve the balance of my time.

HOUSE OF REPRESENTATIVES, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,
Washington, DC, July 27, 2015.

Hon. JEFF MILLER,
Chairman, Committee on Veterans' Affairs, Washington, DC.

DEAR MR. CHAIRMAN: I write concerning H.R. 1994, the VA Accountability Act of 2015, as amended by the Committee on Veterans' Affairs. As you know, the Committee on Veterans' Affairs received an original referral and the Committee on Oversight and Government Reform a secondary referral when the bill was introduced on April 23, 2015. I recognize and appreciate your desire to bring this legislation before the House of Representatives in an expeditious manner, and accordingly, the Committee on Oversight and Government Reform will forego action on the bill, as amended.

The Committee takes this action with our mutual understanding that by foregoing consideration of H.R. 1994, as amended, at this time, we do not waive any jurisdiction over the subject matter contained in this or similar legislation. Further, I request your support for the appointment of conferees from the Committee on Oversight and Government Reform during any House-Senate conference convened on this or related legislation.

Finally, I would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during floor consideration, to memorialize our understanding.

Sincerely,

JASON CHAFFETZ.
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON VETERANS AFFAIRS,
Washington, DC, July 27, 2015.

Hon. JASON CHAFFETZ,
Chairman, House Committee on Oversight and Government Reform, Washington, DC.

DEAR CHAIRMAN CHAFFETZ: In reference to your letter on July 27, 2015, I write to confirm our mutual understanding regarding H.R. 1994, as amended, the ''VA Accountability Act of 2015.''

I appreciate the house Committee on Oversight and Government Reform's waiver of consideration of provisions under its jurisdiction and its subject matter as specified in your letter. I acknowledge that the waiver was granted only to expedite floor consideration of H.R. 1994, as amended, and does not in any way waive or diminish the House Committee on Oversight and Government Reform's jurisdictional interests over this legislation or similar legislation. I will support a request from the House Committee on Oversight and Government Reform for appointment to any House-Senate conference on H.R. 1994, as amended. Finally, I will also support your request to include a copy of our exchange of letters on this matter in the Congressional Record during floor consideration.

Again, thank you for your assistance with these matters.

With warm personal regards, I am

Sincerely,

JEFF MILLER,
Chairman.

Mr. TAKANO. Mr. Chairman, I yield myself such time as I may consume.

I rise in opposition to H.R. 1994. We are all frustrated that the VA is not moving fast enough to hold bad employees accountable, but I do not believe H.R. 1994 would lead to real, long-term accountability at the VA. In fact, I believe it would have the opposite effect by possibly shielding poor-performing VA employees from ever being removed.

This bill violates longstanding Supreme Court precedent regarding our Constitution's promise of due process rights. Our Constitution guarantees that we cannot be deprived of life, liberty, or property without due process of law. Our veterans were willing to lay down their lives to defend this basic promise.

The Supreme Court of the United States has determined that our Constitution gives Federal employees the right to due process, meaning fair notice and a chance to respond, before losing their jobs. As lawmakers, we do not have the power to revoke this constitutional principle of fairness and due process for a select group of people, no matter how outraged we may feel. I believe it is wrong to assume that VA employees are guilty until proven innocent.

If H.R. 1994 were enacted, I believe courts could very well overturn any removals as a violation of those employees' due process rights. They could then reinstate and give backpay to those who were removed. Bad employees would become permanent fixtures at the VA.

We all agree that VA needs to use the current tools it has more vigorously to remove poor-performing employees, but we should not throw out important constitutional protections to arbitrary actions simply because some claim it is too difficult to follow the law or be faithful to our basic principles of fairness.

H.R. 1994 would provide a new tool to VA managers, but perhaps not the tool imagined by its supporters. Bad managers and political appointees would have the ability to threaten the livelihoods of honest VA workers trying to follow VA regulations and policy, thus reinforcing the culture of fear and reluctance to speak out against poor management or malfeasance at the VA. If these employees were fired, they would have very little opportunity to tell their side of the story.

H.R. 1994 would make VA the only at-will workplace within the Federal Government. Veterans desperately need our Nation's top doctors, nurses, and counselors to choose to work at the VA, and it is already hard enough to recruit them away from the private sector.

An article last week in USA Today found that VA has 41,500 unfilled medical jobs, ''forcing vets into costly private care.'' Removing basic civil service protections—and basic fairness—would make VA an even less desirable place to work and add to these recruiting woes.

Keep in mind that over 30 percent of VA employees are veterans themselves. They deserve better than to find themselves in a workplace that strips them of basic constitutional protections—again, protections that they fought to defend.

This bill is nothing more than an attempt to destroy the civil service using the VA as a test case. It would empower the very individuals who have often perpetuated the worst VA scandals—VA managers—to threaten the livelihood of hard-working, frontline VA employees and silence the voices of the whistleblowers we rely on to tell us when something is wrong.

For all of our frustration with the VA, the continued existence of a nonpartisan civil service is vital if we are to fix the mess at the VA and provide our veterans with the benefits and services that we have promised them and that they have earned.

As the Merit Systems Protection Board has stated in a report from May: ''Due process is available for the whistleblower, the employee who belongs to the 'wrong' political party, the reservist whose periods of military service are inconvenient to the boss, the scapegoat, and the person who has been misjudged based on faulty information. Due process is a constitutional requirement and a small price to pay to ensure the American people receive a merit-based civil service rather than a corrupt spoils system.''

We should not, under the guise of ''accountability,'' destroy one of the best tools we have to provide the benefits and services we have promised our veterans. That tool is a nonpartisan and nonpolitical VA workforce.

We need to take steps to protect the vast majority of the high-performing VA workforce from being fired at the whim of capricious or retaliatory managers or political appointees, not to make it even easier.

I believe H.R. 1994 violates our Constitution. The administration has issued a veto threat, and if enacted, H.R. 1994 would not stand up in a court of law. Ultimately, veterans would be harmed the most when courts overturn this policy and then reinstate bad employees at the VA.

Instead of scapegoating the vast majority of hard-working VA employees, Congress should look for real opportunities to reform our civil service in a manner that is constitutional, while providing adequate resources and better policies to provide outcomes at the VA.

I reserve the balance of my time.

Mr. MILLER of Florida. Mr. Chairman, it is amazing that every single Democrat in the Congress last year voted in favor of the very same rules and regulations.

I yield 1½ minutes to the gentleman from Colorado (Mr. LAMBORN), from the Fifth Congressional District.

Mr. LAMBORN. Mr. Chairman, I rise in strong support of H.R. 1994, and I thank Chairman MILLER for bringing this critical issue to light.

Like the chairman, I am on the side of veterans, and we in this Nation have a sacred trust to take care of the men and women who have defended our freedom. Without accountability in the VA, we cannot properly care for our veterans. While I believe the great majority of VA employees are dedicated and hard-working Americans doing the right thing for our veterans, there are those in the VA who have not acted in the best interest of our veterans, and these individuals must be terminated.

The fact that only three employees were successfully fired due to wait time manipulations is a disgrace. The current system is broken. Poor and mediocre performance that endangers our veterans should not be tolerated.

H.R. 1994 will help remove bad actors more easily from the VA system, enabling the remaining dedicated employees to better serve our veterans. The bill will protect whistleblowers.

Accountability in the VA needs to happen now, and I urge my colleagues to support H.R. 1994.

Mr. TAKANO. Mr. Chairman, may I inquire as to how much time is remaining?

The CHAIR. The gentleman from California has 23 minutes remaining.

Mr. TAKANO. Mr. Chairman, I yield myself such time as I may consume.

Just in quick response to my good friend, Chairman MILLER, bringing up

the issue of the SES provision, yes, most of us did vote for the Choice Act, the provision that dealt with the SES reform to make it easier to fire those employees. That number of employees is a very small number. It is about 400. We are talking about addressing the entire 300,000-strong employees.

Let me just say that at the time I wish we had spent more time reviewing the constitutionality. I do believe the constitutionality of that action is also in question.

Mr. MILLER of Florida. Will the gentleman yield?

Mr. TAKANO. I yield to the gentleman from Florida.

Mr. MILLER of Florida. I thank my good friend for yielding, but I would also say that the Constitution of the United States protects even a single individual. So to say that it is only a small group should not be anything in this discussion.

I would assure you that the President of the United States would have had ample time to be able to go through and review it before he signed it into law.

Mr. TAKANO. Reclaiming my time, let me just say that I believe the Constitution applies to the Senior Executive Service as well as all of the 300,000 employees of the Veterans Administration.

I yield 2 minutes to the gentlewoman from Nevada (Ms. TITUS).

Ms. TITUS. Mr. Chairman, as a member of the House Veterans' Affairs Committee, I rise in strong opposition to H.R. 1994, the so-called VA Accountability Act of 2015.

We all agree on the importance of accountability for those who care for our Nation's heroes, but this is the wrong way to go about it. We are indeed throwing out the baby with the bathwater.

My colleagues have outlined a number of reasons to oppose this legislation, including questionable constitutionality, the elimination of longstanding and important due process procedures for employees, and the damage it would do to whistleblower protections; but I would like to focus on the big picture, on the impact this will have on VA employees, many of whom are veterans themselves, and on our efforts to recruit the best employees possible to serve our veterans.

□ 1500

This legislation takes VA employees, from janitors who clean the facilities and guards who protect the hospital, to the nurses caring for our Nation's heroes and the doctors providing critical care for our veterans, and moves them into second-class status.

If H.R. 1994 passes, we will create a two-tiered Federal system, with VA employees less respected, less rewarded, and less protected than others. The VA already struggles to attract the best and brightest to serve our Nation's heroes. If this legislation passes, we will make it even harder to recruit and retain the most qualified and best trained workforce at the VA.

I know this because, in Las Vegas, we face challenges to fully staff our brand-new state-of-the-art hospital, and if the bill passes, we will lose an important recruitment tool, and our veterans will be the ones who are hurt.

Let's not fool ourselves here. This is just another piece of the Republican agenda to demonize public employees and privatize government services. Today, it is the VA. Tomorrow, it will be another agency that they don't like—who knows, the EPA, the TSA, the FAA, the USDA.

I urge my colleagues to oppose this legislation. Don't ''Scott Walkerize'' the Federal Government.

Mr. MILLER of Florida. Mr. Chairman, I yield 2 minutes to the gentleman from Florida (Mr. BILIRAKIS), vice chairman of the full committee and my colleague from the Second Congressional District of Florida.

Mr. BILIRAKIS. Mr. Chairman, I rise today to support the VA Accountability Act. The brave women and men who return from serving our country should be able to receive timely access to quality care. Our veterans have earned our respect and admiration.

In general, I believe that most employees at the VA are dedicated to our Nation's heroes. However, a culture of mediocrity has permeated the VA. Too many employees who perform terribly are not fired.

This bill before us today will allow the VA Secretary to fire employees more easily, but the heart of this issue is about the quality of care for veterans. If bad actors stay at the VA, that hurts veterans.

Opponents speak in hypotheticals, but hypotheticals mean nothing in the face of overwhelming evidence. We know about the real negligence that goes on unpunished. This is a disservice to those who have borne the battle.

The Washington Post reported on a VA employee who took a veteran seeking treatment for drug abuse to a crackhouse in a government vehicle and left the veteran there overnight. Sadly, it took over a year to fire that employee. That is inexcusable.

According to the VA data given to the committee, only three VA employees have been fired since the Arizona wait time scandal, specifically for data manipulation. That is unreasonable.

This bill is needed because our Nation's heroes deserve better. That is the bottom line. We must protect our veterans. Support this bill.

Mr. TAKANO. Mr. Chairman, I yield such time as he may consume to the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Mr. Chairman, I want to start by saying I am in opposition to this accountability bill, but I want to commend the chairman and the ranking member and the rest of the members of the Veterans' Affairs Committee. I think you have done a good job—and I don't come up here and say that too often—because you have made it bipartisan.

Now, what possessed you to bring this bill to the floor and use the word ''accountability,'' I am trying to figure that out because we want accountability. I am a veteran, and I have fought.

I have got a record for 18 years, in the forefront, running point on veterans issues, from waiting for so darn long to get an appointment, to the latest problems we have had in the VA concerning addressing our TBI patients and our post-traumatic stress disorder patients. No one is more disappointed than me in what transpired in the VA last year.

As a vet, I was proud to support the bipartisan VA reform legislation that became law in response, but this bill isn't about making the VA better or ensuring better care and treatment for our veterans.

This bill is about trying to score some political points, an underhanded attempt to strip VA employees, and I don't think you really want to do that, but that is the result.

Mr. MILLER of Florida. Will the gentleman yield?

Mr. PASCRELL. I yield to the gentleman from Florida.

Mr. MILLER of Florida. Did you vote for the Veterans Access Choice and Accountability Act last year?

Mr. PASCRELL. Yes, I did.

Mr. MILLER of Florida. This language is the same language that was in there. It does not take away the rights that you say are being taken away. You voted for the same thing last year.

Mr. PASCRELL. Reclaiming my time, in the context of what we did a year ago and the context of what is now under the guise of accountability is very different to me. I read both bills, the one we voted on last year and this bill.

There is important workplace protections that do not exist in this bill, and that is my position. We cannot start off by blaming unions, blaming the VA.

We have been through this before. There are some bad actors there. We are trying to get rid of them, and I want to get rid of them faster than you want to get rid of them, but I don't want to take down the whole group.

We paint with a very wide brush. We have done this with other Federal agencies. The reality is that the civil service protections available to these employees and all other Federal employees actually protect whistleblowers—that is in the law already—and allow them to come forward when they see wrongdoing, without fearing some retaliation.

Whistleblowers were how we discovered the problems, Mr. Chairman, in the first place. That is how we found out about what was going on in Phoenix and in some other places. Correct me if I am wrong; I think you will agree with me.

I agree that poorly performing employees have no place at the VA—or any other Federal agency for that matter. We agree on both sides of the aisle. We can't—as some have said, you guys are in favor of the vets, and we are not in favor of the vets.

Come on. We are away from that. We did that 15 years ago. That didn't work.

I agree that poorly performing employees have no place at the VA—or any other Federal agency, not just this one. This demonization of government employees that my colleagues are spearheading does not encourage productive work and, frankly, is just plain wrong.

I urge my colleagues to oppose this legislation. We are not going to make these folks any more accountable by demonizing the work.

By the way, just as you can't have community policing without police, you have got to understand, you cannot have service with thousands and thousands of positions being vacant because you don't want to spend the money.

That is at one of the cores; it may not be the most fundamental reason. That is one of the reasons at least why we can't provide service.

The Acting CHAIR (Mr. BYRNE). The Committee will rise informally.

The Speaker pro tempore (Mrs. WALORSKI) assumed the chair.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Brian Pate, one of his secretaries.

The SPEAKER pro tempore. The Committee will resume its sitting.

VA ACCOUNTABILITY ACT OF 2015

The Committee resumed its sitting.

Mr. MILLER of Florida. Mr. Chairman, I don't believe I have mentioned the unions one time, but I now think I understand why the disparity in the vote. The senior executive level that we passed the accountability for last year is nonunionized, and the people that we are talking about today are unionized.

I yield 2 minutes to the gentleman from the First District of Tennessee (Mr. ROE).

Mr. ROE of Tennessee. Mr. Chairman, it is a pleasure to join my colleagues on the House floor today to speak in support of H.R. 1994, the VA Accountability Act, as amended.

I would like to begin by noting that most of the VA's 300,000-plus employees are honest, hard-working folks who get up every day and go to work with the sole intention of helping our veterans, just as they do at Mountain Home VA Medical Center in my hometown of Johnson City, Tennessee.

With the scandals at the VA medical centers and reports of whistleblower retribution, it has become evident that there are more bad apples than we would like to believe.

The VA Accountability Act would provide the flexibility necessary for the Secretary of Veterans Affairs to remove these bad actors and send a message about the type of performance that we expect for our veterans.

Additionally, this bill would provide frontline employees with increased whistleblower protections from retribution from superiors and colleagues through the office of special counsel.

As a member of the Veterans' Affairs Subcommittee on Oversight and Investigations and as a veteran myself, I understand how crucial it is for whistleblowers to continue coming forward with allegations of mismanagement, misconduct, and outright negligence. If whistleblowers don't feel safe stepping forward, we will never, never be able to fix the problems at the VA.

I think it is important to note that nothing in this bill compels the Secretary to remove anyone. Let me say that again. Nothing in this bill requires the Secretary to remove anyone. It simply gives the Secretary the tools necessary to remove bad employees, which would be a welcomed authority, I would think.

Mr. Chairman, we must change the culture at the VA. As the second largest employing Department in the U.S. Government, second only to the Department of Defense, there are far too many bureaucratic hurdles in place to reasonably and responsibly manage it.

Just one thing about spending at the VA, Mr. Chairman, I have been on the Veterans' Affairs Committee since I have been in Congress, 6½ years. The budget is up 74 percent. We are spending the money. We need to spend it more wisely.

I urge my colleagues to support this legislation for our Nation's veterans.

Mr. TAKANO. Mr. Chairman, I am glad that my colleagues on the other side believe that we need to protect whistleblowers. It is precisely the at-will nature, making all of the 200,000 employees of the VA at-will employees, which makes them more vulnerable to the caprices of managers and makes them less likely to want to come forward as whistleblowers.

I yield 2 minutes to the gentleman from Pennsylvania (Mr. CARTWRIGHT).

Mr. CARTWRIGHT. Mr. Chairman, I rise to oppose H.R. 1994, which seeks to transform 300,000 VA personnel to what we call at-will employees, capable of being fired based on anything, including their beliefs and not their merit necessarily. It effectively destroys the civil service as it is and as we know it at the VA.

Now, some jaded colleagues of mine would look at this bill and say it is just a clever attempt to drive a wedge between our Nation's veterans—all of whom we ardently support on both sides of the aisle—between those veterans and the civil servants who serve them at the VA and the unions that represent them.

This bill strips due process rights away from every nonmanagement VA employee, including over 100,000 veterans. That is the key, is that there are 100,000 veterans themselves affected by this bill; and they will lose rights as a result if this bill passes.

Now, H.R. 1994 will have a chilling effect on those willing to speak out, and that has been addressed amply heretofore, but I am here to say it goes beyond whistleblowers. Whistleblowers in this country have a lot of protections.

This goes beyond whistleblowers because, remember, a lot of the bad actors at the VA that have led to the Phoenix situation and the others that we have seen are management people.

Think of it. If we take away the due process rights of employees, not only who would serve as whistleblowers to blow the whistle on bad management conduct, but we take away their rights to due process before they lose their jobs; what we are doing to them is that we are perpetuating this culture of tacit compliance with bad actor managers at VA.

For example, if an employee simply doesn't want to go along with an improper and an unethical practice that a manager is asking him or her to do, that employee right now can say: No, I am not going to do it.

If we pass this bill and they refuse to do it, they can be fired for not doing it. This is not the way to serve our Nation's veterans.

Mr. MILLER of Florida. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan (Mr. BENISHEK), chairman of the Health Subcommittee.

□ 1515

Mr. BENISHEK. Mr. Chairman, today I rise in support of H.R. 1994, legislation to allow the VA Secretary to fire employees because of poor performance or misconduct. I want to thank Chairman MILLER for his strong leadership on this bill.

The VA Committee has been relentless in our pursuit of answers and accountability for our veterans since the wait time scandal first surfaced. And, yet, the VA has only held three individuals responsible for these unacceptable failings.

I am the father of a veteran, and I served our returning heroes as a doctor at the Iron Mountain VA hospital for 20 years. I know exactly the quality of our veterans, and they deserve so much better.

In northern Michigan, we all know that, if you don't do your job, you get fired. It is that simple.

The VA needs to remember that it is not there to serve the VA, it is there to serve our veterans. Until we refocus the VA on this fundamental and sacred mission, we will continue to have the issues of mismanagement and incompetence that have plagued the Department.

This bill takes an important step in that direction. I am pleased to support it. I urge my colleagues to do the same.

Mr. TAKANO. Mr. Chairman, I yield myself such time as I may consume.

I just want to address again the fact that most of us did, in fact, vote for the Veterans Access, Choice and Accountability Act SES provision.

I want to reiterate that the courts—not Congress, not the President—determine whether a law we pass comports with the Constitution.

In hindsight, we should have given that SES provision closer scrutiny. We might have reacted a bit too hastily to the Phoenix scandal. We were all, I think, unified in our outrage.

However, that SES provision is now working its way through the court system and is very well possibly going to be overturned.

I reserve the balance of my time.

Mr. MILLER of Florida. Mr. Chairman, I yield 2 minutes to the gentleman from the First District of Kansas (Mr. HUELSKAMP).

Mr. HUELSKAMP. I thank the chairman. I appreciate the opportunity to speak in support of our legislation.

Mr. Chairman, we do know in the last year there has been a lot of talk about accountability at the VA. Unfortunately, though, there has not been enough action or change by the VA under this administration.

This bill provides much-needed tools to ensure the VA Secretary has the authority and the responsibility to remove corrupt or incompetent employees.

As a Member of Congress, I am simply tired of hearing stories about employees placed on indefinite administrative leave or getting early retirement with full benefits for offenses that should get them fired, if we really cared about the veterans.

Ultimately, here is the purpose of this bill: ending the culture of nonaccountability at the VA. My bill, the Whistleblower Testimony Travel Act, is also included.

It provides much-needed protections for courageous whistleblowers who testify before Congress about the shortfalls of this agency.

It might be hard to believe, Mr. Chairman, but, currently, if a VA whistleblower is invited to testify before Congress, they are required to use their personal vacation time and personally cover all their own travel expenses.

This bill would ensure that brave employees who report to Congress and the public on what is broken within the VA can do so on official time and be compensated by the VA for their travel costs.

Ultimately, this legislation is about protecting our veterans. It is about making sure our veterans are treated with dignity and respect. It is about making certain that our brave veterans have a VA that works for them, not the other way around.

Mr. TAKANO. Mr. Chairman, may I inquire as to the time remaining?

The Acting CHAIR. The gentleman from California has 12 minutes remaining.

Mr. TAKANO. Mr. Chairman, I just want to state for the record that, as of last year, under the current due process regime in effect at the VA, 872 permanent employees were removed, 487 more resigned in lieu of being fired, and 958 probationary employees were terminated.

So it is indeed very possible under the current due process regime for employees to be disciplined and dismissed. We need to work more closely with the VA to make sure that we empower managers to utilize the current processes in place.

I yield 3 minutes to the gentlewoman from Maryland (Ms. EDWARDS).

Ms. EDWARDS. I thank the gentleman from California.

Mr. Chairman, I rise in strong opposition to H.R. 1994, the so-called VA Accountability Act.

I am the daughter of a career servicemember and a veteran. I, too, was outraged last year at the findings that wait time records were falsified at the Department of Veterans Affairs.

But I have to tell you—and it has been said on the other side—my father actually received really good care and services in VA, as hundreds of thousands of veterans do all across this country, by the hundreds of thousands of veteran employees and workers at the VA.

I recall that, in my State of Maryland, 10 percent of our population are veterans, and we are a small State. We all care about veterans and the care that they receive.

Just before adjourning for our August district work period last year, Congress passed and I voted for and the President signed into law the Veterans Access, Choice and Accountability Act.

That law gave the VA Secretary expanded authority to fire or demote Senior Executive Service employees, capped the amount of bonuses the VA could pay each year, and it required the VA to establish penalties for employees who knowingly submit false wait time data.

Well, enough already. Almost 1 year later House Republicans are not only here skipping town early with a whole bunch of unfinished business, but they are spending the last day of the session on an ideological bill that is aimed to disparage Federal employees.

All employees, including Federal employees, must be held to the highest standards for their quality of work and their behavior. There are mechanisms that are in place to enforce those standards for all Federal employees, including those at the Veterans Affairs.

The main provision of the bill would single out nonmanagement VA employees, including over 100,000 veterans in the workforce to be fired or demoted without due process.

We work really closely with our employees at the Baltimore regional office and the Washington, D.C., Medical Center. These people, many veterans themselves, are dedicated. They care deeply about the patients they serve and the mission of the administration.

This legislation is nothing more than a last-minute attempt by House Republicans to terminate, demoralize, and unfairly blame Federal employees and shrink the government so it can't do anything for the American people.

I will work with like-minded Members of Congress who want to do the right thing and provide the right kind of oversight. But this is not the answer, and it would destroy VA's merit-based civil service system.

Let me just say this is not about accountability. It is not about whistleblowers. It is not about improving services for our Nation's veterans.

This bill is nothing more than union-busting. Let's just call it what it is. It is union-busting, and it needs to be stopped.

The House Republicans should be ashamed of trying to use VA employees and Federal employees for their own political gain.

Mr. MILLER of Florida. Mr. Chairman, I would remind the gentlewoman that she voted at the last minute before the August work recess for the Veterans Access, Choice and Accountability Act. The same language is in there now. The only difference is it did not cover union employees. This one does.

I yield 2 minutes to the gentleman from the Sixth District of Colorado (Mr. COFFMAN).

Mr. COFFMAN. Mr. Chairman, I rise in strong support of H.R. 1994, the VA Accountability Act.

You don't have to look any further than my hometown of Aurora, Colorado, to see that the VA is in desperate need of fundamental reforms.

What happens when the VA bursts its budget on a single construction project by over $1 billion? Nobody gets fired. Nobody gets disciplined. Nobody is at fault.

Of course, that is not technically true. The VA was willing to fire one person involved, a whistleblower attempting to warn VA leaders early on of the growing problems with the project.

To make matters worse, the VA didn't just fail to discipline the people

in charge of the Aurora project, but they awarded the VA's construction chief over $600,000 in bonuses and let him retire with a full pension.

There is a culture of bureaucratic incompetence and corruption within the VA which is hurting our Nation's veterans and wasting billions of taxpayer dollars.

The VA Accountability Act is an important step in the right direction, and I urge its full support.

Mr. TAKANO. Mr. Chairman, I yield 2 minutes to the gentlewoman from Florida (Ms. BROWN), the ranking member of the Veterans' Affairs Committee.

Ms. BROWN of Florida. Mr. Chairman, let me just say, first of all, that I have been on this committee for the entire time I have been in Congress, 23 years.

What I have always enjoyed about this committee is the bipartisan nature of this committee. But let me just tell you this bill, H.R. 1994, I do not support.

The gentleman from Florida, Chairman MILLER, has said repeatedly that we voted for this provision in the Choice Act. And the only reason we did it was because these were union people or not union people.

I went to every single meeting, every single conference, and this provision that you are talking about—the devil is always in the details.

Maybe we need to make sure we read every bill closely because I was not—yes, the Secretary has the authority to fire people. But we want to make sure that they have due process.

We are voting to give the VA the additional resources they need to do away with the backlog.

Would the gentleman from Florida respond to that. Because none of us were voting for H.R. 1994. It was a bad year for Congress, a bad year for the American people.

I yield to the gentleman from Florida.

Mr. MILLER of Florida. I would say to the gentlewoman from Florida that, if she would ask a question, I will be more than happy to answer her question.

Ms. BROWN of Florida. Mr. Chairman, Chairman MILLER has said repeatedly that this provision that you have was in the base bill of the Choice program and that we all knew that we were voting to give the Secretary additional authority to fire people.

Mr. MILLER of Florida. That is correct.

The Acting CHAIR. The time of the gentlewoman has expired.

Mr. TAKANO. I yield an additional 1 minute to the gentlewoman.

Ms. BROWN of Florida. Yesterday in the committee I heard someone say that the goal is to close all of the VA facilities and privatize it.

Now, let me be clear that that is not the goal of the Members on the Democratic side.

Mr. MILLER of Florida. Mr. Chairman, I would also say that H.R. 4031 last year was a stand-alone bill that dealt specifically with firing senior executive-level individuals, the same language that is in here now for the rest of the VA.

The Democrats unanimously supported that language in the Veterans Access, Choice and Accountability Act.

I yield 2 minutes to the gentlewoman from the State of Indiana (Mrs. WALORSKI).

Mrs. WALORSKI. Mr. Chairman, I rise today in support of the VA Accountability Act. I also want to thank Chairman MILLER for sponsoring this bill and for his work to reform the Department of Veterans Affairs.

It wasn't long ago that news reports of VA mismanagement made headlines across this country. Reports surfaced of veterans dying due to mismanaged wait times and senior executives receiving bonuses instead of receiving punishment for knowingly allowing this negligence to occur.

Over the past year, the Veterans' Affairs Committee has continued to uncover instances of mismanagement or misconduct by VA employees.

We discovered the VA often does not hold employees accountable for their actions. When the VA attempts to take disciplinary action against an employee, the process is so complicated and lengthy that such action rarely occurs.

In May, VA Deputy Secretary Sloan Gibson admitted that it was very difficult to fire bad employees. For too long, taxpayers have been footing the bill to pay poor-performing employees to provide substandard care to our veterans.

Only in government are special protections put in place that protect those who cannot appropriately do their job.

However, I also recognize there are individuals in the VA who do a great job for our veterans, and they should be commended for that.

This legislation simply builds on last year's law that gave the VA Secretary the authority to remove employees for poor performance or misconduct.

The VA Accountability Act of 2015 expands that power further to the entire VA workforce, giving the Secretary increased authority to remove employees who are not meeting the standards of service that veterans deserve and taxpayers expect.

In addition, the legislation protects whistleblowers and would shorten the appeal period and end what many veterans believe is a never-ending process to remove employees who may be damaging the Department's reputation and, even worse, putting veterans at risk.

□ 1530

This bill takes those steps to ensure our Nation's servicemen and -women receive the care they rightfully deserve.

I urge my colleagues to join me in supporting this bill because our veterans deserve nothing but the best.

Mr. TAKANO. Mr. Chairman, I yield myself such time as I may consume.

I just want to point out we keep getting back to this point about everybody voted for the SES provision that is only now being extended to all employees now, but I want to remind my colleagues that that provision was part of a large, large conference report that included the $10 billion to address the problems we had in Phoenix. There were 1,500 graduate medical education slots. It was a huge, huge, huge bill.

There were a number of people who did have concerns about the provision that affected the SES employees, but given the enormity of the situation we were trying to address, I believe that many folks just believe that it was the best thing to do to come together on a bipartisan basis and pass a bill that addressed the situation in Phoenix.

I also want to address another issue. H.R. 1994 does not protect whistleblowers to the extent that whistleblowers are protected now under the current regime. In fact, it creates extra hurdles for whistleblowers, and I bring this point up because we would not know about the terrible egregious situation in Phoenix without whistleblowers coming forward.

What do I mean by that? This bill does nothing to protect the firing of a whistleblower who has not yet filed an official complaint before they even have the opportunity to report danger to patient safety, wrongdoing, malfeasance, or discrimination.

This bill will encourage bad employees to file for whistleblower status to prevent themselves from being fired, and these bad employees will overburden the office of special counsel with frivolous complaints.

Now, if you are an at-will employee and you are under threat of immediate dismissal, an immediate threat to your livelihood, that is even more of an intimidating situation for that employee not to want to come forward as a whistleblower.

Mr. Chairman, I believe that this bill actually worsens the situation for whistleblowers and does not protect them more; it protects them less. It gives them extra burdens.

I reserve the balance of my time.

Mr. MILLER of Florida. Mr. Chairman, I yield myself such time as I may consume.

I would say that the statutory definition in chapter 5 of a whistleblower ''means a complaint by an employee of the Department disclosing, or assisting another employee to disclose, a potential violation of any law, rule, or regulation, or gross mismanagement, gross waste of funds, abuse of authority, or substantial and specific danger to public health and safety.''

I yield 2 minutes to the gentleman from Louisiana, Dr. Abraham, an ablebodied member of our committee.

Mr. ABRAHAM. Mr. Chairman, I thank the chairman for bringing up this very strong bill which, in my opinion, will be lifesaving for some of our Nation's heroes.

I rise today in support of the VA Accountability Act of 2015. I am a proud original cosponsor of the bill, and I believe the legislation is vital to rooting out the pervasive bureaucracy that plagues the Federal Government.

As a direct result of this broken system, we have seen instances where a VA employee actually took a patient to a crackhouse to get a ''fix.'' It took an entire year for that employee to be fired—an entire year.

As a direct result of this broken system, we have seen senior employees caught participating in retaliation against whistleblowers, only to remain on the job.

As a direct result of this broken system, we have seen employees who were caught manipulating veterans' disability claims.

Do you know what happened to those employees? They were promoted. They received bonuses. This is unacceptable on so many levels, and it is time for it to stop. We have to make the VA work for the veteran. The current law protects those who have forgotten that they work for the veteran, not the other way around.

Even the Veterans Affairs Department's own Deputy Secretary, Sloan Gibson, as you heard before, recently admitted at a congressional hearing that ''it is too hard to fire someone at the VA.'' There is no excuse for those who fail to do their job and then get promoted, none.

H.R. 1994 is a giant step forward in ensuring that good employees are protected, ensuring whistleblowers are protected, and, most importantly, that our Nation's heroes are protected.

I urge my colleagues to stand up for the veterans who have to stand up for us by supporting the VA Accountability Act of 2015.

Mr. TAKANO. Mr. Chairman, I reserve the balance of my time.

Mr. MILLER of Florida. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. COSTELLO), from the Sixth District.

Mr. COSTELLO of Pennsylvania. Mr. Chairman, should the Secretary of the VA be allowed to remove or demote an employee of the Department for poor performance or misconduct? That is the question, as I see it.

Common sense to me dictates that, if an employee is poorly performing or has demonstrated incompetence or dishonesty, as we have seen at VAs in Philadelphia and across the country, we need to be able to get rid of them—common sense.

I hear those who are speaking about due process violations implicit or explicit in this legislation, and I simply just don't see it. For one, there was a law passed last Congress; I wasn't here then, but it was part of a larger, broader bill that brought more money to the VA, and with more money, there should be more accountability. I think that is common sense.

Here is the example: Poorly performing employee, employee who misbehaves, demoted or terminated? Under this bill, that employee, within 7 days, gets to file an expedited appeal with the Merit Systems Protection Board, and then the MSPB would have to make a final decision within 45 days. If you get fired, if you get demoted, if you think that that was wrong, there is a process that is in place to address that.

This comes on the heels of a lot of problems in the VA. We need more accountability, and we need more transparency, and we hear that all the time. This bill addresses that.

This bill also provides more protections to whistleblowers. It is the courageous whistleblowers, through their tenacity, that have brought a lot of the problems forward. This bill seeks to protect them.

I want to thank the chairman for his leadership.

Mr. TAKANO. Mr. Chairman, I yield myself such time as I may consume.

I wish to address this issue of the appeals process that takes place post facto. The Supreme Court decisions and case law make very clear that Federal employees are entitled to due process on the front end and that this bill clearly does not meet that upfront, front-loaded due process moment.

Clearly, 45 days, the Board that makes these decisions, if they don't make a decision, the decision for the firing stands, so they do not have to make a firm decision, and there is no appeal. There is no appeal. That decision is final.

I want to remind my colleagues that the Secretary of the VA hopefully is always appointed by the President with a sense of merit, but I remind you that these are political appointees confirmed by the Senate, as are the top appointees in any Federal department.

You do away with due process rights, you do away with the very cornerstone of a merit-based civil service system. You subject it long term to becoming a spoils system to be dismissed, rehired at the whim of any incoming administration.

I reserve the balance of my time.

Mr. MILLER of Florida. Mr. Chairman, I yield myself such time as I may consume.

My bill provides all employees an appeal to the MSPB. Post-depravation is not an issue; and regarding pre-depravation due process, my bill provides the same protections as the Choice Act, which the MSPB has held does not, on its face, violate the due process clause.

I yield 1 minute to the gentlewoman from American Samoa (Mrs. RADEWAGEN), a new member of our committee.

Mrs. RADEWAGEN. Mr. Chairman, I want to thank Chairman MILLER for introducing this important legislation that will increase accountability in the VA.

For too long, our veterans, including the large number I represent in American Samoa, have been subjected to improper treatment, long wait times, and other serious matters that have yet to be addressed.

This commonsense legislation, of which I am proud to be a cosponsor, will enable the VA to hold those who do not perform their duties accountable, which will surely lead to better services for our veterans. No longer should our veterans come second to lifelong bureaucrats who have gamed the system while our veterans have suffered.

I want to be clear that I believe the vast majority of those VA employees who serve our veterans do so honorably and are dedicated to making sure that those they serve are awarded the services and benefits they have so rightfully earned. However, it is clear that there are some bad apples in the VA, and we must not let them continue to ruin the bunch.

Mr. Chairman, I want to, once again, thank Chairman MILLER for his work on this bill, and I look forward to seeing it signed into law.

Mr. MILLER of Florida. Mr. Chairman, I would like to ask how much time is remaining.

The Acting CHAIR. The gentleman from Florida has 2½ minutes. The gentleman from California has 2 minutes.

Mr. TAKANO. Mr. Chairman, I yield myself such time as I may consume.

I just want to remind my colleagues that the front-end provisions that were accorded to the SES employees, we stripped them completely of the front-end due process.

Only with a regulatory move by the VA itself, instituted a 5-day procedure of due process because they, too, believed that case law required at least some front end, and that was over the objections of many of my colleagues. That rule was over the objections of many of my colleagues.

H.R. 1994 strips away front-end due process for all 348,728 employees, of whom 114,740 are veterans. Before we paint them as faceless bureaucrats, one of every three VA employees is a veteran who has laid their life on the line for our country. I think we need to talk about our VA employees with respect.

Even my good friend, the chairman of the VA committee, has said the vast majority of the employees are good, hard-working, competent, good-intentioned people. They deserve to be treated fairly; they deserve to be treated with respect.

Certainly, our frontline employees, our frontline employees, we need to protect them from a capricious, politically motivated manager who will fire them at will and intimidate them into not being a whistleblower.

I reserve the balance of my time.

Mr. MILLER of Florida. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania (Mr. ROTHFUS).

Mr. ROTHFUS. Mr. Chairman, I rise in strong support of the VA Accountability Act.

In his recent remarks at the VFW national convention in Pittsburgh, Barack Obama discussed the outbreak of Legionnaire's disease at the Pittsburgh VA that killed six veterans and sickened many more.

The Office of the Inspector General concluded that systemic failures and mismanagement at the VA were to blame for the outbreak, and the President stated unequivocally: ''Whenever there are any missteps, there is no excuse.''

Mr. Chairman, that is the essence of the VA Accountability Act. With the enactment of this important legislation, there is no longer any excuse for chronic dysfunction at the VA. There is no excuse for the VA keeping bad employees, placing them on indefinite paid leave, or rewarding them with lavish bonuses. There is no excuse for the VA looking the other way when there is retaliation against courageous whistleblowers.

Simply put, this legislation ensures that there is no excuse for the VA failing our veterans and their families anymore.

I thank the committee for its hard work on this legislation, and I urge my colleagues to support this bill.

□ 1545

Mr. TAKANO. Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

Mr. MILLER of Florida. Mr. Chairman, I yield myself the balance of my time.

In closing, there has been a lot said today about a lack of due process. I do want to remind my colleagues that, in the Cleveland Board of Education v. Loudermill of 1985, it basically states that, if post-deprivation due process includes a full hearing, on appeal, the Supreme Court has long held that predeprivation due process need only be minimal, to only include notice of charges, an explanation of the evidence, and an opportunity to present their side of the story.

In fact, in the Merit Systems Protection Board ruling, the administrative law judge in the Hellman case basically said he did not find the response period was so short—it was 5 days—as to constitute on its face a due process violation, i.e., lack of meaningful opportunity to respond to the charges.

There has been a lot said so far, and I am sure there will be more that will be said on the floor as amendments are brought; but I encourage all of my colleagues to support H.R. 1994, as amended.

I yield back the balance of my time.

Mr. GENE GREEN of Texas. Mr. Chair, I rise today in opposition to H.R. 1994, the VA Accountability Act of 2015. While no Member of this body will deny that there is a need for fundamental and transparent reform at the Department of Veterans Affairs this bill does nothing to address the systematic issues that have plagued the VA.

Currently, VA management has many different routes to hold their employees accountable through existing law. H.R. 1994 would allow the VA to immediately fire employees for poor performance, violating a worker's right to due process. I'm concerned that the bill would effectively make the VA the only ''at-will'' federal agency and this would further deplete the talent and retention of the public servants who serve our veterans.

I fully support Mr. TAKANO's amendment in nature of a substitute which would allow the VA to immediately suspend without pay any employee who's suspected misconducted threatened health or safety then allow the employee to tell their side of the story, preventing cases of political patronage and an increase in false whistleblower cases.

Mr. VAN HOLLEN. Mr. Chair, I rise today in opposition to H.R. 1994, the so-called ''VA Accountability Act of 2015.'' There is nothing more important than providing for the men and women who have made so many sacrifices for our country. However, today's legislation is a fake solution and provides no real fix to the fundamental problems at the VA.

This legislation turns hundreds of thousands of VA employees—including many who served in the armed services and are veteran's themselves—into at-will employees. As a result, this would open the door for political abuse and witch-hunts, effectively creating a mechanism where career federal employees could be removed because of their views or political affiliation. In addition, turning individuals into at-will employees would likely discourage whistleblowers from coming forward out of fear of being terminated. Moreover, if this legislation passes, the Department of Veterans Affairs would be the only federal agency with at-will employment, making it harder to recruit and retain the best and brightest employees who are needed to serve our veterans.

I was disappointed that a substitute amendment offered by Congressman TAKANO was not adopted. Rep. TAKANO's amendment would immediately suspend without pay any employee that is found to put a veteran's health and safety in jeopardy. However, it also ensures that all employees—included whistleblowers—are granted their constitutional right to due process. On the other hand, H.R. 1994 would dismantle civil service protections that have been in place for decades. It would strip away important protections for federal workers and would deny a VA employee the opportunity to appeal a decision to the full Merit Systems Protection Board.

Unfortunately, nothing in this bill addresses the systemic problems that continue to plague the VA health care system. I urge my colleagues to oppose this legislation.

The Acting CHAIR (Mr. HULTGREN). All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

It shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule the amendment in the nature of a substitute recommended by the Committee on Veterans' Affairs, printed in the bill. The committee amendment in the nature of a substitute shall be considered as read.

The text of the committee amendment in the nature of a substitute is as follows:

H.R. 1994

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''VA Accountability Act of 2015''.

SEC. 2. REMOVAL OR DEMOTION OF EMPLOYEES BASED ON PERFORMANCE OR MISCONDUCT.

(a) IN GENERAL.—Chapter 7 of title 38, United States Code, is amended by adding at the end the following new section:

''§ 715. Employees: removal or demotion based on performance or misconduct

''(a) IN GENERAL.—The Secretary may remove or demote an individual who is an employee of the Department if the Secretary determines the performance or misconduct of the individual warrants such removal or demotion. If the Secretary so removes or demotes such an individual, the Secretary may—

''(1) remove the individual from the civil service (as defined in section 2101 of title 5); or

''(2) demote the individual by means of—

''(A) a reduction in grade for which the individual is qualified and that the Secretary determines is appropriate; or

''(B) a reduction in annual rate of pay that the Secretary determines is appropriate.

''(b) PAY OF CERTAIN DEMOTED INDIVIDUALS.—(1) Notwithstanding any other provision of law, any individual subject to a demotion under subsection (a)(2)(A) shall, beginning on the date of such demotion, receive the annual rate of pay applicable to such grade.

''(2) An individual so demoted may not be placed on administrative leave or any other category of paid leave during the period during which an appeal (if any) under this section is ongoing, and may only receive pay if the individual reports for duty. If an individual so demoted does not report for duty, such individual shall not receive pay or other benefits pursuant to subsection (e)(5).

''(c) NOTICE TO CONGRESS.—Not later than 30 days after removing or demoting an individual under subsection (a), the Secretary shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives notice in writing of such removal or demotion and the reason for such removal or demotion.

''(d) PROCEDURE.—(1) The procedures under section 7513(b) of title 5 and chapter 43 of such title shall not apply to a removal or demotion under this section.

''(2)(A) Subject to subparagraph (B) and subsection (e), any removal or demotion under subsection (a) may be appealed to the Merit Systems Protection Board under section 7701 of title 5.

''(B) An appeal under subparagraph (A) of a removal or demotion may only be made if such appeal is made not later than seven days after the date of such removal or demotion.

''(e) EXPEDITED REVIEW BY ADMINISTRATIVE JUDGE.—(1) Upon receipt of an appeal under subsection (d)(2)(A), the Merit Systems Protection Board shall refer such appeal to an administrative judge pursuant to section 7701(b)(1) of title 5. The administrative judge shall expedite any such appeal under such section and, in any such case, shall issue a decision not later than 45 days after the date of the appeal.

''(2) Notwithstanding any other provision of law, including section 7703 of title 5, the decision of an administrative judge under paragraph (1) shall be final and shall not be subject to any further appeal.

''(3) In any case in which the administrative judge cannot issue a decision in accordance with the 45-day requirement under paragraph (1), the removal or demotion is final. In such a case, the Merit Systems Protection Board shall, within 14 days after the date that such removal or demotion is final, submit to Congress and the Committees on Veterans' Affairs of the Senate and House of Representatives a report that explains the reasons why a decision was not issued in accordance with such requirement.

''(4) The Merit Systems Protection Board or administrative judge may not stay any removal or demotion under this section.

''(5) During the period beginning on the date on which an individual appeals a removal from the civil service under subsection (d) and ending on the date that the administrative judge issues a final decision on such appeal, such individual may not receive any pay, awards, bonuses, incentives, allowances, differentials, student loan repayments, special payments, or benefits.

''(6) To the maximum extent practicable, the Secretary shall provide to the Merit Systems Protection Board, and to any administrative judge to whom an appeal under this section is referred, such information and assistance as may be necessary to ensure an appeal under this subsection is expedited.

''(f) WHISTLEBLOWER PROTECTION.—(1) In the case of an individual seeking corrective action (or on behalf of whom corrective action is sought) from the Office of Special Counsel based on an alleged prohibited personnel practice described in section 2302(b) of title 5, the Secretary may not remove or demote such individual under subsection (a) without the approval of the Special Counsel under section 1214(f) of title 5.

''(2) In the case of an individual who has filed a whistleblower complaint, as such term is defined in section 731 of this title, the Secretary may not remove or demote such individual under subsection (a) until the central whistleblower office under section 732(h) of this title has made a final decision with respect to the whistleblower complaint.

''(g) TERMINATION OF INVESTIGATIONS BY OFFICE OF SPECIAL COUNSEL.—Notwithstanding any other provision of law, the Special Counsel (established by section 1211 of title 5) may terminate an investigation of a prohibited personnel practice alleged by an employee or former employee of the Department after the Special Counsel provides to the employee or former employee a written statement of the reasons for the termination of the investigation. Such statement may not be admissible as evidence in any judicial or administrative proceeding without the consent of such employee or former employee.

''(h) RELATION TO TITLE 5.—The authority provided by this section is in addition to the authority provided by subchapter V of chapter 75 of title 5 and chapter 43 of such title.

''(i) DEFINITIONS.—In this section:

''(1) The term 'individual' means an individual occupying a position at the Department but does not include—

''(A) an individual, as that term is defined in section 713(g)(1); or

''(B) a political appointee.

''(2) The term 'grade' has the meaning given such term in section 7511(a) of title 5.

''(3) The term 'misconduct' includes neglect of duty, malfeasance, or failure to accept a directed reassignment or to accompany a position in a transfer of function.

''(4) The term 'political appointee' means an individual who is—

''(A) employed in a position described under sections 5312 through 5316 of title 5 (relating to the Executive Schedule);

''(B) a limited term appointee, limited emergency appointee, or noncareer appointee in the Senior Executive Service, as defined under paragraphs (5), (6), and (7), respectively, of section 3132(a) of title 5; or

''(C) employed in a position of a confidential or policy-determining character under schedule C of subpart C of part 213 of title 5 of the Code of Federal Regulations.''.

(b) CLERICAL AND CONFORMING AMENDMENTS.—

(1) CLERICAL.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''715. Employees: removal or demotion based on performance or misconduct.''.

(2) CONFORMING.—Section 4303(f) of title 5, United States Code, is amended—

(A) by striking ''or'' at the end of paragraph (2);

(B) by striking the period at the end of paragraph (3) and inserting '', or''; and

(C) by adding at the end the following:

''(4) any removal or demotion under section 715 of title 38.''.

SEC. 3. REQUIRED PROBATIONARY PERIOD FOR NEW EMPLOYEES OF DEPARTMENT OF VETERANS AFFAIRS.

(a) PROBATIONARY PERIOD.—

(1) IN GENERAL.—Chapter 7 of title 38, United States Code, as amended by section 2, is further amended by adding at the end the following new section:

''§ 717. Probationary period for employees

''(a) IN GENERAL.—Notwithstanding sections 3321 and 3393(d) of title 5, the appointment of a covered employee shall become final only after such employee has served a probationary period of 18 months. The Secretary may extend a probationary period under this subsection at the discretion of the Secretary.

''(b) COVERED EMPLOYEE.—In this section, the term 'covered employee'—

''(1) means any individual—

''(A) appointed to a permanent position within the competitive service at the Department; or

''(B) appointed as a career appointee (as that term is defined in section 3132(a)(4) of title 5) within the Senior Executive Service at the Department; and

''(2) does not include any individual with a probationary period prescribed by section 7403 of this title.

''(c) PERMANENT HIRES.—Upon the expiration of a covered employee's probationary period under subsection (a), the supervisor of the employee shall determine whether the appointment becomes final based on regulations prescribed for such purpose by the Secretary.''.

(2) CLERICAL AND CONFORMING AMENDMENTS.—

(A) CLERICAL.—The table of sections at the beginning of such chapter, as amended by section 2, is further amended by adding at the end the following new item:

''717. Probationary period for employees.''.

(B) CONFORMING.—Title 5, United States Code, is amended—

(i) in section 3321(c)—

(I) by striking ''Service or'' and inserting ''Service,''; and

(II) by inserting at the end before the period the following: '', or any individual covered by section 717 of title 38''; and

(ii) in section 3393(d), by adding at the end after the period the following: ''The preceding sentence shall not apply to any individual covered by section 717 of title 38.''.

(b) APPLICATION.—Section 717 of title 38, United States Code, as added by subsection (a)(1), shall apply to any covered employee (as that term is defined in subsection (b) of such section 717, as so added) appointed after the date of the enactment of this Act.

SEC. 4. TREATMENT OF WHISTLEBLOWER COMPLAINTS IN DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Chapter 7 of title 38, United States Code, is further amended by adding at the end the following new subchapter:

''SUBCHAPTER II—WHISTLEBLOWER COMPLAINTS

''§ 731. Whistleblower complaint defined

''In this subchapter, the term 'whistleblower complaint' means a complaint by an employee of the Department disclosing, or assisting another employee to disclose, a potential violation of any law, rule, or regulation, or gross mismanagement, gross waste of funds, abuse of authority, or substantial and specific danger to public health and safety.

''§ 732. Treatment of whistleblower complaints

''(a) FILING.—(1) In addition to any other method established by law in which an employee may file a whistleblower complaint, an employee of the Department may file a whistleblower complaint in accordance with subsection (g) with a supervisor of the employee.

''(2) Except as provided by subsection (d)(1), in making a whistleblower complaint under paragraph (1), an employee shall file the initial complaint with the immediate supervisor of the employee.

''(b) NOTIFICATION.—(1) Not later than four business days after the date on which a supervisor receives a whistleblower complaint by an employee under this section, the supervisor shall notify, in writing, the employee of whether the supervisor determines that there is a reasonable likelihood that the complaint discloses a violation of any law, rule, or regulation, or gross mismanagement, gross waste of funds, abuse of authority, or substantial and specific danger to public health and safety. The supervisor shall retain written documentation regarding the whistleblower complaint and shall submit to the next-level supervisor and the central whistleblower office described in subsection (h) a written report on the complaint.

''(2) On a monthly basis, the supervisor shall submit to the appropriate director or other official who is superior to the supervisor a written report that includes the number of whistleblower complaints received by the supervisor under this section during the month covered by the report, the disposition of such complaints, and any actions taken because of such complaints pursuant to subsection (c). In the case in which such a director or official carries out this paragraph, the director or official shall submit such monthly report to the supervisor of the director or official and to the central whistleblower office described in subsection (h).

''(c) POSITIVE DETERMINATION.—If a supervisor makes a positive determination under subsection (b)(1) regarding a whistleblower complaint of an employee, the supervisor shall include in the notification to the employee under such subsection the specific actions that the supervisor will take to address the complaint.

''(d) FILING COMPLAINT WITH NEXT-LEVEL SUPERVISORS.—(1) If any circumstance described in paragraph (3) is met, an employee may file a whistleblower complaint in accordance with subsection (g) with the next-level supervisor who shall treat such complaint in accordance with this section.

''(2) An employee may file a whistleblower complaint with the Secretary if the employee has filed the whistleblower complaint to each level of supervisors between the employee and the Secretary in accordance with paragraph (1).

''(3) A circumstance described in this paragraph are any of the following circumstances:

''(A) A supervisor does not make a timely determination under subsection (b)(1) regarding a whistleblower complaint.

''(B) The employee who made a whistleblower complaint determines that the supervisor did not adequately address the complaint pursuant to subsection (c).

''(C) The immediate supervisor of the employee is the basis of the whistleblower complaint.

''(e) TRANSFER OF EMPLOYEE WHO FILES WHISTLEBLOWER COMPLAINT.—If a supervisor makes a positive determination under subsection (b)(1) regarding a whistleblower complaint filed by an employee, the Secretary shall—

''(1) inform the employee of the ability to volunteer for a transfer in accordance with section 3352 of title 5; and

''(2) give preference to the employee for such a transfer in accordance with such section.

''(f) PROHIBITION ON EXEMPTION.—The Secretary may not exempt any employee of the Department from being covered by this section.

''(g) WHISTLEBLOWER COMPLAINT FORM.—(1) A whistleblower complaint filed by an employee under subsection (a) or (d) shall consist of the form described in paragraph (2) and any supporting materials or documentation the employee determines necessary.

''(2) The form described in this paragraph is a form developed by the Secretary, in consultation with the Special Counsel, that includes the following:

''(A) An explanation of the purpose of the whistleblower complaint form.

''(B) Instructions for filing a whistleblower complaint as described in this section.

''(C) An explanation that filing a whistleblower complaint under this section does not preclude the employee from any other method established by law in which an employee may file a whistleblower complaint.

''(D) A statement directing the employee to information accessible on the Internet website of the Department as described in section 735(c).

''(E) Fields for the employee to provide—

''(i) the date that the form is submitted;

''(ii) the name of the employee;

''(iii) the contact information of the employee;

''(iv) a summary of the whistleblower complaint (including the option to append supporting documents pursuant to paragraph (1)); and

''(v) proposed solutions to complaint.

''(F) Any other information or fields that the Secretary determines appropriate.

''(3) The Secretary, in consultation with the Special Counsel, shall develop the form described in paragraph (2) by not later than 60 days after the date of the enactment of this section.

''(h) CENTRAL WHISTLEBLOWER OFFICE.—(1) The Secretary shall ensure that the central whistleblower office—

''(A) is not an element of the Office of the General Counsel;

''(B) is not headed by an official who reports to the General Counsel;

''(C) does not provide, or receive from, the General Counsel any information regarding a whistleblower complaint except pursuant to an action regarding the complaint before an administrative body or court; and

''(D) does not provide advice to the General Counsel.

''(2) The central whistleblower office shall be responsible for investigating all whistleblower complaints of the Department, regardless of whether such complaints are made by or against an employee who is not a member of the Senior Executive Service.

''(3) The Secretary shall ensure that the central whistleblower office maintains a toll-free hotline to anonymously receive whistleblower complaints.

''(4) In this subsection, the term 'central whistleblower office' means the Office of Accountability Review or a successor office that is established or designated by the Secretary to investigate whistleblower complaints filed under this section or any other method established by law.

''§ 733. Adverse actions against supervisory employees who commit prohibited personnel actions relating to whistleblower complaints

''(a) IN GENERAL.—(1) In accordance with paragraph (2), the Secretary shall carry out the following adverse actions against supervisory employees whom the Secretary, an administrative judge, the Merit Systems Protection Board, the Office of Special Counsel, an adjudicating body provided under a union contract, a Federal judge, or the Inspector General of the Department determines committed a prohibited personnel action described in subsection (c):

''(A) With respect to the first offense, an adverse action that is not less than a 14-day suspension and not more than removal.

''(B) With respect to the second offense, removal.

''(2)(A) Except as provided by subparagraph (B), and notwithstanding subsections (b) and (c) of section 7513 and section 7543 of title 5, the provisions of subsections (d) and (e) of section 713 of this title shall apply with respect to an adverse action carried out under paragraph (1).

''(B) An employee who is notified of being the subject of a proposed adverse action under paragraph (1) may not be given more than five days following such notification to provide evidence to dispute such proposed adverse action. If the employee does not provide any such evidence, or if the Secretary determines that such evidence is not sufficient to reverse the determination to propose the adverse action, the Secretary shall carry out the adverse action following such five-day period.

''(b) LIMITATION ON OTHER ADVERSE ACTIONS.—With respect to a prohibited personnel action described in subsection (c), if the Secretary carries out an adverse action against a supervisory employee, the Secretary may carry out an additional adverse action under this section based on the same prohibited personnel action if the total severity of the adverse actions do not exceed the level specified in subsection (a).

''(c) PROHIBITED PERSONNEL ACTION DESCRIBED.—A prohibited personnel action described in this subsection is any of the following actions:

''(1) Taking or failing to take a personnel action in violation of section 2302 of title 5 against an employee relating to the employee—

''(A) filing a whistleblower complaint in accordance with section 732 of this title;

''(B) filing a whistleblower complaint with the Inspector General of the Department, the Special Counsel, or Congress;

''(C) providing information or participating as a witness in an investigation of a whistleblower complaint in accordance with section 732 or with the Inspector General of the Department, the Special Counsel, or Congress;

''(D) participating in an audit or investigation by the Comptroller General of the United States;

''(E) refusing to perform an action that is unlawful or prohibited by the Department; or

''(F) engaging in communications that are related to the duties of the position or are otherwise protected.

''(2) Preventing or restricting an employee from making an action described in any of subparagraphs (A) through (F) of paragraph (1).

''(3) Conducting a peer review or opening a retaliatory investigation relating to an activity of an employee that is protected by section 2302 of title 5.

''(4) Requesting a contractor to carry out an action that is prohibited by section 4705(b) or section 4712(a)(1) of title 41, as the case may be.

''§ 734. Evaluation criteria of supervisors and treatment of bonuses

''(a) EVALUATION CRITERIA.—(1) In evaluating the performance of supervisors of the Department, the Secretary shall include the criteria described in paragraph (2).

''(2) The criteria described in this subsection are the following:

''(A) Whether the supervisor treats whistleblower complaints in accordance with section 732.

''(B) Whether the appropriate deciding official, performance review board, or performance review committee determines that the supervisor was found to have committed a prohibited personnel action described in section 733(b) by an administrative judge, the Merit Systems Protection Board, the Office of Special Counsel, an adjudicating body provided under a union contract, a Federal judge, or, in the case of a settlement of a whistleblower complaint (regardless of whether any fault was assigned under such settlement), the Secretary.

''(b) BONUSES.—(1) The Secretary may not pay to a supervisor described in subsection (a)(2)(B) an award or bonus under this title or title 5, including under chapter 45 or 53 of such title, during the one-year period beginning on the date on which the determination was made under such subsection.

''(2) Notwithstanding any other provision of law, the Secretary shall issue an order directing a supervisor described in subsection (a)(2)(B) to repay the amount of any award or bonus paid under this title or title 5, including under chapter 45 or 53 of such title, if—

''(A) such award or bonus was paid for performance during a period in which the supervisor committed a prohibited personnel action as determined pursuant to such subsection (a)(2)(B);

''(B) the Secretary determines such repayment appropriate pursuant to regulations prescribed by the Secretary to carry out this section; and

''(C) the supervisor is afforded notice and an opportunity for a hearing before making such repayment.

''§ 735. Training regarding whistleblower complaints

''(a) TRAINING.—The Secretary, in coordination with the Whistleblower Protection Ombudsman designated under section 3(d)(1)(C) of the Inspector General Act of 1978 (5 U.S.C. App.), shall annually provide to each employee of the Department training regarding whistleblower complaints, including—

''(1) an explanation of each method established by law in which an employee may file a whistleblower complaint;

''(2) an explanation of prohibited personnel actions described by section 733(c) of this title;

''(3) with respect to supervisors, how to treat whistleblower complaints in accordance with section 732 of this title;

''(4) the right of the employee to petition Congress regarding a whistleblower complaint in accordance with section 7211 of title 5;

''(5) an explanation that the employee may not be prosecuted or reprised against for disclosing information to Congress in instances where such disclosure is permitted by law, including under sections 5701, 5705, and 7732 of this title, under section 552a of title 5 (commonly

referred to as the Privacy Act), under chapter 93 of title 18, and pursuant to regulations promulgated under section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (Public Law 104–191);

''(6) an explanation of the language that is required to be included in all nondisclosure policies, forms, and agreements pursuant to section 115(a)(1) of the Whistleblower Protection Enhancement Act of 2012 (5 U.S.C. 2302 note); and

''(7) the right of contractors to be protected from reprisal for the disclosure of certain information under section 4705 or 4712 of title 41.

''(b) CERTIFICATION.—The Secretary shall annually provide training on merit system protection in a manner that the Special Counsel certifies as being satisfactory.

''(c) PUBLICATION.—(1) The Secretary shall publish on the Internet website of the Department, and display prominently at each facility of the Department, the rights of an employee to file a whistleblower complaint, including the information described in paragraphs (1) through (7) of subsection (a).

''(2) The Secretary shall publish on the Internet website of the Department, the whistleblower complaint form described in section 732(g)(2).

''§ 736. Reports to Congress

''(a) ANNUAL REPORTS.—The Secretary shall annually submit to the Committees on Veterans' Affairs of the House of Representatives and the Senate, the Committee on Oversight and Government Reform of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate a report that includes—

''(1) with respect to whistleblower complaints filed under section 732 during the year covered by the report—

''(A) the number of such complaints filed;

''(B) the disposition of such complaints; and

''(C) the ways in which the Secretary addressed such complaints in which a positive determination was made by a supervisor under subsection (b)(1) of such section;

''(2) the number of whistleblower complaints filed during the year covered by the report that are not included under paragraph (1), including—

''(A) the method in which such complaints were filed;

''(B) the disposition of such complaints; and

''(C) the ways in which the Secretary addressed such complaints; and

''(3) with respect to disclosures made by a contractor under section 4705 or 4712 of title 41—

''(A) the number of complaints relating to such disclosures that were investigated by the Inspector General of the Department of Veterans Affairs during the year covered by the report;

''(B) the disposition of such complaints; and

''(C) the ways in which the Secretary addressed such complaints.

''(b) NOTICE OF OFFICE OF SPECIAL COUNSEL DETERMINATIONS.—Not later than 30 days after the date on which the Secretary receives from the Special Counsel information relating to a whistleblower complaint pursuant to section 1213 of title 5, the Secretary shall notify the Committees on Veterans' Affairs of the House of Representatives and the Senate, the Committee on Oversight and Government Reform of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate of such information, including the determination made by the Special Counsel.''.

(b) CONFORMING AND CLERICAL AMENDMENTS.—

(1) CONFORMING AMENDMENT.—Such chapter is further amended by inserting before section 701 the following:

''SUBCHAPTER I—GENERAL EMPLOYEE MATTERS''.

(2) CLERICAL AMENDMENTS.—The table of sections at the beginning of such chapter is amended—

(A) by inserting before the item relating to section 701 the following new item:

''SUBCHAPTER I—GENERAL EMPLOYEE MATTERS'';

and

(B) by adding at the end the following new items:

''SUBCHAPTER II—WHISTLEBLOWER COMPLAINTS

''731. Whistleblower complaint defined.
''732. Treatment of whistleblower complaints.
''733. Adverse actions against supervisory employees who commit prohibited personnel actions relating to whistleblower complaints.
''734. Evaluation criteria of supervisors and treatment of bonuses.
''735. Training regarding whistleblower complaints.
''736. Reports to Congress.''.

SEC. 5. REFORM OF PERFORMANCE APPRAISAL SYSTEM FOR SENIOR EXECUTIVE SERVICE EMPLOYEES OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) PERFORMANCE APPRAISAL SYSTEM.—

(1) IN GENERAL.—Chapter 7 of title 38, United States Code, is further amended by inserting after section 717, as added by section 3, the following new section:

''§ 719. Senior executives: performance appraisal

''(a) PERFORMANCE APPRAISAL SYSTEM.—(1) The performance appraisal system for individuals employed in senior executive positions in the Department required by section 4312 of title 5 shall provide, in addition to the requirements of such section, for five annual summary ratings of levels of performance as follows:

''(A) One outstanding level.

''(B) One exceeds fully successful level.

''(C) One fully successful level.

''(D) One minimally satisfactory level.

''(E) One unsatisfactory level.

''(2) The following limitations apply to the rating of the performance of such individuals:

''(A) For any year, not more than 10 percent of such individuals who receive a performance rating during that year may receive the outstanding level under paragraph (1)(A).

''(B) For any year, not more than 20 percent of such individuals who receive a performance rating during that year may receive the exceeds fully successful level under paragraph (1)(B).

''(3) In evaluating the performance of an individual under the performance appraisal system, the Secretary shall take into consideration—

''(A) any complaint or report (including any pending or published report) submitted by the Inspector General of the Department, the Comptroller General of the United States, the Equal Employment Opportunity Commission, or any other appropriate person or entity, related to any facility or program managed by the individual, as determined by the Secretary;

''(B) efforts made by the individual to maintain high levels of satisfaction and commitment among the employees supervised by the individual; and

''(C) the criteria described in section 734(a)(2) of this title.

''(b) CHANGE OF POSITION.—(1) At least once every five years, the Secretary shall reassign each individual employed in a senior executive position to a position at a different location that does not include the supervision of the same personnel or programs. The Secretary shall make such reassignments on a rolling basis based on the date on which an individual was originally assigned to a position.

''(2) The Secretary may waive the requirement under paragraph (1) for any such individual, if the Secretary submits to the Committees on Veterans' Affairs of the Senate and House of Representatives notice of the waiver and an explanation of the reasons for the waiver.

''(c) REPORT.—Not later than March 1 of each year, the Secretary shall submit to the Committees on Veterans' Affairs and Homeland Security and Governmental Affairs of the Senate and the Committees on Veterans' Affairs and Oversight and Government Reform of the House of Representatives a report on the performance appraisal system of the Department under subsection (a). Each such report shall include, for the year preceding the year during which the report is submitted, each of the following:

''(1) All documentation concerning each of the following for each individual employed in a senior executive position in the Department:

''(A) The initial performance appraisal.

''(B) The higher level review, if requested.

''(C) The recommendations of the performance review board.

''(D) The final summary review.

''(E) The number of initial performance ratings raised as a result of the recommendations of the performance review board.

''(F) The number of initial performance ratings lowered as a result of the recommendations of the performance review board.

''(G) Any adverse action taken against any such individual who receives a performance rating of less than fully successful.

''(2) The review of the Inspector General of the Department of the information described in subparagraphs (A) through (D) of paragraph (1).

''(3) A summary of the documentation provided under paragraph (1).

''(d) DEFINITION OF SENIOR EXECUTIVE POSITION.—In this section, the term 'senior executive position' has the meaning given that term in section 713(g)(3) of this title.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter, as amended by section 3, is further amended by inserting after the item relating to section 717 the following new item:

''719. Senior executives: performance appraisal.''.

(3) CONFORMING AMENDMENT.—Section 4312(b) of title 5, United States Code, is amended—

(A) in paragraph (2), by striking ''and'' at the end;

(B) in paragraph (3), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(4) that, in the case of the Department of Veterans Affairs, the performance appraisal system meets the requirements of section 719 of title 38.''.

(b) REVIEW OF SES MANAGEMENT TRAINING.—

(1) REVIEW.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall enter into a contract with a nongovernmental entity to review the management training program for individuals employed in senior executive positions (as such term is defined in section 713(g)(3) of title 38, United States Code) of the Department of Veterans Affairs that is being provided as of the date of the enactment of this Act. Such review shall include a comparison of the training provided by the Department of Veterans Affairs to the management training provided for senior executives of other Federal departments and agencies and to the management training provided to senior executives in the private sector. The contract shall provide that the nongovernmental entity must complete and submit to the Secretary a report containing the findings and conclusions of the review by not later than 180 days after the date on which the Secretary and the nongovernmental entity enter into the contract.

(2) REPORT TO CONGRESS.—Not later than 60 days after the date on which the Secretary receives the report under paragraph (1), the Secretary shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives the report together with a plan for carrying out the recommendations contained in the report.

SEC. 6. REDUCTION OF BENEFITS FOR MEMBERS OF THE SENIOR EXECUTIVE SERVICE WITHIN THE DEPARTMENT OF VETERANS AFFAIRS CONVICTED OF CERTAIN CRIMES.

(a) REDUCTION OF BENEFITS.—

(1) IN GENERAL.—Chapter 7 of title 38, United States Code, is further amended by inserting after section 719, as added by section 5, the following new section:

"§ 721. Senior executives: reduction of benefits of individuals convicted of certain crimes

''(a) REDUCTION OF ANNUITY FOR REMOVED EMPLOYEE.—The Secretary shall order that the covered service of an individual removed from a senior executive position under section 713 of this title shall not be taken into account for purposes of calculating an annuity with respect to such individual under chapter 83 or chapter 84 of title 5, if—

''(1) the individual is convicted of a felony that influenced the individual's performance while employed in the senior executive position; and

''(2) before such order is made, the individual is afforded notice and an opportunity for a hearing conducted by another department or agency of the Federal Government.

''(b) REDUCTION OF ANNUITY FOR RETIRED EMPLOYEE.—(1) The Secretary may order that the covered service of an individual who is subject to a removal or transfer action under section 713 of this title but who leaves employment at the Department prior to the issuance of a final decision with respect to such action shall not be taken into account for purposes of calculating an annuity with respect to such individual under chapter 83 or chapter 84 of title 5, if—

''(A) the individual is convicted of a felony that influenced the individual's performance while employed in the senior executive position; and

''(B) before such order is made, the individual is afforded notice and an opportunity for a hearing conducted by another department or agency of the Federal Government.

''(2) The Secretary shall make such an order not later than seven days after the date of the conclusion of a hearing referred to in paragraph (1)(B) that determines that such order is lawful.

''(c) ADMINISTRATIVE REQUIREMENTS.—(1) Not later than 30 days after the Secretary issues an order under subsection (a) or (b), the Director of the Office of Personnel Management shall recalculate the annuity of the individual.

''(2) A decision regarding whether the covered service of an individual shall be taken into account for purposes of calculating an annuity under subsection (a) or (b) is final and may not be reviewed by any department or agency or any court.

''(d) LUMP-SUM ANNUITY CREDIT.—Any individual with respect to whom an annuity is reduced under subsection (a) or (b) shall be entitled to be paid so much of such individual's lump-sum credit as is attributable to the period of covered service.

''(e) DEFINITIONS.—In this section:

''(1) The term 'covered service' means, with respect to an individual subject to a removal or transfer action under section 713 of this title, the period of service beginning on the date that the Secretary determines under such section that such individual engaged in activity that gave rise to such action and ending on the date that such individual is removed from the civil service or leaves employment at the Department prior to the issuance of a final decision with respect to such action, as the case may be.

''(2) The term 'lump-sum credit' has the meaning given such term in section 8331(8) or section 8401(19) of title 5, as the case may be.

''(3) The term 'senior executive position' has the meaning given such term in section 713(g)(3) of this title.

''(4) The term 'service' has the meaning given such term in section 8331(12) or section 8401(26) of title 5, as the case may be.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 7 of such title is amended by inserting after the item relating to section 719, as added by section 5, the following new item:

''721. Senior executives: reduction of benefits of individuals convicted of certain crimes.''.

(b) APPLICATION.—Section 721 of title 38, United States Code, as added by subsection (a)(1), shall apply to any action of removal or transfer under section 713 of title 38, United States Code, commencing on or after the date of the enactment of this Act.

SEC. 7. LIMITATION ON ADMINISTRATIVE LEAVE FOR EMPLOYEES DEPARTMENT OF VETERANS AFFAIRS.

(a) LIMITATION.—

(1) IN GENERAL.—Chapter 7 of title 38, United States Code, is further amended by inserting after section 721, as added by section 6, the following new section:

"§ 723. Limitation on administrative leave

''(a) IN GENERAL.—Except as provided in subsection (b), the Secretary may not place any covered individual on administrative leave, or any other type of paid non-duty status without charge to leave, for more than a total of 14 days during any 365-day period.

''(b) WAIVER.—The Secretary may waive the limitation under subsection (a) and extend the administrative leave or other paid non-duty status without charge to leave of a covered individual placed on such leave or status under subsection (a) if the Secretary submits to the Committees on Veterans' Affairs of the Senate and House of Representatives a detailed explanation of the reasons the individual was placed on administrative leave or other paid non-duty status without charge to leave and the reasons for the extension of such leave or status. Such explanation shall include the name of the covered individual, the location where the individual is employed, and the individual's job title.

''(c) COVERED INDIVIDUAL.—In this subsection, the term 'covered individual' means an employee of the Department—

''(1) who is subject to an investigation for purposes of determining whether such individual should be subject to any disciplinary action under this title or title 5; or

''(2) against whom any disciplinary action is proposed or initiated under this title or title 5.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter, as amended by section 6, is further amended by inserting after the item relating to section 721 the following new item:

''723. Limitation on administrative leave.''.

(b) APPLICATION.—Section 723 of title 38, United States Code, as added by subsection (a)(1), shall apply with respect to any 365-day period beginning on or after the date of enactment of this Act.

SEC. 8. TREATMENT OF CONGRESSIONAL TESTIMONY BY DEPARTMENT OF VETERANS AFFAIRS EMPLOYEES AS OFFICIAL DUTY.

(a) IN GENERAL.—Chapter 7 of title 38, United States Code, is further amended by inserting after section 723, as added by section 7, the following new section:

"§ 725. Congressional testimony by employees: treatment as official duty

''(a) CONGRESSIONAL TESTIMONY.—An employee of the Department is performing official duty during the period with respect to which the employee is testifying in an official capacity in front of either House of Congress, a committee of either House of Congress, or a joint or select committee of Congress.

''(b) TRAVEL EXPENSES.—The Secretary shall provide travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions under subchapter I of chapter 57 of title 5, to any employee of the Department of Veterans Affairs performing official duty described under subsection (a).''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is further amended by inserting after the item relating to section 723, as added by section 7, the following new item:

''725. Congressional testimony by employees: treatment as official duty.''.

SEC. 9. LIMITATION ON AWARDS AND BONUSES PAID TO EMPLOYEES OF DEPARTMENT OF VETERANS AFFAIRS.

Section 705 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 38 U.S.C. 703 note) is amended to read as follows:

"SEC. 705. LIMITATION ON AWARDS AND BONUSES PAID TO EMPLOYEES OF DEPARTMENT OF VETERANS AFFAIRS.

''The Secretary of Veterans Affairs shall ensure that the aggregate amount of awards and bonuses paid by the Secretary in a fiscal year under chapter 45 or 53 of title 5, United States Code, or any other awards or bonuses authorized under such title or title 38, United States Code, does not exceed the following amounts:

''(1) With respect to each of fiscal years 2015 through 2018, $300,000,000.

''(2) With respect to each of fiscal years 2019 through 2024, $360,000,000.''.

SEC. 10. COMPTROLLER GENERAL STUDY OF DEPARTMENT TIME AND SPACE USED FOR LABOR ORGANIZATION ACTIVITY.

(a) STUDY REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall conduct a study on the amount of time spent by Department of Veterans Affairs employees carrying out organizing activities relating to labor organizations and the amount of space in Department facilities used for such activities. The study shall include a cost-benefit analysis of the use of such time and space for such activities.

(b) REPORT TO CONGRESS.—Not later than 90 days after the completion of the study required under subsection (a), the Comptroller General shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives a report on the results of the study.

The Acting CHAIR. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in House Report 114–234. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. BENISHEK

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in House Report 114–234.

Mr. BENISHEK. Mr. Chairman, I have an amendment at the desk made in order under the rule.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end the following new section:

SEC. 11. ACCOUNTABILITY OF SECRETARY OF VETERANS AFFAIRS TO INSPECTOR GENERAL OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Chapter 7 of title 38, United States Code, as amended by section 8, is amended by adding at the end the following new section:

''§ 727. Accountability of Secretary to Inspector General

''(a) SUBMISSION OF REPORTS.—(1) At the same time as the Inspector General of the Department submits to the Secretary a covered report, the Inspector General shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives a copy of such covered report.

''(2) The Inspector General shall include in each covered report submitted under paragraph (1)—

''(A) an explanation of any changes to the covered report recommended by the Secretary during the period in which the Inspector General was preparing the covered report; and

''(B) a list of the names of each responsible manager.

''(3) The Inspector General may not make public the names of responsible managers submitted under paragraph (2)(B).

''(b) PERFORMANCE OF RESPONSIBLE MANAGERS.—(1) The Secretary shall—

''(A) promptly notify each responsible manager of a covered issue by not later than seven days after the date on which the Inspector General submits a covered report to the Secretary;

''(B) direct such manager to resolve such issue; and

''(C) provide such manager with appropriate counseling and a mitigation plan with respect to resolving such issue.

''(2) The Secretary shall ensure that any performance review of a responsible manager includes an evaluation of whether the manager took appropriate actions during the period covered by the review to respond to a covered issue.

''(3) The Secretary may not pay to a responsible manager any bonus or award under chapter 45 or 53 of title 5 or any other bonus or award authorized under such title or this title if a covered issue is unresolved.

''(c) ROLE OF INSPECTOR GENERAL.—Any authority of the Inspector General provided under this section is in addition to any responsibility or authority provided to the Inspector General in the Inspector General Act of 1978 (5 U.S.C. App.).

''(d) DEFINITIONS.—In this section:

''(1) The term 'covered issue' means, with respect to a responsible manager, an issue described in a covered report for which the manager is or was responsible.

''(2) The term 'covered report' means a report by the Inspector General of the Department of Veterans Affairs that recommends actions to the Secretary of Veterans Affairs (or other official or employee of the Department) to address an issue in the Department with respect to public health or safety relating to misconduct, or alleged misconduct, by an employee of the Department.

''(3) The term 'responsible manager' means an individual who—

''(A) is an employee of the Department;

''(B) is or was responsible for an issue included in a covered report; and

''(C) in being so responsible, is or was employed in a management position, regardless of whether the employee is in the competitive civil service, Senior Executive Service, or other type of civil service.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter, as amended by section 8, is amended by inserting after the item relating to section 725 the following new item:

''727. Accountability of Secretary to Inspector General.''.

The Acting CHAIR. Pursuant to House Resolution 388, the gentleman from Michigan (Mr. BENISHEK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. BENISHEK. Mr. Chairman, I yield myself such time as I may consume.

We have a real opportunity here to inject accountability into the VA's culture of mismanagement. The Benishek-Sinema amendment would help ensure that, when a VA inspector general identifies a problem and offers recommendations to fix it, the changes are made, and the job gets done.

Today, the IG regularly issues reports on problems at the Department, and most of the time, the VA agrees with many of the recommendations and promises to change. The problem is no manager is actually named as being responsible for making those changes. When no one is in charge, nothing gets done, and there is no one to hold responsible. This amendment makes key changes that will give the IG's reports teeth, that will bring to the VA the solutions our veterans deserve.

It increases transparency, and it allows the public to see the IG's report related to alleged employee misconduct. It requires the release of any modifications that the VA has asked the IG to make.

It also requires the IG to identify specific managers who are responsible for fixing the problems identified in the reports. Their names will not be released, but this will allow Congress and the VA to know who is responsible for fixing the problem. Those individuals will not be able to receive a bonus or any performance award until the IG certifies that the problem is resolved.

Finally, it reduces the burden on a supervisor when it is necessary to fire a bad employee. A supervisor cannot effectively manage if his hands are tied.

This amendment has a history of bipartisan support, passing as a standalone bill by voice vote in the last Congress. It has also garnered the support of veterans' service organizations, including the American Legion, the VFW, the Iraq and Afghanistan Veterans of America, and the Paralyzed Veterans of America.

I thank my colleague and friend, Congresswoman SINEMA, for her leadership and for joining me on the issue. I am grateful for Chairman MILLER's support and for that of the entire Veterans' Affairs Committee. Chairman MILLER has been an incredible voice and advocate for our veterans.

I reserve the balance of my time.

Mr. TAKANO. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. TAKANO. I thank the gentleman from Michigan, my good friend, for offering his amendment. Reluctantly, I rise in opposition to the amendment offered by the gentleman and Representative SINEMA.

Mr. Chairman, this amendment would require the IG to identify problem employees at the VA, and it would prohibit the VA from giving performance pay to these identified employees.

I believe this amendment could compromise the integrity of the VA inspector general and the ability of the VA IG to investigate whistleblower complaints and bring to light problems at the VA.

The amendment would force the IG to concentrate its efforts on identifying bad managers by name rather than focusing on recommending solutions to problems and conducting thorough and complete investigations.

Requiring the IG to forward anything submitted to the VA would interject Congress into the very manner in which the IG drafts and finalizes reports. This change would call into question the integrity of the investigations that Congress relies on to shape policy and to find solutions.

Finally, I believe that this amendment is vaguely drafted and that it raises more questions than it seeks to answer. Therefore, I urge my colleagues to oppose the amendment.

I reserve the balance of my time.

Mr. BENISHEK. Mr. Chairman, I yield 1 minute to the gentleman from Florida (Mr. MILLER), the chairman of the committee.

Mr. MILLER of Florida. Mr. Chairman, once again, Members who saw this go through regular order last year through the committee and then pass the full House are now in opposition.

I rise in support of Dr. BENISHEK's amendment. He has been the chairman of the Subcommittee on Health since the 113th Congress. It is a position that I offered him based on his dedication to our Nation's veterans. Dr. BENISHEK's amendment to the VA Accountability Act of 2015 contains the text of his bill, the Demanding Accountability for Veterans Act.

The Demanding Accountability for Veterans Act is a bipartisan piece of legislation that is supported by many veterans' service organizations. His

amendment would require the inspector general to be transparent with Congress about the reports that are written about VA facilities and programs and the changes that are being made to those reports at the VA's behest.

The amendment would also require the VA to provide the name of the VA employee who is responsible for implementing recommendations issued by the IG, to direct that employee to take action, and to prohibit the VA from paying a bonus or a performance award to that employee if appropriate action is not taken. In the most recent semiannual report to Congress, the VA inspector general reported that 1,150 recommendations were left open by the Department of Veterans Affairs. That is not acceptable.

Mr. TAKANO. Mr. Chairman, I yield 1½ minutes to the gentlewoman from Arizona (Ms. SINEMA).

Ms. SINEMA. I thank Mr. TAKANO, Chairman MILLER, and Chairman BENISHEK for their efforts to improve the quality of care and services delivered to our veterans.

Mr. Chairman, the Benishek-Sinema amendment is a commonsense amendment that will bring accountability to the Department of Veterans Affairs. The amendment, based on a bill that Dr. BENISHEK and I introduced, the Demanding Accountability for Veterans Act, requires the VA to address problems identified by the VA Office of Inspector General, and it ensures that individual managers are held accountable if issues remain unresolved.

Our amendment requires that, in each covered VA inspector general report, the Secretary of the VA assign specific managers who will be responsible for fixing specific problems identified within the IG's report. The Secretary must give the responsible managers appropriate counseling and plans of action to resolve each covered issue. Bonuses cannot be paid if a covered issue remains unresolved, and how a manager responds to the challenge will be included in that individual's performance evaluation.

It is unacceptable that issues raised by the VA inspector general over and over, from wait times to medical staffing, remain unresolved by the VA. This amendment will hold the VA Secretary and senior management accountable for ensuring these warnings are not ignored again.

We have a long way to go to change the system and culture of the VA, and I will continue working with my colleagues on both sides of the aisle to ensure that veterans come first.

Again, I thank Chairman MILLER, Chairman BENISHEK, and Mr. TAKANO for their leadership and for their work on veterans' issues. I especially thank Chairman BENISHEK for his thoughtful, bipartisan approach to this amendment.

Mr. BENISHEK. Mr. Chairman, how much time is remaining on both sides?

The Acting CHAIR. The gentleman from Michigan has 2 minutes remaining, and the gentleman from California has 2¼ minutes remaining.

Mr. BENISHEK. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania (Mr. COSTELLO).

Mr. COSTELLO of Pennsylvania. Mr. Chairman, this measure has significant applicability to the ''right here, right now'' problems associated with the VA. Specifically, I am going to cite the oversight efforts involving the Philadelphia VA Regional Office.

It has been nearly a year since the Philadelphia VA problems were first reported. We have an IG report; we have an AIB report; and we have egregious allegations that have been proven true. Yet, as a Member of Congress who represents tens of thousands of veterans who rely on the Philadelphia VA for benefits and services, I still don't have answers. I still don't know who is responsible or know of all of the specific misconduct and behaviors or know of the repercussions for the employees who are responsible.

Our tools for providing oversight over the VA need updating to reflect that there must be transparency when investigating and disciplining bad employees. This amendment and this bill move us in the right direction towards accountability and transparency.

Mr. TAKANO. Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

Mr. BENISHEK. Mr. Chairman, I yield 1 minute to the gentleman from Louisiana (Mr. BOUSTANY).

Mr. BOUSTANY. Mr. Chairman, I rise today in full support of this amendment.

For far too long, the VA has condoned an apathetic culture that encourages its employees to ignore their duties and to cover up serious problems.

Last year, the staff of VISN 16, which includes my home State of Louisiana, admitted to inappropriately denying hundreds of veterans' medical care claims. When my office asked how many veterans' claims were being inappropriately denied, we were met with excuses and obfuscation. That is completely unacceptable.

One important provision of this amendment would prevent bonuses and performance awards for VA employees who fail to fix these problems. This provision is similar to an amendment I offered to the VA appropriations measure this past April. No small business in Louisiana would survive by allowing employees with such poor success rates to earn bonuses. I believe this is one of the most effective ways we can force accountability on this overly bureaucratic agency.

I thank Chairman MILLER and Chairman BENISHEK for their efforts in this cause.

I urge my colleagues to adopt this amendment and hold the VA accountable for their inadequate and unacceptable performance.

Mr. BENISHEK. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Michigan (Mr. BENISHEK).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. TAKANO

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in House Report 114–234.

Mr. TAKANO. Mr. Chairman, I have an amendment in the nature of a substitute at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Fair VA Accountability Act''.

SEC. 2. SUSPENSION AND REMOVAL OF DEPARTMENT OF VETERANS AFFAIRS EMPLOYEES FOR PERFORMANCE OR MISCONDUCT THAT IS A THREAT TO PUBLIC HEALTH OR SAFETY.

(a) IN GENERAL.—Chapter 7 of title 38, United States Code, is amended by adding after section 713 the following new section:

''§ 715. Employees: suspension and removal for performance or misconduct that is a threat to public health or safety

''(a) SUSPENSION AND REMOVAL.—Subject to subsections (b) and (c), the Secretary may—

''(1) suspend without pay an employee of the Department of Veterans Affairs if the Secretary determines the performance or misconduct of the employee is a clear and direct threat to public health or safety; and

''(2) remove an employee suspended under paragraph (1) when, after such investigation and review as the Secretary considers necessary, the Secretary determines that removal is necessary in the interests of public health or safety.

''(b) PROCEDURE.—An employee suspended under subsection (a)(1) is entitled, after suspension and before removal, to—

''(1) within 30 days after suspension, a written statement of the specific charges against the employee, which may be amended within 30 days thereafter;

''(2) an opportunity within 30 days thereafter, plus an additional 30 days if the charges are amended, to answer the charges and submit affidavits;

''(3) a hearing, at the request of the employee, by a Department authority duly constituted for this purpose;

''(4) a review of the case by the Secretary, before a decision adverse to the employee is made final; and

''(5) written statement of the decision of the Secretary.

''(c) RELATION TO OTHER DISCIPLINARY RULES.—The authority provided under this section shall be in addition to the authority provided under section 713 and title 5 with respect to disciplinary actions for performance or misconduct.

''(d) BACK PAY FOR WHISTLEBLOWERS.—If any employee of the Department of Veterans Affairs is subject to a suspension or removal under this section and such suspension or removal is determined by an appropriate authority under applicable law, rule, regulation, or collective bargaining agreement to be a prohibited personnel practice described

under section 2302(b)(8) or (9) of title 5, such employee shall receive back pay equal to the total amount of basic pay that such employee would have received during the period that the suspension and removal (as the case may be) was in effect, less any amounts earned by the employee through other employment during that period.

''(e) DEFINITIONS.—In this section, the term 'employee' means any individual occupying a position within the Department of Veterans Affairs under a permanent or indefinite appointment and who is not serving a probationary or trial period.''.

(b) CLERICAL AND CONFORMING AMENDMENTS.—

(1) CLERICAL.—The table of sections at the beginning of such chapter is amended by adding after the item relating to section 713 the following new item:

''715. Employees: suspension and removal for performance or misconduct that is a threat to public health or safety.''.

(2) CONFORMING.—Section 4303(f) of title 5, United States Code, is amended—

(A) by striking ''or'' at the end of paragraph (2);

(B) by striking the period at the end of paragraph (3) and inserting '', or''; and

(C) by adding at the end the following:

''(4) any suspension or removal under section 715 of title 38.''.

(c) EFFECTIVE DATE OF BACK PAY PROVISION.—Subsection (d) of section 715 of title 38, United States Code, as added by subsection (a), shall take effect on October 1, 2015.

(d) REPORT ON SUSPENSIONS AND REMOVALS.—Not later than one year after the date of the enactment of this Act, the Inspector General of the Department of Veterans Affairs shall submit to the Committees on Veterans' Affairs of the House of Representatives and the Senate a report on suspensions and removals of employees of the Department made under section 715 of title 38, United States Code, as added by subsection (a). Such report shall include, with respect to the period covered by the report, the following:

(1) The number of employees who were suspended under such section.

(2) The number of employees who were removed under such section.

(3) A description of the threats to public health or safety that caused such suspensions and removals.

(4) The number of such suspensions or removals, or proposed suspensions or removals, that were of employees who filed a complaint regarding—

(A) an alleged prohibited personnel practice committed by an officer or employee of the Department and described in section 2302(b)(8) or 2302(b)(9)(A)(i), (B), (C), or (D) of title 5, United States Code; or

(B) the safety of a patient at a medical facility of the Department.

(5) Of the number of suspensions and removals listed under paragraph (4), the number that the Inspector General considers to be retaliation for whistleblowing.

(6) The number of such suspensions or removals that were of an employee who was the subject of a complaint made to the Department regarding the health or safety of a patient at a medical facility of the Department.

(7) Any recommendations by the Inspector General, based on the information described in paragraphs (1) through (6), to improve the authority to make such suspensions and removals.

SEC. 3. LIMITATION ON ADMINISTRATIVE LEAVE FOR EMPLOYEES WITHIN THE DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Chapter 7 of title 38, United States Code, is further amended by adding after section 715, as added by section 2, the following new section:

''§ 717. Administrative leave limitation and report

''(a) LIMITATION APPLICABLE TO EMPLOYEES WITHIN THE DEPARTMENT OF VETERANS AFFAIRS.—(1) The Secretary may not place any covered individual on administrative leave, or any other type of paid non-duty status without charge to leave, for more than a total of 14 days during any 365-day period.

''(2) The Secretary may waive the limitation under paragraph (1) and extend the administrative leave or other paid non-duty status without charge to leave of a covered individual placed on such leave or status under paragraph (1) if the Secretary submits to the Committees on Veterans' Affairs of the Senate and House of Representatives a detailed explanation of the reasons the individual was placed on administrative leave or other paid non-duty status without charge to leave and the reasons for the extension of such leave or status. Such explanation shall include the name of the covered individual, the location where the individual is employed, and the individual's job title.

''(3) In this subsection, the term 'covered individual' means an employee of the Department—

''(A) who is subject to an investigation for purposes of determining whether such individual should be subject to any disciplinary action under this title or title 5; or

''(B) against whom any disciplinary action is proposed or initiated under this title or title 5.

''(b) REPORT ON ADMINISTRATIVE LEAVE.—(1) Not later than 30 days after the end of each quarter of any calendar year, the Secretary shall submit to the Committees on Veterans' Affairs of the House of Representatives and the Senate a report listing the name of any employee of the Department (if any) who has been placed on administrative leave, or any other type of paid non-duty status, for a period longer than 7 days during such quarter.

''(2) Any report submitted under subsection (a) shall include, with respect to any employee listed in such report, the position occupied by the employee, the number of days of such leave, and the reason that such employee was placed on such leave.''.

(b) APPLICATION.—

(1) ADMINISTRATIVE LEAVE LIMITATION.—Section 717(a) of title 38, United States Code (as added by subsection (a)), shall apply to any action of removal or transfer under section 713 of such title or title 5, United States Code, commencing on or after the date of enactment of this section.

(2) REPORT.—The report under section 717(b) of such title (as added by subsection (a)) shall begin to apply in the quarter that ends after the date that is 6 months after the date of enactment of this section.

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter 7 is amended by adding at the end the following new item:

''717. Administrative leave limitation and report.''.

Amend the title so as to read: ''A bill to amend title 38, United States Code, to improve the authority of the Secretary of Veterans Affairs to suspend and remove employees of the Department of Veterans Affairs for performance or misconduct that is a threat to public health or safety.''.

The Acting CHAIR. Pursuant to House Resolution 388, the gentleman from California (Mr. TAKANO) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from California.

Mr. TAKANO. Mr. Chairman, in Congress, we can all agree that greater accountability is sorely needed within the Department of Veterans Affairs. We are all outraged that VA employees whose misconduct has harmed veterans have remained in their jobs. Last summer, we were all horrified that the VA medical centers in Phoenix and elsewhere manipulated patient wait times. This spring, in Denver, we were frustrated by the huge cost overruns with no real accountability.

I agree with my Republican colleagues that the VA must do a better job of using its existing authorities to hold bad employees, such as these, accountable. Unfortunately, this lack of accountability has overshadowed the excellent work of the vast majority of VA employees—over a third of them veterans themselves, whose genuine caring and tireless efforts honor veterans' service to our Nation. I believe it is wrong to assume VA employees are guilty until proven innocent, and I believe that H.R. 1994 is the wrong way to achieve greater accountability at the VA.

This afternoon, I am offering an amendment in the nature of a substitute to H.R. 1994. The text of my amendment is based on my bill, H.R. 2999, the Fair VA Accountability Act. I urge all of my colleagues to support it today.

□ 1600

My substitute would provide real accountability at the VA in a manner that preserves the important due process rights of VA employees and protects our veterans, and my substitute would improve the status quo by giving VA an additional accountability mechanism.

It would allow VA to immediately fire, without pay, any VA employee whose misconduct presents a clear and present danger to public health and safety while providing adequate due process on the back end for such employees.

This standard comes from Supreme Court precedent regarding constitutional due process for Federal employees and mirrors a similar Department of Defense provision.

My substitute would mean that, if a VA employee's behavior threatened veterans' health or safety, VA could immediately fire that employee. Current law only allows VA to ask such an employee to leave work while still receiving pay.

My substitute would also cap paid administrative leave at 14 days so VA employees would not sit at home and collect a paycheck while fighting a disciplinary action.

My substitute would shield our bold VA whistleblowers by protecting existing laws and requiring the VA to backpay any whistleblower unjustly fired for reporting wrongdoing.

In sum, my substitute would provide the VA with the tools it needs to remove dangerous employees immediately and protect the health and safety of veterans and others, and my bill does so in a way which preserves important concepts of due process for VA employees.

These employees live in our communities and States. They are our friends and neighbors and sometimes our family members. Ensuring basic American notions of fairness is what my amendment in the nature of a substitute provides and, frankly, what H.R. 1994 does not.

I reserve the balance of my time.

Mr. MILLER of Florida. Mr. Speaker, I claim the time in opposition.

The Acting CHAIR. The gentleman from Florida is recognized for 10 minutes.

Mr. MILLER of Florida. Mr. Chair, I thank the gentleman for his amendment in the nature of a substitute, but at this time I have to oppose it.

I appreciate that Mr. TAKANO does believe that we need to provide real accountability at the Department of Veterans Affairs. But as I said at our committee markup when he offered an almost identical amendment, this substitute fails to achieve true accountability.

I am supportive of section 3 of his amendment, which would limit administrative leave for all employees to 14 days, and I agree with this commonsense policy. But I would note that this limitation language is already included in my bill, H.R. 1994.

My main concern with the substitute lies within section 2, which would dramatically change the standard and the process set up in my bill of removing VA employees.

The substitute would only give the Secretary the authority to remove an employee if they represent a ''clear and direct threat to public health or safety,'' which is almost an unobtainable, if not immeasurable, bar to reach.

This undefined standard would make it almost impossible for the Secretary to remove any employee under this new authority, thereby ensuring that the current stalemate that exists with the civil service rules would continue.

Unfortunately, as I said moments ago, maintaining the status quo is not acceptable. I would submit that the standard of a clear and direct threat to public health and safety would not apply to those employees involved with many of today's ongoing scandals at the VA, including the cost overruns of the Denver hospital; the budget shortfall that we are going to vote to fix later today, a $3 billion budget fix; the manipulation of data at the Philadelphia regional office; the allegations of inappropriate use of government purchase cards to the tune of $6 billion; the allegations of employees at the Los Angeles regional office once again inappropriately shredding veterans' claim information; and the many other egregious actions that continue to come to light at VA almost every single day.

Members, these are the very type of employees that our constituents and our veterans expect to be held accountable, but the standard proposed in this substitute would not give the Secretary the authority to provide the accountability we all know that VA desperately needs.

I also have some concerns with the procedures that are laid out in the substitute to actually remove these employees.

I believe that, unlike the procedures that I have laid out in my bill, which set definitive timelines to remove someone while maintaining the due process and maintaining appeal rights, the procedures laid out in this substitute could allow an employee to be on indefinite suspension for months, if not years, awaiting a hearing for the Secretary's final decision.

It has been mentioned several times by my colleagues on the other side that passage of H.R. 1994 would return to a spoils or an at-will employment system. Nothing could be further from the truth.

Let me compare a spoils or an at-will system to the protections offered in 1994.

First, a spoils system would allow the party in power to hire anyone, usually partisan supporters, that they want to reward for their political support with a Federal job. In contrast, H.R. 1994 has no effect on the current hiring process.

Second, a spoils or a patronage system makes all employees at will and subject to firing for any or even no reason. Again, that is hardly the case in my bill. H.R. 1994 requires proof in the form of poor performance or misconduct.

Additionally, my bill requires the Secretary to report the reasons for any such removals to Congress within 30 days.

Third, in a spoils system, a fired employee has no right of appeal. In contrast, under H.R. 1994, fired employees still have due process rights, including 45 days to appeal their firing to the Merit Systems Protection Board.

Fourth, in a spoils system, there is no such thing as paid administrative leave. You are fired, gone with no pay.

Under civil service rules, a poor-performing employee can be placed on administrative leave for essentially an unlimited time, as we have seen with several miscreants identified during our investigations.

H.R. 1994, on the other hand, would limit the Secretary's authority to put someone on paid administrative leave to 14 days, at which time the Secretary must bring that person back to Active Duty.

Fifth, in a spoils system, there are no protections for whistleblowers. In an at-will system, employees may or may not be covered by whistleblower protection, employee discrimination, et cetera, type laws, depending on the type of employer.

However, under H.R. 1994, employees are protected by both of these types of laws, plus the procedures and additional protections created under section 4 of my bill.

Employees cannot be removed without OSC approval if an open case exists, and employees cannot be removed or demoted if they have an open case under the new process that is laid out in section 4 until the Office of Accountability review makes a final determination.

So, ultimately, not only does this amendment set a standard for removal that is not relevant to a majority of the issues that we see at the Department, it keeps intact the long and arduous timeline before a final approval is complete. This is not fair to veterans, to the Department, or to the employee in question.

To reemphasize, I also have issues with the whistleblower protections that are laid out in this substitute or the lack of protections in this substitute.

The only mention of whistleblower protections made in this amendment says that a whistleblower may receive backpay if the Merit Systems Protection Board ultimately decides they were removed for blowing the whistle.

Not only does this not provide any protections on the front end, but it would also strip out all of the whistleblower protections I have included in section 4 of my bill.

We all know that the Secretary has a tall task to restore trust and to rebuild the VA. We have to give him every tool possible to complete that mission. This amendment does not come close to giving him the tool that he needs today.

So, once again, I urge Members to support change and stand with veterans, not the bureaucrats and the special interest groups and the status quo. I urge Members to oppose the Takano substitute.

I reserve the balance of my time.

Mr. TAKANO. Mr. Chairman, my good friend and colleague, Chairman MILLER of the Veterans' Affairs Committee, has implied that my clear and present danger standard in the substitute that I have offered is too narrow and does not give the Secretary enough tools to dismiss bad employees. I respectfully disagree.

Particularly in the case of the Phoenix VA, the hospital's director, Sharon Helman, clearly posed a threat to the health and safety of veterans. Under

my substitute, she would have been immediately removed.

Similarly, many of the speakers on the other side of the aisle cited a crackhouse case where a VA employee took a veteran to a crackhouse.

Now, my substitute and the clear and present standard, the health and safety standard that we have put forward, would clearly have addressed that employee and would have made that employee immediately dismissible.

Let me remind you again that VA does have current title 5 procedures that they have been using to remove poor-performing employees.

We should encourage the VA to use them better, to use the tools that they have. I remind my colleagues that last year 872 permanent employees were removed, 487 more resigned in lieu of being fired, and 958 probationary employees were terminated.

Now, the fact that the VA wait list scandal emerged out of Phoenix was because we do have protections for whistleblowers. They could be strengthened.

Nevertheless, the current civil service protections, the due process protections, afforded those employees the security to move forward and to come forward as whistleblowers.

Again, my amendment in the form of a substitute fixes the deficiencies of my good friend Chairman MILLER's bill.

I have said before that I believe his bill puts extra barriers in front of whistleblowers in coming forward. It complicates and makes more cumbersome their ability to come forward.

If you are an employee who is under threat of dismissal and immediately losing your livelihood, that is a huge, huge barrier to your coming forward as a whistleblower.

That is exactly what his bill would do. It would make everyone in the VA an at-will employee.

I reserve the balance of my time.

Mr. MILLER of Florida. Mr. Chair, I yield 2 minutes to the gentleman from Pennsylvania (Mr. DENT), the chairman of the subcommittee that has jurisdiction over the VA budget.

Mr. DENT. Mr. Chair, I want to thank Chairman MILLER for his leadership on this.

I rise to oppose the substitute amendment. But I want to express my gratitude to the chairman for the work that he and the Veterans' Affairs Committee have done, all the work they have put into this legislation to prevent another VA catastrophe by making sure that the Choice Act funds we appropriated last year can be used for related veterans' community care expenditures.

This bill will ensure that no veterans hospital or care for any veteran will be jeopardized due to the VA's continuing mismanagement of the influx of patients that followed last year's passage of the Choice Act.

Once again, Congress is providing the VA with all the resources they require to provide timely, quality care to our veterans and their loved ones.

It was only about a month ago that we were informed by the Department that there was a shortfall of the magnitude of almost $3.4 billion, and here we are today remedying this problem.

The bill also proposes something that is sorely needed: the consolidation of the myriad programs VA uses to provide care outside their facilities.

Veterans are confused. VA employees are confused. Doctors are confused. Reimbursement rates are not standardized.

We need to make sure that the non-VA care program is thriving so that patients can get the high-quality care they deserve in their homes, in their home communities, right where they live.

As chairman of the Subcommittee on Military Construction, Veterans Affairs and Related Agencies, I will continue to devote time and attention to pinpointing the VA's future funding needs and maintaining vigilant oversight of their appropriated taxpayer dollars.

The VA must develop systems that give us accurate and on-time information and engage with Congress in a transparent and timely manner. We cannot and should not continue to lurch from one VA funding crisis to another.

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What we have seen is terrible management and a terrible disservice to our veterans by the VA in many of these cases; we need to fix it. I believe the Secretary is a good and honorable man trying to do his best, but the taxpayers deserve better, and our veterans most assuredly do.

I urge passage of this bill. I thank the chairman and the leadership of the committee.

Mr. TAKANO. Mr. Chairman, I yield 2 minutes to the gentlewoman from Florida (Ms. BROWN), the ranking member of the Committee on Veterans' Affairs.

Ms. BROWN of Florida. Let me just be clear. I am just amazed that, on the last day of the session, we are spending the entire afternoon discussing H.R. 1994—a bill that the Senate will not pick up; and if, by some miracle, it passed, the President would veto it—when there are so many other things that we could be discussing.

How about addressing H.R. 3266, which will give the Secretary the authority to run the VA like a business, which is what we keep saying?

I support the substitute amendment. The accountability substitute is offered today because it brings real accountability to the VA while maintaining constitutionality due process protection for civil service employees.

At the Committee on Veterans' Affairs over the past 2 years, we have learned of widespread mismanagement and—let me emphasize—lack of training at the VA. The problems that the VA has have gone back for many years, over 30. Maybe if we had adequately funded VA, they would have fewer problems.

The majority has introduced H.R. 1994, which attempts to increase accountability by allowing VA to immediately fire any employee for misconduct with only limited due process. The substitute increases accountability by allowing VA to immediately suspend, without pay, any employee whose misconduct posed a direct threat to veterans' health and safety.

Unlike H.R. 1994, the substitute provides sufficient due process rights to meet constitutional requirements by providing an accused employee with a fair chance to tell their side of the story.

I urge my colleagues to vote for this substitute and vote against H.R. 1994.

Mr. MILLER of Florida. May I inquire how much time is remaining on my side?

The Acting CHAIR. The gentleman from Florida has 1 minute remaining. The gentleman from California has 1 minute remaining.

Mr. MILLER of Florida. I reserve the balance of my time.

Mr. TAKANO. Mr. Chairman, I encourage all of my colleagues to vote for my amendment in the nature of a substitute.

Mr. Chairman, I respectfully yield back the balance of my time.

Mr. MILLER of Florida. Mr. Chairman, what this amendment does is basically gut H.R. 1994, which is an accountability bill that provides the Secretary with a desperately needed tool in order to hold people accountable within the Department.

I would like to read for the RECORD the 11 veterans service organizations that support the removal authority: American Legion, Veterans of Foreign Wars, Iraq and Afghanistan Veterans of America, Paralyzed Veterans of America, Vietnam Veterans of America, Student Veterans of America, Military Order of the Purple Heart, Military Officers Association of America, Reserve Officers Association, Concerned Veterans for America, and AMVETS.

I remind Members that VA has only successfully removed three VA employees for reasons related to the wait time manipulation in the VA scandal that was brought to everybody's attention back in April.

Here are those that oppose the accountability bill: the American Federation of Government Employees and the National Treasury Employees Union.

So, again, on opposition are the unions; on support are the veterans service organizations.

I yield back the balance of my time.

The Acting CHAIR (Mr. RODNEY DAVIS of Illinois). The question is on the amendment offered by the gentleman from California (Mr. TAKANO).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. TAKANO. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

Mr. MILLER of Florida. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HULTGREN) having assumed the chair, Mr. RODNEY DAVIS of Illinois, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1994) to amend title 38, United States Code, to provide for the removal or demotion of employees of the Department of Veterans Affairs based on performance or misconduct, and for other purposes, had come to no resolution thereon.

SURFACE TRANSPORTATION AND VETERANS HEALTH CARE CHOICE IMPROVEMENT ACT OF 2015

GENERAL LEAVE

Mr. SHUSTER. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous materials on H.R. 3236.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SHUSTER. Mr. Speaker, pursuant to House Resolution 388, I call up the bill (H.R. 3236) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, to provide resource flexibility to the Department of Veterans Affairs for health care services, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The bill contains an emergency designation pursuant to section 4(g)(1) of the Statutory Pay-As-You-Go Act of 2010. Accordingly, the Chair must put the question of consideration under section 4(g)(2) of the Statutory Pay-As-You-Go Act of 2010.

The question is, Will the House now consider the bill?

The question of consideration was decided in the affirmative.

The SPEAKER pro tempore. Pursuant to House Resolution 388, the bill is considered read.

The text of the bill is as follows:

H.R. 3236

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; RECONCILIATION OF FUNDS; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Surface Transportation and Veterans Health Care Choice Improvement Act of 2015''.

(b) RECONCILIATION OF FUNDS.—The Secretary of Transportation shall reduce the amount apportioned or allocated for a program, project, or activity under this Act in fiscal year 2015 by amounts apportioned or allocated pursuant to the Highway and Transportation Funding Act of 2014 and the Highway and Transportation Funding Act of 2015, including the amendments made by such Acts, for the period beginning on October 1, 2014, and ending on July 31, 2015.

(c) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; reconciliation of funds; table of contents.
TITLE I—SURFACE TRANSPORTATION PROGRAM EXTENSION
Subtitle A—Federal-Aid Highways
Sec. 1001. Extension of Federal-aid highway programs.
Sec. 1002. Administrative expenses.
Subtitle B—Extension of Highway Safety Programs
Sec. 1101. Extension of National Highway Traffic Safety Administration highway safety programs.
Sec. 1102. Extension of Federal Motor Carrier Safety Administration programs.
Sec. 1103. Dingell-Johnson Sport Fish Restoration Act.
Subtitle C—Public Transportation Programs
Sec. 1201. Formula grants for rural areas.
Sec. 1202. Apportionment of appropriations for formula grants.
Sec. 1203. Authorizations for public transportation.
Sec. 1204. Bus and bus facilities formula grants.
Subtitle D—Hazardous Materials
Sec. 1301. Authorization of appropriations.
TITLE II—REVENUE PROVISIONS
Sec. 2001. Extension of Highway Trust Fund expenditure authority.
Sec. 2002. Funding of Highway Trust Fund.
Sec. 2003. Modification of mortgage reporting requirements.
Sec. 2004. Consistent basis reporting between estate and person acquiring property from decedent.
Sec. 2005. Clarification of 6-year statute of limitations in case of overstatement of basis.
Sec. 2006. Tax return due dates.
Sec. 2007. Transfers of excess pension assets to retiree health accounts.
Sec. 2008. Equalization of Highway Trust Fund excise taxes on liquefied natural gas, liquefied petroleum gas, and compressed natural gas.
TITLE III—ADDITIONAL PROVISIONS
Sec. 3001. Service fees.
TITLE IV—VETERANS PROVISIONS
Sec. 4001. Short title.
Sec. 4002. Plan to consolidate programs of Department of Veterans Affairs to improve access to care.
Sec. 4003. Funding account for non-Department care.
Sec. 4004. Temporary authorization of use of Veterans Choice Funds for certain programs.
Sec. 4005. Modifications of Veterans Choice Program.
Sec. 4006. Limitation on dialysis pilot program.
Sec. 4007. Amendments to Internal Revenue Code with respect to health coverage of veterans.
Sec. 4008. Emergency designations.

TITLE I—SURFACE TRANSPORTATION PROGRAM EXTENSION

Subtitle A—Federal-Aid Highways

SEC. 1001. EXTENSION OF FEDERAL-AID HIGHWAY PROGRAMS.

(a) IN GENERAL.—Section 1001(a) of the Highway and Transportation Funding Act of 2014 (128 Stat. 1840) is amended by striking ''July 31, 2015'' and inserting ''October 29, 2015''.

(b) AUTHORIZATION OF APPROPRIATIONS.—

(1) HIGHWAY TRUST FUND.—Section 1001(b)(1) of the Highway and Transportation Funding Act of 2014 (128 Stat. 1840) is amended to read as follows:

''(1) HIGHWAY TRUST FUND.—Except as provided in section 1002, there is authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account)—

''(A) for fiscal year 2015, a sum equal to the total amount authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) for programs, projects, and activities for fiscal year 2014 under divisions A and E of MAP–21 (Public Law 112–141) and title 23, United States Code (excluding chapter 4 of that title); and

''(B) for the period beginning on October 1, 2015, and ending on October 29, 2015, 29/366 of the total amount authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) for programs, projects, and activities for fiscal year 2015 under divisions A and E of MAP–21 (Public Law 112–141) and title 23, United States Code (excluding chapter 4 of that title).''.

(2) GENERAL FUND.—Section 1123(h)(1) of MAP–21 (23 U.S.C. 202 note) is amended by striking ''each of fiscal years 2013 and 2014 and $24,986,301 out of the general fund of the Treasury to carry out the program for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''each of fiscal years 2013 through 2015 and $2,377,049 out of the general fund of the Treasury to carry out the program for the period beginning on October 1, 2015, and ending on October 29, 2015''.

(c) USE OF FUNDS.—

(1) IN GENERAL.—Section 1001(c)(1) of the Highway and Transportation Funding Act of 2014 (128 Stat. 1840) is amended by striking ''(1) IN GENERAL.—'' and all that follows through ''to carry out programs'' and inserting the following:

''(1) IN GENERAL.—Except as otherwise expressly provided in this subtitle, funds authorized to be appropriated under subsection (b)(1)—

''(A) for fiscal year 2015 shall be distributed, administered, limited, and made available for obligation in the same manner and at the same levels as the amounts of funds authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) for fiscal year 2014; and

''(B) for the period beginning on October 1, 2015, and ending on October 29, 2015, shall be distributed, administered, limited, and made available for obligation in the same manner and at the same levels as 29/366 of the amounts

of funds authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) for fiscal year 2015, to carry out programs''.

(2) OBLIGATION CEILING.—Section 1102 of MAP–21 (23 U.S.C. 104 note) is amended—

(A) in subsection (a)—

(i) by striking ''and'' at the end of paragraph (2); and

(ii) by striking paragraph (3) and inserting the following:

''(3) $40,256,000,000 for fiscal year 2015; and

''(4) $3,189,683,060 for the period beginning on October 1, 2015, and ending on October 29, 2015.'';

(B) in subsection (b)(12)—

(i) by striking ''each of fiscal years 2013 through 2014'' and inserting ''each of fiscal years 2013 through 2015''; and

(ii) by striking '', and for the period beginning on October 1, 2014, and ending on July 31, 2015, only in an amount equal to $639,000,000, less any reductions that would have otherwise been required for that year by section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a), then multiplied by 304/365 for that period'' and inserting '', and for the period beginning on October 1, 2015, and ending on October 29, 2015, only in an amount equal to $639,000,000, less any reductions that would have otherwise been required for that year by section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a), then multiplied by 29/366 for that period'';

(C) in subsection (c)—

(i) in the matter preceding paragraph (1) by striking ''each of fiscal years 2013 through 2014 and for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''each of fiscal years 2013 through 2015 and for the period beginning on October 1, 2015, and ending on October 29, 2015''; and

(ii) in paragraph (2) in the matter preceding subparagraph (A) by striking ''for the period beginning on October 1, 2014, and ending on July 31, 2015, that is equal to 304/365 of such unobligated balance'' and inserting ''for the period beginning on October 1, 2015, and ending on October 29, 2015, that is equal to 29/366 of such unobligated balance'';

(D) in subsection (d) in the matter preceding paragraph (1) by striking ''2015'' and inserting ''2016''; and

(E) in subsection (f)(1) in the matter preceding subparagraph (A) by striking ''each of fiscal years 2013 through 2014 and for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''each of fiscal years 2013 through 2015 and for the period beginning on October 1, 2015, and ending on October 29, 2015''.

SEC. 1002. ADMINISTRATIVE EXPENSES.

Section 1002 of the Highway and Transportation Funding Act of 2014 (128 Stat. 1842) is amended—

(1) in subsection (a) by striking ''for administrative expenses of the Federal-aid highway program $366,465,753 for the period beginning on October 1, 2014, and ending on July 31, 2015.'' and inserting ''for administrative expenses of the Federal-aid highway program—

''(1) $440,000,000 for fiscal year 2015; and

''(2) $34,863,388 for the period beginning on October 1, 2015, and ending on October 29, 2015.''; and

(2) by striking subsection (b)(2) and inserting the following:

''(2) for fiscal year 2015 and for the period beginning on October 1, 2015, and ending on October 29, 2015, subject to the limitations on administrative expenses under the heading 'Federal Highway Administration' in appropriations Acts that apply, respectively, to that fiscal year and period.''.

Subtitle B—Extension of Highway Safety Programs

SEC. 1101. EXTENSION OF NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION HIGHWAY SAFETY PROGRAMS.

(a) EXTENSION OF PROGRAMS.—

(1) HIGHWAY SAFETY PROGRAMS.—Section 31101(a)(1) of MAP–21 (126 Stat. 733) is amended—

(A) by striking ''and'' at the end of subparagraph (B); and

(B) by striking subparagraph (C) and inserting the following:

''(C) $235,000,000 for fiscal year 2015; and

''(D) $18,620,219 for the period beginning on October 1, 2015, and ending on October 29, 2015.''.

(2) HIGHWAY SAFETY RESEARCH AND DEVELOPMENT.—Section 31101(a)(2) of MAP–21 (126 Stat. 733) is amended—

(A) by striking ''and'' at the end of subparagraph (B); and

(B) by striking subparagraph (C) and inserting the following:

''(C) $113,500,000 for fiscal year 2015; and

''(D) $8,993,169 for the period beginning on October 1, 2015, and ending on October 29, 2015.''.

(3) NATIONAL PRIORITY SAFETY PROGRAMS.—Section 31101(a)(3) of MAP–21 (126 Stat. 733) is amended—

(A) by striking ''and'' at the end of subparagraph (B); and

(B) by striking subparagraph (C) and inserting the following:

''(C) $272,000,000 for fiscal year 2015; and

''(D) $21,551,913 for the period beginning on October 1, 2015, and ending on October 29, 2015.''.

(4) NATIONAL DRIVER REGISTER.—Section 31101(a)(4) of MAP–21 (126 Stat. 733) is amended—

(A) by striking ''and'' at the end of subparagraph (B); and

(B) by striking subparagraph (C) and inserting the following:

''(C) $5,000,000 for fiscal year 2015; and

''(D) $396,175 for the period beginning on October 1, 2015, and ending on October 29, 2015.''.

(5) HIGH VISIBILITY ENFORCEMENT PROGRAM.—

(A) AUTHORIZATION OF APPROPRIATIONS.—Section 31101(a)(5) of MAP–21 (126 Stat. 733) is amended—

(i) by striking ''and'' at the end of subparagraph (B); and

(ii) by striking subparagraph (C) and inserting the following:

''(C) $29,000,000 for fiscal year 2015; and

''(D) $2,297,814 for the period beginning on October 1, 2015, and ending on October 29, 2015.''.

(B) LAW ENFORCEMENT CAMPAIGNS.—Section 2009(a) of SAFETEA–LU (23 U.S.C. 402 note) is amended—

(i) in the first sentence by striking ''each of fiscal years 2013 and 2014 and in the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''each of fiscal years 2013 through 2015 and in the period beginning on October 1, 2015, and ending on October 29, 2015''; and

(ii) in the second sentence by striking ''each of fiscal years 2013 and 2014 and in the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''each of fiscal years 2013 through 2015 and in the period beginning on October 1, 2015, and ending on October 29, 2015,''.

(6) ADMINISTRATIVE EXPENSES.—Section 31101(a)(6) of MAP–21 (126 Stat. 733) is amended—

(A) by striking ''and'' at the end of subparagraph (B); and

(B) by striking subparagraph (C) and inserting the following:

''(C) $25,500,000 for fiscal year 2015; and

''(D) $2,020,492 for the period beginning on October 1, 2015, and ending on October 29, 2015.''.

(b) COOPERATIVE RESEARCH AND EVALUATION.—Section 403(f)(1) of title 23, United States Code, is amended by striking ''each fiscal year ending before October 1, 2014, and $2,082,192 of the total amount available for apportionment to the States for highway safety programs under section 402(c) in the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''each fiscal year ending before October 1, 2015, and $198,087 of the total amount available for apportionment to the States for highway safety programs under section 402(c) in the period beginning on October 1, 2015, and ending on October 29, 2015,''.

(c) APPLICABILITY OF TITLE 23.—Section 31101(c) of MAP–21 (126 Stat. 733) is amended by striking ''fiscal years 2013 and 2014 and for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''each of fiscal years 2013 through 2015 and for the period beginning on October 1, 2015, and ending on October 29, 2015,''.

SEC. 1102. EXTENSION OF FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION PROGRAMS.

(a) MOTOR CARRIER SAFETY GRANTS.—Section 31104(a) of title 49, United States Code, is amended—

(1) by striking ''and'' at the end of paragraph (9); and

(2) by striking paragraph (10) and inserting the following:

''(10) $218,000,000 for fiscal year 2015; and

''(11) $17,273,224 for the period beginning on October 1, 2015, and ending on October 29, 2015.''.

(b) ADMINISTRATIVE EXPENSES.—Section 31104(i)(1) of title 49, United States Code, is amended—

(1) by striking ''and'' at the end of subparagraph (I); and

(2) by striking subparagraph (J) and inserting the following:

''(J) $259,000,000 for fiscal year 2015; and

''(K) $20,521,858 for the period beginning on October 1, 2015, and ending on October 29, 2015.''.

(c) GRANT PROGRAMS.—

(1) COMMERCIAL DRIVER'S LICENSE PROGRAM IMPROVEMENT GRANTS.—Section 4101(c)(1) of SAFETEA–LU (119 Stat. 1715) is amended by striking ''each of fiscal years 2013 and 2014 and $24,986,301 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''each of fiscal years 2013 through 2015 and $2,377,049 for the period beginning on October 1, 2015, and ending on October 29, 2015''.

(2) BORDER ENFORCEMENT GRANTS.—Section 4101(c)(2) of SAFETEA–LU (119 Stat. 1715) is amended by striking ''each of fiscal years 2013 and 2014 and $26,652,055 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''each of fiscal years 2013 through 2015 and $2,535,519 for the period beginning on October 1, 2015, and ending on October 29, 2015''.

(3) PERFORMANCE AND REGISTRATION INFORMATION SYSTEM MANAGEMENT GRANT PROGRAM.—Section 4101(c)(3) of SAFETEA–LU (119 Stat. 1715) is amended by striking ''each of fiscal years 2013 and 2014 and $4,164,384 for

the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''each of fiscal years 2013 through 2015 and $396,175 for the period beginning on October 1, 2015, and ending on October 29, 2015''.

(4) COMMERCIAL VEHICLE INFORMATION SYSTEMS AND NETWORKS DEPLOYMENT PROGRAM.—Section 4101(c)(4) of SAFETEA–LU (119 Stat. 1715) is amended by striking ''each of fiscal years 2013 and 2014 and $20,821,918 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''each of fiscal years 2013 through 2015 and $1,980,874 for the period beginning on October 1, 2015, and ending on October 29, 2015''.

(5) SAFETY DATA IMPROVEMENT GRANTS.—Section 4101(c)(5) of SAFETEA–LU (119 Stat. 1715) is amended by striking ''each of fiscal years 2013 and 2014 and $2,498,630 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''each of fiscal years 2013 through 2015 and $237,705 for the period beginning on October 1, 2015, and ending on October 29, 2015''.

(d) HIGH-PRIORITY ACTIVITIES.—Section 31104(k)(2) of title 49, United States Code, is amended by striking ''each of fiscal years 2006 through 2014 and up to $12,493,151 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''each of fiscal years 2006 through 2015 and up to $1,188,525 for the period beginning on October 1, 2015, and ending on October 29, 2015,''.

(e) NEW ENTRANT AUDITS.—Section 31144(g)(5)(B) of title 49, United States Code, is amended by striking ''per fiscal year and up to $26,652,055 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''per fiscal year and up to $2,535,519 for the period beginning on October 1, 2015, and ending on October 29, 2015,''.

(f) OUTREACH AND EDUCATION.—Section 4127(e) of SAFETEA–LU (119 Stat. 1741) is amended by striking ''each of fiscal years 2013 and 2014 and $3,331,507 to the Federal Motor Carrier Safety Administration for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''each of fiscal years 2013 through 2015 and $316,940 to the Federal Motor Carrier Safety Administration for the period beginning on October 1, 2015, and ending on October 29, 2015,''.

(g) GRANT PROGRAM FOR COMMERCIAL MOTOR VEHICLE OPERATORS.—Section 4134(c) of SAFETEA–LU (49 U.S.C. 31301 note) is amended by striking ''each of fiscal years 2005 through 2014 and $832,877 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''each of fiscal years 2005 through 2015 and $79,235 for the period beginning on October 1, 2015, and ending on October 29, 2015,''.

SEC. 1103. DINGELL-JOHNSON SPORT FISH RESTORATION ACT.

Section 4 of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777c) is amended—

(1) in subsection (a) in the matter preceding paragraph (1) by striking ''each fiscal year through 2014 and for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''each fiscal year through 2015 and for the period beginning on October 1, 2015, and ending on October 29, 2015''; and

(2) in subsection (b)(1)(A) by striking ''for each fiscal year ending before October 1, 2014, and for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''for each fiscal year ending before October 1, 2015, and for the period beginning on October 1, 2015, and ending on October 29, 2015,''.

Subtitle C—Public Transportation Programs

SEC. 1201. FORMULA GRANTS FOR RURAL AREAS.

Section 5311(c)(1) of title 49, United States Code, is amended—

(1) in subparagraph (A) by striking ''for each fiscal year ending before October 1, 2014, and $4,164,384 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''for each fiscal year ending before October 1, 2015, and $396,175 for the period beginning on October 1, 2015, and ending on October 29, 2015,''; and

(2) in subparagraph (B) by striking ''for each fiscal year ending before October 1, 2014, and $20,821,918 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''for each fiscal year ending before October 1, 2015, and $1,980,874 for the period beginning on October 1, 2015, and ending on October 29, 2015,''.

SEC. 1202. APPORTIONMENT OF APPROPRIATIONS FOR FORMULA GRANTS.

Section 5336(h)(1) of title 49, United States Code, is amended by striking ''for each fiscal year ending before October 1, 2014, and $24,986,301 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''for each fiscal year ending before October 1, 2015, and $2,377,049 for the period beginning on October 1, 2015, and ending on October 29, 2015,''.

SEC. 1203. AUTHORIZATIONS FOR PUBLIC TRANSPORTATION.

(a) FORMULA GRANTS.—Section 5338(a) of title 49, United States Code, is amended—

(1) in paragraph (1) by striking ''and $7,158,575,342 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''$8,595,000,000 for fiscal year 2015, and $681,024,590 for the period beginning on October 1, 2015, and ending on October 29, 2015'';

(2) in paragraph (2)—

(A) in subparagraph (A) by striking ''and $107,274,521 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''$128,800,000 for fiscal 2015, and $10,205,464 for the period beginning on October 1, 2015, and ending on October 29, 2015,'';

(B) in subparagraph (B) by striking ''for each of fiscal years 2013 and 2014 and $8,328,767 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''for each of fiscal years 2013 through 2015 and $792,350 for the period beginning on October 1, 2015, and ending on October 29, 2015,'';

(C) in subparagraph (C) by striking ''and $3,713,505,753 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''$4,458,650,000 for fiscal year 2015, and $353,281,011 for the period beginning on October 1, 2015, and ending on October 29, 2015,'';

(D) in subparagraph (D) by striking ''and $215,132,055 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''$258,300,000 for fiscal year 2015, and $20,466,393 for the period beginning on October 1, 2015, and ending on October 29, 2015,'';

(E) in subparagraph (E)—

(i) by striking ''and $506,222,466 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''$607,800,000 for fiscal year 2015, and $48,159,016 for the period beginning on October 1, 2015, and ending on October 29, 2015,'';

(ii) by striking ''and $24,986,301 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''$30,000,000 for fiscal year 2015, and $2,377,049 for the period beginning on October 1, 2015, and ending on October 29, 2015,''; and

(iii) by striking ''and $16,657,534 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''$20,000,000 for fiscal year 2015, and $1,584,699 for the period beginning on October 1, 2015, and ending on October 29, 2015,'';

(F) in subparagraph (F) by striking ''each of fiscal years 2013 and 2014 and $2,498,630 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''each of fiscal years 2013 through 2015 and $237,705 for the period beginning on October 1, 2015, and ending on October 29, 2015,'';

(G) in subparagraph (G) by striking ''each of fiscal years 2013 and 2014 and $4,164,384 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''each of fiscal years 2013 through 2015 and $396,175 for the period beginning on October 1, 2015, and ending on October 29, 2015,'';

(H) in subparagraph (H) by striking ''each of fiscal years 2013 and 2014 and $3,206,575 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''each of fiscal years 2013 through 2015 and $305,055 for the period beginning on October 1, 2015, and ending on October 29, 2015,'';

(I) in subparagraph (I) by striking ''and $1,803,927,671 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''$2,165,900,000 for fiscal year 2015, and $171,615,027 for the period beginning on October 1, 2015, and ending on October 29, 2015,'';

(J) in subparagraph (J) by striking ''and $356,304,658 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''$427,800,000 for fiscal year 2015, and $33,896,721 for the period beginning on October 1, 2015, and ending on October 29, 2015,''; and

(K) in subparagraph (K) by striking ''and $438,009,863 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''$525,900,000 for fiscal year 2015, and $41,669,672 for the period beginning on October 1, 2015, and ending on October 29, 2015,''.

(b) RESEARCH, DEVELOPMENT DEMONSTRATION AND DEPLOYMENT PROJECTS.—Section 5338(b) of title 49, United States Code, is amended by striking ''and $58,301,370 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''$70,000,000 for fiscal year 2015, and $5,546,448 for the period beginning on October 1, 2015, and ending on October 29, 2015''.

(c) TRANSIT COOPERATIVE RESEARCH PROGRAM.—Section 5338(c) of title 49, United States Code, is amended by striking ''and $5,830,137 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''$7,000,000 for fiscal year 2015, and $554,645 for the period beginning on October 1, 2015, and ending on October 29, 2015''.

(d) TECHNICAL ASSISTANCE AND STANDARDS DEVELOPMENT.—Section 5338(d) of title 49, United States Code, is amended by striking ''and $5,830,137 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''$7,000,000 for fiscal year 2015, and $554,645 for the period beginning on October 1, 2015, and ending on October 29, 2015''.

(e) HUMAN RESOURCES AND TRAINING.—Section 5338(e) of title 49, United States Code, is amended by striking ''and $4,164,384 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''$5,000,000 for fiscal year 2015, and $396,175 for the period beginning on October 1, 2015, and ending on October 29, 2015''.

(f) CAPITAL INVESTMENT GRANTS.—Section 5338(g) of title 49, United States Code, is amended by striking ''and $1,558,295,890 for

the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''$1,907,000,000 for fiscal year 2015, and $151,101,093 for the period beginning on October 1, 2015, and ending on October 29, 2015''.

(g) ADMINISTRATION.—Section 5338(h) of title 49, United States Code, is amended—

(1) in paragraph (1) by striking ''and $86,619,178 for the period beginning on October 1, 2014, and ending on July 31, 2015'' and inserting ''$104,000,000 for fiscal year 2015, and $8,240,437 for the period beginning on October 1, 2015, and ending on October 29, 2015'';

(2) in paragraph (2) by striking ''each of fiscal years 2013 and 2014 and not less than $4,164,384 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''each of fiscal years 2013 through 2015 and not less than $396,175 for the period beginning on October 1, 2015, and ending on October 29, 2015,''; and

(3) in paragraph (3) by striking ''each of fiscal years 2013 and 2014 and not less than $832,877 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''each of fiscal years 2013 through 2015 and not less than $79,235 for the period beginning on October 1, 2015, and ending on October 29, 2015,''.

SEC. 1204. BUS AND BUS FACILITIES FORMULA GRANTS.

Section 5339(d)(1) of title 49, United States Code, is amended—

(1) by striking ''each of fiscal years 2013 and 2014 and $54,553,425 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''each of fiscal years 2013 through 2015 and $5,189,891 for the period beginning on October 1, 2015, and ending on October 29, 2015,'';

(2) by striking ''$1,041,096 for such period'' and inserting ''$99,044 for such period''; and

(3) by striking ''$416,438 for such period'' and inserting ''$39,617 for such period''.

Subtitle D—Hazardous Materials

SEC. 1301. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—Section 5128(a) of title 49, United States Code, is amended—

(1) by striking ''and'' at the end of paragraph (2); and

(2) by striking paragraph (3) and inserting the following:

''(3) $42,762,000 for fiscal year 2015; and

''(4) $3,388,246 for the period beginning on October 1, 2015, and ending on October 29, 2015.''.

(b) HAZARDOUS MATERIALS EMERGENCY PREPAREDNESS FUND.—Section 5128(b) of title 49, United States Code, is amended—

(1) in paragraph (1)—

(A) in the paragraph heading by striking ''FISCAL YEARS 2013 AND 2014'' and inserting ''FISCAL YEARS 2013 THROUGH 2015''; and

(B) in the matter preceding subparagraph (A) by striking ''fiscal years 2013 and 2014'' and inserting ''fiscal years 2013 through 2015''; and

(2) by striking paragraph (2) and inserting the following:

''(2) FISCAL YEAR 2016.—From the Hazardous Materials Emergency Preparedness Fund established under section 5116(i), the Secretary may expend for the period beginning on October 1, 2015, and ending on October 29, 2015—

''(A) $14,896 to carry out section 5115;

''(B) $1,727,322 to carry out subsections (a) and (b) of section 5116, of which not less than $1,081,557 shall be available to carry out section 5116(b);

''(C) $11,885 to carry out section 5116(f);

''(D) $49,522 to publish and distribute the Emergency Response Guidebook under section 5116(i)(3); and

''(E) $79,235 to carry out section 5116(j).''.

(c) HAZARDOUS MATERIALS TRAINING GRANTS.—Section 5128(c) of title 49, United States Code, is amended by striking ''each of the fiscal years 2013 and 2014 and $3,331,507 for the period beginning on October 1, 2014, and ending on July 31, 2015,'' and inserting ''each of fiscal years 2013 through 2015 and $316,940 for the period beginning on October 1, 2015, and ending on October 29, 2015,''.

TITLE II—REVENUE PROVISIONS

SEC. 2001. EXTENSION OF HIGHWAY TRUST FUND EXPENDITURE AUTHORITY.

(a) HIGHWAY TRUST FUND.—Section 9503 of the Internal Revenue Code of 1986 is amended—

(1) by striking ''August 1, 2015'' in subsections (b)(6)(B), (c)(1), and (e)(3) and inserting ''October 30, 2015'', and

(2) by striking ''Highway and Transportation Funding Act of 2015'' in subsections (c)(1) and (e)(3) and inserting ''Surface Transportation and Veterans Health Care Choice Improvement Act of 2015''.

(b) SPORT FISH RESTORATION AND BOATING TRUST FUND.—Section 9504 of such Code is amended—

(1) by striking ''Highway and Transportation Funding Act of 2015'' each place it appears in subsection (b)(2) and inserting ''Surface Transportation and Veterans Health Care Choice Improvement Act of 2015'', and

(2) by striking ''August 1, 2015'' in subsection (d)(2) and inserting ''October 30, 2015''.

(c) LEAKING UNDERGROUND STORAGE TANK TRUST FUND.—Section 9508(e)(2) of such Code is amended by striking ''August 1, 2015'' and inserting ''October 30, 2015''.

SEC. 2002. FUNDING OF HIGHWAY TRUST FUND.

Section 9503(f) of the Internal Revenue Code of 1986 is amended by redesignating paragraph (7) as paragraph (8) and by inserting after paragraph (6) the following new paragraph:

''(7) ADDITIONAL SUMS.—Out of money in the Treasury not otherwise appropriated, there is hereby appropriated—

''(A) $6,068,000,000 to the Highway Account (as defined in subsection (e)(5)(B)) in the Highway Trust Fund; and

''(B) $2,000,000,000 to the Mass Transit Account in the Highway Trust Fund.''.

SEC. 2003. MODIFICATION OF MORTGAGE REPORTING REQUIREMENTS.

(a) INFORMATION RETURN REQUIREMENTS.—Section 6050H(b)(2) of the Internal Revenue Code of 1986 is amended by striking ''and'' at the end of subparagraph (C), by redesignating subparagraph (D) as subparagraph (G) and by inserting after subparagraph (C) the following new subparagraphs:

''(D) the amount of outstanding principal on the mortgage as of the beginning of such calendar year,

''(E) the date of the origination of the mortgage,

''(F) the address (or other description in the case of property without an address) of the property which secures the mortgage, and''.

(b) STATEMENTS TO INDIVIDUALS.—Section 6050H(d)(2) of such Code is amended by striking ''subsection (b)(2)(C)'' and inserting ''subparagraphs (C), (D), (E), and (F) of subsection (b)(2)''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to returns required to be made, and statements required to be furnished, after December 31, 2016.

SEC. 2004. CONSISTENT BASIS REPORTING BETWEEN ESTATE AND PERSON ACQUIRING PROPERTY FROM DECEDENT.

(a) PROPERTY ACQUIRED FROM A DECEDENT.—Section 1014 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

''(f) BASIS MUST BE CONSISTENT WITH ESTATE TAX RETURN.—For purposes of this section—

''(1) IN GENERAL.—The basis of any property to which subsection (a) applies shall not exceed—

''(A) in the case of property the final value of which has been determined for purposes of the tax imposed by chapter 11 on the estate of such decedent, such value, and

''(B) in the case of property not described in subparagraph (A) and with respect to which a statement has been furnished under section 6035(a) identifying the value of such property, such value.

''(2) EXCEPTION.—Paragraph (1) shall only apply to any property whose inclusion in the decedent's estate increased the liability for the tax imposed by chapter 11 (reduced by credits allowable against such tax) on such estate.

''(3) DETERMINATION.—For purposes of paragraph (1), the basis of property has been determined for purposes of the tax imposed by chapter 11 if—

''(A) the value of such property is shown on a return under section 6018 and such value is not contested by the Secretary before the expiration of the time for assessing a tax under chapter 11,

''(B) in a case not described in subparagraph (A), the value is specified by the Secretary and such value is not timely contested by the executor of the estate, or

''(C) the value is determined by a court or pursuant to a settlement agreement with the Secretary.

''(4) REGULATIONS.—The Secretary may by regulations provide exceptions to the application of this subsection.''.

(b) INFORMATION REPORTING.—

(1) IN GENERAL.—Subpart A of part III of subchapter A of chapter 61 of such Code is amended by inserting after section 6034A the following new section:

''SEC. 6035. BASIS INFORMATION TO PERSONS ACQUIRING PROPERTY FROM DECEDENT.

''(a) INFORMATION WITH RESPECT TO PROPERTY ACQUIRED FROM DECEDENTS.—

''(1) IN GENERAL.—The executor of any estate required to file a return under section 6018(a) shall furnish to the Secretary and to each person acquiring any interest in property included in the decedent's gross estate for Federal estate tax purposes a statement identifying the value of each interest in such property as reported on such return and such other information with respect to such interest as the Secretary may prescribe.

''(2) STATEMENTS BY BENEFICIARIES.—Each person required to file a return under section 6018(b) shall furnish to the Secretary and to each other person who holds a legal or beneficial interest in the property to which such return relates a statement identifying the information described in paragraph (1).

''(3) TIME FOR FURNISHING STATEMENT.—

''(A) IN GENERAL.—Each statement required to be furnished under paragraph (1) or (2) shall be furnished at such time as the Secretary may prescribe, but in no case at a time later than the earlier of—

''(i) the date which is 30 days after the date on which the return under section 6018 was required to be filed (including extensions, if any), or

''(ii) the date which is 30 days after the date such return is filed.

''(B) ADJUSTMENTS.—In any case in which there is an adjustment to the information required to be included on a statement filed under paragraph (1) or (2) after such statement has been filed, a supplemental statement under such paragraph shall be filed not later than the date which is 30 days after such adjustment is made.

''(b) REGULATIONS.—The Secretary shall prescribe such regulations as necessary to carry out this section, including regulations relating to—

''(1) the application of this section to property with regard to which no estate tax return is required to be filed, and

''(2) situations in which the surviving joint tenant or other recipient may have better information than the executor regarding the basis or fair market value of the property.''.

(2) PENALTY FOR FAILURE TO FILE.—

(A) RETURN.—Section 6724(d)(1) of such Code is amended by striking ''and'' at the end of subparagraph (B), by striking the period at the end of subparagraph (C) and inserting '', and'', and by adding at the end the following new subparagraph:

''(D) any statement required to be filed with the Secretary under section 6035.''.

(B) STATEMENT.—Section 6724(d)(2) of such Code is amended by striking ''or'' at the end of subparagraph (GG), by striking the period at the end of subparagraph (HH) and inserting '', or'', and by adding at the end the following new subparagraph:

''(II) section 6035 (other than a statement described in paragraph (1)(D)).''.

(3) CLERICAL AMENDMENT.—The table of sections for subpart A of part III of subchapter A of chapter 61 of such Code is amended by inserting after the item relating to section 6034A the following new item:

''Sec. 6035. Basis information to persons acquiring property from decedent.''.

(c) PENALTY FOR INCONSISTENT REPORTING.—

(1) IN GENERAL.—Section 6662(b) of such Code is amended by inserting after paragraph (7) the following new paragraph:

''(8) Any inconsistent estate basis.''.

(2) INCONSISTENT BASIS REPORTING.—Section 6662 of such Code is amended by adding at the end the following new subsection:

''(k) INCONSISTENT ESTATE BASIS REPORTING.—For purposes of this section, there is an 'inconsistent estate basis' if the basis of property claimed on a return exceeds the basis as determined under section 1014(f).''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to property with respect to which an estate tax return is filed after the date of the enactment of this Act.

SEC. 2005. CLARIFICATION OF 6-YEAR STATUTE OF LIMITATIONS IN CASE OF OVERSTATEMENT OF BASIS.

(a) IN GENERAL.—Section 6501(e)(1)(B) of the Internal Revenue Code of 1986 is amended—

(1) by striking ''and'' at the end of clause (i), by redesignating clause (ii) as clause (iii), and by inserting after clause (i) the following new clause:

''(ii) An understatement of gross income by reason of an overstatement of unrecovered cost or other basis is an omission from gross income; and'', and

(2) by inserting ''(other than in the case of an overstatement of unrecovered cost or other basis)'' in clause (iii) (as so redesignated) after ''In determining the amount omitted from gross income''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to—

(1) returns filed after the date of the enactment of this Act, and

(2) returns filed on or before such date if the period specified in section 6501 of the Internal Revenue Code of 1986 (determined without regard to such amendments) for assessment of the taxes with respect to which such return relates has not expired as of such date.

SEC. 2006. TAX RETURN DUE DATES.

(a) DUE DATES FOR RETURNS OF PARTNERSHIPS, S CORPORATIONS, AND C CORPORATIONS.—

(1) PARTNERSHIPS AND S CORPORATIONS.—

(A) IN GENERAL.—So much of subsection (b) of 6072 of the Internal Revenue Code of 1986 as precedes the second sentence thereof is amended to read as follows:

''(b) RETURNS OF PARTNERSHIPS AND S CORPORATIONS.—Returns of partnerships under section 6031 and returns of S corporations under sections 6012 and 6037 made on the basis of the calendar year shall be filed on or before the 15th day of March following the close of the calendar year, and such returns made on the basis of a fiscal year shall be filed on or before the 15th day of the third month following the close of the fiscal year.''.

(B) CONFORMING AMENDMENT.—Section 6072(a) of such Code is amended by striking ''6017, or 6031'' and inserting ''or 6017''.

(2) CONFORMING AMENDMENTS RELATING TO C CORPORATION DUE DATE OF 15TH DAY OF FOURTH MONTH FOLLOWING TAXABLE YEAR.—

(A) Section 170(a)(2)(B) of such Code is amended by striking ''third month'' and inserting ''fourth month''.

(B) Section 563 of such Code is amended by striking ''third month'' each place it appears and inserting ''fourth month''.

(C) Section 1354(d)(1)(B)(i) of such Code is amended by striking ''3d month'' and inserting ''4th month''.

(D) Subsections (a) and (c) of section 6167 of such Code are each amended by striking ''third month'' and inserting ''fourth month''.

(E) Section 6425(a)(1) of such Code is amended by striking ''third month'' and inserting ''fourth month''.

(F) Subsections (b)(2)(A), (g)(3), and (h)(1) of section 6655 of such Code are each amended by striking ''3rd month'' and inserting ''4th month''.

(G) Section 6655(g)(4) of such Code is amended by redesignating subparagraph (E) as subparagraph (F) and by inserting after subparagraph (D) the following new subparagraph:

''(E) Subsection (b)(2)(A) shall be applied by substituting '3rd month' for '4th month'.''.

(3) EFFECTIVE DATES.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the amendments made by this subsection shall apply to returns for taxable years beginning after December 31, 2015.

(B) SPECIAL RULE FOR C CORPORATIONS WITH FISCAL YEARS ENDING ON JUNE 30.—In the case of any C corporation with a taxable year ending on June 30, the amendments made by this subsection shall apply to returns for taxable years beginning after December 31, 2025.

(b) MODIFICATION OF DUE DATES BY REGULATION.—In the case of returns for taxable years beginning after December 31, 2015, the Secretary of the Treasury, or the Secretary's designee, shall modify appropriate regulations to provide as follows:

(1) The maximum extension for the returns of partnerships filing Form 1065 shall be a 6-month period ending on September 15 for calendar year taxpayers.

(2) The maximum extension for the returns of trusts filing Form 1041 shall be a 5½-month period ending on September 30 for calendar year taxpayers.

(3) The maximum extension for the returns of employee benefit plans filing Form 5500 shall be an automatic 3½-month period ending on November 15 for calendar year plans.

(4) The maximum extension for the returns of organizations exempt from income tax filing Form 990 (series) shall be an automatic 6-month period ending on November 15 for calendar year filers.

(5) The maximum extension for the returns of organizations exempt from income tax that are required to file Form 4720 returns of excise taxes shall be an automatic 6-month period beginning on the due date for filing the return (without regard to any extensions).

(6) The maximum extension for the returns of trusts required to file Form 5227 shall be an automatic 6-month period beginning on the due date for filing the return (without regard to any extensions).

(7) The maximum extension for filing Form 6069, Return of Excise Tax on Excess Contributions to Black Lung Benefit Trust Under Section 4953 and Computation of Section 192 Deduction, shall be an automatic 6-month period beginning on the due date for filing the return (without regard to any extensions).

(8) The maximum extension for a taxpayer required to file Form 8870 shall be an automatic 6-month period beginning on the due date for filing the return (without regard to any extensions).

(9) The due date of Form 3520–A, Annual Information Return of a Foreign Trust with a United States Owner, shall be the 15th day of the 3d month after the close of the trust's taxable year, and the maximum extension shall be a 6-month period beginning on such day.

(10) The due date of Form 3520, Annual Return to Report Transactions with Foreign Trusts and Receipt of Certain Foreign Gifts, for calendar year filers shall be April 15 with a maximum extension for a 6-month period ending on October 15.

(11) The due date of FinCEN Report 114 (relating to Report of Foreign Bank and Financial Accounts) shall be April 15 with a maximum extension for a 6-month period ending on October 15 and with provision for an extension under rules similar to the rules in Treas. Reg. section 1.6081–5. For any taxpayer required to file such Form for the first time, any penalty for failure to timely request for, or file, an extension, may be waived by the Secretary.

(c) CORPORATIONS PERMITTED STATUTORY AUTOMATIC 6-MONTH EXTENSION OF INCOME TAX RETURNS.—

(1) IN GENERAL.—Section 6081(b) of such Code is amended—

(A) by striking ''3 months'' and inserting ''6 months'', and

(B) by adding at the end the following: ''In the case of any return for a taxable year of a C corporation which ends on December 31 and begins before January 1, 2026, the first sentence of this subsection shall be applied by substituting '5 months' for '6 months'. In the case of any return for a taxable year of a C corporation which ends on June 30 and begins before January 1, 2026, the first sentence of this subsection shall be applied by substituting '7 months' for '6 months'.''.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall apply to returns for taxable years beginning after December 31, 2015.

SEC. 2007. TRANSFERS OF EXCESS PENSION ASSETS TO RETIREE HEALTH ACCOUNTS.

(a) IN GENERAL.—Section 420(b)(4) of the Internal Revenue Code of 1986 is amended by striking ''December 31, 2021'' and inserting ''December 31, 2025''.

(b) CONFORMING ERISA AMENDMENTS.—

(1) Sections 101(e)(3), 403(c)(1), and 408(b)(13) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1021(e)(3), 1103(c)(1), 1108(b)(13)) are each amended by striking ''MAP–21'' and inserting ''Surface Transportation and Veterans Health Care Choice Improvement Act of 2015''.

(2) Section 408(b)(13) of such Act (29 U.S.C. 1108(b)(13)) is amended by striking ''January 1, 2022'' and inserting ''January 1, 2026''.

SEC. 2008. EQUALIZATION OF HIGHWAY TRUST FUND EXCISE TAXES ON LIQUEFIED NATURAL GAS, LIQUEFIED PETROLEUM GAS, AND COMPRESSED NATURAL GAS.

(a) LIQUEFIED PETROLEUM GAS.—

(1) IN GENERAL.—Section 4041(a)(2)(B) of the Internal Revenue Code of 1986 is amended by striking ''and'' at the end of clause (i), by redesignating clause (ii) as clause (iii), and by inserting after clause (i) the following new clause:

''(ii) in the case of liquefied petroleum gas, 18.3 cents per energy equivalent of a gallon of gasoline, and''.

(2) ENERGY EQUIVALENT OF A GALLON OF GASOLINE.—Section 4041(a)(2) of such Code is amended by adding at the end the following:

''(C) ENERGY EQUIVALENT OF A GALLON OF GASOLINE.—For purposes of this paragraph, the term 'energy equivalent of a gallon of gasoline' means, with respect to a liquefied petroleum gas fuel, the amount of such fuel having a Btu content of 115,400 (lower heating value). For purposes of the preceding sentence, a Btu content of 115,400 (lower heating value) is equal to 5.75 pounds of liquefied petroleum gas.''.

(b) LIQUEFIED NATURAL GAS.—

(1) IN GENERAL.—Section 4041(a)(2)(B) of such Code, as amended by subsection (a)(1), is amended by striking ''and'' at the end of clause (ii), by striking the period at the end of clause (iii) and inserting '', and'' and by inserting after clause (iii) the following new clause:

''(iv) in the case of liquefied natural gas, 24.3 cents per energy equivalent of a gallon of diesel.''.

(2) ENERGY EQUIVALENT OF A GALLON OF DIESEL.—Section 4041(a)(2) of such Code, as amended by subsection (a)(2), is amended by adding at the end the following:

''(D) ENERGY EQUIVALENT OF A GALLON OF DIESEL.—For purposes of this paragraph, the term 'energy equivalent of a gallon of diesel' means, with respect to a liquefied natural gas fuel, the amount of such fuel having a Btu content of 128,700 (lower heating value). For purposes of the preceding sentence, a Btu content of 128,700 (lower heating value) is equal to 6.06 pounds of liquefied natural gas.''.

(3) CONFORMING AMENDMENTS.—Section 4041(a)(2)(B)(iii) of such Code, as redesignated by subsection (a)(1), is amended—

(A) by striking ''liquefied natural gas,'', and

(B) by striking ''peat), and'' and inserting ''peat) and''.

(c) ENERGY EQUIVALENT OF A GALLON OF GASOLINE TO COMPRESSED NATURAL GAS.—Section 4041(a)(3) of such Code is amended by adding at the end the following:

''(D) ENERGY EQUIVALENT OF A GALLON OF GASOLINE.—For purposes of this paragraph, the term 'energy equivalent of a gallon of gasoline' means 5.66 pounds of compressed natural gas.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to any sale or use of fuel after December 31, 2015.

TITLE III—ADDITIONAL PROVISIONS

SEC. 3001. SERVICE FEES.

Paragraph (4) of section 44940(i) of title 49, United States Code, is amended by adding at the end the following new subparagraphs:

''(K) $1,560,000,000 for fiscal year 2024.

''(L) $1,600,000,000 for fiscal year 2025.''.

TITLE IV—VETERANS PROVISIONS

SEC. 4001. SHORT TITLE.

This title may be cited as the ''VA Budget and Choice Improvement Act''.

SEC. 4002. PLAN TO CONSOLIDATE PROGRAMS OF DEPARTMENT OF VETERANS AFFAIRS TO IMPROVE ACCESS TO CARE.

(a) PLAN.—The Secretary of Veterans Affairs shall develop a plan to consolidate all non-Department provider programs by establishing a new, single program to be known as the ''Veterans Choice Program'' to furnish hospital care and medical services to veterans enrolled in the system of patient enrollment established under section 1705(a) of title 38, United States Code, at non-Department facilities.

(b) ELEMENTS.—The plan developed under subsection (a) to establish the Veterans Choice Program to furnish hospital care and medical services at non-Department facilities shall include, at a minimum, the following:

(1) A standardized method to furnish such care and services that incorporates the strengths of the non-Department provider programs into a single streamlined program that the Secretary administers uniformly in each Veterans Service Integrated Network and throughout the medical system of the Veterans Health Administration.

(2) An identification of the eligibility requirements for any such care and services, including with respect to service-connected disabilities and non-service-connected disabilities.

(3) A description of the authorization process for such care or medical services, including with respect to identifying the roles of clinicians, schedulers, any third-party administrators, the Chief Business Office of the Department, and any other entity involved in the authorization process.

(4) The structuring of the billing and reimbursement process, including the use of third-party medical claims adjudicators or technology that supports automatic adjudication.

(5) A description of the reimbursement rate to be paid to health care providers under such program.

(6) An identification of how the Secretary will determine the eligibility requirements of health care providers at non-Department facilities to participate in such program, including how the Secretary plans to structure a non-Department care network to allow the maximum amount of flexibility in providing care and services under the program.

(7) An explanation of the processes to be used to ensure that the Secretary will fully comply with all requirements of chapter 39 of title 31, United States Code (commonly referred to as the ''Prompt Payment Act''), in paying for such care and services furnished at non-Department facilities.

(8) A description of how, to the greatest extent practicable, the Secretary plans to use infrastructure and networks of non-Department provider programs that exist as of the date of the plan to implement such program.

(9) A description of how—

(A) health care providers at non-Department facilities that furnish such care or services to veterans under such program will have access to, and transmit back to the Department, the medical records of such veterans; and

(B) the Department will receive from such non-Department providers such medical records and any other relevant information.

(10) A description of how the Secretary plans to ensure an efficient transition to such program for veterans who participate in the non-Department provider programs, including a timeline, milestones, and estimated costs for implementation, outreach, and training.

(c) SUBMISSION.—Not later than November 1, 2015, the Secretary shall submit to the Committees on Veterans' Affairs of the House of Representatives and the Senate a report containing—

(1) a description of each non-Department provider program and the statutory authority for each such program;

(2) the plan under subsection (a);

(3) the estimated costs and budgetary requirements to implement the plan and to furnish hospital care and medical services pursuant to such plan; and

(4) any recommendations for legislative proposals the Secretary determines necessary to implement such plan.

(d) DEFINITIONS.—In this section:

(1) The term ''non-Department facility'' has the meaning given that term in section 1701 of title 38, United States Code.

(2) The term ''non-Department provider programs'' means each program administered by the Secretary of Veterans Affairs under which the Secretary enters into contracts or other agreements with health care providers at non-Department facilities to furnish hospital care and medical services to veterans, including pursuant to the following:

(A) Section 1703 of title 38, United States Code.

(B) The Veterans Choice Program established by section 101 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 38 U.S.C. 1701 note).

(C) The Patient Centered Community Care Program (known as ''PC3'').

(D) The pilot program established by section 403 of the Veterans' Mental Health and Other Care Improvements Act of 2008 (Public Law 110–387; 38 U.S.C. 1703 note) (known as ''Project ARCH'').

(E) Contracts relating to dialysis.

(F) Agreements entered into by the Secretary with—

(i) the Secretary of Defense, the Director of the Indian Health Service, or any the head of any other department or agency of the Federal Government; or

(ii) any academic affiliate or other non-governmental entity.

(G) Programs relating to emergency care, including under sections 1725 and 1728 of title 38, United States Code.

SEC. 4003. FUNDING ACCOUNT FOR NON-DEPARTMENT CARE.

Each budget of the President submitted to Congress under section 1105 of title 31, United States Code, for fiscal year 2017 and each fiscal year thereafter shall include an appropriations account for non-Department provider programs (as defined in section 2(d)) to be comprised of—

(1) discretionary medical services funding that is designated for hospital care and medical services furnished at non-Department facilities; and

(2) any funds transferred for such purpose from the Veterans Choice Fund established by section 802 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 128 Stat. 1802).

SEC. 4004. TEMPORARY AUTHORIZATION OF USE OF VETERANS CHOICE FUNDS FOR CERTAIN PROGRAMS.

(a) IN GENERAL.—Subsection (c) of section 802 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 128 Stat. 1802) is amended—

(1) in paragraph (1), by striking ''Any amounts'' and inserting ''Except as provided by paragraph (3), any amounts''; and

(2) by adding at the end the following paragraph:

''(3) TEMPORARY AUTHORITY FOR OTHER USES.—

''(A) OTHER NON-DEPARTMENT CARE.—In addition to the use of amounts described in paragraph (1), of the amounts deposited in the Veterans Choice Fund, not more than $3,348,500,000 may be used by the Secretary during the period described in subparagraph (C) for amounts obligated by the Secretary on or after May 1, 2015, to furnish health care to individuals pursuant to chapter 17 of title 38, United States Code, at non-Department facilities, including pursuant to non-Department provider programs other than the program established by section 101.

''(B) HEPATITIS C.—Of the amount specified in subparagraph (A), not more than $500,000,000 may be used by the Secretary during the period described in subparagraph (C) for pharmaceutical expenses relating to the treatment of Hepatitis C.

''(C) PERIOD DESCRIBED.—The period described in this subparagraph is the period beginning on the date of the enactment of the VA Budget and Choice Improvement Act and ending on October 1, 2015.

''(D) REPORTS.—Not later than 14 days after the date of the enactment of the VA Budget and Choice Improvement Act, and not less frequently than once every 14-day period thereafter during the period described in subparagraph (C), the Secretary shall submit to the appropriate congressional committees a report detailing—

''(i) the amounts used by the Secretary pursuant to subparagraphs (A) and (B); and

''(ii) an identification of such amounts listed by the non-Department provider program for which the amounts were used.

''(E) DEFINITIONS.—In this paragraph:

''(i) The term 'appropriate congressional committees' means—

''(I) the Committee on Veterans' Affairs and the Committee on Appropriations of the House of Representatives; and

''(II) the Committee on Veterans' Affairs and the Committee on Appropriations of the Senate.

''(ii) The term 'non-Department facilities' has the meaning given that term in section 1701 of title 38, United States Code.

''(iii) The term 'non-Department provider program' has the meaning given that term in section 4002(d) of the VA Budget and Choice Improvement Act.''.

(b) CONFORMING AMENDMENT.—Subsection (d)(1) of such section is amended by inserting before the period at the end the following: ''(or for hospital care and medical services pursuant to subsection (c)(3) of this section)''.

SEC. 4005. MODIFICATIONS OF VETERANS CHOICE PROGRAM.

(a) INCREASED PERIOD OF FOLLOW-UP CARE.—Subsection (h) of section 101 of the Veterans Access, Choice, and Accountability Act of 2014 (Public Law 113–146; 38 U.S.C. 1701 note) is amended by striking ''(but for a period not exceeding 60 days)''.

(b) EXPANSION OF ELIGIBILITY.—Such section is further amended—

(1) by striking paragraph (1) of subsection (b) and inserting the following new paragraph:

''(1) the veteran is enrolled in the patient enrollment system of the Department of Veterans Affairs established and operated under section 1705 of title 38, United States Code, including any such veteran who has not received hospital care or medical services from the Department and has contacted the Department seeking an initial appointment from the Department for the receipt of such care or services; and''; and

(2) in subsection (g)(1), by striking ''In the case'' and all that follows through '', when'' and insert ''When''.

(c) EXPANSION OF PROVIDERS.—Such section is further amended—

(1) in subsection (a)(1)(B), by adding at the end the following new clause:

''(v) Subject to subsection (d)(5), a health care provider not otherwise covered under any of clauses (i) through (iv).''; and

(2) in subsection (d), by adding at the end the following new paragraph:

''(5) AGREEMENTS WITH OTHER PROVIDERS.—In accordance with the rates determined pursuant to paragraph (2), the Secretary may enter into agreements under paragraph (1) for furnishing care and services to eligible veterans under this section with an entity specified in subsection (a)(1)(B)(v) if the entity meets criteria established by the Secretary for purposes of this section.''.

(d) CLARIFICATION OF WAIT TIMES.—Subparagraph (A) of subsection (b)(2) of such section is amended to read as follows:

''(A) attempts, or has attempted, to schedule an appointment for the receipt of hospital care or medical services under chapter 17 of title 38, United States Code, but is unable to schedule an appointment within—

''(i) the wait-time goals of the Veterans Health Administration for the furnishing of such care or services; or

''(ii) with respect to such care or services that are clinically necessary, the period determined necessary for such care or services if such period is shorter than such wait-time goals;''.

(e) MODIFICATION OF DISTANCE REQUIREMENT.—Subparagraph (B) of subsection (b)(2) of such section is amended to read as follows:

''(B) resides more than 40 miles (as calculated based on distance traveled) from—

''(i) with respect to a veteran who is seeking primary care, a medical facility of the Department, including a community-based outpatient clinic, that is able to provide such primary care by a full-time primary care physician; or

''(ii) with respect to a veteran not covered under clause (i), the medical facility of the Department, including a community-based outpatient clinic, that is closest to the residence of the veteran;''.

SEC. 4006. LIMITATION ON DIALYSIS PILOT PROGRAM.

(a) LIMITATION.—None of the funds authorized to be appropriated or otherwise made available to the Secretary of Veterans Affairs may be used to expand the dialysis pilot program or to create any new dialysis capability provided by the Department in a facility that is not an initial facility under the dialysis pilot program until—

(1) an independent analysis of the dialysis pilot program is conducted for each such initial facility;

(2) the Secretary submits to the appropriate congressional committees the report under subsection (b); and

(3) a period of 180 days has elapsed following the date on which the Secretary submits such report.

(b) REPORT.—The Secretary shall submit to the appropriate congressional committees a report containing the following:

(1) The independent analysis described in subsection (a)(1).

(2) A five-year dialysis investment plan explaining all of the options of the Secretary for delivering dialysis care to veterans, including how and where such care will be delivered.

(c) DEFINITIONS.—In this section:

(1) The term ''appropriate congressional committees'' means—

(A) the Committee on Veterans' Affairs and the Committee on Appropriations of the House of Representatives; and

(B) the Committee on Veterans' Affairs and the Committee on Appropriations of the Senate.

(2) The term ''dialysis pilot program'' means the pilot demonstration program approved by the Under Secretary of Veterans Affairs for Health in August 2010 and by the Secretary of Veterans Affairs in September 2010 to provide dialysis care to patients at certain outpatient facilities operated by the Department of Veterans Affairs.

(3) The term ''initial facility'' means one of the four outpatient facilities identified by the Secretary to participate in the dialysis pilot program prior to the date of the enactment of this Act.

SEC. 4007. AMENDMENTS TO INTERNAL REVENUE CODE WITH RESPECT TO HEALTH COVERAGE OF VETERANS.

(a) EXEMPTION IN DETERMINATION OF EMPLOYER HEALTH INSURANCE MANDATE.—

(1) IN GENERAL.—Section 4980H(c)(2) of the Internal Revenue Code of 1986 is amended by adding at the end the following:

''(F) EXEMPTION FOR HEALTH COVERAGE UNDER TRICARE OR THE VETERANS ADMINISTRATION.—Solely for purposes of determining whether an employer is an applicable large employer under this paragraph for any month, an individual shall not be taken into account as an employee for such month if such individual has medical coverage for such month under—

''(i) chapter 55 of title 10, United States Code, including coverage under the TRICARE program, or

''(ii) under a health care program under chapter 17 or 18 of title 38, United States Code, as determined by the Secretary of Veterans Affairs, in coordination with the Secretary of Health and Human Services and the Secretary.''.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to months beginning after December 31, 2013.

(b) ELIGIBILITY FOR HEALTH SAVINGS ACCOUNT NOT AFFECTED BY RECEIPT OF MEDICAL CARE FOR SERVICE-CONNECTED DISABILITY.—

(1) IN GENERAL.—Section 223(c)(1) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

''(C) SPECIAL RULE FOR INDIVIDUALS ELIGIBLE FOR CERTAIN VETERANS BENEFITS.—An individual shall not fail to be treated as an eligible individual for any period merely because the individual receives hospital care or

medical services under any law administered by the Secretary of Veterans Affairs for a service-connected disability (within the meaning of section 101(16) of title 38, United States Code).''.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to months beginning after December 31, 2015.

SEC. 4008. EMERGENCY DESIGNATIONS.

(a) IN GENERAL.—This title, except for section 4007, is designated as an emergency requirement pursuant to section 4(g) of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 933(g)).

(b) DESIGNATION IN SENATE.—In the Senate, this title, except for section 4007, is designated as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

The SPEAKER pro tempore. The bill shall be debatable for 1 hour, equally divided among and controlled by the respective chairs and ranking minority members of the Committees on Transportation and Infrastructure, Ways and Means, and Veterans' Affairs.

The gentleman from Pennsylvania (Mr. SHUSTER), the gentleman from Oregon (Mr. DEFAZIO), the gentleman from Wisconsin (Mr. RYAN), the gentleman from Washington (Mr. MCDERMOTT), the gentleman from Florida (Mr. MILLER), and the gentlewoman from Florida (Ms. BROWN) each will control 10 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. SHUSTER. Mr. Speaker, H.R. 3236 is a 3-month clean extension to the surface transportation legislation. It is the right thing to do.

It gives the Committee on Transportation and Infrastructure and the Committee on Ways and Means the time to work out a long-term solution to the surface transportation bill, which we need to pass for the health of this country.

Importantly, it gives the House of Representatives the ability to do its constitutional duty to be heard on important legislation that is important to all 50 States and all 435 congressional districts.

I reserve the balance of my time.

Mr. DEFAZIO. Mr. Speaker, I would direct anyone interested in this legislation to my remarks on the 5-month bill.

I yield back the balance of my time.

Mr. SHUSTER. Mr. Speaker, I ask all 435 Members of the House to support H.R. 3236 with a ''yes'' vote.

I yield back the balance of my time.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield myself such time as I may consume.

I just want to echo the comments of the prior chair. We think this is the right solution. This is very similar to the bill we passed earlier. We believe this gives us the time we need to try and put together a long-term highway solution. That is why we are in favor of this.

I reserve the balance of my time.

Mr. MCDERMOTT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, here we are with another short-term extension of the highway trust fund. It is silly; it is counterproductive. Anybody who knows anything knows this is ridiculous. They say we have got to have time to work out a compromise. How many years do you need time?

When I served in the State legislature in my home State of Washington, a businessman once told me that businessowners don't care what the rate is or how long; they just want to know how long they have to deal with something.

Now, how can businesses do any kind of planning in this country when they get 1-, 2-, and 3-month extensions? This is the 25th time that we have done a short-term extension of the highway trust fund. Put another way, this is the 25th time the Congress has shirked its responsibility to the taxpayers and businesses to provide reliable transportation infrastructure across this country.

Now, as I thought about this debate, I was reminded of a tube of toothpaste that lays in my bathroom. It is about one-third gone. All of you have one of these at home that is laying there.

You know what you do; you keep squeezing it one more time. You say: Can I get one more brush out of this? Will I get one more? Can I get one more? That is what we have been doing here. We are squeezing the tube one more time. We are going to be back.

You save your toothpaste because it is going to be back; it is going to be back in November or December. We are going to be right back down here squeezing to get a little bit.

Now, my belief is that it is time that we stop this. It is time for a long-term funding bill, and we should have done it this time.

Now, in order to make this bill even worse, they wrap in the toothpaste tube of the Veterans Administration. Let's give a little bit of money here, a little bit of money there; and we will see if we can kind of move it along and then stay out of trouble. We never fix anything here.

This Congress is the Congress of the half-empty toothpaste tube. I will probably vote with everybody else because you don't want the Veterans Administration to be having problems and you don't want the hospital construction to stop.

We will vote for it, but it is foolish, and it is a statement about the failure of the Republican Party to deal with major issues.

I reserve the balance of my time.

Mr. RYAN of Wisconsin. I yield 2 minutes to the gentleman from Texas (Mr. SAM JOHNSON), a member of the Committee on Ways and Means.

Mr. SAM JOHNSON of Texas. I thank the chairman. I come to the floor today to talk about our bill, H.R. 2514, the Help Veterans Save for Health Care Act, which is part of the legislation now before us.

As a 29-year Air Force veteran and former POW, it is no secret I am a proud advocate for America's veterans. They bravely served our country. They deserve the best care when they return home. Unfortunately, the VA has failed to uphold its end of the bargain. We have been working hard to fix it.

To add insult to injury, the IRS—yes, the IRS—has also let down our veterans. Right now, the IRS prohibits veterans from contributing to a health savings account for a period of time if they choose to get care at the VA.

These health savings accounts enable Americans to save and pay for medical expenses; yet, here, we have the IRS standing in the way of veterans, keeping them from getting the care they want, need, and deserve. That is wrong.

Bottom line, veterans shouldn't have to choose between getting care at the VA for a service-connected disability or being able to save for health care, including their families. My bill would allow veterans to do both.

In closing, I thank my colleagues from both sides of the aisle for their support. I would also like to thank the chairman for working with me on this, but most importantly, I want to personally thank each of our veterans who faithfully serve to protect this great Nation.

Let's get this done.

Mr. MCDERMOTT. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. DANNY K. DAVIS).

□ 1630

Mr. DANNY K. DAVIS of Illinois. I thank the gentleman from Washington for yielding.

Mr. Speaker, I agree with the gentleman. I agree that we are squeezing and squeezing and extending and extending when we know better and we know the difference. We know that we could have a meaningful solution to the problem that we face. We know it. We come and we kick the can a little bit, add a little bit more to it.

Like him, I am going to vote for it. But I am going to vote for it not because I think it is the best approach; I am going to vote for it because I want to see construction crews continue to work. I want to see families who are looking for paychecks be able to continue to get them.

I am going to vote for it because I want to see roads and bridges and highways repaired. I want to see veterans be able to go to the doctor and not wonder whether or not the doctor is going to be there to take care of them.

So, yes, I will vote for it; and I will look up and see that we will be back in December voting again, but we do what we have to do. We have to keep America working. I will vote for it to keep America working.

Mr. RYAN of Wisconsin. Mr. Speaker, I reserve the balance of my time.

Mr. MCDERMOTT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let's review this week. When I got on the plane from Seattle, we were supposed to be here on Friday. By the time I landed at Dulles Airport, they had already given away Friday. We weren't going to have any votes on Friday. So now the week is 1 day short. They continued to ineptly manage this place in such a way, Mr. Speaker, that they are now giving away Thursday.

Now they want to hurry out of here. They want to get out of here. They don't want the American people to see what they are really doing.

If you look at this transportation issue, what is making us uncompetitive in the rest of the world is that everywhere else they are spending money on infrastructure. People know you have to have roads, you have to have high-speed stuff in the ground that will carry a little bit of a message here and there. All that wiring, all that stuff that we could be doing, we should be doing. We should be planning. But there isn't any State that can plan with this kind of a highway bill.

Now, why aren't we doing the thing today that is right? Well, because the Senate has come up with a great proposal. They have a 6-year authorization, but they come up with 3 years of money. How does a State plan with that? We are authorized for 6 years out to whatever that would be, and we are going to wind up only getting money for 3 years. How do we do bond issues in the State when we don't know what the Feds are going to do? This kind of planning makes government fail. And it is what the Republicans want: a Federal Government that fails.

Now, there was a guy named Eisenhower. When he became President, he came in and said: You know something? This country needs roads. And he created the entire system. He was a Republican from Kansas, of all places, and he understood what the country needed to move forward.

People said in the last election what we need to do is elect Republicans. By God, if we get Republicans, we will get what we need in this country. Well, I don't know if they knew what they were voting for, but what they got is a Senate and House that can't come up with a highway bill. They have been here for 8 months. Everybody knows we need it. The sources of revenue are not mysteries.

Russell Long used to say about taxation: ''Don't tax you, don't tax me, tax that fellow behind the tree.''

We know there is nobody behind the tree. We are going to have to raise some taxes to do what is necessary.

Well, there are those guys that have that money overseas. Maybe we can get those guys who have got that overseas money and bring it back and fund this. I guess they are behind the tree. But they also live here, so they are not really behind the tree.

This argument is going to go on in December or whenever this thing ends. It doesn't really make any difference. We will come back here, and we will get out our toothpaste tube and we will squeeze a little bit more out of it just to see if we can brush our teeth one more time. That is what this is about. We have done it on issue after issue here, and somebody has to call the Republican Party on this.

The American people should understand, they are not serious about running government for the things that affect ordinary human beings. A transit system in a State is absolutely important. As cities get more crowded and more crowded and there is no parking, if you don't have a transit system that works, you can't have development. Everybody wants development.

Where the heck are you going to put the development? Out in the bushes? No. You are going to put it in the city where the people live. But if they can't move around and get to the jobs, you have got terrible problems. In every city and everybody's district, if you have got a city with over 50,000, you have got problems with traffic, and yet we can't get a transportation bill out of here that goes for more than 3 months. Now, that is pathetic.

I yield back the balance of my time.

Mr. RYAN of Wisconsin. Mr. Speaker, I disagree with the gentleman. I think we should pass this bill, and I yield back the balance of my time.

Mr. MILLER of Florida. Mr. Speaker, I have no speakers, and I reserve the balance of my time.

Ms. BROWN of Florida. Mr. Chairman, I yield myself 2 minutes.

First of all, I want to thank the chairman for his continued bipartisan work on the Veterans' Affairs Committee. We all want to do what is best for the veterans, and the chairman has continued to work toward that goal.

On this past Monday, 62 years after the signing of the Korean Armistice Agreement, the committee laid a wreath at the Tomb of the Unknown Soldier at Arlington Cemetery in honor of our fallen military members. Today, we need more than a ceremony. We should honor our veterans now by passing H.R. 3236.

I support this legislation because it addresses the $3 million shortfall for fiscal year 2015 at the VA and keeps hospitals and medical facilities open for our veterans through the end of the fiscal year. Let me repeat that. It will allow the VA to keep hospitals and clinics open for our veterans through the end of this fiscal year.

This legislation allows the VA to use $3.348 billion that was appropriated for the Choice Program to use for non-VA care, to pay for health care provided to veterans and family members under the programs provided by non-VA providers from May 1 to October 1, 2015. The VA has completed more than 56 million appointments between June 1, 2014, and May 31, 2015. That is 2.6 million more than the same time last year.

H.R. 3236 allows the VA to access $3 billion from the Choice fund and $348 million from other unobligated accounts. Of that amount, $500 million may be used for pharmaceutical expenses related to the treatment of hepatitis C at the VA. This is a cure that many of our veterans need, especially those who served in Vietnam.

Three times in this fiscal year, the Secretary has testified before the VA committee, and he has consistently been asking for the authority to run the VA like a business.

I reserve the balance of my time.

Mr. MILLER of Florida. I reserve the balance of my time.

Ms. BROWN of Florida. I yield 2 minutes to the gentleman from Georgia (Mr. BISHOP).

Mr. BISHOP of Georgia. I thank the gentlewoman for yielding.

I want to thank Chairman MILLER of the Committee on Veterans' Affairs, Ranking Member BROWN, and, of course, Chairman DENT, who chairs the Appropriations MILCON–VA Subcommittee, where I serve as ranking member.

Today, this body is debating text within the highway bill to address the Department of Veterans Affairs' $3 billion budget shortfall for veterans' health care in FY 2015. Without this legislation, the VA could run out of money by September. Costs have exploded by more than 10 percent in the last year as a result of higher demand, while the budget increased by only 2.8 percent.

Additionally, costs for treatments have increased. For example, due to the new lifesaving hepatitis C medicine costing as much as $1,000 for a single pill, the VA's $700 million FY 2015 budget for hepatitis C has already been exceeded with more than 2 months left in the fiscal year.

This situation is a prime example of how the sequester caps imposed by the Budget Control Act and locked in by the Republican budget constrain our ability to deal with issues responsibly and in a timely manner. It is well past time that we come to the table to break the cycle of irresponsible funding levels that are shortchanging our veterans' health care.

While the House-passed FY 2016 MILCON–VA Appropriations bill adds $970 million for VA medical care advance appropriations within the FY 2015 bill, the amount still remains $330 million below the VA request, most likely leading to another budget shortfall in FY 2016. Today's bill is only a Band-Aid, a temporary solution, because of budget caps.

To be clear, if we continue to ignore the new reality of increased demand and higher costs, delivery of healthcare services to millions of currently enrolled veterans will be devastated for the foreseeable future.

The SPEAKER pro tempore. The time of the gentleman has expired.

Ms. BROWN of Florida. I yield the gentleman an additional 30 seconds.

Mr. BISHOP of Georgia. If Congress continues to function under these budgets caps, we will see more gaps in access, utilization, safety, and, ultimately, a lower standard of care. Even further, the caps limit Congress' options to create jobs, keep our communities safe, research lifesaving medical treatments, and give our children a better education.

I urge Members to vote for this bill to ensure that veterans continue to receive the care which they have earned, but we cannot continue to govern in this fashion. Today, we must take the next step towards a more responsible budgeting process so we can eventually stop lurching from one crisis to the next. To do so, the budget caps must be directly addressed in order to properly invest in veterans' health care as well as advance other priorities assisting hard-working Americans.

Mr. MILLER of Florida. Mr. Chairman, I reserve the balance of my time.

Ms. BROWN of Florida. I yield 2 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Chairman, I thank the gentlewoman for yielding.

It is a little frustrating as we watch these disparate subjects lumped together on the floor with truncated debate. I want to speak to just one element that we are discussing here today, and that deals with the extension of transportation funding.

The passage of this bill will represent the 34th short-term extension of the surface transportation bill. What country became great building its infrastructure 8 months at a time? 6 months at a time? a year at a time? It is a failure on the part of Congress to be able to understand that you cannot pay for 2015 infrastructure needs with 1993 dollars—the last time we adjusted the user fee, the gas tax that supports the highway trust fund.

□ 1645

I do see a little tiny glimmer of daylight with the 3-month extension. I have personally been urging the President to indicate that this is the last extension that he will sign.

The House Ways and Means Committee could pass a funding measure in a week if we would roll up our sleeves. We have legislation there that is supported by the U.S. Chamber, AFL–CIO, by truckers, transit, the AAA, a wide array of people who say: Step up, raise our user fee, fund the transportation system, and do it right.

We used to have the finest infrastructure in the world. Now, we are about 25th in the world and falling further.

If the Ways and Means Committee would spend a week listening to the people who build, maintain, operate, and use our infrastructure, we could come to a resolution.

Ronald Reagan's approach was to raise the user fee 125 percent in 1982.

The SPEAKER pro tempore. The time of the gentleman has expired.

Ms. BROWN of Florida. I yield the gentleman an additional 30 seconds.

Mr. BLUMENAUER. If we did our job, sending clear signals about transportation funding, the appropriating committee, the T&I, if they knew what they were working with, could come forth with a bill easily in 2 months, so we wouldn't have to continue this charade.

We could put hundreds of thousands of people to work at family-wage jobs in every city around the country; we would meet our obligations, and we would stop this shameful exercise of abrogating our responsibility to rebuild and renew.

Mr. MILLER of Florida. Mr. Speaker, I reserve the balance of my time.

Ms. BROWN of Florida. Mr. Speaker, how much time do I have, sir?

The SPEAKER pro tempore. The gentlewoman from Florida has 3 minutes remaining.

Ms. BROWN of Florida. Mr. Speaker, I yield myself such time as I may consume.

I believe that the Secretary needs that authority. In addition to solving the fiscal crisis, this bill will enable the Secretary to run VA more like a business, and that, Mr. Speaker, means a more efficient VA and better care for our veterans.

In closing, I urge my colleagues to support this legislation to ensure that our veterans are taken care of.

I yield back the balance of my time.

Mr. MILLER of Florida. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, only 2 weeks ago, buried in a letter from the Deputy Secretary, the Department of Veterans Affairs made a startling announcement. That announcement was, unless Congress intervened, the VA healthcare system would shut down in August, due to a massive budget shortfall that resulted from larger than anticipated demand for non-VA care and increased costs for hepatitis C treatment.

A VA healthcare system shutdown would be an unprecedented event in these United States' history. The possibility of a shutdown was never mentioned, even once, during a hearing that I called in late June, where VA first publicly admitted its budget troubles, or during any of the four times that Secretary McDonald testified before Congress this year or anywhere in the quarterly financial plan that VA submitted in March, showing that VA was operating under budget so far this fiscal year.

Once again, this Congress comes to rescue a mismanaged Department of Veterans Affairs.

I yield back the balance of my time.

Ms. BORDALLO. Mr. Speaker, today, H.R. 3236 will come to the floor of the House with a critical 3 month extension to the Highway Trust fund as well as changes to Department of Veterans Affairs' spending authorities. In particular, it contains changes to the Veterans Affairs' Choice Program that I believe are very important for Guam. It expands eligibility for the program and codifies some of the changes that the VA has made since the inception of the program to make it more accessible to veterans in rural or isolated communities and reduces some barriers to timely care.

Though this bill is a good step towards better care for our veterans, there are many more improvements that I will continue to work for with my colleagues and the VA. There is still a need for greater flexibility in the reimbursement rate to health care providers which could be an issue on Guam in the near future. Further, there is a need to improve the methods in which our veterans and their records can move back and forth between VA and non-VA providers. Additionally, though I would have preferred to see additional appropriations to cover the shortfall in the other programs that are covering non-VA provided care for our veterans, I have been assured that the movement of funds within the VA accounts will not negatively affect the care our veterans are receiving through the Choice Program and that the transfer is temporary. I will continue to urge the Obama Administration to provide adequate funding for all VA programs, but particularly the Choice program which has a lot of interest and support on Guam. The Choice program has the ability to, in the long-term, address some of the systemic issues to VA care in isolated areas of the country.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 388, the previous question is ordered on the bill.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. BROWN of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 385, nays 34, answered ''present'' 1, not voting 13, as follows:

[Roll No. 486]

YEAS—385

Abraham	Babin	Benishek
Adams	Barr	Bera
Aderholt	Barton	Bilirakis
Aguilar	Bass	Bishop (GA)
Allen	Beatty	Bishop (MI)
Ashford	Becerra	Bishop (UT)

Black
Blackburn
Blum
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Brooks (AL)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Burgess
Bustos
Butterfield
Calvert
Capps
Capuano
Cárdenas
Carson (IN)
Carter (GA)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clarke (NY)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cook
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibbs
Gibson
Gohmert
Goodlatte
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guinta
Guthrie
Gutiérrez
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Higgins
Hill
Himes
Hinojosa
Holding
Honda
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Jordan
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lee
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Massie
Matsui
McCarthy
McCaul
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Pallone
Palmer
Pascrell
Paulsen
Payne
Pelosi
Perlmutter
Peterson
Pingree
Pittenger
Pitts
Pocan
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Quigley
Rangel
Ratcliffe
Reed
Reichert
Rice (NY)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Ruppersberger
Rush
Russell
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schrader
Schweikert
Scott, Austin
Scott, David
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Stutzman
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Wagner
Walberg
Walden
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Webster (FL)
Wenstrup
Westerman
Westmoreland
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—34

Amash
Amodei
Barletta
Beyer
Bridenstine
Buck
Byrne
Clark (MA)
DeGette
Garrett
Gosar
Grothman
Hice, Jody B.
Jones
Lummis
McClintock
McDermott
Moulton
Mulvaney
Neugebauer
Pearce
Perry
Polis
Renacci
Ribble
Rice (SC)
Salmon
Sanford
Scott (VA)
Sensenbrenner
Visclosky
Walker
Weber (TX)
Welch

ANSWERED ''PRESENT''—1

McCollum

NOT VOTING—13

Brooks (IN)
Carney
Carter (TX)
Clawson (FL)
Cooper
Costa
Labrador
Levin
Lujan Grisham (NM)
Moore
Peters
Price (NC)
Whitfield

□ 1731

Mr. WALKER and Ms. CLARK of Massachusetts changed their vote from ''yea'' to ''nay.''

Messrs. HONDA, HOYER, RICHMOND, CLYBURN, ISRAEL, CLEAVER, KILDEE, JOHNSON of Georgia, and YOHO changed their vote from ''nay'' to ''yea.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. COOPER. Mr. Speaker, on rollcall No. 486, I was unavoidably detained in DC traffic while returning from a meeting at the White House. Had I been present, I would have voted "yes."

Ms. MOORE. Mr. Speaker, on rollcall No. 486, had I been present, I would have voted "yes."

Mr. PRICE of North Carolina. Mr. Speaker, unfortunately, due to circumstances beyond my control, I regretfully missed rollcall vote 486 on July 29th. Had I been present, I would have voted "yea."

Mr. COSTA. Mr. Speaker, I was unable to be present for a vote taken on the House floor today, as I was unavoidably detained. Had I been present, I would have voted "yea" on rollcall Vote No. 486.

VA ACCOUNTABILITY ACT OF 2015

The SPEAKER pro tempore. Pursuant to House Resolution 388 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 1994.

Will the gentleman from Georgia (Mr. CARTER) kindly resume the chair.

□ 1733

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 1994) to amend title 38, United States Code, to provide for the removal or demotion of employees of the Department of Veterans Affairs based on performance or misconduct, and for other purposes, with Mr. CARTER of Georgia (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, a request for a recorded vote on amendment No. 2 printed in House Report 114–234 offered by the gentleman from California (Mr. TAKANO) had been postponed.

AMENDMENT NO. 2 OFFERED BY MR. TAKANO

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, the unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. TAKANO) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 191, noes 233, not voting 9, as follows:

[Roll No. 487]

AYES—191

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Donovan
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego

Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Jolly
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth
Young (AK)
Zinke

NOES—233

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Chabot
Chaffetz
Coffman
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
Kinzinger (IL)
Kline
Knight
LaMalfa
Lamborn
Lance
Latta
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (IA)
Young (IN)
Zeldin

NOT VOTING—9

Brooks (IN)
Carney
Carter (TX)
Clawson (FL)
Franks (AZ)
Granger
Labrador
Levin
Lujan Grisham (NM)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1737

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. FRANKS of Arizona. Mr. Chair, on roll-call No. 487, had I been present, I would have voted "no."

The Acting CHAIR. The question is on the committee amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HULTGREN) having assumed the chair, Mr. CARTER of Georgia, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1994) to amend title 38, United States Code, to provide for the removal or demotion of employees of the Department of Veterans Affairs based on performance or misconduct, and for other purposes, and, pursuant to House Resolution 388, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on the amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the committee amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. TAKANO. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. TAKANO. I am opposed.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Takano moves to recommit the bill H.R. 1994 to the Committee on Veterans' Affairs with instructions to report the same back to the House forthwith, with the following amendments

Page 6, beginning on line 19, strike paragraph (1) and insert the following:

''(1) The Secretary may not remove or demote an individual, including veterans who make up nearly one-third of the Department's workforce, under subsection (a) if the individual has filed a whistleblower complaint, as such term is defined in section 731 of this title, or if the individual is seeking corrective action (or on behalf of whom corrective action is sought) from the Office of Special Counsel or the Inspector General based on—

''(A) an alleged threat to the health or safety of the public; or

''(B) an alleged prohibited personnel practice described in section 2302(b) of title 5.''.

Page 7, line 3, strike ''In the case'' and insert ''Except as provided in paragraph (1), in the case''.

Mr. TAKANO (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California is recognized for 5 minutes.

Mr. TAKANO. Mr. Speaker, H.R. 1994 makes the VA an at-will workplace, violating longstanding Supreme Court precedent regarding constitutional due process rights and threatening to silence the whistleblowers by creating a culture of fear and intimidation at the VA.

The Republican bill would allow the VA to immediately fire employees for poor performance, making it easier for bad managers to immediately fire whistleblowers who report wrongdoing, while providing hardly any opportunity for employees to appeal.

My friends, this is wrong.

This means doctors, nurses, police officers, and so many others can be fired at will and with insufficient recourse. Hard-working, loyal employees who are doing everything in their power to treat the incredible needs of our Nation's veterans—fired at will. Let me remind you that one-third of all VA employees are veterans. That is more than 100,000 veterans' livelihoods being put at risk.

This is wrong.

Are there problems with some VA employees? Of course there are. The

VA has a process to remove these employees. In fact, during the 1-year period from July 1, 2014, through July 30, 2015, the VA removed 872 permanent employees, and an additional 487 employees resigned or retired in lieu of being removed. The VA has also terminated 958 probationary employees. For employees accused of harming veterans' health or safety, the substitute amendment I offered earlier would have allowed for their expedited firing.

Instead of gutting the due process rights of VA employees, we should be providing a fair and constitutionally sound expedited removal process, and we should encourage the VA to use the disciplinary tools it already has at its disposal.

□ 1745

We all know the critical role that whistleblowers played in exposing the shocking misconduct at the Phoenix VA, but the Republican bill strips away all current whistleblower protections available to Federal employees under Federal law. That is wrong.

Under the Republican bill, any whistleblower who has not filed an official complaint can be fired before they even have the opportunity to report danger to patient safety, wrongdoing, malfeasance, or discrimination. That is wrong.

The Republican whistleblower provisions will encourage bad employees to file for whistleblower status to prevent them from being fired. This will overburden the Office of Special Counsel with frivolous complaints. That is wrong.

The Republican bill does the opposite of what it claims to do for whistleblowers. It offers them no protection. In fact, it will let bad employees hide behind whistleblower status to keep from being fired. That is crazy.

My final amendment protects the employees who are willing to risk it all to expose flaws and abuses in this system.

If there is anybody we must protect from being fired at will without recourse or retaliation, it is the brave men and women with the courage to stand up and expose the VA's biggest vulnerability.

With all due respect, I say to my colleagues anyone who votes against my motion to protect whistleblowers from being fired should themselves be fired.

Mr. Speaker, I yield back the balance of my time.

Mr. MILLER of Florida. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. MILLER of Florida. Mr. Speaker, I yield myself such time as I may consume.

Last year, almost this very same time in a bill-signing ceremony, the President of the United States said this: ''If you engage in an unethical practice, if you cover up a serious problem, you should be fired, period.'' It should not be that difficult.

This is a bad motion to recommit. I urge my Members to vote it down.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. TAKANO. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 5-minute vote on the motion to recommit will be followed by 5-minute votes on passage of the bill, if ordered, and agreeing to the Speaker's approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—ayes 184, noes 241, not voting 8, as follows:

[Roll No. 488]

AYES—184

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—241

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Chabot
Chaffetz
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—8

Brooks (IN)	Clawson (FL)	Levin
Carney	Israel	Lujan Grisham (NM)
Carter (TX)	Labrador	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1754

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. BROWN of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 256, nays 170, not voting 7, as follows:

[Roll No. 489]

YEAS—256

Abraham	Donovan	Jolly
Aderholt	Duckworth	Jones
Aguilar	Duffy	Jordan
Allen	Duncan (SC)	Joyce
Amash	Duncan (TN)	Katko
Amodei	Ellmers (NC)	Kelly (MS)
Ashford	Emmer (MN)	Kelly (PA)
Babin	Farenthold	King (IA)
Barletta	Fincher	King (NY)
Barr	Fitzpatrick	Kinzinger (IL)
Barton	Fleischmann	Kirkpatrick
Benishek	Fleming	Kline
Bera	Flores	Knight
Bilirakis	Forbes	Kuster
Bishop (MI)	Fortenberry	LaMalfa
Bishop (UT)	Foxx	Lamborn
Black	Franks (AZ)	Lance
Blackburn	Frelinghuysen	Latta
Blum	Gabbard	LoBiondo
Bost	Garrett	Long
Boustany	Gibbs	Loudermilk
Brady (TX)	Gibson	Love
Brat	Gohmert	Lucas
Bridenstine	Goodlatte	Luetkemeyer
Brooks (AL)	Gosar	Lummis
Buchanan	Gowdy	MacArthur
Buck	Graham	Maloney, Sean
Bucshon	Granger	Marchant
Burgess	Graves (GA)	Marino
Bustos	Graves (LA)	Massie
Byrne	Graves (MO)	McCarthy
Calvert	Griffith	McCaul
Carson (IN)	Grothman	McClintock
Carter (GA)	Guinta	McHenry
Chabot	Guthrie	McKinley
Chaffetz	Hanna	McMorris Rodgers
Coffman	Hardy	
Cole	Harper	McSally
Collins (GA)	Harris	Meadows
Collins (NY)	Hartzler	Messer
Comstock	Heck (NV)	Mica
Conaway	Hensarling	Miller (FL)
Cook	Herrera Beutler	Miller (MI)
Costa	Hice, Jody B.	Moolenaar
Costello (PA)	Hill	Mooney (WV)
Cramer	Holding	Mullin
Crawford	Hudson	Mulvaney
Crenshaw	Huelskamp	Murphy (PA)
Cuellar	Huizenga (MI)	Neugebauer
Culberson	Hultgren	Newhouse
Curbelo (FL)	Hunter	Noem
Davis, Rodney	Hurd (TX)	Nugent
Denham	Hurt (VA)	Nunes
Dent	Issa	Olson
DeSantis	Jenkins (KS)	Palazzo
DesJarlais	Jenkins (WV)	Palmer
Diaz-Balart	Johnson (OH)	Paulsen
Dold	Johnson, Sam	Pearce
Perry	Royce	Upton
Peters	Russell	Valadao
Pittenger	Ryan (WI)	Vela
Pitts	Salmon	Wagner
Poe (TX)	Sanford	Walberg
Poliquin	Scalise	Walden
Pompeo	Schweikert	Walker
Posey	Scott, Austin	Walorski
Price, Tom	Sensenbrenner	Walters, Mimi
Ratcliffe	Sessions	Weber (TX)
Reed	Shimkus	Webster (FL)
Reichert	Shuster	Wenstrup
Renacci	Simpson	Westerman
Ribble	Sinema	Westmoreland
Rice (SC)	Smith (MO)	Whitfield
Rigell	Smith (NE)	Williams
Roby	Smith (NJ)	Wilson (SC)
Roe (TN)	Smith (TX)	Wittman
Rogers (AL)	Stefanik	Womack
Rogers (KY)	Stewart	Woodall
Rohrabacher	Stivers	Yoder
Rokita	Stutzman	Yoho
Rooney (FL)	Thompson (PA)	Young (AK)
Ros-Lehtinen	Thornberry	Young (IA)
Roskam	Tiberi	Young (IN)
Ross	Tipton	Zeldin
Rothfus	Trott	Zinke
Rouzer	Turner	

NAYS—170

Adams	Grayson	O'Rourke
Bass	Green, Al	Pallone
Beatty	Green, Gene	Pascrell
Becerra	Grijalva	Payne
Beyer	Gutiérrez	Pelosi
Bishop (GA)	Hahn	Perlmutter
Blumenauer	Hastings	Peterson
Bonamici	Heck (WA)	Pingree
Boyle, Brendan F.	Higgins	Pocan
	Himes	Polis
Brady (PA)	Hinojosa	Price (NC)
Brown (FL)	Honda	Quigley
Brownley (CA)	Hoyer	Rangel
Butterfield	Huffman	Rice (NY)
Capps	Israel	Richmond
Capuano	Jackson Lee	Roybal-Allard
Cárdenas	Jeffries	Ruiz
Cartwright	Johnson (GA)	Ruppersberger
Castor (FL)	Johnson, E. B.	Rush
Castro (TX)	Kaptur	Ryan (OH)
Chu, Judy	Keating	Sánchez, Linda T.
Cicilline	Kelly (IL)	
Clark (MA)	Kennedy	Sanchez, Loretta
Clarke (NY)	Kildee	Sarbanes
Clay	Kilmer	Schakowsky
Cleaver	Kind	Schiff
Clyburn	Langevin	Schrader
Cohen	Larsen (WA)	Scott (VA)
Connolly	Larson (CT)	Scott, David
Conyers	Lawrence	Serrano
Cooper	Lee	Sewell (AL)
Courtney	Lewis	Sherman
Crowley	Lieu, Ted	Sires
Cummings	Lipinski	Slaughter
Davis (CA)	Loebsack	Smith (WA)
Davis, Danny	Lofgren	Speier
DeFazio	Lowenthal	Swalwell (CA)
DeGette	Lowey	Takai
Delaney	Luján, Ben Ray (NM)	Takano
DeLauro		Thompson (CA)
DelBene	Lynch	Thompson (MS)
DeSaulnier	Maloney, Carolyn	Titus
Deutch		Tonko
Dingell	Matsui	Torres
Doggett	McCollum	Tsongas
Doyle, Michael F.	McDermott	Van Hollen
	McGovern	Vargas
Edwards	McNerney	Veasey
Ellison	Meehan	Velázquez
Engel	Meeks	Visclosky
Eshoo	Meng	Walz
Esty	Moore	Wasserman Schultz
Farr	Moulton	
Fattah	Murphy (FL)	Waters, Maxine
Foster	Nadler	Watson Coleman
Frankel (FL)	Napolitano	Welch
Fudge	Neal	Wilson (FL)
Gallego	Nolan	Yarmuth
Garamendi	Norcross	

NOT VOTING—7

Brooks (IN)	Clawson (FL)	Lujan Grisham (NM)
Carney	Labrador	
Carter (TX)	Levin	

□ 1801

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mrs. BROOKS of Indiana. Mr. Speaker, on Wednesday, July 29, 2015, I missed a series of rollcall votes. Had I been present, I would have voted "yea" on rollcalls 486 and 489. I would have voted "nay" on rollcalls 487 and 488.

THE JOURNAL

The SPEAKER pro tempore (Mr. EMMER of Minnesota). The unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

Pursuant to clause 1, rule I, the Journal stands approved.

ADJOURNMENT FROM WEDNESDAY, JULY 29, 2015, TO FRIDAY, JULY 31, 2015

Mr. STIVERS. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 1 p.m. on Friday, July 31, 2015.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

PERSONAL EXPLANATION

Mr. COOPER. Mr. Speaker, on rollcall No. 486, I was unavoidably detained and missed the vote. Had I been present, I would have voted ''yes.''

TEEN CHALLENGE OF ARIZONA

(Ms. MCSALLY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. MCSALLY. Mr. Speaker, I rise to recognize Teen Challenge of Arizona and congratulate them on 50 years of serving our community and those in need.

Teen Challenge is a faith-based residential recovery program for substance abusers. It is often a last resort for those struggling with drug addiction and other problems.

Over the last 50 years, Teen Challenge of Arizona has helped an estimated 25,000 people through recovery programs. Their success rate is an astonishing 80 percent, a testament to their committed and caring approach.

While I served at Davis-Monthan Air Force Base in Tucson, I was a board member of Teen Challenge of Arizona, and I saw the difference they make firsthand. I was especially privileged to work with the Springboard Home for

Youth in Crisis, a place that provides hope and healing for troubled girls in southern Arizona.

Not many organizations can say they have had the impact that Teen Challenge of Arizona has had. It was an honor to be able to contribute to their success. I wish them a happy 50th anniversary and many years of continuing success serving our community. They are literally changing and saving lives every single day.

PATCHWORK EXTENSIONS AREN'T GOOD ENOUGH

(Ms. NORTON asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. NORTON. Mr. Speaker, 2 weeks ago, 65 Republicans joined 54 Democrats in voting ''no'' on the extension of the highway bill to register their disgust with 33 extensions while the Republican Congress then did zero work on a long-term bill.

There are now four long-term Democratic bills and one bipartisan bill. However, today's 34th patchwork extension cannot be applied to even start on the Nation's backlog without assurance of funds to complete construction. Yet House Republicans have now fled for an early vacation.

Eighteen States and the District of Columbia have passed State user gas fee laws without retaliation by the voters, but the federal share is more than half of the funds needed just to get started.

The only way to stop the self-inflicted deterioration of our once magnificent infrastructure is to man up and pass a long-term bill.

H.R. 1994 CONTAINS COMMONSENSE REFORMS

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Mr. Speaker, I rise today to thank Chairman JEFF MILLER and the members of the Committee on Veterans' Affairs for their work in helping pass H.R. 1994, which passed the House today. The measure contains commonsense reforms so that any VA employee who engages in misconduct or is performing poorly can be terminated or demoted.

I am also very pleased that H.R. 1994 contains additional important protections for VA whistleblowers. We have worked with several of them over the last couple years out of the Oakland office and other centers that have been retaliated against for speaking out about gross mismanagement and possible violations of law.

This is a very important covenant we would have with our whistleblowers so they could come forward and help us to have better VA performance. It is very critical we have the ability for them to come forward.

I am glad that we have this measure here. I hope the Senate will take it up and pass it so we have better service for our veterans through the VA.

REMEMBERING GWENDOLYN STRONG

(Mrs. CAPPS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. CAPPS. Mr. Speaker, I rise today with a heavy heart to honor the life of Gwendolyn DeBard Strong, who passed away this past Saturday after a heroic, inspiring battle with spinal muscular atrophy.

Simply put, she is our hero. Gwendolyn died a few months short of her eighth birthday, far exceeding the odds that were given to her at birth. In her short life, she had more of an impact and brought more joy to others than many ever could in their lifetime.

Gwendolyn's life was spent on the same things many young girls do—playing princesses with friends, going to school, and spending time with her sister.

She and her family also used their voice to improve the lives of all of us. The Strongs worked hard to end lifetime and annual caps on insurance coverage, improve spinal muscular atrophy research, and promote innovations to make the lives of other children with debilitating diseases a little easier.

She and her incredible family taught those of us in Santa Barbara and around the country that we should never give up. Thanks to her bravery and the efforts of Bill and Victoria, we never will.

I am honored to have known her and take solace in knowing that her efforts will continue to help so many others.

We miss you, Gwendolyn, but want you to know we will never give up.

LANCE CORPORAL SQUIRE WELLS

(Mr. LOUDERMILK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LOUDERMILK. Mr. Speaker, this last Sunday, my family and I attended church at the First Baptist Church of Woodstock in Woodstock, Georgia.

It is not the first time we ever attended that church, as we have worshipped there before; but it is possibly the most memorable time that I will have attended that church because it was at this service that we were having the funeral of Lance Corporal Squire Wells, who is known to his friends and family as Skip. Skip was the youngest of those who were killed in the terrorist attack in Chattanooga.

As we were driving to the church, Mr. Speaker, as we were still miles away from the church, along the sides of the road, we began to see American citizens, citizens of the 11th Congressional District lining the road, holding American flags and Marine Corps flags. As we approached closer to the church, the hundreds of people turned into thousands of people.

As we arrived at the church, nearly 500 members of the Patriot Guard Riders, Marine Corps League, the VFW, and the American Legion were standing, lining the sidewalks of this church, bearing American flags to say good-bye and to say thank you to a patriot.

Mr. Speaker, I rise today to also say thank you to Skip Wells—Lance Corporal Wells. Although, to my knowledge, we never met in person, I didn't know him personally, but I do know the type of person he is because he was a marine, which told me that he held to the highest standards of decorum and morale and integrity.

He was a Christian who served faithfully in the First Baptist Church of Woodstock, which tells me he had a heart of charity and love.

Mr. Speaker, I want to say thank you to Skip Wells for laying down his life for my freedom, the freedom of my children, and my granddaughter. I want to say thank you to Ms. Cathy Wells, his mom, for raising such a fine person as a single mom raising her only child, who has given his life in defense of this Nation.

Lastly, Mr. Speaker, I want to thank the thousands of people from my district who came out and honored the life of this American patriot.

DON'T LEAVE THE EX-IM BANK IN A ZOMBIELIKE STATE

(Mrs. CAROLYN B. MALONEY of New York asked and was given permission to address the House for 1 minute.)

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, this Chamber is doing a great disservice to small-business owners and to hundreds of thousands of American workers by going off to recess for the next 6 weeks without renewing the charter of the U.S. Export-Import Bank. It is the wrong thing to do.

Sadly, the minority of ideologues in this Chamber that is blocking the renewal of the Ex-Im's charter is absolutely right about one thing. If the U.S. Ex-Im goes under, all the export business and all the jobs supported by it will be just displaced to other companies.

What they don't mention in their rants against the Bank is that the companies that will get this business will be in other countries and the workers who get those good-paying jobs will be overseas because there are some 85 foreign export credit agencies

today happy to help the companies in their countries seal the deal.

We are leaving thousands of American workers at a real competitive disadvantage by leaving the U.S. Export-Import Bank in a zombielike status.

We should renew it. We should keep these jobs in America. We should put more Americans to work.

□ 1815

HONORING NAVY PETTY OFFICER SECOND CLASS RANDALL SMITH

(Mr. GRAVES of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GRAVES of Georgia. Mr. Speaker, I rise today to honor Navy Petty Officer Second Class Randall Smith, who was killed on July 16 during the terrorist attack in Chattanooga.

Randall, who lived with his wife, Angie, and their three young daughters in Rossville, Georgia, was a model of selfless service. He was a devoted and loving husband and father who prioritized his family above all else.

Besides his military service, he was an active volunteer, giving back through charities like Stuff the Truck, the Chattanooga Area Food Bank, and providing rescue assistance during Hurricane Sandy. And less than 2 weeks ago, he made the ultimate sacrifice while serving our country. Randall's selfless sacrifice, sense of duty, and sacrifice serve as an example for all of us.

A sign at the entrance to the neighborhood where the Smith family lives sums up what I think many are feeling right now. It reads: ''Thank you for your service. Sorry for your loss. You will be remembered.''

I know that our community in northwest Georgia is forever grateful for Randall Smith's service and sacrifice. May God bless Angie and their three wonderful, beautiful daughters.

ADA'S 25TH ANNIVERSARY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentleman from Rhode Island (Mr. LANGEVIN) is recognized for 60 minutes as the designee of the minority leader.

Mr. LANGEVIN. Mr. Speaker, before I begin my remarks, it is my pleasure to yield to the gentleman from Maryland (Mr. HOYER), the distinguished minority whip.

Mr. HOYER. I thank the gentleman for yielding.

First, let me mention the extraordinary respect I have for the gentleman from Rhode Island (Mr. LANGEVIN).

I had the honor of sponsoring the Americans with Disabilities Act in 1989 and 1990. We passed it in 1990, and it was signed by then-President George H.W. Bush. It was called the Americans with Disabilities Act, Mr. Speaker, but in many ways it should have been called the Americans with Abilities Act. It should have been called that because its intent was to focus on what people could do, what people would do, what people wanted to do.

Mr. LANGEVIN is a perfect example of an extraordinary person with great ability who has a wheelchair. He has a wheelchair because he has a mobility impairment that others of us don't have. But as we have seen in serving with our colleague JIM LANGEVIN from Rhode Island, he is extraordinarily able and he represents his constituency with great energy, with great intellect, and with great integrity. So I am pleased to join him in this Special Order.

We had introduced a resolution, but it is not the practice of the House to bring commemorative resolutions to the floor. So we do this Special Order in addition to what we would have hoped would have been the passage of a resolution, but I understand that is the practice.

The Senate did in fact pass a resolution, sponsored by ORRIN HATCH, PATRICIA MURRAY from Washington State, and LAMAR ALEXANDER, commemorating 25 years of progress on the inclusion of those with a challenge that others might not have in our society, all that our society offers and the opportunities that it offers.

Mr. Speaker, I have spoken on numerous occasions over this last week commemorating the ADA, and I have mentioned a number of names. I would like to do that on the floor of this House, because they were people who were absolutely critical. It is not a comprehensive list. It is, however, a list of people with whom I worked very closely for well over a year on the passage of the ADA.

First, I would like to mention President George H.W. Bush. This issue was not a partisan issue. President Bush was a Republican; I was a Democrat—and still am. I worked with an extraordinary Republican Member of the House. His name was Steve Bartlett. He was from Texas. He left the House and became mayor of Dallas. He is now still in Washington, working, and we are partners. Every time something happens with respect to the ADA, Steve Bartlett and I work together on it.

Dave Capozzi and Tony Coelho. Tony Coelho, a Member of this body, was a person perceived with the disease of epilepsy, but he is one of the most able people that any of us know. Tony Coelho, along with Lowell Weicker, were the original two sponsors of the Americans with Disabilities Act.

Justin Dart. In 1983, Justin Dart visited every State in the Union in his wheelchair, calling attention to State legislatures, Governors, and others of the importance of ensuring the accessibility of places of opportunity for those with disabilities. Yoshiko Dart, his wife, was with him every step of the way and was with us as we worked for the passage of the Americans with Disabilities Act.

And then we have an extraordinary legislator—one of the best legislators that I have served with, Mr. Speaker—Bob Dole, a Republican from Kansas, majority and minority leader of the United States Senate. Mr. Speaker, when he came to the Senate of the United States, his first speech was about including those with disabilities. He observed that he was an involuntary member of those with disabilities as a result of his extraordinary war wounds in Italy in World War II.

We have Chai Feldblum, who is now on the EEOC and a professor at Georgetown Law School. She was counsel to myself and Steve Bartlett as we considered the complex issues and tried to make sure that ADA could be implemented by all in a way that was affordable and reasonable for them.

We then have Lex Frieden, who is the executive director of the National Council on Disabilities, who worked so closely with us. Also, Boyden Gray, counsel to George Bush, who was a critical ally in this effort.

Then we have a giant in this effort, Senator Tom Harkin from Iowa, who, after Lowell Weicker left, was the principal sponsor of the ADA and fought hard and effectively on its behalf.

ORRIN HATCH and Ted Kennedy. Senator Kennedy and Senator HATCH were partners in so many different things, but on this they were aligned and made this bipartisan effort a very successful one.

Also, Arlene Mayerson; Paul Marchand; former Congressman and now Senator ED MARKEY; Senator JOHN MCCAIN; Congressman Norman Mineta; Ralph Neas; Katie Neas; Carolyn Osolinik; Becky Ogle; Lee Page; Liz Savage; Bobby Silverstein. Like Melissa Schulman who was my chief staffer as we considered the Americans with Disabilities Act, Bobby Silverstein was Tom Harkin's chief staffer.

JIM SENSENBRENNER, our colleague today. Congressman SENSENBRENNER was so critical, along with his wife, Cheryl Sensenbrenner, who, herself, suffered from a disability and showed such courage in encouraging all of us to support the Americans with Disabilities Act.

I mentioned Lowell Weicker. Lowell Weicker was a Senator from Connecticut and then Governor of Connecticut; Bob Williams, who was an extraordinary individual who worked so hard; John Wodatch; and last, but certainly not least, Patricia Wright.

There were literally, Mr. Speaker, thousands of others, many of whom will not be known but who came here to the Congress of the United States,

wrote their Members, called them up, and came to town meetings and forums on behalf of those with disabilities.

The Americans with Disabilities Act is now used as a sample and has been adopted in some 50 countries throughout the world, perhaps more. There is a disabilities rights convention, which is pending. Only three countries in the world have not signed on to that convention. Unfortunately, we are one. I would hope that the Senate would do that in this Congress. Senator Bob Dole has been an extraordinary proponent of that convention.

So, Mr. Speaker, I am pleased to join my friend, JAMES LANGEVIN, who has been a beneficiary of the Americans with Disabilities Act and the reasonable accommodations that we ask to be effected so that JIM LANGEVIN could get through the door, could get on the elevator, could get into this Chamber. And, Mr. Speaker, there is a lift on the rostrum on which you now sit so that JAMES LANGEVIN would be able to preside, if that were in order. In fact, he has been up there and has presided. That is called a reasonable accommodation. And because of those reasonable accommodations, this Congress, his State, and our country have been advantaged.

Mr. Speaker, I think when we end our careers, most of us who were involved in the adoption of the Americans with Disabilities Act will look back on the adoption of it overwhelmingly by this Congress in a bipartisan fashion and the signing of that act by President George Bush as one of our most important contributions and achievements during our service in the Congress of the United States.

I thank Mr. LANGEVIN for his extraordinary example for all those in our country to look at the abilities, not the disabilities.

Mr. LANGEVIN. I thank the gentleman. Let me express my profound gratitude to the distinguished gentleman from Maryland (Mr. HOYER), the distinguished minority whip, for his kind words, Mr. Speaker, but most especially because of his extraordinary commitment and the work that he put in, along with countless others, to actually pass the Americans with Disabilities Act and seeing it signed into law.

As the gentleman from Maryland stated, Mr. Speaker, that law has had a profound impact on my life and on countless other lives—and will for generations to come. I thank the gentleman for his extraordinary work.

Let me also thank the extraordinary list of individuals that the distinguished gentleman from Maryland just read off, some of whom I have had the absolute distinct honor and privilege to meet and to thank personally, and many of whom I will never have the privilege of actually knowing or meeting personally because many have also passed on.

□ 1830

They made an extraordinary difference in the lives of millions of people, as I said, both now and in future generations to come; and it is with profound gratitude that I thank them for their work.

Mr. Speaker, this past Sunday marked the 25th anniversary of the Americans with Disabilities Act, a tremendous milestone for one of the most significant civil rights laws of the 20th century.

As a Member of Congress, as co-chair of the Bipartisan Disabilities Caucus and someone who has lived with the challenges of a disability, both before and after the ADA's enactment in 1990, I have experienced firsthand the profound changes that this law has affected within our society.

When I was paralyzed at the age of 16, my life changed forever. As I lay in my hospital bed, I wondered what life could possibly have in store for me next, but I drew strength and inspiration from other people with disabilities who had accomplished both great things and small. They taught me that there was life after a disability.

I was also incredibly fortunate to have the support of my family and my community, whose generosity and concern ultimately made me want to give back to Rhode Island through a career in public service, but accessibility was not yet considered a civil right at that time, and I know many people with disabilities were not as fortunate as I was.

So many passionate advocates and champions like Mr. HOYER fought for the rights and protections enshrined in this law. For all of us, the ADA has been a profoundly life-altering act that has provided new opportunities and fundamentally changed the way society views and treats people with disabilities.

The ADA has broken down physical and psychological barriers. It has opened up opportunities to education, employment, and technology. It has made public transportation more accommodating, improved voting accessibility, and expanded inclusion and justice for millions.

At its core, this groundbreaking legislation codified the correct collective ideal that no one should suffer discrimination because of a disability.

Mr. Speaker, it was with this same conviction that I was pleased to support the passage of the ADA Amendments Act in 2008, after a number of court decisions diluted the definition of what constituted a disability.

When that law was signed into effect, I had the privilege of being with Mr. HOYER and several of the other champions of the Americans with Disabilities Act, the original enactment, original authors of the ADA, including Senator Harkin and Cheryl Sensenbrenner.

I also had the privilege of meeting President George H.W. Bush and be with his son, President George W. Bush, as President George W. Bush signed that bill into law. It was such an honor for me to be able to personally thank President George H.W. Bush personally for his support and leadership in seeing the original ADA signed into law.

Now, when the ADA Amendments Act was passed, these rulings, effectively, the Court rulings that took place necessitating this act effectively limited the ADA's coverage and excluded people with disabling conditions that were not readily visible or apparent, like epilepsy, MS, and various developmental disabilities.

The ADA Amendments Act reaffirmed the protections of the ADA and upheld the ideals of equality and opportunity on which this country was founded. As a result of these efforts, I am proud that future generations will live in a world that is more inclusive, more accessible, and increasingly recognizes the unique talents and abilities of individuals with disabilities.

As we celebrate our accomplishments, so must we recognize that our work is not finished. Equal employment opportunities and fully integrated community living have not yet been entirely realized.

In fact, recent data shows that 31 percent of disabled individuals live below the poverty line, and less than 34 percent are fully employed.

Mr. Speaker, as a nation, we can do better, and we must. It is more important than ever that we educate businesses and connect them with proper resources to create more employment opportunities. Many people with disabilities have both the desire and the capability to work, as well as exceptional talents to offer.

Mr. Speaker, let us not see those talents go to waste. I have often said, Mr. Speaker, that people with disabilities are still one of this Nation's greatest untapped resources, and we need to tap into that talent to see our Nation grow even further.

Mr. Speaker, their divergent backgrounds, unique experiences and wide-ranging talents promote a culture of diversity that doesn't just play a role in the workplace, but also influences the very nature of our society. With proper awareness, accommodation, and investment, our economy and society can reap countless rewards.

We must also ensure that transportation is available and accessible to everyone so that they can get to their jobs, the doctor, or the grocery store.

I have often said that it doesn't do anyone any good if they can actually apply for a job and get the job, but can't get to the job, so that needs to improve.

To help us realize this goal, I have introduced the Transit Accessibility Innovation Act, legislation that would create a competitive grant program to

encourage transit systems to make public transportation more accessible and user friendly.

Mr. Speaker, accessible public transportation is essential in order for people with disabilities to live independently and with full inclusion in their communities. By improving these services, we can improve the quality of life for countless individuals and families.

Mr. Speaker, to further promote independence, we must also ensure that family caregivers of people with disabilities have greater access to critical services like respite care. Respite care provides temporary relief to family members engaged in the full-time task of caring for their aging or disabled loved ones with special needs.

Mr. Speaker, these caregivers, I have often said, are unsung heroes. These caregivers devote so much of their time, energy, and love to their families, but in many cases, they can be often unprepared for these new responsibilities, and the challenges that they face can be daunting, from employment difficulties, to financial challenges, to depression and family stress.

Very often, though, with just a little bit of assistance, they can continue to be extraordinary caregivers and fulfill all of the other challenges and responsibilities that a family requires.

That is why I have introduced and I have championed the Lifespan Respite Care Act, Mr. Speaker, with my friend and former Republican colleague, Mike Ferguson from New Jersey.

Mr. Speaker, that law, it passed into law in 2006 and has already provided grants to 32 States and the District of Columbia to help set up respite care networks for families in need.

Mr. Speaker, I continue to push for that program's reauthorization, and I included it in the Military and Veteran Caregiver Services Improvement Act that I introduced in April to strengthen the support services for family caregivers of injured and disabled veterans. I think this is an important thing that we can do for our veterans.

We have come far, Mr. Speaker, since the passage of the ADA, but we still have much more work ahead. Disabilities don't discriminate on the basis of party affiliation, income level, or gender; instead, they can happen to anyone at any time. I believe, Mr. Speaker, that they also have the unique ability to unite us in common purpose.

As we celebrate the silver anniversary of the ADA together, we must use this as a call to action and to reaffirm our commitment to equal opportunity, full participation, independent living, and economic self-sufficiency for people with disabilities everywhere.

Let me close, Mr. Speaker, by thanking the many champions and the advocates and many unsung heroes who made the ADA possible and saw it through the legislative process and put it on the desk of President George H.W. Bush, who signed it into law and changed the lives of people with disabilities everywhere forever.

Mr. Speaker, I yield back the balance of my time.

10TH ANNIVERSARY OF HURRICANE KATRINA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentleman from Louisiana (Mr. SCALISE) is recognized for 60 minutes as the designee of the majority leader.

GENERAL LEAVE

Mr. SCALISE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the subject of this Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. SCALISE. Mr. Speaker, August 29 of this year will mark the 10-year anniversary that Hurricane Katrina struck ground, causing massive devastation throughout southeast Louisiana, as well as other parts of the Gulf Coast, Mississippi, and Alabama.

Mr. Speaker, tonight, we are going to talk about the devastation that was caused by Hurricane Katrina, and of course, it starts with the more than 1,800 lives that were lost, people from Louisiana, Mississippi, Florida, Alabama, and Georgia who all lost their lives through this devastating storm.

Mr. Speaker, we are also going to talk about something else, and that is the strength and resiliency of the people of the Gulf Coast who persevered, who rebuilt. Ultimately, Mr. Speaker, we are going to talk about the recovery of the people of the Gulf Coast from this devastating storm.

First, I will yield to my friend from the great State of Alabama, Mr. ROBERT ADERHOLT.

Mr. ADERHOLT. Mr. Speaker, I want to just mention to you that it is hard to believe that it has been 10 years ago, in the early morning hours of August 29, just a month from today, that Hurricane Katrina slammed into the Gulf Coast as a category 3 hurricane.

With sustained winds up to 140 miles an hour and a storm surge over 9 meters high in some places, the impact to the gulf region was very devastating.

While the economic cost of the storm is very difficult to measure, some estimates have put the damage over $100 billion. Hundreds of thousands of refugees scattered across the country. Most importantly, no price tag can be assigned to the loss of the nearly 2,000 lives that were lost.

In the aftermath of the tragic storm, there were many hearings; there were many inquiries, studies, investigations, reforms, and policy changes that were conducted, and most of those were for good reason.

The initial emergency response to Katrina was far less than what should be expected of our Federal, State, and local governments.

However, this evening, I do want to thank my colleague for his allowing this, putting together this time. As he said, we are not here to talk about the failures, so much as we are here to talk about the spirit of the people that were affected.

It is easy to sit back and to point fingers and to place blame, but this evening, we want to talk about and bring attention to the spirit of the people that were affected, both directly and indirectly by Hurricane Katrina.

In the days after the hurricane, when it became clear that thousands of people would not be able to return to their homes, work began to find permanent shelter for these individuals.

Thousands of refugees from Louisiana were given housing in manufactured housing that was purchased by FEMA and was stationed, actually, in my home State of Alabama in the State parks.

The outpouring that came the following days of support from the local community was, I think, best described as just overwhelming. As soon as the people found out that the refugees were headed into our area, supplies were starting to be gathered together, and drives were started immediately as they were being organized.

A member of my own staff organized one of those numerous drives on his own initiative. Thousands of pounds of food, of clothing, and personal hygiene products were collected. They were distributed to the people, and these people that were helped had little more than just the clothes on their back.

I am also proud that, after this show of support, that many of the refugees decided to make the Fourth District, the district I represent, their home. In one particular case, a refugee from Louisiana ended up working for Desoto State Park, where she had been housed.

Finally, the resilience of Alabamians who lived along the Gulf Coast was also inspiring as well.

□ 1845

Though the Gulf Coast of Alabama was not the hardest hit of the region, the Gulf Coast of Alabama was severely impacted by Hurricane Katrina.

While there is still some healing that needs to be done, the Gulf Coast is not only back in business, but it has returned to life as usual and it is thriving.

New shipyards are being constructed, new businesses are opening up, and tourism has returned to the region. This, I believe, is a testament to the spirit of the people of the State of Alabama as well as our neighboring States, Mississippi and Louisiana.

As we move forward as a country and as a region, I hope that we will not only look to the lessons we have learned from the failures of this response, but also to the lessons we learned about kindness, the lessons of charity, being a good neighbor, and, actually, the spirit of this great Nation.

So I want to thank my colleague from Louisiana for putting this time together to draw attention—again, not to place the blame on the individuals or organizations that we could point blame to this evening, but to the spirit and to the greatness of all those that were involved and to the kindness, the charity, and the spirit that arose from that occasion.

Mr. SCALISE. I thank you. I appreciate my colleague from Alabama's (Mr. ADERHOLT) comments.

Of course, Mr. Speaker, so much of the national attention on Hurricane Katrina focused on the city of New Orleans.

We all remember the pictures, the visuals, of people that were displaced, of floodwaters that sat, in many cases, for 2 or 3 weeks.

But then, of course, we also remember the many things that happened along the way for people who rebuilt, who came back, who persevered.

My colleague and friend who represents the city of New Orleans along with me obviously was deeply involved in a lot of those recovery efforts.

I want to yield now to my colleague from New Orleans (Mr. RICHMOND).

Mr. RICHMOND. I thank the gentleman from Louisiana (Mr. SCALISE), who represents the neighboring district from me in part of the metropolitan area of New Orleans.

Let me just start off by saying something about New Orleans and the people of New Orleans. Now, the people of New Orleans are a very, very resilient people, and it started from the beginning of the history of New Orleans up until today.

We started off—you can go back to 1788, when there was a fire in New Orleans that burned 856 of the 1,100 buildings that made up New Orleans. So that was 80 percent of the city burned. Then 6 years later another 212 buildings burned.

But the good thing about the people of New Orleans is that we always pick ourselves up, dust ourselves off, and continue to do the work to rebuild and make a better life.

Then you can go to 1853, when we had a yellow fever outbreak and epidemic. In 1853, almost 8,000 people died of yellow fever.

And if you look at the time between 1853 and 1905, 41,000 people in the city of New Orleans lost their lives due to yellow fever. But again the city picked itself up, dusted itself off, and worked to make a better New Orleans.

Then fast-forward to 1965. That was the year that Hurricane Betsy devastated the city of New Orleans. That was the first storm to rack up a cost of $1 billion in damage.

And then, of course, I will talk about Hurricanes Katrina and Rita that hit New Orleans and devastated the entire Gulf Coast, but significantly damaged New Orleans.

Let me just say for the record, even after we picked ourselves up and dusted ourselves off and started to rebuild after Hurricane Katrina, a few years later then comes the BP oil spill.

And again the people of New Orleans—we picked ourselves up, dusted ourselves off, and we started to create a better New Orleans and a better Louisiana.

Now, going back to Hurricane Katrina, which my good friend STEVE SCALISE already talked about, the total loss of life in Hurricane Katrina was over 1,800 people, and 1,577 of those people were from Louisiana.

Let me just break down some of the causes of death: 40 percent of the deaths were caused by drowning; 25 percent by injury and trauma; and heart conditions caused another 11 percent.

If you remember the devastation and destruction on the TVs that covered it, you will understand the anxiety that the people that were down there suffered.

Let me take a second before I go into some of the other statistics to just say many people always say that Hurricane Katrina was the largest natural disaster in the history of the United States.

Well, I appreciate the sentiment. But, factually, that is just not correct. Hurricane Katrina was the result of a manmade disaster combined with a natural disaster.

The Army Corps of Engineers had great notice that the levees that protected New Orleans and the metropolitan area were not sufficient. When the storm hit, the levees washed away.

Then there was something called the Mississippi River Gulf Outlet, which we call MRGO. It was designed by the Corps of Engineers to allow ship traffic to the great Port of New Orleans all the way up to America's heartland. It was designed to be almost 100 yards wide to allow ship traffic.

By the time Katrina hit, almost 30, 40 years after it was built, it was not 100 yards wide anymore. It was almost a mile wide in its largest sections. And that water coming out of the Gulf of Mexico caused a lot of the devastation.

So I wanted to clear up the fact that this was not a natural disaster. It had a large part to do with mankind having their hand in it and inadequate building by the Corps of Engineers.

Before I finish and yield back to Congressman SCALISE, let me also say that, when Katrina hit, although the government response was lacking, the American people stood up, recognized the situation, and opened their hearts to the people of Louisiana, the people of Mississippi, and some of the people of Texas.

Baton Rouge alone handled 300,000 to 400,000 displaced individuals from the New Orleans area.

Houston, Texas, handled right around 250,000 people in terms of bringing them into shelters and other places so that they could be safe and have some housing.

Now you still have 111,000 people in Houston that are from the greater New Orleans area. I remember traveling to Houston after the storm and going to the shelters and watching the extraordinary work of SHEILA JACKSON LEE and AL GREEN to provide for New Orleans and New Orleans-area evacuees.

100,000 evacuees in Atlanta, in shelters and in homes, with HANK JOHNSON and the Honorable JOHN LEWIS helping. Now Atlanta still is home to 70,000.

San Antonio, Texas, held almost 35,000 people at the time of the storm, and now they still hold 15,000 to 18,000.

Then that brings me to Birmingham which right after the storm housed 20,000 people, and now they house in between 1,500 to 13,000.

So the magnitude of this storm was great.

I just want to cover the population decrease. And then the other things with Hurricane Katrina I will cover more in depth with my good friend and colleague from Mississippi, BENNIE THOMPSON, whose district was also impacted.

But I will just say the population of New Orleans was 484,000 before Katrina. Right after Katrina it was right around 230,000 people. And that is a decrease of almost half of the city's population.

So when you look at that damage and you look at the fact that we lost 134,000 housing units, 70 percent of all occupied housing units of the city, you will understand the magnitude and the depth of the devastation that our district suffered.

But once again the people of New Orleans and the people of Louisiana—we pick ourselves up, dust ourselves off, and we start building a better New Orleans and a better future.

However, we still have many needs. We still have many things that we need to right that didn't go right during the storm.

But, as of now, I just wanted to talk about how resilient the people of New Orleans were during the storm and the outpouring of love from the rest of the country.

Mr. SCALISE. Thank you, Congressman RICHMOND.

Of course, as the gentleman talked about, the devastation and those 1,833 lives that we lost throughout the Gulf Coast still live with us. We still remember the people who gave their lives, who lost their lives, in this devastating storm.

But, Mr. Speaker, some of the things that you saw from the people of southeast Louisiana—I know I saw firsthand the strength, the resiliency, of the people back at a time not long after the storm hit when there were people questioning whether or not the city of New Orleans would be rebuilt or should be rebuilt. You saw that conversation start around the country.

But, Mr. Speaker, that didn't last long before you saw the Nation come together and make a commitment, and you saw the people of New Orleans make a commitment that the city would be rebuilt.

But I think this is where the story of recovery comes out so bright and strong, Mr. Speaker. That is how the people of the Gulf Coast, how the people of New Orleans, responded.

People didn't say they were just going to rebuild what was broken. You saw people demanding, demanding, Mr. Speaker, that we rebuild better, stronger, more efficient. People started demanding that government work differently, that government work better.

Those levees that failed, Mr. Speaker, caused so much of that devastation. People said: We need to reform the way that levees are built. You saw a citizen uprising, in fact, that led to dramatic changes in State law.

I was a State representative at the time. We actually changed the constitution of Louisiana to require that people who serve on levee boards actually have experience in things like engineering, hydrology.

You saw citizen groups like Women of the Storm emerge, where over 50,000 people signed a petition not long after that demanded that laws be changed, Mr. Speaker, to make those kinds of reforms in levee boards.

And when you look at the levees that were rebuilt today with the help of our colleagues up here in Congress and the work of FEMA and other agencies—when you look at those levees, they are dramatically better.

The flood protection systems are better in southeast Louisiana. That didn't happen by accident. That happened because the people demanded those kinds of changes.

You look at the political reform. As we all know, every State has got its problems. But Louisiana had a bad history of political corruption going back over 100 years.

The people of Louisiana demanded a better political system. You actually saw citizens picking up the telephone, calling the FBI if they saw an ounce of political corruption.

There became a zero tolerance for political corruption in the city of New Orleans and the surrounding regions. People went to jail.

But it was because the public said: We demand better. And, ultimately, that helped lead to the recovery that we see today 10 years later.

Just look at the school system, Mr. Speaker. Before Katrina struck, New Orleans had one of the most failed and corrupt public school systems in the country.

There were kids that were graduating—we had a high school valedictorian who couldn't pass the State exit exam.

After Katrina, again people said: We are going to rebuild, but we are going to demand a better public school system.

And you saw sweeping reforms move through the State legislature, setting up a system of charter schools in the New Orleans area that are now touted as the model for reform for urban education systems.

That didn't happen by accident. That happened because the people demanded better from government. We saw government fail at every level, Federal, State, and local. It is well documented.

□ 1900

The story of New Orleans today, 10 years after the storm, is the story of a strong and resilient people who said: We absolutely will rebuild, but we are not going to rebuild the same way that it was before with all of the flaws and problems that existed; we are going to demand better.

You can see better today, you can see the recovery. It is not over. There are still some neighborhoods that are working to rebuild, but there are so many neighborhoods that are stronger today, that are more thriving today. Young people coming in from other States to be a part of this renaissance, to be a part of this recovery.

It is an exciting time to be in the New Orleans region today; but obviously, as we reflect upon the devastation of Katrina 10 years ago, we know how far we have come and how much it took people pulling together, working with groups like the Pastors Resource Council, pastors from all around the country that came together to say that, while government had its failings, individuals, communities came together, churches came together, faith-based groups stood up like we have known that they do in so many other disasters to help get food to people, get shelter to people, and help people recover.

We, obviously, reflect on and pray for the lives that were lost and remember the devastation that was so horrific, but we also celebrate the recovery that is still so evident in the people of Louisiana.

Mr. Speaker, I yield back the balance of my time.

10TH ANNIVERSARY OF HURRICANE KATRINA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the gentleman from Louisiana (Mr. GRAVES) is recognized for the remainder of the hour as the designee of the majority leader.

Mr. GRAVES of Louisiana. Mr. Speaker, 10 years ago, nearly 10 years ago, the scenes flashing across our television screens showed what appeared to be a Third World country—literally bodies floating in the streets, people that were homeless, homes washed away—one of the worst natural disasters in America's history.

Mr. Speaker, over 1,200 of our brothers, our sisters, our mothers, fathers, uncles, aunts, our neighbors, our friends perished in the disaster on August 29, 2005. We lost over 1,200 people, Mr. Speaker.

These vulnerabilities were not vulnerabilities that were unknown. As a matter of fact, Mark Schleifstein with The Times-Picayune published a series known as ''Washing Away'' in 2002, years before Hurricane Katrina hit our State and caused all this devastation.

That series accurately predicted, the vulnerabilities accurately predicted the outcomes of a direct hit by a storm like Hurricane Katrina upon our communities. We saw what had happened. Homes, businesses, monuments, schools, our history, our dreams, our hopes, our future were all flooded as a result of Hurricane Katrina 10 years ago.

Mr. Speaker, this wasn't a Third World country; it was one of America's great cities that was underwater. Many people look back at Hurricane Katrina, and they view the impacts as being parochial, things that impacted Louisiana and Mississippi and Alabama, not something that impacted the Nation.

Mr. Speaker, nothing could be further from the truth. When the Mississippi River was shut down and all the ports associated with it across the Gulf Coast as a result of the devastating impacts, the farmers in the Midwest had no way of getting their crops out to market. There was no capacity within other transportation mediums to get these crops out; therefore, the farmers in the Midwest suffered as a result of Hurricane Katrina's impacts on the Gulf Coast.

Mr. Speaker, rail lines, Louisiana is only one of two places in the United States where we have all six class I rail lines. In many cases, the rail lines and the associated infrastructure was destroyed, therefore, once again, severely impacting America's intermodal transportation system.

The economy, one of the places that has these amazing natural resources, has an amazing energy industry, petrochemical industry, agriculture industry, and many, many others, severely impacted, causing impacts not just again to the regional economy, but to the national economy.

Mr. Speaker, one great example of that is gasoline prices. Following Hurricane Katrina, we watched gasoline

prices spike 75 cents a gallon; but let me be clear, not in Louisiana, nationwide—75 cents a gallon is the national average price increase as a result of those 2005 hurricanes on the Gulf Coast—75 cents a gallon.

As I recall, I believe that translates into $450 million in higher consumer payments per day as a result of the impacts those storms had, the 2005 hurricanes—Hurricane Katrina and Hurricane Rita—had on the Gulf Coast and had on, really, the Nation.

Importantly, Mr. Speaker, the deficit, much of the recovery that was funded by the Federal Government, in fact, the far majority of it, was funded by deficit spending, funded by deficit spending. This wasn't spending that was offset; this wasn't reserve dollars that the Federal Government had sitting there waiting for this unbelievable disaster. This was deficit spending.

Our children, our grandchildren, our great-grandchildren will be paying for decades for this. I want to be clear, Mr. Speaker, this was preventable, which I am going to talk about in a minute.

Also the impact to the environment, here you see the U.S. Army Corps of Engineers, and you see the EPA out there talking about the importance of wetlands and the importance of waters of the United States and writing all of these extraordinary rules to grant themselves more aggressive jurisdiction, larger jurisdiction over our private lands; yet as a result of those storms alone in 2005, we lost over 200 square miles of coastal wetlands in the State of Louisiana alone.

Mr. Speaker, I am going to say again, a lot of people looked at this and watched it on TV and saw it as being a parochial problem, a problem of the Gulf Coast, a problem of Louisiana, Mississippi, and Alabama.

Mr. Speaker, you could cut and paste that situation; you could paste virtually any other coastal city, any other coastal State in this Nation, and they potentially could face the same repercussions, the same outcomes as we experienced in 2005 because this Nation continues to have a reactive policy to disasters, and it is something that we have got to change.

We could have taken the hundred-plus billion dollars that Congress appropriated following the 2005 hurricanes to help recover, to help get these communities back on their feet across the Gulf Coast. We could have taken a fraction of those dollars, and we could have invested it proactively and prevented it from happening.

Mr. Speaker, any city on our coast could experience the same disaster we saw; and I remind you, just in 2012, we saw Hurricane Sandy cause profound consequences in New York, New Jersey, and other communities on the East Coast. I will say it once again, disasters that were preventable, and so this is something that we all need to be paying attention to.

While in New Orleans, while in south Louisiana and Mississippi and in Alabama, there were amazing stories of communities coming together, of people coming together, of resilient families coming together to ensure that while this did knock them down, they were getting back up again, and they were going to recover—strong resolve from these communities all across the Gulf Coast.

Mr. Speaker, one other thing that was truly amazing is watching the incredible outpouring of support not just from the Gulf Coast, but from all over this Nation and countries around the world, committing to come help us recover across the Gulf Coast.

It was an amazing opportunity for people to come together, to put down differences, and to all come together in support of the recovery of these communities, the recovery of these families, the recovery of these businesses, the recovery of the hopes and dreams of these communities across the Gulf Coast.

Mr. Speaker, we are going to continue to see this play over and over again. We are going to continue to see these types of disasters over and over again until we turn the policies around in the United States, until we see fundamental changes.

Mr. Speaker, I want to pivot back to the recovery; I want to pivot back to New Orleans; I want to pivot back to Plaquemines Parish and St. Bernard, St. Tammany; I want to pivot back to lower Jefferson Parish. These communities, in many cases, were destroyed.

Everything was underwater, everything. I will say it again, the homes, the businesses, the schools, the hopes, the dreams, the future underwater—and 10 years ago, 10 years ago, unbelievable. I think that most people would have told you these communities aren't coming back; they can't come back. They have been so profoundly impacted that they simply can't recover from this, but that is not what happened.

As you just heard Mr. SCALISE discuss, people came together. We now have an amazing progress, amazing recovery of our schools in south Louisiana, amazing recovery in our economy.

As a matter of fact, Mr. Speaker, we now have tens of billions of dollars in economic development projects on the horizon while, in other areas, you are seeing people losing jobs, you are seeing businesses close, you are seeing small businesses shut down and a trend of more small businesses closing and opening across the Nation; but in Louisiana, Mr. Speaker, tens of billions of dollars in new economic development projects on the horizon.

As a matter of fact, we have the largest foreign investment in U.S. history committed to projects in south Louisiana. We are seeing a manufacturing renaissance, and it is happening because our people are so resilient because we have come back, because we have come together, and because we have plotted a path to the future using the resources that Louisiana is so blessed with, the Louisiana maritime transportation system that we have, and the amazing natural resources in regard to the inexpensive, readily available natural gas, oil, petrochemical industry, the rail lines, the intermodal transportation facilities.

We have been able to accomplish a manufacturing renaissance not in Mexico, not in Asia, but right here in the United States in south Louisiana.

Mr. Speaker, in closing, I want to say I pray that there is not another community, that there is not another city, that there is not another State in this Nation that has to experience, that has to go through the tragedy, the travesty that we experienced in south Louisiana, the loss of over 1,200 of our friends, our relatives, and our neighbors, to see the type of recovery, to see people come together.

To see us finally help to build a resilient protection system, resilient ecosystem to ensure that the next storm isn't going to cause the same devastation to New Orleans as we saw 10 years ago, I pray, Mr. Speaker, that that doesn't have to happen again.

The only way we prevent it from happening again is if people learn from the lessons of Hurricane Katrina, from Hurricane Rita, if they actually apply the lessons learned that we so painfully went through in south Louisiana, in Mississippi, and in Alabama, that we apply those lessons around the United States to make our communities more resilient; to make our economy more resilient; to make our businesses more resilient; to make our families more resilient; and, Mr. Speaker, most importantly, to ensure that we can all accomplish the American Dream.

Mr. Speaker, I yield back the balance of my time.

10TH ANNIVERSARY OF HURRICANE KATRINA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the Chair recognizes the gentleman from Louisiana (Mr. RICHMOND) for 30 minutes.

Mr. RICHMOND. Mr. Speaker, I want to just thank my colleagues from Louisiana for also talking about the devastation that we received in hurricanes, both Katrina and Rita, which we call the ''sister hurricanes'' because they were only separated by a couple of days and what damage that Hurricane Katrina caused. Just a few days later, Hurricane Rita came right behind it and exacerbated that damage.

Let me just hit on a few of the misperceptions of Katrina. Well, actually, since I have had a little time and

I want to make sure that everyone involved has a chance to have time to speak on this, I yield to the gentleman from Mississippi (Mr. THOMPSON), my good friend, who at the time was chair of the Homeland Security Committee, who made sure that some of the deficiencies in FEMA and some of the other places that caused us undue headaches during the rebuilding, that those headaches were relieved a little bit or eased a little bit because of the hard work of BENNIE THOMPSON, whose State also incurred some damage.

□ 1915

Mr. THOMPSON of Mississippi. I appreciate the gentleman from New Orleans for yielding.

Mr. Speaker, I rise for two reasons—one, to talk about what it is to be in the eye of a hurricane and to be without basic necessities for over 10 days because of a hurricane and, two, what it is that our government should do when those situations occur at the Federal, State, and local levels.

In my comments, initially, I will talk a little bit about what happened in August of 2005—how, in fact, so many people were impacted as well as what we have done as a government, what we didn't do, and what we should do in going forward.

As the gentleman from Louisiana has said, for the most part, both Hurricanes Rita and Katrina ravaged Texas, Louisiana, Mississippi, Alabama, and a little bit of Florida, but I will limit my comments to Katrina. In Hurricane Katrina, there were over 1,800 people—from Florida to Texas—who died.

In my home State of Mississippi, 238 individuals died. Basically, what we had after that is over 1.2 million housing units damaged, and in my home State, almost 120,000 were completely destroyed. In southern Mississippi, that meant that over 60 percent of the single family dwellings were either destroyed or rendered uninhabitable, and the statistics were worse for rental units. Along the Gulf Coast—the beautiful Gulf Coast where we have the largest manmade beach in the United States—there were over 1 million people displaced. One month after the storm, 600,000 families were still homeless, and, ultimately, 114,000 were housed in FEMA trailers.

Mr. Speaker, I don't have to tell you what happened with the FEMA trailers. It was a mess. The government's response to the temporary housing situation could only be characterized as a mess. We fixed it, but during that time, we put people in trailers that had basically been pieced together and shipped to the good people of the Gulf Coast. Many of them had Chinese drywall in those trailers that let off formaldehyde, which, ultimately, impacted the health of everybody we put in the trailers, ostensibly, for temporary housing. We created a bigger health problem.

Obviously, we passed legislation to address some of it in terms of the health costs and other things. Ultimately, a lawsuit provided some relief to the families. What we have done in correcting that temporary housing situation is to direct FEMA to not just be the response and recovery agency. We want you to also understand that, when people are in trouble, not only do you come, but you come with the right resources to make sure that you don't create and make life worse for them. After our Katrina experience, we have a more nimble operation, and we have far better individuals who are trained so that, when disasters come, we can respond.

The problem that I have goes back, Mr. Speaker, to the comments that a speaker on the other side made.

When you are in a disaster, whether it is a hurricane or a flood or a tornado, the last thing you want is for somebody to ask, ''Well, who is going to pay for it?'' These are citizens of the United States of America. The only thing we should say is, ''In your darkest hour, in your time of need, your government will not let you down.'' I would hope that people understand that we are a great nation because we take care of all of our people, especially when the chips are down and when they have no other place to turn. So I would hope that we would not talk about issues of deficit spending when people are being plucked off the roofs of their homes or when they are being dislocated hundreds of miles from their residences simply because they can't get back into their neighborhoods.

What I also want to talk about is the fact that, since Katrina, we have made sure that first responders can communicate with each other. There were a number of stories about individuals who wanted to help but who couldn't talk to each other. Hopefully, we have started fixing that interoperability issue so that those individuals can communicate with each other, whether they are paid firemen, volunteer firepersons, or whether they are law enforcement at the State, county, or local level, because, when we are involved in any natural disaster that is federally declared, the constituents who need our help don't want us to get bogged down in the territories. They just want the help. Part of the help is making sure that these individuals can communicate with each other.

We had nonprofit organizations. The Red Cross, most specifically, was severely criticized because of its response to Katrina. A substantial number of citizens who were impacted were in low-income, minority communities, and we started getting responses such as: ''We don't know what to do in those areas''; ''We are afraid to go in those areas.'' Yet, if you are part of the national preparedness system, you go and help; you don't try to qualify that help. Part of that agreement we have with an organization like the Red Cross is that you will do better, that you will respond when other organizations don't have the capacity.

We are continuing to work on the Red Cross' response to natural disasters in this country. Sometimes they do a good job, and sometimes they don't. What we have to do is make sure that, every time they respond, they respond in a manner that is helping someone. Regardless of people's socioeconomic statuses in life, they are still American citizens. I look forward to continuing to work on that.

The other thing we have to work on, Mr. Speaker, is in making sure that the moneys that are sent to the devastated areas don't get diverted to other areas.

In my home State of Mississippi, our Governor at the time diverted over $600 million, which was directed to low- and middle-income housing problems, to a port expansion, which had nothing to do with housing, but the flexibility to do it was there. We had a number of people who lost everything they had, and they didn't have any means to come back. The moneys that we sent from Washington to attempt to make those individuals whole and to reintroduce them to the communities from which they had been displaced had been sent to the Port of Gulfport. It is a worthy project, but you shouldn't have to take moneys to do that which were intended by Congress to go for low- and middle-income housing.

As of this date, the requirements for that money still have not met the satisfaction of not only the HUD officials, but also of members of the communities. We should not take moneys in times of emergency and fund pet projects. If those projects are worthy to be funded, then let's fund them out of traditional sources and not out of emergency sources. I am concerned that we do that.

I want to pay a special tribute to the Mississippi Center for Justice, which has done a wonderful job in pursuing the expenditure of these funds consistent with the intent of those funds. I want to pay a special tribute as well to the Mississippi Conference of the National Association for the Advancement of Colored People. They have provided witnesses and testimony at hearing after hearing as well as documentation about the questionable expenditures around Hurricane Katrina.

As I said in the beginning, as one of those individuals who experienced Katrina firsthand, our government has to step up and help these people in their time of need. What we have done in the last 10 years is to attempt to fix everything that we have identified that didn't work. We have solved our interoperability problem. We have provided training for first responders. We have provided evacuation routes for individuals so that they know how to leave as

well as routes for vulnerable populations or whether they are handicapped in some form. We have even created opportunities so that pets won't be left alone when evacuations occur. All of those things are very important because it goes to who we are as a people. So how we treat the least of them in their most desperate hours goes to the character of who we are as a nation.

As we mark this 10-year anniversary of Katrina, Mr. Speaker, I want us to understand that it is still a work in progress and that it doesn't matter whether you live in a house on a hill or if you live in a house around the corner that is at a dead end—you are still an American citizen. When things like a Hurricane Katrina happen, you should rest assured that your government will be Johnny on the spot.

As I step back from my microphone, I want to compliment the gentleman from Louisiana for leading this Special Order, because we should really understand how difficult Katrina has been for those individuals who were in the brunt.

Let me also take a point of personal privilege to talk about the good job that the men and women of the United States Coast Guard did in response to Katrina. They really did a tremendous job in working and in managing a lot of the recovery and response to Katrina.

In August 2005, nearly ten years ago, Hurricane Katrina made landfall in Mississippi and ravaged the Gulf Coast.

The storm pummeled everything in its path.

Over 1,800 people from Florida to Texas died, including 238 from my home State of Mississippi.

After what felt like an eternity, the storm died down.

We inventoried our losses, and the painfully slow recovery process began.

1.2 million housing units were damaged, and 120,000 were completely destroyed.

In Southern Mississippi, more than 60 percent of single-family dwellings were destroyed or rendered uninhabitable—and the statistics were worse for rental units.

Along the Gulf Coast, over 1 million people were displaced.

One month after the storm, about 600,000 families were still homeless, and ultimately 114,000 were housed in FEMA trailers.

The recovery process was slow and wrought with mistakes at the Federal, State, and local level.

At the Federal level, chain-of-command and coordination failures complicated the quick and efficient delivery of Federal resources, undermining both response and recovery efforts.

Opportunities to pre-stage important resources were missed.

Interoperable emergency communications challenges and lack of qualified, well-trained, and well-funded emergency response personnel—capability gaps first identified during the response to the September 11th attacks—persisted.

Ineffective and underdeveloped disaster housing and disaster procurement policies dragged out recovery efforts and drove up costs.

States appeared to lack capacity to drawdown Federal recovery funds quickly or effectively.

For example, my home state of Mississippi was awarded $3 billion in Katrina related infrastructure grants, but by January 2009, it had only drawn down a little over half of those funds ($1.7 million).

FEMA allocated $156 million in hazard mitigation grant funds to Mississippi, but the State had only drawn down $40 million two-and-a-half years after the storm struck.

My governor at the time diverted $600 million in CDBG funds initially intended for the construction of low and middle income housing to a port expansion project.

Parts of southern Mississippi are still feeling the impact of that ill-advised decision to this day.

In the aftermath of the storm, Congress overhauled the national emergency management infrastructure by enacting The Post Katrina Emergency Management Reform Act, or PKEMRA.

The legislation sought to address preparedness, response and recovery gaps identified through oversight activities carried out by this Committee, including:

(1) apparent uncertainty regarding who had authority to coordinate and direct response and recovery efforts under the National Response Plan;

(2) ineffective coordination of Federal, state, local, private sector response and recovery efforts;

(3) inadequate Federal coordination of preparedness planning, including lack of effective evacuation and temporary housing plans to meet the needs of all of those in a community;

(4) lack of operable and interoperable communications to support response and recovery efforts; and,

(5) lack of effective emergency alert and warning systems to notify the public of potential threats to health and safety.

Nationally, we have made progress on addressing these gaps.

For example, we have saved lives by getting people out of danger's path with the Integrated Public Alerts and Warnings System.

Our planning and exercise programs have improved relationships among Federal, State, and local responders to facilitate quicker, more effective response and recovery efforts.

And we have honed the national doctrine on preventing, protecting against, mitigating the effects of, responding to, and recovering from natural and manmade disasters.

But significant challenges with long term recovery efforts remain.

For example, the Federal government's failure to have adequate disaster housing plans in place before the storm struck resulted in last-minute scrambling to find long-term recovery housing for the displaced.

We ended up with botched FEMA trailer contracts that cost taxpayers millions of dollars, and ultimately provided Hurricane survivors with formaldehyde-laced dwellings.

A class action lawsuit from 55,000 Gulf Coast Residents against over two dozen mobile home manufacturers was finally settled for over $42.5 million in 2012.

Despite this difficult lesson, as we saw in 2012 after Hurricane Sandy, developing viable disaster housing options for regions across the United States continues to be an elusive goal.

Although we have made progress on achieving interoperability, gaps continue to hinder effective responses.

Despite the horrific loss, survivors demonstrated inspiring resilience.

And the American people proved once again their commitment to helping those affected by disaster by sending resources and flocking affected areas to aid recovery.

Over the past decade, Gulf Coast residents, with Federal support and the help of volunteers from across the country, have rebuilt much of what was lost.

I would be remiss if I did not mention the important work of the Mississippi Conference of the NAACP and the Mississippi Center for Justice.

Both of those organizations traveled to and opened offices on the Coast to offer legal services to the thousands of Gulf Coast area residents who needed an advocate to help make them whole.

Notably, they filed a lawsuit on behalf of community groups and individuals against the U.S. Department of Housing and Urban Development resulting in a landmark settlement of $132 million dollars for low-income households in nine Mississippi counties.

The Mississippi Center for Justice has continued to spearhead numerous Federal and state policy battles to demand and restore safe and affordable housing to Hurricane Katrina's most vulnerable survivors, including thousands of children.

The Hurricane Katrina recovery, in many respects, has become a story of American perseverance and generosity—and I am glad we are here to commemorate and honor it this evening.

Mr. RICHMOND. I thank the gentleman.

Mr. Speaker, let me inquire as to how much time I have remaining.

The SPEAKER pro tempore (Mr. HARDY). The gentleman has 17 minutes remaining.

Mr. RICHMOND. Mr. Speaker, before I get into some of the misconceptions and perceptions that still remain from Katrina, let me just finish where the gentleman from Mississippi left off.

In its aftermath and the rescue and recovery, one of the shining stars during Hurricane Katrina was the United States Coast Guard. They did a phenomenal job, both day and night, in rescuing people with helicopters and boats and everything at their disposal. They didn't care if they were tired, and they didn't care if they were hungry. They just did the job that they should have done just like most of our servicemen. They were the shining stars.

□ 1930

I mentioned earlier that one of the perceptions that is just inaccurate about Katrina was that it was a natural disaster. It is not just me who will call it a manmade disaster.

In 2009, Judge Duval ruled that the Federal Government was liable for the

damage related to MRGO because the canal's original purpose was navigation. That decision was affirmed, and then it was overturned by the U.S. Court of Appeals for the Fifth Circuit.

However, on May 1, 2015, a Federal claims judge, Susan Braden, ruled that the Army Corps of Engineers is liable for damages resulting from flooding during Katrina again and that the damage caused in both St. Bernard Parish, which is not in my district, and the lower Ninth Ward of New Orleans, which is in my district, was that the Army Corps of Engineers was responsible and liable for the damage caused to their homes because the Coast Guard was responsible for the increased storm surge and flooding during Hurricane Katrina and that the Army Corps knew that their failure could have that effect.

So Judge Braden has ordered that the Federal Government, more specifically, the Justice Department, enter into settlement negotiations with the attorneys of those residents in both the lower Ninth Ward and St. Bernard Parish. I would just continue to urge the Federal Government to step up to do that because it is the right thing to do.

Some of the other things that I just want to spend a quick moment in correcting are that, after the storm, there was violence in the streets and people were shooting at the rescue boats. That was just absolutely untrue.

As I tout the success of the Coast Guard, I have to now question and criticize the effort of both the Red Cross and our National Guard.

In the days after Katrina, there were Red Cross buses on the side of the highway that lined from New Orleans all the way to Baton Rouge because the buses were scared to go into New Orleans because it was dangerous.

The Red Cross and the National Guard had 18-wheelers and military trucks full of water that were designated to go into New Orleans, but they were on the side of the interstate opposite the buses because they thought it was too dangerous to go into New Orleans.

Well, Mr. Speaker, I just want to tell you, while the National Guard, the Red Cross, and others were scared to go into New Orleans, I myself, with another council member, Oliver Thomas at the time, was driving a minivan into New Orleans filled with water with no security, no protection, and the only thing we encountered were grateful people who were looking for some help, some water, some food, and some direction as to how and when this recovery would start.

What I don't want is people to look at New Orleans and remember back to those days and just believe the misinformation about all of those other things.

While I am correcting that, let me also touch on why people didn't leave. Many people have said people just chose not to leave for various reasons, they didn't know better. All of that is absolutely untrue, also.

The biggest reason people didn't leave was that the warnings were weak and they were not enough notice. I remember watching the news and watching the mayor of New Orleans say: Well, I am sending my family to Dallas. If I were you, I would evacuate.

Well, in moments like this, you need stern warnings and you have to be blunt.

I was on the conference calls where FEMA and Red Cross said that they were sending 10,000 body bags. We knew this was the real one. It was the time to show leadership and tell people to leave the city in no uncertain terms.

I remember having a conference call with Governor Blanco in which she talked about all of these things, along with the Red Cross and FEMA.

By the time that it was my turn to talk, I said, ''Governor, I understand that this is the real deal. However, there are 1,500 people across the street from my house playing Little League. They don't get the benefit of hearing what you just said on this conference call.''

It was later that day and the next morning that people pushed, but it was only a day out from the storm.

And then we never talked about the expenses associated with evacuating once or twice in the city, packing your family up, driving to another city, paying for a hotel, feeding your family, and then coming back.

When that happens over and over again and they were false alarms, if you don't give them the stern warning when you know it is the real one, you know some people won't leave.

The last part of it is we came up with a bad idea of using shelters that were in harm's way. We had thousands of people in the Louisiana Superdome that is located in New Orleans. Well, the Superdome was right in harm's way.

One of the other perceptions—and you actually heard it tonight—was that the new New Orleans has a great school system that has turned around education in this urban setting, and the truth of the matter is it is a work in progress at best.

The State came in and took over most of our schools, all but maybe five or six of them. Out of those 57 schools that they took over, seven are B schools, no A schools, 20 are C schools, and 24 are D and F schools.

We still have some work to do in the area of education. We have made some improvements, but we have kids now that are being bused and staying on the bus almost 2 hours to get to a school in the morning and 2 hours in the evening. That is not a system that we want.

Our good schools don't have attendance zones, and it has become a maze in order to apply and to get into our better schools.

Those are things that can be fixed if everybody is willing to come to the table and figure out the best way to do it and not look at everyone who has suggestions or criticisms of the school system as being an enemy.

Public education: Even if you look at the Brown v. Board of Education decision years ago, 50, 75 years ago, that decision came about because the Justices talked about how an education is important to being a good citizen, thriving, and being a success.

Because of that, we should spend more time in working to make sure that the New Orleans public school system is a system that educates all of the kids.

Whether you are Black or White, whether you are poor or rich, whether you live in a great neighborhood or whether you live in a bad neighborhood, every kid should have the opportunity to succeed.

The other thing that people see a lot now, whether we are hosting a Super Bowl, the Final Four, or the Sugar Bowl, people assume that the city is back because the areas that they cover on TV are the areas that are back.

If you look at Canal Street, Bourbon Street, and all of those areas, the Superdome, the New Orleans arena, they are back.

However, there are still areas that are not back. You still have areas where homeowners are still struggling to rebuild.

You can look at the lower Ninth Ward. You can look at the upper Ninth Ward. You can look at Gentilly. You can look at New Orleans East. Those areas are still fighting to recover.

You can look at some of the complaints from homeowners when the Road Home process was set up. They complain that they were fingerprinted and treated like criminals during the application process in the onset of asking for government assistance.

Remember, we are talking about homeowners, the most responsible people in a community, being fingerprinted and treated like criminals during the application process.

Also, the Federal Government prohibited grants exceeding the value of a property. So Road Home tied its calculation to a home's prestorm value as opposed to the actual cost of rebuilding.

So when you look at the 36,000 grant recipient collection letters for alleged overpayments, duplication of insurance proceeds, or failure to comply with the covenants, you see 36,000 people that are being unjustly punished by the Federal Government.

I would just say that we said it very early on in the process, that using appraised value was going to harm minority communities because an appraisal is subjective, depending on where you

live. So homes in the more affluent areas of New Orleans appraised a lot higher.

I can just tell you, doing electrical work when I was small, doing construction work, to rebuild a 1,500-square-foot house, whether it is in Lakeview or whether it is in the lower Ninth Ward, Sheetrock, plywood, screws, and nails are all going to cost the same. Instead of using appraised value, we should have used rebuilding cost. That is just not my opinion.

I will tell you that the Federal court ruled that the Road Home's method of calculating grants discriminated against African American homeowners. That was back in 2010.

The problem with that ruling was that, in order for the State to stop using prestorm value to calculate Road Home grants, it was only for the future grants. By that time, a majority of the grants had already been given out.

So I will just tell you that that $62 million in additional grants helped about 1,500 homeowners. Remember, we had over 100,000 properties that were damaged in the storm. So you can see the abundance of people that did not get assistance.

Some of the other remaining issues with Road Home was that we still have people who need money to get back into their homes because they have an unmet need.

HUD could have done something very simple to figure out where we are now, and that is to figure out what people received from their insurance company, what people received from FEMA, and what people received from Road Home.

You add those up and then you figure out the cost to rebuild. If the rebuilding cost exceeds those, that is the unmet need that we need help from the government because there is money that is still available.

I would say we need the Federal Government to actually take some time, investigate, and figure out how we can use the unused money to make people whole that were not made whole in the beginning.

Also, let me bring up just one other thing so you can get a full idea of the picture of New Orleans. If you just look at rent, in the 9 years since Katrina, the share of people paying 50 percent of their income for rent is now 37 percent.

So what you are really saying is that secure housing cost burdens 50 percent of household income, and that indicates a serious problem in housing affordability.

In 2004, just to give you a reference, the share of severely cost-burdened renters in New Orleans was 24 percent. Now it is 37 percent in New Orleans. It is 26 percent nationally.

That is a problem and we really need to work on it because, if you can't live in the city, you can't work in the city. This government is better than that.

So the other thing I would just say is that people think we are back and we are rebuilt, and that is not the case. The other thing is that people think that we received everything we need to rebuild.

I would say that Congress, the government, and the President did a great job in immediately sending down $14 billion to New Orleans and putting it in a fund, which is unheard of in Congress, to take money and just put it in a fund and say: Corps of Engineers, as you rebuild the levee, spend this money, protect New Orleans. They did it, and they did a good job of doing it.

We still have outlying areas that need flood control. If you look at the cost of Katrina—and I will give you a few figures—you will see that we still have a gap.

You had $150 billion in damages. Most of the Federal spending went for relief, not rebuilding. $120.5 billion in total spending. Emergency relief was 75 billion. Rebuilding funds was 45 billion.

So if you look at the Federal funding, private insurance claims, and charitable giving, it still leaves a gap of about $60 billion. When you talk about a gap of $60 billion, I just want you to understand what that means.

That means, in every community, every neighborhood, including mine, you will see five houses where people have come back, saved up money, and rebuilt using both insurance, savings, retirement, FEMA, government money. Then you will see a house or two that is not rebuilt at all.

Then if you go down to the lower Ninth Ward, you will see one house that is rebuilt. Then you will see six or seven houses that are not rebuilt where the grass is just as high as the trees and it looks like a forest.

If you are that one homeowner that took the time to come home and rebuild and you have to pass that every night, it is just not a safe situation. We, as a country, can do better than that.

So what I would hope is that, as we continue the process of helping New Orleans and Louisiana recover from Katrina, that we look at the lessons learned and we find the people who still have unmet needs, we find the people that are still not back in their homes who want to be in their homes, and we figure out a way to help them.

□ 1945

That is what HUD is for. We still have the money, and in fact, citizens and community groups—and I can think of a bunch of them, A Community Voice, Justice and Beyond—all of those groups have been asking Congress and the inspector general to do an audit and an investigation of how much funds we received, where did they go, what is left, how do we move forward and make sure that everyone who wants to come home has the ability to come home.

Now, all of those things and, I think, lessons learned and misperceptions of Katrina, I think we have to take those same things and look at Sandy and all other hurricanes.

What I wanted to do before we went home for a break and celebrate the 10th anniversary of Katrina is to let people know that we still have needs; we still have things we have to do to complete the recovery, but also thank Congress for what they did do.

Mr. Speaker, I yield back the balance of my time.

CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO LEBANON—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 114–53)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to Lebanon that was declared in Executive Order 13441 of August 1, 2007, is to continue in effect beyond August 1, 2015.

Certain ongoing activities, such as continuing arms transfers to Hizballah that include increasingly sophisticated weapons systems, undermine Lebanese sovereignty, contribute to political and economic instability in the region, and continue to constitute an unusual and extraordinary threat to the national security and foreign policy of the United States. For this reason, I have determined that it is necessary to continue the national emergency declared in Executive Order 13441 with respect to Lebanon.

BARACK OBAMA.

THE WHITE HOUSE, *July 29, 2015.*

COMMUNICATION FROM CHAIR OF COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

The SPEAKER pro tempore laid before the House the following communication from the Chair of the Committee on Transportation and Infrastructure; which was read and, without objection, referred to the Committee on Appropriations:

HOUSE OF REPRESENTATIVES, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
Washington, DC, July 28, 2015.

Hon. JOHN BOEHNER,
Speaker of the House, House of Representatives, The Capitol, Washington, DC.

DEAR MR. SPEAKER: On July 23, 2015, pursuant to section 3307 of Title 40, United States Code, the Committee on Transportation and Infrastructure met in open session to consider 15 resolutions included in the General Services Administration's fiscal years 2015 and 2016 Capital Investment and Leasing Programs.

The Committee continues to work to reduce the cost of federal property and leases. Of the 15 resolutions considered by the Committee, the nine alteration projects will address critical life safety repairs or allow for space consolidations, the two reprogramming prospectuses are fully offset by reductions in other projects, the two construction prospectuses include offsets and reductions in spending from avoided lease costs, and the two lease prospectuses will result in significant reductions in lease costs through the reduction of space. In total, these resolutions represent $327 million in avoided lease costs and offsets.

I have enclosed copies of the resolutions adopted by the Committee on Transportation and Infrastructure on July 23, 2015.

Sincerely,

BILL SHUSTER,
Chairman.

Enclosures.

COMMITTEE RESOLUTION

ALTERATION—JACOB K. JAVITS FEDERAL OFFICE BUILDING, NEW YORK, NY

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for the design for the build out of approximately 314,000 rentable square feet of vacant space in the Jacob K. Javits Federal Office Building located at 26 Federal Plaza in New York City, New York, of which approximately 30,000 rentable square feet will provide swing space for future alteration and consolidation projects in the building, at a design cost of $7,660,000, a prospectus for which is attached to and included in this resolution.

Provided, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSA PBS

PROSPECTUS – ALTERATION
Prospectus for Design

Description

The U.S. General Services Administration (GSA) is seeking committee approval for a design project that GSA will schedule for construction in a future year. A project description is attached.

Justification

By seeking approval to start the design for the project prior to construction phase funding, an orderly and timely accomplishment of a planned program is ensured. Under the separate funding approach, GSA will submit the construction prospectus for the project along with a future budget request.

The subject project addresses realignment and consolidation of agency space, and replacing and repairing affected building and safety systems.

Recommendation

Approve design for $7,660,000 for the project attached. The construction costs indicated at this time are preliminary and will be finalized prior to future requests for funding.

Committee Approval and Appropriation Requested in this Prospectus
(Design) $7,660,000

Certification of Need

The proposed projects are the best solutions to meet validated Government needs.

Submitted at Washington, DC, on April 27, 2015

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Acting Administrator, General Services Administration

GSA PBS

PROSPECTUS – ALTERATION
Prospectus for Design

FISCAL YEAR 2015 ALTERATION DESIGN PROJECT
(Alphabetical by State)

LOCATION	FY 2015 FUNDING
New York, NY	
Jacob K. Javits Federal Office Building	$7,660,000
TOTAL	**$7,660,000**

GSA PBS

PROSPECTUS – ALTERATION
Prospectus for Design

Prospectus Number: PDS-02015
Congressional District: 08

PROJECT:	Jacob K. Javits Federal Office Building
LOCATION:	New York, NY
ESTIMATED TOTAL PROJECT COST:	$ 104,004,000
DESIGN:	$ 7,660,000
CONSTRUCTION:	$89,211,000
MANAGEMENT & INSPECTION:	$7,133,000
AMOUNT REQUESTED IN FY2015 (Design):	$ 7,660,000

WORK ITEM SUMMARY
Demolition and abatement, interior construction, HVAC, plumbing, electrical, and fire/life safety upgrades.

DESCRIPTION
The Jacob K. Javits Federal Office Building (FOB) is located at 26 Federal Plaza, New York City, NY. It consists of three interconnected buildings: a 45-story, plus basement, office building; an eight-story court/office building (both built in 1967); and a 45-story addition (Annex) built along the west side of the original 45-story building in 1977. The two 45-story buildings function together as the FOB while the 8-story court/office building functions as the James L. Watson Court of International Trade (CIT). The CIT is connected to the FOB via a 4-story pedestrian bridge. The entire Federal complex consists of over 2.3 million square feet of rentable space.

GSA proposes design for the build out of approximately 314,000 rentable square feet (rsf) of vacant space, of which approximately 30,000 rsf will provide swing space for future alteration and consolidation projects in the FOB. The project will remove asbestos, upgrade mechanical and electrical systems and address fire/life safety issues. The project will help to maintain the Federal presence in downtown Manhattan, avoid future lease costs, and will allow for the overall reduction in tenant footprints.

The request will fund the design and review for the build-out of approximately 314,000 rentable square feet (RSF) of vacant space in the FOB, of which approximately 30,000 RSF will provide swing space for future alteration and consolidation projects in the building. The project will complete the design associated with asbestos removal, mechanical and electrical system upgrades, and fire and life safety issues. The completed project will maintain the Federal presence in downtown Manhattan, relocate the U.S. Department of Justice - Federal Bureau of

GSA PBS

PROSPECTUS – ALTERATION
Prospectus for Design

Investigation from a leased location , and allow the U.S. Department of Health and Human Services to consolidate its operations currently scattered throughout the FOB.

COMMITTEE RESOLUTION

ALTERATION—1800 F STREET BUILDING, PRESIDENTIAL TRANSITION TEAM, WASHINGTON, DC

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for repairs and alterations at the GSA Headquarters building, located at 1800 F Street, NW, Washington, DC for the reconfiguration and alteration of approximately 90,000 usable square feet of space to provide short-term space for the Presidential Transition Team (PTT) and the Offices of the President-Elect and Vice-President Elect after the November 2016 Presidential Election, at a design and related services cost of $534,000 an estimated construction cost of $8,900,000 and a management and inspection cost of $488,000 for a total estimated project cost of $9,922,000, a prospectus for which is attached to and included in this resolution.

Provided, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSA PBS

PROSPECTUS – ALTERATION
1800 F STREET BUILDING
PRESIDENTIAL TRANSITION TEAM
WASHINGTON, DC

PDC-PTT-WA15

Project Summary

The General Services Administration (GSA) proposes a repair and alteration project at the GSA Headquarters building, located at 1800 F Street, N.W., Washington, DC, for the reconfiguration and alteration of approximately 90,000 usable square feet of space to provide short-term space for the Presidential Transition Team (PTT), and the Offices of the President-Elect and Vice President-Elect. The space provided will facilitate the orderly transfer of executive power in connection with the expiration of the terms of the current President and Vice President and the inauguration of the newly elected President and Vice President after the November 2016 Presidential Election. The space must be available by October 1, 2015, for up to two years; this includes phased construction, occupancy and restoration.

FY2015 Committee Approval Requested **$9,922,000**

FY2015 Appropriations Requested[1] **$0**

Major Work Items

Interior alterations; security upgrades; exterior alterations; building automation system upgrades; conveyance system modifications; electrical system upgrades.

Project Budget

Estimated Construction Cost (ECC)	$8,900,000
Design and Related Services (Design)	534,000
Management and Inspection (M&I)	488,000
Estimated Total Project Cost (ETPC)	**$9,922,000**

Schedule	Start	End
Design and Construction	FY2015	FY2017[2]

Building

[1] Although no new funds are being requested in this prospectus, its approval is needed for this alteration project. Concurrently, GSA will request to reprogram $9,922,000 in savings from previously appropriated sources of funds to this alteration project.

[2] FY2017 - Restoration of Space

GSA PBS

PROSPECTUS – ALTERATION
1800 F STREET BUILDING
PRESIDENTIAL TRANSITION TEAM
WASHINGTON, DC

PDC-PTT-WA15

The 1800 F Street, N.W., Washington, DC, GSA Headquarters building is a seven-story, approximately 764,000 gross square foot, limestone-clad public building situated at 1800 F Street, N.W., just west of downtown Washington, DC. The building provides 518,700 useable square feet of space and includes outside parking in an interior courtyard. The building was constructed in 1917 as the headquarters of the Department of the Interior, which resided in it until 1949, at which time it became the headquarters of GSA, which occupies the building today. It was one of the first steel-framed buildings constructed in Washington, as well as one of the first government buildings to use limestone on the exterior. It is listed in the National Register of Historic Places.

Tenant Agencies

Presidential Transition Team, GSA

Proposed Project

GSA currently occupies the basement through floor seven of the eastern wing of 1800 F Street, known as Wing One. Personnel in this space will be consolidated into the other wings of the building to allow Wing One to be occupied by PTT. Physical move costs associated with this relocation are anticipated to be minimal and will be covered by other sources of funding already available to GSA.

The proposed project consists of the construction of demising walls, barriers and check points; installation of additional security items/systems per the Department of Homeland Security United States Secret Service (USSS) specifications; rebuilding or altering portions of interior and exterior space to accommodate special space needs of PTT and security; providing emergency power; construction of Sensitive Compartmented Information Facility (SCIF) space; installation of secure conduit, cabling, audio visual (AV)/information technology (IT)/security infrastructure; building out executive offices; and modifying existing building systems to accommodate PTT functions. GSA will, to the greatest extent possible, use the currently available space in its current configuration. A portion of these infrastructure investments will be retained for future use by GSA, as well as for future PTT requirements.

Security systems will include items such as cameras, access control and intrusion detection. AV and IT systems will be modified and new systems added, as needed. Building Automation Systems will require modified controls, electrical systems will require back up power and elevators will need modified controls.

PROSPECTUS – ALTERATION
1800 F STREET BUILDING
PRESIDENTIAL TRANSITION TEAM
WASHINGTON, DC

PDC-PTT-WA15

At a minimum, exterior work will include security upgrades of cameras, detection devices and provisions for other security components as directed by USSS. GSA is evaluating the appropriate positioning of special spaces within the building that will require evaluation of blast and ballistic conditions and potential upgrades at various locations, which may be internal or external. There also is a potential need for exterior posts to accommodate USSS personnel.

Restoration will entail putting the building back to its pre-PTT configuration, but leaving alone what GSA has designed to remain in place within walls, ancillary spaces, mechanical spaces, and the roof. GSA plans to utilize this space for future transitions resulting in reduced costs in the future.

Major Work Items

Interior Alterations	$2,650,000
Security Upgrades	4,500,000
Exterior Alterations	1,000,000
Building Automation System Upgrades	250,000
Conveyance System Modifications	250,000
Electrical System Upgrades	250,000
Total ECC	**$8,900,000**

Justification

The Presidential Transition Act of 1963, P.L. 88-277, authorizes the GSA Administrator to provide the President-elect and the Vice President-elect, upon their request, necessary services and facilities during the transition period between Election Day and Inauguration Day.

GSA will, to the greatest extent possible, use the currently available space in its current configuration. A portion of these infrastructure investments will be retained for future use by GSA, as well as for future PTT requirements.

Summary of Energy Compliance

A number of high performance green initiatives were incorporated into the modernization of Wing One, which was completed in 2013. These initiatives included high-performance glazing for replicated historic windows, added insulation at the exterior walls and roof, daylight harvesting through a networked lighting control system, an automated roller shade system for daylight control, and photovoltaic rooftop arrays that feed direct current into the power grid.

GSA PBS

PROSPECTUS – ALTERATION
1800 F STREET BUILDING
PRESIDENTIAL TRANSITION TEAM
WASHINGTON, DC

PDC-PTT-WA15

GSA will continue to use the new base building systems installed with the aforementioned modernization, making adjustments on a case-by-case basis to accommodate PTT requirements.

Prior Appropriations

Prior Appropriations			
Public Law	**Fiscal Year**	**Amount**	**Purpose**
None			

Prior Committee Approvals

Prior Committee Approvals			
Committee	**Date**	**Amount**	**Purpose**
None			

Prior Prospectus-Level Projects in Building (past 10 years):

Prospectus	Description	FY	Amount
P.L. 111-5 (ARRA)	Modernization & Expansion	2009	$153,664,000

Alternatives Considered (30-year, present value costs)

Given the short-term nature of the proposed requirement (3 years), a 30-year present value cost analysis is not suited for this type of project. The cost to procure the required square footage in proximate leased space significantly exceeds the proposed cost of the repair and alteration alternative. Furthermore, the government will realize additional long-term savings as the proposed location will serve as future housing for PTT.

Recommendation

ALTERATION

GSA PBS

PROSPECTUS – ALTERATION
1800 F STREET BUILDING
PRESIDENTIAL TRANSITION TEAM
WASHINGTON, DC

PDC-PTT-WA15

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on June 26, 2015

Recommended _____
Commissioner, Public Buildings Service

Approved _____
Acting Administrator, General Services Administration

COMMITTEE RESOLUTION

ALTERATION—FIRE PROTECTION AND LIFE SAFETY PROGRAM, VARIOUS BUILDINGS

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for repairs and alterations to upgrade, replace, and improve fire protection systems and life safety features in government-owned buildings during Fiscal Year 2016 at a total cost of $20,000,000, a prospectus for which is attached to and included in this resolution.

Provided, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSA PBS

PROSPECTUS - ALTERATION
FIRE PROTECTION AND LIFE SAFETY PROGRAM
VARIOUS BUILDINGS

Prospectus Number: PFP-0001-MU16

FY2016 Project Summary

The General Services Administration (GSA) proposes alterations to upgrade, replace, and improve fire protection systems and life safety features in government-owned buildings during Fiscal Year 2016.

FY2016 Committee Approval and Appropriation Requested.....$20,000,000

Program Summary

As part of its Fire Protection and Life Safety efforts, GSA is identifying projects in Federal buildings throughout the country through surveys and studies. These projects will vary in size, location, and delivery method. The approval and appropriation requested in this prospectus is for a diverse set of retrofit projects with engineering solutions to reduce fire and life safety hazards. Typical projects include the following:

- Replacing antiquated fire alarm and detection systems that are in need of repair or for which parts are no longer available.
- Installing emergency voice communication systems to facilitate occupant notification and/or evacuation in Federal buildings during an emergency.
- Installing and/or expanding fire sprinkler systems to provide a reasonable degree of protection for life and property from fire in Federal buildings.
- Constructing additional exit stairs or enclosing existing exit stairs to ensure safe and timely evacuation of building occupants in the event of an emergency.

Justification

GSA periodically assesses all facilities using technical professionals to identify hazards and initiate correction or risk-reduction protection strategies to assure that no aspect of our buildings' design or operation presents an unreasonable risk to GSA personnel, occupant agencies, or the general public. Completion of these proposed projects will improve the overall level of safety from fire and similar risks in GSA-controlled Federal buildings nationwide.

FY2016 Committee Approval and Appropriation Requested.....$20,000,000

GSA PBS

PROSPECTUS - ALTERATION
FIRE PROTECTION AND LIFE SAFETY PROGRAM
VARIOUS BUILDINGS

Prospectus Number: PFP-0001-MU16

Certification of Need

Over the years a number of fire protection and life safety issues have been identified that need to be addressed in order to reduce fire risk. The proposed program is the best solution to meet a validated Government need.

Submitted at Washington, DC, on February 2, 2015

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Administrator, General Services Administration

COMMITTEE RESOLUTION

ALTERATION—SIXTH STREET FEDERAL BUILDING, LOS ANGELES, CA

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for repairs and alterations to upgrade outdated building systems in the 59-year-old facility and renovate and reconfigure the interior layout for operations efficiency and workplace optimization at the Federal Building located in downtown, Los Angeles, CA, at a design cost of $982,000, an estimated construction cost of $10,335,000 and a management and inspection cost of $966,000 for a total estimated project cost of $12,283,000, a prospectus for which is attached to and included in this resolution.

Provided, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSA PBS

PROSPECTUS – ALTERATION
SIXTH STREET FEDERAL BUILDING
LOS ANGELES, CA

Prospectus Number: PCA-0149-LA16
Congressional District: 34

FY2016 Project Summary

The General Services Administration (GSA) proposes a repair and alteration project of the Federal Building, located in downtown, Los Angeles, California on Sixth Street. The project will upgrade outdated building systems in the 59-year-old facility and renovate and reconfigure the interior layout for operations efficiency and workplace optimization.

FY2016 Committee Approval and Appropriation Requested

(Design, ECC, M&I) $12,283,000

Major Work Items

Exterior construction, HVAC, electrical, plumbing, fire protection and elevator system upgrades, hazardous material abatement, interior construction

Project Budget

Design	$982,000
Estimated Construction Cost (ECC)	$10,335,000
Management and Inspection (M&I)	$966,000
Estimated Total Project Cost (ETPC)*	**$12,283,000**

*Tenant agencies may fund an additional amount for tenant improvements above the standard normally provided by the GSA.

Schedule	Start	End
Design and Construction	FY2016	FY2019

Building

The Federal Building is a stand-alone structure solely occupied by the Department of Justice located in downtown Los Angeles. The building includes two stories (plus basement) and is of steel-frame construction with exterior pre-cast concrete cladding. The building was previously used as an office for the Department of Interior (Minerals Management), and is now utilized by Department of Justice in conjunction with their other Los Angeles locations.

Tenant Agencies

Department of Justice

GSA PBS

PROSPECTUS – ALTERATION
SIXTH STREET FEDERAL BUILDING
LOS ANGELES, CA

Prospectus Number: PCA-0149-LA16
Congressional District: 34

Proposed Project

The project will upgrade outdated building systems and realign the tenant agency work space. The work includes heating, ventilation, and air conditioning (HVAC) system replacements and upgrades, fire protection replacement, plumbing upgrades, interior seismic work, electrical distribution upgrades, elevator upgrades, and exterior construction. In addition, abandoned mechanical areas will be converted to rentable square footage, and the tenant agency will be realigned as required for efficient operations and workplace optimization.

Major Work Items

Electrical Upgrades	$2,100,000
HVAC Upgrades	$1,950,000
Demolition/Hazardous Material Abatement	$1,832,000
Exterior Construction	$1,400,000
Interior Construction/Seismic Upgrades	$1,253,000
Plumbing Upgrades	$850,000
Elevators Upgrades	$485,000
Fire Protection Upgrades	$465,000
Total ECC	**$10,335,000**

Justification

The 59-year-old asset requires significant reinvestment to continue providing reliable service for years to come. The building has not undergone a major reinvestment since originally constructed. Currently, the systems are beyond their useful life requiring costly fabrication of parts when replacement items are necessary. In addition, DOJ requires reconfiguration and renovation of interior space in the building to support its mission, accommodate additional personnel, improve space utilization, and increase workplace efficiencies. Minimal investment in this facility is the most cost-effective long term solution.

Summary of Energy Compliance

This project will be designed to conform to requirements of the Facilities Standards for the Public Buildings Service and will implement strategies to meet the Guiding Principles for High Performance and Sustainable Buildings. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.

GSA PBS

PROSPECTUS – ALTERATION
SIXTH STREET FEDERAL BUILDING
LOS ANGELES, CA

Prospectus Number: PCA-0149-LA16
Congressional District: 34

Prior Appropriations

None

Prior Committee Approvals

None

Prior Prospectus-Level Projects in Building (past 10 years)

None

Alternatives Considered (30-year, present value cost analysis)

Alteration	$27,539,000
Lease	$37,477,000
New Construction	$43,945,000

The 30-year, present value cost of alteration is $9,937,000 less than the cost of leasing with an equivalent annual cost advantage of $568,000.

Recommendation

ALTERATION

GSA PBS

PROSPECTUS – ALTERATION
SIXTH STREET FEDERAL BUILDING
LOS ANGELES, CA

Prospectus Number: PCA-0149-LA16
Congressional District: 34

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on February 2, 2015

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Administrator, General Services Administration

January 2015

Housing Plan
Federal Building

PCA-0149-LA16
Los Angeles, CA

Locations	Current						Proposed					
	Personnel		*Usable Square Feet (USF)* [1]				*Personnel*		*Usable Square Feet (USF)*			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total [2]
Sixth Street Federal Building												
U S. Department of Justice	148	173	38,340	1,505	2,142	41,987	165	190	33,417	1,505	8,110	43,032
Total	148	173	38,340	1,505	2,142	41,987	165	190	33,417	1,505	8,110	43,032

Office Utilization Rate [3]		
	Current	Proposed
All building office tenants	202	158

Current UR excludes 8,435 USF of office support space.
Proposed UR excludes 7,352 USF of office support space.

Total Building USF Rate [4]		
	Current	Proposed
All building tenants	243	226

Special Space	
Technician Shop	1,075
Physical Fitness	1,661
Vault	710
Fire Arms Storage	210
ADP	883
Crypto Room	131
Food Service	745
Restrooms/Showers	400
Telephone Room	185
Conference/Training	1,960
Holding Cells	150
Total:	8,110

NOTES:
[1] Total USF in proposed increases due to obsolete mechanical area being converted to USF for technician shop
[3] Office Utilization Rate = total office space available for office personnel. UR calculation excludes office support space USF
[4] Total Building USF Rate = total building USF (office, storage, special) available for all building occupants (office and non-office personnel)

USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building

COMMITTEE RESOLUTION

ALTERATION—DENVER FEDERAL CENTER BUILDING 56, LAKEWOOD, CO

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for repairs and alterations to upgrade building systems and undertake exterior repairs at the Denver Federal Center (DFC) Building 56 located at West 6th Avenue & Kipling Street in Lakewood, Colorado, at a design cost of $613,000, an estimated construction cost of $5,022,000 and a management and inspection cost of $507,000 for a total estimated project cost of $6,142,000, a prospectus for which is attached to and included in this resolution.

Provided, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSA PBS

PROSPECTUS – ALTERATION
DENVER FEDERAL CENTER BUILDING 56
LAKEWOOD, CO

Prospectus Number: PCO-0533-LA16
Congressional District: 7

FY2016 Project Summary

The General Services Administration (GSA) proposes a repair and alteration project to upgrade building systems and undertake exterior repairs at the Denver Federal Center (DFC) Building 56, at West 6th Avenue & Kipling Street in Lakewood, CO. In addition to addressing heating, ventilation, and air conditioning (HVAC), fire alarm, roofing, and exterior closure deficiencies, the project also promotes energy savings.

FY2016 Committee Approval and Appropriation Requested

(Design, ECC, M&I) $6,142,000

Major Work Items

Roof Replacement, Exterior Repairs, HVAC and Fire Alarm Upgrades

Project Budget

Design	$ 613,000
Estimated Construction Cost (ECC)	5,022,000
Management and Inspection (M&I)	507,000
Estimated Total Project Cost (ETPC)	**$6,142,000**

*Tenant agencies may fund an additional amount for alterations above the standard normally provided by the GSA.

Schedule	Start	End
Design and Construction	FY2016	FY2018

Building

Building 56 is part of the DFC's main campus and contains 354,159 gross square feet. Originally constructed in 1941 as part of the Denver Ordinance Plant, Building 56 is one of the largest buildings on the DFC campus and provides office, laboratory, and industrial space.

GSA PBS

PROSPECTUS – ALTERATION
DENVER FEDERAL CENTER BUILDING 56
LAKEWOOD, CO

Prospectus Number: PCO-0533-LA16
Congressional District: 7

Tenant Agencies

Farm Service Agency, Rural Housing Service, Natural Resources Conservation Service, Bureau of Reclamation, General Services Administration

Proposed Project

The proposed project involves numerous upgrades to the building exterior, including replacement of the roof, repairs to the exterior walls, limited reinstallation of exterior brick, and replacement of the exterior roll-up door. Interior system upgrades include the replacement of the heating, ventilation, and air conditioning (HVAC) system's aged air handler unit dampers and pneumatic controls and the installation of a new building wide fire alarm system. The project also will abate hazardous materials encountered during construction.

Major Work Items

Roof replacement	$ 3,540,000
Exterior Closure Repairs	571,000
HVAC Repairs	382,000
Fire Alarm Replacement	529,000
Total ECC	**$5,022,000**

Justification

The roof is more than 30 years old, in poor condition, and beyond its useful life. There have been water leaks into tenant agency space, causing damage to the building structure and tenant property and resulting in work outages. Replacement of the roof will also improve insulation and promote energy efficiency. The project will not impact sections of the roof that were affected during the High Performance Green Building ARRA solar panel installation project.

The building has gaps in the exterior perimeter walls where air, moisture and other contaminates and occasionally wind driven snow enter the building and tenant spaces and conditioned air escapes the building. The exterior walls need to be repaired, gaps sealed and exterior brick reinstalled to prevent further damage, improve energy efficiency and tenant comfort.

The exterior roll-up door is original, beyond its useful life and requires maintenance on a regular basis. The door will be replaced with an insulated door that meets current energy

PROSPECTUS – ALTERATION
DENVER FEDERAL CENTER BUILDING 56
LAKEWOOD, CO

Prospectus Number: PCO-0533-LA16
Congressional District: 7

performance requirements and eliminates the entry of air, moisture and other contaminates.

The existing dampers and controls on the building air handling units are past their useful life, allow air infiltration, and create inefficiencies in the building heating and air conditioning. This project proposes to fix the leaky dampers and allow better control of outside air entering the space with upgraded digital energy efficient equipment.
The existing fire alarm system is also past its useful life and has become increasingly difficult and costly to repair. The system currently does not meet the requirements in GSA PBS-P100 Facilities Standards for the Public Buildings Service or the Architectural Barriers Act Accessibility Standards (ABAAS). The building requires installation of a new system that meets current code requirements.

The building offers both light industrial and laboratory space, including space used by the Bureau of Reclamation for electrical testing of equipment and engineering testing of structural dam models. Undertaking the necessary infrastructure improvements will help ensure long-term tenancy and meet customer agency needs. Building 56 offers unique space for its federal tenants that would be difficult to find or replicate in the private market.

Summary of Energy Compliance

This project will be designed to conform to requirements of the Facilities Standards for the Public Buildings Service and will implement strategies to meet the Guiding Principles for High Performance and Sustainable Buildings. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.

Prior Appropriations

None

Prior Committee Approvals

None

Prior Prospectus-Level Projects in Building (past 10 years)

Prospectus	Description	FY	Amount
111-5 (ARRA)	High Performance Green Building including solar panel installation and chiller and boiler replacement	2009	$2,367,000

GSA PBS

PROSPECTUS – ALTERATION
DENVER FEDERAL CENTER BUILDING 56
LAKEWOOD, CO

Prospectus Number: PCO-0533-LA16
Congressional District: 7

Alternatives Considered (30-year, present value cost analysis)

There are no feasible alternatives to this project. This is a limited scope renovation and the cost of the proposed project is far less than the cost of leasing or constructing a new building.

Recommendation

ALTERATION

GSA PBS

PROSPECTUS – ALTERATION
DENVER FEDERAL CENTER BUILDING 56
LAKEWOOD, CO

Prospectus Number: PCO-0533-LA16
Congressional District: 7

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on February 2, 2015

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Administrator, General Services Administration

COMMITTEE RESOLUTION

ALTERATION—THEODORE LEVIN U.S. COURTHOUSE, DETROIT, MI

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for repairs and alterations for phase III of a multi-phase alteration project to correct significant building deficiencies of the historic Theodore Levin U.S. Courthouse located at 231 West Lafayette Boulevard in Detroit, Michigan, including replacement or repair of major heating and air conditioning system components including air handling units and fiberboard ductwork and upgrades to the building automation system and plumbing, at an estimated construction cost of $62,752,000 and a management and inspection cost of $6,040,000 for a total estimated project cost for phase III of $68,792,000, a prospectus for which is attached to and included in this resolution.

Provided, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSA PBS

PROSPECTUS –ALTERATION
THEODORE LEVIN U.S. COURTHOUSE
DETROIT, MI

Prospectus Number: PMI-0029-DE16
Congressional District: 14

FY2016 Project Summary

The General Services Administration (GSA) is proposing phase III of a multi-phase alteration project to correct significant building deficiencies of the historic Theodore Levin U.S. Courthouse (Levin Courthouse) located at 231 West Lafayette Boulevard in Detroit, MI. The Levin Courthouse houses the Federal Courts for the Eastern District of Michigan. The proposed multi-phase project will correct deficiencies to ensure the long term occupancy of federal agencies by providing a safe and reliable work environment. The proposed scope for this phase includes replacement or repair of major heating and air conditioning system components including air handling units and fiberboard ductwork and upgrades to the building automation system and plumbing.

FY2016 Committee Approval and Appropriation Requested

(Phase III M&I and ECC) $68,792,000

Major Work Items (all phases)

HVAC replacement/repair, electrical systems replacement, elevator improvements, plumbing and fire and life safety upgrades, interior construction

Project Budget

Design	
Design (FY2014)	$10,200,000
Total Design	**$10,200,000**
Estimated Construction Cost (ECC)	
Phase I (FY2014)	$19,259,000
Phase II (FY2015)	37,539,000
Phase III (FY2016 request)	**62,752,000**
Total ECC	**$119,550,000**
Management and Inspection (M&I)	
Phase I (FY2014)	$1,541,000
Phase II (FY2015)	2,960,000
Phase III (FY2016 request)	**6,040,000**
Total M&I	**$10,541,000**

Estimated Total Project Cost* $140,291,000

GSA PBS

PROSPECTUS –ALTERATION
THEODORE LEVIN U.S. COURTHOUSE
DETROIT, MI

Prospectus Number: PMI-0029-DE16
Congressional District: 14

*Tenant agencies may fund an additional amount for alterations above the standard normally provided by GSA.

Schedule

	Start	End
Design	FY2014	FY2016
Construction	FY2016	FY2019

Building

The Levin Courthouse, located at 231 West Lafayette Boulevard in Detroit, MI was constructed in 1934 in the Neo-Classical Revival style using reinforced concrete with an Indiana limestone façade. The building is 771,904 gross square feet and contains 19 inside parking spaces. It has 10 stories above grade with a pair of two-story penthouses and a below grade level where vehicles access the basement for deliveries, prisoner transfer to the building and judges' parking. The central core of the building opens to form a light-well from the 3rd to 10th floors. The building is located on the southeastern edge of the central portion of the central business district of Detroit. This asset is listed on the National Register of Historic Places as a contributing property to the historic district.

Tenant Agencies

Judiciary, Department of Justice, Congress-House of Representatives, General Services Administration, U.S. Tax Court

Proposed Project

The three-phase project includes replacement of the building's chillers, air handling units, perimeter fan coil units, fiber-board ductwork, and upgrades to the Building Automation System. The building's electrical distribution system and emergency generator will be replaced and cloth wiring will be removed throughout the building. Domestic water piping will be repaired and restrooms will be renovated to provide Architectural Barriers Act Accessibility Standard (ABAAS) compliance. An egress stairwell will be added, the fire alarm will be replaced, and the sprinkler system will be extended to provide full coverage. Public elevators will be replaced and a new freight elevator will be added. The basement loading dock area will be modified to better facilitate deliveries to the building. Hazardous materials related to the scope of work will be abated.

This proposed final phase includes replacement or repair of major heating and air conditioning system components, including air handling units and fiberboard ductwork and upgrades to the building automation system and plumbing throughout the building.

GSA PBS

PROSPECTUS –ALTERATION
THEODORE LEVIN U.S. COURTHOUSE
DETROIT, MI

Prospectus Number: PMI-0029-DE16
Congressional District: 14

In this phase, temporary swing space will be constructed within the building for successive tenants to occupy while work is performed in their space. The build-out of internal swing space will require the relocation of a tenant from the building into external swing.

Phase I (FY2014) included the design of the entire project and the addition of the egress stairwell and Fort Street stair corridor, a new freight elevator, replacement of the chillers, and reconfiguration of the basement loading dock area.

Phase II (FY2015) of the project included the replacement of the fire alarm, electrical distribution system and emergency generator, perimeter fan coils, and the majority of the passenger elevators, and extension of the fire sprinkler system

Major Work Items

HVAC Replacement/Repair	$56,891,000
Fire and Life Safety Upgrades	19,961,000
Electrical System Replacement	15,973,000
Interior Construction	13,039,000
Plumbing Upgrades	7,178,000
Elevator Improvements	6,508,000
Total ECC	**$119,550,000**

Justification

The historic Levin Courthouse serves as the Federal Courts for the Eastern District of Michigan. In recent years, the Courthouse has experienced electrical outages, failures of the HVAC system, elevator outages, and frequent flooding resulting from pipe ruptures, resulting in major disruptions to tenant agencies' mission execution. Major building systems are well beyond their useful lives, do not comply with current codes, and are inefficient and difficult to maintain. Fire and life safety systems are outdated and egress pathways are inadequate.

Public restrooms do not comply with accessibility requirements and the current configuration of the basement loading dock area prevents the delivery of materials during normal business hours. The building's freight elevator is undersized, which makes the transport of materials throughout the building very inefficient.

GSA PBS

PROSPECTUS –ALTERATION
THEODORE LEVIN U.S. COURTHOUSE
DETROIT, MI

Prospectus Number: PMI-0029-DE16
Congressional District: 14

Summary of Energy Compliance

This project will be designed to conform to requirements of the Facilities Standards for the Public Buildings Service and will implement strategies to meet the Guiding Principles for High Performance and Sustainable Buildings. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.

Prior Appropriations

Theodore Levin Courthouse Prior Appropriations			
Public Law	**Fiscal Year**	**Amount**	**Purpose**
113-76	2014	$31,000,000	Design/Construction
113-235	2015	$40,499,000	Construction
Appropriations to Date		**$71,499,000**	

Prior Committee Approvals

Theodore Levin Courthouse Prior Committee Approvals			
Committee	**Date**	**Amount**	**Purpose**
House T & I	2/11/14	$31,000,000	Design/Construction
Senate EPW	2/6/14	$31,000,000	Design/Construction
House T & I	7/16/14	$40,499,000	Construction

Prior Prospectus Level Projects in the Building (past 10 years)

None

GSA PBS

PROSPECTUS –ALTERATION
THEODORE LEVIN U.S. COURTHOUSE
DETROIT, MI

Prospectus Number: PMI-0029-DE16
Congressional District: 14

Alternatives Considered (30-year, present value cost analysis)

Alteration: $237,103,000
Lease $339,241,000
New Construction: $313,266,000

The 30-year, present value cost of alteration is $76,163,000 less than the cost of new construction with an equivalent annual cost advantage of $4,351,000.

Recommendation

ALTERATION

GSA PBS

PROSPECTUS –ALTERATION
THEODORE LEVIN U.S. COURTHOUSE
DETROIT, MI

Prospectus Number: PMI-0029-DE16
Congressional District: 14

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on February 2, 2015

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Administrator, General Services Administration

COMMITTEE RESOLUTION

ALTERATION—GOODFELLOW FEDERAL COMPLEX, ST. LOUIS, MO

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for repairs and alterations to undertake critical life safety infrastructure renovations and to replace and upgrade the remainder of the deteriorating sewer system infrastructure at the Goodfellow Federal Complex located at 4300 Goodfellow Boulevard in St. Louis, Missouri, at a design cost of $3,101,000, an estimated construction cost of $38,079,000 and a management and inspection cost of $2,667,000 for a total estimated project cost of $43,847,000, a prospectus for which is attached to and included in this resolution.

Provided, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSA PBS

PROSPECTUS – ALTERATION
GOODFELLOW FEDERAL COMPLEX
ST. LOUIS, MO

Prospectus Number: PMO-00AF-SL16
Congressional District: 01

FY2016 Project Summary

The General Services Administration (GSA) proposes a repair and alteration project to undertake critical life safety infrastructure renovations and to replace and upgrade the remainder of the deteriorating sewer system infrastructure at the Goodfellow Federal Complex (Goodfellow) located at 4300 Goodfellow Boulevard, St. Louis, MO.

FY2016 Committee Approval and Appropriation Requested

(Design, ECC, M&I) $43,847,000

Major Work Items

Electrical system replacement, maintaining land repairs, and building structure repairs, sewer separation and replacement.

Project Budget

Design	$3,101,000
Estimated Construction Cost (ECC)	38,079,000
Management and Inspection (M&I)	2,667,000
Estimated Total Project Cost (ETPC)	**$43,847,000**

*Tenant agencies may fund an additional amount for alterations above the standard normally provided by the GSA.

Schedule	Start	End
Design and Construction	FY2016	FY2018

Complex

The Goodfellow Federal Complex consists of 24 buildings constructed out of steel frame and concrete floors with masonry exterior walls. The complex was built in 1941 by the Department of Defense and was utilized as an Army Small Arms Munitions Plant to support the World War II effort. On July 1, 1996, the ownership and operation of this complex was transferred from the Army to GSA. GSA renovated the complex into a suburban office park.

GSA PBS

PROSPECTUS – ALTERATION
GOODFELLOW FEDERAL COMPLEX
ST. LOUIS, MO

Prospectus Number: PMO-00AF-SL16
Congressional District: 01

Tenant Agencies

Department of Defense (DoD) - Defense Information System Agency (DISA), U.S. Army, U.S. Department of Veterans Affair, U.S. Department of Commerce, and GSA Field Office

Proposed Project

The proposed project will address the fire and life safety and occupational safety/health deficiencies within the electrical vaults system and substations, and complete the replacement of the sewer system project begun under ARRA.

Proposed repairs to the electrical vault system include waterproofing the exterior concrete tunnels; removing of all debris and abandoned utilities; cleaning and sealing the tunnel interior; mold remediation; replacing electrical lighting and components; replacing sump pumps and fans; reconnection to Building Automation System; repairing leaking piping and re-insulation; replacing mechanical ventilation system equipment; and installing new access gates, including emergency notification hardware.

The building structure repairs for Building 103 will focus on dehumidification of the crawl space and repairing deteriorated column connections. The building structure repairs will also address electrical issues with lighting and panels; and removal of abandoned pipes, supports and wiring.

The sewer system portion of the project includes completion of the replacement and separation of the existing sanitary and storm sewers, attaching new storm sewers to an existing storm water detention area, and landscape and hardscape restoration. The new system will incorporate sustainable practices to reduce stormwater runoff and enhance the landscape with native landscaping.

Major Work Items

Electrical Systems Replacement	$20,972,000
Building Structure/Site Repairs	10,702,000
Sewer Separation and Replacement	6,405,000
Total ECC	**$38,079,000**

Justification

The electrical vaults and utility tunnel systems are in critical disrepair. Currently, the vaults and tunnel are in violation of OSHA regulation 29CFR 1910 and NFPA life safety 101 guidelines for the electrical vaults system. Access to the vaults has been severely

PROSPECTUS – ALTERATION
GOODFELLOW FEDERAL COMPLEX
ST. LOUIS, MO

Prospectus Number: PMO-00AF-SL16
Congressional District: 01

restricted due to safety concerns creating an unsafe environment for employees and contractors who are required to perform work in the tunnels.

The 60 year old utility tunnels, which house electrical, telecom network cabling, domestic potable and fire protection water supplies for various buildings on the campus are underground, and due to insufficient water proofing of the exterior, are experiencing water infiltration. The infiltration is causing delamination of the interior tunnel walls; corrosion of structural steel piping supports, lighting fixtures, and some stream piping; mold and humidity issues which are having a negative impact on the indoor air quality of the buildings above. These deteriorating elements increase risk for loss of service, potentially impacting the 24/7 mission critical operations for many of the tenants.

Water infiltration is also impacting the crawl space of Building 103 and is causing humidification issues, electrical issues, deterioration of the column connections and negative air quality impacts to the tenant spaces above the crawl space.

Approximately 60 percent of Goodfellow's sewer system has been replaced under ARRA. Original ARRA project scope was to separate and reuse the existing sanitary system and add a storm water system. However, it was determined that the original scope was not viable due to deterioration and code, requiring GSA to limit the scope of the ARRA project. This proposed project will replace the remainder of the deteriorating sewer system infrastructure. The existing sewer system is leaching, causing soil erosion and building settlement egress issues. The existing sewer is causing sidewalks connecting the various buildings on the complex to settle or sink into the ground, causing Architectural Barriers Act Accessibility Standards and potential tripping hazards.

Undertaking this proposed project will promote the government's commitment to achieving the mandates set forth in Executive Order 13154 and the Clean Water Act, and correct safety deficiencies. The proposed project incorporates sustainable practices to reduce storm water runoff via the utilization of current detention ponds for on-site irrigation and will enhance the site with native landscaping.

Summary of Energy Compliance

This project will be designed to conform to requirements of the Facilities Standards for the Public Buildings Service and will implement strategies to meet the Guiding Principles for High Performance and Sustainable Buildings. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.

GSA PBS

PROSPECTUS – ALTERATION
GOODFELLOW FEDERAL COMPLEX
ST. LOUIS, MO

Prospectus Number: PMO-00AF-SL16
Congressional District: 01

Prior Appropriations

None

Prior Committee Approvals

None

Prior Prospectus-Level Projects in Complex (past 10 years)

Prospectus	Description	FY	Amount
PMO-0609/0612-SL06	Amend Prospectus PMO-02004	2006	$4,125,000
P.L. 111-15	ARRA-partial sewer replacement	2009	$16,000,000

Alternatives Considered (30-year, present value cost analysis)

There are no feasible alternatives to this project. This is a limited scope renovation and the cost of the proposed project is far less than the cost of leasing or constructing a new building.

Recommendation

ALTERATION

GSA PBS

PROSPECTUS – ALTERATION
GOODFELLOW FEDERAL COMPLEX
ST. LOUIS, MO

Prospectus Number: PMO-00AF-SL16
Congressional District: 01

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on February 2, 2015

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Administrator, General Services Administration

COMMITTEE RESOLUTION

ALTERATION—ALEXANDER HAMILTON U.S. CUSTOM HOUSE, NEW YORK, NEW YORK

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for repairs and alterations for Phase I of a two-phase repair and alteration project to correct building deficiencies at the Alexander Hamilton U.S. Custom House, a National Historic Landmark, located at 1 Bowling Green, New York City, New York, including water infiltration remediation in the sub-basement and basement levels to prevent further damage to the building, at a design cost for Phase I and Phase II of $5,204,000, an estimated construction cost for Phase I of $38,079,000 and a management and inspection cost for Phase I of $3,215,000 for a total estimated project cost of $46,498,000, a prospectus for which is attached to and included in this resolution.

Provided, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSA PBS

PROSPECTUS -ALTERATION
ALEXANDER HAMILTON U.S. CUSTOM HOUSE
NEW YORK, NEW YORK

Prospectus Number: PNY-0131-NY16
Congressional District: 10

FY2016 Project Summary

The General Services Administration (GSA) proposes Phase I of a two-phase repair and alteration project to correct building deficiencies at the Alexander Hamilton U.S. Custom House, a National Historic Landmark located at 1 Bowling Green, New York City, New York. This proposed project (Phase I) will remediate water infiltration in the sub-basement and basement level to prevent further damage to the building. Phase II, to be submitted as part of a future request, proposes replacing the skylight, replacing the exterior windows with blast windows and repairing the laylight. The proposed two-phase project will ensure the long-term occupancy of federal agencies by providing a safe and reliable work environment.

FY2016 Committee Approval and Appropriation Requested

(Design, Phase I ECC and M&I) $46,498,000

Major Work Items

Exterior construction and restoration; interior construction and restoration; hazardous materials abatement; building coordination and security

Project Budget

Design Phase I and II (FY16 Request)	**$5,204,000**
Estimated Construction Cost (ECC)	
Phase I (FY2016 Request)	$38,079,000
Phase II (TBD)	25,047,000
Total ECC	**$63,126,000**
Management and Inspection (M&I)	
Phase I (FY2016 Request)	3,215,000
Phase II (TBD)	2,194,000
Total M&I	**5,409,000**
Estimated Total Project Cost (ETPC)	**$73,739,000**

Schedule

	Start	End
Design (Phase I and II)	FY2016	FY2017
Construction (Phase I)	FY2017	FY2019
Construction (Phase II)	TBD	TBD

GSA PBS

PROSPECTUS -ALTERATION
ALEXANDER HAMILTON U.S. CUSTOM HOUSE
NEW YORK, NEW YORK

Prospectus Number: PNY-0131-NY16
Congressional District: 10

Building

The Alexander Hamilton U.S. Custom House, located in lower Manhattan at the beginning of Broadway and just east of Battery Park, was designed by the renowned architect Cass Gilbert and includes artwork by Daniel Chester French and Reginald Marsh. The building presents a square plan with a central rotunda and surrounding corridors. It contains 501,225gross square feet of space and features a heavily detailed gray granite façade and monumental sculptural elements located in front of the building. The building is listed in the National Register of Historic Places in 1972 and was designated a National Historic Landmark in 1976.

Tenant Agencies

U.S. Bankruptcy Court, Smithsonian Institution, U.S. Department of Transportation, Federal Trade Commission, U.S. Department of the Interior, U.S. Department of Homeland Security and the National Archives and Records Administration.

Proposed Project

Phase I of the project is intended to remediate water infiltration in the sub-basement level and basement level of the building. This project will include the excavation/replacement of the sidewalk around the building to provide access to the affected areas in the sub-basement. It will involve leak mitigation for the vehicle ramp, the access hatches, the sidewalk vault and the exterior joints and replacement/repair of piping as needed. The project will also involve major structural repairs to support beams as needed as well as the removal of hazardous materials.

Phase II of the project consists of the replacement of all exterior windows with blast protection windows on all sides and replacement of the skylight and repair of the laylight in the rotunda. Restoration of murals in the rotunda including architectural repair work for the entire ceiling in the rotunda, and restoration of exterior sculptures on the northern façade parapet including the center cornice will also be completed.

Major Work Items (Phase I)

Exterior Construction	$22,448,000
Interior Construction	12,260,000
Hazardous Materials Abatement	433,000
Building Coordination and Security	2,938,000
Total	**$38,079,000**

GSA PBS

PROSPECTUS -ALTERATION
ALEXANDER HAMILTON U.S. CUSTOM HOUSE
NEW YORK, NEW YORK

Prospectus Number: PNY-0131-NY16
Congressional District: 10

Justification

Water infiltration in the sub-basement and basement is jeopardizing the structural integrity of the building and building systems. Electrical wiring and conduit has corroded and has been replaced due to water infiltration. Water and drain piping located under the sidewalk vault could collapse causing additional damage and is a potential safety hazard. Falling debris from damaged areas could pose a safety concern to personnel and would result in more costly emergency work. Water infiltrating into the windows is also causing damage to the building interior and is negatively affecting the building's energy efficiency.

The building does not meet current standards for facility security. Additionally, age and exposure to weather and the elements is negatively impacting the building's exterior and interior artwork. Failure to make the appropriate repairs to the building will result in further damage to this National Historic Landmark.

Summary of Energy Compliance

This project will be designed to conform to requirements of the Facilities Standards for the Public Buildings Service and will implement strategies to meet the Guiding Principles for High Performance and Sustainable Buildings. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.

Prior Appropriations

None

Prior Committee Approvals

None

Prior Prospectus-Level Projects in Building (past 10 years):

None

Alternatives Considered (30-year, present value cost analysis)

There are no feasible alternatives to this project. This is a limited scope renovation and the cost of the proposed project is far less than the cost of leasing or constructing a new building.

Recommendation

ALTERATION

GSA PBS

PROSPECTUS -ALTERATION
ALEXANDER HAMILTON U.S. CUSTOM HOUSE
NEW YORK, NEW YORK

Prospectus Number: PNY-0131-NY16
Congressional District: 10

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on February 2, 2015

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Administrator, General Services Administration

COMMITTEE RESOLUTION

ALTERATION—JACOB K. JAVITS FEDERAL OFFICE BUILDING, NEW YORK, NY

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for repairs and alterations for the reconfiguration and alteration of vacant space to consolidate functions and meet the long-term needs of the Federal Bureau of Investigation, U.S. Department of Health and Human Services, and the U.S. Corps of Engineers at the Jacob K. Javits Federal Office Building located at 26 Federal Plaza in New York, New York, at an estimated construction cost of $89,211,000 and a management and inspection cost of $7,133,000 for a total estimated project cost of $96,344,000, a prospectus for which is attached to and included in this resolution.

Provided, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSA PBS

PROSPECTUS – ALTERATION
JACOB K. JAVITS FEDERAL OFFICE BUILDING
NEW YORK, NY

Prospectus Number: PNY-0282-NY16
Congressional District: 08

FY2016 Project Summary

The General Services Administration (GSA) proposes a repair and alteration project for the reconfiguration and alteration of vacant space at the Jacob K. Javits Federal Office Building (FOB) located in New York City, New York, to consolidate functions and meet the long-term needs of the Federal Bureau of Investigation (FBI), U.S. Department of Health and Human Services (HHS), and the U.S. Corp of Engineers (USACE). The proposed consolidation will reduce the overall federal footprint in downtown Manhattan, recapture approximately 312,000 rentable square feet (rsf) and 235,000 usable square feet (usf) of vacant space, upgrade multiple building systems, remove hazardous materials, and eliminate annual lease payments to the private sector by approximately $13,000,000 annually.

FY2016 Committee Approval and Appropriation Requested

(ECC, M&I).....$96,344,000

Major Work Items

Demolition; hazardous material abatement; interior construction; mechanical, electrical, and fire protection and life safety upgrades

Project Budget

Design (FY2015 Reprogramming)	$7,660,000
Estimated Construction Cost (ECC)	89,211,000
Management and Inspection (M&I)	7,133,000
Estimated Total Project Cost (ETPC)*	**$104,004,000**

*Tenant agencies may fund an additional amount for tenant improvements above the standard normally provided by the GSA.

Schedule

	Start	End
Design	FY2015	FY2016
Construction	FY2016	FY2019

Building

The Jacob K. Javits Federal Office Building (FOB) is located at 26 Federal Plaza, New York, NY. It consists of three interconnected buildings: a 45-story office building plus

PROSPECTUS – ALTERATION
JACOB K. JAVITS FEDERAL OFFICE BUILDING
NEW YORK, NY

Prospectus Number: PNY-0282-NY16
Congressional District: 08

basement, an eight-story courthouse and office building built in 1967 (the James L. Watson Court of International Trade), and a 45-story addition (Annex) built along the west side of the original 45-story building in 1977. The two 45-story buildings function together as the Jacob K. Javits Federal Office Building. The Watson Court of International Trade (CIT) is connected to the FOB via a 4-story pedestrian bridge. The entire Jacob K. Javits Federal Building complex consists of approximately 2.9 million gross square feet.

Tenant Agencies

Federal Bureau of Investigations (FBI), U.S. Department of Health and Human Services (HHS), U.S. Department of Defense - Army Corps of Engineers (USACE)

Proposed Project

The proposed project includes the build-out of approximately 312,000 rsf and 235,000 usf of space to accommodate the FBI, which is currently housed in leased space, and consolidated space for HHS and USACE, which are currently located within the FOB. In addition, the project will remove asbestos, upgrade mechanical and electrical systems, and address fire and life safety issues.

Major Work Items

Demolition and Abatement	$7,583,000
Interior Construction	24,346,000
Mechanical and Electrical Upgrades	52,284,000
Fire/Life Safety Upgrades	4,998,000
Total ECC	**$89,211,000**

Justification

In late 2015, GSA will to move to One World Trade Center, vacating multiple floors in the FOB and providing an opportunity for the consolidation of agency space within the FOB.

The FBI has an immediate need to relocate their New York Field Office Joint Terrorism Task Force and Joint Operation Center, currently housed in costly leased space at 85 Tenth Avenue, New York, NY, into the FOB. The FBI, which currently occupies floors 22 through 28, will be provided contiguous space within the FOB. Additionally, the FBI currently has parking space associated with its operations at 85 Tenth Avenue, housed in

GSA PBS

PROSPECTUS – ALTERATION
JACOB K. JAVITS FEDERAL OFFICE BUILDING
NEW YORK, NY

Prospectus Number: PNY-0282-NY16
Congressional District: 08

leased space at 516-520 West 20th Street, New York, NY. The FBI will improve their overall utilization rate from 196 usf to 132 usf.

HHS and USACE, which are currently located in the FOB, will be able to consolidate their operations within the renovated space. HHS will improve their overall utilization rate from 281 usf to 174 usf and USACE from 266 usf to 199 usf.

Asbestos removal and upgrades to the fire alarm system will ensure occupant safety. Planned upgrades to the HVAC mechanical system and replacement of perimeter induction units are necessary to sustain the life of the equipment. Upgrades to the lighting system to LED with associated control systems and modifications to normal and emergency power distributions systems will increase energy efficiency.

Summary of Energy Compliance

This project will be designed to conform to requirements of the Facilities Standards for the Public Buildings Service and will implement strategies to meet the Guiding Principles for High Performance and Sustainable Buildings. GSA encourages design opportunities to increase energy and water efficiency above minimum performance criteria.

Prior Appropriations

None

Prior Committee Approvals

None

Prior Prospectus-Level Projects in Building (past 10 years):

Prospectus	Description	FY	Amount
P.L. 111-5 (ARRA)	Plaza Restoration	2009	$25,360,000
PNY-0282-2-NY14	Renovation FBI space	2014	$6,520,000

GSA PBS

PROSPECTUS – ALTERATION
JACOB K. JAVITS FEDERAL OFFICE BUILDING
NEW YORK, NY

Prospectus Number: PNY-0282-NY16
Congressional District: 08

Alternatives Considered (30-year, present value cost analysis)

Alteration: $141,133,000
Lease $321,448,000
New Construction: $575,825,000

The 30-year, present value cost of alteration is $180,316,000 less than the cost of leasing with an equivalent annual cost advantage of $10,301,000.

Recommendation

ALTERATION

GSA PBS

PROSPECTUS – ALTERATION
JACOB K. JAVITS FEDERAL OFFICE BUILDING
NEW YORK, NY

Prospectus Number: PNY-0282-NY16
Congressional District: 08

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on February 2, 2015

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Administrator, General Services Administration

January 2015

Housing Plan
Jacob K. Javits FOB

PNY-0282-NY16
New York, NY

Locations	CURRENT						PROPOSED					
	Personnel		Usable Square Feet (USF)[1]				Personnel		Usable Square Feet (USF)			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
Lease												
85 Tenth Ave, NY, NY (FBI)	602	602	102,782	6,000	9,391	118,173						
Jacob K. Javits FOB												
U.S. Army Corps of Engineers	375	375	98,182		862	99,906	375	375	73,924		862	74,786
U.S. Department of Justice - FBI[2]							602	602	57,083	2,584	23,440	83,107
U.S. Health and Human Services	440	440	122,666		1115	123,781	440	440	74,711	820	1,115	76,646
Subtotal	815	815	220,848		1,977	223,687	1,417	1,417	205,718	3,404	25,417	234,539
Total	1,417	1,417	323,630	6,000	11,368	341,860	1,417	1,417	205,718	3,404	25,417	234,539

Office Utilization Rate[3]		
	Current	Proposed
All Building Office Tenants	178	113

Overall USF Rate[4]		
	Current	Proposed
All Building Tenants	241	166

Current Office UR excludes 71,199 usf of office support space.
Proposed Office UR excludes 45,258 usf of office support space.

Special Space	USF
ADP	5,545
Secure Teaming / Meeting	6,774
Conference/Training	10,944
Credit Union	947
Interview Room	512
Mug and Fingerprint	244
Break room	450
Total	25,417

NOTES:
1 USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.
2 Total current FBI assignment within the FOB is approximately 350,000 USF.
3 Office Utilization Rate = total office space available for office personnel. UR calculation excludes office support space USF.
4 Total Building USF Rate = total building USF (office, storage, special) available for all building occupants (office, and non-office personnel).
5 Total current USF for the Jacob Javits FOB is approximately 1,700,000 USF

COMMITTEE RESOLUTION

ALTERATION—FEDERAL OFFICE BUILDING, SEATTLE, WA

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for repairs and alterations to address exterior deficiencies at the historic Federal Office Building located at 909 1st Avenue in Seattle, Washington, at a design cost of $1,690,000, an estimated construction cost of $17,515,000 and a management and inspection cost of $1,645,000 for a total estimated project cost of $20,850,000, a prospectus for which is attached to and included in this resolution.

Provided, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSA PBS

PROSPECTUS – ALTERATION
FEDERAL OFFICE BUILDING
SEATTLE, WA

Prospectus Number: PWA-0036-SE16
Congressional District: 7

FY2016 Project Summary

The General Services Administration (GSA) proposes a repair and alteration project to address exterior deficiencies at the historic Federal Office Building, located at 909 1st Avenue, Seattle, WA.

FY2016 Committee Approval and Appropriation Requested

(Design, ECC, M&I) $20,850,000

Major Work Items

Exterior construction; roof replacement

Project Budget

Design	$1,690,000
Estimated Construction Cost (ECC)	17,515,000
Management and Inspection (M&I)	1,645,000
Estimated Total Project Cost (ETPC)	**$20,850,000**

Schedule	**Start**	**End**
Design and Construction	FY2016	FY2018

Building

The Federal Office Building, constructed in 1933, is listed on the National Register of Historic Places and provides approximately 305,000 gross square feet over 11 stories, including sub-basement and basement levels. There are 53 indoor parking spaces located in the sub-basement level. The building is located across the street from the Henry M. Jackson Federal Building.

Tenant Agencies

U.S. Department of Housing and Urban Development; U.S. Department of Interior Department; Equal Employment Opportunity Commission; Department of Energy; U.S. Department of Health and Human Services; U.S. Department of Veteran Affairs; U.S. Postal Service; and U.S. Department of Defense

GSA PBS

PROSPECTUS – ALTERATION
FEDERAL OFFICE BUILDING
SEATTLE, WA

Prospectus Number: PWA-0036-SE16
Congressional District: 7

Proposed Project

The proposed project will restore deteriorated exterior facade to stop material degradation and water intrusion into the building. The project will clean the exterior masonry of all biological growth and inspect, repair, and repoint the mortar joints, granite, brick, and terra cotta to provide protection from water penetration and prevent dislodging debris from falling onto the sidewalk below. The project will also replace roofs on the wing and dome shoulder and restore steel windows by stripping exterior paint, removing all corrosion, replacing broken glass, and installing new glazing putty, and restore the corroded flag pole base.

Major Work Items

Exterior restoration	$16,315,000
Roof replacement	1,200,000
Total ECC	**$17,515,000**

Justification

The proposed restoration project is required to restore the deteriorated exterior facade and to stop material degradation and water intrusion into the building, to protect the tenants and general public. There are multiple locations on the exterior envelope where materials have decayed due to water infiltration in the interior wall cavity, causing damage and biological growth on the masonry. The window putty is deteriorated and the steel casing surrounding the windows is corroding causing glass to break. The roof on the wing and shoulder dome is deteriorated. Without restoration, the exterior materials will continue to degrade, compromising the building structure and putting pedestrians and tenants at risk from falling debris.

Summary of Energy Compliance

This project will be designed to conform to requirements of the Facilities Standards for the Public Buildings Service and will implement strategies to meet the Guiding Principles for High Performance and Sustainable Buildings. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.

GSA PBS

PROSPECTUS – ALTERATION
FEDERAL OFFICE BUILDING
SEATTLE, WA

Prospectus Number: PWA-0036-SE16
Congressional District: 7

Prior Appropriations

None

Prior Committee Approvals

None

Prior Prospectus-Level Projects in Building (past 10 years)

None

Alternatives Considered (30-year, present value cost analysis)

There are no feasible alternatives to this project. This is a limited scope renovation and the cost of the proposed project is far less than the cost of leasing or constructing a new building.

Recommendation

ALTERATION

GSA PBS

PROSPECTUS – ALTERATION
FEDERAL OFFICE BUILDING
SEATTLE, WA

Prospectus Number: PWA-0036-SE16
Congressional District: 7

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on February 2, 2015

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Administrator, General Services Administration

COMMITTEE RESOLUTION

ALTERATION—FEDERAL BUILDING AND U.S. COURTHOUSE, MILWAUKEE, WI

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for repairs and alterations to repair and restore the granite façade at the historic Federal Building and U.S. Courthouse located at 517 E. Wisconsin Avenue in Milwaukee, Wisconsin, at a design cost of $2,026,000, an estimated construction cost of $23,294,000 and a management and inspection cost of $2,071,000 for a total estimated project cost of $27,391,000, a prospectus for which is attached to and included in this resolution.

Provided, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSA PBS

PROSPECTUS – ALTERATION
FEDERAL BUILDING AND U.S. COURTHOUSE
MILWAUKEE, WI

Prospectus Number: PWI-0044-MI16
Congressional District: 4

FY2016 Project Summary

The General Services Administration (GSA) proposes a repair and alteration project to repair and restore the granite façade at the historic Federal Building and U.S. Courthouse located at 517 E. Wisconsin Ave, Milwaukee, WI.

FY2016 Committee Approval and Appropriation Requested

(Design, ECC, M&I) $27,391,000

Major Work Items

Exterior construction

Project Budget

Design	$2,026,000
Estimated Construction Cost (ECC)	23,294,000
Management and Inspection (M&I)	2,071,000
Estimated Total Project Cost (ETPC)	**$27,391,000**

Schedule	Start	End
Design and Construction	FY2016	FY2018

Building

The Milwaukee Federal Building and U.S. Courthouse in Milwaukee, WI, is a five-story, granite structure originally constructed between 1892 and1899 and is listed on the National Register of Historic Places. Between 1929 and 1932, a five-story addition was erected to the south of the original building which was later increased in height to seven stories during the 1940s. The FB/CT, including the addition, has 543,510 gross square feet of space. Each corner of the original building features a short, round tower with a conical roof and a skylight atrium in the center. The building also features an open air light court at its center that extends down to the roof of the first floor.

Tenant Agencies

Judiciary, Department of Justice, U.S. Department of Homeland Security, and U.S. Tax Court.

GSA PBS

PROSPECTUS – ALTERATION
FEDERAL BUILDING AND U.S. COURTHOUSE
MILWAUKEE, WI

Prospectus Number: PWI-0044-MI16
Congressional District: 4

Proposed Project

The proposed project includes the repair and restoration of the building's façade. The façade repairs include the stone cornices and gutters at the turrets on the North building and damaged granite corners on South building. The project also includes treatment and preservation of the exterior stone and brick masonry, as well as tuckpointing and sealant corrections.

Major Work Items

Exterior construction	$23,294,000
Total ECC	**$23,294,000**

Justification

Starting in 2010, pieces of the spalled granite façade and stone fell from the exterior of the North and South buildings to the ground creating hazardous conditions for building tenants and the public. As a temporary measure to prevent similar occurrences until the façade is restored, structural netting was installed on all six turrets on the North building and on the four corners of the South building in 2011.

All the stone cornices on the North building show significant levels of spalling and cracking. Aged steel anchor bolts set in the top face of the cornice stone have corroded. The gutter's drip edge offers minimal overlap with the stone cornice below and is allowing water to infiltrate behind the face of the stone.

The corners on the South building show a remarkable amount of displacement and cracking. Repairs were undertaken in the 1990s, however the repairs did not address the root causes of the displacement nor reset the displaced stones; consequentially, the repairs have failed and the stones have continued to move, re-opening the cracks and mortar joints.

Summary of Energy Compliance

This project will be designed to conform to requirements of the Facilities Standards for the Public Buildings Service and will implement strategies to meet the Guiding Principles for High Performance and Sustainable Buildings. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.

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PROSPECTUS – ALTERATION
FEDERAL BUILDING AND U.S. COURTHOUSE
MILWAUKEE, WI

Prospectus Number: PWI-0044-MI16
Congressional District: 4

Prior Appropriations

None

Prior Committee Approvals

None

Prior Prospectus-Level Projects in Building (past 10 years)

Prospectus	Description	FY	Amount
PWI-0044-MI07	Repair and renovate windows, window frames, and doors	2007	$5,599,000

Alternatives Considered (30-year, present value cost analysis)

There are no feasible alternatives to this project. This is a limited scope renovation and the cost of the proposed project is far less than the cost of leasing or constructing a new building.

Recommendation

ALTERATION

GSA PBS

PROSPECTUS - ALTERATION
FEDERAL BUILDING AND U.S. COURTHOUSE
MILWAUKEE, WI

Prospectus Number: PWI-0044-MI16
Congressional District: 4

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on February 2, 2015

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Administrator, General Services Administration

COMMITTEE RESOLUTION

CONSTRUCTION—DEPARTMENT OF HOMELAND SECURITY CONSOLIDATION AT ST. ELIZABETHS, WASHINGTON, DC

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for the continued development of the DHS consolidated headquarters at St. Elizabeths Campus in Washington, DC in accordance with and as revised and reduced by the 2015 DHS Headquarters Consolidation Enhanced Plan at an additional design cost of $18,422,000, a prospectus for which is attached to and included in this resolution, as amended by this resolution. This resolution amends the resolution approving prospectus PDC–0002–WA11 on December 2, 2010 by reducing the estimated construction cost by $18,422,000.

Provided, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSA PBS

PROSPECTUS – CONSTRUCTION
DEPARTMENT OF HOMELAND SECURITY
CONSOLIDATION AT ST. ELIZABETHS
WASHINGTON, DC

PDC-0002-WA16

Overview of FY2016 Project Requirements

GSA proposes to continue the ongoing development of the DHS consolidated headquarters at St. Elizabeths Campus by continuing work on the perimeter security, completing the final construction of the access road and new interchange between Malcolm X Avenue and Interstate 295[1], rehabilitating buildings necessary to accommodate components of the DHS Secretary directorate plus Undersecretary of Management (USM) to be housed in the West Addition to the Center Building, Allison Quad, Home and Relief Buildings, and Administration Row (Building 69 plus Buildings 72 through 75), continuing design of future phases, and historic preservation activities.

Fiscal Year 2016 Requirements

Historic Preservation	2,807,000
Design (Phase 2a & 2b)	35,244,000
Management and Inspection (Infrastructure, Highway Interchange & Phase 2a)	24,135,000
Estimated Construction Cost (Infrastructure, Highway Interchange & Phase 2a)	317,479,000
Total FY2016 Requirements	**$379,665,000**
FY2016 House Committee Approval Requested[2]	**$231,521,000**
FY2016 Senate Committee Approval Requested[3]	**$221,358,000**
FY2016 Appropriation Request	**$379,665,000**

Overview of Project

GSA and DHS have worked collaboratively to update and revise the original DHS HQ consolidation program at St. Elizabeths Campus. The updated program, referred to as the 'enhanced plan' seeks a more efficient utilization of space at a lower cost. The West Campus is a 176–acre National Historic Landmark that included 70 existing buildings containing approximately 1.2 million gsf of existing space. Several existing buildings have been demolished to make way for the USCG headquarters; as of December, 2014 there were 61 buildings remaining that contain approximately 1 million gsf. Under the enhanced plan, DHS and GSA cut back on the overall scope of the program. DHS components will require less space

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[1] This includes mitigation work such as landscaping and retaining walls for the access road along Shepherd Pkwy.

[2] This represents the balance of committee approval needed for this request less remaining appropriations needed for the Infrastructure Program and Highway Interchange Program, neither of which is subject to the requirements of 40 U.S.C. Section 3307.

[3] See Footnote 2 above.

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DEPARTMENT OF HOMELAND SECURITY
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WASHINGTON, DC

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through realized efficiencies and the FEMA's headquarters that was planned for the East Campus will be consolidated onto the West Campus. The West Campus, however, will continue to be developed in accordance with guidelines set out in the Master Plan as amended and/or as a result of continued compliance with NHPA and NEPA during specific project designs[4].

Committee approval and appropriations for Phase 1 of the project – construction of a new headquarters facility for the USCG called the Munro Building – have already been obtained. Development Phase 2a includes construction of office space to consolidate DHS headquarters and the re-scoped DHS Operations Center (DOC), house various DHS leadership components, and provide amenity space. Phase 2b proposes the construction of a new headquarters facility for FEMA plus appropriate amenity space. Parking will also be included with these later phases. Phase 3 will accommodate portions of the remaining elements of DHS headquarters units such as CBP and ICE. The project will include the rehabilitation of existing space as well as construction of new space. This prospectus seeks approval for appropriations to finish mitigation measures for the access road and interchange between Malcolm X Avenue and I-295. The Firth Sterling portion of the road was completed in conjunction with completion of Phase 1. Also included will be continued work on perimeter security for the campus, rehabilitation of several existing buildings, historic preservation, and design and new construction.

Project Phasing

Phase 1a	USCG – HQ (completed)	Coast Guard Headquarters
Phase 1b	USCG – CC (completed)	Coast Guard Command Center/shared use space/GSA Field Office
Phase 2a	DHS (ongoing)	Office of the Secretary and Senior Leadership
Phase 2a	DOC A (to be built out)	DHS Operations Center / West Addition
Phase 2a	Other (to be completed)	Leadership presence of components not fully moving to St. Elizabeths
Phase 2b	FEMA HQ (to be completed)	Federal Emergency Management Agency (FEMA) Headquarters
Phase 3	ICE, CBP (to be completed)	Significant presences of these components

[4] The Master Plan can be found at the project's web site: http://www.stelizabethsdevelopment com/

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CONSOLIDATION AT ST. ELIZABETHS
WASHINGTON, DC

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Description

Site Information

Government-owned	176 acres
Building without parking (gsf)	up to 3,750,000
Building with parking (gsf)	up to 5,081,000
Number of structured parking spaces	up to 3,803

Cost Summary at St. Elizabeths

Planning	20,008,000
Site Acquisition	6,722,000
Design Cost	199,791,000
Management and Inspection	139,039,000
Historic Preservation Mitigations	5,899,000
Estimated Construction Cost	2,042,255,000
Estimated Total Project Cost	**$2,413,714,000**

Primary Occupants

USCG, DHS Headquarters Elements, the DOC, FEMA, CBP, ICE, and a Leadership Presence of Other DHS Components not relocating to the St. Elizabeths Campus

I. SITE ACQUISITION PROGRAM SUMMARY

Delineated Areas for Site Acquisition

The proposed sites to be acquired are as follows:

1. Approximately two acres of land located on Firth Sterling Avenue in southeast Washington, DC, where it is contiguous to the northwest corner of St. Elizabeths West Campus; the land is currently controlled by DC and CSX Corporation.
2. Approximately one acre of land located along the east side of Martin Luther King, Jr. Avenue in southeast Washington, DC, between the Unified Communications Center and the current tunnel between the East Campus and West Campus. The land is currently controlled by DC.
3. Approximately fourteen (14) acres of land located on Shepherd Parkway in southeast Washington, DC, between the St. Elizabeths West Campus and Malcolm X Avenue, parallel to Interstate 295. The land is currently controlled by the National Park Service.

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Total Site Acquisition Project Budget

Site Acquisition (Firth Sterling Avenue) (FY2009)	$2,722,000
Site Acquisition (Martin Luther King, Jr. Avenue) (ARRA)	500,000
Site Acquisition (Shepherd Parkway) (ARRA)	3,500,000
Total Acquisition Budget[5]	**$6,722,000**

II. INFRASTRUCTURE PROGRAM SUMMARY

Infrastructure repair / replacement costs include: demolition of specific buildings identified by the Master Plan; replacement of site utilities including electricity substations and local utility requirements, an addition to the existing power plant for a fully functional CUP with co-generation capability; distribution systems for electricity, natural gas, domestic water, storm water, waste water, data systems and telecommunications; roadways, surface parking and sidewalks; refurbishment of historical ornamental landscape and creation of new landscape features as needed including flora; cleanup / repair of existing tunnels on site to improve safety and for potential use as systems distribution pathways; and site security fencing, entry gates, guard stations, and other site security features. There was $46 million for the access road construction originally included in the Infrastructure budget in prior years that has been moved to the Highway Interchange program budget in Part III of this prospectus.

The planned alterations are necessary to preserve, maintain, and reuse this historic site. Existing infrastructure and the landscape have suffered from aging and deferred maintenance. The utility distribution systems are antiquated and deteriorated. Building repairs include repair and improvement of structural and life safety systems while maintaining historic integrity. The landscape will be maintained, protected, and preserved to the extent feasible.

[5] Unused project funds originally requested for acquisition of parcels along Firth Sterling Avenue were redirected to Phase 1b of the project to cover unforeseen conditions. Please see Section V, Phase 1b footnotes.

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Total Infrastructure Project Budget

Design	
Design (FY2006) Phase 1a	$7,645,000
Design (FY2009) Phase 1b	3,000,000
Design (ARRA) Phase 1b	12,346,000
Design (ARRA) Phase 2a	700,000
Design (future year request) Future Phases	9,272,000
Design Subtotal	**$32,963,000**
Management and Inspection (M&I)	
M&I (FY2006) Phase 1a	$370,000
M&I (FY2007) Phase 1a	532,000
M&I (ARRA) Phase 1b	5,382,000
M&I (FY2016) Phase 2a	3,000,000
M&I (future year request) Future Phases	9,272,000
M&I Subtotal	**$18,556,000**
Estimated Construction Cost (ECC)	
ECC (FY2006) Phase 1a	$5,080,000
ECC (FY2007) Phase 1a	5,912,000
ECC (FY2009) Phase 1a	5,249,000
ECC (ARRA) Phase 1b	131,783,000
ECC (FY2016) Phase 2a	57,000,000
ECC (future year request) Future Phases	115,896,000
Estimated Construction Cost Subtotal	**$320,920,000**
Estimated Total Project Cost (ETPC) for Infrastructure	**$372,439,000**

III. HIGHWAY INTERCHANGE PROGRAM SUMMARY

The Highway Interchange Program that was developed as part of the Master Plan proposes an access road to the St. Elizabeths West Campus that extends between Firth Sterling Avenue to the north and Malcolm X Avenue to the south, parallel to Interstate-295. Funds for construction of the access road in the amount of $46 million were originally included in the Infrastructure program described above, but additional transportation improvements have subsequently been identified. A new, reconfigured interchange between Malcolm X Avenue and I-295 is one of these improvements. This reconfiguration will be necessary to direct St. Elizabeths traffic onto the access road that, in turn, will mitigate the impacts of additional traffic that is anticipated as

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the result of the redevelopment of St. Elizabeths. GSA worked closely with FHWA and the DC Department of Transportation to prepare an Interchange Justification Report (IJR) to facilitate required modifications to the Malcolm X Interchange. Other related transportation improvements that are needed as a result of the St. Elizabeths development are also included below as separate line items. These improvements need to be funded in conjunction with Phase 2 of the project to avoid further schedule delays and cost escalations.

Total Highway Interchange Project Budget

Design	
Design (ARRA)	3,500,000
Design (FY2012)[6]	2,500,000
Design (FY2015)	12,210,000
Design Subtotal	**$18,210,000**
Management and Inspection (M&I)	
M&I (FY2012)[7]	1,500,000
M&I (FY2015)	9,000,000
M&I (FY2016)	3,210,000
M&I Subtotal	**$13,710,000**
Estimated Construction Cost (ECC)	
ECC (ARRA) Access Road	38,000,000
ECC (2012) Access Road	33,300,000
ECC (FY2015) Access Road	122,790,000
ECC (FY2016) Access Road	5,415,000
Estimated Construction Cost Subtotal	**$199,505,000**
Estimated Total Project Cost (ETPC) for Highway Interchange	**$231,425,000**

IV. HISTORIC PRESERVATION MITIGATIONS PROGRAM SUMMARY

As of December 9, 2008, GSA and DHS along with NCPC entered into a Programmatic Agreement (PA) with the Advisory Council on Historic Preservation (ACHP), the District of Columbia Historic Preservation Office (DCHPO), and the United States Federal Highway Administration (FHWA). The PA outlines five (5) specific mitigation actions that must be

[6] These funds were redirected from Infrastructure funds in FY2012.
[7] See Footnote 6 above.

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undertaken by GSA to "resolve adverse effects from certain complex project situations".[8] These actions are as follows:

1. Documentation and recordation including buildings and site, as needed, archives, historic structure reports, building preservation plans, landscape preservation treatment and management, and archaeological resources treatment and management;
2. Public outreach, interpretation, and education including the establishment of a citizens advisory panel, a permanent interpretative exhibit, a museum and visitors education center, signage, and public relations materials;
3. Public access program to be developed by GSA and DHS;
4. Conservation and artifact preservation; and
5. The 19th Century cemetery including interpretative program, perpetual care, and public access.

Major Work Items for Mitigation

Documentation and Recordation (FY2016)	$1,407,000
Documentation and Recordation (future year request)	400,000
Public Outreach (FY2016)	500,000
Public Outreach (future year request)	1,375,000
Cemetery (FY2016)	500,000
Staffing (FY2014)	200,000
Staffing (FY2016)	400,000
Staffing (future year request)	1,317,000
Total	**$5,899,000**

[8] Programmatic Agreement dated December 9, 2008, page 1.

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V. BUILDING PROGRAM SUMMARY

PHASE 1a – USCG Headquarters

Building Phase 1a [9]

Office and Special Space	1,179,500 gsf
Estimated Total Phase 1a	**1,179,500 gsf**

Cost Information Building Phase 1a

Design (FY2006)	$24,900,000
Management and Inspection (M&I) (FY2009)	12,925,000
Estimated Construction Cost (ECC) (FY2009)	313,465,000
Estimated Total Cost Phase 1a	**$351,290,000**

Schedule for Building Phase 1a

FY 2009 - Design Completion
FY 2009 - Start Construction
FY 2013 - Complete Construction

PHASE 1b – USCG Command Center and Special Space

Building Phase 1b

Command Centers/Fitness Center/Chapel/Retail	158,450 gsf
GSA Field Office[10]	20,800 gsf
Estimated Total Phase 1b	**179,250 gsf**
Structured Parking (983 cars)	up to 344,050 gsf

Cost Information Building Phase 1b

Design (ARRA)	$10,659,000
Management and Inspection (M&I) (ARRA)[11]	15,902,000
Estimated Construction Cost (ECC) (ARRA)[12]	171,563,000
Estimated Total Cost Phase 1b	**$198,124,000**

[9] Square footage is based on USCG housing plan, approved Master Plan, and design documents.
[10] The Field Office is in addition to the USCG housing plan, not included with it, and was ready upon completion of Phase 1 and occupancy by USCG.
[11] Unused project funds of $228K from site acquisition were used for M&I to complete Phase 1b.
[12] Unused project funds $4.05M from site acquisition were used for unforeseen conditions in Phase 1b.

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Schedule for Building Phase 1b

FY 2010 - Design Completion
FY 2010 - Start Construction
FY 2013 - Complete Construction

PHASE 2a – DHS Headquarters Elements and the DOC

Building Phase 2a

Office for DHS Headquarters	234,000 gsf
DHS / USM Offices	590,000 gsf
Estimated Total Phase 2a	**824,000 gsf**
Structured Parking (990 cars)	up to 346,500 gsf

Cost Information Building Phase 2a

Design (FY2009)	$5,000,000
Design (ARRA)	11,300,000
Design (FY2014)	10,837,000
Design (FY2016)[13]	23,053,000
Management and Inspection (M&I) (FY2011)	1,500,000
Management and Inspection (M&I) (FY2014)	7,925,000
Management and Inspection (M&I) (FY2016)[14]	17,925,000
Management and Inspection (M&I) (future year request)	3,509,000
Estimated Construction Cost (ECC) (ARRA)[15]	26,000,000
Estimated Construction Cost (ECC) (FY2011)[16]	28,500,000
Estimated Construction Cost (ECC) (FY2014)	136,038,000
Estimated Construction Cost (ECC) (FY2016)[17]	255,064,000
Estimated Construction Cost (ECC) (future year request)	8,165,000
Estimated Total Cost Phase 2a	**$534,816,000**

Schedule for Building Phase 2a

FY 2016 - Design Completion
FY 2014 - Start Construction
FY 2019 - Complete Construction

[13] This includes funds for West Addition that will replace the re-scoped DOC under the Enhanced Plan.
[14] This includes funds for Ice House and Hitchcock Hall originally planned for completion in Phase 1.
[15] ECC is for parking garage in ravine that was completed in conjunction with garage for USCG staff.
[16] This amount was for DOC shell construction.
[17] This includes funds for Ice House and Hitchcock Hall originally planned for completion in Phase 1.

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PHASE 2b – FEMA

Building Phase 2b

Office for FEMA Headquarters	423,000 gsf
Estimated Total Phase 2b	**423,000 gsf**
Structured Parking (775 cars)	up to 271,250 gsf
Structured Parking for Visitors (640 cars)	up to 224,000 gsf

Cost Information Building Phase 2b

Design (ARRA)	17,401,000
Design (FY2016 request)	12,191,000
Design (future year request)	1,669,000
Management and Inspection (M&I) (future year request)	18,504,000
Estimated Construction Costs (ECC) (future year request)	222,671,000
Estimated Total Cost Phase 2b	**$272,436,000**

Proposed Schedule for Building Phase 2b

FY 2017 - Design Completion
FY 2018 - Start Construction
FY 2021 - Complete Construction

PHASE 3 –ICE, CBP, and Component Leadership

Building Phase 3

Office for ICE Headquarters elements	469,000 gsf
Office for CBP Headquarters	499,000 gsf
Estimated Total Phase 3	**968,000 gsf**
Structured Parking (415 cars)	up to 145,250 gsf

Cost Information Building Phase 3

Design (ARRA)	10,000,000
Design (future year request)	21,608,000
Management and Inspection (M&I) (future year request)	28,811,000
Estimated Construction Cost (ECC) (future year request)	360,136,000
Estimated Total Cost Phase 3	**$420,555,000**

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Proposed Schedule for Building Phase 3

FY 2019 - Design Completion
FY 2018 - Start Construction
FY 2021 - Complete Construction

Summary of Energy Compliance

Cogeneration and Waste Heat: Approximately 30% of the campus power will be produced on site via cogeneration. This percentage represents 100% of the critical campus electrical needs in times of emergencies. The waste heat generated by the natural gas fired turbines will be converted to both steam and hot water to help heat the buildings and, through steam driven absorption chillers, to help cool the buildings.

Solar Energy: Photovoltaic energy collection arrays were considered for electric street lighting but did not meet historic preservation requirement. Large photovoltaic arrays were also found to be untenable at the site due to the limited acreage that could be used to house the solar panels. However, solar energy collecting panels or roofing membranes have been incorporated on portions of the roof tops, for example, the Detached Dining Hall being rehabilitated for use as a cafeteria.

Geothermal: Geothermal wells will be considered to support heat pump systems for new construction of the support buildings, such as the remote delivery facility and pump house. If viable, future appropriations will be requested.

GSA PBS

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Prior Appropriations

St. Elizabeths Consolidation Prior Appropriations			
Public Law	**Fiscal Year**	**Amount**	**Purpose**
109-115	2006	$24,900,000	Design of US Coast Guard HQ
109-115	2006	$13,095,000	Infrastructure, Design, Construction and Management and Inspection
110-5	2007	$6,444,000	Infrastructure, Construction, and Management and Inspection
111-5	2009	$454,258,000	Site acquisition, Construction and Development
111-8	2009	$346,639,000	Site acquisition, Design, Infrastructure, Construction, and Management and Inspection
112-10	2011	$30,000,000	Construction of DHS Operations Center
112-34	2012	$37,300,000	Construction of Modular Utility Plant, Pump House, and portion of Access Road related to the US Coast Guard.
113-76	2014	$155,000,000	Adaptive reuse of Center Building
113-235	2015	$144,000,000	Highway interchange and access road
Appropriations to Date[18]		**$1,211,636,000**	

[18] This amount does not include $20,008,000 of planning funds expended by HHS and GSA prior to FY2006.

GSA PBS

PROSPECTUS – CONSTRUCTION
DEPARTMENT OF HOMELAND SECURITY
CONSOLIDATION AT ST. ELIZABETHS
WASHINGTON, DC

PDC-0002-WA16

Prior Committee Approvals

St. Elizabeths Consolidation Prior Committee Approvals			
Committee	**Date**	**Amount**	**Purpose**
House T&I	10/26/2005	$24,900,000	Design of US Coast Guard HQ
Senate EPW	7/20/2005	$24,900,000	Design of US Coast Guard HQ
House T&I	4/5/2006	$383,997,000	Construction and Management and Inspection Phases 1-a and 1-b
House T&I	5/23/2007	$318,887,000	Design, Construction, and Management and Inspection
House T&I	5/23/2007	$7,000,000	Site Acquisition
Senate EPW	9/20/2007	$318,887,000	Design, Construction, and Management and Inspection
Senate EPW	9/20/2007	$7,000,000	Site Acquisition
Senate EPW	9/17/2008	$140,140,000	Additional Design and Construction
House T&I	9/24/2008	$525,236,000	Design, Review, Management and Inspection, and Construction
House T&I	12/2/2010	$1,149,406,000	Design, Review, Management and Inspection, and Construction
Senate EPW	7/13/2011	$281,015,000	Design and Construction of West Campus

Alternatives Considered (30-year, present value costs)

New Construction $3,496,124,000
Lease $3,926,325,000

The 30-year, present value cost of new construction is $430,201,000 less than the cost of leasing, or an equivalent annual cost advantage of $21,949,000.

Recommendation

CONSTRUCTION

GSA PBS

PROSPECTUS – CONSTRUCTION
DEPARTMENT OF HOMELAND SECURITY
CONSOLIDATION AT ST. ELIZABETHS
WASHINGTON, DC

PDC-0002-WA16

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on February 2, 2015

Recommended _____
Commissioner, Public Buildings Service

Approved _____
Administrator, General Services Administration

COMMITTEE RESOLUTION

CONSTRUCTION—ANIMAL AND PLANT HEALTH INSPECTION SERVICE BUILDING, PEMBINA, ND

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for design and construction of a new 6,685 gross square foot facility, including the acquisition of approximately eight acres of land, for the United States Department of Agriculture Animal and Plant Health Inspection Service located at the Pembina, North Dakota U.S. Land Port of Entry, at a design cost of $284,000, a wetland mitigation cost of $540,000, an estimated construction cost of $4,297,000 and a management and inspection cost of $236,000 for a total estimated project cost of $5,357,000, a prospectus for which is attached to and included in this resolution.

Provided, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSA PBS

PROSPECTUS – CONSTRUCTION
ANIMAL AND PLANT HEALTH INSPECTION SERVICE BUILDING
PEMBINA, ND

Prospectus Number: PND-0550-PE16
Congressional District: 01

FY2016 Project Summary

The General Services Administration (GSA) proposes the acquisition of approximately eight acres of land, along with the design and construction of a new 6,685 gross square foot facility for the United States Department of Agriculture (USDA) Animal and Plant Health Inspection Service (APHIS) at the Pembina, North Dakota, U.S. Land Port of Entry (LPOE). Construction of this facility provides a permanent solution for APHIS at a secure location directly on the port, remedies a potential life safety concern with the current location of the temporary modular trailer, improves traffic configuration, places all APHIS operations on the U.S. side of the U.S./Canada border and eliminates rental payments to the private sector of approximately $317,000 annually.

This project was among those previously included in GSA's FY 2015 Capital Investment Program. The prospectus was not approved by the Senate Committee on Environment and Public Works and the House Committee on Transportation and Infrastructure, and the project could not be accommodated within the enacted level. GSA is resubmitting the project in FY 2016 with no change in scope or budget.

FY2016 Committee Approval and Appropriation Requested
(Wetland Mitigation, Design, ECC and M&I) ..... $5,357,000[1]

Overview of Project

The proposed permanent housing solution for APHIS at the Pembina LPOE will be constructed to include both on-load and off-load animal inspection facilities with an administrative support wing at one location. The new building will contain two main components: 1) an enclosed off-load animal inspection area with runways, pens, chutes, and loading ramps. 2) an administrative office area with a counter, waiting room, water fountain, and a unisex restroom for customers. The building will include infrastructure for modern mechanical, plumbing and electrical systems. It will adapt design elements that will conform to the rest of the existing port.

The project includes land acquisition and wetland construction. GSA will acquire up to eight acres of vacant land in the Pembina area and convert the land to designated wetlands per National Environmental Policy Act (NEPA) guidelines.

[1]Additional funding by a Reimbursable Work Authorization (RWA) may be required to provide for as yet unidentified elements of this project.

GSA PBS

PROSPECTUS – CONSTRUCTION
ANIMAL AND PLANT HEALTH INSPECTION SERVICE BUILDING
PEMBINA, ND

Prospectus Number: PND-0550-PE16
Congressional District: 01

Building Area[2]

Site Area (Government-Owned) ..... 3 acres
Building ..... 6,685 gsf
Number of outside commercial truck parking spaces 15
Number of outside standard vehicle parking spaces 8

Project Budget

Wetland Mitigation[3] **$540,000**
Site Acquisition $40,000
Wetland Construction $500,000

Design **$284,000**

Estimated Construction Cost (ECC)[4] **$4,297,000**
Site Development Cost[5] $2,635,000
Building Cost ($183/gsf) $1,662,000

Management and Inspection (M&I) **$236,000**

Estimated Total Project Cost (ETPC)* **$5,357,000**

*Tenant agencies may fund an additional amount for emerging technologies and alterations above the standard normally provided by the GSA.

[2]The project may contain a variance in gross square footage from that listed in this prospectus upon measurement and review of design drawings.
[3]Wetland Mitigation includes site acquisition costs for approximately eight acres of land and the construction of new wetlands to mitigate the loss of wetlands due to construction. This will occur simultaneously with the Design phase. Further details are dependent upon Design elements.
[4]ECC is broken into two parts – Site Development Cost and Building Cost
[5]Site development costs include paved commercial construction and circulation areas with space for 15 inspection lanes, extension of existing Port utilities to the new site area, site lighting, fencing and gates, and flood control features.

GSA PBS

PROSPECTUS – CONSTRUCTION
ANIMAL AND PLANT HEALTH INSPECTION SERVICE BUILDING
PEMBINA, ND

Prospectus Number: PND-0550-PE16
Congressional District: 01

Location

The proposed new facility will be located alongside southbound Interstate-29 on government-owned land at the southwest corner of the port.

Schedule	Start	End
Wetland Mitigation	FY2016	FY2017[6]
Design and Construction	FY2016	FY2018

Tenant Agencies

USDA APHIS

Justification

The Pembina, North Dakota, U.S. LPOE is the busiest northern port between Blaine, Washington and Detroit, Michigan, and the fifth busiest along the U.S./Canada border. The port has seen a steady increase in traffic flow since its completion in 1997. In 2003, in response to the 9/11 terrorist attacks, the original APHIS building was demolished to accommodate new LPOE Vehicle and Cargo Inspection System (VACIS) requirements. A modular trailer was leased and moved to a landscape median island near the center of the port as a temporary housing solution for APHIS. On-load inspections are conducted at this location (in the median with traffic flowing on both sides). Off-load inspections are performed at the Emerson Canadian Port where GSA leases another facility for APHIS approximately one mile north and east of the Pembina LPOE. This is operationally inefficient.

Commercial truck parking and circulation are inadequate with little or no lane control. With the increase in traffic flow this has created a potential life safety concern for APHIS inspectors and truck drivers. In addition to the potential life safety concern, the temporary modular trailer is in poor condition and requires ongoing repairs to keep the building habitable. The proposed project will provide APHIS with a facility that is operationally safe and efficient. Construction of a permanent inspection facility will not materially hinder any operations at the port.

[6] Upon construction completion, the newly converted wetlands will be monitored for a period of at least five years to ensure a successful conversion.

GSA PBS

PROSPECTUS – CONSTRUCTION
ANIMAL AND PLANT HEALTH INSPECTION SERVICE BUILDING
PEMBINA, ND

Prospectus Number: PND-0550-PE16
Congressional District: 01

Approximately three acres of undeveloped government-owned wetlands on the southwest corner of the Pembina Port will be used to prepare the new project site. A thorough Feasibility Study has determined the proposed site to be the most advantageous location to maximize traffic flow and security for the Port and its stakeholders. To mitigate the reduction of wetlands to the environment, the NEPA requires the creation of two net new acres of wetlands per each acre of wetlands negatively affected by construction.

Since it is somewhat common for a small portion of newly created human-made wetlands to fail to convert properly to permanent wetlands, an extra two acres of site acquisition have been included in the project for contingency purposes, allowing for the acquisition of up to eight acres of land for wetland mitigation. The newly converted wetlands will be monitored for a period of at least five years to ensure a successful conversion.

Upon project completion, on-load inspections will take place in 15 open-air commercial truck parking stalls just outside of the new building. This will no longer require inspector personnel or truck operators to cross several lanes of oncoming traffic on foot.

Other alternatives (off of the port) pose security challenges to APHIS inspection personnel and U.S. Customs and Border Protection, and logistics issues for commercial truck operators. Alternatives locating the APHIS facility in different areas on the port were problematic due to traffic flow constraints. The proposed plan is in a strategically situated area to facilitate maximum traffic flow at the port.

Summary of Energy Compliance

This project will be designed to conform to requirements of the Facilities Standards for the Public Buildings Service and will implement strategies to meet the Guiding Principles for High Performance and Sustainable Buildings. The GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria. The proposed project is Energy Independence and Security Act (EISA) and Energy Policy Act (EPACT) compliant.

Prior Appropriations

None

Prior Committee Approvals

None

GSA PBS

PROSPECTUS – CONSTRUCTION
ANIMAL AND PLANT HEALTH INSPECTION SERVICE BUILDING
PEMBINA, ND

Prospectus Number: PND-0550-PE16
Congressional District: 01

Alternatives Considered

GSA owns and maintains the existing facilities at this Port of Entry; thus new Federal construction is in the best interest of the government and the taxpayer.

Recommendation

CONSTRUCTION

GSA PBS

PROSPECTUS – CONSTRUCTION
ANIMAL AND PLANT HEALTH INSPECTION SERVICE BUILDING
PEMBINA, ND

Prospectus Number: PND-0550-PE16
Congressional District: 01

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on February 2, 2015

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Administrator, General Services Administration

January 2015

Housing Plan
New APHIS Facility

PND-0550-PE16
Pembina, ND

Locations	CURRENT						PROPOSED					
	Personnel		Usable Square Feet (USF)[1]				Personnel		Usable Square Feet (USF)			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
Modular Trailer (at Pembina LPOE)												
U.S. Department of Agriculture - APHIS	4	4	1,248	-	-	1,248	-	-	-	-	-	-
LEASED												
Emerson Building (I-29 on Canadian Border)												
U.S. Department of Agriculture - APHIS	-	-	786	-	6,325	7,111	-	-	-	-	-	-
New APHIS Building	-	-	-	-	-	-	6	6	1,100	200	4,517	5,817
Total	4	4	2,034	-	6,325	8,359	6	6	1,100	200	4,517	5,817

Office Utilization Rate[2]		
	Current	Proposed
All Building Office Tenants	397	143

Current Office UR excludes 447 usf of office support space.
Proposed Office UR excludes 242 usf of office support space.

Special Space	USF
Raised Personnel Platform	300
Animal Pen Area	2020
Personnel Perimeter	770
Area	650
Pneumatic Chute Area	150
Commercial Cattle Tub	527
Restrooms	100
Total	4,517

Total Building USF Rate[3]		
	Current	Proposed
All Building Tenants	2090	970

NOTES:
[1] USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.
[2] Office Utilization Rate = total office space available for office personnel. UR calculation excludes office support space USF.
[3] Total Building USF Rate = total building USF (office, storage, special) available for all building occupants (office, and non-office personnel).

COMMITTEE RESOLUTION

LEASE—FEDERAL COMMUNICATIONS COMMISSION, WASHINGTON, DC

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a replacement lease of up to 473,000 rentable square feet of space for the Federal Communications Commission currently located at 445 12th Street SW and 1250 Maryland Avenue SW in Washington, DC at a proposed total annual cost of $23,650,000 for a lease term of up to 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 180 square feet or less per person.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 180 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, *except that*, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSA **PBS**

PROSPECTUS – LEASE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC

Prospectus Number: PDC-06-WA16

Executive Summary

The U.S. General Services Administration (GSA) proposes a replacement lease of up to 473,000 rentable square feet (RSF) of space to house the Federal Communications Commission (FCC), currently located at 445 12th Street, SW, and 1250 Maryland Avenue, SW, Washington DC.

The replacement lease will provide continued housing for FCC and will improve FCC office and overall utilization rates (UR) from 178 to 115 usable square feet (USF) per person and 272 to 180 USF per person, respectively, while housing current personnel in 186,030 RSF less than the total of its current occupancies at the 445 12th Street, SW, and 1250 Maryland Avenue, SW, locations. In the absence of this reduction, the status quo cost of continued occupancy at the proposed market rental rate would be $32,951,500.

Description

Occupant:	Federal Communications Commission
Lease Type	Replacement
Current Rentable Square Feet (RSF)	659,030 (Current RSF/USF = 1.10)
Proposed Maximum RSF[1]:	473,000 (Proposed RSF/USF = 1.20)
Expansion/Reduction RSF:	186,030 (Reduction)
Current Usable Square Feet/Person:	272
Proposed Usable Square Feet/Person:	180
Proposed Maximum Leasing Authority:	15 years
Expiration Dates of Current Lease(s):	10/16/2017 (445 12th Street, SW) 10/31/2017 (1250 Maryland Ave, SW)
Delineated Area:	Washington, DC CEA
Number of Official Parking Spaces:	None
Scoring:	Operating Lease
Maximum Proposed Rental Rate[2]:	$50.00 / RSF

[1] The RSF/USF at the current location is approximately 1.10; however, to maximize competition, a RSF/USF ratio of 1.2 is used for the proposed maximum RSF as indicated in the housing plan.

[2] This estimate is for fiscal year 2017 and may be escalated by 1.9 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as a basis for negotiating with offerors to ensure that lease award is made in the best interest of the Government. Lease award shall not exceed the maximum rental rate as specified in this prospectus.

GSA PBS

PROSPECTUS – LEASE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC

Prospectus Number: PDC-06-WA16

Proposed Total Annual Cost[3]:	$23,650,000
Current Total Annual Cost:	$34,658,703 (445 12th St. - Lease Effective 07/01/97) (1250 Maryland - Lease Effective 11/17/94)

Background

The FCC is responsible for the regulation of interstate and foreign communications by radio, television, wire, satellite, and cable; the orderly development and operation of broadcast services; and the provision of rapid, efficient nationwide and worldwide telephone and telegraph services at reasonable rates. FCC is also responsible for the use of communications for promoting safety of life and property and strengthening national defense.

Justification

The current leases at 445 12th Street, SW, and 1250 Maryland Avenue, SW, expire October 16, 2017, and October 31, 2017, respectively, and FCC requires continued housing to carry out its mission. In addition, FCC wants to capitalize on the opportunity presented by the expiring leases to reduce its footprint by 186,030 RSF, or 28.2 percent of its current 659,030 RSF and reduce their annual rental costs by approximately $11 million.

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

[3] New leases may contain an escalation clause to provide for annual changes in real estate taxes and operating costs.

GSA PBS

PROSPECTUS – LEASE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC

Prospectus Number: PDC-06-WA16

Interim Leasing

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on May 20, 2015

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Acting Administrator, General Services Administration

March 2015

Housing Plan
Federal Communications Commission

PDC-06-WA16
Washington, DC

Leased Locations	CURRENT						PROPOSED					
	Personnel		Usable Square Feet (USF)[1]				Personnel		Usable Square Feet (USF)			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
445 12th St SW	1,963	1,963	460,637	21,890	65,617	548,144						
1250 Maryland Ave SW	228	228	40,084	8,348	0	48,432						
Proposed Lease							2,191	2,191	324,384	12,474	56,775	393,633
Total	2,191	2,191	500,721	30,238	65,617	596,576	2,191	2,191	324,384	12,474	56,775	393,633

Office Utilization Rate (UR)[2]		
	Current	Proposed
Rate	178	115

UR = average amount of office space per person

Current UR excludes 110,159 usf of office support space

Proposed UR excludes 71,364 usf of office support space

Overall UR[3]		
	Current	Proposed
Rate	272	180

R/U Factor[4]			
	Total USF	RSF/USF	Max. RSF
Current	596,576	1.10	659,030
Proposed	393,633	1.20	473,000

Special Space	USF
Conference Training Rooms	19,725
Data Center	5,700
Fitness Center	1,500
Health Ctr Exam Rooms	1,200
Hearing Room	1,800
High Density Storage	11,700
Print Plant	9,000
SCIF	3,450
Security Command Ctr.	1,350
Tech. Experience Center	1,350
Total	56,775

NOTES:

[1] USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.

[2] Calculation excludes Judiciary, Congress and agencies with less than 10 people

[3] USF/Person = housing plan total USF divided by total personnel.

[4] R/U Factor = Max RSF divided by total USF

COMMITTEE RESOLUTION

LEASE—FEDERAL AVIATION ADMINISTRATION, WESTERN-PACIFIC REGIONAL OFFICE, HAWTHORNE, CA

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a new lease of up to 154,000 rentable square feet of space, including 573 official parking spaces, for the Federal Aviation Administration currently located at the Hawthorne Federal Building in Hawthorne, California, at a proposed total annual cost of $7,546,000 for a lease term of up to 20 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 187 square feet or less per person.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 187 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, *except that*, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSA PBS

PROSPECTUS – LEASE
FEDERAL AVIATION ADMINISTRATION
WESTERN-PACIFIC REGIONAL OFFICE
HAWTHORNE, CA

Prospectus Number: PCA-01-HA15
Congressional District: 33, 43

Executive Summary

The U.S. General Services Administration (GSA) proposes a new lease of up to 154,000 rentable square feet (RSF) for the Federal Aviation Administration (FAA) located in the Hawthorne Federal Building (HFB) in Hawthorne, California.

The new lease will provide continued housing for FAA and will improve FAA office and overall utilization rates from 176 to 112 usable square feet (USF) per person and 261 to 187 USF per person, respectively. As a result of the improved utilization, the new lease will reduce the rentable square footage of the requirement by 19 percent, housing FAA personnel in 36,329 RSF less than the total of its current occupancies at the HFB location.

Description

Occupant:	FAA
Lease Type	New
Current Rentable Square Feet (RSF)	190,329 (Current RSF/USF = 1.22)
Proposed Maximum RSF:	154,000 (Proposed RSF/USF = 1.2)
Expansion/Reduction RSF:	36,329 Reduction
Current Usable Square Feet/Person:	261
Proposed Usable Square Feet/Person:	187
Proposed Maximum Lease Term:	20 Years
Expiration Dates of Current Leases:	NA
Delineated Area:	8-mile radius from Hawthorne Federal Building located at 15000 Aviation Boulevard Hawthorne, CA 90250
Number of Official Parking Spaces:	573
Scoring:	Operating lease

GSA PBS

PROSPECTUS – LEASE
FEDERAL AVIATION ADMINISTRATION
WESTERN-PACIFIC REGIONAL OFFICE
HAWTHORNE, CA

Prospectus Number: PCA-01-HA15
Congressional District: 33, 43

Maximum Proposed Rental Rate[1]:	$49.00 / RSF
Proposed Total Annual Cost[2]:	$7,546,000
Current Total Annual Cost:	$5,994,350 (fiscal year 2013 FAA rent paid to GSA)

Justification

The HFB has a serious structural deficiency. GSA is relocating FAA based on life-safety considerations. In addition, the relocation allows FAA to optimize its footprint (reduction of 18 percent) with more advanced workplace strategies.

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

[1] This estimate is for fiscal year 2015 and may be escalated by 2.0 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as a basis for negotiating with offerors to ensure that lease award is made in the best interest of the Government. Lease award shall not exceed the maximum rental rate as specified in this prospectus.

[2] New leases may contain an escalation clause to provide for annual changes in real estate taxes and operating costs.

GSA PBS

PROSPECTUS – LEASE
FEDERAL AVIATION ADMINISTRATION
WESTERN-PACIFIC REGIONAL OFFICE
HAWTHORNE, CA

Prospectus Number: PCA-01-HA15
Congressional District: 33, 43

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

Interim Leasing

Since FAA will remain housed in the HFB until it relocates to the new lease, interim leasing will not be necessary. There is no risk to the Government of a holdover tenancy.

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on September 29, 2014

Recommended: _____
Commissioner, Public Buildings Service

Approved: _____
Administrator, General Services Administration

August 2014

Housing Plan
Federal Aviation Administration

PCA-01-HA15
Hawthorne, CA

Locations	CURRENT						PROPOSED					
	Personnel		Usable Square Feet (USF)[1]				Personnel		Usable Square Feet (USF)			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
DOT-FAA	642	642	144,910	599	10,567	156,076	684	684	98,644	4,809	24,750	128,203
GSA - PBS	1	4	860	260	-	1,120	-	-				
Joint Use	-	-	1,439	509	8,047	9,994	-	-				
Vacant	-	-	1,684	-	-	1,684	-	-				
Total	**643**	**646**	**148,893**	**1,368**	**18,614**	**168,874**	**684**	**684**	**98,644**	**4,809**	**24,750**	**128,203**

Office Utilization Rate (UR)[2]		
	Current	Proposed
Rate	176	112

UR=average amount of office space per person
Current UR excludes 31,880 usf of office support space
Proposed UR excludes 21,177 usf of office support space

Overall UR[3]		
	Current	Proposed
Rate	261	187

R/U Factor[4]	Total USF	RSF/USF	Max RSF
Current	168,874	1.13	190,329
Proposed	128,203	1.20	154,000

Special Space	USF
AV	462
Data Center	1,539
Conference Training, Library	5,462
Food Service	462
IT computer and special	5,202
Comms Security Room	150
Secure Room	225
High Density Files	3,140
Medical Examination Room	254
Restrooms. Lactation	277
Simulator	1,538
UPS Room	462
Lobby and Secure Entry	923
Mail Room	923
Locker Room	923
Safe, secure files	577
Triangulation Room	231
Break / Pantry / Copy	2,000
Total	**24,750**

NOTES:

[1]USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.
[2]Calculation excludes Judiciary, Congress and agencies with less than 10 people
[3]USF/Person = housing plan total USF divided by total personnel
[4]R/U Factor = Max RSF divided by total USF

There was no objection.

RESILIENT FEDERAL FORESTS ACT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the Chair recognizes the gentleman from Arkansas (Mr. WESTERMAN) for 30 minutes.

Mr. WESTERMAN. Mr. Speaker, I rise tonight to talk about something that is positive that this body has done recently, something that is good for America and something that is good for our environment and good for our citizens. What I am talking about is the passage of the Resilient Federal Forests Act of 2015.

Mr. Speaker, this bill is good for trees. When we have healthy trees and when we have a healthy forest, then we also have better air quality; we have better water quality; we have better wildlife habitat; we have less fire danger; we protect private property and public property, and it is a win-win-win situation for our treasured natural resource of our Federal forest. It is a winning situation for America, as we are good stewards and we conserve this valuable resource that we have.

Now, what this bill does is it allows us to actively manage our forests. We have qualified personnel in our Forest Service, people who are trained as foresters, people who have the expertise and the experience to manage these forests in a sustainable way; yet our forest managers' hands have been tied in previous years.

They have been working hard with local constituents, local stakeholders in these collaborative efforts to come up with forest plans, forest management plans, so that they can manage the forests in a way that is good for the local economy, in a way that is good for the wildlife in the forest, in a way that is good for the health of the forest; yet these forest management plans have been held up through frivolous lawsuits from outside groups, sometimes as far as a thousand miles away that file a suit against these plans.

They hold them up in court, and at the end of the day, the forest is not managed properly. Because of this, we have seen an increasing amount of forest fires over the past several decades.

Because of these increased forest fires, we are destroying our valuable natural resource. Not only are we destroying our resource, we are destroying our budget for the Forest Service. Currently, the single greatest cost to the Forest Service is fire suppression, and the next cost is litigation, and where the cost should be, in the management and health of the forest, comes in third.

What the Resilient Federal Forests Act of 2015 would do, it would take the focus off of fire suppression and put that focus on fire prevention. These are forestry practices that I have seen carried out in my home State of Arkansas.

In my district, the Fourth District, I have approximately 2.5 million acres of Federal forest inside my district, on the Ouachita National Forest, on the Ozark National Forest, and also in four different U.S. Fish and Wildlife service areas.

Fortunately, in Arkansas, we have been able to manage these forests in a way that is good for the forest. A lot of this was done in an effort to protect an endangered species, the red-cockaded woodpecker. What our Forest Service employees have done is they have gone into the forests, they have assessed it, and they determined what would create the best habitat for this endangered species. They found that a habitat with an open understory, one which has large nesting trees for the woodpecker, is great habitat for the woodpecker.

They implemented a plan to go in and thin the forest—not clear-cut it, but thin it—and then develop a fire regime to keep the underbrush out. You might think that thinning the forest and burning the forest would cause a decrease in biodiversity, but our foresters saw something quite the opposite. Our forests in Arkansas were much like the ones across the country, many forests out West. They had been cut as much as a century ago and allowed just to grow back with the only management being putting the fires out when they start.

What happens in a situation like this is forests are dynamic; they continue to grow until they fill up all the growing space, and then they start competing with one another. When they compete with one another, they get weak; they are subject to insect and disease attack.

You get more fuel that falls on to the forest floor, creating a fuel load; you get dead and weakened timber, and you get a lightning strike, and it burns the whole forest down.

When you manage the forest, when you thin it and you use controlled burns, you open up the canopy; you open up the forest floor, and you see a flush of fauna, and you see biodiversity increase tremendously.

At the same time as the biodiversity and plant life increases, you get a flush in wildlife. On these plots in Arkansas, not only did we see an increase in numbers in red-cockaded woodpecker, we saw an increase in the bobwhite quail, in wild turkeys, in deer, in several other songbird species.

This management scheme is good for the forest; it is good for the wildlife; it creates cleaner air; it creates cleaner water. Again, it is a win-win situation. By applying these management practices—and they will be different as you go across the country in different regions.

As we let the local professionals and the local stakeholders manage the forests the way it was intended to be managed, we will create a healthy forest, which is good for all the local communities where these forests are located.

Another thing that we have done in this bill is we strengthened the secure rural schools provisions. We stipulate that 25 percent of funding has to go into local counties to provide emergency services to fund schools. This is critical for these local communities where forest activities around the national forests have greatly decreased over the past several decades.

We used to cut nearly 12 billion board feet of timber off of the forests. Now, we are down to less than 3 billion board feet per year. Many of these local economies depended on those forests. As we quit cutting timber and the infrastructure to process the timber left, these communities suffered all across our country where these natural forests are located.

This bill will allow funding to go to these communities, so that they continue to provide emergency services, so they can continue to provide funds for education and help to grow the communities.

Another provision in this bill is it allows the salvaging of timber after a catastrophic event. Now, a clear cut actually mimics a wildfire in the forest; so when you have a wildfire that is a stand-replacing fire, it causes the damage when the fire occurs.

In forestry terms, the land is essentially being clear-cut when the fire happens, but you will still have dead standing trees. These trees need to be salvaged. They have value, value that can be extracted and used to reforest the land, value that not only creates value in reforestation, it also cleans up the land, so you can reforest it and prevent future fire dangers.

What has happened in the past is the salvage cuts have been held up in court again, and you get standing dead timber that, the next time a fire comes through, it makes it dangerous for our firefighters to go in and fight the fire.

What this bill does is it still requires an environmental assessment of the area, but it speeds the process in that, and it prevents injunctions from allowing these salvage cuts so that this timber can be salvaged, and the revenue is used to go back into the Forest Service to reforest these lands and, again, provide the management practices to have healthy forests.

What happens now is we see, after a catastrophic event, we get only 3 percent of regeneration or reforestation of the land. This bill requires that, after the catastrophic event, we have to have 75 percent reforestation after a period of 5 years.

The 5-year timeframe gives foresters time to come in and assess the efforts that they put forth and to correct any problems that they have had in restoring these forests.

This bill, again, is very critical and very much needed. It has the support of, I believe, 117 different organizations, from wildlife groups, from environmental groups, many tribes across the country, many county governments. People recognize the benefits of this bill and the benefits that can come to our country if we enact this legislation.

Unfortunately, the bill is held up in the Senate right now, and as the fire season increases out West and we see more and more of our natural treasure and our Federal forests going up in flames, it should become more imperative for the Senate to take up this bill and pass it and for the President to sign it into law.

As I have stated in committee hearings when we were pushing this bill through, the forests don't really pay attention to what we legislate here in Washington, D.C.

□ 2000

They are dynamic, living organisms. They continue to grow. They continue to fill up the growing space. They are more reactive to what happens in nature.

We need to be proactive in managing these forests—managing them to be healthy, managing them to be more resistant to wildfire and inspects and diseases. I call on the Senate and the President to take up this legislation, to pass it, and to move America forward with healthy forests.

Mr. Speaker, I yield to the gentleman from Washington (Mr. NEWHOUSE).

RECOGNIZING MAKENNA SCHWAB

Mr. NEWHOUSE. Mr. Speaker, I have got something I think is very important and something I think you are going to enjoy.

Sometimes we learn about some very remarkable people, individuals who, when we hear about them, make us pause, stop, and think about how much they inspire and really make a difference.

Today, I want to recognize one such person, a young lady of 12 years old by the name of Makenna Schwab. She lives in the community of East Wenatchee, Washington, which happens to be in my legislative district in the State of Washington.

Makenna was born with something called Larsen syndrome, which is a rare connective tissue disorder that causes bone dislocations. This affects her airway, spine, and joints. This remarkable young lady has already undergone 14 surgeries in her short life.

Four years ago, Makenna and her mother, Melissa, wanted to give something back to Seattle Children's Hospital, which over the course of her life has been their home away from home. She said she wanted to give something back because Seattle Children's has made it so that she can walk and live independently. So she decided to sell lemonade and cookies, a perfectly natural thing for a 12-year-old to decide. This young lady raised more than $6,700 that year for Children's Hospital.

The family knew they could do more. They wanted to do more. So the next year, she and her family collected over 650 new toys for the kids at the hospital. But even that wasn't enough. The following year, she wanted to do even more. So she sold 530 dozen donuts, raising more than $7,500 to go towards Seattle Children's Hospital.

This year, Mr. Speaker, she set her sights even higher. According to Seattle Children's Hospital's Kathryn Bluher, Makenna's goal was to give the kids at the hospital something that was very important, near and dear to her heart. She wanted to give them red Radio Flyer wagons.

I know you are smiling, Mr. Speaker, but that was an important thing because, in between her appointments throughout her young life, traveling between her room to the operating room to the playroom, the red Radio Flyer wagon was her ride. And she rode in style. She said that those wagons are a really good memory. They were less scary than a wheelchair.

The support that she got to reach her goal in this year's fundraising I think was nothing short of amazing. Makenna collected enough to purchase 33 wagons for the hospital. Friends, family, the mayor of the city, Wenatchee High School, a group of local dentists, even assisted living homes helped in the effort. The whole community pitched in. Actually, the hospital had to tell her that that was enough wagons.

She moved on to other things that were on the wish list. By the end of the drive, she had those 33 wagons, but she also had 36 DVD players, 12 headphones, five baby swings, 280 gift cards, 300 new toys, and many other things.

Makenna and her family have started a tradition that will live on, that has and will continue to make kids' stay at the Seattle Children's Hospital just a little less scary. As Makenna said, ''I want to give kids hope.''

Well, in May, and very deservedly so, Makenna received a national Make a Difference Day award for her volunteer project on behalf of the hospital.

As I told you before, sometimes you hear of remarkable people, and I am very proud to be able to share McKenna's story with you. I am proud to say that she is a fine citizen of my congressional district and my State of Washington.

Mr. WESTERMAN. Mr. Speaker, may I inquire how much time I have remaining?

The SPEAKER pro tempore. The gentleman has 14 minutes remaining.

INCREASING VA ACCOUNTABILITY AND EXPANDING OPPORTUNITY FOR VETERANS

Mr. WESTERMAN. Mr. Speaker, I would also like to talk about some other positive things that this body has done here, as we approach the August break. This has to do with the VA.

Since the wait list manipulation scandal was brought to the public's attention last year, Americans have become all too familiar with incompetence and misconduct at the Federal agency charged with helping our veterans.

The House Veterans' Affairs Committee has held dozens of hearings; the head of the U.S. Department of Veterans Affairs resigned under congressional pressure; and Congress has enacted major reform legislation.

The Veterans' Access to Care through Choice, Accountability, and Transparency Act created a 3-year program to allow veterans to seek care from private providers if they live too far from a VA facility or cannot otherwise get an appointment within 14 days. It also gave the VA Secretary the authority to fire senior executives for poor performance and required a top-to-bottom study of the entire Department to be completed within 1 year of enactment.

However, even with this oversight, the Obama administration has failed to correct the problems. We continue to hear about unacceptable patient wait times, unanswered benefit inquiries, patient safety concerns, medical malpractice, flagrant mismanagement, infighting, corruption, and years of construction delays that total millions of dollars.

When government failure is exposed and legislation aimed at restoring accountability is enacted, it makes sense that action would be swift and immediate: people would be fired; wrongs would begin to be made right. Unfortunately, that has not been the case at the Department of Veterans Affairs. While there are as many as 1,000 employees that could potentially face disciplinary actions, the VA has only fired three people for involvement in the scandal.

Our veterans have earned our respect, and they shouldn't have to wait in line for months or years just to see a doctor. New documents show that one out of every three waiting for care at the VA has already died, and recent reports reveal there are now 50 percent more veterans on wait lists for a month or longer than last summer.

When our brave servicemembers come home, we have to keep our word to them by modernizing our VA system to deliver the best care in the world. In the 114th Congress, House Republicans have passed numerous pieces of legislation designed to help veterans and increase accountability at the VA.

In February, the Clay Hunt Suicide Prevention for American Veterans Act was signed into law and provides veterans with access to the mental healthcare resources they need.

Last week, the House passed the Veterans Information Modernization Act,

which would give Congress and the public access to key data regarding the delivery of health care, medical services, and nursing home care by the VA healthcare system.

Many veterans have contacted us expressing their frustration at having to carry official Department of Defense discharge papers to prove their military service, and last week, legislation was signed into law to create an official identification card for veterans.

Just this week, we have passed the VA Accountability Act, which would provide the VA Secretary with increased flexibility in removing employees who fail our veterans; the Hire More Heroes Act, which would make it easier to hire veterans by exempting those who already have health insurance from being counted as full-time employees under ObamaCare; the Veterans' Compensation Cost-of-Living Adjustment Act, which would provide an annual cost-of-living adjustment for veterans receiving disability compensation; and the Ruth Moore Act, which would update regulations for veterans seeking financial compensation for mental health conditions linked to sexual assault while they were serving in the military.

The House also had to pass legislation that included provisions to allow the VA to transfer funds within its budget to cover an unexpected $2.5 billion shortfall in hospital and medical care accounts. Without this fix, the agency said it would start shutting down hospital operations in August.

It is critically important that we take care of those who have sacrificed so much in service to our country. This week, Congress has continued its efforts to meet our responsibility to America's veterans. However, we cannot transform the VA alone. It is the President's responsibility to ensure changes are made within the agency and employees are held accountable for their actions.

America's veterans deserve a meaningful, decisive plan to right the many wrongs that have been committed. It is past time for the Obama administration to change the culture at the VA and end this agencywide pattern of misconduct and neglect.

Mr. Speaker, I yield back the balance of my time.

REPUBLICANS ARE DELIVERING RESULTS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2015, the Chair recognizes the gentlewoman from North Carolina (Ms. FOXX) for 30 minutes.

Ms. FOXX. Mr. Speaker, I want to compliment my two colleagues who have just spoken on the floor. I compliment Mr. NEWHOUSE from the State of Washington for highlighting a very important event in his district involving a significant constituent of his.

I particularly would also like to recognize Mr. WESTERMAN from Arkansas for getting H.R. 2647 passed, the Resilient Federal Forests Act of 2015. It is really a coup for a freshman to get such a significant bill passed so early in his or her career. It is a major bill, a significant bill, and I want to compliment him on bringing his expertise in forestry to the House of Representatives. We need people with all kinds of backgrounds here who can help get things that the American people need for us to do on their behalf, and certainly that bill is going to do a lot for American people all across this country.

Mr. Speaker, it has been said that no one hears about the plane that landed safely. What that very apt adage suggests is that we are often unaware of good work being done every day, and it isn't until something goes wrong that people take notice. So, Mr. Speaker, I want to just highlight for a few minutes this evening the great work that this Congress has been doing in the past 4½ years, and particularly during the 114th Congress, which began in January.

Under the leadership of House Republicans, we have been doing very good work in tackling the difficult issues facing this Nation. We are advancing solutions that build a healthy economy, empowering every American to pursue his or her future, to reach his or her full potential and achieve a better life. Here, Mr. Speaker, are just a few specifics of what we have been accomplishing.

First, the House is more open. That may sound a little strange to people, but it is important that the American people understand that, under the majority leadership of Republicans, we have considered over 200 more amendments than the average over the last 25 years in the House of Representatives.

The House is more collaborative. House committees have passed 10.2 percent of bills out of committee compared to a 40-year average of only 6 percent of bills being passed.

The House is, overall, more productive. The House passed 193 bills in the first quarter, well above the 40-year average of 127. Of those, 32 have also passed the Senate—more than the 25-year average of 29.

□ 2015

The House is more effective. Over the last 30 years, only one other Republican-controlled House had more bills enacted in law to this point, and this Congress is above the 40-year average of 29 bills enacted with 32.

The American people want us to come to Washington, use our time well, and work on their behalf to get the things done that they see need to be done. We are working on our main focus, which are jobs and the economy.

Mr. Speaker, tomorrow's good-paying jobs will come from the freedom to innovate from the bottom up, with organic growth, not from top-down bureaucracies in Washington, D.C., looking out for themselves and attempting, always, to control the American people.

Mr. Speaker, we have passed many bills, as I have said before. One is the Small Business Regulatory Flexibility Improvements Act, H.R. 527, which was approved by the House by a vote of 260–163 in February of this year. That is a bipartisan vote, Mr. Speaker.

We passed the Unfunded Mandates Information and Transparency Act, H.R. 50, by a bipartisan vote of 250–173.

We passed the Death Tax Repeal Act, H.R. 1105, by a vote of 240–179; this is often called the death tax; it is sometimes called the estate tax, but it hits, Mr. Speaker, not just wealthy people, but average people with huge, unfair taxes.

This bill would provide certainty for families and allow small businesses to focus on growing new jobs and is the smart thing to do for our economy.

Mr. Speaker, much of the economic turmoil that has gripped this Nation is the result of the Federal Government spending beyond its means. In North Carolina, I hear often from constituents who are worried about our ballooning national debt, which threatens economic stability and jeopardizes the American dream for our families.

Irresponsible spending isn't fair to our kids, who must repay the debt, and it is not good for the economy.

Unknown to many Americans, the House Republican majority has cut Federal spending 2 years in a row for the first time since the Korean war. We banned earmarks and achieved the most significant spending reductions in modern history. We have protected tax cuts for 99 percent of individuals and families.

We passed a balanced budget conference agreement which balances the budget within 10 years, without raising taxes, and achieves more than $5 trillion in savings. It is the first joint 10-year balanced budget resolution since 2001.

We have passed the Student Success Act, which replaces No Child Left Behind, by reducing the Federal footprint in education, restoring local control, and empowering parents and education leaders to hold schools accountable for effectively teaching students. It stops the Federal Government from coercing states into adopting Common Core.

We expanded and strengthened 529 college savings plans by a vote of 401–20, a very strong bipartisan vote.

We have passed an energy policy, the Keystone XL Pipeline Approval Act, the Natural Gas Pipeline Permitting Reform Act. We have passed the LNG Permitting Certainty and Transparency Act. We have passed Improving Coal Combustion Residuals Regulation Act of 2015.

Mr. Speaker, we are working on the economy, on bringing down the cost of energy, on providing for national security.

We have passed the National Defense Authorization Act, H.R. 1735, and are in conference now with the Senate on this bill.

We have passed the National Cybersecurity Protection Advancement Act, again, by a very large bipartisan vote, 355–63.

We have passed the Protecting Cyber Networks Act by a large bipartisan vote of 307–116.

We have passed a bill signed into law by the President in June, the USA Freedom Act, which ends the bulk collection of data at the National Security Agency, prevents government overreach, strengthens protections for Americans' civil liberties, and increases the transparency of certain national security authorities.

As my colleague from Arkansas talked about previous to my coming on the floor, we have passed several bills to honor our veterans. They have earned our respect, and they shouldn't have to wait in line for months or years to see a doctor.

When our brave servicemembers come home, we have to keep our word to them by modernizing our VA system to deliver the best care in the world, and we have kept our promises to our veterans.

Mr. Speaker, we have focused also on the human side of what needs to be done in our society. We have passed the Justice for Victims of Trafficking Act. It was signed into law on May 29, 2015. Human trafficking is a major problem in our country, and we are doing all that we can to diminish it and eliminate it.

Mr. Speaker, we have passed the Pain-Capable Unborn Child Protection Act with a bipartisan vote, H.R. 36. We expect that bill to be passed in the Senate.

We have also passed the No Taxpayer Funding for Abortion Act. It was approved by the House in January. This bill would permanently free taxpayers from subsidizing abortion or insurance coverage that includes abortion. Mr. Speaker, we care very much for the most vulnerable among us.

We are also doing everything we can through our hearings to hold President Obama and the executive branch accountable in conjunction with our constitutional duties. We continue to look for ways to improve what the Department of Veterans Affairs does.

We have witnessed the incompetence of the Office of Personnel Management, which allowed its records of Federal employees to be hacked.

We have held hearings on the Secret Service scandal.

We have done everything we can to stop the EPA from imposing its clean water rule, which is very tough on our farmers in particular, but on people all over this country.

We have challenged, again, ObamaCare in court with the U.S. House of Representatives vs. Burwell lawsuit; and we hope for a positive result from that.

We are also continuing our investigations into other scandals of this administration, including the situation in Benghazi. Last fall, House investigators learned that former Secretary of State Hillary Clinton used a private email server located in her home, rather than an official email account, as required by administration policy. She also failed to preserve her official emails for government records as required by the Federal Records Act.

Without the diligent work of the Select Committee on Benghazi, this highly questionable email arrangement would have remained secret. Because of a select committee deposition of Sidney Blumenthal, a former aide to President Bill Clinton, the committee was able to demonstrate that, despite former Secretary Clinton's assertions to the contrary, she did not produce all of her official emails to the State Department.

The select committee is deposing senior State Department officials, including Clinton's closest aides, and will call former Secretary Clinton as a witness as soon as the State Department produces all of the records owed to the committee.

We are continuing our investigation of the IRS and its unlawful targeting of conservatives.

Mr. Speaker, this is the people's House, and we Republicans in the majority will continue to do the work of the American people by passing appropriate legislation and by holding this administration accountable for what it should be doing and what it has done that is inappropriate.

The Republican-led House, Mr. Speaker, in the past 7 months, has delivered real results that would solve many of the challenges that face our Nation, but there is still more to do to make the outdated models in Washington, D.C., more effective, efficient, and accountable.

As we go home to our districts for the August recess, not a vacation, but an opportunity for us to be in our districts, to be with our constituents, to hear from our constituents what their concerns are, we will be gathering more ideas for legislation and come back to Congress in September with a renewed commitment to do the people's business in the people's House.

Mr. Speaker, I yield back the balance of my time.

SENATE BILL AND CONCURRENT RESOLUTION REFERRED

A bill and a concurrent resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 764. An act to reauthorize and amend the National Sea Grant College Program Act, and for other purposes; to the Committee on Natural Resources.

S. Con. Res. 20. Concurrent resolution recognizing and honoring the 25th anniversary of the date of enactment of the Americans with Disabilities Act of 1990; to the Committee on Education and the Workforce; in addition, to the Committee on Transportation and Infrastructure, the Committee on the Judiciary, and the Committee on Energy and Commerce for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on July 27, 2015, she presented to the President of the United States, for his approval, the following bills:

H.R. 2499. To amend the Small Business Act to increase access to capital for veteran entrepreneurs, to help create jobs, and for other purposes.

H.R. 1626. To reduce duplication of information technology at the Department of Homeland Security, and for other purposes.

ADJOURNMENT

Ms. FOXX. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 28 minutes p.m.), under its previous order, the House adjourned until Friday, July 31, 2015, at 1 p.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

2318. A letter from the Regulatory Specialist, LRA, Office of the Comptroller of the Currency, Department of the Treasury, transmitting the Department's Major final rule — Loans in Areas Having Special Flood Hazards [Docket ID: OCC-2014-0016] (RIN: 1557-AD84) received July 22, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Financial Services.

2319. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the 2012 Progress Report on Understanding the Long-Term Health Effects of Living Organ Donation, pursuant to 42 U.S.C. 273b, as added by the Charlie W. Norwood Living Organ Donation Act (Public Law 110-144); to the Committee on Energy and Commerce.

2320. A letter from the Assistant Secretary for Legislation, Office of the Secretary, Department of Health and Human Services, transmitting the FY 2013 Report on the Preventive Medicine and Public Health Training Grant and Integrative Medicine Programs, pursuant to Sec. 768(d) of the Public Health Service Act, Pub. L. 78-410, as amended by

Sec. 10501(m) of the Patient Protection and Affordable Care Act, Pub. L. 111-148; to the Committee on Energy and Commerce.

2321. A letter from the Assistant Secretary for Legislation, Office of the Secretary, Department of Health and Human Services, transmitting the FY 2013 and 2014 ''Report to Congress on the Nurse Education, Practice, Quality and Retention Program'', pursuant to Secs. 831 and 831A of Title VIII of the Public Health Service Act, Pub. L. 78-410, as amended by Sec. 5309 of the Patient Protection and Affordable Care Act, Pub. L. 111-148; to the Committee on Energy and Commerce.

2322. A letter from the Assistant Secretary for Legislation, Office of the Secretary, Department of Health and Human Services, transmitting the report to Congress on the State Health Care Workforce Development Grant Program, pursuant to Sec. 5102 of the Affordable Care Act, Pub. L. 111-148; to the Committee on Energy and Commerce.

2323. A letter from the Secretary, Department of the Treasury, transmitting the six-month periodic report on the national emergency with respect to terrorists who threatened to disrupt the Middle East peace process that was declared in Executive Order 12947 of January 23, 1995, pursuant to 50 U.S.C. 1641(c); 50 U.S.C. 1703(c); and Executive Order 13313 of July 31, 2003; to the Committee on Foreign Affairs.

2324. A letter from the Assistant Legal Adviser, Office of Treaty Affairs, Department of State, transmitting a report prepared by the Department of State concerning international agreements, other than treaties entered into by the United States, to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act, pursuant to 1 U.S.C. 112b; to the Committee on Foreign Affairs.

2325. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the 2015 Advancing Freedom and Democracy Report, pursuant to Sec. 2121 of Pub. L. 110-53; to the Committee on Foreign Affairs.

2326. A letter from the Executive Analyst (Political), Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998, Pub. L. 105-277, 5 U.S.C. 3345-3349d; to the Committee on Oversight and Government Reform.

2327. A letter from the Executive Analyst (Political), Department of Health and Human Services, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998, Pub. L. 105-277 as codified in 5 U.S.C. 3345 et seq; to the Committee on Oversight and Government Reform.

2328. A letter from the Executive Analyst (Political), Department of Health and Human Services, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998, Pub. L. 105-277 as codified in 5 U.S.C. 3345 et seq; to the Committee on Oversight and Government Reform.

2329. A letter from the Director, Office of National Drug Control Policy, Executive Office of the President, transmitting the FY 2014 Accounting of Drug Control Funds Report and the FY 2014 Performance Summary Report, pursuant to Sec. 705(d) and Sec. 704(b)(14), respectively, of the Office of National Drug Control Policy Reauthorization Act of 1998, as amended; to the Committee on Oversight and Government Reform.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. GOODLATTE: Committee on the Judiciary. H.R. 9. A bill to amend title 35, United States Code, and the Leahy-Smith America Invents Act to make improvements and technical corrections, and for other purposes; with an amendment (Rept. 114–235). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 1992. A bill to reduce temporarily the royalty required to be paid for sodium produced on Federal lands, and for other purposes (Rept. 114–236). Referred to the Committee of the Whole House on the state of the Union.

Mr. CHAFFETZ: Committee on Oversight and Government Reform. H.R. 3116. A bill to extend by 15 years the authority of the Secretary of Commerce to conduct the quarterly financial report program (Rept. 114–237). Referred to the Committee of the Whole House on the state of the Union.

Mr. CHAFFETZ: Committee on Oversight and Government Reform. H.R. 1759. A bill to amend title 5, United States Code, to provide for the publication, by the Office of Information and Regulatory Affairs, of information related to rulemakings, and for other purposes (Rept. 114–238, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. GOODLATTE: Committee on the Judiciary. H.R. 1759. A bill to amend title 5, United States Code, to provide for the publication, by the Office of Information and Regulatory Affairs, of information relating to rulemakings, and for other purposes (Rept. 114–238, Pt. 2). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. GARRETT:

H.R. 3273. A bill to prohibit assistance to Iran to develop, use, or protect any technology or other assets of Iran's nuclear program, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. JOHNSON of Georgia (for himself, Mr. CARTER of Georgia, Mr. BISHOP of Georgia, Mr. WESTMORELAND, Mr. LEWIS, Mr. TOM PRICE of Georgia, Mr. WOODALL, Mr. AUSTIN SCOTT of Georgia, Mr. COLLINS of Georgia, Mr. JODY B. HICE of Georgia, Mr. LOUDERMILK, Mr. ALLEN, Mr. DAVID SCOTT of Georgia, and Mr. GRAVES of Georgia):

H.R. 3274. A bill to designate the facility of the United States Postal Service located at 4567 Rockbridge Road in Pine Lake, Georgia, as the ''Francis Manuel Ortega Post Office''; to the Committee on Oversight and Government Reform.

By Mr. ELLISON:

H.R. 3275. A bill to authorize the Secretary of Housing and Urban Development to provide grants and loans to owners of dated manufactured homes for the replacement of such dated manufactured homes with Energy Star-qualified manufactured or modular homes, and for other purposes; to the Committee on Financial Services.

By Mr. ELLISON:

H.R. 3276. A bill to amend the Help America Vote Act of 2002 to require States to provide for same day registration; to the Committee on House Administration.

By Mr. ELLISON:

H.R. 3277. A bill to prohibit election officials from requiring individuals to provide photo identification as a condition of obtaining or casting a ballot in an election for Federal office or registering to vote in elections for Federal office, and for other purposes; to the Committee on House Administration.

By Mr. ROYCE (for himself, Mr. COOK, Ms. HAHN, Mr. RANGEL, and Mr. PETERS):

H.R. 3278. A bill to amend title 38, United States Code, to ensure that the Secretary of Veterans Affairs is informed of the interment of unclaimed deceased veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. COLLINS of Georgia (for himself, Mr. COHEN, Mrs. LUMMIS, Mr. SCHRADER, Mr. GOSAR, and Mr. PETERSON):

H.R. 3279. A bill to amend titles 5 and 28, United States Code, to require annual reports to Congress on, and the maintenance of databases on, awards of fees and other expenses to prevailing parties in certain administrative proceedings and court cases to which the United States is a party, and for other purposes; to the Committee on the Judiciary.

By Mr. SWALWELL of California (for himself, Mr. HUDSON, and Ms. STEFANIK):

H.R. 3280. A bill to amend the Workforce Innovation and Opportunity Act to require one-stop delivery systems under such Act to offer services through Internet websites and to direct the Secretary of Labor to develop standards and best practices for such websites, and for other purposes; to the Committee on Education and the Workforce.

By Mr. CALVERT (for himself and Mr. TAKANO):

H.R. 3281. A bill to authorize the purchase of a small parcel of Natural Resources Conservation Service property in Riverside, California, by the Riverside Corona Resource Conservation District, and for other purposes; to the Committee on Agriculture.

By Mr. FARENTHOLD (for himself and Mr. LYNCH):

H.R. 3282. A bill to strengthen Federal consumer protection and product traceability with respect to commercially marketed seafood, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Agriculture, Natural Resources, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POLIQUIN:

H.R. 3283. A bill to amend the Fair Labor Standards Act of 1938 to exempt from certain age-related restrictions in the labor laws 16- and 17-year-old individuals employed by their parents in certain logging activities, and to direct the Secretary of Transportation to establish a program to allow States to enter into interstate compacts to standardize the age requirements for operators of commercial motor vehicles; to the Committee on Education and the Workforce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KATKO (for himself, Ms. SCHAKOWSKY, Mr. COLLINS of New York, Mr. KING of New York, Mr. KENNEDY, Ms. MCCOLLUM, and Mr. LANCE):

H.R. 3284. A bill to amend the Public Health Service Act to provide for the establishment of a mesothelioma patient registry, and for other purposes; to the Committee on Energy and Commerce.

By Mr. PASCRELL (for himself, Mr. COHEN, Mr. CAPUANO, Ms. LINDA T. SÁNCHEZ of California, Mr. LARSON of Connecticut, Mr. DANNY K. DAVIS of Illinois, Mr. GRIJALVA, Ms. BROWN of Florida, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. BISHOP of Georgia, Mr. DAVID SCOTT of Georgia, Mr. HONDA, Mr. PAYNE, Ms. JUDY CHU of California, Mr. TAKAI, Mr. RANGEL, Mr. POCAN, Ms. LEE, Mr. GUTIÉRREZ, Mr. ELLISON, and Mr. THOMPSON of California):

H.R. 3285. A bill to provide for a study by the Institute of Medicine on health disparities, to direct the Secretary of Health and Human Services to develop guidelines on reducing health disparities, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COOK (for himself and Ms. GABBARD):

H.R. 3286. A bill to encourage effective, voluntary private sector investments to recruit, employ, and retain men and women who have served in the United States military with annual presidential awards to private sector employers recognizing such efforts, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. MARCHANT (for himself and Mrs. BLACK):

H.R. 3287. A bill to amend the Internal Revenue Code of 1986 to clarify the treatment of banks organized as limited liability companies; to the Committee on Ways and Means.

By Mr. MARCHANT (for himself and Mr. BOUSTANY):

H.R. 3288. A bill to amend title XVIII of the Social Security Act to change the method of determining disproportionate share hospital (DSH) payments under the Medicare program, and for other purposes; to the Committee on Ways and Means.

By Mr. LOWENTHAL (for himself, Mr. GRIJALVA, Ms. NORTON, Mr. GALLEGO, Mr. BEYER, Mr. POCAN, Mr. POLIS, Mr. CARTWRIGHT, Mr. TONKO, Ms. CASTOR of Florida, Mr. HONDA, Mr. VAN HOLLEN, and Ms. MCCOLLUM):

H.R. 3289. A bill to prevent the waste of gas produced under oil and gas leases on Federal land and to collect royalty on all gas production; to the Committee on Natural Resources.

By Ms. JACKSON LEE (for herself, Mr. LEWIS, Mr. CONYERS, Ms. NORTON, Mr. COHEN, Mrs. DINGELL, Mr. HINOJOSA, Mr. CUELLAR, Mr. JOHNSON of Georgia, Mr. MEEKS, Mr. CARSON of Indiana, Mr. VEASEY, Mr. DANNY K. DAVIS of Illinois, and Mrs. KIRKPATRICK):

H.R. 3290. A bill to award a Congressional Gold Medal to Lyndon Baines Johnson, the 36th President of the United States whose visionary leadership secured passage of the landmark Voting Rights Act of 1965, Social Security Amendments Act (Medicare) of 1965, Civil Rights Act of 1964, Higher Education Act of 1965, and Immigration and Naturalization Act of 1965; to the Committee on Financial Services.

By Mr. RYAN of Wisconsin:

H.R. 3291. A bill to amend title XVIII of the Social Security Act to develop a crosswalk between HCPCS and MS-DRG codes for similar hospital services; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BRADY of Texas:

H.R. 3292. A bill to amend title XVIII of the Social Security Act to revise Medicare payment for indirect medical education (IME) costs in teaching hospitals; to the Committee on Ways and Means.

By Mr. SMITH of Texas (for himself, Mr. LIPINSKI, Mr. LUCAS, Mr. GRAYSON, Mrs. COMSTOCK, Mr. MOOLENAAR, Mr. WEBER of Texas, Mr. KNIGHT, Mr. BRIDENSTINE, Mr. WESTERMAN, Mr. BABIN, Mr. BROOKS of Alabama, Mr. LOUDERMILK, Mr. JOHNSON of Ohio, Mr. ROHRABACHER, Mr. NEUGEBAUER, Mr. POSEY, Mr. PALMER, Mr. ABRAHAM, and Mr. NEWHOUSE):

H.R. 3293. A bill to provide for greater accountability in Federal funding for scientific research, to promote the progress of science in the United States that serves that national interest; to the Committee on Science, Space, and Technology.

By Mrs. ELLMERS of North Carolina (for herself, Mr. DEFAZIO, and Mr. ROONEY of Florida):

H.R. 3294. A bill to establish a program to assist in the importation and care of abused, injured, or abandoned nonhuman primates; to the Committee on Energy and Commerce.

By Mr. CUMMINGS:

H.R. 3295. A bill to make supplemental appropriations for fiscal year 2015; to the Committee on Appropriations, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. BLACK (for herself, Mr. MILLER of Florida, Mr. BARLETTA, Mr. DUNCAN of Tennessee, Mr. CHABOT, Mr. FINCHER, Mr. FLEISCHMANN, Mr. DONOVAN, Mrs. BLACKBURN, Mr. OLSON, Mr. WESTMORELAND, Mr. BABIN, Mr. PEARCE, Mr. MCCLINTOCK, Ms. JENKINS of Kansas, Mr. SALMON, Mr. CONAWAY, Mr. HARPER, Mr. LAMALFA, Mr. YOUNG of Alaska, Mr. GOHMERT, Mr. CURBELO of Florida, Mr. ROUZER, Mr. COLLINS of Georgia, Mr. POE of Texas, and Mr. NUGENT):

H.R. 3296. A bill to clarify that the oath of allegiance to the United States administered in the naturalization process may not be altered; to the Committee on the Judiciary.

By Mr. GRIFFITH:

H.R. 3297. A bill to reform the National Flood Insurance Program, and for other purposes; to the Committee on Financial Services.

By Mr. BRADY of Texas (for himself and Mr. KIND):

H.R. 3298. A bill to amend title XVIII of the Social Security Act to provide for value-based purchasing of post-acute care services under the Medicare program, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. BROOKS of Indiana (for herself and Ms. ESHOO):

H.R. 3299. A bill to amend the Public Health Service Act to ensure preparedness for chemical, radiological, biological, and nuclear threats, and for other purposes; to the Committee on Energy and Commerce.

By Mr. PITTENGER (for himself and Ms. SINEMA):

H.R. 3300. A bill to reduce waste and implement cost savings and revenue enhancement for the Federal Government; to the Committee on Oversight and Government Reform, and in addition to the Committees on Energy and Commerce, Ways and Means, Foreign Affairs, Financial Services, House Administration, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. JOLLY:

H.R. 3301. A bill to prohibit Federal funding of Planned Parenthood Federation of America; to the Committee on Energy and Commerce.

By Mr. OLSON (for himself, Mr. ROE of Tennessee, and Mr. BABIN):

H.R. 3302. A bill to sunset the authority exercised by the Secretary of Homeland Security through U.S. Citizenship and Immigration Services, and for other purposes; to the Committee on the Judiciary.

By Mr. CARTWRIGHT (for himself, Mr. RYAN of Ohio, Mr. LOWENTHAL, and Mr. GRIJALVA):

H.R. 3303. A bill to amend the Mineral Leasing Act to improve coal royalties, and for other purposes; to the Committee on Natural Resources, and in addition to the Committees on Energy and Commerce, Transportation and Infrastructure, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CARTWRIGHT (for himself, Ms. BONAMICI, Mr. BRADY of Pennsylvania, Ms. BROWNLEY of California, Mr. CAPUANO, Mr. DOGGETT, Ms. EDWARDS, Mr. ELLISON, Ms. ESHOO, Ms. JACKSON LEE, Mr. JOHNSON of Georgia, Mr. JONES, Ms. KELLY of Illinois, Ms. KUSTER, Mr. MCGOVERN, Mr. MURPHY of Florida, Mr. POCAN, Mr. POSEY, Mr. RYAN of Ohio, Mr. SWALWELL of California, Mr. VELA, Mrs. WATSON COLEMAN, Mr. YARMUTH, Mr. TURNER, Mr. DEFAZIO, Mr. GENE GREEN of Texas, Ms. MCCOLLUM, Mr. HASTINGS, Mr. LANGEVIN, Mr. HIGGINS, Mr. GRAYSON, Ms. LINDA T. SÁNCHEZ of California, and Mr. COHEN):

H.R. 3304. A bill to require foreign manufacturers of products imported into the United States to establish registered agents in the United States who are authorized to accept service of process against such manufacturers; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HURD of Texas (for himself, Mr. MCCAUL, and Mr. RATCLIFFE):

H.R. 3305. A bill to help enhance American network security and mitigate cybersecurity risks, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on

Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RUSH:

H.R. 3306. A bill to authorize the export of energy resources, energy technologies, and related services to Cuba, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. HARTZLER:

H.R. 3307. A bill to amend the Richard B. Russell National School Lunch Act by repealing the paid lunch equity requirements; to the Committee on Education and the Workforce.

By Mr. GRAYSON (for himself, Mr. BRENDAN F. BOYLE of Pennsylvania, Ms. BROWN of Florida, Mrs. BUSTOS, Mr. POCAN, Ms. JUDY CHU of California, Mr. CLYBURN, Mr. COHEN, Mr. DANNY K. DAVIS of Illinois, Mr. DELANEY, Ms. DELAURO, Mrs. DINGELL, Mr. DOGGETT, Ms. EDWARDS, Mr. ENGEL, Mr. FATTAH, Mr. FARR, Mr. GRIJALVA, Mr. GUTIÉRREZ, Ms. HAHN, Mr. HASTINGS, Mr. HINOJOSA, Mr. HONDA, Mr. KENNEDY, Mrs. LOWEY, Mr. MCGOVERN, Mr. NADLER, Mrs. NAPOLITANO, Mr. NOLAN, Mr. PAYNE, Mr. PERLMUTTER, Ms. PINGREE, Ms. ROYBAL-ALLARD, Mr. RUPPERSBERGER, Mr. RUSH, Ms. LINDA T. SÁNCHEZ of California, Mr. SCOTT of Virginia, Mr. SERRANO, Mr. SIRES, Mr. VAN HOLLEN, Mr. VEASEY, Ms. VELÁZQUEZ, Ms. MAXINE WATERS of California, Mrs. WATSON COLEMAN, Mr. YARMUTH, Mr. DESAULNIER, Mr. TAKAI, Mr. GARAMENDI, Mr. TAKANO, Mr. VELA, Ms. SLAUGHTER, Mr. LOWENTHAL, Mr. MCDERMOTT, Mrs. TORRES, Mr. CLAY, Mr. CARTWRIGHT, Ms. BASS, Mr. CONYERS, Ms. JACKSON LEE, Mr. DEUTCH, Mr. ASHFORD, Ms. KELLY of Illinois, Ms. MOORE, Mr. ELLISON, Mr. CICILLINE, Ms. BROWNLEY of California, Mr. CASTRO of Texas, Mr. DAVID SCOTT of Georgia, Mr. BUTTERFIELD, Ms. LEE, Mr. CUMMINGS, Mr. RYAN of Ohio, Mr. RANGEL, Mr. BRADY of Pennsylvania, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. CARSON of Indiana, and Mr. LANGEVIN):

H.R. 3308. A bill to expand Medicare coverage to include eyeglasses, hearing aids, and dental care; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. ELLMERS of North Carolina:

H.R. 3309. A bill to amend titles XVIII and XIX of the Social Security Act to improve the electronic health records meaningful use programs under the Medicare and Medicaid programs, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. ROS-LEHTINEN (for herself, Mr. CURBELO of Florida, Mr. DIAZ-BALART, Mr. DUNCAN of South Carolina, Mr. WITTMAN, Mr. GRAVES of Louisiana, Mr. LAMALFA, Mrs. RADEWAGEN, Mr. MILLER of Florida, Ms. GRAHAM, Mr. YOHO, Mr. CRENSHAW, Mr. DESANTIS, Mr. MICA, Mr. POSEY, Mr. WEBSTER of Florida, Mr. NUGENT, Mr. BILIRAKIS, Mr. JOLLY, Mr. ROSS, Mr. BUCHANAN, Mr. ROONEY of Florida, Mr. CARTER of Georgia, Mr. AUSTIN SCOTT of Georgia, Mrs. WALORSKI, Mr. BOUSTANY, Mr. ABRAHAM, Mr. JONES, Mr. GUINTA, Mr. SENSENBRENNER, and Mr. GROTHMAN):

H.R. 3310. A bill to preserve access to public waters and maintain the vital role of States in fisheries management decisions; to the Committee on Natural Resources.

By Mr. BLUMENAUER (for himself, Mr. CONYERS, Mr. POLIS, Ms. DELAURO, Mr. LANGEVIN, Mrs. CAPPS, Mr. RANGEL, Mr. HUFFMAN, Mr. POCAN, Ms. NORTON, Mr. WELCH, Ms. TSONGAS, Mr. HONDA, Mr. MCDERMOTT, Ms. EDWARDS, Ms. MCCOLLUM, Mr. CICILLINE, Mr. MCGOVERN, Mr. VAN HOLLEN, Mr. TED LIEU of California, and Mr. PASCRELL):

H.R. 3311. A bill to amend the Internal Revenue Code of 1986 to repeal fossil fuel subsidies for oil companies; to the Committee on Ways and Means.

By Ms. ADAMS (for herself, Mr. PITTENGER, Mr. KATKO, and Ms. MENG):

H.R. 3312. A bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to make grants for establishing coordinated networks of services and resources for veterans and their families; to the Committee on Veterans' Affairs.

By Mr. MCCAUL (for himself and Mr. RATCLIFFE):

H.R. 3313. A bill to amend the Homeland Security Act of 2002 to strengthen the ability of the Secretary of Homeland Security to detect and prevent intrusions against, and to use countermeasures to protect, agency information systems, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BABIN:

H.R. 3314. A bill to suspend the admission into the United States of refugees in order to examine the costs of providing benefits to such individuals, and for other purposes; to the Committee on the Judiciary.

By Mr. BABIN (for himself, Mr. GENE GREEN of Texas, and Mr. POE of Texas):

H.R. 3315. A bill to amend the Water Resources Development Act of 1986 with respect to the maximum cost of projects, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. BARLETTA (for himself, Mr. DESAULNIER, Mr. THOMPSON of Pennsylvania, and Ms. PINGREE):

H.R. 3316. A bill to amend the Richard B. Russell National School Lunch Act to require the Secretary of Agriculture to make loan guarantees and grants to finance certain improvements to school lunch facilities, to train school food service personnel, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committees on Agriculture, and Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BILIRAKIS (for himself, Ms. ESTY, and Mr. JOLLY):

H.R. 3317. A bill to require the Government Accountability Office to conduct periodic reviews of the flood insurance rates and flood insurance rate maps under the national flood insurance program, and for other purposes; to the Committee on Financial Services.

By Mr. BLUM (for himself and Mr. CRAMER):

H.R. 3318. A bill to require the Secretary of the Treasury to modify regulations to increase the amount of the de minimis safe harbor election for exemption from capital expenditures for taxpayers without certain financial statements; to the Committee on Ways and Means.

By Mr. BLUMENAUER (for himself and Mr. HUFFMAN):

H.R. 3319. A bill to direct the Postmaster General to conduct a pilot program to provide nonpostal services at certain post offices, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BOUSTANY:

H.R. 3320. A bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to enter into contracts with administrative contractors for the processing of claims for hospital care and medical services furnished in non-Department of Veterans Affairs facilities; to the Committee on Veterans' Affairs.

By Mr. BOUSTANY:

H.R. 3321. A bill to amend the Internal Revenue Code of 1986 to allow the volumetric excise tax credit for liquid fuel derived from natural gas through the Fischer-Tropsch process; to the Committee on Ways and Means.

By Mr. BUTTERFIELD:

H.R. 3322. A bill to establish a Residence Star program, and for other purposes; to the Committee on Energy and Commerce.

By Mr. CARTER of Georgia:

H.R. 3323. A bill to amend title XXVII of the Public Health Service Act to improve health care coverage under vision and dental plans, and for other purposes; to the Committee on Energy and Commerce.

By Mr. CICILLINE (for himself and Mr. WILSON of South Carolina):

H.R. 3324. A bill to direct the Secretary of Defense to submit to Congress a report regarding opportunities to equip certain foreign military entities, and for other purposes; to the Committee on Armed Services.

By Mr. CICILLINE (for himself, Mr. COSTA, Mr. HONDA, Mr. KEATING, and Mr. MCGOVERN):

H.R. 3325. A bill to establish the Azores Cooperative Initiative Program; to the Committee on Foreign Affairs.

By Mr. COLLINS of Georgia (for himself, Mr. NADLER, Mr. HOLDING, Mr. JEFFRIES, Mr. CHABOT, Mr. CONYERS, Mr. SMITH of Texas, Ms. DELBENE, Mr. HANNA, Mr. RICHMOND, Mr. MARINO, Mr. FRANKS of Arizona, Mr. REED, Mr. GUTHRIE, Mr. FARENTHOLD, and Mr. DEUTCH):

H.R. 3326. A bill to amend chapter 90 of title 18, United States Code, to provide Federal jurisdiction for the theft of trade secrets, and for other purposes; to the Committee on the Judiciary.

By Mr. COLLINS of New York:

H.R. 3327. A bill to prohibit the awarding of Federal Pell Grants to incarcerated individuals, and for other purposes; to the Committee on Education and the Workforce.

By Mr. COLLINS of New York (for himself, Mr. DENHAM, Mr. KATKO, and Mr. HANNA):

H.R. 3328. A bill to require Federal agencies to review certain rules and regulations, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Small Business, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CONAWAY:

H.R. 3329. A bill to increase the number of operational aircraft carriers; to the Committee on Armed Services.

By Mr. COOPER (for himself and Mr. MULVANEY):

H.R. 3330. A bill to prohibit the consideration in the House of Representatives of any legislation containing an earmark; to the Committee on Rules.

By Mr. DANNY K. DAVIS of Illinois:

H.R. 3331. A bill to amend the Safe and Drug-Free Schools and Communities Act to include bullying and harassment prevention programs; to the Committee on Education and the Workforce.

By Mr. DANNY K. DAVIS of Illinois (for himself and Mr. RUSH):

H.R. 3332. A bill to amend title 18, United States Code, to provide a criminal penalty for torture committed by law enforcement officers and others acting under color of law; to the Committee on the Judiciary.

By Mr. DANNY K. DAVIS of Illinois:

H.R. 3333. A bill to amend title 18, United States Code, to restore the former system of good time allowances toward service of Federal prison terms, and for other purposes; to the Committee on the Judiciary.

By Mr. RODNEY DAVIS of Illinois (for himself and Mr. NADLER):

H.R. 3334. A bill to direct the Secretary of Transportation to issue regulations with respect to ensuring families are able to sit together on flights, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. RODNEY DAVIS of Illinois (for himself, Mr. BOST, and Mr. WALZ):

H.R. 3335. A bill to amend title 38, United States Code, to provide certain employees of Members of Congress and certain employees of State or local governmental agencies with access to case-tracking information of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Ms. DEGETTE:

H.R. 3336. A bill to designate certain lands in the State of Colorado as components of the National Wilderness Preservation System, and for other purposes; to the Committee on Natural Resources.

By Ms. DELAURO (for herself, Mr. BRENDAN F. BOYLE of Pennsylvania, Mrs. CAPPS, Mr. CARSON of Indiana, Mr. CARTWRIGHT, Ms. JUDY CHU of California, Mr. CICILLINE, Ms. CLARK of Massachusetts, Mr. CLAY, Mr. CONYERS, Ms. DELBENE, Mr. DESAULNIER, Mr. DEUTCH, Ms. DUCKWORTH, Mr. ELLISON, Ms. ESHOO, Ms. ESTY, Mr. FARR, Mr. FATTAH, Mr. GARAMENDI, Mr. AL GREEN of Texas, Mr. GENE GREEN of Texas, Mr. GRIJALVA, Mr. JOHNSON of Georgia, Mr. HECK of Washington, Mr. HIMES, Ms. NORTON, Mr. HONDA, Mr. HUFFMAN, Mr. ISRAEL, Ms. KAPTUR, Mr. KEATING, Ms. KUSTER, Mr. LANGEVIN, Mr. LARSEN of Washington, Mr. LARSON of Connecticut, Mrs. LAWRENCE, Ms. LEE, Mr. LIPINSKI, Ms. LOFGREN, Mr. LOWENTHAL, Mrs. LOWEY, Mr. LYNCH, Ms. MATSUI, Ms. MCCOLLUM, Mr. MCGOVERN, Mr. NOLAN, Ms. PINGREE, Mr. POCAN, Mr. PRICE of North Carolina, Mr. RICHMOND, Mr. RYAN of Ohio, Mr. SCHIFF, Mr. SCOTT of Virginia, Mr. SERRANO, Ms. SLAUGHTER, Ms. SPEIER, Mr. TAKANO, Mr. TONKO, Mr. VAN HOLLEN, Mr. VEASEY, Mr. WALZ, Mr. WELCH, Mr. YARMUTH, Ms. CLARKE of New York, Ms. BONAMICI, Ms. EDWARDS, Mr. COURTNEY, Mr. SARBANES, Mr. AGUILAR, and Mr. CÁRDENAS):

H.R. 3337. A bill to facilitate efficient investments and financing of infrastructure projects and new job creation through the establishment of a National Infrastructure Development Bank, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Transportation and Infrastructure, Financial Services, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DUFFY (for himself, Mr. CONNOLLY, Ms. DELBENE, Ms. ROS-LEHTINEN, Mr. MULVANEY, Mr. AMODEI, Mrs. KIRKPATRICK, Mr. BISHOP of Georgia, Mr. CLYBURN, Ms. JACKSON LEE, Mr. COLE, Mr. SMITH of Nebraska, Mr. ASHFORD, Ms. KUSTER, Mr. SHERMAN, Mr. POLIQUIN, Ms. BROWNLEY of California, Mr. WEBER of Texas, Mr. KILMER, Mr. JODY B. HICE of Georgia, Mr. KING of New York, Mr. BENISHEK, Mr. WESTMORELAND, and Mr. KNIGHT):

H.R. 3338. A bill to establish a fund to make payments to the Americans held hostage in Iran and their immediate family members, who are identified as members of the proposed class in case number 1:00-CV-03110 (EGS) of the United States District Court for the District of Columbia, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Foreign Affairs, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. ELLMERS of North Carolina (for herself, Ms. WASSERMAN SCHULTZ, and Mrs. BLACKBURN):

H.R. 3339. A bill to amend title XVIII of the Social Security Act to protect coverage for screening mamography; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. EMMER of Minnesota:

H.R. 3340. A bill to place the Financial Stability Oversight Council and the Office of Financial Research under the regular appropriations process, to provide for certain quarterly reporting and public notice and comment requirements for the Office of Financial Research, and for other purposes; to the Committee on Financial Services.

By Ms. ESHOO:

H.R. 3341. A bill to designate the portion of Moffett Federal Airfield, California, containing the 129th Rescue Wing of the California Air National Guard as Moffett Air National Guard Base; to the Committee on Armed Services.

By Mr. FLEMING:

H.R. 3342. A bill to provide for stability of title to certain lands in the State of Louisiana, and for other purposes; to the Committee on Natural Resources.

By Mr. FOSTER (for himself and Mr. DEUTCH):

H.R. 3343. A bill to provide for improvements in the treatment of detainees, and for other purposes; to the Committee on the Judiciary.

By Ms. FRANKEL of Florida (for herself, Mr. CLEAVER, and Mr. CICILLINE):

H.R. 3344. A bill to enhance the capabilities of metropolitan planning organizations, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. GOSAR (for himself, Mrs. KIRKPATRICK, Mr. FRANKS of Arizona, Mr. AMODEI, and Ms. SINEMA):

H.R. 3345. A bill to amend the Radiation Exposure Compensation Act for purposes of making claims under such Act based on exposure to atmospheric nuclear testing, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. GRAHAM:

H.R. 3346. A bill to provide support for the development of middle school career exploration programs linked to career and technical education programs of study; to the Committee on Education and the Workforce.

By Mr. AL GREEN of Texas (for himself, Mr. GENE GREEN of Texas, Mr. RANGEL, Mr. DANNY K. DAVIS of Illinois, Mr. BURGESS, and Mr. OLSON):

H.R. 3347. A bill to amend title XIX of the Social Security Act to provide incentives for education on the risk of renal medullary carcinoma in individuals who are receiving medical assistance under such title and who have Sickle Cell Disease; to the Committee on Energy and Commerce.

By Mr. AL GREEN of Texas (for himself, Mr. POE of Texas, and Mr. DUFFY):

H.R. 3348. A bill to direct the Attorney General to create a special reward program for individuals providing information leading to the apprehension and conviction of persons committing offenses under section 1030 of title 18, United States Code, and for other purposes; to the Committee on the Judiciary.

By Ms. HERRERA BEUTLER (for herself and Mr. SCHRADER):

H.R. 3349. A bill to amend the Water Resources Development Act of 2000 to allow certain private entities to receive expedited permits; to the Committee on Transportation and Infrastructure.

By Mr. HIGGINS (for himself, Mr. THOMPSON of Mississippi, and Mr. KING of New York):

H.R. 3350. A bill to require a terrorism threat assessment regarding the transportation of chemical, biological, nuclear, and radiological materials through United States land borders and within the United States, and for other purposes; to the Committee on Homeland Security.

By Mr. HONDA (for himself, Mr. ELLISON, Mr. GRAYSON, Mr. GARAMENDI, Mrs. LAWRENCE, and Mr. CONYERS):

H.R. 3351. A bill to provide for cost-of-living increases for certain Federal benefits

programs based on increases in the Consumer Price Index for the elderly; to the Committee on Ways and Means, and in addition to the Committees on Veterans' Affairs, Oversight and Government Reform, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HULTGREN:

H.R. 3352. A bill to amend the Patient Protection and Affordable Care Act and the Internal Revenue Code of 1986 to provide greater flexibility with respect to waivers granted to States, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HUNTER (for himself, Mr. MCCLINTOCK, and Mr. CALVERT):

H.R. 3353. A bill to amend the Federal Water Pollution Control Act to limit attorney fees and penalties in citizen suits, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. JACKSON LEE (for herself and Mr. CONYERS):

H.R. 3354. A bill to amend title 18, United States Code, to provide an alternate release date for certain nonviolent offenders, to amend title 18, United States Code, with respect to the computation of the good time credit toward service of sentences of imprisonment, and for other purposes; to the Committee on the Judiciary.

By Ms. JENKINS of Kansas (for herself and Mr. LEWIS):

H.R. 3355. A bill to amend title XVIII of the Social Security Act to allow physician assistants, nurse practitioners, and clinical nurse specialists to supervise cardiac, intensive cardiac, and pulmonary rehabilitation programs; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. JENKINS of Kansas (for herself and Mr. BLUMENAUER):

H.R. 3356. A bill to amend titles XVIII and XIX of the Social Security Act with respect to the qualification of the director of food services of a Medicare skilled nursing facility or a Medicaid nursing facility; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. JOHNSON of Ohio:

H.R. 3357. A bill to amend the Mineral Leasing Act to require payment to counties of a portion of revenues received by the United States under Federal oil and gas leases; to the Committee on Natural Resources.

By Mr. KEATING (for himself and Mr. KATKO):

H.R. 3358. A bill to require the Secretary of Homeland Security to ensure that sex offenders to be released from the custody of Immigration and Customs Enforcement are registered on sex offender registry, and relevant State, tribal, and local authorities are notified of their release, and for other purposes; to the Committee on the Judiciary.

By Mr. KILMER (for himself, Mrs. BROOKS of Indiana, Ms. BONAMICI, and Mr. HANNA):

H.R. 3359. A bill to provide for loan repayment for teachers in high-need schools; to the Committee on Education and the Workforce.

By Mr. KILMER (for himself and Mr. RIGELL):

H.R. 3360. A bill to provide for identity protection coverage and other services for individuals exposed to the OPM security breaches, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. KING of New York (for himself, Mr. HIGGINS, Mr. BARLETTA, Mr. KATKO, and Mr. DONOVAN):

H.R. 3361. A bill to amend the Homeland Security Act of 2002 to establish the Insider Threat Program, and for other purposes; to the Committee on Homeland Security.

By Ms. KUSTER:

H.R. 3362. A bill to allow employers a credit against income tax as an incentive to partner with community colleges or other educational institutions to improve workforce development and job training for students; to the Committee on Ways and Means.

By Mr. LAMALFA (for himself, Mr. DEFAZIO, Mr. STEWART, Mr. ZINKE, Mr. HUFFMAN, Mr. YOUNG of Alaska, Ms. DEGETTE, and Ms. SINEMA):

H.R. 3363. A bill to implement reforms to the Federal land management agency fire programs in order to address the complexities of 21st century wildfires in a more cost-effective and efficient manner; to the Committee on Oversight and Government Reform.

By Mr. LARSEN of Washington (for himself, Mrs. BEATTY, Mr. BLUMENAUER, Mr. CARTWRIGHT, Ms. JUDY CHU of California, Mr. CLAY, Mr. CLYBURN, Mr. COHEN, Mr. CUMMINGS, Mr. DANNY K. DAVIS of Illinois, Ms. DELBENE, Ms. DEGETTE, Mr. ELLISON, Ms. HAHN, Mr. HECK of Washington, Mr. HIMES, Mr. ISRAEL, Ms. JACKSON LEE, Mr. JOHNSON of Georgia, Mr. FARR, Mr. SEAN PATRICK MALONEY of New York, Ms. NORTON, Mr. RICHMOND, Mr. SMITH of Washington, Ms. TSONGAS, Mr. DEUTCH, Mr. KILMER, Mr. CICILLINE, Mr. MCDERMOTT, Ms. ESTY, Mr. MEEKS, Ms. TITUS, Mr. BISHOP of Georgia, and Mr. RUSH):

H.R. 3364. A bill to amend the Help America Vote Act of 2002 to permit an individual who is subject to a requirement to present identification as a condition of voting in an election for Federal office to meet such requirement by presenting a sworn written statement attesting to the individual's identification, and for other purposes; to the Committee on House Administration.

By Mr. LARSEN of Washington (for himself, Ms. DUCKWORTH, Ms. TITUS, Ms. JACKSON LEE, Mr. RUSH, Mr. SEAN PATRICK MALONEY of New York, and Ms. DELBENE):

H.R. 3365. A bill to improve the reproductive assistance provided by the Department of Defense and the Department of Veterans Affairs to severely wounded, ill, or injured members of the Armed Forces, veterans, and their spouses or partners, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. LAWRENCE:

H.R. 3366. A bill to amend the Higher Education Act of 1965 to allow an individual to qualify for both teacher loan forgiveness and public service loan forgiveness, and for other purposes; to the Committee on Education and the Workforce.

By Mr. LEWIS:

H.R. 3367. A bill to reauthorize the Assets for Independence Act, to provide for the approval of applications to operate new demonstration programs and to renew existing programs, to enhance program flexibility, and for other purposes; to the Committee on Ways and Means.

By Mr. LEWIS:

H.R. 3368. A bill to amend title XX of the Social Security Act to provide grants to support job creation initiatives, and for other purposes; to the Committee on Ways and Means.

By Mr. LOEBSACK:

H.R. 3369. A bill to establish an Office of Rural Education Policy in the Department of Education, make other modifications to Federal law to improve rural schools, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. LOFGREN (for herself and Mr. GUTIÉRREZ):

H.R. 3370. A bill to amend the Immigration and Nationality Act to promote innovation, investment, and research in the United States, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Education and the Workforce, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LOUDERMILK (for himself, Mr. CARTER of Georgia, and Mr. WESTMORELAND):

H.R. 3371. A bill to adjust the boundary of the Kennesaw Mountain National Battlefield Park to include the Wallis House and Harriston Hill, and for other purposes; to the Committee on Natural Resources.

By Mrs. LOVE (for herself, Mr. WELCH, Mr. GOWDY, Mr. HUNTER, and Ms. FUDGE):

H.R. 3372. A bill to establish the Higher Education Regulatory Reform Task Force, to expand the experimental sites initiative under the Higher Education Act of 1965 to reduce college costs for students, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LOWENTHAL:

H.R. 3373. A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to review certain whistleblower complaints; to the Committee on Veterans' Affairs.

By Mr. LOWENTHAL:

H.R. 3374. A bill to amend title 38, United States Code, to provide for the payment of childcare assistance to certain single parents who are participating in a Department of Veterans Affairs vocational rehabilitation program, and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. LOWEY (for herself, Mrs. CAROLYN B. MALONEY of New York, Mr. CICILLINE, Mr. DESAULNIER, Ms. FRANKEL of Florida, Ms. LEE, Mr.

ENGEL, Mr. HONDA, Mr. BEYER, Mr. JOHNSON of Georgia, and Mr. SERRANO):

H.R. 3375. A bill to amend chapter 44 of title 18, United States Code, to extend the period during which a firearms licensee is required to wait for a response from the national instant criminal background check system before being allowed to transfer a firearm to a prospective transferee; to the Committee on the Judiciary.

By Mrs. LOWEY:

H.R. 3376. A bill to authorize States to carry out bridge construction, maintenance, repair, and replacement projects using previously allocated surface transportation funds that are identified as being excess or inactive, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mrs. LOWEY (for herself, Mr. CARTWRIGHT, Mr. SCHIFF, Ms. NORTON, Mr. GRIJALVA, Ms. KAPTUR, Ms. BROWN of Florida, Ms. EDWARDS, Mr. MCDERMOTT, Ms. SCHAKOWSKY, Ms. MCCOLLUM, Ms. MATSUI, Ms. DELAURO, Mr. POCAN, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mrs. KIRKPATRICK, Mr. GALLEGO, Ms. FRANKEL of Florida, Mr. NADLER, Ms. KUSTER, Ms. JACKSON LEE, Mrs. DINGELL, Ms. PLASKETT, Mr. VAN HOLLEN, Ms. LEE, Mr. CONYERS, Ms. CLARKE of New York, Ms. MOORE, Ms. BROWNLEY of California, Ms. SLAUGHTER, Ms. SINEMA, Mr. FATTAH, Ms. MENG, Mrs. WATSON COLEMAN, Ms. SPEIER, Mr. DELANEY, Mr. QUIGLEY, Mr. HONDA, Mr. RYAN of Ohio, Mr. ENGEL, Ms. TITUS, Ms. CLARK of Massachusetts, Mr. MCGOVERN, and Mr. TAKANO):

H.R. 3377. A bill to amend title II of the Social Security Act to credit prospectively individuals serving as caregivers of dependent relatives with deemed wages for up to five years of such service; to the Committee on Ways and Means.

By Mrs. CAROLYN B. MALONEY of New York (for herself, Ms. BONAMICI, Ms. SLAUGHTER, Ms. FRANKEL of Florida, Mr. GRIJALVA, Mrs. DAVIS of California, Mr. PRICE of North Carolina, Ms. SPEIER, Mr. DEUTCH, Ms. NORTON, Mr. RANGEL, Ms. LEE, Mr. SEAN PATRICK MALONEY of New York, and Ms. MOORE):

H.R. 3378. A bill to direct the Federal Trade Commission to prescribe rules prohibiting deceptive advertising of abortion services; to the Committee on Energy and Commerce.

By Mr. SEAN PATRICK MALONEY of New York (for himself and Mr. HANNA):

H.R. 3379. A bill to direct the Administrator of the Federal Aviation Administration to initiate a rulemaking with respect to aircraft medical kits, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. MARINO (for himself and Mr. PIERLUISI):

H.R. 3380. A bill to provide the Department of Justice with additional tools to target extraterritorial drug trafficking activity, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCCAUL (for himself, Mr. VAN HOLLEN, Ms. SPEIER, Mr. FLORES, Mr. FITZPATRICK, Mr. HINOJOSA, Mr. STIVERS, Mr. CAPUANO, Mr. KING of New York, Ms. EDWARDS, Mrs. COMSTOCK, Mr. HANNA, Mr. BEN RAY LUJÁN of New Mexico, Mr. HUNTER, Mr. PASCRELL, Mr. GARAMENDI, Ms. JACKSON LEE, Ms. WILSON of Florida, Mr. VEASEY, Mr. HIMES, Ms. CLARK of Massachusetts, Ms. CASTOR of Florida, Mr. SIRES, Ms. TITUS, Mr. NOLAN, Mr. DOGGETT, Mr. MCGOVERN, Mr. RANGEL, and Ms. FRANKEL of Florida):

H.R. 3381. A bill to maximize discovery, and accelerate development and availability, of promising childhood cancer treatments, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MCCLINTOCK (for himself and Mr. AMODEI):

H.R. 3382. A bill to amend the Lake Tahoe Restoration Act to enhance recreational opportunities, environmental restoration activities, and forest management activities in the Lake Tahoe Basin, and for other purposes; to the Committee on Natural Resources, and in addition to the Committees on Agriculture, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. MENG:

H.R. 3383. A bill to limit the number of hours that children may be employed as actors, performers, and models, to require blocked trust accounts for the financial protection of such children, to clarify the liability of employers, contractors, and other individuals for sexual harassment of such child performers, and for other purposes; to the Committee on Education and the Workforce.

By Ms. MENG (for herself, Mr. GALLEGO, Mrs. KIRKPATRICK, Ms. NORTON, Mr. CROWLEY, Mrs. LOWEY, Mr. ISRAEL, Mr. QUIGLEY, Mr. GRIJALVA, Miss RICE of New York, and Ms. CLARK of Massachusetts):

H.R. 3384. A bill to reestablish the Office of Noise Abatement and Control in the Environmental Protection Agency, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NOLAN:

H.R. 3385. A bill to require pipelines regulated by the Secretary of Transportation to be made of steel that is produced in the United States and originates from iron ore and taconite mined and processed in the United States, for safety, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NORCROSS:

H.R. 3386. A bill to require the Secretary of Energy to establish a pilot competitive grant program for the development of a skilled energy workforce, and for other purposes; to the Committee on Education and the Workforce.

By Ms. NORTON:

H.R. 3387. A bill to amend the Freedom of Information Act, the Privacy Act, and the Federal Advisory Committee Act to apply the requirements of such Acts to the Smithsonian Institution, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. NUGENT (for himself, Mr. COLLINS of Georgia, Mr. GIBSON, Mr. SESSIONS, Mrs. BLACK, and Mr. BURGESS):

H.R. 3388. A bill to amend title 37, United States Code, to impose a statute of limitations on the ability of the Department of Defense to recover certain indebtedness owed to the United States by members of the uniformed services, including retired and former members, and for other purposes; to the Committee on Armed Services.

By Mr. NUNES (for himself, Mr. LAMALFA, Mr. VALADAO, Mrs. MIMI WALTERS of California, Mr. KLINE, and Mr. COOK):

H.R. 3389. A bill to amend section 320301 of title 54, United States Code, to require certain procedures for designating national monuments, and for other purposes; to the Committee on Natural Resources.

By Mr. PASCRELL (for himself, Mr. FITZPATRICK, and Mr. NEAL):

H.R. 3390. A bill to amend the Internal Revenue Code of 1986 to provide credits for the production of renewable chemicals and investments in renewable chemical production facilities, and for other purposes; to the Committee on Ways and Means.

By Mr. PERRY:

H.R. 3391. A bill to provide Governors of States with the authority to withhold Federal financial assistance from units of local government that do not comply with the immigration laws, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PETERS (for himself, Mr. SALMON, Mr. FARR, and Ms. SINEMA):

H.R. 3392. A bill to amend the Energy Policy Act of 2005 to require the Secretary of Energy to consider the objective of improving the conversion, use, and storage of carbon dioxide produced from fossil fuels in carrying out research and development programs under that Act; to the Committee on Science, Space, and Technology.

By Mr. POSEY (for himself and Mr. ROSS):

H.R. 3393. A bill to amend the Truth in Lending Act to clarify that the points and fees in connection with a mortgage loan do not include certain compensation amounts already taken into account in setting the interest rate on such loan, and for other purposes; to the Committee on Financial Services.

By Mr. POSEY (for himself, Mr. TROTT, Mr. DEUTCH, and Mr. JOHNSON of Georgia):

H.R. 3394. A bill to amend the Terrorism Risk Insurance Act of 2002 to allow for the use of certain assets of foreign persons and entities to satisfy certain judgments against terrorist parties, and for other purposes; to the Committee on the Judiciary.

By Mr. QUIGLEY (for himself, Mr. CÁRDENAS, Ms. LEE, Mr. BLUMENAUER, Mr. CICILLINE, Mr. POCAN, Mr. PRICE of North Carolina, Mr. MCGOVERN, and Mr. GRIJALVA):

H.R. 3395. A bill to prevent the illegal sale of firearms, and for other purposes; to the Committee on the Judiciary.

By Mr. RANGEL (for himself, Mr. MCDERMOTT, Ms. SLAUGHTER, Mr.

CONYERS, Mr. CÁRDENAS, Ms. CASTOR of Florida, Mr. HASTINGS, Mr. CUMMINGS, Mr. MCGOVERN, Mr. POCAN, and Ms. CLARKE of New York):

H.R. 3396. A bill to address the dramatic increase of HIV/AIDS in minority communities; to the Committee on Energy and Commerce.

By Mr. REED (for himself, Mr. PASCRELL, Mr. DIAZ-BALART, and Mr. DEFAZIO):

H.R. 3397. A bill to amend the Internal Revenue Code of 1986 to provide a credit for owning certain disaster resilient property; to the Committee on Ways and Means.

By Mr. REICHERT (for himself, Mr. KILMER, and Ms. HERRERA BEUTLER):

H.R. 3398. A bill to improve the condition and performance of the national multimodal freight network, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. RICHMOND (for himself, Mr. CHAFFETZ, Mr. SCOTT of Virginia, Mr. ROONEY of Florida, Mr. THOMPSON of Mississippi, and Mr. CLYBURN):

H.R. 3399. A bill to develop and implement national standards for the use of solitary confinement in correctional facilities, and for other purposes; to the Committee on the Judiciary.

By Mr. ROHRABACHER (for himself, Mr. KING of Iowa, and Mr. GOHMERT):

H.R. 3400. A bill to authorize the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of Kazakhstan, Tajikistan, and Uzbekistan; to the Committee on Ways and Means.

By Mr. ROONEY of Florida (for himself and Mr. RICHMOND):

H.R. 3401. A bill to reduce Federal overcriminalization, protect Americans from unjust punishment, and uphold the role of Congress by clarifying mens rea requirements for all Federal criminal offenses, creating an inventory of Federal offenses that carry a criminal penalty, and providing that no rule of the executive branch which may be enforced by criminal penalties can take effect unless a joint resolution of approval is enacted into law; to the Committee on the Judiciary, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RUPPERSBERGER:

H.R. 3402. A bill to strengthen the ability of the Secretary of Homeland Security to detect and prevent intrusions against, and to use countermeasures to protect, government agency information systems and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. SALMON (for himself, Mr. SESSIONS, and Ms. GRANGER):

H.R. 3403. A bill to amend the Higher Education Act of 1965 to protect victims of sexual violence, to improve the adjudication of allegations related to sexual violence, and for other purposes; to the Committee on Education and the Workforce.

By Mr. SALMON:

H.R. 3404. A bill to amend the Internal Revenue Code of 1986 to allow tax free distributions from health savings accounts for fitness facility membership and classes; to the Committee on Ways and Means.

By Mr. SALMON:

H.R. 3405. A bill to prohibit the Department of Health and Human Services from obligating or expending any funds for grants for developing or evaluating a video game to train parents in food parenting practices, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SENSENBRENNER (for himself, Mr. DANNY K. DAVIS of Illinois, Mr. GOODLATTE, Mr. CONYERS, Mr. CHABOT, Mr. SCOTT of Virginia, Mr. RODNEY DAVIS of Illinois, Ms. JACKSON LEE, Mr. FORBES, Mr. JOHNSON of Georgia, Mr. MARINO, Mr. CLYBURN, Mr. COLLINS of Georgia, Mr. CUMMINGS, Mr. STIVERS, Mr. VAN HOLLEN, Mr. JOHNSON of Ohio, Ms. CLARKE of New York, Mr. GIBSON, Mr. SCHIFF, Mr. WALKER, Mr. FATTAH, Mr. GUINTA, Ms. MOORE, Mr. ROONEY of Florida, Ms. EDWARDS, Mr. HARDY, Mr. COHEN, and Mr. RICHMOND):

H.R. 3406. A bill to reauthorize the Second Chance Act of 2007; to the Committee on the Judiciary.

By Mr. SENSENBRENNER (for himself, Mr. HARPER, and Mr. JONES):

H.R. 3407. A bill to amend the Internal Revenue Code of 1986 to remove the deduction for charitable contributions from the overall limitation on itemized deductions; to the Committee on Ways and Means.

By Mr. SESSIONS (for himself and Mrs. BROOKS of Indiana):

H.R. 3408. A bill to amend the Higher Education Act of 1965 to protect victims of sexual violence, to improve the adjudication by institutions of higher education of allegations related to sexual violence, and for other purposes; to the Committee on Education and the Workforce.

By Mr. SMITH of Missouri (for himself, Mr. DANNY K. DAVIS of Illinois, Mr. WOMACK, Mr. RODNEY DAVIS of Illinois, Mr. BARR, Mr. HOLDING, Mr. LONG, Mr. ROGERS of Kentucky, Mr. PRICE of North Carolina, and Mr. WELCH):

H.R. 3409. A bill to amend the Internal Revenue Code of 1986 to exclude payments received under the Work Colleges Program from gross income, including payments made from institutional funds; to the Committee on Ways and Means.

By Mr. SMITH of Washington (for himself, Mr. GRIJALVA, Ms. LEE, Mr. LARSEN of Washington, Ms. DELBENE, Mr. MCDERMOTT, and Mr. HECK of Washington):

H.R. 3410. A bill to authorize voluntary grazing permit retirement on Federal lands managed by the Department of Agriculture or the Department of the Interior where livestock grazing is impractical, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SPEIER (for herself, Mrs. CAPPS, Mr. CAPUANO, Mr. CARNEY, Mr. CICILLINE, Ms. CLARK of Massachusetts, Mr. CUMMINGS, Mr. ELLISON, Ms. FRANKEL of Florida, Ms. FUDGE, Ms. HAHN, Mr. ISRAEL, Mr. KENNEDY, Mr. LANGEVIN, Mr. LARSON of Connecticut, Ms. LEE, Mr. LOWENTHAL, Mr. LYNCH, Mrs. CAROLYN B. MALONEY of New York, Ms. NORTON, Mr. PASCRELL, Ms. PINGREE, Mr. QUIGLEY, Mr. SCHIFF, Mr. SHERMAN, Mr. SIRES, Ms. SLAUGHTER, Ms. TSONGAS, Mr. VAN HOLLEN, Mr. GARAMENDI, Mr. CONYERS, Mr. HIMES, Mr. PRICE of North Carolina, Mr. GRIJALVA, Ms. MCCOLLUM, Mr. MCDERMOTT, Mr. BLUMENAUER, Mr. FARR, Mr. PAYNE, Mr. PALLONE, and Ms. CASTOR of Florida):

H.R. 3411. A bill to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale; to the Committee on the Judiciary.

By Ms. SPEIER (for herself, Mr. BEYER, Mr. BLUMENAUER, Ms. BONAMICI, Mr. CARTWRIGHT, Ms. CLARKE of New York, Mr. COSTA, Mr. DEFAZIO, Ms. FRANKEL of Florida, Mr. GARAMENDI, Mr. GRAYSON, Mr. GRIJALVA, Mr. HINOJOSA, Mr. HUFFMAN, Mr. JOHNSON of Ohio, Mr. JONES, Mrs. KIRKPATRICK, Mr. LAMALFA, Mrs. LAWRENCE, Mrs. LOWEY, Mr. MCKINLEY, Mr. POLIS, Mr. RANGEL, Ms. SLAUGHTER, and Mr. VEASEY):

H.R. 3412. A bill to amend title 18, United States Code, and title 39, United States Code, to provide the United States Postal Service the authority to mail alcoholic beverages, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STIVERS (for himself, Mr. JOHNSON of Ohio, and Ms. FUDGE):

H.R. 3413. A bill to require a report on requirements and risks in connection with the use of radioisotopic power systems for space exploration beyond low-Earth orbit; to the Committee on Science, Space, and Technology.

By Mr. STIVERS (for himself, Mrs. BEATTY, and Mr. TAKANO):

H.R. 3414. A bill to improve the certification and licensing of employees and medical laboratories of the Department of Veterans Affairs that furnish prosthetic and orthotic services, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. THOMPSON of Mississippi:

H.R. 3415. A bill to prohibit subsidiaries of foreign-owned corporations from obtaining contracts for the performance of passenger and baggage security screening at domestic commercial airports, and for other purposes; to the Committee on Homeland Security.

By Mr. THOMPSON of Mississippi:

H.R. 3416. A bill to amend title 49, United States Code, to require that individuals seeking training in the operation of certain aircraft be checked against the terrorist watchlist to ensure that such individuals are non-threats to aviation, and for other purposes; to the Committee on Homeland Security.

By Mr. THOMPSON of Mississippi:

H.R. 3417. A bill to amend title 14, United States Code, to modify the process for congressional nomination of individuals for appointment as cadets at the Coast Guard Academy, to amend the Homeland Security Act of 2002 to require the Department of Homeland Security to establish a comprehensive recruitment and outreach plan for the Coast Guard Academy, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. THOMPSON of Mississippi:

H.R. 3418. A bill to enhance homeland security, including domestic preparedness and the collective response to terrorism, by improving the Federal Protective Service, and

for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. TITUS (for herself, Mr. TAKANO, and Miss RICE of New York):

H.R. 3419. A bill to authorize the Secretary of Veterans Affairs to make grants to eligible educational institutions to provide child care services on campus; to the Committee on Veterans' Affairs.

By Mr. TONKO (for himself, Mr. NADLER, Mr. PIERLUISI, Mr. LOWENTHAL, Ms. NORTON, Ms. CASTOR of Florida, Mr. CONNOLLY, Mr. CARSON of Indiana, Ms. SLAUGHTER, Mr. WELCH, and Mr. RUSH):

H.R. 3420. A bill to reauthorize the weatherization and State energy programs, and for other purposes; to the Committee on Energy and Commerce.

By Mr. WALKER (for himself, Mr. DESANTIS, Mr. YOHO, Mr. DUNCAN of South Carolina, Mr. SESSIONS, Mr. CHAFFETZ, Mr. BURGESS, Mr. GOSAR, Mr. COOK, Mr. HUELSKAMP, Mr. OLSON, Mr. BLUM, Mrs. LOVE, Mr. JODY B. HICE of Georgia, Mr. BRAT, Mr. LOUDERMILK, Mr. MEADOWS, Mr. RIBBLE, Mr. HUDSON, Mr. COFFMAN, Mr. HENSARLING, Mr. STEWART, Mr. DUNCAN of Tennessee, Mr. PALMER, Mr. BUCK, Mr. WEBSTER of Florida, Mr. BABIN, Mr. SALMON, Mr. MULVANEY, Mr. HULTGREN, Mr. BRADY of Texas, Mr. RATCLIFFE, Mr. AUSTIN SCOTT of Georgia, Mr. JORDAN, Mr. FRANKS of Arizona, Mr. LAMBORN, Mr. ROGERS of Alabama, Mr. WOODALL, Mr. MCCLINTOCK, Mr. SAM JOHNSON of Texas, Mr. LABRADOR, Mr. GOHMERT, Mr. MCCAUL, Mr. ROUZER, Mr. PALAZZO, Mr. MESSER, and Mr. CONAWAY):

H.R. 3421. A bill to allow a State to submit a declaration of intent to the Secretary of Education to combine certain funds to improve the academic achievement of students; to the Committee on Education and the Workforce.

By Mrs. WALORSKI (for herself and Mr. WALZ):

H.R. 3422. A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to establish credentialing requirements for medical vendors; to the Committee on Veterans' Affairs.

By Mr. WALZ (for himself, Mr. JONES, Mr. GIBSON, Miss RICE of New York, Mr. NOLAN, and Mr. TAKANO):

H.R. 3423. A bill to amend title 38, United States Code, and the Agent Orange Act of 1991 to extend the certain authorities of the Secretary of Veterans Affairs regarding associations between diseases and exposure to dioxin and other chemical compounds in herbicides; to the Committee on Veterans' Affairs.

By Ms. MAXINE WATERS of California (for herself and Ms. VELÁZQUEZ):

H.R. 3424. A bill to provide for extension of agreements between the Secretary of Housing and Urban Development and public housing agencies participating in the Moving to Work Demonstration Program, and for other purposes; to the Committee on Financial Services.

By Mr. WEBER of Texas (for himself, Mr. BABIN, Mr. HARRIS, Mr. JODY B. HICE of Georgia, Mr. KING of Iowa, Mr. SESSIONS, Mr. FLORES, Mr. RATCLIFFE, and Mr. CONAWAY):

H.R. 3425. A bill to amend title 18, United States Code, to give nationwide effect to the least restrictive State laws regarding the carrying of firearms that are concealed, or are partially or fully visible to the public; to the Committee on the Judiciary.

By Mr. WELCH (for himself and Mr. BEN RAY LUJÁN of New Mexico):

H.R. 3426. A bill to amend title VI of the Public Utility Regulatory Policies Act of 1978 to establish a Federal renewable electricity standard for retail electricity suppliers and a Federal energy efficiency resource standard for electricity and natural gas suppliers, and for other purposes; to the Committee on Energy and Commerce.

By Ms. WILSON of Florida (for herself, Mr. SCOTT of Virginia, Mr. CONYERS, and Mr. PAYNE):

H.R. 3427. A bill to amend the Fair Labor Standards Act of 1938 to ensure that employees are not misclassified as non-employees, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WITTMAN (for himself, Mr. MASSIE, Mr. POMPEO, Mrs. BLACKBURN, Mr. CRAMER, and Mr. FORBES):

H.R. 3428. A bill to require assurances that certain family planning service projects and programs will provide pamphlets containing the contact information of adoption centers; to the Committee on Energy and Commerce.

By Mr. YODER (for himself, Mr. FRANKS of Arizona, Mr. STEWART, Mr. DUFFY, Mr. NEUGEBAUER, Mr. SHIMKUS, Mr. JONES, Mr. FLEISCHMANN, Mr. MARCHANT, Mr. GOWDY, Mr. HARRIS, Mr. BABIN, Ms. JENKINS of Kansas, Mr. PEARCE, Mr. COLLINS of New York, Mr. BOUSTANY, Mr. PITTENGER, Mr. DUNCAN of South Carolina, Mr. BARTON, and Mr. KELLY of Pennsylvania):

H.R. 3429. A bill to amend title IV of the Public Health Service Act to prohibit sale or transactions relating to human fetal tissue; to the Committee on Energy and Commerce.

By Mr. YOUNG of Indiana:

H.R. 3430. A bill to amend the Internal Revenue Code of 1986 to provide for a reduction in improper claims of refundable credits by directing the Secretary of the Treasury to ensure consistency of requirements for self and paid tax return preparers, and for other purposes; to the Committee on Ways and Means.

By Mr. YOUNG of Indiana:

H.R. 3431. A bill to amend the Internal Revenue Code of 1986 to provide for an energy equivalent of a gallon of diesel in the case of liquefied natural gas for purposes of the Inland Waterways Trust Fund financing rate; to the Committee on Ways and Means.

By Mr. YOUNG of Indiana (for himself and Mr. POLIS):

H.R. 3432. A bill to provide the legal framework and income tax treatment necessary for the growth of innovative private financing options for students to fund postsecondary education, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Education and the Workforce, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LARSON of Connecticut:

H.J. Res. 62. A joint resolution to authorize the use of the Armed Forces of the United States against Iran if Iran commits a serious violation of its commitments or obligations under the Joint Comprehensive Plan of Action, and for other purposes; to the Committee on Foreign Affairs.

By Mr. BISHOP of Michigan (for himself, Mr. PETERSON, Mrs. NOEM, Mr. MOOLENAAR, and Mr. POLIQUIN):

H. Con. Res. 67. Concurrent resolution establishing a joint select committee to address regulatory reform; to the Committee on Rules.

By Mr. HUNTER (for himself, Mr. COURTNEY, Mr. LARSEN of Washington, Mr. GARAMENDI, and Mr. LOBIONDO):

H. Con. Res. 68. Concurrent resolution expressing the sense of Congress regarding the 225th anniversary of the establishment of the Coast Guard; to the Committee on Transportation and Infrastructure.

By Mr. WILLIAMS:

H. Con. Res. 69. Concurrent resolution expressing the sense of Congress that any reform or repeal of the last-in, first-out method of accounting for inventories (LIFO) would cause irreparable and unnecessary damage to United States businesses; to the Committee on Ways and Means.

By Mr. FRANKS of Arizona (for himself, Mr. DUNCAN of South Carolina, Mr. PITTENGER, Mr. GOSAR, Mr. OLSON, Mr. GARRETT, Mr. BROOKS of Alabama, Mr. SALMON, Mr. GOHMERT, Mr. KING of Iowa, Mrs. BLACKBURN, Mr. ROKITA, Mr. JORDAN, and Mr. NEWHOUSE):

H. Res. 392. A resolution expressing the sense of the House of Representatives that the enactment of the Patient Protection and Affordable Care Act of 2009, Public Law 111-148, violated article I, section 7 of the United States Constitution because it was a bill for raising revenue that did not originate in the House of Representatives; to the Committee on Ways and Means.

By Ms. SCHAKOWSKY (for herself, Ms. MATSUI, Mr. MURPHY of Florida, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. CASTRO of Texas, Ms. JUDY CHU of California, Mr. CICILLINE, Mr. CONYERS, Mr. DANNY K. DAVIS of Illinois, Mr. DEFAZIO, Ms. DELAURO, Mr. DESAULNIER, Mr. DEUTCH, Mrs. DINGELL, Ms. EDWARDS, Mr. ELLISON, Ms. ESTY, Mr. FARR, Ms. FRANKEL of Florida, Ms. FUDGE, Mr. GRAYSON, Mr. GRIJALVA, Mr. GUTIÉRREZ, Ms. HAHN, Mr. HASTINGS, Mr. HIGGINS, Mr. HONDA, Ms. JACKSON LEE, Ms. KAPTUR, Mr. LARSON of Connecticut, Mrs. LAWRENCE, Mr. LEWIS, Mr. LIPINSKI, Mrs. LOWEY, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mrs. CAROLYN B. MALONEY of New York, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. MEEKS, Ms. MOORE, Mrs. NAPOLITANO, Mr. NOLAN, Ms. NORTON, Mr. PALLONE, Mr. PETERS, Mr. POCAN, Mr. QUIGLEY, Mr. RUSH, Ms. LINDA T. SÁNCHEZ of California, Mr. SARBANES, Ms. SLAUGHTER, Mr. TAKAI, Mr. TAKANO, Mr. THOMPSON of California, Mr. TONKO, Mr. VAN HOLLEN, Mr. VARGAS, Ms. MAXINE WATERS of California, Mrs. WATSON COLEMAN, Ms. WILSON of Florida, and Mr. GARAMENDI):

H. Res. 393. A resolution expressing support for policies to protect and expand Social Security and secure its long-term future in a fair and responsible manner; to the Committee on Ways and Means.

By Mr. MCGOVERN (for himself, Mr. PITTS, Mr. SMITH of Washington, Mr.

RODNEY DAVIS of Illinois, Ms. LEE, Mr. NEUGEBAUER, Mr. LEWIS, Mr. ISRAEL, Mr. BLUMENAUER, Ms. EDWARDS, Ms. WILSON of Florida, Mr. RICHMOND, Ms. MAXINE WATERS of California, and Ms. NORTON):

H. Res. 394. A resolution condemning Joseph Kony and the Lord's Resistance Army for continuing to perpetrate crimes against humanity, war crimes, and mass atrocities, and supporting ongoing efforts by the United States Government, the African Union, and governments and regional organizations in central Africa to remove Joseph Kony and Lord's Resistance Army commanders from the battlefield and promote protection and recovery of affected communities; to the Committee on Foreign Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BERA (for himself, Mr. HIGGINS, Mr. SHERMAN, Ms. GABBARD, Mr. ISRAEL, Mr. CROWLEY, Mr. HOLDING, Mr. COSTA, Mr. SMITH of Washington, Ms. MENG, Mr. ENGEL, Mr. DEUTCH, and Mr. OLSON):

H. Res. 395. A resolution expressing the sense of the House of Representatives commemorating the Republic of India's Independence Day and recognizing United States-India relations on India's National Day; to the Committee on Foreign Affairs.

By Ms. GABBARD (for herself, Mr. SALMON, Mr. SHERMAN, Mr. FATTAH, and Mr. DOLD):

H. Res. 396. A resolution calling on the Government of Bangladesh to protect the human rights of all its citizens, particularly vulnerable minorities, strengthen democratic institutions and rule of law, and prevent the growth of extremist groups; to the Committee on Foreign Affairs.

By Ms. HERRERA BEUTLER (for herself, Mrs. MCMORRIS RODGERS, and Mr. NEWHOUSE):

H. Res. 397. A resolution expressing the sense of the House of Representatives regarding preserving the rights of employers and employees regarding coverage through association health plans; to the Committee on Education and the Workforce, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. JENKINS of Kansas (for herself and Mr. WELCH):

H. Res. 398. A resolution recognizing that access to hospitals and other health care providers for patients in rural areas of the United States is essential to the survival and success of communities in the United States; to the Committee on Energy and Commerce.

By Mr. JONES:

H. Res. 399. A resolution expressing the sense of the House of Representatives that the House should consider legislation to protect traditional marriage and prevent taxpayer funding of abortion; to the Committee on Energy and Commerce, and in addition to the Committees on the Judiciary, Oversight and Government Reform, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PALLONE (for himself, Mr. LEVIN, Ms. SCHAKOWSKY, Ms. MATSUI, Mr. CLYBURN, Mr. BECERRA, Mr. CROWLEY, Ms. WASSERMAN SCHULTZ, Mr. VAN HOLLEN, Mr. GENE GREEN of Texas, Mr. MCDERMOTT, Mr. BUTTERFIELD, Mr. GRIJALVA, Mr. ENGEL, Mr. GALLEGO, Ms. JACKSON LEE, Mr. TONKO, Ms. FRANKEL of Florida, Mr. CONYERS, Mr. SARBANES, Mr. RANGEL, Mr. NADLER, Mr. LARSON of Connecticut, Ms. BROWN of Florida, Mrs. BEATTY, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. YARMUTH, Mr. CÁRDENAS, Mr. DEUTCH, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. LOEBSACK, Ms. CASTOR of Florida, Mr. HIGGINS, Ms. MCCOLLUM, Ms. ESHOO, Mr. SCOTT of Virginia, Mrs. DINGELL, Ms. DELBENE, Ms. SPEIER, Ms. HAHN, Mr. CONNOLLY, Mrs. DAVIS of California, Mr. JOHNSON of Georgia, Mr. MCNERNEY, Mr. BEN RAY LUJÁN of New Mexico, Mr. DEFAZIO, Mrs. NAPOLITANO, Ms. NORTON, Mr. FATTAH, Mr. PAYNE, Ms. JUDY CHU of California, Ms. LINDA T. SÁNCHEZ of California, Mr. CUMMINGS, Mr. CARTWRIGHT, Ms. DELAURO, Ms. LEE, Mr. KEATING, Ms. KAPTUR, Ms. BONAMICI, Mr. TED LIEU of California, Mr. PASCRELL, Mr. HUFFMAN, Mr. CICILLINE, Mr. FARR, Mr. NEAL, Mr. CARSON of Indiana, Ms. CLARKE of New York, Mr. BLUMENAUER, Mr. QUIGLEY, Mr. DANNY K. DAVIS of Illinois, Mr. COHEN, Ms. DUCKWORTH, Ms. EDWARDS, Mr. COURTNEY, Ms. BASS, Mr. NORCROSS, Mrs. CAROLYN B. MALONEY of New York, Mr. ELLISON, Mr. LANGEVIN, Ms. DEGETTE, Mr. GRAYSON, Mr. GUTIÉRREZ, Mr. WELCH, Ms. ESTY, Mrs. CAPPS, Mr. LEWIS, Mr. POCAN, Mr. RUSH, Mr. MCGOVERN, Mr. KENNEDY, Mr. LARSEN of Washington, Mr. THOMPSON of California, Mr. NOLAN, Ms. SLAUGHTER, Mr. HONDA, Mr. TAKANO, Mr. SCHRADER, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. FOSTER, Mr. LOWENTHAL, Mrs. WATSON COLEMAN, Ms. MOORE, Mr. LIPINSKI, Ms. PINGREE, Ms. CLARK of Massachusetts, Mr. SERRANO, Mr. THOMPSON of Mississippi, Ms. ROYBAL-ALLARD, Mrs. LOWEY, Mr. SIRES, Mr. DOGGETT, Mr. BEYER, Mr. CARNEY, Mrs. BUSTOS, Ms. FUDGE, Mr. KIND, Mr. POLIS, Ms. WILSON of Florida, Mr. RUIZ, Mr. RICHMOND, Ms. TSONGAS, Mr. DAVID SCOTT of Georgia, Mr. CASTRO of Texas, Ms. LORETTA SANCHEZ of California, Mr. ASHFORD, Mr. CLEAVER, Mr. KILDEE, Mr. CAPUANO, Mr. RYAN of Ohio, Ms. SINEMA, Mr. LYNCH, Mr. PERLMUTTER, Mr. CLAY, Mr. GARAMENDI, Mr. SCHIFF, Mr. PETERSON, Mr. PIERLUISI, Mr. BISHOP of Georgia, Mr. DESAULNIER, Mr. VEASEY, Ms. ADAMS, Ms. TITUS, Mr. MURPHY of Florida, Mr. COSTA, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. BROWNLEY of California, Mr. WALZ, Mr. VELA, Ms. KELLY of Illinois, Mr. HECK of Washington, Mr. MOULTON, Mr. DELANEY, Mr. VISCLOSKY, Mr. SHERMAN, and Mr. KILMER):

H. Res. 400. A resolution commemorating 50 years since the creation of the Medicare and Medicaid Programs; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PERRY:

H. Res. 401. A resolution supporting the goals and ideals of ''Vietnam Veterans Day''; to the Committee on Veterans' Affairs.

By Mr. ROYCE (for himself and Mr. ENGEL):

H. Res. 402. A resolution expressing the sense of the House of Representatives regarding politically motivated acts of boycott, divestment from, and sanctions against Israel, and for other purposes; to the Committee on Foreign Affairs.

By Mr. VAN HOLLEN (for himself and Mrs. BLACKBURN):

H. Res. 403. A resolution recognizing the campaign of genocide against the Kurdish people in Iraq; to the Committee on Foreign Affairs.

By Mr. WITTMAN:

H. Res. 404. A resolution commemorating the 75th anniversary of the Virginia Institute of Marine Science of the College of William & Mary; to the Committee on Education and the Workforce.

By Mr. YOUNG of Alaska (for himself and Mr. TAKAI):

H. Res. 405. A resolution calling on the Council for the Accreditation of Educator Preparation to modify its accreditation standards to prevent the standards from negatively impacting Alaska Native and American Indian teacher candidates; to the Committee on Education and the Workforce.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. GARRETT:

H.R. 3273.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 (''The Congress shall have Power to lay and collect Taxes, Duties, Imposts, and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;'')

Article I, Section 8, Clause 18 (''To make all Laws which shall be necessary and proper for carrying into execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or any Department or Officer thereof.'')

Article I, Section 9, Clause 7 (''No Money shall be drawn from the Treasury, but in consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.'')

By Mr. JOHNSON of Georgia:

H.R. 3274.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 7, ''The Congress shall have Power to . . . Establish Post Offices and post Roads . . .'' In the Constitution, the power possessed by Congress embraces the regulation of the Postal System in the country. Therefore, the proposed legislation in naming a post office would fall under the powers granted to Congress in the Constitution.

By Mr. ELLISON:
H.R. 3275.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1.
By Mr. ELLISON:
H.R. 3276.
Congress has the power to enact this legislation pursuant to the following:
Article I Section 8 of the United States Constitution.
By Mr. ELLISON:
H.R. 3277.
Congress has the power to enact this legislation pursuant to the following:
Article I Section 8 of the United States Constitution.
By Mr. ROYCE:
H.R. 3278.
Congress has the power to enact this legislation pursuant to the following:
The principal constitutional authority for this legislation is Article 1 Section 8: to provide for the common Defense and general Welfare of the United States.
By Mr. COLLINS of Georgia:
H.R. 3279.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 9, Clause 7 of the United States Constitution, which states that ''No money shall be drawn from the Treasury but in consequence of Appropriations made by law; and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.''
By Mr. SWALWELL of California:
H.R. 3280.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clauses 1 and 18 of the United States Constitution.
By Mr. CALVERT:
H.R. 3281.
Congress has the power to enact this legislation pursuant to the following:
The constitutional authority of Congress to enact this legislation is provided by Article I, section 18, and Article IV, section 3, clause 2.
By Mr. FARENTHOLD:
H.R. 3282.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section, 8.
By Mr. POLIQUIN:
H.R. 3283.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8
By Mr. KATKO:
H,R, 3284.
Congress has the power to enact this legislation pursuant to the following:
The Congress enacts this bill pursuant to Clause 18 of Section 8 of Article I of the United States Constitution.
By Mr. PASCRELL:
H.R. 3285.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3 of the United States Constitution,
By Mr. COOK:
H.R. 3286.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8
By Mr. MARCHANT:
H.R. 3287.
Congress has the power to enact this legislation pursuant to the following:
U.S. Constitution Art. I Sec. 8 cl. 1, under the ''Power To lay and collect Taxes'';

Amd. 16, under the ''power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration''; and
Art. I Sec. 8 cl. 18, under the power ''To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.''
By Mr. MARCHANT:
H.R. 3288.
Congress has the power to enact this legislation pursuant to the following:
Art. I Sec. 8 cl. 1: ''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States [. . .]''
16th Amendment: ''The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration.''
Art. I Sec. 8 cl. 18, ''To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof:''
By Mr. LOWENTHAL:
H.R. 3289.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8 and Article IV, Section 3
By Ms. JACKSON LEE:
H.R. 3290.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clauses 1, 4, and 18 of the United States Constitution.
By Mr. RYAN of Wisconsin:
H.R. 3291.
Congress has the power to enact this legislation pursuant to the following:
The constitutional authority on which this bill rests is the power of Congress to make rules for the government and regulation of the land and naval forces, as enumerated in Article I, Section 8, Clause 14 of the United States Constitution.
By Mr. BRADY of Texas:
H.R. 3292.
Congress has the power to enact this legislation pursuant to the following:
The constitutional authority on which this bill rests is the power of Congress to make rules for the government and regulation of the land and naval forces, as enumerated in Article I, Section 8, Clause 14 of the United States Constitution.
By Mr. SMITH of Texas:
H.R. 3293.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 18:
The Congress shall have power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department of Officer thereof.
By Mrs. ELLMERS of North Carolina:
H.R. 3294.
Congress has the power to enact this legislation pursuant to the following:
The authority to enact this bill is derived from, but may not be limited to, Clause 3 of Section 8 of Article I of the United States Constitution.
''To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;''
By Mr. CUMMINGS:
H.R. 3295.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 9, Clause 7: ''No money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law'' and
Article I, Section 8, Clause 1: ''The Congress shall have Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States''
By Mrs. BLACK:
H.R. 3296.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 4 which states: ''The Congress shall have the Power To . . . establish an uniform Rule of Naturalization . . .''
By Mr. GRIFFITH:
H.R. 3297.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8
By Mr. BRADY of Texas:
H.R. 3298.
Congress has the power to enact this legislation pursuant to the following:
The constitutional authority on which this bill rests is the power of Congress to make rules for the government and regulation of the land and naval forces, as enumerated in Article I, Section 8, Clause 14 of the United States Constitution.
By Mrs. BROOKS of Indiana:
H.R. 3299.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 3
By Mr. PITTENGER:
H.R. 3300.
Congress has the power to enact this legislation pursuant to the following:
Article I, Sec. 8, Clauses 5 & 18, of the United States Constitution
By Mr. JOLLY:
H.R. 3301.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8
By Mr. OLSON:
H.R. 3302.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 4 and Article I, Section 8, Clause 18
By Mr. CARTWRIGHT:
H.R. 3303.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3 (relating to the power of Congress to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.)
Article I; Section 8; Clause 18
The Congress shall have Power To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.
By Mr. CARTWRIGHT:
H.R. 3304.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3 (relating to the power of Congress to regulate Commerce

with foreign Nations, and among the several States, and with the Indian Tribes.)

By Mr. HURD of Texas:

H.R. 3305.

Congress has the power to enact this legislation pursuant to the following: Article I, Section 8, Clause 1:

''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States . . .''

By Mr. RUSH:

H.R. 3306.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mrs. HARTZLER:

H.R. 3307.

Congress has the power to enact this legislation pursuant to the following:

Article I: Section 8: Clause 3 The United States Congress shall have power

''To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.''

By Mr. GRAYSON:

H.R. 3308.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution.

By Mrs. ELLMERS of North Carolina:

H.R. 3309.

Congress has the power to enact this legislation pursuant to the following:

The Commerce Clause: Article I, Section 8, Clause 3 of the U.S. Constitution gives Congress the power ''to regulate commerce with foreign nations, and among the several states, and with the Indian tribes.''

By Ms. ROS-LEHTINEN:

H.R. 3310.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States

By Mr. BLUMENAUER:

H.R. 3311.

Congress has the power to enact this legislation pursuant to the following:

The Constitution of the United States provides clear authority for Congress to pass legislation regarding income taxes. Article I of the Constitution, in detailing Congressional authority, provides that ''Congress shall have Power to lay and collect Taxes . . .'' (Section 8, Clause 1). Further clarifying Congressional power to enact an income tax, voters amended the Constitution by popular vote to provide that ''Congress shall have power to lay and collect taxes on incomes, from whatever source derived . . .'' (Sixteenth Amendment).

By Ms. ADAMS:

H.R. 3312.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18, ''Congress shall have the Power...To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer Thereof''

By Mr. MCCAUL:

H.R. 3313.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. BABIN:

H.R. 3314.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4

Article I, Section 8, Clause 18

By Mr. BABIN:

H.R. 3315.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

Article I, Section 8, Clause 7

Article I, Section 8, Clause 18

By Mr. BARLETTA:

H.R. 3316.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 1; and Article I, Section 8 of the United States Constitution.

By Mr. BILIRAKIS:

H.R. 3317.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Article I, Section 8, Clause 1 of the Constitution of the United States and Article I, Section 8, Clause 18 of the Constitution of the United States.

By Mr. BLUM:

H.R. 3318.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause I

By Mr. BLUMENAUER:

H.R. 3319.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 7 of the U.S. Constitution

By Mr. BOUSTANY:

H.R. 3320.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution

By Mr. BOUSTANY:

H.R. 3321.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. art. I, Sec. 8, cl. 1. Within the Enumerated Powers of the U.S. Constitution, Congress is granted the power to lay and collect taxes. This provision grants Congress the authority over this particular piece of legislation.

By Mr. BUTTERFIELD:

H.R. 3322.

Congress has the power to enact this legislation pursuant to the following:

Under Article I, Section 8, Clause 3 of the Constitution, Congress has the power to collect taxes and expend funds to provide for the general welfare of the United States. Congress may also make laws that are necessary and proper for carrying into execution their powers enumerated under Article I.

By Mr. CARTER of Georgia:

H.R. 3323.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority in which this bill rests is the power of Congress to regulate commerce as enumerated in Article I, Section 8, Clause 3, as applied to healthcare.

By Mr. CICILLINE:

H.R. 3324.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States.

By Mr. CICILLINE:

H.R. 3325.

Congress has the power to enact this legislation pursuant to the following:

Article 1, section 8

By Mr. COLLINS of Georgia:

H.R. 3326.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution; and, Article I, Section 8, Clause 8 of the United States Constitution.

By Mr. COLLINS of New York:

H.R. 3327.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States

By Mr. COLLINS of New York:

H.R. 3328.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3.

By Mr. CONAWAY:

H.R. 3329.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 13:

To provide and maintain a Navy.

By Mr. COOPER:

H.R. 3330.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 5, Clause 2 of the Constitution of the United States.

By Mr. DANNY K. DAVIS of Illinois:

H.R. 3331.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States

By Mr. DANNY K. DAVIS of Illinois:

H.R. 3332.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States

By Mr. DANNY K. DAVIS of Illinois:

H.R 3333.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States

By Mr. RODNEY DAVIS of Illinois:

H.R. 3334.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of section 8 of article I of the Constitution and clause 18 of section 8 of article I of the Constitution.

By Mr. RODNEY DAVIS of Illinois:

H.R. 3335.

Congress has the power to enact this legislation pursuant to the following:

Title I, Section 8

By Ms. DEGETTE:

H.R. 3336.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 and Article IV, section 3 of the Constitution of the United States.

By Ms. DELAURO:

H.R. 3337.

Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 1 and 3

By Mr. DUFFY:
H.R. 3338.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 18 of the United States Constitution.

By Mrs. ELLMERS of North Carolina:
H.R. 3339.
Congress has the power to enact this legislation pursuant to the following:
The Commerce Clause: Article I, Section 8, Clause 3 of the U.S. Constitution gives Congress the power ''to regulate commerce with foreign nations, and among the several states, and with the Indian tribes.''

By Mr. EMMER of Minnesota:
H.R. 3340.
Congress has the power to enact this legislation pursuant to the following:
Congress is empowered to regulate interstate commerce under Article I, Section 8 of the Constitution.

By Ms. ESHOO:
H.R. 3341.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clauses 1 and 18

By Mr. FLEMING:
H.R. 3342.
Congress has the power to enact this legislation pursuant to the following:
The constitutional authority of Congress to enact this legislation is provided by Article 4, Section 3, Clause 2 of the U.S. Constitution, which states ''The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.''

By Mr. FOSTER:
H.R. 3343.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clauses 1 and 18 of the United States Constitution.

By Ms. FRANKEL of Florida:
H.R. 3344.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clauses 1, 3, and 7 of the United States Constitution, granting Congress the power to tax and spend, the power to regulate interstate commerce, and the power to establish Post roads, respectively.

By Mr. GOSAR:
H.R. 3345.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1 (Spending Clause): ''The Congress shall have the power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense . . .'' The United States has incurred legal liability for which it has waived its sovereign immunity for illnesses and deaths associated with its Nuclear Weapons testing programs during the 1950s and 1960s.
This bill is grounded in scientific principles, respresents an intent to apologize and offer compassionate compensation to an expanded list of individuals who were not included in the 1990 Act but who, nonetheless, deserve restitution.

By Ms. GRAHAM:
H.R. 3346.
Congress has the power to enact this legislation pursuant to the following:
Article 1 Section 8 of the United States Constitution

By Mr. AL GREEN of Texas:
H.R. 3347.
Congress has the power to enact this legislation pursuant to the following:
Commerce Clause (Art. 1 Sec. 8 Cl. 3)
Necessary and Proper Clause (Art. 1 Sec 8. Cl. 18)

By Mr. AL GREEN of Texas:
H.R. 3348.
Congress has the power to enact this legislation pursuant to the following:
The Constitutional authority to enact this legislation can be found in:
Commerce Clause (Art. 1 Sec. 8 Cl. 3)
Necessary and Proper Clause (Art. 1 Sec 8. Cl. 18)

By Ms. HERRERA BEUTLER:
H.R. 3349.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3.

By Mr. HIGGINS:
H.R. 3350.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1 and Article I, Section 8, Clause 18

By Mr. HONDA:
H.R. 3351.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 18 of the Constitution.

By Mr. HULTGREN:
H.R. 3352.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 1, giving Congress the authority to lay and collect taxes, as misinterpreted by the United States Supreme Court in National Federation of Independent Business v. Sebelius, which resulted in dubious Court precedent.
Article 1, Section 8, Clause 3, which gives Congress the authority to regulate commerce among the states.
Article 1, Section 8, Clause 18, which gives Congress the authority to make all laws that are necessary and proper for carrying out the powers given it by the Constitution. The authority in this bill is necessary and proper for states to regain control over their respective health insurance markets and offer their residents real options at a reduced cost relative to plans allowed by the Patient Protection and Affordable Care Act.

By Mr. HUNTER:
H.R. 3353.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 18

By Ms. JACKSON LEE:
H.R. 3354.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 1 of the United States Constitution.

By Ms. JENKINS of Kansas:
H.R. 3355.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8:
The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States.

By Ms. JENKINS of Kansas:
H.R. 3356.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8:
The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States.

By Mr. JOHNSON of Ohio:
H.R. 3357.
Congress has the power to enact this legislation pursuant to the following:
The Congress enacts this bill pursuant to Article I,
Section 8, Clause 1 of the U.S. Constitution

By Mr. KEATING:
H.R. 3358.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8 of the United States Constitution.

By Mr. KILMER:
H.R. 3359.
Congress has the power to enact this legislation pursuant to the following:
Article 1, section 8 of the Constitution of the United States

By Mr. KILMER:
H.R. 3360.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8 of the United States Constitution.

By Mr. KING of New York:
H.R. 3361.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 18—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Ms. KUSTER:
H.R. 3362.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1 of the United States Constitution, the Taxing and Spending Clause: ''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States . . .''

By Mr. LAMALFA:
H.R. 3363.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. LARSEN of Washington:
H.R. 3364.
Congress has the power to enact this legislation pursuant to the following:
As described in Article 1, Section 1 ''all legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.''

By Mr. LARSEN of Washington:
H.R. 3365.
Congress has the power to enact this legislation pursuant to the following:
As described in Article 1, Section 1 ''all legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.''

By Mrs. LAWRENCE:
H.R. 3366.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1 of the Constitution

By Mr. LEWIS:
H.R. 3367.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.
By Mr. LEWIS:
H.R. 3368.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.
By Mr. LOEBSACK:
H.R. 3369.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause I of the Constitution which grants Congress the power to provide for the general Welfare of the United States.
By Ms. LOFGREN:
H.R. 3370.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 4 of the Constitution.
By Mr. LOUDERMILK:
H.R. 3371.
Congress has the power to enact this legislation pursuant to the following:
Article IV, Section 3, Clause 2: The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.
By Mrs. LOVE:
H.R. 3372.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 18: The Congress shall have Power To . . . make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.
By Mr. LOWENTHAL:
H.R. 3373.
Congress has the power to enact this legislation pursuant to the following:
All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives
Section 8
14: To make Rules for the Government and Regulation of the land and naval Forces;
By Mr. LOWENTHAL:
H.R. 3374.
Congress has the power to enact this legislation pursuant to the following:
All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives
Section 8
14: To make Rules for the Government and Regulation of the land and naval Forces;
By Mrs. LOWEY:
H.R. 3375.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3
The Congress shall have Power . . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.
By Mrs. LOWEY:
H.R. 3376.
Congress has the power to enact this legislation pursuant to the following:
Article I
By Mrs. LOWEY:
H.R. 3377.
Congress has the power to enact this legislation pursuant to the following:
The General Welfare Clause of Article 1, Section 8, of the U.S. Constitution.
By Mrs. CAROLYN B. MALONEY of New York:
H.R. 3378.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3 To regulate commerce with foreign nations, and among the several states, and with the Indian tribes
By Mr. SEAN PATRICK MALONEY of New York:
H.R. 3379.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8
By Mr. MARINO:
H.R. 3380.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 1—The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.
Article 1, Section 9, Clause 3—To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.
By Mr. McCAUL:
H.R. 3381.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8.
By Mr. McCLINTOCK:
H.R. 3382.
Congress has the power to enact this legislation pursuant to the following:
Article IV, Section 3, Clause 2 (the Property Clause), which confers on Congress the power to make all needful Rules and Regulations respecting the property belonging to the United States.
By Ms. MENG:
H.R. 3383.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 3
By Ms. MENG:
H.R. 3384.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 3
By Mr. NOLAN:
H.R. 3385.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8 of the United States Constitution, specifically Clause 3.
By Mr. NORCROSS:
H.R. 3386.
Congress has the power to enact this legislation pursuant to the following:
Article I Section 8
By Ms. NORTON:
H.R. 3387.
Congress has the power to enact this legislation pursuant to the following:
section 1 of article I, and clause 18, section 8 of article I of the Constitution.
By Mr. NUGENT:
H.R. 3388.
Congress has the power to enact this legislation pursuant to the following:
Article I, section 8 of the United States Constitution (clauses 1, 12, 13, 14, and 16), which grants Congress the power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; raise and support Armies; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces; and to provide for organizing, arming, and disciplining the militia.
By Mr. NUNES:
H.R. 3389.
Congress has the power to enact this legislation pursuant to the following:
Clause 18 of section 8 of Article I of the United States Constitution.
By Mr. PASCRELL:
H.R. 3390.
Congress has the power to enact this legislation pursuant to the following:
Congress has the power to enact this legislation pursuant to Article I, Section 8, Clause 3 of the United States Constitution.
By Mr. PERRY:
H.R. 3391.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8 of the United States Constitution
By Mr. PETERS:
H.R. 3392.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8 of the US Constitution
By Mr. POSEY:
H.R. 3393.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3: ''The Congress shall have power . . . To regulate commerce with foreign nations, and among the several states, and with the Indian tribes.''
By Mr. POSEY:
H.R. 3394.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3 of the Constitution of the United States: To regulate commerce with foreign nations, and among the several states, and with the Indian tribes;
Article I, Section 8, Clause 9 of the Constitution of the United States: To constitute tribunals inferior to the Supreme Court;
Article I, Section 8, Clause 10 of the Constitution of the United States: To define and punish Piracies and Felonies committed on the high Seas, and Offenses against the Law of Nations;
Article I, Section 8, Clause 18 of the Constitution of the United States: To make all Laws which shall be necessary and proper for carrying into Execution the forgoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof;
Amendment V No person shall be . . . deprived of life, liberty, or property, without due process of law.
By Mr. QUIGLEY:
H.R. 3395.
Congress has the power to enact this legislation pursuant to the following:
Section 8 of article 1 of the Constitution
Mr. RANGEL:
H.R. 3396.
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 1

The Congress shall have Power * * * to provide for the common defense and general welfare of the United States.

By Mr. REED:

H.R. 3397.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I and Amendment XVI of the United States Constitution

By Mr. REICHERT:

H.R. 3398.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Article I Section 8 of the United States Constitution.

By Mr. RICHMOND:

H.R. 3399.

Congress has the power to enact this legislation pursuant to the following:

This bill is introduced pursuant to the powers granted to Congress under the General Welfare Clause (Art. 1 Sec. 8 Cl. 1), the Commerce Clause (Art. 1 Sec. 8 Cl. 3), and the Necessary and Proper Clause (Art. 1 Sec. 8 Cl. 18).

Further, this statement of constitutional authority is made for the sole purpose of compliance with clause 7 of Rule XII of the Rules of the House of Representatives and shall have no bearing on judicial review of the accompanying bill.

By Mr. ROHRABACHER:

H.R. 3400.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. ROONEY of Florida:

H.R. 3401.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8: To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.

By Mr. RUPPERSBERGER:

H.R. 3402.

Congress has the power to enact this legislation pursuant to the following:

Article I, §clause 3, the Commerce Clause.

By Mr. SALMON:

H.R. 3403.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.

By Mr. SALMON:

H.R. 3404.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1—The Congress shall have the Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By Mr. SALMON:

H.R. 3405.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9, Clause 7—''No money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.''

By Mr. SENSENBRENNER:

H.R. 3406.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. SENSENBRENNER:

H.R. 3407.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution

By Mr. SESSIONS:

H.R. 3408.

Congress has the power to enact this legislation pursuant to the following:

5th Amendment to the Constitution

Sec. 1 and Sec. 5 of the 14th Amendment to the Constitution.

By Mr. SMITH of Missouri:

H.R. 3409.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8, which states ''The Congress shall have Power To lay and collect Taxes,'' and Article I, Section 7, which states ''All Bills for raising Revenue shall originate in the House of Representatives.''

By Mr. SMITH of Washington:

H.R. 3410.

Congress has the power to enact this legislation pursuant to the following:

Article IV Section 3. ''The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States . . .''

By Ms. SPEIER:

H.R. 3411.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8 of the United States Constitution.

By Ms. SPEIER:

H.R. 3412.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8 of the United States Constitution.

By Mr. STIVERS:

H.R. 3413.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18: The Congress shall have power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department of Officer thereof.

By Mr. STIVERS:

H.R. 3414.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States

By Mr. THOMPSON of Mississippi:

H.R. 3415.

Congress has the power to enact this legislation pursuant to the following:

The U.S. Constitution including Article 1, Section 8.

By Mr. THOMPSON of Mississippi:

H.R. 3416.

Congress has the power to enact this legislation pursuant to the following:

The U.S. Constitution including Article 1, Section 8.

By Mr. THOMPSON of Mississippi:

H.R. 3417.

Congress has the power to enact this legislation pursuant to the following:

The U.S. Constitution including Article 1, Section 8.

By Mr. THOMPSON of Mississippi:

H.R. 3418.

Congress has the power to enact this legislation pursuant to the following:

The U.S. Constitution including Article 1, Section 8.

By Ms. TITUS:

H.R. 3419.

Congress has the power to enact this legislation pursuant to the following:

The bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Amendment XVI, of the United States Constitution

By Mr. TONKO:

H.R. 3420.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 1,

All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

By Mr. WALKER:

H.R. 3421.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States

By Mrs. WALORSKI:

H.R. 3422.

Congress has the power to enact this legislation pursuant to the following:

Clause 18 of Section 8 of Article I of the United States Constitution

By Mr. WALZ:

H.R. 3423.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Section 8 of Article I of the United States Constitution.

By Ms. MAXINE WATERS of California:

H.R. 3424.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause I of the Constitution of the United States

By Mr. WEBER of Texas:

H.R. 3425.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3. The Congress shall have the power to regulate commerce with foreign nations, and among the several states, and with the Indian tribes. Second Amendment of the U.S. Constitution. A well regulated militia, being necessary to the security of a free State, the right of the people to keep and bear arms, shall not be infringed.

By Mr. WELCH:

H.R. 3426.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18: The Congress shall have Power To . . . make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Ms. WILSON of Florida:

H.R. 3427.

Congress has the power to enact this legislation pursuant to the following:

This bill is introduced under the powers granted to Congress under Article 1, Section 8 of the Constitution.

By Mr. WITTMAN:
H.R. 3428.
Congress has the power to enact this legislation pursuant to the following:
Article I, section 8, Clause 18 of the Constitution of the United States grants Congress the authority to enact this bill.
By Mr. YODER:
H.R. 3429.
Congress has the power to enact this legislation pursuant to the following:
Clause 3 of section 8 or Article 1 of the Constitution states that Congress has the authority to ''regulate Commerce with foreign nations, and among the several states.''
By Mr. YOUNG of Indiana:
H.R. 3430.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clauses 1
By Mr. YOUNG of Indiana:
H.R. 3431.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1
The Congress shall have the Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debt and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.
By Mr. YOUNG of Indiana:
H.R. 3432.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clauses 1 and 3
By Mr. LARSON of Connecticut:
H.J. Res. 62.
Congress has the power to enact this legislation pursuant to the following:
Article I Section 8, Clause 11

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 27: Mr. MILLER of Florida.
H.R. 69: Mr. AL GREEN of Texas, Ms. KUSTER, Ms. LEE, Mr. RUSH, Mrs. DINGELL, Ms. TITUS, Ms. ESTY, Ms. MOORE, Mr. JEFFRIES, Ms. HAHN, Ms. JUDY CHU of California, Ms. CLARK of Massachusetts, Ms. GRANGER, Mr. GRIJALVA, Mr. PETERS, Mr. COHEN, Ms. CLARKE of New York, Mr. SEAN PATRICK MALONEY of New York, and Mr. DONOVAN.
H.R. 114: Mrs. HARTZLER.
H.R. 167: Mr. LOBIONDO and Mr. BUTTERFIELD.
H.R. 169: Mr. THORNBERRY and Mr. YOHO.
H.R. 217: Mr. KNIGHT and Mr. YOUNG of Iowa.
H.R. 232: Mr. BENISHEK.
H.R. 304: Mr. BRADY of Pennsylvania and Mr. CARSON of Indiana.
H.R. 333: Mr. KING of New York, Mr. ELLISON, Mr. LYNCH, and Ms. WILSON of Florida.
H.R. 358: Miss RICE of New York, Mr. HONDA, and Mr. WHITFIELD.
H.R. 381: Mr. COHEN.
H.R. 414: Mr. LUCAS, Mr. SCHWEIKERT, Mr. PEARCE, Mr. WESTMORELAND, Mr. STUTZMAN, and Mr. FINCHER.
H.R. 483: Ms. SCHAKOWSKY.
H.R. 523: Mr. CASTRO of Texas.
H.R. 539: Ms. MOORE, Mr. DOGGETT, Mr. BILIRAKIS, and Mr. GRIFFITH.
H.R. 546: Mr. GOWDY and Mr. CLYBURN.
H.R. 556: Mr. AGUILAR.
H.R. 592: Mr. KATKO, Mr. COURTNEY, and Mr. CASTRO of Texas.
H.R. 624: Mr. AL GREEN of Texas.
H.R. 625: Mr. LANGEVIN.
H.R. 662: Mr. REED and Mr. BRAT.
H.R. 664: Mr. RIBBLE.
H.R. 676: Mr. CLAY.
H.R. 699: Mrs. DINGELL.
H.R. 702: Mr. BOST and Mr. THORNBERRY.
H.R. 711: Mr. SAM JOHNSON of Texas, Mr. GARAMENDI, Mr. SMITH of Texas, and Mr. JOHNSON of Ohio.
H.R. 721: Ms. PINGREE, Mr. HUNTER, and Mr. BRENDAN F. BOYLE of Pennsylvania.
H.R. 727: Mr. PASCRELL.
H.R. 759: Ms. DUCKWORTH.
H.R. 766: Mr. HULTGREN and Mr. PEARCE.
H.R. 771: Mr. POMPEO.
H.R. 775: Mr. MESSER, Mr. AGUILAR, and Ms. DELAURO.
H.R. 785: Mr. JOHNSON of Georgia.
H.R. 814: Mr. LOBIONDO.
H.R. 816: Mr. POE of Texas, Mr. BILIRAKIS, Mr. PALMER, Mr. KNIGHT, and Mr. ADERHOLT.
H.R. 822: Mr. MESSER and Mr. REED.
H.R. 828: Mr. REICHERT and Mr. HIMES.
H.R. 831: Mr. NEAL.
H.R. 836: Mr. KATKO and Mr. LUETKEMEYER.
H.R. 842: Mr. SMITH of Washington and Miss RICE of New York.
H.R. 846: Mr. CASTRO of Texas.
H.R. 863: Mr. JENKINS of West Virginia and Mr. SMITH of Missouri.
H.R. 879: Mr. GIBBS, Mr. YOHO, and Mr. LUETKEMEYER.
H.R. 885: Mrs. DINGELL, Ms. DEGETTE, and Mr. HULTGREN.
H.R. 908: Mr. CÁRDENAS, Mr. DESAULNIER, Mr. GARAMENDI, Ms. LEE, and Mr. HUFFMAN.
H.R. 918: Ms. JENKINS of Kansas and Mr. MARCHANT.
H.R. 921: Mr. ROSKAM, Ms. JENKINS of Kansas, Mr. DUNCAN of Tennessee, and Mr. AUSTIN SCOTT of Georgia.
H.R. 928: Mr. CALVERT.
H.R. 932: Mrs. KIRKPATRICK.
H.R. 969: Mr. BOST and Mr. PASCRELL.
H.R. 985: Mr. BILIRAKIS, Mr. DOLD, Mr. SHUSTER, and Mr. REED.
H.R. 990: Ms. DUCKWORTH.
H.R. 994: Mr. KILMER.
H.R. 1002: Mr. BARLETTA and Mr. QUIGLEY.
H.R. 1034: Mr. MILLER of Florida.
H.R. 1061: Mr. MCGOVERN and Mr. SEAN PATRICK MALONEY of New York.
H.R. 1062: Mr. GOODLATTE.
H.R. 1073: Mr. KING of Iowa.
H.R. 1086: Mr. GOODLATTE.
H.R. 1096: Mr. RIBBLE.
H.R. 1100: Mr. TED LIEU of California, Mr. WOMACK, and Ms. WILSON of Florida.
H.R. 1101: Mr. PETERS, Ms. ESTY, Mr. BEN RAY LUJÁN of New Mexico, and Ms. MICHELLE LUJAN GRISHAM of New Mexico.
H.R. 1114: Mr. DUNCAN of Tennessee.
H.R. 1132: Mr. KNIGHT.
H.R. 1150: Ms. BROWNLEY of California.
H.R. 1197: Mr. AGUILAR and Mr. REED.
H.R. 1209: Mr. COLLINS of Georgia and Mr. PETERS.
H.R. 1211: Mr. TED LIEU of California, Mr. BEN RAY LUJÁN of New Mexico, and Ms. ESHOO.
H.R. 1215: Mr. MULVANEY.
H.R. 1220: Mr. JOHNSON of Ohio, Ms. JENKINS of Kansas, and Mr. WEBER of Texas.
H.R. 1222: Ms. STEFANIK.
H.R. 1233: Mr. MCKINLEY, Mr. BOST, Ms. GRANGER, Mr. SESSIONS, and Mr. AUSTIN SCOTT of Georgia.
H.R. 1247: Mr. ZINKE.
H.R. 1258: Ms. CASTOR of Florida.
H.R. 1266: Mr. WESTERMAN.
H.R. 1270: Mr. JOHNSON of Ohio.
H.R. 1282: Ms. MCSALLY.
H.R. 1287: Mr. BRAT.
H.R. 1288: Mr. GENE GREEN of Texas, Mr. LIPINSKI, Mr. TAKANO, Mr. GRAVES of Missouri, Mr. ASHFORD, Mr. CUMMINGS, Mr. SHIMKUS, Ms. KAPTUR, and Mr. AL GREEN of Texas.
H.R. 1309: Mr. ROTHFUS and Mr. SMITH of Missouri.
H.R. 1312: Mr. COLLINS of Georgia.
H.R. 1342: Mr. SENSENBRENNER, Mr. GUINTA, Mr. GIBBS, Mr. GRIFFITH, and Mr. CICILLINE.
H.R. 1343: Mr. MESSER.
H.R. 1356: Mr. AMODEI, Mr. MURPHY of Florida, Mr. CRENSHAW, Mr. BROOKS of Alabama, Ms. ROYBAL-ALLARD, Mr. COHEN, Mr. ELLISON, Mr. MCKINLEY, Mr. PITTENGER, Mr. KING of New York, Mr. GUTHRIE, Mr. PRICE of North Carolina, Mr. TED LIEU of California, Mr. AGUILAR, Mr. CALVERT, and Ms. STEFANIK.
H.R. 1369: Mr. MESSER.
H.R. 1384: Mrs. LOWEY, Mr. ROTHFUS, Mr. MCKINLEY, Mr. PITTENGER, Mr. KING of New York, Mr. PRICE of North Carolina, Mr. MULVANEY, Mr. NOLAN, Mr. GIBBS, Mr. WOMACK, and Ms. STEFANIK.
H.R. 1399: Ms. SINEMA.
H.R. 1422: Mr. YOUNG of Alaska.
H.R. 1424: Mr. JOYCE and Mr. BRENDAN F. BOYLE of Pennsylvania.
H.R. 1427: Mr. GALLEGO, Mr. FARR, Ms. JUDY CHU of California, Mr. TED LIEU of California, Ms. ESTY, Mrs. WALORSKI, Mr. AGUILAR, and Mr. RUIZ.
H.R. 1434: Mr. RICHMOND and Ms. FRANKEL of Florida.
H.R. 1460: Mr. AGUILAR.
H.R. 1462: Ms. ESTY and Mr. MESSER.
H.R. 1475: Mr. MESSER, Mr. REED, and Mr. MACARTHUR.
H.R. 1482: Mr. TAKANO.
H.R. 1492: Ms. BONAMICI, Ms. CLARK of Massachusetts, and Ms. ESHOO.
H.R. 1523: Mr. AUSTIN SCOTT of Georgia.
H.R. 1534: Ms. BONAMICI.
H.R. 1549: Mr. COLLINS of New York and Mr. KATKO.
H.R. 1559: Mr. LONG, Mr. AGUILAR, Mrs. KIRKPATRICK, Mr. CLAY, Mr. VARGAS, and Mr. CASTRO of Texas.
H.R. 1567: Mr. BOST, Ms. ADAMS, Mr. DELANEY, Mrs. WAGNER, and Mr. LEWIS.
H.R. 1571: Mr. ISRAEL, Mr. SMITH of Washington, Mr. SEAN PATRICK MALONEY of New York, and Mr. THOMPSON of California.
H.R. 1581: Ms. STEFANIK.
H.R. 1594: Mr. RIBBLE, Mr. COHEN, Mr. MCKINLEY, Mr. SHIMKUS, Mr. TED LIEU of California, Mr. WOMACK, Mr. KILMER, Mr. REED, Mr. RENACCI, Mr. PRICE of North Carolina, Mr. GUTHRIE, Mr. PITTENGER, Ms. WILSON of Florida, Mr. MURPHY of Pennsylvania, and Ms. STEFANIK.
H.R. 1595: Ms. ROS-LEHTINEN.
H.R. 1603: Ms. STEFANIK.
H.R. 1608: Mr. DAVID SCOTT of Georgia.
H.R. 1610: Mr. PEARCE, Mr. SHIMKUS, Mr. FORBES, and Mr. CURBELO of Florida.
H.R. 1622: Mr. VAN HOLLEN.
H.R. 1624: Mr. FLEMING, Ms. CLARKE of New York, Mr. KILDEE, Mr. VELA, Mr. GIBSON, Mr. POSEY, and Mr. WEBER of Texas.
H.R. 1627: Mr. ROSKAM.
H.R. 1635: Ms. PINGREE.
H.R. 1653: Mr. ASHFORD and Ms. MATSUI.
H.R. 1670: Mr. GARRETT.
H.R. 1684: Mr. KATKO.
H.R. 1716: Mr. AUSTIN SCOTT of Georgia.
H.R. 1718: Mr. MESSER and Mr. HUDSON.
H.R. 1721: Ms. BONAMICI.
H.R. 1722: Mr. LANGEVIN.
H.R. 1728: Mr. NORCROSS.
H.R. 1736: Mr. MESSER.
H.R. 1748: Ms. DELBENE.
H.R. 1752: Mr. ROSS, Mr. FLEMING, and Mr. BILIRAKIS.

H.R. 1763: Mr. LARSEN of Washington.
H.R. 1784: Mr. KIND.
H.R. 1786: Ms. ESHOO, Mr. BEN RAY LUJÁN of New Mexico, Mr. BARLETTA, Ms. MICHELLE LUJAN GRISHAM of New Mexico, and Mr. MCKINLEY.
H.R. 1801: Mr. MEEKS.
H.R. 1814: Mr. VELA, Mr. VARGAS, and Ms. ROYBAL-ALLARD.
H.R. 1818: Mr. NUGENT and Ms. STEFANIK.
H.R. 1854: Mr. NORCROSS.
H.R. 1859: Mr. MARCHANT and Mr. POMPEO.
H.R. 1877: Ms. LOFGREN.
H.R. 1886: Mrs. WALORSKI.
H.R. 1901: Mr. BRAT, Mr. SCHWEIKERT, and Mr. RATCLIFFE.
H.R. 1920: Mr. WEBER of Texas and Mr. TROTT.
H.R. 1934: Mr. GRIFFITH.
H.R. 1941: Mr. HULTGREN.
H.R. 1948: Ms. CLARK of Massachusetts.
H.R. 1969: Mr. KING of New York, Mr. ELLISON, Ms. ROYBAL-ALLARD, Mr. COHEN, Mrs. LOWEY, Mr. CARSON of Indiana, Mr. POCAN, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. SCOTT of Virginia, Mr. PETERS, and Mr. RUIZ.
H.R. 2017: Mrs. LUMMIS, Mr. SHUSTER, Mr. WESTMORELAND, Mr. FITZPATRICK, Mr. HARRIS, Mr. BUCSHON, Mr. GIBBS, and Mr. CUELLAR.
H.R. 2043: Mr. JOHNSON of Ohio, Mr. RODNEY DAVIS of Illinois, Mr. JOYCE, Mr. WELCH, Mr. TIPTON, Mr. ROE of Tennessee, and Mr. BOUSTANY.
H.R. 2050: Ms. MAXINE WATERS of California and Mr. MICHAEL F. DOYLE of Pennsylvania.
H.R. 2061: Mr. THOMPSON of California and Mr. RICHMOND.
H.R. 2065: Mr. KATKO, Mr. DONOVAN, Mr. TONKO, Mr. KING of New York, Mr. RANGEL, and Mr. PAYNE.
H.R. 2072: Mr. MCDERMOTT.
H.R. 2076: Mr. MCDERMOTT.
H.R. 2083: Mr. CICILLINE.
H.R. 2096: Mr. COSTELLO of Pennsylvania.
H.R. 2101: Ms. DELAURO.
H.R. 2121: Ms. MOORE, Mr. RIGELL, Mr. CLEAVER, Mr. SEAN PATRICK MALONEY of New York, Mr. DAVID SCOTT of Georgia, Mr. MEEKS, Mrs. LOVE, Mr. POLIS, and Mr. FINCHER.
H.R. 2123: Mr. COHEN, Mr. ROTHFUS, and Mr. GRAVES of Georgia.
H.R. 2124: Mr. MEEHAN, Mr. AGUILAR, and Mr. RICHMOND.
H.R. 2142: Mr. TURNER and Mr. BABIN.
H.R. 2147: Ms. EDWARDS.
H.R. 2156: Mr. MESSER.
H.R. 2170: Mr. GENE GREEN of Texas.
H.R. 2193: Mr. COHEN.
H.R. 2197: Ms. BROWNLEY of California, Mr. YOHO, Mr. LARSON of Connecticut, Mr. SCHIFF, Mr. RANGEL, Mr. CARSON of Indiana, Ms. TSONGAS, Mr. CICILLINE, Mr. DESAULNIER, Mr. HUFFMAN, Mr. FOSTER and Ms. PINGREE.
H.R. 2205: Mrs. LUMMIS.
H.R. 2208: Ms. PINGREE.
H.R. 2229: Mr. CAPUANO, Mr. EMMER of Minnesota, and Mr. PASCRELL.
H.R. 2233: Mr. BABIN.
H.R. 2247: Mr. GOODLATTE.
H.R. 2292: Mrs. BUSTOS.
H.R. 2293: Mr. BEYER, Mr. LANCE, Ms. MCCOLLUM, Mr. JOYCE, Mr. DESANTIS, Mr. POLIS, Mr. UPTON, Mr. BRADY of Pennsylvania, Ms. LEE, Mr. SHUSTER, Mr. CUMMINGS, Mr. KING of New York, and Ms. HERRERA BEUTLER.
H.R. 2300: Mr. CRENSHAW.
H.R. 2304: Mr. SENSENBRENNER, Mr. SMITH of Texas, Ms. JUDY CHU of California, Ms. LOFGREN, Mr. MCNERNEY, Mr. TAKANO, Ms. HAHN, Ms. LINDA T. SÁNCHEZ of California, Ms. SPEIER, Ms. MATSUI, Mr. THOMPSON of California, Mr. GARAMENDI, Mr. FARR, Mr. NOLAN, Mr. ISRAEL, and Mr. CROWLEY.
H.R. 2315: Mr. SCOTT of Virginia and Mr. DAVID SCOTT of Georgia.
H.R. 2320: Mr. TOM PRICE of Georgia and Mr. WOODALL.
H.R. 2369: Ms. JENKINS of Kansas.
H.R. 2400: Mr. ABRAHAM, Mr. BARLETTA, Mr. BISHOP of Michigan, Mr. GUTHRIE, Mr. KING of New York, Mr. LUCAS, Mr. MOONEY of West Virginia, Mr. SESSIONS, Ms. STEFANIK, Mr. WOODALL, Mr. CRENSHAW, Mr. FORBES, Mr. GUINTA, Ms. MCSALLY, Mr. NEWHOUSE, Mr. RATCLIFFE, Mr. WEBER of Texas, and Mr. YOUNG of Alaska.
H.R. 2403: Mr. PITTS, Mr. LANCE, and Mrs. ROBY.
H.R. 2404: Mr. HINOJOSA and Mr. VELA.
H.R. 2405: Mr. MARCHANT.
H.R. 2410: Mr. MEEKS and Mr. PIERLUISI.
H.R. 2434: Mr. SEAN PATRICK MALONEY of New York.
H.R. 2449: Mr. AGUILAR.
H.R. 2460: Mr. DUNCAN of South Carolina and Mr. STEWART.
H.R. 2461: Ms. PINGREE and Ms. JENKINS of Kansas.
H.R. 2463: Mrs. BLACK, Mr. FITZPATRICK, and Mr. STIVERS.
H.R. 2473: Mr. MULVANEY, Mr. ROUZER, Mr. JONES, Mrs. TORRES, and Mr. QUIGLEY.
H.R. 2493: Mr. COHEN.
H.R. 2513: Mrs. ELLMERS of North Carolina.
H.R. 2519: Mr. MEADOWS.
H.R. 2521: Ms. ADAMS, Ms. BASS, Mrs. BEATTY, Mr. BISHOP of Georgia, Ms. BROWN of Florida, Mr. BUTTERFIELD, Mr. CARSON of Indiana, Ms. CLARKE of New York, Mr. CLAY, Mr. CLYBURN, Ms. FUDGE, Ms. KELLY of Illinois, Mrs. LAWRENCE, Mr. MEEKS, and Mrs. WATSON COLEMAN.
H.R. 2536: Ms. CLARK of Massachusetts.
H.R. 2540: Mr. GRIFFITH.
H.R. 2553: Ms. ROS-LEHTINEN, Mr. JOLLY, Mr. KILMER, Ms. CASTOR of Florida, and Mr. HECK of Washington.
H.R. 2568: Mr. DUNCAN of South Carolina and Mrs. BLACK.
H.R. 2588: Mr. COLLINS of Georgia.
H.R. 2602: Mr. MCDERMOTT, Mr. KILMER, Mr. ELLISON, Mr. NADLER, Ms. DELAURO, and Mr. RANGEL.
H.R. 2607: Mr. COLLINS of New York, Mr. ZELDIN, and Ms. STEFANIK.
H.R. 2609: Mr. CONAWAY.
H.R. 2624: Mr. CONYERS, Mr. GRIJALVA, Ms. NORTON and Mr. HONDA.
H.R. 2643: Mr. KILMER, and Mr. SIMPSON.
H.R. 2646: Mr. MESSER, Mr. TURNER, Mr. BOUSTANY, Mrs. NOEM, Mrs. LUMMIS, Mrs. HARTZLER, Mr. MICA, Mr. COLE, Mr. LUCAS, Mr. KINZINGER of Illinois, Mr. HARRIS, Mr. STIVERS, Mr. SMITH of New Jersey, Mr. ROTHFUS, and Mrs. WALORSKI.
H.R. 2653: Mr. ROSKAM, Mr. AMODEI, Mr. GOODLATTE, Mr. ABRAHAM, Mr. LUETKEMEYER, Ms. JENKINS of Kansas, Mr. MOONEY of West Virginia, Mr. GRAVES of Georgia, and Mr. CRENSHAW.
H.R. 2654: Mr. DELANEY, Miss RICE of New York, and Ms. DUCKWORTH.
H.R. 2664: Mr. CARTWRIGHT.
H.R. 2680: Mr. ELLISON.
H.R. 2689: Ms. MAXINE WATERS of California and Mr. KNIGHT.
H.R. 2698: Mr. VALADAO and Mr. MARCHANT.
H.R. 2704: Mr. BLUMENAUER.
H.R. 2711: Mr. ROSKAM.
H.R. 2713: Mr. CICILLINE.
H.R. 2716: Mr. RATCLIFFE.
H.R. 2719: Mr. BENISHEK.
H.R. 2726: Mr. CARTWRIGHT.
H.R. 2728: Mr. SWALWELL of California and Mr. WALZ.
H.R. 2737: Ms. DUCKWORTH.
H.R. 2742: Mr. RUIZ.
H.R. 2744: Ms. HERRERA BEUTLER and Mrs. DAVIS of California.
H.R. 2751: Mr. RUIZ.
H.R. 2752: Mr. FRELINGHUYSEN and Mr. KILMER.
H.R. 2754: Mr. RODNEY DAVIS of Illinois.
H.R. 2759: Mr. BLUMENAUER and Mr. SCHIFF.
H.R. 2775: Mr. REED and Mr. AGUILAR.
H.R. 2799: Mr. KATKO, Mr. NUGENT, and Mr. BILIRAKIS.
H.R. 2805: Mr. SEAN PATRICK MALONEY of New York, Ms. ESTY, Mr. MCGOVERN, and Mr. STIVERS.
H.R. 2812: Mr. CRAMER.
H.R. 2824: Ms. CASTOR of Florida.
H.R. 2849: Ms. MCSALLY.
H.R. 2852: Mr. SCALISE.
H.R. 2855: Ms. PINGREE.
H.R. 2858: Ms. JUDY CHU of California, Mr. VAN HOLLEN, Ms. LOFGREN, Mr. FOSTER, Mr. PRICE of North Carolina, Ms. BONAMICI, Mr. CAPUANO, Mr. GRIJALVA, Ms. NORTON, Mr. SCHIFF, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. HASTINGS, Ms. DELAURO, Mr. RANGEL, Mr. CARTWRIGHT, Mr. COHEN, Ms. TITUS, Mr. DEFAZIO, Ms. CLARK of Massachusetts, Ms. SLAUGHTER, Mr. LARSON of Connecticut, Ms. SPEIER, Ms. PINGREE, Mr. HIMES, Ms. DELBENE, Mr. CONNOLLY, Mr. QUIGLEY, Mr. FARR, Mr. CONYERS, Mr. WELCH, Mrs. LOWEY, Mr. DEUTCH, Mr. POCAN, Ms. PLASKETT, Ms. ESTY, Ms. BROWNLEY of California, Mr. VISCLOSKY, Mr. JOHNSON of Georgia, Mr. HONDA, Mr. O'ROURKE, Mr. DESAULNIER, Ms. GABBARD, Ms. BORDALLO, Mr. BRENDAN F. BOYLE of Pennsylvania, and Mr. PETERS.
H.R. 2867: Mr. AGUILAR and Mr. O'ROURKE.
H.R. 2872: Mr. CHABOT.
H.R. 2876: Mr. YOUNG of Alaska.
H.R. 2893: Mr. RENACCI.
H.R. 2894: Mr. THOMPSON of California.
H.R. 2895: Mr. WALDEN.
H.R. 2902: Ms. LOFGREN and Mr. CICILLINE.
H.R. 2903: Mr. MACARTHUR, Mr. ADERHOLT, Mr. REICHERT, Mr. REED, Ms. ESTY, Ms. PINGREE, Mr. HUNTER, Mr. CONAWAY, Ms. NORTON, Mr. LUETKEMEYER, Mr. BENISHEK, Mr. GRAVES of Missouri, Mr. MCKINLEY, and Mr. LOBIONDO.
H.R. 2905: Mr. MARCHANT, Mr. WENSTRUP, Mr. NEWHOUSE, Mr. GROTHMAN, Mr. MCKINLEY, Mr. DUNCAN of South Carolina, and Mr. MOONEY of West Virginia.
H.R. 2911: Ms. LINDA T. SÁNCHEZ of California, Ms. JENKINS of Kansas, Mr. SCHRADER, Mrs. BLACKBURN, Mr. PASCRELL, Mr. RENACCI, Mr. LATTA, and Ms. SINEMA.
H.R. 2912: Mr. BRAT.
H.R. 2915: Mr. KILMER and Ms. GRANGER.
H.R. 2920: Mr. SCHIFF, Ms. ESTY, and Mr. TAKANO.
H.R. 2932: Mr. TAKANO.
H.R. 2933: Mr. NOLAN and Ms. DELBENE.
H.R. 2940: Mr. BENISHEK and Mr. BOST.
H.R. 2942: Mr. MESSER.
H.R. 2944: Mr. JONES and Mr. RANGEL.
H.R. 2946: Mr. CHABOT.
H.R. 2948: Mr. ZINKE, Mrs. KIRKPATRICK, and Mr. PALAZZO.
H.R. 2949: Mr. GOODLATTE.
H.R. 2958: Mr. BEN RAY LUJÁN of New Mexico.
H.R. 2962: Mr. AGUILAR, Ms. MATSUI, Mr. MCNERNEY, and Mr. VEASEY.
H.R. 2978: Ms. MCCOLLUM.
H.R. 2979: Mr. AGUILAR.
H.R. 2987: Mr. ROSS, Mr. MULVANEY, Mr. PITTENGER, Mr. DELANEY, Mr. CAPUANO, Mr. MURPHY of Florida, and Mr. ROTHFUS.
H.R. 2991: Mr. WEBSTER of Florida.
H.R. 2994: Miss RICE of New York.
H.R. 2998: Mr. DUNCAN of Tennessee.

H.R. 2999: Mr. FOSTER and Ms. ESTY.
H.R. 3007: Mr. COHEN, Ms. JUDY CHU of California, Mr. VEASEY, and Mr. SWALWELL of California.
H.R. 3011: Mr. BOUSTANY.
H.R. 3017: Mr. CHABOT.
H.R. 3025: Ms. BROWNLEY of California, Mr. VALADAO, and Mr. ROYCE.
H.R. 3026: Mrs. TORRES.
H.R. 3029: Mr. POCAN, Mr. COHEN, and Miss RICE of New York.
H.R. 3033: Mrs. COMSTOCK, Ms. EDWARDS, and Mr. WESTERMAN.
H.R. 3037: Mr. FORTENBERRY, Mr. ROGERS of Kentucky, Mrs. WALORSKI, and Mr. GRIFFITH.
H.R. 3041: Mr. SARBANES.
H.R. 3044: Miss RICE of New York.
H.R. 3051: Mr. POCAN, Mr. TAKANO, Mr. SCHIFF, Mr. CARSON of Indiana, Mr. ENGEL, Mr. MCGOVERN, Mr. SMITH of Washington, Ms. ESTY, and Mr. SERRANO.
H.R. 3054: Mr. MCDERMOTT.
H.R. 3065: Ms. NORTON and Mr. VAN HOLLEN.
H.R. 3067: Mr. GRIJALVA and Ms. TSONGAS.
H.R. 3080: Mr. COLE.
H.R. 3094: Mr. TOM PRICE of Georgia.
H.R. 3095: Ms. DUCKWORTH.
H.R. 3096: Mr. NEAL.
H.R. 3107: Mr. ROGERS of Alabama.
H.R. 3114: Mrs. DINGELL.
H.R. 3115: Mr. BUCHANAN, Mr. BOUSTANY, Mr. OLSON, and Mr. NEWHOUSE.
H.R. 3118: Mr. WESTERMAN, Mr. FRANKS of Arizona, Mr. JODY B. HICE of Georgia, Mr. BUCK, Mr. GIBBS, Mr. BYRNE, and Mr. CHABOT.
H.R. 3119: Mr. RIBBLE.
H.R. 3126: Mr. MESSER and Mr. OLSON.
H.R. 3129: Mr. FORTENBERRY.
H.R. 3134: Mr. RODNEY DAVIS of Illinois, Mr. TURNER, Mr. HARDY, Mr. SANFORD, Ms. ROS-LEHTINEN, Mr. BURGESS, Mr. LANCE, Mr. WOMACK, Mr. DESANTIS, Mr. STEWART, Mr. MCCAUL, Mr. TROTT, and Mr. VALADAO.
H.R. 3136: Mr. AUSTIN SCOTT of Georgia and Mr. SERRANO.
H.R. 3137: Mr. CALVERT and Ms. KUSTER.
H.R. 3138: Mr. BARTON.
H.R. 3139: Mr. RATCLIFFE.
H.R. 3142: Ms. TSONGAS.
H.R. 3150: Ms. ESTY, Ms. BROWN of Florida, Mr. VARGAS, Mr. PALLONE, Mr. NADLER, Ms. PINGREE, Ms. CLARK of Massachusetts, Mr. VAN HOLLEN, Mrs. TORRES, Mrs. LAWRENCE, Mr. TONKO, Mr. CARSON of Indiana, Mr. HONDA, Mr. JOHNSON of Georgia, Mr. SERRANO, Mrs. BUSTOS, Ms. ROYBAL-ALLARD, Mr. CLAY, Mr. MEEKS, and Mr. TAKAI.
H.R. 3151: Mr. BABIN and Mr. BRAT.
H.R. 3160: Mr. COHEN, Mr. MCGOVERN, and Ms. BROWNLEY of California.
H.R. 3161: Mr. WOMACK.
H.R. 3166: Mr. SALMON.
H.R. 3167: Mr. BUCK, Mr. SCHWEIKERT, Mrs. LOVE, Mrs. LUMMIS, Mr. DESANTIS, Mr. WALKER, Mr. JONES, Mr. MULVANEY, and Ms. MCSALLY.
H.R. 3171: Mr. POLIQUIN.
H.R. 3178: Mr. ROE of Tennessee.
H.R. 3179: Mr. ROE of Tennessee and Mr. ROKITA.
H.R. 3180: Mr. MURPHY of Florida, Mr. RODNEY DAVIS of Illinois, Mr. COSTELLO of Pennsylvania, Mr. MACARTHUR, and Ms. SINEMA.
H.R. 3187: Mr. HUFFMAN.
H.R. 3189: Mr. ROTHFUS and Mr. HULTGREN.
H.R. 3197: Mr. GOWDY, Mr. BARR, and Mr. ROKITA.
H.R. 3199: Mr. CARTER of Georgia.
H.R. 3202: Mr. PIERLUISI.
H.R. 3209: Mr. TIBERI and Mr. JOHNSON of Ohio.
H.R. 3213: Mr. CHABOT.
H.R. 3215: Mr. PITTS, Mr. HARRIS, Mr. GOWDY, Mr. WALBERG, Mr. SAM JOHNSON of Texas, Mr. MOONEY of West Virginia, Mr. STEWART, Mr. WENSTRUP, Mr. JONES, and Mr. CHABOT.
H.R. 3216: Mr. GOODLATTE.
H.R. 3221: Mr. PETERS, Mr. NADLER, Mr. RANGEL, Mr. GRIJALVA, Mrs. WATSON COLEMAN, Ms. JACKSON LEE, Ms. EDWARDS, Ms. PLASKETT, Mr. HECK of Washington, Mr. LARSEN of Washington, Mr. ELLISON, Mr. CAPUANO, Mr. HASTINGS, Mr. CLAY, Ms. BONAMICI, and Ms. MOORE.
H.R. 3222: Mr. GUTHRIE and Mr. WITTMAN.
H.R. 3231: Ms. NORTON.
H.R. 3232: Ms. NORTON.
H.R. 3233: Ms. NORTON.
H.R. 3245: Mr. FORTENBERRY, Mr. HARRIS, Mr. BARTON, Mr. CULBERSON, Mr. BURGESS, Mr. JODY B. HICE of Georgia, Mr. YOHO, Mr. DUNCAN of South Carolina, Mr. MULVANEY, Mr. GOWDY, Mr. SALMON, Mr. MASSIE, Mr. FRANKS of Arizona, Mr. RICE of South Carolina, Mr. ROTHFUS, Mr. JORDAN, Mr. KING of Iowa, and Mr. ROUZER.
H.R. 3248: Mr. RODNEY DAVIS of Illinois.
H.R. 3268: Ms. HERRERA BEUTLER, Mr. THOMPSON of California, Ms. ROYBAL-ALLARD, Mr. TONKO, Mr. SMITH of Washington, and Mr. JEFFRIES.
H.J. Res. 45: Mr. KING of Iowa.
H.J. Res. 51: Ms. JACKSON LEE.
H.J. Res. 54: Mr. POLIS.
H.J. Res. 59: Mr. PETERSON.
H. Con. Res. 17: Mr. CURBELO of Florida.
H. Con. Res. 19: Mr. STIVERS, Mr. WESTMORELAND, Mr. RODNEY DAVIS of Illinois, Mr. MARCHANT, Mr. SMITH of Missouri, Mr. LEWIS, and Mr. ROTHFUS.
H. Con. Res. 40: Ms. HAHN.
H. Con. Res. 50: Mr. ISRAEL and Mr. NEUGEBAUER.
H. Con. Res. 62: Mr. WILSON of South Carolina and Mr. GOODLATTE.
H. Con. Res. 63: Mr. JONES.
H. Con. Res. 66: Mr. VAN HOLLEN, Mr. COSTELLO of Pennsylvania, Ms. BORDALLO, Mr. CARSON of Indiana, Mr. GUTIÉRREZ, Mr. TAKANO, Mr. HIGGINS, Mr. BISHOP of Georgia, Mrs. WATSON COLEMAN, Mr. LARSON of Connecticut, Mr. ZINKE, Mr. CASTRO of Texas, Miss RICE of New York, Mr. LEVIN, Mr. DANNY K. DAVIS of Illinois, Mr. JOHNSON of Ohio, Mr. RYAN of Ohio, Mr. KILMER, Mr. DELANEY, Mr. COURTNEY, Mr. PASCRELL, Ms. CLARKE of New York, Mr. MCGOVERN, Mrs. TORRES, Mr. NEWHOUSE, Mrs. BEATTY, Mr. PETERS, Ms. ROYBAL-ALLARD, Mrs. DINGELL, Mr. PRICE of North Carolina, Mr. CONNOLLY, Mr. TED LIEU of California, and Mr. COLLINS of New York.
H. Res. 12: Mr. RUPPERSBERGER.
H. Res. 15: Ms. MCCOLLUM.
H. Res. 28: Ms. WASSERMAN SCHULTZ and Ms. DUCKWORTH.
H. Res. 54: Ms. WASSERMAN SCHULTZ.
H. Res. 130: Mr. PETERS and Ms. PLASKETT.
H. Res. 210: Ms. MCCOLLUM, Ms. ESTY, and Mr. MOULTON.
H. Res. 230: Mr. BENISHEK, Ms. FRANKEL of Florida, and Ms. BROWN of Florida.
H. Res. 294: Mr. KIND.
H. Res. 327: Mr. AGUILAR.
H. Res. 354: Mr. DESANTIS and Mrs. WALORSKI.
H. Res. 364: Mr. SWALWELL of California and Ms. BONAMICI.
H. Res. 367: Mr. POLIQUIN, Mr. LUCAS, Mr. MEEHAN, Mr. BOUSTANY, Mr. NEWHOUSE, and Mr. WITTMAN.
H. Res. 382: Ms. FRANKEL of Florida, Mr. COHEN, Mr. VARGAS, Ms. JACKSON LEE, Mr. MEEKS, and Mr. RICHMOND.
H. Res. 385: Mr. MASSIE, Mr. JONES, and Mr. YOHO.

EXTENSIONS OF REMARKS

CONGRATULATING THE NORTHERN ILLINOIS UNIVERSITY SUPERMILEAGE TEAM

HON. ADAM KINZINGER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. KINZINGER of Illinois. Mr. Speaker, I rise today to congratulate the Northern Illinois University Supermileage team on their recent success at the 36th Annual SAE Supermileage Competition in Marshall, Michigan.

Over the course of two days in June, engineering and technology students from around the world completed the challenge of designing and constructing a single-person, fuel-efficient vehicle. The Northern Illinois vehicle, called the Huskie Rocket, was able to reach a fuel efficiency of 1,057 miles per gallon, placing the Northern Illinois Supermileage team third in the world, and second in the United States.

Since 2010, the NIU Supermileage team, led by faculty advisor Dr. David Schroeder, has consistently placed in the top ten at the annual SAE Supermileage Competition. This year's impressive showing included the hard work of ten NIU students, including Supermileage team captain Lindsey Dodis, Kevin Kuebrich, Christian McAdoo, Kyle McNamara, Russell Fordyce, Andrew Hagel, Adam Detrick, Aaron McKeown, Tom Swanberg, and Saajan Patel. All the students, faculty, and staff that contributed to the success of the Supermileage team and their Huskie Rocket should be commended for their hard work and dedication to applying what they have learned from the NIU College of Engineering and Engineering Technology at the Supermileage Competition.

Mr. Speaker, on behalf of the 16th District of Illinois, I wish to express our sincere congratulations for the hard work of the Northern Illinois University Supermileage team. I look forward to seeing what these bright and dedicated students accomplish in the future.

TRIBUTE TO THE ALEX THEATRE'S 90TH ANNIVERSARY

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. SCHIFF. Mr. Speaker, I rise today to honor the Alex Theatre upon its 90th anniversary.

The Alex Theatre has been a cornerstone of the Glendale community since its establishment in 1925. In its early years, the Alex Theatre was home to Vaudeville theatrics and silent films. For the next 60 years, the Alex Theatre previewed first-run films, ranging from 1937's Saratoga to 1977's Star Wars, solidifying its continuing identity as the epicenter of Hollywood glamour.

Originally designed by architects Charles R. Selkirk and Arthur G. Lindley, the theatre façade was remodeled in 1940 by S. Charles Lee—a remodel that included the extraordinary 100-foot Art Deco tower.

The Alex Theatre continued hosting Hollywood premieres until the 1980s, at which point the theatre began to fall into disrepair. In 1991, however, the Glendale Redevelopment Agency restored the Alex Theatre to its former glory, investing over $6 million.

The renovated theatre opened on New Year's Eve in 1993 to serve as a community arts theatre and civic center. Owned by the City of Glendale and operated by Glendale Arts, the Alex Theatre was placed on the National Register of Historic Places in 1996.

Since its redesign in the 1990s, the Alex Theatre has retained its identity as a center for arts, but has increased its functions. Another expansion project began in July 2013 and was completed in June 2014. This $5.2 million renovation added 6,600 square feet to the backstage area.

The Alex Theatre is currently home to four companies: the Los Angeles Ballet Company, the Alex Film Society, the Glendale Youth Orchestra, and the Los Angeles Chamber Orchestra. In addition to hosting these companies, the Alex Theatre also hosts dance, comedy, theatre, music, and special events to serve more than 100,000 people who pass through its doors annually. To attest to the theatre's versatility, I had the great pleasure of hosting the 21st State Senate Arts Competition at the Alex Theatre in the late 1990s and early 2000s.

The Alex Theatre is destined to continue its impressive legacy as a local and national landmark. I am honored to recognize the Alex Theatre for its great cultural value to the community, and ask all members to join me in congratulating the Alex Theatre upon its 90th anniversary.

IN HONOR OF THE 60TH ANNIVERSARY OF THE TEVIS CUP RIDE

HON. TOM McCLINTOCK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. McCLINTOCK. Mr. Speaker, I rise today to celebrate the 60th anniversary of the Tevis Cup Ride of the Western States Trail.

The Western States Trail Foundation hosts the Ride with the aim of preserving the trail. Throughout its long history, the trail has been used by Native Americans, emigrants, gold and silver miners, and sportsmen alike.

The Tevis Cup is the oldest modern-day endurance ride, covering one hundred miles in one day. Riders begin in Robie Park, east of Squaw Valley, and have twenty-four hours to make their way to the end of the rugged trail in Auburn, California. The 60th annual ride will take place on August 1, 2015.

Thousands of horseback riders from around the world participate in the Tevis Cup. The event brings together a vast community of volunteers dedicated to keeping the Western States Trail open to the public. Volunteers spend innumerable hours and significant financial resources to make this equestrian endurance ride a success year after year.

Mr. Speaker, the Western States Trail Foundation and the Tevis Cup Ride have made an important contribution to both the local economy and the preservation of this rugged Sierra trail. I thank the Western States Trail Foundation for hosting the Tevis Cup Ride, particularly on the event's 60th anniversary, and I commend the Foundation for its continuing efforts to ensure the trail remains a monument to public access and enjoyment of our nation's abundant natural resources.

REMEMBERING LEONORA TERESA BROWNE WELCH

HON. EARL L. "BUDDY" CARTER

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. CARTER of Georgia. Mr. Speaker, I rise today in remembrance of Leonora Teresa Browne Welch who passed away peacefully on Tuesday, July 28, 2015.

Mrs. Welch was born in Savannah, Georgia on June 23, 1928 and was the only child of Josephine Mollo and Palmer Carr Browne. She had many fond memories of her childhood with Italian family members on her mother's side, and growing up on her father's dairy farm, Kensington Dairy, which comprised the land known today as Kensington Park and Fairway Oaks.

Mrs. Welch attended Cathedral Day School and St. Vincent's Academy where she was Valedictorian of her graduating class in 1946. She went on to study journalism at Armstrong College and worked at Citizens and Southern Bank.

In 1952, Mrs. Welch married O.C. Welch, Jr., a Savannah native and engineer for the Seaboard Coastline Railroad, and by 1963 she was a busy mother to her eight children. She was affectionately called "Noni" by her husband and later by her many grandchildren. The Welches were married for 43 years until Mr. Welch's death in 1996.

Mrs. Welch was a devout Catholic throughout her life, and the Welch family were communicants of St. James Catholic Church where their children attended school before going on to attend St. Vincent's Academy and Benedictine Military School.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

As her children began to leave the house, Mrs. Welch found more time to avail herself to volunteer for several community organizations including Goodwill, but was especially dedicated to her work in the Diocese of Savannah and St. James offices. She also enjoyed a close circle of friends known as The BOF's—or Best of Friends—who met monthly for luncheons around Savannah. She was also active in the Daughters of Ireland.

Mrs. Welch was a shining example of God's unconditional love, and was a loving and proud mother and grandmother. She is survived by her daughters Celeste Welch Crago and Julie Welch Cirincioni; and her sons Michael Warren Welch (Aino), O.C. Welch III, Daniel Kevin Welch, Brian Christopher Welch (Tiffany), Douglas Gerald Welch (Marcy), and Joseph Thomas Welch (Charlotte); 20 grandchildren and 2 great-grandchildren.

INTRODUCTION OF THE NATURAL GAS ENVIRONMENTAL AND ECONOMIC SECURITY ACT

HON. ALAN S. LOWENTHAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. LOWENTHAL. Mr. Speaker, today I am introducing the Natural Gas Environmental and Economic Security Act with a number of my colleagues, including the Ranking Member of the House Natural Resources Committee RAÚL GRIJALVA, to reduce the frivolous and unnecessary waste of natural gas from public lands. Large volumes of natural gas are regularly flared, vented, or simply leak from Federal oil and gas leases—in 2013 alone, the amount of lost gas could meet the heating and cooking needs of 1.6 million American homes according to the Environmental Defense Fund. To make matters worse, the Center for American Progress and The Wilderness Society showed that the amount of gas lost to venting and flaring doubled between 2008 and 2013, with no sign of the trend slowing. In addition, this wasted gas is not subject to royalties, costing the American taxpayers as much as $58 million annually in lost revenue according to the Government Accountability Office.

Beyond being economically wasteful, these processes are bad for human health and the environment. Gas released to the atmosphere from venting and leaks contributes dramatically to climate change, since methane, the major component of natural gas, has 25 times the warming impact of carbon dioxide over 100 years. In 2013 alone, the Environmental Defense Fund estimated that the volume of methane released to the atmosphere was equivalent to the emissions from 5.6 million cars. Venting, flaring, and leaks all affect local air quality as well by releasing volatile organic compounds, nitrogen oxides, and particulate matter into the atmosphere. These environmental costs undercut the potential benefits of natural gas as a lower-carbon, cleaner burning fuel alternative to coal.

Local regulations have already demonstrated that the best way to curb venting, flaring, and fugitive releases is to both enact strong regulations and incentivize gas capture by collecting royalties on lost gas, and our bill, the Natural Gas Environmental and Economic Security Act takes this two-pronged approach. To address royalties, the bill amends the Mineral Leasing Act and the Outer Continental Shelf Lands Act to require royalties on all gas produced from new leases, including gas used on the lease to power equipment. Gas lost in acute emergency situations would remain exempt from royalties to ensure that safety is not compromised.

The bill would also require that 99 percent of all gas produced each year from Federal leases be captured within 5 years. It also prohibits venting and limits routine flaring. To reach the 99 percent goal, the bill establishes equipment and operation standards, mandatory leak detection and repair procedures, and recordkeeping requirements; it also institutes new reporting requirements for all gas produced, disposed, or leaked on a lease and requires public disclosure of the data. Market-appropriate enforcement mechanisms for noncompliance, as well as guidelines for applying such measures, are also established.

This bill is a win-win for the American taxpayer, providing both environmental and economic benefits, while also promoting the growth of the domestic methane mitigation industry, which is creating high-paying jobs through small businesses across the nation. Further, many of these gains come at minimal or no cost to producers, since many mitigation technologies pay for themselves once the captured gas is marketed.

The Natural Gas Environmental and Economic Security Act stops the waste of valuable taxpayer resources, protects the environment and public heath, and boosts the economy. I ask that my colleagues support this commonsense legislation and rein in the waste of natural gas from our public lands.

HONORING THE DEDICATED SERVICE OF DOROTHEA MCBRIDE

HON. MARTHA ROBY

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday July 29, 2015

Mrs. ROBY. Mr. Speaker, I rise today to honor Dorothea McBride who is retiring from the Department of Veterans Affairs after 27 years of dedicated service. A Registered Nurse, a Veteran, and Patient Administrator at Central Alabama Veterans Healthcare System, her tireless work has been instrumental in helping the veterans of Central Alabama.

Under particularly challenging circumstances, Dorothea has provided critical health care to many of our nation's most dedicated servants. Whether responding to veterans directly or working with my office on Congressional inquiries, she has demonstrated an exceptional level of professionalism and patriotism, literally saving lives.

Dorothea McBride cares deeply for the veterans in her care. She never failed to respond diligently and with compassion and courtesy when asked for help. Along with my staff, I want to wish her all the best in the next chapter of her life. We will never forget her service.

CONGRATULATING GIL MILLER ON HIS RETIREMENT FROM THE UNITED STATES NAVY

HON. KAY GRANGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Ms. GRANGER. Mr. Speaker, I rise today to congratulate Captain Gil Miller on his retirement from the United States Navy and to thank him for his many years of dedicated service.

Captain Miller is a Naval Academy graduate who has devoted 25 years of his life to serving our country. For the last two years he has done an outstanding job as commander of Naval Air Station Fort Worth Joint Reserve Base in Tarrant County, Texas. He has served our country well while also making significant contributions to the communities around the base.

Earlier in his career, Captain Miller flew SH–2 and SH–60 helicopters based on ships in the Eastern Pacific, Central America, and Caribbean. He also flew fleet airlift missions in the Beechcraft C–12 and the C–130T Hercules transport for three tours, and deployed on relief missions for the Pakistani earthquake and Hurricanes Katrina and Rita.

Captain Miller served two tours in the Pentagon as Executive Assistant to the Deputy Director and as principal briefer to the Undersecretary of Defense for all Reserve and National Guard mobilizations, deployment orders, and global force management.

While Captain Miller has served our country he has been blessed with the support of his wife, Cheryl.

I offer my heartfelt thanks and congratulations to Captain Miller for his outstanding career in the Navy and wish him the best in his retirement.

CONGRATULATING JOHN S. LIZAMA ON HIS PROMOTION TO BRIGADIER GENERAL IN THE UNITED STATES AIR FORCE

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Ms. BORDALLO. Mr. Speaker, I rise today to recognize Johnny S. Lizama of the village of Santa Rita on his promotion to the rank of Brigadier General of the Guam Air National Guard. Brigadier General Lizama is the Director of Staff for Air, Joint Forces Headquarters, Guam National Guard. He was appointed to serve as the Assistant Adjutant General-Air Force by Governor Eddie Baza Calvo.

Brigadier General Lizama began his military career in June 1977 after enlisting in the United States Coast Guard. In December 1982, he enlisted in the Air Force and reported to Eglin Air Force Base as a Direct Duty Assignment Interior Electrician with the 3202nd Civil Engineering Squadron. He later served as a Manpower Management Technician with Detachment 6, 3904th Management Squadron at Beale Air Force Base, California,

during his last two years of active duty service. In 1988, Brigadier General Lizama separated from the Air Force and returned to Guam, where he joined the Guam Air National Guard and served as the 254th Services Flight Superintendent until 1992.

In 1992, Brigadier General Lizama was commissioned in the Guam Air National Guard as Personnel Programs Officer for the 254th Air Base Group and later as Director of Personnel for the Active Guard Reserve. As Director of Personnel, he administered a range of personnel programs to include procurement, professional development, recruitment and retention programs, and support for contingency operations, among other major responsibilities.

From 2002 to 2006, Brigadier General Lizama was the comptroller for the 254th Air Base Group with oversight of $2.1M in appropriated funds, whose financial management expertise was instrumental in the planning and standup of the 254th Security Forces Squadron. As commander of the 254th Air Base Group from August 2007 to September 2013, he was responsible for the command and control of Guam Air National Guard's units and activities and their maximum readiness capabilities.

Brigadier General Lizama is a 1977 alumnus of Father Duenas Memorial High School in Tai, Guam. He received a Bachelors degree in Management from the University of Guam and Masters degrees in Public Administration and Human Resources from Golden Gate University. Additionally, Brigadier General Lizama enrolled and successful completed Air War College.

I extend my congratulations to Johnny S. Lizama on his promotion to Brigadier General, and I join the people of Guam in commending him for his service to our nation and island. Brigadier General Lizama's promotion marks an important milestone in the history of the Guam National Guard. Finding qualified officers to serve in Assistant Adjutant General positions ensures that the vision and intent of the Guard Empowerment Act is being fulfilled on Guam. This will provide greater professional development for well qualified officers in the Guam National Guard.

Moreover, this is a historic occasion for our island as Brigadier General Lizama is the first Chamorro Airman to be promoted and federally recognized at the rank of brigadier general in the Guam Air National Guard and the United States Air Force. I also extend my congratulations to his wife, Dee, and their four children, Keith and his wife Paul Jean, Kimberly and her husband Jonathan, Brother Cody, OFM Cap., and Rico as well as to his two grandchildren, Taehlyn-Jean and Urijah John. I wish him the best on this important achievement.

MEMORIAL TRIBUTE TO ABDO YOUSSEF SAAB

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. SCHIFF. Mr. Speaker, I rise to honor the memory of Abdo Youssef Saab of Los Angeles, California, a man of integrity and an outstanding community leader, who passed away on July 23, 2015.

Abdo was born in Hammana, Lebanon on August 15, 1945. He was educated in Jesuit schools in Lebanon, studied in France and received his Civil Engineering degree. Abdo came to Los Angeles in the early 1970's, where he met Lourdes, a community liaison for the Los Angeles Mayor's Office; they fell in love and married. They lived and raised their two daughters, Liane and Jessica in La Cañada Flintridge before moving to Los Angeles.

Mr. Saab began a long and remarkable career as a businessman, ascending quickly to the position of Vice President of Downtown L.A. Motors. He then began several businesses, including a travel agency and a consulting firm. Abdo was also active in the local law enforcement and political communities.

A charismatic man, Abdo's presence was felt wherever he went. He loved to make people laugh, and his good sense of humor made a positive lasting impression on everyone he met. Valuing integrity in work, politics and life, Mr. Saab treated everyone equally with respect and as a friend, and cared deeply about civil liberties and justice. He enjoyed helping people and was a dependable friend in hard times. Deeply patriotic, Abdo loved Lebanon, his country of origin, and America, his adopted home.

A devoted family man, Abdo is survived by his loving wife Lourdes, daughters Liane and Jessica Saab, brother George and sisters Georgette, Layla, Aida and May.

Abdo was an irreplaceable part of our community and he will be sorely missed by his family and friends and all those whose lives he touched. A trusted friend and a man of impeccable character, I ask all Members to join me in remembering Abdo Youssef Saab.

HONORING PRINCIPAL JAMES CONDON FOR THE 2015 INDIANA PRINCIPAL OF THE YEAR

HON. JACKIE WALORSKI

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mrs. WALORSKI. Mr. Speaker, I rise today to recognize Principal James Condon of Plymouth High School for being named the 2015 Principal of the Year. His success in fostering an exceptional learning environment for students in Plymouth is nothing short of remarkable.

Every year, the National Association of Secondary School Principals recognizes outstanding middle school and high school principals who have succeeded in providing high-quality learning opportunities for students. Recipients are chosen based on their performance in four categories, which include personal excellence, collaborative leadership, curriculum and personalization. Among other requirements, an award winner must model values, beliefs and attitudes that encourage others to higher levels of performance; create a culture of collaboration; ensure that each student has the best possible opportunity of realizing success; and create a school climate that is warm, inviting, safe and secure. Every one of us depends on our teachers, and because of that, they deserve our support and appreciation.

For over 20 years, Principal Condon has been contributing to the betterment of Indiana education. Since he became the principal of Plymouth High School in 2007, the school has been rated as one of the top high schools in Indiana and has received an "A" from the state in school accountability. As an added accomplishment, the school has achieved an 86 percent graduation rate, exceeding the Indiana state average by nearly 10 percent. These remarkable achievements have been duly-recognized and rewarded. Before receiving Principal of the Year, he was named the top high school principal in Indiana's second district, which includes Elkhart, St. Joseph, Starke, Marshall, Pulaski, Fulton, LaPorte and Kosciusko counties. Because of leaders like him, Hoosier classrooms are filled with future doctors, scientists and entrepreneurs.

Principal Condon's efforts have been instrumental in advancing Indiana's education system. His leadership has led to the development of digital and project-based learning, creation of dual credit courses and preparation of students for the job market. As a result, Plymouth High School now offers 35 dual credit courses and has achieved one of Indiana's highest pass percentages on AP classes. The school recently opened a state-of-the-art Advanced Manufacturing Training Center that serves students during the day and adults in the evening. Contributions like these would not be possible without the effort of passionate educators like Principal Condon. Quite simply, his work is bettering the lives of Hoosiers.

I want to take this opportunity to once again thank Principal Condon for helping students in Plymouth develop their talents and become our future leaders. On behalf of myself and my fellow Hoosiers, I congratulate him on receiving this prestigious award.

RECOGNIZING THE 50TH ANNIVERSARY OF LUEN THAI GROUP

HON. GREGORIO KILILI CAMACHO SABLAN

OF THE NORTHERN MARIANA ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. SABLAN. Mr. Speaker, today I ask you to join me in celebrating a fifty-year story of success that spans not just the Northern Mariana Islands or the mid-Pacific region, but three continents and several oceans. The Luen Thai Group of companies was founded by Dr. Tan Siu Lin in Hong Kong in September 1965, expanded to the Northern Mariana Islands and Guam in the 1970s, and now provides many important services to our community through its many local, regional, and international affiliates.

The Luen Thai Group is among the most successful apparel and accessories supply chain service providers in the world. The apparel business is listed on the Hong Kong Stock Exchange and produced 175 million units of garments, bags and shoes last year.

The company has invested heavily in the tourism industry in our region and continues to drive the expansion of tourism today. Luen Thai affiliate Century Travel and Tours is responsible for bringing thousands of visitors to our islands and for providing for their enjoyment during their stay with professional, quality services in air and ground passenger transportation.

Luen Thai Fishing Venture is a ''one-stop'' seafood provider, offering a full range of supply chain services from fleet operation, base operation, and processing in the central and western Pacific regions, to marketing and sales in Japan, the United States and China.

Luen Thai is also a provider of third party logistics as well as air and sea freight forwarding. The synergy created by these three areas of activity not only supports Luen Thai's own growth, but also helps connect the many small islands scattered over our vast ocean region, contributing to economic development and lifting the quality of life for those who inhabit Micronesia.

And affiliate Asia Pacific Airlines' services match the needs of a wide-ranging clientele. APA is a US-registered airline and a reliable air cargo service carrier in the western Pacific region.

Luen Thai has been involved in shipping since its early days. Along with partners, Luen Thai set up Mariana Express Lines, Ltd. in 1997 to increase the supply of shipping services in the Micronesian region. MELL's reliable and regular shipping services have brought business growth to Luen Thai Group as well as other enterprises in the region.

With service stations in 12 countries across Asia and America, affiliate CTSI is the largest provider of logistics services in Micronesia. It also works closely with MELL and APA to provide a full range of logistics and support services, including logistics consultancy and training, as well as customized IT solutions which support service integration, real time information and efficient operations. CTSI strives to provide the best to its customers by fostering a corporate culture that champions quality service, and by continually investing in both personnel as well as the hardware of the company.

Affiliate POI Aviation provides a broad range of round-the-clock services in ground handling, passenger and cargo handling, airport operation, and aircraft maintenance, to Saipan International Airport and its users.

Affiliate Century Insurance was established in the 1980s as an agent for a number of multi-national non-life insurance companies to issue and underwrite policies on commercial and domestic types of insurance in Micronesia. It was granted a Certificate of Authority to operate as the first fully-fledged non-life insurance company in CNMI.

For a long time, the sheer size of Micronesia has made it difficult and costly to provide a quality health service to the small populations scattered over its islands. Luen Thai met this challenge by investing in TakeCare, Inc. TakeCare provides medical insurance and owns FHP Health Center. One of the longest serving health service providers in the region, FHP operates twelve centers of medical care on Saipan and Guam which cover the full spectrum of wellness, both in sickness and health, from monitoring physical fitness to dispensing quick responses to urgent medical needs such as transfer service to major medical facilities overseas.

Affiliate Saipan Tribune is a daily newspaper that keeps the people of Saipan informed about life on the island and world events while its web version serves as a window to the islands for the outside world. The Tribune is a very important part of the community fabric.

Luen Thai also owns Cosmos Distributing Co. Ltd. and Dickerson & Quinn, which is a vast network in Micronesia for the distribution of a myriad of international brands.

Tango, Inc. brings great, state-of-the art cinema to the western Pacific region. Today, the company owns 17 movie screens, 30 bowling alleys, and other entertainment and dining outlets in the region.

Realty Management Services provides professional management and rental services in Guam and Saipan, including for residential, commercial and industrial properties. The first-rate service and green initiatives of RMS have set benchmarks in the region.

Dr. Tan Siu Lin's values and beliefs are the guiding principles of the operation and development of businesses in Luen Thai. Dr. Tan believes strongly in giving back to the communities where Luen Thai operates.

In 2009, Luen Thai launched the ''iServe. iGiveback.'' program that incorporated all business units and their employees. The group of companies has also shown its support for educational, art, cultural, as well as sport activities and programs with generous sponsorships.

The first Tan Siu Lin Foundation was established in Saipan in 1986, followed by others in Guam, Hong Kong, and China, to oversee and coordinate Dr. Tan's wide-ranging charitable works in many different places.

The history of the Luen Thai group of companies is an extraordinary success story that reflects the vision and dedication of Dr. Tan and his family. The company and its affiliates bring employment, products, services, and business opportunities to the Northern Mariana Islands, to our entire region, and around the world.

RECOGNIZING VIC STORY JR., 2015 FLORIDA FARMER OF THE YEAR

HON. DANIEL WEBSTER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. WEBSTER of Florida. Mr. Speaker, I am pleased to take this opportunity to recognize a close friend of mine whose dedication to the citrus industry has greatly impacted our Central Florida community. Mr. Vic Story Jr. of Lake Wales, Florida was recently named the 2015 Swisher Sweets/Sunbelt Expo Florida Farmer of the Year. Mr. Story oversees The Story Companies, his family-owned and operated business, which includes land holdings, citrus management, citrus marketing and harvesting for over 7,000 acres of citrus in Polk, Hardee, Highlands, and Hendry counties.

In 1945, upon returning home from fighting in World War II, Mr. Story's parents moved to Polk County, Florida and purchased 100 acres. Mr. Story, along with his brother, Terry, helped his father plant their property with an orange and grapefruit grove until all the land was planted in citrus. Mr. Story's father, Vic Sr. grew the family's grove into a successful enterprise after surviving the major citrus freezes in 1957–58. In 1965, they began purchasing other citrus groves in the area, and by 1984, they had started a harvesting company. Today Mr. Story serves as the President and Chairman of the Board of The Story Companies for the family farm. He has passed on the management of the family business to his two sons, Kyle and Matt.

This October, Mr. Story and his family will head to Moultrie, Georgia for the Sunbelt Ag Expo, where he will compete with nine other state winners for the Southeastern Farmer of the Year. He is most deserving of being named 2015 Florida Farmer of the Year. His leadership, dedication, and passion continue to be an inspiration to us all.

IN RECOGNITION OF COLONEL RICK HARNEY, JR. ON THE OCCASION OF HIS RETIREMENT FROM THE UNITED STATES ARMY

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. BARLETTA. Mr. Speaker, it is my honor to recognize Colonel Rick Harney, Jr. on the occasion of his retirement from the United States Army. Throughout his 37 year career, Col. Harney has selflessly served our country and community; namely, during the time he spent as Director of the United States Army Heritage and Education Center (USAHEC) at the Carlisle Barracks, which I am honored to represent. USAHEC is a tremendous institution within my congressional district charged with educating members of our Armed Forces and honoring soldiers—past and present.

Col. Harney enlisted in the Army in August of 1978. In 1987, after matriculating from the United States Officer Candidate School in Fort Benning, Georgia as a Distinguished Military Graduate, he received his commission as a Field Artillery Lieutenant. He has undertaken many notable assignments, including Assistant Commandant and Chief at the United States Army Quartermaster School in Fort Lee, Virginia, and Commander of the Defense Distribution Center at the Anniston Army Depot in Alabama. Such roles have enabled Col. Harney to positively influence his colleagues, as well as the future strategic leaders of our military.

A Magna Cum Laude graduate from Hawaii Pacific University with a Bachelor of Science in Business Administration, he also holds an impressive number of advanced degrees, including a Master of Business Administration from Webster University, a Master of Military Arts and Science from the United States Army Command and General Staff College, and a Master of Strategic Studies from the Air War College. In addition to his academic success, Col. Harney has received an extensive amount of awards and decorations. These include the Legion of Merit, Defense Meritorious

Service Medal with two Oak Leaf Clusters, Army Meritorious Service Medal with Silver Oak Leaf Cluster, Joint Service Commendation Medal, Army Commendation Medal with three Oak Leaf Clusters, Joint Service Achievement Medal with two Oak Leaf Clusters, Army Achievement Medal with five Oak Leaf Clusters, Joint Meritorious Unit Award with Oak Leaf Cluster, Army Superior Unit Award, Master Parachutist Badge, Air Assault Badge, and Parachute Rigger Badge. Such accolades are indicative of the high caliber of his dedicated service to our nation.

On July 7th, 2014, Col. Harney assumed duties as the Director of the USAHEC at the Carlisle Barracks in my congressional district. As an instructor and educator, Col. Harney has significantly improved the experiences of his fellow instructors and students. The initiatives and programs he has implemented have shaped the lives of the future leaders of our military, and have enhanced the effectiveness of the United States Army War College. Even though he will no longer be present at USAHEC on a day-to-day basis, his legacy will inevitably carry on.

Mr. Speaker, I am humbled to congratulate Col. Harney on the culmination of a distinguished, 37 year career in the United States Army. I hope that he will celebrate the occasion in the company of his wife, Leslie, his children, Dominick, Aerin, Marc, and Ashley, and his grandchildren, Izumi, Eugene, Marc, Marvelo, Mecca, Ayrielle, and Ash'kelon. I wish him all the best in this next chapter of his life.

IN HONOR OF EMMA HARRIS ARMSTRONG

HON. DAVID SCOTT

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. DAVID SCOTT of Georgia. Mr. Speaker, I rise today to pay tribute to the accomplishments of an extraordinary woman, Mrs. Emma Harris Armstrong. Throughout her 99 years, Mrs. Armstrong has experienced important moments in history and has also continuously striven to improve the lives of her family, friends, and community.

Mrs. Armstrong's hardworking and independent attitude grew out of her childhood and subsequent life experiences. Growing up as the third child of twelve siblings, she, like her siblings, helped with household chores and sharecropping, while worshipping at the Mount Olive Baptist Church and attending school. At the Brunswick Courthouse in Georgia, Emma Harris Armstrong married John ''Jackie'' Armstrong. During their marriage, Mr. and Mrs. Armstrong traveled across the United States to accommodate Mr. Armstrong's military career. During and after World War II, Mrs. Armstrong resided in Sioux Falls, South Dakota. Mrs. Armstrong often passed the time playing tennis with other Army wives, eventually becoming quite good at the sport. Through her and her husband's travels, Mrs. Armstrong cultivated a love for travel and the beautiful sites of this country.

Mrs. Armstrong has seen an incredible amount of change during her lifetime. During her life, Mrs. Armstrong has seen the devastating effects of the Great Depression, the desperate times of World War II, and the landing of the first man on the moon. Mrs. Armstrong lived through the painful effects of discrimination, however, despite everything, she always approached the evils of segregation with love in her heart. Through her independence and strong will, Mrs. Armstrong raised two children in the midst of these turbulent times while still finding time to be actively involved in her church, the community, and politics. Mrs. Armstrong worked on the Senate campaigns for both Senator George McGovern and Senator Tim Johnson.

On most days, Mrs. Armstrong can be found attending church activities, spending time with family, and devoting her time to the community. Throughout her years, Mrs. Armstrong has always treated all her family, friends, and visitors with graciousness and kindness.

Mr. Speaker, I rise today to honor the incredible perseverance and steadfastness of this woman. Mrs. Emma Harris Armstrong is a great lady whose love and dedication inspires numerous people around her. I ask my colleagues to join me in venerating this distinguished individual.

HONORING SHARON P. PEARCE, PRESIDENT OF THE AMERICAN ASSOCIATION OF NURSE ANESTHETISTS

HON. RICHARD HUDSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. HUDSON. Mr. Speaker, I rise today to honor my constituent, Sharon P. Pearce, CRNA, MSN, of Lexington, North Carolina. Ms. Pearce's term as president of the American Association of Nurse Anesthetists (AANA) will soon come to an end.

Throughout her presidency at the AANA, Ms. Pearce has been a strong advocate for patient safety and the practice of nurse anesthesia. She has worked tirelessly to advance policies that modernize the industry and meet the unique needs of patients. Ms. Pearce has also been a vocal advocate for veterans' access to quality healthcare.

Ms. Pearce has served as a CRNA for more than 20 years and has made great contributions to the healthcare system in North Carolina. She has demonstrated a lifelong commitment to professional development having received her Master of Science in Nurse Anesthesia from the University of North Carolina at Greensboro, a Certificate in Nurse Anesthesia from Wake Forest University Baptist Medical Center, a Bachelor of Science in Nursing from the University of North Carolina at Greensboro, and an Associate Degree in Nursing from Davidson County Community College.

Ms. Pearce has been an active member of numerous AANA committees and has previously served in AANA leadership positions including President-Elect, Vice President, and Region 2 Director. She has even served as President of the North Carolina Association of Nurse Anesthetists. Ms. Pearce produced the AANA Public Relations award winning video, ''The Best Kept Secret in Healthcare,'' and is nationally recognized as a distinguished speaker on anesthesia topics.

Equally as impressive to her leadership in her official capacity as a CRNA has been her involvement in philanthropic endeavors. Among other charitable acts, Ms. Pearce has served on the board of directors for the Juvenile Diabetes Research Foundation, where she started and led a ''Walk to Cure Diabetes'' that raised nearly $500,000 for research.

Mr. Speaker, please join me today in honoring Sharon P. Pearce, CRNA, MSN, for her notable career and her esteemed service as the most recent president of the American Association of Nurse Anesthetists.

A SACRED TRUST: CELEBRATING MEDICARE'S 50TH ANNIVERSARY

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. SMITH of New Jersey. Mr. Speaker, I take this opportunity today to mark the 50th anniversary of Medicare and to express my strong support for the programs that provide health coverage for older Americans.

Fifty years ago, our country made a commitment to our seniors. A commitment that said if you worked hard and paid into the system you would have access to quality healthcare in retirement. To this day, Medicare continues to provide health insurance coverage for millions of Americans age 65 and older, and adults with permanent disabilities. Medicare, along with Social Security, is a sacred trust that I have consistently fought to preserve and one that we must continue to protect for the 54 million Americans enrolled in Medicare today—and those who will enroll throughout our nation's tomorrows.

Amended and improved throughout the years, Medicare has come to play a key role in providing health coverage to millions of Americans. The Social Security Amendments of 1965, established Medicaid to ensure low-income families have access to healthcare; Social Security Amendments of 1972, extended Medicare eligibility to individuals under age 65 with long-term disabilities; then later the Medicare Prescription Drug, Improvement, and Modernization Act of 2006, established the Medicare Advantage program and a new landmark prescription drug benefit known as Medicare Part D.

In addition to large scale changes to the program, I have supported and worked on policies that address specific aspects of Medicare to both raise the quality of life for beneficiaries while also saving the program money in the long run. For example, I authored legislation that was signed into law (PL 100–203) to provide Medicare coverage for therapeutic shoes for seniors with severe diabetic foot disease. At the time, Medicare covered costly amputations—which an estimated 25,600 seniors received annually—but not the therapeutic shoes what would prevent the need for those amputations. The American Diabetes Association estimated that my bill would save Medicare over $100 million in one year alone, while

the affordable and available foot care would spare seniors the trauma of an amputation.

And my work to sustain and protect the program continues. Earlier this year I was pleased to lend my support to the Medicare Access and CHIP Reauthorization Act of 2015 (PL: 114–10) which finally repealed the flawed SGR—the statutory method for determining the annual update to the Medicare physician fee schedule. Previous temporary patches to the SGR were unsustainable and unproductive, leaving seniors questioning if they could visit their own doctors if the so-called patches were not extended.

A final repeal of the SGR modernizes the formula for determining Medicare reimbursements and will help the Centers for Medicare and Medicaid transition to a new system intended to incentivize quality of care and overall health improvements. This law allows seniors to retain access to quality healthcare, establishes predictability for the doctors who treat Medicare beneficiaries, and continues to give seniors the security and confidence they need when making healthcare decisions.

With that work successfully accomplished, we can and must do even more to strengthen Medicare and ensure the healthcare needs of all seniors are met, now and into the future.

Accordingly, yesterday, I introduced the Program of All-Inclusive Care for the Elderly (PACE) Innovation Act. My new bill, introduced with a group of bipartisan co-sponsors—including the lead Democratic cosponsor Rep. EARL BLUMENAUER, the Ways and Means Subcommittee on Health Chairman KEVIN BRADY and Ranking Member JIM MCDERMOTT—will allow CMS to test models that bring PACE's effective care plans to more seniors as well as individuals with disabilities.

By way of background, PACE is an effective, integrated and community-based program that works to raise quality of life of senior citizens, while keeping them in their homes and supporting their independence. It delivers the entire range of medical and long-term services including: medical care and prescription drug services; physical or occupational therapy; day or respite care; and medical specialties, such as dentistry, optometry, and podiatry.

Currently, participating in a PACE program is limited to those aged 55 and older who meet state-specified criteria for needing a nursing home level of care (LOC). However, many populations—including younger individuals, people with multiple chronic conditions and disabilities, seniors who need comprehensive care but do not yet meet the nursing home LOC standard—could benefit from the all-inclusive nature of the PACE model.

Having worked to bring the first PACE program to New Jersey, St. Francis Medical Center's Living Independently for the Elderly (LIFE) in Trenton, I've personally visited seniors who are enrolled in PACE and witnessed how this important program works to raise the quality of life of its enrollees. Today over 100 PACE programs are serving seniors throughout the country including four, soon to be five, centers in my home state of New Jersey. This bill is important to build on the success of the program and make it better, offering better comprehensive care and preserving the dignity of those most deserving of our care and attention.

To further strengthen the Medicare system and aid those individuals and families who are facing the reality of Alzheimer's disease, I also recently introduced the HOPE for Alzheimer's Act (HR 1559). My HOPE Act would provide for Medicare coverage of a care-planning session for newly diagnosed patients and their family caregivers or legal representatives.

Mr. Speaker, my Alzheimer's legislation will fill an important gap in current Medicare services. Take for example an experience of one of my constituents, Mary Gerard of Ocean New Jersey. Mary was one of the 15 million family members and friends who act as unpaid caregivers to Alzheimer's and dementia patients across the country every year.

When her mother Helen was diagnosed with Alzheimer's, Mary took charge and was there with her mother day in and day out—faithfully and lovingly—until she passed. She is a trained critical care nurse. She was equipped with knowledge and resources that many first time caregivers do not have. Yet even with a medical services background, she still struggled with the challenges of her new life as a caregiver.

Alzheimer's caregivers provide an estimated 17 billion hours of unpaid care every year. The emotional and financial toll can be immense. Many are untrained and offered little guidance to function in their new role. Navigating the long-term care system is a daunting task and can appear overwhelming, particularly for those who have only recently received the news that a loved one has Alzheimer's disease.

Upon receiving this diagnosis, patients and their families—like Mary's—are frequently at a loss for how to effectively plan for the next stage of their lives. Passage of my legislation will empower individuals with much-needed information to outline their future treatments and care—giving patients HOPE, and a plan for their future.

As our population ages, it is imperative that we preserve and expand access to the services that enable senior citizens to live healthy and productive lives, and give seniors the security and confidence they need when planning for their future medical care.

Strengthening and preserving Medicare is a promise that every preceding generation has made and kept. It is our duty to continue to honor the senior citizens in New Jersey and around the country who have worked hard to provide for their families and help build our communities and deliver on promises made, for—at a minimum—another 50 years to come.

CELEBRATING THE 50TH BIRTHDAY OF MS. KERI LEE SMITH OF ROSEVILLE, CA

HON. TOM McCLINTOCK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. MCCLINTOCK. Mr. Speaker, I rise today to congratulate Keri Lee Smith of Roseville, CA, as she celebrates her 50th birthday today, July 29, 2015.

A fourth generation Californian, Keri Lee is an active member in the community of Roseville. Keri graduated from CSU Chico in 1988, earning a BS in Business with a minor in Recreation Administration. She received her teaching credentials from CSU Chico in 1991. She later earned a Masters of Education from the University of LaVerne and received a G.A.T.E. certificate from UC Davis. Keri has been teaching for over a decade in the greater Roseville area, and currently teaches math and life sciences at Western Sierra Collegiate Academy in Rocklin and educates future teachers as a professor at Chapman University.

Agriculture has long been a part of Keri Lee's life. She was born in Chico and raised on a family farm her great-grandfather began in 1918 in Clarks Valley, part of the California coastal range. Later, the farming operation moved to Butte City near the Sacramento River, where her siblings continue the enterprise today. When she's not teaching, Keri finds time to be an active member of the California Women in Agriculture.

Keri Lee is a loving wife to her husband Scott and a dedicated mother to their three children: Emma, Garret, and Maddox. Keri spends much of her time shuttling the children between sports and scouts, cheering them on at ball fields, and shaping them into confident future leaders. Her role as a mother also includes service as the President of the Roseville High School Parents Club, a Girl Scout Troop Leader, and a member of the Parent-Teacher Council. In her limited spare time, Keri enjoys to read, bake, and travel.

Mr. Speaker, please join me in congratulating Ms. Keri Lee Smith on this special day, and in wishing her a happy 50th birthday.

HONORING THE LIFE OF AMOS LYNCH

HON. PATRICK J. TIBERI

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. TIBERI. Mr. Speaker, I rise today to honor and celebrate the life achievements of Amos H. Lynch, Sr.

Amos served as a leader in civil rights, business, and journalism in Columbus and throughout Ohio. Amos was relentless in pushing for a more equal and prosperous city, state, and country and he inspired a generation to continue to improve on his vision. The City of Columbus is a better place because of Amos' efforts and dedication. I am honored to have known him.

When Amos graduated from Columbus South High School in 1943, he had already spent years writing for neighborhood papers. He would go on to establish three newspapers in Columbus: the Ohio Sentinel, the Call and Post, and the Columbus Post. As a student at The Ohio State University at the height of World War II, he was drafted into the Navy and served the next three years treating wounded members of the military in New York and Illinois.

During his 2011 induction into the Ohio Civil Rights Hall of Fame, he stated ''I learned early in my life that the written word is the most powerful tool for acquiring equal civil rights for

all, and that newspapers were the best method for getting the word out.'' Amos tirelessly called for greater economic opportunities for African-Americans and integration in schools and housing.

On behalf of the citizens of Ohio's 12th Congressional District, I would like to recognize Amos for his devotion to the great state of Ohio and to all of the communities that have benefitted from his invaluable contributions.

HONORING MS. SHAR KNUTSON

HON. KEITH ELLISON

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. ELLISON. Mr. Speaker, I rise today in recognition of Shar Knutson, who on October 15th, 2015 will retire from her post as the first woman to serve as president of Minnesota AFL–CIO. Ms. Knutson has led the 300,000-member state branch of the American Federation of Labor and Congress of Industrial Organizations (AFL–CIO) since 2009.

The Labor movement runs deep for Ms. Knutson, who was raised in a union family and worked a union job as a single parent, experiencing firsthand the benefits of organizing for improving lives.

Prior to her election in August 2009, Ms. Knutson served as president of the St. Paul Regional Labor Federation for a decade. One of her signature victories occurred in 1999, when she led a coalition of labor and community leaders to successfully oppose then-St. Paul Mayor Norm Coleman's effort to outsource the city's public water works to a non-union firm.

Before her union work, she was a policy analyst to former St. Paul Mayor Jim Scheibel, specializing in labor, health and immigration issues. She served on the Greater Twin Cities United Way board as well as the Humphrey Institute of Public Affairs Advisory Council.

As head of the Minnesota AFL–CIO, Ms. Knutson helped lead the coalition that successfully raised Minnesota's minimum wage, coordinated efforts that kept a ''Right to Work'' constitutional amendment off the ballot, and increased political participation among union members. Also under her leadership, the Minnesota AFL–CIO successfully passed legislation extending unemployment benefits for locked out workers, opened up new avenues for women and young workers to be involved in the labor movement, and built an infrastructure to support affiliate unions in their organizing efforts.

I am privileged to recognize the decades of tireless advocacy of Ms. Shar Knutson, whose contributions to Minnesota's workers will be felt for years to come.

TRIBUTE TO FIREFIGHTERS AT MOYERS CORNERS FIRE DEPARTMENT

HON. JOHN KATKO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. KATKO. Mr. Speaker, I rise today to recognize Deputy Chief Frank Crispin, Deputy Chief Steve Zaferakis, Firefighter Phil Vogt, Firefighter Ryan Whitmore, and Firefighter Jeremy Corsaro of the Moyers Corners Fire Department. On December 25, 2014, Moyers Corners Fire Department was alerted to a residential fire in Liverpool, New York. Upon arrival, these five members of the Fire Department were advised that there were victims within the residence. Working collectively, these firefighters quickly rescued the two individuals trapped within the residence. Without hesitation, upon removing the victims from the residence, these firefighters began emergency medical efforts on the victims, one of which was found to be in full cardiac arrest. Due to the rescue and life-saving medical efforts of these firefighters, both victims survived the incident, were transported to Upstate Hospital, and are recovering from their injuries.

The bravery and heroism of Deputy Chief Crispin, Deputy Chief Zaferakis, Firefighter Vogt, Firefighter Whitmore, and Firefighter Corsaro displayed on Christmas Day of 2014, have earned them the 2015 Firemen's Association of the State of New York's Firefighters of the Year Award. I am proud to recognize these courageous individuals for their service to Central New York and congratulate them on their receipt of the FASNY 2015 Firefighters of the Year Award.

80TH ANNIVERSARY OF THE SILVETTE WOMEN'S GOLF CLUB

HON. DANIEL M. DONOVAN, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. DONOVAN. Mr. Speaker, I rise today to recognize the 80th Anniversary of the Silvette Women's Golf Club of Staten Island.

Established in 1935, the Silvette Women's Golf Club is the oldest women's public golf club in the State of New York. The Silvettes started out as a group of ten women who came together to organize friendly tournaments. After only three years, the Silvettes grew in membership as their weekly tournaments became increasingly popular with a prize of two dollars for first and second place.

The Silvettes continue to play in many tournaments as well as interclub matches with other women's golf clubs in New York and New Jersey. However, their most important event is the annual Silvette Memorial Classic. On the first day of the Classic, the Silvettes meet in the morning on the green of the 6th hole and in a gesture of remembrance, each golfer draws the name of a deceased Silvette and plays in her memory.

Throughout their history, the Silvettes have been active in their community, and have held many tournaments to benefit various charities over the years. Their dedication to the game and their community shows why the Silvettes have had such a presence since 1935.

Mr. Speaker, I ask that the House join me in honoring the Silvette Women's Golf Club of Staten Island on their 80th Anniversary.

HONORING CASA ALLEGRA COMMUNITY SERVICES

HON. JARED HUFFMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. HUFFMAN. Mr. Speaker, I rise today to recognize Casa Allegra Community Services (CACS), which has been providing residential support, community integration and income earning opportunities for people with intellectual and other developmental disabilities in the San Francisco Bay Area for four decades.

In 1975, Chris Bonfiglio and Eileen Falvey co-founded CACS in San Rafael, California to provide housing for five young people with disabilities facing unexpected homelessness. They not only succeeded in their goal, but have grown the organization significantly from its origins. Today CACS runs two long-term care homes along with numerous living, educational, and career programs for individuals with disabilities in seven counties across the region.

The hard work undertaken by the staff and leadership at CACS has impacted many in its 40 years. CACS' efforts extend beyond meeting basic needs—which it performs well and with compassion—by striving to encourage people with disabilities to lead meaningful lives.

CACS has played a crucial and necessary role in our community by serving as a voice for those who need it most. Mr. Speaker, it is fitting to honor and thank Casa Allegra Community Services on their 40th Anniversary for their commitment to bettering the lives of those with disabilities.

HONORING COMMUNITY CHAMPION DR. WILLIAM DiCUCCIO

HON. MIKE KELLY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. KELLY of Pennsylvania. Mr. Speaker, I would like to recognize one of my constituents from Western Pennsylvania, Dr. William DiCuccio. Dr. DiCuccio is a prestigious medical professional in Butler County, and his sincere desire to serve has had an international impact.

Dr. DiCuccio received a Bachelor of Science Degree from Saint Vincent College and then went on to attend Medical School at Jefferson Medical College in Philadelphia. Shortly after graduation Dr. DiCuccio opened his own family practice, William A. DiCuccio M.D. & Associates, where he worked for the following 30 years. Throughout his career, Dr. DiCuccio has maintained an honorable reputation while

serving in various prominent positions within the community. These positions include Vice President of Medical Affairs for Butler Health System, Medical Director for Butler County Prison, and his current position as Medical Director, at Sunnyview Nursing Home. Dr. DiCuccio humbly embraced each of these roles, taking full advantage of his ability to positively influence the lives of those around him.

Due to his professionalism and expertise, Dr. DiCuccio's involvement has been an asset to various advisory boards, including Butler County Community College (Vice Chairman, Board of Directors), World Servants (Board Member), Community Health Clinic of Butler (Chairman/Board Member), St. Vincent College-Boyer School (Board Member), Gaiser Center (Board Member), and Mission Development Villa Hermosa-Dominican Republic (Director). In addition, Dr. DiCuccio has voluntarily participated in a number of civic organizations and professional societies, continuously giving back to the community. He is currently an active member of the American Academy of Family Physicians, American Geriatrics Society, Pennsylvania Medical Society, and the Butler County Medical Society.

When he's not caring for patients, Dr. DiCuccio enjoys spending time with his family, participating within his church, traveling, and golfing. These very interests were the driving factors behind Dr. DiCuccio's first trip to the Dominican Republic, a trip which would forever change his life. While traveling abroad, Dr. DiCuccio and his wife, Marge, visited a small barrio called Villa Hermosa, a poverty-stricken town located about 70 miles from the Dominican Republic's capital city, Santo Domingo. Villa Hermosa, which means ''beautiful village'' in English, is home to 4,500 of the most genuine people, whose positive attitudes remain resilient despite their lack of basic necessities.

Villa Hermosa consisted of miles of shacks, constructed from scrap metal. The community was without drinking water, sewage systems, and electricity; however, there was an abundance of joy. The children that ran through the streets did not have clothing on their backs or shoes on their feet, yet there were smiles on their faces. The time spent with these wonderful people was inspirational and life-changing for Dr. DiCuccio and within an hour of departure from Villa Hermosa, he realized God led him there for a very specific purpose.

Dr. William and Marge DiCuccio started the ''Hope Project'' which has collaborated with World Servants, various churches, and individual sponsorships, all focused on the same objective of improving the quality of life for others. Since Dr. DiCuccio took the initiative, the transformations within Villa Hermosa have been immeasurable: The local church, which serves as the heart of the community, has been repaired and expanded, allowing them to accommodate for large crowds. A brand new grade school, where 400 students are educated, fed, immunized, clothed, and cared for in general, has been constructed and developed. In addition, this school brings countless benefits to the surrounding community, one of those being the fact that it employs a number of local residents, including seven teachers, a psychologist, a principal, a secretary, and cleaning staff. In order to produce clean drinking water, a well was drilled and a water purification plant was constructed. This plant produces 4,000 gallons of water per hour, sold to benefit the people of Villa Hermosa. Most recently, a medical clinic was constructed and is currently being run by Medical Missions International. This clinic is combating the leading cause of death in the Dominican Republic, namely the spread of communicable diseases.

In serving God, his family, and all of those in need, Dr. DiCuccio is an absolute inspiration. His compassion and generosity has positively influenced the lives of so many, and will continue to do so for years to come. Therefore, on behalf of the Third Congressional District of Pennsylvania, along with Villa Hermosa, I would like to express sincere gratitude and appreciation to Dr. William DiCuccio, an admirable professional, a selfless individual, and a true Community Champion.

CELEBRATING LIBERIAN INDEPENDENCE

HON. DAVID N. CICILLINE

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. CICILLINE. Mr. Speaker, this week marks the 168th anniversary of independence for the Republic of Liberia.

In 1847, after decades under the rule of the American Colonization Society, the Republic of Liberia declared its independence in order to establish a free, sovereign state in West Africa.

Today, my home state of Rhode Island is home to a thriving Liberian-American community of 15,000 men, women, and children who help make our state such a wonderful place to live, work, and raise a family.

I am delighted today to celebrate this great country, its people, their traditions, its strong ties to the United States, and the lasting impact this community has made in Rhode Island and other places all across America.

Last year, I had the honor of visiting Liberia with the United Nations Foundation and speaking with officials there about ways to strengthen ties between our two countries and support peacekeeping efforts in West Africa.

I extend my best wishes and congratulations to Liberia's President Ellen Johnson Sirleaf and to all those celebrating in Liberia and around the world this week.

CELEBRATING THE MINNESOTA SPOKESMAN-RECORDER'S 80TH ANNIVERSARY

HON. KEITH ELLISON

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. ELLISON. Mr. Speaker, I rise today to commemorate and honor the Minnesota Spokesman-Recorder on its 80th Anniversary. The Spokesman-Recorder is the oldest African-American business in Minnesota and one of the oldest African-American newspapers in the United States. A longstanding pillar and voice of the Minnesota African-American community since its inception in 1934, the Spokesman-Recorder remains a journalistic force to this day.

Started as two separate papers, the Minneapolis Spokesman and the St. Paul Recorder were founded on August 10, 1934 by Cecil E. Newman. Mr. Newman was truly invested in the lives and communities his papers reached. He designed both papers as communication vehicles to unite, educate, inspire and empower the Twin Cities African-American community. When founding his publications, Mr. Newman was quoted as saying, ''I didn't have enough money to begin one newspaper, so I began publishing two.''

Mr. Newman was an important voice in the civil rights era, advising Senators Hubert H. Humphrey (D–MN) and Clifford P. Case (R–NJ) throughout the passage of the Civil Rights Act of 1964 as well as Senator Walter F. Mondale (D–MN) on the Fair Housing Act of 1968. Mr. Newman's commitment to civil and human rights and his bipartisan advocacy gained the papers respect and influence.

Now one publication, the Spokesman-Recorder, has been a springboard for African-American talent and continues to nurture and support talented writers, photographers and journalists. The Spokesman-Recorder helped launch the careers of internationally-renowned photographer and writer Gordon Parks and honored U.S. journalist and former Ambassador to Finland, Carl Rowan.

After Mr. Newman's passing in 1976, his wife Launa took the helm as publisher. Mrs. Newman remained in that role for 32 years until she handed the reins to their granddaughter, Tracey Williams-Dillard, in 2008. Ms. Williams-Dillard has worked to continue Cecil Newman's legacy and the Spokesman-Recorder now connects the entire state of Minnesota through print and digital content.

I am proud to represent the congressional district that the Spokesman-Recorder and the Newman family call home. Today, I congratulate the Spokesman-Recorder for its accomplishments, its lasting legacy, and the decades of hard work required to publish one of the top African-American owned newspapers in the United States.

HONORING MR. JOAQUIN ESQUIVEL ON THE OCCASION OF HIS APPPOINTMENT AS ASSISTANT SECRETARY FOR FEDERAL WATER POLICY AT THE CALIFORNIA NATURAL RESOURCES AGENCY

HON. RAUL RUIZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. RUIZ. Mr. Speaker, today I am honored to recognize Joaquin Esquivel on his appointment to serve as Assistant Secretary for Federal Water Policy at the California Natural Resources Agency.

Mr. Esquivel has served on U.S. Senator BARBARA BOXER'S staff for over 8 years, most recently serving as Legislative Assistant and

Director of Information and Technology. During his time with Senator BOXER, Mr. Esquivel has developed policy expertise in a variety of issues critical to California including water policy, agriculture, tribal issues, and the Salton Sea. Among his many contributions to federal water policy, Mr. Esquivel has been instrumental in the creation of comprehensive drought resiliency legislation and helped write the Water in the 21st Century Act (W21).

A native to the Coachella Valley, Mr. Esquivel grew up in La Quinta. His parents both worked for Coachella Valley Unified School District and his grandparents were farmworkers. After graduating from La Quinta High School, Mr. Esquivel went on to earn a bachelor's degree in English at the University of California, Santa Barbara, fulfilling his passion for literature and its ability to reflect and catalyze social change. He then took a chance to pursue his dreams, stepping out of his comfort zone; in 2007 he moved to Washington, D.C., where he first started with Senator BOXER as an intern.

Mr. Esquivel's talent and success are an example of how our local youth can go on to make a difference for their communities. Furthermore, growing up in the Coachella Valley, he understands firsthand the unique struggles that our district faces with the decline of the Salton Sea. He has been a true champion of the Salton Sea, coordinating Senator BOXER'S efforts on this impending issue and shepherding authorizing language that would allow the Army Corps of Engineers to help with its restoration.

Mr. Esquivel's other legislative accomplishments include spearheading ideas and legislation to protect pollinators across California, which are essential to our state's almond production and other agricultural industries. Furthermore, as the Senator's lead staffer on tribal issues, Mr. Esquivel has worked to ensure the more than 100 federally recognized tribes in California have a voice in Congress.

I am proud to recognize Mr. Esquivel's contributions to our nation's water, tribal, and agricultural policies, and I look forward to seeing the vision and leadership he will bring to State of California.

INTRODUCTION OF THE ''FEDERAL PROTECTIVE SERVICE IMPROVEMENT AND ACCOUNTABILITY ACT OF 2015''

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. THOMPSON of Mississippi. Mr. Speaker, I am reintroducing legislation to reform the Federal Protective Service (FPS).

The ''Federal Protective Service Improvement and Accountability Act of 2015'' seeks to improve FPS' ability to carry out its mission to protect the 1.4 million Federal employees and visitors that access more than 9,500 Federal facilities across the nation.

After the 1995 domestic terrorist attacks on the Alfred P. Murrah Building in Oklahoma City, Oklahoma, there was broad recognition that Federal buildings, which are symbols of our democracy, must be protected against terrorist attacks while remaining accessible to citizens.

In recent years, the increasing number of terrorist plots against diverse U.S. government facilities in Illinois, Washington State, and New York City as well as attacks on government buildings in other western democracies, such as Canada and Norway, has brought into focus the need to strengthen U.S. Federal building security.

Unfortunately, the primary agency responsible for providing such security—the Federal Protective Service—has a range of longstanding administrative challenges that, to my mind, raise questions about its ability to provide adequate Federal building security.

To ensure that FPS makes progress on its fundamental challenges, my legislation calls for immediate attention to address staffing, training, and contractor oversight challenges that the Government Accountability Office has identified as problematic.

It also directs FPS to not only put in place uniform minimum training and certification standards for all guards, regardless of whether they are contract guards or Federal employees, but develop and implement a strategy for using covert testing to improve performance of security screening at FPS-protected facilities.

Importantly, my legislation recognizes that though FPS is responsible for security, the Interagency Security Committee, comprised of Federal agencies that are tenants, has a major role to play in ensuring that risk-based security practices are in use.

Specifically, my bill requires DHS to assess the degree to which the consensus standard for risk management, which was developed by the Interagency Security Committee, has been adopted at non-military Federal facilities.

My legislation also is forward-looking.

It directs DHS to implement a one-year pilot program to research the advantages of converting guard positions at the highest risk FPS-protected facilities from contract guard positions to Federal positions.

Additionally, my legislation requires DHS to take a hard look at whether the fee-based system under which FPS currently operates provides adequate resources to cover the actual costs that FPS incurs.

Since October 2014, when terrorists attacked government sites in Canada, FPS' has been operating at an enhanced level, at the direction of DHS Secretary Jeh Johnson.

The resulting increased tempo FPS' security operations has necessitated the deployment of more law enforcement to higher-sensitivity facilities, increases in the frequency of visitor and vehicle screening, and enhancements to explosive canine detection and patrol operations.

Each time that FPS is directed to heighten security operations, new costs are incurred. FPS has no choice but to absorb those costs, often, I suspect, at the expense of addressing longstanding administrative challenges.

GAO, since 2009, has identified weaknesses in FPS' oversight of contract guards as an issue.

Now is the time, from a security and a taxpayer perspective, to have a long overdue discussion about whether FPS' fee model is designed to not only cover surges in protective activities but also to cover the costs of implementing core oversight and administration reforms that GAO has repeatedly recommended.

That discussion must include looking at whether some combination of appropriations and fees need to be part of the equation.

Mr. Speaker, with that, I urge Members to cosponsor the ''Federal Protective Service Improvement and Accountability Act of 2015''.

HONORING THE COAST GUARD'S 225TH ANNIVERSARY

HON. CANDICE S. MILLER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mrs. MILLER of Michigan. Mr. Speaker, I rise today to recognize the Coast Guard's storied history of service to our nation. Next week, on August 4th, the Coast Guard will celebrate its 225th anniversary.

On that day in 1790, President George Washington signed an act establishing ten cutters, known as the Revenue Marine Service. These cutters were to be strategically positioned near our ports and used for the collection of tariffs. They were essential to our young Nation's finances, maritime security and trade activities. Over the years, several other services such as the Cutter Service, the Lighthouse Service, and the Life-Saving Service joined together to ultimately become the U.S. Coast Guard.

While the service is vastly different than originally established, the Coast Guard has evolved with the changing threats to our nation. Following the events of September 11, 2001 the Coast Guard proved to be an even greater asset to our nation as their role in security operations significantly expanded through heightened vigilance in ports and increased presence along our coastline.

As one of the five armed forces of the United States and the only military organization within the Department of Homeland Security, the Coast Guard protects our Nation's maritime interests at home and abroad. Their presence along our rivers, in the ports, coastal regions and on the high seas is vital to our national security.

Right now there are Coast Guard men and women aboard buoy tenders and ice breakers keeping shipping lanes open ensuring a steady flow of commerce and transportation. National Security Cutters are conducting drug interdictions in the Caribbean and Eastern Pacific keeping drugs off of our streets. Air stations and small boat stations are on call around the clock ready to save mariners in distress. Vessel examiners are inspecting commercial ships to keep them operating safely and ensuring the environmental stewardship of our waters.

The Coast Guard has a large presence in my district conducting missions vital to the safety and prosperity of the Great Lakes. I am proud to represent the Coast Guard men and women at Sector Detroit and adjoining stations, as well as Air Station Detroit which operates out of Selfridge Air National Guard Base. I know the boaters in Michigan's 10th district are in good hands.

Just two weeks ago, I met with the Commandant of the Coast Guard, Admiral Paul Zukunft, a superb leader with a bold vision that makes me optimistic for the future of this great service.

The Coast Guard's values of honor, respect, and devotion to duty are seen day in and day out by the men and women who proudly wear the uniform. We are fortunate that they go to work every day ready to serve and protect the American people.

On behalf of a grateful nation, I want to commend the men and women of the Coast Guard for their many years of service and wish them a happy 225th anniversary.

Semper Paratus.

WASHINGTON TIMES ARTICLE: AN EXCUSE FOR CRUSHING KRATOM: THE FDA'S UNDUE SCRUTINY IS UNSCIENTIFIC

HON. AUMUA AMATA COLEMAN RADEWAGEN

OF AMERICAN SAMOA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mrs. RADEWAGEN. Mr. Speaker, I rise today to submit an article from the July 23, 2015 edition of the Washington Times entitled, An excuse for crushing kratom: The FDA's undue scrutiny is unscientific.

(By Lloyd Billingsley—Thursday, July 23, 2015)

Last year, Americans spent an estimated $374 billion on prescription drugs, up 13 percent from the year before. These drugs include OxyContin, Vicodin, Percocet and others that the federal Food and Drug Administration (FDA) approved for sale without regard to their potential for abuse.

Meanwhile, the ''potential for abuse'' was used for many years to block even a discussion of the possible medical benefits of cannabis. And now federal officials are using it again to attack another potential natural remedy, kratom.

Kratom (Mitragyna speciosa), which derives from a tree that grows in Thailand, Malaysia, Indonesia and Papua New Guinea, has been found to reduce pain, lessen dependence on opiates (like OxyContin), and work as a mild stimulant.

The U.S. Drug Enforcement Administration considers kratom a ''drug of concern.'' The Food and Drug Administration (FDA) calls it ''dangerous.''

Last year, U.S. marshals, at the request of the FDA, seized more than 25,000 pounds of raw kratom in Van Nuys, Calif. The action, explained Melinda Plaisier, FDA associate commissioner for regulatory affairs, ''was taken to safeguard the public from this dangerous product.'' Ms. Plaisier called kratom ''a botanical substance that poses a risk to public health and has the potential for abuse.''

Kratom's potential for benefit was of no apparent concern.

Edward Boyer, professor of emergency medicine and director of medical toxicology at the University of Massachusetts Medical School, told Scientific American in 2013 that kratom blunts a patient's withdrawal from opioids ''awfully, awfully well.''

Dr. Boyer explained that kratom binds with serotonin receptors. ''So if you want to treat depression, if you want to treat opioid pain, if you want to treat sleepiness,'' kratom ''really puts it all together.'' It gives addicts access to a drug that effectively treats pain without causing respiratory problems.

Oregon resident Paul Kemp occasionally uses kratom, he says, to ease back pain, help him relax and gain energy. Last year Mr. Kemp told reporters it was ''ludicrous'' for the FDA to stop the importation of kratom on the grounds that it ''may be'' dangerous, when FDA-approved products such as OxyContin are known to be dangerous.

Likewise, FDA-approved Xanax and Valium are often abused, along with the ''psychostimulant'' Adderall, used to treat attention deficit hyperactivity disorder.

What bothers the FDA, Mr. Kemp writes, is that kratom is being used very effectively as ''a way for America's prescription drug addicts to break free without experiencing the usually traumatic withdrawal symptoms that stop most victims of OxyContin and other opioids from getting clean.''

Edward Boyer, the toxicology professor, acknowledges that kratom can be abused, but ''speaking as a scientist, a physician and a practicing clinician, I think the fears of adverse events don't mean you stop the scientific discovery process totally,'' he told Scientific American.

If big pharma isn't behind something, the attitude seems to be in Washington, legislators and regulators don't even want to talk about it. But talk and listen they should.

Scientific research should continue. Federal and state officials need to be open-minded, see where the scientific research leads, and consider all the evidence—including the testimony of people like Paul Kemp who swear that kratom has helped them.

Banning kratom or banning its ingredients, as Indiana has done, is the wrong message at the wrong time.

A better option at this stage would be to let the voters decide, as California did in 1996 with medicinal marijuana. Let voters decide if Kratom should be banned—without proof—as a dangerous menace, or whether individuals suffering from withdrawal pain and other maladies should be free to make their own informed choices.

HONORING MARGARET A. ''ANNIE'' LAUDICK

HON. LUKE MESSER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. MESSER. Mr. Speaker, I rise today to honor the life of Margaret A. ''Annie'' Laudick, a loving wife and the mother of my close friend, Andy Laudick.

Annie was a devoted wife to James, her husband of 47 years, as well as an adoring mother and grandmother to her two children and nine granddaughters. She was a woman of great faith, belonging to St. Mary's Catholic Church. She was also a member of the Eagles Ladies Auxiliary and the American Legion Auxiliary.

Annie will be greatly missed by not only her family, but also by the Greensburg community. Her capacity for love and compassion is unrivaled, and I consider it a privilege to have known such a benevolent and sincere woman.

On a personal note, I will never forget Annie's smile. In high school, I remember going to Andy's house to swim at their pond. And, every time I visited, I would be greeted by his mom's big smile.

She was a remarkable woman who will truly be missed by everyone whose lives she touched. Today, it is my privilege to honor the life of Margaret A. Laudick.

HONORING THE LIFE AND CAREER OF GEORGE KUBOTA, SR., AND HIS SONS HERB AND GEORGE, JR.

HON. CATHY McMORRIS RODGERS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mrs. MCMORRIS RODGERS. Mr. Speaker, I rise today to recognize the exemplary life and career of George Kubota, Sr., as well as the lives and careers of his sons Herb Kubota and George Kubota, Jr. After decades of service as both small business owners and public servants, we celebrate and reflect upon their positive impact in Pend Oreille County, Washington.

George Kubota, Sr. was born in Japan in 1886. As a young man, he immigrated to the United States and settled in the small northeast Washington community of Newport, Washington, where he opened the first laundry in the area. His business, Kubota Steam Laundry, primarily served the mining, logging, milling, and railroad industries. As these industries grew to the north, he and his family moved to Metaline Falls, Washington, where they expanded and diversified their business. In 1929, he founded the Metaline Falls Trading Company, a hardware store that still operates today and is an integral part of both the community in Metaline Falls and the county.

In 1942, he was detained by the FBI and was due, along with his family, to be sent to an internment camp. However, due to his positive impact on the community, many residents throughout the northern part of the county made special efforts to prevent their internment. He became a citizen after the war. George was a true patriot, pioneer, and fixture of his community, serving the citizens of Pend Oreille County for decades. George died in 1988 at the age of 102.

George Kubota, Sr. also had two sons, George and Herb, who additionally deserve recognition for their service to the communities in northeast Washington. After receiving college degrees and serving their country in the Armed Forces, Herb and George joined their dad running the Metaline Falls Trading Company in the 1950s, and, like their father, became important fixtures of their community. Herb served for years as an EMT and devoted large portions of his life to help the elderly of the community. Both Herb and George served as volunteer firefighters until the mandatory retirement age. George Kubota, Jr. has also devoted significant time to public service, serving several terms on the town council and as mayor of Metaline Falls. He has served on the boards of numerous community organizations and was instrumental in the construction and expansion of a medical clinic in Ione, Washington. Herb sadly passed away in 2005.

George, now 84, continues to run the store their father founded. The massive contributions of these three men cannot be overstated—the scale and duration of their positive influence on the communities of Pend Oreille County goes beyond that of ordinary citizens.

So today, I rise to recognize George Kubota and his sons Herb and George for their dedication to family, community, and country. They have continuously gone above and beyond as citizens and public servants, and for all their accomplishments and service, we are grateful for their positive impact on Eastern Washington.

STOP DECEPTIVE ADVERTISING FOR WOMEN'S SERVICES ACT STATEMENT OF INTRODUCTION

HON. CAROLYN B. MALONEY

NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, today, I am introducing, along with my colleague Representative SUZANNE BONAMICI, the Stop Deceptive Advertising for Women's Services Act. This important bill protects the rights of women seeking family planning services.

Women deserve to receive comprehensive, impartial, and medically accurate information when making personal health decisions. Unfortunately, there are so-called Crisis Pregnancy Centers (CPCs) that deliberately misinform or mislead women seeking information on family planning services. They pose as sources of unbiased pregnancy counseling, using deceptive propaganda to dissuade women from considering comprehensive birth-control options or legal abortion. These fake reproductive health clinics entice women through their doors under the pretense of providing the full range of reproductive options and services, and this bill would expose their deceptive tactics.

The Stop Deceptive Advertising for Women's Services Act directs the Federal Trade Commission to promulgate rules under the Federal Trade Commission Act, declaring it an unfair or deceptive act for an entity, such as a crisis pregnancy center, to advertise as a provider of abortion services if the entity does not provide abortion services.

Clearly, deception and intimidation have no place when a woman is seeking information about her pregnancy. Working together we can help stop the fraud and confusion these Crisis Pregnancy Centers (CPCs) are perpetrating on the women of America.

I urge my colleagues to cosponsor this important legislation—because women deserve access to the best, most comprehensive healthcare information. Women need and deserve accurate and comprehensive information when making personal decisions about family planning, and so-called Crisis Pregnancy Centers provide neither. Our legislation would expose and stop deceptive and false advertising from CPCs.

TRIBUTE TO EDWARD ALFRED THOMAS, LONGEST SERVING AND GREATEST PATROL OFFICER IN THE HISTORY OF THE HOUSTON POLICE DEPARTMENT

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Ms. JACKSON LEE. Mr. Speaker, I rise to pay tribute to retired Senior Police Officer Edward Alfred Thomas of Houston, Texas, one of the first African American police officers to integrate the Houston Police Department and the longest serving in the Department's history.

So well, so ably, and so honorably did Officer Thomas serve the citizens of Houston that last month the Houston City Council voted unanimously to rename the Houston Police Department headquarters building as the ''Edward A. Thomas Houston Police Department Headquarters Building.''

This honor is well deserved because, as Houston Police Chief Charles McClelland has said, Officer Edward Alfred Thomas ''is the epitome of what every police officer should be'' and that it is both fitting and proper that ''a man of his stature, character and outstanding ethics and morals be given this honor.

Mr. Speaker, Edward Alfred Thomas was born near Shreveport, Louisiana, in 1920 and went on to attend Southern University in Baton Rouge, where he played football before being drafted to the military during World War II, where he saw action with the U.S. Army at Normandy, in northern Africa, and during the Battle of the Bulge.

After the war and his honorable discharge from the Army, Edward Thomas became one of the first African American police officers in the city of Houston when he joined the Houston Police Department on January 12, 1948 and where he remained for the next 63 years until his retirement on July 23, 2011.

Mr. Speaker, Officer Thomas' more than six decades of hard work and courage paved the way for the hundreds of additional African American and officers of color who followed, including the current Houston Police Chief, Charles McClelland.

Although Officer Thomas enjoyed a long and distinguished career, this is not to say it was easy or without challenges, especially given the fact that Officer Thomas joined the Houston Police Department in 1948, more than 15 years before the height of the Civil Rights Movement.

When he began his career Officer Thomas was assigned to foot patrol at night patrolling the African American neighborhoods of Houston, the Third, Fourth and Fifth Wards.

Because of his race, Officer Thomas was not allowed to drive a squad car or to arrest White suspects without obtaining permission from his supervisor and at one point in his career, he was disciplined for speaking to a White meter maid who asked him to walk with her in order to avoid the unwanted attention and advances of nearby construction workers.

In those early years, Officer Thomas was not allowed to congregate with his white counterparts, he could not attend roll calls with white officers, and he could not eat in the cafeteria.

But Officer Thomas persevered and helped pave the way for many other African American police officers, like Chief McClelland and the more than 1,000 African American police officers who today comprise about 20 percent of the Houston Police Department.

Mr. Speaker, naming the 26-story headquarters building of the Houston Police Department after Officer Edward Alfred Thomas is a fitting tribute to a man who is, unarguably, one of the greatest police officers in the history of the Houston Police Department and remains one of the most revered and respected.

During his years of service to the city of Houston, Officer Thomas was named The 100 Club's ''Officer of the Year;'' awarded a Chief of Police Commendation by former Chief of Police Lee P. Brown; and recognized twice by The 100 Club with a Lifetime Achievement Award in 1998 and 2011, respectively; and has received many letters of appreciation from citizens and supervisors.

Mr. Speaker, the renaming of the Houston Police Department headquarters building in honor of Officer Thomas was supported by the Houston Police Officer's Union (HPOU), the African American Police Officer League (AAPOL), Houston Police Organization of Spanish Speaking Officers (OSSO), and the Houston Organization of Public Employees (HOPE).

Chief McClelland is absolutely correct in noting that there could be no finer tribute to any patrol officer than to name the headquarters building in honor of ''a patrol officer for 65 years who underwent intense, systemic discrimination,'' and to have his name on the building as an inspiration and example for others to follow.

INTRODUCTION OF THE POSTAL INNOVATION ACT OF 2015

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. BLUMENAUER. Mr. Speaker, the United States Postal Service (USPS) provides universal connectivity all across the country and a low cost delivery service that not just individual families rely on, but businesses of all sizes.

However, the Postal Service faces growing financial problems attributable to burdensome mandates in existing law and the continued decline in mail service volumes. As a result, the Postal Service is hard-pressed to identify cost-saving initiatives that can alleviate their financial woes while at the same time maintaining their high quality of service.

That is why I have introduced the Postal Innovation Act of 2015, which will authorize the Postal Service to take simple, common-sense steps towards modernization such as updating its fleet of vehicles to align with updated environmental and safety standards, and broadening its services to reflect the evolving demands of today's consumers.

The Postal Service must be given the flexibility to innovate and provide its customers

modern services. By offering basic financial services, internet connectivity, and the ability to ship beer, wine, and spirits, this Act will allow the Postal Service to not only raise revenue, but remain a cornerstone of American communities.

In addition to raising revenue and increasing services to meet consumer demands, upgrading to energy efficient technology can reduce the postal fleet's carbon emissions while simultaneously cutting costs. This is critical because the federal government ought to lead by example, not lag decades behind. Further, implementing cutting-edge active safety and crash avoidance technology across the postal fleet will make streets safer for all users in every community in America.

The Postal Service is a vast and sprawling enterprise that touches almost every household six days a week. We will all benefit from preserving and improving this vital piece of America's infrastructure and fabric of life.

SUPPORT AN END TO CORRUPTION IN GUATEMALA

HON. JAMES P. McGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. McGOVERN. Mr. Speaker, one year ago, a surge of unaccompanied child migrants from Central America was front-page news. Although that humanitarian crisis at our borders appears to have abated, the difficulties and life-threatening challenges faced by many citizens in Central America continue. The region urgently needs support in order to address the root causes of outmigration—economic and social inequality, insecurity and injustice.

It is encouraging that the Obama Administration has worked with the governments of El Salvador, Guatemala and Honduras to present a request for $1 billion to tackle the structural and multidimensional causes of migration through investments and programs to create jobs, expand education and social protection, strengthen public security and the judicial system, and improve transparency and efficiency in public administration. Congress is now considering this aid package in the House and Senate versions of the FY 2016 State and Foreign Operations Appropriations bills. While I support the overall amount of the request, I do have concerns about how best to target funds so that they reach vulnerable and poor communities, and especially youth and families in those communities, who are most in need of support, while at the same time strengthening human rights and judicial systems in each of these countries.

In this context, I believe it is important to focus attention on the situation in Guatemala, which today is facing a critical juncture. Recent revelations of cases of widespread and deep-seated corruption in Guatemala raise serious concerns about the capacity of that government to be an effective partner in reducing poverty and inequality in the region. Evidence of massive and shameless looting of the state by high level Guatemalan officials in the Perez Molina government, the legislature and political parties has sparked a remarkable citizen mobilization. What started as urban, middle-class protests organized through social media networks has morphed into nationwide demonstrations demanding the resignation of President Perez Molina, and the immediate passage and implementation of fundamental reforms to electoral, judicial, civil service, and procurement systems. Some are calling for a 'government of national renovation' as a transition to begin to renew the political leadership and help restore citizen confidence in government.

I want to honor this unprecedented, continuing, and fearless rise of the Guatemalan people—students, people of all ethnic and religious groups, civil society organizations, and ordinary citizens of all ages are coming together with a common agenda against corruption and in favor of reform. That said, I note that frustration is growing as proposed reforms supported by the National Platform for Reform of the State—a coalition of over 100 civil society and academic organizations—are not progressing as demanded. And there are legitimate concerns expressed by civil society organizations that national elections scheduled for September 6th will take place in an environment that will enable fraud through illicit financing and in which threats will be used to intimidate voters. In this crucial moment, every citizen who is speaking out peacefully needs to be protected, defended and encouraged.

I also want to recognize the brave and excellent work of the International Commission Against Impunity in Guatemala, CICIG, whose technical capacity has supported the bold investigative initiatives undertaken by the Guatemalan Attorney General's office to uproot corruption. When CICIG was established in 2007, it was described as a choice between the past and future. Guatemala recognized that it needed help controlling illegal, clandestine and corrupt power structures in the post-conflict years. CICIG is now at the heart of this challenging but potentially promising moment in Guatemala's history. Together with civil society and some dedicated leaders in Guatemala's justice system, the good women and men of CICIG are playing a critical role in helping move Guatemala towards justice and a better future. They, too, need protection and encouragement to keep up the good work.

Clearly, the next few weeks and months are critically important as the Guatemalan people work to figure out how to best address the challenges they face. At this important juncture, I urge the Obama Administration, including our U.S. diplomats and other agency representatives in Guatemala, to do their utmost to support Guatemalan civil society efforts to hold their own government accountable. Over the next weeks and months we will see whether Guatemala is capable of carrying out real change and moving closer to establishing a just, accountable and increasingly secure, equitable and prosperous country for all its citizens.

IN RECOGNITION OF MS. CASSIE WELCH

HON. DAVID G. VALADAO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. VALADAO. Mr. Speaker, I rise today to thank Cassie Welch for her service to my office and the 21st Congressional District of California over the past year.

Ms. Welch was born in Savannah, Tennessee to Donnie and Marilyn Welch. After spending her youth in Savannah and completing her high school education, Ms. Welch attended the University of North Alabama, where she received a Bachelor's of Science in Biology, Mississippi State University, where she received a Master's of Science in Animal Nutrition, and the University of Idaho, where she received a Doctorate of Philosophy in Animal Physiology.

After completing her education, Ms. Welch accepted a Fellowship in my Washington, D.C. office through the American Association for the Advancement of Science and the Federation of Animal Science Societies. During her time in my office, she handled several legislative portfolios, including agriculture, animal rights, budget, housing, labor, natural resources, and social security.

On August 21, 2015, Ms. Welch's time in my office will come to an end. Ms. Welch will be moving to Iowa to begin the next chapter of her life. While I know she is very excited about her upcoming journey, she will be greatly missed as a member of my team.

Mr. Speaker, I ask my colleagues in the United States House of Representatives to join me in commending Cassie Welch for her public service to the people of the Central Valley and wishing her well in this next chapter of her life.

RECOGNIZING THE BRANSON FFA TRAP TEAM'S NATIONAL CHAMPIONSHIP

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. LONG. Mr. Speaker, I rise today to congratulate the Branson High School Future Farmers of America Trap Team on their senior division championship win and overall third place victory at the 2015 Scholastic Shooting Sports Foundation National Championship.

The Senior Division team, made up of Kennedy Mattox, Kory Gray, Jacob Anderson, Gage Dixon and Colten Calvert, hit 974 of 1,000 clay pigeons to take first place in their division. During the competition, Kennedy missed only one target, placing him above 697 other shooters to earn third place in the individual standings.

The Pirates' trap team earned a third place victory overall. It is the culmination of the Open Division team's fifth place victory, the Intermediate Advanced team's fourth place victory, the Intermediate Entry's third place victory and many other individual medals in sporting clays, handicap trap and regular trap.

The 2015 Scholastic Shooting Sports Foundation National Championship had a record breaking number of entries, further showing the team's sharp skill and national achievement. The program is designed to use shooting sports to teach valuable skills such as sportsmanship, responsibility and teamwork to young individuals.

The Branson team, led by Coach Joe Henderson, has seen ample success in recent years and will compete at The American Trap Association's AIM Grand Nationals in August.

I urge my colleagues to join me in congratulating the Branson High School FFA Trap Team for their accomplishments and hard work and in wishing them luck in their future endeavors.

HIRE VETS ACT OF 2015

HON. PAUL COOK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. COOK. Mr. Speaker, as a combat veteran, I'm deeply concerned that the men and women of our military continue to struggle to find employment upon reentering civilian life. These individuals have not only displayed great courage but have acquired distinctive skills that make them ideal candidates for employment. Veterans who serve this country honorably shouldn't struggle to find employment, which is why I'm introducing the HIRE Vets Act of 2015.

The HIRE Vets Act is a bipartisan bill that would promote private sector recruiting, hiring, and retaining of men and women who served honorably in the U.S. military through a voluntary and effective program. Specifically, it would create an awards program recognizing the meaningful, verifiable efforts undertaken by employers—both large and small—to hire and retain veterans.

This program, designed to be self-funded and within the U.S. Department of Labor, will allow employers to proudly display one of four Presidential Awards on their products and marketing materials. These ''HIRE Vets Medallions''—Bronze, Silver, Gold, and Platinum—would be awarded to employers that achieve specific hiring and retention goals each year.

The program also establishes similar tiered awards for small and mid-sized employers with fewer than 500 employees. To ensure proper oversight, the Secretary of Labor would be required to provide Congress with annual reports on the success of the program and the hiring and retention levels of veterans.

This bill goes beyond simply recognizing that a business hires veterans. The HIRE Vets Act is an opportunity for Americans to see which companies truly live up to the employment promises they make to veterans. It is our duty to ensure veterans are given the benefits and resources they've earned through their service to this country, and this includes encouraging meaningful job opportunities. This bill creates an innovative system to encourage and recognize employers who make veterans a priority in their hiring practices, incentivizing the creation of thousands of jobs for veterans.

HONORING ANGELA PEATMAN

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. THOMPSON of California. Mr. Speaker, I rise today to honor Angela Peatman, an outstanding member of the Napa Valley community and my dear friend, on the occasion of her 80th birthday.

Born on July 30, 1935, Ms. Peatman has been a dedicated public servant, a devoted mother, and a tireless advocate for families in the Napa Valley. She began her public service at the Cope Family Resource Center in Napa, where she served as a board member and later as president. Ms. Peatman flourished in her role at the nonprofit organization, where she cherished the opportunity to work directly with her local community.

Ms. Peatman also served as a founding board member and president of the Puertas Abiertas Community Resource Center. Founded in 2005, the Center offers educational programs and advocacy services to support personal growth and family stability in the Latino community throughout Napa County. The organization also works to bridge the gap between service providers and the Latino community by providing culturally sensitive intake and referral services for over 500 families every year.

In 2010, Ms. Peatman was named ''Citizen of the Year'' by the Napa Chamber of Commerce in recognition for her years of service to the valley's community. She was also named ''Associate'' by her alma mater, Stanford University. This prestigious title is given to a select few alumni who have demonstrated significant volunteer service to the university.

Mr. Speaker, it is appropriate that we recognize Ms. Peatman on the occasion of her 80th birthday for her years of valued service to the Napa Valley community. We wish her a very happy birthday and many years of health and happiness.

HONORING THE 75TH ANNIVERSARY OF THE CITY OF SOUTH TUCSON

HON. RAÚL M. GRIJALVA

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. GRIJALVA. Mr. Speaker, I rise today in honor of the 75th Anniversary of the City of South Tucson, a community known for the resiliency, determination, and independence of its residents.

As a native of Tucson, Arizona, I am privileged to represent the City of South Tucson in the United States Congress. The support and loyalty I have received from the residents of South Tucson during my entire public life is a great honor for me personally.

Over 6,000 people and 300 businesses call the City of South Tucson home. This square mile city incorporated by its residents, rather than losing its identity to the City of Tucson, continues after 75 years to assert its independence and be the unique and proud community it has always been through its history.

South Tucson is about family and community, offering to the much larger metropolis of Tucson a view of our past and a dynamic view of what a community can do to retain its character while looking forward.

South Tucson boasts the best Mexican cuisine found anywhere; Las Artes, a model for integrating public art and education; and public services from the state of the art San Lena library to excellent public schools Ochoa and Mission View. South Tucson has a sophisticated network of social service providers and City of South Tucson first responders who place the safety of their residents first.

The greatest asset that the City of South Tucson has is its people, a diverse group representing Native-Americans, African-Americans, and Anglos, and families that have contributed so much to the region.

From South Tucson have come generations of political leaders, tradesmen, educators, decorated war veterans, business leaders, civil leaders, and so many hardworking people whose dignity and determination better us all.

Like all small towns and cities in America, the City of South Tucson faces challenges, but the drive to meet those challenges and prosper for the next 75 years is without a doubt the city's future.

I wish to congratulate the Mayor and Council of the City of South Tucson and the residents of the city on its 75th anniversary. The commemoration ceremony on September 19, 2015 at the Music and Arts Festival will be a day in which we pause and acknowledge the history, achievements, and the future of the City of South Tucson. Congratulations to South Tucson.

NICK BERARDINO'S RETIREMENT

HON. LORETTA SANCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I rise today to honor the accomplishments and contributions of Nick Berardino, the General Manager of Orange County Employees Association.

Born and raised in Los Angeles to Italian immigrants, Nick is a Marine Veteran and served our country for two years in Vietnam.

He became active in the civil rights movement, the first of what would become a lifetime of commitment to those who are oppressed or discriminated against.

I have known Nick for years and he always looked for doing the best for his organization and the people he represented.

From pension reform to workplace rights, he has led OCEA through a series of monumental achievements for the working men and women he represented.

I am honored to recognize Nick Berardino's distinguished career of exemplary service and leadership in strengthening the middle class, fighting for social justice and dignified working conditions for 18,000 public employees and instilling integrity at the Orange County Employees Association.

HONORING MR. ART COVIELLO

HON. C. A. DUTCH RUPPERSBERGER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. RUPPERSBERGER. Mr. Speaker, I rise before you today to honor Mr. Art Coviello, an international expert on cybersecurity, on the occasion of his retirement after more than 30 years as a strategic, operating and financial-management expert in high-technology companies.

Mr. Coviello graduated magna cum laude from the University of Massachusetts in 1975 with a Bachelor's Degree in Business Administration. He started his career as a certified public accountant at Deloitte, Haskins & Sells and held positions in financial and operating management at several technology companies.

He joined RSA, the Security Division of EMC, in 1995 and was the driving force in the company's rapid growth during his tenure, increasing revenue from $25 million to more than $1 billion in 2014. Under his leadership, RSA evolved from its roots in authentication and encryption to a leader in security technology, including forensics, compliance and detection. Among his many acquisitions, Mr. Coviello played a key role in the successful acquisitions of Xcert International, 3G International, TransIndigo and Securant Technologies, and in strategic partnerships with Microsoft and Accenture. He retires as Executive Chairman.

While his well-deserved awards and accolades are too numerous to mention in their entirety, Mr. Coviello in 2013 was named a ''Top 25 Innovator'' by CRN. He has served as co-chair of the National Cyber Security Summit's Corporate Governance Task Force, a public-private effort organized by the Department of Homeland Security and leading industry associations. He is a founding Board Member of the Cyber Security Industry Alliance.

In his retirement, Mr. Coviello works with companies, industries, and governments to continue informing and shaping the evolution of security strategy to meet the challenges facing organizations today and tomorrow. He continues to play key roles in national and international cyber-security initiatives and is a regular speaker at conferences and forums around the world. Mr. Coviello is also a venture partner at Rally Ventures, a Board Observer for Synchrony Financial, and serves on the Board of Directors at EnerNOC.

Mr. Speaker, I have considered Mr. Coviello a friend and colleague for many years. I know him to be a man of intellect and, more importantly, integrity. His expertise has made our country stronger. It is with great pride that I congratulate him on his retirement and wish him continued success and happiness in the next chapter of his life.

VIDEOS ABOUT PLANNED PARENTHOOD ARE GROSSLY MISLEADING

HON. ZOE LOFGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Ms. LOFGREN. Mr. Speaker, I wish to share with my colleagues and the American public this insightful editorial from the San Jose Mercury News, ''Videos about Planned Parenthood are grossly misleading.'' This editorial clearly lays out how the Republican Party's embrace of this video ''exposé'' is really just a continuation of their War on Women, in particular low-income women.

Anyone with half a brain can see through the heavily edited ''gotcha'' videos purporting to show Planned Parenthood officials illegally bargaining to sell tissue from aborted fetuses. The videos are grossly misleading and politically irresponsible.

The research that fetal tissue makes possible at respected universities across the country has produced vaccines that have saved millions of lives and now targets Alzheimer's, Parkinson's and other fatal, heartbreaking diseases. Planned Parenthood does not profit from it. But Republicans in Congress and in the presidential free-for-all are having a field day with ''facts'' from Fox News.

California Attorney General Kamala Harris fortunately is investigating the videos' producers, the so-called Center for Medical Progress, which may have broken federal and California law in the scheme to bring down Planned Parenthood. As an example, one of the interviews of a California doctor may have been recorded without her consent.

U.S. Rep. Zoe Lofgren of San Jose is pushing U.S. Attorney General Loretta Lynch to investigate as well. The organization has tax-exempt status as a biomedical charity but appears to be a fake limited liability corporation.

It has never been a secret that Planned Parenthood and many other clinics collect tissue for research. The unedited videos show repeated attempts by Planned Parenthood doctors to explain that they're only trying to recoup costs for their work. Planned Parenthood likely loses money on the whole thing, but the numbers are a tiny part of its budget.

Republicans in the House and the Senate shamelessly are using this supposed exposé to argue that Congress should defund Planned Parenthood.

And so the War on Women continues.

Planned Parenthood and its 800 clinics provide health care, particularly family planning, for nearly 3 million low income women a year. It receives more than $500 million in government funding, but not a penny of that pays for abortions—which make up just 3 percent of the organization's work. Cutting Planned Parenthood funding means cutting health care to poor women, period.

Scientists using cultures from fetal kidney cells won the Nobel Prize for Medicine in 1954 for developing the polio vaccine. Fetal tissue research helped produce vaccines for chicken pox and rubella. These advances alone have saved countless millions of lives, particularly children's.

The National Institutes of Health spent more than $70 million on fetal research in 2014, tackling diseases such as Parkinson's and Alzheimer's. Stem cell research is gradually replacing fetal tissue research, but we can't afford to stop work on these diseases while alternative methods ramp up.

More tapes are expected this week, including possibly showing the process of tissue removal. It's ugly to watch, but so are most significant surgical procedures.

The core political issue here is abortion. The Center for Medical Progress and many Republican officials and candidates want to eliminate the right of American women to choose to end a pregnancy.

In fact Planned Parenthood has done more to prevent abortion than any other organization in this country by giving poor women access to birth control and to prenatal care to have healthy babies. It continues to provide safe abortions because refusing will not stop abortion, it will just drive women to unsafe alternatives. (Speaking of ugly procedures.)

Women's ability to control their own reproductive future is the best way to prevent abortion. A Congress really concerned about women and unborn children would give more, not less, to Planned Parenthood.

TRIBUTE TO MASHAL HUSAIN

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Mashal Husain for being named a 2015 Woman of Influence honoree by the award-winning central Iowa publication, the Des Moines Business Record.

Since 2000, the Des Moines Business Record has undertaken an exhaustive annual review to identify a standout group of female leaders in the Greater Des Moines Area that are making an impact in their communities either personally or professionally, forging a path for other women to follow. The women given this prestigious award are individuals who have selflessly dedicated their time and proven their leadership abilities across a variety of professional fields.

Before moving to the United States, Ms. Husain was raised all across the globe starting in Pakistan, then Tanzania, followed by Thailand and finally the Philippines. Once in the United States she earned her BA studying psychology and Spanish at the University of Texas at Austin, and she didn't stop there. She moved on to Cornell University where she earned a Master's in Healthcare Administration. Shortly after, Ms. Husain finished a post-graduate Fellowship at the Northwestern Memorial Hospital in Chicago.

Throughout her life Ms. Husain has taken on a variety of leadership roles, not only in the professional world at businesses, like Iowa Health Systems and Principal Financial Group, but also at a number of philanthropic organizations, like the United Way of Central Iowa and Habitat for Humanity. She is a member of the Board of Directors at both organizations. Now, as Vice President of The World Food Prize Foundation, Ms. Husain serves an integral role in the growth and development of a number of programs within the World Food Prize Foundation.

Mr. Speaker, it is a profound honor to represent leaders like Ms. Husain in the United

States Congress. It is with great pride that I recognize and applaud her for utilizing her talents to better her community and the State of Iowa. I invite my colleagues in the United States House of Representatives to join me in congratulating her on receiving this esteemed designation, and wishing her the best of luck in all her future endeavors.

RECOGNIZING THE GARAZI FAMILY

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to honor the continued efforts of a local family in my congressional district who have made extraordinary efforts to improve the lives of our elderly. In a few short weeks, the Garazi family will hold its 5th Annual Solomon Garazi Memorial Day at the Races to benefit the Miami Jewish Health Systems, otherwise known as the Jewish Home. The Jewish Home is a great South Florida institution that has done, and continues to do, so much to improve quality of life for seniors.

Solomon Garazi, who passed away in 2010 at the age of 85, was known for his honor, integrity, and strong spirit. In 1960, the Garazis fled the brutal Castro regime and sought refuge in Miami, where Solomon and his in-laws founded two businesses—the Suave Shoe Corporation and the Oriental Trading Company. Suave later became the first company owned by Cuban refugees to be listed on the New York Stock Exchange.

Solomon was a very prominent member of the Jewish Community. He was one of the founders and a president of Temple Moses. He served on the Board of Directors of the Michael-Ann Russell Jewish Community Center, and was the first Cuban American to be on the board of the Greater Miami Jewish Federation. He also helped establish the Sephardic Jewish Studies Program at the University of Miami.

Additionally, Solomon was extensively involved with the Miami Jewish Health Systems. In 2009 the Jewish Home's Latin Auxiliary, which Solomon helped organize in 1980, bestowed upon him its Lifetime Achievement Award for all his work on behalf of the institution. The Miami Jewish Health Systems serves more than 12,000 patients, participants and residents annually, through more than a dozen varied healthcare programs and services. Its services include rehabilitation assistance, religious programming, and full residential care. It also is at the forefront of innovative research into dementia and other geriatric conditions. Currently, The Mental Health and Memory Center at Miami Jewish Health Systems is running an innovative clinical trial to evaluate medications to treat and potentially cure Alzheimer's.

The Solomon Garazi Memorial Day will directly support the maintenance and the expansion of the Jewish Home's Latin Auxiliary Music Therapy Program. The program offers a full-time board-certified music therapist, musical instruments, and a wide range of music media, recordings, equipment and resources.

Through musical involvement in a therapeutic context, individuals' physical, emotional, cognitive, and social needs can be addressed from a unique angle. The music serves as a powerful medium, helping them express themselves in ways words do not allow them to. It opens up a new world of language for them, one that is not bound by the need for precise articulation. The sense of empowerment that this therapy fosters improves lives.

I commend the Garazi family—Esther Garazi, Isaac and Anita Garazi, Blanca and Richard Schoonover, and their families—as well as everyone else involved with the Day at the Races, for their work in putting this event together year after year. Thank you for supporting a pillar of our South Florida community.

PERSONAL EXPLANATION

HON. LUCILLE ROYBAL-ALLARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Ms. ROYBAL-ALLARD. Mr. Speaker, I was attending funeral services in my state and was not present for three roll call votes on Monday, July 27, 2015. Had I been present, I would have voted in this manner:

Roll Call Vote # 467—Need Based Education Aid Act of 2015—Yes.

Roll Call Vote # 468—Secret Service Improvements Act of 2015—Yes.

Roll Call Vote # 469—Keeping Our Travelers Safe and Secure Act—Yes.

H.R. 1734—IMPROVING COAL COMBUSTION RESIDUALS REGULATION ACT OF 2015

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. BLUMENAUER. Mr. Speaker, last week, I voted against H.R. 1734, the Improving Coal Combustion Residuals Regulation Act of 2015. This dangerous and unnecessary legislation not only fails to improve coal ash regulation, it seriously undermines the EPA's efforts to regulate coal combustion waste to protect human health and the environment.

Coal ash, the waste produced from the burning of coal, contains toxic materials such as arsenic, lead and chromium. According to the EPA, in 2012, coal-fired power plants in the U.S. generated 110 million tons of coal ash. The improper or unsafe disposal of coal ash can lead to catastrophic releases of toxins if a failure occurs at the disposal site or, as is more commonly the case, contaminants slowly leach into groundwater and drinking water sources. We have known for some time of the need to regulate the disposal of coal ash and after several years, extensive consultation, and over 450,000 public comments, the EPA published a final, comprehensive rule to establish national criteria for the disposal of coal ash on April 17, 2015.

H.R. 1734 is an attempt to gut the EPA's final rule before it even has the chance to go into effect. The bill would eliminate restrictions for how close existing surface impoundments can be to drinking water sources and would eliminate liner requirements for existing surface impoundments. It authorizes states to implement coal ash management permitting programs, but these programs do not need to meet national standards. In short, it eliminates, delays or weakens environmental protections and threatens health and public safety.

There is no greater public need than access to clean and safe drinking water. I strongly oppose this legislation because it undercuts national protections and undoes important regulations to safeguard drinking water sources. We must use our legislative prerogative to protect public health and safety and not in a manner that poses risks to our communities and our environment as H.R. 1734 would do.

IN GRATITUDE OF DWIGHT SULLIVAN AND HIS YEARS OF SERVICE TO THE HOUSE OF REPRESENTATIVES

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. CONYERS. Mr. Speaker, I would like to take this opportunity to thank Dwight Sullivan for twenty years of outstanding service to the House of Representatives, including eight years as a Professional Staffer with the House Judiciary Committee Democrats.

Dwight will be retiring this month and he will be missed by all who know him. I want to especially thank Dwight for his extraordinary work to provide high level communications services to the staff and Members of the Committee; developing and maintaining methods to process, manage and store communications data for the office; trouble shooting computer problems and recommending updated and cost effective resources; helping make the Judiciary Committee web site the envy of Capitol Hill; and serving as a liaison between the Judiciary Committee Democrats and House Information Resources (HIR).

Dwight is a native of North Carolina, where he received his degree from Johnson C. Smith University, and where he met his wife of forty-four years, Cheryl Sullivan. He still calls the Tar Heel state home, and spends his vacations there playing golf. In fact, those who know Dwight know that while his first love may be politics, golf is a close second. From Myrtle Beach to Boca Raton to Pinehurst, his love of golf has become legendary on Capitol Hill, where he has inspired many others to take up the game and shoot for par.

A former project manager for IBM, Dwight began his Capitol Hill career in the office of my friend and former colleague, Congressman Melvin Watt (retired), and later honed his craft at HIR, before joining the House Judiciary Committee staff in 2007.

Dwight will be missed for his ability to use good judgement to solve problems, for meeting technology challenges and keeping staff up to date on the latest and most effective approaches to keep communicating the work of the Committee. He will be missed as well for

his wit, good humor, and loyalty. We wish him the best of luck in his retirement and extend to him and his family our deepest gratitude.

IN RECOGNITION OF MAJOR GENERAL NATHANAEL GREENE

HON. PATRICK MEEHAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. MEEHAN. Mr. Speaker, I rise today to pay tribute to Major General Nathanael Greene, a highly decorated officer in the Continental Army and leader in the fight for independence during the Revolutionary War.

Born August 7, 1742 in Rhode Island to humble beginnings, Nathanael Greene committed his life to public service. He first answered this call when he served as a member of the Rhode Island General Assembly. As a supporter of the Patriot cause, Nathanael Greene helped form a local militia called the Kentish Guards. Although he was unable to become an officer due to a handicap, he volunteered as a private. He saw action in many significant engagements, including Trenton, Brandywine, Germantown and Princeton. Greene's talent allowed him to rise through the ranks, becoming first a Brigadier General and then a Major General—the only one to serve as a general for the entire eight year war for independence besides George Washington. Major General Greene led the Continental troops in the South and helped pave the way for Lord Cornwallis's surrender at Yorktown.

The General Society Sons of the Revolution will be designating August 7, 2015 as a Day of Honor for Major General Nathanael Greene. On this day a monument will be dedicated to Greene in Valley Forge National Historic Park. His statue will forever stand there as a reminder of his service to our country during the battle for independence.

Mr. Speaker, the United States of America and the Commonwealth of Pennsylvania owe a great debt of gratitude to Major General Nathanael Greene.

PERSONAL EXPLANATION

HON. PETER J. ROSKAM

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. ROSKAM. Mr. Speaker, on roll call no. 468.

My flight was delayed due to weather.

Had I been present, I would have voted Aye.

60TH ANNIVERSARY OF THE CITY OF MADISON HEIGHTS, MICHIGAN

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. LEVIN. Mr. Speaker, I rise today to commemorate the City of Madison Heights, Michigan, as it celebrates its 60th anniversary this year. The City of Madison Heights was incorporated in 1955, and currently has a population 29,694 people.

I have had the pleasure of representing the City of Madison Heights, centrally located in the 9th Congressional District, in Congress for the past thirty-two years. From walking in the annual Memorial Day parade to attending numerous events in the schools, important projects like the 12 Town Drains, now known as George W. Kuhn Retention Treatment Basin and the formation of the Madison Heights Community Family Coalition to combat youth substance abuse I enjoy working in this community.

Known as the ''City of Progress'' Madison Heights residents have always prided themselves on a high level of community spirit, volunteerism, having top-notch city services, a rich heritage, and being known as a warm and family-oriented community. After sixty years of growth and change, the city remains embodied in that local spirit.

Madison Heights originated from pioneering families, such as the Lamphere Family, who gave the community land in 1888 for the school house at 13 Mile and John R, and the Kendal family who donated their land in 1926 when the school was moved. Later, farm families came to Madison Heights in the early 1900s from other countries for the opportunity to start fresh and be self-sufficient, farming their land and often working to buy it. These families gave rise to the life and hope of the community that became Madison Heights.

Today Madison Heights residents take advantage of the city's 13 parks covering over 140 acres; numerous recreational opportunities including a golf course, wave pool and water park, soccer complex, baseball complex, Friendship Woods and nature center, wooded walking trails, sledding hill, bowling lanes, dog park, public library and Heritage Rooms Museum. Residents also benefit from popular community events including a spring 5K run, Art Challenge and Art Exhibit, the annual Festival in the Park with fireworks, Memorial Day parade, Afterglow Car Show in conjunction with the Woodward Dream Cruise, fall Nature Center Open House, and Tree Lighting.

While auto-related manufacturing remains an important component of Madison Heights economy, Madison Heights is quickly developing a multifaceted economy, attracting emerging industries such as defense and aerospace—Navistar Defense and IonBond to name a few. The University of Michigan recently awarded Madison Heights with an eCities 5-Star Rating and ''Best Practice Community'' for the City's Economic Development programs. Madison Heights is proud to now host over 100 major high-tech companies within its borders.

As the City of Madison Heights celebrates this milestone, I ask all my colleagues to join me in congratulating its residents, elected officials, and businesses as they celebrate their history, preserve their rich local heritage, and look forward to growth and prosperity in the future.

CONGRATULATING JESSICA CAVINESS FOR RECEIVING THE PRESIDENTIAL AWARD FOR EXCELLENCE IN MATHEMATICS AND SCIENCE TEACHING

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. MARCHANT. Mr. Speaker, I rise today in recognition of Jessica Caviness, a teacher in my district at Coppell High School of Coppell, Texas. Jessica was recently selected to receive the Presidential Award for Excellence in Mathematics and Science Teaching (PAEMST), along with 107 other teachers from all 50 states. Each recipient receives an award from the National Science Foundation and is invited to an awards ceremony in Washington, D.C. This award is given out annually to outstanding K–12 science and mathematics teachers from across the country. The winners are selected by a panel of distinguished scientists, mathematicians, and educators following an initial selection process done at the state level.

Ms. Caviness, a graduate of Stephen F. Austin State University, has just completed her 11th year in Coppell, where she teaches Geometry and Algebra II. Jessica routinely creates innovative and transformative learning experiences for her students. Most notably, Jessica excels in utilizing technology in the classroom, where her classes have utilized Skype, Twitter, and the iPads distributed through Coppell Independent School District's 1:1 iPad initiative. Jessica's work has not gone unnoticed, as she has presented at conferences at the local, state, and even national level. Her ability to integrate Twitter into the learning experience has also been featured in an article for November Learning, which profiled specific ways that Ms. Caviness was able to effectively engage students outside the classroom in a way that supplemented classroom material.

Mr. Speaker, on behalf of the 24th Congressional District of Texas, I ask all my distinguished colleagues to join me in honoring Jessica Caviness for receiving the Presidential Award for Excellence in Mathematics and Science Teaching. I wish her and all her students continued success in the classroom and beyond.

MITSUBISHI CORPORATION'S APOLOGY TO AMERICAN WWII PRISONERS OF WAR

HON. LOIS CAPPS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mrs. CAPPS. Mr. Speaker, I rise today to honor my constituent, a member of our greatest generation from Santa Maria, California, James T. Murphy. On Sunday, July 19th, 2015, at the age of 94, Mr. Murphy had the historic honor of being offered the first Japanese corporate apology for his forced labor as an American prisoner of war (POW) in Japan during World War II.

During World War II, Mitsubishi Mining Company Ltd. used the labor of over 900 Americans in four of its coal and copper mines on mainland Japan. Mr. Murphy, one of the last surviving American former POWs to have worked as a slave laborer in one of these mines, graciously accepted an apology from the Mitsubishi Materials Corporation, the successor of Mitsubishi Mining Company, on behalf of his fellow veterans.

A Texas native, Mr. Murphy fought in the Philippines with the U.S. Army Air Corps beginning with the bombing of Nichols Field on December 8, 1941 until surrender in Bataan on April 9, 1942. He endured the Bataan Death March and a ''Hell ship'' to Japan. During the war, Imperial Japan assigned over 13,000 Americans to work in corporate mines, factories, and docks to support the war effort. Mr. Murphy was assigned to POW Camp Sendai #6–B and forced to mine copper at Mitsubishi's Osarizawa mine near the town of Hanawa in Sendai, Japan.

After liberation, he continued to serve with the then-new U.S. Air Force and retired in 1962 after a 23-year career. Captain Murphy later moved to my district in California, working as a civilian contractor with Lockheed Missile & Space Company at Vandenberg Air Force Base and finally retiring in 1986 to Santa Maria.

On July 19th 2015 Mr. Hikaru Kimura, a Senior Corporate Executive of Mitsubishi Materials Corporation and Senior General Manager of Global Business Management at the Paint Finishing System Division of Taikisha Ltd, delivered to him the official apology at a ceremony held at the Museum of Tolerance in Los Angeles.

Mr. Murphy responded, ''it is a glorious day.'' He continued, ''For 70 years, we wanted such action. Today we have it so I'm elated over that, and I hope this historical occasion just spreads out through the world and helps mankind.''

And it is with grateful recognition for all our veterans swept up in the Pacific battles of the first months of World War II, many of whom became POWs of Imperial Japan, that I insert both Mitsubishi Materials' historic apology statement and Captain Murphy's acceptance.

Remembering the stories of these POWs both in Japan and in the United States is important for history, for the U.S.-Japan relationship, and for all those who care about peace.

STATEMENT OF JAMES T. MURPHY, IN RESPONSE TO MITSUBISHI APOLOGY TO WWII POWS, DELIVERED AT THE MUSEUM OF TOLERANCE, SIMON WIESENTHAL CENTER—LOS ANGELES, CA, JULY 19, 2015

This is a great day to be here at the Museum of Tolerance because at this place and at this time, history will truly be made.

We have just heard Mitsubishi's [Materials Corporation] representative, Mr. [Hikaru] Kimura, present a stirring, heartfelt, warm and sincere apology to former U.S. Prisoners of War who were forced to work for Mitsubishi Mining during World War II.

His apology meets all the criteria necessary to satisfy the elements of an acceptable apology. It admits to wrongdoing, it makes sincere statements showing a deep remorse for the wrongdoing and it assures that the wrongdoing will not recur.

As a former Prisoner of War of the Japanese Imperial Armed Forces who was forced to work at the Mitsubishi [Osarizawa] copper mine near Hanawa, Japan during part of 1944 and part of 1945 and being one of the few surviving workers of that time, I find it to be my duty and responsibility to accept Mr. Kimura's apology!

Hopefully, the acceptance of this sincere apology will bring some closure and relief to the age-old problems confronting the surviving former Prisoners of War and to their family members.

Additionally, even though the Japanese people and the American people have a long-standing friendly relationship, the action that we are taking today will further enhance, expand and assure an enduring trust and friendship benefitting both nations.

Furthermore, I join others in this group who foster the idea of encouraging the dozens of other Japanese companies who used forced labor by the Allied Prisoners of War to offset their workforce shortage to follow Mitsubishi Materials' progressive leadership.

Solving this long overdue problem would permit the companies and their former laborers to look forward to a better future rather than continue to look backward to their differences. Such actions would have positive results for both of our nations by strengthening our trust, confidence and friendship.

Perhaps other nations with similar problems will follow our example here today with similar actions. Such actions would result in the betterment to all mankind.

Mr. Kimura, we thank you and the other members of your team for your hard work and long hours spent formulating and presenting Mitsubishi Materials' apology.

STATEMENT BY MITSUBISHI MATERIALS CORPORATION, SENIOR EXECUTIVE OFFICER HIKARU KIMURA IN THE MEETING WITH A FORMER AMERICAN POW AND FAMILIES OF FORMER POWS

Good afternoon, ladies and gentlemen, speaking on behalf of Mitsubishi Materials, thank you very much for this opportunity to meet with you today at the Museum of Tolerance.

Mitsubishi Mining Company Limited, the predecessor of Mitsubishi Materials, was engaged in coal and metal mining during World War II. As the war intensified, prisoners of war were placed in a wide range of industries to offset labor shortages. As part of this, close to 900 American POWs were allocated to four mines operated by Mitsubishi Mining in Japan.

I joined Mitsubishi Materials as a postwar baby-boomer and have worked in the company for 34 years. I have read the memoirs of Mr. James Murphy, who is present here at this ceremony, and those of other former POWs, as well as records of court trials. Through these accounts, I have learned about the terrible pain that POWs experienced in the mines of Mitsubishi Mining.

The POWs, many of whom were suffering from disease and injury, were subjected to hard labor, including during freezing winters, working without sufficient food, water, medical treatment or sanitation. When we think of their harsh lives in the mines, we cannot help feeling deep remorse.

I would like to express our deepest sense of ethical responsibility for the tragic experiences of all U.S. POWs, including Mr. James Murphy, who were forced to work under harsh conditions in the mines of the former Mitsubishi Mining.

On behalf of Mitsubishi Materials. I offer our sincerest apology.

I also extend our deepest condolence to their fellow U.S. POWs who worked alongside them but have since passed away.

To the bereaved families who are present at this ceremony, I also offer our most remorseful apology.

This cannot happen again, and of course, Mitsubishi Materials intends to never let this happen again.

We now have a clear corporate mission of working for the benefit of all people, all societies and indeed the entire globe. Respecting the basic human rights of all people is a core principle of Mitsubishi Materials, and we will continue to strongly adhere to this principle.

Our management team wishes for the health and happiness of our employees every day, and we ask that all of them work not only diligently, but also with a sense of ethics.

Mitsubishi Materials supplies general materials that enrich people's lives, from cement to cellphone components and auto parts, all of which are closely related to people's lives. We also place a strong emphasis on recycling for more sustainable societies, such as recovering valuable metals from used electrical appliances and other scrapped materials.

Here in the United States, we have plants for cement and ready-mixed concrete, and a sales headquarters for our advanced materials and tools business, all in California, as well as a polysilicon plant in Alabama. We believe that our company provides fulfilling jobs for local employees and contributes to host communities through its business.

The American Defenders of Bataan & Corregidor Museum in Wellsburg, West Virginia archives extensive records and memorabilia of POWs. These records and memorabilia will be handed down to future generations for educational purposes.

I will visit the museum the day after tomorrow to view the exhibits and visualize how POWs were forced to work under harsh conditions. For now, however, I am pleased to announce that Mitsubishi Materials has donated 50,000 US dollars to the museum to support its activities.

Finally, I sincerely thank Ms. Kinue Tokudome and the members of the American Defenders of Bataan & Corregidor Memorial Society for creating this opportunity to meet with you today. I also express my sincere thanks to Rabbi Abraham Cooper for offering the Museum of Tolerance as a venue for the ceremony. And I express my deep gratitude to all others involved in arranging this gathering.

I would also like to thank the family members of a non-U.S. POW [Mr. Stanley Gibson from Scotland, whose father also was a slave laborer in the Mitsubishi Osarizawa mine] who have come from very far away to attend this ceremony.

I truly hope that this gathering marks the starting point of a new relationship between former POWs and Mitsubishi Materials.

Thank you very much.

HONORING CARMEN ''DOLLY'' VAZQUEZ FOR HER YEARS OF SERVICE TO WORCESTER COUNTY AND CONGRATULATING HER ON HER RETIREMENT

HON. JAMES P. McGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. McGOVERN. Mr. Speaker, I rise today to honor Carmen ''Dolly'' Vazquez. Next

month Dolly will retire from Centro Las Americas after 23 years of service to the Latino community in Worcester County.

Dolly was born and raised in Bayamon, Puerto Rico. She came to Central Massachusetts from San Francisco, California and began her cultural involvement in Worcester by volunteering at WCUW community radio station. At WCUW, she hosted a bi-weekly radio show, Herencia Puertoriqueña for 13 years.

Dolly was first hired in 1993 by Centro Las Americas to help manage their Latin American Festival, and she was later asked to head the organization's new Cultural Department.

Since that Dolly has co-produced the annual Latin American Festival, the annual Latino Film Festival and the biennial Viva El Arte art show, among other endeavors.

Dolly has been an active member of our community through her involvement with Hispanics Achieving and Celebrating Excellence of QCC, and Latino Dollars for Scholars. She is also an incorporator of the Worcester Art Museum, YWCA, the Joy of Music Program, and the Worcester Historical Museum. For eleven years she also served as board member of the Mass Cultural Council and is a former board member of You Inc.

I want to thank Dolly for her years of service to Worcester County and I wish her the best of luck in the future. She is a remarkable person who has done so much for the community. I'm also proud to call her a close and treasured friend.

CELEBRATING THE TENTH ANNIVERSARY OF MCABW

HON. KEVIN BRADY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. BRADY of Texas. Mr. Speaker, I stand today to honor the 10th anniversary of The Montgomery County Association of Business Women of Montgomery County, Texas. Founded by my good friend Carol Gooch in 2005, the MCABW not only provides a forum for business women to develop and enhance professional and personal relationships with their peers, the group actively works to improve Montgomery County.

After graduating from Leadership Montgomery County in 2003, Carol decided to form a group so that women could network and grow their businesses. The group was one of the first womens' networking associations in Montgomery County and its success has spurred the creation of many more similar groups.

In addition to providing an invaluable forum for women to network, the group has continued to give back to their community. MCABW sponsors college scholarships for women graduating high school in Montgomery County and supports members who wish to continue their education. At their inaugural fundraising event this year, the group raised $12,000 which will be used to fund additional scholarships and charities.

Not only does the group mentor women, MCABW has helped virtually every non-profit organization in Montgomery County including: Interfaith of the Woodlands, Montgomery County United Way, Children's Safe Harbor, Humane Society, and the Montgomery County Food Bank, just to name a few.

While the ranks of MCABW have grown far beyond the original 52 members in the ten years since its founding, the mission of the group has continued to focus on a team effort. By working together, the group has grown to the largest nonprofit business women's networking association in Montgomery County. Members enjoy monthly coffees, luncheons and evening mixers while continuously mentoring new members who want to start their own business, learn more about networking or social media, or who just want to meet other like-minded women in the community.

MCABW has helped organize the annual WISE (Women Inspiring, Supporting, Empowering) Conference. These conferences have given female entrepreneurs access to tremendous speakers and learning opportunities while raising money for charity. This year's WISE Conference has partnered with Rettsyndrome.org to raise funds for research for treatments and a cure for Rett Syndrome.

The women of MCABW represent all walks of life—there are members returning to the world of work, young members who are just starting their careers, and seasoned professionals willing to pass on their wisdom and knowledge.

Today, I ask all of America to join me in congratulating the dynamic Carol Gooch, and all members of the MCABW, on ten years of excellence. I can't wait to see what the future holds for the Montgomery County Association of Business Women.

CONGRATULATING PIKE COUNTY

HON. BRAD R. WENSTRUP

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. WENSTRUP. Mr. Speaker, I rise today to congratulate Pike County on their bicentennial anniversary and celebration.

For 200 years Pike County has stood proudly at the heart of Southern Ohio.

Created by the Ohio General Assembly in 1815, Pike County was named after American Brigadier General and explorer Zebulon Pike. Over the next 200 years, the people of Pike County have lived up to Pike's relentless American spirit.

Throughout its two century-long history, Pike County has proudly contributed to the strength, prosperity, and growth of our state and our nation.

Pike County residents fought and died for the United States in defense of this nation since the days of the Civil War. That service continued into the Cold War, where their hard work and industriousness in the heartland provided the nuclear technology and tools that continued to secure our blessings of freedom.

Pike County fostered the freedom and economic prosperity that are pillars of the American Dream, from an active role in the Underground Railroad to a key link in the Ohio-Erie Canal that connected commerce across Ohio.

I am honored to represent Pike County today, an area of the state with a rich history and strong community. Again, I congratulate Pike County on this historic milestone and I wish them the best over their next 200 years.

AGNES FENTON

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. PASCRELL. Mr. Speaker, I rise today to recognize Agnes Fenton, who will be turning 110 years old this Saturday, August 1, 2015. Mrs. Fenton will be the oldest person living in the City of Englewood, New Jersey.

Mrs. Fenton was born in 1905 on a farm in Mississippi. After her father passed away when she was only an infant, her mother raised her alone. Upon the age of 14, Mrs. Fenton moved to Memphis, Tennessee.

It was in Memphis where Mrs. Fenton ran a restaurant called Pal's Duck Inn, which specialized in serving southern comfort food. Mrs. Fenton would be one of the first African-American women in the city to own and operate a restaurant. The days were long and the work was tiring, as she would often work from 6 a.m. to midnight on a regular basis, but Mrs. Fenton always kept her spirits high.

During her time running the restaurant, Agnes got married to Vincent Fenton. But sadly after contracting pneumonia, Mr. Fenton passed away in 1970.

Following many years of running her successful restaurant, Mrs. Fenton decided to get a new job in the kitchen of an Emerson, New Jersey company, and eventually worked for the Chapman family in nearby Oradell for many years afterwards. It was hard work and self-reliance that forged her into the strong person she has been throughout her life.

Mrs. Fenton moved to Englewood in the early 1950's. She has resided there ever since, and is known to have a remedy for any health concern that you can think of. She is also well-known for her Lemon Ice Box Pies and Apple Lattice Pies, which she has given to her family and neighbors during the Christmas holiday seasons.

Mrs. Fenton has always made room for God in her life, as she has been a member of the St. Mark's United Methodist Church in New York City since moving to Englewood. Mrs. Fenton was honored to be indoctrinated into the Centenarian Society, where she is an active participant in the New England Centenarian Study being conducted by the Boston School of Medicine. Although the study may credit Mrs. Fenton's 110 years to her genetics, she partly attributes this to her daily regimen of consuming a shot of Johnnie Walker and three Miller High Life's a day.

Throughout her entire life, Mrs. Fenton has been able to live independently, even through hard times. She continues to cook her own meals and bake for her family and friends during the holiday season. Mrs. Fenton's life is one we can all look upon and recognize as one lived through hard work and sacrifice, but most importantly, a life filled with so much happiness and love.

The job of a United States Congressman involves much that is rewarding, yet nothing compares to recognizing and commemorating the life achievements of individuals such as Mrs. Agnes Fenton.

Mr. Speaker, I ask that you join our colleagues, Mrs. Fenton's family and friends, all those whose lives she has touched, and me, in recognizing the 110th birthday of Mrs. Agnes Fenton.

CONGRATULATING FRED AND BETTY WILLIAMS ON THEIR 70TH WEDDING ANNIVERSARY

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. MARCHANT. Mr. Speaker, I rise today to congratulate Fred and Betty Williams, of Carrollton, Texas on achieving this incredible milestone of 70 years of marriage on August 30th, 2015.

While Fred and Betty both grew up in east Texas, they moved to Carrollton after retiring and reside there today. As long time members of the Nazarene Church, serving on the church board and in missions, they are beloved members of the community and strong role models. It is an honor to be able to call them my constituents and friends.

In their successful marriage, Fred and Betty have been blessed with a family of three children, eleven grandchildren, and fourteen great-grandchildren. It is my sincere hope that their family may gain much joy and wisdom from Fred and Betty's wonderful journey together. May their lives and inspiring story pass down through generations to come.

Mr. Speaker, on behalf of the 24th Congressional District of Texas, I ask all my distinguished colleagues to join me in congratulating Fred and Betty Williams on their prosperous 70th wedding anniversary.

RECOGNIZING THE CENTENNIAL ANNIVERSARY OF THE OKALOOSA COUNTY, FLORIDA SHERIFF'S DEPARTMENT

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. MILLER of Florida. Mr. Speaker, I rise to recognize the Centennial Anniversary of the Okaloosa County, Florida Sheriff's Department.

As a former Deputy Sheriff, I understand the important and sometimes underappreciated role that law enforcement officers play in local communities across the Nation. In Northwest Florida, we are fortunate to have many world-class Sheriff's Departments and Police Departments that are working each and every day to protect their neighbors and community. For the last 100 years, the Okaloosa County Sheriff's Department has served a thriving community that has grown from a population of less than 10,000 when the department was created to a home for nearly 200,000 people today. Yet, while the population has increased nearly twentyfold over the past century, the Okaloosa County Sheriff's Department has always upheld their mission to "ensure fair and equal administration of the law, safeguarding civil liberties and preserving public safety and doing so with professionalism and unity of purpose, while being good stewards of the public's trust."

From the first Okaloosa County Sheriff, Benjamin Haywood Sutton, who initially funded the department with his own money, through to the current Sheriff, Larry Ashley, 15 different men have served as Sheriff, while countless have joined the force as deputies. Each and every one of those selfless men and women chose to stand up and serve their communities as officers of the law, and while they do not ask for any recognition in return, they certainly deserve our gratitude and thanks. There is no greater honor than to swear an oath to our Constitution to serve and protect the lives of your fellow man at the risk of your own either at home or abroad, and the Okaloosa County Sheriff's Department has shown over its 100 year history that it is dedicated to serving the people of Okaloosa County.

Mr. Speaker, on behalf of the United States Congress, I am proud to recognize the accomplishments and the service the Okaloosa County Florida Sheriff's Department has provided to the community over the last 100 years.

HONORING COMMUNITY ACTION OF VENTURA COUNTY

HON. JULIA BROWNLEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Ms. BROWNLEY of California. Mr. Speaker, today I rise to recognize Community Action of Ventura County on the occasion of their 50th anniversary. For five decades, this remarkable organization has promoted economic equality through an array of efforts to combat poverty in Ventura County.

Community Action of Ventura County was established in 1965 under the Economic Opportunity Act, one of the first federal anti-poverty programs in the United States. To this day, the organization's mission continues to be to serve as an auxiliary to assist poverty-stricken citizens in achieving self-sufficiency. Today, the organization has proven its effectiveness by reducing poverty rates across the region, and is a recognized leader among community-based organizations.

The services that Community Action of Ventura County provides to residents of our community have been invaluable in assisting those who live below the poverty line. Serving approximately 8,000 clients every year through impactful programs, Community Action of Ventura County has been instrumental in the effort to reduce poverty and economic inequality in Ventura County. With committed and steadfast board members, staff, and volunteers, all working toward the goal of lifting people out of poverty, this organization positively impacts our community through partnership building and advocacy for measures to help low-income individuals and families survive and rise up above poverty.

In its fifty years of service, Community Action of Ventura County has also implemented other important programs such as Los Compadres and Successful Living. Los Compadres and Successful Living aim to work with high risk youth by providing mentors and instructional sessions that teach young people to make responsible decisions and achieve economic success. The organization has not only granted financial assistance to the community, they provide resources to those in need to promote upward mobility, be self-sufficient, and lead successful lives.

For these reasons, I am honored to recognize Community Action of Ventura County on their 50th anniversary. It is with sincere gratitude that I commend Community Action of Ventura County for its continued success and service to our community.

TRIBUTE TO DANNY AND JOYCE WESTLAKE

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Danny and Joyce Westlake of Prescott, Iowa, on the very special occasion of their 50th wedding anniversary. Danny and Joyce were married on July 10, 1965 in Massena, Iowa.

Danny and Joyce's lifelong commitment to each other and their children Jeanette, Doug, Paul and Pamela, along with their grandchildren and great-grandchildren truly embodies our Iowa values. I commend this devoted couple on their 50th year together and I wish them many more. I know my colleagues in the United States House of Representatives will join me in congratulating them on this momentous occasion.

MEDICARE AND MEDICAID 50TH ANNIVERSARY

HON. JOYCE BEATTY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mrs. BEATTY. Mr. Speaker, in 1965, President Lyndon Johnson signed two important programs into law: Medicare and Medicaid.

These two critical programs provide Americans much needed access to healthcare.

They were created out of the truth that healthcare is a right, not a privilege, and no one should fall into poverty due to a lack of healthcare or treatment.

Over the last 50 years, Medicare has helped millions of American families maintain independence and security.

Medicaid provides a health care safety net for senior citizens, persons with disabilities, and children and young adults from working families.

For example, in 2013, in my district, Ohio's third congressional district, 85,313 of the residents received Medicare and 173,991 of the residents received Medicaid.

That is why I applaud Governor Kasich for his decision to expand Medicaid in Ohio.

Our path forward should build upon President Johnson's vision by strengthening Medicare and Medicaid, improving essential benefits, and containing costs.

By closing the prescription drug ''doughnut hole'' and curtailing waste and fraud, the Affordable Care Act lowers costs to beneficiaries and improves benefits.

There are definitely ways to improve Medicare and Medicaid programs, and cut waste, fraud, and abuse.

But, these changes should not be on the backs of our seniors and most vulnerable citizens.

We must work in a bipartisan way to strengthen Medicare and Medicaid and ensure enhanced access to affordable, quality healthcare.

Fifty years later, Medicare and Medicaid continue to save lives, help Americans live healthier, and provide the peace of mind that comes with access to healthcare and treatment.

I will continue to support and improve these two critical programs that are an integral part of our social safety net.

RECOGNIZING MR. RANDY SHAW, KREM 2 NEWS ANCHOR ON HIS RETIREMENT

HON. CATHY McMORRIS RODGERS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mrs. MCMORRIS RODGERS. Mr. Speaker, I rise today to celebrate Mr. Randy Shaw, Spokane's KREM 2 News anchor for his years of service to Eastern Washington. As a broadcast journalist, Mr. Shaw has faithfully served Spokane, Washington and the entire Inland Northwest for over thirty-three years. Mr. Shaw is retiring at the end of September and I am pleased to recognize his accomplishments and contributions to our great community in Eastern Washington.

Throughout his distinguished career, Mr. Randy Shaw covered the presidencies of Gerald Ford, Jimmy Carter, Ronald Reagan, and George H.W. Bush. Reporting overseas in Asia, Africa, and South America, Mr. Shaw received more than three dozen journalism awards and brought a wide range of news into the homes of the people of Eastern Washington.

Making his journalistic debut in newspaper, Mr. Shaw transitioned to radio and television where he spent the majority of his career. During his time in Spokane, Mr. Shaw was awarded a Regional Edward R. Murrow award for investigative reporting and the National Association of Television Arts and Science Silver Circle for his service to our community.

As the longest serving news anchor in Spokane broadcast history, Mr. Shaw worked diligently to ensure that our citizens are well informed. Moreover, he also endeavored to serve local causes throughout our community.

Through the years, Randy supported numerous local charities and fundraising efforts, including the Inland Northwest Honor Flight, the Alzheimer's Association, the Children's Miracle Network, and the American Red Cross. Off camera, Mr. Shaw is an author, explorer, musician, singer and entertainment producer. He integrates these passions into many of his efforts.

I would like to thank Mr. Randy Shaw for his years of dedication to Spokane and to the Inland Northwest. I applaud his commitment to the citizens of Eastern Washington and wish him the best of luck in the next chapter of his life.

RECOGNIZING THE 51ST PASSAGE OF THE ''FOOD STAMP ACT''

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Ms. JACKSON LEE. Mr. Speaker, I rise today to recognize the 51st anniversary of the ''Food Stamp Act'' of 1964, an act that strengthened the agricultural economy and improved levels of nutrition among low income households.

This impactful legislative achievement was passed by the historic 88th Congress of the United States, and signed into law by President Lyndon B. Johnson on August 31, 1964.

During the 1960's our nation was in the midst of the biggest legislative civil rights battle since the ratification of the 14th amendment of the Constitution, which addressed citizenship rights and equal protection under the law.

Mr. Speaker, it is difficult to imagine that during a time where the country was experiencing its largest uninterrupted period of economic expansion, American families were battling a war on poverty.

Leaders like President Johnson, who himself grew up in a poverty stricken family in Stonewall, Texas, had a firsthand account of these struggles that many American families faced on a daily basis.

President Johnson took action and pursued an agenda, which he called ''The Great Society.''

The ''Food Stamp Act'' is a legislative victory for his agenda that benefits those Americans who are living below the poverty line, by providing a sustainable source of food.

The impact of this legislation was simple; it helped put food on tables.

In my city of Houston, Texas, Supplemental Nutrition Assistance Program (SNAP) has helped establish nine major Food Banks that serve the city and its citizens with providing the much needed access to nutrition for families and individuals who otherwise would be unable to afford it without programs created by the ''Food Stamp Act.''

As President Johnson remarked when he signed this act that it, ''weds the best of the humanitarian instincts of the American people with the best of the free enterprise system.''

The most important benefactors of this program have been the children of this nation.

The ''Food Stamp Act'' at the time when it was signed into law assisted 17 million children by giving them access to hot lunches in their schools.

For many of these children this was the first time they had a lunch while at school.

Mr. Speaker, hunger in our nation does not see color or sex or religion. This is a problem that affects us all no matter our background.

While simultaneously strengthening our markets for the farmers, the ''Food Stamp Act'' has immeasurably improved the volume of retail food sales in our nation and around the world.

Our national food abundance should be continuously used constructively not only to combat hunger in our communities but also to help other nations through trade as well as to assist them in providing lunches for some 40 million school children throughout the developing world.

Mr. Speaker, this is why I am proud to remember the positive impact that the ''Food Stamp Act'' has had on our communities, and nation as a whole, along with the millions of lives it has improved over the decades.

IN RECOGNITION OF WILLIAM GRIGGS' SERVICE AS WYANDOTTE CITY CLERK

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mrs. DINGELL. Mr. Speaker, I rise today to recognize William Griggs for his forty two years of service to the city of Wyandotte. First elected in 1973, Bill is one of the longest serving public officials in the Downriver communities.

Bill is described by his colleagues as dedicated and kind, and is praised in the community for the dignity and professionalism he has brought to the clerk's office. His presence as a leading voice in Wyandotte has been recognized by generations of residents, and with the dedication of the City Council chambers in his honor will be recognized by many more.

Bill has served as a role model in our community, serving as the director of Wyandotte's adaptive recreation program and on the Board of Directors for the National Wheelchair Athletics Committee. He inspired people with disabilities with his participation in the 1968 and 1972 Paralympics Games, and was inducted into the Michigan Athletes with Disabilities Hall of Fame in 2002.

Mr. Speaker, I ask my colleagues to join me today to honor William Griggs for his forty two years of service and his lasting impact on the Wyandotte community. I thank him for his leadership, and wish him many years of success.

IN RECOGNITION OF MS. JESSICA BUTLER

HON. DAVID G. VALADAO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. VALADAO. Mr. Speaker, I rise today to thank Jessica Butler for her service to my office and the 21st Congressional District of California over the past two and a half years.

Ms. Butler was born in Wharton, Texas to Robert and Carol Butler and spent her youth in Bay City, Texas with her siblings, Sarah and Sam. After completing her high school education, Ms. Butler studied poultry science and food safety at Texas A&M University and Auburn University.

After college, Jessica accepted a Fellowship with Congressman DEVIN NUNES through the American Association for the Advancement of Science and the Federation of Animal Science Societies. Her work in Mr. NUNES' office led her to discover her passion for policy. After completing her fellowship, she joined my office as my Legislative Assistant and became one of the few individuals who can say they worked for every Portuguese Republican from California in the House of Representatives. During her time in my office, she handled several legislative portfolios, including agriculture, energy, healthcare, homeland security, immigration, trade, and water. Last year, she was promoted to Legislative Director and handled my work on the Appropriations committee.

On August 1, 2015, Ms. Butler's time in my office will come to an end. Ms. Butler is returning to Texas, where she will marry Mr. Nathan Russell, a nuclear plant operator who has loved her since their freshman year of high school, on September 19, 2015. While I know her family will be happy to have her back in the Lone Star State, she will be greatly missed as a member of my team.

Mr. Speaker, I ask my colleagues in the United States House of Representatives to join me in commending Jessica Butler for her public service to the people of the Central Valley and wishing her well in this next chapter of her life.

TO HONOR THE TEXAS JOB CORPS GRADUATES

HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. GENE GREEN of Texas. Mr. Speaker, I rise today to honor the hard work and dedication of the recent graduates of the Texas Job Corps Centers.

The four Job Corps centers in Texas have served the people of our great state for over 50 years, providing a no-cost education and career technical training program that helps young Texans from ages 16 to 24 improve the quality of their lives through career technical and academic training.

By graduating from the Job Corps, these young men and women have proven that they have skills and determination to succeed and be valuable contributors to communities throughout Texas and the country.

On behalf of the people of the 29th Congressional District of Texas, I would like to congratulate the 2015 Job Corps graduates of all four centers in our state—David L. Carrasco Job Corps, Gary Job Corps, Laredo Job Corps, and North Texas Job Corps.

I would also like to recognize the Texas Job Corps for their half century of success and say thank you for the service the Job Corps Program and its graduates have provided to Texas.

IN RECOGNITION OF THE RETIREMENT OF ADMIRAL JAMES A. WINNEFELD, JR.

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. ROGERS of Alabama. Mr. Speaker, I ask for the House's attention today to recognize Admiral James A. Winnefeld, Jr., who is retiring July 31, 2015, after serving with distinction for more than 37 years, culminating his career as Vice Chairman of the Joint Chiefs of Staff.

Throughout his service as a senior military leader, Admiral Winnefeld has provided this body, and in particular the House Armed Services Committee, with invaluable testimony and candid military advice. Over the last four years, Admiral Winnefeld has served as the ninth Vice Chairman of the Joint Chiefs of Staff. I think I speak for all of my colleagues on the Armed Services Committee when I say his vast experience, knowledge, outstanding leadership and professionalism combined with his deep respect and consideration for all of our service men and women will be greatly missed.

During his tenure as Vice Chairman, he provided military advice to not only the legislative branch, but also to the President of the United States, Secretary of Defense, National Security Council and the Chairman of the Joint Chiefs of Staff on a wide range of complex military and national security issues during an extremely challenging period in our country's history.

In this challenging fiscal and security environment, Admiral Winnefeld helped lead our military through global events and threats to include the Department of Defense's rebalance to the Pacific, Iraq troop withdrawal, Afghanistan transition, the global threat of ISIL, instability in Syria and Russia's provocative actions in Eastern Europe. In addition, the Vice Chairman played key roles in advising our nation's leaders on and formulating plans for various counterterrorism efforts.

As Vice Chairman, he led the development and implementation of the 2014 Quadrennial Defense Review, an effort that involved thousands of senior leadership man-hours. Pivotal to his role as the Vice Chairman he also chaired the Joint Requirements Oversight Council (or JROC), where he worked tirelessly to transform the requirements processes to become more agile, transparent and inclusive. He focused its efforts on the immediate capability needs of the Combatant Commanders and the most pressing military issues of the Joint Warfighter. As co-chair of the Defense Acquisition Board, Admiral Winnefeld worked to link the requirements, resource and acquisition communities in developing programs to deliver appropriate capabilities to the Joint Warfighter at the right time and for the right price. Admiral Winnefeld's work as a co-chair of the nuclear weapons council ensured our military's nuclear enterprise and number one priority remained viable and relevant as a strategic deterrent to our nation's adversaries.

Admiral Winnefeld graduated from the Georgia Institute of Technology and received his commission from the Navy Reserve Officer Training Corps program. He subsequently served with three fighter squadrons flying the F–14 Tomcat and as an instructor at the Navy Fighter Weapons School. Admiral Winnefeld's unit commands at sea include Fighter Squadron 211, USS *Cleveland* (LPD 7) and USS *Enterprise* (CVN 65). He led ''Big E'' through her 18th deployment, which included combat operations in Afghanistan in support of Operation Enduring Freedom immediately after the terrorist acts of Sept. 11, 2001. As Commander, Carrier Strike Group TWO/Theodore Roosevelt Carrier Strike Group, he led Task Forces 50, 152 and 58 in support of Operation Iraqi Freedom and maritime interception operations in the Arabian Gulf. He also served as Commander, United States SIXTH Fleet, Commander NATO Allied Joint Command Lisbon and Commander Striking and Support Forces NATO.

His shore tours include service in the Joint Staff Operations Directorate (J–3), as Senior Aide to the Chairman of the Joint Chiefs of Staff and as Executive Assistant to the Vice Chief of Naval Operations. As a flag officer he served ashore as director, Warfare Programs and Transformational Concepts, United States Fleet Forces Command, as Director of Joint Innovation and Experimentation at United States Joint Forces Command and as the Director for Strategic Plans and Policy (J–5) on the Joint Staff. Prior to becoming the Vice Chairman, Admiral Winnefeld served as the Commander of North American Aerospace Defense Command (NORAD) and U.S. Northern Command (USNORTHCOM).

As the Commander of NORAD and USNORTHCOM, Admiral Winnefeld led historic advances in the working relationship between USNORTHCOM, Department of Homeland Security, Federal Emergency Management Agency, Drug Enforcement Administration, Customs and Boarder Protection and the National Guard, specifically with the Dual-Status Commander concept. In addition, he led the U.S.-Mexican military-to-military relationship to a historic level of collaboration and brought very tangible results to our Nations' important struggle against the fast-growing transnational criminal organizations. Through his distinctive accomplishments, Admiral Winnefeld culminated a long and distinguished career in the service of our nation and his tenure leaves a lasting positive legacy to the Armed Forces. I appreciate his extraordinary reflected great credit upon himself, the United States Navy, and the Department of Defense.

For nearly forty years Admiral Winnefeld has performed his duty professionally, honestly and with great dedication. Our nation will miss his leadership and expertise.

Mr. Speaker, please join me in wishing him and his family all the best as he moves to the next phase of his life.

RECOGNIZING COL. CHUCK HODGES' SERVICE TO JOINT BASE LEWIS-McCHORD AND THE UNITED STATES

HON. DENNY HECK

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. HECK of Washington. Mr. Speaker, today I rise to honor my good friend and Commander of Joint Base Lewis-McChord, U.S. Army Colonel Charles Hodges, Jr.

COL Hodges will leave command next month after a tremendously successful three years at JBLM. He has played a critical role in the implementation of joint basing and has proved the success of the program to both the Department of Defense and the Army. In addition, his partnership with the surrounding community is unprecedented. He has strengthened an already robust relationship between the base and community by finding creative solutions to issues such as traffic congestion and noise abatement.

COL Hodges has also been instrumental in ensuring our separating troops can pursue job training and career opportunities. He has worked to develop resources in the surrounding community and at the state and federal levels to provide transition assistance for all veterans.

The Army will be losing a strong leader when COL Hodges retires later this year after a long and impressive career in the Army. He started his service in the summer of 1985 when he enlisted in the Florida National Guard as an 11B Infantryman. After being commissioned as an Infantry Officer and Distinguished Military Graduate from the University of Central Florida (UCF) he completed the Infantry Officer Basic Course, Airborne School and Ranger School. He was then assigned to Germany and 3–5 Cavalry in the 3rd Armored Division. While there he participated in Operation Desert Shield and Desert Storm. After returning from Germany and completing the required military schooling, he commanded A Company, 1st Battalion, 503rd Infantry (ASSLT) in the Republic of Korea; and Company H, the 3rd U.S. Infantry (The Old Guard) in Arlington, Virginia.

In 2001–2002, COL Hodges attended the Command and General Staff School at Fort Leavenworth and was then assigned to Fort Lewis, where he served as a Battalion Operations Officer and Executive Officer in 1st Battalion, 23rd Infantry, (Tomahawks); and as the Operations Officer of 3–2 Stryker Brigade Combat Team. While there, he was part of the team that certified the Army's first Stryker Brigade Combat Team and deployed as part of Operation Iraqi Freedom.

After promotion to Lieutenant Colonel, he served as the Chair of the Military Science Department at Duke University. In 2007, he returned to Fort Lewis and took command of 1st Battalion, 23rd Infantry, 3–2 Stryker Brigade Combat Team. He commanded the battalion for three years, and he deployed it to participate in Operation Iraqi Freedom. After command, he was selected to serve as the Director of Training, G3, for I Corps. After attending the United States Army War College, COL Hodges took command of the newly created Joint Base Lewis-McChord (JBLM) in August of 2012.

Mr. Speaker, it is a pleasure to recognize COL Hodges' successful and decorated career. I commend him for his service, leadership, and dedication. I also wish to recognize the sacrifices and contributions made by his family including his wife Kathy and their children Shelby and Sam.

The State of Washington and our country owe COL Hodges a debt of gratitude for his work and dedication to our country. We thank him for his service to our country and congratulate him as he begins the next chapter of his career.

COMMENDING UNITED STATES-TURKEY MILITARY COOPERATION

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I was very pleased to hear the announcement made last Thursday that Incirlik Air Base in Turkey will now be made available for both unmanned and manned airstrikes against the Islamic State. The announcement indicates a substantial increase in cooperation with our longstanding NATO ally, the Republic of Turkey. The enhanced operations will include the direct involvement of the Turkish Air Force in conjunction with our own military.

In recent days, Islamic State terrorists have stepped up their attacks on Turkey. On July 20, a suicide bomber took the lives of 32 innocent civilians near a cultural center in Suruc, Turkey. On July 23, a non-commissioned Turkish officer was killed in an armed attack at a military border post at Elbeyli, Turkey. I wish to express my sincere condolences to our friends in Turkey for these losses, which provide further evidence of the barbaric nature of the terrorist forces now dominating much of Syria and Iraq.

It is more essential than ever that we deepen our cooperation with key allies like Turkey as we seek to bring peace and security to a troubled region. I wish to commend the continued cooperative efforts of the military leadership in both the United States and the Republic of Turkey. It is essential that this bond between our countries remains strong as we confront this strategic challenge.

TRIBUTE TO KATIE ROTH

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Katie Roth for being named the 2015 Woman Business Owner of the Year by the award-winning central Iowa publication, the Des Moines Business Record.

Since 2000, the Des Moines Business Record has undertaken an exhaustive annual review to identify a group of standout female leaders in the Greater Des Moines Area that are making an impact in their communities either personally or professionally, forging a path for other women to follow. The women given this prestigious award are individuals who have selflessly dedicated their time and proven their leadership abilities across a variety of professional fields.

Ms. Roth got her start in the news business after earning her Bachelor of Arts in Broadcast Journalism from the University of Iowa. With hard work and her natural leadership qualities, Ms. Roth quickly worked her way up in the ranks, until ultimately she decided to open the doors of Portico Staffing. Since founding Portico Staffing, Ms. Roth has continued to grow the business through hard work and determination to succeed.

Ms. Roth has selflessly dedicated her time and talents to improving the lives of others. When she isn't busy expanding the size and scope of her business she invests her time in mentoring others, helping to foster the next generation of Iowa's leaders. Ms. Roth's high ethical standards and level of achievement have given her the necessary qualifications to receive this prestigious award.

Mr. Speaker, it is a profound honor to represent leaders like Ms. Roth in the United States Congress and it is with great pride that I recognize and applaud her for utilizing her talents to better the State of Iowa. I invite my colleagues in the United States House of Representatives to join me in congratulating her on receiving this distinguished award, and wishing her the best of luck in all her future endeavors.

RECOGNIZING BASF ON THEIR 150TH ANNIVERSARY

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mrs. DINGELL. Mr. Speaker, I rise today to recognize BASF on their 150th Anniversary. Their longevity as a company is a testament to their innovative products, the drive of their leaders, and the hard work of their employees. BASF's presence in the United States goes back to the 1950s, and today they employ over 15,000 Americans in more than 30 states. They deserve to be commended for this milestone anniversary.

BASF is a pillar of our community in Southeast Michigan. Specifically, their plant in Wyandotte, Michigan employs over 1,000 people

in good paying, high skilled jobs. Notable is their dedication to community relations and charitable activities. The company played a critical role in the founding of the Detroit River International Wildlife Refuge, the only international wildlife refuge in this country. They worked to restore Fighting Island in the Detroit River so it is suitable for wildlife habitat, and they contributed to the trails in the Humbug Marsh unit, among numerous other activities. Their dedication to conservation, and giving back to the community, is to be commended.

When BASF was founded 150 years ago, nobody would have imagined how large the company would grow or the impact they would have on the world. Today, they continue to produce innovative products while also being responsible corporate stewards. This is significant in today's world and deserves praise. Congratulations to everyone at BASF as you celebrate your 150th Anniversary.

Mr. Speaker, I ask my colleagues to join me in honoring the 150 years of success and community contributions of BASF.

PERSONAL EXPLANATION

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Ms. JACKSON LEE. Mr. Speaker, from Friday, July 24, 2015 through Tuesday, July 28, 2015, I was out of the country participating in the congressional delegation accompanying President Obama on his diplomatic visits to Kenya and Ethiopia. Had I been present I would have voted as follows:

On Roll Call 467 I would have voted Aye (S. 1482, Need-Based Education Aid Act of 2015).

On Roll Call 468 I would have voted Aye (H.R. 1656, Secret Service Improvements Act of 2015).

On Roll Call 469 I would have voted Aye (Amendment to H.R. 2770, Keep Our Travelers Safe and Secure Act of 2015).

On Roll Call 470 I would have voted No (On Ordering Previous Question for H. Res. 380, providing for consideration of H.R. 427, Regulations from the Executive in Need of Scrutiny Act of 2015).

On Roll Call 471 I would have voted No (On H. Res. 380, providing for consideration of H.R. 427, Regulations from the Executive in Need of Scrutiny Act of 2015).

On Roll Call 472 I would have voted Aye (H.R. 675, Veterans Compensation Cost of Living Adjustment Act of 2015).

On Roll Call 473 I would have voted No (Young Amendment to H.R. 427, Regulations from the Executive in Need of Scrutiny Act of 2015).

On Roll Call 474 I would have voted No (Smith of Missouri Amendment to H.R. 427, Regulations from the Executive in Need of Scrutiny Act of 2015).

On Roll Call 475 I would have voted Aye (Johnson of Georgia Amendment to H.R. 427, Regulations from the Executive in Need of Scrutiny Act of 2015).

On Roll Call 476 I would have voted Aye (Capps Amendment to H.R. 427, Regulations from the Executive in Need of Scrutiny Act of 2015).

On Roll Call 477 I would have voted Aye (Cicilline Amendment to H.R. 427, Regulations from the Executive in Need of Scrutiny Act of 2015).

On Roll Call 478 I would have voted Aye (Jackson Lee/Cicilline Amendment to H.R. 427, Regulations from the Executive in Need of Scrutiny Act of 2015).

On Roll Call 479 I would have voted Aye (Nadler Amendment to H.R. 427, Regulations from the Executive in Need of Scrutiny Act of 2015).

On Roll Call No. 480 I would have voted Aye (Pocan Amendment to H.R. 427, Regulations from the Executive in Need of Scrutiny Act of 2015).

On Roll Call No. 481 I would have voted Aye (Motion to Recommit H.R. 427, Regulations from the Executive in Need of Scrutiny Act of 2015).

On Roll Call No. 482 I would have voted No (On Passage of H.R. 427, Regulations from the Executive in Need of Scrutiny Act of 2015).

RECOGNIZING THE 50TH ANNIVERSARY OF MEDICAID AND MEDICARE

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. KEATING. Mr. Speaker, I rise today in recognition of the 50th anniversary of Medicare and Medicaid.

In 1965, President Lyndon Johnson signed the Social Security Act into law—establishing the groundbreaking programs of Medicare and Medicaid and guaranteeing that a wide range of health and medical services would be available to millions of Americans previously ineligible or unable to attain basic healthcare.

Prior to this law, over half of our nation's seniors did not have access to health insurance. Yet one year after its establishment, 19 million seniors and disabled individuals were provided coverage. That figure has grown dramatically; for the last half century, Medicare and Medicaid have provided vital healthcare services to countless seniors, individuals with disabilities and low-income families. By 2014, 54 million Americans relied on Medicare for quality health care and economic security, while 69 million—including one in three children—are benefited by Medicaid and its services.

Mr. Speaker, please join me in celebrating the 50th anniversary of Medicare and Medicaid. I look forward to continuing to strengthen and protect Medicare and Medicaid to ensure that the promise of health and economic security will be there for generations to come.

PERSONAL EXPLANATION

HON. PETER J. ROSKAM

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. ROSKAM. Mr. Speaker, on roll call no. 469 my flight was delayed due to weather. Had I been present, I would have voted Aye.

CONGRATULATING FIVE STUDENTS FROM THE 24TH CONGRESSIONAL DISTRICT OF TEXAS FOR RECEIVING FULBRIGHT AWARDS DURING THE 2014–2015 ACADEMIC YEAR

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. MARCHANT. Mr. Speaker, I rise today in recognition of Andrew Hasson of Coppell, Afshan Kamrudin of Carrollton, Matthew Lenzen of Farmers Branch, Abhishek Raj of Carrollton, and Amanda Kathleen White of Farmers Branch, who were selected to be 2014–2015 Fulbright Grantees. This is an incredibly illustrious achievement, and I am honored that these came from my Congressional District in Texas.

The Fulbright Program was established in 1946 by Congress. These five join the already 360,000 past participants over seven decades in the Fulbright Program, a prestigious group selected through open, merit-based competitions. Their destinations and universities are as follows:

Andrew Hasson to Malaysia through the University of Pennsylvania. Afshan Kamrudin to South Africa through Southern Methodist University. Matthew Lenzen to Taiwan through Texas A&M University. Abhishek Raj to Germany through the University of Texas at Dallas. Amanda Kathleen White to Japan through the University of North Texas.

Mr. Speaker, on behalf of the 24th Congressional District of Texas, I ask all my distinguished colleagues to join me in honoring Andrew Hasson, Afshan Kamrudin, Matthew Lenzen, Abhishek Raj, and Amanda Kathleen White for this tremendous achievement.

HONORING H. GRAYSON COUNTY ADMINISTRATOR JONATHAN SWEET

HON. H. MORGAN GRIFFITH

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. GRIFFITH. Mr. Speaker, I submit these remarks in honor of Grayson County Administrator Jonathan Sweet, who was recently named 2015 County Leader of the Year by Penton Media's ''American City and County'' magazine.

As is noted in the magazine's story, ''Sweet started his professional career as the Director of Economic Development of Carroll County,

Va., and then served Danville, Va., in their office of economic development. Sweet then moved to Bland County, Va., to become County Administrator at the age of 24—one of the youngest in the state to hold that position. However, he was tied to Grayson [County], where many of his friends and family lived. It's where he felt most at home.''

Jonathan returned to Grayson in 2009 to serve as County Administrator and began addressing several difficult challenges, among them returning financial stability to the county and encouraging the growth of jobs and the economy. ''As the furniture industry shrank and textile jobs moved overseas, the county really began to suffer, ultimately hitting an unemployment rate of 14.6 percent,'' Derek Prall wrote in the magazine. ''By the time Sweet came on board, the county had taken on $18.3 million in debt, and was relying on credit to stay afloat.''

He immediately began working at the tasks at hand. In part because of Jonathan's efforts, ''Grayson county went from one of the most financially challenged and distressed counties in Virginia, to becoming one of the most financially stable and well managed in the region,'' David Sexton, Chairman of the Grayson County Board of Supervisors, told the magazine. Further, the magazine notes, ''The unemployment rate now stands at 6.9 percent, less than half of what it was at its peak.''

Jonathan Sweet is a hardworking, dedicated, and passionate public servant, and I ask that my colleagues join me in congratulating him on being named the 2015 County Leader of the Year. I commend Jonathan for his accomplishments and for his ongoing efforts to make Grayson County a great place to live, work, and raise a family.

THE INTRODUCTION OF THE OPEN AND TRANSPARENT SMITHSONIAN ACT OF 2015

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Ms. NORTON. Mr. Speaker, today, I introduce the Open and Transparent Smithsonian Act of 2015 to further ensure that the Smithsonian Institution is accountable to the public for the taxpayer funds it receives. The bill provides that, for the purposes of the Freedom of Information Act (FOIA) and the Privacy Act, the Smithsonian should be considered a federal agency. This bill is necessary because there is no reason why the Smithsonian should not be accountable to the public for the annual federal appropriations it receives, which account for 70 percent of its budget. Although the Smithsonian was created by Congress as a federal trust, it receives the great majority of its funding from the federal government, much like federal agencies, and has always been treated as a federal agency except for FOIA and other open government laws. In the 1990s, the U.S. Court of Appeals for the District of Columbia Circuit found under the current act that the Smithsonian is not a federal agency for purposes of FOIA and the Privacy Act. The Smithsonian's website states that it is ''not an Executive Branch agency, and FOIA does not apply to the Smithsonian.''

This bill would amend FOIA and the Privacy Act to apply to the Smithsonian, which would require the institution to make administrative staff manuals, interpretations of law or regulations, final opinions, policies, and other records available to the public. The bill would also require the Smithsonian's Board of Regents and other boards to hold meetings to the public.

The current absence of transparency at the Smithsonian should be of concern, particularly in light of its recent history of secrecy and corruption. In 2007, an independent review found that the Smithsonian Board of Regents had violated many principles of good management Regents during the tenure of Lawrence Small as Secretary of the Smithsonian. The report indicated that the Board had failed to provide the needed oversight, had over-compensated the Secretary, and had allowed the creation of an ''insular culture.'' The report further found that the Smithsonian's deputy secretary and chief operating officer, Sheila Burke, was frequently absent from her duties because of outside activities, including service on corporate boards, for which she earned more than $1.2 million over six years. Importantly, the report indicated that Smithsonian leaders took great measures to keep secret these missteps and mismanagement.

While the Smithsonian has since had new leaders, who are moving away from the mistakes of the past, Congress has not ensured that the Smithsonian is a transparent entity, which should not depend on who is in charge. An entity supported primarily by federal funds must be accountable to the American people.

I urge my colleagues to support this measure.

TRIBUTE TO DONALD J. TRACY

HON. JOHN R. CARTER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. CARTER of Texas. Mr. Speaker, I rise today to salute Donald J. Tracy of Cedar Park, TX. A pillar of this bustling community nestled in the heart of my congressional district, Donald recently resigned from the Cedar Park City Council to start a challenging doctoral program at Texas State University.

Daily life in Cedar Park rests upon the shoulders of dedicated public servants like Donald Tracy. First elected to the City Council in 2010, Donald served as mayor pro tem and as a critical member of several city committees. Widely admired and respected for his leadership, Donald has been a public servant both his colleagues and constituents could rely upon.

Donald's dedication to service extends to his professional endeavors as well. For over 15 years, he has worked in Central Texas as a human resource management and workforce education professional, where he has led community- and state-wide skills development initiatives focused on training workers in high-growth, high-opportunity industry clusters. He currently works for Austin Community College, where he serves as Director of Business Operations and Marketing in the Continuing Education Division. Donald's doctoral work will directly support his critical efforts to develop certification programs for adults who want to transition into new jobs.

Donald Tracy's extraordinary commitment to service reflects the best values of Central Texas. There's no doubt that Cedar Park is a better place because of him. I heartily salute his work and wish him the best of luck in all his new endeavors.

TRIBUTE TO MAYOR SARA KUROVSKI

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Sara Kurovski, Mayor of Pleasant Hill, for being named the 2015 Meredith Woman of Influence honoree by the award-winning central Iowa publication, the Des Moines Business Record.

Since 2000, the Des Moines Business Record has undertaken an exhaustive annual review to identify a group of standout female leaders in the Greater Des Moines Area that are making an impact in their communities either personally or professionally, forging a path for other women to follow. The women given this prestigious award are individuals who have selflessly dedicated their time and proven their leadership abilities across a variety of professional fields.

Mayor Kurovski's passion for public service began when she attended Drake University and received her Master's degree in public administration. Since graduation she has dedicated her time and talents to serving others and improving her community.

Elected in 2013 as Mayor of Pleasant Hill, she has worked tirelessly to improve her community. Mayor Kurovski initially was involved in a number of boards for the city of Pleasant Hill, where her passion for public service and improving the lives of others grew. But running the city of Pleasant Hill is only one aspect of her life, and her work does not stop there. She also works for Iowa based Kum & Go as their manager of sustainability. I admire her dedication to the State of Iowa and believe it is hard working people like Mayor Kurovski that will lead our future generations.

Mr. Speaker, it is a profound honor to represent leaders like Mayor Kurovski in the United States Congress and it is with great pride that I recognize and applaud her for utilizing her talents to better the State of Iowa. I invite my colleagues in the United States House of Representatives to join me in congratulating her on receiving this esteemed designation, and wishing her the best of luck in all her future endeavors.

CONGRATULATING CONGRESSMAN KEN HECHLER AND CAROL HECHLER

HON. ALEXANDER X. MOONEY

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. MOONEY of West Virginia. Mr. Speaker, I would like to congratulate Congressman Ken Hechler and Carol Hechler on reaffirming their commitment to each other in their marriage on August 8th. Congressman Hechler has honorably served the amazing state of West Virginia for over fifty years, first as a combat historian in the United States Army during World War II, then as the Representative of the 4th district and as West Virginia's Secretary of State. I am overjoyed that Congressman Hechler has decided to honor and uphold the sacred institution of marriage with his wife, Carol.

I join with their families, friends, and loved ones in congratulating Congressman Hechler and his wife Carol on this momentous occasion. I wish the reaffirmed couple the best of luck, and long, happy lives together.

IN RECOGNITION OF DR. CHAD AUDI'S SERVICE TO OUR COMMUNITY

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mrs. DINGELL. Mr. Speaker, I rise today to recognize Dr. Chad Audi's years of service to our community and the State of Michigan.

The Detroit Rescue Mission Ministries started as a soup kitchen in 1909. It had a reputation for serving hot meals, providing canned goods, and other necessities to feed many people who had so little. Today, they offer numerous services including substance abuse treatment, transitional and permanent housing, job preparation, and educational courses. Starting as a volunteer in 1994, Dr. Audi has worked tirelessly to transform this organization.

After 10 years of service, Dr. Audi became the President and CEO of the Detroit Rescue Mission Ministries in 2004. Since then, he has helped to make this community institution into the largest rescue mission in the United States. The resources they offer to women, children, senior citizens, and veterans, have made the Detroit Metropolitan Area a better place to work and live. Dr. Audi's tenure and contributions reflect his passion for service, his commitment to his community, and his calling to improve the lives of others. Dr. Audi deserves our utmost respect and admiration and this world would be a better place with more people like him.

Mr. Speaker, I ask my colleagues to join me in honoring the work of Dr. Chad Audi and the strength he has given to the Detroit Rescue Mission Ministries.

IN RECOGNITION OF MS. ALEXIS JOY MARIE HAYES

HON. DAVID G. VALADAO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. VALADAO. Mr. Speaker, I rise today to thank Alexis Joy Marie Hayes for her service to my office and to the people of the 21st Congressional District of California.

Alexis Hayes was born and raised in Visalia, California to Mr. and Mrs. James and Kristin Hayes on February 5, 1994. Six years later, in 1999, Alexis was blessed with the birth of her sister, Rileey Hayes.

Ms. Hayes attended Mountain View Elementary and Divisadero Middle School prior to attending Mt. Whitney High School, where she graduated in 2012. Following high school, Alexis began her general studies at the College of the Sequoias in Visalia, California. While in school, Ms. Hayes served as the President of the local College Republicans Chapter.

Since high school, Ms. Hayes has been an active member of her community. From an early age, she has demonstrated a strong interest in politics and an unwavering commitment to public service.

She has held positions as Office Manager for Valadao for Congress, Intern for Congressman DEVIN NUNES, and most recently, as a Constituent Services Representative in my Hanford, California office.

Friday, July 31, 2015, will be Ms. Hayes last day as a member of my staff. In August, Ms. Hayes will begin attending the University of California, Berkeley. While I am proud of her academic achievements, she will be greatly missed as a member of my team.

Mr. Speaker, I ask my colleagues in the United States House of Representatives to join me in commending Alexis Hayes for her public service to the people of the Central Valley and wishing her well as she begins the next chapter of her life.

TRIBUTE TO WORLD WAR II VETERAN CARL CRISP

HON. LUKE MESSER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. MESSER. Mr. Speaker, I rise today to recognize the service of a remarkable war hero from Indiana's 6th Congressional District—World War II Veteran, Carl Crisp.

Carl honorably served in the United States Army Air Corps from 1943 to 1945. He flew numerous missions with the allied forces throughout the Ardennes and played a critical role in liberating France from Nazi occupation.

It's been a long time coming, but on Saturday, August 1, 2015, Carl will be presented the French Legion of Honor Medal during a ceremony at the Henry County Historical Society Museum. This distinguished honor is given only to those who have served France or the ideals it upholds, and Carl's service in World War II makes him more than deserving.

I congratulate Carl on this recognition and thank him for his service on behalf of our great nation. The entire free world owes him a debt of gratitude that can never be repaid.

GUTHRIE'S 50TH ANNIVERSARY

HON. ROBERT B. ADERHOLT

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. ADERHOLT. Mr. Speaker, I want to congratulate Guthrie's Chicken based in my hometown of Haleyville, Alabama for 50 years in the 4th Congressional District, Alabama and the southeastern United States.

In 1965 Hal Guthrie opened a drive-in restaurant in Haleyville serving hamburgers, barbeque, fish and fried chicken.

Eighteen years after opening, Hal Guthrie decided to add chicken fingers to the menu, which included a family created dipping sauce. Guthrie did not know at the time that his decision would make his name known from one side of Alabama to the other.

In 1982, the Guthries opened a second restaurant, this one just off campus of Auburn University. Not only was the Guthrie's chicken finger box popular with college students, people visiting Auburn for football games wanted a location in their hometown as well.

The Guthries answered that demand by opening several more stores across Alabama and also in places like Athens, Georgia, Tallahassee, Florida and even Cleveland, Ohio. If there is one thing that comes close to being as big as football in the south, it's a love for Guthrie's chicken.

A half-century after the first restaurant was opened by the Guthrie family, they are still a family owned and operated business. They are a shining example of American entrepreneurship. Having grown up in Haleyville and being in the 4th Congressional District, I am particularly proud of this great tradition and wish the Guthries another 50 years of great success.

OLDER AMERICANS ACT

HON. MARTHA McSALLY

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Ms. MCSALLY. Mr. Speaker, I rise today to support the reauthorization of the Older Americans Act, legislation that has helped countless Americans maintain their independence and dignity as they grow older.

The modest programs under the Older Americans Act make a big difference in communities across our country by providing nutrition and transportation assistance to seniors and helping them meet their daily needs.

In Pima County in my district, the Older Americans Act provides: 800 people a day with a home delivered meal; 1,200 people with assistance with bath, laundry, and other household needs; transportation to senior meal sites; and many other services.

Nearly 130,000 seniors live in the Second District, and they deserve the opportunity to

live out their retirement without worrying about how they will meet basic needs.

Recently we saw the 50th anniversary of the Older Americans Act as well as the Senate unanimously pass legislation to reauthorize these critical programs. I urge my colleagues in the House to support reauthorization, so we can help give seniors the retirement security they deserve.

CANCEL AUGUST RECESS

HON. ROBERT J. WITTMAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. WITTMAN. Mr. Speaker, I am disappointed that Congress plans to adjourn for August recess without addressing critical issues important to the American people.

I appreciate that district work periods allow Members to visit with folks back in their community, but it is now becoming a habit for Congress to abandon a long ''to do'' list in the rush to get out of town. This August is no exception.

Unfortunately, Congress has not done its job. It has not completed the work of the people; including budgeting and critical national security legislation. Our constituents expect us to stay and finish the job.

Let's clear our schedules and—in the strongest possible terms—request the Speaker to call Congress back to Washington for the month of August and to finish the business of the people.

As I have said in previous years on the eve of August recess, I'm prepared to stay in Washington as long as it takes.

These issues are too important to delay.

TRIBUTE TO KATHRYN KUNERT

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Kathryn Kunert for being named a 2015 Woman of Influence honoree by the award-winning central Iowa publication, the Des Moines Business Record.

Since 2000, the Des Moines Business Record has undertaken an exhaustive annual review to identify a group of standout female leaders in the Greater Des Moines Area that are making an impact in their communities either personally or professionally, forging a path for other women to follow. The women given this prestigious award are individuals who have selflessly dedicated their time and proven their leadership abilities across a variety of professional fields.

Ms. Kunert is a true testament to hard work, dedication and commitment. She has spent the last 19 years at MidAmerican Energy and now serves as the Vice President of Business and Community Development. Throughout her time at MidAmerican she has focused on forging lasting relationships in the community and with businesses, helping to grow the size and scope of MidAmerican. Through her leadership and expertise, Ms. Kunert has had a positive and lasting impact on all she has worked with.

Mr. Speaker, it is a profound honor to represent leaders like Ms. Kunert in the United States Congress and it is with great pride that I recognize and applaud her for utilizing her talents to better the State of Iowa. I invite my colleagues in the United States House of Representatives to join me in congratulating her on receiving this distinguished award, and wishing her the best of luck in all her future endeavors.

TRIBUTE TO HOWARD KELLER

HON. TIM WALBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. WALBERG. Mr. Speaker, I rise today to thank Howard Keller for his many years of service to the community of Adrian, Michigan.

On July 21, Mr. Keller retired after 34 years as a board member of the Lenawee Intermediate School District, most recently as board president. As an advocate for students and teachers alike, Mr. Keller's vision and dedicated servant leadership has been instrumental in moving the school district forward.

In addition to his role on the school board, Mr. Keller's tireless leadership has been evident in a number of causes. Earlier this year, Mr. Keller stepped down as a board member of the Lenawee Community Mental Health Authority after 26 years of service. He also continues to serve as the treasurer of the Maurice Spear Campus corporation board, a juvenile detention facility, a position he has held for 25 years.

Mr. Keller has left an indelible impact on our community through his dedication to promoting quality education, providing for those with developmental and emotional disabilities, and helping youth in need. He will be sorely missed, but I trust he will enjoy spending his newfound freedom with his family.

Mr. Speaker, I ask my colleagues in the United States House of Representatives to join me in commending Howard Keller for his many years of dedicated public service and wish him the best in his retirement.

PERSONAL EXPLANATION

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Ms. LEE. Mr. Speaker, I was not present for roll call votes 467–482 due to congressional travel.

Had I been present, I would have voted yes on #467, yes on #468, yes on #469, no on #470, no on #471, yes on #472, no on #473, no on #474, yes on #475, yes on #476, yes on #477, yes on #478, yes on #479, yes on #480, yes on #481, and no on #482.

IN RECOGNITION OF DR. JOE BOB MCGINNIS

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. BURGESS. Mr. Speaker, I rise today to honor the life and Christian ministry of Dr. Joe Bob McGinnis. The residents of Roanoke and surrounding communities were blessed to have had such a wonderful Pastor, neighbor, and friend.

Dr. Joe Bob McGinnis was born September 30, 1947 in Brownwood to Dr. Robert W. and Joyce McGinnis He earned his B.S. degree and doctor of divinity degree from Dallas Baptist College and his master of divinity from Southwestern Baptist Theological Seminary.

For the past 44 years, Dr. McGinnis preached and brought the Word of God to people all over Texas. He pastored several churches including Northrich Baptist Church in Richardson, First Baptist Church in McAllen, as well as the church that he founded, Rockhaven Church in Roanoke. Joe Bob loved the Lord and his entire congregation. He offered words of comfort and peace to those who were suffering while also preaching The Word boldly and fervently.

Dr. McGinnis is survived by his wife, Brenda, daughter, Taylor Hubbard, and son Josh. Dr. McGinnis' efforts to spread the Gospel of Christ will not be forgotten as he leaves behind his beloved church and thriving congregation in Roanoke. Each year he led Trophy Club's National Day of Prayer event and delivered thoughtful and timely devotions recognizing the faith foundation of our country. I personally appreciated his prayers for myself and other public officials. It is an honor to have represented such an esteemed constituent in the U.S. House of Representatives.

PERSONAL EXPLANATION

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. SMITH of Washington. Mr Speaker, on Monday, July 21, 2015, I was unable to be present for recorded votes. Had I been present, I would have voted:

''Yes'' on roll call vote No. 448 (on the motion to suspend the rules and pass H.R. 1557), and

''Yes'' on roll call vote No. 449 (on the motion to suspend the rules and pass H.R. 2256, as amended).

CONGRATULATING COLONEL TODD MAYER

HON. BRAD R. WENSTRUP

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. WENSTRUP. Mr. Speaker, on behalf of the United States House of Representatives

and the United States Military, I congratulate Colonel Todd Mayer on 30 years of valued service and dedication to his country.

Since 1985, Col. Mayer has upheld the core LDRSHIP values that are near and dear to the National Guard: Loyalty, Duty, Respect, Selfless-Service, Honor, Integrity, & Personal Courage.

A highly decorated soldier, Col. Mayer was awarded the Purple Heart in 1991 after being wounded in Operation Desert Storm and the Bronze Star in 2003 for his heroic achievement. His time in uniform is celebrated by these courageous leadership efforts. He has brought incomparable virtue to himself, his family, his uniform, and his nation.

Col. Mayer, congratulations again on your retirement and thank you for your longstanding service to the United States Army National Guard.

TRIBUTE IN HONOR OF KAREN IGNAGNI

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Ms. ESHOO. Mr. Speaker, I rise today to honor Karen Ignagni for her more than two decades of leadership as President and CEO of America's Health Insurance Plans (AHIP) and to wish her every success in her new position as President and CEO of EmblemHealth.

Karen Ignagni served with great distinction at AHIP. Her intellect, broad policy knowledge and experience helped shape some of the most consequential national health policies for our country, including the Affordable Care Act. Her ability to see the benefits the Act would bring to insurers and consumers was extraordinarily important and contributed to the successes now being realized by millions of Americans.

Jay Gellert, the highly regarded President and CEO of Health Net praised Karen, saying that

''She was the face of the industry when it was attacked. Without compromising her beliefs, she handled all of that with integrity and dignity, and I think that was because from the start she was committed to the end point.'' He opined that after all she had done to frame the Affordable Care Act's regulatory infrastructure, she probably took on the challenges of leading EmblemHealth as a way to ''play it out on the ground.''

Karen Ignagni, a native of Providence, Rhode Island, is a graduate of Providence College and earned her MBA at Loyola College. Prior to her work at AHIP, she served as Director of the AFL–CIO's Department of Employee Benefits, and worked for the U.S. Senate Labor and Human Resources Committee, at the U.S. Department of Health and Human Services, and in the office of Senator Claiborne Pell. She has written about health policy issues and has received many honors for her leadership, including the Second Century Award for Excellence in Health Care.

Mr. Speaker, I ask the entire House of Representatives to join me in paying tribute to Karen Ignagni and wishing her every success in her leadership of EmblemHealth. We are a stronger, better country because of Karen Ignagni and her distinguished work and I'm privileged to have worked with her and call her my friend.

EXEMPLARY VOLUNTEERISM: TOBIAS GEIGER

HON. RICHARD M. NOLAN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. NOLAN. Mr. Speaker, I would like to recognize and thank Tobias Geiger from East Central Electric Cooperative in my district for his service and sacrifice to put into action cooperative principle #6—cooperation among cooperatives. In March this year, Tobias traveled to Haiti as a volunteer for the NRECA International Foundation where he helped build the country's first electric cooperative. This work is part of a rural electrification project managed by NRECA International and funded by the United Nationals Environmental Program, USAID, and the Inter-American Development Bank.

Electricity is a critical element in improving the quality of life and to providing healthcare, education, access to clean water and economic opportunity. In Haiti, less than 15 percent of the population has regular access to electricity. Tobias spent two weeks in the town of Coteaux to help build a distribution system that will interconnect three towns. Upon completion, the diesel-solar hybrid electric system will provide safe, affordable and reliable power to 1600 consumers. His contribution included upgrading and installing new power lines, training locally hired linemen in proper construction methods, pole climbing techniques, proper handline use, and important safety practices.

Thank you Tobias Geiger, for your dedication and commitment.

IN RECOGNITION OF THE 70TH ANNIVERSARY OF THE VICTORY OVER JAPAN DAY

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mrs. DINGELL. Mr. Speaker, I rise today to recognize the Yankee Air Museum's observance of the 70th anniversary of Victory over Japan Day. Because of the bravery of the Greatest Generation, this day marks the end of humanity's darkest time, the spreading of liberty to many peoples across the world, and the start of the greatest peace time economic boom in American history.

On August 15th, 1945, the Empire of Japan surrendered to the United States aboard the USS *Missouri*. Seventy years after the end of the Second World War, we celebrate this historical event and honor the sacrifices of the brave men and women who served this country.

We are honored to have the Yankee Air Museum commemorate this event. Since the formation of the Yankee Air Museum in 1981, it has done excellent work to restore and preserve artifacts from World War II. Through its commemoration of Rosie the Riveter, the museum has tirelessly highlighted the efforts of the women who were the heartbeat of the Arsenal of Democracy.

Mr. Speaker, as the World War II era aircrafts fly over Yankee Air Museum, I hope my colleagues will join me to celebrate the freedom of the many because of the sacrifices of the men and women of the greatest generation.

275TH ANNIVERSARY OF CORNWALL, CONNECTICUT

HON. ELIZABETH H. ESTY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Ms. ESTY. Mr. Speaker, I rise today to celebrate the 275th anniversary of Cornwall, Connecticut.

This weekend, Cornwall will begin its celebration of this historic milestone. Over the past 275 years, Cornwall has stayed true to its roots as a small agricultural New England town. Its rich history has endured and remains evident in its rolling farmlands and colonial era architecture.

Though small in size, the town of Cornwall has been making a big impact since it was incorporated in 1740. During the 1800s, Cornwall's rich natural resources made it an ideal location for iron production. Two of Cornwall's iron firms formed part of the nationally recognized Salisbury Iron District. Cornwall is also home to the historic Covered Bridge. Built in 1864, this is one of the last standing covered bridges in Connecticut, and is still functional today. The bridge serves as an enduring symbol of Cornwall's rural New England legacy.

Cornwall exemplifies the type of small agricultural community on which our country was built. As we have grown as a nation, this community has continued to demonstrate its ability to adapt and prosper. I am honored to represent Cornwall in Congress.

Congratulations to Cornwall on its 275th anniversary.

INTRODUCTION OF THE ''END OIL AND GAS TAX SUBSIDIES ACT OF 2015''

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. BLUMENAUER. Mr. Speaker, today, I am introducing the ''End Oil and Gas Tax Subsidies Act of 2015'' that will save American taxpayers more than $40 billion over the next decade.

American taxpayers are subsidizing some of the largest and most profitable companies in the world with their tax dollars. These subsidies underwrite the costs of oil and gas production, including offsetting intangible drilling

costs, the cost of tertiary injectants, and costs associated with domestic production. There are also subsidies that offset foreign taxes, provide tax shelters disguising active income with passive losses, and subsidies that allow major oil companies to discount the value of their inventories.

The ''End Oil and Gas Tax Subsidies Act of 2015'' would end 10 of the most egregious tax loopholes enjoyed by the oil and gas industry—tax loopholes that have helped companies like Chevron, ExxonMobil and Shell add to the billions in profits they already make every year. The legislation is very similar to President Obama's proposal to eliminate oil and gas tax preferences in his FY 2016 Budget.

Instead of padding the bottom line of oil and gas companies, taxpayer dollars could be better spent renewing and rebuilding our nation's infrastructure and investing in emerging clean resources like wind and solar that will help us combat climate change and transition to a clean energy future.

I hope my colleagues will join me in supporting this important legislation.

TRIBUTE TO ELISABETH BUCK

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Elisabeth Buck for being named a 2015 Woman of Influence honoree by the award-winning central Iowa publication, the Des Moines Business Record.

Since 2000, the Des Moines Business Record has undertaken an exhaustive annual review to identify a standout group of female leaders in the Greater Des Moines Area that are making an impact in their communities either personally or professionally, forging a path for other women to follow. The women given this prestigious award are individuals who have selflessly dedicated their time and proven their leadership abilities across a variety of professional fields.

Ms. Buck has served in a wide-range of leadership roles throughout her career. At Iowa State University, where she earned a BA in political science, Ms. Buck and her peers realized her leadership abilities when she was elected student body president. That was just the beginning. She went on to serve as Deputy Chief of Staff for Iowa Governors Tom Vilsack and Chet Culver. Following her time in the Governor's Office she took on the role as Director of Iowa Workforce Development (IWD). As Director of IWD, Ms. Buck changed the culture of the state agency, creating a more efficient and effective department through the implementation of new, innovative programs.

After her work in state government, Ms. Buck joined United Way of Central Iowa in 2011 as Senior Vice President of Community Impact. Since then, she has risen through the ranks and now serves as the Chief Community Impact Officer. Her time at United Way has been concentrated on advancing their overall mission of improving lives through the mobilization of the community and rallying around a common goal. As the Chief Community Impact Officer she oversees a sizeable budget, utilizing the resources given to her in a cost-efficient and effective manner.

Mr. Speaker, it is a profound honor to represent leaders like Ms. Buck in the United States Congress and it is with great pride that I recognize and applaud her for utilizing her abilities to better her community and the State of Iowa. I invite my colleagues in the United States House of Representatives to join me in congratulating her on receiving this esteemed designation, and wishing her the best of luck in all her future endeavors.

HONORING MR. LANCE GROMME, RECIPIENT OF THE 2015 VETERAN OF THE YEAR AWARD FOR THE STATE OF WASHINGTON VETERANS OF FOREIGN WARS

HON. CATHY McMORRIS RODGERS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mrs. McMORRIS RODGERS. Mr. Speaker, I rise today to congratulate Mr. Lance Gromme of Colville, Washington for receiving the 2015 Veteran of the Year Award for the State of Washington Veterans of Foreign Wars (VFW). I want to recognize Mr. Gromme for his contributions and his tireless effort to improve the lives of our Eastern Washington veterans.

This annual award honors a veteran from Washington State who has committed him or herself to the ideals of the Veterans of Foreign Wars and who shows an undying devotion to bettering the lives of the veterans within their community. Through the years, Mr. Lance Gromme has demonstrated this commitment and is well deserving of this award.

Mr. Gromme's devotion to serving his fellow veterans began forty years ago when he became a life member of the American Legion while still active duty in the United States Army. After his retirement, Lance continued to show his dedication by becoming a life member of the VFW. After joining the Colville, Washington post in 2009, Mr. Gromme quickly became a leader among his peers. After just one year of involvement at the Colville post he assumed the positions of Quarter Master, Service Officer, and Fundraising Coordinator. In addition to meticulously managing finances and running all major fundraising events, Mr. Gromme spends countless hours diligently working for veterans.

In his role, Mr. Gromme was instrumental in encouraging the Stevens County Commissioners to establish a Veterans Resource Phone line to assist veterans with a wide range of needs and issues. Moreover, when it came to his attention that some veterans were not receiving the services they needed, he joined with the Northeast Washington Hunger Coalition to help those veterans in need. Mr. Gromme is a true testament to what an involved and devoted community member looks like and continually goes above and beyond to better the lives of his fellow veterans.

So today I acknowledge these accomplishments and congratulate Mr. Lance Gromme on being a constant leader in his community and on receiving the distinct award of Veteran of the Year for the Washington State Veterans of Foreign Wars. I applaud your work and continued advocacy for the veterans in Northeastern Washington.

RETIREMENT OF COLLEEN KELLEY, PRESIDENT OF THE NATIONAL TREASURY EMPLOYEES UNION

HON. DONNA F. EDWARDS

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Ms. EDWARDS. Mr. Speaker, I rise today to honor the distinguished career of Colleen Kelley who is retiring as President of the National Treasury Employees Union (NTEU). Her resignation will become effective in August, following NTEU's National Convention in Hollywood, Florida.

Colleen Kelley has provided the NTEU and federal employees with skilled leadership over the past 16 years, while always advocating in an honest and forthright manner with Congress. Having served at the IRS and in various NTEU roles, her experience and unique perspective on the impacts of proposals on federal employees was vital in educating lawmakers and constituents on the important role federal employees play in keeping our nation safe and growing our economy.

During her national presidency, federal employees have contributed $159 billion toward deficit reduction over 10 years in pay freezes, increased pension retirement contributions, and furloughs. She has relentlessly educated the public on the important contributions made by federal employees and how cutting employee pay and benefits hurts our government's ability to recruit and retain the best workforce possible to serve the American people.

As someone who has the honor of representing over 51,000 federal employees from the 4th Congressional District of Maryland, I have been fortunate to work closely with Colleen for several years. I thank her for her dedication to federal employees and our country, and I look forward to coordinating closely with Colleen's successor to ensure America's federal employees receive the pay and benefits they deserve.

I wish Colleen continued success, happiness, and hopefully some well-earned rest. She leaves behind a legacy of service that others can and should aspire to.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was $10,626,877,048,913.08.

Today, it is $18,151,851,139,012.51. We've added $7,524,974,090,099.43 to our debt in 6 years. This is over $7.5 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

RECOGNIZING COLONEL H. CHARLES ''CHUCK'' HODGES JR.

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. SMITH of Washington. Mr. Speaker, I rise to honor the service of Colonel H. Charles ''Chuck'' Hodges Jr., a decorated and active leader in our Armed Forces.

For the past several years, Chuck has commanded Joint Base Lewis-McChord (JBLM) with passion, courage, and dedication. With unparalleled determination to forge stronger ties with the surrounding communities, improve the on-base education system, and assist with the transition from military to civilian life, Chuck has tirelessly worked to improve the lives of those both on and off the base.

During his command, Chuck has been fully aware that his influence and work extends beyond JBLM's fences. He has been recognized on numerous occasions for his work, including with the Tacoma-Pierce County Chamber Military Citizen of the Year award, which honored his tireless efforts to cultivate a stronger bond with the base's host community.

Chuck has also helped to facilitate the renovation and replacement of five aging on-base schools. These schools, modernized with Congressional funding following the efforts of the Military Child Education Initiative, are the foundation for the growth and development of the next generation of leaders, both military and civilian.

Furthermore, Chuck's focus on smoothing the transition from military to civilian life is a major asset to the Puget Sound region and our military veterans. He assisted thousands of service members by helping to facilitate job fairs, training, and career-counseling services on base. His hard work is paying off: between December 2011 and April 2014, the employment rate of service members transitioning from JBLM rose from 18 to 42 percent. While there is still work to be done, Chuck's efforts have undoubtedly left a mark in providing for our past, future and present service members.

It is with great honor that I recognize Chuck as he moves on from his position as Base Commander of Joint Base Lewis-McChord, and more importantly for his 30 years of service in the United States Army. I wish him the best and am confident that he will continue to do outstanding work in his civilian life.

HONORING THE STAFF OF THE COLUMBIA COUNTY DEPARTMENT OF SOCIAL SERVICES

HON. CHRISTOPHER P. GIBSON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. GIBSON. Mr. Speaker, I rise today to recognize the hard working and dedicated staff of the Columbia County Department of Social Services.

The good people of Columbia County, New York are well served by this outstanding group of high minded professionals whose sole purpose is to serve the public. Rarely do these fine individuals receive any sort of public acclaim; nonetheless, they remain steadfast in their commitment to providing timely and effective human services. Whether it be providing funding for fuel oil to needy families each winter, finding shelter for families during hard times, protecting children from the horrors of child abuse, or reuniting a family torn apart by the ravages of substance abuse, Commissioner Jablonka and his staff are relentless in their pursuit of the public welfare.

Commissioner Jablonka, who began his illustrious career in public service as a DSS caseworker more than forty years ago, is blessed to have an outstanding staff assisting him. Deputy Commissioner Michelle Ublacker has made a tremendous contribution to the agency in the few short months since coming on board. She brings with her a strong background in human services, years of experience as a DSS caseworker and a tenacious work ethic. Her commitment to excellence is apparent to all who serve with her. Under Michelle is an exemplary group of Directors who oversee the day to day operations of the agency: Lynn Kutski, Judy Richards, Deborah Amerling and Valerie Caruso make up this exceptional team and together they have worked hard to help move the agency forward into the twenty-first century. With leadership such as this, it is easy to see how the Department continues to excel in its efforts to serve our community.

And finally, Mr. Speaker, I would be remiss if I did not acknowledge the most important group of individuals who contribute to the success of Columbia County's Department of Social Services—the caseworkers, investigators and the clerical and legal staffs who are the backbone of the agency. They lead the way in the ongoing struggle to end poverty, child abuse, substance abuse, and domestic violence. They protect the young and the old alike, and they do so without fanfare. But today we acknowledge our caseworkers and thank them for all that they do.

May God bless each member of this team.

HONORING EDWARD ''SANDY'' MOTON DAVIS III ON THE OCCASION OF HIS RETIREMENT FROM THE CONGRESSIONAL BUDGET OFFICE

HON. TOM PRICE

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. TOM PRICE of Georgia. Mr. Speaker, my colleague, Mr. VAN HOLLEN of Maryland, and I would like to recognize the career and retirement of Sandy Davis, the associate director for legislative affairs for the Congressional Budget Office [CBO] and thank him for his distinguished service to the Budget Committee and the Congress.

Sandy is retiring after 36 years of dedicated service to the federal government. Sandy first joined CBO in 1996 as a senior analyst focusing on Congressional budget procedures and practices. Since 2003, he has served as the associate director for legislative affairs. In this role, Sandy has diligently served as CBO's chief liaison to the Congress and has worked closely with the Budget Committee. He has been invaluable in assisting committee members and staff in fulfilling our responsibilities under the Congressional Budget Act. During his time at CBO, Sandy has served under six Directors and in both Republican and Democratic Congresses. Prior to joining CBO, he served as an analyst and senior budget process specialist at the Congressional Research Service.

As the Chairman and Ranking Member of the Budget Committee, we greatly appreciate Sandy's exceptional service to the Budget Committee and the Congress. Sandy exemplifies CBO's high standard of professionalism, expertise, and nonpartisanship. We wish him all the best in his retirement and future endeavors.

RECOGNITION OF THE JUSTICE FOR CONGO VICTIMS AND CONGO REFORMS PEACE CONVENTION

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I wish to submit the following statement in recognition of the Justice for Congo Victims and Congo Reforms Peace Convention hosted at University of Texas at Arlington. I would like to express my gratitude to Richard Millsap for asking me to participate in this Peace Convention. I would also like to thank those of you who were involved in making this event happen and all of the participants who have taken time out of their schedules to be a part of such a momentous conference.

I have been a longtime advocate for peace and diplomacy over armed conflict. As many of you know, I began my A World of Women for World Peace initiative in 2001. Throughout my time in office, I have seen first-hand the pillage of war. Shortly after experiencing the

terrorist attacks on September 11, 2001, I saw on the cover of Newsweek magazine, two boys from Liberia who were 12 and 14 years old dressed in military gear with machine guns, and I just thought enough was enough. I wondered how our world had come to this place of aggression, and I knew that I had to do something to be a part of bringing a culture of peace to the world.

My efforts started with women who are the mothers of young boys like the ones I saw on the cover of that magazine, whose lives are sacrificed in the name of war. We must recognize and empower these women to facilitate peace-building, peacemaking, and peacekeeping activities across the world. We must also recognize the experts and leaders who help us to plant the seeds of peace.

I recently participated in my A World of Women for World Peace conference in Taipei, Taiwan, where we discussed ways to build peace through culture. One panelist in particular spoke about the necessity of compassion and healing the wounds of civil wars and genocides before peace can be achieved on the ground. I strongly believe that this is the case in the Democratic Republic of the Congo. The global community must recognize the tragedies of the Congo before the Congolese people can truly move forward to a place of peace. Thank you for allowing me to provide written remarks and I hope you have a productive Peace Convention.

25TH ANNIVERSARY OF THE AMERICANS WITH DISABILITIES ACT

HON. GRACE MENG

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Ms. MENG. Mr. Speaker, I rise today in celebration of this week's 25th Anniversary of the Americans with Disabilities Act, which was signed into law July 26, 1990.

This milestone piece of legislation marked a positive step forward in affording Americans with disabilities the right to life, liberty and the pursuit of happiness. It represented a significant change in national anti-discrimination laws, making discrimination against Americans with disabilities in the private sphere illegal, and requiring reasonable public accommodation. However, there is still work to be done to improve the lives of Americans with disabilities. Some still trail the population in many economic indicators, as they are twice as likely to be poor and one-fifth as likely to be employed. The ADA was a major step toward ensuring economic independence.

In my district, the Disability Student Support Services project at Queens College was recently awarded a federal grant from the U.S. Department of Education that will help fund that program. This program aids a group of 100 students in their studies at Queens College, and provides them the support they need to ensure that they graduate.

I would like to commend my constituent, Charmaine Worthy, for her efforts in the CUNY system serving disabled students. As the University Coordinator of Student Activities, she has worked tirelessly to empower CUNY students. Thank you, Ms. Worthy, for your important work. You are a shining example of the importance of giving back to one's community.

Educational and economic gaps that persist between disabled Americans and their peers shrink through people like Ms. Worthy, institutions like CUNY, and the grants that fund these important programs.

IN RECOGNITION OF THE 45TH ANNIVERSARY OF SOS COMMUNITY SERVICES

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mrs. DINGELL. Mr. Speaker, I rise today to recognize SOS Community Services for its 45th anniversary. For 45 years, SOS has worked to end homelessness for families in Washtenaw County by providing resources and support to the community. As a result of their dedicated service and their mission to promote housing stability and self-sufficiency, SOS has immensely bettered Washtenaw County.

SOS Community Services was started in 1970 by students and faculty at Eastern Michigan University. Originally, the group provided a 24-hour crisis phone line to EMU students. It has grown into an effective and critical nonprofit organization committed to ending familial homelessness in all of Washtenaw County.

SOS Community Services provides a wide range of services and support. They run a food pantry, provide temporary shelter and rehousing services, and work with families to find employment, pursue further education, and after-school and tutoring programs for children and young people. They also provide struggling families with everyday necessities such as utility assistance, bus tokens and access to computers and phones.

Mr. Speaker, I ask my colleagues to join me today to honor 45 years of ardent service to their community. With compassion and respect, vital services are provided to maintain and raise the quality of life for approximately 4,700 people. I look forward to seeing further inspiring work from SOS Community Services.

IN RECOGNITION OF MR. TYLER WILLIAM BECK

HON. DAVID G. VALADAO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. VALADAO. Mr. Speaker, I rise today to thank Tyler William Beck for his service to my office and to the people of California's 21st Congressional District.

Tyler Beck was born in Salinas, California on September 14, 1991 to Mr. and Mrs. Steven and Alice Beck. Tyler and his two younger brothers, Zachary Beck and Benjamin Beck, grew up in Hanford, California, where they reside today.

Prior to high school, Mr. Beck attended St. Rose McCarthy for his elementary and middle school education. In 2006, he began high school at Hanford High School, where he graduated in 2010. Following his primary education, Mr. Beck attended the College of the Sequoias Hanford as well as West Hills College Lemoore.

Throughout his college education, Mr. Beck has served California's 21st Congressional District as an Administrative Assistant in my Hanford, California office. Mr. Beck's commitment to public service and strong ties to the community have made him an invaluable asset to my team.

Friday, August 21, 2015 will be Mr. Beck's last day as a member of my staff. With a passion for agriculture and teaching, Mr. Beck will be attending Fresno State University. While I am proud of his academic ambition, Tyler will be greatly missed by my entire team.

Mr. Speaker, I ask my colleagues in the United States House of Representatives to join me in commending Tyler Beck for his public service to the people of the Central Valley and wishing him the very best as he begins this exciting chapter of his life.

TRIBUTE TO PAT BODDY

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Pat Boddy for being named a 2015 Woman of Influence honoree by the award-winning central Iowa publication, the Des Moines Business Record.

Since 2000, the Des Moines Business Record has undertaken an exhaustive annual review to identify a standout group of female leaders in the Greater Des Moines Area that are making an impact in their communities either personally or professionally, forging a path for other women to follow. The women given this prestigious award are individuals who have selflessly dedicated their time and proven their leadership abilities across a variety of professional fields.

Ms. Boddy started a career in journalism after moving from the St. Louis area to Des Moines. After working at WHO radio, where she found her passion for environmental engineering, she attended Iowa State University. It was there that she graduated with her Bachelor of Science in Agriculture Engineering and shortly thereafter a Master's degree in Water Resources.

Ms. Boddy has a long history of leading and serving others in a number of different roles. She has served as the Director of Polk County Conservation, the Deputy and Interim Director of the Iowa Department of Natural Resources, and now serves as the Stewardship Director at RDG Planning and Design in Des Moines. She has worked tirelessly to support the sustainability of not only her community, but the entire state.

Mr. Speaker, it is a profound honor to represent leaders like Ms. Boddy in the United States Congress, and it is with great pride that

I recognize and applaud her for utilizing her talents to better her community and the State of Iowa. I invite my colleagues in the United States House of Representatives to join me in congratulating her on receiving this esteemed designation, and wishing her the best of luck in all her future endeavors.

THE 240TH ANNIVERSARY OF THE MILITARY CHAPLAINCY FOUNDING

HON. TIM HUELSKAMP

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. HUELSKAMP. Mr. Speaker, military life is filled with unspoken hardships, extraordinary demands—physically, mentally, spiritually, and relationally—and constant sacrifice by both our military members and their families. Recognizing this tremendous cost on our soldiers and the need to lighten their burdens, at the request of George Washington, the continental Congress created the military chaplaincy 240 years ago today. In fact, George Washington believed chaplains were so essential he asked for an increase in their pay in order ''to encourage men of Abilities'' to become chaplains. In the anniversary of the Chaplain Corps founding, I want to take this opportunity to honor our military chaplains who courageously serve the ongoing spiritual, religious, and emotional needs of our men and women in uniform.

Since 1775 more than 25,000 chaplains have served in every major war and combat engagements our nation has fought, while hundreds have paid the ultimate sacrifice—including the late Father Emil J. Kapaun. Called a ''shepherd in combat boots,'' Father Kapaun was an Army captain and Roman Catholic priest from Pilsen, Kansas who died a prisoner of war in the Korean War. His surviving comrades noted how he selflessly risked his life to rescue wounded soldiers, nursed the sick and wounded, and stood steadfast in his faith and his lifesaving ministerial responsibilities despite horrific persecution. In 2013, I had the honor of witnessing this saintly chaplain be awarded the Congressional Medal of Honor for his heroism posthumously.

Additionally, The Diocese of Wichita and the Vatican have begun the formal process that could lead to Father Kapaun's canonization. In 1993, it was announced that Fr. Kapaun would receive the title of ''Servant of God.''

The following account of Father Kapaun's Korean War service is provided by the United States Army:

Kapaun moved fearlessly from foxhole to foxhole under direct enemy fire in order to provide comfort and reassurance to the outnumbered Soldiers. He repeatedly exposed himself to enemy fire to recover wounded men, dragging them to safety. When he couldn't drag them, he dug shallow trenches to shield them from enemy fire. As Chinese forces closed in, Kapaun rejected several chances to escape, instead volunteering to stay behind and care for the wounded. He was taken as a prisoner of war by Chinese forces on Nov. 2, 1950. After he was captured, Kapaun and other prisoners were marched for several days northward toward prisoner-of-war camps. During the march Kapaun led by example in caring for injured Soldiers, refusing to take a break from carrying the stretchers of the wounded while encouraging others to do their part. Once inside the dismal prison camps, Kapaun risked his life by sneaking around the camp after dark, foraging for food, caring for the sick, and encouraging his fellow Soldiers to sustain their faith and their humanity. On at least one occasion, he was brutally punished for his disobedience, being forced to sit outside in subzero weather without any garments. When the Chinese instituted a mandatory re-education program, Kapaun patiently and politely rejected every theory put forth by the instructors. Later, Kapaun openly flouted his captors by conducting a sunrise service on Easter morning, 1951. When Kapaun began to suffer from the physical toll of his captivity, the Chinese transferred him to a filthy, unheated hospital where he died alone. As he was being carried to the hospital, he asked God's forgiveness for his captors, and made his fellow prisoners promise to keep their faith. Chaplain Kapaun died in captivity on May 23, 1951.

As Chaplain Kapaun's compelling leadership and powerful story attests, our chaplains are vital to the wellbeing and morale of our troops—especially in the face of possible injury and death. The chaplaincy has endured for over two hundred years because of the singular and widespread recognition of its unique role in the defense and support of our nation. It is essential to ensure that those brave men and women who live out their promise to protect our sacred freedoms and guard our religious heritage are paid the proper respect. Rest assured, as long as I have a voice in Congress, I will continue to defend and protect the religious freedom of those who served and still serve our nation in the Armed Forces.

RECOGNIZING SUZANNE KUBIK FOR HER OUTSTANDING WORK AS A MATHEMATICS TEACHER

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. KEATING. Mr. Speaker, I rise today in proud recognition of Suzanne Kubik, a dedicated mathematics teacher who has received the Presidential Award for Excellence in Mathematics and Science Teaching.

The Presidential Award for Excellence in Mathematics and Science Teaching is the highest honor that a K–12 mathematics or science educator can receive for outstanding teaching in the United States, and I can think of no one more deserving than Suzanne. For the past nine years, Suzanne has served as a full-time teacher at Middleborough High School in Middleborough, Massachusetts. Certified to teach mathematics and chemistry, Suzanne is particularly known for her dedication to AP Statistics—a challenging course that students have come to love thanks to her sincerity.

Through dedication, creativity, and unwavering patience, Suzanne has mentored countless students and left a lasting and meaningful impression on many more. Her energetic lessons, passion for the material, and commitment to simplifying and translating complex concepts have served as a model for students and teachers, alike. Last year, Suzanne's outstanding attitude and impact was recognized across the Commonwealth when she received the 2014 Massachusetts Teacher of the Year Award.

Suzanne's work as an educator does not end with the last bell of the school day. She enjoys speaking at the Massachusetts Math and Science Initiative's Statistics Saturday Study Sessions, and serves on numerous organizations across the Commonwealth, including as advisor to the New England Champion Rubik's Cube Club, as co-advisor to the National Honor Society, and as co-chair to the New England Association of Schools and Colleges' Committee on Instruction. Her passion to mathematics, the sciences, and, most importantly, to her students is unparalleled.

Mr. Speaker, please join me in honoring Suzanne Kubik for receiving this prestigious award. I know all my colleagues in the House join me in congratulating her and wishing her nothing but success in the future.

THE 5TH ANNIVERSARY OF THE DODD-FRANK ACT

HON. JOYCE BEATTY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mrs. BEATTY. Mr. Speaker, last week, House Democrats celebrated the 5th anniversary of Dodd-Frank—the most sweeping financial regulatory reform in the United States since the 1930s.

Signed into law by President Obama on July 21, 2010, Dodd-Frank has changed—for the better—the way consumers, investors, and other market participants interact with our financial system.

It has provided oversight to Wall Street, giving regulators the tools to end the era of ''too big to fail'' entities and outrageous taxpayer bailouts, and has eliminated loopholes that allowed risky and abusive practices to go unnoticed and unregulated.

But how did we get here?

Five years ago, Dodd-Frank was enacted in the wake of profound economic devastation as our nation was reeling from the impact of the 2008 financial crisis.

Millions of Americans suffered job loss, many small businesses closed down, foreclosures skyrocketed, the stock market suffered large drops, and a looming repeat of the Great Depression was feared.

Specifically, in the six months before President Obama took office in February 2009, our economy lost a total of nearly 4 million private sector jobs—an unimaginable average of 650,000 jobs per month.

Nearly $13 trillion in economic growth and $16 trillion in household wealth simply disappeared while close to 9 million individuals were displaced from their homes.

2008 was truly one of the lowest economic points in U.S. history.

Yet, the American people weathered this storm and Congressional Democrats took action by passing legislation to restore responsibility and accountability in our financial system, and to give Americans confidence that

we were the tools in place to avoid another economic crisis.

In fact, since Dodd-Frank's passage in July 2010, the American economy has experienced vast improvement in private sector job growth with nearly 12 million jobs added; a lower unemployment rate, to 5.3 percent from the peak of 10.0 percent in October 2009, and a recovering housing market.

Indeed, because of Dodd-Frank, financial regulators are now empowered to identify and address risks to our financial system through increased monitoring and stricter rules for our nation's biggest banks in a timely way.

Dodd-Frank also provided new authority to the Securities and Exchange Commission (SEC), which, since 2011, has recovered more than $9.3 billion in civil fines and penalties despite Republicans' repeated budget cuts to the agency.

Like all comprehensive reform bills, however, Dodd-Frank is not perfect.

There are a few areas that I believe can be improved.

Nonetheless, it is important that we do not let the perfect be the enemy of the good.

I believe we also have a responsibility to build upon and improve this legislation when needed.

One area of concern for many stakeholders in my district, and across the country, is the manner in which Dodd-Frank requires the Federal Reserve to subject bank holding companies with more than $50 billion in consolidated assets to enhanced regulatory supervision.

However, if we are to subject smaller, regional bank holding companies to the same or similar supervisory requirements, then we should do so in a way that balances our nation's financial stability without placing excessive burdens on non-systemically important institutions by using a more deliberative assets-and-activities-based test should be considered in determining the ''systemic importance'' of bank holding companies.

Earlier this month, Chair Yellen testified that she was open to raising a threshold for determining a bank's systemic importance.

I look forward to working with her on this issue as this is at the top of my priority list for improving Dodd-Frank.

Another area of concern for me lays in the development of diversity assessment standards under Section 342 of Dodd-Frank, also known as OMWI.

Though Section 342 is not very long, it is a very significant step in the effort to improve the hiring of women and minorities in the financial services industry in which these groups remain woefully underrepresented.

However, due to misinterpretations of congressional intent, I am concerned that after five years the federal financial regulators have not developed standards requiring the disclosure of diversity data, which would provide much needed transparency to this industry regarding the promotion of diversity in its workplace.

In order to continue being a successful nation, we must capitalize on our diversity and tackle the inequality in wage and job growth in African-American communities.

Today, I celebrate substantial achievements of Dodd-Frank and look forward to working with my congressional colleagues to find the appropriate tweaks to further facilitate its positive lasting effects on the financial markets and for consumers far beyond this five-year anniversary.

CONGRATULATING BRIGADIER GENERAL DAVID T. BUCKALEW

HON. ALEXANDER X. MOONEY

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. MOONEY of West Virginia. Mr. Speaker, I would like to congratulate Brigadier General David T. Buckalew on a successful career in the West Virginia National Guard. Brigadier General Buckalew has honorably and selflessly served the people of West Virginia for over 44 years, and will be retiring on August 1, 2015. During those many years, Brigadier General Buckalew worked his way up in rank from an enlisted Guardsman to the Director of the Joint Staff of the West Virginia National Guard, and earned numerous awards and decorations in this time as well. We are all grateful for Brigadier General Buckalew's devoted service in protection of the freedoms we so enjoy as West Virginians.

I join with West Virginia National Guard and Brigadier General David Buckalew's friends and family in wishing him a happy retirement, and thanking him for his service to our state, and country.

HONORING MINNESOTA POLICE AND PEACE OFFICERS

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Ms. McCOLLUM. Mr. Speaker, the Minnesota Police and Peace Officers Association (MPPOA), the largest association representing Minnesota's rank-and-file police officers, recently met for its annual conference in Alexandria, Minnesota.

During that conference, MPPOA recognized several outstanding police officers, including Sergeant Mark Ficcadenti of the St. Paul Police Department who was named Police Officer of the Year. In addition, Officer Mark Ross of the St. Paul Police Department received an Honorable Mention Award.

Both Sergeant Ficcadenti and Officer Ross are constituents of mine and both serve with brave women and men in the St. Paul Police Department.

Sergeant Ficcadenti received this distinguished honor because of his steadfast efforts in forging a relationship between police and the local community. During his more than 30 years of service with the St. Paul Police Department, Sergeant Ficcadenti has helped organized community events that provide an opportunity for people to meet and socialize with local police officers. Some of these events include the ''Safe and Sound'' program and a Ramadan celebration with the local Somali community. Last year, Sergeant Ficcadenti was responsible for organizing the First Annual East African Junior Police Academy in 2014, which involved East African women and men between the ages of 14 and 22 who were interested in pursuing law enforcement careers.

Officer Ross is a former school resource officer who subsequently became a St. Paul patrol officer. Last year, Officer Ross noticed a young female high school student who was frequently absent from school. After some investigation, Officer Ross discovered that the student's father had been abusing and neglecting her for years. Today, the young woman has graduated from high school and plans on attending college in the fall. Her father is currently serving a 25 year prison sentence.

I join MPPOA and all of my fellow Minnesotans in applauding these two distinguished public servants. I would like to take this opportunity to thank not only these two outstanding police officers, but all of MPPOA's brave women and men who keep our communities safe.

REMEMBERING DONALD CHIN

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. SMITH of Washington. Mr. Speaker, I rise to honor the life and legacy of Donald ''Donnie'' Chin, an unsung hero who was both a protector and savior in the International District of Seattle.

Early on the morning of Thursday, July 23rd, Seattle activist Donnie Chin was taken from our community in a senseless act of violence. A strong force for positive change in Seattle, he was doing what he had done tirelessly for the previous five decades: patrolling the streets of the International District and caring for those in need.

Throughout his years of service and as the Director of the International District Emergency Center, Donnie acted as the International District's guardian. At a young age Donnie recognized the delayed emergency response times in his community, and became well known as an effective first responder and frontline hero. From assisting with medical emergencies, to finding lost children and feeding the homeless, he took it upon himself to better the lives of those around him and earned the respect of medical professionals, residents, area business owners, and local leaders.

Guided by a love for his community and a desire to assist others, Donnie made the International District and Greater Seattle area a more welcoming and caring place with his unrivaled dedication and courage. While his passing is a tragedy, his life is an inspiration: an inspiration for us all to reach out in our own communities and lend a helping hand.

Donnie will be remembered as an active and caring member of the International District who was always ready to give of himself for his neighbors. He will be greatly missed.

HONORING RAYMOND SIMONDS

HON. JOHN GARAMENDI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. GARAMENDI. Mr. Speaker, I along with Congressman MIKE THOMPSON rise today to recognize Raymond Simonds, an outstanding member our community and our friend, for his 40 years of service as a member and past president of the Solano County Fair Association Board of Directors.

Over the years, Raymond has demonstrated an unwavering commitment to the diverse and changing needs of the county fair. Following his original appointment to the Board of Directors, Raymond has revitalized the county fairgrounds by consistently recruiting new and innovative attractions.

In addition to his thirty years of leadership on the county fair's racing committee, Raymond has repeatedly distinguished himself as a true supporter of vibrant local traditions and community involvement. Raymond's service will stand as an enduring inspiration to the next generation of Solano County's leaders.

Mr. Speaker, it is appropriate that, on behalf of the grateful residents of California's Third and Fifth Congressional Districts, we recognize Mr. Simonds for his forty years of dedicated service, and we wish him well as our best wishes for his continued success in the years ahead.

IN RECOGNITION OF MISS ABIGAIL EVELYN SUZAL

HON. BARRY LOUDERMILK

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. LOUDERMILK. Mr. Speaker, today I would like to recognize Miss Abigail Evelyn Suzal from Georgia's 11th District for her efforts to recognize and appreciate children all over the world. Children are the future of this nation, and we must work hard to preserve freedom, prosperity, and hope for the generations to come.

I would like to thank Miss Suzal for her letter to my office requesting that Universal Children's Day on November 20th be added to the calendar with the possibility of the school day off and breakfast in bed. I applaud Miss Suzal for her advocacy for children worldwide.

ON THE OCCASION OF THE RETIREMENT OF DR. RUSTY STEPHENS, PRESIDENT OF WILSON COMMUNITY COLLEGE

HON. G. K. BUTTERFIELD

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. BUTTERFIELD. Mr. Speaker, I rise to recognize and congratulate Dr. Rusty Stephens, my friend and an exemplary educator, as he retires as President of Wilson Community College located in my hometown of Wilson, North Carolina.

Before embarking on a life of service to a number of community colleges, Dr. Stephens himself attended Miami-Dade Community College in Miami, Florida. Furthering his education, Dr. Stephens later obtained a Bachelor's and Master's degree from Florida State University. He went on to earn an Education Doctorate from Virginia Polytechnic Institute and State University in Blacksburg, Virginia. Dr. Stephens' experiences with his own community college education would later give him the unique perspective that allowed him to lead one of the premier community colleges in North Carolina.

Prior to moving to Wilson, North Carolina, Dr. Stephens served numerous community colleges throughout the country beginning in 1971. He has held positions ranging from instructor to his current post as president and has educated young people from Ohio to Georgia and places in between. Dr. Stephens is truly the embodiment of the American success story. He now resides in Wilson, North Carolina, with his wife, Sandra. They have been blessed with a beautiful daughter, Heather, son-in-law Alex, and two grandsons.

As President of Wilson Community College, Dr. Stephens has overseen the completion of myriad advancements and improvements to the school. He worked with then-Wilson County Schools' Superintendent Larry Price to launch Wilson Early College Academy. That program is now in its seventh year and boasts an enrollment of nearly 300 students.

In addition to his passion for education, Dr. Stevens has an immense interest in sustainable energy and sustainable environmental practices. He is a member of the North Carolina Sustainable Energy Association and the Wilson Sustainable Community Council. He was the driving force behind the addition of the 70,000 square foot Student Center LEED Building to the campus of Wilson Community College. The College, the City and County of Wilson, and our state has greatly benefitted from his work and interest in environmental stewardship.

Mr. Speaker, Dr. Rusty Stephens has impacted and positively influenced the lives of countless people over his nearly 44 years in education. I ask my colleagues to join me in thanking Dr. Stephens for his dedication to generations past and present and in offering him best wishes as he embarks on the next chapter of his life.

HONORING JIM THEOFELIS

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. SMITH of Washington. Mr. Speaker, I rise to honor the work and achievements of Jim Theofelis, Founder and Executive Director of The Mockingbird Society.

With an eye towards the future, Mr. Theofelis founded The Mockingbird Society in 2001—which has worked to improve the foster care system as well as end youth homelessness for the past 14 years. The organization stands on the principle that all young people deserve the right to reach adulthood in a healthy, supportive environment with the opportunity to thrive in life.

As Executive Director of The Mockingbird Society, Jim and his team successfully advocated for a number of policies aimed at reforming the child welfare system. Under Jim's leadership, The Mockingbird Society pushed for legislation that allowed youth to seal their juvenile records, so they will not be automatically disqualified in obtaining employment and housing. The Mockingbird Society also advocated for extended foster care and access to medical care for youth, which established the organization as a strong national presence on juvenile policy issues.

Prior to his work at The Mockingbird Society, Jim earned a MAEd from Seattle University and served in various positions dedicated to helping youth and families ranging from direct service to senior management. Overall, he has spent nearly 35 years working with and advocating for disadvantaged children and youth—specifically in mental health—and has been widely recognized for his hard work and selfless commitment to youth causes. Of his many awards, Jim received the 2011 Jefferson Award, our country's longest standing and most prestigious celebration of public service—a testament to his commitment to the community.

Mr. Speaker, it is with great honor that I recognize the work Mr. Theofelis has done to reform the child welfare system in our state and in our nation. Jim's unrelenting and passionate dedication to advocating for vulnerable youth serves as an example of the tremendous impact one outstanding person can have on his community.

IN RECOGNITION OF TEACHER AND MUSICIAN WILLIAM DEWITT

HON. GREGORIO KILILI CAMACHO SABLAN

OF THE NORTHERN MARIANA ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. SABLAN. Mr. Speaker, allow me to add to the record of the U.S. House of Representatives the story of Mr. William DeWitt, a teacher, who has brought the art of music in the Northern Mariana Islands to an unprecedented level of excellence and who has given to thousands of our young people the joy of finding within themselves their own musical talents.

Mr. William DeWitt first came to the Northern Mariana Islands in 1993, beginning his career in middle and junior high school, teaching a variety of subjects, including band, piano, and choir. He then accepted an offer to teach at Marianas High School and was successful there at reviving its band program. Enthusiasm for instrumental music education began to crescendo, and in 2002 Mr. DeWitt was invited to join the faculty of the newly inaugurated Saipan Southern High School, which was designed to be a magnet school for students with an interest in the arts and technology. He has now spent thirteen years at Saipan Southern, helping countless students fulfill their dream to make music and share it with the

world. In doing so, Mr. DeWitt and the students he has guided have created a legacy, the Saipan Southern High School Manta Ray Band, that is certainly one of the greatest sources of pride for the Northern Marianas Public School System and, indeed, for our entire community.

When Mr. DeWitt came to Saipan 22 years ago, he could not have known what he would accomplish. Our island community has always teemed with multi-generational musical talent and held a deep love for singing. But band music and its array of instruments—the trumpet, flute, trombone, and clarinet—were less well known. Mr. DeWitt changed that.

Mr. DeWitt also oversaw the incorporation of a growing diversity of students into our schools using music as a unifying influence and adding the international flavor of this new student body to its musical sensibility. Up to 250 students now participate in some aspect of the Manta Ray Band program at Saipan Southern. They come from many ethnicities and cultures—Chamorro, Carolinian, Palauan, Marshallese, Filipino, Korean, Hawaiian, Japanese, Chinese, Indian—and William DeWitt has helped them learn to join together as one, making music.

Perhaps, this very diversity is key to the success and world-wide recognition the Manta Ray Band has achieved under the baton of Mr. DeWitt. Five times in the last seven years the Manta Ray Band has earned the Tumon Bay Music Festival Sweepstakes Award, the most wins by any organization in the festival's history. The Manta Rays have been invited to and performed at two Olympic Games: Beijing in 2008 and London in 2012. The Band has showcased its talents at the Sydney Opera House, Carnegie Hall, Westminster Abbey, and Disneyland. And just last month, at the Los Angeles Musical Festival the Manta Ray Band earned the Gold Award as the highest scoring ensemble in festival competition.

This Gold Award is something of a fairy-tale ending to Mr. DeWitt's career. His band executed its performance with a new precision and intensity. His students displayed an infectious enthusiasm and rhythmic jaunt that gave their concert an element of variety and versatility no other ensemble could match. But backstage after the event amidst the triumph, while cameras clicked, tears flowed and hugs abounded, as the Manta Rays dealt with the recognition that this pinnacle also marked the end of an era—for Mr. William DeWitt had taken his final bow with the band.

William DeWitt and his family will now be able to spend time with his parents in California, where he will also pursue a post-graduate degree. We wish him well. And we will always be grateful to him for the way that he drew from a very small population of students their maximum talent, so inculcating them in the fundamental elements of musicianship that they were able to soar on international stages.

We will also remember as significant as what he gave to each individual student is what Mr. William DeWitt gave to the larger communities of which we are part: the pride and honor his musicians brought to Saipan Southern High School, to the Public School System, and to the Northern Mariana Islands as a whole. This musical venture he has led became a partnership for all of us. Individuals and businesses gladly supported the Manta Ray Band with contributions totaling more than a million dollars over the course of the past decade. And, as a community, we should honor William DeWitt's legacy by continuing to give our young musicians the opportunity to develop, master, and showcase their talents.

Thank you, Mr. William DeWitt. May the richness of island life always flow in your blood, just as your accomplishments will always be engraved into our island history.

TRIBUTE TO DR. SUSAN BECK

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Dr. Susan Beck for being named a 2015 Woman of Influence honoree by the award-winning central Iowa publication, the Des Moines Business Record.

Since 2000, the Des Moines Business Record has undertaken an exhaustive annual review to identify a standout group of female leaders in the Greater Des Moines Area that are making an impact in their communities either personally or professionally, forging a path for other women to follow. The women given this prestigious award are individuals who have selflessly dedicated their time and proven their leadership abilities across a variety of professional fields.

Dr. Beck's interest in leadership and the health field began at Iowa State University, where she earned her Bachelor's degree before moving on to receive her Medical degree at the University of Osteopathic Medicine and Health Sciences (now Des Moines University). Dr. Beck has been with the Katzmann Breast Center since 2000, beginning her current role as medical director in 2007.

Dr. Beck has served in a variety of leadership roles over the years at places like Mercy Medical Center, Des Moines University, Susan G. Komen, and Innervision Health Center. Dr. Beck has proven her leadership abilities time and time again. She has the special talent of bringing people together to achieve one common goal in a way that few are able to mirror. She continually strives for the best and in her spare time she continues working toward her Master's degree in Public Health.

Mr. Speaker, it is a profound honor to represent leaders like Dr. Beck in the United States Congress. It is with great pride that I recognize and applaud her for utilizing her talents to better her community and the State of Iowa. I invite my colleagues in the United States House of Representatives to join me in congratulating her on receiving this esteemed designation, and wishing her the best of luck in all her future endeavors.

RECOGNIZING JOSEPH ROSSMANN

HON. TIM WALBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. WALBERG. Mr. Speaker, I rise today to recognize Joseph Rossmann, who will be retiring after decades of service to our country as a leader in helping countless Merit Shop construction companies provide high quality health insurance and benefits to their employees.

Mr. Rossmann has led the Associated Builders and Contractors Insurance Trust for almost three decades. Throughout that time, he has worked tirelessly to help ensure that ABC member contractors are able to provide best in class benefits to their employees.

Through his advanced industry designations, testimony in Congress on health insurance issues and well-recognized thought leadership, he has helped move forward the cause of making healthcare affordable for tens of thousands of construction workers.

Mr. Rossmann's distinguished record of service to the Merit Shop construction industry and in his local community are to be commended. Mr. Speaker, I am proud to honor Mr. Joseph Rossmann on this well-deserved occasion. I ask that my colleagues join me in wishing him a wonderful retirement and many years of happiness.

HONORING WARREN K. ASHE, PH.D.

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Ms. NORTON. Mr. Speaker, I rise to ask the House of Representatives to join me in remembering and honoring Warren K. Ashe, Ph.D., who passed away at the age of 85 this week after a lifetime of demonstrating what an African American can achieve, despite being denied the opportunities that were routinely available to other Americans. For purposes of disclosure, Dr. Ashe was my cousin and I am proud of the relationship.

Although born in Halifax, North Carolina, Dr. Ashe was educated in the District of Columbia public schools, including the famed Dunbar High School, in those days of segregation, the college preparatory high school in the nation's capital for Black students. Dr. Ashe served in the U.S. Marine Corps during the Korean War and was honorably discharged as a sergeant.

Dr. Ashe's achievements were outstanding by any measure. He received his Bachelor of Sciences degree, as well as his M.A. and Ph.D. in microbiology from Howard University, and his M.A. in Religious Studies.

He rose from grade GS–1 medical biology technician at the National Institute of Health to become the first African American to be a senior research scientist at the National Institute for Dental Research, a research microbiologist in the Laboratory of Oral Microbiology, and a health scientist administrator in the Soft Tissue Stomatology Program. While at NIH, Dr. Ashe

also served as equal opportunity officer. His selfless dedication to equality for others led him to take considerable risks to ensure that he did not become a token African American. As a result of Dr. Ashe's work in equal opportunity, the employment of Blacks at NIH and their promotion to scientific and administrative leadership increased significantly.

In 1971, Dr. Ashe was appointed the first dean for research at Howard University. His accomplishments at Howard were remarkable: leadership in the establishment of the first clinical research center in the world with NIH funding at Howard University and establishment of the National Human Genome Center at Howard that helped in the sequencing of human genomes to tackle diseases that disproportionately affect the African diaspora. Dr. Ashe's professional accomplishments were matched by his dedication in preparing high school students for the health sciences, his activities as a member of the most distinguished professional organizations in his field, and his devotion, in particular, to his church, Turner Memorial AME, where he was a steward until his passing.

Mr. Speaker, as an African American born in 1929, when segregation nationwide barred the doors to success, Dr. Ashe could hardly have dreamed of achieving these accomplishments. Dr. Ashe did more than dream—he worked until he moved 20th century discrimination out of his way.

Mr. Speaker, I ask my colleagues in the House of Representatives to join me in honoring the life and work of Warren K. Ashe, Ph.D. and in sending condolences to his wife, Grace and to Dr. Ashe's entire family.

HONORING MS. TATYANA KALINGA

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Ms. LEE. Mr. Speaker, I rise today to honor the service of Tatyana Kalinga, a senior and critical member of my staff. In the coming days, Tatyana will be leaving my office after 11 years to pursue the next steps in her career.

Like many Congressional staff members, Tatyana started in my office as an intern and joined the team full-time in June of 2004.

Since she started in the office, I have relied on her professionalism, judgement and superior work product as my executive assistant, scheduler and office manager.

For the past 11 years, she has also served as my key liaison to the Congressional Black Caucus, which I had the privilege of chairing during the 111th Congress.

During her years of dedicated service, Tatyana's most valuable skill has been her ability to step up and perform nearly any task, including assisting with media interviews, making policy recommendations and representing my office in high-level meetings, including with Heads of State.

She has been and remains a consummate professional who is truly dedicated to her work and serving my constituents.

In fact, Tatyana's work has been so exemplary in my office that she is often asked to train new staffers in the offices of my colleagues.

On a personal note, I have witnessed Tatyana's growth and development from a young intern into a mature and brilliant young woman. She has a very promising future, which my staff and I look forward to witnessing. We all intend to keep Tatyana as a valued member of Team Lee within our hearts and in our deeds.

On behalf of myself and the people of California's 13th Congressional district, I'd like to thank Tatyana for her years of dedicated service.

Tatyana, we will miss you as you start this new chapter in your life but we wish you every success. We cannot wait to see all that you will accomplish!

IN RECOGNITION OF THE 70TH ANNIVERSARY OF STANLEY AND VIRGINIA SZEJNAR

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. KEATING. Mr. Speaker, I rise today in recognition of the 70th wedding anniversary of Stanley and Virginia Szejnar, of Hanover, Massachusetts. The Szejnars celebrate seventy years of marriage on Wednesday, July 29, 2015.

Stanley and Virginia's story is one of romance, dedication, and patience. Their love has endured from Quincy, Massachusetts to the high seas of the Pacific theater; Norfolk, Virginia to Hanover, Massachusetts. Born in Buffalo, New York, Stanley was stationed at the U.S. Naval Air Station in South Weymouth, Massachusetts during the early years of World War II. It was during this time, in 1941, that he was nervously set up on a blind date with Virginia by her friend and, later, maid of honor. After meeting in the town of Quincy, a trip for ice cream was followed by a long walk—the start of many more dates and conversations to come.

As their relationship blossomed, Stanley learned that he was being transferred to the newly commissioned USS Ticonderoga. He asked Virginia to come with him to Norfolk, Virginia, where the aircraft carrier was docked, and stay at the local USO. When Virginia returned home to Boston, she excitedly called her mother with a joyous announcement: she and Stanley were engaged to be married. Shortly thereafter, Stanley shipped out on the USS *Ticonderoga*. During his time at war, during which Stanley survived severe damage to the *Ticonderoga* and a deployment on the Navy destroyer, USS *Dyers,* Stanley and Virginia stayed in close contact. They may have been separated by oceans between them, but their love remained strong.

Upon his return, Stanley and Virginia were at last married in 1945. They spent their honeymoon enjoying the mists and impressive waterfalls at Niagara Falls near Stanley's hometown. Following the end of the war, they moved to Hanover, Massachusetts where they reside today. A proud veteran, Stanley is the former commander of the Post #149 American Legion and V.F.W. #178804, as well as a retired member of the Local #537 Pipe Fitters Union. After more than seventy years of love, their most precious gift and proudest achievements are their daughter, Candace Finnie, and granddaughter, Ericka, who live in Ocala, Florida.

Mr. Speaker, I am proud to honor Stanley and Virginia Szejnar on the joyous occasion of their 70th anniversary. I ask that my colleagues join me in wishing them many more years of happiness.

HONORING THE LIFE AND WORK OF BISHOP RANDY BROWN ROYAL

HON. G. K. BUTTERFIELD

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. BUTTERFIELD. Mr. Speaker, I rise to recognize and remember my good friend and a cornerstone of eastern North Carolina, Bishop Randy Brown Royal, a resident of Greenville, North Carolina who was called to be with God on Sunday, July 26, 2015 at the age of 63.

Bishop Royal was born on January 6, 1952, in Craven County in New Bern, North Carolina to George Emerson and Sarah Louise Royal. He spent his formative years being educated in the Craven County School system and later attended Shaw University in Raleigh where he earned a Bachelor's degree in Philosophy and Religion and a Master's degree in Divinity.

Following his matriculation at Shaw, Bishop Royal attended my alma mater of North Carolina Central University in Durham and earned a Master's Degree in Psychology. He completed his education by attaining a Doctoral degree in Religion and Clinical Psychology from the Interdenominational Theological Center, Morehouse School of Religion in 1979.

Bishop Royal served as pastor in many churches throughout his career, including New Greenleaf Church of Christ in Goldsboro from 1973 until 1978 and Philippi Church of Christ in Greenville, North Carolina beginning in 1982. Under Bishop Royal's leadership, Philippi Church of Christ has expanded several times to accommodate the growing number of parishioners which now tops 2,500. Just last year, Bishop Royal celebrated his 36th Pastoral anniversary.

In addition to his service as a pastor, Bishop Royal was also a community activist and dedicated public servant in Pitt County, North Carolina. He served as a Pitt County Commissioner and on the board of many local organizations, including the Pitt County United Way, Pitt County Health Department and Pitt County Memorial Hospital. Bishop Royal also worked with the National Association for the Advancement of Colored People and the Southern Christian Leadership Conference.

Bishop Royal is survived by his three adult children Bryan, Onica, and Stephanie; three brothers, Rev. Daniel Royal, Rev. George J. Royal, and Erroll Royal; four sisters, Rev. Barbara Davis, Brenda Middleton, Vonshelia Bacon, and Cathy Bacon Lyons; and six grandchildren and three great-grandchildren.

Mr. Speaker, Bishop Randy Brown Royal meant so much to so many people. His lasting

contributions to his church family as Bishop and to his community and its citizens as County Commissioner will always be remembered. His community, our state of North Carolina, and our great nation are better because of Bishop Randy Royal.

I ask my colleagues to join me in expressing our deepest condolences to the family of Bishop Randy Brown Royal, his congregation, and his community.

PERSONAL EXPLANATION

HON. PETER J. ROSKAM

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. ROSKAM. Mr. Speaker, on roll call no. 467, my flight was delayed due to weather. Had I been present, I would have voted ''aye.''

TRIBUTE TO LT. GOVERNOR KIM REYNOLDS IN THE FIRST SESSION IN THE 114TH CONGRESS

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Lt. Governor Kim Reynolds for being named a 2015 Woman of Influence honoree by the award-winning central Iowa publication, the Des Moines Business Record.

Since 2000, the Des Moines Business Record has undertaken an exhaustive annual review to identify a group of standout female leaders in the Greater Des Moines Area that are making an impact in their communities either personally or professionally, forging a path for other women to follow. The women given this prestigious award are individuals who have selflessly dedicated their time and proven their leadership abilities across a variety of professional fields.

Lt. Governor Reynolds began her political career by serving four terms as the Clarke County Treasurer. She was then elected State Senator of Iowa's 48th Senate District, where she served until 2010. During her time in the Senate, the Republican nominee for Governor, Terry Branstad, asked then Senator Kim Reynolds to serve on his ticket as the nominee for Lt. Governor. She accepted his request and the rest is history.

Lt. Governor Reynolds has dedicated her life to serving the people of Iowa. As Lt. Governor she has leveraged her unique understanding of small rural communities and their governments to bring good, high paying jobs to the state. Lt. Governor Reynolds has also built strong, lasting relationships with some of Iowa's most important global trading partners. Her long list of accomplishments is a testament to her hard work, dedication and willingness to selflessly serve all Iowans.

Mr. Speaker, it is a profound honor to represent leaders like Lt. Governor Kim Reynolds in the United States Congress and it is with great pride that I recognize and applaud her for utilizing her talents to better the State of Iowa. I invite my colleagues in the United States House of Representatives to join me in congratulating her on receiving this esteemed designation, and wishing her the best of luck in all her future endeavors.

PERSONAL EXPLANATION

HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. SMITH of Washington. Mr. Speaker, on Tuesday, July 22, 2015, I was detained in a meeting and unable to make the first vote in a series. I would have voted ''No'' on roll call vote No. 450 (on ordering the previous question on H. Res. 369).

IN RECOGNITION OF JANET SIKES' SERVICE AS FIRE CHIEF OF THE CITY OF WOODHAVEN

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mrs. DINGELL. Mr. Speaker, I rise today to recognize Janet Sikes for her 29 years of service to the Woodhaven Fire Department, 18 of those served as Fire Chief. During her career, Janet has saved many lives, and enriched countless others.

Janet has served as a role model in our community as Woodhaven's first female fire chief. Her qualifications and professionalism as an emergency medical technician, paramedic, and arson investigator have inspired others towards public service and her ability to coordinate with the department's partners is much-praised among her colleagues. Her dedication and good humor has been a tremendous asset for the city, and has helped the Fire Department offset budget restrictions and foster a greater sense of community in Woodhaven and beyond. Janet is a true gem in our community and Woodhaven is fortunate to call her their own and grateful for her contributions.

Janet's commitment to education has been evidenced by her annual trips to each elementary school in the city to teach fire safety. ''Firefighter Jan'' is no stranger to the classroom, and has used her experience as a physical education instructor to promote fire prevention techniques that students find as exciting as they are informative. Jan has also promoted higher education in Woodhaven, partnering with Wayne County Community College to provide two full scholarships for students in her community to pursue a career in public safety.

Mr. Speaker, I ask my colleagues to join me today to honor Chief Janet Sikes for her twenty-nine years of service and her lasting impact on the Downriver communities. I thank her for her leadership, and wish her many years of success.

URGING AWARD OF CONGRESSIONAL GOLD MEDAL TO PRESIDENT LYNDON BAINES JOHNSON FOR HIS EXTRAORDINARY RECORD OF ACHIEVEMENT IN THE FIELD OF DOMESTIC AFFAIRS

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Ms. JACKSON LEE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and revise and extend my remarks.

Today I introduced legislation awarding the Congressional Gold Medal to Lyndon Baines Johnson, the 36th President of the United States whose vision and leadership secured passage of the landmark Voting Rights Act of 1965, the Social Security Amendments Act (Medicare) of 1965, the Civil Rights Act of 1964, the Higher Education Act of 1965, and the Immigration and Naturalization Act of 1965.

The awarding of the Congressional Gold Medal is long overdue recognition of the remarkable record of achievement in the field of domestic affairs of the person most responsible for several of the nation's landmark laws that mark their 50th anniversary this year.

Mr. Speaker, as a Member of Congress from the Tenth Congressional District of Texas, as Majority Leader of the U.S. Senate, Vice-President and President of the United States, Lyndon Baines Johnson's domestic accomplishments in the fields of civil rights, education, and economic opportunity rank among the greatest achievements of the past half century.

As President, Lyndon Johnson proposed, championed, led to passage, and signed into law on August 6, 1965 the Voting Rights Act of 1965, which swept away barriers impeding millions of Americans from meaningful participation in American political life.

On July 30, 1965, President Johnson signed into law the Social Security Amendments Act of 1965, which we today know as Medicare, which has transformed the delivery of health care in the United States and which, along with Social Security, reduced the rate of poverty among the elderly from 28.5 percent in 1966 to 9.1 percent in 2012.

On July 2, 1964 President Johnson secured passage and signed into law the most sweeping civil rights legislation since Reconstruction, the Civil Rights Act of 1964, which prohibits discrimination in employment, education, and public accommodations based on race, color, religion, or national origin.

On November 8, 1965, President Johnson signed into law the Higher Education Act, which provided need-based financial aid to students in the form of scholarships, work-study grants, and loans, and thus for the first time made higher education more accessible to populations of persons who were previously unable to attend college because of economic circumstances.

On October 3, 1965, President Johnson signed into law the Immigration and Naturalization Act of 1965, which transformed the nation's immigration system by abolishing the

racially based quota system that had defined American immigration policy for the previous four decades and replaced it with a policy whose central purpose was family reunification, with a preference for immigrants with specific skillsets.

According to Robert A. Caro, the preeminent biographer of Lyndon Baines Johnson, with the single exception of Abraham Lincoln, Lyndon Johnson was the greatest champion of the poor and underprivileged in the history of the Republic and was the President ''who wrote mercy and justice into the statute books by which America was governed.''

I invite all Members to join me in sponsoring this legislation awarding the Congressional Gold Medal and recognizing the extraordinary domestic achievements of President Lyndon Baines Johnson, the 36th President of the United States.

HONORING DAVID FINKEL

HON. JULIA BROWNLEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Ms. BROWNLEY of California. Mr. Speaker, today I rise to recognize the remarkable life of David B. Finkel, an honorable veteran, a distinguished civil rights attorney, an esteemed elected official, and someone I was privileged to call a friend. David deeply impacted countless lives by standing up for civil rights, freedom of speech, affordable housing, and educational equality for over six decades. David was also a longtime and devoted member of the Sholem community and will be remembered for his integrity and compassion as a ''warrior for justice.''

David, the son of Jewish immigrants fleeing persecution in Europe, lived through historical events such as the Great Depression and World War II. These heavy experiences shaped David into a lifelong advocate for social justice by instilling deep values within him of humility and humanitarianism. In his youth, David served as Bal Torah at Temple B'nai Abraham under Rabbi Joachim Prinz, who advocated for equality as a speaker at the 1963 March on Washington. This experience gave David a deeper understanding of human rights that he carried with him throughout his life.

During the Cold War, David served in the U.S. Army and refused to sign the loyalty oath when his mother was brought before the House Un-American Activities Committee. David won a case before the U.S. Supreme Court when he argued that a son should not be forced to choose between the 10th Amendment to honor country and the 10th Commandment to honor family. David's involvement in this case carved a path for him to follow a career in law and justice.

Through discipline and dedication, David obtained his undergraduate degree from the University of Chicago in 1951 and earned his Juris Doctorate from the University of Southern California in 1959. In the 1960s, David worked during the Freedom Summer in Mississippi, as well as a defense lawyer of conscientious objectors during the Vietnam War.

In his noteworthy legal career, David was known for his work ethic as he tried cases representing labor unions advocating for working families, freedom of speech cases for professors and students, and discrimination cases promoting racial equality and protecting civil rights.

David began his notable political career when he became a founding member of Santa Monicans for Renters Rights in 1981 and was elected to the Santa Monica Rent Control Board in 1983. David was first elected to the Santa Monica City Council in 1986, where he served a period as Mayor Pro-Tempore. David was then elected to the Los Angeles Superior Court in Santa Monica in 1984. Upon retirement from the bench, David began to humbly teach at Santa Monica City College in 2002 as he wanted to contribute more to the community. In 2006, David was recruited and elected to the Santa Monica College Board of Trustees, where he served until 2014.

Those who knew David, remember him fondly as a compassionate, thoughtful, and brilliant advocate for his community. David worked with a great spirit and it was his steadfast commitment to serving his community that made for a particularly extraordinary career and life.

In heartfelt recognition and appreciation of the outstanding impact and contributions that David made to his community and country, I wish to send my sincere condolences to his wife, Bruria, his family, and to all who knew him. His work and legacy are immeasurable, and his presence in the community will be greatly missed.

CONGRATULATING THE NORTHWEST FLORIDA STATE COLLEGE RAIDERS' BASEBALL TEAM AS NATIONAL CHAMPIONS

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. MILLER of Florida. Mr. Speaker, I rise today to congratulate the Northwest Florida State College Raiders' baseball team on their victory in the 2015 JUCO World Series, bringing home the school's first NJCAA Baseball National Championship. This hard-earned title is a testament to their dedication to excellence, commitment to teamwork, and unwavering work ethic, and all of Northwest Florida celebrates their tremendous success.

While the Raiders capped their season with a dominant 15–1 victory over McLennan Community College in the championship game, the Raiders' players, coaches, and staff proved throughout the season that they had the mettle of true champions as they persevered through difficult stretches early in the season. Despite tough early season losses that saw the team drop to 4–5 in conference play, Raiders' Head Coach Doug Martin and his players were undeterred, and they continued to work hard each day in pursuit of a championship.

Even after an impressive late season run—which saw the Raiders win 14 of their last 16 games, including a seven-game winning streak that included a sweep of the Gulf District/FCSAA State Tournament that qualified them for the World Series—the Raiders came into the JUCO World Series ranked 14th in the Nation. But, despite being an underdog, the Raiders pulled off impressive victories—defeating three top ten teams, including the number one ranked team in the country by a margin of 10–0—en route to a rematch in the National Championship game with the only team that defeated them during the World Series: McLennan Community College. In the rematch, the Raiders put in a true team performance and in the end they earned a well-deserved 15–1 victory to bring the national title back to Northwest Florida.

Mr. Speaker, on behalf of the United States Congress, I am privileged to recognize the Raiders players—Aaron Palmer, Onix Martinez, Danny Blanco, Corderias Dorsey, Tra'Mayne Holmes, Will Luft, Mack Hathcock, Hunter Beard, Avery Geyer, Evan Hebert, Ryan Leone, Dakota Dean, Andrew Deramo, James Granat, Tanner Halstead, Ross Goforth, Shawn Feltner, Rex Rutledge, Carlos Alayon, Brian Browning, Lukas Holub, Trey Lang, Jarren Pinkney, and Hunter Bening—Head Coach Doug Martin, Assistant Coaches Andrew Franco and Brett Stewart, Athletic Director Ramsey Ross, and the entire Raiders staff and fans on their national championship. My wife Vicki and I congratulate the entire Raiders baseball program and wish them all the best for continued success in the future.

CONGRATULATING EDWARD LEE McCLAIN HIGH SCHOOL

HON. BRAD R. WENSTRUP

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. WENSTRUP. Mr. Speaker, I rise today to congratulate Edward Lee McClain High School of Greenfield, Ohio, on their 100-year anniversary and celebration.

For a century, McClain High School has stood proudly at the heart of Greenfield, educating the community's next generation and preparing them for the future.

Originally donated by Edward Lee McClain and his wife Lulu in 1915, McClain High School has since fulfilled its stated mission of ''producing graduates who are well equipped to meet the challenges of education, work, and life.''

Alongside the 100 years of quality education it has provided to the children of Greenfield, McClain has become famous for the historic art contained within its walls.

Truly a jewel of culture, students are immersed in a rich history of art and tradition, including murals, statues, and architecture.

The institution and its graduates owe a debt of gratitude to the community of Greenfield, for the continued support in preserving and maintaining the magnificent building.

McClain High School is a living legacy of Edward McClain's hopes that the Greenfield school would be an institution which encouraged ''higher education, purer morals, and broader and better citizenship.''

I am honored to represent a district which contains such a quality and historic educational institution within its borders. I applaud Edward Lee McClain High School on this historic milestone, and I wish the school the very best over their next 100 years.

100TH ANNIVERSARY OF CLARKDALE FRUIT FARMS

HON. JAMES P. McGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. MCGOVERN. Mr. Speaker, on July 19th, I had the wonderful opportunity to attend the Centennial Event at the Clarkdale Fruit Farm in Deerfield, Massachusetts and celebrate 100 years of family business.

The Clarkdale Fruit Farm has generated tremendous good will and contributions to our community. I love this farm and all it stands for. Locally grown fresh fruit—apples, peaches, nectarines, plums and pears—all on beautiful land preserved for farming.

The Clark family are not only great farmers and great business people. They are not only great community activists. They're really incredible, nice people.

This is a family who works hard and cares deeply about the community.

I want to say a special thanks to Tom and Ben Clark for inviting me to join them on their beautiful farm—truly a gem in the Pioneer Valley. I also want to thank the rest of the Clark family: Becky Clark—Ben's mother and Tom's wife, Lori Clark—Ben's wife, and Emerson Clark—Ben and Lori's son. The farm is a wonderful place and they have so much to be proud of.

It was a thrill to celebrate the 100th anniversary of the Clarkdale Fruit Farms, which has a rich history and a special place in the agricultural heritage of Central Massachusetts.

Clarkdale Fruit Farms is also a leading example of what sustainable agriculture can accomplish, supporting many of our region's local businesses and communities.

As we commemorate the 100th anniversary, we are not just celebrating the past. We are also celebrating the future.

Clarkdale Fruit Farm is helping to keep Massachusetts agriculture vibrant and strong and I look forward to their continued success in the years to come.

25TH ANNIVERSARY OF THE POW/MIA FLAG

HON. ELIZABETH H. ESTY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Ms. ESTY. Mr. Speaker, I rise today to recognize the upcoming 25th anniversary of the POW/MIA flag.

In May of 1970, the National League of Families of American Prisoners and Missing in Southeast Asia was founded in Washington, D.C. One year after the first official meeting, Mary Hoff, the wife of a service member designated as missing in action during the Vietnam War, introduced the idea of creating a flag to remember and honor military men and woman like her husband.

Twenty-five years ago, on August 25, 1990, Congress designated the POW/MIA flag as ''the symbol of our Nation's concern and commitment to resolving as fully as possible the fates of Americans still prisoner, missing and unaccounted for in Southeast Asia.'' Now, the POW/MIA flag flies for every man and woman who has given his or her life for our great country and remains captured or missing.

To commemorate the 25th anniversary of the recognition of this flag, Wheeler-Young VFW Post 201 from Waterbury, Connecticut will lay a wreath at the Tomb of the Unknown Soldier at Arlington National Cemetery on August 10, 2015. VFW Post 201 is a vibrant post involved in numerous activities in the Waterbury community. They recently celebrated the grand opening of their new location. Wheeler-Young VFW Post 201 exemplifies the promise of leaving no man behind and the mission to educate and promote veterans' issues. Post 201 is a pillar of our community.

Thank you to Post 201 for recognizing and honoring our nation's Prisoners of War and personnel Missing in Action. I stand with you to ensure that they are not forgotten.

TRIBUTE TO MERCY CORNING HOSPITAL

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Mercy Corning Hospital of Corning, Iowa, for receiving a Silver Safety Award.

Each year the National Safety Council Greater Omaha Chapter recognizes businesses, organizations, and individuals who demonstrate an outstanding commitment to safety. Mercy Corning Hospital was given this prestigious award for continuously promoting a culture of safety and accountability. Their hard work and commitment to serving others through a safe and healthy hospital environment truly embodies our Iowa values.

Mr. Speaker, it is an honor to represent the members of the Mercy Corning Hospital in the United States Congress, and it is with great pride that I congratulate them today. I know my colleagues in the United States House of Representatives will join me in congratulating them for receiving this award and thanking them for their commitment to serving others. I wish all the employees at Mercy Corning Hospital nothing but the best moving forward.

CONGRESSWOMAN SEWELL URGES IMMEDIATE REAUTHORIZATION OF THE EXPORT-IMPORT BANK

HON. TERRI A. SEWELL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2015

Ms. SEWELL of Alabama. Mr. Speaker, today I rise to urge the immediate reauthorization of the Export-Import Bank. The Ex-Im Bank has become a crucial driver of our economy by offering loans, capital insurance, and other financial services to businesses who wish to invest in American products and grow their businesses. It fills the gap between domestic capital and domestic investment, ensuring that each and every opportunity to expand our economy has the financial backing to do so. Furthermore, the Ex-Im Bank is an exceptional government institution insofar that it both improves our economy and makes money.

For these reasons, Ex-Im Bank reauthorization has been relatively uncontroversial in the past. During the 112th Congress, my first term in office, we reauthorized the Ex-Im Bank with a vote that crossed party lines. However, I have witnessed the agreement and goodwill surrounding this issue deteriorate during my tenure. On July 1st, 2015, this burgeoning partisanship brought the Export-Import Bank to a screeching halt. Members of this congressional body refused to renew the charter for the Ex-Im Bank, allowing it to shut down entirely.

Since the first day of this month, our obstinacy has cost our nation over fifty million dollars. Every day that we allow this shut down to continue, we are shortchanging our taxpayers another two million dollars. This inaction is irresponsible, short-sighted, and detrimental to our economy. The American people want us to create jobs and help small businesses grow, not play political games.

I urge my colleagues to reauthorize the Export-Import Bank immediately.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, July 30, 2015 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

AUGUST 4

9:30 a.m.

Committee on Environment and Public Works

Subcommittee on Superfund, Waste Management, and Regulatory Oversight

To hold an oversight hearing to examine litigation at the Environmental Protection Agency and Fish and Wildlife Service, focusing on impacts on the United States economy, States, local communities, and the environment.

SD–406

10 a.m.
Committee on Energy and Natural Resources
To hold hearings to examine the back-end of the nuclear fuel cycle and related legislation, including S. 854, to establish a new organization to manage nuclear waste, provide a consensual process for siting nuclear waste facilities, ensure adequate funding for managing nuclear waste.
SD–366

Committee on Finance
To hold hearings to examine preserving families and reducing the need for foster care.
SD–215

Committee on Foreign Relations
To hold hearings to examine the Joint Comprehensive Plan of Action, focusing on non-proliferation, inspections, and nuclear constraints.
SD–419

Committee on Homeland Security and Governmental Affairs
To hold an oversight hearing to examine the Bureau of Prisons, focusing on first-hand accounts of challenges facing the Federal prison system.
SD–342

2:30 p.m.
Committee on Foreign Relations
To hold hearings to examine the nominations of Ann Calvaresi Barr, of Maryland, to be Inspector General, United States Agency for International Development, and David Malcolm Robinson, of Connecticut, to be an Assistant Secretary of State (Conflict and Stabilization Operations), and to be Coordinator for Reconstruction and Stabilization.
SD–419

3 p.m.
Select Committee on Intelligence
To hold closed hearings to examine certain intelligence matters.
SH–219

AUGUST 5

10 a.m.
Committee on Banking, Housing, and Urban Affairs
To hold hearings to examine the implications of sanctions relief under the Iran agreement.
SD–538

Committee on Health, Education, Labor, and Pensions
To hold hearings to examine reauthorizing the Higher Education Act, focusing on opportunities to improve student success.
SD–430

Committee on the Judiciary
To hold hearings to examine the Department of Justice's legal obligation to ensure Inspector General access to all records needed for independent oversight.
SD–226

AUGUST 6

9 a.m.
Committee on Homeland Security and Governmental Affairs
Subcommittee on Regulatory Affairs and Federal Management
To hold hearings to examine agency progress in retrospective review of existing regulations.
SD–342

9:30 a.m.
Committee on Armed Services
To hold hearings to examine the procurement, acquisition, testing, and oversight of the Navy's *Gerald R. Ford*-class aircraft carrier program.
SD–G50

2:30 p.m.
Select Committee on Intelligence
To receive a closed briefing on certain intelligence matters.
SH–219

SEPTEMBER 10

10 a.m.
Committee on Banking, Housing, and Urban Affairs
To hold hearings to examine the nomination of Adam J. Szubin, of the District of Columbia, to be Under Secretary for Terrorism and Financial Crimes, Department of the Treasury.
SD–538